

Caseload Trends in the County-Level Courts

Analysis of Activity for Year Ended August 31, 2003

BACKGROUND

Constitutional County Courts

The Texas Constitution establishes one county court in each of the 254 counties of the state, but not all such courts exercise judicial functions.

Constitutional county courts have juvenile jurisdiction and concurrent civil jurisdiction with the justice of the peace courts in cases in which the matter in controversy exceeds \$200 but does not exceed \$5,000, exclusive of interest, and concurrent civil jurisdiction with district courts in cases in which the matter in controversy exceeds \$500 but does not exceed \$5,000, exclusive of interest. County courts also have the general jurisdiction of a probate court, and they have exclusive original jurisdiction of misdemeanors (other than those involving official misconduct) where the fine allowed exceeds \$500 or where a jail sentence may be imposed. They generally have appellate jurisdiction, usually by trial *de novo*, over cases originally tried in the justice of the peace and municipal courts.

Statutory County Courts / Statutory Probate Courts

Under its constitutional authority to establish such other courts as it may deem necessary and to prescribe the jurisdiction of such courts, the Legislature authorized the creation of the 209 statutory county courts and 17 statutory probate courts operating during FY 2003, primarily in metropolitan areas, to relieve the county judge of some or all of the judicial duties of office.

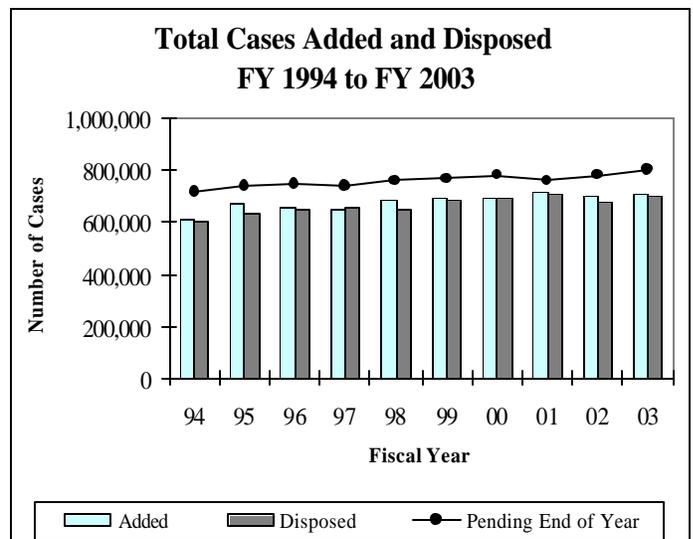
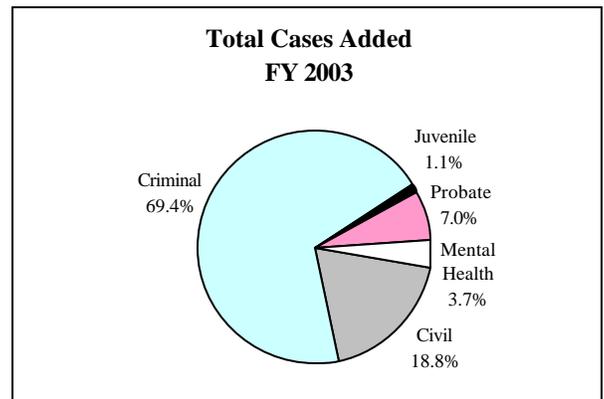
The legal jurisdiction of the statutory county courts varies considerably according to the statutes under which they were created. Some are intended to exercise subject-matter jurisdiction in only limited fields, such as civil, criminal, probate, or appellate (from justice courts or municipal courts). The concurrent civil jurisdiction of these statutory county courts with the district court extends to greater amounts in controversy than the constitutional county courts.

The jurisdiction of the statutory probate courts is limited primarily to probate matters.

Note: For purposes of this analysis, "county courts" includes constitutional county courts, statutory county courts, and statutory probate courts.

