

ANNUAL STATISTICAL REPORT  
FOR THE  
TEXAS JUDICIARY



*FISCAL YEAR 2012*

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*FISCAL YEAR 2012*

Published By

OFFICE OF COURT ADMINISTRATION  
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## OFFICE OF COURT ADMINISTRATION

### *A Message from the Administrative Director*

To paraphrase Alexander Hamilton in Federalist No. 78, “nothing contributes more to the public’s esteem and respect for government than the effective administration of justice.” Such is the task of the courts of Texas—to administer justice in such a way that the public increases its esteem and respect for government. It is in this mindset that we present the Fiscal Year 2012 Annual Statistical Report for the Texas Judiciary.

This year’s report completes the update of statistical information reported by the courts that began in 2002. Included this year is expanded information collected from the justice and municipal courts of the state. This ten-year process has resulted in the first full-scale revision of statistical data collected on the Texas Judiciary since 1985 and reflects years of work by OCA staff and the considerable efforts of clerks and judges, case management software vendors, and local information technology staff to implement changes necessitated by new Texas Judicial Council reporting requirements. The Judicial Council hopes that you will find the new and significantly expanded information useful.

Some of the highlights from the statistical report are listed below:

- There were over 10.5 million new cases filed in fiscal year 2012 in the Texas courts.
- The Supreme Court reversed the decision of the intermediate appellate court in approximately 61 percent of cases in which it granted a petition for review. It affirmed a decision in 9.8 percent of cases.
- Only 5.1 percent of the direct appeal cases filed in the Court of Criminal Appeals involved death penalty appeals, the lowest percentage since at least 1989. Direct appeals to the court increased 20.2 percent from 2011.
- The average time between filing and disposition of civil cases filed in the courts of appeals was 8.2 months, while criminal cases averaged 8.6 months. Justices issued almost 11,000 opinions in 2012.
- The number of injury and damage cases not involving a motor vehicle filed in the district and county-level courts have consistently declined since 2003 when the Medical Malpractice and Tort Reform Act went into effect.
- The number of divorce cases in the district and county-level courts has remained steady since 1993, while the number of “other family law cases” has increased dramatically, primarily due to an increase in child support cases.
- Family law cases comprised more than 40 percent of the cases added to the district courts’ dockets. The overall clearance rate in the district courts was 100.5 percent, meaning that the courts disposed of more cases than were filed.
- Fewer than two percent of all criminal cases in the county-level courts went to trial in 2012.
- Seventeen percent of all family law cases were filed by a petitioner who represented himself/herself.
- Over 60 percent of the constitutional county courts docket was made up of criminal cases, of which almost 40 percent resulted in convictions.
- The number of juvenile cases has declined significantly each year since the peak in 2007, with 40 percent fewer cases filed in 2012 than in 2007.
- There were almost 40,000 active guardianships at the end of fiscal year 2012. Only 6,800 annual or final accounts were reported filed in those cases.
- The number of applications for involuntary temporary mental health services continues to climb dramatically, with an increase of 21.7 percent between 2011 and 2012.
- Sixty-four percent of the more than 2.5 million cases filed in the justice courts involved state traffic violations. These courts collected more than \$306 million in court costs, fees and fines in 2012.
- Over 70 percent of the 6.4 million cases filed in the municipal courts were state traffic violations. The municipal courts collected approximately \$697 million in court costs, fees and fines in 2012.

Our office is dedicated to providing resources and information for the efficient administration of the judicial branch of state government. Please contact us if there is anything we can do in furtherance of that mission. To find out more about the work of OCA or the other judicial entities, please visit the Annual Reports of the Judicial Support Agencies, Boards and Commissions at <http://www.txcourts.gov/pubs/AgenciesAR/AgencyAR12.pdf>. We also invite you to explore Texas Courts Online, <http://www.txcourts.gov>, for more information on the Texas judiciary.

# Texas Courts: A Descriptive Summary

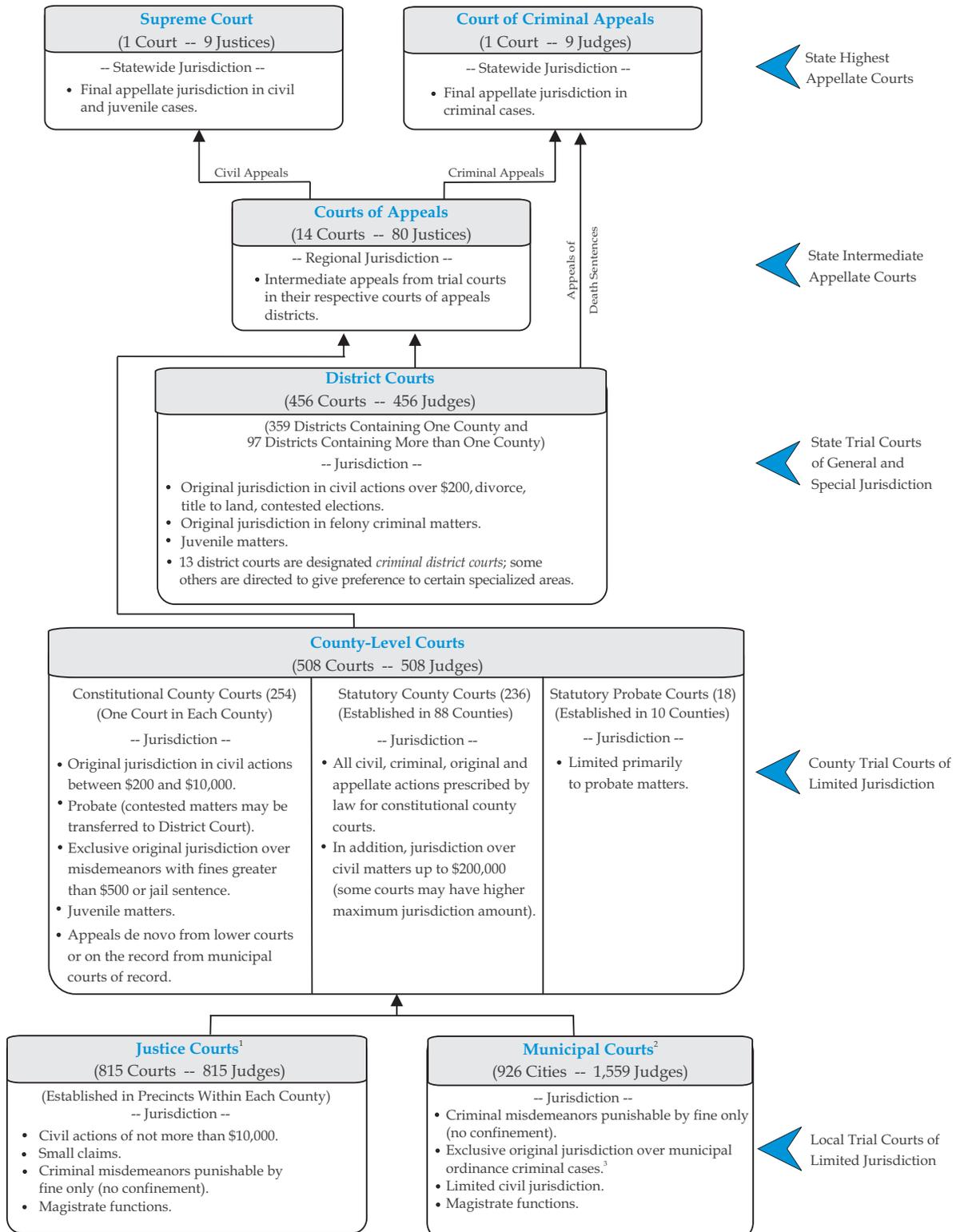


Photo courtesy of TexasCourthouses.com

*Roberts County Courthouse - Miami*

# COURT STRUCTURE OF TEXAS

SEPTEMBER 1, 2012



1. All justice courts and most municipal courts are not courts of record. Appeals from these courts are by trial de novo in the county-level courts, and in some instances in the district courts.  
 2. Some municipal courts are courts of record -- appeals from those courts are taken on the record to the county-level courts. As of September 2012, 149 courts indicated that they were a court of record; a list is posted at <http://www.courts.state.tx.us/oca/judinfo.asp>.  
 3. An offense that arises under a municipal ordinance is punishable by a fine not to exceed: (1) \$2,000 for ordinances that govern fire safety, zoning, and public health or (2) \$500 for all others.

## Introduction

As reflected on page 2, there were 3,436 elected (or appointed, in the case of most municipal judges) judicial positions in Texas as of September 1, 2012. In addition, there were more than 140 associate judges appointed to serve in district, county-level, child protection, and child support (Title IV-D) courts, as well as numerous magistrates, masters, referees and other officers supporting the judiciary. More than 280 retired and former judges were also eligible to serve for assignment.

The basic structure of the present court system of Texas was established by an 1891 constitutional amendment. The amendment established the Supreme Court as the highest state appellate court for civil matters, and the Court of Criminal Appeals, which makes the final determination in criminal matters. Today, there are also 14 courts of appeals that exercise intermediate appellate jurisdiction in civil and criminal cases.

District courts are the state trial courts of general jurisdiction. The geographical area served by each district court is established by the specific statute creating that court.

In addition to these state courts, the Texas Constitution provides for a county court in each county, presided over by the county judge. The county judge also serves as head of the county commissioners court, the governing body of the county. To aid the constitutional county court with its judicial functions, the Legislature has established statutory county courts, generally designated as county courts at law or statutory probate courts, in the more populous counties. The Texas Constitution also authorizes not less than one nor more than 16 justices of the peace in each county. The justice courts serve as small claims courts and have jurisdiction in misdemeanor cases where punishment upon conviction may be by fine only.<sup>1</sup>

By statute, the Legislature has created municipal courts in each incorporated city in the state. These courts have original jurisdiction over violations of municipal ordinances and concurrent jurisdiction with the justice courts over misdemeanor state law violations, limited to the geographical confines of the municipality. Municipal courts also have civil jurisdiction limited to a few specific types of cases.

Trials in the justice courts and most municipal courts are not of record, and appeals therefrom are by new trial (“trial *de novo*”) to the county court, except in certain counties, where the appeal is to a county court at law or to a district court. When an appeal is by trial *de novo*, the case is tried again in the higher court, just as if the original trial had not occurred.

Jurisdiction of the various levels of courts is established by constitutional provision and by statute. Statutory jurisdiction is established by general statutes providing jurisdiction for all courts on a particular level, as well as by the statutes establishing individual courts. Thus, to determine the jurisdiction of a particular court, recourse must be had first to the Constitution, second to the general statutes establishing jurisdiction for that level of court, third to the specific statute authorizing the establishment of the particular court in question, fourth to statutes creating other courts in the same county (whose jurisdictional provisions may affect the court in question), and fifth to statutes dealing with specific subject matters (such as the Family Code, which requires, for example, that judges who are lawyers hear appeals from cases heard by non-lawyer judges in juvenile cases).

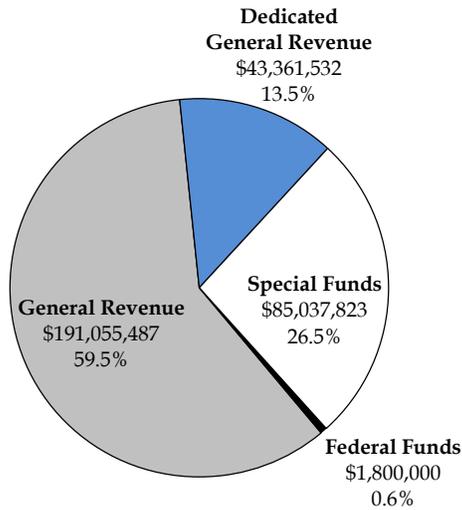
## Funding of the Texas Judicial Branch

The State provides funding for salaries and operating costs of the Supreme Court, the Court of Criminal Appeals and the 14 intermediate appellate courts. The State funds a base salary for district judges and salary supplements for certain constitutional and statutory county court judges, as well as salaries, salary supplements, retirement and other payroll-related benefits for certain prosecutors. The State also pays for or supplements some other expenses of the judicial branch, including juror pay, basic civil legal services, indigent defense, and special prosecution units. Most counties supplement the base salary of judges of the intermediate appellate courts and district courts. Counties pay the operating costs of district courts, as well as the base salary of judges, full salaries of other staff, and operating costs for constitutional county courts, county courts at law, and justice courts. Cities finance all costs related to the operation of municipal courts, including judges’ salaries.

In FY 2012, original state appropriations for the Texas judicial system decreased by 4.6 percent from the previous fiscal year and accounted for approximately 0.34 percent of all state appropriations (\$321,254,842 of the \$94,299,431,222 appropriated from all funds in FY 2012). Nearly 60 percent of the financing for the judicial system came from General Revenue. Another 13.5 percent came from dedicated General Revenue funds, such as the Fair Defense Account and the Judicial and Court Personnel Training Fund, while the remaining 27.0 percent came from other funds, including the Judicial Fund and federal funds.

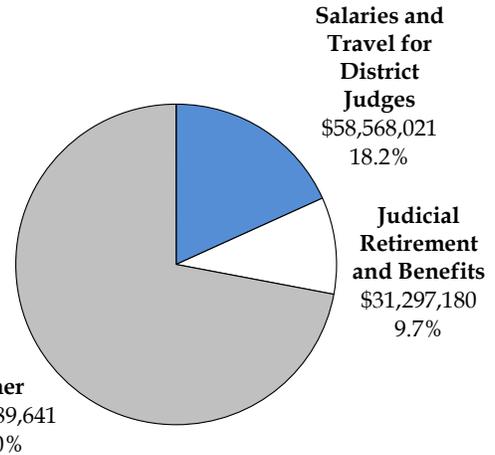
In FY 2012, salaries for district judges and travel expenses for those district judges with jurisdiction in more than one county accounted for 18.2 percent of appropriations for the judicial system, and judicial retirement and benefits comprised another 9.7 percent.

## State Judicial Branch Funding Sources FY 2012



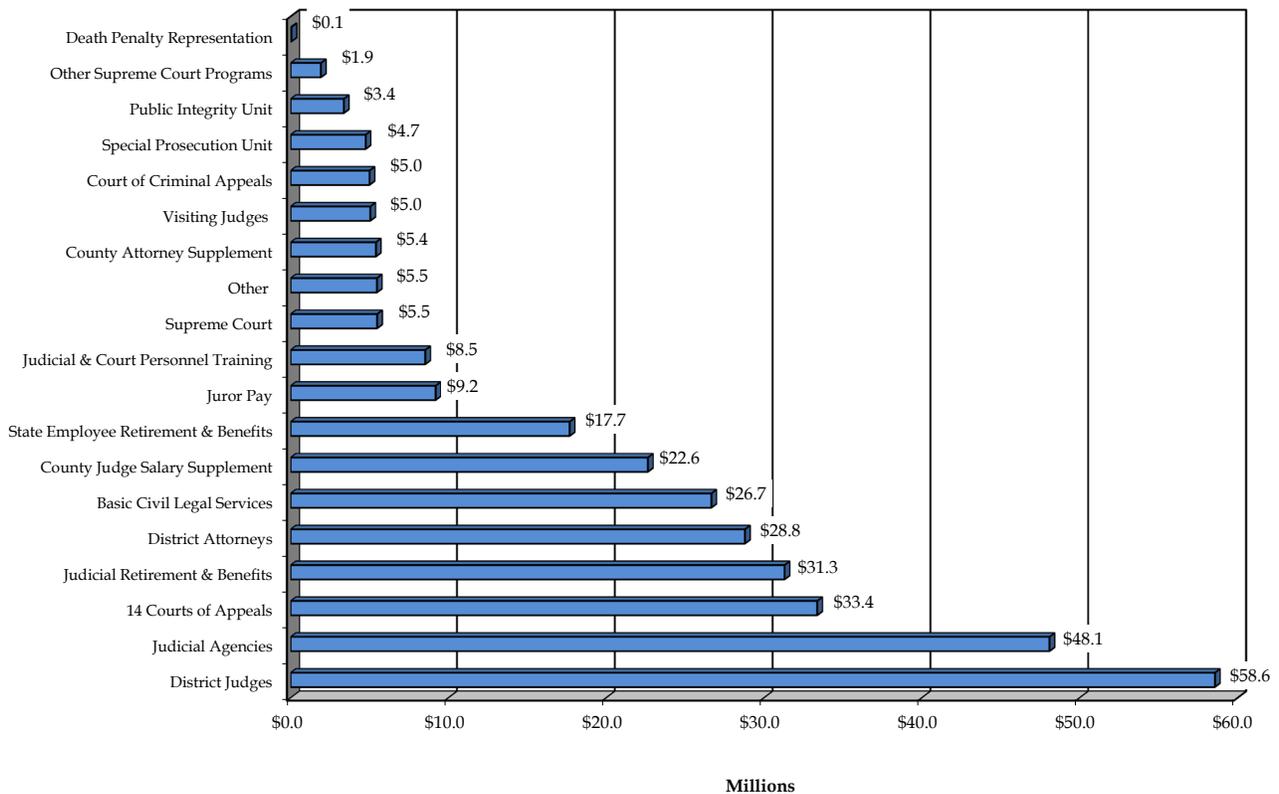
Does not total to 100 percent due to rounding.

## Judicial Compensation as Percentage of Total State Appropriations for the State Judicial Branch



Note: "Other" includes salaries of appellate judges. Data on judges' salaries was not available separate from each court's overall budget.

## State Judicial Branch Appropriations, FY 2012



- Notes:
- "Visiting Judges" includes salaries and per diem expenses.
  - "Other" includes Social Security and Benefit Replacement Pay and lease payments.
  - Judicial Branch Agencies include the Office of Court Administration, Texas Judicial Council, Office of the State Prosecuting Attorney, State Law Library, and State Commission on Judicial Conduct. Appropriations for Judicial Agencies include approximately \$5.9 million in interagency contracts.
  - "District Judges" includes salaries, travel, and local administrative judge salary supplement.

# Court Structure and Function

## *Appellate Courts*

The appellate courts of the Texas Judicial System are: (1) the Supreme Court, the highest state appellate court for civil and juvenile cases; (2) the Court of Criminal Appeals, the highest state appellate court for criminal cases; and (3) the 14 courts of appeals, the intermediate appellate courts for civil and criminal appeals from the trial courts.

Appellate courts do not try cases, have juries, or hear witnesses. Rather, they review actions and decisions of the lower courts on questions of law or allegations of procedural error. In carrying out this review, the appellate courts are usually restricted to the evidence and exhibits presented in the trial court.

## *The Supreme Court*

The Supreme Court of Texas was first established in 1836 by the Constitution of the Republic of Texas, which vested the judicial power of the Republic in “...one Supreme Court and such inferior courts as the Congress may establish.” This court was re-established by each successive constitution adopted throughout the course of Texas history and currently consists of one chief justice and eight justices.<sup>2</sup>

The Supreme Court has statewide, final appellate jurisdiction in most civil and juvenile cases.<sup>3</sup> Its caseload is directly affected by the structure and jurisdiction of Texas’ appellate court system, as the 14 courts of appeals handle most of the state’s criminal and civil appeals from the district and county-level courts, and the Court of Criminal Appeals handles all criminal appeals beyond the intermediate courts of appeals.

The Supreme Court’s caseload can be broken down into three broad categories: determining whether to grant review of the final judgment of a court of appeals (i.e., to grant or not grant a petition for review); disposition of regular causes<sup>4</sup> (i.e., granted petitions for review, accepted petitions for writs of mandamus or habeas corpus, certified questions, accepted parental notification appeals, and direct appeals); and disposition of numerous motions related to petitions and regular causes.

Much of the Supreme Court’s time is spent determining which petitions for review will be granted, as it must consider all petitions for review that are filed. However, the Court exercises some control over its caseload in deciding which petitions will be granted. The Court usually takes only those cases that present the most significant Texas legal issues in need of clarification.

The Supreme Court also has jurisdiction to answer questions of state law certified from a federal appellate court;<sup>5</sup> has original jurisdiction to issue writs and to conduct proceedings for the involuntary retirement or removal of judges; and reviews cases involving attorney discipline upon appeal from the Board of Disciplinary Appeals of the State Bar of Texas.

In addition, the Court:

- promulgates all rules of civil trial practice and procedure, evidence, and appellate procedure;
- promulgates rules of administration to provide for the efficient administration of justice in the state;
- monitors the caseloads of the 14 courts of appeals and orders the transfer of cases between the courts in order to make the workloads more equal;<sup>6</sup> and
- with the assistance of the Texas Equal Access to Justice Foundation, administers funds for the Basic Civil Legal Services Program, which provides basic civil legal services to the indigent.<sup>7</sup>

## *The Court of Criminal Appeals*

To relieve the Supreme Court of some of its caseload, the Constitution of 1876 created the Court of Appeals, composed of three elected judges, with appellate jurisdiction in all criminal cases and in those civil cases tried by the county courts. In 1891, a constitutional amendment changed the name of this court to the Court of Criminal Appeals and limited its jurisdiction to appellate jurisdiction in criminal cases only. Today, the court consists of one presiding judge and eight associate judges.<sup>8</sup>

The Court of Criminal Appeals is the highest state court for criminal appeals.<sup>9</sup> Its caseload consists of both mandatory and discretionary matters. All cases that result in the death penalty are automatically directed to the Court of Criminal Appeals from the trial court level. A significant portion of the Court’s workload also involves the mandatory review of applications for post conviction habeas corpus relief in felony cases without a death penalty,<sup>10</sup> over which the Court has sole authority. In addition, decisions made by the intermediate courts of appeals in criminal cases may be appealed to the Court of Criminal Appeals by petition for discretionary review, which may be filed by the State, the defendant, or both. However, the Court may also review a decision on its own motion.

In conjunction with the Supreme Court of Texas, the Court of Criminal Appeals promulgates rules of appellate procedure and rules of evidence for criminal cases. The Court of Criminal Appeals also administers public funds that are appropriated for the education of judges, prosecuting attorneys, criminal defense attorneys who regularly represent indigent defendants, clerks and other personnel of the state's appellate, district, county-level, justice, and municipal courts.<sup>11</sup>

## *The Courts of Appeals*

The first intermediate appellate court in Texas was created by the Constitution of 1876, which created a Court of Appeals with appellate jurisdiction in all criminal cases and in all civil cases originating in the county courts. In 1891, an amendment was added to the Constitution authorizing the Legislature to establish intermediate courts of civil appeals located at various places throughout the State. The purpose of this amendment was to preclude the large quantity of civil litigation from further congesting the docket of the Supreme Court, while providing for a more convenient and less expensive system of intermediate appellate courts for civil cases. In 1980, a constitutional amendment extended the appellate jurisdiction of the courts of civil appeals to include criminal cases and changed the name of the courts to the "courts of appeals."

Each court of appeals has jurisdiction over appeals from the trial courts located in its respective district. The appeals heard in these courts are based upon the "record" (a written transcription of the testimony given, exhibits introduced, and the documents filed in the trial court) and the written and oral arguments of the appellate lawyers. The courts of appeals do not receive testimony or hear witnesses in considering the cases on appeal, but they may hear oral argument on the issues under consideration.

The Legislature has divided the State into 14 court of appeals districts and has established a court of appeals in each. One court of appeals is currently located in each of the following cities: Amarillo, Austin, Beaumont, Dallas, Eastland, El Paso, Fort Worth, San Antonio, Texarkana, Tyler, and Waco. In addition, two courts are located in Houston, and one court maintains two locations—one in Corpus Christi and one in Edinburg.

Each of the courts of appeals has at least three justices—a chief justice and two associate justices. There are now 80 justices serving on the 14 intermediate courts of appeals. However, the Legislature is empowered to increase this number whenever the workload of an individual court requires additional justices.

## *Trial Courts*

In trial courts, witnesses are heard, testimony is received, exhibits are offered into evidence, and a verdict is rendered. The trial court structure in Texas has several different levels, each level handling different types of cases, with some overlap. The state trial court of general jurisdiction is known as the district court. The county-level courts consist of the constitutional county courts, statutory county courts, and statutory probate courts. In addition, there is at least one justice court located in each county, and there are municipal courts located in each incorporated city.

## *District Courts*

District courts are the primary trial courts in Texas. The Constitution of the Republic provided for not less than three or more than eight district courts, each having a judge elected by a joint ballot of both houses of the Legislature for a term of four years. Most constitutions of the State continued the district courts but provided that the judges were to be elected by the qualified voters. (The exceptions were the Constitutions of 1845 and 1861 which provided for the appointment of judges by the Governor with confirmation by the Senate.) All constitutions have provided that the judges of these courts must be chosen from defined districts (as opposed to statewide election). In many locations, the geographical jurisdiction of two or more district courts is overlapping. As of September 1, 2012, there were 456 district courts in Texas.

District courts are courts of general jurisdiction. Article V, Section 8 of the Texas Constitution extends a district court's potential jurisdiction to "all actions" but makes such jurisdiction relative by excluding any matters in which exclusive, appellate, or original jurisdiction is conferred by law upon some other court. For this reason, while one can speak of the "general" jurisdiction of a district court, the actual jurisdiction of any specific court will always be limited by the constitutional or statutory provisions that confer exclusive, original, or appellate jurisdiction on other courts serving the same county or counties.

With this caveat, it can be said that district courts generally have the following jurisdiction: original jurisdiction in all criminal cases of the grade of felony and misdemeanors involving official misconduct; cases of divorce; suits for title to land or enforcement of liens on land; contested elections; suits for slander or defamation; and suits on behalf of the State for penalties, forfeitures and escheat. Most district courts exercise criminal and civil jurisdiction, but in the metropolitan areas there is a tendency for the courts to specialize in civil, criminal, juvenile or family law matters. Thirteen district courts are designated "criminal district courts" but have general jurisdiction. A limited number of district courts also exercise the subject-matter jurisdiction normally exercised by county courts.

The district courts also have jurisdiction in civil matters with a minimum monetary limit but no maximum limit. The amount of the lower limit has for many years been the subject of controversy, with differing opinions from the courts of appeal. HB 79 from the 82<sup>nd</sup> Legislature, 1<sup>st</sup> Called Session (2001) included a provision in Section 24.007(b) of the Government Code which was intended to resolve the dispute and to set the minimum jurisdiction of district courts at \$500. However, there is still a potential conflict between Article V, Section 8 of the Texas Constitution (which gives the district courts jurisdiction of all actions...except in cases where exclusive) and the amendment. Therefore, there are still differing opinions as to whether the minimum monetary jurisdiction of the district courts is \$200.01 or \$500. HB 79 did make a change regarding the statutory county courts which impacted the concurrent jurisdiction of statutory county courts and district courts. The maximum amount-in-controversy was raised to \$200,000 for all statutory county courts not already having a maximum of at least \$200,000. The statutory county courts that had jurisdictional authority in excess of \$200,000 were left unchanged. Thus, in those counties having statutory county courts, the district courts generally have exclusive jurisdiction in civil cases where the amount in controversy is \$200,000 or more, and concurrent jurisdiction with the statutory county courts in cases where the amount in controversy exceeds \$500 but is less than \$200,000.

The district courts may also hear contested matters in probate cases and have general supervisory control over commissioners' courts. In addition, district courts have the power to issue writs of habeas corpus, mandamus, injunction, certiorari, sequestration, attachment, garnishment, and all writs necessary to enforce their jurisdiction. Appeals from judgments of the district courts are to the courts of appeals (except appeals of death sentences).

A 1985 constitutional amendment established the Judicial Districts Board to reapportion Texas judicial districts, subject to legislative approval. The same amendment also allows for more than one judge per judicial district.

## County-Level Courts

### Constitutional County Courts

The Texas Constitution provides for a county court in each of the 254 counties of the State, though all such courts do not exercise judicial functions. In populous counties, the "county judge" may devote his or her full attention to the administration of county government.

Generally, the "constitutional" county courts have concurrent jurisdiction with justice courts in civil cases where the matter in controversy exceeds \$200 but does not exceed \$10,000; concurrent jurisdiction with the district courts in civil cases where the matter in controversy exceeds \$500 but does not exceed \$5,000; general jurisdiction over probate cases; juvenile jurisdiction; and exclusive original jurisdiction over misdemeanors, other than those involving official misconduct, where punishment for the offense is by fine exceeding \$500 or a jail sentence not to exceed one year. County courts generally have appellate jurisdiction (usually by trial *de novo*) over cases tried originally in the justice and municipal courts. Original and appellate judgments of the county courts may be appealed to the courts of appeals.

In 36 counties, the county court, by special statute, has been given concurrent jurisdiction with the justice courts in all civil matters over which the justice courts have jurisdiction.

### Statutory County Courts and Probate Courts

Under its constitutional authorization to "...establish such other courts as it may deem necessary...[and to] conform the jurisdiction of the district and other inferior courts thereto," the Legislature created the first statutory county court in 1907. As of September 1, 2012, 236 statutory county courts and 18 statutory probate courts were operating in 88 (primarily metropolitan) counties to relieve the county judge of some or all of the judicial duties of office. Statutory county courts include county courts at law, county civil courts at law, county criminal courts at law, county criminal courts, and county criminal courts of appeal.

Section 25.003 of the Texas Government Code provides statutory county courts with jurisdiction over all causes and proceedings prescribed by law for constitutional county courts. In general, statutory county courts that exercise civil jurisdiction concurrent with the constitutional county court also have concurrent civil jurisdiction with the district courts in: 1) civil cases in which the matter in controversy exceeds \$500 but does not exceed \$200,000, and 2) appeals of final rulings and decisions of the Texas Workers' Compensation Commission. However, the actual jurisdiction of each statutory county court varies considerably according to the statute under which it was created. A few statutory county courts even hear felony cases. In addition, some of these courts have been established to exercise subject-matter jurisdiction in only limited fields, such as civil, criminal, or appellate cases (from justice or municipal courts).

In general, statutory probate courts have general jurisdiction provided to probate courts by the Texas Probate Code, as well as the jurisdiction provided by law for a county court to hear and determine cases and matters instituted under various sections and chapters of the Texas Health and Safety Code.

## Associate Judges

The Legislature has authorized the appointment of various judicial officers to assist the judges of the district courts and county-level courts. These judicial officers are usually known as associate judges. They have some, but not all, of the powers of the judges they assist.

### Judicial Officers Appointed under Government Code, Chapter 54 and Chapter 54A

House Bill 79 (82nd Legislature, 1st Called Session) added a new Chapter 54A to the Government Code that contains provisions relating to “criminal associate judges,” “civil associate judges,” “statutory probate court associate judges,” and “associate judges for juvenile matters.” It also repealed many of the sections in Chapter 54 that provided judicial officer positions for specific counties. Associate judges formerly serving in the positions that were repealed continue to serve under the new Chapter 54A provisions. Chapter 54 still contains provisions for the appointment of masters, magistrates, and hearing officers in certain counties identified by population and the following counties: Bexar, Brazoria, Burnet, Cameron, Comal, Dallas, El Paso, Harris, Lubbock, Tarrant, Travis, and Webb.

Cases are not directly filed with judicial officers, but are referred to them by district judges and county-level judges. Rather than rendering final orders, the judicial officers generally make recommendations to the referring court. Generally, judicial officers appointed under Chapter 54 and Chapter 54A of the Government Code are appointed by local judges with the consent of the county commissioners court, and the positions are funded by the county.

### Associate Judges Appointed under Family Code, Chapter 201

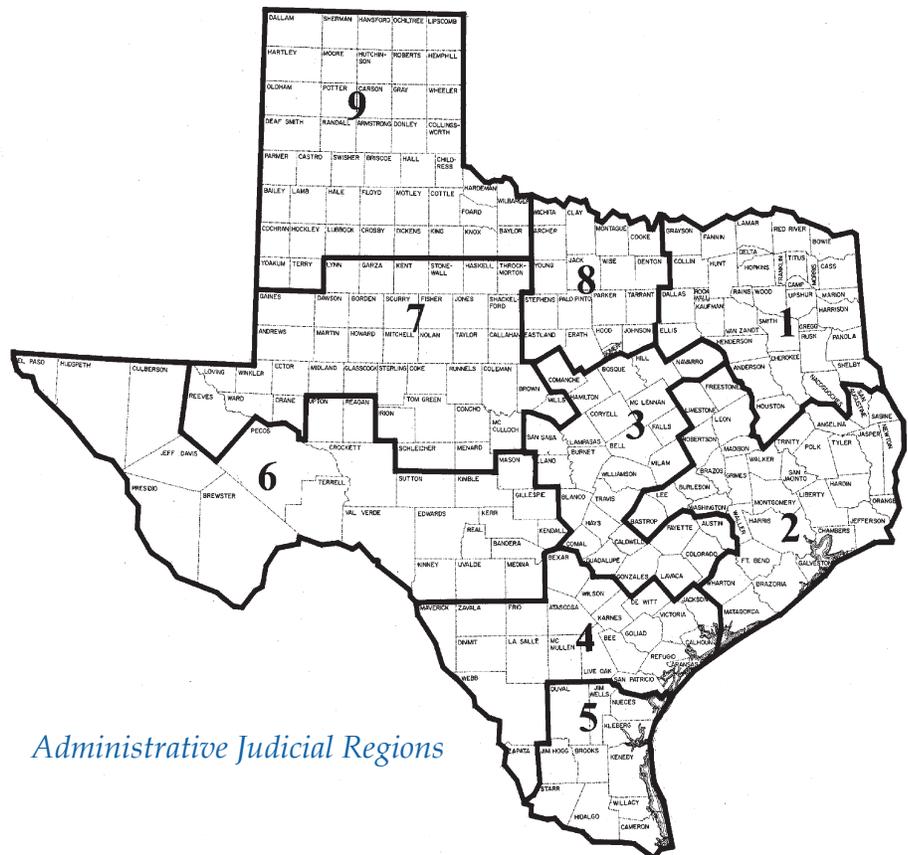
Like judicial officers appointed under Chapter 54 and Chapter 54A of the Government Code, district and county-level judges refer certain cases to associate judges appointed under Chapter 201 of the Family Code.

Three types of associate judges are appointed under Chapter 201. Associate judges authorized by Subchapter A of Chapter 201 are appointed by local judges with the consent of the commissioners court and are county employees. They are authorized to hear cases brought under Titles 1, 4 and 5 of the Family Code.

Associate judges authorized by Subchapters B and C of Chapter 201 are appointed by the presiding judge of the respective administrative judicial regions and are state employees. The associate judges appointed under Subchapter B are authorized to hear child support cases. Those appointed under Subchapter C are authorized to hear child protection cases.

### “Assigned” or “Visiting” Judges

The presiding judge of an administrative judicial region may assign a judge to handle a case or docket of an active judge in the region who is unable to preside (due to recusal, illness, vacation, etc.) or who needs assistance with a heavy docket or docket backlog. These “assigned judges” may be active judges of other courts in the region or may be individuals residing in the region who used to serve as active judges. Sections 74.054, 74.056, and 74.057 of the Government Code discuss the assignment of judges by the presiding judge and the chief justice of the Supreme Court.



Administrative Judicial Regions

## Justice Courts

As amended in November 1983, the Texas Constitution provides that each county is to be divided, according to population, into at least one, and not more than eight, justice precincts, in each of which is to be elected one or more justices of the peace. As of September 1, 2012, 815 justice courts were in operation.

Justice courts have original jurisdiction in misdemeanor criminal cases where punishment upon conviction may be by fine only. These courts generally have exclusive jurisdiction of civil matters when the amount in controversy does not exceed \$200, and concurrent jurisdiction with the county courts when the amount in controversy exceeds \$200 but does not exceed \$10,000.<sup>12</sup> Justice courts also have jurisdiction over forcible entry and detainer cases and function as small claims courts.<sup>13</sup> Trials in justice courts are not “of record.” Appeals from these courts are by trial *de novo* in the constitutional county court, the county court at law, or the district court.

The justice of the peace also serves in the capacity of a committing magistrate, with the authority to issue warrants for the apprehension and arrest of persons charged with the commission of felony or misdemeanor offenses. As a magistrate, the justice of the peace may hold preliminary hearings, reduce testimony to writing, discharge the accused, or remand the accused to jail and set bail. In addition, the justice of the peace serves as the coroner in those counties where there is no provision for a medical examiner, serves as an *ex officio* notary public, and may perform marriage ceremonies for additional compensation.

## Municipal Courts

Under its constitutional authority to create “such other courts as may be provided by law,” the Legislature has created municipal courts in each incorporated municipality in the State. In lieu of a municipal court created by the Legislature, municipalities may choose to establish municipal courts of record. As of September 1, 2012, there were 926 municipal courts, 149 of which indicated that they were a court of record.

The jurisdiction of municipal courts is provided in Chapters 29 and 30 of the Texas Government Code. Municipal courts have original and exclusive jurisdiction over criminal violations of certain municipal ordinances and airport board rules, orders, or resolutions that do not exceed \$2,500 in some instances and \$500 in others. Municipal courts also have concurrent jurisdiction with the justice courts in certain misdemeanor criminal cases.

In addition to the jurisdiction of a regular municipal court, municipal courts of record also have jurisdiction over criminal cases arising under ordinances authorized by certain provisions of the Texas Local Government Code. The municipality may also provide by ordinance that a municipal court of record have additional jurisdiction in certain civil and criminal matters.

Municipal judges also serve in the capacity of a committing magistrate, with the authority to issue warrants for the apprehension and arrest of persons charged with the commission of felony or misdemeanor offenses. As a magistrate, the municipal judge may hold preliminary hearings, reduce testimony to writing, discharge the accused, or remand the accused to jail and set bail.

Trials in municipal courts are not generally “of record”; many appeals go to the county court, county court at law, or district court by a trial *de novo*. Appeals from municipal courts of record are generally heard in the county criminal courts, county criminal courts of appeal or municipal courts of appeal. If none of these courts exist in the county or municipality, appeals are to the county courts at law.

## Judicial Administration

The Texas Supreme Court has constitutional responsibility for the efficient administration of the judicial system and possesses the authority to make rules of administration applicable to the courts.<sup>14</sup> Under the direction of the chief justice, the Office of Court Administration aids the Supreme Court in carrying out its administrative duties by providing administrative support and technical assistance to all courts in the State.

The Supreme Court and the Texas Legislature also receive recommendations on long-range planning and improvements in the administration of justice from the Texas Judicial Council, a 22-member advisory board composed of appointees of the judicial, executive, and legislative branches of government.

The chief justice of the Supreme Court, presiding judge of the Court of Criminal Appeals, chief justices of each of the 14 courts of appeals, and judges of each of the trial courts are generally responsible for the administration of their respective courts. Furthermore, there is a local administrative district judge in each county, as well as a local administrative statutory county court judge in each county that has a statutory county court. In counties with two or more district courts, a local administrative district

judge is elected by the district judges in the county for a term not to exceed two years.<sup>15</sup> Similarly, in counties with two or more statutory county courts, a local administrative statutory county court judge is elected by the statutory county court judges for a term not to exceed two years. The local administrative judge is charged with implementing the local rules of administration, supervising the expeditious movement of court caseloads, and other administrative duties.<sup>16</sup>

To aid in the administration of justice in the trial courts, the State is divided into nine administrative judicial regions. With the advice and consent of the Senate, the Governor appoints one of the active or retired district judges, or a retired appellate court judge who has district court experience, residing in each region as the presiding judge.

The chief justice of the Supreme Court may convene periodic conferences of the chief justices of the courts of appeals, as well as periodic conferences of the nine presiding judges to ensure the efficient administration of justice in the courts of the State.

## Notes

1. In 2011, the 82<sup>nd</sup> Legislature passed a “court reorganization” bill that, effective May 1, 2013, will discontinue small claims courts as a separate docket for justices of the peace; require justices of the peace to transfer all cases pending in the small claims court to the justice court; and require the courts to conduct justice court proceedings in small claims mode in accordance with new rules of civil procedure promulgated by the Supreme Court (Section 27.060, Texas Government Code).

2. The various constitutions and amendments provided for different numbers of judges to sit on the Court and different methods for the selection of the judges. The Constitution of 1845 provided that the Supreme Court consist of a chief justice and two associate justices. The Constitution of 1866 provided for five justices, and the Constitution of 1869 reverted to a three-judge court; the Constitution of 1873 increased the number to five, and the Constitution of 1876 again reduced the membership to three. To aid the three justices in disposing of the ever increasing workload, the Legislature created two “Commissions of Appeals,” each to consist of three judges appointed by the Supreme Court. This system, begun in 1920, continued until the adoption of the constitutional amendment of 1945 which abolished the two Commissions of Appeals and increased the number of justices on the Supreme Court to nine, the present number.

3. A constitutional amendment adopted in 1980 provides that “The Supreme Court shall exercise the judicial power of the state except as otherwise provided in this Constitution. Its jurisdiction shall be coextensive with the limits of the State and its determinations shall be final except in criminal law matters. Its appellate jurisdiction shall be final and shall extend to all cases except in criminal law matters and as otherwise provided in this Constitution or by law.”

4. “Regular causes” involve cases in which four or more of the justices of the Supreme Court have decided in conference that a petition for review, petition for writ of mandamus or habeas corpus, or parental notification appeal should be reviewed. Regular causes also include direct appeals the court has agreed to review and questions of law certified to it by a federal appellate court that the court has agreed to answer. Most regular causes are set for oral argument in open court and are reported in written opinions. However, a petition may be granted and an unsigned opinion (per curiam) issued without oral argument if at least six members of the court vote accordingly.

5. A constitutional amendment, effective January 1, 1986, gave the Supreme Court, along with the Court of Criminal Appeals, jurisdiction to answer certified questions.

6. The Supreme Court has a rider in its appropriation pattern in the General Appropriations Act (H.B. 1, 82<sup>nd</sup> Leg., R.S., Art. IV, page IV-2, Rider 3) that states, “It is the intent of the Legislature that the Supreme Court use funds appropriated above to equalize the dockets of the 14 Courts of Appeals. For the purposes of this rider equalization shall be considered achieved if the new cases filed each year per justice are equalized by 10 percent or less among all the courts of appeals. Multi-district litigation cases are exempted from this provision.” Although the rider requiring the transfer of cases first appeared in fiscal year 2000 in the General Appropriations Act (H.B. 1, 76<sup>th</sup> Leg., R.S., Art. IV, page IV-1, Rider 3), the Supreme Court has transferred cases between the courts of appeals since 1895 (24<sup>th</sup> Leg., R.S., Ch. 53, 1895 Tex. Gen. Laws 79).

7. In 1997, the 75<sup>th</sup> Legislature enacted Chapter 51, Texas Government Code, Subchapter J, requiring the Supreme Court to administer funds for provision of basic civil legal services to the indigent. (In 1999, this was re-lettered as Subchapter L.)

8. The Court of Criminal Appeals was originally composed of three judges. As the court’s workload increased, the Legislature granted it the authority to appoint commissioners to aid in the disposition of pending cases. In 1966, a constitutional amendment increased the number of judges on the court to five, and in 1977, a further amendment to the Constitution added another four judges, for the current total of nine judges on the court.

9. A constitutional amendment adopted in 1980 provides that “The Court of Criminal Appeals shall have final appellate jurisdiction coextensive with the limits of the State, and its determination shall be final, in all criminal cases of whatever grade, with such exceptions and under such regulations as may be provided in this Constitution or as prescribed by law.”

10. Under Article 11.07, Texas Code of Criminal Procedure.

11. In accordance with Chapter 56 and Section 74.025, Texas Government Code.

12. In 2007, the 80<sup>th</sup> Legislature raised the jurisdiction of justice courts in civil actions from \$5,000 to \$10,000 (Section 27.031, Texas Government Code).

13. In 2011, the 82<sup>nd</sup> Legislature passed a “court reorganization” bill that, effective May 1, 2013, will discontinue small claims courts as a separate docket for justices of the peace; require justices of the peace to transfer all cases pending in the small claims court to the justice court; and require the courts to conduct justice court proceedings in small claims mode in accordance with new rules of civil procedure promulgated by the Supreme Court (Section 27.060, Texas Government Code).

14. Article V, Section 31 of the Texas Constitution.

15. In accordance with Section 74.091 or Section 74.0911, Texas Government Code.

16. The administrative responsibilities of the local administrative judge are detailed in Section 74.092, Texas Government Code.

