

# TEXAS JUDICIAL SYSTEM

## SUBJECT-MATTER JURISDICTION OF THE COURTS

### INTRODUCTION

The basic structure of the present court system of Texas was established by an 1891 constitutional amendment. The amendment established the Supreme Court, the highest state appellate court for civil matters, and the Court of Criminal Appeals, which makes the final determination in criminal matters. There are 14 intermediate courts of appeals which exercise intermediate appellate jurisdiction in civil and criminal cases.

The state trial courts of general jurisdiction are the district courts, of which there were 432 as of September 1, 2005. Ten of these courts are designated "Criminal District Courts." The Legislature has authorized the creation of six additional courts on September 1, 2007.

The geographical area served by each district court is established by the specific statute creating that court and does not necessarily correspond to the area served by any previously established court. Each court has one judge.

In addition to these state courts, the Texas Constitution provides for a county court in each county, presided over by the county judge. The county judge also serves as head of the county commissioners' court, the governing body of the county. To aid the constitutional county court with its judicial functions, the Legislature has established statutory county courts, designated as county courts at law or probate courts, in the more populous counties. As of September 1, 2005, there were 17 probate courts and 216 county courts at law in operation in 84 counties. Three additional county courts at law and one additional probate court have been authorized by the Legislature but have not been implemented as of September 1, 2005. One additional county court at law was implemented October 1, 2005. Four additional courts have been authorized by the Legislature to become operational at a later date.

The Texas Constitution authorizes not less than one nor more than 16 justices of the peace in each county. Under this provision approximately 826 justice of the peace courts have been established. These courts also serve as small claims courts.

By statute, the Legislature has created municipal courts in each incorporated city in the State. In lieu of these courts, municipalities may choose to establish municipal courts of record. Municipal courts have original and exclusive jurisdiction over criminal violations of certain municipal ordinances and airport board rules, orders or resolutions that do not exceed \$2,500 in some cases and \$500 in others and concurrent criminal jurisdiction with the justice of the peace courts over state law violations, limited to the geographical confines of the municipality.

Trials in the justice of the peace and municipal courts, other than municipal courts of record, are not of record, and appeals therefrom are by trial *de novo* to the county court, except in certain counties, as noted later, where the appeal is to a county court at law or to a district court. When an appeal is by trial *de novo*, the case is tried again in the higher court, just as if the original trial had not occurred. Appeals from municipal courts of record are generally heard in the county criminal courts, county criminal courts of appeal or municipal courts of appeal.

Jurisdiction of the various levels of courts is established by constitutional provision and by statute. Statutory jurisdiction is established by general statutes providing jurisdiction for all courts on a particular level, as well as by the statutes establishing individual courts. Thus, to determine the jurisdiction of any one particular court, recourse must be had first to the Constitution, second to the general statutes establishing jurisdiction for that level of court, third to the specific statute authorizing

the establishment of the particular court in question, fourth to statutes creating other courts in the same county (whose jurisdictional provisions may affect the court in question), and fifth to statutes dealing with specific subject matters (such as the Family Code, which requires, for example, that judges who are lawyers hear appeals from actions by non-lawyer judges in juvenile cases.)

The State provides full funding for the Supreme Court and the Court of Criminal Appeals. It provides a base salary and some expenses for the appellate and district judges of Texas. Most counties supplement the base salary for district courts and courts of appeals. Counties pay the costs of "constitutional" county courts, county courts at law, justice of the peace courts, and the operating costs of district courts except for the base salary of the judge. The cities finance the operation of municipal courts.

### APPELLATE COURTS

The appellate courts of the Texas Judicial System are: (1) the Supreme Court, the highest state appellate court for civil and juvenile cases; (2) the Court of Criminal Appeals, the highest state appellate court for criminal cases; and (3) the 14 courts of appeals, the intermediate appellate courts for civil and criminal appeals from the trial level courts.

Appellate courts do not try cases, have jurors, or hear witnesses. Rather, they review actions and decisions of the lower courts on questions of law or allegations of procedural error. In carrying out this review, the appellate courts are usually restricted to the evidence and exhibits presented in the trial court.

### THE SUPREME COURT

In 1836, the Supreme Court of Texas was first established by the Constitution of the Republic of Texas, which vested the judicial power of the Republic in "...one Supreme Court and such inferior courts as the Congress may establish." This Court was re-established by each successive constitution adopted throughout the course of Texas history. The various constitutions and amendments thereto, however, provided for different numbers of judges to sit on the Court and different methods for the selection of the judges. The Constitution of 1845 provided that the Supreme Court consist of a chief justice and two associate justices. The Constitution of 1866 provided for five justices, and the Constitution of 1869 reverted to a three-judge court; the Constitution of 1873 increased the number to five, and the Constitution of 1876 again reduced the membership to three. To aid the three justices in disposing of the ever increasing workload, the Legislature created two "Commissions of Appeals," each to consist of three judges appointed by the Supreme Court. This system, begun in 1920, continued until the adoption of the constitutional amendment of 1945 which abolished the two Commissions of Appeals and increased the number of justices on the Supreme Court to nine, the present number.

A constitutional amendment adopted in 1980 provides:

The Supreme Court shall exercise the judicial power of the state except as otherwise provided in this Constitution. Its jurisdiction shall be coextensive with the limits of the State and its determinations shall be final except in criminal law matters. Its appellate jurisdiction shall be final and shall extend to all cases except in criminal law matters and as otherwise provided in this Constitution or by law.

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Thus, the Supreme Court of Texas has statewide final appellate jurisdiction in most civil and juvenile cases. The Supreme Court is empowered to make and enforce all necessary rules of civil trial practice and procedure, evidence, and appellate procedure, and to promulgate rules of administration to provide for the efficient administration of justice in the State. A constitutional amendment effective January 1, 1986, gave the Supreme Court and the Court of Criminal Appeals jurisdiction to answer questions of state law certified from a federal appellate court. The Supreme Court has original jurisdiction to issue writs and to conduct proceedings for the involuntary retirement or removal of judges.

The Supreme Court is composed of one chief justice and eight justices, who are elected in partisan elections on a statewide basis for six-year terms of office. Vacancies between elections are filled by gubernatorial appointment with the advice and consent of the State Senate, until the next general election. To be eligible to serve as a justice of this court, a person must be licensed to practice law in this State, be a citizen of the United States and of the State of Texas, be at least 35 years of age, and have been a practicing lawyer, or a lawyer and judge of a court of record together, for at least ten years.

In addition to its major responsibilities of hearing oral arguments, deciding cases appealed to it, and writing opinions, the Supreme Court has many administrative duties placed upon it by the Legislature to ensure the efficient administration of justice by the Texas judicial system. These duties include: (1) promulgating the Rules of Civil Procedure for the Texas judicial system (Gov't Code §22.004); (2) promulgating rules of administration for the Texas judicial system (Gov't Code §72.024); (3) equalizing the dockets of the 14 courts of appeals (Gov't Code §73.001); (4) promulgating the rules of procedure for the Commission on Judicial Conduct, and disciplining judges or removing judges from office (Gov't Code, Ch. 33, art. V, sec.1-a); (5) supervising the operations of the State Bar of Texas and the rules and regulations for the admission, discipline, supervision, and disbarment of lawyers, and approving the law schools of the State (Gov't Code, Ch. 81); and (6) promulgating the rules for the operation of the Court Reporters Certification Board and the disciplinary rules enforced by this Board (Gov't Code §52.002).

The Chief Justice has the responsibility to: (1) confer with the presiding judges of the administrative judicial regions to promote the prompt dispatch of judicial business (Gov't Code §74.001); (2) assign judges between administrative judicial regions (Gov't Code §74.057); (3) assign retired appellate justices to the various courts of appeals on a temporary basis (Gov't Code §74.003); (4) deliver a "State of the Judiciary" message at the commencement of each regular session of the Legislature (Gov't Code §21.004); and (5) ensure that the Supreme Court executes and implements its administrative duties and responsibilities (Gov't Code §74.006).

### THE COURT OF CRIMINAL APPEALS

To relieve the Supreme Court of some of its caseload, the Constitution of 1876 created the Court of Appeals, composed of three elected judges, with appellate jurisdiction in all criminal cases and in those civil cases tried by the county courts. The judiciary article that was created by the constitutional amendment of 1891 changed the name of this court to the Court of Criminal Appeals and limited its jurisdiction to appellate jurisdiction in criminal cases only.

A constitutional amendment adopted in 1980 provides:

The Court of Criminal Appeals shall have final appellate jurisdiction coextensive with the limits of the State, and its determination shall be final, in all criminal cases of whatever grade, with such exceptions and under such regulations as may be provided in this Constitution or as prescribed by law.

The jurisdiction of the Court of Criminal Appeals extends to criminal cases heard by the intermediate courts of appeals and directly from the trial courts in all cases in which the death penalty has been imposed. The Court of Criminal Appeals (and the Supreme Court) have jurisdiction to answer questions of state law certified from a federal appellate court. In addition, the Legislature has authorized the Court of Criminal Appeals to promulgate rules of evidence and appellate procedure for criminal cases.

The Court of Criminal Appeals, as originally established, was composed of three judges. As its workload increased, the Legislature granted it the authority to appoint commissioners to aid in the disposition of pending cases. The number of judges on the Court was increased to five by a constitutional amendment adopted in 1966, and was again increased to nine by another constitutional amendment adopted in 1977.

Today, the Court of Criminal Appeals consists of a presiding judge and eight additional judges, who must have the same qualifications, and are elected in the same manner, as the justices of the Supreme Court.

### THE COURTS OF APPEAL

The first intermediate appellate court in Texas was created by the Constitution of 1876, which created a Court of Appeals with appellate jurisdiction in all criminal cases and in all civil cases originating in the county courts. However, by 1891, the docket of the Supreme Court had become so crowded that it became apparent that other changes were necessary to expedite the disposition of appellate cases. Thus, the amendment of 1891 converted the Court of Appeals into the Court of Criminal Appeals and authorized the Legislature to establish intermediate courts of civil appeals located at various places throughout the State. The purpose of this amendment was to preclude the large quantity of civil litigation from further congesting the docket of the Supreme Court, while at the same time providing for a more convenient and less expensive system of intermediate appellate courts for civil cases. Under this authority, the Legislature has divided the State into 14 court of appeals districts and has established a court of appeals in each.

Courts of appeals are now located in the following cities: Amarillo, Austin, Beaumont, Corpus Christi/Edinburg, Dallas, Eastland, El Paso, Fort Worth, Houston (two courts), San Antonio, Texarkana, Tyler, and Waco.

Each court of appeals has jurisdiction of appeals from the trial courts located in its respective district. The appeals heard in these courts are based upon the "record" (a written transcription of the testimony given, exhibits introduced, and the documents filed in the trial court) and the written and oral arguments of the appellate lawyers. The courts of appeals do not receive testimony or hear witnesses in considering the cases on appeal.

Each of the courts of appeals has at least three judges--a chief justice and two other justices. However, the Legislature is empowered to increase this number whenever the workload of an individual court requires additional judges. There are now 80 judges serving on the 14 intermediate courts of appeals. The Dallas Court of Appeals has 13 justices, the two courts located in Houston (the First and the Fourteenth) each have nine justices, the courts located in Fort Worth and San Antonio each have seven, the courts located in Austin and Corpus Christi each have six, the courts located in Amarillo and Beaumont each have four, and the remaining courts each retain the constitutional minimum number of three.

Judges of these courts are elected in partisan elections for six-year terms of office by the voters in their own districts. They must have the same qualifications for office as the justices of the Supreme Court of Texas.

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### TRIAL COURTS

The trial courts are those courts in which witnesses are heard, testimony is received, exhibits are offered into evidence, and a verdict is rendered. In a civil case, the verdict determines which party to the lawsuit prevails; in a criminal case, the verdict determines whether the defendant is guilty or not guilty of the crime alleged. Defendants in criminal cases and the parties in civil lawsuits have the right to a trial by a jury of either six or twelve local citizens. Except in capital murder cases, the parties have the right to waive a trial by jury and have the judge presiding over the case make the final determination. Generally, determinations made in the trial courts can be appealed to the appellate courts for review.

The trial court structure in Texas has several different levels, each level handling different types of cases. The state trial court of general jurisdiction is known as the district court. The county-level courts consist of the "constitutional" county courts, the "statutory" county courts, and the "statutory" probate courts. In addition, there are the municipal courts, located in each incorporated city of the State, and the justice of the peace courts, located in precincts of each county of the State.

