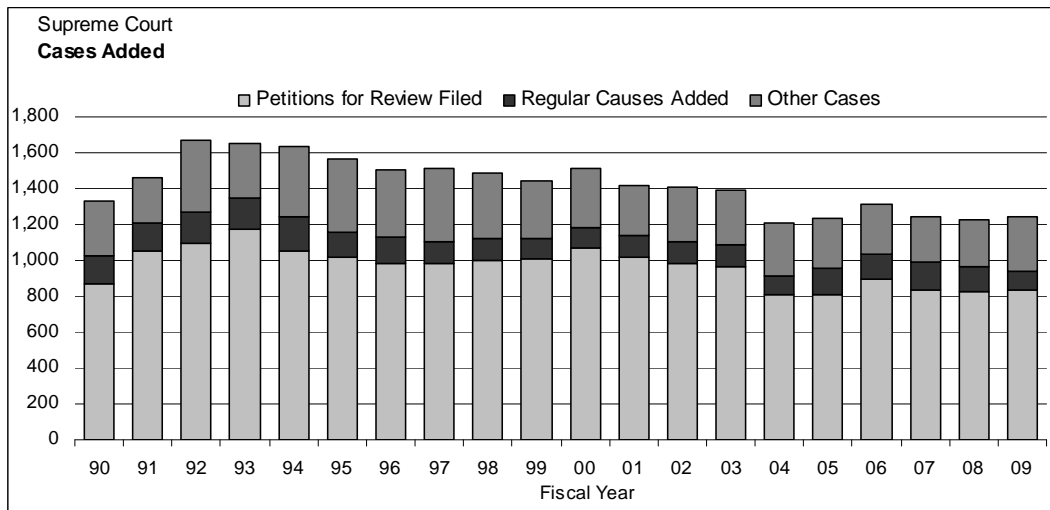


Texas Caseload Trends by Court Type 1990–2009

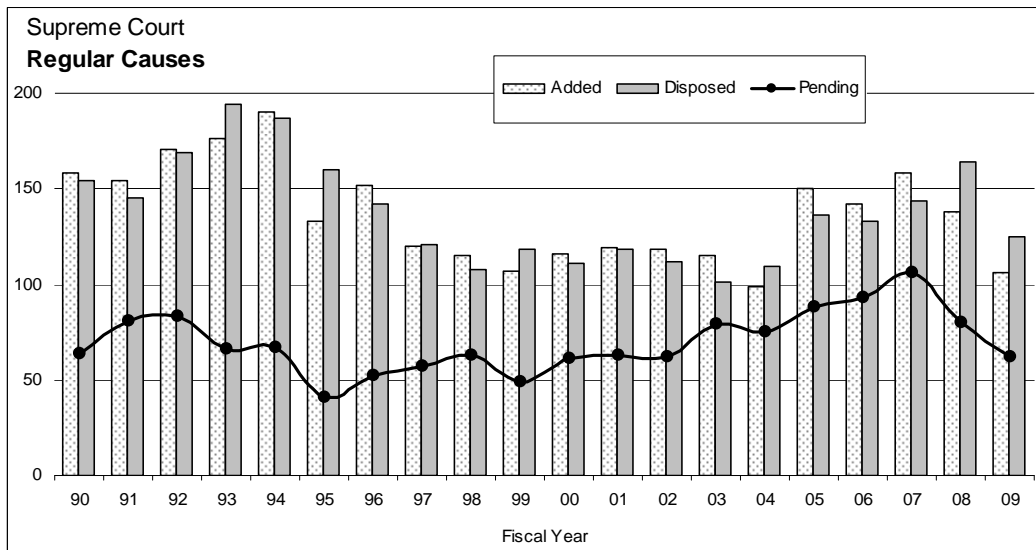
APPELLATE COURTS

Supreme Court

Over the past 20 years, petitions for review accounted for an average of 67 percent of all cases filed in the Texas Supreme Court. Other types of cases (writ of mandamus, writs of habeas corpus, direct appeals, disciplinary appeals, and other matters) collectively accounted for 23 percent of cases added, and regular causes (cases in which review was granted) constituted 10 percent. On average, 1,423 cases were added per year over the last 20 years, with a high of 1,672 cases added in 1992 and a low of 1,211 cases added in 2004.

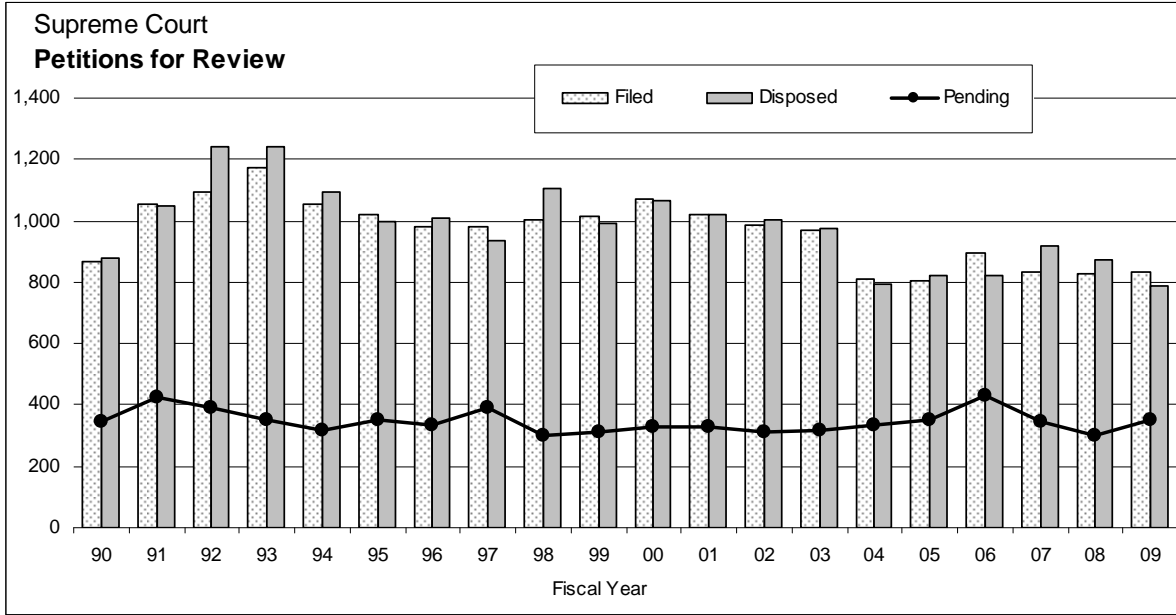


The number of regular causes added averaged 137 causes per year over the last 20 years, with a high of 190 causes added in 1994 and a low of 99 causes added in 2004. The number of causes disposed averaged 138 per year. The number of pending causes generally trended upward over the last decade, but fell in 2008 and 2009 due to a larger than usual clearance rate.

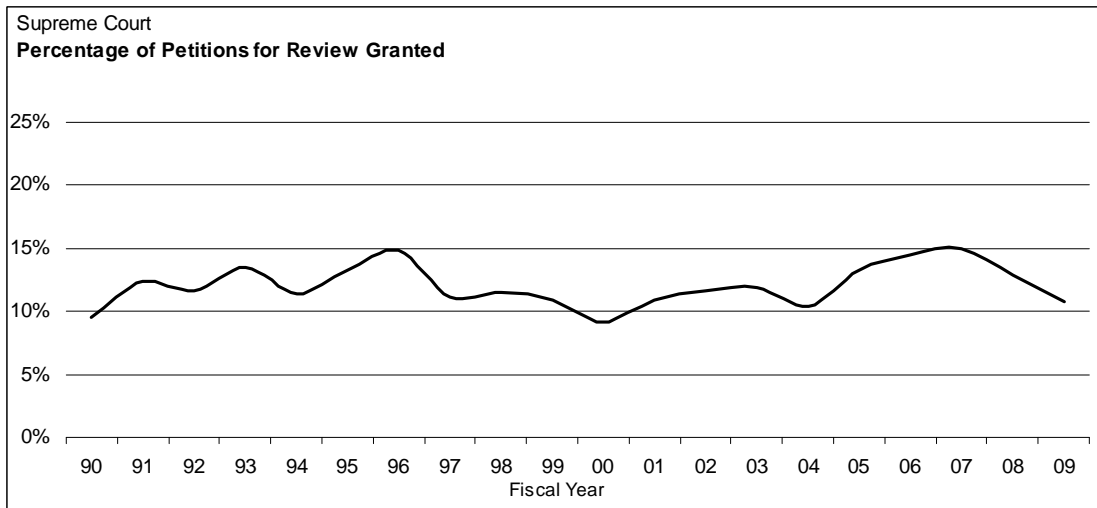


Texas Caseload Trends by Court Type

Since 2004, an average of 839 petitions were filed each year, much lower than the average 1,006 petitions that were filed each year from 1990 to 2004. The number of petitions disposed generally kept pace with the number of petitions filed each year, resulting in an average clearance rate of 101.6 percent. As a result, the number of pending petitions remained fairly stable.



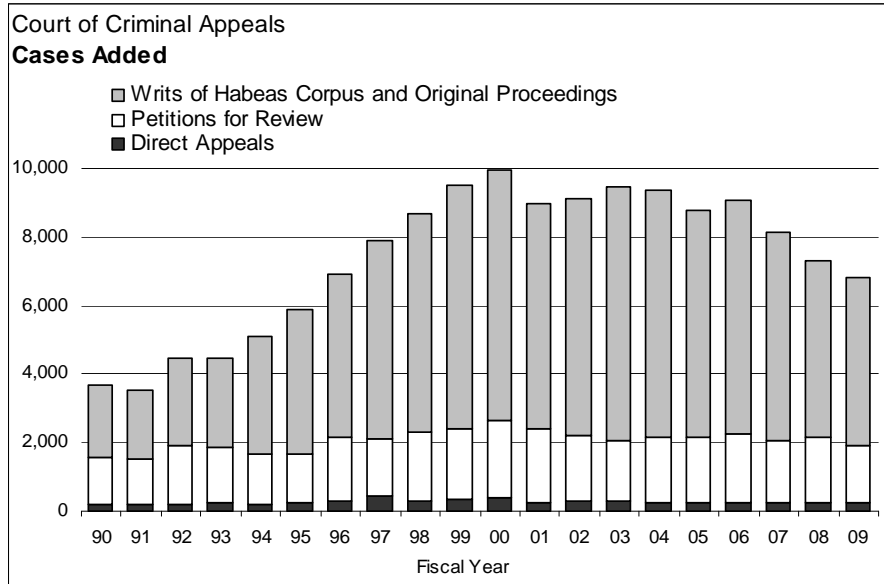
The percentage of petitions for review that were granted ranged from 9.1 percent (in 2000) to 15.0 percent (in 2007) and averaged 12 percent per year over the last two decades.



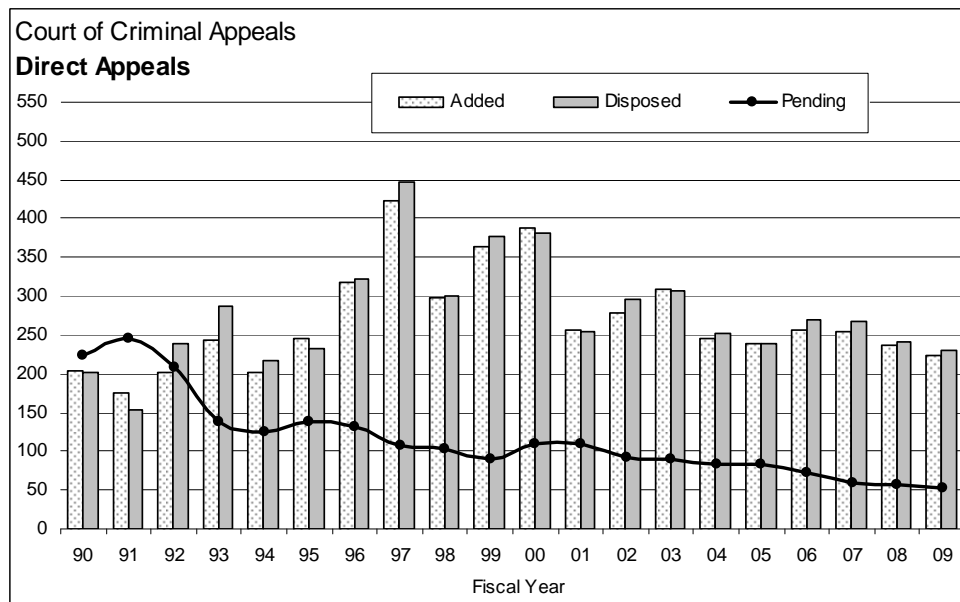
Texas Caseload Trends by Court Type

Court of Criminal Appeals

Between 1990 and 2000, the total number of cases added per year to the docket of the Court of Criminal Appeals increased 171.5 percent, from 3,661 to 9,939 cases. Most of this growth was attributable to the increase of writs of habeas corpus and original proceedings, which alone grew 250 percent during that time frame. Since 2000, the number of cases added steadied to an average of 8,551 per year.

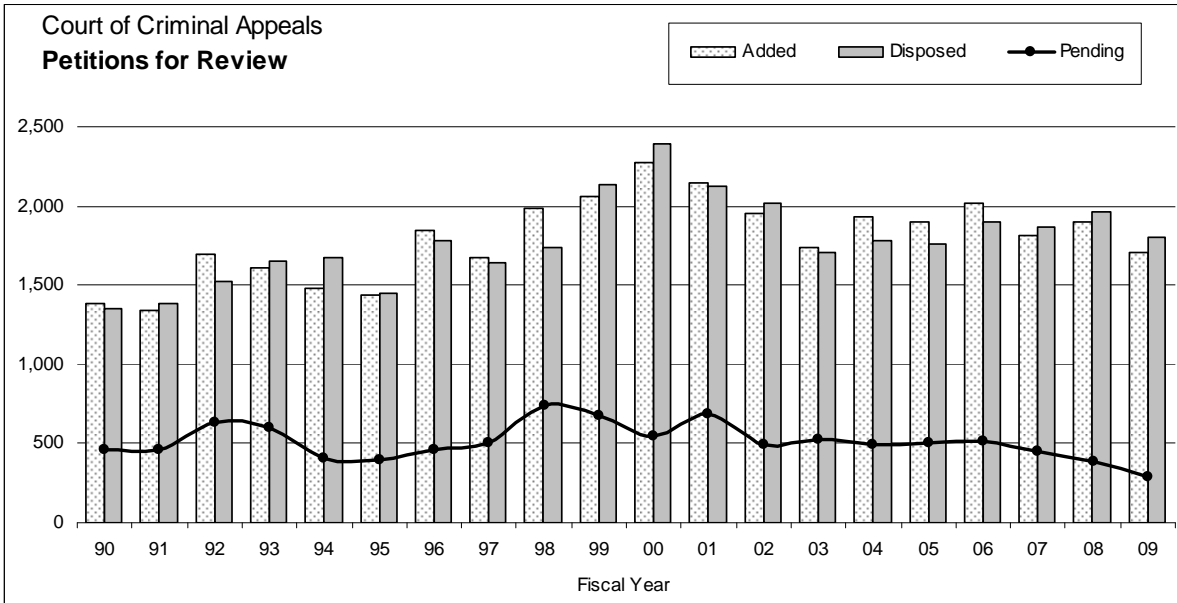


Over the past 20 years, the number of direct appeals filed averaged 268 per year, although the number filed each year varied significantly. The number of dispositions also varied greatly but kept pace with filings, averaging 276 cases per year. Since 2001, filings and dispositions of direct appeals have remained relatively stable. The number of direct appeals pending at the end of each year has steadily declined as a result of the court disposing of more cases than were filed in most years.

