

Recommendations for Judicial Hearing Officer Positions

Ad Hoc Judicial Nominations Committee
January 8, 2018

Daniel F. Solis, Administrative Judge
Judiciary
City of Dallas



Presentation Overview

- Overview of the Civil Adjudication process in the Municipal Court
- Recommend appointment of 1 full-time and 3 part-time Judicial Hearing Officers
 - Requires passage of ordinance appointing Hearing Officers
 - Requires full City Council approval

Background/History

- In 2005, the City of Dallas created the Civil Adjudication Court
- In September 2016, the Dallas City Council adopted Ordinance 30236 amending Chapter 27
 - Provides for a Hearing Officer be appointed by the Dallas City Council

Amendments to Chapter 27

- Allow for the appointment of 1 Hearing Officer and a maximum of 5 Associate Hearing Officers
- Previously the Hearing Officers were appointed by Administrative Judge
- Changes provides for recommendations from Administrative Judge
- Appointed by City Council

Purpose of the Civil Court

- Preside over 13,000 cases filed annually
- Promote code compliance
- Provide speedy, fair, and impartial hearings
- Increase communication and public awareness of code standards
- Provide funding for Dallas Tomorrow Fund and Animal Welfare Fund

Criminal vs Civil Cases

	Criminal Trial	Civil Hearings
Number of Judges/Hearing Officers	12 Full Time Judges (11 current staff) 18 part time Judges (16 current staff)	1 Full Time Hearing Officer 5 Associate Hearing Officers (3 current staff)
Location	Municipal Building (2014 Main) 5 Community Courts (throughout City)	Municipal Building (2014 Main)
Time for Disposition	Trial Setting 30 – 60 days	99% disposed of within 31 – 60 days
Type of Hearing	Jury Trial or Trial by Court	Administrative Hearing
Number of Dockets	144	15
Pleadings	Strict requirements for complaint	Pleading by citation
Burden of Proof	Beyond a reasonable doubt	Preponderance of evidence
Witness Required to Attend	Yes	No, unless requested. 27-16.18(d)
Failure of Defendant to Appear	Arrest Warrant	Default Judgment
Court Costs and Fees	Yes	None
Minimum Number of Appearances	2	2

Duties and Responsibilities

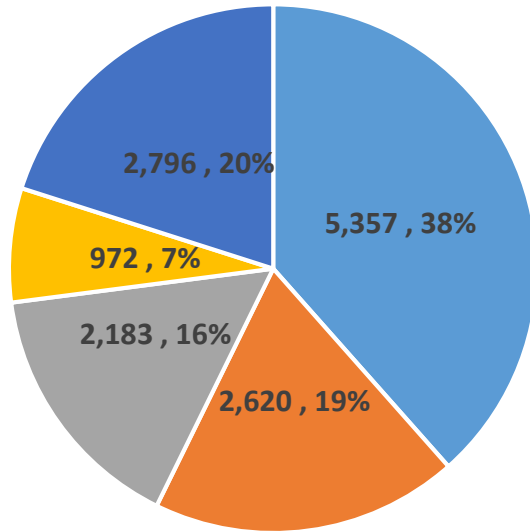
- Administrate procedures of premises, property, and certain other violations of Chapter 27 “Minimum Property Standards”
- Administrate hearings for the adjudication of an civil citation
- Civil citation is rebuttable proof of the facts that it states
- Examine any witness and consider evidence
- Issue orders to find persons liable or not liable for the violation

Duties and Responsibilities

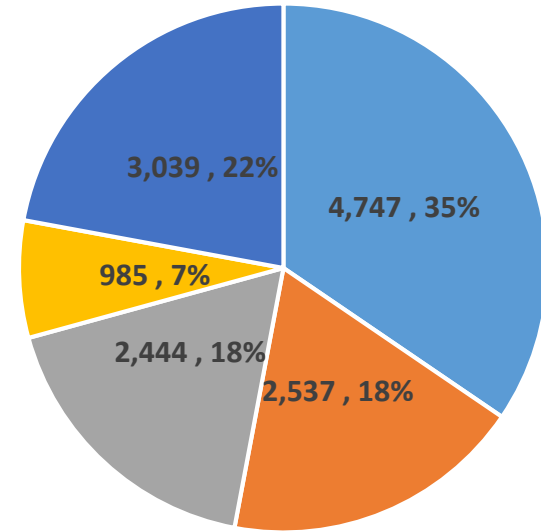
- Assess fees if found liable
- Assess an additional \$36 administrative penalty for each violation
- Appealed to Municipal Court Judge

