



# CAMERON COUNTY PURCHASING

1100 E. Monroe St,  
Brownsville, Texas 78520  
(956) 544-0871 Fax: (956) 550-7219

**ADDENDUM # 1 - PAGE 1 of 19**

**Date out : 2-27-13**

**RFP # 130203**

**RFP TITLE: INSURANCE – PROPERTY & CASUALTY**

**DEADLINE: APRIL 30, 2013**

**(IN ORDER TO AVOID DISQUALIFICATION – ALL ADDENDUMS MUST BE SIGNED AND RETURNED BY DEADLINE AND INCLUDED IN THE SEALED BID PACKAGE SUBMITTED)**

**ADD**

**EXHIBIT 6 – APPLICATION DISTRICT CLERK (LLOYDS)**

Company Name \_\_\_\_\_ Phone # \_\_\_\_\_  
Vendor Signature \_\_\_\_\_ Date \_\_\_\_\_

**Must include and return with RFP package**



**FLOYD WEST & COMPANY**  
since 1897

**APPLICATION**  
**District Clerks Errors & Omissions Liability**

THIS IS AN APPLICATION FOR A POLICY WITH LIMITS OF LIABILITY WHICH INCLUDE BOTH DAMAGES AND CLAIM EXPENSES. IF THERE IS ANY QUESTION, PLEASE CONSULT WITH YOUR AGENT, BROKER, OR ATTORNEY.

QUESTIONS	ANSWERS
1. Full name and address of Applicant.	1. Cameron County District Clerk 972 E. Harrison St. Brownsville, TX 78520
2. Does the Applicant act in the following capacity(ies):  a) Clerk of Court;  b) If "Yes," furnish details as to whether of County, Chancery, City, District, Municipal, Superior, Supreme, or other court, and the jurisdiction;  c) Recorder.	2.  a) <del>YES</del> /NO  b)  c) YES/ <del>NO</del>
3. Furnish the date of election/appointment to the present position:  a) Clerk;  b) Recorder.	3.  a) <u>11/22/1980</u>  b) <u>N/A</u>
4. Furnish the total population of the entity served.	4. <u>387,717</u>
5. Attach copies of all statutes, ordinances, or regulations which define the Applicant's official duties.	5. District Clerk Manual 2008 Edition See copies of statutes

QUESTIONS	ANSWERS									
<p>6. a) Does the governmental entity employ the services of both a Clerk and Recorder?</p> <p>b) Does the Applicant hold both offices?</p> <p>c) Are both offices to be considered for insurance hereunder?</p> <p>d) Furnish the number of staff, including the Applicant, in:</p> <p>1) The Clerk's office; (District Clerk)</p> <p>2) The Recorder's office.</p>	<p>6. a) YES/NO</p> <p>b) YES/NO</p> <p>c) YES/NO</p> <p>d)</p> <table border="0" style="width: 100%;"> <thead> <tr> <th></th> <th style="text-align: center;"><u>Full Time</u></th> <th style="text-align: center;"><u>Part Time</u></th> </tr> </thead> <tbody> <tr> <td>1) 43</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">10 _____</td> </tr> <tr> <td>2)</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </tbody> </table>		<u>Full Time</u>	<u>Part Time</u>	1) 43	_____	10 _____	2)	_____	_____
	<u>Full Time</u>	<u>Part Time</u>								
1) 43	_____	10 _____								
2)	_____	_____								
<p>7. a) Furnish the date of election/appointment to present position(s);</p> <p>b) Is this the Applicant's first term of office;</p> <p>c) If "Yes," attach a copy of the Applicant's resume;</p> <p>d) If "No," furnish the length of time the Applicant has been acting in his/her present capacity.</p>	<p>7. a) <u>11/22/1980</u></p> <p>b) YES/NO</p> <p>c)</p> <p>d) <u>29 Years</u></p>									
<p>8. a) Does the Applicant handle, collect, deposit, or process monies, penalties or fines, or any other financial matters?</p> <p>b) If "Yes," state the total annual amount of said monies over the last THREE years.</p>	<p>8. a) YES/NO</p> <p>See attached reports</p> <p>b) <u>Amount</u></p> <p>19___ \$ _____</p> <p>19___ _____</p> <p>19___ _____</p>									
<p>9. a) Does the Applicant carry a fidelity bond to provide coverage for dishonest acts?</p> <p>b) If "Yes," furnish the following policy information.</p> <p>c) Furnish full details of any claims made under said bond(s) within the past FIVE years.</p>	<p>9. a) YES/NO</p> <table border="0" style="width: 100%;"> <thead> <tr> <th></th> <th style="text-align: center;"><u>Policy Expiration</u></th> </tr> <tr> <th>b) <u>Insurance Co.</u></th> <th style="text-align: center;"><u>Limit</u>    <u>Date</u></th> </tr> </thead> <tbody> <tr> <td><u>Western Surety Co</u></td> <td style="text-align: center;"><u>\$250,000</u>    <u>12/1/2009</u></td> </tr> </tbody> </table> <p>c) N/A</p>		<u>Policy Expiration</u>	b) <u>Insurance Co.</u>	<u>Limit</u> <u>Date</u>	<u>Western Surety Co</u>	<u>\$250,000</u> <u>12/1/2009</u>			
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QUESTIONS	ANSWERS
<p>10. Furnish full details on the method, device, and safeguards used to receive, record, file, store and/or distribute the documents and records in connection with the Applicant's duties.</p>	<p>10. By statute, the Clerk must file all pleadings presented before the Court. All files cannot be removed from the custody of the Clerk as per court order. All files are stored in a secured warehouse provided by Commissioner's Court.</p>
<p>11. a) Is the Applicant entitled to indemnification from any governmental entity or agency for errors or alleged errors in the performance of his/her duties?</p> <p>b) If "Yes," furnish full details.</p>	<p>11. a) YES/NO</p> <p>b)</p>
<p>12. If the Applicant is absent from his/her duties at any time due to an accident or disability, who would be responsible for the Applicant's duties?</p>	<p>12. Elvira S. Ortiz Chief Deputy</p>
<p>13. a) Does the Applicant or any of the staff, within the scope of their official duties, at any time act in the capacity of a title abstractor or searcher, whether of a limited nature or otherwise?</p> <p>b) If "Yes," furnish the number of staff acting in such a capacity, and attach a resume of each.</p>	<p>13. a) YES/NO</p> <p>b) _____</p>
<p>14. Does the Applicant desire coverage for his/her activities as a title abstractor?</p>	<p>14. YES/NO</p>
<p>15. Does the Applicant or any of the staff, within the scope of their official duties, at any time issue abstracts of title or certificates of title or any memorandum or opinion relating thereto?</p>	<p>15. YES/NO</p>
<p>16. a) Does the Applicant desire coverage on a retroactive basis for any unknown or undiscovered errors or omissions during either:</p> <p>1) The Applicant's or;</p> <p>2) His/her predecessor's previous term(s) in office.</p> <p>b) If "Yes," furnish the date from which such prior acts coverage is requested.</p>	<p>16. a)</p> <p>1) YES/NO</p> <p>2) YES/NO</p> <p>b) 11/22/1980 _____</p>

