



# Legislative Appropriations Request

For Fiscal Years 2026-2027

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

by

Fifteenth Court of Appeals

August 16, 2024



**FY 2026-27 LEGISLATIVE APPROPRIATIONS REQUEST  
Fifteenth Court of Appeals**

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**Administrator's Statement**

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89th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

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**235 Fifteenth Court of Appeals District, Austin**

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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. The courts of appeals are also tasked with resolving numerous original proceedings in the form of petitions seeking mandamus and habeas corpus relief, many of which involve voluminous records, that must be decided on an expedited basis.

Since 1983 until August 2024, the work of the courts of appeals has been accomplished by 80 justices statewide. Effective September 1, 2024, the Fifteenth Court of Appeals will become operational, increasing the total number of intermediate appellate court justices to 83 for the next biennium.

Since 1983, the population of Texas has nearly doubled. 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. In that regard, case filings in the Texas intermediate courts of appeals have returned to pre-pandemic levels. Adequate funding for the intermediate courts of appeals is essential for maintaining and providing cost-effective service to the citizens of Texas.

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

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 for the first time in 2015, and the courts had been operating under the same zero-based budget model and funding levels until the 88th Legislative Session when the Legislature increased the budgets for the intermediate appellate courts. The intermediate appellate courts are appreciative of the increased funding received last session.

The legislature created the Fifteenth Court of Appeals during its 88th Session in 2023. The Court is composed of a Chief Justice and two justices. The Fifteenth Court's initial term begins September 1, 2024. The Fifteenth Court of Appeals has adopted the Similar Funding for Same-Sized Courts budget model used by the courts of appeals.

Even with the increase in funding for the intermediate appellate courts from the 88th Legislative Session, the courts continue to lag behind in funding. With the growth in Texas population and the expansion of the Texas business environment, the demands of the core function of the courts have required higher-skilled and higher-salary positions in order to adequately serve the citizens of Texas. Further, the intermediate appellate courts have seen an increase in case activity that is a direct result of Operation Lone Star. Additionally, operating costs for necessary resources such as Westlaw/LexisNexis and other administrative needs have increased dramatically.

Funding for all courts of appeals (including the new Fifteenth Court of Appeals) comprises less than 0.04% 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.

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**235 Fifteenth Court of Appeals District, Austin**

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Respectfully, additional funding is now necessary to ensure the efficient administration of justice going forward.

**EXCEPTIONAL ITEM #1: SB 30/HB 1 SALARY INCREASE FOR VACANT POSITIONS – 10%**

The staff positions for the court remained vacant throughout AY2024, therefore the court was prevented from drawing down the salary increase provided to state employees in July 2023 and September 2024. When the court's appropriations were created as a result of SB 1045, the bill pattern did not include a Salary Adjustments strategy so this funding is not in the baseline GR limit. The staff positions should be granted the salary increase to remain equitable with similar positions in the other appellate courts.

**EXCEPTIONAL ITEM #2: ADJUSTMENT FOR INFLATION - 6%**

Even after the increased funding received in the 88th Legislative Session, attorneys and staff of the intermediate appellate courts remain impacted in many ways by increasing costs due to inflation. Their buying power for goods and services has diminished and, at some courts, has resulted in attrition by those seeking higher-paying jobs that are often paid by other governmental entities that can pay more than the intermediate appellate courts. 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 continued population growth and increased case filings attributed to a booming business environment and state efforts to secure the Texas border.

Respectfully, the intermediate appellate courts join with the Texas Supreme Court in requesting a six percent (6%) increase in general revenue appropriations to help absorb the continuing impact of inflation and the increased demands placed on the courts. Thus, the Fifteenth Court of Appeals requests this additional 6% to foster the business model adopted by the courts of appeals of equal funding for the same sized courts. Deviating from that model risks reversion to historic and potentially detrimental modes of individualized court funding focused less on the needs of Texas and the appellate judiciary as a whole.

**EXCEPTIONAL ITEM #3: CONSTRUCTION OF COURTROOM FOR THE FIFTEENTH COURT OF APPEALS**

Through the determined efforts of the Office of Court Administration, space for the day-to-day operation of the Fifteenth Court of Appeals was located, remodeled and furnished in time for its initial term to begin on September 1, 2024.

Unlike the other 14 courts of appeals, our Court finds itself in a unique situation without a dedicated courtroom, a fundamental requirement for a court with statewide jurisdiction. The LAR includes a request for \$1.2 million for this purpose. This cost does not factor in any potential yearly lease obligations that might arise when securing and maintaining a new courtroom.

In the alternative, the Court requests permission to use the 'Court of Appeals' courtroom on the 3rd floor of the Capitol, for what was once its historic purpose. This courtroom, with its rich history and significance, is currently closed to the public and is reportedly not being used for any critical function.

