



Office of the Attorney General

State of Texas

July 20, 1992

DAN MORALES

ATTORNEY GENERAL

**Honorable Leslie V. Vance
Criminal District Attorney
Eastland County
P. O. Box 527
Eastland, Texas 76448-0527**

Letter Opinion No. 92-23

**Re: Jurisdiction of justice courts in
misdemeanor cases (ID# 16403)**

Dear Mr. Vance:

We are in receipt of your office's letter inquiring into the limitations placed by the legislature on the criminal jurisdiction of justice of the peace courts. Although it is true that the Texas Constitution, article V, section 19, declares that justice courts "shall have original jurisdiction in criminal matters of misdemeanor cases punishable by fine only," this provision is not self-enacting. The legislature has chosen to further delimit justice court jurisdiction to criminal cases "where the fine to be imposed may not exceed five hundred dollars." Code Crim. Proc. art. 4.11. In our opinion, there is no prohibition on the legislature thus circumscribing the jurisdiction of such courts.

In response to your question, therefore, our answer is that a justice court properly has jurisdiction only in those criminal cases in which the fine to be imposed does not exceed five hundred dollars.

S U M M A R Y

A justice court properly has jurisdiction only in those criminal cases in which the fine does not exceed five hundred dollars.

Very truly yours,

A handwritten signature in cursive script that reads "Rick Gilpin".

**Rick Gilpin
Assistant Attorney General
Opinion Committee**