



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN 11, TEXAS

**WILL WILSON
ATTORNEY GENERAL**

March 29, 1962

Honorable Walter E. Wilson
County Attorney
Ector County
Odessa, Texas

Opinion No. WW-1286

Re: Whether a privately
published brochure may
be mailed with jury
summons.

Dear Mr. Wilson:

Your letter reads in part as follows:

"May a brochure published by a private organization as a guide for jurors bearing the name of the private organization be included in an envelope with a jury service notice card mailed by the County to persons summoned for jury service?"

The Constitution provides for the offices of the clerks of courts of record, and prescribes the duties and authority of such officers. 12 T.J.2d 139.

Article V, Section 20 of the Texas Constitution provides that the duties of the county clerk are to be prescribed by the Legislature. The Legislature has set out the powers and duties of the clerk in Articles 1935-1948, Vernon's Annotated Civil Statutes.

A careful reading of Article 1935-1948, V.A.C.S. failed to disclose any statutory authority permitting the county clerk to mail out a brochure incidental to the functions of his office.

Therefore, it is our opinion that the county clerk does not have the authority to send out a brochure with the jury service card.

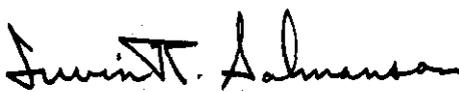
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S U M M A R Y

A county clerk doesn't have the constitutional or statutory authority to mail a brochure with a jury service notice card.

Yours very truly,

WILL WILSON
Attorney General of Texas

By 
Irwin R. Salmanson
Assistant

IRS:wb:zt

APPROVED:

OPINION COMMITTEE
W. V. Geppert, Chairman

Jack Goodman
Thomas Burrus
Dudley McCalla

REVIEWED FOR THE ATTORNEY GENERAL
BY: Houghton Brownlee, Jr.