

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 17, 2009

TO: Honorable Todd Hunter, Chair, House Committee on Judiciary & Civil Jurisprudence

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

IN RE: HB3723 by Woolley (Relating to the designation of a judicial district in Harris County as the district court for domestic violence cases in that county.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code relating to the designation of a judicial district in Harris County as the district court for domestic violence cases in that county.

The bill applies to the 11th, 55th, 61st, 80th, 113th, 125th, 127th, 129th, 133rd, 151st, 152nd, 157th, 164th, 165th, 189th, 190th, 215th, 234th, 269th, 270th, 280th, 281st, 295th, 333rd, and 334th judicial districts. The judges of the above district courts by agreement would designate one of the listed district courts as the domestic violence district court. In designating the domestic violence district court, the judges would give preference to a district court that had a judicial vacancy at the time of the agreement, or for which a sitting judge of the district court had not at the time of the agreement announced a candidacy or become a candidate in an upcoming election.

The domestic violence court would give preference to domestic violence cases involving dating violence and family violence. The domestic violence district court at its discretion would be able to hear divorce and custody cases in which a court has made an affirmative finding of family violence involving both parties or a protective order has been issued.

If the judges fail to designate a domestic violence district court on or before October 1, 2009, the local administrative judge is to designate a domestic violence court not later than October 5, 2009.

To the extent the bill would not add an additional district court to the state, it is not anticipated that there would be a significant fiscal impact to the state. This bill would take effect September 1, 2009.

Local Government Impact

Harris County is served by 25 civil judicial district courts, 22 criminal judicial district courts, 9 family judicial district courts and 3 juvenile district courts.

To estimate the cost of each case disposed in the proposed domestic violence court, Harris County estimated the court cost at \$916,113 and it estimated the number of cases that would be disposed at 3,109. The estimated cost per case disposed would be \$295.

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

LBB Staff: JOB, MN, JP