

LEGISLATIVE APPROPRIATIONS REQUEST

For Fiscal Years 2018 and 2019

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

by

**SIXTH COURT OF APPEALS
Texarkana**



August 12, 2016

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226 Sixth Court of Appeals District, Texarkana

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

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

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

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

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

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

Exceptional Item #1: Restore the 4% Reduction of Base

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

226 Sixth Court of Appeals District, Texarkana

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

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

RIDER REQUESTS:

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

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

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

ADDITIONAL STATEMENTS OF SUPPORT:

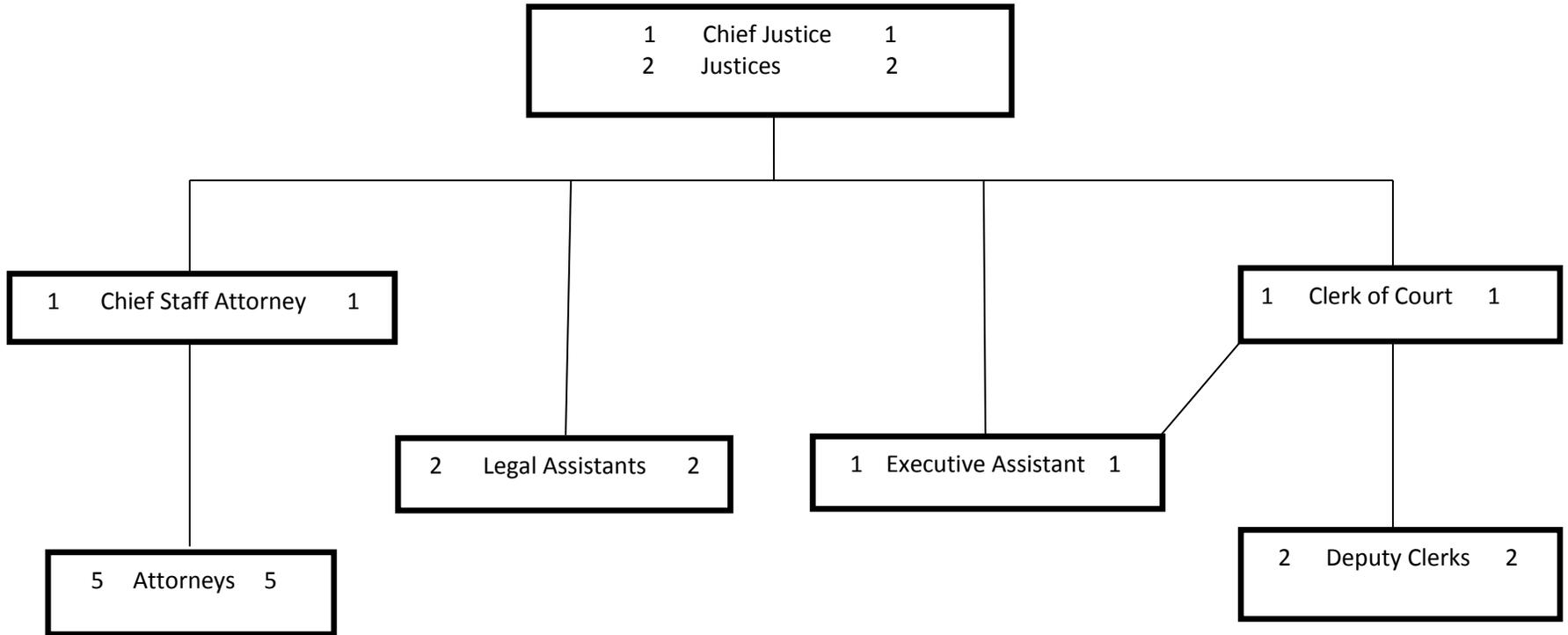
The courts of appeals have been able to streamline operations by using many services consolidated through the Office of Court Administration. As such, the courts support exceptional item number 1 put forth by the Office of Court Administration. If the OCA's request is not fully funded for the 2018-19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

Finally, the courts of appeals appreciate and support 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.

