

BILL ANALYSIS

Senate Research Center

S.B. 607
By: Wentworth
Jurisprudence
2-24-97
As Filed

DIGEST

Currently, the justices and judges of the supreme court, court of criminal appeals, and the courts of appeals are not eligible to sit as visiting trial judges. Both the judicial system and the individual members of the high courts would benefit from the occasional service of the high court justices and judges on the trial bench. This bill will authorize certain appellate judges or justices to be assigned to serve as a visiting trial judge.

PURPOSE

As proposed, S.B. 607 authorizes certain appellate judges or justices to be assigned to serve as a visiting trial judge.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 74.054(a), Government Code, to authorize an active judge or justice of the supreme court, the court of criminal appeals, or a court of appeals who has had trial court experience to be assigned as a visiting judge as provided by this chapter by the presiding judge of the administrative region in which the assigned judge resides. Makes a conforming change.

SECTION 2. Amends Section 74.060(b), Government Code, to prohibit an active judge or justice of the supreme court, the court of criminal appeals, or a court of appeals from being assigned if the judge or justice has served 14 or more days as a visiting judge, rather than assigned as a visiting judge for more than four cases in one year, under this chapter in the year in which the assignment is to be made. Provides that this subsection applies only to an initial assignment to a case and does not affect a judge's or justice's continuing to sit in a particular case. Makes a conforming change.

SECTION 3. Amends Section 74.061(g), Government Code, to make conforming changes.

SECTION 4. Emergency clause.
Effective date: upon passage.