

Justice Court Precinct 1 Procedures

OVERVIEW

Justice of the Peace Judges are elected officials and serve four-year terms. They are responsible for presiding over Justice Court cases which include civil, criminal, misdemeanor, and administrative. The Judge also issues warrants and other civil processes, conducts various hearings, interviews for emergency mental health warrants, performs marriage ceremonies, and serves as a notary public. The staff consists of the Judge, a Court Manager, and seven clerks assigned to the following departments: civil, eviction, and misdemeanor.

The Justice Court collects fees for each service provided. Fees collected are to be deposited into the Tarrant County Consolidated account daily. To do so the court uses the county's contracted armored car service. This service will pick up the deposit daily and transport it to the bank for deposit into the Tarrant County Consolidated Bank Account. Each deposit made into the Tarrant County Consolidated Bank Account is entered in SAP "Cash Account". SAP then generates a Deposit Warrant number which is then entered into the JP1 daily deposits spreadsheet. The Justice Court also collects money orders, cashier's checks or personal checks payable to an out-of-county Constable or Sheriff for service of citations, cash bonds, and/or appeal filing fees for the appropriate County Court at Law. The Court also accepts full payment on judgments from a judgment debtor in which the prevailing party cannot be located. These monies are held in the court's escrow account and registry. If a prevailing party is found, and properly identified, these monies are released to said party. The Court retains unclaimed monies in its registry for a minimum of 3-years before sending it (escheats) to the Texas State Comptroller or County Auditor as an unclaimed fund.

Justice Court One is open for business Monday through Friday, except County holidays, from 8:00 a.m. to 4:30 p.m. The office is located at 100 West Weatherford St. Room 450, Fort Worth, Texas 76196.

MAIL

Mail is delivered by UPS and by business or attorney's office courier to the Court. The clerks rotate the duty to open mail and distribute it to the appropriate clerk and Judge. Daily mail includes new case filings, payments on misdemeanor cases, answers to a case to include jury fees, requests for writs, business checks, money orders and cashier's checks.

COMPUTER ACCESS

Each court employee is assigned a computer and must use their username and password to access it. The computer systems and all programs used in processing work require the changing of passwords every 30 days.

All court clerks have access to the court operating program, Odyssey, and are provided with a username and password; this will allow clerks to issue receipts for monies received during the workday which are entered into the program.

All court clerks have a username and password to access and run credit or debit card payments received through NCourt. Only the Court Manager and backup clerks have access to the "Manage Deposit" tab located within Odyssey.

RECEIPTS

The Court accepts business checks, cashier checks and money orders in person and by mail. Cash can only be accepted in person. Credit and Debit cards (American Express, Discover, MasterCard, and Visa) are accepted online and in person (Credit/Debit card holder must be present). Any person presenting a credit/debit card of another person must provide the court with valid identification and a written and signed statement from the credit/debit card owner giving permission to charge the card. The court receives fees for both civil and criminal cases. These fees are further classified into either "General Fund" or "Trust Fund" on the Receipts Ledger. General Fund monies include civil court fees, fines, traffic, certified mail, Justice Court technology fund, courthouse security fund, Justice Court Building security fee and OMNI collection fees that the county is entitled to collect. All "General Fund" monies must be remitted to the County Auditor each month. "Trust Fund" monies include State fees (remitted to Auditor's office), cash/appeal bonds, and amounts payable to others. These funds are held in the Tarrant County Consolidated bank account until they are ordered or requested to be paid to the rightful owner or escheats to the State.

ISSUANCE OF A RECEIPT (Over-the-Counter, Mail-In, and Online Credit Card Payments)

Clerks issue computer-generated, sequentially-numbered receipts to record the receipt of monies via Odyssey. Monies received are placed in a blue zip bag, and a receipt is given to the customer. In the event the Odyssey system is down, customers are given a hand-written receipt. Once Odyssey is backup, the appropriate clerk issues a computer-generated receipt for the transaction (new filing, civil process, misdemeanor payment, etc.) and then sends the customer a copy of the receipt by mail. To issue a receipt, whether it is received in person or by mail, the clerk determines if the payment is valid and if the payment applies to an existing or new case.

