

**LEGISLATIVE APPROPRIATIONS REQUEST
FOR FISCAL YEARS 2020 AND 2021**

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

by

**THE TWELFTH COURT OF APPEALS
Tyler, Texas
August 3, 2018**

Chief Justice James T. Worthen
Justice Brian Hoyle
Justice Greg Neeley

TWELFTH COURT OF APPEALS (232)
TYLER, TEXAS

Table of Contents

Administrator's Statement	1-2
Organizational Chart	3
Certificate of Dual Submission	4
Summaries of Request	
Budget Overview Biennial Amounts	5
2.A. Summary of Base Request by Strategy	6-7
2.B. Summary of Base Request by Method of Finance	8-11
2.C. Summary of Base Request by Object of Expense	12
2.C.1. Operating Costs Detail - Base Request	13
2.D. Summary of Base Request Objective Outcomes	14
2.F. Summary of Total Request by Strategy	15-16
2.G. Summary of Total Request Objective Outcomes	17
Strategy Request & Rider Revisions	
3.A. Strategy Request	18-21
3.B. Rider Revisions and Additions Request	22
Supporting Schedules	
6.A. Historically Underutilized Business (HUB) Supporting Schedule	23
6.H. Estimated Total of All Agency Funds Outside the GAA Bill Pattern	24
6.I. 10 Percent Biennial Base Reduction Options Schedule	25-29
General Revenue (GR) & General Revenue Dedicated (GR-D) Baseline.....	30

Administrator's Statement

86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

7/26/2018 11:12:35AM

232 Twelfth Court of Appeals District, Tyler

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. In Fiscal Year 2017, a total of 10,444 cases were added (cases filed, reinstated or remanded) to the dockets of the intermediate appellate courts in the State of Texas. 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 and complex civil issues, make it 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 filings, 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 employ and retain a highly skilled and trained professional workforce that can process appeals more accurately and efficiently.

The courts of appeals are grateful that the 84th Legislature recognized the need and importance of Similar Funding for Same-Sized Courts. The Twelfth Court of Appeals remains better equipped to provide quality service to Texans in the administration of justice in civil and criminal appeals because of this funding. In order to continue this high level of service, it is critical to maintain the guideline budgets at current levels. To achieve the Court's mission, the Twelfth Court of Appeals respectfully requests that current funding levels be maintained in the coming biennium.

RIDER REQUESTS:

The courts also request the following with regard to the across-the-board riders found in Article IV (p. IV-39):

- 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 carry over 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.

Administrator's Statement

86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

7/26/2018 11:12:35AM

232 Twelfth Court of Appeals District, Tyler

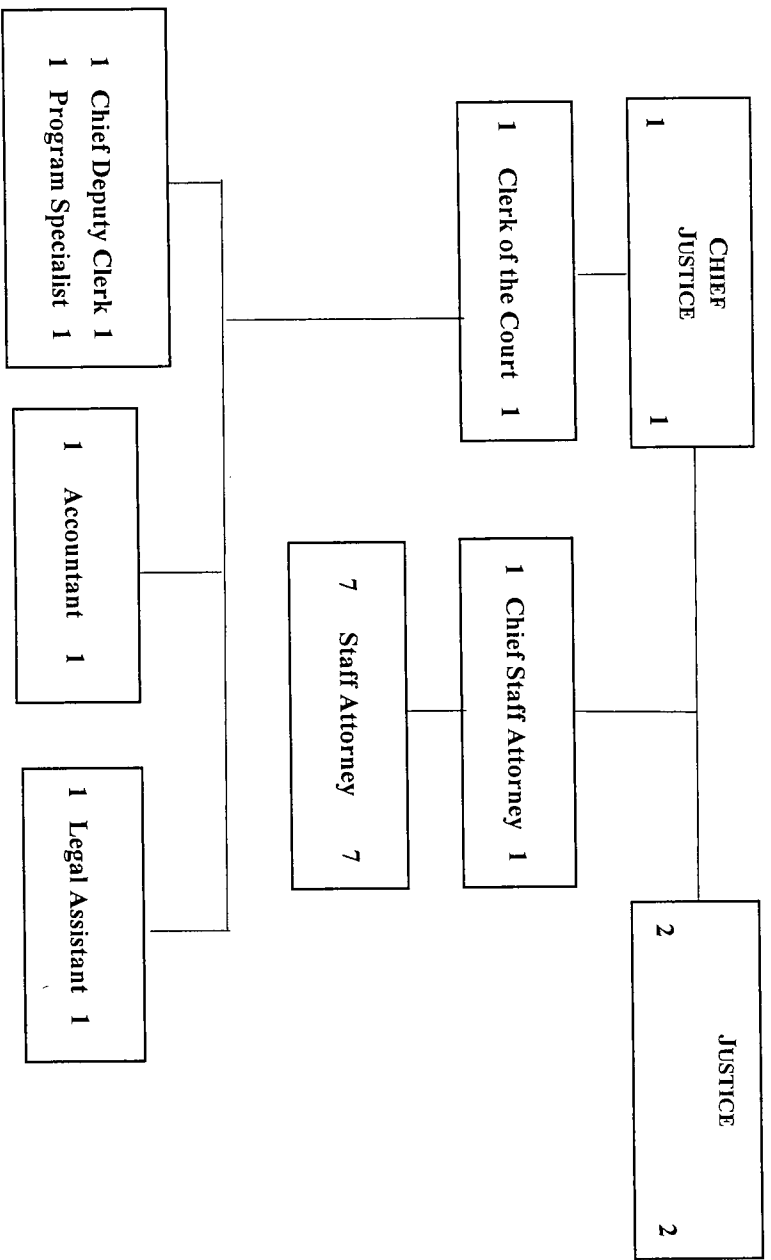
ADDITIONAL STATEMENTS OF SUPPORT:

