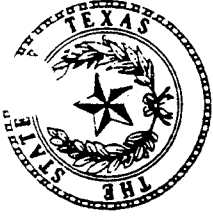


Appendix A



PROGRESSIVE SANCTIONS WORKGROUP MEETING PARTICIPANT LIST

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Memorandum

TO: Stephanie Goodman – Senate Committee on Jurisprudence
FROM: Neil Nichols, TYC General Counsel *NN*
SUBJECT: Information Requested
DATE: June 5, 2002

Attached is the information on TYC budgeted treatment costs that Senator West requested during the Houston committee hearing in late April. These numbers focus on the actual services youth receive at TYC as opposed to strictly custodial care and supervision. Those costs are not included in these numbers.

Please let us know if we can provide additional information.

Neil Nichols 424-6241

**Attachment
Faxed to 463-8336
2 pages including cover**

TEXAS YOUTH COMMISSION
Budgeted Treatment Costs
Fiscal Year 2002

<u>Categories</u>	<u>FY 2002</u>
Counseling Services	3,124,290
Psychological Services (Mental Health)	12,210,116
Psychiatric Services	1,612,169
Specialized Treatment Services	4,961,775
Specialized Parole Services	<u>1,181,000</u>
Sub-Total	23,089,350
Educational Services	<u>32,702,255</u>
TOTAL TREATMENT COSTS	55,791,605

05/24/2002

f:\FY2002\Senwest-treatment\$

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PAGE.02

DRAFT DOCUMENT
CHAPTER 53. PROCEEDINGS PRIOR TO JUDICIAL PROCEEDINGS
CHAPTER 59. PROGRESSIVE SANCTIONS GUIDELINES DISPOSITIONS MODEL

Chapter 53. Proceedings Prior to Judicial Proceedings.

§ 53.013. Progressive Sanctions Dispositions Program.

- (a) Each juvenile board may adopt a ~~progressive sanctions~~ dispositions program using the guidelines model for progressive ~~sanctions~~ dispositions in Chapter 59.
- (b) ~~A juvenile court or probation department that deviates from the guidelines under Section 59.003 shall state in writing the reasons for the deviation and submit the statement to the juvenile board regardless of whether the juvenile board has adopted a progressive sanctions program.~~

Chapter 59. Progressive Sanctions Guidelines Dispositions Model.

§ 59.001. Purposes

- (a) The purposes of the ~~progressive sanctions guidelines~~ dispositions model are to:
- (1) ~~ensure~~ recommend that juvenile offenders face ~~uniform similar dispositions and consistent consequences and punishments~~ that correspond to the seriousness of each offender's current offense, prior ~~delinquent offense~~ history, special treatment or training needs, and effectiveness of prior interventions;
 - (2) balance public protection and rehabilitation while holding juvenile offenders accountable;
 - (3) ~~permit flexibility in the decisions made in relation to the juvenile offender to the extent allowed by law;~~ recognize that departure of a disposition from this model is not necessarily undesirable and in some cases is highly desirable; and
 - (4) ~~consider the juvenile offender's circumstances; and~~
 - (5) ~~improve juvenile justice planning and resource allocation by ensuring uniform and consistent reporting of disposition decisions at all levels.~~
- (b) To the extent allowed by law, the model shall permit flexibility in the decisions made in relation to the juvenile offender and the court, prosecutor or probation department may consider the following factors in making a disposition of a juvenile's case:
- (1) juvenile offender's special circumstances including family stability, history and treatment needs;
 - (2) mitigating or aggravating circumstances of the offense;
 - (3) mental health needs of the juvenile;
 - (4) mental health needs of the family;
 - (5) maturity, educational standing and special education needs of the juvenile;
 - (6) substance abuse treatment needs of the juvenile;
 - (7) victim input;
 - (8) other special circumstances of the case; and
 - (9) available resources.

§ 59.002. ~~Sanction-Disposition~~ Level Assignment by Probation Department

(a) The probation department may assign a ~~sanction-disposition~~ level of one to a child referred to the probation department under Section 53.012.

(b) The probation department may assign a ~~sanction-disposition~~ level of two to a child for whom deferred prosecution is authorized under Section 53.03.

§ 59.003. ~~Sanction Disposition~~ Level Assignments ~~Guidelines-Model~~

(a) Subject to Subsection (e), after a child's first commission of delinquent conduct or conduct indicating a need for supervision, the probation department or prosecuting attorney may, or the juvenile court may, in a disposition hearing under Section 54.04 or a modification hearing under Section 54.05, assign a child one of the following ~~sanction-disposition~~ levels according to the child's conduct and other factors which may be considered:

- (1) or conduct indicating a need for supervision, other than **conduct** described in Section 51.03(b)(5) or a Class A or B misdemeanor, the ~~sanction disposition~~ level is one;
- (2) for conduct indicating a need for supervision under Section 51.03(b)(5) or a Class A or B misdemeanor, other than a misdemeanor involving the use or possession of a firearm, or for delinquent conduct under Section 51.03(a)(2), the ~~sanction-disposition~~ level is two;
- (3) for a misdemeanor involving the use or possession of a firearm or for a state jail felony or a felony of the third degree, the ~~sanction-disposition~~ level is three;
- (4) for a felony of the second degree, the ~~sanction-disposition~~ level is four;
- (5) for a felony of the first degree, other than a felony involving the use of a deadly weapon or causing serious bodily injury, the ~~sanction-disposition~~ level is five;
- (6) for a felony of the first degree involving the use of a deadly weapon or causing serious bodily injury, for an aggravated controlled substance felony, or for a capital felony, the ~~sanction-disposition~~ level is six; or
- (7) for a felony of the first degree involving the use of a deadly weapon or causing serious bodily injury, for an aggravated controlled substance felony, or for a capital felony, if the petition has been approved by a grand jury under Section 53.045, or if a petition to transfer the child to criminal court has been filed under Section 54.02, the ~~sanction-disposition~~ level is seven.