If a customer is making payment on an existing case, the clerk accesses the case number in Odyssey, selects the appropriate charges, posts the payment and generates a receipt. If the payment is for a new filing, the clerk enters the relevant case information provided by the customer into Odyssey and generates a new case number and receipt. Once they issue the receipt, the clerk endorses the checks, cashier's checks and/or money orders with a rubber stamp (bank endorsement deposit) and stores the monies received in the blue zip-bag in their desk drawer until the balancing process at the end of the day. All desk drawers remain locked throughout the work day. The case number is written on all checks along with the Odyssey generated receipt number. At the end of the business day, clerks balance their monies and all monies are turned in with the report generated from Odyssey to the Court Manager or backup clerk assigned by the Judge or Court Manager.

Credit card payments for misdemeanor cases are accepted via JPfines.com, which is serviced by NCourt. When an individual pays online, the misdemeanor clerk or the assigned clerk will log in to the NCourt dashboard using their assigned username and password. Each morning, the misdemeanor clerk or assigned clerk will review and either accept or reject any pending payments. The clerk issues a computer-generated receipt from Odyssey that is mailed to the payer. The clerk also writes the Odyssey receipt number (which is found on the computer-generated receipt) on the credit card payment printout. This receipt is turned into the Court Manager or backup clerks at the end of the day. NCourt does not allow for overpayments or underpayments of fees and fines. If for some reason the Court receives a payment online where there is an overpayment or an underpayment of case fees and fines, the clerk will check with the Manager or manager backup clerk for approval before accepting and issuing a computer-

generated receipt from Odyssey. If there is an overpayment, once approved by the Manager or backup clerk assigned by the Judge or Court Manager, the amount of excess payment will be refunded back to the payer's credit card before the payment is accepted via NCourt. If there is an underpayment, once approved by the Manager or backup clerk, the clerk issues a computer-generated receipt from Odyssey that is mailed to the payer.

ELECTRONIC FILING (E-Filing)

Electronic filing is a system that enables registered users to file documents with the Court 24-hours-a-day, 7-days-a-week. This system provides customers the opportunity to transition from an inefficient, paper-based process to a streamlined, technology-based electronic filing (e-filing) system. Effective July 1, 2019, Justice Court Precinct One implemented MANDATORY E-Filing of ALL cases. Paper case filings were no longer accepted after July 1, 2019. On May 16, 2019, the Court officially designated all Court documents as the official Court record. Since November 2018, multiple notices were posted throughout the 1895 Old Courthouse, 100 W. Weatherford St. and in Justice Court Precinct One, Room 450. Also, a notice was posted on the court's website as to the July 1st implementation. All Pro Se litigants (parties not represented by an attorney) and attorneys would be required to submit new Eviction, Small Claims, Debt Claims, any subsequent case filings and any other response pleadings via E-File Texas Self-Help or E-File Texas. Any litigant not having online computer capabilities will have access to the computer kiosk in the Justice Court office. Any cases not accepted by E-File Texas Self-Help or E-File Texas will have to be submitted in person. Additionally, Justice Court One accepts electronic filings for Repair and Remedy Cases, Garnishment Cases, Order of Re-Entry and Property Retrieval, Tow Hearings and Occupational License. Electronic cases are received by the Court daily through the EFileTexas.gov website. Clerks work in teams to review and either accept or reject the case filing based on documents submitted. Daily electronic filings include Small Claim cases, Debt Claim cases, Eviction Cases, Writ of Garnishment, Occupational License, Repair and Remedy and subsequent filings by either using EFileTexas or EFileTexas Self Help. If the clerk rejected the filing, there's no effect on the Court or Odyssey. However, if the clerk accepts the filing with payments, a receipt will automatically be generated in Odyssey. If a case is accepted and payment is declined, the case will still be generated in Odyssey. The Clerk must go to the errors queue in the E-File review queue and reject the filing due to Insufficient Funds. Even though the payment is declined, Odyssey will still generate a case number. Therefore, the Clerk will have to go into the case in Odyssey and dispose of it accordingly. By 3:30PM each day, Justice Court, Pct. 1 will stop taking any new cases/subsequent filings that contain any associated monies.

