

# Additional Monthly Reporting Requirements for Counties Over 1 Million in Population

## HB 1182 (88<sup>th</sup> Legislature)

Section 71.035(a) of the Texas Government Code requires counties with a population of at least one million to include additional information in their monthly reports for **each trial court**. Section 171.9(i) of the Texas Administrative Code clarifies that population is determined by the decennial census and that the reporting requirement applies to district and county courts.

Reports must be submitted **monthly** by the 20<sup>th</sup> of the month to [Data.Division@txcourts.gov](mailto:Data.Division@txcourts.gov) using OCA's Excel template.

## Additional Data Elements

The monthly reports for **district and county courts** must include the following data elements for **each of the following case types: criminal, civil, family, juvenile, probate/guardianship, and mental health commitments**.

Information is to be reported for the **court the case is filed in**, regardless of which elected judge worked on cases for that court during an exchange of benches. Information for case types that do not apply to a court should be left blank.

A new criminal or juvenile case is counted when filed by indictment or information or after waiver of indictment.

### 1. The number of cases assigned to the court

The number of cases filed in the court during the month, including the number of new cases filed, reopened or reactivated cases, and cases transferred in from another court or county.

**Reopened:** *Number of cases in which a judgment has previously been entered, but which have been restored to the court's pending caseload during the reporting period. These cases come back to the court due to the filing of a request to modify or enforce that existing judgment and a hearing before a judicial officer is requested to review the status of the case or initiate further proceedings in the case.*

*Categories on Judicial Council Monthly Reports: motions to revoke, modify, extend, or continue probation/community supervision/deferred adjudication (criminal); motions to modify, enforce or proceed (juvenile); all other cases added (all case types).*

**Reactivated:** *Number of cases that had previously been placed in an inactive pending status, but for which further court proceedings and activities can now be resumed so that the case can proceed to disposition.*

## 2. The number of cases disposed by the court

The number of cases disposed and inactivated by the court during the month. Include transfers to another court or county as a disposition.

**Counting dispositions in probate and guardianship cases:** The number of cases that were disposed or in which a judgment or order was entered. Count each order or judgment entered as a disposition for each new case or subsequent action filed. See Excel file for detailed information on counting dispositions.

**Counting dispositions in mental health commitments:** The number of applications that were disposed. See Excel file for detailed information on counting dispositions.

**Inactivated:** *Number of cases placed in an inactive pending status because further court proceedings and activities cannot be resumed until an event restores the case to the court's active pending caseload. Examples: arrest warrant or directive to apprehend issued; stay for mental health treatment; stay for bankruptcy; stay for Soldiers' and Sailors' Civil Relief Act; stay for arbitration.*

## 3. The case clearance rate for the court

The number of cases disposed and inactivated by the court during the month divided by the number of cases assigned to the court during the month. Expressed as a percentage (e.g., 95%).

## 4. The number of jury panels empaneled for the court

The number of juries sworn during the month.

## 5. The number of motions for continuance granted for an attorney before the court or by the court

The number of rulings or orders **granting** continuance for an attorney in cases set for trial during the month. Does not include routine resets or amended scheduling orders.

## 6. The number of motions for continuance denied for an attorney before the court or by the court

The number of rulings or orders **denying** continuance for an attorney in cases set for trial during the month. Does not include routine resets or amended scheduling orders.

## 7. The number of pleas accepted by the court

The number of guilty or nolo contendere pleas (criminal) and pleas of true (juvenile) accepted by the court during the month.

## 8. The number of cases tried by the presiding judge

The number of bench trials and jury trials held in the court by an elected judge.

A bench trial should be counted when the first evidence is introduced, regardless of whether a judgment is reached.

A jury trial should be counted when the jury has been sworn, regardless of whether a verdict is reached.

If a bench trial **and** a jury trial are both held in a case, count the case twice.

**9. The number of cases tried before an associate judge of the court**

The number of bench trials and jury trials held in the court by an associate judge, magistrate, or other county-employed judicial officer (masters, referees, etc.).

A bench trial should be counted when the first evidence is introduced, regardless of whether a judgment is reached.

A jury trial should be counted when the jury has been sworn, regardless of whether a verdict is reached.

If a bench trial **and** a jury trial are both held in a case, count the case twice.

**10. The number of cases tried before a visiting judge of the court**

A visiting judge is defined as a judge assigned by the Presiding Judge of an Administrative Judicial Region or by the Chief Justice of the Supreme Court.

**a. Short term assignment**

The number of bench and jury trials held during the month by a visiting judge on short-term assignment (an assignment for reasons other than the long-term situations defined below).

**b. Long term assignment**

The number of bench and jury trials held during the month by a visiting judge on long-term assignment to impact courts/dockets, COVID backlog-related dockets, or resulting from the retirement, resignation, or prolonged illness (exceeding 2 weeks) of the judge; suspension of the judge by the State Commission on Judicial Conduct; or the creation of a new bench in which an appointment has not been made.

If a bench trial **and** a jury trial are both held in a case, count the case twice.

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**Notes about specialty courts and specialty court dockets:**

Items 4, 5, 6, 9 and 10 capture information only on bench or jury trials held by an associate or visiting judge working on cases for a specific district or county court. They do not capture any activity associated with specialty courts or dockets other than a trial. If a trial is held by the associate or visiting judge and the case is associated with a specific district or county court, the trial would be reported for that district or county court. If a case is disassociated in the case management system for tracking purposes from the district or county court in which it was filed, the trial would not be reported.