

# LEGISLATIVE APPROPRIATIONS REQUEST

For Fiscal Years 2024 and 2025

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

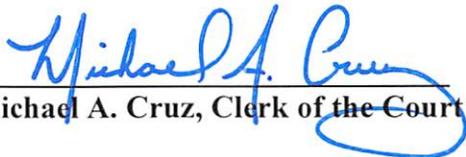
By

## Court of Appeals Fourth Court of Appeals District of Texas

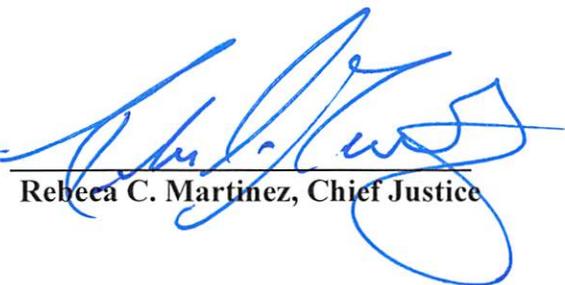
Rebeca C. Martinez, Justice	2026	San Antonio
Patricia O. Alvarez, Justice	2024	San Antonio
Luz Elena D. Chapa, Justice	2024	San Antonio
Irene A. Rios, Justice	2022	San Antonio
Beth Watkins, Justice	2024	San Antonio
Liza A. Rodriguez, Justice	2024	San Antonio
Lori I. Valenzuela, Justice	2022	San Antonio

August 5, 2022

Submitted By:

  
Michael A. Cruz, Clerk of the Court

Approved:

  
Rebeca C. Martinez, Chief Justice



# **Legislative Appropriations Request**

**For Fiscal Years 2024 and 2025**

**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**

**August 5, 2022**



## 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 (2022-23 GAA).

**Chief Executive Officer or Presiding Judge**

**Board or Commission Chair**

Signature

Signature

Rebeca C. Martinez

Printed Name

Printed Name

Chief Justice

Title

Title

Date

8/5/2022

Date

**Chief Financial Officer**

Signature

Michael A. Cruz

Printed Name

Clerk of the Court

Title

Date

8/5/22

## TABLE OF CONTENTS

Administrator’s Statement .....	1.A
Organizational Chart .....	1.A.1
Budget Overview .....	2
Summary of Base Request by Strategy .....	2.A
Summary of Base Request by Method of Finance .....	2.B
Summary of Base Request by Object of Expense .....	2.C
Operating Costs Detail - Base Request .....	2.C.1
Summary of Base Request Objective Outcomes .....	2.D
Summary of Total Request by Strategy .....	2.F
Summary of Total Request Objective Outcomes .....	2.G
Strategy Request .....	3.A
Rider Revisions and Additions Request .....	3.B
Historically Underutilized Business Supporting Schedule .....	6.A
Estimated Total of All Agency Funds Outside the GAA Bill Pattern .....	6.H

**Administrator's Statement**

8/22/2022 11:34:49AM

88th 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  
For Fiscal Years 2024 and 2025  
88th Legislature

Texas' intermediate appellate courts have weathered serious challenges brought on by the COVID-19 pandemic and the 2020 ransomware attack, but these challenges will continue into the foreseeable future. The courts have not been fully funded since 2015 yet have dutifully risen to the task as can be seen by the dramatic decline in the number of cases pending in the courts of appeals. Respectfully, additional funding is now necessary to ensure the efficient administration of justice going forward.

The core function of Texas intermediate appellate courts is to process, review, and decide by written opinion appeals from trial courts in civil and criminal cases. 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. Although case filings decreased in 2020 and 2021 due to the pandemic, filings have, unsurprisingly, returned to pre-pandemic levels as of June 2022 and are expected to continue to increase as trial courts resume full operations. The Annual Statistical Report for 2021 reported that family violence cases increased at the highest rate over the past five years. We anticipate a rise in other types of litigation as well that will result in a surge of appeals over the next biennium.

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 since that time.

Since the development of the budget model in approximately 2005, the demands of the core function of the courts have required higher-skilled and higher-salary positions. The prior model used salary classification levels for attorneys and staff that are now outdated. Additionally, operating costs for necessary resources such as Westlaw/LexisNexis and other administrative needs have increased dramatically. Further, considering recent attacks on judges and an increase in mass shootings, more funds are needed to provide adequate security at the courts.

Prior to the 87th Legislative Session, in early 2020, the Council of Chiefs revised the data in the budget model to reflect the increased funding needed to optimally operate the fourteen courts. However, in preparing for the impending session, the Council was keenly aware that the need for state funds to address the pandemic was the highest priority. Because there were many uncertainties regarding the state of the economy and it was anticipated state revenues would be limited, agencies were asked to reduce budgets by 5%. The Council appreciated and respected the position of the state and, therefore, did not seek additional funding at that time. While the Council greatly appreciates that budgets of the courts of appeals in the last biennium were not cut, funding of the updated budget model is, nonetheless, now necessary. Accordingly, the budget model data has been further updated to reflect current operating needs.

Since 1983, the work of the intermediate courts of appeals has been accomplished by 80 justices statewide. In that time, the population of Texas has nearly doubled. 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 complex 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. Specialized technological skills are also necessary to understand and operate the complex case management system currently used by the courts. Transitioning to a new case management system in the next biennium will

**Administrator's Statement**

8/22/2022 11:34:49AM

88th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

---

**224 Fourth Court of Appeals District, San Antonio**

---

also require special skills. Hiring and retaining qualified support staff is critical to the courts' ability to manage their dockets and efficiently resolve the cases before them .

Funding for all fourteen courts of appeals comprises merely 0.035% of the State budget as a whole. Yet, on average, 96.5% of each appellate court's budget is dedicated to salaries and benefits. Without additional funding, appellate courts will be unable to attract and retain the highly trained and skilled support staff with the specialized knowledge and relevant experience critical to the courts' function. Without sufficient qualified staff, courts cannot comply with Legislative mandates to give accelerated and preferential treatment to 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.

All fourteen courts of appeals continue to expend resources to recover from the 2020 ransomware attack on the courts' computer systems. The loss of data overall was substantial and continues to require resources to reconstitute work that could not be recovered. And while all State agencies experienced the negative effects of COVID-19, the combined effects of the ransomware attack plus COVID-19 created a unique hardship for the appellate courts.

