

THE ATTORNEY GENERAL

The *Texas Register* publishes summaries of the following: Requests for Opinions, Opinions, and Open Records Decisions.

An index to the full text of these documents is available on the Attorney General's website at <https://www.texas.attorneygeneral.gov/attorney-general-opinions>. For information about pending requests for opinions, telephone (512) 463-2110.

An Attorney General Opinion is a written interpretation of existing law. The Attorney General writes opinions as part of his responsibility to act as legal counsel for the State of Texas. Opinions are written only at the request of certain state officials. The Texas Government Code indicates to whom the Attorney General may provide a legal opinion. He may not write legal opinions for private individuals or for any officials other than those specified by statute. (Listing of authorized requestors: <https://www.texasattorneygeneral.gov/attorney-general-opinions>.)

Requests for Opinions

RQ-0359-KP

Requestor:

The Honorable Scott R. Peal

Chambers County Attorney

Post Office Box 1200

Anahuac, Texas 77514

Re: Authority to remove a county auditor and procedure to do so (RQ-0359-KP)

Briefs requested by July 24, 2020

For further information, please access the website at www.texasattorneygeneral.gov or call the Opinion Committee at (512) 463-2110.

TRD-202002672

Lesley French

General Counsel

Office of the Attorney General

Filed: June 30, 2020



Opinions

Opinion No. KP-0318

The Honorable Dana Norris Young

Cherokee County Attorney

Post Office Box 320

Rusk, Texas 75785

Re: Authority of a judge of a court of record to appoint an official court recorder in lieu of an official court reporter (RQ-0327-KP)

S U M M A R Y

Government Code 52.041 expressly requires each judge of a court of record to appoint an official court reporter. Accordingly, a court is unlikely to conclude that a judge of a court of record may appoint an official court recorder in lieu of an official court reporter.

Government Code section 52.051 and Local Government Code section 152.905 provide for the setting of salaries of court reporters. Neither apply to the position of court recorder, and nothing in either provision provides a basis to conclude that they may apply to other judicial positions. Thus, as a practical matter, a court should hire and remunerate a court recorder as it does its other staff not covered by these provisions.

For further information, please access the website at www.texasattorneygeneral.gov or call the Opinion Committee at (512) 463-2110.

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