

STATE OF TEXAS

RESOLUTION

of the

TEXAS JUDICIAL COUNCIL

Judicial Resources Committee Court Space and Facilities Recommendations

WHEREAS, the Texas Judicial Council was created under Chapter 71, Texas Government Code and is charged with improving the administration of justice; and

WHEREAS, the Council has charged its Judicial Resources Committee with studying existing judicial resources and whether enhancements are needed; and

WHEREAS, the Business Court is experiencing difficulties when securing courtroom space for trials and hearings and many counties in which the Business Court sits are already operating at or near courthouse capacity; and

WHEREAS, Government Code Section 25A.017(d) entitles a county to reimbursement from the state at market rates for courtroom use but reimbursement alone has not consistently resulted in courtroom availability; and

WHEREAS, assigning responsibility to the Local Administrative Judge would create a clear point of accountability for coordinating courtroom access within the county; and

WHEREAS, directing Business Court reimbursement funds to projects benefiting the judiciary, including training, staffing, and facility improvements, would align incentives with that responsibility and encourage cooperation in making courtroom space available for Business Court proceedings; and

WHEREAS, the 15th Court of Appeals has experienced challenges in securing courtroom space for oral arguments within the Capitol Complex; and

WHEREAS, the 15th Court of Appeals serves a unique, statewide function and the court will add new justices and support personnel in the coming years, which will result in the court exceeding its current chambers capacity; and

WHEREAS, the Texas Demographic Center estimates that Texas has added approximately 2.4 million residents over the past five years, and much of that growth has been concentrated in the state's most populous counties and has required significant long-range planning for public infrastructure and government services; and

WHEREAS, counties routinely develop plans for transportation, utilities, emergency management, and other major capital investments; and

WHEREAS, judicial infrastructure planning often occurs only after population growth and increasing caseloads have rendered existing facilities inadequate; and

WHEREAS, counties bear primary responsibility for funding and constructing court facilities and effective planning for future judicial needs must originate at the local level; and

WHEREAS, in many rapidly growing counties, courthouse facilities have not kept pace with the need for new courts, resulting in shortages of courtrooms, chambers, and judicial support space; and

WHEREAS, requiring the state's largest counties to prepare periodic Judicial Infrastructure Plans would promote long-term planning for future courthouse space needs, including facilities to be used by statutory county courts, appellate courts, and the Business Court; and

WHEREAS, OCA currently prepares workload analyses that evaluate the need for additional courts based on existing case filings; and

WHEREAS, expanding those analyses to incorporate projected population and caseload trends, and including statutory county courts, would provide counties with better information to support their infrastructure planning efforts; and

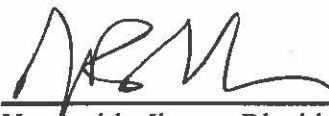
WHEREAS, providing these analyses directly to county judges would further assist local officials in anticipating future judicial resource and facility needs;

WHEREAS, a similar study by OCA would help identify current practices, assess security needs across diverse courthouse settings, and provide an informed foundation for future statewide guidance on courthouse security;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council respectfully

recommends that the Legislature:

1. Assign to the Local Administrative District Judge in Government Code Section 74.092 the duty to coordinate courtroom space for Business Court trials within the county. As an incentive for cooperation, the Legislature should further require that state reimbursement paid to a county for Business Court facility use be available at the discretion of the Local Administrative District Judge for judicial training, court personnel training, staffing, and court facility improvements;
2. Encourage the State Preservation Board to make the Capitol's historic courtrooms available for oral arguments before the statewide 15th Court of Appeals. The Legislature should also ensure that the 15th Court of Appeals has adequate chambers and support space within the Capitol Complex to accommodate its planned expansion;
3. Require the 30 most populous counties to develop and submit a judicial infrastructure plan to the Texas Judicial Council every five years, addressing anticipated court facility needs. The OCA should develop a model infrastructure plan using a predictive analysis model that counties may use in preparing their plans; and
4. Expand the court caseload analysis report required under Government Code Section 72.039 to include statutory county courts and direct OCA to provide the report to county judges in affected counties.



Honorable Jimmy Blacklock
Chairman, Texas Judicial Council