

Constable's Office

Polk County, Precinct two

Adding Resources

- The request for additional resources is to offset the number of hours required on attempts of service.
- The additional reserves will allow me to schedule court bailiff, civil papers to be served and give me time to take care of the day to day activities and writs.

Activity (90 day Snapshot)

- In this 90 group we had:
 - 85 civil remedies to be served
 - 65 Civil Citations
 - These type citations typically require two to three attempts to possibly render service.
 - That is three different days to drive out and attempt service
 - Calling plaintiffs, defendants and / or attorneys to locate the defendant.
 - In the data supplied there were over 100 additional attempts.
 - 20 of these were Writs, (Judge's orders)
 - 17 which were eviction (Writ Of Possession)
 - Each writ has to be posted or hand delivered to the defendant
 - Certified mail has to be sent to defendant's last known address
 - Wait 24 hrs., to execute
 - Execution requires myself or a deputy to go out with the plaintiff and physically remove the person(s) so the plaintiff's moving crew can move all of the belongings out to the road side. This takes a minimum of 3 hrs., many times it could take a full day
 - 3 which were seizure of property for sale or turn over money to plaintiff
 - Writ of Execution typically has a 90 days to be executed due to the lengthy process
 - Each of these take several days of planning.
 - Calling plaintiff's attorney to determine exempt property
 - Contacting the tax office
 - Possibly having to post in the news paper
 - Holding county auction to sale property or meeting with defendant's to collect funds.

Various Other Duties and Requirements

- Bailiff two to three times a month
 - Criminal court
 - Civil court
 - Jury court
- Additional activities
 - Parades, security for special events in the community
 - Firearms training
 - Classroom training required by TCOLE. 80 hrs. each two year cycle

Overview

- All and all, I'm getting overwhelmed with civil citations.
- Justice Court Civil Jurisdiction was \$5,000 in JP court when I was elected to office over 20 years ago. I was not paid for the first few years to take care of this service but, I did 100% of all civil papers and writs for Judge David Johnson because it saved the county paying a private server to do it.
- Then, that amount doubled to \$10,000. I'm now paid \$17,862 which equates to less than minimum wage for the service.
- In September 2020 that amount increased again to \$20,000. We as a county have not changed the amount of resources to keep up with the influx of duties.
- I've been told many times there was \$10,000 added to the constable's salary for these additional duties. In Commissioners court and in the private meetings. Since this project was started, the rules were very clear that this \$10,000 was added so the constable's would clear up the amount of outstanding class C warrants. I have also been told that this could be taken away at anytime the court deems the constable is not taking care of this duty. My office has always did our diligence to fulfill this requirement and turn in all reports that the commissioners and the county judge has asked for. Recently it was on hold due to the pandemic but, my office is ready to start again once the county is ready to continue this project.