

By: Duncan

S.B. No. 1204

A BILL TO BE ENTITLED

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AN ACT

relating to the reorganization and administration of, and procedures relating to, courts in this state, including procedures for appeals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. APPELLATE COURT PROVISIONS

SECTION 1.01. Subsection (b), Section 22.002, Government Code, is amended to read as follows:

(b) The supreme court or, in vacation, a justice of the supreme court may issue a writ of mandamus to compel a statutory county court judge, a statutory probate court judge, or a district judge to proceed to trial and judgment in a case [~~agreeable to the principles and usages of law, returnable to the supreme court on or before the first day of the term, or during the session of the term, or before any justice of the supreme court as the nature of the case requires~~].

SECTION 1.02. (a) Section 24.007, Property Code, is amended to read as follows:

Sec. 24.007. APPEAL. (a) [~~A final judgment of a county court in an eviction suit may not be appealed on the issue of possession unless the premises in question are being used for residential purposes only.~~] A judgment of a county court in an eviction suit may not under any circumstances be stayed pending appeal unless, within 10 days of the signing of the judgment, the

1 appellant files a supersedeas bond in an amount set by the county
2 court. In setting the supersedeas bond the county court shall
3 provide protection for the appellee to the same extent as in any
4 other appeal, taking into consideration the value of rents likely
5 to accrue during appeal, damages which may occur as a result of the
6 stay during appeal, and other damages or amounts as the court may
7 deem appropriate.

8 (b) Notwithstanding any other law, an appeal may be taken
9 from a final judgment of a county court, statutory county court, or
10 district court in an eviction suit.

11 (b) The change in law made by this section applies to an
12 appeal of a final judgment rendered on or after the effective date
13 of this section. An appeal of a final judgment rendered before the
14 effective date of this section is governed by the law in effect on
15 the date the judgment was rendered, and the former law is continued
16 in effect for that purpose.

17 SECTION 1.03. Section 22.007, Government Code, is repealed.

18 ARTICLE 2. GENERAL PROVISIONS FOR TRIAL COURTS

19 SECTION 2.01. The heading to Subchapter A, Chapter 23,
20 Government Code, is amended to read as follows:

21 SUBCHAPTER A. GENERAL PROVISIONS [~~JURISDICTION~~]

22 SECTION 2.02. Subchapter A, Chapter 23, Government Code, is
23 amended by adding Section 23.002 to read as follows:

24 Sec. 23.002. TRANSFER OF CASES. Notwithstanding Section
25 74.121 or any other law, on the agreement of all parties in a
26 pending case, a district court, statutory county court, county
27 court, or justice court may transfer the case to any other of those

1 courts in the county, regardless of whether the court to which the
2 case will be transferred has jurisdiction of the matter and
3 provided that the court to which the case will be transferred agrees
4 to the transfer.

5 ARTICLE 3. GENERAL PROVISIONS FOR DISTRICT COURTS

6 SECTION 3.01. Section 24.002, Government Code, is amended
7 to read as follows:

8 Sec. 24.002. ASSIGNMENT OF JUDGE OR TRANSFER OF CASE ON
9 RECUSAL [~~SUBSTITUTE JUDGES~~]. (a) If the district judge in a
10 county with only one district court determines on the judge's own
11 motion that the judge should not sit in a case pending in the
12 judge's court because the judge is disqualified or otherwise should
13 recuse himself or herself, the judge shall enter a recusal order,
14 request the presiding judge of that administrative judicial region
15 to assign another judge to sit, and take no further action in the
16 case except for good cause stated in the order in which the action
17 is taken. A change of venue is not necessary because of the
18 disqualification of a district judge in a case or proceeding
19 pending in the judge's court.

20 (b) If a district judge in a county with more than one
21 district court determines on the judge's own motion that the judge
22 should not sit in a case pending in the judge's court because the
23 judge is disqualified or otherwise should recuse himself or
24 herself, the judge shall enter a recusal order, request the local
25 administrative district judge to transfer the case to another
26 court, and take no further action in the case except for good cause
27 stated in the order in which the action is taken. A change of venue

1 is not necessary because of the disqualification of a district
2 judge in a case or proceeding pending in the judge's [his] court[
3 ~~but the judge shall immediately certify his disqualification to the~~
4 ~~governor. The governor shall designate a district judge of another~~
5 ~~district to exchange benches with the disqualified judge to try the~~
6 ~~case. The governor shall notify both judges of his designation, and~~
7 ~~the judges shall exchange benches. If the judges are prevented from~~
8 ~~exchanging benches, the parties or their counsels may agree on an~~
9 ~~attorney of the court for the trial of the case. The district judge~~
10 ~~or special judge shall certify to the governor the fact of a failure~~
11 ~~of the parties or their counsels to agree on an attorney, and the~~
12 ~~governor shall appoint a person legally qualified to act as judge in~~
13 ~~the trial of the case].~~

14 SECTION 3.02. Section 24.003, Government Code, is amended
15 to read as follows:

16 Sec. 24.003. TRANSFER OF CASES; EXCHANGE OF BENCHES
17 [~~SUBSTITUTE JUDGES IN CERTAIN COUNTIES~~]. (a) This section applies
18 only to [~~civil cases in~~] counties with two [~~five~~] or more district
19 courts.

20 (b) A district judge in the county may:

21 (1) transfer any civil or criminal case or proceeding
22 on the court's docket to the docket of another district court in the
23 county;

24 (2) hear and determine any case or proceeding pending
25 in another district court in the county without having the case
26 transferred;

27 (3) sit for another district court in the county and

1 hear and determine any case or proceeding pending in that court;

2 (4) temporarily exchange benches with the judge of
3 another district court in the county;

4 (5) try different cases in the same court at the same
5 time; and

6 (6) occupy the judge's own courtroom or the courtroom
7 of another district court in the county.

8 (c) If a district judge in the county is sick or otherwise
9 absent, another district judge in the county may hold court for the
10 judge.

11 (d) A district judge in the county may hear and determine
12 any part or question of any case or proceeding pending in any of the
13 district courts, and any other district judge may complete the
14 hearing and render judgment in the case or proceeding. A district
15 judge may hear and determine motions, including motions for new
16 trial, petitions for injunction, applications for the appointment
17 of a receiver, interventions, pleas in abatement, dilatory pleas,
18 and all preliminary matters, questions, and proceedings, and may
19 enter judgment or order on them in the court in which the case or
20 proceeding is pending without transferring the case or proceeding.
21 The district judge in whose court the matter is pending may proceed
22 to hear, complete, and determine the matter, or all or any part of
23 another matter, and render a final judgment. A district judge may
24 issue a restraining order or injunction that is returnable to any
25 other district court.

26 (e) A judgment or order shall be entered in the minutes of
27 the court in which the case is pending.

1 (f) This section does not limit the powers of a district
2 judge when acting for another judge by exchange of benches or
3 otherwise [~~If a district judge is disqualified in a case pending in~~
4 ~~his court and his disqualification is certified to the governor,~~
5 ~~the governor may require any other district judge in the county to~~
6 ~~exchange benches with the disqualified judge.~~

7 [~~(c) If a district judge is absent, sick, or disqualified,~~
8 ~~any of the district judges in the county may hold court for him or~~
9 ~~may transfer a pending case to the court of any other district judge~~
10 ~~in the county].~~

11 SECTION 3.03. Subsection (a), Section 24.012, Government
12 Code, is amended to read as follows:

13 (a) Notwithstanding any other law, each [~~Each~~] district and
14 criminal district court holds in each county in the judicial
15 district [~~at least two~~] terms that commence on the first Mondays in
16 January and July of [~~court~~] each year [~~in each county in the~~
17 ~~district~~]. To the extent of a conflict between this subsection and
18 a specific provision relating to a particular judicial district,
19 this section controls.

20 SECTION 3.04. Subchapter A, Chapter 24, Government Code, is
21 amended by adding Sections 24.023 through 24.033 to read as
22 follows:

23 Sec. 24.023. OBLIGATIONS; BONDS. (a) When a case is
24 transferred from one court to another, all processes, writs, bonds,
25 recognizances, and other obligations issued by the transferring
26 court are returnable to the court to which the case is transferred
27 as if originally issued by that court.

1 (b) The obligees in all bonds and recognizances taken in and
2 for a court from which a case is transferred, and all witnesses
3 summoned to appear in a district court from which a case is
4 transferred, are required to appear before the court to which the
5 case is transferred as if the bond, recognizance, or summons was
6 taken in or for that court.

7 Sec. 24.024. FILING AND DOCKETING CASES. In a county with
8 two or more district courts, the district judges may adopt rules
9 governing the filing and numbering of cases, the assignment of
10 cases for trial, and the distribution of the work of the courts as
11 in their discretion they consider necessary or desirable for the
12 orderly dispatch of the business of the courts.

13 Sec. 24.025. SUPPLEMENTAL COMPENSATION. (a) Unless
14 otherwise provided by this subchapter, all district judges in a
15 county are entitled to equal amounts of supplemental compensation
16 from the county.

17 (b) A district judge is entitled to an amount of
18 supplemental compensation for serving on the juvenile board of a
19 county that is equal to the amount other judges serving on the
20 juvenile board receive.

