



Brazoria County Courthouse Attorney Access Card Policy



A. SUMMARY

The Brazoria County Courthouse Attorney Access Card Policy is adopted by the Brazoria County Commissioners Court pursuant to Texas Local Government Code section 291.010. The purpose of this policy is to establish procedures for licensed attorneys who practice law in the Brazoria County Courthouse (the “Courthouse”) to obtain access cards (the “Attorney Access Card”) permitting cardholders to access the Courthouse as provided in this policy, while ensuring public safety and security for the citizens and employees of Brazoria County.

The Attorney Access Card is a privilege extended to licensed attorneys who are in good standing with the State Bar of Texas, meet the eligibility requirements of this policy, and use the Attorney Access Cards in accordance with the terms of this policy.

B. CONTENT

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C. POLICY

1. Agreement with Brazoria County Bar Association
 - a. Prior to implementation of this policy, Brazoria County (the “County”) and the Brazoria County Bar Association shall enter into an agreement under which the Brazoria County Bar Association shall agree to distribute and make available Attorney Access Card applications to eligible members, educate Brazoria County Bar Association members on policies and procedures related to applying for and participating in the Attorney Access Card program, act as a communication liaison between the County and Brazoria County Bar Association members regarding the Attorney Access Card program, and provide the County information to assist in determining applicant eligibility.



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2. Application and Fees

- a. Attorneys who are (1) licensed to practice law in the State of Texas, (2) in good standing with the State Bar of Texas, and (3) members of the Brazoria County Bar Association or another bar association based in Brazoria County and operated for the purpose of serving the legal profession in Brazoria County may apply to the division of the Brazoria County Sheriff's Office (the "Sheriff's Office") assigned to provide security services to the Courthouse ("Courthouse Security") requesting admission to the Attorney Access Card program.
- b. Courthouse Security shall develop an application, accept, and process all submitted applications, determine program eligibility, and otherwise administer the Attorney Access Card program under this policy.
- c. A copy of this policy shall be provided to any person submitting an application for an Attorney Access Card. The applicant shall acknowledge receipt of the policy in writing.
- d. A non-refundable fee of \$75.00 shall be included with each submitted application.
- e. An Attorney Access Card shall apply only to the calendar year in which the card was issued, regardless of when during the calendar year the card was issued. Each Attorney Access Card shall automatically expire at the end of the calendar year for which it was issued, unless terminated earlier under this policy. A cardholder wishing to renew an Attorney Access Card may submit an application on or after December 15th and pay the applicable annual, non-refundable fee. Expired Attorney Access Cards must be returned to Courthouse Security before a new card will be issued.
- f. A non-refundable fee of \$15 will be required to replace a lost Attorney Access Card.
- g. All payments under this policy shall be delivered to the Brazoria County Treasurer's Office. Applicants shall provide Courthouse Security a receipt from the Treasurer's Office evidencing payment. All payments shall be made to "Brazoria County."
- h. Fees received through this program shall be used to support this and other security related programs at the Courthouse.



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- i. An individual who assists an attorney with a disability who (1) requires assistance while entering the Courthouse and (2) has been issued an Attorney Access Card may apply for an Access Card in the same manner as provided under this policy. An individual issued an Access Card under this provision may access the Courthouse as provided in this policy only when accompanying the attorney identified in the individual's application. An individual applying for an Access Card under this provision shall not be required to pay an application fee. An Access Card issued under this provision shall denote that the individual is not an attorney. In the event an attorney no longer receives assistance from an individual issued an Access Card under this provision, the attorney and individual shall immediately notify and return the Access Card to Courthouse Security. All other provisions of this policy shall apply to an individual who applies for and/or is issued an Access Card.
3. Background Check
 - a. Any person wishing to apply for an Attorney Access Card must consent to a background check. Upon receipt of a completed application and fees, Courthouse Security shall conduct a background check of the applicant.
 - b. Upon a determination that the applicant meets all requirements of this policy, Courthouse Security will issue one Attorney Access Card to the applicant.
 - c. In the event any information in an application or associated documents changes after submission of the application or the issuance of an Attorney Access Card, the cardholder must immediately report the change to Courthouse Security. Failure to immediately report changes may result in the revocation of Attorney Access Card privileges.
 4. Access Locations and Times
 - a. Cardholders may only use Attorney Access Cards to (1) bypass the security screening provided by Courthouse Security after entering the public entrance of the Courthouse and (2) enter the Courthouse through the west side atrium entrance by scanning their Attorney Access Card. The Attorney Access Cards may not be utilized to enter the Courthouse at any other location.
 - b. Cardholders may use Attorney Access Cards to enter the Courthouse as provided in this policy only during normal business hours, Monday through Friday, 7:30 a.m. to 5:00 p.m., excluding County holidays, emergency closures of the



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Courthouse, and other times in which Courthouse Security deems it necessary for those entering the Courthouse to submit to security screening.