# Information About Texas Judges

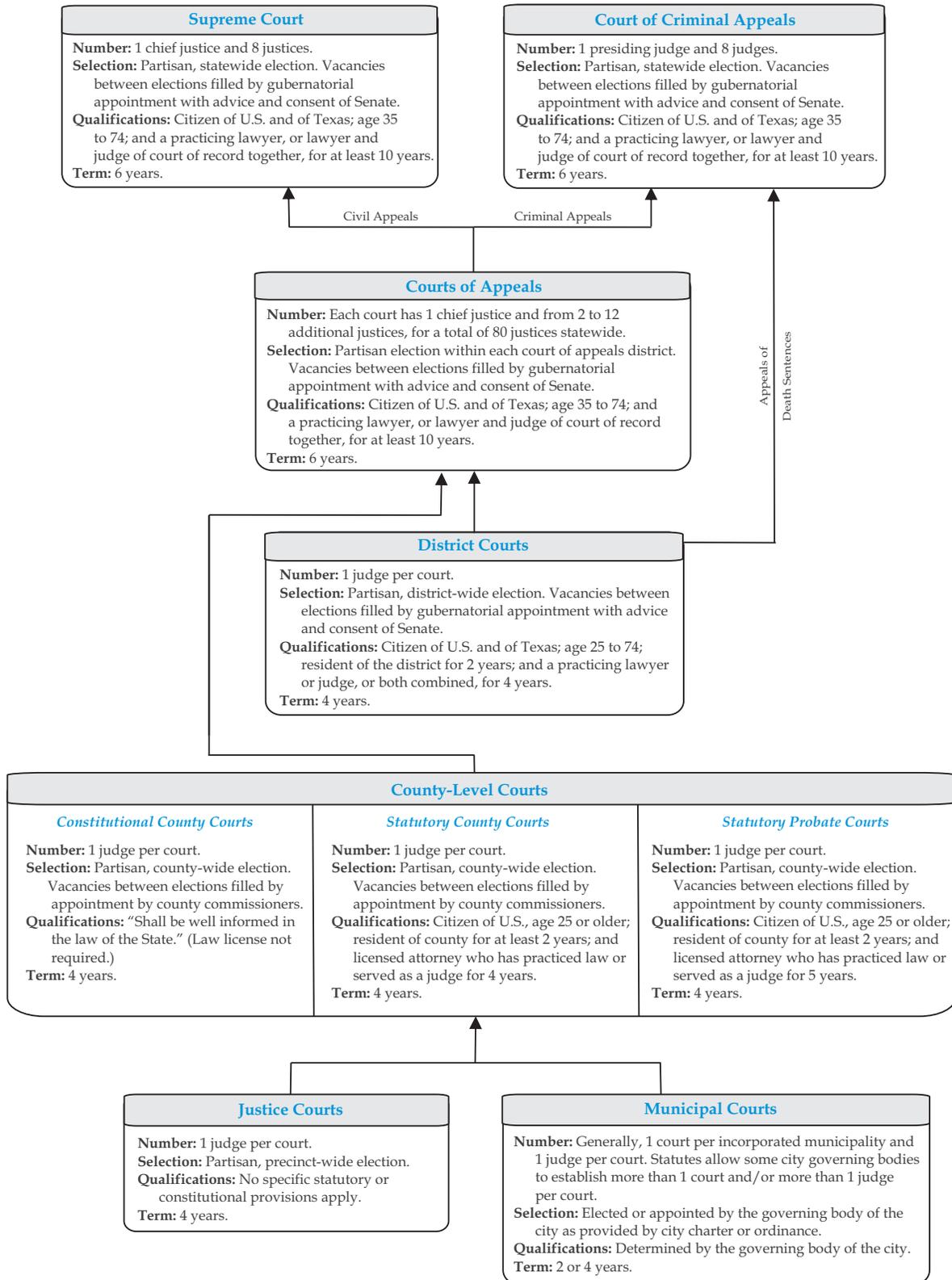
For the Fiscal Year  
Ended August 31, 2012



Photo courtesy of TexasCourthouses.com

*Armstrong County Courthouse - Claude*

# Judicial Qualifications and Selection in the State of Texas



## Profile of Appellate and Trial Judges\*

As of September 1, 2012

	Supreme Court	Court of Criminal Appeals	Court of Appeals	District Courts	Criminal District Courts	County Courts at Law	Probate Courts	County Courts	Justice Courts	Municipal Courts
<b>NUMBER OF JUDGES:</b>										
Number of Judge Positions	9	9	80	443	13	236	18	254	815	1,559
Number of Judges	9	9	79	443	13	236	18	254	814	1,551
Number of Vacant Positions	0	0	1	0	0	0	0	0	1	8
Number of Municipalities w/ Courts	--	--	--	--	--	--	--	--	--	926
Cities with No Courts	--	--	--	--	--	--	--	--	--	253
<b>AGE OF JUDGES:</b>										
	(n = 9)	(n = 9)	(n = 79)	(n = 442)	(n = 13)	(n = 197)	(n = 15)	(n = 212)	(n = 704)	(n = 1,322)
Mean	57	59	57	55	55	59	55	60	58	62
Oldest	67	70	75	76	69	82	68	84	89	94
Youngest	46	48	39	33	41	35	41	35	27	30
<b>RANGE OF AGE:</b>										
Under 25	0	0	0	0	0	0	0	0	0	0
25 through 34	0	0	0	1	0	0	0	0	8	20
35 through 44	0	0	6	49	1	27	2	11	52	153
45 through 54	5	1	14	130	2	77	0	36	146	313
55 through 64	3	3	41	193	7	65	11	86	288	420
65 through 74	1	5	17	68	3	24	2	70	171	318
Over 75	0	0	1	1	0	4	0	9	39	98
<b>GENDER OF JUDGES:</b>										
	(n = 9)	(n = 9)	(n = 79)	(n = 443)	(n = 13)	(n = 236)	(n = 18)	(n = 254)	(n = 813)	(n = 1,544)
Males	7	4	45	316	10	164	12	227	523	998
Females	2	5	34	127	3	72	6	27	290	546
<b>ETHNICITY OF JUDGES:</b>										
	(n = 9)	(n = 9)	(n = 78)	(n = 403)	(n = 12)	(n = 197)	(n = 14)	(n = 223)	(n = 671)	(n = 1,225)
African-American	2	0	1	20	3	8	0	1	22	66
American Indian or Alaska Native	0	0	0	1	0	0	0	0	2	11
Asian or Pacific Islander	0	0	0	2	0	0	0	0	0	8
Hispanic/Latino	2	1	8	64	0	41	2	14	122	186
White (Non-Hispanic)	5	8	69	313	9	147	12	208	524	943
Other	0	0	0	3	0	1	0	0	1	11
<b>LENGTH OF SERVICE:</b>										
	(n = 9)	(n = 9)	(n = 79)	(n = 443)	(n = 13)	(n = 236)	(n = 18)	(n = 253)	(n = 814)	(n = 1,523)
Average	8 Yr 10 Mo	12 Yr 4 Mo	8 Yr 6 Mo	9 Yr 8 Mo	8 Yr 10 Mo	8 Yr 5 Mo	11 Yr 5 Mo	7 Yr 1 Mo	9 Yr 5 Mo	8 Yr 1 Mo
Longest	23 Yr 8 Mo	19 Yr 8 Mo	20 Yr 8 Mo	31 Yr 8 Mo	22 Yr 4 Mo	36 Yr 5 Mo	31 Yr 0 Mo	33 Yr 8 Mo	49 Yr 5 Mo	47 Yr 10 Mo
<b>RANGE OF SERVICE ON THIS COURT IN YEARS:</b>										
Under 1 Year	0	0	3	6	0	9	0	3	9	105
1 through 4	2	1	23	135	3	63	7	82	184	462
5 through 9	5	0	22	127	7	76	2	102	293	417
10 through 14	1	4	20	66	0	37	2	23	135	243
15 through 19	0	4	10	67	1	26	3	25	98	143
20 through 24	1	0	1	27	2	15	2	11	50	62
25 through 29	0	0	0	11	0	8	1	6	27	46
30 through 34	0	0	0	3	0	1	1	1	13	29
35 through 39	0	0	0	0	0	1	0	0	4	10
Over 40	0	0	0	0	0	0	0	0	1	3
<b>FIRST ASSUMED OFFICE BY:</b>										
	(n = 9)	(n = 9)	(n = 79)	(n = 443)	(n = 13)	(n = 236)	(n = 18)	(n = 253)	(n = 814)	(n = 1,540)
Appointment	6 (67%)	2 (22%)	45 (57%)	171 (38%)	4 (31%)	59 (25%)	5 (28%)	39 (15%)	207 (25%)	1,520 (99%)
Election	3 (33%)	7 (78%)	34 (43%)	272 (62%)	9 (69%)	177 (75%)	13 (72%)	214 (85%)	607 (75%)	20 (1%)
<b>EDUCATION:</b>										
<b>HIGH SCHOOL:</b>										
Attended	0	0	1	3	0	1	0	7	40 (6%)	26 (2%)
Graduated	7 (78%)	9 (100%)	70 (89%)	391 (89%)	12 (92%)	173 (79%)	14 (82%)	208 (94%)	658 (93%)	1,280 (90%)
<b>COLLEGE:</b>										
Attended	0 (0%)	0 (0%)	1 (1%)	5 (1%)	0 (0%)	3 (1%)	1 (6%)	35 (16%)	164 (23%)	153 (11%)
Graduated	9 (100%)	9 (100%)	74 (94%)	390 (89%)	12 (92%)	181 (83%)	15 (88%)	145 (65%)	232 (33%)	917 (65%)
<b>LAW SCHOOL:</b>										
Attended	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (0%)	0 (0%)	1 (0%)	2 (0%)	0 (0%)
Graduated	9 (100%)	9 (100%)	79 (100%)	439 (100%)	13 (100%)	217 (100%)	17 (100%)	34 (15%)	66 (9%)	831 (59%)
<b>LICENSED TO PRACTICE LAW:</b>										
Number Licensed	9 (100%)	9 (100%)	79 (100%)	443 (100%)	13 (100%)	236 (100%)	18 (100%)	32 (13%)	66 (8%)	855 (55%)
Mean Year Licensed	1984	1977	1982	1983	1981	1986	1982	1984	1984	1985
<b>YEARS LICENSED:</b>										
4 Years or Less	0	0	0	0	0	0	0	0	0	9
5 to 9 Years	0	0	0	3	0	6	0	1	5	48
10 to 14 Years	0	0	2	24	0	21	2	0	2	72
15 to 19 Years	0	0	6	57	1	33	1	10	15	149
20 to 24 Years	5	1	13	74	1	44	1	4	6	136
25 to 29 Years	0	2	14	77	3	60	0	3	9	95
30 or More Years	4	6	44	208	8	72	14	14	29	346
<b>ORIGINALLY CAME TO THIS COURT FROM:</b>										
Attorney Private Practice	1 (11%)	2 (22%)	25 (31%)	--	--	--	--	--	--	--
Judge of Lower Court	6 (67%)	4 (44%)	14 (18%)	--	--	--	--	--	--	--
Legislative Service	0 (0%)	0 (0%)	0 (0%)	--	--	--	--	--	--	--
Other Governmental Service	2 (22%)	3 (33%)	3 (4%)	--	--	--	--	--	--	--
<b>PREVIOUS EXPERIENCE:</b>										
Prosecutor	1 (11%)	5 (56%)	13 (16%)	168 (38%)	4 (31%)	96 (41%)	4 (22%)	7 (3%)	--	--
Attorney Private Practice	9 (100%)	8 (89%)	44 (55%)	289 (65%)	11 (85%)	126 (53%)	15 (83%)	26 (10%)	--	--
Judge of Lower Court	7 (78%)	1 (11%)	20 (25%)	51 (12%)	2 (15%)	27 (11%)	3 (17%)	12 (5%)	--	--
County Commissioner	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	15 (6%)	--	--

\* NOTES: Data may be incomplete, as this chart includes only information reported to OCA. District and county-level associate judges not included in data. Data for municipal courts include associate and other judges.

# *State Judges Appointed*

## *September 1, 2011 to August 31, 2012*

**Hon. Ann Crawford McClure**  
*Chief Justice, 8th Court of Appeals*  
*Succeeding Hon. David Wellington Chew*  
*(Resigned)*

**Hon. Christopher Antcliff**  
*Justice, 8th Court of Appeals*  
*Succeeding Hon. Ann Crawford McClure*  
*(Appointed Chief Justice)*

**Hon. J. Brett Busby**  
*Justice, 14th Court of Appeals*  
*Succeeding Hon. John S. Anderson*  
*(Resigned)*

**Hon. Stephen E. Bristow**  
*Judge, 90th District Court*  
*Succeeding Hon. Stephen O'Neal Crawford*  
*(Resigned)*

**Hon. Jason Cashon**  
*Judge, 266th District Court*  
*Succeeding Hon. Donald R. Jones*  
*(Resigned)*

**Hon. Elizabeth Leonard**  
*Judge, 238th District Court*  
*Succeeding Hon. John Gary Hyde*  
*(Deceased)*

**Hon. Craig M. Mixson**  
*Judge, 1st District Court*  
*Succeeding Hon. Gary H. Gatlin*  
*(Resigned)*

**Hon. Benjamin N. Smith**  
*Judge, 380th District Court*  
*Succeeding Hon. Suzanne H. Wooten*  
*(Resigned)*

**Hon. Angela M. Tucker**  
*Judge, 199th District Court*  
*Succeeding Hon. Robert T. Dry*  
*(Resigned)*

**Hon. Peter Peca**  
*Judge, El Paso Criminal District Court No. 1*  
*Succeeding Hon. Manny Barraza*  
*(Resigned)*



# Salaries and Turnover of Elected State Judges

For the Fiscal Year  
Ended August 31, 2012



Photo courtesy of TexasCourthouses.com

*Liberty County Courthouse - Liberty*

# Salaries of Elected State Judges

Since December 1, 2005, the annual state salary of a district judge has been \$125,000. While Chapter 32 of the Government Code authorizes the state salaries of district court judges to be supplemented from county funds, the total annual salary for a district judge is limited to a combined sum from state and county sources of \$5,000 less than the combined salary from state and county sources provided for a justice of a court of appeals.<sup>1</sup>

The annual state salary of a justice of a court of appeals is 110 percent of the annual state salary of a district judge. The chief justice of an appellate court receives \$2,500 more than the other justices of the court. While Chapter 31 of the Government Code authorizes salaries of the justices to be supplemented by the counties in each court of appeals district, the total salary for a justice of a court of appeals is limited to a combined sum from state and county sources of \$5,000 less than the state salary paid to a justice of the Supreme Court. This same provision limits the chief justices of the courts of appeals to receive a combined salary of \$2,500 less than the state salary paid to justices of the Supreme Court.

Finally, the annual state salary of a justice of the Supreme Court or a judge of the Court of Criminal Appeals is 120 percent of the annual state salary of a district judge. The chief justice or presiding judge of these courts receives \$2,500 more than the other justices or judges on the courts.

Judges are also entitled to monthly longevity pay equal to 3.1 percent of their current monthly state salary for each year of service credited in the retirement system after completing 16 years of service. Longevity pay is not included as part of the judge or justice's combined salary from state and county sources for purpose of the salary limitations described above.

## Salary Summary for Elected State Judges as of September 1, 2012

Judge <sup>1</sup>	State Salary	Additional Compensation <sup>2</sup>	Other	Total
Chief Justice - Supreme Court or Court of Criminal Appeals	\$152,500	N/A		\$152,500
Justice - Supreme Court or Court of Criminal Appeals	\$150,000	N/A		\$150,000
Chief - Court of Appeals	\$140,000	up to \$7,500 <sup>3</sup>		up to \$147,500
Justice - Court of Appeals	\$137,500	up to \$7,500 <sup>3</sup>		up to \$145,000
Presiding Judge of Administrative Judicial Region (active district judge)	\$125,000	up to 15,000 <sup>3</sup>	not to exceed \$33,000 <sup>4</sup>	up to \$173,000
Presiding Judge of Administrative Judicial Region (retired or former judge)	N/A	N/A	\$35,000 - \$50,000 <sup>5</sup>	up to \$50,000
District Judge - Local administrative judge who serves in county with more than 5 district courts	\$125,000	up to \$15,000 <sup>3</sup>	\$5,000 <sup>6</sup>	up to \$145,000
District Judge	\$125,000	up to \$15,000 <sup>3</sup>		up to \$140,000
District Judge - Presiding judge of silica or asbestos multi-district litigation	\$125,000	up to \$15,000 <sup>3</sup>	not to exceed \$33,000 <sup>7</sup>	up to \$173,000

**Notes:**

- Entitled to monthly longevity pay of 3.1 percent of current monthly state salary for each year of service credited in the retirement system after completing 16 years of service.
- Additional compensation provided by counties in judicial and appellate districts for extra judicial service performed by judges and justices. Government Code Secs. 31.001 and 32.001.
- The state salary of a district judge whose county supplement exceeds \$15,000, or appellate justice whose county supplement exceeds \$7,500, will be reduced by the amount of the excess so that the maximum salary the judge or justice receives from state and county sources is \$140,000 (district judge), \$145,000 (appellate justice), or \$147,500 (appellate chief justice). Government Code Secs. 659.012, 31.001 and 32.001.
- Presiding judges' salary set by Texas Judicial Council. Government Code Sec. 74.051(b). Paid by counties in administrative judicial region on a pro rata basis based on population.
- Presiding judges' salary based on number of courts and judges in region. Government Code Sec. 74.051(c). Paid by counties in administrative judicial region on a pro rata basis based on population.
- Government Code Sec. 659.012(d).
- Government Code Sec. 659.0125.

1. Attorney General Opinion GA-0437 (2006).

## Judicial Salaries Compared with Salaries of Private Practitioners

In 2012, the State Bar of Texas conducted a survey of the salaries received by full-time, private practitioner attorneys in the state during the previous year. Overall, the average salary was \$153,434, while the median was \$113,120.

### Compensation of Full-Time, Private Practitioners in 2011

	Median Salary	Average Salary
Overall	\$113,120	\$153,434
Lawyers with 11 to 15 years of experience	\$115,983	\$146,973
Lawyers with 16 to 20 years of experience	\$130,859	\$164,434

Source: State Bar of Texas, *Private Practitioner 2011 Income Fact Sheet* (Austin: Department of Research and Analysis, State Bar of Texas).

## Salaries of State Judges in the Six Most Populous States

According to data obtained from the National Center for State Courts, the state salaries of state judges in Texas lagged behind the salaries of judges at corresponding levels in the five states closest to Texas in population.

### Salaries of State Judges in the Six Most Populous States as of July 1, 2012<sup>1</sup> Listed in Population Order

Judge	California	Texas	New York	Florida	Illinois	Pennsylvania
Chief Justice - Court of Last Resort	\$228,856	\$152,500	\$182,600	\$157,976	\$211,228	\$200,993
Associate Justice - Court of Last Resort	\$218,237	\$150,000	\$177,000	\$157,976	\$211,228	\$195,309
Chief - Intermediate Court of Appeals	\$204,599	\$140,000 <sup>2</sup> \$147,190 <sup>3</sup>	\$172,800	\$150,077	\$198,805	\$189,965
Justice - Intermediate Court of Appeals	\$204,599	\$137,500 <sup>2</sup> \$144,817 <sup>3</sup>	\$168,600	\$150,077	\$198,805	\$184,282
Judge - General Jurisdiction Trial Courts	\$178,789	\$125,000 <sup>2</sup> \$138,568 <sup>3</sup>	\$160,000	\$142,178	\$182,429	\$169,541

**Notes:**

1. Source: Knowledge and Information Services Division, National Center for State Courts, survey of judicial salaries as of July 1, 2012. The National Center for State Courts attempts to use actual salaries whenever possible. Thus, the data for each state will include local supplements whenever relevant and feasible.
2. Basic state salary. Does not include supplements paid by counties.
3. Average salary statewide, including supplements paid by counties as of October 1, 2012.

# Turnover of Elected State Judges

## *Extent of Turnover in the Judiciary*

In FY 2012, 554 judges served in the state’s appellate and district courts.<sup>1</sup> During this period, 10 judges left their current positions, representing a turnover rate of 1.8 percent. However, one of the judges was appointed to a higher-level state court position, making the turnover rate for judges leaving the state judiciary 1.6 percent. Of the nine judges leaving the state judiciary, two (22.2 percent) left involuntarily due to defeat for re-election or forced resignation due to a criminal conviction.

As a result, the voluntary turnover rate was **1.3 percent** (seven judges, all of whom resigned or did not run for re-election).

<b>Turnover of State Appellate and District Judges September 1, 2011 through August 31, 2012</b>		
	<b>Number of Judges</b>	<b>Percentage of All Judges</b>
Total Number of Appellate and District Judge Positions	554	100.0%
Judges Leaving Current Office	10	1.8%
Judges Leaving State Judiciary	9	1.6%
Judges Leaving State Judiciary Voluntarily	7	1.3%

<b>Manner in Which State Appellate and District Judges Left Office September 1, 2011 through August 31, 2012</b>			
	<b>Number of Judges</b>	<b>Percentage of All Judges Leaving Office</b>	<b>Percentage of All Judges</b>
Resigned	7	70.0%	1.3%
Appointed/elected to higher state court	1	10.0%	0.2%
Defeated in election	1	10.0%	0.2%
Removed from office/forced resignation	1	10.0%	0.2%
Deceased	0	0.0%	0.0%
Did not seek re-election	0	0.0%	0.0%
Reached mandatory retirement age	0	0.0%	0.0%
Total	10	100.0%	1.8%

## *Reasons for Voluntary Turnover*

Five of the seven judges who voluntarily left the state judiciary in FY 2012 responded to OCA’s judicial turnover survey. Respondents were asked to indicate which factor(s) influenced their decision to leave the state judiciary. Forty percent of respondents indicated that salary was a significant contributor to their departures, and 20 percent indicated that retirement, working conditions, and personal reasons were each significant reasons for leaving.

The survey also allowed respondents to note other factors that contributed to their decision. In FY 2012, one respondent named health reasons.

<sup>1</sup> One judge served on each of the state’s 456 district courts, and a total of 98 judges served on the state’s 16 appellate courts during FY 2012.

<b>Factors Influencing Respondents' Decision to Leave the State Judiciary September 1, 2011 through August 31, 2012</b>					
	<b>"To a Very Great Extent"</b>	<b>"To Some Extent"</b>	<b>"To a Small Extent"</b>	<b>"Not at All"</b>	<b>No Answer</b>
Salary	2 (40%)	2 (40%)	0 (0%)	1 (20%)	0 (0%)
Working Conditions/Environment	1 (20%)	2 (40%)	1 (20%)	1 (20%)	0 (0%)
Retirement	1 (20%)	1 (20%)	1 (20%)	2 (40%)	0 (0%)
Personal	1 (20%)	1 (20%)	1 (20%)	1 (20%)	1 (20%)
Self-employment	0 (0%)	2 (40%)	1 (20%)	2 (40%)	0 (0%)
Judicial Election Process	0 (0%)	1 (20%)	2 (40%)	1 (20%)	1 (20%)
Advancement Opportunities	0 (0%)	0 (0%)	2 (40%)	3 (60%)	0 (0%)
Benefits	0 (0%)	0 (0%)	0 (0%)	5 (100%)	0 (0%)

Judges were asked if certain factors would compel them to continue service as a state judge. Four of the five respondents (80 percent) indicated that a change in salary would be a factor, and 60 percent indicated that a change in retirement benefits or policies would affect their decisions. One judge indicated that a "decrease in idle time" would have compelled him to stay on the bench.

<b>Factors That Would Compel Judges to Continue Service as State Judge September 1, 2011 through August 31, 2012</b>			
	<b>Yes</b>	<b>No</b>	<b>No Answer</b>
Change in Salary	4 (80%)	1 (20%)	0 (0%)
Change in Retirement Benefits/Policies	3 (60%)	2 (40%)	0 (0%)
Other: Decrease in Idle Time	1 (20%)	0 (0%)	4 (80%)
Change in Judicial Election Process	0 (0%)	4 (80%)	1 (20%)

#### *Next Steps for Judges after Resigning or Completing Their Terms*

Of the seven judges who voluntarily left office in FY 2012, two obtained other positions with better compensation, one retired but continued to serve as a visiting judge, one retired but continued to work in the private sector and serve as a visiting judge, and one became self employed.

<b>After Resigning or Completing Their Terms September 1, 2011 through August 31, 2012</b>		
	<b>Number of Judges</b>	<b>Percentage of Judges Leaving Voluntarily</b>
Obtain another position with higher salary and/or better benefits	2	28.6%
Unknown	2	28.6%
Retire but continue to work as a visiting judge	1	14.3%
Retire but continue to work in the private sector and as a visiting judge	1	14.3%
Self employed	1	14.3%
Obtain another position with comparable salary or benefits	0	0.0%
Retire and not continue to work	0	0.0%
Retire but continue to work in the private sector	0	0.0%
Retire but continue to work in state or local government	0	0.0%

# Activity of the Texas Courts

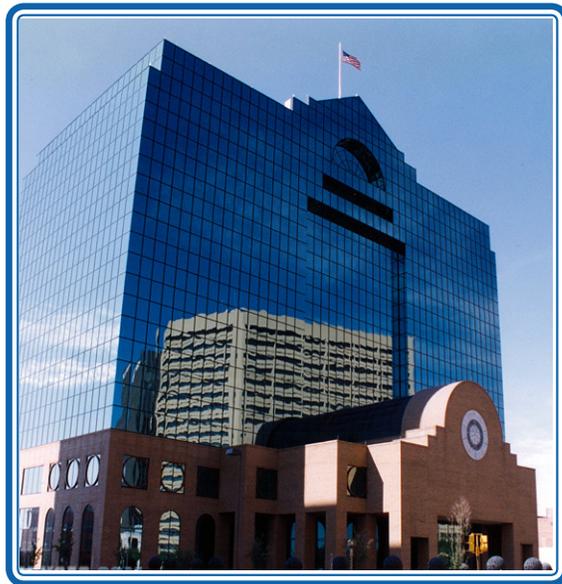


Photo courtesy of TexasCourthouses.com

*El Paso County Courthouse - El Paso*

## Cautionary Statement

Perhaps more caution should be used in drawing general conclusions from court statistics than from statistics on other subjects. These statistics do not attempt to portray everything courts or judges do, or how much time is spent on court-related activities not represented by these court statistics.

Regarding appellate courts, temporary emergencies such as illness of a judge or unusually burdensome cases may distort the statistical picture. In addition, there is no reliable way to ascertain the time spent by appellate or trial judges in study or research in the composing of their opinions and decisions.

At least three factors are not represented in the district court statistics presented and should be borne in mind when evaluating judicial output:

1. One very complicated case may consume an inordinate amount of time compared to less complicated cases.
2. The judges of district courts in most rural areas spend more time traveling than do their urban counterparts. Unlike most urban district courts, the district courts in rural areas often serve multiple counties to which the judge must regularly travel. Also, a metropolitan complex of many judges of identical jurisdiction permits judicial efficiencies not available in rural areas.
3. Judges have to spend many hours on administrative matters and other judicial functions not reported in this statistical report, e.g., preparing and submitting the necessary budget requests for the operation of the court to the county commissioners, impaneling grand juries, managing petit jury requirements, appointing community supervision directors and county auditors, handling juvenile justice board duties, and performing many other duties not related to their on-the-bench judicial functions.

As a result of their official position, many county-level court judges, justices of the peace, and municipal court judges also have non-judicial responsibilities in the community that are not reflected in these statistics.

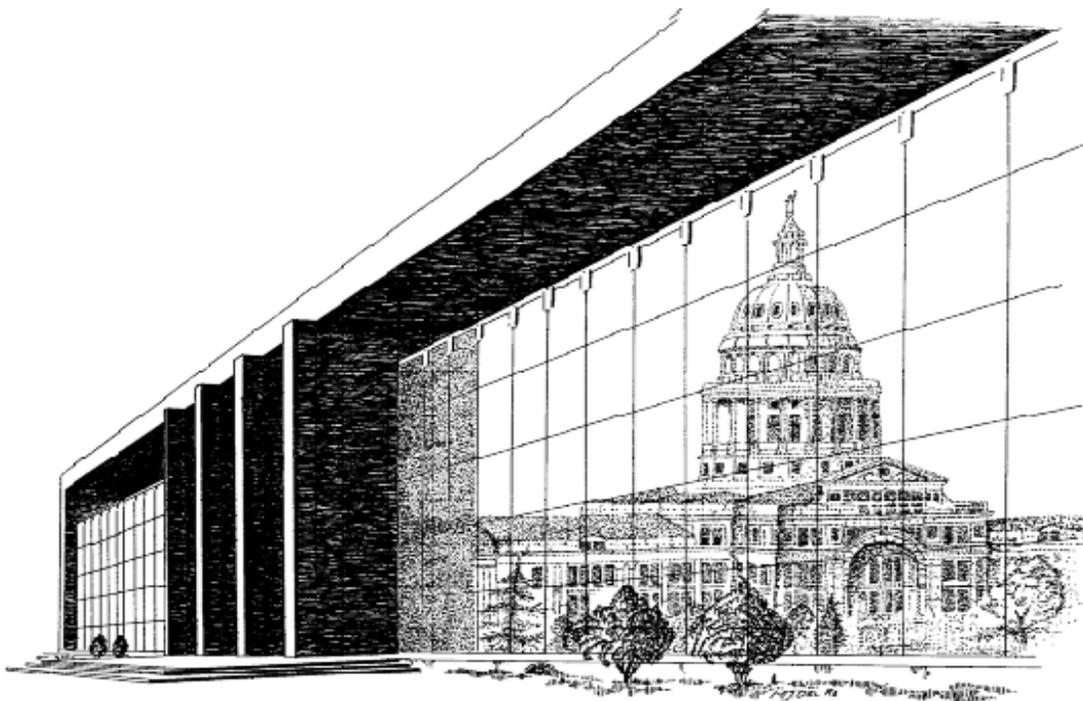
The court activity in this report contains the reported activity from: 1) all appellate courts as reported by the appellate clerks; 2) district and county-level courts as reported by the district and county clerks; and 3) justice and municipal courts as reported by these courts. **However, it should be noted that not all trial courts have reported all their activity. When this is the case, those counties or courts not reporting have been identified.**

In addition, clerks, judges, or other interested individuals may later discover inaccuracies in the data that were reported. As a result, amended reports may be filed after the release of this publication. Clerks may also later submit reports that had been missing at the time of publication, making the data more complete.

The latest trial court data are available from OCA's website at <http://card.txcourts.gov/>.

# Caseload Trends in the Appellate Courts

Analysis of Activity for the Fiscal Year  
Ended August 31, 2012



*Reflection of State Capitol on Supreme Court Building*

# The Supreme Court

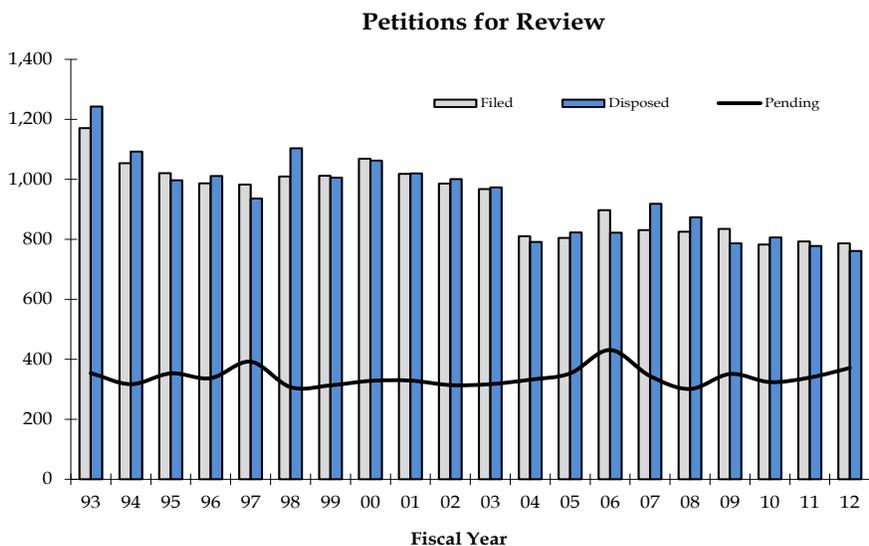
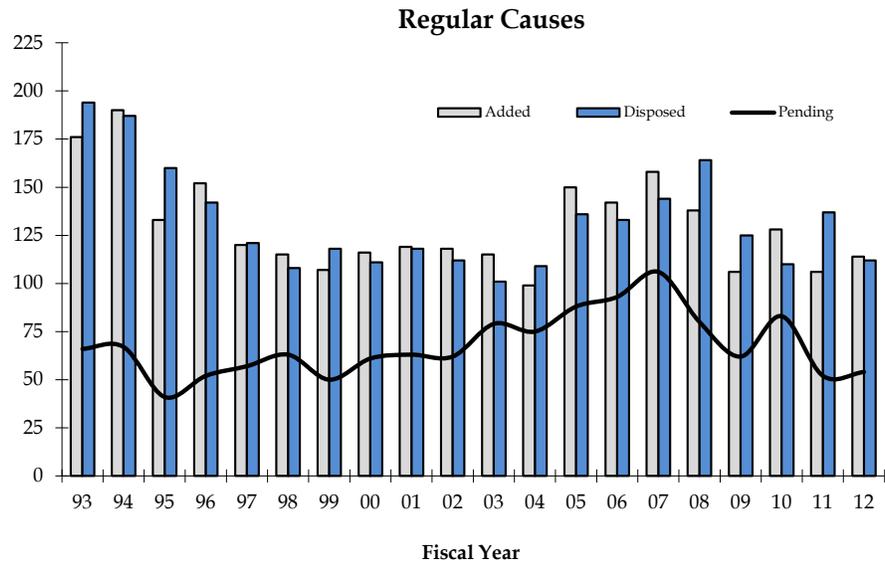
**Regular Causes<sup>1</sup>** - The 114 regular causes added to the court's docket in 2012 was 7.5 percent higher than the number added the year before (106 causes) but was still slightly below the five-year average of 118 causes added per year.

The court disposed of 112 causes in 2012, which was 18.2 percent fewer than the number disposed of in the previous year. Because of the increase in causes added and the decrease in dispositions, the clearance rate fell to 98.2 percent. The number of causes pending at the end of the year increased by two to 54. It should be noted that only seven argued cases remained pending on August 31, 2012.

The Supreme Court reversed the decision of the intermediate appellate court in approximately 61 percent of cases in which it granted a petition for review. It affirmed a decision in 9.8 percent of cases.

**Petitions for Review<sup>2</sup>** - In 2012, 787 petitions for review were filed in the Supreme Court—a decrease of 0.8 percent from the previous year and below the five-year average of 805 petitions filed per year.

Slightly more than half (51.6 percent) of the petitions for review filed during 2012 came from the five most populous counties—Harris, Dallas, Tarrant, Bexar and Travis. Harris County alone accounted for 22.4 percent of petitions filed. Twenty-eight percent of petitions for review were filed from the First and Fourteenth Courts of Appeals in Houston.

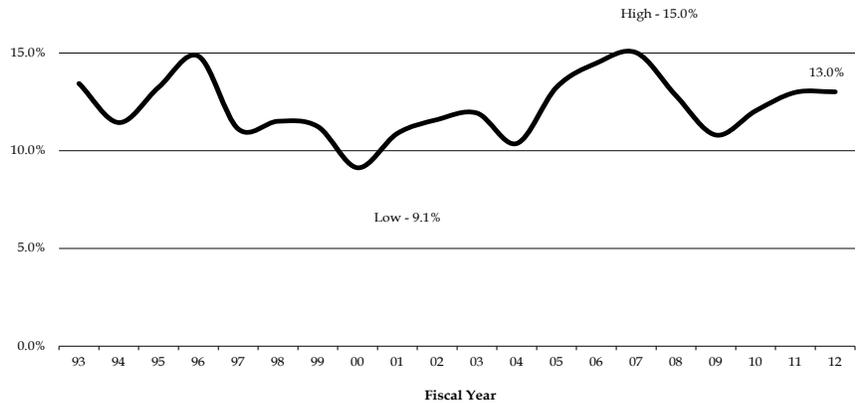


1. "Regular causes" involve cases in which four or more of the justices have decided in conference that a petition for review, petition for writ of mandamus or habeas corpus, or parental notification appeal should be reviewed. Regular causes also include direct appeals the court has agreed to review and questions of law certified to it by a federal appellate court that the court has agreed to answer. Most regular causes are set for oral argument in open court and are reported in written opinions. However, a petition may be granted and an unsigned opinion (per curiam) issued without oral argument if at least six members of the court vote accordingly.

2. Petitions for review do not include petitions for writs of mandamus, petitions for writs of habeas corpus, petitions for writs of prohibition and injunction, petitions to publish, parental notification appeals, or petitions for temporary injunctions.

The Supreme Court disposed of 761 petitions for review, a decrease of 2.2 percent from the previous year (778 petitions). Since petition filings exceeded the number of petitions disposed, the clearance rate fell to 96.7 percent, and the number of petitions pending at the end of the fiscal year increased 9.4 percent to 371.

Percentage of Petitions for Review Granted

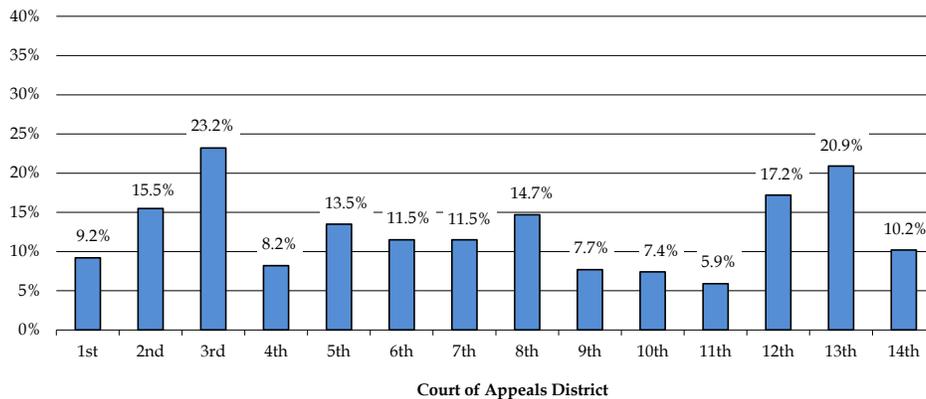


Initial review was granted in 13.0 percent of the petitions for review disposed of in 2012. Initial review was granted most frequently (23.2 percent) in petitions filed from the Third Court of Appeals (Austin) and least frequently (5.9 percent) in petitions filed from the Eleventh Court of Appeals (Eastland).

**Case Processing Times** - The time from filing to disposition for all cases disposed of in 2012 averaged 189 days. The average time that an active case had been pending increased from 168 to 170 days; the average time from date of oral argument to disposition decreased from 346 to 232 days; and the average time from granting of a petition to oral argument increased from 88 to 109 days.

**Opinions Written** - The justices of the Supreme Court issued 128 opinions during the fiscal year, a decrease of 21.0 percent from the number issued the previous year (162 opinions). Majority opinions accounted for 43.8 percent of the total, 29.7 percent were per curiam, 6.3 percent were concurring, 15.6 percent were dissenting, and 4.7 percent were concurring and dissenting. Over the past five years, justices issued an average of 157 opinions per year.

Petitions for Review Granted by Court of Appeals, Fiscal Year 2012



**Supreme Court Case Processing Times  
FY 2012**

Measure	Average Time
For cases disposed in FY 2012, time from filing to disposition	189 days
<i>For cases on docket in FY 2012:</i>	
For active cases, time from filing of case to end of reporting period (Aug. 31, 2012)	170 days
Time from filing to disposition of petition/motion	142 days
Time from granting of petition to oral argument	109 days
Time from filing of petition to release of per curiam opinion	539 days
Time from date of oral argument to date of disposition	232 days

## Supreme Court Activity Fiscal Years 2003 through 2012

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	10-Yr. Avg.
<b>Regular Causes:<sup>1</sup></b>											
Added to docket	115	99	150	142	158	138	106	128	106	114	126
Disposed	101	109	136	133	144	164	125	110	137	112	127
Pending at end of year	79	75	88	93	106	80	62	83	52	54	77
Clearance rate	87.8%	110.1%	90.7%	93.7%	91.1%	118.8%	117.9%	85.9%	129.2%	98.2%	101.2%
<b>Petitions for Review:</b>											
Filed	968	810	805	897	831	825	835	783	793	787	833
Disposed:											
<i>Granted</i>	116	82	109	119	138	112	85	97	101	99	106
<i>Other Dispositions</i>	857	709	714	703	781	762	702	709	677	662	729
Pending at end of year	317	332	353	431	344	301	351	324	339	371	346
Clearance rate	98.7%	97.7%	102.2%	91.6%	110.6%	105.9%	94.3%	102.9%	98.1%	96.7%	100.2%
<b>Other Writs and Motions:</b>											
Filed	306	302	280	270	255	266	304	426	336	323	307
Disposed	301	271	283	274	274	283	284	423	332	336	306
Pending at end of year	65	96	97	97	77	58	78	85	87	74	81
Clearance rate	98.4%	89.7%	101.1%	101.5%	107.5%	106.4%	93.4%	93.4%	98.8%	104.0%	99.8%
<b>Opinions Written</b>	128	122	136	145	170	212	165	118	162	128	150

NOTE:

1. "Regular causes" involve cases in which four or more of the justices have decided in conference that a petition for review, petition for writ of mandamus or habeas corpus, or parental notification appeal should be reviewed. Regular causes also include direct appeals the court has agreed to review and questions of law certified to it by a federal appellate court that the court has agreed to answer. Most regular causes are set for oral argument in open court and are reported in written opinions. However, a petition may be granted and an unsigned opinion (per curiam) issued without oral argument if at least six members of the court vote accordingly.

### Disposition of Petitions for Review by the Supreme Court September 1, 2011 through August 31, 2012

	Affirmed	Modified	Reversed	Dismissed	Other Disposition	Total	
<b>Granted Petitions for Review</b>	9	6	56	4	17	92	
% of Total Granted Petitions for Review	9.8%	6.5%	60.9%	4.3%	18.5%	100%	
	Initial Review Granted	Review Denied	Dismissed	Abated	Struck	Other Disposition	Total
<b>Petitions for Review</b>	99	609	31	8	13	1	761
% of Total Petitions for Review	13.0%	80.0%	4.1%	1.1%	1.7%	0.1%	100%

# The Court of Criminal Appeals

**Mandatory Caseload** - The caseload of the Court of Criminal Appeals consists primarily of mandatory matters—review of applications for post conviction habeas corpus relief in felony cases, original proceedings, and direct appeals. In 2012, mandatory matters comprised approximately 76 percent of all cases added to the docket.

Filings of mandatory matters increased 9.7 percent from the previous year to 5,888 cases. In particular, direct appeals increased 20.2 percent to 256 cases, applications for writs of habeas corpus increased 9.9 percent to 4,701 cases, and original proceedings increased 6.2 percent to 931 cases.

Overall, disposition of mandatory matters increased 6.6 percent from the previous year to 5,743 cases. Since the increase in dispositions was less than the growth in cases added, the clearance rate decreased to 97.5 percent.

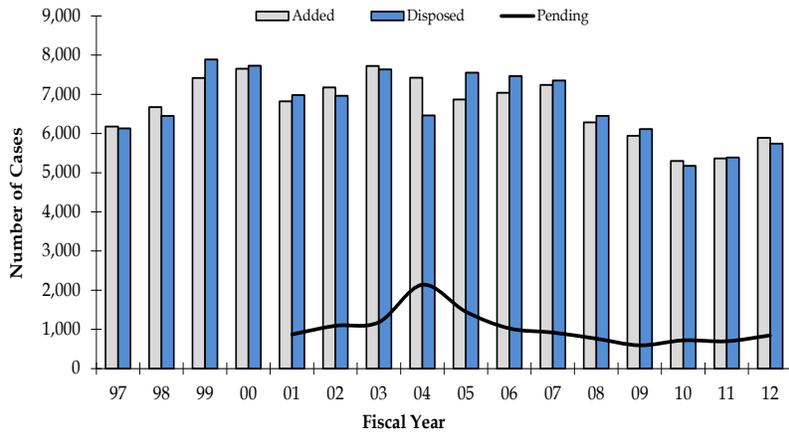
The court denied 48.7 percent of applications for writs of habeas corpus and denied 69.4 percent of original proceedings, compared to the denial of only 4.6 percent of direct appeals for habeas corpus and extraordinary matters.

## Death Penalty Appeals

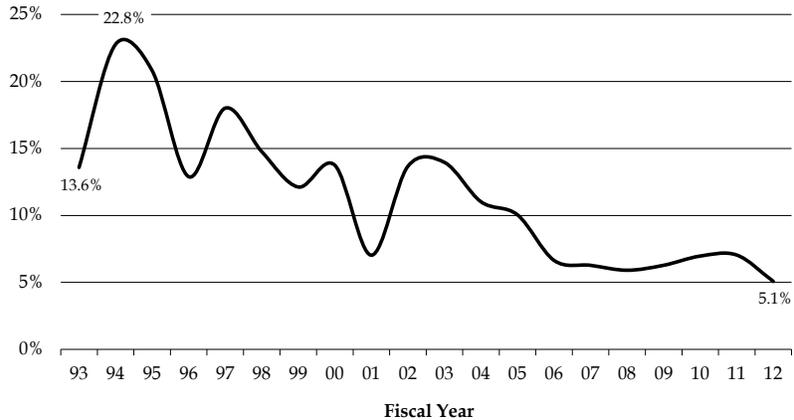
Of the direct appeal cases filed in 2012, 5.1 percent involved death penalty appeals, the lowest percentage since at least 1989. The 20-year high of 22.8 percent occurred in 1994. In 2012, the court affirmed 17 death penalty cases and dismissed 2 death penalty appeals.

**Discretionary Caseload** - The number of petitions for discretionary review and redrawn petitions for discretionary review filed with the Court of Criminal Appeals increased 4.1 percent in 2012 to 1,765 cases.

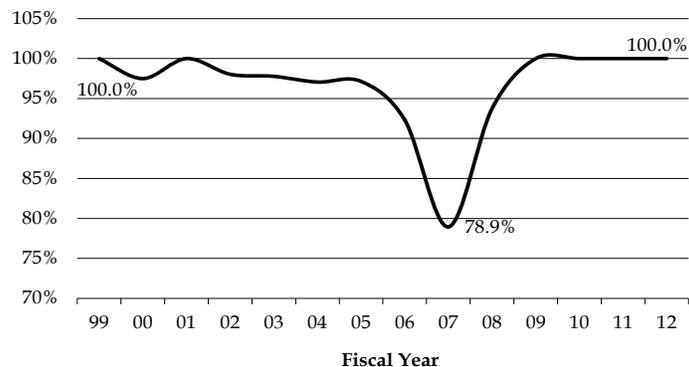
**Mandatory Caseload in the Court of Criminal Appeals**



**Percentage of Direct Appeals Cases Involving the Death Penalty**



**Death Sentences Affirmed by the Court of Criminal Appeals**



Petitions filed from the five most populous counties—Harris, Dallas, Tarrant, Bexar, and Travis—representing 48.6 percent of all petitions filed in 2012, increased for the first time since 2003. Petitions filed from the remaining counties in the state reached a high of 57.5 percent in 2011 but fell to 51.4 percent in 2012. Before 2005, these 249 counties had never accounted for more than 40 percent of petitions filed in any one fiscal year.

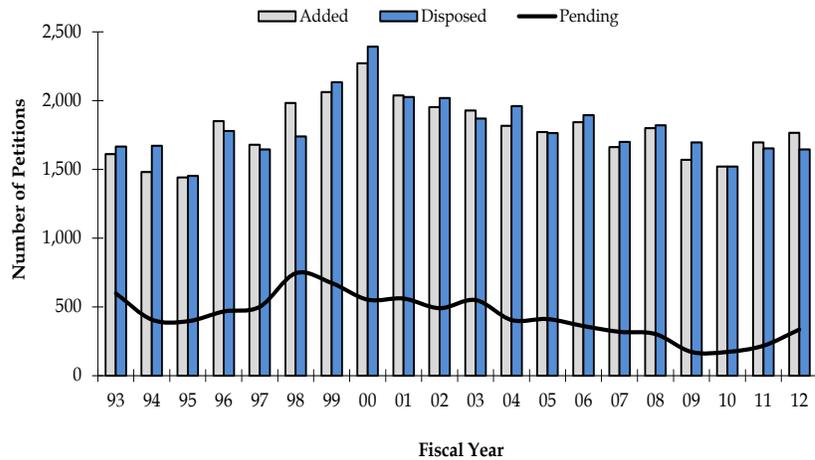
In 2012, the number of petitions for discretionary review and redrawn petitions for discretionary review disposed (1,645 cases) was nearly identical to the number disposed during the previous year. Since the number of cases added outpaced the number of cases disposed, the clearance rate for this portion of the court's caseload was 93.2 percent. At the end of the fiscal year, 335 cases were pending—a 54.4 percent increase from the 217 cases pending at the end of the previous year.

Of the petitions and redrawn petitions for discretionary review disposed in 2012, initial review was granted in 6.4 percent of the cases.

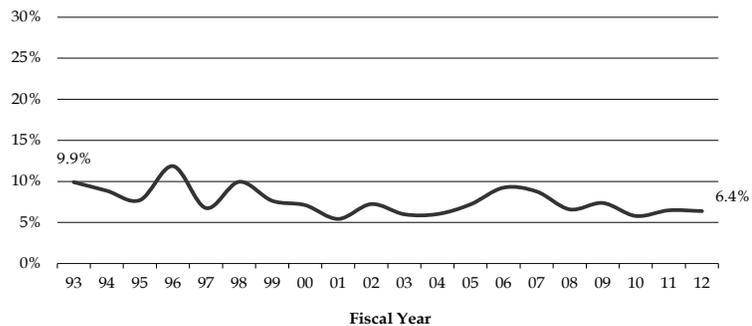
Initial review was granted most frequently (16.1 percent) in petitions filed from the Ninth Court of Appeals (Beaumont) and was granted least frequently (2.7 percent) in petitions filed from the Tenth Court of Appeals (Waco).

**Opinions Written** - The judges of the Court of Criminal Appeals issued 480 opinions in 2012, an increase of 12.1 percent from the number issued the previous year (428 opinions). Approximately 28 percent of opinions were signed, 51.5 percent were per curiam, 9.0 percent were concurring, 11.5 percent were dissenting, and 0.4 percent were concurring and dissenting.

