

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 23, 2003

TO: Honorable Bill Ratliff, Chair, Senate Committee on State Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB2261 by West, George "Buddy" (Relating to the Eighth, Ninth, and Eleventh courts of appeals districts.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code, Chapter 22, relating to the composition of the Eighth and the Eleventh courts of appeals districts. The bill would remove Ector, Gaines, Glasscock, Martin, and Midland counties from the Eighth Court of Appeals District and would add those same counties to the Eleventh Court of Appeals District. According to the Eighth Court of Appeals, a significant percentage of the court's cases filed originate in the designated counties. The bill would move any new cases filed to the Eleventh Court of Appeals in a proportionate amount.

Under the bill, the Eighth Court of Appeals may realize savings for fewer cases filed, and the Eleventh Court of Appeals may realize costs for additional cases filed; however, due to the net effect of savings and costs, the fiscal implication to the state is not anticipated to be significant. Additionally, this estimate assumes that the bill would not effect the Supreme Court's program to equalize the dockets of the courts of appeals for the number of new cases filed each year per justice. This estimate assumes under the equalization of the dockets program, the Eighth Court of Appeals would receive more case transfers from other courts, and the Eleventh Court of Appeals would receive fewer case transfers.

The bill would also amend Chapter 22 of the Government Code relating to the number of justices for the eighth and ninth courts of appeals districts. The bill would reduce the number of justices on the Eighth Court of Appeals from three to two. Under the bill, the reduction would take place when a vacancy occurs or the term of a justice expires on December 31, 2004, whichever occurs first. This portion of the bill would take effect September 1, 2003. The bill would also increase the number of justices on the Ninth Court of Appeals from two to three, effective January 1, 2005. To the extent that the Eighth Court of Appeals would realize possible savings in judicial salary, related legal and administrative salary, and other related expenses from the reduction in number of one justice, those savings would be offset by increased costs to the Ninth Court of Appeals for the increase in number of one justice. This estimate assumes the justice at the Eighth Court of Appeals stays in office until December 31, 2004.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 228 Eighth Court of Appeals District, El Paso, 229 Ninth Court of Appeals District, Beaumont, 231 Eleventh Court of Appeals District, Eastland

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