(b) Subject to Subsection (e), if the child subsequently is found to have engaged in delinquent conduct in an adjudication hearing under Section 54.03 or a hearing to modify a disposition under Section 54.05 on two separate occasions and each involves a violation of a penal law of a classification that is less than the classification of the child's previous conduct, the juvenile court may assign the child a ~~sanction-disposition~~ level that is one level higher than the previously assigned ~~sanction-disposition~~ level, unless the child's previously assigned ~~sanction-disposition~~ level is six.

(c) Subject to Subsection (e), if the child's subsequent commission of delinquent conduct or conduct indicating a need for supervision involves a violation of a penal law of a classification that is the same as or greater than the classification of the child's previous conduct, the juvenile court may assign the child a ~~sanction-disposition~~ level authorized by law that is one level higher than the previously assigned ~~sanction-disposition~~ level.

(d) Subject to Subsection (e), if the child's previously assigned ~~sanction-disposition~~ level is four or five and the child's subsequent commission of delinquent conduct is of the grade of felony, the juvenile court may assign the child a ~~sanction-disposition~~ level that is one level higher than the previously assigned ~~sanction-disposition~~ level.

(e) ~~Except as otherwise provided by this subsection, a juvenile court or probation department that deviates from the guidelines under this section shall state in writing its reasons for the deviation and~~

submit the statement to the juvenile board regardless of whether a progressive sanctions program has been adopted by the juvenile board. Nothing in this chapter prohibits the imposition of appropriate sanctions that are different from those provided at any sanction level. A juvenile court that makes a disposition required by this title that deviates from the guidelines under this section is not required to report the disposition as a deviation.

(f) The probation department may, in accordance with Section 54.05, request the extension of a period of probation specified under ~~sanction-disposition~~ levels one through five if the circumstances of the child warrant the extension.

(f)(g) Before the court assigns the child a ~~sanction-disposition~~ level that involves the revocation of the child's probation and the commitment of the child to the Texas Youth Commission, the court shall hold a hearing to modify the disposition as required by Section 54.05.

§ 59.004. ~~Sanction-Disposition~~ Level One

(a) For a child at ~~sanction-disposition~~ level one, the juvenile court or probation department may:

- (1) require counseling for the child regarding the child's conduct;
- (2) inform the child of the progressive ~~sanction-dispositions~~ that may be imposed on the child if the child continues to engage in delinquent conduct or conduct indicating a need for supervision;
- (3) inform the child's parents or guardians of the parents' or guardians' responsibility to impose reasonable restrictions on the child to prevent the conduct from recurring;
- (4) provide information or other assistance to the child or the child's parents or guardians in securing needed social services;
- (5) require the child or the child's parents or guardians to participate in a program for services under Section 264.302, if a program under Section 264.302 is available to the child or the child's parents or guardians;
- (6) refer the child to a community-based citizen intervention program approved by the juvenile court; and
- (7) release the child to the child's parents or guardians.

(b) The probation department shall discharge the child from the custody of the probation department after the provisions of this section are met.

§ 59.005. ~~Sanction-Disposition~~ Level Two

(a) For a child at ~~sanction-disposition~~ level two, the juvenile court, the prosecuting attorney, or the probation department may, as provided by Section 53.03:

- (1) place the child on deferred prosecution for ~~not less than three months or more than~~ for a period not to exceed six months;
- (2) require the child to make restitution to the victim of the child's conduct or perform community service restitution appropriate to the nature and degree of harm caused and according to the child's ability;
- (3) require the child's parents or guardians to identify restrictions the parents or guardians will impose on the child's activities and requirements the parents or guardians will set for the child's behavior;
- (4) provide the information required under Sections 59.004(a)(2) and (4);
- (5) require the child or the child's parents or guardians to participate in a program for services under Section 264.302, if a program under Section 264.302 is available to the child or the child's parents or guardians;

- (6) refer the child to a community-based citizen intervention program approved by the juvenile court; and
 - (7) if appropriate, impose additional conditions of probation.
- (b) The juvenile court or the probation department shall discharge the child from the custody of the probation department on the date the provisions of this section are met or on the child's 18th birthday, whichever is earlier.

§ 59.006. ~~Sanction-Disposition~~ Level Three

- (a) For a child at ~~sanction-disposition~~ level three, the juvenile court may:
- (1) place the child on court-ordered probation ~~for not less than six months or more than 12 months;~~
 - (2) require the child to make restitution to the victim of the child's conduct or perform community service restitution appropriate to the nature and degree of harm caused and according to the child's ability;
 - (3) impose specific restrictions on the child's activities and requirements for the child's behavior as conditions of probation;
 - (4) require a probation officer to closely monitor the child's activities and behavior;
 - (5) require the child or the child's parents or guardians to participate in programs or services designated by the court or probation officer; and
 - (6) if appropriate, impose additional conditions of probation.
- (b) The juvenile court shall discharge the child from the custody of the probation department on the date the provisions of this section are met or on the child's 18th birthday, whichever is earlier.

§ 59.007. ~~Sanction-Disposition~~ Level Four

- (a) For a child at ~~sanction-disposition~~ level four, the juvenile court may:
- (1) require the child to participate as a condition of court-ordered probation ~~for not less than three months or more than 12 months~~ in an intensive services probation program that emphasizes frequent contact and reporting with a probation officer, discipline, intensive supervision services, social responsibility, and productive work;
 - (2) after release from the program described by Subdivision (1), continue the child on court-ordered probation supervision ~~for not less than six months or more than 12 months;~~
 - (3) require the child to make restitution to the victim of the child's conduct or perform community service restitution appropriate to the nature and degree of harm caused and according to the child's ability;
 - (4) impose highly structured restrictions on the child's activities and requirements for behavior of the child as conditions of probation;
 - (5) require a probation officer to closely monitor the child;
 - (6) require the child or the child's parents or guardians to participate in programs or services designed to address their particular needs and circumstances; and
 - (7) if appropriate, impose additional ~~sanctions-conditions of probation.~~
- (b) The juvenile court shall discharge the child from the custody of the probation department on the date the provisions of this section are met or on the child's 18th birthday, whichever is earlier.

