

# DISTRICT COURTS

## ANALYSIS OF ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1995

### NEW CASES FILED

The 386 district courts in the State experienced a slight increase in new cases filed during the reporting year, from 543,743 in 1994 to 550,155. The number of new criminal cases filed decreased 8 percent below 1994 filings, civil cases increased 5 percent, and juvenile cases increased 2 percent.

Civil cases accounted for 388,857 or 71 percent of all new cases added during the fiscal year. The largest segment of civil cases added were divorce actions (31 percent of new civil filings). Of the civil cases added, family law matters other than divorce actions comprised 23 percent, damages and personal injury cases (including workers' compensation) comprised 13 percent, tax cases comprised 15 percent, and disputes over debts comprised 5 percent.

Juvenile cases (Title 3 of the Texas Family Code) accounted for 19,083, or 3 percent of the total cases filed in the district courts.

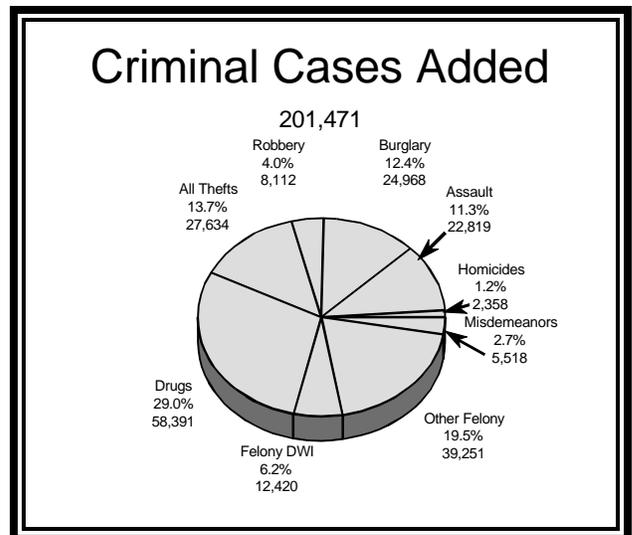
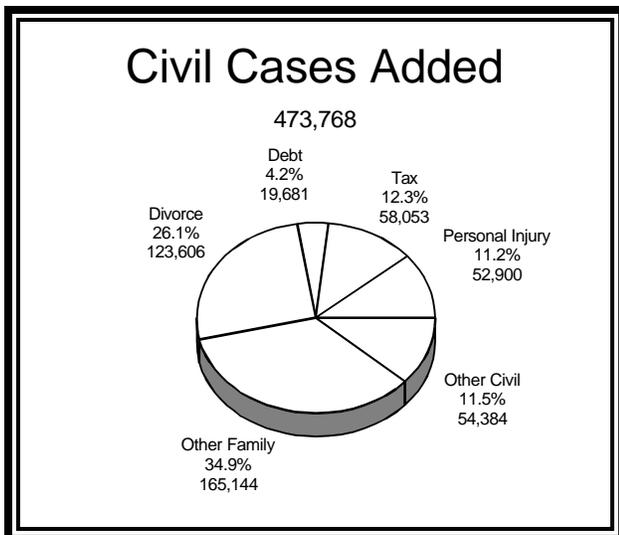
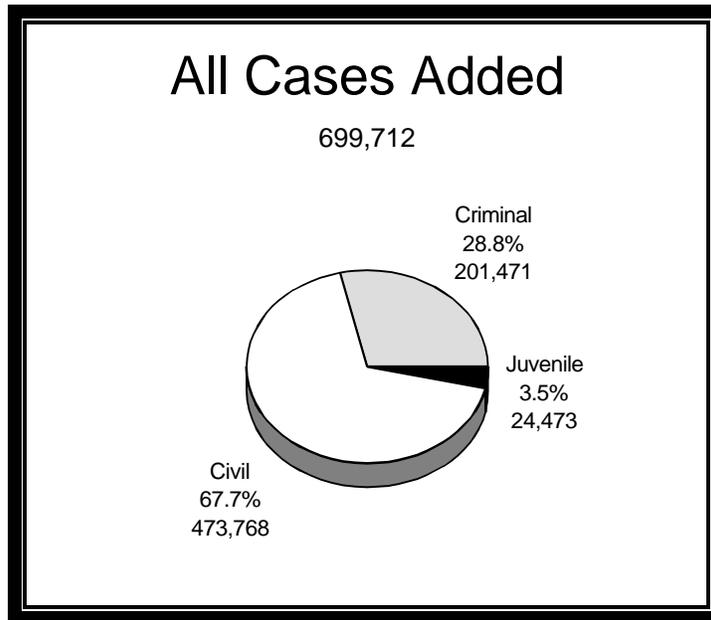
Criminal cases constituted 142,215, or 26 percent, of the total new cases added during the year. Of the criminal cases, 13