226 Sixth Court of Appeals District, Texarkana

Note: on Appropriated Receipts – At the direction of the LBB & Governor's Office, this Court has included appropriated receipts in the amount of \$4,000 per year reflecting reimbursement for copies of opinions and other court documents. These amounts are merely an offset for additional expenses incurred by the Court and do not constitute additional funds available for general expenditures for the Court. The amount can vary significantly from year to year.

Sixth Court of Appeals Organizational Chart





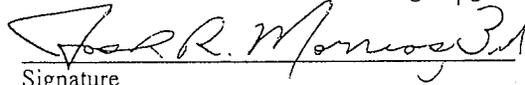
CERTIFICATE

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 Office of the Governor, Budget Division, is accurate to the best of my knowledge and that the electronic submission to the LBB via the Automated Budget and Evaluation System of Texas (ABEST) and the PDF file submitted via the LBB Document Submission application are identical.

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

Chief Executive Officer or Presiding Judge



Signature

Josh R. Morriss, III

Printed Name

Chief Justice

Title

8-12-16

Date

Board or Commission Chair

Signature

Printed Name

Title

Date

Chief Financial Officer

Signature

Printed Name

Title

Date

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

226 Sixth Court of Appeals District, Texarkana
 Appropriation Years: 2018-19

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS
	2016-17	2018-19	2016-17	2018-19	2016-17	2018-19	2016-17	2018-19	2016-17	2018-19	2018-19
	Goal: 1. Appellate Court Operations										
1.1.1. Appellate Court Operations	3,129,023	3,003,862					195,900	192,900	3,324,923	3,196,762	125,161
Total, Goal	3,129,023	3,003,862					195,900	192,900	3,324,923	3,196,762	125,161
Total, Agency	3,129,023	3,003,862					195,900	192,900	3,324,923	3,196,762	125,161
Total FTEs									15.0	14.0	1.0

2.A. Summary of Base Request by Strategy

8/11/2016 12:31:50PM

85th 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 2015	Est 2016	Bud 2017	Req 2018	Req 2019
<u>1</u> Appellate Court Operations					
<u>1</u> Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	1,534,243	1,619,962	1,704,961	1,598,381	1,598,381
TOTAL, GOAL 1	\$1,534,243	\$1,619,962	\$1,704,961	\$1,598,381	\$1,598,381
TOTAL, AGENCY STRATEGY REQUEST	\$1,534,243	\$1,619,962	\$1,704,961	\$1,598,381	\$1,598,381
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$1,534,243	\$1,619,962	\$1,704,961	\$1,598,381	\$1,598,381

2.A. Summary of Base Request by Strategy

8/11/2016 12:31:50PM

85th 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 2015	Est 2016	Bud 2017	Req 2018	Req 2019
<u>METHOD OF FINANCING:</u>					
General Revenue Funds:					
1 General Revenue Fund	1,431,688	1,520,512	1,608,511	1,501,931	1,501,931
SUBTOTAL	\$1,431,688	\$1,520,512	\$1,608,511	\$1,501,931	\$1,501,931
Other Funds:					
573 Judicial Fund	92,450	92,450	92,450	92,450	92,450
666 Appropriated Receipts	10,105	7,000	4,000	4,000	4,000
SUBTOTAL	\$102,555	\$99,450	\$96,450	\$96,450	\$96,450
TOTAL, METHOD OF FINANCING	\$1,534,243	\$1,619,962	\$1,704,961	\$1,598,381	\$1,598,381

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

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

8/11/2016 12:31:50PM

85th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 226

Agency name: Sixth Court of Appeals District, Texarkana

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

1 General Revenue Fund

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2014-15 GAA)

\$1,370,088	\$0	\$0	\$0	\$0
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Regular Appropriations from MOF Table (2016-17 GAA)

\$0	\$1,541,670	\$1,541,669	\$0	\$0
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Regular Appropriations from MOF Table (2018-19 GAA)

\$0	\$0	\$0	\$1,501,931	\$1,501,931
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TRANSFERS

Art IV, Sec 11, Special Provisions, Appn for Judicial Compensation (2014-15 GAA)

\$49,500	\$0	\$0	\$0	\$0
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Art IX, Sec 18.02, Salary Increase for General State Employees (2016-17 GAA)

