

# *Working With Your JP*

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What are the Three Most  
Important Things in Working  
with your JP?

- (1) Communication!
- (2) Communication!!
- (3) Communication!!!

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## How Do you Communicate Effectively?

- (1) Routine Communication
- (2) Ever had any “Sticky Situations?”

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Let's Look at  
Some Scenarios  
from Real Life!

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## Scenario 1: Service of Citations

- You were trained to attempt to serve a citation twice a day: once in the morning and once in the evening; then ask the judge to approve alternative service.
- But your judge decides doing it that way may not be best because people might be at work at those times. He or she wants you to try to serve a citation in the evening when they are more likely to be home.
- How do you handle this with the judge?
- What issues do you need to resolve, if any?

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## Scenario 2: Return of Service

- A Deputy consistently fails to return service of the citation in an eviction case at least one day before the trial date.
- What impact does this have on the case?
- The judge reminds the Deputy of the importance of getting the return back to the court promptly but the Deputy says he's got too much to do and the county really needs to hire another Deputy.
- How would you resolve this issue?
- What might you say to the judge?

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## Scenario 3: Writ of Possession

- A judge tells the Constable to hold onto a writ of possession for 60 days and not execute it so the tenant can apply for rental assistance.
- What would you do in this situation?
- Is there a way to approach the judge to try to get him to change his mind?

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## Scenario 4: No Filings

- DPS Officers and Deputy Sheriffs and Constables won't file any traffic tickets or other Class C charges in a particular judge's court. They think the judge is too "soft" on offenders and let's them do too much "community service" or just waives the fine and court costs. They say "why bother?" So they file all their tickets and Class C complaints in another precinct with a judge they feel is more "by the book."
- What kind of problems does this create?
- What is the best way to approach the judge and have an "honest discussion" about this issue?

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## Scenario 5: Writ of Retrieval

- A judge signs a writ of retrieval to allow someone to retrieve medicine and clothes for her child from her residence after her boyfriend locked her out.
- You try to serve the writ but no one answers the door even though you can tell someone is inside. Several days go by and the woman who asked for the writ tells you she really needs the medicine and clothes.
- You ask your judge what you should do and the judge says “just kick in the door.”
- Should you do this? Is there anything you can ask the judge to do to help the situation? What’s the best way to proceed?

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## Scenario 6: Security

- Your judge says she is concerned about the lack of courtroom and office security. She says she needs you to be present in court as her bailiff whenever court is in session. But you have a lot of citations and writs to work and you can’t get them all served if you are sitting in court all day.
- How do you work this out with the judge?
- The judge also says her office is not secure enough. There is no buzzer or way for her clerks to see who is outside the door or prevent them from just walking into the judge’s office.
- How do you respond to her concerns?

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## Scenario 7: Writ of Re-entry

- A judge signs a writ of re-entry after two tenants are locked out of their residence. Both tenants are on the lease. You serve the writ on the landlord but are not able to make contact with either of the tenants.
- You ask your judge how to proceed and the judge says “just keep trying.”
- Should you just put that writ on the bottom of the pile and move on?
- Is there anything the judge can do to help?

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## Scenario 8: Writ of Restoration

- Your judge signs a writ of restoration ordering a landlord to turn the water and electricity back on for a residential tenant. When you serve the writ on the landlord he says this “scrap of paper” isn’t going to make any difference to him at all; he just wants this tenant out and he’s going to get him out “even if he has to smoke him out.”
- What is the best way to proceed in this situation?
- What should you say to the landlord?
- What should you say to the judge?
- What should you tell the tenant?

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## Scenario 9: Sovereign Citizen

- A sovereign citizen appears in court in response to a speeding ticket. He is openly hostile to the court clerk (whom he berates) and the judge. He refuses to enter a plea and says he doesn't recognize this "so-called court" which is nothing but a "kangaroo court" and besides he's just a "traveller" so this so-called ticket doesn't even apply to him.
- What can you do in this situation?
- Have you discussed how to handle this with your judge beforehand?
- Do you have any suggestions about how to deal with this defendant?

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## Scenario 10: Attachment of a Child

- You receive a writ of attachment from a district court to take custody of a child whom CPS has identified as being neglected and abused.
- When you go to serve the writ there are family members present who are bickering among themselves and yelling at each other.
- What is the best way to proceed?
- What discussions should you have beforehand with the district judge or your JP about how to handle this situation?

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Questions?