

# DISTRICT COURTS

## ANALYSIS OF ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1993

### NEW CASES FILED

The 386 district courts in the State experienced a slight decrease in new cases filed during the reporting year, to 554,888 from 555,065 in 1992. The number of new criminal cases filed decreased 2 percent below 1992, civil cases increased 0.5 percent, and juvenile cases increased 8.0 percent.

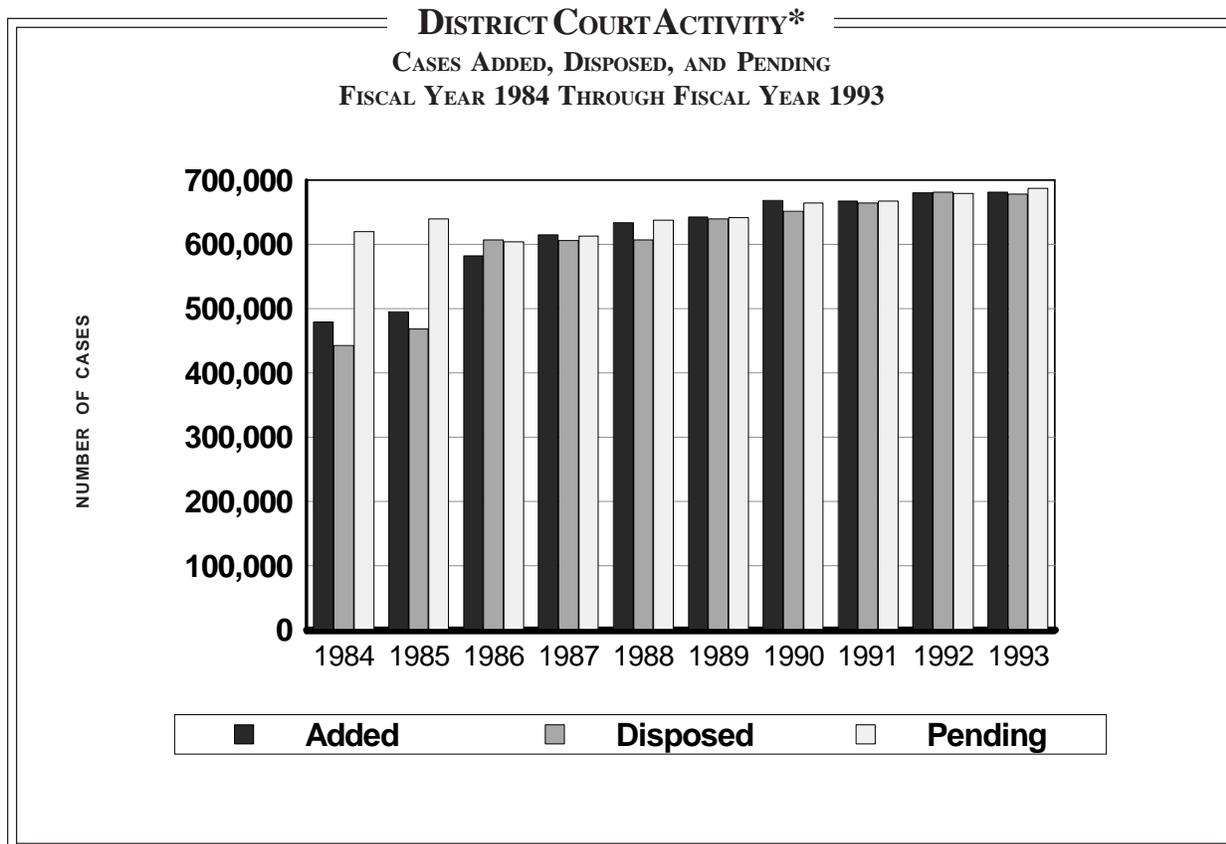
Civil cases accounted for 378,089 or 68.1 percent of all new cases added during the fiscal year. The largest segment of civil cases added (31.7 percent of new civil filings) were divorce actions. Of the civil cases added, family law matters other than divorce actions comprised 22.1 percent, damages and personal injury cases (including workers' compensation) comprised 13.1 percent, tax cases comprised 16.5 percent, and disputes over debts comprised 5.6 percent.

