

Juvenile Caseload Trends in the District & County-Level Courts

BACKGROUND

Section 51.04 of the Texas Family Code provides for the designation of a court or courts in each county as the juvenile court to hear proceedings under Title 3 of the Family Code. The court designated must be either a district court, criminal district court, county court at law, or constitutional county court. The designation is made by the juvenile board in each county.

Juvenile courts have jurisdiction over offenses committed by juveniles who are at least 10 years of age and under 17 years of age at the time of the offense. The courts have jurisdiction over two types of offenses: delinquent conduct and conduct indicating a need for supervision (CINS). Delinquent conduct includes all offenses that are punishable by imprisonment or confinement in jail if committed by an adult, as well as contempt of justice and municipal courts. Conduct indicating a need for supervision includes truancy, running away from home, and fine-only offenses. Fine-only offenses, except for public intoxication, are within the original jurisdiction of the justice and municipal courts as criminal offenses and are only eligible to be heard by juvenile courts after being transferred by the justice or municipal court where the case was first filed. Juvenile courts do not have jurisdiction over traffic offenses committed by juveniles, as the justice and municipal courts must hear these cases.

In an effort to address the rise in juvenile crime over the past decade, juvenile courts in the larger Texas counties have been using juvenile law masters, referees, and associate judges to assist with detention hearings and the adjudication of cases under Title 3 of the Family Code.

OVERALL CASELOAD

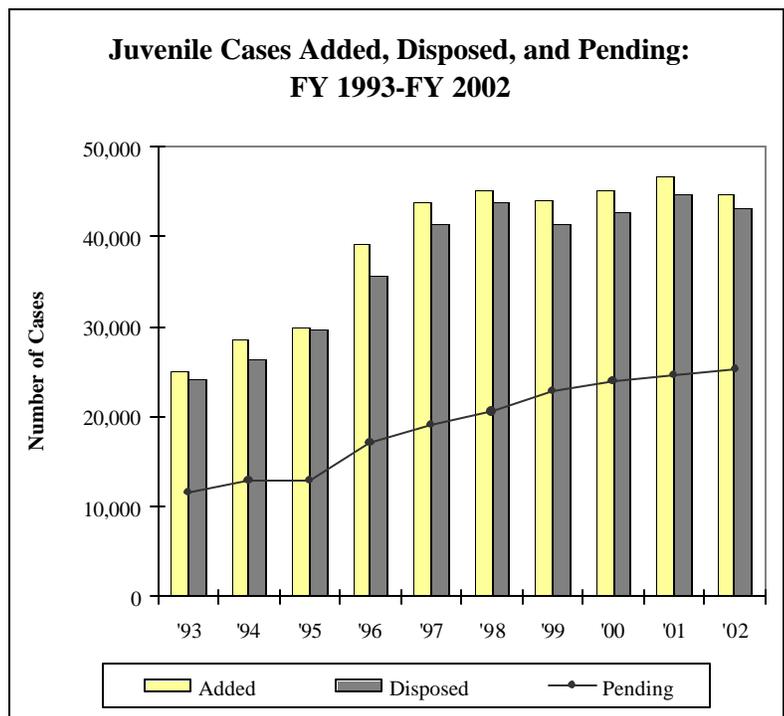
- Over the last decade, the number of juvenile cases added has increased an average of 7.4 percent per fiscal year, for a total increase of 83.3 percent (from 24,936 added in FY 1993 to 45,703 added in FY 2002). However, number of juvenile cases added in FY 2002 was 1.9 percent less than the number of juvenile cases added in FY 2001 (46,570 cases).

- CINS cases accounted for 3.2 percent (1,480 cases) of juvenile cases added, while delinquent conduct cases comprised 96.8 percent (44,223 cases).

- Over the past ten years, the number of juvenile cases disposed per year has grown an average of 7.1 percent per fiscal year, for a total increase of 82.0 percent (from 24,249 cases disposed in FY 1993 to 44,115 cases disposed in FY 2002). However, number of juvenile cases disposed in FY 2002 was 1.2 percent less than the number disposed the previous fiscal year (44,640 cases).

