

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 2, 2011

TO: Honorable Jim Jackson, Chair, House Committee on Judiciary & Civil Jurisprudence

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

IN RE: HB713 by Gallego (Relating to the creation of an appellate judicial system for the Eighth Court of Appeals District.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code, Chapter 22, relating to the creation of an appellate judicial system for the Eighth Court of Appeals District. The bill would require counties of the Eighth Court of Appeals District to collect and forward filing fees to a fund for the assistance of the court. According to the Office of Court Administration, approximately 29,274 civil cases were filed in the appellate district in fiscal year 2010 in the county courts, probate courts, and district courts in the district. Fees will not be collected on all of these cases due to various exemptions, including indigence. Assuming 24,883 (85% of FY 2010 civil filings) civil case filings per fiscal year times \$5 per filing; the counties within the district would contribute an estimated \$124,415 per fiscal year into the appellate judicial system.

The bill would require the commissioners courts to vest management of the system in the chief justice of the Eighth Court of Appeals. To the extent that the Eighth Court of Appeals uses local collections to defray expenses of the court, the fiscal implication to the State is not anticipated to be significant.

The bill would take effect September 1, 2011.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

The 17 counties in the Eighth Court of Appeals District would incur slight costs to establish a separate appellate judicial system fund, but these costs are expected to be minimal. To the extent local government would incur a savings from having a new source of revenue to pay the approximately \$22,500 per year of the supplemental salaries and benefits to justices of the court, the fiscal implication to units of local government is not anticipated to be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 228 Eighth Court of Appeals District, El Paso, 304 Comptroller of Public Accounts

LBB Staff: JOB, JT, JP, KKR