

BILL ANALYSIS

S.B. 1575
By: Hinojosa
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current statutes require all civil cases in Hidalgo County district courts to be assigned at random. With the increased need for efficiency and judicial integrity, the need for assigning all civil and criminal cases at random in Hidalgo County is the next step to ensure that all cases are treated fairly and equally.

As proposed, S.B. 1575 requires that all civil and criminal cases in the district courts in Hidalgo County be assigned and docketed at random by the district clerk using an automated system. This bill also requires the district clerk, in assigning a case to a district court, to take into consideration any requirement that a district court in Hidalgo County give preference to specific matters.

RULEMAKING AUTHORITY

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

ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 24, Government Code, by adding Section 24.034, as follows:

Sec. 24.034. ASSIGNMENT OF CASES IN DISTRICT COURTS IN HIDALGO COUNTY.

(a) Requires that all civil and criminal cases in the district courts in Hidalgo County be assigned and docketed at random by the district clerk using an automated system.

(b) Requires the district clerk, in assigning a case to a district court, to take into consideration any requirement in Subchapter B (Certain Judicial Districts) that a district court in Hidalgo County give preference to specific matters.

SECTION 2. Repealer: Section 24.194(d) (relating to the requirement that civil cases be assigned and docketed at random in the 92nd Judicial District (Hidalgo County)), Government Code.

Repealer: Section 24.195(d) (relating to the requirement that civil cases be assigned and docketed at random in the 93rd Judicial District (Hidalgo County)), Government Code.

Repealer: Section 24.241(d) (relating to the requirement that civil cases be assigned and docketed at random in the 139th Judicial District (Hidalgo County)), Government Code.

Repealer: Section 24.385(b) (relating to the requirement that civil cases be assigned and docketed at random in the 206th Judicial District (Hidalgo County)), Government Code.

Repealer: Section 24.452(b) (relating to the requirement that civil cases be assigned and docketed at random in the 275th Judicial District (Hidalgo County)), Government Code.

Repealer: Section 24.478(b) (relating to the requirement that civil cases be assigned and docketed at random in the 332nd Judicial District (Hidalgo County)), Government Code.

Repealer: Section 24.515(b) (relating to the requirement that civil cases be assigned and docketed at random in the 370th Judicial District (Hidalgo County)), Government Code.

Repealer: Section 24.534(c) (relating to the requirement that civil cases be assigned and docketed at random in the 389th Judicial District (Hidalgo County)), Government Code.

Repealer: Section 24.543(c) (relating to the requirement that civil cases be assigned and docketed at random in the 398th Judicial District (Hidalgo County)), Government Code.

Repealer: Section 24.574(c) (relating to the requirement that civil cases be assigned and docketed at random in the 430th Judicial District (Hidalgo County)), Government Code.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2009.

EFFECTIVE DATE

September 1, 2009.