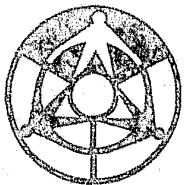


PHOTOGRAPH



THE AMERICAN UNIVERSITY

Criminal Courts Technical Assistance Project
Institute for Advanced Studies in Justice
The American University Law School
Washington, D.C.

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INSTITUTE FOR ADVANCED STUDIES IN JUSTICE

Nicholas N. Kittrie, Institute Director
Joseph A. Trotter, Jr., Associate Director
David J. Saari, Associate Director
B. J. Tennery, Associate Director

David E. Aaronson & C. Thomas Dienes, Co-principal Investigators
The Impact of Decriminalization on the Intake Process for Public Inebriates

H. H. A. Cooper, Staff Director
National Advisory Committee Task Force on Disorders and Terrorism

Jerry V. Wilson, Project Director
War on Crime in the District of Columbia, 1955-1975

Criminal Courts Technical Assistance Project

Joseph A. Trotter, Jr., Project Director
Caroline S. Cooper, Deputy Director
Bert H. Hoff, Technical Assistance Specialist
Johanna S. Kramer, Evaluation Specialist
Linda C. Sweeney, Research Analyst
Mark D. Cherry, Administrative Assistant

Project Advisory Board

Nicholas N. Kittrie, Institute for Advanced Studies in Justice
David J. Saari, Center for the Administration of Justice
College of Public Affairs

THE AMERICAN UNIVERSITY

Robert E. Cleary, Provost and Acting President
Gordon A. Christenson, Dean, Law School

DEFINITION OF THE
COUNTY COURTS-AT-LAW SYSTEM
TRAVIS COUNTY, TEXAS

NCJRS

MAR 8 1977

July, 1976

ACQUISITIONS

Consultant:

James C. Dunlap, Esq.

CRIMINAL COURTS TECHNICAL ASSISTANCE PROJECT
The American University Law Institute
4900 Massachusetts Avenue, N.W.
Washington, D.C. 20016
(202) 686-3803

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION CONTRACT NUMBER: J-LEAA-013-76

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I. INTRODUCTION

The Honorable Mary Pearl Williams, Judge of County Court at Law #2, Travis County, Texas, requested Technical Assistance from LEAA's Criminal Courts Technical Assistance Project at The American University through the Criminal Justice Division, Office of the Governor, Austin, Texas. The Criminal Justice Division is the LEAA Planning Agency for the state of Texas. County Judge Michael Renfro, County Court at Law #1 Judge M. Brock Jones, and County Court at Law #3 Judge James F. Dear joined in this request.

The purposes of this request were to:

- define the current County Court-at-Law system.
- point out problems in current system.
- plan for change in the system.
- identify tasks to be performed in carrying out these plans.
- define areas of responsibility to implement the tasks.

Each of the three County Court-at-Law judges agreed formally to the scope and objectives of this Technical Assistance Project in a letter sent to them on April 14, 1976. The County Judge requested that probate and civil commitments be included in the system definition.

Court management consultant James C. Dunlap performed the field work on this assignment throughout June and July, 1976. Mr. Dunlap, former Director of the Administrative Office of the Courts for Georgia, has developed similar system surveys while serving as the first Court Coordinator in Harris County, Texas. Throughout Texas, he has monitored many Court Coordination grants which provided the court systems involved with additional system development.

The methodology used by the consultant included the following:

1. Interviews

- a. Judge Mary Pearl Williams
- b. Judge M. Brock Jones
- c. Judge James F. Dear
- d. County Judge Michael Renfro
- e. District Judge Herman Jones, Presiding
- f. County Attorneys
- g. County Clerks
- h. Members of the Bar
- i. Aids to the Judges
- j. Sheriff's Department Personnel
- k. District Attorneys

2. Research Data

- a. Official County Court monthly reports to Texas Civil Judicial Council
- b. Evaluation of the Travis County Courts-at-Law, April 4, 1975, by Barbara L. Teague
- c. A Study of Delay in Processing Misdemeanor Cases in Travis County, December 5, 1975, by Juan Gallardo
- d. Statutes
- e. Proposed Local Rules of Court
- f. County Clerk's records and files
- g. County Attorney's files

3. On -Site Visit

- a. County Courts at Law #1,2, and 3
- b. County Attorney's Screening Division
- c. County Clerk's Civil Division
- d. County Clerk's Criminal Division
- e. County Clerk's Probate Division
- f. County Clerk's Civil Commitment Division
- g. County Clerk's Condemnation Division

4. Presentation of definition of system to:*

- a. County Judge
- b. County Court-at-Law #1 Judge

*On Thursday, July 15, 1976, James C. Dunlap presented his definition of the system in four overhead slides to the four judges. These overhead slides were discussed in detail to determine the needs for the three plans presented in the recommendation section. All judges agreed that the flow charts did in fact represent the system as it currently operates. The three plans represent the changes the judges requested to correct problems in current system.

- c. County Court-at-Law #2 Judge
- d. County Court-at-Law #3 Judge

The technical assistance consultant would like to thank all those interviewed for their cooperation in this effort. A special word of thanks to the three County Courts-at-Law Judges and to County Judge Michael Renfro for their assistance and time.

II. ANALYSIS OF THE EXISTING SITUATION

The Travis County Courts-at-Law are courts of limited jurisdiction located in Austin, Texas (see Chart 1 which follows). The population of the Austin Standard Metropolitan Statistical Area in 1970 was 296,000, representing a 39 percent increase since 1960. The rapid growth is due partly to the fact that the State Capital, main campus of the University of Texas, St. Edward's University and Bergstrom Air Force Base are located in Austin. The Travis County Courthouse, situated in Austin, houses the County Court, all Courts-at-Law and seven District Courts (general jurisdiction) which are not a part of this study.

The County Courts-at-Law have jurisdiction over the following types of cases:

1. Eminent Domain (condemnation)
2. Misdemeanors (A & B) (See Texas Penal Code)
3. Probate matters (concurrent jurisdiction with County Judge)
4. Civil commitments (concurrent jurisdiction with the County Judge)
5. Civil cases involving up to \$5,000
6. Appeals from Lower Courts

Judges in Travis County, Texas are elected to the bench, as are the District Attorney, District Clerk, County Attorney, County Clerk, Justices of the Peace, and the Sheriff. There are other elected officials in Travis County, but this study is limited to the justice process as it involves the County Courts-at-Law. It is interesting to note that, while the District Attorney and District Clerk function only in the District Courts, the County Attorney and County Clerk function only in the County Courts.

A. Definition of the Current System

The first task of this technical assistance assignment, as discussed in the agreement letter of April 14, 1976, was to define how the current County Courts-at-Law system works. The consultant felt before considering any changes in the courts' administration or case flow system, it was necessary to define how cases enter and exit the process.

