

STATE OF TEXAS

RESOLUTION

of the

TEXAS JUDICIAL COUNCIL

Diverting Youth in Class C Misdemeanor Matters

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and


WHEREAS, felony, class A, and class B criminal offenses committed by youth are handled as civil matters in the juvenile courts; and

WHEREAS, in recent years the Legislature has enacted legislation designed to limit youth exposure to the criminal justice system through decriminalization of failure to attend school and through the creation of a special civil process to address truancy; and

WHEREAS, while these changes to the law have significantly reduced the number of non-traffic, Class C/fine-only cases filed against juveniles in justice and municipal courts, the volume of these cases remains high; and

WHEREAS, these remaining Class C/fine-only charges against juveniles are handled as criminal matters in justice and municipal courts, and the handling of these cases in this manner carries with it a variety of potential consequences, including the lack of appointed counsel, the imposition of legal financial obligations that might be difficult to satisfy, and the prospect of a criminal record;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council requests that the Legislature amend current law to allow for the diversion of youth charged with non-traffic Class C/fine only offenses from the criminal justice system.



Honorable Nathan L. Hecht
Chair, Texas Judicial Council