

TEXAS COURT ACTIVITY

OVERVIEW OF ACTIVITY FOR YEAR ENDED AUGUST 31, 1996

APPELLATE COURTS

SUPREME COURT

The 989 applications for writs of error filed during fiscal year 1996 represented a 3.1 percent decrease from the 1,021 applications filed in fiscal year 1995, and was 1.6 percent lower than the 10-year average of 1,005.

The Court "passed on" (disposed of or otherwise acted upon) a total of 3,181 matters during fiscal year 1996, an increase of 5.2 percent from the 3,025 matters passed on in fiscal year 1995.

During the fiscal year 1996, the justices of the Supreme Court wrote 183 opinions (or an average of 20.3 opinions each), 18.3 percent less than the 224 opinions written in fiscal year 1995 and 14.9 percent less than the 10-year average of 215.

COURT OF CRIMINAL APPEALS

The 518 cases added to the docket of the Court of Criminal Appeals in fiscal year 1996 represent an increase of 48.9 percent from the 348 cases added during fiscal year 1995, which ended August 31, 1995.

Judges of the Court of Criminal Appeals wrote 749 opinions during fiscal year 1996, of which 534 (71 percent) were "deciding" opinions disposing of cases. The remainder were dissents, concurrences, and opinions on rehearings. Of the deciding opinions, 130 were signed and 404 were per curiam. During 1995, members of the Court wrote 526 opinions, 65 percent of which were deciding opinions.

COURTS OF APPEALS

The Courts of Appeals disposed of 10,164 total cases during the year, an average of 127 dispositions (71 criminal and 56 civil) per justice. The pending caseload increased from 9,519 at the beginning of the fiscal year to 10,470 at the end of the year.

A total of 10,742 cases was filed in the Courts of Appeals during the fiscal year, which included 6,146 criminal cases and 4,596 civil cases. This was an increase of 10.3 percent from the 9,734 total new cases filed in fiscal year 1995. New criminal cases increased 13.2 percent from the 5,430 filed in fiscal year 1995 and civil cases increased 6.8 percent from the 4,304 filed in fiscal year 1995.

The average lapse of time between the filing of a civil case in a Court of Appeals and its disposition ranged from 4.9 months in the Sixth Court of Appeals in Texarkana to 11.4 months in the Thirteenth Court of Appeals in Corpus Christi. The average lapse of time in the 14 courts for civil cases was 8.1 months.

The average lapse of time between the filing of a criminal case in a Court of Appeals and its disposition ranged from 7.9 months in the Seventh Court of Appeals in Amarillo to 21.8 months in the Fifth Court of Appeals in Dallas. The average lapse of time for the 14 courts was 12.4 months.

In fiscal year 1996, the justices of the Courts of Appeals wrote 9,951 opinions, 8.5% more than the 9,172 written in 1995.

TRIAL COURTS

DISTRICT COURTS

Forty death sentences (compared to 46 in 1995) and 498 life sentences were assessed in the district courts during the year. Of the 196,662 criminal cases disposed by the district courts of Texas, 32.3 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, 9.1 percent took three to four months, and 48.3 percent took over four months.

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 an increase of 0.3 percent 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 percent), Hidalgo (3 percent), Nueces (4 percent), Tarrant (0.1 percent), and Travis (0.1 percent).

Civil cases accounted for 66.3 percent of all new cases filed during the fiscal year. The largest segment of civil cases filed (26.2 percent of new civil filings) were divorce actions.

During the fiscal year, the district courts disposed of 98.5 percent of the total civil and criminal cases added to their dockets, compared to 95.4 percent in 1995.

District courts handled 6.7 percent more divorce actions during 1996 than during 1995. During the fiscal year, 125,543 divorce cases, or 26.7 percent of all disposed civil (non-juvenile) cases, were handled by district courts. Some 19.8 percent of divorce cases were dismissed.

The total number of civil cases pending in the district courts on August 31, 1996, was 559,646 or 8.7% more than the 554,826 pending on September 1, 1995. Criminal cases pending increased 4.8 percent, from 169,063 to 177,236.

COUNTY-LEVEL COURTS

During the twelve-month reporting period, the county-level courts of the State disposed of 46.3 percent of the 1,391,247 total criminal, civil, and juvenile cases on their dockets (added during the year or carried over from the previous year).

From the number of cases reported, criminal cases constituted 73.1 percent (486,247) of the 664,902 new cases filed or appealed from lower courts. Civil cases accounted for 13.8 percent (92,052), probate cases represented 8.4 percent (55,819), and mental health cases represented 3.8 percent (25,403). New juvenile cases filed were 0.8 percent (5,383) of the total.

Total cases pending on the dockets of the county-level courts increased by 5.8 percent from 738,514 on September 1,

1995, to 742,808 on August 31, 1996.