

Caseload Trends in the Justice of the Peace Courts

Analysis of Activity for Year Ended August 31, 2003

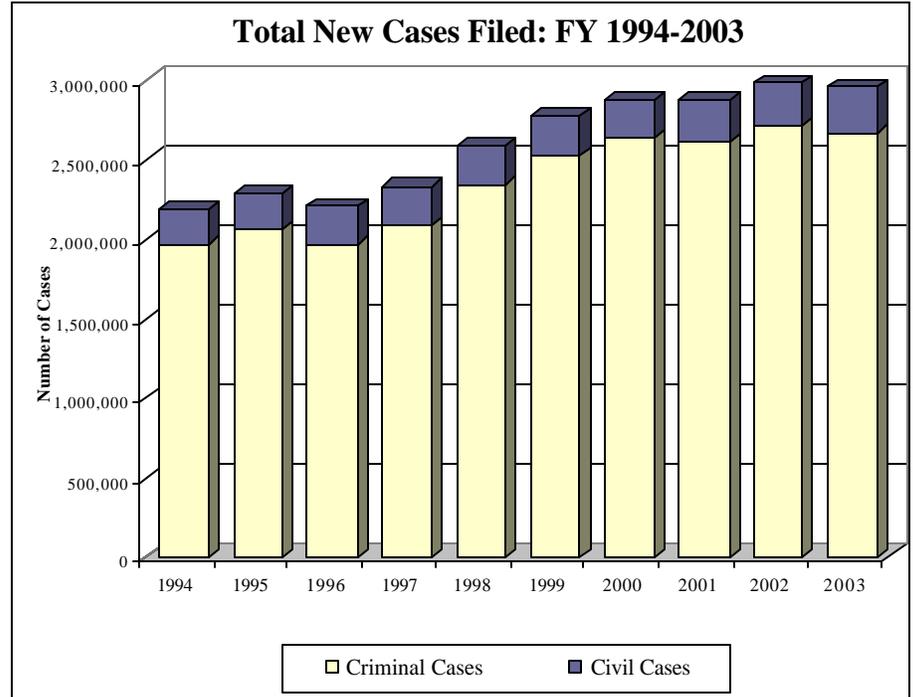
BACKGROUND

Justice of the peace courts have original jurisdiction in criminal cases when punishment is by a fine only; or punishable by a fine and such sanctions, if any, as authorized by statute not consisting of confinement in jail or imprisonment. 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. They have jurisdiction over forcible entry and detainer actions (evictions) and function as small claims courts.

There were 832 justice of the peace courts in operation in the state during FY 2003. The Texas Constitution provides that each county shall have, depending on the population, one to eight justice precincts. In each precinct, one or more justices are elected, as determined by population size.

TOTAL CASELOAD

- **The total number of new criminal and civil cases filed in justice courts decreased slightly in FY 2003.** In FY 2003, the total number of new cases filed was 2,957,016, which is slightly above the five-year (FY 1999 to FY 2003) average of 2,890,489 new cases filed per year. Of the total new cases filed in FY 2003, 2,664,123 (90.1 percent) were criminal cases, while 292,893 (9.9 percent) were civil cases. Traffic misdemeanor cases accounted for 67.9 percent (2,008,913 cases) of all new cases filed.
- **The total number of criminal and civil cases disposed in FY 2003 was 2,609,318.** This is slightly above the five-year (FY 1999 to FY 2003) average of 2,535,165 total cases disposed per year.
- **The clearance rate (total cases disposed divided by total cases added) for justice of the peace courts was 88.2 percent in FY 2003, which is very similar to the five-year (FY 1999 to FY 2003) average clearance rate of 87.7 percent per year.**

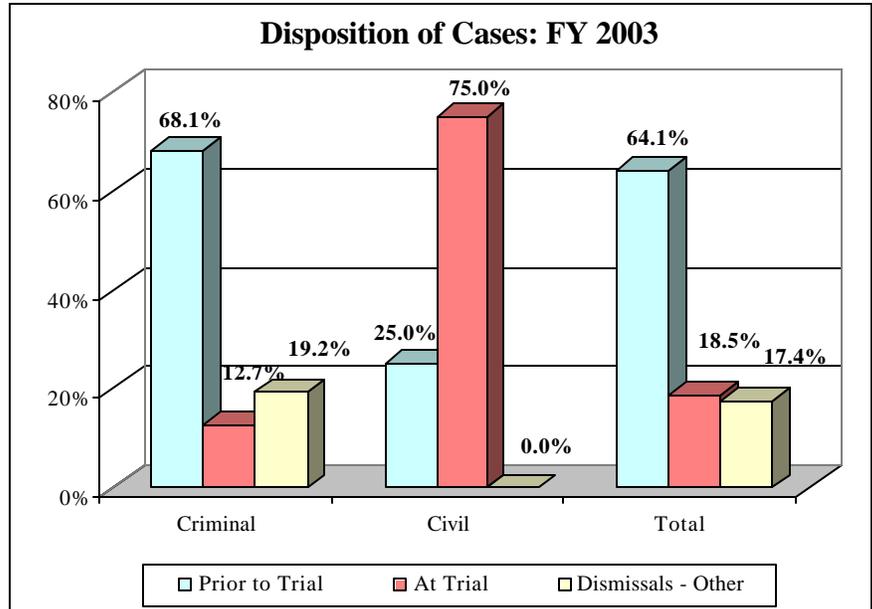


- **The total number of jury trials in FY 2003 was 4,487, a slight decrease from the previous fiscal year (4,655 trials in FY 2002).** Of the 379,877 cases that went to trial in FY 2003 and were not dismissed, 98.8 percent were tried before a judge alone.
- **The total number of cases dismissed at trial decreased slightly from 106,440 in FY 2002 to 102,567 in FY 2003.** Traffic misdemeanors made up the largest portion of the cases dismissed at trial with 47,751 cases, or 46.6 percent, of the total.

