

## **BILL ANALYSIS**

Senate Research Center  
76R5205 DB-D

S.B. 1875  
By: Fraser  
Intergovernmental Relations  
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As Filed

### **DIGEST**

The need for a County Court at Law in Brown County is primarily due to the overload and backlog in cases for both the County Court and the District Court. As of December 31, 1998, the total number of pending cases in the County Court was 2, 469 and in the District Court for Brown County, the number of cases pending as of December 31, 1998 was 2,024. There were approximately 2,000 cases added during the year with dispositions running at approximately half of what has been filed. The backlog is preventing the county from receiving the maximum amount of the revenue possible to be generated from these courts, but more importantly the citizens whose cases are before the courts are not being adequately served. S.B. 1875 would create the County Court at Law of Brown County.

### **PURPOSE**

As proposed, S.B. 1875 creates the County Court at Law of Brown County.

### **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 Chapter 25C, Government Code, by adding Sections 25.0271 and 25.0272 as follows:

Sec. 25.0271. BROWN COUNTY. Provides that Brown County has one statutory county court, the County Court at Law of Brown County.

Sec. 25.0272. BROWN COUNTY COURT AT LAW PROVISIONS. Provides that a county court at law of Brown County has concurrent jurisdiction with the district court in certain cases. Requires the commissioners court by order entered of record to set at least two terms of court each year for each county court at law. Prohibits a judge of a county court at law to engage in the private practice of law. Requires the salary of a judge of a county court at law to be set by the commissioners court in accordance with law and to be paid out of the county treasury on orders from the commissioners court. Authorizes a special judge of a county court at law to be appointed in the manner provided by law for the appointment of a special county judge. Requires a special judge to have the same qualifications and be entitled to the same rate of compensation as the regular judge. Provides that the district clerk serves as the clerk of a county court at law in matters in which the county court at law has concurrent jurisdiction with the district court. Provides that the county clerk serves as the clerk of a county court at law in all other matters.

SECTION 2. Provides that the County Court at Law of Brown County is created January 1, 2001, or on an earlier date determined by the commissioners court by an order entered in its minutes.

SECTION 3. Emergency clause.

Effective date: 90 days after adjournment.