

**STATE OF TEXAS**

**RESOLUTION**

**of the**

**TEXAS JUDICIAL COUNCIL**

**Criminal Justice Committee Class C Diversion Recommendations**

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, in recent years the Legislature has enacted legislation designed to limit youth exposure to the criminal justice system through decriminalization of failure to attend school and through the creation of a special civil process to address truancy; and

WHEREAS, while these changes to the law have significantly reduced the number of non-traffic, Class C/fine-only cases filed against juveniles in justice and municipal courts, the volume of these cases remains high with Office of Court Administration data indicating that over 36,300 non-traffic Class C cases were filed against juveniles in justice and municipal courts in state fiscal year 2022; and

WHEREAS, these remaining Class C/fine-only charges against juveniles are handled as criminal matters in justice and municipal courts, and the handling of these cases in this manner carries with it a variety of potential consequences, including the lack of appointed counsel, the imposition of legal financial obligations that might be difficult to satisfy, and the prospect of a criminal record; and

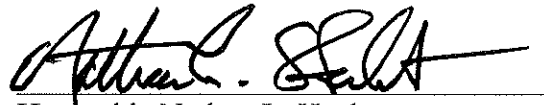
WHEREAS, diverting juvenile Class C offenders from the criminal justice system would advance a stated purpose of the Juvenile Justice Code — “to remove, where appropriate, the taint of criminality from children committing certain unlawful acts” while simultaneously holding youth accountable for their actions; and

WHEREAS, the Council’s Juvenile Justice Committee recommended in its 2018 and 2020 reports that the Legislature amend current law to allow for the handling of youth charged with

Class C/fine-only offenses as a civil matter in the state’s justice and municipal courts; and

WHEREAS, in 2018 and 2020, the Council recommended that the Legislature amend current law to allow for the diversion of youth charged with non-traffic Class C/fine-only offenses from the criminal justice system;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council requests the Legislature amend current law to allow for the diversion of youth charged with non-traffic Class C/fine-only offenses from the criminal justice system.

A handwritten signature in black ink, appearing to read "Nathan L. Hecht", written over a horizontal line.

Honorable Nathan L. Hecht  
Chair, Texas Judicial Council