Office of Court Administration
Texas Judicial Council

OFFICIAL DISTRICT AND COUNTY COURT APPOINTMENTS AND FEES REPORT

INSTRUCTIONS

LEGAL REQUIREMENTS

Texas Supreme Court Order No. 07-9188 and Section 71.035(b) of the Texas Government Code require each district clerk and county clerk to prepare a report each month listing each **fee paid during that month in the amount of $500 or more for each appointment** made by a judge of any district, county, or probate court, a court master, or court referee of a person to a position for which any type of fee may be paid in a **civil, probate, or family law case** (proceeding governed by Titles 1, 2, or 4 of the Texas Family Code).

The report is due **no later than 20 days following the end of the month reported**.

The Supreme Court order also requires the clerk to make a copy of the report available for public inspection in the clerk's office and to retain each report for at least two years following the date it is made available for public inspection.

REQUIREMENTS FOR JUDGES

To enable compliance by district clerks and county clerks with the reporting requirements described above, the following is required of judges (Supreme Court Order 07-9188):

- each appointment is to be made by a written order;
- each approval of the payment of a fee is to be accomplished by a separate written order; and
- orders making appointments or approving the payment of fees are to be sufficiently specific to enable the clerks to prepare the required monthly reports.

WHAT TO REPORT

A report must be submitted for **<u>each court</u> in the county** whether or not the court has activity or handles civil cases relevant to the Supreme Court order.

Report:

- F**e**e(s) paid during the month in the amount of $500 or more for an appointment in a civil, probate, or family law case or
- No reportable activity for the month
    - for all the courts in the county or
    - for a particular court in the county.

WHAT NOT TO REPORT

- Fees paid in criminal cases.
- Fees paid in juvenile cases (delinquent conduct and conduct indicating a need for supervision).
- Cases in which the appointee is a salaried employee of the court, such as masters, referees, etc.
- Cases in which the appointee serves in a non-judicial capacity, such as process servers or substitute court reporters.
- Cases in which appointment is a result of a reservation of rights retained by a deceased person under a will such as naming an independent executor of a will or a trustee of a testamentary trust.

OPTIONAL REPORTING

- Fees of less than $500.
- In a single case, multiple fees of less than $500 which are approved separately, either over several months or within the same month, even if their overall total is $500 or more.
- Multiple fees of less than $500 approved for payment to an appointee for service in several different cases even if their overall total is $500 or more.

WHEN TO REPORT THE FEE

- If the amount of the fee is specified in the order, report the fee for the **month in which the approval order was signed** (for example, a fee for a specific amount that is approved in September, but not actually paid until October would be included in the report for September).

- If the amount of the fee is not specified in the order, report the fee for the **month it is paid** (when the amount of the fee becomes known to the clerk).

GENERAL INSTRUCTIONS FOR COMPLETING THE REPORT

NO REPORTABLE ACTIVITY FOR THE MONTH

If no fees of $500 or more were approved or paid during the month, submit a report indicating that there was no reportable activity for the month for the county as a whole or for a particular court.

REPORTABLE ACTIVITY FOR THE MONTH

For each approval of the payment of a fee of $500 or more, the following information must be reported:

1. **NAME OF JUDGE/MASTER/REFEREE APPROVING FEE**

   Select the name of the person **signing the approval order**. (*It does not have to be the same person who made the original appointment. It could, for example, be a visiting judge*.)

2. **NAME/NUMBER OF COURT**

   Select the name of the court in which the person signing the order was sitting when the order was signed *(e.g., 465th District Court, County Court at Law No. 2, etc.).*

3. **CASE NUMBER AND STYLE OF CASE**

   Enter the case number and style of the case. The style may be abbreviated to include, for example, just the last names of the parties. *In matters where confidentiality of records is required, judges and clerks should use their discretion regarding the style of the case.*

4. **NAME OF PERSON APPOINTED**

   Enter the name of the person appointed. *If the person appointed is an attorney, his or her State Bar card number must be included*.

5. **POSITION TO WHICH APPOINTED**

   Select the position to which the person was appointed in the case. A sample list of positions is included below for reference.

6. **RELATIONSHIP TO WARD OR DECEASED**

   Select the relationship to the ward or deceased:

   - An attorney;
   - A private professional guardian;
   - Associated with a public guardianship program; or
   - A friend or family member

   If not relevant to the case, select "Not Applicable."

7. **DATE OF APPROVAL OF FEE**

   Enter the date the approval order was signed (or the date the fee was paid if the amount of the fee was not specified when the approval order was signed).

8. **SOURCE OF FEES**

   Select the source of the fee known to the clerk at the time this report is prepared. A sample list of sources is included below for reference.

9. **Fee Type**

   Select the fee type. If unknown or not relevant to the case, select "Not available/applicable". NOTE: This field is optional.

