



Issue: 3

Volume: 4

Year: 2010

# Laura Hinojosa

## Hidalgo County *District Clerk*

### **Moving *Four-ward...***



As we move into the fourth quarter of the fourth year of my first term in office, I cannot help but look back at all of the challenges and learning opportunities our office has experienced throughout the years. From the mundane to the most imperative of issues, the district clerk office has evolved in many ways, and strives to conduct business in a firm, fair and consistent manner.

The district clerk office is proud of its accomplishments. Among them our responsiveness in providing services to the courts and the public. The district clerk office recognizes its role as a public office and will continue to work to provide exemplary customer service to our community. More so, we look forward to the implementation of additional evaluation and auditing systems which will make us and our office practices even more accountable.

The implementation of technology is another achievement which has and will continue to make our office more efficient and services more accessible. We have previously introduced eJuror, which enables jurors to communicate with the district clerk office and the court via internet and will be launched in 2011. This year, copies of court records were made avail-

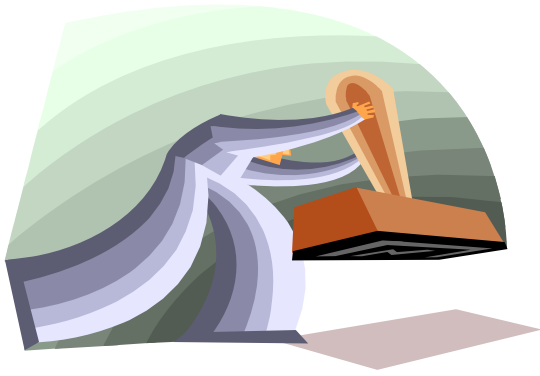
able via email making court records more easily and conveniently accessible through the internet. The district clerk office continues to work with the county and our state legislature to leverage funds to assist in imaging our court records, an important step in maximizing our technology implementation efforts.

Another notable accomplishment has been our communication efforts and the tools we have utilized to keep the public informed and educated on our services. Whether it be through this newsletter, our website, Facebook, other publications and/or outreach opportunities, the district clerk office has maintained transparency and kept the county abreast of our progress.

Our office is most proud of its staff who works hard to get things done on a daily basis. Through our bilateral evaluation process, our technical and professional development, and other community-building activities, the district clerk office has been able to increase employee participation and maintain employee morale. We will continue to work with our staff to foster a positive work environment, a professional culture and exemplary public service.

We recognize the need for improvement and will continue to fulfill our constitutional responsibilities as best possible. We move forward with optimism and look forward to working with our community in making our services accessible, our staff approachable and our office more accountable through your valuable input.

# Citations for Posting By Publication



The district clerk office now requires all *Citations for Posting by Publication* be pre-approved by the attorney of record. Upon generating citations, deputy district clerks will forward drafts (by fax or email) and secure a signature from the attorney or a representative of his/her office as proof of authorization.

This will help to alleviate miscommunication and prevent typos on *Citations for Posting by Publication*. More importantly, it will help to avert any additional costs incurred by the district clerk office, attorneys or the public when citations are required to be re-published due to errors. We look forward to working with you to provide more efficient and responsive services to your office and the general public.

## Pauper's Oath

**Rule 145 (d), Texas Rules of Civil Procedure allows the clerk of the court to contest an Affidavit of Inability to Pay Court Costs if it is not accompanied by an IOLTA certificate or if the affidavit lacks the following information:**



- Party's identity
- Nature and amount of government entitled income
- Nature and amount of employment income or other income
- Spousal income (if applicable)
- Property owned other than homestead
- Amount of cash or checking/savings account balance
- Dependants
- Debts and monthly expenses

**Additionally, the Affidavit of Inability to Pay must include the following statement:**

*"I am unable to pay the court costs. I verify that the statements made in this affidavit are true and correct."*

Although the district clerk office is required to accept all *Affidavits of Inability to Pay* as is, it may be challenged in court due to the following:

1. No IOLTA certificate has been filed (if represented by attorney)
2. The Affidavit filed:
  - 2.1 Does not include the required information attesting to the Affiant's receipt of a government entitlement based upon indigency; the Clerk contests the Affiant's ability to pay.
  - 2.2 Attests to the receipt of a government entitlement based upon indigency; the Clerk contests the veracity of the attestation.



# Copy Requests by Email



Email is the quickest way to obtain **noncertified** copies from the district clerk office. To obtain noncertified copies electronically, simply fill out one of our *Copy Request Forms* available at [www.co.hidalgo.tx.us/districtclerk](http://www.co.hidalgo.tx.us/districtclerk) and forward to [districtclerk@co.hidalgo.tx.us](mailto:districtclerk@co.hidalgo.tx.us). Upon receipt of payment, the district clerk office will process your request.