It was further agreed between the four Judges and the Consultant that the best method of definition would be through construction of a flow chart documenting the processing of cases through the system, in order to show where current problems exist and to provide a basis to explain necessary changes. The County Judge requested that contested Civil Commitment hearings and probate cases be included in the definition of the process. Thus, this study includes the following categories of cases:

- a. Misdemeanors
- b. Civil
- c. Probate
- d. Civil Commitments

B. Ten-Year Growth in Filings

Chart #2, which follows, illustrates the growth of the civil and criminal (misdemeanor) caseload over a ten-year period. During this period, civil cases increased from 19% of the filings in 1965 to 52% in 1975. Many of those persons interviewed felt that this recent increase is attributable to "suits on debt" filed by the Attorney General's Office on persons who have defaulted on college loans. Most of these filings merely provided a method to record default judgements, and thus represented very little actual court time.

The largest increase in filings occurred between 1972 and 1974. In this two-year period new filings increased from 8,384 to 16,610 -- some 98%. Misdemeanors represented 81% of the Court's business in 1965, at which time there were two County Courts-at-Law. In the 1974 peak in misdemeanor filings, the 9,005 misdemeanor cases which were filed represented only 54% of the total number of filings.

Civil business over the ten-year period reflects an almost steady increase. On the other hand, misdemeanor filings have been sporadic. From 1965 to 1968m misdemeanor filings fell from 6,901 to 3,943. They then began increasing until 1974 when they reached a high of 9,005. Filings then declined during

1975 to 6,929. The 1974 increase may be due to changes in the definition of crimes by the legislature under Texas' new Penal Code, effective January 1, 1974. A precise answer to the causes of the 1974 increase and other fluctuations is beyond the scope of this paper, which is confined to statistical analysis and flow charting for system definition.

Over this same ten years, the population of Travis County increased only 48%.

C. Misdemeanors

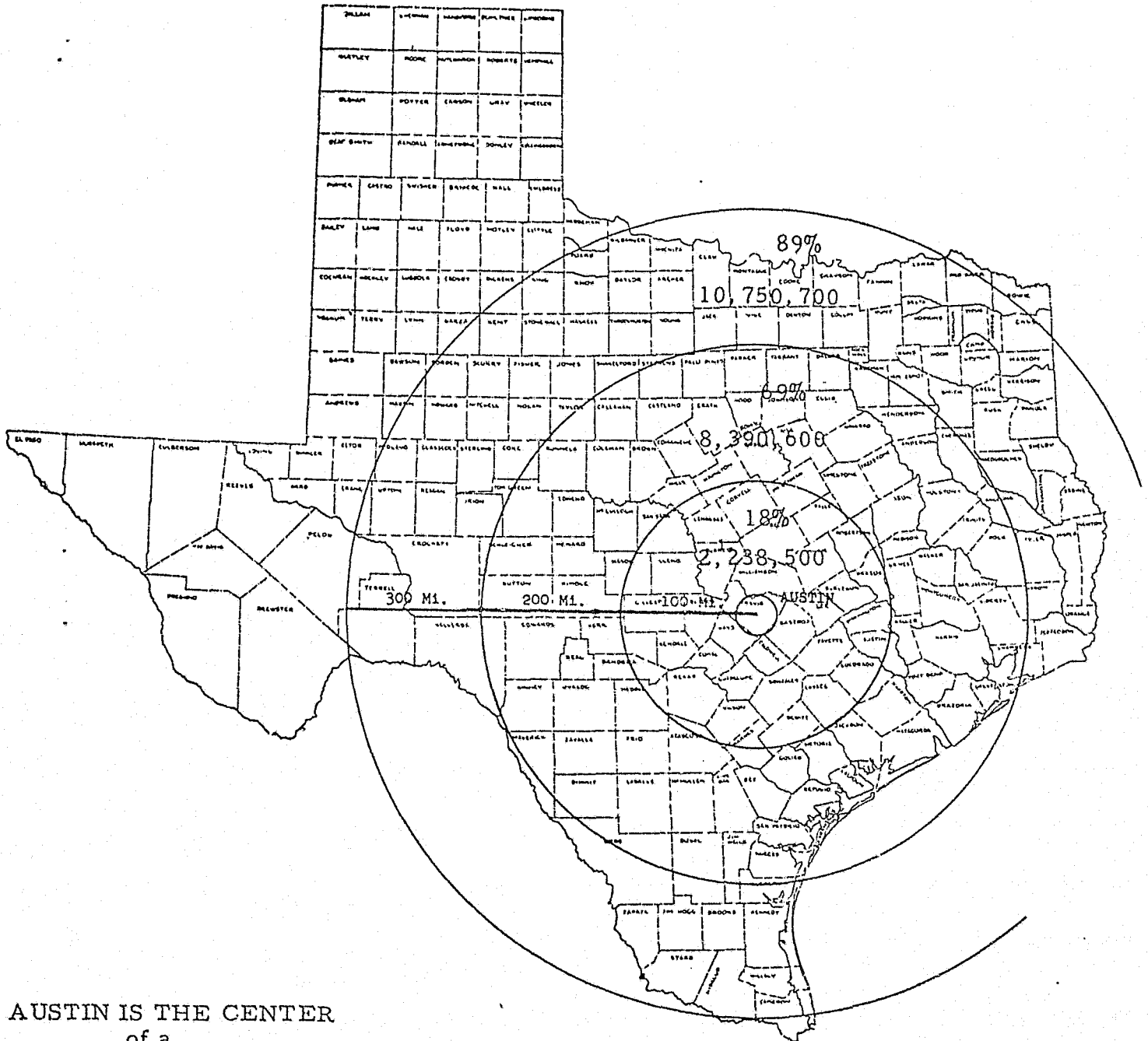
Chart #3, on the following page, illustrates the misdemeanor filings for DWI, worthless checks, marijuana possession, and for other criminal cases during 1974 and 1975. 15,844 cases were filed during this two-year period, of which 29% involved driving-while-intoxicated charges, 35% involved worthless checks, 10% involved possession of marijuana and 26% involved other criminal offenses.

Total dispositions during this period amounted to 16,307 cases. Fifty-nine percent of dispositions were by dismissal, 38% by guilty plea, two percent were by trial to the judge, and 1% by trial to a jury. The dismissal rate seems high. It could be caused by any number of factors, such as the length of time it takes to actually get paperwork to the courts following arrest, and the continuance policy of the courts. As time passes, witnesses leave, prosecutorial staffs change, and even "good," i.e., prosecutable cases are dismissed. On the other hand, since all cases are not screened at the time of arrest, the dismissal rate could represent weak cases that should never have been filed.