21 Sec. 24.026. ASSIGNING PREFERENCES TO DISTRICT COURTS.
22 (a) In a county with two or more district courts, the local board
23 of district judges may designate a court as giving preference to
24 certain kinds of cases.

25 (b) Courts designated as giving preference to family law
26 matters have primary responsibility for matters arising under
27 Titles 1, 2, 4, and 5, Family Code.

1 (c) The designation of a court as giving preference to
2 certain kinds of cases does not limit the jurisdiction of that court
3 or of any other district court in the county.

4 Sec. 24.027. APPOINTMENT OF INITIAL JUDGE. On the creation
5 of a new judicial district, the initial vacancy in the office of
6 district judge is filled in accordance with Section 28, Article V,
7 Texas Constitution.

8 Sec. 24.028. GRAND AND PETIT JURORS. All grand and petit
9 jurors selected in a county before a new district court is created
10 or the composition of an existing district court is modified by an
11 amendment to this chapter are considered to be selected for the new
12 or modified district court, as applicable.

13 Sec. 24.029. CASES TRANSFERRED. If by an amendment to this
14 chapter a county is removed from the composition of an existing
15 judicial district and added to another existing or new judicial
16 district, all cases and proceedings from that county that are
17 pending in the district court of the judicial district from which
18 the county was removed are transferred to the district court of the
19 judicial district to which the county is added. The judge of each
20 affected district court shall sign the proper orders in connection
21 with the transfer.

22 Sec. 24.030. PROCESSES, WRITS, AND OTHER OBLIGATIONS REMAIN
23 VALID. (a) If by an amendment to this chapter a county is removed
24 from the composition of an existing judicial district and added to
25 another existing or new judicial district, or if an amendment to
26 this chapter changes the time or place at which the terms of court
27 are held, all processes, writs, bonds, recognizances, and other

1 obligations issued from and made returnable to that court before
2 the effective date of the transfer or other change are returnable as
3 provided by this subsection. An obligation issued from the
4 affected court is returnable to another district court in the
5 county on the date that court directs, but may not be made
6 returnable on a date that is earlier than the date on which the
7 obligation was originally returnable. The obligations are legal
8 and valid as if the obligations had been made returnable to the
9 issuing court.

10 (b) The obligees in all appearance bonds and recognizances
11 taken in and for a district court of a county before the effective
12 date of an amendment to this chapter, and all witnesses summoned to
13 appear before that district court under laws existing before the
14 effective date of an amendment to this chapter, are required to
15 appear at another district court in the county on the date that
16 court directs, but may not be required to appear on a date that is
17 earlier than the date on which the obligees or witnesses were
18 originally required to appear.

19 Sec. 24.031. LOCATION OF COURT. (a) A district court
20 shall sit in the county seat for a jury trial in a civil case. The
21 commissioners court of the county may authorize a district court to
22 sit in any municipality within the county to hear and determine
23 nonjury trials in civil cases and to hear and determine motions,
24 arguments, and other matters not heard before a jury in a civil case
25 that is within the court's jurisdiction.

26 (b) The district clerk or the clerk's deputy serves as clerk
27 of the court when a court sits in a municipality other than the

1 municipality that is the county seat and may transfer:

2 (1) all necessary books, minutes, records, and papers
3 to that municipality while the court is in session there; and

4 (2) the books, minutes, records, and papers back to
5 the clerk's office in the county seat at the end of each session.

6 (c) If the commissioners court authorizes a district court
7 to sit in a municipality other than the municipality that is the
8 county seat, the commissioners court shall provide suitable
9 facilities for the court in that municipality.

10 Sec. 24.032. SPECIAL DISTRICT COURTS. Each court listed in
11 Subchapter C that is directed to give preference to specific
12 matters or types of cases shall participate in all matters relating
13 to juries, grand juries, indictments, and docketing of cases in the
14 same manner as the other district courts that are similarly
15 directed within that county.

16 Sec. 24.033. COURT OFFICERS. The prosecuting attorney, the
17 sheriff, the district clerk, the bailiffs, and the other officers
18 serving a district court of the county listed in this chapter other
19 than in Subchapter C shall serve in their respective capacities for
20 the district courts listed in Subchapter C.

21 SECTION 3.05. Subsection (g), Section 25.0362, Government
22 Code, is amended to read as follows:

23 (g) In matters of concurrent jurisdiction, a judge of a
24 county court at law and a judge of a district court in Cass County
25 may transfer cases between the courts in the same manner that judges
26 of district courts may transfer cases under Section 24.003
27 [~~24.303~~].

1 SECTION 3.06. Subsection (w), Section 25.0732, Government
2 Code, is amended to read as follows:

3 (w) In matters of concurrent jurisdiction, a judge of a
4 statutory county court in El Paso County and a judge of a district
5 court or another statutory county court in El Paso County may
6 transfer cases between the courts in the same manner judges of
7 district courts transfer cases under Section 24.003 [~~24.303~~].

8 SECTION 3.07. Subsection (c), Section 25.1672, Government
9 Code, is amended to read as follows:

10 (c) In matters of concurrent jurisdiction, judges of the
11 county courts at law and district courts in the county may exchange
12 benches and courtrooms and may transfer cases between their dockets
13 in the same manner that district court judges exchange benches and
14 transfer cases under Section 24.003 [~~24.303~~].

15 SECTION 3.08. Subsection (v), Section 25.1862, Government
16 Code, is amended to read as follows:

17 (v) In matters of concurrent jurisdiction, a judge of a
18 county court at law and a judge of a district court or another
19 county court at law may transfer cases between the courts in the
20 same manner judges of district courts transfer cases under Section
21 24.003 [~~24.303~~].

22 SECTION 3.09. Subsection (k), Section 25.1932, Government
23 Code, is amended to read as follows:

24 (k) Notwithstanding Section 74.121(b)(1), in matters of
25 concurrent jurisdiction, the judge of a county court at law and the
26 judges of the district courts in the county may exchange benches and
27 courtrooms and may transfer cases between their dockets in the same

1 manner that judges of district courts exchange benches and transfer
2 cases under Section 24.003 [~~24.303~~].

3 SECTION 3.10. Section 62.201, Government Code, is amended
4 to read as follows:

5 Sec. 62.201. NUMBER OF JURORS. The jury in a district court
6 is composed of 12 persons, except that the parties may agree to try
7 a particular case with fewer than 12 jurors unless a jury of six or
8 12 is required by Section 13, Article V, Texas Constitution.

9 SECTION 3.11. Subdivision (2), Subsection (b), Section
10 74.121, Government Code, is amended to read as follows:

11 (2) Notwithstanding Subdivision (1), in matters of
12 concurrent jurisdiction, a judge of a statutory county court in
13 Midland County and a judge of a district court in Midland County may
14 exchange benches and courtrooms with each other and may transfer
15 cases between their dockets in the same manner that judges of
16 district courts exchange benches and transfer cases under Section
17 24.003 [~~24.303~~].

18 SECTION 3.12. Sections 24.013, 24.302, 24.303, 24.304,
19 24.305, 24.307, 24.308, 24.309, 24.310, 24.311, 24.312, 24.313, and
20 24.314, Government Code, are repealed.

21 ARTICLE 4. JURISDICTION OF STATUTORY COUNTY COURTS

22 SECTION 4.01. Section 25.0002, Government Code, is amended
23 to read as follows:

24 Sec. 25.0002. DEFINITIONS [~~DEFINITION~~]. In this chapter:

25 (1) "Criminal law cases and proceedings" includes
26 cases and proceedings for allegations of conduct punishable in part
27 by confinement in the county jail not to exceed one year.

1 (2) "Family[,—"family] law cases and proceedings"
2 includes cases and proceedings under Titles 1, 2, 4, and 5, Family
3 Code [~~involving adoptions, birth records, or removal of disability~~
4 ~~of minority or coverture, change of names of persons, child~~
5 ~~welfare, custody, support and reciprocal support, dependency,~~
6 ~~neglect, or delinquency, paternity, termination of parental~~
7 ~~rights, divorce and marriage annulment, including the adjustment of~~
8 ~~property rights, custody and support of minor children involved~~
9 ~~therein, temporary support pending final hearing, and every other~~
10 ~~matter incident to divorce or annulment proceedings; independent~~
11 ~~actions involving child support, custody of minors, and wife or~~
12 ~~child desertion; and independent actions involving controversies~~
13 ~~between parent and child, between parents, and between spouses]~~.

14 (3) "Juvenile law cases and proceedings" includes all
15 cases and proceedings brought under Title 3, Family Code.

16 (4) "Mental health causes and proceedings" includes
17 all cases and proceedings brought under Subtitle C, Title 7, Health
18 and Safety Code.

19 SECTION 4.02. Subsection (a), Section 25.1033, Government
20 Code, is amended to read as follows:

21 (a) A county criminal court at law in Harris County has the
22 criminal jurisdiction provided by law for county courts; concurrent
23 jurisdiction with county civil courts at law for Harris County to
24 hear appeals of the suspension of driver's licenses and original
25 proceedings regarding occupational driver's licenses; and
26 appellate jurisdiction in appeals of criminal cases from justice
27 courts and municipal courts in the county.