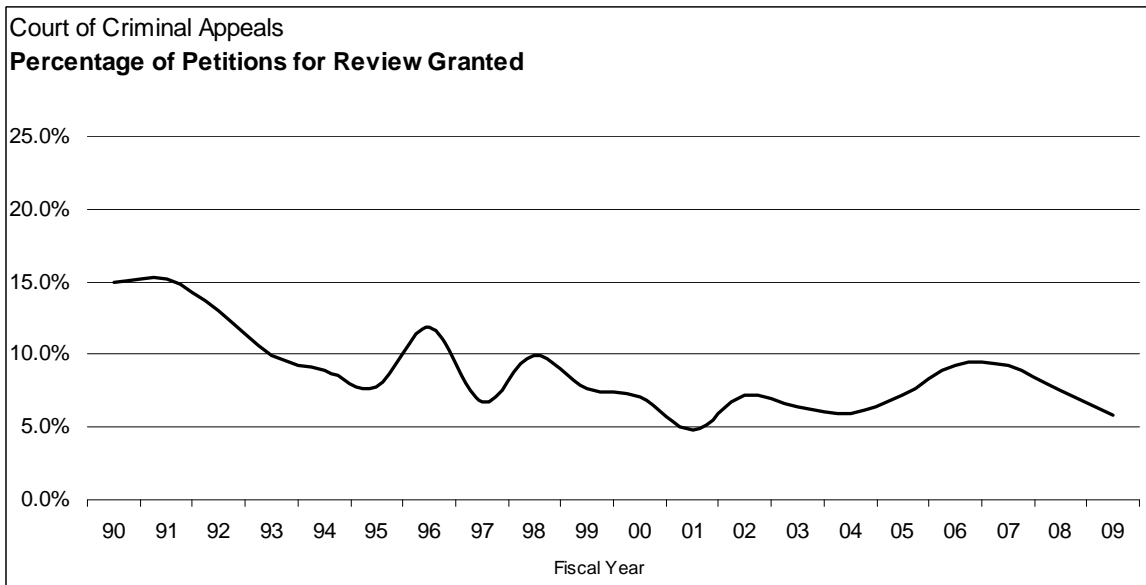


Texas Caseload Trends by Court Type

The number of petitions for review filed increased through the 1990s, peaking in the year 2000 with 2,271 petitions filed. Since 2000, the number filed per year averaged 1,901 and the number of disposed cases averaged 1,881 per year.

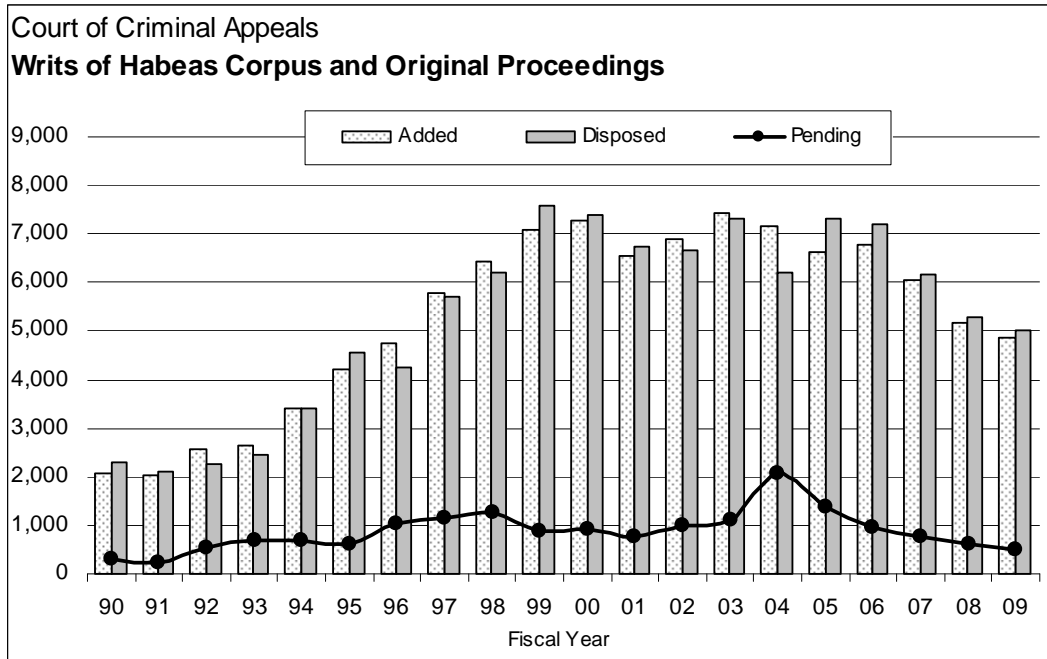


The percentage of petitions for review that were granted ranged from a high of 15.1 percent in 1991 to a low of 4.8 percent in 2001. The percentage of petitions for review that were granted averaged 8.8 percent between 1990 and 2009.



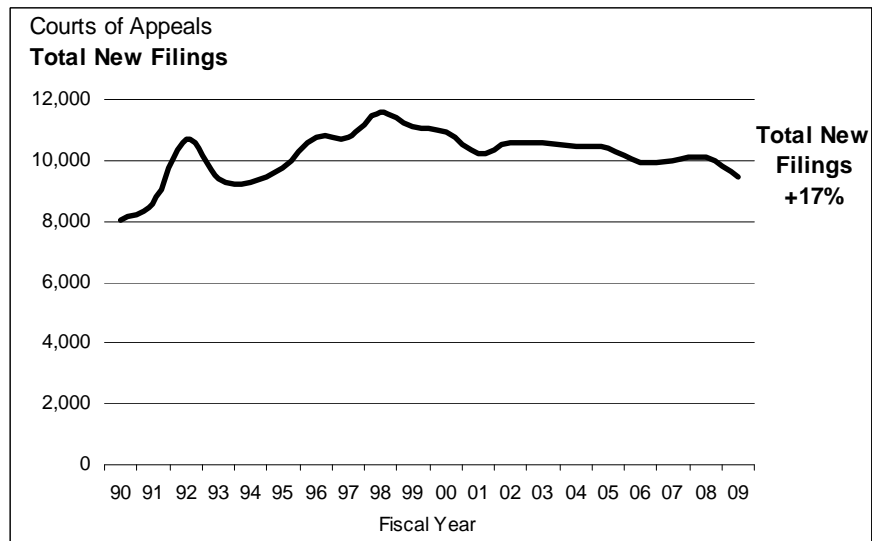
The number of writs of habeas corpus and original proceedings added increased dramatically from 1990 to 2000. Between 2001 and 2009, an average of 6,395 cases were added per year. Over the years, the number of dispositions generally kept up with the rate of cases added. Since 2004, the number of dispositions has outpaced cases added, resulting in a decline in cases pending.

Texas Caseload Trends by Court Type

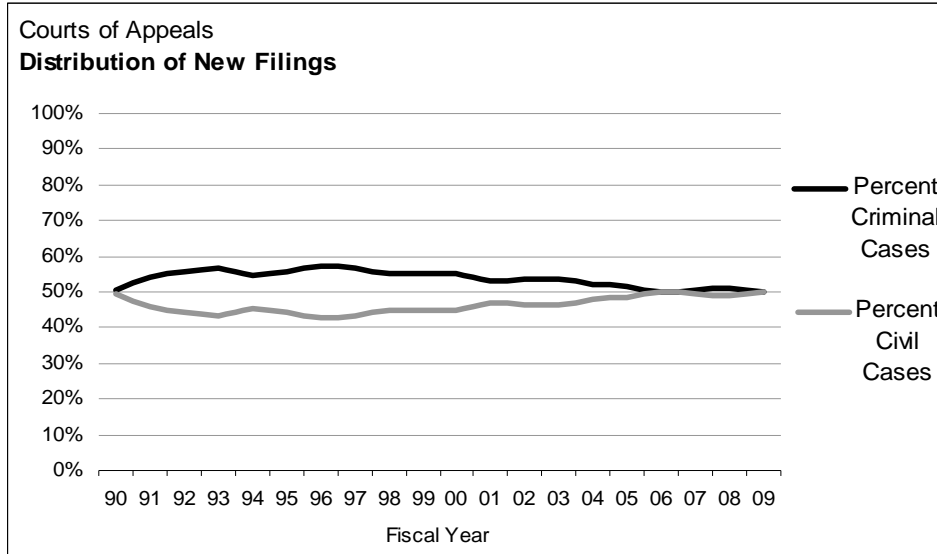


Courts of Appeals

Over the past 20 years, the number of new filings in the courts of appeals increased 17 percent, from 8,062 new cases filed in 1990 to 9,470 filed in 2009. New filings reached a high of 11,566 in 1998 but have declined 18 percent since then. From 1990 to 2009, the average number of new cases filed per year was 10,127.

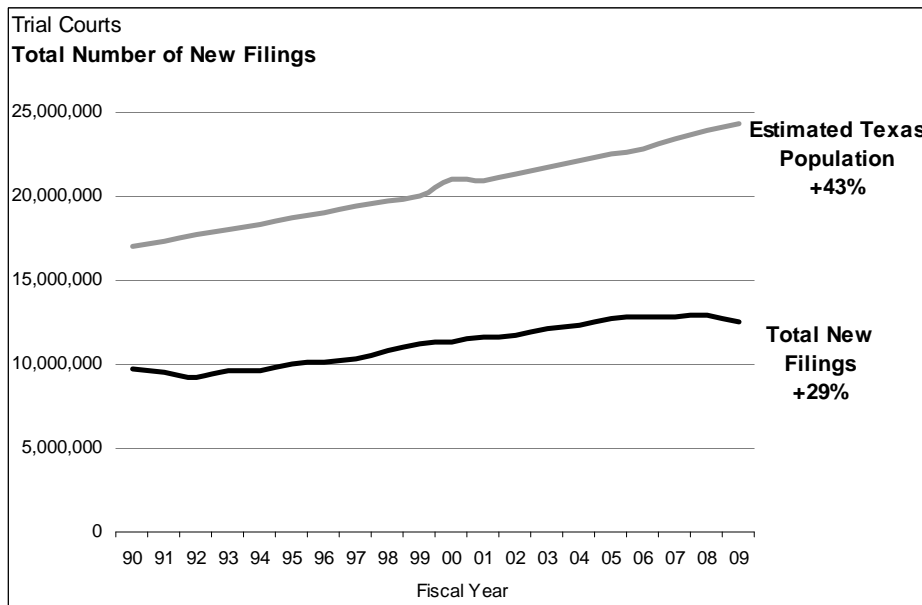


Overall, the case distribution between criminal and civil cases remained relatively unchanged from 1990 to 2009, with criminal cases accounting for a slight majority of new cases filed each year. The percentage of criminal cases decreased to 50 percent in 2006, 2007, and 2009 from the peaks of 57 percent in 1993, 1996, and 1997.



TRIAL COURTS

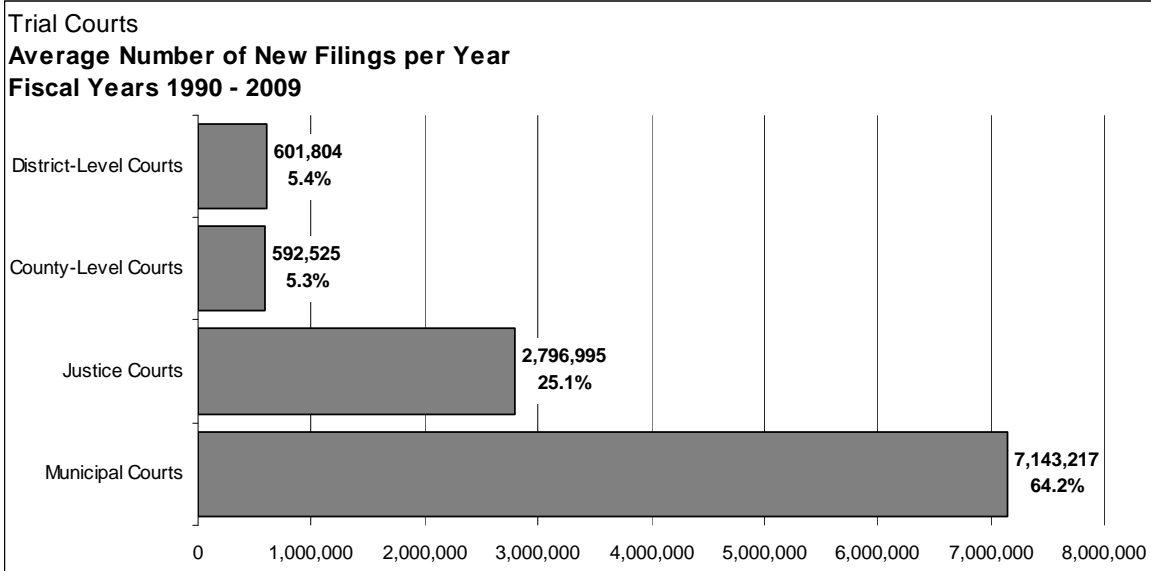
Between 1990 and 2009, new filings in Texas trial courts increased 29 percent overall. When compared with the Texas population, which increased an estimated 43 percent during the same time frame,¹ the number of new filings dropped from 569 new filings for every 1,000 residents to 515 new filings for every 1,000 residents.



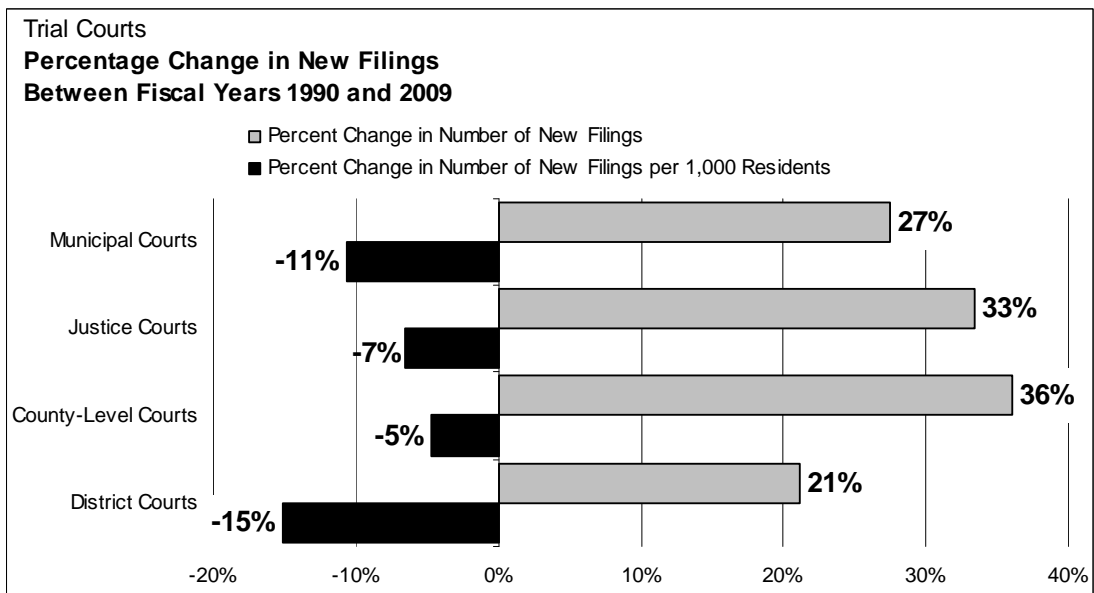
¹ <http://www.census.gov>. Data for 2009 not yet available.