**EXCEPTIONAL ITEM #1: INCREASE THE GENERAL REVENUE LIMIT TO MEET THE UPDATED BUDGET MODEL**

The updated budget model reflects increased funding to permit the courts 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 the core function of timely processing and disposing of appeals. Without an increase in funding, appellate courts will lose talented personnel to higher-paying private jobs. This loss of key personnel will detrimentally affect performance standards, including (1) a reduction in overall 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 from filing until disposition for those appeals which remain pending. Any unnecessary delay 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. Note, the updated budget model does not include an adjustment for the impact of inflation.

**EXCEPTIONAL ITEM #2: JUDICIARY-WIDE INFLATION RELIEF**

Attorneys and staff of the courts of appeals have been impacted in many ways by increasing costs due to inflation. The impact has been devastating for many because the State has not given them a meaningful raise in a significant period of time. Their buying power for goods and services has diminished and, at some courts, has resulted in attrition by those seeking higher-paying jobs. If salaries are not increased, the courts risk losing more personnel that will be costly to replace. Training takes time and will impact the ability of the courts to meet the current and expected demands as we navigate the post-pandemic surge.

On May 4, 2022, the Council of Chiefs submitted written testimony to the Senate Committee on Finance comprised of testimonials from court personnel describing personal experiences with rising costs. The Council asks for consideration of this testimony.

The courts of appeals join in the judiciary-wide inflation relief for non-judicial employees sought by Article IV courts and agencies. Respectfully, a ten percent (10%) increase on the budget model salaries is sought to help absorb the impact of inflation. To maintain the Similar Funding for Same-Sized Courts model that has worked exceptionally well for years, the requested percentage must be based on the budget model salaries. This exceptional item is not duplicative of exceptional item 1, which does not include an adjustment for the inflation that is expected to persist for some time to come.

**Administrator's Statement**

8/22/2022 11:34:49AM

88th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

---

**224 Fourth Court of Appeals District, San Antonio**

---

**RIDER REQUESTS:**

The courts of appeals also request the following with regard to the across-the-board riders found in Article IV (p. IV-38):

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.

**ADDITIONAL STATEMENTS OF SUPPORT:**

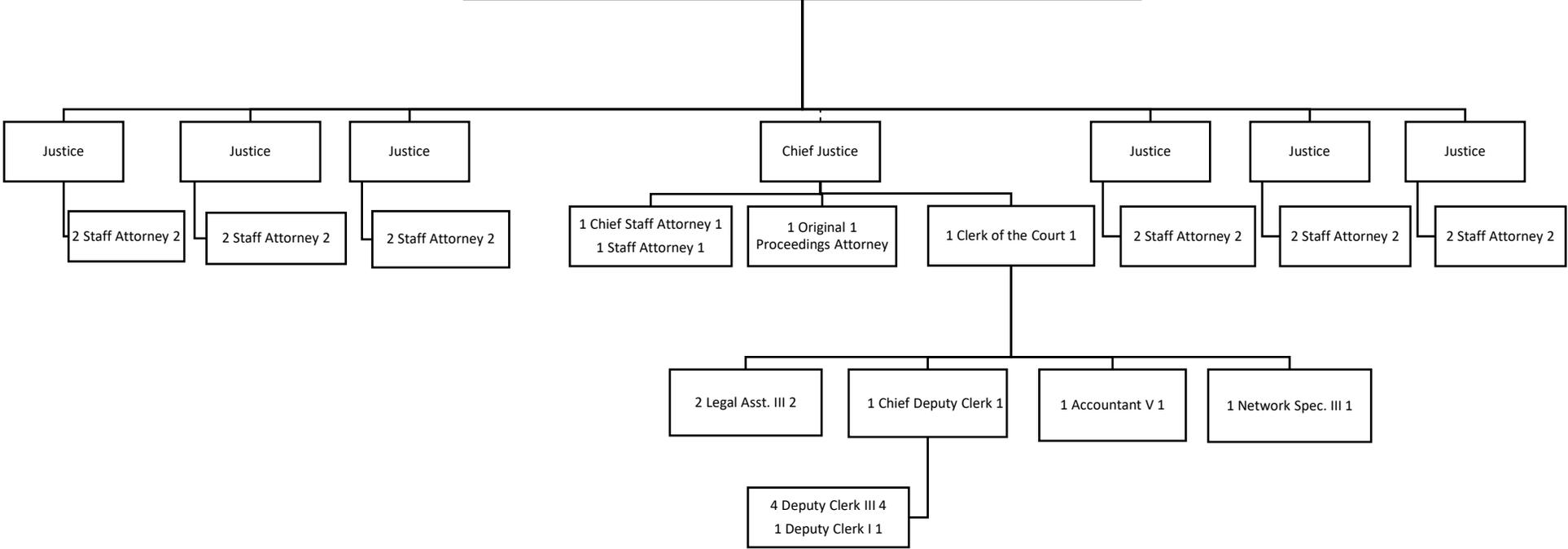
In order for the courts of appeals to function efficiently, it is vital that the Office of Court Administration (OCA) be adequately funded. The courts of appeals rely on many of the services provided by OCA and, therefore, the courts of appeals fully support the exceptional items the OCA requests as part of its funding. More specifically, the courts of appeals strongly support the request for funding related to the acquisition of a new appellate case management system to replace the current system known as TAMES as well as a case-level data system.

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.

Note: on Appropriated Receipts – At the direction of the LBB & Governor's Office, this Court has included appropriated receipts in the amount of \$11,000 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.

**ORGANIZATIONAL CHART FOURTH COURT OF APPEALS**  
**AGENCY 224**  
**FY 2022 (2024-2025)**



**Budget Overview - Biennial Amounts**  
**88th Regular Session, Agency Submission, Version 1**  
Automated Budget and Evaluation System of Texas (ABEST)

224 Fourth Court of Appeals District, San Antonio  
Appropriation Years: 2024-25

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS
	2022-23	2024-25	2022-23	2024-25	2022-23	2024-25	2022-23	2024-25	2022-23	2024-25	2024-25
	<b>Goal: 1. Appellate Court Operations</b>										
1.1.1. Appellate Court Operations	4,924,270	4,924,270					106,000	106,000	5,030,270	5,030,270	1,815,352
1.1.2. Appellate Justice Salaries	2,138,846	2,138,846					426,100	426,100	2,564,946	2,564,946	
<b>Total, Goal</b>	<b>7,063,116</b>	<b>7,063,116</b>					<b>532,100</b>	<b>532,100</b>	<b>7,595,216</b>	<b>7,595,216</b>	<b>1,815,352</b>
<b>Total, Agency</b>	<b>7,063,116</b>	<b>7,063,116</b>					<b>532,100</b>	<b>532,100</b>	<b>7,595,216</b>	<b>7,595,216</b>	<b>1,815,352</b>
<b>Total FTEs</b>									<b>33.0</b>	<b>33.0</b>	<b>1.0</b>

