

**LEGISLATIVE APPROPRIATIONS REQUEST**  
**For Fiscal Years 2022 and 2023**

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

by

**SIXTH COURT OF APPEALS**  
Texarkana



September 18, 2020  
*Revised September 30, 2020*

**SIXTH COURT OF APPEALS, #226**

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## Administrator's Statement

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Automated Budget and Evaluation System of Texas (ABEST)

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### 226 Sixth Court of Appeals District, Texarkana

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The core function of Texas intermediate appellate courts is to process, review, and decide by written opinion appeals from trial courts in both civil and criminal cases. When the Legislature added criminal appellate jurisdiction to the fourteen courts of appeals in 1981, additional justices were also added to total 80 justices statewide by 1983. Over the 37 years since, the total number of justices has remained at 80, but the courts' dockets have increased by approximately 75%. In fiscal year 2019 alone, 10,395 cases were added 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, make clear that the courts of appeals need sufficient resources to manage their busy dockets and provide the high quality of justice to which the citizens of Texas are entitled.

To answer the question of what resources are needed to operate the State's appellate court system, the courts of appeals collectively began in the 79th and 80th Legislative Sessions to work toward a zero-based budget model referred to as Similar Funding for Same-Sized Courts. This budget model quantified the funding required to meet the personnel and operational needs of the courts, thus enabling the courts to accomplish their core function and meet their performance measures. The Similar Funding for Same-Sized Courts initiative was fully funded in 2015, and the courts have been operating under this zero-based budget model for the past five years. By adhering to this model, the courts have been able to handle the increased workload without requiring additional justices.

A key component to handling the ever-increasing workload without additional justices has been the employment of a highly skilled and trained professional workforce, including appellate lawyers and clerical staff, who assist the justices in processing cases, researching and drafting orders and opinions, disposing of voluminous motions, and managing accelerated and emergency matters. Appellate work requires specialized knowledge and significant experience, and the courts constantly face competition from 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.

Because maintaining qualified court staff is vital to the courts' operations, any departure from the Similar Funding for Same-Sized Courts model and reduction in funding would render the courts unable to sustain the volume of appeals filed each year, creating backlogs of unresolved appeals that would only increase over time as long as the courts are not provided the funds necessary to perform their essential services. Funding for all fourteen courts of appeals comprises merely 0.035% of the State budget as a whole; thus, a full 5% cut on the intermediate appellate courts would result in only a 0.002% reduction in the entire State budget. (As an analogy, since the state funding of the fourteen courts of appeals is to the state budget as a thimble is to the height of the State Capitol, removing 5% of the funding from the courts of appeals would be like shrinking the Capitol by just 5% of the thimble's stature—the Capitol's height change would be imperceptible.) Yet, a 5% budget cut on the courts of appeals would create a unique, disproportionate and serious negative impact on the courts, for three reasons:

First, approximately one-third of the courts' General Revenue funding is dedicated to Strategy A.1.2. (judicial salaries). Because these funds are estimated and nontransferable, the courts are unable to make any reduction to that portion of their budgets. Consequently, the entire 5% budget reduction must be applied only to the remaining two-thirds of the courts' General Revenue: Strategy A.1.1. (appellate court operations). In the Sixth Court of Appeals, applying the required budget reduction (\$163,497) to the estimated remaining two-thirds funding in Strategy A.1.1. (\$2,364,372) thus functionally results in a larger reduction, approximately 7%, of the funds that the court must cut. The real impact of the budget cut on the funds eligible for reduction effectively results in a budget cut to the court that is significantly higher than the 5% directed to other State agencies.

Second, this budget reduction comes at a crucial time when all fourteen courts of appeals continue to be forced to expend tremendous resources to recover from 2020's ransomware attack on the courts' computer systems. The loss of data overall has been substantial and continues to require significant staffing resources to reconstitute work that could not be recovered. And while all State agencies have experienced the negative effects of COVID-19, the combined effects of the ransomware attack plus

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COVID-19 have created a unique hardship for the appellate courts that will persist in the years ahead. The appellate courts need more resources to restore essential services, not less.

Already operating under this severe hardship, the courts of appeals do not anticipate any relief in the number of cases to be adjudicated. Any decrease in appellate court filings related to the economic slowdown is expected to be short-lived. Experience has shown that in the long term, case filings are likely to increase: after every major financial crisis in the past 20 years, the number of cases filed in the intermediate appellate courts has risen significantly. For example, the courts of appeals experienced increases in case filings following the 2000-2002 dot.com bubble crisis, the 2007-2008 global financial crisis, and the 2011 mortgage crisis. Historically, major economic catastrophes produce an avalanche of cases, often related to business disputes, employment litigation, consumer debts, and foreclosures—State Bar President Larry McDougal has observed that “a potential eviction crisis still looms in the distance” upon the expiration of the federal moratorium on evictions at the end of 2020. Additionally, due to the unique circumstances of the COVID-19 situation—with the prolonged stay-at-home orders—we anticipate a rise in domestic violence/child abuse/sexual abuse cases, divorces, and parental termination suits, as well as litigation over interpretation of the numerous orders and directives issued by the executive branch, the Texas Supreme Court, and associated State agencies. Any current lull in filings is temporary, and the number of cases appealed will eventually increase to reach or even surpass historical levels (either at a steady pace or in a surge).

Finally, unlike the Texas Supreme Court, the Court of Criminal Appeals, and most State agencies, the intermediate appellate courts have no funds allocated to special programs that can be cut. On average, 96.5% of each appellate court’s budget is dedicated to salaries and benefits. Therefore, the only way to absorb a budget cut of this magnitude is by reducing court staff. The courts’ ability to attract and maintain a highly trained and skilled support staff of attorneys and clerical employees with specialized knowledge and relevant experience is critical to the courts’ function of processing appeals to conclusion. Without sufficient qualified staff, courts cannot comply with Legislative mandates to give accelerated and preferential treatment of certain appeals, such as parental-termination and juvenile-certification appeals under the Family Code, mental-health appeals under the Health and Safety Code, and interlocutory appeals under the Civil Practice and Remedies Code.

Exceptional Item #1: Restore the Budget Cut Calculated on the Estimated and Non-Transferable Funds in Strategy A.1.2.

