

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 fourteen 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 420 as of September 1, 2003. Ten of these courts are designated "Criminal District Courts." The Legislature has authorized the creation of seven additional courts. Four are authorized for January 15, 2004; one is authorized for September 15, 2004; and two are authorized for September 1, 2005.

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, 2003, there were 17 probate courts and 209 county courts at law in operation in 81 counties. Six additional courts have been authorized by the Legislature but have not been implemented as of September 1, 2003. Two additional courts have been authorized by the Legislature to become operational at a later date. The 78th Legislature also abolished two statutory county courts that had not been implemented as of September 1, 2003: County Court at Law of Matagorda County and County Court at Law of Navarro County.

The Texas Constitution authorizes not less than one nor more than 16 justices of the peace in each county. Under this provision approximately 835 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. These courts have original jurisdiction over violations of municipal ordinances 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 most municipal courts 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.

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

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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.

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, Dallas, Eastland, El Paso, Fort Worth, Houston (two courts), San Antonio, Texarkana, Tyler, and Waco.

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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 El Paso and Amarillo each have four, and the remaining courts each retain the constitutional minimum number of three. Effective January 1, 2005, The 78th Legislature increased the number of justices on the Beaumont Court of Appeals from 3 to 4. The legislation also provides that when a vacancy occurs or a term expires on the El Paso Court of Appeals, that position will be eliminated leaving the El Paso court with three justices.

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.

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 which 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.*

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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 is \$100,000 or more and concurrent jurisdiction with the statutory county courts at law in cases where the amount in controversy exceeds \$500 but is less than \$100,000.

The district courts may hear contested matters involved 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, 2003, there were 420 separate district-level courts created by the Legislature. Each is identified by separate numbers, 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

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. Crudginton*, 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

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 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....".

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 thirty-two such courts:

65th El Paso	24.601, 24.635
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