10. **AMOUNT OF FEE APPROVED**

    Enter the dollar amount of **each fee** approved for payment. The **entire fee amount** should be reported, not the rate approved (i.e., not $15 per hour).

    Each fee includes any and all fees occurring as a result of the appointment. It shall include attorneys' fees and related expenses resulting from the appointment and any compensation and/or fees for serving as fiduciary.

Sample lists of position titles and sources of fees are included below to aid you in preparing your monthly report. These are partial lists only—there may be additional positions to which a person may be appointed or sources of fees.

POSITION TO WHICH APPOINTED

Ad litem
Amicus attorney
Attorney ad litem
Guardian ad litem
Administrator
Appraiser
Arbitrator
Attorney
Certified Public Accountant
Commissioner
Court Visitor
Doctor
Executor
Friend of the Court
Guardian
Permanent Guardian
Temporary Guardian
Hearing Officer
Interpreter
Investigator
Master
Master in Chancery
Mediator
Personal Representative
Physician
Receiver
Referee
Social Worker
Trustee
Trustee Bank
Trustee Friend

SOURCE OF FEES

Managing Conservator
Possessory Conservator
County
Defendant
Estate
Named Person *(i.e., individual identified by name)*
The Parties
Plaintiff
Registry of the Court
State
Trust
Trustee

TYPES OF FEES

Attorneys fees:

- *For serving as an appointee*
- *For serving as attorney when serving as court appointee*

Compensation for fiduciary services
Eminent domain commissioner fees
Mediator fees
Trustee's fees

Online Reporting of Appointments and Fees

The Appointments and Fees database must be accessed through the Court Activity Reporting and Directory System (http://card.txcourts.gov).

Entering or Editing Monthly Reports

Go to http://card.txcourts.gov. Enter user name and password.

The user ID and password are the same ones used to enter the statistics for the monthly court activity report.

Combination clerks need to submit reports for the district courts using the user ID associated with the district courts and separate reports for the county court using the user ID associated with the county court.

District clerks that report information for the county courts at law need to submit reports for the district courts using the user ID associated with the district courts and separate reports for the county courts at law using the user ID associated with the county-level courts. For example:

> The Brazos County district clerk submits one monthly court activity report, combining the activity for the three district courts **and** a separate monthly court activity report for county court at law activity. To submit the appointments and fees reports for the district courts, they will login with the same login ID used to submit the district court monthly activity report. They will then logout and log back in using the separate login ID used for submission of the county court activity reports to report the activity for that level of court.

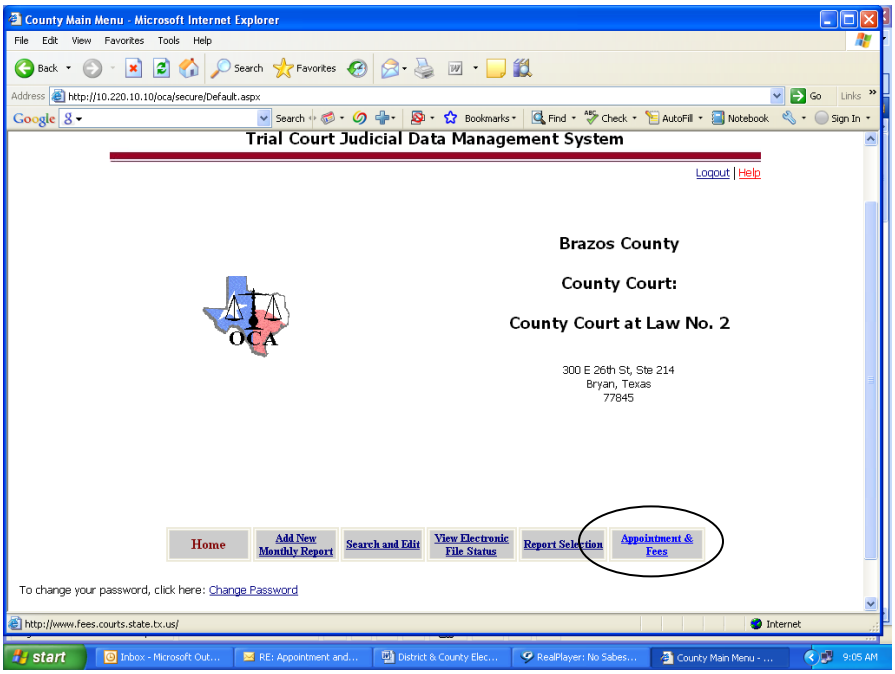
Clerks who are submitting more than one report for the district courts in the county **or** for the county-level courts in the county do not need to enter the appointments and fees reports under each of the user IDs they are currently using to enter the statistics for the monthly court activity report. All appointments and fees records may be entered under just one user ID. For example:

> The Bowie County district clerk submits separate monthly court activity reports for the 5th, 102nd and 202nd district courts. Their office may choose any one of the three login ID's used for submission of the district court activity reports and submit the reports for each of the three district courts while logged in under that one ID.