ODYSSEY END OF DAY BALANCING

The Court maintains a \$0.00 till balance at the beginning of each day since cash must be paid in exact amounts. At the end of the day, each clerk reconciles their till via Odyssey. Effective April 14, 2020, once the clerk reconciles their till, the clerk will run the Odyssey Till Balance Report and save this report as pdf. After the report is saved as a pdf, if the clerk has any credit cards, trust money receipt, or any other documentation; they will save these as pdf files and combine them into ONE pdf document using Adobe. The clerk will also use the "fill & sign" feature in Adobe to initial both the Till Balance Report and any credit card receipts. When complete, the clerk will e-mail the Odyssey Till Balance Report to the Court Manager or backup clerk. The email must include the following: Subject line- EOD Monies (date), Body of the email should state the following statement: Please see attached EOD Monies. If the clerk has any cash or checks, these will be handed in or put in the basket in the Court Manager or backup clerk's office. If the Court Manager is out, the backup clerk will process the end of day monies. Once each clerk's monies

are verified, the Court Manager or backup Clerk will initial the Odyssey Till Balance Report and, if everything is correct, the Court Manager or backup Clerk will proceed with the deposit. If the Court Manager or backup Clerk is unable to complete the deposit before the end of the day, the collected monies are placed in a clear plastic bag with Court Manager or backup clerk's name. The clear plastic bag will be locked in the courts safe. The next business morning, the Court Manager or backup clerk will proceed to process the deposit.

The Court Manager or backup clerk reviews checks, money orders and cashier's checks for proper endorsement and then totals all with an adding machine or excel sheet. The Court Manager or backup clerk puts all currency in order from smallest denomination to largest denomination (coins are put in a small coin envelope). Court Manager or backup clerk will take all clerks totals, add all currency on an adding machine or in excel, sub-totals it, and then adds the check totals to obtain grand total of the deposit. Total of deposits consists of cash and checks only. Said total amount is then compared to the end of day Deposit Analysis report run via Odyssey's Manage Deposits. In the event a clerk cannot balance their till, the Court Manager or back up clerk will research the difference to determine the cause of error. The clerk must make up any shortages and must research and determine the source of any overages.

If any credit card payments are received either in person or online, the Court Manager or backup clerk will log into their NCourt dashboard and run the transaction report for the day filtering by the processed date. This report should include all transactions and totals received by all clerks in Odyssey for the day. The Court Manager or backup clerk will save the report as pdf and add their initials using Adobe. This report will be added as credit card documentation to the end of day monies report sent to the auditor's office weekly.

The clerk assigned to close the till for the day will close the EFile till by no later than 3:45 P.M. In order to get the full amount receipted in for the day, the clerk will have to run the Receipt Journal report to review all the payments received into Odyssey and reconcile the E-File till. Once the E-file till is closed, the clerk will email the JP1 TexFile Till Balance and Transaction Report, stamp it with the EFile stamp and initial the report using Adobe. This report must be emailed to the Court Manager or backup clerk by no later than 4:00 P.M. each day

The Court Manager or backup clerk will receive an automatic e-mail from Chase Paymentech on the next business day. This report includes the report date, card type, sale amount, and total deposit amount. The Court Manager or backup clerk will verify that the totals match the total deposit amount receipted in Odyssey.

BANK DEPOSIT

Deposits are recorded in the Odyssey system using deposit date, deposit amount (total sum of cash, checks and credit card payments), by the Court Manager or backup clerk. When a deposit is saved, it is exported to a list in Odyssey. Physical deposits (consisting of cash, checks, money orders and cashier's checks) are noted on a carbonless deposit slip listing the total amount of cash and coins. Checks, money orders, and cashier's checks are listed individually. The range of receipts issued that day is also noted on a deposit slip along with the grand total for physical monies. The original deposit slip, cash, and checks are paper clipped together with the pre-numbered deposit bag and handed to the second count clerk. Second count clerks are rotated each week and the clerk is to verify the total deposit. If a correction needs to be made, the second count clerk will go back to the Court Manager or back up clerk for correction. If no

correction is needed, the second count clerk will initial their name on the deposit slip and seal the deposit bag with monies placed inside. The second count clerk will also complete all information pertaining to the deposit on the book of record for the County's contracted armored car service (Brinks). The second count clerk hands the sealed deposit bag and County's contracted armored car service book of record to the Court Manager or backup clerk to lock in the court's safe. The County's contracted armored car service picks up the deposit from Justice Court 1 to deposit into the Tarrant County Consolidated Bank Account. When the deposit bag is picked up, the Court Manager or backup clerk and the county's contracted armored car service personnel that receives the money will scan the JP1 barcode and sign their names in the book of record issued by the contracted armored care service.

