

Caseload Trends in Justice of the Peace Courts

OVERVIEW

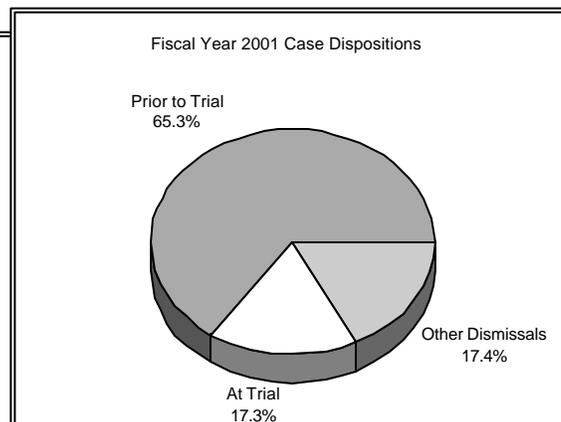
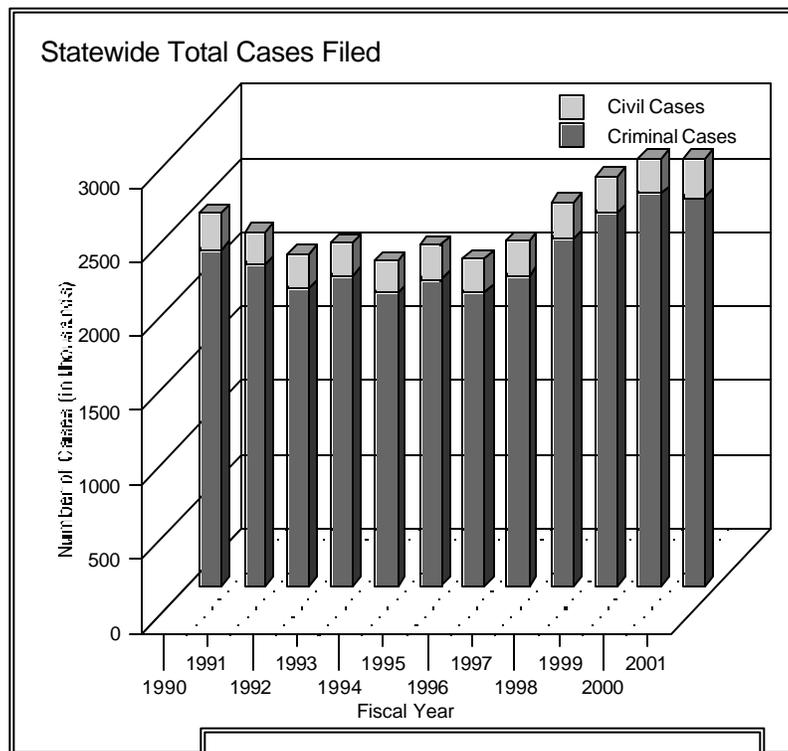
Justice of the peace courts have original jurisdiction in misdemeanor criminal cases when punishment is by fine only. They have exclusive jurisdiction over civil cases in which the amount in controversy is \$200 or less, and concurrent jurisdiction with both the county and district courts in civil matters in which exclusive jurisdiction is not in the district or county court and the amount in controversy is \$5,000 or less. By statute, they are granted jurisdiction over forcible entry and detainer actions (evictions).

There were 835 justice of the peace courts in operation in the State during FY 2000. The Texas Constitution provides that each county shall have, depending on the population, one to eight justice precincts. In each such precinct, depending on the population, one or more justices are to be elected. Each court was requested to submit a one-page report on activity of that court each month. Statewide, a total of 9,142 reports were submitted, out of a possible 10,020 for the year (91 percent reporting rate).

Revenue collected by the reporting courts during the year totaled \$222,559,360, a 7.4 percent increase over FY 2000. The average amount of revenue per disposition was approximately \$88. This revenue is deposited in the treasury of the county where the court has jurisdiction; however, certain court costs in each case are remitted to special funds of the State.

