

# LEGISLATIVE APPROPRIATIONS REQUEST

For Fiscal Years 2018 and 2019

Submitted to the Office of the Governor, Budget Division,  
and the Legislative Budget Board

By

## Court of Appeals Fourth Court of Appeals District of Texas

Sandee Bryan Marion, Chief Justice	2020	San Antonio
Karen Angelini, Justice	2018	San Antonio
Marialyn Barnard, Justice	2018	San Antonio
Rebeca C. Martinez, Justice	2018	San Antonio
Patricia O. Alvarez, Justice	2018	Laredo
Luz Elena D. Chapa, Justice	2018	San Antonio
Jason Pulliam, Justice	2016	San Antonio

August 12, 2016

Submitted By:

  
\_\_\_\_\_  
Keith E. Hottle, Clerk of the Court

Approved:

  
\_\_\_\_\_  
Sandee Bryan Marion, Chief Justice



# **Legislative Appropriations Request**

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**by**

**Court of Appeals  
Fourth Court of Appeals District of Texas**

**August 12, 2016**

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**Administrator's Statement**

8/12/2016 2:41:03PM

85th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

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**224 Fourth Court of Appeals District, San Antonio**

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Administrator's Statement  
85th Regular Session, Agency Submission  
Automated Budget and Evaluation System of Texas (ABEST)

Texas intermediate appellate courts serve as vital safeguards in the provision of justice. 80 Judges across 14 appellate districts process, review, and decide by written opinion the appeals arising from criminal and civil trial courts across the State. Population growth across the State and the magnitude of annual case filings, in concert with an ever-increasing number of case types requiring expedited review, make clear that the appellate courts need sufficient resources to keep their busy dockets moving and to insure that Texans receive accurate, efficient justice at the appellate level.

To effectively manage these demands, the appellate courts must employ a highly skilled and trained professional workforce - legal and clerical staff who assist the justices of the court in case filing, legal research, and preparation of opinions. The courts face competition with higher-paying private practice and government legal jobs for skilled attorneys and staff. Hiring and retaining qualified support staff is critical to the courts' ability to manage their dockets and efficiently resolve the cases before them.

During the 79th and 80th Legislative Sessions, the fourteen courts of appeals worked together to develop guideline budgets under a collective framework that came to be known as Similar Funding for Same-Sized Courts. This collective approach has streamlined the appellate courts' appropriations process and has seemingly been well received by the Legislature.

In the 81st, 82nd, and 83rd Legislative Sessions, the courts of appeals worked with the Legislature toward meeting their critical personnel needs and fully implementing the guideline budgets. Due to the national economic downturn, the realization of the Similar Funding for Same-Sized Courts initiative proved difficult to fully fund, and these legislatures were able to only partially fund the needs of the courts.

During the 84th Legislative Session, the courts once again sought the funding to implement the Similar Funding for Same-Sized Courts initiative and were appreciative when the Legislature was able to fund the courts' business model. This funding has enhanced the public's access to justice by giving the courts the ability to add and retain vital personnel to process appeals more accurately and efficiently.

The courts of appeals are grateful that the 84th Legislature recognized the need and importance of this funding. While the hope had been to not make an exceptional item request in the FY 2018-19 appropriation process, we must respectfully seek relief via exceptional item from the recent leadership request that all state agencies cut their budgets by 4%, as such a cut would pose a major setback to the courts and directly affect their ability to efficiently handle the State's appellate docket. The courts of appeals believe it is critical to maintain the guideline budgets at current levels. Therefore, in order to achieve the Court's mission, the Fourth Court respectfully requests the following exceptional item:

Exceptional Item #1: Restore the 4% Budget Cut

The intermediate appellate courts' only collective exceptional item would restore leadership's 4% proposed budget reduction to the courts' appropriations for FY 2018-19. In the 84th Session, legislative leadership recognized the need, even in tough economic times, for the courts of appeals to be able to attract and retain qualified attorneys and to provide adequate levels of staffing for vital court functions. Appellate work requires attorneys with specialized knowledge to analyze cases on appeal, assist with court opinions, and facilitate the processing of appeals to conclusion. The courts need attorneys with strong academics, analytical skills, and professional experience. The ability to attract and retain experienced lawyers play a vital role in the courts' ability to fulfill their core function of timely processing and disposing of

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appeals while maintaining the high quality of justice to which the citizens of Texas are entitled.

External/Internal Factors

The courts' budgets predominantly go toward salaries, thus a 4% reduction to the courts' budgets would likely reduce staffing and directly impact productivity for nearly all the appellate courts. Further, a 4% cut would pose an even larger hit to the courts' support personnel budgets, given that the judicial salary portion of the courts' budgets are statutorily fixed. With significant percentages of each Court's budget dedicated to staffing, the courts do not have discretionary funds to absorb a 4% reduction without cutting integral staff.

A 4% reduction in the Court's appropriated budget for the biennium, which amounts to \$269,170, will require the Court to eliminate two staff positions (one Staff Attorney and one Administrative position). The loss of one staff attorney represents approximately 7% of the court's legal staff. The loss of one administrative position represents approximately 9% of the court's administrative support staff.

A reduction in staffing will very likely result in (1) a reduction in dispositions of appeals, preventing the courts from clearing older cases and reaching the disposition target of 100% of new appeals filed in the biennium, and (2) an increase in the time for which appeals remain pending during the biennium. We estimate the courts' clearance rate would fall from 100% to 93% and that the number of cases pending longer than projected would rise as a direct result of the proposed 4% cut.

RIDER REQUESTS:

The courts also request the following with regard to the across-the-board riders found in Article IV (p. IV-41):

- 1) Retain Article IV rider, Sec 4, Appellate Court Exemptions
- 2) Retain Article IV rider, Sec 6, Interagency Contracts for Assigned Judges for Appellate Courts.
- 3) Retain Article IV rider, Sec 7, Appellate Court Transfer Authority

Historically, the Legislature has granted the courts exemption from certain limitations in the General Appropriations Act. They have also granted the authority to carryover unexpended budget balances between years of the biennium as shown in the current bill pattern. The flexibility afforded by these measures enhances the courts' management ability, and we seek continuation of these budget features.

ADDITIONAL STATEMENTS OF SUPPORT:

The courts of appeals have been able to streamline operations by utilizing many services consolidated through the Office of Court Administration. As such, the courts wish to express support for exceptional item number 1 put forth by the Office of Court Administration. If the OCA's request is not fully funded for the 2018-19 biennium, the individual appellate courts would need additional funds to compensate for the services OCA now provides. For example, rather than each court maintaining its own separate technology support network, the courts rely on consolidated technology services provided by OCA.

Finally, the courts of appeals wish to express appreciation to and support for the Judicial Compensation Commission and the Legislature's efforts to strengthen the justice system by increasing judicial salaries to attract and retain a strong judiciary. The courts stand ready to work with the Legislature and provide any information that may be helpful to this, and any other aspect, of the budgeting process.