QUESTIONS	ANSWERS																								
<p>16. c) What inquiries and precautions are or were taken by the Applicant when assuming responsibility from a predecessor in office to ensure that there exist no Claims or circumstances likely to give rise to a Claim out of acts performed by such predecessor(s) in office?</p>	<p>16. c) The District Clerk has been in office since 1980. All precautions and audits took place in 1980 and every year thereafter.</p>																								
<p>17. a) Furnish the following information about insurance carried by the public entity for whom the Applicant works:</p> <ol style="list-style-type: none"> <li>1) General Liability;</li> <li>2) Police Professional Liability;</li> <li>3) Automobile Liability.</li> </ol> <p>b) Does the general liability insurance include personal injury coverage?</p> <p>c) Does the automobile liability insurance include non-owned/hired car coverage?</p>	<table border="0"> <tr> <td></td> <td style="text-align: center;"><b>Insurance Co.</b></td> <td style="text-align: center;"><b>Policy Limit</b></td> <td style="text-align: center;"><b>Expiration Date</b></td> </tr> <tr> <td>17. a)</td> <td>1) TAC</td> <td>\$ 300,000</td> <td>7/1/10</td> </tr> <tr> <td></td> <td>2) N/A</td> <td></td> <td></td> </tr> <tr> <td></td> <td>3) TAC</td> <td>300,000</td> <td>7/1/10</td> </tr> <tr> <td>b)</td> <td colspan="3">YES/NO</td> </tr> <tr> <td>c)</td> <td colspan="3">YES/NO</td> </tr> </table>		<b>Insurance Co.</b>	<b>Policy Limit</b>	<b>Expiration Date</b>	17. a)	1) TAC	\$ 300,000	7/1/10		2) N/A				3) TAC	300,000	7/1/10	b)	YES/NO			c)	YES/NO		
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c)	YES/NO																								
<p>18. a) Is the Applicant engaged in any other business or profession, or employed by any other firm, full or part-time?</p> <p>b) If "Yes," furnish full details.</p>	<p>18. a) YES/NO</p> <p>b)</p>																								
<p>19. a) Has the named Applicant had errors and omissions insurance previously?</p> <p>b) If "Yes," furnish full details of errors and omissions coverage for the last THREE years.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Insurer</u></th> <th style="text-align: left;"><u>Policy No.</u></th> <th style="text-align: left;"><u>Limits of Liability</u></th> <th style="text-align: left;"><u>Deductible</u></th> <th style="text-align: left;"><u>Premium</u></th> <th style="text-align: left;"><u>Expiration Mo./Day/Yr.</u></th> </tr> </thead> <tbody> <tr> <td>Underwriters at Lloyd's</td> <td>ELC40448</td> <td>\$ 1,000,000</td> <td>\$ 1,000</td> <td>\$ 5,955</td> <td>11/22/2009</td> </tr> <tr> <td>Tudor's Insurance Co.</td> <td>EOP0030896</td> <td>1,000,000</td> <td>2,500</td> <td>7,763</td> <td>11/22/2008</td> </tr> <tr> <td>Tudor's Insurance Co.</td> <td>EOP0029235</td> <td>1,000,000</td> <td>2,500</td> <td>7,766</td> <td>11/22/2007</td> </tr> </tbody> </table> <p>c) Is the Applicant's expiring policy a CLAIMS MADE policy?</p> <p>d) If "Yes," furnish the retroactive date and attach a copy of the expiring policy.</p>	<u>Insurer</u>	<u>Policy No.</u>	<u>Limits of Liability</u>	<u>Deductible</u>	<u>Premium</u>	<u>Expiration Mo./Day/Yr.</u>	Underwriters at Lloyd's	ELC40448	\$ 1,000,000	\$ 1,000	\$ 5,955	11/22/2009	Tudor's Insurance Co.	EOP0030896	1,000,000	2,500	7,763	11/22/2008	Tudor's Insurance Co.	EOP0029235	1,000,000	2,500	7,766	11/22/2007	<p>19. a) YES/NO</p> <p>b)</p> <p>c) YES/NO</p> <p>d) <u>11/22/1980</u></p>
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QUESTIONS	ANSWERS
<p>20. a) Has any application for this type of insurance made by the Applicant or their predecessors in office ever been declined, or has any similar insurance ever been canceled, non-renewed, refused, or had special terms imposed?</p> <p>b) If "Yes," furnish full details:</p>	<p>20. a) YES/NO</p> <p>b)</p>
<p>21. a) Has any Claim been made during the last FIVE years against the Applicant or any predecessor in office on account of errors and omissions?</p> <p>b) If "Yes," furnish the following:</p> <ol style="list-style-type: none"> <li>1) Date the Claim was made;</li> <li>2) Name of the Claimant;</li> <li>3) Value of the Claim;</li> <li>4) If the Claim is settled or outstanding;</li> <li>5) Amount of the settlement;</li> <li>6) Brief description.</li> </ol>	<p>21. a) YES/NO</p> <p>b)</p> <ol style="list-style-type: none"> <li>1) _____</li> <li>2) _____</li> <li>3) _____</li> <li>4) _____</li> <li>5) _____</li> <li>6) _____</li> </ol>
<p>22. a) Is the Applicant aware of any circumstances, or any allegation or contentions, as to any incident which may result in a Claim being made against the Applicant or any predecessors in office?</p> <p>b) If "Yes," furnish the following:</p> <ol style="list-style-type: none"> <li>1) Date the Applicant first became aware of any such alleged negligent act, error or omission;</li> <li>2) Name of the potential Claimant;</li> <li>3) Estimated value;</li> <li>4) Brief description.</li> </ol>	<p>22. a) YES/NO</p> <p>b)</p> <ol style="list-style-type: none"> <li>1) _____</li> <li>2) _____</li> <li>3) _____</li> <li>4) _____</li> </ol>
<p>23. a) Are there any other facts which, if disclosed to the Company, may influence their assessment of this Application?</p> <p>b) If "Yes," furnish full details.</p>	<p>23. a) YES/NO</p> <p>b)</p>
<p>24. Does the Applicant agree that this Application is for a CLAIMS MADE policy?</p>	<p>24. YES/NO</p>