In order for the courts of appeals to function efficiently, it is vital that the Office of Court Administration (OCA) be adequately funded. We rely on many of the services provided by OCA that support the courts of appeals, including information technology and general support. The Twelfth Court of Appeals supports fully funding the OCA, specifically as to its organizational, administrative and information technology funding.

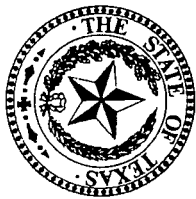
If the Legislature appropriates a cost of living increase to state employees, the courts of appeals request that all court employees be included in any such cost of living increase.

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.

**TWELFTH COURT OF APPEALS (232)
 TYLER, TEXAS
 ORGANIZATIONAL CHART
 AUGUST 3, 2018**



Please Note: The number to the left of each position represents the number of approved positions in 2018-2019. The number to the right of each position is the represents the budgeted positions for the 2020-2021 biennium.



CERTIFICATE

TWELFTH COURT OF APPEALS (232)
TYLER, TEXAS

This is to certify that the information contained in the agency Legislative Appropriation Request filed with the Legislative Budget Board (LBB) and the Governor's Office of Budget, Planning and Policy (GOBPP) 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 (2018-19 GAA).

Chief Justice

Signature James T. Worthen

James T. Worthen
Chief Justice
August 3, 2018

Clerk of Court

Signature Pam Estes

Pam Estes
Clerk of Court
August 3, 2018

Budget Overview - Biennial Amounts
86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

232 Twelfth Court of Appeals District, Tyler
Appropriation Years: 2020-21

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS
	2018-19	2020-21	2018-19	2020-21	2018-19	2020-21	2018-19	2020-21	2018-19	2020-21	
Goal: 1 Appellate Court Operations											
1.1.1. Appellate Court Operations	3,121,953	3,121,953					192,900	192,900	3,314,853	3,314,853	
Total, Goal	3,121,953	3,121,953					192,900	192,900	3,314,853	3,314,853	
Total, Agency	3,121,953	3,121,953					192,900	192,900	3,314,853	3,314,853	
Total FTEs									16.0	16.0	0.0

232 Twelfth Court of Appeals District, Twler

Goal / Objective / STRATEGY	Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
<u>1</u> Appellate Court Operations					
<u>1</u> Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	1,618,626	1,657,427	1,657,426	1,657,427	1,657,426
TOTAL, GOAL 1	\$1,618,626	\$1,657,427	\$1,657,426	\$1,657,427	\$1,657,426
TOTAL, AGENCY STRATEGY REQUEST	\$1,618,626	\$1,657,427	\$1,657,426	\$1,657,427	\$1,657,426
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$1,618,626	\$1,657,427	\$1,657,426	\$1,657,427	\$1,657,426

232 Twelfth Court of Appeals District, Tyler

Goal / Objective / STRATEGY	Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
METHOD OF FINANCING:					
General Revenue Funds:					
1 General Revenue Fund	1,516,195	1,560,977	1,560,976	1,560,977	1,560,976
SUBTOTAL	\$1,516,195	\$1,560,977	\$1,560,976	\$1,560,977	\$1,560,976
Other Funds:					
573 Judicial Fund	92,450	92,450	92,450	92,450	92,450
666 Appropriated Receipts	9,981	4,000	4,000	4,000	4,000
SUBTOTAL	\$102,431	\$96,450	\$96,450	\$96,450	\$96,450
TOTAL, METHOD OF FINANCING	\$1,618,626	\$1,657,427	\$1,657,426	\$1,657,427	\$1,657,426

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

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

7/23/2018 3:34:18PM

86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 232

Agency name: Twelfth Court of Appeals District, Tyler

METHOD OF FINANCING Exp 2017 Est 2018 Bud 2019 Req 2020 Req 2021

GENERAL REVENUE

1 General Revenue Fund

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2016-17 GAA)