**Administrator's Statement**

8/12/2016 2:41:03PM

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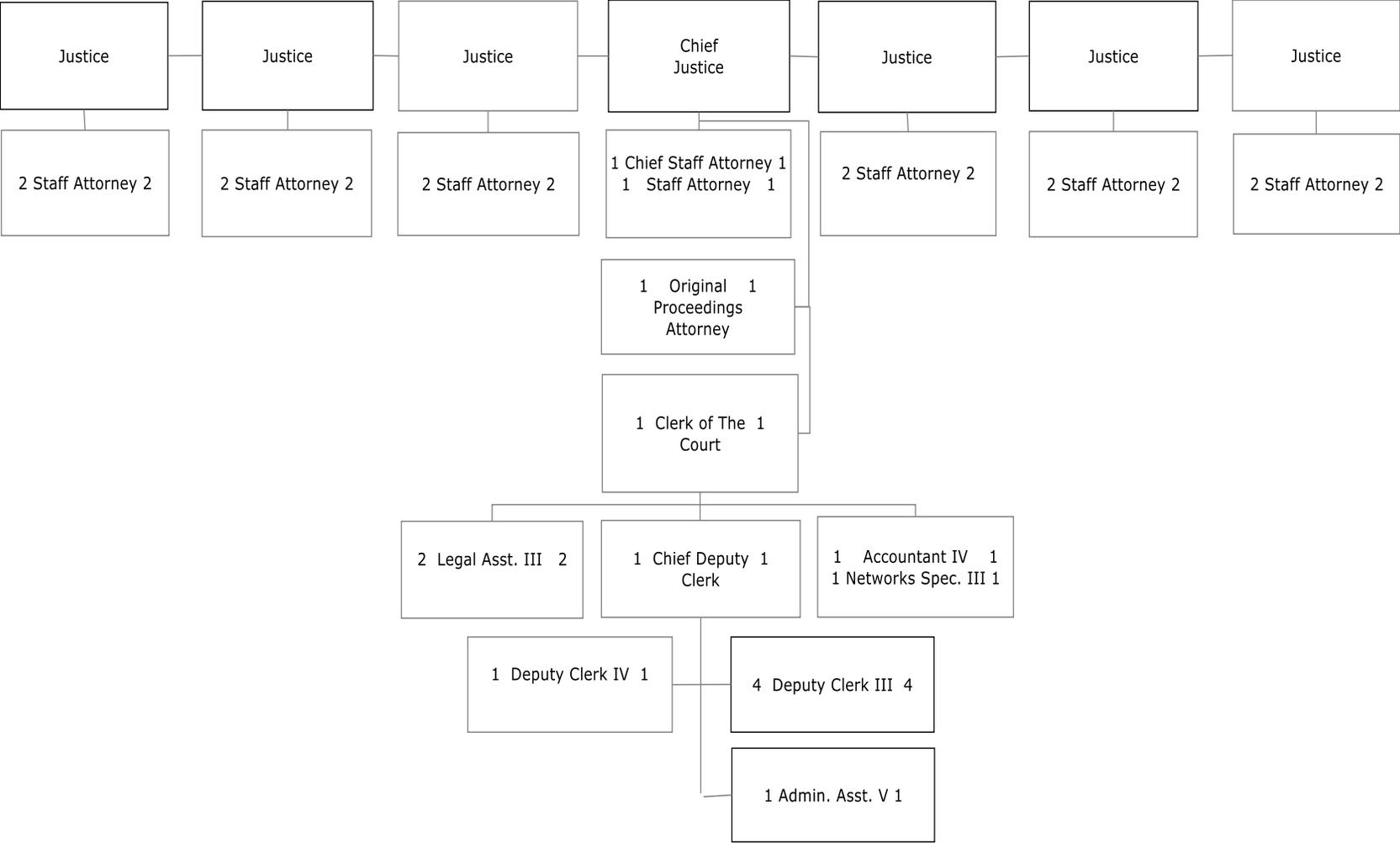
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**224 Fourth Court of Appeals District, San Antonio**

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Note: on Appropriated Receipts – At the direction of the LBB & Governor’s Office, this Court has included appropriated receipts in the amount of \$11,000.00 reflecting reimbursement for copies of opinions and other court documents. These amounts are merely an offset for additional expenses incurred by the Court and do not constitute additional funds available for general expenditures for the Court. The amount can vary significantly from year to year

**ORGANIZATION CHART  
FOURTH COURT OF APPEALS  
AGENCY 224  
FY 2016 (2018-2019)**





## CERTIFICATE

Agency Name Fourth Court of Appeals

This is to certify that the information contained in the agency Legislative Appropriation Request filed with the Legislative Budget Board (LBB) and the Office of the Governor, Budget Division, is accurate to the best of my knowledge and that the electronic submission to the LBB via the Automated Budget and Evaluation System of Texas (ABEST) and the PDF file submitted via the LBB Document Submission application are identical.

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the Governor's office will be notified in writing in accordance with Article IX, Section 7.01 (2016-17 GAA).

**Chief Executive Officer or Presiding Judge**

Sandee Bryan Marion  
Signature

Sandee Bryan Marion  
Printed Name

Chief Justice  
Title

August 12, 2016  
Date

**Chief Financial Officer**

Keith E. Hottle  
Signature

Keith E. Hottle  
Printed Name

Clerk of the Court  
Title

August 12, 2016  
Date

**Board or Commission Chair**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**Budget Overview - Biennial Amounts**  
**85th Regular Session, Agency Submission, Version 1**  
Automated Budget and Evaluation System of Texas (ABEST)

224 Fourth Court of Appeals District, San Antonio  
Appropriation Years: 2018-19

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS	
	2016-17	2018-19	2016-17	2018-19	2016-17	2018-19	2016-17	2018-19	2016-17	2018-19	2018-19	
<b>Goal: 1. Appellate Court Operations</b>												
1.1.1. Appellate Court Operations	6,729,258	6,460,088					525,067	532,100	7,254,325	6,992,188		269,170
<b>Total, Goal</b>	<b>6,729,258</b>	<b>6,460,088</b>					<b>525,067</b>	<b>532,100</b>	<b>7,254,325</b>	<b>6,992,188</b>		<b>269,170</b>
<b>Total, Agency</b>	<b>6,729,258</b>	<b>6,460,088</b>					<b>525,067</b>	<b>532,100</b>	<b>7,254,325</b>	<b>6,992,188</b>		<b>269,170</b>
<b>Total FTEs</b>									<b>34.0</b>	<b>32.0</b>		<b>2.0</b>

2.A. Summary of Base Request by Strategy

8/12/2016 2:41:04PM

85th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

224 Fourth Court of Appeals District, San Antonio

Goal / Objective / STRATEGY	Exp 2015	Est 2016	Bud 2017	Req 2018	Req 2019
<u>1</u> Appellate Court Operations					
<u>1</u> Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	3,347,078	3,602,938	3,651,387	3,496,094	3,496,094
TOTAL, GOAL 1	<b>\$3,347,078</b>	<b>\$3,602,938</b>	<b>\$3,651,387</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>
TOTAL, AGENCY STRATEGY REQUEST	<b>\$3,347,078</b>	<b>\$3,602,938</b>	<b>\$3,651,387</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	<b>\$3,347,078</b>	<b>\$3,602,938</b>	<b>\$3,651,387</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>

