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OPINION COMMITTEE

OFFICE OF THE COUNTY ATTORNEY

WASHINGTON COUNTY, TEXAS

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FILE # ML-47368-13

ID # 47368

RENEE ANN MUELLER
COUNTY ATTORNEY

JOHN WINKELMANN
ASSISTANT COUNTY ATTORNEY



EXECUTIVE ASSISTANT
SUZY BLAKEY

DEPUTY CLERK
KYLA CMAJDALKA

RQ-1146-GA

August 19, 2013

Office of the Attorney General of Texas
Honorable Greg Abbott
Opinion_committee@TexasAttorneyGeneral.gov

Re: Opinion Request

Dear Attorney General Abbott:

On behalf of the Washington County Attorney Renee Ann Mueller, I am requesting an opinion as to whether the minimum salary of the Washington County Court at Law Judge, under Government Code Sec. 25.0005(a) is to include in the calculation of the "district judge's total annual salary" supplements from other counties in our multi-county judicial district.

Currently, Washington County is part of a four county judicial district which in addition to Washington includes, Bastrop, Burleson, and Lee Counties. There are two district judges who ride circuit within the district. Burleson and Lee Counties each provide supplements to the district judges salaries. However, Washington County does not provide such a supplement.

Our interpretation of the Code is that in a multi-county judicial district, a district judges "total annual salary" includes only the supplements received by the district judge from the county in which the statutory county court judge whose salary in question serves. Being that Washington County does not supplement the district judges salaries, it is my opinion that the salary calculation of the Washington County Court at Law Judge should not include the supplements paid to the district judges by other counties in our district.

I want to waive 402.042(c) requirements.

Thank you for your attention to this matter.

Sincerely,

John Winkelmann

Cc: John Brieden