

**SUBJECT:** Composition of certain court of appeals districts

**COMMITTEE:** Judicial Affairs — favorable, with amendment

**VOTE:** 7 ayes — Thompson, Capelo, Deshotel, Garcia, Hinojosa, Solis, Uresti  
1 nay — Hartnett  
1 absent — Talton

**WITNESSES:** For — Don Burgess  
  
Against — Darryl Pool, Republican Party of Texas; Alan Waldrop, Texans for Lawsuit Reform

**BACKGROUND:** Government Code, sec. 22.201 divides Texas into 14 court of appeals districts with a court of appeals in each district and lists the counties that compose each district. The First and Fourteenth appeals court districts, based in Houston, cover the same counties.

**DIGEST:** HB 543, as amended, would shift Chambers and Trinity counties from the jurisdiction of the First and Fourteenth Court of Appeals Districts to the Ninth Court of Appeals District. It would remove Montgomery County from the jurisdiction of the Ninth Court of Appeals District and place it in the First and Fourteenth Court of Appeals Districts, and it would remove Brazos County from the jurisdiction of the First and Fourteenth Court of Appeals Districts.  
  
This bill would take effect September 1, 2001.

**SUPPORTERS SAY:** HB 543 would help balance the caseloads of the Ninth Court of Appeals with those of the First and Fourteenth courts. Even though the Ninth Court of Appeals transfers about 18 percent of the appeals filed there to other jurisdictions, it still has one of the heaviest caseloads per justice in Texas.  
  
The bill would implement the recommendations of the House Judicial Affairs Committee's interim study on appellate court redistricting. The committee

approved the recommendation to place fast-growing Montgomery County in the First and Fourteenth appellate districts and add smaller Trinity and Chambers counties to the Ninth appellate district to even out the caseloads of those courts. The bill would add only about 54 cases to the First and Fourteenth appellate districts. The change also would decrease the numbers of cases transferred.

OPPONENTS  
SAY:

Changing the jurisdictions of the courts of appeals would lead to confusion and not solve the problem of unbalanced caseloads. It is hard enough to know which counties fall under the jurisdiction of which court of appeals without switching the counties around. Instead, the courts need to become more efficient. Otherwise, the same problem will arise again, and counties once again will need to be shuffled around.

NOTES:

The committee amendment would remove Brazos County from the First and Fourteenth Court of Appeals Districts.