### DISTRICT COURTS

The district courts are the primary trial courts in Texas, the successor to the common law *nisi prius* courts. The Constitution of the Republic provided for not less than three nor more than eight district courts, each having a judge elected by a joint ballot of both houses of Congress for a term of four years. Most constitutions of the State continued the district courts but provided that the judges were to be elected by the qualified voters. (The exceptions were the Constitutions of 1845 and 1861 which provided for the appointment of judges by the Governor with confirmation by the Senate.) All of the constitutions have provided that the judges of these courts must be chosen from defined districts (as opposed to statewide election).

District courts are courts of general jurisdiction. A constitutional amendment adopted effective in November 1985 amends Article V, Section 8 of the Texas Constitution, in pertinent part, as follows:

District Court jurisdiction consists of exclusive, appellate, and original jurisdiction of all actions, proceedings, and remedies, except in cases where exclusive, appellate, or original jurisdiction may be conferred by this Constitution or other law on some other court, tribunal, or administrative body.

This provision, while it extends a district court's potential jurisdiction to "all actions," also makes such jurisdiction relative in that the court's jurisdiction excludes any matters in which exclusive, appellate, or original jurisdiction is conferred by law upon some other court. For this reason, while one can speak of the "general" jurisdiction of a district court, the actual jurisdiction of any specific court will always be limited by the constitutional or statutory provisions that confer exclusive, original, or appellate jurisdiction on other courts serving the same county or counties.

Taking into account the various constitutional and statutory provisions which confer general jurisdiction on other levels of court, it can be said that district courts generally have the following jurisdiction: original jurisdiction in all criminal cases of the grade of felony, and misdemeanors involving official misconduct; cases of divorce; suits for title to land or enforcement of liens on land; contested elections; suits for slander or defamation; and suits on behalf of the State for penalties, forfeitures and escheat.

The district courts also have jurisdiction in civil matters with a minimum monetary limit but no maximum limit. The amount of the lower limit is currently unclear. The courts of appeals have split opinions on whether the minimum amount in controversy must exceed \$200 or \$500. Prior to 1985, a minimum monetary limit of \$500 was required by Article V, Section 8 of the Texas Constitution and by article 1906 of the Revised

Civil Statutes. In 1985, article 1906 was codified in the Government Code. The lower limit was deleted from the codified version in an apparent attempt to eliminate the duplication in the code and the constitution. However, the constitution also was amended in 1985, and the \$500 limit was deleted.

Two courts of appeals have indicated that the minimum amount is \$200 because district courts have jurisdiction over matters unless another court has exclusive jurisdiction over the matter. Since justice courts have exclusive jurisdiction in civil matters under \$200, they stated that this is the lower limit of a district court's jurisdiction. See *Arteaga v. Jackson*, 994 S.W.2d 342, 342 (Tex. App. - Texarkana 1999, pet. denied) and *Arnold v. West Bend Co.*, 983 S.W.2d 365, 366 n.1 (Tex. App. - Houston [1st Dist.] 1998, no pet.). Another court of appeals has concluded that the codification of article 1906 was not intended to be a substantive change and thus, the limit is \$500. See *Chapa v. Spivey*, 999 S.W.2d 833, 835-836 (Tex. App. - Tyler 1999, no pet.).

Although the Supreme Court has discussed the conflict regarding the monetary jurisdictional minimum, it did not rule on the matter since it was not essential to the court's decision in the case. See *Peek v. Equipment Service Co.*, 779 S.W.2d 802, 804 n. 4 (Tex. 1989).

In those counties having statutory county courts at law, the district courts generally have exclusive jurisdiction in civil cases wherein the amount in controversy exceeds \$100,000 and concurrent jurisdiction with the statutory county courts at law in cases where the amount in controversy exceeds \$500 but is \$100,000 or less.

The district courts may hear contested matters in probate cases and have general supervisory control over commissioners' courts. In addition, district courts have the power to issue writs of habeas corpus, mandamus, injunction, certiorari, sequestration, attachment, garnishment, and all writs necessary to enforce their jurisdiction.

Appeals from judgments of the district courts are to the court of appeals having jurisdiction over the locale of the district court.

As of September 1, 2005, there were 432 separate district-level courts created by the Legislature. Each is identified by a separate number, each having its own judge elected by the voters of the judicial district. In a number of locations, the geographical jurisdiction of two or more district courts is overlapping.

A 1985 constitutional amendment established a Judicial Districts Board to reapportion Texas judicial districts, subject to legislative approval. The same amendment also allows for more than one judge per judicial district.

Most district courts exercise criminal and civil jurisdiction, but in the metropolitan areas there is a tendency for the courts to specialize in either civil, criminal, or family law matters. In some localities, the courts that exercise criminal jurisdiction exclusively are designated criminal district courts. A limited number of district courts also exercise the subject-matter jurisdiction normally exercised by county courts.

### SPECIALIZED JURISDICTION

The Supreme Court has repeatedly held that the Legislature cannot reduce the constitutional jurisdiction of a district court. *Lord v. Clayton*, 163 Tex. 62, 352 S.W.2d 718 (1961); *Ex Parte Richards*, 137 Tex. 520, 155 S.W.2d 597 (1941); *Reasonover v. Reasonover*, 122 Tex. 512, 58 S.W. 2d 817 (1933); *St. Louis S. W. Ry. v. Hall*, 98 Tex. 480, 85 S.W. 786 (1905). Accord, *Zamora v. State*, 508 S.W.2d 819 (Tex. Crim. App. 1974). See also, *Ward v. State*, 523 S.W.2d 681, 682 (Tex. Crim. App. 1975); *Castro v. State*, 124 Tex. Crim. 13, 60 S.W.2d 211 (1933); and dissenting opinion in *Ex Parte Bazemore*, 430 S.W.2d 205 (Tex. Crim. App. 1968).

In *St. Louis S.W. Ry. v. Hall*, the Supreme Court stated the rule as follows: "If the Legislature did enough to bring into active existence a

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district court, it was at once clothed with the powers conferred by the Constitution upon such courts, and any attempts in the act to unduly limit those powers must be treated as futile." 85 S.W. at 788. In *Lord v. Clayton*, the Supreme Court held that, although the statute creating the 136th District Court of Jefferson County purportedly limited its jurisdiction to civil cases only, and other legislation purported to give exclusive jurisdiction in criminal cases to the Criminal District Court of Jefferson County, the 136th Court was nevertheless a constitutional district court with full power to impanel a grand jury, receive an indictment, and try the accused.

A new facet has been added to this jurisdictional issue by the 1985 amendment of Article V, Section 8 of the Constitution which now grants the district courts jurisdiction over all matters "except in cases where...jurisdiction may be conferred by this constitution or other law on some other court....".

Although the Legislature has not been able to divest a regular district court of any of its constitutional jurisdiction, the Legislature may, under its constitutional authority to create "other courts" (Tex. Const. art. V, sec. 1), establish special "district-level" courts with limited jurisdiction. See *Jordan v. Crudgington*, 231 S.W.2d 641 (Tex. 1950) (regarding the Court of Domestic Relations of Potter County); *Ex Parte Richards*, 137 Tex. 520, 155 S.W.2d 597 (1941) (regarding the Criminal District Court of Willacy County).

One "Criminal District Court" was created with jurisdiction limited to criminal, divorce, dependent and delinquent children, adoption, and civil habeas corpus proceedings:

Criminal District Court of Jefferson County .....24.920 1

As will be noted later, most special "Criminal District Courts" have jurisdiction concurrent with county-level courts in criminal matters.

While the courts have ruled that the Legislature may not limit the jurisdiction of regular district courts, the statutes frequently express the intention that certain district courts give primary attention to only a portion of those matters over which they have jurisdiction.

The 65th Legislature, in 1977, converted all functioning domestic relations and special juvenile courts to district courts of general jurisdiction. However, these courts have primary responsibility for cases involving family law matters, including adoptions, birth records, divorce and marriage annulment, child welfare, custody, support and reciprocal support, dependency, neglect and delinquency, parent and child, and husband and wife. Section 24.601, Tex. Gov't Code. Section 24.601 does not limit other district courts' jurisdiction nor relieve them of responsibility for handling cases involving family law matters. Courts with primary responsibility for handling family law matters are known as "Family District Courts." There are now 32 such courts:

65th El Paso ..... 24.601, 24.635 2  
 300th Brazoria ..... 24.601, 24.608  
 301st Dallas ..... 24.601, 24.609  
 302nd Dallas ..... 24.601, 24.610  
 303rd Dallas ..... 24.601, 24.611  
 304th Dallas ..... 24.601, 24.612  
 305th Dallas ..... 24.601, 24.613  
 306th Galveston ..... 24.601, 24.614  
 307th Gregg ..... 24.601, 24.615  
 308th Harris ..... 24.601, 24.616  
 309th Harris ..... 24.601, 24.617  
 310th Harris ..... 24.601, 24.618  
 311th Harris ..... 24.601, 24.619  
 312th Harris ..... 24.601, 24.620  
 313th Harris ..... 24.601, 24.621  
 314th Harris ..... 24.601, 24.622  
  
 315th Harris ..... 24.601, 24.623 2  
 316th Hutchinson .....24.601, 24.624

317th Jefferson ..... 24.601, 24.625  
 318th Midland ..... 24.601, 24.626  
 319th Nueces ..... 24.601, 24.627  
 320th Potter ..... 24.601, 24.628  
 321st Smith ..... 24.601, 24.629  
 322nd Tarrant ..... 24.601, 24.630  
 323rd Tarrant ..... 24.601, 24.631  
 324th Tarrant ..... 24.601, 24.632  
 325th Tarrant ..... 24.601, 24.633  
 326th Taylor ..... 24.601, 24.634  
 328th Fort Bend ..... 24.601, 24.636  
 329th Wharton ..... 24.601, 24.637  
 330th Dallas ..... 24.601, 24.638  
 360th Tarrant ..... 24.601, 24.639

Thirteen district courts are to give preference to family law matters but are not designated as "Family District Courts":

231st Tarrant ..... 24.408 3  
 233rd Tarrant ..... 24.410  
 245th Harris ..... 24.422  
 246th Harris ..... 24.423  
 247th Harris ..... 24.424  
 254th Dallas ..... 24.431  
 255th Dallas ..... 24.432  
 256th Dallas ..... 24.433  
 257th Harris ..... 24.434  
 279th Jefferson ..... 24.456  
 387th Fort Bend ..... 24.532  
 388th El Paso ..... 24.533  
 393rd Denton ..... 24.538

One district court is to give preference to civil cases and cases under Title 2 or 5 of the Family Code:

225th Bexar ..... 24.403, 24.139 4

One district court is directed by statute to give preference to civil cases and cases under Title 3 of the Family Code:

73rd Bexar ..... 24.175, 24.139 5

One district court is directed by statute to give first preference to family law cases and second preference to criminal cases:

148th Nueces ..... 24.353 6

Another district court is directed to give primary preference to cases under Titles 2, 3 or 5 of the Family Code and secondary preference to criminal cases:

289th Bexar ..... 24.466, 24.139 7

Two district courts are to give preference to family violence and criminal matters:

398th Hidalgo ..... 24.543 8  
*(Note: Will not have family violence and criminal preference effective 01/01/07.)*  
 \* 430th Hidalgo ..... 24.574  
*Effective 01/01/07.*

One district court is to give preference to all family violence cases and cases under the Family Code and Health and Safety Code:

406th Webb ..... 24.551 9

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Eleven district courts are instructed to give preference to civil cases:

103rd Cameron.....	24.205	10
215th Harris .....	24.394	
295th Harris .....	24.472	
298th Dallas .....	24.475	
333rd Harris .....	24.479	
334th Harris .....	24.480	
342nd Tarrant .....	24.488	
345th Travis .....	24.491	
348th Tarrant .....	24.494	
352nd Tarrant .....	24.498	
408th Bexar .....	24.544	

Also, in Bexar County, all civil cases are to be docketed in one of the eleven district courts which do not give preference to criminal cases. (This provision may not be mandatory on the clerk. See *Lord vs. Clayton*, 352 S.W.2d at 722):

37th Bexar .....	24.139	11
45th Bexar .....	24.147, 24.139	
57th Bexar .....	24.159, 24.139	
73rd Bexar .....	24.175, 24.139	
131st Bexar .....	24.233, 24.139	
150th Bexar .....	24.249, 24.139	
166th Bexar .....	24.263, 24.139	
224th Bexar .....	24.402, 24.139	
225th Bexar .....	24.403, 24.139	
285th Bexar .....	24.462, 24.139	
288th Bexar .....	24.465, 24.139	

All tax suits in Webb County shall be assigned to one district court:

49th Webb .....	24.151	12
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Fifty-four district courts are instructed to give preference to criminal cases:

105th Nueces, Kenedy, Kleberg.....	24.207	13
107th Cameron .....	24.209	
138th Cameron .....	24.240	
144th Bexar .....	24.245, 24.139, 75.013	
147th Travis .....	24.248	
175th Bexar .....	24.268, 24.139, 75.013	
182nd Harris .....	24.362	
183rd Harris .....	2 4.363	
184th Harris .....	24.364	
185th Harris .....	24.365	
186th Bexar .....	24.274, 24.139, 75.013	
187th Bexar .....	24.366, 24.139, 75.013	
194th Dallas .....	24.373	
195th Dallas .....	24.374	
197th Cameron, Willacy .....	24.376	
202nd Bowie .....	24.381	
203rd Dallas .....	24.382	
204th Dallas .....	24.383	
205th Culberson, El Paso, Hudspeth .....	24.384	
207th Caldwell, Comal, Hays .....	24.386	
208th Harris .....	24.387	
209th Harris .....	24.388	
214th Nueces .....	24.393	
226th Bexar .....	24.404, 24.139, 75.013	
227th Bexar .....	24.405, 24.139, 75.013	
228th Harris .....	24.406	
230th Harris .....	24.407	
232nd Harris .....	24.409	
248th Harris .....	24.425	
252nd Jefferson .....	24.429	
262nd Harris .....	24.439	
263rd Harris .....	24.440	

265th Dallas .....	24.442	
282nd Dallas .....	24.459	13
283rd Dallas .....	24.460	
290th Bexar .....	24.467, 24.139, 75.013	
291st Dallas .....	24.468	
292nd Dallas .....	24.469	
297th Tarrant .....	24.474	
337th Harris .....	24.483	
338th Harris .....	24.484	
339th Harris .....	24.485	
351st Harris .....	24.497	
363rd Dallas .....	24.508	
371st Tarrant .....	24.516	
372nd Tarrant .....	24.517	
377th Victoria .....	24.522	
389th Hidalgo .....	24.534	
<i>(Note: Will not have criminal preference effective 01/01/07.)</i>		
390th Travis .....	24.535	
396th Tarrant .....	24.541	
399th Bexar .....	24.544, 75.013	
403rd Travis .....	24.548	
* 427th Travis .....	24.548	
<i>Effective 01/01/05.</i>		
Criminal District Court No. 4 of Tarrant County .....	24.571	

Two district courts are to give preference to juvenile matters:

386th Bexar .....	24.531	14
417th Collin.....	24.561	

The 76th Legislature enacted a procedure for the civil commitment of sexually violent predators (Sexually Violent Predators Act; Ch. 841, Health and Safety Code). Civil commitments under Ch. 841, Health and Safety Code may only be filed in the following five district courts:

9th Montgomery .....	24.109	15
221st Montgomery .....	24.399	
284th Montgomery.....	24.461	
359th Montgomery.....	24.505	
410th Montgomery.....	24.110	

As of September 1, 2005, 216 statutory county courts and 17 statutory probate courts had been implemented, largely in metropolitan areas. Three additional county courts at law and one additional probate court have been authorized by the Legislature but have not been implemented as of September 1, 2005. One additional county court at law was implemented on October 1, 2005. Four additional courts have been authorized to become operational at a later date.

A "statutory county court" means a county court created by the Legislature, including county courts at law, county criminal courts, county criminal courts of appeals, and county civil courts at law. A "statutory probate court" means a statutory court designated as a statutory probate court under Chapter 25, Gov't Code. A statutory county court exercising probate jurisdiction is not a statutory probate court unless it is designated one under Chapter 25, Gov't Code. While the jurisdiction of these courts is generally carved out of that given to the constitutional county courts, the statutes specify in many instances that certain jurisdiction normally in the district court is to be exercised concurrently by the statutory county court and the district court.

In one instance, the county court at law has concurrent jurisdiction with the district court in all matters:

County Court at Law of Panola County .....	25.1852	16
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In 1991, the 72nd Legislature passed H.B. 66, which provided that a statutory county court exercising civil jurisdiction of the county court, with certain exceptions enumerated in the statutes, has concurrent jurisdiction with the district court in civil cases in which the matter in

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*Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.*

controversy exceeds \$500 but does not exceed \$100,000 (excluding interest, statutory or punitive damages and penalties, and attorney's fees and costs, as alleged on the face of the petition) and appeals of final rulings and decisions of the division of workers' compensation of the Texas Department of Insurance (TDI) regarding workers' compensation claims. Sec. 25.0003, Tex. Gov't Code.

Fifty county courts at law have concurrent jurisdiction with the district court, as discussed above, in appeals of decisions of the division of workers' compensation of TDI and civil cases when the matter in controversy does not exceed \$100,000:

County Court at Law No. 1 of Bell County .....	25.0162	17
County Court at Law No. 2 of Bell County .....	25.0162	
County Court at Law No. 3 of Bell County .....	25.0162	
County Court at Law No. 1 of Bexar County .....	25.0172	
County Court at Law No. 2 of Bexar County .....	25.0172	
County Court at Law No. 3 of Bexar County .....	25.0172	
County Court at Law No. 4 of Bexar County .....	25.0172	
County Court at Law No. 5 of Bexar County .....	25.0172	
County Court at Law No. 6 of Bexar County .....	25.0172	
County Court at Law No. 7 of Bexar County .....	25.0172	
County Court at Law No. 8 of Bexar County .....	25.0172	
County Court at Law No. 9 of Bexar County .....	25.0172	
County Court at Law No. 10 of Bexar County .....	25.0172	
County Court at Law No. 11 of Bexar County .....	25.0172	
County Court at Law No. 12 of Bexar County .....	25.0172	
County Court at Law No. 1 of Collin County .....	25.0452	
County Court at Law No. 2 of Collin County .....	25.0452	
County Court at Law No. 3 of Collin County .....	25.0452	
County Court at Law No. 4 of Collin County .....	25.0452	
County Court at Law No. 5 of Collin County .....	25.0452	
* County Court at Law No. 6 of Collin County .....	25.0452	
<i>Implemented 10/01/05.</i>		
County Court at Law of Grayson County .....	25.0932	
County Court at Law No. 2 of Grayson County .....	25.0932	
County Criminal Court at Law No. 1 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 2 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 3 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 4 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 5 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 6 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 7 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 8 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 9 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 10 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 11 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 12 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 13 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 14 of Harris		
County .....	25.1033	
County Criminal Court at Law No. 15 of Harris		
County .....	25.1033	
County Court at Law of Harrison County .....	25.1042	
County Court at Law of Hunt County .....	25.1182	
County Court at Law No. 1 of Jefferson County .....	25.1252	
County Court at Law No. 2 of Jefferson County .....	25.1252	
County Court at Law No. 3 of Jefferson County .....	25.1252	

County Court at Law No. 1 of Potter County .....	25.1902
County Court at Law of Taylor County .....	25.2232
County Court at Law No. 2 of Taylor County .....	25.2232
County Court at Law of Tom Green County .....	25.2282
County Court at Law No. 2 of Tom Green County ..	25.2282
County Court at Law No. 1 of Victoria County .....	25.2372
County Court at Law No. 2 of Victoria County .....	25.2372

The specific statutes creating individual statutory county courts or statutory probate courts often provide that these courts have concurrent jurisdiction with the district court in matters normally exercised by the district court. This jurisdiction may be additional to or different than the concurrent jurisdiction granted to some statutory county courts by H.B. 66, as discussed above.

Six county courts at law have concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI and civil cases when the matter in controversy does not exceed \$250,000:

County Court at Law No. 1 of Travis County .....	25.2292	18
County Court at Law No. 2 of Travis County .....	25.2292	
County Court at Law No. 3 of Travis County .....	25.2292	
County Court at Law No. 5 of Travis County .....	25.2292	
County Court at Law No. 6 of Travis County .....	25.2292	
County Court at Law No. 7 of Travis County .....	25.2292	

Three county courts at law have concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI and civil cases when the matter in controversy does not exceed \$1,000,000:

County Court at Law No. 1 of Cameron County ....	25.0332	19
County Court at Law No. 2 of Cameron County ....	25.0332	
County Court at Law No. 3 of Cameron County ....	25.0332	

Five county courts at law have concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI and civil cases, regardless of the amount in controversy:

County Court at Law No. 1 of Dallas County .....	25.0592	20
County Court at Law No. 2 of Dallas County .....	25.0592	
County Court at Law No. 3 of Dallas County .....	25.0592	
County Court at Law No. 4 of Dallas County .....	25.0592	
County Court at Law No. 5 of Dallas County .....	25.0592	

Two county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, and civil cases with a \$50,000 limit on the amount in controversy:

County Court at Law No. 1 of Angelina County .....	25.0052	21
County Court at Law No. 2 of Angelina County .....	25.0025	

Fifty-three county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, and civil cases when the matter in controversy does not exceed \$100,000:

County Court at Law No. 1 of Angelina County .....	25.0052	22
County Court at Law No. 2 of Angelina County .....	25.0052	
County Court at Law of Austin County .....	25.0102	
County Court at Law of Bastrop County .....	25.0132	
County Court at Law No. 1		
and Probate Court of Brazoria County .....	25.0222	
County Court at Law No. 2		
and Probate Court of Brazoria County .....	25.0222	
County Court at Law No. 3		
and Probate Court of Brazoria County .....	25.0222	

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<p>* County Court at Law No. 4 and Probate Court of Brazoria County .....25.0222 <b>22</b> <i>Effective 01/01/07.</i> <i>(Note: Brazoria County Court at Law and Probate Courts Nos. 1, 2, 3 and 4 are not statutory probate courts as that term is defined by Section 3 of the Probate Code.)</i></p> <p>County Court at Law No. 1 of Brazos County ..... 25.0232 County Court at Law No. 2 of Brazos County ..... 25.0232 County Court at Law of Caldwell County ..... 25.0302 County Court at Law of Cherokee County ..... 25.0392 County Court at Law No. 1 of Comal County ..... 25.0482 County Court at Law No. 2 of Comal County ..... 25.0482 County Court at Law of Coryell County ..... 25.0522 County Court at Law of Ector County ..... 25.0702 County Court at Law No. 2 of Ector County ..... 25.0702 County Court at Law No. 1 of Fort Bend County ..... 25.0812 County Court at Law No. 2 of Fort Bend County ..... 25.0812 County Court at Law No. 3 of Fort Bend County ..... 25.0812 County Court at Law No. 4 of Fort Bend County .....25.0182 County Court at Law of Guadalupe County ..... 25.0962 County Court at Law No. 2 of Guadalupe County .. 25.0962 County Court at Law No. 1 of Hays County ..... 25.1072 County Court at Law No. 2 of Hays County ..... 25.1072 County Court at Law of Henderson County..... 25.1092 County Court at Law No. 2 of Henderson County .... 25.1092 County Court at Law of Houston County ..... 25.1152 County Court at Law No. 1 of Johnson County ..... 25.1282 County Court at Law No. 2 of Johnson County ..... 25.1282 County Court at Law of Kerr County..... 25.1352 County Court at Law of Liberty County ..... 25.1482 County Court at Law No. 1 of Lubbock County ..... 25.1542 County Court at Law No. 2 of Lubbock County ..... 25.1542 County Court at Law No. 3 of Lubbock County ..... 25.1542 County Court at Law of Medina County ..... 25.1652 County Court at Law of Moore County ..... 25.1732 County Court at Law of Nacogdoches County ..... 25.1762 County Court at Law of Nolan County ..... 25.1792 County Court at Law of Orange County ..... 25.1832</p> <p>* County Court at Law No. 2 of Orange County ..... 25.1832 County Court at Law No. 2 of Potter County ..... 25.1902 County Court at Law of Reeves County ..... 25.1972 County Court at Law of Val Verde County ..... 25.2352 County Court at Law of Walker County ..... 25.2382 County Court at Law of Waller County ..... 25.2392 County Court at Law of Washington County ..... 25.2412</p> <p>* County Court at Law of Wilbarger County ..... 25.2462 <i>Effective 01/01/94, but not implemented as of 09/01/05.</i> County Court at Law No. 1 of Williamson County .. 25.2482 County Court at Law No. 2 of Williamson County .. 25.2482 County Court at Law No. 3 of Williamson County .. 25.2482</p> <p>* County Court at Law No. 4 of Williamson County .....25.2482 <i>Effective 01/01/06.</i> County Court at Law of Wise County ..... 25.2512</p>	<p>* County Court at Law No. 6 of Hidalgo County ..... 25.1101 <b>24</b> <i>Effective 09/01/05, but not implemented as of that date.</i></p> <p>Three county courts at law have concurrent jurisdiction with the district court in family law cases and proceedings, appeals of decisions of the division of workers' compensation of TDI and all civil cases with no upper limits on the amount in controversy:</p> <p>County Court at Law of Ellis County ..... 25.0722 <b>25</b> County Court at Law No. 2 of Ellis County ..... 25.0072 County Court at Law of Rusk County ..... 25.2032</p> <p>One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and tax cases:</p> <p>County Court at Law of Polk County ..... 25.1892 <b>26</b></p> <p>Four county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and matters involving an <i>inter vivos</i> trust:</p> <p>County Court at Law No. 1 of Montgomery County 25.1722 <b>27</b> County Court at Law No. 2 of Montgomery County 25.1722 County Court at Law No. 3 of Montgomery County 25.1722 County Court at Law No. 4 of Montgomery County 25.1722</p> <p>One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and suits involving title to real property:</p> <p>County Court at Law of Starr County ..... 25.2162 <b>28</b></p> <p>One county court at law has concurrent jurisdiction with the district court in family law cases, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$250,000 and contested probate and guardianship matters under Sections 5(b) and 606(b) of the Texas Probate Code:</p> <p>County Court at Law of Hood County ..... 25.1132 <b>29</b></p> <p>One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and criminal cases (including jurisdiction to conduct arraignments, pretrial hearings and to accept guilty pleas in felony cases), probate matters (including will contests), and actions under Title 9 of the Property Code:</p> <p>County Court at Law of Anderson County ..... 25.0042 <b>30</b></p> <p>Two county courts at law have concurrent jurisdiction with the district court in family law cases and proceedings, appeals of decisions of the division of workers' compensation of TDI, civil cases with no upper limits on the amount in controversy, and felony cases to conduct arraignments, pretrial hearings and accept guilty pleas:</p> <p>County Court at Law No. 1 of Randall County ..... 25.1932 <b>31</b> * County Court at Law No. 2 of Randall County ..... 25.1932 <i>Effective 10/01/06.</i></p> <p>One county court at law has concurrent jurisdiction with the district court in family law cases; appeals of decisions of the division of workers' compensation of TDI; civil cases up to \$100,000; probate matters</p>
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Two county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, and civil cases with a \$500,000 limit on the amount in controversy:

County Court at Law of Midland County .....	25.1672 <b>23</b>
County Court at Law No. 2 of Midland County .....	25.1672

Five county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, and civil cases with a \$750,000 limit on the amount in controversy:

County Court at Law No. 1 of Hidalgo County .....	25.1101 <b>24</b>
County Court at Law No. 2 of Hidalgo County .....	25.1101
County Court at Law No. 4 of Hidalgo County .....	25.1101
County Court at Law No. 5 of Hidalgo County .....	25.1101

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and felony cases to conduct arraignments, pretrial hearings and accept guilty pleas:

County Court at Law of Lamar County ..... 25.1412 32

Two county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and proceedings to expunge a criminal arrest record:

County Court at Law No. 1 of Webb County .....25.2422 33  
County Court at Law No. 2 of Webb County .....25.2422

One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and felony cases to conduct arraignments, conduct pretrial hearings, and accept guilty pleas:

County Court at Law of Kleberg County ..... 25.1392 34

One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, civil cases up to \$100,000 and felony criminal cases:

County Court at Law of Brown County ..... 25.0272 35

One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, civil cases up to \$100,000 and felony cases other than those involving capital murder:

County Court at Law of Hill County ..... 25.1112 36

One county court at law has concurrent jurisdiction with the district court in family law cases, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and all criminal cases:

\* County Court at Law of Bee County ..... 25.0152 37  
*Effective 01/01/00 but not implemented as of 09/01/05.*

Three county courts at law have concurrent jurisdiction with the district court in non-jury family law cases, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000, eminent domain proceedings, slander or defamation suits, suits involving the title to real or personal property, suits involving the enforcement of real property liens, suits involving the forfeiture of a corporate charter, suits involving the recovery of real property, and suits involving the right to property valued at \$200 or more that has been levied on:

County Court at Law No. 1 of Tarrant County ..... 25.2222 38  
County Court at Law No. 2 of Tarrant County ..... 25.2222  
County Court at Law No. 3 of Tarrant County ..... 25.2222

One county court at law has concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000, and proceedings under Chapter 262, Family Code, in which the Department of Protective and Regulatory Services has assumed the care, custody and control of a child.

County Court at Law of Erath County ..... 25.0741 39

One county court at law has concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000, and matters involving juvenile and child welfare laws:

County Court at Law of San Patricio County ..... 25.2072 40

Four statutory county courts have concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000, slander or defamation suits, suits involving the title to real or personal property, suits involving the enforcement of real property liens, suits involving the forfeiture of a corporate charter, suits involving the recovery of real property and suits involving the right to property valued at \$200 or more that has been levied on:

County Civil Court at Law No. 1 of Harris County ... 25.1032 41  
County Civil Court at Law No. 2 of Harris County ... 25.1032  
County Civil Court at Law No. 3 of Harris County ... 25.1032  
County Civil Court at Law No. 4 of Harris County ... 25.1032

Two county courts at law have concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI; civil cases when the matter in controversy does not exceed \$100,000; felony cases to accept guilty pleas and conduct arraignments, pretrial hearing and probation revocation hearings; and third degree felony cases:

County Court at Law of McLennan County ..... 25.1572 42  
County Court at Law No. 2 of McLennan County .... 25.1572

One county court at law has concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI, civil cases up to \$250,000 and state jail felony and third degree felony cases involving family violence:

County Court at Law No. 4 of Travis County ..... 25.2292 43

Two county courts at law have concurrent jurisdiction with the district court in family law matters and civil cases, other than Alcoholic Beverage Code, Election Code or Tax Code cases, between \$5,000 and \$100,000 (monetary limit not applicable to Family or Probate Code cases):

County Court at Law No. 1 of Wichita County ..... 25.2452 44  
County Court at Law No. 2 of Wichita County ..... 25.2452

One county court at law has concurrent jurisdiction with the district court in family law matters and civil cases when the matter in controversy does not exceed \$100,000:

County Court of Burnet County ..... 25.0292 45

One statutory county court has concurrent jurisdiction with the district court in family law cases and felony cases to conduct arraignments, conduct pretrial hearings, and accept guilty pleas:

County Court at Law of Aransas County ..... 25.0062 46

One statutory probate court has concurrent jurisdiction with the district court in eminent domain, condemnation, land titles, suits to quiet title, trespass to try title, lien foreclosures and adjudication of all free hold and leasehold interests, easements, licenses, and boundaries of real property:

Probate Court of Denton County ..... 25.0635 47

Two statutory probate courts have concurrent jurisdiction with the district court in eminent domain cases and suits involving title to real or personal property:

Probate Court No. 1 of Bexar County ..... 25.0173 48  
Probate Court No. 2 of Bexar County ..... 25.0173

Five statutory county courts have felony jurisdiction concurrent with



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the district court over matters involving intoxication arising by a true bill of indictment by a grand jury charging one or more offenses under Chapter 49, Penal Code:

County Criminal Court No. 1 of Denton County.....	25.0634	<b>49</b>
County Criminal Court No. 2 of Denton County .....	25.0634	
County Criminal Court No. 3 of Denton County .....	25.0634	
County Criminal Court No. 4 of Denton County .....	25.0634	
County Criminal Court No. 5 of Denton County .....	25.0634	

Five statutory county courts have concurrent jurisdiction with the district court to conduct arraignments, conduct pretrial hearings, and accept guilty pleas in felony cases:

County Criminal Court No. 5 of Tarrant County .....	25.2223	<b>50</b>
County Criminal Court No. 7 of Tarrant County.....	25.2223	
County Criminal Court No. 8 of Tarrant County.....	25.2223	
County Criminal Court No. 9 of Tarrant County.....	25.2223	
County Criminal Court No. 10 of Tarrant County.....	25.2223	

Two county courts at law have concurrent jurisdiction with the district court, except capital felony cases:

County Court at Law No. 1 of Gregg County.....	25.0942	<b>51</b>
County Court at Law No.2 of Gregg County.....	25.0942	

Two county courts at law have concurrent jurisdiction with the district court, except felony cases (except as otherwise provided by law) and the courts have jurisdiction to grant orders permitting a marriage ceremony to take place during a 72-hour period immediately following the issuance of a marriage license in the county:

County Court at Law of Parker County .....	25.1862	<b>52</b>
County Court at Law No. 2 of Parker County .....	25.1862	

One county court at law has concurrent jurisdiction with the district court, except felony jury trials, suits on behalf of the State to recover penalties or escheated property, misdemeanors involving official misconduct, contested elections, or civil cases when the amount in controversy exceeds \$100,000:

County Court at Law of Hopkins County .....	25.1142	<b>53</b>
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One county court at law has concurrent jurisdiction with the district court, except for the following: felony criminal matters, suits on behalf of the State to recover penalties or escheated property, misdemeanors involving official misconduct, contested elections, and civil cases when the amount in controversy exceeds \$100,000:

County Court at Law of Bowie County .....	25.0212	<b>54</b>
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One county court at law has concurrent jurisdiction with the district court, except felony cases involving capital murder, suits on behalf of the State to recover penalties or escheated properties, misdemeanors involving official misconduct, contested elections, and civil cases when the amount in controversy exceeds the limit prescribed by Sec. 25.0003(c)(1), Tex. Gov't Code (currently \$100,000):

* County Court at Law No. 2 of Kaufman County .....	25.1312	<b>55</b>
<i>Effective 09/01/07 or on such earlier date as may be determined by the commissioners court.</i>		

Four county courts at law have concurrent jurisdiction with the district courts in all matters except felony, official misconduct, contested elections, and family law cases:

County Court at Law No. 1 of Nueces County.....	25.1802	<b>56</b>
County Court at Law No. 2 of Nueces County.....	25.1802	
County Court at Law No. 3 of Nueces County.....	25.1802	
County Court at Law No. 4 of Nueces County.....	25.1802	

One county court at law has concurrent jurisdiction with the district courts in all matters except felony, official misconduct, contested elections, and family law cases, except for proceedings under Title 3 Family Code, and any proceeding involving an order relating to a child in the possession or custody of the Department of Protective and Regulatory Services or for whom the court has appointed a temporary or permanent managing conservator:

County Court at Law No. 5 of Nueces County .....	25.1802	<b>57</b>
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Two county courts at law have concurrent jurisdiction with the district court, except felony cases (other than those provided by law) or contested elections:

County Court at Law No. 1 of Galveston County ....	25.0862	<b>58</b>
County Court at Law No. 2 of Galveston County ....	25.0862	

Eight county courts at law have concurrent jurisdiction with the district court, except felony cases (other than those provided by law), misdemeanors involving official misconduct, or contested elections:

County Court at Law No. 1 of El Paso County.....	25.0732	<b>59</b>
County Court at Law No. 2 of El Paso County.....	25.0732	
County Court at Law No. 3 of El Paso County.....	25.0732	
County Court at Law No. 4 of El Paso County.....	25.0732	
County Court at Law No. 5 of El Paso County.....	25.0732	
County Court at Law No. 6 of El Paso County.....	25.0732	
County Court at Law No. 7 of El Paso County .....	25.0732	
County Court at Law of Kendall County .....	25.1322	

Three county courts at law have concurrent jurisdiction with the district court, except capital felony cases or felonies of the 1<sup>st</sup> or 2<sup>nd</sup> degree, misdemeanors involving official misconduct, contested elections, or suits on behalf of the State to recover penalties, forfeiture, or escheat:

County Court at Law of Smith County .....	25.2142	<b>60</b>
County Court at Law No. 2 of Smith County.....	25.2142	
County Court at Law No. 3 of Smith County.....	25.2142	

Three county courts at law have concurrent jurisdiction with the district court, except felony cases involving capital murder, suits on behalf of the State to recover penalties or escheated properties, misdemeanors involving official misconduct, or contested elections:

County Court at Law of Cass County .....	25.0362	
County Court at Law of Kaufman County .....	25.1312	<b>61</b>
County Court at Law of Rockwall County .....	25.2012	

One county court at law has concurrent jurisdiction with the district court, except felony cases (other than writs of habeas corpus), misdemeanors involving official misconduct, contested elections, or appeals from county court:

County Court at Law No. 1 of Calhoun County.....	25.0312	<b>62</b>
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A wide variety of statutory changes have been made blurring the line between district court jurisdiction and county court jurisdiction.