QUESTIONS	ANSWERS
25. a) Limit of Liability required?  b) Amount of deductible required?	25. a) \$ <u>1,000,000</u> Each Claim/Aggregate b) \$ _____

I hereby declare that the above statements and particulars are true and that I have not suppressed or mis-stated any material facts and I agree that this declaration shall be the basis of the contract between me and the Company and that this Application will form a part of the policy.

Applicant:   
AURORA DE LA GARZA  
Office Held: CAMERON COUNTY DISTRICT CLERK  
Date: November 17, 2009

*\*Signing this form does not bind the Applicant or the Company to complete the insurance.*

GOVERNMENT CODE  
SUBTITLE D. JUDICIAL PERSONNEL AND OFFICIALS  
CHAPTER 51. CLERKS

SUBCHAPTER A. CLERK OF SUPREME COURT

Sec. 51.001. APPOINTMENT; RESIDENCE; BOND; SEAL.

(a) The order appointing the clerk of the supreme court must be recorded in the minutes of the court.

(b) The clerk must reside at Austin.

(c) Repealed by Acts 2003, 78th Leg., ch. 285, Sec. 31(6).

(d) The clerk shall provide a seal for the use of the supreme court. The seal must have a five-pointed star and must be engraved with the words "Supreme Court of the State of Texas." Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985; Amended by Acts 2003, 78th Leg., ch. 285, Sec. 31(6), eff. Sept. 1, 2003.

