

MUNICIPAL COURTS

ANALYSIS OF ACTIVITY FOR YEAR ENDED AUGUST 31, 1994

Each of the municipal courts* operating in Texas cities during the year ended August 31, 1994, was asked to submit a one-page report each month to the Texas Judicial Council on activity in the court. Statewide, the Council received 9,139 reports out of a possible 10,098 for the year (91 percent).

TRAFFIC CASES DOMINATE DOCKETS

Traffic cases comprised 84.1 percent, or 5,362,152, of the 6,376,571 total cases filed in the reporting courts during the year. Non-traffic criminal cases accounted for the other 15.9 percent of the cases filed.

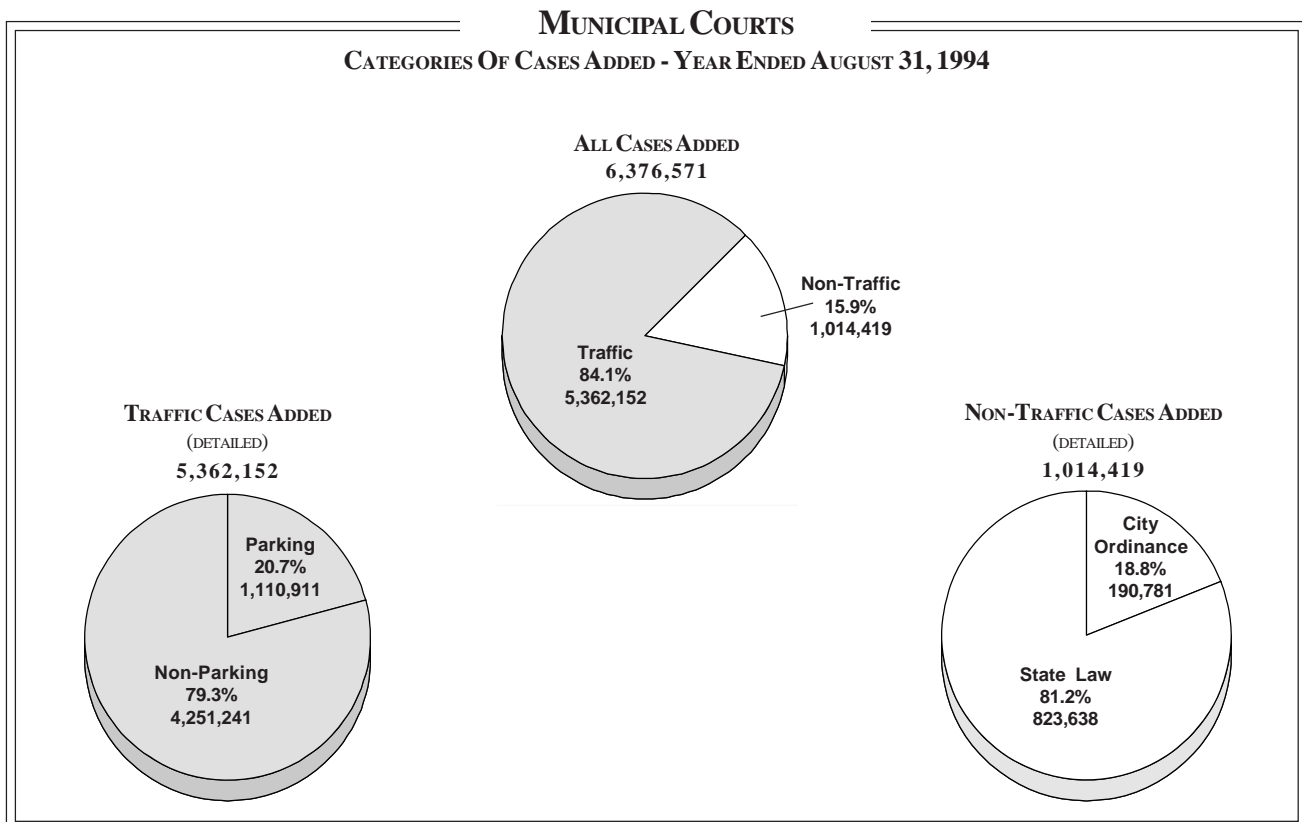
Of the traffic cases filed, 79.3 percent were for non-parking violations with the remaining 20.7 percent for parking-related offenses. Eighty-one percent of non-traffic cases filed were for state law violations with 15.9 percent related to local ordinances.

