

RULES, REGULATIONS, AND CRITERIA
FOR ASSESSING THE NEED FOR ADDING, CONSOLIDATING,
ELIMINATING, OR REALLOCATING EXISTING APPELLATE COURTS

In Chambers, March 1, 1993

Pursuant to Tex. Govt. Code § 74.022, the Supreme Court of Texas respectfully promulgates the following:

1. The number of appellate courts should be sufficient to locate appellate courts of manageable size convenient to the people throughout the state. Appellate courts which are unnecessary under this standard should not exist, as they create needless opportunities for conflicting and inconsistent opinions. Considering these factors, the number of appellate courts should be no fewer than nine and no greater than fifteen.
2. The number of justices for each appellate court and for the state as a whole should be determined by considering the number of intermediate appellate judges in other states, the change in appellate case filings during the past decade, and the change in amount of appellate court legal staff and equipment during the last decade. Considering these factors, the number of appellate justices should be no fewer than eighty and no greater than eighty-five.
3. All appellate courts should be composed of justices in a number equal to a multiple of 3 (3, 6, 9, 12, 15, 18 or 21) or a multiple of three with one added (4, 7, 10, 13, 16, 19 or 22).
4. No county should be in more than one appellate district.
5. In drawing appellate districts, recent case filings and population should be weighted equally. Current caseload, however, should be given no weight.
6. Civil and criminal cases should be weighted on the basis of the average time each type of case took from submission to disposition statewide in the appellate courts during the last calendar year.
7. No appellate district should have more than a 10% variance from the average established by the weighted criteria.
8. In drawing appellate districts, the provisions of the federal Voting Rights Act should be followed.

9. The Legislature shall provide for the manner of continuing service of any justice whose position or court is eliminated, and for the schedule to implement the changes adopted.
10. In drawing appellate districts, the following criteria are appropriate for consideration:
 - a. Current boundaries.
 - b. Communities of interest.
 - c. Geographical compactness.
 - d. Accessibility of the appellate courts by distance and available transportation system.
 - e. Reasonably anticipated changes in population and case filings within the next decade.
 - f. Effect of boundaries on sitting justices.
 - g. The expenses to state and county government in accomplishing any changes.



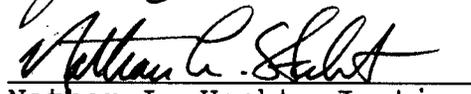
Thomas R. Phillips, Chief Justice



Raul A. Gonzalez, Justice



Jack Hightower, Justice

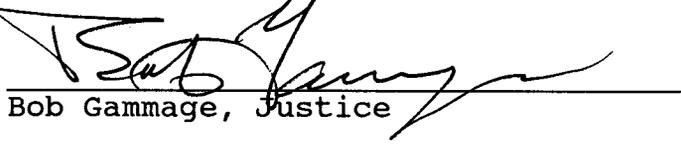


Nathan L. Hecht, Justice

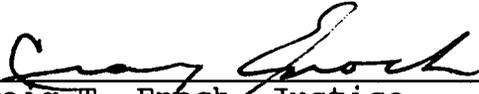
Lloyd Doggett, Justice



John Cornyn, Justice



Bob Gammage, Justice



Craig T. Enoch, Justice



Rose Spector, Justice

Misc. Docket No. 93-0063