1 SECTION 4.03. This article takes effect September 1, 2007.

2 ARTICLE 5. ABOLITION OF CERTAIN STATUTORY COUNTY COURTS AND
3 CREATION OF ADDITIONAL JUDICIAL DISTRICTS

4 SECTION 5.01. (a) Subchapter C, Chapter 24, Government
5 Code, is amended by adding Section 24.594 to read as follows:

6 Sec. 24.594. 450TH JUDICIAL DISTRICT (CALHOUN COUNTY). The
7 450th Judicial District is composed of Calhoun County.

8 (b) Sections 25.0311 and 25.0312, Government Code, are
9 repealed.

10 (c) On January 1, 2011:

11 (1) the County Court at Law No. 1 of Calhoun County is
12 abolished; and

13 (2) the 450th Judicial District is created.

14 (d) This section takes effect January 1, 2011.

15 SECTION 5.02. (a) Subchapter C, Chapter 24, Government
16 Code, is amended by adding Section 24.595 to read as follows:

17 Sec. 24.595. 451ST JUDICIAL DISTRICT (CAMERON COUNTY). The
18 451st Judicial District is composed of Cameron County.

19 (b) Subchapter C, Chapter 24, Government Code, is amended by
20 adding Section 24.596 to read as follows:

21 Sec. 24.596. 452ND JUDICIAL DISTRICT (CAMERON COUNTY). The
22 452nd Judicial District is composed of Cameron County.

23 (c) Subchapter C, Chapter 24, Government Code, is amended by
24 adding Section 24.597 to read as follows:

25 Sec. 24.597. 453RD JUDICIAL DISTRICT (CAMERON COUNTY). The
26 453rd Judicial District is composed of Cameron County.

27 (d) Sections 25.0331 and 25.0332, Government Code, are

1 repealed.

2 (e) On January 1, 2011:

3 (1) the County Court at Law No. 1 of Cameron County is
4 abolished; and

5 (2) the 451st Judicial District is created.

6 (f) On January 1, 2011:

7 (1) the County Court at Law No. 2 of Cameron County is
8 abolished; and

9 (2) the 452nd Judicial District is created.

10 (g) On January 1, 2011:

11 (1) the County Court at Law No. 3 of Cameron County is
12 abolished; and

13 (2) the 453rd Judicial District is created.

14 (h) This section takes effect January 1, 2011.

15 SECTION 5.03. (a) Subchapter C, Chapter 24, Government
16 Code, is amended by adding Section 24.598 to read as follows:

17 Sec. 24.598. 454TH JUDICIAL DISTRICT (CASS COUNTY). The
18 454th Judicial District is composed of Cass County.

19 (b) Sections 25.0361 and 25.0362, Government Code, are
20 repealed.

21 (c) On January 1, 2011:

22 (1) the County Court at Law of Cass County is
23 abolished; and

24 (2) the 454th Judicial District is created.

25 (d) This section takes effect January 1, 2011.

26 SECTION 5.04. (a) Subchapter C, Chapter 24, Government
27 Code, is amended by adding Section 24.599 to read as follows:

1 Sec. 24.599. 455TH JUDICIAL DISTRICT (DALLAS COUNTY). The
2 455th Judicial District is composed of Dallas County.

3 (b) Subchapter C, Chapter 24, Government Code, is amended by
4 adding Section 24.600 to read as follows:

5 Sec. 24.600. 456TH JUDICIAL DISTRICT (DALLAS COUNTY). The
6 456th Judicial District is composed of Dallas County.

7 (c) Subchapter C, Chapter 24, Government Code, is amended by
8 adding Section 24.6001 to read as follows:

9 Sec. 24.6001. 457TH JUDICIAL DISTRICT (DALLAS COUNTY). The
10 457th Judicial District is composed of Dallas County.

11 (d) Subchapter C, Chapter 24, Government Code, is amended by
12 adding Section 24.6002 to read as follows:

13 Sec. 24.6002. 458TH JUDICIAL DISTRICT (DALLAS COUNTY). The
14 458th Judicial District is composed of Dallas County.

15 (e) Subchapter C, Chapter 24, Government Code, is amended by
16 adding Section 24.6003 to read as follows:

17 Sec. 24.6003. 459TH JUDICIAL DISTRICT (DALLAS COUNTY). The
18 459th Judicial District is composed of Dallas County.

19 (f) Subsection (a), Section 25.0591, and Section 25.0592,
20 Government Code, are repealed.

21 (g) Subsection (a), Section 25.0593, Government Code, is
22 amended to read as follows:

23 (a) A county criminal court in Dallas County has the
24 criminal jurisdiction, original and appellate, provided by the
25 constitution and law for county courts and ~~[concurrent]~~
26 jurisdiction ~~[with county courts at law for Dallas County]~~ to hear
27 appeals of the suspension of driver's licenses and original

1 proceedings regarding occupational driver's licenses.

2 (h) On January 1, 2011:

3 (1) the County Court of Dallas County at Law No. 1 is
4 abolished; and

5 (2) the 455th Judicial District is created.

6 (i) On January 1, 2011:

7 (1) the County Court of Dallas County at Law No. 2 is
8 abolished; and

9 (2) the 456th Judicial District is created.

10 (j) On January 1, 2011:

11 (1) the County Court of Dallas County at Law Number 3
12 is abolished; and

13 (2) the 457th Judicial District is created.

14 (k) On January 1, 2011:

15 (1) the County Court of Dallas County at Law Number 4
16 is abolished; and

17 (2) the 458th Judicial District is created.

18 (l) On January 1, 2011:

19 (1) the County Court of Dallas County at Law No. 5 is
20 abolished; and

21 (2) the 459th Judicial District is created.

22 (m) This section takes effect January 1, 2011.

23 SECTION 5.05. (a) Subchapter C, Chapter 24, Government
24 Code, is amended by adding Section 24.6004 to read as follows:

25 Sec. 24.6004. 460TH JUDICIAL DISTRICT (ELLIS COUNTY). The
26 460th Judicial District is composed of Ellis County.

27 (b) Subchapter C, Chapter 24, Government Code, is amended by

1 adding Section 24.6005 to read as follows:

2 Sec. 24.6005. 461ST JUDICIAL DISTRICT (ELLIS COUNTY). The
3 461st Judicial District is composed of Ellis County.

4 (c) Sections 25.0721 and 25.0722, Government Code, are
5 repealed.

6 (d) On January 1, 2011:

7 (1) the County Court at Law of Ellis County is
8 abolished; and

9 (2) the 460th Judicial District is created.

10 (e) On January 1, 2011:

11 (1) the County Court at Law No. 2 of Ellis County is
12 abolished; and

13 (2) the 461st Judicial District is created.

14 (f) This section takes effect January 1, 2011.

15 SECTION 5.06. (a) Subchapter C, Chapter 24, Government
16 Code, is amended by adding Section 24.6006 to read as follows:

17 Sec. 24.6006. 462ND JUDICIAL DISTRICT (EL PASO COUNTY).
18 The 462nd Judicial District is composed of El Paso County.

19 (b) Subchapter C, Chapter 24, Government Code, is amended by
20 adding Section 24.6008 to read as follows:

21 Sec. 24.6008. 464TH JUDICIAL DISTRICT (EL PASO COUNTY).
22 The 464th Judicial District is composed of El Paso County.

23 (c) Subchapter C, Chapter 24, Government Code, is amended by
24 adding Section 24.60010 to read as follows:

25 Sec. 24.60010. 466TH JUDICIAL DISTRICT (EL PASO COUNTY).
26 The 466th Judicial District is composed of El Paso County.

27 (d) Subchapter C, Chapter 24, Government Code, is amended by

1 adding Section 24.60011 to read as follows:

2 Sec. 24.60011. 467TH JUDICIAL DISTRICT (EL PASO COUNTY).

3 The 467th Judicial District is composed of El Paso County.

4 (e) Subchapter C, Chapter 24, Government Code, is amended by
5 adding Section 24.60012 to read as follows:

6 Sec. 24.60012. 468TH JUDICIAL DISTRICT (EL PASO COUNTY).

7 The 468th Judicial District is composed of El Paso County.

8 (f) Subsection (a), Section 25.0731, Government Code, is
9 amended to read as follows:

10 (a) El Paso County has the following statutory county
11 courts:

12 (1) [~~County Court at Law No. 1 of El Paso County,~~
13 ~~Texas,~~

14 [~~2~~] County Court at Law No. 2 of El Paso County,
15 Texas;

16 (2) [~~3~~] County Court at Law No. 3 of El Paso County,
17 ~~Texas,~~

18 [~~4~~] County Court at Law No. 4 of El Paso County,
19 Texas;

20 (3) [~~5~~] County Court at Law No. 5 of El Paso County,
21 ~~Texas,~~

22 [~~6~~] County Court at Law No. 6 of El Paso County,
23 ~~Texas,~~

24 [~~7~~] County Court at Law No. 7 of El Paso County,
25 ~~Texas,~~

26 [~~8~~] County Criminal Court at Law No. 1 of El Paso
27 County, Texas; and

1 (4) [~~(9)~~] County Criminal Court at Law No. 2 of El Paso
2 County, Texas.