Juvenile cases (Title 3 of the Texas Family Code) accounted for 16,069, or 2.9 percent of the total cases filed in the district courts.

Criminal cases constituted 160,730, or 29 percent of the total new cases added during the year. Of the criminal cases, 14.3 percent involved a charge of theft (including auto theft), 13.9 percent burglary, 4.7 percent robbery, 1.3 percent homicide (including capital murder), 12.4 percent assault (including sexual assault of a child and of an adult), 6.5 percent felony DWI, 27.3 percent drug offenses, and 2.4 percent were misdemeanor cases. Of the criminal cases added in the district court, 12 percent were by information, and 88 percent were by indictment.

### URBAN FILINGS

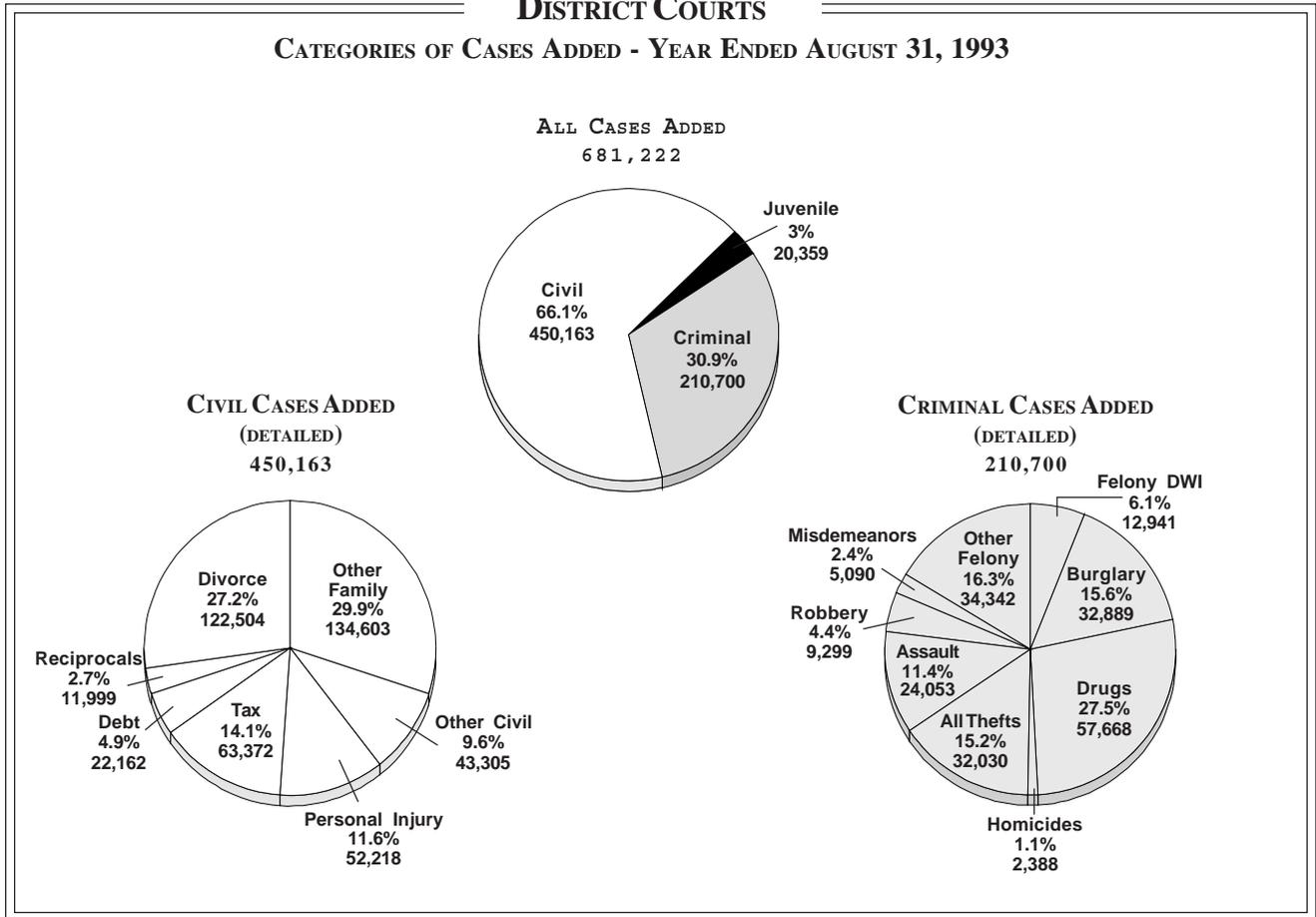
The number of all categories of cases added to the docket in the ten most populous Texas counties decreased 4,635 cases (1.1 percent) in State fiscal year 1993 below the number of filings during 1992. In all other counties, the number of cases added increased 1.8 percent. These ten large-population counties (Harris, Dallas, Bexar, Tarrant, El Paso, Travis, Hidalgo, Nueces, Denton, and Collin) had



