

**Partnerships in the County**  
 An Educational Endeavor of the Texas Justice Court Training Center

1

---

---

---

---

---

---

---

---

why are partnerships necessary or why are they being created?

1. Without partnerships or collaboration, a true form of "efficient or effective" office may not be achieved.
2. We need something from each other.

2

---

---

---

---

---

---

---

---

Partnerships and offices we usually interact with in our county

- JP Office
- Other Constables
- Sheriff's Office
- County Judge and Commissioner's
- County Auditor
- District/County Attorney's Office

3

---

---

---

---

---

---

---

---

What other county office have you worked with most during the pandemic?

- 1. JP Office
- 2. Sheriff's Office
- 3. County or District Attorney's Office
- 4. County Commissioners/County Judge
- 5. Other

---

---

---

---

---

---

---

4

What are the **three** most important things you need to build a successful partnership?

- 1. Understand your role and the role and expectations of other offices
- 2. Good communication
- 3. Planning

---

---

---

---

---

---

---

5

### Understanding and defining your Office's Role

Where does a Constable's authority come from?

---

---

---

---

---

---

---

6

Texas Constitution Article 5, Section 18

- County with more than 50,000 people needs at least 4, but not more than 8 precincts.
- County with a population between 18,000 and 50,000 people needs at least 2, but not more than 8 precincts.
- County with less than 18,000 people needs at least 1, but not more than 4 precincts.
- In each of these precincts, there will be one elected Justice of the Peace and one Constable who will hold office for 4 years.

---

---

---

---

---

---

---

---

7

Which category does your county fit into?

1. County with more than 50,000 people *(needs at least 4, but not more than 8 precincts)*
2. County with a population between 18,000 and 50,000 people *(needs at least 2, but not more than 8 precincts)*
3. County with less than 18,000 people *(needs at least 1, but not more than 4 precincts)*

---

---

---

---

---

---

---

---

8

In Practice

- Over 2,500 deputies and Constables of which **over 700** are Constables in the State of Texas
- This number does not include any Constable support staff

---

---

---

---

---

---

---

---

9

Legal authority of a constable

- Article 2.12(2) Criminal Code of Procedures defines a Constable as a Texas Peace Officer
- Article 2.13 defines the duties and power of a Peace Officer
  - Preserve the Peace
  - Prevent and suppress crime
  - Execute any legal process issued by any magistrate or Court
  - Give notice to magistrate of all offenses...where there has been a violation of the penal law
  - Arrest offenders as authorized by law
  - Take possession of a child under Art. 63.009(g)

---

---

---

---

---

---

---

---

10

Legal authority of a constable

- Texas Local Government Code Section 86.021(summarized)
  - Execute and return process, warrant, precepts
  - May execute any civil or criminal process throughout the county
  - All civil process may be served in the county or county contiguous to the county, unless a party to the suit
  - Shall attend each justice court held in the precinct.

---

---

---

---

---

---

---

---

11

Opinion no. ga-0349

page 1 of 3

- A Constable is but one kind of peace officer with countywide jurisdiction, including sheriffs...although all of these peace officers have countywide jurisdiction, each category of peace officer has a distinct law enforcement mission.
- The statutes seem to anticipate that a constable will engage in law enforcement activity only as warranted by local conditions, generally focusing on the constable's own precinct.

---

---

---

---

---

---

---

---

12

Opinion no. ga-0349

page 2 of 3

- Constable's law enforcement activities must not infringe on constables' myriad statutory duties such as the mandatory duty to **attend each session of the precinct's justice court** and execute all civil and criminal process directed to the constable (Local Government Code § 86.021).
- Additionally, the allocation of resources for county law enforcement is largely a matter for the commissioner's court (Ector county vs. Stringer, etc).

---

---

---

---

---

---

---

---

13

Opinion no. ga-0349

page 3 of 3

- And by statute, the needs of a precinct are an important factor for a commissioners court to consider when it determines funding for the office (LGC 86.011(a)).
- (providing that constables desiring to employ a deputy must apply to the commissioner's court of the county and "show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct")

---

---

---

---

---

---

---

---

14

Location Matters

- County business looks very different depending on where you are from.

---

---

---

---

---

---

---

---

15

What DO the roles of the other county offices look like in practice?