Civil Citations Filed by Offense Type

FY 2015-16
Total Citations = 13,928

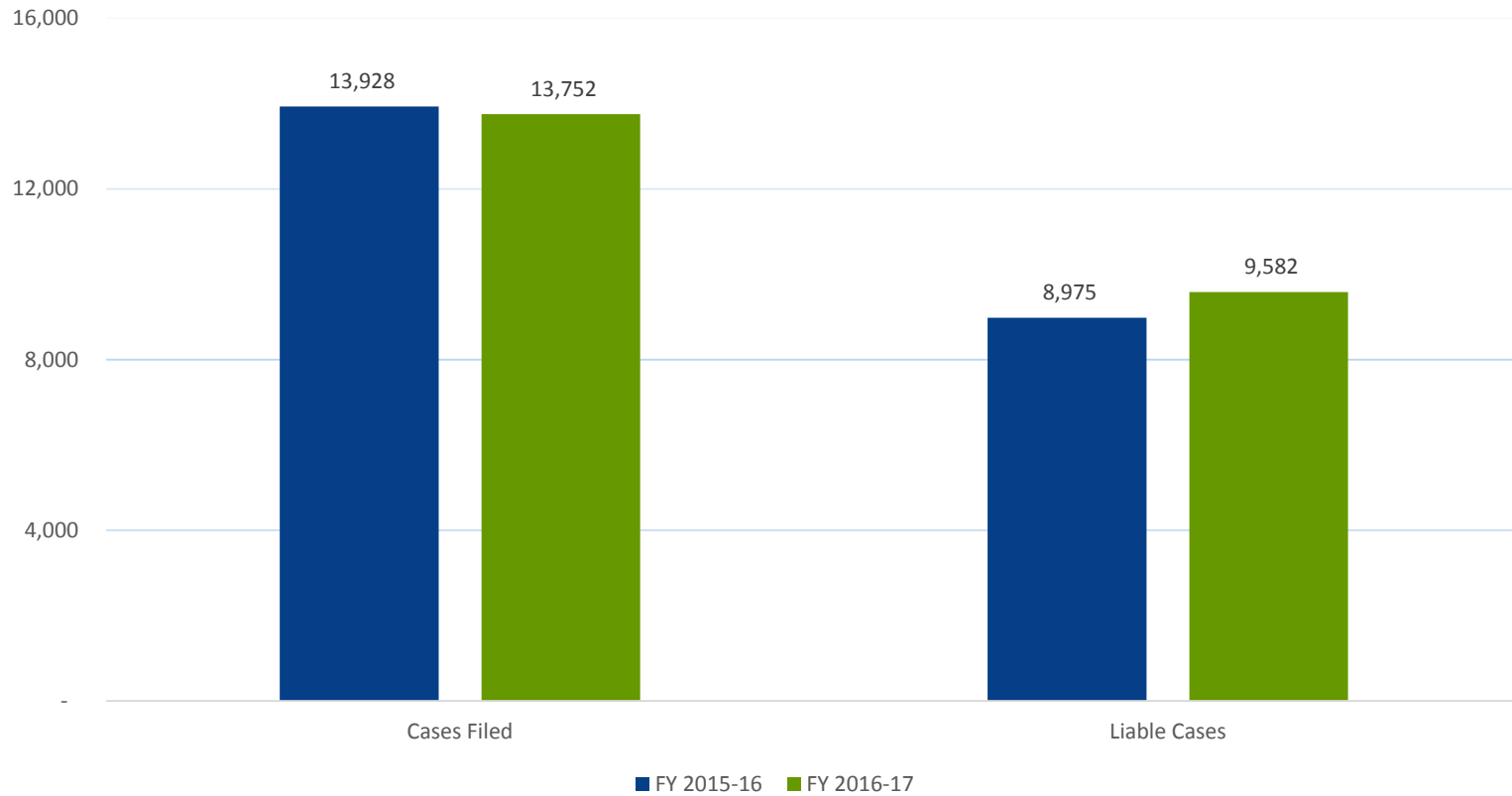


FY 2016-17
Total Citations = 13,752