Texas Caseload Trends by Court Type

The number of new filings in the state’s municipal courts far exceeded those in any other type of court with an average of approximately 7 million filings per year (64 percent of all filings). Justice courts had more than 2.7 million new filings (25 percent of all filings), while county-level and district courts had approximately 600,000 new filings each (5 percent of all filings, each).

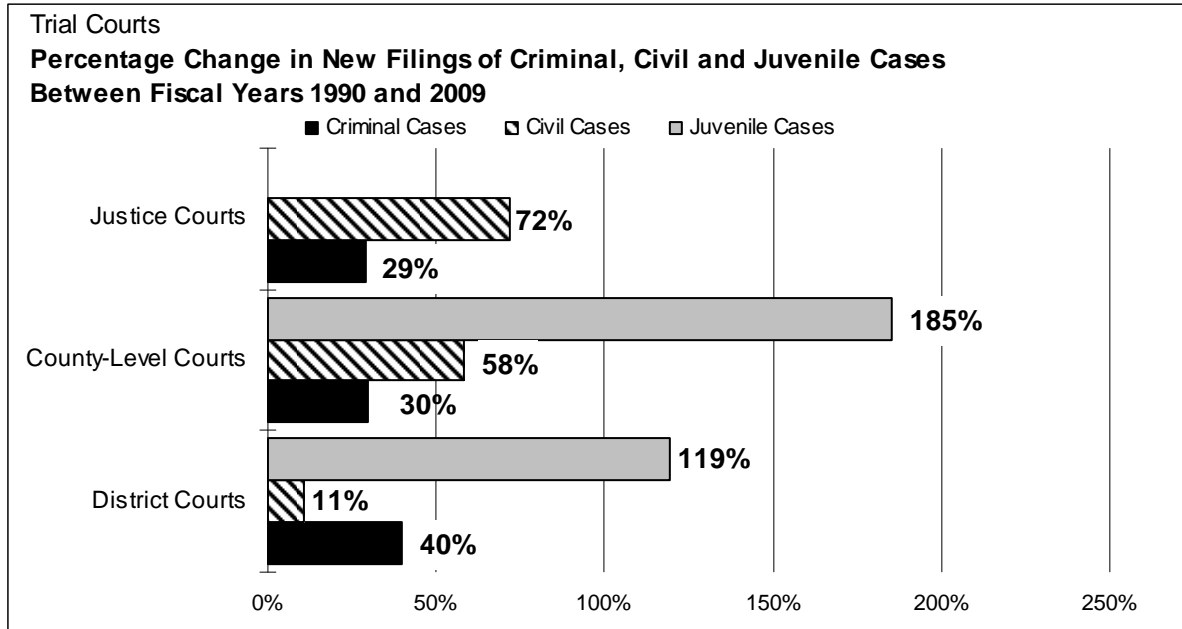


Between 1990 and 2009, each type of court experienced considerable growth in the number of new cases filed. Justice and county-level courts saw the most growth with a 33 percent and 36 percent increase in the number of new filings, respectively. When accounting for population growth (in terms of the number of new filings for every 1,000 Texas residents), caseloads shrank by 5 percent in county-level courts, 7 percent in justice courts, 11 percent in municipal courts, and 15 percent in district courts.



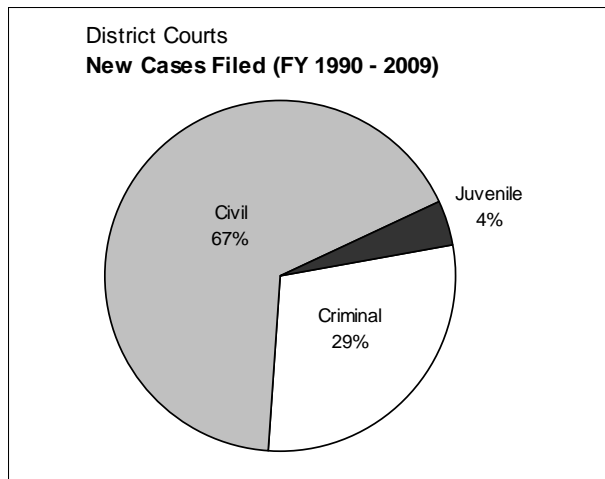
Texas Caseload Trends by Court Type

In county-level and district courts, the most significant increase occurred in juvenile cases, which more than doubled between 1990 and 2009. In justice courts, growth in civil cases outpaced the growth in criminal cases.



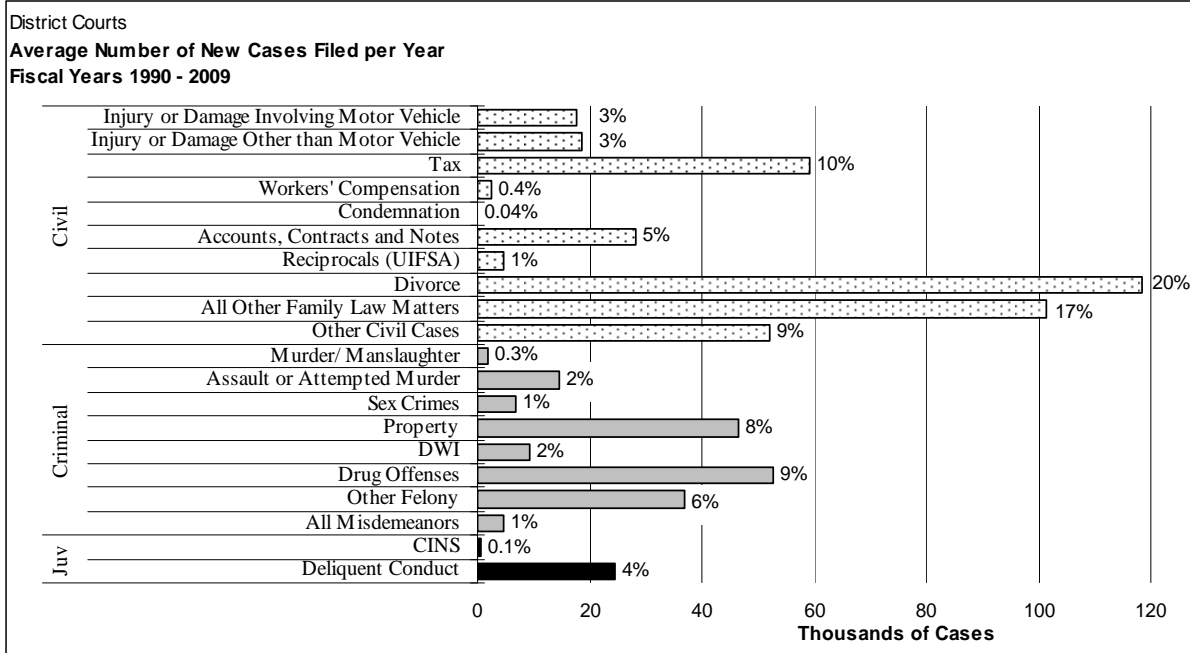
District Courts

The number of new cases filed in the state’s district courts increased 21 percent from 1990 (555,105 cases) to 2009 (672,489 cases). When accounting for population growth, the number of new cases filed actually decreased 15 percent, from 32.6 new filings per 1,000 residents in 1990 to 27.6 new filings per 1,000 residents in 2009. In an average year, the majority of new cases filed in district courts were civil cases, accounting for 2 out of every 3 new cases filed. Criminal cases made up 29 percent, and juvenile cases accounted for 4 percent, of new cases filed.



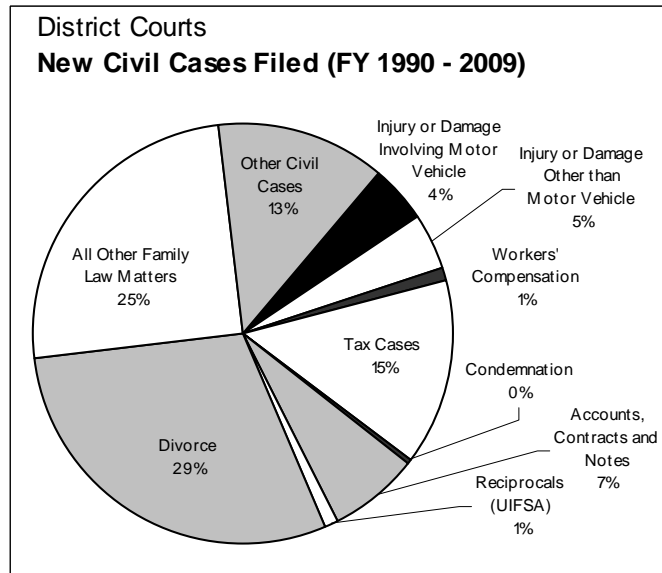
Texas Caseload Trends by Court Type

On average, divorce cases accounted for the largest share of new district court cases (20 percent), followed by all other family law matters (17 percent) and tax cases (10 percent). Other civil cases and drug-related criminal cases each accounted for approximately 9 percent of all cases filed.



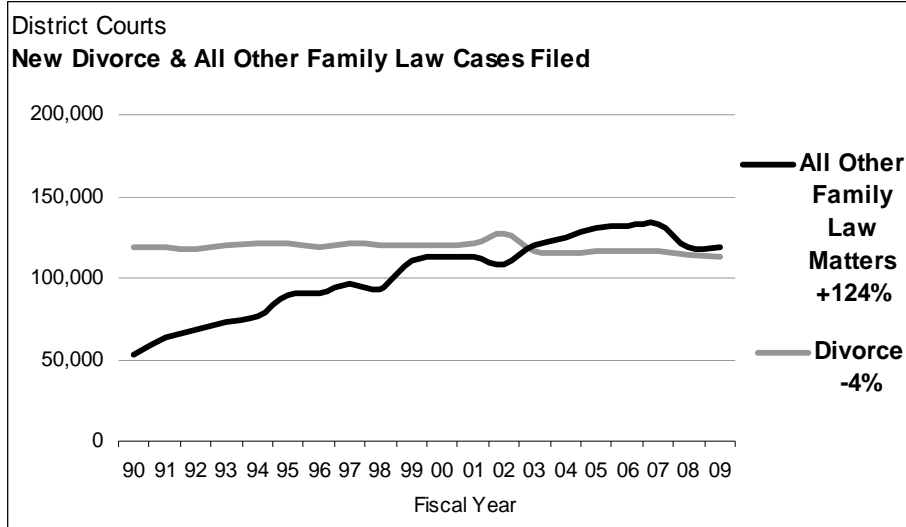
Civil Cases

Two-thirds of all new cases filed in district courts were civil cases. More than half of the civil cases brought before the courts involved family matters: 29 percent were divorce cases, 1 percent were reciprocal (UIFSA) cases, and 25 percent fell into the “all other family law matters” category.



Texas Caseload Trends by Court Type

Divorce cases, the largest category of civil cases filed in district courts, decreased slightly (4 percent) since 1990. The category “all other family law matters” more than doubled in district courts, with the number of cases increasing from 52,977 cases filed in 1990 to 118,422 cases filed in 2009.



One factor that may be driving the increase in “all other family law matters” is the increase in child support cases. The Child Support Division of the Texas Attorney General’s Office reports that child support cases with court orders rose 76 percent from 520,918 in 1999 to 915,221 in 2008. This statistic does not include privately arranged child support cases; however, it does indicate the large growth in this type of case. Cases for the termination of parental rights (child protection cases) are also included in this category. The number of investigated cases confirmed by Texas Department of Protective and Regulatory Services increased 58 percent from 26,265 in 1999² to 41,591 in 2008.³

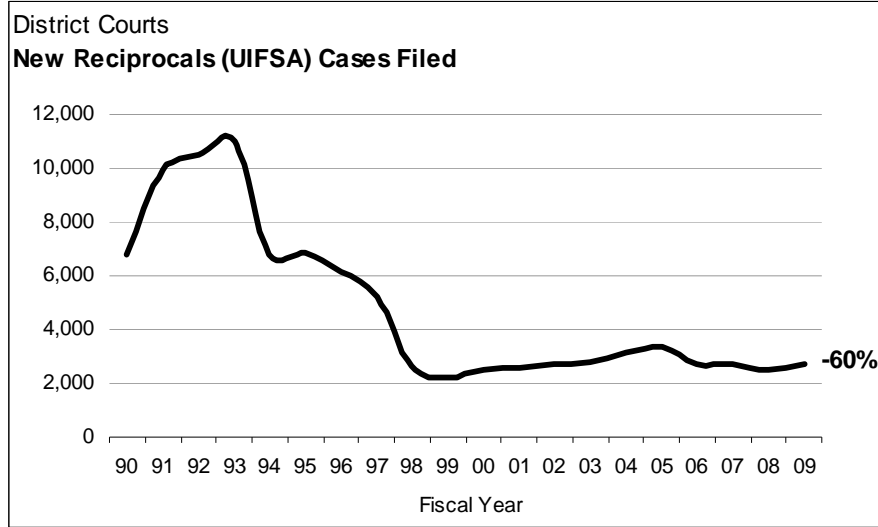
Although reciprocal (UIFSA) cases account for only 1 percent of civil cases when averaged across 20 years, the number of cases filed has dropped considerably over the last 20 years (6,786 cases filed in 1990 to 2,692 cases filed in 2009). UIFSA was intended to facilitate interstate child support orders and clarify many questions such as choice of law and the question of which state has the power to modify orders. UIFSA was adopted by Texas in 1993,⁴ with new versions and revisions adopted in later years. Since 1998, when all states were required to adopt the law, the number of cases entering Texas district courts leveled to an annual average of 2,709, which may indicate that the new laws made reciprocal cases easier to resolve outside the court system.

² http://www.dfps.state.tx.us/Documents/about/Data_Books_and_Annual_Reports/1999/databook/pdf/119_124FY99.pdf.

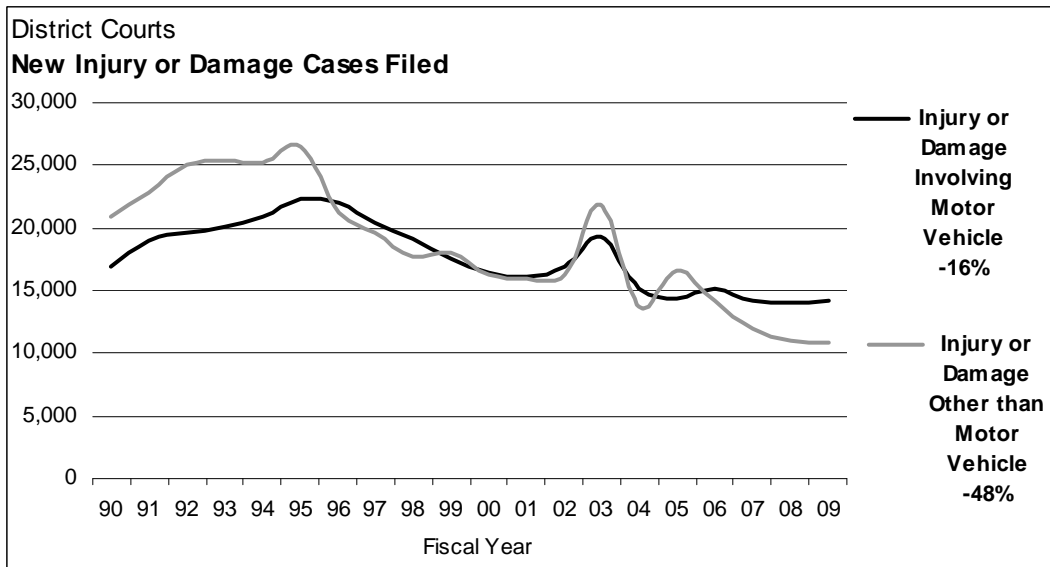
³ http://www.dfps.state.tx.us/documents/about/Data_Books_and_Annual_Reports/2008/Databook/CPSCConfirmed.pdf.