- Email transactions are payable by credit card only
- Cardholder must provide a copy of credit card and driver's license with request
- A convenience fee for credit card purchases will apply depending on the amount of purchase
- Uncertified copies will be emailed to you
- Certified copies can be mailed to you (postage assessed as applicable) or placed in 'will call'. If choosing 'will call,' requestor must indicate on the form the pick up date. Copies at 'will call' must be picked up within 5 days of request or will be recycled.

**Note:** *Email copy requests are made available specifically for the public's convenience. Please be informed that the \$1.00 per page fee still applies. Also note that many of our disposed cases may not be readily available as they have yet to be electronically imaged and will require they be shipped from our storage facility. In these cases, your request may require more than 24 hours to complete.*

# County Approves District Clerk Step & Grade



On July 12, 2010, the county commission approved Phase II of the *Classification & Compensation Plan*, which includes the district clerk office. The Classification and Compensation Plan accomplishes the following objectives:

- Provides a uniform classification for similar positions
- Provides uniform job descriptions for each classified position.
- Compensates employees with similar salaries that are internally equitable and compare favorably with other similar counties and the State of Texas.
- Allows for the possibility of incentives for excellence in job performance
- Provides for the development of a promotional career ladder.

Our office will work diligently with our county departments to ensure proper implementation of this plan in order to provide compensation parity and growth opportunities for our county employees.

# Viewing Public Court Records



The district clerk office requires public court record viewing to take place inside our office. Upon arrival, requestors must sign-in at our front desk and provide ID prior to accessing requested court records. Once court records are reviewed and necessary transactions completed, deputy district clerks will retrieve court records and return ID to requestor. This procedure was implemented in 2007 in order to better safeguard the court records the district clerk office is charged to maintain and secure.

## Contact Information

Laura Hinojosa

Hidalgo County District Clerk

PO Box 87

Edinburg, Texas 78540

p: 956.318.2200

f: 956.318.2251

e: [districtclerk@co.hidalgo.tx.us](mailto:districtclerk@co.hidalgo.tx.us)

We encourage your honest assessment of our services as we continue to evolve and improve through your valuable input. Our team of outstanding and hardworking individuals is ready to assist you as it is our priority to provide exemplary service while preserving and maintaining the records of the Hidalgo County Judicial System. Please contact our office if you have any questions or require additional information.

## Office Hours

Monday—Friday

7:30am—5:30pm



Email your comments to [districtclerk@co.hidalgo.tx.us](mailto:districtclerk@co.hidalgo.tx.us) or visit [www.co.hidalgo.tx.us/districtclerk](http://www.co.hidalgo.tx.us/districtclerk) for more info.

## Legislative Update

In preparing for the 82<sup>nd</sup> Legislative Session, the legislative committee recognizes practical limits to what can be accomplished during the legislative session. The County & District Clerk Association of Texas (CDCAT) is dedicated to utilizing its limited resources and expending them on defeating or amending otherwise bad legislation. As a result, the legislative committee must carefully consider and select legislation for which it will attempt to find sponsors and seek passage.

As we collect legislative proposals from clerks throughout the state, it is also important we consider it's overall applicability to clerk offices, whether it's a priority to the association, if it will receive vigorous opposition, and whether the association can support the proposal if it is actually filed.

The County & District Clerk Association, Legislative Committee is committed to working with our legislative subcommittees, our members-at-large, and our state legislators to amend or create legislation that will assist clerks statewide in fulfilling their constitutional duties and responsibilities as clerks of the court.



### Dates of Interest:

#### Monday, November 8, 2010

Pre-filing of legislation for the 82<sup>nd</sup> Legislature begins  
[House Rule 8, Sec. 7, and Senate Rule 7.04 (a)]

#### Tuesday, January 11, 2011 (1<sup>st</sup> day)

82<sup>nd</sup> Legislature convenes at noon  
[Government Code, Sec. 301.001]

#### Sunday, June 19, 2011 (20th Day following final adjournment)

Last day governor can sign or veto bills passed during the regular legislative session. [Sec. 39, Art. III, Texas Constitution]

## Blues for Bucks

The district clerk office is supporting the *Boy Scouts—Explorer Post 2002*, which was randomly selected as the next beneficiary of the Blues for Bucks Workplace Fundraising Campaign. The boy scout troop out of Edinburg is part of The Boy Scouts of America (BSA), one of the nation's largest and most prominent values-based youth development organizations. The BSA provides a program for young people that builds character, trains them in the responsibilities of participating in citizenship, and develops personal fitness.