If you do not have a user ID and password for electronic reporting, please contact **Sandra Mabbett** and **(512) 463-1640** or **sandra.mabbett@txcourts.gov**.

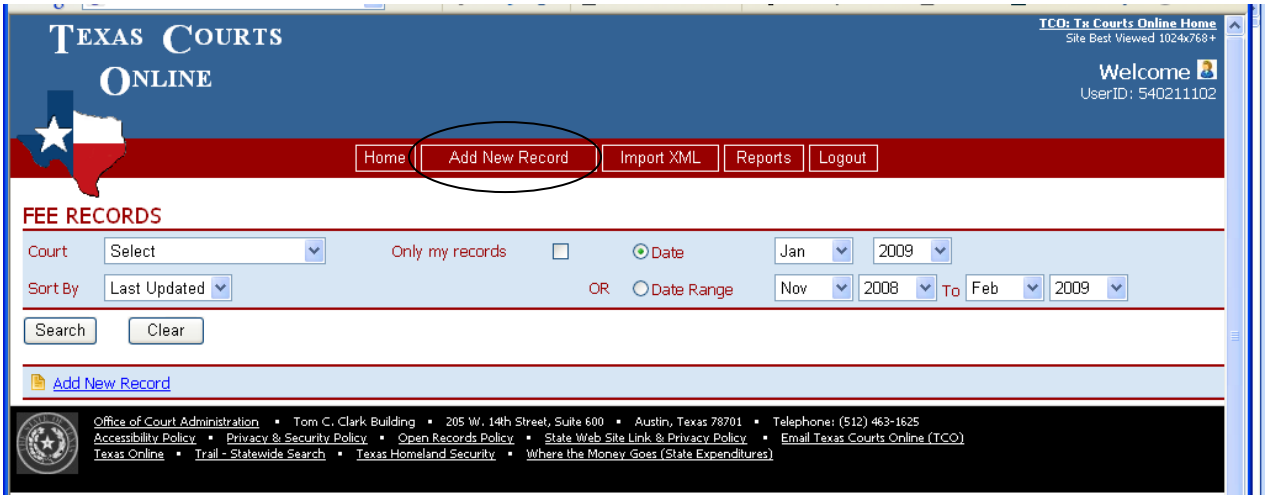
Accessing the Database

1. Select the **Appointments and Fees** button.



Entering Reports Manually *(go to page 7 for instructions on uploading an XML file)*

1. Select the **Add New Record** button.

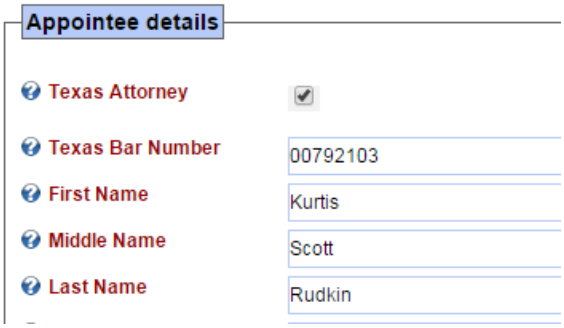


2. Select the **Month** and **Year** for which you are submitting a report.

If you have no activity to report, go to page 4 for instructions about how to submit a "No Activity" report.

3. Enter the requested information for each fee paid over $500. The following information is <u>required for all entries</u>:

- **Court**
- **Judge or Visiting Judge** (if you do not see the judge you wish to select listed in the dropdown box, contact Sandy Mabbett to have the judge added)
- **Case Number**
- **Case Style**
- **Name of Person Appointed**
    - If you click on check box next to Texas Attorney **and** enter a Texas Bar Number, the First Name, Middle Name, and Last Name of the person appointed will automatically populate.)



    - If the appointee is an entity, enter the name of the entity in the Last Name box.

- **Position to Which Appointed**
- **Relationship to Ward or Deceased** (If not relevant to the case, select "Not Applicable")
- **Approval Date**
- **Source of Fees, if known**
- **Amount of Fee Approved**
- **Prepared By**

The **Fee Type** field is optional.

4. Press **Save** after completing each record.

5. If your next record is similar to one that you entered previously, you might save time by finding the previously entered record and selecting the copy icon next to that record. Make any changes to the newly duplicated record, then press **Save**.