Sec. 51.002. CLERK PRO TEMPORE; DEPUTY CLERK. (a) The supreme court, when necessary, may appoint a clerk pro tempore.

(b) The supreme court, by an order recorded in the minutes of the court, may authorize the clerk to appoint three deputy clerks who may discharge the duties required by law of the clerk. Each deputy clerk must give a bond that is approved by the supreme court and is in the same amount and subject to the same conditions as required for the bond of the clerk of the court. A deputy clerk serves at the will of the court.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985.

Sec. 51.003. REMOVAL OF CLERK. (a) The supreme court by motion may remove the clerk for neglect of duty or misconduct in office. The motion must specify the particular charges.

(b) Before the court may act on the motion, it must give the clerk at least 10 days' notice of the motion, including the particular charges.

(c) In acting on the motion, the court determines the law and facts.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985.

Sec. 51.004. DUTIES. The clerk of the supreme court shall:

(1) file and carefully preserve the transcripts of records certified to the supreme court and papers relative to the record;

(2) docket causes in the order in which the supreme court directs;

(3) faithfully record the proceedings and decisions of the supreme court; and

(4) certify the judgments of the supreme court to the courts from which the cases were brought.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985.

Sec. 51.005. FEES AND COSTS. (a) The clerk shall collect the fees described in Subsection (b) in a civil case before the court for the following services:

(1) filing records, applications, motions, briefs, and other necessary and proper papers;

(2) docketing and making docket and minute book entries;

(3) issuing notices, citations, processes, and mandates; and

(4) performing other necessary clerical duties.

(b) The fees are:

(1) application for writ of error . . . . . \$ 50

(2) additional fee if application for writ of error is granted . . . . . \$ 75

(3) motion for leave to file petition for writ of mandamus, prohibition, injunction, and other similar proceedings originating in the supreme court . . . . . \$ 50

(4) additional fee if a motion under Subdivision (3) is granted . . . . . \$ 75

(5) certified question from a court of appeals to the supreme court . . . . . \$ 75

(6) case appealed to the supreme court from the district court by direct appeal . . . . . \$100

(7) any other proceeding filed in the supreme court . . . . . \$ 75.

(c) In addition, the clerk of the supreme court shall collect:

(1) a fee of \$5 for administering an oath and giving a sealed certificate of the oath;

(2) a minimum fee of \$5, or 50 cents per page if more than 10 pages, for making copies of any papers of record in offices,



- entries;
- (3) issuing notices, citations, processes, and mandates;
- (4) preparing transcripts on application for writ of error to the supreme court; and
- (5) performing other necessary clerical duties.

(b) The fees are:

- (1) for cases appealed to and filed in the court of appeals from the district and county courts within its court of appeals district . . . . . \$100
- (2) motion for leave to file petition for writ of mandamus, prohibition, injunction, and other similar proceedings originating in the court of appeals . . . . . \$ 50
- (3) additional fee if the motion under Subdivision (2) is granted . . . . . \$ 75
- (4) motion to file or to extend time to file record on appeal from district or county court . . . . . \$ 10

(c) In addition, the clerk of a court of appeals shall collect:

- (1) a fee of \$5 for administering an oath and giving a sealed certificate of the oath;
- (2) a fee of \$5, or \$1 per page if more than five pages, for a certified copy of any papers of record in the court offices, including certificate and seal;
- (3) a fee of \$5, or \$1 per page if more than five pages, for comparing any document with the original filed in the offices of the court for purposes of certification; and
- (4) a reasonable fee fixed by the order or rule of the supreme court for any official service performed by the clerk for which a fee is not otherwise provided by this section.

(d) The supreme court shall provide by order or rule for the making of deposits to cover the costs provided by this section in cases before a court of appeals. A deposit may not be required in a case in which the petitioner, relator, appellant, or movant in the court of appeals is exempt from the bond requirement.

(e) The clerk of a court of appeals shall pay into the state treasury the fees and costs under rules prescribed by the comptroller of public accounts and approved by the justices of the clerk's court. The clerk shall make a sworn report to the court not later than January 10 and July 10 of each year regarding the amount of costs collected in the previous six months, the cases in which the costs were collected, and the disposition of the costs. This report shall be filed with the financial records of the court.

(f) Repealed by Acts 1987, 70th Leg., ch. 148, Sec. 2.66, eff. Sept. 1, 1987.

(g) One-half of the fees collected under this section shall be deposited to the credit of the judicial fund.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1986, 69th Leg., 2nd C.S., ch. 11, Sec. 4, eff. Sept. 22, 1986; Acts 1987, 70th Leg., ch. 148, Sec. 1.62, 2.66, eff. Sept. 1, 1987; Acts 1997, 75th Leg., ch. 1080, Sec. 1, eff. Sept. 1, 1997.

Sec. 51.208. ADDITIONAL FEES. (a) The clerk of a court of appeals shall collect an additional fee on the filing of any case appealed to and filed in the court of appeals that otherwise requires a filing fee. The additional fee is in an amount equal to the amount of the additional fee set by order or rule of the supreme court and imposed under Section 51.0051.