- CINS cases accounted for 2.7 percent of juvenile cases disposed in FY 2002, while delinquent conduct cases comprised 97.3 percent.

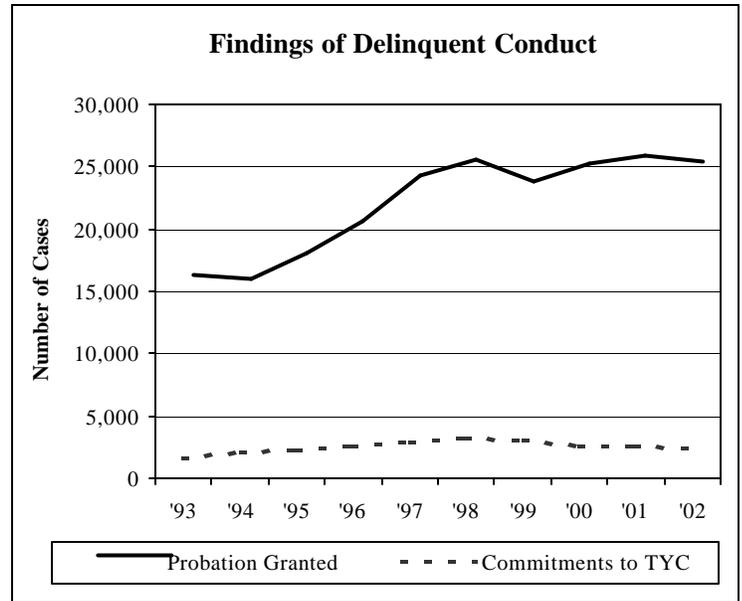
- The gradual upward trend in pending cases continued in FY 2002. In each of the past ten years, the number of juvenile cases pending at the end of the fiscal year has increased from the previous fiscal year, indicating that dispositions have not kept pace with cases added. Although the number of cases added to the dockets of district and county-level courts in FY 2002 decreased by 1.9 percent from FY 2001, the number of cases disposed also decreased by 1.2 percent, leaving 25,010 cases pending at the end of the year – 1.7 percent more than in FY 2001.



- **The juvenile case clearance rate improved slightly (from 95.9 percent in FY 2001 to 96.5 percent in FY 2002) and exceeded the average juvenile clearance rate of 95.1 percent for the last decade.** However, during this period, the courts have not been able to obtain an overall juvenile clearance rate that exceeds 100 percent, which is necessary to reduce the courts' pending caseloads.

FINDINGS IN JUVENILE CASES

- **Findings of delinquent conduct were made in 98.7 percent of the juvenile delinquency cases disposed with a finding in FY 2002.** In addition, a finding of CINS was made in 99.3 percent of CINS cases disposed with a finding in FY 2002.
- **In FY 2002, most (88.6 percent) findings of delinquent conduct or dispositions involving motions to revoke probation in delinquency cases resulted in probation being granted or continued.** Of those cases in which probation was granted or continued, probation was granted or continued under parental care in 80.6 percent, to residential treatment facilities in 18.8 percent, and under foster care in the remaining 0.6 percent of cases. These figures were almost identical to the FY 2001 figures of 80.7 percent, 18.8 percent, and 0.5 percent, respectively.
- **In FY 2002, a total of 2,459 commitments (or 10.3 percent of all dispositions resulting in findings of delinquent conduct) were made to Texas Youth Commission (TYC) facilities.** This represents a 3.2 percent decrease from the number of children ordered confined to TYC facilities in FY 2001.



OTHER ACTIVITY

- **During FY 2002, a total of 203 juveniles were certified to stand trial as adults.** This total is up 9.1 percent from FY 2001, when 186 children were certified to be tried as adults.
- **Other actions taken by juvenile courts during FY 2002 included 28,470 detention hearings and 2,331 hearings on motions to modify court orders.** This was 3,688 fewer detention hearings than were held during the last fiscal year and 4,222 less than the five-year average (32,692 hearings) for FY 1998 through FY 2002. Hearings on motions to modify court orders also decreased. In FY 2001, 2,593 hearings were held, while in FY 2002 2,331 hearings were held (a 10.1 percent decrease).