2.A. Summary of Base Request by Strategy

8/22/2022 11:34:54AM

88th 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 2021	Est 2022	Bud 2023	Req 2024	Req 2025
<b>1</b> Appellate Court Operations					
<b>1</b> Appellate Court Operations					
<b>1</b> APPELLATE COURT OPERATIONS	2,729,169	2,277,039	2,753,231	2,515,135	2,515,135
<b>2</b> APPELLATE JUSTICE SALARIES	1,233,147	1,272,064	1,292,882	1,282,473	1,282,473
TOTAL, GOAL <b>1</b>	<b>\$3,962,316</b>	<b>\$3,549,103</b>	<b>\$4,046,113</b>	<b>\$3,797,608</b>	<b>\$3,797,608</b>
TOTAL, AGENCY STRATEGY REQUEST	<b>\$3,962,316</b>	<b>\$3,549,103</b>	<b>\$4,046,113</b>	<b>\$3,797,608</b>	<b>\$3,797,608</b>
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	<b>\$3,962,316</b>	<b>\$3,549,103</b>	<b>\$4,046,113</b>	<b>\$3,797,608</b>	<b>\$3,797,608</b>

2.A. Summary of Base Request by Strategy

8/22/2022 11:34:54AM

88th 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 2021	Est 2022	Bud 2023	Req 2024	Req 2025
<u>METHOD OF FINANCING:</u>					
<b>General Revenue Funds:</b>					
1 General Revenue Fund	3,693,080	3,283,053	3,780,063	3,531,558	3,531,558
<b>SUBTOTAL</b>	<b>\$3,693,080</b>	<b>\$3,283,053</b>	<b>\$3,780,063</b>	<b>\$3,531,558</b>	<b>\$3,531,558</b>
<b>Other Funds:</b>					
573 Judicial Fund	213,050	213,050	213,050	213,050	213,050
666 Appropriated Receipts	14,186	11,000	11,000	11,000	11,000
777 Interagency Contracts	42,000	42,000	42,000	42,000	42,000
<b>SUBTOTAL</b>	<b>\$269,236</b>	<b>\$266,050</b>	<b>\$266,050</b>	<b>\$266,050</b>	<b>\$266,050</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$3,962,316</b>	<b>\$3,549,103</b>	<b>\$4,046,113</b>	<b>\$3,797,608</b>	<b>\$3,797,608</b>

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

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

8/22/2022 11:34:54AM

88th 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 2021	Est 2022	Bud 2023	Req 2024	Req 2025	
<b><u>GENERAL REVENUE</u></b>						
<b><u>1</u></b> General Revenue Fund						
<i>REGULAR APPROPRIATIONS</i>						
Regular Appropriations from MOF Table (2020-21 GAA)	\$3,363,979	\$0	\$0	\$0	\$0	
Regular Appropriations from MOF Table (2022-23 GAA)	\$0	\$3,488,813	\$3,488,814	\$0	\$0	
Regular Appropriations from MOF Table (2022-23 GAA)	\$0	\$9,240	\$76,249	\$0	\$0	
<b>Comments:</b> Additional Judicial Salary Funds						
Regular Appropriations from MOF Table (2024-25 GAA)	\$0	\$0	\$0	\$3,531,558	\$3,531,558	
<i>RIDER APPROPRIATION</i>						
Art IX, Sec. 18.25v (f) (1) Contingency for HB2384 (2020-21 GAA)	\$990,273	\$0	\$0	\$0	\$0	

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

8/22/2022 11:34:54AM

88th 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 2021	Est 2022	Bud 2023	Req 2024	Req 2025
<b><u>GENERAL REVENUE</u></b>						
	Art IX, Sec. 18.25v (f) (2) Contingency for HB2384 (2020-21 GAA)	\$(872,301)	\$0	\$0	\$0	\$0
	Art IX, Sec. 18.25v Contingency for HB2384 (2020-21 GAA)	\$29,824	\$0	\$0	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>						
	Lapsed Appropriations	\$(28,201)	\$0	\$0	\$0	\$0
<i>UNEXPENDED BALANCES AUTHORITY</i>						
	Art IX, Sec. 14.05, UB Authority within the Same Biennium (2020-21 GAA)	\$209,506	\$0	\$0	\$0	\$0
	Art IX, Sec. 14.05, UB Authority within the Same Biennium (2022-23 GAA)	\$0	\$(215,000)	\$215,000	\$0	\$0
<b>TOTAL,</b>	<b>General Revenue Fund</b>	<b>\$3,693,080</b>	<b>\$3,283,053</b>	<b>\$3,780,063</b>	<b>\$3,531,558</b>	<b>\$3,531,558</b>
<b>TOTAL, ALL</b>	<b>GENERAL REVENUE</b>	<b>\$3,693,080</b>	<b>\$3,283,053</b>	<b>\$3,780,063</b>	<b>\$3,531,558</b>	<b>\$3,531,558</b>

**2.B. Summary of Base Request by Method of Finance**  
 88th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

8/22/2022 11:34:54AM

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

**METHOD OF FINANCING** **Exp 2021** **Est 2022** **Bud 2023** **Req 2024** **Req 2025**

**OTHER FUNDS**

**573** Judicial Fund No. 573

*REGULAR APPROPRIATIONS*

Regular Appropriations from MOF Table (2020-21 GAA)

\$213,050 \$0 \$0 \$0 \$0

Regular Appropriations from MOF Table (2022-23 GAA)

\$0 \$213,050 \$213,050 \$0 \$0

Regular Appropriations from MOF Table (2024-25 GAA)

\$0 \$0 \$0 \$213,050 \$213,050

**TOTAL, Judicial Fund No. 573**

**\$213,050 \$213,050 \$213,050 \$213,050 \$213,050**

**666** Appropriated Receipts

*REGULAR APPROPRIATIONS*

Regular Appropriations from MOF Table (2020-21 GAA)