In the municipal judges' capacity as a state magistrate, the reporting judges accepted 60,720 complaints within the jurisdiction of the county court and 23,914 complaints within the jurisdiction of the district courts (felonies). Examining trials (preliminary

hearings of district or county court cases) held totaled 3,253, inquests conducted totaled 103, and drivers license suspension hearings totaled 5,496. There were 5,251 search warrants issued, 1,633,618 arrest warrants issued, and 179,665 defendants charged with county or district court offenses were given statutory warnings. In addition, 570 emergency mental commitment hearings were held and 6,806 matters relating to juveniles were conducted.

Municipal courts reported the disposition of cases in three major categories: prior to trial, at trial, and cases dismissed. Forty-two percent of all cases were disposed of before trial; 20 percent at trial (after appearance before the judge); and 38 percent were dismissals.

Analyzing traffic cases only, 39.1 percent were dismissed and 18.7 percent went to trial. The remaining 42.2 percent were disposed of prior to trial, 98.2 percent of which were by payment of fine. Of the 18.7 percent that went to trial, 99.3 percent of the cases were tried before the judge alone and the rest before a jury. When traffic cases went to trial, the defendant was found guilty in 95.4 percent of the cases tried before the judge alone and in 86.3 percent of the cases tried before a jury.

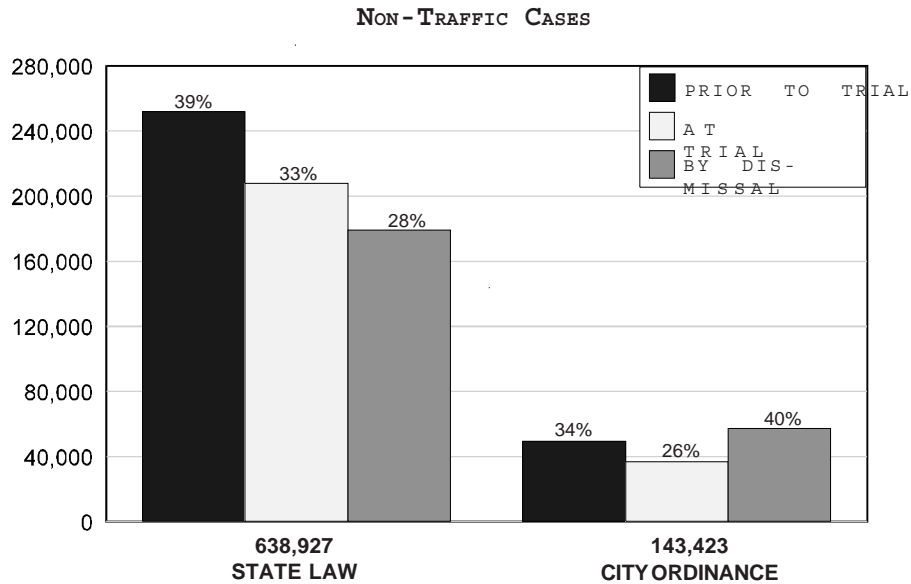
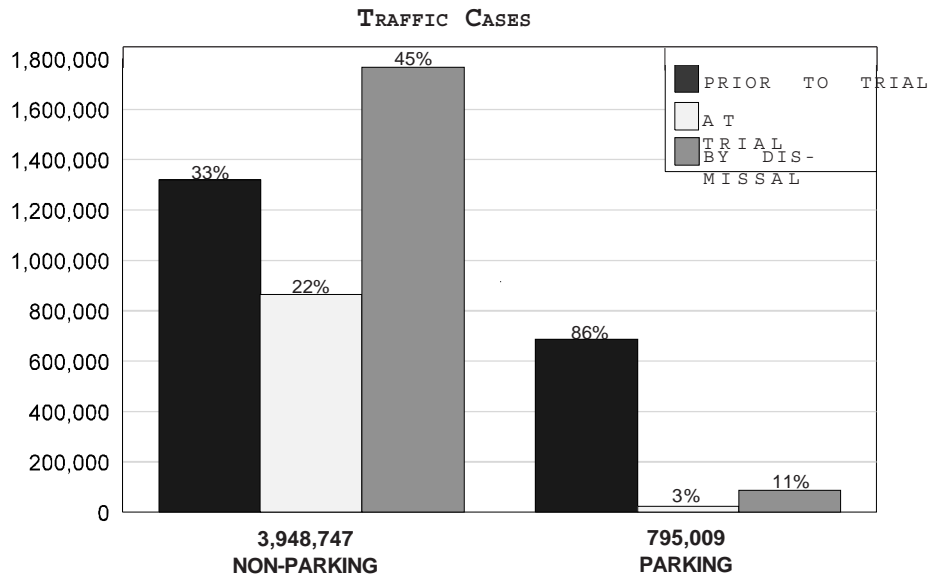


