

LEGISLATIVE APPROPRIATIONS REQUEST

For Fiscal Years 2020 and 2021

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

By

Court of Appeals Fourth Court of Appeals District of Texas

Sandee Bryan Marion, Chief Justice	2020	San Antonio
Karen Angelini, Justice	2018	San Antonio
Marialyn Barnard, Justice	2018	San Antonio
Rebeca C. Martinez, Justice	2018	San Antonio
Patricia O. Alvarez, Justice	2018	San Antonio
Luz Elena D. Chapa, Justice	2018	San Antonio
Irene A. Rios, Justice	2022	San Antonio

August 3, 2018

Submitted By:


Keith E. Hottle, Clerk of the Court

Approved:


Sandee Bryan Marion, Chief Justice



Legislative Appropriations Request

For Fiscal Years 2020 and 2021

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

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

August 3, 2018

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Administrator's Statement

8/3/2018 11:57:53AM

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

224 Fourth Court of Appeals District, San Antonio

Administrator's Statement
86th Regular Session, Agency Submission
Automated Budget and Evaluation System of Texas (ABEST)

The core function of Texas intermediate appellate courts is to process, review, and decide by written opinion or order appeals from trial courts in both civil and criminal cases. In Fiscal Year 2017, 10,444 cases were added (cases filed, reinstated or remanded) to the dockets of the intermediate appellate courts in the State of Texas. Critical to the courts' ability to effectively resolve these legal disputes and dispose of these appeals, the appellate courts must employ a highly skilled and trained professional workforce, including appellate court lawyers and clerical staff, who assist the justices of the courts in disposing of cases and researching and writing opinions.

During the 79th and 80th Legislative Sessions, the fourteen courts of appeals worked together to develop guideline budgets under a collective framework known as Similar Funding for Same-Sized Courts. This collective approach served to streamline the appellate courts' appropriations process.

In the 81st, 82nd, and 83rd Legislative Sessions, the courts of appeals worked with the Legislature toward meeting their critical personnel needs by seeking full implementation of Similar Funding for Same-Sized Courts. This initiative proved difficult to fully fund, and these legislatures could only partially fund the needs of the courts.

During the 84th Legislative Session, the courts once again sought the funding necessary to fully implement the Similar Funding for Same-Sized Courts initiative and were appreciative when the Legislature fully funded this long-standing request. The courts remain grateful for the Legislature's support in this endeavor. This funding has enhanced the public's access to justice by giving the courts the resources needed to employ and retain a highly skilled and trained professional workforce that can process appeals more accurately and efficiently.

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

RIDER REQUESTS:

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

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

Historically, the Legislature has granted the courts exemption from certain limitations in the General Appropriations Act. They have also granted the courts the authority to carryover 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.

Administrator's Statement

8/3/2018 11:57:53AM

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

224 Fourth Court of Appeals District, San Antonio

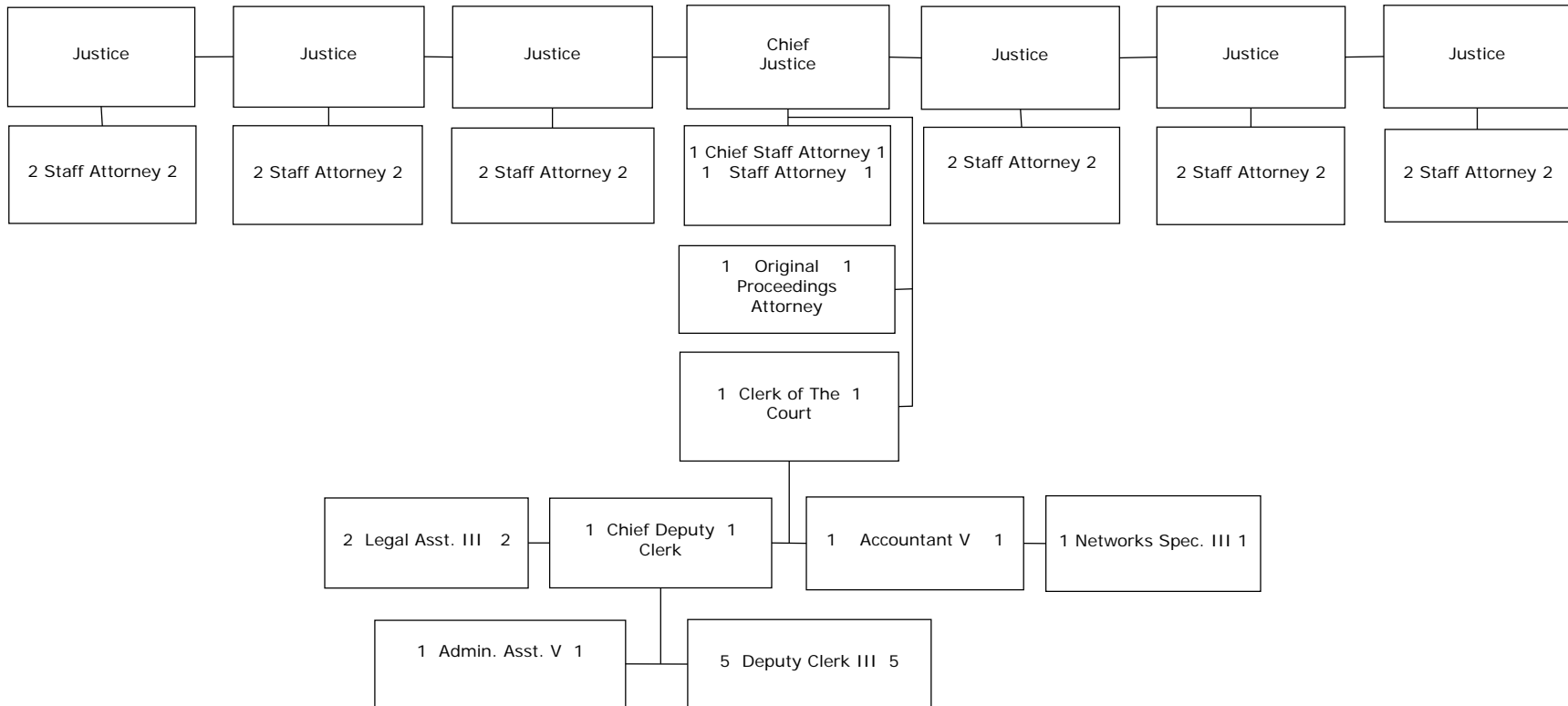
ADDITIONAL STATEMENTS OF SUPPORT:

In order for the courts of appeals to function efficiently, it is vital that the Office of Court Administration (OCA) be adequately funded. The courts of appeals rely on many of the services provided by OCA and, therefore, the courts of appeals fully support the exceptional items the OCA requests as part of its funding.

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

Finally, the courts of appeals wish to express appreciation to and support for the Judicial Compensation Commission and the Legislature's efforts to strengthen the justice system by increasing judicial salaries to attract and retain a strong judiciary. The courts of appeals request the Legislature implement the Judicial Compensation Commission's recommendations for an increase in judicial compensation.

**ORGANIZATION CHART
FOURTH COURT OF APPEALS
AGENCY 224
FY 2018 (2020-2021)**





CERTIFICATE

Agency Name Fourth Court of Appeals

This is to certify that the information contained in the agency Legislative Appropriations 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 (2018-19 GAA).

Chief Executive Officer or Presiding Judge

Sandee Bryan Marion
Signature

Sandee Bryan Marion
Printed Name

Chief Justice
Title

August 3, 2018
Date

Board or Commission Chair

Signature

Printed Name

Title

Date

Chief Financial Officer

Keith E. Hottle
Signature

Keith E. Hottle
Printed Name

Clerk of the Court
Title

August 3, 2018
Date

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

224 Fourth Court of Appeals District, San Antonio
Appropriation Years: 2020-21

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS
	2018-19	2020-21	2018-19	2020-21	2018-19	2020-21	2018-19	2020-21	2018-19	2020-21	2020-21
Goal: 1. Appellate Court Operations											
1.1.1. Appellate Court Operations	6,727,958	6,727,958					536,629	532,100	7,264,587	7,260,058	
Total, Goal	6,727,958	6,727,958					536,629	532,100	7,264,587	7,260,058	
Total, Agency	6,727,958	6,727,958					536,629	532,100	7,264,587	7,260,058	
Total FTEs									34.0	34.0	0.0

2.A. Summary of Base Request by Strategy

8/3/2018 11:57:56AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

224 Fourth Court of Appeals District, San Antonio

Goal / Objective / STRATEGY	Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
<u>1</u> Appellate Court Operations					
<u>1</u> Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	3,635,981	3,634,558	3,630,029	3,630,029	3,630,029
TOTAL, GOAL 1	\$3,635,981	\$3,634,558	\$3,630,029	\$3,630,029	\$3,630,029
TOTAL, AGENCY STRATEGY REQUEST	\$3,635,981	\$3,634,558	\$3,630,029	\$3,630,029	\$3,630,029
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$3,635,981	\$3,634,558	\$3,630,029	\$3,630,029	\$3,630,029

2.A. Summary of Base Request by Strategy

8/3/2018 11:57:56AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

224 Fourth Court of Appeals District, San Antonio

Goal / Objective / STRATEGY	Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
<u>METHOD OF FINANCING:</u>					
General Revenue Funds:					
1 General Revenue Fund	3,364,225	3,363,979	3,363,979	3,363,979	3,363,979
SUBTOTAL	\$3,364,225	\$3,363,979	\$3,363,979	\$3,363,979	\$3,363,979
Other Funds:					
573 Judicial Fund	213,050	213,050	213,050	213,050	213,050
666 Appropriated Receipts	21,348	15,529	11,000	11,000	11,000
777 Interagency Contracts	37,358	42,000	42,000	42,000	42,000
SUBTOTAL	\$271,756	\$270,579	\$266,050	\$266,050	\$266,050
TOTAL, METHOD OF FINANCING	\$3,635,981	\$3,634,558	\$3,630,029	\$3,630,029	\$3,630,029

