

# OFFICE OF COURT ADMINISTRATION TEXAS JUDICIAL COUNCIL



## OFFICIAL DISTRICT COURT MONTHLY REPORT INSTRUCTIONS

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## LEGAL REQUIREMENTS

Section 71.035(b) of the Texas Government Code requires each district clerk to report information pertaining to the civil and criminal business transacted by the district court(s) as required by the Texas Judicial Council.

The Official District Court Monthly Report has been developed to enable the district clerk of each county to comply with these requirements. This form is to be used to report the activity of the district courts during each one-month period. **NOTE:** Reports generated from a clerk=s case management system should be an **exact replica** of the official monthly reporting form B *that is, all categories should follow the order on the monthly reporting form, no categories should added or omitted, and no data should appear in areas that are shaded on the form.*

The monthly report is not designed to report everything that a court does nor everything that requires the attention or time of the judge. It is also not designed to reflect all of the clerk=s responsibilities or to provide the basis for a complete case management system. Instead, the monthly report is designed to provide information required by law or needed by the judicial, legislative, and executive branches of government to make decisions regarding the jurisdiction, structure, and needs of the court system.

Sections 171.1 and 171.2 of the Texas Administrative Code require submission of court activity reports each month to the Texas Judicial Council by **no later than 20 days following the end of the month reported.**

Section 71.035(a) of the Government Code requires copies of the monthly reports to be maintained in the office of the district clerk for a period of **at least two years** and to be made available to the public for inspection and reproduction.

## GENERAL INSTRUCTIONS

OCA prefers that one report—combining the activity of all district courts serving the county—be submitted per month.

**You must submit a report each month, even if your court had no activity.** If your court had no activity for the month, you may indicate this by writing a large zero, “X,” or “No Activity” across the statistical part of the form.

**Include only that activity that occurred during the month for which you are submitting a report.** If you need to make changes to the information for a previous month, you must file an amended report. You should never adjust the current month’s figures in an attempt to “fix” the information for previous months.

Please complete all sections of the report that are relevant to your court(s). A blank will be interpreted as a zero.

## COVER PAGE

Please complete the appropriate blanks identifying the **month** and **year** for the data being reported; the county; the district clerk’s name and mailing address; and the name and telephone number of the person preparing the report. Also, indicate whether the report includes information for one court or for all courts in the county.

### Definition of Criminal Cases

For the purpose of these reports, the number of criminal cases reported on this monthly reporting form is based on the number of defendants named in an indictment or information.

1. If a single indictment or information names more than one defendant, it is counted as more than one case. For instance, if three defendants are named in one indictment, count this as three cases.
2. If the same defendant is charged in more than one indictment or information, it is counted as more than one case. For instance, if the same person is named in four separate indictments, count this as four cases.
3. Finally, if an indictment or information contains more than one count (Section 21.24, C.C.P.), report this as **one case** under the category for the **most serious offense alleged**.

### Criminal Case-Type Categories

The monthly report provides 14 categories for the reporting of felony cases and one for all misdemeanors. A complete alphabetized listing of the Penal Code and reporting categories is included as an appendix to these instructions and should be used as a reference source in determining the specific category in which to report a case.

**Do not include:** post-conviction writs of habeas corpus; writs of habeas corpus; bond forfeitures; or contempt, extradition and other separately-docketed proceedings. Report these proceedings in the **Other Proceedings** section on Page 3.

All criminal cases are to be reported on Page 1 of the monthly report in one of the categories below. **If a case contains more than one count, report this as one case only under the category for the most serious offense alleged.**

1. **CAPITAL MURDER:** An offense under Penal Code Section 19.03 (Capital Murder).
2. **MURDER:** An offense under Penal Code Section 19.02 (Murder).
3. **ASSAULT OR ATTEMPTED MURDER:** A **felony** offense under Penal Code Section 22.01 (Assault), 22.015 (Coercing, Soliciting, or Inducing Gang Membership), or 22.04 (Injury to a Child, Elderly Individual, or Disabled Individual); an offense under Section 22.02 (Aggravated Assault); or an offense of attempt (as defined in Section 15.01) to commit: Murder (19.02) or Capital Murder (19.03).
4. **SEXUAL ASSAULT OF AN ADULT:** An offense under Penal Code Section 22.011 (Sexual Assault) or 22.021 (Aggravated Sexual Assault) where the victim is an adult (17 years or older).
5. **INDECENCY OR SEXUAL ASSAULT OF A CHILD:** An offense under Penal Code Section 22.011 (Sexual Assault) or 22.021 (Aggravated Sexual Assault) where the victim is a child (younger than 17 years); an offense under Section 21.11 (Indecency with a Child); or an offense under Section 21.12 (Improper Relationship Between Educator and Student).
6. **ROBBERY:** An offense under Penal Code Section 29.02 (Robbery) or 29.03 (Aggravated Robbery).
7. **BURGLARY:** A **felony** offense under Penal Code Section 30.02 (Burglary) or 30.04 (Burglary of Vehicles).
8. **THEFT:** A **felony** offense under Chapter 31 of the Penal Code, **except** when the property involved is a motor vehicle; or a **felony** offense under Section 32.31 (Credit Card Abuse or Debit Card Abuse) or 33A.04 (Theft of Telecommunications Service), Penal Code.
9. **AUTOMOBILE THEFT:** A **felony** offense under Penal Code Section 31.03 (Theft) if the property involved is a motor vehicle, or an offense under Section 31.07 (Unauthorized Use of a Vehicle).
10. **ARSON:** An offense under Penal Code Section 28.02 (Arson).
11. **DRUG SALE OR MANUFACTURE:** A **felony** offense under the Texas Controlled Substances Act (Ch. 481, Health and Safety Code), Ch. 482, Health and Safety Code (Simulated Controlled Substances), the Texas Dangerous Drugs Act (Ch. 483, Health and Safety Code), or Ch. 485, Health and Safety Code (Abusable Volatile Chemicals) for the manufacture, delivery, sale, or possession with intent to deliver or sell a drug or controlled substance.
12. **DRUG POSSESSION:** A **felony** offense for possession under the Texas Controlled Substances Act (Ch. 481, Health and Safety Code) or the Texas Dangerous Drugs Act (Ch 483, Health and Safety Code), other than possession with intent to deliver or sell.
13. **FELONY D.W.I.:** A **felony** offense under Section 49.09, Penal Code.
14. **OTHER FELONY:** A **felony** offense not clearly identifiable as belonging in one of the preceding categories, including cases previously categorized as forgery.
15. **ALL MISDEMEANORS:** Any offense classified as a misdemeanor.

This section of the monthly report is designed to collect information concerning the criminal case activity in the district courts. The **CRIMINAL SECTION** is divided into three subsections:

1. **CASES ON DOCKET** (Page 1);
2. **DISPOSITIONS** (Page 2); and
3. **SUPPLEMENTAL INFORMATION** (Page 3).

## CASES ON DOCKET

CRIMINAL SECTION																
CASES ON DOCKET	CRIMINAL JUSTICE	MURDER	KIDNAPING	SEXUAL ABUSE OF AN ADULT	SEXUAL ABUSE OF A CHILD	ROBBERY	BURGLARY	THEFT	AUTOMOBILE THEFT	ASSAULT	KIDNAPING	DRUG POSSESSION	FUGITIVE	CRIMINAL MIND	MISDEMEANORS	TOTAL CASES
1. CASES PENDING FIRST OF MONTH <small>(Should equal total criminal cases pending end of previous month.)</small>																
2. CASES FILED DURING MONTH BY INDICTMENT <small>(Include all new cases, including those that may also have been disposed this month.)</small>																
3. CASES FILED DURING MONTH BY INFORMATION <small>(Include all new cases, including those that may also have been disposed this month.)</small>																
4. OTHER CASES REACHING DOCKET <small>(Do not include transfers between district courts in the same county.)</small>																
a. Motions to Revoke Probation or Revoke Deferred Adjudication Filed																
b. Shock Probations Returned From Texas Department of Criminal Justice																
c. Transfers From Other Counties																
d. All Other Cases Reaching Docket <small>(Include, among others, cases where new trial was granted and cases remanded by higher courts.)</small>																
5. TOTAL CASES ON DOCKET <small>(Should equal Line 1 through Line 4d above.)</small>																
6. TOTAL DISPOSITIONS <small>(Should equal Line 22 on page 2.)</small>																
7. TOTAL CASES PENDING END OF MONTH <small>(Should equal Line 5 minus Line 6 above. This item includes unapprehended cases reported on Line 8.)</small>																
8. UNAPPREHENDED CASES <small>(Include number of pending cases (Line 7) where defendant is unapprehended or otherwise unavailable to the court for trial.)</small>																
9. AGE OF CASES DISPOSED <small>(Date of filing through date of disposition.)</small>																
		60 DAYS OR LESS		61 DAYS TO 90 DAYS		91 DAYS TO 120 DAYS		OVER 120 DAYS								TOTAL CASES <small>(Should equal total on Line 6 above.)</small>
NUMBER OF CASES																

DISTRICT - 1 -

### Online Reporting Only:

#### DOCKET ADJUSTMENT

If the number of cases pending at the first of the month does not equal the number of cases pending at the end of the previous month, you must enter a docket adjustment. A *docket adjustment* is the difference between the number of cases pending at the end of the previous month and the number of cases pending at the beginning of the current month.

If the number of cases pending at the end of the month is **smaller** than the number pending at the beginning of the current month, enter a **positive** number in the appropriate blank. For example, if 825 drug possession cases were pending at the end of April but 830 were pending as of May 1, "5" ( $825 + 5 = 830$ ) should be entered in the docket adjustment line under Drug Possession in the report for May.

If the number of cases pending at the end of the month is **larger** than the number pending at the beginning of the current month, enter a **negative** number in the appropriate blank. For example, if 900 assault or attempted murder cases were pending at the end of April but 890 were pending as of May 1, "-10" (900 - 10 = 890) should be entered in the docket adjustment line under Assault or Attempted Murder in the report for May.

#### **Line 1. CASES PENDING FIRST OF MONTH**

Report criminal cases previously filed that have not been disposed by the first of the month of the reporting period. The numbers here should equal the numbers in each category reported as **Cases Pending End of Month**, Page 1, Line 7, on the previous month=s report.

*NOTE: This line will calculate automatically if you are submitting your report online.*

#### **Online Reporting Only:**

##### **“NO ACTIVITY” BOX**

If **no cases were filed** by information or indictment **or reached the docket** as described in Lines 4a through 4d during the month reported, check the **ANo Activity@** box. (Lines 2 through 4d will be automatically filled in with zeros when **ASubmit@** is selected.)

*Go to Unapprehended Cases (Line 8).*

#### **Line 2. CASES FILED DURING MONTH BY INDICTMENT**

Report the number of new felony cases filed by indictment for each criminal category. Include all new cases filed this month, even if they also were disposed of this month.

#### **Line 3. CASES FILED DURING MONTH BY INFORMATION**

Report the number of new cases filed by information for each criminal category. An *information* results in a felony case when a waiver of indictment by the grand jury is filed and there is no indictment.

#### **Line 4. OTHER CASES REACHING DOCKET**

These cases include filed motions to revoke probation or to revoke deferred adjudication, shock probation cases returned from the Texas Department of Criminal Justice, and cases transferred from other counties. Do **not** include transfers between district courts in the same county.

##### **a. Motions to Revoke Probation or Revoke Deferred Adjudication Filed**

Report only the filing of motions to revoke probation or to revoke deferred adjudication. When the court enters an order either revoking or continuing probation or deferred adjudication, report this action as a disposition on Page 2, Line 19 or 20.