Initial discussions with staff of the State Preservation Board have raised a possible concern that the use would be judicial rather than legislative. However, the use of the courtroom for the Court's operation would not only be significantly less expensive but also a far more beneficial use from a historical perspective. It would restore the courtroom to its original purpose of hosting public arguments by a statewide court of appeals, a function it currently serves only once or twice a month, rather than its

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**235 Fifteenth Court of Appeals District, Austin**

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current unused status.

**SPECIAL PROVISIONS/RIDER EXCEPTION REQUESTS:**

The courts of appeals also request the following with regard to the SPECIAL PROVISIONS – JUDICIARY found in Article IV (beginning at p. IV-42 of the General Appropriations Act for the 2024-25 Biennium) concerning across-the-board riders:

1. Retain Special Provisions – Judiciary, Sec. 3, Appellate Court Exemptions pertaining to the following Article IX riders: Section 6.10, Limitations on State Employment Levels, Section 6.13, Performance Standards, Section 14.03, Transfers – Capital Budget, and Section 3.04, Scheduled Exempt Positions.
2. Retain Special Provisions – Judiciary, Sec. 5, Interagency Contracts for Assigned Judges for Appellate Courts
3. Retain Special Provisions – Judiciary, Sec. 6, Appellate Court Transfer Authority

Historically, the Legislature has granted the courts exemption from certain limitations in the General Appropriations Act. The Legislature has 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, the courts of appeals have included appropriated receipts in the amounts that reflect reimbursement for copies of opinions and other court documents. These amounts are merely an offset for additional expenses incurred by the courts and do not constitute additional funds available for general expenditures for the courts. The amount can vary significantly from year to year. As the Fifteenth Court begins operation on September 1, 2024, it has no additional funds to include.



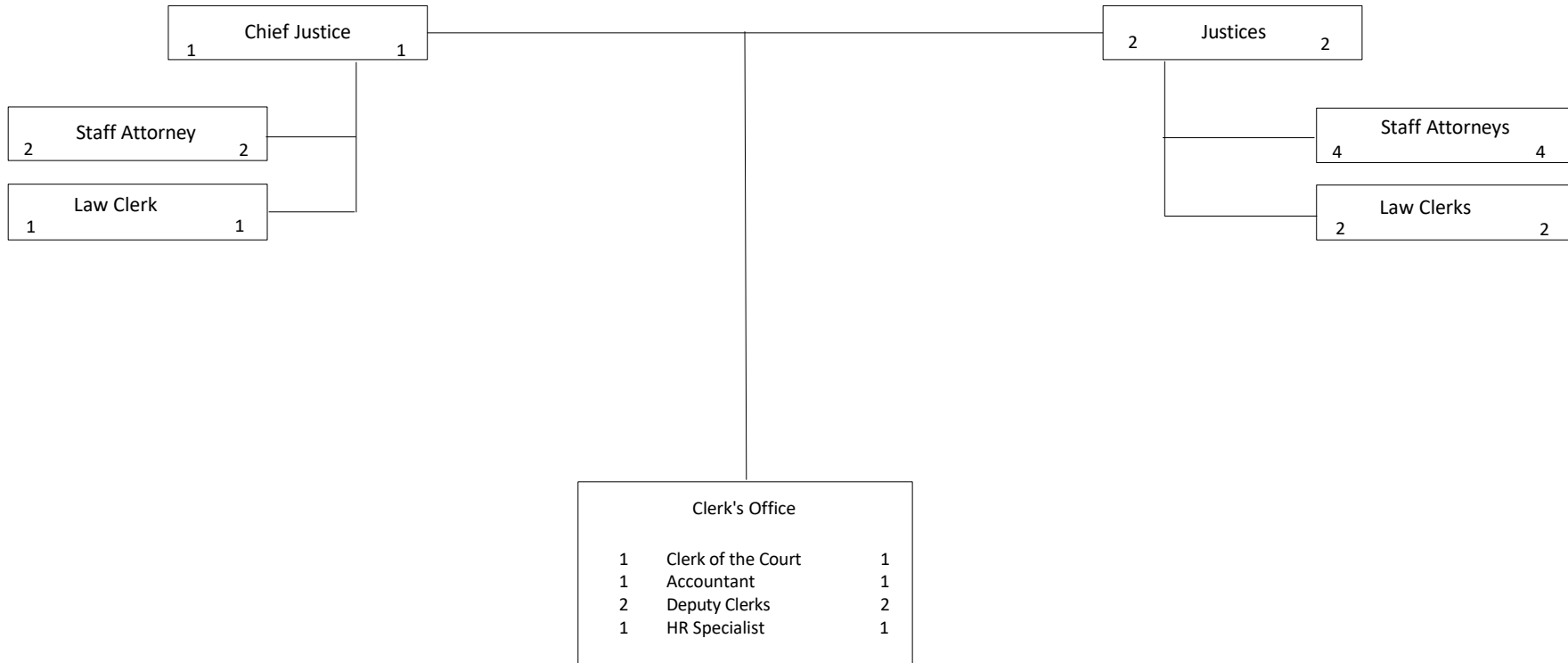


# ORGANIZATIONAL CHART

## Fifteenth Court of Appeals

2025 (2026-27)

Attached is an organizational chart of the Second Court of Appeals. The number on the left is the number of budgeted positions for fiscal year 2023. The number on the right is the number of positions requested for quality legal and non-legal staff for FY 2026-27.