§ 59.008. ~~Sanction-Disposition~~ Level Five

- (a) For a child at ~~sanction-disposition~~ level five, the juvenile court may:

- (1) as a condition of probation, place the child ~~for not less than six months or more than 12 months~~ in a post-adjudication secure correctional facility;
 - (2) after release from the program described by Subdivision (1), continue the child on court-ordered probation supervision ~~for not less than six months or more than 12 months~~;
 - (3) require the child to make restitution to the victim of the child's conduct or perform community service restitution appropriate to the nature and degree of harm caused and according to the child's ability;
 - (4) impose highly structured restrictions on the child's activities and requirements for behavior of the child as conditions of probation;
 - (5) require a probation officer to closely monitor the child;
 - (6) require the child or the child's parents or guardians to participate in programs or services designed to address their particular needs and circumstances; and
 - (7) if appropriate, impose additional ~~sanctions-conditions of probation~~.
- (b) The juvenile court shall discharge the child from the custody of the probation department on the date the provisions of this section are met or on the child's 18th birthday, whichever is earlier.

§ 59.009. . Sanction-Disposition Level Six

- (a) For a child at sanction-disposition level six, the juvenile court may commit the child to the custody of the Texas Youth Commission. The commission may:
- (1) require the child to participate in a highly structured residential program that emphasizes discipline, accountability, fitness, training, and productive work for not less than nine months or more than 24 months unless the commission extends the period and the reason for an extension is documented;
 - (2) require the child to make restitution to the victim of the child's conduct or perform community service restitution appropriate to the nature and degree of the harm caused and according to the child's ability, if there is a victim of the child's conduct;
 - (3) require the child and the child's parents or guardians to participate in programs and services for their particular needs and circumstances; and
 - (4) if appropriate, impose additional ~~sanction-conditions~~.
- (b) On release of the child under supervision, the Texas Youth Commission parole programs may:
- (1) impose highly structured restrictions on the child's activities and requirements for behavior of the child as conditions of release under supervision;
 - (2) require a parole officer to closely monitor the child for not less than six months; and
 - (3) if appropriate, impose any other conditions of supervision.
- (c) The Texas Youth Commission may discharge the child from the commission's custody on the date the provisions of this section are met or on the child's 19th birthday, whichever is earlier.

§ 59.010. Sanction-Disposition Level Seven

- (a) For a child at sanction-disposition level seven, the juvenile court may certify and transfer the child under Section 54.02 or sentence the child to commitment to the Texas Youth Commission under Section 54.04(d)(3), 54.04(m), or 54.05(f). The commission may:
- (1) require the child to participate in a highly structured residential program that emphasizes discipline, accountability, fitness, training, and productive work for not less than 12 months or more than 10 years unless the commission extends the period and the reason for the extension is documented;

- (2) require the child to make restitution to the victim of the child's conduct or perform community service restitution appropriate to the nature and degree of harm caused and according to the child's ability, if there is a victim of the child's conduct;
 - (3) require the child and the child's parents or guardians to participate in programs and services for their particular needs and circumstances; and
 - (4) impose any other appropriate ~~sanction conditions~~.
- (b) On release of the child under supervision, the Texas Youth Commission parole programs may:
- (1) impose highly structured restrictions on the child's activities and requirements for behavior of the child as conditions of release under supervision;
 - (2) require a parole officer to monitor the child closely for not less than 12 months; and
 - (3) impose any other appropriate condition of supervision.

~~§ 59.011. Duty of Juvenile Board~~

~~A juvenile board shall require the juvenile probation department to report progressive sanction data electronically to the Texas Juvenile Probation Commission in the format and time frames specified by the commission.~~

§ 59.012~~1~~. Reports by Criminal Justice Policy Council

(a) The Criminal Justice Policy Council shall analyze trends related to juvenile referrals, ~~compliance with the progressive sanctions guidelines~~, and the impact of the ~~guidelines and legislative related~~ reforms on recidivism rates using standard scientific sampling or appropriate scientific methodologies to represent statewide patterns. The council shall compile other policy studies as determined by the executive director of the council or as requested by the governor, lieutenant governor, or speaker of the house of representatives to assist in policy development.

(b) The Criminal Justice Policy Council ~~shall~~ may report its findings and related recommendations to improve juvenile justice policies to the governor and the members of the legislature on or before January 15 of each odd-numbered year.

(c) The Criminal Justice Policy Council may incorporate its findings and recommendations under this section into its report required under Section 413.013, Government Code.

§ 59.013. Liability

The Texas Youth Commission, a juvenile board, a court, a person appointed by a court, an attorney for the state, a peace officer, or a law enforcement agency is not liable for a failure or inability to provide a service listed under Sections 59.004-59.010.

§ 59.014. Appeal

A child may not bring an appeal or a post conviction writ of habeas corpus based on:

- (1) the failure or inability of any person to provide a service listed under Sections 59.004-59.010;
- (2) the failure of a court or of any person to make a sanction disposition level assignment as provided in Section 59.002 or 59.003; ~~or~~
- (3) a deviation departure from the sanction-disposition level assignment guidelines model provided by this chapter; ~~or~~

~~(4) the failure of a juvenile court or probation department to report a deviation from the guidelines as required by Section 59.003(e).~~

§ 59.015. Waiver of ~~Sanctions~~ Dispositions on Parents or Guardians

On a finding by the juvenile court or probation department that a child's parents or guardians have made a reasonable good faith effort to prevent the child from engaging in delinquent conduct or engaging in conduct indicating a need for supervision and that, despite the parents' or guardians' efforts, the child continues to engage in such conduct, the court or probation department shall waive any ~~sanction-disposition~~ sanction-disposition that may be imposed on the parents or guardians at any ~~sanction~~ disposition level.