**b. Shock Probations Returned From Texas Department of Criminal Justice**

When a case, previously disposed of as a felony conviction, is returned from TDCJ for consideration of shock probation, report that case in the appropriate criminal category. If shock probation is later granted, report the case as a disposition on Page 2, Line 18.

**c. Transfers From Other Counties**

Report cases transferred **to** your county on change of venue.

*NOTE: Report cases that are transferred **out** of your county on change of venue as dispositions on Page 2, Line 16.*

**d. All Other Cases Reaching Docket**

Report cases such as new trials granted, cases reinstated, and cases remanded for new trial from appellate courts. Competency hearings filed within criminal cases also are included here as a separate case reaching the docket. Report the disposition of the competency hearing on Page 2, Line 21.

*NOTE: For the purpose of this report, a competency hearing is treated as a separate case from the original criminal case and is not to be reported as disposing of the original criminal case.*

**Line 5. TOTAL CASES ON DOCKET**

Report the sum of cases pending at the beginning of the month, new cases filed by indictment and information, and other cases reaching the docket, which equals **Total Cases on Docket**.

$$\text{Lines 1 + 2 + 3 + 4a + 4b + 4c + 4d = Line 5}$$

*NOTE: This line will calculate automatically if you are submitting your report online.*

**Line 6. TOTAL DISPOSITIONS**

**Numbers reported on this line should be the same as the Total Dispositions entered on Page 2, Line 22.** When you have completed Page 2 of this report, copy the totals from Line 22 to Line 6, Page 1 under the same criminal categories.

*NOTE: If you are submitting your report online, this line will automatically match totals shown on Line 22.*

**Line 7. TOTAL CASES PENDING END OF MONTH**

To calculate the number of **Total Cases Pending End of Month**, subtract the number of **Dispositions** (Line 6) from **Total Cases on Docket** (Line 5).

$$\text{Line 5 minus Line 6 = Line 7}$$

Include *unapprehended* cases reported on Line 8 in this total.

*NOTE: This line will calculate automatically if you are submitting your report online.*

**Line 8. UNAPPREHENDED CASES**

Report the total number of original cases, as well as motions to revoke probation or to revoke deferred adjudication, pending at the end of the month because further court proceedings and activities cannot be resumed.

Include:

- Cases in which the defendant is **not** in county jail, **not** on bail and whose whereabouts are unknown and unascertainable;
- Cases stayed while a defendant undergoes temporary or extended inpatient mental health treatment; and
- Cases in which the defendant is otherwise unavailable for adjudication.

**Line 9. AGE OF CASES DISPOSED**

Report the length of time the cases that were disposed of during the month had been on the docket. Calculate this time span from the date the case was filed in the court through the date on which it was disposed.

**NOTES:**

- *Report a deferred adjudication as a disposition at the time the defendant is first placed on deferred adjudication. Deferred adjudications should be aged the same as all other dispositions.*
- **The total number of cases reported in this category MUST match the total number of dispositions reported.**

# DISPOSITIONS

## CRIMINAL SECTION

DISPOSITIONS	Capital Murder	MURDER	Capital Murder Reduced to Murder	MURDER Reduced to Capital Murder	Capital Murder Reduced to Capital Murder	Capital Murder Reduced to Capital Murder	Capital Murder Reduced to Capital Murder	Capital Murder Reduced to Capital Murder	Capital Murder Reduced to Capital Murder	Capital Murder Reduced to Capital Murder	Capital Murder Reduced to Capital Murder	Capital Murder Reduced to Capital Murder	Capital Murder Reduced to Capital Murder	Capital Murder Reduced to Capital Murder	Capital Murder Reduced to Capital Murder	Capital Murder Reduced to Capital Murder	Capital Murder Reduced to Capital Murder	Capital Murder Reduced to Capital Murder
<b>CONVICTIONS</b>																		
1. Guilty Plea or Nolo Contendere-No Jury																		
2. Not Guilty Plea-No Jury																		
3. Guilty Plea-Jury Verdict																		
4. Not Guilty Plea-Jury Verdict																		
<b>DEFERRED ADJUDICATIONS</b>																		
5. Placed on Deferred Adjudication (Original hearing only)																		
<b>ACQUITTALS (Found Not Guilty)</b>																		
6. Non-Jury Trial																		
7. Jury Verdict																		
8. Directed Verdict or JNOV																		
<b>DISMISSALS</b>																		
9. Insufficient Evidence																		
10. Defendant Convicted in Another Case																		
11. Speedy Trial Act Limitation																		
12. Case Refiled																		
13. Defendant Unapprehended																		
14. Defendant Granted Immunity for Testimony																		
15. Other Dismissals (Including Unknown Grounds)																		
<b>TRANSFERS</b>																		
16. Transfer on Change of Venue																		
17. Transfer to County Court-Charge Reduced to Misdemeanor																		
<b>OTHER DISPOSITIONS</b>																		
18. Placed on Probation Following Shock Commitment to the Texas Dept. of Criminal Justice																		
19. Probation or Deferred Adjudication Revoked-Motion to Revoke Granted																		
20. Continued on Probation or Deferred Adjudication-Motion to Revoke Denied																		
21. All Other Dispositions																		
22. TOTAL DISPOSITIONS (Should equal total of Line 1 through Line 21- also enter on Line 6 on page 1.)																		

DISTRICT - 2 -

Under the appropriate case-type category, report the number of criminal cases disposed during the reporting period.

**Remember:**

- Report **only one** disposition per case.
- The disposition of a case (even when it is for a lesser offense) should be reported in the **same case category as the original charge**. For instance:

*Capital murder reduced to murder is reported as capital murder;  
 Robbery reduced to assault is reported as robbery;  
 Burglary reduced to theft is reported as burglary; and  
 Drug sale reduced to drug possession is reported as drug sale.*

**NOTE:** Cases in which a conviction was for a lesser offense than the original charge should also be reported in Line 3 of the Supplemental Information section.



***Online Reporting Only:***

**NO ACTIVITY**

If **no cases were disposed** during the month reported, check the **ANo Activity@** box. (Lines 1 through 22 of the Dispositions section and Lines 1 through 3 of the Supplemental Information section will be automatically filled in with zeros when **ASubmit@** is selected.)

*Go to Additional Court Activity, Line 4.*

**CONVICTIONS**

Report convictions on Lines 1 through 4 under the appropriate offense. Report a case disposed by conviction in the **month in which the sentence is assessed**.

**Line 1. Guilty Plea or Nolo Contendere—No Jury**

Report cases in which the defendant pled guilty or nolo contendere and was sentenced by the judge.

**Line 2. Not Guilty Plea—No Jury**

Report cases in which the defendant pled not guilty and was tried and sentenced by the judge.

**Line 3. Guilty Plea—Jury Verdict**

Report cases in which the defendant pled guilty or nolo contendere and was sentenced by a jury.

**Line 4. Not Guilty Plea—Jury Verdict**

Report cases in which the defendant pled not guilty and was tried by **either the judge or a jury** and was **sentenced by a jury**.

**DEFERRED ADJUDICATIONS**

Report deferred adjudications on Line 5, **Deferred Adjudications**. Report all cases in which deferred adjudication is granted **at the time the defendant is first placed on deferred adjudication**.

Cases in which a motion to revoke deferred adjudication was filed, the motion was denied, and deferred adjudication was continued are reported on Line 20.

**ACQUITTALS**

Report all cases in which the defendant was found **not guilty** (acquittals) on Lines 6 through 8, according to whether there was a non-jury trial, jury verdict, directed verdict of not guilty, or a judgment notwithstanding the verdict (JNOV or “Non Obstante Veredicto”).

**DISMISSALS**

Report all other cases disposed by dismissal on Lines 9 through 15. Determination must be made regarding the reason for dismissal. **Do not report dismissals following completion of deferred adjudication and dismissals following completion of probation**, as they are both reported as dispositions at the time deferred adjudication or probation was granted.

**Line 9.** Insufficient evidence

**Line 10.** Defendant was convicted in another case

**Line 11.** Speedy Trial Act limitations were not met

**Line 12.** Case was dismissed in order to be refiled

**Line 13.** Case was dismissed because defendant was unapprehended

**Line 14.** Defendant was granted immunity for testimony

**Line 15.** Other dismissals. (Include dismissals for grounds other than those listed above, dismissals for unknown or unspecified grounds, and cases dismissed for a **combination of reasons**.)

## TRANSFERS

Report the transfer of a case either to another county on change of venue or to a county-level court.

### Line 16. Transfer on Change of Venue

Report transfers on change of venue to a district court in **another** county.

### Line 17. Transfer to County-Level Court Charge Reduced to Misdemeanor

Report cases transferred to one of the county-level courts in your county when the case is reduced to a misdemeanor.

## OTHER DISPOSITIONS

### Line 18. Placed on Probation Following Shock Commitment to the Texas Department of Criminal Justice

Report cases (frequently called *shock probations*) in which the defendant is placed on probation following his return from shock commitment to the Texas Department of Criminal Justice. These are the same cases reported on Page 1, Line 4b.

### Line 19. Probation or Deferred Adjudication Revoked Motion to Revoke Granted

Report cases in which a motion to revoke probation or to revoke deferred adjudication is granted and the probation or deferred adjudication is **revoked**.

### Line 20. Continued on Probation or Deferred Adjudication Motion to Revoke Denied

Report cases in which a motion to revoke probation or to revoke deferred adjudication is denied and the defendant **continues** on probation or deferred adjudication.

### Line 21. All Other Dispositions

Report all dispositions not clearly identifiable in any of the above categories, including dispositions of competency hearings.

**Line 22. TOTAL DISPOSITIONS**

Enter the sum of Lines 1 through 21 on this line under each category. These totals should be the same as those reported on Page 1, Line 6 under **Total Dispositions**.

*NOTE: This line will calculate automatically if you are submitting your report online.*

**SUPPLEMENTAL INFORMATION**

**SENTENCING INFORMATION**

CRIMINAL SECTION														
SUPPLEMENTAL INFORMATION	CRIMINAL	MURDER	AGGRAVATED BATTERY	AGGRAVATED BATTERY WITH A DEADLY WEAPON	AGGRAVATED BATTERY WITH A DEADLY WEAPON AND A FELONY	ROBBERY	BURGULARY	THEFT	UNLAWFUL WEAPON	ABUSE	CHILD ABUSE AND NEGLECT	POSSESSION OF A FIREARM	REPEATED OFFENSES	CRIMINAL RECORD
<b>SENTENCING INFORMATION</b>														
1. Cases Where Death Sentence was Assessed														
2. Cases Where Life Sentence was Assessed (including sentence as habitual criminal)														
3. Cases Where Conviction was for Lesser Than Indicted Offense														
<b>ADDITIONAL COURT ACTIVITY (Totals Only)</b>														
4. Cases Where Jury Panel was Examined (For Dis)														
5. Cases Where Jury was Sworn and Any Evidence was Presented														
6. Cases Where Attorney Appointed as Counsel														

report sentencing information concerning punishment in the criminal cases that were reported as **CONVICTIONS** on Page 2, Lines 1-4.

**Line 1. Cases Where Death Sentence was Assessed**

Report the number of cases in which the defendant was convicted of capital murder and was sentenced to death.

**Line 2. Cases Where Life Sentence was Assessed**

Report the number of cases in which the defendant was convicted of a felony and was sentenced to life in prison.

**Line 3. Cases Where Conviction was for Lesser than Indicted Offense**

Report the number of cases in which:

- a. a defendant indicted on a felony charge is convicted of a misdemeanor, or

- b. a defendant indicted on a felony charge is convicted of a lesser felony charge. Some examples of lesser felony charges are:

*Capital murder reduced to murder;  
Robbery reduced to assault;  
Burglary reduced to theft; and  
Drug sale reduced to drug possession.*

**Each case should be reported in the same case category as the original charge.** For example, a case in which a capital murder charge was reduced to murder should be reported under the capital murder case-type category.