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<p>315th Harris 24.601, 24.623 2</p> <p>316th Hutchinson 24.601, 24.624</p> <p>317th Jefferson 24.601, 24.625</p> <p>318th Midland 24.601, 24.626</p> <p>319th Nueces 24.601, 24.627</p> <p>320th Potter 24.601, 24.628</p> <p>321st Smith 24.601, 24.629</p> <p>322nd Tarrant 24.601, 24.630</p> <p>323rd Tarrant 24.601, 24.631</p> <p>324th Tarrant 24.601, 24.632</p> <p>325th Tarrant 24.601, 24.633</p> <p>326th Taylor 24.601, 24.634</p> <p>328th Fort Bend 24.601, 24.636</p> <p>329th Wharton 24.601, 24.637</p> <p>330th Dallas 24.601, 24.638</p> <p>360th Tarrant 24.601, 24.639</p> <p>Thirteen district courts are to give preference to family law matters but are not designated as "Family District Courts":</p> <p>231st Tarrant 24.408 3</p> <p>233rd Tarrant 24.410</p> <p>245th Harris 24.422</p> <p>246th Harris 24.423</p> <p>247th Harris 24.424 3</p> <p>254th Dallas 24.431</p> <p>255th Dallas 24.432</p> <p>256th Dallas 24.433</p> <p>257th Harris 24.434</p> <p>279th Jefferson 24.456</p> <p>387th Fort Bend 24.532</p> <p>388th El Paso 24.533</p> <p>393rd Denton 24.538</p> <p>One district court is to give preference to civil cases and cases under Title 2 or 5 of the Family Code:</p> <p>225th Bexar 24.403, 24.139 4</p> <p>One district court is directed by statute to give preference to civil cases and cases under Title 3 of the Family Code:</p> <p>73rd Bexar 24.175, 24.139 5</p> <p>One district court is directed by statute to give first preference to family law cases and second preference to criminal cases:</p> <p>148th Nueces 24.353 6</p> <p>285th Bexar 24.462, 24.139 11</p> <p>288th Bexar 24.465, 24.139</p> <p>All tax suits in Webb County shall be assigned to one district court:</p> <p>49th Webb 24.151 12</p> <p>Fifty-three district courts are instructed to give preference to criminal cases:</p> <p>105th Nueces, Kenedy, Kleberg 24.207</p> <p>107th Cameron, Willacy 24.209</p> <p>138th Cameron, Willacy 24.240</p> <p>144th Bexar 24.245, 24.139, 75.013</p> <p>147th Travis 24.248</p>	<p>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:</p> <p>289th Bexar 24.466, 24.139 7</p> <p>One district court is to give preference to family violence and criminal matters:</p> <p>398th Hidalgo 24.543 8</p> <p>One district court is to give preference to all family violence cases and cases under the Family Code and Health and Safety Code:</p> <p>406th Webb 24.551 9</p> <p>Eleven district courts are instructed to give preference to civil cases:</p> <p>103rd Cameron, Willacy 24.205</p> <p>215th Harris 24.394</p> <p>295th Harris 24.472</p> <p>298th Dallas 24.475</p> <p>333rd Harris 24.479 10</p> <p>334th Harris 24.480</p> <p>342nd Tarrant 24.488</p> <p>345th Travis 24.491</p> <p>348th Tarrant 24.494</p> <p>352nd Tarrant 24.498</p> <p>408th Bexar 24.544</p> <p>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 <i>Lord vs. Clayton</i>, 352 S.W.2d at 722):</p> <p>37th Bexar 24.139</p> <p>45th Bexar 24.147, 24.139</p> <p>57th Bexar 24.159, 24.139</p> <p>73rd Bexar 24.175, 24.139</p> <p>131st Bexar 24.233, 24.139</p> <p>150th Bexar 24.249, 24.139 11</p> <p>166th Bexar 24.263, 24.139</p> <p>224th Bexar 24.402, 24.139</p> <p>225th Bexar 24.403, 24.139</p> <p>175th Bexar 24.268, 24.139, 75.013</p> <p>182nd Harris 24.362</p> <p>183rd Harris 24.363</p> <p>184th Harris 24.364</p> <p>185th Harris 24.365</p> <p>186th Bexar 24.274, 24.139, 75.013</p> <p>187th Bexar 24.366, 24.139, 75.013</p> <p>194th Dallas 24.373</p> <p>195th Dallas 24.374</p> <p>197th Cameron, Willacy 24.376</p> <p>202nd Bowie 24.381</p> <p>203rd Dallas 24.382</p> <p>204th Dallas 24.383</p> <p>205th Culberson, El Paso, Hudspeth 24.384</p> <p>207th Caldwell, Comal, Hays 24.386</p>
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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	13
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	
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	
390th Travis	24.535	
396th Tarrant	24.541	
399th Bexar	24.544, 75.013	
403rd Travis	24.548	
Criminal District Court No. 4 of Tarrant County	24.913	

Two district courts are to give preference to juvenile matters:

386th Bexar	24.531	14
* 417th Collin	24.561	

Effective 09/15/04.

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

As of September 1, 2002, 209 statutory county courts and 17 statutory probate courts had been created, largely in metropolitan areas. Six additional courts have been authorized by the Legislature but have not been implemented as of September 1, 2003. Two 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 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 Texas Workers' Compensation Commission. Sec. 25.003, 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 Texas Workers' Compensation Commission and civil cases when the matter in controversy does not exceed \$100,000:

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 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	17
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	

Effective 01/01/05.

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	

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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	17
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 Texas Workers' compensation Commission and civil cases when the matter in controversy does not exceed \$250,000:

County Court at Law No. 1 of Travis County	25.2292	
County Court at Law No. 2 of Travis County	25.2292	
County Court at Law No. 3 of Travis County	25.2292	18
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 Texas Workers' Compensation Commission 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	
County Court at Law No. 2 of Cameron County ..	25.0332	19
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 Texas Workers' Compensation Commission 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	20
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 Texas Workers' Compensation Commission, 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-one county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the Texas Workers' Compensation Commission, and civil cases when the matter in controversy does not exceed \$100,000:

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 Bastrop County	25.0132	
County Court at Law No. 1 and Probate Court of Brazoria County	25.0222	22
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. 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	

Effective 09/01/03.

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	

Effective 12/01/07 or on an earlier date determined by the commissioners court.

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	22
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	
County Court at Law No. 2 of Orange County	25.1832	

Effective 09/01/03.