CRIMINAL CASES

- **Criminal cases accounted for approximately 90.1 percent of total new cases filed in FY 2003.** The 2,664,123 new criminal cases filed during FY 2003 continued a gradual upward trend in the number of new criminal filings over the past six fiscal years and was very similar to the five-year (FY 1999 to FY 2003) average of 2,629,656 cases per year.
- **At 75.4 percent, or 2,008,913 cases, traffic cases comprised the majority of new criminal filings, with the remaining 24.6 percent consisting of non-traffic misdemeanors.**

- In FY 2003, the majority of criminal case dispositions (68.1 percent or 1,611,295 dispositions) occurred prior to trial. Most of these cases, 74.6 percent, were dismissed by payment of fine. For traffic misdemeanors, the payment of fines prior to trial accounted for 59.8 percent of all criminal cases disposed prior to trial, which has remained stable over the past five fiscal years.
- In FY 2003, the conviction rate in bench trials for all criminal cases was 96.7 percent, while the conviction rate in jury trials was lower at 83.9 percent. Of 217,946 total criminal bench trials held in justice of the peace courts in FY 2003, 7,230 resulted in acquittals (3.3 percent). In contrast, defendants were acquitted in 346 of the 2,148 (16.1 percent) jury trial cases disposed during the fiscal year.



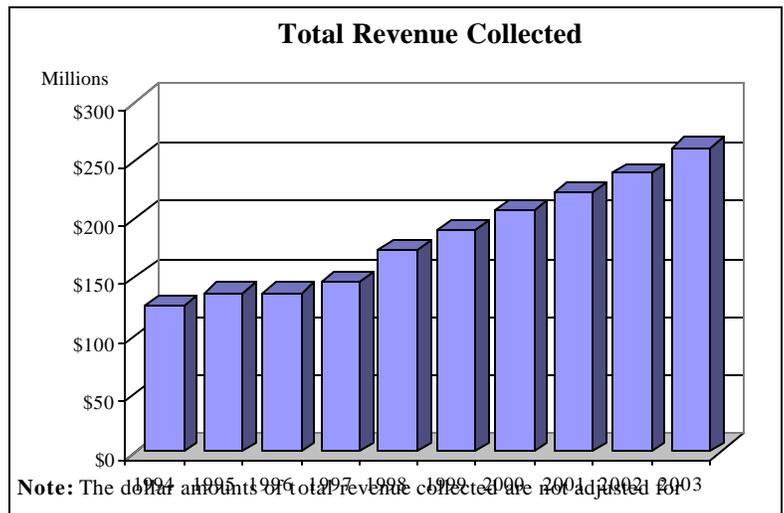
Note: Totals may exceed 100 percent due to rounding.

CIVIL CASES

- Civil cases accounted for 9.9 percent of the total new cases filed in justice of the peace courts in FY 2003. In FY 2003, 292,893 new civil cases were filed, which is 12 percent greater than the five-year (FY 1999 to FY 2003) average of 260,832 new civil cases filed per year. The current year represents the seventh year in a gradual upward trend of new civil cases filed in the justice of the peace courts.
- In FY 2003, forcible entry and detainer suits filed made up 54.8 percent (160,384 cases) of all new civil cases filed, while small claims suits and other civil actions comprised 21.9 and 23.3 percent, respectively. Forcible entry and detainer cases filed in FY 2003 were well above the five-year (FY 1999 to FY 2003) average of 135,753 cases filed per year, and the number of new forcible entry and detainer cases filed each year has increased overall during that time period.
- The majority (75.0 percent or 182,751 cases) of civil cases disposed in FY 2003 were disposed at trial, while the remaining 25.0 percent were dismissed prior to trial. Of the 159,783 civil cases that were not dismissed at trial, only 2,339 cases (1.5 percent) were disposed by jury trial, while the remaining 157,444 cases (98.5 percent) were disposed by trial before a judge alone.

OTHER ACTIVITY

- A total of 15,386 cases were appealed in FY 2003, which is similar to the five-year (FY 1999 to FY 2003) average of 15,721 cases appealed per year.
- In FY 2003, 3,766 juvenile statements were taken by justices of the peace, 9,514 juvenile warnings were administered, and 5,310 juvenile detention hearings were held. All three measures were below their respective five-year (FY 1999 to FY 2003) averages of 5,741 statements, 10,590 warnings, and 8,491 hearings per year.
- During FY 2003, justices of the peace held 32,918 conferences prior to legal action. Approximately 46 percent of these conferences (15,278 conferences) resulted in no legal action being taken.



Note: The dollar amounts of total revenue collected are not adjusted for inflation.

- Total revenues collected by justice of the peace courts have steadily grown over the past decade. In 2003, the revenues

collected were \$260,735,476. Excluding cases dismissed prior to or at trial, the amount of revenue collected in FY 2003 per justice of the peace court disposition was \$127.63.

- **In FY 2003, 71,960 county court complaints were accepted and 53,220 felony complaints were accepted.** A total of 832,933 arrest warrants were issued, with the majority (89.2 percent or 742,900) of the warrants issued falling under the category of class C misdemeanors only, while the remainder (10.8 percent or 90,033) of the warrants were felonies and class A and B misdemeanors only.