

JUSTICE OF THE PEACE COURTS

ANALYSIS OF ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1995

Approximately 841 justice of the peace courts were in operation in the State during the state fiscal year which ended August 31, 1995. Each court was requested to submit a one-page report on activity of that court each month. Statewide, a total of 8,811 reports were submitted, out of a possible 10,108 for the year (an 86 percent reporting rate).

573,791 arrest warrants were issued. Also, 2,953 search warrants were issued, and 188,031 defendants charged with county or district court offenses were given statutory warnings. Emergency mental commitment hearings were conducted on 7,442 occasions, and 22,363 matters relating to juveniles were transacted.

TRAFFIC CASES ARE 67% OF FILINGS

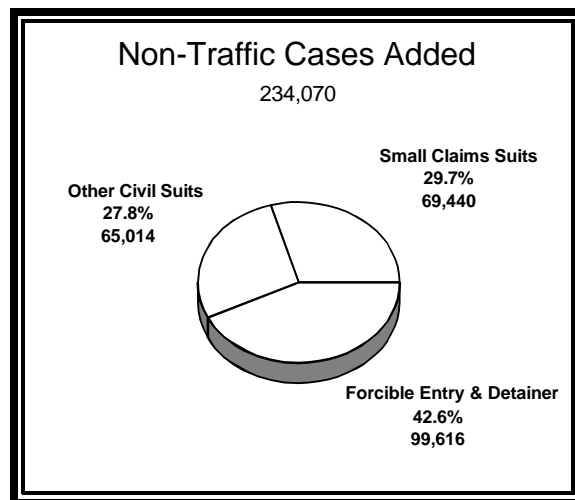
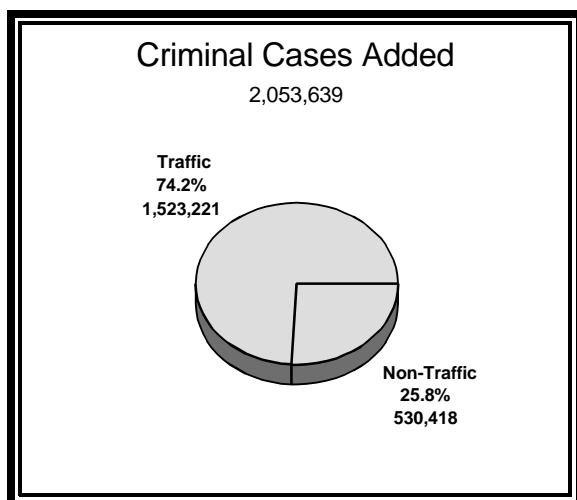
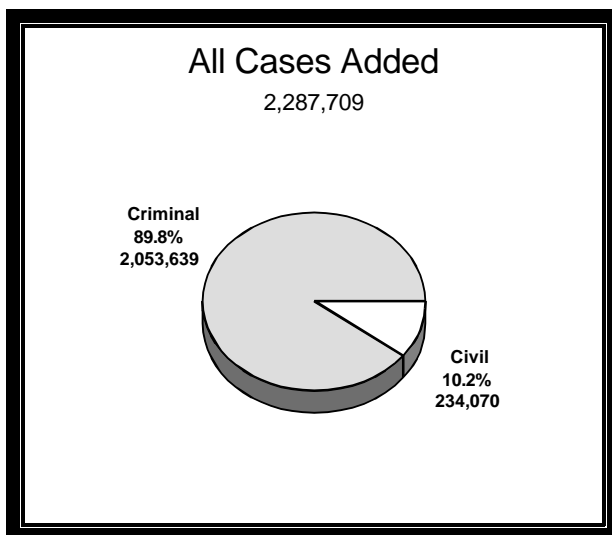
Criminal misdemeanor cases comprised 90 percent of the cases filed in the reporting courts. Of these misdemeanor filings, 74 percent were traffic cases (67 percent of all cases filed). During the fiscal year, 1,523,221 traffic cases were reported filed. Non-traffic criminal cases comprised 26 percent of the criminal cases filed. Civil cases provided 10 percent of the new cases filed. Small claims filings comprised 30 percent of all civil filings, 42 percent were forcible entry and detainer suits, and 28 percent were other civil actions.

DISPOSITIONS

Justices of the peace reported the disposition of all cases in three major categories: prior to trial, including dismissals (other than those granted after completing a driving safety course, deferred disposition, or proof of financial responsibility), at trial, and cases dismissed. Sixty-seven percent of all cases were disposed of before trial, 17 percent at trial, and 16 percent were dismissed after the defendant completed a driving safety course or a period of deferred disposition, the defendant provided proof of financial responsibility for the operation of a motor vehicle, or for other reasons.

In addition to cases filed, the reporting courts held 4,003 hearings to determine if a peace bond should be issued. In their capacity as a state magistrate, the reporting justices of the peace accepted 76,447 complaints within the jurisdiction of the county courts and 47,385 within the jurisdiction of the district courts (felonies). There were 2,235 examining trials held (preliminary hearings of district or county court cases) and 14,768 inquests conducted. Drivers license suspension hearings totaled 24,079. There were

Analyzing traffic cases only, 69 percent were disposed of prior to trial, 82 percent of those by payment of fine. Of the 9 percent that went to trial, 98 percent of the cases were tried before the judge alone and the remaining cases were tried before a jury. When traffic cases went to trial, the defendant was found guilty in 95 percent of the cases tried before the judge alone and in 85 percent of the cases tried before a jury.



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(CONTINUED)

Concerning non-traffic criminal cases, 51 percent were disposed of prior to trial by payment of fine or forfeiture of deposit made to insure appearance. Thirteen percent went to trial, and 36 percent were dismissed. Of those that went to trial, 99 percent were before the judge without a jury. Guilty findings were made in 90 percent of the trials before a judge alone and in 78 percent of the jury trials.

A much higher percentage (76 percent) of all disposed civil suits went to trial than did criminal cases (11 percent). Twenty-four percent of the disposed civil suits were dismissed before trial. Of the cases that went to trial, 99 percent were before the judge alone and the remainder before a jury.

The courts reported the disposition of 2,133,237 cases, which is 93 percent of the 2,287,781 cases filed, down from 94 percent during the previous year.

Appeals were filed in 16,622 cases tried in the justice of the peace courts, or a less than 6 percent of the cases disposed of at trial.

Finally, justices of the peace reported holding 42,408 conferences prior to any legal action being filed in their courts. These conferences resulted in 23,540 cases not being filed as formal cases. Information on such conferences is not submitted by all reporting justices.

REPORTED REVENUES TOP \$136 MILLION

Total revenue collected by the reporting courts during the year was \$136,108,677, a 9 percent increase of approximately \$10,942,796 over the previous year. The average amount of revenue per disposition that was not a dismissal was \$99.24. This revenue is deposited in the treasury of the county where the court has jurisdiction; however, certain court costs on each case are remitted to special funds of the State.

