

## **Associate Judge's Authority**

The Texas Government Code, Chapter 54A, enables counties to create positions for Associate Judges, who can preside over civil matters. A Civil District Court Judge can refer some or all a civil case, including trial, to an Associate Judge for resolution.

The Code states that an Associate Judge may:

conduct hearings, hear evidence, compel production of relevant evidence, rule on the admissibility of evidence, issue summons for the appearance of witnesses, examine a witness, swear a witness for a hearing, make findings of fact on evidence, formulate conclusions of law, rule on pretrial motions, recommend the rulings, orders, or judgment to be made in a case, regulate proceedings in a hearing, order the attachment of a witness or party who fails to obey a subpoena, act as necessary and proper for the efficient performance of the duties required by the sitting Civil District Judge's Order of Referral. Unless a party files a written objection to the Associate Judge hearing a trial on the merits, the sitting Judge may refer the trial to the Associate Judge for resolution. By a General Order of Referral and Appeals of the sitting Civil District Judges, Associate Judges are authorized to perform all the above functions.

Unlike matters that are referred to Visiting Judges, parties cannot object to a matter being referred to an Associate Judge by the sitting Civil Court Judge. Of course, as with any ruling, the parties can appeal any ruling by an Associate Judge.

Before a party can send a matter directly to an Associate Judge for hearing, a written request must be made to the sitting Civil District Judge for determination.