\$11,000 \$0 \$0 \$0 \$0

Regular Appropriations from MOF Table (2022-23 GAA)

\$0 \$11,000 \$11,000 \$0 \$0

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

8/22/2022 11:34:54AM

88th 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 2021	Est 2022	Bud 2023	Req 2024	Req 2025
<b><u>OTHER FUNDS</u></b>						
Regular Appropriations from MOF Table (2024-25 GAA)		\$0	\$0	\$0	\$11,000	\$11,000
<i>RIDER APPROPRIATION</i>						
Art IX, Sec 8.02, Reimbursements and Payments (2020-21 GAA)		\$3,186	\$0	\$0	\$0	\$0
<b>TOTAL,</b>	<b>Appropriated Receipts</b>	<b>\$14,186</b>	<b>\$11,000</b>	<b>\$11,000</b>	<b>\$11,000</b>	<b>\$11,000</b>
<u>777</u> Interagency Contracts						
<i>REGULAR APPROPRIATIONS</i>						
Regular Appropriations from MOF Table (2020-21 GAA)		\$42,000	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2022-23 GAA)		\$0	\$42,000	\$42,000	\$0	\$0
Regular Appropriations from MOF Table (2024-25 GAA)		\$0	\$0	\$0	\$42,000	\$42,000

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

8/22/2022 11:34:54AM

88th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: <b>224</b>		Agency name: <b>Fourth Court of Appeals District, San Antonio</b>				
<b>METHOD OF FINANCING</b>		<b>Exp 2021</b>	<b>Est 2022</b>	<b>Bud 2023</b>	<b>Req 2024</b>	<b>Req 2025</b>
<b><u>OTHER FUNDS</u></b>						
<b>TOTAL,</b>	<b>Interagency Contracts</b>	<b>\$42,000</b>	<b>\$42,000</b>	<b>\$42,000</b>	<b>\$42,000</b>	<b>\$42,000</b>
<b>TOTAL, ALL</b>	<b>OTHER FUNDS</b>	<b>\$269,236</b>	<b>\$266,050</b>	<b>\$266,050</b>	<b>\$266,050</b>	<b>\$266,050</b>
<b>GRAND TOTAL</b>		<b>\$3,962,316</b>	<b>\$3,549,103</b>	<b>\$4,046,113</b>	<b>\$3,797,608</b>	<b>\$3,797,608</b>
<b>FULL-TIME-EQUIVALENT POSITIONS</b>						
<b>REGULAR APPROPRIATIONS</b>						
	Regular Appropriations from MOF Table (2020-21 GAA) <b>Comments:</b> Strategy A.1.1	34.0	0.0	0.0	0.0	0.0
	Regular Appropriations from MOF Table (2022-23 GAA) <b>Comments:</b> Strategy A.1.1	0.0	33.0	33.0	0.0	0.0
	Regular Appropriations from MOF Table (2024-25 GAA) <b>Comments:</b> Strategy A.1.1	0.0	0.0	0.0	33.0	33.0
<b>UNAUTHORIZED NUMBER OVER (BELOW) CAP</b>						
	UNAUTHORIZED NUMBER OVER (BELOW) CAP	(2.0)	(1.0)	0.0	0.0	0.0
<b>TOTAL, ADJUSTED FTES</b>		<b>32.0</b>	<b>32.0</b>	<b>33.0</b>	<b>33.0</b>	<b>33.0</b>

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

8/22/2022 11:34:54AM

88th 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 2021**

**Est 2022**

**Bud 2023**

**Req 2024**

**Req 2025**

---

**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

8/22/2022 11:34:54AM

88th 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 2021	Est 2022	Bud 2023	BL 2024	BL 2025
1001 SALARIES AND WAGES	\$3,311,873	\$3,318,573	\$3,570,381	\$3,560,076	\$3,560,076
1002 OTHER PERSONNEL COSTS	\$411,780	\$104,244	\$264,002	\$96,950	\$99,970
2001 PROFESSIONAL FEES AND SERVICES	\$1,118	\$0	\$15,660	\$3,500	\$3,500
2003 CONSUMABLE SUPPLIES	\$4,866	\$5,344	\$8,174	\$6,174	\$5,823
2004 UTILITIES	\$928	\$1,590	\$1,687	\$1,687	\$1,686
2005 TRAVEL	\$0	\$0	\$19,000	\$7,000	\$5,000
2006 RENT - BUILDING	\$26,107	\$17,481	\$20,000	\$18,000	\$18,000
2007 RENT - MACHINE AND OTHER	\$1,869	\$1,869	\$1,869	\$1,869	\$1,869
2009 OTHER OPERATING EXPENSE	\$203,775	\$100,002	\$145,340	\$102,352	\$101,684
<b>OOE Total (Excluding Riders)</b>	<b>\$3,962,316</b>	<b>\$3,549,103</b>	<b>\$4,046,113</b>	<b>\$3,797,608</b>	<b>\$3,797,608</b>
<b>OOE Total (Riders)</b>					
<b>Grand Total</b>	<b>\$3,962,316</b>	<b>\$3,549,103</b>	<b>\$4,046,113</b>	<b>\$3,797,608</b>	<b>\$3,797,608</b>

88th 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	Estimated	Budgeted	Requested	Requested
2	Postage	\$1,800	\$2,000	\$1,800	\$1,800	\$1,800
5	Westlaw/Lexis	22,132	22,575	23,064	4,185	3,755
12	Maintenance & Repair - Equipment	418	638	650	650	650
13	Furniture & Equipment (Expensed)	69,102	1,944	3,620	2,250	2,500
15	Printing & Reproduction	235	91	100	100	100
24	Freight/Delivery	14	133	150	150	150
46	Communication Services	4,258	5,694	6,053	6,465	6,895
56	Computer Equipment - Expensed	61,401	2,808	47,300	2,750	1,500
61	Purchase of Contract Services	185	0	0	0	0
64	SORM Assessment	2,983	2,844	2,913	3,059	3,212
93	Parts - Furniture & Equipment	86	0	0	0	0
94	Awards	439	157	150	150	150
108	Publications	1,870	9,018	10,000	10,300	10,300
171	Insurance Premiums	5,143	5,702	5,800	5,974	6,153
213	ERS 1% & .5%	30,578	30,998	34,500	34,500	34,500
	<b>Total, Operating Costs</b>	<b>\$200,644</b>	<b>\$84,602</b>	<b>\$136,100</b>	<b>\$72,333</b>	<b>\$71,665</b>

