

Texas Judicial Council Legislative Update

At its November 2012 and February 2013 meetings, the Texas Judicial Council approved thirteen resolutions urging the Legislature to take action on certain issues. Those resolutions and the legislative outcome are listed below:

Council Resolution	Bill Filed	Author/Sponsor	Status	Impact on Resolution
Ensuring Adequate Court Funding	SB 1	Williams/Pitts	Passed	Almost all court funding requests by judicial entities were funded.
Adequate Funding of the Court eFiling System	HB 2302	Hunter, S. Thompson/ West	Passed	Bill enacts per-case fee of \$20 on appellate, district and county civil cases, \$10 on justice court civil cases, and \$5 court cost on criminal convictions in district and county courts. Allows counties to continue \$2 per transaction fee to recoup costs of integration.
Additional State Funding for Indigent Defense	SB 1	Williams/Pitts	Passed	“Estimated appropriation” and unexpended balances in Fair Defense Account restored to Indigent Defense Commission. No increased funding to “close the gap.”
Judicial Compensation Commission Recommendations	SB 1	Williams/Pitts	Passed	Appropriations act provides funding for a 12% increase in judicial compensation. While not the 21.5% increase recommended by the Judicial Compensation Commission, the increase is the first since 2005 and has been well-received by the judiciary.
Interim Study on Criminal Court Cost Consolidation	SB 1908	West, Paxton/Lewis	Passed	Requires OCA to study all court fees and costs to determine whether each fee or cost is necessary. Report to Legislature due 9/1/14.
Consistent Fee Amounts in Compliance Dismissals	SB 790	Rodriguez	Did not pass	Bill would have set all compliance dismissal fees at \$20. Concerns were raised about removing judicial discretion on the fees.
Single Effective Date for New Criminal Court Costs and Civil Filing Fees	SB 390	West/Lewis	Passed	Repeals Government Code Sec 51.607(d), ensuring that all new court costs and filing fees become effective on January 1 of the year after they are enacted.
Assessment of Criminal Court Costs in Effect on Date of Conviction	SB 389	West/Lewis	Passed	Modifies law to state that court costs are assessed based upon the date of conviction, not date of offense.

Collection of Fines and Court Costs after End of Community Supervision Period	SB 391	West/Herrero	Passed	States that defendant's obligation to pay court costs is independent of community supervision period.
Juvenile Justice Committee Recommendations	SB 393	West, Hinojosa, Whitmire/Lewis, S. Thompson	Passed	SB 393 contains all of the Judicial Council's Juvenile Justice recommendations, with minor modifications. Modifies law to eliminate ticketing for school offenses, provides confidentiality of records for children, ensures children can access diversion programs and waiver of court costs, and provides greater parity with civil juvenile justice system.
	SB 394	West/Herrero, Wu	Passed	SB 394 contains Judicial Council recommendations for confidentiality of records for children.
	SB395	West/Herrero	Passed	SB 395 contains Judicial Council recommendations for waiver of court costs for children.
Informing the Attorney General of Constitutional Challenges to Texas Statutes	SB 392	West/Lewis	Passed	Requires attorneys to notify clerks/courts if they are challenging constitutionality of a state statute. Clerk then notifies AG.
Vexatious Litigants	SB 1630	West/Lewis	Passed	Bill clarifies vexatious litigant statute for all involved.
Support Funding for Civil Legal Aid in Texas	SB 1	Williams/Pitts	Passed	Appropriations Act maintained level funding with 2012-2013.
	HB 1445	S. Thompson, S. Davis, J. Davis, S. Turner, Naishtat, Farias, Lucio III/Duncan	Passed	Expands the potential funding available from recoveries by the Attorney General to up to \$50 million (currently \$10 million and more limited in scope)

Statistics from 83rd Legislative Session

	Bills Filed	Reported Out of Committee	Passed First Chamber	Passed Both Chambers	Sent to Governor
Total Bills	6,061	2,837	1,969	1,459	947 (15.6%)
Judicial Council Bills	13	12	12	12	12 (92.3%)