⁴ Act of April 6, 1995, 74th Leg., R.S., Ch. 20 § 1, 1995, Tex. Gen. Laws 113.

Texas Caseload Trends by Court Type



Cases of injury or damage involving a motor vehicle and not involving a motor vehicle both decreased over the past two decades (16 percent and 48 percent, respectively).



Several factors may have influenced the trends in tort cases. The first was the Supreme Court’s 1990 decision in *Dow Chemical Co. v. Alfaro*,⁵ which ruled that the Texas Legislature had abolished the doctrine of *forum non conveniens* in 1913. This ruling may have opened doors for lawsuits from around the world to be filed in Texas courts.⁶ An increase of 20 percent occurred between 1990 and 1993. The drop in tort cases in 1996 was likely due to the large number of tort reform bills passed in 1995 by the 74th Legislature. Notably, SB 32⁷ helped to close loopholes regarding venue that were created by the Alfaro decision.⁷ Other bills passed by the 74th

⁵ *Dow Chemical Co. v. Alfaro*, 786 S.W. 2d 674 (Tex. 1990).

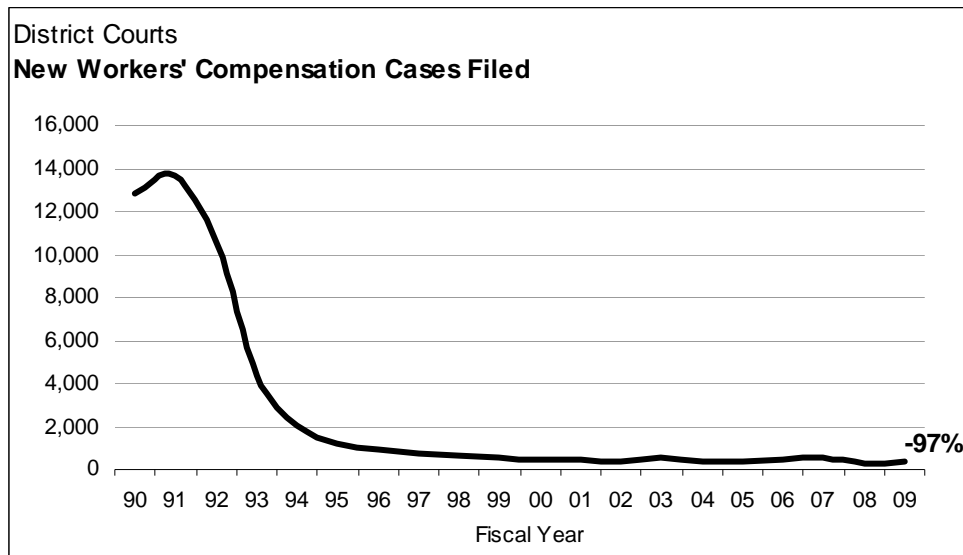
⁶ Daniel, B.D. and Weiss, Michael D. “Tort Reform: Has Texas Ended Its Lawsuit Lottery?” Texas Public Policy Tort Reform Publications. October 15, 1995. Texas Public Policy Foundation. September 28, 2007.

⁷ Act of May 18, 1995, 74th Leg. R.S., Chap 138, § 1-12, <http://www.legis.state.tx.us/tlodocs/74R/billtext/doc/SB00032F.doc>.

Texas Caseload Trends by Court Type

Legislature included: SB 25,⁸ concerning limits to punitive damages; SB 28,⁹ concerning joint and several liability; HB 668,¹⁰ concerning the Deceptive Trade Practice Act; and SB 31,¹¹ concerning frivolous lawsuits. In 2003, the 78th Legislature passed HB 4,¹² which placed a cap on nonfinancial damages in cases filed before September 1, 2003, which may explain the spike in 2003 as litigants attempted to file their cases before the cap went into effect. In 2005, the 79th Legislature passed SB 890,¹³ which restored the election of dollar-for-dollar settlement credits and may have influenced that year's small increase in cases.

In 1991, the Texas Workers' Compensation Act took effect, which sought to replace litigation with an administrative review process,¹⁴ and resulted in a significant downturn in the number of workers' compensation cases. Since 1991, district courts have heard only appeals of workers' compensation cases; therefore, the data show that appeals have remained steady since the enactment of this legislation.



Criminal Cases

Cases involving drug-related crimes (drug sale or manufacture and drug possession) made up the largest category of criminal cases filed in district courts in the past 20 years (31 percent). Cases involving crimes against property (robbery, burglary, theft, auto theft, and arson) ranked a close second with 27 percent of the total, and "other felonies" ranked third with 21 percent.

⁸ Act of April 20, 1995, 74th Leg. R.S., Chap 19, § 1-3, <http://www.legis.state.tx.us/tlodocs/74R/billtext/doc/SB00025F.doc>.

⁹ Act of May 18, 1995, 74th Leg. R.S., Chap 136 § 1-5, <http://www.legis.state.tx.us/tlodocs/74R/billtext/doc/SB00028F.doc>.

¹⁰ Deceptive Trade Practice Act, 74th Leg. R.S., Chap 414 § 1-22, <http://www.legis.state.tx.us/tlodocs/74R/billtext/doc/HB00668F.doc>.

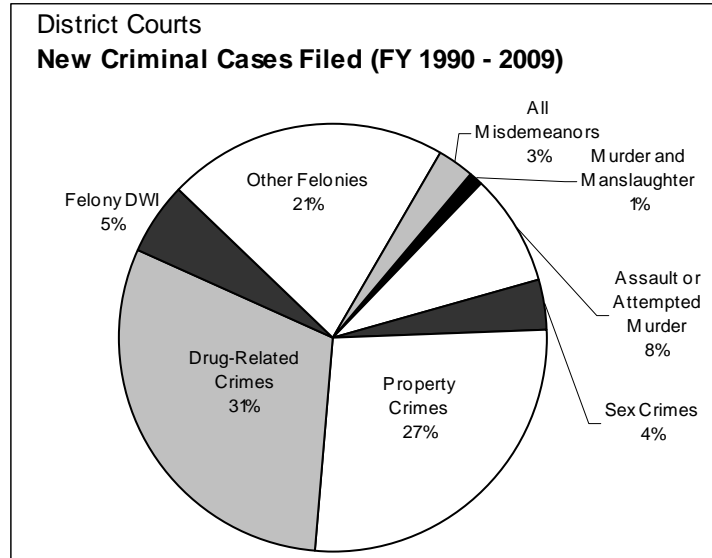
¹¹ Act of May 18, 1995, 74th Leg. R.S., Chap 137 § 1-3, <http://www.legis.state.tx.us/tlodocs/74R/billtext/doc/SB00031F.doc>.

¹² Medical Malpractice and Tort Reform Act, 78th Leg. R.S., Chap 204 § 1-23, <http://www.legis.state.tx.us/tlodocs/78R/billtext/pdf/HB00004F.pdf>.

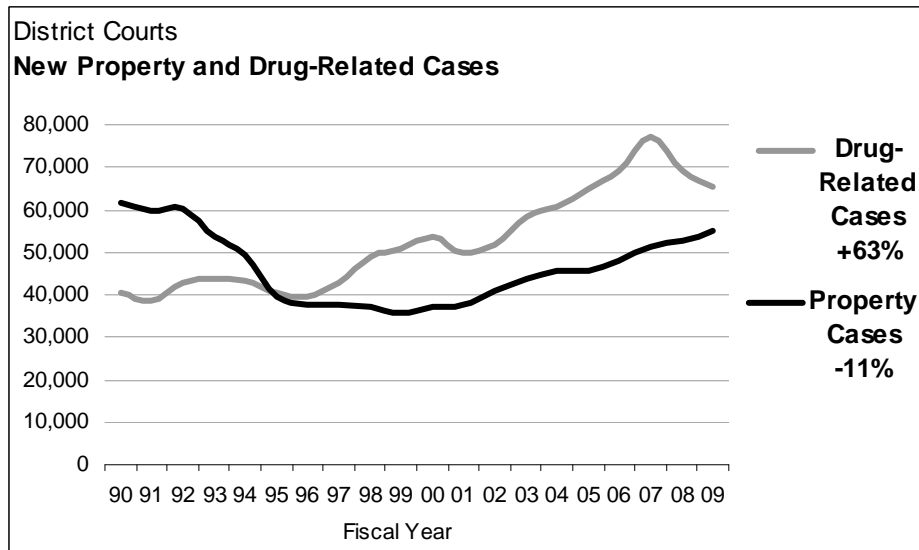
¹³ Act of May 17, 2005, 79th Leg. R.S., Chap 277 § 1-3, <http://www.legis.state.tx.us/tlodocs/79R/billtext/pdf/SB00890F.pdf>.

¹⁴ Texas Workers' Compensation Act, 1989, 71st Leg., 2nd C.S., Ch. 1 Articles 1-11, Tex.Gen. Laws 1.

Texas Caseload Trends by Court Type

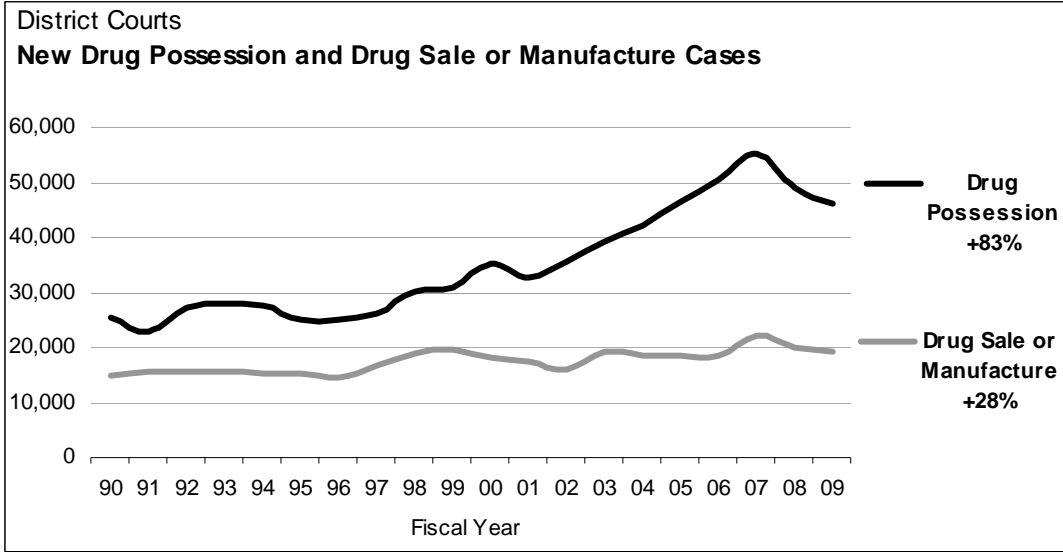


Although property cases and drug-related cases appear to be approximately equal when looking at the 20-year average, a clear pattern of change between the two categories emerges when data are analyzed over time. Twenty years ago, cases involving property crimes outnumbered drug-related cases. Since 1995, the distribution between these categories reversed, and the number of drug-related cases outnumbered property cases.

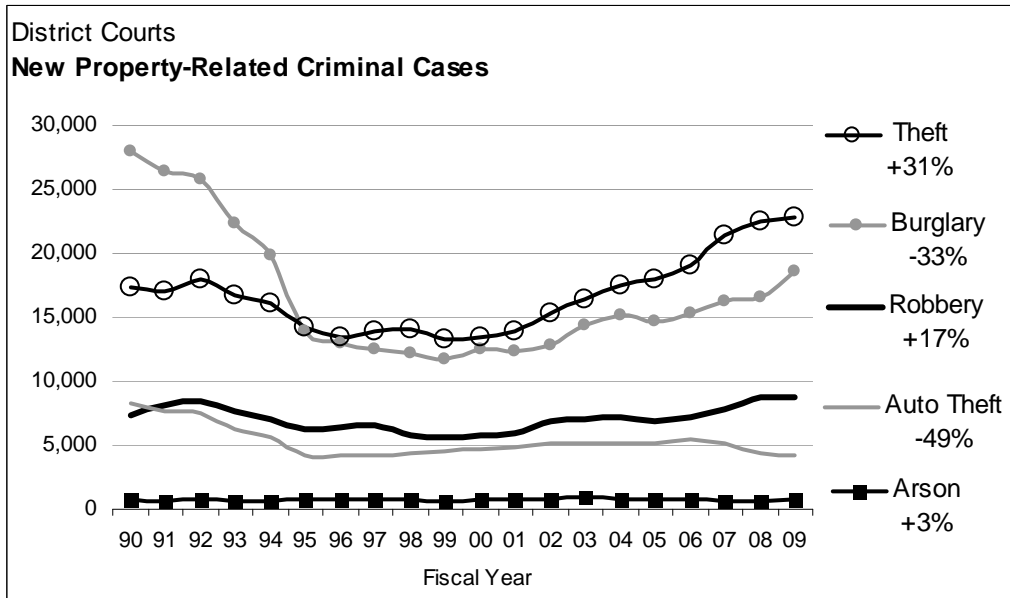


Since 1990, drug possession cases increased an average of 3 percent per year. When accounting for the increase in population, there were 2.07 cases per 1,000 adult residents in 1990 compared to 2.58 cases per 1,000 adult residents in 2009. Drug sale or manufacture cases increased an average of 2 percent per year since 1990. When accounting for the increase in population, drug sale or manufacture cases have decreased from 1.22 cases per 1,000 adult residents in 1990 to 1.07 cases per 1,000 adult residents in 2009.

Texas Caseload Trends by Court Type



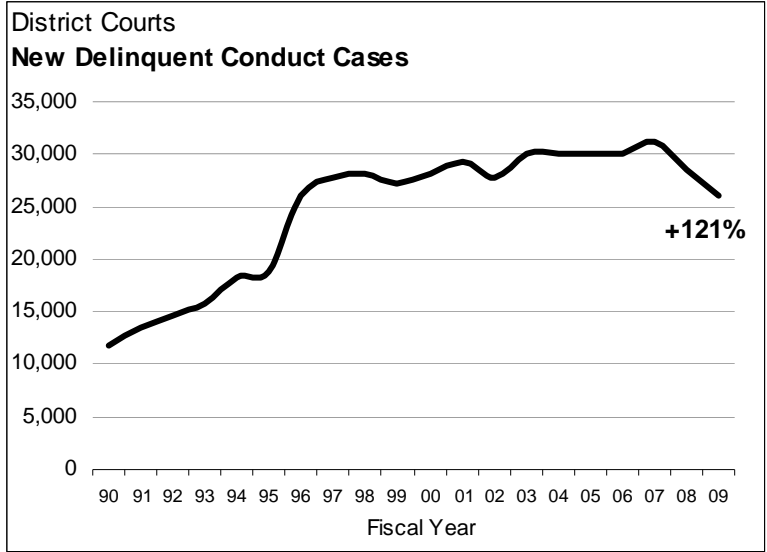
In reviewing 20-year trends among property-related cases, the most significant growth occurred in theft cases, which increased by 31 percent. Robbery cases increased by 17 percent in the same time frame, while auto theft declined by 49 percent and burglary cases declined by 33 percent. Arson cases increased slightly in the past twenty years (3 percent). Robbery, burglary, and theft reached their lowest point in 1999. Since then, the number of cases in these categories has risen. In the last ten years, robbery has risen by 50 percent, burglary by 49 percent, and theft by 70 percent.



