

**Written Comments Submitted by Texas Watch to the
Texas House Committee on Judiciary & Civil Jurisprudence
August 23, 2022**

Topic: State Courts of Appeals

Chairman Leach and Members of the Committee:

I submit these comments on behalf of Texas Watch, a non-partisan, non-profit organization that has advocated for consumers and our courts for over twenty years, in opposition to any changes to the current boundaries for our State Courts of Appeals.

Much testimony was taken last session on this issue, and esteemed jurists from across our state traveled to the Capitol to tell lawmakers that changes are not needed. Cases are being heard in an efficient manner, given the disruption and demands of the ongoing pandemic, and local communities are being served well by their Courts of Appeals.

Our courts, as a co-equal branch, derive their power from our Constitution and depend upon legitimacy from the electorate to function, upholding the rule of law and promoting the peaceful resolution of disputes in the process. Local communities should be served by local courts. Far-flung urban areas should not be paired or "packed" into one district in an effort to dilute the voice of the electorate in either population center, nor should court boundaries be "cracked" to game the political system. Any efforts to do so would only cause our courts to lose legitimacy in the eyes of the citizens they serve.

Communities of interest must be maintained. Our current court maps do just that.

Corporate special interests have invented reasons to change our court maps. However, their reasons cannot withstand scrutiny. The jurists on the very courts they seek to split -- who know the inner workings of our judiciary better than anyone -- disagree strongly. The corporate lobby may push for changes to serve their bottom line by escaping accountability; but this committee, and these maps, exist to serve the people, not moneyed interests.

It has been said "that government is best that governs least." Here in Texas, we also say "if it ain't broke, don't fix it." Our courts ain't broke. They are functioning well for their communities and the state as a whole. Please leave our courts to their work so they may continue to serve their communities.

Respectfully submitted,
Ware Wendell
Executive Director
Texas Watch
TexasWatch.org

Topic: Specialty Courts

Chairman Leach and Members of the Committee:

I submit these comments on behalf of Texas Watch, a non-partisan, non-profit organization that has advocated for consumers and our courts for over twenty years. We oppose the creation of any specialty courts for businesses.

Our nation and our state were founded on bedrock legal principles, including equal justice under the law and open courts. Our forefathers revolted and fought against the perverted "justice" delivered by the separate Star Chamber in England, which privileged the powerful at the expense of the many. In America and Texas, justice is blind, and we are all equal when we stand before the court.

Our courts in Texas exist for everyone. The justice delivered by our judges and juries is the same for all members of the community, and they have proven themselves capable of resolving all manners of cases for nearly two centuries. Removing business disputes into special and separate chancery courts would violate fundamental legal principles that have served us well for many years.

We do not need a "fast lane" for businesses, and we do not need "special judges" to hear their disputes. Jurors from all walks of life are well-equipped to evaluate who is telling the truth, who breached a contract, and who should pay damages. Judges from the community – who are accountable to the community – are similarly well-equipped to rule on all matters of law.

Only a tiny minority of states have followed the lead of corporate lobbyists pushing for separate chancery courts. These corporate lobbyists have failed in their efforts for many years in Texas, and for good reason. We urge you to resist them once more as they attempt to remake our court system in their image. Such an effort would be duplicative, wasteful, ill-advised, and unjust.

We ask you to please support open courts that deliver equal justice under the law, not create modern-day Star Chambers for corporations.

Respectfully submitted,
Ware Wendell
Executive Director
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