3 (g) Subsection (r), Section 25.0732, Government Code, is
4 amended to read as follows:

5 (r) Sections 25.0006(b) and 25.0007 do not apply to County
6 Court at Law No. 2 or [~~3~~] 4 [~~5, 6, or 7~~] of El Paso County, Texas.

7 (h) Section 25.0733, Government Code, is amended by
8 amending Subsection (a) and adding Subsection (a-1) to read as
9 follows:

10 (a) Sections 25.0732(d), (h), [~~(i)~~] (j), (m), (n), (o),
11 (p), (q), (r), and (v), relating to county courts at law in El Paso
12 County, apply to a statutory probate court in El Paso County.

13 (a-1) Practice in a statutory probate court in El Paso
14 County must conform to that prescribed by law for county courts.

15 (i) Subsections (a), (b), and (i), Section 25.0732,
16 Government Code, are repealed.

17 (j) On January 1, 2011:

18 (1) the County Court at Law No. 1 of El Paso County,
19 Texas, is abolished; and

20 (2) the 462nd Judicial District is created.

21 (k) On January 1, 2011:

22 (1) the County Court at Law No. 3 of El Paso County,
23 Texas, is abolished; and

24 (2) the 464th Judicial District is created.

25 (l) On January 1, 2011:

26 (1) the County Court at Law No. 5 of El Paso County,
27 Texas, is abolished; and

1 (2) the 466th Judicial District is created.

2 (m) On January 1, 2011:

3 (1) the County Court at Law No. 6 of El Paso County,
4 Texas, is abolished; and

5 (2) the 467th Judicial District is created.

6 (n) On January 1, 2011:

7 (1) the County Court at Law No. 7 of El Paso County,
8 Texas, is abolished; and

9 (2) the 468th Judicial District is created.

10 (o) This section takes effect January 1, 2011.

11 SECTION 5.07. (a) Subchapter C, Chapter 24, Government
12 Code, is amended by adding Section 24.60013 to read as follows:

13 Sec. 24.60013. 469TH JUDICIAL DISTRICT (GALVESTON COUNTY).
14 The 469th Judicial District is composed of Galveston County.

15 (b) Subchapter C, Chapter 24, Government Code, is amended by
16 adding Section 24.60014 to read as follows:

17 Sec. 24.60014. 470th JUDICIAL DISTRICT (GALVESTON COUNTY).
18 The 470th Judicial District is composed of Galveston County.

19 (c) Subchapter C, Chapter 24, Government Code, is amended by
20 adding Section 24.60015 to read as follows:

21 Sec. 24.60015. 471ST JUDICIAL DISTRICT (GALVESTON COUNTY).
22 The 471st Judicial District is composed of Galveston County.

23 (d) Subsections (i) through (l), Section 25.0862,
24 Government Code, are amended to read as follows:

25 (i) The clerk of the [~~statutory county courts and~~] statutory
26 probate court shall [~~keep a separate docket for each court. The~~
27 ~~clerk shall~~] tax the official court reporter's fees as costs in

1 civil actions in the same manner as the fee is taxed in civil cases
2 in the district courts. The [~~district clerk serves as clerk of the~~
3 ~~county courts in a cause of action arising under the Family Code and~~
4 ~~an appeal of a final ruling or decision of the division of workers'~~
5 ~~compensation of the Texas Department of Insurance regarding~~
6 ~~workers' compensation claims, and the]~~ county clerk serves as clerk
7 of the court in all [~~other~~] cases.

8 (j) The sheriff shall appoint a deputy to attend [~~County~~
9 ~~Court No. 1, 2, or 3 of Galveston County or]~~ the Probate Court of
10 Galveston County when required by the judge.

11 (k) The official court reporter of the [~~each statutory~~
12 ~~county court and each]~~ statutory probate court is entitled to the
13 same compensation, paid in the same manner, as the official court
14 reporters of the district courts in Galveston County. The [~~Each~~]
15 reporter is primarily responsible for cases in the reporter's
16 court.

17 (l) The official court [~~Each~~] reporter may be made available
18 when not engaged in proceedings in the reporter's [~~their~~] court to
19 report proceedings in all other courts. [~~Practice, appeals, and~~
20 ~~writs of error in a statutory county court are as prescribed by law~~
21 ~~for county courts and county courts at law. Appeals and writs of~~
22 ~~error may be taken from judgments and orders of the County Courts~~
23 ~~Nos. 1, 2, and 3 of Galveston County and the judges, in civil and~~
24 ~~criminal cases, in the manner prescribed by law for appeals and~~
25 ~~writs of error. Appeals from interlocutory orders of the County~~
26 ~~Courts Nos. 1, 2, and 3 appointing a receiver or overruling a motion~~
27 ~~to vacate or appoint a receiver may be taken and are governed by the~~

1 ~~laws relating to appeals from similar orders of district courts.]~~

2 (e) Subsection (a), Section 25.0861 and Subsections (a),
3 (b), (g), (h), (m), and (n), Section 25.0862, Government Code, are
4 repealed.

5 (f) On January 1, 2011:

6 (1) the County Court No. 1 of Galveston County is
7 abolished; and

8 (2) the 469th Judicial District is created.

9 (g) On January 1, 2011:

10 (1) the County Court No. 2 of Galveston County is
11 abolished; and

12 (2) the 470th Judicial District is created.

13 (h) On January 1, 2011:

14 (1) the County Court No. 3 of Galveston County is
15 abolished; and

16 (2) the 471st Judicial District is created.

17 (i) This section takes effect January 1, 2011.

18 SECTION 5.08. (a) Subchapter C, Chapter 24, Government
19 Code, is amended by adding Section 24.60016 to read as follows:

20 Sec. 24.60016. 472ND JUDICIAL DISTRICT (GREGG COUNTY). The
21 472nd Judicial District is composed of Gregg County.

22 (b) Subchapter C, Chapter 24, Government Code, is amended by
23 adding Section 24.60017 to read as follows:

24 Sec. 24.60017. 473RD JUDICIAL DISTRICT (GREGG COUNTY). The
25 473rd Judicial District is composed of Gregg County.

26 (c) Sections 25.0941 and 25.0942, Government Code, are
27 repealed.

1 (d) On January 1, 2011:

2 (1) the County Court at Law No. 1 of Gregg County is
3 abolished; and

4 (2) the 472nd Judicial District is created.

5 (e) On January 1, 2011:

6 (1) the County Court at Law No. 2 of Gregg County is
7 abolished; and

8 (2) the 473rd Judicial District is created.

9 (f) This section takes effect January 1, 2011.

10 SECTION 5.09. (a) Subchapter C, Chapter 24, Government
11 Code, is amended by adding Section 24.60018 to read as follows:

12 Sec. 24.60018. 474TH JUDICIAL DISTRICT (HIDALGO COUNTY).

13 The 474th Judicial District is composed of Hidalgo County.

14 (b) Subchapter C, Chapter 24, Government Code, is amended by
15 adding Section 24.60019 to read as follows:

16 Sec. 24.60019. 475TH JUDICIAL DISTRICT (HIDALGO COUNTY).

17 The 475th Judicial District is composed of Hidalgo County.

18 (c) Subchapter C, Chapter 24, Government Code, is amended by
19 adding Section 24.60020 to read as follows:

20 Sec. 24.60020. 476TH JUDICIAL DISTRICT (HIDALGO COUNTY).

21 The 476th Judicial District is composed of Hidalgo County.

22 (d) Subchapter C, Chapter 24, Government Code, is amended by
23 adding Section 24.60021 to read as follows:

24 Sec. 24.60021. 477TH JUDICIAL DISTRICT (HIDALGO COUNTY).

25 The 477th Judicial District is composed of Hidalgo County.

26 (e) Subchapter C, Chapter 24, Government Code, is amended by
27 adding Section 24.60022 to read as follows:

1 Sec. 24.60022. 478TH JUDICIAL DISTRICT (HIDALGO COUNTY).

2 The 478th Judicial District is composed of Hidalgo County.

3 (f) Subsections (a) and (c), Section 25.1101, and Section
4 25.1102, Government Code, are repealed.

5 (g) On January 1, 2011:

6 (1) the County Court at Law No. 1 of Hidalgo County is
7 abolished; and

8 (2) the 474th Judicial District is created.

9 (h) On January 1, 2011:

10 (1) the County Court at Law No. 2 of Hidalgo County is
11 abolished; and

12 (2) the 475th Judicial District is created.

13 (i) On January 1, 2011:

14 (1) the County Court at Law No. 4 of Hidalgo County is
15 abolished; and

16 (2) the 476th Judicial District is created.

17 (j) On January 1, 2011:

18 (1) the County Court at Law No. 5 of Hidalgo County is
19 abolished; and

20 (2) the 477th Judicial District is created.

21 (k) On January 1, 2011:

22 (1) the County Court at Law No. 6 of Hidalgo County is
23 abolished; and

24 (2) the 478th Judicial District is created.