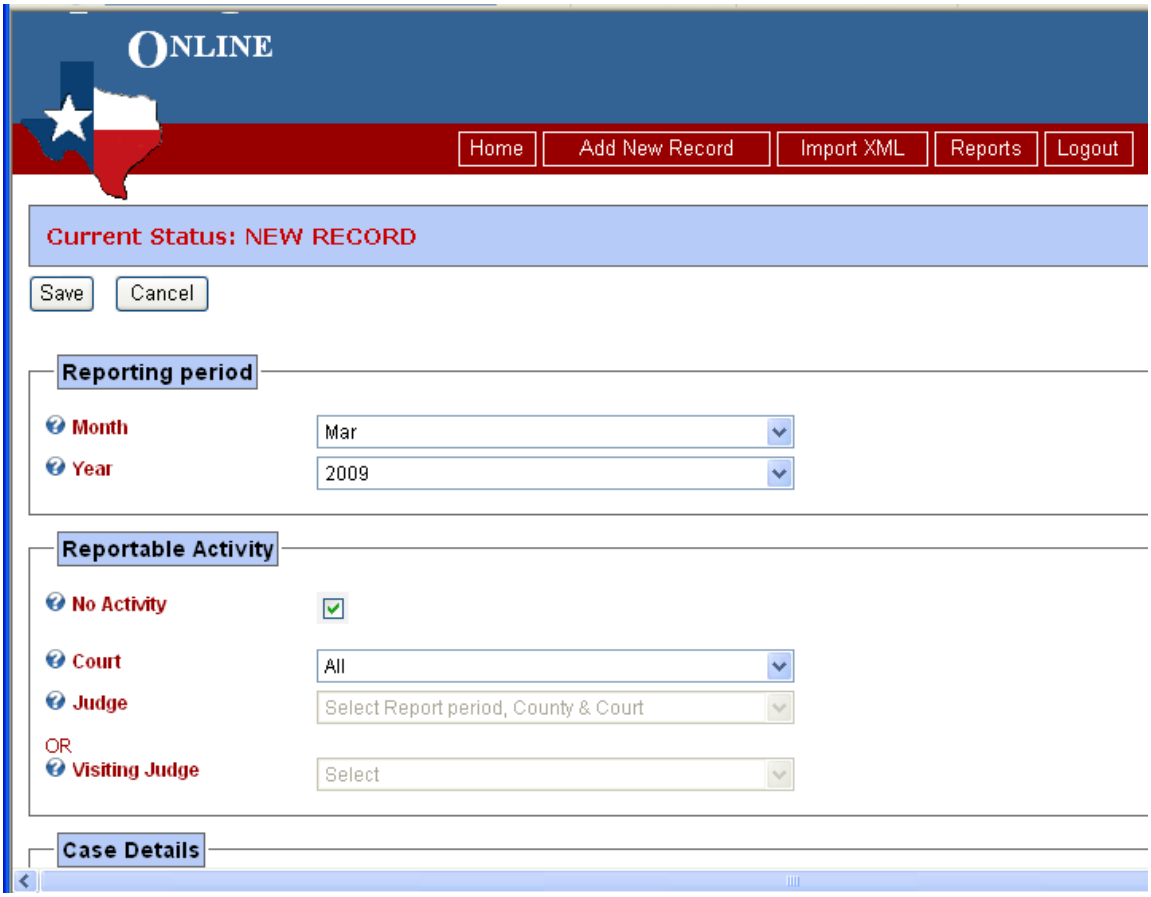
6. Log out of the system when all records have been entered.

"No Activity" Report

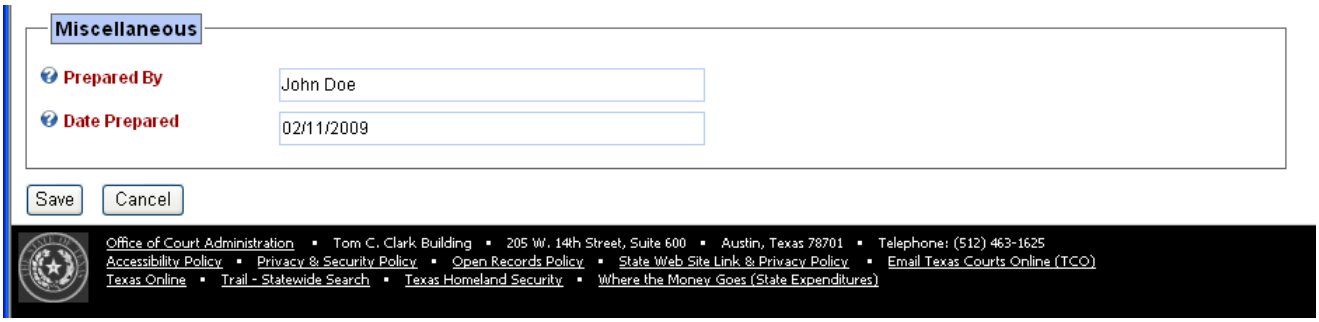
1. If there is **no activity** to report for the month, check the **No Activity** box.

   To report no activity for all district courts or all county courts in the county, select **All** in the **Court** dropdown box.

