

STATE OF TEXAS

RESOLUTION

of the

TEXAS JUDICIAL COUNCIL

Civil Justice Committee Civil Jurisdiction 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, the Civil Justice Committee was charged with studying ways to improve court efficiency and recommending any necessary reforms; and

WHEREAS, the Civil Justice Committee was charged with studying ways to simplify the jurisdiction of the courts of Texas and to make jurisdiction uniform by court level and across the State; and

WHEREAS, the Civil Justice Committee was charged with studying the landscape of the Texas Civil Justice System and recommending any other necessary or desirable reforms to improve access to justice in Texas Courts; and

WHEREAS, Article 5 of the Texas Constitution vests the judicial power of the state in many courts, authorizes the Legislature to establish other courts as it deems necessary, and allows the Legislature to “conform the jurisdiction of the district and other inferior courts thereto” and

WHEREAS, to improve access to justice by addressing the increasing costs of civil litigation across court levels, the 86th Legislature raised the amount in controversy for jurisdiction in certain statutory county courts, in constitutional county courts, and in justice courts.; and

WHEREAS, the Civil Justice Committee believes access to justice concerns will again arise if these limits are not periodically revise; and

WHEREAS, in coming years, the Texas Judicial Council and the Office of Court Administration will be able to tap into case level data for a granular view of the number of cases pressing against amount in controversy requirements; and

WHEREAS, this more dynamic view of data warrants a more flexible approach to setting amount in controversy levels, and the Committee believes the Legislature should statutorily tend to these levels on a regular basis, informed by real data;

WHEREAS, this will require the removal of specific amounts-in-controversy requirements from Article 5 of the Constitution; and

WHEREAS, at present, the minimum amount-in-controversy for civil cases in district courts sits at or very near that for constitutional county courts and statutory county courts; and

WHEREAS, an analysis of amount in controversy limits against Consumer Price Index adjustments suggests the upper dollar amount for statutory county court amount in controversy would be \$323,204 by Fiscal Year 2027;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends that the Legislature:

1. To streamline the overlapping jurisdictions of courts, remove specific amounts-in-controversy from Article 5 of the Constitution and instead define the jurisdictional amount by statute; and
2. To streamline the overlapping jurisdictions of courts, raise the minimum amount-in-controversy for civil cases originally filed in district courts; and
3. Raise the amount-in-controversy ceiling for all statutory county courts from \$250,000 to \$325,000.



Honorable Nathan L. Hecht
Chair, Texas Judicial Council