

LEGISLATIVE APPROPRIATIONS REQUEST

**For Fiscal Years 2020 and 2021**

Submitted to the  
Governor's Office of Budget, Planning and Policy  
and the Legislative Budget Board

by

***COURT OF APPEALS, NINTH DISTRICT  
BEAUMONT, TEXAS***

***Chief Justice Steve McKeithen***

***Justice Charles Kreger***

***Justice Hollis Horton***

***Justice Leanne Johnson***

***Prepared by Carol Anne Harley  
Clerk of the Court***

***July 25, 2018***

## TABLE OF CONTENTS

	PAGE
Title Page	
Table of Contents	
Administrator’s Statement.....	1. Page 1-2
Organizational Chart .....	1.A. Page 1
Summary of Base Request by Strategy .....	2.A. Page 1-2
Summary of Base Request by Method of Finance .....	2.B. Page 1-4
Summary of Base Request by Object of Expense .....	2.C. Page 1
Summary of Base Request Objective Outcomes .....	2.D. Page 1
Summary of Total Request by Strategy .....	2.F. Page 1-2
Summary of Total Request Objective Outcomes .....	2.G. Page 1
Strategy Request .....	3.A. Page 1-4
Rider Revisions and Additions Request.....	3.B. Page 1
Historically Underutilized Business Supporting Schedule.....	6.A. Page 1
Estimated Total of All Agency Funds Outside the GAA Bill Pattern.....	6.H. Page 1
Allocation of the Biennial Ten Percent Reduction to Strategies Schedule.....	6.I. Page 1-3
Capital Expenditure Detail.....	8.A.

**Administrator's Statement**

7/26/2018 9:42:51AM

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

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**229 Ninth Court of Appeals District, Beaumont**

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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, 83rd, and 84th 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 85th 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 Ninth 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 85th 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 Ninth 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.

**ADDITIONAL STATEMENTS OF SUPPORT:**

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.

The courts of appeals have been able to streamline operations by utilizing many services consolidated through the Office of Court Administration. If the OCA's request is

**Administrator's Statement**

7/26/2018 9:42:51AM

86th Regular Session, Agency Submission, Version 1  
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**229 Ninth Court of Appeals District, Beaumont**

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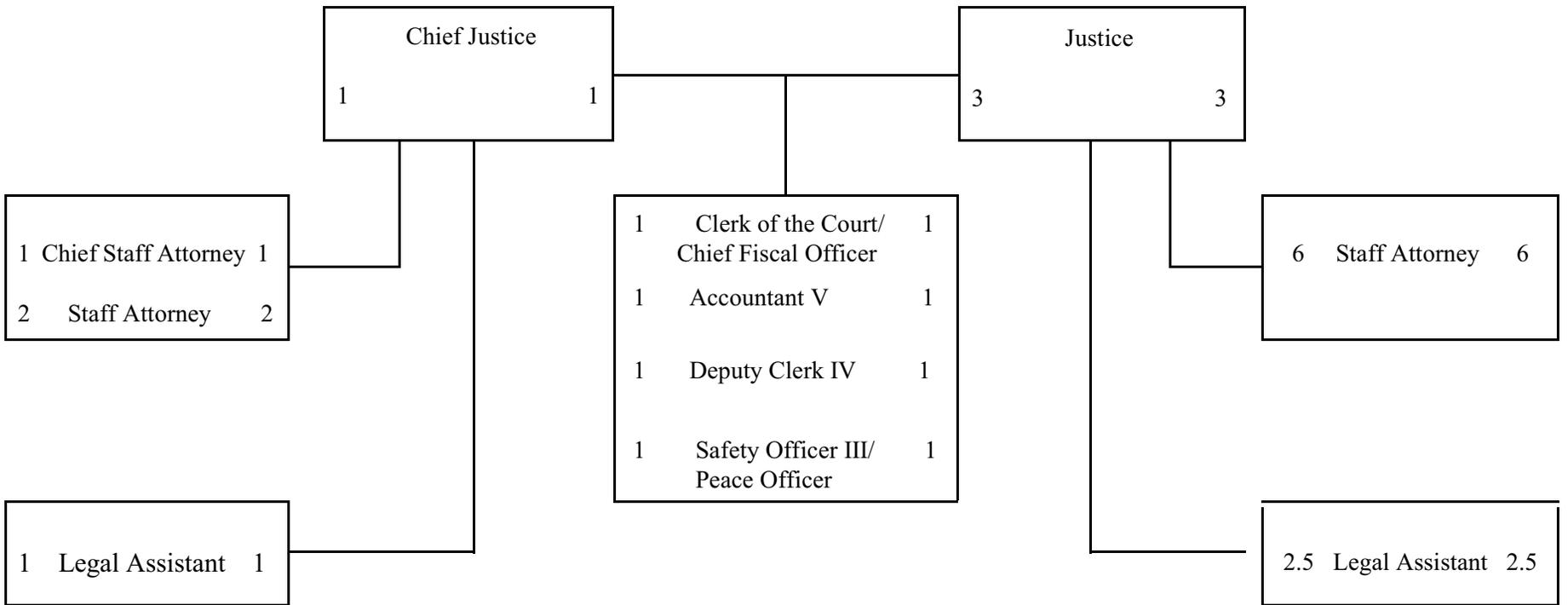
not fully funded for the 2020-21 biennium, the individual appellate courts would need additional funds to compensate for the services OCA now provides. For example, rather than each court maintaining its own separate technology support network, the courts rely on consolidated technology services provided by OCA.