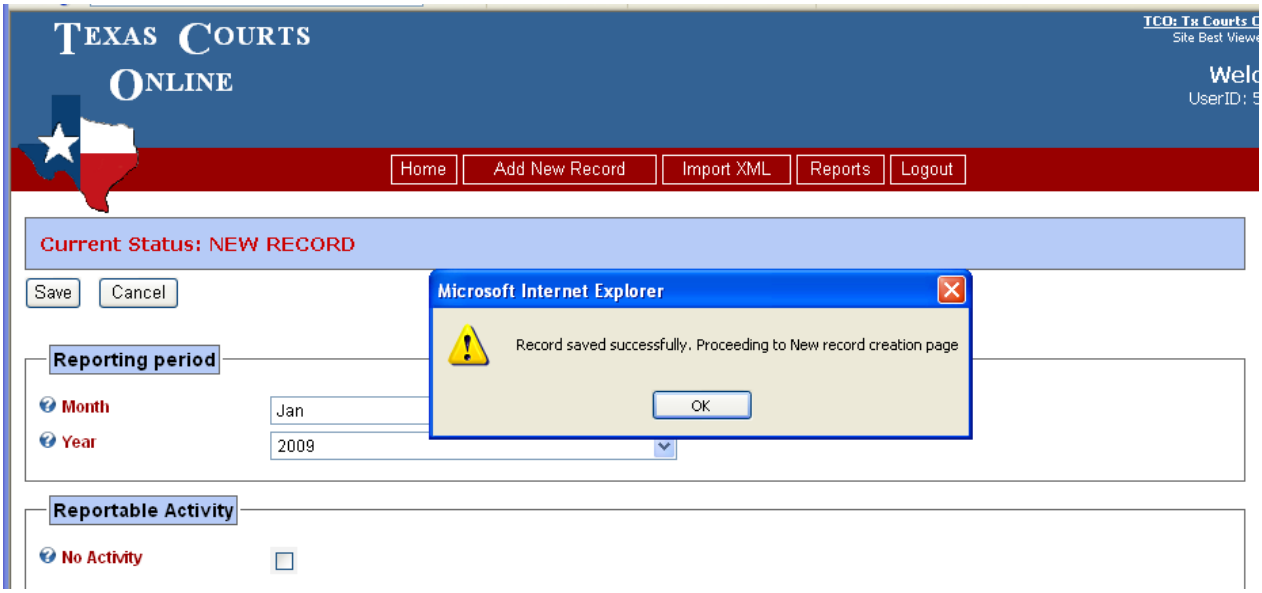
   To report no activity for one district court or one county court, select the court's name from the **Court** dropdown box.



2. Scroll down to the bottom of the page and enter your name in the **Prepared By** field.



3. Press **Save**. You should see a message that the record was saved successfully. If there are errors in the record that you entered, the system will prompt you to correct them.

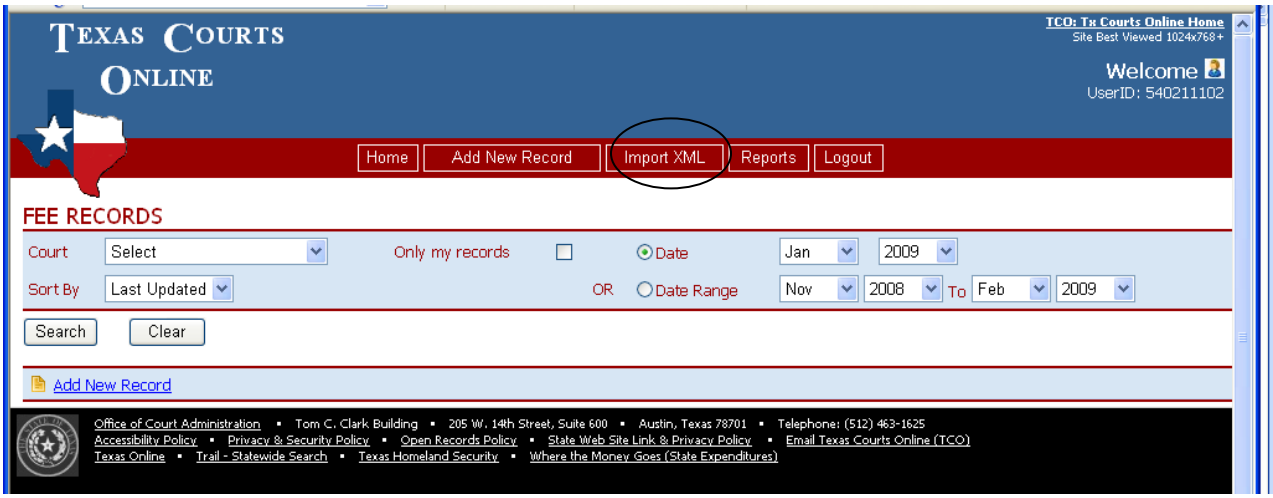


4. To submit "No Activity" reports for additional district courts or additional county courts, repeat the process above until activity for all courts has been reported.