- c. Attorney access cards shall not grant access to any other secure locations within the Courthouse.

5. Program Rules

- a. Attorney Access Cards will serve as identification and will normally allow the cardholder identified on the card to enter the Courthouse as provided under this policy. However, cardholders must at all times adhere to the directions of Courthouse Security and submit to security screening, if requested by Courthouse Security.
- b. Attorney Access Cards must be clearly visible when entering the Courthouse. Cardholders who cannot produce an Attorney Access Card at the point of entry will be required to enter the Courthouse following normal public security procedures. Courthouse Security personnel may request additional information at the time of entry to verify the identity of a cardholder. If bypassing security screening at the public entrance to the Courthouse, cardholders must be acknowledged by Courthouse Security before bypassing security screening.
- c. Access under this policy extends to the cardholder's case materials when those materials are in the cardholder's direct control.
- d. Cardholders are prohibited from allowing any other person, including, but not limited to, the cardholder's employees or clients, to use the Attorney Access Card. Permitting a non-cardholder to use an Attorney Access Card shall be grounds for immediate revocation of all privileges under this policy.
- e. Cardholders shall comply with all laws and policies related to prohibited weapons or items in the Courthouse.
- f. Cardholders are required to submit to a search for weapons or prohibited items upon request by Courthouse Security personnel.
- g. Cardholders shall not engage in insolent, disruptive, or rude behavior when interacting with Courthouse Security or in exercising any privilege under this policy.



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- h. Cardholders must immediately report lost or stolen Attorney Access Cards to Courthouse Security, preferably in person. The cardholder will be required to provide detailed information about the loss of the card.
 - i. Cardholders arrested or charged with any offense, other than a Class C misdemeanor traffic offense, must notify Courthouse Security immediately in writing via electronic mail at ch.security@brazoriacountytx.gov.
 - j. Applicants convicted of a felony offense shall not be eligible to participate in the Attorney Access Card program.
 - k. If an applicant has been convicted of a misdemeanor offense under Texas Penal Code chapter 22, the circumstances of the offense shall be reviewed and a determination shall be made as to whether the applicant will be eligible to participate in the Attorney Access Card Program.
6. Suspension or Revocation of Privileges
- a. A violation of any of this policy's Program Rules may result in suspension or revocation of an Attorney Access Card and disqualification from the program.
 - b. A violation of any Brazoria County security policy, including, but not limited to, a violation of any Brazoria County Courthouse weapons policy, may result in suspension or revocation of an Attorney Access Card and disqualification from the program.
 - c. In the event a cardholder is arrested for or charged with a criminal offense, other than a Class C misdemeanor traffic offense, the cardholder's Attorney Access Card may be suspended pending an investigation. Depending on the results of the investigation, cardholder privileges may be revoked, suspended, or reinstated.
 - d. Upon a cardholder's conviction for a felony offense, the cardholder's privileges shall be automatically revoked.
 - e. Upon a cardholder's conviction for a misdemeanor offense under Texas Penal Code chapter 22, the circumstances of the offense shall be reviewed and a determination shall be made as to whether the cardholder's privileges should be revoked.
 - f. Any judge of any court at the Courthouse may notify the County of any concern regarding a cardholder's privileges under this policy. The County may exercise



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any appropriate action in response to such a notification, including suspension or revocation of Attorney Access Card privileges. The County Judge shall have final authority to determine what action shall be taken in response to such a notification.

- g. Upon suspension or revocation of an Attorney Access Card for any reason, or an attorney's disqualification from the program, the cardholder shall immediately surrender his or her Attorney Access Card to Courthouse Security.
- h. If a heightened level of security is implemented, Courthouse Security shall have the right to temporarily suspend Attorney Access Card privileges without notice.

7. Administrative Requirements

- a. The Brazoria County Commissioners Court may amend, modify, suspend, or eliminate this policy at any time pursuant to Texas Local Government Code section 291.010. In addition, Commissioners Court may receive and consider recommendations from, and/or consult with, a court security committee created under Texas Government Code section 74.092 concerning this policy.
- b. The Brazoria County Sheriff's Office shall be responsible for implementing this policy and shall have charge and control of the Courthouse, subject to the regulations of Commissioners Court, pursuant to Texas Local Government Code section 291.003.
- c. Attorney Access Cards are the property of Brazoria County. Any determination made under this policy concerning an applicant's eligibility or the suspension, revocation, reinstatement, or any change in status of a cardholder's privileges are made at the sole, exclusive discretion of the County or the Sheriff's Office, as applicable, and shall not be subject to any judicial or administrative review.
- d. Brazoria County will comply with all open records laws related to this policy, which may include attorney application documents.