percent involved a charge of theft (including auto theft), 10 percent burglary, 4 percent robbery, 1 percent homicide (including capital murder), 12 percent assault (including sexual assault of a child and of an adult), 7 percent felony DWI, 28 percent drug offenses, and 3 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 7,468 cases (2 percent) in state fiscal year 1995 above the number of filings during 1994. In all other counties, the number of cases added increased 4 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 56 percent of the total cases added during the fiscal year.

Total cases added increased in Dallas County (1 percent), Bexar County (5 percent), Tarrant County (6 percent), El Paso County (2 percent), Hidalgo County (1



## DISTRICT COURT ANALYSIS OF ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1995

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percent), Nueces County (10 percent), Denton County (9 percent), and Collin County (6 percent). Decreases in total filings occurred in the counties of Harris (1 percent) and Travis (1 percent).

Criminal cases added to the docket decreased 5 percent in the ten urban counties during fiscal year 1995 as compared to 1994. This compares to a decrease of 1 percent in criminal filings for all other counties of the State. Criminal filings increased in two of the ten urban counties: Nueces (18 percent) and Denton (22.1 percent). Counties reporting a decrease in criminal cases added to the docket were Harris (5 percent), Dallas (3 percent), Bexar (10 percent), Tarrant (3 percent), El Paso (26 percent), Travis (5 percent), Hidalgo (16 percent), and Collin (4 percent).

Civil cases added increased 5 percent in the most populous counties and increased 6 percent in the remaining counties of the State. Eight counties reported increases in civil filings: Dallas (7 percent), Bexar (9 percent), Tarrant (12 percent), El Paso County (11 percent), Hidalgo (7 percent), Nueces (6 percent), Denton (5 percent), and Collin (9 percent). Harris County and Travis County reported approximately the same amount of cases added.

### DISPOSITIONS

During the fiscal year, the district courts disposed of 95.4 percent of the total criminal and civil cases added to their dockets, compared to 97.1 percent in 1994. The district

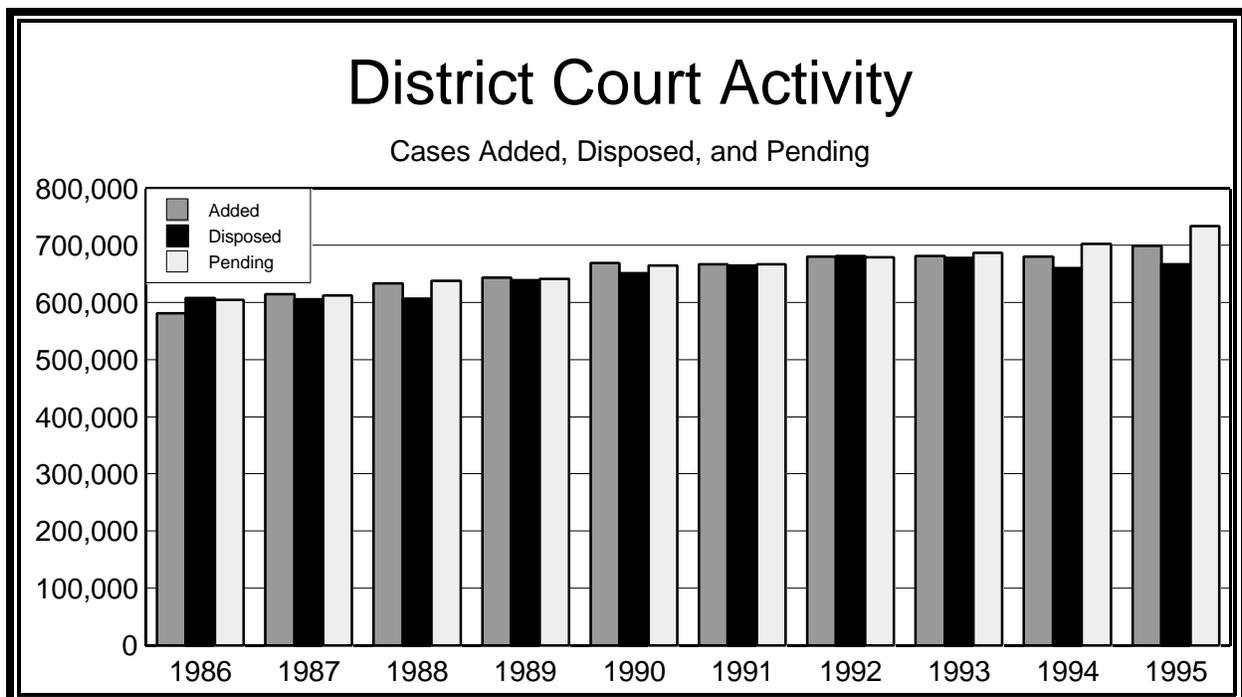
courts in the ten most populous counties disposed of 96.3 percent. In all other counties of the State, 94.2 percent were disposed. Statewide, 99.7 percent of the criminal cases and 93.3 percent of the civil cases added to the dockets were disposed of during the year.