2.A. Summary of Base Request by Strategy

8/12/2016 2:41:04PM

85th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

224 Fourth Court of Appeals District, San Antonio

Goal / Objective / STRATEGY	Exp 2015	Est 2016	Bud 2017	Req 2018	Req 2019
<u>METHOD OF FINANCING:</u>					
<b>General Revenue Funds:</b>					
1 General Revenue Fund	3,075,459	3,339,279	3,389,979	3,230,044	3,230,044
<b>SUBTOTAL</b>	<b>\$3,075,459</b>	<b>\$3,339,279</b>	<b>\$3,389,979</b>	<b>\$3,230,044</b>	<b>\$3,230,044</b>
<b>Other Funds:</b>					
573 Judicial Fund	213,050	213,050	213,050	213,050	213,050
666 Appropriated Receipts	16,569	13,251	11,000	11,000	11,000
777 Interagency Contracts	42,000	37,358	37,358	42,000	42,000
<b>SUBTOTAL</b>	<b>\$271,619</b>	<b>\$263,659</b>	<b>\$261,408</b>	<b>\$266,050</b>	<b>\$266,050</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$3,347,078</b>	<b>\$3,602,938</b>	<b>\$3,651,387</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>

\*Rider appropriations for the historical years are included in the strategy amounts.

2.B. Summary of Base Request by Method of Finance

8/12/2016 2:41:05PM

85th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 224

Agency name: Fourth Court of Appeals District, San Antonio

METHOD OF FINANCING	Exp 2015	Est 2016	Bud 2017	Req 2018	Req 2019
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**GENERAL REVENUE**

**1** General Revenue Fund

*REGULAR APPROPRIATIONS*

Regular Appropriations from MOF Table (2014-15 GAA)

\$2,898,838	\$0	\$0	\$0	\$0
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Regular Appropriations from MOF Table (2016-17 GAA)

\$0	\$3,311,993	\$3,311,993	\$0	\$0
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Regular Appropriations from MOF Table (2018-19 GAA)

\$0	\$0	\$0	\$3,230,044	\$3,230,044
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*TRANSFERS*

Art IX, Sec 17.06 Salary Increase for General State Employees (2014-15 GAA)

\$873	\$0	\$0	\$0	\$0
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Sec. 11, Article IV Special Provisions, Appn for Judicial Compensation (2014-15 GAA)

\$115,500	\$0	\$0	\$0	\$0
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Art IX, Sec 18.02, Salary Increase for General State Employees (2016-17)

\$0	\$52,636	\$52,636	\$0	\$0
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2.B. Summary of Base Request by Method of Finance

8/12/2016 2:41:05PM

85th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: <b>224</b>		Agency name: <b>Fourth Court of Appeals District, San Antonio</b>				
<b>METHOD OF FINANCING</b>		<b>Exp 2015</b>	<b>Est 2016</b>	<b>Bud 2017</b>	<b>Req 2018</b>	<b>Req 2019</b>
<b><u>GENERAL REVENUE</u></b>						
<i>LAPSED APPROPRIATIONS</i>						
Lapsed Appropriation						
		\$ (16,063)	\$ 0	\$ 0	\$ 0	\$ 0
<i>UNEXPENDED BALANCES AUTHORITY</i>						
Strategy A.1.1, Appellate Court Operations (2014-15 GAA)						
		\$ 76,311	\$ 0	\$ 0	\$ 0	\$ 0
Strategy A.1.1, Appellate Court Operations (2016-17 GAA)						
		\$ 0	\$ (25,350)	\$ 25,350	\$ 0	\$ 0
<b>TOTAL,</b>	<b>General Revenue Fund</b>	<b>\$3,075,459</b>	<b>\$3,339,279</b>	<b>\$3,389,979</b>	<b>\$3,230,044</b>	<b>\$3,230,044</b>
<b>TOTAL, ALL</b>	<b>GENERAL REVENUE</b>	<b>\$3,075,459</b>	<b>\$3,339,279</b>	<b>\$3,389,979</b>	<b>\$3,230,044</b>	<b>\$3,230,044</b>

**OTHER FUNDS**

573 Judicial Fund No. 573

*REGULAR APPROPRIATIONS*

Regular Appropriations from MOF Table (2014-15 GAA)

2.B. Summary of Base Request by Method of Finance  
 85th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

8/12/2016 2:41:05PM

Agency code: <b>224</b>		Agency name: <b>Fourth Court of Appeals District, San Antonio</b>				
METHOD OF FINANCING		Exp 2015	Est 2016	Bud 2017	Req 2018	Req 2019
<b><u>OTHER FUNDS</u></b>		\$213,050	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2016-17 GAA)		\$0	\$213,050	\$213,050	\$0	\$0
Regular Appropriations from MOF Table (2018-19 GAA)		\$0	\$0	\$0	\$213,050	\$213,050
<b>TOTAL,</b>	<b>Judicial Fund No. 573</b>	<b>\$213,050</b>	<b>\$213,050</b>	<b>\$213,050</b>	<b>\$213,050</b>	<b>\$213,050</b>
<b><u>666</u></b> Appropriated Receipts						
<i>REGULAR APPROPRIATIONS</i>						
Regular Appropriations from MOF Table (2014-15 GAA)		\$11,000	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2016-17 GAA)		\$0	\$11,000	\$11,000	\$0	\$0
Regular Appropriations from MOF Table (2018-19 GAA)		\$0	\$0	\$0	\$11,000	\$11,000

2.B. Summary of Base Request by Method of Finance

8/12/2016 2:41:05PM

85th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: <b>224</b>		Agency name: <b>Fourth Court of Appeals District, San Antonio</b>				
<b>METHOD OF FINANCING</b>		<b>Exp 2015</b>	<b>Est 2016</b>	<b>Bud 2017</b>	<b>Req 2018</b>	<b>Req 2019</b>
<b><u>OTHER FUNDS</u></b>						
<i>RIDER APPROPRIATION</i>						
Art IX, Sec 8.03, Reimbursements and Payments (2014-15 GAA)						
		\$5,569	\$0	\$0	\$0	\$0
Art IX, Sec 8.02, Reimbursements and Payments (2016-17 GAA)						
		\$0	\$2,251	\$0	\$0	\$0
<b>TOTAL,</b>	<b>Appropriated Receipts</b>	<b>\$16,569</b>	<b>\$13,251</b>	<b>\$11,000</b>	<b>\$11,000</b>	<b>\$11,000</b>
 <u>777</u> Interagency Contracts						
<i>REGULAR APPROPRIATIONS</i>						
Regular Appropriations from MOF Table (2014-15 GAA)						
		\$42,000	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2016-17 GAA)						
		\$0	\$42,000	\$42,000	\$0	\$0
Regular Appropriations from MOF Table (2018-19 GAA)						
		\$0	\$0	\$0	\$42,000	\$42,000
<i>LAPSED APPROPRIATIONS</i>						

