

## OPINION

### JUSTICES OF THE PEACE

# At bottom rung of judicial ladder, their decisions still can have big consequences

By Houston Chronicle Editorial Board

Texas' justice of the peace courts were created in the Wild West. Judge Roy Bean, a saloon keeper unpracticed in either law or court procedure, was among the first Texas JPs. His version of justice was so crooked that Six Flags named a rollercoaster after him.

JPs still don't need a law degree to serve. The civil and misdemeanor criminal disputes they handle have less to do with barroom brawls and more to

do with speeding tickets, debt collection, truancy charges and small claims up to \$20,000. The human drama remains the same. A JP might evict someone from their home, marry two high school sweethearts, and even certify the untimely death of a beloved American president — all in a week's work.

At the bottom rung of the judicial ladder, their decisions still can have grave consequences for the most vulnerable among us.

Two of the 16 JPs in Harris County have contested races on the ballot. Our recommendations are based on interviews with participating candidates, calls with experts, deep data dives and several hours spent observing incumbent judges in their courtrooms. We urge voters to exercise their own right to drop by "the People's Court" and keep elected judges accountable long after the election is over.

#### FOR PRECINCT 5, PLACE 1 ISRAEL GARCIA, DEMOCRAT

Watching Judge Israel Garcia, 58, enter his courtroom, it's easy to imagine the Judge Bean days of yore. The Democrat strides in, bolo tie peeking out from beneath his sweeping robe. A slight pause at his chair and he removes his cowboy hat with a flourish, hanging it ceremoniously on a standing rack next to him. The room sits down when he does.

Then, the real show begins. It's a Tuesday: eviction day. Garcia's eviction docket is the busiest in Harris County and usually numbers in the hundreds of cases, but this afternoon is light, he says. "Only 66 cases" — still far more than other JPs. His precinct spans apartment-dense areas such as Gulfton, Sharpstown and Alief as well as the western parts of Cinco Ranch and Cypress. During our screening, Garcia told us that, since taking office in 2020, he has cleared the COVID-era eviction backlog. His efficiency has earned him a reputation for doling out rulings in five minutes or less.

Even on that relatively slow Tuesday, most cases take about 60 seconds, start to finish. Like a well-oiled machine, Garcia churns through boilerplate questions.

"What is the past due rent?"  
"Is it government housing?"  
"Did you issue a notice to vacate?"  
When the tenant isn't present — which is frequent — the default judgment takes as little as 30 seconds. The judgment often ends in favor of the landlord.

Garcia's breakneck speed isn't of his own choosing. Harris County commissioners haven't redrawn the boundaries of justice of the peace courts since 1973 despite some areas growing much faster than others.

"That is a complete disgrace," he said.

Garcia could still do more to make his court fairer — for one, by having eviction dockets on more days each week. Garcia's Republican challenger, James Lombardino, 77, told us he would do just that and avoid resetting cases, which he said only creates a backlog. Lombardino is a former district court family judge, a visiting judge and arbitrator, with 30 years of appellate and litigation experience.

While we appreciated his sincerity and curiosity, Lombardino's apparent unfamiliarity with critical aspects of the JP role was concerning. We wondered how he would handle high-stakes cases in this precinct's multicultural courtroom, where litigants — often immigrants with accents or Spanish speakers — make their arguments in anxious whispers.

That is where Garcia most shines, shedding some of his showmanship and revealing what seems like earnest compassion. The only moment he slows down is when tenants are pres-



Sharon Steinmann/Staff photographer

ent. He can quickly switch to Spanish when all involved parties speak the language, and makes a point to carefully explain the process to non-native English speakers, giving them ample opportunities to ask questions.

Sad stories don't count for much in eviction law, but Garcia gives tenants the chance to talk anyway, if only to allow them to feel heard.

When a recently graduated student told him she's drowning in student debt and can't make rent, he asked her if she had anybody she can call — a parent, a sibling, a friend. Like most tenants in his court, she didn't. By resetting the case, he gave her a few weeks' time to gather the \$2,000 she needed to settle her debt, and encouraged her to speak with one of the pro bono attorneys offering services right across the hall from his courtroom. They can help her find and apply for rental assistance, he said.

Garcia wasn't always so friendly to the nonprofit defense attorneys the county placed in his courtroom. Lone Star Legal Aid has lodged complaints against Garcia for the limited access to litigants he allowed. They were also part of a group of eviction defense lawyers who sued several judges during the pandemic, including Garcia, for failing to comply with emergency eviction protections.

