

COMMITTEE ON JUDICIARY & CIVIL JURISPRUDENCE

TEXAS BUSINESS COURT IMPLEMENTATION



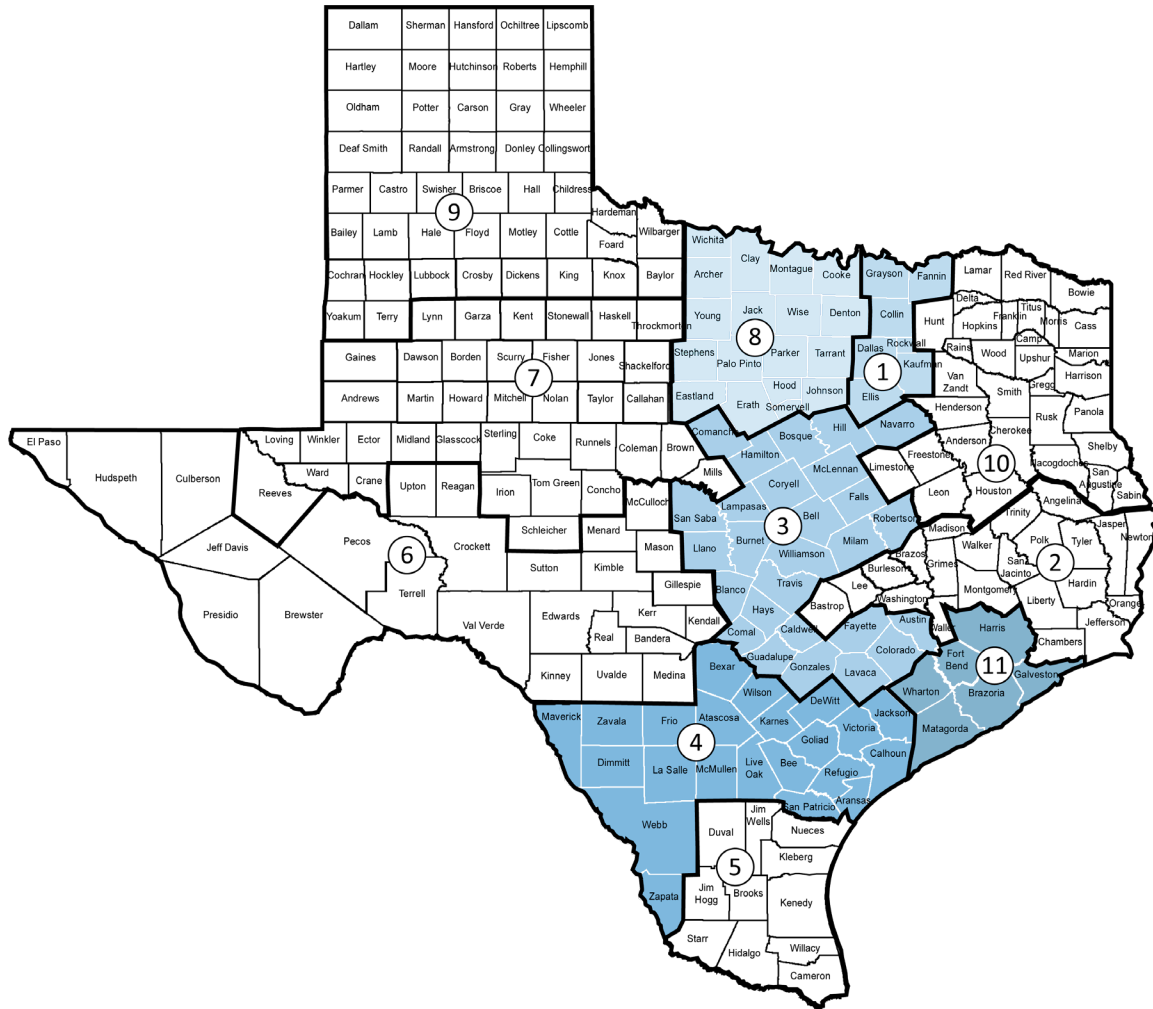
MEGAN LAVOIE, ADMINISTRATIVE DIRECTOR
OFFICE OF COURT ADMINISTRATION
SEPTEMBER 17, 2024