**2.B. Summary of Base Request by Method of Finance**

8/12/2016 2:41:05PM

85th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: <b>224</b>	Agency name: <b>Fourth Court of Appeals District, San Antonio</b>				
<b>METHOD OF FINANCING</b>	<b>Exp 2015</b>	<b>Est 2016</b>	<b>Bud 2017</b>	<b>Req 2018</b>	<b>Req 2019</b>
<b><u>OTHER FUNDS</u></b>					
Lapsed Appropriations	\$0	\$(4,642)	\$(4,642)	\$0	\$0
<b>TOTAL, Interagency Contracts</b>	<b>\$42,000</b>	<b>\$37,358</b>	<b>\$37,358</b>	<b>\$42,000</b>	<b>\$42,000</b>
<b>TOTAL, ALL OTHER FUNDS</b>	<b>\$271,619</b>	<b>\$263,659</b>	<b>\$261,408</b>	<b>\$266,050</b>	<b>\$266,050</b>
<b>GRAND TOTAL</b>	<b>\$3,347,078</b>	<b>\$3,602,938</b>	<b>\$3,651,387</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>



2.C. Summary of Base Request by Object of Expense

8/12/2016 2:41:05PM

85th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

224 Fourth Court of Appeals District, San Antonio

OBJECT OF EXPENSE	Exp 2015	Est 2016	Bud 2017	BL 2018	BL 2019
1001 SALARIES AND WAGES	\$3,035,816	\$3,278,376	\$3,358,924	\$3,228,981	\$3,228,981
1002 OTHER PERSONNEL COSTS	\$127,043	\$160,378	\$116,514	\$89,985	\$89,985
2001 PROFESSIONAL FEES AND SERVICES	\$4,669	\$2,540	\$2,540	\$2,540	\$2,540
2003 CONSUMABLE SUPPLIES	\$8,485	\$6,512	\$7,722	\$7,498	\$7,498
2004 UTILITIES	\$4,544	\$2,252	\$2,503	\$2,503	\$2,503
2005 TRAVEL	\$933	\$591	\$1,285	\$1,100	\$1,100
2006 RENT - BUILDING	\$27,644	\$26,819	\$27,232	\$27,300	\$27,300
2007 RENT - MACHINE AND OTHER	\$1,320	\$1,320	\$660	\$660	\$660
2009 OTHER OPERATING EXPENSE	\$136,624	\$124,150	\$134,007	\$135,527	\$135,527
<b>OOE Total (Excluding Riders)</b>	<b>\$3,347,078</b>	<b>\$3,602,938</b>	<b>\$3,651,387</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>
<b>OOE Total (Riders)</b>					
<b>Grand Total</b>	<b>\$3,347,078</b>	<b>\$3,602,938</b>	<b>\$3,651,387</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>

85th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: 224 Agency: Fourth Court of Appeals District, San Antonio

BASE REQUEST STRATEGY: 1-1-1 Appellate Court Operations

Code	Type of Expense	Expended 2015	Estimated 2016	Budgeted 2017	Requested 2018	Requested 2019
2	Postage	\$6,000	\$3,000	\$4,500	\$5,275	\$4,500
5	Westlaw/Lexis	17,815	18,675	18,984	19,729	20,504
6	Registrations/Training	525	500	1,050	1,050	1,050
11	Misc. Operating Costs	365	422	375	375	375
12	Maintenance & Repair - Equipment	1,129	1,110	1,120	1,120	1,120
13	Furniture & Equipment (Expensed)	9,325	5,943	7,626	7,626	7,626
15	Printing & Reproduction	816	151	484	484	484
24	Freight/Delivery	8,199	3,015	5,600	5,600	5,600
35	Computer Equip./Software, Non-cap	1,497	732	1,100	1,100	1,100
46	Communication Services	3,338	3,370	3,400	3,400	3,400
55	Computer Furn & Equip-Controlled	1,384	1,385	1,400	1,400	1,400
56	Computer Equipment - Expensed	3,902	1,343	2,600	2,600	2,600
61	Purchase of Contract Services	220	220	220	220	220
64	SORM Assessment	3,022	3,090	3,100	3,100	3,100
164	Books/Reference Materials	46,882	46,075	47,000	47,000	47,000
171	Insurance Premiums	3,965	3,962	4,291	4,291	4,291
195	Payroll Health Insurance Contrib.	28,240	31,157	31,157	31,157	31,157
	<b>Total, Operating Costs</b>	<b>\$136,624</b>	<b>\$124,150</b>	<b>\$134,007</b>	<b>\$135,527</b>	<b>\$135,527</b>

**2.D. Summary of Base Request Objective Outcomes**  
 85th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation system of Texas (ABEST)

8/12/2016 2:41:06PM

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**224 Fourth Court of Appeals District, San Antonio**

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Goal/ Objective / Outcome	Exp 2015	Est 2016	Bud 2017	BL 2018	BL 2019
1 Appellate Court Operations					
1 Appellate Court Operations					
<b>KEY</b> <b>1 Clearance Rate</b>					
	107.49%	96.40%	100.00%	93.00%	93.00%
<b>KEY</b> <b>2 Percentage of Cases Under Submission for Less Than One Year</b>					
	100.00%	100.00%	100.00%	93.00%	93.00%
<b>KEY</b> <b>3 Percentage of Cases Pending for Less Than Two Years</b>					
	99.80%	99.96%	100.00%	93.00%	93.00%

**2.E. Summary of Exceptional Items Request**  
 85th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/12/2016  
 TIME : 2:41:06PM

Agency code: 224

Agency name: **Fourth Court of Appeals District, San Antonio**

Priority	Item	2018			2019			Biennium		
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	
1	100% Court Funding	\$134,585	\$134,585	2.0	\$134,585	\$134,585	2.0	\$269,170	\$269,170	
<b>Total, Exceptional Items Request</b>		<b>\$134,585</b>	<b>\$134,585</b>	<b>2.0</b>	<b>\$134,585</b>	<b>\$134,585</b>	<b>2.0</b>	<b>\$269,170</b>	<b>\$269,170</b>	
<b>Method of Financing</b>										
	General Revenue	\$134,585	\$134,585		\$134,585	\$134,585		\$269,170	\$269,170	
	General Revenue - Dedicated									
	Federal Funds									
	Other Funds									
		<b>\$134,585</b>	<b>\$134,585</b>		<b>\$134,585</b>	<b>\$134,585</b>		<b>\$269,170</b>	<b>\$269,170</b>	
<b>Full Time Equivalent Positions</b>				<b>2.0</b>				<b>2.0</b>		
<b>Number of 100% Federally Funded FTEs</b>				<b>0.0</b>				<b>0.0</b>		

**2.F. Summary of Total Request by Strategy**  
 85th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/12/2016

TIME : 2:41:06PM

Agency code: 224 Agency name: Fourth Court of Appeals District, San Antonio

<b>Goal/Objective/STRATEGY</b>	<b>Base 2018</b>	<b>Base 2019</b>	<b>Exceptional 2018</b>	<b>Exceptional 2019</b>	<b>Total Request 2018</b>	<b>Total Request 2019</b>
<b>1</b> Appellate Court Operations						
1 <i>Appellate Court Operations</i>						
1 APPELLATE COURT OPERATIONS	\$3,496,094	\$3,496,094	\$134,585	\$134,585	\$3,630,679	\$3,630,679
<b>TOTAL, GOAL 1</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>	<b>\$134,585</b>	<b>\$134,585</b>	<b>\$3,630,679</b>	<b>\$3,630,679</b>
<b>TOTAL, AGENCY STRATEGY REQUEST</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>	<b>\$134,585</b>	<b>\$134,585</b>	<b>\$3,630,679</b>	<b>\$3,630,679</b>
<b>TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST</b>						
<b>GRAND TOTAL, AGENCY REQUEST</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>	<b>\$134,585</b>	<b>\$134,585</b>	<b>\$3,630,679</b>	<b>\$3,630,679</b>