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

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

8/3/2018 11:57:56AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 224		Agency name: Fourth Court of Appeals District, San Antonio				
METHOD OF FINANCING		Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
<u>GENERAL REVENUE</u>						
<u>1</u>	General Revenue Fund					
	<i>REGULAR APPROPRIATIONS</i>					
	Regular Appropriations from MOF Table (2016-17 GAA)	\$3,311,993	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2018-19 GAA)	\$0	\$3,363,979	\$3,363,979	\$0	\$0
	Regular Appropriations from MOF Table (2020-21 GAA)	\$0	\$0	\$0	\$3,363,979	\$3,363,979
	<i>TRANSFERS</i>					
	Art IX, Sec 18.02, Salary Increase for General State Employees (2016-17)	\$45,060	\$0	\$0	\$0	\$0
	<i>LAPSED APPROPRIATIONS</i>					
	Lapsed Appropriation	\$(16,780)	\$0	\$0	\$0	\$0
	<i>UNEXPENDED BALANCES AUTHORITY</i>					

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

8/3/2018 11:57:56AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 224		Agency name: Fourth Court of Appeals District, San Antonio				
METHOD OF FINANCING		Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
<u>GENERAL REVENUE</u>						
Strategy A.1.1, Appellate Court Operations (2016-17 GAA)		\$23,952	\$0	\$0	\$0	\$0
TOTAL,	General Revenue Fund	\$3,364,225	\$3,363,979	\$3,363,979	\$3,363,979	\$3,363,979
TOTAL, ALL	GENERAL REVENUE	\$3,364,225	\$3,363,979	\$3,363,979	\$3,363,979	\$3,363,979
<u>OTHER FUNDS</u>						
<u>573</u>	Judicial Fund No. 573					
	<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations from MOF Table (2016-17 GAA)		\$213,050	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2018-19 GAA)		\$0	\$213,050	\$213,050	\$0	\$0
Regular Appropriations from MOF Table (2020-21 GAA)		\$0	\$0	\$0	\$213,050	\$213,050
TOTAL,	Judicial Fund No. 573	\$213,050	\$213,050	\$213,050	\$213,050	\$213,050

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

8/3/2018 11:57:56AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 224		Agency name: Fourth Court of Appeals District, San Antonio				
METHOD OF FINANCING		Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
<u>OTHER FUNDS</u>						
<u>666</u>	Appropriated Receipts					
	<i>REGULAR APPROPRIATIONS</i>					
	Regular Appropriations from MOF Table (2016-17 GAA)	\$11,000	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2018-19 GAA)	\$0	\$11,000	\$11,000	\$0	\$0
	Regular Appropriations from MOF Table (2020-21 GAA)	\$0	\$0	\$0	\$11,000	\$11,000
	<i>RIDER APPROPRIATION</i>					
	Art IX, Sec 8.02, Reimbursements and Payments (2016-17 GAA)	\$10,348	\$0	\$0	\$0	\$0
	Art IX, Sec 8.02, Reimbursements and Payments (2018-19 GAA)	\$0	\$4,529	\$0	\$0	\$0
TOTAL,	Appropriated Receipts	\$21,348	\$15,529	\$11,000	\$11,000	\$11,000

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

8/3/2018 11:57:56AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 224		Agency name: Fourth Court of Appeals District, San Antonio				
METHOD OF FINANCING		Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
<u>OTHER FUNDS</u>						
<u>777</u>	Interagency Contracts					
	<i>REGULAR APPROPRIATIONS</i>					
	Regular Appropriations from MOF Table (2016-17 GAA)					
		\$42,000	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2018-19 GAA)					
		\$0	\$42,000	\$42,000	\$0	\$0
	Regular Appropriations from MOF Table (2020-21 GAA)					
		\$0	\$0	\$0	\$42,000	\$42,000
	<i>LAPSED APPROPRIATIONS</i>					
	Lapsed Appropriations					
		\$(4,642)	\$0	\$0	\$0	\$0
TOTAL,	Interagency Contracts	\$37,358	\$42,000	\$42,000	\$42,000	\$42,000
TOTAL, ALL	OTHER FUNDS	\$271,756	\$270,579	\$266,050	\$266,050	\$266,050

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

8/3/2018 11:57:56AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 224	Agency name: Fourth Court of Appeals District, San Antonio				
METHOD OF FINANCING	Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
GRAND TOTAL	\$3,635,981	\$3,634,558	\$3,630,029	\$3,630,029	\$3,630,029
FULL-TIME-EQUIVALENT POSITIONS					
REGULAR APPROPRIATIONS					
Regular Appropriations from MOF Table (2016-17 GAA)	39.0	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2018-19 GAA)	0.0	34.0	34.0	0.0	0.0
Regular Appropriations from MOF Table (2020-21)	0.0	0.0	0.0	34.0	34.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP					
UNAUTHORIZED NUMBER OVER (BELOW) CAP	(5.7)	0.0	0.0	0.0	0.0
TOTAL, ADJUSTED FTES	33.3	34.0	34.0	34.0	34.0
NUMBER OF 100% FEDERALLY FUNDED FTEs					
	0.0	0.0	0.0	0.0	0.0