- JP OFFICES
- OTHER CONSTABLES
- SHERIFF'S OFFICE
- COUNTY JUDGE
- COMMISSIONERS
- AUDITORS
- DISTRICT/COUNTY ATTORNEY

---

---

---

---

---

---

---

---

16

Roles of other county offices (Summarized)

- **JP:** Elected by precinct constituents, magistrates, inquests, class c misdemeanors, truancy, administrative hearing officer, hears civil cases under \$20,000, landlord/tenant issues, marriages
- **County Judge:** Is elected county-wide. Presiding officer of the commissioners court; Serves as budget officer in counties with fewer than 225,000 residents; most have broad judicial duties; conducts meetings and approves county budget
- **Commissioners:** Elected by precinct constituents, approves county budget

---

---

---

---

---

---

---

---

17

Roles of other county offices (Summarized)

- **District Attorney/County Attorney:** Represents the State in criminal cases, counsel for elected officials, Note: the DA represents the county in a removal process of an elected official under Chapter 66 in a Quo Warranto Proceeding, CPRC
- **Sheriff:** chief law enforcement officer for the county, maintains the jail and generally responds to calls and patrols traffic located outside the municipality, serves process and provides building security.

---

---

---

---

---

---

---

---

18

Roles of other county offices  
(Summarized)

**County Auditor**

- Appointed by the district judge(s)
- Prepares and administers accounting records for all county funds
- Audits the records and accounts of the various county departments
- **Verifies the validity and legality of all county disbursements**
- Forecasts financial data for budgetary formulation purposes
- Serves as budget officer in counties with more than 225,000 residents (counties with more than 125,000 residents may opt for an appointed budget officer.)

---

---

---

---

---

---

---

---

19

What does each office need from the constable and vice-versa?

**JP needs Constable to:**

- Bailiff the court when in session
- Execute and return all civil and criminal process

**Constable needs JP to:**

- Give timely notice of hearings
- Give ample time for service and return on civil and criminal process
- Give ample notice for Jury trials

---

---

---

---

---

---

---

---

20

How many of you Get along great with your jp?

1. I do!
2. We struggle to get along but try to work together.
3. We don't get along at all.

---

---

---

---

---

---

---

---

21

What does each office need from the constable and vice-versa?

**One constable needs other constables in same county to:**

- Bailiff the court when in session when constable is not available
- Execute and return any civil and criminal process in his/her precinct when constable is not available
- Assist/back up in LE or potentially volatile duties when requested

---

---

---

---

---

---

---

---

22

How many of you get along great with the other constables?

1. We are a great team!
2. We get along but don't work together.
3. We don't get along at all.

---

---

---

---

---

---

---

---

23

What does each office need from the constable and vice-versa?

**Commissioners Court needs**

**Constable to:**

- Stay within approved budget
- Respond to constituent requests such as illegal dumping, speeding, school crossings

**Constable needs**

**Commissioners Court to:**

- Approve necessary resources needed to perform required duties
- Approve a fair salary

---

---

---

---

---

---

---

---

24



How many of you get along great with your commissioners and county judge?

1. We have a great working relationship.
2. We have an okay relationship.
3. We avoid each other if possible.

---

---

---

---

---

---

---

---

25

What does each office need from the constable and vice-versa?

|  |  |
|--|--|
| <p><b>Sheriff needs Constable to:</b></p> <ul style="list-style-type: none"> <li>• Assist the sheriff with LE duties/back up when requested</li> <li>• Assist with community service efforts when requested</li> </ul> | <p><b>Constable needs Sheriff to:</b></p> <ul style="list-style-type: none"> <li>• Assist the constable with LE duties/back up when requested</li> <li>• Provide TCIC/NCIC access</li> <li>• Assist with community service efforts when requested</li> </ul> |
|--|--|

---

---

---

---

---

---

---

---

26

How many of you get along great with your sheriff?

1. We work together all of the time!
2. We work together, but don't always see eye-to-eye.
3. We don't get along at all.

---

---

---

---

---

---

---

---

27

What does each office need from the constable and vice-versa?

**DA/CAO needs Constable to:**

- Keep office informed of any potential liability issues
- Serve any civil/criminal process that is issued by their office

**Constable needs DA/CA to:**

- Provide legal advice/counsel when requested
- Represent the elected official during court proceedings against the constable while in their official capacity

---

---

---

---

---

---

---

---

28

How many of you get along great with your da or ca?

1. We have a good working relationship, and they advise our office often.
2. We get along, but they don't know much about what we do.
3. We rarely have interaction.
4. We don't see eye-to-eye.

---

---

---

---

---

---

---

---

29

What does each office need from the constable and vice-versa?

**County Auditor needs**

**Constable to:**

- Verify the validity and legality of all county disbursements
- Maintain accurate records of any financial transactions and expenditures

**Constable needs Auditor to:**

- Verify the validity and legality of any county disbursements needed by the constable
- Ensure and verify that all financial transactions are accurate

---

---

---

---

---

---

---

---

30

How many of you get along with your auditor?

- 1. We work together and get along great!
- 2. We only see/talk to each other during budget season.
- 3. We have a strained relationship.

