

CRIMINAL CASE BACKLOGS

SENATE CRIMINAL JUSTICE COMMITTEE
DECEMBER 2022

MEGAN LAVOIE
ADMINISTRATIVE DIRECTOR
OFFICE OF COURT ADMINISTRATION



OFFICE OF COURT ADMINISTRATION

Clerks report aggregate data at the county level to OCA monthly. Reporting requirements are presently defined by the Texas Judicial Council and the legislature.

The data can be used to assess court performance and make policy decisions.



IMPORTANT MEASURES OF COURT PERFORMANCE

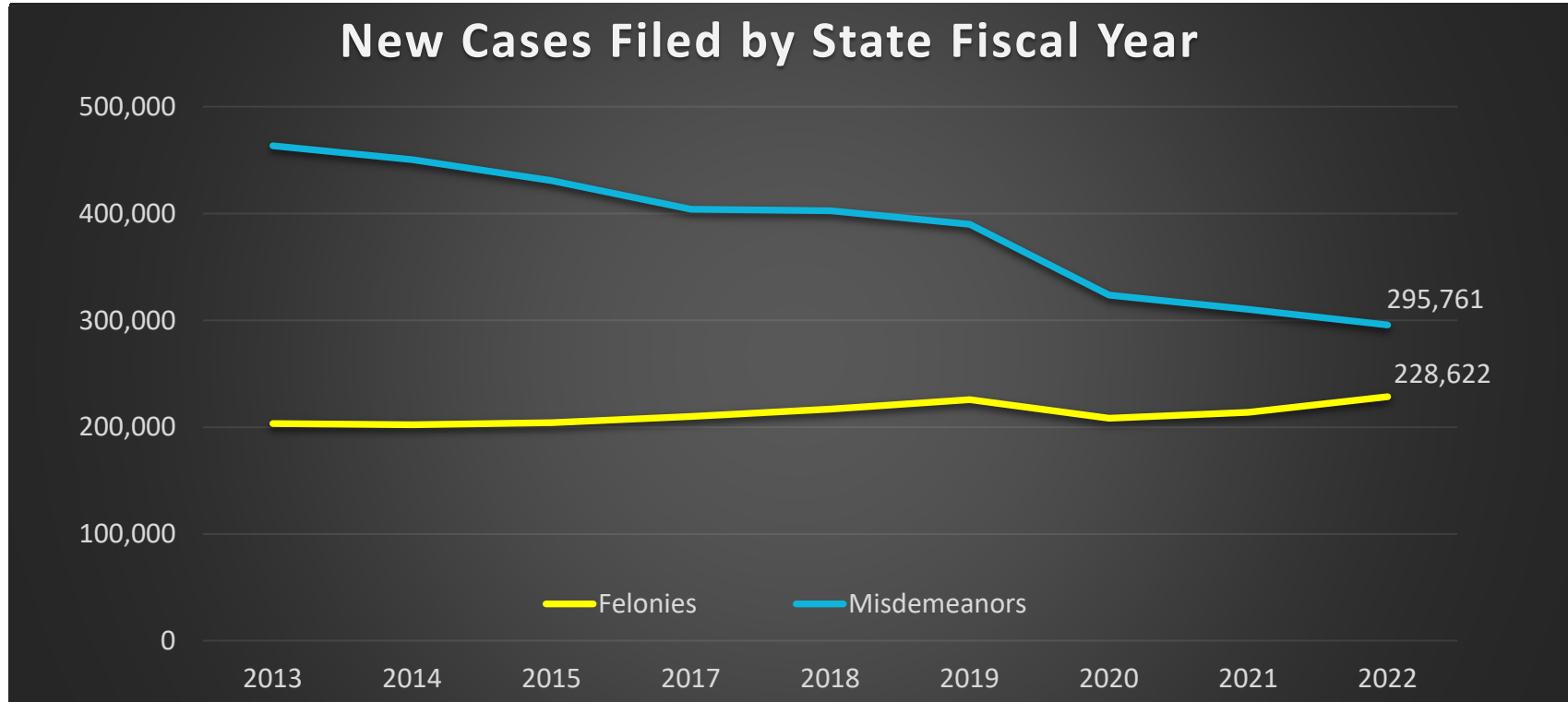
Pending cases at end date – Pending cases at start date = **Backlog**

(a negative number means the pending caseload is declining)

Disposed cases in a period / Added cases in a period = **Clearance Rate**



CRIMINAL FILINGS



Since 2013 filing of new felony cases is up 12%.
Hit a record high of 228,622 in FY22.