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

8/3/2018 11:57:56AM

86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)**224 Fourth Court of Appeals District, San Antonio**

OBJECT OF EXPENSE	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
1001 SALARIES AND WAGES	\$3,246,362	\$3,290,217	\$3,363,138	\$3,363,138	\$3,363,138
1002 OTHER PERSONNEL COSTS	\$191,636	\$152,902	\$81,088	\$81,088	\$85,256
2001 PROFESSIONAL FEES AND SERVICES	\$0	\$75	\$9,260	\$9,260	\$5,092
2003 CONSUMABLE SUPPLIES	\$9,277	\$6,114	\$7,498	\$7,498	\$7,498
2004 UTILITIES	\$2,646	\$2,562	\$4,235	\$4,235	\$4,235
2005 TRAVEL	\$791	\$0	\$1,100	\$1,100	\$1,100
2006 RENT - BUILDING	\$29,182	\$36,053	\$18,000	\$18,000	\$18,000
2007 RENT - MACHINE AND OTHER	\$715	\$660	\$1,874	\$1,874	\$1,874
2009 OTHER OPERATING EXPENSE	\$155,372	\$145,975	\$143,836	\$143,836	\$143,836
OOE Total (Excluding Riders)	\$3,635,981	\$3,634,558	\$3,630,029	\$3,630,029	\$3,630,029
OOE Total (Riders)					
Grand Total	\$3,635,981	\$3,634,558	\$3,630,029	\$3,630,029	\$3,630,029

2.C.1. Operating Costs Detail ~ Base Request

Date: 8/3/2018
Time: 11:57:57AM86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

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

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

Code	Type of Expense	Expended 2017	Estimated 2018	Budgeted 2019	Requested 2020	Requested 2021
2	Postage	\$3,000	\$7,240	\$4,500	\$4,500	\$4,500
5	Westlaw/Lexis	18,624	19,188	19,764	19,764	19,764
6	Registrations/Training	0	0	1,050	1,050	1,050
11	Misc. Operating Costs	137	325	255	255	255
12	Maintenance & Repair - Equipment	1,302	1,283	1,120	1,120	1,120
13	Furniture & Equipment (Expensed)	11,985	3,282	7,626	7,626	7,626
15	Printing & Reproduction	954	938	484	484	484
24	Freight/Delivery	1,828	1,010	5,600	5,600	5,600
35	Computer Equip./Software, Non-cap	20,099	2,581	5,100	5,100	5,100
46	Communication Services	2,724	1,375	4,140	4,140	4,140
56	Computer Equipment - Expensed	0	0	120	120	120
61	Purchase of Contract Services	378	0	220	220	220
64	SORM Assessment	3,356	3,400	0	0	0
157	Fees and Other Charges	11	12,689	0	0	0
164	Books/Reference Materials	45,519	45,944	47,000	47,000	47,000
171	Insurance Premiums	4,354	4,800	4,900	4,900	4,900
195	Payroll Health Insurance Contrib.	30,560	31,162	31,157	31,157	31,157
196	Additional Retirement	10,541	10,758	10,800	10,800	10,800
Total, Operating Costs		\$155,372	\$145,975	\$143,836	\$143,836	\$143,836

2.D. Summary of Base Request Objective Outcomes

8/3/2018 11:57:57AM

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

224 Fourth Court of Appeals District, San Antonio

Goal/ Objective / Outcome		Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
1	Appellate Court Operations					
	1 Appellate Court Operations					
KEY	1 Clearance Rate					
		95.10%	100.52%	100.00%	100.00%	100.00%
KEY	2 Percentage of Cases Under Submission for Less Than One Year					
		100.00%	100.00%	100.00%	100.00%	100.00%
KEY	3 Percentage of Cases Pending for Less Than Two Years					
		99.97%	99.98%	100.00%	100.00%	100.00%

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

DATE : 8/3/2018
TIME : 11:57:57AM

Agency code: 224	Agency name: Fourth Court of Appeals District, San Antonio					
Goal/Objective/STRATEGY	Base 2020	Base 2021	Exceptional 2020	Exceptional 2021	Total Request 2020	Total Request 2021
1 Appellate Court Operations						
1 Appellate Court Operations						
1 APPELLATE COURT OPERATIONS	\$3,630,029	\$3,630,029	\$0	\$0	\$3,630,029	\$3,630,029
TOTAL, GOAL 1	\$3,630,029	\$3,630,029	\$0	\$0	\$3,630,029	\$3,630,029
TOTAL, AGENCY STRATEGY REQUEST	\$3,630,029	\$3,630,029	\$0	\$0	\$3,630,029	\$3,630,029
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$3,630,029	\$3,630,029	\$0	\$0	\$3,630,029	\$3,630,029