Appendix B

SENATE COMMITTEE ON JURISPRUDENCE

77TH LEGISLATURE

SENATOR ROYCE WEST
Chairman



SENATOR DAVID BERNSEN
Vice Chair
SENATOR J. E. BUSTER BROWN
SENATOR ROBERT DUNCAN
SENATOR RODNEY ELLIS
SENATOR MIKE JACKSON
SENATOR JEFF WENTWORTH

December 14, 2001

The Honorable Amado Abascal, III
District Judge
356th District Court
P. O. Box 4129-500 Quarry
Eagle Pass, TX 78852

Dear Judge Abascal:

The Texas Constitution, Article V, Section 7(a) requires the Texas Legislature to reapportion the judicial districts throughout the state. This interim, Lieutenant Governor Ratliff has charged the Senate Jurisprudence Committee to make recommendations for the reapportionment of judicial districts and to develop appropriate maps reflecting those recommendations, and the Committee will do so by November 15, 2001.

As Chairman of the Committee, it is my intention to work closely with the courts, advocates and agencies that have first-hand knowledge of the judicial system and who will be affected by the outcome of reapportionment. In that vein, this letter is to provide you an opportunity to provide input regarding any issues and concerns regarding judicial reapportionment you believe should be considered by the Committee during the interim. To assist you in this endeavor, please find enclosed a brief questionnaire which raises several key questions the Committee must consider. Please take a moment to complete the questionnaire and return it to the Committee by December 20, 2001.

If you would like be informed about future hearings and placed on a mailing list for updates throughout this process, please contact my Committee Director, Stephanie Goodman, at (512) 463-0395, via e-mail at stephanie.goodman_sc@senate.state.tx.us, or at the address below.

Thank you for your time and effort on this important matter. I look forward to working with you.

Sincerely,

Handwritten signature of Royce West in black ink.
Royce West

Texas Senate Committee on the Judiciary
Judicial Questionnaire
Reapportionment of Judicial Districts in Texas
December, 2001

Lieutenant Governor Ratliff has charged the Senate Jurisprudence Committee to study and make recommendations to the 78th Legislature for the reapportionment of State's Judicial Districts. The Committee would like your assistance in identifying the most significant factors to be considered in determining the reapportionment of the District Courts. Our goal is to identify those factors that best promotes the efficiency and promptness of the administration of justice.

Please take a moment to complete the following questionnaire and return it to the Jurisprudence Committee by **January 3, 2002**. Thank you for your participation. Your timely response will ensure that your opinions will be considered in this important process.

I. **Court (please circle one):** District Court County Court County Court-At-Law

II. **Using the 1-5 scale, please rate the following factors as to the importance in evaluating the efficiency and promptness of a particular court in administering justice.**

Scale: 1 - Strong Negative Impact; 2 - Moderate Negative Impact; 3 - No Impact; 4 - Moderate Positive Impact; 5 - Strong Positive Impact.

1. The numbers and types of cases filed in the district courts of the counties to be affected by reapportionment.

1 2 3 4 5

2. The numbers and types of cases disposed of by dismissal or judgment in the district courts of those counties.

1 2 3 4 5

3. The numbers and types of cases pending in the district courts of those counties.

1 2 3 4 5

4. The number of district courts in those counties.

1 2 3 4 5

5. The population of the counties.

1 2 3 4 5

6. The number of counties to be covered by a judicial district.

1 2 3 4 5

7. The actual growth or decline of population.

1 2 3 4 5

8. The district court case load in the counties to be affected.

1 2 3 4 5

9. Non-coterminous overlapping judicial districts.

1 2 3 4 5

10. The existence of statutory county courts within the county(s) served by the district court.

1 2 3 4 5

11. The availability of associate judges, masters, or visiting judges.

1 2 3 4 5

12. A dedicated court room provided by the county.

1 2 3 4 5

13. Availability of court support staff.

1 2 3 4 5

14. The budget of the district court.

1 2 3 4 5

15. Additional factors you think the Committee should consider in determining administrative efficiency and effectiveness.

(1) _____

(2) _____

(3) _____



SENATE RESEARCH CENTER

February 11, 2002

TO: Stephanie Goodman, Senate Jurisprudence Committee

FROM: Julie Valentine and Candy Black

SUBJECT: Revisions to Tables Showing Results of Jurisprudence Committee Survey

Attached is a new set of tables providing information on the Senate Jurisprudence Committee survey of district and county courts and county-courts-at-law. We have added four simple tables: one showing the percent responding to the survey and three showing the five strongest responses from each court. The other tables are the same as the ones we produced earlier but include the late responses. The long, unnumbered tables at the end represent the tally of the raw data received from the survey, from which we produced the other tables. These charts also provide any written comments received from the courts.

Please note also that the committee received 135 responses from district courts, but we only used 134 of those responses in calculating percentages. This is because one responder did not answer any of the questions and only provided written comments, so we did not think it appropriate to use this data in calculating the response to the specific questions.

If you need further information or have questions about any of the tables, please contact Julie Valentine at 475-3763.

Attachments
cc: SRC file

COURTS:Courts

Table 1
Response to Senate Jurisprudence Committee Survey

Type of Court	No. of Courts	No. of Reponses	% Responding
District Courts	414	134	32
County Courts	254	45	18
County Courts-at-Law	192	42	22

Table 2
Five Most Positive Responses: District Courts

Statement	Percent Responding "Strong Positive Impact"
13. Availability of court support staff.	51%
12. A dedicated courtroom provided by the county.	48%
14. The budget of the district court.	43%
1. The numbers and types of cases filed in the district courts of the counties to be affected by the reapportionment.	41%
4. The number of district courts in those counties.	40%

Table 3
Five Most Positive Responses: County Courts-at-Law

Statement	Percent Responding "Strong Positive Impact"
4. The number of district courts in those counties.	52%
1. The numbers and types of cases filed in the district courts of the counties to be affected by the reapportionment.	50%
13. Availability of court support staff.	48%
10. The existence of statutory county court within the county(s) served by the district.	45%
Tie:	
11. The availability of associate judges, masters or visiting judges;	
12. A dedicated courtroom provided by the county.	40%

Table 4
Five Most Positive Responses: County Courts

Statement	Percent Responding "Strong Positive Impact"
1. The numbers and types of cases filed in the district courts of the counties to be affected by the reapportionment.	44%
8. The district court case load in the counties to be affected.	36%
3. The numbers and types of cases pending in the district courts of those counties.	33%
10. The existence of statutory county court within the county(s) served by the district.	33%
6. The number of counties to be covered by a judicial district.	31%

Table 5

Results of Jurisprudence Committee Survey: District Courts, County Courts and County Courts-at-Law

Using the 1-5 scale, please rate the following factors as to the importance in evaluating the efficacy and promptness of a particular court in administering justice.

