

BILL ANALYSIS

S.B. 1806
By: Eltife
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerned parties contend that there is a need for a more efficient judicial system in Harrison County because there is a backlog of cases in the county. Certain members of the Harrison County judicial community have requested that the Harrison County Court at Law be granted concurrent jurisdiction with the district court in family law cases and proceedings in order to increase the ability of the courts to handle and dispose of cases in an efficient and timely manner and more adequately serve Harrison County citizens. S.B. 1806 seeks to provide for such concurrent jurisdiction.

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

S.B. 1806 amends the Government Code to grant a county court at law in Harrison County concurrent jurisdiction with the district court, on assignment of a district judge presiding in Harrison County, in family law cases and proceedings, in addition to the jurisdiction generally granted to a statutory county court and jurisdiction provided by other law. The bill establishes that assignment and transfer of such cases is at the discretion of the judge of the district court making the assignment and that assignment or transfer from a county court at law to a district court is governed by applicable provisions of the Court Administration Act. The bill establishes that the district clerk serves as clerk of a county court at law in Harrison County in family law cases and proceedings and that the county clerk serves as clerk of the court in all other cases.

S.B. 1806 authorizes a party to a family law case or proceeding assigned to a county court at law in Harrison County to request a jury of 12 persons if the party makes the request not later than the 30th day before the trial date. The bill provides that a party who does not make a timely request waives the right to request a 12-person jury and that the case or proceeding will proceed with a six-person jury. The bill authorizes a district judge presiding in Harrison County, in matters of concurrent jurisdiction, to transfer cases from the district court to a county court at law in Harrison County in the same manner judges of district courts transfer cases in a county with two or more district courts. The bill's provisions apply to an action pending on the bill's effective date.

EFFECTIVE DATE

January 1, 2015.