## **ADDITIONAL COURT ACTIVITY**

Report information on jury activity and cases in which an attorney was appointed by the court. **Report jury activity occurring during the reporting month, regardless of whether the case was actually disposed during the month.**

*NOTE: The same case may be counted on both Lines 4 and 5.*

### **Line 4. Cases Where Jury Panels Examined (*Voir Dire*)**

In the **Total Cases** column, report the number of jury panels that were examined on *voir dire*. That is, report cases whenever a jury panel is questioned by attorneys, whether or not the case proceeds to trial.

### **Line 5. Cases Where Jury Was Sworn and Any Evidence was Presented**

In the **Total Cases** column, report the number of juries that were sworn in and heard at least some evidence in the case.

### **Line 6. Cases Where Attorney Appointed as Counsel**

In the **Total Cases** column, report the number of criminal cases in which an attorney was appointed by the court.

#### **NOTES:**

- In criminal cases, an application for indigency and order of appointment must be filed in order for an attorney to be appointed to the case.
- Report each case in which an attorney was appointed by the court **regardless** of whether a trial was held.
- Report the case only in the **month in which the appointment was made**.
- **Do not report more than one appointment of an attorney to the same case.**

## **OTHER PROCEEDINGS SECTION**

Other Proceedings may stem from criminal, civil, or juvenile cases. This section of the report is divided into four subsections, each containing four lines of information: pending first of month, added (usually meaning filed) during the month, disposed of during the month, and pending end of month.

**OTHER PROCEEDINGS SECTION**

POST-CONVICTION WRITS OF HABEAS CORPUS		CONTEMPT, EXTRADITION, AND OTHER	
1. WRITS PENDING FIRST OF MONTH <small>(Should equal total post-conviction writs pending end of previous month.)</small>		9. PROCEEDINGS PENDING FIRST OF MONTH <small>(Should equal total contempt, extradition, and other proceedings pending end of previous month.)</small>	
2. WRITS ADDED DURING MONTH		10. PROCEEDINGS ADDED DURING MONTH	
3. WRITS DISPOSED OF DURING MONTH		11. PROCEEDINGS DISPOSED OF DURING MONTH	
4. WRITS PENDING END OF MONTH		12. PROCEEDINGS PENDING END OF MONTH	

  

WRITS OF HABEAS CORPUS		BOND FORFEITURE PROCEEDINGS	
5. WRITS PENDING FIRST OF MONTH <small>(Should equal total writs of habeas corpus pending end of previous month.)</small>		13. PROCEEDINGS PENDING FIRST OF MONTH <small>(Should equal total bond forfeiture proceedings pending end of previous month.)</small>	
6. WRITS ADDED DURING MONTH		14. PROCEEDINGS ADDED DURING MONTH	
7. WRITS DISPOSED OF DURING MONTH		15. PROCEEDINGS DISPOSED OF DURING MONTH	
8. WRITS PENDING END OF MONTH		16. PROCEEDINGS PENDING END OF MONTH	

**Online Reporting Only:**

If no activity occurred during the month being reported, select the NO ACTIVITY box then press ASubmit.@ (The form will automatically be filled in with zeros when ASubmit@ is selected.)

If activity did occur, follow the instructions for Lines 1 through 16 below. However,

§ In each of the four sections below, **if the number of cases pending at the first of the month does NOT equal the number of cases pending at the end of the previous month, you must enter a docket adjustment.** A *docket adjustment* is the difference between the number of cases pending at the end of the previous month and the number of cases pending at the beginning of the current month. (See page 3 for further explanation.)

§ Pending first of month and pending end of month will calculate automatically.

**POST-CONVICTION WRITS OF HABEAS CORPUS**

**Lines 1-4.** Report information regarding post-conviction writs of habeas corpus. i.e., writs of habeas corpus filed in criminal cases **after final conviction or disposition.**

**WRITS OF HABEAS CORPUS**

**Lines 5-8.** Report information regarding writs of habeas corpus that arise out of civil disputes **or** are filed in a **pending criminal case** before conviction or disposition. **NOTE: Do not report a writ associated with a criminal case until an indictment has been made.**

## CONTEMPT, EXTRADITION, AND OTHER

**Lines 9-12.** Report information regarding contempt actions, extradition proceedings, and other separately-docketed proceedings which are not reported elsewhere on the reporting form.

**NOTE:** Contempt proceedings that result from the violation of a divorce decree or similar family law judgment are not reported here. Instead, report these proceedings as **Show Cause and Similar Motions in Family Law Cases Filed Following Entry of Original Judgment** (Page 5, Line 3a).

## BOND FORFEITURE PROCEEDINGS

**Lines 13-16.** Report information regarding proceedings to forfeit bonds. Do not report bond forfeiture proceedings until a *judgment nisi* has been filed, and do not report bond forfeiture filings and proceedings in the Civil Section.

# JUVENILE SECTION

## Definition of Juvenile Cases

For the purpose of this report, juvenile cases are based upon petitions for adjudication of a child alleged to have engaged in delinquent conduct or conduct indicating a need for supervision (C.I.N.S.) as governed by Title 3 of the Texas Family Code.

As used in this report:

Texas Family Code, Section 51.02 generally defines a *child* as a person who:

1. is 10 years of age or older and under 17 years of age
- or -
2. is 17 years of age or older and under 18 years of age who is alleged or found to have engaged in delinquent conduct or conduct indicating a need for supervision as a result of acts committed before reaching age 17.

Texas Family Code, Section 51.03 generally provides that:

1. Delinquent conduct is conduct that violates:
  - a. a state or federal penal law (other than a traffic offense) punishable by imprisonment or confinement in jail;
  - b. a lawful order of a court under circumstances that would constitute contempt of that court in:
    - § a justice or municipal court; or
    - § a county court for conduct punishable only by a fine;
  - c. Sections 49.04, 49.05, 49.06, 49.07, or 49.08 of the Penal Code; or
  - d. Section 106.041 of the Alcoholic Beverage Code, relating to driving under the influence of alcohol by a minor (third or subsequent offense).
2. Conduct indicating a need for supervision (C.I.N.S.) is conduct, other than a traffic offense, that constitutes:
  - a. the violation of a state penal law punishable by fine only;
  - b. the violation of a penal ordinance of any political subdivision of the state;
  - c. truancy;
  - d. running away from home;
  - e. inhaling paint, glue, or certain other chemicals;
  - f. the violation of a school district's previously communicated written standards of student conduct for which the child has been expelled; or
  - g. the violation of a court order issued under Section 264.305 of the Family Code.

## Categorizing Juvenile Cases

Juvenile cases must be categorized as either:

1. "C.I.N.S." cases (conduct indicating a need for supervision) or
2. "Delinquent Conduct" cases.

**NOTE:** Depending on the county, jurisdiction in juvenile matters may be exercised by the county-level courts only, by the district courts only, or by both. **Juvenile court cases are to be reported on the appropriate monthly reporting form: cases heard by the county-level courts are reported on the Official County Court Monthly Report, while cases heard by the district courts are reported on the Official District Court Monthly Report.**

This section of the monthly report is designed to capture court activity involving **Title 3 of the Texas Family Code**. Do not report other Family Code matters typically handled by the court in this section. For instance:

- Suits affecting the parent-child relationship filed by the Texas Department of Protective and Regulatory Services alleging child abuse or neglect and seeking temporary managing conservatorship and/or termination of parental rights are not reported here. These cases are reported, at the time they are filed, in the Civil Section as **New Cases Filed During Month** (Page 3, Line 2) under the category of **All Other Family Law Matters**.
- Motions to modify or similar *show cause* type motions filed after the entry of original judgment in a Protective and Regulatory Services case are reported in the Civil Section as an **Other Case Reaching the Docket** (Page 3, Line 4a).
- Similarly, matters involving Titles 1, 2, or 4 of the Family Code are reported in the **Civil Section**, Pages 3 and 4.

The **JUVENILE SECTION** is divided into three subsections, all on Page 4:

1. **CASES ON DOCKET;**
  2. **INFORMATION ON FINDINGS OF DELINQUENT CONDUCT OR C.I.N.S.;**
- and
3. **ADDITIONAL JUVENILE COURT ACTIVITY.**

The clerk must look at the petition to determine whether the case should be reported in the **C.I.N.S.** category or the **Delinquent Conduct** category. Whenever a juvenile case is disposed, the disposition must always be reported in the same category as the filing of the original petition, i.e., **C.I.N.S.** or **Delinquent Conduct**.

**JUVENILE SECTION (Title 3, Texas Family Code)**

If one or more courts designated as a juvenile court and there was no court activity for the month, please check this box:

CASES ON DOCKET			INFORMATION ON FINDINGS OF DELINQUENT CONDUCT OR C.I.N.S.			
	C.I.N.S. (Conduct Indicating a Need for Supervision)	DELINQUENT CONDUCT	(Indicate number of cases, not number of children.)	C.I.N.S. (Conduct Indicating a Need for Supervision)	DELINQUENT CONDUCT	
1. CASES PENDING FIRST OF MONTH (Should equal total juvenile cases pending end of previous month.)			9. PLACEMENT OF CHILD IN CASES WHERE PROBATION WAS GRANTED OR CONTINUED:			
2. NEW PETITIONS FILED DURING MONTH (Includes all new cases, including those that also may have been disposed this month. Do not include petitions to transfer to criminal court.)				a. Placed Under Care of Parent or Relative		
3. MOTIONS TO REVOKE PROBATION FILED DURING MONTH				b. Placed Under Foster Care		
4. OTHER CASES REACHING DOCKET				c. Placed in Residential Facility Other Than Texas Youth Commission		
5. TOTAL CASES ON DOCKET (Should equal Line 1 through Line 4 above.)			10. NUMBER OF CASES WHERE CHILD WAS COMMITTED TO TEXAS YOUTH COMMISSION (Include revocations of probation.)			
6. CASES DISPOSED DURING MONTH: (Do not report cases under Lines 6a through 6e below until after the disposition hearing.)			11. FINAL JUDGMENT WITHOUT ANY DISPOSITION			
a. Finding of Delinquent Conduct or C.I.N.S.—Trial by Judge			12. TOTAL (Should equal total of a, b, f, and g under item 6 on left-hand side of this page.)			
b. Finding of Delinquent Conduct or C.I.N.S.—Trial by Jury			<b>ADDITIONAL JUVENILE COURT ACTIVITY</b>			
c. Finding of No Delinquent Conduct or No C.I.N.S.—Trial by Judge				C.I.N.S. (Conduct Indicating a Need for Supervision)	DELINQUENT CONDUCT	
d. Finding of No Delinquent Conduct or No C.I.N.S.—Trial by Jury			13. DETENTION HEARINGS CONDUCTED			
e. Finding of No Delinquent Conduct or No C.I.N.S.—Directed Verdict			14. HEARINGS TO MODIFY COURT ORDER OTHER THAN PROBATION REVOCATION			
f. Probation Revoked—Motion to Revoke Probation Granted			15. NUMBER OF CHILDREN CERTIFIED FOR TRANSFER TO ADULT CRIMINAL COURT			
g. Continued on Probation—Motion to Revoke Probation Denied			16. CASES IN WHICH ATTORNEY APPOINTED AS COUNSEL			
h. Change of Venue Transfers			<b>OTHER JUVENILE COURT ACTIVITY NOT REPORTED HERE</b>			
i. All Other Dispositions, Including Cases Dismissed Without Any Adjudication			NOTE: The Juvenile Section is designed to report only court activity under Title 3 of the Texas Family Code. Other Family Code matters typically handled by the juvenile court will not be reported in this section.			
7. TOTAL CASES DISPOSED (Should equal total of Lines 6a through 6i above.)			If your juvenile court handles matters under Titles 1, 2 or 4 of the Family Code (such as suits affecting the parent-child relationship, protective orders, etc.), these should be reported in the Civil Section on Pages 5 and 6 of the District Report. Refer to the instruction booklet for additional information.			
8. CASES PENDING END OF MONTH (Should equal Line 5 minus Line 7 above.)						



