

Juvenile Caseload Trends in the District & County-Level Courts

BACKGROUND

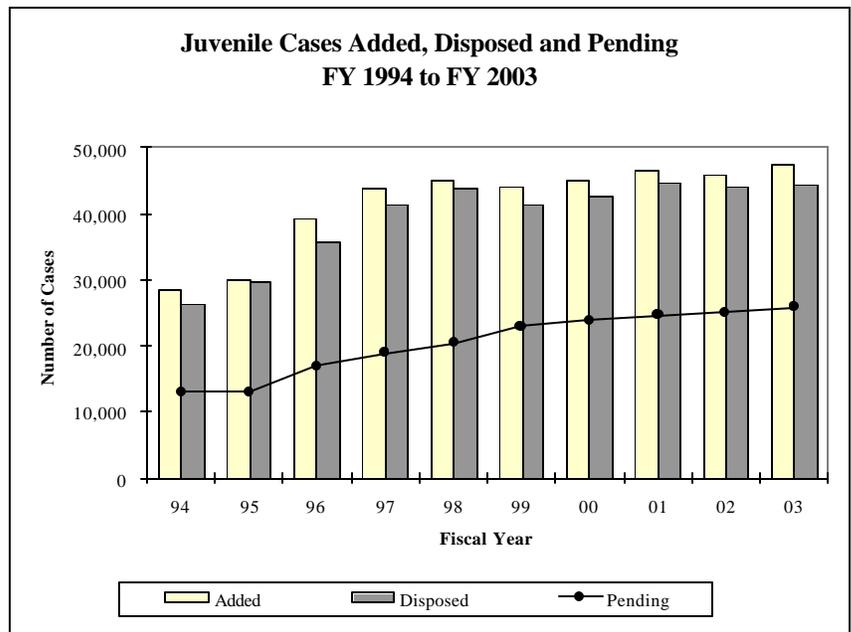
Section 51.04 of the Texas Family Code provides for the designation of a court or courts in each county as the juvenile court to hear proceedings under Title 3 of the Family Code. The court designated must be either a district court, criminal district court, county court at law, or constitutional county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

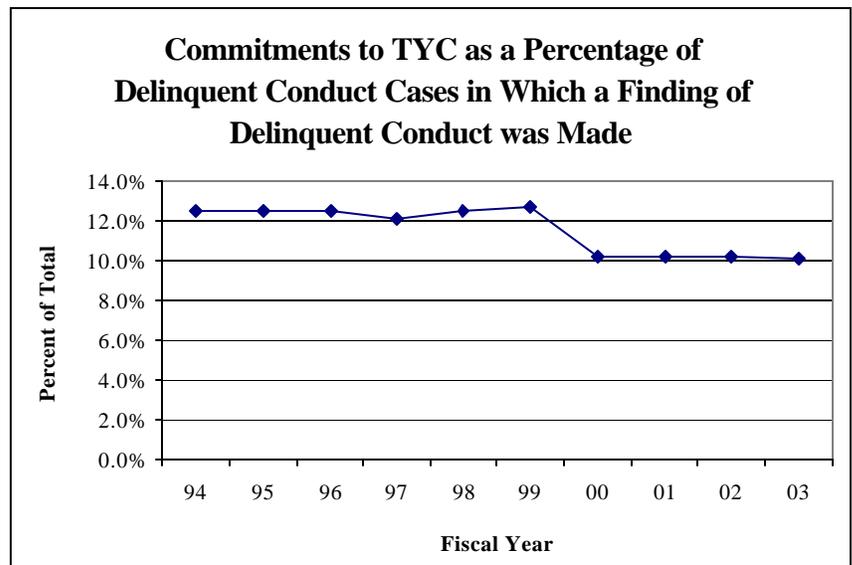
OVERALL CASELOAD

- In FY 2003, 47,475 juvenile cases were added to district and county-level court dockets, which was the most cases ever added to the dockets in a fiscal year.** Over the last decade (FY 1994 to FY 2003), the number of juvenile cases added to the dockets has increased 65.9 percent (from 28,620 cases added in FY 1994 to 47,475 cases added in FY 2003) and has averaged 41,565 cases added per year.
- Conduct indicating a need for supervision (CINS) cases accounted for 3.7 percent (1,765 cases) of all juvenile cases added in FY 2003, while delinquent conduct cases comprised 96.3 percent (45,710 cases).**
- Over the past three fiscal years, the number of juvenile cases disposed remained relatively constant (44,640 cases disposed in FY 2001, 44,115 cases disposed in FY 2002, and 44,427 cases disposed in FY 2003).** Since FY 1999, the average number of juvenile cases disposed per year was 43,427 cases.
- District and county-level courts achieved an overall juvenile case clearance rate (cases disposed divided by cases added) of 93.6 percent in FY 2003, indicating that the courts' pending juvenile caseload was growing.** This clearance rate falls below the five-year (FY 1999 to FY 2003) and ten-year (FY 1994 to FY 2003) averages of 94.9 percent and 94.8 percent, respectively.
- The pending juvenile caseload has increased each year over the last decade and has nearly doubled since the beginning of this period (from 12,961 cases pending in FY 1994 to 25,859 cases pending in FY 2003).**



FINDINGS IN JUVENILE CASES

- **Findings of delinquent conduct were made in 98.5 percent (23,592 of 23,952 cases) of the delinquent conduct cases disposed with a finding in FY 2003.** In addition, a finding of conduct indicating a need for supervision (CINS) was made in 99.6 percent (675 of 678 cases) of CINS cases disposed with a finding in FY 2003.
- **Of those delinquent conduct cases in which probation was granted or continued (24,192 cases) in FY 2003, probation was granted or continued under parental care in 80.9 percent (19,564 cases), to residential treatment facilities in 18.6 percent (4,491 cases), and under foster care in the remaining 0.6 percent (137 cases) of cases.**
- **A total of 2,398 commitments to Texas Youth Commission (TYC) facilities were ordered in FY 2003, the lowest number since FY 1995, when 2,230 commitments were ordered.** The nearly 2,400 commitments in FY 2003 fell below both the five-year (FY 1999 to FY 2003) average of 2,570 and the ten-year (FY 1994 to FY 2003) average of 2,583 commitments per year. As a percentage of delinquent conduct cases in which a finding of delinquent conduct was made, commitments to TYC have remained stable since FY 2000. In FY 2003, commitments to TYC accounted for 10.2 percent of delinquent conduct cases in which a finding of delinquent conduct was made.



OTHER ACTIVITY

- **In FY 2003, 198 children were certified to stand trial as adults, which is lower than the five-year (FY 1999 to FY 2003) average of 249 children certified and the ten-year (FY 1994 to FY 2003) average of 379 children certified per year.**
- **In FY 2003, district and county-level courts held 29,962 juvenile detention hearings and 2,043 hearings on motions to modify court orders.** The nearly 30,000 juvenile detention hearings held during the fiscal year fell below both the five-year (FY 1999 to FY 2003) and the ten-year (FY 1994 to FY 2003) averages of 31,176 and 33,092 hearings held per year, respectively. The number of hearings on motions to modify court orders was the lowest number during the decade (FY 1994 to FY 2003) and fell far below the five-year (FY 1999 to FY 2003) average of 2,838 hearings and the ten-year (FY 1994 to FY 2003) average of 2,802 hearings held per year.