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

Note: on Appropriated Receipts – At the direction of the LBB & Governor's Office, this Court has included appropriated receipts in the amount of \$8,000.00 reflecting reimbursement for copies of opinions and other court documents. These amounts are merely an offset for additional expenses incurred by the Court and do not constitute additional funds available for general expenditures for the Court. The amount can vary significantly from year to year.

**Ninth Court of Appeals  
Organizational Chart**

**2020-2021**





## CERTIFICATE

Agency Name Ninth 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**

  
Signature

Steve McKeithen  
Printed Name

Chief Justice  
Title

7-25-18  
Date

**Board or Commission Chair**

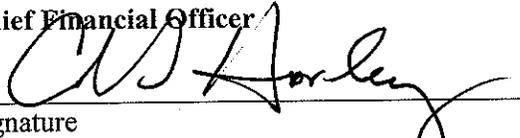
\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**Chief Financial Officer**

  
Signature

Carol Anne Harley  
Printed Name

Clerk of the Court / CFO  
Title

7-25-18  
Date

2.A. Summary of Base Request by Strategy

7/26/2018 9:42:51AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

229 Ninth Court of Appeals District, Beaumont

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	2,177,869	2,074,649	2,074,648	2,074,649	2,074,648
TOTAL, GOAL 1	<b>\$2,177,869</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>
TOTAL, AGENCY STRATEGY REQUEST	<b>\$2,177,869</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	<b>\$2,177,869</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>

2.A. Summary of Base Request by Strategy

7/26/2018 9:42:51AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

229 Ninth Court of Appeals District, Beaumont

Goal / Objective / STRATEGY	Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
<u>METHOD OF FINANCING:</u>					
<b>General Revenue Funds:</b>					
1 General Revenue Fund	2,044,983	1,944,049	1,944,048	1,944,049	1,944,048
<b>SUBTOTAL</b>	<b>\$2,044,983</b>	<b>\$1,944,049</b>	<b>\$1,944,048</b>	<b>\$1,944,049</b>	<b>\$1,944,048</b>
<b>Other Funds:</b>					
573 Judicial Fund	122,600	122,600	122,600	122,600	122,600
666 Appropriated Receipts	10,286	8,000	8,000	8,000	8,000
<b>SUBTOTAL</b>	<b>\$132,886</b>	<b>\$130,600</b>	<b>\$130,600</b>	<b>\$130,600</b>	<b>\$130,600</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$2,177,869</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>