(b) The clerk shall collect fees imposed under this section in the same manner as other fees, fines, or costs are collected in the proceeding and shall send the fees imposed under this section to the comptroller not later than the last day of the month following each calendar quarter. The comptroller shall deposit the fees received to the credit of the judicial fund.

(c) Fees received under this section may be appropriated only to the supreme court support account established under Section 51.0051. The comptroller shall allocate to the account amounts as designated in the General Appropriations Act from the judicial fund that were deposited under this section.

(d) The supreme court shall administer the funds deposited under this section and appropriated to the supreme court support account in the manner provided by Section 51.0051.

Added by Acts 2007, 80th Leg., R.S., Ch. 1408, Sec. 2, eff. September 1, 2007.

SUBCHAPTER D. DISTRICT CLERKS

Sec. 51.301. VACANCY; BOND; SEAL; SIGNATURE OF CLERK.

(a) If a vacancy occurs in the office of district clerk, the vacancy shall be filled by the district judge of the county.

(b) If a vacancy in the office of district clerk occurs in a county that has two or more district courts, the vacancy shall be filled by agreement of the judges of the courts. If the judges cannot agree on an appointee, they shall certify that fact to the governor, who shall order a special election to fill the vacancy.

(c) An appointee to fill a vacancy in the office of district clerk must qualify and give a bond.

(d) Each district clerk shall be provided with a seal for the district court. The seal must have a five-pointed star and must be engraved with the words "District Court of \_\_\_\_\_ County, Texas." The seal shall be impressed on all process issued by the court except subpoenas and shall be kept and used by the clerk to authenticate official acts. The seal may be created using an electronic means, including by using an optical disk or another electronic reproduction technique, if the means by which the seal is impressed on an original document created using the same type of electronic means does not allow for changes, additions, or deletions to be made to the document.

(e) The signature of the district clerk may be affixed on an original document using electronic means, provided that the means by which the signature is affixed meets the requirements of Subsection (d) with respect to creating a seal by electronic means.

(f) A seal impressed or a signature affixed by electronic means may be delivered or transmitted electronically.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 25, Sec. 1, eff. September 1, 2007.

Acts 2007, 80th Leg., R.S., Ch. 25, Sec. 2, eff. September 1, 2007.

Sec. 51.302. BOND; OATH; INSURANCE. (a) Except as provided by Subsection (g), before beginning the duties of office, each district clerk must give a bond with two or more sufficient sureties or with a surety company authorized to do business in this state as a surety. The bond must:

(1) be payable to the governor;

(2) be conditioned on the faithful performance of the duties of the office;

(3) be approved by the commissioners court; and

(4) be in an amount equal to not less than 20 percent of the maximum amount of fees collected in any year during the term of office immediately preceding the term of office for which the bond is given, except that the bond may not be in an amount less than \$5,000 nor more than \$100,000.

(b) The district clerk must take and sign the oath prescribed for officers of this state, which must be endorsed on the bond, if a bond is required, and the bond and oath, or oath, must be filed and recorded in the office of the county clerk.

(c) Each district clerk shall obtain an insurance policy or similar coverage from a governmental pool operating under Chapter 119, Local Government Code, or from a self-insurance fund or risk retention group created by one or more governmental units under Chapter 1084, Acts of the 70th Legislature, Regular Session, 1987 (Article 715c, Vernon's Texas Civil Statutes), to cover the district clerk and any deputy clerk against liabilities incurred through errors or omissions in the performance of official duties. The amount of the policy or other coverage document must be equal to the maximum amount of fees collected in any year during the term of office immediately preceding the term for which the insurance is obtained, except that the amount of the policy or other coverage document must be at least \$20,000 but not more than \$700,000. If the policy or other coverage document provides coverage for other county officials, the amount of the policy must be at least \$1 million.

(d) Each district clerk shall obtain an insurance policy or similar coverage from a governmental pool operating under Chapter 119, Local Government Code, or from a self-insurance fund or risk retention group created by one or more governmental units under Chapter 1084, Acts of the 70th Legislature, Regular Session, 1987 (Article 715c, Vernon's Texas Civil Statutes), to cover losses from burglary, theft, robbery, counterfeit currency, or destruction. The amount of the policy or other coverage document must be at least \$20,000 but not more than \$700,000.

[\[Go To First Hit\]](#)

LOCAL GOVERNMENT CODE

CHAPTER 117. DEPOSITORIES FOR CERTAIN TRUST FUNDS AND COURT  
REGISTRY FUNDS

SUBCHAPTER A. GENERAL PROVISIONS

§ 117.001. DEFINITIONS. In this chapter:

(1) "Bank" means a banking corporation or association, an individual banker, or a state or federal savings and loan association or savings bank.

(2) "Clerk" means a county clerk, a district clerk, or a county and district clerk.

