

STATE OF TEXAS

RESOLUTION

of the

TEXAS JUDICIAL COUNCIL

Judicial Resources Committee Court Efficiency and Staff Attorney 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 Presiding Judges of the Administrative Regions are appointed by the Governor to oversee the administration of justice in their regions and their primary duties are set out in Government Code Section 74.046, but they have many additional duties imposed by other statutes, including the oversight of the Children's Courts Program; and

WHEREAS, most regions have one administrative assistant, and when the assistant is absent due to vacation or illness, the region is without any support; and

WHEREAS, OCA has provided legal resources to the presiding judges as needed pursuant to its directive under Government Code Section 72.203 to consult and provide assistance to the presiding judges in the administration of their duties; and

WHEREAS, the responsibilities of the presiding judges have expanded significantly in recent years; and

WHEREAS, matters involving recusals, case transfers, high-conflict litigants, and other complex administrative issues increasingly require legal analysis and support; and

WHEREAS, the requests from the trial courts for legally sound research and most efficient approaches to court procedures have grown; and

WHEREAS, staff attorneys are a valuable judicial resource that can improve efficiency by assisting judges with legal research, drafting orders and jury charges, managing complex motions, and addressing other time-intensive legal tasks; and

WHEREAS, the use of staff attorneys in Texas courts is unsurprisingly centered in the largest counties and these positions are exclusively funded by the counties; and

WHEREAS, judges with staff attorney support report greater efficiency in carrying out judicial tasks; and

WHEREAS, between FY 2024 and FY 2026 the courts of appeal experienced a 29% increase in new cases filed; and

WHEREAS, the courts have seen growth in original proceedings, including petitions for writs of mandamus, as well as an increase in self-represented litigants and repeat filings by frequent litigants; and

WHEREAS, courts also report that the expanded use of artificial intelligence tools by self-represented litigants has increased the volume, length, and complexity of filings requiring review;

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

1. Support the OCA's exceptional item request to provide additional support to the judiciary by funding two additional resource attorneys and one administrative assistant to support the Presiding Judges of the Administrative Regions and state trial courts;
2. Establish a pilot grant program to fund staff attorney positions for trial courts. Interested courts would apply for funding and describe how the staff attorney would be used to improve court efficiency, case processing, or judicial productivity; and
3. Support the exceptional item request of the 14 Courts of Appeals to provide funding for additional staff attorneys.



Honorable Jimmy Blacklock
Chairman, Texas Judicial Council