

JUDICIAL COUNCIL MONTHLY REPORT: CRIMINAL SECTION

Report Category	What to Count
1. Total Cases Pending First of Month:	Cases in which a <u>judgment had not been entered</u> as of the first of the month
a. Active Cases	Cases in which a <u>judgment had not been entered</u> as of the first of the month and that could proceed to adjudication/entry of final judgment
b. Inactive Cases	Cases in which a <u>judgment had not been entered</u> as of the first of the month but capias issued or defendant found incompetent to stand trial/committed for mental health services (cases could not proceed to adjudication/entry of final judgment)
2. New Cases Filed	New cases filed during the month
3. Cases Reactivated	Capias executed, defendant arrested, defendant found competent to stand trial, defendant had outstanding capias but came to court/attempted to pay fine (case could proceed to adjudication/entry of final judgment)
4. All Other Cases Added	Motion for new trial granted
5. Total Cases on Docket (Sum of Lines 1a, 2, 3 & 4)	Active pending cases + new cases filed + cases reactivated + all other cases added
DISPOSITIONS	Adjudication, entry of judgment
6. Dispositions Prior to Court Appearance or Trial:	
a. Uncontested Dispositions (Disposed without appearance before a judge (CCP Art. 27.14))	Payment of fine (partial or full) or acceptance by court of any amount WITHOUT a plea being entered in open court (e.g., payment by mail, internet, phone, at clerk window)
b. Dismissed by Prosecution	Dismissed pursuant to motion by prosecutor, or dismissed by the judge without a motion from <u>the prosecutor</u> , before defendant's appearance/trial
7. Dispositions at Trial:	
a. Convictions:	
1) Guilty Plea or Nolo Contendere	Plea of nolo or guilty at court appearance or after start of trial; conviction entered after non-compliance with terms of deferral, driver's safety, etc.; forfeiture of cash bond
2) By the Court	Defendant pleaded not guilty, <u>bench trial held</u> and defendant found guilty
3) By the Jury	Defendant pleaded not guilty, <u>jury trial held</u> and defendant found guilty
b. Acquittals:	
1) By the Court	Defendant pleaded not guilty, <u>bench trial held</u> and defendant found not guilty
2) By the Jury	Defendant pleaded not guilty, <u>jury trial held</u> and defendant found not guilty
c. Dismissed by Prosecution	Dismissed pursuant to motion by prosecutor, or dismissed by judge without a motion from <u>the prosecutor</u> , at defendant's appearance/trial
8. Compliance Dismissals:	
a. After Driver Safety Course (CCP, Art. 45.0511)	Defendant complied with all terms of driver's safety and case was dismissed
b. After Deferred Disposition (CCP, Art. 45.051)	Defendant complied with all terms of deferral and case was dismissed
c. After Teen Court (CCP, Art. 45.052)	Defendant complied with all terms of teen court and case was dismissed
d. After Tobacco Awareness Course (HSC, Sec. 161.253)	Cases dismissed pursuant to Sec. 161.253, Health and Safety Code
e. After Treatment for Chemical Dependency (CCP, Art. 45.053)	Cases dismissed after completion of court-ordered treatment for chemical dependency (<u>judge must have made finding in the case that offense was committed due to chemical dependency, and no deferral fee was charged in case</u>)
f. After Proof of Financial Responsibility (TC, Sec. 601.193)	Cases dismissed pursuant to Sec. 601.193, Transportation Code
g. All Other Transportation Code Dismissals	Cases dismissed pursuant to other provisions of Transportation Code
9. All Other Dispositions	Cases in which final judgment was entered but did not fit in a category above
10. Total Cases Disposed (Sum of Lines 6, 7, 8 & 9)	Total cases in which final judgment entered during the month
11. Cases Placed on Inactive Status	Cases in which judgment had not been entered but capias issued, defendant found incompetent to stand trial/committed for mental health services, etc. (case could not proceed to adjudication/entry of final judgment)
12. Total Cases Pending End of Month:	Cases in which a <u>judgment had not been entered</u> as of the end of the month
a. Active Cases (Equals Line 5 minus the sum of Lines 10 & 11)	Cases in which a <u>judgment had not been entered</u> as of the end of the month and that could proceed to adjudication/entry of final judgment
b. Inactive Cases (Equals Line 1b minus Line 3 plus Line 11)	Cases in which a <u>judgment had not been entered</u> as of the end of the month but capias issued or defendant found incompetent to stand trial/committed for mental health services (cases could not proceed to adjudication/entry of final judgment)
13. Show Cause Hearings Held	Number of show cause hearings held for failure to comply with requirements for deferred disposition or driver's safety (including cases involving juveniles); also include cases in which defendant failed to appear and the judge imposed the fine
14. Cases Appealed:	
a. After Trial	Cases in which the defendant was found guilty after a bench or jury trial then filed an appeal
b. Without Trial	Cases in which the defendant did not have a trial (but instead did not contest the case and paid the fine) then filed an appeal