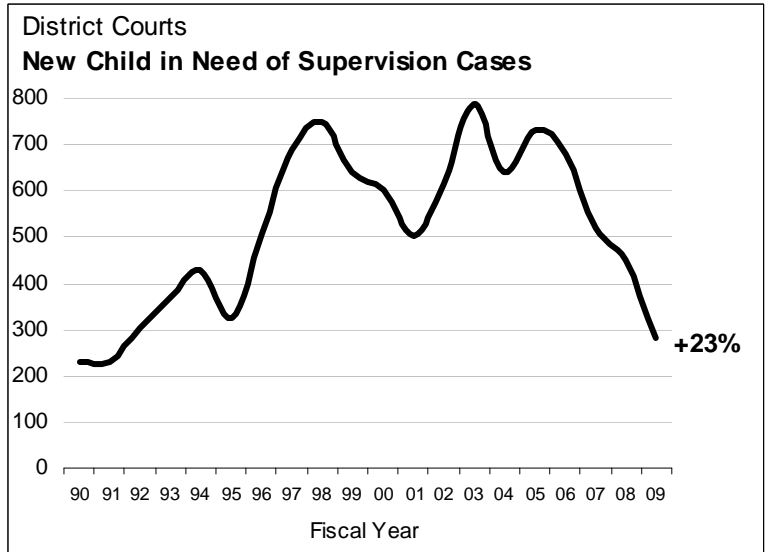
Juvenile Cases

Juvenile cases constituted 4 percent of all cases filed in district courts between 1990 and 2009. The vast majority of new juvenile cases filed were delinquent conduct cases (98 percent), while CINS cases accounted for the remaining 2 percent.

Texas Caseload Trends by Court Type

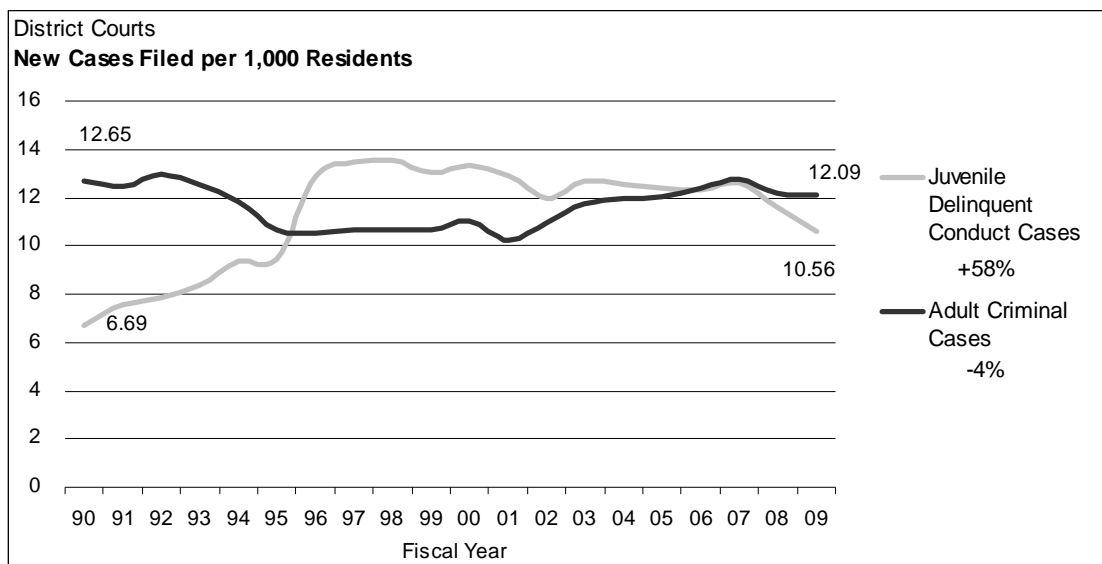


Both categories increased over the past two decades: delinquent conduct increased 121 percent from 11,751 cases in 1990 to 25,997 cases in 2009, and CINS cases increased 23 percent from 229 cases in 1990 to 281 cases in 2009.



The growth in the number of juvenile cases greatly outpaced the growth of Texas' youth population. While the youth population in Texas increased by 40 percent over the past 20 years, the total number of juvenile cases filed increased by 119 percent from 11,980 cases in 1990 to 26,278 cases in 2009. When population growth is accounted for, the number of delinquent conduct cases increased 58 percent, from 6.7 new filings per 1,000 juvenile residents in 1990 to 10.6 new filings per 1,000 juvenile residents in 2009. In comparison, adult criminal cases decreased 4 percent, from 12.7 new filings per 1,000 adult residents to 12.1 new filings per 1,000 adult residents for the same time frame.

Texas Caseload Trends by Court Type



Reports from the Texas Youth Commission (TYC) corroborate that there was a significant increase in juvenile arrests in the 1990s.¹⁵ Legislation that became effective in 1996 considerably changed the state’s juvenile justice system, including the promotion of the concept of punishment for criminal acts, lowering the certification age from 15 to 14 for capital and first degree felonies, expanding determinate sentencing practices, and requiring all felonies, weapons offenses, and misdemeanor assault offenses to be reviewed by the prosecutor.

This “get-tough” approach led to an increase in the TYC population. In 1991, the number of youth in TYC residential care exceeded 2,000. By 2001, the population had increased approximately 180 percent and peaked at 5,599.¹⁵ In 2007, accusations of abuse and safety concerns led to reforms mandated by SB 103 of the 80th Legislature, which required the elimination of misdemeanor commitments to TYC and the reduction of residential populations.^{15,16}

County-Level Courts

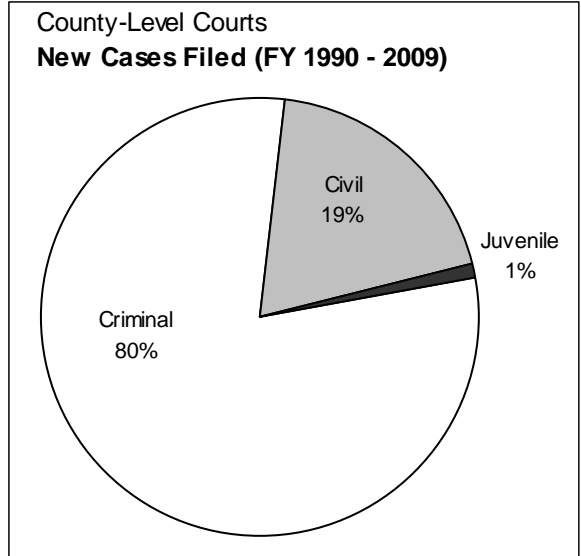
County-level courts saw an increase of 36 percent in the number of new cases filed from 1990 (481,790 cases) to 2009 (655,317 cases). When population growth is accounted for, the number of new cases per 1,000 residents decreased 5 percent, from 28.3 new filings per 1,000 residents in 1990 to 26.9 per 1,000 residents in 2009. The number of new criminal cases filed increased 30 percent, civil cases increased 58 percent, and juvenile cases increased 185 percent.

On average, the majority of new cases filed in county-level courts were criminal cases, which accounted for 4 out of every 5 new cases filed. Civil cases made up 19 percent of new cases filed, and juvenile cases were 1 percent of new cases filed.

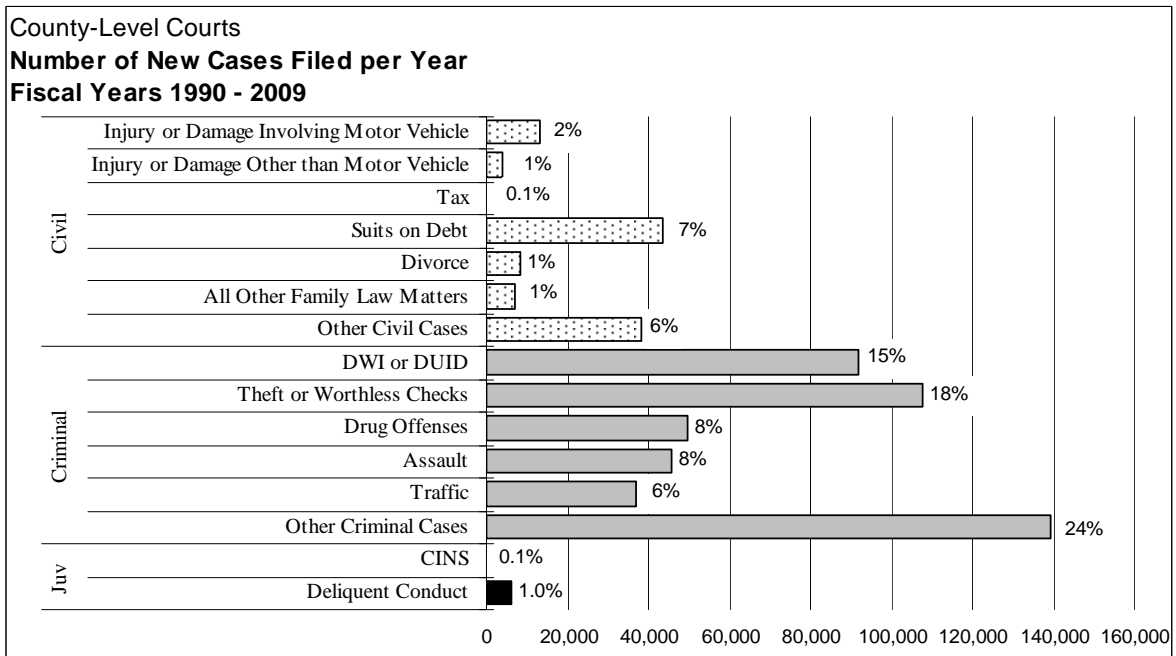
¹⁵Texas Youth Commission. *A Brief History of the Texas Youth Commission*, <http://www.tyc.state.tx.us/about/history.html>, accessed June 1, 2009.

¹⁶Act of June 8, 2007, 80th Leg. R.S., Chap. 263, §1-78, <http://www.legis.state.tx.us/tlodocs/80R/billtext/pdf/SB00103F.pdf>.

Texas Caseload Trends by Court Type



Overall, the largest number of cases filed in county-level courts fell into the “other criminal case” category (24 percent). Theft or worthless checks was the second largest category (18 percent), with DWI/DUID as a close third (15 percent). In civil matters, suits on debt was the most frequent type of case filed (7 percent), and the category of “other civil case” was the second most frequent (6 percent). Most juvenile cases (1 percent of total cases filed) were filed as delinquent conduct cases.

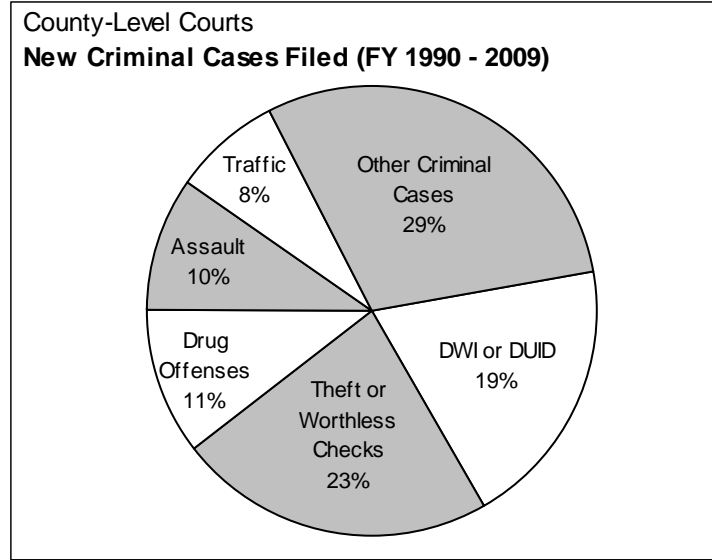


Criminal Cases

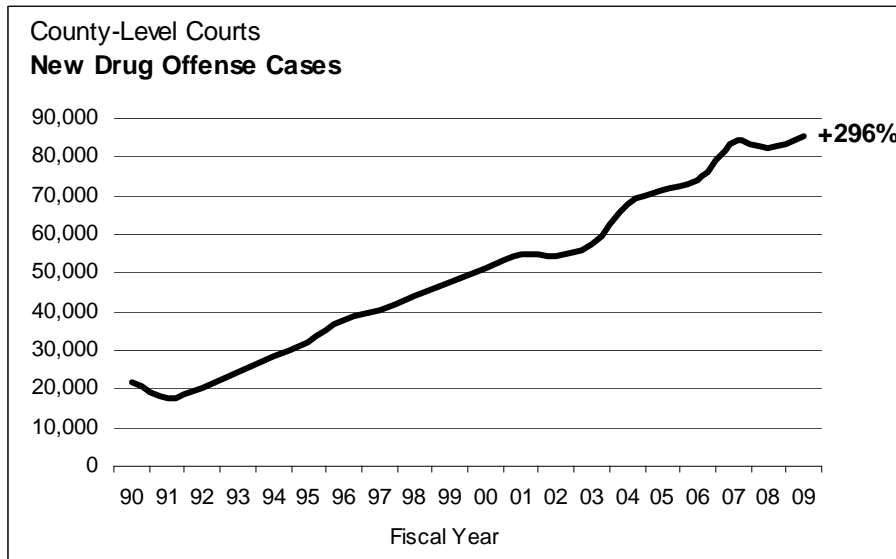
The category “other criminal cases” accounted, on average, for the largest percentage of new criminal cases filed (29 percent) over the past 20 years. Twenty-three (23) percent of new

Texas Caseload Trends by Court Type

criminal cases were filed as theft or worthless check cases, and DWI/DUID cases accounted for 19 percent of new criminal cases filed. Drug offenses and assault cases accounted for 11 percent and 10 percent, respectively, and traffic offenses accounted for 8 percent of new criminal cases filed.