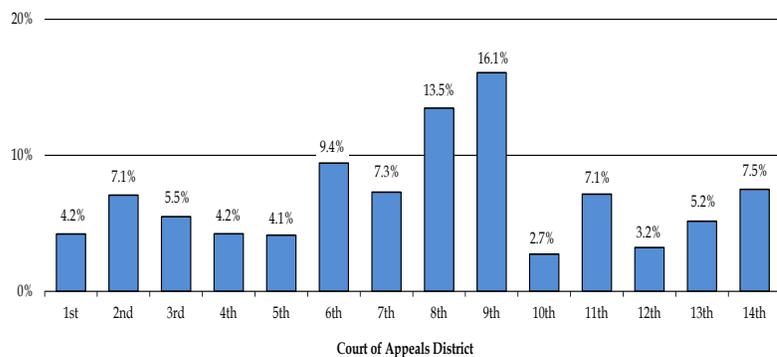
**Petitions for Discretionary Review**



**Percentage of Petitions for Discretionary Review Granted**



**Petitions for Review Granted by Court of Appeals, Fiscal Year 2012**



**Court of Criminal Appeals  
Case Processing Times  
FY 2012**

*Average time from filing to disposition for cases involving:*

Capital punishment	616 days
Application for writ of habeas corpus	24 days
Petition for discretionary review	60 days

## Court of Criminal Appeals Activity Fiscal Years 2003 through 2012

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	10-Yr. Avg.
<b>Direct Appeals:<sup>1</sup></b>											
Added to docket	308	245	239	256	255	237	223	201	213	256	243
Disposed	306	253	239	269	268	240	229	211	214	263	249
Pending at end of year	89	84	84	72	60	58	52	42	41	34	62
Clearance rate	99.4%	103.3%	100.0%	105.1%	105.1%	101.3%	102.7%	105.0%	100.5%	102.7%	102.4%
<b>Applications for Writ of Habeas Corpus:<sup>2</sup></b>											
Filed	6,660	6,342	6,046	5,987	6,060	5,154	4,872	4,329	4,276	4,701	5,443
Disposed	6,611	5,448	6,609	6,381	6,158	5,290	5,017	4,215	4,304	4,568	5,460
Pending at end of year	948	1,836	1,267	853	762	628	482	599	568	706	865
Clearance rate	99.3%	85.9%	109.3%	106.6%	101.6%	102.6%	103.0%	97.4%	100.7%	97.2%	100.3%
<b>Original Proceedings:<sup>3</sup></b>											
Filed	758	834	583	796	922	894	846	768	877	931	821
Disposed	721	761	702	812	924	918	868	747	867	912	823
Pending at end of year	147	219	99	101	98	78	60	80	89	107	108
Clearance rate	95.1%	91.2%	120.4%	102.0%	100.2%	102.7%	102.6%	97.3%	98.9%	98.0%	100.3%
<b>Petitions for Discretionary Review:<sup>4</sup></b>											
Filed	2,039	1,935	1,897	2,017	1,810	1,904	1,703	1,605	1,803	1,872	1,859
Disposed	2,028	2,068	1,886	2,009	1,872	1,968	1,800	1,650	1,762	1,759	1,880
Pending at end of year	629	496	507	516	450	391	291	246	288	399	421
Clearance rate	99.5%	106.9%	99.4%	99.6%	103.4%	103.4%	105.7%	102.8%	97.7%	94.0%	101.2%
<b>Motions Considered</b>	1,479	1,597	1,382	1,576	1,707	1,463	1,789	1,434	1,449	1,593	1,547
<b>Opinions Written</b>	612	471	474	486	575	500	447	433	428	480	491

**NOTES:**

- Direct appeals include death penalty appeals, DNA appeals, and appeals involving habeas corpus or extraordinary matters.
- Applications for writ of habeas corpus, though seeking relief from the Court of Criminal Appeals, must be filed in the trial court, which has 35 days in which to submit findings of fact, conclusions of law, and a recommendation to the Court of Criminal Appeals.
- Original proceedings are filed directly with the Court of Criminal Appeals. They include writs of certiorari, writs of habeas corpus, writs of mandamus, and writs of prohibition.
- Petitions for Discretionary Review include petitions for discretionary review, granted petitions for discretionary review, and redrawn petitions for discretionary review.

### Disposition of Cases by the Court of Criminal Appeals September 1, 2011 through August 31, 2012

	Affirmed	Dismissed	Total				
Death Penalty Appeals	17	2	19				
	Granted	Denied/ Refused	Dismissed	Withdrawn	Struck	Untimely	Total
Habeas Corpus & Extraordinary Matters	224	11	3	0	0	0	241 <sup>1</sup>
Petitions for Discretionary Review <sup>2</sup>	105	1,336	10	0	142	52	1,645
	Affirmed	Reversed	Reversed & Remanded	Remanded	Mixed	Dismissed	Total
Granted Petitions for Discretionary Review	43	8	37	16	1	9	114
	Filed & Set	Denied	Remanded	Dismissed	Returned	Abated	Total
Applications for Writ of Habeas Corpus	233	2,223	329	1,783	0	0	4,568
Original Proceedings	2	633	0	74	0	203	912
	Granted	Denied	Dismissed	Filed & Set	Remanded	Other	Total
Motions for Stay of Execution	1	5	2	0	0	0	8

- NOTES: 1. Three cases were remanded to the trial court.  
2. Includes redrawn petitions for discretionary review.

# The Courts of Appeals

**Cases Filed** – In 2012, the number of cases added in the Courts of Appeals overall decreased by 1.5 percent from the previous year to 11,923 cases; however, this number was higher than the 10-year average of 11,638 cases added per year. The decline in cases added was the result of a 0.2 percent decrease in new filings and 9.7 percent decrease in other cases.<sup>1</sup>

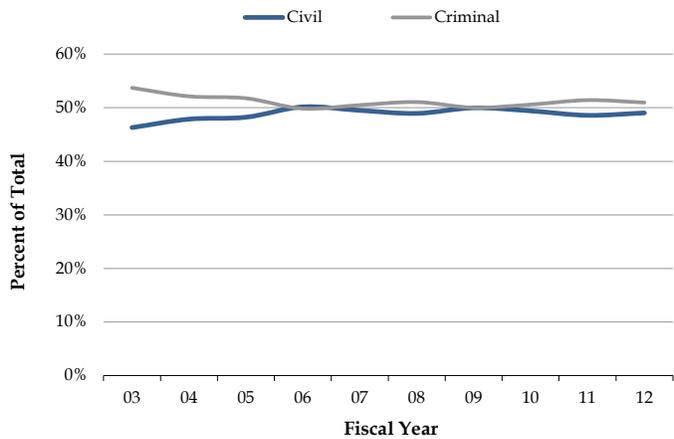
Civil cases accounted for 49.0 percent, and criminal cases 51.0 percent, of all new filings in 2012. Over the last decade, civil filings generally grew as a proportion of all new cases filed—from 46.3 percent of all new filings in 2003 to 49.0 percent in 2012. Over the past five years, civil and criminal cases each accounted for approximately half of the courts’ dockets.

Approximately 48 percent of all appeals filed in 2012 came from the state’s five most populous counties—Harris, Dallas, Bexar, Tarrant and Travis. Nearly 17 percent came from Harris County alone, and 13.1 percent came from Dallas County.

**Cases Disposed** – In 2012, the courts of appeals disposed of 11,709 cases—a decrease of 1.9 percent compared to the previous year’s dispositions. Almost two-fifths (38.8 percent) of the cases disposed of in 2012 were affirmed, 9.0 percent were reversed, 11.1 percent had a mixed disposition (i.e., affirmed in part and reversed in part), and 22.5 percent were dismissed. The remainder of cases had other dispositions.

The average time between filing and disposition for all cases decreased from 8.4 to 8.2 months. For civil cases, the time to disposition decreased from 8.3 months in 2011 to 7.9 months in 2012. For criminal cases, the time to disposition increased from 8.4 months in 2011 to 8.6 months in 2012.

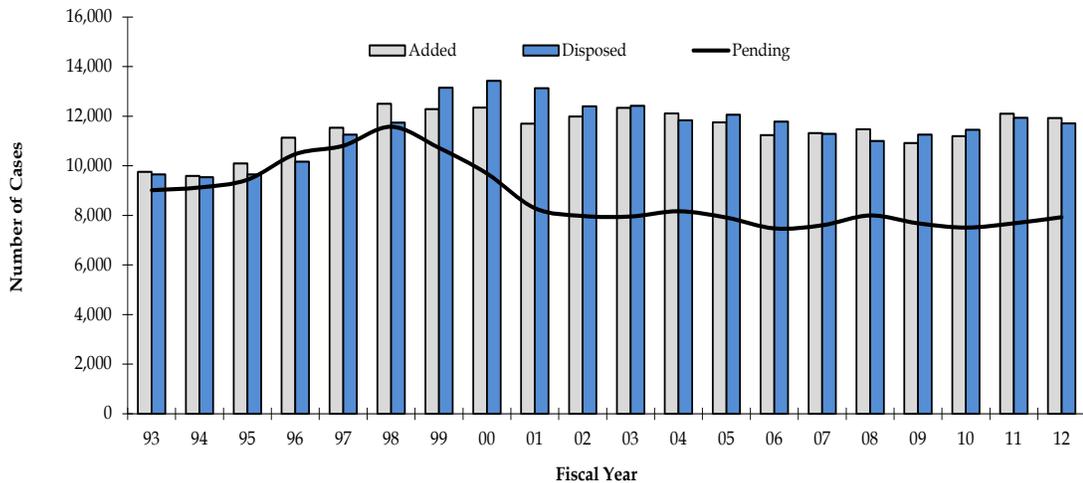
**New Filings**



**Top Five Counties from Which Appeals Were Filed in FY 2012**

Civil Cases	Criminal Cases	Overall
Harris - 18.7%	Harris - 14.6%	Harris - 16.6%
Dallas - 14.7%	Dallas - 11.6%	Dallas - 13.1%
Tarrant - 7.6%	Tarrant - 9.2%	Tarrant - 8.4%
Travis - 7.4%	Bexar - 5.2%	Bexar - 5.2%
Bexar - 5.3%	Jefferson - 5.0%	Travis - 4.8%

**Total Cases Added, Disposed, and Pending**



1. Rehearings granted, cases reinstated, cases remanded from higher courts, and transferred cases.

The average time between submission and disposition for all cases decreased from 1.5 months in 2011 to 1.4 months in 2012. The average time for civil cases remained unchanged at 1.6 months, while the average time for criminal cases decreased from 1.4 to 1.2 months.

The number of cases disposed of by the courts of appeals was 214 less than the number added, resulting in a clearance rate of 98.2 percent, which was below the 10-year average of 100.3 percent.

**Cases Pending** – At the end of 2012, a total of 7,929 cases were pending statewide, up 3.2 percent from the number pending at the end of the previous year. More than half (53.9 percent) of these cases had been pending for fewer than six months, and 83.0 percent had been pending for less than one year. The percentage of cases pending more than two years increased from 0.4 percent in 2011 to 0.8 percent in 2012.

**Opinions Written** – During 2012, the justices of the courts of appeals issued 10,975 opinions, 53.9 percent of which were published. Since 2004, the rate of publication has exceeded 50 percent due to a change in the Texas Rules of Appellate Procedure in 2003.<sup>2</sup>

**Docket Equalization** – To reduce disparities in the number of new cases filed per justice among the courts of appeals, the Supreme Court issues quarterly orders for the transfer of cases from those courts with higher new case filing rates per justice to those with lower rates.

In 2012, the statewide average number of new filings per justice was 130 cases before any transfers. The number of new cases filed per justice ranged from 89 cases in the Eighth Court of Appeals (El Paso) to 165 cases in the Second Court of Appeals (Fort Worth). The average percentage difference of the 14 courts from the statewide average was 14.9 percent.

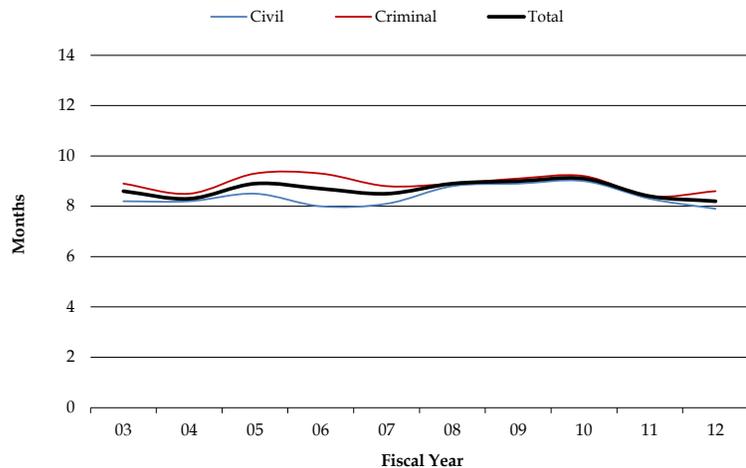
A total of 626 cases were transferred among the courts of appeals during the year in an effort to equalize the workloads of the courts. The Second Court of Appeals (Fort Worth) transferred out the most cases (214 cases),

while the Eighth Court of Appeals (El Paso) and the Thirteenth Court of Appeals (Corpus Christi/Edinburg) each received the largest number of transferred cases (126 cases).

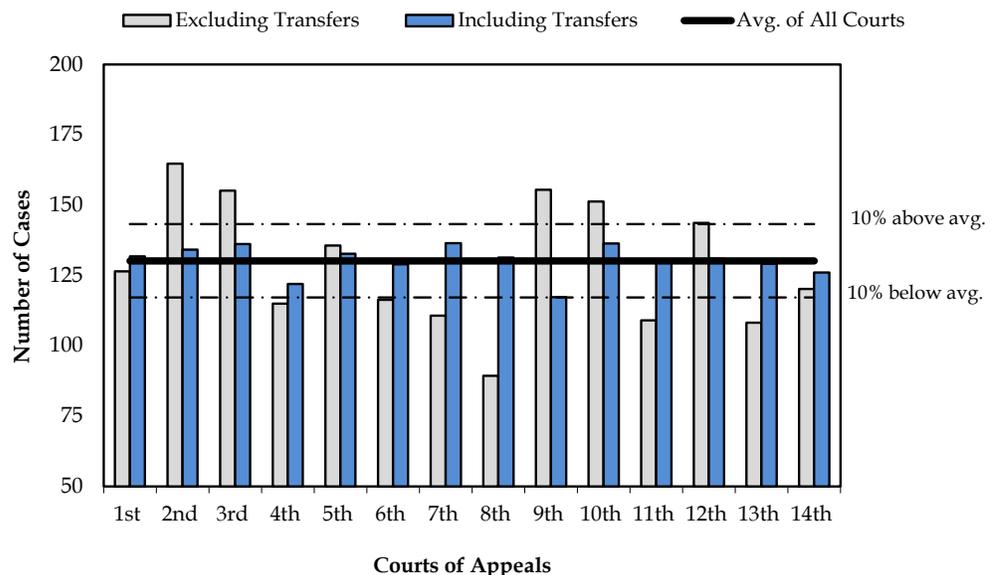
As a result of these transfers, the number of cases filed per justice ranged from a low of 117 cases per justice in the Ninth Court

2. An amendment to Rule 47, Texas Rules of Appellate Procedure, effective January 1, 2003, required all civil opinions to be made public (except those in parental notification of abortion matters) and abolished the “do not publish” designation in civil cases.

**Average Time Between Filing & Disposition**



**New Filings Per Justice**



of Appeals (Beaumont) to a high of 137 cases filed per justice in the Seventh Court of Appeals (Amarillo). After transfers, the average percentage difference of the 14 courts from the statewide average was only 3.1 percent—exceeding the goal of 10 percent, maximum, set by the Texas Legislature.<sup>3</sup>

## Courts of Appeals Activity for Fiscal Years 2003 through 2012

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	10-Yr. Avg.
<b>Civil Cases:</b>											
Cases added											
<i>New filings</i>	4,888	4,999	5,013	4,971	4,940	4,949	4,733	4,811	5,070	5,107	4,948
<i>Other cases</i>	351	326	378	419	378	353	408	401	490	458	396
Cases disposed	5,172	5,220	5,441	5,440	5,286	5,136	5,279	5,274	5,568	5,487	5,330
Cases pending at end of year	3,288	3,427	3,398	3,376	3,457	3,569	3,425	3,391	3,380	3,484	3,420
Clearance rate	98.7%	98.0%	100.9%	100.9%	99.4%	96.9%	102.7%	101.2%	100.1%	98.6%	99.7%
Avg. time between filing & disposition (months)	8.2	8.2	8.5	8.0	8.1	8.8	8.9	9.0	8.3	7.9	8.4
Avg. time between submission & disposition (months)	2.8	2.8	2.8	2.3	2.1	2.3	2.4	2.0	1.6	1.6	2.3
<b>Criminal Cases:</b>											
Cases added											
<i>New filings</i>	5,671	5,444	5,381	4,939	5,039	5,163	4,737	4,926	5,366	5,309	5,198
<i>Other cases</i>	1,431	1,342	982	908	960	1,008	1,043	1,063	1,178	1,049	1,096
Cases disposed	7,248	6,610	6,617	6,344	6,000	5,869	5,975	6,179	6,368	6,222	6,343
Cases pending at end of year	4,588	4,740	4,515	4,100	4,144	4,429	4,256	4,118	4,301	4,445	4,364
Clearance rate	102.1%	97.4%	104.0%	108.5%	100.0%	95.1%	103.4%	103.2%	97.3%	97.9%	100.8%
Avg. time between filing & disposition (months)	8.9	8.5	9.3	9.3	8.8	8.9	9.1	9.2	8.4	8.6	8.9
Avg. time between submission & disposition (months)	1.9	1.7	1.9	1.7	1.5	1.6	1.4	2.5	1.4	1.2	1.7
<b>All Cases:</b>											
Cases added											
<i>New filings</i>	10,559	10,443	10,394	9,910	9,979	10,112	9,470	9,737	10,436	10,416	10,146
<i>Other cases</i>	1,782	1,668	1,360	1,327	1,338	1,361	1,451	1,464	1,668	1,507	1,493
Cases disposed	12,420	11,830	12,058	11,784	11,286	11,005	11,254	11,453	11,936	11,709	11,674
Cases pending at end of year	7,876	8,167	7,913	7,476	7,601	7,998	7,681	7,509	7,681	7,929	7,783
Clearance rate	100.6%	97.7%	102.6%	104.9%	99.7%	95.9%	103.0%	102.2%	98.6%	98.2%	100.3%
Avg. time between filing & disposition (months)	8.6	8.3	8.9	8.7	8.5	8.9	9.0	9.1	8.4	8.2	8.7
Avg. time between submission & disposition (months)	2.2	2.2	2.3	2.0	1.8	2.0	1.9	1.7	1.5	1.4	1.9
<b>Opinions Written</b>	11,404	11,363	11,461	11,408	10,921	10,348	10,765	10,742	11,061	10,975	11,045

3. "It is the intent of the Legislature that the Supreme Court equalize the dockets of the 14 courts of appeals. Equalization shall be considered achieved if the new cases filed each year per justice are equalized by 10 percent or less among all the courts of appeals" (82<sup>nd</sup> Legislature, H.B. 1, Supreme Court Rider 3).

# Activity for the Fiscal Year Ended August 31, 2012

	1st Houston	2nd Fort Worth	3rd Austin	4th San Antonio	5th Dallas	6th Texarkana	7th Amarillo	8th El Paso	9th Beaumont	10th Waco	11th Eastland	12th Tyler	13th Corpus Christy/ Edinburg	14th Houston
Number of Justices	9	7	6	7	13	3	4	3	4	3	3	3	6	9
<b>Civil Cases:</b>														
Cases added	671	532	547	492	969	138	218	215	188	184	168	148	395	700
Cases disposed	732	534	445	468	915	148	210	179	186	199	158	147	430	736
Cases pending at end of year	499	274	399	248	633	50	134	202	126	105	123	81	222	388
Clearance rate (%)	109.1%	100.4%	81.4%	95.1%	94.4%	107.3%	96.3%	83.3%	98.9%	108.2%	94.1%	99.3%	108.9%	105.1%
Avg. time between filing & disposition (months)	10.2	6.6	7.8	6.2	8.2	4.9	6.8	10.8	7.6	7.9	9.9	7.5	7.9	7.0
Avg. % of cases filed but not yet disposed for < 2 years	98.5%	99.5%	97.9%	99.8%	98.1%	99.7%	100.0%	99.0%	100.0%	98.2%	100.0%	100.0%	98.3%	99.7%
Avg. time between submission & disposition (months)	1.5	2.3	1.3	0.8	1.6	0.5	1.6	1.6	2.0	1.0	1.7	2.4	1.4	1.8
Avg. % of cases under submission for < 1 year	98.2%	96.7%	89.7%	100.0%	96.0%	100.0%	99.1%	98.8%	100.0%	95.1%	100.0%	99.3%	98.1%	99.4%
<b>Criminal Cases:</b>														
Cases added	656	548	339	402	1,304	275	409	188	284	268	258	259	553	615
Cases disposed	627	564	333	380	1,367	268	386	159	289	246	223	262	522	596
Cases pending at end of year	534	425	263	243	798	129	296	232	209	204	275	146	305	386
Clearance rate	95.6%	102.9%	98.2%	94.5%	104.8%	97.5%	94.4%	84.4%	101.8%	91.8%	86.4%	101.2%	94.4%	96.9%
Avg. time between filing & disposition (months)	10.5	8.9	10.6	6.7	7.6	6.4	8.5	12.7	7.2	9.2	13.7	7.3	7.8	8.3
Avg. % of cases filed but not yet disposed for < 2 years	99.3%	99.8%	99.3%	100.0%	99.9%	100.0%	99.9%	99.4%	100.0%	99.6%	100.0%	100.0%	99.9%	100.0%
Avg. time between submission & disposition (months)	1.1	2.2	0.8	0.6	1.5	0.3	1.4	1.5	1.0	0.2	1.8	1.2	1.0	1.4
Avg. % of cases under submission for < 1 year	96.0%	99.8%	99.2%	100.0%	99.2%	100.0%	99.6%	100.0%	100.0%	100.0%	98.3%	99.0%	99.6%	98.9%
<b>All Cases:</b>														
Cases added	1,327	1,080	886	894	2,273	413	627	403	472	452	426	407	948	1,315
Cases disposed	1,359	1,098	778	848	2,282	416	596	338	475	445	381	409	952	1,332
Cases pending at end of year	1,033	699	662	491	1,431	179	430	434	335	309	398	227	527	774
Clearance rate	102.4%	101.7%	87.8%	94.9%	100.4%	100.7%	95.1%	83.9%	100.6%	98.5%	89.4%	100.5%	100.4%	101.3%
Avg. time between filing & disposition (months)	10.3	7.8	9.0	6.5	7.9	5.9	7.9	11.7	7.3	8.7	12.1	7.4	7.8	7.5
Avg. % of cases filed but not yet disposed for < 2 years	98.9%	99.7%	98.5%	99.9%	99.1%	99.9%	100.0%	99.3%	100.0%	99.1%	100.0%	100.0%	99.2%	99.8%
Avg. time between submission & disposition (months)	1.3	2.2	1.1	0.7	1.5	0.4	1.5	1.5	1.4	0.6	1.8	1.6	1.2	1.6
Avg. % of cases under submission for < 1 year	97.4%	98.3%	92.4%	100.0%	97.5%	100.0%	99.3%	99.3%	100.0%	97.0%	99.1%	99.1%	98.6%	99.3%
<b>Opinions Issued</b>	1,284	1,024	919	855	1,796	412	647	340	488	415	334	415	808	1,238
<b>Published Opinions</b>	799	577	566	501	897	200	278	187	208	210	149	166	382	794

# Caseload Trends in the Trial Courts

Analysis of Activity for the Fiscal Year  
Ended August 31, 2012



Photo courtesy of TexasCourthouses.com

*Runnels County Courthouse - Ballinger*

# Trends in Texas District and County-Level Courts

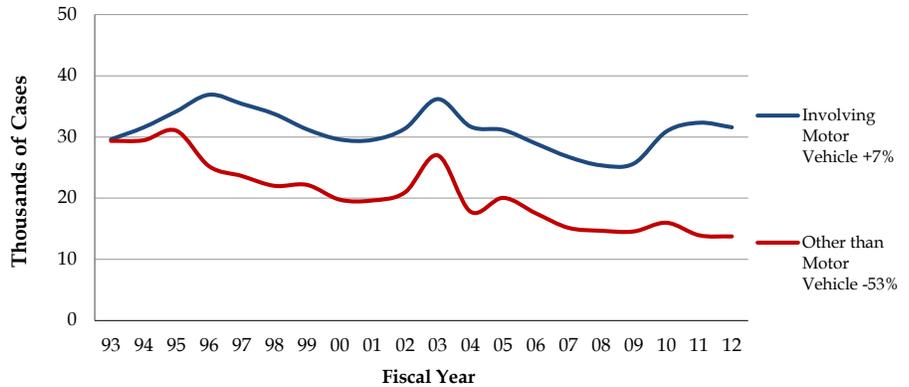
## Injury and Damage Cases -

Overall, new filings of injury and damage cases decreased 23 percent between 1993 and 2012. Within this category, cases of injury or damage involving a motor vehicle increased 7 percent (from 29,615 to 31,586 cases), while cases of injury or damage not involving a motor vehicle declined 53 percent (from 29,369 to 13,746 cases). Multiple legislative changes during these years impacted the volume of cases filed. A wave of new filings hit the courts at the end of fiscal year 2003 as litigants attempted to get their cases filed before the Medical Malpractice and Tort Reform Act went into effect on September 1, 2003.<sup>1</sup> Since then, injury or damage cases not involving a motor vehicle continued a general decline. Injury or damage cases involving a motor vehicle also declined from 2003 to 2009, but increased over the next two years.

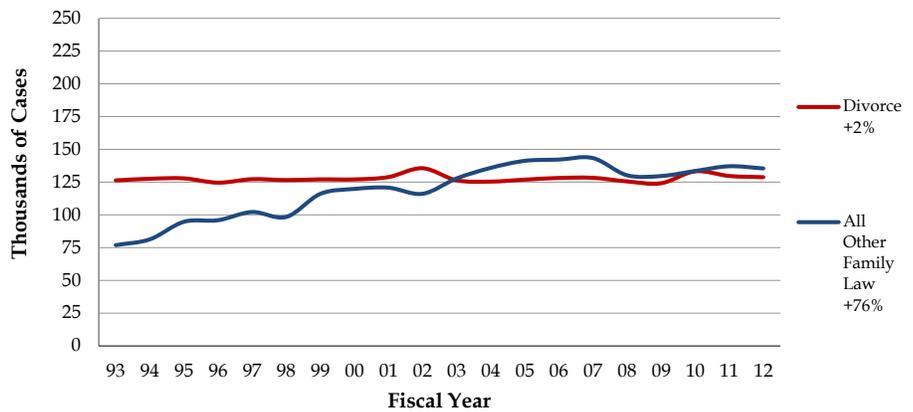
**Family Law Cases -** Although the number of divorce cases filed in district and county-level courts remained relatively steady with only a two percent increase over the past two decades, the number of cases involving “all other family law matters” grew by 76 percent (from 76,892 cases in 1993 to 135,159 cases in 2012).

One factor that may be driving the general increase in “all other family law matters” is the increase in child support cases. The Texas Office of the Attorney General’s Child Support Division reports that child support cases with court orders rose 425 percent from 278,739 in 1993 to 1,107,725 in 2012. This statistic does not include privately arranged child support cases; however, it does indicate the large growth in this type of case.

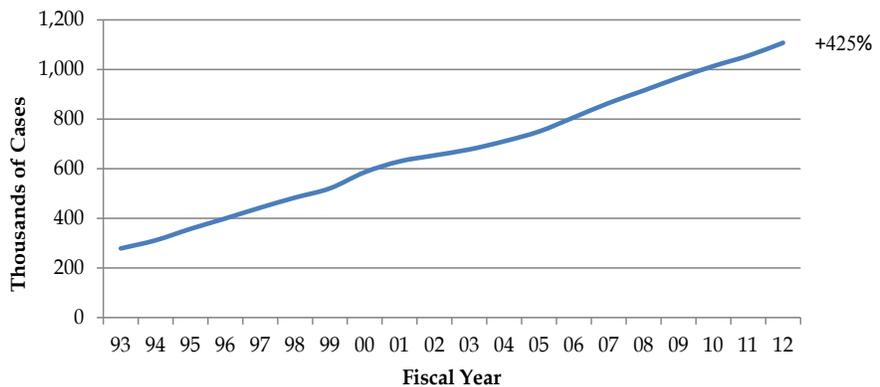
**New Injury or Damage Cases Filed in District and County-Level Courts**



**New Divorce and All Other Family Law Cases Filed in the District and County-Level Courts**



**Child Support Cases With Orders**



1. Medical Malpractice and Tort Reform Act, 78<sup>th</sup> Leg. R.S., Chap. 204, 2003 Tex. Sess. Law Serv. 847.

**Debt Cases** - Debt cases in county-level courts dropped 5 percent between 1993 (26,522 cases) and 1994 (25,308 cases), rose steadily to a 20-year high in 2007 (89,916 cases), then dropped 50 percent to 44,542 cases in 2012. In district courts, new filings dropped 13 percent between 1993 (21,220 cases) and 1996 (18,394 cases), rose 193 percent to a high of 53,953 cases in 2010, but then dropped 40 percent to 32,456 cases in 2012.

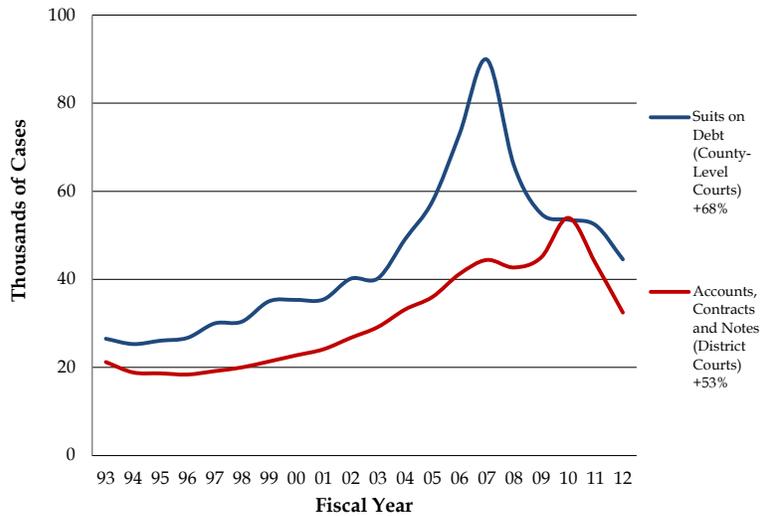
**Criminal Cases** - One category of criminal cases increased more than 100 percent over the past 20 years. Felony assault or attempted murder cases increased 112 percent (from 12,388 to 26,212 cases).

Felony and misdemeanor drug offense cases increased 136 percent from 1993 to 2007 (from 68,164 to a peak of 160,866 cases). Since 2007, however, the number of drug cases filed has declined by 18 percent (to 131,768 cases in 2012).

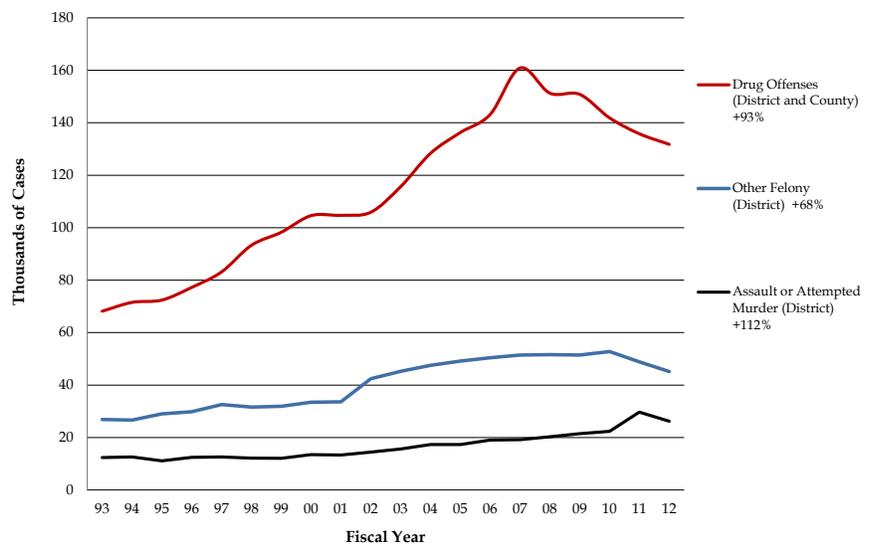
“Other felonies” increased by the third largest percentage (68 percent) over the last two decades (from 26,894 to 45,131 cases).

**Traffic Cases** - From 1993 to 2007, traffic cases grew 272 percent (from 19,953 to 74,145 cases). From 2007 to 2009, the number of traffic cases dropped 69 percent to 22,854 cases, but then increased 65 percent to 37,653 cases in 2012.

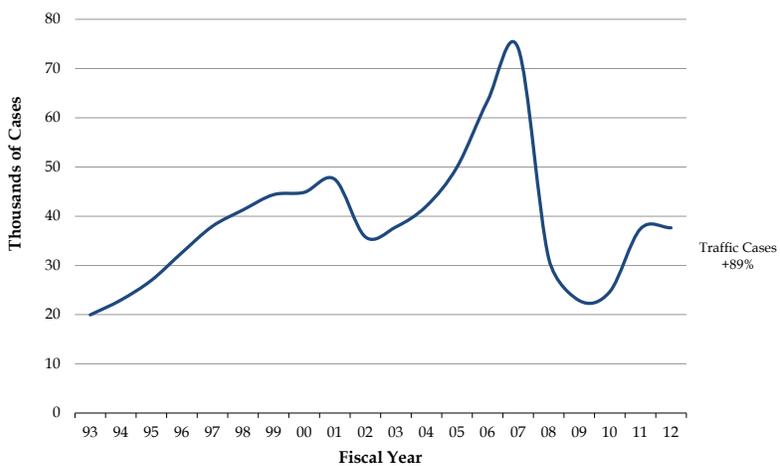
**New Suits on Debt and Accounts, Contracts & Notes Cases Filed in District and County-Level Courts**



**District and County-Level Courts Criminal Case Types with Largest Percentage Increase in New Filings**



**County-Level Courts New Traffic Cases Filed**



## Assigned Judges in the Trial Courts

### Statistics For the Fiscal Year Ended August 31, 2012

	<u>1st</u> <u>Region</u>	<u>2nd</u> <u>Region</u>	<u>3rd</u> <u>Region</u>	<u>4th</u> <u>Region</u>	<u>5th</u> <u>Region</u>	<u>6th</u> <u>Region</u>	<u>7th</u> <u>Region</u>	<u>8th</u> <u>Region</u>	<u>9th</u> <u>Region</u>	<u>Total</u>
<b>By the Chief Justice of the Supreme Court<sup>1</sup></b>										
<b>Assignments to the Administrative Regions:</b>										
Number of Assignments:										
Senior/Former Appellate Judges	0	0	0	0	0	0	0	0	0	0
Active District Judges	0	0	6	0	2	0	1	6	0	15
Senior/Former District Judges	0	0	0	0	0	0	0	0	0	0
Active Statutory County Court Judges	0	0	0	0	0	0	0	0	0	0
Retired/Former Statutory County Court Judges	0	0	0	0	0	0	0	0	0	0
<b>TOTAL Assignments</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>6</b>	<b>0</b>	<b>15</b>
Days Served:										
Senior/Former Appellate Judges	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Active District Judges	0.0	0.0	0.0	0.0	4.0	0.0	1.0	6.0	0.0	11.0
Senior/Former District Judges	0.0	0.0	0.0	0.0	0.0	11.0	0.0	0.0	0.0	11.0
Active Statutory County Court Judges	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Retired/Former Statutory County Court Judges	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL Days Served</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>4.0</b>	<b>11.0</b>	<b>1.0</b>	<b>6.0</b>	<b>0.0</b>	<b>22.0</b>
<b>By Presiding Judges of Administrative Regions<sup>1</sup></b>										
<b>Assignments within the Administrative Regions:</b>										
Number of Assignments:										
Active Appellate Judges	1	0	0	0	0	0	0	0	0	1
Senior/Former Appellate Judges	108	149	38	14	71	44	4	57	13	498
Active District Judges	48	147	18	16	14	23	19	64	74	423
Senior/Former District Judges	534	918	479	224	230	208	202	660	172	3627
Active Statutory County Court Judges	20	110	2	1	4	3	9	6	7	162
Retired/Former Statutory County Court Judges	63	193	102	88	11	8	43	26	71	605
<b>TOTAL Assignments</b>	<b>774</b>	<b>1,517</b>	<b>639</b>	<b>343</b>	<b>330</b>	<b>286</b>	<b>277</b>	<b>813</b>	<b>337</b>	<b>5,316</b>
Days Served:										
Active Appellate Judges	20.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	20.0
Senior/Former Appellate Judges	538.0	481.0	53.5	16.5	375.0	170.5	17.5	102.5	253.5	2,008.0
Active District Judges	40.0	303.0	12.0	13.0	36.0	65.0	4.0	64.0	0.0	537.0
Senior/Former District Judges	1,571.0	2,846.0	829.0	617.0	905.0	379.5	375.5	1,377.5	0.0	8,900.5
Active Statutory County Court Judges	142.0	242.0	2.0	0.0	7.0	148.0	1.0	6.5	0.0	548.5
Retired/Former Statutory County Court Judges	216.0	474.0	179.0	206.5	24.0	28.0	41.5	46.5	65.0	1,280.5
<b>TOTAL Days Served</b>	<b>2,527.0</b>	<b>4,346.0</b>	<b>1,075.5</b>	<b>853.0</b>	<b>1,347.0</b>	<b>791.0</b>	<b>439.5</b>	<b>1,597.0</b>	<b>318.5</b>	<b>13,294.5</b>
<b>Assignments from Other Administrative Regions:</b>										
Number of Assignments:										
Senior/Former Appellate Judges	0	0	2	0	0	0	0	0	0	2
Active District Judges	0	1	3	0	0	0	0	0	0	4
Senior/Former District Judges	3	27	23	26	5	41	16	19	23	183
Active Statutory County Court Judges	0	0	1	0	0	0	0	0	0	1
Retired/Former Statutory County Court Judges	0	19	2	10	1	0	2	89	0	123
<b>TOTAL Assignments</b>	<b>3</b>	<b>47</b>	<b>31</b>	<b>36</b>	<b>6</b>	<b>41</b>	<b>18</b>	<b>108</b>	<b>23</b>	<b>313</b>
Days Served:										
Senior/Former Appellate Judges	0.0	0.0	1.5	0.0	0.0	0.0	0.0	0.0	0.0	1.5
Active District Judges	0.0	1.0	2.0	0.0	0.0	7.0	0.0	0.0	0.0	10.0
Senior/Former District Judges	7.0	105.0	54.0	57.0	13.0	78.0	14.5	39.0	32.5	400.0
Active Statutory County Court Judges	0.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0
Retired/Former Statutory County Court Judges	0.0	48.0	4.0	39.0	2.0	0.0	4.0	121.5	0.0	218.5
<b>TOTAL Days Served</b>	<b>7.0</b>	<b>154.0</b>	<b>62.5</b>	<b>96.0</b>	<b>15.0</b>	<b>85.0</b>	<b>18.5</b>	<b>160.5</b>	<b>32.5</b>	<b>631.0</b>
<b>By the Supreme Court for Disciplinary Proceedings<sup>2</sup></b>										
Number of Assignments--Active District Judges	0	24	1	1	1	1	0	0	0	28
Days Served--Active District Judges	0.0	30.0	0.0	3.0	1.0	1.0	0.0	0.0	0.0	35.0
<b>Total --- Trial Court Assignments</b>										
<b>Number of Assignments</b>	<b>777</b>	<b>1,588</b>	<b>677</b>	<b>380</b>	<b>339</b>	<b>328</b>	<b>296</b>	<b>927</b>	<b>360</b>	<b>5,672</b>
<b>Days Served</b>	<b>2,534.0</b>	<b>4,530.0</b>	<b>1,138.0</b>	<b>952.0</b>	<b>1,367.0</b>	<b>888.0</b>	<b>459.0</b>	<b>1,763.5</b>	<b>351.0</b>	<b>13,982.5</b>
<b>Assignments to Other Administrative Regions</b>	<b>10</b>	<b>8</b>	<b>11</b>	<b>9</b>	<b>3</b>	<b>6</b>	<b>5</b>	<b>6</b>	<b>1</b>	<b>59</b>

**Notes:**

1. Assignment authorized by Sections 74.056 and 75.002, Texas Government Code.  
 2. Assignment authorized by Rule 3.02, Texas Rules of Disciplinary Procedure.

Information provided by the Presiding Judges of the Administrative Judicial Regions.

# District Courts

**Cases Added**—In 2012, more than 844,000 civil, family, criminal, and juvenile cases were filed in the state’s 456 district courts—down 5.7 percent from the previous year.<sup>1,2</sup> Family law cases comprised the largest share of the cases added to the courts’ dockets.

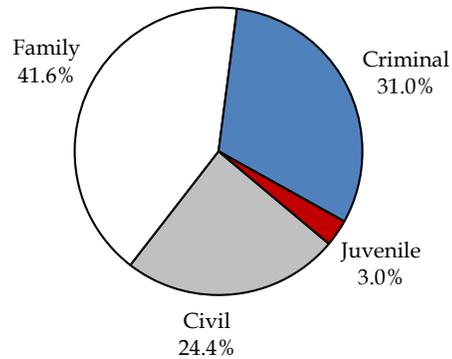
Civil cases comprised nearly a quarter of cases added in 2012. Tax cases accounted for the largest share of civil cases filed, followed by contract and debt cases.

Criminal cases accounted for 31.0 percent of cases added. Drug offenses (drug possession, sale, and manufacture) accounted for the largest share of criminal filings, followed by “other felonies.”

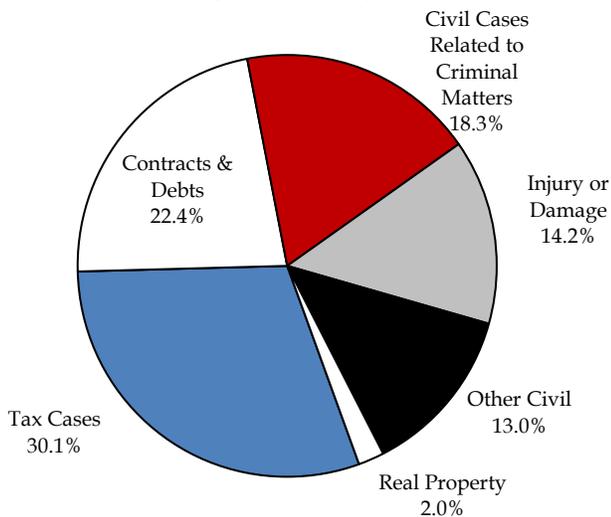
**Clearance Rates**—In 2012, district courts disposed of or placed on inactive pending status 930,954 civil, family, criminal and juvenile cases, which was a decrease of 2.8 percent from the previous year.

The overall clearance rate was 100.5 percent. Civil and family case clearance rates improved from the previous year. The criminal case clearance rate remained constant and above 100 percent. The juvenile case clearance rate, however, declined to 95.0 percent.

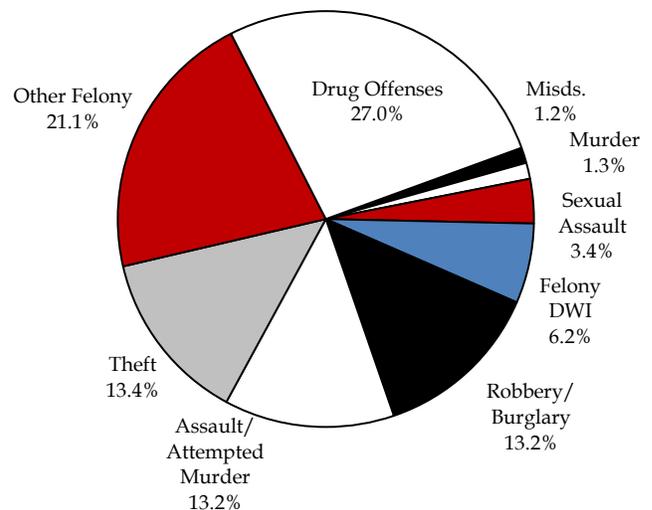
**Cases Added  
(844,286 Cases)**



**Civil Cases Added  
(205,906 Cases)**



**Criminal Cases Added  
(262,096 Cases)**



1. Family law caseload is discussed in the Family Cases section. Juvenile caseload is discussed in the Juvenile Cases section.  
 2. “Filed” includes new cases, petitions for transfer to adult criminal court, motions to revoke, and other cases added to the docket.

**Manner of Disposition**— A total of 215,187 civil cases were disposed of in 2012, a decrease of 4.5 percent from the previous year. Approximately 34 percent of the cases were dismissed by the plaintiff, while the next largest portion was disposed of by bench trial. Overall, only 0.6 percent of civil cases were disposed of by a jury verdict. The case categories with the highest jury trial rates were professional (other than medical) malpractice (3.3 percent) and medical malpractice (2.9 percent).

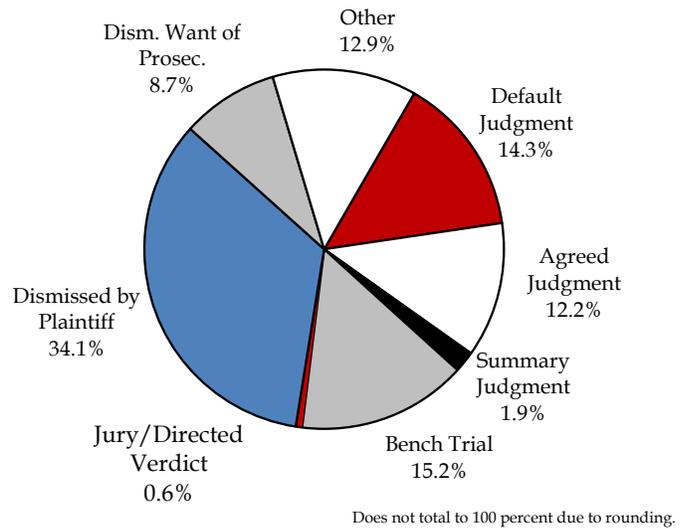
District courts disposed of 263,214 criminal cases, a decrease of 3.1 percent from 2011. Defendants were convicted in 52.1 percent of the 210,289 cases that did not involve transfers or a motion to revoke probation. The highest conviction rate occurred in felony DWI cases, while the lowest rate occurred in cases involving aggravated assault or attempted murder. Overall, 94.5 percent of convictions were the result of a guilty or nolo contendere plea.

Overall, three percent of all criminal cases (excluding motions to revoke probation) went to trial in 2012. The highest trial rate occurred in capital murder cases (25.4 percent).

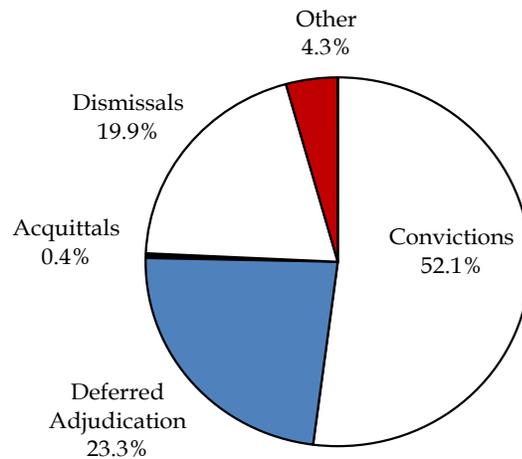
Of the 6,889 cases that went to trial, 43.2 percent were tried before a jury. Defendants were convicted in 80.7 percent of cases that went to jury trial, compared to 91.4 percent that were convicted in cases that were decided by a judge.

Dismissals constituted 20 percent of all criminal cases disposed of in 2012 (excluding motions to revoke probation). The highest rate of dismissal occurred in murder, sexual assault of an adult, and all misdemeanor cases (34.8 percent each).

**Disposition of Civil Cases**  
(215,187 Cases)



**Disposition of Criminal Cases**  
(210,289 Cases)<sup>3</sup>



<sup>3</sup>. Excludes motions to revoke probation.