Whether it's because of election season or because a different nonprofit — Neighborhood Defense Services — has now been placed in his courtroom, we were glad to see he seems to welcome outside help. Unlike some other judges, he even gives the nonprofit time at the top of the docket to announce their services in English and Spanish.

There remains a lot of room for improvement in Precinct 5, Place 1. Garcia's polarizing personality is evidenced by the mixed reviews he earned from 31 attorneys in the 2023 Houston Bar Association's judicial evaluation poll.

Garcia's challenger didn't give us a strong enough reason to believe he was the right person to lead those changes. The percentage of attorneys who said Lombardino's overall performance as a family court judge needed improvement in a 2017 Houston Bar Association poll was 39.1% — slightly worse than Garcia's 35.5%.

Ultimately, we believe taxpayers have already invested in Garcia, and should give him more time to do better. We hope he'll give more time to the people who come to his court.

#### FOR PRECINCT 8, PLACE 1 CARISSA GRADY, DEMOCRAT

On paper, Holly Williamson, 58, is an impressive JP. A career attorney, the Republican incumbent has spent the past 15 years presiding over this southeastern precinct, which includes Deer Park and parts of Pasadena, Seabrook and La Porte.

When she first ran for office in 2008, she made a compelling case, highlighting not just her experience as an attorney, wife and mother, but also as a neighbor. She said it shapes her "compassionate servant's heart" — a phrase echoed in her current campaign website.

Unfortunately that compassion wasn't evident in her courtroom on a recent Thursday morning. It's true, with her bright blonde bob and a smile that doesn't quite reach her eyes, it would be easy to mistake her dulcet tone for kindness. She's nothing if not polite. But her swift rulings rival even Judge Israel Garcia's drive-thru justice reputation.

Williamson is the only other JP judge besides Garcia who averages more than 50 cases per docket. But her caseload is much smaller than Garcia's; she just schedules too few dockets. Some weeks, she crams all of her cases into just one day.

Even with most tenants and landlords present, there is rarely a pause in her conveyor belt of eviction after eviction. When litigants complicated the proceedings — say, by presenting receipts showing they paid rent, or asking questions about the jury trial they had requested, clearly without fully understanding the process — Williamson would visibly lose her patience.

She largely stuck to asking just one question of tenants: "Is it true you didn't pay?" To which tenants could do little else but stammer out a sheepish "Yes?"

Here, there seems to be no resetting cases to give tenants more time. No mention of rental assistance or pointing to pro bono representation. In fact, Lone Star Legal Aid attorneys aren't allowed to sit inside the courtroom and don't get to announce their services. They can only hope tenants will approach their table and ask for help on their way out. According to a Texas Housers analysis, of the 3,171 eviction cases filed in Williamson's court this year, only 1% of cases featured tenants with legal representation. Tenants won in fewer than 1% of the cases.

Interestingly, Williamson's Democratic challenger and Deer Park native, Carissa Grady, witnessed these issues firsthand. She clerked for Williamson for five years. Now she's running against her old boss.

"We often saw the same people in there for evictions over and over again," she said. Yet, no effort was made to connect them to services that could help them break that cycle. Grady, 34, says she and other clerks were also often barred from giving constituents basic advice on how to navigate the court system.

"This is 'the People's Court,'" she said. "It's being run as a much higher court than it should be."

Williamson's campaign war chest is more fitting of a higher court judge as well. Whereas other JPs, including a judge who



Carissa Grady

has held office two decades, average between \$2,000 to \$20,000 cash on hand, Williamson's latest campaign finance report shows she has \$150,500. Only one other JP judge topped that.

Williamson seems to spend an unusual amount on office gifts, food and frivolities. In the span of two terms, she spent around \$10,200 of her donors' money on Astros season tickets, \$4,200 on office gifts, \$2,200 on food and wine, and \$1,600 repaying herself.

Most of her donations come from self-identified attorneys, business owners and other special interest groups such as real estate developers, local labor unions, car dealerships and debt collectors. One generous donor, Bayway Auto Group, has had at least 80 cases in front of Williamson in the past decade.

Grady alleges that Williamson often gave preferential treatment to attorneys and other groups who had contributed to her campaign. "It was disheartening," she said.

Many attorneys certainly seem to view Williamson favorably. In the 2023 Houston Bar Association judicial evaluation, Williamson received overwhelmingly positive reviews, with a majority of the 27 respondents giving her an "excellent" in almost every category. Like Garcia, however, Williamson was also sued by eviction defense attorneys for wrongfully evicting tenants during the pandemic.

