

LEGISLATIVE APPROPRIATIONS REQUEST

For Fiscal Years 2022 and 2023

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

by

Third Court of Appeals

***September 18, 2020
Revised October 1, 2020***

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Administrator's Statement

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87th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

223 Third Court of Appeals District, Austin

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

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

A key component to handling the ever-increasing workload without additional justices has been the employment of a highly skilled and trained professional workforce, including appellate lawyers and clerical staff, who assist the justices in processing cases, researching and drafting orders and opinions, disposing of voluminous motions, and managing accelerated and emergency matters. Appellate work requires specialized knowledge and significant experience, and the courts constantly face competition from higher-paying private practice and government legal jobs for skilled attorneys and staff. Hiring and retaining qualified support staff is critical to the courts' ability to manage their dockets and efficiently resolve the cases before them.

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

First, approximately one-third of the courts' General Revenue funding is dedicated to Strategy A.1.2. (judicial salaries). Because these funds are estimated and nontransferable, the courts are unable to make any reduction to that portion of their budgets. Consequently, the entire 5% budget reduction must be applied only to the remaining two-thirds of the courts' General Revenue: Strategy A.1.1. (appellate court operations). In the Third Court of Appeals, applying the required budget reduction (\$293,259) to the estimated remaining two-thirds funding in Strategy A.1.1. (\$4,144,180) thus functionally results in a larger reduction, approximately 7%, of the funds that the court must cut. The real impact of the budget cut on the funds eligible for reduction effectively results in a budget cut to the court that is significantly higher than the 5% directed to other State agencies.

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

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

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

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

To address the disproportionate impact of the required reduction on the courts’ funding, the courts of appeals respectfully submit Exceptional Item #1 requesting the restoration of the 5% budget reduction calculated on the estimated and nontransferable funds allocated to Strategy A.1.2., appellate justice salaries, which the courts are not able to reduce. The court cannot predict with certainty the exact funding needs for judicial salaries in the future due to unforeseeable changes to the composition of the court that may arise as a result of elections, resignations, retirements, or deaths. But based upon current judicial salary amounts, the estimated General Revenue funding required for Third Court of Appeals justice salaries totals \$1,711,868 for the FY 2022–23 biennium. In the Third Court of Appeals, a 5% reduction in this funding amounts to \$85,594, but the court has no authority to reduce funds from Strategy A.1.2. because these estimated and nontransferable funds are dedicated to appellate justice salaries. Therefore, the court requests a restoration to General Revenue funding in the amount of \$85,594, which represents the portion of the 5% budget reduction calculated on the Strategy A.1.2. funds that cannot be cut.

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

Because of the unique and negative impact that a budget reduction would impose on appellate court operations throughout the State, the courts of appeals respectfully submit Exceptional Item #2 requesting the restoration of the 5% budget reduction to the courts’ appropriations in Strategy A.1.1. for FY 2022–23. In the Third Court of Appeals, the estimated funding needed to restore the court’s budget for Strategy A.1.1. is \$207,665. This restored funding will enable the courts to continue to attract and retain experienced lawyers and support staff with the requisite knowledge and skills to assist the courts in meeting their performance measures and fulfilling their core function of timely processing and disposing of appeals. Without restoration of the courts’ zero-based budget funding (Similar Funding for Same-Sized Courts model), the courts will be forced to undertake significant staffing cuts. This reduction in staffing will result in failure to meet performance standards, including (1) a reduction in dispositions of appeals, preventing the courts from clearing older cases and reaching the disposition target of 100% of new appeals filed in the biennium, and (2) an

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increase in the time for which appeals remain pending. While any cut to the appellate court system's budget risks delays in the provision of criminal justice and resolution of civil matters, the nature of this reduction will be particularly devastating to the State by creating significant adverse consequences for the businesses, families, and children in Texas that are awaiting justice through the resolution of their disputes.