\$1,541,683

\$0

\$0

\$0

\$0

Regular Appropriations from MOF Table (2018-19 GAA)

\$0

\$1,560,977

\$1,560,976

\$0

\$0

Regular Appropriations from MOF Table (2020-21 GAA)

\$0

\$0

\$0

\$1,560,977

\$1,560,976

TRANSFERS

Art IX, Sec 18.02, Salary Increase for General State Employees (2016-17)

\$17,071

\$0

\$0

\$0

\$0

LAPSED APPROPRIATIONS

Return of AY 2014-15 Salary Increase Appropriation Fund (Art. IX, Sec. 17.06)

\$(42,541)

\$0

\$0

\$0

\$0

Lapsed Appropriations

Agency code: **232** Agency name: **Twelfth Court of Appeals District, Tyler**

METHOD OF FINANCING Exp 2017 Est 2018 Bud 2019 Req 2020 Req 2021

GENERAL REVENUE

\$(18) \$0 \$0 \$0 \$0

TOTAL, General Revenue Fund \$1,516,195 \$1,560,977 \$1,560,976 \$1,560,977 \$1,560,976

TOTAL, ALL GENERAL REVENUE \$1,516,195 \$1,560,977 \$1,560,976 \$1,560,977 \$1,560,976

OTHER FUNDS

573 Judicial Fund No. 573

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2018-19 GAA) \$0 \$92,450 \$92,450 \$0 \$0

Regular Appropriations from MOF Table (2016-17 GAA) \$92,450 \$0 \$0 \$0 \$0

Regular Appropriations from MOF Table (2020-21 GAA) \$0 \$0 \$0 \$92,450 \$92,450

TOTAL, Judicial Fund No. 573 \$92,450 \$92,450 \$92,450 \$92,450 \$92,450

666 Appropriated Receipts

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

7/23/2018 3:34:18PM

86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Agency code:	232	Agency name:	Twelfth Court of Appeals District, Tyler	Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
METHOD OF FINANCING								
OTHER FUNDS								
<i>REGULAR APPROPRIATIONS</i>								
Regular Appropriations from MOF Table (2016-17 GAA)								
	\$7,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2018-19 GAA)								
	\$0	\$4,000	\$4,000	\$0	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2020-21 GAA)								
	\$0	\$0	\$0	\$0	\$4,000	\$4,000	\$4,000	\$4,000
<i>RIDER APPROPRIATION</i>								
Art IX, Sec 8.02, Reimbursements and Payments (2016-17 GAA)								
	\$2,981	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL,	Appropriated Receipts	\$9,981	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
TOTAL, ALL	OTHER FUNDS	\$102,431	\$96,450	\$96,450	\$96,450	\$96,450	\$96,450	\$96,450
GRAND TOTAL		\$1,618,626	\$1,657,427	\$1,657,426	\$1,657,427	\$1,657,426	\$1,657,427	\$1,657,426

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

7/26/2018 10:50:58AM

86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 232 Agency name: Twelfth Court of Appeals District, Tyler

METHOD OF FINANCING Exp 2017 Est 2018 Bud 2019 Req 2020 Req 2021

FULL-TIME-EQUIVALENT POSITIONS
REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2016-17 GAA) 16.5 0.0 0.0 0.0 0.0

Regular Appropriations from MOF Table (2018-19 GAA) 0.0 16.0 16.0 0.0 0.0

Regular Appropriations from MOF Table (2020-21) 0.0 0.0 0.0 16.0 16.0

UNAUTHORIZED NUMBER OVER (BELOW) CAP
Unauthorized Number Over (Below) Cap (1.7) (1.0) 0.0 0.0 0.0

TOTAL, ADJUSTED FTES 14.8 15.0 16.0 16.0 16.0

NUMBER OF 100% FEDERALLY FUNDED FTES 0.0 0.0 0.0 0.0 0.0

2.C. Summary of Base Request by Object of Expense
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

232 Twelfth Court of Appeals District, Tyler

OBJECT OF EXPENSE	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
1001 SALARIES AND WAGES	\$1,475,630	\$1,581,889	\$1,581,888	\$1,581,889	\$1,581,888
1002 OTHER PERSONNEL COSTS	\$69,727	\$22,200	\$22,400	\$22,400	\$22,400
2003 CONSUMABLE SUPPLIES	\$3,614	\$5,500	\$5,500	\$5,500	\$5,500
2004 UTILITIES	\$3,900	\$5,000	\$5,000	\$5,000	\$5,000
2005 TRAVEL	\$1,060	\$2,000	\$2,000	\$2,000	\$2,000
2007 RENT - MACHINE AND OTHER	\$4,214	\$6,000	\$6,000	\$6,000	\$6,000
2009 OTHER OPERATING EXPENSE	\$60,481	\$34,838	\$34,638	\$34,638	\$34,638
OOE Total (Excluding Riders)	\$1,618,626	\$1,657,427	\$1,657,426	\$1,657,427	\$1,657,426
OOE Total (Riders)					
Grand Total	\$1,618,626	\$1,657,427	\$1,657,426	\$1,657,427	\$1,657,426