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

DATE : 8/3/2018
TIME : 11:57:57AM

Agency code: 224		Agency name: Fourth Court of Appeals District, San Antonio					
Goal/Objective/STRATEGY		Base 2020	Base 2021	Exceptional 2020	Exceptional 2021	Total Request 2020	Total Request 2021
General Revenue Funds:							
1	General Revenue Fund	\$3,363,979	\$3,363,979	\$0	\$0	\$3,363,979	\$3,363,979
		\$3,363,979	\$3,363,979	\$0	\$0	\$3,363,979	\$3,363,979
Other Funds:							
573	Judicial Fund	213,050	213,050	0	0	213,050	213,050
666	Appropriated Receipts	11,000	11,000	0	0	11,000	11,000
777	Interagency Contracts	42,000	42,000	0	0	42,000	42,000
		\$266,050	\$266,050	\$0	\$0	\$266,050	\$266,050
TOTAL, METHOD OF FINANCING		\$3,630,029	\$3,630,029	\$0	\$0	\$3,630,029	\$3,630,029
FULL TIME EQUIVALENT POSITIONS		34.0	34.0	0.0	0.0	34.0	34.0

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

Date : 8/3/2018
Time: 11:57:57AM

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

Goal/ Objective / Outcome

		BL 2020	BL 2021	Excp 2020	Excp 2021	Total Request 2020	Total Request 2021
1	Appellate Court Operations						
1	Appellate Court Operations						
KEY	1 Clearance Rate						
		100.00%	100.00%	0.00%	0.00%	100.00%	100.00%
KEY	2 Percentage of Cases Under Submission for Less Than One Year						
		100.00%	100.00%	0.00%	0.00%	100.00%	100.00%
KEY	3 Percentage of Cases Pending for Less Than Two Years						
		100.00%	100.00%	0.00%	0.00%	100.00%	100.00%

224 Fourth Court of Appeals District, San Antonio

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

Service Categories:

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

CODE	DESCRIPTION	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
Output Measures:						
1	Number of Civil Cases Disposed	505.00	487.00	501.00	501.00	501.00
2	Number of Criminal Cases Disposed	310.00	361.00	355.00	355.00	355.00
Explanatory/Input Measures:						
1	Number of Civil Cases Filed	476.00	493.00	478.00	478.00	478.00
2	Number of Criminal Cases Filed	354.00	346.00	359.00	359.00	359.00
3	Number of Cases Transferred in	0.00	0.00	0.00	0.00	0.00
4	Number of Cases Transferred out	0.00	16.00	0.00	0.00	0.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$3,246,362	\$3,290,217	\$3,363,138	\$3,363,138	\$3,363,138
1002	OTHER PERSONNEL COSTS	\$191,636	\$152,902	\$81,088	\$81,088	\$85,256
2001	PROFESSIONAL FEES AND SERVICES	\$0	\$75	\$9,260	\$9,260	\$5,092
2003	CONSUMABLE SUPPLIES	\$9,277	\$6,114	\$7,498	\$7,498	\$7,498
2004	UTILITIES	\$2,646	\$2,562	\$4,235	\$4,235	\$4,235
2005	TRAVEL	\$791	\$0	\$1,100	\$1,100	\$1,100
2006	RENT - BUILDING	\$29,182	\$36,053	\$18,000	\$18,000	\$18,000
2007	RENT - MACHINE AND OTHER	\$715	\$660	\$1,874	\$1,874	\$1,874
2009	OTHER OPERATING EXPENSE	\$155,372	\$145,975	\$143,836	\$143,836	\$143,836

224 Fourth Court of Appeals District, San Antonio

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

Service Categories:

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

CODE	DESCRIPTION	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
TOTAL, OBJECT OF EXPENSE		\$3,635,981	\$3,634,558	\$3,630,029	\$3,630,029	\$3,630,029
Method of Financing:						
1	General Revenue Fund	\$3,364,225	\$3,363,979	\$3,363,979	\$3,363,979	\$3,363,979
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$3,364,225	\$3,363,979	\$3,363,979	\$3,363,979	\$3,363,979
Method of Financing:						
573	Judicial Fund	\$213,050	\$213,050	\$213,050	\$213,050	\$213,050
666	Appropriated Receipts	\$21,348	\$15,529	\$11,000	\$11,000	\$11,000
777	Interagency Contracts	\$37,358	\$42,000	\$42,000	\$42,000	\$42,000
SUBTOTAL, MOF (OTHER FUNDS)		\$271,756	\$270,579	\$266,050	\$266,050	\$266,050
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$3,630,029	\$3,630,029
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$3,635,981	\$3,634,558	\$3,630,029	\$3,630,029	\$3,630,029
FULL TIME EQUIVALENT POSITIONS:		33.3	34.0	34.0	34.0	34.0
STRATEGY DESCRIPTION AND JUSTIFICATION:						

224 Fourth Court of Appeals District, San Antonio

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

Service Categories:

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

CODE	DESCRIPTION	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
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The Fourth Court of Appeals was created in 1893 by an amendment to Article 1822, V.T.C.S. pursuant to authority granted by Article V Section 1, Texas Constitution. This Court has intermediate appellate jurisdiction of civil and criminal cases appealed from lower courts in civil cases where judgments rendered exceed \$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. This Court has jurisdiction in thirty-two counties.