Statements	Strong Negative Impact %			Moderate Negative Impact %			No Impact %			Moderate Positive Impact %			Strong Positive Impact %		
	Dist Court	City Court	City Court-at-Law	Dist Court	City Court	City Court-at-Law	Dist Court	City Court	City Court-at-Law	Dist Court	City Court	City Court-at-Law	Dist Court	City Court	City Court-at-Law
1. The numbers and types of cases filed in the district courts of the counties to be affected by the reapportionment.	7%	0%	10%	10%	7%	10%	11%	24%	10%	26%	24%	19%	41%	44%	50%
2. The numbers and types of cases disposed of by dismissal or judgment in the district courts of those counties.	3%	0%	2%	7%	4%	19%	16%	47%	14%	41%	29%	36%	27%	20%	26%
3. The numbers and types of cases pending in the district courts of those counties.	5%	1%	2%	15%	11%	12%	8%	27%	17%	40%	27%	31%	27%	33%	36%
4. The number of district courts in those counties.	4%	1%	7%	7%	9%	2%	16%	29%	12%	28%	38%	24%	40%	22%	52%
5. The population of the counties.	7%	1%	10%	12%	9%	5%	22%	36%	19%	24%	36%	31%	30%	18%	33%
6. The number of counties to be covered by a judicial district.	6%	0%	17%	16%	13%	7%	14%	27%	21%	23%	22%	29%	31%	31%	24%
7. The actual growth or decline of population.	3%	1%	5%	16%	11%	17%	21%	36%	21%	25%	29%	21%	25%	16%	31%
8. The district court case load in the counties to be affected.	5%	1%	5%	13%	4%	10%	4%	18%	14%	35%	33%	31%	31%	36%	31%
9. Non-continuous overlapping judicial districts.	5%	7%	7%	11%	11%	12%	37%	33%	43%	17%	29%	14%	11%	11%	7%
10. The existence of statutory county court within the county(s) served by the district.	0%	4%	0%	4%	9%	12%	25%	27%	14%	39%	20%	21%	22%	33%	45%
11. The availability of associate judges, masters or visiting judges.	0%	0%	5%	4%	9%	5%	19%	31%	12%	40%	38%	36%	27%	18%	40%
12. A dedicated courtroom provided by the county.	0%	7%	2%	5%	1%	7%	10%	31%	12%	26%	36%	36%	48%	20%	40%
13. Availability of court support staff.	2%	0%	2%	5%	7%	7%	6%	31%	7%	26%	33%	33%	51%	24%	48%
14. The budget of the district court.	3%	1%	0%	4%	9%	10%	8%	28%	14%	34%	27%	33%	43%	29%	38%

Percentages do not add to 100 because of non-votes not included in this table. Refer to Tables 6, 7, & 8 for vote totals.

Table 6
Results of Jurisprudence Committee Survey: District Courts

Using the 1-5 scale, please rate the following factors as to the importance in evaluating the efficiency and promptness of a particular court in administering justice.

Statements	1 Strong Negative Impact	%	2 Moderate Negative Impact	%	3 No Impact	%	4 Moderate Positive Impact	%	5 Strong Positive Impact	%	No Answer	%
1. The numbers and types of cases filed in the district courts of the counties to be affected by the reapportionment.	9	7%	14	10%	15	11%	35	26%	55	41%	6	4%
2. The numbers and types of cases disposed of by dismissal or judgment in the district courts of those counties.	4	3%	10	7%	21	16%	55	41%	36	27%	8	6%
3. The numbers and types of cases pending in the district courts of those counties.	7	5%	20	15%	11	8%	53	40%	36	27%	7	5%
4. The number of district courts in those counties.	5	4%	10	7%	22	16%	37	28%	53	40%	7	5%
5. The population of the counties.	9	7%	16	12%	30	22%	32	24%	40	30%	7	5%
6. The number of counties to be covered by a judicial district.	8	6%	22	16%	19	14%	31	23%	42	31%	12	9%
7. The actual growth or decline of population.	4	3%	21	16%	28	21%	34	25%	34	25%	13	10%
8. The district court case load in the counties to be affected.	7	5%	17	13%	6	4%	47	35%	42	31%	15	11%
9. Non-coincident overlapping judicial districts.	7	5%	15	11%	49	37%	23	17%	15	11%	25	19%
10. The existence of statutory county court within the county(s) served by the district.	1	0%	5	4%	34	25%	52	39%	29	22%	13	10%
11. The availability of associate judges, masters or visiting judges.	1	0%	6	4%	25	19%	53	40%	36	27%	13	10%
12. A dedicated courtroom provided by the county.	1	0%	7	5%	13	10%	35	26%	64	48%	13	10%
13. Availability of court support staff.	3	2%	7	5%	8	6%	37	28%	69	51%	10	7%
14. The budget of the district court.	4	3%	5	4%	11	8%	45	34%	57	43%	12	9%

Percentages may not add to 100 because of rounding.

Table 7
Results of Jurisprudence Committee Survey: County Courts

Using the 1-5 scale, please rate the following factors as to the importance in evaluating the efficiency and promptness of a particular court in administering justice.