86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)
Agency Code: 232 Agency: Twelfth Court of Appeals District, Tyler

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

Code	Type of Expense	Expended 2017	Estimated 2018	Budgeted 2019	Requested 2020	Requested 2021
7	Subscriptions/Periodicals	\$29,642	\$6,750	\$6,800	\$6,800	\$6,800
46	Communication Services	13,018	5,982	5,238	5,238	5,238
51	Other Operating Expenses	1,584	0	0	0	0
64	SORM Assessment	1,606	1,567	1,600	1,600	1,600
187	1% salary benefits fee	14,631	15,241	15,500	15,500	15,500
202	.5% Retirement Contribution	0	5,298	5,500	5,500	5,500
Total, Operating Costs		\$60,481	\$34,838	\$34,638	\$34,638	\$34,638

2.D. Summary of Base Request Objective Outcomes
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

232 Twelfth Court of Appeals District, Tyler

Goal/ Objective / Outcome	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
1 Appellate Court Operations					
1 Appellate Court Operations					
KEY 1 Clearance Rate	100.25%	100.00%	100.00%	100.00%	100.00%
KEY 2 Percentage of Cases Under Submission for Less Than One Year	100.00%	100.00%	100.00%	100.00%	100.00%
KEY 3 Percentage of Cases Pending for Less Than Two Years	100.00%	100.00%	100.00%	100.00%	100.00%

2.F. Summary of Total Request by Strategy
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/23/2018
 TIME : 3:40:00PM

Agency code:	232	Agency name:	Twelfth Court of Appeals District, Tyler			
Goal/Objective/STRATEGY	Base 2020	Base 2021	Exceptional 2020	Exceptional 2021	Total Request 2020	Total Request 2021
1 Appellate Court Operations						
1 Appellate Court Operations	\$1,657,427	\$1,657,426	\$0	\$0	\$1,657,427	\$1,657,426
1 APPELLATE COURT OPERATIONS	\$1,657,427	\$1,657,426	\$0	\$0	\$1,657,427	\$1,657,426
TOTAL, GOAL 1						
TOTAL, AGENCY STRATEGY REQUEST	\$1,657,427	\$1,657,426	\$0	\$0	\$1,657,427	\$1,657,426
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$1,657,427	\$1,657,426	\$0	\$0	\$1,657,427	\$1,657,426

2.F. Summary of Total Request by Strategy
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/23/2018
 TIME : 3:40:00PM

Agency code: 232 Agency name: Twelfth Court of Appeals District, Tyler

Goal/Objective/STRATEGY	Base	Base	Exceptional	Exceptional	Total Request	Total Request
	2020	2021	2020	2021	2020	2021

General Revenue Funds:

1 General Revenue Fund	\$1,560,977	\$1,560,976	\$0	\$0	\$1,560,977	\$1,560,976
------------------------	-------------	-------------	-----	-----	-------------	-------------

Other Funds:

573 Judicial Fund	92,450	92,450	0	0	92,450	92,450
666 Appropriated Receipts	4,000	4,000	0	0	4,000	4,000

TOTAL, METHOD OF FINANCING	\$1,657,427	\$1,657,426	\$0	\$0	\$1,657,427	\$1,657,426
----------------------------	-------------	-------------	-----	-----	-------------	-------------

FULL TIME EQUIVALENT POSITIONS	16.0	16.0	0.0	0.0	16.0	16.0
--------------------------------	------	------	-----	-----	------	------

2.G. Summary of Total Request Objective Outcomes
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 7/23/2018
 Time: 3:41:03PM

Agency code: 232 Agency name: Twelfth Court of Appeals District, Tyler

Goal / Objective / Outcome	BL 2020	BL 2021	Excp 2020	Excp 2021	Total Request 2020	Total Request 2021
----------------------------	------------	------------	--------------	--------------	--------------------------	--------------------------

1	Appellate Court Operations					
1	<i>Appellate Court Operations</i>					
KEY	1 Clearance Rate					
	100.00%	100.00%			100.00%	100.00%

KEY	2 Percentage of Cases Under Submission for Less Than One Year					
	100.00%	100.00%			100.00%	100.00%

KEY	3 Percentage of Cases Pending for Less Than Two Years					
	100.00%	100.00%			100.00%	100.00%