*More than 1,100 Texas cities have the authority to operate municipal courts, but the total number of cities which have active courts varies from year to year.

During fiscal years 1985 through 1994, the totals ranged from 814 to 858 for an average of 842. The 10-year average reporting rate was 85%.

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TYPES OF DISPOSITIONS OF CASES - YEAR ENDED AUGUST 31, 1994



Analyzing non-traffic criminal cases, 38.5 percent were disposed of prior to trial by payment of fine or forfeiture of a deposit made to insure appearance; 31.3 percent were disposed of at trial; and 30.2 percent were dismissed. Of those that went to trial, 99.4 percent were before the judge without a jury. Guilty findings were made in 95.4 percent of the trials before the judge alone and in 69.1 percent of the jury trials.

The courts reported disposing of 5,526,106 cases, which is 86.7 percent of the 6,376,571 filed. In the previous year, 80 percent were disposed. Of the convic-

tions, 58,453 cases were appealed to a higher court, 1.1 percent of the total cases disposed.

REPORTED REVENUES TOP \$249 MILLION

Total revenue collected by the reporting courts during the year ended August 31, 1994, was \$249,799,816, an 11 percent increase from the previous year. This revenue becomes part of the treasury of the city in which the court has jurisdiction, except for certain court costs on each case which are remitted to the special funds of the State.

MUNICIPAL COURTS

EXPLANATION OF CASE CATEGORIES

TRAFFIC MISDEMEANORS

This category includes all class C misdemeanor violations of the traffic laws of Texas and other violations of laws relating to the operation or ownership of a motor vehicle. Maximum punishment is by fine only, not to exceed \$500.

NON-PARKING

This includes all those violations which do not involve offenses for improper parking (for example, Exceeding the Speed Limit, Failure to Stop at a Traffic Control Device, Expired or No Driver's License or Inspection Sticker, etc.).

PARKING

This includes those offenses, by state law or city ordinance, which involve the improper standing of a vehicle (for example, Parking on Highway Right of Way, Within an Intersection, Overparking, etc.).

NON-TRAFFIC MISDEMEANORS

This category includes all other class C misdemeanor criminal violations:

STATE LAW

Violations are those usually found in the Penal Code of Texas and associated state laws (for example, Public Intoxication, Disorderly Conduct, Assault, Theft Under \$20, etc.). Maximum punishment is by fine only, not to exceed \$500.

CITY ORDINANCE

Violations are those non-traffic offenses found in the ordinances of the city (for example, Dog Running at Large, Plumbing Code Violation, etc.). Ordinance violations involving litter, fire safety, zoning, public health, and sanitation, are punishable by fines only, up to a maximum of \$2,000. Punishment for violation of other types of city ordinances is limited to fines only, not to exceed \$500.

CAUTIONARY STATEMENT

Perhaps more caution should be used in drawing general conclusions from court statistics than from statistics on other subjects. The included data do not attempt to portray everything courts or judges do, or how much time is spent on court-related activities not represented by these court statistics.

Particularly the county court judges, justices of the peace, and municipal court judges spend a large amount of time counseling with the people in their communities, and as a result of this counseling, many cases are not filed. In addition, as a result of their official position, many of these judges have non-judicial responsibilities in the community which are not reflected in these statistics.

It is important to note that reported totals for municipal courts do not reflect 100% of the activity of those courts, because all courts did not submit reports on the activity of their courts to this office.