



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

Reinstated by 0-6616

GERALD C. MANN
ATTORNEY GENERAL

Hon. Dwight Whitwell
Assistant County Attorney
Collin County
McKinney, Texas

Overruled by *D-3091*
IN PRRK

Dear Sir:

Opinion No. 0-1234

Re: What is the compensation of a special county judge in a county operating on a salary basis, and from what fund should he receive his compensation?

Your request for opinion upon the above question has been received by this department.

The population of Collin County, Texas, according to the last preceding Federal Census is 49,180.

Opinion No. 0-722 of this department passes upon the questions you ask. This opinion holds that the salary of the special county judge is the annual salary of the county judge divided by 365 and the quotient multiplied by the number of days actually served by such special judge; the special county judge should be compensated out of the Officers' Salary Fund.

We enclose, herewith, a copy of opinion No. 0-722.

You are, therefore, respectfully advised that it is the opinion of this department that a special county judge, in counties operating under the Officers' Salary Law, should receive as his compensation or salary for his services, the annual salary of the county judge of the county divided by 365 and the quotient multiplied by the number of days actually served by such special judge, and that such compensation or salary be paid to such special county judge out of the Officers' Salary Fund. Any and all fees earned and collected by such special county judge, by virtue of his office, should be placed in the Officers' Salary Fund of the county.

Trusting that this satisfactorily answers your inquiry, we are

Very truly yours

ATTORNEY GENERAL OF TEXAS

By *W. J. Fanning*
Wm. J. Fanning
Assistant.

APPROVED AUG 12, 1939

G. C. Mann
ATTORNEY GENERAL OF TEXAS

APPROVED
OPINION
COMMITTEE
BY *[Signature]*
CHAIRMAN