## CERTIFICATE

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

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the Office of the Governor will be notified in writing in accordance with House Bill 1, Article IX, Section 7.01, Eighty-eighth Legislature, Regular Session, 2023.

**Chief Executive Office or Presiding Judge**

**Board or Commission Chair**

*Scott Brister*

Signature \_\_\_\_\_

Signature \_\_\_\_\_

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

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

Chief Justice

Title \_\_\_\_\_

Title \_\_\_\_\_

August 16, 2024

Date \_\_\_\_\_

Date \_\_\_\_\_

**Chief Financial Officer**

*Luis Prine*

Signature \_\_\_\_\_

Christopher A. Prine

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

Project Consultant - Fifteenth Court of Appeals

Title \_\_\_\_\_

August 16, 2024

Date \_\_\_\_\_

**Budget Overview - Biennial Amounts**  
**89th Regular Session, Agency Submission, Version 1**  
Automated Budget and Evaluation System of Texas (ABEST)

235 Fifteenth Court of Appeals District, Austin  
Appropriation Years: 2026-27

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS
	2024-25	2026-27	2024-25	2026-27	2024-25	2026-27	2024-25	2026-27	2024-25	2026-27	2026-27
	<b>Goal: 1. Appellate Court Operations</b>										
1.1.1. Appellate Court Operations	1,856,101	3,712,202							1,856,101	3,712,202	1,917,060
1.1.2. Appellate Justice Salaries	471,468	942,936							471,468	942,936	
<b>Total, Goal</b>	<b>2,327,569</b>	<b>4,655,138</b>							<b>2,327,569</b>	<b>4,655,138</b>	<b>1,917,060</b>
<b>Total, Agency</b>	<b>2,327,569</b>	<b>4,655,138</b>							<b>2,327,569</b>	<b>4,655,138</b>	<b>1,917,060</b>
<b>Total FTEs</b>									<b>17.0</b>	<b>17.0</b>	<b>2.0</b>



2.A. Summary of Base Request by Strategy

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89th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

235 Fifteenth Court of Appeals District, Austin

Goal / Objective / STRATEGY	Exp 2023	Est 2024	Bud 2025	Req 2026	Req 2027
<b>1</b> Appellate Court Operations					
<b>1</b> Appellate Court Operations					
<b>1</b> APPELLATE COURT OPERATIONS	0	0	1,856,101	1,856,101	1,856,101
<b>2</b> APPELLATE JUSTICE SALARIES	0	0	471,468	471,468	471,468
TOTAL, GOAL <b>1</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>
TOTAL, AGENCY STRATEGY REQUEST	<b>\$0</b>	<b>\$0</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				<b>\$0</b>	<b>\$0</b>
GRAND TOTAL, AGENCY REQUEST	<b>\$0</b>	<b>\$0</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>
<u>METHOD OF FINANCING:</u>					
<b>General Revenue Funds:</b>					
1 General Revenue Fund	0	0	2,327,569	2,327,569	2,327,569
SUBTOTAL	<b>\$0</b>	<b>\$0</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>
TOTAL, METHOD OF FINANCING	<b>\$0</b>	<b>\$0</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>

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

**2.B. Summary of Base Request by Method of Finance**  
 89th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

8/16/2024 6:48:34PM

Agency code: <b>235</b>	Agency name: <b>Fifteenth Court of Appeals District, Austin</b>				
<b>METHOD OF FINANCING</b>	<b>Exp 2023</b>	<b>Est 2024</b>	<b>Bud 2025</b>	<b>Req 2026</b>	<b>Req 2027</b>
<b><u>GENERAL REVENUE</u></b>					
<b><u>1</u> General Revenue Fund</b>					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations from the MOF Table (2026-2027 GAA)					
	\$0	\$0	\$0	\$2,327,569	\$2,327,569
<i>RIDER APPROPRIATION</i>					
Article IV, Special Provisions, Sec. 10, Contingency for SB 1045 (2024-2025 GAA)					
	\$0	\$0	\$2,327,569	\$0	\$0
<b>TOTAL, General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>
<b>TOTAL, ALL GENERAL REVENUE</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>
<b>GRAND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>

