

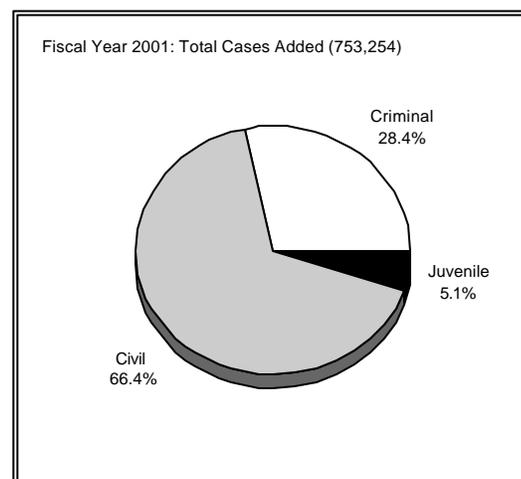
Caseload Trends in the District Courts

OVERVIEW

The district courts are the primary trial courts in Texas, the successor to the common law *nisi prius* courts. District courts are courts of general jurisdiction. Most district courts exercise criminal and civil jurisdiction; however, the benefits of specialization in metropolitan areas became apparent and some courts have designated certain courts for specific types of cases. In some localities, the courts that exercise criminal jurisdiction exclusively are designated "criminal district courts." A limited number of district courts also exercise the subject matter jurisdiction normally exercised by county courts.

The 76th Legislature, in 1998, approved the creation of 22 new district courts. On September 1, 1999, 9 new district courts were implemented, another 9 were implemented during FY 2000, and the remaining 4 were implemented during FY 2001. As of January 1, 2001 there were 418 district courts operating in the State. The 77th Legislature did not provide for the creation of any additional district courts during the 2002-2003 biennium.

- **During the 2001 fiscal year, the district courts experienced a 1.0 percent increase in the number of new cases added.** The number of cases added rose from 746,015 cases in FY 2000 to 753,254 in FY 2001. The number of new civil cases increased 2.9 percent and juvenile cases increased 5.0 percent, while the number of new criminal cases decreased 3.9 percent from FY 2000 totals.
- **During FY 2001, the district courts disposed of 98 percent of the total criminal, civil and juvenile cases added to their dockets compared to 97.2 percent in FY 2000.** This figure is about midway between the six-year low of 96.3 percent (attained in FY 1999) and the high for that period of 100.6 percent (attained in FY 1997). The clearance rate for both criminal and civil cases was 98.2 percent, while the juvenile case clearance rate was just 94.9 percent.
- **An average of 1,766 cases per judge statewide were disposed in FY 2001, as compared to 1,751 and 1,704 in FY 2000 and FY 1999, respectively.**
- **At the end of FY 2000, 791,978 total civil, criminal and juvenile cases were pending in the district courts.** The 579,536 civil cases pending in the district courts on August 31, 2001 represented a 1.5 percent increase over the 571,066 cases pending in the previous year. The 192,032 criminal cases pending at the end of FY 2001 was an increase of less than one percent compared to the 190,423 cases pending at the end of FY 2000. Finally, the number of juvenile cases pending continued to rise during the year and closed at 20,410, which was 662 more cases than a year ago.



