

BILL ANALYSIS

Senate Research Center

S.B. 838
By: Duncan
Jurisprudence
3-12-97
As Filed

DIGEST

Currently, there is no law calling for the coordination or consolidation of pretrial proceedings by appointment of a judge authorized to render binding pretrial orders in certain suits. Time-consuming and costly pretrial expenditures may be incurred by plaintiffs and defendants associated with the filing of multiple lawsuits arising from the same or similar questions of fact or law charged by different plaintiffs against the identical defendants in various counties in the state. This bill provides that the supreme court may adopt rules authorizing the coordination or consolidation of pretrial proceedings by appointment of a judge authorized to render binding pretrial orders in certain suits.

PURPOSE

As proposed, S.B. 838 provides that the supreme court to adopt rules authorizing the coordination or consolidation of pretrial proceedings by appointment of a judge authorized to render binding pretrial orders in certain suits.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Supreme Court in SECTION 1 (Section 74.0241, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 74B, Government Code, by adding Section 74.0241, as follows:

Sec. 74.0241. RULES FOR COORDINATION OR CONSOLIDATION OF PRETRIAL PROCEEDINGS IN CERTAIN LITIGATION. Authorizes the supreme court to adopt rules authorizing the coordination or consolidation of pretrial proceedings by appointment of a judge authorized to render binding pretrial orders effective across county lines in certain suits. Requires the rules to provide that the appointment of the judge is not subject to a strike.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Emergency clause.
Effective date: upon passage.