## CASES ON DOCKET

***Online Reporting Only:***

**DOCKET ADJUSTMENT**

**If the number of cases pending at the first of the month does not equal the number of cases pending at the end of the previous month, you must enter a docket adjustment.** A *docket adjustment* is the difference between the number of cases pending at the end of the previous month and the number of cases pending at the beginning of the current month. (See page 3 of these instructions for further explanation.)

### **Line 1. CASES PENDING FIRST OF MONTH**

Report all juvenile cases previously filed but not disposed of at the beginning of this reporting period. These numbers should equal the figures from the prior month=s report on Line 8, **Cases Pending End of Month.**

*NOTE: This line will calculate automatically if you are submitting your report online.*

***Online Reporting Only:***

**NO ACTIVITY**

If one or more district courts are designated as a juvenile court and **no new cases or motions to revoke probation were filed, no cases reached the docket as described in Line 4, AND no cases were disposed** during the month reported, check the **ANo Activity@** box. (Lines 2 through 12 will be automatically filled in with zeros when ASubmit@ is selected.)

*Go to Additional Juvenile Court Activity, Line 13.*

***Paper Form Only:***

**NO ACTIVITY**

If one or more district courts are designated as a juvenile court and **no new cases or motions to revoke probation were filed, no cases reached the docket as described in Line 4, AND no cases were disposed** during the month reported, check the **ANo Activity@** box.

*Go to Additional Juvenile Court Activity, Line 13.*

### **Line 2. NEW PETITIONS FOR ADJUDICATION FILED DURING MONTH (NEW CASES)**

Report all new petitions for adjudication of delinquent conduct or conduct indicating a need for supervision filed during the month, even if they were also disposed during this month.

*NOTE: Do not include detention hearings or hearings for transfer to adult courts. These are reported on Lines 13 and 15, Additional Juvenile Court Activity.*

**Line 3. MOTIONS TO REVOKE PROBATION FILED DURING MONTH**

Report the number of motions filed to modify disposition that involved revocation of probation. All other motions to modify disposition are reported in Line 14, *Hearings to Modify Court Order Other than Probation Revocation*.

When the court enters an order **revoking** probation, report this activity as a disposition on Line 6f.

**Line 4. OTHER CASES REACHING DOCKET**

Report cases transferred in on change of venue, cases remanded from appellate courts, reinstated cases, other crimes committed and handled under the original case number, and similar matters.

**Line 5. TOTAL CASES ON DOCKET**

The sum of cases pending at the beginning of the month, new petitions filed, motions to revoke probation filed, and other cases reaching docket equals **Total Cases on Docket**.

$$\text{Lines 1} + \text{2} + \text{3} + \text{4} = \text{5}$$

*NOTE: This line will calculate automatically if you are submitting your report online.*

**Line 6. CASES DISPOSED DURING MONTH**

Report in Lines 6a through 6e the number of cases in which a final judgment has been entered following an **adjudication hearing** (defined in Family Code, Section 54.03).

Report cases separately for trials by judge, trials by jury, and directed verdicts in one of the following subsections of Line 6:

- a. **Findings of Delinquent Conduct or C.I.N.S. Trial by Judge**
- b. **Findings of Delinquent Conduct or C.I.N.S. Trial by Jury**
- c. **Findings of No Delinquent Conduct or No C.I.N.S. Trial by Judge**
- d. **Findings of No Delinquent Conduct or No C.I.N.S. Trial by Jury**
- e. **Findings of No Delinquent Conduct or No C.I.N.S. Directed Verdict**

On Lines 6f or 6g, report the disposition of motions to revoke probation.

- f. **Probation Revoked Motion to Revoke Probation Granted**
- g. **Continued on Probation Motion to Revoke Probation Denied**

On Lines 6h and 6i, report dispositions that do not fall into the categories above.

- h. **Change of Venue Transfers**

**Report only transfers to the juvenile court of another county.** If a child is certified for transfer to

- a regular criminal court for trial as an adult, report this on Line 15.
- i. **All Other Dispositions, Including Cases Dismissed Without Any Adjudication**

Report all dismissals and any other dispositions not reported above.

**Line 7. TOTAL CASES DISPOSED**

Report the total number of cases disposed during the reporting period. Add Lines 6a through 6i above and report the totals here.

*NOTE: This line will calculate automatically if you are submitting your report online.*

**Line 8. CASES PENDING END OF MONTH**

Report the total number of cases pending at the end of the reporting period. Subtract Line 7 from Line 5 and report the totals here.

**Line 5 minus Line 7 = Line 8**

*NOTE: This line will calculate automatically if you are submitting your report online.*

**INFORMATION ON FINDINGS OF DELINQUENT CONDUCT OR C.I.N.S.**

Provide information on the placement of children following a **disposition hearing** (defined in Family Code, Section 54.04) for cases in which a finding of delinquent conduct or C.I.N.S. was made, probation was revoked, or probation was continued.

Cases reported in this section are the same as those cases that are reported as being disposed on Lines 6a, 6b, 6f and 6g on this page. As indicated on Line 12, the total of this section must equal the total of Lines 6a + 6b + 6f + 6g in the **Cases On Docket** section.

**Line 9. PLACEMENT OF CHILD IN CASES WHERE PROBATION WAS GRANTED OR CONTINUED**

**a. Placed Under Care of Parent or Relative**

Report the number of cases, **not the number of children**, in which probation was granted or continued and the child was placed under the care of parents, relatives or other individuals.

**b. Placed Under Foster Care**

Report the number of cases, **not the number of children**, in which probation was granted or continued and the child was placed in a foster home.

**c. Placed in a Residential Facility Other Than Texas Youth Commission**

Report the number of cases, **not the number of children**, in which probation was granted or continued and the child was placed in a residential facility such as a halfway house or in an institution such as Boystown, Girlstown, etc.

**Line 10. NUMBER OF CASES WHERE CHILD WAS COMMITTED TO TEXAS YOUTH COMMISSION**

Report the number of cases, **not the number of children**, in which juveniles were committed to TYC as a result of a finding of delinquent conduct. Also include commitments to TYC that resulted from motions to revoke probation.

**Line 11. FINAL JUDGMENT WITHOUT ANY DISPOSITION**

Report only those cases in which the court=s final judgment states that the judgment is ***without any disposition*** (as provided by Family Code, Section 54.04(c)). If the judgment does not say that it is ***without any disposition***, check the judgment more closely to determine the placement of the child.

**Line 12. TOTAL**

Report in each column (**C.I.N.S.** and **Delinquent Conduct**) the total of Lines 9, 10, and 11. These totals must also equal the totals for each column in Lines 6a, 6b, 6f, and 6g.

$$\text{Lines 9 + 10 + 11 = Line 12}$$

and

$$\text{Lines 6a + 6b + 6f + 6g = Line 12}$$

*NOTE: This line will calculate automatically if you are submitting your report online.*

**ADDITIONAL JUVENILE COURT ACTIVITY**

**Line 13. DETENTION HEARINGS CONDUCTED**

Report the number of detention hearings held pursuant to Section 54.01 or 54.011 of the Texas Family Code.

**Line 14. HEARINGS TO MODIFY COURT ORDER OTHER THAN PROBATION REVOCATION**

Report the number of hearings conducted on any motions to modify disposition, **other than for revocation of probation**. This includes motions for amending the conditions of probation, extending the probation term beyond the initial period, and changing the probation placement of the child.

**Line 15. NUMBER OF CHILDREN CERTIFIED FOR TRANSFER TO ADULT CRIMINAL COURT**

In the **Delinquent Conduct** column, report the **number of children** certified for transfer to a regular criminal court for trial as an adult pursuant to Section 54.02 of the Texas Family Code.

**Line 16. CASES IN WHICH ATTORNEY APPOINTED AS COUNSEL**

Report the **number of cases** in which an attorney was appointed by the court.

***NOTES:***

- In juvenile cases, an application for indigency and an order of appointment must be filed in order for an attorney to be appointed to the case.
- Report each case in which an attorney was appointed by the court regardless of whether an adjudication hearing was held.
- Report the case only in the **month in which the appointment was made.**
- **Do *not* report more than one appointment of an attorney to the same case.**

## CIVIL SECTION

### Definition of Civil Cases

A civil case, unlike a criminal case, does not depend on the number of persons involved. For the purpose of these reports, a single civil case is counted and reported when:

1. An original petition is filed (no matter how many parties are involved), or
2. A show cause motion, motion to modify, or similar motion is filed following entry of original judgment in family law cases, or
3. Some other case is filed.

### Civil Case-Type Categories

1. **INJURY OR DAMAGE INVOLVING MOTOR VEHICLE:** All cases for damages associated in any way with a motor vehicle (automobile, truck, motorcycle, etc.), with or without accompanying personal injury. Examples include personal injury, property damage, and wrongful death cases that involve motor vehicles.
2. **INJURY OR DAMAGE OTHER THAN MOTOR VEHICLE:** Cases for personal injury or damages arising out of an event not involving a motor vehicle. Examples include "slip-and-fall" cases, as well as personal injury, property damage, and wrongful death not involving motor vehicles.
3. **WORKERS' COMPENSATION:** Appeals from awards of compensation for personal injury by the Workers= Compensation Commission (Ch. 410, Labor Code).
4. **TAX CASES:** Suits brought by governmental taxing entities for the collection of taxes.
5. **CONDEMNATION:** Suits by a unit of government or a corporation with the power of eminent domain for the taking of private land for public use.
6. **ACCOUNTS, CONTRACTS, NOTES:** Suits based on enforcing the terms of a certain and express agreement, usually for the purpose of recovering a specific sum of money.
7. **RECIPROCALLS (UIFSA):** Actions involving child support in which the case has been received from another court outside the state.
8. **DIVORCE CASES:** A suit brought by a party to a marriage to dissolve that marriage pursuant to Family Code, Chapter 6. (Annulments are not reported here, but under All Other Family Matters.)
9. **ALL OTHER FAMILY MATTERS:** Includes all family law matters other than divorce proceedings and those juvenile matters which are reported in the Juvenile Section, including:
  - a. Motions to modify previously granted divorce decrees, or other judgments or decrees, in such matters as amount of child support, child custody orders, and other similar motions which are filed under the original cause number;
  - b. Annulments;
  - c. Adoptions;
  - d. Changes of name;
  - e. Termination of parental rights (child protective service cases);
  - f. Dependent and neglected child cases;
  - g. Removal of disability of minority;
  - h. Removal of disability of minority for marriage;
  - i. Voluntary legitimation (Section 160.201, Texas Family Code); and
  - j. All other matters filed under the Family Code which are not reported elsewhere.
10. **OTHER CIVIL CAUSES:** All civil cases not clearly identifiable as belonging in one of the preceding categories.

This section of the monthly report is designed to report information concerning the civil case activity of the district courts. The **CIVIL SECTION** is divided into three subsections:

1. **CASES ON DOCKET** (Page 5);
2. **DISPOSITIONS** (Page 6); and
3. **ADDITIONAL COURT JURY ACTIVITY** (Page 6).