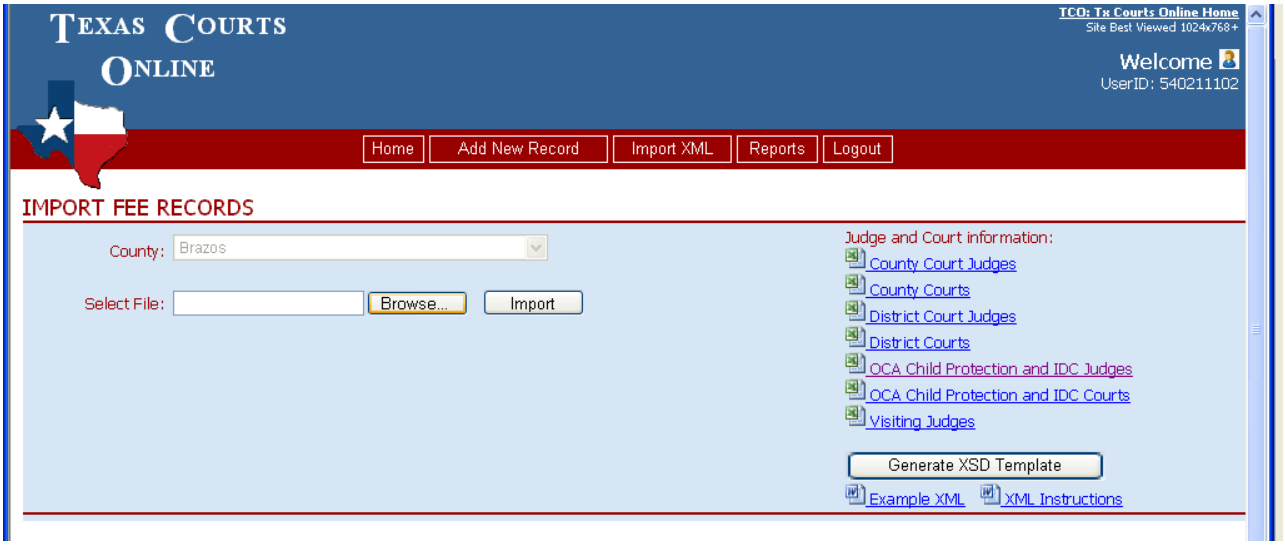
5. You may log out of the system. Your report is finished.

Uploading an XML File

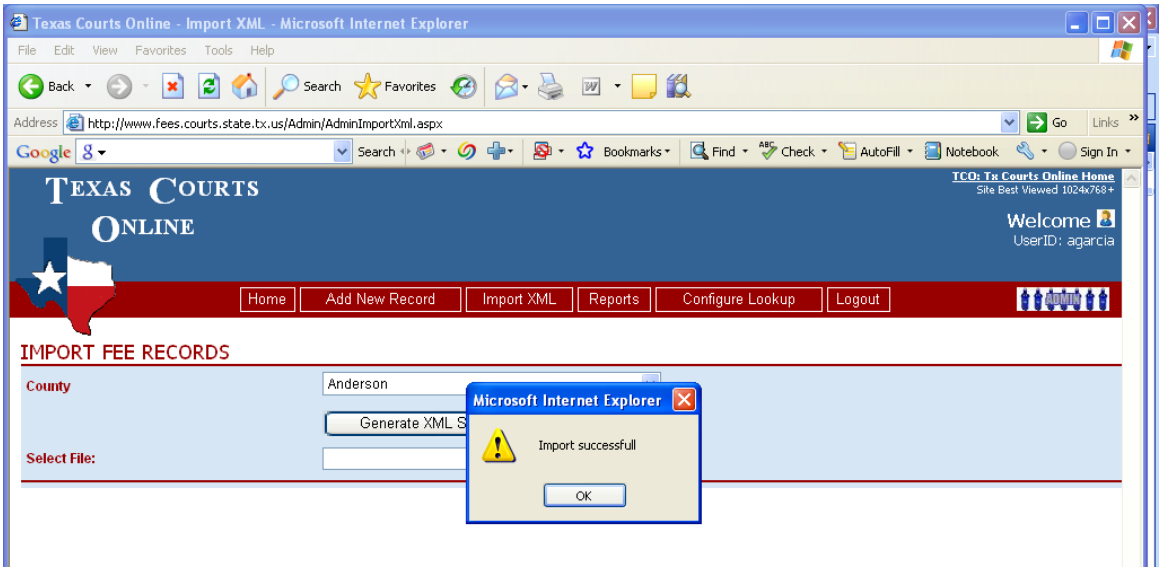
1. Select the **Import XML** button.