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	

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County Court at Law of Washington County	25.2412
* County Court at Law of Wilbarger County	25.2462
<i>Effective 01/01/94 but not implemented as of 09/01/03.</i>	
County Court at Law No. 1 of Williamson County	25.2482
County Court at Law No. 2 of Williamson County	25.2482 22
County Court at Law No. 3 of Williamson County	25.2482
County Court at Law of Wise County	25.2512

Two county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the Texas Workers' Compensation Commission, and civil cases with a \$500,000 limit on the amount in controversy:

County Court at Law of Midland County	25.1672 23
County Court at Law No. 2 of Midland County	25.1672

Four county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the Texas Workers' Compensation Commission, and civil cases with a \$750,000 limit on the amount in controversy:

County Court at Law No. 1 of Hidalgo County	25.1101
County Court at Law No. 2 of Hidalgo County	25.1101 24
County Court at Law No. 4 of Hidalgo County	25.1101
County Court at Law No. 5 of Hidalgo County	25.1101

Three county courts at law have concurrent jurisdiction with the district court in family law cases and proceedings, appeals of decisions of the Texas Workers' Compensation Commission and all civil cases with no upper limits on the amount in controversy:

County Court at Law of Ellis County	25.0722
County Court at Law No. 2 of Ellis County	25.0072 25
County Court at Law of Rusk County	25.2032

One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the Texas Workers' Compensation Commission, civil cases when the matter in controversy does not exceed \$100,000 and tax cases:

County Court at Law of Polk County	25.1892 26
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Four county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the Texas Workers' Compensation Commission, civil cases when the matter in controversy does not exceed \$100,000 and matters involving an *inter vivos* trust:

County Court at Law No. 1 of Montgomery County	25.1722
County Court at Law No. 2 of Montgomery County	25.1722 27
County Court at Law No. 3 of Montgomery County	25.1722
County Court at Law No. 4 of Montgomery County	25.1722

One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the Texas Workers' Compensation Commission, civil cases when the matter in controversy does not exceed \$100,000 and suits involving title to real property:

County Court at Law of Starr County	25.2162 28
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One county court at law has concurrent jurisdiction with the district court in family law cases, appeals of decisions of the Texas Workers' Compensation Commission, 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:

County Court at Law of Hood County	25.1132 29
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One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the Texas Workers' Compensation Commission, 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:

County Court at Law of Anderson County	25.0042 30
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One county court at law has concurrent jurisdiction with the district court in family law cases and proceedings, appeals of decisions of the Texas Workers' Compensation Commission, civil cases with no upper limits on the amount in controversy, and felony cases to conduct arraignments, pretrial hearings and accept guilty pleas:

County Court at Law of Randall County	25.1932 31
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One county court at law has concurrent jurisdiction with the district court in family law cases; appeals of decisions of the Texas Workers' Compensation Commission; civil cases up to \$100,000; probate matters and felony cases to conduct arraignments, pretrial hearings and accept guilty pleas:

County Court at Law of Lamar County	25.1412 32
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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 Texas Workers' Compensation Commission, 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 Texas Workers' Compensation Commission, 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
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One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the Texas Workers' Compensation Commission, civil cases up to \$100,000 and felony criminal cases:

County Court at Law of Brown County	25.0272 35
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One county court at law has concurrent jurisdiction with the district court in family law cases, appeals of decisions of the Texas Workers' Compensation Commission, 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 36
<i>Effective 01/01/00 but not implemented as of 09/01/03.</i>	

Three county courts at law have concurrent jurisdiction with the

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district court in non-jury family law cases, appeals of decisions of the Texas Workers' Compensation Commission, 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	
County Court at Law No. 2 of Tarrant County	25.2222	37
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 Texas Workers' Compensation Commission, 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	38
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One county court at law has concurrent jurisdiction with the district court in appeals of decisions of the Texas Workers' Compensation Commission, 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	39
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Four statutory county courts have concurrent jurisdiction with the district court in appeals of decisions of the Texas Workers' Compensation Commission, 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	
County Civil Court at Law No. 2 of Harris County	25.1032	40
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 Texas Workers' Compensation Commission; 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	41
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 Texas Workers' Compensation Commission, 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	42
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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	43
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	44
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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	45
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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	46
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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	47
Probate Court No. 2 of Bexar County	25.0173	

