

## FREQUENTLY ASKED QUESTIONS

### Can the Justice Court help by giving advice and preparing your case?

The Code of Judicial Conduct prohibits a Judge or court staff from giving legal advice or taking any action to assist any person in completing forms or preparing one's case for a hearing or filing. The Court and staff can provide samples of certain forms that may be generally available, and they may provide general, non-specific information concerning (1) *uncontested* administrative matters, (2) *uncontested* procedural matters, (3) magistrate duties and functions. The following information is intended to be, procedural and informational, and is not offered as legal advice. The information is not exhaustive. There may be other remedies and procedures not listed below. You should seek licensed, legal counsel for advice. Court Clerks are under the Code of Judicial Conduct and cannot attempt to advise parties regarding Court cases. Sometimes this results in frustration. However, relying on incorrect information could result in an avoidable expense, or even losing a lawsuit. The Court and its staff cannot tell you what you should do about your problem.

### Do I need a lawyer?

In most circumstances legal representation is **not required** but is advisable. In many cases legal representation is **desirable** to safeguard your rights and interests.

You should seek professional, licensed, legal counsel for advice. Among others, the following services may be helpful:

Denton Bar Association (940) 320-1500  
Dallas Legal Line (214) 220-7476  
Dallas Bar Association (214) 220-7400  
Legal Aid North West TX (888) 529-5277  
TX Legal Service Center for Military and Seniors (800) 622-2520

### What about criminal cases?

Justice Courts have jurisdiction in:

- Traffic offenses
- Class C misdemeanors (punishable by fines only up to \$500)
- Criminal cases punishable by fine only.

### “I just want to talk to the Judge...”

The code of Judicial Conduct further prohibits the Justice of the Peace from engaging in communications concerning the merits of a pending judicial proceeding, or the merits of an impending claim or dispute. This means a judge can only discuss matters when all parties to a lawsuit are present during the discussions. Most people understand this when they consider how they would feel about the judge discussing their case with the other side without their knowledge or consent.

**“But your clerk said...”**

No information provided by the clerks or staff of this office is intended for anything other than general, non-specific, information and is not intended to be legal advice, advice concerning your specific case, or advice to be relied upon by you or any other party. The clerks and this staff are prohibited by law and by the Code of Judicial Procedure from providing legal advice or rendering specific assistance to you in your case or in any other matter handled by this office. ALL COMMUNICATIONS MADE IN THIS OFFICE ARE CLOSELY MONITORED TO ENSURE THAT THIS RESTRICTION CONCERNING HOW INFORMATION IS PROVIDED TO THE PUBLIC IS MAINTAINED.

**“So who should I consult for advice or help in my case?”**

You are encouraged to consult competent legal advice from independent legal counsel to answer your questions and to provide direction on how to proceed in Justice Court.

**“Are the proceedings in Justice Court very formal?”**

This Court, as in all courts of the State of Texas, is bound to follow specific laws, specific procedures, and to require a specific decorum and respect. Our procedures allow for some flexibility in how the cases may be conducted, but the rules of decorum and procedure will be formally applied and expected to be followed by all participants at all times.

**“So must my communications with the Court be in writing?”**

Some information may be obtained over the phone or in person with our Court staff. But all motions, pleadings, and requests for action by the Court must always be formally presented to the Court in writing, and you must always immediately copy the other side in your case in writing with what you have presented to the Court. Failure to do so can result in sanctions, including dismissal of your case, in accordance with the applicable Texas Rules of Civil Procedure.