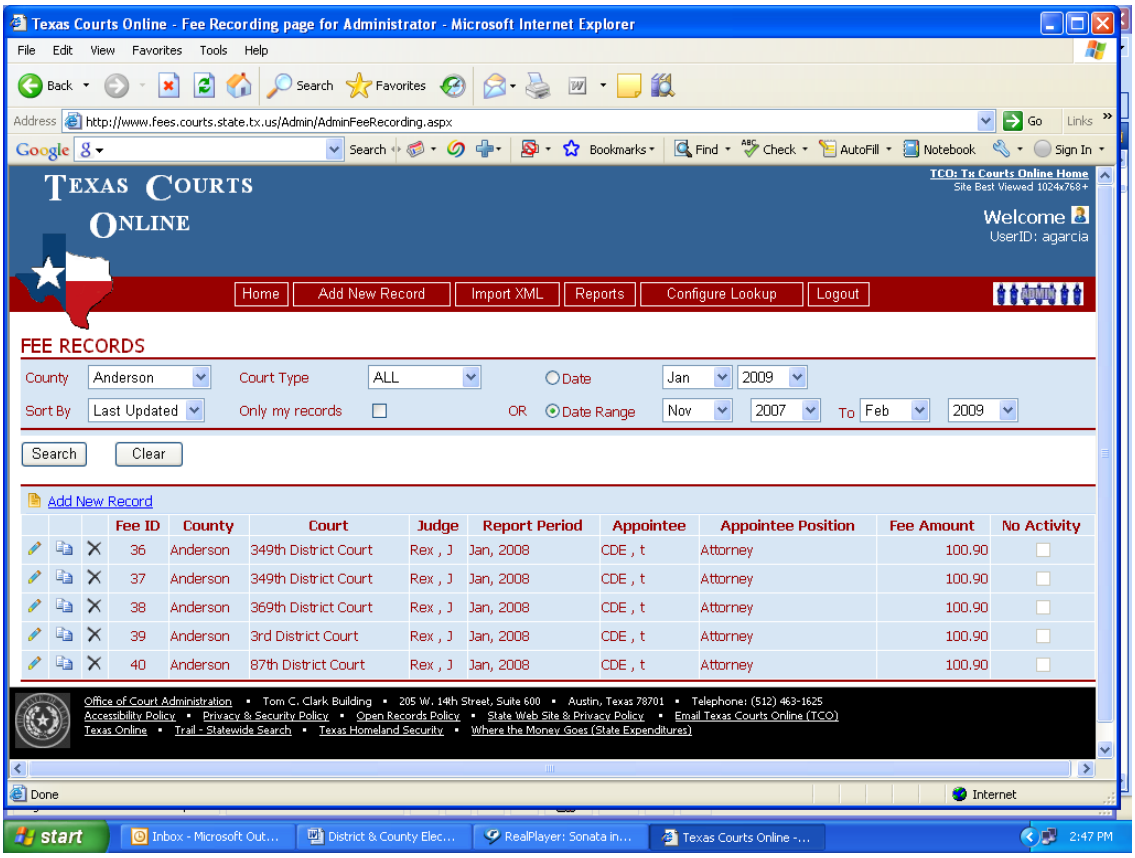
2. Press the **Browse** button to locate your XML file.



3. Press the **Import** button. Note whether the import was successful.



Your imported records should appear when you return to your Home page. You may log out. Your report is complete.



Note: Every XML file that you upload gets added to the information already in the database; the newly uploaded information does not overwrite or correct previously loaded information. Thus, if you reload information for a particular month, you will likely be entering duplicate information into the system. **To delete or correct previously entered information, you must do it manually through the database.**

Editing Reports

(*See note on previous page about attempting to submit corrected information by uploading an XML file).* You may update or delete records entered within the last 60 days. To make changes after 60 days, call Sandra Mabbett at (512) 463-1640.

To edit a record:

1. Search for the desired record(s) by using the Court, Date, Date Range, Sort, and Only My Records options at the top of the reporting screen. A list of the reports meeting the selected criteria will appear.

   NOTE: All records that have been entered into the database for your county that meet the selected criteria will appear. To exclude those records entered by someone else, check the **Only My Records** box.