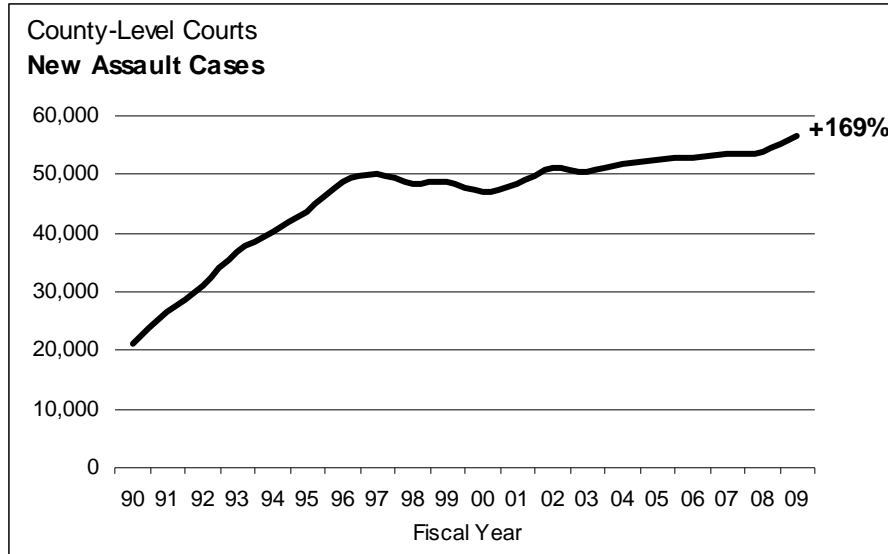


Over the past 20 years, the number of new drug offense cases increased 296 percent, the largest percentage increase in any criminal category. In 1990, drug offense cases accounted for 6 percent (21,516 cases) of all criminal cases filed compared to 17 percent in 2009 (85,245 cases).

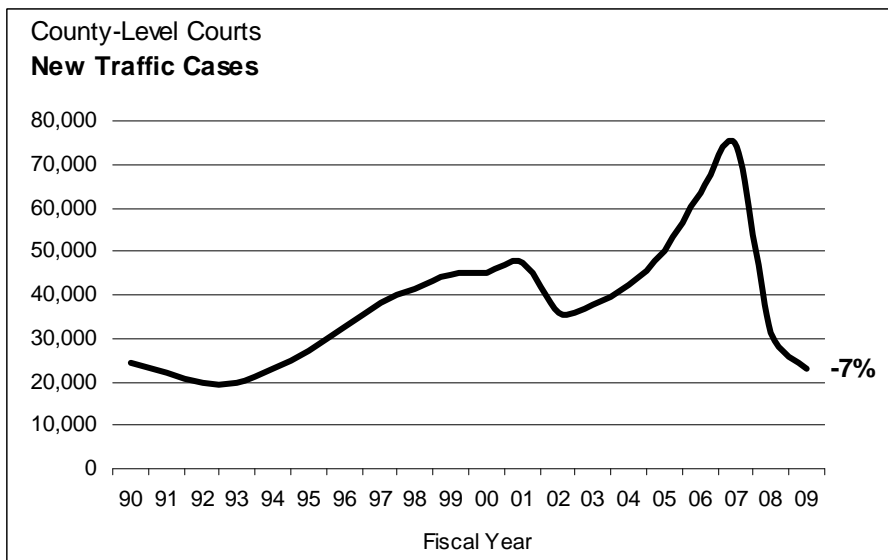


The number of new assault cases also grew significantly between 1990 and 2009, with an increase of 169 percent. In 1990, assault cases accounted for approximately 5 percent (21,015 cases) of all criminal cases filed compared to 11 percent (56,544 cases) in 2009.

Texas Caseload Trends by Court Type

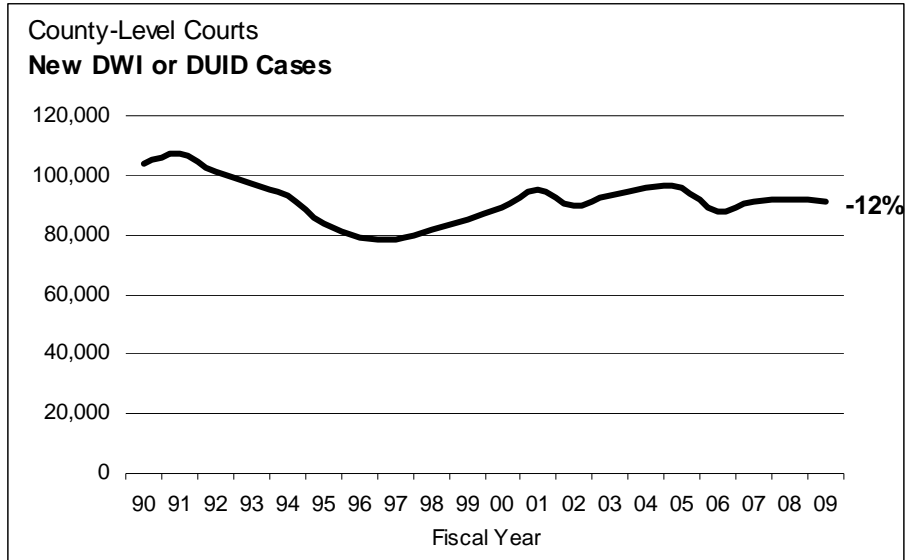


From 1990 to 2007, traffic cases increased 202 percent. A drop of 69 percent from 74,145 cases in 2007 to 22,854 cases in 2009, however, resulted in an overall decrease of 7 percent between 1990 and 2009. It is possible that the recent decrease is the result of limited resources being directed to more serious crimes. Traffic offenses comprised 6 percent of new criminal cases filed in 1990 and 5 percent in 2009.

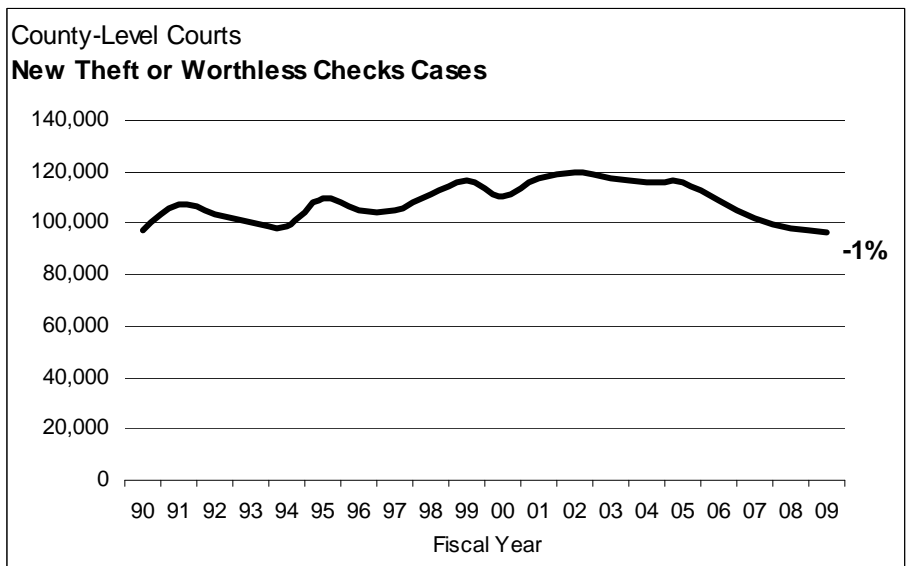


The number of new DWI and DUID cases filed decreased 12 percent since 1990, the largest overall decrease reported in any of the criminal categories for the past 20 years.

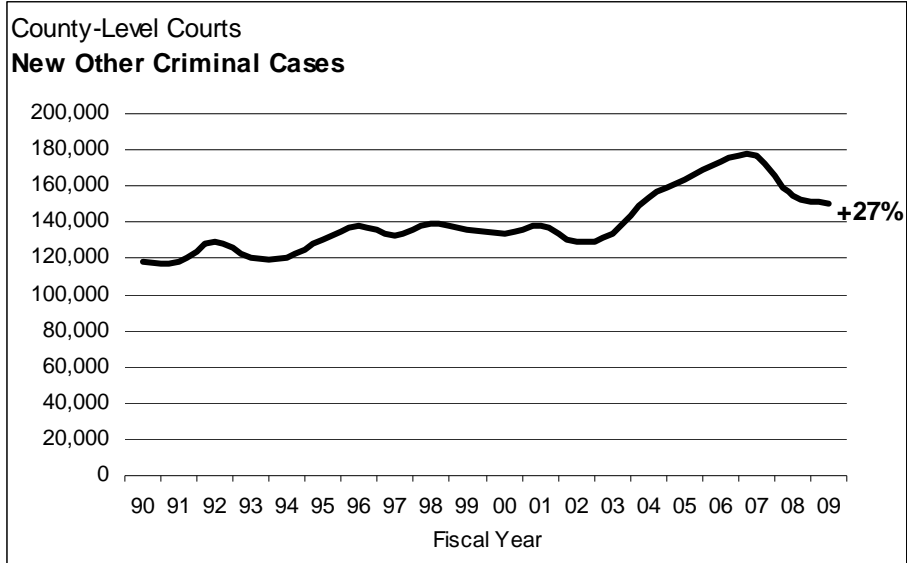
Texas Caseload Trends by Court Type



The other categories of criminal cases, theft or worthless checks decreased 1 percent and “other criminal cases” increased 27 percent.

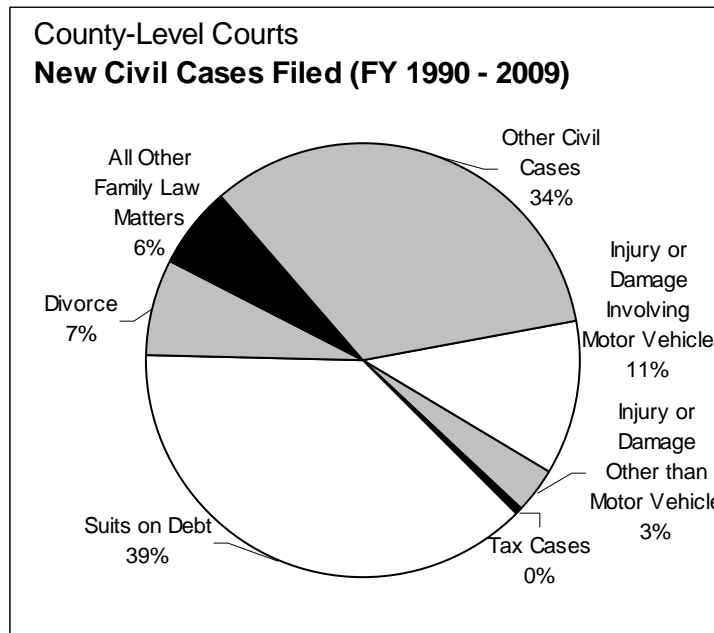


Texas Caseload Trends by Court Type



Civil Cases

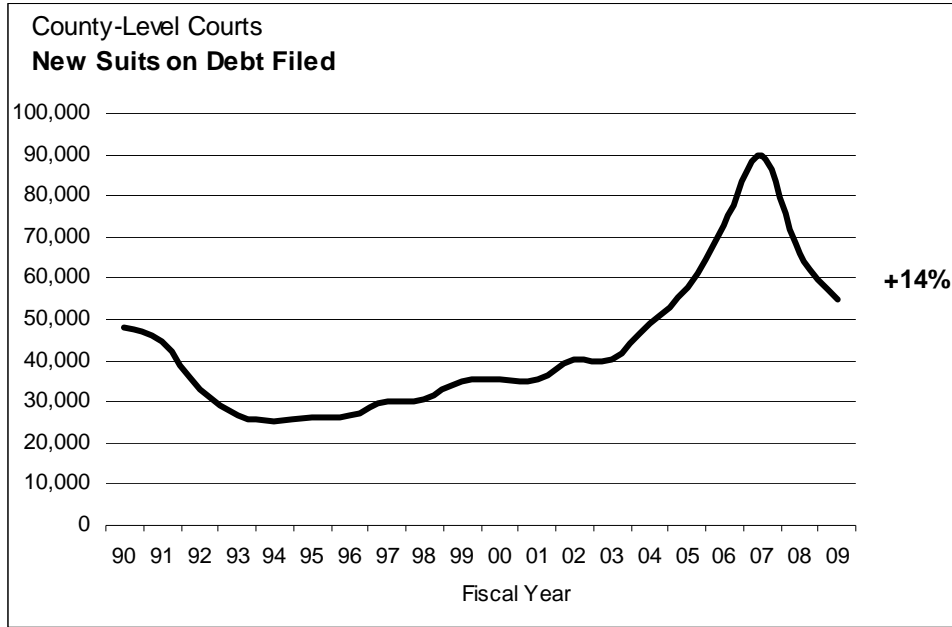
Civil cases accounted for 19 percent of all new cases introduced in county-level courts between 1990 and 2009. On average, approximately 39 percent of all new civil cases filed involved suits on debt, while “other civil cases” accounted for 34 percent. Family law cases (divorce and all other family matters) accounted for 13 percent of new civil cases filed; injury or damage involving a motor vehicle accounted for 11 percent; and non-motor vehicle injury or damage cases and tax cases accounted for the remaining 3 percent of all new civil cases filed.



The largest category of civil cases filed—suits on debt—experienced various trends in the past 20 years. In 1990, there were 48,167 suits on debt cases filed in the courts. This number declined steadily to a low point of 25,308 cases in 1994, and then increased steadily back up to a 20-year

Texas Caseload Trends by Court Type

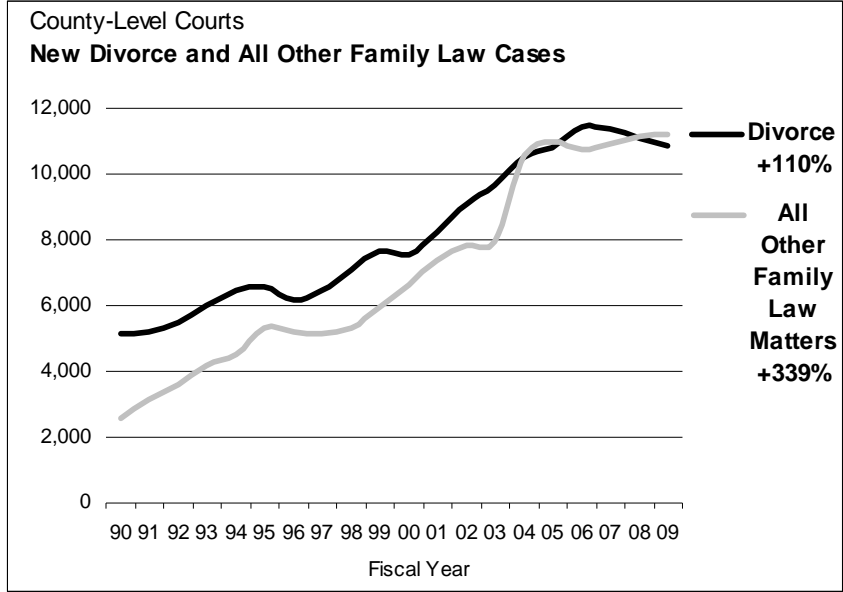
high in 2007 at 89,916 cases. A decrease of 69 percent occurred between 2007 and 2009, with 54,903 suits on debt filed in 2009. The overall increase between 1990 and 2009 was 14 percent.



New divorce cases increased 110 percent in 20 years, and the number filed in 2009 were more than twice the number filed in 1990. However, according to Texas Department of State Health Services Vital Statistics Unit,¹⁷ the divorce rate (number of divorces per 1,000 residents) was 3.4 divorces per 1,000 residents in 2006, a slight increase from 3.3 divorces per 1,000 residents in 2005, the lowest rate since divorce statistics began to be captured in 1970. The total number of divorce cases filed both in district and county-level courts saw no increase between 1990 and 2009, but there was an increase in the percentage of cases being filed in county-level courts rather than district courts (4 percent of divorce cases filed in county-level courts in 1990 versus 9 percent in 2009).