88th 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:** 1-1-2 Appellate Justice Salaries. Estimated and Nontransferable

Code	Type of Expense	Expended	Estimated	Budgeted	Requested	Requested
195	Payroll Health Insurance Contrib.	\$6,017	\$6,264	\$12,709	\$12,812	\$12,812
	<b>Total, Operating Costs</b>	<b>\$6,017</b>	<b>\$6,264</b>	<b>\$12,709</b>	<b>\$12,812</b>	<b>\$12,812</b>

**2.D. Summary of Base Request Objective Outcomes**  
 88th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation system of Texas (ABEST)

8/22/2022 11:34:55AM

---

**224 Fourth Court of Appeals District, San Antonio**

---

Goal/ Objective / Outcome	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
1 Appellate Court Operations					
1 Appellate Court Operations					
<b>KEY</b> <b>1 Clearance Rate</b>					
	110.72%	80.00%	95.00%	95.00%	95.00%
<b>KEY</b> <b>2 Percentage of Cases Under Submission for Less Than One Year</b>					
	99.81%	99.51%	95.00%	95.00%	95.00%
<b>KEY</b> <b>3 Percentage of Cases Pending for Less Than Two Years</b>					
	99.60%	98.80%	95.00%	95.00%	95.00%

**2.E. Summary of Exceptional Items Request**  
 88th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/22/2022  
 TIME : 11:34:55AM

Agency code: 224

Agency name: **Fourth Court of Appeals District, San Antonio**

Priority	Item	2024			2025			Biennium	
		GR and GR/Dedicated	All Funds	FTEs	GR and GR/Dedicated	All Funds	FTEs	GR and GR/Dedicated	All Funds
1	Updated COA Budget Model	\$634,191	\$634,191	1.0	\$634,191	\$634,191	1.0	\$1,268,382	\$1,268,382
2	Judiciary-Wide Inflation Relief	\$273,485	\$273,485		\$273,485	\$273,485		\$546,970	\$546,970
<b>Total, Exceptional Items Request</b>		<b>\$907,676</b>	<b>\$907,676</b>	<b>1.0</b>	<b>\$907,676</b>	<b>\$907,676</b>	<b>1.0</b>	<b>\$1,815,352</b>	<b>\$1,815,352</b>
<b>Method of Financing</b>									
	General Revenue	\$907,676	\$907,676		\$907,676	\$907,676		\$1,815,352	\$1,815,352
	General Revenue - Dedicated								
	Federal Funds								
	Other Funds								
		<b>\$907,676</b>	<b>\$907,676</b>		<b>\$907,676</b>	<b>\$907,676</b>		<b>\$1,815,352</b>	<b>\$1,815,352</b>
<b>Full Time Equivalent Positions</b>				<b>1.0</b>				<b>1.0</b>	
<b>Number of 100% Federally Funded FTEs</b>				<b>0.0</b>				<b>0.0</b>	

**2.F. Summary of Total Request by Strategy**  
 88th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/22/2022  
 TIME : 11:34:55AM

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

<b>Goal/Objective/STRATEGY</b>	<b>Base 2024</b>	<b>Base 2025</b>	<b>Exceptional 2024</b>	<b>Exceptional 2025</b>	<b>Total Request 2024</b>	<b>Total Request 2025</b>
<b>1</b> Appellate Court Operations						
1 <i>Appellate Court Operations</i>						
1 APPELLATE COURT OPERATIONS	\$2,515,135	\$2,515,135	\$907,676	\$907,676	\$3,422,811	\$3,422,811
2 APPELLATE JUSTICE SALARIES	1,282,473	1,282,473	0	0	1,282,473	1,282,473
<b>TOTAL, GOAL 1</b>	<b>\$3,797,608</b>	<b>\$3,797,608</b>	<b>\$907,676</b>	<b>\$907,676</b>	<b>\$4,705,284</b>	<b>\$4,705,284</b>
<b>TOTAL, AGENCY STRATEGY REQUEST</b>	<b>\$3,797,608</b>	<b>\$3,797,608</b>	<b>\$907,676</b>	<b>\$907,676</b>	<b>\$4,705,284</b>	<b>\$4,705,284</b>
<b>TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST</b>						
<b>GRAND TOTAL, AGENCY REQUEST</b>	<b>\$3,797,608</b>	<b>\$3,797,608</b>	<b>\$907,676</b>	<b>\$907,676</b>	<b>\$4,705,284</b>	<b>\$4,705,284</b>

**2.F. Summary of Total Request by Strategy**  
 88th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/22/2022  
 TIME : 11:34:55AM

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

<b>Goal/Objective/STRATEGY</b>	<b>Base 2024</b>	<b>Base 2025</b>	<b>Exceptional 2024</b>	<b>Exceptional 2025</b>	<b>Total Request 2024</b>	<b>Total Request 2025</b>
<b>General Revenue Funds:</b>						
1 General Revenue Fund	\$3,531,558	\$3,531,558	\$907,676	\$907,676	\$4,439,234	\$4,439,234
	<b>\$3,531,558</b>	<b>\$3,531,558</b>	<b>\$907,676</b>	<b>\$907,676</b>	<b>\$4,439,234</b>	<b>\$4,439,234</b>
<b>Other Funds:</b>						
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
	<b>\$266,050</b>	<b>\$266,050</b>	<b>\$0</b>	<b>\$0</b>	<b>\$266,050</b>	<b>\$266,050</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$3,797,608</b>	<b>\$3,797,608</b>	<b>\$907,676</b>	<b>\$907,676</b>	<b>\$4,705,284</b>	<b>\$4,705,284</b>
<b>FULL TIME EQUIVALENT POSITIONS</b>	<b>33.0</b>	<b>33.0</b>	<b>1.0</b>	<b>1.0</b>	<b>34.0</b>	<b>34.0</b>

**2.G. Summary of Total Request Objective Outcomes**  
 88th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 8/22/2022  
 Time: 11:34:56AM