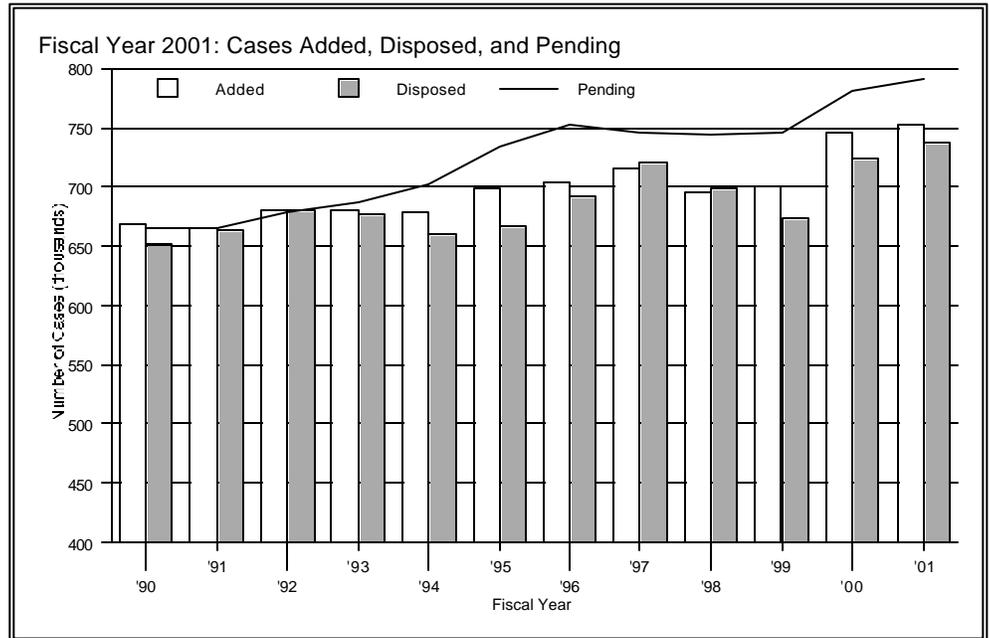
CIVIL DOCKET

- **Civil cases accounted for 66.4 percent (500,460) of new cases added during FY 2001.** Family law matters (including divorce actions) accounted for two-thirds of the civil cases added in FY 2001 (336,070 cases). Tax cases accounted for just over 10 percent (51,337) of cases added, while no other specific case type accounted for more than 5 percent of total cases added.
- **Of all civil cases disposed during FY 2001, 22.6 percent (111,046) reached disposition after a bench trial.** Despite accounting for just 25 percent of all dispositions, divorce cases accounted for 45.2 percent of all bench trial dispositions. Thus, bench trials accounted for 40.9 percent of all divorce case dispositions, while accounting for no more than 22.1 percent in any other type of case. Bench trials accounted for between 7.4 and 10.9 percent of all dispositions in injury or damage cases, workers' compensation cases, and in accounts, contracts, and notes cases.
- **In civil cases, just one of every 230 cases disposed was disposed via a jury verdict in FY 2001.** Jury verdicts accounted for 7.9 percent of workers' compensation case dispositions and just over 3 percent of all injury or damage case dispositions. Jury verdicts were far less common in all other types of civil cases, accounting for less than one percent in each other type of case.

- In FY 2001, the time to disposition in civil cases decreased from the previous year.** Of the 491,328 civil dispositions during FY 2001, the courts disposed of 46.9 percent of the cases in less than six months. This is up just slightly from the 45.9 percent that were disposed in that time in FY 2000. Cases pending more than 18 months totaled 107,220 (21.8 percent). This is down from FY 2000 when 23.2 percent of disposed cases aged more than 18 months before final disposition.

CRIMINAL DOCKET

- While the number of civil and juvenile cases added increased over the previous year, the 214,132 criminal cases added in FY 2001 was 8,750 (3.9 percent) fewer than were filed in FY 2000.** The number of criminal cases added has hovered between 210,000 and 223,000 annually during the last five years.
- Of the total cases added during FY 2001, 28.4 percent (214,132) were criminal cases.**