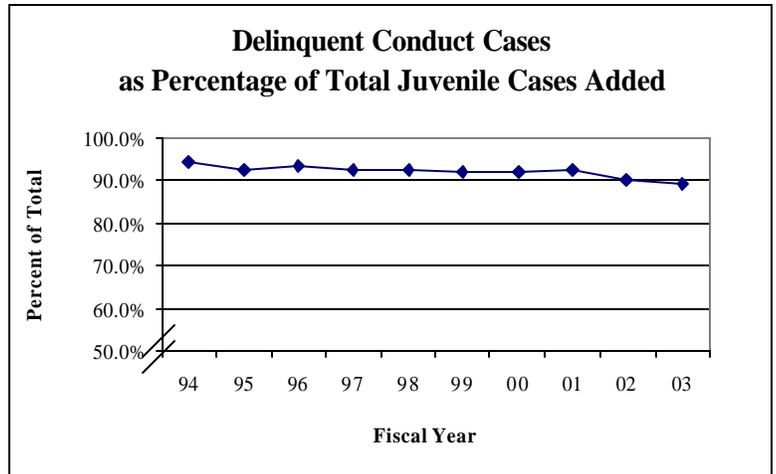
CASE FILINGS

- **In FY 2003, 792,584 cases were added to the dockets of the county-level courts in the state.** Criminal cases accounted for 69.4 percent (550,410 cases) of the total cases added, civil cases accounted for another 18.8 percent (148,987 cases), probate cases represented 7.0 percent (55,716 cases), mental health cases comprised 3.7 percent (29,012 cases), and juvenile cases represented 1.1 percent (8,459 cases).
- **The number of civil cases added to county-level court dockets increased each year over the last decade and grew 72.6 percent overall (from 86,312 cases added in FY 1994 to 148,987 cases added in FY 2003).** The number of civil cases added in FY 2003 exceeded both the five-year (FY 1999 to FY 2003) and ten-year (FY 1994 to FY 2003) averages of 124,686 and 110,749 civil cases added per year, respectively. Suits on debt cases comprised 35.2 percent (52,393 cases) of all civil cases added in FY 2003, while divorce and all other family law matters accounted for 16.6 percent (24,692 cases).
- **In FY 2003, the number of criminal cases added to the dockets of county-level courts declined for the second consecutive year and was the lowest number of cases added since FY 1997 (539,289 cases).** In FY 2003, 550,410 criminal cases were added to the dockets, 23.0 percent (126,501 cases) of which were theft or worthless check cases and 19.2 percent (105,545 cases) of which were driving-while-intoxicated cases. The number of criminal cases added in FY 2003 was lower than both the five-year (FY 1999 to FY 2003) and ten-year (FY 1994 to FY 2003)



averages of 566,831 and 558,447 criminal cases added per year, respectively.

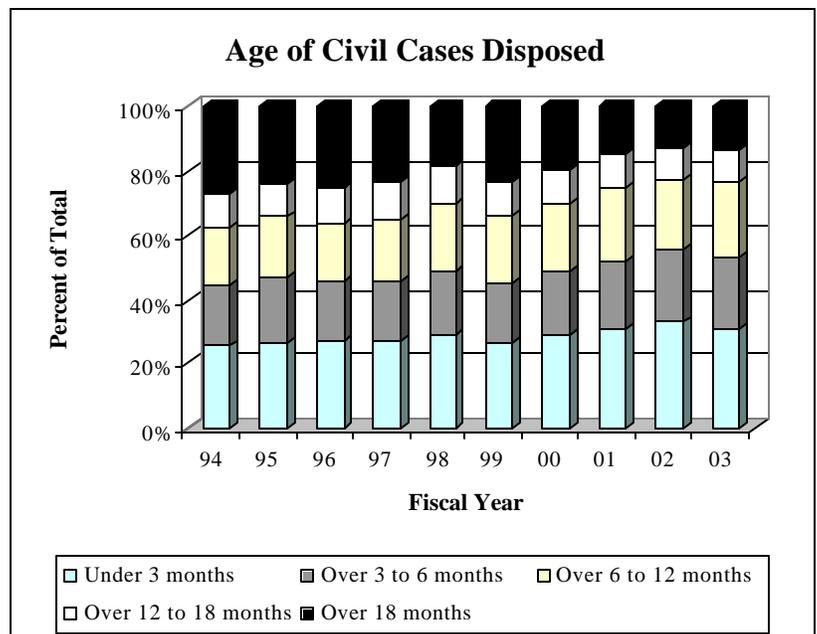
- **During the last decade (FY 1994 to FY 2003), the number of juvenile cases added in the county-level courts rose each year, except in FY 2001, for an overall increase of 65.8 percent (from 5,103 cases added in FY 1994 to 8,459 cases added in FY 2003).** The number of juvenile cases added in FY 2003 exceeded both the five-year (FY 1999 to FY 2003) and ten-year (FY 1994 to FY 2003) averages of 8,188 and 7,289 juvenile cases added per year, respectively.
- **Over the last decade (FY 1994 to FY 2003), delinquent conduct cases, which involve more serious offenses than conduct indicating a need for supervision cases (“CINS”), accounted for a generally decreasing proportion of the juvenile caseload in the county-level courts.** In FY 2003, 89.3 percent (7,554 of 8,459 cases) of juvenile cases added to the county-level court dockets were delinquent conduct cases, compared to 94.0 percent (4,796 of 5,103 cases) in FY 1994.
- **The number of probate cases filed during FY 2003 (55,716 cases) was slightly lower than the five-year (FY 1999 to FY 2003) average of 56,064 cases filed per year, but was nearly identical to the ten-year (FY 1994 to FY 2003) average of 55,686 cases filed per year.**
- **In FY 2003, 29,012 mental health cases were filed, which was higher than the five-year (FY 1999 to FY 2003) average of 28,736 cases and the ten-year (FY 1994 to FY 2003) average of 26,954 cases filed per year.**