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

Goal/ Objective / Outcome

	BL 2024	BL 2025	Excp 2024	Excp 2025	Total Request 2024	Total Request 2025
1 Appellate Court Operations						
1 Appellate Court Operations						
<b>KEY 1 Clearance Rate</b>						
	95.00%	95.00%	100.00%	100.00%	100.00%	100.00%
<b>KEY 2 Percentage of Cases Under Submission for Less Than One Year</b>						
	95.00%	95.00%	100.00%	100.00%	100.00%	100.00%
<b>KEY 3 Percentage of Cases Pending for Less Than Two Years</b>						
	95.00%	95.00%	100.00%	100.00%	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 2021	Est 2022	Bud 2023	BL 2024	BL 2025
<b>Output Measures:</b>						
1	Number of Civil Cases Disposed	393.00	460.00	506.00	531.00	558.00
2	Number of Criminal Cases Disposed	206.00	160.00	176.00	185.00	194.00
<b>Explanatory/Input Measures:</b>						
1	Number of Civil Cases Filed	410.00	470.00	517.00	543.00	570.00
2	Number of Criminal Cases Filed	131.00	300.00	330.00	347.00	364.00
3	Number of Cases Transferred in	0.00	0.00	0.00	0.00	0.00
4	Number of Cases Transferred out	23.00	0.00	0.00	0.00	0.00
<b>Objects of Expense:</b>						
1001	SALARIES AND WAGES	\$2,087,873	\$2,068,173	\$2,299,448	\$2,299,448	\$2,299,448
1002	OTHER PERSONNEL COSTS	\$405,763	\$97,980	\$251,293	\$84,345	\$87,365
2001	PROFESSIONAL FEES AND SERVICES	\$1,118	\$0	\$15,660	\$3,500	\$3,500
2003	CONSUMABLE SUPPLIES	\$4,866	\$5,344	\$8,174	\$6,174	\$5,823
2004	UTILITIES	\$928	\$1,590	\$1,687	\$1,687	\$1,686
2005	TRAVEL	\$0	\$0	\$19,000	\$7,000	\$5,000
2006	RENT - BUILDING	\$26,107	\$17,481	\$20,000	\$18,000	\$18,000
2007	RENT - MACHINE AND OTHER	\$1,869	\$1,869	\$1,869	\$1,869	\$1,869
2009	OTHER OPERATING EXPENSE	\$200,645	\$84,602	\$136,100	\$93,112	\$92,444

**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 2021	Est 2022	Bud 2023	BL 2024	BL 2025
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$2,729,169</b>	<b>\$2,277,039</b>	<b>\$2,753,231</b>	<b>\$2,515,135</b>	<b>\$2,515,135</b>
<b>Method of Financing:</b>						
1	General Revenue Fund	\$2,672,983	\$2,224,039	\$2,700,231	\$2,462,135	\$2,462,135
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$2,672,983</b>	<b>\$2,224,039</b>	<b>\$2,700,231</b>	<b>\$2,462,135</b>	<b>\$2,462,135</b>
<b>Method of Financing:</b>						
666	Appropriated Receipts	\$14,186	\$11,000	\$11,000	\$11,000	\$11,000
777	Interagency Contracts	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000
<b>SUBTOTAL, MOF (OTHER FUNDS)</b>		<b>\$56,186</b>	<b>\$53,000</b>	<b>\$53,000</b>	<b>\$53,000</b>	<b>\$53,000</b>
<b>TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)</b>					<b>\$2,515,135</b>	<b>\$2,515,135</b>
<b>TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)</b>		<b>\$2,729,169</b>	<b>\$2,277,039</b>	<b>\$2,753,231</b>	<b>\$2,515,135</b>	<b>\$2,515,135</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>25.0</b>	<b>25.0</b>	<b>26.0</b>	<b>26.0</b>	<b>26.0</b>
<b>STRATEGY DESCRIPTION AND JUSTIFICATION:</b>						

**224 Fourth Court of Appeals District, San Antonio**

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 2021	Est 2022	Bud 2023	BL 2024	BL 2025
------	-------------	----------	----------	----------	---------	---------

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 2021	Est 2022	Bud 2023	BL 2024	BL 2025
------	-------------	----------	----------	----------	---------	---------

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

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
<u>Base Spending (Est 2022 + Bud 2023)</u>	<u>Baseline Request (BL 2024 + BL 2025)</u>	<u>CHANGE</u>	<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$5,030,270	\$5,030,270	\$0	\$0	<b>Total of Explanation of Biennial Change</b>

**224 Fourth Court of Appeals District, San Antonio**

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

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
<b>Objects of Expense:</b>						
1001	SALARIES AND WAGES	\$1,224,000	\$1,250,400	\$1,270,933	\$1,260,628	\$1,260,628
1002	OTHER PERSONNEL COSTS	\$6,017	\$6,264	\$12,709	\$12,605	\$12,605
2009	OTHER OPERATING EXPENSE	\$3,130	\$15,400	\$9,240	\$9,240	\$9,240
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$1,233,147</b>	<b>\$1,272,064</b>	<b>\$1,292,882</b>	<b>\$1,282,473</b>	<b>\$1,282,473</b>
<b>Method of Financing:</b>						
1	General Revenue Fund	\$1,020,097	\$1,059,014	\$1,079,832	\$1,069,423	\$1,069,423
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$1,020,097</b>	<b>\$1,059,014</b>	<b>\$1,079,832</b>	<b>\$1,069,423</b>	<b>\$1,069,423</b>
<b>Method of Financing:</b>						
573	Judicial Fund	\$213,050	\$213,050	\$213,050	\$213,050	\$213,050
<b>SUBTOTAL, MOF (OTHER FUNDS)</b>		<b>\$213,050</b>	<b>\$213,050</b>	<b>\$213,050</b>	<b>\$213,050</b>	<b>\$213,050</b>
<b>TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)</b>					<b>\$1,282,473</b>	<b>\$1,282,473</b>
<b>TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)</b>		<b>\$1,233,147</b>	<b>\$1,272,064</b>	<b>\$1,292,882</b>	<b>\$1,282,473</b>	<b>\$1,282,473</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>7.0</b>	<b>7.0</b>	<b>7.0</b>	<b>7.0</b>	<b>7.0</b>

**224 Fourth Court of Appeals District, San Antonio**

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

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
------	-------------	----------	----------	----------	---------	---------

**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 CHANGE</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
<u>Base Spending (Est 2022 + Bud 2023)</u>	<u>Baseline Request (BL 2024 + BL 2025)</u>		<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$2,564,946	\$2,564,946	\$0	<b>\$0</b>	<b>Total of Explanation of Biennial Change</b>

