

Caseload Trends in the Municipal Courts

Analysis of Activity for Year Ended August 31, 2002

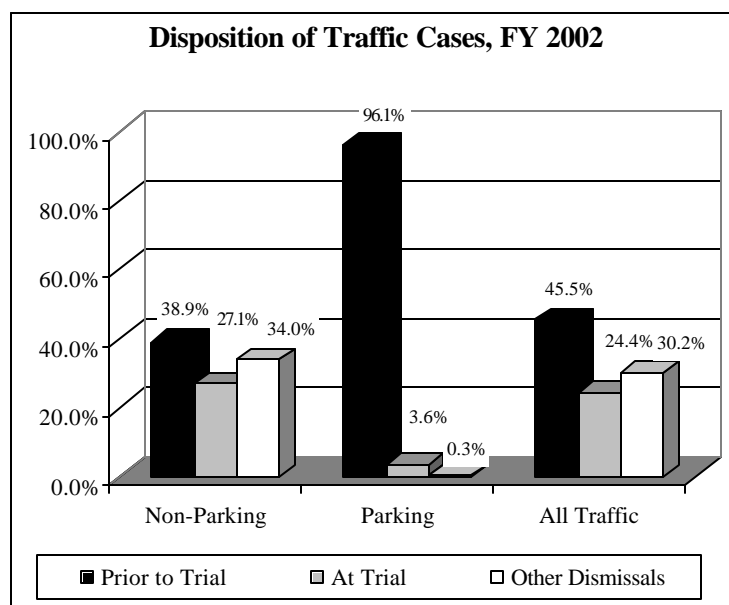
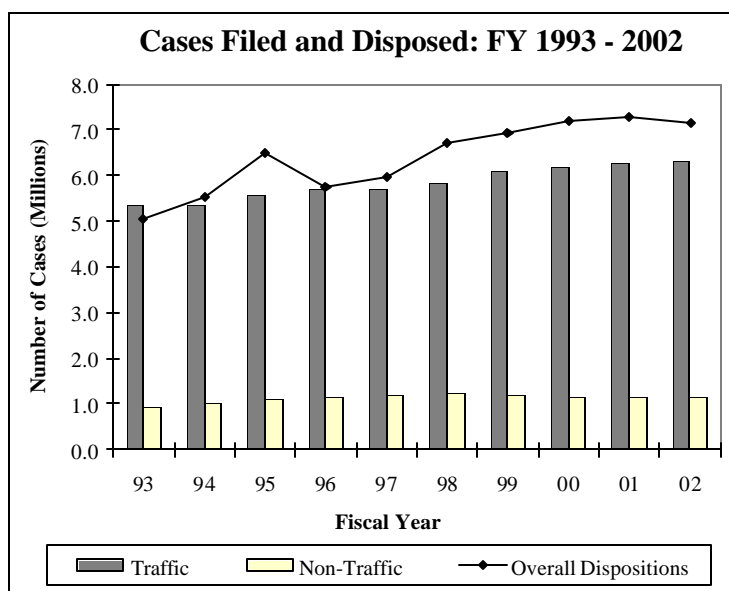
BACKGROUND

In FY 2002, municipal courts and municipal courts of record operated in 877 Texas cities. Municipal courts have original and exclusive jurisdiction over violations of city ordinances and resolutions rules or orders of joint boards that operate airports under Section 22.074, Transportation Code and that are punishable by a fine not to exceed: 1) \$2,000 in cases arising under ordinances or resolutions, rules or orders involving fire safety, zoning, public health, and sanitation; and 2) \$500 in all other cases arising under a municipal ordinance or airport board resolution, rule or order.

