

FY-20 COURSE DESCRIPTIONS & LEARNING OBJECTIVES: COURT PERSONNEL

Organizing Your Court for Procedural Justice (2 Hours)

When courts act with fairness, people are more likely to respect the law. But it is not enough for courts to simply act impartially: they must be seen to be fair – which is less about the decisions courts make and more about the way they make them. Experts often refer to this as “procedural fairness.” If courts are respectful, neutral, easy to understand and people involved in the case feel they have a voice, courts can build trust in the law. This class will explore how you can organize your court to achieve these important objectives.

The student will be able to:

1. Contribute to members of the public feeling fairly treated;
2. Identify ways in which the court can avoid using complex jargon;
3. Direct members of the public to resources that will help them understand the court’s procedures;
4. Develop best practices to promote a public perception that they had a full and fair opportunity to be heard;
5. Utilize technology to access important information and resources.

Tricky Issues: Evictions and Other Landlord-Tenant Disputes (2 Hours)

This class will use scenarios to examine some of the “problem” areas in eviction cases and other landlord-tenant disputes, including notices to vacate, the Protecting Tenants at Foreclosure Act, immediate possession bonds, writs of re-entry and restoration, and repair and remedy cases.

The students will be able to:

1. Identify complex issues arising in eviction and landlord-tenant disputes;
2. Locate the applicable rule or statute to resolve such issues;
3. Develop best practices to assist the court in handling complex eviction and landlord-tenant disputes;
4. Utilize technology to access important information and resources.

Expect the Unexpected: Plan, Assess, & Respond to Emergencies (2 hours)

In this class, students will develop an action plan for how to prepare for and respond to emergencies that could impact their court, such as natural disasters, violent outbursts, and acts of terror. Having a good plan can help reduce the consequences and fallout when something unexpected happens.

The student will be able to:

1. Identify how different court functions may be impacted by various emergencies.
2. Develop a plan to protect themselves, other court personnel, property, and documents in the case of an emergency.

3. Develop a plan to communicate with the public and maintain court function to the extent possible in the case of an emergency.
4. Utilize technology to access resources and templates.

Deskbook Scavenger Hunt (2 hours)

The Texas Justice Court Training Center has published several Deskbooks covering topics relevant to justice courts. Being able to find information in these books is a useful skill that will help clerks to quickly find information they need. In this course, students will practice using the Deskbooks to find the answers to a variety of questions. Students will need to bring a laptop, tablet, or smart phone to search in the Deskbooks online during class.

The student will be able to:

1. Identify which deskbook to look in for a particular topic.
2. Apply research skills to look up and find information.
3. Analyze language and apply the meaning to a specific situation.
4. Utilize technology to access and search within deskbooks.

Step by Step Eviction Procedure (2 hours)

From the filing of the petition to issuing a writ of possession, this class will cover the basics of residential eviction cases. Note that this class will **not** cover eviction appeals, as that topic is covered in a separate class.

The student will be able to:

1. Identify the timing requirements, and properly compute them utilizing Rule 510.2;
2. Identify and define legal terminology used in this field;
3. Describe the procedural requirements at filing, at default hearings, and at contested trials;
4. Identify differences in procedures when a bond for immediate possession is filed;
5. Ensure that citations and judgments comply with all legal requirements;
6. Utilize technology to access handbooks, statutes, and rules of procedure relating to residential evictions.

Eviction Appeal Scenarios (2 Hours)

This class will use scenarios to explain procedures in eviction appeals, including how to properly perfect an appeal, payment of rent into the registry of the court, issuance of a writ of possession, and the effect of a bankruptcy filing on an appeal.

The student will be able to:

1. Identify issues relating to an appeal of an eviction case;
2. Determine the correct rule or statute to apply in processing appeals and writs of possession;

3. Develop best practices to assist the court in handling eviction appeals and related issues;
4. Utilize technology to access important information and resources.

Preparing Civil Cases (2 Hours)

Ever wonder exactly what your judge should have on the bench when a civil case is set? This class will look at best practices for preparing civil cases for various hearings, including default hearings, summary disposition hearings, pretrial hearings, jury trials, and bench trials.

The student will be able to:

1. Distinguish between various settings in civil cases;
2. Prepare a case file with information relevant to the judge;
3. Discuss best practices with other clerks;
4. Utilize technology to access applicable rules, statutes, deskbooks, and other resources.

Truancy (2 Hours)

This class will provide a quick refresher of truancy case procedures and will focus in-depth on the creation and enforcement of remedial and other orders. Students will participate in group discussion based on specific scenarios.

Students will be able to:

1. Identify the components of a truancy case and the procedures that must be followed.
2. Craft successful remedial orders based on specific student needs.
3. Craft successful orders affecting parents and others depending on case circumstances.
4. Determine when and how to modify or enforce a remedial or other order.
5. Utilize technology to access deskbooks, statutes, and forms, and other resources.