**2.F. Summary of Total Request by Strategy**  
 85th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/12/2016

TIME : 2:41:06PM

Agency code: 224 Agency name: Fourth Court of Appeals District, San Antonio

<b>Goal/Objective/STRATEGY</b>	<b>Base 2018</b>	<b>Base 2019</b>	<b>Exceptional 2018</b>	<b>Exceptional 2019</b>	<b>Total Request 2018</b>	<b>Total Request 2019</b>
<b>General Revenue Funds:</b>						
1 General Revenue Fund	\$3,230,044	\$3,230,044	\$134,585	\$134,585	\$3,364,629	\$3,364,629
	<b>\$3,230,044</b>	<b>\$3,230,044</b>	<b>\$134,585</b>	<b>\$134,585</b>	<b>\$3,364,629</b>	<b>\$3,364,629</b>
<b>Other Funds:</b>						
573 Judicial Fund	213,050	213,050	0	0	213,050	213,050
666 Appropriated Receipts	11,000	11,000	0	0	11,000	11,000
777 Interagency Contracts	42,000	42,000	0	0	42,000	42,000
	<b>\$266,050</b>	<b>\$266,050</b>	<b>\$0</b>	<b>\$0</b>	<b>\$266,050</b>	<b>\$266,050</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>	<b>\$134,585</b>	<b>\$134,585</b>	<b>\$3,630,679</b>	<b>\$3,630,679</b>
<b>FULL TIME EQUIVALENT POSITIONS</b>	<b>32.0</b>	<b>32.0</b>	<b>2.0</b>	<b>2.0</b>	<b>34.0</b>	<b>34.0</b>

**2.G. Summary of Total Request Objective Outcomes**  
 85th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 8/12/2016  
 Time: 2:41:07PM

Agency code: 224 Agency name: Fourth Court of Appeals District, San Antonio

Goal/ Objective / Outcome

		BL 2018	BL 2019	Excp 2018	Excp 2019	Total Request 2018	Total Request 2019
1	Appellate Court Operations						
1	Appellate Court Operations						
<b>KEY</b>	<b>1 Clearance Rate</b>						
		93.00%	93.00%	100.00%	100.00%	100.00%	100.00%
<b>KEY</b>	<b>2 Percentage of Cases Under Submission for Less Than One Year</b>						
		93.00%	93.00%	100.00%	100.00%	100.00%	100.00%
<b>KEY</b>	<b>3 Percentage of Cases Pending for Less Than Two Years</b>						
		93.00%	93.00%	100.00%	100.00%	100.00%	100.00%

**224 Fourth Court of Appeals District, San Antonio**

GOAL: 1 Appellate Court Operations  
 OBJECTIVE: 1 Appellate Court Operations  
 STRATEGY: 1 Appellate Court Operations

Service Categories:

Service: 01      Income: A.2      Age: B.3

CODE	DESCRIPTION	Exp 2015	Est 2016	Bud 2017	BL 2018	BL 2019
<b>Output Measures:</b>						
1	Number of Civil Cases Disposed	541.00	407.00	503.00	449.00	449.00
2	Number of Criminal Cases Disposed	378.00	342.00	425.00	342.00	342.00
<b>Explanatory/Input Measures:</b>						
1	Number of Civil Cases Filed	462.00	425.00	483.00	483.00	483.00
2	Number of Criminal Cases Filed	383.00	307.00	368.00	368.00	368.00
3	Number of Cases Transferred in	2.00	13.00	0.00	0.00	0.00
4	Number of Cases Transferred out	27.00	0.00	0.00	0.00	0.00
<b>Objects of Expense:</b>						
1001	SALARIES AND WAGES	\$3,035,816	\$3,278,376	\$3,358,924	\$3,228,981	\$3,228,981
1002	OTHER PERSONNEL COSTS	\$127,043	\$160,378	\$116,514	\$89,985	\$89,985
2001	PROFESSIONAL FEES AND SERVICES	\$4,669	\$2,540	\$2,540	\$2,540	\$2,540
2003	CONSUMABLE SUPPLIES	\$8,485	\$6,512	\$7,722	\$7,498	\$7,498
2004	UTILITIES	\$4,544	\$2,252	\$2,503	\$2,503	\$2,503
2005	TRAVEL	\$933	\$591	\$1,285	\$1,100	\$1,100
2006	RENT - BUILDING	\$27,644	\$26,819	\$27,232	\$27,300	\$27,300
2007	RENT - MACHINE AND OTHER	\$1,320	\$1,320	\$660	\$660	\$660
2009	OTHER OPERATING EXPENSE	\$136,624	\$124,150	\$134,007	\$135,527	\$135,527

**224 Fourth Court of Appeals District, San Antonio**

GOAL: 1 Appellate Court Operations  
 OBJECTIVE: 1 Appellate Court Operations  
 STRATEGY: 1 Appellate Court Operations

Service Categories:  
 Service: 01      Income: A.2      Age: B.3

CODE	DESCRIPTION	Exp 2015	Est 2016	Bud 2017	BL 2018	BL 2019
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$3,347,078</b>	<b>\$3,602,938</b>	<b>\$3,651,387</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>
<b>Method of Financing:</b>						
1	General Revenue Fund	\$3,075,459	\$3,339,279	\$3,389,979	\$3,230,044	\$3,230,044
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$3,075,459</b>	<b>\$3,339,279</b>	<b>\$3,389,979</b>	<b>\$3,230,044</b>	<b>\$3,230,044</b>
<b>Method of Financing:</b>						
573	Judicial Fund	\$213,050	\$213,050	\$213,050	\$213,050	\$213,050
666	Appropriated Receipts	\$16,569	\$13,251	\$11,000	\$11,000	\$11,000
777	Interagency Contracts	\$42,000	\$37,358	\$37,358	\$42,000	\$42,000
<b>SUBTOTAL, MOF (OTHER FUNDS)</b>		<b>\$271,619</b>	<b>\$263,659</b>	<b>\$261,408</b>	<b>\$266,050</b>	<b>\$266,050</b>
<b>TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)</b>					<b>\$3,496,094</b>	<b>\$3,496,094</b>
<b>TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)</b>		<b>\$3,347,078</b>	<b>\$3,602,938</b>	<b>\$3,651,387</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>34.5</b>	<b>33.4</b>	<b>34.0</b>	<b>32.0</b>	<b>32.0</b>
<b>STRATEGY DESCRIPTION AND JUSTIFICATION:</b>						

**224 Fourth Court of Appeals District, San Antonio**

GOAL:	1	Appellate Court Operations	
OBJECTIVE:	1	Appellate Court Operations	Service Categories:
STRATEGY:	1	Appellate Court Operations	Service: 01      Income: A.2      Age: B.3

CODE	DESCRIPTION	Exp 2015	Est 2016	Bud 2017	BL 2018	BL 2019
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In accordance with the Legislative Appropriations Request Policy Letter dated June 30, 2016 from the Governor, Lt. Governor and Speaker of the House, the Fourth Court of Appeals requests a baseline appropriation for fiscal years 2018-19 in an amount limited to 96% of the sum of the base appropriation levels in FY 2016-17. This reduced amount, however, will decrease performance and impair the Court’s ability to fulfill its core functions of timely processing and disposing of appeals. Therefore, the Court’s legislative appropriation request includes, as its only exceptional item, a request to restore the funding necessary to reach 100% of the court’s FY 2016-17 appropriation levels.