\$0	\$22,842	\$22,842	\$0	\$0
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UNEXPENDED BALANCES AUTHORITY

Strategy A.1.1, Appellate Court Operations (2014-15 GAA)

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

8/11/2016 12:31:50PM

85th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 226		Agency name: Sixth Court of Appeals District, Texarkana				
METHOD OF FINANCING		Exp 2015	Est 2016	Bud 2017	Req 2018	Req 2019
<u>GENERAL REVENUE</u>		\$12,100	\$0	\$0	\$0	\$0
Strategy A.1.1, Appellate Court Operations (2016-17 GAA)		\$0	\$(44,000)	\$44,000	\$0	\$0
TOTAL,	General Revenue Fund	\$1,431,688	\$1,520,512	\$1,608,511	\$1,501,931	\$1,501,931
TOTAL, ALL	GENERAL REVENUE	\$1,431,688	\$1,520,512	\$1,608,511	\$1,501,931	\$1,501,931

OTHER FUNDS

573 Judicial Fund No. 573

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2014-15 GAA)

\$92,450 \$0 \$0 \$0 \$0

Regular Appropriations from MOF Table (2016-17 GAA)

\$0 \$92,450 \$92,450 \$0 \$0

Regular Appropriations from MOF Table (2018-19 GAA)

\$0 \$0 \$0 \$92,450 \$92,450

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

8/11/2016 12:31:50PM

85th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 226		Agency name: Sixth Court of Appeals District, Texarkana				
METHOD OF FINANCING		Exp 2015	Est 2016	Bud 2017	Req 2018	Req 2019
<u>OTHER FUNDS</u>						
TOTAL,	Judicial Fund No. 573	\$92,450	\$92,450	\$92,450	\$92,450	\$92,450
<u>666</u>	Appropriated Receipts					
	<i>REGULAR APPROPRIATIONS</i>					
	Regular Appropriations from MOF Table (2014-15 GAA)	\$4,000	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2016-17 GAA)	\$0	\$4,000	\$4,000	\$0	\$0
	Regular Appropriations from MOF Table (2018-19 GAA)	\$0	\$0	\$0	\$4,000	\$4,000
	<i>RIDER APPROPRIATION</i>					
	Art IX, Sec 8.03, Reimbursements and Payments (2014-15 GAA)	\$6,105	\$0	\$0	\$0	\$0
	Art IX, Sec 8.02, Reimbursements and Payments (2016-17 GAA)	\$0	\$3,000	\$0	\$0	\$0

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

8/11/2016 12:31:50PM

85th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 226		Agency name: Sixth Court of Appeals District, Texarkana				
METHOD OF FINANCING		Exp 2015	Est 2016	Bud 2017	Req 2018	Req 2019
<u>OTHER FUNDS</u>						
TOTAL,	Appropriated Receipts	\$10,105	\$7,000	\$4,000	\$4,000	\$4,000
TOTAL, ALL	OTHER FUNDS	\$102,555	\$99,450	\$96,450	\$96,450	\$96,450
GRAND TOTAL		\$1,534,243	\$1,619,962	\$1,704,961	\$1,598,381	\$1,598,381
FULL-TIME-EQUIVALENT POSITIONS						
REGULAR APPROPRIATIONS						
	Regular Appropriations from MOF Table (2014-15 GAA)	15.5	0.0	0.0	0.0	0.0
	Regular Appropriations from MOF Table (2016-17 GAA)	0.0	15.5	15.5	0.0	0.0
	Regular Appropriations from MOF Table (2018-19 GAA)	0.0	0.0	0.0	14.0	14.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP						
	Unauthorized Number Over (Below) Cap	(0.1)	(0.5)	(0.5)	0.0	0.0
TOTAL, ADJUSTED FTES		15.4	15.0	15.0	14.0	14.0

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

8/11/2016 12:31:50PM

85th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 226	Agency name: Sixth Court of Appeals District, Texarkana				
METHOD OF FINANCING	Exp 2015	Est 2016	Bud 2017	Req 2018	Req 2019
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