The Court Manager prepares a monthly report for the Tarrant County Consolidated Account Monies collected. The report is reviewed by the judge and submitted along with all supporting documentation to the accountant in the Auditor's Office for review. Supporting documentation includes: Signed Report of Fees Collected, Excel Daily Deposits Report, Receipt Journal "Total" page, Chase Paymentech Deposit Detail and Odyssey's Disbursement Summary. (See Page 63 of the Procedure Manual Consolidated Bank Account document.)

CORRECTIONS (Adjustments, Voids, Reversals and Charge Reductions)

If an error on a receipt is discovered on the same day it was issued, the clerk relays the discovered error via E-Mail to the Court Manager or backup clerk. Any errors will be corrected at that time or the same day that the till is opened. If a receipt was issued for an incorrect amount, or applied to the wrong charge or wrong payer, the clerk will correct it by reversing the charges or voiding the payment. When voiding the payment, the Odyssey system requires a Court Manager, backup clerks assigned by the Court Manager, or the Judge to sign off as an approval. A new receipt will then be issued listing the correct amount, the correct charges, correct payer or whatever changes apply. Both receipts (voided + the original receipt) are cross referenced, initialed or signed by the issuing clerk. An E-Mail with a copy of the receipts attached is sent to the Court Manager or backup clerk explaining the reason for the reversal/void of charges. These corrected receipts are handed or mailed to the payer and kept in the case file if the Court still has a paper case file. A copy of these receipts are also included with the Clerks daily monies and submitted to the Court Manager or backup clerk at the end of the day.

In such instances that a clerk may inadvertently select the wrong constable fee for service, the Court Manager or backup clerks would open the "Adjustment Till" to move the money from the wrong constable fee to the correct constable fee. This is usually necessary when an original transaction occurred in a different month from the month when the error was discovered. This can also occur to cases that are filed electronically. For example, when the filer or clerk chose a wrong constable fee for service or when the filer selected the wrong party as payer. To correct this situation, an "Adjustment Till" is opened to move the money to the correct constable fee or to the correct responsible party. A computer receipt can never be updated if the case number or amount is incorrect as the computer system does not allow for this. The clerk who discovered the error will E-Mail the adjustment request to Court Manager or backup clerks along with the copy of the receipt and an explanation that includes; case number, exact amount of adjustment and reason why the adjustment is needed. The Court Manager or backup clerks will process the adjustment and notate the case accordingly. An E-Mail will then be sent by the Court Manager or backup clerks to the Auditors office notifying them of the adjustment and a copy of the E-Mail

request from the Clerk, Case Receipt and E-Mail sent to the Auditors office will be included in the EOD monies.

Effective July 10, 2020, any case filed with a Statement of Inability to Afford Payment of Court Cost (SIP) must be approved by the Judge. Clerks will no longer reverse any fees and will send the Statement of Inability to Afford Payment of Court Cost form to Judge for approval. Once approved, Clerks will update the case and email the Court Manager or backup Clerk to request a Charge Reduction along with an explanation that includes; case number, exact amount of charge reduction and notice that the SIP has been approved. The Court Manager or back up clerk will verify the SIP has been approved and will process the charge reduction request.

At the end of the day (EOD), the Court Manager or backup Clerk will run the Transaction Listing Report from Odyssey to compare and verify all the adjustments, voids, reversals and charge reductions processed for that day. A copy of the Transaction Listing Report along with the copy of the receipts (if applicable), Clerks E-mail and any other supporting documentation will be included with the EOD monies reports sent to the Auditors office every week.

The Court Manager or backup clerk will run the Transaction Listing Report from Odyssey Monthly to prepare the Adjustment, Reversals and Voids Report. The report is reviewed by the Court Manager or backup clerk to ensure that all adjustments, reversals, voids and charge reductions are properly documented and are valid. Once the report is completed, the Court Manager or backup clerk will be attached to the monthly report all the emails validating any adjustments, reversals, voids or charge reductions processed throughout the month and review these with the Judge. The report is then signed by both the Court Manager or backup clerk and Judge and scanned into the Monthly Adjustments, Reversals and Voids Reports kept in the Courts shared drive.

