

**REQUEST FOR QUALIFICATIONS
FOR
CITY OF BASTROP, TX
10.2024 MUNICIPAL COURT ASSOCIATE JUDGE**



Cover Letter

The undersigned hereby certifies that he/she understands the Request for Qualifications (RFQ), has read the document in its entirety and understands the provisions set forth in this document. The following information must be filled out in its entirety for the response to be considered.

Name: _____

Office Address: _____

Home Address: _____

Office Phone: _____ Cell Phone: _____

Email Address: _____

Please answer the following:

- | | | |
|---|-------|----|
| 1. Juris Doctorate Degree | Yes | No |
| 2. From what institution | _____ | |
| 3. Currently Licensed with State Bar of Texas | Yes | No |
| 4. Number of years practicing law in State of Texas | _____ | |
| 5. Number of years criminal trial experience | _____ | |
| 6. Number of years juvenile trial experience | _____ | |
| 7. Clear grievance record | Yes | No |

Signature Date

PLEASE INCLUDE THIS COMPLETED PAGE AS THE FIRST PAGE OF YOUR SUBMITTAL.

**REQUEST FOR QUALIFICATIONS FOR CITY OF BASTROP
MUNICIPAL COURT ASSOCIATE JUDGE**

I. Summary:

The services of the Municipal Court Associate Judge are contracted by the Bastrop City Council. The Associate Judge works under the direction of the Presiding Judge of the Municipal Court with approval by the City Council of the City of Bastrop, Texas. The Associate Judge presides over Municipal Court sessions to administer justice in the disposition of cases involving ordinance or statutory misdemeanor violations within the jurisdiction of the Municipal Court. The Associate Judge also performs magistrate duties, including magistrate of prisoners as required by law. Associate Judge positions, appointed by the Bastrop City Council, will work as independent contractors.

After considering information provided during the application process, the City will select the individuals who are the most qualified and who will provide the best services for the City, on the basis of the selection criteria stated in this RFQ, the results of subsequent responder interviews, if any, and any other reasons deemed by the City to be in the best interest of the City.

Any inquiries concerning the request for qualifications should be addressed to Andres Rosales, Assistant City Manager, at 512-332-8800 or arosales@cityofbastrop.org.

The City reserves the right to retain all statement of qualifications (SOQ) submitted. The City operates under applicable public disclosure laws. Proprietary information must be identified and will be protected to the extent that is legally possible.

Submission of qualifications indicates acceptance by the individual of the conditions contained in the request for qualifications, unless clearly and specifically noted in the SOQ submitted and confirmed in the contract between the City and the respondent.

II. Essential Job Functions:

- Performs Municipal Judge duties as outlined in Texas State Law, subject to assignment by the City Council, including but not limited to:
 - Presides over Municipal Court for class “C” misdemeanors; holds court sessions to hear persons accused of violating city laws, ordinances and other misdemeanor violations within the jurisdiction of the Municipal Court.
 - Presides over juvenile cases.
 - Determines innocence or culpability (when hearing cases without a jury) and levies fines or bail commensurate with the violation in such a manner to preserve equity and uniformity in the application of existing laws and ordinances.
 - Directs jurors in trial cases on proper interpretation of law.
 - Coordinates court activities with the Presiding Judge, City Prosecutor, City Manager and City employees assigned to the Municipal Court and other outside agencies as needed.
 - Reviews and signs court related paperwork in a timely and efficient manner to promote efficient and effective court operations and collections.

- Performs Magistrate duties as outlined in Texas State Law, including but not limited to:
 - Issues warrants, summons, magistrate warnings, etc. Performs magistrate duties with

prisoners, sets bonds, and conducts emergency protective order hearings. Reviews and signs affidavits for search and arrest warrants. Reviews affidavits for sufficiency of facts and determination of the existence of probable cause to issue search and arrest warrants. Determines if the objects of search warrants are appropriate, if the warrants are being requested in a timely manner, and if the scope of each warrant is appropriate.

- Gives proper warning to juvenile offenders before they give confessions while in police custody.
 - Advises inmates of their rights, sets bonds, and accepts pleas.
 - Presides over stolen property hearings and other magistrate duties as required by law.
 - Signs various paperwork such as arrest warrants, search warrants, appeal bonds, affidavits, judgments and dismissals, etc.
- Performs legal research as needed.
 - Completes mandatory continuing education requirements for Municipal Judges.
 - Performs other duties as assigned.