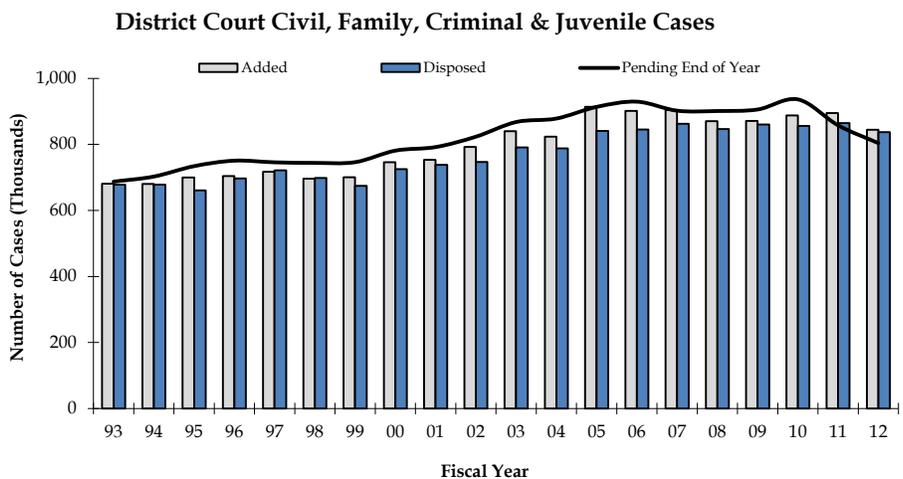
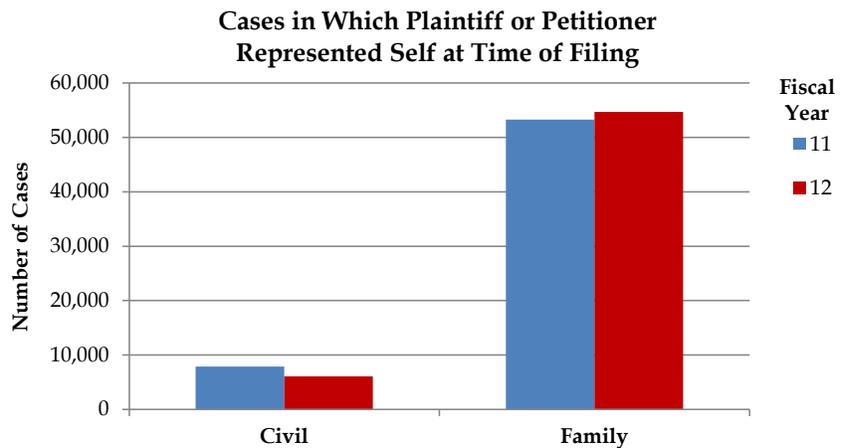
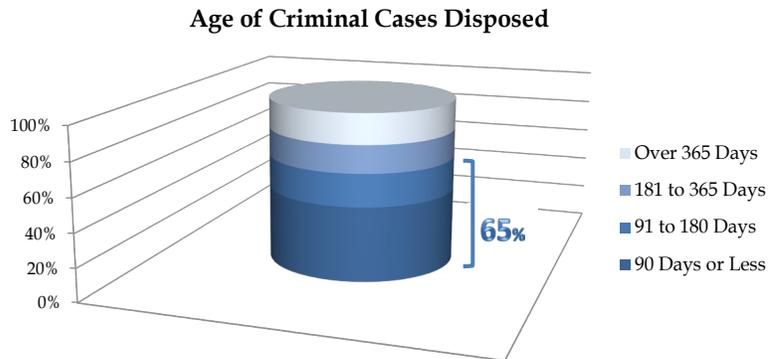
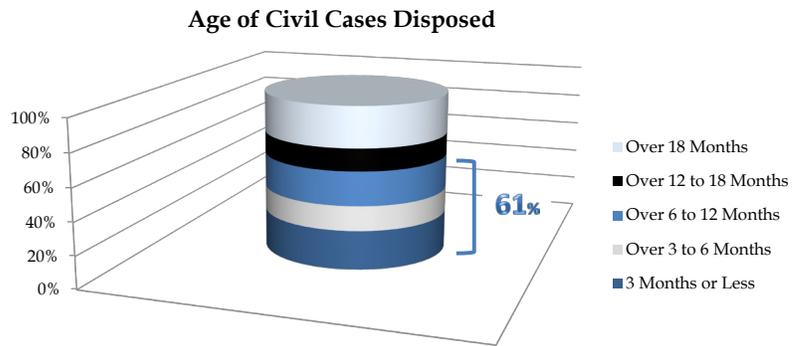
**Age of Cases Disposed**—In 2012, 61 percent of civil cases were disposed of within 12 months, which was slightly lower than the percentage disposed of within the same time frame in 2011.

Sixty-five percent of criminal cases were disposed of within 180 days, a slight improvement from the 64 percent disposed of within the same timeframe in the previous year.

**Self-Represented Litigants** — In 2012, district courts reported 6,061 civil cases (or 3.0 percent of new civil cases filed) in which the petitioner was representing him- or herself at the time of filing, compared to 7,897 civil cases (or 3.5 percent) reported in 2011.

District courts also reported 54,677 family cases (or 16.5 percent of new or post-judgment family law cases filed) in which the petitioner was self-represented at the time of filing in 2012, compared to 53,253 family cases (or 15.6 percent) in the previous year.

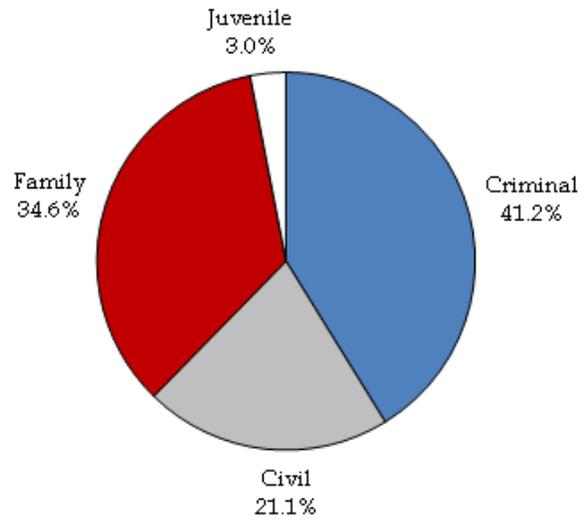
**Long-term Trend** - Overall, filings decreased 5.7 percent from the previous year. The number of cases filed in 2012 was the lowest number added since 2004. Filings declined in all case types, with the largest drop in civil cases (10.4 percent) and the smallest in criminal (3.6 percent). The fairly substantial decline in filings contributed to a 6.3 percent decline in the number of cases pending at the end of the fiscal year.



**Measuring District Court Workload** - During 2007-08, an 18-month study was conducted on the work and caseload of judicial officers in Texas.<sup>4</sup> The assessment addressed the pertinent question of how many judicial officers (district judges, associate judges, masters, magistrates, and referees) are needed in Texas to provide for the handling of cases in the district courts. The basic methodology used by the National Center for State Courts is the calculation of the average amount of work time judicial officers devote to different types of cases. Because cases vary according to complexity, the averages, called "case weights," also vary. The case weights represent the average amount of time judicial officers spend on the handling of cases in the district courts. When the case weights are applied to filings in individual jurisdictions, the judicial workload can be calculated.

When the statewide case weights were applied to filings from 2012, the result was an estimated need of 582 full-time equivalent (FTE) judicial officers statewide as of September 1, 2012. The estimated need by case type was 240 FTEs for criminal cases (or 41.2 percent), 202 FTEs for family cases (or 34.6 percent), 123 FTEs for civil cases (or 21.1 percent), and 18 FTEs for juvenile cases (or 3.0 percent). As of September 1, 2012 the state had 628.3 FTE judicial officers.

**District Court Workload, FY 2012**



Does not total to 100 percent due to rounding.

4. Ostrom, Brian J., Matthew Kleiman and Neil LaFountain. *Measuring Current Judicial Workload in Texas, 2007*. Denver: National Center for State Courts, Court Consulting Services. June 2008. <http://www.courts.state.tx.us/oca/jnas/pdf/WeightedCaseloadStudy.pdf>.

**District Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
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CRIMINAL CASES								
	Capital Murder	Murder	Other Homicide	Agg. Assault or Attempted Murder	Sexual Assault of Adult	Indecency With or Sexual Assault of Child	Family Violence Assault	Aggravated Robbery or Robbery
<b>Cases on Docket:</b>								
<b>Cases Pending 9/1/2011:</b>								
Active Cases	869	1,644	974	16,479	2,032	6,954	3,828	6,614
Inactive Cases	119	882	370	4,176	1,226	3,588	785	1,433
Docket Adjustments	(9)	8	(20)	149	(43)	143	(72)	1
<b>Cases Added:</b>								
Filed by Indictment or Information	404	698	854	19,629	1,962	5,498	6,583	7,315
Other Cases Reaching Docket:								
Motions to Revoke Filed	10	40	361	5,757	325	1,006	1,714	2,209
Cases Reactivated	50	211	350	4,871	463	1,379	1,551	1,866
All Other Cases Added	30	39	13	459	68	184	184	260
<b>Total Cases on Docket:</b>	<b>1,354</b>	<b>2,640</b>	<b>2,532</b>	<b>47,344</b>	<b>4,807</b>	<b>15,164</b>	<b>13,788</b>	<b>18,265</b>
<b>Dispositions:</b>								
Convictions:								
Guilty Plea or Nolo Contendere	201	345	480	7,659	766	1,925	3,350	4,464
By the Court	8	18	10	275	28	85	85	72
By the Jury	102	164	26	289	77	346	43	228
Total Convictions	311	527	516	8,223	871	2,356	3,478	4,764
Placed on Deferred Adjudication	7	20	147	6,092	318	1,186	1,823	1,527
Acquittals:								
By the Court	2	3	3	104	9	14	14	10
By the Jury	5	14	8	123	48	95	14	26
Total Acquittals	7	17	11	227	57	109	28	36
Dismissals	113	317	278	5,218	699	1,620	1,391	1,311
Motions to Revoke:								
Granted/Revoked	3	13	152	2,589	155	581	831	1,032
Denied/Continued	1	11	141	2,504	139	346	639	992
All Other Dispositions	22	31	14	1,207	64	190	101	289
<b>Total Cases Disposed</b>	<b>464</b>	<b>936</b>	<b>1,259</b>	<b>26,060</b>	<b>2,303</b>	<b>6,388</b>	<b>8,291</b>	<b>9,951</b>
<b>Placed on Inactive Status</b>	<b>55</b>	<b>152</b>	<b>421</b>	<b>5,735</b>	<b>635</b>	<b>1,698</b>	<b>1,894</b>	<b>2,123</b>
<b>Cases Pending 8/31/2012:</b>								
Active Cases	856	1,564	883	16,097	2,051	7,054	3,716	6,302
Inactive Cases	97	799	398	4,231	1,172	3,772	918	1,476
Cases in Which								
Death Penalty Sought	17	---	---	---	---	---	---	---
Death Penalty Not Sought	153	---	---	---	---	---	---	---
<b>Sentencing Information:</b>								
Prison	266	475	269	3,930	616	2,115	1,302	3,803
State Jail	14	15	14	435	128	80	102	347
Local Jail	4	2	34	2,681	73	53	1,629	419
Probation/Community Supervision	7	24	215	3,733	192	532	904	882
Shock Probation	0	0	5	21	0	7	1	25
Fine Only	0	0	0	19	0	1	9	2
Other	6	18	4	229	18	74	60	57

Note: Overall, there was a 95.2 percent reporting rate for the fiscal year. Please see page 93 for a list of missing reports.



**District Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
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**2,902 Reports Received Out of a Possible 3,048**

CIVIL CASES								
	Injury or Damage						Real Property	
	Motor Vehicle	Medical Malpractice	Other Professional Malpractice	Product Liability - Asbestos/ Silica	Other Product Liability	Other Injury or Damage	Eminent Domain	Other Real Property
Cases on Docket:								
<b>Cases Pending 9/1/2011:</b>								
<i>Active Cases</i>	27,530	1,047	531	10,002	1,140	19,587	819	3,440
<i>Inactive Cases</i>	658	55	22	589	87	660	2	43
Docket Adjustments	(100)	2	2	1	4	(172)	21	(18)
<b>Cases Added:</b>								
New Cases Filed	18,393	683	281	287	649	7,867	536	3,462
Other Cases Reaching Docket:								
<i>Cases Reactivated</i>	1,904	102	20	18	159	838	3	51
<i>All Other Cases Added</i>	565	28	21	5	30	428	7	119
<b>Total Cases On Docket</b>	48,292	1,862	855	10,313	1,982	28,548	1,386	7,054
<b>Dispositions:</b>								
Change of Venue Transfers	148	6	7	41	16	657	0	34
Default Judgments	779	4	10	1	20	205	11	226
Agreed Judgments	2,308	105	28	5	110	1,246	106	631
Summary Judgments	205	14	26	0	19	341	3	83
Final Judgments:								
<i>After Non-Jury Trial</i>	1,059	32	19	1	34	770	67	316
<i>By Jury Verdict</i>	384	17	10	0	8	201	1	15
<i>By Directed Verdict</i>	8	0	0	0	1	7	0	0
<i>Dismissed for Want of Prosecution</i>	2,038	25	21	3	73	1,259	19	245
<i>Non-Suited or Dismissed by Plaintiff</i>	9,378	326	150	167	513	3,959	321	820
All Other Dispositions	1,048	52	32	30	75	977	57	376
<b>Total Cases Disposed</b>	17,355	581	303	248	869	9,622	585	2,746
<b>Placed on Inactive Status</b>	2,025	108	26	23	141	906	13	73
<b>Cases Pending 8/31/2012:</b>								
<i>Active Cases</i>	28,315	1,137	521	10,036	968	17,599	782	4,133
<i>Inactive Cases</i>	667	50	22	594	69	629	6	55

Note: Overall, there was a 95.2 percent reporting rate for the fiscal year. Please see page 93 for a list of missing reports.

**District Courts**  
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CIVIL CASES							
	Contract		Civil Cases Relating to Criminal Matters	All Other Civil Cases	Tax	Total Cases	
	Consumer/ Commercial/ Debt	Other Contract					
Cases on Docket:							
<b>Cases Pending 9/1/2011:</b>							
Active Cases	47,300	18,342	28,976	37,425	112,082	308,221	
Inactive Cases	1,875	859	414	1,544	1,335	8,143	
Docket Adjustments	(457)	14	(999)	377	(539)	(1,864)	
<b>Cases Added:</b>							
New Cases Filed	32,456	11,840	36,893	25,318	61,397	200,062	
Other Cases Reaching Docket:							
Cases Reactivated	1,830	1,754	729	713	5,297	13,418	
All Other Cases Added	1,411	349	750	1,490	641	5,844	
<b>Total Cases On Docket</b>	<b>82,540</b>	<b>32,299</b>	<b>66,349</b>	<b>65,323</b>	<b>178,878</b>	<b>525,681</b>	
<b>Dispositions:</b>							
Change of Venue Transfers	282	98	5	200	10	1,504	
Default Judgments	8,474	2,702	3,562	1,654	13,198	30,846	
Agreed Judgments	5,825	3,690	4,860	4,522	2,728	26,164	
Summary Judgments	2,222	341	148	570	126	4,098	
Final Judgments:							
After Non-Jury Trial	2,354	1,134	9,901	3,274	13,811	32,772	
By Jury Verdict	168	39	80	128	146	1,197	
By Directed Verdict	6	1	6	13	2	44	
Dismissed for Want of Prosecution	4,678	1,433	800	3,129	5,074	18,797	
Non-Suited or Dismissed by Plaintiff	13,505	4,257	2,663	7,030	30,314	73,403	
All Other Dispositions	3,603	1,176	11,741	6,083	1,112	26,362	
<b>Total Cases Disposed</b>	<b>41,117</b>	<b>14,871</b>	<b>33,766</b>	<b>26,603</b>	<b>66,521</b>	<b>215,187</b>	
<b>Placed on Inactive Status</b>	<b>1,925</b>	<b>1,834</b>	<b>867</b>	<b>891</b>	<b>5,480</b>	<b>14,312</b>	
<b>Cases Pending 8/31/2012:</b>							
Active Cases	38,213	15,300	29,244	36,027	101,567	283,842	
Inactive Cases	1,797	912	366	1,302	1,303	7,772	
<b>Age of Cases Disposed:</b>						<b>Additional Court Activity:</b>	
	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	<b>Total Cases</b>	<b>Total</b>
Number of Cases	52,035	33,085	45,652	29,878	54,537	215,187	Cases in Which Jury Selected 1,134
							Cases in Which Mistrial Declared 75
							Injunction or Show Cause Order Issued 4,309
							Cases in Which Plaintiff /Petitioner Represented Self 6,061

Note: Overall, there was a 95.2 percent reporting rate for the fiscal year. Please see page 93 for a list of missing reports.

**District Courts**  
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FAMILY CASES										
	Divorce		Parent-Child - No Divorce	Child Protective Services	Termination of Parental Rights	Adoption	Protective Orders - No Divorce	Title IV-D		
	Children	No Children						Paternity	Support Order	UIFSA
Cases on Docket:										
<b>Cases Pending 9/1/2011:</b>										
<i>Active Cases</i>	48,340	49,658	25,127	12,238	1,524	4,218	3,297	13,952	13,290	2,647
<i>Inactive Cases</i>	1,089	427	373	110	23	37	75	187	159	27
Docket Adjustments	(465)	232	(715)	(216)	(47)	(100)	(98)	(858)	(291)	(83)
<b>Cases Added:</b>										
New Cases Filed	55,928	60,350	20,436	9,272	2,419	7,859	8,569	22,762	28,193	2,470
Other Cases Reaching Docket:										
<i>Cases Reactivated</i>	2,447	1,303	338	318	24	69	40	180	117	16
<i>All Other Cases Added</i>	1,913	1,115	1,457	256	103	128	260	463	1,147	64
<b>Total Cases on Docket:</b>	108,163	112,658	46,643	21,868	4,023	12,174	12,068	36,499	42,456	5,114
<b>Dispositions:</b>										
Change of Venue Transfers	142	47	115	105	13	88	5	41	69	17
Default Judgments	3,590	5,140	2,327	173	90	96	521	2,860	1,735	239
Agreed Judgments	18,340	18,869	5,306	545	209	849	599	6,853	12,187	551
Summary Judgments	14	14	3	2	1	2	1	27	27	2
Final Judgments:										
<i>After Non-Jury Trial</i>	21,077	25,115	3,714	3,487	1,340	4,510	2,304	4,889	7,229	768
<i>By Jury Verdict</i>	66	73	8	25	5	14	3	25	16	2
<i>By Directed Verdict</i>	4	19	1	2	1	0	0	2	9	0
<i>Dismissed for Want of Prosecution</i>	8,214	6,181	2,294	163	188	353	1,146	2,078	1,057	193
<i>Non-Suited or Dismissed by Plaintiff</i>	3,282	2,336	3,239	2,315	104	107	1,501	4,172	3,501	623
All Other Dispositions	2,753	2,683	2,080	1,681	170	1,541	2,342	1,673	1,674	236
<b>Total Cases Disposed</b>	57,482	60,477	19,087	8,498	2,121	7,560	8,422	22,620	27,504	2,631
<b>Cases Placed on Inactive Status</b>	2,524	1,396	370	430	30	73	120	247	173	26
<b>Cases Pending 8/31/2012:</b>										
<i>Active Cases</i>	48,630	50,763	27,312	12,789	1,865	4,539	3,607	13,345	14,318	2,439
<i>Inactive Cases</i>	512	352	233	177	22	29	16	225	175	35

Note: Overall, there was a 95.2 percent reporting rate for the fiscal year. Please see page 93 for a list of missing reports.

**District Courts**  
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FAMILY CASES							
	All Other Family Law Cases	Post-Judgment Actions				Total Cases	
		Modification - Custody	Modification - Other	Enforcement	Title IV-D		
<b>Cases on Docket:</b>							
<b>Cases Pending 9/1/2011:</b>							
<i>Active Cases</i>	30,688	8,924	19,454	13,826	40,673	287,856	
<i>Inactive Cases</i>	423	78	419	558	2,365	6,350	
Docket Adjustments	(1,270)	(172)	(1,281)	(1,870)	(1,923)	(9,157)	
<b>Cases Added:</b>							
New Cases Filed	22,830	7,531	16,802	10,254	54,792	330,467	
Other Cases Reaching Docket:							
<i>Cases Reactivated</i>	470	122	806	469	3,003	9,722	
<i>All Other Cases Added</i>	1,521	2,014	2,436	1,582	5,968	20,427	
<b>Total Cases on Docket:</b>	54,239	18,419	38,217	24,261	102,513	639,315	
<b>Dispositions:</b>							
Change of Venue Transfers	108	462	769	213	1,466	3,660	
Default Judgments	471	435	721	229	1,877	20,504	
Agreed Judgments	3,030	2,329	5,578	2,856	26,835	104,936	
Summary Judgments	14	4	2	4	30	147	
Final Judgments:							
<i>After Non-Jury Trial</i>	6,906	2,139	3,108	2,085	11,928	100,599	
<i>By Jury Verdict</i>	31	20	21	20	29	358	
<i>By Directed Verdict</i>	3	7	13	8	10	79	
<i>Dismissed for Want of Prosecution</i>	1,963	863	2,231	1,426	2,712	31,062	
<i>Non-Suited or Dismissed by Plaintiff</i>	1,875	465	1,157	1,439	7,150	33,266	
All Other Dispositions	11,182	779	1,797	2,298	6,953	39,842	
<b>Total Cases Disposed</b>	25,583	7,503	15,397	10,578	58,990	334,453	
<b>Cases Placed on Inactive Status</b>	454	135	858	418	4,010	11,264	
<b>Cases Pending 8/31/2012:</b>							
<i>Active Cases</i>	28,098	10,780	22,035	13,344	39,738	293,602	
<i>Inactive Cases</i>	339	67	356	393	2,996	5,927	
<b>Age of Cases Disposed:</b>							
	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	Total Cases	
Number of Cases	129,081	75,299	75,387	25,469	29,217	334,453	
<b>Additional Court Activity:</b>						Total	
						151	
						17	
						41,776	
						7,971	
						19,785	
						54,677	

Note: Overall, there was a 95.2 percent reporting rate for the fiscal year. Please see page 93 for a list of missing reports.

**District Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
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JUVENILE CASES											
	Delinquent Conduct										
	CINS	Capital Murder	Murder	Other Homicides	Agg. Assault or Attempted Murder	Assault	Indecency with or Sexual Assault of Child	Agg. Robbery or Robbery	Burglary	Theft	Auto Theft
<b>Cases on Docket:</b>											
<b>Cases Pending 9/1/2011:</b>											
<i>Active Cases</i>	412	4	14	3	450	989	406	205	650	503	118
<i>Inactive Cases</i>	88	3	4	1	88	196	64	65	126	142	30
Docket Adjustments	(50)	(1)	0	0	9	20	5	(30)	(2)	30	11
<b>Cases Added:</b>											
New Petitions Filed	295	14	13	3	1,153	2,881	738	583	1,289	1,750	373
Petitions for Transfer to Adult Crim. Court	---	5	9	0	24	46	30	27	12	46	3
Other Cases Reaching Docket:											
<i>Motions to Modify/Enforce/Proceed Filed</i>	33	2	1	0	377	799	159	169	501	697	137
<i>Cases Reactivated</i>	34	5	4	0	186	341	116	110	186	240	66
<i>All Other Cases Added</i>	80	0	0	0	17	27	25	7	26	15	9
<b>Total Cases on Docket</b>	<b>804</b>	<b>29</b>	<b>41</b>	<b>6</b>	<b>2,216</b>	<b>5,103</b>	<b>1,479</b>	<b>1,071</b>	<b>2,662</b>	<b>3,281</b>	<b>717</b>
<b>Adjudications:</b>											
Findings of Delinquent Conduct or CINS:											
<i>Plea of True</i>	103	7	5	1	580	1,164	353	319	758	757	231
<i>By the Court</i>	15	1	1	0	108	195	43	61	134	111	29
<i>By the Jury</i>	0	0	0	0	5	5	2	1	3	1	0
Total Findings of DC/CINS	118	8	6	1	693	1,364	398	381	895	869	260
Deferred Prosecution	97	0	0	0	183	772	36	18	132	479	24
Transferred to Adult Criminal Court	---	1	14	0	13	0	34	50	3	1	0
Findings of No DC or No CINS:											
<i>By the Court</i>	1	0	0	0	4	5	0	0	4	5	1
<i>By the Jury</i>	0	0	0	0	1	4	1	0	0	0	0
Total Findings of No DC/No CINS	1	0	0	0	5	9	1	0	4	5	1
Dismissals	95	5	3	1	158	428	111	30	199	173	47
Motions to Modify Disposition:											
<i>Denied</i>	14	0	0	0	32	84	14	17	70	57	25
<i>Granted</i>	18	0	0	0	243	311	94	106	296	251	86
All Other Adjudications/Findings	11	5	1	1	143	555	94	67	59	455	45
<b>Total Cases Adjudicated</b>	<b>354</b>	<b>19</b>	<b>24</b>	<b>3</b>	<b>1,470</b>	<b>3,523</b>	<b>782</b>	<b>669</b>	<b>1,658</b>	<b>2,290</b>	<b>488</b>
<b>Placed on Inactive Status</b>	<b>148</b>	<b>6</b>	<b>5</b>	<b>0</b>	<b>177</b>	<b>346</b>	<b>118</b>	<b>133</b>	<b>227</b>	<b>221</b>	<b>46</b>
<b>Cases Pending 8/31/2012:</b>											
<i>Active Cases</i>	413	4	13	3	547	1,180	567	279	777	704	168
<i>Inactive Cases</i>	91	4	4	1	93	255	72	78	164	188	23
<b>Dispositions:</b>											
<b>Cases with Findings of DC/CINS</b>											
Probation Granted											
<i>Determinate Sentence Probation</i>	---	2	2	0	251	692	182	179	185	458	135
<i>All Other Probation</i>	96	2	0	0	360	611	171	126	604	372	105
Committed to Texas Youth Commission											
<i>Determinate Sentence</i>	---	4	4	0	18	9	19	44	15	10	3
<i>Indeterminate Sentence</i>	---	0	2	1	31	8	14	16	28	7	5
Final Judgment Without Any Disposition	4	1	0	0	41	46	3	21	40	40	14
<b>Cases with Granted Motion to Modify Disp.</b>											
Probation Revoked, Child sent to TYC	---	1	0	0	21	5	20	23	32	10	15
All Other Dispositions	16	0	0	0	217	319	63	85	237	229	75

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**District Courts**  
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**2,902 Reports Received Out of a Possible 3,048**

JUVENILE CASES								
	Delinquent Conduct					Total Cases	Total Delinquent Conduct Cases	
	Felony Drug Offenses	Misdemeanor Drug Offenses	DWI	Contempt of Court	All Other Offenses		Felonies	Misdemeanors
Cases on Docket:								
<b>Cases Pending 9/1/2011:</b>								
<i>Active Cases</i>	311	505	15	67	10,398	15,050	2,570	3,334
<i>Inactive Cases</i>	45	129	8	15	416	1,420	568	727
Docket Adjustments	27	22	9	(2)	29	77	80	26
<b>Cases Added:</b>								
New Petitions Filed	663	2,085	36	151	5,845	17,872	6,506	10,370
Petitions for Transfer to Adult Crim. Court	19	63	0	0	150	434	195	204
Other Cases Reaching Docket:								
<i>Motions to Modify/Enforce/Proceed Filed</i>	226	653	8	39	2,964	6,765	2,404	4,046
<i>Cases Reactivated</i>	84	256	9	32	792	2,461	995	1,401
<i>All Other Cases Added</i>	15	8	1	3	86	319	102	87
<b>Total Cases on Docket</b>	1,345	3,592	78	290	20,264	42,978	12,852	19,468
<b>Adjudications:</b>								
Findings of Delinquent Conduct or CINS:								
<i>Plea of True</i>	305	902	33	78	3,076	8,672	3,418	4,773
<i>By the Court</i>	38	159	1	1	429	1,326	580	707
<i>By the Jury</i>	0	0	0	0	10	27	15	11
Total Findings of DC/CINS	343	1,061	34	79	3,515	10,025	4,013	5,491
Deferred Prosecution	185	531	0	4	1,278	3,739	1,047	2,561
Transferred to Adult Criminal Court	6	2	0	0	14	138	120	12
Findings of No DC or No CINS:								
<i>By the Court</i>	0	0	0	0	14	34	8	16
<i>By the Jury</i>	0	0	0	0	4	10	4	5
Total Findings of No DC/No CINS	0	0	0	0	18	44	12	21
Dismissals	70	237	5	12	995	2,569	772	1,413
Motions to Modify Disposition:								
<i>Denied</i>	27	73	0	17	650	1,080	276	619
<i>Granted</i>	101	239	1	16	1,550	3,312	1,372	1,841
All Other Adjudications/Findings	139	485	7	1	1,088	3,156	868	2,202
<b>Total Cases Adjudicated</b>	871	2,628	47	129	9,108	24,063	8,480	14,160
<b>Placed on Inactive Status</b>	68	223	16	42	617	2,393	957	1,304
<b>Cases Pending 8/31/2012:</b>								
<i>Active Cases</i>	396	685	16	120	10,335	16,207	3,309	3,716
<i>Inactive Cases</i>	37	150	14	24	414	1,612	624	892
<b>Dispositions:</b>								
<b>Cases with Findings of DC/CINS</b>								
Probation Granted								
<i>Determinate Sentence Probation</i>	162	612	14	7	1,724	4,605	1,680	2,795
<i>All Other Probation</i>	153	368	11	72	1,212	4,263	1,832	2,285
Committed to Texas Youth Commission								
<i>Determinate Sentence</i>	2	5	0	4	25	162	114	39
<i>Indeterminate Sentence</i>	11	2	0	1	61	187	137	30
Final Judgment Without Any Disposition	15	48	2	0	153	428	187	231
<b>Cases with Granted Motion to Modify Disp.</b>								
Probation Revoked, Child sent to TYC	13	3	0	1	43	187	147	29
All Other Dispositions	85	233	1	24	1,223	2,807	1,148	1,559

Note: Overall, there was a 95.2 percent reporting rate for the fiscal year. Please see page 93 for a list of missing reports.

**District Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
**95.2 Percent Reporting Rate**  
**2,902 Reports Received Out of a Possible 3,048**

JUVENILE CASES									
Age of Cases Adjudicated:					Additional Court Activity:				
	30 Days or Less	31 to 90 Days	91 to 180 Days	Over 180 Days	Total Cases	CINS	DC	Total	
Number of Cases	9,447	7,168	3,915	3,533	24,063				
						Grand Jury Approvals	---	459	459
						Release or Transfer Hearings	---	150	150
						Detention Hearings	2,055	20,954	23,009
						Cases Set for Review	985	6,141	7,126
						Competency Hearings	0	232	232
						Motions to Suppress Granted /Denied	0	8	8
						Applications for Sealing Records	4	998	1,002
						Motions for Sex Offender Un- or Deregistration	1	100	101
						Cases in Which Attorney Appointed as Counsel	271	16,327	16,598
						Cases with Retained Counsel	22	1,910	1,932

Note: Overall, there was a 95.2 percent reporting rate for the fiscal year. Please see page 93 for a list of missing reports.

# Statutory County Courts

In 2012, 88 of the state's 254 counties had a statutory county court in operation. At the end of the fiscal year, 254 statutory county courts were in operation.

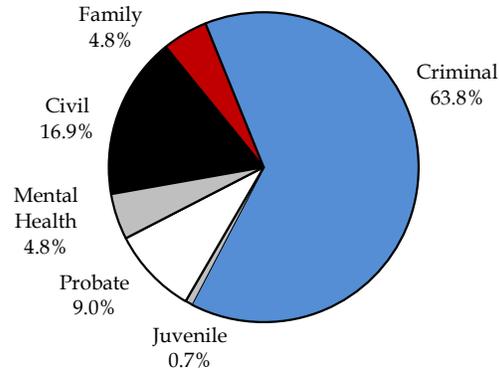
**Cases Added** – In 2012, more than 769,000 civil, family, criminal, juvenile, probate, and mental health cases were filed in the statutory county courts—down 3.7 percent from the previous year.<sup>1,2</sup> Criminal cases accounted for the majority of cases filed in these courts.

Excluding the “all other misdemeanors” category, the largest category of criminal cases filed in 2012 involved driving while intoxicated, followed by drug offenses, theft, and assault.

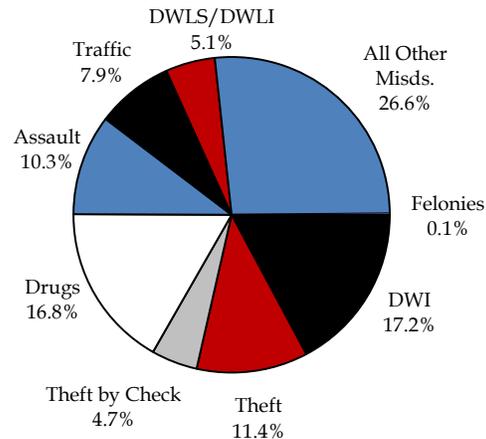
Contract cases accounted for nearly 43 percent of the statutory county courts' civil caseload. Civil cases related to criminal matters—a reporting category that includes bond forfeitures, expunctions, nondisclosures, occupational licenses, and seizures and forfeitures—accounted for more than a quarter of cases added, the next largest category.

More than 31 percent of the statutory county courts' probate caseload involved independent administrations—the administration of an estate without judicial supervision. Guardianships of an adult was the second most filed case type.

**Cases Added**  
(769,263 Cases)

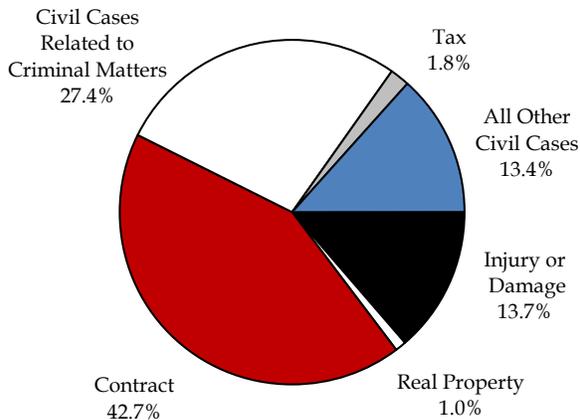


**Criminal Cases Filed**  
(490,783 Cases)

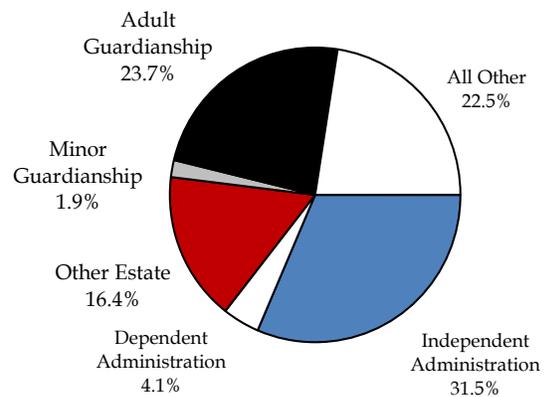


Does not total to 100 percent due to rounding.

**Civil Cases Filed**  
(129,983 Cases)



**Probate and Guardianship Cases Filed**  
(69,379 Cases)



Does not total to 100 percent due to rounding.

1. “Filed” includes new cases, appeals from lower courts, petitions for transfer to adult criminal court, motions to revoke, and other cases added to the docket.

2. Family, juvenile, probate and mental health caseloads are discussed in more detail in separate sections of this report.

**Clearance Rates** — In 2012, statutory county courts disposed of or placed on inactive pending status 750,648 civil, family, criminal and juvenile cases. The overall clearance rate was 101.4 percent. Civil, family, and juvenile case clearance rates improved from the previous year. The criminal case clearance rate declined slightly but was still above 100 percent.

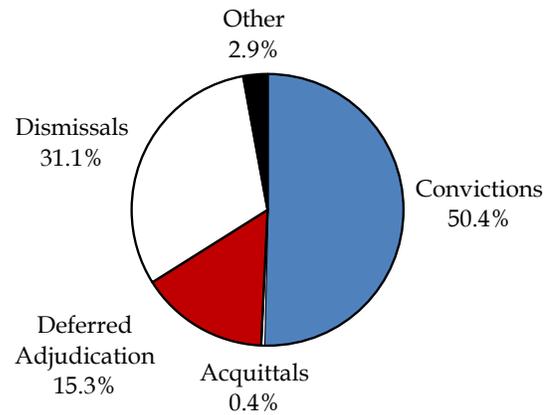
**Manner of Disposition** — In 2012, statutory county courts disposed of 492,110 criminal cases. Defendants were convicted in half, and acquitted in 0.4 percent, of the 455,751 cases that did not involve a motion to revoke probation. The highest conviction rate occurred in cases involving a second offense of driving while intoxicated/under the influence, and the lowest rate occurred in traffic cases. Overall, 96.9 percent of convictions were the result of a guilty or *nolo contendere* plea.

Nearly two percent of all criminal cases (excluding motions to revoke probation) went to trial in 2012. The highest trial rate occurred in driving while intoxicated or under the influence cases (4.2 percent).

Of the 8,805 cases that went to trial, 2,393 percent were tried before a jury. Defendants were convicted in 60.6 percent of cases that went to jury trial.

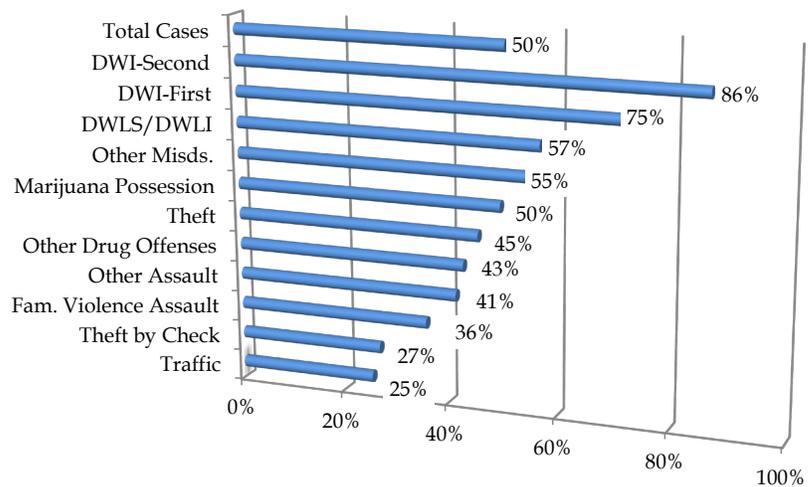
Dismissals constituted 31.1 percent of all criminal cases disposed of in 2012 (excluding motions to revoke probation). The highest rate of dismissal occurred in theft by check cases (61.9 percent).

**Disposition of Criminal Cases (455,751 Cases)<sup>3</sup>**

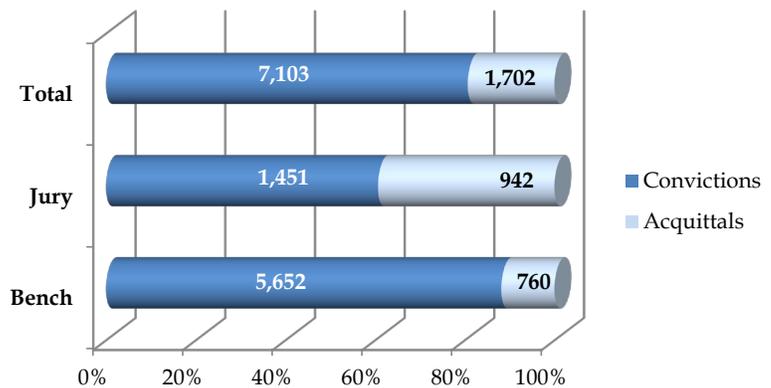


Does not total to 100 percent due to rounding.

**Criminal Conviction Rates by Case Category**



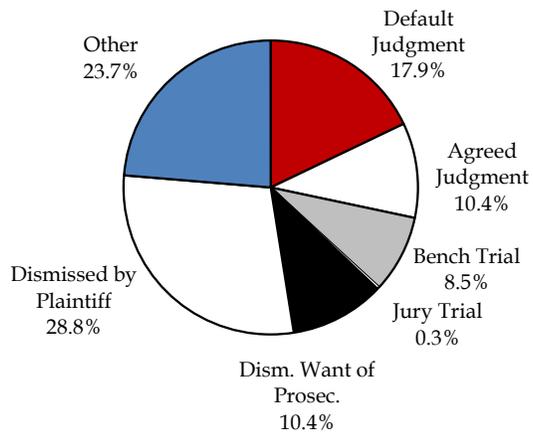
**Criminal Cases Reaching Trial**



3. Excludes motions to revoke probation.

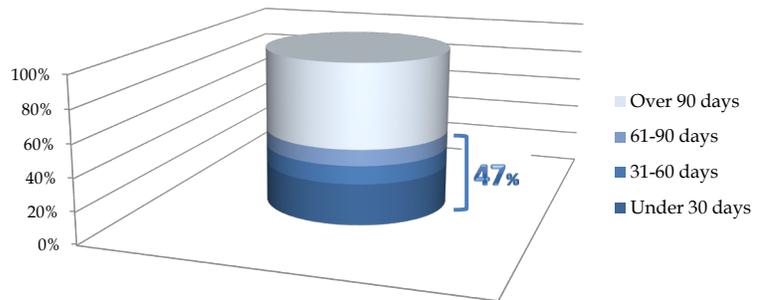
The statutory county courts also disposed of a total of 132,794 civil cases. The largest share of civil cases was disposed of by dismissals by the plaintiff. Excluding the "Other Disposition" category, the second largest category was default judgments. Approximately 9 percent of cases were disposed of by a bench trial, and only 0.3 percent were reported disposed of by a jury trial. However, 1.6 percent of injury or damage cases involving a motor vehicle and 0.8 percent of other injury or damage cases and real property cases (other than eminent domain) were each disposed of by a jury trial.

**Disposition of Civil Cases  
(132,794 Cases)**



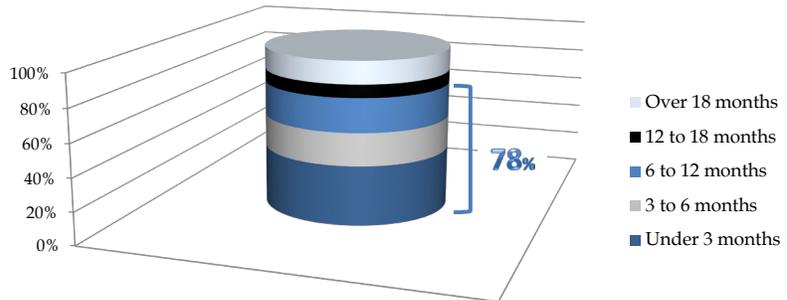
**Age of Cases Disposed**—In 2012, 47 percent of misdemeanor cases were disposed of within 90 days, a slight improvement from the 45 percent disposed the previous year. In addition, 78 percent of civil cases were disposed of within 12 months, which was about the same percentage disposed of within the same time frame during the previous year.

**Age of Criminal Cases Disposed**

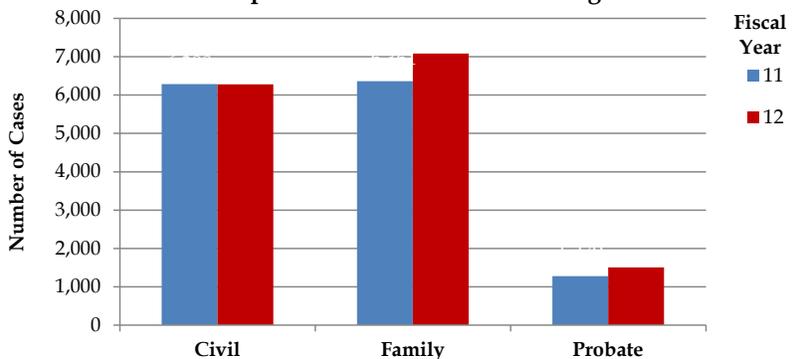


**Self-Represented Litigants**—In 2012, statutory county courts reported 6,283 civil cases (or 5.3 percent of new civil cases filed) in which the petitioner was representing him- or herself at the time of filing, compared to 6,288 cases (or 4.7 percent) reported in 2011. Statutory county courts also reported 7,080 family cases (or 22.1 percent of new or post-judgment family law cases filed) in which the petitioner was self-represented at the time of filing in 2012, compared to 6,361 cases (or 19.3 percent) in the previous year. Finally, the courts reported 1,509 probate and guardianship cases (or 3.9 percent of new probate and guardianship cases filed) in which litigants were self-represented, compared to 1,279 cases (or 3.1 percent) in 2011.

**Age of Civil Cases Disposed**



**Cases in Which Plaintiff or Petitioner Represented Self at Time of Filing**



**Statutory County Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
**99.6 Percent Reporting Rate**  
**1,052 Reports Received Out of a Possible 1,056**

FELONY CASES								
	Capital Murder	Murder	Other Homicides	Agg. Assault or Attempted Murder	Sexual Assault of Adult	Indecency With or Sexual Assault of Child	Family Violence Assault	Aggravated Robbery or Robbery
Cases on Docket:								
<b>Cases Pending 9/1/2011:</b>								
<i>Active Cases</i>	0	1	5	22	3	13	1	2
<i>Inactive Cases</i>	0	0	0	0	0	0	0	0
Docket Adjustments	0	0	0	7	2	5	1	2
<b>Cases Added:</b>								
Filed by Indictment or Information	0	0	0	47	4	23	15	9
Other Cases Reaching Docket:								
<i>Motions to Revoke Filed</i>	0	0	0	3	0	0	0	1
<i>Cases Reactivated</i>	0	0	1	1	0	0	0	0
<i>All Other Cases Added</i>	0	0	0	0	0	0	0	0
<b>Total Cases on Docket:</b>	0	1	6	80	9	41	17	14
<b>Dispositions:</b>								
Convictions:								
<i>Guilty Plea or Nolo Contendere</i>	0	1	2	6	0	1	0	4
<i>By the Court</i>	0	0	0	0	0	0	0	0
<i>By the Jury</i>	0	0	0	1	0	2	0	0
Total Convictions	0	1	2	7	0	3	0	4
Placed on Deferred Adjudication	0	0	0	8	0	7	5	2
Acquittals:								
<i>By the Court</i>	0	0	0	0	0	0	0	0
<i>By the Jury</i>	0	0	0	1	0	0	0	0
Total Acquittals	0	0	0	1	0	0	0	0
Dismissals	0	0	2	12	2	20	5	1
Motions to Revoke:								
<i>Granted/Revoked</i>	0	0	0	1	0	0	0	1
<i>Denied/Continued</i>	0	0	0	0	0	0	0	0
All Other Dispositions	0	0	0	2	0	0	0	0
<b>Total Cases Disposed</b>	0	1	4	31	2	30	10	8
<b>Placed on Inactive Status</b>	0	0	1	2	0	0	0	0
<b>Cases Pending 8/31/2012:</b>								
<i>Active Cases</i>	0	0	1	47	7	11	7	6
<i>Inactive Cases</i>	0	0	0	1	0	0	0	0
Cases in Which								
<i>Death Penalty Sought</i>	0	---	---	---	---	---	---	---
<i>Death Penalty Not Sought</i>	0	---	---	---	---	---	---	---
<b>Sentencing Information:</b>								
Prison	0	0	2	3	0	2	0	1
State Jail	0	0	0	0	0	0	0	0
Local Jail	0	0	0	1	0	0	0	1
Probation/Community Supervision	0	0	0	4	0	4	3	3
Shock Probation	0	0	0	0	0	0	0	0
Fine Only	0	0	0	0	0	0	0	0
Other	0	0	0	2	0	0	0	0

Note: In 2012, 88 of the state's 254 counties had at least one county court at law in operation. Assuming one report for each county for each month, 1,056 reports were possible. OCA received 1,052 reports, for a reporting rate of 99.6 percent. However, some reports were missing certain sections, or one of the two offices in a county (county clerk or district clerk) may not have reported as required. Please see page 93 for a list of missing reports.