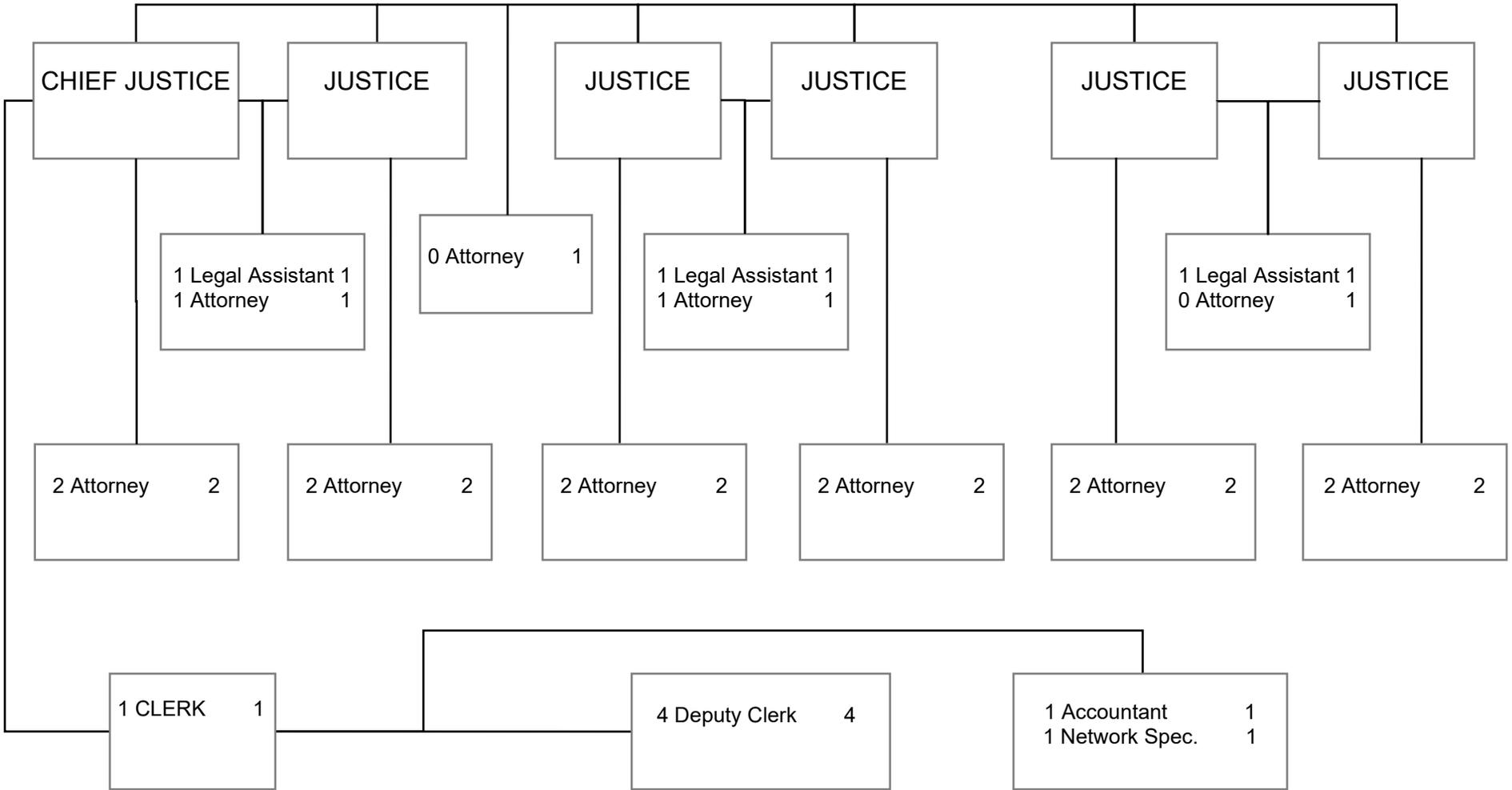
RIDER REQUESTS:

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

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

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

ORGANIZATION CHART
THIRD COURT OF APPEALS
AGENCY 223
FY 2022-2023





CERTIFICATE

Agency Name Third District Court of Appeals

This is to certify that the information contained in the agency Legislative Appropriation Request filed with the Legislative Budget Board (LBB) and the Governor's Office Budget Division (Governor's Office) is accurate to the best of my knowledge and that the electronic submission to the LBB via the Automated Budget and Evaluation System of Texas (ABEST) and the PDF file submitted via the LBB Document Submission application are identical.

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the Governor's Office will be notified in writing in accordance with Article IX, Section 7.01 (2020-21 GAA).

Chief Executive Office or Presiding Judge

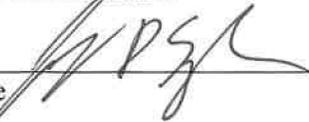

Signature

Jeff L. Rose
Printed Name

Chief Justice
Title

September 18, 2020
Date

Chief Financial Officer


Signature

Jeffrey D. Kyle
Printed Name

Clerk of the Court
Title

September 18, 2020
Date

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

223 Third Court of Appeals District, Austin
Appropriation Years: 2022-23

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS
	2020-21	2022-23	2020-21	2022-23	2020-21	2022-23	2020-21	2022-23	2020-21	2022-23	2022-23
	Goal: 1. Appellate Court Operations										
1.1.1. Appellate Court Operations	4,173,708	3,861,921					88,176	94,000	4,261,884	3,955,921	293,258
1.1.2. Appellate Justice Salaries	1,711,868	1,711,868					365,800	365,800	2,077,668	2,077,668	
Total, Goal	5,885,576	5,573,789					453,976	459,800	6,339,552	6,033,589	293,258
Total, Agency	5,885,576	5,573,789					453,976	459,800	6,339,552	6,033,589	293,258
Total FTEs									32.0	30.0	2.0

2.A. Summary of Base Request by Strategy

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223 Third Court of Appeals District, Austin

Goal / Objective / STRATEGY	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
1 Appellate Court Operations					
1 Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	2,151,064	2,109,244	2,152,640	1,977,960	1,977,961
2 APPELLATE JUSTICE SALARIES	935,036	1,038,834	1,038,834	1,038,834	1,038,834
TOTAL, GOAL 1	\$3,086,100	\$3,148,078	\$3,191,474	\$3,016,794	\$3,016,795
TOTAL, AGENCY STRATEGY REQUEST	\$3,086,100	\$3,148,078	\$3,191,474	\$3,016,794	\$3,016,795
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$3,086,100	\$3,148,078	\$3,191,474	\$3,016,794	\$3,016,795

2.A. Summary of Base Request by Strategy

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Automated Budget and Evaluation System of Texas (ABEST)