III. Working Conditions:

- Sits for extended periods of time performing duties such as hearing cases, preparing reports, and other related duties.
- Must maintain effective audio-visual discrimination and perception necessary for making observations and communicating with others.
- Operates computers and office equipment as needed.
- Performs duties at unusual hours and on weekends and holidays. This duty may be on a rotating basis.
- May be exposed to dangerous criminal elements and individuals with serious medical conditions, such as hepatitis, AIDS, etc.

IV. Knowledge, Skills and Abilities:

- Knowledge of ordinances, statutes, and court decisions relating to Municipal Court jurisdiction.
- Knowledge of judicial procedure and rules of evidence.
- Knowledge of laws and judicial procedures for juveniles.
- Ability to diligently and promptly discharge duties as required by the Code of Judicial Conduct.
- Knowledge of and ability to conduct legal research.
- Knowledge of organization, duties, powers, limitations and authority of the Municipal Court.
- Ability to analyze evidence presented in court, to apply existing laws impartially, and to render prompt and equitable verdicts.
- Knowledge and ability to work with juveniles.
- Ability to communicate effectively, both in writing and verbally.
- Ability to express legal interpretations clearly, concisely and in a forthright manner using a vocabulary level understandable to parties concerned.
- Ability to organize, plan and schedule.
- Ability to maintain accurate records and files.
- Demonstrates skills in public/employee relations.
- Demonstrates problem solving skills.
- Ability to speak and understand Spanish is preferred, but not required.

V. Minimum Qualifications:

- Juris Doctorate Degree from an accredited institution.

- Licensed with the State Bar of Texas.
- Two years practicing law in the State of Texas. Three years or more practicing law with criminal and juvenile trial experience preferred.
- Resident and office in the City of Bastrop or Bastrop County preferred. Must live and work within a reasonable distance of the city limits border of the City of Bastrop to efficiently discharge nightly or weekend duties and juvenile warnings at the Bastrop Police Department.
- Must have flexible work hours to travel to the Bastrop Police Department in a timely manner to discharge duties as needed.
- Clear grievance record.

VI. Information about Position/Municipal Court

The current Municipal Judge for the City is Caroline McClimon. As Associate Judge, you may be called on to replace the regular Municipal Judge. **This position will require working weekends to perform Magistrate duties as noted above in Section II.** It shall be the responsibility of the Associate Judge to successfully complete all continuing judicial education required by Texas Government Code Chapter 29 or other applicable State law. Failure to comply with these requirements shall constitute cause for removal from office. The costs of such education, including tuition and reasonable travel expenses, shall be borne by the City. Judges are typically required to wear robes or other formal attire during courtroom proceedings.

There is one City Prosecutor assigned to prosecute in the court. The current City Prosecutor is provided by Bojorquez Law Firm.

The Municipal Court employs a single Administrator (Court Clerk) of the court, who is appointed by the City Manager and is supervised by the Assistant City Manager.

The court docket schedule for Presiding Judge is listed below:

Jail Arraignments	Daily in the morning, if there are detainees
Arraignments	Thursdays at 8:30 AM
Jury Trials	As needed
Pre-trials	1 st Tuesday of the month at 9 AM
Bench Trails	Tuesdays (as needed)
Juveniles	Thursdays at 8:30 AM
Show Cause Hearings	Thursdays at 8:30 AM
Capias Pro Fine Hearings	Thursdays at 8:30 AM
Parent Contributing Hearings	Thursdays at 8:30 AM and potentially 1:30 PM (as needed)
Contempt Hearings	Thursdays at 8:30 AM

The Associate Judge is only handling magistrating (Jail Arraignments) on alternating weekends (Saturday, Sunday, and Monday) based on projected workload and as needed for Presiding Judge due to conflicts of interest or unavailability.

Compensation rates are tentatively approved by City Council. The compensation will be billed for each event as follows: \$75.43 per hour for all municipal court services including but not limited to jail arraignments with a cap of \$23,534.16 each fiscal year.

VII. Submittal Process and Timeline

A. Submittal of Qualifications

1. Cover Letter – The cover letter contained in this document should be completed, signed and submitted as the first page of the submittal of qualifications.
2. Experience and Qualifications – Please provide an expanded resume that details experience and relevant capabilities that meet the job, knowledge and skill requirements as listed in Section IV of this document.
3. State of Texas Bar Number
4. Three professional references with current addresses and phone numbers.
5. If applicable, a list of Municipal Court(s) where employed and a contact name and number of the person associated with the Court’s operations.