CREDIT TIME SERVED (Jail time or Community Service)

The Judge may waive the fine and court costs in lieu of a defendant serving time in jail or working community service. The Judge determines whether a defendant may receive the “credit time served”, at \$100 per day per Code of Criminal Procedure, Art 43.09, for time served either prior to judgment or as a condition of judgment. When the Judge grants credit for time served, a clerk enters same on the Odyssey system along with the amount for credit time served or community service.

JUDICIAL WAIVER

The Judge, with or without a recommendation from the Assistant District Attorney (ADA), is the only person in Justice Court One to grant a waiver of court costs and/or fines. When this occurs, the Judge or ADA makes the notation on the file in their own handwriting and the clerk makes the adjustments only under the direction of the Judge. Thorough notes are made on the case by the clerks.

DISBURSEMENTS

At the end of every month, Justice Court One processes a “dummy” check. The check is created in Odyssey for funds received and deposited with the auditors. The check does not include amounts from General Revenue and Paid by JP Court. The dummy check is necessary to ensure Odyssey and SAP ledgers reconcile. (See Section 4: Pages 34-43 of the Procedure Manual Consolidated Bank Account document.) Other disbursements include cash bonds, one month

rental payment for appeal on non-payment of rent, judgments, constable service fee (if apply) and miscellaneous agencies for arrest fees collected by using pre-numbered checks. The Court Manager or backup clerk prepares all checks manually, only after obtaining proper supporting documentation from the clerk requesting the check. Documentation includes: case number with proper reason, proper identification of the prevailing party on a judgment and the group disbursement report from Odyssey.

REPORTS

The Court Manager prepares an End of the Month Report (EOM) during the first week of the following month. The EOM is submitted to the Auditor on or before the 10th of the month. (See Section 6 page 61-67 of the Procedure Manual Consolidated Bank Account document.)

Justice Court One Bank/Odyssey Reconciliation Report – To reconcile the Justice Court One, Non-Interest Bearing account the Court Manager or backup Clerk must process the following reports using the Odyssey System. Registry & Trust Accounts with Balances with the end date of the previous month and another with the last day of the current months report. The information from this report is then used to balance the registry and trust balance. The Manager or back up Clerk will also review the Monthly Bank Statement to check if any checks have cleared the bank for that month. Once this information is gathered the Manager or backup Clerk updates the Odyssey/Bank reconciliation and daily deposits excel sheet. This report will then be emailed to the auditor’s office for review.

Tarrant County Consolidated Account Monies Collected Report – To reconcile the TC Consolidated Account Monies collected, the Court Manager or backup clerk must submit the following documentation to the Auditors office: Signed Report of Fees Collected, Excel Daily Deposits Report, Receipt Journal “Total” page, Chase Paymentech Deposit Detail and Odyssey’s Disbursement Summary. (See Section 6, pages 61-67 of the Procedure Manual Consolidated Bank Account document.) Court Manager or backup clerk then sends the Signed Report along with all supporting/required documentation to the County Auditor for further review.

OCA Judicial Report - An Office of Court Administration report or “OCA report” is generated from Odyssey for the prior month listing all of the court’s activities and monies received. The Court Manager or backup clerk prints out a Case Filing Statistics report to list the number of Emergency Mental Health Warrants and Probable Cause Warrants issued and filed for the month. Once the report is generated the clerk has to look at all the Probable Cause Warrants issued for that month to determine what category they fall in. (i.e. Class C, Class A and B or Felony). The OCA report is then uploaded electronically onto the OCA’s website. The Court Manager or backup clerk updates the number of Emergency Mental Health Warrants held, Peace Bonds held, Felony Arrest Warrants issued and Search Warrants issued. The Completed OCA report is also emailed to the County Auditor.

OCA Appointment and Fees Report - The Court must report any appointments and fees collected to The Texas Office of Court Administration by the 15th of every month. To do so the Court Manager or backup Clerk must run the Texas State Reports using the Odyssey System, save the information in a text format and upload it to the Texas Office Of Court Administrations website. A copy of the report is printed and posted in the front office bulletin board for public access.

