

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 28, 2007

TO: Honorable Will Hartnett, Chair, House Committee on Judiciary

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1126 by Creighton (Relating to the creation of an appellate judicial system for the Ninth Court of Appeals District.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 22, Government Code, to require the commissioners court of each county in the Ninth Court of Appeals district to establish an appellate judicial system. The bill would require counties of the Ninth Court of Appeals district to impose a \$5 court fee for each civil suit filed and to collect and forward those fees to a fund for the assistance of the court and to reimburse Jefferson County for supplemental salaries and annual benefits paid to the justices. The bill would require the commissioners courts to vest management of the system in the chief justice of the Ninth Court of Appeals. The bill would take effect September 1, 2007.

According to the Office of Court Administration, 50,410 civil cases were filed in the appellate district in fiscal year 2006 in the county court, county courts at law, probate courts, and district courts in the district. Assuming 50,410 civil case filings per fiscal year at \$5 per filing, the counties within the district would contribute an estimated \$252,050 per fiscal year to the appellate justice system. To the extent that the Ninth Court of Appeals uses local collections to defray expenses previously paid with state appropriations, the fiscal implication to the state is not anticipated to be significant.

Local Government Impact

The 10 counties in the Ninth Court of Appeals District would incur slight one-time costs to establish a separate appellate justice system fund, but these costs are expected to be minimal. To the extent local government would incur a savings from having a new source of revenue to pay the approximately \$52,000 per year of the supplemental salaries and benefits to justices of the court, the fiscal implication to units of local government is not anticipated to be significant.

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Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

LBB Staff: JOB, MN, ZS, TB, DB