

Proposed Texas Judicial Council Legislative Proposals – 84th Legislative Session

The Texas Judicial Council is a statutorily created judicial body responsible for the continuous study of “the organization, rules, procedures and practice, work accomplished, results, and uniformity of the discretionary powers of the state courts and methods for their improvement.”¹ The council is required to “receive and consider advice from judges, public officials, members of the bar, and citizens concerning remedies for faults in the administration of justice.”² To receive this advice, Chief Justice Nathan Hecht requested that numerous entities provide their legislative proposals to the Council for consideration at its September 7th meeting. While many of the proposals that were received have substantial merit, the Council is asked to consider those with significant policy implications in the administration of justice pursuant to the Council’s charge.³ The following proposals are forwarded for consideration by the Council (in no particular order):

1. A resolution advocating for adequate funding of the courts.
2. A resolution supporting adequate resources for counties for electronic filing.
3. A resolution encouraging additional funding by the state for the increased cost of indigent defense since the passage of the Fair Defense Act.
4. A resolution in support of adequate funding for civil legal aid in Texas.
5. A resolution supporting the Judicial Compensation Commission recommendations.
6. A resolution supporting judicial selection reform.
7. A resolution supporting the Elders Committee recommendations.
8. A resolution supporting the Juvenile Justice Committee’s recommendations (TBD – i.e. failure to attend school as juvenile offense in Justice and Municipal Courts).
9. A resolution encouraging revision of the statutes that mandate a pre-technology process in a technology-driven court system (i.e. paper notices required to be mailed by first class mail, etc).
10. A resolution supporting broadening the statutory eligibility requirements of specialty courts (i.e. drug courts, veterans’ courts, etc) and other recommendations related to veterans’ courts.
11. A resolution supporting clarification of the law regarding assessment of court costs on multiple counts.
12. A resolution encouraging simplification of the court cost and filing fee difference for the same functions/processes within clerks’ offices (i.e. different costs for divorce case depending on whether the case is filed in the district courts or county courts-at-law).

¹ Texas Government Code 71.031

² Texas Government Code 71.032

³ A full list of the proposals received is attached.