

HOUSE
STUDY

GROUP bill analysis

5/7/85

HB 1713
Hinojosa, et al.

SUBJECT: Creating two judicial districts for Hidalgo County

COMMITTEE: Judicial Affairs: favorable, without amendment

VOTE: 5 ayes--Tejeda, Hinojosa, Parker, Patronella, Smithee
0 nays
4 absent--Gilley, L. Evans, Green, S. Hudson

WITNESSES: None

DIGEST: HB 1713 would create the 361st and 362nd district courts for Hidalgo County, covering the same area as the 92nd, 93rd, 139th, 206th, 275th, and 332nd district courts. Although this bill would make no appropriation to pay the salary and expenses of the judges, it could provide the legal basis for one.

SUPPORTERS
SAY: Hidalgo County has one of the fastest-growing populations of any county in the state, largely because it has a reputation as a prime retirement spot and is thought to have better job opportunities than many counties nearby. The number of nonresidents in the county is also large and growing thanks to the winter tourist trade and cross-border shopping and commuting. These population pressures translate into a bigger case load for local judges, and to cope with the growth Hidalgo County needs more district courts.

OPPONENTS
SAY: District courts should not be added piecemeal but should be created only in light of a statewide examination of need. In 1981, the 67th Legislature eased docket crowding somewhat by creating 37 new district courts. In 1983, the 68th Legislature created an additional 26 district courts. Any need that has arisen in the two years since should be weighed against pressing needs in other parts of the state. The long-term fiscal impact of adding a new judge--in terms of salary, expenses, and especially retirement benefits, which are paid directly from general revenue--can be considerable and should be examined more closely.

OTHER
OPPONENTS
SAY: The district-court case load in Hidalgo County does not justify the creation of two new courts. From 1982 to 1983 (the last years for which

OTHER
OPPONENTS
SAY:
(continued)

statistics have been published), the number of cases on the criminal and juvenile dockets increased by 446 and 82 respectively, but the number of cases on the civil dockets actually decreased by 242. Perhaps there is need for one new district court, but there is clearly no need for two new courts.

NOTES:

In addition to HB 1713, five bills have been filed this session in the House and Senate to create new district courts. Thus far only HB 1985 by Tejeda has been reported from committee. It was sent to the Committee on Calendars on April 24. Rep. Hinojosa has indicated that he may move to table HB 1713.