# CASES ON DOCKET

CIVIL SECTION											
CASES ON DOCKET	ALL OTHER CIVIL CASES	CONSUMER BANKRUPTCY	WORKERS COMPENSATION	TAX CASES	CONDOMINIUM	SMALL CLAIM COURT	RECIPROCAL (U.I.P.S.A.)	PROBATE	ESTATE ADMINISTRATION	OTHER CIVIL	TOTAL
1. CASES PENDING FIRST OF MONTH <i>(Should equal total civil cases pending end of previous month.)</i>											
2. NEW CASES FILED DURING MONTH <i>(Include all new cases filed this month, including those that also may have been disposed this month.)</i>											
3. OTHER CASES REACHING DOCKET <i>(Do not include transfers between district courts in the same county.)</i>											
a. Show Cause and Similar Motions in Family Law Cases Filed Following Entry of Original Judgment <i>(Such as motions to modify child support, contempt, custody change, visitation privilege, etc., filed under the original case number.)</i>											
b. All Other Cases Reaching Docket											
4. TOTAL CASES ON DOCKET <i>(Should equal Line 1 through Line 3b above.)</i>											
5. TOTAL DISPOSITIONS <i>(Should equal Line 12 on page 6.)</i>											
6. CASES PENDING END OF MONTH <i>(Should equal Line 4 minus Line 5 above.)</i>											
7. AGE OF CASES DISPOSED <i>(Date of filing through date of disposition.)</i>	3 MONTHS OR LESS	OVER 3 TO 6 MONTHS	OVER 6 TO 12 MONTHS	OVER 12 TO 18 MONTHS	OVER 18 MONTHS	TOTAL CASES <i>(Should equal total on Line 3 above.)</i>					
NUMBER OF CASES											

DISTRICT - 6 -

## Online Reporting Only:

### DOCKET ADJUSTMENT

If the number of cases pending at the first of the month does not equal the number of cases pending at the end of the previous month, you must enter a docket adjustment. A docket adjustment is the difference between the number of cases pending at the end of the previous month and the number of cases pending at the beginning of the current month. (See page 3 of these instructions for further explanation.)

### Line 1. CASES PENDING FIRST OF MONTH

Report civil cases previously filed that have not been disposed by the first of the month of the reporting period. These numbers should equal the numbers in each category reported as **Cases Pending End of Month** on Page 5, Line 6 of the previous month's report.

*NOTE: This line will calculate automatically if you are submitting your report online.*

## Online Reporting Only:

### NO ACTIVITY

If no cases were filed, no cases reached the docket as described in Lines 3a and 3b, AND no cases were disposed during the month reported, check the **ANo Activity@** box. (Lines 2 through 7 of the Cases on Docket

**Line 2. NEW CASES FILED DURING MONTH**

Report the total number of original petitions filed during the month covered by this report.

**NOTES:**

- Do **not** report the filing of amended or supplemental petitions.
- Report **bond forfeiture** filings and **civil writ of habeas corpus** filings in the **Other Proceedings** section on Page 3.

**Line 3. OTHER CASES REACHING DOCKET**

a. **Show Cause and Similar Motions in Family Law Cases Filed Following Entry of Original Judgment**

Report family law matters **filed following entry of original judgment and under the original case number**. These include:

- (1) motions to modify or set child support (separate from original judgment);
- (2) motions to modify conservatorship (custody);
- (3) motions to modify visitation privileges;
- (4) motions for contempt;
- (5) motions for enforcement of judgments or prior orders;
- (6) motions to terminate parent-child relationship filed under *old* case number (**NOTE: If filed under new case numbers, report these cases on Page 5, Line 2.**);
- (7) motions to revoke or suspend such matters as contempt orders; and
- (8) motions for further orders of the court.

However, the following are types of pre-trial motions that are **not** to be included here:

- (1) motions to dismiss;
- (2) motions for continuance;
- (3) motions for change of venue;
- (4) motions for production of documents;
- (5) motions for appointment of master, receiver, etc.;
- (6) motions for substitution or withdrawal of counsel;
- (7) motions to recuse judge;
- (8) motions for substituted service;
- (9) motions to take judicial notice of law of other state;



- (10) motions for severance;
- (11) motions to consolidate; and
- (12) motions for separate trials.

**b. All Other Cases Reaching Docket**

Include cases here when:

- (1) a motion for new trial is granted;
- (2) a case is transferred from another county on change of venue;
- (3) a case is remanded from a higher court;
- (4) a severance is ordered which splits one case into two or more cases;
- (5) a writ of garnishment is docketed;
- (6) a bill of review is docketed (with a new case number);
- (7) a case is reinstated on the docket; and
- (8) a case involves similar matters that are not reported elsewhere.

**Line 4. TOTAL CASES ON DOCKET**

To calculate the **Total Cases on Docket**, add the cases pending at the beginning of the month, new cases filed, and other cases reaching docket.

$$\text{Lines 1 + 2 + 3a + 3b = Line 4}$$

**NOTES:**

- Many of the cases that were filed during this reporting period may also have been disposed of in the same month. These cases are still included here.
- This line will calculate automatically if you are submitting your report online.

**Line 5. TOTAL DISPOSITIONS**

Enter the totals from Page 6, Line 12 under the appropriate categories.

*NOTES: This line will calculate automatically if you are submitting your report online.*

**Line 6. CASES PENDING END OF MONTH**

To calculate the number of **Cases Pending End of Month**, subtract the number of **Total Dispositions** (Line 5) from **Total Cases on Docket** (Line 4).

$$\text{Line 4 minus Line 5 = Line 6}$$

*NOTE: This line will calculate automatically if you are submitting your report online.*

**Line 7. AGE OF CASES DISPOSED**

Report the length of time the cases that were disposed during the month had been on the docket. Calculate the time span from the date the case was filed in the court through the date on which it was disposed.

**NOTE: The total number of cases reported in this category MUST match the total number of dispositions reported.**

## DISPOSITIONS

CIVIL SECTION											
DISPOSITIONS	Number of Dispositions Transferred	Number of Dispositions Filed	Number of Dispositions Continued	U.S. Cases	Continuation	Accruals Noted	Recapitals (U.S.A.)	Protest Cases	All Other Cases	Dispos. of Cases	For File
1. CHANGE OF VENUE TRANSFERS											
2. DEFAULT JUDGMENTS											
3. AGREED JUDGMENTS											
4. SUMMARY JUDGMENTS DISPOSING OF CASES											
5. FINAL JUDGMENTS AFTER NON-JURY TRIAL											
6. FINAL JUDGMENTS BY JURY VERDICTS											
7. FINAL JUDGMENTS BY DIRECTED VERDICTS OR J.N.O.V.											
8. CASES DISMISSED FOR WANT OF PROSECUTION											
9. CASES DISMISSED BY PLAINTIFF											
10. SHOW CAUSE AND SIMILAR MOTIONS DISPOSED IN FAMILY LAW CASES FILED FOLLOWING ENTRY OF ORIGINAL JUDGMENT											
11. ALL OTHER DISPOSITIONS											
12. TOTAL DISPOSITIONS <small>(Should equal total of Lines 1 through 11—also enter on Line 5 on page 5.)</small>											
ADDITIONAL COURT JURY ACTIVITY		TOTAL CASES									
1. CASES WHERE JURY FEE PAID OR INDIGENCY OATH FILED											
2. CASES WHERE JURY PANEL WAS EXAMINED (VOIR DIRE)											
3. CASES WHERE JURY WAS SWORN AND ANY EVIDENCE WAS PRESENTED											

In this section, report the number of civil cases disposed during the month under the appropriate case-type category. A civil case is considered **disposed when a final judgment has been rendered**, even if the case is eventually appealed, or when a final order is entered on a motion to modify or similar motion in a family law case.

**Report only one disposition per case.** Report dispositions in the same case-type category under which the cases were filed. Choose the most appropriate disposition classification (Lines 1-11).

### Line 1. CHANGE OF VENUE TRANSFERS

Report the number of cases transferred to another county on change of venue.

**Line 2. DEFAULT JUDGMENTS**

Report the number of cases in which the judgment was reached by default—the defendant, though served, failed to appear and answer, and judgment by default was granted in favor of the plaintiff.

*NOTE: If the defendant was served and did answer but failed to appear, report the case as disposed by a **Final Judgment after Non-Jury Trial** (Line 5).*

**Line 3. AGREED JUDGMENTS**

Report cases in which the court entered a judgment based upon the mutual agreement of the parties involved in the suit.

**Line 4. SUMMARY JUDGMENTS DISPOSING OF CASES**

Report here cases in which **all** issues were disposed of by summary judgment. **Do not report partial summary judgments**, which dispose of only a portion of a case, as dispositions.

**Line 5. FINAL JUDGMENTS AFTER NON-JURY TRIAL**

Report cases in which the decision was reached after a trial or hearing by the judge, without a jury.

**Line 6. FINAL JUDGMENTS BY JURY VERDICTS**

Report the number of judgments entered after trial based on the verdict of a jury.

**Line 7. FINAL JUDGMENTS BY DIRECTED VERDICTS OR JUDGMENT N.O.V.**

Report cases in which a judgment was reached after a jury trial by a directed verdict by the court. Also include here any judgments notwithstanding the verdict (JNOV or “Non Obstante Veredicto”).

**Line 8. CASES DISMISSED FOR WANT OF PROSECUTION**

Report cases dismissed because the plaintiff or petitioner did not appear or otherwise made no effort to pursue his case.

**Line 9. CASES DISMISSED BY PLAINTIFF**

Report cases in which a dismissal was entered at the request of the plaintiff or petitioner. Also include cases dismissed by agreement of both parties.

**Line 10. SHOW CAUSE AND SIMILAR MOTIONS DISPOSED IN FAMILY LAW CASES FILED FOLLOWING ENTRY OF ORIGINAL JUDGMENT**

Report all motions filed after original judgment in family law cases that were disposed during the month. These are the same matters as the show cause and similar motions in family law cases that were reported at the time they were filed on Page 5, Line 3a.

**Line 11. ALL OTHER DISPOSITIONS**

Report those events which remove a case from the docket, but are not clearly identifiable as any of the preceding types of dispositions.

**Line 12. TOTAL DISPOSITIONS**

Report the sums of Line 1 through Line 11 under the appropriate categories.

$$\text{Lines 1 + 2 + 3 + 4 + 5 + 6 + 7 + 8 + 9 + 10 + 11 = Line 12}$$

*NOTE: This line will calculate automatically if you are submitting your report online.*

**ADDITIONAL COURT JURY ACTIVITY**

This part of the **CIVIL SECTION** is designed to report information on jury activity during the reporting period, regardless of whether the case was actually disposed during the same month.

**Line 1. CASES WHERE JURY FEES PAID OR INDIGENCY OATH FILED**

Report the number of cases in which a jury was requested. Most of these requests will involve the payment of a jury fee, while some will involve a pauper=s oath or affidavit of indigency.

**Line 2. CASES WHERE JURY PANEL WAS EXAMINED (VOIR DIRE)**

Report the number of jury panels that were examined on *voir dire*. Report cases here whenever a jury panel is questioned by attorneys, whether or not the case proceeds to trial.

*NOTE: The same case may be counted on both Lines 2 and 3.*

**Line 3. CASES WHERE JURY WAS SWORN AND ANY EVIDENCE WAS PRESENTED**

Report the number of juries that were sworn in and heard at least some evidence

*NOTE: The same case may be counted on both Lines 2 and 3.*

# REQUEST FOR FINDING OF HATE CRIME

## LEGAL REQUIREMENTS

Article 2.211 of the Code of Criminal Procedure provides that a report must be filed by the district clerk for each case in which a request is made for an affirmative finding under Article 42.014, Finding that Offense was Committed Because of Bias or Prejudice, Code of Criminal Procedure, along with a statement as to whether the request was granted by the court and, if so, whether the affirmative finding was entered in the judgment in the case.

