



THE ATTORNEY GENERAL OF TEXAS

AUSTIN, TEXAS 78711

JOHN L. HILL
ATTORNEY GENERAL

September 5, 1973

Honorable Jimmy Morris
Criminal District Attorney
Navarro County
Corsicana, Texas 75110

Opinion No. H- 96
Re: Whether commissioners
court may pay district
judge an amount in excess
of that specified in Article
6819a-35

Dear Mr. Morris:

You have requested our opinion on the following question:

"Article 6819a-35 provides 'Sec. 2. In addition to the compensation provided by law and paid by the state, the Commissioners Court of Navarro County shall pay the district judge of the 13th Judicial District, Four Thousand Dollars (\$4,000) per annum for performing the duties of judge of the juvenile court.'

"I respectfully request your opinion as to whether the Commissioners Court of Navarro County would be precluded from paying the district judge of Navarro County a sum in excess of \$4,000.00 per annum under this statute."

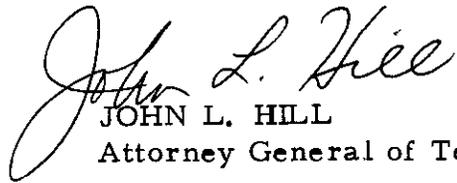
Article 5 § 7 of the Constitution of the State of Texas provides that a district judge "shall receive for his services an annual salary to be fixed by the Legislature". In our opinion this provision requires that salaries of district judges be established by the Legislature. Accordingly, \$4,000 is established by the Legislature as the additional compensation for district judges in Navarro County (Article 6819a-35) for performing the duties of judge of the juvenile court.

We believe that the statute establishes both a minimum and a maximum additional salary for performing such duties. Accordingly, your question is answered in the negative.

SUMMARY

The commissioners court of Navarro County must pay the district judge no more and no less than \$4,000 per annum as provided by § 2 of Article 6819a-35, V. T. C. S., for performing the duties of judge of the juvenile court.

Very truly yours,


JOHN L. HILL
Attorney General of Texas

APPROVED:


LARRY F. YORK, First Assistant


DAVID M. KENDALL, Chairman
Opinion Committee