

# DISTRICT COURTS

## ANALYSIS OF ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1996

### NEW CASES FILED

The 395 district courts in the State experienced a slight decrease in new cases filed during the reporting year, from 550,155 in 1995 to 542,425. The number of new criminal cases filed increased 0.4 percent above 1995 filings, civil cases decreased 4 percent, and juvenile cases increased 38 percent.

Civil cases accounted for 373,037 or 69 percent of fall new cases added during the fiscal year. The largest segment of civil cases added were divorce actions (32 percent of new civil filings). Of the civil cases added, family law matters other than divorce actions comprised 24 percent, damages and personal injury cases (including workers' compensation) comprised 12 percent, tax cases comprised 14 percent, and disputes over debts comprised 5 percent.

Juvenile cases (Title 3 of the Texas Family Code) accounted for 26,520, or 5 percent of the total cases filed in the district courts.

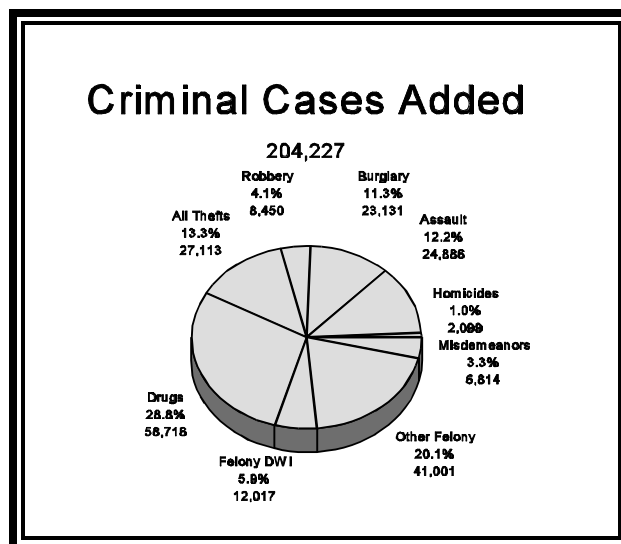
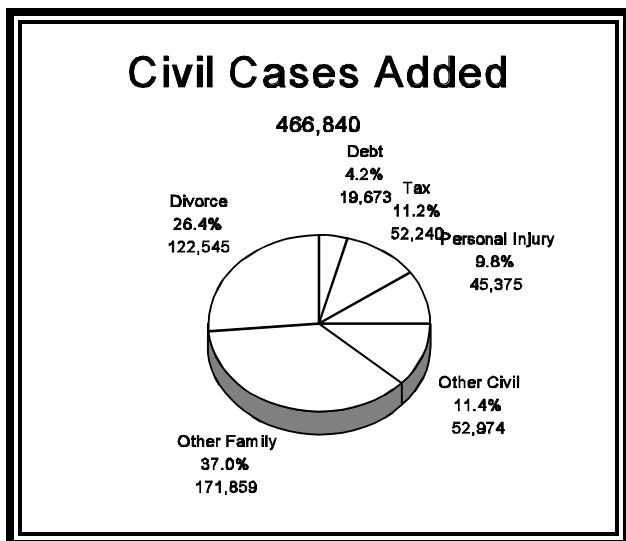
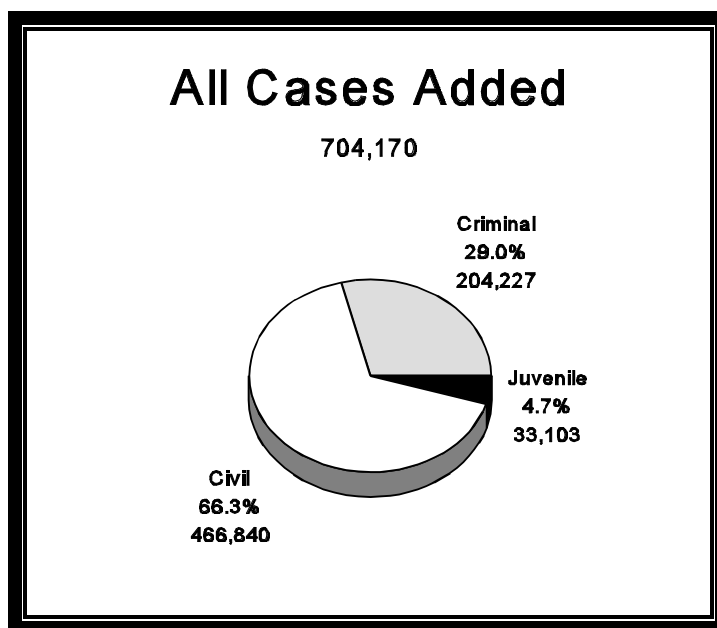
Criminal cases constituted 142,868, or 26 percent, of the total new

cases added during the year. Of the criminal cases, 12 percent involved a charge of theft (including auto theft), 9 percent burglary, 4 percent robbery, 1 percent homicide (including capital murder), 13.5 percent assault (including sexual assault of a child and of an adult), 6 percent felony DWI, 28 percent drug offenses, and 4 percent were misdemeanor cases. Of the criminal cases added in the district court, 13 percent were by information, and 87 percent were by indictment.