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

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89th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

METHOD OF FINANCING	Exp 2023	Est 2024	Bud 2025	Req 2026	Req 2027
<hr/>					
<b>FULL-TIME-EQUIVALENT POSITIONS</b>					
REGULAR APPROPRIATIONS					
Regular Appropriations from MOF Table (2024-25 GAA)	0.0	0.0	17.0	0.0	0.0
Regular Appropriations from MOF Table (2026-27 GAA)	0.0	0.0	0.0	17.0	17.0
<b>TOTAL, ADJUSTED FTES</b>	<b>0.0</b>	<b>0.0</b>	<b>17.0</b>	<b>17.0</b>	<b>17.0</b>
<b>NUMBER OF 100% FEDERALLY FUNDED FTEs</b>	<b>0.0</b>	<b>0.0</b>	<b>17.0</b>	<b>0.0</b>	<b>0.0</b>

Agency code: **235**

Agency name: **Fifteenth Court of Appeals District, Austin**

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

8/16/2024 6:48:35PM

89th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

235 Fifteenth Court of Appeals District, Austin

OBJECT OF EXPENSE	Exp 2023	Est 2024	Bud 2025	BL 2026	BL 2027
1001 SALARIES AND WAGES	\$0	\$0	\$1,692,703	\$1,768,303	\$1,768,303
1002 OTHER PERSONNEL COSTS	\$0	\$0	\$14,640	\$15,600	\$19,680
2004 UTILITIES	\$0	\$0	\$0	\$0	\$0
2007 RENT - MACHINE AND OTHER	\$0	\$0	\$2,000	\$2,000	\$2,000
2009 OTHER OPERATING EXPENSE	\$0	\$0	\$618,226	\$541,666	\$537,586
5000 CAPITAL EXPENDITURES	\$0	\$0	\$0	\$0	\$0
<b>OOE Total (Excluding Riders)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>
<b>OOE Total (Riders)</b>					
<b>Grand Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>



**2.E. Summary of Exceptional Items Request**  
 89th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/16/2024  
 TIME : 6:48:36PM

Agency code: 235

Agency name: Fifteenth Court of Appeals District, Austin

Priority	Item	2026			2027			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	SB30/HB1 Salary Increase/Vacancies	\$258,577	\$258,577	1.0	\$255,277	\$255,277	1.0	\$513,854	\$513,854
2	Adjustment for Inflation	\$103,085	\$103,085		\$103,085	\$103,085		\$206,170	\$206,170
3	Buildout of Courtroom	\$1,111,090	\$1,111,090	1.0	\$85,946	\$85,946	1.0	\$1,197,036	\$1,197,036
<b>Total, Exceptional Items Request</b>		<b>\$1,472,752</b>	<b>\$1,472,752</b>	<b>2.0</b>	<b>\$444,308</b>	<b>\$444,308</b>	<b>2.0</b>	<b>\$1,917,060</b>	<b>\$1,917,060</b>
<b>Method of Financing</b>									
	General Revenue	\$1,472,752	\$1,472,752		\$444,308	\$444,308		\$1,917,060	\$1,917,060
	General Revenue - Dedicated								
	Federal Funds								
	Other Funds								
		<b>\$1,472,752</b>	<b>\$1,472,752</b>		<b>\$444,308</b>	<b>\$444,308</b>		<b>\$1,917,060</b>	<b>\$1,917,060</b>
<b>Full Time Equivalent Positions</b>				<b>2.0</b>				<b>2.0</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**  
 89th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/16/2024  
 TIME : 6:48:36PM

Agency code: 235 Agency name: Fifteenth Court of Appeals District, Austin

<b>Goal/Objective/STRATEGY</b>	<b>Base 2026</b>	<b>Base 2027</b>	<b>Exceptional 2026</b>	<b>Exceptional 2027</b>	<b>Total Request 2026</b>	<b>Total Request 2027</b>
<b>1</b> Appellate Court Operations						
1 <i>Appellate Court Operations</i>						
1 APPELLATE COURT OPERATIONS	\$1,856,101	\$1,856,101	\$1,472,752	\$444,308	\$3,328,853	\$2,300,409
2 APPELLATE JUSTICE SALARIES	471,468	471,468	0	0	471,468	471,468
<b>TOTAL, GOAL 1</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$1,472,752</b>	<b>\$444,308</b>	<b>\$3,800,321</b>	<b>\$2,771,877</b>
<b>TOTAL, AGENCY STRATEGY REQUEST</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$1,472,752</b>	<b>\$444,308</b>	<b>\$3,800,321</b>	<b>\$2,771,877</b>
<b>TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST</b>						
<b>GRAND TOTAL, AGENCY REQUEST</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$1,472,752</b>	<b>\$444,308</b>	<b>\$3,800,321</b>	<b>\$2,771,877</b>