(3) "Registry funds" means funds tendered to the clerk for deposit into the registry of the court.

(4) "Separate account" means funds transferred from a special account into a separate interest-bearing account.

(5) "Special account" means an account in a depository in which registry funds are placed.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987. Amended by Acts 1995, 74th Leg., ch. 552, § 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 505, § 1, eff. Sept. 1, 1997.

§ 117.002. TRANSFER OF UNCLAIMED FUNDS TO COMPTROLLER.

Any funds deposited under this chapter, except cash bail bonds, that are presumed abandoned under Chapter 72, 73, or 75, Property Code, shall be reported and delivered by the county or district clerk to the comptroller without further action by any court. The dormancy period for funds deposited under this chapter begins on the later of:

(1) the date of entry of final judgment or order of dismissal in the action in which the funds were deposited;

(2) the 18th birthday of the minor for whom the funds were deposited; or

(3) a reasonable date established by rule by the comptroller to promote the public interest in disposing of unclaimed funds.

Added by Acts 1991, 72nd Leg., ch. 153, § 26, eff. Sept. 1, 1991. Amended by Acts 1997, 75th Leg., ch. 329, § 2, eff. May 26, 1997; Acts 1997, 75th Leg., ch. 505, § 2, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1037, § 2, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1423, § 13.01, eff. Sept. 1, 1997.

§ 117.003. COMPLIANCE WITH FEDERAL TAX LAW FOR FUNDS HELD UNDER THIS CHAPTER. (a) If any funds deposited under this chapter are placed into an interest-bearing account, any person with a taxable interest in funds deposited to such account must submit appropriate tax forms and provide correct information to the

district or county clerk so that the interest earned on such funds can be timely and appropriately reported to the Internal Revenue Service. The information and forms provided to the district or county clerk under this section are not subject to public disclosure except to the extent necessary to effectuate compliance with federal tax law requirements.

(b) The district or county clerk is authorized to pay any or all of the interest earned on funds deposited under this chapter, without court order, to the Internal Revenue Service to satisfy tax withholding requirements.

Added by Acts 1997, 75th Leg., ch. 505, § 3, eff. Sept. 1, 1997.

#### SUBCHAPTER B. ESTABLISHMENT OF DEPOSITORY

§ 117.021. APPLICATIONS. (a) The commissioners court of a county shall select by the process provided by this subchapter or by Subchapter C, Chapter 262, a federally insured bank or banks in the county to be the depository for a special account held by the county clerk and the district clerks. The county shall enter a contract with the selected federally insured bank or banks for a two-year or four-year term. The original term can be renewed once for an additional two-year term. The contract may, on request by the clerk and approval of the commissioners court, include a provision that the funds in a special account earn interest. A request from the clerk that an account earn interest must be made, in writing, to the commissioners court not later than the 30th day before the date the county gives notice under Section 117.022 and shall be entered in the minutes of the court.

(b) If the contract is for a four-year term, the contract shall allow the county to establish, on the basis of negotiations with the bank, new interest rates and financial terms of the contract that will take effect during the final two years of the four-year contract.

(c) On the renewal of a contract, the county may negotiate new interest rates and terms with the bank for the next two years in the same way and under the same conditions as provided by Subsection (b).

(d) A bank must file its application on or before a date set by the commissioners court. The application must be accompanied by a certified check or cashier's check for at least one-half of one percent of the average daily balance of the registry funds held by the county clerk and the district clerk during the preceding calendar year, as determined by the county clerk and the district clerk on or before the 10th day before the date the application is required to be filed. A certified check or cashier's check that complies with this section is a good-faith guarantee on the part of the applicant that if its application is accepted it will execute the bond required under this subchapter. If the bank selected as depository does not provide the bond, the county shall retain the amount of the check as liquidated damages and the county shall select another depository as provided by this subchapter.

(e) If for any reason a county depository is not selected under Subsection (a), the commissioners court, at any subsequent time after 20 days' notice, may select, by the process described by Section 117.023 or by negotiated bid, one or more depositories in the same manner as at the regular term.

Analysis Report  
 Fee & Trust Account  
 Investments  
 Child Support Collections

<b>Investments</b>		
Date	Number of Accounts	Total Investments
Sept.'2009	743	\$ <b>8,637,980.54</b>

<b>Fee &amp; Trust Account</b>			
Balance as:	Fee Account	Trust Account	Total
Sept.'09	\$ 1,843,387.66	\$ 2,809,551.28	\$ <b>4,652,938.94</b>