223 Third Court of Appeals District, Austin

Goal / Objective / STRATEGY	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<u>METHOD OF FINANCING:</u>					
General Revenue Funds:					
1 General Revenue Fund	2,855,781	2,924,002	2,961,574	2,786,894	2,786,895
SUBTOTAL	\$2,855,781	\$2,924,002	\$2,961,574	\$2,786,894	\$2,786,895
Other Funds:					
573 Judicial Fund	182,900	182,900	182,900	182,900	182,900
666 Appropriated Receipts	11,419	5,176	11,000	11,000	11,000
777 Interagency Contracts	36,000	36,000	36,000	36,000	36,000
SUBTOTAL	\$230,319	\$224,076	\$229,900	\$229,900	\$229,900
TOTAL, METHOD OF FINANCING	\$3,086,100	\$3,148,078	\$3,191,474	\$3,016,794	\$3,016,795

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

2.B. Summary of Base Request by Method of Finance
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Agency code: **223** Agency name: **Third Court of Appeals District, Austin**

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

1 General Revenue Fund

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2018-19 GAA)

\$2,830,454	\$0	\$0	\$0	\$0
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Regular Appropriations from MOF Table (2020-21 GAA)

\$0	\$2,830,454	\$2,830,454	\$0	\$0
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Regular Appropriations from MOF Table (2022-23 GAA)

\$0	\$0	\$0	\$2,786,894	\$2,786,895
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RIDER APPROPRIATION

Art IX. Sec 18.25, Contingency on HB 2384

\$0	\$(743,600)	\$(743,600)	\$0	\$0
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Comments: Reduce Strategy A.1.1, Appellate Court Operations

Art IX. Sec 18.25, Contingency on HB 2384

\$0	\$855,934	\$855,934	\$0	\$0
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Comments: Add New Strategy A.1.2, Appellate Justices Salaries

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

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 223		Agency name: Third Court of Appeals District, Austin				
METHOD OF FINANCING		Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<u>GENERAL REVENUE</u>						
<i>LAPSED APPROPRIATIONS</i>						
Lapsed Appropriations						
		\$ (65)	\$ 0	\$ 0	\$ 0	\$ 0
<i>UNEXPENDED BALANCES AUTHORITY</i>						
Strategy A.1.1, Appellate Court Operations (2018-19 GAA)						
		\$25,392	\$ 0	\$ 0	\$ 0	\$ 0
Strategy A.1.1, Appellate Court Operations (2018-19 GAA)						
		\$ 0	\$ (18,786)	\$ 18,786	\$ 0	\$ 0
TOTAL,	General Revenue Fund	\$2,855,781	\$2,924,002	\$2,961,574	\$2,786,894	\$2,786,895
TOTAL, ALL	GENERAL REVENUE	\$2,855,781	\$2,924,002	\$2,961,574	\$2,786,894	\$2,786,895

OTHER FUNDS

573 Judicial Fund No. 573

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2018-19 GAA)

\$182,900	\$ 0	\$ 0	\$ 0	\$ 0
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2.B. Summary of Base Request by Method of Finance
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

9/17/2020 11:58:41AM

Agency code: 223		Agency name: Third Court of Appeals District, Austin				
METHOD OF FINANCING		Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<u>OTHER FUNDS</u>						
	Regular Appropriations from MOF Table (2020-21 GAA)	\$0	\$182,900	\$182,900	\$0	\$0
	Regular Appropriations from MOF Table (2022-23 GAA)	\$0	\$0	\$0	\$182,900	\$182,900
TOTAL,	Judicial Fund No. 573	\$182,900	\$182,900	\$182,900	\$182,900	\$182,900
<u>666</u>	Appropriated Receipts					
	<i>REGULAR APPROPRIATIONS</i>					
	Regular Appropriations from MOF Table (2018-19 GAA)	\$11,000	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2020-21 GAA)	\$0	\$11,000	\$11,000	\$0	\$0
	Regular Appropriations from MOF Table (2022-23 GAA)	\$0	\$0	\$0	\$11,000	\$11,000
	<i>RIDER APPROPRIATION</i>					

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

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Agency code: 223		Agency name: Third Court of Appeals District, Austin				
METHOD OF FINANCING		Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<u>OTHER FUNDS</u>						
Art IX, Sec 8.02, Reimbursements and Payments (2018-19 GAA)		\$419	\$0	\$0	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>						
Lapsed Appropriations		\$0	\$(5,824)	\$0	\$0	\$0
TOTAL,	Appropriated Receipts	\$11,419	\$5,176	\$11,000	\$11,000	\$11,000
<u>777</u> Interagency Contracts						
<i>REGULAR APPROPRIATIONS</i>						
Regular Appropriations from MOF Table (2018-19 GAA)		\$36,000	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2020-21 GAA)		\$0	\$36,000	\$36,000	\$0	\$0
Regular Appropriations from MOF Table (2022-23 GAA)		\$0	\$0	\$0	\$36,000	\$36,000