\* Fiscal year 1986 includes for the first time show cause motions in civil activity, deferred adjudications, and shock probations in criminal activity, and motions to revoke probation in criminal and juvenile activity.

## DISTRICT COURTS

### CATEGORIES OF CASES ADDED - YEAR ENDED AUGUST 31, 1993



approximately 55 percent of the state's population and 57 percent of the total cases added during the fiscal year.

Total cases added decreased in Dallas County (2.3 percent), El Paso County (5.1 percent), Tarrant County (7.4 percent), and Travis County (7.3 percent), but remained approximately the same in Harris County. Increases in total filings occurred in the counties of Bexar (5.1 percent), Collin (5.9 percent), Denton (5.2 percent), Hidalgo (3.7 percent), and Nueces (5.3 percent).

Criminal cases added to the docket decreased 2.2 percent in the ten urban counties during fiscal year 1993 as compared to 1992. This compares to an increase of 3 percent in criminal filings for all other counties of the State. Criminal filings increased in seven of the ten urban counties: Hidalgo (5.1 percent), Denton (8.4 percent), Bexar (3.3 percent), El Paso (25.5 percent), Collin (1 percent), and Dallas (1.5 percent). Counties reporting a decrease in criminal cases added to the docket were Harris (12 percent), Tarrant (1.5 percent), and Nueces (1 percent).

Civil cases added decreased 0.7 percent in the most populous counties, but increased 1.3 percent in the remaining counties of the State. Five counties reported increases in civil filings: Collin (7.7 percent), Bexar (5.6 percent), Denton (4.3 percent), Nueces (7.4 percent), and Harris (7.2 percent).

Counties reporting decreases in civil cases added were Dallas (4.6 percent), El Paso (13.6 percent), Hidalgo (1.1 percent), Tarrant (10.1 percent), and Travis (11.5 percent).

### DISPOSITIONS

During the fiscal year, the district courts disposed of 99.6 percent of the total criminal and civil cases added to their dockets, compared to 100.1 percent in 1992. The district courts in the ten most populous counties disposed of 100.2 percent. In all other counties of the State, 98.8 percent were disposed. Statewide, 97.9 percent of the criminal cases and 100.4 percent of the civil cases added to the dockets were disposed of during the year.

In the ten urban counties the disposition rate of criminal cases averaged 98.7 percent of new cases, ranging from 83 percent in Travis County to 105.8 percent in Nueces County. The disposition rate of criminal cases for the rest of the State averaged 96.7 percent of those added to the docket.