To address the disproportionate impact of the required reduction on the courts’ funding, the courts of appeals respectfully submit Exceptional Item #1 requesting the restoration of the 5% budget reduction calculated on the estimated and nontransferable funds allocated to Strategy A.1.2., appellate justice salaries, which the courts are not able to reduce. The court cannot predict with certainty the exact funding needs for judicial salaries in the future due to unforeseeable changes to the composition of the court that may arise as a result of elections, resignations, retirements, or deaths. But based upon current judicial salary amounts, the estimated General Revenue funding required for Sixth Court of Appeals justice salaries totals \$905,560 for the FY 2022–23 biennium. In the Sixth Court of Appeals, a 5% reduction in this funding amounts to \$45,278, but the court has no authority to reduce funds from Strategy A.1.2. because these estimated and nontransferable funds are dedicated to appellate justice salaries. Therefore, the court requests a restoration to General Revenue funding in the amount of \$45,278, which represents the portion of the 5% budget reduction calculated on the Strategy A.1.2. funds that cannot be cut.

Exceptional Item #2: Restore the Budget Cut to the Remaining Funds in Strategy A.1.1.

Because of the unique and negative impact that a budget reduction would impose on appellate court operations throughout the State, the courts of appeals respectfully submit Exceptional Item #2 requesting the restoration of the 5% budget reduction to the courts’ appropriations in Strategy A.1.1. for FY 2022–23. In the Sixth Court of Appeals, the estimated funding needed to restore the court’s budget for Strategy A.1.1. is \$118,219. This restored funding will enable the courts to continue to attract and retain experienced lawyers and support staff with the requisite knowledge and skills to assist the courts in meeting their performance measures and fulfilling their core

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**226 Sixth Court of Appeals District, Texarkana**

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function of timely processing and disposing of appeals. Without restoration of the courts' zero-based budget funding (Similar Funding for Same-Sized Courts model), the courts will be forced to undertake significant staffing cuts. This reduction in staffing will result in failure to meet performance standards, including (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. While any cut to the appellate court system's budget risks delays in the provision of criminal justice and resolution of civil matters, the nature of this reduction will be particularly devastating to the State by creating significant adverse consequences for the businesses, families, and children in Texas that are awaiting justice through the resolution of their disputes.

**RIDER REQUESTS:**

The courts of appeals also request the following with regard to the across-the-board riders found in Article IV (p. IV-43):

1. Retain Article IV rider, Sec. 3, Appellate Court Exemptions
2. Retain Article IV rider, Sec. 5, Interagency Contracts for Assigned Judges for Appellate Courts
3. Retain Article IV rider, Sec. 6, Appellate Court Transfer Authority

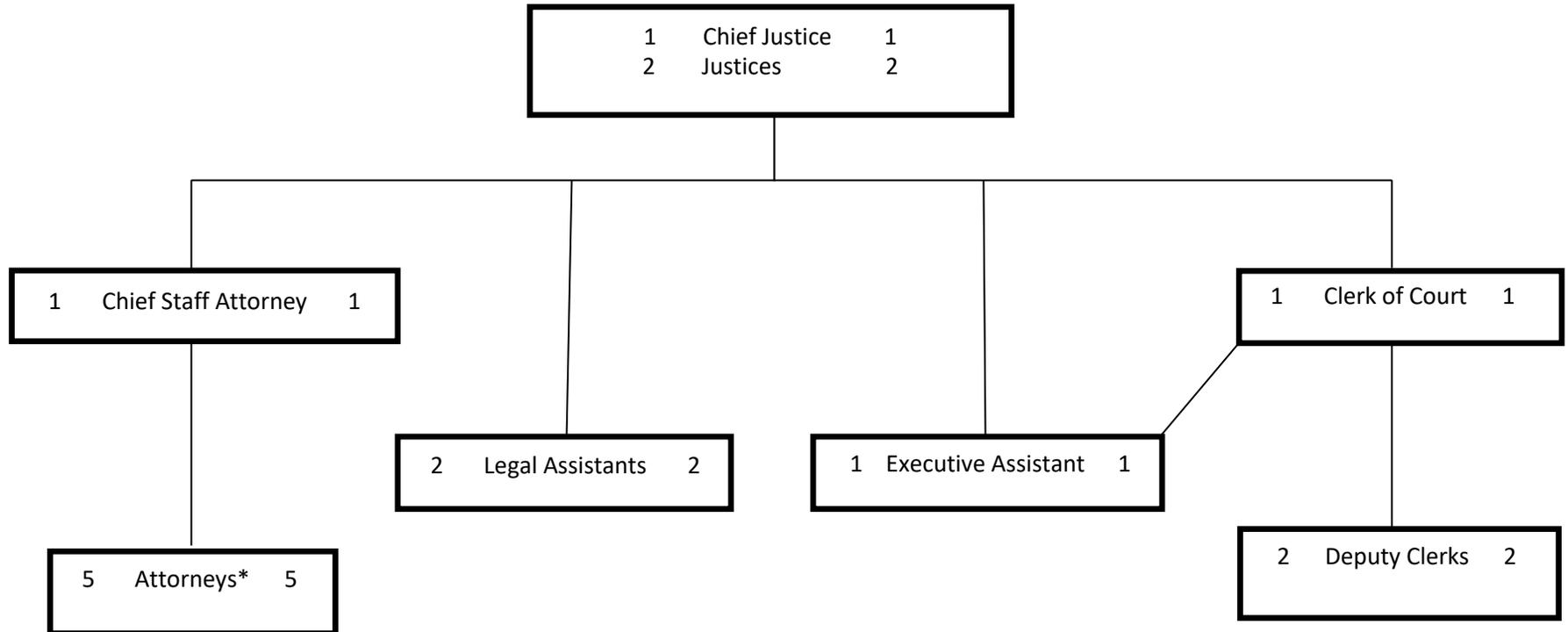
Historically, the Legislature has granted the courts exemption from certain limitations in the General Appropriations Act. They have also granted the courts the authority to carry over unexpended budget balances between years within the biennium. The flexibility afforded by these measures enhances the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

**COVID-19 Related Expenditures:**

The Sixth Court of Appeals did not have any COVID-19 related expenditures paid from General Revenue funds in FY2020; however, \$375 was expended from Chapter 22 funds to have the office cleaned and disinfected after an employee tested positive for the virus.

# Sixth Court of Appeals Organizational Chart

2021 (2022-23)



\*Employee (1.0 FTE) related to Exceptional Item



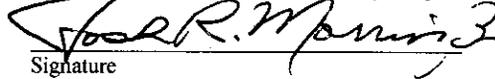
## CERTIFICATE

Agency Name Sixth 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 Governor's Office Budget Division (Governor's Office) 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 (2020-21 GAA).