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

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87th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 223		Agency name: Third Court of Appeals District, Austin				
METHOD OF FINANCING		Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<u>OTHER FUNDS</u>						
TOTAL,	Interagency Contracts	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
TOTAL, ALL	OTHER FUNDS	\$230,319	\$224,076	\$229,900	\$229,900	\$229,900
GRAND TOTAL		\$3,086,100	\$3,148,078	\$3,191,474	\$3,016,794	\$3,016,795
FULL-TIME-EQUIVALENT POSITIONS						
REGULAR APPROPRIATIONS						
	Regular Appropriations from MOF Table (2018-19 GAA)	35.0	0.0	0.0	0.0	0.0
	Regular Appropriations from MOF Table (2020-21 GAA)	0.0	35.0	35.0	0.0	0.0
	Regular Appropriations from MOF Table (2022-23 GAA)	0.0	0.0	0.0	35.0	35.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP						
	Unauthorized Number Over(Below) Cap	(3.3)	(3.0)	(3.0)	(5.0)	(5.0)
TOTAL, ADJUSTED FTES		31.7	32.0	32.0	30.0	30.0

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

9/17/2020 11:58:41AM

87th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 223	Agency name: Third Court of Appeals District, Austin					
METHOD OF FINANCING	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023	
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
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

9/17/2020 10:41:57AM

223 Third Court of Appeals District, Austin

OBJECT OF EXPENSE	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
1001 SALARIES AND WAGES	\$2,930,609	\$3,054,253	\$3,065,130	\$2,916,010	\$2,916,010
1002 OTHER PERSONNEL COSTS	\$147,914	\$88,943	\$107,614	\$88,104	\$88,404
2003 CONSUMABLE SUPPLIES	\$0	\$0	\$10,000	\$5,300	\$5,001
2006 RENT - BUILDING	\$810	\$810	\$1,080	\$1,080	\$1,080
2009 OTHER OPERATING EXPENSE	\$6,767	\$4,072	\$7,650	\$6,300	\$6,300
OOE Total (Excluding Riders)	\$3,086,100	\$3,148,078	\$3,191,474	\$3,016,794	\$3,016,795
OOE Total (Riders)					
Grand Total	\$3,086,100	\$3,148,078	\$3,191,474	\$3,016,794	\$3,016,795

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

Date: 9/17/2020
 Time: 10:42:00AM

87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: 223 Agency: Third Court of Appeals District, Austin

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

Code	Type of Expense	Expended	Estimated	Budgeted	Requested	Requested
2	Postage	\$450	\$450	\$500	\$500	\$500
24	Freight/Delivery	0	0	500	500	500
26	Books (expensed)	0	30	0	0	0
64	SORM Assessment	4,967	3,142	3,500	3,500	3,500
177	Janitorial Services	1,350	450	3,150	1,800	1,800
	Total, Operating Costs	\$6,767	\$4,072	\$7,650	\$6,300	\$6,300

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

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223 Third Court of Appeals District, Austin

Goal/ Objective / Outcome	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
1 Appellate Court Operations					
1 Appellate Court Operations					
KEY 1 Clearance Rate					
	78.23%	116.72%	100.00%	92.00%	92.00%
KEY 2 Percentage of Cases Under Submission for Less Than One Year					
	99.17%	100.00%	100.00%	98.00%	98.00%
KEY 3 Percentage of Cases Pending for Less Than Two Years					
	100.00%	100.00%	100.00%	98.00%	98.00%

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

DATE: 9/17/2020
 TIME : 10:41:58AM

Agency code: 223

Agency name: Third Court of Appeals District, Austin

Priority	Item	2022			2023			Biennium	
		GR and GR/Dedicated	All Funds	FTEs	GR and GR/Dedicated	All Funds	FTEs	GR and GR/Dedicated	All Funds
1	Restore Strategy A.1.2.	\$42,797	\$42,797	1.0	\$42,797	\$42,797	1.0	\$85,594	\$85,594
2	Restore Strategy A.1.1.	\$103,832	\$103,832	1.0	\$103,832	\$103,832	1.0	\$207,664	\$207,664
Total, Exceptional Items Request		\$146,629	\$146,629	2.0	\$146,629	\$146,629	2.0	\$293,258	\$293,258

Method of Financing

General Revenue	\$146,629	\$146,629		\$146,629	\$146,629		\$293,258	\$293,258
General Revenue - Dedicated								
Federal Funds								
Other Funds								
	\$146,629	\$146,629		\$146,629	\$146,629		\$293,258	\$293,258

Full Time Equivalent Positions

2.0

2.0

Number of 100% Federally Funded FTEs

2.F. Summary of Total Request by Strategy
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DATE : 9/17/2020
 TIME : 10:41:58AM

Agency code: 223 Agency name: Third Court of Appeals District, Austin

Goal/Objective/STRATEGY	Base	Base	Exceptional	Exceptional	Total Request	Total Request
1 Appellate Court Operations						
1 <i>Appellate Court Operations</i>						
1 APPELLATE COURT OPERATIONS	\$1,977,960	\$1,977,961	\$146,629	\$146,629	\$2,124,589	\$2,124,590
2 APPELLATE JUSTICE SALARIES	1,038,834	1,038,834	0	0	1,038,834	1,038,834
TOTAL, GOAL 1	\$3,016,794	\$3,016,795	\$146,629	\$146,629	\$3,163,423	\$3,163,424
TOTAL, AGENCY STRATEGY REQUEST	\$3,016,794	\$3,016,795	\$146,629	\$146,629	\$3,163,423	\$3,163,424
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$3,016,794	\$3,016,795	\$146,629	\$146,629	\$3,163,423	\$3,163,424

2.F. Summary of Total Request by Strategy
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DATE : 9/17/2020
 TIME : 10:41:58AM