The core function of the state courts of appeals is to process, review, and decide by written opinion or order appeals from criminal and civil trial courts. This requires a highly skilled and trained professional workforce, including appellate court lawyers and clerical staff, who assist the justices of the court in disposing of cases and researching and writing opinions.

**EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:**

Appellate work requires specialized knowledge with the ability to analyze cases on appeal, assist with court opinions, and facilitate the processing of appeals to conclusion. This requires personnel that possess the requisite skills that can be obtained only through professional experience. The loss of an experienced court lawyer and highly trained administrative support position will adversely affect the timely processing of and disposing of appeals. The restoration of funding will allow the court to retain well qualified professional staff, which is a major factor in the court’s ability to fulfill its core function of timely processing and disposing of appeals while maintaining the quality of justice to which the citizens of Texas are entitled.

**224 Fourth Court of Appeals District, San Antonio**

GOAL: 1 Appellate Court Operations  
 OBJECTIVE: 1 Appellate Court Operations  
 STRATEGY: 1 Appellate Court Operations

Service Categories:  
 Service: 01      Income: A.2      Age: B.3

CODE	DESCRIPTION	Exp 2015	Est 2016	Bud 2017	BL 2018	BL 2019
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**EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):**

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		BIENNIAL	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
Base Spending (Est 2016 + Bud 2017)	Baseline Request (BL 2018 + BL 2019)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$7,254,325	\$6,992,188	\$(262,137)	\$(269,170)	State leadership's directive to reduce funding to 96% of FY 2016-17 base appropriation levels. All GR.
			\$(2,251)	Additional appropriated receipts collected in FY2016
			\$9,284	Lapsed funds in FY 2016-17 in the amount of \$9,284 for reallocation to the 5th Court of Appeals.
			<b>\$(262,137)</b>	<b>Total of Explanation of Biennial Change</b>

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**SUMMARY TOTALS:**

<b>OBJECTS OF EXPENSE:</b>	<b>\$3,347,078</b>	<b>\$3,602,938</b>	<b>\$3,651,387</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>
<b>METHODS OF FINANCE (INCLUDING RIDERS):</b>				<b>\$3,496,094</b>	<b>\$3,496,094</b>
<b>METHODS OF FINANCE (EXCLUDING RIDERS):</b>	<b>\$3,347,078</b>	<b>\$3,602,938</b>	<b>\$3,651,387</b>	<b>\$3,496,094</b>	<b>\$3,496,094</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>	<b>34.5</b>	<b>33.4</b>	<b>34.0</b>	<b>32.0</b>	<b>32.0</b>

### 3.B. Rider Revisions and Additions Request

<b>Agency Code:</b> 224	<b>Agency Name:</b> Fourth Court of Appeals, District	<b>Prepared By:</b> Keith E. Hottle	<b>Date:</b> 8/12/2016	<b>Request Level:</b> Baseline
<b>Current Rider Number</b>	<b>Page Number in 2016-17 GAA</b>	<b>Proposed Rider Language</b>		
6	IV-41	<p><b>Sec. 6. Interagency Contracts for Assigned Judges for Appellate Courts.</b> Out of funds appropriated in this Article to Strategies A.1.1., Appellate Court Operations, the Supreme Court of Texas, the Court of Criminal Appeals, or any of the 14 Courts of Appeals may enter into a contract with the Office of the Comptroller for fiscal years <del>2016</del><u>2018</u> and <del>2017</del><u>2019</u>, for the purpose of reimbursing the Comptroller for amounts expended for judges assigned under Chapter 74, Government Code to hear cases of the appellate courts. It is the intent of the Legislature that any amounts reimbursed under this contract for judges assigned to the appellate courts are in addition to amounts appropriated for the use of assigned judges in Strategy A.1.3. Visiting Judges – Appellate in the Judiciary Section, Comptroller’s Department.</p> <p><i>Updating rider to adjust the years for the 2018-2019 biennium.</i></p>		

**4.A. Exceptional Item Request Schedule**  
 85th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/12/2016  
 TIME: 2:41:07PM

Agency code: 224

Agency name:  
**Fourth Court of Appeals District, San Antonio**

CODE	DESCRIPTION	Excp 2018	Excp 2019
	<b>Item Name:</b> Continue court funding at 100% of 2016-17 spending levels. <b>Item Priority:</b> 1 <b>IT Component:</b> No <b>Anticipated Out-year Costs:</b> Yes <b>Involve Contracts &gt; \$50,000:</b> No <b>Includes Funding for the Following Strategy or Strategies:</b> 01-01-01 Appellate Court Operations		
<b>OBJECTS OF EXPENSE:</b>			
1001	SALARIES AND WAGES	134,585	134,585
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$134,585</b>	<b>\$134,585</b>
<b>METHOD OF FINANCING:</b>			
1	General Revenue Fund	134,585	134,585
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$134,585</b>	<b>\$134,585</b>
<b>FULL-TIME EQUIVALENT POSITIONS (FTE):</b>		2.00	2.00

**DESCRIPTION / JUSTIFICATION:**

This exceptional item would provide the funding necessary to maintain current staffing levels. A 4% reduction in the Court's appropriated budget for the biennium, which amounts to \$269,170, will require the Court to eliminate two staff positions (one Staff Attorney and one Administrative position). The loss of one staff attorney represents approximately 7% of the court's legal staff. The loss of one administrative position represents approximately 9% of the court's administrative support staff. This reduction in staffing will have a corresponding impact on the court's ability to meet its performance objectives and ultimately result in a backlog of cases. A reduction in staffing will very likely result in (1) a reduction in dispositions of appeals, preventing the courts from clearing older cases and reaching the disposition target of 100% of new appeals filed in the biennium, and (2) an increase in the time for which appeals remain pending during the biennium. To prevent a backlog of cases and maintain current disposition and clearance rates, this Court specifically requests the restoration of funding needed to avoid the elimination of these critical positions.

**EXTERNAL/INTERNAL FACTORS:**

Appellate work requires specialized knowledge with the ability to analyze cases on appeal, assist with court opinions, and facilitate the processing of appeals to conclusion. This requires personnel that possess the requisite skills that can be obtained only through professional experience. The loss of an experienced court lawyer and highly trained administrative support position will adversely affect the timely processing of and disposing of appeals. The restoration of funding will allow the court to retain well qualified professional staff, which is a major factor in the court's ability to fulfill its core function of timely processing and disposing of appeals while maintaining the quality of justice to which the citizens of Texas are entitled.

**DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :**

The 4% base-line reduction mandated in FY 2018-19 will necessitate the loss of two (2) FTEs. The court is seeking the restoration of these funds, which will continue the funding needed to maintain these critical positions.

**4.A. Exceptional Item Request Schedule**  
85th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/12/2016**  
TIME: **2:41:07PM**

Agency code: **224**

Agency name:

**Fourth Court of Appeals District, San Antonio**

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<b>CODE</b>	<b>DESCRIPTION</b>	<b>Excp 2018</b>	<b>Excp 2019</b>
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**ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:**

<b>2020</b>	<b>2021</b>	<b>2022</b>
\$134,585	\$134,585	\$134,585

Agency code: 224 Agency name: Fourth Court of Appeals District, San Antonio

Code	Description	Excp 2018	Excp 2019
<b>Item Name:</b> Continue court funding at 100% of 2016-17 spending levels.			
<b>Allocation to Strategy:</b> 1-1-1 Appellate Court Operations			
<b>STRATEGY IMPACT ON OUTCOME MEASURES:</b>			
<u>1</u>	Clearance Rate	100.00%	100.00%
<u>2</u>	Percentage of Cases Under Submission for Less Than One Year	100.00%	100.00%
<u>3</u>	Percentage of Cases Pending for Less Than Two Years	100.00%	100.00%
<b>OUTPUT MEASURES:</b>			
<u>1</u>	Number of Civil Cases Disposed	34.00	34.00
<u>2</u>	Number of Criminal Cases Disposed	26.00	26.00
<b>OBJECTS OF EXPENSE:</b>			
1001	SALARIES AND WAGES	134,585	134,585
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$134,585</b>	<b>\$134,585</b>
<b>METHOD OF FINANCING:</b>			
1	General Revenue Fund	134,585	134,585
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$134,585</b>	<b>\$134,585</b>
<b>FULL-TIME EQUIVALENT POSITIONS (FTE):</b>		2.0	2.0

**4.C. Exceptional Items Strategy Request**  
 85th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

**DATE: 8/12/2016**  
**TIME: 2:41:08PM**

Agency Code: **224** Agency name: **Fourth Court of Appeals District, San Antonio**

GOAL: 1 Appellate Court Operations  
 OBJECTIVE: 1 Appellate Court Operations  
 STRATEGY: 1 Appellate Court Operations

Service Categories:  
 Service: 01 Income: A.2 Age: B.3

<b>CODE DESCRIPTION</b>	<b>Exp 2018</b>	<b>Exp 2019</b>
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**STRATEGY IMPACT ON OUTCOME MEASURES:**

<u>1</u> Clearance Rate	100.00 %	100.00 %
<u>2</u> Percentage of Cases Under Submission for Less Than One Year	100.00 %	100.00 %
<u>3</u> Percentage of Cases Pending for Less Than Two Years	100.00 %	100.00 %

**OBJECTS OF EXPENSE:**

1001 SALARIES AND WAGES	134,585	134,585
<b>Total, Objects of Expense</b>	<b>\$134,585</b>	<b>\$134,585</b>

**METHOD OF FINANCING:**

1 General Revenue Fund	134,585	134,585
<b>Total, Method of Finance</b>	<b>\$134,585</b>	<b>\$134,585</b>

**FULL-TIME EQUIVALENT POSITIONS (FTE):**

2.0	2.0
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**EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:**

Continue court funding at 100% of 2016-17 spending levels.

**6.A. Historically Underutilized Business Supporting Schedule**  
 85th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

Date: **8/12/2016**  
 Time: **2:41:08PM**

Agency Code: **224** Agency: **Fourth Court of Appeals District, San Antonio**

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

**A. Fiscal Year 2014 - 2015 HUB Expenditure Information**

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2014			Total Expenditures FY 2014		HUB Expenditures FY 2015			Total Expenditures FY 2015	
			% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$	% Goal	Actual \$	
11.2%	Heavy Construction	11.2 %	0.0%	-11.2%	\$0	\$0	11.2 %	0.0%	-11.2%	\$0	\$0	
21.1%	Building Construction	21.1 %	0.0%	-21.1%	\$0	\$0	21.1 %	0.0%	-21.1%	\$0	\$0	
32.9%	Special Trade	32.7 %	0.0%	-32.7%	\$0	\$0	32.7 %	0.0%	-32.7%	\$0	\$0	
23.7%	Professional Services	23.6 %	0.0%	-23.6%	\$0	\$1,080	23.6 %	0.0%	-23.6%	\$0	\$1,080	
26.0%	Other Services	24.6 %	0.7%	-23.9%	\$262	\$38,773	24.6 %	0.5%	-24.1%	\$147	\$30,678	
21.1%	Commodities	21.0 %	16.8%	-4.2%	\$1,924	\$11,445	21.0 %	32.2%	11.2%	\$4,317	\$13,412	
	<b>Total Expenditures</b>		<b>4.3%</b>		<b>\$2,186</b>	<b>\$51,298</b>		<b>9.9%</b>		<b>\$4,464</b>	<b>\$45,170</b>	

**B. Assessment of Fiscal Year 2014 - 2015 Efforts to Meet HUB Procurement Goals**

**Attainment:**

The court did not attain the applicable statewide HUB procurement goals in FY 2014. The court attained or exceeded one of two, of the applicable statewide HUB procurement goals in FY 2015.

**Applicability:**

The "Heavy Construction", "Building Construction", and "Special Trade Construction" categories are not applicable to court operations in fiscal year 2014 and 2015.

**Factors Affecting Attainment:**

In both fiscal year 2014 and 2015 the goal of the "Other Services" was not met since the main expense of that category was for publications that are only available from sole source vendors. The restriction limits the court in contracting with non-HUB vendors.

**"Good-Faith" Efforts:**

The agency made the following good-faith efforts to comply with statewide HUB procurement goals as stated by the TAC, Title 34, Section 20.13(d):

- ensured that contract specifications, terms, and conditions reflected the agency's actual requirements, were clearly stated, and did not impose unreasonable or unnecessary contract requirements.
- provided potential bidders with a list of certified HUBS for subcontracting, and
- prepared and distributed information on procurement procedures in a manner that encouraged participation in agency contracts by all businesses.

