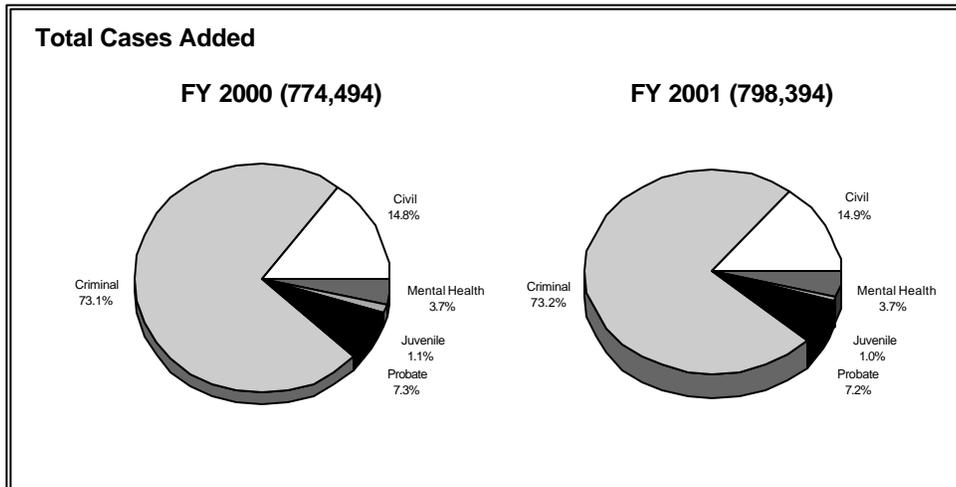


Caseload Trends in the County Courts

OVERVIEW

The county courts were originally established by the Constitution of 1836. Today, the Texas Constitution provides each county with a county court. 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 has created statutory county courts and statutory probate courts, primarily in metropolitan areas to provide assistance to the single constitutional county court. One hundred ninety-two statutory county courts and 15 statutory probate courts operate in 73 counties. This section contains the court activity of the 254 constitutional county courts, the 192 statutory county courts-at-law, and the 15 statutory probate courts.

- During FY 2001, the breakdown of cases added in county courts remained almost identical to that of prior years.** In FY 2001, criminal cases accounted for 73.2 percent (584,792) of the 798,394 total cases added to the dockets of the county courts. Of the remaining cases, civil cases accounted for 14.9 percent (118,594), probate cases represented 7.2 percent (57,506), mental health cases represented 3.7 percent (29,594), and juvenile cases represented 1 percent (7,908) of the total. (See chart to the right for breakdown of total cases added to the dockets of the county courts in fiscal years 2000 and 2001.)



- County courts had a clearance rate (total cases disposed/ total cases added) of just slightly under 100 percent for FY 2001.** [These figures do not include probate or mental health cases, because statistics on the disposition of those cases are not recorded.] Despite a 3.7 percent increase in civil filings, the civil case clearance rate stayed just above 100 percent, with county courts disposing 694 more cases than were filed. The juvenile case clearance rate also remained just above 100 percent; however, the criminal case clearance rate dropped to 99.1 percent, largely due to a 3.7 increase in filings. Of the pending caseload, 79.7 percent were criminal cases, 19.7 percent were civil cases, and less than 1 percent were juvenile cases.
- In FY 2001, appeals from municipal courts and justice of the peace courts accounted for 3.8 percent (26,678) of total cases added to county court dockets.** This is down slightly from 3.9 percent in FY 2000; however, it is down significantly from the FY 1993 peak of 15.5 percent, when 98,488 cases originated in lower courts.
- Jury verdicts were rendered in just 648 (less than one percent) civil cases in county courts in FY 2001.** This is the lowest number of jury trials since FY 1992 and is far below the ten-year average of 800 jury trials per year. Almost 15 percent of civil cases were disposed by bench trials, and 35.7 percent of all civil dispositions were by dismissals.