**2.F. Summary of Total Request by Strategy**  
 89th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/16/2024  
 TIME : 6:48:36PM

Agency code: 235 Agency name: Fifteenth Court of Appeals District, Austin

<b>Goal/Objective/STRATEGY</b>	<b>Base 2026</b>	<b>Base 2027</b>	<b>Exceptional 2026</b>	<b>Exceptional 2027</b>	<b>Total Request 2026</b>	<b>Total Request 2027</b>
<b>General Revenue Funds:</b>						
1 General Revenue Fund	\$2,327,569	\$2,327,569	\$1,472,752	\$444,308	\$3,800,321	\$2,771,877
	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$1,472,752</b>	<b>\$444,308</b>	<b>\$3,800,321</b>	<b>\$2,771,877</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$1,472,752</b>	<b>\$444,308</b>	<b>\$3,800,321</b>	<b>\$2,771,877</b>
<b>FULL TIME EQUIVALENT POSITIONS</b>	<b>17.0</b>	<b>17.0</b>	<b>2.0</b>	<b>2.0</b>	<b>19.0</b>	<b>19.0</b>

**235 Fifteenth 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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
<b>Efficiency Measures:</b>						
KEY 1	Clearance Rate	0.00 %	0.00 %	100.00 %	100.00 %	100.00 %
KEY 2	Percentage of Cases Under Submission for Less Than One Year	0.00 %	0.00 %	100.00 %	100.00 %	100.00 %
KEY 3	Percentage of Cases Under Submission for Less Than Two Years	0.00 %	0.00 %	100.00 %	100.00 %	100.00 %
<b>Explanatory/Input Measures:</b>						
1	Number of Cases Filed	0.00	0.00	122.00	122.00	122.00
2	Number of Cases Transferred In	0.00	0.00	81.00	0.00	0.00
3	Number of Cases Transferred OUT	0.00	0.00	0.00	0.00	0.00
4	Number of Cases Disposed	0.00	0.00	206.00	122.00	122.00
<b>Objects of Expense:</b>						
1001	SALARIES AND WAGES	\$0	\$0	\$1,221,235	\$1,296,835	\$1,296,835
1002	OTHER PERSONNEL COSTS	\$0	\$0	\$14,640	\$15,600	\$19,680
2004	UTILITIES	\$0	\$0	\$0	\$0	\$0
2007	RENT - MACHINE AND OTHER	\$0	\$0	\$2,000	\$2,000	\$2,000
2009	OTHER OPERATING EXPENSE	\$0	\$0	\$618,226	\$541,666	\$537,586
5000	CAPITAL EXPENDITURES	\$0	\$0	\$0	\$0	\$0

**235 Fifteenth 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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$0</b>	<b>\$0</b>	<b>\$1,856,101</b>	<b>\$1,856,101</b>	<b>\$1,856,101</b>
<b>Method of Financing:</b>						
1	General Revenue Fund	\$0	\$0	\$1,856,101	\$1,856,101	\$1,856,101
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$0</b>	<b>\$0</b>	<b>\$1,856,101</b>	<b>\$1,856,101</b>	<b>\$1,856,101</b>
<b>TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)</b>					<b>\$1,856,101</b>	<b>\$1,856,101</b>
<b>TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)</b>		<b>\$0</b>	<b>\$0</b>	<b>\$1,856,101</b>	<b>\$1,856,101</b>	<b>\$1,856,101</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>0.0</b>	<b>0.0</b>	<b>14.0</b>	<b>14.0</b>	<b>14.0</b>

**STRATEGY DESCRIPTION AND JUSTIFICATION:**

The Fifteenth Court of Appeals was created in 2023, by Acts 2023, 88th Leg., R.S., Ch. 275 (S.B. 855), pursuant to the authority granted by Article 5, Section 1, Texas Constitution. The court has statewide civil intermediate appellate jurisdiction and exclusive intermediate appellate jurisdiction over matters arising out of or related to a civil appeals brought by or against the state or a board, commission, department, office, or other agency in the executive branch of the state government, including a university system or institution of higher education as defined by Section 61.003, Education Code, or by or against an officer or employee of the state or a board, commission, department, office, or other agency in the executive branch of the state government arising out of that officer's or employee's official conduct (subject to certain exceptions). In addition, the Fifteenth Court has exclusive jurisdiction over appeals from the Texas Business Courts, involving cases dealing with business disputes valued at more than \$10 million.

**235 Fifteenth 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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
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**EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:**

Courts of Appeals are by nature, small agencies with highly specialized staff. The main factor which drives this strategy is the need to attract and retain highly trained and knowledgeable professional staff to work on an increasing caseload.