Agency code: 223 Agency name: Third Court of Appeals District, Austin

<i>Goal/Objective/STRATEGY</i>	Base	Base	Exceptional	Exceptional	Total Request	Total Request
General Revenue Funds:						
1 General Revenue Fund	\$2,786,894	\$2,786,895	\$146,629	\$146,629	\$2,933,523	\$2,933,524
	\$2,786,894	\$2,786,895	\$146,629	\$146,629	\$2,933,523	\$2,933,524
Other Funds:						
573 Judicial Fund	182,900	182,900	0	0	182,900	182,900
666 Appropriated Receipts	11,000	11,000	0	0	11,000	11,000
777 Interagency Contracts	36,000	36,000	0	0	36,000	36,000
	\$229,900	\$229,900	\$0	\$0	\$229,900	\$229,900
TOTAL, METHOD OF FINANCING	\$3,016,794	\$3,016,795	\$146,629	\$146,629	\$3,163,423	\$3,163,424
FULL TIME EQUIVALENT POSITIONS	30.0	30.0	2.0	2.0	32.0	32.0

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

Date : 9/17/2020
 Time: 10:41:59AM

Agency code: 223

Agency name: Third Court of Appeals District, Austin

Goal/ Objective / Outcome

	BL 2022	BL 2023	Excp 2022	Excp 2023	Total Request 2022	Total Request 2023
1 Appellate Court Operations						
1 Appellate Court Operations						
KEY 1 Clearance Rate						
	92.00%	92.00%	100.00%	100.00%	100.00%	100.00%
KEY 2 Percentage of Cases Under Submission for Less Than One Year						
	98.00%	98.00%	100.00%	100.00%	100.00%	100.00%
KEY 3 Percentage of Cases Pending for Less Than Two Years						
	98.00%	98.00%	100.00%	100.00%	100.00%	100.00%

223 Third Court of Appeals District, Austin

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

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

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
Output Measures:						
1	Number of Civil Cases Disposed	449.00	500.00	531.00	493.00	493.00
2	Number of Criminal Cases Disposed	205.00	254.00	262.00	248.00	248.00
Explanatory/Input Measures:						
1	Number of Civil Cases Filed	603.00	587.00	606.00	617.00	617.00
2	Number of Criminal Cases Filed	348.00	271.00	324.00	335.00	335.00
3	Number of Cases Transferred in	2.00	0.00	0.00	0.00	0.00
4	Number of Cases Transferred out	117.00	212.00	138.00	138.00	138.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$2,005,393	\$2,034,853	\$2,045,730	\$1,896,610	\$1,896,610
1002	OTHER PERSONNEL COSTS	\$138,094	\$69,509	\$88,180	\$68,670	\$68,970
2003	CONSUMABLE SUPPLIES	\$0	\$0	\$10,000	\$5,300	\$5,001
2006	RENT - BUILDING	\$810	\$810	\$1,080	\$1,080	\$1,080
2009	OTHER OPERATING EXPENSE	\$6,767	\$4,072	\$7,650	\$6,300	\$6,300
TOTAL, OBJECT OF EXPENSE		\$2,151,064	\$2,109,244	\$2,152,640	\$1,977,960	\$1,977,961
Method of Financing:						
1	General Revenue Fund	\$2,103,645	\$2,068,068	\$2,105,640	\$1,930,960	\$1,930,961

223 Third Court of Appeals District, Austin

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

Service Categories:

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

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$2,103,645	\$2,068,068	\$2,105,640	\$1,930,960	\$1,930,961
Method of Financing:						
666	Appropriated Receipts	\$11,419	\$5,176	\$11,000	\$11,000	\$11,000
777	Interagency Contracts	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
SUBTOTAL, MOF (OTHER FUNDS)		\$47,419	\$41,176	\$47,000	\$47,000	\$47,000
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$1,977,960	\$1,977,961
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$2,151,064	\$2,109,244	\$2,152,640	\$1,977,960	\$1,977,961
FULL TIME EQUIVALENT POSITIONS:		25.7	26.0	26.0	24.0	24.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Court of Appeals for the Third District of Texas was created in 1892 by an Act of the 22nd Legislature, 1st C.J., P. 25, ch. 15; Gammel's Laws of Texas, Vol. 10, Page 389. This Court has intermediate appellate jurisdiction of both civil and criminal cases appealed from lower courts; in civil cases where 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 reviews State of Texas administrative law appeals from cases throughout the state.

223 Third Court of Appeals District, Austin

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 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

The citizens of Texas have an absolute right to appeal and seek review of a trial court judgment in the intermediate courts of appeal. This Court does not have discretion to decline appellate review. The Court strives to administer justice and to render a thorough and fair decision in each case on its docket as expeditiously as possible.

