

**District and County Court at Law
Bastrop County, Texas**

**BLANKET ORDER REGARDING
INSPECTION OF MENTAL HEALTH COURT RECORDS**

The state Office of Court Administration (OCA) has received federal grant funding, under the FY 2011 National Instant Criminal Background Check System (NICS) Act Record Improvement Program, to hire staff to provide assistance to the district and county clerks in Texas to improve the reporting of mental health information to NICS.

House Bill 3352 (now codified at sections 411.052 and 411.0521 of the Texas Government Code and section 574.088 of the Texas Health and Safety Code) was passed by the 81st Texas Legislature in 2009, to comply with and implement the requirements of the federal NICS Improvement Amendments Act of 2007, Pub. L. 110-180 (the "NIAA").

The NIAA was signed into law on January 8, 2008, and it amends the Brady Handgun Violence Prevention Act of 1993 ("the Brady Act"), Pub. L. 103-159, under which the United States Attorney General established NICS. The Brady Act requires Federal Firearms Licensees to contact the NICS before transferring a firearm to an unlicensed person to obtain information on whether the proposed transferee is prohibited from receiving or possessing a firearm under state or federal law.

Many prohibited persons are not prevented from purchasing firearms because their records are not in NICS. The NIAA was enacted after the April 2007 shooting tragedy at Virginia Tech to enhance the reporting to NICS of disqualifying mental health information and other prohibiting factors such as felony convictions, active arrest warrants, and misdemeanor convictions for domestic violence.

The Courts find that the use, inspection, or copying of each paper in a docket for mental health proceedings in the district and county clerk's office, including the docket book, indexes, and judgment books, by OCA staff, who have been hired with federal grant funds under the FY 2011 NICS Act Record Improvement Program and are assisting the district and county clerks in Texas to improve the reporting of mental health information to NICS, is justified and in the public interest.

It is ORDERED that the Bastrop District Clerk and the Bastrop County Clerk are authorized to release to the OCA staff, who have been hired with federal grant funds under the FY 2011 NICS Act Record Improvement Program, for their use, inspection or copying, each paper in a docket for mental health proceedings in the district and county clerk's office.

FILED 2:20 M
DATE 9-26-11
Sarah Loucks
District Clerk, Bastrop County

Effective September 23, 2011 and until further order of these Courts,

BY THE COURT:


County Court at Law Judge


District Judge

September 26th, 2011
Date of Order

FILED 12:20M
DATE 9-26-11
Sarah Loucks
District Clerk, Bastrop County