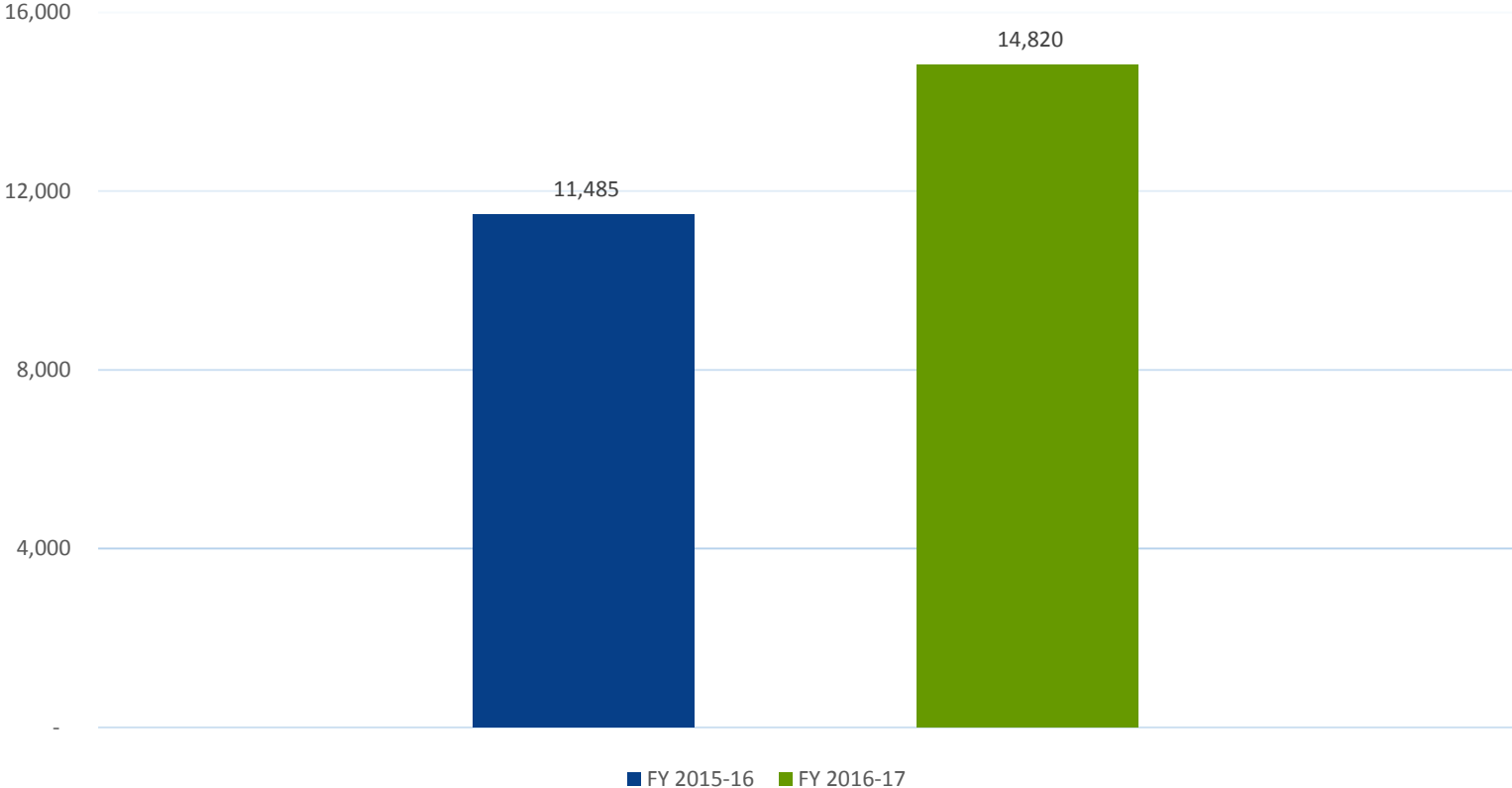


- Bulky trash
- High weeds
- Failure to maintain premises free of litter
- Vegetation in alley, street, or sidewalk
- Miscellaneous

