

Recent Texas Cases that have Ruled Court Costs Unconstitutional

Case	Notes
<i>Johnson v. State</i> , 2018 WL 1476275 (Tex. App.—Houston [14 th Dist.]) 2018	Court found CCP Art. 102.004(a) (jury fee) facially unconstitutional in violation of separation-of-powers provision. <ul style="list-style-type: none"> • “OCA has stated that, while the proceeds of the fee presumably are used for courts related to a jury, the statute does not explicitly limit the spending of the collected fees for the purpose of costs related to a jury.”
<i>Allen v. State</i> , 2017 WL 5712602 (Tex. App.—Houston [1 st Dist.]) 2017	Court found CCP Art. 102.011(a)(3) and (b) (summoning fee & mileage fee for summoning witnesses) facially unconstitutional
<i>Robison v. State</i> , 2017 WL 4655107 (Tex. App.—Texarkana) 2017	Court found CCP Art. 102.0185(a) (EMS Trauma Fund) cost facially unconstitutional.
<i>Hernandez v. State</i> , 2017 WL 3429414 (Tex. App.—Houston [1 st Dist.]) 2017	Court found CCP Art. 102.008(a) (prosecutor fee) facially unconstitutional.
<i>Casas v. State</i> , 524 S.W.3d 921 (Tex. App.—Fort Worth) 2017	Court found CCP Art. 102.0185(a) (EMS Trauma Fund) cost facially unconstitutional.
<i>Salinas v. State</i> , 523 S.W.3d 103 (Tex. Crim App.) 2017	Court found consolidated court cost to be facially unconstitutional (allocation to 2 funds)