The case flow of misdemeanors is depicted by Chart #4, on page 8. Most arrests are made by the Austin Police Department, and Travis County Sheriff's Department. When an arrest is made, the warrant and complaint

Austin

THE GOOD LIFE IN TEXAS



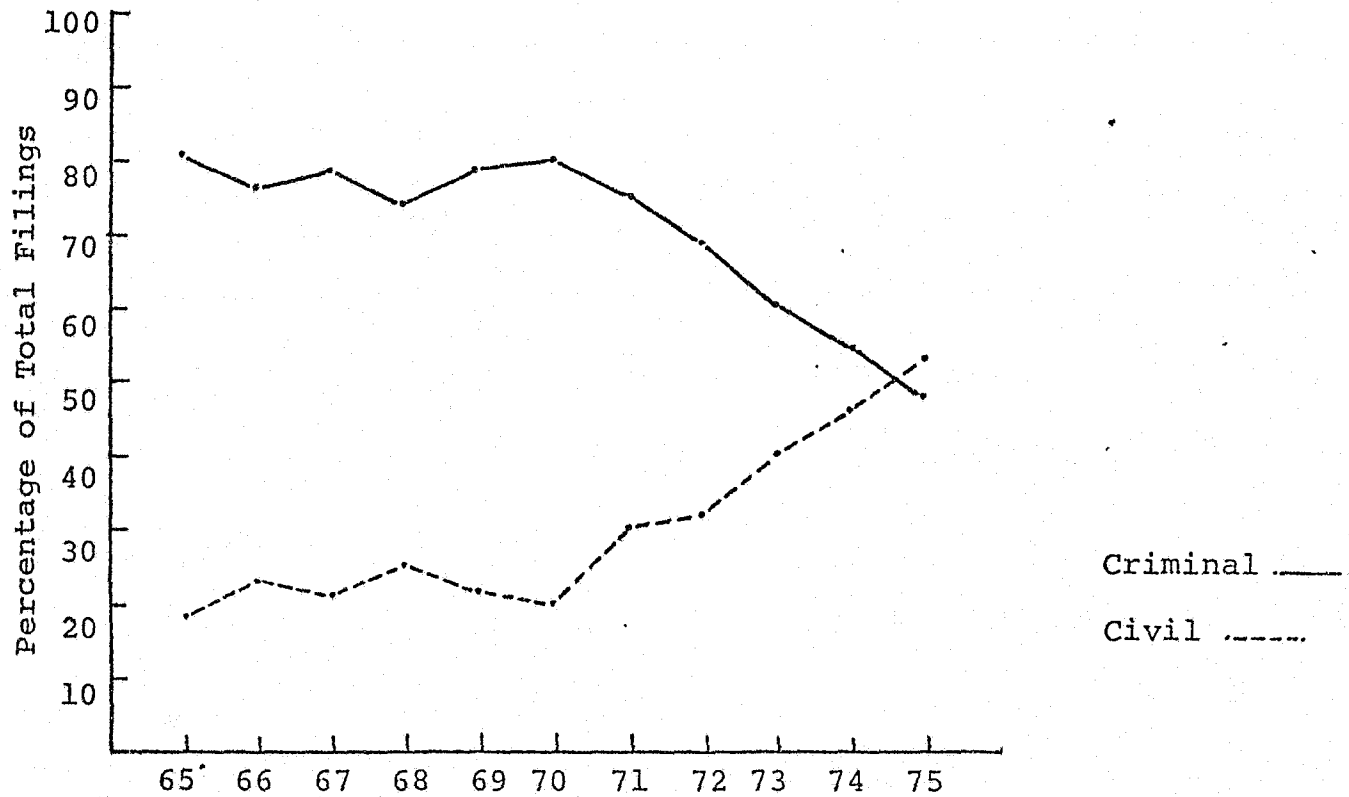
AUSTIN IS THE CENTER
of a
MAJOR MARKET AREA

RADIUS OF AUSTIN	POPULATION	INCOME	RETAIL SALES
100 Mile	2,238,500	8,547,354,000	5,288,968,000
200 Mile	8,390,600	36,907,039,000	24,015,122,000
300 Mile	10,750,700	45,360,059,000	30,000,560,000
Entire State	12,140,400	50,769,311,000	33,794,610,000

Figures of 12/31/74
Source: Sales Management

CHART #1

10 YEAR GROWTH OF FILINGS
COUNTY COURTS-AT-LAW
CIVIL VS. CRIMINAL
TRAVIS COUNTY, TEXAS



	Total Filings	Civil	Criminal
1965	8493	1592 (19%)	6901 (81%)
1966	6860	1563 (23%)	5297 (77%)
1967	5640	1175 (21%)	4465 (79%)
1968	5313	1370 (26%)	3943 (74%)
1969	5859	1249 (21%)	4610 (79%)
1970	6263	1272 (20%)	4991 (80%)
1971	6839	1725 (25%)	5114 (75%)
1972	8384	2592 (31%)	5792 (69%)
1973	10106	4074 (40%)	6032 (60%)
1974	16610	7605 (46%)	9005 (54%)
1975	14315	7386 (52%)	6929 (48%)

are typed by the City Clerk. At this point, they are given both an arrest number and a municipal number. The municipal judge fulfills the magistrate's function at jail call by giving required warnings, determining bond, and by reading charges to the accused. Additional arrests are made by the Department of Public Safety and Travis County Sheriff's Department.

Interviews have revealed that approximately 20 days elapse from the time of arrest to appearance of the case in the County Attorney's screening section. The screening section can:

1. Dismiss the complaint,
2. Refer the case back for additional information, or
3. File on information charging the defendant with a crime.

The next step in the process is to file the information in the County Clerk's office, when it will be given yet another number, filed, docketed, and calendared for a docket call in a County Court-at-Law. This docket/calendar is printed and mailed to attorneys.

At the docket call in the County Courts-at-Law, cases can be continued several times. The processing time of 26 cases selected at random, discussed in A Study of Delay in Processing Misdemeanor Cases in Travis County dated December 5, 1975, by Juan Gallardo, showed that 12 of these 26 cases went to trial, requiring an average of 263 days from arrest to trial.

At docket call a case may be set for a trial to the Court or to the jury, a guilty plea may be taken or the case may be continued. Most appearances to obtain continuances are handled by the judges and the attorneys involved, without the parties present.

