

Additional Monthly Reporting Requirements for Counties Over 1 Million in Population

HB 1182 (88th Legislature)

Additional Guidance

TRANSFERS BETWEEN COURTS OF THE SAME LEVEL

How should transfers between district courts or between statutory county/statutory probate courts in the same county be reported?

For the **reports by court** required by 71.035(a), transfers between courts at the same level in the county should be counted.

Scenario: Case filed in January 2009 in Court A
 Case transferred to Court B in March 2009
 Case disposed by Court B in May 2009

For reports by court: Filing counted for Court A in January
 Transfer out counted for Court A in March
 Transfer in counted for Court B in March
 Disposition counted for Court B in May

Prior guidance for the **statewide** monthly Judicial Council Court Activity Reports remains the same:

Transfers between courts of the same type should not be counted on the statewide Judicial Council monthly report. The report captures only the filing and ultimate disposition of a case. Transfers are to be counted only when a case is transferred to a different type of court (district court, statutory county court, or constitutional county court).

In addition, most counties submit only one report per court type per county, so transfers between courts would never be counted on the report.

For counties that use Judicial Council-based reports to track the activity of each court locally but do not report activity by court to OCA, you must have some way to track internal transfers in your case management system so that the reports for each court are balanced. However, do **not** count these transfers on the statewide Judicial Council report.

Scenario: Case filed in January 2009 in Court A
Case transferred to Court B in March 2009
Case disposed by Court B in May 2009

For reports by court: Filing counted for Court A in January
Transfer out counted for Court A in March
Transfer in counted for Court B in March
Disposition counted for Court B in May

On Judicial Council report: Filing counted in January
Disposition counted in May

For counties that report information to OCA for individual courts, enter a docket adjustment in the month after the transfer is completed to correct the number of cases pending in each case category at the beginning of the month. You will subtract cases from the transferring court and add them to the receiving court(s).