25 (l) This section takes effect January 1, 2011.

26 SECTION 5.10. (a) Subchapter C, Chapter 24, Government
27 Code, is amended by adding Section 24.60023 to read as follows:

1 Sec. 24.60023. 479TH JUDICIAL DISTRICT (HOOD COUNTY). The
2 479th Judicial District is composed of Hood County.

3 (b) Section 43.179, Government Code, is amended to read as
4 follows:

5 Sec. 43.179. 355TH JUDICIAL DISTRICT. The voters of the
6 355th Judicial District elect a district attorney who represents
7 the state in all cases before the 355th and 479th District Courts,
8 except as provided by Section 45.211 [that district court].

9 (c) Subchapter B, Chapter 45, Government Code, is amended by
10 adding Section 45.211 to read as follows:

11 Sec. 45.211. HOOD COUNTY. The county attorney shall
12 represent the state in all misdemeanor cases before the 479th
13 District Court.

14 (d) Sections 25.1131 and 25.1132, Government Code, are
15 repealed.

16 (e) On January 1, 2011:

17 (1) the County Court at Law No. 1 of Hood County is
18 abolished; and

19 (2) the 479th Judicial District is created.

20 (f) This section takes effect January 1, 2011.

21 SECTION 5.11. (a) Subchapter C, Chapter 24, Government
22 Code, is amended by adding Section 24.60024 to read as follows:

23 Sec. 24.60024. 480TH JUDICIAL DISTRICT (KAUFMAN COUNTY).
24 The 480th Judicial District is composed of Kaufman County.

25 (b) Section 25.1311, Government Code, is amended to read as
26 follows:

27 Sec. 25.1311. KAUFMAN COUNTY. Kaufman County has one [~~the~~

1 ~~following]~~ statutory county court, [~~courts:~~

2 [~~(1) the County Court at Law of Kaufman County, and~~

3 [~~(2)] the County Court at Law No. 2 of Kaufman County.~~

4 (c) Subsection (b-1), Section 25.1312, Government Code, is
5 amended to read as follows:

6 (b-1) A statutory county court in [~~The County Court at Law~~
7 ~~No. 2 of]~~ Kaufman County does not have jurisdiction of civil cases
8 in which the amount in controversy exceeds the limit prescribed by
9 Section 25.0003(c)(1).

10 (d) On January 1, 2011:

11 (1) the County Court at Law of Kaufman County is
12 abolished; and

13 (2) the 480th Judicial District is created.

14 (e) This section takes effect January 1, 2011.

15 SECTION 5.12. (a) Subchapter C, Chapter 24, Government
16 Code, is amended by adding Section 24.60025 to read as follows:

17 Sec. 24.60025. 481ST JUDICIAL DISTRICT (KENDALL COUNTY).

18 The 481st Judicial District is composed of Kendall County.

19 (b) Section 43.166, Government Code, is amended to read as
20 follows:

21 Sec. 43.166. 216TH JUDICIAL DISTRICT. (a) The voters of
22 the 216th Judicial District elect a district attorney.

23 (b) The district attorney for the 216th Judicial District
24 also represents the state in all cases before the 481st District
25 Court, except as provided by Section 45.230.

26 (c) Subchapter B, Chapter 45, Government Code, is amended by
27 adding Section 45.230 to read as follows:

1 Sec. 45.230. KENDALL COUNTY. The county attorney shall
2 represent the state in all misdemeanor cases before the 481st
3 District Court.

4 (d) Sections 25.1321 and 25.1322, Government Code, are
5 repealed.

6 (e) On January 1, 2011:

7 (1) the County Court at Law of Kendall County is
8 abolished; and

9 (2) the 481st Judicial District is created.

10 (f) This section takes effect January 1, 2011.

11 SECTION 5.13. (a) Subchapter C, Chapter 24, Government
12 Code, is amended by adding Section 24.60026 to read as follows:

13 Sec. 24.60026. 482ND JUDICIAL DISTRICT (MIDLAND COUNTY).
14 The 482nd Judicial District is composed of Midland County.

15 (b) Subchapter C, Chapter 24, Government Code, is amended by
16 adding Section 24.60027 to read as follows:

17 Sec. 24.60027. 483RD JUDICIAL DISTRICT (MIDLAND COUNTY).
18 The 483rd Judicial District is composed of Midland County.

19 (c) Sections 25.1671 and 25.1672, Government Code, are
20 repealed.

21 (d) On January 1, 2011:

22 (1) the County Court at Law of Midland County is
23 abolished; and

24 (2) the 482nd Judicial District is created.

25 (e) On January 1, 2011:

26 (1) the County Court at Law No. 2 of Midland County is
27 abolished; and

1 (2) the 483rd Judicial District is created.

2 (f) This section takes effect January 1, 2011.

3 SECTION 5.14. (a) Subchapter C, Chapter 24, Government
4 Code, is amended by adding Section 24.60028 to read as follows:

5 Sec. 24.60028. 484TH JUDICIAL DISTRICT (NUECES COUNTY).

6 The 484th Judicial District is composed of Nueces County.

7 (b) Subchapter C, Chapter 24, Government Code, is amended by
8 adding Section 24.60029 to read as follows:

9 Sec. 24.60029. 485TH JUDICIAL DISTRICT (NUECES COUNTY).

10 The 485th Judicial District is composed of Nueces County.

11 (c) Subchapter C, Chapter 24, Government Code, is amended by
12 adding Section 24.60030 to read as follows:

13 Sec. 24.60030. 486TH JUDICIAL DISTRICT (NUECES COUNTY).

14 The 486th Judicial District is composed of Nueces County.

15 (d) Subchapter C, Chapter 24, Government Code, is amended by
16 adding Section 24.60031 to read as follows:

17 Sec. 24.60031. 487TH JUDICIAL DISTRICT (NUECES COUNTY).

18 The 487th Judicial District is composed of Nueces County.

19 (e) Subchapter C, Chapter 24, Government Code, is amended by
20 adding Section 24.60032 to read as follows:

21 Sec. 24.60032. 488TH JUDICIAL DISTRICT (NUECES COUNTY).

22 The 488th Judicial District is composed of Nueces County.

23 (f) The following provisions of the Government Code are
24 repealed:

25 (1) Subsection (d), Section 24.130;

26 (2) Subsection (d), Section 24.196;

27 (3) Subsection (d), Section 24.207;

- 1 (4) Subsection (d), Section 24.219;
- 2 (5) Subsection (c), Section 24.353;
- 3 (6) Subsection (c), Section 24.393;
- 4 (7) Subsection (b), Section 24.493;
- 5 (8) Subsection (c), Section 24.627; and
- 6 (9) Sections 25.1801 and 25.1802.

7 (g) On January 1, 2011:

8 (1) the County Court at Law No. 1 of Nueces County is
9 abolished; and

10 (2) the 484th Judicial District is created.

11 (h) On January 1, 2011:

12 (1) the County Court at Law No. 2 of Nueces County is
13 abolished; and

14 (2) the 485th Judicial District is created.

15 (i) On January 1, 2011:

16 (1) the County Court at Law No. 3 of Nueces County is
17 abolished; and

18 (2) the 486th Judicial District is created.

19 (j) On January 1, 2011:

20 (1) the County Court at Law No. 4 of Nueces County is
21 abolished; and

22 (2) the 487th Judicial District is created.

23 (k) On January 1, 2011:

24 (1) the County Court at Law No. 5 of Nueces County is
25 abolished; and

26 (2) the 488th Judicial District is created.

27 (1) This section takes effect January 1, 2011.

1 SECTION 5.15. (a) Subchapter C, Chapter 24, Government
2 Code, is amended by adding Section 24.60033 to read as follows:

3 Sec. 24.60033. 489TH JUDICIAL DISTRICT (PANOLA COUNTY).
4 The 489th Judicial District is composed of Panola County.

5 (b) Sections 25.1851 and 25.1852, Government Code, are
6 repealed.

7 (c) On January 1, 2011:

8 (1) the County Court at Law of Panola County is
9 abolished; and

10 (2) the 489th Judicial District is created.

11 (d) This section takes effect January 1, 2011.

12 SECTION 5.16. (a) Subchapter C, Chapter 24, Government
13 Code, is amended by adding Section 24.60034 to read as follows:

14 Sec. 24.60034. 490TH JUDICIAL DISTRICT (PARKER COUNTY).
15 The 490th Judicial District is composed of Parker County.

16 (b) Effective January 1, 2011, Subchapter C, Chapter 24,
17 Government Code, is amended by adding Section 24.60035 to read as
18 follows:

19 Sec. 24.60035. 491ST JUDICIAL DISTRICT (PARKER COUNTY).
20 The 491st Judicial District is composed of Parker County.

21 (c) Subsection (a), Section 25.1861, Government Code, is
22 amended to read as follows:

23 (a) Parker County has one [~~the following~~] statutory county
24 court, [~~courts:~~

25 [~~(1)~~] the County Court at Law of Parker County [~~, and~~

26 [~~(2) the County Court at Law No. 2 of Parker County~~].