Five statutory county courts have felony jurisdiction concurrent with 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	
County Criminal Court No. 2 of Denton County	25.0634	
County Criminal Court No. 3 of Denton County	25.0634	48
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	
County Criminal Court No. 7 of Tarrant County	25.2223	
County Criminal Court No. 8 of Tarrant County	25.2223	49
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	50
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

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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	51
* County Court at Law No. 2 of Parker County	25.1862	
<i>Effective 09/01/03.</i>		

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	52
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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, or civil cases when the amount in controversy exceeds \$100,000:

County Court at Law of Bowie County	25.0212	53
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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	
County Court at Law No. 2 of Nueces County	25.1802	54
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	55
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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	56
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	
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	57
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 1st or 2nd

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	
County Court at Law No. 2 of Smith County	25.2142	58
County Court at Law No. 3 of Smith County	25.2142	

Two 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 Kaufman County	25.1312	59
* County Court at Law of Rockwall County	25.2012	
<i>Effective 09/01/03.</i>		

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	60
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One statutory criminal law magistrate court has concurrent criminal jurisdiction with the district court, except to hear a trial of a felony offense on the merits if a jury trial is demanded or if a defendant pleads not guilty, impose sentence in a felony case unless the judge in whose court the case is pending assigned the case to the criminal law magistrate court for a guilty plea and sentence, or hear any part of a capital murder case after indictment:

El Paso Criminal Law Magistrate Court	54.733	61
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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	62
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 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	63
Comal (22nd, 207th, 274th District Courts)	24.123, 24.386, 24.451, 26.146	63
Webb (49th District Court)	24.151, 26.340	

All civil jurisdiction of the county court, except probate and juvenile, has been transferred to the district court in two 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	64
Morris (76th, 276th District Courts)	24.178, 24.453, 26.272	

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In two counties, all civil and criminal jurisdiction of the county court, except probate and juvenile, has been transferred to the district court, and the two levels of courts have been granted concurrent jurisdiction to receive guilty pleas in misdemeanor cases:

Cass (5th District Court) 24.105	26.134 65
Marion (115th, 276th District Courts)	24.217, 24.453, 26.258

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 66
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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 67
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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
Cottle (50th District Court)	24.152; 26.151 68
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
Mills (35th District Court)	24.137, 26.267
Navarro (13th District Court)	24.114, 26.275 69
Sabine (1st, 273rd District Courts)	24.101, 24.450, 26.302

San Augustine (1st, 273rd District Courts)	24.101, 24.450, 26.303
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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
207th Caldwell	24.386
258th Polk	24.435 70
276th Camp	24.453, 24.178

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

49th Zapata	24.151
66th Hill	24.168, 26.209

115th Upshur	24.217, 26.330 71
294th Van Zandt	24.471
344th Chambers	24.490
356th Hardin	24.502
402nd Wood	24.547

The criminal jurisdiction of the county court has been transferred to twenty-three district-level courts and the district courts 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
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 72
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
213th Tarrant	24.392
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

Four district level courts have concurrent jurisdiction with the county courts at law of misdemeanor cases:

85th Brazos	24.187
272nd Brazos	24.449 73
361st Brazos	24.506
Criminal District Court of Jefferson County	24.920

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 74
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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

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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 234 of these statutory courts in 84 counties to relieve the county judge of some or all of the judicial duties of office. As of September 1, 2003, 226 of these courts were in actual operation in 81 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):

