

ANNUAL
STATISTICAL REPORT
FOR THE
TEXAS JUDICIARY



FISCAL YEAR 2007

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FOR THE
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Published By

OFFICE OF COURT ADMINISTRATION
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OFFICE OF COURT ADMINISTRATION

A Message from the Administrative Director



Welcome to the Annual Statistical Report for the Texas Judiciary. We hope this is a useful and relevant document for those interested in the administration of justice in our great state.

The last year was one of heightened interest in the administration of justice, driven by a legislative proposal to reorganize the court system, and the State Bar's continuing interest in court administration issues; as a result, OCA's judicial statistics and other information about the courts have been in even greater demand than usual. The other significant focus on court administration has come from the effort, mobilized by the Supreme Court of Texas, to improve court outcomes for children who have been abused or neglected. OCA has participated through collaborative relationships with the Court, the staff of the Court Improvement Project, the Supreme Court Task Force on Foster Care, the Task Force on Child Protection Case Management and Reporting, the Department of Family and Protective Services, the State Bar of Texas Committee on Child Abuse and Neglect, the Partnership for Family Recovery, and a host of other stakeholders. In the future this initiative will be pursued under the aegis of the Commission on Children, Youth and Families, created by the Court in November of 2007.

In 2007, the Task Force on Indigent Defense funded the state's first death penalty public defender, serving the 7th and 9th administrative judicial regions, and the nation's first stand-alone mental health public defender, in Travis County. Other accomplishments for OCA included:

- Launching [CourTex](#) – a newsletter for the Judicial Branch - in November 2006.
- Effecting dramatic changes to the [Texas Courts Online](#) website, including the interactive court structure diagram on the home page and the addition of a subject matter [Encyclopedia](#), as well as pages for [Judicial Information](#), [Programs & Projects](#), [Latest News](#), and a [Message from the Director](#).
- Gearing up for the district court weighted caseload study, as urged by the Judicial Council and mandated by the 79th Legislature.
- Working with judges and clerks to review and update the data elements used by trial courts in reporting court activity in criminal, civil (including family law), juvenile, probate, mental health, and guardianship cases, as directed by the Judicial Council's Committee on Judicial Data Management.
- Meeting the statutory deadline to begin certifying guardians by September 1, 2007.
- Providing technical assistance to Midland County with an evaluation of the county's criminal justice processes, and implementing a broader court services program that assisted courts in seven other counties.

Our office is dedicated to providing resources and information for the efficient administration of the judicial branch of government. Please contact me if there is anything we can do in furtherance of that mission.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl [unclear]".

Texas Courts: A Descriptive Summary

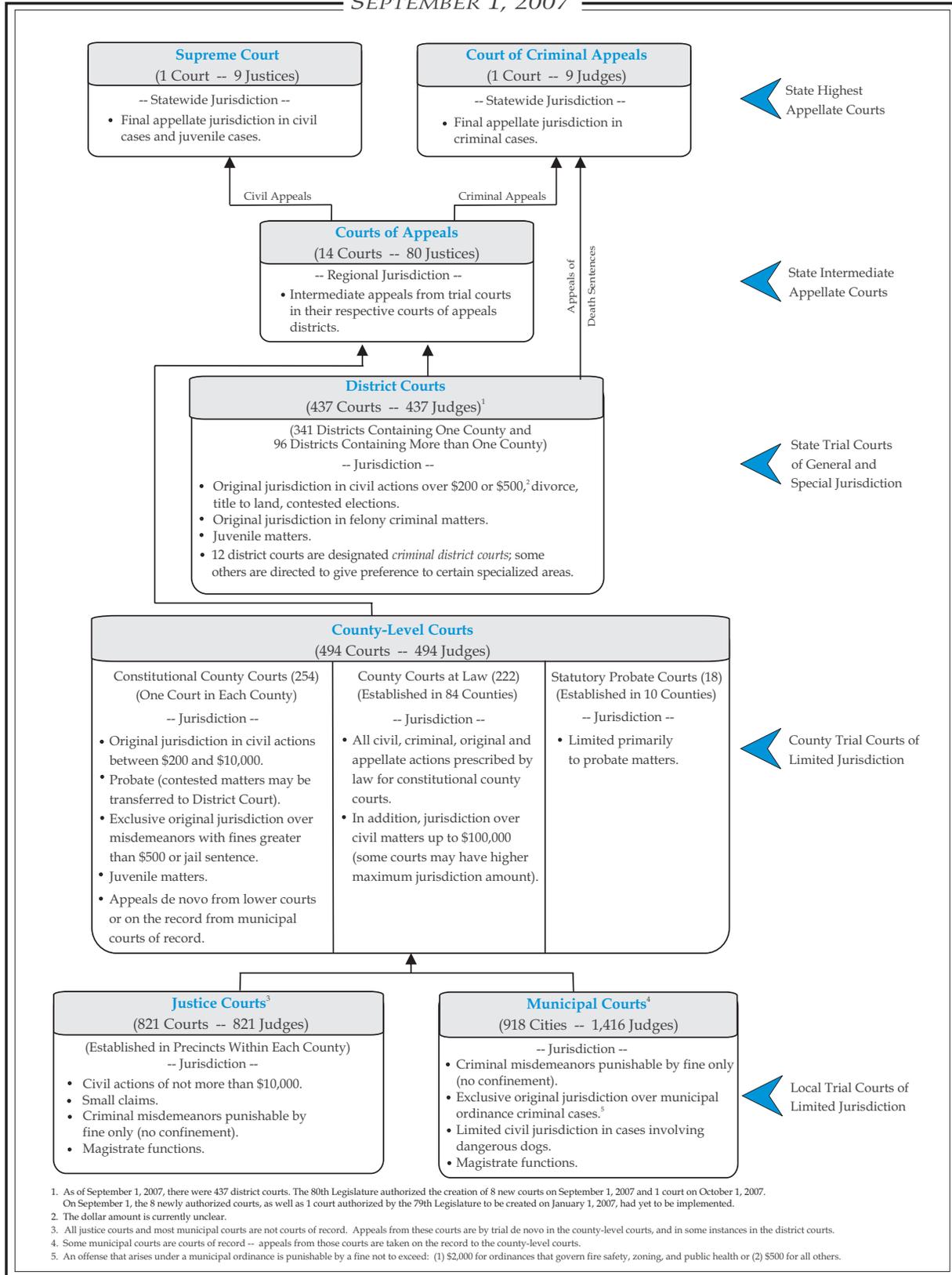


Photo courtesy of TexasCourthouses.com

Somervell County Courthouse - Glen Rose

COURT STRUCTURE OF TEXAS

SEPTEMBER 1, 2007



Introduction

As reflected on page 2, there were 3,266 elected (or appointed, in the case of most municipal judges) judicial positions in Texas as of September 1, 2007. In addition, there were more than 127 associate judges appointed to serve in district, county-level, child protection, and child support (Title IV-D) courts, as well as numerous magistrates, masters, referees and other officers supporting the judiciary. More than 300 retired and former judges were also eligible to serve for assignment.

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

District courts are the state trial courts of general jurisdiction. The geographical area served by each district court is established by the specific statute creating that court.

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, generally designated as county courts at law or statutory probate courts, in the more populous counties. The Texas Constitution also authorizes not less than one nor more than 16 justices of the peace in each county. The justice courts serve as small claims courts and have jurisdiction in misdemeanor cases where punishment upon conviction may be by fine only.

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 jurisdiction with the justice courts over misdemeanor state law violations, limited to the geographical confines of the municipality.

Trials in the justice courts and most municipal courts are not of record, and appeals therefrom are by new trial (“trial *de novo*”) to the county court, except in certain counties, 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 a 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 cases heard by non-lawyer judges in juvenile cases).

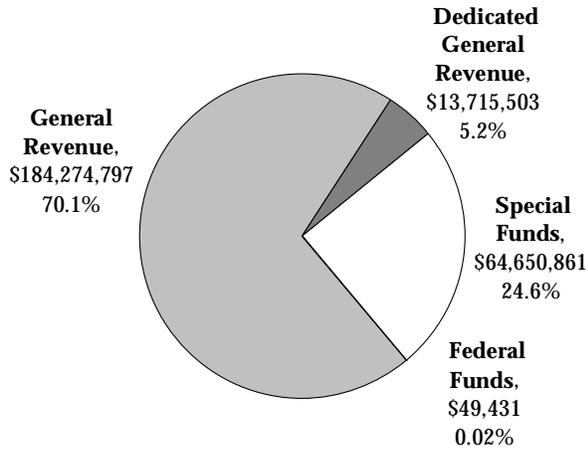
Funding of the Texas Judicial Branch

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

In fiscal year 2007, state appropriations for the Texas judicial system increased 0.7 percent from the previous fiscal year and accounted for approximately 0.38 percent of all state appropriations (\$262,690,592 of the \$68,793,963,163 appropriated from all funds in fiscal year 2007). Seventy percent of the financing for the judicial system came from General Revenue in fiscal year 2007. Another 5.2 percent came from dedicated General Revenue funds, such as the Compensation to Victims of Crime Account and the Fair Defense Account, while the remaining 24.6 percent came from other funds, including the Judicial Fund, Judicial and Court Personnel Training Fund, other special state funds, and criminal justice grants.

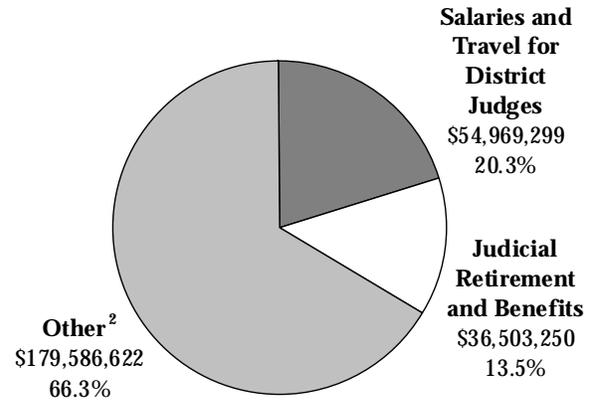
In fiscal year 2007, salaries for district judges and travel expenses for those district judges with jurisdiction in more than one county accounted for 20.3 percent of appropriations for the judicial system, and judicial retirement and benefits comprised another 13.5 percent.

State Judicial Branch Funding Sources Fiscal Year 2007



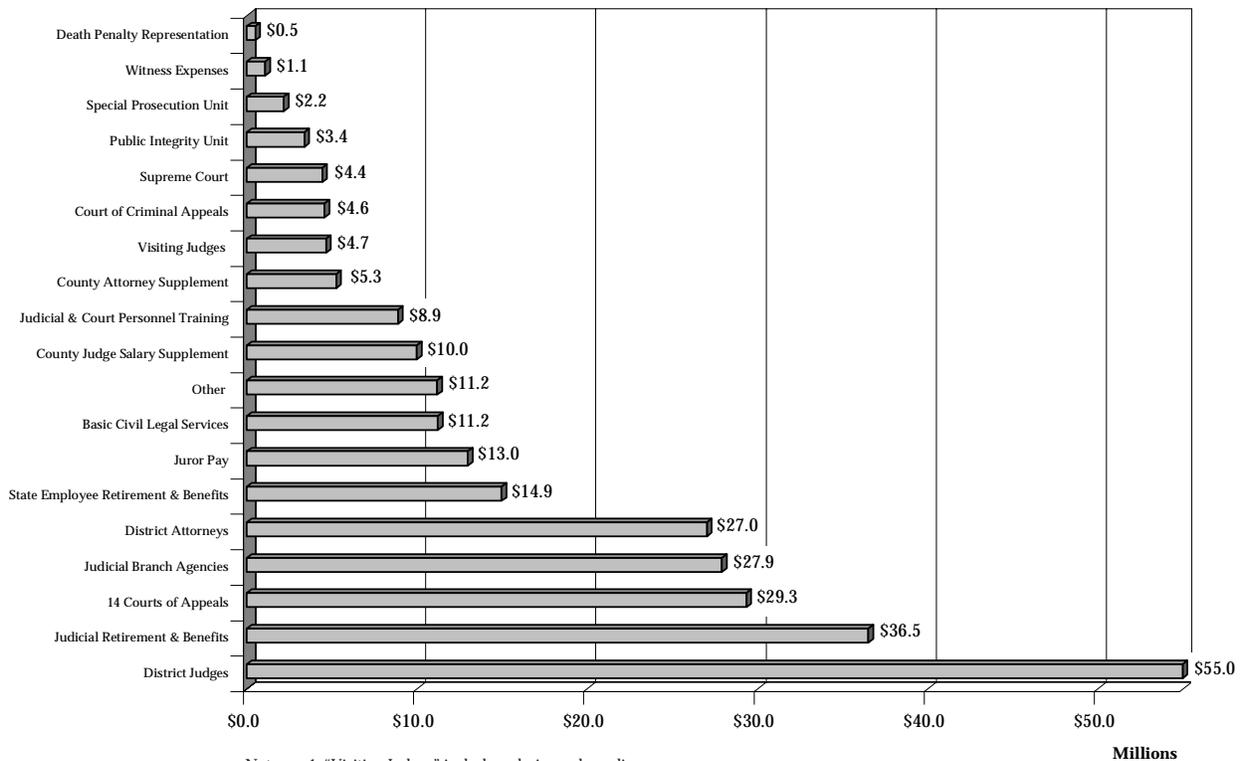
Note: Does not total to 100 percent due to rounding.

Judicial Compensation as Percentage of Total State Appropriations for the State Judicial Branch



Notes: 1. Does not total to 100 percent due to rounding.
2. Includes salaries of appellate judges. Data on judges' salaries was not available separate from each court's overall budget.

State Judicial Branch Appropriations, FY 2007



Notes: 1. "Visiting Judges" includes salaries and per diem expenses.
2. "Other" includes Social Security and Benefit Replacement Pay and lease payments.
3. Judicial Branch Agencies include the Office of Court Administration, Texas Judicial Council; Office of the State Prosecuting Attorney; State Law Library; and State Commission on Judicial Conduct. Appropriations for Judicial Agencies include approximately \$5.9 million in interagency contracts.
4. "District Judges" includes salaries, travel, and local administrative judge salary supplement.

Court Structure and Function

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 courts.

Appellate courts do not try cases, have juries, 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

The Supreme Court of Texas was first established in 1836 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 and currently consists of one chief justice and eight justices.¹

The Supreme Court has statewide, final appellate jurisdiction in most civil and juvenile cases.² Its caseload is directly affected by the structure and jurisdiction of Texas’ appellate court system, as the 14 courts of appeals handle most of the state’s criminal and civil appeals from the district and county-level courts, and the Court of Criminal Appeals handles all criminal appeals beyond the intermediate courts of appeals.

The Supreme Court’s caseload can be broken down into three broad categories: determining whether to grant review of the final judgment of a court of appeals (i.e., to grant or not grant a petition for review); disposition of regular causes³ (i.e., granted petitions for review, accepted petitions for writs of mandamus or habeas corpus, certified questions, accepted parental notification appeals, and direct appeals); and disposition of numerous motions related to petitions and regular causes.

Much of the Supreme Court’s time is spent determining which petitions for review will be granted, as it must consider all petitions for review that are filed. However, the Court exercises some control over its caseload in deciding which petitions will be granted. The Court usually takes only those cases that present the most significant Texas legal issues in need of clarification.

The Supreme Court also has jurisdiction to answer questions of state law certified from a federal appellate court;⁴ has original jurisdiction to issue writs and to conduct proceedings for the involuntary retirement or removal of judges; and reviews cases involving attorney discipline upon appeal from the Board of Disciplinary Appeals of the State Bar of Texas.

In addition, the Court:

- promulgates all rules of civil trial practice and procedure, evidence, and appellate procedure;
- promulgates rules of administration to provide for the efficient administration of justice in the state;
- monitors the caseloads of the 14 courts of appeals and orders the transfer of cases between the courts in order to make the workloads more equal;⁵ and
- with the assistance of the Texas Equal Access to Justice Foundation, administers funds for the Basic Civil Legal Services Program, which provides basic civil legal services to the indigent.⁶

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. In 1891, a constitutional amendment changed the name of this court to the Court of Criminal Appeals and limited its jurisdiction to appellate jurisdiction in criminal cases only. Today, the court consists of one presiding judge and eight associate judges.⁷

The Court of Criminal Appeals is the highest state court for criminal appeals.⁸ Its caseload consists of both mandatory and discretionary matters. All cases that result in the death penalty are automatically directed to the Court of Criminal Appeals from the trial court level. A significant portion of the Court’s workload also involves the mandatory review of applications for post conviction habeas corpus relief in felony cases without a death penalty,⁹ over which the Court has sole authority. In

addition, decisions made by the intermediate courts of appeals in criminal cases may be appealed to the Court of Criminal Appeals by petition for discretionary review, which may be filed by the State, the defendant, or both. However, the Court may also review a decision on its own motion.

In conjunction with the Supreme Court of Texas, the Court of Criminal Appeals promulgates rules of appellate procedure and rules of evidence for trial of criminal cases. The Court of Criminal Appeals also administers public funds that are appropriated for the education of judges, prosecuting attorneys, criminal defense attorneys who regularly represent indigent defendants, clerks and other personnel of the state's appellate, district, county-level, justice, and municipal courts.¹⁰

The Courts of Appeals

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. In 1891, an amendment was added to the Constitution authorizing 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 providing for a more convenient and less expensive system of intermediate appellate courts for civil cases. In 1980, a constitutional amendment extended the appellate jurisdiction of the courts of civil appeals to include criminal cases and changed the name of the courts to the "courts of appeals."

Each court of appeals has jurisdiction over 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, but they may hear oral argument on the issues under consideration.

The Legislature has divided the State into 14 court of appeals districts and has established a court of appeals in each. One court of appeals is currently located in each of the following cities: Amarillo, Austin, Beaumont, Dallas, Eastland, El Paso, Fort Worth, San Antonio, Texarkana, Tyler, and Waco. In addition, two courts are located in Houston, and one court maintains two locations—one in Corpus Christi and one in Edinburgh.

Each of the courts of appeals has at least three judges—a chief justice and two associate justices. There are now 80 judges serving on the 14 intermediate courts of appeals. However, the Legislature is empowered to increase this number whenever the workload of an individual court requires additional judges.

Trial Courts

In trial courts, witnesses are heard, testimony is received, exhibits are offered into evidence, and a verdict is rendered. The trial court structure in Texas has several different levels, each level handling different types of cases, with some overlap. 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 is at least one justice court located in each county, and there are municipal courts located in each incorporated city.

District Courts

District courts are the primary trial courts in Texas. The Constitution of the Republic provided for not less than three or more than eight district courts, each having a judge elected by a joint ballot of both houses of the legislature 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 constitutions have provided that the judges of these courts must be chosen from defined districts (as opposed to statewide election). In many locations, the geographical jurisdiction of two or more district courts is overlapping. As of September 1, 2007, there were 437 district courts in Texas. The 80th Legislature authorized the creation of eight new courts on September 1, 2007 and one court on October 1, 2007. On September 1, the eight newly authorized courts, as well as one court authorized by the 79th Legislature to be created on January 1, 2007, had yet to be implemented.

District courts are courts of general jurisdiction. Article V, Section 8 of the Texas Constitution extends a district court's potential jurisdiction to "all actions" but makes such jurisdiction relative by excluding any matters in which exclusive, appellate, or original jurisdiction is conferred by law upon some other court. For this reason, while one can speak of the "general" jurisdiction of a district court, the actual jurisdiction of any specific court will always be limited by the constitutional

or statutory provisions that confer exclusive, original, or appellate jurisdiction on other courts serving the same county or counties.

With this caveat, 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. Most district courts exercise criminal and civil jurisdiction, but in the metropolitan areas there is a tendency for the courts to specialize in civil, criminal, or family law matters. Twelve district courts are designated “criminal district courts” but have general jurisdiction. A limited number of district courts also exercise the subject-matter jurisdiction normally exercised by county courts.

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 \$500.¹¹ In those counties having statutory county courts, the district courts generally have exclusive jurisdiction in civil cases where the amount in controversy is \$100,000 or more, and concurrent jurisdiction with the statutory county courts in cases where the amount in controversy exceeds \$500 but is less than \$100,000.

The district courts may also hear contested matters in probate cases and have general supervisory control over commissioners’ courts. In addition, district courts have the power to issue writs of habeas corpus, mandamus, injunction, certiorari, sequestration, attachment, garnishment, and all writs necessary to enforce their jurisdiction. Appeals from judgments of the district courts are to the courts of appeals (except appeals of sentences of death).

A 1985 constitutional amendment established the 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.

County-Level Courts

Constitutional County Courts

The Texas Constitution provides for a county court in each of the 254 counties of the State, though all such courts do not exercise judicial functions. In populous counties, the “county judge” may devote his or her full attention to the administration of county government.

Generally, the “constitutional” county courts have concurrent jurisdiction with justice courts in civil cases where the matter in controversy exceeds \$200 but does not exceed \$10,000; 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 is by fine exceeding \$500 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 and municipal courts. Original and appellate judgments of the county courts may be appealed to the courts of appeals.

In 36 counties, the county court, by special statute, has been given concurrent jurisdiction with the justice courts in all civil matters over which the justice courts have jurisdiction.

Statutory County Courts

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 created the first statutory county court in 1907. As of September 1, 2007, 222 statutory county courts and 18 statutory probate courts were operating in 84 (primarily metropolitan) counties to relieve the county judge of some or all of the judicial duties of office.

Section 25.003 of the Texas Government Code provides statutory county courts with jurisdiction over all causes and proceedings prescribed by law for constitutional county courts. In general, statutory county courts that exercise civil jurisdiction concurrent with the constitutional county court also have concurrent civil jurisdiction with the district courts in: 1) civil cases in which the matter in controversy exceeds \$500 but does not exceed \$100,000, and 2) appeals of final rulings and decisions of the Texas Workers’ Compensation Commission. However, the actual jurisdiction of each statutory county court varies considerably according to the statute under which it was created. In addition, some of these courts have been established to exercise subject-matter jurisdiction in only limited fields, such as civil, criminal, or appellate cases (from justice or municipal courts).

In general, statutory probate courts have general jurisdiction provided to probate courts by the Texas Probate Code, as well as the jurisdiction provided by law for a county court to hear and determine cases and matters instituted under various sections and chapters of the Texas Health and Safety Code.

Associate Judges

The legislature has authorized the appointment of various judicial officers to assist the judges of the district courts and county-level courts. These judicial officers are usually known as associate judges. They have some, but not all, of the powers of the judges they assist.

Judicial Officers Appointed under Government Code, Chapter 54

Most of the 26 judicial officer positions authorized by Chapter 54 of the Government Code are unique to a particular county. Many of these judicial officers are called associate judges, but others are known as masters, magistrates, referees or hearing officers. Generally, judicial officers are appointed by local judges with the consent of the county commissioners court, and the positions are funded by the county.

Some of the judicial officers hear criminal cases. Others specialize in family law matters or juvenile cases. Still others hear a wide range of cases. The subject matter of any particular judicial officer is specified in the statute that creates the position. Cases are not directly filed with judicial officers, but are referred to them by district judges and county-level judges. Rather than rendering final orders, the judicial officers generally make recommendations to the referring court.

Associate Judges Appointed under Family Code, Chapter 201

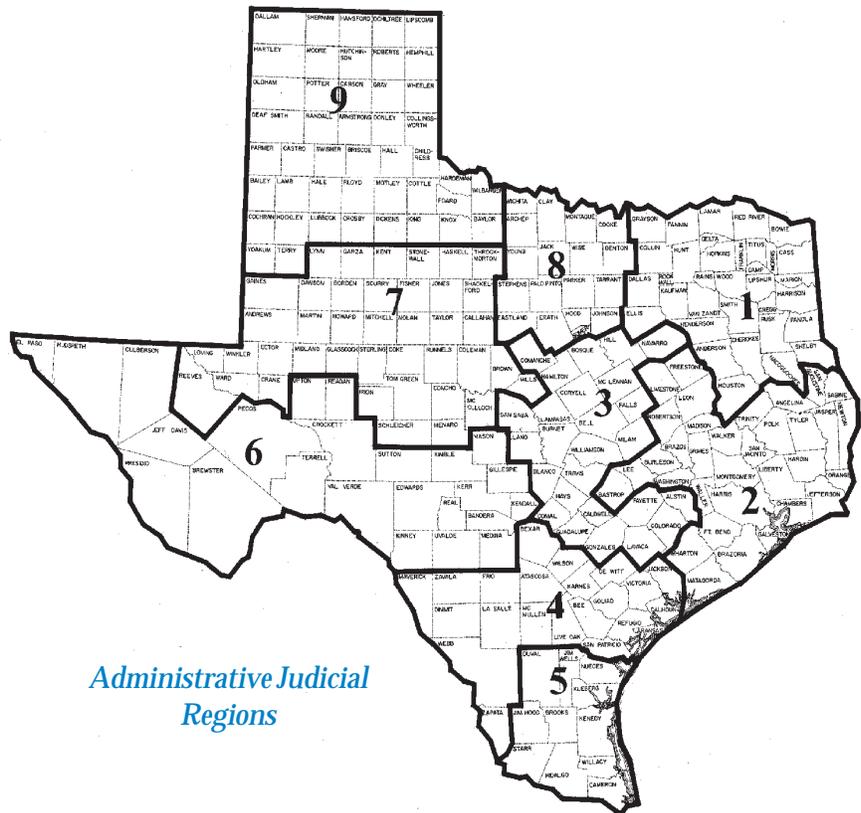
Like judicial officers appointed under Chapter 54 of the Government Code, district and county-level judges refer certain cases to associate judges appointed under Chapter 201 of the Family Code.

Three types of associate judges are appointed under Chapter 201. Associate judges authorized by Subchapter A of Chapter 201 are appointed by local judges with the consent of the commissioners court and are county employees. They are authorized to hear cases brought under Titles 1, 4 and 5 of the Family Code.

Associate judges authorized by Subchapters B and C of Chapter 201 are appointed by the presiding judge of the respective administrative judicial region and are state employees. The judges appointed under Subchapter B are authorized to hear child support cases. Those appointed under Subchapter C are authorized to hear child protection cases.

“Assigned” or “Visiting” Judges

The presiding judge of an administrative judicial region may assign a judge to handle a case or docket of an active judge in the region who is unable to preside (due to recusal, illness, vacation, etc.) or who needs assistance with a heavy docket or docket backlog. These “assigned judges” may be active judges of other courts in the region or may be individuals residing in the region who used to serve as active judges. Sections 74.054, 74.056, and 74.057 of the Government Code discuss the assignment of judges by the presiding judges and the chief justice of the Supreme Court.



Justice Courts

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. As of September 1, 2007, 821 justice courts were in operation.

Justice courts have original jurisdiction in misdemeanor criminal cases where punishment upon conviction may be by fine only. These courts generally have exclusive jurisdiction of civil matters when the amount in controversy does not exceed \$200, and concurrent jurisdiction with the county courts when the amount in controversy exceeds \$200 but does not exceed \$10,000.¹² Justice courts also have jurisdiction over forcible entry and detainer cases and function as small claims courts. Trials in justice courts are not “of record.” Appeals from these courts are by trial *de novo* in the constitutional county court, the county court at law, or the district court.

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

Municipal Courts

Under its constitutional authority to create “such other courts as may be provided by law,” the Legislature has created municipal courts in each incorporated municipality in the state. In lieu of a municipal court created by the Legislature, municipalities may choose to establish municipal courts of record. As of September 1, 2007, municipal courts were operating in 918 cities.

The jurisdiction of municipal courts is provided in Chapters 29 and 30 of the Texas Government Code. Municipal courts have original and exclusive jurisdiction over criminal violations of certain municipal ordinances and airport board rules, orders, or resolutions that do not exceed \$2,500 in some instances and \$500 in others. Municipal courts also have concurrent jurisdiction with the justice courts in certain misdemeanor criminal cases.

In addition to the jurisdiction of a regular municipal court, municipal courts of record also have jurisdiction over criminal cases arising under ordinances authorized by certain provisions of the Texas Local Government Code. The municipality may also provide by ordinance that a municipal court of record have additional jurisdiction in certain civil and criminal matters.

Municipal judges also serve in the capacity of a committing magistrate, with the authority to issue warrants for the apprehension and arrest of persons charged with the commission of both felony and misdemeanor offenses. As a magistrate, the municipal judge may hold preliminary hearings, reduce testimony to writing, discharge the accused, or remand the accused to jail and set bail.

Trials in municipal courts are not generally “of record”; many appeals go to the county court, the county court at law, or the district court by a trial *de novo*. Appeals from municipal courts of record are generally heard in the county criminal courts, county criminal courts of appeal or municipal courts of appeal. If none of these courts exist in the county or municipality, appeals are to the county courts at law.

Judicial Administration

The Texas Supreme Court has constitutional responsibility for the efficient administration of the judicial system and possesses the authority to make rules of administration applicable to the courts.¹³ Under the direction of the chief justice, the Office of Court Administration aids the Supreme Court in carrying out its administrative duties by providing administrative support and technical assistance to all courts in the state.

The Supreme Court and the Texas Legislature also receive recommendations on long-range planning and improvements in the administration of justice from the Texas Judicial Council, a 22-member advisory board composed of appointees of the judicial, executive, and legislative branches of government.

The chief justice of the Supreme Court, the presiding judge of the Court of Criminal Appeals, the chief justices of each of the 14 courts of appeals, and the judges of each of the trial courts are generally responsible for the administration of their respective

courts. Furthermore, there is a local administrative district judge in each county, as well as a local administrative statutory county court judge in each county that has a statutory county court. In counties with two or more district courts, a local administrative district judge is elected by the district judges in the county for a term not to exceed two years.¹⁴ Similarly, in counties with two or more statutory county courts, a local administrative statutory county court judge is elected by the statutory county court judges for a term not to exceed two years. The local administrative judge is charged with implementing the local rules of administration, supervising the expeditious movement of court caseloads, and other administrative duties.¹⁵

To aid in the administration of justice in the trial courts, the State is divided into nine administrative judicial regions. With the advice and consent of the Senate, the Governor appoints one of the active or retired district judges, or a retired appellate court judge who has district court experience, residing in each region as the presiding judge.

