

BILL ANALYSIS

Senate Research Center

H.B. 784
By: Gallego (Ellis)
Jurisprudence
5-6-97
Engrossed

DIGEST

Currently, appellate courts in Texas must hear oral arguments in a courtroom with the justices and attorney physically present, unless the parties waive oral argument and cases are submitted "on the briefs." This often requires substantial travel expenses for litigants and attorneys in both civil and criminal cases; and when cases are being heard after transfer, requires expenditures by the state for the travel of justices and other court personnel. This bill will authorize certain courts to hear oral argument through the use of teleconferencing technology.

PURPOSE

As proposed, H.B. 784 authorizes certain courts to hear oral argument through the use of teleconferencing technology.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 22D, Government Code, by adding Section 22.302, as follows:

Sec. 22.302. USE OF TELECONFERENCING TECHNOLOGY. Authorizes certain court, at the discretion of its chief justice or presiding judge and with the consent of the parties or their attorneys, to hear oral argument through the use of teleconferencing technology. Authorizes the court and the parties or their attorneys to participate in oral argument from any location through the use of teleconferencing technology. Defines "teleconferencing technology."

SECTION 2. Amends Section 73.003, Government Code, by amending Subsection (a) and adding Subsection (e), to authorize a court to which a case is transferred, at the discretion of its chief justice and with the consent of the parties or their attorneys, to hear oral arguments through the use of teleconferencing technology as provided by Section 22.302. Authorizes the court and the parties or their attorneys to participate in oral argument from any location through the use of teleconferencing technology. Makes conforming changes.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.