

## **BILL ANALYSIS**

Senate Research Center  
79R2017 MFC-D

S.B. 168  
By: Wentworth  
Jurisprudence  
2/7/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Currently, the commissioners court of a county may assess limited court costs to help fund alternative dispute resolution systems, such as offering mediation of disputes prior to court filing. Alternative dispute resolution systems have helped reduce court backlogs and save money for communities. However, expenses for alternative dispute resolution systems, such as personnel and office space, have increased since the statute was enacted in the 1980s. Only counties with a population of 2.5 million or more may currently establish an alternative dispute resolution system for cases in justice courts. S.B. 168 allows any county commissioners court to establish an alternative dispute resolution system in county, district, and justice courts and authorizes a nominal increase in court costs to fund such a system.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 152.004(a), Civil Practice and Remedies Code, to authorize a commissioners court to set a court cost in an amount not to exceed \$15, rather than \$10, to establish and maintain an alternative dispute resolution center.

SECTION 2. Amends Section 152.005, Civil Practice and Remedies Code, as follows:

Sec. 152.005. New Heading: **ADDITIONAL FEE FOR JUSTICE COURTS.** (a) Authorizes the commissioners court to set a court cost in an amount not to exceed \$5, rather than \$3, for civil cases filed in a justice court. Deletes existing text which limited the application of this section to a commissioners court in a county with a population of 2.5 million or more.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2005