The core function of the state courts of appeals is to provide justice for the thousands of litigants who seek review of trial court judgments that affect their lives and their businesses. 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.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

Courts of Appeals are relatively small entities with specialized staffing requirements. The core function of the court is to process and review appeals from civil and criminal trial courts. This requires a highly skilled and trained professional workforce of appellate court lawyers who assist the judges of the court in disposing of cases and research and writing opinions. Maintaining current funding levels will allow the court to recruit and retain well qualified professional staff, which is a major factor in the court's ability to fulfill its core function of timely processing and disposing of appeals while maintaining the quality of justice to which the citizens of Texas are entitled.

224 Fourth Court of Appeals District, San Antonio

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

Service Categories:

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

CODE	DESCRIPTION	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
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EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL CHANGE</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
<u>Base Spending (Est 2018 + Bud 2019)</u>	<u>Baseline Request (BL 2020 + BL 2021)</u>		<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$7,264,587	\$7,260,058	\$(4,529)	\$(4,529)	Additional appropriated receipts collected in FY2018.
			<u>\$(4,529)</u>	Total of Explanation of Biennial Change

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$3,635,981	\$3,634,558	\$3,630,029	\$3,630,029	\$3,630,029
METHODS OF FINANCE (INCLUDING RIDERS):				\$3,630,029	\$3,630,029
METHODS OF FINANCE (EXCLUDING RIDERS):	\$3,635,981	\$3,634,558	\$3,630,029	\$3,630,029	\$3,630,029
FULL TIME EQUIVALENT POSITIONS:	33.3	34.0	34.0	34.0	34.0

3.B. Rider Revisions and Additions Request

Agency Code: 224	Agency Name: Fourth Court of Appeals, District	Prepared By: Keith E. Hottle	Date: 8/3/2018	Request Level: Baseline
Current Rider Number	Page Number in 2018-19 GAA	Proposed Rider Language		

6

IV-39

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 ~~2018~~2020 and ~~2019~~2021, 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 2020-2021 biennium.

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

Date: **8/3/2018**
Time: **11:57:59AM**

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

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year 2016 - 2017 HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2016			Total Expenditures		HUB Expenditures FY 2017			Total Expenditures	
			% Actual	Diff	Actual \$	FY 2016	% Goal	% Actual	Diff	Actual \$	FY 2017	
11.2%	Heavy Construction	11.2 %	0.0%	-11.2%	\$0	\$0	11.2 %	0.0%	-11.2%	\$0	\$0	
21.1%	Building Construction	21.1 %	0.0%	-21.1%	\$0	\$0	21.1 %	0.0%	-21.1%	\$0	\$0	
32.9%	Special Trade	32.9 %	0.0%	-32.9%	\$0	\$0	32.9 %	0.0%	-32.9%	\$0	\$0	
23.7%	Professional Services	23.7 %	0.0%	-23.7%	\$0	\$0	23.7 %	0.0%	-23.7%	\$0	\$0	
26.0%	Other Services	26.0 %	0.0%	-26.0%	\$0	\$29,982	26.0 %	0.0%	-26.0%	\$0	\$29,512	
21.1%	Commodities	21.1 %	38.0%	16.9%	\$7,518	\$19,768	21.1 %	11.5%	-9.6%	\$4,394	\$38,359	
	Total Expenditures		15.1%		\$7,518	\$49,750		6.5%		\$4,394	\$67,871	

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

Attainment:

The court attained or exceeded one of two of the applicable statewide HUB procurement goals in FY 2016, but it did not attain the applicable statewide HUB procurement goals in FY 2017.

Applicability:

The "Heavy Construction", "Building Construction", and "Special Trade Construction" categories are not applicable to court operations in fiscal years 2016 and 2017.

Factors Affecting Attainment:

In both fiscal years 2016 and 2017 the goal of the "Other Services" was not met since the main expense of that category was for publications that are only available from sole source vendors. The restriction limits the court in contracting with non-HUB vendors.

"Good-Faith" Efforts:

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

-ensured that contract specifications, terms, and conditions reflected the agency's actual requirements, were clearly stated, and did not impose unreasonable or unnecessary contract requirements.

-provided potential bidders with a list of certified HUBs for subcontracting, and

-prepared and distributed information on procurement procedures in a manner that encouraged participation in agency contracts by all businesses.