Statements	1 Strong Negative Impact	%	2 Moderate Negative Impact	%	3 No Impact	%	4 Moderate Positive Impact	%	5 Strong Positive Impact	%	No Answer	%
1. The numbers and types of cases filed in the district courts of the counties to be affected by the reapportionment.	0	0%	3	7%	11	24%	11	24%	20	44%	0	0%
2. The numbers and types of cases disposed of by dismissal or judgment in the district courts of those counties.	0	0%	2	4%	21	47%	13	29%	9	20%	0	0%
3. The numbers and types of cases pending in the district courts of those counties.	1	1%	5	11%	12	27%	12	27%	15	33%	0	0%
4. The number of district courts in those counties.	1	1%	4	9%	13	29%	17	38%	10	22%	0	0%
5. The population of the counties.	1	1%	4	9%	16	36%	16	36%	8	18%	0	0%
6. The number of counties to be covered by a judicial district.	0	0%	6	13%	12	27%	10	22%	14	31%	3	7%
7. The actual growth or decline of population.	1	1%	5	11%	16	36%	13	29%	7	16%	3	7%
8. The district court case load in the counties to be affected.	1	1%	2	4%	8	18%	15	33%	16	36%	3	7%
9. Non-coterminous overlapping judicial districts.	3	7%	5	11%	15	33%	13	29%	5	11%	4	9%
10. The existence of statutory county court within the county(s) served by the district.	2	4%	4	9%	12	27%	9	20%	15	33%	3	7%
11. The availability of associate judges, masters or visiting judges.	0	0%	4	9%	14	31%	17	38%	8	18%	2	4%
12. A dedicated courtroom provided by the county.	3	7%	1	1%	14	31%	16	36%	9	20%	2	4%
13. Availability of court support staff.	0	0%	3	7%	14	31%	15	33%	11	24%	2	4%
14. The budget of the district court.	1	1%	4	9%	13	29%	12	27%	13	29%	2	4%

Percentages may not add to 100 because of rounding.

Table 8
Results of Jurisprudence Committee Survey: County Court-at-Law

Using the 1-5 scale, please rate the following factors as to the importance in evaluating the efficiency and promptness of a particular court in administering justice.

Statements	1 Strong Negative Impact	%	2 Moderate Negative Impact	%	3 No Impact	%	4 Moderate Positive Impact	%	5 Strong Positive Impact	%	No Answer	%
1. The numbers and types of cases filed in the district courts of the counties to be affected by the reapportionment.	4	10%	4	10%	4	10%	8	19%	21	50%	1	2%
2. The numbers and types of cases disposed of by dismissal or judgment in the district courts of those counties.	1	2%	8	19%	6	14%	15	36%	11	26%	1	2%
3. The numbers and types of cases pending in the district courts of those counties.	1	2%	5	12%	7	17%	13	31%	15	36%	1	2%
4. The number of district courts in those counties.	3	7%	1	2%	5	12%	10	24%	22	52%	1	2%
5. The population of the counties.	4	10%	2	5%	8	19%	13	31%	14	33%	1	2%
6. The number of counties to be covered by a judicial district.	7	17%	3	7%	9	21%	12	29%	10	24%	1	2%
7. The actual growth or decline of population.	2	5%	7	17%	9	21%	9	21%	13	31%	2	5%
8. The district court case load in the counties to be affected.	2	5%	4	10%	6	14%	13	31%	13	31%	4	10%
9. Non-colterminous overlapping judicial districts.	3	7%	5	12%	18	43%	6	14%	3	7%	7	17%
10. The existence of statutory county court within the county(s) served by the district.	0	0%	5	12%	6	14%	9	21%	19	45%	3	7%
11. The availability of associate judges, masters or visiting judges.	2	5%	2	5%	5	12%	15	36%	17	40%	1	2%
12. A dedicated courtroom provided by the county.	1	2%	3	7%	5	12%	15	36%	17	40%	1	2%
13. Availability of court support staff.	1	2%	3	7%	3	7%	14	33%	20	48%	1	2%
14. The budget of the district court.	0	0%	4	10%	6	14%	14	33%	16	38%	2	5%

Percentages may not add to 100 because of rounding.

SENATE COMMITTEE ON JURISPRUDENCE

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December 7, 2001

The Honorable Clyde Alexander
State Representative
Room 4N.07
Austin, TX 78701

Dear Representative Alexander:

Lieutenant Governor Bill Ratliff has charged the Senate Jurisprudence Committee with studying and making recommendations to the 78th Legislature for the reapportionment of judicial districts in Texas. The Texas Constitution, Article V, Sec.7a. sets forth provisions for the reapportionment of judicial districts throughout the state.

As Chairman of the Committee, it is my intention to work closely with the courts and other interested parties who may be affected by the outcome of judicial reapportionment. Because of the sensitivity and importance of this issue, I welcome your input concerning the district courts in your respective district and encourage you to work with the judges in your district as we develop our recommendations.

Throughout the interim, the Committee will send you agendas for each hearing. However, please feel free to contact the Committee staff should you have any questions or comments.

Thank you for your time and effort on this important matter. I look forward to working with you.

Sincerely,

A handwritten signature in black ink that appears to read "Royce West".

Royce West

RW/sg

SENATE COMMITTEE ON JURISPRUDENCE

77TH LEGISLATURE

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February 20, 2002

The Honorable Clyde Alexander
State Representative
P.O. Box 2910
Austin, TX 78768-2910

Dear Representative Alexander:

As you know, Lieutenant Governor Ratliff has charged the Senate Jurisprudence Committee with the task of studying all issues and concerns regarding judicial reapportionment. The Committee must also make recommendations for the reapportionment of judicial districts across the state. On Thursday, February 21, 2002 the Committee will hold a hearing to discuss the reapportionment issue.

The Texas Constitution, Article V, Section 7(a) provides for the reapportionment of the judicial districts throughout the state after each federal decennial census. As a legislator it is important that you are kept informed of all steps in this significant process of fulfilling the constitutional mandate. In this vein, I recommend you appoint a staff member to monitor the charge and contact the Committee staff with any suggestions and concerns that you or your constituents might have about the issue. Any input you and your staff can contribute would be greatly appreciated, especially as the Committee develops a report on its findings due in November of 2002.