27 (d) Section 43.125, Government Code, is amended to read as

1 follows:

2 Sec. 43.125. 43RD JUDICIAL DISTRICT. The voters of the 43rd
3 Judicial District elect a district attorney who represents the
4 state in all cases before the 43rd, ~~and~~ 415th, 490th, and 491st
5 district courts, except as provided by Section 45.284.

6 (e) Subchapter B, Chapter 45, Government Code, is amended by
7 adding Section 45.284 to read as follows:

8 Sec. 45.284. PARKER COUNTY. The county attorney shall
9 represent the state in all misdemeanor cases before the 490th and
10 491st District Courts.

11 (f) Effective January 1, 2011, Sections 25.1861, 25.1862,
12 and 25.1863, Government Code, are repealed.

13 (g) On January 1, 2009:

14 (1) the County Court at Law No. 2 of Parker County is
15 abolished; and

16 (2) the 490th Judicial District is created.

17 (h) On January 1, 2011:

18 (1) the County Court at Law of Parker County is
19 abolished; and

20 (2) the 491st Judicial District is created.

21 (i) Notwithstanding Subsection (j) of this section, for
22 purposes of Section 201.027, Election Code, the effective date of
23 Subsection (b) of this section is January 1, 2011.

24 (j) This section takes effect January 1, 2009.

25 SECTION 5.17. (a) Subchapter C, Chapter 24, Government
26 Code, is amended by adding Section 24.60038 to read as follows:

27 Sec. 24.60038. 494TH JUDICIAL DISTRICT (ROCKWALL COUNTY).

1 The 494th Judicial District is composed of Rockwall County.

2 (b) Sections 25.2011 and 25.2012, Government Code, are
3 repealed.

4 (c) On January 1, 2009:

5 (1) the County Court at Law of Rockwall County is
6 abolished; and

7 (2) the 494th Judicial District is created.

8 (d) This section takes effect January 1, 2009.

9 SECTION 5.18. (a) Subchapter C, Chapter 24, Government
10 Code, is amended by adding Section 24.60039 to read as follows:

11 Sec. 24.60039. 495TH JUDICIAL DISTRICT (RUSK COUNTY). The
12 495th Judicial District is composed of Rusk County.

13 (b) Sections 25.2031 and 25.2032, Government Code, are
14 repealed.

15 (c) On January 1, 2011:

16 (1) the County Court at Law of Rusk County is
17 abolished; and

18 (2) the 495th Judicial District is created.

19 (d) This section takes effect January 1, 2011.

20 SECTION 5.19. (a) Subchapter C, Chapter 24, Government
21 Code, is amended by adding Section 24.60040 to read as follows:

22 Sec. 24.60040. 496TH JUDICIAL DISTRICT (SMITH COUNTY). The
23 496th Judicial District is composed of Smith County.

24 (b) Subchapter C, Chapter 24, Government Code, is amended by
25 adding Section 24.60041 to read as follows:

26 Sec. 24.60041. 497TH JUDICIAL DISTRICT (SMITH COUNTY). The
27 497th Judicial District is composed of Smith County.

1 (c) Subchapter C, Chapter 24, Government Code, is amended by
2 adding Section 24.60042 to read as follows:

3 Sec. 24.60042. 498TH JUDICIAL DISTRICT (SMITH COUNTY). The
4 498th Judicial District is composed of Smith County.

5 (d) Sections 25.2141 and 25.2142, Government Code, are
6 repealed.

7 (e) On January 1, 2011:

8 (1) the County Court at Law of Smith County is
9 abolished; and

10 (2) the 496th Judicial District is created.

11 (f) On January 1, 2011:

12 (1) the County Court at Law No. 2 of Smith County is
13 abolished; and

14 (2) the 497th Judicial District is created.

15 (g) On January 1, 2011:

16 (1) the County Court at Law No. 3 of Smith County is
17 abolished; and

18 (2) the 498th Judicial District is created.

19 (h) This section takes effect January 1, 2011.

20 SECTION 5.20. Subchapter A, Chapter 24, Government Code, is
21 amended by adding Section 24.0081 to read as follows:

22 Sec. 24.0081. OTHER JURISDICTION OF CERTAIN COURTS; DUTIES
23 OF COUNTY CLERK. (a) In addition to other jurisdiction provided
24 by law, the 450th, 451st, 452nd, 453rd, 454th, 460th, 461st, 462nd,
25 464th, 466th, 467th, 468th, 469th, 470th, 471st, 472nd, 473rd,
26 474th, 475th, 476th, 477th, 478th, 479th, 480th, 481st, 482nd,
27 483rd, 484th, 485th, 486th, 487th, 488th, 489th, 490th, 491st,

1 494th, 495th, 496th, 497th, and 498th District Courts have:

2 (1) the criminal jurisdiction of a county court; and

3 (2) the appellate jurisdiction of a county court.

4 (b) In addition to other jurisdiction provided by law, the
5 450th, 451st, 452nd, 453rd, 454th, 460th, 461st, 469th, 470th,
6 471st, 472nd, 473rd, 474th, 475th, 476th, 477th, 478th, 479th,
7 480th, 481st, 482nd, 483rd, 484th, 485th, 486th, 487th, 488th,
8 489th, 490th, 491st, 494th, 495th, 496th, 497th, and 498th District
9 Courts have the jurisdiction of a county court in probate matters
10 and proceedings under Subtitle C, Title 7, Health and Safety Code.

11 (c) Notwithstanding Section 26.045(a), the jurisdiction of
12 a county court described by that section is concurrent with the
13 jurisdiction of the district court provided by Subsection (a)(1).

14 (d) The jurisdiction of a county court described by Section
15 26.046 is concurrent with the jurisdiction of the district court
16 provided by Subsection (a)(2).

17 (e) The jurisdiction of a county court described by Section
18 26.052 is concurrent with the jurisdiction of the district court
19 provided by Subsection (b).

20 (f) Notwithstanding any other law, all matters within the
21 jurisdiction described by Subsection (a)(1) or (2) or (b) of a
22 district court listed in Subsection (a) or (b), as applicable, must
23 be filed with the county clerk of the county served by the court.
24 The county clerk serves as clerk of the district court with respect
25 to those matters.

26 SECTION 5.21. Notwithstanding Section 24.027, Government
27 Code, as added by this Act and except as provided by Section 5.22 of

1 this article, the initial vacancy in the office of judge of a
2 judicial district created by this article shall be filled by
3 election. Except as provided by Section 5.22 of this article, the
4 office of judge of a judicial district created by this article
5 exists for purposes of the primary and general elections in 2010. A
6 vacancy after the initial vacancy is filled as provided by Section
7 28, Article V, Texas Constitution.

8 SECTION 5.22. Notwithstanding Section 24.027, Government
9 Code, as added by this Act, the initial vacancy in the offices of
10 judge of the 490th and 494th judicial districts shall be filled by
11 election. The offices of judge of those judicial districts exist
12 for purposes of the primary and general elections in 2008. A
13 vacancy after the initial vacancy is filled as provided by Section
14 28, Article V, Texas Constitution.

15 SECTION 5.23. On and after the date on which a statutory
16 county court is abolished in accordance with this article:

17 (1) a reference in law to that court with respect to a
18 case or proceeding means another court in the same county with
19 jurisdiction over the case or proceeding; and

20 (2) a reference in law to the judge of that court,
21 including a reference in Chapter 152, Human Resources Code, means
22 the judge of the district court created by the same subsection of
23 the section of this article that provides for the date of abolition
24 of the statutory county court.

25 SECTION 5.24. (a) The local administrative statutory
26 county court judge shall, on the date a statutory county court in
27 the county the local administrative judge serves is abolished in

1 accordance with this article, transfer all cases pending in that
2 court immediately before the abolition to the district court
3 created by the same subsection of the section of this article that
4 provides for the date of abolition of the statutory county court.

5 (b) When a case is transferred as provided by Subsection (a)
6 of this section, all processes, writs, bonds, recognizances, or
7 other obligations issued from the transferring court are returnable
8 to the court to which the case is transferred as if originally
9 issued by that court. The obligees on all bonds and recognizances
10 taken in and for the transferring court and all witnesses summoned
11 to appear in the transferring court are required to appear before
12 the court to which the case is transferred as if taken in or for or
13 required to appear before that court.

14 SECTION 5.25. It is an exception to the application of
15 Section 255.006, Election Code, that a person making a
16 representation described by that section represents that a judge
17 who, immediately before the date a statutory county court was
18 abolished in accordance with this article, was serving as the judge
19 of that court and who is a candidate to fill the initial vacancy in
20 the office of judge of the district court created by the same
21 subsection of the section of this article that provides for the date
22 of abolition of the statutory county court for which the person
23 formerly served as judge, holds the office of judge of that district
24 court.

25 SECTION 5.26. (a) This section applies only to a person
26 who:

27 (1) immediately before the date a statutory county

1 court was abolished in accordance with this article, was serving as
2 the judge of that court; and

3 (2) is elected to serve and takes office as the initial
4 judge of the district court created by the same subsection of the
5 section of this article that provides for the date of abolition of
6 the statutory county court for which the person formerly served as
7 judge.