The cases have been assigned to each court according to the date the information is filed, using the following formula:

- 1st 10 days of the month - County Court-at-Law #1
- 2nd 10 days of the month - County Court-at-Law #2
- 3rd 10 days of the month - County Court-at-Law #3

CHART #3

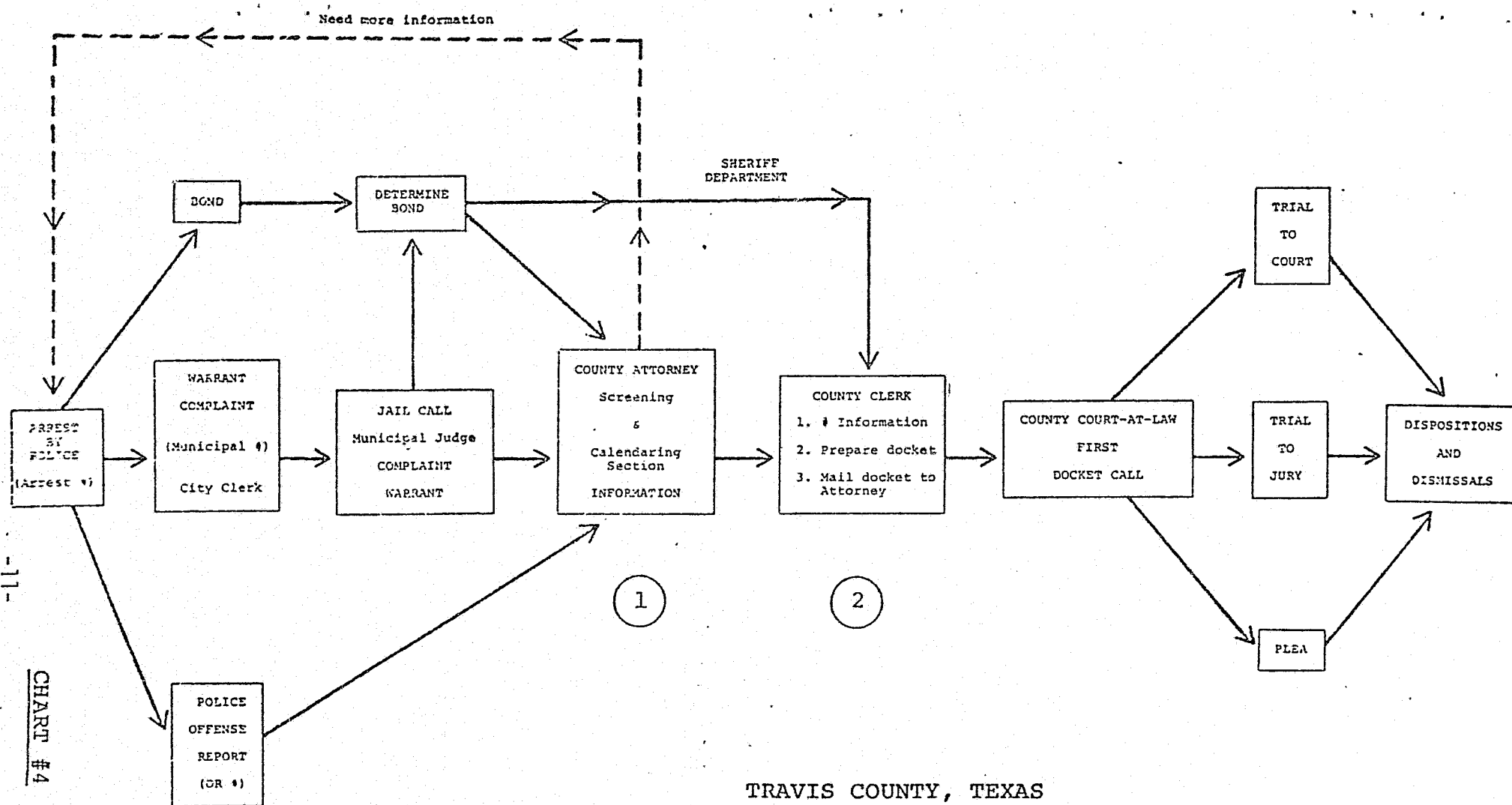
MISDEMEANORS
RECAP TRAVIS COUNTY
1974 - 1975
County Courts at Law

<u>Type of Cases/Years</u>	<u>Total Filed</u>	<u>Filed</u>	<u>Guilty Pleas</u>	<u>Trial Judge</u>	<u>Trial Jury</u>	<u>Dismissal</u>
DWI: 1974		2496	2022	25	38	486
1975	(4606)	2110	1967	32	74	328
Bad Checks:						
1974		3871	56	0	0	3735
1975	(5483)	1612	73	0	0	938
Marijuana:						
1974		766	335	14	3	290
1975	(1561)	795	486	27	0	462
Other Crim.:						
1974		1988	637	57	9	2026
1975	(4194)	<u>2206</u>	<u>683</u>	<u>97</u>	<u>7</u>	<u>1400</u>
T O T A L		<u>15844</u>	<u>6259</u>	<u>252</u>	<u>131</u>	<u>9665</u>

I. DWI	29% of Filings
Hotchecks	35% of Filings
Marijuana	10% of Filings
Other Criminal	26% of Filings

II. Total Disposition	16,307
Guilty Pleas	38%
Trial to Judge	2%
Trial to Jury	1%
Dismissal	59%

III. 97% of all Dispositions were Guilty Pleas and Dismissals.



TRAVIS COUNTY, TEXAS
Preliminary Misdemeanor Case Flow

July 9, 1976

CHART #4

Since the key date is the date the information is filed rather than the date the offense occurred, the County Attorney retains control of which court hears the case. The judges have recently agreed, however, to the wisdom of a strict rotation system, and to drop the current calendar-based system. The problems depicted in the current misdemeanor case flow system are the following:

1. There is no case-screening mechanism located at or close to the point of arrest, to keep bad cases out of the process.
2. The County Clerk does not provide a county control number until the information is filed. The complaint, warrant, and offense reports each have their separate numbers by the time the county number is issued.
3. The court does not control its own calendar, but leaves this to the County Attorney's office.
4. Printed dockets cost an excessive amount of money and contribute to delay in the system.
5. The case dismissal rate is too high.
6. Each County Court-at-Law judge's secretary handles non-secretarial administrative tasks (e.g., setting cases), but beyond this there is no coordinated system of administration.
7. Cases are placed in an inactive file because such necessary paper work as warrants, complaints and bonds has not been received.
8. Bonds do not have a number for control purposes.
9. The sheriff controls the jail docket for the County Courts-at-Law.

D. Civil Cases

Civil cases in Travis County represented 52% of the County Court-at-Law filings in 1975, and the backlog increased 148% from January 1, 1974, to January 1, 1976. "Suit on debt" cases represent 79% of the beginning balance of 13,302 cases as of January 1, 1976. There were 113 condemnation cases on file as of January 1, 1976, or 1% of the total. Fourteen percent of the condemnation cases over this two-year period were tried to a jury. Although

these trials represent a small percentage of the court's business, they consume a large amount of court time. It is estimated that each condemnation trial to jury takes a week or longer. The other twenty percent of the pending civil caseload is divided almost equally between Personal Injury and Other civil cases. (See Chart #5, which follows.)

