

TAT # 2024-000 446

IN RE: CASE ALLOCATIONS

§ IN THE DISTRICT COURT &
§ COUNTY COURTS-AT-LAW
§ OF
§ LUBBOCK COUNTY, TEXAS

FILED FOR RECORD
DISTRICT CLERK LUBBOCK
2024 JAN 22 AM 8:55
BY [Signature]

CASE ALLOCATION ORDER

WHEREAS, pursuant to Texas Government Code § 24.024, “in a county with two or more district courts the district judges may adopt rules governing the filing and numbering of cases, the assignment of cases for trial, and the distribution of the work of the court as in their discretion they consider necessary or desirable for the orderly dispatch of the business of the courts;”

AND WHEREAS, pursuant to Texas Government Code § 25.1542, “in addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Lubbock County has concurrent jurisdiction with the district court in family law cases and proceedings;”

AND WHEREAS, pursuant to Texas Government Code § 74.092, “a local administrative judge, for the courts for which the judge serves as local administrative judge, shall:

- (1) Implement and execute the local rules of administration, including the assignment, docketing, transfer, and hearing of cases...
- (5) Supervise the expeditious movement of court caseloads, subject to local, regional, and state rules of administration;”

AND WHEREAS, pursuant to Texas Government Code § 74.093,

- (a) “the district and statutory county court judges in each county shall, by majority vote, adopt local rules of administration.
- (b) The rules must provide for:
 - 1. Assignment, docketing, transfer, and hearing of all cases, subject to the jurisdictional limitations of the district courts and statutory county courts;
 - 2. Designation of court divisions or branches responsible for certain matters;
 - 4. Fair and equitable division of caseloads;”

AND WHEREAS, pursuant to Texas Government Code § 74.092(a)(2), Lubbock County District and County Court-at-Law Judges, along with Lubbock’s Office of Court Administration reviewed and locally applied the State Office of Court Administration’s 2023 Weighted Caseload Study;

AND WHEREAS following the review of the State Office of Court Administration’s 2023 Weighted Caseload Study and analysis, options were evaluated and presented to determine the most current “fair and equitable division of caseloads” for “the expeditious movement of court caseloads;”

FAMILY LAW CASE ALLOCATIONS

IT IS THEREFORE ORDERED that the District Clerk of Lubbock County file all new FAMILY LAW cases in the District and County Courts-at-Law having family law jurisdiction, utilizing a computer software program to assign cases, in accordance with the following family law case allocation percentages:

Court	Family Law
County Court-at-Law #1	15.0%
County Court-at-Law #2	15.0%
County Court-at-Law #3	10.0%
72 nd District Court	20.0%
99 th District Court	5.0%
137 th District Court	5.0%
140 th District Court	5.0%
237 th District Court	20.0%
364 th District Court	5.0%

DISTRICT - CIVIL CASE ALLOCATIONS

IT IS FURTHER ORDERED that the District Clerk of Lubbock County file all new DISTRICT CIVIL cases (excluding cases related to criminal matters) in the District Courts, utilizing a computer software program to assign cases, in accordance with the following district civil case allocation percentages:

Court	District - Civil
72 nd District Court	35.0%
99 th District Court	30.0%
137 th District Court	NA
140 th District Court	NA
237 th District Court	35.0%
364 th District Court	NA

DISTRICT – CRIMINAL CASE ALLOCATIONS

IT IS FURTHER ORDERED, unless otherwise designated below, the District Clerk of Lubbock County will file all newly indicted capital felony, first-degree felony, or second-degree felony cases, utilizing a computer software program to assign cases, in accordance with the following allocation percentages:

Court	District - Criminal
72 nd District Court	NA
99 th District Court	*

137 th District Court	33.3%
140 th District Court	33.3%
237 th District Court	NA
364 th District Court	33.3%

IT IS FURTHER ORDERED that the District Clerk of Lubbock County will file all newly indicted STATE JAIL FELONY and THIRD-DEGREE FELONY cases in the 99th District Court; however, any newly indicted state jail felony and/or third-degree felony cases with a newly indicted capital felony, first-degree felony, or second-degree felony case will be filed equally, utilizing a computer software program to assign cases, in the 137th, 140th, or 364th district court.

IT IS FURTHER ORDERED that should a defendant with a newly indicted state jail felony or third-degree felony case have a pending case(s) in the 137th, 140th, or 364th, the newly indicted state jail felony or third-degree felony case will be filed in the court with the current pending case(s).

JUVENILE CASE ALLOCATIONS

IT IS FURTHER ORDERED that the District Clerk of Lubbock County will file all new JUVENILE cases equally amongst the six District Courts, utilizing a computer software program to assign cases, in accordance with the following juvenile case allocation percentages:

Court	Juvenile
72 nd District Court	16.7%
99 th District Court	16.7%
137 th District Court	16.7%
140 th District Court	16.7%
237 th District Court	16.7%
364 th District Court	16.7%

IT IS FURTHER ORDERED, pursuant to Local Rule 3.55, when a District Judge is required to hear a juvenile matter, the presiding judge where the juvenile case is filed shall hear the matter. If the presiding judge is unable to hear the matter, the Juvenile Board Chair will preside.

