BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, many justice courts have unequal workloads. The busiest of these courts have such a backlog of their dockets that it can take many weeks for a case to come to trial.

This bill helps equalize justice courts' dockets by allowing some of their cases to be tried in an adjacent county. This will help to relieve the workload of the overburdened courts, while providing citizens with a speedier resolution of their cases.

Harris County presents a good example of this problem. The eight justice of the peace court precincts in Harris County have very different workloads. Precinct Five handles over 150,000 cases. Precinct Six, on the other hand, handles fewer than 15,000. This means that the busiest precinct handles 10 times more cases than the lowest. The busiest two precincts handle more cases than all of the other six precincts combined. The only way to ensure that every citizen is receiving their day in court within a reasonable time frame is to allow these disparate workloads to be reallocated to adjacent precincts when necessary.

As proposed, S.B. 1200 amends current law relating to trials for misdemeanor cases.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 4.12, Code of Criminal Procedure, as follows:

Art. 4.12. MISDEMEANOR CASES; PRECINCT IN WHICH DEFENDANT TO BE TRIED IN JUSTICE COURT. (a) Requires that a misdemeanor case to be tried in justice court, except as otherwise provided by this article, be tried in certain precincts, including in a county with a population of 3.3 million more, in a precinct in which the offense was committed or an adjacent precinct. Makes nonsubstantive changes.

(b)-(d) Makes no changes to these subsections.

SECTION 2. Effective date: September 1, 2011.