- Anderson** (1) County Court at Law
- Angelina** (2) County Court at Law No. 1
County Court at Law No. 2
- Aransas** (1) County Court at Law
- Austin** (1) County Court at Law
- Bastrop** (1) County Court at Law
- Bee** (1) * County Court at Law
Effective 01/01/00 but no implemented as of 09/01/03.
- Bell** (3) County Court at Law No. 1
County Court at Law No. 2
County Court at Law No. 3
- Bexar** (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
- Bowie** (1) County Court at Law
- Brazoria** (3) 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
(Note: Brazoria County Court at Law and Probate Courts Nos. 1, 2 and 3 are not statutory probate courts as that term is defined by Section 3 of the Probate Code.)
- Brazos** (2) County Court at Law No. 1
County Court at Law No. 2
- Brown** (1) County Court at Law
- Burnet** (1) County Court at Law
- Caldwell** (1) County Court at Law
- Calhoun** (1) County Court at Law No. 1
- Cameron** (3) County Court at Law No. 1
County Court at Law No. 2
County Court at Law No. 3
- Cherokee** (1) County Court at Law
- Collin** (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
Effective 01/01/05.
Probate Court No. 1
- Cooke** (1) County Court at Law
- Comal** (2) County Court at Law No. 1
* County Court at Law No. 2
Effective but not implemented as of 09/01/03.
- Coryell** (1) County Court at Law
- Dallas** (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
County Criminal Court No. 8
County Criminal Court No. 9
County Criminal Court No.10
County Criminal Court No. 11
County Criminal Court of Appeals
County Criminal Court of Appeals No. 2
Probate Court
Probate Court No. 2
Probate Court No. 3
- Denton** (8) County Court at Law No. 1
County Court at Law No. 2
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
Probate Court
- Ector** (2) County Court at Law

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	County Court at Law No. 2	Hunt	(1) County Court at Law
Ellis	(2) County Court at Law	Jefferson	(3) County Court at Law No. 1
	County Court at Law No. 2		County Court at Law No. 2
El Paso	(10) County Court at Law No. 1		County Court at Law No. 3
	County Court at Law No. 2	Johnson	(2) County Court at Law No. 1
	County Court at Law No. 3		County Court at Law No. 2
	County Court at Law No. 4	Kaufman	(1) County Court at Law
	County Court at Law No. 5	Kendall	(1) County Court at Law
	County Court at Law No. 6	Kerr	(1) County Court at Law
	County Court at Law No. 7	Kleberg	(1) County Court at Law
	County Criminal Court at Law No. 1	Lamar	(1) County Court at Law
	County Criminal Court at Law No. 2	Liberty	(1) County Court at Law
	Probate Court	Lubbock	(3) County Court at Law No. 1
Erath	(1) County Court at Law		County Court at Law No. 2
Fort Bend	(4) County Court at Law No. 1		County Court at Law No. 3
	County Court at Law No. 2	McLennan	(2) County Court at Law
	County Court at Law No. 3		County Court at Law No. 2
	County Court at Law No. 4	Medina	(1) County Court at Law
Galveston	(4) County Court No. 1	Midland	(2) County Court at Law
	County Court No. 2		County Court at Law No. 2
	County Court No. 3	Montgomery	(4) County Court at Law No. 1
	Probate Court		County Court at Law No. 2
Grayson	(2) County Court at Law		County Court at Law No. 3
	County Court at Law No. 2		County Court at Law No. 4
Gregg	(2) County Court at Law	Moore	(1) County Court at Law
	County Court at Law No. 2	Nacogdoches	(1) County Court at Law
Guadalupe	(2) County Court at Law	Nolan	(1) County Court at Law
	County Court at Law No. 2	Nueces	(5) County Court at Law No. 1
Harris	(23) County Civil Court at Law No. 1		County Court at Law No. 2
	County Civil Court at Law No. 2		County Court at Law No. 3
	County Civil Court at Law No. 3		County Court at Law No. 4
	County Civil Court at Law No. 4		County Court at Law No. 5
	County Criminal Court at Law No. 1	Orange	(2) County Court at Law
	County Criminal Court at Law No. 2		* County Court at Law No. 2
	County Criminal Court at Law No. 3		<i>Effective but not implemented as of 09/01/03.</i>
	County Criminal Court at Law No. 4	Panola	(1) County Court at Law
	County Criminal Court at Law No. 5	Parker	(2) County Court at Law
	County Criminal Court at Law No. 6		* County Court at Law No. 2
	County Criminal Court at Law No. 7		<i>Effective but not implemented as of 09/01/03.</i>
	County Criminal Court at Law No. 8	Polk	(1) County Court at Law
	County Criminal Court at Law No. 9	Potter	(2) County Court at Law No. 1
	County Criminal Court at Law No. 10		County Court at Law No. 2
	County Criminal Court at Law No. 11	Randall	(1) County Court at Law No. 1
	County Criminal Court at Law No. 12	Reeves	(1) County Court at Law
	County Criminal Court at Law No. 13	Rockwall	(1)* County Court at Law
	County Criminal Court at Law No. 14		<i>Effective but not implemented as of 09/01/03.</i>
	County Criminal Court at Law No. 15	Rusk	(1) County Court at Law
	Probate Court No. 1	San Patricio	(1) County Court at Law
	Probate Court No. 2	Smith	(3) County Court at Law
	Probate Court No. 3		County Court at Law No. 2
	Probate Court No. 4		County Court at Law No. 3
Harrison	(1) County Court at Law	Starr	(1) County Court at Law
Hays	(2) County Court at Law No. 1	Tarrant	(15) County Court at Law No. 1
	County Court at Law No. 2		County Court at Law No. 2
Henderson	(2) County Court at Law		County Court at Law No. 3
	* County Court at Law No. 2		County Criminal Court No. 1
	<i>Effective on 12/01/07 or on an earlier date determined by commissioners court.</i>		County Criminal Court No. 2
Hidalgo	(5) County Court at Law		County Criminal Court No. 3
	County Court at Law No. 2		County Criminal Court No. 4
	County Court at Law No. 4		County Criminal Court No. 5
	County Court at Law No. 5		County Criminal Court No. 6
	Probate Court		County Criminal Court No. 7
Hood	(1) County Court at Law		County Criminal Court No. 8
Hopkins	(1) County Court at Law		County Criminal Court No. 9
Houston	(1) County Court at Law		County Criminal Court No. 10
			Probate Court No. 1