**Statutory County Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
**99.6 Percent Reporting Rate**  
**1,052 Reports Received Out of a Possible 1,056**

FELONY CASES									
	Burglary	Theft	Auto Theft	Drug Sale or Manufacture	Drug Possession	Felony DWI	Other Felony	Total Cases	
Cases on Docket:									
<b>Cases Pending 9/1/2011:</b>									
<i>Active Cases</i>	23	23	135	2	92	212	81	615	
<i>Inactive Cases</i>	0	0	0	0	2	41	1	44	
Docket Adjustments	8	12	6	2	21	(38)	54	82	
<b>Cases Added:</b>									
Filed by Indictment or Information	39	30	11	16	57	191	79	521	
Other Cases Reaching Docket:									
<i>Motions to Revoke Filed</i>	4	11	7	6	18	30	35	115	
<i>Cases Reactivated</i>	0	0	0	0	1	80	0	83	
<i>All Other Cases Added</i>	1	0	0	1	1	0	0	3	
<b>Total Cases on Docket:</b>	<b>75</b>	<b>76</b>	<b>159</b>	<b>27</b>	<b>190</b>	<b>475</b>	<b>249</b>	<b>1,419</b>	
<b>Dispositions:</b>									
Convictions:									
<i>Guilty Plea or Nolo Contendere</i>	20	15	9	2	29	146	50	285	
<i>By the Court</i>	0	0	0	0	0	0	0	0	
<i>By the Jury</i>	1	0	0	0	0	3	2	9	
Total Convictions	21	15	9	2	29	149	52	294	
Placed on Deferred Adjudication	16	17	2	4	9	1	55	126	
Acquittals:									
<i>By the Court</i>	0	0	0	0	0	0	0	0	
<i>By the Jury</i>	2	0	0	0	0	1	0	4	
Total Acquittals	2	0	0	0	0	1	0	4	
Dismissals	6	4	13	5	24	9	30	133	
Motions to Revoke:									
<i>Granted/Revoked</i>	7	0	11	7	6	25	22	80	
<i>Denied/Continued</i>	0	0	0	2	1	2	0	5	
All Other Dispositions	0	1	2	0	0	1	2	8	
<b>Total Cases Disposed</b>	<b>52</b>	<b>37</b>	<b>37</b>	<b>20</b>	<b>69</b>	<b>188</b>	<b>161</b>	<b>650</b>	
<b>Placed on Inactive Status</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>79</b>	<b>0</b>	<b>83</b>	
<b>Cases Pending 8/31/2012:</b>									
<i>Active Cases</i>	23	39	122	7	120	200	88	678	
<i>Inactive Cases</i>	0	0	0	0	2	48	1	52	
Cases in Which									
<i>Death Penalty Sought</i>	---	---	---	---	---	---	---	---	
<i>Death Penalty Not Sought</i>	---	---	---	---	---	---	---	---	
<b>Sentencing Information:</b>									
Prison	2	2	0	0	5	41	8	66	
State Jail	1	2	2	0	4	6	2	17	
Local Jail	1	0	1	0	2	0	0	6	
Probation/Community Supervision	14	5	3	6	14	35	13	104	
Shock Probation	0	0	0	0	0	0	0	0	
Fine Only	0	0	0	0	0	0	0	0	
Other	0	0	0	0	0	45	2	49	
<b>Age of Cases Disposed:</b>									
	90 Days or Less	91 to 180 Days	181 to 365 Days	Over 365 Days		<b>Total Cases</b>			
Number of Cases	215	134	127	174		650			

Note: In 2012, 88 of the state's 254 counties had at least one county court at law in operation. Assuming one report for each county for each month, 1,056 reports were possible. OCA received 1,052 reports, for a reporting rate of 99.6 percent. However, some reports were missing certain sections, or one of the two offices in a county (county clerk or district clerk) may not have reported as required. Please see page 93 for a list of missing reports.

**Statutory County Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
**99.6 Percent Reporting Rate**  
**1,052 Reports Received Out of a Possible 1,056**

MISDEMEANOR CASES												
	DWI - First Offense	DWI - Second Offense	Theft	Theft by Check	Drug Possession - Marijuana	Drug Offenses - Other	Family Violence Assault	Assault - Other	Traffic	DWLS / DWLI	All Other Misdemea- nor Cases	Total Cases
<b>Cases on Docket:</b>												
<b>Cases Pending 9/1/2011:</b>												
<i>Active Cases</i>	61,265	8,960	52,536	40,896	28,551	12,085	20,949	15,377	18,247	12,184	67,788	338,838
<i>Inactive Cases</i>	24,877	2,664	23,050	30,349	8,101	2,788	7,673	6,816	8,131	4,322	29,767	148,538
Docket Adjustments	(675)	16	1,088	(164)	126	56	404	380	431	516	386	2,564
<b>Cases Added:</b>												
New Cases Filed	60,277	13,155	48,657	21,243	56,322	17,225	31,740	13,729	7,755	23,871	116,115	410,089
Appealed from Lower Courts	76	23	85	6	31	125	35	109	29,999	154	3,621	34,264
<b>Other Cases Reaching Docket:</b>												
<i>Motions to Revoke Filed</i>	8,461	2,014	6,652	1,746	6,561	1,709	2,952	1,515	646	850	9,338	42,444
<i>Cases Reactivated</i>	7,495	2,064	13,822	12,515	8,485	2,576	6,772	3,117	1,926	3,835	20,178	82,785
<i>All Other Cases Added</i>	262	82	420	109	334	96	307	213	190	27	1,307	3,347
<b>Total Cases on Docket</b>	<b>137,161</b>	<b>26,314</b>	<b>123,260</b>	<b>76,351</b>	<b>100,410</b>	<b>33,872</b>	<b>63,159</b>	<b>34,440</b>	<b>59,194</b>	<b>41,437</b>	<b>218,733</b>	<b>914,331</b>
<b>Dispositions:</b>												
<b>Convictions:</b>												
<i>Guilty Plea/Nolo Contendere</i>	43,239	10,624	22,068	6,699	26,378	7,119	11,405	5,576	10,493	12,783	65,873	222,257
<i>By the Court</i>	1,112	295	516	112	749	169	163	417	232	263	1,624	5,652
<i>By the Jury</i>	741	129	60	10	50	16	111	67	25	6	227	1,442
Total Convictions	45,092	11,048	22,644	6,821	27,177	7,304	11,679	6,060	10,750	13,052	67,724	229,351
Deferred Adjudication	1,005	84	12,165	2,619	12,197	2,635	5,085	2,093	14,578	2,063	15,047	69,571
<b>Acquittals:</b>												
<i>By the Court</i>	310	42	20	21	24	16	157	45	7	1	117	760
<i>By the Jury</i>	388	74	22	4	26	9	158	69	11	0	177	938
Total Acquittals	698	116	42	25	50	25	315	114	18	1	294	1,698
Dismissals	12,519	1,453	13,700	15,735	13,647	6,265	14,371	5,911	15,710	6,890	35,265	141,466
<b>Motions to Revoke:</b>												
<i>Granted/Revoked</i>	4,397	989	3,321	1,067	3,757	1,192	1,879	958	423	520	5,278	23,781
<i>Denied/Continued</i>	3,085	649	1,659	503	1,451	337	917	441	262	162	3,027	12,493
All Other Dispositions	1,146	133	1,231	228	1,734	858	1,222	476	1,326	1,022	3,724	13,100
<b>Total Cases Disposed</b>	<b>67,942</b>	<b>14,472</b>	<b>54,762</b>	<b>26,998</b>	<b>60,013</b>	<b>18,616</b>	<b>35,468</b>	<b>16,053</b>	<b>43,067</b>	<b>23,710</b>	<b>130,359</b>	<b>491,460</b>
<b>Placed on Inactive Status</b>	<b>8,681</b>	<b>2,379</b>	<b>14,046</b>	<b>10,754</b>	<b>9,759</b>	<b>2,615</b>	<b>7,946</b>	<b>3,418</b>	<b>1,867</b>	<b>4,336</b>	<b>21,840</b>	<b>87,641</b>
<b>Cases Pending 8/31/2012:</b>												
<i>Active Cases</i>	58,993	9,160	52,411	38,027	29,363	12,180	19,546	14,560	13,936	12,611	64,329	325,116
<i>Inactive Cases</i>	26,091	3,033	23,151	28,576	9,446	2,974	8,771	7,147	8,123	4,888	31,427	153,627
<b>Sentencing Information:</b>												
Local Jail	23,585	5,838	18,026	5,251	22,921	4,816	9,250	4,741	2,571	10,588	55,216	162,803
Probation/Comm. Supervision	21,525	4,908	6,156	2,111	6,367	1,972	3,474	1,413	10,664	1,425	10,498	70,513
Fine Only	689	127	836	1,067	1,466	294	606	322	7,158	1,350	1,856	15,771
Other	1,055	177	846	2,231	864	495	573	314	1,466	597	2,475	11,093
<b>Age of Cases Disposed:</b>					<b>Additional Court Activity:</b>							
	30 Days or Less	31 to 60 Days	61 to 90 Days	Over 90 Days	Total Cases			<b>Mis- demeanor</b>		<b>Felony</b>		<b>Total</b>
Number of Cases	127,005	55,960	49,508	258,987	491,460	Cases in Which Jury Selected		2,029		3		2,032
						Cases in Which Mistrial Declared		122		0		122
						Motions to Suppress Granted or Denied		1,133		5		1,138
						Competency Hearings Held		1,532		0		1,532
						Cases Set for Review		37,152		14		37,166
						Cases in Which Attorney Appted as Counsel		162,219		269		162,488
						Cases with Retained Counsel		170,020		142		170,162
<b>Information on Trafficking of Persons:</b>												
	<b>Total</b>											
	Cases for Trafficking of Persons				121							
	Cases for Prostitution				3,736							
	Cases for Compelling Prostitution				49							

Note: In 2012, 88 of the state's 254 counties had at least one county court at law in operation. Assuming one report for each county for each month, 1,056 reports were possible. OCA received 1,052 reports, for a reporting rate of 99.6 percent. However, some reports were missing certain sections, or one of the two offices in a county (county clerk or district clerk) may not have reported as required. Please see page 93 for a list of missing reports.

**Statutory County Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
**99.6 Percent Reporting Rate**  
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CIVIL CASES								
	Injury or Damage						Real Property	
	Motor Vehicle	Medical Malpractice	Other Professional Malpractice	Product Liability - Asbestos/Silica	Other Product Liability	Other Injury or Damage	Eminent Domain	Other Real Property
Cases on Docket:								
<b>Cases Pending 9/1/2011:</b>								
<i>Active Cases</i>	18,476	78	9	46	81	8,195	3,701	1,301
<i>Inactive Cases</i>	962	0	0	3	2	320	11	9
Docket Adjustments	354	0	0	(2)	2	(116)	12	(51)
<b>Cases Added:</b>								
New Cases Filed	13,144	54	31	10	165	3,700	903	229
Other Cases Reaching Docket								
<i>Cases Appealed from Lower Courts</i>	41	0	0	0	3	94	2	167
<i>Cases Reactivated</i>	978	0	0	1	10	423	51	5
<i>All Other Cases Added</i>	374	0	0	0	4	140	10	27
<b>Total Cases on Docket</b>	<b>33,367</b>	<b>132</b>	<b>40</b>	<b>55</b>	<b>265</b>	<b>12,436</b>	<b>4,679</b>	<b>1,678</b>
<b>Dispositions:</b>								
Change of Venue Transfers	81	0	1	0	0	52	2	4
Default Judgments	1,615	1	0	0	8	232	0	28
Agreed Judgments	788	3	2	0	8	203	204	41
Summary Judgments	152	1	0	1	3	138	0	11
Final Judgments:								
<i>After Non-Jury Trial</i>	740	2	0	0	0	272	161	113
<i>By Jury Verdict</i>	211	0	0	0	0	30	4	4
<i>By Directed Verdict</i>	5	0	0	0	0	0	0	0
<i>Dismissed for Want of Prosecution</i>	1,945	1	0	3	5	560	19	137
<i>Non-Suited or Dismissed by Plaintiff</i>	5,947	10	5	4	50	1,478	418	65
All Other Dispositions	2,304	8	3	1	14	714	180	93
<b>Total Cases Disposed</b>	<b>13,788</b>	<b>26</b>	<b>11</b>	<b>9</b>	<b>88</b>	<b>3,679</b>	<b>988</b>	<b>496</b>
<b>Placed on Inactive Status</b>	<b>1,683</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>8</b>	<b>625</b>	<b>68</b>	<b>10</b>
<b>Cases Pending 8/31/2012:</b>								
<i>Active Cases</i>	18,766	106	29	45	168	8,288	3,631	1,156
<i>Inactive Cases</i>	665	0	0	3	0	346	19	13

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**Statutory County Courts**  
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CIVIL CASES								
	Contract		Civil Cases Relating to Criminal Matters	All Other Civil Cases	Tax	Total Cases		
	Consumer/ Commercial/ Debt	Other Contract						
Cases on Docket:								
<b>Cases Pending 9/1/2011:</b>								
<i>Active Cases</i>	113,642	9,493	34,338	19,550	3,329	212,239		
<i>Inactive Cases</i>	2,761	2,069	141	500	1	6,779		
Docket Adjustments	2,639	(1,186)	(1,737)	(22)	8	(99)		
<b>Cases Added:</b>								
New Cases Filed	43,911	5,023	33,477	14,543	2,364	117,554		
Other Cases Reaching Docket								
<i>Cases Appealed from Lower Courts</i>	267	3,420	30	2,355	11	6,390		
<i>Cases Reactivated</i>	2,428	229	9	108	0	4,242		
<i>All Other Cases Added</i>	2,681	185	2,123	473	22	6,039		
<b>Total Cases on Docket</b>	<b>165,568</b>	<b>17,164</b>	<b>68,240</b>	<b>37,007</b>	<b>5,734</b>	<b>346,365</b>		
<b>Dispositions:</b>								
Change of Venue Transfers	151	12	16	54	0	373		
Default Judgments	16,038	1,462	3,188	763	416	23,751		
Agreed Judgments	4,550	808	5,731	1,374	158	13,870		
Summary Judgments	3,017	256	115	141	3	3,838		
Final Judgments:								
<i>After Non-Jury Trial</i>	2,058	1,704	3,794	2,148	301	11,293		
<i>By Jury Verdict</i>	49	12	2	38	0	350		
<i>By Directed Verdict</i>	6	0	2	7	0	20		
<i>Dismissed for Want of Prosecution</i>	6,659	1,643	1,166	1,567	65	13,770		
<i>Non-Suited or Dismissed by Plaintiff</i>	19,166	1,761	5,703	2,704	969	38,280		
All Other Dispositions	2,767	1,315	11,156	8,512	182	27,249		
<b>Total Cases Disposed</b>	<b>54,461</b>	<b>8,973</b>	<b>30,873</b>	<b>17,308</b>	<b>2,094</b>	<b>132,794</b>		
<b>Placed on Inactive Status</b>	<b>3,964</b>	<b>1,930</b>	<b>123</b>	<b>425</b>	<b>0</b>	<b>8,837</b>		
<b>Cases Pending 8/31/2012:</b>								
<i>Active Cases</i>	107,068	8,827	37,018	19,583	3,627	208,312		
<i>Inactive Cases</i>	4,211	1,188	102	319	1	6,867		
<b>Age of Cases Disposed:</b>						<b>Additional Court Activity:</b>		
Number of Cases	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	<b>Total Cases</b>		
	48,825	26,880	27,881	10,631	18,577	132,794	Cases in Which Jury Selected	580
							Cases in Which Mistrial Declared	37
							Injunction or Show Cause Order Issued	1,654
							Cases in Which Plaintiff /Petitioner Represented Self	6,283

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FAMILY CASES										
	Divorce		Parent-Child - No Divorce	Child Protective Services	Termination of Parental Rights	Adoption	Protective Orders - No Divorce	Title IV-D		
	Children	No Children						Paternity	Support Order	UIFSA
Cases on Docket:										
<b>Cases Pending 9/1/2011:</b>										
<i>Active Cases</i>	7,058	4,161	1,989	1,421	153	401	1,041	1,338	1,774	309
<i>Inactive Cases</i>	313	164	60	16	6	14	4	27	54	5
Docket Adjustments	169	158	(191)	(41)	7	4	18	16	69	1
<b>Cases Added:</b>										
New Cases Filed	6,139	6,325	1,679	1,074	208	783	1,062	2,772	3,957	269
Other Cases Reaching Docket:										
<i>Cases Reactivated</i>	31	17	12	15	1	2	8	2	6	0
<i>All Other Cases Added</i>	185	132	249	40	6	12	11	72	305	18
<b>Total Cases on Docket</b>	<b>13,582</b>	<b>10,793</b>	<b>3,738</b>	<b>2,509</b>	<b>375</b>	<b>1,202</b>	<b>2,140</b>	<b>4,200</b>	<b>6,111</b>	<b>597</b>
<b>Dispositions:</b>										
Change of Venue Transfers	19	5	23	14	5	11	6	3	13	6
Default Judgments	131	207	44	1	11	1	15	164	135	10
Agreed Judgments	966	1,074	299	38	14	55	56	421	882	22
Summary Judgments	1	0	0	0	0	0	0	0	0	0
Final Judgments:										
<i>After Non-Jury Trial</i>	3,698	4,140	746	491	102	539	424	1,148	1,719	104
<i>By Jury Verdict</i>	12	7	1	1	2	2	0	5	2	0
<i>By Directed Verdict</i>	1	2	5	0	0	1	1	2	0	0
<i>Dismissed for Want of Prosecution</i>	421	424	117	12	10	22	90	9	14	5
<i>Non-Suited or Dismissed by Plaintiff</i>	398	314	172	249	8	17	180	430	517	88
All Other Dispositions	174	117	170	112	34	92	152	350	622	63
<b>Total Cases Disposed</b>	<b>5,821</b>	<b>6,290</b>	<b>1,577</b>	<b>918</b>	<b>186</b>	<b>740</b>	<b>924</b>	<b>2,532</b>	<b>3,904</b>	<b>298</b>
<b>Cases Placed on Inactive Status</b>	<b>58</b>	<b>37</b>	<b>18</b>	<b>24</b>	<b>0</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>1</b>
<b>Cases Pending 8/31/2012:</b>										
<i>Active Cases</i>	7,232	4,397	2,129	1,577	180	429	1,162	1,631	2,043	300
<i>Inactive Cases</i>	242	102	19	10	5	12	4	26	48	5

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FAMILY CASES						
	All Other Family Law Cases	Post-Judgment Actions				Total Cases
		Modification - Custody	Modification - Other	Enforcement	Title IV-D	
<b>Cases on Docket:</b>						
<b>Cases Pending 9/1/2011:</b>						
<i>Active Cases</i>	4,013	1,269	2,522	1,427	3,834	32,710
<i>Inactive Cases</i>	65	12	17	11	246	1,014
Docket Adjustments	(27)	7	(197)	(1)	(203)	(211)
<b>Cases Added:</b>						
New Cases Filed	1,284	735	869	674	4,194	32,024
Other Cases Reaching Docket:						
<i>Cases Reactivated</i>	13	6	7	11	323	454
<i>All Other Cases Added</i>	610	658	341	356	1,631	4,626
<b>Total Cases on Docket</b>	<b>5,893</b>	<b>2,675</b>	<b>3,542</b>	<b>2,467</b>	<b>9,779</b>	<b>69,603</b>
<b>Dispositions:</b>						
Change of Venue Transfers	27	61	44	19	156	412
Default Judgments	51	17	18	15	98	918
Agreed Judgments	249	236	210	169	1,254	5,945
Summary Judgments	0	0	0	0	0	1
Final Judgments:						
<i>After Non-Jury Trial</i>	964	521	369	208	1,930	17,103
<i>By Jury Verdict</i>	5	2	4	4	18	65
<i>By Directed Verdict</i>	3	0	0	0	1	16
<i>Dismissed for Want of Prosecution</i>	218	100	60	77	29	1,608
<i>Non-Suited or Dismissed by Plaintiff</i>	247	96	68	93	607	3,484
All Other Dispositions	621	133	161	304	1,149	4,254
<b>Total Cases Disposed</b>	<b>2,385</b>	<b>1,166</b>	<b>934</b>	<b>889</b>	<b>5,242</b>	<b>33,806</b>
<b>Cases Placed on Inactive Status</b>	<b>8</b>	<b>6</b>	<b>4</b>	<b>10</b>	<b>259</b>	<b>435</b>
<b>Cases Pending 8/31/2012:</b>						
<i>Active Cases</i>	3,426	1,520	2,530	1,539	4,282	34,377
<i>Inactive Cases</i>	45	10	14	16	178	736
<b>Age of Cases Disposed:</b>						
	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	<b>Total Cases</b>
Number of Cases	15,163	6,583	5,499	2,254	4,307	33,806
<b>Additional Court Activity:</b>						<b>Total</b>
						Cases in Which Jury Selected
						35
						Cases in Which Mistrial Declared
						0
						Injunction or Show Cause Order Issued
						1,507
						Protective Orders Signed
						742
						Cases Set for Review
						1,243
						Cases in Which Plaintiff/Petitioner Represented Self
						7,080

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JUVENILE CASES											
	Delinquent Conduct										
	CINS	Capital Murder	Murder	Other Homicides	Agg. Assault or Attempted Murder	Assault	Indecency with or Sexual Assault of Child	Agg. Robbery or Robbery	Burglary	Theft	Auto Theft
Cases on Docket:											
<b>Cases Pending 9/1/2011:</b>											
<i>Active Cases</i>	649	1	4	3	175	520	220	58	226	308	52
<i>Inactive Cases</i>	1	0	0	0	34	77	5	6	22	20	2
Docket Adjustments	20	0	(3)	(1)	43	100	(5)	0	23	10	(2)
<b>Cases Added:</b>											
New Petitions Filed	104	3	2	2	301	808	261	53	403	384	72
Petitions for Transfer to Adult Crim. Court	---	0	2	0	5	1	9	10	6	1	0
Other Cases Reaching Docket:											
<i>Motions to Modify/Enforce/Proceed Filed</i>	21	1	2	1	45	152	39	5	107	72	23
<i>Cases Reactivated</i>	3	0	0	0	10	34	1	3	2	14	2
<i>All Other Cases Added</i>	8	0	0	0	8	16	8	4	14	13	3
<b>Total Cases on Docket</b>	<b>805</b>	<b>5</b>	<b>7</b>	<b>5</b>	<b>587</b>	<b>1,631</b>	<b>533</b>	<b>133</b>	<b>781</b>	<b>802</b>	<b>150</b>
<b>Adjudications:</b>											
Findings of Delinquent Conduct or CINS:											
<i>Plea of True</i>	49	0	2	2	189	461	135	35	287	188	28
<i>By the Court</i>	13	0	0	0	17	71	20	13	60	22	11
<i>By the Jury</i>	0	0	0	0	1	1	3	0	2	1	0
Total Findings of DC/CINS	62	0	2	2	207	533	158	48	349	211	39
Deferred Prosecution	9	0	0	0	13	53	17	2	17	35	2
Transferred to Adult Criminal Court	---	2	1	0	4	3	16	8	6	1	0
Findings of No DC or No CINS:											
<i>By the Court</i>	0	0	0	0	2	2	0	0	3	0	1
<i>By the Jury</i>	0	0	0	0	0	3	3	1	0	1	0
Total Findings of No DC/No CINS	0	0	0	0	2	5	3	1	3	1	1
Dismissals	45	0	0	1	82	269	46	9	71	105	20
Motions to Modify Disposition:											
<i>Denied</i>	2	0	0	0	9	24	4	2	7	8	3
<i>Granted</i>	9	0	0	0	29	100	29	2	77	45	13
All Other Adjudications/Findings	17	0	0	0	13	49	12	4	23	18	12
<b>Total Cases Adjudicated</b>	<b>144</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>359</b>	<b>1,036</b>	<b>285</b>	<b>76</b>	<b>553</b>	<b>424</b>	<b>90</b>
<b>Placed on Inactive Status</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>22</b>	<b>69</b>	<b>7</b>	<b>2</b>	<b>4</b>	<b>21</b>	<b>6</b>
<b>Cases Pending 8/31/2012:</b>											
<i>Active Cases</i>	652	3	4	2	170	459	213	48	192	293	39
<i>Inactive Cases</i>	0	0	0	0	46	107	7	5	22	26	6
<b>Dispositions:</b>											
<b>Cases with Findings of DC/CINS</b>											
Probation Granted											
<i>Determinate Sentence Probation</i>	---	0	0	3	63	192	65	16	130	76	15
<i>All Other Probation</i>	48	0	1	0	115	253	71	26	170	104	17
Committed to Texas Youth Commission											
<i>Determinate Sentence</i>	---	0	1	0	4	1	9	2	1	1	0
<i>Indeterminate Sentence</i>	---	0	0	1	8	11	18	2	16	5	5
Final Judgment Without Any Disposition	8	0	0	0	9	71	10	7	30	31	5
<b>Cases with Granted Motion to Modify Disp.</b>											
Probation Revoked, Child sent to TYC	---	0	0	0	5	3	5	3	13	5	1
All Other Dispositions	7	0	0	0	19	75	21	5	62	41	13

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<b>JUVENILE CASES</b>									
	<b>Delinquent Conduct</b>					<b>Total Cases</b>	<b>Total Delinquent Conduct Cases</b>		
	<b>Felony Drug Offenses</b>	<b>Misdemeanor Drug Offenses</b>	<b>DWI</b>	<b>Contempt of Court</b>	<b>All Other Offenses</b>		<b>Felonies</b>	<b>Misdemeanors</b>	
Cases on Docket:									
<b>Cases Pending 9/1/2011:</b>									
<i>Active Cases</i>	129	506	8	11	2,131	5,001	996	1,597	
<i>Inactive Cases</i>	6	25	1	0	59	258	15	3	
Docket Adjustments	10	45	(2)	6	(16)	228	90	124	
<b>Cases Added:</b>									
New Petitions Filed	186	731	9	64	1,142	4,525	1,375	2,047	
Petitions for Transfer to Adult Crim. Court	1	0	0	1	2	38	28	1	
Other Cases Reaching Docket:									
<i>Motions to Modify/Enforce/Proceed Filed</i>	25	90	1	19	215	818	324	361	
<i>Cases Reactivated</i>	3	7	0	0	27	106	8	9	
<i>All Other Cases Added</i>	4	10	0	1	92	181	50	82	
<b>Total Cases on Docket</b>	<b>358</b>	<b>1,389</b>	<b>16</b>	<b>102</b>	<b>3,593</b>	<b>10,897</b>	<b>2,871</b>	<b>4,221</b>	
<b>Adjudications:</b>									
Findings of Delinquent Conduct or CINS:									
<i>Plea of True</i>	109	355	5	53	620	2,518	806	1,051	
<i>By the Court</i>	16	40	0	0	109	392	198	124	
<i>By the Jury</i>	0	1	0	0	3	12	8	4	
Total Findings of DC/CINS	125	396	5	53	732	2,922	1,012	1,179	
Deferred Prosecution	10	121	0	3	69	351	81	254	
Transferred to Adult Criminal Court	1	0	0	0	4	46	32	3	
Findings of No DC or No CINS:									
<i>By the Court</i>	0	2	0	1	2	13	3	2	
<i>By the Jury</i>	0	0	0	0	1	9	7	2	
Total Findings of No DC/No CINS	0	2	0	1	3	22	10	4	
Dismissals	43	141	3	16	300	1,151	275	524	
Motions to Modify Disposition:									
<i>Denied</i>	0	16	0	2	39	116	20	45	
<i>Granted</i>	19	62	0	13	174	572	237	254	
All Other Adjudications/Findings	9	23	0	0	61	241	98	123	
<b>Total Cases Adjudicated</b>	<b>207</b>	<b>761</b>	<b>8</b>	<b>88</b>	<b>1,382</b>	<b>5,421</b>	<b>1,765</b>	<b>2,386</b>	
<b>Placed on Inactive Status</b>	<b>4</b>	<b>34</b>	<b>0</b>	<b>0</b>	<b>71</b>	<b>242</b>	<b>28</b>	<b>48</b>	
<b>Cases Pending 8/31/2012:</b>									
<i>Active Cases</i>	102	540	4	14	2,005	4,740	837	1,518	
<i>Inactive Cases</i>	6	50	0	0	89	364	24	40	
<b>Dispositions:</b>									
<b>Cases with Findings of DC/CINS</b>									
Probation Granted									
<i>Determinate Sentence Probation</i>	59	139	2	25	249	1,034	353	429	
<i>All Other Probation</i>	53	222	4	39	365	1,488	516	654	
Committed to Texas Youth Commission									
<i>Determinate Sentence</i>	0	4	0	0	8	31	19	5	
<i>Indeterminate Sentence</i>	5	5	0	0	23	99	56	4	
Final Judgment Without Any Disposition	8	22	0	1	71	273	76	126	
<b>Cases with Granted Motion to Modify Disp.</b>									
Probation Revoked, Child sent to TYC	3	0	0	0	21	59	41	8	
All Other Dispositions	18	58	0	9	134	462	188	254	

Note: In 2012, 88 of the state's 254 counties had at least one county court at law in operation. Assuming one report for each county for each month, 1,056 reports were possible. OCA received 1,052 reports, for a reporting rate of 99.6 percent. However, some reports were missing certain sections, or one of the two offices in a county (county clerk or district clerk) may not have reported as required. Please see page 93 for a list of missing reports.

**Statutory County Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
**99.6 Percent Reporting Rate**  
**1,052 Reports Received Out of a Possible 1,056**

JUVENILE CASES						
<b>Age of Cases Adjudicated:</b>					<b>Additional Court Activity:</b>	
	30 Days or Less	31 to 90 Days	91 to 180 Days	Over 180 Days	<b>Total Cases</b>	
Number of Cases	1,179	1,994	1,102	1,146	5,421	
						<b>CINS      DC      Total</b>
						Grand Jury Approvals      ---      76      76
						Release or Transfer Hearings      ---      10      10
						Detention Hearings      231      5,183      5,414
						Cases Set for Review      5      362      367
						Competency Hearings      0      11      11
						Motions to Suppress Granted
						/Denied      0      3      3
						Applications for Sealing Records      1      109      110
						Motions for Sex Offender Un- or Deregistration      0      12      12
						Cases in Which Attorney Appointed as Counsel      72      3,424      3,496
						Cases with Retained Counsel      21      533      554

PROBATE AND GUARDIANSHIP CASES								
		<b>Decedents' Estates</b>			<b>Guardianships</b>			
		<b>Independent Administration</b>	<b>Dependent Administration</b>	<b>All Other Estate Proceedings</b>	<b>Minor</b>	<b>Adult</b>	<b>All Other Cases</b>	<b>Total Cases</b>
Cases on Docket:								
New Cases, Applications or Contests Filed		18,693	1,194	9,986	496	3,489	5,261	39,119
Other Cases Added:								
<i>Ancillary Cases</i>		235	102	41	7	34	63	482
<i>All Other Matters</i>		2,908	1,556	1,317	785	12,909	10,303	29,778
Inventories Filed		14,924	1,787	---	177	935	---	17,823
Guardianship of Person Reports Filed		---	---	---	629	18,049	---	18,678
Annual or Final Accounts Filed		---	1,309	---	1,010	4,596	---	6,915
<b>Additional Information:</b>								
	<b>Guardianships:</b>	<b>Total</b>					<b>Total</b>	
	Dismissed or Denied	340				Sec. 683 Investigations	3,398	
	Granted	2,887				Ch. 48 Removals	17	
	Closed	1,426				Hearings Held	44,650	
	Active	30,329				Cases in Which Plaintiff/Petitioner Represented Self	1,509	

MENTAL HEALTH CASES						
		<b>Temporary Mental Health Services</b>	<b>Extended Mental Health Services</b>	<b>Modification</b>		<b>Order to Authorize Psychoactive Medications</b>
				<b>Inpatient to Outpatient</b>	<b>Outpatient to Inpatient</b>	
<b>Intake</b>						
New Applications Filed		34,022	225	161	106	New Applications Filed      2,659
Applications for Protective Custody Signed		28,827	---	---	---	Dismissal Prior to Hearing      383
<b>Hearings</b>						Hearings Held      1,939
Probable Cause Hearings Held		20,517	---	---	---	Disposition at Hearing
Release/Dismissal Prior to Final Hearing		17,357	3	1	1	<i>Denied</i> 132
Final Commitment Hearings Held		8,927	156	51	8	<i>Granted</i> 1,959
<b>Other Information</b>						
Disposition at Final Hearing						
<i>Denied (Release)</i>		2,531	64	1	0	
<i>Granted (Commit)</i>						
Inpatient		7,258	133	57	---	
Outpatient		267	20	---	71	

Note: In 2012, 88 of the state's 254 counties had at least one county court at law in operation. Assuming one report for each county for each month, 1,056 reports were possible. OCA received 1,052 reports, for a reporting rate of 99.6 percent. However, some reports were missing certain sections, or one of the two offices in a county (county clerk or district clerk) may not have reported as required. Please see page 93 for a list of missing reports.

# Constitutional County Courts

In 2012, cases were filed in 211 of the state's 254 constitutional county courts. The County Judge in the other 43 counties either had no judicial functions or assisted on an as-needed basis with cases filed in another court.<sup>1</sup>

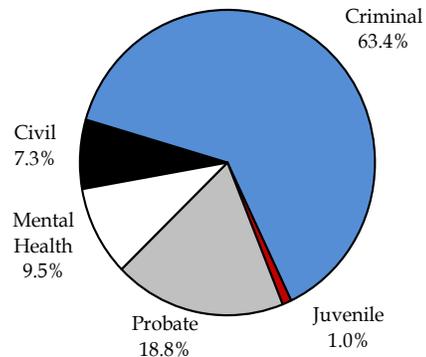
**Cases Added** – In 2012, approximately 89,000 civil, criminal, juvenile, probate, and mental health cases were filed in the constitutional county courts—down 6.1 percent from the number filed in the previous year.<sup>2,3</sup> Criminal cases accounted for the majority of cases filed in these courts.

Excluding the “all other misdemeanors” category, the largest category of criminal cases filed in 2012 involved driving while intoxicated, followed by drug offenses and theft by check.

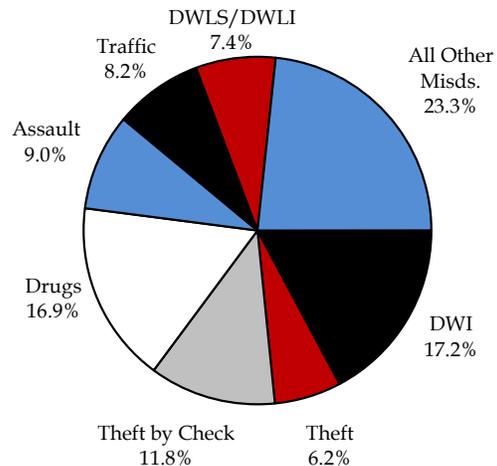
Civil cases related to criminal matters—a reporting category that includes bond forfeitures, expunctions, nondisclosures, occupational licenses, and seizures and forfeitures—accounted for nearly half (49.4 percent) of the constitutional county courts’ civil caseload. “All other” civil cases comprised the next largest share of civil cases added.

**Clearance Rates** – In 2012, constitutional county courts disposed of or placed on inactive pending status 80,456 civil, criminal and juvenile cases. The overall clearance rate was 108.0 percent. Civil and juvenile case clearance rates improved from the previous year. The criminal case clearance rate declined slightly but was still well above 100 percent.

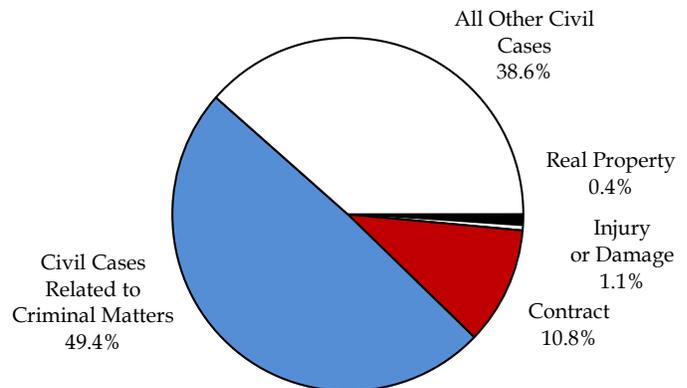
**Cases Added**  
(88,706 Cases)



**Misdemeanor Cases Filed**  
(57,042 Cases)



**Civil Cases Filed**  
(6,565 Cases)



Does not total to 100 percent due to rounding.

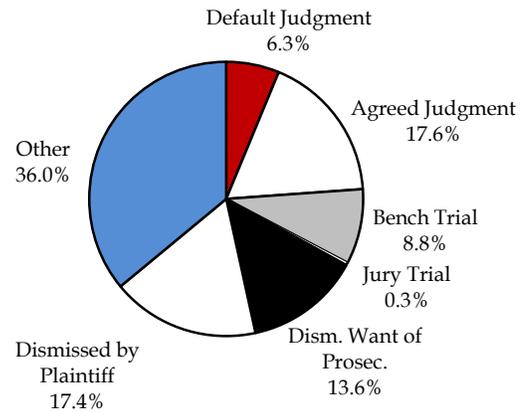
1. The judicial functions of the constitutional county courts vary greatly by county. Some courts may have very limited jurisdiction.  
 2. “Filed” includes new cases, appeals from lower courts, petitions for transfer to adult criminal court, motions to revoke, and other cases added to the docket.  
 3. Juvenile, probate and mental health caseloads are discussed in more detail in separate sections of this report.

**Manner of Disposition** – In 2012, constitutional county courts disposed of a total of 5,614 civil cases. Excluding the “Other Disposition” category, the largest share of civil cases was disposed of by agreed judgment, followed closely by dismissals by the plaintiff. Approximately 9 percent of cases were decided by a bench trial, and only 0.3 percent was reported as decided by a jury verdict.

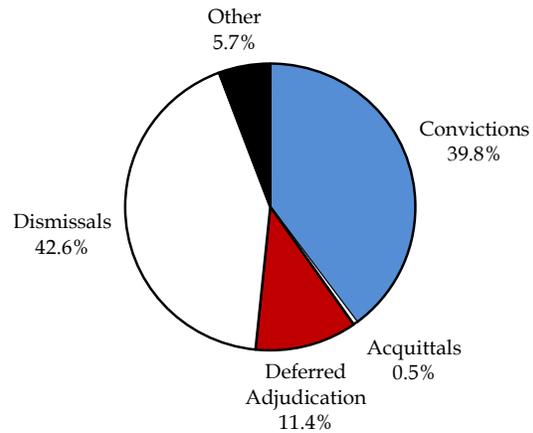
The constitutional county courts also disposed of 61,940 criminal cases during the year. Defendants were convicted in nearly 40 percent, and acquitted in 0.5 percent, of the 57,550 cases that did not involve a motion to revoke probation. The highest conviction rate occurred in cases involving a second offense of driving while intoxicated/under the influence, and the lowest rate occurred in traffic cases. Overall, 94.4 percent of convictions were the result of a guilty or *nolo contendere* plea.

Nearly three percent of all criminal cases (excluding motions to revoke probation) went to trial in 2012. The highest trial rate occurred in driving while intoxicated or under the influence cases (4.5 percent).

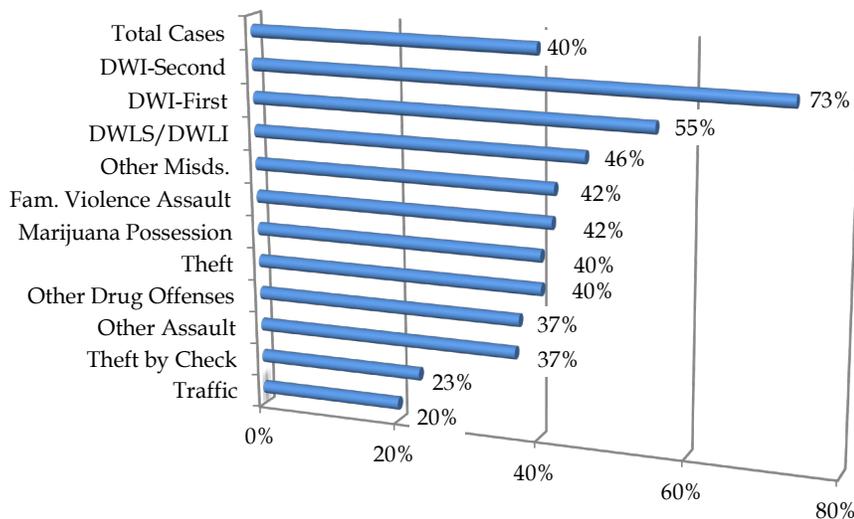
**Disposition of Civil Cases  
(5,614 Cases)**



**Disposition of Criminal Cases  
(57,550 Cases)<sup>4</sup>**



**Criminal Conviction Rates by Case Category**



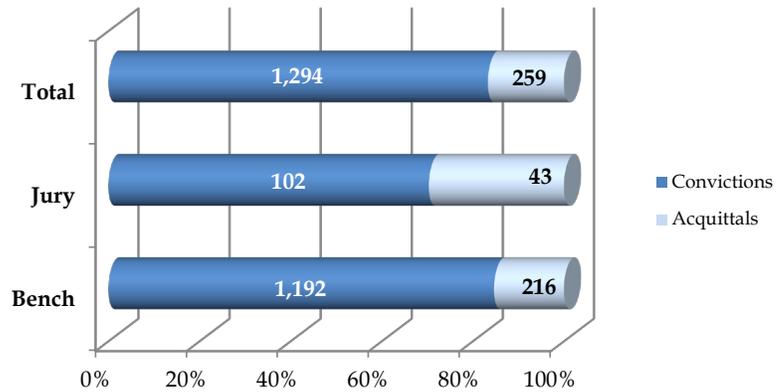
4. Excludes motions to revoke probation.

Of the 1,553 cases that went to trial, 9.3 percent were tried before a jury. Defendants were convicted in 70.3 percent of cases that went to jury trial, compared to 84.7 percent that were convicted in cases that were decided by a judge.

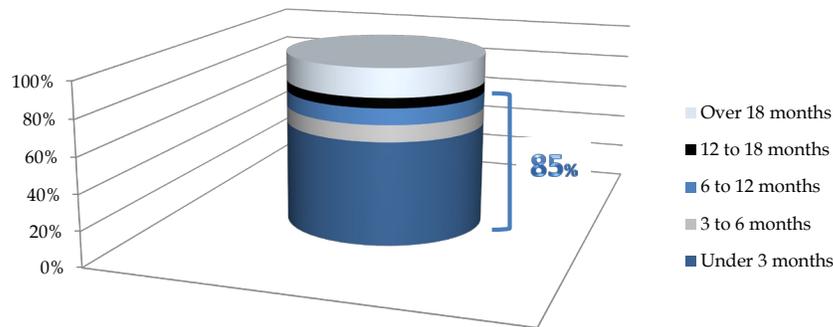
Dismissals constituted nearly 43 percent of all criminal cases disposed of in 2012 (excluding motions to revoke probation). The highest rate of dismissal occurred in theft by check cases (67.8 percent).

**Age of Cases Disposed** – In 2012, 85 percent of civil cases were disposed of within 12 months, an improvement over the 77 percent disposed of within the same time frame during the previous year. Fifty-two percent of criminal cases were disposed of within 90 days, less than the 53.5 percent processed within the same time period in the prior year.

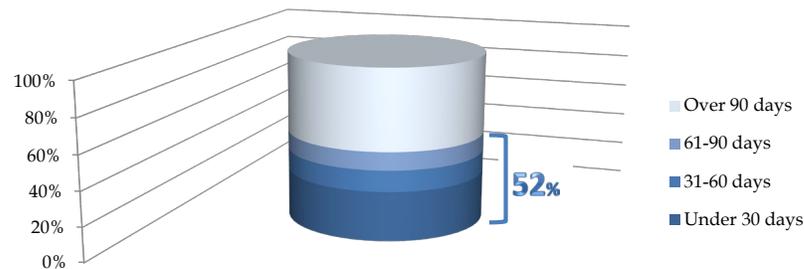
**Criminal Cases Reaching Trial**



**Age of Civil Cases Disposed**



**Age of Criminal Cases Disposed**



**Self-Represented Litigants** – In 2012, constitutional county courts reported 1,278 civil cases (or 19.8 percent of new civil cases or appeals filed) in which the petitioner was representing him- or herself at the time of filing, compared to 1,558 cases (or 24.6 percent) reported in 2011. Constitutional county courts also reported 936 probate and guardianship cases (or 5.6 percent of new probate and guardianship cases filed) in which litigants were self-represented, compared to 983 cases (or 5.7 percent) in 2011.

**Constitutional County Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
**95.8 Percent Reporting Rate**  
**2,425 Reports Received Out of a Possible 2,532**

MISDEMEANOR CASES												
	DWI - First Offense	DWI - Second Offense	Theft	Theft by Check	Drug Possession - Marijuana	Drug Offenses - Other	Family Violence Assault	Assault - Other	Traffic	DWLS/ DWLI	All Other Misdemea- nor Cases	Total Cases
<b>Cases on Docket:</b>												
<b>Cases Pending 9/1/2011:</b>												
<i>Active Cases</i>	15,457	1,610	8,087	20,511	7,599	2,955	1,796	4,405	6,982	3,619	20,319	93,340
<i>Inactive Cases</i>	2,342	281	2,879	4,231	1,383	355	256	423	495	507	2,330	15,482
Docket Adjustments	1,412	61	645	46	111	1,065	63	849	1,382	224	2,460	8,318
<b>Cases Added:</b>												
New Cases Filed	6,648	1,592	2,980	6,118	6,224	1,915	2,339	2,089	2,322	3,705	11,549	47,481
Appealed from Lower Courts	57	2	3	2	6	55	4	27	2,181	83	476	2,896
<b>Other Cases Reaching Docket:</b>												
<i>Motions to Revoke Filed</i>	907	288	479	569	1,052	199	287	210	113	376	1,065	5,545
<i>Cases Reactivated</i>	1,168	251	1,136	2,627	1,073	285	285	344	220	579	1,914	9,882
<i>All Other Cases Added</i>	251	52	83	28	143	35	90	86	70	66	216	1,120
<b>Total Cases on Docket</b>	<b>25,900</b>	<b>3,856</b>	<b>13,413</b>	<b>29,901</b>	<b>16,208</b>	<b>6,509</b>	<b>4,864</b>	<b>8,010</b>	<b>13,270</b>	<b>8,652</b>	<b>37,999</b>	<b>168,582</b>
<b>Dispositions:</b>												
<b>Convictions:</b>												
<i>Guilty Plea/Nolo Contendere</i>	4,028	1,112	1,474	1,802	2,779	742	940	851	856	1,710	5,324	21,618
<i>By the Court</i>	283	80	53	149	141	27	66	43	36	63	251	1,192
<i>By the Jury</i>	31	4	5	2	10	2	2	6	9	2	29	102
Total Convictions	4,342	1,196	1,532	1,953	2,930	771	1,008	900	901	1,775	5,604	22,912
Deferred Adjudication	343	28	418	501	1,498	233	203	258	1,355	483	1,225	6,545
<b>Acquittals:</b>												
<i>By the Court</i>	13	1	3	1	15	2	11	9	21	21	119	216
<i>By the Jury</i>	12	3	5	1	1	1	3	3	0	0	14	43
Total Acquittals	25	4	8	2	16	3	14	12	21	21	133	259
Dismissals	2,500	311	1,653	5,724	2,394	908	1,043	1,133	1,904	1,355	5,607	24,532
<b>Motions to Revoke:</b>												
<i>Granted/Revoked</i>	528	159	276	281	520	98	167	145	53	155	639	3,021
<i>Denied/Continued</i>	230	63	150	124	252	38	63	61	30	95	263	1,369
All Other Dispositions	623	98	185	267	432	152	142	147	324	203	729	3,302
<b>Total Cases Disposed</b>	<b>8,591</b>	<b>1,859</b>	<b>4,222</b>	<b>8,852</b>	<b>8,042</b>	<b>2,203</b>	<b>2,640</b>	<b>2,656</b>	<b>4,588</b>	<b>4,087</b>	<b>14,200</b>	<b>61,940</b>
<b>Placed on Inactive Status</b>	<b>1,109</b>	<b>301</b>	<b>1,003</b>	<b>2,944</b>	<b>1,236</b>	<b>342</b>	<b>375</b>	<b>376</b>	<b>314</b>	<b>660</b>	<b>2,338</b>	<b>10,998</b>
<b>Cases Pending 8/31/2012:</b>												
<i>Active Cases</i>	13,577	1,676	7,137	16,855	6,519	2,952	1,745	3,851	6,992	3,220	18,948	83,472
<i>Inactive Cases</i>	2,226	295	2,640	4,353	1,371	394	318	428	474	562	2,392	15,453
<b>Sentencing Information:</b>												
Local Jail	1,228	388	624	713	1,274	356	468	436	220	693	2,661	9,061
Probation/Comm. Supervision	2,211	529	505	582	1,189	263	376	288	406	453	1,361	8,163
Fine Only	195	30	173	391	285	55	45	43	210	305	476	2,208
Other	531	108	142	465	378	120	101	117	273	276	617	3,128
<b>Age of Cases Disposed:</b>												
	30 Days or Less	31 to 60 Days	61 to 90 Days	Over 90 Days	<b>Total Cases</b>	<b>Additional Court Activity:</b>						<b>Total</b>
Number of Cases	17,993	7,733	6,596	29,618	61,940	Cases in Which Jury Selected						59
						Cases in Which Mistrial Declared						2
						Motions to Suppress Granted or Denied						74
						Competency Hearings Held						1
						Cases Set for Review						1,186
						Cases in Which Attorney Appointed as Counsel						7,260
						Cases With Retained Counsel						7,159

Note: Overall, there was a 95.8 percent reporting rate for the fiscal year. Please see page 93 for a list of missing reports.

