Sec. 72.001. DEFINITIONS. In this chapter:

(1) "Court" means any tribunal forming a part of the judiciary.

(2) "Director" means the administrative director of the courts appointed as provided by this chapter.

(3) "Office" means the Office of Court Administration of the Texas Judicial System.

(4) "Trial court" means any tribunal forming a part of the judiciary, except the supreme court, the court of criminal appeals, and the courts of appeals, but does not include the commissioners court of a county.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 148, Sec. 2.83(a), eff. Sept. 1, 1987;

Sec. 72.002. EFFECT ON JUDICIAL DISCRETION. This chapter or a rule adopted by the supreme court under Section 74.024 does not authorize an infringement of the judicial discretion of a judge in the trying of a case properly before his court.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 148, Sec. 2.84(a), eff. Sept. 1, 1987;


SUBCHAPTER B. ADMINISTRATIVE PROVISIONS

Sec. 72.011. OFFICE OF COURT ADMINISTRATION. (a) The office of court administration is an agency of the state and operates under the direction and supervision of the supreme court and the chief justice of the supreme court.

(b) The office shall exercise the powers and perform the duties or functions imposed on the office by this chapter or the
supreme court.

Sec. 72.012. DIRECTOR. (a) The director shall:
(1) implement this chapter and direct the operations of the office of court administration; and
(2) as an additional duty of his office, serve as the executive director of the Texas Judicial Council.
(b) The director shall devote full time to his official duties.

Sec. 72.014. CERTIFICATION DIVISION. The office shall establish a certification division to oversee the regulatory programs assigned to the office by law or by the supreme court. Fees collected under Section 51.008 may be appropriated to the office to support the certification division.
Added by Acts 2011, 82nd Leg., 1st C.S., Ch. 4 (S.B. 1), Sec. 39.01, eff. September 28, 2011.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 72.021. BUDGET; EXPENDITURES. (a) The director shall prepare and submit an estimated budget for the appropriation of funds necessary for the maintenance and operation of the judicial system.
(b) The director shall study and recommend expenditures and savings of funds appropriated for the maintenance and operation of the judicial system.
(c) The office may award a grant of money to a local or state governmental entity in the judicial branch of local or state government to fund programs that:
(1) are approved by the Judicial Committee on Information Technology under Chapter 77; and
(2) provide technological support for the judiciary.
At the end of each fiscal year, the office shall file with the Legislative Budget Board a report on the amount, recipient, and purpose for each grant awarded under Subsection (c). All money expended under a grant awarded under Subsection (c) is subject to audit by the comptroller and the state auditor.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 148, Sec. 2.87(a), eff. Sept. 1, 1987. Amended by:

Acts 2007, 80th Leg., R.S., Ch. 73 (H.B. 368), Sec. 1, eff. September 1, 2007.

Sec. 72.022. PERSONNEL. (a) The director, with the approval of the chief justice of the supreme court, shall employ the personnel needed to administer the office, including personnel needed for the Texas Judicial Council.

(b) The office shall provide staff functions necessary for the efficient operation of the Texas Judicial Council.

(c) This chapter does not limit the authority of a court to appoint clerical personnel.


Sec. 72.023. CONSULTATION AND ASSISTANCE. (a) The director shall assist the justices and judges in discharging their administrative duties.

(b) The director shall consult with the regional presiding judges and local administrative judges and assist them in discharging duties imposed by law or by a rule adopted by the supreme court.

(c) The director, to provide for the efficient administration of justice, shall consult with and assist:

(1) court clerks;
(2) other court officers or employees; and
(3) clerks or other officers or employees of offices related to and serving a court.

(d) The director, to provide for uniform administration of the courts and efficient administration of justice, shall consult with and make recommendations to administrators and coordinators of
the courts.

Sec. 72.024. METHODS; RECOMMENDATIONS. (a) The director shall examine the judicial dockets, practices, and procedures of the courts and the administrative and business methods or systems used in the office of a clerk of a court or in an office related to and serving a court.

(b) The director shall recommend:

(1) a necessary improvement to a method or system;

(2) a form or other document used to record judicial business; or

(3) any other change that will promote the efficient administration of justice.

(c) The director shall recommend to the supreme court appropriate means to implement this chapter.

Sec. 72.025. ANNUAL REPORT. (a) The director shall prepare an annual report of the activities of the office.

(b) The report must be published in the annual report of the Texas Judicial Council.

Sec. 72.026. RULES. The director, under the supervision of the chief justice, shall implement a rule of administration or other rules adopted by the supreme court for the efficient administration of justice.

Sec. 72.027. ADDITIONAL DUTIES. The supreme court or the chief justice of the supreme court may assign the director duties in addition to those imposed by this chapter.
Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended
Sec. 72.028. GIFTS, GRANTS, AND DONATIONS. (a) Except as provided by Subsection (b), the office may request, accept, and administer gifts, grants, and donations from any source to carry out the purposes of this chapter.

