



Legislative Brief

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RUNNING THE STATE'S TRIAL COURTS THE COUNTY ROLE IN THE JUDICIAL SYSTEM

DID YOU KNOW?

Texas counties play a critical role in supporting the judicial system in Texas. They fund and operate almost all of the state's judicial system. In fact, support for the judicial system is one of the most significant components of county budgets.



\$1.8 billion

In FY 2018, the amount counties spent statewide to support the judicial system.

County governments support many aspects of this system, including district courts, county-level courts and justice courts. They also provide funding for court staff, prosecutors and court-appointed attorneys.

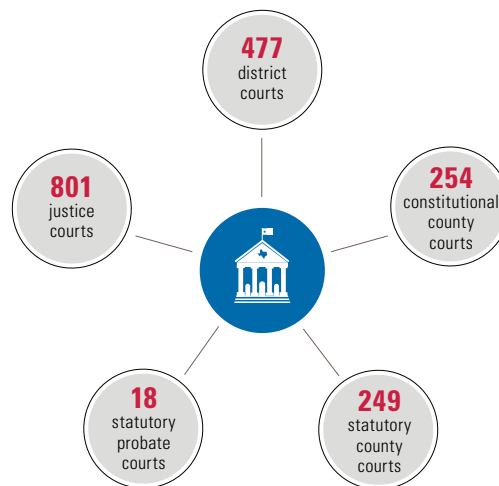
COURTS

While the state pays the salaries and benefits of district judges, counties pay the base salaries of other judges, as well as personnel salaries and other operating costs. Many counties operate specialty courts, such as drug courts and veterans treatment courts. Counties also provide courtrooms and courthouses and fund county clerk offices, district clerk offices and the office of the county and district clerk in smaller counties.

County and district clerks serve as the custodian of records and have a range of duties, including complying with the mandated requirements relating to e-filing.

E-filing

- The Supreme Court of Texas mandated electronic filing (e-filing) of all civil matters by attorneys for appellate, district, county-level and statutory probate courts by Dec. 2012.
- Mandatory e-filing of criminal cases began in July 2017 and expanded to less populous counties on Jan. 1.



COURT JURISDICTION

State law stipulates the jurisdiction of the courts.

District Courts: These courts generally have jurisdiction over felony offenses, certain family law cases (including divorces), juvenile cases and certain civil cases, among other matters.

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County-Level Courts: These courts, which include constitutional county courts, statutory county courts and statutory probate courts, generally have jurisdiction over misdemeanor offenses, certain civil cases, some juvenile cases and probate cases, among other matters.

Justice Courts: These courts generally have jurisdiction over misdemeanors only punishable by fine (such as traffic citations), certain civil cases and small claims, as well as eviction and truancy cases. Justices of the Peace preside over these courts and also have certain magistration duties. As magistrates, they set bonds in criminal cases.

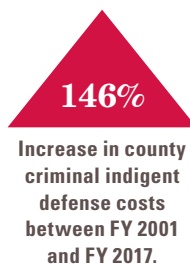
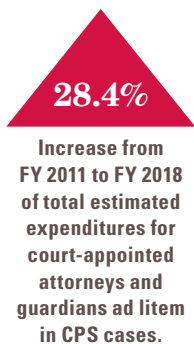
§ PROSECUTION

Part of county support for the state’s judicial system includes funding for the costs of prosecution, which includes the offices of district and county attorneys. While the state pays the salaries and specified expenses of district attorneys, counties pay for all supporting staff, including assistant prosecutors. Counties also pay the operational costs for prosecuting offices, the salaries for certain county attorneys and may pay for salary supplements.

These prosecutors are responsible for representing the state in all criminal matters (felonies and misdemeanors) and juvenile matters. They also have various other duties, including the representation of the state in certain Child Protective Services cases.

⚖ COURT-APPOINTED ATTORNEYS

Counties must pay for the costs of court-appointed counsel in many cases. For instance, counties are responsible for the costs of court-appointed attorneys for indigent defendants in criminal cases. While the state reimburses counties for about 15% of these costs, counties pay the vast majority of these expenses. Additionally, counties must pay for all the costs of attorneys appointed to represent indigent parents and their children in Child Protective Services (CPS) cases. ★



Case Statistics

(Source – Office of Court Administration’s Annual Statistical Report, FY 2019)



of the **1.6 million new civil cases** filed in 2019 were filed in **Justice Court** which surpassed filings in municipal courts. .



The number of **new civil cases** filed in **district courts** rose by 12 percent in 2019 from the previous year.



The number of **new civil cases filed in county courts increased** by 14 percent in 2019 from the previous year.



In 2019, the number of **new civil cases** filed in **justice courts increased** by 18 percent.



After 6 years of growth in new child protection cases, filing were **down by 7 percent in 2019**.



Misdemeanor cases have decreased 33 percent from a high in 2007. However, **the number of new felony cases** have reached an **all-time high** in 2019.