

**AGENDA ITEM 17**

Discuss and take appropriate action on a proposed transfer of mental health proceedings to Travis County.

County Court at Law #1 Judge Kevin Henderson and Assistant County Attorney Cole Spainhour addressed the court concerning the proposed transfer.

Moved: **Commissioner Boatright**

Seconded: **Judge Doerfler**

Motion: To approve the transfer of mental health proceedings to Travis County, with the funding for the transfer to come from the County Court at Law #1 budget for the remainder of the fiscal year, with line item transfers or budget amendments as needed, and with this item to be addressed in the budget for the next fiscal year.

Vote: **5 - 0**

< Attachment >

# Eugene D. Taylor

## Williamson County Attorney

Wayne Porter, First Assistant  
Donna King Cole Spainhour  
Daryl Eremi Brian Baker  
Warren Waterman Kay Lively  
John Escover Crystal Ruell  
Michael Cox Jeremiah Williams

Dale A. Rye, Of Counsel

Metro Telephone: (512) 943-1111  
Taylor: 352-3661 FAX: 943-1120

December 1, 2001

To: Commissioners Court  
Re: Mental Commitments

About fifteen years ago, the Texas Legislature significantly changed the Mental Health Code. Once a county takes a patient into custody, that county is currently liable for the cost of all subsequent proceedings, even in another county. Travis County offered to handle our mental cases at that time, but we calculated that we could do it cheaper ourselves. Therefore, the Commissioners Court adopted a policy that Williamson County would handle its own commitments, and directed the mental health authorities to file in Georgetown rather than Austin.

Since then, Travis County has taken over the commitments from at least thirty other counties and has been able to lower its costs substantially through economies of scale. Judge Henderson (who has handled our mental docket since 1995), the County Clerk, and the County Attorney have been monitoring the situation closely. They all agree that we have finally reached the crossover point. It would now be more cost-effective to allow Travis County to handle our mental health proceedings.

The attached estimate of the expenses in handling our own commitments shows that the average cost to the county is currently almost \$650. The attached letter from Judge Guy Herman of the Travis County Probate Court sets out their schedule of expenses. It appears that the average case will cost less than \$390. Although we are all proud of the excellent service that Williamson County has provided its residents, it is difficult to justify the additional annual financial burden of at least \$23,000.

Therefore, we request that the Court authorize us to contact the mental health authorities and Travis County and ask them to file future commitments in Austin.

Sincerely,



Dale A. Rye

Courthouse Annex, Second Floor, 405 Martin Luther King Box 7, Georgetown, Texas 78626

## Estimate of Costs for an Average Williamson County Commitment

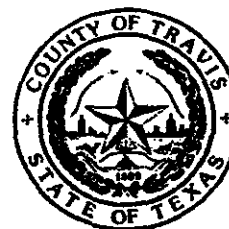
County Clerk Court Costs ( $\$11,000 \div 85$ unpaid cases)	\$130.00 <sup>1</sup>
Appointed Counsel Fees ( $\$33,222 \div 91$ )	365.08
County Attorney Prosecutor Salary	20.00
County Attorney Staff Salary	60.00
Constable Salary (Transport to hearings—1 in 3 @ \$120)	40.00
Mileage on County Car	32.00
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Total	\$647.08

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<sup>1</sup> This does not count "soft" costs due to the unusual nature of these cases. They have strict time guidelines, so they require an unusual amount of clerical work. Long term storage of the confidential files is also a major concern for the Clerk's Office.