TAX CASE ALLOCATIONS

IT IS FURTHER ORDERED that the District Clerk of Lubbock County will file all new TAX cases equally amongst the six District Courts, utilizing a computer software program to assign cases, in accordance with the following tax case allocation percentages:

Court	Tax
72 nd District Court	16.7%
99 th District Court	16.7%
137 th District Court	16.7%
140 th District Court	16.7%
237 th District Court	16.7%
364 th District Court	16.7%

MISDEMEANOR CASE ALLOCATIONS

IT IS FURTHER ORDERED that the County Clerk of Lubbock County will file all new MISDEMEANOR cases equally amongst County Court-at-Law #1 and County Court-at-Law #2, utilizing a computer software program to assign cases, in accordance with the following misdemeanor case allocation percentages:

Court	Misdemeanor
County Court-at-Law #1	50.0%
County Court-at-Law #2	50.0%

COUNTY COURT-AT-LAW - CIVIL CASE ALLOCATION

IT IS FURTHER ORDERED that the County Clerk of Lubbock County will file all new CIVIL cases in County Court-at-Law #3, utilizing a computer software program to assign cases, in accordance with the following civil case allocation percentages:

Court	CCL – Civil
County Court-at-Law #3	100.0%

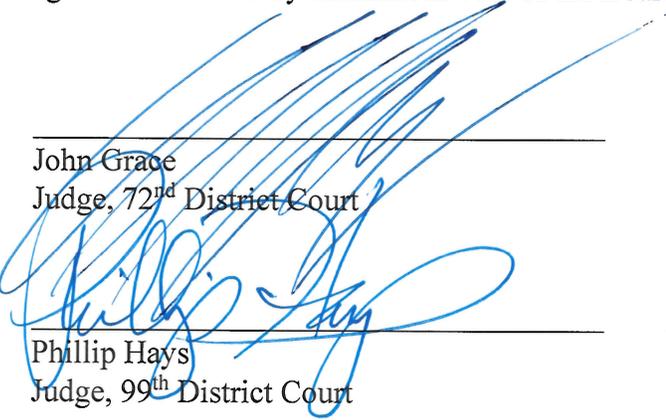
CIVIL RELATED TO CRIMINAL CASE ALLOCATION

IT IS FURTHER ORDERED that the District and County Clerk enter any CIVIL CASES RELATED TO CRIMINAL MATTERS in the court where the related criminal matter is filed.

IT IS FURTHER ORDERED that the District and County Clerk record this order in the minutes of such courts.

IT IS FURTHER ORDERED that the effective date and implementation of this ORDER shall be based upon the completion of system updates to appropriately file new cases in accordance with this Order. Implementation of certain case types may occur in different phases; however, implementation shall be without unnecessary delay and as soon as practical.

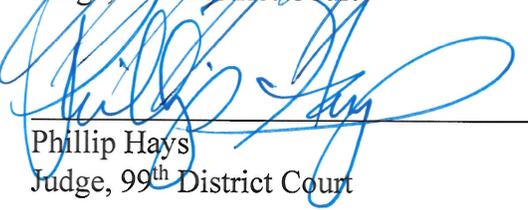
Signed and entered by unanimous vote of the Board of Judges on January 12th, 2024.



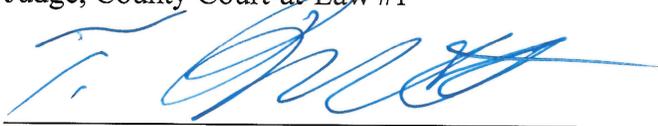
John Grace
Judge, 72nd District Court



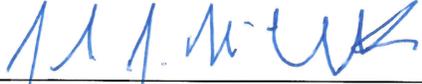
Mark Hocker
Judge, County Court-at-Law #1



Phillip Hays
Judge, 99th District Court



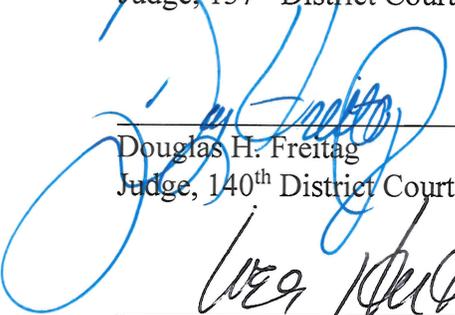
Tom Brummett
Judge, County Court at Law #2



John (Trey) J. McClendon, III
Judge, 137th District Court



Ben Webb
Judge, County Court-at-Law #3
County Court-at-Law Administrative Judge



Douglas H. Freitag
Judge, 140th District Court



Les Hatch
Judge, 237th District Court
Local Administrative Judge



William (Billy) Eichman
Judge, 364th District Court