The chief justice of the Supreme Court may convene periodic conferences of the chief justices of the courts of appeals, as well as periodic conferences of the nine presiding judges, to ensure the efficient administration of justice in the courts of the State.

Notes

1. The various constitutions and amendments provided for different numbers of judges to sit on the Court and different methods for the selection of the judges. The Constitution of 1845 provided that the Supreme Court consist of a chief justice and two associate justices. The Constitution of 1866 provided for five justices, and the Constitution of 1869 reverted to a three-judge court; the Constitution of 1873 increased the number to five, and the Constitution of 1876 again reduced the membership to three. To aid the three justices in disposing of the ever increasing workload, the legislature created two "Commissions of Appeals," each to consist of three judges appointed by the Supreme Court. This system, begun in 1920, continued until the adoption of the constitutional amendment of 1945 which abolished the two Commissions of Appeals and increased the number of justices on the Supreme Court to nine, the present number.

2. A constitutional amendment adopted in 1980 provides that "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."

3. "Regular causes" involve cases in which four or more of the justices of the Supreme Court have decided in conference that a petition for review, petition for writ of mandamus or habeas corpus, or parental notification appeal should be reviewed. Regular causes also include direct appeals the court has agreed to review and questions of law certified to it by a federal appellate court that the court has agreed to answer. Most regular causes are set for oral argument in open court and are reported in written opinions. However, a petition may be granted and an unsigned opinion (per curiam) issued without oral argument if at least six members of the court vote accordingly.

4. A constitutional amendment, effective January 1, 1986, gave the Supreme Court, along with the Court of Criminal Appeals, jurisdiction to answer certified questions.

5. The Supreme Court has a rider in its appropriation pattern in the General Appropriations Act (HB 1, 80th Leg., R.S., Art. IV, page IV-3, Rider 4) that states, "It is the intent of the Legislature that the Supreme Court equalize the dockets of the 14 courts of appeals. Equalization shall be considered achieved if the new cases filed each year per justice are equalized by 10 percent or less among all the courts of appeals." Although the rider requiring the transfer of cases first appeared in fiscal year 2000 in the General Appropriations Act (HB 1, 76th Leg., R.S., Art. IV, page IV-1, Rider 3), the Supreme Court has transferred cases between the courts of appeals since 1895 (24th Leg., R.S., Ch. 53, 1895 Tex. Gen. Laws 79).

6. In 1997, the 75th Legislature enacted Chapter 51, Texas Government Code, Subchapter J, requiring the Texas Supreme Court to administer funds for provision of basic civil legal services to the indigent.

7. The Court of Criminal Appeals was originally composed of three judges. As the court's workload increased, the legislature granted it the authority to appoint commissioners to aid in the disposition of pending cases. In 1966, a constitutional amendment increased the number of judges on the court to five, and in 1977, a further amendment to the Constitution added another four judges, for the current total of nine judges on the court.

8. A constitutional amendment adopted in 1980 provides that "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."

9. Under Article 11.07, Texas Code of Criminal Procedure.

10. In accordance with Chapter 56 and Section 74.025, Texas Government Code.

11. See *Arteaga v. Jackson*, 994 S.W.2d 342, 342 (Tex. App. - Texarkana 1999, pet. denied), *Arnold v. West Bend Co.*, 983 S.W.2d 365, 366 n.1 (Tex. App. - Houston [1st Dist.] 1998, no pet.) and *Chapa v. Spivey*, 999 S.W.2d 833, 835-836 (Tex. App. - Tyler 1999, no pet.).

12. In 2007, the 80th Legislature raised the jurisdiction of justice courts in civil actions from \$5,000 to \$10,000 (80th Leg. R.S., Ch. 383, 2007 Tex. Gen. Laws).

13. Article V, Section 31 of the Texas Constitution.

14. In accordance with Section 74.091 or Section 74.0911, Texas Government Code.

15. The administrative responsibilities of the local administrative judge are detailed in Section 74.092, Texas Government Code.

Information About Texas Judges

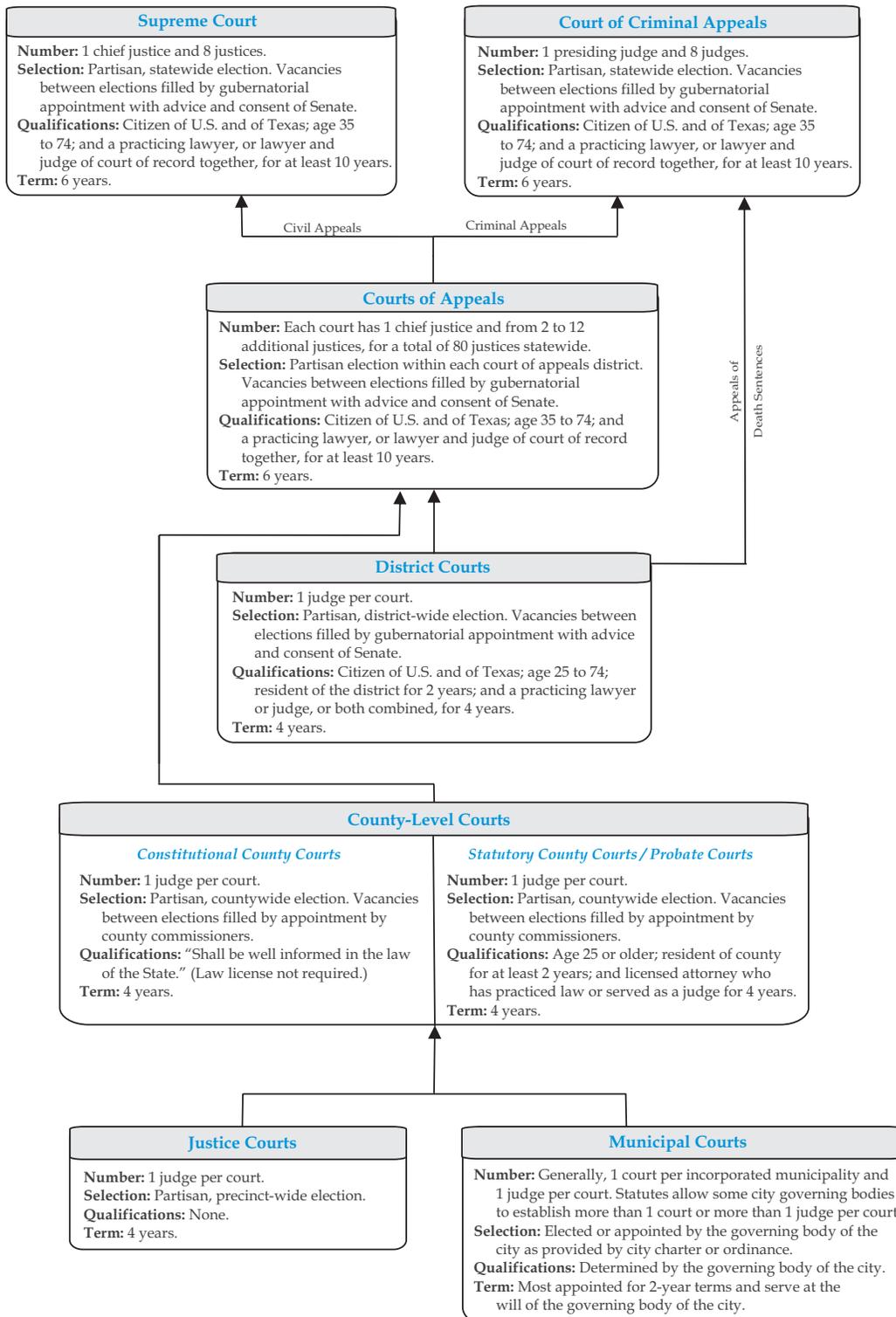
For the Fiscal Year
Ended August 31, 2007



Photo courtesy of TexasCourthouses.com

Crockett County Courthouse - Ozona

Judicial Qualifications, Selection and Terms of Office



Profile of Appellate and Trial Judges*

(as of September 1, 2007)

	Supreme Court	Court of Criminal Appeals	Court of Appeals	District Courts	Criminal District Courts	County Courts at Law	Probate Courts	County Courts	Justice Courts	Municipal Courts
NUMBER OF JUDGES:										
Number of Judge Positions	9	9	80	425	12	222	18	254	821	1416
Number of Judges	9	9	78	424	12	222	18	254	820	1406
Number of Vacant Positions	0	0	2	1	0	0	0	0	1	10
Number of Municipalities w/ Courts	--	--	--	--	--	--	--	--	--	918
Cities with No Courts	--	--	--	--	--	--	--	--	--	290
AGE OF JUDGES:										
Mean	(n = 9) 52	(n = 9) 64	(n = 78) 55	(n = 418) 55	(n = 12) 53	(n = 185) 60	(n = 16) 66	(n = 201) 55	(n = 706) 56	(n = 1210) 58
Oldest	62	74	73	74	63	83	76	79	88	90
Youngest	41	54	37	35	42	36	55	30	24	25
RANGE OF AGE:										
Under 25	0	0	0	0	0	0	0	0	1	0
25 through 34	0	0	0	0	0	0	0	1	13	17
35 through 44	2	0	9	59	2	28	0	12	65	179
45 through 54	4	2	27	144	5	77	0	49	190	338
55 through 64	3	5	34	188	5	61	13	93	282	391
65 through 74	0	2	8	28	0	15	2	41	131	211
Over 75	0	0	0	0	0	4	1	5	24	74
GENDER OF JUDGES:										
Males	(n = 9) 8	(n = 9) 5	(n = 78) 46	(n = 424) 303	(n = 12) 9	(n = 222) 153	(n = 18) 14	(n = 254) 225	(n = 816) 546	(n = 1395) 920
Females	1	4	32	121	3	69	4	29	270	475
ETHNICITY OF JUDGES:										
African-American	(n=9) 2	(n=9) 0	(n=78) 2	(n=398) 11	(n=12) 2	(n=190) 7	(n=12) 0	(n=212) 2	(n=670) 24	(n=1086) 50
American Indian or Alaska Native	0	0	1	2	0	0	0	0	1	13
Asian or Pacific Islander	0	0	1	2	0	0	0	0	0	7
Hispanic/Latino	1	0	11	55	0	35	2	17	131	149
White (Non-Hispanic)	6	9	61	326	10	146	10	192	514	858
Other	0	0	0	4	0	2	0	1	0	9
LENGTH OF SERVICE:										
Average	(n=9) 5 Yr 8 Mo	(n=9) 8 Yr 4 Mo	(n=78) 6 Yr 0 Mo	(n=424) 8 Yr 2 Mo	(n=12) 5 Yr 11 Mo	(n=221) 8 Yr 11 Mo	(n=18) 13 Yr 6 Mo	(n=253) 6 Yr 7 Mo	(n=815) 8 Yr 9 Mo	(n=1337) 8 Yr 4 Mo
Longest	18 Yr 7 Mo	14 Yr 7 Mo	20 Yr 7 Mo	31 Yr 9 Mo	17 Yr 3 Mo	31 Yr 4 Mo	26 Yr 11 Mo	29 Yr 6 Mo	44 Yr 4 Mo	43 Yr 0 Mo
RANGE OF SERVICE ON THIS COURT IN YEARS:										
Under 1 Year	0	0	7	59	5	40	3	86	155	104
1 through 4	6	0	25	90	3	45	0	62	189	462
5 through 9	2	5	23	96	0	56	3	40	182	342
10 through 14	0	4	21	95	2	32	4	32	132	211
15 through 19	1	0	1	58	2	23	3	18	80	90
20 through 24	0	0	1	19	0	19	4	12	49	67
25 through 29	0	0	0	8	0	5	1	3	22	39
30 through 34	0	0	0	1	0	1	0	0	5	14
35 through 39	0	0	0	0	0	0	0	0	0	7
Over 40	0	0	0	0	0	0	0	0	1	1
FIRST ASSUMED OFFICE BY:										
Appointment	(n=9) 5 (56%)	(n=9) 1 (11%)	(n=78) 42 (54%)	(n=424) 159 (38%)	(n=12) 3 (25%)	(n=221) 64 (29%)	(n=18) 7 (39%)	(n=253) 43 (17%)	(n=815) 207 (25%)	(n=1383) 1368 (99%)
Election	4 (44%)	8 (89%)	36 (46%)	265 (63%)	9 (75%)	157 (71%)	11 (61%)	210 (83%)	608 (75%)	15 (1%)
EDUCATION:										
HIGH SCHOOL:										
Attended	--	--	--	--	--	--	--	--	44 (6%)	28 (2%)
Graduated	--	--	--	--	--	--	--	--	666 (93%)	1177 (95%)
COLLEGE:										
Attended	0 (0%)	0 (0%)	0 (0%)	6 (1%)	0 (0%)	5 (2%)	0 (0%)	35 (16%)	166 (23%)	152 (12%)
Graduated	9 (100%)	9 (100%)	77 (99%)	393 (93%)	12 (100%)	187 (86%)	15 (83%)	142 (65%)	236 (33%)	814 (66%)
LAW SCHOOL:										
Attended	0 (0%)	0 (0%)	0 (0%)	4 (1%)	0 (0%)	3 (1%)	0 (0%)	0 (0%)	3 (0%)	4 (0%)
Graduated	9 (100%)	9 (100%)	78 (100%)	418 (99%)	12 (100%)	215 (99%)	18 (100%)	29 (13%)	58 (8%)	656 (53%)
LICENSED TO PRACTICE LAW:										
Number Licensed	9 (100%)	9 (100%)	78 (100%)	424 (100%)	12 (100%)	222 (100%)	18 (100%)	28 (11%)	57 (7%)	710 (50%)
Mean Year Licensed	1983	1974	1979	1980	1981	1982	1975	1978	1982	1982
RANGE OF YEAR LICENSED:										
Before 1955	0	0	0	1	0	1	1	0	0	5
1955 through 1959	0	1	1	2	0	1	0	1	1	7
1960 through 1964	0	0	2	7	0	3	1	1	1	21
1965 through 1969	0	1	5	26	1	11	1	5	5	58
1970 through 1974	1	2	12	64	1	22	4	6	11	74
1975 through 1979	2	3	16	103	2	40	8	3	6	114
1980 through 1984	2	2	22	91	4	40	2	4	9	110
1985 through 1989	1	0	13	56	2	57	0	3	5	94
1990 through 1994	3	0	7	55	2	31	1	2	8	115
1995 through 1999	0	0	0	18	0	16	0	3	10	89
Since 2000	0	0	0	2	0	0	0	0	1	23
ORIGINALLY CAME TO THIS COURT FROM:										
Attorney Private Practice	1 (11%)	2 (22%)	22 (28%)	--	--	--	--	--	--	--
Judge of Lower Court	6 (67%)	4 (44%)	14 (18%)	--	--	--	--	--	--	--
Legislative Service	1 (11%)	3 (33%)	3 (4%)	--	--	--	--	--	--	--
Other Governmental Service	1 (11%)	0 (0%)	0 (0%)	--	--	--	--	--	--	--
PREVIOUS EXPERIENCE:										
Prosecutor	0 (0%)	5 (56%)	14 (18%)	179 (42%)	5 (42%)	97 (44%)	3 (17%)	10 (4%)	--	--
Attorney Private Practice	6 (67%)	9 (100%)	43 (55%)	314 (74%)	12 (100%)	143 (64%)	15 (83%)	24 (9%)	--	--
Judge of Lower Court	4 (44%)	2 (22%)	15 (19%)	67 (16%)	1 (8%)	34 (15%)	3 (17%)	13 (5%)	--	--
County Commissioner	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	16 (6%)	--	--

* Data may be incomplete, as this chart includes only information reported to OCA.
District and county-level associate judges not included in data. Data for municipal courts includes associate judges.

Salaries of Elected State Judges

In August 2005, the 79th Legislature amended statutes relating to the compensation of state judges (H.B. 11, 79th Legislature, Second Called Session). Effective December 1, 2005, the annual state salary of a district judge increased to \$125,000. While Chapter 32 of the Government Code authorizes the state salaries of district court judges to be supplemented from county funds, amendments made to Section 659.012 of the Government Code limit the total annual salary for a district judge to a combined sum from state and county sources of \$5,000 less than the combined salary from state and county sources provided for a justice of a court of appeals.¹ In addition, the enactment eliminated special provisions created in Chapter 32 during the 78th Legislature allowing unrestricted payment by certain counties of an annual supplemental salary to district judges.

The annual state salary of a justice of a court of appeals increased to 110 percent of the annual state salary of a district judge. The chief justice of an appellate court receives \$2,500 more than the other justices of the court. While Chapter 31 of the Government Code authorizes the counties in each court of appeals district to pay each justice of the court of appeals for that district for judicial and administrative services rendered, amendments made to Section 659.012 of the Government Code limit the total salary for a justice of a court of appeals to a combined sum from state and county sources of \$5,000 less than the state salary paid to a justice of the Supreme Court. This same provision limits the chief justices of the courts of appeals to receive a combined salary of \$2,500 less than the state salary paid to justices of the Supreme Court.

Finally, the annual state salary of a justice of the Supreme Court or a judge of the Court of Criminal Appeals increased to 120 percent of the annual state salary of a district judge. The chief justice or presiding judge of these courts receives \$2,500 more than the other justices or judges on the courts.

Beginning September 1, 2007, judges are entitled to monthly longevity pay of \$20 for each year of service credited in the retirement system (maximum of \$320 per month) after completing 16 years of service. Effective September 2007, district judges presiding over silica or asbestos multi-district litigation are entitled to receive, in addition to their regular district judge salary and supplement, the maximum amount of compensation set by the Texas Judicial Council for a presiding judge under Sec. 74.051 (b) of the Government Code.

1. Attorney General Opinion GA-0437.

Salary Summary for Elected State Judges as of September 1, 2007

Judge ¹	State Salary	Additional Compensation ²	Other	Total
Supreme Court - Chief Justice	\$152,500	N/A		\$152,500
Supreme Court - Justice	\$150,000	N/A		\$150,000
Ct. of Criminal Appeals - Presiding Judge	\$152,500	N/A		\$152,500
Ct. of Criminal Appeals - Judge	\$150,000	N/A		\$150,000
Court of Appeals - Chief	\$140,000	up to \$7,500 ³		\$147,500
Court of Appeals - Justice	\$137,500	up to \$7,500 ³		\$145,000
Presiding Judge - Admin. Judicial Region (Active District Judge)	\$125,000	up to \$15,000 ³	not to exceed \$33,000 ⁴	up to \$173,000
Presiding Judge - Admin. Judicial Region (Retired or Former Judge)	N/A	N/A	\$35,000 - 50,000 ⁵	up to \$50,000
District Judge - Local Admin. Judge who serves in county with more than 5 district courts	\$125,000	up to \$15,000 ³	\$5,000 ⁶	\$145,000
District Judge	\$125,000	up to \$15,000 ³		\$140,000
District Judge - Presiding judge of silica or asbestos multi-district litigation	\$125,000	up to \$15,000 ³	not to exceed \$33,000 ⁷	up to \$173,000

Notes:

- Entitled to monthly longevity pay of \$20 for each year of service credited in the retirement system (maximum of \$320 per month) after completing 16 years of service.
- Additional compensation provided by counties in judicial and appellate districts for extra judicial service performed by judges and justices. Tex. Gov't Code Secs. 31.001 and 32.001.
- The state salary of a district judge whose county supplement exceeds \$15,000, or appellate justice whose county supplement exceeds \$7,500, will be reduced by the amount of the excess so that the maximum salary the judge or justice receives from state and county sources is \$140,000 (district judge), \$145,000 (appellate justice), or \$147,500 (appellate chief justice). Tex. Gov't Code Secs. 659.012, 31.001 and 32.001.
- Presiding judges' salary set by Texas Judicial Council. Tex. Gov't Code Sec. 74.051(b). Paid by counties in administrative judicial region on a pro rata basis based on population.
- Presiding judges' salary based on number of courts and judges in region. Tex. Gov't Code Sec. 74.051(c). Paid by counties in administrative judicial region on a pro rata basis based on population.
- Tex. Gov't Code Sec. 659.012(d).
- Tex. Gov't Code Sec. 659.0125.

Newly Elected State Judges

Elected November 2006

(Assumed Office January 1, 2007)

Hon. Gina M. Benavides
Justice, 13th Court of Appeals
Succeeding Hon. Errlinda Castillo

Hon. Diane Henson
Justice, 3rd Court of Appeals
Succeeding Hon. Bea Ann Smith

Hon. Steve Hilbig
Justice, 4th Court of Appeals
Succeeding Hon. Sarah B. Duncan

Hon. Bailey C. Moseley
Justice, 6th Court of Appeals
Succeeding Hon. Donald R. Ross

Hon. Rose Vela
Justice, 13th Court of Appeals
Succeeding Hon. Federico Hinojosa

Hon. Charlie F. Baird
Judge, 299th District Court
Succeeding Hon. Jon Wisser

Hon. Nancy L. Berger
Judge, 322nd District Court
Succeeding Hon. Frank Sullivan

Hon. Lynn M. Bradshaw-Hull
Judge, 80th District Court
Succeeding Hon. Kent Sullivan

Hon. Gregory Brewer
Judge, 366th District Court
Succeeding Hon. Nathan White, Jr.

Hon. Robert D. Burns III
Judge, Dallas Criminal District Court
Succeeding Hon. Janice Warder

Hon. Tena T. Callahan
Judge, 302nd District Court
Succeeding Hon. Frances Harris

Hon. Andy Chatham
Judge, 282nd District Court
Succeeding Hon. Karen Greene

Hon. Lynn Cherry
Judge, 301st District Court
Succeeding Hon. Susan Rankin

Hon. Carlos Cortez
Judge, 44th District Court
Succeeding Hon. David Kelton

Hon. Ana E. Estevez
Judge, 251st District Court
Succeeding Hon. Patrick Pirtle

Hon. Bobby Galvan
Judge, 94th District Court
Succeeding Hon. Jack Hunter

Hon. Carl H. Ginsberg
Judge, 193rd District Court
Succeeding Hon. David Evans

Hon. Pedro (Pete) Gomez, Jr.
Judge, 112th District Court
Succeeding Hon. Martin Jones, Jr.

Hon. Shane Hadaway
Judge, 39th District Court
Succeeding Hon. Charles Chapman

Hon. David Hanschen
Judge, 254th District Court
Succeeding Hon. Jeffrey Coen

Hon. Lori C. Hockett
Judge, 255th District Court
Succeeding Hon. Craig Fowler

Hon. Martin J. Hoffman
Judge, 68th District Court
Succeeding Hon. Charles Stokes

Hon. Tracy F. Holmes
Judge, 363rd District Court
Succeeding Hon. Faith Johnson

Hon. Jeanine L. Howard
Judge, Dallas Criminal
District Court No. 6
Succeeding Hon. Danny Clancy

Hon. Matt E. Johnson
Judge, 54th District Court
Succeeding Hon. George Allen

Hon. Jim Jordan
Judge, 160th District Court
Succeeding Hon. Nancy Thomas

Hon. Janet L. Leal
Judge, 103rd District Court
Succeeding Hon. Menton Murray, Jr.

Hon. Lena Levario
Judge, 204th District Court
Succeeding Hon. Mark Nancarrow

Hon. David Lopez
Judge, 256th District Court
Succeeding Hon. Brenda Green

Newly Elected State Judges

Elected November 2006

(Assumed Office January 1, 2007)

Hon. Jose A. Lopez
Judge, 49th District Court
Succeeding Hon. Manuel Flores

Hon. Martin Lowy
Judge, 101st District Court
Succeeding Hon. Jay Patterson

Hon. Rick Magnis
Judge, 283rd District Court
Succeeding Hon. Becky Gregory

Hon. William A. Mazur, Jr.
Judge, 304th District Court
Succeeding Hon. John Sholden

Hon. Larry Mitchell
Judge, 292nd District Court
Succeeding Hon. Henry Wade, Jr.

Hon. Orlinda L. Naranjo
Judge, 419th District Court
New Court

Hon. Arturo C. Nelson
Judge, 138th District Court
Succeeding Hon. J. Rolando Olvera

Hon. Larry E. Noll
Judge, 408th District Court
Succeeding Hon. Richard Price

Hon. Jerome P. Owens
Judge, 1A District Court
Succeeding Hon. Monte Lawlis

Hon. Bruce Priddy
Judge, 116th District Court
Succeeding Hon. Robert Frost

Hon. John R. Roach, Jr.
Judge, 296th District Court
Succeeding Hon. Betty A. Caton

Hon. Ricardo Rodriguez, Jr.
Judge, 92nd District Court
Succeeding Hon. Horacio Pena

Hon. Peter Sakai
Judge, 225th District Court
Succeeding Hon. John Specia, Jr.

Hon. Maria A. Salas-Mendoza
Judge, 120th District Court
Succeeding Hon. Luis Aguilar

Hon. Gloria Saldana
Judge, 224th District Court
Succeeding Hon. O. Rene Diaz

Hon. Marisela Saldana
Judge, 148th District Court
Succeeding Hon. Rose Vela

Hon. Jeffery R. Shelton
Judge, 279th District Court
Succeeding Hon. Rickey Williams

Hon. Gena Slaughter
Judge, 191st District Court
Succeeding Hon. Catharina Haynes

Hon. Craig Smith
Judge, 192nd District Court
Succeeding Hon. Merrill Hartman

Hon. Michael R. Snipes
Judge, Dallas Criminal
District Court No. 7
Succeeding Hon. Livia Liu

Hon. John B. Stevens, Jr.
Judge, Jefferson Criminal
District Court
Succeeding Hon. Charles Carver

Hon. Mark C. Stoltz
Judge, 265th District Court
Succeeding Hon. Keith Dean

Hon. Carter Thompson
Judge, Dallas Criminal
District Court No. 5
Succeeding Hon. Manny Alvarez

Hon. Fred Tinsley
Judge, 195th District Court
Succeeding Hon. John Nelms

Hon. Emily G. Tobolowsky
Judge, 298th District Court
Succeeding Hon. Adolph Canales

Hon. Catherine Torres-Stahl
Judge, 144th District Court
Succeeding Hon. Mark Luitjen

Hon. Mollie B. Westfall
Judge, 371st District Court
Succeeding Hon. James Wilson

Hon. W. Denn Whalen
Judge, 70th District Court
Succeeding Hon. Jay Gibson

Hon. Ernest B. White
Judge, 194th District Court
Succeeding Hon. Mary Miller

Hon. Robert J. Wortham
Judge, 58th District Court
Succeeding Hon. James Mehaffy, Jr.

State Judges Appointed

September 1, 2006 to August 31, 2007

Hon. David Wellington Chew
*Chief Justice,
8th Court of Appeals
Appointed October 23, 2006
Succeeding Hon. Richard Barajas*

Hon. Kenneth Ross Carr
*Justice, 8th Court of Appeals
Appointed October 25, 2006
Succeeding Hon. David W. Chew*

Hon. Patrick A. Pirtle
*Justice, 7th Court of Appeals
Appointed November 1, 2006
Succeeding Hon. Don H. Reavis*

Hon. Dan M. Bird
*Judge, 46th District Court
Appointed September 22, 2006
Succeeding Hon. Tom Neely*

Hon. Samuel Bridgwater III
*Judge, 178th District Court
Appointed July 21, 2007
Succeeding Hon. William Harmon*

Hon. Barry R. Bryan
*Judge, 217th District Court
Appointed October 1, 2006
Succeeding Hon. David Wilson*

Hon. Mark A. Calhoon
*Judge, 3rd District Court
Appointed March 23, 2007
Succeeding Hon. James Parsons III*

Hon. Randy Clapp
*Judge, 329th District Court
Appointed July 19, 2007
Succeeding Daniel Sklar*

Hon. Fancy H. Jezek
*Judge, 426th District Court
Appointed January 8, 2007
Newly Created Court*

Hon. James H. Shoemake
*Judge, 434th District Court
Appointed February 7, 2007
Newly Created Court*

Hon. Mark J. Silverstone
*Judge, 425th District Court
Appointed January 26, 2007
Newly Created Court*

Hon. Louis E. Sturns
*Judge, 213th District Court
Appointed August 31, 2007
Succeeding Hon. Robert Gill*

Hon. Dibrell Waldrip
*Judge, 433th District Court
Appointed March 12, 2007
Newly Created Court*

Hon. Thomas P. Wingate
*Judge, 430th District Court
Appointed March 21, 2007
Newly Created Court*

Activity of the Texas Courts



Photo courtesy of TexasCourthouses.com

Hutchinson County Courthouse - Stinnett

Cautionary Statement

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

Regarding appellate courts, temporary emergencies such as illness of a judge or unusually burdensome cases may distort the statistical picture. In addition, there is no reliable way to ascertain the time spent by appellate or trial judges in study or research in the composing of their opinions and decisions.

At least three factors are not represented in the district court statistics presented and should be borne in mind when evaluating judicial output:

1. One very complicated case may consume an inordinate amount of time compared to less complicated cases.
2. The judges of district courts in most rural areas spend more time traveling than do their urban counterparts. Unlike most urban district courts, the district courts in rural areas often serve multiple counties to which the judge must regularly travel. Also, a metropolitan complex of many judges of identical jurisdiction permits judicial efficiencies not available in rural areas.
3. Judges have to spend many hours on administrative matters and other judicial functions not reported in this statistical report, e.g., preparing and submitting the necessary budget requests for the operation of the court to the county commissioners, impaneling grand juries, managing petit jury requirements, supervising community supervision and county auditor departments, handling juvenile corrections duties and responsibilities, and performing many other duties not related to their judicial functions.