2. Select the pencil icon next to the desired report.

3. Edit the selected record, then press **Save**.

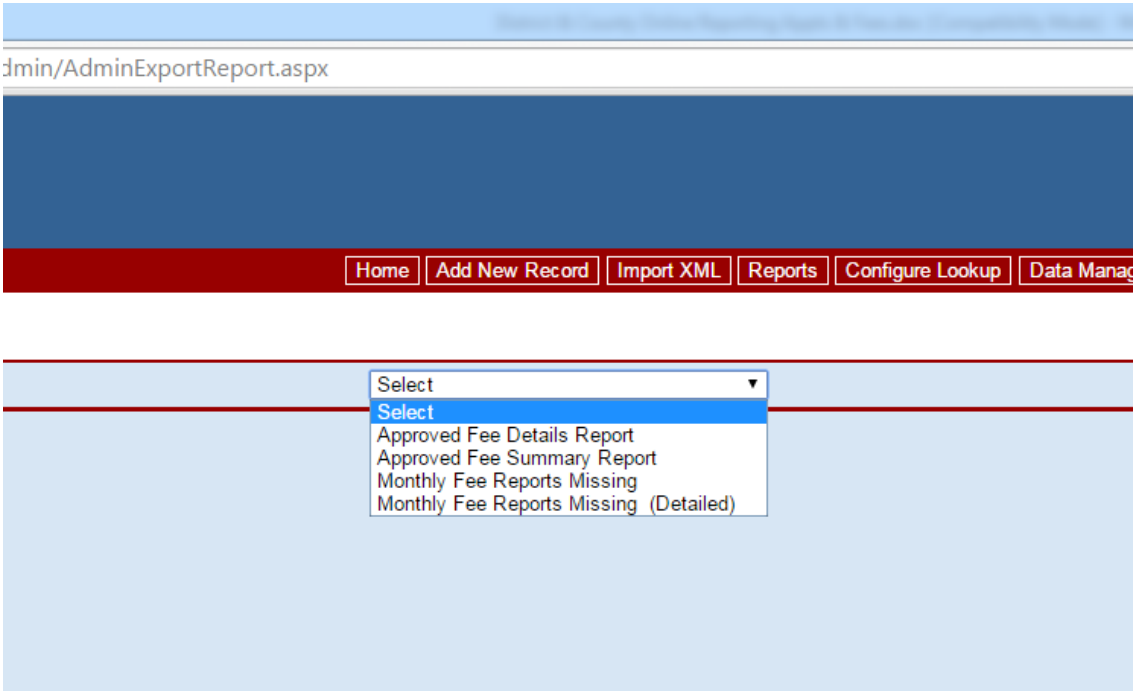
To delete a record:

1. Search for the desired record(s) by using the Court, Date, Date Range, Sort, and Only My Records options at the top of the reporting screen. A list of the reports meeting the selected criteria will appear.

2. Select the icon next to the desired report.

Generating Reports

1. Select the **Reports** button, then select one of the reports.



- **Approved Fee Details Report**: Lists each appointment and fee or "no activity" report entered into the database.

Approved Fee Details Report

Period: Jan 2015 through Apr 2015

Fee ID	County	Court	Court Type	Report Month	Report Year	Judge	Case Number	Case Style	Attorney	Appointee Bar	Appointee First Name	Appointee Middle Name	Appointee Last Name	Appointee Suffix	Appoin Positi
202424	Floyd	110th District Court	District court	1	2015	Smith , W	4582	STATE OF TEXAS VS. ANTHONY JAMES SANCHEZ	True	24004427	Arthur		Aguilar	Jr.	Attorne
202425	Floyd	110th District Court	District court	1	2015	Smith , W	4548	STATE OF TEXAS VS. AMANDA JEAN WEAST	True	24004427	Arthur		Aguilar	Jr.	Attorne
202508	Floyd	110th District Court	District court	1	2015	Graham , J	10498	ITIO REYES	False		Velma		Solorzano		Attorne

- **Approved Fee Summary Report:** Lists total fees paid by county and court level. Also lists fees total paid by position and funding source.

Approved Fee Summary Report

Period: Jan 2015 through Apr 2015

By County:

County	Court Type	Fees Approved
⊟ Andrews		1,500.00
	District court	1,500.00
	Constitutional Court	0.00
⊞ Angelina		13,514.00
⊞ Aransas		2,581.00

- **Monthly Fee Reports Missing**: For each county, indicates whether at least 1 report has been received for a particular month for the district courts or for the county courts.

Monthly Fee Reports Missing - District Courts

Reports Missing

Fiscal Year: 2015 (Sep 2014 to Aug 2015)

No.	County	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
1	Anderson	#	#	#	#	#	#	#	#	#	#	#	#
2	Andrews								#	#	#	#	#
3	Angelina	#	#	#	#	#	#	#	#	#	#	#	#
4	Aransas	#	#				#		#	#	#	#	#
5	Archer	#	#	#	#	#	#	#	#	#	#	#	#

- **Monthly Fee Reports Missing (Detailed)**: For each county and court, indicates whether at least 1 report has been received for a particular month for the district courts or for the county courts.

Monthly Fee Reports Missing - County Courts

Reports Missing

Fiscal Year: 2015 (Sep 2014 to Aug 2015)

No.	County	Court	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
1	Anderson	County Court	#	#	#	#	#	#	#					
2	Anderson	County Court at Law	#	#	#	#	#	#	#					
3	Andrews	County Court												
4	Angelina	County Court	#	#	#	#	#	#	#					

2. Select the desired criteria then press the **View Report** button.

3. Export the report results into the desired format (XML, comma delimited file, TIFF, Adobe pdf, or Excel).

Questions?

Technical problems with system, including problems with passwords:

OCA Help Desk, (512) 463-1642

Reporting Questions:

Sandy Mabbett, (512) 463-1640, sandra.mabbett@txcourts.gov

If additional selections need to be added for the **Position to Which Appointed, Fee Source**, or **Fee Type** fields please contact Sandy.