---

**SUMMARY TOTALS:**

<b>OBJECTS OF EXPENSE:</b>	<b>\$3,962,316</b>	<b>\$3,549,103</b>	<b>\$4,046,113</b>	<b>\$3,797,608</b>	<b>\$3,797,608</b>
<b>METHODS OF FINANCE (INCLUDING RIDERS):</b>				<b>\$3,797,608</b>	<b>\$3,797,608</b>
<b>METHODS OF FINANCE (EXCLUDING RIDERS):</b>	<b>\$3,962,316</b>	<b>\$3,549,103</b>	<b>\$4,046,113</b>	<b>\$3,797,608</b>	<b>\$3,797,608</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>	<b>32.0</b>	<b>32.0</b>	<b>33.0</b>	<b>33.0</b>	<b>33.0</b>

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

<b>Agency Code:</b> 224	<b>Agency Name:</b> Fourth Court of Appeals, District,	<b>Prepared By:</b> Letty R. White	<b>Date:</b> 08/05/2022	<b>Request Level:</b> Baseline
<b>Current Rider Number</b>	<b>Page Number in 2022-23 GAA</b>	<b>Proposed Rider Language</b>		

5

IV-38

**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 ~~2022~~2024 and ~~2023~~2025, 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 2024-2025 biennium.*

**4.A. Exceptional Item Request Schedule**  
 88th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/22/2022  
 TIME: 11:35:00AM

Agency code: 224

Agency name: **Fourth Court of Appeals District, San Antonio**

CODE	DESCRIPTION	Excp 2024	Excp 2025
------	-------------	-----------	-----------

<b>Item Name:</b>	Increase the general revenue limit to meet the updated budget model (similar funding for same-sized courts)		
<b>Item Priority:</b>	1		
<b>IT Component:</b>	No		
<b>Anticipated Out-year Costs:</b>	No		
<b>Involve Contracts &gt; \$50,000:</b>	No		
<b>Includes Funding for the Following Strategy or Strategies:</b>	01-01-01 Appellate Court Operations		

**OBJECTS OF EXPENSE:**

1001	SALARIES AND WAGES	587,214	587,214
1002	OTHER PERSONNEL COSTS	46,977	46,977
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$634,191</b>	<b>\$634,191</b>

**METHOD OF FINANCING:**

1	General Revenue Fund	634,191	634,191
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$634,191</b>	<b>\$634,191</b>

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

	1.00	1.00
--	------	------

**DESCRIPTION / JUSTIFICATION:**

The updated budget model reflects increased funding to permit the courts 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 the core function of timely processing and disposing of appeals. Without an increase in funding, appellate courts will lose talented personnel to higher-paying private jobs. This loss of key personnel will detrimentally effect performance standards, including (1) a reduction in overall 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 from filing until disposition for those appeals which remain pending. Any unnecessary delay 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. Note, the updated budget model does not include an adjustment for the impact of inflation.

**EXTERNAL/INTERNAL FACTORS:**

Prior to this LAR, the budget model had not been completely updated since 2005. Operating at this funding level has prevented the courts of appeals from increasing salaries to a level that will help the courts attract and retain the most qualified attorneys and staff. In FY 2021, the Judiciary had the third highest turnover rate in the state by General Appropriations Act Article at 14.5 percent. Loss of key personnel will effect performance standards thus preventing the courts from reaching the disposition target of 100% of new appeals filed in the biennium. It will further result in an increase in the time from filing until disposition for remaining appeals.

**PCLS TRACKING KEY:**

**4.A. Exceptional Item Request Schedule**  
88th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/22/2022**  
TIME: **11:35:00AM**

---

Agency code: **224**

Agency name: **Fourth Court of Appeals District, San Antonio**

---

<b>CODE</b>	<b>DESCRIPTION</b>	<b>Excp 2024</b>	<b>Excp 2025</b>
-------------	--------------------	------------------	------------------

---

**4.A. Exceptional Item Request Schedule**  
 88th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/22/2022  
 TIME: 11:35:00AM

Agency code: 224

Agency name: **Fourth Court of Appeals District, San Antonio**

CODE	DESCRIPTION	Excp 2024	Excp 2025
	<b>Item Name:</b> Joint request for Article IV, Judiciary-wide inflation relief <b>Item Priority:</b> 2 <b>IT Component:</b> No <b>Anticipated Out-year Costs:</b> No <b>Involve Contracts &gt; \$50,000:</b> No <b>Includes Funding for the Following Strategy or Strategies:</b> 01-01-01 Appellate Court Operations		
<b>OBJECTS OF EXPENSE:</b>			
1001	SALARIES AND WAGES	253,227	253,227
1002	OTHER PERSONNEL COSTS	20,258	20,258
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$273,485</b>	<b>\$273,485</b>
<b>METHOD OF FINANCING:</b>			
1	General Revenue Fund	273,485	273,485
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$273,485</b>	<b>\$273,485</b>

**DESCRIPTION / JUSTIFICATION:**

Attorneys and staff of the courts of appeals have been impacted by increasing costs due to inflation. The impact has been devastating because the State has not given a raise in a significant period of time. Their buying power has diminished and has resulted in attrition by those seeking higher-paying jobs. If salaries are not increased, the courts risk losing more personnel that will be costly to replace. Training takes time and will impact the ability of the courts to meet the demands as we navigate the post-pandemic surge. On May 4, 2022, the Council of Chiefs submitted written testimony to the Senate Committee on Finance comprised of testimonials from court personnel describing personal experiences with rising costs. The Council asks for consideration of this testimony. The courts of appeals join in the judiciary-wide inflation relief for non-judicial employees sought by Article IV courts and agencies. Respectfully, a ten percent (10%) increase on the budget model salaries is sought to help absorb the impact of inflation. To maintain the Similar Funding for Same-Sized Courts model that has worked exceptionally well for years, the requested percentage must be based on the budget model salaries. This exceptional item is not duplicative of exceptional item 1, which does not include an adjustment for the inflation that is expected to persist.

**EXTERNAL/INTERNAL FACTORS:**

Inflation is diminishing the buying power of attorneys and staff. Many are struggling to pay mortgages, rent and other items necessary for their livelihood. A ten percent (10%) increase on the budget model salaries is sought to offset the current impact of inflation, diminish the effect of future inflation, and to permit the courts of appeals to pay attorneys and staff competitive salaries that will help them in the event of a recession.