**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 2024 + Bud 2025)</u>	<u>Baseline Request (BL 2026 + BL 2027)</u>	<u>CHANGE</u>	<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$1,856,101	\$3,712,202	\$1,856,101	\$1,856,101	Funding for the first year of the biennium was appropriated to the Office of Court Administration.
			<b>\$1,856,101</b>	<b>Total of Explanation of Biennial Change</b>

**235 Fifteenth 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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
<b>Objects of Expense:</b>						
1001	SALARIES AND WAGES	\$0	\$0	\$471,468	\$471,468	\$471,468
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$0</b>	<b>\$0</b>	<b>\$471,468</b>	<b>\$471,468</b>	<b>\$471,468</b>
<b>Method of Financing:</b>						
1	General Revenue Fund	\$0	\$0	\$471,468	\$471,468	\$471,468
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$0</b>	<b>\$0</b>	<b>\$471,468</b>	<b>\$471,468</b>	<b>\$471,468</b>
<b>TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)</b>					<b>\$471,468</b>	<b>\$471,468</b>
<b>TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)</b>		<b>\$0</b>	<b>\$0</b>	<b>\$471,468</b>	<b>\$471,468</b>	<b>\$471,468</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>0.0</b>	<b>0.0</b>	<b>3.0</b>	<b>3.0</b>	<b>3.0</b>

**STRATEGY DESCRIPTION AND JUSTIFICATION:**

In FY2019, the legislature created strategy A.1.2 for all appellate court judicial salaries. Since the 15th Court of Appeals was not in existence until AY2025, AY2023-AY2024 will be zero.

**EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:**

**235 Fifteenth Court of Appeals District, Austin**

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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
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Approximately 20% of the courts' General Revenue funding is dedicated to Strategy A.1.2. (judicial salaries). As judicial salaries are set by statute, the courts are unable to make any reduction to that portion of their budgets. Consequently, any budget reduction to this strategy must be applied only to the remaining two-thirds of the courts' General Revenue: Strategy A.1.1. (appellate court operations) and would effectively result in a budget cut to the court that is significantly higher than the cuts directed to other State agencies.

**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 2024 + Bud 2025)	Baseline Request (BL 2026 + BL 2027)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$471,468	\$942,936	\$471,468	\$471,468	Funding for the first year of the biennium was appropriated to the Office of Court Administration.
			<b>\$471,468</b>	<b>Total of Explanation of Biennial Change</b>



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**SUMMARY TOTALS:**

<b>OBJECTS OF EXPENSE:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>
<b>METHODS OF FINANCE (INCLUDING RIDERS):</b>				<b>\$2,327,569</b>	<b>\$2,327,569</b>
<b>METHODS OF FINANCE (EXCLUDING RIDERS):</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>	<b>\$2,327,569</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>	<b>0.0</b>	<b>0.0</b>	<b>17.0</b>	<b>17.0</b>	<b>17.0</b>

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

<b>Agency Code:</b> 235	<b>Agency Name:</b> Fifteenth District Court of Appeals	<b>Prepared By:</b> Jennifer Henry	<b>Date:</b> 8/16/2024	<b>Request Level:</b> Baseline
<b>Current Rider Number</b>	<b>Page Number in 2024-25 GAA</b>	<b>Proposed Rider Language</b>		

5

IV-43

**Sec. 5. 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 15 Courts of Appeals may enter into a contract with the Office of the Comptroller for fiscal years ~~2024~~2026 and ~~2025~~2027, 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 include the 15<sup>th</sup> Court of Appeals and adjust the years for the 2026-2027 biennium.***

### 3.B. Rider Revisions and Additions Request (continued)

7

IV-43

#### Sec. 7. Schedule of Exempt Positions <sup>1, 2, 3, 4</sup>

No change to sections (a), (b), and (c).

(d) **Information Listing – Judicial and Prosecutor Compensation.** Government Code §659.012, Judicial Salaries, and Section 46.003, Compensation of State Prosecutors, establish a tiered, tenure-based compensation structure for certain judges and professional prosecutor positions that is linked to the base salary of a district judge as set by the General Appropriations Act and adjusts depending on the judge's or professional prosecutor's tenure. Consistent with Government Code Section 46.003 and Section 659.012, for their first four years of service, district judges earn a base salary set by the General Appropriations Act and certain other judges or the and professional prosecutor's earns a base salary that is a certain percentage of the base salary of a district judge, subject to certain other statutory limitations. The base salary for justices on the 1<sup>st</sup> through the 14<sup>th</sup> Court of Appeals is 110% of a district judge's base salary and the base salary for a justice on the 15<sup>th</sup> Court of Appeals is \$5,000 less than 120% of the state base salary of a district judge. The base salary for justices on the Supreme Court and judges on the Court of Criminal Appeals is 120% of the base salary of a district judge. When their tenure is between 4-8 years of service, the judge or professional prosecutor earns 110 percent of the judge or prosecutor's base salary. With 8 or more years of tenure, the judge or professional prosecutor's salary is 120 percent of the judge or professional prosecutor's base salary. County prosecutors receive a supplement from the state that is provided to the county in an amount based on a formula that includes the base salary of a district judge with comparable years of service and the number of counties served by the state prosecutor in the county. The table below shows the base salary amounts for each state judge and prosecutor position that are dependent on years of service within each tier.