In three counties, all civil and criminal jurisdiction of the county court, except probate and juvenile, has been transferred to the district court:

Jones (259th District Court) .....	24.436, 26.227	<b>63</b>
Shackelford (259th District Court).....	24.436, 26.309	
Stephens (90th District Court) .....	24.192, 26.315	

In three counties, all civil and criminal jurisdiction of the county court, except probate and juvenile, has been transferred to the district court and the district court has concurrent civil and criminal jurisdiction

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with the statutory county courts in civil and criminal matters normally in the county court:

Bowie (5th, 102nd, 202nd District Courts) .....	24.105, 24.204, 24.381, 26.119	<b>64</b>
Comal (22nd, 207th, 274 <sup>th</sup> , 433rd District Courts) .....	24.123, 24.386, 24.451, 26.146	
<i>The 433rd is authorized effective 01/01/07.</i>		
Webb (49th District Court) .....	24.151, 26.340	
Webb (406th District Court) .....	24.551, 26.340	
<i>The 406<sup>th</sup> District Court has concurrent criminal jurisdiction with the statutory county courts and concurrent civil jurisdiction in all cases under the Family Code or the Health and Safety Code.</i>		

All civil jurisdiction of the county court, except probate and juvenile, has been transferred to the district court in three counties, and the district court has concurrent with the county court the criminal jurisdiction of a county court:

Eastland (91st District Court) .....	24.193, 26.167	<b>65</b>
Morris (76th, 276th District Courts)...	24.178, 24.453, 26.272	
Marion (115th, 276th District Courts) .....	24.217, 24.453, 26.258	

In one county, all civil and criminal jurisdiction, except probate and juvenile, was removed from the county court, and the district court and county court have concurrent jurisdiction to receive guilty pleas in misdemeanor cases and the district court and county court at law have concurrent jurisdiction in all civil and criminal matters normally vested in the county court:

Cass (5th District Court) .....	24.105, 26.134	<b>66</b>
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In another county, all civil cases, except those involving probate and juvenile matters and orders providing for support of deserted wives or children, and all criminal cases appealed from the justice and municipal courts have been transferred to the district court, and the county and district courts have concurrent jurisdiction in matters in which the county court normally has original criminal jurisdiction:

Red River (6th, 102nd District Courts) .....	24.106, 24.204, 26.294	<b>67</b>
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In another county, all civil cases, except those involving probate and juvenile matters have been transferred to the district court, unless the county judge has the qualifications required of a district judge and is designated as judge of the juvenile court, then the county court also has jurisdiction over child neglect or dependency proceedings:

Wichita (30th, 78th, 89th District Courts) .....	24.132, 24.180, 24.191, 26.343	<b>68</b>
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All civil jurisdiction of the county court, except probate, has been transferred to the district court in four counties:

Baylor (50th District Court) .....	24.152, 26.112	<b>69</b>
Cottle (50th District Court) .....	24.152; 26.151	
King (50th District Court) .....	24.152, 26.235	
Knox (50th District Court) .....	24.152, 26.238	

All civil jurisdiction of the county court, except probate and juvenile, has been transferred to the district court in five counties:

Glasscock (118th District Court) .....	24.220, 26.187	<b>70</b>
Mills (35th District Court) .....	24.137, 26.267	
Navarro (13th District Court).....	24.114, 26.275	
Sabine (1st, 273rd District Courts) .....	24.101, 24.450, 26.302	
San Augustine (1st, 273rd District Courts) .....	24.101, 24.450, 26.303	

In one county, the criminal jurisdiction has been removed from the county court (except for cases alleging a violation of Sec. 25.093 or 25.094, Education Code), and 16 of the district courts in the county have concurrent original criminal jurisdiction with the statutory county criminal courts in matters of county court original criminal jurisdiction:

14th Dallas .....	24.901, 24.115	<b>71</b>
44th Dallas .....	24.146, 24.901, 24.115	
68th Dallas .....	24.170, 24.901, 24.115	
95th Dallas .....	24.197, 24.901, 24.115	
101st Dallas .....	24.203, 24.901, 24.115	
116th Dallas .....	24.218, 24.901, 24.115	
134th Dallas .....	24.236, 24.901, 24.115	
160th Dallas .....	24.257, 24.901, 24.115	
162nd Dallas .....	24.259, 24.901, 24.115	
Criminal District Court of Dallas County .....	24.901, 24.115	
Criminal District Court No. 2 of Dallas County .....	24.902, 24.901, 24.115	
Criminal District Court No. 3 of Dallas County .....	24.903, 24.901, 24.115	
Criminal District Court No. 4 of Dallas County .....	24.904, 24.901, 24.115	
Criminal District Court No. 5 of Dallas County .....	24.905, 24.901, 24.115	
Criminal District Court No. 6 of Dallas County .....	24.906, 24.901, 24.115	
Criminal District Court No. 7 of Dallas County .....	24.907, 24.901, 24.115	

In one county, the criminal and civil jurisdiction of the county court has been removed and nine of the district courts have concurrent original criminal jurisdiction with the statutory county criminal courts in matters of county court original criminal jurisdiction:

213th Tarrant .....	24.392	<b>72</b>
297th Tarrant .....	24.474	
371st Tarrant .....	24.516	
372nd Tarrant .....	24.517	
396th Tarrant .....	24.541	
Criminal District Court No. 1 of Tarrant County .....	24.910	
Criminal District Court No. 2 of Tarrant County .....	24.910, 24.911	
Criminal District Court No. 3 of Tarrant County .....	24.910, 24.912	
Criminal District Court No. 4 of Tarrant County .....	24.913	

In two counties, the criminal and civil jurisdiction has been removed from the county court and four of the district courts have concurrent jurisdiction with the county courts at law of misdemeanor cases:

85th Brazos .....	24.187	<b>73</b>
272nd Brazos .....	24.449	
361st Brazos .....	24.506	
Criminal District Court of Jefferson County .....	24.920	

Rather than transfer jurisdiction absolutely from the county court to the district court, the Legislature in several instances has given both the district-level and the county courts concurrent jurisdiction in certain matters.

Four district courts have concurrent original and appellate criminal jurisdiction with the county court in matters normally in the county court:

76th Camp .....	24.178	<b>74</b>
207th Caldwell .....	24.386	
258th Polk .....	24.435	
276th Camp .....	24.453, 24.178	

Six district courts have concurrent jurisdiction with the county court in all civil and criminal matters normally vested in the county court:

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49th Zapata .....	24.151	75
115th Upshur .....	24.217, 26.330	
294th Van Zandt .....	24.471	75
344th Chambers .....	24.490	
356th Hardin .....	24.502	
402nd Wood .....	24.547	

One district court has concurrent jurisdiction with the county court and the county court at law in all civil and criminal matters normally vested in the county court:

66th Hill .....	24.168, 26.209	76
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In one county, if the county judge is licensed to practice law in Texas and has practiced for at least two years, the jurisdiction of the constitutional county court is expanded to include (concurrent with the district court) family law cases, eminent domain, and civil matters when the amount in controversy does not exceed \$20,000:

Fayette.....	26.175	77
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### COUNTY-LEVEL COURTS

The county courts were established by the Constitution of 1836. They were presided over by a chief justice appointed by the Congress of the Republic of Texas for a term of four years. This continued from 1836 to 1841, when the office was made elective. The term was shortened to two years in the Constitutions of 1845 and 1861. Under the Constitution of 1866, the name of the presiding officer of the court was changed from chief justice to county judge, and the term of office was again established at four years.

The county court was abolished by the Constitution of 1869, but was re-established by the Constitution of 1876 with an elected presiding officer, the county judge, serving a two-year term. The term of office was increased to four years by a constitutional amendment adopted in 1954.

Today, the Texas Constitution provides for a county court in each county. Generally, "constitutional" county courts have concurrent jurisdiction with justice of the peace courts in civil cases where the matter in controversy exceeds \$200 but does not exceed \$5,000; concurrent jurisdiction with the district courts in civil cases where the matter in controversy exceeds \$500 but does not exceed \$5,000; general jurisdiction over probate cases; juvenile jurisdiction; and exclusive original jurisdiction over misdemeanors, other than those involving official misconduct, where punishment for the offense, upon conviction, is by fine exceeding \$500 and/or a jail sentence not to exceed one year. County courts generally have appellate jurisdiction (usually by trial *de novo*) over cases tried originally in the justice of the peace courts and municipal courts. Original and appellate judgments of the county courts may be appealed to the courts of appeals.

The Constitution provides that the county judge "shall be well informed in the law of the State...". This has been interpreted to mean that neither formal study of the law nor a license to practice law is a necessary qualification to hold office as county judge. Currently, of the 254 county judges in the State, approximately 12 percent are licensed to practice law.

Under its constitutional authorization to "...establish such other courts as it may deem necessary...[and to] conform the jurisdiction of the district and other inferior courts thereto," the Legislature has created statutory county courts and statutory probate courts, primarily in metropolitan counties, to provide assistance to the single "constitutional" county court. The Legislature has authorized a total of 242 of these statutory courts in 86 counties to relieve the county judge of some or all of the judicial duties of office. As of September 1, 2005, 233 of these courts were in actual operation in 84 counties. (See list which follows.)

Under the constitutional grant of authority the Legislature has established the following statutory county courts and statutory probate

courts (the number of statutory courts in each county is shown in parentheses):

<b>Anderson</b>	(1)	County Court at Law
<b>Angelina</b>	(2)	County Court at Law No. 1 County Court at Law No. 2
<b>Aransas</b>	(1)	County Court at Law
<b>Austin</b>	(1)	County Court at Law
<b>Bastrop</b>	(1)	County Court at Law
<b>Bee</b>	(1) *	County Court at Law <i>Effective 01/01/00 but not implemented as of 09/01/05.</i>
<b>Bell</b>	(3)	County Court at Law No. 1 County Court at Law No. 2 County Court at Law No. 3
<b>Bexar</b>	(14)	County Court at Law No. 1 County Court at Law No. 2 County Court at Law No. 3 County Court at Law No. 4 County Court at Law No. 5 County Court at Law No. 6 County Court at Law No. 7 County Court at Law No. 8 County Court at Law No. 9 County Court at Law No. 10 County Court at Law No. 11 County Court at Law No. 12 Probate Court No. 1 Probate Court No. 2
<b>Bowie</b>	(1)	County Court at Law
<b>Brazoria</b>	(4)	County Court at Law No. 1 and Probate Court County Court at Law No. 2 and Probate Court County Court at Law No. 3 and Probate Court * County Court at Law No. 4 and Probate Court <i>Effective 01/01/07.</i> <i>(Note: Brazoria County Court at Law and Probate Courts Nos. 1, 2, 3 and 4 are not statutory probate courts as that term is defined by Section 3 of the Probate Code.)</i>
<b>Brazos</b>	(2)	County Court at Law No. 1 County Court at Law No. 2
<b>Brown</b>	(1)	County Court at Law
<b>Burnet</b>	(1)	County Court at Law
<b>Caldwell</b>	(1)	County Court at Law
<b>Calhoun</b>	(1)	County Court at Law No. 1
<b>Cameron</b>	(3)	County Court at Law No. 1 County Court at Law No. 2 County Court at Law No. 3
<b>Cass</b>	(1)	County Court at Law
<b>Cherokee</b>	(1)	County Court at Law
<b>Collin</b>	(7)	County Court at Law No. 1 County Court at Law No. 2 County Court at Law No. 3 County Court at Law No. 4 County Court at Law No. 5 County Court at Law No. 6 * <i>Implemented 10/01/05.</i> Probate Court No. 1
<b>Comal</b>	(2)	County Court at Law No. 1 County Court at Law No. 2
<b>Cooke</b>	(1)	County Court at Law
<b>Coryell</b>	(1)	County Court at Law
<b>Dallas</b>	(21)	County Court at Law No. 1 County Court at Law No. 2 County Court at Law No. 3 County Court at Law No. 4 County Court at Law No. 5 County Criminal Court County Criminal Court No. 2 County Criminal Court No. 3 County Criminal Court No. 4 County Criminal Court No. 5 County Criminal Court No. 6 County Criminal Court No. 7

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*Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.*