**Chief Executive Officer or Presiding Judge**



Signature

Josh R. Morriss, III

Printed Name

Chief Justice

Title

9-18-20

Date

**Board or Commission Chair**

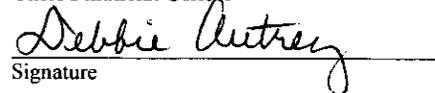
Signature

Printed Name

Title

Date

**Chief Financial Officer**



Signature

Debbie Autrey

Printed Name

Clerk of the Court

Title

9-18-20

Date

**Budget Overview - Biennial Amounts**  
**87th Regular Session, Agency Submission, Version 1**  
Automated Budget and Evaluation System of Texas (ABEST)

226 Sixth Court of Appeals District, Texarkana  
Appropriation Years: 2022-23

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS	
	2020-21	2022-23	2020-21	2022-23	2020-21	2022-23	2020-21	2022-23	2020-21	2022-23	2022-23	
<b>Goal: 1. Appellate Court Operations</b>												
1.1.1. Appellate Court Operations	2,364,372	2,200,875					9,000	8,000	2,373,372	2,208,875		163,497
1.1.2. Appellate Justice Salaries	916,092	916,092					184,900	184,900	1,100,992	1,100,992		
<b>Total, Goal</b>	<b>3,280,464</b>	<b>3,116,967</b>					<b>193,900</b>	<b>192,900</b>	<b>3,474,364</b>	<b>3,309,867</b>		<b>163,497</b>
<b>Total, Agency</b>	<b>3,280,464</b>	<b>3,116,967</b>					<b>193,900</b>	<b>192,900</b>	<b>3,474,364</b>	<b>3,309,867</b>		<b>163,497</b>
<b>Total FTEs</b>									<b>15.0</b>	<b>14.0</b>		<b>1.0</b>

2.A. Summary of Base Request by Strategy

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Automated Budget and Evaluation System of Texas (ABEST)

226 Sixth Court of Appeals District, Texarkana

Goal / Objective / STRATEGY	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<b>1</b> Appellate Court Operations					
<b>1</b> Appellate Court Operations					
<b>1</b> APPELLATE COURT OPERATIONS	1,214,028	1,178,186	1,195,186	1,104,438	1,104,437
<b>2</b> APPELLATE JUSTICE SALARIES	476,524	550,496	550,496	550,496	550,496
TOTAL, GOAL <b>1</b>	<b>\$1,690,552</b>	<b>\$1,728,682</b>	<b>\$1,745,682</b>	<b>\$1,654,934</b>	<b>\$1,654,933</b>
TOTAL, AGENCY STRATEGY REQUEST	<b>\$1,690,552</b>	<b>\$1,728,682</b>	<b>\$1,745,682</b>	<b>\$1,654,934</b>	<b>\$1,654,933</b>
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	<b>\$1,690,552</b>	<b>\$1,728,682</b>	<b>\$1,745,682</b>	<b>\$1,654,934</b>	<b>\$1,654,933</b>

2.A. Summary of Base Request by Strategy

87th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

226 Sixth Court of Appeals District, Texarkana

Goal / Objective / STRATEGY	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<u>METHOD OF FINANCING:</u>					
<b>General Revenue Funds:</b>					
1 General Revenue Fund	1,590,460	1,631,232	1,649,232	1,558,484	1,558,483
<b>SUBTOTAL</b>	<b>\$1,590,460</b>	<b>\$1,631,232</b>	<b>\$1,649,232</b>	<b>\$1,558,484</b>	<b>\$1,558,483</b>
<b>Other Funds:</b>					
573 Judicial Fund	92,450	92,450	92,450	92,450	92,450
666 Appropriated Receipts	7,642	5,000	4,000	4,000	4,000
<b>SUBTOTAL</b>	<b>\$100,092</b>	<b>\$97,450</b>	<b>\$96,450</b>	<b>\$96,450</b>	<b>\$96,450</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$1,690,552</b>	<b>\$1,728,682</b>	<b>\$1,745,682</b>	<b>\$1,654,934</b>	<b>\$1,654,933</b>

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

**2.B. Summary of Base Request by Method of Finance**  
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9/18/2020 6:38:04AM

Agency code: **226** Agency name: **Sixth Court of Appeals District, Texarkana**

METHOD OF FINANCING	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
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**GENERAL REVENUE**

**1** General Revenue Fund

*REGULAR APPROPRIATIONS*

Regular Appropriations from MOF Table (2018-19 GAA)

	\$1,563,861	\$0	\$0	\$0	\$0
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Regular Appropriations from MOF Table (2020-21 GAA)

	\$0	\$1,563,862	\$1,563,861	\$0	\$0
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Regular Appropriations from MOF Table

	\$0	\$0	\$0	\$1,558,484	\$1,558,483
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*RIDER APPROPRIATION*

Art IX, Sec 18.25, Contingency on HB 2384

	\$0	\$(381,676)	\$(381,675)	\$0	\$0
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**Comments:** Strategy A.1.1.

Art IX, Sec 18.25, Contingency on HB 2384

	\$0	\$452,780	\$452,780	\$0	\$0
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**Comments:** Strategy A.1.2. is an estimated and nontransferable appropriation.

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

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 226		Agency name: Sixth Court of Appeals District, Texarkana				
METHOD OF FINANCING		Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<b><u>GENERAL REVENUE</u></b>						
	Art IX, Sec. 18.25, Contingency on HB 2384	\$0	\$5,266	\$5,266	\$0	\$0
	<b>Comments:</b> Strategy A.1.2. Additional amount needed for 1% ERS contribution.					
<i>UNEXPENDED BALANCES AUTHORITY</i>						
	Strategy A.1.1, Appellate Court Operations (2018-19 GAA)	\$26,599	\$0	\$0	\$0	\$0
	Strategy A.1.1, Appellate Court Operations (2020-21 GAA)	\$0	\$(9,000)	\$9,000	\$0	\$0
<b>TOTAL,</b>	<b>General Revenue Fund</b>	<b>\$1,590,460</b>	<b>\$1,631,232</b>	<b>\$1,649,232</b>	<b>\$1,558,484</b>	<b>\$1,558,483</b>
<b>TOTAL, ALL</b>	<b>GENERAL REVENUE</b>	<b>\$1,590,460</b>	<b>\$1,631,232</b>	<b>\$1,649,232</b>	<b>\$1,558,484</b>	<b>\$1,558,483</b>