As a result of their official position, many county-level court judges, justices of the peace, and municipal court judges also have non-judicial responsibilities in the community that are not reflected in these statistics.

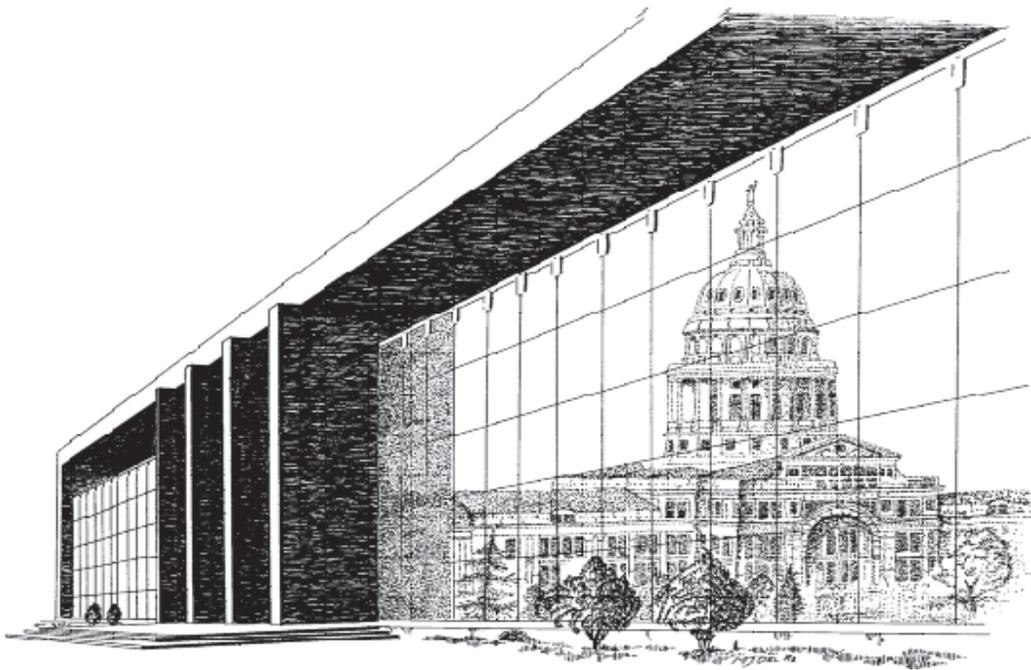
The court activity in this report contains the reported activity from: 1) all appellate courts as reported by the appellate clerks; 2) district and county-level courts as reported by the district and county clerks; and 3) justice and municipal courts as reported by these courts. **However, it should be noted that not all trial courts have reported all their activity.**

In addition, clerks, judges, or other interested individuals may later discover inaccuracies in the data that were reported. As a result, amended reports may be filed after the release of this publication. Clerks may also later submit reports that had been missing at the time of publication, making the data more complete.

The latest trial court data are available from OCA's website at www.dm.courts.state.tx.us/oca/reportselection.aspx.

Caseload Trends in the Appellate Courts

Analysis of Activity for the Fiscal Year
Ended August 31, 2007



Reflection of State Capitol on Supreme Court Building



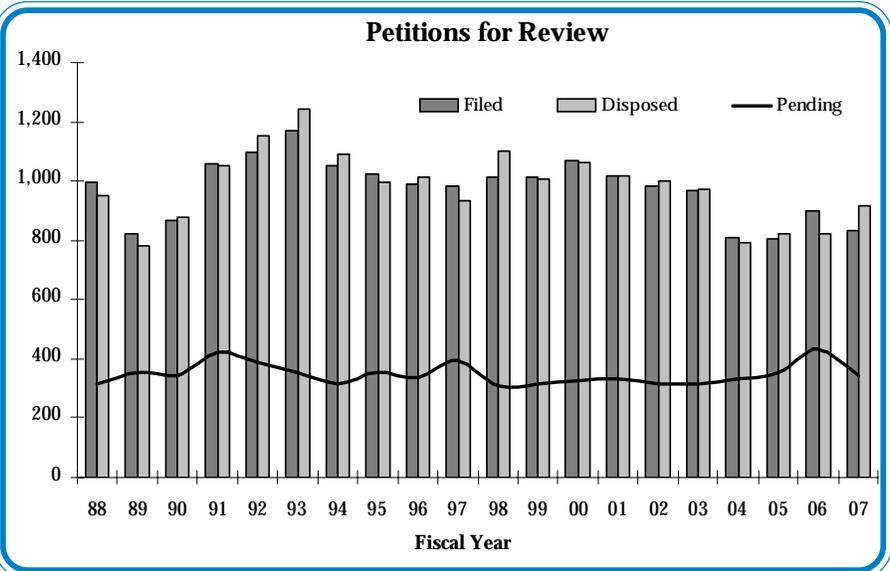
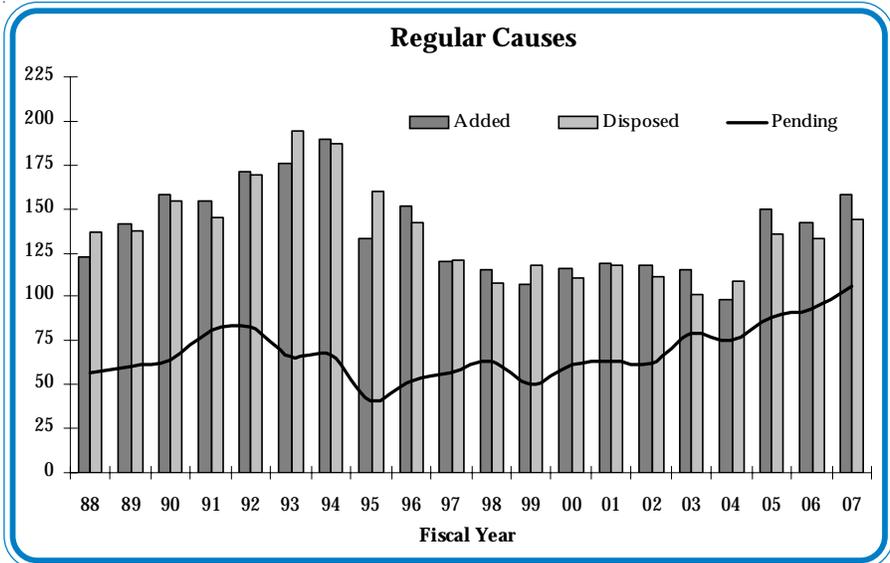
The Supreme Court

Regular Causes¹ - The 158 regular causes added to the court's docket in 2007 was 11.3 percent higher than the number added the year before (142 causes). Over the past three years, an average of 150 causes were added per year, compared to an average of 114 added each year from 1997 to 2004.

In 2007, the court disposed of 8.3 percent more causes than it did in the previous year. Filings, however, outpaced dispositions, and the clearance rate dropped slightly from the previous year to 91.1 percent. The number of causes pending continued to grow, reaching the largest number (106) ever pending in the court at the end of a fiscal year.

In 2007, the Supreme Court reversed the decision of the intermediate appellate court in 73.0 percent of cases in which it granted a petition for review, and it affirmed a decision in 6.3 percent of cases. Another 6.3 percent of cases had a mixed disposition (i.e., affirmed in part and reversed in part).

Petitions for Review² - In 2007, 831 petitions for review were filed in the Supreme Court—a decrease of 7.4 percent from the previous year. Since 2004, an average of 836 petitions were filed each year, much lower than the average 1,033 petitions that were filed each year from 1991 to 2003.



Fewer than half (45.6 percent) of the petitions for review filed during 2007 came from the five most populous counties—Harris, Dallas, Tarrant, Bexar and Travis—the lowest percentage in at least 20 years. Nearly one-quarter of petitions for review were filed from the 1st and 14th Courts of Appeals in Houston.

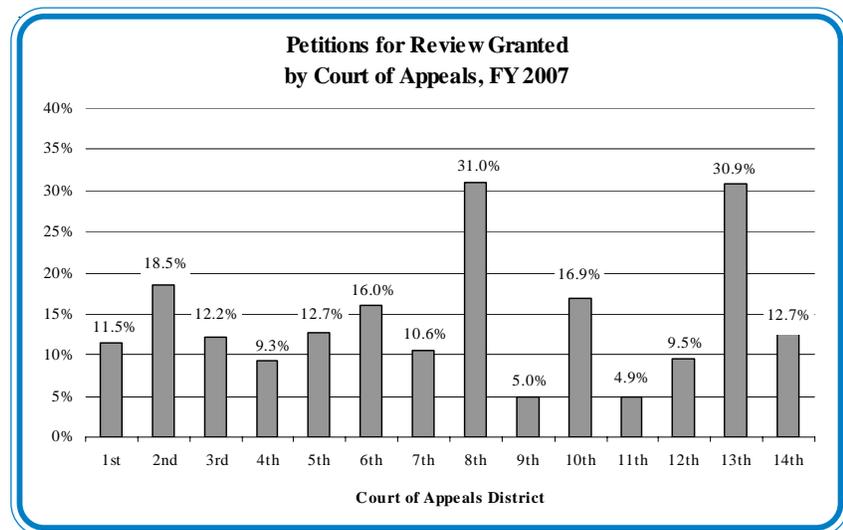
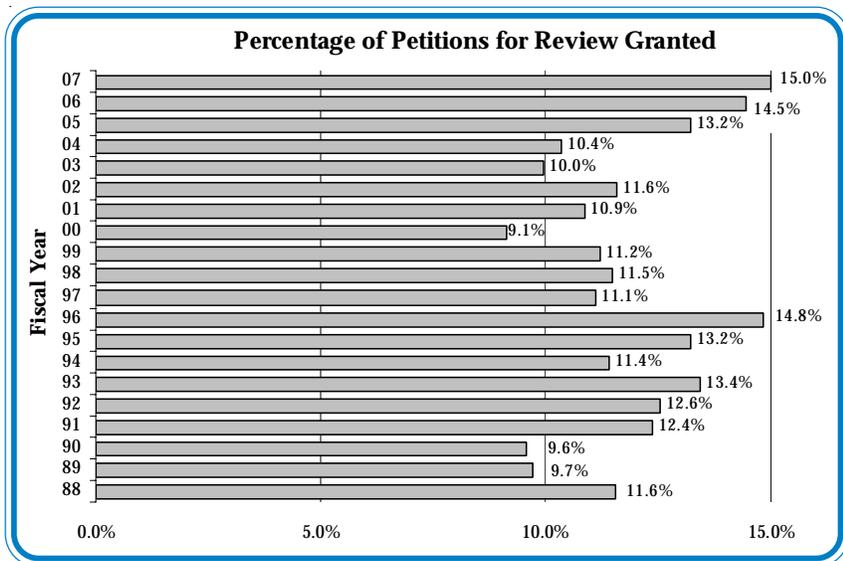
1. "Regular causes" involve cases in which four or more of the justices have decided in conference that a petition for review, petition for writ of mandamus or habeas corpus, or parental notification appeal should be reviewed. Regular causes also include direct appeals the court has agreed to review and questions of law certified to it by a federal appellate court that the court has agreed to answer. Most regular causes are set for oral argument in open court and are reported in written opinions. However, a petition may be granted and an unsigned opinion (per curiam) issued without oral argument if at least six members of the court vote accordingly. 2. Petitions for review do not include petitions for writs of mandamus, petitions for writs of habeas corpus, petitions for writs of prohibition and injunction, petitions to publish, parental notification appeals, or petitions for temporary injunctions.

The Supreme Court disposed of 919 petitions for review in 2007, an increase of 11.8 percent from the previous year (822 petitions). Petitions disposed outnumbered petitions filed, resulting in a 110.6 percent clearance rate. As a result, the number of petitions pending dropped to 344, down 20.2 percent from the peak of 431 petitions pending at the end of the previous year.

Initial review was granted in 15.0 percent of the petitions for review disposed of in 2007, which is slightly higher than the previous year's of 14.5 percent. Initial review was granted most frequently (31 percent) in petitions filed from the 8th (El Paso) and 13th (Corpus Christi/Edinburg) Courts of Appeals and was granted least frequently (5 percent) in petitions filed from the 9th (Beaumont) and 11th (Eastland) Courts of Appeals.

Case Processing Times - The time from filing to disposition for all cases disposed of in 2007 increased from the previous year from 175 to 195 days. The average time that an active case had been pending also increased from 196 to 203 days; the average time from date of oral argument to disposition increased from 341 to 411 days; and the average time from granting of a petition to oral argument increased from 77 to 99 days.

Opinions Written - The justices of the Supreme Court issued 170 opinions in 2007, a 14.7 percent increase over 2006 (145 opinions). More than one-third (36.5 percent) were majority opinions, 40.6 percent were per curiam, 6.5 percent were concurring, and 11.2 percent were dissenting. Over the past five years, justices issued an average of 140 opinions per year.



Measure	Average Time
For cases disposed in FY 2007, time from filing to disposition	195 days
<i>For cases on docket in FY 2007:</i>	
For active cases, time from filing of case to end of reporting period (Aug. 31, 2007)	203 days
Time from filing to disposition of petition/motion	158 days
Time from granting of petition to oral argument	99 days
Time from filing of petition to release of per curiam opinion	520 days
Time from date of oral argument to date of disposition	411 days

Supreme Court Activity Fiscal Years 1998 through 2007

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	10-Yr. Avg.
Regular Causes:¹											
Added to docket	115	107	116	119	118	115	99	150	142	158	124
Disposed	108	118	111	118	112	101	109	136	133	144	119
Pending at end of year	63	49	61	63	62	79	75	88	93	106	74
Clearance rate	93.9%	110.3%	95.7%	99.2%	94.9%	87.8%	110.1%	90.7%	93.7%	91.1%	96.0%
Petitions for Review:²											
Filed	1,004	1,012	1,069	1,018	986	968	810	805	897	831	940
Disposed:											
<i>Granted</i>	125	113	97	96	116	98	82	109	119	138	109
<i>Other dispositions</i>	977	893	966	1,020	885	875	709	714	703	781	852
Pending at end of year	298	313	328	329	314	317	332	353	431	344	336
Clearance rate	109.8%	99.4%	99.4%	109.6%	101.5%	100.5%	97.7%	102.2%	91.6%	110.6%	102.3%
Other Writs and Motions:											
Filed	1,940	1,911	1,997	1,925	2,087	2,761	1,909	2,010	2,037	1,807	2,038
Disposed	1,992	1,940	2,011	1,877	2,117	2,775	1,788	2,031	1,985	1,824	2,034
Pending at end of year	129	170	139	199	187	186	308	295	352	238	220
Clearance rate	102.7%	101.5%	100.7%	97.5%	101.4%	100.5%	93.7%	101.0%	97.4%	100.9%	99.8%
Opinions Written	222	165	180	139	165	128	122	136	145	170	157

NOTES:

1. "Regular causes" involve cases in which four or more of the justices have decided in conference that a petition for review, petition for writ of mandamus or habeas corpus, or parental notification appeal should be reviewed. Regular causes also include direct appeals the court has agreed to review and questions of law certified to it by a federal appellate court that the court has agreed to answer. Most regular causes are set for oral argument in open court and are reported in written opinions. However, a petition may be granted and an unsigned opinion (per curiam) issued without oral argument if at least six members of the court vote accordingly.

2. Includes Applications for Writ of Error. Petitions for Review replaced Applications for Writ of Error as of September 1, 1997.

Disposition of Petitions for Review by the Supreme Court September 1, 2006 through August 31, 2007

	Affirmed	Modified	Reversed	Mixed	Dismissed	Other Disposition	Total
Granted Petitions for Review	7	1	81	7	3	12	111
% of Total Granted Petitions for Review	6.3%	0.9%	73.0%	6.3%	2.7%	10.8%	100.0%
	Initial Review Granted	Review Denied	Dismissed	Abated	Struck	Other Disposition	Total
Petitions for Review	138	711	26	3	38	3	919
% of Total Petitions for Review	15.0%	77.4%	2.8%	0.3%	4.1%	0.3%	99.9% ¹

NOTE: 1. Does not equal 100.0 percent due to rounding.



The Court of Criminal Appeals

Mandatory Caseload - The caseload of the Court of Criminal Appeals consists primarily of mandatory matters—review of applications for post-conviction habeas corpus relief in felony cases, original proceedings, and direct appeals. In 2007, mandatory matters comprised 80.0 percent of all cases added to the docket.

Filings of mandatory matters increased 2.8 percent from the previous year to 7,237 cases. While filings of direct appeals (255 cases) and applications for writs of habeas corpus (6,060 cases) remained steady, filings of original proceedings reached a seven-year high in 2007 (922 cases).

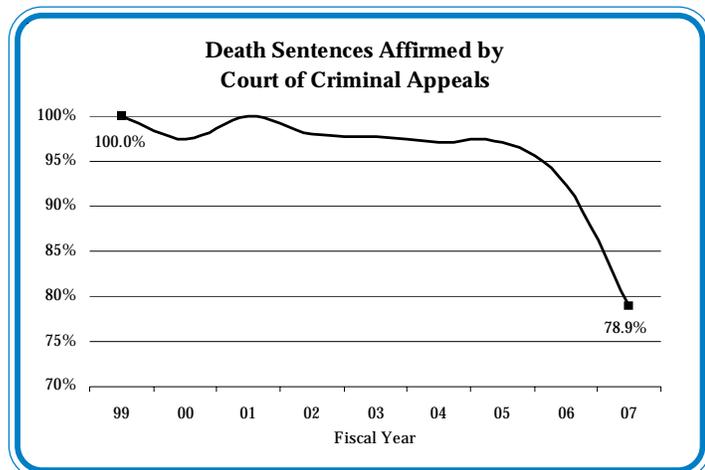
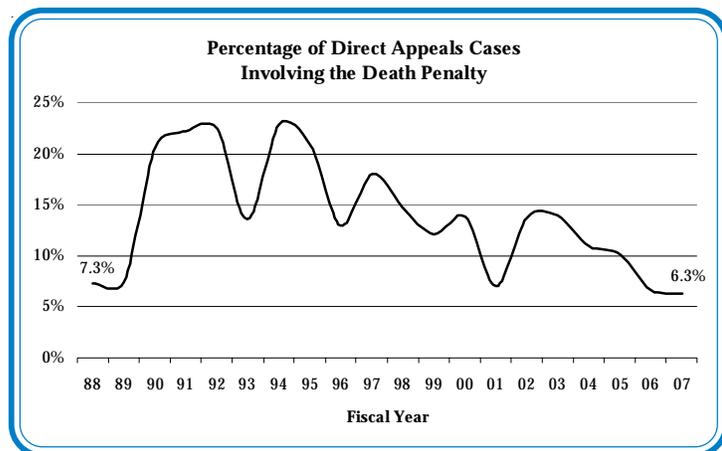
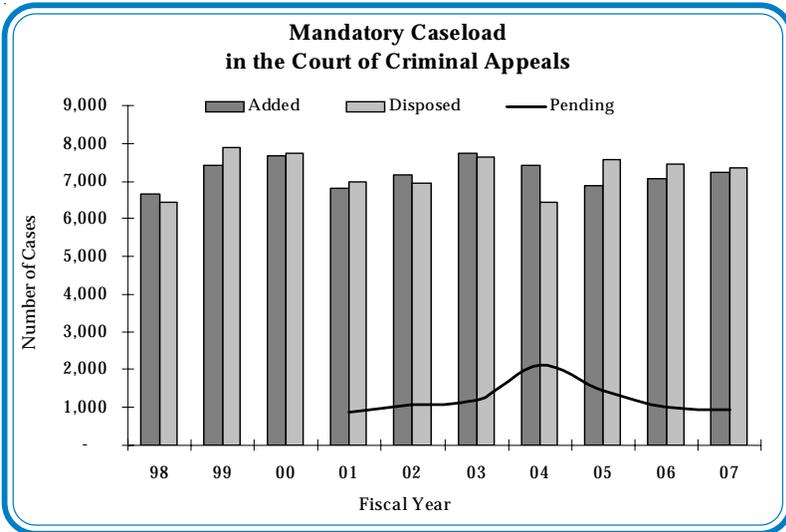
Overall, disposition of mandatory matters fell 1.5 percent from the previous year to 7,350 cases, with a clearance rate of 100.5 percent.

The court denied 52.3 percent of applications for writs of habeas corpus (and dismissed another 31.2 percent) and denied 82.4 percent of original proceedings, compared to only 6.4 percent of direct appeals involving habeas corpus and extraordinary matters.

Death Penalty Appeals

Approximately 6.3 percent of the direct appeal cases filed in 2007 involved death penalty appeals, which is the lowest percentage in the last two decades. In 1988 and 1989, the percentage of direct appeals that involved death penalty appeals was 7.3 percent and 7.4 percent, respectively. This percentage jumped to 20.7 percent in 1990 and averaged 18.4 percent for the next ten years, but has trended downward since 2003.

In 2007, the court affirmed 15 death penalty sentences, accounting for 78.9 percent of the cases decided—the lowest percentage of the last nine years. The remaining four death penalty sentences were reversed and remanded.



Discretionary Caseload –

The number of petitions for discretionary review and redrawn petitions for discretionary review filed with the Court of Criminal Appeals decreased by 9.8 percent in 2007 to 1,661 cases.

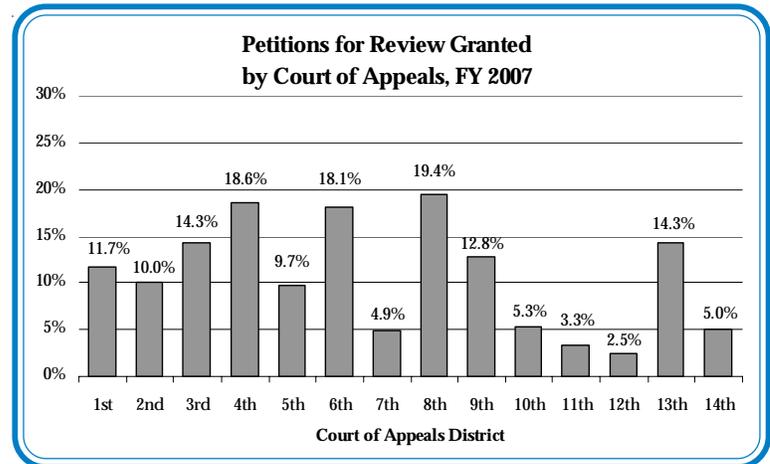
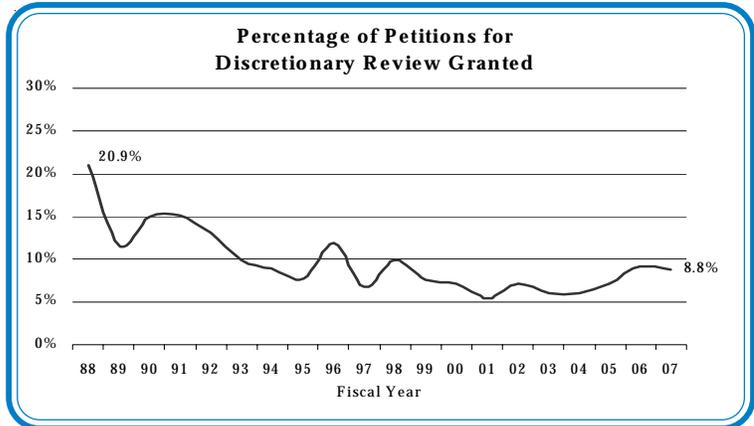
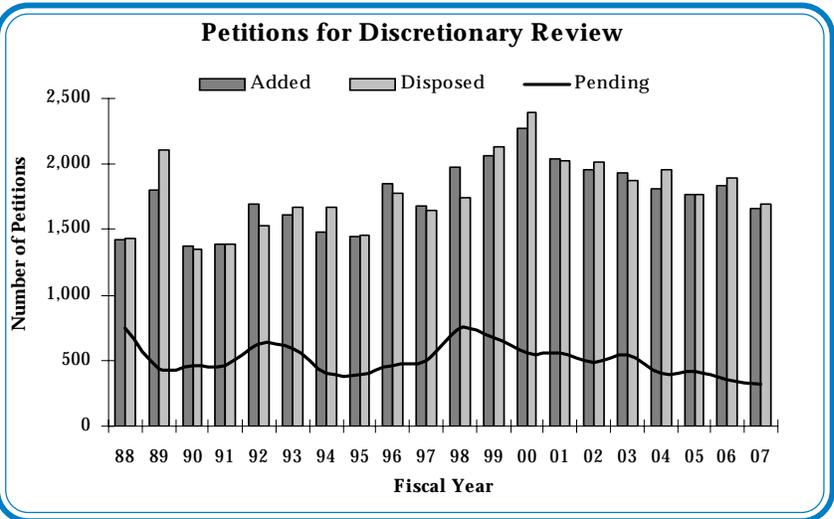
While more than half of petitions were filed from the five most populous counties—Harris, Dallas, Tarrant, Bexar, and Travis—petitions filed from the remaining counties in the state continued to grow, reaching a new high of 47.4 percent in 2007. Prior to 2005, these 249 counties had never accounted for more than 40 percent of petitions filed in any one fiscal year.

In 2007, dispositions of petitions for discretionary review and redrawn petitions for discretionary review dropped to 1,699 cases—a decrease of 10.3 percent from the previous year—but resulted in a clearance rate of 102.3 percent for this portion of the court’s caseload. At the end of the fiscal year, 318 cases were left pending—the lowest number pending over the last 10 years.

Of the petitions and redrawn petitions for discretionary review disposed in 2007, initial review was granted in 8.8 percent of the cases—higher than the average 7.4 percent of petitions granted per year over the past five years.

Initial review was granted most frequently (19.4 percent) in petitions filed from the 8th Court of Appeals district (El Paso) and was granted least frequently (2.5 percent) in petitions filed from the 12th Court of Appeals district (Tyler).

Opinions Written - The judges of the Court of Criminal Appeals issued 575 opinions in 2007, 36.3 percent of which were signed opinions, 40.9 percent were per curiam, 11.0 percent were concurring, and 11.7 percent were dissenting. Over the past five years, the judges issued an average of 524 opinions per year.



**Court of Criminal Appeals
Case Processing Times
FY 2007**

Average time from filing to disposition for cases involving:

<i>Capital punishment</i>	821 days
<i>Application for writ of habeas corpus</i>	67.6 days
<i>Petition for discretionary review</i>	60.7 days

Court of Criminal Appeals Activity Fiscal Years 1998 through 2007

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	
Direct Appeals:¹											10-Yr. Avg.
Added to docket	298	363	387	256	278	308	245	239	256	255	290
Disposed	301	377	381	254	295	306	253	239	269	268	294
Pending at end of year	104	90	109	110	92	89	84	84	72	60	89
Clearance rate	101.0%	103.9%	98.4%	99.2%	106.1%	99.4%	103.3%	100.0%	105.1%	105.1%	101.8%
Applications for Writ of Habeas Corpus:²											7-Yr. Avg.
Filed	6,416	7,074	7,281	5,964	6,167	6,660	6,342	6,046	5,987	6,060	6,175
Disposed	6,187	7,573	7,383	6,123	5,968	6,611	5,448	6,609	6,381	6,158	6,815
Pending at end of year	1,274	869	931	694	900	948	1,836	1,267	853	762	1,037
Clearance rate	96.4%	107.1%	101.4%	102.7%	96.8%	99.3%	85.9%	109.3%	106.6%	101.6%	100.2%
Original Proceedings:³											7-Yr. Avg.
Filed	-----	-----	-----	602	732	758	834	583	796	922	747
Disposed	-----	-----	-----	602	702	721	761	702	812	924	746
Pending at end of year	-----	-----	-----	68	101	147	219	99	101	98	119
Clearance rate	-----	-----	-----	100.0%	95.9%	95.1%	91.2%	120.4%	102.0%	100.2%	99.9%
Petitions for Discretionary Review:⁴											10-Yr. Avg.
Filed	2,161	2,229	2,446	2,146	2,097	2,039	1,935	1,897	2,017	1,810	2,078
Disposed	1,866	2,318	2,578	2,128	2,160	2,028	2,068	1,886	2,009	1,872	2,091
Pending at end of year	891	802	669	685	618	629	496	507	516	450	626
Clearance rate	86.3%	104.0%	105.4%	99.2%	103.0%	99.5%	106.9%	99.4%	99.6%	103.4%	100.7%
Motions Considered	2,229	2,400	2,146	2,043	1,774	1,479	1,597	1,382	1,576	1,707	1,833
Opinions Written	652	798	709	472	595	612	471	474	486	575	584

NOTES:

- Direct appeals include death penalty appeals, DNA appeals, and appeals involving habeas corpus or extraordinary matters.
- Prior to fiscal year 2001, original proceedings were included in "Applications for Writ of Habeas Corpus, etc." Applications for writ of habeas corpus, though seeking relief from the Court of Criminal Appeals, must be filed in the trial court, which has 35 days in which to submit findings of fact, conclusions of law, and a recommendation to the Court of Criminal Appeals.
- Original proceedings are filed directly with the Court of Criminal Appeals; they include writs of certiorari, writs of habeas corpus, writs of mandamus, and writs of prohibition.
- Petitions for Discretionary Review includes petitions for discretionary review, granted petitions for discretionary review, and redrawn petitions for discretionary review.