(b) The office may not request, accept, or administer a gift, grant, or donation from a law firm, an attorney, an employee of a law firm or attorney, or the spouse of an attorney or of an employee of a law firm or an attorney.

(c) In this section, "law firm" means a partnership, limited liability partnership, or professional corporation organized for the private practice of law.

Added by Acts 1997, 75th Leg., ch. 183, Sec. 1, eff. Sept. 1, 1997.

Sec. 72.029. GRANTS FOR COURT SYSTEM ENHANCEMENTS. (a) The office shall develop and administer, except as provided by Subsection (c), a program to provide grants from available funds to counties for initiatives that will enhance their court systems or otherwise carry out the purposes of this chapter.

(b) To be eligible for a grant under this section, a county must:

(1) use the grant money to implement initiatives that will enhance the county's court system, including initiatives to develop programs to more efficiently manage cases that require special judicial attention, or otherwise carry out the purposes of this chapter; and

(2) apply for the grant in accordance with procedures developed by the office and comply with any other requirements of the office.

(c) The judicial committee for additional resources shall determine whether to award a grant to a county that meets the eligibility requirements prescribed by Subsection (b).

(d) If the judicial committee for additional resources awards a grant to a county, the office shall:

(1) direct the comptroller to distribute the grant money to the county; and
(2) monitor the county's use of the grant money.

(e) The office may accept gifts, grants, and donations for purposes of this section. The office may not use state funds to provide a grant under this section or to administer the grant program.

Added by Acts 2011, 82nd Leg., 1st C.S., Ch. 3 (H.B. 79), Sec. 8.01, eff. January 1, 2012.

Sec. 72.030. COLLECTION OF DATA RELATING TO JUDICIAL TURNOVER. (a) The office biennially shall collect data relating to:

(1) the rate at which state judges resign from office or do not seek reelection; and

(2) the reason for action under Subdivision (1).

(b) Not later than December 1 of each even-numbered year, the office shall file a report containing the data collected under Subsection (a) for the preceding state fiscal biennium with the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officers of the standing committees of each house of the legislature with jurisdiction over the judiciary or appropriations.

(c) The report filed under Subsection (b) must include the following findings:

(1) whether the compensation of state judges exceeds, is equal to, or is less than the compensation of judges at corresponding levels in the five states closest in population to this state; and

(2) whether the compensation of state judges exceeds, is equal to, or is less than the average salary of lawyers engaged in the private practice of law.

(d) The purpose of filing the report with the legislature is to provide the legislature with information to facilitate legislation that ensures that the compensation of state judges is adequate and appropriate.

Added by Acts 2005, 79th Leg., 2nd C.S., Ch. 3 (H.B. 11), Sec. 8, eff. December 1, 2005.
Sec. 72.031. STUDY TO REPEAL CERTAIN COURT FEES AND COSTS. (a) Not later than September 1, 2014, the office shall:

(1) conduct a study on court fees and costs that identifies each statutory law imposing a court fee or cost in a court in this state;

(2) determine whether each identified fee or cost is necessary to accomplish the stated statutory purpose;

(3) compile a list of the identified fees and costs and of each fee or cost the office determines is necessary;

(4) publish the list on the office's Internet website and in the Texas Register; and

(5) provide a copy of the list and determinations to the governor, lieutenant governor, and speaker of the house of representatives.

(b) In conducting the study required under Subsection (a), the office shall consult with local government representatives as the office determines appropriate.

(c) The Texas Legislative Council shall prepare for consideration by the 84th Legislature, Regular Session, a revision of the statutes of this state as necessary to reflect the court fees and costs identified by the office as not necessary in the study conducted under Subsection (a).

(d) This section expires January 1, 2016.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1249 (S.B. 1908), Sec. 1, eff. September 1, 2013.
section:

(1) "Appellate court" means the supreme court, the court of criminal appeals, or a court of appeals.

(2) "Electronic filing system" means the filing system established by supreme court rule or order for the electronic filing of documents in courts of this state.

(3) "Electronic filing transaction" means the simultaneous electronic filing of one or more documents related to a proceeding before a court in this state.

(4) "Local government" means a county or municipality.

(b) The office as authorized by supreme court rule or order may implement an electronic filing system for use in the courts of this state.

(c) A local government or appellate court that uses the electronic filing system may charge a fee of $2 for each electronic filing transaction if:

(1) the fee is necessary to recover the actual system operating costs reasonably incurred by the local government or appellate court to:

(A) accept electronic payment methods; or

(B) interface with other technology information systems;

(2) the fee does not include an amount to recover local government or appellate court employee costs, other than costs for directly maintaining the system;

(3) the governing body of the local government or the appellate court approves the fee using the local government or appellate court's standard approval process for fee increases; and

(4) the local government or appellate court annually certifies to the office on a form prescribed by the office that the amount of the fee is necessary to recover the actual system operating costs incurred by the local government or appellate court.