---

---

---

---

---

---

---

---

31

RURAL Constable's Office  
Const. Kim Holliday  
Anderson County

**Town:** Palestine and surrounding areas

**Precinct Size:** Approximately 13,000

**Staff:** 1 Constable office. She shares an office with 3 other Constables.

**Typical Day:** You can't plan your day because you never know what's coming! You field your own calls and people call for all kinds of reasons. Const. Holliday bailiffs for JP court and when the Sheriff is running short, she bailiffs for district and county court.

Small town Constables are never really off-duty because everyone knows us. We dispatch through the sheriff's department, so the sheriff's often call on us. We do a lot of illegal dumping calls. We all have 4-wheel drive pickups because you never know what kind of roads you'll drive on!

---

---

---

---

---

---

---

---

32

Small JP Office  
Hon. Mary Ann Leudecke  
Jeff Davis County

**Town:** Countywide JP

**Precinct Size:**  
2,156 people BUT 2,265 square miles

**Staff:** 1 part-time clerk

**Typical Day:**  
Light case load but high variety. You never know what's going to walk in the door! Debt claim, dangerous dogs, evictions, septic tanks, "I'm mad at my neighbor." etc. She also magistrates at the jail and does inquests. She sees a lot of sovereign citizen cases too.

---

---

---

---

---

---

---

---

33

NOW THAT WE HAVE A BASIC UNDERSTANDING OF THE DIFFERENT ROLES...

---

---

---

---

---

---

---

---

34

**Remember:**  
Three most important things to build a successful partnership

- Understand your role and the role of other offices
- Good communication
- Effective planning

---

---

---

---

---

---

---

---

35

### Effective partnerships

- **Understand your role and the role of other offices**
  - You know your role but how do you explain your role to the other offices?
- **Good communication**
  - This would be the key element to a successful plan. How would you communicate and achieve a buy in?
- **Planning**
  - Many would consider this the implementation phase of the beginning of a partnership. An understanding or agreement.

---

---

---

---

---

---

---

---

36

DEFINE Your role

- Some other offices may not agree with your definition or your understanding of your role initially.
- Do your homework and understand your authority.
- Prepare case law, attorney general opinions, citations of statutes/law and or factual documentation of community support.

---

---

---

---

---

---

---

37

COMMUNICATION

- Personal one on one meetings are more effective than emails, text messages and even phone calls.
- You might initiate your conversation with an invite to lunch or a short meeting to discuss the purpose of the meeting, too much initial information may be overwhelming.
- Follow up with a second meeting or lunch with the necessary information. Be realistic, measurable and accountable.

---

---

---

---

---

---

---

38

Planning

- Be realistic, measurable and accountable.
- Be CLEAR of what your goals are and what you plan to achieve.
- Document any agreements or understanding you came to and follow up with an email or some sort of written documentation.

---

---

---

---

---

---

---

39

Potential Barriers!!!

40

---

---

---

---

---

---

---

---

Potential barriers

- Politically charged
- Personality conflicts
- Lack of buy-in to the duties and responsibilities
- Lack of buy-in to the need or request
- Lack of revenue/funding

41

---

---

---

---

---

---

---

---

Find an ally!

- Who would you involve with your proposal if the issue is with:
- Your Commissioner?
  - County Judge or other Commissioner
  - Sheriff?
    - County Judge or Commissioner
- Other Constable(s)?
  - Your Commissioner, County Judge or other Commissioners

42

---

---

---

---

---

---

---

---

### Formal Partnership Building

- Incorporates our first three things we learned:
  - Our role/other offices' roles
  - Communication
  - Planning

---

---

---

---

---

---

---

---

43

### Formal Partnership Building

- Establish and Maintain Buy-in
- Be Realistic
- Have Measurable Results
- Be Accountable

---

---

---

---

---

---

---

---

44

### Establish & Maintain Buy-in

- Who should be involved in fixing this process?
- Who will take the lead for this group?
  - Who will have the responsibility for driving the partnership agenda forward?
  - Remember, if you initiate it, you may end up being in charge!
- How will the plan be communicated?
  - In-person meetings? Virtually?
  - How can you get input from everyone?

---

---

---

---

---

---

---

---

45

Be Realistic

- How can you keep the partnership specific and not let it become too broad?
- What outside considerations do you have to take into account?
  - Politics
  - Time and resources
  - Sensitive issues
- Is there a common understanding of why this partnership is being created?
- How can you keep your plans flexible?

---

---

---

---

---

---

---

46

Have measurable results

- What are the short, intermediate, and long-term goals?

---

---

---

---

---

---

---

47

Be Accountable

- How can you organize specific due dates and goal completion?
- What plans can you set up to review and communicate progress?

---

---

---

---

---

---

---

48



In your office

- What are some partnerships that exist in your office and work well?
- Partnerships that could be improved?
- How has COVID-19 affected these partnerships?

49

---

---

---

---

---

---

---

---

One Future Partnership You want to work on

- What is one partnership you want to work on in your office?
- Barriers?
- Plans?

50

---

---

---

---

---

---

---

---