### URBAN FILINGS

The number of total cases added to the docket in the ten most populous Texas counties increased 7,633 cases (2 percent) in state fiscal year 1996 above the number of filings during 1995. In all other counties, the number of cases added decreased 1 percent. These ten most populous counties (Harris, Dallas, Bexar, Tarrant, El Paso, Travis, Hidalgo, Nueces, Denton, and Collin) had approximately 55 percent of the state's population and 57 percent of the total cases added during the fiscal year.

Total cases added



## DISTRICT COURT ANALYSIS OF ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1996

(CONTINUED)

increased in Collin County (10 percent), Denton County (9 percent), Dallas County (5 percent), El Paso County (3 percent), and Tarrant County (1 percent). Decreases in total filings occurred in Nueces (10 percent), Travis County (4 percent), Hidalgo (3 percent), Harris County (1 percent), and Bexar County (0.2 percent).

Criminal cases added to the docket increased 0.2 percent in the ten urban counties during fiscal year 1996 as compared to 1995. This compares to 2.7 percent increase in criminal filings for all other counties of the State. Criminal filings increased in four of the ten urban counties: El Paso (23 percent), Collin (10 percent), Harris (4 percent), and Dallas (2 percent). Counties reporting a decrease in criminal cases added to the docket were Bexar (17 percent), Denton (13.2 percent), Travis (5.5 percent), Hidalgo (3 percent), Nueces (4 percent), and Tarrant (0.1 percent).

Civil cases added increased 4 percent in the most populous counties and decreased 4 percent in the remaining counties of the State. Eight counties reported increases in civil filings: El Paso County (29 percent), Denton (17 percent), Collin (9 percent), Harris (9 percent), Travis County (6 percent), Dallas (5 percent), Bexar (2 percent), and Tarrant (2 percent). Nueces (15 percent) and Hidalgo (3 percent) counties, both reported decreases.

During the fiscal year, the district courts disposed of 98.9 percent of the total criminal and civil cases added to their dockets, compared to 95.4 percent in 1995. The district courts in the ten most populous counties disposed of 99.9 percent. In all other counties of the State, 97.6 percent were disposed. Statewide, 96 percent of the criminal cases and 100 percent of the civil cases added to the dockets were disposed of during the year.

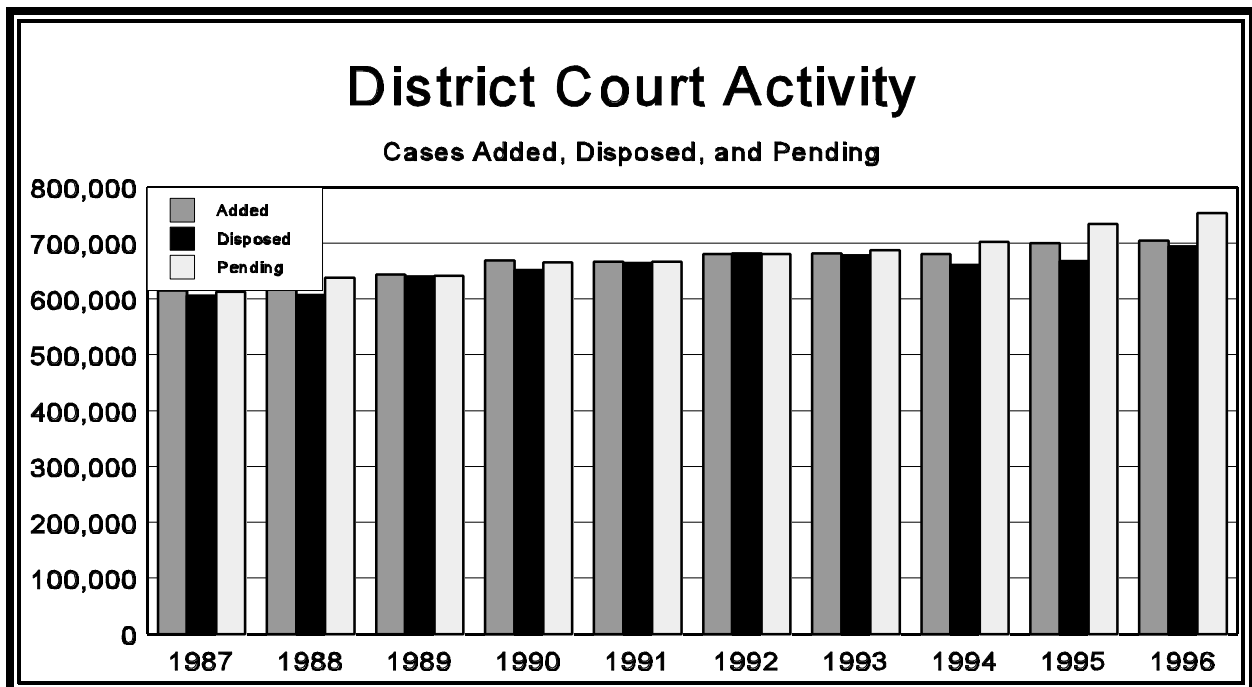
In the ten urban counties the disposition rate of criminal cases averaged 99.7 percent of cases added, ranging from 91 percent in Nueces and Travis Counties to 120 percent in El Paso County. The disposition rate of criminal cases for the rest of the State averaged 92 percent of those added to the docket.