Disposition of Cases by the Court of Criminal Appeals September 1, 2006 through August 31, 2007

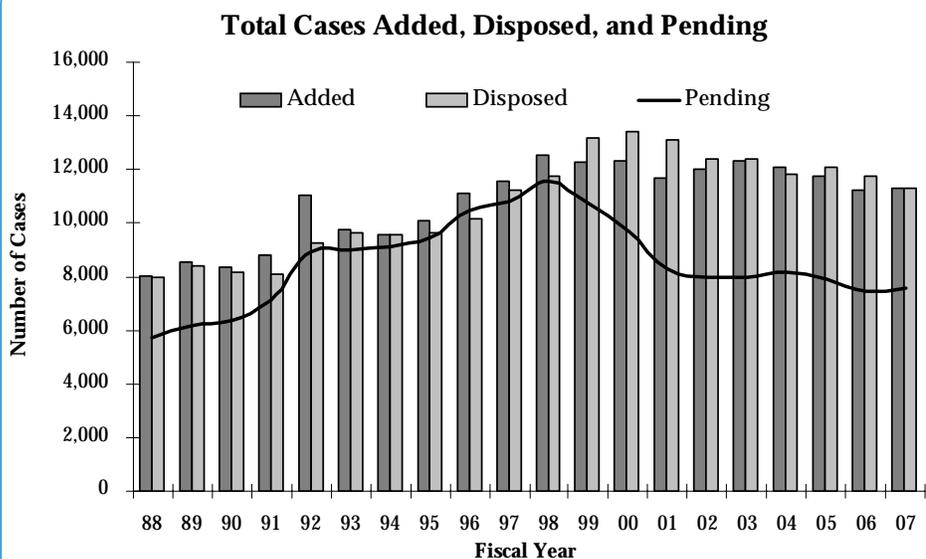
	Affirmed	Reversed & Remanded	Total					
Death Penalty Appeals	15	4	19					
	Granted	Denied/Refused	Dismissed	Withdrawn	Struck	Untimely	Other	Total
Habeas Corpus & Extraordinary Matters	223	16	9	0	0	0	1	249
Petitions for Discretionary Review¹	149	1,309	0	1	159	81	0	1,699
	Affirmed	Reversed	Reversed & Remanded	Remanded	Mixed	Dismissed	Other	Total
Granted Petitions for Discretionary Review	67	15	62	22	1	6	0	173
	Filed & Set	Denied	Remanded	Dismissed	Returned	Abated	Other	Total
Applications for Writ of Habeas Corpus	231	3,218	413	1,920	374	0	2	6,158
Original Proceedings	3	761	0	4	0	155	1	924
	Granted	Denied	Dismissed	Total				
Motions for Reconsideration	13	4	0	17				
Motions for Stay of Execution	4	19	2	25				

NOTE:
1. Includes redrawn petitions for discretionary review.

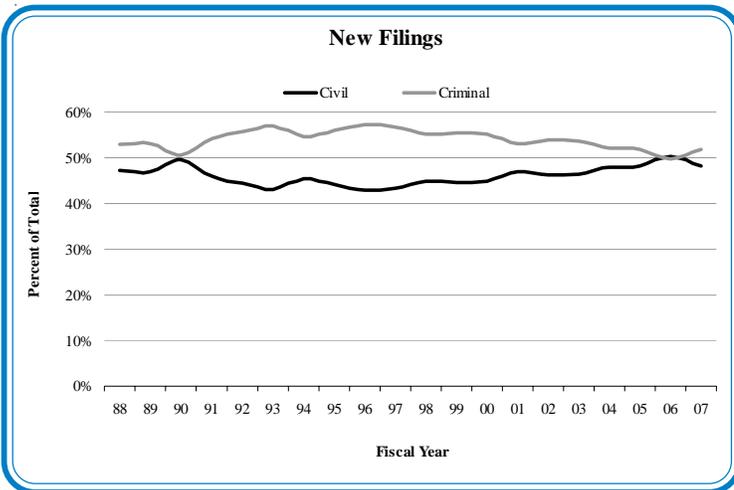


The Courts of Appeals

Cases Filed – In 2007, the number of cases added overall increased by 0.7 percent from the previous year to 11,317 cases. The increase in cases added was equally represented by new filings and other cases,¹ with an increase of 0.7 and 0.8 percent, respectively. Despite this small increase, the number of cases generally declined over the past decade, with a 9.5 percent decrease between 1998 and 2007.



Civil cases accounted for just under 50 percent, and criminal cases just over 50 percent, of all new filings in 2007. Over the last decade, new civil filings generally grew both in number as well as a proportion of all new cases filed—from 44.9 percent of all new filings in 1998 to 49.5 percent in 2007.



Nearly half (48.0 percent) of all appeals filed in 2007 came from the state’s five most populous counties—Harris, Dallas, Bexar, Tarrant and Travis—and 17.0 percent came from Harris County alone.

Cases Disposed – In 2007, the courts of appeals disposed of 11,286 cases—a decrease of 4.2 percent compared to the previous year’s dispositions and the fewest number of cases disposed of in the past decade. More than two-fifths (41.7 percent) of the cases disposed of in 2007 were affirmed, 6.3 percent were reversed, 2.7 percent had a mixed disposition (i.e., affirmed in part and reversed in part), and 29.3 percent were dismissed.

Top Five Counties from Which Appeals Were Filed in FY 2007

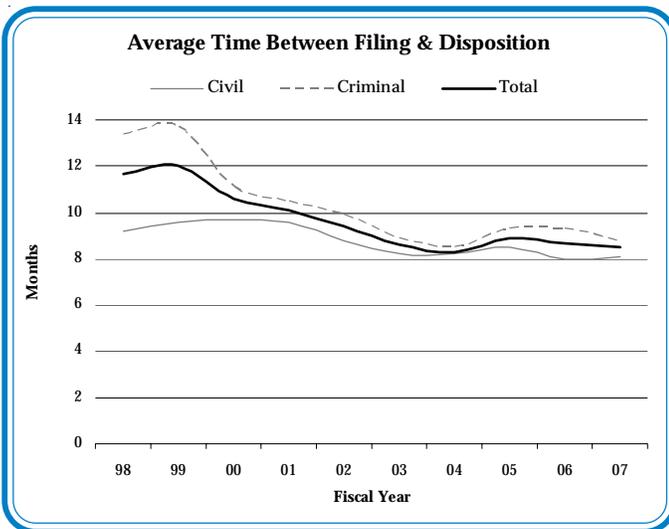
Civil Cases	Criminal Cases	Overall
Harris - 18.5%	Harris - 15.6%	Harris - 17.0%
Dallas - 13.4%	Dallas - 13.5%	Dallas - 13.5%
Bexar - 7.2%	Tarrant - 7.2%	Bexar - 6.6%
Travis - 5.9%	Bexar - 6.1%	Tarrant - 6.5%
Tarrant - 5.7%	Travis - 2.9%	Travis - 4.4%

1. Rehearings granted, cases reinstated, cases remanded from higher courts, and transferred cases.

The average time between filing and disposition for all cases decreased to 8.5 months from the previous year (8.7 months). The average time for civil cases increased to 8.1 months (compared to 8.0 the previous year), while the average time for criminal cases dropped to 8.8 months (from 9.3 months in 2006).

The average time between submission and disposition for civil cases was 2.1 months, the least amount of time taken in the past decade. The average time for criminal cases dropped to 1.5 months, also the lowest level in at least a decade.

The number of cases disposed of by the courts of appeals was 30 less than the number added, resulting in a clearance rate of 99.7, a drop from the clearance rate of 104.9 percent in 2006.



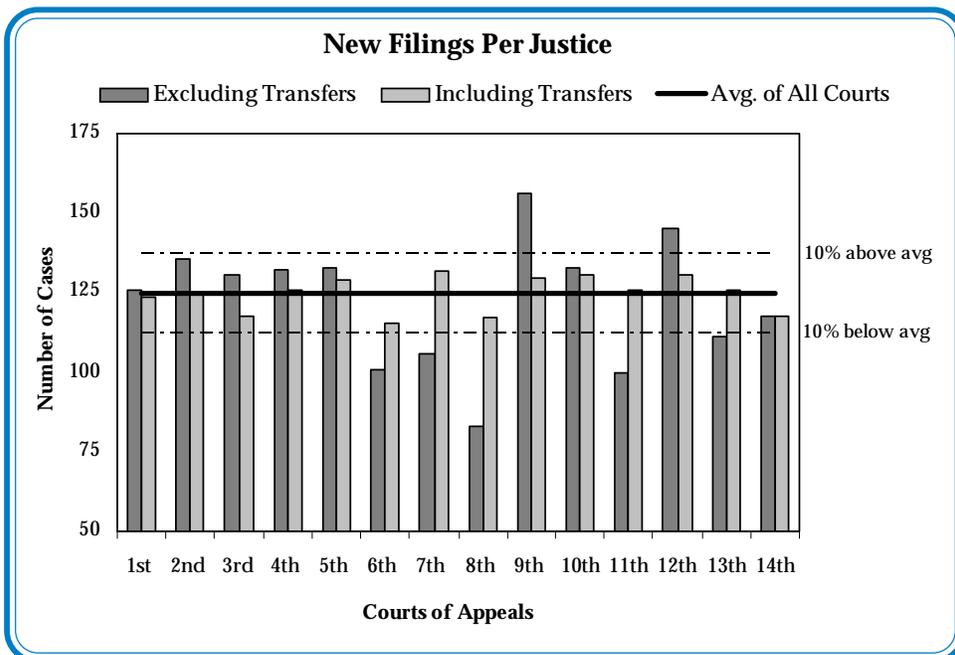
Cases Pending – At the end of 2007, a total of 7,601 cases were pending statewide, up 1.7 percent from the number pending at the end of the previous year. More than half (55.2 percent) of these cases had been pending for fewer than six months, and 82.7 percent had been pending for less than one year. The percentage of cases pending more than two years increased slightly to 2.1 percent, though it was still down from the 10-year high of 4.9 percent in 1998.

Opinions Written – During 2007, the justices of the courts of appeals issued 10,921 opinions, 52.8 percent of which were published. Since 2004, the rate of publication has exceeded 50 percent due to a change in the Texas Rules of Appellate Procedure in 2003.²

Docket

Equalization – To reduce disparities in the number of new cases filed per justice among the courts of appeals, the Supreme Court issues quarterly orders for the transfer of cases from those courts with higher new case filing rates per justice to those with lower rates.

In 2007, the statewide average number of new filings per justice was 125 cases prior to any transfers. The number of new cases filed per justice



2. An amendment to Rule 47, Texas Rules of Appellate Procedure, effective January 1, 2003, required all civil opinions to be made public (except those in parental notification of abortion matters) and abolished the “do not publish” designation in civil cases.

ranged from 83 cases in the 8th Court of Appeals (El Paso) to 156 cases in the 9th Court of Appeals (Beaumont). The average percentage difference of the 14 courts from the statewide average was 12.8 percent.

A total of 457 cases were transferred among the courts of appeals during the year in an effort to equalize the workloads of the courts. The 9th Court of Appeals (Beaumont) transferred out the most cases (106 cases), while the 7th (Amarillo) and 8th (El Paso) Courts of Appeals each received the largest number of transferred cases (103 and 104 cases, respectively).

As a result of these transfers, the number of new cases filed per justice ranged from a low of 116 cases per justice in the 6th Court of Appeals (Texarkana) to a high of 132 cases filed per justice in the 7th Court of Appeals (Amarillo). After transfers, the average percentage difference of the 14 courts from the statewide average was only 4.5 percent—surpassing the goal of 10 percent set by the Texas Legislature.³

Courts of Appeals											
Activity for Fiscal Years 1998 through 2007											
	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	10-Yr. Avg.
Civil Cases:											
Cases added											
<i>New filings</i>	5,191	4,969	4,898	4,792	4,877	4,888	4,999	5,013	4,971	4,940	4,954
<i>Other cases</i>	167	241	279	347	343	351	326	378	419	378	323
Cases disposed	4,722	5,254	5,457	5,515	5,404	5,172	5,220	5,441	5,440	5,286	5,291
Cases pending at end of year	4,047	3,987	3,717	3,346	3,229	3,288	3,427	3,398	3,376	3,457	3,527
Clearance rate	88.1%	100.8%	105.4%	107.3%	103.5%	98.7%	98.0%	100.9%	100.9%	99.4%	100.3%
Avg. time between filing & disposition (months)	9.2	9.6	9.7	9.6	8.8	8.2	8.2	8.5	8.0	8.1	8.8
Avg. time between submission & disposition (months)	2.7	2.5	2.1	2.4	2.3	2.8	2.8	2.8	2.3	2.1	2.5
Criminal Cases:											
Cases added											
<i>New filings</i>	6,375	6,145	6,016	5,436	5,686	5,671	5,444	5,381	4,939	5,039	5,613
<i>Other cases</i>	769	936	1,150	1,122	1,079	1,431	1,342	982	908	960	1,068
Cases disposed	7,014	7,894	7,972	7,614	6,995	7,248	6,610	6,617	6,344	6,000	7,031
Cases pending at end of year	7,528	6,739	5,973	4,948	4,748	4,588	4,740	4,515	4,100	4,144	5,202
Clearance rate	98.2%	111.5%	111.2%	116.1%	103.4%	102.1%	97.4%	104.0%	108.5%	100.0%	105.2%
Avg. time between filing & disposition (months)	13.4	13.7	11.1	10.5	9.9	8.9	8.5	9.3	9.3	8.8	10.3
Avg. time between submission & disposition (months)	1.9	1.8	1.3	1.6	1.6	1.9	1.7	1.9	1.7	1.5	1.7
All Cases:											
Cases added											
<i>New filings</i>	11,566	11,114	10,914	10,228	10,563	10,559	10,443	10,394	9,910	9,979	10,567
<i>Other cases</i>	936	1,177	1,429	1,469	1,422	1,782	1,668	1,360	1,327	1,338	1,391
Cases disposed	11,736	13,148	13,429	13,129	12,399	12,420	11,830	12,058	11,784	11,286	12,322
Cases pending at end of year	11,575	10,723	9,690	8,292	7,977	7,876	8,167	7,913	7,476	7,601	8,729
Clearance rate	93.9%	107.0%	108.8%	112.3%	103.5%	100.6%	97.7%	102.6%	104.9%	99.7%	103.1%
Avg. time between filing & disposition (months)	11.7	12.0	10.6	10.1	9.4	8.6	8.3	8.9	8.7	8.5	9.7
Avg. time between submission & disposition (months)	2.2	2.0	1.6	1.9	1.9	2.2	2.2	2.3	2.0	1.8	2.0
Opinions Written	11,457	12,787	12,798	12,691	11,959	11,404	11,363	11,461	11,408	10,921	11,825

3. "It is the intent of the Legislature that the Supreme Court equalize the dockets of the 14 courts of appeals. Equalization shall be considered achieved if the new cases filed each year per justice are equalized by 10 percent or less among all the courts of appeals" (80th Legislature, H.B. 1, Supreme Court Rider 4).

Activity for the Fiscal Year Ended August 31, 2007

	1 st Houston	2 nd Fort Worth	3 rd Austin	4 th San Antonio	5 th Dallas	6 th Texarkana	7 th Amarillo	8 th El Paso	9 th Beaumont	10 th Waco	11 th Eastland	12 th Tyler	13 th Corpus Christi/ Edinburg	14 th Houston
Number of Justices	9	7	6	7	13	3	4	3	4	3	3	3	6	9
Civil Cases:														
Cases added	622	481	455	511	854	138	224	188	234	193	156	167	430	665
Cases disposed	608	477	401	545	797	139	223	152	275	238	168	172	425	666
Cases pending at end of year	499	254	397	244	513	59	144	154	122	109	129	86	336	411
Clearance rate (%)	97.8%	99.2%	88.1%	106.7%	93.3%	100.7%	99.6%	80.9%	117.5%	123.3%	107.7%	103.0%	98.8%	100.2%
Avg. time between filing & disposition (months)	11.0	6.3	8.4	6.2	7.5	5.5	7.6	8.7	7.4	9.4	9.9	5.8	9.9	8.0
Avg. % of cases filed but not yet disposed for > 24 months	3.80%	0.90%	9.25%	0.00%	1.07%	0.00%	0.48%	0.63%	1.00%	2.08%	0.13%	0.00%	5.59%	2.15%
Avg. time between submission & disposition (months)	1.9	1.8	3.6	0.9	1.2	0.8	1.8	2.3	3.2	1.7	2.0	2.4	4.7	2.2
Avg. % of cases under submission for > 12 months	7.32%	5.19%	34.50%	0.28%	4.41%	0.00%	0.25%	0.98%	1.00%	0.00%	0.00%	0.00%	10.74%	4.55%
Criminal Cases:														
Cases added	645	481	357	404	1,235	225	380	182	291	281	250	234	471	563
Cases disposed	688	473	392	387	1,141	268	354	170	332	278	230	233	432	622
Cases pending at end of year	475	397	247	262	740	153	284	193	167	176	206	157	304	383
Clearance rate	106.7%	98.3%	109.8%	95.8%	92.4%	119.1%	93.2%	93.4%	114.1%	98.9%	92.0%	99.6%	91.7%	110.5%
Avg. time between filing & disposition (months)	9.8	9.9	9.1	7.4	6.7	9.1	8.1	14.2	8.0	8.5	10.8	8.2	9.8	9.5
Avg. % of cases filed but not yet disposed for > 24 months	0.25%	0.40%	2.58%	0.61%	0.08%	0.00%	0.06%	0.76%	0.70%	0.38%	0.41%	0.00%	4.64%	0.83%
Avg. time between submission & disposition (months)	1.1	1.9	2.9	0.7	1.3	1.2	1.2	2.3	2.0	1.5	1.3	1.2	1.8	2.0
Avg. % of cases under submission for > 12 months	0.68%	0.16%	15.10%	0.00%	1.54%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	4.57%	0.41%
All Cases:														
Cases added	1,267	962	812	915	2,089	363	604	370	525	474	406	401	901	1,228
Cases disposed	1,296	950	793	932	1,938	407	577	322	607	516	398	405	857	1,288
Cases pending at end of year	974	651	644	506	1,253	212	428	347	289	285	335	243	640	794
Clearance rate	102.3%	98.8%	97.7%	101.9%	92.8%	112.1%	95.5%	87.0%	115.6%	108.9%	98.0%	101.0%	95.1%	104.9%
Avg. time between filing & disposition (months)	10.4	8.1	8.7	6.7	7.0	7.9	7.9	11.7	7.7	8.9	10.4	7.2	9.8	8.7
Avg. % of cases filed but not yet disposed for > 24 months	2.09%	0.60%	6.48%	0.15%	0.51%	0.00%	0.20%	0.68%	0.81%	1.07%	0.29%	0.00%	5.16%	1.48%
Avg. time between submission & disposition (months)	1.5	1.9	3.2	0.8	1.2	1.0	1.4	2.3	2.5	1.6	1.6	1.6	3.1	2.1
Avg. % of cases under submission for > 12 months	4.25%	2.85%	28.34%	0.17%	3.35%	0.00%	0.15%	0.45%	0.50%	0.00%	0.00%	0.00%	8.89%	2.64%
Opinions issued	1,234	914	957	962	1,567	402	614	328	632	590	352	426	749	1,194
Published Opinions	773	511	516	600	800	193	108	162	313	388	79	198	421	709

Caseload Trends in the Trial Courts

Analysis of Activity for the Fiscal Year
Ended August 31, 2007



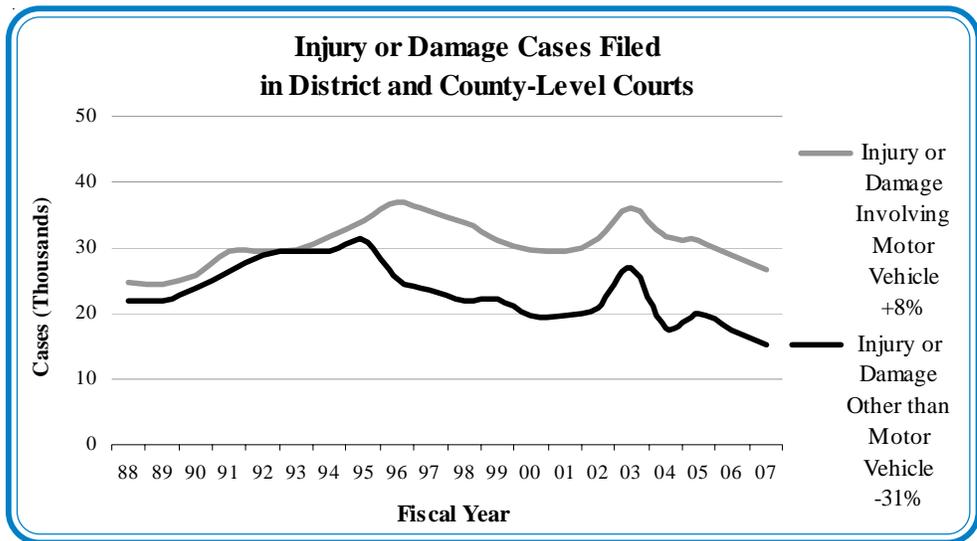
Photo courtesy of TexasCourthouses.com

Karnes County Courthouse - Karnes City

Trends in Texas District and County-Level Courts

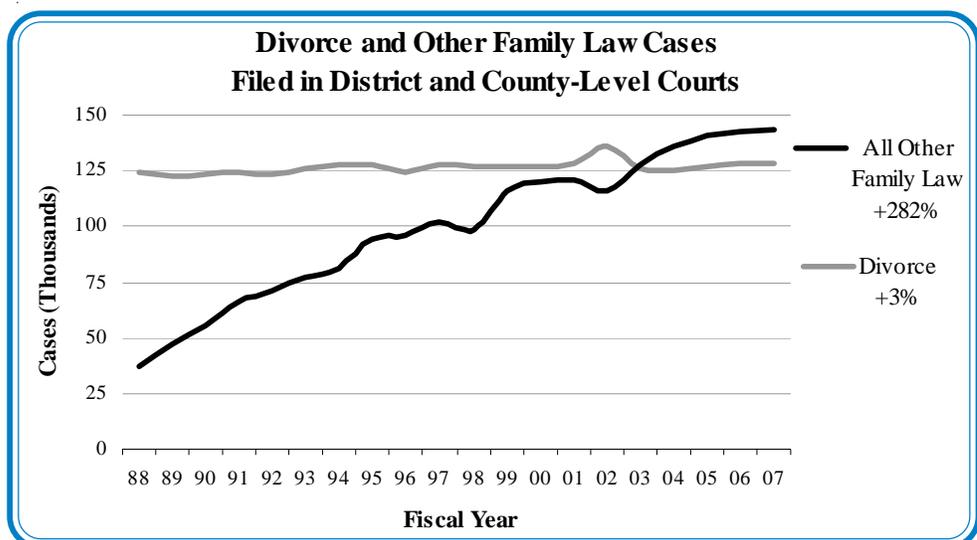
Injury and Damage Cases

Cases – Overall, new filings of injury and damage cases decreased 10 percent between 1988 and 2007, though there were two periods of growth—one between 1990 and 1995 and another in 2003. Within this category, cases of injury or damage involving a motor vehicle increased 8 percent during the past two decades (from 24,823 to 26,743 cases), while cases of injury or damage not involving a motor vehicle declined 31 percent (from 21,960 to 15,150 cases). Multiple legislative changes during these years impacted the volume of cases filed. A wave of new filings hit the courts at the end of fiscal year 2003 as litigants attempted to get their cases filed before the Medical Malpractice and Tort Reform Act went into effect on September 1, 2003.¹



Family Law Cases

Although the number of divorce cases filed in district and county-level courts remained steady over the past two decades, the number of cases involving “all other family law matters” skyrocketed from 37,513 to 143,341 cases. Due to the “catch all” nature of this category, there may be several factors driving the increase. First, this category includes motions to modify previously granted divorce decrees or other judgments in family law cases, involving issues such as child support and child custody. Therefore, many of these previously settled cases are likely to return to the courts’ dockets for modification or enforcement actions as time passes.



Also in the “all other family law matters” category are cases for the termination of parental rights (child protection cases). The number of investigated cases that were confirmed by Texas Department of Protective and Regulatory Services increased 29 percent from 1995 to 2006, from 31,996 to 41,406.² This increase in child protective cases, however, was minor compared to the increase in other family matters that were introduced into district and county-level courts.

1. Medical Malpractice and Tort Reform Act, 78th Leg. R.S., Chap. 204 § 1-23, Tex. Sess. Law Serv. 847.

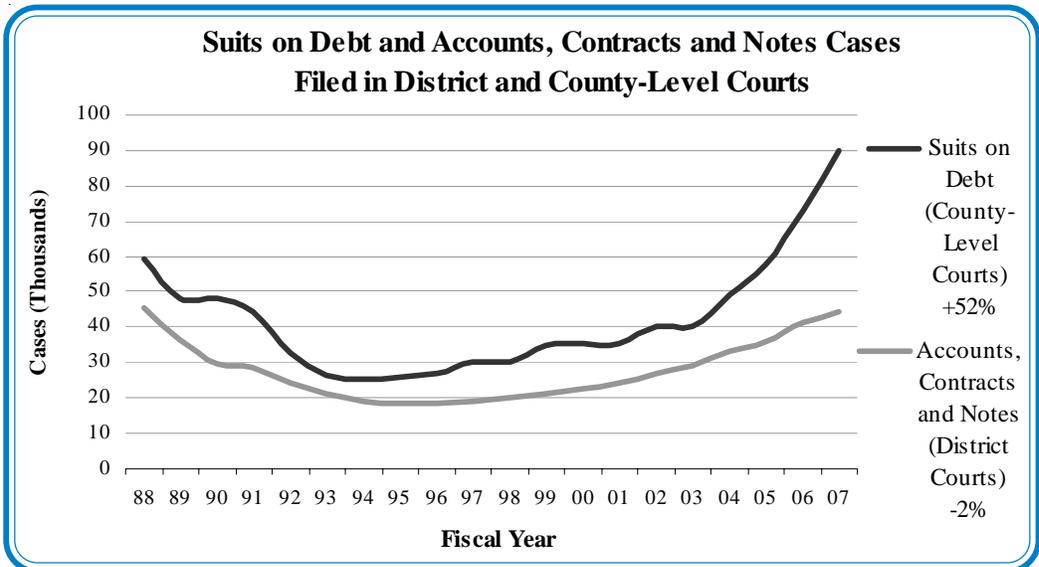
2. http://www.dfps.state.tx.us/About/Data_Books_and_Annual_Reports/default.asp.

Debt Cases –

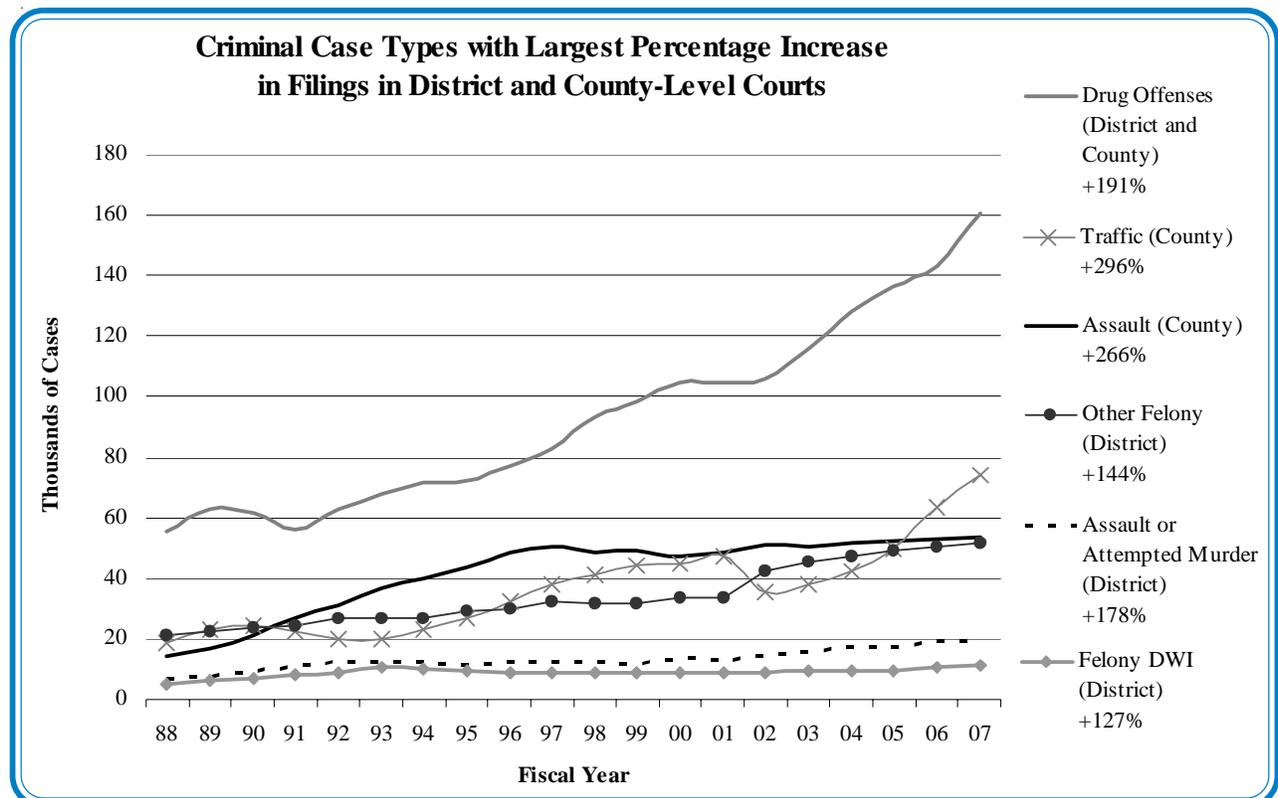
New filings of debt cases in district and county-level courts showed a bifurcated trend, sharply decreasing between 1988 and the mid-1990s and then generally rising each year since then.