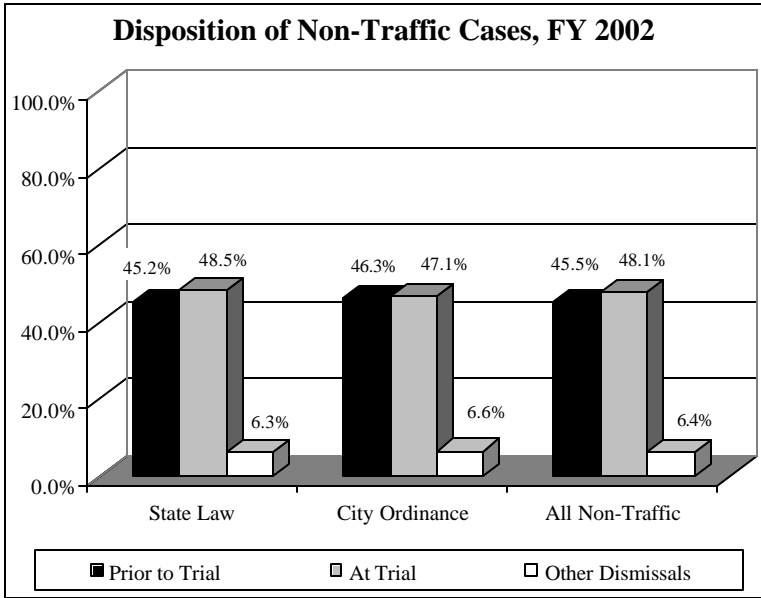
In addition, municipal courts have concurrent jurisdiction with justice of the peace courts in misdemeanor cases resulting from violations of state laws within the city limits or property owned by the municipality located in the municipality's extraterritorial jurisdiction when punishment is limited to a fine or the case arises under Chapter 106 of the Alcoholic Beverage Code relating to minors and does not include confinement as an authorized sanction. Municipal courts of record may also have additional jurisdiction provided by local ordinance.

FILINGS AND DISPOSITIONS

- Municipal court caseloads remained relatively stable.** In FY 2002, filings in Texas municipal courts grew by only 0.3 percent (from 7,443,443 to 7,445,864) from the previous fiscal year.
- Case filings in the eight largest cities accounted for 47.0 percent of all filings in the state.** In FY 2002, the combined case filings of municipal courts in the eight largest cities—Houston, Dallas, San Antonio, El Paso, Austin, Fort Worth, Arlington, and Corpus Christi—totaled 3,502,029. This is 0.8 percent more than the 3,474,302 cases filed during the previous fiscal year.
- Traffic cases continued to dominate docket activity.** Traffic cases accounted for 84.7 percent (6,309,195 cases) of all cases filed, while non-traffic misdemeanor cases (1,136,669 cases) accounted for the remaining 15.3 percent of cases filed in FY 2002. Non-parking traffic cases accounted for 70.3 percent (5,234,243 cases) of total case filings, while parking cases comprised another 14.4 percent (1,074,952 cases).
- The number of traffic misdemeanor filings has increased an average of 1.8 percent per fiscal year over the last decade, for a total increase of 17.4 percent (from 5,372,123 cases filed in FY 1993 to 6,309,195 filed in FY 2002).** Non-parking traffic filings grew from 5,220,530 in FY 2001 to 5,234,243 in FY 2002, an increase of 0.3 percent. In addition, parking cases increased by less than 0.8 percent, from 1,066,817 in FY 2001 to 1,074,952 in FY 2002.
- Over the last ten years, the number of non-traffic misdemeanors filed has increased an average of 2.6 percent per fiscal year, for a total increase of 24.3 percent (from 914,423 cases in FY 1993 to 1,136,669 cases in FY 2002).** From FY 2001 to FY 2002, state law non-traffic misdemeanor filings fell by 1.9 percent (17,663 cases) to 894,074, while non-traffic city ordinance violations fell by 0.7 percent (1,764 cases) to 242,595.