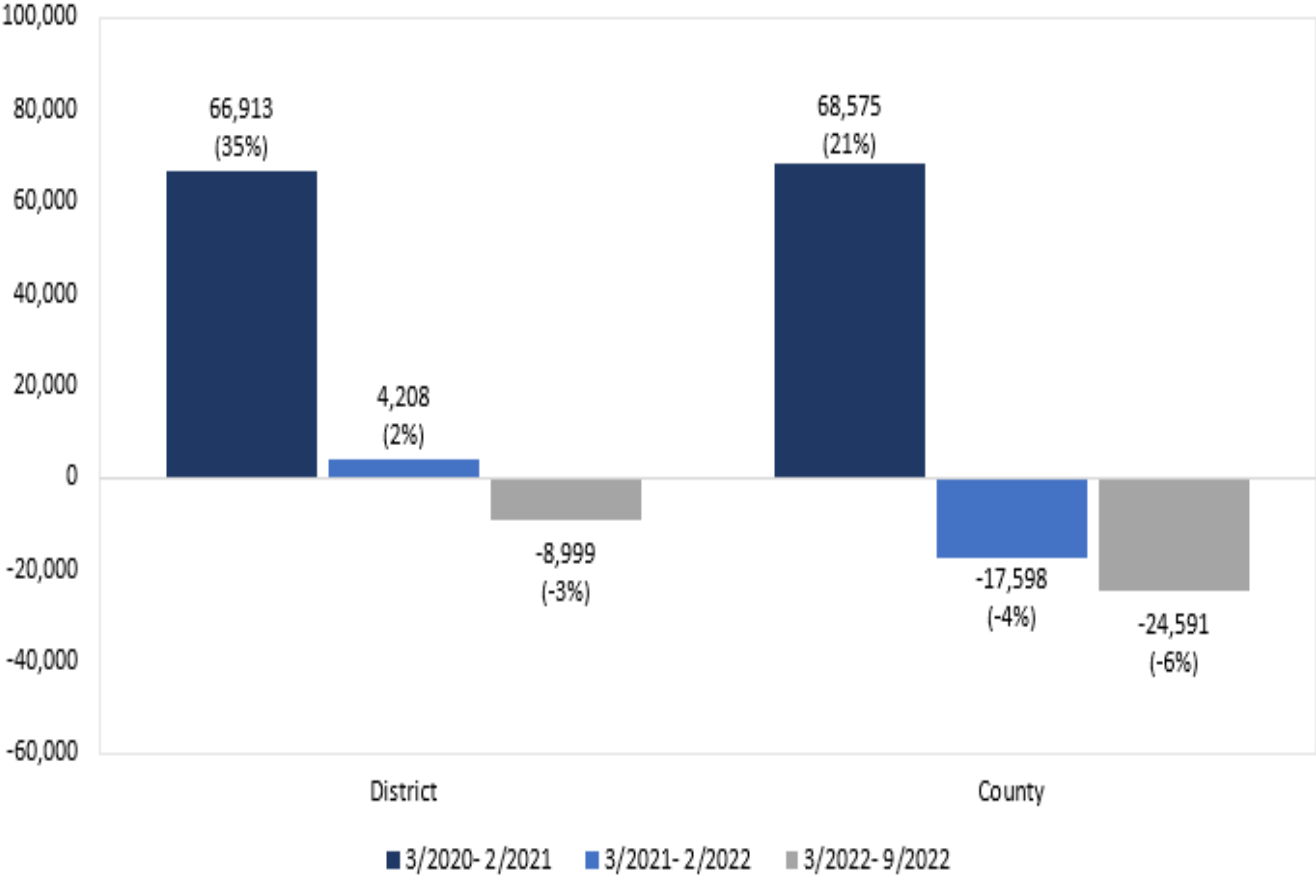
STATEWIDE CRIMINAL BACKLOG

COVID-19 Timeframe: 3/2020- 2/2022					Post-COVID-19 Timeframe: 3/2022- 9/2022			
Court Type	Pending 3/2020	Added	Disposed	Pending 2/2022	Pending 3/2022	Added	Disposed	Pending 9/2022
District	190,826	532,902	437,240	262,313	262,342	176,282	177,606	253,343
County	331,874	661,470	600,208	402,710	386,196	199,445	225,597	361,605