		County Criminal Court No. 8			
		County Criminal Court No. 9		<b>Hays</b>	(2) County Court at Law No. 1
		County Criminal Court No. 10			County Court at Law No. 2
		County Criminal Court No. 11		<b>Henderson</b>	(2) County Court at Law
		County Criminal Court of Appeals			County Court at Law No. 2
		County Criminal Court of Appeals No. 2		<b>Hidalgo</b>	(6) County Court at Law No. 1
		Probate Court			County Court at Law No. 2
		Probate Court No. 2			County Court at Law No. 4
		Probate Court No. 3			County Court at Law No. 5
<b>Denton</b>	(8)	County Court at Law No. 1			* County Court at Law No. 6
		County Court at Law No. 2			<i>Effective 09/01/05, but not implemented as of that date.</i>
		County Criminal Court No. 1		<b>Hill</b>	(1) County Court at Law
		County Criminal Court No. 2		<b>Hood</b>	(1) County Court at Law
		County Criminal Court No. 3		<b>Hopkins</b>	(1) County Court at Law
		County Criminal Court No. 4		<b>Houston</b>	(1) County Court at Law
		County Criminal Court No. 5		<b>Hunt</b>	(1) County Court at Law
		Probate Court		<b>Jefferson</b>	(3) County Court at Law No. 1
<b>Ector</b>	(2)	County Court at Law			County Court at Law No. 2
		County Court at Law No. 2			County Court at Law No. 3
<b>Ellis</b>	(2)	County Court at Law		<b>Johnson</b>	(2) County Court at Law No. 1
		County Court at Law No. 2			County Court at Law No. 2
<b>El Paso</b>	(11)	County Court at Law No. 1		<b>Kaufman</b>	(2) County Court at Law
		County Court at Law No. 2			* County Court at Law No. 2
		County Court at Law No. 3			<i>Effective 09/01/07 or on such earlier date as may be</i>
		County Court at Law No. 4			<i>determined by the commissioners court.</i>
		County Court at Law No. 5		<b>Kendall</b>	(1) County Court at Law
		County Court at Law No. 6		<b>Kerr</b>	(1) County Court at Law
		County Court at Law No. 7		<b>Kleberg</b>	(1) County Court at Law
		County Criminal Court at Law No. 1		<b>Lamar</b>	(1) County Court at Law
		County Criminal Court at Law No. 2		<b>Liberty</b>	(1) County Court at Law
		Probate Court No. 1		<b>Lubbock</b>	(3) County Court at Law No. 1
		* Probate Court No. 2			County Court at Law No. 2
		<i>Effective 09/01/05 but not implemented as of that date.</i>			County Court at Law No. 3
<b>Erath</b>	(1)	County Court at Law		<b>McLennan</b>	(2) County Court at Law
<b>Fort Bend</b>	(4)	County Court at Law No. 1			County Court at Law No. 2
		County Court at Law No. 2		<b>Medina</b>	(1) County Court at Law
		County Court at Law No. 3		<b>Midland</b>	(2) County Court at Law
		County Court at Law No. 4			County Court at Law No. 2
<b>Galveston</b>	(4)	County Court No. 1		<b>Montgomery</b>	(4) County Court at Law No. 1
		County Court No. 2			County Court at Law No. 2
		County Court No. 3			County Court at Law No. 3
		Probate Court			County Court at Law No. 4
<b>Grayson</b>	(2)	County Court at Law		<b>Moore</b>	(1) County Court at Law
		County Court at Law No. 2		<b>Nacogdoches</b>	(1) County Court at Law
<b>Gregg</b>	(2)	County Court at Law		<b>Nolan</b>	(1) County Court at Law
		County Court at Law No. 2		<b>Nueces</b>	(5) County Court at Law No. 1
<b>Guadalupe</b>	(2)	County Court at Law			County Court at Law No. 2
		County Court at Law No. 2			County Court at Law No. 3
<b>Harris</b>	(23)	County Civil Court at Law No. 1			County Court at Law No. 4
		County Civil Court at Law No. 2			County Court at Law No. 5
		County Civil Court at Law No. 3		<b>Orange</b>	(2) County Court at Law
		County Civil Court at Law No. 4			County Court at Law No. 2
		County Criminal Court at Law No. 1		<b>Panola</b>	(1) County Court at Law
		County Criminal Court at Law No. 2		<b>Parker</b>	(2) County Court at Law
		County Criminal Court at Law No. 3			County Court at Law No. 2
		County Criminal Court at Law No. 4		<b>Polk</b>	(1) County Court at Law
		County Criminal Court at Law No. 5		<b>Potter</b>	(2) County Court at Law No. 1
		County Criminal Court at Law No. 6			County Court at Law No. 2
		County Criminal Court at Law No. 7		<b>Randall</b>	(2) County Court at Law No. 1
		County Criminal Court at Law No. 8			* County Court at Law No. 2
		County Criminal Court at Law No. 9			<i>Effective 10/01/06.</i>
		County Criminal Court at Law No. 10		<b>Reeves</b>	(1) County Court at Law
		County Criminal Court at Law No. 11		<b>Rockwall</b>	(1) County Court at Law
		County Criminal Court at Law No. 12		<b>Rusk</b>	(1) County Court at Law
		County Criminal Court at Law No. 13		<b>San Patricio</b>	(1) County Court at Law
		County Criminal Court at Law No. 14		<b>Smith</b>	(3) County Court at Law
		County Criminal Court at Law No. 15			County Court at Law No. 2
		Probate Court No. 1			County Court at Law No. 3
		Probate Court No. 2		<b>Starr</b>	(1) County Court at Law
		Probate Court No. 3		<b>Tarrant</b>	(15) County Court at Law No. 1
		Probate Court No. 4			County Court at Law No. 2
<b>Harrison</b>	(1)	County Court at Law			

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		County Court at Law No. 3
		County Criminal Court No. 1
		County Criminal Court No. 2
		County Criminal Court No. 3
		County Criminal Court No. 4
		County Criminal Court No. 5
		County Criminal Court No. 6
		County Criminal Court No. 7
		County Criminal Court No. 8
		County Criminal Court No. 9
		County Criminal Court No. 10
		Probate Court No. 1
		Probate Court No. 2
<b>Taylor</b>	(2)	County Court at Law
		County Court at Law No. 2
<b>Tom Green</b>	(2)	County Court at Law
		County Court at Law No. 2
<b>Travis</b>	(8)	County Court at Law No. 1
		County Court at Law No. 2
		County Court at Law No. 3
		County Court at Law No. 4
		County Court at Law No. 5
		County Court at Law No. 6
		County Court at Law No. 7
		Probate Court No. 1
<b>Val Verde</b>	(1)	County Court at Law
<b>Victoria</b>	(2)	County Court at Law No. 1
		County Court at Law No. 2
<b>Walker</b>	(1)	County Court at Law
<b>Waller</b>	(1)	County Court at Law
<b>Washington</b>	(1)	County Court at Law
<b>Webb</b>	(2)	County Court at Law No. 1
		County Court at Law No. 2
<b>Wichita</b>	(2)	County Court at Law No. 1
		County Court at Law No. 2
<b>Wilbarger</b>	(1) *	County Court at Law
		<i>Effective 01/01/94, but not implemented as of 09/01/05.</i>
<b>Williamson</b>	(4)	County Court at Law No. 1
		County Court at Law No. 2
		County Court at Law No. 3
		* County Court at Law No. 4
		<i>Effective 01/01/06.</i>
<b>Wise</b>	(1)	County Court at Law

The judges of these statutory courts are elected in countywide, partisan elections for four-year terms. Any vacancies occurring between elections are filled by appointment of the county commissioners. The statutes creating these courts uniformly require that the persons serving as judges must be licensed to practice law in Texas.

The legal jurisdiction of the special county courts varies considerably and is determined by the specific statute that establishes the particular court. As the varied names suggest, some of these courts have subject-matter jurisdiction in only limited fields, such as civil, criminal, probate, or appellate (from justice courts or municipal courts); however, even the specialized name does not always disclose the complete function of the court. To determine the exact jurisdiction of any one of the statutory county courts, it is necessary to review the specific statute that established it.

In general, statutory county courts, which have jurisdiction to exercise civil jurisdiction concurrent with the constitutional jurisdiction of the county court, have concurrent jurisdiction with district courts in civil matters when the amount in controversy is more than \$500 but does not exceed \$100,000 and appeals of final rulings and decisions of the division of workers' compensation of TDI. Statutory county courts also have, concurrent with the county court, the probate jurisdiction provided by general law for county courts. However, in a county that has a statutory probate court, the statutory probate court is the only statutory county court with probate jurisdiction. Other jurisdiction of a statutory county court is, broadly speaking, either carved out of the constitutional county court's regular jurisdiction or shared with it (concurrent).

The jurisdiction of statutory county courts and their relation to the constitutional county courts take many forms. In two counties, all civil, criminal, and probate jurisdiction of the county court was transferred to the statutory county court:

County Court at Law of Nacogdoches	
County.....	26.274, 25.1762 78
County Court at Law of Reeves County.....	26.295, 25.1972

In two counties, all civil, criminal, probate and juvenile jurisdiction of the county court was transferred to the statutory county court:

County Court at Law of Aransas County.....	26.104, 25.0062 79
County Court at Law of Cooke County .....	26.149, 25.0512

In one county, all civil jurisdiction was transferred to one county court at law and all criminal jurisdiction was transferred to another county court at law and juvenile jurisdiction was transferred to both county courts at law:

County Court at Law No. 1 of Denton	
County (criminal and juvenile).....	26.161, 25.0633 80
County Court at Law No. 2 of Denton	
County (civil and juvenile) .....	26.161, 25.0633

In one county, all civil and criminal jurisdiction of the county court was transferred to the county court at law but, if the county judge is an attorney, the county court exercises concurrent jurisdiction with the county court at law in all matters over which county courts have jurisdiction generally. If the county judge is not an attorney, the county court exercises concurrent jurisdiction with the county court at law only in probate and mental health matters:

County Court at Law of Bastrop County .....	26.111, 25.0132 81
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All civil and criminal jurisdiction of the county court was transferred to the following ten county courts at law and the courts have concurrent jurisdiction in probate matters:

County Court at Law No. 1 of Cameron	
County.....	26.131, 25.0332 82
County Court at Law No. 2 of Cameron	
County.....	26.131, 25.0332
County Court at Law No. 3 of Cameron	
County.....	26.131, 25.0332
County Court at Law No. 1 of Nueces	
County.....	26.278, 25.1802
County Court at Law No. 2 of Nueces	
County.....	26.278, 25.1802
County Court at Law No. 3 of Nueces	
County.....	26.278, 25.1802
County Court at Law No. 4 of Nueces	
County.....	26.278, 25.1802
County Court at Law No. 5 of Nueces	
County .....	26.278, 25.1802
County Court at Law of Waller County.....	26.237, 25.2392
County Court at Law of Washington	
County.....	26.339, 25.2412

One county court at law had transferred to it all civil and criminal jurisdiction of the county court and the courts have concurrent jurisdiction in probate matters, and the county court at law is instructed to give preference to criminal cases:

County Court at Law No. 3 of Jefferson	
County.....	25.1252; 26.223 83

Five county courts at law exercise concurrent jurisdiction with at least one of the district courts in the county in all civil and criminal matters that had earlier been transferred from the county court to the district court. The county court at law and county court have concurrent

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probate jurisdiction:

County Court at Law of Bowie	
County .....	24.105, 25.0212, 26.119 <b>84</b>
County Court at Law No. 1 of Comal	
County .....	24.123, 25.0482, 26.146 <b>84</b>
County Court at Law No. 2 of Comal	
County .....	24.123, 25.0482, 26.146
County Court at Law No. 1 of Webb County	
County .....	24.151, 25.2422, 26.340
County Court at Law No. 2 of Webb County	
County .....	24.151, 25.2422, 26.340

One county court at law exercises concurrent jurisdiction with the district court in the county in all civil and criminal matters that had earlier been transferred from the county court to the district court. The county court at law and county court have concurrent jurisdiction to accept guilty pleas in misdemeanor cases and concurrent probate jurisdiction:

County Court at Law of Cass	
County .....	24.105, 25.0362, 26.134 <b>85</b>

All civil and criminal jurisdiction of the county court, except probate and juvenile, was transferred to the following sixteen county courts at law:

County Court at Law No. 2 of Bexar	
County .....	25.0172, 26.115 <b>86</b>
County Court at Law No. 3 of Bexar	
County .....	25.0172, 26.115
County Court at Law No. 5 of Bexar	
County .....	25.0172, 26.115
County Court at Law No. 7 of Bexar	
County .....	25.0172, 26.115
County Court at Law No. 8 of Bexar	
County .....	25.0172, 26.115
County Court at Law No. 9 of Bexar	
County .....	25.0172, 26.115
County Court at Law No. 1 of El Paso	
County .....	26.171, 25.0732
County Court at Law No. 2 of El Paso	
County .....	26.171, 25.0732
County Court at Law No. 3 of El Paso	
County .....	26.171, 25.0732
County Court at Law No. 4 of El Paso	
County .....	26.171, 25.0732
County Court at Law No. 5 of El Paso	
County .....	26.171, 25.0732
County Court at Law No. 6 of El Paso	
County .....	26.171, 25.0732
County Court at Law No. 7 of El Paso	
County .....	26.171, 25.0732
County Criminal Court No. 1 of El Paso	
County .....	26.171, 25.0732
County Criminal Court No. 2 of El Paso	
County .....	26.171, 25.0732
County Court at Law No. 1 of Tarrant	
County .....	26.320, 25.2222

All civil and criminal jurisdiction of the county court, except probate, was transferred to the following 18 county courts at law:

