

SUBJECT: Creating two criminal judicial districts in Dallas County

COMMITTEE: Judiciary — favorable, without amendment

VOTE: 6 ayes — Hartnett, Alonzo, Gonzales, Solis, Straus, Van Arsdale
0 nays
3 absent — Hughes, Hopson, Keel

WITNESSES: For — Craig Pardue, Dallas County; John Rolater, Dallas County
Criminal District Attorney.
Against — None

BACKGROUND: Dallas County has 15 criminal district courts. The 363rd Judicial District was added in 1990.

Under Government Code, sec. 24.115, the criminal district and district courts in Dallas County have concurrent jurisdiction. The judges of these courts are required to schedule vacation so that there are at least three judges of these courts at all times in the county. In addition, the Dallas County Sheriff or sheriff's deputy must attend the courts when required by judge or by law.

According to sec. 24.901, the criminal district and county courts with criminal jurisdiction have concurrent original misdemeanor jurisdiction in Dallas County.

DIGEST: HB 1189 would create the 6th and 7th Criminal Judicial Districts, composed of Dallas County, as of September 1, 2005. Secs. 24.115 and 24.901 of the code would apply to these judicial districts.

The terms of the 6th and 7th Judicial Districts would begin on the first Mondays in January, April, July, and October.

The bill would take effect on September 1, 2005.

**SUPPORTERS
SAY:**

HB 1189 would promote judicial efficiency by creating two district courts for Dallas County criminal cases. Overloaded dockets in Dallas County currently are denying parties the right to obtain timely justice.

Dallas County has not had a new criminal district court in 15 years. Since that time, the county has experienced massive population growth, which has had a significant impact on the existing criminal district courts. The felony caseload in these courts has increased significantly, causing long docket delays and forcing judges to work exceedingly long hours. Adding another district court would be a cost-effective way to relieve existing Dallas County courts of overcrowded dockets while speeding up the administration of justice.

Adding another court would decrease the necessity of using visiting judges. Since the visiting judge fund was cut substantially in fiscal 2003 and neither the House version nor the Senate version of the general appropriations bill would increase funding for the program in fiscal 2006-07, it is unlikely that Dallas County will be able to rely on the use of visiting judges.

**OPPONENTS
SAY:**

HB 1189 would cost the state about \$238,000 in fiscal 2006, rising to approximately \$259,000 per year thereafter. This is money that should be applied toward more pressing needs that require the state's limited financial resources. If Dallas County needs help to reduce its dockets, it should rely on visiting judges already paid for by money appropriated to the visiting judge fund.

NOTES:

The fiscal note estimates that creating two new district courts in Dallas County would cost \$237,708 in fiscal 2006, and \$259,318 per year thereafter, which represents the salary and benefits of the district judges.