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

**2.B. Summary of Base Request by Method of Finance**  
 86th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

7/26/2018 9:42:51AM

Agency code: <b>229</b>		Agency name: <b>Ninth Court of Appeals District, Beaumont</b>				
<b>METHOD OF FINANCING</b>		<b>Exp 2017</b>	<b>Est 2018</b>	<b>Bud 2019</b>	<b>Req 2020</b>	<b>Req 2021</b>
<b><u>GENERAL REVENUE</u></b>						
<b><u>1</u> General Revenue Fund</b>						
<i>REGULAR APPROPRIATIONS</i>						
Regular Appropriations from MOF Table (2016-17 GAA)						
		\$1,915,979	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2018-19 GAA)						
		\$0	\$1,944,049	\$1,944,048	\$0	\$0
Regular Appropriations from MOF Table (2020-21)						
		\$0	\$0	\$0	\$1,944,049	\$1,944,048
<i>TRANSFERS</i>						
Art IX, Sec 18.02, Salary Increase for General State Employees (2016-17)						
		\$23,599	\$0	\$0	\$0	\$0
<i>UNEXPENDED BALANCES AUTHORITY</i>						
Art IX, Sec 14.05, UB Authority within the Same Biennium (2016-17 GAA)						
		\$105,405	\$0	\$0	\$0	\$0
<b>TOTAL,</b>	<b>General Revenue Fund</b>	<b>\$2,044,983</b>	<b>\$1,944,049</b>	<b>\$1,944,048</b>	<b>\$1,944,049</b>	<b>\$1,944,048</b>

**2.B. Summary of Base Request by Method of Finance**  
 86th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

7/26/2018 9:42:51AM

Agency code: <b>229</b>	Agency name: <b>Ninth Court of Appeals District, Beaumont</b>				
<b>METHOD OF FINANCING</b>	<b>Exp 2017</b>	<b>Est 2018</b>	<b>Bud 2019</b>	<b>Req 2020</b>	<b>Req 2021</b>
<b>TOTAL, ALL GENERAL REVENUE</b>	<b>\$2,044,983</b>	<b>\$1,944,049</b>	<b>\$1,944,048</b>	<b>\$1,944,049</b>	<b>\$1,944,048</b>

**OTHER FUNDS**

**573** Judicial Fund No. 573

*REGULAR APPROPRIATIONS*

Regular Appropriations from MOF Table (2016-17 GAA)

\$122,600                      \$0                      \$0                      \$0                      \$0

Regular Appropriations from MOF Table (2018-19 GAA)

\$0                      \$122,600                      \$122,600                      \$0                      \$0

Regular Appropriations from MOF Table (2020-21)

\$0                      \$0                      \$0                      \$122,600                      \$122,600

<b>TOTAL, Judicial Fund No. 573</b>	<b>\$122,600</b>	<b>\$122,600</b>	<b>\$122,600</b>	<b>\$122,600</b>	<b>\$122,600</b>
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**666** Appropriated Receipts

*REGULAR APPROPRIATIONS*

Regular Appropriations from MOF Table (2016-17 GAA)

\$8,000                      \$0                      \$0                      \$0                      \$0

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

7/26/2018 9:42:51AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: <b>229</b>		Agency name: <b>Ninth Court of Appeals District, Beaumont</b>				
<b>METHOD OF FINANCING</b>		<b>Exp 2017</b>	<b>Est 2018</b>	<b>Bud 2019</b>	<b>Req 2020</b>	<b>Req 2021</b>
<b><u>OTHER FUNDS</u></b>						
Regular Appropriations from MOF Table (2018-19 GAA)		\$0	\$8,000	\$8,000	\$0	\$0
Regular Appropriations from MOF Table (2020-21)		\$0	\$0	\$0	\$8,000	\$8,000
<i>RIDER APPROPRIATION</i>						
Article IX, Sec. 8.02, Reimbursements and Payments (2016-17 GAA)		\$2,286	\$0	\$0	\$0	\$0
<b>TOTAL,</b>	<b>Appropriated Receipts</b>	<b>\$10,286</b>	<b>\$8,000</b>	<b>\$8,000</b>	<b>\$8,000</b>	<b>\$8,000</b>
<b>TOTAL, ALL</b>	<b>OTHER FUNDS</b>	<b>\$132,886</b>	<b>\$130,600</b>	<b>\$130,600</b>	<b>\$130,600</b>	<b>\$130,600</b>
<b>GRAND TOTAL</b>		<b>\$2,177,869</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>

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

7/26/2018 9:42:51AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: <b>229</b>	Agency name: <b>Ninth Court of Appeals District, Beaumont</b>				
<b>METHOD OF FINANCING</b>	<b>Exp 2017</b>	<b>Est 2018</b>	<b>Bud 2019</b>	<b>Req 2020</b>	<b>Req 2021</b>
<b>FULL-TIME-EQUIVALENT POSITIONS</b>					
REGULAR APPROPRIATIONS					
Regular Appropriations from MOF Table (2016-17 GAA)	20.0	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2018-19 GAA)	0.0	20.5	20.5	20.5	20.5
UNAUTHORIZED NUMBER OVER (BELOW) CAP					
Unauthorized Number Over (Under) Cap	0.3	(0.4)	0.0	0.0	0.0
<b>TOTAL, ADJUSTED FTES</b>	<b>20.3</b>	<b>20.1</b>	<b>20.5</b>	<b>20.5</b>	<b>20.5</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  
 86th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