**PCLS TRACKING KEY:**

**4.A. Exceptional Item Request Schedule**  
88th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/22/2022**  
TIME: **11:35:00AM**

---

Agency code: **224**

Agency name: **Fourth Court of Appeals District, San Antonio**

---

<b>CODE</b>	<b>DESCRIPTION</b>	<b>Excp 2024</b>	<b>Excp 2025</b>
-------------	--------------------	------------------	------------------

---

**4.B. Exceptional Items Strategy Allocation Schedule**  
 88th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/22/2022**  
 TIME: **11:35:00AM**

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

Code	Description	Excp 2024	Excp 2025
<b>Item Name:</b> Increase the general revenue limit to meet the updated budget model (similar funding for same-sized courts)			
<b>Allocation to Strategy:</b> 1-1-1 Appellate Court Operations			
<b>STRATEGY IMPACT ON OUTCOME MEASURES:</b>			
<u>1</u>	Clearance Rate	100.00%	100.00%
<u>2</u>	Percentage of Cases Under Submission for Less Than One Year	100.00%	100.00%
<u>3</u>	Percentage of Cases Pending for Less Than Two Years	100.00%	100.00%
<b>OUTPUT MEASURES:</b>			
<u>1</u>	Number of Civil Cases Disposed	12.00	12.00
<u>2</u>	Number of Criminal Cases Disposed	162.00	170.00
<b>OBJECTS OF EXPENSE:</b>			
1001	SALARIES AND WAGES	587,214	587,214
1002	OTHER PERSONNEL COSTS	46,977	46,977
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$634,191</b>	<b>\$634,191</b>
<b>METHOD OF FINANCING:</b>			
1	General Revenue Fund	634,191	634,191
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$634,191</b>	<b>\$634,191</b>
<b>FULL-TIME EQUIVALENT POSITIONS (FTE):</b>		1.0	1.0

**4.B. Exceptional Items Strategy Allocation Schedule**  
 88th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/22/2022**  
 TIME: **11:35:00AM**

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

Code	Description	Excp 2024	Excp 2025
<b>Item Name:</b> Joint request for Article IV, Judiciary-wide inflation relief			
<b>Allocation to Strategy:</b> 1-1-1                      Appellate Court Operations			
<b>STRATEGY IMPACT ON OUTCOME MEASURES:</b>			
	<u>1</u> Clearance Rate	100.00%	100.00%
	<u>2</u> Percentage of Cases Under Submission for Less Than One Year	100.00%	100.00%
	<u>3</u> Percentage of Cases Pending for Less Than Two Years	100.00%	100.00%
<b>OBJECTS OF EXPENSE:</b>			
	1001 SALARIES AND WAGES	253,227	253,227
	1002 OTHER PERSONNEL COSTS	20,258	20,258
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$273,485</b>	<b>\$273,485</b>
<b>METHOD OF FINANCING:</b>			
	1 General Revenue Fund	273,485	273,485
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$273,485</b>	<b>\$273,485</b>

**4.C. Exceptional Items Strategy Request**  
 88th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

**DATE:** 8/22/2022  
**TIME:** 11:35:00AM

Agency Code: **224** Agency name: **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

<b>CODE DESCRIPTION</b>	<b>Exp 2024</b>	<b>Exp 2025</b>
-------------------------	-----------------	-----------------

**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	12.00	12.00
<u>2</u> Number of Criminal Cases Disposed	162.00	170.00

**OBJECTS OF EXPENSE:**

1001 SALARIES AND WAGES	840,441	840,441
1002 OTHER PERSONNEL COSTS	67,235	67,235
<b>Total, Objects of Expense</b>	<b>\$907,676</b>	<b>\$907,676</b>

**METHOD OF FINANCING:**

1 General Revenue Fund	907,676	907,676
<b>Total, Method of Finance</b>	<b>\$907,676</b>	<b>\$907,676</b>

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

1.0	1.0
-----	-----

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

Increase the general revenue limit to meet the updated budget model (similar funding for same-sized courts)  
 Joint request for Article IV, Judiciary-wide inflation relief

**6.A. Historically Underutilized Business Supporting Schedule**  
 88th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

Date: **8/22/2022**  
 Time: **11:35:01AM**

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

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

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

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2020			Total Expenditures FY 2020		HUB Expenditures FY 2021			Total Expenditures FY 2021	
			% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$	FY 2021		
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	\$42,292	26.0 %	0.0%	-26.0%	\$0	\$33,357	
21.1%	Commodities	21.1 %	37.1%	16.0%	\$1,540	\$4,151	21.1 %	7.1%	-14.0%	\$3,001	\$42,467	
	<b>Total Expenditures</b>		<b>3.3%</b>		<b>\$1,540</b>	<b>\$46,443</b>		<b>4.0%</b>		<b>\$3,001</b>	<b>\$75,824</b>	

**B. Assessment of Attainment of HUB Procurement Goals**

**Attainment:**

While the court did not attain the applicable statewide HUB procurement goals in FY 2021, it attained or exceeded in one of the applicable HUB procurement goals in FY 2020.

**Applicability:**

The "Heavy Construction", "Building Construction", "Special Trade" and "Professional Services" categories are not applicable to court operations in fiscal years 2020 and 2021.

**Factors Affecting Attainment:**

In both fiscal years 2020 and 2021 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.

**C. Good-Faith Efforts to Increase HUB Participation**

**Outreach Efforts and Mentor-Protégé Programs:**

**HUB Program Staffing:**

**6.A. Historically Underutilized Business Supporting Schedule**  
88th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

Date: **8/22/2022**  
Time: **11:35:01AM**

---

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

**Current and Future 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 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**

<b>ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2024-25 GAA BILL PATTERN</b>	<b>\$ 796,672</b>
---	-------------------

<u>Fund Name</u>	
Estimated Beginning Balance in FY 2022	\$ 547,595
Estimated Revenues FY 2022	\$ 244,523
Estimated Revenues FY 2023	\$ 244,523
<b>FY 2022-23 Total</b>	<b>\$ 1,036,641</b>
Estimated Beginning Balance in FY 2024	\$ 307,626
Estimated Revenues FY 2024	\$ 244,523
Estimated Revenues FY 2025	\$ 244,523
<b>FY 2024-25 Total</b>	<b>\$ 796,672</b>
<b>Constitutional or Statutory Creation and Use of Funds:</b>	
<p>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.</p>	
<b>Method of Calculation and Revenue Assumptions:</b>	
<p>Revenue estimates are based on current year collections. The number of civil suits filed determines the actual revenue received.</p>	