Debt cases in county-level courts dropped 57.2 percent between 1988 (59,072 cases) and 1994 (25,308 cases),

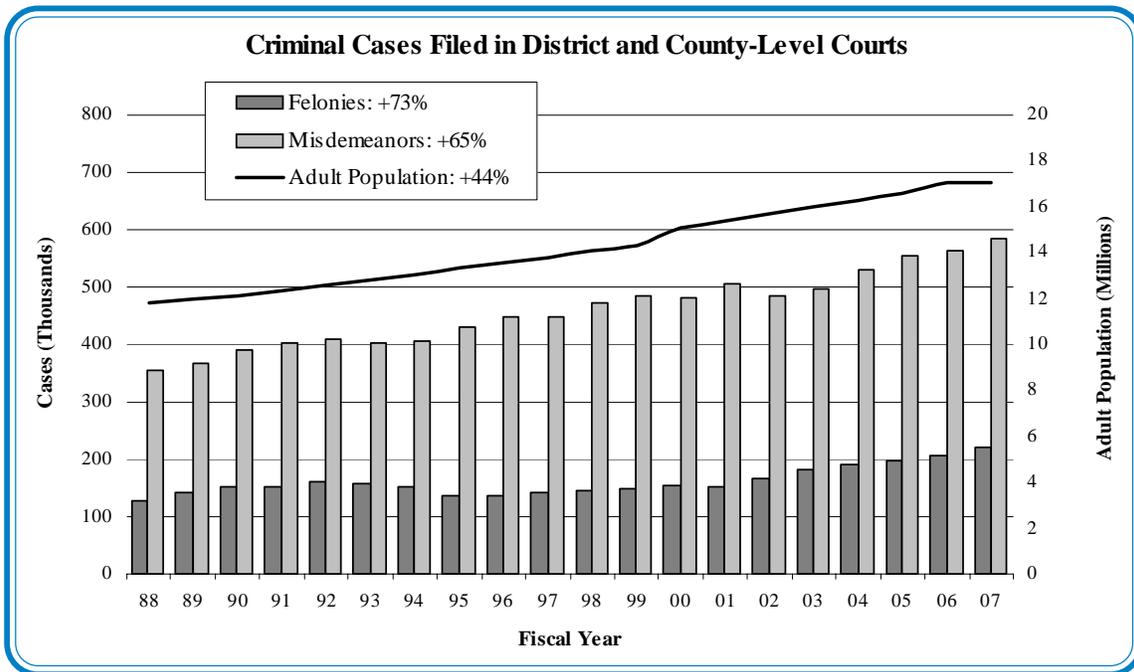
but rose to a 20-year high in 2007 with 89,898 cases. In district courts, new filings dropped 59.5 percent between 1988 (45,418 cases) and 1996 (18,394 cases), but steadily rose again every year since then.



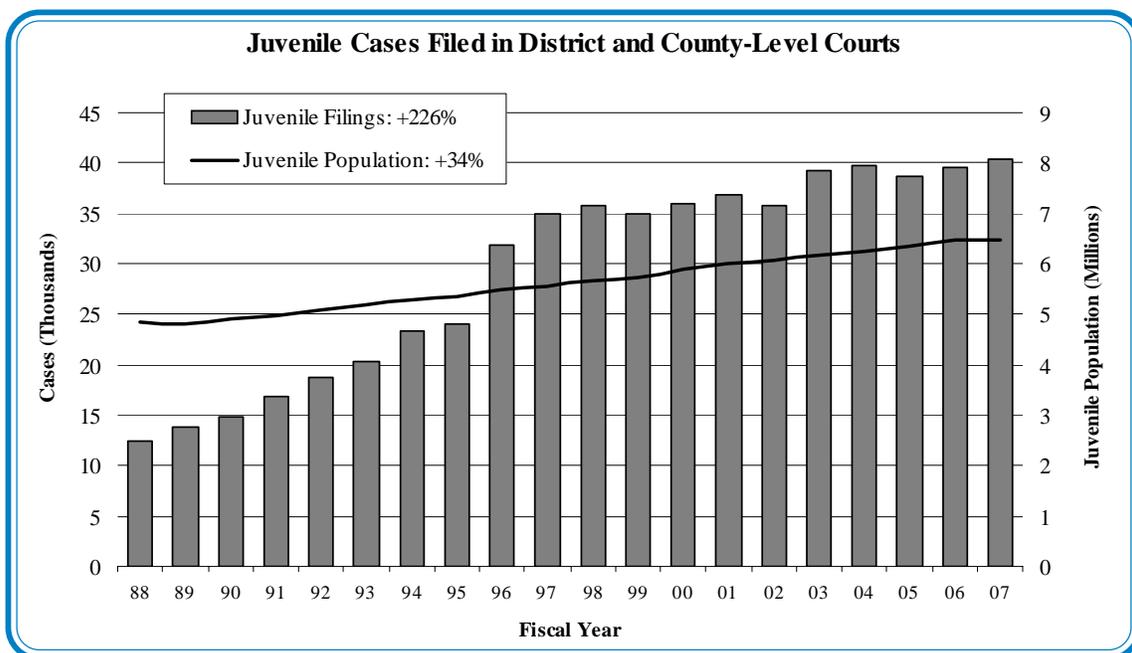
Criminal Cases – Six categories of criminal cases increased more than 100 percent over the past 20 years. Traffic cases filed in county-level courts increased the most (296 percent). Misdemeanor assault cases (in county-level courts) increased 266 percent; felony assault or attempted murder cases increased 178 percent; felony and misdemeanor drug offense cases increased 191 percent; “other” felonies increased 144 percent; and felony DWI cases increased 127 percent.



The number of felony and misdemeanor cases filed in the district and county-level courts increased at a higher rate than the growth in the adult population in Texas. Although the adult population increased 44 percent between 1988 and 2006 (from 12 million to 17 million), the number of felony cases rose 73 percent (from 126,694 to 219,759 cases) in that same time frame, and misdemeanor cases increased 65 percent (from 355,295 to 584,987 cases).



Juvenile Cases – The number of juvenile cases filed tripled over the past 20 years (12,378 in 1988 to 40,355 in 2007). When compared to the population growth in Texas, the number of juvenile cases greatly outpaced the growth of Texas’ youth population. While the youth population in Texas increased by 34 percent in 20 years, the number of juvenile cases increased by 226 percent.



Assigned Judges in the Trial Courts

Statistics For the Year Ended August 31, 2007

	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	Total
	<u>Region</u>	<u>Region</u>	<u>Region</u>	<u>Region</u>	<u>Region</u>	<u>Region</u>	<u>Region</u>	<u>Region</u>	<u>Region</u>	
By the Chief Justice of the Supreme Court¹										
Assignments to the Administrative Regions:										
Number of Assignments:										
Senior/Former Appellate Judges	0	0	24	9	0	0	0	2	0	35
Active District Judges	0	0	0	0	0	0	0	2	0	2
Senior/Former District Judges	0	0	0	0	343	0	0	0	0	343
Active Statutory County Court Judges	0	0	0	0	0	0	0	0	0	0
Retired/Former Statutory County Court Judges	0	0	0	0	3	0	0	0	0	3
TOTAL Assignments	0	0	24	9	346	0	0	4	0	383
Days Served:										
Senior/Former Appellate Judges	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.0	0.0	4.0
Active District Judges	0.0	0.0	24.0	33.0	0.0	0.0	0.0	0.0	0.0	57.0
Senior/Former District Judges	0.0	0.0	0.0	0.0	322.5	0.0	0.0	0.0	0.0	322.5
Active Statutory County Court Judges	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Retired/Former Statutory County Court Judges	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	3.0
TOTAL Days Served	0.0	0.0	24.0	33.0	325.5	0.0	0.0	4.0	0.0	386.5
By Presiding Judges of Administrative Regions¹										
Assignments within the Administrative Regions:										
Number of Assignments:										
Active Appellate Judges	5	0	0	0	0	0	0	0	0	5
Senior/Former Appellate Judges	96	167	76	29	17	29	3	79	49	545
Active District Judges	26	65	21	7	3	20	41	136	82	401
Senior/Former District Judges	557	1,079	748	259	79	342	242	507	139	3,952
Active Statutory County Court Judges	0	31	6	1	0	1	28	40	0	107
Retired/Former Statutory County Court Judges	72	120	50	24	5	42	18	44	61	436
TOTAL Assignments	756	1,462	901	320	104	434	332	806	331	5,446
Days Served:										
Active Appellate Judges	26.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	26.0
Senior/Former Appellate Judges	284.0	496.0	79.0	147.0	126.0	242.0	31.0	216.0	56.5	1,677.5
Active District Judges	192.0	112.0	2.0	8.0	3.0	22.0	7.0	134.5	20.0	500.5
Senior/Former District Judges	1,961.0	2,720.5	840.0	1,018.5	496.0	617.0	316.0	1,249.0	236.5	9,454.5
Active Statutory County Court Judges	0.0	48.0	6.5	1.0	0.0	9.0	0.0	35.0	0.0	99.5
Retired/Former Statutory County Court Judges	200.0	248.0	47.5	81.0	8.0	111.0	16.0	65.0	112.5	889.0
TOTAL Days Served	2,663.0	3,624.5	975.0	1,255.5	633.0	1,001.0	370.0	1,699.5	425.5	12,647.0
Assignments from Other Administrative Regions:										
Number of Assignments:										
Active Appellate Judges	0	0	0	0	0	0	0	0	0	0
Senior/Former Appellate Judges	2	0	0	0	8	8	0	0	1	19
Active District Judges	2	4	5	0	0	4	1	1	2	19
Senior/Former District Judges	28	36	49	24	0	33	18	9	9	225
Active Statutory County Court Judges	0	14	12	0	0	0	0	0	0	26
Retired/Former Statutory County Court Judges	0	16	5	0	0	0	7	34	0	62
TOTAL Assignments	32	70	71	24	8	45	26	44	12	332
Days Served:										
Active Appellate Judges	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Senior/Former Appellate Judges	2.0	0.0	0.0	0.0	8.0	37.0	0.0	0.0	12.0	59.0
Active District Judges	2.0	9.0	2.0	0.0	0.0	3.0	0.0	1.0	3.0	20.0
Senior/Former District Judges	239.0	108.0	27.0	74.5	0.0	60.0	31.5	27.0	26.5	593.5
Active Statutory County Court Judges	0.0	36.0	2.0	0.0	0.0	0.0	0.0	0.0	0.0	38.0
Retired/Former Statutory County Court Judges	0.0	41.0	2.0	0.0	0.0	0.0	5.0	35.0	0.0	83.0
TOTAL Days Served	243.0	194.0	33.0	74.5	8.0	100.0	36.5	63.0	41.5	793.5
By the Supreme Court for Disciplinary Proceedings²										
Number of Assignments--Active District Judges										
	0	6	0	1	0	1	0	0	0	8
Days Served--Active District Judges										
	0.0	17.0	0.0	1.0	0.0	2.0	0.0	0.0	0.0	20.0
Total ---Trial Court Assignments										
Number of Assignments	788	1,538	996	354	458	480	358	854	343	6,169
Days Served	2,906.0	3,835.5	1,032.0	1,364.0	966.5	1,103.0	406.5	1,766.5	467.0	13,847.0
Assignments to Other Administrative Regions	39	38	101	17	1	11	13	16	0	236

Notes:

1. Assignment authorized by Sections 74.056 and 75.002, Texas Government Code. Information provided by the Presiding Judges of the Administrative Judicial Regions.
2. Assignment authorized by Rule 3.02, Texas Rules of Disciplinary Procedure.



District Courts

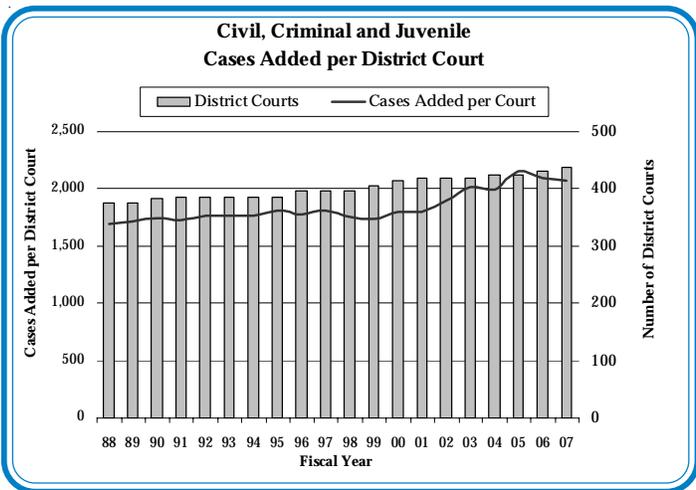
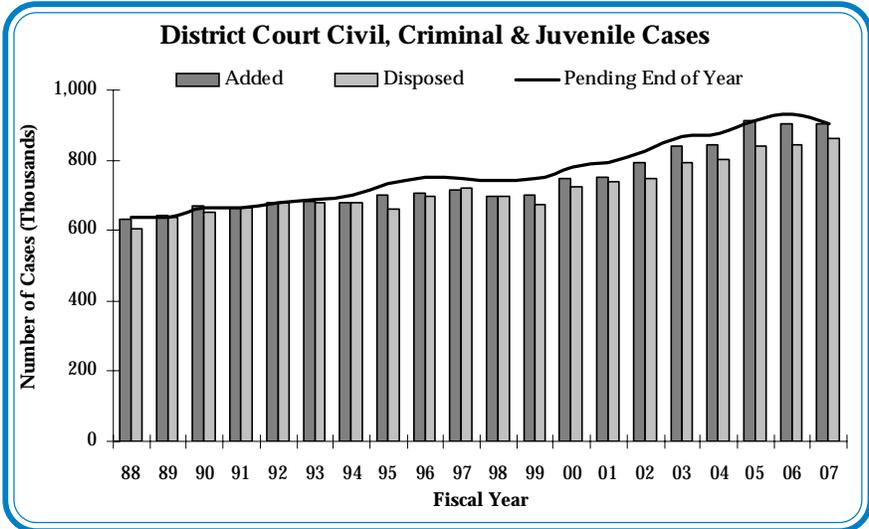
Cases Added – In 2007, 904,171 civil, criminal, and juvenile¹ cases were filed in the state’s 437 district courts—an increase of 0.3 percent from the previous year—for an average of 2,069 cases per district judge. Criminal and juvenile filings grew by 4.1 percent and 6.4 percent, respectively, while civil filings declined by 1.9 percent.

Just under half (47.3 percent) of all cases were filed in the five largest counties—Harris, Dallas, Tarrant, Bexar, and Travis—and nearly 20 percent of cases were filed in Harris County alone. Harris County experienced the heaviest incoming caseload, with an average of 2,957 cases added to the dockets of the county’s 59 district courts. Brazos County’s caseload was second highest, with an average of 2,747 cases filed per court (3 courts).

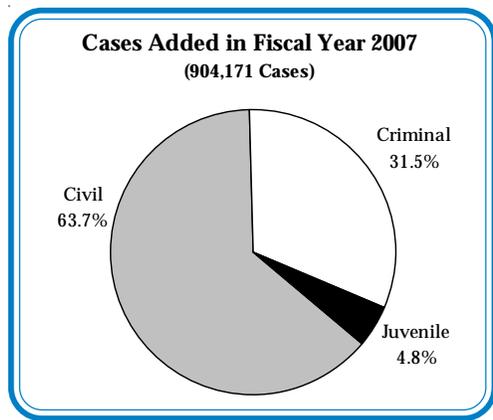
Civil cases accounted for 63.7 percent of all cases filed during the fiscal year. Criminal cases accounted for 31.5 percent of all cases filed, the highest percentage in at least 20 years. Family law cases (divorce, reciprocals and all other family law cases) comprised the majority (64.0 percent) of civil cases filed in 2007, while drug offenses (drug possession, sale, and manufacture) accounted for 34.7 percent of all criminal cases filed.

Clearance Rates – In 2007, 862,605 cases were disposed by district courts, an increase of 2.1 percent from the previous year. The number of cases disposed per district judge increased slightly (0.9 percent) to 1,974 cases.

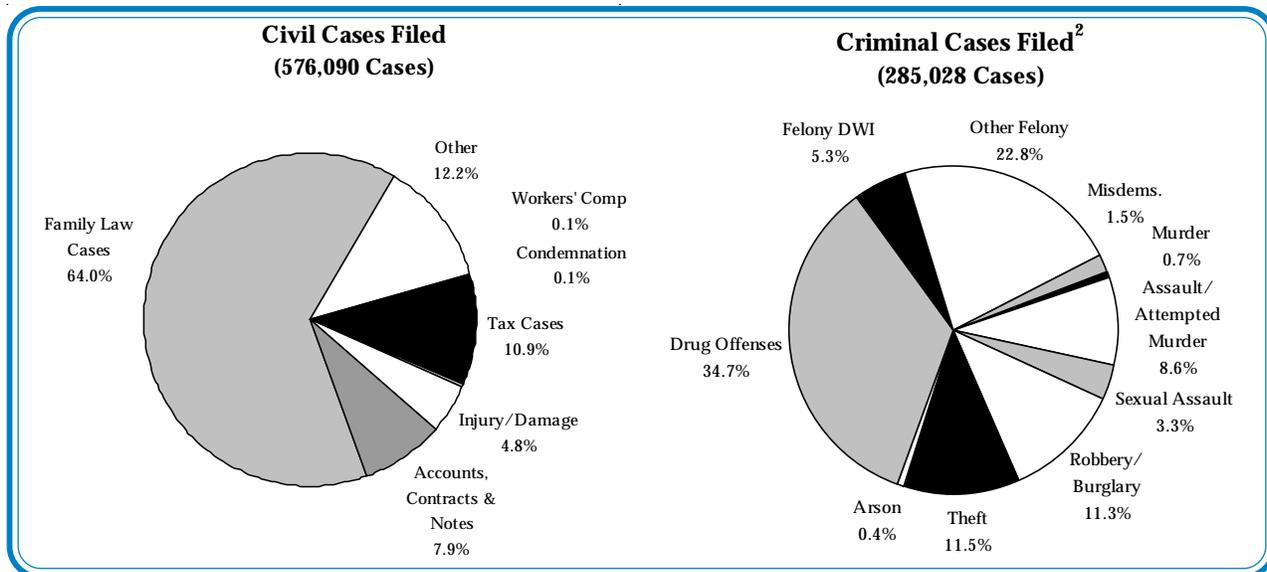
Overall, the case clearance rate rose to 95.4 percent in 2007, which was equivalent to the ten-year average. The civil case clearance rate increased from 93.3



Civil, Criminal and Juvenile Cases Added in Fiscal Year 2007	
Counties with Most Cases Added per District Court	Counties with Fewest Cases Added per District Court
Harris - 2,957	Cottle - 6
Brazos - 2,747	King - 8
Jefferson - 2,712	Terrell - 10
Bexar - 2,704	McMullen - 11
Navarro - 2,572	Borden - 11



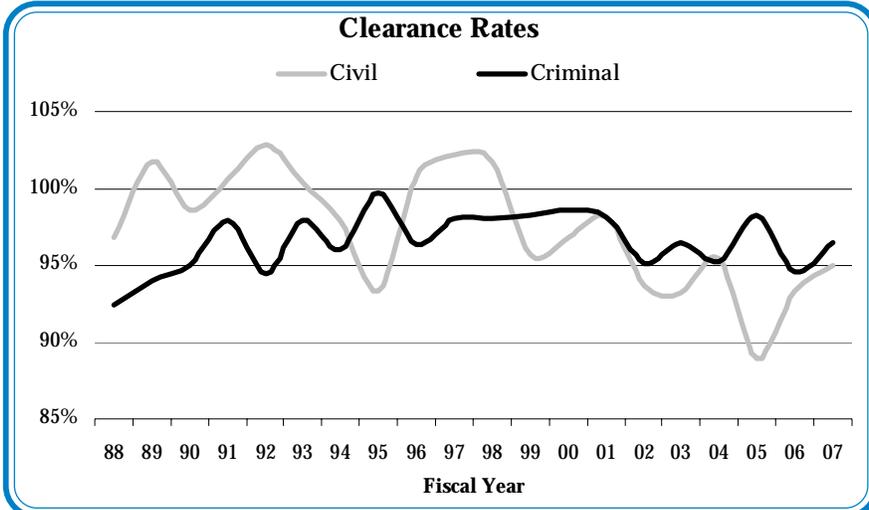
1. Juvenile caseload is discussed in the Juvenile Cases section.



percent in 2006 to 95.0 percent in 2007, and the criminal clearance rate increased from 94.6 percent to 96.5 percent. The juvenile case clearance rate, however, declined slightly from 94.1 percent to 93.8 percent.

More than 900,000 cases were reported pending at the end of fiscal year 2007, a slight decline from the year before but close to the five-year average of 898,348 pending cases. Counties reported that further court proceedings could not be conducted in approximately 30.9 percent (77,125 cases) of the criminal cases

pending because the defendant could not be located, was undergoing inpatient mental health treatment, or was otherwise unavailable for adjudication. Hidalgo County reported the greatest number of cases pending per court at the end of the fiscal year with nearly 4,200 cases pending per judge, approximately twice the statewide average of 2,062 cases.



Counties with Most Civil, Criminal and Juvenile Cases Pending per District Court as of August 31, 2007

Hidalgo - 4,189	El Paso - 3,162
Travis - 3,921	Van Zandt - 3,053
Angelina - 3,622	Jim Wells - 3,011
Ellis - 3,561	Brazos - 2,938
Liberty - 3,481	Cass - 2,637

Civil Case Clearance Rates, FY 2007 In the Ten Most Populous Counties

Harris - 90.3%	El Paso - 78.0%
Dallas - 90.6%	Hidalgo - 71.5%
Tarrant - 98.2%	Collin - 96.8%
Bexar - 98.9%	Denton - 99.9%
Travis - 123.3%	Fort Bend - 90.5%

Criminal Case Clearance Rates, FY 2007 In the Ten Most Populous Counties

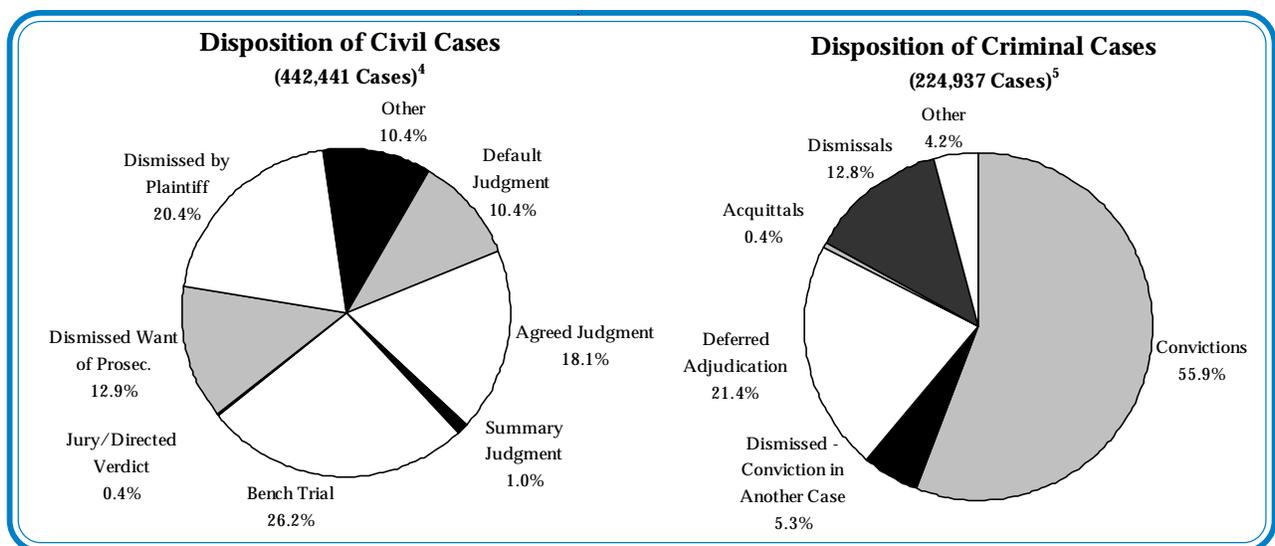
Harris - 98.4%	El Paso - 79.7%
Dallas - 94.6%	Hidalgo - 98.7%
Tarrant - 93.8%	Collin - 95.8%
Bexar - 90.3%	Denton - 90.2%
Travis - 99.7%	Fort Bend - 89.1%

2. Does not total to 100 percent due to rounding.

Manner of Disposition – A total of 547,152 civil cases were disposed of in 2007, nearly 105,000 of which were show cause motions filed in family law matters. Of the remaining 442,441 cases disposed during the year, one-third were either dismissed by the plaintiff or dismissed for want of prosecution, while 26.2 percent were disposed of by bench trial.

Overall, only 0.4 percent of civil cases were settled by a jury verdict. However, 5.5 percent of workers' compensation cases, 2.9 percent of injury or damage cases involving a motor vehicle, and 2.0 percent of other injury or damage cases were disposed by jury trial.

In 2007, district courts disposed of a record 275,056 criminal cases, an increase of 6.2 percent over the number disposed of the previous year. Defendants were convicted in 56.1 percent of the 224,937 cases that did not involve a transfer or a motion to revoke probation. Another 5.3 percent of cases were dismissed because the defendant was convicted in another case. The highest conviction rate occurred in felony DWI cases (82.1 percent), while the lowest rate occurred in cases involving sexual assault of an adult (39.8 percent). Misdemeanors had the highest rate of dismissal at 26.6 percent.³



Overall, 97.8 percent of convictions resulted from a guilty or *nolo contendere* plea. Defendants were most likely to enter a guilty or *nolo contendere* plea in felony DWI cases (81.2 percent) and least likely in cases involving sexual assault of an adult (33.9 percent).

Less than 2 percent of all cases (excluding transfers and motions to revoke probation) went to trial in 2007. Trial rates were significantly higher, however, in capital murder and murder cases, which went to trial in 24.6 percent and 21.2 percent of cases, respectively.

Of the 3,715 criminal cases that went to trial, 80.3 percent were tried before a jury. Defendants were convicted in 78.5 percent of cases that went to jury trial, compared to 56.0 percent of cases decided by a judge.

	Bench	Jury	All Trials
Convictions	409 (56.0%)	2,341 (78.5%)	2,750 (74.0%)
Acquittals	322 (44.0%)	643 (21.5%)	965 (26.0%)
Total	731 (100%)	2,984 (100%)	3,715 (100%)

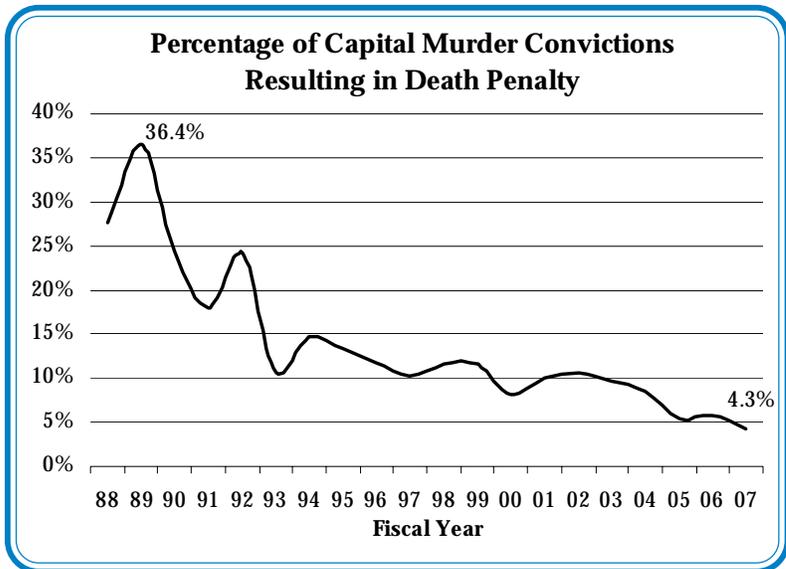
3. Dismissal rates do not include cases dismissed due to conviction in another case or due to the refile of a case.

4. Excludes show cause motions in family law matters.

5. Excludes transfers and motions to revoke probation.

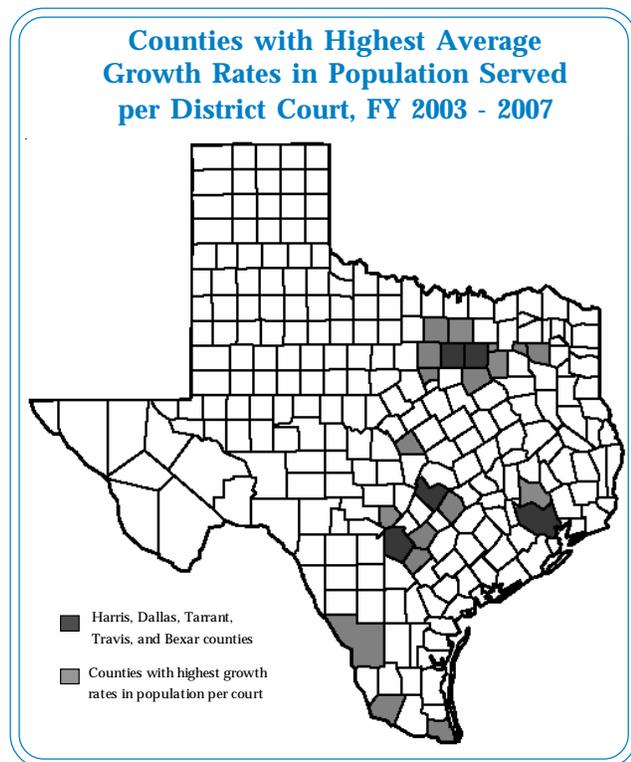
Death and Life Sentences – Death sentences were assessed in 4.3 percent (13 cases) of all capital murder convictions in 2007, the lowest percentage and number recorded in at least 30 years,⁶ continuing the downward trend in death sentences issued that began in 1989. The 385 life sentences issued in 2007 represented an increase of 14.2 percent over the number handed down the previous year.