232 Twelfth Court of Appeals District, Tyler

GOAL:	1	Appellate Court Operations	Service Categories:			
OBJECTIVE:	1	Appellate Court Operations	Income: A.2			
STRATEGY:	1	Appellate Court Operations	Age: B.3			
CODE	DESCRIPTION	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021

Method of Financing:
 1 General Revenue Fund \$1,516,195 \$1,560,977 \$1,560,976 \$1,560,977 \$1,560,976
 SUBTOTAL, MOF (GENERAL REVENUE FUNDS) \$1,516,195 \$1,560,977 \$1,560,976 \$1,560,977 \$1,560,976

Method of Financing:
 573 Judicial Fund \$92,450 \$92,450 \$92,450 \$92,450 \$92,450
 666 Appropriated Receipts \$9,981 \$4,000 \$4,000 \$4,000 \$4,000
 SUBTOTAL, MOF (OTHER FUNDS) \$102,431 \$96,450 \$96,450 \$96,450 \$96,450

TOTAL, METHOD OF FINANCE (INCLUDING RIDERS) \$1,618,626 \$1,657,427 \$1,657,426 \$1,657,427 \$1,657,426
 TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS) \$1,618,626 \$1,657,427 \$1,657,426 \$1,657,427 \$1,657,426
 FULL TIME EQUIVALENT POSITIONS: 14.8 15.0 16.0 16.0 16.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Twelfth Court of Appeals was created in 1963 by an Act of the 58th Legislature, H.B. 68. The Court has intermediate appellate jurisdiction in civil cases in which the judgment rendered exceeds \$100, exclusive of costs, and other civil proceedings as provided by law, and in criminal cases, except in post-conviction writs of habeas corpus and where the death penalty has been imposed. The Court has jurisdiction over seventeen (17) counties.

232 Twelfth Court of Appeals District, Tyler

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 2017	Est 2018	Bud 2019	BL 2020	BL 2021
------	-------------	----------	----------	----------	---------	---------

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

The Twelfth Court of Appeals is a constitutional state entity comprised of three elected justices assisted by a highly specialized and well-trained staff of full time employees. The Court must be able to carry out its constitutional and statutory responsibilities to appropriately serve the people in our 17- county jurisdiction in an effective and efficient manner. To do this, the Court must be able to attract and retain knowledgeable, highly trained, and professional staff members in both legal and non-legal positions. Analyzing cases on appeal from a court's perspective and assisting with court opinions are skills which take time to develop. Loss of experienced staff members, especially staff attorneys, creates difficulties in the timely processing of and disposing of appeals. New attorneys, even if experienced, take precious time to develop the skills required of staff attorneys doing appellate work. Our cases have become more complex, as generally, easier cases do not reach us because they have been resolved through alternative dispute resolution. Experienced, qualified staff attorneys are essential for effective analysis and briefing of complex issues, as well as for assistance in legal research and drafting opinions. This ability to attract and retain experienced appellate attorneys play a vital role in the Courts' ability to fulfill their core function of timely processing and disposing of appeals while maintaining the high quality of justice to which the citizens of Texas are entitled.

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

STRATEGY BIENNIAL TOTAL - ALL FUNDS	BIENNIAL CHANGE	EXPLANATION OF BIENNIAL CHANGE
Base Spending (Est 2018 + Bud 2019) <u>\$3,314,853</u>	Baseline Request (BL 2020 + BL 2021) <u>\$3,314,853</u>	\$ Amount Explanation(s) of Amount (must specify MOFs and FTES)
	<u>\$0</u>	<u>\$0</u> Total of Explanation of Biennial Change

3.B. Rider Revisions and Additions Request

Agency Code: 232	Agency Name: Twelfth Court of Appeals	Prepared By: Pam Estes	Date: August 3, 2018	Request Level: Baseline
Current Rider Number 4	Page Number in 2018-19 GAA IV-39	Proposed Rider Language		
6	IV-39	<p>Appellate Court Exemptions. The following provisions of Article IX of this Act do not apply to the appellate courts:</p> <ul style="list-style-type: none"> a. Article IX, § 6.10, Limitation on State Employment Levels b. Article IX, § 6.13, Performance Rewards and Penalties c. Article IX, §14.03, Limit on Expenditures - Capital Budget <p><i>Request continuation of this rider.</i></p>		
7	IV-39	<p>Interagency Contracts for Assigned Judges for Appellate Courts. 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 <u>2018</u>, <u>2020</u> and <u>2019</u>, <u>2021</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>Request continuation of this rider. Change years to reflect the new biennium.</i></p>		
		<p>Appellate Court Transfer Authority. The Chief Justice of the Supreme Court of Texas, the Presiding Judge of the Court of Criminal Appeals, or the Chair of the Council of Chief Justices is authorized to transfer funds between appellate courts, notwithstanding any other provision in this Act and subject to prior approval of any transfer of funds by the Legislative Budget Board and the Governor. Any such transfer shall be made for the purpose of efficient and effective appellate court operations and management of court caseloads.</p> <p><i>Request continuation of this rider.</i></p>		