8/11/2016 12:31:51PM

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

226 Sixth Court of Appeals District, Texarkana

OBJECT OF EXPENSE	Exp 2015	Est 2016	Bud 2017	BL 2018	BL 2019
1001 SALARIES AND WAGES	\$1,398,323	\$1,490,252	\$1,536,100	\$1,473,520	\$1,473,520
1002 OTHER PERSONNEL COSTS	\$70,480	\$29,476	\$58,945	\$19,000	\$27,000
2003 CONSUMABLE SUPPLIES	\$1,855	\$2,700	\$3,500	\$3,100	\$3,100
2004 UTILITIES	\$2,081	\$4,500	\$4,500	\$4,500	\$4,500
2005 TRAVEL	\$0	\$6,000	\$12,000	\$9,000	\$9,000
2009 OTHER OPERATING EXPENSE	\$61,504	\$87,034	\$89,916	\$89,261	\$81,261
OOE Total (Excluding Riders)	\$1,534,243	\$1,619,962	\$1,704,961	\$1,598,381	\$1,598,381
OOE Total (Riders)					
Grand Total	\$1,534,243	\$1,619,962	\$1,704,961	\$1,598,381	\$1,598,381

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

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

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

Code	Type of Expense	Expended 2015	Estimated 2016	Budgeted 2017	Requested 2018	Requested 2019
2	Postage	\$500	\$500	\$500	\$600	\$600
5	Westlaw/Lexis	12,548	16,959	19,000	18,000	18,000
6	Registrations/Training	0	1,480	1,500	1,500	1,000
7	Subscriptions/Periodicals	169	602	625	625	625
12	Maintenance & Repair - Equipment	56	2,412	775	775	775
16	Miscellaneous Expenses	3,306	0	1,500	1,200	0
24	Freight/Delivery	6	47	50	50	0
26	Books (expensed)	27,919	46,595	47,000	47,976	41,926
27	Membership Dues	1,940	2,105	2,105	2,200	2,000
64	SORM Assessment	1,410	1,432	1,500	1,600	1,600
195	Payroll Health Insurance Contrib.	13,650	14,902	15,361	14,735	14,735
	Total, Operating Costs	\$61,504	\$87,034	\$89,916	\$89,261	\$81,261

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

8/11/2016 12:31:51PM

226 Sixth Court of Appeals District, Texarkana

Goal/ Objective / Outcome	Exp 2015	Est 2016	Bud 2017	BL 2018	BL 2019
1 Appellate Court Operations					
1 Appellate Court Operations					
KEY 1 Clearance Rate					
	104.34%	100.00%	100.00%	90.00%	90.00%
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.E. Summary of Exceptional Items Request
 85th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/11/2016
 TIME : 12:31:51PM

Agency code: 226

Agency name: Sixth Court of Appeals District, Texarkana

Priority	Item	2018			2019			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	Restore the 4% Reduction of Base	\$62,581	\$62,581	1.0	\$62,580	\$62,580	1.0	\$125,161	\$125,161
Total, Exceptional Items Request		\$62,581	\$62,581	1.0	\$62,580	\$62,580	1.0	\$125,161	\$125,161
Method of Financing									
	General Revenue	\$62,581	\$62,581		\$62,580	\$62,580		\$125,161	\$125,161
	General Revenue - Dedicated								
	Federal Funds								
	Other Funds								
		\$62,581	\$62,581		\$62,580	\$62,580		\$125,161	\$125,161
Full Time Equivalent Positions				1.0				1.0	
Number of 100% Federally Funded FTEs				0.0				0.0	

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

DATE : 8/11/2016

TIME : 12:31:52PM

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

Goal/Objective/STRATEGY	Base 2018	Base 2019	Exceptional 2018	Exceptional 2019	Total Request 2018	Total Request 2019
1 Appellate Court Operations						
1 <i>Appellate Court Operations</i>						
1 APPELLATE COURT OPERATIONS	\$1,598,381	\$1,598,381	\$62,581	\$62,580	\$1,660,962	\$1,660,961
TOTAL, GOAL 1	\$1,598,381	\$1,598,381	\$62,581	\$62,580	\$1,660,962	\$1,660,961
TOTAL, AGENCY STRATEGY REQUEST	\$1,598,381	\$1,598,381	\$62,581	\$62,580	\$1,660,962	\$1,660,961
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$1,598,381	\$1,598,381	\$62,581	\$62,580	\$1,660,962	\$1,660,961