Population Served per Court - In fiscal year 2007, the average population served per district court in Texas was 53,732 citizens. With more than 97,000 citizens per court, Denton County topped the list of highest average population served per court, approximately 81 percent more than the statewide average.



From 2003 to 2007, the statewide average population served per court grew 0.8 percent per year, despite the implementation of 20 new district courts during this period.⁷ The Dallas-Ft. Worth area experienced the greatest growth in population served per court, with Rockwall County leading the state at an average growth rate of 7.9 percent per year. Five other counties in this area—Denton, Ellis, Hood, Kaufman, and Parker—also ranked in the top 10 statewide. Other areas of significant growth centered around the San Antonio-Austin area and counties bordering Mexico in the southernmost part of the state.

Population Served per District Court	
Counties with Highest Average Population Served per District Court in FY 2007	Counties with Highest Average Annual Growth Rates in Population Served per District Court FY 2003 to 2007
Denton - 97,373	Rockwall - 7.9%
Collin - 87,356	Montgomery - 4.9%
Fort Bend - 82,198	Denton - 4.6%
Montgomery - 79,658	Kaufman - 4.5%
Williamson - 78,629	Kendall - 4.5%
Coryell - 72,667	Ellis - 3.8%
Hidalgo - 70,063	Guadalupe - 3.5%
Ellis - 69,650	Wilson - 3.1%
Rockwall - 69,155	Hood - 2.9%
Harris - 65,868	Parker - 2.9%
Bexar - 64,816	Webb - 2.9%
Cameron - 64,620	Bastrop - 2.8%
Tarrant - 64,281	Lampasas - 2.6%
Harrison - 63,819	Rains - 2.6%
Travis - 61,400	Cameron - 2.4%
Dallas - 60,149	Harris - 2.4%
Wise - 57,891	Starr - 2.4%
Webb - 57,868	Wood - 2.4%
Brazoria - 57,580	Tarrant - 2.3%
Statewide - 53,732	Wise - 2.3%
Parker - 53,133	Statewide - 0.8%



6. The Texas Judicial Council began collecting statistics on death and life sentences in fiscal year 1974. The percentage of capital murder convictions resulting in a death penalty are based on data collected beginning in 1980.

7. In 2007, the 80th Legislature authorized the creation of 10 additional courts with implementation dates ranging from September 1, 2007 to January 1, 2009.

District Courts
Activity Summary by Case Type from September 1, 2006 to August 31, 2007

CRIMINAL CASES																
Cases on Docket:	Capital Murder	Murder	Assault or Attempted Murder	Sexual Assault of Adult	Indecency with or Sexual Assault of Child	Robbery	Burglary	Theft	Auto Theft	Arson	Drug Sale or Manufacture	Drug Possession	Felony D.W.I	Other Felony	All Misdemeanors	Total Cases
Cases Pending 9/01/2006	901	2,918	19,995	2,653	11,552	7,846	19,100	26,967	5,974	1,163	18,753	50,793	14,145	51,925	4,604	239,289
Docket Adjustments	35	(2)	(51)	(21)	10	1,663	(410)	(334)	(113)	(43)	(439)	(262)	(163)	(553)	676	(7)
Cases Filed by Indictment	489	1,139	17,122	1,338	5,820	7,164	13,742	17,874	4,012	588	18,328	38,766	10,490	44,110	1,065	182,047
Cases Filed by Information	1	26	2,135	66	272	598	2,512	3,629	1,234	100	3,730	16,596	1,022	7,464	2,596	41,981
Other Cases Reaching Docket:																
<i>Motions to Revoke Probation Filed</i>	23	126	4,783	259	1,411	1,695	5,955	4,600	1,285	290	4,319	16,260	3,346	12,101	675	57,128
<i>Shock Probation Returned from TDC/JID</i>	0	5	38	2	6	57	119	37	3	8	108	114	19	114	3	633
<i>Transfers from Other Counties</i>	2	0	4	0	1	0	2	0	0	0	3	1	0	13	5	31
<i>All Other Cases</i>	19	34	449	27	95	209	225	189	50	36	314	376	93	1,059	33	3,208
Total Cases on Docket:	1,470	4,246	44,475	4,324	19,167	19,232	41,245	52,962	12,445	2,142	45,116	122,644	28,952	116,233	9,657	524,310
Dispositions:																
Convictions:																
<i>Guilty Pleas or Nolo Contendere</i>	182	476	8,776	444	2,141	4,421	8,996	11,424	3,417	350	11,658	33,058	9,312	25,766	1,871	122,292
<i>Not Guilty Plea - No Jury</i>	3	10	48	5	24	17	34	20	8	0	43	73	21	101	2	409
<i>Guilty Plea - Jury Verdict</i>	8	38	75	14	99	62	40	19	5	6	47	105	37	129	10	694
<i>Not Guilty Plea - Jury Verdict</i>	109	194	264	75	311	215	92	83	11	13	196	233	83	453	9	2,341
Total Convictions	302	718	9,163	538	2,575	4,715	9,162	11,546	3,441	369	11,944	33,469	9,453	26,449	1,892	125,736
Placed on Deferred Adjudication	6	65	4,751	206	1,310	1,321	3,867	4,716	794	238	5,039	13,268	420	11,445	645	48,091
Acquittals:																
<i>Non - Jury Trial</i>	0	5	57	1	13	7	21	24	8	3	13	60	14	94	2	322
<i>Jury Verdict</i>	7	38	104	36	118	21	21	26	4	1	21	51	29	101	3	581
<i>Directed Verdict or JNOV</i>	0	1	9	0	9	1	6	3	2	1	3	11	3	10	3	62
Total Acquittals	7	44	170	37	140	29	48	53	14	5	37	122	46	205	8	965
Dismissals:																
<i>Insufficient Evidence</i>	2	15	209	28	121	69	171	222	56	11	198	908	111	631	231	2,983
<i>Conviction in Another Case</i>	38	32	1,118	127	532	374	797	811	300	58	787	2,556	276	3,567	536	11,909
<i>Speedy Trial Act Limitation</i>	0	0	0	0	1	0	4	6	1	0	5	19	2	30	0	68
<i>Case Refiled</i>	33	70	361	69	223	136	171	204	35	7	164	294	154	652	8	2,581
<i>Defendant Unapprehended</i>	1	1	32	4	4	4	17	35	7	0	11	54	13	53	0	236
<i>Defendant Granted Immunity</i>	0	3	7	1	3	5	9	16	0	0	5	37	9	24	3	122
<i>Other Dismissals</i>	65	153	2,644	289	879	668	1,546	2,438	643	101	1,298	4,154	691	6,322	935	22,826
Total Dismissals	139	274	4,371	518	1,763	1,256	2,715	3,732	1,042	177	2,468	8,022	1,256	11,279	1,713	40,725
Transfers:																
<i>On Change of Venue To County Court</i>	0	0	2	0	1	1	0	4	0	0	0	1	2	16	4	31
<i>To County Court</i>	0	0	73	6	13	15	37	42	3	0	0	28	54	210	377	858
Other Dispositions:																
<i>Placed on Shock Probation</i>	0	6	53	1	8	68	129	42	3	6	121	113	22	128	3	703
<i>Motion to Revoke Granted</i>	11	65	2,545	131	695	935	3,503	2,608	858	145	2,894	8,446	1,709	6,732	384	31,661
<i>Motion to Revoke Denied</i>	5	33	1,702	79	485	534	1,835	1,537	292	115	1,104	5,595	1,100	3,826	211	18,453
<i>All Other Dispositions</i>	30	64	827	51	177	326	635	579	161	54	616	1,576	319	2,279	134	7,828
Total Other Dispositions	46	168	5,127	262	1,365	1,863	6,102	4,766	1,314	320	4,735	15,730	3,150	12,965	732	58,645
Total Dispositions	500	1,269	23,657	1,567	7,167	9,200	21,931	24,859	6,608	1,109	24,223	70,645	14,381	62,569	5,371	275,056
Cases Pending 8/31/2007	970	2,977	20,818	2,757	12,000	10,032	19,314	28,103	5,837	1,033	20,893	51,999	14,571	53,664	4,286	249,254
Sentencing Information:																
Death Sentence	13	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13
Life Sentence	120	52	23	16	74	33	10	4	0	1	7	5	2	37	1	385
Lesser Offense Convictions	95	94	3,722	94	417	1,366	1,514	1,831	211	81	1,772	4,001	809	4,549	222	20,778
Cases - Unapprehended Defendants																77,125
Additional Court Activity:					Age of Cases Disposed:		60 Days or Less	61 to 90 Days	91 to 120 Days	Over 120 Days	TOTAL					
Jury Panels Examined			3,844		Number of Cases		90,409	27,040	23,593	134,014	275,056					
Jury Sworn & Evidence Presented			3,296													
Cases in Which Attorney Appointed			180,356													

Note: Overall, there was a 99.9 percent reporting rate for the fiscal year. No reports were received for 3 months from Starr County. In addition, 1 monthly report on criminal case activity was not received from Jasper County.

District Courts
Activity Summary by Case Type from September 1, 2006 to August 31, 2007

CIVIL CASES																
	Injury or Damage Involving Motor Vehicle	Injury or Damage Other than Motor	Workers' Compensation	Tax Cases	Condemnation	Accounts, Contracts and Notes	Recip- rocals (UIFSA)	Divorce	All Other Family Law Matters	Other Civil Cases	Total Cases					
Cases on Docket:																
Cases Pending 9/01/2006	25,097	36,461	1,989	128,461	574	49,908	5,034	92,740	288,762	98,386	727,412					
Docket Adjustments	104	(31)	51	4,504	(81)	492	(79)	(129)	(128,113)	(4,342)	(127,624)					
New Cases Filed	14,348	12,065	542	62,162	465	44,694	2,743	117,342	132,886	68,317	455,564					
Other Cases Reaching Docket:																
<i>Show Causes Added</i>	0	0	0	0	0	0	0	0	107,264	0	107,264					
<i>Other Cases Added</i>	464	786	27	795	1	1,077	122	2,719	5,558	1,713	13,262					
Total Cases on Docket:	40,013	49,281	2,609	195,922	959	96,171	7,820	212,672	406,357	164,074	1,175,878					
Dispositions:																
Change of Venue Transfers	99	324	5	10	0	256	12	299	1,184	368	2,557					
Default Judgments	344	295	17	11,624	2	10,980	218	8,827	7,296	6,520	46,123					
Agreed Judgments	2,396	1,849	54	1,400	41	3,471	431	35,572	25,254	9,781	80,249					
Summary Judgments	172	483	39	187	2	1,617	5	92	85	1,883	4,565					
Final Judgments:																
<i>After Trial - No Jury</i>	1,495	1,042	132	12,058	138	3,535	915	46,941	37,968	11,811	116,035					
<i>By Jury Verdicts</i>	431	284	29	32	1	143	2	87	112	241	1,362					
<i>By Directed Verdicts</i>	14	4	2	38	1	40	7	79	180	94	459					
<i>Dismissed for Want of</i>	2,161	2,622	87	4,539	9	6,460	324	18,005	14,172	8,676	57,055					
<i>Dismissed by Plaintiff</i>	7,006	5,290	170	27,298	105	12,169	503	5,156	19,129	13,634	90,460					
<i>Show Causes Disposed</i>	0	0	0	0	0	0	0	0	104,711	0	104,711					
<i>Other Dispositions</i>	1,188	1,979	33	4,864	50	3,353	298	3,709	17,658	10,444	43,576					
Total Dispositions	15,306	14,172	568	62,050	349	42,024	2,715	118,767	227,749	63,452	547,152					
Cases Pending 8/31/2007	24,707	35,109	2,041	133,872	610	54,147	5,105	93,905	178,608	100,622	628,726					
Court Jury Activity:																
Jury Fee Paid/Oath	23,463	Age of Cases Disposed:		3 Months or Less		Over 3 to 6 Months		Over 6 to 12 Months		Over 12 to 18 Months		Over 18 Months		TOTAL		
Jury Panel Examined	1,458	Number of Cases		174,050		99,341		111,988		49,273		112,500		547,152		
Jury Sworn Evid. Presented	1,613															
JUVENILE DOCKET																
Cases on Docket:	CINS		Delin		Total		Findings of Delinquent Conduct or CINS:			CINS		Delin		Total		
Cases Pending 9/01/2006	514		20,189		20,703		Placed on Probation:									
Docket Adjustments	(39)		922		883		<i>Under Parental Care</i>			251		16,175		16,426		
New Petitions Filed	521		31,548		32,069		<i>Under Foster Care</i>			10		154		164		
Motion to Revoke Probation Filed	128		5,386		5,514		<i>Residential Facility</i>			31		5,364		5,395		
Other Cases Added	25		5,445		5,470		Committed to TYC			0		2,227		2,227		
Total on Docket	1,149		63,490		64,639		Final Judgment Without Disp.			6		680		686		
Dispositions:							Total			298		24,600		24,898		
Finding of Delinquent Conduct/CINS:																
<i>Trials by Judge</i>	259		20,326		20,585		Other Juvenile Court Activity:									
<i>Trials by Jury</i>	3		35		38		Detention Hearings			928		25,057		25,985		
Finding of No Delinquent Conduct/CINS:																
<i>Trials by Judge</i>	0		240		240		Hearing to Modify Order			36		1,170		1,206		
<i>Trials by Jury</i>	0		14		14		Child Certified for Adult Crim. Court			0		202		202		
<i>Directed Verdicts</i>	0		9		9		Attorneys Appointed			480		20,454		20,934		
Probation Revoked	2		2,262		2,264											
Continue on Probation	35		1,948		1,983											
Change of Venue Transfer	2		254		256											
Dismissed & Other Dispositions	350		14,658		15,008											
Total	651		39,746		40,397											
Cases Pending 8/31/2007	498		23,744		24,242											
OTHER PROCEEDINGS																
	Post-Conviction Writs of Habeas Corpus		Other Writs of Habeas Corpus		Contempt, Extradition and Other Separately Docketed Proceedings		Bond Forfeiture Proceedings									
Pending 9/01/2006	12,863		3,966		4,584		35,431									
Docket Adjustments	371		(44)		(58)		88									
Total Added	4,102		6,116		5,950		9,064									
Total Disposed	3,614		5,802		2,878		7,477									
Pending 8/31/2007	13,722		4,236		7,598		37,106									

Note: Overall, there was a 99.9 percent reporting rate for the fiscal year. No reports were received for 3 months from Starr County. In addition, 6 monthly reports on "other proceedings" were not received from Hudspeth County, and 11 were not received from Jim Wells County.



County-Level Courts

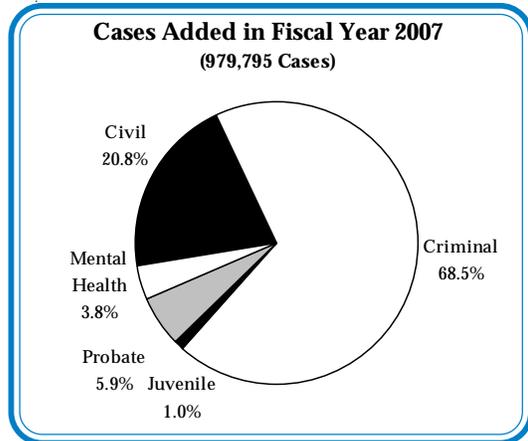
Cases Added – The number of civil, criminal, juvenile,¹ probate, and mental health cases filed in the state’s 494 county-level courts (254 constitutional courts,² 222 county courts at law, and 18 statutory probate courts) reached nearly 980,000 cases. Filings increased at a higher rate over the past five years than in the earlier half of the decade, with an average annual increase of 1.4 percent between fiscal years 1998 and 2002 and 4.6 percent between fiscal years 2003 and 2007.

Approximately 42 percent of civil, criminal, and juvenile cases were filed in the five largest counties—Harris, Dallas, Tarrant, Bexar, and Travis, which represent 44 percent of the state’s population.

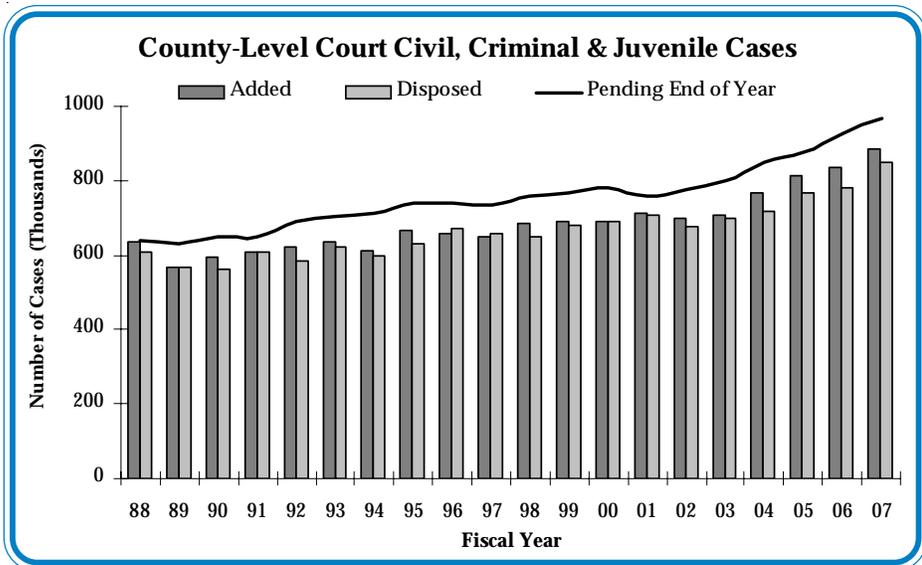
Over the past decade, civil cases steadily grew as a percentage of the courts’ caseload. In 2007, civil cases accounted for nearly 21 percent of all cases filed, compared to 13.5 percent 10 years ago. The largest category of civil cases added in 2007 involved suits on debt (45.2 percent).

Despite the growth in civil cases, criminal cases continued to constitute a large majority of the courts’ caseload (68.5 percent). Criminal filings increased 17.3 percent over the past decade, from 571,998 in 1998 to 670,870 in 2007. The largest category of criminal cases added in 2007 was “other criminal cases” (28.9 percent); theft or worthless check cases was the second largest, accounting for 16.8 percent of all criminal cases.

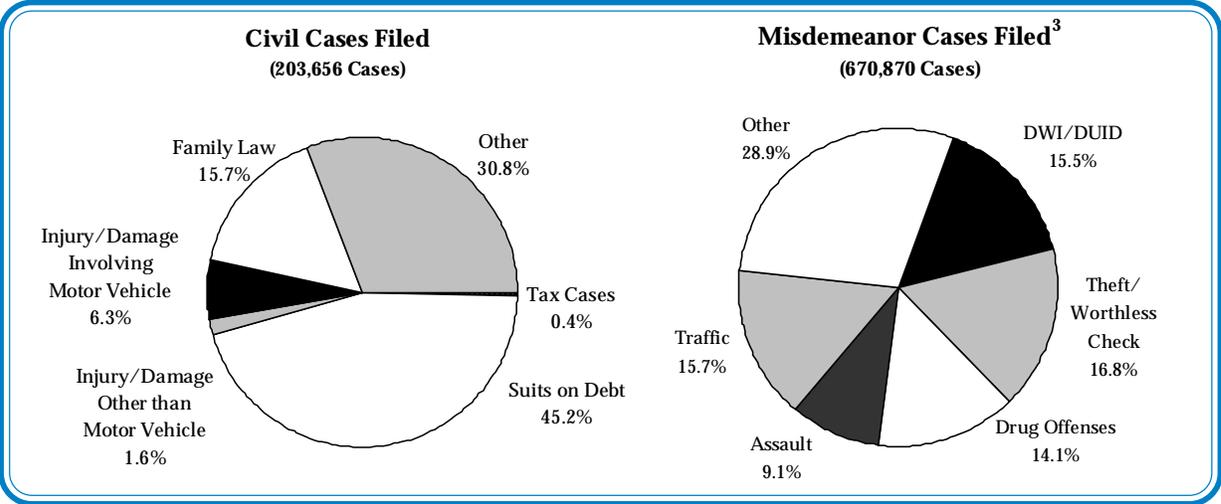
Clearance Rates – In 2007, county-level courts disposed of 850,421 civil, criminal and juvenile cases, an increase of 9.0 percent from the previous year. Since the number of dispositions outpaced the increase in filings, the overall case clearance rate improved to 96.1 percent. However, as a result of the clearance rate remaining below 100 percent, the number of cases pending at the end of the fiscal year grew by 4.7 percent from the previous year to 969,443 cases.



Counties with Highest Filing Rates per Capita	Filing Rates per Capita in Largest Counties
Kenedy - 0.35	Harris - 0.03
Sterling - 0.16	Dallas - 0.04
Hardeman - 0.13	Tarrant - 0.03
Crockett - 0.11	Bexar - 0.04
Ward - 0.10	Travis - 0.05
Statewide - 0.04	



1. Juvenile caseload is discussed in the Juvenile Cases section.
 2. The actual judicial functions of the constitutional county courts vary greatly by county. Some courts may have very limited jurisdiction and/or activity or may have no judicial function at all (such as in the state’s largest counties).



Manner of Disposition – In 2007, a total of 177,320 civil cases were disposed, 4.6 percent (8,186) of which were show cause motions filed in family law matters. Of the remaining 169,134 cases disposed during the year, 33.3 percent were dismissed by the plaintiff or for want of prosecution, and the next largest proportion (21.5 percent) was disposed of by default judgment. Only 0.6 percent of cases was settled by a jury verdict.

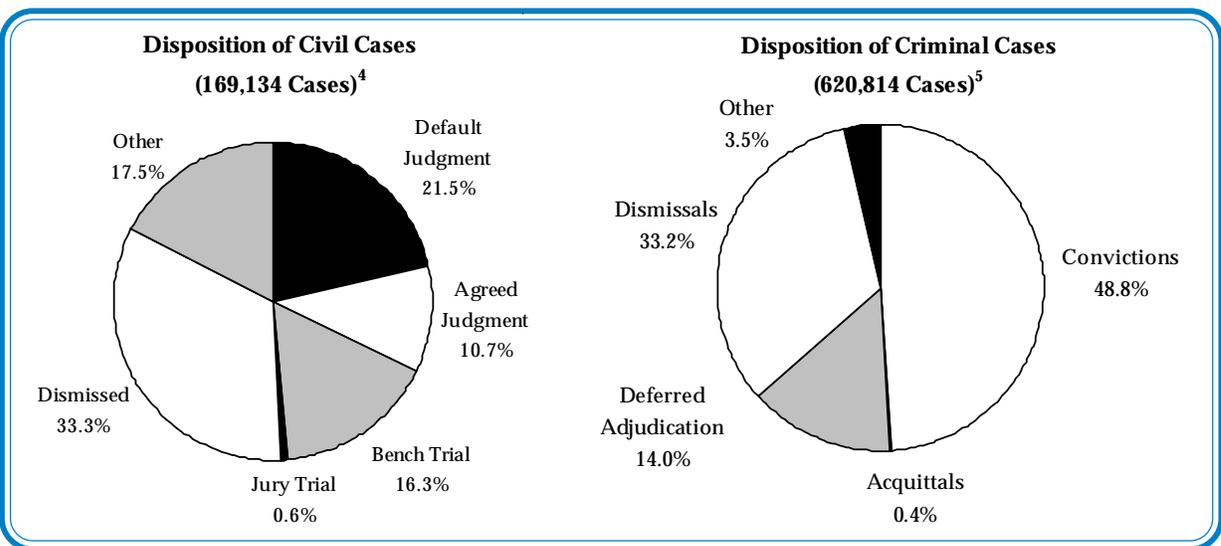
Civil Case Clearance Rates, FY 2007
In Ten Largest Counties

Harris - 97.5%	El Paso - 101.9%
Dallas - 94.5%	Hidalgo - 46.1%
Tarrant - 91.8%	Collin - 99.6%
Bexar - 72.2%	Denton - 76.0%
Travis - 61.5%	Fort Bend - 87.4%

County-level courts disposed of 662,666 criminal cases in 2007. Defendants were convicted in nearly 49 percent, and acquitted in 0.4 percent, of the 620,814 cases that did not involve a motion to revoke probation. The highest conviction rate (74.3 percent) was in cases involving driving while intoxicated or under the influence, and the lowest rate (33.8 percent) occurred in theft or worthless check cases. Overall, 99.3 percent of convictions were the result of a guilty or *nolo contendere* plea.

Criminal Case Clearance Rates, FY 2007
In Ten Largest Counties

Harris - 97.6%	El Paso - 96.2%
Dallas - 95.2%	Hidalgo - 109.6%
Tarrant - 101.2%	Collin - 112.9%
Bexar - 96.5%	Denton - 97.3%
Travis - 88.0%	Fort Bend - 91.5%



3. Does not total to 100 percent due to rounding.
 4. Excludes show cause motions in family law matters. Does not total to 100 percent due to rounding.
 5. Excludes transfers and motions to revoke probation. Does not total to 100 percent due to rounding.

Approximately 0.8 percent of all criminal cases (excluding motions to revoke probation) went to trial in 2007. Trial rates were slightly higher, however, for driving while intoxicated or under the influence cases and assault cases, which went to trial in 2.3 percent and 1.7 percent of cases, respectively.

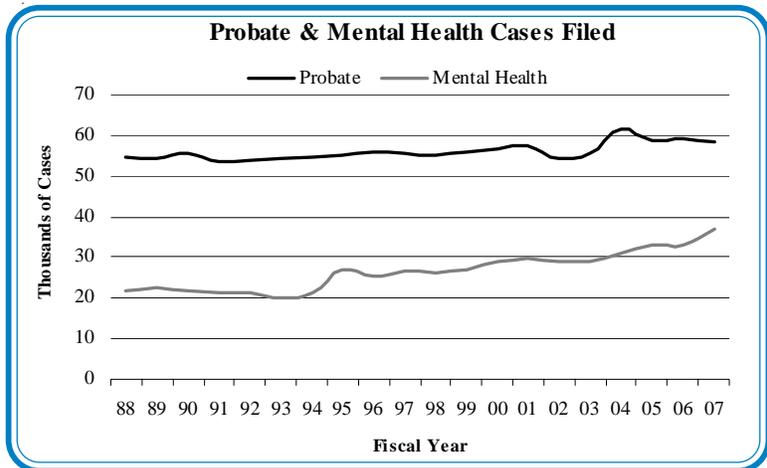
	Bench	Jury	All Trials
Convictions	878 (40.0%)	1,386 (53.6%)	2,264 (47.4%)
Acquittals	1,315 (60.0%)	1,201 (46.4%)	2,516 (52.6%)
Total	2,193 (100%)	2,587 (100%)	4,780 (100%)

Of the 4,780 cases that went to trial, 54.1 percent were tried before a jury. Defendants were convicted in 53.6 percent of cases that went to jury trial, compared to 40.0 percent that were convicted in cases that were decided by a judge.

Dismissals constituted 33.2 percent of all criminal cases disposed of in 2007 (excluding motions to revoke probation). The highest rate of dismissal occurred in theft or worthless check cases (49.2 percent).

Probate and Mental Health Cases – More than 58,000 probate cases were filed in 2007—a decrease of 1.2 percent over the number filed the year before. Over the last decade, the number of probate cases filed each year remained relatively stable, increasing an average of 0.6 percent per year.

Mental health cases, however, increased nearly 13 percent in 2007 over the previous year, from 32,849 cases filed in 2006 to 37,086. Mental health cases increased an average of 3.5 percent per year over the last 10 years. Counties reported just over 23,000 new applications for involuntary mental health services commitment orders filed in 2007, approximately 99 percent of which were for temporary, rather than extended, services. Of the 17,661 applications for temporary services disposed in 2007, proposed patients were committed to treatment in 36.9 percent of cases. Of the 167 applications for extended services disposed, proposed patients were committed in nearly 98 percent of cases.