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
Base Spending (Est 2020 + Bud 2021)	Baseline Request (BL 2022 + BL 2023)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$4,261,884	\$3,955,921	\$(305,963)	\$(293,259)	5% Reduction in General Revenue for FY22-23. Resulting in the loss of 2 FTEs.
			\$(18,528)	1% Healthcare Contribution.
			\$5,824	Drop in FY2020 Revenue for Appropriated Receipts (MOF666)
			\$(305,963)	Total of Explanation of Biennial Change

223 Third Court of Appeals District, Austin

GOAL: 1 Appellate Court Operations
 OBJECTIVE: 1 Appellate Court Operations
 STRATEGY: 2 Appellate Justice Salaries. Estimated and Nontransferable

Service Categories:
 Service: NA Income: NA Age: NA

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
Objects of Expense:						
1001	SALARIES AND WAGES	\$925,216	\$1,019,400	\$1,019,400	\$1,019,400	\$1,019,400
1002	OTHER PERSONNEL COSTS	\$9,820	\$19,434	\$19,434	\$19,434	\$19,434
TOTAL, OBJECT OF EXPENSE		\$935,036	\$1,038,834	\$1,038,834	\$1,038,834	\$1,038,834
Method of Financing:						
1	General Revenue Fund	\$752,136	\$855,934	\$855,934	\$855,934	\$855,934
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$752,136	\$855,934	\$855,934	\$855,934	\$855,934
Method of Financing:						
573	Judicial Fund	\$182,900	\$182,900	\$182,900	\$182,900	\$182,900
SUBTOTAL, MOF (OTHER FUNDS)		\$182,900	\$182,900	\$182,900	\$182,900	\$182,900
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$1,038,834	\$1,038,834
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$935,036	\$1,038,834	\$1,038,834	\$1,038,834	\$1,038,834
FULL TIME EQUIVALENT POSITIONS:		6.0	6.0	6.0	6.0	6.0

223 Third Court of Appeals District, Austin

GOAL: 1 Appellate Court Operations
 OBJECTIVE: 1 Appellate Court Operations
 STRATEGY: 2 Appellate Justice Salaries. Estimated and Nontransferable

Service Categories:
 Service: NA Income: NA Age: NA

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

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
Base Spending (Est 2020 + Bud 2021)	Baseline Request (BL 2022 + BL 2023)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$2,077,668	\$2,077,668	\$0	\$0	Total of Explanation of Biennial Change

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$3,086,100	\$3,148,078	\$3,191,474	\$3,016,794	\$3,016,795
METHODS OF FINANCE (INCLUDING RIDERS):				\$3,016,794	\$3,016,795
METHODS OF FINANCE (EXCLUDING RIDERS):	\$3,086,100	\$3,148,078	\$3,191,474	\$3,016,794	\$3,016,795
FULL TIME EQUIVALENT POSITIONS:	31.7	32.0	32.0	30.0	30.0

3.A.1. PROGRAM-LEVEL REQUEST SCHEDULE
87th Regular Session, Agency Submission, Version 1

Agency Code: 223		Agency: Third Court of Appeals			Prepared By: Jeff Kyle					
Date: 1-Oct-20		Program	Program Name	Legal Authority	2020-21 Base	Requested 2022	Requested 2023	Biennial Total 2022-23	Biennial Difference	
Strategy	Strategy Name	Priority	Program Name	Legal Authority	2020-21 Base	Requested 2022	Requested 2023	Biennial Total 2022-23	\$	%
1.1.1	Appellate Court Operations	1	Appellate Court Operations	Gov't Code, Ch. 22, § 22.204; Ch. 659	\$4,261,884	\$1,977,960	\$1,977,961	\$3,955,921	(\$305,963)	-7.2%
1.1.2	Appellate Justice Salaries	1	Appellate Court Operations	Gov't Code, Ch. 22, § 22.204; Ch. 659, §§ 659.012, 659.0445	\$2,077,668	\$1,038,834	\$1,038,834	\$2,077,668	\$0	0.0%

Program Prioritization: *Indicate the methodology or approach taken by the agency, court, or institution to determine the ranking of each program by priority.*

The Third Court of Appeals has only one program: Appellate Court Operations.

3.B. Rider Revisions and Additions Request

Agency Code: 223	Agency Name: Third Court of Appeals	Prepared By: Jeffrey D. Kyle	Date: September 16, 2020	Request Level: Baseline
Current Rider Number	Page Number in 2018-19 GAA	Proposed Rider Language		
5	IV-43	<p>Sec. 6. Interagency Contracts for Assigned Judges for Appellate Courts. Out of funds appropriated in this Article to Strategies A.1.1., Appellate Court Operations, the Supreme Court of Texas, the Court of Criminal Appeals, or any of the 14 Courts of Appeals may enter into a contract with the Office of the Comptroller for fiscal years 2020<u>2022</u> and 2021<u>2023</u>, for the purpose of reimbursing the Comptroller for amounts expended for judges assigned under Chapter 74, Government Code to hear cases of the appellate courts. It is the intent of the Legislature that any amounts reimbursed under this contract for judges assigned to the appellate courts are in addition to amounts appropriated for the use of assigned judges in Strategy A.1.3. Visiting Judges – Appellate in the Judiciary Section, Comptroller’s Department.</p> <p><i>Updating rider to adjust the years for the 2022-2023 biennium.</i></p>		

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

DATE: 9/17/2020
 TIME: 10:42:00AM

Agency code: 223

Agency name:
Third Court of Appeals District, Austin

CODE	DESCRIPTION	Excp 2022	Excp 2023
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Item Name:	Restore the Budget Cut Calculated on the Estimated and Non-Transferable Funds in Strategy A.1.2.
Item Priority:	1
IT Component:	No
Anticipated Out-year Costs:	No
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	42,797	42,797
TOTAL, OBJECT OF EXPENSE		42,797	42,797

METHOD OF FINANCING:

1	General Revenue Fund	42,797	42,797
TOTAL, METHOD OF FINANCING		42,797	42,797

FULL-TIME EQUIVALENT POSITIONS (FTE):

	1.00	1.00
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DESCRIPTION / JUSTIFICATION:

To address the disproportionate impact of the required reduction on the courts' funding, the courts of appeals respectfully request the restoration of the 5% budget reduction calculated on the estimated and nontransferable funds allocated to Strategy A.1.2., appellate justice salaries, which the courts are not able to reduce. The court cannot predict with certainty the exact funding needs for judicial salaries in the future due to unforeseeable changes to the composition of the court that may arise as a result of elections, resignations, retirements, or deaths. But based upon current judicial salary amounts, the estimated General Revenue funding required for Third Court of Appeals justice salaries totals \$1,711,868 for the FY 2022–23 biennium. In the Third Court of Appeals, a 5% reduction in this funding amounts to \$85,594, but the court has no authority to reduce funds from Strategy A.1.2. because these estimated and nontransferable funds are dedicated to appellate justice salaries. Therefore, the court requests a restoration to General Revenue funding in the amount of \$85,594, which represents the portion of the 5% budget reduction calculated on the Strategy A.1.2. funds that cannot be cut.

EXTERNAL/INTERNAL FACTORS:

Courts of Appeals are relatively small entities with specialized staffing requirements. The core function of the courts 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. Loss of experienced court lawyers creates difficulties in timely processing of and disposing of appeals.

PCLS TRACKING KEY:

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

DATE: 9/17/2020
TIME: 10:42:00AM

Agency code: 223

Agency name:
Third Court of Appeals District, Austin

CODE	DESCRIPTION	Excp 2022	Excp 2023
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4.A. Exceptional Item Request Schedule
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/17/2020
 TIME: 10:42:00AM

Agency code: 223

Agency name:
Third Court of Appeals District, Austin

CODE	DESCRIPTION	Excp 2022	Excp 2023
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Item Name: Restore the Budget Cut to the Remaining Funds in Strategy A.1.1.
Item Priority: 2
IT Component: No
Anticipated Out-year Costs: No
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	103,832	103,832
TOTAL, OBJECT OF EXPENSE		103,832	103,832

METHOD OF FINANCING:

1	General Revenue Fund	103,832	103,832
TOTAL, METHOD OF FINANCING		103,832	103,832

FULL-TIME EQUIVALENT POSITIONS (FTE):

1.00	1.00
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DESCRIPTION / JUSTIFICATION:

Because of the unique and negative impact that a budget reduction would impose on appellate court operations throughout the State, the courts of appeals respectfully submit Exceptional Item #2 requesting the restoration of the 5% budget reduction to the courts' appropriations in Strategy A.1.1. for FY 2022–23. In the Third Court of Appeals, the estimated funding needed to restore the court's budget for Strategy A.1.1. is \$207,665. This restored funding will enable the courts to continue to attract and retain experienced lawyers and support staff with the requisite knowledge and skills to assist the courts in meeting their performance measures and fulfilling their core function of timely processing and disposing of appeals. Without restoration of the courts' zero-based budget funding (Similar Funding for Same-Sized Courts model), the courts will be forced to undertake significant staffing cuts. This reduction in staffing will result in failure to meet performance standards, including (1) a reduction in dispositions of appeals, preventing the courts from clearing older cases and reaching the disposition target of 100% of new appeals filed in the biennium, and (2) an increase in the time for which appeals remain pending. While any cut to the appellate court system's budget risks delays in the provision of criminal justice and resolution of civil matters, the nature of this reduction will be particularly devastating to the State by creating significant adverse consequences for the businesses, families, and children in Texas that are awaiting justice through the resolution of their disputes.

EXTERNAL/INTERNAL FACTORS:

Courts of Appeals are relatively small entities with specialized staffing requirements. The core function of the courts 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. Loss of experienced court lawyers creates difficulties in timely processing of and disposing of appeals.

PCLS TRACKING KEY:

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

DATE: 9/17/2020
TIME: 10:42:00AM

Agency code: 223

Agency name:
Third Court of Appeals District, Austin

CODE	DESCRIPTION	Excp 2022	Excp 2023
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4.B. Exceptional Items Strategy Allocation Schedule
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/17/2020
 TIME: 10:42:00AM

Agency code: **223** Agency name: **Third Court of Appeals District, Austin**

Code	Description	Excp 2022	Excp 2023
Item Name: Restore the Budget Cut Calculated on the Estimated and Non-Transferable Funds in Strategy A.1.2.			
Allocation to Strategy:		1-1-1	Appellate Court Operations
STRATEGY IMPACT ON OUTCOME MEASURES:			
<u>1</u>	Clearance Rate	96.00%	96.00%
<u>2</u>	Percentage of Cases Under Submission for Less Than One Year	99.00%	99.00%
<u>3</u>	Percentage of Cases Pending for Less Than Two Years	99.00%	99.00%
OUTPUT MEASURES:			
<u>1</u>	Number of Civil Cases Disposed	24.00	24.00
<u>2</u>	Number of Criminal Cases Disposed	12.00	12.00
EXPLANATORY/INPUT MEASURES:			
<u>1</u>	Number of Civil Cases Filed	0.00	0.00
<u>2</u>	Number of Criminal Cases Filed	0.00	0.00
<u>3</u>	Number of Cases Transferred in	0.00	0.00
<u>4</u>	Number of Cases Transferred out	0.00	0.00
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	42,797	42,797
TOTAL, OBJECT OF EXPENSE		\$42,797	\$42,797
METHOD OF FINANCING:			
1	General Revenue Fund	42,797	42,797
TOTAL, METHOD OF FINANCING		\$42,797	\$42,797
FULL-TIME EQUIVALENT POSITIONS (FTE):		1.0	1.0