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

DATE : 8/11/2016

TIME : 12:31:52PM

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

Goal/Objective/STRATEGY	Base 2018	Base 2019	Exceptional 2018	Exceptional 2019	Total Request 2018	Total Request 2019
General Revenue Funds:						
1 General Revenue Fund	\$1,501,931	\$1,501,931	\$62,581	\$62,580	\$1,564,512	\$1,564,511
	\$1,501,931	\$1,501,931	\$62,581	\$62,580	\$1,564,512	\$1,564,511
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
	\$96,450	\$96,450	\$0	\$0	\$96,450	\$96,450
TOTAL, METHOD OF FINANCING	\$1,598,381	\$1,598,381	\$62,581	\$62,580	\$1,660,962	\$1,660,961
FULL TIME EQUIVALENT POSITIONS	14.0	14.0	1.0	1.0	15.0	15.0

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

Date : 8/11/2016
 Time: 12:31:52PM

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

Goal/ Objective / Outcome

	BL 2018	BL 2019	Excp 2018	Excp 2019	Total Request 2018	Total Request 2019
1 Appellate Court Operations						
1 Appellate Court Operations						
KEY 1 Clearance Rate						
	90.00%	90.00%	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%	100.00%
KEY 3 Percentage of Cases Pending for Less Than Two Years						
	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

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 2015	Est 2016	Bud 2017	BL 2018	BL 2019
Output Measures:						
1	Number of Civil Cases Disposed	113.00	107.00	100.00	90.00	90.00
2	Number of Criminal Cases Disposed	248.00	245.00	250.00	225.00	225.00
Explanatory/Input Measures:						
1	Number of Civil Cases Filed	78.00	70.00	85.00	85.00	85.00
2	Number of Criminal Cases Filed	203.00	206.00	205.00	205.00	205.00
3	Number of Cases Transferred in	45.00	77.00	60.00	60.00	60.00
4	Number of Cases Transferred out	0.00	1.00	0.00	0.00	0.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$1,398,323	\$1,490,252	\$1,536,100	\$1,473,520	\$1,473,520
1002	OTHER PERSONNEL COSTS	\$70,480	\$29,476	\$58,945	\$19,000	\$27,000
2003	CONSUMABLE SUPPLIES	\$1,855	\$2,700	\$3,500	\$3,100	\$3,100
2004	UTILITIES	\$2,081	\$4,500	\$4,500	\$4,500	\$4,500
2005	TRAVEL	\$0	\$6,000	\$12,000	\$9,000	\$9,000
2009	OTHER OPERATING EXPENSE	\$61,504	\$87,034	\$89,916	\$89,261	\$81,261
TOTAL, OBJECT OF EXPENSE		\$1,534,243	\$1,619,962	\$1,704,961	\$1,598,381	\$1,598,381

Method of Financing:

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 2015	Est 2016	Bud 2017	BL 2018	BL 2019
1	General Revenue Fund	\$1,431,688	\$1,520,512	\$1,608,511	\$1,501,931	\$1,501,931
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$1,431,688	\$1,520,512	\$1,608,511	\$1,501,931	\$1,501,931
Method of Financing:						
573	Judicial Fund	\$92,450	\$92,450	\$92,450	\$92,450	\$92,450
666	Appropriated Receipts	\$10,105	\$7,000	\$4,000	\$4,000	\$4,000
SUBTOTAL, MOF (OTHER FUNDS)		\$102,555	\$99,450	\$96,450	\$96,450	\$96,450
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$1,598,381	\$1,598,381
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$1,534,243	\$1,619,962	\$1,704,961	\$1,598,381	\$1,598,381
FULL TIME EQUIVALENT POSITIONS:		15.4	15.0	15.0	14.0	14.0

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.

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 2015	Est 2016	Bud 2017	BL 2018	BL 2019
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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.