6.A. Historically Underutilized Business Supporting Schedule
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/26/2018
 Time: 11:11:38AM

Agency Code: 232 Agency: Twelfth Court of Appeals District, Tyler

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year 2016 - 2017 HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	FY 2016			FY 2017		
			% Actual	Diff	Actual \$	% Actual	Diff	Actual \$
11.2%	Heavy Construction	0.0%	0.0%	0.0%	\$0	0.0%	0.0%	\$0
21.1%	Building Construction	0.0%	0.0%	0.0%	\$0	0.0%	0.0%	\$0
32.9%	Special Trade	0.0%	0.0%	0.0%	\$0	0.0%	0.0%	\$0
23.7%	Professional Services	0.0%	0.0%	0.0%	\$0	0.0%	0.0%	\$0
26.0%	Other Services	0.0%	0.0%	0.0%	\$0	0.0%	0.0%	\$0
21.1%	Commodities	0.0%	56.0%	56.0%	\$357	45.7%	45.7%	\$3,580
	Total Expenditures		14.9%		\$357	17.1%		\$3,580
								\$20,930

B. Assessment of Fiscal Year 2016 - 2017 Efforts to Meet HUB Procurement Goals

Attainment:

The court exceeded the statewide HUB procurement goal for commodity purchasing for FY2016 and FY2017. This Court is an active participant in utilizing HUB vendors whenever possible.

Applicability:

Although, pursuant to Texas Government Code Title 10, Section 2056.001, the judicial branch of state government is exempt from making a strategic plan, this court has always made a dedicated effort to purchase from HUB vendors whenever feasible, as well as fiscally responsibility, to do so. Note: The only two applicable categories of purchasing for the court are "other services" and "commodities". In regard to "other services" as it pertains to court purchases, nearly all such vendors are sole-source and non-HUB, making it extremely difficult to attain even a small percentage under this category.

Factors Affecting Attainment:

It is our goal to utilize state appropriations in the most efficient manner possible to the benefit of the Court and to the citizens of this state. HUB vendor products and services are not always the most cost efficient and a large portion of court purchases are sole-source, such as law books and legal research tools and resources where there are no HUB vendors available. Unnecessary spending would have to be incurred in order to meet all adjusted HB goals in every category listed.

"Good-Faith" Efforts:

This Court continues to make a sincere good faith effort in giving HUB vendors preference and in attempting to increase HUB participation opportunities. When it is not possible to purchase commodities from a HUB vendor, the resource we attempt to utilize are the state's term contracts and state-preferred vendors.

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

ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2020-21 GAA BILL PATTERN **\$ 175,500**

<u>Fund Name</u>		
Estimated Beginning Balance in FY 2018	\$	60,428
Estimated Revenues FY 2018	\$	59,500
Estimated Revenues FY 2019	\$	58,000
	FY-2018-19 Total	\$ 177,928
Estimated Beginning Balance in FY 2020	\$	59,500
Estimated Revenues FY 2020	\$	58,000
Estimated Revenues FY 2021	\$	58,000
	FY 2020-21 Total	\$ 175,500

Constitutional or Statutory Creation and Use of Funds:

Section 22.2131 of the Texas Government Code provides that "the commissioners court of each county in the Twelfth Court of Appeals District, by order entered in its minutes, shall establish an appellate judicial system to assist the court of appeals for the county in the processing of appeals filed with the court of appeals from the county courts, statutory county courts, probate courts, and district courts." These funds shall be used to "establish and maintain a fund system to assist the Twelfth Court of Appeals District and any other court of appeals district that has an appellate judicial system in the county. The fund may not be used for any other purpose." Added by Acts 2009, 81st Leg., R.S., Ch. 50, Sec. 1, eff. September 1, 2009. Collections implemented at the county level on January 1, 2010.

Method of Calculation and Revenue Assumptions:

In accordance with the above referenced statute, the District and County Clerks of the various courts in the counties that compose the Twelfth Court of Appeals District are to collect and remit a \$5 filing fee on each civil suit filed in a county court, county court-at-law, probate court, or district court.