Outraged by what she saw in Williamson's court, Grady left in 2019 to pursue her master's thesis on judicial misconduct. That year, she also filed a complaint with the State Commission on Judicial Conduct, though she said nothing has come out of it yet. The commission does not comment on complaints unless they've taken action.

Williamson did not participate in our screening. In an emailed statement, she called Grady's allegations "baseless attacks" and "complete fabrications," but did not produce evidence refuting them. Both Williamson and Grady referred to an employment dispute with details we were unable to verify fully.

Grady is currently a paralegal with the Harris County Attorney's Office. She doesn't have a law degree or Williamson's years of experience. But in this particular case, we're not concerned. Not only is she intimately familiar with all of the ins and outs of a JP's role and responsibilities, she has another advantage: She knows the public. Grady has listened to their questions, taken their calls, and thoroughly studied their cases.

It's time for a change in Precinct 8, Place 1. We believe Grady has the zeal, compassion and smarts to rule fairly and humanely, not beholden to special interests.

## SENATE

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we have to go back to."

Cruz supported banning abortions without exceptions for rape or incest, but he's moderated a bit since the Supreme Court overturned Roe v. Wade and Democrats seized on pro-choice outrage around the country. His position now appears to be similar to Trump's. "I believe that is a question for the Texas voters to decide, and every state is making a different decision," the senator told a Chronicle reporter recently.

On gun policy, Cruz's ads no longer feature him frying bacon on the hot muzzle of an AR-15 — a 2015 highlight — but he's still as stubbornly opposed to common-sense gun-safety measures as any other NRA marionette in Congress. He couldn't cut the strings even in the wake of the horrific Uvalde school massacre, and voted against the 2022 bipartisan gun bill shepherded by his Texas Republican colleague, U.S. Sen. John Cornyn.

Allred's position on guns reflects the considered views of most Texans. He told the editorial board he supports background checks, safe-storage laws, red-flag laws, expanded mental health services and raising the age at which a person can purchase an automatic firearm. "These are all things we can get a majority of Texans to support that are compatible with the Second Amendment and that save lives," he said.

We also were impressed with Allred's interest in what he calls "family-friendly" initiatives. The father of two young sons and the only male member of the House Bipartisan Paid Family Leave Working Group — he was the first member of Congress known to take paternity leave — he supports universal pre-K, investment in childcare workers and an expanded child tax credit to fight child poverty.

A biracial son of a single mother, Allred told the editorial board that his level-headed approach to life and politics is largely a personal choice. As an all-district performer in three sports at Hillcrest High School in North Dallas and as the Baylor Bears' defensive captain playing linebacker — middle

linebacker, appropriately enough — he realized he had to remain clear-eyed and focused, keeping emotions under control even in the heat of gridiron battle. His role models in sports and in politics, he said, "were people who kept a cool head, who were thoughtful, who were serious."

He continued his playing career in the NFL as a linebacker for the Tennessee Titans, then earned a law degree at the University of California, Berkeley. After a stint as an attorney with the Department of Housing and Urban Development in the Obama administration, he came home to Dallas and ran for Congress.

"I haven't lost an election yet, and I don't intend to start now," Allred said. With the clock ticking down, the Democratic underdog holds a campaign-finance edge but is slightly behind in the polls.

In Texas, Democrats in statewide races are as much the perennial underdog as Vanderbilt when it faces Alabama on the gridiron. The odds have always been against Allred, even before the debate. Still, as the Commodores' recent shocking victory over the Crimson Tide underscores, the

game's not over yet.

If, like O'Rourke, Allred comes up inches short of the goal line, his campaign will have reminded Texans of one important lesson: In sports and in politics, competition is everything. Forcing one of the most polarizing politicians in the country into a tough race drove his opponent to moderate, at least temporarily. Competition forced him to take opposing views — and voters, and his job — seriously.

Cruz, loud and unrelenting, sounded a bit desperate during the Tuesday night debate, perhaps because he realizes his party faces demographic challenges as Texas slowly trends purple. With that threat on the horizon, Republicans have resorted to bending the rules — blatant gerrymandering, voter suppression bills, lawsuits, out-and-out lies — instead of engaging in spirited competition. The referees — the voters, that is — are about to throw a flag, if not this year, someday soon.

We hope Colin Allred wins, and we urge you to vote for him. Win or lose, this former football player has already shown his fellow Democrats how to compete.