County Court at Law No. 1 of Collin	
County .....	26.143, 25.0452 <b>87</b>
County Court at Law No. 2 of Collin	
County .....	26.143, 25.0452
County Court at Law No. 3 of Collin	
County .....	26.143, 25.0452
County Court at Law No. 4 of Collin	
County .....	26.143, 25.0452
County Court at Law No. 5 of Collin	
County .....	26.143, 25.0452
* County Court at Law No. 6 of Collin	

County .....	26.143, 25.0452
<i>Implemented 10/01/05.</i>	
County Court at Law No. 1 of Hidalgo	
County .....	26.208, 25.1102
County Court at Law No. 2 of Hidalgo	
County .....	26.208, 25.1102 <b>87</b>
County Court at Law No. 4 of Hidalgo	
County .....	26.208, 25.1102
County Court at Law No. 5 of Hidalgo	
County .....	26.208, 25.1102
* County Court at Law No. 6 of Hidalgo	
County .....	26.208, 25.1102
<i>Effective 09/01/05, but not implemented as of that date.</i>	
County Court at Law No. 1 of Travis	
County .....	26.327, 25.2292
County Court at Law No. 2 of Travis	
County .....	26.327, 25.2292
County Court at Law No. 3 of Travis	
County .....	26.327, 25.2292
County Court at Law No. 4 of Travis	
County .....	26.327, 25.2292
County Court at Law No. 5 of Travis	
County .....	26.327, 25.2292
County Court at Law No. 6 of Travis	
County .....	26.327, 25.2292
County Court at Law No. 7 of Travis	
County .....	26.327, 25.2292

Twelve county courts at law had transferred to them all civil and criminal jurisdiction of the county court, except juvenile, and the courts have concurrent jurisdiction in probate matters:

County Court at Law No. 1 of Brazos	
County .....	26.121, 25.0232 <b>88</b>
County Court at Law No. 2 of Brazos	
County .....	26.121, 25.0232
County Court at Law of Grayson County	
County .....	26.191, 25.0932
County Court at Law No. 2 of Grayson	
County .....	26.191, 25.0932
County Court at Law No. 1 of Jefferson	
County .....	26.223, 25.252
County Court at Law No. 2 of Jefferson	
County .....	26.223, 25.252
County Court at Law No. 1 of Lubbock	
County .....	26.252, 25.1542
County Court at Law No. 2 of Lubbock	
County .....	26.252, 25.15428
County Court at Law No. 3 of Lubbock	
County .....	26.252, 25.1542
County Court at Law of Taylor County	
County .....	26.321, 25.2232
County Court at Law No. 2 of Taylor	
County .....	26.321, 25.2232
County Court at Law of Walker County	
County .....	26.336, 25.2382

Four county courts at law had transferred to them all civil and criminal jurisdiction of the county court, except probate, and the county courts at law were instructed to give preference to criminal matters and appeals *de novo* from municipal and justice courts:

County Court at Law No. 4 of Bexar	
County .....	25.0172, 26.115 <b>89</b>
County Court at Law No. 6 of Bexar	
County .....	25.0172, 26.115
County Court at Law No. 11 of Bexar	
County .....	25.0172, 26.115
County Court at Law No. 12 of Bexar	
County .....	25.0172, 26.115

One county court at law had transferred to it all civil and criminal jurisdiction of the county court, except probate and juvenile, and the county court at law was instructed to give preference to criminal cases:

## **SUBJECT-MATTER JURISDICTION OF THE COURTS**

*Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.*

County Court at Law No. 1 of Bexar  
County .....25.0172, 26.115 **90**

## SUBJECT-MATTER JURISDICTION OF THE COURTS

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One county court at law had transferred to it all civil and criminal jurisdiction of the county court, except probate, and the county court at law was instructed to give preference to civil cases:

County Court at Law No. 10 of Bexar  
County .....25.0172, 26.115 91

One county court at law had transferred to it all civil and criminal jurisdiction of the county court, except probate, and the county court at law was instructed to give preference to family law cases and proceedings:

\* County Court at Law No. 6 of Hidalgo  
County .....25.1102, 26.208 92  
*Effective 09/01/05, but not implemented as of that date.*

All civil jurisdiction of the county court, except probate, was transferred to two statutory county courts:

County Court at Law No. 2 of Tarrant  
County .....25.2222, 26.201 93  
County Court at Law No. 3 of Tarrant  
County .....25.2222, 26.201

Two county courts at law have concurrent jurisdiction with the district court in the civil jurisdiction that was transferred from the county court, and the statutory county courts have concurrent jurisdiction with the constitutional county court in probate, juvenile and criminal matters (in addition, if the county judge has the qualifications of a district judge and is designated as the judge of the juvenile court, the county court has jurisdiction over cases involving child neglect and dependency proceedings):

County Court at Law No. 1 of Wichita  
County .....26.321, 25.2232 94  
  
County Court at Law No. 2 of Wichita  
County .....26.121, 25.02321033

Eighty-three county courts at law have concurrent jurisdiction with the constitutional county court in all matters over which the constitutional county court normally has jurisdiction:

County Court at Law of Anderson County .....25.0042 95  
County Court at Law No. 1 of Angelina County .....25.0052  
County Court at Law No. 2 of Angelina County .....25.0052  
County Court at Law of Austin County .....25.0102  
\* County Court at Law of Bee County  
*Effective 01/01/00 but not implemented as of 09/01/05.*  
County Court at Law No. 1 of Bell County .....25.0162  
County Court at Law No. 2 of Bell County .....25.0162  
County Court at Law No. 3 of Bell County .....25.0162  
County Court at Law of Brown County .....25.0272  
County Court at Law of Burnet County .....25.0292  
County Court at Law of Caldwell County .....25.0302  
County Court at Law of Calhoun County .....25.0312  
County Court at Law of Cherokee County .....25.0392  
County Court at Law of Coryell County .....25.0522  
County Court at Law of Ector County .....25.0702  
County Court at Law No. 2 of Ector County .....25.0702  
County Court at Law of Ellis County .....25.0722  
County Court at Law No. 2 of Ellis County .....25.0722  
County Court at Law of Erath County .....25.0742  
County Court at Law No. 1 of Fort Bend County .....25.0812  
County Court at Law No. 2 of Fort Bend County .....25.0812  
County Court at Law No. 3 of Fort Bend County .....25.0812  
County Court at Law No. 4 of Fort Bend County .....25.0812  
County Court at Law of Gregg County .....25.0942  
County Court at Law No. 2 of Gregg County .....25.0942  
County Court at Law of Guadalupe County .....25.0962  
County Court at Law No. 2 of Guadalupe County .....25.0962  
County Court at Law of Harrison County .....25.1042

County Court at Law No. 1 of Hays County ..... 25.1072  
County Court at Law No. 2 of Hays County ..... 25.1072  
County Court at Law of Henderson County ..... 25.1092 95  
County Court at Law No. 2 of Henderson County ..... 25.1092  
County Court at Law of Hopkins County ..... 25.1142  
County Court at Law of Houston County ..... 25.1152  
County Court at Law of Hunt County ..... 25.1182  
County Court at Law No. 1 of Johnson County ..... 25.1282  
County Court at Law No. 2 of Johnson County ..... 25.1282  
County Court at Law of Kaufman County ..... 25.1312  
\* County Court at Law No. 2 of Kaufman County ..... 25.1312  
*Effective 09/01/07 or on such earlier date as may be determined by the commissioners court.*  
County Court at Law of Kendall County ..... 25.1322  
County Court at Law of Kerr County ..... 25.1352  
County Court at Law of Kleberg County ..... 25.1392  
County Court at Law of Lamar County ..... 25.1412  
County Court at Law of Liberty County ..... 25.1482  
County Court at Law of McLennan County ..... 25.1572  
County Court at Law No. 2 of McLennan County ..... 25.1572  
County Court at Law of Medina County ..... 25.1652  
County Court at Law of Midland County ..... 25.1672  
County Court at Law No. 2 of Midland County ..... 25.1672  
County Court at Law No. 1 of Montgomery County ... 25.1722  
County Court at Law No. 2 of Montgomery County ... 25.1722  
County Court at Law No. 3 of Montgomery County ... 25.1722  
County Court at Law No. 4 of Montgomery County ... 25.1722  
County Court at Law of Moore County ..... 25.1732  
County Court at Law of Nolan County ..... 25.1792  
County Court at Law of Orange County ..... 25.1832  
County Court at Law No. 2 of Orange County ..... 25.1092  
County Court at Law of Panola County ..... 25.1852  
County Court at Law of Parker County ..... 25.1862  
County Court at Law No. 2 of Parker County ..... 25.1862  
County Court at Law of Polk County ..... 25.1892  
County Court at Law No. 1 of Potter County ..... 25.1902  
County Court at Law No. 2 of Potter County ..... 25.1902  
\* County Court at Law No. 1 of Randall County ..... 25.1932  
County Court at Law No. 2 of Randall County ..... 25.1932  
*Effective 10/01/06.*  
County Court at Law of Rockwall County ..... 25.2012  
County Court at Law of Rusk County ..... 25.2032  
County Court at Law of San Patricio County ..... 25.2072  
County Court at Law of Smith County ..... 25.2142  
County Court at Law No. 2 of Smith County ..... 25.2142  
County Court at Law No. 3 of Smith County ..... 25.2142  
County Court at Law of Starr County ..... 25.2162  
County Court at Law of Tom Green County ..... 25.2282  
County Court at Law No. 2 of Tom Green County ..... 25.2282  
County Court at Law of Val Verde County ..... 25.2352  
County Court at Law of Victoria County ..... 25.2372  
County Court at Law No. 2 of Victoria County ..... 25.2372  
\* County Court at Law of Wilbarger County ..... 25.2462  
*Effective 01/01/94, but not implemented as of 09/01/05.*  
County Court at Law No. 1 of Williamson County ..... 25.2482  
County Court at Law No. 2 of Williamson County ..... 25.2482  
County Court at Law No. 3 of Williamson County ..... 25.2482  
\* County Court at Law No. 4 of Williamson County ..... 25.2482  
*Effective 01/01/06.*  
County Court at Law of Wise County ..... 25.2512

Four statutory county courts exercise concurrent jurisdiction with the county court in all matters, but give preference to cases in which the court's jurisdiction is concurrent with the county court:

County Court at Law No. 1 and  
Probate Court of Brazoria County ..... 25.0222 96  
County Court at Law No. 2 and  
Probate Court of Brazoria County ..... 25.0222  
County Court at Law No. 3 and  
Probate Court of Brazoria County ..... 25.0222  
\* County Court at Law No. 4



## SUBJECT-MATTER JURISDICTION OF THE COURTS

*Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.*

and Probate Court of Brazoria County .....25.0222  
*Effective 01/01/07.  
 (Note: Brazoria County Court at Law and Probate  
 Courts Nos. 1, 2, 3 and 4 are not statutory probate  
 courts as that term is defined by Section 3 of the  
 Probate Code.)*

Probate Court No. 3 of Harris County..... 25.1034  
 \* Probate Court No. 2 of El Paso County ..... 25.0731  
*Effective 09/01/05 but not implemented as of that date.*

Some statutory county courts have been created to handle criminal cases only. All criminal jurisdiction of the county court was transferred to five of these statutory county courts:

Twenty-two statutory county courts exercise concurrent jurisdiction with the county court in all matters except probate:

County Criminal Court No. 1 of  
 Denton County ..... 26.161, 25.0634 101  
 County Criminal Court No. 2 of  
 Denton County ..... 26.161, 25.0634  
 County Criminal Court No. 3 of  
 Denton County ..... 26.161, 25.0634  
 County Criminal Court No. 4 of  
 Denton County ..... 26.161, 25.0634  
 County Criminal Court No. 5 of  
 Denton County ..... 26.161, 25.0634