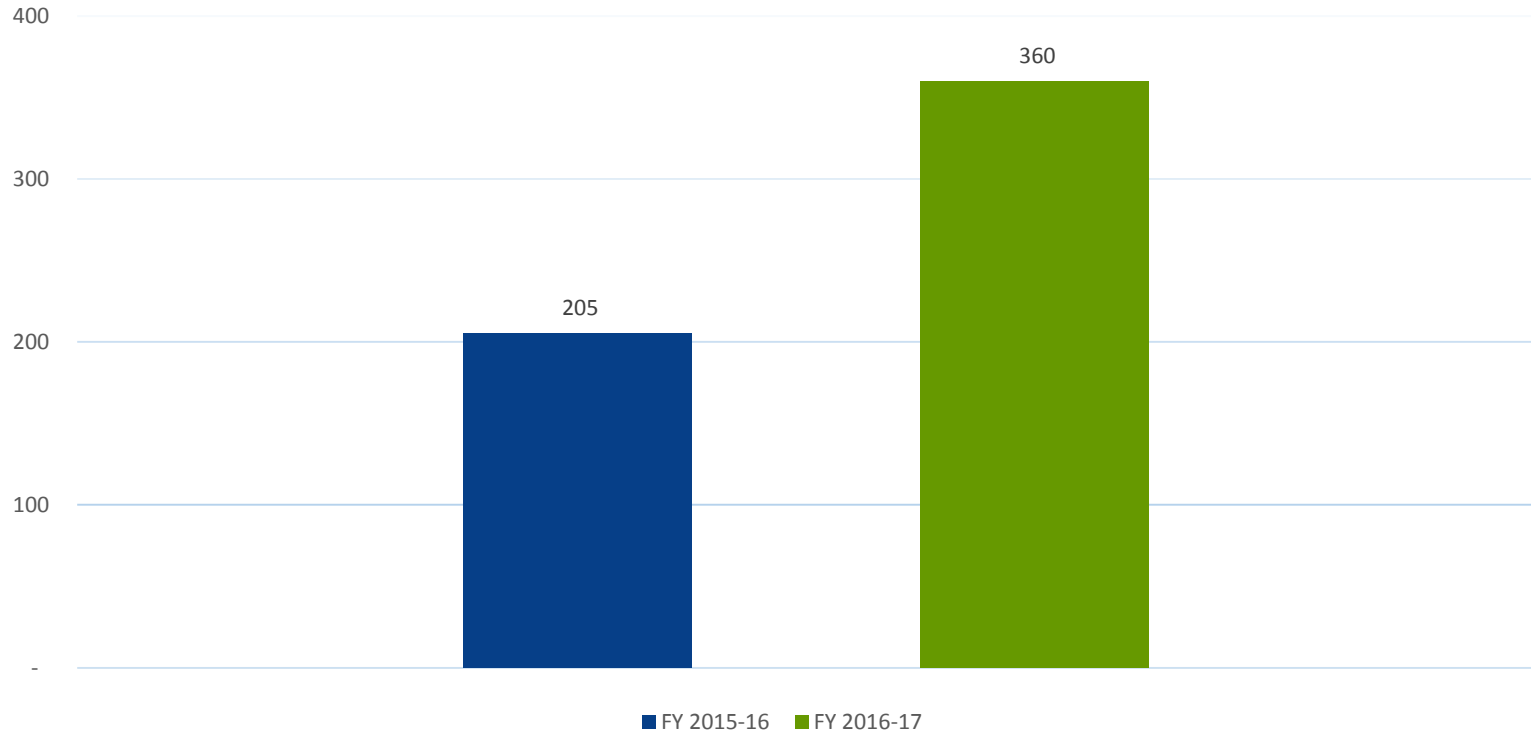
Civil Cases Filed vs Liable Cases



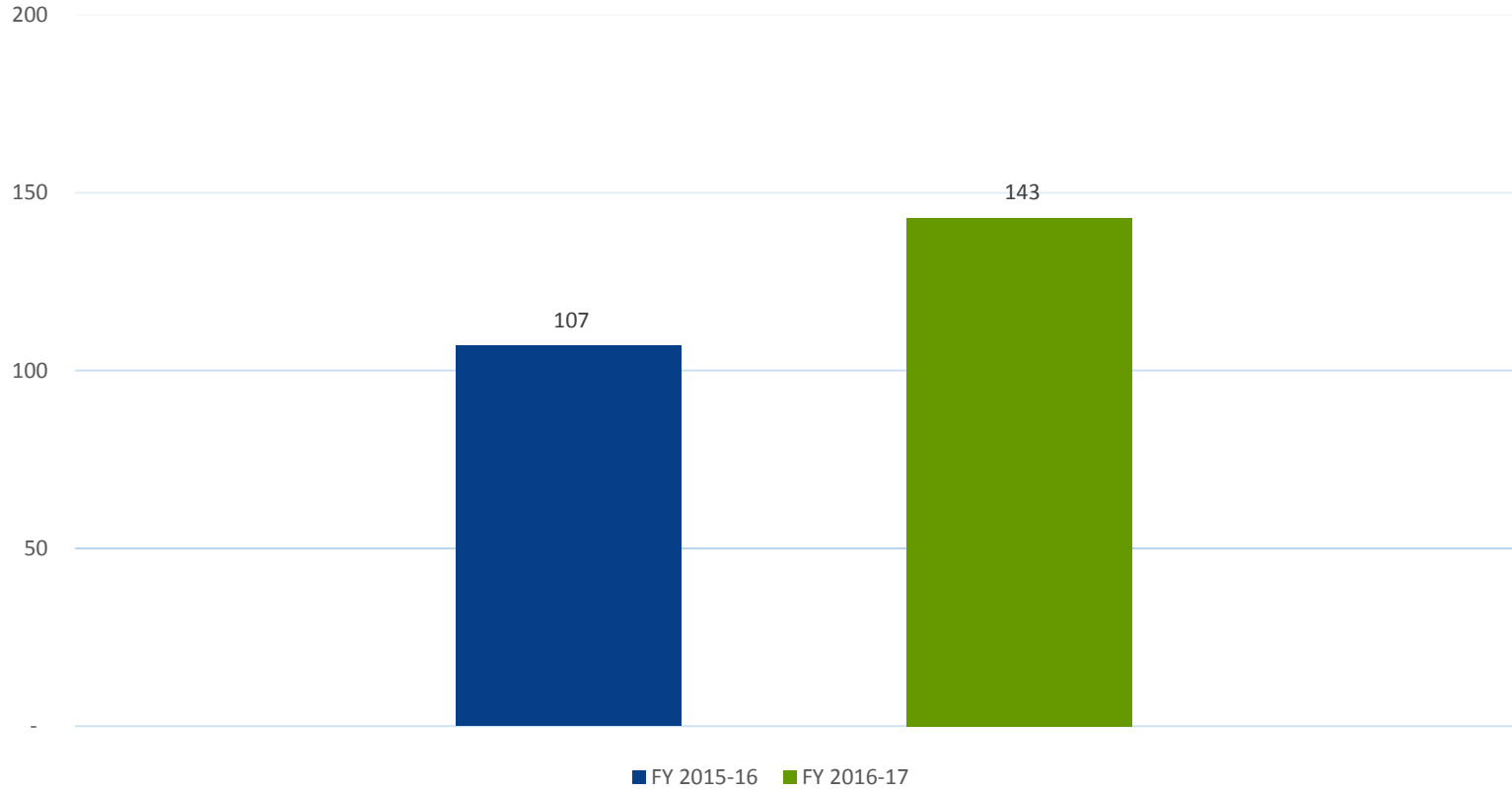
Civil Pre-Trials



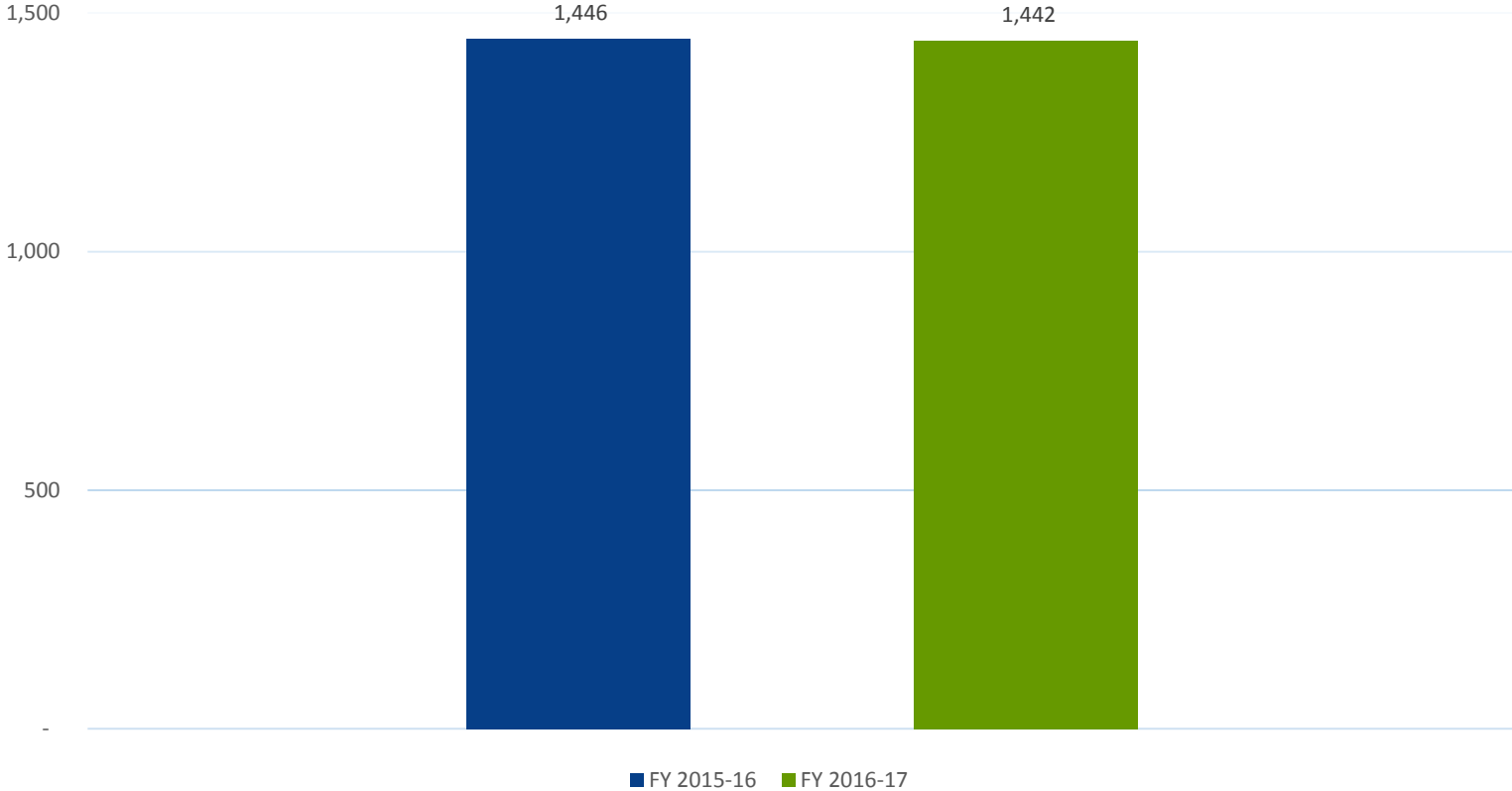
Civil Hearings



Not-Liable Cases



Non-Suit Cases



Recommendation

- Administrative Judge recommends the Ad Hoc Judicial Nominations Committee forward to City Council for consideration and approval:
 - Appointment of 1 full-time Hearing Officer
 - Kathryn Hoang
 - Appointment of 3 Associate Hearing Officers
 - Joseph Ramirez Miller
 - Randall Scott
 - Christina Tsevoukas

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