7/26/2018 9:42:51AM

**229 Ninth Court of Appeals District, Beaumont**

<b>OBJECT OF EXPENSE</b>	<b>Exp 2017</b>	<b>Est 2018</b>	<b>Bud 2019</b>	<b>BL 2020</b>	<b>BL 2021</b>
1001 SALARIES AND WAGES	\$1,952,222	\$1,974,753	\$1,974,753	\$1,974,753	\$1,974,753
1002 OTHER PERSONNEL COSTS	\$199,182	\$96,616	\$96,615	\$96,616	\$96,615
2009 OTHER OPERATING EXPENSE	\$26,465	\$3,280	\$3,280	\$3,280	\$3,280
<b>OOE Total (Excluding Riders)</b>	<b>\$2,177,869</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>
<b>OOE Total (Riders)</b>					
<b>Grand Total</b>	<b>\$2,177,869</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>

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

7/26/2018 9:42:52AM

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**229 Ninth Court of Appeals District, Beaumont**

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Goal/ Objective / Outcome	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
1 Appellate Court Operations					
1 Appellate Court Operations					
<b>KEY</b> <b>1 Clearance Rate</b>					
	100.61%	100.00%	100.00%	100.00%	100.00%
<b>KEY</b> <b>2 Percentage of Cases Under Submission for Less Than One Year</b>					
	96.79%	100.00%	100.00%	100.00%	100.00%
<b>KEY</b> <b>3 Percentage of Cases Pending for Less Than Two Years</b>					
	99.55%	100.00%	100.00%	100.00%	100.00%

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

DATE : 7/26/2018  
 TIME : 9:42:52AM

Agency code: 229 Agency name: Ninth Court of Appeals District, Beaumont

<b>Goal/Objective/STRATEGY</b>	<b>Base 2020</b>	<b>Base 2021</b>	<b>Exceptional 2020</b>	<b>Exceptional 2021</b>	<b>Total Request 2020</b>	<b>Total Request 2021</b>
<b>1</b> Appellate Court Operations						
1 <i>Appellate Court Operations</i>						
1 APPELLATE COURT OPERATIONS	\$2,074,649	\$2,074,648	\$0	\$0	\$2,074,649	\$2,074,648
<b>TOTAL, GOAL 1</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>
<b>TOTAL, AGENCY STRATEGY REQUEST</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>
<b>TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST</b>						
<b>GRAND TOTAL, AGENCY REQUEST</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>

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

DATE : 7/26/2018

TIME : 9:42:52AM

Agency code: 229 Agency name: Ninth Court of Appeals District, Beaumont

<b>Goal/Objective/STRATEGY</b>	<b>Base 2020</b>	<b>Base 2021</b>	<b>Exceptional 2020</b>	<b>Exceptional 2021</b>	<b>Total Request 2020</b>	<b>Total Request 2021</b>
<b>General Revenue Funds:</b>						
1 General Revenue Fund	\$1,944,049	\$1,944,048	\$0	\$0	\$1,944,049	\$1,944,048
	<b>\$1,944,049</b>	<b>\$1,944,048</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,944,049</b>	<b>\$1,944,048</b>
<b>Other Funds:</b>						
573 Judicial Fund	122,600	122,600	0	0	122,600	122,600
666 Appropriated Receipts	8,000	8,000	0	0	8,000	8,000
	<b>\$130,600</b>	<b>\$130,600</b>	<b>\$0</b>	<b>\$0</b>	<b>\$130,600</b>	<b>\$130,600</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>
<b>FULL TIME EQUIVALENT POSITIONS</b>	<b>20.5</b>	<b>20.5</b>	<b>0.0</b>	<b>0.0</b>	<b>20.5</b>	<b>20.5</b>