The civil docket is attorney-controlled: the plaintiff's attorney can choose the court in which to file the petition, and both attorneys can agree on a trial setting by letter.

Chart #6, on page 13, illustrates the civil process. The steps of this process are as follows:

1. Filing of a petition and payment of the requisite fee
2. Preparation by the clerk of six independent forms
3. Service of process by sheriffs
4. Filing of an answer by defendant
5. Preparation of a letter of agreement that the case be set for trial
6. Pre-trial hearing and set trial date
7. Calling of jurors
8. Trial

Condemnation cases go through an administrative hearing prior to trial. The flow chart shows the following:

1. Appointment of special commissioners
2. Signing of oath and order setting hearing
3. Hearing
4. Award by commissioners
5. Objection by attorney

When an objection is filed, the case is returned to the usual civil process and proceeds on to trial as would any other civil case.

The problems illustrated by the flow chart and statistics are the following:

1. The system lacks any form of administration or management.
2. Judges do not provide direction or control of the process. Plaintiff's attorneys determine the court in which the petition is filed. Attorneys control setting of cases. Defense attorneys attempt to change hearings from the court in which the petition was filed to a court of their own choice.

CHART #5

COUNTY COURTS-AT-LAW
Travis County
1974 - 1975 Civil
July 15, 1975

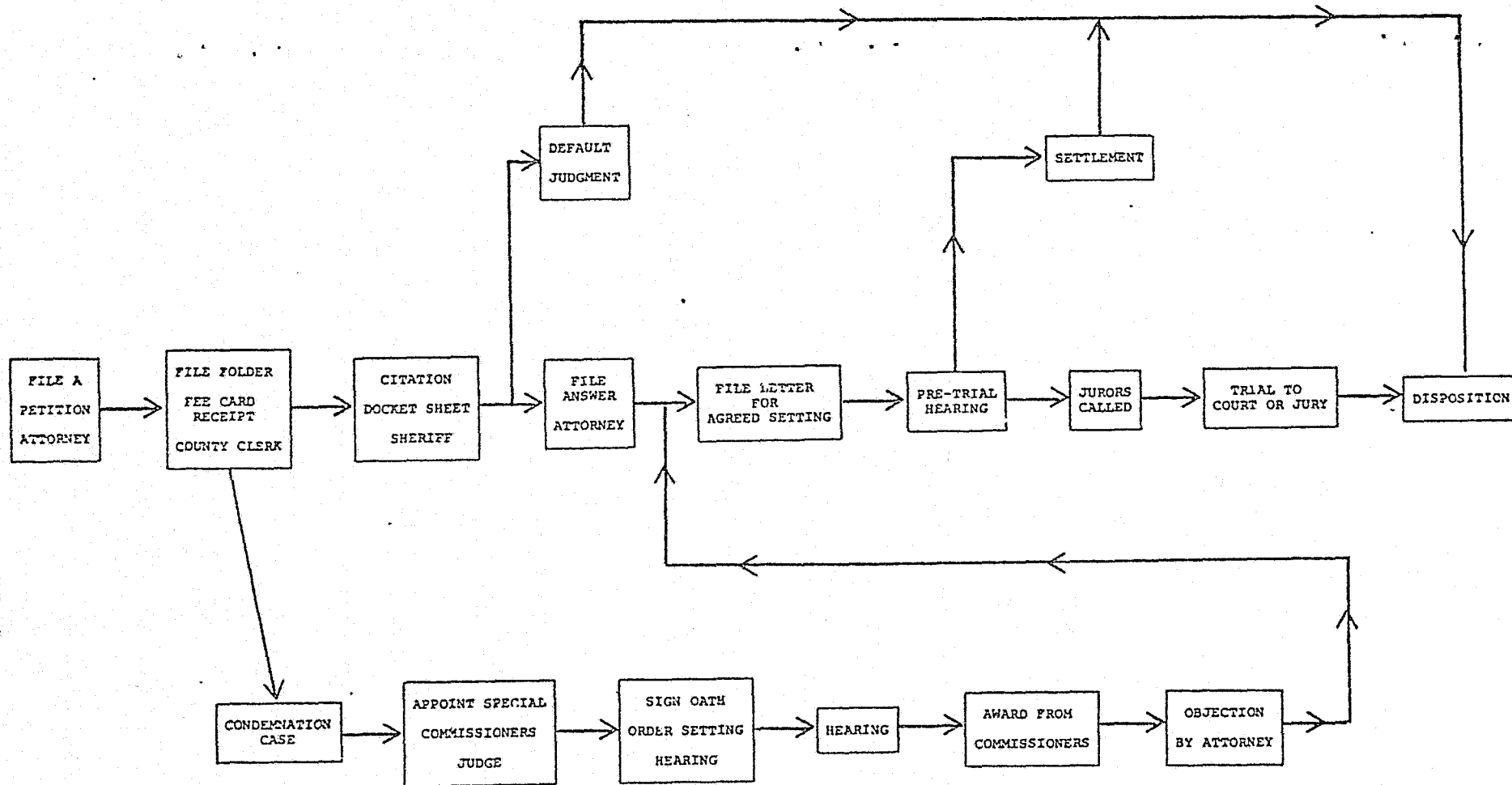
	<u>Total</u>	<u>Personal</u> <u>Injury</u>	<u>Condemnation</u>	<u>Suit on</u> <u>Debt</u>	<u>Others</u>
Beg. Bal. 1/1/74	5352	(17%) 935	(3%) 152	(60%) 3104	(20%) 1161
1974 Filings	7657	(11%) 825	(1%) 11	(79%) 6129	(9%) 692
1975 Filings	<u>7421</u>	(12%) <u>865</u>	(1%) <u>33</u>	(73%) <u>5448</u>	(14%) <u>1075</u>
Total Cases 74 & 75	20,430	(13%) 2625	(1%) 196	(72%) 14681	(14%) 2928
Disposition:					
1974	(3660) ¹	(21%) (770)	(1%) (30)	(53%) (1940)	(25%) (920)
1975	<u>(3468)</u> ²	(16%) <u>(565)</u>	(2%) <u>(53)</u>	(62%) <u>(2166)</u>	(20%) <u>(684)</u>
Beg. Bal. 1/1/76	13,302	(10%) 1290	(1%) 113	(79%) 10575	(10%) 1324

¹1974 Disposition
by Percentage:

Default or Agreed Judgment	(31%)	(80%)	(52%)	(34%)
Trial to Judge	(12%)	(3%)	(6%)	(8%)
Trial to Jury	(2%)	(14%)	(1%)	--
Dismissals	(52%)	(3%)	(38%)	(57%)
Others	(3%)	--	(3%)	(1%)

²1975 Disposition
by Percentage:

Default or Agreed Judgment	(36%)	(81%)	(62%)	(48%)
Trial to Judge	(14%)	--	(7%)	(13%)
Trial to Jury	(2%)	(6%)	--	--
Dismissals	(41%)	(9%)	(29%)	(38%)
Others	(7%)	(4%)	(2%)	(1%)



TRAVIS COUNTY, TEXAS
Preliminary Civil¹ Case Flow

July 9, 1976

3. Civil filings are increasing at a rate which represented 52% of the court's business in 1975.
4. Civil case dispositions are not keeping abreast of filings. The backlog increased 148% from January 1, 1974, to January 1, 1976.
5. Cases are not set for a date certain except by specific request or except as precipitated by periodic publication of dismissal dockets.