**OTHER FUNDS**

573 Judicial Fund No. 573

*REGULAR APPROPRIATIONS*

Regular Appropriations from MOF Table (2018-19 GAA)

\$92,450	\$0	\$0	\$0	\$0
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**2.B. Summary of Base Request by Method of Finance**  
 87th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

9/18/2020 6:38:04AM

Agency code: <b>226</b>		Agency name: <b>Sixth Court of Appeals District, Texarkana</b>				
<b>METHOD OF FINANCING</b>		<b>Exp 2019</b>	<b>Est 2020</b>	<b>Bud 2021</b>	<b>Req 2022</b>	<b>Req 2023</b>
<b><u>OTHER FUNDS</u></b>						
	Regular Appropriations from MOF Table (2020-21 GAA)	\$0	\$92,450	\$92,450	\$0	\$0
	Regular Appropriations from MOF Table	\$0	\$0	\$0	\$92,450	\$92,450
<b>TOTAL,</b>	<b>Judicial Fund No. 573</b>	<b>\$92,450</b>	<b>\$92,450</b>	<b>\$92,450</b>	<b>\$92,450</b>	<b>\$92,450</b>
<b><u>666</u></b>	Appropriated Receipts					
	<i>REGULAR APPROPRIATIONS</i>					
	Regular Appropriations from MOF Table (2018-19 GAA)	\$4,000	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2020-21 GAA)	\$0	\$4,000	\$4,000	\$0	\$0
	Regular Appropriations from MOF Table	\$0	\$0	\$0	\$4,000	\$4,000
	<i>RIDER APPROPRIATION</i>					

**2.B. Summary of Base Request by Method of Finance**  
 87th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

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Agency code: <b>226</b>		Agency name: <b>Sixth Court of Appeals District, Texarkana</b>				
<b>METHOD OF FINANCING</b>		<b>Exp 2019</b>	<b>Est 2020</b>	<b>Bud 2021</b>	<b>Req 2022</b>	<b>Req 2023</b>
<b><u>OTHER FUNDS</u></b>						
Art IX, Sec 8.02, Reimbursements and Payments (2018-19 GAA)		\$3,642	\$0	\$0	\$0	\$0
Art IX, Sec 8.02, Reimbursements and Payments (2020-21 GAA)		\$0	\$1,000	\$0	\$0	\$0
<b>TOTAL, Appropriated Receipts</b>		<b>\$7,642</b>	<b>\$5,000</b>	<b>\$4,000</b>	<b>\$4,000</b>	<b>\$4,000</b>
<b>TOTAL, ALL OTHER FUNDS</b>		<b>\$100,092</b>	<b>\$97,450</b>	<b>\$96,450</b>	<b>\$96,450</b>	<b>\$96,450</b>
<b>GRAND TOTAL</b>		<b>\$1,690,552</b>	<b>\$1,728,682</b>	<b>\$1,745,682</b>	<b>\$1,654,934</b>	<b>\$1,654,933</b>
<b>FULL-TIME-EQUIVALENT POSITIONS</b>						
<b>REGULAR APPROPRIATIONS</b>						
Regular Appropriations from MOF Table (2018-19 GAA)		15.0	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2020-21 GAA)		0.0	15.0	15.0	0.0	0.0
Regular Appropriations from MOF Table		0.0	0.0	0.0	14.0	14.0
<b>TOTAL, ADJUSTED FTES</b>		<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>14.0</b>	<b>14.0</b>

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

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Automated Budget and Evaluation System of Texas (ABEST)

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Agency code: <b>226</b>	Agency name: <b>Sixth Court of Appeals District, Texarkana</b>					
<b>METHOD OF FINANCING</b>	<b>Exp 2019</b>	<b>Est 2020</b>	<b>Bud 2021</b>	<b>Req 2022</b>	<b>Req 2023</b>	
<b>NUMBER OF 100% FEDERALLY FUNDED FTEs</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	

2.C. Summary of Base Request by Object of Expense  
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**226 Sixth Court of Appeals District, Texarkana**

<b>OBJECT OF EXPENSE</b>	<b>Exp 2019</b>	<b>Est 2020</b>	<b>Bud 2021</b>	<b>BL 2022</b>	<b>BL 2023</b>
1001 SALARIES AND WAGES	\$1,536,100	\$1,603,693	\$1,606,440	\$1,524,692	\$1,524,692
1002 OTHER PERSONNEL COSTS	\$105,018	\$75,519	\$91,653	\$62,707	\$64,307
2009 OTHER OPERATING EXPENSE	\$49,434	\$49,470	\$47,589	\$67,535	\$65,934
<b>OOE Total (Excluding Riders)</b>	<b>\$1,690,552</b>	<b>\$1,728,682</b>	<b>\$1,745,682</b>	<b>\$1,654,934</b>	<b>\$1,654,933</b>
<b>OOE Total (Riders)</b>					
<b>Grand Total</b>	<b>\$1,690,552</b>	<b>\$1,728,682</b>	<b>\$1,745,682</b>	<b>\$1,654,934</b>	<b>\$1,654,933</b>

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Agency Code: 226 Agency: Sixth Court of Appeals District, Texarkana

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

Code	Type of Expense	Expended	Estimated	Budgeted	Requested	Requested
5	Westlaw/Lexis	\$10,636	\$0	\$0	\$0	\$0
26	Books (expensed)	37,340	47,071	46,018	54,000	55,000
27	Membership Dues	150	0	0	0	0
45	Telephone/Communication Services	29	25	30	30	30
51	Other Operating Expenses	0	872	0	11,905	9,304
64	SORM Assessment	1,279	1,502	1,541	1,600	1,600
	<b>Total, Operating Costs</b>	<b>\$49,434</b>	<b>\$49,470</b>	<b>\$47,589</b>	<b>\$67,535</b>	<b>\$65,934</b>

**2.D. Summary of Base Request Objective Outcomes**  
 87th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation system of Texas (ABEST)

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**226 Sixth Court of Appeals District, Texarkana**

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Goal/ Objective / Outcome	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
1 Appellate Court Operations					
1 Appellate Court Operations					
<b>KEY</b> <b>1 Clearance Rate</b>					
	96.12%	108.25%	100.00%	90.00%	90.00%
<b>KEY</b> <b>2 Percentage of Cases Under Submission for Less Than One Year</b>					
	100.00%	100.00%	100.00%	98.00%	95.00%
<b>KEY</b> <b>3 Percentage of Cases Pending for Less Than Two Years</b>					
	100.00%	100.00%	100.00%	100.00%	98.00%