- Of those criminal cases, 21.1 percent involved drug possession, 21 percent were unclassified felony cases, 11.1 percent involved drug sales or manufacturing, 9.1 percent were burglary cases, 8.9 percent were theft cases (not including auto theft cases), 8.2 percent were assault or attempted murder cases, and 5.7 percent were felony DWI cases. No other category accounted for more than 5 percent.
- The defendant entered a plea of guilty in 40.2 percent of the criminal cases disposed during FY 2001.** Including these pleas, the defendant was convicted in 41.6 percent of the disposed cases and acquitted in less than one percent. In 16.6 percent of the criminal dispositions, the defendant was placed on deferred adjudication. Dismissals accounted for 14.7 percent of the disposed cases. Transfers and other dispositions made up the remaining 26.5 percent of the total cases disposed. These figures are remarkably similar to those from FY 2000.
- Of the total dismissals in FY 2001, 25.1 percent were dismissed because the defendant was convicted in another case.** Nine percent were dismissed due to insufficient evidence, 8 percent were dismissed because the case was re-filed, and 1.2 percent were dismissed because the defendant was not apprehended. The other 55.7 percent were dismissed for unidentified reasons.
- Of the 4,144 cases in FY 2001 in which the defendant pleaded not guilty and the trial reached a verdict, the defendant was convicted in 3,034 cases (73.2 percent).** In results very similar to past years, the defendant fared far better in bench trials than in jury trials, obtaining acquittals in almost 45 percent of all bench trials, compared to about a 20 percent rate in jury trials. The 4,144 cases in which the defendant pleaded not guilty and the trial reached a verdict was 256 (5.8 percent) fewer than in FY 2000.

	Bench	Jury	Total
Convictions	614 (55.2%)	2,420 (79.8%)	3,034 (73.2%)
Acquittals	498 (44.8%)	612 (20.2%)	1,110 (26.8%)

- In FY 2001, the overall conviction rate was 41.6 percent, an increase of an entire percentage point compared to the FY 2000 figure.** The conviction rate in felony DWI cases, the type of case with the highest conviction rate, increased by over two percent (66.2 percent). The conviction rate in capital murder cases was 58.9 percent and in voluntary manslaughter cases was 53.1 percent.
- Of the 210,236 criminal cases disposed by the district courts in FY 2001, 32.5 percent were disposed in a period of 60 days or less from the date of indictment or information.** This is down by less than one percentage point from FY 2000 and remains in one percentage point of every figure since 1993. Also in FY 2001, 10.8 percent of cases disposed took 61 to 90 days, 9 percent took 91 to 120 days, and 47.7 percent took over 120 days in which to be disposed.

JUVENILE DOCKET

- Juvenile cases (Title 3 of the Texas Family Code) accounted for 5.1 percent (36,662) of the total cases added in the district courts in FY 2001.** This is up from 4.9 percent in FY 2000, as an additional 1,749 juvenile cases were added to the docket in FY 2001. Dispositions also increased by 2,077 (6.0 percent) cases in FY 2001. Despite the larger increase in dispositions, the number of dispositions still lagged behind the number of cases added for the year. Thus, the clearance rate remained well below 100 percent (94.4 percent) and the number of pending cases grew by 662 cases (3.3 percent).
- Of the 36,679 juvenile cases handled by the district courts in FY 2001, 36,157 were delinquency cases and just 522 were conduct in need of supervision (CINS) cases.** A finding of delinquent conduct was entered in 55.6 percent of the delinquency cases, and an affirmative finding of conduct in need of supervision was entered in 57.4 percent of the CINS cases.

DEATH SENTENCES AND OTHER CASES

- In FY 2000, 27 death sentences and 282 life sentences were assessed in the district courts.** These figures are lower than the six-year average of 33 death sentences and 385 life sentences. In FY 2000, there were 24 death sentences and 330 life sentences.
- During FY 2001, 4,382 post-conviction writs of habeas corpus and 5,035 other writs of habeas corpus were filed.** In both instances, these were significantly fewer filings than recorded in FY 2000. Post-conviction writs fell by 886 (16.8 percent), while the number of other writs fell by 462 (8.4 percent).
- There were also 2,349 contempt, extradition and other separately docketed proceedings, and 9,483 bond forfeiture proceedings in FY 2001.** The additional 683 contempt, extradition, and other separately docketed proceedings amounted to a 41 percent increase over the same figure for last year. The increase in bond forfeiture proceedings was much less dramatic, increasing by only 327 cases (3.6 percent).