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**JUDGE GUY HERMAN**  
**TRAVIS COUNTY PROBATE COURT NO. 1**  
**TRAVIS COUNTY, TEXAS**



Travis County Courthouse  
 Room 217- P.O. Box 1748  
 Austin, Texas 78767  
 512-473-9258

November 13, 2001

Honorable Kevin D. Henderson  
 Williamson County Court at Law No. 1  
 Criminal Justice Annex Bldg.  
 405 S. Martin Luther King St.  
 Box 5  
 Georgetown, Texas 78626

**Re: Assessment of fees for out-of-county mental health commitments conducted by  
 Travis County**

Dear Judge Henderson:

I apologize for the tardiness of this correspondence concerning the assessment of fees for out-of-county mental health commitments conducted by Travis County. Let me begin by stating that the cost of an out-of-county mental health commitment varies depending on a number of factors such as whether a probable cause hearing took place in Travis County or whether a guardian of a proposed patient needs to be served. Thus, the cost for an out-of-county commitment ranges from \$320.00 to \$390.00. With this in mind, I provide you with all potential fees that Travis County can impose for an out-of-county commitment case.

Fee for filing	\$40.00
Fee for service on patient	\$45.00
Fee for service on guardian <sup>1</sup>	\$45.00
Fee for attorney ad litem fee	\$100.00
Fee for special master <sup>2</sup>	\$25.00
Fee for court reporter	\$15.00
Fee for court staff travel expense	\$5.00
Fee for library	\$35.00
Fee for judicial training	\$5.00
Fee for judicial fund	\$40.00

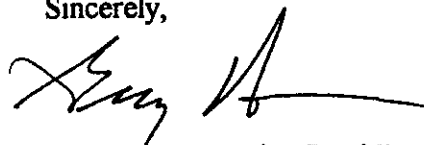
<sup>1</sup> This fee is not applicable if the proposed patient is not under a guardianship or a minor.

<sup>2</sup> This fee is not applicable if a probable cause hearing is not conducted in Travis County.

Fee for indigent service fee	\$5.00
Fee for records management	\$5.00
<u>Fee for prosecutor's services<sup>3</sup></u>	<u>\$25.00</u>
 TOTAL	 \$390.00 <sup>4</sup>

If these figures do not dissuade you from using Travis County to conduct commitment hearing of Williamson County residents, Travis County is more than willing to do so. Should you have any questions please do not hesitate to contact me.

Sincerely,



Guy Herman, Judge Presiding  
Travis County Probate Court No. 1

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<sup>3</sup> Travis County, by order of the probate court, assesses a fee of \$25.00 for prosecutorial services, but does not assess a fee for judicial services.

<sup>4</sup> If a probable cause hearing is not held in Travis County and no service is needed upon a guardian, the cost is \$320.00

**AGENDA ITEM 18**

Consider approving contract for Hall Bargainer to develop Master Plan for Chamberlin tract.

Moved: **Commissioner Hays**

Seconded: **Commissioner Limmer**

Motion: To approve a contract for Hall Bargainer to develop a master plan for the Chamberlin tract.

Vote: 5 - 0

< Attachment >

#18



**HALL/BARGAINER, INC.**  
landscape architects & planners

Monday, December 10, 2001

**Judge John Doerfler**  
*Williamson County, Texas*  
**701 Main St. Suite 201**  
*Georgetown, Texas 78626*

**Re: Professional Park Planning Services Agreement between Hall/Bargainer and Williamson County, Georgetown, Texas.**

Dear Judge John Doerfler,

Thank you for inviting us to submit a proposal for master planning and entry design services on the above mentioned project. This proposal is based upon our understanding of the project from our meeting on October 12, 2001.

The purpose of the services proposed herein is to provide park planning services necessary for the preparation of a master plan.

This is an Agreement for professional park planning services between: Williamson County, Texas Parks and Wildlife grant submittal, 701 Main St., Suite 201, Georgetown, TX 78626 (hereinafter called the Client) and Hall Bargainer, Inc., 400 West Main, Ste. 220, Round Rock, Texas 78664 (hereinafter called the Consultant).

The Client agrees to employ the Consultant to provide professional park planning services as indicated herein for, Judge John Doerfler of Williamson County for "The Chamberlin Tract" (hereinafter called the Project).

Respectfully Submitted,

Tim Bargainer, ASLA, CLARB  
Principal  
Hall/Bargainer, Inc.