**2.E. Summary of Exceptional Items Request**  
 87th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/18/2020  
 TIME : 6:38:05AM

Agency code: 226

Agency name: Sixth Court of Appeals District, Texarkana

Priority	Item	2022			2023			Biennium		
		GR and GR/Dedicated	All Funds	FTEs	GR and GR/Dedicated	All Funds	FTEs	GR and GR/Dedicated	All Funds	
1	Restore 5% Cut in Strategy A.1.2.	\$22,639	\$22,639	0.0	\$22,639	\$22,639	0.0	\$45,278	\$45,278	
2	Restore 5% Cut in Strategy A.1.1.	\$59,109	\$59,109	1.0	\$59,110	\$59,110	1.0	\$118,219	\$118,219	
<b>Total, Exceptional Items Request</b>		<b>\$81,748</b>	<b>\$81,748</b>	<b>1.0</b>	<b>\$81,749</b>	<b>\$81,749</b>	<b>1.0</b>	<b>\$163,497</b>	<b>\$163,497</b>	
<b>Method of Financing</b>										
	General Revenue	\$81,748	\$81,748		\$81,749	\$81,749		\$163,497	\$163,497	
	General Revenue - Dedicated									
	Federal Funds									
	Other Funds									
		<b>\$81,748</b>	<b>\$81,748</b>		<b>\$81,749</b>	<b>\$81,749</b>		<b>\$163,497</b>	<b>\$163,497</b>	
<b>Full Time Equivalent Positions</b>				<b>1.0</b>				<b>1.0</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**  
 87th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 9/18/2020  
 TIME : 6:38:05AM

Agency code: 226 Agency name: Sixth Court of Appeals District, Texarkana

<b>Goal/Objective/STRATEGY</b>	<b>Base</b>	<b>Base</b>	<b>Exceptional</b>	<b>Exceptional</b>	<b>Total Request</b>	<b>Total Request</b>
<b>1</b> Appellate Court Operations						
1 <i>Appellate Court Operations</i>						
1 APPELLATE COURT OPERATIONS	\$1,104,438	\$1,104,437	\$81,748	\$81,749	\$1,186,186	\$1,186,186
2 APPELLATE JUSTICE SALARIES	550,496	550,496	0	0	550,496	550,496
<b>TOTAL, GOAL 1</b>	<b>\$1,654,934</b>	<b>\$1,654,933</b>	<b>\$81,748</b>	<b>\$81,749</b>	<b>\$1,736,682</b>	<b>\$1,736,682</b>
<b>TOTAL, AGENCY STRATEGY REQUEST</b>	<b>\$1,654,934</b>	<b>\$1,654,933</b>	<b>\$81,748</b>	<b>\$81,749</b>	<b>\$1,736,682</b>	<b>\$1,736,682</b>
<b>TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST</b>						
<b>GRAND TOTAL, AGENCY REQUEST</b>	<b>\$1,654,934</b>	<b>\$1,654,933</b>	<b>\$81,748</b>	<b>\$81,749</b>	<b>\$1,736,682</b>	<b>\$1,736,682</b>

**2.F. Summary of Total Request by Strategy**  
 87th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 9/18/2020  
 TIME : 6:38:05AM

Agency code: 226 Agency name: Sixth Court of Appeals District, Texarkana

<b>Goal/Objective/STRATEGY</b>	<b>Base</b>	<b>Base</b>	<b>Exceptional</b>	<b>Exceptional</b>	<b>Total Request</b>	<b>Total Request</b>
<b>General Revenue Funds:</b>						
1 General Revenue Fund	\$1,558,484	\$1,558,483	\$81,748	\$81,749	\$1,640,232	\$1,640,232
	<b>\$1,558,484</b>	<b>\$1,558,483</b>	<b>\$81,748</b>	<b>\$81,749</b>	<b>\$1,640,232</b>	<b>\$1,640,232</b>
<b>Other Funds:</b>						
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
	<b>\$96,450</b>	<b>\$96,450</b>	<b>\$0</b>	<b>\$0</b>	<b>\$96,450</b>	<b>\$96,450</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$1,654,934</b>	<b>\$1,654,933</b>	<b>\$81,748</b>	<b>\$81,749</b>	<b>\$1,736,682</b>	<b>\$1,736,682</b>
<b>FULL TIME EQUIVALENT POSITIONS</b>	<b>14.0</b>	<b>14.0</b>	<b>1.0</b>	<b>1.0</b>	<b>15.0</b>	<b>15.0</b>

**2.G. Summary of Total Request Objective Outcomes**  
 87th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 9/18/2020  
 Time: 6:38:05AM

Agency code: 226

Agency name: Sixth Court of Appeals District, Texarkana

Goal/ Objective / Outcome

	BL 2022	BL 2023	Excp 2022	Excp 2023	Total Request 2022	Total Request 2023
1 Appellate Court Operations						
1 Appellate Court Operations						
<b>KEY 1 Clearance Rate</b>						
	90.00%	90.00%	100.00%	100.00%	100.00%	100.00%
<b>KEY 2 Percentage of Cases Under Submission for Less Than One Year</b>						
	98.00%	95.00%	100.00%	100.00%	100.00%	100.00%
<b>KEY 3 Percentage of Cases Pending for Less Than Two Years</b>						
	100.00%	98.00%	100.00%	100.00%	100.00%	100.00%

**3.A. Strategy Request**  
 87th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

9/18/2020 6:38:06AM

**226 Sixth Court of Appeals District, Texarkana**

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 2019	Est 2020	Bud 2021	BL 2022	BL 2023
<b>Output Measures:</b>						
1	Number of Civil Cases Disposed	140.00	90.00	90.00	81.00	81.00
2	Number of Criminal Cases Disposed	256.00	251.00	250.00	225.00	225.00
<b>Explanatory/Input Measures:</b>						
1	Number of Civil Cases Filed	84.00	73.00	80.00	80.00	80.00
2	Number of Criminal Cases Filed	207.00	155.00	190.00	190.00	190.00
3	Number of Cases Transferred in	80.00	56.00	70.00	70.00	70.00
4	Number of Cases Transferred out	2.00	0.00	0.00	0.00	0.00
<b>Objects of Expense:</b>						
1001	SALARIES AND WAGES	\$1,071,600	\$1,077,093	\$1,079,840	\$998,092	\$998,092
1002	OTHER PERSONNEL COSTS	\$92,994	\$51,623	\$67,757	\$38,811	\$40,411
2009	OTHER OPERATING EXPENSE	\$49,434	\$49,470	\$47,589	\$67,535	\$65,934
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$1,214,028</b>	<b>\$1,178,186</b>	<b>\$1,195,186</b>	<b>\$1,104,438</b>	<b>\$1,104,437</b>
<b>Method of Financing:</b>						
1	General Revenue Fund	\$1,206,386	\$1,173,186	\$1,191,186	\$1,100,438	\$1,100,437
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$1,206,386</b>	<b>\$1,173,186</b>	<b>\$1,191,186</b>	<b>\$1,100,438</b>	<b>\$1,100,437</b>