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

ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2018-19 GAA BILL PATTERN	\$	843,968
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Fund Name

Estimated Beginning Balance in FY 2018	\$	288,056
Estimated Revenues FY 2018	\$	244,993
Estimated Revenues FY 2019	\$	244,993
FY 2018-19 Total	\$	778,042
Estimated Beginning Balance in FY 2020	\$	353,982
Estimated Revenues FY 2020	\$	244,993
Estimated Revenues FY 2021	\$	244,993
FY 2020-21 Total	\$	843,968

Constitutional or Statutory Creation and Use of Funds:

Section 22.2051 of the Texas Government Code provides that the commissioners court of each county in the Fourth Court of Appeals District, by order entered in its minutes, shall establish an appellate judicial system to (1) assist the court of appeals for the county in the processing of appeals filed with the court of appeals from the county courts, county courts at law, probate courts, and district courts; and (2) defray costs and expenses incurred by the county under Section 22.205. The commissioners court shall fund the system by setting a court costs fee of not more than \$5 for each civil suit filed in county court, county court at law, probate court, or district court in the county. The fund may not be used for any other purpose.

Method of Calculation and Revenue Assumptions:

Revenue assumptions are based on current year collections. The number of civil suits filed determines the actual revenue received.

6.I. Percent Biennial Base Reduction Options

10 % REDUCTION

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

Date: 8/3/2018
Time: 11:58:03AM

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

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

1 FTE - Layoffs

Category: Administrative - FTEs / Layoffs

Item Comment: A 10% reduction in the Fourth Court's General Revenue is \$336,398. Approximately 96% of the court's funding is dedicated to staffing. A 10% reduction will require 7 permanent staff attorney positions be reclassified to law clerk and the elimination of 1 Deputy Clerk III. A staff attorney is an experienced attorney while a law clerk is a recent law school graduate who serves for a defined term, usually one year. The reclassification of these positions will result in the elimination of 46% of the court's permanent legal staff. The loss of a Deputy Clerk III constitutes the elimination of 20% of the court's classified workforce.

The reduction in salary needed to reclassify these positions to law clerk drops the salary well below entry level legal positions in both the public and private sectors and will deter top graduates from applying with the Court. It also negates the advances made in fully implementing the Similar Funding for Same-size Courts initiative during the 84th Legislative Session, which gave the courts the resources needed to create permanent staff attorney positions within the appellate courts. This action in concert with the elimination of a Deputy Clerk III will result in an annual reduction in the court's General Revenue of \$336,398.

A 2.5% incremental implementation of a 10% reduction totaling \$84,099, would necessitate the elimination and reclassification of 2 permanent staff attorney positions. If any of these reductions are implemented, the Court will not have the resources needed to timely process and decide appeals, leaving the Court unable to fulfill its mission of providing appellate services to thirty-two counties in central and south Texas. The cuts and reductions necessitated this decrease in GR will adversely affect clearance rates, 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	\$84,099	\$84,099	\$168,198
General Revenue Funds Total	\$0	\$0	\$0	\$84,099	\$84,099	\$168,198
Item Total	\$0	\$0	\$0	\$84,099	\$84,099	\$168,198
FTE Reductions (From FY 2020 and FY 2021 Base Request)				2.0	2.0	

6.I. Percent Biennial Base Reduction Options

10 % REDUCTION

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

Date: 8/3/2018
Time: 11:58:03AM

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

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

2 FTE - Layoffs

Category: Administrative - FTEs / Layoffs

Item Comment: A 10% reduction in the Fourth Court's General Revenue is \$336,398. Approximately 96% of the court's funding is dedicated to staffing. A 10% reduction will require 7 permanent staff attorney positions be reclassified to law clerk and the elimination of 1 Deputy Clerk III. A staff attorney is an experienced attorney while a law clerk is a recent law school graduate who serves for a defined term, usually one year. The reclassification of these positions will result in the elimination of 46% of the court's permanent legal staff. The loss of a Deputy Clerk III constitutes the elimination of 20% of the court's classified workforce.

The reduction in salary needed to reclassify these positions to law clerk drops the salary well below entry level legal positions in both the public and private sectors and will deter top graduates from applying with the Court. It also negates the advances made in fully implementing the Similar Funding for Same-size Courts initiative during the 84th Legislative Session, which gave the courts the resources needed to create permanent staff attorney positions within the appellate courts. This action in concert with the elimination of a Deputy Clerk III will result in an annual reduction in the court's General Revenue of \$336,398.