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

Date : 7/26/2018  
 Time: 9:42:52AM

Agency code: 229 Agency name: Ninth Court of Appeals District, Beaumont

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

**229 Ninth Court of Appeals District, Beaumont**

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
<b>Output Measures:</b>						
1	Number of Civil Cases Disposed	232.00	220.00	225.00	225.00	225.00
2	Number of Criminal Cases Disposed	263.00	236.00	250.00	250.00	250.00
<b>Explanatory/Input Measures:</b>						
1	Number of Civil Cases Filed	218.00	237.00	230.00	230.00	230.00
2	Number of Criminal Cases Filed	315.00	252.00	275.00	275.00	275.00
3	Number of Cases Transferred in	0.00	1.00	0.00	0.00	0.00
4	Number of Cases Transferred out	41.00	34.00	30.00	30.00	30.00
<b>Objects of Expense:</b>						
1001	SALARIES AND WAGES	\$1,952,222	\$1,974,753	\$1,974,753	\$1,974,753	\$1,974,753
1002	OTHER PERSONNEL COSTS	\$199,182	\$96,616	\$96,615	\$96,616	\$96,615
2009	OTHER OPERATING EXPENSE	\$26,465	\$3,280	\$3,280	\$3,280	\$3,280
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$2,177,869</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>
<b>Method of Financing:</b>						
1	General Revenue Fund	\$2,044,983	\$1,944,049	\$1,944,048	\$1,944,049	\$1,944,048
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$2,044,983</b>	<b>\$1,944,049</b>	<b>\$1,944,048</b>	<b>\$1,944,049</b>	<b>\$1,944,048</b>

**229 Ninth Court of Appeals District, Beaumont**

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
<b>Method of Financing:</b>						
573	Judicial Fund	\$122,600	\$122,600	\$122,600	\$122,600	\$122,600
666	Appropriated Receipts	\$10,286	\$8,000	\$8,000	\$8,000	\$8,000
<b>SUBTOTAL, MOF (OTHER FUNDS)</b>		<b>\$132,886</b>	<b>\$130,600</b>	<b>\$130,600</b>	<b>\$130,600</b>	<b>\$130,600</b>
<b>TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)</b>					<b>\$2,074,649</b>	<b>\$2,074,648</b>
<b>TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)</b>		<b>\$2,177,869</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>20.3</b>	<b>20.1</b>	<b>20.5</b>	<b>20.5</b>	<b>20.5</b>

**STRATEGY DESCRIPTION AND JUSTIFICATION:**

The Ninth Court of Appeals was established by the 34th Texas Legislature on March 11, 1915. Our Court has intermediate appellate jurisdiction in civil cases when the judgment exceeds \$100 exclusive of cost and effective September 1, 1981 in criminal cases excluding those in which the death penalty has been assessed. Located in Beaumont, Texas, it is composed of the following ten counties: Hardin, Jasper, Jefferson, Liberty, Montgomery, Newton, Orange, Polk, San Jacinto and Tyler. Effective January 1, 2005 our Court became a four-justice court pursuant to H.B. 2261 and H.B. 3306, 78th Regular Session.

**EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:**

**3.A. Strategy Request**  
 86th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

7/26/2018 9:42:52AM

**229 Ninth Court of Appeals District, Beaumont**

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

CODE	DESCRIPTION	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
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Courts of Appeals are by nature, constitutional components of the Judicial Branch of the government with highly specialized staffs. The main factor which drives this strategy is the need to attract and retain highly trained and knowledgeable staff to work on an annually increasing caseload. Effective January 1, 2005, our Court became a four-justice court pursuant to H.B. 2261 and H.B. 3306, 78th Regular Session. Our Court continues to transfer out cases to other courts of appeals due to our high volume of cases filed per year.

**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 2018 + Bud 2019)	Baseline Request (BL 2020 + BL 2021)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$4,149,297	\$4,149,297	\$0	\$0	<b>Total of Explanation of Biennial Change</b>

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**SUMMARY TOTALS:**

<b>OBJECTS OF EXPENSE:</b>	<b>\$2,177,869</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>
<b>METHODS OF FINANCE (INCLUDING RIDERS):</b>				<b>\$2,074,649</b>	<b>\$2,074,648</b>
<b>METHODS OF FINANCE (EXCLUDING RIDERS):</b>	<b>\$2,177,869</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>	<b>\$2,074,649</b>	<b>\$2,074,648</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>	<b>20.3</b>	<b>20.1</b>	<b>20.5</b>	<b>20.5</b>	<b>20.5</b>

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

<b>Agency Code:</b> 229	<b>Agency Name:</b> Ninth Court of Appeals	<b>Prepared By:</b> Carol Anne Harley	<b>Date:</b> July 25, 2018	<b>Request Level:</b> Baseline
<b>Current Rider Number</b>	<b>Page Number in 2018-19 GAA</b>	<b>Proposed Rider Language</b>		

