

T. BRADLEY CATES
JUDGE
COUNTY COURT AT LAW NO. 2
MCLENNAN COUNTY, TEXAS



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MAR 12 2018

McLennan County Judge

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Scott Felton, County Judge
McLennan County, Texas

HAND DELIVERED

Dear Judge Felton:

As increasingly unmanageable as the size, configuration and safety in the courtroom for the County Court at Law No. Two has been for many years, the situation has become untenable.

Last Friday, March 9, 2018, another person tripped and fell while trying to maneuver her way to the witness stand, injuring her arm, which was still bleeding when I asked her to report the incident, pursuant to County policy, to your office. I was assured she would check in with you. This lady came very close to striking her head on the corner of the wall setting the "well" apart from the rest of the courtroom.

This is the most recent of numerous incidents of people tripping in this courtroom, caused every time by the lack of room even to walk in the room without having to step around, over, or past obstacles which exist for one simple reason – inadequate space.

For over seven years now I have repeatedly asked the County to find some remedy for our problems, not only the safety issues related to moving about the courtroom, but other safety issues, such as the proximity of the jury box to sometimes violent defendants or participants, the necessity for witnesses actually to walk into the jury box in order to take the witness stand, and the proximity of the defendant's seat at the counsel table to the entrance and to friends and family in the courtroom. The list goes on.

The functionality of our courtroom is ridiculously limited. We must seat a venire panel of no less than 20 potential jurors in order to seat a jury of six. Occasionally, I must request additional panelists in anticipation of having to excuse numerous members for "cause." We have exactly 20 seats in the gallery. During jury selection, we have no seats at all for the public, except the six chairs in the jury box. Otherwise, observers must stand.

It would take pages to describe all of the shortcomings and dangers of our current circumstances, but you have heard all of it, more than once.

I have been told, multiple times, that proactive efforts were being applied to resolve our issues, everything from space studies to alternative locations to new space. I was even informed, roughly two years ago, that an architectural firm had been retained to examine the needs of all Courts and departments in the courthouse, and that they would be meeting personally with the Judges and department heads to develop detailed information about their needs and requirements. When I pressed for a time frame, I was told, "Within six months." I have yet to be contacted by anyone in this regard, and I know of no such contact with any other Judge.

McLennan County enjoys 5 District Courts, a IV-D Associate Judge Court, and a CPS Associate Judge Court, all of which receive priority in respect to the "visiting judge courtroom" on the first floor of the annex. All of these Courts have the capacity to accommodate venire panels, litigants and the public for the most part. The two County Courts at Law handle a combined civil, probate and criminal caseload easily matching the volume of cases filed in all of the District Courts, and we routinely have crowds in numbers that overwhelm our capacity. The need for at least one more County Court at Law is obvious, notwithstanding McLennan County's apparent lack of interest in that, or any other timely, reasonable resolution.

I am requesting that McLennan County give these issues the attention they deserve. This County is growing, and the rate of growth will only increase in the future. Major financial expenditures may not be popular, but the phrase "now is not a good time" rings hollow, because, in truth, is any time a "good" time for significant fiscal outlays? The proper question should be, "Is this the right time?" I submit that it is, and has been for a long while. I encourage you to address the existing increased strain on the Courts of our County in general, and specifically on the County Courts at Law and, further, to plan and act aggressively with an eye toward the future justice needs of this area.

Respectfully,

Brad Cates, Judge
County Court at Law No. Two
TBC/km

CC: Dustin Chapman
Kelly Snell, Commissioner, Precinct 1
Lester Gibson, Commissioner, Precinct 2
Will Jones, Commissioner, Precinct 3
Ben Perry, Commissioner, Precinct 4