**Constitutional County Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
**95.8 Percent Reporting Rate**  
**2,425 Reports Received Out of a Possible 2,532**

CIVIL CASES										
	Injury or Damage			Real Property	Contract			Civil Cases Relating to Criminal Matters	All Other Civil Cases	Total Cases
	Motor Vehicle	Other Injury or Damage			Consumer/Commercial/Debt	Landlord/Tenant	Other Contract			
Cases on Docket:										
<b>Cases Pending 9/1/2011:</b>										
<i>Active Cases</i>	411	190	18	1,965	39	219	5,483	7,237	15,562	
<i>Inactive Cases</i>	38	18	0	440	2	38	484	1,152	2,172	
Docket Adjustments	47	1	(4)	131	1	49	1,542	(691)	1,076	
<b>Cases Added:</b>										
New Cases Filed	49	19	5	631	24	25	3,170	2,454	6,377	
Appealed from Lower Courts	2	0	1	9	14	4	10	32	72	
Other Cases Reaching Docket:										
<i>Cases Reactivated</i>	1	0	0	8	1	1	63	4	78	
<i>All Other Cases Added</i>	0	0	0	2	0	0	64	50	116	
<b>Total Cases on Docket</b>	<b>510</b>	<b>210</b>	<b>20</b>	<b>2,746</b>	<b>79</b>	<b>298</b>	<b>10,332</b>	<b>9,086</b>	<b>23,281</b>	
<b>Dispositions:</b>										
Change of Venue Transfers	1	0	0	1	1	1	2	45	51	
Default Judgments	5	0	1	117	2	9	152	65	351	
Agreed Judgments	7	2	1	31	4	3	675	265	988	
Summary Judgments	1	1	0	7	1	0	0	0	10	
Final Judgments:										
<i>After Non-Jury Trial</i>	3	1	0	27	8	2	294	161	496	
<i>By Jury Verdict</i>	1	0	0	1	0	1	5	2	10	
<i>By Directed Verdict</i>	0	0	0	0	0	1	0	8	9	
<i>Dismissed for Want of Prosec.</i>	1	0	0	14	3	4	486	253	761	
<i>Non-Suited/Dism. by Plaintiff</i>	9	3	1	135	5	3	488	334	978	
All Other Dispositions	2	4	1	30	10	9	707	1,197	1,960	
<b>Total Cases Disposed</b>	<b>30</b>	<b>11</b>	<b>4</b>	<b>363</b>	<b>34</b>	<b>33</b>	<b>2,809</b>	<b>2,330</b>	<b>5,614</b>	
<b>Placed on Inactive Status</b>	<b>29</b>	<b>9</b>	<b>0</b>	<b>92</b>	<b>1</b>	<b>2</b>	<b>294</b>	<b>564</b>	<b>991</b>	
<b>Cases Pending 8/31/2012:</b>										
<i>Active Cases</i>	413	191	16	2,169	44	218	5,853	6,815	15,719	
<i>Inactive Cases</i>	36	17	0	459	2	37	444	1,044	2,039	
<b>Age of Cases Disposed:</b>	<b>3 Months or Less</b>	<b>Over 3 to 6 Months</b>	<b>Over 6 to 12 Months</b>	<b>Over 12 to 18 Months</b>	<b>Over 18 Months</b>	<b>Total Cases</b>	<b>Additional Court Activity:</b>			
Number of Cases	3,318	536	520	324	916	5,614				<b>Total</b>
							Cases in Which Jury Selected			3
							Cases in Which Mistrial Declared			0
							Injunction or Show Cause Order Issued			29
							Protective Orders Signed			198
							Cases in Which Plaintiff/Petitioner Represented Self			1,278

Note: Overall, there was a 95.8 percent reporting rate for the fiscal year. Please see page 93 for a list of missing reports.

**Constitutional County Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
**95.8 Percent Reporting Rate**  
**2,425 Reports Received Out of a Possible 2,532**

JUVENILE CASES											
	Delinquent Conduct										
	CINS	Capital Murder	Murder	Other Homicide	Agg. Assault or Attempted Murder	Assault	Indecency with or Sexual Assault of Child	Agg. Robbery or	Burglary	Theft	Auto Theft
<b>Cases on Docket:</b>											
<b>Cases Pending 9/1/2011:</b>											
Active Cases	399	0	0	0	19	68	38	3	53	41	5
Inactive Cases	66	0	0	0	0	5	3	0	4	1	0
Docket Adjustments	(163)	(1)	0	0	8	(1)	2	(1)	(5)	(1)	(2)
<b>Cases Added:</b>											
New Petitions Filed	56	0	0	0	36	99	61	6	96	42	25
Petitions for Transfer to Adult Crim. Court	---	0	0	0	0	1	2	0	2	1	3
<b>Other Cases Reaching Docket:</b>											
Motions to Modify/Enforce/Proceed Filed	3	0	0	0	6	16	4	1	21	11	3
Cases Reactivated	0	0	0	0	0	0	1	1	2	0	0
All Other Cases Added	1	0	0	0	0	2	1	1	2	0	0
<b>Total Cases on Docket</b>	<b>296</b>	<b>(1)</b>	<b>0</b>	<b>0</b>	<b>69</b>	<b>185</b>	<b>109</b>	<b>11</b>	<b>171</b>	<b>94</b>	<b>34</b>
<b>Adjudications:</b>											
<b>Findings of Delinquent Conduct or CINS:</b>											
Plea of True	3	0	0	0	20	30	19	4	44	19	14
By the Court	0	0	0	0	5	26	2	1	23	13	3
By the Jury	3	0	0	0	0	1	0	0	0	0	0
Total Findings of DC/CINS	6	0	0	0	25	57	21	5	67	32	17
Deferred Prosecution	18	0	0	0	1	8	2	0	4	3	2
Transferred to Adult Criminal Court	---	0	0	0	1	0	1	0	0	0	0
<b>Findings of No DC or No CINS:</b>											
By the Court	0	0	0	0	1	1	0	0	0	1	0
By the Jury	0	0	0	0	0	0	0	0	0	0	0
Total Findings of No DC/No CINS	0	0	0	0	1	1	0	0	0	1	0
Dismissals	37	0	0	0	10	28	12	1	19	4	0
<b>Motions to Modify Disposition:</b>											
Denied	1	0	0	0	0	1	0	0	6	3	0
Granted	2	0	0	0	7	8	2	0	10	10	2
All Other Adjudications/Findings	3	0	0	0	1	6	2	1	6	0	2
<b>Total Cases Adjudicated</b>	<b>67</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>46</b>	<b>109</b>	<b>40</b>	<b>7</b>	<b>112</b>	<b>53</b>	<b>23</b>
<b>Placed on Inactive Status</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>0</b>
<b>Cases Pending 8/31/2012:</b>											
Active Cases	222	0	0	0	23	73	68	3	55	41	11
Inactive Cases	66	0	0	0	0	7	3	0	6	1	0
<b>Dispositions:</b>											
<b>Cases with Findings of DC/CINS</b>											
<b>Probation Granted</b>											
Determinate Sentence Probation	---	0	0	0	7	27	11	2	40	18	15
All Other Probation	2	0	0	0	9	20	7	0	17	11	9
<b>Committed to Texas Youth Commission</b>											
Determinate Sentence	---	0	0	0	2	6	1	0	3	1	0
Indeterminate Sentence	---	0	0	0	5	0	0	1	2	1	1
Final Judgment Without Any Disposition	0	0	0	0	2	2	1	0	1	0	0
<b>Cases with Granted Motion to Modify Disp.</b>											
Probation Revoked, Child sent to TYC	---	0	0	0	0	2	0	1	6	2	1
All Other Dispositions	10	0	0	0	5	12	1	1	14	7	1

Note: Overall, there was a 95.8 percent reporting rate for the fiscal year. Please see page 93 for a list of missing reports.

**Constitutional County Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
**95.8 Percent Reporting Rate**  
**2,425 Reports Received Out of a Possible 2,532**

JUVENILE CASES								
	Delinquent Conduct					Total Cases	Total Delinquent Conduct Cases	
	Felony Drug Offenses	Misdemeanor Drug Offenses	DWI	Contempt of Court	All Other Offenses		Felonies	Misdemeanors
Cases on Docket:								
<b>Cases Pending 9/1/2011:</b>								
<i>Active Cases</i>	14	45	0	4	589	1,278	243	619
<i>Inactive Cases</i>	0	3	0	1	283	366	185	152
Docket Adjustments	(4)	1	0	(1)	14	(154)	(163)	(336)
<b>Cases Added:</b>								
New Petitions Filed	15	78	2	8	220	744	209	280
Petitions for Transfer to Adult Crim. Court	0	3	0	0	5	17	5	4
Other Cases Reaching Docket:								
<i>Motions to Modify/Enforce/Proceed Filed</i>	0	8	0	2	43	118	41	51
<i>Cases Reactivated</i>	0	1	0	1	4	10	3	5
<i>All Other Cases Added</i>	1	0	0	0	9	17	1	5
<b>Total Cases on Docket</b>	26	136	2	14	884	2,030	339	628
<b>Adjudications:</b>								
Findings of Delinquent Conduct or CINS:								
<i>Plea of True</i>	6	27	1	2	70	259	96	91
<i>By the Court</i>	2	17	1	4	40	137	40	51
<i>By the Jury</i>	0	0	0	0	1	5	0	2
Total Findings of DC/CINS	8	44	2	6	111	401	136	144
Deferred Prosecution	1	2	0	0	35	76	12	15
Transferred to Adult Criminal Court	0	0	0	0	1	3	2	1
Findings of No DC or No CINS:								
<i>By the Court</i>	0	0	0	0	4	7	3	2
<i>By the Jury</i>	0	0	0	0	0	0	0	0
Total Findings of No DC/No CINS	0	0	0	0	4	7	3	2
Dismissals	4	26	0	1	87	229	55	99
Motions to Modify Disposition:								
<i>Denied</i>	0	0	0	0	8	19	6	9
<i>Granted</i>	0	5	0	1	41	88	29	34
All Other Adjudications/Findings	1	0	0	0	40	62	7	10
<b>Total Cases Adjudicated</b>	14	77	2	8	327	885	250	314
<b>Placed on Inactive Status</b>	0	3	0	0	15	28	6	7
<b>Cases Pending 8/31/2012:</b>								
<i>Active Cases</i>	12	59	0	6	550	1,123	261	452
<i>Inactive Cases</i>	0	2	0	0	286	371	11	9
<b>Dispositions:</b>								
<b>Cases with Findings of DC/CINS</b>								
Probation Granted								
<i>Determinate Sentence Probation</i>	6	24	0	3	58	211	60	74
<i>All Other Probation</i>	1	13	1	3	32	125	42	52
Committed to Texas Youth Commission								
<i>Determinate Sentence</i>	0	0	1	0	4	18	7	8
<i>Indeterminate Sentence</i>	0	2	0	0	5	17	10	4
Final Judgment Without Any Disposition	1	0	0	0	4	11	4	3
<b>Cases with Granted Motion to Modify Disp.</b>								
Probation Revoked, Child sent to TYC	0	0	1	0	8	21	8	4
All Other Dispositions	1	8	0	6	38	104	30	41

Note: Overall, there was a 95.8 percent reporting rate for the fiscal year. Please see page 93 for a list of missing reports.

**Constitutional County Courts**  
**Activity Detail from September 1, 2011 to August 31, 2012**  
**95.8 Percent Reporting Rate**  
**2,425 Reports Received Out of a Possible 2,532**

JUVENILE CASES									
<b>Age of Cases Adjudicated:</b>					<b>Additional Court Activity:</b>				
	30 Days or Less	31 to 90 Days	91 to 180 Days	Over 180 Days	<b>Total Cases</b>	<b>CINS</b>	<b>DC</b>	<b>Total</b>	
Number of Cases	361	213	85	226	885				
						Grand Jury Approvals	---	1	1
						Release or Transfer Hearings	---	31	31
						Detention Hearings	82	646	728
						Cases Set for Review	5	27	32
						Competency Hearings	52	56	108
						Motions to Suppress Granted/Denied	0	0	0
						Applications for Sealing Records	0	1	1
						Motions for Sex Offender Un- or Deregistration	0	3	3
						Cases in Which Attorney Appointed as Counsel	86	546	632
						Cases with Retained Counsel	8	97	105
PROBATE AND GUARDIANSHIP CASES									
	<b>Decedents' Estates</b>			<b>Guardianships</b>		<b>All Other Cases</b>	<b>Total Cases</b>		
	<b>Independent Administration</b>	<b>Dependent Administration</b>	<b>All Other Estate Proceedings</b>	<b>Minor</b>	<b>Adult</b>				
Cases on Docket:									
New Cases, Applications or Contests Filed	8,919	419	5,100	378	1,059	746	16,621		
Other Cases Added:									
<i>Ancillary Cases</i>	147	26	130	1	15	6	325		
<i>All Other Matters</i>	368	120	156	29	755	26	1,454		
Inventories Filed	5,431	256	---	64	279	---	6,030		
Guardianship of Person Reports Filed	---	---	---	169	2,480	---	2,649		
Annual or Final Accounts Filed	---	340	---	202	996	---	1,538		
<b>Additional Information:</b>									
	<b>Guardianships: Total</b>					<b>Total</b>			
	Dismissed or Denied	61			Sec. 683 Investigations		215		
	Granted	799			Ch. 48 Removals		16		
	Closed	2,000			Hearings Held		19,336		
	Active	9,195			Cases in Which Plaintiff/Petitioner Represented Self		936		
MENTAL HEALTH CASES									
	<b>Temporary Mental Health Services</b>	<b>Extended Mental Health Services</b>	<b>Modification</b>		<b>Order to Authorize Psychoactive Medications</b>				
			<b>Inpatient to Outpatient</b>	<b>Outpatient to Inpatient</b>					
<b>Intake</b>									
New Applications Filed	7,072	160	7	13	New Applications Filed	1,318			
Orders for Protective Custody Signed	5,435	---	---	---	Dismissal Prior to Hearing	26			
					Hearings Held	919			
<b>Hearings</b>					Disposition at Hearing				
Probable Cause Hearings Held	4,240	---	---	---	<i>Denied</i>	13			
Release/Dismissal Prior to Final Hearing	2,572	2	0	0	<i>Granted</i>	912			
Final Commitment Hearings Held	2,444	114	0	4					
<b>Other Information</b>									
Disposition at Final Hearing									
<i>Denied (Release)</i>	1,283	1	0	0					
<i>Granted (Commit)</i>									
<i>Inpatient</i>	1,242	78	0	---					
<i>Outpatient</i>	81	0	---	0					

Note: Overall, there was a 95.8 percent reporting rate for the fiscal year. Please see page 93 for a list of missing reports.

# Family Cases

**Cases Added**—In 2012, nearly 388,000 family cases were filed in the district and statutory county courts, a decline of 3.9 percent from the previous year.

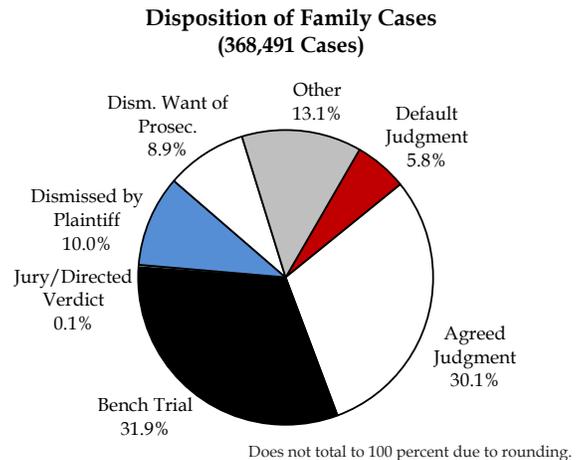
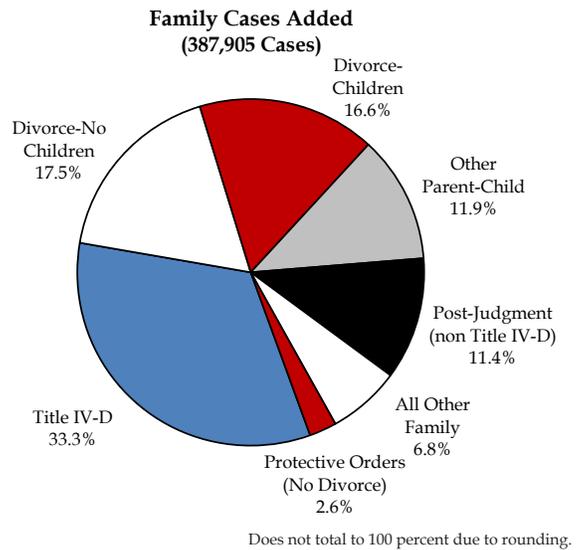
Divorce cases (involving cases with or without children) accounted for the largest share of all family law cases added during the year, followed closely by child support cases filed by the state’s Title IV-D agency (the Texas Attorney General’s Office).

**Clearance Rates**—In 2012, district courts disposed of or placed on inactive pending status 380,190 family cases, resulting in a clearance rate of 95.5 percent.

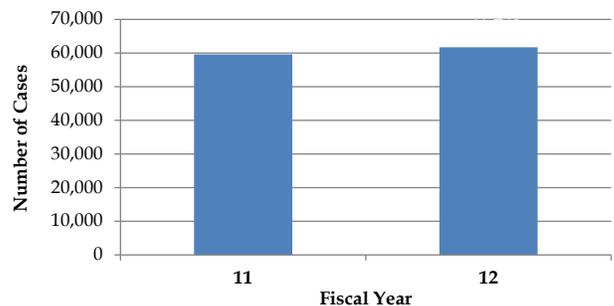
**Manner of Disposition**—A total of 368,491 family cases were disposed of during the fiscal year, a decrease of 1.7 percent from 2011. The largest share of cases was disposed of by bench trial, while the next largest share was settled by agreed judgment. Overall, only 0.1 percent of family cases were settled by a jury or directed verdict. The case categories with the highest jury trial rates were termination of parental rights, child protection, post-judgment custody, and post-judgment enforcement cases (0.3 percent each).

**Age of Cases Disposed**—In 2012, 83 percent of family law cases were disposed of within 12 months, which was close to the percentage disposed of within the same time frame in 2011 (84 percent).

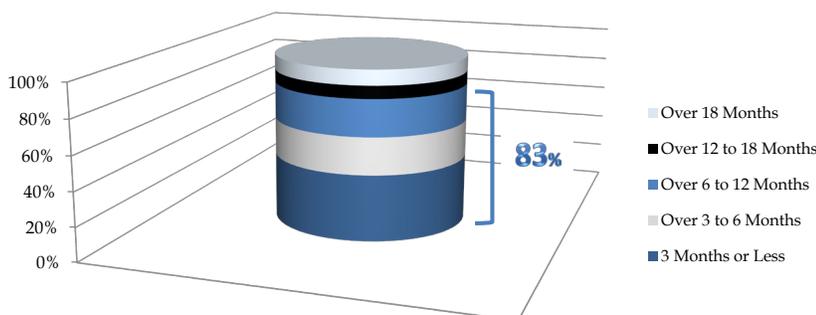
**Self-Represented Litigants**—In 2012, district and statutory county courts reported 61,763 family cases (or 17.0 percent of new or post-judgment family law cases filed) in which the petitioner was self-represented at the time of filing in 2012, compared to 59,614 family cases (or 15.9 percent) in the previous year.



**Family Cases in Which Plaintiff or Petitioner Represented Self at Time of Filing**



**Age of Family Cases Disposed**



**District and County-level Courts  
Activity Summary from September 1, 2011 to August 31, 2012**

FAMILY CASES										
	Divorce		Parent-Child - No Divorce	Child Protective Services	Termination of Parental Rights	Adoption	Protective Orders - No Divorce	Title IV-D		
	Children	No Children						Paternity	Support Order	UIFSA
Cases on Docket:										
<b>Cases Pending 9/1/2011:</b>										
<i>Active Cases</i>	55,398	53,819	27,116	13,659	1,677	4,619	4,338	15,290	15,064	2,956
<i>Inactive Cases</i>	1,402	591	433	126	29	51	79	214	213	32
Docket Adjustments	(264)	420	(924)	(255)	(48)	(104)	(115)	(867)	(269)	(89)
<b>Cases Added:</b>										
New Cases Filed	62,212	66,743	22,121	10,351	2,632	8,647	9,633	25,594	32,152	2,739
Other Cases Reaching Docket:										
<i>Cases Reactivated</i>	2,478	1,320	350	333	25	71	48	182	123	16
<i>All Other Cases Added</i>	2,100	1,247	1,706	296	109	139	272	536	1,453	82
<b>Total Cases on Docket:</b>	122,188	123,129	51,293	24,639	4,443	13,476	14,291	41,602	48,792	5,793
<b>Dispositions:</b>										
Change of Venue Transfers	161	52	138	119	18	99	11	44	84	23
Default Judgments	3,723	5,347	2,372	174	101	97	536	3,024	1,870	249
Agreed Judgments	19,403	19,994	5,606	584	223	904	655	7,274	13,070	573
Summary Judgments	15	14	3	2	1	2	1	27	27	2
Final Judgments:										
<i>After Non-Jury Trial</i>	24,775	29,256	4,460	3,978	1,442	5,049	2,728	6,037	8,947	872
<i>By Jury Verdict</i>	78	80	9	26	7	16	3	30	18	2
<i>By Directed Verdict</i>	5	21	6	2	1	1	1	4	9	0
<i>Dismissed for Want of Prosecution</i>	8,635	6,605	2,411	175	198	375	1,236	2,087	1,071	198
<i>Non-Suited or Dismissed by Plaintiff</i>	3,683	2,651	3,411	2,564	112	124	1,683	4,610	4,022	711
All Other Dispositions	2,932	2,801	2,251	1,794	204	1,639	2,496	2,042	2,300	299
<b>Total Cases Disposed</b>	63,410	66,821	20,667	9,418	2,307	8,306	9,350	25,179	31,418	2,929
<b>Cases Placed on Inactive Status</b>	2,582	1,433	388	454	30	76	125	247	175	27
<b>Cases Pending 8/31/2012:</b>										
<i>Active Cases</i>	56,448	55,264	29,473	14,482	2,061	4,991	4,817	15,249	16,956	2,739
<i>Inactive Cases</i>	758	454	254	187	27	41	20	252	223	40

## District and County-level Courts Activity Summary from September 1, 2011 to August 31, 2012

FAMILY CASES						
	All Other Family Law Cases	Post-Judgment Actions				Total Cases
		Modification - Custody	Modification - Other	Enforcement	Title IV-D	
Cases on Docket:						
<b>Cases Pending 9/1/2011:</b>						
<i>Active Cases</i>	34,701	10,193	21,976	15,253	44,507	320,566
<i>Inactive Cases</i>	488	90	436	569	2,611	7,364
Docket Adjustments	(1,321)	(162)	(1,515)	(2,003)	(1,955)	(9,471)
<b>Cases Added:</b>						
New Cases Filed	24,129	8,273	17,684	10,950	58,986	362,846
Other Cases Reaching Docket:						
<i>Cases Reactivated</i>	483	128	813	480	3,326	10,176
<i>All Other Cases Added</i>	2,133	2,672	2,779	1,936	7,599	25,059
<b>Total Cases on Docket:</b>	61,446	21,266	43,252	28,619	114,418	718,647
<b>Dispositions:</b>						
Change of Venue Transfers	135	523	814	232	1,622	4,075
Default Judgments	522	452	739	244	1,975	21,425
Agreed Judgments	3,279	2,565	5,788	3,025	28,089	111,032
Summary Judgments	14	4	2	4	30	148
Final Judgments:						
<i>After Non-Jury Trial</i>	7,870	2,660	3,477	2,293	13,858	117,702
<i>By Jury Verdict</i>	36	22	25	24	47	423
<i>By Directed Verdict</i>	6	7	13	8	11	95
<i>Dismissed for Want of Prosecution</i>	2,181	963	2,291	1,503	2,741	32,670
<i>Non-Suited or Dismissed by Plaintiff</i>	2,122	561	1,226	1,533	7,757	36,770
All Other Dispositions	11,812	916	1,958	2,605	8,102	44,151
<b>Total Cases Disposed</b>	27,977	8,673	16,333	11,471	64,232	368,491
<b>Cases Placed on Inactive Status</b>	462	141	862	428	4,269	11,699
<b>Cases Pending 8/31/2012:</b>						
<i>Active Cases</i>	31,666	12,321	24,595	14,927	44,011	330,000
<i>Inactive Cases</i>	384	77	370	409	3,183	6,679
<b>Age of Cases Disposed:</b>						
	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	Total Cases
Number of Cases	144,345	81,941	80,912	27,735	33,558	368,491
<b>Additional Court Activity:</b>						Total
						186
						17
						43,290
						8,713
						21,028
						61,763

# Juvenile Cases

**Cases Added** – In 2012, the reported number of cases added<sup>1</sup> to the juvenile dockets of district and county-level courts was 31,844 cases – which was 10.5 percent lower than the number added during the previous year (35,570 cases). Approximately 80 percent of reported cases were docketed in the district courts, 17 percent in statutory county courts, and 3 percent in constitutional county courts.

The number of cases filed declined significantly each year since the peak in 2007. Forty percent fewer cases were filed in 2012 than were filed in 2007.

Slightly more than half of the cases added involved misdemeanors, 35 percent involved felonies, and 10 percent were not classified by the reporting entities. Approximately 22 percent of offenses involved assault or attempted murder, 15.3 percent involved drug offenses, and 10.5 percent involved theft.

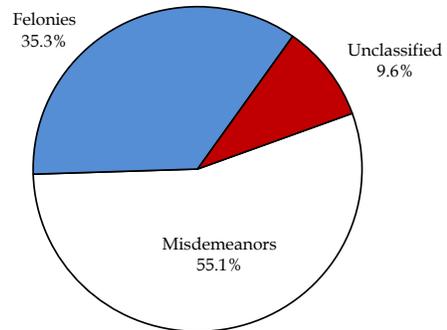
In 2012, 489 petitions to certify a juvenile for trial as an adult were filed, and a juvenile was transferred to adult criminal court in 187 cases during the year.

**Clearance Rates** – During 2012, the district and county-level courts adjudicated 30,356 cases, resulting in a clearance rate of 95.3 percent. The clearance rate was 94.8 percent for district courts, 97.5 percent for statutory county courts, and 98.8 percent for constitutional county courts.

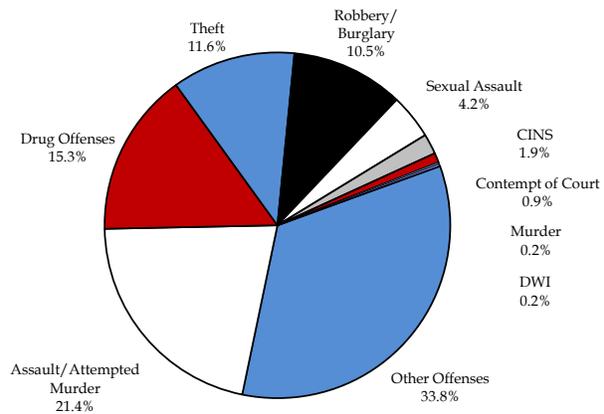
## Adjudication and Manner of Disposition

– Of the 30,356 cases adjudicated in 2012, 5,186 cases involved motions to modify disposition. Of the remaining 25,170 cases adjudicated during the year, the court accepted a plea of true in 45.4 percent of cases. Juveniles most frequently entered a plea of true in cases involving contempt of court (75.6 percent), driving while intoxicated (69.6 percent), burglary (58.6 percent), and automobile theft (57.8 percent).

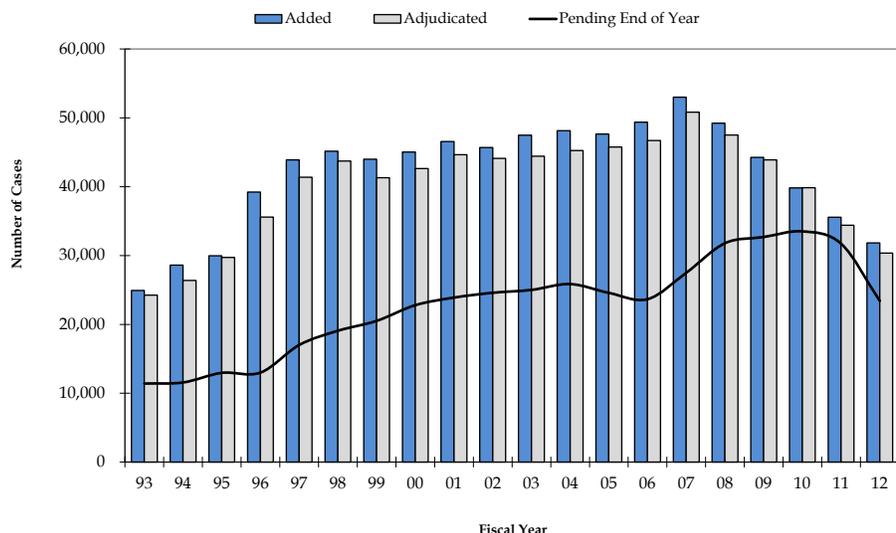
**Juvenile Cases Added (31,844 Cases)**



**Juvenile Cases Added (31,844 Cases)**

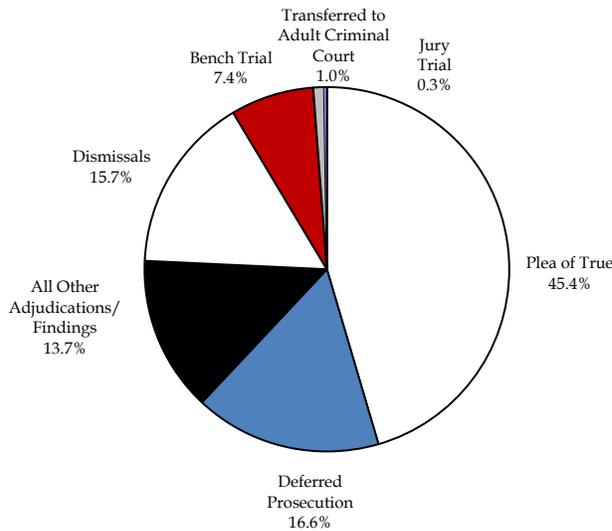


**Juvenile Cases Added, Disposed and Pending**



1. Includes new petitions, motions to revoke, and other cases filed.

### Adjudication of Juvenile Cases (25,170 Cases)<sup>3</sup>



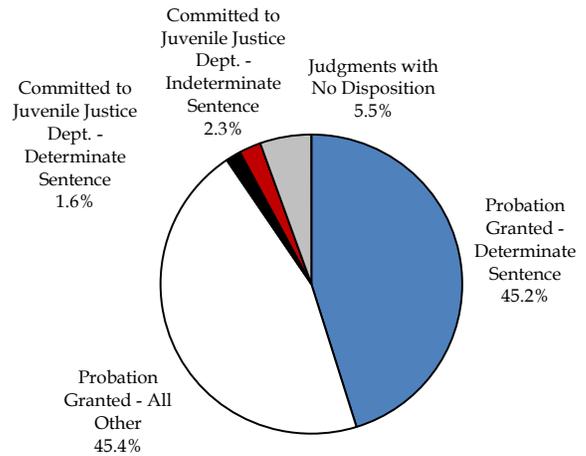
Bench trials accounted for 7.4 percent of adjudications, while jury trials accounted for only 0.3 percent. Cases involving burglary and aggravated robbery or robbery most frequently went to trial (12.3 percent each).

Overall, findings of delinquent conduct or CINS were made in 97.2 percent of cases decided by a judge, compared to 69.8 percent of cases decided by a jury.

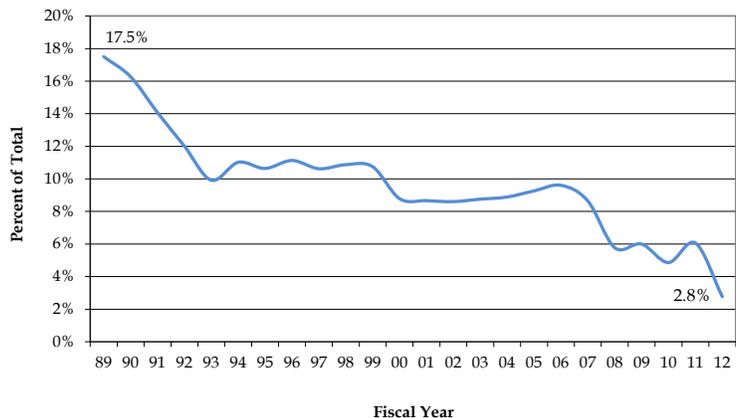
Of those cases in which a finding of delinquent conduct or CINS was made, juveniles were most likely to be placed on probation for a determinate sentence (45.2 percent) or other probation (45.4 percent). In 2012, the percentage of juveniles committed to the Juvenile Justice Department (JJD) fell to the lowest level in at least two decades (2.8 percent). Juveniles were committed to JJD for an indeterminate sentence in 2.3 percent of cases and for a determinate sentence in 1.6 percent of cases.<sup>2</sup>

**Age of Cases Disposed** - In 2012, 67 percent of juvenile cases were adjudicated within 90 days. In district courts, 69 percent of cases were adjudicated within the same timeframe, compared to 59 percent in statutory county courts and 65 percent in constitutional county courts.

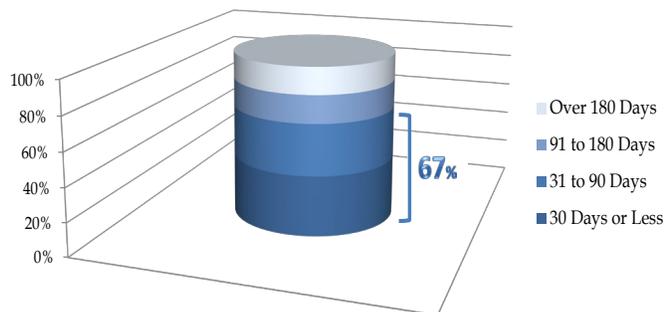
### Disposition of Cases in Which Finding of Delinquent Conduct/CINS Made (12,951 Cases)



### Commitments to Juvenile Justice Department as a Percentage of Delinquent Conduct Cases in Which a Finding of Delinquent Conduct was Made



### Age of Juvenile Cases Adjudicated



2. For an explanation of determinate and indeterminate sentencing, see [http://www.tjjd.texas.gov/about/how\\_class.aspx](http://www.tjjd.texas.gov/about/how_class.aspx).  
 3. Excludes motions to modify disposition.

**District and County-Level Courts**  
**Juvenile Case Activity Detail**  
**September 1, 2011 to August 31, 2012**

JUVENILE CASES											
	Delinquent Conduct										
	CINS	Capital Murder	Murder	Other Homicide	Agg. Assault or Attempted Murder	Assault	Indecency with or Sexual Assault of Child	Agg. Robbery or Robbery	Burglary	Theft	Auto Theft
<b>Cases on Docket:</b>											
<b>Cases Pending 9/1/2011:</b>											
<i>Active Cases</i>	1,460	5	18	6	641	1,576	662	266	928	850	175
<i>Inactive Cases</i>	155	3	4	1	122	278	72	71	152	163	32
Docket Adjustments	(162)	(4)	(5)	(2)	60	120	6	(30)	8	30	9
<b>Cases Added:</b>											
New Petitions Filed	455	17	15	5	1,490	3,788	1,060	642	1,788	2,175	469
Petitions for Transfer to Adult Crim. Cour	---	5	11	0	29	48	41	37	20	48	6
Other Cases Reaching Docket:											
<i>Motions to Modify/Enforce/Proceed Filed</i>	57	3	3	1	428	967	202	175	629	780	163
<i>Cases Reactivated</i>	37	5	4	0	196	375	118	114	190	254	68
<i>All Other Cases Added</i>	89	0	0	0	25	45	34	12	42	28	12
<b>Total Cases on Docket</b>	<b>2,098</b>	<b>35</b>	<b>51</b>	<b>12</b>	<b>2,809</b>	<b>6,799</b>	<b>2,117</b>	<b>1,246</b>	<b>3,597</b>	<b>4,135</b>	<b>893</b>
<b>Adjudications:</b>											
Findings of Delinquent Conduct or CINS:											
<i>Plea of True</i>	155	7	7	3	788	1,654	507	358	1,088	962	273
<i>By the Court</i>	28	1	1	0	130	292	65	75	217	146	43
<i>By the Jury</i>	3	0	0	0	6	7	5	1	5	2	0
Total Findings of DC/CINS	186	8	8	3	924	1,953	577	434	1,310	1,110	316
Deferred Prosecution	124	0	0	0	197	833	55	20	153	517	28
Transferred to Adult Criminal Court	---	3	15	0	18	3	51	58	9	2	0
Findings of No DC or No CINS:											
<i>By the Court</i>	1	0	0	0	7	8	0	0	7	6	2
<i>By the Jury</i>	0	0	0	0	1	7	4	1	0	1	0
Total Findings of No DC/No CINS	1	0	0	0	8	15	4	1	7	7	2
Dismissals	177	5	3	2	250	725	169	40	289	282	67
Motions to Modify Disposition:											
<i>Denied</i>	17	0	0	0	41	109	18	19	83	68	28
<i>Granted</i>	29	0	0	0	279	419	125	108	383	306	101
All Other Adjudications/Findings	31	5	1	1	157	610	108	72	88	473	59
<b>Total Cases Adjudicated</b>	<b>565</b>	<b>21</b>	<b>27</b>	<b>6</b>	<b>1,874</b>	<b>4,667</b>	<b>1,107</b>	<b>752</b>	<b>2,322</b>	<b>2,765</b>	<b>601</b>
<b>Placed on Inactive Status</b>	<b>151</b>	<b>6</b>	<b>5</b>	<b>0</b>	<b>199</b>	<b>418</b>	<b>126</b>	<b>136</b>	<b>235</b>	<b>242</b>	<b>52</b>
<b>Cases Pending 8/31/2012:</b>											
<i>Active Cases</i>	1,287	7	17	5	740	1,712	848	330	1,024	1,038	218
<i>Inactive Cases</i>	157	4	4	1	139	369	82	83	192	215	29
<b>Dispositions:</b>											
<b>Cases with Findings of DC/CINS</b>											
Probation Granted											
<i>Determinate Sentence Probation</i>	---	2	2	3	321	911	258	197	355	552	165
<i>All Other Probation</i>	146	2	1	0	484	884	249	152	791	487	131
Committed to Texas Youth Commission											
<i>Determinate Sentence</i>	---	4	5	0	24	16	29	46	19	12	3
<i>Indeterminate Sentence</i>	---	0	2	2	44	19	32	19	46	13	11
Final Judgment Without Any Disposition	12	1	0	0	52	119	14	28	71	71	19
<b>Cases with Granted Motion to Modify Disp.</b>											
Probation Revoked, Child sent to TYC	---	1	0	0	26	10	25	27	51	17	17
All Other Dispositions	33	0	0	0	241	406	85	91	313	277	89

**District and County-Level Courts**  
**Juvenile Case Activity Detail**  
**September 1, 2011 to August 31, 2012**

JUVENILE CASES								
	Delinquent Conduct					Total Cases	Total Delinquent Conduct Cases	
	Felony Drug Offenses	Misdemeanor Drug Offenses	DWI	Contempt of Court	All Other Offenses		Felonies	Misdemeanors
<b>Cases on Docket:</b>								
<b>Cases Pending 9/1/2011:</b>								
<i>Active Cases</i>	454	1,056	23	82	13,097	21,299	3,799	5,530
<i>Inactive Cases</i>	51	157	9	16	758	2,044	768	882
Docket Adjustments	36	71	7	2	(29)	117	(46)	(217)
<b>Cases Added:</b>								
New Petitions Filed	864	2,894	47	223	7,206	23,138	8,090	12,694
Petitions for Transfer to Adult Crim. Court	20	66	0	1	157	489	228	209
Other Cases Reaching Docket:								
<i>Motions to Modify/Enforce/Proceed Filed</i>	251	751	9	60	3,221	7,700	2,769	4,457
<i>Cases Reactivated</i>	87	264	9	33	823	2,577	1,006	1,415
<i>All Other Cases Added</i>	20	18	1	4	187	517	153	174
<b>Total Cases on Docket</b>	<b>1,696</b>	<b>5,049</b>	<b>89</b>	<b>403</b>	<b>24,691</b>	<b>55,720</b>	<b>16,045</b>	<b>24,479</b>
<b>Adjudications:</b>								
Findings of Delinquent Conduct or CINS:								
<i>Plea of True</i>	420	1,284	39	133	3,760	11,438	4,312	5,912
<i>By the Court</i>	56	216	2	5	578	1,855	818	882
<i>By the Jury</i>	0	1	0	0	14	44	23	17
Total Findings of DC/CINS	476	1,501	41	138	4,352	13,337	5,153	6,811
Deferred Prosecution	196	654	0	7	1,382	4,166	1,140	2,830
Transferred to Adult Criminal Court	7	2	0	0	19	187	154	16
Findings of No DC or No CINS:								
<i>By the Court</i>	0	2	0	1	20	54	14	20
<i>By the Jury</i>	0	0	0	0	5	19	11	7
Total Findings of No DC/No CINS	0	2	0	1	25	73	25	27
Dismissals	117	404	8	29	1,381	3,948	1,101	2,036
Motions to Modify Disposition:								
<i>Denied</i>	27	89	0	19	696	1,214	302	672
<i>Granted</i>	120	306	1	30	1,765	3,972	1,638	2,129
All Other Adjudications/Findings	149	508	7	1	1,189	3,459	973	2,335
<b>Total Cases Adjudicated</b>	<b>1,092</b>	<b>3,466</b>	<b>57</b>	<b>225</b>	<b>10,809</b>	<b>30,356</b>	<b>10,486</b>	<b>16,856</b>
<b>Placed on Inactive Status</b>	<b>72</b>	<b>260</b>	<b>16</b>	<b>42</b>	<b>703</b>	<b>2,663</b>	<b>991</b>	<b>1,359</b>
<b>Cases Pending 8/31/2012:</b>								
<i>Active Cases</i>	510	1,284	20	140	12,890	22,070	4,407	5,686
<i>Inactive Cases</i>	43	202	14	24	789	2,347	659	941
<b>Dispositions:</b>								
<b>Cases with Findings of DC/CINS</b>								
Probation Granted								
<i>Determinate Sentence Probation</i>	227	775	16	35	2,031	5,850	2,093	3,298
<i>All Other Probation</i>	207	603	16	114	1,609	5,876	2,390	2,991
Committed to Texas Youth Commission								
<i>Determinate Sentence</i>	2	9	1	4	36	210	140	51
<i>Indeterminate Sentence</i>	16	9	0	1	89	303	203	38
Final Judgment Without Any Disposition	24	70	2	1	228	712	267	360
<b>Cases with Granted Motion to Modify Disp.</b>								
Probation Revoked, Child sent to TYC	16	3	1	1	72	267	196	41
All Other Dispositions	104	299	1	39	1,395	3,373	1,366	1,854

**District and County-Level Courts  
Juvenile Case Activity Detail  
September 1, 2011 to August 31, 2012**

JUVENILE CASES								
Age of Cases Adjudicated:					Total Cases	Additional Court Activity:		
30 Days or Less	31 to 90 Days	91 to 180 Days	Over 180 Days	Total		CINS	DC	Total
Number of Cases	10,985	9,371	5,096	4,904	30,356			
						---	536	536
						---	191	191
						2,368	26,773	29,141
						995	6,530	7,525
						52	298	350
						0	11	11
						5	1,108	1,113
						1	115	116
						429	20,291	20,720
						51	2,538	2,589

## *Probate and Guardianship Cases*

In 2012, cases involving the handling or transfer of property by reason of the death of an individual (decedents' estate cases) accounted for 58.6 percent of the 87,806 probate or guardianship cases filed in the county-level courts. Guardianships of an adult accounted for 20.8 percent of cases, guardianships of a minor comprised 1.9 percent, and all other cases accounted for the remaining 18.7 percent.

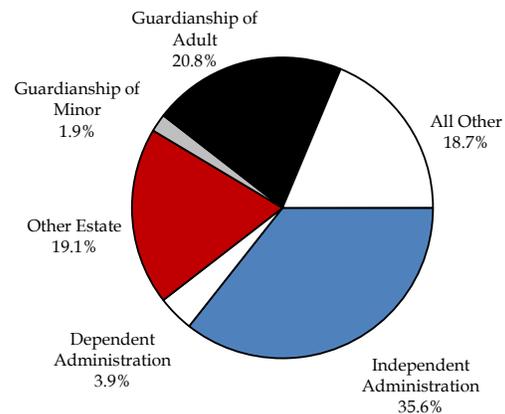
Of the 87,806 cases, 63.5 percent were new cases or contests filed, 0.9 percent were ancillary cases,<sup>1</sup> and 35.6 percent were other applications, petitions, or motions filed within already existing cases or after original judgment to obtain compliance with statutory requirements.

Courts reported conducting almost 64,000 probate and guardianship hearings during the year.