COURT INTERNAL VERIFICATION REPORTS

The below reports are run weekly as well as monthly by the Court Manager or backup clerk to ensure proper case disposition and determine if any action needs to be taken on a case. If any errors are found, the Court Manager or backup clerk will send an email to all clerks with the list of all corrections needed.

- Cases without Future Hearing Scheduled
- Case File Tracking Report
- Event Listing Report
- Case Status Exception Report
- Pending Cases Report

RETENTION RECORDS

There are specific rules that Justice Court One follows for retention of records. No local government office may dispose of records prior to the expiration of its retention period. Currently, Justice Court One is managing records under the Records Control Schedule dated 1997 of the Texas State Library and Archives Commission. When the Court sends records to the warehouse for storage the destruction date can be added. However, the Court prefers to review the lists of cases sent from warehouse personnel whenever records meet their retention period. The lists of cases are presented to the Judge for approval. If the Judge approves, the records will be destroyed. If the Judge did not approve, the records will remain in the warehouse until future requests from the warehouse personnel for destruction. There is no retention records rules for Odyssey system or scanned cases at this time.

OFFICE SECURITY

The office is located on the fourth floor inside the 1895 Old Historic Courthouse located at 100 W. Weatherford Street, Room 450, Fort Worth, Texas 76196. Customers may enter from the main doors or the basement street level. Customers go through the metal detectors at each entrance where officers are located. Once customers are inside, customers can either come up the stairs to our office or use the elevators to the fourth floor to access the Court clerk's office located in room 450.

Each court employee is assigned a unique Tarrant county security access card to enter/exit the 1895 Old Historic Courthouse Building. Each employee also has a key to access either the main office door or access through employee back door. There is a door between the constable's office and our office that remains unlocked for emergencies. The office is equipped with three emergency alarm buttons, which are located at the two main front clerk desks areas and at the Judge's bench. The bailiff's office is located between the courtroom and the Judge's office for emergencies.

SAFE

The safe is located in the storage room. It is used to keep the end-of-the-day monies, the Court checkbook, blank deposit slips, consolidated slips, hand receipt book, or other monies-related items. Three sets of keys, including the key to open the safe and the key to open the cash box, are issued to the Court Manager, backup clerk, and the Judge. An extra set of keys are kept locked by the Court Manager in a secure area for backup. In instances where the Court Manager or backup Clerk are scheduled to be off, the extra set of keys to the safe with the combination to

open the safe will be assigned to the 2nd backup clerk. The Court Manager and the 2nd backup clerk will sign their names on the record folder. If there is an emergency where the Court Manager is not available and the 2nd backup clerk has not been assigned a set of keys, then the Bailiff, with the Judge's permission, will access the safe with the Judge's set of keys and combination. The combination to the safe is updated annually, and when necessary, however, the safe can only be opened with a key and the combination. The safe remains locked at all times, verified by the Court Manager or backup clerk at the end of the day. The storage room door remains locked at all times.

ORDER AND RECEIPT OF SUPPLIES

Supplies are ordered by the Office Manager and released by the backup clerk or vice versa. In the event that neither the Court Manager nor the backup clerk are available the supply orders are then released by the Judge or anyone chosen by him. When goods are received, the invoice is verified against the items received by the Office Manager and backup clerk. Then the invoice is initialed by both individuals and the Office Manager or backup clerk proceed to receipt the items in SAP. All documentation is then scanned and saved into the current fiscal years financial documents folder under supplies located on the Courts shared drive.

COURTS FINANCIAL BOOKS

Effective fiscal year 2019, the Court began keeping all financial records electronically on the Courts shared drive. The financial categories are as follows: Capital Fund, Mileage Allowance, Equipment Maintenance, Bonds-Notary, Interpreter Fees, Visiting Judges, Dues-Memberships, Overtime-Salaries, Counsel Fees, Education, Supplies, Audits, Inventory, and Chargebacks.

The Court also keeps track of all Dues and Education monies spent as well as supplies ordered through the fiscal year. The Court Manager or backup clerk update the spreadsheets located on the JP1 Financial Books folder located on the Courts shared drive. If the Court receives any chargebacks, these too are recorded in the chargeback/NSF log located in the JP1 Financial Books folder.