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: 7/26/2018  
 Time: 9:42:52AM

Agency Code: 229 Agency: Ninth Court of Appeals District, Beaumont

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 FY 2016			HUB Expenditures FY 2017			Total Expenditures FY 2017	
			% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$
26.0%	Other Services	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$6,336		
21.1%	Commodities	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	39.8%	39.8%	\$3,916	\$9,849		
	<b>Total Expenditures</b>		<b>0.0%</b>		<b>\$0</b>	<b>\$0</b>		<b>24.2%</b>		<b>\$3,916</b>	<b>\$16,185</b>		

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

**Attainment:**

The Court only had purchases in two of the six categories and far exceeded the statewide goal in one.

**Applicability:**

Five of the procurement categories are not applicable to Court operations for FY 16 & FY17.

**Factors Affecting Attainment:**

The other services (online legal research) is not provided by any HUB vendors.

**"Good-Faith" Efforts:**

The Court makes good faith efforts to comply with statewide HUB procurement goals when at all possible.

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

<b>ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2020-21 GAA BILL PATTERN</b>	<b>\$</b>	<b>104,000</b>
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<u><b>Fund Name</b></u>		
Estimated Beginning Balance in FY 2018	\$	67,000
Estimated Revenues FY 2018	\$	32,000
Estimated Revenues FY 2019	\$	32,000
<b>FY 2018-19 Total</b>	<b>\$</b>	<b>131,000</b>
Estimated Beginning Balance in FY 2020	\$	40,000
Estimated Revenues FY 2020	\$	32,000
Estimated Revenues FY 2021	\$	32,000
<b>FY 2020-21 Total</b>	<b>\$</b>	<b>104,000</b>

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

Our Court's four judges are each paid a supplemental salary and benefits from Jefferson County. Chapter 22 funds, collected by the ten counties in our district, is used to fund these supplemental salaries and benefits. So, 70% of the fund is spent on judge's supplemental salaries and benefits reimbursement. Subchapter C. Sec.22.041 & Sec. 659.021 Gov Code

**Method of Calculation and Revenue Assumptions:**

The supplemental salary amount is \$9000 plus benefits per judge per fiscal year which will total approximately \$63,000 for FY18. The Chapter 22 funds are \$5 filing fee per civil case filed in the District Clerk and County Clerk's offices in our district.

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

**10 % REDUCTION**

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

Date: 7/26/2018  
Time: 9:42:53AM

Agency code: 229 Agency name: Ninth Court of Appeals District, Beaumont

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

**1 2.5% Reduction**

**Category:** Programs - Service Reductions (FTEs-Layoffs)

**Item Comment:** A 2.5% reduction would require our Court to layoff 1 staff member which would result in a 5% drop in disposition of cases.

Strategy: 1-1-1 Appellate Court Operations

General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$48,601	\$48,601	\$97,202	\$48,601	\$48,601	\$97,202
<b>General Revenue Funds Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$48,601</b>	<b>\$48,601</b>	<b>\$97,202</b>	<b>\$48,601</b>	<b>\$48,601</b>	<b>\$97,202</b>
<b>Item Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$48,601</b>	<b>\$48,601</b>	<b>\$97,202</b>	<b>\$48,601</b>	<b>\$48,601</b>	<b>\$97,202</b>

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

**1.0      1.0**

**2 Additional 2.5% Reduction**

**Category:** Programs - Service Reductions (FTEs-Layoffs)

**Item Comment:** A 5% reduction would require our Court to layoff 1 staff member and 1 staff attorney which would result in a 10% to 12.5% drop in disposition of cases. Our Court would then be faced with a backlog of cases at the end of the biennium.

Strategy: 1-1-1 Appellate Court Operations

General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$48,601	\$48,601	\$97,202	\$48,601	\$48,601	\$97,202
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**6.I. Percent Biennial Base Reduction Options**