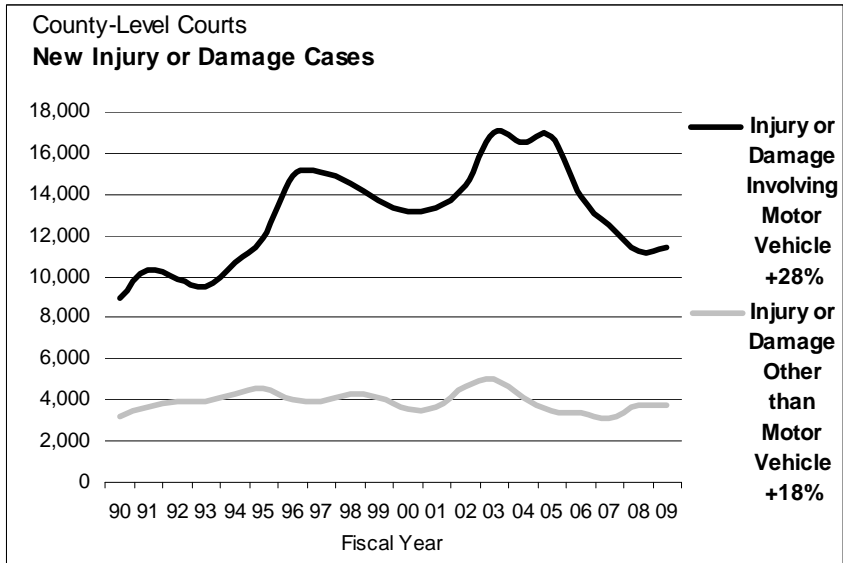
¹⁷ <http://www.dshs.state.tx.us/CHS/VSTAT/latest/nnuptil.shtm>

Texas Caseload Trends by Court Type



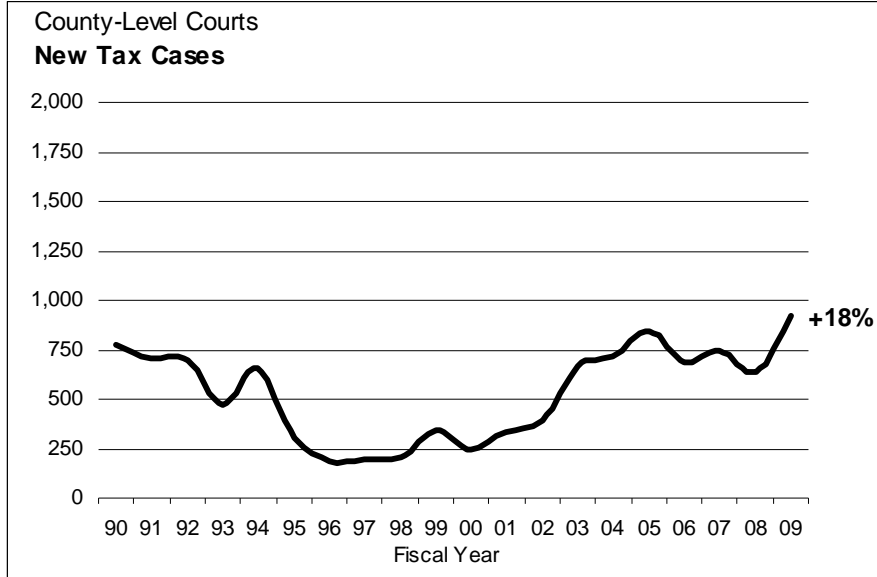
Increasing 339 percent, the growth in “all other family matters” greatly outpaced divorces and increased more than any other category of civil cases. In 2009, the number of cases filed in this category was more than four times the number filed 20 years ago.

Cases of injury or damage involving a motor vehicle and injury or damage cases not involving a motor vehicle both increased over the past two decades (28 percent and 18 percent, respectively). Injury or damage cases involving a motor vehicle decreased from a 20-year high of nearly 17,000 new cases filed per year between the years 2003 and 2005 to 11,461 cases in 2009. Non-motor vehicle injury or damage cases, however, were much more stable during the period.

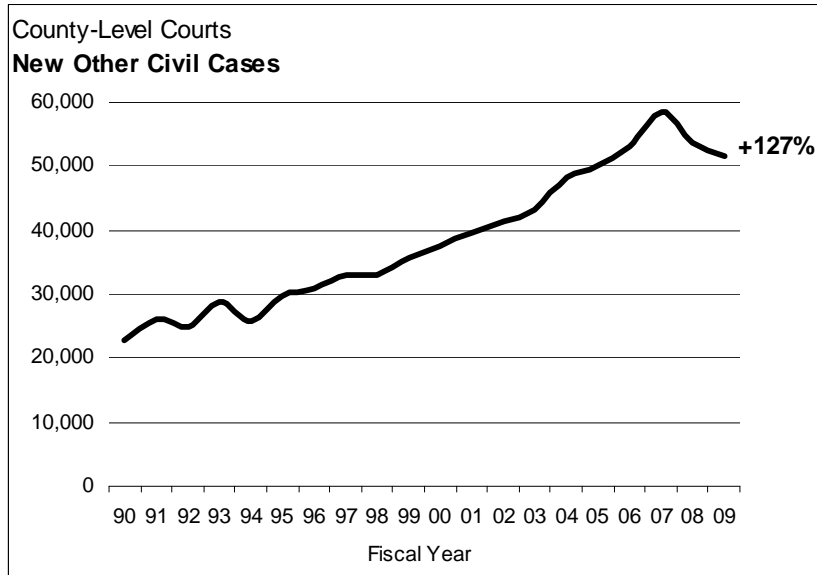


Tax cases saw a downward trend between 1990 and 1996, going from 776 cases down to 189 cases. Although the trend for the last ten years is an increase of 269 percent, the overall trend for the past 20 years is an increase of only 18 percent.

Texas Caseload Trends by Court Type



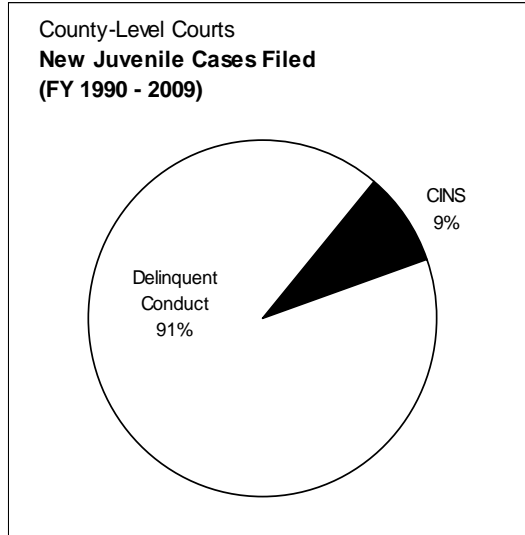
The category of “other civil cases” increased 127 percent over 20 years. Other than family matters (divorce and all other family matters), this catch-all category increased more than any other civil case category.



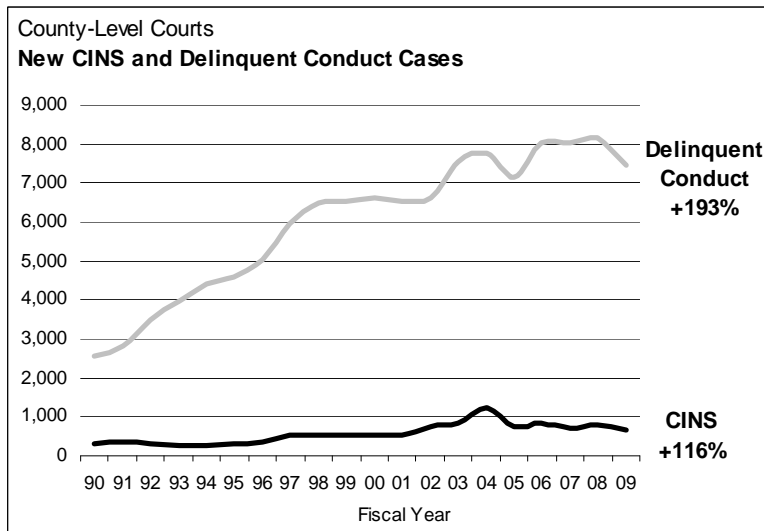
Juvenile Cases

Juvenile cases constituted 1 percent of all new cases introduced in county-level courts over the past 20 years. Ninety-one (91) percent of new juvenile cases filed were delinquent conduct cases, while CINS cases accounted for the remaining 9 percent.

Texas Caseload Trends by Court Type

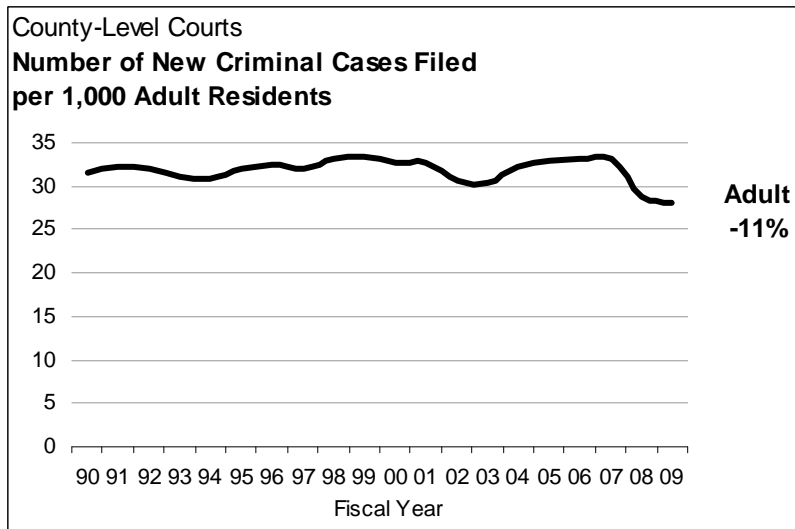
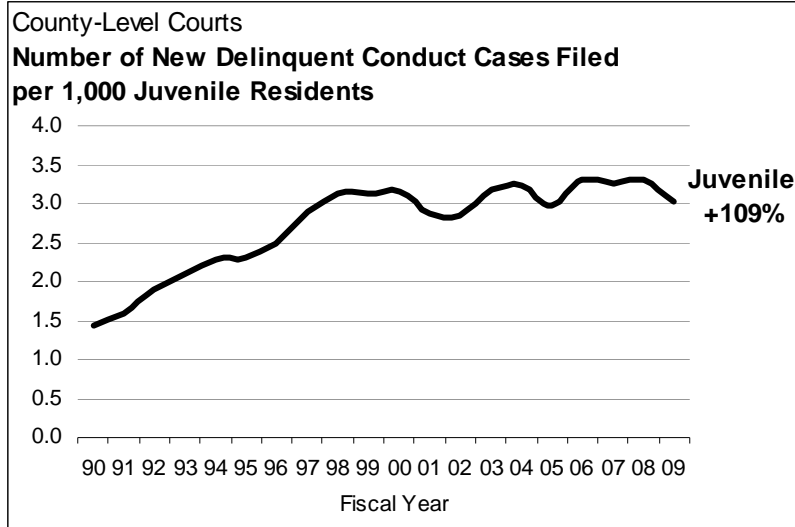


The number of new delinquent conduct cases and CINS cases filed both increased between 1990 and 2009. In 1990, there were 2,537 new delinquent cases filed in county-level courts, which increased 193 percent to 7,439 in 2009. CINS cases increased from 297 in 1990 to 642 in 2009 (an increase of 116 percent), and reached a 20-year high in 2004 with 1,253 new cases.



The number of juvenile cases filed in the county-level courts outpaced the growth of Texas’s youth population. While the youth population in Texas increased by approximately 40 percent in 20 years, the number of juvenile cases (delinquent conduct and CINS) more than doubled, increasing from 2,834 in 1990 to 8,081 in 2009. The number of new juvenile delinquency filings per 1,000 juvenile Texas residents shows a clear upward trend since 1990, and it reached its peak of 3.31 juvenile case filings per 1,000 juvenile residents in 2008. A decrease of 9 percent resulted in 3.02 juvenile case filings per 1,000 juvenile residents in 2009. Overall, the number of juvenile delinquency filings per 1,000 juvenile residents increased 109 percent in the last two decades. In comparison, adult criminal filings have decreased 11 percent when accounting for population growth.

Texas Caseload Trends by Court Type



Reports from the Texas Youth Commission (TYC) corroborate that there was a significant increase in juvenile arrests in the 1990s.¹⁸ Legislation that became effective in 1996 considerably changed the state’s juvenile justice system, including the promotion of the concept of punishment for criminal acts; lowering the certification age from 15 to 14 for capital and first degree felonies; expanding determinate sentencing practices; and requiring all felonies, weapons offenses, and misdemeanor assault offenses to be reviewed by the prosecutor.

This “get-tough” approach led to an increase in the TYC population. In 1991, the number of youth in TYC residential care exceeded 2,000. By 2001, the population had increased approximately 180 percent to peak at 5,599.¹⁹ In 2007, accusations of abuse and safety concerns led to reforms mandated by SB 103 of the 80th Legislature. SB 103 required the elimination of misdemeanor commitments to TYC and the reduction of residential populations.^{20, 21}

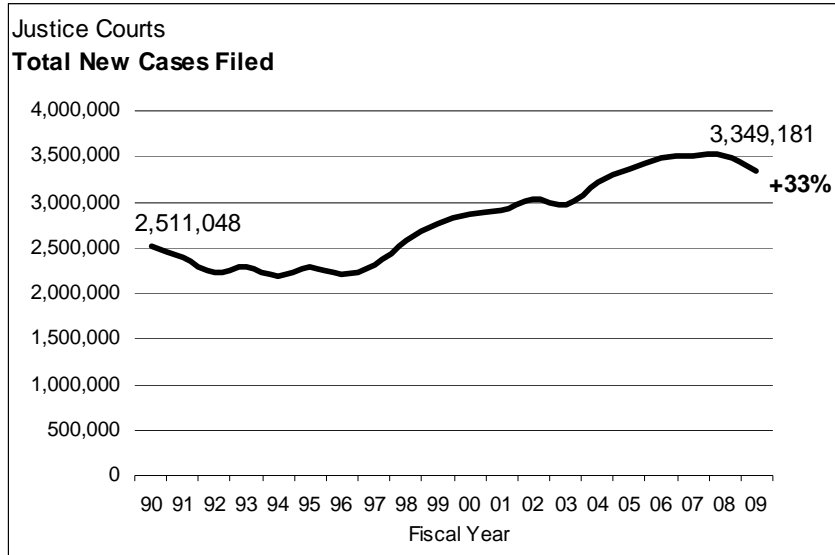
¹⁸⁻²⁰Texas Youth Commission. *A Brief History of the Texas Youth Commission*, <http://www.tyc.state.tx.us/about/history.html>, accessed June 1, 2009.

²¹Act of June 8, 2007, 80th Leg. R.S., Chap. 263, §1-78, <http://www.legis.state.tx.us/tlodocs/80R/billtext/pdf/SB00103F.pdf>.