(c-1) This subsection and Subsection (c) expire September 1, 2019.

(d) A local government or appellate court that uses the electronic filing system may accept electronic payment methods,
including payments made with credit and debit cards.

(e) A governmental entity not otherwise required to pay a filing fee under any other law may not be required to pay a fee established under this section.

(f) A court shall waive payment of any fee due under this section for an individual the court determines is indigent.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1290 (H.B. 2302), Sec. 3, eff. September 1, 2013.

SUBCHAPTER D. JUDICIAL LAW CLERK AND STAFF ATTORNEY RECRUITMENT

Sec. 72.041. DIVERSITY. The judges of the supreme court, court of criminal appeals, and courts of appeals shall encourage the recruitment of judicial law clerks and staff attorneys that reflect the gender, racial, and ethnic diversity of this state.

Added by Acts 1997, 75th Leg., ch. 1327, Sec. 2, eff. Sept. 1, 1997.

Sec. 72.042. DEMOGRAPHIC CENSUS. (a) The office shall annually publish a report regarding the demographic profile of the judicial law clerks and attorneys employed by the courts of this state.

(b) The office may request that a court provide demographic information to the office.

Added by Acts 1997, 75th Leg., ch. 1327, Sec. 2, eff. Sept. 1, 1997.

SUBCHAPTER E. COURT PERFORMANCE STANDARDS

Sec. 72.081. RULES. The office shall adopt rules and forms for administering this subchapter and for obtaining information under this subchapter.


Sec. 72.082. PERFORMANCE REPORT. The office shall annually collect and publish a performance report of information regarding the efficiency of the courts of this state.

Sec. 72.083. TRIAL COURTS. The office shall report the aggregate clearance rate of cases for the district courts. In this section, "clearance rate" means the number of cases disposed of by the district courts divided by the number of cases added to the dockets of the district courts.


Sec. 72.084. COURT OF APPEALS. A court of appeals shall annually report to the office:

(1) the number of cases filed with the court during the reporting year;

(2) the number of cases disposed of by the court during the reporting year;

(3) for active cases on the docket of the court on the reporting date, the average number of days from the date of submission of the case to the court until the reporting date; and

(4) for each case disposed of during the reporting year by the court, the number of days from the date of submission of the case to the court until the date of disposition of the case by the court.


Sec. 72.085. COURT OF CRIMINAL APPEALS. The court of criminal appeals shall annually report to the office:

(1) the number of cases filed with the court during the reporting year involving:

   (A) capital punishment;
   (B) an application for writ of habeas corpus; or
   (C) a petition for discretionary review;

(2) the number of cases disposed of by the court during the reporting year involving:

   (A) capital punishment;
   (B) an application for writ of habeas corpus; or
   (C) a petition for discretionary review;

(3) the average number of days from the date a case was filed with the court until the reporting date, for each active case on the docket of the court on the reporting date involving:
(A) capital punishment;
(B) an application for writ of habeas corpus; or
(C) a petition for discretionary review; and

(4) the average number of days from the date a case was
filed with the court until the date the case was disposed of by the
court, for each case disposed of during the reporting year by the
court involving:

(A) capital punishment;
(B) an application for writ of habeas corpus; or
(C) a petition for discretionary review.


Sec. 72.086. SUPREME COURT. (a) The supreme court shall
annually report to the office:

(1) the number of cases filed with the court during the
reporting year;

(2) the number of cases disposed of by the court during
the reporting year;

(3) for the active cases on the docket of the court on
the reporting date, the average number of days from the date a case
was filed with the court until the reporting date; and

(4) for the cases disposed of during the reporting
year by the court, the average number of days from the date a case
was filed with the court until the date of release of the court's
opinion for the case or the date the case was otherwise disposed of
by the court.

(b) For cases on the docket of the court during the
reporting year, the supreme court shall annually report to the
office:

(1) the average number of days from the date a case is
filed with the court until the date the court releases an order
announcing its decision granting, overruling, denying, or
dismissing an application, petition, or motion;

(2) the average number of days from the date of the
granting of an application, petition, or motion until the date of
oral argument of the case;

(3) the average number of days from the date of the
oral argument of the case until the date the court issues a signed opinion and judgment for the case; and

(4) the average number of days from the date of filing of a case with the court until the date of the release of a per curiam opinion.


Sec. 72.087. CAPITAL TRIALS. (a) The office shall annually collect and publish a report of information regarding cases involving the trial of a capital offense.

(b) The report must include:

(1) the contents of the trial court's charge to the jury; and

(2) the sentence issued in each case.

(c) Not later than the 30th day after the date the judgment of conviction or acquittal is entered in a case involving the trial of a capital offense, the judge or clerk of the court shall submit to the office a written record of the case containing the information required by Subsection (b).

Added by Acts 2007, 80th Leg., R.S., Ch. 390 (S.B. 705), Sec. 1, eff. September 1, 2007.