**226 Sixth Court of Appeals District, Texarkana**

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 2019	Est 2020	Bud 2021	BL 2022	BL 2023
<b>Method of Financing:</b>						
666	Appropriated Receipts	\$7,642	\$5,000	\$4,000	\$4,000	\$4,000
<b>SUBTOTAL, MOF (OTHER FUNDS)</b>		<b>\$7,642</b>	<b>\$5,000</b>	<b>\$4,000</b>	<b>\$4,000</b>	<b>\$4,000</b>
<b>TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)</b>					<b>\$1,104,438</b>	<b>\$1,104,437</b>
<b>TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)</b>		<b>\$1,214,028</b>	<b>\$1,178,186</b>	<b>\$1,195,186</b>	<b>\$1,104,438</b>	<b>\$1,104,437</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>12.0</b>	<b>12.0</b>	<b>12.0</b>	<b>11.0</b>	<b>11.0</b>

**STRATEGY DESCRIPTION AND JUSTIFICATION:**

The Sixth Court of Appeals was created in 1907 by amendment to Article 1817, V.T.C.S., pursuant to authority granted by Article 5, Section 1, of the Texas Constitution. The Court has intermediate appellate jurisdiction in civil cases where 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 in nineteen counties.

**EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:**

Courts of Appeals are, by nature, small entities with highly specialized staff. The main factor which drives this strategy is the need to attract and retain, over the long term, highly trained and knowledgeable staff to work on an increasingly complex and accelerated caseload and dispense justice in a fair and efficient manner.

**226 Sixth Court of Appeals District, Texarkana**

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 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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**EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):**

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
<u>Base Spending (Est 2020 + Bud 2021)</u>	<u>Baseline Request (BL 2022 + BL 2023)</u>	<u>CHANGE</u>	<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$2,373,372	\$2,208,875	\$(164,497)	\$(163,497)	5% reduction in total General Revenue budget from Regular Appropriations. 1.0 FTE loss
			\$(1,000)	Additional estimated appropriated receipts collected in FY20 - Other Funds
			<u>\$(164,497)</u>	<b>Total of Explanation of Biennial Change</b>

**226 Sixth Court of Appeals District, Texarkana**

GOAL: 1 Appellate Court Operations  
 OBJECTIVE: 1 Appellate Court Operations Service Categories:  
 STRATEGY: 2 Appellate Justice Salaries. Estimated and Nontransferable Service: NA Income: NA Age: NA

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
<b>Objects of Expense:</b>						
1001	SALARIES AND WAGES	\$464,500	\$526,600	\$526,600	\$526,600	\$526,600
1002	OTHER PERSONNEL COSTS	\$12,024	\$23,896	\$23,896	\$23,896	\$23,896
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$476,524</b>	<b>\$550,496</b>	<b>\$550,496</b>	<b>\$550,496</b>	<b>\$550,496</b>
<b>Method of Financing:</b>						
1	General Revenue Fund	\$384,074	\$458,046	\$458,046	\$458,046	\$458,046
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$384,074</b>	<b>\$458,046</b>	<b>\$458,046</b>	<b>\$458,046</b>	<b>\$458,046</b>
<b>Method of Financing:</b>						
573	Judicial Fund	\$92,450	\$92,450	\$92,450	\$92,450	\$92,450
<b>SUBTOTAL, MOF (OTHER FUNDS)</b>		<b>\$92,450</b>	<b>\$92,450</b>	<b>\$92,450</b>	<b>\$92,450</b>	<b>\$92,450</b>
<b>TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)</b>					<b>\$550,496</b>	<b>\$550,496</b>
<b>TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)</b>		<b>\$476,524</b>	<b>\$550,496</b>	<b>\$550,496</b>	<b>\$550,496</b>	<b>\$550,496</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>3.0</b>	<b>3.0</b>	<b>3.0</b>	<b>3.0</b>	<b>3.0</b>

**226 Sixth Court of Appeals District, Texarkana**

GOAL: 1 Appellate Court Operations  
 OBJECTIVE: 1 Appellate Court Operations Service Categories:  
 STRATEGY: 2 Appellate Justice Salaries. Estimated and Nontransferable Service: NA Income: NA Age: NA

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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**STRATEGY DESCRIPTION AND JUSTIFICATION:**

The 86th Legislature established current levels of judicial compensation that are fixed by statute and added Strategy A.1.2., Appellate Justice Salaries, which holds estimated and nontransferable funds that are dedicated to judicial salaries and cannot be spent on any other category of appellate court operations.

**EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:**

Judicial salaries are established by statute and cannot be reduced by the court. The court cannot predict with certainty the exact funding needs for judicial salaries in the future due to unforeseeable changes to the composition of the court that may arise as a result of elections, resignations, retirements, or deaths. The estimated and nontransferable funds in Strategy A.1.2. are expected to fluctuate throughout the biennium due to changes in the makeup of the court.

**EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):**

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
Base Spending (Est 2020 + Bud 2021)	Baseline Request (BL 2022 + BL 2023)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$1,100,992	\$1,100,992	\$0	\$0	No change
			<b>\$0</b>	<b>Total of Explanation of Biennial Change</b>

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**SUMMARY TOTALS:**

<b>OBJECTS OF EXPENSE:</b>	<b>\$1,690,552</b>	<b>\$1,728,682</b>	<b>\$1,745,682</b>	<b>\$1,654,934</b>	<b>\$1,654,933</b>
<b>METHODS OF FINANCE (INCLUDING RIDERS):</b>				<b>\$1,654,934</b>	<b>\$1,654,933</b>
<b>METHODS OF FINANCE (EXCLUDING RIDERS):</b>	<b>\$1,690,552</b>	<b>\$1,728,682</b>	<b>\$1,745,682</b>	<b>\$1,654,934</b>	<b>\$1,654,933</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>14.0</b>	<b>14.0</b>



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

<b>Agency Code:</b> 226	<b>Agency Name:</b> Court of Appeals, Sixth District, Texarkana	<b>Prepared By:</b> Debbie Autrey	<b>Date:</b> 09/18/2020	<b>Request Level:</b> Baseline
<b>Current Rider Number</b>	<b>Page Number in 2018-19 GAA</b>	<b>Proposed Rider Language</b>		

5

IV-43

**Sec. 6. 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 ~~2020~~2022 and ~~2021~~2023, 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.