A 5% incremental implementation of a 10% reduction totaling \$168,198, would necessitate the elimination and reclassification of 4 permanent staff attorney positions. If any of these reductions are implemented, the Court will not have the resources needed to timely process and decide appeals, leaving the Court unable to fulfill its mission of providing appellate services to thirty-two counties in central and south Texas. The cuts and reductions necessitated this decrease in GR will adversely affect clearance rates, 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	\$84,099	\$84,099	\$168,198
General Revenue Funds Total	\$0	\$0	\$0	\$84,099	\$84,099	\$168,198
Item Total	\$0	\$0	\$0	\$84,099	\$84,099	\$168,198
FTE Reductions (From FY 2020 and FY 2021 Base Request)				2.0	2.0	

6.I. Percent Biennial Base Reduction Options

10 % REDUCTION

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

Date: 8/3/2018
Time: 11:58:03AM

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

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

3 FTE - Layoffs

Category: Administrative - FTEs / Layoffs

Item Comment: A 10% reduction in the Fourth Court's General Revenue is \$336,398. Approximately 96% of the court's funding is dedicated to staffing. A 10% reduction will require 7 permanent staff attorney positions be reclassified to law clerk and the elimination of 1 Deputy Clerk III. A staff attorney is an experienced attorney while a law clerk is a recent law school graduate who serves for a defined term, usually one year. The reclassification of these positions will result in the elimination of 46% of the court's permanent legal staff. The loss of a Deputy Clerk III constitutes the elimination of 20% of the court's classified workforce.

The reduction in salary needed to reclassify these positions to law clerk drops the salary well below entry level legal positions in both the public and private sectors and will deter top graduates from applying with the Court. It also negates the advances made in fully implementing the Similar Funding for Same-size Courts initiative during the 84th Legislative Session, which gave the courts the resources needed to create permanent staff attorney positions within the appellate courts. This action in concert with the elimination of a Deputy Clerk III will result in an annual reduction in the court's General Revenue of \$336,398.

A 7.5% incremental implementation of a 10% reduction totaling \$252,297, would necessitate the elimination and reclassification of 6 permanent staff attorney positions. If any of these reductions are implemented, the Court will not have the resources needed to timely process and decide appeals, leaving the Court unable to fulfill its mission of providing appellate services to thirty-two counties in central and south Texas. The cuts and reductions necessitated this decrease in GR will adversely affect clearance rates, 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	\$84,099	\$84,099	\$168,198
General Revenue Funds Total	\$0	\$0	\$0	\$84,099	\$84,099	\$168,198
Item Total	\$0	\$0	\$0	\$84,099	\$84,099	\$168,198
FTE Reductions (From FY 2020 and FY 2021 Base Request)				2.0	2.0	

6.I. Percent Biennial Base Reduction Options

10 % REDUCTION

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

Date: 8/3/2018
Time: 11:58:03AM

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

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

4 FTE - Layoffs

Category: Administrative - FTEs / Layoffs

Item Comment: A 10% reduction in the Fourth Court's General Revenue is \$336,398. Approximately 96% of the court's funding is dedicated to staffing. A 10% reduction will require 7 permanent staff attorney positions be reclassified to law clerk and the elimination of 1 Deputy Clerk III. A staff attorney is an experienced attorney while a law clerk is a recent law school graduate who serves for a defined term, usually one year. The reclassification of these positions will result in the elimination of 46% of the court's permanent legal staff. The loss of a Deputy Clerk III constitutes the elimination of 20% of the court's classified workforce.

The reduction in salary needed to reclassify these positions to law clerk drops the salary well below entry level legal positions in both the public and private sectors and will deter top graduates from applying with the Court. It also negates the advances made in fully implementing the Similar Funding for Same-size Courts initiative during the 84th Legislative Session, which gave the courts the resources needed to create permanent staff attorney positions within the appellate courts. This action in concert with the elimination of a Deputy Clerk III will result in an annual reduction in the court's General Revenue of \$336,398.

A 10% reduction totaling \$336,398, would necessitate the elimination and reclassification of 7 permanent staff attorney positions and the elimination of 1 Deputy Clerk III position. If any of these reductions are implemented, the Court will not have the resources needed to timely process and decide appeals, leaving the Court unable to fulfill its mission of providing appellate services to thirty-two counties in central and south Texas. The cuts and reductions necessitated this decrease in GR will adversely affect clearance rates, 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	\$84,101	\$84,101	\$168,202
General Revenue Funds Total	\$0	\$0	\$0	\$84,101	\$84,101	\$168,202
Item Total	\$0	\$0	\$0	\$84,101	\$84,101	\$168,202
FTE Reductions (From FY 2020 and FY 2021 Base Request)				2.0	2.0	

6.I. Percent Biennial Base Reduction Options**10 % REDUCTION**

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

Date: 8/3/2018
 Time: 11:58:03AM

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

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			PROGRAM AMOUNT		TARGET
	2020	2021	Biennial Total	2020	2021	Biennial Total	2020	2021	Biennial Total
AGENCY TOTALS									
General Revenue Total				\$336,398	\$336,398	\$672,796			\$672,796
Agency Grand Total	\$0	\$0	\$0	\$336,398	\$336,398	\$672,796			\$672,796
Difference, Options Total Less Target									
Agency FTE Reductions (From FY 2020 and FY 2021 Base Request)				8.0	8.0				
Article Total				\$336,398	\$336,398	\$672,796			
Statewide Total				\$336,398	\$336,398	\$672,796			