6.1 Percent Biennial Base Reduction Options
10% REDUCTION
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/23/2018
 Time: 3:42:30PM

Agency code: 232 Agency name: Twelfth Court of Appeals District, Tyler

Item Priority and Name/ Method of Financing	REVENUE LOSS		REDUCTION AMOUNT		PROGRAM AMOUNT		TARGET
	2020	2021	Biennial Total		Biennial Total		Biennial Total
			2020	2021	2020	2021	

1 Programs- Service Reductions (FTEs - Layoffs)

Category: Programs - Service Reductions (FTEs-Layoffs)
Item Comment: Approximately 98% of the Court's funding is dedicated to salaries and related payroll costs. Payroll costs includes Chief Justice (1) and Justices (2) salaries which are established by law and cannot be changed. The only way the Court can achieve a 10% reduction in appropriations will be to lay off two staff attorneys. Any reduction in funding will devastate the Court's ability to fulfill its mission of providing timely review of civil and criminal cases from the citizens in seventeen counties, resulting in delays and irremediable losses, both personal and financial for the litigants who present their cases each year to this Court. Inevitably, a reduction will adversely affect the clearance rates, contributing to a significant backlog in case dispositions, and clog the Court's docket with pending cases. Any reduction in this court's staff is merely not just a matter of putting a few employees out of work, it will cause a delay in deciding cases for Texas citizens. Texas citizens have concluded that justice delayed is justice denied.

Therefore, respectfully, the Court requests funding at a level sufficient to carry out its statutory responsibilities in an efficient and effective manner.

Strategy: 1-1-1 Appellate Court Operations
General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$39,024	\$39,024	\$78,048	\$39,024	\$78,048
General Revenue Funds Total	\$0	\$0	\$0	\$39,024	\$39,024	\$78,048	\$39,024	\$78,048
Item Total	\$0	\$0	\$0	\$39,024	\$39,024	\$78,048	\$39,024	\$78,048

FTE Reductions (From FY 2020 and FY 2021 Base Request) 0.5 0.5

2 Programs - Service Reductions (FTEs - Layoffs)

Category: Programs - Service Reductions (FTEs-Layoffs)

6.1. Percent Biennial Base Reduction Options
10 % REDUCTION
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/23/2018
 Time: 3:42:30PM

Agency code: 232 Agency name: Twelfth Court of Appeals District, Tyler

Item Priority and Name/ Method of Financing	REVENUE LOSS		REDUCTION AMOUNT		PROGRAM AMOUNT		TARGET
	2020	2021	Biennial Total	2020	2021	Biennial Total	Biennial Total

Item Comment: Approximately 98% of the Court's funding is dedicated to salaries and related payroll costs. Payroll costs includes Chief Justice (1) and Justices (2) salaries which are established by law and cannot be changed. The only way the Court can achieve a 10% reduction in appropriations will be to lay off two staff attorneys. Any reduction in funding will devastate the Court's ability to fulfill its mission of providing timely review of civil and criminal cases from the citizens in seventeen counties, resulting in delays and irretrievable losses, both personal and financial for the litigants who present their cases each year to this Court. Inevitably, a reduction will adversely affect the clearance rates, contributing to a significant backlog in case dispositions, and clog the Court's docket with pending cases. Any reduction in this court's staff is merely not just a matter of putting a few employees out of work, it will cause a delay in deciding cases for Texas citizens. Texas citizens have concluded that justice delayed is justice denied.

Therefore, respectfully, the Court requests funding at a level sufficient to carry out its statutory responsibilities in an efficient and effective manner.

Strategy: 1-1-1 Appellate Court Operations

General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$39,024	\$39,025	\$78,049	\$39,024	\$39,025	\$78,049
General Revenue Funds Total	\$0	\$0	\$0	\$39,024	\$39,025	\$78,049	\$39,024	\$39,025	\$78,049
Item Total	\$0	\$0	\$0	\$39,024	\$39,025	\$78,049	\$39,024	\$39,025	\$78,049

FTE Reductions (From FY 2020 and FY 2021 Base Request) 0.5 0.5

3 Programs - Service Reductions (FTEs - Layoffs)

Category: Programs - Service Reductions (FTEs-Layoffs)

6.1. Percent Biennial Base Reduction Options
10% REDUCTION
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/23/2018
 Time: 3:42:30PM

Agency code: 232 Agency name: Twelfth Court of Appeals District, Tyler

Item Priority and Name/ Method of Financing	REVENUE LOSS		REDUCTION AMOUNT		PROGRAM AMOUNT		TARGET
	2020	2021	Biennial Total	2020	2021	Biennial Total	Biennial Total

Item Comment: Approximately 98% of the Court's funding is dedicated to salaries and related payroll costs. Payroll costs includes Chief Justice (1) and Justices (2) salaries which are established by law and cannot be changed. The only way the Court can achieve a 10% reduction in appropriations will be to lay off two staff attorneys. Any reduction in funding will devastate the Court's ability to fulfill its mission of providing timely review of civil and criminal cases from the citizens in seventeen counties, resulting in delays and irretrievable losses, both personal and financial for the litigants who present their cases each year to this Court. Inevitably, a reduction will adversely affect the clearance rates, contributing to a significant backlog in case dispositions, and clog the Court's docket with pending cases. Any reduction in this court's staff is merely not just a matter of putting a few employees out of work, it will cause a delay in deciding cases for Texas citizens. Texas citizens have concluded that justice delayed is justice denied.