Comparable figures for civil cases show an average disposition rate of 101 percent in the ten urban counties and a 100.1 percent disposition rate in the rest of the State. The range in the ten urban counties was from 88 percent in Hidalgo County to 120 percent in El Paso County.

An average of 1,752 cases per judge statewide were disposed of during the year, compared with 1,729 per judge during 1995.

Of all civil cases disposed, 23.8 percent were by non jury trials, and approximately 47.3 percent of these non jury trials were in divorce cases. Of the civil cases

### DISPOSITIONS



## **DISTRICT COURT ANALYSIS OF ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1996**

(CONTINUED)

disposed, 34.8 percent were family law cases including show cause motions but not divorces. Of all civil cases, 10.4 percent were dismissed for want of prosecution, and 16.4 percent were dismissed at the request of the plaintiff.

The defendant entered a plea of guilty in 37.2 percent of the criminal cases disposed. Including these pleas, the defendant was convicted in 39.4 percent of the cases and acquitted in less than one percent. In 13.8 percent of the criminal dispositions, the defendant was placed on deferred adjudication. Dismissals accounted for 16.5 percent of disposed cases. Of these dismissals, 10 percent were because of insufficient evidence, 9 percent were because the case was refiled, and 25 percent because the defendant was convicted in another case.

In the cases in which the defendant pleaded not guilty and which were disposed of by jury verdicts, the defendant was found guilty in 82 percent of the cases and was acquitted in 18 percent. In trials before the judge alone on not-guilty pleas, convictions resulted in 58 percent of the cases and acquittals in 42 percent.

Among the criminal cases, the highest rate for disposition by conviction was the category of felony DWI with 65 percent. The highest rate of disposition by dismissal was for sexual assault of an adult with 30.2 percent. The lowest rate of dismissal was for felony DWI with 8 percent.

### **DISPOSITION RATES**

Of the 196,662 criminal cases disposed by the district courts, 32.4 percent were disposed of in a period of less than two months from the date of indictment or information, 10.2 percent took two to three months, 9 percent took three to four months, and 48.3 percent took over four months.

Of juvenile cases handled by the district courts, a finding of delinquent conduct or conduct indicating a need for supervision (CINS) was entered in 59 percent of the cases disposed. In one percent of the cases, the juvenile was found not to have engaged in the proscribed conduct. Probation was continued in 5.7 percent of the cases and revoked in 2.3 percent of the cases. Dismissals and other dispositions occurred in 32 percent of the cases disposed.

District courts handled 6.7 percent more divorce actions during 1996 than during 1995. During the fiscal year, 125,543 divorce cases were disposed, 26.6 percent of all civil (non-juvenile) cases handled by district courts. Twenty percent of divorce cases were dismissed.

Tax cases tend to stay on the docket for long periods of time compared to other categories of cases. This fiscal year, 29 percent of the tax cases filed during the year or carried over from the previous year were disposed of by the district courts, the same as in fiscal year 1995. Approximately 51 percent of tax case dispositions were either dismissed for want of prosecution or by the plaintiff.

District courts disposed of .5 percent less personal injury-type cases during 1996 than during 1995. Twenty-three percent of the personal injury-type cases ended in agreed judgments, and 32 percent were dismissed by the plaintiff.

Of the 470,210 civil dispositions during the year, the courts disposed of 26 percent of the cases in under three months, 19 percent in three to six months, 19 percent in six to twelve months, 12 percent in twelve to eighteen months, and 24 percent over eighteen months.

### **CASES PENDING**

The 559,646 civil cases pending in the district courts on August 31, 1996 represent a 0.8 percent increase over the 554,835 pending on August 31, 1995. Criminal cases pending increased 4.8 percent, from 169,063 to 177,236.

### **DEATH SENTENCES IMPOSED**

Forty death sentences (compared to 46 in 1995) and 498 life sentences were assessed in the district courts during the year.