HOUSE BILL 19

- Created a specialized trial court, composed of all counties in Texas, to efficiently resolve certain high-value business disputes
- Stipulated that changes in law made by the Act applied to civil actions commenced on or after September 1, 2024
- Required the Supreme Court of Texas to adopt rules for the issuance of written opinions, adopt procedural rules, and set fees in amounts sufficient to cover the costs of administering Gov't Code Chapter 25A
- Administratively attached the Business Court to the Office of Court Administration (OCA) requiring that OCA provide the court with administrative support



GENERAL STRUCTURE



- A statewide business court with eleven divisions consistent with the Administrative Judicial Regions
- Five divisions of the business court have two judges each and are operational as of September 1, 2024
 - 1st, 3rd, 4th, 8th and 11th
- The six remaining divisions will be without an operational business court until 2026 and will be abolished on September 1, 2026, unless re-authorized and funded by the legislature
 - 2nd, 5th, 6th, 7th, 9th and 10th



PRIORITY TASKS AT A GLANCE IN FY 24

1. Find suitable and secure Chamber and Courtroom Spaces
2. Operational Procurement
3. Court Fees Research and Recommendations to SCOTX
4. Work with counties in each division to establish procedures for handling transfers and removals from the business court, jury summons and courtroom reservations for jury trials
5. Staff Onboarding and Training



COURT LOCATIONS

- Subject to Section 25A.015, a business court judge may hold court at any courtroom within the geographic boundaries of the division to which the judge is appointed as the court determines necessary or convenient for a particular civil action.
- Counties shall accommodate the business court in the court's conduct of hearings and other proceedings, to the extent practicable.
- Each judge can choose the location of his or her chambers within the division the judge serves. OCA has authority to contract with counties for use of facilities.
- Remote proceedings must be conducted from a courtroom or from the facilities provided by the state.
- Jury Trials must be held in a particular county, depending on the circumstances and cannot be held remotely.



CHAMBERS & COURTROOM SPACE

Strategy

- Meetings with Urban Counties to Secure Space in existing courthouse facilities
- Approached Law Schools to gage interest in hosting working courts on campus
- Worked with Texas Facilities Commission on state office space construction and leasing commercial space

Challenges

- Overwhelmingly, urban counties do not have space in courthouses; most already share existing spaces with sister courts, and child support and child protection courts
- Spaces need remodeling or renovation
- Many spaces lack minimum court security requirements
- Short Term Leases are not common



FEE SCHEDULE

“The supreme court shall set fees for filings and actions in the business court in amounts sufficient to cover the costs of administering this chapter, taking into account fee waivers necessary for the interest of justice.”

Filing Fee Original Action	\$2,500
State Consolidated Fee	<u>\$ 137</u>
Total Filing Fee	\$2,637
Notice of Removal Fee	\$2,500
Transfer to Business Court Fee	\$2,500

Other fees include Issuance, Jury Trial Services, Copy and Search, Filing Bond/Clerk Approval, and Motions fees ranging from \$1 - \$300 (additional Jury Trial services and security costs may apply)



STAFF ONBOARDING & TRAINING

Example tasks:

- Oaths of Office
- State Employee Onboarding
- New Judge Training
- Training on court applications include:
 - Unified Case Management System
 - eFile Texas
 - Re:SearchTX
 - Video Conferencing Technology
 - Digital Evidence Management tool
- Security Training



FY 2026 AND 2027 APPROPRIATIONS REQUESTS

- Court Security
- Court Reporters
- Law Clerks
- Director FTE

Other issues?

- County Supplement