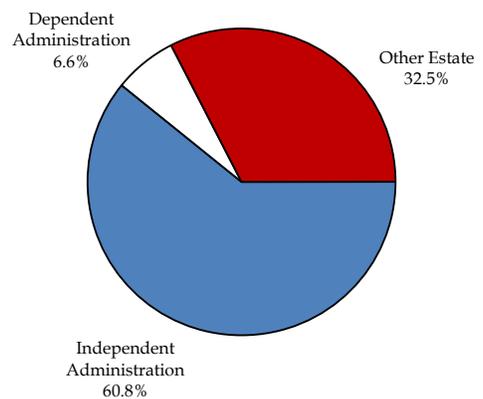
**Decedents' Estates** – Independent administrations – the administration of an estate without judicial supervision – accounted for nearly 61 percent of decedents' estate cases filed during 2012. Approximately seven percent of cases involved dependent administrations – cases in which nearly every action taken in the case must be reviewed and approved by the court.

In 2012, more than 22,400 inventories were filed in estate cases, and more than 1,600 annual or final accounts were filed in dependent administration cases.

**Probate and Guardianship Cases Filed  
(87,806 Cases)**



**Decedents' Estates Cases Filed  
(51,438 Cases)**



Does not total to 100 percent due to rounding.

1. Ancillary cases involve contested matters that bear no direct relationship to the administration of the estate and that would have the possibility of becoming an independently-tried lawsuit (e.g., fiduciary breaches, debt/claims cases, personal injury, etc.).

**Guardianship Cases** – The majority (91.5 percent) of guardianship cases filed in 2012 were for guardianship of an adult.

The majority (90.2 percent) of applications for a guardianship were granted, while 9.8 percent were dismissed or denied. Another 3,426 guardianships were reported closed during the year. As of August 31, 2012, there were 39,510 guardianships reported active.

In 2012, more than 1,400 inventories, 21,300 guardianship of person reports, and 6,800 annual or final accounts were filed in guardianship cases.

### County-level Courts Activity Summary from September 1, 2011 to August 31, 2012

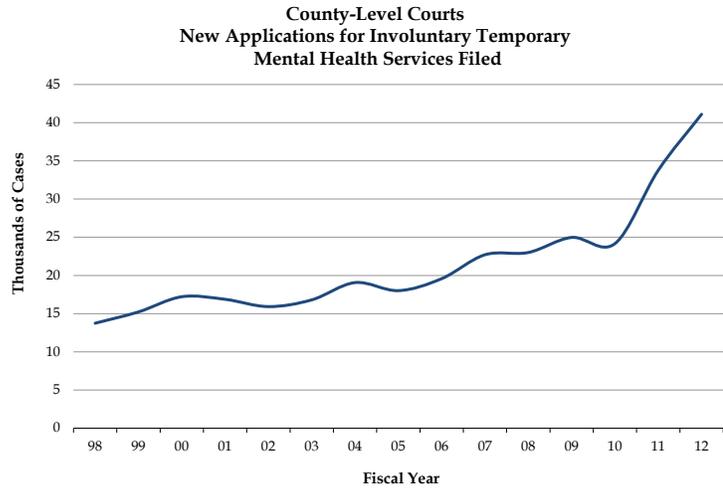
PROBATE AND GUARDIANSHIP CASES							
Cases on Docket:	Decedents' Estates			Guardianships		All Other Cases	Total Cases
	Independent Administration	Dependent Administration	All Other Estate Proceedings	Minor	Adult		
New Cases, Applications or Contests Filed	27,624	1,613	15,093	874	4,554	6,007	55,765
Other Cases Added:							
<i>Ancillary Cases</i>	384	128	171	8	49	69	809
<i>All Other Matters</i>	3,276	1,676	1,473	814	13,664	10,329	31,232
Inventories Filed	20,359	2,043	---	241	1,215	---	23,858
Guardianship of Person Reports Filed	---	---	---	798	20,532	---	21,330
Annual or Final Accounts Filed	---	1,649	---	1,212	5,593	---	8,454
<b>Additional Information:</b>							
	<b>Guardianships:</b>	<b>Total</b>					<b>Total</b>
	Dismissed or Denied	401			Sec. 683 Investigations		3,613
	Granted	3,686			Ch. 48 Removals		33
	Closed	3,426			Hearings Held		63,996
	Active	39,510			Cases in Which Plaintiff/Petitioner Represented Self		2,445

2. The number of guardianships reported active is inflated due to cases not being closed though the ward is deceased, is no longer a minor and under a guardianship, etc.

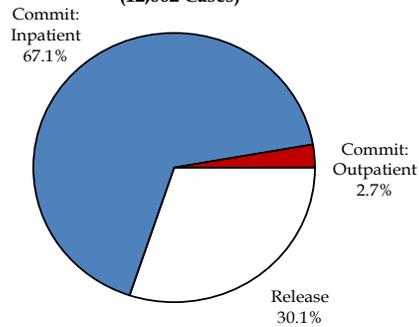
# Applications for Involuntary Mental Health Services

The number of new applications for involuntary temporary mental health services filed in 2012 increased 21.7 percent from the previous year to 41,108 cases. Of the 12,662 cases that reached a final hearing, proposed patients were released in 30.1 percent of cases, committed to inpatient treatment in 67.1 percent of cases, and committed to outpatient treatment in 2.7 percent of cases.

In 2012, almost 4,000 applications were filed for an order authorizing, reauthorizing or modifying the administration of psychoactive medication. Of the 3,016 applications disposed at a hearing, 95.2 percent of applications were granted and 4.8 percent were denied.



**Applications for Involuntary  
Temporary Mental Health Services  
Disposition at Final Hearing  
(12,662 Cases)**



Does not total to 100 percent due to rounding.

## County-level Courts Activity Summary from September 1, 2011 to August 31, 2012

MENTAL HEALTH CASES						
	Temporary Mental Health Services	Extended Mental Health Services	Modification		Order to Authorize Psychoactive Medications	
			Inpatient to Outpatient	Outpatient to Inpatient		
<b>Intake</b>						
New Applications Filed	41,108	385	168	119	New Applications Filed 3,977	
Orders for Protective Custody Signed	34,262	---	---	---	Dismissal Prior to Hearing 409	
<b>Hearings</b>						
Probable Cause Hearings Held	24,757	---	---	---	Hearings Held 2,858	
Release/Dismissal Prior to Final Hearing	19,929	5	1	1	Disposition at Hearing	
Final Commitment Hearings Held	11,371	270	51	12	<i>Denied</i> 145	
<b>Other Information</b>						
Disposition at Final Hearing					<i>Granted</i> 2,871	
<i>Denied (Release)</i>	3,814	65	1	0		
<i>Granted (Commit)</i>						
<i>Inpatient</i>	8,500	211	57	---		
<i>Outpatient</i>	348	20	---	71		

# Changes to Information Collected from Justice and Municipal Courts Effective September 1, 2011

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Information collected by the Texas Judicial Council from justice and municipal courts changed significantly in FY 2012 to more accurately reflect the current work of the courts. The reports had not been systematically reviewed since 1985.

Acting on a request from the Judicial Council (in 2002), the Office of Court Administration began coordinating workgroups of judges and clerks in 2004 to conduct an extensive review of the data elements used in reporting trial court activity. Since the number of data elements was so extensive, OCA decided to create a workgroup for each level of trial court (i.e., district, county, and justice/municipal).

The review of the information collected on the municipal and justice court monthly reports began in 2008, when OCA assembled a workgroup comprised of municipal judges, justices of the peace, clerks, court administrators, the general counsel of the Municipal Courts Education Center, and the general counsel of the Justice Court Training Center. The workgroup reviewed every item on the reports and developed recommendations for change.

The workgroup's proposed recommendations were presented to the Judicial Council Committee on Judicial Data Management. After the Committee completed its consideration of the proposed changes, the Committee's recommendations were forwarded to the full Judicial Council for consideration at its meeting on August 28, 2009. At that meeting, the Judicial Council approved a motion to publish notice of its intention to adopt proposed amendments to its reporting rules in the *Texas Register* and to provide a 30-day period for comments on the proposed amendments. It also approved a motion to post the proposed changes to the monthly reports and instructions on its website for comment.

On September 9, 2009, notification was sent to all the presiding judges and clerks of the municipal courts and justices of the peace in the State of the: 1) publication of the proposed amendments to the reporting rules in the *Texas Register*, as well as the posting of the proposed rule amendments on the Judicial Council's website for comment; and 2) posting of the proposed reporting forms and instructions on the Judicial Council website for comment.

No comments were received regarding the proposed rule amendments, and only two comments were received regarding the proposed reporting forms and instructions. At its meeting on December 11, 2009, the Judicial Council considered both comments but approved, without amendment, the reporting forms and instructions that were posted on the Judicial Council website. The new reporting rules took effect September 1, 2011.



Photo courtesy of TexasCourthouses.com

*Bosque County Courthouse - Meridian*

# Justice Courts

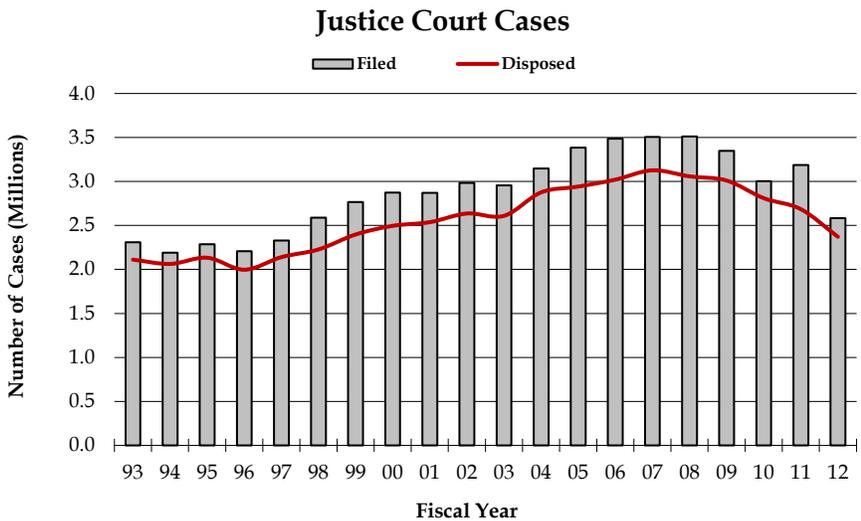
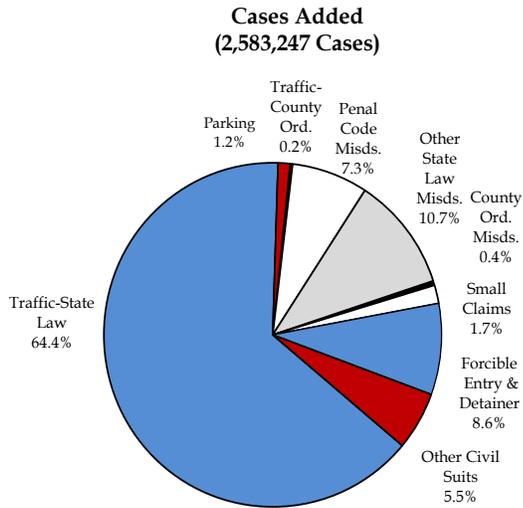
**Cases Filed**—More than 2.5 million new cases were filed in the state’s justice courts in 2012, a decrease of 19 percent from the number of new cases filed the previous year. The decrease can be attributed in part to a reduction in the number of reports submitted due to reporting changes implemented in 2012.

Cases involving violations of state traffic laws not related to parking accounted for 64.4 percent of total cases added during the year. The next largest share of cases involved non-traffic misdemeanors (18.0 percent), a majority of which involved violations of statutes other than the Penal Code.

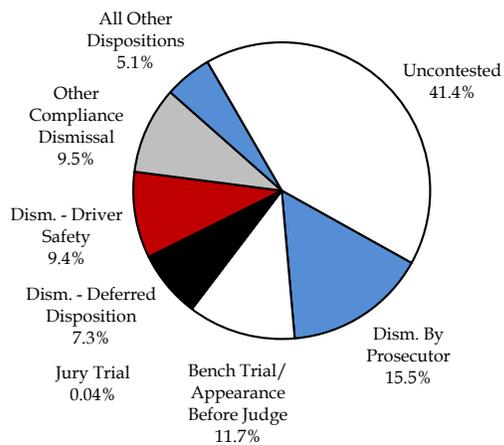
In 2012, the number of forcible entry and detainer (eviction) cases accounted for 8.6 percent, “other civil suits” accounted for 5.5 percent, and small claims suits accounted for only 1.7 percent of total filings.

**Clearance Rates**—Justice courts disposed of 2,371,046 cases in 2012 and placed 489,851 pending cases on inactive status. Because the decrease in filings was greater than the decrease in dispositions, the overall clearance rate rose to 99.5 percent. The criminal clearance rate was 99.9 percent, and the civil clearance rate was 97.4 percent.

**Manner of Disposition**—In 2012, justice courts disposed of more than 1.5 million traffic and parking cases, 41.4 percent of which were disposed of by an uncontested disposition prior to court appearance or trial (payment of a fine without a plea being entered or the submission of a guilty or *nolo contendere* plea). Almost 16 percent of cases were dismissed by a prosecutor, 9.3 percent were dismissed due to completion of a driver’s safety course, 7.3 percent were dismissed after completion of deferred disposition, and 9.5 percent were dismissed due to completion of another court-ordered program or satisfaction of other requirements. Nearly 12 percent were disposed of by bench trial or other appearance before a judge, and 0.04 percent of cases were disposed of by jury trial.



**Disposition of Traffic Cases (1,534,933 Cases)**



Charts do not total to 100 percent due to rounding.

Justice courts disposed of more than 445,000 non-traffic misdemeanor cases (i.e., Penal Code, other state law, and county ordinance cases). Nearly 37 percent of these cases were uncontested and disposed of prior to a court appearance or trial, while another 25.0 percent were dismissed by a prosecutor.

Guilty findings were made in 89.0 percent of the 32,113 criminal cases that went to bench trial. In comparison, guilty verdicts accounted for 72.6 percent of the 734 cases that went to jury trial.

Slightly more than 28 percent of the 390,947 civil cases closed in 2012 were disposed of by default judgment, 25.5 percent were disposed of by bench trial or hearing by a judge, and 22.5 percent were non-suited or dismissed by the plaintiff. Only 0.3 percent of cases were resolved by jury trial.

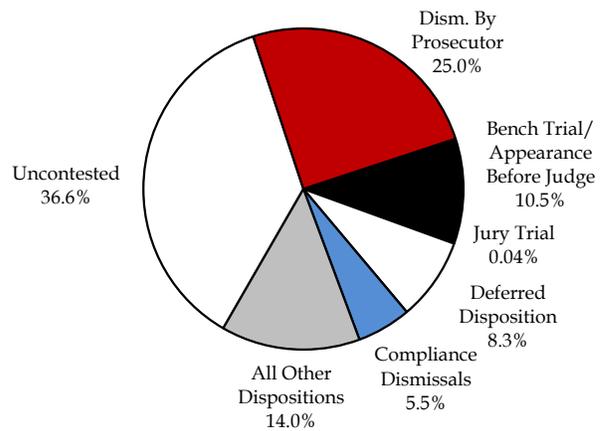
**Juvenile Activity**—In 2012, cases involving failure to attend school accounted for the largest share (54.0 percent) of juvenile cases reported filed in the justice courts; however, the number of cases reported (64,997 cases) was 32.2 percent lower than the number reported for 2011, likely due to the reporting changes implemented in 2012. “All other non-traffic, fine-only” cases accounted for the next largest share (16.0 percent of cases), followed by Transportation Code (traffic) cases (10.8 percent).

**Magistrate Activity**— In 2012, justice courts issued 1,438 search warrants, 450,612 arrest warrants, 6,790 magistrate orders for emergency protection, and 280,062 magistrate warnings to adults.

**Court Collections**—In 2012, courts collected approximately \$306 million in court costs, fees and fines. The amount collected in 2012 was 158.4 percent higher than that collected in 1993, or 63.8 percent higher when adjusted for inflation.<sup>1</sup> The amount reported collected in 2012 was approximately 12 percent lower than the amount reported collected during the previous year; this is due in part to less complete reporting by the courts in 2012.

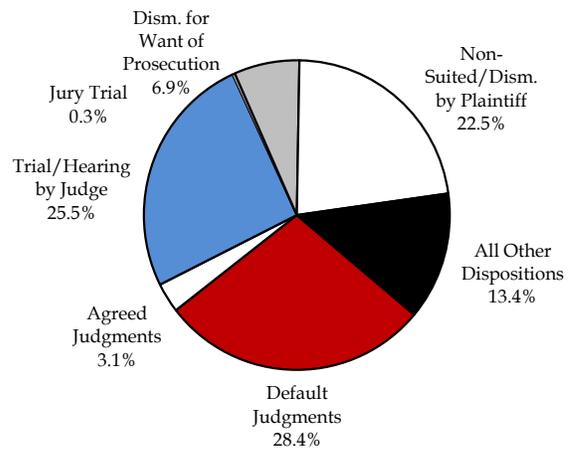
Excluding cases dismissed prior to or at trial, the amount collected per criminal disposition averaged \$188.

**Disposition of Non-Traffic Cases (445,166 Cases)**



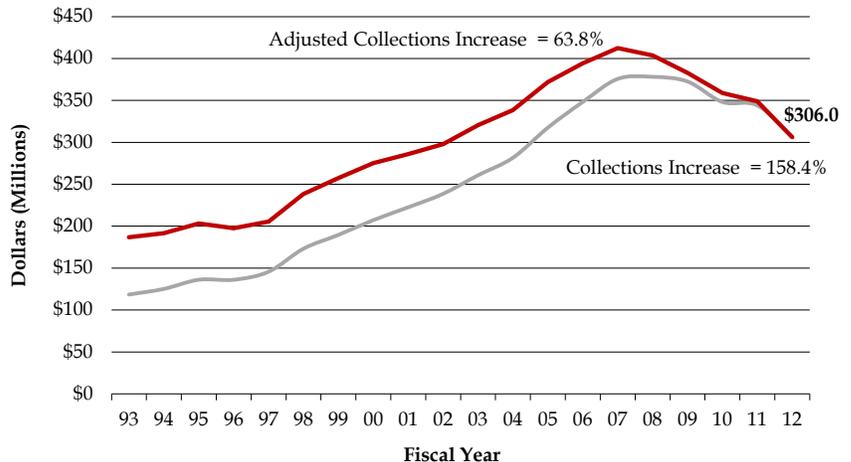
Charts do not total to 100 percent due to rounding.

**Disposition of Civil Cases (390,947 Cases)**



Does not total to 100 percent due to rounding.

**Court Costs, Fees and Fines Collected by Justice Courts**



1. Using Consumer Price Index Conversion Factors, <http://oregonstate.edu/cla/polisci/download-conversion-factors>.

**Justice Courts Activity Detail**  
**September 1, 2011 to August 31, 2012**  
**91.6 Percent Reporting Rate**  
**8,965 Reports Received Out of a Possible 9,792**

CRIMINAL CASES							
	Traffic Misdemeanors			Non-Traffic Misdemeanors			
	Non-Parking	Parking	County Ordinance	Penal Code	Other State Law	County Ordinance	Total
<b>Cases Pending 9/1/2011:</b>							
<i>Active Cases</i>	1,980,825	69,282	4,294	422,612	674,786	16,429	3,168,228
<i>Inactive Cases</i>	787,169	10,258	3,775	246,222	195,013	4,680	1,247,117
Docket Adjustments	153,911	(238)	1,644	14,224	48,126	(104)	217,563
<b>Cases Added:</b>							
New Cases Filed	1,663,477	29,791	5,855	188,259	277,426	11,330	2,176,138
Cases Reactivated	184,742	2,062	292	51,768	38,574	615	278,053
All Other Cases Added	5,271	5	1	990	1,666	137	8,070
Total Cases On Docket	3,988,226	100,902	12,086	677,853	1,040,578	28,407	5,848,052
<b>Dispositions:</b>							
Dispositions Prior to Court Appearance or Trial:							
Uncontested Dispositions	621,158	12,035	2,701	62,285	95,774	4,778	798,731
Dismissed by Prosecution	97,363	1,932	614	24,078	43,423	2,319	169,729
Total Dispositions Prior to Court Appearance or Trial	718,521	13,967	3,315	86,363	139,197	7,097	968,460
Dispositions at Court Appearance or Trial:							
Convictions:							
<i>Guilty Plea or Nolo Contendere</i>	153,887	3,115	514	11,138	25,019	1,077	194,750
<i>By the Court</i>	19,809	306	17	3,004	5,268	192	28,596
<i>By the Jury</i>	423	9	3	32	63	3	533
Acquittals:							
<i>By the Court</i>	2,170	79	17	342	742	167	3,517
<i>By the Jury</i>	137	2	2	15	28	17	201
Dismissed by Prosecution	135,312	2,572	74	12,132	28,319	1,141	179,550
Total Dispositions at Court Appearance or Trial	311,738	6,083	627	26,663	59,439	2,597	407,147
Compliance Dismissals:							
After Driver Safety Course	144,288	---	---	---	---	---	144,288
After Deferred Disposition	110,218	1,508	170	11,555	24,852	690	148,993
After Teen Court	531	3	4	145	353	10	1,046
After Tobacco Awareness Course	---	---	---	---	300	---	300
After Treatment for Chemical Dependency	---	---	---	40	72	---	112
After Proof of Financial Responsibility	53,182	---	---	---	---	---	53,182
All Other Transportation Code Dismissals	90,227	1,623	110	5,334	17,638	394	115,326
Total Compliance Dismissals	398,446	3,134	284	17,074	43,215	1,094	463,247
All Other Dispositions	76,599	1,934	285	28,582	32,676	1,169	141,245
<b>Total Cases Disposed</b>	<b>1,505,304</b>	<b>25,118</b>	<b>4,511</b>	<b>158,682</b>	<b>274,527</b>	<b>11,957</b>	<b>1,980,099</b>
<b>Cases Placed on Inactive Status</b>	<b>323,251</b>	<b>2,618</b>	<b>827</b>	<b>78,825</b>	<b>71,906</b>	<b>2,295</b>	<b>479,722</b>
<b>Cases Pending 8/31/2012:</b>							
<i>Active Cases</i>	2,053,787	74,406	5,492	405,430	669,452	14,359	3,222,926
<i>Inactive Cases</i>	851,854	10,936	3,357	243,334	210,722	5,020	1,325,223
<b>Show Cause Hearings Held</b>	<b>69,273</b>	<b>517</b>	<b>115</b>	<b>9,165</b>	<b>24,951</b>	<b>507</b>	<b>104,528</b>
<b>Cases Appealed:</b>							
After Trial	2,296	101	2	98	283	2	2,782
Without Trial	19,415	148	37	347	604	138	20,689

**Justice Courts Activity Detail**  
**September 1, 2011 to August 31, 2012**  
**91.6 Percent Reporting Rate**  
**8,965 Reports Received Out of a Possible 9,792**

CIVIL CASES				
	Small Claims Suits	Forcible Entry and Detainer (Evictions)	Other Civil Suits	Total
<b>Cases Pending 9/1/2011:</b>				
<i>Active Cases</i>	135,960	114,818	211,697	462,475
<i>Inactive Cases</i>	1,778	1,695	3,459	6,932
Docket Adjustments	(16,197)	(12,554)	(3,613)	(32,364)
<b>Cases Added:</b>				
New Cases Filed	44,090	221,571	141,448	407,109
Cases Reactivated	180	485	641	1,306
All Other Cases Added	1,522	341	1,462	3,325
<b>Total Cases on Docket</b>	<b>165,327</b>	<b>324,602</b>	<b>350,956</b>	<b>840,885</b>
<b>Dispositions:</b>				
Default Judgments	7,743	69,405	33,813	110,961
Agreed Judgments	1,194	2,229	8,739	12,162
Trial/Hearing by Judge/Hearing Officer	10,401	68,456	20,857	99,714
Trial by Jury	403	378	201	982
Cases Dismissed for Want of Prosecution	5,647	14,610	6,790	27,047
Cases Non-Suited or Dismissed by Plaintiff	7,971	44,650	35,263	87,884
All Other Dispositions	7,621	19,456	25,120	52,197
<b>Total Cases Disposed</b>	<b>40,980</b>	<b>219,184</b>	<b>130,783</b>	<b>390,947</b>
<b>Cases Placed on Inactive Status</b>	<b>3,704</b>	<b>2,725</b>	<b>3,700</b>	<b>10,129</b>
<b>Cases Pending 8/31/2012:</b>				
<i>Active Cases</i>	108,151	89,250	202,970	400,371
<i>Inactive Cases</i>	8,228	6,275	4,107	18,610
<b>Cases Appealed:</b>				
After Trial	703	3,553	952	5,208
Without Trial	277	366	571	1,214
JUVENILE/MINOR ACTIVITY				
				Total
Transportation Code Cases Filed .....				12,991
Non-Driving Alcoholic Beverage Code Cases Filed .....				9,155
Driving Under the Influence of Alcohol Cases Filed .....				1,120
Drug Paraphernalia Cases Filed.....				1,958
Tobacco Cases Filed .....				1,893
Failure to Attend School Cases Filed .....				64,997
Education Code (Except Failure to Attend) Cases Filed .....				8,625
Violation of Local Daytime Curfew Ordinance Cases Filed .....				446
All Other Non-Traffic Fine-Only Cases Filed .....				19,241
Transfer to Juvenile Court:				
<i>Mandatory Transfer</i> .....				750
<i>Discretionary Transfer</i> .....				1,146
Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct).....				521
Held in Contempt by Criminal Court (Fined or Denied Driving Privileges).....				7,719
Juvenile Statement Magistrate Warning:				
<i>Warnings Administered</i> .....				1,769
<i>Statements Certified</i> .....				2,559
Detention Hearings Held .....				869
Orders for Non-Secure Custody Issued .....				84
Parent Contributing to Nonattendance Cases Filed.....				53,048

**Justice Courts Activity Detail**  
**September 1, 2011 to August 31, 2012**  
**91.6 Percent Reporting Rate**  
**8,965 Reports Received Out of a Possible 9,792**

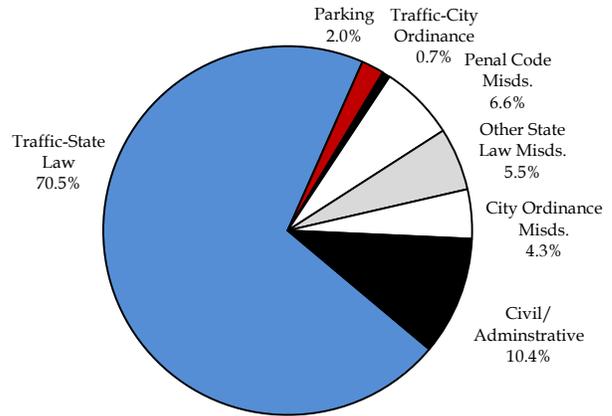
ADDITIONAL ACTIVITY		
	Number Given	Number Requests for Counsel
Magistrate Warnings:		
<i>Class C Misdemeanors</i> .....	57,362	---
<i>Class A and B Misdemeanors</i> .....	122,233	22,767
<i>Felonies</i> .....	100,467	22,277
		<b>Total</b>
Arrest Warrants Issued:		
<i>Class C Misdemeanors</i> .....		395,111
<i>Class A and B Misdemeanors</i> .....		28,136
<i>Felonies</i> .....		27,365
Capiases Pro Fine Issued.....		84,853
Search Warrants Issued.....		1,438
Warrants for Fire, Health and Code Inspections Filed.....		70
Examining Trials Conducted.....		1,149
Emergency Mental Health Hearings Held.....		7,452
Magistrate's Orders for Emergency Protection Issued.....		6,790
Magistrate's Orders for Ignition Interlock Device Issued.....		3,365
All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond.....		13,608
Driver's License Denial, Revocation or Suspension Hearings Held.....		19,268
Handgun License Denial, Revocation or Suspension Hearings Held.....		396
Disposition of Stolen Property Hearings Held.....		1,547
Peace Bond Hearings Held.....		463
Inquests Conducted.....		15,371
Cases in Which Fine and Court Costs Satisfied by Community Service:		
<i>Partial Satisfaction</i> .....		16,903
<i>Full Satisfaction</i> .....		28,781
Cases in Which Fine and Court Costs Satisfied by Jail Credit.....		145,487
Cases in Which Fine and Court Costs Waived for Indigency.....		115,367
Amount of Fines and Court Costs Waived for Indigency.....		\$3,112,110
Fines, Court Costs and Other Amounts Collected:		
<i>Kept by County</i> .....		\$208,170,214
<i>Remitted to State</i> .....		\$93,991,044
<i>Total</i> .....		\$306,022,186

# Municipal Courts

**Cases Filed**—More than 6.4 million new cases were reported filed in the state’s municipal courts in 2012, a decrease of 9.3 percent from the number of new cases filed the previous year. The decrease can be attributed in part to a reduction in the number of reports submitted due to reporting changes implemented in 2012. In particular, reports were not received from the more populous cities of Fort Worth, McKinney and Bryan.

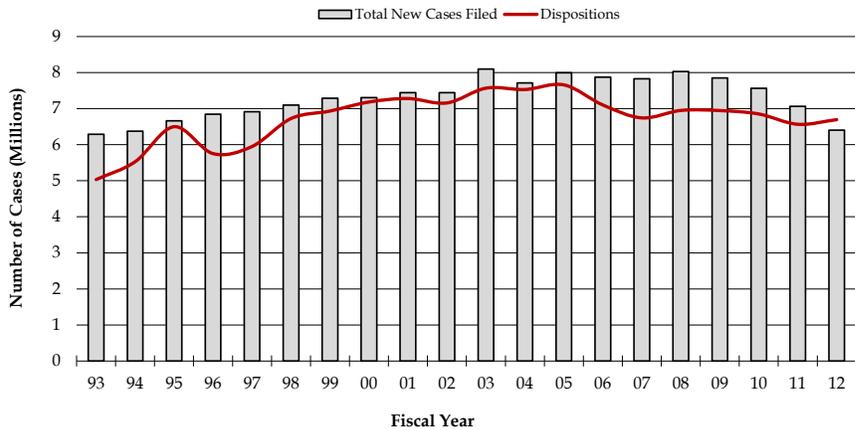
Cases involving violations of state traffic laws not related to parking accounted for 70.5 percent of total cases added during the year. Civil and administrative cases accounted for the next largest share of cases; this category includes, among other things, civil parking, red light camera, and abandoned motor vehicle citations.

**Cases Added  
(6,443,423 Cases)**



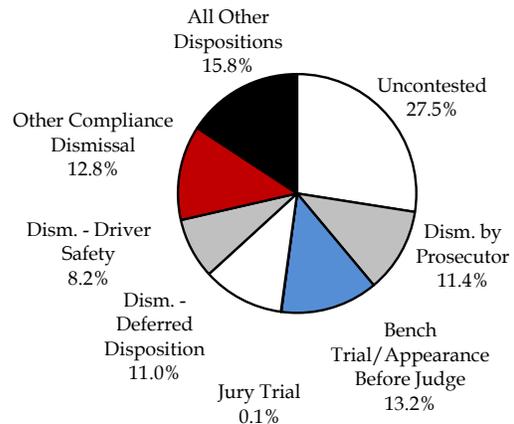
**Clearance Rates**—Municipal courts disposed of more than 6 million criminal cases in 2012 and an additional 2.8 million cases were placed on inactive status. Because the number of dispositions and cases placed on inactive pending status outpaced the number of cases added, the statewide clearance rate for municipal court criminal cases rose to 118.2 percent. The courts disposed of 662,732 civil/administrative cases and placed 43,736 on inactive status. The municipal civil clearance rate was 104.3 percent.

**Municipal Court Cases**



**Manner of Disposition**—In 2012, municipal courts disposed of more than 4.9 million traffic and parking cases. The largest share of these cases, 27.5 percent, was disposed of by an uncontested disposition prior to court appearance or trial (payment of a fine or the submission of a guilty or *nolo contendere* plea). Approximately 13.2 percent were disposed of after a bench trial or other appearance before a judge, 11.0 percent after completion of deferred disposition, 8.2 percent after completion of a driver’s safety course, 12.8 percent after completion of another court-ordered program or satisfaction of other requirements, and only 0.1 percent by a jury trial.

**Disposition of Traffic and Parking Cases  
(4,943,240 Cases)**



Municipal courts disposed of more than one million non-traffic cases (i.e., Penal Code, other state law, and city ordinance cases). Approximately 29 percent of

these cases were uncontested and disposed of prior to a court appearance or trial. While the jury trial rate for these cases (0.2 percent) was similar to the rate for traffic and parking cases, defendants in non-traffic cases were more likely to have a bench trial or other appearance before the judge (15.8 percent) to dispose of the case.

The defendant was found guilty in 88.0 percent of the 219,729 cases that went to bench trial. In contrast, guilty verdicts accounted for 72.4 percent of the 4,731 cases that went to jury trial.

Municipal courts also disposed of 662,732 civil/administrative cases. The largest share of these cases, 58.0 percent, were disposed of by payment of a civil fine or penalty without appearing for court or an administrative hearing. Approximately 9 percent were disposed of after a trial or hearing by a judge or hearing officer, 1.9 percent were agreed judgments, and 20.8 percent were default judgments.

**Juvenile Case Activity** – Transportation Code (traffic) cases accounted for the largest share (30.5 percent) of the 171,232 juvenile cases filed in municipal courts in 2012. Non-driving Alcoholic Beverage Code cases accounted for the next largest share (19.3 percent) of cases.

**Magistrate Activity** – In 2012, municipal courts issued 9,687 search warrants, more than 1.7 million arrest warrants, 8,211 magistrate orders for emergency protection, and more than 375,000 magistrate warnings to adults.

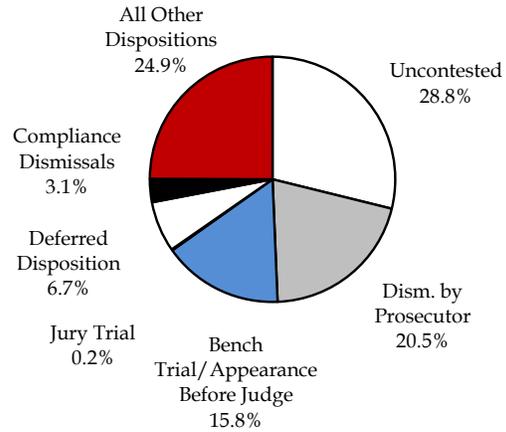
**Court Collections** – The amount of court costs, fines and fees collected by municipal courts generally increased over the last 20 years.

In 2012, the courts collected approximately \$697 million. The amount collected in 2012 was 209.7 percent higher than the amount that was collected in 1993, or 96.4 percent higher when adjusted for inflation.<sup>1</sup> The amount reported collected in 2012 was approximately 7 percent lower than the amount reported collected during the previous year; this is due in part to less complete reporting by the courts in 2012.

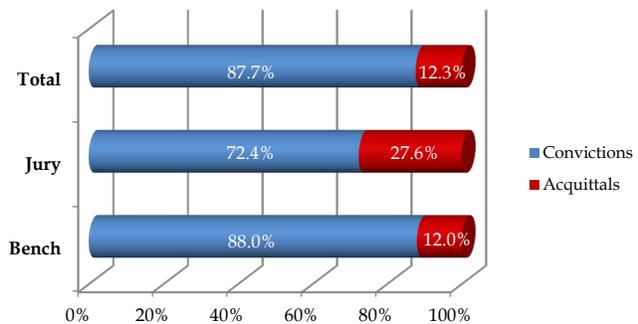
Excluding cases dismissed prior to trial or at trial, the amount collected per disposition averaged approximately \$133.

1. Using Consumer Price Index Conversion Factors, <http://oregonstate.edu/cla/polisci/download-conversion-factors>.

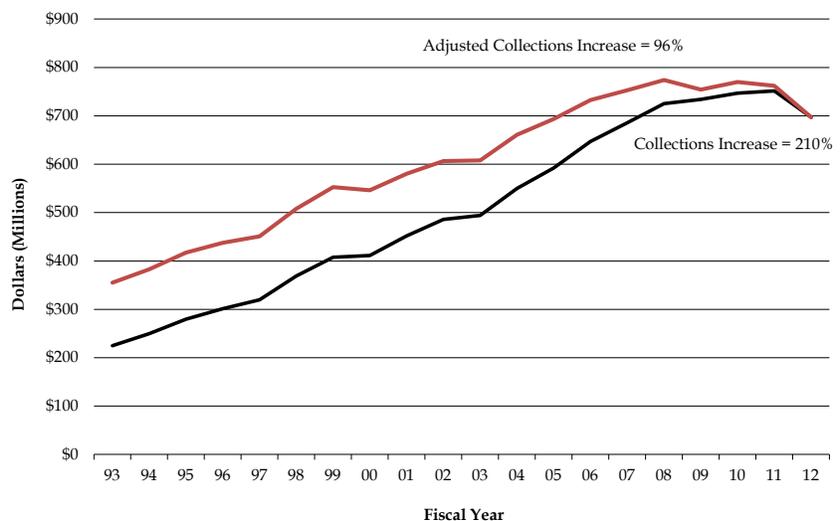
### Disposition of Non-Traffic Cases (1,089,225 Cases)



### Criminal Cases Reaching Trial



### Court Costs, Fees and Fines Collected by Municipal Courts



**Municipal Courts  
Activity Detail  
September 1, 2011 to August 31, 2012**

**94.7 Percent Reporting Rate  
10,510 Reports Received Out of a Possible 11,104**

CRIMINAL CASES							
	Traffic Misdemeanors			Non-Traffic Misdemeanors			
	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance	Total
<b>Cases Pending 9/1/2011:</b>							
<i>Active Cases</i>	4,343,299	306,330	115,519	529,098	696,077	463,339	6,453,662
<i>Inactive Cases</i>	3,142,488	69,035	19,463	829,054	363,040	211,314	4,634,394
Docket Adjustments	337,606	3,330	7,947	13,073	89,680	56,992	508,628
<b>Cases Added:</b>							
New Cases Filed	4,516,202	126,464	45,248	424,309	351,333	276,996	5,740,552
Cases Reactivated	1,127,059	17,374	9,843	237,301	135,738	178,607	1,705,922
All Other Cases Added	28,468	131	17	699	3,172	901	33,388
<b>Total Cases on Docket</b>	<b>10,352,634</b>	<b>453,629</b>	<b>178,574</b>	<b>1,204,480</b>	<b>1,276,000</b>	<b>976,835</b>	<b>14,442,152</b>
<b>Dispositions:</b>							
Dispositions Prior to Court Appearance or Trial:							
Uncontested Dispositions	1,289,768	51,748	16,872	129,951	119,470	64,767	1,672,576
Dismissed by Prosecution	149,698	11,516	4,104	21,782	23,894	32,213	243,207
Total Dispositions Prior to Court Appearance or Trial	1,439,466	63,264	20,976	151,733	143,364	96,980	1,915,783
Dispositions at Court Appearance or Trial:							
Convictions:							
<i>Guilty Plea or Nolo Contendere</i>	463,830	5,593	3,476	59,674	37,854	35,142	605,569
<i>By the Court</i>	151,448	2,163	2,115	13,214	13,062	11,369	193,371
<i>By the Jury</i>	2,093	18	46	229	149	890	3,425
Acquittals:							
<i>By the Court</i>	22,836	216	1,080	602	646	978	26,358
<i>By the Jury</i>	903	18	8	132	65	180	1,306
Dismissed by Prosecution	395,205	3,085	1,644	69,271	19,025	57,076	545,306
Total Dispositions at Court Appearance or Trial	1,036,315	11,093	8,369	143,122	70,801	105,635	1,375,335
Compliance Dismissals:							
After Driver Safety Course	405,834	---	---	---	---	---	405,834
After Deferred Disposition	536,772	5,149	3,676	27,139	28,321	17,162	618,219
After Teen Court	4,022	23	34	2,104	932	507	7,622
After Tobacco Awareness Course	---	---	---	---	1,005	---	1,005
After Treatment for Chemical Dependency	---	---	---	2,130	1,541	---	3,671
After Proof of Financial Responsibility	242,574	---	---	---	---	---	242,574
All Other Transportation Code Dismissals	381,892	2,906	765	1,529	8,089	15,469	410,650
Total Compliance Dismissals	1,571,094	8,078	4,475	32,902	39,888	33,138	1,689,575
All Other Dispositions	663,135	108,021	8,954	102,449	88,860	80,353	1,051,772
<b>Total Cases Disposed</b>	<b>4,710,010</b>	<b>190,456</b>	<b>42,774</b>	<b>430,206</b>	<b>342,913</b>	<b>316,106</b>	<b>6,032,465</b>
<b>Cases Placed on Inactive Status</b>	<b>1,821,395</b>	<b>56,872</b>	<b>98,306</b>	<b>375,613</b>	<b>242,814</b>	<b>217,269</b>	<b>2,812,269</b>
<b>Cases Pending 8/31/2012:</b>							
<i>Active Cases</i>	3,838,991	206,542	36,145	400,739	637,559	435,914	5,555,890
<i>Inactive Cases</i>	3,765,547	107,849	109,243	953,077	511,963	253,374	5,701,053
<b>Show Cause Hearings Held</b>	<b>222,319</b>	<b>1,827</b>	<b>2,063</b>	<b>19,613</b>	<b>19,424</b>	<b>9,334</b>	<b>274,580</b>
<b>Cases Appealed:</b>							
After Trial	3,547	55	46	284	370	200	4,502
Without Trial	4,875	22	27	682	612	120	6,338

**Municipal Courts  
Activity Detail  
September 1, 2011 to August 31, 2012**

**94.7 Percent Reporting Rate  
10,510 Reports Received Out of a Possible 11,104**

CIVIL/ADMINISTRATIVE CASES	
	<b>Total</b>
<b>Cases Pending 9/1/2011:</b>	
<i>Active Cases</i>	289,716
<i>Inactive Cases</i>	1,172,479
Docket Adjustments	56,034
<b>Cases Added:</b>	
New Cases Filed	662,021
Cases Reactivated	8,010
All Other Cases Added	7,462
<b>Total Cases on Docket</b>	<b>1,023,243</b>
<b>Dispositions:</b>	
Uncontested Civil Fines or Penalties	384,678
Default Judgments	138,029
Agreed Judgments	12,755
Trial/Hearing by Judge/Hearing Officer	60,495
Trial by Jury	10
Dismissed for Want of Prosecution	8,009
All Other Dispositions	58,756
<b>Total Cases Disposed</b>	<b>662,732</b>
<b>Cases Placed on Inactive Status</b>	<b>43,736</b>
<b>Cases Pending 8/31/2012:</b>	
<i>Active Cases</i>	261,742
<i>Inactive Cases</i>	1,262,774
<b>Cases Appealed:</b>	
After Trial	111
Without Trial	43
JUVENILE/MINOR ACTIVITY	
	<b>Total</b>
Transportation Code Cases Filed.....	52,197
Non-Driving Alcoholic Beverage Code Cases Filed.....	33,117
Driving Under the Influence of Alcohol Cases Filed.....	2,270
Drug Paraphernalia Cases Filed.....	6,075
Tobacco Cases Filed.....	5,299
Failure to Attend School Cases Filed.....	11,881
Education Code (Except Failure to Attend) Cases Filed.....	6,937
Violation of Local Daytime Curfew Ordinance Cases Filed.....	8,496
All Other Non-Traffic Fine-Only Cases Filed.....	51,035
Transfer to Juvenile Court:	
<i>Mandatory Transfer</i> .....	1,402
<i>Discretionary Transfer</i> .....	1,385
Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct).....	704
Held in Contempt by Criminal Court (Fined or Denied Driving Privileges).....	5,277
Juvenile Statement Magistrate Warning:	
<i>Warnings Administered</i> .....	1,082
<i>Statements Certified</i> .....	480
Detention Hearings Held.....	161
Orders for Non-Secure Custody Issued.....	2,331
Parent Contributing to Nonattendance Cases Filed.....	4,312

**Municipal Courts  
Activity Detail  
September 1, 2011 to August 31, 2012**

**94.7 Percent Reporting Rate  
10,510 Reports Received Out of a Possible 11,104**

ADDITIONAL ACTIVITY		
	Number Given	Number Requests for Counsel
Magistrate Warnings:		
<i>Class C Misdemeanors</i> .....	187,011	---
<i>Class A and B Misdemeanors</i> .....	124,294	18,401
<i>Felonies</i> .....	63,709	11,879
		<b>Total</b>
Arrest Warrants Issued:		
<i>Class C Misdemeanors</i> .....		1,660,732
<i>Class A and B Misdemeanors</i> .....		44,568
<i>Felonies</i> .....		24,554
Capiases Pro Fine Issued .....		624,322
Search Warrants Issued .....		9,687
Warrants for Fire, Health and Code Inspections Filed .....		349
Examining Trials Conducted .....		261
Emergency Mental Health Hearings Held .....		2,365
Magistrate's Orders for Emergency Protection Issued .....		8,211
Magistrate's Orders for Ignition Interlock Device Issued .....		3,258
All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond .....		2,277
Driver's License Denial, Revocation or Suspension Hearings Held .....		3,467
Disposition of Stolen Property Hearings Held .....		1,442
Peace Bond Hearings Held .....		35
Cases in Which Fine and Court Costs Satisfied by Community Service:		
<i>Partial Satisfaction</i> .....		22,836
<i>Full Satisfaction</i> .....		107,189
Cases in Which Fine and Court Costs Satisfied by Jail Credit .....		644,691
Cases in Which Fine and Court Costs Waived for Indigency .....		20,945
Amount of Fines and Court Costs Waived for Indigency .....		\$ 23,061,571
Fines, Court Costs and Other Amounts Collected:		
<i>Kept by City</i> .....		\$ 487,712,736
<i>Remitted to State</i> .....		\$ 235,857,731
<i>Total</i> .....		\$ 697,102,175

