

BILL ANALYSIS

H.B. 2635
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Historically, not every court of appeals has had enough work for its panel of justices, and larger courts transfer cases to other courts of appeals to equalize workloads. The problem with this system of transferring cases is that a case arising in East Texas could be transferred to a court of appeals in West Texas, far from the litigants, to be heard by judges that were not elected by the litigants' home district, which is contrary to the legislature's desire that parties and counsel in a case should have convenient access to courts of appeals in their district and to judges they elected to hear cases in that district.

In the past, certain counties have been removed from the Houston area appeals courts districts in an effort to reduce the number of cases that are transferred, but interested parties assert that this has only resulted in the Houston Courts of Appeals becoming courts to which cases are being transferred. For example, appeals from Walker County, which is near Houston and a part of the Houston media market, can be assigned to the Waco Court of Appeals, but then transferred back to one of the Houston courts or even to the court in Amarillo. Many people in the Walker County legal community are interested in that county returning to the Houston Courts of Appeals.

H.B. 2635 seeks to resolve the current inefficiency in transferring cases by removing Walker County from the Tenth Court of Appeals District and adding it to the First and Fourteenth Courts of Appeals Districts.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2635 amends the Government Code to remove Walker County from the Tenth Court of Appeals District and make it a part of the First and Fourteenth Court of Appeals Districts.

EFFECTIVE DATE

September 1, 2011.