STATEWIDE CRIMINAL CASELOAD

Statewide Change in # of Active Pending Criminal Cases



Court Progress

Court	COVID Timeframe: 3/2020- 2/2022			Post-COVID Timeframe: 3/2022- 9/2022		
	Change in # Pending	Change in % Pending	Clearance Rate	Change in # Pending	Change in % Pending	Clearance Rate
District	71,487	37%	82%	-8,672	-3%	101%
County	70,836	21%	91%	-35,674	-9%	113%



COURT BACKLOG

As of September 30, 2022:

- 23% of counties have no District Court backlog
- 68% of the state's District Court backlog is in 20 counties

- 46% of County Courts have no backlog
- 77% of the state's County Court backlog is 20 counties



COUNTIES WITH LARGEST COVID BACKLOG IN DISTRICT COURTS; FEB 2022

Clearance Rate						
COVID Timeframe: 3/2020- 2/2022				Post-COVID Timeframe: 3/2022- 9/2022		
County	Change in # Pending	Change in % Pending	Clearance Rate	Change in # Pending	Change in % Pending	Clearance Rate
Harris	18,865	83%	72%	-5,550	-13%	107%
Tarrant	5,730	66%	81%	-434	-3%	101%
Bexar	3,953	56%	82%	-1,957	-18%	115%
Travis	3,046	48%	100%	440	5%	94%
Dallas	2,996	19%	92%	2,534	13%	87%