8 (b) Not later than the 30th day after the date a person to
9 whom this section applies takes office as the initial judge of a
10 district court described by Subdivision (2), Subsection (a) of this
11 section, the person may make an irrevocable election to remain a
12 member of the retirement system provided by the county formerly
13 served by the statutory county court described by Subdivision (1),
14 Subsection (a) of this section. A person who elects to remain a
15 member of the retirement system provided by that county is not
16 eligible for membership in the Judicial Retirement System of Texas
17 Plan Two.

18 (c) An election under this section is governed by procedures
19 adopted by the Judicial Retirement System of Texas Plan Two. As
20 soon as practicable after an election is made, the Judicial
21 Retirement System of Texas Plan Two shall notify the applicable
22 county and retirement system of the person's election.

23 (d) A person who elects to remain a member of the retirement
24 system provided by the county under this section is required to
25 contribute to that retirement system at the rate required of other
26 members of that system for current service. The person's
27 contribution under this section shall be made as follows:

1 (1) each payroll period the payroll officer
2 responsible for paying the state compensation of a judicial officer
3 shall:

4 (A) deduct the required picked-up contribution
5 from the district court judge's state compensation; and

6 (B) pay the deducted amounts to the county that
7 participates in the retirement system of which the person is a
8 member; and

9 (2) the county shall pay or cause to be paid to the
10 retirement system at the system's office the amounts the county
11 receives under Paragraph (B), Subdivision (1) of this subsection.

12 (e) On behalf of a person who elects to remain a member of
13 the retirement system provided by the county, the county shall
14 contribute to the retirement system an amount that matches the rate
15 of the person's contribution under Subsection (d) of this section,
16 including any amount required to fund optional benefits provided by
17 the county under its retirement system, and is calculated in
18 accordance with the formula adopted by the retirement system in the
19 same manner and to the same extent as the county calculates the
20 amount it contributes on behalf of a person who is a judicial
21 officer of the county compensated entirely from the county's
22 general salary fund.

23 (f) On behalf of a person who elects to remain a member of
24 the retirement system provided by the county, the state shall pay to
25 the county, at the same time the state pays the person's
26 contribution to the county under Paragraph (B), Subdivision (1),
27 Subsection (d) of this section, an amount equal to the amount the

1 county is required to contribute under Subsection (e) of this
2 section.

3 (g) A person who does not elect to remain a member of a
4 county-provided retirement system under Subsection (b) of this
5 section is considered to have chosen membership in the Judicial
6 Retirement System of Texas Plan Two.

7 ARTICLE 6. PROVISIONS RELATING TO JUSTICE AND SMALL CLAIMS COURTS

8 SECTION 6.01. Subsection (b), Section 27.004, Government
9 Code, is amended to read as follows:

10 (b) A person who has possession of dockets, books, or papers
11 belonging to the office of any justice of the peace shall deliver
12 them to the justice on demand. If the person refuses to deliver
13 them, on a motion supported by an affidavit, the person may be
14 attached and imprisoned by the order of the district court [~~county~~
15 ~~judge~~] until the person makes delivery. [~~The county judge may issue~~
16 ~~the order in termtime or vacation.~~] The person against whom the
17 motion is made must be given three days' notice of the motion before
18 the person may be attached.

19 SECTION 6.02. Subsection (a), Section 27.031, Government
20 Code, is amended to read as follows:

21 (a) In addition to the jurisdiction and powers provided by
22 the constitution and other law, the justice court has original
23 jurisdiction of:

24 (1) civil matters in which exclusive jurisdiction is
25 not in the district or county court and in which the amount in
26 controversy is not more than \$10,000 [~~\$5,000~~], exclusive of
27 interest;

1 (2) cases of forcible entry and detainer; and

2 (3) foreclosure of mortgages and enforcement of liens
3 on personal property in cases in which the amount in controversy is
4 otherwise within the justice court's jurisdiction.

5 SECTION 6.03. Subchapter B, Chapter 27, Government Code, is
6 amended by adding Section 27.035 to read as follows:

7 Sec. 27.035. LIMITATION ON AWARDS. A justice court may not
8 award a judgment that exceeds \$10,000, exclusive of interest and
9 costs of court.

10 SECTION 6.04. Subchapter C, Chapter 27, Government Code, is
11 amended by adding Section 27.060 to read as follows:

12 Sec. 27.060. SMALL CLAIMS. A justice court shall conduct
13 proceedings in a small claims case, as that term is defined by the
14 supreme court, in accordance with rules of civil procedure
15 promulgated by the supreme court to ensure the fair, expeditious,
16 and inexpensive resolution of small claims cases.

17 SECTION 6.05. (a) Chapter 28, Government Code, is
18 repealed.

19 (b) On the effective date of this section, each small claims
20 court under Chapter 28, Government Code, is abolished.

21 SECTION 6.06. Not later than July 1, 2008, the Texas Supreme
22 Court shall promulgate rules to define cases that constitute small
23 claims cases and rules of civil procedure applicable to those cases
24 as required by Section 27.060, Government Code, as added by this
25 article. Before adopting the rules, the justices of the supreme
26 court shall appoint an ad hoc committee composed of justices of the
27 peace and public members to advise the court in developing the

1 rules.

2 SECTION 6.07. (a) Immediately before the date the small
3 claims court in a county is abolished in accordance with this
4 article, the justice of the peace sitting as judge of that court
5 shall transfer all cases pending in the court to a justice court in
6 the county.

7 (b) When a case is transferred as provided by Subsection (a)
8 of this section, all processes, writs, bonds, recognizances, or
9 other obligations issued from the transferring court are returnable
10 to the court to which the case is transferred as if originally
11 issued by that court. The obligees on all bonds and recognizances
12 taken in and for the transferring court and all witnesses summoned
13 to appear in the transferring court are required to appear before
14 the court to which the case is transferred as if originally required
15 to appear before that court.

16 SECTION 6.08. Sections 6.04 and 6.05 of this article take
17 effect July 1, 2008.

18 ARTICLE 7. COURT ADMINISTRATION

19 SECTION 7.01. Section 74.005, Government Code, is amended
20 to read as follows:

21 Sec. 74.005. APPOINTMENT OF [~~REGIONAL~~] PRESIDING JUDGES OF
22 ADMINISTRATIVE JUDICIAL REGIONS. (a) The chief justice of the
23 supreme court [~~governor~~], with the advice and consent of the
24 senate, shall appoint one judge in each administrative judicial
25 region as presiding judge of the region.

26 (b) On the death, resignation, removal, or expiration of the
27 term of office of a presiding judge, the chief justice of the

1 supreme court [~~governor~~] immediately shall appoint or reappoint a
2 presiding judge.

3 SECTION 7.02. Section 74.044, Government Code, is amended
4 to read as follows:

5 Sec. 74.044. TERM OF PRESIDING JUDGE. A presiding judge
6 serves for a term of office of four years from the date of
7 qualification as the presiding judge, subject to removal for good
8 cause on a majority vote of the justices of the supreme court after
9 notice and a hearing. The good cause must be stated in writing.

10 ARTICLE 8. ADDITIONAL RESOURCES FOR CERTAIN LITIGATION

11 SECTION 8.01. Chapter 74, Government Code, is amended by
12 adding Subchapter I to read as follows:

13 SUBCHAPTER I. ADDITIONAL RESOURCES FOR CERTAIN CIVIL CASES

14 Sec. 74.181. APPLICABILITY OF SUBCHAPTER. (a) Except as
15 provided by Subsection (b), this subchapter applies only to a civil
16 case pending in a trial court in this state.

17 (b) This subchapter does not apply to:

18 (1) a case in which judicial review is sought under
19 Subchapter G, Chapter 2001; or

20 (2) a case that has been transferred by the judicial
21 panel on multidistrict litigation to a district court for
22 consolidated or coordinated pretrial proceedings under Subchapter
23 H.

24 Sec. 74.182. RULES TO GUIDE DETERMINATION OF WHETHER CASE
25 REQUIRES ADDITIONAL RESOURCES. (a) The supreme court shall adopt
26 rules under which courts, presiding judges of the administrative
27 judicial regions, and the judicial committee for additional

1 resources may determine whether a case requires additional
2 resources to ensure efficient judicial management of the case.

3 (b) In developing the rules, the supreme court shall include
4 considerations regarding whether a case involves or is likely to
5 involve:

6 (1) a large number of parties who are separately
7 represented by counsel;

8 (2) coordination with related actions pending in one
9 or more courts in other counties of this state or in one or more
10 United States district courts;

11 (3) numerous pretrial motions that present difficult
12 or novel legal issues that will be time-consuming to resolve;

13 (4) a large number of witnesses or substantial
14 documentary evidence;

15 (5) substantial postjudgment supervision;

16 (6) a trial that will last more than four weeks; and

17 (7) a substantial additional burden on the trial
18 court's docket and the resources available to the trial court to
19 hear the case.