B. Place and Time of Submittal

Qualifications addressed to the City of Bastrop City Council - Municipal Court Associate Judge will be received until **2:00 p.m. on November 1, 2024**. By emailing the Court Administrator, Sarah Friberg at sfriberg@cityofbastrop.org and the Human Resources Director at tcantrell@cityofbastrop.org.

Qualifications received after the submission deadline will be considered void and unacceptable.

C. Criteria Evaluation and Selection

The City Council, with the assistance of the Municipal Presiding Judge and City Manager, will evaluate qualifications based on requirements described in this section. The highest qualified respondent(s) may be selected to attend a formal interview. The interview will allow the invited respondent(s) to further discuss their qualifications.

• Licensed and in good standing with the State Bar	Required
• Responder’s Experience as a Judge, Prosecutor or a Municipal Attorney	35%
• References	55%
• Location – Proximity to Bastrop, TX	10%

D. Award Schedule

Award schedule milestones are:

Date	Activity
September 25, 2024	Issue Request for Qualifications
October 18, 2024	Deadline for Questions
November 1, 2024	RFQ Submittal Deadline
November 15, 2024	Council to review and select for interviews
December 2, 2024	Potential interviews and possible nomination by Mayor and appointment by City Council
December 10, 2024	Presentation of Oath of Office

The City will require the selected individual(s) to execute a contract to be negotiated with the City,

no more than fourteen (14) calendar days after the City gives notice of award. Contract documents are not binding on the City until reviewed by legal counsel. In the event the parties cannot negotiate and execute a contract within the time specified, the City reserves the right to terminate negotiations with the selected individual and commence negotiations with another individual.

E. General Guidelines

1. No Gratuities.

Respondents shall not offer any gratuities, favors, or anything of monetary value to any official or employee of the City of Bastrop for the purpose of influencing this selection. Any attempt by the Respondent to influence the selection process by any means, other than disclosure of qualifications and credentials through the proper channels, shall be grounds for exclusion from the selection process.

2. All Information True.

Respondent represents and warrants to the City of Bastrop that all information provided in the response shall be true, correct, and complete. Respondents who provide false, misleading, or incomplete information, whether intentional or not, in any of the documents presented to the City of Bastrop for consideration in the selection process shall be excluded.

3. Confidential Material.

Any material that is to be considered as confidential in nature must be clearly marked as such and will be treated as confidential by the City of Bastrop to the extent allowed by law. Submission of information relative to this RFQ shall not be released by the City during response evaluation process or prior to contract award. Respondents are advised that the confidentiality of their qualifications will be protected to the extent permitted by law. Respondents are advised to consider the implications of the Texas Open Records Act, particularly after the response process has ceased and the contract has been awarded. Any material that is considered as confidential in nature must be clearly marked and identified as such by the applicant at the time of response submittal and will be treated as confidential by the City of Bastrop to the extent allowed by the Texas Local Government Code Chapter §252.049 and the Texas Open Records Act. The final decision as to what information must be disclosed, however, lies with the Texas Attorney General. Failure to identify proprietary/confidential information will result in all unmarked sections being deemed non-proprietary upon public request.

4. Interviews.

Submittals of qualifications will be reviewed, and best qualified applicants contacted for personal interviews.

5. Inquiries.

Do not contact the City of Bastrop or elected officials during the selection process to make inquiries about the progress of this selection process. Respondents will be contacted when it is appropriate to do so.

6. Cost of Responses.

The City of Bastrop will not be responsible for the costs incurred by anyone in the submittal of responses and interviews.

7. Contract Negotiations.

This RFQ is not to be construed as a contract or as a commitment of any kind. If this RFQ results in a contract offer by the City, the specific scope of work, associated fees, and other contractual matters will be determined during contract negotiations. Fair and equal treatment will be shown to all respondents with respect to any opportunity for discussion and revision of responses.

8. No Obligation.

The City reserves the sole right to (1) evaluate the responses submitted; (2) waive any irregularities therein; (3) select candidates for the submittal of more detailed or alternate responses; (4) accept any submittal or portion of submittal; (5) reject any or all Respondents submitting responses, should it be deemed in the City's best interest; or (6) cancel the entire process

9. Conflict of Interest.

Per the terms of Chapter 176 of the Texas Local Government Code, should any respondent be awarded all or any part of the goods or services on which this Bid or Response solicits a return, then it is the respondent's sole responsibility to provide the City of Bastrop, with an updated Conflict of Interest questionnaire, Form CIQ. The respondent must file the updated form within seven days after learning that a prior filing (if any) is no longer accurate.