<b>Child Support Collections</b>	
Oct.'08- Sept.'2009	\$ <b>573,093.96</b>

<b>Civil Fee Account Collections October 2008 - Sept.' 2009</b>			
Clerks's Fees	\$ 384,791.62	Copies & Search	\$ 106,957.75
Constable Fees	\$ 1,359.00	District Attorney	\$ 1,250.00
Fax Fees	\$ 3,271.50	Bond Forfeitures	\$ 10,625.00
Interest Earned Fee	\$ 8,051.75	Special Interest Trust	\$ 9,249.93
Jury Fee	\$ 13,200.00	Law Library	\$ 106,375.00
Records Preserv.	\$ 43,980.00	Sheriff	\$ 39,877.60
State Comptroller	\$ 150,760.00	Indigent Fee	\$ 29,384.10
Steno.	\$ 50,365.00	Security	\$ 17,965.00
NSF Checks	\$ 720.00	Passport Application Fee	\$ 542,817.50
E-Filing	\$ 7,490.00	Family Protection Fee	\$ 19,755.00
Appeal Jucdy. Fee	\$ 14,565.00	Judiciary Support	\$ 147,378.00
<b>Total Collections</b>			<b>\$1,710,188.75</b>

**Criminal Fee Account Collections  
October 2008 - Sept.' 2009**

Clerks's Fees	\$ 36,291.36	Criminal Justice	\$ 400.00
Comp. to Victims	\$ 14,112.65	District Attorney	\$ 2,833.50
Juvenile Probation	\$ 6,260.00	E M S	\$ 8,336.00
Judiciary/Ct.Pers	\$ 821.50	Video DWI	\$ 1,718.34
Jury Fee	\$ 40.00	Law Enforcement	\$ 39.50
Records Preserv.	\$ 22,191.62	Sheriff	\$ 51,610.82
Transaction Fee	\$ 13,384.61	Attorney's Fee	\$ 90,200.31
Fugitive Apprehe.	\$ 1,674.15	Security	\$ 4,346.75
D N A	\$ 13,312.20	Time Payment	\$ 19,973.78
Juvenile Crime & Deli	\$ 132.50	Arrest	\$ 0.00
Criminal Justice Plan	\$ 100.00	Jury Serv. Fund	\$ 2,307.00
Judicial Fund	\$ 3,199.00	Family Protection Fee	\$ 1,007.00
Combined Court Cost	\$ 95,526.43	Correctional Mangmt Inst	\$ 143.00
Drug Court Fund	\$ 7,225.10	Indigent Defense Fund	\$ 548.00
General Revenue	\$ 30.00		
<b>Total Criminal Fee Collections</b>			<b>\$ 397,765.12</b>

# *Open Accounts Summary*

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<b>COMPASS BANK</b> <i>BROWNSVILLE</i>	<i>Open Accounts : 223</i>	\$5,166,865.19
<b>FIRST NATIONAL BANK</b> <i>BROWNSVILLE</i>	<i>Open Accounts : 2</i>	\$9,487.52
<b>FIRST NATIONAL BANK AT BROWNSVILLE</b> <i>BROWNSVILLE</i>	<i>Open Accounts : 6</i>	\$25,693.72
<b>INTERNATIONAL BANK OF COMMERCE</b> <i>BROWNSVILLE</i>	<i>Open Accounts : 11</i>	\$84,795.05
<b>LONE NATIONAL BANK</b> <i>BROWNSVILLE</i>	<i>Open Accounts : 1</i>	\$192,332.67
<b>LONE STAR NATIONAL BANK</b> <i>BROWNSVILLE</i>	<i>Open Accounts : 482</i>	\$2,880,127.56
<b>MERCEDES NATIONAL BANK</b> <i>MERCEDES</i>	<i>Open Accounts : 1</i>	\$28,418.29
<b>RIO BANK</b> <i>BROWNSVILLE</i>	<i>Open Accounts : 7</i>	\$201,093.38
<b>VALLEY FEDERAL CREDIT UNION</b> <i>BROWNSVILLE</i>	<i>Open Accounts : 2</i>	\$7,500.00
<b>WELLS FARGO</b> <i>BROWNSVILLE</i>	<i>Open Accounts : 8</i>	\$41,667.16
	<hr/> <i>Total Balance on 743 Accounts :</i>	<hr/> <b>\$8,637,980.54</b>

Analysis Report  
 Fee & Trust Account  
 Investments  
 Child Support Collections

<b>Investments</b>		
Date	Number of Accounts	Total Investments
Sept.'2008	792	\$ 8,887,175.79

<b>Fee &amp; Trust Account</b>			
Balance as:	Fee Account	Trust Account	Total
Sept.'08	\$ 1,709,888.97	\$ 2,329,940.25	\$ 4,039,829.32

<b>Child Support Collections</b>	
Oct.'07- Sept.'2008	\$ 643,943.60

<b>Civil Fee Account Collections October 2007 - Sept.' 2008</b>			
Clerks's Fees	\$ 378,579.81	Copies & Search	\$ 92,260.10
Constable Fees	\$ 5,471.00	District Attorney	\$ 3,495.00
Fax Fees	\$ 3,692.00	Bond Forfeitures	\$ 29,707.50
Interest Earned Fee	\$ 43,494.96	Special Interest Trust	\$ 58,798.41
Jury Fee	\$ 12,412.00	Law Library	\$ 105,770.00
Records Preserv.	\$ 40,895.00	Sheriff	\$ 29,198.00
State Comptroller	\$ 144,520.00	Indigent Fee	\$ 30,025.00
Steno.	\$ 45,405.00	Security	\$ 17,225.00
NSF Checks	\$ 1,020.00	Passport Application Fee	\$ 391,608.50
E-Filing	\$ 4,785.00	Family Protection Fee	\$ 20,160.00
Appeal Judcy. Fee	\$ 14,465.00	Judiciary Support	\$ 134,918.00
<b>Total Collections</b>			<b>\$1,607,905.28</b>