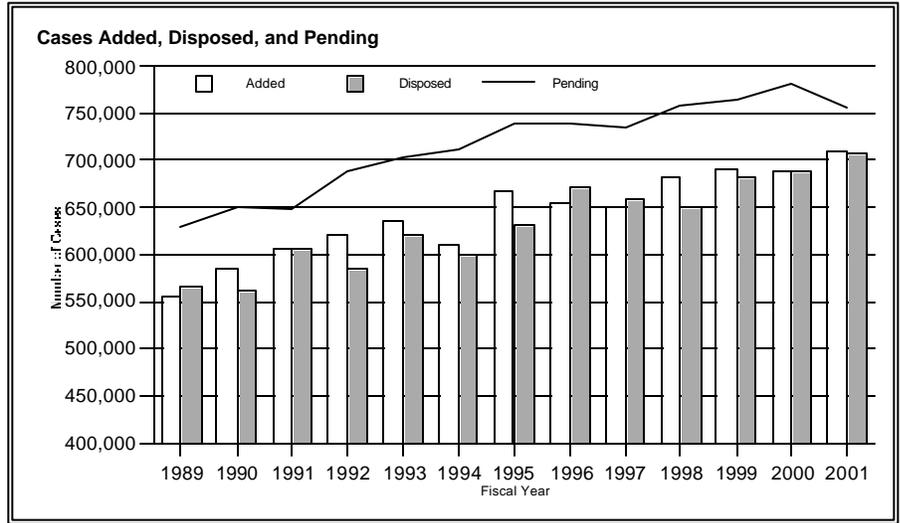
CIVIL DOCKET

- The number of civil cases filed in county courts increased by 4,180 cases (3.7 percent).** Most of the additional cases came from non-divorce family matters (1,791 cases) and unclassified cases (1,163 cases). The number of divorce cases increased by 553 cases or 6.5 percent from FY 2000. Tax cases incurred the greatest percentage increase after an additional 107 cases (a 45.7 percent increase) were filed in FY 2001. The number of filings in all other case types increased minimally.
- The composition of the civil caseload during FY 2001 also remained consistent with previous years.** Of the new civil cases added to the docket during the FY 2000, 31.4 percent were suits on debt, 15 percent were personal injury/damage suits, 7.6

percent were divorce suits, 10.2 percent concerned other family matters, 35.6 percent were other civil cases, and the remaining cases were tax suits.

CRIMINAL DOCKET

- The FY 2001 criminal caseload composition was very similar to that of FY 2000.** Among criminal cases added, 22 percent were for theft or worthless check, 19 percent were for driving while intoxicated or under the influence of drugs (DWI/DUID), 12.3 percent were for traffic offenses, 10.9 percent were for violations of drug laws, and 9.5 percent were for assault. The remaining 26 percent were unclassified. Compared to nine years ago, however, the caseload composition has changed somewhat. Since FY 1992, the percentage of drug offenses increased from 4.1 to 10.9 percent, and assault cases increased from 6.5 to 9.5 percent, of the criminal docket.



- In FY 2001, deferred adjudications accounted for 74,188 dispositions, or 12.8 percent of the total amount of dispositions.** Deferred adjudication was most frequently used in traffic cases and drug offense cases – 25.5 percent of traffic cases and 20.9 percent of drug offenses were disposed by deferred adjudication.

- Acquittals in criminal cases were down again in FY 2001.** In FY 2000, there were 2,951 total acquittals in criminal cases, a significant decrease from the 6,231 total acquittals in criminal cases in FY 1999. In FY 2001, that number moved even lower to 2,521 (or an additional 430) acquittals. Excluding directed verdicts and JNOVs, defendants who pleaded *not guilty* were convicted in 53.6 percent of all cases. There was little difference between conviction rates in those cases before a jury and those before the bench. See table at right. This is a sharp contrast to the results in years prior to FY 2000. Data from FY 1999 represented in the table to the right is representative of the prior results. Most of the change is in the decrease in the number of acquittals from bench trials in FY 2001.

	Bench	Jury	Total
Convictions	1,271 (55.2%)	1,494 (52.4%)	2,765 (53.6%)
Acquittals	1,032 (44.8%)	1,358 (47.6%)	2,390 (46.4%)
	2,303	2,852	5,155

- In FY 2001, dismissals accounted for 28.6 percent of all criminal dispositions.** Dismissals accounted for 13.4 percent of DWI/DUID case dispositions, 44.3 percent of theft case dispositions, 21 percent of drug case dispositions, 33.4 percent of assault case dispositions, 30.8 percent of traffic case dispositions, and 27.4 percent of other criminal case dispositions. Eight percent, or 13,398, of the cases were dismissed due to insufficient evidence against the defendant, and 2.5 percent, or 4,152 of cases, were dismissed due to Speedy Trial Act limitations.

	Bench	Jury	Total
Convictions	1,396 (23.1%)	1,922 (58.6%)	3,318 (35.6%)
Acquittals	4,638 (78.9%)	1,358 (41.4%)	5,996 (64.4%)
	6,034	3,280	9,314