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 2016 + Bud 2017)</u>	<u>Baseline Request (BL 2018 + BL 2019)</u>	<u>CHANGE</u>	<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$3,324,923	\$3,196,762	\$(128,161)	\$(125,161)	Loss of one staff attorney. 1 FTE reduction. All GR.
			\$(3,000)	Less appropriated receipts. Other funds.
			<u>\$(128,161)</u>	Total of Explanation of Biennial Change

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$1,534,243	\$1,619,962	\$1,704,961	\$1,598,381	\$1,598,381
METHODS OF FINANCE (INCLUDING RIDERS):				\$1,598,381	\$1,598,381
METHODS OF FINANCE (EXCLUDING RIDERS):	\$1,534,243	\$1,619,962	\$1,704,961	\$1,598,381	\$1,598,381
FULL TIME EQUIVALENT POSITIONS:	15.4	15.0	15.0	14.0	14.0

3.B. Rider Revisions and Additions Request

Agency Code: 226	Agency Name: Sixth Court of Appeals	Prepared By: Debbie Autrey	Date: 8/12/2016	Request Level: Baseline
Current Rider Number	Page Number in 2016-17 GAA	Proposed Rider Language		

6

IV-41

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 ~~2016~~2018 and ~~2017~~2019, 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 2018-2019 biennium.

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

DATE: 8/11/2016
 TIME: 12:31:53PM

Agency code: 226

Agency name:
Sixth Court of Appeals District, Texarkana

CODE	DESCRIPTION	Excp 2018	Excp 2019
	Item Name: Restore the 4% Reduction of Base Item Priority: 1 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	62,581	62,580
TOTAL, OBJECT OF EXPENSE		\$62,581	\$62,580
METHOD OF FINANCING:			
1	General Revenue Fund	62,581	62,580
TOTAL, METHOD OF FINANCING		\$62,581	\$62,580
FULL-TIME EQUIVALENT POSITIONS (FTE):		1.00	1.00

DESCRIPTION / JUSTIFICATION:

This exceptional item would restore the 4% proposed budget reduction to the court's appropriations for FY 2018-19. In the 84th Session, legislative leadership recognized the need, even in tough economic times, for the courts to be able to attract and retain qualified attorneys and to provide adequate levels of staffing for all court functions. The ability to attract and retain experienced lawyers plays a vital role in the court's ability to fulfill its core function of timely processing and disposing of appeals while maintaining the high quality of justice to which the citizens of Texas are entitled. The court's budget predominantly goes toward salaries, thus a 4% reduction to the court's budget would necessarily reduce staffing and directly impact court productivity. The court does not have discretionary GR funds to absorb a 4% reduction without cutting integral staff. A reduction in staffing will very likely result in (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 during the biennium. We estimate the court's clearance rate would fall from 100% to 90%.

EXTERNAL/INTERNAL FACTORS:

Appellate work requires specialized knowledge with the high-level legal ability to analyze cases on appeal, assist with court opinions, and facilitate the processing of appeals to conclusion. This requires personnel that possess the requisite skills that can be obtained only through professional experience. Generally, law clerks do not possess the skills necessary to maximize efforts to assist the court in its workload. In addition, entry level support staff lack the requisite skills to fully support the court in its workload. The minimum number of lawyers an appellate court must have to perform at a reasonably productive and efficient level is two lawyers to each judge. Loss of experienced court lawyers creates difficulties in timely processing of and disposing of appeals and in maintaining professional business practices. Funding of this item will allow the court to retain its well qualified professional staff, which is a major factor in the court's ability to fulfill its core function of timely processing and disposing of appeals while maintaining the quality of justice to which the citizens of Texas are entitled.

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

DATE: 8/11/2016
TIME: 12:31:53PM

Agency code: 226

Agency name:

Sixth Court of Appeals District, Texarkana

CODE DESCRIPTION

Excp 2018

Excp 2019

DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :

Out-year costs necessary to retain attorney position that would be lost as a result of a 4% reduction.

ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:

2020	2021	2022
\$62,581	\$62,580	\$62,581

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

Code	Description	Excp 2018	Excp 2019
Item Name: Restore the 4% Reduction of Base			
Allocation to Strategy: 1-1-1 Appellate Court Operations			
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	10.00	10.00
<u>2</u>	Number of Criminal Cases Disposed	25.00	25.00
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	62,581	62,580
TOTAL, OBJECT OF EXPENSE		\$62,581	\$62,580
METHOD OF FINANCING:			
1	General Revenue Fund	62,581	62,580
TOTAL, METHOD OF FINANCING		\$62,581	\$62,580
FULL-TIME EQUIVALENT POSITIONS (FTE):		1.0	1.0

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

DATE: 8/11/2016
TIME: 12:31:54PM

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

CODE DESCRIPTION	Exp 2018	Exp 2019
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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	10.00	10.00
<u>2</u> Number of Criminal Cases Disposed	25.00	25.00

OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	62,581	62,580
Total, Objects of Expense	\$62,581	\$62,580

METHOD OF FINANCING:

1 General Revenue Fund	62,581	62,580
Total, Method of Finance	\$62,581	\$62,580

FULL-TIME EQUIVALENT POSITIONS (FTE):

1.0	1.0
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Restore the 4% Reduction of Base

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

Date: **8/11/2016**
 Time: **12:31:55PM**

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

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year 2014 - 2015 HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2014			Total Expenditures FY 2014		HUB Expenditures FY 2015			Total Expenditures FY 2015	
			% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$	% Goal	Actual \$	
11.2%	Heavy Construction	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	24.6 %	0.0%	-24.6%	\$0	\$17,005	26.0 %	0.0%	-26.0%	\$0	\$12,729	
21.1%	Commodities	21.0 %	0.9%	-20.1%	\$23	\$2,467	21.1 %	0.0%	-21.1%	\$0	\$117	
	Total Expenditures		0.1%		\$23	\$19,472		0.0%		\$0	\$12,846	

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

Attainment:

The Court did not attain either of the applicable statewide HUB procurement goals for FY 2014 and FY 2015.

Applicability:

The "Heavy Construction," "Building Construction," "Special Trade Construction," and "Professional Services" categories were not applicable to Court operations in fiscal years 2014 and 2015 since the court did not have any strategies or programs related to these categories.

Factors Affecting Attainment:

In fiscal years 2014 and 2015, the goal for "Other Services" was not met since there were no HUB vendors for the court's legal research. This represents 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, and other purchases were 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

ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2018-19 GAA BILL PATTERN	\$	170,000
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<u>Appellate Judicial System Funds</u>		
Estimated Beginning Balance in FY 2016	\$	98,826
Estimated Revenues FY 2016	\$	46,000
Estimated Revenues FY 2017	\$	42,000
FY-2016-17 Total	\$	186,826
Estimated Beginning Balance in FY 2018	\$	86,000
Estimated Revenues FY 2018	\$	42,000
Estimated Revenues FY 2019	\$	42,000
FY 2018-19 Total	\$	170,000
Constitutional or Statutory Creation and Use of Funds:		
<p>Texas Government Code, Sec. 22.2071 - Appellate Judicial System Fund</p>		
Method of Calculation and Revenue Assumptions:		
<p>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.</p>		

6.I. Percent Biennial Base Reduction Options

10 % REDUCTION

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

Date: 8/11/2016
Time: 3:30:49PM

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

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

1 Appellate Court Operations - Reduce Staffing

Category: Programs - Service Reductions (FTEs-Layoffs)

Item Comment: To achieve a 10%, or even a 5%, reduction in addition to the already reduced baseline budget for FY 18-19 would require us to lay off a second staff attorney. The appellate courts of Texas process, review, and decide by written opinion or order appeals from criminal and civil trial courts. This requires a highly skilled and trained professional workforce, including appellate court lawyers and clerical staff, who assist the justices of the court in disposing of cases and researching and writing opinions. If this plan is implemented, the Court will no longer have the resources needed to timely process and decide appeals. The cuts and reductions necessitated by a 10% reduction in General Revenue would further reduce our clearance rate from 90% to 80%, contribute to a significant backlog in case dispositions, and clog the Court's docket with pending cases.