**Criminal Fee Account Collections**  
**October 2007 - Sept.' 2008**

Clerks's Fees	\$ 31,807.49	Criminal Justice	\$ 915.00
Comp. to Victims	\$ 19,691.48	District Attorney	\$ 3,653.90
Juvenile Probation	\$ 7,180.00	E M S	\$ 9,383.75
Judiciary/Ct.Pers	\$ 856.05	Video DWI	\$ 2,047.36
Jury Fee	\$ 61.50	Law Enforcement	\$ 97.00
Records Preserv.	\$ 19,007.07	Sheriff	\$ 56,380.88
Transaction Fee	\$ 11,125.28	Attorney's Fee	\$ 89,824.73
Fugitive Apprehe.	\$ 2,284.25	Security	\$ 3,942.13
D N A	\$ 15,306.15	Time Payment	\$ 20,559.51
Juvenile Crime & Deli	\$ 208.75	Arrest	\$ 5.00
Criminal Justice Plan	\$ 290.00	Jury Serv. Fund	\$ 2,039.96
Judicial Fund	\$ 2,156.00	Family Protection Fee	\$ 693.00
Combined Court Cost	\$ 78,135.75	Correctional Mangmt Inst	\$ 201.50
Drug Court Fund	\$ 1,846.50	Indigent Defense Fund	\$ 8.00
<b>Total Criminal Fee Collections</b>			<b>\$ 379,707.99</b>

Analysis Report  
 Fee & Trust Account  
 Investments  
 Child Support Collections

<b>Investments</b>		
Date	Number of Accounts	Total Investments
Sept.'2007	877	\$ 13,959,000.30

<b>Fee &amp; Trust Account</b>			
Balance as:	Fee Account	Trust Account	Total
Sept.'07	\$ 1,616,461.56	\$ 2,447,941.72	\$ 4,064,403.28

<b>Child Support Collections</b>	
Oct.'06- Sept. '07	\$ 819,875.58

<b>Civil Fee Account Collections October 2006 - Sept.' 2007</b>			
Clerks's Fees	\$ 355,213.79	Copies & Search	\$ 88,857.75
Constable Fees	\$ 5,328.00	District Attorney	\$ 5,862.10
Fax Fees	\$ 3,480.50	Bond Forfeitures	\$ 49,827.85
Interest Earned Fee	\$ 78,057.39	Special Interest Trust	\$ 117,054.66
Jury Fee	\$ 12,990.00	Law Library	\$ 101,990.00
Records Preserv.	\$ 39,350.00	Sheriff	\$ 28,423.00
State Comptroller	\$ 133,560.00	Indigent Fee	\$ 27,765.00
Steno.	\$ 43,410.00	Security	\$ 16,004.00
NSF Checks	\$ 600.00	Passport Application Fee	\$ 161,442.85
E-Filing	\$ 2,328.00	Family Protection Fee	\$ 20,625.00
Appeal Jucdy. Fee	\$ 14,118.00	Judiciary Support	\$ 113,109.00
<b>Total Collections</b>			<b>\$1,419,396.89</b>

**Criminal Fee Account Collections**  
**October 2006 - Sept.' 2007**

Clerks's Fees	\$ 62,266.88	Criminal Justice	\$ 2,410.44
Comp. to Victims	\$ 55,569.92	District Attorney	\$ 5,521.22
Juvenile Probation	\$ 5,595.00	E M S	\$ 13,753.00
Judiciary/Ct.Pers	\$ 2,389.78	Video DWI	\$ 3,183.25
Jury Fee	\$ 247.31	Law Enforcement	\$ 296.50
Records Preserv.	\$ 32,342.87	Sheriff	\$ 92,394.05
Transaction Fee	\$ 17,235.80	Attorney's Fee	\$ 136,963.86
Fugitive Apprehe.	\$ 5,896.66	Security	\$ 7,267.22
D N A	\$ 17,381.97	Time Payment	\$ 36,926.71
Juvenile Crime & Deli	\$ 490.25	Arrest	\$ 10.00
Criminal Justice Plan	\$ 500.00	Jury Serv. Fund	\$ 2,432.00
Judicial Fund	\$ 2,528.50	Family Protection Fee	\$ 757.00
Combined Court Cost	\$ 122,019.34	Correctional Mangmt Inst	\$ 501.00
<b>Total Criminal Fee Collections</b>			<b>\$ 626,880.53</b>