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		Probate Court No. 2
Taylor	(2)	County Court at Law County Court at Law No. 2
Tom Green	(2)	County Court at Law County Court at Law No. 2
Travis	(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
Val Verde	(1)	County Court at Law
Victoria	(2)	County Court at Law No. 1 County Court at Law No. 2
Walker	(1)	County Court at Law
Waller	(1)	County Court at Law
Washington	(1)	County Court at Law
Webb	(2)	County Court at Law No. 1 County Court at Law No. 2
Wichita	(2)	County Court at Law No. 1 County Court at Law No. 2
Wilbarger	(1) *	County Court at Law <i>Effective 01/01/94 but not implemented as of 09/01/03.</i>
Williamson	(3)	County Court at Law No. 1 County Court at Law No. 2 County Court at Law No. 3
Wise	(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 and less than \$100,000 and appeals of final rulings and decisions of the Texas Workers' Compensation Commission. 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 75
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 76
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 77
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 78
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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
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 79
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 79
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 80

Five county courts at law exercise concurrent jurisdiction with at least one of the district courts in the county in all civil and criminal

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matters that had earlier been transferred from the county court to the district court. The county court at law and county court have concurrent probate jurisdiction:

County Court at Law of Bowie	
County	24.105, 25.0212, 26.119
County Court at Law No. 1 of Comal	
County	24.123, 25.0482, 26.146
* County Court at Law No. 2 of Comal	
County	24.123, 25.0482, 26.146 81
<i>Effective but not implemented as of 09/01/03.</i>	
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

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
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 82
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 and juvenile matters, and cases alleging a violation of Sec. 25.093 or 25.094, Education Code, was transferred to the following nineteen county courts at law:

County Civil Court at Law No. 1 of Harris	
County	25.1032, 26.201 83
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 83
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

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

County Court at Law No. 1 of Collin	
County	26.143, 25.0452
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>Effective 01/01/05.</i>	
County Court at Law No. 1 of Hidalgo	
County	26.208, 25.1102 84
County Court at Law No. 2 of Hidalgo	
County	26.208, 25.1102
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. 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

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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

County Court at Law No. 2 of Brazos
 County 26.121, 25.0232

County Court at Law of Grayson 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 **85**

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, 25.1542

County Court at Law No. 3 of Lubbock
 County 26.252, 25.1542

County Court at Law of Taylor 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 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

County Court at Law No. 6 of Bexar
 County 25.0172, 26.115 **86**

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:

County Court at Law No. 1 of Bexar
 County 25.0172, 26.115 **87**

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 **88**

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 **89**

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 **90**

County Court at Law No. 2 of Wichita
 County 26.121, 25.0232

Eighty 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

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 but not implemented as of 09/01/03.