Strategy: 1-1-1 Appellate Court Operations

General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$105,000	\$105,000	\$210,000
General Revenue Funds Total	\$0	\$0	\$0	\$105,000	\$105,000	\$210,000
Item Total	\$0	\$0	\$0	\$105,000	\$105,000	\$210,000

FTE Reductions (From FY 2018 and FY 2019 Base Request) **1.0** **1.0**

2 Appellate Court Operations - Reduce Staffing

Category: Programs - Service Reductions (Contracted)

Item Comment: A 10% reduction would further require us to lay off one of our support staff. This would add to the length of time required to process an appeal, thereby further affecting the clearance rate and delaying justice to litigants.

Strategy: 1-1-1 Appellate Court Operations

General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$45,193	\$45,193	\$90,386
General Revenue Funds Total	\$0	\$0	\$0	\$45,193	\$45,193	\$90,386
Item Total	\$0	\$0	\$0	\$45,193	\$45,193	\$90,386

6.I. Percent Biennial Base Reduction Options

10 % REDUCTION

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

Date: 8/11/2016
Time: 3:30:49PM

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

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			TARGET
	2018	2019	Biennial Total	2018	2019	Biennial Total	
FTE Reductions (From FY 2018 and FY 2019 Base Request)				1.0	1.0		
AGENCY TOTALS							
General Revenue Total				\$150,193	\$150,193	\$300,386	\$300,386
Agency Grand Total	\$0	\$0	\$0	\$150,193	\$150,193	\$300,386	
Difference, Options Total Less Target							
Agency FTE Reductions (From FY 2018 and FY 2019 Base Request)				2.0	2.0		

Agency code: 226

Agency name: Sixth Court of Appeals District, Texarkana

Strategy	Exp 2015	Est 2016	Bud 2017	BL 2018	BL 2019
1-1-1 Appellate Court Operations					
OBJECTS OF EXPENSE:					
1001 SALARIES AND WAGES	\$108,999	\$107,585	\$112,856	\$108,258	\$108,258
1002 OTHER PERSONNEL COSTS	5,494	2,128	4,331	1,984	1,984
2003 CONSUMABLE SUPPLIES	145	196	257	228	228
2004 UTILITIES	162	313	331	331	331
2005 TRAVEL	0	409	882	661	661
2009 OTHER OPERATING EXPENSE	4,794	6,315	6,606	5,970	5,970
Total, Objects of Expense	\$119,594	\$116,946	\$125,263	\$117,432	\$117,432

METHOD OF FINANCING:					
1 General Revenue Fund	119,594	116,946	125,263	117,432	117,432
Total, Method of Financing	\$119,594	\$116,946	\$125,263	\$117,432	\$117,432

FULL-TIME-EQUIVALENT POSITIONS (FTE):	1.5	1.0	1.0	1.0	1.0
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DESCRIPTION

The administrative and support costs of this strategy are related to the percentage of salaries and related operating costs of court personnel performing administrative functions. The percentage of time spent on administrative/support duties for this Court are as follows:

- Chief Justice 10%
- Chief Staff Attorney 1%
- Clerk 85%
- Chief Deputy Clerk 1%
- Custodial Manager (2015) 100%

Agency code: 226

Agency name: Sixth Court of Appeals District, Texarkana

	Exp 2015	Est 2016	Bud 2017	BL 2018	BL 2019
GRAND TOTALS					
Objects of Expense					
1001 SALARIES AND WAGES	\$108,999	\$107,585	\$112,856	\$108,258	\$108,258
1002 OTHER PERSONNEL COSTS	\$5,494	\$2,128	\$4,331	\$1,984	\$1,984
2003 CONSUMABLE SUPPLIES	\$145	\$196	\$257	\$228	\$228
2004 UTILITIES	\$162	\$313	\$331	\$331	\$331
2005 TRAVEL	\$0	\$409	\$882	\$661	\$661
2009 OTHER OPERATING EXPENSE	\$4,794	\$6,315	\$6,606	\$5,970	\$5,970
Total, Objects of Expense	\$119,594	\$116,946	\$125,263	\$117,432	\$117,432
Method of Financing					
1 General Revenue Fund	\$119,594	\$116,946	\$125,263	\$117,432	\$117,432
Total, Method of Financing	\$119,594	\$116,946	\$125,263	\$117,432	\$117,432
Full-Time-Equivalent Positions (FTE)	1.5	1.0	1.0	1.0	1.0