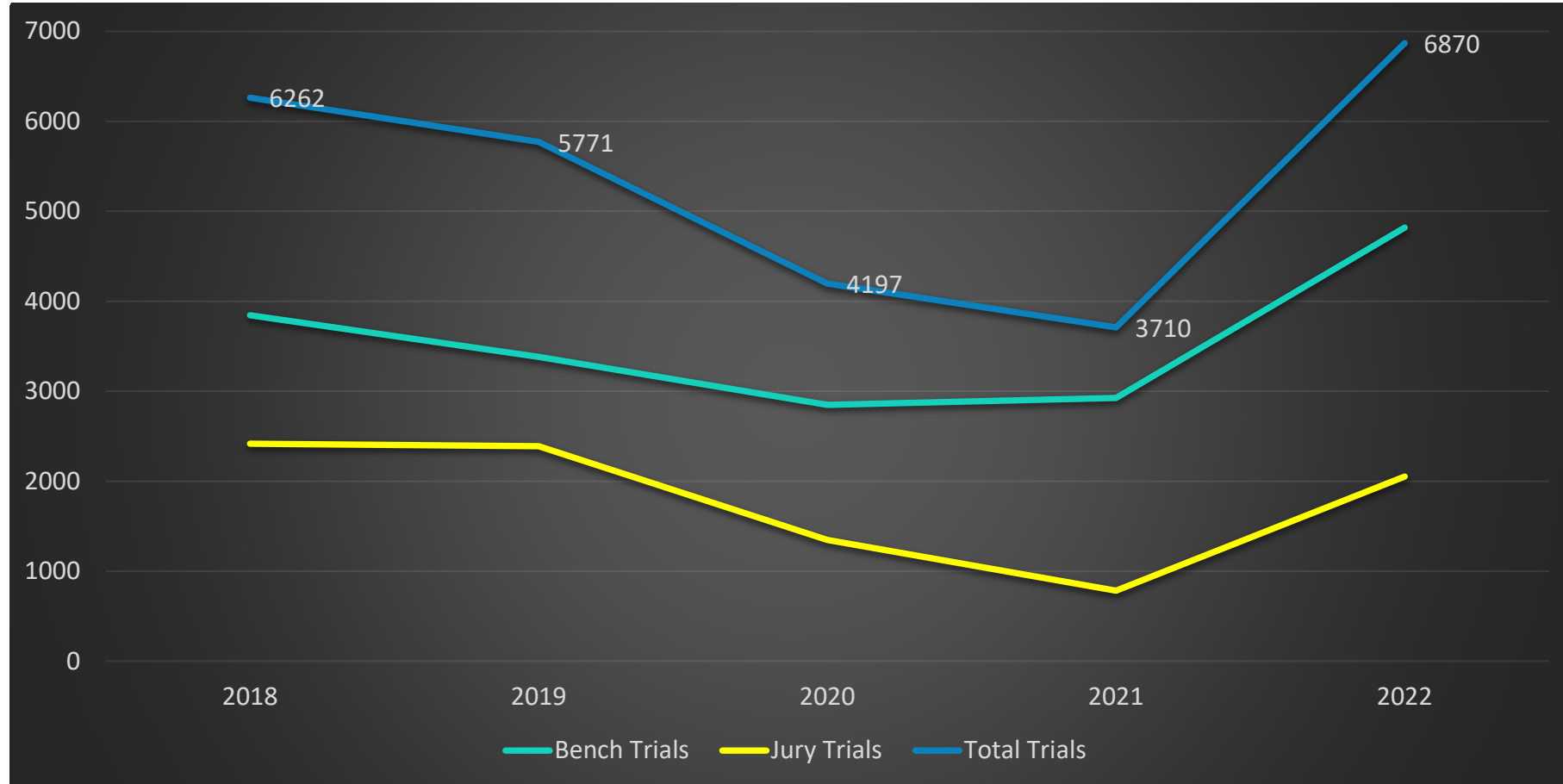


COUNTIES WITH LARGEST COVID BACKLOG IN COUNTY COURTS; FEB 2022

Clearance Rate						
COVID Timeframe: 3/2020- 2/2022				Post-COVID Timeframe: 3/2022- 9/2022		
County	Change in # Pending	Change in % Pending	Clearance Rate	Change in # Pending	Change in % Pending	Clearance Rate
Travis	10,202	61%	132%	-7,970	-32%	197%
Harris	10,006	32%	86%	-4,641	-11%	112%
Hidalgo	9,727	63%	63%	313	1%	96%
Bexar	6,865	49%	81%	-4,611	-22%	133%
Dallas	5,231	47%	93%	-3,208	-20%	134%