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 **91**

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

* County Court at Law No. 2 of Henderson County ... 25.1092
Effective on 12/01/07 or on an earlier date determined by commissioners court.

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 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

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<p>County Court at Law No. 1 of Montgomery County . 25.1722</p> <p>County Court at Law No. 2 of Montgomery County . 25.1722</p> <p>County Court at Law No. 3 of Montgomery County . 25.1722</p> <p>County Court at Law No. 4 of Montgomery County . 25.1722</p> <p>County Court at Law of Moore County 25.1732</p> <p>County Court at Law of Nolan County 25.1792</p> <p>County Court at Law of Orange County 25.1832</p> <p>* County Court at Law No. 2 of Orange County 25.1092 91</p> <p style="padding-left: 20px;"><i>Effective 09/01/03.</i></p> <p>County Court at Law of Panola County 25.1852</p> <p>County Court at Law of Parker County 25.1862</p> <p>* County Court at Law No. 2 of Parker County 25.1862</p> <p style="padding-left: 20px;"><i>Effective 09/01/03.</i></p> <p>County Court at Law of Polk County 25.1892</p> <p>County Court at Law No. 1 of Potter County 25.1902</p> <p>County Court at Law No. 2 of Potter County 25.1902</p> <p>County Court at Law of Randall County 25.1932</p> <p>* County Court at Law of Rockwall County 25.2012</p> <p style="padding-left: 20px;"><i>Effective 09/01/03.</i></p> <p>County Court at Law of Rusk County 25.2032</p> <p>County Court at Law of San Patricio County 25.2072</p> <p>County Court at Law of Smith County 25.2142</p> <p>County Court at Law No. 2 of Smith County 25.2142</p> <p>County Court at Law No. 3 of Smith County 25.2142</p> <p>County Court at Law of Starr County 25.2162</p> <p>County Court at Law of Tom Green County 25.2282</p> <p>County Court at Law No. 2 of Tom Green County 25.2282</p> <p>County Court at Law of Val Verde County 25.2352 91</p> <p>County Court at Law of Victoria County 25.2372</p> <p>County Court at Law No. 2 of Victoria County 25.2372</p> <p>County Court at Law of Wilbarger County 25.2462</p> <p>County Court at Law No. 1 of Williamson County 25.2482</p> <p>County Court at Law No. 2 of Williamson County 25.2482</p> <p>County Court at Law No. 3 of Williamson County 25.2482</p> <p>County Court at Law of Wise County 25.2512</p>	<p>Probate Court No. 1 of Bexar County 25.0173</p> <p>Probate Court No. 2 of Bexar County 25.0173</p> <p>Probate Court No. 1 of Collin County 25.0453</p> <p>Probate Court of Dallas County 25.0595</p> <p>Probate Court No. 2 of Dallas County 25.0595</p> <p>Probate Court No. 1 of Harris County 25.1034 95</p> <p>Probate Court No. 2 of Harris County 25.1034</p> <p>Probate Court No. 4 of Harris County 25.1034</p> <p>Probate Court of Hidalgo County 25.1102</p> <p>Probate Court No. 1 of Tarrant County 25.2224</p> <p>Probate Court No. 2 of Tarrant County 25.2224</p>
	<p>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:</p> <p>Probate Court No. 1 of Travis County 25.2293 96</p>
	<p>Three statutory probate courts have concurrent jurisdiction with the county court in probate matters and are to have primary responsibility for mental illness proceedings:</p> <p>Probate Court No. 1 of Bexar County 25.0173</p> <p>Probate Court No. 3 of Dallas County 25.0595 97</p> <p>Probate Court No. 3 of Harris County 25.1034</p>
	<p>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:</p> <p>County Criminal Court No. 1 of Denton County 25.0634</p> <p>County Criminal Court No. 2 of Denton County 25.0634</p> <p>County Criminal Court No. 3 of Denton County 25.0634 98</p> <p>County Criminal Court No. 4 of Denton County 25.0634</p> <p>County Criminal Court No. 5 of Denton County 25.0634</p>
<p>Three 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:</p>	
<p>County Court at Law No. 1 and Probate Court of Brazoria County 25.0222</p> <p>County Court at Law No. 2 and Probate Court of Brazoria County 25.0222 92</p> <p>County Court at Law No. 3 and Probate Court of Brazoria County 25.0222</p> <p style="padding-left: 20px;"><i>(Note: Brazoria County Court at Law and Probate Courts Nos. 1, 2 and 3 are not statutory probate courts as that term is defined by Section 3 of the Probate Code.)</i></p>	
<p>Three statutory county courts exercise concurrent jurisdiction with the county court in all matters except probate:</p>	
<p>County Court at Law No. 1 of Galveston County 25.0862 93</p> <p>County Court at Law No. 2 of Galveston County 25.0862</p> <p>County Court at Law No. 3 of Galveston County 25.0862</p>	
<p>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:</p>	
<p>County Court at Law of Hood County 25.1132 94</p>	
<p>In six counties, eleven statutory probate courts have concurrent jurisdiction with the county court in probate matters only:</p>	<p>County Criminal Court No. 1 of Tarrant County 25.2223</p> <p>County Criminal Court No. 2 of Tarrant County 25.2223</p> <p>County Criminal Court No. 3 of Tarrant County 25.2223</p> <p>County Criminal Court No. 4 of Tarrant County 25.2223</p> <p>County Criminal Court No. 5 of Tarrant County 25.2223 99</p> <p>County Criminal Court No. 6 of Tarrant County 25.2223</p> <p>County Criminal Court No. 7 of Tarrant County 25.2223</p> <p>County Criminal Court No. 8 of Tarrant County 25.2223</p> <p>County Criminal Court No. 9 of Tarrant County 25.2223</p> <p>County Criminal Court No. 10 of Tarrant County 25.2223</p>
	<p>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:</p> <p>County Criminal Court of Dallas County 25.0593</p> <p>County Criminal Court No. 2 of Dallas County 25.0593</p> <p>County Criminal Court No. 3 of Dallas County 25.0593</p> <p>County Criminal Court No. 4 of Dallas County 25.0593</p> <p>County Criminal Court No. 5 of Dallas County 25.0593 100</p> <p>County Criminal Court No. 6 of Dallas County 25.0593</p>