***Amending language to provide clarification on judicial and prosecutor compensation.***

**3.B. Rider Revisions and Additions Request  
(continued)**

7

IV-44

Judge / Prosecutor	Court / Judicial District / State Agency	Base Salary (0-4 years)	(4-8 years)	(8+ years)
Chief Justice Presiding Judge	Supreme Court Court of Criminal Appeals	\$170,500	\$187,300	\$204,100
Justice Judge	Supreme Court Court of Criminal Appeals	\$168,000	\$184,800	\$201,600
Chief Justice	<del>1<sup>st</sup> – 14<sup>th</sup></del> Court of Appeals	\$156,500	\$172,150	\$187,800
Justice Judge	<del>1<sup>st</sup> – 14<sup>th</sup></del> Court of Appeals	\$154,000	\$169,400	\$184,800
<u>Chief Justice</u>	<u>15<sup>th</sup> Court of Appeals</u>	<u>\$165,500</u>	<u>\$181,800</u>	<u>\$198,100</u>
<u>Justice Judge</u>	<u>15<sup>th</sup> Court of Appeals</u>	<u>\$163,000</u>	<u>\$179,300</u>	<u>\$195,600</u>
Associate Judge	Child Protection Court Child Support Court	\$126,000	\$138,600	\$151,200
Business Court Judge	Business Court	\$140,000	\$154,000	\$168,000
District Judge	District Court	\$140,000	\$154,000	\$168,000
State Prosecuting Attorney	Office of the State Prosecuting Attorney	\$140,000	\$154,000	\$168,000
Professional Prosecutors	Judicial Districts	\$140,000	\$154,000	\$168,000
District Attorneys	Judicial Districts	\$112,000	\$123,200	\$134,400
County Prosecutors	Constitutional County Court	\$23,334 to \$70,000	\$25,667 to \$77,000	\$28,001 to \$84,000

***The schedule in Rider 7. Schedule of Exempt Positions needs to be amended to break out the judge salaries for the 15<sup>th</sup> Court of Appeals, which differs from the other intermediate appellate courts.***

### 3.B. Rider Revisions and Additions Request (continued)

9 IV-44 **Sec. 9. Unexpended Balance Authority.** Any unexpended and unobligated balances remaining in non-estimated strategies at the Supreme Court of Texas, Court of Criminal Appeals, 44<sup>15</sup> Courts of Appeals, Office of Court Administration, Office of Capital and Forensic Writs, Office of the State Prosecuting Attorney, and State Commission on Judicial Conduct as of August 31, 2024<sup>26</sup>, are appropriated to the respective court or agency for the fiscal year beginning September 1, 2024<sup>26</sup>, for the same purpose.

***Updating the rider to include the 15<sup>th</sup> Court of Appeals and to adjust the year for the 2026-2027 biennium.***

10 IV-44 **Sec. 10. Contingency for SB 1045**<sup>5,6</sup>

~~(a) Contingent on the enactment of Senate Bill 1045, Eighty-eighth Legislature, Regular Session, or similar legislation, relating to the creation of the Fifteenth Court of Appeals with jurisdiction over certain civil cases, the compensation of the justices of that court, and the jurisdiction of the courts of appeals in this state, General Revenue funds in the amount of \$2,397,807 and 17.0 FTEs in fiscal year 2024 and \$2,327,569 and 17.0 FTEs in the fiscal year 2025 are appropriated for the purpose of implementing the legislation.~~

~~(b) Upon the enactment of Senate Bill 1045, appropriations and FTEs identified above in subsection (a) shall be provided to the Fifteenth Court of Appeals in a new bill pattern for that purpose in Article IV, The Judiciary, of this Act. The bill pattern shall include:~~

- ~~(1) a Method of Financing with General Revenue appropriations in fiscal year 2025;~~
- ~~(2) a Number of Full-Time Equivalent (FTE) in fiscal year 2025;~~
- ~~(3) a Schedule of Exempt Positions including one Chief Justice and two Justices with salary caps in fiscal year 2025;~~
- ~~(4) a strategy for Appellate Court Operations with amounts for that purpose in fiscal year 2025;~~
- ~~(5) a strategy for Appellate Justice Salaries with amounts for that purpose that are estimated and nontransferable in fiscal year 2025;~~

