

**SUBJECT:** Creating a judicial district composed of Johnson County

**COMMITTEE:** Judicial Affairs — favorable, without amendment

**VOTE:** 7 ayes — Hartnett, Solis, Alonzo, Hughes, Rodriguez, Telford, Wilson

0 nays

2 absent — T. Smith, Corte

**WITNESSES:** None

**BACKGROUND:** Johnson County has two district courts, the 18th and the 249th, both used by residents of Johnson and Somervell counties.

When a sitting judge must be absent from the bench for various reasons, a visiting judge may be requested. A court also may use a visiting judge to aid with an overloaded docket. In fiscal 2002, the 18th and 249th district courts used more than \$50,000 from the state's visiting judge fund, administered by the comptroller's Judiciary Section.

**DIGEST:** HB 644 would create the 413th Judicial District, composed of Johnson County, effective September 1, 2003.

**SUPPORTERS SAY:** HB 644 would promote judicial efficiency by creating a district court for Johnson County cases. Currently, overloaded dockets in Johnson County are denying parties their right to obtain timely justice.

The 249th District Court was created in 1975, when Johnson County had a population of about 53,000. The county's population has grown to about 125,000 now and is projected to exceed 205,000 by 2025. Since the last court was created, civil case filings have more than tripled, and criminal case filings have more than quadrupled. Adding a judge to hear these cases would be a cost-effective way to reduce the county's docket.

Adding another court would decrease the necessity of using visiting judges. Because the House and Senate versions of the general appropriations bill for

HB 644  
House Research Organization  
page 2

fiscal 2004-05 would reduce funding for visiting judges substantially, it is unlikely that courts will be able to rely on using visiting judges as they have in the past.

**OPPONENTS  
SAY:**

HB 644 would cost the state more than \$129,000 per year in general revenue that the state cannot afford to spend. If Johnson County needs help in reducing its dockets, it should rely on visiting judges paid for by money appropriated to the visiting judge fund.

**NOTES:**

The bill's fiscal note estimates that creating a new court in Johnson County would cost about \$129,000 per year in general revenue for the salary and benefits of a district judge.

The companion bill, SB 106 by Averitt, was considered in a public hearing by the Senate Jurisprudence Committee on April 9 and left pending.