**10 % REDUCTION**

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

Date: 7/26/2018  
Time: 9:42:53AM

Agency code: 229 Agency name: Ninth Court of Appeals District, Beaumont

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
<b>General Revenue Funds Total</b>	\$0	\$0	\$0	\$48,601	\$48,601	\$97,202	\$48,601	\$48,601	\$97,202
<b>Item Total</b>	\$0	\$0	\$0	\$48,601	\$48,601	\$97,202	\$48,601	\$48,601	\$97,202
<b>FTE Reductions (From FY 2020 and FY 2021 Base Request)</b>					1.0	1.0			
<b>3 Additional 2.5% Reduction</b>									
<b>Category:</b> Programs - Service Reductions (FTEs-Layoffs)									
<b>Item Comment:</b> A 7.5% reduction would require our Court to layoff 2 staff members and 1 staff attorney which would result in a 15% to 18% drop in disposition of cases. Our Court would then be faced with a significant backlog of cases at the end of the biennium.									
Strategy: 1-1-1 Appellate Court Operations									
<u>General Revenue Funds</u>									
1 General Revenue Fund	\$0	\$0	\$0	\$48,601	\$48,601	\$97,202	\$48,601	\$48,601	\$97,202
<b>General Revenue Funds Total</b>	\$0	\$0	\$0	\$48,601	\$48,601	\$97,202	\$48,601	\$48,601	\$97,202
<b>Item Total</b>	\$0	\$0	\$0	\$48,601	\$48,601	\$97,202	\$48,601	\$48,601	\$97,202
<b>FTE Reductions (From FY 2020 and FY 2021 Base Request)</b>					1.0	1.0			

**4 Additional 2.5% Reduction**

**Category:** Programs - Service Reductions (FTEs-Layoffs)

**Item Comment:** A 10% reduction would require our Court to layoff 2 staff members and 2 staff attorneys which would result in a 20% to 23% drop in disposition of cases. Our Court would then be faced with an even more significant backlog of cases at the end of the biennium.

Strategy: 1-1-1 Appellate Court Operations

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

**10 % REDUCTION**

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

Date: 7/26/2018  
Time: 9:42:53AM

Agency code: 229 Agency name: Ninth Court of Appeals District, Beaumont

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	
<u>General Revenue Funds</u>										
1 General Revenue Fund	\$0	\$0	\$0	\$48,602	\$48,602	\$97,204	\$48,602	\$48,602	\$97,204	
<b>General Revenue Funds Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$48,602</b>	<b>\$48,602</b>	<b>\$97,204</b>	<b>\$48,602</b>	<b>\$48,602</b>	<b>\$97,204</b>	
<b>Item Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$48,602</b>	<b>\$48,602</b>	<b>\$97,204</b>	<b>\$48,602</b>	<b>\$48,602</b>	<b>\$97,204</b>	
<b>FTE Reductions (From FY 2020 and FY 2021 Base Request)</b>					<b>1.0</b>	<b>1.0</b>				
<b>AGENCY TOTALS</b>										
<b>General Revenue Total</b>				<b>\$194,405</b>	<b>\$194,405</b>	<b>\$388,810</b>	<b>\$194,405</b>	<b>\$194,405</b>	<b>\$388,810</b>	<b>\$388,810</b>
<b>Agency Grand Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$194,405</b>	<b>\$194,405</b>	<b>\$388,810</b>	<b>\$194,405</b>	<b>\$194,405</b>	<b>\$388,810</b>	<b>\$388,810</b>
<b>Difference, Options Total Less Target</b>										
<b>Agency FTE Reductions (From FY 2020 and FY 2021 Base Request)</b>					<b>4.0</b>	<b>4.0</b>				
<b>Article Total</b>				<b>\$194,405</b>	<b>\$194,405</b>	<b>\$388,810</b>	<b>\$194,405</b>	<b>\$194,405</b>	<b>\$388,810</b>	
<b>Statewide Total</b>				<b>\$194,405</b>	<b>\$194,405</b>	<b>\$388,810</b>	<b>\$194,405</b>	<b>\$194,405</b>	<b>\$388,810</b>	



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

229 Ninth Court of Appeals District, Beaumont  
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
	<b>Goal: 1. Appellate Court Operations</b>										
1.1.1. Appellate Court Operations	3,888,097	3,888,097					261,200	261,200	4,149,297	4,149,297	
<b>Total, Goal</b>	<b>3,888,097</b>	<b>3,888,097</b>					<b>261,200</b>	<b>261,200</b>	<b>4,149,297</b>	<b>4,149,297</b>	
<b>Total, Agency</b>	<b>3,888,097</b>	<b>3,888,097</b>					<b>261,200</b>	<b>261,200</b>	<b>4,149,297</b>	<b>4,149,297</b>	
<b>Total FTEs</b>									<b>20.5</b>	<b>20.5</b>	<b>0.0</b>