Step by Step Criminal Procedure: Appearance and Appeals (2 hours)

This class will cover basic procedures in a criminal case in justice court involving the defendant's appearance and appeals. Topics will include entering pleas, including pleas by mail and by making payment, what happens when a defendant does not appear to enter a plea, creation of judgments, relevant indigency issues, and new trial and appeal procedure.

The student will be able to:

1. Recognize the procedures to follow when a person fails to enter a plea or appear after being cited for an offense, including issuance of a warrant, referral to OMNI or collections;
2. Distinguish between Violate Promise to Appear and Failure to Appear;
3. Apply procedures for new trial and appeal;
4. Utilize technology to access handbooks, statutes, and forms relating to procedures in criminal cases in justice court.

Tricky Issues: Criminal Cases (2 Hours)

This class will use scenarios to explain tricky issues related to criminal law and the justice court. Covered topics will include defective or missing complaints, cases filed in the wrong court, how to proceed when defendants do not appear as scheduled, when defendants fail to satisfy a judgment against them, and appeal issues.

The student will be able to:

1. Apply information obtained to court practices;
2. Create procedural safeguards to avoid common mistakes that occur in criminal law;
3. Assess situations and develop strategies for dealing with complex situations;
4. Utilize technology to access applicable rules, statutes, deskbooks, and other resources.

Tech Trends: Paperless Courts & E-Filing (2 Hours)

E-Filing is coming! It is already in use in most courts in the state and is available in justice courts in many large counties. This class will explain what is needed to set up E-Filing in your court, and how to set up your court as a paperless court as we continue to move into the 21st Century.

The student will be able to:

1. Identify current e-filing practices in justice court;
2. Recognize tools that may facilitate e-filing in the future;
3. Identify ways to reduce or eliminate paper output from the court;
4. Utilize technology to access applicable rules, statutes, and other resources.

Juvenile Criminal Cases (2 hours)

This class will cover specific issues that arise in tobacco cases, alcohol cases involving minors, and school offense cases. The course will also cover any changes in the laws from the 2019 legislative session that impact juvenile criminal cases.

The student will be able to:

1. Identify issues that arise in alcohol cases involving minors and apply the relevant procedures in these cases;
2. Identify issues that arise in tobacco cases and apply the relevant procedures in these cases;
3. Identify issues that arise in school offense cases and apply the relevant procedures in these cases;
4. Explain any changes in the law from the 2019 legislative session that impact juvenile criminal cases.
5. Utilize technology to access TJCTC resources relating to juvenile criminal cases in justice court.

Step by Step Criminal Procedure: Deferrals, Dismissals, and Enforcement

This class will explain step by step the proper procedures that apply to deferred disposition, Driver Safety Course, compliance dismissals, and enforcement of judgments in criminal cases.

The student will be able to:

1. Identify when a deferral, DSC or dismissal applies in a criminal case in justice court;
2. Distinguish between deferral, DSC and dismissal situations;
3. Correctly apply the procedures for deferral, DSC, dismissal and enforcement of judgments in criminal cases in justice court;
4. Utilize technology to access important information and resources.

Advanced Scenarios: Enforcement of Civil Judgments

This class will use scenarios from justice court cases to explain complex issues relating to enforcement of judgments in civil cases.

The student will be able to:

1. Explain the procedures required to enforce a judgment in a civil case in justice court;
2. Properly apply the procedures relating to enforcement of a civil judgment, including by means of a writ of execution, a writ of garnishment, an abstract of judgment and a turnover order or appointment of a receiver;
3. Adopt best practices for enforcement of civil judgments;
4. Utilize technology to access important information and resources.

The \$20,000 Question: How Will the Jurisdictional Increase Affect Your Court? (2 Hours)

This class will examine the likely impact of the increase in jurisdictional amount for justice court from \$10,000 to \$20,000 and discuss the types of cases the courts are likely to see more often.

The student will be able to:

1. Recognize when the court does and does not have jurisdiction in civil cases;
2. Explain proper default judgment procedures;
3. Deal with an increase in the number of cases in which the parties are represented by lawyers;
4. Utilize technology to access important information and resources.

CMVs and CDLs: What's the Riggin' Deal?!

One of the trickier issues that justice courts deal with is processing cases involving commercial vehicles and/or CDL holders. This class will break down common offenses, examine when cases can and cannot be dismissed, and discuss what to do when companies want to pay a driver's citation.

The student will be able to:

1. Identify cases which can be dismissed involving CMVs or CDL holders;

2. Apply appropriate fine ranges and court costs upon conviction;
3. Describe proper procedure for processing payments not made by the defendant;
4. Utilize technology to access applicable rules, statutes, and other resources.

Step by Step Civil Procedure: Filing Through Judgment (2 hours)

New to handling civil cases or need a refresher on the basics? This class will take on standard civil procedure issues from filing through judgment.