County Court at Law No. 1 of Galveston County.....25.0862 97  
 County Court at Law No. 2 of Galveston County.....25.0862  
 County Court at Law No. 3 of Galveston County.....25.0862  
 County Civil Court at Law No. 1 of Harris  
 County .....25.1032, 26.201  
 County Civil Court at Law No. 2 of Harris  
 County .....25.1032, 26.201  
 County Civil Court at Law No. 3 of Harris  
 County .....25.1032, 26.201  
 County Civil Court at Law No. 4 of Harris  
 County .....25.1032, 26.201  
 County Criminal Court at Law No. 1 of Harris  
 County .....25.1033  
 County Criminal Court at Law No. 2 of Harris  
 County .....25.1033  
 County Criminal Court at Law No. 3 of Harris  
 County .....25.1033  
 County Criminal Court at Law No. 4 of Harris  
 County .....25.1033  
 County Criminal Court at Law No. 5 of Harris  
 County .....25.1033  
 County Criminal Court at Law No. 6 of Harris  
 County .....25.1033  
 County Criminal Court at Law No. 7 of Harris  
 County ..... 25.1033  
 County Criminal Court at Law No. 8 of Harris  
 County .....25.1033  
 County Criminal Court at Law No. 9 of Harris  
 County .....25.1033  
 County Criminal Court at Law No. 10 of Harris  
 County .....25.1033  
 County Criminal Court at Law No. 11 of Harris  
 County .....25.1033  
 County Criminal Court at Law No. 12 of Harris  
 County .....25.1033  
 County Criminal Court at Law No. 13 of Harris  
 County .....25.1033  
 County Criminal Court at Law No. 14 of Harris  
 County .....25.1033  
 County Criminal Court at Law No. 15 of Harris  
 County .....25.1033

Criminal jurisdiction was transferred from the constitutional county court, and the following 10 statutory county courts have concurrent jurisdiction with the criminal district courts in the county in criminal matters over which the constitutional county court normally has jurisdiction:

County Criminal Court No. 1 of  
 Tarrant County ..... 26.320, 25.2223 102  
 County Criminal Court No. 2 of  
 Tarrant County ..... 26.320, 25.2223  
 County Criminal Court No. 3 of  
 Tarrant County ..... 26.320, 25.2223  
 County Criminal Court No. 4 of  
 Tarrant County ..... 26.320, 25.2223  
 County Criminal Court No. 5 of  
 Tarrant County ..... 26.320, 25.2223  
 County Criminal Court No. 6 of  
 Tarrant County ..... 26.320, 25.2223  
 County Criminal Court No. 7 of  
 Tarrant County ..... 26.320, 25.2223  
 County Criminal Court No. 8 of  
 Tarrant County ..... 26.320, 25.2223  
 County Criminal Court No. 9 of  
 Tarrant County ..... 26.320, 25.2223  
 County Criminal Court No. 10 of  
 Tarrant County ..... 26.320, 25.2223

One statutory county court exercises concurrent jurisdiction with the county court in all matters except probate other than contested probate and guardianship matters under Secs. 5(b) and 606(b) of the Probate Code:

All criminal jurisdiction was transferred from the constitutional county court, other than cases alleging a violation of Sec. 25.093 or 25.094, Education Code, and the following eleven statutory county courts have concurrent jurisdiction with certain district and criminal district courts in the county in criminal matters over which the constitutional county court normally has jurisdiction:

County Court at Law of Hood County.....25.1132 98

County Criminal Court of  
 Dallas County..... 26.045, 26.157, 25.0593 103  
 County Criminal Court No. 2 of  
 Dallas County..... 26.045, 26.157, 25.0593  
 County Criminal Court No. 3 of  
 Dallas County..... 26.045, 26.157, 25.0593  
 County Criminal Court No. 4 of  
 Dallas County..... 26.045, 26.157, 25.0593  
 County Criminal Court No. 5 of  
 Dallas County..... 26.045, 26.157, 25.0593  
 County Criminal Court No. 6 of  
 Dallas County..... 26.045, 26.157, 25.0593  
 County Criminal Court No. 7 of  
 Dallas County..... 26.045, 26.157, 25.0593  
 County Criminal Court No. 8 of  
 Dallas County..... 26.045, 26.157, 25.0593  
 County Criminal Court No. 9 of  
 Dallas County..... 26.045, 26.157, 25.0593  
 County Criminal Court No. 10 of

One statutory probate court exercises concurrent jurisdiction with the county court in probate matters and in matters arising under Subtitle C or D, Title 7, Health and Safety Code and other enumerated provisions of the Health and Safety Code:

Probate Court No. 1 of Travis County .....25.2293 99

Four statutory probate courts have concurrent jurisdiction with the county court in probate matters and are to have primary responsibility for mental illness proceedings:

Probate Court No. 1 of Bexar County.....25.0173 100  
 Probate Court No. 3 of Dallas County .....25.0595

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Dallas County .....	26.045, 26.157, 25.0593
County Criminal Court No. 11 of Dallas County .....	26.045, 26.157, 25.0583

Two statutory county courts have sole jurisdiction of appeals of certain criminal cases from justice of the peace and municipal courts:

County Criminal Court of Appeals of Dallas County .....	26.157, 25.0594 104
County Criminal Court of Appeals No. 2 of Dallas County .....	26.157, 25.0594

Two statutory county courts have been instructed to give preference to cases involving family violence:

County Criminal Court No. 5 of Tarrant County.....	25.2223 105
County Court at Law No. 4 of Travis County .....	25.2292

### JUSTICE OF THE PEACE COURTS

The position of justice of the peace was established by the Constitution of the Republic which provided for a "convenient number of Justices of the Peace" to be elected by the qualified voters of each county, for terms of two years. This office has been retained in all subsequent constitutions, although the jurisdiction of these courts has been severely restricted in later constitutions.

The justice of the peace is important in the capacity as a committing magistrate, with the authority to issue warrants for the apprehension and arrest of persons charged with the commission of both felony and misdemeanor offenses. As a magistrate, the justice of the peace may hold preliminary hearings, reduce testimony to writing, discharge the accused, or remand the accused to jail and set bail. In addition, the justice of the peace serves as the coroner in those counties where there is no provision for a medical examiner, serves as an *ex officio* notary public, and may perform marriage ceremonies.

As amended in November 1983, the Texas Constitution provides that each county is to be divided, according to population, into at least one, and not more than eight, justice precincts, in each of which is to be elected one or more justices of the peace. Approximately 826 justice of the peace courts are in operation today.

Justices of the peace are elected by the voters of the respective precincts of the county in partisan elections for four-year terms of office. There are no constitutional or statutory qualifications to hold this office and only about six percent of the justices of the peace in the State are lawyers.

Justice of the peace courts have original jurisdiction in misdemeanor criminal cases where punishment upon conviction may be by fine only. These courts generally have exclusive jurisdiction of civil matters when the amount in controversy does not exceed \$200, and concurrent jurisdiction with the county courts when the amount in controversy exceeds \$200 but does not exceed \$5,000. Justice of the peace courts also have jurisdiction over forcible entry and detainer cases and function as small claims courts. Trials in justice of the peace courts are not of record. Appeals from these courts are upon trial *de novo* in the county court, the county court at law, or the district court.

In thirty-six counties, the county court, by special statute, has been given concurrent jurisdiction with the justice of the peace courts in that county in all civil matters over which the justice of the peace courts have jurisdiction:

Armstrong County.....	26.106 106
Atascosa County .....	26.107
Bailey County .....	26.109
Bee County.....	26.113

Burleson County .....	26.126
Cochran County.....	26.140
Collingsworth County.....	26.144
Colorado County.....	26.145
Crosby County .....	26.154
Dawson County.....	26.158
Deaf Smith County.....	26.159
Dickens County.....	26.163
Fisher County.....	26.176 106
Gaines County .....	26.183
Garza County.....	26.185
Goliad County .....	26.188
Gonzales County .....	26.189
Haskell County.....	26.204
Hemphill County .....	26.206
Hockley County.....	26.210
Karnes County .....	26.228
Kent County .....	26.232
Lamb County.....	26.240
Lee County.....	26.244
Lynn County.....	26.253
McMullen County .....	26.256
Mitchell County .....	26.268
Parmer County.....	26.285
Randall County .....	26.291
Reagan County .....	26.292
Scurry County .....	26.308
Starr County.....	26.314
Stonewall County.....	26.317
Terry County .....	26.323
Wheeler County .....	26.342
Yoakum County .....	26.351

The county court in eight counties has been given concurrent jurisdiction with the justice of the peace courts in both civil and criminal matters normally in the justice of the peace courts:

Blanco County .....	26.116 107
Edwards County.....	26.169
Gillespie County.....	26.186
Irion County.....	26.218
Kimble County .....	26.234
Menard County .....	26.264
Schleicher County.....	26.307
Sterling County .....	26.316

In one county, the county courts at law have been given concurrent jurisdiction with the justice of the peace courts in civil matters prescribed by law for justice of the peace courts:

County Court at Law No. 1 of Potter County.....	25.1902 108
County Court at Law No. 2 of Potter County.....	25.1902

In five counties, the county courts at law have been given concurrent jurisdiction with the justice of the peace courts in criminal matters prescribed by law for justice of the peace courts:

* County Court at Law of Bee County .....	25.0152109
<i>Effective 01/01/00 but not implemented as of 09/01/05.</i>	
County Court at Law of Nolan County .....	25.1792
County Court at Law of Panola County.....	25.1852
* County Court at Law of Wilbarger County .....	25.2462
<i>Effective 01/01/94, but not implemented as of 09/01/05.</i>	
County Court at Law No. 1 of Williamson County.....	25.2482
County Court at Law No. 2 of Williamson County.....	25.2482
County Court at Law No. 3 of Williamson County .....	25.2482
* County Court at Law No. 4 of Williamson County .....	25.2482
<i>Effective 01/01/06.</i>	

In three counties, the county courts at law have been given concurrent jurisdiction with the justice of the peace courts in both civil and criminal cases over which the justice of the peace courts normally

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have jurisdiction:

County Court at Law of Grayson County.....	25.0932	110
County Court at Law No. 2 of Grayson County .....	25.0932	
County Court at Law No. 1 of Lubbock County .....	25.1542	
County Court at Law No. 2 of Lubbock County .....	25.1542	
County Court at Law No. 3 of Lubbock County .....	25.1542	
County Court at Law No. 1 of Nueces County.....	25.1802	
County Court at Law No. 2 of Nueces County.....	25.1802	
County Court at Law No. 3 of Nueces County.....	25.0932	110
County Court at Law No. 4 of Nueces County.....	25.1802	
County Court at Law No. 5 of Nueces County.....	25.1802	

### MUNICIPAL COURTS

Under its constitutional authority to create "...such other courts as may be provided by law," the Texas Legislature has created municipal courts in each incorporated city of the State. In lieu of a municipal court created by the Legislature, municipalities may choose to establish municipal courts of record. Presently, municipal courts are operating in approximately 908 cities. Metropolitan cities usually have more than one municipal court.

Municipal courts have no appellate jurisdiction, but do have original and exclusive jurisdiction over criminal violations of city ordinances and resolutions, rules or orders of joint boards that operate airports under Section 22.074, Transportation Code and are punishable by a fine not to exceed: 1) \$2,000 in cases arising under municipal ordinances or airport board resolutions, rules or orders that govern litter, fire safety, zoning, public health, and sanitation; or 2) \$500 in all other cases arising under a municipal ordinance or airport board resolution, rule or order. The municipal courts also have concurrent jurisdiction with justice courts in misdemeanor cases resulting from violations of state laws occurring within the city limits when punishment upon conviction is limited to a fine or the case arises under Ch. 106 of the Alcoholic Beverage Code relating to minors and does not include confinement as an authorized sanction. Municipal courts also have jurisdiction in the forfeiture and final judgment of all bail bonds and personal bonds taken in criminal cases of which the court has jurisdiction.

In addition to the jurisdiction discussed above, municipal courts of record also have jurisdiction over criminal cases arising under ordinances authorized by certain provisions of the Local Government Code. The governing body may also provide by ordinance that a municipal court of record has civil jurisdiction to enforce certain ordinances enacted under the Local Government Code, concurrent jurisdiction with the district and statutory county courts within the municipality's territorial limits and on property owned by the municipality for the purpose of enforcing health, safety and nuisance abatement ordinances, and the authority to issue certain search and seizure warrants.

Municipal judges also serve as magistrates of the State. In this capacity, the municipal judge has authority to issue warrants for the apprehension and arrest of persons charged with the commission of public offenses, both felonies and misdemeanors. As a magistrate, the municipal judge may issue search and arrest warrants, hold preliminary hearings, reduce testimony to writing, discharge an accused, or remand the accused to jail and set bail.

Trials in the municipal courts, generally, are not of record, and appeals go to the county court, the county court at law, or the district court upon trial *de novo*. In municipal courts of record, a formal record and transcript are made of the proceedings in the trial and appeals of these cases are made on the record perfected in the court. These appeals are generally heard in the county criminal courts, county criminal courts of appeal or municipal courts of appeal. If none of these courts exist in the county or municipality, appeals are to county courts at law.

The statutes creating municipal courts of record require the judge to be licensed to practice law in this State. No such provision is required of the other municipal judges, and of the approximately 1,378 municipal judges in this State, about 40 percent presently are licensed as attorneys.

Selection and terms of office of municipal court judges vary from city to city. While in a few cities, municipal judges are elected at city elections, the vast number are appointed by the governing body of the city. Terms of office are usually two years.