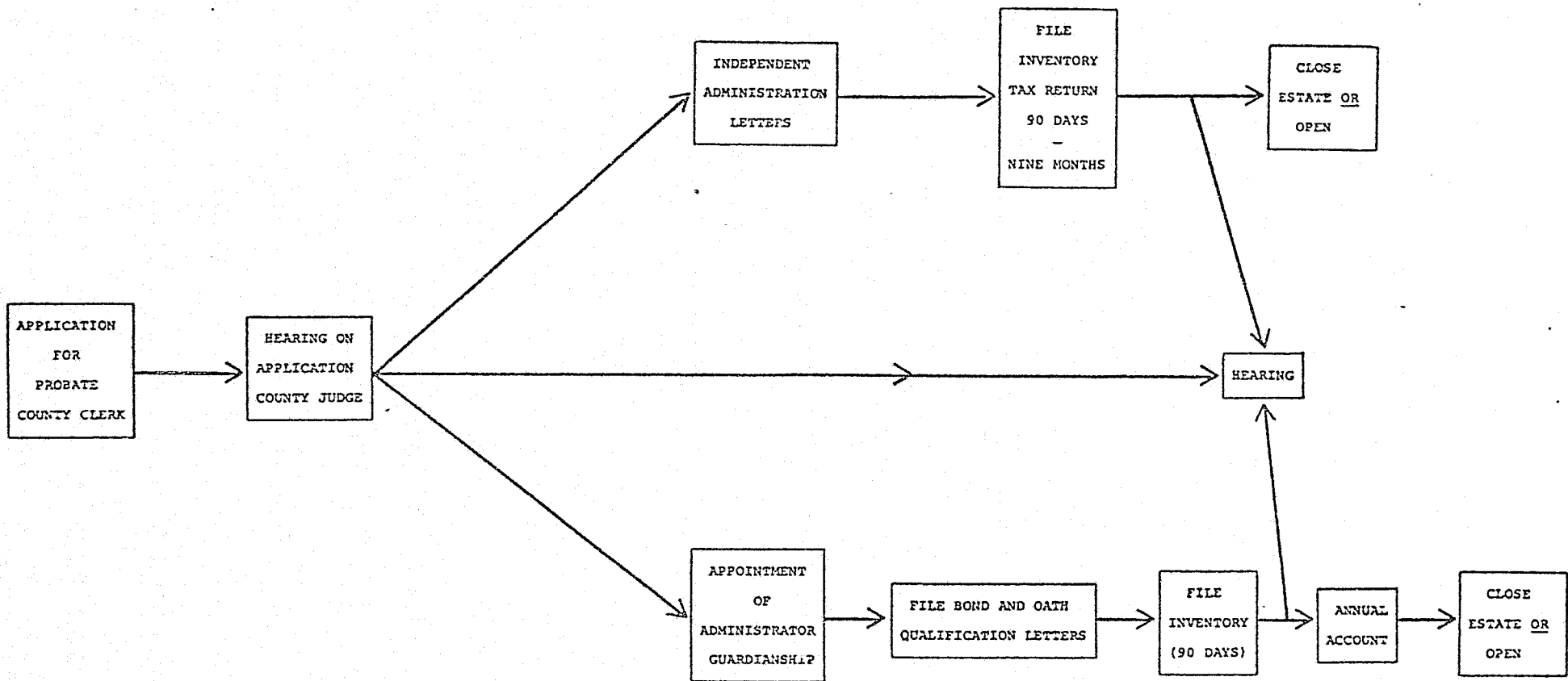
E. Probate

All three County Courts-at-Law have concurrent jurisdiction over probate matters with the County Judge. Statistics on the volume of cases in this process were not readily available, but, again, this paper deals mainly with the definition of the probate process and in particular assignment of contested cases which require longer than a day to try.

The probate hearing process is shown on Chart #7 on the following page. The process begins when the application for probate is filed with the Probate Section of the County Clerk's office. The hearing on the application is scheduled for 10 to 14 days later. Independent administrators are issued letters of administration, and are required to file an inventory sometime between ninety days and nine months from the date of filing. The administrator can schedule hearings and may continue the case until the estate is settled. The Probate Consultant, an aide to the County Judge, will schedule hearing dates.

When the estate does not have an independent administrator, the County Judge will appoint an administrator. A bond, oath and qualification letter must be filed, and the inventory is scheduled for filing in 90 days. An annual accounting is also required.

Hearings can be scheduled by the parties at any time during the probate process. If none are scheduled, the estate is simply left open, but plans are currently under way to calendar all cases for review and possible closing three years after filing.



TRAVIS COUNTY, TEXAS

Preliminary Probate Case Flow

July 9, 1976

Problems in probate case flow are as follows:

1. The County Judge needs an administrative method to calendar contested probate cases for trial in the County Courts-at-Law.
2. Independent administrators should be given dates certain, by which time their inventories are to be filed.
3. Probate cases should be scheduled for closing.
4. The calendar should be controlled by County Judge's administrative staff.

