



IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 01-9110

RECOMMENDATIONS FOR REDISTRICTING COURT OF APPEALS

Section 74.022, Texas Government Code, provides:

§§ 74.022. Changes in Number of Courts.

- (a) The supreme court shall assess the need for adding, consolidating, eliminating, or reallocating existing appellate courts.
- (b) The supreme court shall promulgate rules, regulations, and criteria to be used in assessing those needs.
- (c) The supreme court shall recommend to the regular session of the legislature convening in the third year following the year in which the federal decennial census is taken any needed changes in the number or allocation of those courts.

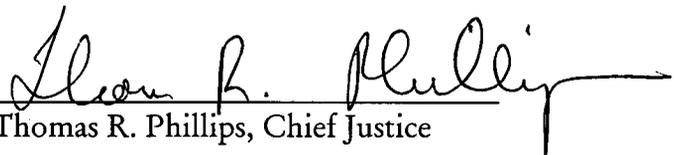
Under this section, the recommendations of the Supreme Court must be prepared prior to the convening of the 78th Legislature in January, 2003. Because the justices of the courts of appeals possess superior knowledge of the local conditions affecting the existing court of appeals districts to advise the Supreme Court, the Court hereby requests the Council of Chief Justices to make recommendations on or before January 1, 2002, for redistricting the court of appeals districts within the following guidelines:

- (1) No district shall vary more than 20 % from the statewide per justice average in a measure comprised of the sum of new cases filed during the most recent five years of available statistics and the population of each county, in thousands, in the proposed district.

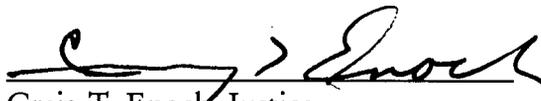
- (2) Each proposed district shall be composed of one or more whole counties.
- (3) All counties in a district must be contiguous.
- (4) No districts may overlap, except in the case of not more than two coterminous districts that include Harris County, where the Court will accept a recommendation of either one or two districts.
- (5) Existing courts may be eliminated, and new courts may be created.
- (6) There must be a total of 80 justices.
- (7) No court may include less than 3 members.

In voting on recommendations to this Court, each chief justice shall exercise a cumulative vote equal to the number of regular justices authorized for his or her court.

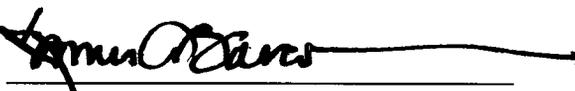
SIGNED this 27th day of June, 2001.


Thomas R. Phillips, Chief Justice


Nathan L. Hecht, Justice


Craig T. Enoch, Justice


Priscilla R. Owen, Justice


James A. Baker, Justice


Deborah G. Hankinson, Justice


Harriet O'Neill, Justice


Wallace B. Jefferson, Justice

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