I thank you in advance for your continued assistance with this important matter. If you have any questions about this matter, please contact my Committee Director, Stephanie Goodman, at (512) 463-0395, via e-mail at stephanie.goodman_sc@senate.state.tx.us, or at the address below.

Yours truly,

A handwritten signature in black ink that reads "Royce West".
Royce West

SENATE COMMITTEE ON JURISPRUDENCE

77TH LEGISLATURE

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December 14, 2001

The Honorable Amado Abascal, III
District Judge
356th District Court
P. O. Box 4129-500 Quarry
Eagle Pass, TX 78852

Dear Judge Abascal:

The Texas Constitution, Article V, Section 7(a) requires the Texas Legislature to reapportion the judicial districts throughout the state. This interim, Lieutenant Governor Ratliff has charged the Senate Jurisprudence Committee to make recommendations for the reapportionment of judicial districts and to develop appropriate maps reflecting those recommendations, and the Committee will do so by November 15, 2001.

As Chairman of the Committee, it is my intention to work closely with the courts, advocates and agencies that have first-hand knowledge of the judicial system and who will be affected by the outcome of reapportionment. In that vein, this letter is to provide you an opportunity to provide input regarding any issues and concerns regarding judicial reapportionment you believe should be considered by the Committee during the interim. To assist you in this endeavor, please find enclosed a brief questionnaire which raises several key questions the Committee must consider. Please take a moment to complete the questionnaire and return it to the Committee by December 20, 2001.

If you would like be informed about future hearings and placed on a mailing list for updates throughout this process, please contact my Committee Director, Stephanie Goodman, at (512) 463-0395, via e-mail at stephanie.goodman_sc@senate.state.tx.us, or at the address below.

Thank you for your time and effort on this important matter. I look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Royce West".
Royce West

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77TH LEGISLATURE

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February 27, 2002

Mr. Jim Allison
General Counsel
County Judges and Commissioners Association of Texas
208 West 14th Street
Austin, TX 78701

Dear Mr. Allison:

As you may know, Lieutenant Governor Ratliff has given the Senate Jurisprudence Committee the following interim charges:

- Charge 1 Study the effectiveness of the progressive sanction guidelines for juvenile offenders. Determine whether the guidelines established by H.B. 327, 74th Legislature, are bringing consistency, uniformity, and predictability to juvenile dispositions in an effort to facilitate juvenile justice planning and improve the allocation of resources within the juvenile justice system. The Committee shall make recommendations for improving the effectiveness of juvenile sanctions in protecting public safety and rehabilitating offenders.
- Charge 2 Study the judicial system's revenue structure and make recommendations for improving the collection, dispersal, and accounting of court costs, fees, and fines by state and local entities. This study should include a review of all court costs and fees (except those related to the Crime Victims' Compensation Fund) to ensure that they are necessary and are adequately fulfilling their intended purpose.
- Charge 3 Study and make recommendations for the reapportionment of judicial districts pursuant to Article V, Section 7a, Texas Constitution.
- Charge 4 Study and make recommendations for improving the structure of the state's trial court system, including, but not limited to: improving the quality, cost-effectiveness, and uniformity of the visiting judge program; devising objective criteria to be used by the Legislature to determine when and where additional trial courts should be created; and clarifying jurisdictional conflicts between courts.

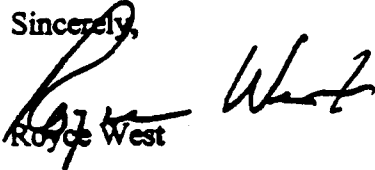
Mr. Jim Allison
Page 2
February 27, 2002

Charge 5 Monitor the implementation of SB 1074, 77th Legislature, relating to the prevention of racial profiling by certain peace officers.

The Committee is required to submit a report of its findings to the Lieutenant Governor by November 15, 2002. As Chairman of the Committee, I am requesting that individuals, organizations and agencies who have an interest in the above charges submit in writing by May 31, 2002 any information you believe to be relevant for Committee consideration. Information and recommendations received after this date will be considered by the Committee; however, this deadline will provide staff the opportunity to review all information in a timely manner.

I thank you in advance for your assistance with this important matter. Please feel free to share this information with anyone who has an interest in these charges. If you have any questions about this matter, please contact my Committee Director, Stephanie Goodman, at (512) 463-0395, via e-mail at stephanie.goodman_sc@senate.state.tx.us, or at the address below.

Sincerely,


Royce West

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SENATOR JEFF WENTWORTH

February 28, 2002

The Honorable Rodney Ellis
State Senator
P.O. Box 12068
Austin, Texas 78711-2068

Dear Senator Ellis:

At our hearing on February 21, 2002 on the reapportionment of judicial districts, we agreed to seek additional input from the state's district judges on this important issue. As Chairman of the Committee, I am requesting that you set up a meeting with the district court judges of the **Second Administrative Judicial Region** to obtain their input on this issue. Your meeting will not be considered an official meeting of the Committee, and you will need to use your own staff and office budget to arrange the meeting and cover necessary expenses. However, committee staff will provide you with necessary materials and you will need to prepare for the meeting. Additionally, I recommend that you contact the presiding judge of that region to participate in the meeting and assist you in ensuring the district judges' attendance.

Texas Government Code Sec. 24.945(b) states that "*reapportionment of the judicial districts shall be made on a determination of fact by the board [Judicial Districts Board] that the reapportionment will best promote the efficiency and promptness of the administration of justice in the state by equalizing as nearly as possible the judicial burdens of the district courts of the various judicial districts.*" Using the statute as a guide, your objective in the meeting should be two-fold: 1) to receive assistance from the judges on how to define "judicial burden," and 2) to receive recommendations on how to distribute that burden more equitably among the courts.