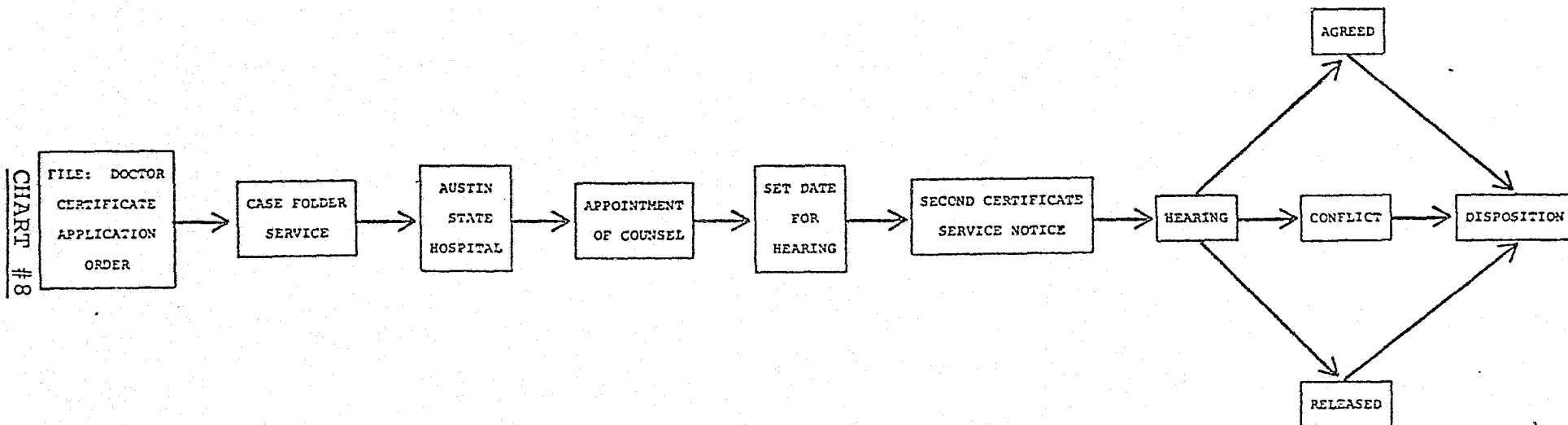
F. Civil Commitment

Civil commitment cases resemble probate cases, from an administrative point of view. The reason for the County Judge's request that this area be included as part of this study is that his tight schedule as the chief executive of the county limits the amount of time available to try contested matters. But most persons interviewed felt that these contested matters would constitute only five or six trials each year.

Chart #8, which follows, shows the process by which a civil commitment case moves from filing to disposition. Most matters are handled administratively by appointed counsel, personnel of the County Clerk's office, and the County Judge.

The major problems involved in these cases are:

1. Administrative procedures are lacking for transfer of these cases to County Court-at-Law when contested.
2. Cases are not scheduled for trial or hearing within the statutorily mandated fourteen days.



TRAVIS COUNTY, TEXAS

Preliminary Civil Commitment Case Flow

July 9, 1976

CHART #8

III. RECOMMENDATIONS

Due to the shortness of time, it was agreed to pick out three most important changes and present a plan for their implementation.

The plans for change will be as follows:

1. Change the misdemeanors process to establish judicial control over the courts process, provide adequate screening of cases, and assign each case one number at arrest stage.
2. Change the civil process to establish separate and judicially-controlled calendars for default judgments, pre-trial settlement conference, trials to court, and trials to judge, and disposition. Calendars should allow for scheduling of contested probate and civil commitment cases.
3. Establish court administration for county Courts-at-Law to handle the administrative workload of the judges.

A. Plan #1: To Change the Misdemeanors Process to Allow for Judicial Control

1. Problems

- a. The time from arrest to disposition is currently unreasonable.
- b. The county attorney controls the filing of cases for each court.
- c. The sheriff controls the jail docket for jail call at court.
- d. Many cases are not set for a date certain, and in others the date certain is not set early enough.
- e. A new case number is given by the county clerk, after the case already has at least three numbers.

2. Overall Objectives (General Statement)

To establish a screening division at the point of arrest to include responsibilities of the county attorney, county clerk, and court administrator, in order to afford more timely scheduling of misdemeanor cases and appointment of counsel; and to foster justice for the accused by timely dispositions of cases.

3. Implementation Tasks

<u>Task Description</u>	<u>Schedule</u> <u>Start-Complete</u>		<u>Responsibility</u>
1. Set up Board of Judges and elect administrative judge.	Aug. 1976	Aug. 1976	County Court-at-Law Judges
2. Establish committee made up of County Judge, County Attorney, County Clerk, and Judges.	Aug. 1976	Aug. 1976	Administrative Judges
3. Present plan to set up screening section at Police Department	Sept. 1976	Sept. 1976	Administrative Judges
4. Get approval for case screening from County Attorney	Oct. 1976	Nov. 1976	Administrative Judges and County Attorney
5. Get approval for numbering of cases at arrest from County Attorney	Oct. 1976	Nov. 1976	Administrative Judges and County Clerk
6. Set up responsibilities and activities for docketing of cases to courts by court administrator's staff (see Plan #3)	Oct. 1976	Dec. 1976	Administrative Judges
7. Apply for CJD grant to provide court administration and early screening capabilities	Sept. 1976	Dec. 1976	Administrative Judges
8. Restructure case flow to implement screening at arrest stage.	Oct. 1976	Feb. 1977	Court Administrator
9. Prepare court rules concerning misdemeanors	Feb. 1977	Mar. 1977	Court Administrator and Judges
10. Set up roster of attorneys for appointment at screening stage.	Jan. 1977	Feb. 1977	Aides to Judges
11. Establish multiple copy form, containing warrant, complaint, and information to be filled out at screening.	Jan. 1977	Mar. 1977	Court Administrator
12. Establish responsibilities to insure uniform numbering of multiple copy form as well as bond and offense report.	Jan. 1977	Feb. 1977	Court Administrator and County Judge Clerk
13. Explain new procedures to Travis County Bar Association members.	Mar. 1977	Mar. 1977	Administrative Judges
14. Document change for Plan Number 1.	Mar. 1977	Apr. 1977	Court Administrator
15. Install new procedures.	Mar. 1977	Mar. 1977	Court Administrator
16. Monitor system and propose change if necessary to judges.	Mar. 1977	Ongoing	Staff of Court Administrator
17. Prepare monthly or quarterly reports for judges on "state of docket."	Mar. 1977	Ongoing	Court Administrator

B. Plan #2: To Establish Civil Calendars to Provide a Date Certain for Each Hearing, from Petition to Disposition

1. Problems

- a. The backlog on civil cases grew 148% since 1974, but much of this growth is due to default suits on debt, which rarely involve court time.
- b. Plaintiffs' attorneys select the court when the petition is filed.
- c. At present there is no procedure to allow for contested probate cases or civil commitments.
- d. Jurors are used ineffectively and at an excessive cost under attorney control of the calendar.
- e. Judges waste time because they currently do not control their time.

2. Overall Objectives

To establish calendars provide a date certain for:

- a. Default judgment hearings
- b. Pre-trial hearings
- c. Trials to the jury
- d. Trials to the judge
- e. Disposition and closing of file,

in order to provide efficient scheduling of all cases, to afford effective management of the administrative workload of the courts, and to allow additional time for judges to actually hear cases.