## Counties that Did Not Submit All Monthly Activity Reports for the Fiscal Year

<b>District Courts</b>	<p><b>Castro</b> No reports were submitted.</p> <p><b>Dallam</b> <b>Edwards</b> <b>Gillespie</b> <b>Hudspeth</b> <b>Lamb</b> <b>Maverick</b> <b>Newton</b> <b>Orange</b> <b>Zavala</b></p> <p><b>El Paso</b> No juvenile reports were submitted.</p> <p><b>Grayson</b> <b>Nueces</b></p> <p><b>Brazos</b> No criminal reports were submitted for March through August.</p> <p><b>Brewster</b> No reports submitted for January through August.</p> <p><b>Burleson</b></p> <p><b>Burnet</b> No civil and family reports submitted for January through August. No criminal reports submitted for April through August. No juvenile reports submitted for October through August.</p>	<p><b>Galveston</b> No criminal reports submitted for September through May.</p> <p><b>Hidalgo</b> No civil reports submitted for May through August. No juvenile reports were submitted.</p> <p><b>Irion</b> No reports submitted for May through August.</p> <p><b>Kendall</b> No criminal reports submitted for February through August.</p> <p><b>San Saba</b> No reports submitted for August.</p> <p><b>Starr</b> No civil, family and juvenile reports submitted for August.</p> <p><b>Upton</b> No civil reports submitted for February through April and for August. No family reports submitted for February through August.</p> <p><b>Wilbarger</b> No reports submitted for November through August.</p>
<b>County Courts</b>	<i>Constitutional</i>	<i>Statutory</i>
	<p><b>Dallam</b> No reports were submitted.</p> <p><b>Edwards</b> <b>Hudspeth</b> <b>Maverick</b> <b>Reeves</b> <b>Upton</b></p> <p><b>Borden</b> No reports submitted for November through August.</p> <p><b>Irion</b></p> <p><b>Grimes</b> No reports submitted for January through August.</p> <p><b>Terry</b></p>	<p><b>Burnet</b> No family reports submitted for January through August.</p> <p><b>Calhoun</b> No reports submitted for December through August.</p> <p><b>Denton</b> No juvenile reports were submitted.</p> <p><b>Tarrant</b> No probate reports were submitted.</p> <p><b>Waller</b> No criminal, juvenile, probate and mental health reports submitted for January through August.</p>
<b>Justice Courts</b>	<p>Atascosa County Prec. 4 (2 of 12)</p> <p>Bexar County Prec. 2 Pl. 1 (9 of 12)</p> <p>Bexar County Prec. 2 Pl. 2 (9 of 12)</p> <p>Bowie County Prec. 1 Pl. 2 (0 of 12)</p> <p>Bowie County Prec. 7 Pl. 1 (0 of 12)</p> <p>Brewster County Prec. 3 Pl. 1 (0 of 12)</p> <p>Brooks County Prec. 1 Pl. 1 (0 of 12)</p> <p>Brooks County Prec. 4 Pl. 1 (7 of 12)</p> <p>Burleson County Prec. 3 (0 of 12)</p> <p>Burleson County Prec. 4 (7 of 12)</p> <p>Chambers County Prec. 3 Pl. 1 (0 of 12)</p> <p>Childress County (9 of 12)</p> <p>Coleman County (0 of 12)</p> <p>Cooke County Prec. 1 (0 of 12)</p> <p>Coryell County Prec. 3 Pl. 1 (0 of 12)</p> <p>Coryell County Prec. 4 Pl. 1 (0 of 12)</p> <p>Culberson County Prec. 2 Pl. 1 (0 of 12)</p> <p>Culberson County Prec. 3 Pl. 1 (2 of 12)</p> <p>Culberson County Prec. 4 Pl. 1 (0 of 12)</p> <p>Duval County Prec. 4 Pl. 1 (10 of 12)</p> <p>Fannin County Prec. 1 Pl. 1 (0 of 12)</p> <p>Fannin County Prec. 2 Pl. 1 (0 of 12)</p> <p>Fannin County Prec. 3 Pl. 1 (0 of 12)</p>	<p>Galveston County Prec. 1 (0 of 12)</p> <p>Gonzales County Prec. 1 Pl. 1 (0 of 12)</p> <p>Gonzales County Prec. 3 Pl. 1 (10 of 12)</p> <p>Gonzales County Prec. 4 Pl. 1 (0 of 12)</p> <p>Hall County Prec. 1, 2 &amp; 3 (0 of 12)</p> <p>Hamilton County Prec. 1 Pl. 1 (2 of 12)</p> <p>Hardin County Prec. 1 Pl. 1 (4 of 12)</p> <p>Hardin County Prec. 2 Pl. 1 (11 of 12)</p> <p>Hidalgo County Prec. 1 Pl. 2 (7 of 12)</p> <p>Hidalgo County Prec. 2 Pl. 1 (0 of 12)</p> <p>Hidalgo County Prec. 4 Pl. 1 (0 of 12)</p> <p>Hidalgo County Prec. 4 Pl. 2 (1 of 12)</p> <p>Howard County Prec. 2 (0 of 12)</p> <p>Hudspeth County Prec. 3 Pl. 1 (0 of 12)</p> <p>Irion County (2 of 12)</p> <p>Jim Wells County Prec. 3 Pl. 1 (0 of 12)</p> <p>Kaufman County Prec. 1 (0 of 12)</p> <p>Kaufman County Prec. 2 (9 of 12)</p> <p>Kaufman County Prec. 3 (0 of 12)</p> <p>Kleberg County Prec. 1 Pl. 1 (0 of 12)</p> <p>Kleberg County Prec. 4 Pl. 1 (0 of 12)</p> <p>LaSalle County Prec. 2 Pl. 1 (0 of 12)</p> <p>Lamar County Prec. 1 Pl. 1 (1 of 12)</p>

## Courts that Did Not Submit All Monthly Activity Reports for the Fiscal Year

<b>Justice Courts (continued)</b>	<p>Lamar County Prec. 2 Pl. 1 (0 of 12)  Lamb County Prec. 2 Pl. 1 (0 of 12)  Lamb County Prec. 3 Pl. 1 (10 of 12)  Lavaca County Prec. 3 Pl. 1 (4 of 12)  Liberty County Prec. 1 Pl. 1 (1 of 12)  Lynn County Prec. 1 Pl. 1 (0 of 12)  Maverick County Prec. 1 Pl. 1 (0 of 12)  Maverick County Prec. 2 Pl. 1 (0 of 12)  Maverick County Prec. 3 Pl. 1 (2 of 12)  McLennan County Prec. 3 (0 of 12)  McLennan County Prec. 8 (0 of 12)  Moore County Prec. 1 Pl. 1 (0 of 12)  Navarro County Prec. 2 (5 of 12)  Nueces Prec. 4 Pl. 1 (9 of 12)  Nueces Prec. 5 Pl. 1 (0 of 12)  Pecos County Prec. 4 Pl. 1 (9 of 12)  San Jacinto County Prec. 2 Pl. 1 (1 of 12)  Scurry County Prec. 1 (5 of 12)  Smith County Prec. 1 Pl. 1 (7 of 12)  Starr County Prec. 5 Pl. 1 (4 of 12)</p>	<p>Trinity County Prec. 1 Pl. 1 (0 of 12)  Tyler County Prec. 1 Pl. 1 (0 of 12)  Tyler County Prec. 2 Pl. 1 (0 of 12)  Tyler County Prec. 3 Pl. 1 (0 of 12)  Upshur County Prec. 2 Pl. 1 (4 of 12)  Upton County Prec. 4 Pl. 1 (11 of 12)  Waller County Prec. 1 Pl. 1 (10 of 12)  Waller County Prec. 3 Pl. 1 (0 of 12)  Waller County Prec. 4 Pl. 1 (10 of 12)  Washington County Prec. 3 Pl. 1 (0 of 12)  Webb County Prec. 1 Pl. 1 (0 of 12)  Webb County Prec. 1 Pl. 2 (0 of 12)  Webb County Prec. 2 Pl. 1 (0 of 12)  Webb County Prec. 4 Pl. 1 (0 of 12)  Willacy County Prec. 3 Pl. 1 (11 of 12)  Williamson County Prec. 3 Pl. 1 (0 of 12)  Williamson County Prec. 4 (0 of 12)  Wilson County Prec. 2 Pl. 1 (1 of 12)  Zavala County Prec. 1 Pl. 1 (0 of 12)</p>
<b>Municipal Courts</b>	<p>Alpine (0 of 12)  Anahuac (7 of 12)  Anson (7 of 12)  Anthony (0 of 12)  Aurora (0 of 12)  Bandera (10 of 12)  Bloomburg (0 of 12)  Bryan (0 of 12)  Buckholts (5 of 12)  Caney City (1 of 12)  Carrizo Springs (6 of 12)  Crawford (0 of 12)  Earth (5 of 12)  Ennis (1 of 12)  Falls City (0 of 12)  Fort Worth (0 of 12)  Freer (0 of 12)  Gainesville (0 of 12)  Garrison (0 of 12)  Granite Shoals (0 of 12)  Gregory (0 of 12)  Hooks (0 of 12)  Hutchins (0 of 12)  Indian Lake (0 of 12)  Italy (8 of 12)  Kaufman (0 of 12)  Keene (0 of 12)  Kosse (0 of 12)  La Villa (0 of 12)  Ladonia (1 of 12)</p>	<p>Lake City (0 of 12)  Leon Valley (0 of 12)  Lipan (2 of 12)  Marfa (0 of 12)  Mason (11 of 12)  McKinney (0 of 12)  Milford (0 of 12)  Muenster (0 of 12)  Orange (10 of 12)  Pearsall (5 of 12)  Petersburg (1 of 12)  Poteet (0 of 12)  Pottsboro (0 of 12)  Progreso (0 of 12)  Riesel (0 of 12)  Rose City (0 of 12)  San Diego (11 of 12)  San Juan (8 of 12)  Santa Rosa (1 of 12)  Shallowater (0 of 12)  Simonton (11 of 12)  Socorro (0 of 12)  Southmayd (7 of 12)  Southside Place (0 of 12)  Sullivan City (1 of 12)  Sunray (0 of 12)  Texhoma (1 of 12)  Toyah (10 of 12)  Trophy Club (0 of 12)</p>

# Other Required Reports for the Fiscal Year Ended August 31, 2012

**Security Incidents.** Article 102.017(f), Code of Criminal Procedure, requires a local administrative judge to submit a written report to OCA regarding any incident involving court security that occurs in or around a building housing a court. A security incident is defined as any adverse event that threatens the security of a person or property, or causes or may cause significant disruption to functions of the court due to a breach in security.

In FY 2012, OCA received a total of 130 incident reports, 43 percent of which were submitted by district courts (56 incidents), 15 percent by county-level courts (20 incidents), two percent by justice courts (2 incidents), 25 percent by municipal courts (33 incidents), and 15 percent by courthouses serving multiple court types (19 incidents).

Twenty-six percent of all reported incidents were related to criminal cases involving Class B misdemeanors or higher level offenses (34 incidents), 22 percent involved Class C misdemeanor offenses (28 incidents), and 12 percent involved family cases (16 incidents). Thirty-one percent of all reported incidents were not related to a particular case (40 incidents).

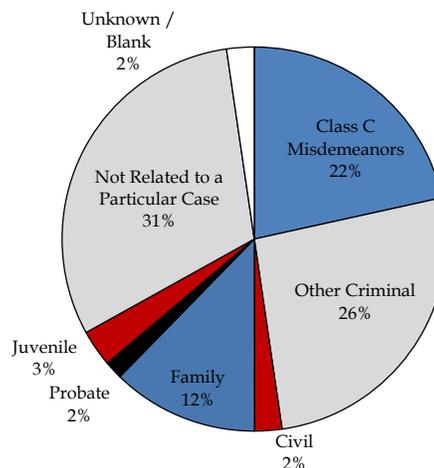
Thirty-five percent of the 158 reported behaviors involved disorderly behavior (55 incidents). The next most common behavior reported was attempts to take a weapon into the courtroom, with 21 percent of reported incidents (33 incidents).

In 82 percent of incidents, no injuries were reported (107 incidents). Of the 22 reported incidents that resulted in injury, 50 percent were related to cases involving Class B misdemeanor or higher level offenses (11 incidents), 14 percent (3 incidents) were related to Class C misdemeanor cases, and 14 percent (3 incidents) were not related to a particular case type.

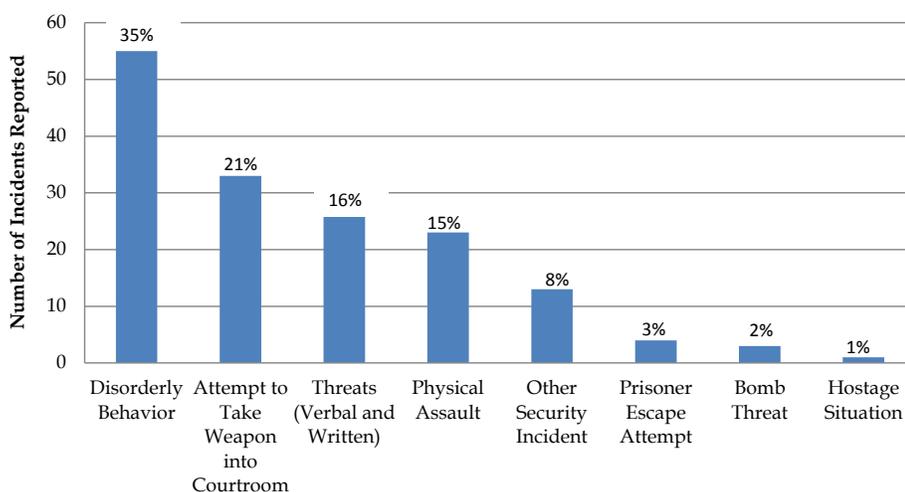
The following are examples of incidents that occurred in the trial courts during FY 2012:

**District Courts.** A criminal defendant appearing in court for a sexual assault of a child case retrieved a weapon from his vehicle and shot both his estranged wife and his daughter in the parking lot of the courthouse. He then got into his vehicle and ran over his daughter, parked near the front entrance of the courthouse and began firing shots. An elderly woman was struck by gunfire and later died from her injuries. After exchanging gunfire with

**Incidents Reported by Case Type**



**Type of Incidents Reported**



law enforcement officers, the individual returned to his vehicle and fled the scene. He was taken into custody at another location and transported to a correctional facility.

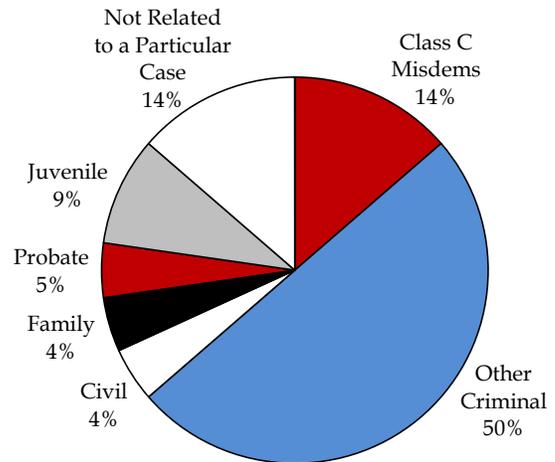
**County-Level Courts.** A sheriff’s office dispatch received a telephone call from an unidentified male who stated that there was a bomb in the courthouse building. The call was traced to two possible locations but no contact was made. Officers conducted a cursory check of the interior and exterior of the courthouse building but did not locate any suspicious packages.

**Municipal Courts.** The family member of a defendant was discussing a case with the court administrator and became loud and disruptive. The individual was given a warning by an officer but continued to use profane language. She resisted a subsequent arrest, disrupting a trial in progress. Two officers were required to physically subdue the subject and take her into custody.

For more information on court security incidents, visit <http://www.txcourts.gov/oca/security-incidents.asp>.

**Other Reports.** The Office of Court Administration also collects a number of other reports required by statute or Supreme Court order.

### Incidents Involving Injury by Case Type



Required Report	Statute	Number Received for FY 2012	Posted at
Appointments and Fees Reports (Civil Cases)	Supreme Court Order No. 07-9188	31,153	<a href="http://www.txcourts.gov/oca/apptfees_reports.asp">http://www.txcourts.gov/oca/apptfees_reports.asp</a>
Vexatious Litigants Subject to a Prefiling Order	Sec. 11.104, Civil Practice and Remedies Code	21	<a href="http://www.txcourts.gov/oca/required.asp">http://www.txcourts.gov/oca/required.asp</a>
Capital Case Jury Charges	Sec. 72.087(c), Government Code	15	<a href="http://www.txcourts.gov/oca/jurycharges.asp">http://www.txcourts.gov/oca/jurycharges.asp</a>



Photo courtesy of TexasCourthouses.com

*Zapata County Courthouse - Zapata*

# Explanation of Trial Court Case Activity Categories



Photo courtesy of TexasCourthouses.com

*Fort Bend County Courthouse - Richmond*

# Case Status and Clearance Rate Definitions

## All Trial Courts

### CASE STATUS

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*For more specific information about the case status categories listed below, as well as definitions of the various disposition types, refer to the reporting instructions posted at <http://www.txcourts.gov/oca/required.asp>.*

**Cases Pending Beginning of Month–Active:** The number of cases that were awaiting disposition at the beginning of the reporting period.

**Cases Pending Beginning of Month–Inactive:** The number of cases that had been classified as inactive at the beginning of the reporting period.

**New Cases Filed:** The number of cases that were filed with the court for the first time during the reporting period.

**Reactivated:** The number of cases that had previously been placed on inactive status, but were restored to the court’s control during the reporting period. Further court proceedings in these cases could be resumed during the reporting period and proceed toward disposition. The rules for reactivating a case are the reverse of those for placing a case on inactive status, (e.g., the lifting of a stay, arrest of a defendant with an outstanding warrant, etc.).

**All Other Cases Added (Reopened):** The number of cases in which a judgment had previously been entered but which were 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.

**Total Cases on Docket:** The sum of the number of new cases filed, cases appealed from lower courts, reactivated and reopened cases.

**Total Dispositions:** The number of cases for which an original entry of judgment has been entered during the reporting period. For cases involving multiple parties/issues, the disposition is not be reported until all parties/issues have been resolved.

**Placed on Inactive Status:** The number of cases whose status was administratively changed to inactive during the reporting period due to events beyond the court’s control. These cases were removed from court control, and the court could take no further action until an event restored the case to the court’s active pending caseload. Examples include cases in which a warrant of arrest was issued, a stay was issued while a defendant undergoes temporary or extended inpatient mental health treatment., or a stay was issued due to bankruptcy.

**Cases Pending End of Month–Active:** The number of cases that were awaiting disposition at the end of the reporting period.

**Cases Pending End of Month–Inactive:** The number of cases that had been classified as inactive at the end of the reporting period.

**Set for Review:** The number of cases that, following an initial entry of judgment, were awaiting regularly scheduled reviews involving a hearing before a judicial officer.

### CLEARANCE RATE

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**Clearance Rate:** The number of cases disposed or placed on inactive status divided by the number of cases added to the docket (including reactivated cases). The clearance rate is a measure of how effectively a court is disposing the cases added to its docket.

A clearance rate of 100 percent indicates that the court disposed of the same number of cases during the year as were added to the docket during the year, resulting in no changes to the court’s case backlog.

**Formula:**

Number of cases disposed + number of cases placed on inactive status

divided by

number of new cases filed + number of cases reactivated + cases appealed from lower courts + all other cases added

# Case Type Categories

## District Courts

### CRIMINAL DOCKET

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A criminal case is counted as one defendant per indictment or information. For example, if an indictment names more than one defendant, there is more than one case; three defendants named in one indictment equals three cases. If the same defendant is charged in more than one indictment, even if for the same criminal episode, there is more than one case; the same person named in four indictments equals four cases. Finally, if an indictment contains more than one count (Art. 21.24, Code of Criminal Procedure), only one case per person named in the indictment is reported. The case is reported under the classification for the most serious offense alleged.

The case type categories are:

**CAPITAL MURDER:** An offense under Penal Code Sec. 19.03 (Capital Murder).

**MURDER:** An offense under Penal Code Sec. 19.02 (Murder).

**OTHER HOMICIDES:** An offense under Penal Code Sec. 19.04 (Manslaughter), 19.05 (Criminally Negligent Homicide), or 49.08 (Intoxication Manslaughter).

**ASSAULT OR ATTEMPTED MURDER:** A **felony** offense under Penal Code Sec. 22.01 (Assault), 22.04 (Injury to a Child, Elderly Individual or Disabled Individual), 22.05 (Deadly Conduct), 22.07 (Terroristic Threat), or 22.08 (Aiding Suicide); an offense under Penal Code Sec. 22.015 (Coercing, Soliciting or Inducing Gang Membership), 22.02 (Aggravated Assault), 22.041 (Abandoning or Endangering Child), 22.09 (Tampering with Consumer Product), or 22.11 (Harassment by Persons in Certain Correctional Facilities; Harassment of Public Servant); or an offense of Attempt (as defined in Sec. 15.01) to Commit Murder (19.02) or Capital Murder (19.03).

**SEXUAL ASSAULT OF AN ADULT:** An offense under Penal Code Sec. 22.011 (Sexual Assault) or 22.021 (Aggravated Sexual Assault) where the victim is an adult (17 years or older).

**INDECENCY OR SEXUAL ASSAULT OF A CHILD:** An offense under Penal Code Secs. 22.011 (Sexual Assault) or 22.021 (Aggravated Sexual Assault) where the victim is a child (younger than 17 years); an offense under Sec. 21.02 (Continuous Sexual Abuse of Young Child or Children); an offense under Sec. 21.11 (Indecency with a Child); or an offense under Sec. 21.12 (Improper Relationship Between Educator and Student).

**FAMILY VIOLENCE ASSAULT:** A **felony** offense under Penal Code Sec. 22.01(b)(2) against a person whose relationship to the defendant is described by Sec. 71.0021(b), 71.003, or 71.005 of the Family Code.

**AGGRAVATED ROBBERY OR ROBBERY:** An offense under Penal Code Sec. 29.03 (Aggravated Robbery) or 29.02 (Robbery).

**BURGLARY:** A **felony** offense under Penal Code Sec. 30.02 (Burglary) or 30.04 (Burglary of Vehicles).

**THEFT:** A **felony** offense under Ch. 31 of the Penal Code, **except** when the property involved is a motor vehicle; or a **felony** offense under Sec. 32.31 (Credit Card Abuse or Debit Card Abuse) or 33A.04 (Theft of Telecommunications Service).

**AUTOMOBILE THEFT:** A **felony** offense under Penal Code Sec. 31.03 (Theft) if the property involved is a motor vehicle, or an offense under Sec. 31.07 (Unauthorized Use of a Vehicle).

**DRUG SALE OR MANUFACTURE:** A **felony** offense under the Texas Controlled Substances Act (Ch. 481, Health and Safety Code), Ch. 482, Health and Safety Code (Simulated Controlled Substances), the Texas Dangerous Drugs Act (Ch. 483, Health and Safety Code), or Ch. 485, Health and Safety Code (Abusable Volatile Chemicals) for the manufacture, delivery, sale, or possession with intent to deliver or sell a drug or controlled substance.

**DRUG POSSESSION:** A **felony** offense for possession under the Texas Controlled Substances Act (Ch. 481, Health and Safety Code) or the Texas Dangerous Drugs Act (Ch. 483, Health and Safety Code), other than possession with intent to deliver or sell.

**FELONY D.W.I.:** A **felony** offense under Penal Code Sec. 49.04 (Driving While Intoxicated), 49.045 (Driving While Intoxicated with Child Passenger), or

49.09 (Enhanced Offenses and Penalties). Also include an offense under Penal Code Sec. 49.07 (Intoxication Assault) when the case involves a motor vehicle.

**OTHER FELONIES:** A **felony** offense not clearly identifiable as belonging in one of the preceding categories, including cases previously categorized as forgery.

**ALL MISDEMEANORS:** Any offense classified as a misdemeanor.

### CIVIL DOCKET

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A civil case, unlike a criminal case, does not depend on the number of persons involved. Instead, each separate suit, normally commenced by the filing of the plaintiff's original petition, defines an individual civil case.

The case type categories are:

**INJURY OR DAMAGE—MOTOR VEHICLE:** All cases for damages associated in any way with a motor vehicle (automobile, truck, motorcycle, etc.), with or without accompanying personal injury. Examples include personal injury, property damage, and wrongful death cases that involve motor vehicles.

**INJURY OR DAMAGE—MEDICAL MALPRACTICE:** Cases that allege misconduct or negligence by a person or entity in the medical profession (doctors, nurses, physician assistants, dentists, etc. and their firms: hospitals, nursing homes, etc.) acting in a professional capacity, thereby causing physical or financial harm.

**INJURY OR DAMAGE—OTHER PROFESSIONAL MALPRACTICE:** Cases that allege misconduct or negligence by a person or entity not in the medical profession (lawyers, accountants, architects, etc. and their firms) acting in a professional capacity, thereby causing physical or financial harm.

**INJURY OR DAMAGE—PRODUCT LIABILITY—ASBESTOS/SILICA:** Cases involving the alleged responsibility of the manufacturer or seller for an injury caused to a person or property by exposure to, or ingestion of, asbestos or silica or an alleged breach of duty to provide suitable instructions to prevent injury.

**INJURY OR DAMAGE—OTHER PRODUCT LIABILITY:** All other cases, not involving asbestos or silica, involving the alleged responsibility of the manufacturer or seller of an article for an injury caused to a person or property by a defect in, or the condition of, the article sold or an alleged breach of duty to provide suitable instructions to prevent injury.

**OTHER INJURY OR DAMAGE:** All other cases not falling into categories above alleging an injury or wrong committed against a person, their reputation, or their property by a party who either did something that he was obligated not to do or failed to do something that he was obligated to do. Examples include damages on premises, "slip-and-fall" cases, construction damages, assault, battery, animal attack, vandalism, slander/libel/defamation, malicious prosecution, and false imprisonment.

**REAL PROPERTY—EMINENT DOMAIN:** Suits by a unit of government or a corporation with the power of eminent domain for the taking of private land for public use; or cases in which a property owner challenges the amount of remuneration offered by the government for the taking of a parcel of land.

**OTHER REAL PROPERTY:** All other cases involving real property. Examples include disputes over the ownership, use, boundaries, or value of real property, including trespass to try title.

**CONTRACT—CONSUMER/COMMERCIAL/DEBT:** Cases involving a buyer of goods or services bringing a suit against the seller for failure either to deliver said goods or services or to honor a warranty as promised in an expressed or implied contract. Also, cases involving a seller of goods or services bringing a suit against a buyer for failure to pay for said goods or services as promised in an expressed or implied contract (debt collection). Examples include agreements, breach of contract, contracts, fraud, notes, sworn accounts, debts, and assignment of creditors.

**OTHER CONTRACT:** All other cases involving a dispute over an agreement, express or implied, between two parties. Examples include employment cases (including discrimination, retaliation, termination, and other employment cases), landlord/tenant disputes, mortgage foreclosures, homeowners association disputes, etc.

**CIVIL CASES RELATING TO CRIMINAL MATTERS:** All civil cases associated with criminal matters, including bond forfeiture, expunction, nondisclosure, occupational license, seizure and forfeiture, extradition, contempt (in criminal cases only), and writ of habeas corpus (in criminal cases only) cases. Include petitions for relief from a firearms disability related to criminal cases (Sec. 574.088, Health and Safety Code).

**OTHER CIVIL CASES:** All non-tax civil cases not clearly identifiable as belonging in one of the preceding categories. Include occupational license cases in civil and family matters and cases appealing the finding of a lower court, department, or administrative agency (e.g., workers' compensation, business dissolution, liquor license appeal, etc.).

**TAX CASES:** Suits brought by governmental taxing entities against an individual or business for the collection of taxes.

## FAMILY LAW DOCKET

A family law case is counted and reported when: 1) an original petition is filed (no matter how many parties or children are involved); 2) a show cause motion, motion to modify, or similar motion is filed following entry of original judgment; or 3) some other case is filed.

The case type categories are:

**DIVORCE—CHILDREN:** Suits brought by a party to a marriage to dissolve the marriage pursuant to Ch. 6, Family Code that also include a suit affecting the parent-child relationship due to the existence of children born or adopted of the marriage who are under 18 years of age or who are otherwise entitled to support as provided by Ch. 154, Family Code. Include petitions for annulment and petitions to declare a marriage void.

**DIVORCE—NO CHILDREN:** Suits brought by a party to a marriage to dissolve the marriage pursuant to Ch. 6, Family Code. Include petitions for annulment and petitions to declare a marriage void.

**PARENT-CHILD—NO DIVORCE:** Cases involving issues of custody, support, paternity, visitation (by parents, grandparents or other family members) that do not involve a current or previously decided divorce/marriage dissolution case. Include voluntary legitimization of paternity (Sec. 160.201, Family Code).

**CHILD PROTECTIVE SERVICES:** Cases filed under Ch. 262 of the Family Code on behalf of the Department of Family and Protective Services; a motion in aid of investigation filed under Sec. 261.303 of the Family Code; a motion to participate filed under Sec. 264.203 of the Family Code; or a civil action filed by the Department requesting a determination of an at-risk child under Sec. 264.303 of the Family Code.

**TERMINATION OF PARENTAL RIGHTS:** Cases filed under Ch. 161 of the Family Code requesting that the court extinguish the legal relationship of parent and child.

**ADOPTION:** Cases filed under Ch. 162 of the Family Code requesting the establishment of a new, permanent relationship of parent and child between persons not having that relationship naturally. Include gestation agreements.

**PROTECTIVE ORDERS—NO DIVORCE:** Cases filed under Ch. 82, Family Code, requesting an order designed to limit or eliminate contact between two or more family/household members or individuals involved in a dating relationship.

**TITLE IV-D—PATERNITY:** Cases filed by the Title IV-D Agency (Office of Attorney General) requesting a determination of parentage under Ch. 160, Family Code and the setting of a child support obligation. These cases may also involve custody and visitation issues.

**TITLE IV-D—SUPPORT ORDER:** Cases filed by the Title IV-D Agency (Office of Attorney General) requesting the setting of a child support obligation where the parentage of the child has been established by an Acknowledgment of Paternity or the child was born during the marriage. These cases may also involve custody and visitation issues.

**TITLE IV-D—UIFSA:** Cases filed by the Title IV-D Agency (Office of the Attorney General) seeking to establish a Texas child support order. The issue of paternity may be addressed. UIFSA cases are distinguished by the fact that not all parties reside in Texas. Issues of custody and visitation are not generally involved.

**ALL OTHER FAMILY CASES:** Includes all cases filed under the Family Code that are not reported elsewhere, including, but not limited to:

- Judicial bypass of parental notification of abortion (Sec. 33.003);
- Changes of name (Ch. 45);
- Adult adoptions (Sec. 152.502);
- Removal of disability of minority (Ch. 31);
- Removal of disability of minority for marriage (Sec. 2.103);
- Suits for parental liability for damages caused by conduct of child (Ch. 41); and
- Suits for liability for interference with possession of a child (Ch. 42).

**POST-JUDGMENT MODIFICATION—CUSTODY:** Post-judgment suits or motions filed pursuant to Subchapter B, Ch. 156, Family Code, for modification of an order that provides for the conservatorship of, possession of, or determination of residence of a child (e.g., motions to modify conservatorship (custody), motions to modify right to determine primary residence of child, motions for further orders of the court).

**POST-JUDGMENT MODIFICATION—OTHER:** Post-judgment suits or motions requesting modification of orders not involving custody of a child, including, but not limited to:

- Suits filed pursuant to Subchapter B, Ch. 156, Family Code for modification of an order that provides for the access to a child (motions to modify visitation privileges; motions to modify rights, privileges and duties of conservator);
- Suits filed pursuant to Subchapter C, Ch. 156, Family Code for modification of an order that provides for the support of a child (motions to modify or set child support; motions to terminate wage withholding; motions for further orders of the court); and
- Suits filed pursuant to Sec. 8.057, Family Code for modification of an order that provides for spousal maintenance (petition to terminate/modify order/writ of income withholding).

**POST-JUDGMENT ENFORCEMENT:** Post-judgment suits or motions requesting the enforcement of a final order, including, but not limited to:

- Motions filed pursuant to Ch. 157, Family Code to enforce a final order for conservatorship, child support, possession of or access to a child, property provisions, injunctions, or other provisions of a final order (e.g., motions for contempt; motions for enforcement of judgments or prior orders; motions to revoke community supervision/probation for failure to pay child support);
- Suits to enforce a divorce or annulment decree filed pursuant to Ch. 9, Family Code (petition for enforcement of property division; petitions to divide assets not divided on divorce or annulment; post-decree qualified domestic relations orders); and
- Suits to enforce spousal maintenance filed pursuant to Ch. 8, Family Code.

**POST-JUDGMENT TITLE IV-D:** Suits or motions filed by the Title IV-D agency (Office of the Attorney General) pursuant to Chs. 156, 157 or 159, Family Code, to enforce and/or modify a child support obligation.

## JUVENILE DOCKET

Juvenile cases are based upon petitions for adjudication of a child alleged to have engaged in delinquent conduct or conduct indicating a need for supervision (C.I.N.S.) as governed by Title 3 of the Texas Family Code.

Delinquent conduct cases are further broken down into case categories similar to the ones used in the Criminal section. See OCA's Required Reporting webpage (<http://www.courts.state.tx.us/oca/required.asp>) for full definitions.

# Case Type Categories

## Statutory County Courts

### MISDEMEANOR CASE DOCKET

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A criminal case is counted as one defendant per information or complaint. For example, if an information names more than one defendant, there is more than one case; three defendants named in one information equals three cases. If the same defendant is charged in more than one information, even if for the same criminal episode, there is more than one case; the same person named in four informations equals four cases. Finally, if an information contains more than one count (Art. 21.24, Code of Criminal Procedure) only one case per person named in the information is reported. The case is reported under the classification for the most serious offense alleged.

Case categories are identical to the ones used in the Criminal section of the Constitutional County Court reports.

### FELONY CASE DOCKET

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A criminal case is counted as one defendant per indictment or information. For example, if an indictment names more than one defendant, there is more than one case; three defendants named in one indictment equals three cases. If the same defendant is charged in more than one indictment, even if for the same criminal episode, there is more than one case; the same person named in four indictments equals four cases. Finally, if an indictment contains more than one count (Art. 21.24, Code of Criminal Procedure), only one case per person named in the indictment is reported. The case is reported under the classification for the most serious offense alleged.

Case categories are identical to the ones used in the Criminal section of the District Court reports.

### CIVIL DOCKET

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A civil case, unlike a criminal case, does not depend on the number of persons involved. Instead, each separate suit, normally commenced by the filing of the plaintiff's original petition, defines an individual civil case.

Case categories are identical to the ones used in the Civil section of the District Court reports.

### FAMILY LAW DOCKET

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A family law case is counted and reported when: 1) an original petition is filed (no matter how many parties or children are involved); 2) a show cause motion, motion to modify, or similar motion is filed following entry of original judgment; or 3) some other case is filed.

Case categories are identical to the ones used in the Civil section of the District Court reports.

### JUVENILE DOCKET

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Juvenile cases are based upon petitions for adjudication of a child alleged to have engaged in delinquent conduct or conduct indicating a need for supervision (C.I.N.S.) as governed by Title 3 of the Texas Family Code.

Delinquent conduct cases are further broken down into case categories similar to the ones used in the Criminal section. See OCA's Required Reporting webpage (<http://www.courts.state.tx.us/oca/required.asp>) for full definitions.

### PROBATE AND GUARDIANSHIP DOCKET

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These cases are governed by the Texas Probate Code, and include matters involving the probate of wills, the administration of estates, and guardianships. A single probate case may involve more than one person.

Case categories are identical to the ones used in the Probate and Guardianship section of the Constitutional County Court reports.

### COURT-ORDERED MENTAL HEALTH CASES

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Sec. 574.014 of the Health and Safety Code requires a report to the Office of Court Administration on the number of applications for involuntary mental health commitment orders filed and the disposition of those cases. Information is also collected on applications seeking an order to authorize psychoactive medications.

Case categories are identical to the ones used in the Court-Ordered Mental Health Services section of the Constitutional County Court reports.

## Constitutional County Courts

### CRIMINAL DOCKET

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A criminal case is counted as one defendant per information or complaint. For example, if an information names more than one defendant, there is more than one case; three defendants named in one information equals three cases. If the same defendant is charged in more than one information, even if for the same criminal episode, there is more than one case; the same person named in four informations equals four cases. Finally, if an information contains more than one count (Art. 21.24, Code of Criminal Procedure) only one case per person named in the information is reported. The case is reported under the classification for the most serious offense alleged.

The case type categories are:

**D.W.I. – FIRST OFFENSE:** An offense under Sec. 49.04, Penal Code (Driving While Intoxicated).

**D.W.I. – SECOND OFFENSE:** A second offense of driving while intoxicated (Sec. 49.04, Penal Code) under Sec. 49.09, Penal Code (Enhanced Offenses and Penalties).

**THEFT:** A misdemeanor offense under Ch. 31 (Theft) of the Penal Code, except Sec. 31.06, or an offense under Penal Code Sec. 33A.04 (Theft of Telecommunications Service).

**THEFT BY CHECK:** Any offense of theft or theft of service in which the defendant allegedly obtained property or secured performance of service by issuing or passing a check or similar sight order for the payment of money, when the issuer did not have sufficient funds in or on deposit with the bank or other drawee for the payment in full of the check or order as well as all other checks or orders then outstanding (Sec. 31.06, Penal Code). Also included are appeals of cases brought under Sec. 32.41, Penal Code (Issuance of Bad Checks).

**DRUG POSSESSION – MARIJUANA:** A misdemeanor offense under Sec. 481.120 (Delivery of Marihuana), Sec. 481.121 (Possession of Marihuana) or Sec. 481.134(f) (Drug Free Zones), Health and Safety Code.

**DRUG POSSESSION – OTHER:** Any other misdemeanor offense for possession, manufacture, delivery, sale, or possession with intent to deliver or sell a drug or controlled substance under the Texas Controlled Substances Act (Ch. 481, Health and Safety Code), the Texas Dangerous Drug Act (Ch. 483, Health and Safety Code), or Ch. 485 (Abusable Volatile Chemicals), Health and Safety Code.

**FAMILY VIOLENCE ASSAULT:** A misdemeanor offense under Penal Code Sec. 22.01(a)(1) against a person whose relationship to the defendant is described by Sec. 71.0021(b), 71.003, or 71.005 of the Family Code.

**ASSAULT—OTHER:** Any other **misdemeanor** offense under Ch. 22 of the Penal Code.

**TRAFFIC:** Violations of the provisions of Title 7, Transportation Code and related statutes, **except** D.W.I. Sec. 49.04 (or Sec. 49.09 for a subsequent offense), Penal Code, and Sec. 521.457, Transportation Code (Driving While License Invalid).

**D.W.L.S./D.W.L.I.:** An offense under Sec. 521.457, Transportation Code (Driving While License Invalid).

**OTHER MISDEMEANOR CASES:** A misdemeanor not clearly identifiable as belonging in one of the preceding categories.

## CIVIL DOCKET

A civil case, unlike a criminal case, does not depend on the number of persons involved. Instead, each separate suit, normally commenced by the filing of the plaintiff's original petition, defines an individual civil case.

The case type categories are:

**INJURY OR DAMAGE—MOTOR VEHICLE:** All cases for damages associated in any way with a motor vehicle (automobile, truck, motorcycle, etc.), with or without accompanying personal injury. Examples include personal injury, property damage, and wrongful death cases that involve motor vehicles.

**OTHER INJURY OR DAMAGE:** All other cases alleging an injury or wrong committed against a person, their reputation, or their property by a party who either did something that he was obligated not to do or failed to do something that he was obligated to do. Examples include damages on premises, "slip-and-fall" cases, construction damages, assault, battery, animal attack, vandalism, slander/libel/defamation, malicious prosecution, and false imprisonment.

**REAL PROPERTY:** Cases involving disputes over the ownership, use, boundaries, or value of real property.

**CONTRACT—CONSUMER/COMMERCIAL/DEBT:** Cases involving a buyer of goods or services bringing a suit against the seller for failure either to deliver said goods or services or to honor a warranty as promised in an expressed or implied contract. Also, cases involving a seller of goods or services bringing a suit against a buyer for failure to pay for said goods or services as promised in an expressed or implied contract (debt collection). Examples include agreements, breach of contract, contracts, notes, sworn accounts, debts, and assignment of creditors.

**CONTRACT—LANDLORD/TENANT:** Cases alleging a breach of contract (lease) between a landlord and tenant, including unlawful detainer.

**OTHER CONTRACT:** All other cases involving a dispute over an agreement, express or implied, between two parties. Examples include employment cases (including discrimination, retaliation, termination, and other employment cases), fraud, mortgage foreclosures, homeowners association disputes, etc.

**CIVIL CASES RELATING TO CRIMINAL MATTERS:** All civil cases associated with criminal matters, including bond forfeiture, nondisclosure, occupational license, seizure and forfeiture, contempt (in criminal cases only), and writ of habeas corpus (in criminal cases only) cases. Include petitions for relief from a firearms disability related to a criminal case (Sec. 574.088, Health and Safety Code).

**ALL OTHER CIVIL CASES:** All other civil cases not clearly identifiable as belonging in one of the preceding categories. Include petitions for relief from a firearms disability related to an involuntary mental health commitment case (Sec. 574.088, Health and Safety Code).

## JUVENILE DOCKET

Juvenile cases are based upon petitions for adjudication of a child alleged to have engaged in delinquent conduct or conduct indicating a need for supervision (C.I.N.S.) as governed by Title 3 of the Texas Family Code.

Delinquent conduct cases are further broken down into case categories similar to the ones used in the Criminal section. See OCA's Required Reporting webpage (<http://www.courts.state.tx.us/oca/required.asp>) for full definitions.

## PROBATE AND GUARDIANSHIP DOCKET

These cases are governed by the Texas Probate Code, and include matters involving the probate of wills, the administration of estates, and guardianships. A single probate case may involve more than one person.

The case type categories are:

**INDEPENDENT ADMINISTRATION:** A proceeding to probate a will and for issuance of letters testamentary under Probate Code Sec. 145(b), or an estate opened under Probate Code Secs. 145(c), 145(d) or 145(e).

**DEPENDENT ADMINISTRATION:** An estate opened under Probate Code Sec. 178. These estate cases require court monitoring. Also include applications to appoint a temporary administrator under Ch. VI, Probate Code.

**ALL OTHER ESTATE PROCEEDINGS:** Other proceedings involving the handling or transfer of property by reason of the death of an individual.

**GUARDIANSHIP:** Cases involving the establishment of, or a controversy over, the relation existing between a person (guardian) lawfully invested with the power and charged with the duty of taking care of the rights of a minor or adult (ward) who is considered by the court as incapable of caring for himself/herself.

**ALL OTHER CASES:** All other cases not clearly identifiable as belonging in one of the preceding categories. Include petitions for relief from a firearms disability related to a guardianship case (Sec. 574.088, Health and Safety Code).

## COURT-ORDERED MENTAL HEALTH CASES

Sec. 574.014 of the Health and Safety Code requires a report to the Office of Court Administration on the number of applications for involuntary mental health commitment orders filed and the disposition of those cases. Information is also collected on applications seeking an order to authorize psychoactive medications.

The case type categories are:

**TEMPORARY MENTAL HEALTH SERVICES:** Applications for commitment under Sec. 574.034(a) or 574.034(b), Health and Safety Code for not longer than 90 days. Do not include requests for modification of existing commitment orders.

**EXTENDED MENTAL HEALTH SERVICES:** Applications for commitment under Sec. 574.035(a) or 574.035(b), Health and Safety Code for greater than 90 days, but not longer than 12 months. Do not include requests for modification of existing commitment orders.

**MODIFICATION—INPATIENT TO OUTPATIENT:** Applications for the modification of an existing order for commitment for inpatient services to provide for commitment for outpatient services (Sec. 574.061, Health and Safety Code).

**MODIFICATION—OUTPATIENT TO INPATIENT:** Applications for the modification of an existing order for commitment for outpatient services to provide for commitment for inpatient services (Sec. 574.065(d)(2), Health and Safety Code).

**ORDER TO AUTHORIZE PSYCHOACTIVE MEDICATIONS:** Applications seeking an order authorizing, reauthorizing or modifying the administration of psychoactive medication (Sec. 574.106, Health and Safety Code).

# Case Type Categories

## Justice Courts

### CRIMINAL DOCKET

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A criminal case is reported based on the number of defendants named in a complaint. For example, if one defendant is charged in more than one complaint, it is counted as more than one case; the same person named in four separate complaints equals four cases. When a clerk receives a citation with multiple offenses listed, each offense is a separate charge and must be alleged on separate complaints; each complaint is therefore counted as a separate case.

The case type categories are:

**TRAFFIC MISDEMEANORS:** Cases relating to motor vehicle operation or ownership for which the maximum punishment does not involve confinement in jail or prison (i.e., class C misdemeanors).

**Non-Parking.** Cases involving violations of the provisions of Title 7, Transportation Code and related statutes that do not involve parking (e.g., speeding, passing a school bus, driving without a valid inspection sticker, driving with an expired or no driver's license).

**Parking.** Cases involving violations of Secs. 545.301 through 545.304, Ch. 681 or Ch. 683, Transportation Code and related statutes concerning the improper stopping, standing, or parking of a vehicle (e.g., parking in an intersection, parking within 15 feet of a fire hydrant, parking where an official sign prohibits parking).

**County Ordinance.** Cases involving violations of traffic or parking-related ordinances enacted by the county (e.g., vehicle weight limitations set by the county pursuant to Transportation Code, Sec. 621.301).

**NON-TRAFFIC MISDEMEANORS:** Cases not involving traffic or parking violations for which the maximum punishment does not involve confinement in jail or prison.

**Penal Code.** Cases involving laws enacted by the Texas Legislature that are set out in the Penal Code (e.g., disorderly conduct, public intoxication, theft of property valued at less than \$50).

**Other State Law.** Cases involving laws enacted by the Texas Legislature that are set out in statutes other than the Penal Code (e.g., Alcoholic Beverage Code, Education Code, Health and Safety Code, Occupations Code, Parks and Wildlife Code, etc.).

**County Ordinance.** Cases involving ordinances enacted by the county (e.g., building codes, zoning, sanitation, and animal ordinances).

### CIVIL DOCKET

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A civil case, unlike a criminal case, does not depend on the number of persons involved. Instead, each separate suit, normally commenced by the filing of the plaintiff's original petition, defines an individual civil case.

The case type categories are:

**SMALL CLAIMS SUITS:** Includes all suits for the recovery of money (damages or debt up to \$10,000) brought to the justice of the peace as judge of the Small Claims Court in accordance with Ch. 28 of the Government Code.

**FORCIBLE ENTRY AND DETAINER (EVICTIONS):** Includes all suits for eviction (recovery of possession of premises) brought under the authority of Government Code, Sec. 27.031; Property Code, Secs. 24.001-24.011; and Rules of Civil Procedure, Rules 738-755.

**OTHER CIVIL SUITS:** Includes all other suits within the civil jurisdiction of the justice court, including those for recovery of money (damages or debt up to \$10,000) and for foreclosure of mortgages and enforcement of liens on personal property in cases in which the amount in controversy is otherwise within the justice court's jurisdiction as provided by Sec. 27.031 of the Government Code.

## Municipal Courts

### CRIMINAL DOCKET

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A criminal case is reported based on the number of defendants named in a complaint. For example, if one defendant is charged in more than one complaint, it is counted as more than one case; the same person named in four separate complaints equals four cases. When a clerk receives a citation with multiple offenses listed, each offense is a separate charge and must be alleged on separate complaints; each complaint is therefore counted as a separate case.

The case type categories are:

**TRAFFIC MISDEMEANORS:** Cases relating to motor vehicle operation or ownership for which the maximum punishment does not involve confinement in jail or prison (i.e., class C misdemeanors).

**Non-Parking.** Cases involving violations of the provisions of Title 7, Transportation Code and related statutes that do not involve parking (e.g., speeding, passing a school bus, driving without a valid inspection sticker, driving with an expired or no driver's license).

**Parking.** Cases involving violations of Sec. 545.301 through 545.304, Ch. 681 or Ch. 683, Transportation Code and related statutes concerning the improper stopping, standing, or parking of a vehicle (e.g., parking in an intersection, parking within 15 feet of a fire hydrant, parking where an official sign prohibits parking).

**City Ordinance.** Cases involving violations of traffic or parking-related ordinances enacted by municipalities.

**NON-TRAFFIC MISDEMEANORS:** Cases not involving traffic or parking violations for which the maximum punishment does not involve confinement in jail or prison.

**Penal Code.** Cases involving laws enacted by the Texas Legislature that are set out in the Penal Code (e.g., disorderly conduct, public intoxication, theft of property valued at less than \$50).

**Other State Law.** Cases involving laws enacted by the Texas Legislature that are set out in statutes other than the Penal Code (e.g., Alcoholic Beverage Code, Education Code, Health and Safety Code, Occupations Code, etc.).

**City Ordinance.** Cases involving ordinances enacted by municipalities (e.g., building codes, zoning laws, dog ordinances). Ordinance violations involving litter, fire safety, zoning, public health, and sanitation are punishable by fines only, up to a maximum of \$2,000. Punishment for violation of other types of city ordinances is limited to fines only, not to exceed \$500.

### CIVIL DOCKET

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A civil case, unlike a criminal case, does not depend on the number of persons involved. Instead, each separate suit, normally commenced by the filing of the plaintiff's original petition, defines an individual civil case.

Civil cases are those involving all complaints, citations or suits within the civil or administrative jurisdiction of the municipal court, including red light camera, vehicle parking and stopping (Transportation Code, Ch. 682), dangerous dog, substandard building, and abandoned motor vehicle cases, as well as any other cases involving the enforcement of health and safety and nuisance abatement ordinances. Bond forfeiture (nisi) proceedings conducted pursuant to Code of Criminal Procedure, Art. 22.02 are also included.

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