Texas Legislative Council is currently preparing reports to reflect the factors the Committee agreed upon in our hearing (including population with a weight of one and case filings with a weight of three) as well as methodology used in 1993 when the JDB last addressed this issue. Legislative Council will have those reports available in late March; consequently, you should make plans to schedule your meeting after those reports are completed so that you may gain input on them from the judges. I would like to receive a report on your meeting no later than April 30, 2002. The information you gather will assist the Committee in developing reports and maps that more fully reflect the concerns of the district judges in each region.



The Honorable Rodney Ellis

Page 2

February 28, 2002

I appreciate your assistance in this important endeavor. Should you have any questions, please do not hesitate to contact me or my Committee Director, Stephanie Goodman at (512) 463-0395.

Sincerely,


Royce West

WY

SENATE COMMITTEE ON JURISPRUDENCE
77TH LEGISLATURE

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MEMORANDUM

TO: District Judges
FROM: Senate Jurisprudence Committee
DATE: April 19, 2002
SUBJECT: Judicial Redistricting Data Reports and Maps

As you know, members of the Senate Jurisprudence Committee will be holding meetings with district judges in each Administrative Judicial Region regarding the issue of judicial reapportionment. In preparation for the upcoming meetings you may find it helpful to visit the Senate Jurisprudence Committee website at www.senate.state.tx.us to obtain data reports and maps that will be discussed at the meetings. Hard copies of the reports and maps will also be distributed at the meetings.

If you have any questions please contact the Senate Jurisprudence Committee at (512) 463-0395.



SENATE COMMITTEE ON JURISPRUDENCE

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SENATOR JEFF WENTWORTH

April 8, 2002

The Honorable Manny D. Alvarez
District Judge
Dallas County
133 N. Industrial, LB42
Dallas, TX 75207-4313

Dear Judge Alvarez:

As you may know, Lieutenant Governor Bill Ratliff has charged the Senate Jurisprudence Committee with studying and making recommendations to the 78th Legislature for the reapportionment of judicial districts in Texas. The Texas Constitution, Article V, Sec. 7a sets forth provisions for the reapportionment of judicial districts throughout the state.

As chairman of the Jurisprudence Committee, I am inviting you and all the district judges of the 1st Administrative Judicial Region to participate in a working meeting to discuss issues of specific concern to your district courts. **The meeting will be held on May 16, 2002 from 1:00 p.m. to 4:00 p.m. at the Central Jury Room of the Frank Crowley Criminal Courthouse, 2nd floor, 133 North Industrial Blvd., Dallas Texas.** The purpose of the meeting is to review data on the existing districts that will be used in drawing a proposed map to be submitted to the Legislature in the Committee report. **This meeting will not constitute an official meeting of the Committee, nor is it a public hearing, but simply an informal opportunity for you and the other district judges in your region to voice your ideas and concerns on this issue, and to share with us any relevant information regarding your district court.**

Texas Government Code Sec. 24.945(b) states that "*reapportionment of the judicial districts shall be made on a determination of fact by the board [Judicial Districts Board] that the reapportionment will best promote the efficiency and promptness of the administration of justice in the state by equalizing as nearly as possible the judicial burdens of the district courts of the various judicial districts.*" Using the statute as a guide, our objectives in the meeting are two-fold: 1) to define "judicial burden" and 2) to receive recommendations on how to distribute that burden more equitably among the courts.

Each of you received a questionnaire from the Committee last December requesting input on the factors most critical in judicial reapportionment. Additionally, the Judicial Districts Board met in late November and made recommendations as to the key factors that should be considered. In our



The Honorable Manny D. Alvarez

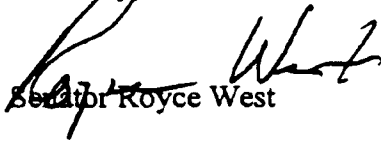
Page 2

April 8, 2002

February 21st hearing on this issue, the Committee reviewed these recommendations and requested that the Texas Legislative Council prepare reports to reflect those factors (including population with a weight of one and case filings with a weight of three). We will be reviewing those reports in our meeting, and copies of the report will be sent to you prior to our meeting to give you a chance to review the information and bring relevant recommendations.

The information we gather at this meeting will assist the Committee in developing reports and maps that more fully reflect the concerns of the district judges in each region and will be used in the Committee's report to the Lieutenant Governor due November 15, 2002. I urge you to attend if you schedule permits. Please contact me or my Committee Director, Stephanie Goodman, at (512) 463-5131, if you should have any questions or concerns.

Sincerely,



Royce West

Senator Royce West

SENATE COMMITTEE ON JURISPRUDENCE

77TH LEGISLATURE

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SENATOR ROBERT DUNCAN
SENATOR RODNEY ELLIS
SENATOR MIKE JACKSON
SENATOR JEFF WENTWORTH

July 29, 2002

The Honorable Stephen B. Ables
Presiding Judge
6th Administrative Judicial Region
Kerr County Courthouse
700 Main
Kerrville, TX 78028


Dear Judge Ables:

As the Jurisprudence Committee continues our work to fulfill the charge requiring a proposal for the reapportionment of the judicial districts, it is increasingly apparent that any changes made to the current system must be done with a regional awareness and understanding of the individual district courts and the counties they serve. As presiding judge over one of the nine Administrative Judicial Regions, you are in the best position to know how best to balance the judicial burden of the district courts in your region. Simply put, you have access to information that we on the Committee could never have.

At every step of the way, I have worked to keep you and the judges of your region involved in the process, and I want to make sure that the Committee makes recommendations that encompass your expertise and unique knowledge of the courts in your region. In that vein, I am writing to request your assistance.

Enclosed you will find information on each district court, complete with data on population and square mileage of each district. Please review only the courts in your region, and send me in writing your recommendations regarding the changes, if any, that you feel should be made to your region. The data report is similar to the information distributed earlier this summer at the regional meetings. I would appreciate your response by August 9, 2002. If you have any questions or concerns, please contact me or my Committee Director, Stephanie Goodman, at (512) 463-5131. Thank you for your cooperation and commitment to this endeavor.

Sincerely,


Royce West