The report must be submitted to the Texas Judicial Council (Office of Court Administration) no later than the 30<sup>th</sup> day after the date the judgment was entered in the case.

## INSTRUCTIONS

**If no requests for a hate crime finding were made during the month being reported, check the box at the top of the form.**

**If a request for a hate crime finding was made:**

**Line 1.** Enter the name of the court that heard and ruled on the motion for an affirmative finding (e.g., 1<sup>st</sup> District Court).

**Line 2.** Enter the case number.

**Line 3.** Indicate whether the motion was granted, denied, or withdrawn.

**Line 4.** Indicate whether an affirmative finding was entered in the judgment of the case.

**Line 5.** Enter the date the judgment was entered in the case.

**APPENDIX  
OFFICIAL DISTRICT COURT MONTHLY REPORT**

**Criminal Case-Type Categories for Various Felony Offenses**

Capital = Capital Felony	F3 = Third Degree Felony
F1 = First Degree Felony	FS = State Jail Felony
F2 = Second Degree Felony	+ = Penalty is enhanced

<u>OFFENSE</u>	<u>PENAL CODE SECTION*</u>	<u>PENALTY</u>	<u>CASE-TYPE CATEGORY</u>
<b>ADVERTISING FOR PLACEMENT OF CHILD</b>			
Second conviction	25.09	F3	Other Felony
<b>AIRBAGS – MAKE / SELL COUNTERFEIT OR INTENTIONALLY ALTER</b>			
Previous conviction	TRC 547.614	F3	Other Felony
Resulting in bodily injury	TRC 547.614	FS	Other Felony
<b>ANIMALS, CRUELTY TO LIVESTOCK</b>			
Fail to provide food, water or care: third conviction	42.09	FS	Other Felony
Tortures, kills or seriously injures	42.09	FS	Other Felony
Tortures, kills or seriously injures: third conviction	42.09	F3	Other Felony
<b>ANIMALS, CRUELTY TO NONLIVESTOCK</b>			
Failure to provide food, water, care or shelter: third conviction	42.092	FS	Other Felony
Tortures, kills or seriously injures	42.092	FS	Other Felony
Tortures, kills or seriously injures: third conviction	42.092	F3	Other Felony
<b>ARSON</b>			
Ordinary	28.02	F2	Arson
Recklessly starting fire or causing explosion while manufacturing controlled substance	28.02	FS	Arson
Resulting in bodily harm or death	28.02	F3	Arson
Resulting in reckless damage	28.02	F3	Arson
With bodily injury or at place of assembly, worship, or habitation	28.02	F1	Arson
<b>ASSAULT</b>			
Against person whose relationship to defendant is described by Section 71.0021(b), 71.003, or 71.005 of Family Code			
If defendant previously convicted of an offense against similar person	22.01	F3	Assault/Attempted Murder
If defendant engages 2 or more times within 12 months or less in conduct constituting an offense under 22.01	22.01	F3	Assault/Attempted Murder
Against public servant or security officer	22.01	F3	Assault/Attempted Murder
Against EMS personnel providing service	22.01	F3	Assault/Attempted Murder
Aggravated			
Ordinary	22.02	F2	Assault/Attempted Murder
Against witness, public servant, or security officer	22.02	F1	Assault/Attempted Murder
By public servant	22.02	F1	Assault/Attempted Murder
<b>ASSISTANCE ANIMAL, ATTACK ON</b>			
Assistance animal injured	42.91	FS	Other Felony
Assistance animal killed	42.91	F3	Other Felony
<b>ATHLETE, ILLEGAL RECRUITMENT OF</b>			
Value of benefit \$1,500 or more	32.441	FS-F1	Other Felony

<u>OFFENSE</u>	<u>PENAL CODE SECTION*</u>	<u>PENALTY</u>	<u>CASE-TYPE CATEGORY</u>
<b>ATTEMPTED OFFENSES</b>			
Attempted first degree felony	15.01	F2	Other Felony
Attempted second degree felony	15.01	F3	Other Felony
Attempted third degree felony	15.01	FS	Other Felony
<b>BAIL JUMPING AND FAILURE TO APPEAR</b>			
Offense was felony	38.10	F3	Other Felony
<b>BARRATRY AND SOLICITATION OF PROFESSIONAL EMPLOYMENT</b>			
Second conviction	38.12	F3	Other Felony
<b>BRIBERY</b>			
Commercial	32.43	FS	Other Felony
Ordinary	36.02	F2	Other Felony
<b>BURGLARY</b>			
Building other than habitation	30.02	FS	Burglary
Habitation	30.02	F2	Burglary
Habitation with intent to commit felony other than felony theft	30.02	F1	Burglary
Rail car	30.04	FS	Burglary
Vehicle			
With 2 or more previous convictions	30.04	FS	Burlary
<b>CAPITAL MURDER</b>			
Murder of judge	19.03	Capital	Capital Murder
	19.03	Capital	Capital Murder
<b>CHILD</b>			
Abandoning or endangering	22.041	FS-F2	Other Felony
Agreement to abduct from custody	25.031	FS	Other Felony
Enticing, with intent to commit felony against the child	25.04	F3	Other Felony
Sale or purchase of	25.08	F3	Other Felony
With intent to commit an offense under ' 43.25	25.08	F2	Other Felony
<b>CHILD CUSTODY, INTERFERENCE WITH</b>			
	25.03	FS	Other Felony
<b>CHILD PORNOGRAPHY</b>			
Possession	43.26	F3	Other Felony
Promotion	43.26	F2	Other Felony
<b>COMMUNICATIONS, UNLAWFUL ACCESS TO STORED</b>			
To obtain benefit or harm another	16.04	FS	Other Felony
<b>COMMUNICATIONS UNLAWFUL INTERCEPTION, USE, OR DISCLOSURE OF WIRE, ORAL, OR ELECTRONIC</b>			
Ordinary	16.02	F2	Other Felony
Selling interception device or alerting another to a police intercept	16.02	FS	Other Felony
<b>COMPUTER SECURITY, BREACH OF</b>			
Damage caused by harmful access			
Less than \$1,500, plus two or more convictions	33.02	FS	Other Felony
\$1,500 or more	33.02	FS-F1	Other Felony
<b>CONSPIRACY, CRIMINAL ##</b>			
To commit capital murder	15.02	F1	Other Felony
To commit first degree felony	15.02	F2	Other Felony
To commit second degree felony	15.02	F3	Other Felony
To commit third degree felony	15.02	FS	Other Felony

<u>OFFENSE</u>	<u>PENAL CODE SECTION*</u>	<u>PENALTY</u>	<u>CASE-TYPE CATEGORY</u>
<b>CONSUMER PRODUCT, TAMPERING WITH</b>			
Ordinary	22.09	F2	Other Felony
Person suffers serious bodily injury	22.09	F1	Other Felony
Knowingly or intentionally threatens to tamper	22.09	F3	Other Felony
<b>CREDIT CARD OR DEBIT CARD ABUSE</b>			
Committed against elderly individual	32.31	FS	Theft
	32.31	F3	Theft
<b>CREDIT CARD TRANSACTION RECORD LAUNDERING</b>			
Sale \$1,500 or more	32.35	FS-F1	Other Felony
<b>CRIMINAL INSTRUMENT, UNLAWFUL USE OF</b>			
With knowledge and intent, sell, manufacture, install, set up, or adapt	16.01	FS	Other Felony
Possession with intent to use	16.01	One category lower than object offense	Other Felony
<b>CURRENCY EXCHANGE SERVICES, FRAUDULENT OR UNLICENSED</b>			
	Finance Code 151.708	F3	Other Felony
<b>DEADLY CONDUCT</b>			
Discharges firearm at/in direction of person, habitation, building, or vehicle	22.05	F3	Other Felony
<b>DEADLY WEAPON IN PENAL INSTITUTION</b>			
	46.10	F3	Other Felony
<b>DOCUMENT, SECURING EXECUTION BY DECEPTION</b>			
Value of property, service, or pecuniary interest \$1,500 or more	32.46	FS-F1	Other Felony
Induces public servant to file document purporting to memorialize act of court not expressly created by state or federal law	32.46	FS	Other Felony
<b>DOG FIGHTING</b>			
Receives pecuniary benefit	42.10	FS	Other Felony
Uses or permits use of real estate, building, room, tent, etc. for fighting	42.10	FS	Other Felony
Participates in earnings of or operates facility used for fighting	42.10	FS	Other Felony
<b>DRIVING WHILE INTOXICATED (includes driving under influence of drugs)</b>			
Two prior DWI convictions	49.04, 49.09	F3	Felony D.W.I.
Prior intoxication manslaughter conviction	49.08, 49.09	F3	Felony D.W.I.
With child passenger younger than 15	49.045	FS	Felony D.W.I.
<b>DRUG AND DRUG-RELATED OFFENSES:</b>			
<b>ABUSABLE VOLATILE CHEMICAL (including paint and glue),</b>			
Delivery to minor	HSC 485.032	FS	Drug Sale/Manufacture
<b>CHEMICAL LABORATORY APPARATUS</b>			
Transfer for unlawful manufacture	HSC 481.139	F3	Drug Sale/Manufacture
Unlawful transfer or receipt	HSC 481.138	FS	Drug Sale/Manufacture
Unlawful transfer or receipt and prior conviction	HSC 481.138	F3	Drug Sale/Manufacture
<b>CHEMICAL PRECURSOR, UNLAWFUL TRANSFER OR RECEIPT OF</b>			
Prior conviction	HSC 481.136	FS	Drug Sale/Manufacture
Prior conviction	HSC 481.136	F3	Drug Sale/Manufacture
Failure to keep required pseudoephedrine sales reports by wholesaler	HSC 481.136	FS	Drug Sale/Manufacture
Prior conviction	HSC 481.136	F3	Drug Sale/Manufacture