	New Applications Filed	Release Prior to Final Hearing	Disposition at Final Hearing	
			Release	Order
Temporary Mental Health Services	22,710	10,267	871	<i>Inpatient:</i> 6,390 <i>Outpatient:</i> 133
Extended Mental Health Services	301	1	3	<i>Inpatient:</i> 161 <i>Outpatient:</i> 2
Modification: Outpatient to Inpatient	10	2	1	9
Modification: Inpatient to Outpatient	55	1	6	41

**County-Level Courts
Activity Summary by Case Type
September 1, 2006 to August 31, 2007**

CRIMINAL CASES							
Cases on Docket:	DWI or DUID	Theft or Worthless Check	Drug Offenses	Assault	Traffic	Other Criminal Cases	Total Cases
Cases Pending 9/01/2006	122,426	254,749	56,194	58,197	64,051	148,416	704,033
Docket Adjustments	19	(275)	261	(68)	1,308	(339)	906
New Cases Filed	91,439	102,041	83,659	53,519	74,145	177,035	581,838
Cases Appealed From Lower Courts	0	195	132	115	26,111	2,832	29,385
Other Cases Reaching Docket:							
<i>Motions to Revoke Filed</i>	11,883	9,522	10,265	6,569	4,367	12,560	55,166
<i>All Other Cases Reaching Docket</i>	586	996	633	535	376	1,355	4,481
Total Cases on Docket	226,353	367,228	151,144	118,867	170,358	341,859	1,375,809
Dispositions:							
Convictions:							
<i>Guilty Pleas or Nolo Contendere</i>	66,591	38,057	39,778	22,543	35,139	98,324	300,432
<i>Not Guilty Plea - No Jury</i>	219	123	62	81	119	274	878
<i>Guilty Plea - Jury Verdict</i>	181	27	51	40	41	155	495
<i>Not Guilty Plea - Jury Verdict</i>	832	53	50	184	39	228	1,386
Total Convictions	67,823	38,260	39,941	22,848	35,338	98,981	303,191
Placed on Deferred Adjudication	1,005	15,843	16,681	7,883	24,831	20,676	86,919
Acquittals:							
<i>Non - Jury Trial</i>	459	77	56	389	70	264	1,315
<i>Jury Verdict</i>	589	26	44	252	11	204	1,126
<i>Directed Verdict or JNOV</i>	26	5	3	20	7	14	75
Total Acquittals	1,074	108	103	661	88	482	2,516
Dismissals:							
<i>Insufficient Evidence</i>	1,172	754	880	1,099	2,349	2,483	8,737
<i>Speedy Trial Act Limitation</i>	1,035	1,525	670	812	910	1,385	6,337
<i>Other Dismissals</i>	16,065	53,381	21,475	18,741	28,430	52,988	191,080
Total Dismissals	18,272	55,660	23,025	20,652	31,689	56,856	206,154
Other Dispositions:							
<i>Motion to Revoke Granted</i>	6,302	5,260	5,995	3,540	1,990	7,146	30,233
<i>Motion to Revoke Denied</i>	3,839	2,093	1,748	1,191	501	2,247	11,619
<i>All Other Dispositions</i>	3,133	3,181	3,244	1,982	4,264	6,230	22,034
Total Other Dispositions	13,274	10,534	10,987	6,713	6,755	15,623	63,886
Total Dispositions	101,448	120,405	90,737	58,757	98,701	192,618	662,666
Cases Pending 8/31/2007	124,905	246,823	60,407	60,110	71,657	149,241	713,143
Cases - Unapprehended Defendants							244,951
Cases Where Attorney Appointed as Counsel							154,263
Age of Cases Disposed	30 Days or Less	31 to 60 Days	61 to 90 Days	Over 90 Days	TOTAL		
Number of Cases	161,019	75,375	60,855	365,417	662,666		
PROBATE AND MENTAL HEALTH CASES							
	<u>Cases Filed</u>	<u>Hearings Held</u>					
Probate	58,221	81,283					
Mental Health	37,086	38,021					

Notes: 1. Overall, there was a 99.9 percent reporting rate for the fiscal year. No reports were received for 3 months from Culberson County.
2. Reports on criminal case activity were missing for 6 months from Henderson County.
3. County courts at law in a number of counties have jurisdiction over felony cases. This activity is not reflected in the data currently collected in the County Court Monthly Reports.

County-Level Courts
Activity Summary by Case Type
September 1, 2006 to August 31, 2007

CIVIL CASES									
Cases on Docket:	Injury or Damage Involving Motor Vehicle	Injury or Damage Other than Motor Vehicle	Tax Cases	Suits on Debt	Divorce	All Other Family Law Matters	Other Civil Cases	Total Cases	
Cases Pending 9/01/2006	23,240	7,507	2,207	82,354	9,610	15,947	79,745	220,610	
Docket Adjustments	(158)	57	(38)	(482)	113	407	1,900	1,799	
New Cases Filed	12,489	3,129	745	89,916	11,381	10,934	58,563	187,157	
Cases Appealed From Lower Courts	23	68	2	410	0	0	3,129	3,632	
Show Cause Motions Filed	0	0	0	0	0	7,543	0	7,543	
Other Cases Added	394	68	8	1,636	1,069	1,054	1,095	5,324	
Total Cases on Docket	35,988	10,829	2,924	173,834	22,173	35,885	144,432	426,065	
Dispositions:									
Default Judgments	1,047	311	80	26,785	437	483	7,223	36,366	
Agreed Judgments	1,092	271	15	4,904	2,533	1,386	7,876	18,077	
Judg. After Trial - No Jury	1,188	319	230	5,779	6,819	4,366	8,952	27,653	
Judg. by Jury Verdicts	266	40	0	101	217	307	156	1,087	
Dismissed for Want of Prosecution or by Plaintiff	7,780	1,644	395	29,279	1,594	2,327	13,353	56,372	
Show Causes Disposed	0	0	0	0	0	8,186	0	8,186	
Other Dispositions	2,193	751	37	7,392	428	1,979	16,799	29,579	
Total Dispositions	13,566	3,336	757	74,240	12,028	19,034	54,359	177,320	
Cases Pending 8/31/2007	22,422	7,493	2,167	99,594	10,145	16,851	90,073	248,745	
Age of Cases Disposed	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	TOTAL			
Number of Cases	53,904	44,011	42,338	16,108	20,959	177,320			
JUVENILE CASES									
Cases on Docket:	CINS	Delin	Total	Findings of Delinquent Conduct or CINS:			CINS	Delin	Total
Cases Pending 9/01/2006	2,249	5,386	7,635	Placed on Probation					
Docket Adjustments	317	76	393	Under Parental Care			334	4,559	4,893
New Petitions Filed	697	8,031	8,728	Under Foster Care			1	38	39
Motions to Revoke Filed	22	753	775	Residential Facility			13	489	502
Other Cases Added	20	439	459	Committed to TYC			0	447	447
Total on Docket	3,305	14,685	17,990	Judgment No Disp.			5	176	181
Dispositions:				Total			353	5,709	6,062
Find Delin Cond/CINS				Other Juvenile Court Activity:					
Trials by Judge	334	5,265	5,599	Detention Hearings			824	9,389	10,213
Trials by Jury	0	24	24	Hearing to Modify Order			36	842	878
Find No Delin Cond/CINS				Child Cert. as Adult			0	29	29
Trials by Judge	1	62	63	Attorneys Appointed			787	5,829	6,616
Trials by Jury	1	15	16						
Directed Verdicts	0	2	2						
Probation Revoked	9	271	280						
Continue on Probation	10	149	159						
Change of Venue Transfer	1	132	133						
Dismissed & Other Disp.	1,251	2,908	4,159						
Total Dispositions	1,607	8,828	10,435						
Cases Pending 8/31/2007	1,698	5,857	7,555						

Note: Overall, there was a 99.9 percent reporting rate for the fiscal year. No reports were received for 3 months from Culberson County.



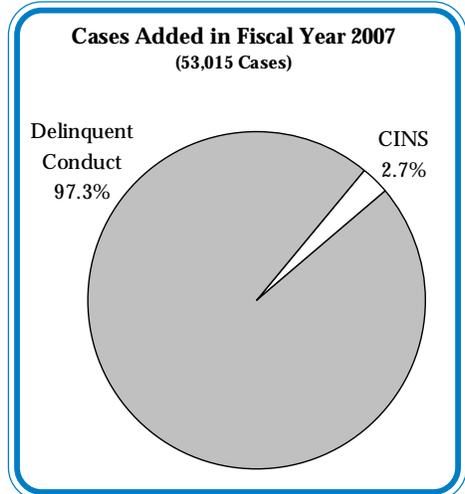
Juvenile Cases

Cases Added – A record number of cases—53,015 cases—were added¹ to the juvenile dockets of district and county-level courts in 2007, up 7.4 percent from the previous year—the largest annual increase since 1997. Over the past five years, the number of cases added increased an average of 3.1 percent per year.

In 2007, 97.3 percent of cases added were delinquent conduct cases—cases involving violations of laws punishable by incarceration if committed by an adult. Approximately 81 percent of all juvenile cases were filed in district courts.

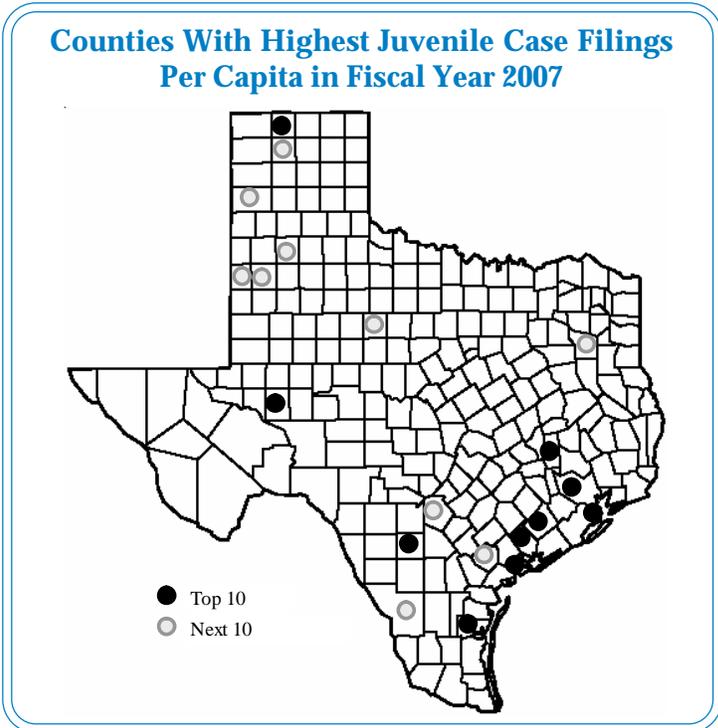
The five most populous counties in Texas—Harris, Dallas, Tarrant, Bexar, and Travis—accounted for 56.3 percent of juvenile cases added in 2007. Harris County alone accounted for 29.0 percent of all cases added. In an effort to address the rise in activity over the past decade, juvenile courts in the larger Texas counties have been using juvenile law masters, referees, and associate judges to assist with detention hearings and the adjudication of cases.

Statewide, the number of cases added in 2007 averaged 2.3 cases per 1,000 population, while the rate in the five most populous counties was slightly higher at 2.9 cases. Calhoun County, with an estimated population of 20,705 in 2006, had the highest filing rate per 1,000 at 7.2, and Sherman County, population 2,936, ranked second at 6.1 cases filed per 1,000. Only two of the 10 most populous counties—Harris and Bexar—ranked in the top 20.



Juvenile Cases Filed per 1,000 Population in Fiscal Year 2007

<i>Counties with Highest Filing Rates (per 1,000)</i>	<i>Filing Rates in Largest Counties (per 1,000)</i>
Calhoun - 7.2	Harris - 4.0
Sherman - 6.1	Dallas - 1.9
Kleberg - 6.0	Tarrant - 1.5
Frio - 5.2	Bexar - 3.2
Upton - 4.8	Travis - 2.8

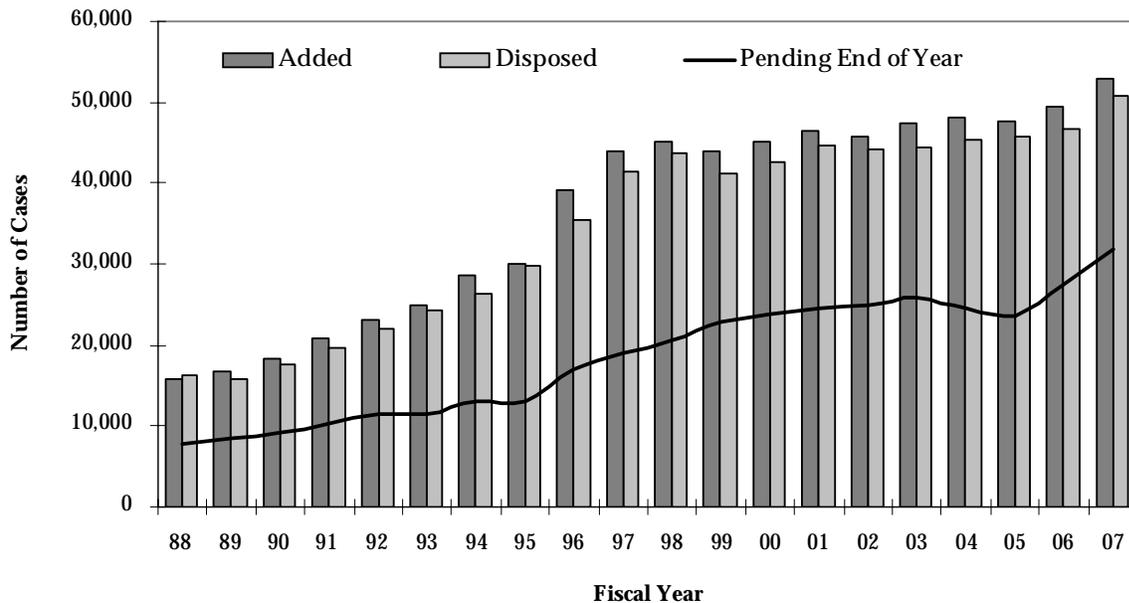


Clearance Rates – During 2007, the district and county-level courts disposed of 50,832 cases on their dockets, resulting in a clearance rate of 95.9 percent—a slight improvement over the clearance rate of 94.6 percent achieved the year before. In 2007, the clearance rate in district courts was 93.8 percent and was 104.7 percent in county-level courts.

The number of cases pending at the end of 2007 (31,797 cases) was the highest ever reported, increasing nearly 16 percent from the number pending at the end of the previous year. Since 2005, the number of cases pending at the end of the year increased a total of 34.4 percent.

¹ Includes new petitions, motions to revoke, and other cases filed.

Juvenile Cases Added, Disposed and Pending



Manner of Disposition – Of the 50,832 cases disposed in 2007, 10.0 percent involved transfers or motions to modify dispositions (5,075 cases). Of the remaining 45,757 cases disposed during the year, 57.9 percent were disposed of by a bench trial. Jury trials accounted for only 0.2 percent of dispositions, while dismissals and other dispositions accounted for the remaining 41.9 percent.

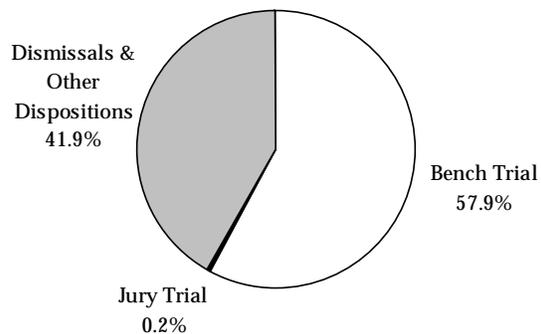
Overall, findings of delinquent conduct or CINS were made in 98.9 percent of cases decided by a judge,² compared to 60.2 percent of cases decided by a jury.

Of those cases in which a finding of delinquent conduct or CINS was made, or in which probation was continued or revoked, juveniles were most likely to be placed under parental supervision (68.9 percent of cases). In 19.0 percent of cases, juveniles were placed in a residential facility, and 0.7 percent were placed in foster care. The percentage of juveniles committed to the Texas Youth Commission (TYC) increased slightly each year from 2002 to 2006 but dropped in 2007 to 8.6 percent—the lowest percentage since 2002.

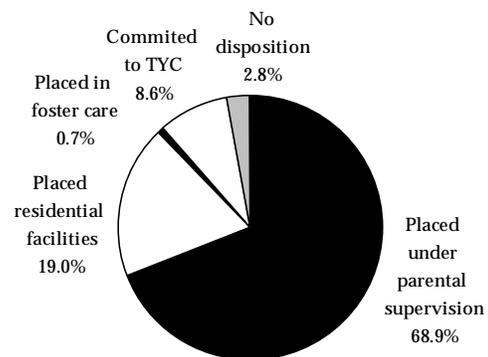
In 2007, 231 juveniles were certified for trial as adults. Although this represented a decrease of 21.2 percent from the number certified the previous year, it was the second highest number of juveniles certified in the last seven years.

2. Pleas of true made during an appearance before the judge are included in the “Trial by Judge” category in the juvenile activity section of the District and County-Level Court Monthly Activity Reports.

Disposition of Juvenile Cases (45,757 Cases)



Disposition of Cases in Which Finding of Delinquent Conduct/CINS Made or Probation Was Continued or Revoked (30,960 Cases)



Total of Reported Juvenile Activity

Combined District and County-Level Juvenile Activity from September 1, 2006 to August 31, 2007

99.2 Percent Reporting Rate 3,024 Reports Received Out of a Possible 3,048			
	CINS*	Delinquent	TOTAL
CASES PENDING September 1, 2006	2,763	25,575	28,338
Docket Adjustments	278	998	1,276
CASES ADDED DURING YEAR:			
New Petitions Filed	1,218	39,579	40,797
Motions to Revoke Filed	150	6,139	6,289
Other Cases Added	45	5,884	5,929
TOTAL CASES ADDED DURING YEAR	1,413	51,602	53,015
TOTAL CASES ON DOCKET	4,454	78,175	82,629
CASES DISPOSED OF DURING YEAR:			
Finding of Delinquent Conduct or CINS*	596	25,650	26,246
Finding of No Delinquent Conduct or CINS*	2	342	344
Transfers on Change of Venue	3	386	389
Motions to Revoke Disposed	56	4,630	4,686
Dismissals and Other Dispositions	1,601	17,566	19,167
TOTAL DISPOSITIONS DURING YEAR	2,258	48,574	50,832
CASES PENDING August 31, 2007	2,196	29,601	31,797
INFORMATION ON FINDINGS OF DELINQUENT CONDUCT OR CINS:			
Probation Granted or Continued:			
Under Parental Care	585	20,734	21,319
Under Foster Care	11	192	203
To Residential Facilities	44	5,853	5,897
Commitments to Texas Youth Commission	0	2,674	2,674
Judgments with No Disposition	11	856	867
MISCELLANEOUS INFORMATION:			
Detention Hearings Held	1,752	34,446	36,198
Hearings to Modify Court Orders Held	72	2,012	2,084
Children Certified for Trial as Adults	0	231	231
Attorneys Appointed	1,267	26,283	27,550

*Conduct Indicating a Need for Supervision.



Justice Courts

Cases Filed – More than 3.5 million cases were filed in the state’s justice courts in 2007—the largest number of filings ever reported. Over the last decade, the number of filings grew an average of 4.2 percent per year.

Although criminal cases remained the majority of cases filed, these cases dropped as a percentage of total cases filed to a 10-year low of 88.6 percent. Most criminal cases involved traffic violations (69.4 percent). Non-traffic misdemeanors accounted for another 19.2 percent of all cases filed, forcible entry and detainer cases accounted for 5.9 percent, and small claims suits constituted 1.5 percent and 4.1 percent, respectively.

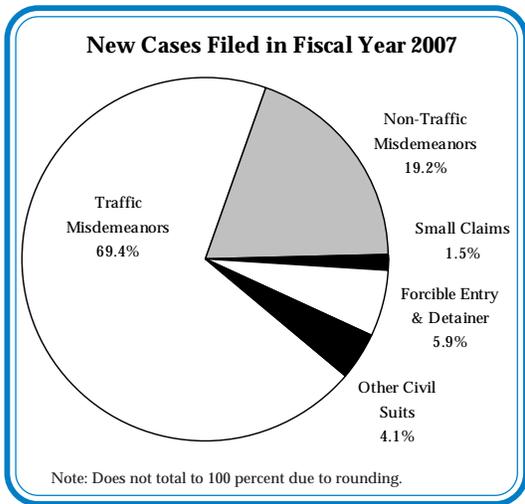
The five largest counties, representing 44 percent of the state’s population, accounted for 35.4 percent of all new cases filed. With the exception of Dallas County, these counties had per capita filing rates lower than the statewide average of 0.15. The highest per capita filing rate occurred in Kenedy County (11.35), population 402, which was three times higher than the next largest filing rate (3.73 in Sterling County).

Clearance Rates – Justice courts disposed of 3,127,245 cases in 2007, a 3.5 percent increase over the previous year, resulting in the second highest clearance rate (89.2 percent) of the decade (the highest rate was 91.4 percent in 2004). By case type, “other” civil suits had the lowest clearance rate (46.6 percent) in 2007, while forcible entry and detainer cases had the highest (95.0 percent).

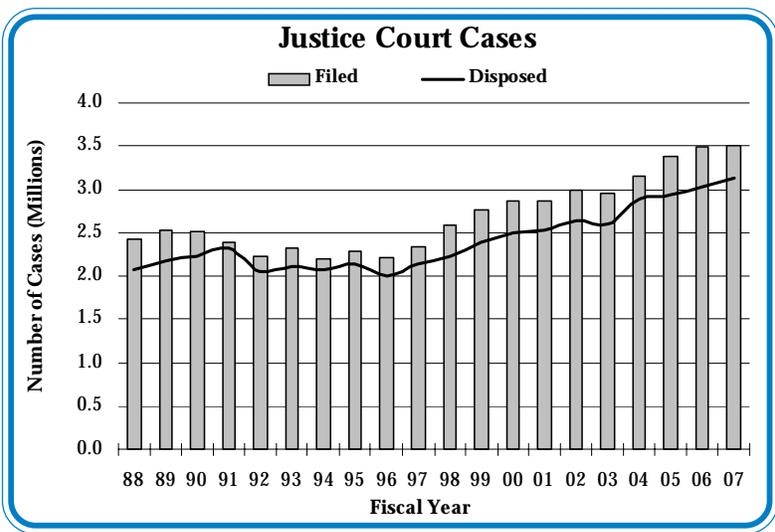
Manner of Disposition – In 2007, justice courts disposed of more than 2.2 million traffic cases and more than 604,000 non-traffic misdemeanor cases, half of which were disposed of by payment of a fine (without appearing before a judge) or by a bond forfeiture. Nearly eight percent of cases in 2007 were disposed of by bench trial or other appearance before a judge, and only 0.1 percent were disposed of by jury trial.

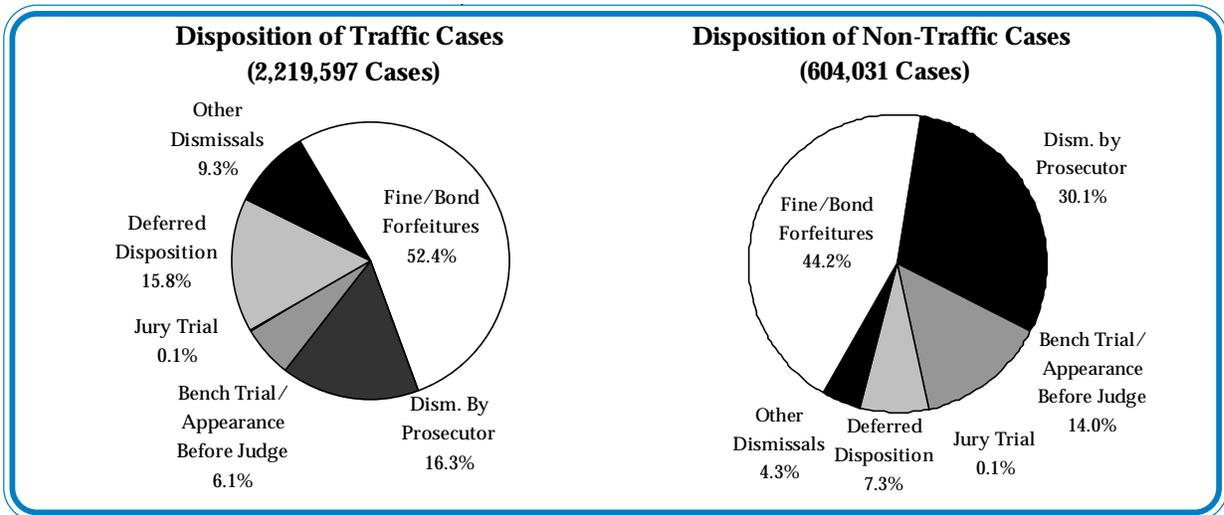
Overall, guilty findings were made in 97.1 percent of the 220,180 criminal cases that went to bench trial or were otherwise disposed of by an appearance before the judge.¹ Guilty verdicts accounted for 76.8 percent of the 2,457 cases that went to jury trial.

1. Guilty and *nolo contendere* pleas are included in the “Trial by Judge” category in the Justice Court Monthly Activity Reports.



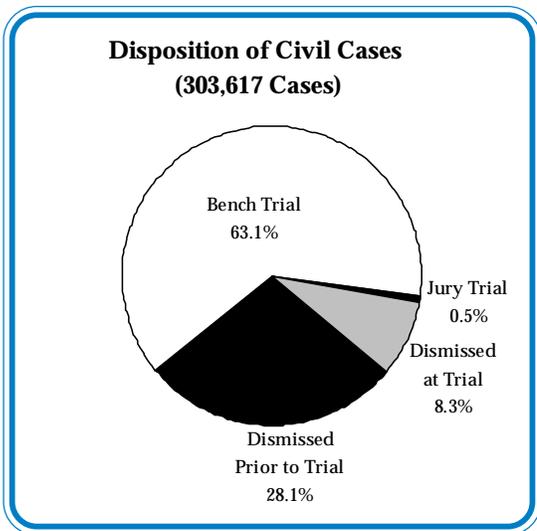
Counties with Highest per Capita Filing Rates	Filings per Capita in Largest Counties
Kenedy - 11.35	Harris - 0.14
Sterling - 3.73	Dallas - 0.16
Kimble - 2.82	Tarrant - 0.03
Loving - 2.43	Bexar - 0.11
Armstrong - 2.09	Travis - 0.12
Statewide - 0.15	



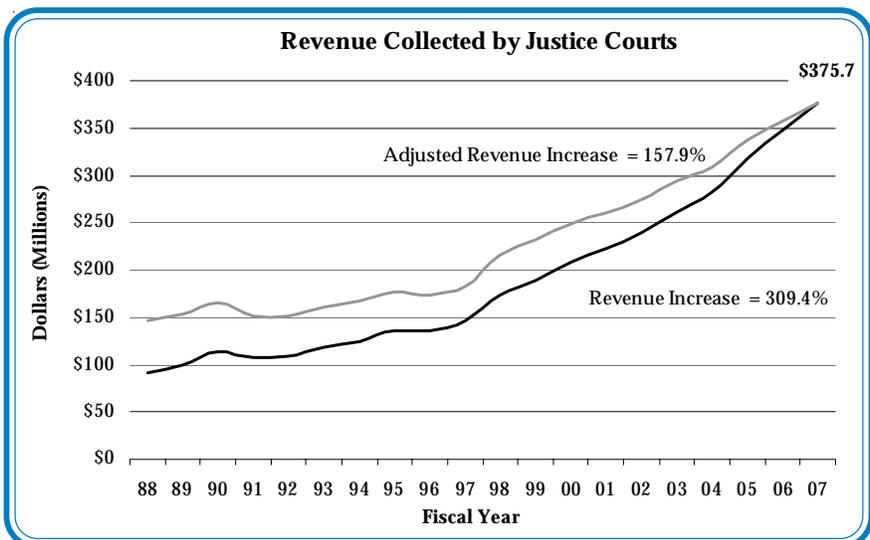


Sixty-three percent of the 303,617 civil cases closed in 2007 were disposed of by bench trial, 28.1 percent were disposed before trial, and only 0.5 percent went to jury trial.

Juvenile Activity - In 2007, the number of warnings administered (5,588) was the lowest in 10 years and represented a 9.4 percent drop from the number administered in 1988. The number of detention hearings (2,777) was also the lowest in a decade. Since 2004, when data began to be collected for the following categories, cases involving violation of local daytime curfew ordinances increased 34.1 percent; referrals to juvenile court increased 45.4 percent; and cases involving juveniles held in contempt, fined, or denied driving privileges increased 46.9 percent. The largest increase, however, was in the category of failure to attend school. This category saw an increase of 60.7 percent, growing from 60,791 cases in 2004 to 97,666 cases in 2007.



Court Revenue - Total revenues collected by justice courts increased steadily over the past 20 years. In 2007, courts collected revenue in excess of \$375 million—an increase of nearly 8 percent from the previous year. The amount collected in 2007 was 309.4 percent higher than that collected two decades ago, or nearly 158 percent higher when adjusting for inflation.² Excluding cases dismissed prior to or at trial, the amount of revenue collected per disposition averaged \$386, which is nearly triple the previous years' amounts (\$148 in 2006 and \$138 in 2005).



2. Using Consumer Price Index Conversion Factors.

Activity Report for Justice Courts
September 1, 2006 to August 31, 2007

97.8 Percent Reporting Rate						
9,650 Reports Received Out of a Possible 9,866						
	CRIMINAL CASES		CIVIL CASES			REPORTED TOTALS
	Traffic Misdemeanors	Non-Traffic Misdemeanors	Small Claims Suits	Forcible Entry & Detainer	Other Civil Suits	
NEW CASES FILED	2,434,246	672,396	51,665	205,276	142,229	3,505,812
DISPOSITIONS:						
Dispositions Prior to Trial:						
<i>Bond Forfeitures</i>	6,512	2,328	---	---	---	8,840
<i>Fined</i>	1,156,758	264,763	---	---	---	1,421,521
<i>Cases Dismissed</i>	360,877	181,668	14,970	45,663	24,692	627,870
Total Dispositions Prior to Trial	1,524,147	448,759	14,970	45,663	24,692	2,058,231
Dispositions at Trial:						
<i>Trial by Judge</i>						
Guilty	132,716	81,018	---	---	---	213,734
Not Guilty	2,847	3,599	---	---	---	6,446
Civil Trials	---	---	23,616	129,799	38,147	191,562
<i>Trial by Jury</i>						
Guilty	1,477	411	---	---	---	1,888
Not Guilty	413	156	---	---	---	569
Civil Trials	---	---	497	882	232	1,611
<i>Dismissed at Trial</i>	43,868	25,967	3,349	18,600	3,170	94,954
Total Dispositions at Trial	181,321	111,151	27,462	149,281	41,549	510,764
Cases Dismissed After:						
<i>Driving Safety Course</i>	206,893	---	---	---	---	206,893
<i>Deferred Disposition</i>	144,266	44,121	---	---	---	188,387
<i>Proof of Financial Responsibility</i>	162,970	---	---	---	---	162,970
Total Cases Dismissed After	514,129	44,121	---	---	---	558,250
TOTAL DISPOSITIONS	2,219,597	604,031	42,432	194,944	66,241	3,127,245
CASES APPEALED	20,728	1,938	631	2,408	322	26,027
JUVENILE ACTIVITY:						
Warnings Administered						5,588
Statements Certified						4,147
Detention Hearings Held						2,777
Failure to Attend School Cases Filed						97,666
Violation of Local Daytime Curfew Ordinance Cases Filed						653
Referred to Juvenile Court for Delinquent Conduct						7,816
Held in Contempt, Fined, or Denied Driving Privileges						12,628
OTHER ACTIVITY:						
Parent Contributing to Nonattendance Cases Filed						69,546
Peace Bond Hearings Held						3,093
Class A or B Misdemeanor Complaints Accepted						89,379
Felony Complaints Accepted						61,892
Examining Trials Conducted						2,546
Inquests Conducted						17,525
Safety Responsibility and Driver's License Suspension Hearings Held						4,117
Search Warrants Issued						2,256
Arrest Warrants Issued:						
Class C Misdemeanors Only						713,577
Felonies and Class A and B Misdemeanors Only						91,763
<i>Total Arrest Warrants Issued</i>						805,340
Magistrate Warnings Given						314,548
Emergency Mental Health Hearings Held						9,815
Magistrate's Orders for Emergency Protection						7,120
Conference Held Prior to Legal Action Resulting in:						
Legal Action Being Filed in Court			<u>Criminal</u>	<u>Civil</u>	<u>Total</u>	
			9,113	2,174	11,287	
No Legal Action Being Taken			5,437	6,818	12,255	
TOTAL REVENUE						\$375,681,977



Municipal Courts

Cases Filed – More than 7.8 million cases were filed in the state’s municipal courts in 2007, which was consistent with the five-year average. Traffic and parking cases constituted approximately 82 percent of the incoming caseload.