In the ten urban counties the disposition rate of criminal cases averaged 100.6 percent of cases added, ranging from 81.5 percent in Nueces County to 108.9 percent in El Paso County. The disposition rate of criminal cases for the rest of the State averaged 98.4 percent of those added to the docket.

Comparable figures for civil cases show an average disposition rate of 93.8 percent in the ten urban counties and a 92.6 percent disposition rate in the rest of the State. The range in the ten urban counties was from 77.9 percent in Hidalgo County to 121.6 percent in Denton County.

An average of 1,729 cases per judge statewide were disposed of during the year, compared with 1,712 per judge during 1994.

Of all civil cases disposed, 25 percent were by non jury trials, and approximately 50 percent of these non jury trials were in divorce cases. Of the civil cases disposed, 34 percent were family law cases including show cause motions but not divorces. Of all civil cases, 9 percent were dismissed for want of prosecution, and 17 percent were dismissed at the request of the plaintiff.



## **DISTRICT COURT ANALYSIS OF ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1995**

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The defendant entered a plea of guilty in 37 percent of the criminal cases disposed. Including these pleas, the defendant was convicted in 39 percent of the cases and acquitted in less than one percent. In 15 percent of the criminal dispositions, the defendant was placed on deferred adjudication. Dismissals accounted for 17 percent of disposed cases. Of these dismissals, 10 percent were because of insufficient evidence, 10 percent were because the case was refiled, and 24 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 81 percent of the cases and was acquitted in 19 percent. In trials before the judge alone on not-guilty pleas, convictions resulted in 67 percent of the cases and acquittals in 33 percent.

Among the criminal cases, the highest rate for disposition by conviction was the category of felony DWI with 68 percent by convictions. The highest rate of disposition by dismissal was for sexual assault of an adult with 31 percent. The lowest rate of dismissal was for felony DWI with 8 percent.

### **DISPOSITION RATES**

Of the 200,793 criminal cases disposed by the district courts, 31 percent were disposed of in a period of less than two months from the date of indictment or information, 10 percent took two to three months, 9 percent took three to four months, and 50 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 60 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 6 percent of the cases and revoked in 4 percent of the cases. Dismissals and other dispositions occurred in 29 percent of the cases disposed.

District courts handled one percent fewer divorce actions during 1995 than during 1994. During the fiscal year, 117,625 divorce cases were disposed of; 27 percent of all civil (non-juvenile) cases handled by district courts. Fifteen 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, only 29 percent of the tax cases filed during the year or carried over from the previous year were disposed of by the district courts as compared to 31 percent in fiscal year 1994. Approximately 54 percent of tax case dispositions were either dismissed for want of prosecution or by the plaintiff.

District courts disposed of 5 percent more personal injury-type cases during 1995 than during 1994. Almost 22 percent of the personal injury-type cases ended in agreed judgments, and 31 percent were dismissed by the plaintiff.

Of the 442,008 civil dispositions during the year, the courts disposed of 27 percent of the cases in under three months, 21 percent in three to six months, 18 percent in six to twelve months, 10 percent in twelve to eighteen months, and 24 percent over eighteen months.

### **CASES PENDING**

The 554,928 civil cases pending in the district courts on August 31, 1995 represent a 6 percent increase over the 523,835 pending on August 31, 1994. Criminal cases pending increased less than one percent, from 168,467 to 169,063.

### **DEATH SENTENCES IMPOSED**

Forty-six death sentences (compared to 43 in 1994) and 476 life sentences were assessed in the district courts during the year.