The student will be able to:

1. Describe the framework of the justice court rules of civil procedure;
2. Identify and understand legal terminology used in this field;
3. Identify and apply basic timing requirements;
4. Properly issue citations, writs, and other court documents;
5. Utilize technology to access handbooks, statutes, and rules of procedure relating to civil cases.

Live Legal Board (2 Hours)

The TJCTC Legal Board is extremely popular, handling over 1500 questions a year! In this class, bring your questions for immediate, in-person answers! For the shy, there will be notecards available to allow anonymous question submission. Start thinking up good ones now!

The student will be able to:

1. Apply information received to practices and procedures in the court;
2. Discuss justice court issues with staff and other clerks.
3. Utilize technology to access resources.

Administrative Jeopardy (2 Hours)

Courts are frequently required to handle a wide range of administrative proceedings. These include cases involving dangerous dogs, cruelly treated animals, disposition of stolen property and seized weapons, driver's license suspension and revocation, handgun licenses, occupational driver's licenses, and tow hearings. This course will use a "Jeopardy-style" format to "test" and improve your knowledge of important issues in these cases.

The student will be able to:

1. Identify the primary issues that may arise in administrative proceedings;
2. Distinguish between administrative proceedings that may be heard in justice court and those that must be heard in other courts or agencies;
3. Determine what type of relief a party is entitled to in an administrative proceeding;
3. Recognize time requirements for filing, deciding, and potentially appealing administrative proceedings;
4. Utilize technology to access applicable rules, statutes, and other resources.

Best Practices Roundtable (2 Hours)

Texas is a large state with a wide array of counties and the implementation of laws and resources in each county can be different. Exploring how other courts have dealt with different dilemmas and situations can lead to creative solutions and maximized resources. This course will give clerks the opportunity to brainstorm, share, and discuss experiences and situations to improve justice courts across the state.

The student will be able to:

1. Identify best practices utilized in other justice courts that may be applicable in their court;
2. Share best practices they have in place with other justice courts that are similarly situated;
3. Explore new means for improving case administration in their courts;
4. Describe recurring problem issues in their courts and suggest solutions;
5. Utilize technology to access important information and resources.

Step by Step Civil Procedure: Appeals and Enforcement of Judgments (2 Hours)

This class will explain step by step the basic procedures for appeal and enforcement of judgments in civil cases in justice court.

The student will be able to:

1. Explain the procedures required to appeal a civil case from justice court;
2. Distinguish between a case in which an appeal is properly perfected and a defective appeal;
3. Implement procedures relating to enforcement of a civil judgment, including by means of a writ of execution, a writ of garnishment, an abstract of judgment and a turnover order or appointment of a receiver;
4. Utilize technology to access important information and resources.

Stay in Your Lane: Authorities and Duties of a Justice Court Clerk (2 hours)

Clerks handle a large variety of tasks for their courts. This course will cover what a clerk can and cannot do in a justice court. Students will discuss best practices for court policies and communication within the office, with outside groups, and with the public.

The student will be able to:

1. Identify the responsibilities of a court clerk, including the role of ethics and professionalism;
2. Identify tasks that a clerk may not do and policies for handling these tasks;
3. Define legal advice and legal information and identify whether a question is asking for legal advice or legal information;

4. Explain best practices for communication within the office, with outside groups, and the public;
5. Utilize technology to access resources for the court and resources to provide to the public.

Making Your Court the Most Wonderful Place on Earth (2 Hours)

What do you think of when you think of customer service? Is it the “My pleasure!” of an employee at Chick-fil-A, or perhaps the immaculate attention to detail at Disney World? This class will examine how to make sure that the customer service your court is providing, from what to say and how to say it to understanding outside perception, is “Disney good.”

The student will be able to:

1. Identify opportunities to provide elite customer service;
2. Apply best practices when presented with opportunities to provide elite customer service;
3. Distinguish between legal advice and legal information;
4. Utilize technology to access applicable rules, statutes, and other resources.

Clerk Certification Exam: Criminal (4 hours)

Students will take the Criminal Clerk Certification Exam. There will be an opportunity to ask questions before the exam and a post-test review after the exam. Exams are \$15 payable onsite only by check or money order.

The student will be able to:

1. Review and prepare for the Clerk Certification Exam;
2. Take the Clerk Certification Exam;
3. Attend the post-exam review of answers.

Clerk Certification Exam: Civil (4 hours)

Students will take the Civil Clerk Certification Exam. There will be an opportunity to ask questions before the exam and a post-test review after the exam. Exams are \$15 payable onsite only by check or money order.

The student will be able to:

1. Review and prepare for the Clerk Certification Exam;
2. Take the Clerk Certification Exam;
3. Attend the post-exam review of answers.

Master Clerk Exam (4 Hours)

Students will take the Master Clerk Certification Exam. There will be a final review prior to the exam as well as a post-test review after the exam. Exams are \$15 payable onsite only by check or money order.

The student will be able to:

1. Review and prepare for the Master Clerk Certification Exam;
2. Take the Master Clerk Certification Exam;
3. Attend the post-exam review of answers.