CASES DISPOSED

Note: The figures in this section do not include probate or mental health cases because statistics on the disposition of those cases are not collected.

- **Over the last ten fiscal years (FY 1994 to FY 2003), the number of cases disposed by county-level courts generally increased (from 600,398 cases disposed in FY 1994 to 698,844 in FY 2003).** During this period, the courts disposed of an average of 663,650 cases per year.
- **While the number of dispositions has generally increased over time, the overall clearance rates (total cases disposed divided by total cases added) for county-level courts has remained relatively stable.** In FY 2003, county-level courts achieved a clearance rate of 98.7 percent, which was close to the five-year (FY 1999 to FY 2003) average of 98.6 percent and slightly exceeded the ten-year (FY 1994 to FY 2003) average of 98.1 percent.
- **In FY 2003, county-level courts disposed of more civil cases than in any other year over the last decade (FY 1994 to FY 2003).** In addition, the 137,318 civil cases disposed by county-level courts in FY 2003 exceeded both the five-year (FY 1999 to FY 2003) average of 121,604 cases, as well as the ten-year (FY 1994 to FY 2003) average of 108,194 cases, disposed per year.
- **However, the civil case clearance rate for county-level courts in FY 2003 (92.2 percent)**



was the lowest clearance rate in the last ten fiscal years (FY 1994 to FY 2003). This clearance rate was much lower than the five-year (FY 1999 to FY 2003) average of 97.5 percent and the ten-year (FY 1994 to FY 2003) average of 97.7 percent.

- Since FY 2001, the percentages of civil cases that were older than 12 months from the date of filing when disposed have been noticeably smaller than the percentages in the previous seven fiscal years (FY 1994 to FY 2000), indicating that civil cases were being disposed of more quickly over the last three fiscal years (FY 2001 to FY 2003). In FY 2003, 23.4 percent of civil cases were older than 12 months from the date of filing when disposed, compared to the five-year (FY 1999 to FY 2003) average of 26.9 percent and the ten-year (FY 1994 to FY 2003) average of 30.1 percent.
- In FY 2003, the number of criminal cases disposed (553,397 cases) in county-level courts exceeded the number of criminal cases added to the dockets (550,410 cases) during the same period (for a criminal case clearance rate of 100.5 percent), indicating that the courts slightly reduced their pending criminal caseload. The five-year (FY 1999 to FY 2003) average criminal case clearance rate was 98.9 percent, and the ten-year (FY 1994 to FY 2003) average criminal case clearance rate was 98.2 percent.
- In FY 2003, the conviction rate in jury trials was higher than the conviction rate in trials before a judge alone. During the fiscal year, defendants were convicted in 60.3 percent of jury trials, compared to 51.7 percent of bench trials.
- The age of criminal cases when disposed has remained relatively stable over the last ten fiscal years (FY 1994 to FY 2003). In FY 2003, 23.8 percent of criminal cases were disposed within 30 days, 12.2 percent within 31 to 60 days, 9.2 percent within 61 to 90 days, and 54.8 percent in more than 90 days from the date of filing.
- County-level courts disposed of more juvenile cases in FY 2003 than in any other year over the last decade (FY 1994 to FY 2003). The number of juvenile cases disposed by county-level courts in FY 2003 (8,129 cases) also exceeded the five-year (FY 1999 to FY 2003) average of 7,915 cases, as well as the ten-year (FY 1994 to FY 2003) average of 6,987 cases, disposed per year. However, the juvenile case clearance rate for county-level courts in FY 2003 (96.1 percent) was close to the five-year and ten-year averages of 96.7 percent and 95.9 percent, respectively.

Trial Outcomes: FY 2003

	Bench Trial	Jury Trial	Total
Convictions	1,193 (51.7%)	1,911 (60.3%)	3,104 (56.7%)
Acquittals	1,114 (48.3%)	1,260* (39.7%)	2,374 (43.3%)
Total	2,307 (100%)	3,171 (100%)	5,478 (100%)

** Does not include 750 directed verdicts of not guilty.*