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County Criminal Court No. 7 of Dallas County 25.0593
 County Criminal Court No. 8 of Dallas County 25.0593
 County Criminal Court No. 9 of Dallas County 25.0593
 County Criminal Court No. 10 of Dallas County 25.0593
 County Criminal Court No. 11 of Dallas County 25.0583

One statutory criminal law magistrate court has been created that handles criminal cases prescribed by law for county courts, except the magistrate court does not have jurisdiction to hear a trial of a misdemeanor offense on the merits, other than a class C misdemeanor, if a jury trial is demanded or if a defendant pleads not guilty:

El Paso Criminal Law Magistrate Court 54.733 101

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 25.0594 102
 County Criminal Court of Appeals No. 2 of Dallas
 County 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 103
 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 public offenses, both felonies and misdemeanors. 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 835 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 is from \$200.01 to \$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
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
Gaines County	26.183
Garza County	26.185
Goliad County	26.188 104
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
Edwards County	26.169
Gillespie County	26.186
Irion County	26.218
Kimble County	26.234 105
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 106
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

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matters prescribed by law for justice of the peace courts:

*	County Court at Law of Bee County	25.0152	
	<i>Effective 01/01/00 but not implemented as of 09/01/03.</i>		107
	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 09/01/03.</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	

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 have jurisdiction:

County Court at Law of Grayson County	25.0932	
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	108
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	25.1802	
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.

Presently, municipal courts are operating in approximately 886 cities. Metropolitan cities usually have more than one municipal court. These 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 limited civil jurisdiction in being able to assess civil penalties for owners of dangerous dogs. Furthermore, certain municipalities with a population in excess of 125,000 may declare the violation of city ordinances relating to parking and stopping vehicles to be civil offenses and prescribe civil fines, and establish an administrative adjudication hearing procedure for these offenses.

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*.

Under the authority of special and general legislation, several municipal courts operate as "courts of record." In the 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 municipal courts. Such appeals are generally heard in the county court or county court at law, but the Legislature has authorized the City of El Paso to create a municipal court of appealsto hear appealsfrom that city's municipal courts. The statutes creating these municipal courts of record uniformly 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 1,326 municipal judges in this State, about 30 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.

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Reference Numbers
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