

SUBJECT: Creating five new judicial districts and recomposing other districts

COMMITTEE: Judicial Affairs — committee substitute recommended

VOTE: 7 ayes — Thompson, Hartnett, Capelo, Deshotel, Hinojosa, Talton, Uresti

0 nays

2 absent — Garcia, Solis

WITNESSES: None

DIGEST: CSHB 3171 would create five new district courts:

- ! the 379th Judicial District, composed of Hidalgo County;
- ! the 412th Judicial District, composed of Fannin County;
- ! the 413th Judicial District, composed of Johnson and Somervell counties;
- ! the 414th Judicial District, composed of McLennan County; and
- ! the 415th Judicial District, composed of Travis County.

The 379th District Court would have to give preference to juvenile justice cases and proceedings, and the 415th Judicial District would have to give preference to civil cases.

The bill would add Willacy County to the 404th Judicial District (now composed of Cameron County) and would remove Fannin County from the 6th and the 336th judicial districts. The local administrative district judge would have to transfer all cases from Fannin County that were pending in the 6th and the 336th district courts to the 412th District Court.

This bill would take effect September 1, 2001.

SUPPORTERS SAY: CSHB 3171 would help alleviate the backlog of cases in many district courts. It would help relieve docket overcrowding and would distribute more evenly the population served by the district courts in certain areas.

Several areas of Texas have experienced tremendous population growth, leading to increases in criminal and civil dockets. The population of Fannin County increased by 26 percent between 1999 and 2000. The backlog of cases in the county increased last year, even though 100 cases were transferred out. The population of Johnson and Somervell counties has increased by 30 percent since 1990. The cases filed in the two current judicial districts exceed the state average by more than 230 cases per judge, even though these are multicounty suburban and rural districts.

The backlog of cases in McLennan County is more than two-and-one-half times the number of cases filed. The number of pending cases increased by nearly 9 percent last year. The backlog of cases in Travis County grew by more than 2,000 cases last year, and the county's population has increased by 41 percent since 1990.

In counties that would receive state district courts under CSHB 3171, the percentages of cases pending are much higher than the statewide average. More courts for these counties would improve the administration of justice, especially for areas of the law that are seeing the biggest increases. Increases in family law-related and juvenile cases, for example, require specialized judicial attention. With the new courts, more judicial resources would be available for other criminal and civil cases in these larger counties.

The need to alleviate the backlog of cases in these courts cannot wait for a resolution of the political issue of judicial selection. Unless these courts are created now, even more courts will need to be created in the next legislative session to deal with an even greater backlog of cases.

**OPPONENTS  
SAY:**

CSHB 3171 would create five new judicial districts, with salaries and benefits for the five new judges costing the state an additional \$641,370 per year, according to the bill's fiscal note. The state should avoid spending additional money on creating new district courts until it reforms the system for how district judges are selected.

**NOTES:**

HB 3171 as filed would have created the 410th Judicial District, composed of Hidalgo County, and would have required the district court to give

preference to juvenile justice cases. It also would have created the 412th Judicial District, composed of Collin County.

Other legislation filed this session would create new district courts in Collin, Kaufman, Nacogdoches, Parker, Rockwall, and Waller counties.