The five most populous cities, representing 33 percent of the state’s population, accounted for 39.4 percent all cases filed. Only two of the five cities had per capita filing rates greater than the statewide average of 0.43—Houston (0.67) and Fort Worth (0.68). The highest per capita filing rates occurred in Westlake (a suburb of Fort Worth with a population of 207) and Estelline (with a population of 167, located in Hall County) and were considerably higher than the rates in all other cities of the state.

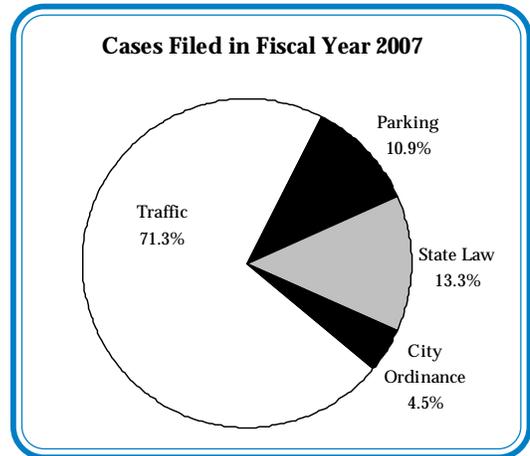
Clearance Rates – Municipal courts disposed of 6,743,230 cases in 2007—a decrease of 5.0 percent from the number disposed of during the previous year. As a result, the statewide clearance rate for municipal court cases fell for the third consecutive year to 86.1 percent—the lowest rate in the previous 10 years. By case type, traffic (non-parking) cases had the highest clearance rate (89.5 percent), while both state law and city ordinance cases had the lowest clearance rate (73.0 and 73.2 percent, respectively).

Manner of Disposition – In 2007, municipal courts disposed of more than 5.7 million traffic and parking cases. The largest share of these cases, 36.9 percent, were disposed of by payment of a fine (without appearing before a judge) or by a bond forfeiture. Approximately 17 percent were disposed of after a bench trial or other appearance before a judge, and only 0.1 percent were disposed of by a jury trial.

Municipal courts also disposed of more than one million state law and city ordinance cases (i.e., non-traffic cases). Approximately 36 percent of these cases were disposed of by payment of a fine or by bond forfeiture. While the jury trial rate was the same as for traffic and parking cases (0.1 percent), defendants in these cases were more likely to have a bench trial or other appearance before the judge (29.3 percent) in order to dispose of the case.

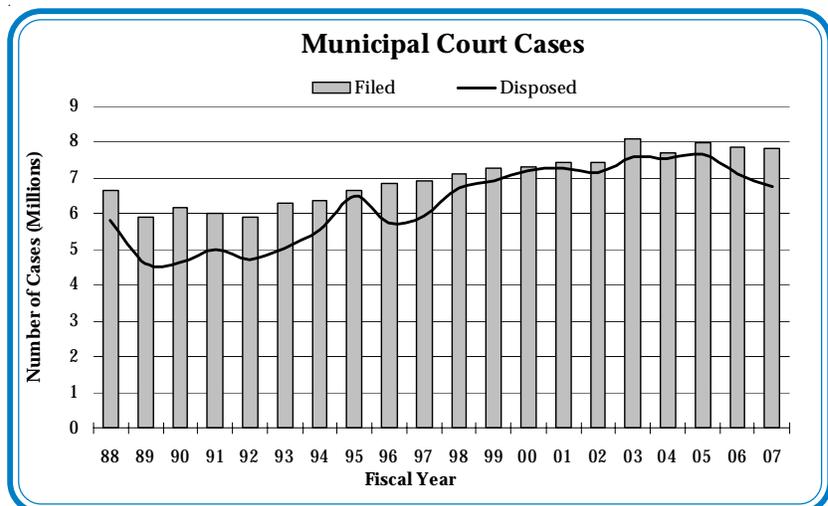
Overall, guilty findings were made in almost all (97.4 percent) of the 1,218,607 cases that were not dismissed and went to bench trial or were otherwise disposed of by an appearance before the judge.¹

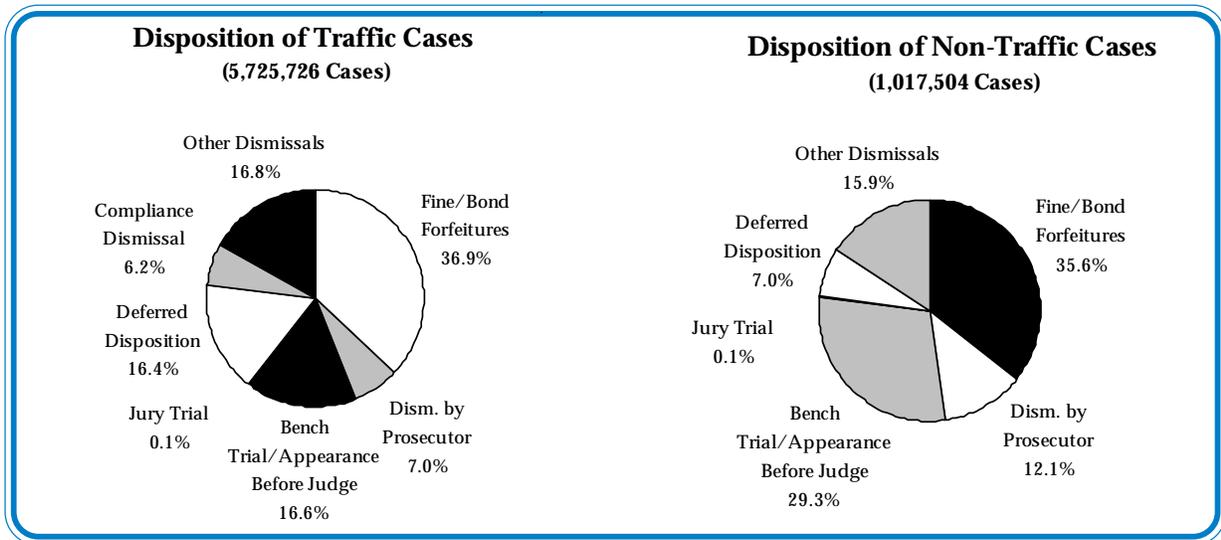
1. Guilty and *nolo contendere* pleas are included in the “Trial by Judge” category in the Municipal Court Monthly Activity Report.



Filings per Capita in Fiscal Year 2007

Cities with Highest Filings per Capita	Filings per Capita in 5 Most Populous Cities
Westlake - 44.76	Houston - 0.67
Estelline - 29.89	San Antonio - 0.26
Montgomery - 6.97	Dallas - 0.42
Palmer - 6.00	Austin - 0.51
Rio Vista - 5.52	Fort Worth - 0.68
Statewide - 0.43	



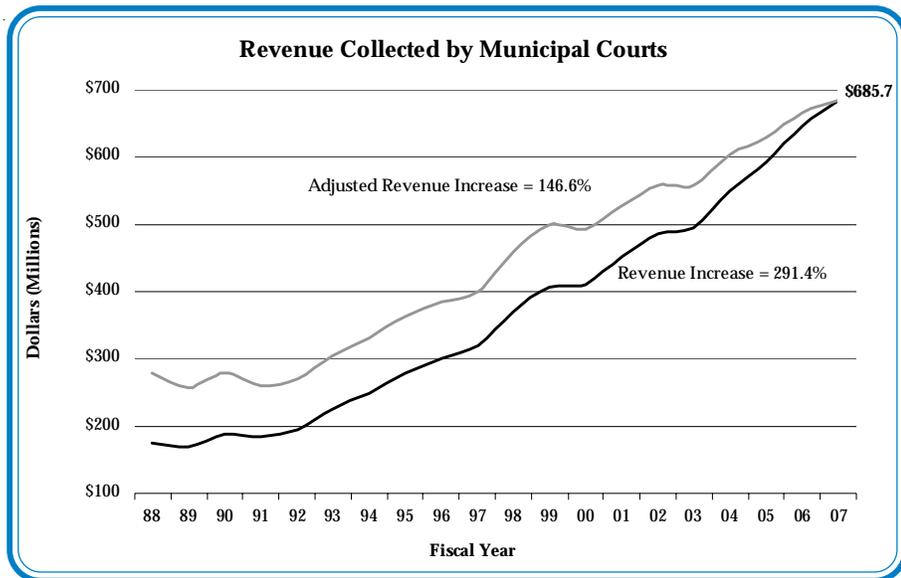


In contrast, guilty verdicts accounted for 79.6 percent of 3,903 cases that went to jury trial.

Juvenile Case Activity – In 2007, juvenile cases filed in municipal courts increased 6.2 percent from the previous year to 320,701. Since the beginning of the collection of data in fiscal year 1999, most categories of juvenile cases remained steady with the exception of Transportation Code cases, which rose approximately 90 percent in the past nine years. Transportation Code cases accounted for 48.0 percent of the juvenile cases filed in 2007. Referrals to juvenile court also increased 71.9 percent since this data began to be tracked in fiscal year 2004.

Magistrate Activity – In 2007, municipal courts issued 5,368 search warrants, nearly 2.5 million arrest warrants, 8,847 magistrate orders for emergency protection, and almost 275,000 magistrate warnings to adults. This continues an upward trend over the past nine years. Magistrate activity in juvenile cases, however, generally declined over the past few years. Certifications of juvenile statements declined 68.1 percent between 1998 and 2007 (down from 2,515 in 1998 to 802 in 2007), and warnings administered to juveniles declined 66.5 percent (from 6,581 in 1998 to 2,206 in 2007).

Court Revenue – The amount of revenue collected by municipal courts increased steadily over the last 20 years. In 2007, the courts collected revenue in excess of \$685 million—an increase of nearly \$39 million from the previous year. The amount collected in 2007 was 291 percent higher than that collected in 1988, or 147 percent higher when adjusted for inflation.²



Excluding cases dismissed prior to trial or at trial, the amount of revenue collected per disposition averaged approximately \$375, a significant increase over the previous year's \$110.

2. Using Consumer Price Index Conversion Factors.

Activity Report for Municipal Courts

September 1, 2006 to August 31, 2007

97.9 Percent Reporting Rate					
10,781 Reports Received Out of a Possible 11,016					
	Traffic		Non-Traffic		REPORTED TOTALS
	Misdemeanors		Misdemeanors		
	Non - Parking	Parking	State Law	City Ordinance	
NEW CASES FILED	5,581,607	854,695	1,037,739	354,743	7,828,784
DISPOSITIONS:					
Dispositions Prior to Trial:					
<i>Bond Forfeitures</i>	43,704	1,548	13,301	2,119	60,672
<i>Fined</i>	1,508,912	556,288	267,582	78,907	2,411,689
<i>Cases Dismissed</i>	275,334	127,296	84,074	38,854	525,558
Total Dispositions Prior to Trial	1,827,950	685,132	364,957	119,880	2,997,919
Dispositions at Trial:					
<i>Trial by Judge</i>					
Guilty	902,658	20,793	222,262	72,894	1,218,607
Not Guilty	10,561	18,149	2,278	1,064	32,052
<i>Trial by Jury</i>					
Guilty	2,827	56	591	429	3,903
Not Guilty	656	7	217	119	999
<i>Dismissed at Trial</i>	493,876	6,632	112,398	49,325	662,231
Total Dispositions at Trial	1,410,578	45,637	337,746	123,831	1,917,792
Cases Dismissed After:					
<i>Driver Safety Course</i>	441,742	---	---	---	441,742
<i>Deferred Disposition</i>	494,654	1,891	54,954	16,136	567,635
<i>Proof of Financial Responsibility</i>	461,841	---	---	---	461,841
<i>Compliance Dismissal</i>	356,301	---	---	---	356,301
Total Cases Dismissed After	1,754,538	1,891	54,954	16,136	1,827,519
TOTAL DISPOSITIONS	4,993,066	732,660	757,657	259,847	6,743,230
COMMUNITY SERVICE ORDERED	105,104	1,054	33,283	8,765	148,206
CASES APPEALED	12,686	165	2,712	385	15,948
JUVENILE ACTIVITY:					
Transportation Code Cases Filed					154,050
Non-Driving Alcoholic Beverage Code Cases Filed					36,563
DUI of Alcohol Cases Filed					3,261
Health & Safety Code Cases Filed					8,587
Failure to Attend School Cases Filed					14,414
Education Code Cases Filed					9,781
Violation of Local Daytime Curfew Ordinance Cases Filed					10,353
All Other Non-Traffic Fine-Only Cases Filed					83,692
Waiver of Jurisdiction of Non-Traffic Cases					4,055
Referred to Juvenile Court for Delinquent Conduct					837
Held in Contempt, Fined, or Denied Driving Privileges					7,548
Warnings Administered					2,206
Statements Certified					802
OTHER ACTIVITY:					
Parent Contributing to Nonattendance Cases Filed					7,343
Safety Responsibility and Driver's License Suspension Hearings Held					275
Search Warrants Issued					5,368
Arrest Warrants Issued					
Class C Misdemeanors			2,375,052		
Felonies and Class A and B Misdemeanors			79,613		
Total Arrest Warrants Issued					2,454,665
Magistrate Warnings Given					
Class A and B Misdemeanors				190,749	
Felonies				83,818	
Total Magistrate Warnings Given					274,567
Emergency Mental Health Hearings Held					2,078
Magistrate's Orders for Emergency Protection					8,847
TOTAL REVENUE					\$685,793,685

Explanation of Case Categories by Court Level



Photo courtesy of TexasCourthouses.com

Navarro County Courthouse - Corsicana

District Courts

Explanation of Case Categories

CRIMINAL DOCKET

A criminal case is counted as one defendant per indictment or information. For example, if an indictment names more than one defendant, there is more than one case; three defendants named in one indictment equals three cases. If the same defendant is charged in more than one indictment, even if for the same criminal episode, there is more than one case; the same person named in four indictments equals four cases. Finally, if an indictment contains more than one count (Article 21.24, Code of Criminal Procedure), only one case per person named in the indictment is reported. The case is reported under the classification for the most serious offense alleged.

The case-type categories are:

CAPITAL MURDER: An offense under Penal Code Section 19.03 (Capital Murder).

MURDER OR MANSLAUGHTER: An offense under Penal Code Sections 19.02 (Murder) or 19.04 (Manslaughter).

ASSAULT OR ATTEMPTED MURDER: A **felony** offense under Penal Code Section 22.01 (Assault) or 22.04 (Injury to a Child, Elderly Individual or Disabled Individual); an offense under Section 22.02 (Aggravated Assault); or an offense of attempt (as defined in Section 15.01) to commit: Murder (19.02), Capital Murder (19.03), or Manslaughter (19.04).

SEXUAL ASSAULT OF AN ADULT: An offense under Penal Code Sections 22.011 (Sexual Assault) or 22.021 (Aggravated Sexual Assault) where the victim is an adult (17 years or older).

INDECENCY OR SEXUAL ASSAULT OF A CHILD: An offense under Penal Code Sections 22.011 (Sexual Assault) or 22.021 (Aggravated Sexual Assault) where the victim is a child (younger than 17 years), or an offense under 21.11 (Indecency with a Child).

ROBBERY: An offense under Penal Code Sections 29.02 (Robbery) or 29.03 (Aggravated Robbery).

BURGLARY: A **felony** offense under Penal Code Sections 30.02 (Burglary) or 30.04 (Burglary of Vehicles).

THEFT: A **felony** offense under Penal Code Sections 31.03 (Theft) or 31.04 (Theft of Service) **except** when the property involved is a motor vehicle, or an offense under Penal Code Section 32.31 (Credit Card Abuse and Debit Card Abuse).

AUTOMOBILE THEFT: A **felony** offense under Penal Code Section 31.03 (Theft) if the property involved is a motor vehicle, or an offense under Section 31.07 (Unauthorized Use of a Vehicle).

ARSON: An offense under Penal Code Section 28.02 (Arson).

DRUG SALE OR MANUFACTURE: A **felony** offense under the Texas Controlled Substances Act (Ch. 481, Health and Safety Code) or the Texas Dangerous Drugs Act (Ch. 483, Health and Safety Code) for the manufacture, delivery, sale, or possession with intent to deliver or sell a drug or controlled substance.

DRUG POSSESSION: A **felony** offense for possession under the Texas Controlled Substances Act (Ch. 481, Health and Safety Code) or the Texas Dangerous Drugs Act (Ch. 483, Health and Safety Code), other than possession with intent to deliver or sell.

FELONY D.W.I.: A **felony** offense under Penal Code Section 49.09.

OTHER FELONY: A **felony** offense not clearly identifiable as belonging in one of the preceding categories, including cases previously categorized as forgery.

ALL MISDEMEANORS: Any offense classified as a misdemeanor.

CIVIL DOCKET

A civil case, unlike a criminal case, does not depend on the number of persons involved. Instead, each separate suit, normally commenced by the filing of the plaintiff's original petition, defines an individual civil case.

INJURY OR DAMAGE INVOLVING MOTOR VEHICLE: All cases for damages associated in any way with a motor vehicle (automobile, truck, motorcycle, etc.), with or without accompanying personal injury. Examples include personal injury, property damage, and wrongful death cases that involve motor vehicles.

INJURY OR DAMAGE OTHER THAN MOTOR VEHICLE: Cases for personal injury or damages arising out of an event not involving a motor vehicle. Examples include "slip-and-fall" cases, as well as personal injury, property damage, and wrongful death not involving motor vehicles.

WORKERS' COMPENSATION: Appeals from awards of compensation for personal injury by the Workers' Compensation Commission (Ch. 410, Labor Code).

TAX CASES: Suits brought by governmental taxing entities for the collection of taxes.

CONDEMNATION: Suits by a unit of government or a corporation with the power of eminent domain for the taking of private land for public use.

ACCOUNTS, CONTRACTS, NOTES: Suits based on enforcing the terms of a certain and express agreement, usually for the purpose of recovering a specific sum of money.

RECIPROCALLS (UIFSA): Actions involving child support in which the case has been received from another court outside the county or state.

DIVORCE CASES: A suit brought by a party to a marriage to dissolve that marriage pursuant to Family Code Chapter 6. (Annulments are **not** reported here, but under All Other Family Matters.)

ALL OTHER FAMILY MATTERS: Includes all family law matters other than divorce proceedings and those juvenile matters which are reported in the Juvenile Section, including:

- Motions to modify previously granted divorce decrees, or other judgments or decrees, in such matters as amount of child support, child custody orders, and other similar motions which are filed under the original cause number;
- Annulments;
- Adoptions;
- Changes of name;
- Termination of parental rights (child protective service cases);
- Dependent and neglected child cases;
- Removal of disability of minority;
- Removal of disability of minority for marriage;
- Voluntary legitimation (Section 160.201, Texas Family Code); and
- All other matters filed under the Family Code that are not reported elsewhere.

OTHER CIVIL CAUSES: All civil cases not clearly identifiable as belonging in one of the preceding categories.

JUVENILE DOCKET

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

OTHER PROCEEDINGS

The proceedings under these categories may stem from criminal, civil, or juvenile cases. Categories include post conviction writs of habeas corpus; other writs of habeas corpus; bond forfeiture proceedings; and contempt, extradition, and other separately docketed proceedings not reported elsewhere.

County-Level Courts

Explanation of Case Categories

CRIMINAL DOCKET

A criminal case is counted as one defendant per information. For example, if an information names more than one defendant, there is more than one case; three defendants named in one information equals three cases. If the same defendant is charged in more than one information, even if for the same criminal episode, there is more than one case; the same person named in four informations equals four cases. Finally, if an information contains more than one count (Article 21.24, Code of Criminal Procedure) only one case per person named in the information is reported. The case is reported under the classification for the most serious offense alleged.

The case-type categories are:

D.W.I.: A misdemeanor offense under Sections 49.04 or 49.09, Penal Code.

THEFT OR WORTHLESS CHECKS: An offense under Penal Code Section 31.03 (Theft) or Section 31.04 (Theft of Service) or any offense of theft or theft of service if the defendant obtained property or secured performance of service by issuing or passing a check or similar sight order for the payment of money, when the issuer did not have sufficient funds in or on deposit with the bank or other drawee for the payment in full of the check or order as well as all other checks or orders then outstanding (Section 31.06, Penal Code). Also included are appeals of cases brought under Penal Code Section 32.41—Issuance of Bad Checks.

DRUG OFFENSES: An offense under the Texas Controlled Substances Act (Ch. 481, Health and Safety Code), the Texas Dangerous Drug Act (Ch. 483, Health and Safety Code), or Ch. 485, Abusable Volatile Chemicals, Health and Safety Code.

ASSAULT: An offense under Penal Code Sections 22.01 (Assault) or 22.05 (Deadly Conduct).

TRAFFIC: Violations of the provisions of Title 7, Transportation Code and related statutes, **except** D.W.I. Section 49.04, Penal Code.

OTHER CRIMINAL: An offense not clearly identifiable as belonging in one of the preceding categories.

CIVIL DOCKET

A civil case, unlike a criminal case, does not depend on the number of persons involved. Instead, each separate suit, normally commenced by the filing of the plaintiff's original petition, defines an individual civil case.

The case-type categories are:

INJURY OR DAMAGE INVOLVING MOTOR VEHICLE: All cases for damages associated in any way with a motor vehicle (automobile, truck, motorcycle, etc.), with or without accompanying personal injury. Examples include personal injury, property damage, and wrongful death cases. Any type of driver's license suspension case, however, **is not** included in this category.

INJURY OR DAMAGE OTHER THAN MOTOR VEHICLE: Cases for personal injury or damages arising out of an event not involving a motor vehicle. Examples include "slip-and-fall" cases.

TAX CASES: Suits brought by governmental taxing entities for the collection of taxes.

SUITS ON DEBT: Suits based on enforcing the terms of a certain and express agreement, usually for the purpose of recovering a specific sum of money.

DIVORCE: (Applicable only for some county courts at law.) A suit brought by a party to a marriage to dissolve that marriage pursuant to Family Code, Chapter 6. (Annulments are **not** reported here, but under All Other Family Law Matters.)

ALL OTHER FAMILY LAW MATTERS: This category includes all family law matters, other than divorce proceedings and those juvenile matters which are reported in the Juvenile Section, including:

- a. Motions to modify previously granted divorce decrees, or other judgments or decrees, in such matters as amount of child support, child custody orders, and other similar motions which are filed under the original cause number;
- b. Annulments;
- c. Adoptions;
- d. Changes of name;
- e. Termination of parental rights (child protective service cases);
- f. Dependent and neglected child cases;
- g. Removal of disability of minority;
- h. Removal of disability of minority for marriage;
- i. Voluntary legitimation (Section 160.201, Texas Family Code); and
- j. All other matters filed under the Family Code that are not reported elsewhere.

OTHER CIVIL: All civil cases not clearly identifiable as belonging in one of the preceding categories.

JUVENILE DOCKET

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

PROBATE AND MENTAL HEALTH CASES

Probate cases: These are governed by the Texas Probate Code, and include matters involving the probate of wills, the administration of estates, and guardianships. A single probate case may involve more than one person.

Mental health cases: These are governed by the Texas Mental Health Code and other mental health statutes, and include the commitment of mentally ill or alcoholic persons.

Justice Courts

Explanation of Case Categories

Traffic misdemeanors include all non-jailable misdemeanor violations of the Texas traffic laws and other violations of laws relating to the operation or ownership of a motor vehicle (for example, Speeding, Stop Sign, Red Light, Inspection Sticker, Driver's License, Registration, etc.). Maximum punishment is by fine and such sanctions, if any, as authorized by statute not consisting of confinement in jail or imprisonment.

Non-traffic misdemeanors include all other Class C misdemeanor criminal violations found in the Texas Penal Code and other state laws (for example, Public Intoxication, Disorderly Conduct, Assault, Theft Under \$50, etc.). Maximum punishment is by fine and such sanctions, if any, as authorized by statute not consisting of confinement in jail or imprisonment.

Small claims suits include all suits for the recovery of money (damages or debt up to \$5,000) brought to the justice of the peace as judge of the small claims court in accordance with Chapter 28 of the Texas Government Code.

Forcible entry and detainer cases include all suits for forcible entry and detainer (recovery of possession of premises) brought under authority of Section 27.031, Texas Government Code; Texas Property Code, Section 24.001-24.008; and Rules 738-755, Texas Rules of Civil Procedure.

Other civil suits include all other suits within the civil jurisdiction of the justice of the peace court, including those for recovery of money (damages or debt up to \$5,000) and for foreclosure of mortgages and enforcement of liens on personal property in cases in which the amount in controversy is otherwise within the justice court's jurisdiction as provided by Section 27.031 of the Texas Government Code.

Municipal Courts

Explanation of Case Categories

Traffic misdemeanors include all non-jailable misdemeanor violations of the Texas traffic laws and other violations of laws relating to the operation or ownership of a motor vehicle. Maximum punishment is by fine and such sanctions, if any, as authorized by statute not consisting of confinement in jail or imprisonment.

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

Parking misdemeanors include violations of state law or municipal ordinance involving the improper standing of a vehicle (for example, Parking on Highway Right of Way, Parking Within an Intersection, Overparking, etc.).

Non-traffic misdemeanors include all other non-jailable misdemeanor violations:

State law violations are those usually found in the Texas Penal Code and other state laws (for example, Public Intoxication, Disorderly Conduct, Simple Assault, Theft Under \$50, etc.). Maximum punishment is by fine and such sanctions, if any, as authorized by statute not consisting of confinement in jail or imprisonment.

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

Counties that Did Not Submit All Monthly Activity Reports for the Fiscal Year

for District Courts

County	Reports Submitted
Starr	9
Jasper*	11

for County-Level Courts

County	Reports Submitted
Culberson	9
Henderson*	6

* Reports missing for criminal case activity only.

Courts that Did Not Submit All Monthly Activity Reports for the Fiscal Year

for Justice Courts

Court	Reports Submitted	Court	Reports Submitted	Court	Reports Submitted
Brewster Pct. 3-1	11	Lamar Pct. 2-1	6	Upton Pct. 2-1	10
Culberson Pct. 2-1	0	Marion Pct. 3-1	4	Washington Pct. 2-1	10
Culberson Pct. 4-1	0	Matagorda Pct. 3-1	11	Webb Pct. 2-2	0
Dallas Pct. 4-1	10	Maverick Pct. 1-1	11	Willacy Pct. 1-1	8
Delta Pct. 5-1	10	McLennan Pct. 8	1	Willacy Pct. 2-1	0
Floyd Pcts. 2 & 3	11	Newton Pct. 3-1	11	Willacy Pct. 3-1	8
Galveston Pct. 8-2	11	Presidio Pct. 1-1	1	Willacy Pct. 4-1	4
Hidalgo Pct. 4-1	7	Presidio Pct. 2-1	10	Willacy Pct. 5-1	0
Hidalgo Pct. 4-2	11	Scurry Pct. 1-1	10	Zavala Pct. 1-1	11
Hill Pct. 2-1	11	Trinity Pct. 3-1	2	Zavala Pct. 2-1	11
Hudspeth Pct. 2-1	8	Tyler Pct. 2-1	11	Zavala Pct. 4-1	0
Hudspeth Pct. 3-1	0	Tyler Pct. 3-1	7		
La Salle Pct. 2-1	0	Tyler Pct. 4-1	7		
La Salle Pct. 3-1	3				

for Municipal Courts

Court	Reports Submitted	Court	Reports Submitted	Court	Reports Submitted
Anson	7	Elsa	1	Pine Forest	9
Aurora	7	Forest Hill	7	Progreso	11
Bartlett	4	Granger	10	Reno (Parker Cty)	8
Bloomburg	2	Gruver	9	Rice	8
Cactus	10	Indian Lake	8	Rising Star	0
Caney City	0	La Villa	1	Rose City	10
Childress	11	La Ward	9	Royse City	11
Clint	2	Lipan	1	South Houston	10
Collinsville	10	Lone Star	10	Tiki Island	0
Como	0	Milford	0	Van	11
Denver City	0	Munday	10	Walnut Springs	0
Edcouch	7	Oak Ridge North	11	Windthorst	0
El Cenizo	10	Penitas	1		

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