

DEPARTMENT:

District Attorney

Acctng Unit

100480100

FORM:

**NEW PART-TIME POSITION REQUEST FORM  
2019 BUDGET  
FORT BEND COUNTY, TEXAS  
Use one form per request**

Position Title/ Description: Atty I-Pre-Trial BondJob Code: Part-TimeHas Human Resources reviewed  
your request? (Yes/No)NoHas Facilities reviewed  
your request? (Yes/No)No

Hourly Wage

\$31.03

Hours per Week

29

Bi-Weekly

\$1,799.74

	Annual Amount	# Requested
Salaries Costs	\$46,793.24	2
Overtime Costs		\$0.00
Other Personnel Costs	\$10,907.50	\$21,815.01
<b>Total Salaries &amp; Personnel Costs</b>	<b>\$57,700.74</b>	<b>\$115,401.49</b>

Account (drop down list)	Item Description	Cost	Quantity	TOTAL
63000 Fees-DP	State Bar Dues	\$275.00	2	\$550.00
63000 Fees-DP	TDCAA Dues	\$60.00	2	\$120.00
63200 Travel & Training-DP	Seminars	\$1,200.00	2	\$2,400.00
64000 Property & Equipment-DP	Executive Desk	\$1,000.00	1	\$1,000.00
64000 Property & Equipment-DP	Credenza	\$990.00	1	\$990.00
64000 Property & Equipment-DP	4-drawer legal file	\$360.00	1	\$360.00
64000 Property & Equipment-DP	Executive Chair	\$500.00	1	\$500.00
64000 Property & Equipment-DP	Guest Chairs	\$150.00	2	\$300.00
64000 Property & Equipment-DP	Bookcase	\$195.00	1	\$195.00
64000 Property & Equipment-DP	Cell Phone	\$150.00	2	\$300.00
65000 IT-DP	Laptop *	\$1,089.50	2	\$2,179.00
65000 IT-DP	External DVD/RW Drive	\$43.19	2	\$86.38
65000 IT-DP	Docking System	\$130.59	1	\$130.59
65000 IT-DP	Additional 24" Monitor	\$250.00	1	\$250.00
64000 Property & Equipment-DP	Laptop bag	\$31.00	2	\$62.00
				\$0.00
			<b>TOTAL</b>	<b>\$9,422.97</b>

Cost of Request

**\$124,824.46**

Justification for Request: (attach additional document if necessary)

(2) Attorney I for Pre-Trial Bonding Program \*Need either a laptop with a camera or purchase an additional plug-n-play to connect via USB for video conferencing.

**FY 2019 Budget Justification for Part Time Magistrate Prosecutor**

**(Attorney I, Part Time – 2 positions)**

To Members of Fort Bend County Commissioners Court and Budget Office:

A civil lawsuit by indigent defendants seeking injunctive relief in federal court was filed on May 19, 2016, suing various Harris County employees, including county criminal court-at-law judges. Because of that ongoing litigation, still unresolved, it appears reasonably likely that the Fort Bend County Council of Judges will, near the end of 2018, mandate significant changes to Fort Bend County's own magistrate process affecting employees in multiple Fort Bend County departments. These changes will include requiring that formal, adversarial proceedings should take place for all magistrate hearings at the jail courtroom. Non-adversarial hearings currently take place once every morning. The judges envision that both prosecutors and public defenders will be in attendance for hearings for each Defendant brought before a magistrate within forty-eight hours of arrest. These hearings likely will involve the introduction of documentary evidence showing a need to set a particular bond, deny a personal bond, and/or set particular bond conditions (non-monetary) including electronic and satellite monitors, no contact orders, and random drug and alcohol testing, among others. The prosecutors advocating for the State at the magistrate hearing would, at a minimum, be presenting to the magistrate judge the probable cause affidavits prepared by the arresting officer, any amendments thereto after the prosecutor has personally spoken to that officer, a summary of the arrestee's criminal history, the prosecutor's interpretation of the risk assessment tool conclusions, and suggest reasonable conditions of bond.

These hearings could additionally involve the presentation of witness testimony and impeachment evidence by all parties, taking up an indeterminate amount of time. These hearings could conceivably overlap, or be combined with, newly implemented evaluations per Texas Code of Criminal Procedure Article 17.032, which mandates the release, on a personal bond, of any arrestee determined by a magistrate to suffer certain mental health conditions. Additionally, these hearings could trigger new and full hearings on the same topic, to be heard by the statutory county courts-at-law, if release on a personal bond is denied by the magistrate.

Many misdemeanor arrestees will undoubtedly make bond prior to the initial magistrate hearing per a judicially-adopted presumptive bail schedule that will be in place from the moment of arrest. However, many of the felony arrestees will not make an initial bond and upon appearing at the magistrate hearing will require time-consuming attention from prosecutors, public defenders and judges as to the setting of an appropriate bail amount and particularized

bond conditions in order to assure the Defendant's future court appearances and protection of the community pending a final resolution of the criminal case.

Because of these significant procedural changes on the horizon, the District Attorney's Office sees the need for two part-time prosecutors to serve as advocates at these magistrate proceedings as they will be occurring seven days a week for several hours each day. As Fort Bend County grows in population, more frequent magistrate dockets in the jail courtroom could easily occur in order to accommodate the continual flow of inmates into the jail and to accommodate the scheduling needs of our elected judges, associate judges, Sheriff's Office and Pre-Trial Services personnel, and the Public Defender's Office.