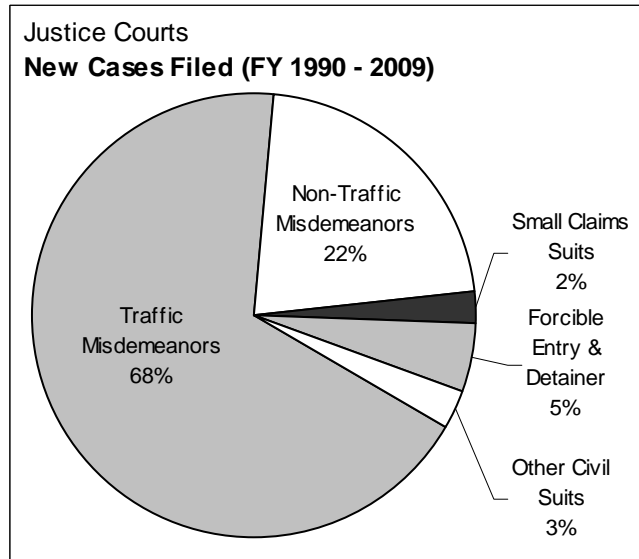
Texas Caseload Trends by Court Type

Justice Courts

The number of new filings in justice courts increased 33 percent from 1990 to 2009. During this timeframe, new criminal cases (traffic and non-traffic misdemeanors) grew by 29 percent, while new civil cases (small claims, forcible entry and detainer, and other civil suits) increased by 72 percent.



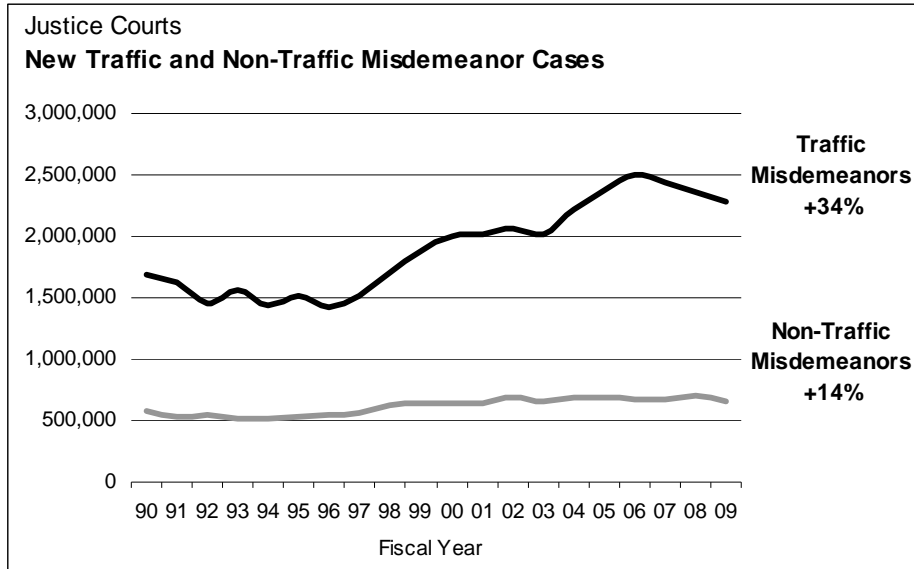
Overall, the distribution of cases over the past 20 years remained relatively unchanged. Ninety percent of new cases were criminal (traffic and non-traffic misdemeanors).



Texas Caseload Trends by Court Type

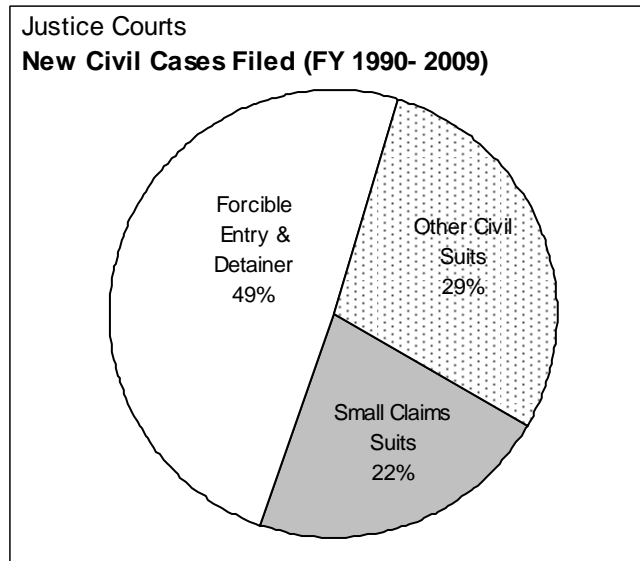
Criminal Cases

Traffic misdemeanors accounted for, on average, 76 percent of all new criminal cases filed. The remaining 24 percent of new criminal cases were filed as non-traffic misdemeanor cases. Between 1990 and 2009, the number of new traffic misdemeanors increased 34 percent, reaching a 20-year high with 2,493,178 new cases in 2006. Non-traffic misdemeanors also increased, though not at the same pace as traffic misdemeanors. Non-traffic misdemeanors increased 14 percent in the past two decades.



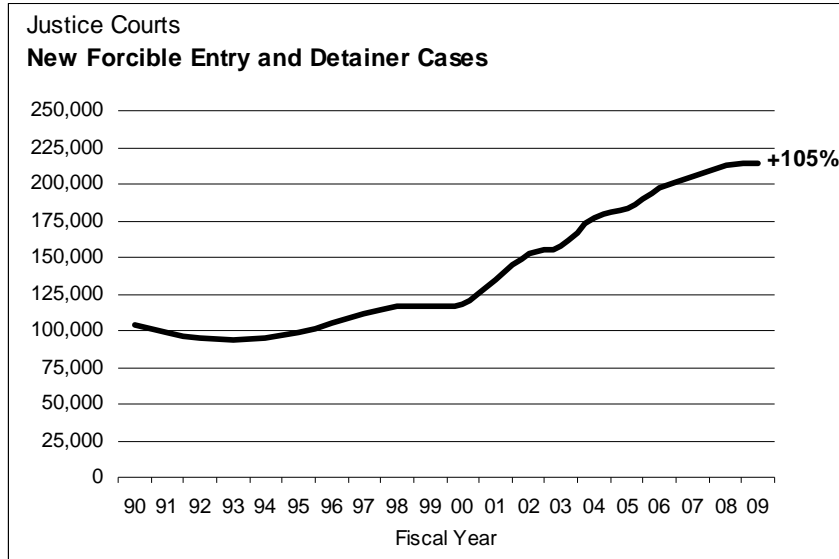
Civil Cases

On average, forcible entry and detainer cases accounted for nearly half of all new civil cases filed in justice courts. Other civil suits accounted for 29 percent of new civil cases filed, while small claims suits accounted for the remaining 22 percent.

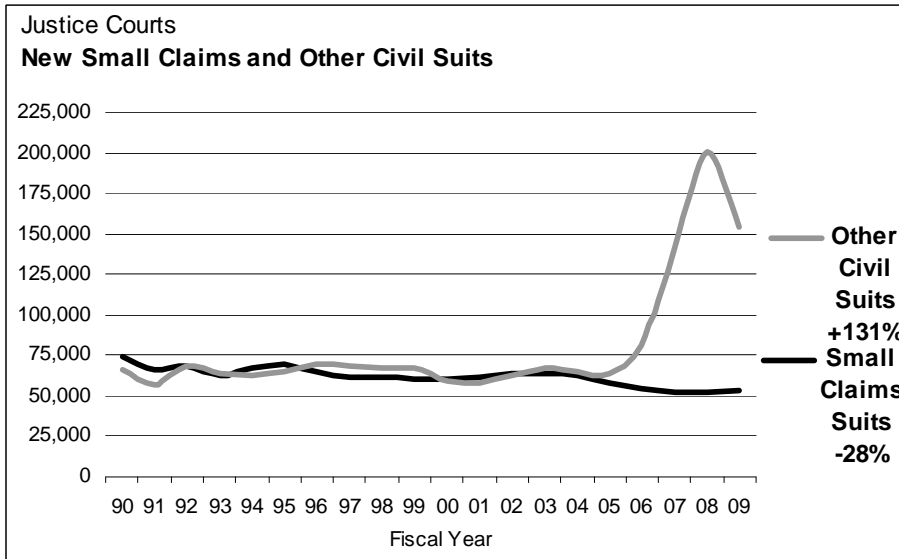


Texas Caseload Trends by Court Type

The number of new forcible entry and detainer cases filed from 1990 to 2009 increased by 105 percent. After a decrease in the number of cases in the mid-1990s, the number increased significantly since 2000, with a rate of almost 7 percent per year.



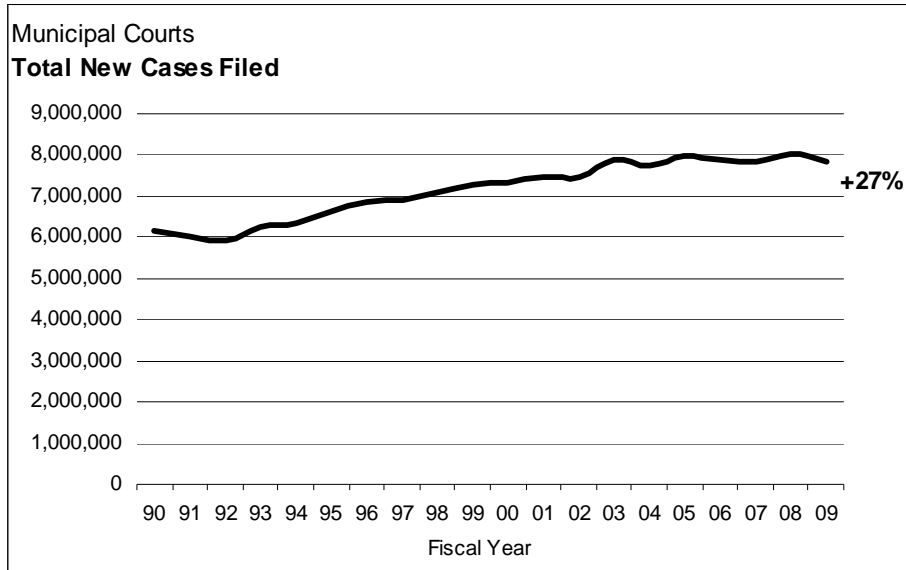
From 1990 to 2009, the number of small claims suits trended slightly downward, decreasing 28 percent. Other civil suits averaged 80,412 cases but took a significant upturn in 2007. Other civil suits have increased 131 percent since 1990.



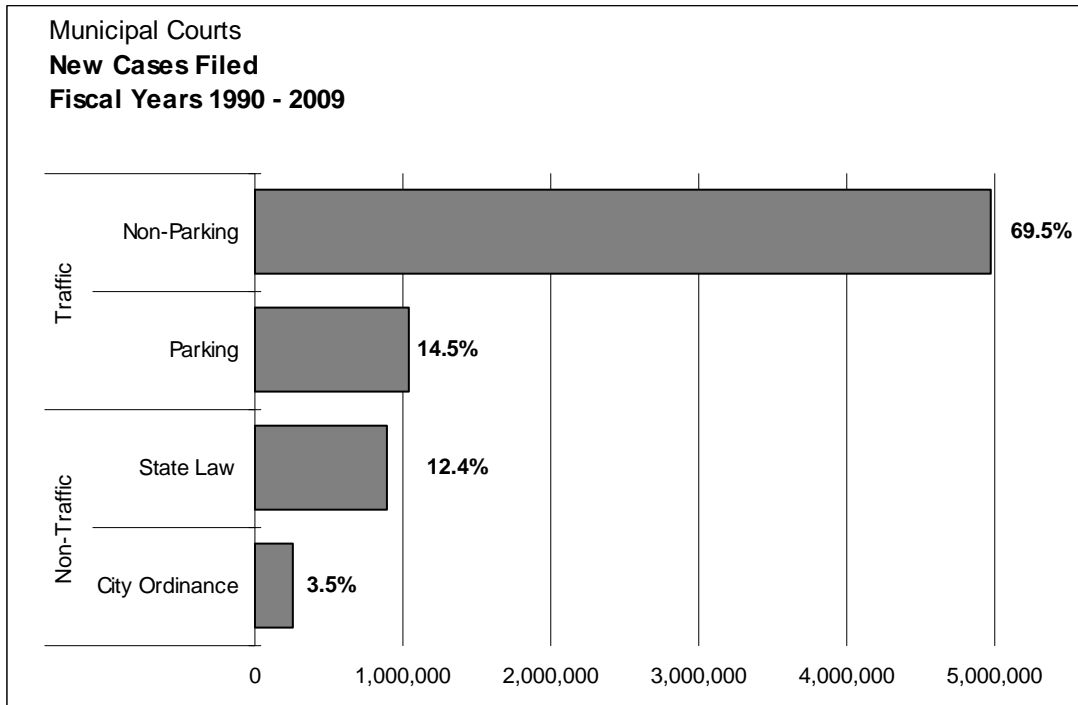
Texas Caseload Trends by Court Type

Municipal Courts

New cases filed in municipal courts increased 27 percent between 1990 and 2009. On average, 84 percent of new filings were traffic cases, and 16 percent were non-traffic cases.



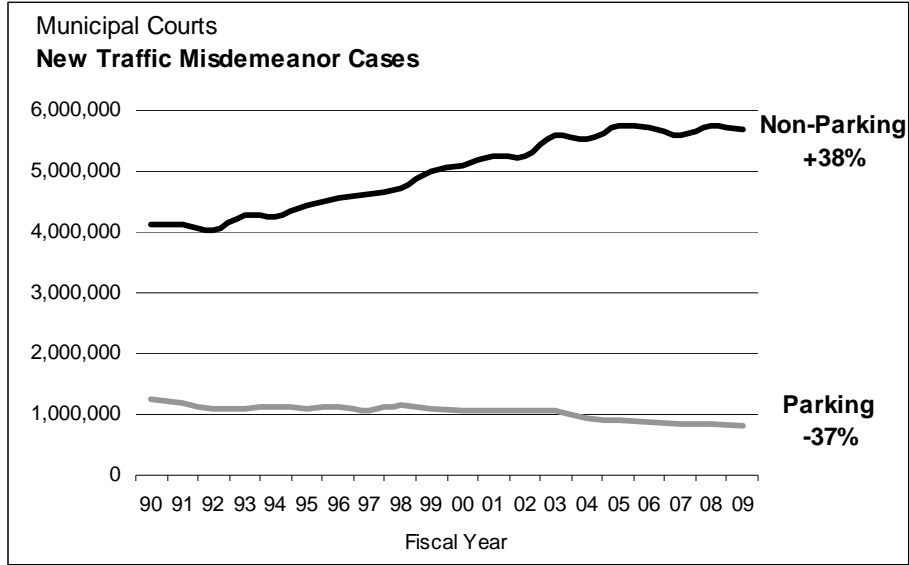
Non-parking traffic cases constituted the vast majority of all cases filed in municipal courts (69.5 percent). Parking cases accounted for 14.5 percent of cases filed, and state law and city ordinance cases accounted for 12.4 and 3.5 percent, respectively.



Texas Caseload Trends by Court Type

Traffic Cases

On average, non-parking cases accounted for 83 percent of new traffic filings, while parking filings accounted for 17 percent. New non-parking cases increased by 38 percent between 1990 and 2009. The number of new parking filings, on the other hand, decreased by 37 percent during this timeframe.



Non-Traffic Cases

Together, state law and city ordinance cases made up an average of 16 percent of all new municipal court cases filed between 1990 and 2009. The rate of increase for these two categories was significantly higher than the rate of increase in traffic cases. State law cases increased 60 percent, with a 20-year high of 1,037,739 in 2007. City ordinance cases, although the smallest category of all municipal filings, increased 148 percent during the 20-year timeframe.

