



Chapter 20 The Texas Judiciary

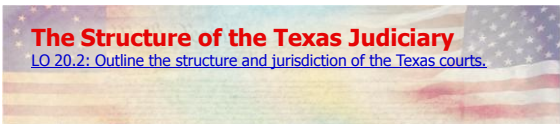
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- 1822 first court: Spanish law
- Under Republic: English tradition
- Changes in structure through constitutional amendments
- More courts and judges as caseloads increased

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- Texas judiciary 5 levels of courts
 - Local trial courts
 - Municipal courts
 - Justice of the peace courts
 - County Courts
 - Constitutional county court
 - Appellate cases must hold new trials because most local trial courts are not courts of records
 - County court at law
 - District Courts
 - Intermediate Courts of Appeal

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The Courts of Last Resort LO 20.2

- Texas Supreme Court
 - Civil matters
 - Petition for review
- Texas Court of Criminal Appeals
 - Criminal matters
 - Applications for discretionary review

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Judges and the Judicial Selection
LO 20.3: Identify the formal and informal qualifications of judges for office, and evaluate the current system of judicial selection.

- Over 3,300 judges in Texas
 - All but municipal judges selected in partisan elections
 - Trial judges 4 yr terms
 - Appellate judges 6 yr terms
- Judicial qualifications and personal characteristics
 - Judges vary in education, but similar in personal characteristics



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Judicial Selection LO 20.3

- TX 1 of 8 states in which all or most judges selected in partisan elections.
- Exceptions:
 - Municipal judges elected or appointed by city council
 - County Commissioners court or governor appoints judges when vacancies arise.
- Issues
 - Long ballots and name recognition
 - Campaign contributions
 - Accountability
 - The role of partisan politics



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The Judicial Process in Texas
[LO 20.4: Explain the judicial process in Texas.](#)

- The Criminal Justice Process
 - [Arrests](#) and searches
 - Booking
 - Magistrate appearance
 - Grand jury indictment
 - Can waive: 9 of 12 needed to issue a "true bill"
 - Arraignment
 - Pretrial motions
 - Jury selection
 - Can waive: need unanimous verdict
 - Trial
 - Appeals

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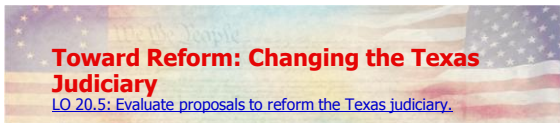


The Civil Justice Process LO 20.4

- Pretrial Procedures
 - Plaintiff files petition with court
 - May request a jury trial; otherwise judge conducts a bench trial
- Trial
- Appeals

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Toward Reform: Changing the Texas Judiciary
[LO 20.5: Evaluate proposals to reform the Texas judiciary.](#)

- Reforming the court structure
 - Simplifying and unifying
- Reforming judicial selection
 - Unqualified judges → combine election and appointment
 - Countywide elections dilute minority vote
- Reforming campaign finance

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