

### Textbook Review Questions

Collier, Galatas, Harrelson-Stephens, Lone Star Politics, 4th Edition, Sage (CQ Press), 2016. ISBN 978-1-4833-5277-0

#### Chapter 7: Texas Judicial System

1. What was Chief Justice Wallace Jefferson's criticism of the Texas Judicial System? (pp. 216-217i)
2. What is judicial federalism? (p. 218-219)
3. Define the following terms: jurisdiction, original jurisdiction, appellate jurisdiction, exclusive jurisdiction, criminal case, civil case, concurrent jurisdiction, magistrate functions, and *de novo*.
4. The authors distinguish the jurisdictions of courts in four ways. Outline the four. (p. 219) What is the end result of jurisdictional conflicts?
5. With regard to local trial courts, answer the following questions? (pp. 221-222)
  - a) What are the two types of local trial courts?
  - b) What type of cases does each handle?
  - c) To which court are appeals taken from local trial courts?
6. County level courts (p.222-226)
  - a) What are the three types of county level courts?
  - b) How do the constitutional county courts differ from statutory probate courts and the county courts at law?
  - c) How do the civil jurisdictions of the county level courts differ?
  - d) How do the qualifications for office for constitutional county court judges differ from county court-at-law and statutory county probate judges?
  - e) How are all county level judges selected? If a vacancy occurs, how is that vacancy filled and by whom?
7. District Level Court (pp. 226-227)
  - a) What is the original criminal jurisdiction of state level trial courts (district courts)?
  - b) In what cases do district courts have misdemeanor jurisdiction?
  - c) What factors will cause the civil jurisdiction of district courts to vary from district to district?
  - d) What are the types of cases for original civil jurisdiction for district level courts?
  - e) How are district judges selected? In the event of a vacancy, how is a replacement selected?
8. Appeals Courts (pp. 227-229)
  - a) What are the qualifications for all appellate judges in Texas?
  - b) How are all appellate judges in Texas selected? In the event of a vacancy, how is a replacement chosen and by whom?
  - c) What are the four types of opinions issued by the appeals courts? (see p. 228) Define each.
9. Courts of Appeal
  - a) How many Courts of Appeal are there in Texas?
  - b) What type of cases do they hear?
  - c) How does the Courts of Appeal function?
  - d) What are the options for the appeals court in deciding cases?
  - e) To which court are appeals taken from the Court of Appeals?
10. Texas Court of Criminal Appeals (P. 228)
  - a) What is the jurisdiction of this court?
  - b) What is the makeup of the court?
  - c) How much discretion does the court have in whether or not to take a case on appeal?
11. Texas Supreme Court (p. 229)
  - a) What is the jurisdiction of the court?
  - b) How many judges serve on the court and how are they selected?
  - c) In addition to deciding cases, what other duties does the Supreme Court have?
12. How are all judges, except municipal court judges, selected? What are the consequences of straight ticket voting? What is the incumbency advantage?
13. In what circumstances can the Governor appoint state level judges? Are there any limits on his appointment power?
14. What are the three primary means of removing a judge in Texas? What is the Commission on Judicial Conduct and who serves on it? (p. 233)

15. Read the section on Texas judges. How representative are judges in Texas of the general population? How does the use of at-large elections impact the selection of minorities as judges? (pp. 229-231)
16. What are the main problems with the Texas judicial system as identified by the authors?
17. What are the two alternative judicial selection processes used by other states? (pp. 237-238)
18. Review Table 7.1 and answer the following questions:
  - a) What are the five categories of felonies?
  - b) What are the three categories of misdemeanors in the Texas Penal Code?
19. According to the textbook, who are the losers in the current Texas Judicial System? (p. 242)a