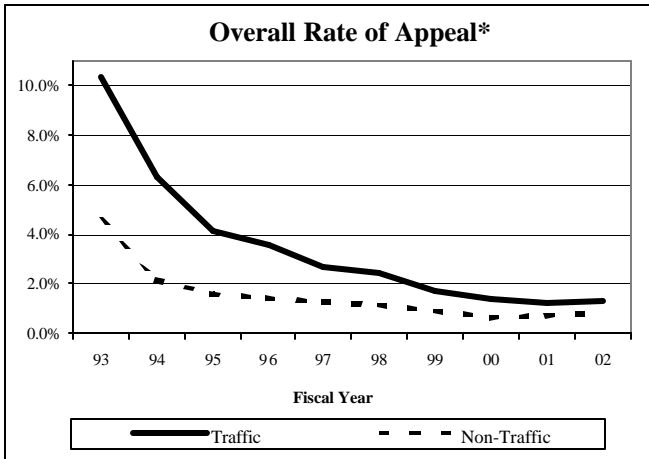


- **The overall number of dispositions fell for the first time since FY 1996.** In FY 2002, dispositions declined by 1.7 percent from the previous fiscal year (from 7,280,452 to 7,157,958). However, the total number of cases disposed has increased an average of 4.3 percent per year over the last decade, resulting in an overall increase of 42.3 percent (from 5,032,017 cases disposed in FY 1993 to 7,157,958 in FY 2002).
- **Dispositions prior to trial made up 45.5 percent of all traffic dispositions.** In FY 2002, 2,796,858 traffic cases were disposed prior to trial; of these cases, 86.3 percent (2,414,056 cases) were disposed by payment of fine or forfeiture of a deposit made to ensure appearance. Another 24.4 percent (1,499,854 cases) of all traffic cases were disposed at trial, and 30.2 percent (1,856,380 cases) were dismissed. Most parking cases (96.1 percent, or 679,106 of 706,551 cases) were disposed before trial, with 93.5 percent of these cases being disposed by payment of a fine or forfeiture of a deposit.
- **Nearly half of non-traffic cases were disposed before a judge or jury.** In FY 2002, 48.1 percent (483,820 cases) of non-traffic cases were disposed before a judge or jury, while 45.5 percent (456,727 cases) were disposed prior to trial, and 6.4 percent (64,319 cases) were dismissed due to compliance with deferred disposition requirements.



OTHER ACTIVITY

- **Of all cases that were disposed at trial in FY 2002 and were not dismissed, 99.7 percent were disposed before the judge without a jury.** Of the 1,185,728 cases that were not dismissed at trial, 1,181,879 (99.7 percent) were tried before a judge alone, and 3,849 cases (0.3 percent) were decided by a jury. Not guilty findings were made in 2.6 percent (30,331) of cases that went to bench trial, compared to 23.3 percent (897) of cases that went to jury trial.
- **The number of appeals filed grew for the first time in the last 10 fiscal years.** During FY 2002, the number of appeals increased 4.9 percent to 13,679 (from 13,034 in FY 2001). Traffic case appeals grew by 3.2 percent (from 10,996 in FY 2001 to 11,346 in FY 2002), while appeals involving non-traffic cases climbed 14.5 percent (to 2,333 from 2,038 in the previous fiscal year). However, over the last ten years, the number of appeals has decreased an average of 16.4 percent per fiscal year (from 72,904 appeals in FY 1993 to 13,679 appeals in FY 2002), representing a total 81.2 percent decrease for the decade. The number of convictions, on the other hand, has increased an average of 5.0 percent per fiscal year (from 787,021 in FY 1993 to 1,154,500 in FY 2002), representing a 46.7 percent increase for the decade.
- **As a percentage of convictions at trial, the number of appeals filed has remained relatively constant over the last three fiscal years.** In FY 2002, the overall rate of appeal was 1.2 percent, compared to 1.1 percent in FY 2001 and 1.2 percent in FY 2000. Traffic cases were appealed at a slightly higher rate (1.3 percent) than non-traffic cases (0.8 percent) in FY 2002.
- **The number of arrest warrants, search warrants, magistrate warnings, and emergency protective orders all increased.** During FY 2002, judges issued 2,067,648 arrest warrants (3.4 percent more than the 2,000,053 issued in FY 2001), 5,908 search warrants (12.6 percent more than the 5,247 issued in FY 2001), 205,219 magistrate warnings (8.2 percent more than the 189,628 given in FY 2001), and 5,992 emergency protective orders (11.1 percent more than the 5,392 issued in FY 2001).



* The rate of appeal equals the number of appeals divided by the number of convictions at trial during the fiscal year.

- **Juvenile activity fell by 3.0 percent.** In FY 2002, municipal courts handled 277,804 juvenile matters, compared to 286,261 during the previous fiscal year. Transportation Code violations accounted for 37.9 percent of juvenile matters, while Alcoholic Beverage Code violations not involving driving comprised 14.5 percent. Health and Safety Code (tobacco-related) violations comprised 5.0 percent, Education Code (school-related) violations comprised 3.1 percent, and driving under the influence of alcohol violations comprised 1.4 percent, and all other violations accounted for the remaining 38.1 percent.

REVENUE

- **Municipal court revenue increased by 7.6 percent.** Revenue collected by reporting courts during FY 2002 totaled \$485,964,834, compared to \$451,599,258 in FY 2001. The amount of revenue per disposition averaged approximately \$68, compared to \$62 the previous fiscal year. Although municipalities collect this revenue, a portion of it is remitted to various special funds maintained by the state government.