

STATE of TEXAS
HOUSE of REPRESENTATIVES

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OPINION COMMITTEE

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G.E. (BUDDY) WEST

March 18, 2004

FILE # ML-43594-04
I.D. # 43594

The Honorable Greg Abbott
Attorney General, State of Texas
P.O. Box 12548
Austin, TX 78711-2548

RQ-0200-GA

Re: Is it legally permissible to locate the courtrooms and offices for the State District Courts (40th District Court and 378th District Court) anywhere within the present geographic boundary of the municipality of Waxahachie (Ellis County, Texas); as well as anywhere within the geographic boundary of said municipality after it is enlarged through lawful annexation?

Dear General Abbott:

When restoration of the historic courthouse in downtown Waxahachie, TX began in 1999, the 40th District Court and 378th District court were relocated to a series of interconnected portable buildings nearby. The original intent of moving the courts was that they would be temporarily housed in these buildings while construction on the Ellis County Justice Center was completed. Due to various circumstances, construction on the Justice Center has been delayed, leaving the courts in these temporary structures.

Ellis County commissioners have been recently hearing comments on plans to relocate the district courts back into the Ellis County Courthouse, now that the renovation is complete. However, other options for locating the district courts within the municipality may exist; in addition, should the municipality grow through lawful annexation additional potential locations may become available for consideration.

It has been suggested that the district courts may not be lawfully located outside of the original boundaries of the city of Waxahachie, irregardless of how the municipality has historically grown, and may continue to grow, through lawful annexation. I request your opinion as to whether the 40th District Court and 378th District Court may locate their courtrooms and offices anywhere within the existing municipal boundaries, as well as within those boundaries after they have been lawfully expanded.

Sincerely,

Buddy West

Chairman: House Committee on Energy Resources
Member: Environmental Regulation and House Administration
District 81: Andrews, Ector and Winkler Counties