

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 17, 2009

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

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

IN RE: HB609 by Castro (Relating to the composition of the jury in certain adjudication hearings in juvenile court.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code relating to the composition of the jury in certain adjudication hearings in juvenile court. The bill would provide that the size of a jury in an adjudication hearing for a child alleged to have committed a misdemeanor offense must be six. Under current law, the size of the jury at such hearings depends on the level of court hearing the case as the juvenile court. In statutory county courts or county courts such juries already consist of six persons. In district courts, juries in these cases currently consist of 12 jurors. The bill would have a small positive fiscal implication to the State and counties in certain courts due to having to pay fewer jurors to sit in juvenile misdemeanor adjudication hearings. The State pays \$34 out of a minimum \$40 per day to jurors after the first day of service. According to the Office of Court Administration, in fiscal year 2008 there were 66 juvenile hearings tried before juries in the State.

To the extent the bill would amend court procedures relating to jury composition, no significant fiscal implication to the State is anticipated. The bill would take effect September 1, 2009.

Local Government Impact

No significant fiscal implication to units of local government is anticipated, although the bill would have a minimal positive fiscal implication due to the reduced costs of paying six, rather than 12, jurors for their service in misdemeanor adjudications before district courts sitting as juvenile courts. Counties pay not less than \$6 per juror for each day of service on a jury.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, MN, ESi, TB