*Updating rider to adjust the years for the 2022-2023 biennium.*

**4.A. Exceptional Item Request Schedule**  
 87th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/18/2020  
 TIME: 6:38:06AM

Agency code: 226

Agency name:  
**Sixth Court of Appeals District, Texarkana**

CODE	DESCRIPTION	Excp 2022	Excp 2023
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	<b>Item Name:</b>	Restore the Budget Cut Calculated on the Estimated and Non-Transferable Funds in Strategy A.1.2.	
	<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

**OBJECTS OF EXPENSE:**

1001	SALARIES AND WAGES	22,639	22,639
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>22,639</b>	<b>22,639</b>

**METHOD OF FINANCING:**

1	General Revenue Fund	22,639	22,639
<b>TOTAL, METHOD OF FINANCING</b>		<b>22,639</b>	<b>22,639</b>

**DESCRIPTION / JUSTIFICATION:**

The court's 5% budget reduction was calculated on both Strategy A.1.1. (appellate court operations) and Strategy A.1.2. (judicial salaries) funds. But because Strategy A.1.2. funds are estimated and nontransferable, the court is unable to make any reduction to that portion of its budget. Calculating the 5% budget reduction on Strategy A.1.2. funds thus creates a negative disproportionate impact on the court.

To address the disproportionate impact of the required reduction on the court's funding, the court requests the restoration of the 5% budget reduction calculated on the estimated and nontransferable funds allocated to Strategy A.1.2., which the court is not able to reduce. Restoration of this funding will continue support for the Similar Funding for Same-Sized Courts funding model. With the restoration of this exceptional item alone, however, the court would likely still be forced to eliminate a staff position. Alternatively, if the position could be saved, it would require such draconian cuts to the court's law libraries, online legal research, and other operating costs that our clearance rate and productivity would still suffer.

**EXTERNAL/INTERNAL FACTORS:**

Approximately one-third of the court's General Revenue funding is dedicated to Strategy A.1.2. (judicial salaries). Because these funds are estimated and nontransferable, the courts are unable to make any reduction to that portion of their budgets. Consequently, the entire 5% budget reduction must be applied only to the remaining two-thirds of the court's General Revenue: Strategy A.1.1. (appellate court operations). In the Sixth Court of Appeals, applying the required budget reduction (\$163,497) to the estimated remaining two-thirds funding in Strategy A.1.1. (\$2,364,372) thus functionally results in a larger reduction, approximately 7%, of the funds that the court must cut. The real impact of the budget cut on the funds eligible for reduction effectively results in a budget cut to the court that is significantly higher than the 5% directed to other State agencies.

**4.A. Exceptional Item Request Schedule**  
87th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/18/2020  
TIME: 6:38:06AM

Agency code: 226

Agency name:

**Sixth Court of Appeals District, Texarkana**

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<u>CODE</u>	<u>DESCRIPTION</u>	<u>Excp 2022</u>	<u>Excp 2023</u>
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PCLS TRACKING KEY:

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

Out-year costs necessary to restore 5% reduction on the estimated and non-transferable funds for judicial salaries that are set by statute.

**ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:**

<u>2024</u>	<u>2025</u>	<u>2026</u>
\$22,639	\$22,639	\$22,639

**4.A. Exceptional Item Request Schedule**  
 87th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/18/2020  
 TIME: 6:38:06AM

Agency code: 226

Agency name:  
**Sixth Court of Appeals District, Texarkana**

<b>CODE</b>	<b>DESCRIPTION</b>	<b>Excp 2022</b>	<b>Excp 2023</b>
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**Item Name:** Restore the Budget Cut to the Remaining Funds in Strategy A.1.1.  
**Item Priority:** 2  
**IT Component:** No  
**Anticipated Out-year Costs:** Yes  
**Involve Contracts > \$50,000:** No  
**Includes Funding for the Following Strategy or Strategies:** 01-01-01 Appellate Court Operations

**OBJECTS OF EXPENSE:**

1001	SALARIES AND WAGES	59,109	59,110
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>59,109</b>	<b>59,110</b>

**METHOD OF FINANCING:**

1	General Revenue Fund	59,109	59,110
<b>TOTAL, METHOD OF FINANCING</b>		<b>59,109</b>	<b>59,110</b>

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

1.00	1.00
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**DESCRIPTION / JUSTIFICATION:**

This exceptional item would restore the 5% budget reduction to the court's appropriations in Strategy A.1.1. for FY 2022–23. With 96% of its budget dedicated to salaries and related payroll costs, the court cannot absorb a 5% reduction without eliminating personnel. Without restoration of this item along with exceptional item #1, the court will be forced to eliminate one of our six staff attorney positions. This reduction in staffing will result in failure to meet performance standards, including (1) a reduction in dispositions of appeals, preventing the court 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. While any cut to the appellate court system's budget risks delays in the provision of criminal justice and resolution of civil matters, the nature of this reduction will be particularly devastating to the State by creating significant adverse consequences for the businesses, families, and children in Texas that are awaiting justice through the resolution of their disputes.

**EXTERNAL/INTERNAL FACTORS:**

Hiring and retaining qualified support staff is critical to the court's ability to manage its docket and efficiently resolve the cases before it. The court must employ a highly skilled and trained professional workforce, including appellate lawyers and clerical staff, to assist the justices in processing cases, researching and drafting orders and opinions, and managing accelerated and emergency matters. Restoring the court's funding would enable the courts to continue to attract and retain experienced lawyers and support staff with the requisite knowledge and skills to assist the court in meeting its performance measures and fulfilling its core function of timely processing and disposing of appeals.

**PCLS TRACKING KEY:**

**4.A. Exceptional Item Request Schedule**  
 87th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/18/2020  
 TIME: 6:38:06AM

Agency code: 226

Agency name:  
 Sixth Court of Appeals District, Texarkana

CODE	DESCRIPTION	Excp 2022	Excp 2023
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**DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :**

Out-year costs necessary to retain 1.0 FTE that would be lost as a result of 5% reduction.

**ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:**

	2024	2025	2026
	\$59,109	\$59,110	\$59,109

Agency code: 226 Agency name: Sixth Court of Appeals District, Texarkana

Code	Description	Excp 2022	Excp 2023
<b>Item Name:</b> Restore the Budget Cut Calculated on the Estimated and Non-Transferable Funds in Strategy A.1.2.			
<b>Allocation to Strategy:</b> 1-1-1 Appellate Court Operations			
<b>STRATEGY IMPACT ON OUTCOME MEASURES:</b>			
<u>1</u>	Clearance Rate	94.00%	94.00%
<u>2</u>	Percentage of Cases Under Submission for Less Than One Year	99.00%	97.00%
<u>3</u>	Percentage of Cases Pending for Less Than Two Years	100.00%	99.00%
<b>OUTPUT MEASURES:</b>			
<u>1</u>	Number of Civil Cases Disposed	4.00	4.00
<u>2</u>	Number of Criminal Cases Disposed	10.00	10.00
<b>OBJECTS OF EXPENSE:</b>			
1001	SALARIES AND WAGES	22,639	22,639
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$22,639</b>	<b>\$22,639</b>
<b>METHOD OF FINANCING:</b>			
1	General Revenue Fund	22,639	22,639
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$22,639</b>	<b>\$22,639</b>
<b>FULL-TIME EQUIVALENT POSITIONS (FTE):</b>		0.0	0.0

Agency code: 226 Agency name: Sixth Court of Appeals District, Texarkana

Code	Description	Excp 2022	Excp 2023
<b>Item Name:</b> Restore the Budget Cut to the Remaining Funds in Strategy A.1.1.			
<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	5.00	5.00
<u>2</u>	Number of Criminal Cases Disposed	15.00	15.00
<b>OBJECTS OF EXPENSE:</b>			
1001	SALARIES AND WAGES	59,109	59,110
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$59,109</b>	<b>\$59,110</b>
<b>METHOD OF FINANCING:</b>			
1	General Revenue Fund	59,109	59,110
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$59,109</b>	<b>\$59,110</b>
<b>FULL-TIME EQUIVALENT POSITIONS (FTE):</b>		1.0	1.0

**4.C. Exceptional Items Strategy Request**  
 87th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

**DATE:** 9/18/2020  
**TIME:** 6:38:07AM

Agency Code: **226** Agency name: **Sixth Court of Appeals District, Texarkana**

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 2022</b>	<b>Exp 2023</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 %

**OUTPUT MEASURES:**

<u>1</u> Number of Civil Cases Disposed	9.00	9.00
<u>2</u> Number of Criminal Cases Disposed	25.00	25.00

**OBJECTS OF EXPENSE:**

1001 SALARIES AND WAGES	81,748	81,749
<b>Total, Objects of Expense</b>	<b>\$81,748</b>	<b>\$81,749</b>

**METHOD OF FINANCING:**

1 General Revenue Fund	81,748	81,749
<b>Total, Method of Finance</b>	<b>\$81,748</b>	<b>\$81,749</b>

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

	1.0	1.0
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**EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:**

Restore the Budget Cut Calculated on the Estimated and Non-Transferable Funds in Strategy A.1.2.

Restore the Budget Cut to the Remaining Funds in Strategy A.1.1.

**6.A. Historically Underutilized Business Supporting Schedule**  
 87th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 9/18/2020  
 Time: 6:38:07AM

Agency Code: 226 Agency: Sixth Court of Appeals District, Texarkana

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

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

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2018			Total Expenditures FY 2018		HUB Expenditures FY 2019			Total Expenditures FY 2019	
			% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$	FY 2019		
11.2%	Heavy Construction	0.0 %	0.0%	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%	0.0%	\$0	\$0	
32.9%	Special Trade	0.0 %	0.0%	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%	0.0%	\$0	\$0	
26.0%	Other Services	26.0 %	0.0%	-26.0%	\$0	\$12,693	26.0 %	0.0%	-26.0%	\$0	\$11,665	
21.1%	Commodities	21.1 %	100.0%	78.9%	\$214	\$214	21.1 %	0.0%	-21.1%	\$0	\$0	
	<b>Total Expenditures</b>		<b>1.7%</b>		<b>\$214</b>	<b>\$12,907</b>		<b>0.0%</b>		<b>\$0</b>	<b>\$11,665</b>	

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

**Attainment:**

The Court did not attain either of the applicable statewide HUB procurement goals for FY 2018 and FY 2019.

**Applicability:**

The "Heavy Construction," "Building Construction," "Special Trade," and "Professional Services" categories were not applicable to Court operations in fiscal years 2018 and 2019 since the court did not have any strategies or programs related to these categories.

**Factors Affecting Attainment:**

In fiscal years 2018 and 2019, the goal for "Other Services" was not met since there were no HUB vendors for the court's legal research purchases. Library maintenance and legal research are sole source purchases and represent the bulk of the court's expenditures in this category.

The "Commodities" category goal was not met in either year as most of the Court's expenditures in that category were for items on state contract or for specialized items not available from HUB vendors.

**"Good-Faith" Efforts:**

The Court continues to make a good faith effort in giving HUB vendors preference, when possible.

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

<b>ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2022-23 GAA BILL PATTERN</b>	<b>\$ 172,000</b>
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**Appellate Judicial System Funds**

Estimated Beginning Balance in FY 2020	\$ 108,031
Estimated Revenues FY 2020	\$ 47,000
Estimated Revenues FY 2021	\$ 42,000
<b>FY 2020-21 Total</b>	<b>\$ 197,031</b>
Estimated Beginning Balance in FY 2022	\$ 88,000
Estimated Revenues FY 2022	\$ 42,000
Estimated Revenues FY 2023	\$ 42,000
<b>FY 2022-23 Total</b>	<b>\$ 172,000</b>

**Constitutional or Statutory Creation and Use of Funds:**

Texas Government Code, Sec. 22.2071 -- Appellate Judicial System Fund

**Method of Calculation and Revenue Assumptions:**

In accordance with the above referenced statute, the district and county clerks of the various courts in the 19 counties that make up the Sixth Court of Appeals District are to collect and remit a \$5.00 filing fee on each civil suit filed in a county court, statutory county court, probate court, or district court. Each county in two appellate districts splits its funds between the two appellate courts.