

JUSTICE OF THE PEACE COURTS

ANALYSIS OF ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1996

Approximately 839 justice of the peace courts were in operation in the State during the state fiscal year which ended August 31, 1996. Each court was requested to submit a one-page report on activity of that court each month. Statewide, a total of 9,026 reports were submitted, out of a possible 10,092 for the year (an 89 percent reporting rate).

license suspension hearings totaled 19,930. There were 576,461 arrest warrants were issued. Also, 3,191 search warrants were issued, and 216,087 defendants charged with county or district court offenses were given statutory warnings. Emergency mental commitment hearings were conducted on 7,801 occasions, and 24,071 matters relating to juveniles were transacted.

TRAFFIC CASES ARE 65% OF FILINGS

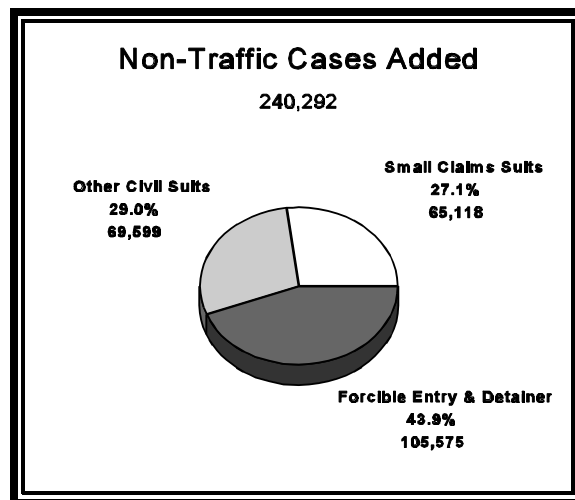
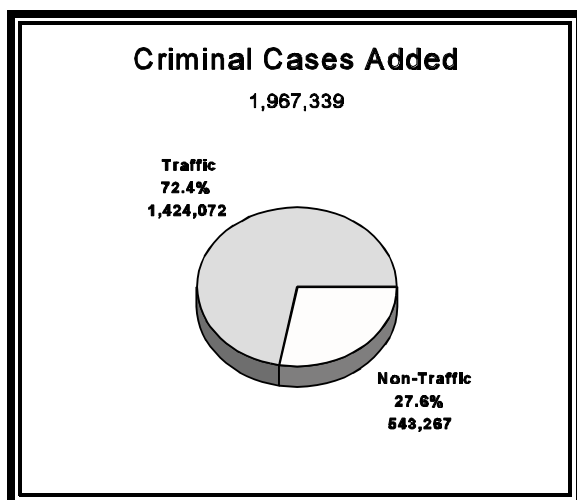
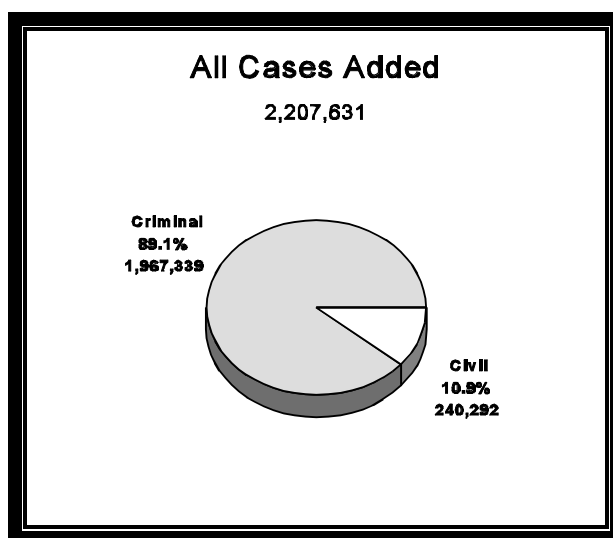
Criminal misdemeanor cases comprised 89 percent of the cases filed in the reporting courts. Of these misdemeanor filings, 72 percent were traffic cases (65 percent of all cases filed). During the fiscal year, 1,424,072 traffic cases were reported filed. Non-traffic criminal cases comprised 28 percent of the criminal cases filed. Civil cases provided 11 percent of the new cases filed. Small claims filings comprised 27 percent of all civil filings, 44 percent were forcible entry and detainer suits, and 29 percent were other civil actions.

In addition to cases filed, the reporting courts held 4,115 hearings to determine if a peace bond should be issued. In their capacity as a state magistrate, the reporting justices of the peace accepted 69,402 complaints within the jurisdiction of the county courts and 44,426 within the jurisdiction of the district courts (felonies). There were 1,995 examining trials held (preliminary hearings of district or county court cases) and 16,580 inquests conducted. Drivers

DISPOSITIONS

Justices of the peace reported the disposition of all cases in three major categories: prior to trial, including dismissals (other than those granted after completing a driving safety course, deferred disposition, or proof of financial responsibility), at trial, and cases dismissed. Sixty-six percent of all cases were disposed of before trial, 18 percent at trial, and 16 percent were dismissed after the defendant completed a driving safety course or a period of deferred disposition, the defendant provided proof of financial responsibility for the operation of a motor vehicle, or for other reasons.

Analyzing traffic cases only, 68 percent were disposed of prior to trial, 81 percent of those by payment of fine. Of the 10 percent that went to trial, 97 percent of the cases were tried before the judge alone and the remaining cases were tried before a jury. When traffic cases went to trial, the defendant was found guilty in 95 percent of the cases tried before the judge alone and in 89



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(CONTINUED)

percent of the cases tried before a jury.

Concerning non-traffic criminal cases, 54 percent were disposed of prior to trial by payment of fine or forfeiture of deposit made to insure appearance. Sixteen percent went to trial, and 30 percent were dismissed. Of those that went to trial, 98 percent were before the judge without a jury. Guilty findings were made in 90 percent of the trials before a judge alone and in 75 percent of the jury trials.

A much higher percentage (64 percent) of all disposed civil suits went to trial than did criminal cases (10 percent). Twenty-eight percent of the disposed civil suits were dismissed before trial. Of the cases that went to trial, 99 percent were before the judge alone and the remainder before a jury.

The courts reported the disposition of 1,996,964 cases, which is 90 percent of the 2,207,631 cases filed, down from 93 percent during the previous year.

Appeals were filed in 14,697 cases tried in the justice of the peace courts, or a less than 7 percent of the cases disposed of at trial.

Finally, justices of the peace reported holding 37,917 conferences prior to any legal action being filed in their courts. These conferences resulted in 21,715 cases not being filed as formal cases. Information on such conferences is not submitted by all reporting justices.

REPORTED REVENUES TOP \$136 MILLION

Total revenue collected by the reporting courts during the year was \$136,088,032, a decrease of approximately \$20,645 over the previous year. The average amount of revenue per disposition that was not a dismissal was \$105.39. This revenue is deposited in the treasury of the county where the court has jurisdiction; however, certain court costs on each case are remitted to special funds of the State.