3. Implementation Tasks

<u>Task Description</u>	<u>Schedule</u> <u>Start-Complete</u>		<u>Responsibilities</u>
1. Establish a Rules Committee made up of the judges and attorneys from Travis County.	Oct. 1976	Oct. 1976	Administrative Judge or Board of Judges
2. Study plan for rules and implementation of specialized calendars for (1) Default judgments (2) Pre-trial hearings (3) Trial to judge on jury and (4) Dispositions.	Oct. 1976	Feb. 1977	Committee

<u>Task Description</u>	<u>Schedule Start-Complete</u>		<u>Responsibilities</u>
3. Establish procedures to capture information from petition at point of filing.	Nov. 1976	Dec. 1976	Court Administrator
4. Establish procedures to capture information from answer to petition, or lack of answer, 21 days after filing.	Dec. 1976	Feb. 1977	Court Administrator
5. Set up format for default calendar with notice to plaintiff's counsel	Dec. 1976	Feb. 1977	Court Administrator
6. Give notice of default calendar to plaintiffs' counsel by telephone.	Mar. 1977	On-going	Aide to Judges
7. Set up calendar format for pre-trial hearings.	Dec. 1976	Feb. 1977	Court Administrator
8. Schedule pre-trial hearing by courts	Dec. 1976	Feb. 1977	Court Administrator
9. Give notices to both parties of time of hearing.	Mar. 1977	On-going	Aide to Judges
10. Establish format for trial to jury or to the court.	Dec. 1976	Feb. 1977	Court Administrator
11. Set up procedures and methods for scheduling of a case from pre-trial to trial.	Dec. 1976	Feb. 1977	Court Administrator
12. Set up format of notice to be served at time of pre-trial hearings.	Feb. 1977	Mar. 1977	Court Administrator
13. Establish rule to control continuances.	Jan. 1977	Mar. 1977	Judges
14. Set up format to receive disposition and close case files.	Feb. 1977	Feb. 1977	County Clerk, Court Administrator
15. Establish local rules with committee based on new calendar system.	Dec. 1976	Feb. 1977	Court Administrator and Committee
16. Approve local rules.	Mar. 1977	Mar. 1977	Committee
17. Publish local rules.	April 1977	May 1977	Court Administrator
18. Monitor calendar procedures court-by-court	Mar. 1977	On-going	Court Administrator

<u>Task Description</u>	<u>Schedule</u>		<u>Responsibilities</u>
	Start-Complete		
19. Establish procedures to hear contested probate and civil commitment cases in County Courts-at-Law.	Dec. 1976	Mar. 1977	Court Administrator
20. Prepare schedule of trials to jury with call of jurors.	Mar. 1977	June 1977	Court Administrator
21. Implement new, efficient method of calling jurors for trials.	June 1977	June 1977	Court Administrator

C. Plan #3: To Establish the Office of Court Administrator for County Courts-at-Law

1. Problems

- a. At present there is no central administration for the judiciary.
- b. Currently, administrative functions and responsibilities of the judges are performed by other agencies.
- c. Inventories of cases for each court are unknown.
- d. Changes in the current system cannot take place because no one administrator has the authority to plan and monitor changes.

2. Overall Objectives (General Statement)

To establish the office of court administrator for the County Courts-at-Law in order to effectively perform the administrative functions and responsibilities of the judges.

3. Implementatibn Tasks

<u>Task Description</u>	<u>Schedule</u>		<u>Responsibilities</u>
	Start-Complete		
1. Apply for a court coordination grant for Travis County Courts-at-Law.	Aug. 1976	Sept. 1976	Board of Judges, Administrative Judge and Criminal Justice Division
• Personnel would include a court administrator, a secretary, and an input coordinator.			
• Other expenses would include funds for office supplies, desks, and necessary equipment to set up the office.			

Task Description	Schedule		<u>Responsibilities</u>
	Start	Complete	
<ul style="list-style-type: none"> Objectives, procedures and tasks for office of court administrator should be specified. Include tasks specified in Plans #1 and 2, above, where the responsibility belongs to the Court Administrator. The cost of such a project is estimated to be in the neighborhood of \$52,500. 			
2. Interview applicants for job of Court Administrator.	Sept. 1976	Oct. 1976	Board of Judges
3. Select candidate to be Court Administrator.	Oct. 1976	Oct. 1976	Board of Judges
4. Contract with Criminal Justice Division for pre-cost agreements on grant.	Oct. 1976	Oct. 1976	County Judge and Administrative Judges
5. Hire Court Administrator.	Oct. 1976	Oct. 1976	Board of Judges.
6. Set up Court Administrator's office and explain tasks and grant to new Court Administrator.	Oct. 1976	Nov. 1976	Court Administrator
7. Send Court Administrator to Court Coordinator's seminars during October and November.	Oct. 1976	Nov. 1976	Administrative Judge
8. Monitor Court Administrator's handling of job.	Oct. 1976	On-going	Administrative Judge
9. Hire staff to complete court administration staff.	Nov. 1976	Dec. 1976	Court Administrator
10. Orient staff on court operation and responsibilities.	Nov. 1976	Dec. 1976	Court Administrator
11. Begin calendar process on misdemeanors and civil cases.	Nov. 1976	Mar. 1977	Court Administrator
12. Monitor court operation and report monthly to judges and Court Judicial Division.	Oct. 1976	On-going	Court Administrator
13. Plan and budget for the overall needs of the County Courts-at-Law.	Oct. 1976	On-going	Court Administrator
14. Set up tasks of Plan #1 for implementation.	Oct.	On-going	Court Administrator

<u>Task Description</u>	<u>Schedule Start-Complete</u>	<u>Responsibilities</u>
15. Set up tasks of Plan #2 for implementation	Oct. On-going 1976	Court Administrator
16. Coordinate courts' operations with other agencies of the county	Oct. On-going 1976	Court Administrator
17. Explain court rules to Travis County attorneys	Mar. On-going 1977	Court Administrator
18. Provide administrative support for the County Court-at-Law judges	Oct. On-going 1976	Court Administrator
19. Reduce case backlog by effective and efficient scheduling of cases for date certain.	Mar. On-going 1977	Court Administrator

IV. SUMMARY

This report studied the County Courts-at-Law as a system for processing cases from the point of origin to final disposition.

The system was defined through interviews in order to chart the four types of cases to be studied. Appropriate statistics were used to support basic conclusions regarding filings and dispositions.

Once the system was defined and the flow charts produced, the consultant presented his findings to the four judges involved in the study. These findings were discussed and recommendations for change in the current system were made in the form of three plans. These plans contain tasks by which the judge can control the calendars and establish an office of court administration.

This report did not discuss all the problems faced by the Travis County Courts-at-Law, but the three plans represent an effort to meet some of the system's immediate needs. A court administrator can begin to correct the additional problems and provide administrative needs to the judges.

END