<u>OFFENSE</u>	<u>PENAL CODE SECTION*</u>	<u>PENALTY</u>	<u>CASE-TYPE CATEGORY</u>
CHEMICALS, POSSESSION OR TRANSPORT WITH INTENT TO MANUFACTURE CONTROLLED SUBSTANCE			
Penalty Group 1 or 1-A	HSC 481.124	F2	Drug Possession
Penalty Group 2	HSC 481.124	F3	Drug Possession
Penalty Group 3 or 4	HSC 481.124	FS	Drug Possession
Anhydrous ammonia	HSC 481.1245	F3	Drug Possession
DANGEROUS DRUG			
Delivery or offer of	HSC 483.042	FS	Drug Sale/Manufacture
Manufacture of	HSC 483.043	FS	Drug Sale/Manufacture
DRUG PARAPHERNALIA, POSSESSION OR DELIVERY			
To minor	HSC 481.125	FS	Drug Sale/Manufacture
MANUFACTURE OR DELIVERY OF SUBSTANCE IN:			
Penalty Group 1 (Cocaine, heroin, methadone, methamphetamine, opium, etc.)	HSC 481.112	FS-F1+	Drug Sale/Manufacture
Penalty Group 1-A (LSD)	HSC 481.1121	FS-F1+	Drug Sale/Manufacture
Penalty Group 2 (Amphetamine, mescaline, etc.)	HSC 481.113	FS-F1+	Drug Sale/Manufacture
Penalty Group 3 or 4	HSC 481.114	FS-F1+	Drug Sale/Manufacture
MARIJUANA			
Delivery of	HSC 481.120	FS-F1+	Drug Sale/Manufacture
Delivery to child	HSC 481.122	F2	Drug Sale/Manufacture
Possession of	HSC 481.121	FS-F1+	Drug Possession
POSSESSION OF SUBSTANCE IN:			
Penalty Group 1 (Cocaine, heroin, methadone, methamphetamine, opium, etc.)	HSC 481.115	FS-F1+	Drug Possession
Penalty Group 1-A (LSD)	HSC 481.1151	FS-F1+	Drug Possession
Penalty Group 2 (Amphetamine, mescaline, etc.)	HSC 481.116	FS-F2+	Drug Possession
Penalty Group 3	HSC 481.117	F3-F2+	Drug Possession
Penalty Group 4	HSC 481.118	F3-F2+	Drug Possession
PRECURSOR SUBSTANCE, TRANSFER FOR UNLAWFUL MANUFACTURE	HSC 481.137	F3	Drug Sale/Manufacture
PROHIBITED SUBSTANCES IN ADULT OR JUVENILE CORRECTIONAL OR DETENTION FACILITY OR ON PROPERTY OF TEXAS DEPT OF CRIMINAL JUSTICE OR TEXAS YOUTH COMMISSION	38.11	F3	Other Felony
SIMULATED CONTROLLED SUBSTANCE, MANUFACTURE W/ INTENT DELIVER	HSC 482.002	FS	Drug Sale/Manufacture
EMERGENCY TELEPHONE CALL, INTERFERENCE WITH			
Prior conviction	42.062	FS	Other Felony
ESCAPE			
Causes serious bodily injury or uses (or threatens to use) a deadly weapon	38.06	F1	Other Felony
Causes bodily injury	38.06	F2	Other Felony
Felony arrest, charge or conviction or confined in correctional facility	38.06	F3	Other Felony
ESCAPE, PERMITTING OR FACILITATING			
Using or threatening to use deadly weapon	38.07	F2	Other Felony
Escapee was felon in secure correctional facility	38.07	F2	Other Felony
Felony arrest, charge or conviction or escapee was felon in non-secure correctional facility	38.07	F3	Other Felony
Providing deadly weapon for escape	38.09	F2	Other Felony
Providing implement for escape	38.09	F3	Other Felony

<u>OFFENSE</u>	<u>PENAL CODE SECTION*</u>	<u>PENALTY</u>	<u>CASE-TYPE CATEGORY</u>
<b>EVADING ARREST OR DETENTION</b>			
Use of vehicle, no prior conviction	38.04	FS	Other Felony
Use of vehicle, prior conviction	38.04	F3	Other Felony
Causes serious bodily injury	38.04	F3	Other Felony
Causes death of person	38.04	F2	Other Felony
<b>EXPLOSIVES, POSSESSION OF COMPONENTS OF</b>	46.09	F3	Other Felony
<b>FALSE ALARM OR REPORT</b>			
Involving public schools, utilities, communications, or other public service	42.06	FS	Other Felony
Involving child care or family care facility (2 <sup>nd</sup> or subsequent offense)	Human Resources Code 42.0447	FS	Other Felony
<b>FALSE INFORMATION / STATEMENT TO METAL RECYCLCLER</b>			
Previous conviction	OC 1956.040	FS	Other Felony
<b>FALSE STATEMENT TO OBTAIN CREDIT OR PROPERTY</b>			
Value of credit or property \$1,500 or more	32.32	FS-F1	Other Felony
<b>FALSELY HOLDING ONESELF OUT AS A LAWYER</b>	38.122	F3	Other Felony
<b>FIDUCIARY PROPERTY OR PROPERTY OF FINANCIAL INSTITUTION, MISAPPLICATION OF</b>			
Value \$1,500 or more	32.45	FS-F1	Other Felony
<b>FINANCING STATEMENT, FRAUDULENT FILING OF</b>			
With intent to defraud or harm, statement contains false statement or is groundless	37.101	FS	Other Felony
Statement is forged	37.101	F3	Other Felony
Statement is forged, 2 prior convictions	37.101	F2	Other Felony
<b>FORGERY</b>			
Money, security, postage or revenue stamps, government record, instruments issued by government agency, stocks, bonds	32.21	F3	Other Felony
Will, codicil, deed, deed of trust, mortgage, security instrument, security agreement, credit card, check or sight order for payment of money, contract, release, or other commercial instrument	32.21	FS	Other Felony
Committed against elderly individual	32.21	One category higher than crime committed	Other Felony
<b>FRAUD</b>			
Controlled substance listed in Schedule I or II	HSC 481.129	F2	Other Felony
Controlled substance listed in Schedule III or IV	HSC 481.129	F3	
Delivers prescription or prescription form for other than valid medical purpose in course of professional practice or prescription for controlled substance in Schedule II	HSC 481.129	F2	Other Felony
Delivers prescription or prescription form for other than valid medical purpose in course of professional practice or prescription for controlled substance in Schedule III, IV or V	HSC 481.129	F3	Other Felony
Possession of prescription or prescription form for controlled substance listed in Schedule II or III or possession of prescription form	HSC 481.129	FS	Other Felony
Medicaid	35A.02	FS-F1	Other Felony
Obstructing investigation by Attorney General \$1,500<\$20,000	35A.02	FS	Other Felony
<b>GANG MEMBERSHIP COERCING, SOLICITING, OR INDUCING</b>			
Threatens with bodily injury	22.015	FS	Assault or Attempted Murder
Causes bodily injury	22.015	F3	Assault or Attempted Murder

<u>OFFENSE</u>	<u>PENAL CODE SECTION*</u>	<u>PENALTY</u>	<u>CASE-TYPE CATEGORY</u>
GOVERNMENTAL RECORD, TAMPERING WITH			
With intent to defraud or harm	37.10	FS	Other Felony
Forensic analyses or equipment records	37.10	F3	Other Felony
Public school record, license, certificate, permit, seal, title, letter of patent	37.10	F3	Other Felony
With intent to defraud or harm	37.10	F2	Other Felony
Pursuant to subsection (d)(2)	37.10	F3	Other Felony
GRAFFITI			
On school, higher education institution, place of worship or human burial, public monument, or community center	28.08	FS	Other Felony
Pecuniary loss \$1,500 or more	28.08	FS-F1	Other Felony
HARASSMENT			
By persons in certain correctional facilities	22.11	F3	Other Felony
Of public servant	22.11	F3	Other Felony
HARMFUL MATERIALC SALE, DISTRIBUTION, OR DISPLAY TO MINOR			
Hiring minor to commit	43.24	F3	Other Felony
HINDERING APPREHENSION OR PROSECUTION			
Of adult or juvenile under authority of warrant or capias	38.05	F3	Other Felony
Of known felon	38.05	F3	Other Felony
HINDERING SECURED CREDITORS			
Value of property \$1,500 or more	32.33	FS-F1	Other Felony
HOMICIDE, CRIMINALLY NEGLIGENT	19.05	FS	Other Felony
IDENTIFYING INFORMATION, FRAUDULENT USE OR POSSESSION OF			
Less than 5 items	32.51	FS	Other Felony
5 or more, but fewer than 10 items	32.51	F3	Other Felony
10 or more, but fewer than 50 items	32.51	F2	Other Felony
50 items or more	32.51	F1	Other Felony
Committed against elderly individual	32.51	One degree higher than crime committed	Other Felony
IMPERSONATING PUBLIC SERVANT	37.11	F3	Other Felony
INJURY TO CHILD, ELDERLY INDIVIDUAL, OR DISABLED INDIVIDUAL			
Criminal negligence	22.04	FS	Assault/Attempted Murder
Intentional			
Bodily injury	22.04	F3	Assault/Attempted Murder
Exploitation	22.04	F3	Assault/Attempted Murder
Serious bodily or mental injury	22.04	F1	Assault/Attempted Murder
Reckless			
Bodily injury	22.04	FS	Assault/Attempted Murder
Exploitation	22.04	FS	Assault/Attempted Murder
Serious bodily or mental injury	22.04	F2	Assault/Attempted Murder
INSURANCE FRAUD			
False statement presented to insurer	35.02	FS	Other Felony
Value of claim			
\$1,500 or more	35.02	FS-F1	Other Felony
Less than \$200,000 and commission of offense placed a person at risk of death or serious bodily injury	35.02	F1	Other Felony
INTOXICATION ASSAULT	49.07	F3	Other Felony
Causes serious bodily injury to peace officer, firefighter, or EMS personnel	49.09	F2	Other Felony

<u>OFFENSE</u>	<u>PENAL CODE SECTION*</u>	<u>PENALTY</u>	<u>CASE-TYPE CATEGORY</u>
INTOXICATION MANSLAUGHTER	49.08	F2	Other Felony
Causes death of peace officer, firefighter, or EMS personnel	49.09	F1	Other Felony
KIDNAPPING			
Ordinary	20.03	F3	Other Felony
Aggravated			
Ordinary	20.04	F1	Other Felony
Released victim in safe place	20.04	F2	Other Felony
MANSLAUGHTER			
Reckless	19.04	F2	Other Felony
MARRIAGE			
Knowingly providing parental consent when applicant is under 16 or is already married	Family Code 2.102	F3	Other Felony
Knowingly conducting marriage ceremony for minor who prohibited from marrying by law or if marriage results in bigamy	Family Code 2.202	F3	Other Felony
METAL OR BODY ARMOR, UNLAWFUL POSSESSION BY FELON	46.041	F3	Other Felony
MISCHIEF, CRIMINAL			
Pecuniary loss			
\$1,500 or more	28.03	FS-F1	Other Felony
Less than \$1,500 if habitation damaged by firearm or explosive weapon	28.03	FS	Other Felony
Less than \$1,500 if fence used for production/containment of livestock or game animals	28.03	FS	Other Felony
\$1,500 or more but less than \$20,000 and damage to public or private elementary school, secondary school, or institution of higher education	28.03	FS	Other Felony
Less than \$20,000 and damage to place of worship or human burial, public monument or community center that provides medical, social, or educational programs	28.03	FS	Other Felony
Transportation / communication equipment / devices <\$100,000	28.03	F3	Other Felony
MONEY LAUNDERING			
Value of funds \$1,500 or more	34.02	FS-F1	Other Felony
MOTOR VEHICLE, FRAUDULENT TRANSFER OF	32.34	FS-F3	Other Felony
MURDER			
Ordinary	19.02	F1	Murder
Sudden passion	19.02	F2	Murder
NON-SUPPORT, CRIMINAL	25.05	FS	Other Felony
OBSCENITY			
Wholesale promotion	43.23	FS+	Other Felony
OBSTRUCTION OR RETALIATION			
Ordinary	36.06	F3	Other Felony
Against juror	36.06	F2	Other Felony
OFFICIAL CAPACITY, ABUSE OF			
Misuse of government property \$1,500 or more	39.02	FS-F1	Other Felony
OFFICIAL INFORMATION, MISUSE OF	39.06	F3	Other Felony