Agency code: 223 Agency name: Third Court of Appeals District, Austin

Code	Description	Excp 2022	Excp 2023
Item Name: Restore the Budget Cut to the Remaining Funds in Strategy A.1.1.			
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	24.00	24.00
<u>2</u>	Number of Criminal Cases Disposed	12.00	12.00
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	103,832	103,832
TOTAL, OBJECT OF EXPENSE		\$103,832	\$103,832
METHOD OF FINANCING:			
1	General Revenue Fund	103,832	103,832
TOTAL, METHOD OF FINANCING		\$103,832	\$103,832
FULL-TIME EQUIVALENT POSITIONS (FTE):		1.0	1.0

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

DATE: 9/17/2020
TIME: 10:42:01AM

Agency Code: **223** Agency name: **Third Court of Appeals District, Austin**

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 2022	Exp 2023
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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	49.00	49.00
<u>2</u> Number of Criminal Cases Disposed	24.00	24.00

OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	146,629	146,629
Total, Objects of Expense	\$146,629	\$146,629

METHOD OF FINANCING:

1 General Revenue Fund	146,629	146,629
Total, Method of Finance	\$146,629	\$146,629

FULL-TIME EQUIVALENT POSITIONS (FTE):

2.0	2.0
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

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

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

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

Date: 9/17/2020
 Time: 10:42:01AM

Agency Code: 223 Agency: Third Court of Appeals District, Austin

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year - HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2018			Total Expenditures FY 2018		HUB Expenditures FY 2019			Total Expenditures FY 2019	
			% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$	FY 2019		
11.2%	Heavy Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
21.1%	Building Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
32.9%	Special Trade	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
23.7%	Professional Services	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
26.0%	Other Services	0.0 %	100.0%	100.0%	\$1,800	\$1,800	0.0 %	100.0%	100.0%	\$1,350	\$1,350	
21.1%	Commodities	0.0 %	100.0%	100.0%	\$1,498	\$1,498	0.0 %	0.0%	0.0%	\$0	\$0	
	Total Expenditures		100.0%		\$3,298	\$3,298		100.0%		\$1,350	\$1,350	

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

Attainment:

The Court attained 100%, of the applicable statewide HUB goals in fiscal year 2018 and 2019.

Applicability:

In both fiscal years 2018 and 2019 the procurement categories of Heavy Construction, Building Construction, Special Trade Construction, and Professional Services were not applicable to the Court's operations.

Factors Affecting Attainment:

N/A

"Good-Faith" Efforts:

The Court has always made every effort to make purchases and obtain services from qualified HUB vendors. That is not always possible since, being a small Court with 97% of its budget spent on salaries, it is very important that best price and value be taken into consideration. Our large technological budget is funded and administered through the Office of Court Administration and is not reflected in this Court's HUB report. All factors continuing to be equal, this Court will continue to use TIBH (as required in Chapter 122 of the Texas Human Resources Code) whenever possible, strive to enter into business with HUBs as often as possible, and attempt to reach the state goal each fiscal year.

6.G. HOMELAND SECURITY FUNDING SCHEDULE - PART C - COVID-19 RELATED EXPENDITURES

DATE: 10/1/2020
 TIME: 11:38:09AM

87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **223** Agency name: **3rd Ct Appeals, Austin**

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
OBJECTS OF EXPENSE						
2009	OTHER OPERATING EXPENSE	\$0	\$0	\$0	\$0	\$0
TOTAL, OBJECTS OF EXPENSE		\$0	\$0	\$0	\$0	\$0

TOTAL, METHOD OF FINANCE

FULL-TIME-EQUIVALENT POSITIONS

NO FUNDS WERE PASSED THROUGH TO LOCAL ENTITIES

NO FUNDS WERE PASSED THROUGH TO OTHER STATE AGENCIES OR INSTITUTIONS OF HIGHER EDUCATION

USE OF HOMELAND SECURITY FUNDS

N/A

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

ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2022-23 GAA BILL PATTERN	\$	777,548
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<u>Fund Name</u>		
Estimated Beginning Balance in FY 2020	\$	269,763
Estimated Revenues FY 2020	\$	245,000
Estimated Revenues FY 2021	\$	245,000
FY 2020-21 Total	\$	<u>759,763</u>
Estimated Beginning Balance in FY 2022	\$	277,548
Estimated Revenues FY 2022	\$	250,000
Estimated Revenues FY 2023	\$	250,000
FY 2022-23 Total	\$	<u>777,548</u>
Constitutional or Statutory Creation and Use of Funds:		
Sub Chapter C, Sec. 22.2041 Tex Gov't Code and Sec. 659.021 Tex. Gov't Code		
Method of Calculation and Revenue Assumptions:		
In accordance with the above referenced statute, the District and County Clerks of the various courts in the 24 counties that make up the Third Court of Appeals' District are to collect and remit a \$5.00 filing fee on each civil suit filed in a county court, county court-at-law, probate court or district court.		