Therefore, respectfully, the Court requests funding at a level sufficient to carry out its statutory responsibilities in an efficient and effective manner.

Strategy: 1-1-1 Appellate Court Operations

General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$39,025	\$39,024	\$78,049	\$39,025	\$39,024	\$78,049
General Revenue Funds Total	\$0	\$0	\$0	\$39,025	\$39,024	\$78,049	\$39,025	\$39,024	\$78,049
Item Total	\$0	\$0	\$0	\$39,025	\$39,024	\$78,049	\$39,025	\$39,024	\$78,049

FTE Reductions (From FY 2020 and FY 2021 Base Request)

0.5

0.5

4 Programs - Service Reductions (FTEs - Layoffs)

Category: Programs - Service Reductions (FTEs-Layoffs)

6.1. Percent Biennial Base Reduction Options
 10 % REDUCTION
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/23/2018
 Time: 3:42:30PM

Agency code: 232 Agency name: Twelfth Court of Appeals District, Tyler

Item Priority and Name/ Method of Financing	REVENUE LOSS		REDUCTION AMOUNT		PROGRAM AMOUNT		TARGET
	2020	2021	Biennial Total	2020	2021	Biennial Total	Biennial Total

Item Comment: Approximately 98% of the Court's funding is dedicated to salaries and related payroll costs. Payroll costs includes Chief Justice (1) and Justices (2) salaries which are established by law and cannot be changed. The only way the Court can achieve a 10% reduction in appropriations will be to lay off two staff attorneys. Any reduction in funding will devastate the Court's ability to fulfill its mission of providing timely review of civil and criminal cases from the citizens in seventeen counties, resulting in delays and irretrievable losses, both personal and financial for the litigants who present their cases each year to this Court. Inevitably, a reduction will adversely affect the clearance rates, contributing to a significant backlog in case dispositions, and clog the Court's docket with pending cases. Any reduction in this court's staff is merely not just a matter of putting a few employees out of work, it will cause a delay in deciding cases for Texas citizens. Texas citizens have concluded that justice delayed is justice denied.

Therefore, respectfully, the Court requests funding at a level sufficient to carry out its statutory responsibilities in an efficient and effective manner.

Strategy: 1-1-1 Appellate Court Operations

General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$39,024	\$39,025	\$78,049	\$39,024	\$39,024	\$78,048
General Revenue Funds Total	\$0	\$0	\$0	\$39,024	\$39,025	\$78,049	\$39,024	\$39,024	\$78,048
Item Total	\$0	\$0	\$0	\$39,024	\$39,025	\$78,049	\$39,024	\$39,024	\$78,048
FTE Reductions (From FY 2020 and FY 2021 Base Request)					0.5	0.5			

AGENCY TOTALS

General Revenue Total				\$156,097	\$156,098	\$312,195	\$156,097	\$156,097	\$312,194	\$312,195
Agency Grand Total	\$0	\$0	\$0	\$156,097	\$156,098	\$312,195	\$156,097	\$156,097	\$312,194	\$312,195
Difference, Options Total Less Target							2.0		2.0	
Agency FTE Reductions (From FY 2020 and FY 2021 Base Request)										

6.I. Percent Biennial Base Reduction Options
 10 % REDUCTION
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/23/2018
 Time: 3:42:30PM

Agency code: 232 Agency name: Twelfth Court of Appeals District, Tyler

Item Priority and Name/ Method of Financing	REVENUE LOSS		Biennial Total	REDUCTION AMOUNT		Biennial Total	PROGRAM AMOUNT		Biennial Total	TARGET
	2020	2021		2020	2021		2020	2021		
Article Total			\$156,097	\$156,098	\$312,195	\$156,097	\$156,097	\$312,194		
Statewide Total			\$156,097	\$156,098	\$312,195	\$156,097	\$156,097	\$312,194		

General Revenue (GR) & General Revenue Dedicated (GR-D) Baseline

86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/23/2018
TIME: 3:43:50PM

Agency code:

Agency name: Twelfth Court of Appeals District, Tyler

GR Baseline Request Limit = \$3,121,953

GR-D Baseline Request Limit = \$0

Strategy: 1 - 1 - 1	2020 Funds				2021 Funds				Biennial Cumulative GR	Biennial Cumulative Ded	Page #	
	FTEs	Total	GR	Ded	FTEs	Total	GR	Ded				
16.0	1,657,427	1,560,977	0	0	16.0	1,657,426	1,560,976	0	0	3,121,953	0	
16.0	\$1,657,427	\$1,560,977	\$0	\$0	16.0	\$1,657,426	\$1,560,976	\$0	\$0			