Comparable figures for civil cases show an average disposition rate of 100.9 percent in the ten urban counties and a 99.6 percent disposition rate in the rest of the state. The range in the ten urban counties was from 88.1 percent in Travis County to 113.9 percent in Tarrant County.

An average of 1,757 cases per judge statewide were disposed of during the year, compared with 1,765 per judge during 1992.

Of all civil cases disposed, 23.8 percent were by nonjury trials, and approximately 50 percent of these nonjury trials were in divorce cases. Of the civil cases disposed, 29.7 percent were family law cases including show cause motions but not divorces. Of all civil cases, 12.1 percent were dismissed for want of prosecution, and 16.8 percent were dismissed at the request of the plaintiff.

The defendant entered a plea of guilty in 41.1 percent of the criminal cases disposed. Including these pleas, the defendant was convicted in 43.1 percent of the cases and acquitted in less than one percent. In 15.8 percent of the criminal dispositions, the defendant was placed on deferred adjudication. Dismissals accounted for 17.7 percent of disposed cases. Of these dismissals, 11.4 percent were because of insufficient evidence, 12.2 percent were because the case was refiled, and 24.6 percent because the defendant was convicted in another case.

In the cases in which the defendant pleaded not guilty and which were disposed of by jury verdicts, the defendant was found guilty in 82.7 percent of the cases and was acquitted in 17.3 percent. In trials before the judge alone on not-guilty pleas, convictions resulted in 66.8 percent of the cases and acquittals in 33.2 percent.

Among the criminal cases, the highest rate for disposition by conviction was the category of felony DWI with 41.3 percent by convictions. The highest rate of disposition by dismissal was for sexual assault of an adult with 15.3 percent. The lowest rate of dismissal was for felony DWI with 5.4 percent.

### **DISPOSITION RATES**

Of the 206,212 criminal cases disposed by the district courts, 33.3 percent were disposed of in a period of less than two months from the date of indictment or information, 10.7 percent took two to three months, 9.3 percent took three to four months, and 46.7 percent took over four months.

Of juvenile cases handled by the district courts, a finding of delinquent conduct or conduct indicating

a need for supervision (CINS) was entered in 60.9 percent of the cases disposed. In 1.0 percent of the cases, the juvenile was found not to have engaged in the proscribed conduct. Probation was continued in 3.1% of the cases and revoked in 4.6% of the cases. Dismissals and other dispositions occurred in 30.4% of the cases disposed.

District courts handled 5.8 percent fewer divorce actions during 1993 than during 1992. During the fiscal year, 120,737 divorce cases were disposed of — 26.7 percent of all civil (non-juvenile) cases handled by district courts. Some 10.2 percent of divorce cases were dismissed.

Tax cases tend to stay on the docket for long periods of time compared to other categories of cases. This fiscal year, only 29.6 percent of the tax cases filed during the year or carried over from the previous year were disposed of by the district courts as compared to 32 percent in fiscal year 1992. Approximately 61 percent of tax case dispositions were either dismissed for want of prosecution or by the plaintiff.

District courts disposed of 0.8 percent fewer personal injury-type cases during 1993 than during 1992. More than 25 percent of the personal injury-type ended in agreed judgments, and 30 percent were dismissed by the plaintiff.

Of the 452,103 civil dispositions during the year, the courts disposed of 26.8 percent of the cases in under three months, 20.2 percent in three to six months, 18.1 percent in six to twelve months, 11.6 percent in twelve to eighteen months, and 23.3 percent over eighteen months.

### **CASES PENDING**

The 516,888 civil cases pending in the district courts on August 31, 1993 were slightly more than the 514,309 pending on September 1, 1992. Criminal cases pending increased 3 percent, from 156,285 to 161,041.

### **DEATH SENTENCES IMPOSED**

Thirty death sentences (compared to 40 in 1992) and 525 life sentences were assessed in the district courts during the year.