<u>OFFENSE</u>	<u>PENAL CODE SECTION*</u>	<u>PENALTY</u>	<u>CASE-TYPE CATEGORY</u>
ORGANIZED CRIMINAL ACTIVITY, ENGAGING IN			
Conspired and crime not committed	71.02	Same as offense conspired to commit	Other Felony
Unless withdrew and tried to prevent commission of offense	71.02	One category lower than offense conspired to commit	Other Felony
Conspired and crime committed	71.02	One degree higher than crime committed	Other Felony
Unless withdrew and tried to prevent commission of offense	71.02	Same as offense conspired to commit	Other Felony
PEN REGISTER OR TRAP AND TRACE DEVICE, UNLAWFUL USE OF			
	16.03	FS	Other Felony
PERJURY, AGGRAVATED			
	37.03	F3	Other Felony
PHOTOGRAPHY OR VISUAL RECORDING, IMPROPER			
	21.15	FS	Other Felony
PHYSICAL EVIDENCE, TAMPERING WITH OR FABRICATING			
Intent to impair human corpse	37.09	F2	Other Felony
Knowing investigation/official proceeding pending	37.09	F3	Other Felony
POLICE SERVICE ANIMALS, INTERFERENCE WITH			
Injures animal or engages in conduct likely to injure animal	38.151	FS	Other Felony
Kills animal or engages in conduct likely to kill animal	38.151	F3	Other Felony
PROTECTIVE ORDER OR MAGISTRATE=S ORDER, VIOLATION OF			
Two or more prior convictions or committed assault or stalking	25.07	F3	Other Felony
PROTECTIVE ORDER PREVENTING OFFENSE CAUSED BY BIAS OR PREJUDICE, VIOLATION OF			
Two or more prior convictions or committed assault	25.071	F3	Other Felony
PUBLIC COMMUNICATIONS, ILLEGAL DIVULGENCE OF			
	16.05	FS	Other Felony
PUBLIC SERVANT OR VOTER, COERCION OF			
Coercion is threat to commit felony	36.03	F3	Other Felony
RAILROAD PROPERTY, INTERFERENCE WITH			
Bodily injury caused	28.07	F3	Other Felony
Pecuniary loss \$1,500 or more	28.07	FS-F1	Other Felony
RECORD OF A FRAUDULENT COURT			
Two or more prior convictions	37.13	F3	Other Felony
RECORDING DEVICE, UNAUTHORIZED OPERATION IN MOTION PICTURE THEATER			
	Business & Commerce Code		
2 <sup>nd</sup> offense	35.935	FS	Other Felony
3 <sup>rd</sup> or subsequent offense	35.935	F3	Other Felony
REGULATED MATERIALS			
Purchase stolen	OC 1956.040	FS	Other Felony
With previous conviction	OC 1956.040	FS	Other Felony
Sell stolen	OC 1956.040	FS	Other Felony
With previous conviction	OC 1956.040	F3	Other Felony
RESISTING ARREST, SEARCH, OR TRANSPORTATION			
Using deadly weapon	38.03	F3	Other Felony
RIGHTS OF GUARDIAN OF THE PERSON, INTERFERENCE			
	25.10	FS	Other Felony
RIOT			
Felony offense committed during riot	42.02	Same penalty as offense committed	Other Felony

<u>OFFENSE</u>	<u>PENAL CODE SECTION*</u>	<u>PENALTY</u>	<u>CASE-TYPE CATEGORY</u>
ROBBERY			
Ordinary	29.02	F2	Robbery
Aggravated	29.03	F1	Robbery
SEXUAL OFFENSES:			
CHILD, INDECENCY WITH			
By exposure	21.11	F3	Sexual Assault/Child
By sexual contact	21.11	F2	Sexual Assault/Child
CONTINUOUS SEXUAL ABUSE OF A YOUNG CHILD	21.02	F1	Indecency/Sexual Assault of Child
IMPROPER SEXUAL ACTIVITY WITH PERSON IN CUSTODY			
In custody of Texas Youth Commission	39.04	FS	Other Felony
	39.04	F2	Other Felony
IMPROPER RELATIONSHIP BETWEEN EDUCATOR AND STUDENT	21.12	F2	Sexual Assault/Child
INTERNET			
Communicating with minor for purpose of sexual gratification or distributing explicit material to minor	33.021	FS	Other Felony
If minor under 14 or actor believes is under 14	33.021	F2	Other Felony
Soliciting minor with intent of meeting to engage in sexual conduct	33.021	F3	Other Felony
If minor under 14 or actor believes is under 14	33.021	F2	Other Felony
PROSTITUTION			
Aggravated promotion	43.04	F3	Other Felony
Compelling	43.05	F2	Other Felony
Three or more prior convictions	43.02	FS	Other Felony
SEXUAL ASSAULT			
Ordinary			
Of adult	22.011	F2	Sexual Assault/Adult
Of child (under 17)	22.011	F2	Sexual Assault/Child
Of person whom defendant prohibited from marrying or living under appearance of marriage under Penal Code 25.01 (Bigamy)	22.011	F1	Sexual Assault/Adult or Child
Aggravated			
Of adult	22.021	F1	Sexual Assault/Adult
Of child (under 17)	22.021	F1	Sexual Assault/Child
SEXUAL CONDUCT, PROHIBITED			
With first degree cousin	25.02	F3	Other Felony
	25.02	F2	Other Felony
SEXUAL PERFORMANCE BY CHILD			
Employs, authorizes, induces	43.25	F2	Other Felony
Children under 14 years old	43.25	F1	Other Felony
Produces, directs, promotes	43.25	F3	Other Felony
Children under 14 years old	43.25	F2	Other Felony
SIMULATING LEGAL PROCESS			
Prior conviction	32.48	FS	Other Felony
SOLICITATION, CRIMINAL			
Soliciting a capital offense	15.03	F1	Other Felony
Soliciting a first degree felony	15.03	F2	Other Felony
SOLICITATION OF A MINOR			
	15.031	One category lower than the intended offense	Other Felony
Online			
Intent to engage in sexual conduct	33.021	FS	Other Felony
Minor under 14 years old	33.021	F3	Other Felony
	33.021	F2	Other Felony

<u>OFFENSE</u>	<u>PENAL CODE SECTION*</u>	<u>PENALTY</u>	<u>CASE-TYPE CATEGORY</u>
<b>SOLICITING MEMBERSHIP IN A CRIMINAL STREET GANG</b>			
First offense	71.022	F3	Other Felony
Second or subsequent offense	71.022	F2	Other Felony
<b>STALKING</b>			
First offense	42.072	F3	Other Felony
Prior conviction	42.072	F2	Other Felony
<b>SUICIDE, AIDING</b>			
Resulting in serious bodily injury or death	22.08	FS	Other Felony
<b>TELECOMMUNICATIONS ACCESS DEVICE, PUBLICATION OF</b>			
Prior conviction	33A.05	F3	Other Felony
<b>TELECOMMUNICATIONS DEVICEC MANUFACTURE, POSSESSION, OR DELIVERY OF UNLAWFUL</b>			
	33A.03	F3	Other Felony
<b>TELECOMMUNICATIONS SERVICE, THEFT OF</b>			
Value \$1,500 or more	33A.04	FS-F1	Theft
<b>TELECOMMUNICATIONS SERVICE, UNAUTHORIZED USE OF</b>			
Value			
Less than \$1,500 & two or more prior convictions	33A.02	FS	Other Felony
\$1,500 or more	33A.02	FS-F1	Other Felony
<b>TERRORISTIC THREAT</b>			
Impairment of public utilities, communications, or transportation	22.07	F3	Other Felony
Interfere with conduct or activities of government	22.07	F3	Other Felony
Place public in fear of serious bodily injury	22.07	F3	Other Felony
<b>THEFT</b>			
Automobile	31.03	FS-F1	Automobile Theft
Firearm stolen	31.03	FS	Theft
From person or from corpse or grave	31.03	FS	Theft
Livestock	31.03	FS-F3	Theft
Organized retail			
Value greater than \$1,500 but less than \$20,000	31.16	FS	Theft
Value greater than \$20,000 but less than \$100,000	31.16	F3	Theft
Value greater than \$100,000 but less than \$200,000	31.16	F2	Theft
Value greater than \$200,000	31.16	F1	Theft
Value of property			
\$1,500 or more but less than \$20,000	31.03	FS	Theft
Less than \$1,500 and two or more prior convictions	31.03	FS	Theft
\$20,000 or more	31.03	F3-F1	Theft
<i>NOTE: If the value of the property stolen is less than \$200,000, the degree of offense is increased to the next higher category if: a) the actor was a public servant, or b) the actor was in a contractual relationship with government and the property came into possession through a contractual relationship.</i>			
Value of service \$1,500 or more	31.04	FS-F1	Theft
Wire/cable 50% aluminum/bronze/copper less than \$20,000	31.03	FS	Theft
<b>TRADE SECRETS, THEFT OF</b>			
	31.05	F3	Theft
<b>TRADEMARK COUNTERFEITING</b>			
Value \$1,500 or more	32.23	FS-F1	Other Felony
<b>TRAFFICKING OF PERSONS</b>			
Ordinary	20A.02	F2	Other Felony
If person trafficked is younger than 14 or death occurs	20A.02	F1	Other Felony
If person trafficked is younger than 18 and death occurs	20A.02	F1	Other Felony

<u>OFFENSE</u>	<u>PENAL CODE SECTION*</u>	<u>PENALTY</u>	<u>CASE-TYPE CATEGORY</u>
UNAUTHORIZED ABSENCE FROM COMMUNITY CORRECTIONS FACILITY, COUNTY CORRECTIONAL CENTER, OR ASSIGNMENT SITE	38.113	FS	Other Felony
UNAUTHORIZED DISCLOSURE OF INFORMATION	HSC 481.127	FS	Other Felony
UNAUTHORIZED PRACTICE OF LAW Prior conviction	38.123	F3	Other Felony
UNAUTHORIZED USE OF VEHICLE	31.07	FS	Automobile Theft
UNLAWFUL RESTRAINT Child under 17	20.02	FS	Other Felony
Risk of serious bodily injury; public servant; actor in custody of sexual offense	20.02	F3	Other Felony
UNLAWFUL TRANSPORT	20.05	FS	Other Felony
VICTIM, IMPROPER CONTACT WITH Actor confined in correctional facility after felony conviction of sexual offense	38.111	F3	Other Felony
VOTING MACHINE, TAMPERING WITH ELECTRONIC Attempted	33.05 33.05	F1 F3	Other Felony Other Felony
<b>WEAPONS OFFENSES:</b>			
POSSESSION IN PROHIBITED PLACE	46.03	F3	Other Felony
POSSESSION OF machine gun, explosive weapon, stun gun, short-barrel firearm, firearm silencer, armor-piercing ammunition, chemical dispensing device, or zip gun	46.05	F3	Other Felony
TAKING WEAPON FROM PEACE OFFICER, PAROLE OFFICER, OR COMMUNITY SUPERVISION & CORRECTIONS OFFICER Attempting to take	38.14 38.14	F3 FS	Other Felony Other Felony
UNLAWFUL CARRYING OF HANDGUN BY LICENSE HOLDER On alcohol licensed premises On premises of correctional facility	46.035 46.035	F3 F3	Other Felony Other Felony
UNLAWFUL CARRYING OF HANDGUN, ILLEGAL KNIFE OR CLUB ON PREMISES LICENSED FOR SALE OF ALCOHOLIC BEVERAGES	46.02	F3	Other Felony
UNLAWFUL POSSESSION OF FIREARM BY FELON	46.04	F3	Other Felony
UNLAWFUL TRANSFER OF HANDGUN TO CHILD UNDER 18	46.06	FS	Other Felony
WITNESS, TAMPERING WITH	36.05	FS	Other Felony
WRITING OF FRAUDULENT DESTRUCTION, REMOVAL, OR CONCEALMENT OF Will, codicil, deed, mortgage, deed of trust, security instrument, security agreement, or other publicly recordable writing	32.47	FS	Other Felony

\* Unless otherwise noted, all code sections refer to the Penal Code. AHSC@ refers to the Health and Safety Code.

## Conspiracy charges will be stated in an indictment or information as an agreement to commit some other crime such as murder, kidnapping, delivery of a controlled substance, etc.