**6.H. Estimated Total of All Agency Funds Outside the GAA Bill Pattern  
Fourth Court of Appeals District**

<b>ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2018-19 GAA BILL PATTERN</b>	<b>\$</b>	<b>773,502</b>
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<u><b>Fund Name</b></u>		
Estimated Beginning Balance in FY 2016	\$	163,298
Estimated Revenues FY 2016	\$	268,885
Estimated Revenues FY 2017	\$	245,338
<b>FY 2016-17 Total</b>	<b>\$</b>	<b>677,521</b>
Estimated Beginning Balance in FY 2018	\$	282,826
Estimated Revenues FY 2018	\$	245,338
Estimated Revenues FY 2019	\$	245,338
<b>FY 2018-19 Total</b>	<b>\$</b>	<b>773,502</b>
<b>Constitutional or Statutory Creation and Use of Funds:</b>		
<div style="border: 1px solid black; padding: 5px;"> <p>Section 22.2051 of the Texas Government Code provides that the commissioners court of each county in the Fourth Court of Appeals District, by order entered in its minutes, shall establish an appellate judicial system to (1) assist the court of appeals for the county in the processing of appeals filed with the court of appeals from the county courts, county courts at law, probate courts, and district courts; and (2) defray costs and expenses incurred by the county under Section 22.205. The commissioners court shall fund the system by setting a court costs fee of not more than \$5 for each civil suit filed in county court, county court at law, probate court, or district court in the county. The fund may not be used for any other purpose.</p> </div>		
<b>Method of Calculation and Revenue Assumptions:</b>		
<div style="border: 1px solid black; padding: 5px;"> <p>Revenue assumptions are based on current year collections. The number of civil suits filed determines the actual revenue received.</p> </div>		

**6.I. Percent Biennial Base Reduction Options**

**10 % REDUCTION**

85th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

Date: 8/12/2016  
Time: 2:49:10PM

Agency code: 224 Agency name: **Fourth Court of Appeals District, San Antonio**

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			TARGET
	2018	2019	Biennial Total	2018	2019	Biennial Total	
<b>1 10 Percent Reduction (5 Percent Increment per year)</b>							
<b>Category:</b> Administrative - FTEs / Layoffs							
<b>Item Comment:</b> A 10% reduction (5% per year) in the Fourth Court’s General Revenue (GR) will force the court to reclassify seven permanent staff attorneys to Law Clerk II, with a corresponding reduction in salary. The position reclassification is necessary because 92% of the court's budget is dedicated to salaries, leaving little discretionary funds to achieve a 10% reduction. This will result in a biennial reduction of \$646,009. Since the 79th legislative session, the courts of appeals collectively sought resources to similarly fund same-size appellate courts to: 1) establish the needed compensation levels for staff attorneys that would allow for the recruitment and retention of qualified attorneys, and 2) reclassify law clerks as permanent staff attorneys. By the end of the 84th Legislature, the “guideline budget” initiative was fully funded, bringing same-size courts to similar funding levels.							
If a 10% reduction is implemented, it will negate the gains made over the past decade and the Court will no longer have the ability to recruit and retain attorneys with the requisite competencies needed to process and decide appeals. It will impede the Court’s ability to fulfill its mission of providing appellate services to thirty-two counties in central and south Texas. The loss of these highly skilled permanent staff attorneys will result in (1) a reduction in dispositions of appeal to less than 100% of new appeals filed in the biennium, and (2) an increase in the time for which appeals remain pending during the biennium. We estimate this court's clearance rate would fall below 90%.							
Strategy: 1-1-1 Appellate Court Operations							
<u>General Revenue Funds</u>							
1 General Revenue Fund	\$0	\$0	\$0	\$323,005	\$323,004	\$646,009	
<b>General Revenue Funds Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$323,005</b>	<b>\$323,004</b>	<b>\$646,009</b>	
<b>Item Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$323,005</b>	<b>\$323,004</b>	<b>\$646,009</b>	
<b>FTE Reductions (From FY 2018 and FY 2019 Base Request)</b>				<b>2.0</b>	<b>2.0</b>		
<b>AGENCY TOTALS</b>							
<b>General Revenue Total</b>				<b>\$323,005</b>	<b>\$323,004</b>	<b>\$646,009</b>	<b>\$646,009</b>
<b>Agency Grand Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$323,005</b>	<b>\$323,004</b>	<b>\$646,009</b>	
<b>Difference, Options Total Less Target</b>							
<b>Agency FTE Reductions (From FY 2018 and FY 2019 Base Request)</b>				<b>2.0</b>	<b>2.0</b>		

**6.I. Percent Biennial Base Reduction Options**

**10 % REDUCTION**

85th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

Date: 8/12/2016

Time: 2:49:10PM

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Agency code: **224** Agency name: **Fourth Court of Appeals District, San Antonio**

<b>Item Priority and Name/ Method of Financing</b>	<b>REVENUE LOSS</b>			<b>REDUCTION AMOUNT</b>			<b>TARGET</b>
	<b>2018</b>	<b>2019</b>	<b>Biennial Total</b>	<b>2018</b>	<b>2019</b>	<b>Biennial Total</b>	

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Agency code: **224**

Agency name: **Fourth Court of Appeals District, San Antonio**

Strategy	Exp 2015	Est 2016	Bud 2017	BL 2018	BL 2019
<b>1-1-1                    Appellate Court Operations</b>					
<b>OBJECTS OF EXPENSE:</b>					
1001 SALARIES AND WAGES	\$170,301	\$172,929	\$177,762	\$177,762	\$177,762
<b>Total, Objects of Expense</b>	<b>\$170,301</b>	<b>\$172,929</b>	<b>\$177,762</b>	<b>\$177,762</b>	<b>\$177,762</b>
<b>METHOD OF FINANCING:</b>					
1 General Revenue Fund	170,301	172,929	177,762	177,762	177,762
<b>Total, Method of Financing</b>	<b>\$170,301</b>	<b>\$172,929</b>	<b>\$177,762</b>	<b>\$177,762</b>	<b>\$177,762</b>
<b>FULL-TIME-EQUIVALENT POSITIONS (FTE):</b>	<b>1.5</b>	<b>1.5</b>	<b>1.5</b>	<b>1.5</b>	<b>1.5</b>

**DESCRIPTION**

The administrative and support costs in this strategy are related to the percentage of salaries and related operating costs of court personnel performing administrative functions.

Chief Justice	\$156,500	30%	\$ 46,950	.30
Coordinating Staff Attorney	\$127,076	10%	\$ 12,707	.10
Clerk of the Court	\$125,312	80%	\$100,105	.80
Chief Deputy Clerk (2016)	\$ 43,890	30%	\$ 13,167	.30
Chief Deputy Clerk (2018-19)	\$ 60,000	30%	\$ 18,000	.30
	\$172,929		1.5 (2016)	
	\$177,762		1.5 (2018-19)	

Agency code: 224

Agency name: Fourth Court of Appeals District, San Antonio

	Exp 2015	Est 2016	Bud 2017	BL 2018	BL 2019
<b>GRAND TOTALS</b>					
<b>Objects of Expense</b>					
1001 SALARIES AND WAGES	\$170,301	\$172,929	\$177,762	\$177,762	\$177,762
<b>Total, Objects of Expense</b>	<b>\$170,301</b>	<b>\$172,929</b>	<b>\$177,762</b>	<b>\$177,762</b>	<b>\$177,762</b>
<b>Method of Financing</b>					
1 General Revenue Fund	\$170,301	\$172,929	\$177,762	\$177,762	\$177,762
<b>Total, Method of Financing</b>	<b>\$170,301</b>	<b>\$172,929</b>	<b>\$177,762</b>	<b>\$177,762</b>	<b>\$177,762</b>
<b>Full-Time-Equivalent Positions (FTE)</b>	<b>1.5</b>	<b>1.5</b>	<b>1.5</b>	<b>1.5</b>	<b>1.5</b>