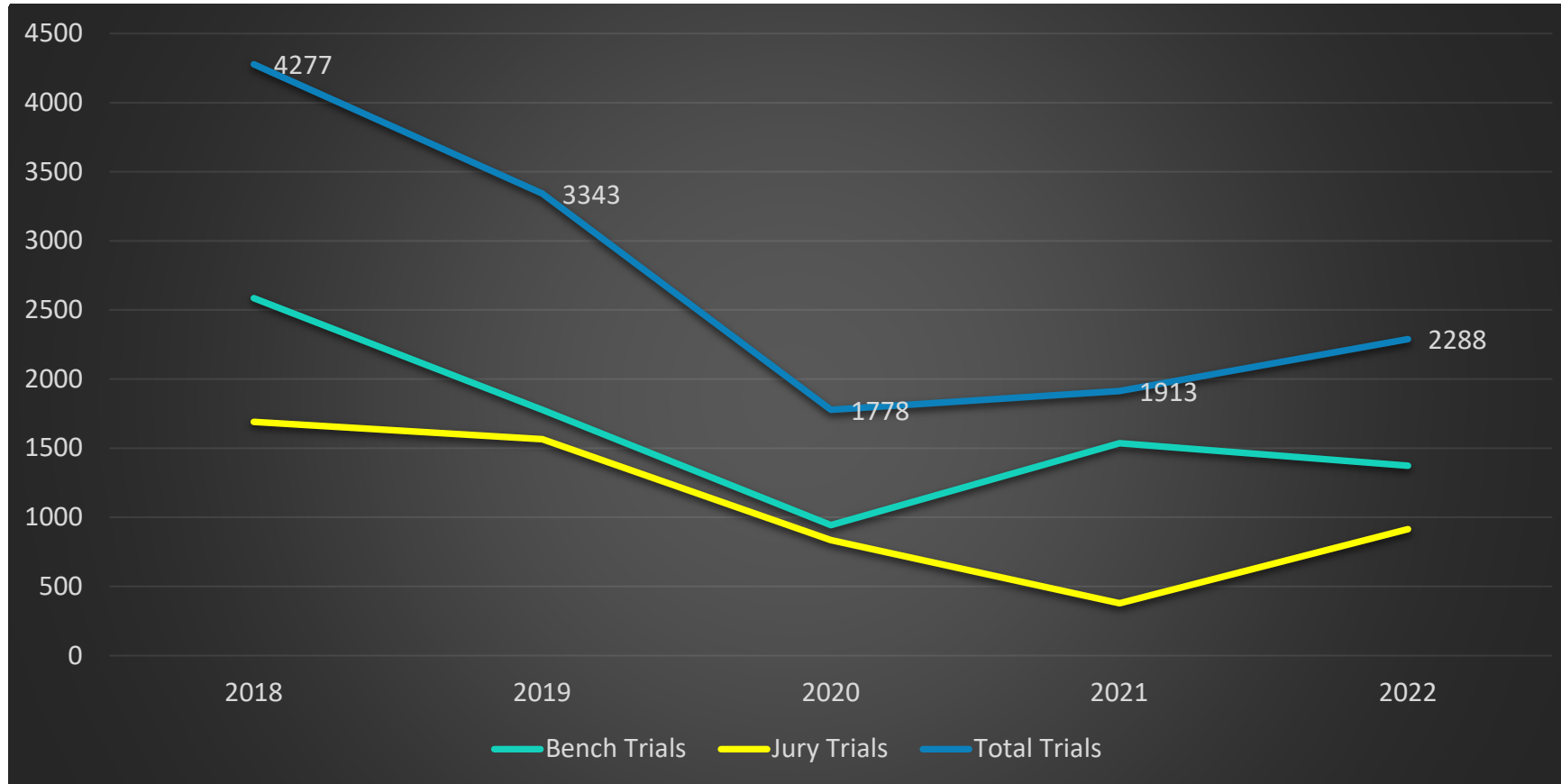
DISTRICT COURT CRIMINAL TRIALS



In 2022, trials surpassed pre-pandemic levels.



COUNTY COURT CRIMINAL TRIALS



BACKLOG GRANT FUNDING

In 2022, OCA awarded 12 counties nearly \$7 million in American Rescue Plan Act (ARPA) funds to reduce the criminal felony and family violence backlogs in District and County Courts. Funds were targeted at counties with larger backlogs.

County	Amount
Bexar	\$366,985.00
Cameron	\$505,000.00
Fort Bend	\$253,641.60
Galveston	\$475,063.00
Hidalgo	\$460,000.00
Nueces	\$674,421.71
Tarrant	\$443,315.00
Tom Green	\$288,000.00
Travis	\$841,707.00
Williamson	\$472,000.00
Harris	\$1,716,318.00
Randall	\$492,270.00
TOTAL	\$6,988,721.31

Counties created and submitted plans customized to their jurisdictions to most effectively reduce the backlog. These plans used Visiting Judges to hold additional dockets as well as hiring court support personnel including:

- Court Coordinators
- Pretrial Supervision
- Clerks
- Bailiffs
- Interpreters
- Investigators
- Court Reporters
- Prosecutors



CASE MANAGEMENT TRAINING

OCA hosted the National Center for State Courts for a two-day summit on Effective Case Management. The summit offered best practices, customized guidance, and development of strategy implementation.

OCA has a plan to offer additional training opportunities on case management around the state. As a result of having a smaller and more regionalized training, presenters will be able to facilitate conversations and develop plans that effectively address backlogs in specific courts.



STRATEGIES & CHALLENGES

Strategies

- Effective use of remote proceedings
- Data collection and evaluation
- Triaging cases based on complexity
- Stakeholder advisory committees
- Use of visiting judges
- Stakeholder preparation
- Effective court scheduling

Challenges

- Physical court space
- Aggregate data collection vs case level data collection
- Forensic evidence evaluation
- Competency evaluation and restoration
- Staffing shortages
- Failure to appear and detention space
- Under resourced courts