TOTAL CASELOAD

- The total number of cases filed in justice courts fell slightly in FY 2001.** The 2,619,207 criminal cases filed during FY 2001 marked a decrease of less than one percent from criminal filings in the previous year (16,252 cases). Traffic cases comprised 76 percent of criminal filings, with the remaining 24 percent consisting of non-traffic misdemeanors. Traffic cases accounted for 69 percent of all cases filed. The number of civil cases filed in FY 2001 actually increased by almost 6 percent in comparison to FY 2000 filings (13,770 cases). Forcible entry and detainer suits made up 53 percent of the 252,187 civil cases filed, with small claims and other civil actions comprising 24 and 23 percent, respectively.
- In FY 2000, justices of the peace achieved a clearance rate (total cases disposed / total cases added) of 88.4 percent, up from 87 percent last year.** Total dispositions for civil and criminal cases increased 1.6 percent, from 2,495,782 in FY 2000 to 2,537,364 for FY 2001.
- The majority of FY 2001 case dispositions, 66 percent, occurred prior to trial.** Most of these dispositions, 73 percent, were by payment of fine. Of the 330,159 cases that went to trial and were not dismissed, 96 percent were tried before a judge alone. 12,509 cases were disposed by jury trial.. Seventy-nine percent of the criminal cases receiving a final judgment at trial were awarded a guilty verdict.



CRIMINAL CASES

- **Criminal cases accounted for 91 percent of the total cases filed in FY 2001, while civil cases accounted for the remaining 9 percent of cases filed.** Although there has been a steady increase in the total number of cases filed in recent years, the docket composition for the justice of the peace courts has remained basically unchanged for the last ten years. Criminal cases have accounted for 89 to 92 percent of all cases during that time.
- **In FY 2001, the conviction rate in bench trials was 98.2 percent, while the conviction rate in jury trials was 90.1 percent.** Just 3,282 acquittals resulted from bench trials in justice of the peace courts, out of a total 186,541 bench trials disposed. Defendants fared much better in jury trials, obtaining 882 acquittals in 8,913 jury trial dispositions.

OTHER ACTIVITY

- **Over the last 10 years there has been a significant decline in the percentage of appeals per disposition.** As the chart below right indicates, the percentage of cases appealed has gone down by nearly 30 percent since FY 1992, falling from 19,526 appeals to 13,869 in that time.
- **During FY 2001, the reporting justices of the peace held 43,452 conferences prior to legal action.** This was 11.6 percent more than FY 2000. Of these conferences, 46.2 percent resulted in cases not being filed as formal cases.
- **In FY 2001, the reporting justices of the peace, in their capacity as a state magistrate, accepted 77,249 complaints within the jurisdiction of the county courts (misdemeanors) and 48,805 within the jurisdiction of the district courts (felonies).** The number of county court complaints accepted in FY 2001 decreased by 1.3 percent in comparison to FY 2000, while the number of district court complaints increased by 2.7 percent.
- **Jury trials accounted for 1 percent of all civil case dispositions and 0.2 percent of all criminal case dispositions in FY 2001.** While the rate of criminal case jury trials in justice courts remained identical to that of FY 2000, the jury trial rate in civil trials dropped from 4 percent in FY 2000 to 1 percent in FY 2001. The FY 2000 data, which included over 8,000 jury trials, looks to be the anomaly, as between two and three thousand jury trials were held per year in justice of the peace courts in most recent years.

| Fiscal Year 2001: Trials Reaching Verdict | | | |
|---|---------------------|-------------------|---------------------|
| | Bench | Jury | Total |
| CONVICTIONS | 183,259 (98.24%) | 8,031 (90.10%) | 191,290 (97.87%) |
| ACQUITTALS | 3,282 (1.76%) | 882 (9.90%) | 4,164 (2.13%) |
| TOTAL | 186,541 (100.0%) | 8,913 (100.0%) | 195,454 (100.0%) |

