

SUBJECT: Creating an additional judicial district in Bell County

COMMITTEE: Judiciary — favorable, without amendment

VOTE: 6 ayes — Hartnett, Alonzo, Gonzales, Hopson, Solis, Straus

0 nays

3 absent — Hughes, Keel, Van Arsdale

WITNESSES: For — Rick Morris, District Courts of Bell County

Against — None

BACKGROUND: Bell County has four district courts, the newest of which was created in the 1970s.

According to Government Code, sec. 24.129, three of the district courts in Bell County — the 27th, 146th, and 169th — have concurrent jurisdiction in Bell County. By order of the court, the presiding judge may transfer any civil or criminal cases to any of the other district courts. A judge also may try and determine any case pending in any of the other courts without having the case transferred.

DIGEST: HB 2474 would create the 426th Judicial District, composed of Bell County. The terms of the new court would begin on the first Mondays of January, April, July, and October.

The bill also would add the 264th and 426th judicial districts to the list of districts that have concurrent jurisdiction in Bell County.

The bill would take effect September 1, 2005.

SUPPORTERS SAY: HB 2474 would promote judicial efficiency by creating a new district court for Bell County, where overloaded dockets currently are denying parties the right to obtain timely justice.

Bell County has four district courts, one of which the county shares with Lampasas County. In 2004, Bell County district courts disposed of twice as many cases as did courts in neighboring Williamson County, yet both counties have the same number of district courts.

The last time a district court was created in Bell County was in the 1970s. Since that time, the population has grown by 100,000 people. This growth in population has had a significant impact on the four existing district courts. The workload 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 Bell County courts of overcrowded dockets while speeding up the administration of justice.

In the past, Bell County has relied upon the visiting judges program to help relieve much of the congestion in the district courts. The visiting judge program was cut substantially in 2003, and because neither the House nor Senate version of the general appropriations bill would increase funding of the program in fiscal 2006-07 to its former levels, it is unlikely that Bell County could use visiting judges in the future. Adding another district court would eliminate the need to rely on visiting judges.

**OPPONENTS
SAY:**

Beginning in fiscal 2007, this bill would cost the state more than \$129,000 a year, money that should be directed toward more pressing state budget needs. Bell County has used visiting judges in the past to help reduce its dockets and should continue to rely on visiting judges rather than require the state to spend additional dollars for a new court. The visiting judge program already has been paid for by the state with money appropriated to the visiting judge fund.

NOTES:

According to the fiscal note, creating a new court in Bell County would cost the state \$118,854 in fiscal 2006, and \$129,659 per year thereafter. This cost represents the salary and benefits of the district judge. The county would pay all other costs.