20 Sec. 74.183. JUDICIAL DETERMINATION. (a) On the motion of
21 a party in a case, or on the court's own motion, the judge of the
22 court in which the case is pending shall review the case and
23 determine whether, under rules adopted by the supreme court under
24 Section 74.182, the case will require additional resources to
25 ensure efficient judicial management. The judge is not required to
26 conduct an evidentiary hearing for purposes of making the
27 determination but may, in the judge's discretion, direct the

1 attorneys for the parties to the case and the parties to appear
2 before the judge for a conference to provide information to assist
3 the judge in making the determination.

4 (b) On determining that a case will require additional
5 resources as provided by Subsection (a), the judge shall:

6 (1) refer the case to the presiding judge of the
7 administrative judicial region in which the court is located; and

8 (2) request any specific additional resources that are
9 needed, including the assignment of a judge under this chapter.

10 (c) If the presiding judge of the administrative judicial
11 region agrees that, in accordance with the rules adopted by the
12 supreme court under Section 74.182, the case will require
13 additional resources to ensure efficient judicial management, the
14 presiding judge shall submit a request for specific additional
15 resources to the judicial committee for additional resources.

16 Sec. 74.184. JUDICIAL COMMITTEE FOR ADDITIONAL RESOURCES.

17 (a) The judicial committee for additional resources is composed
18 of:

19 (1) the chief justice of the supreme court; and

20 (2) the nine presiding judges of the administrative
21 judicial regions.

22 (b) The chief justice of the supreme court serves as
23 presiding officer.

24 (c) On receipt of a request for additional resources from a
25 presiding judge of an administrative judicial region under Section
26 74.183, the committee shall determine whether the case that is the
27 subject of the request requires additional resources in accordance

1 with the rules adopted under Section 74.182. If the committee
2 determines that the case does require additional resources, the
3 committee shall make the requested resources available to the
4 extent funds are available for those resources under the General
5 Appropriations Act and to the extent the committee determines the
6 requested resources are appropriate to the circumstances of the
7 case.

8 (d) Subject to Subsections (c) and (g), additional
9 resources the committee may make available under this section
10 include:

11 (1) the assignment of an active or retired judge under
12 this chapter, subject to the consent of the judge of the court in
13 which the case for which the resources are provided is pending;

14 (2) additional legal, administrative, or clerical
15 personnel;

16 (3) computer hardware or software, including
17 specially designed courtroom presentation hardware or software to
18 facilitate presentation of the evidence to the trier of fact;

19 (4) specialized continuing legal education;

20 (5) a special master;

21 (6) special accommodations or furnishings for the
22 parties;

23 (7) other items determined necessary to try the case;

24 and

25 (8) any other resources the committee considers
26 appropriate.

27 (e) A judge who is assigned under this chapter as provided

1 by Subsection (d)(1):

2 (1) may only be appointed to hear the case designated
3 as needing additional resources; and

4 (2) may not preside over the regular docket of the
5 court in which that case is pending.

6 (f) Notwithstanding any provision of Subchapter C, a
7 justice or judge to whom Section 74.053(d) applies may not be
8 assigned under Subsection (d).

9 (g) The judicial committee for additional resources may not
10 provide additional resources under this subchapter for more than 10
11 cases each year.

12 Sec. 74.185. COST OF ADDITIONAL RESOURCES. The cost of
13 additional resources provided for a case under this subchapter
14 shall be paid by the state and may not be taxed against any party in
15 the case for which the resources are provided or against the county
16 in which the case is pending.

17 Sec. 74.186. NO STAY OR CONTINUANCE PENDING DETERMINATION.
18 The filing of a motion under Section 74.183 in a case is not grounds
19 for a stay or continuance of the proceedings in the case in the
20 court in which the case is pending during the period the motion or
21 request is being considered by:

22 (1) the judge of that court;

23 (2) the presiding judge of the administrative judicial
24 region; or

25 (3) the judicial committee for additional resources.

26 Sec. 74.187. APPELLATE REVIEW. A determination made by a
27 trial court judge, the presiding judge of an administrative

1 judicial region, or the judicial committee for additional resources
2 under this subchapter is not appealable or subject to review by
3 mandamus.

4 SECTION 8.02. (a) The Texas Supreme Court shall request
5 the president of the State Bar of Texas to appoint a task force to
6 consider and make recommendations regarding the rules for
7 determining whether civil cases pending in trial courts require
8 additional resources for efficient judicial management required by
9 Section 74.182, Government Code, as added by this Act. The
10 president of the State Bar of Texas shall ensure that the task force
11 has diverse representation and includes judges of trial courts and
12 attorneys licensed to practice law in this state who regularly
13 appear in civil cases before courts in this state. The task force
14 shall provide recommendations on the rules to the Texas Supreme
15 Court not later than November 1, 2007.

16 (b) The Texas Supreme Court shall:

17 (1) consider the recommendations of the task force
18 provided as required by Subsection (a) of this section; and

19 (2) adopt the rules required by Section 74.182,
20 Government Code, as added by this Act, not later than January 1,
21 2008.

22 SECTION 8.03. The changes in law made by this article apply
23 to cases pending on or after January 1, 2008.

24 ARTICLE 9. GRANT PROGRAM FOR COURT SYSTEM ENHANCEMENTS

25 SECTION 9.01. Subchapter D, Chapter 71, Government Code, is
26 amended by adding Sections 71.064 and 71.065 to read as follows:

27 Sec. 71.064. GRANTS FOR COURT SYSTEM ENHANCEMENTS.

1 (a) The Task Force on Indigent Defense shall develop and
2 administer, except as provided by Subsection (c), a program to
3 provide grants from available funds to counties for initiatives
4 that will enhance their court systems.

5 (b) To be eligible for a grant under this section, a county
6 must:

7 (1) use the grant money to implement initiatives that
8 will enhance the county's court system;

9 (2) match the amount of the grant with an equal amount
10 of local money; and

11 (3) apply for the grant in accordance with procedures
12 developed by the Task Force on Indigent Defense and comply with any
13 other requirements of the task force.

14 (c) The supreme court shall determine whether to award a
15 grant to a county that meets the eligibility requirements
16 prescribed by Subsection (b).

17 (d) If the supreme court awards a grant to a county, the Task
18 Force on Indigent Defense shall:

19 (1) direct the comptroller to distribute the grant
20 money to the county; and

21 (2) monitor the county's use of the grant money.

22 Sec. 71.065. GRANTS FOR CHILD PROTECTION. (a) The supreme
23 court, with the advice of an advisory group with expertise and
24 experience in child protection cases, shall develop and administer
25 a program to provide grants from available funds to counties for
26 initiatives that will alleviate backlog in child protection cases.

27 (b) To be eligible for a grant under this section, a county

1 must:

2 (1) use the grant money to alleviate backlog in child
3 protection cases in the county's court system; and

4 (2) apply for the grant in accordance with procedures
5 developed by the supreme court and comply with any other
6 court-adopted requirements.

7 (c) If the supreme court awards a grant to a county, the
8 court shall:

9 (1) direct the comptroller to distribute the grant
10 money to the county; and

11 (2) monitor the county's use of the grant money.

12 ARTICLE 10. CERTAIN MATTERS IN SUITS AFFECTING PARENT-CHILD
13 RELATIONSHIP

14 SECTION 10.01. Subsection (a), Section 201.007, Family
15 Code, is amended to read as follows:

16 (a) Except as limited by an order of referral, an associate
17 judge may:

- 18 (1) conduct a hearing;
- 19 (2) hear evidence;
- 20 (3) compel production of relevant evidence;
- 21 (4) rule on the admissibility of evidence;
- 22 (5) issue a summons for the appearance of witnesses;
- 23 (6) examine a witness;
- 24 (7) swear a witness for a hearing;
- 25 (8) make findings of fact on evidence;
- 26 (9) formulate conclusions of law;
- 27 (10) recommend an order to be rendered in a case;

1 (11) regulate all proceedings in a hearing before the
2 associate judge;

3 (12) order the attachment of a witness or party who
4 fails to obey a subpoena;

5 (13) order the detention of a witness or party found
6 guilty of contempt, pending approval by the referring court as
7 provided by Section 201.013;

8 (14) without prejudice to the right of appeal under
9 Section 201.015, render and sign:

10 (A) a final order agreed to in writing as to both
11 form and substance by all parties;

12 (B) a final default order; or

13 (C) a temporary order; and

14 (15) take action as necessary and proper for the
15 efficient performance of the associate judge's duties.

16 SECTION 10.02. The heading to Section 201.009, Family Code,
17 is amended to read as follows:

18 Sec. 201.009. COURT REPORTER; RECORD.

19 SECTION 10.03. Subsections (a) and (c), Section 201.009,
20 Family Code, are amended to read as follows:

21 (a) A court reporter may be provided during a hearing held
22 by an associate judge appointed under this chapter. A court
23 reporter is required to be provided when the associate judge
24 presides over a jury trial or a contested final termination
25 hearing.

26 (c) Except as provided by Subsection (a), in the absence of
27 a court reporter or on agreement of the parties, the [The] record

1 may be preserved [~~in the absence of a court reporter~~] by any [~~other~~]
2 means approved by the associate judge.

3 ARTICLE 11. GENERAL EFFECTIVE DATE

4 SECTION 11.01. Except as otherwise provided by this Act,
5 this Act takes effect September 1, 2007.