### 3.B. Rider Revisions and Additions Request (continued)

~~(6) a Performance Measure Targets rider including the following performance measures with targets of 100% attainment in fiscal year 2025;~~

~~(A) Clearance Rate;~~

~~(B) Percentage of Cases Under Submission for Less Than One Year; and~~

~~(C) Percentage of Cases Pending for Less Than Two Years.~~

***Rider is no longer needed. Bill pattern for the 15<sup>th</sup> Court of Appeals is in place in the 2024-2025 GAA.***

**4.A. Exceptional Item Request Schedule**  
 89th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/16/2024**  
 TIME: **6:48:47PM**

Agency code: **235** Agency name: **Fifteenth Court of Appeals District, Austin**

<u>CODE</u>	<u>DESCRIPTION</u>	<u>Excp 2026</u>	<u>Excp 2027</u>
	<p><b>Item Name:</b> SB 30/HB 1 SALARY INCREASE FOR VACANT POSITIONS – 10% - Staff Services Officer</p> <p><b>Item Priority:</b> 1</p> <p><b>IT Component:</b> No</p> <p><b>Anticipated Out-year Costs:</b> Yes</p> <p><b>Involve Contracts &gt; \$50,000:</b> No</p> <p><b>Includes Funding for the Following Strategy or Strategies:</b> 01-01-01 Appellate Court Operations</p>		
<b>OBJECTS OF EXPENSE:</b>			
1001	SALARIES AND WAGES	250,809	250,809
2009	OTHER OPERATING EXPENSE	7,768	4,468
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$258,577</b>	<b>\$255,277</b>
<b>METHOD OF FINANCING:</b>			
1	General Revenue Fund	258,577	255,277
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$258,577</b>	<b>\$255,277</b>
<b>FULL-TIME EQUIVALENT POSITIONS (FTE):</b>		1.00	1.00

**DESCRIPTION / JUSTIFICATION:**

The Fifteen Court of Appeals is requesting funding for positions that were vacant during AY 2024. SB 30 provided a salary increase in July 2023 and HB 1 provided a 5% salary increase in FY2024 for all employee positions of state agencies according to classification schedules A, B, and C for included agencies. The court has 14 non-judicial positions. Since the agency didn't have the opportunity to draw the funds from the CPA in order to be included in the GR limit calculation, the 15th COA is seeking the 10% salary increase for these positions. [https://fmx.cpa.texas.gov/fmx/legis/salinc/guidelines/f017\\_002.php](https://fmx.cpa.texas.gov/fmx/legis/salinc/guidelines/f017_002.php). The court is also requesting one FTE to hire a staff services officer to assist with administrative functions of the court.

**EXTERNAL/INTERNAL FACTORS:**

The positions have been posted at the level budgeted including the 10%, however, the court does not have the funding in their baseline budget since the positions have been vacant. Without this funding, the positions will not be equitable with equivalent positions in the other courts of appeals that received the increase during the 24-25 biennium.

**PCLS TRACKING KEY:**

**4.A. Exceptional Item Request Schedule**  
 89th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/16/2024**  
 TIME: **6:48:47PM**

Agency code: **235**

Agency name: **Fifteenth Court of Appeals District, Austin**

<b>CODE</b>	<b>DESCRIPTION</b>	<b>Excp 2026</b>	<b>Excp 2027</b>
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**DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :**

Funding of staff positions at the level that includes the across-the-board salary increase that occurred on July 1, 2023 and September 1, 2024.

**ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:**

<u>2028</u>	<u>2029</u>	<u>2030</u>
\$255,277	\$255,277	\$255,277



**4.A. Exceptional Item Request Schedule**  
 89th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/16/2024  
 TIME: 6:48:47PM

Agency code: 235 Agency name: Fifteenth Court of Appeals District, Austin

CODE	DESCRIPTION	Excp 2026	Excp 2027
	<b>Item Name:</b> Adjustment for Inflation - 6% salary increase <b>Item Priority:</b> 2 <b>IT Component:</b> No <b>Anticipated Out-year Costs:</b> Yes <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	101,562	101,562
2009	OTHER OPERATING EXPENSE	1,523	1,523
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$103,085</b>	<b>\$103,085</b>
<b>METHOD OF FINANCING:</b>			
1	General Revenue Fund	103,085	103,085
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$103,085</b>	<b>\$103,085</b>

**DESCRIPTION / JUSTIFICATION:**

Even after the increased funding received in the 88th Legislative Session, attorneys and staff of the intermediate appellate courts remain impacted in many ways by increasing costs due to inflation. Their buying power for goods and services has diminished and, at some courts, has resulted in attrition by those seeking higher-paying jobs that are often paid by other governmental entities that can pay more than the intermediate appellate courts. 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 continued population growth and increased case filings attributed to a booming business environment and state efforts to secure the Texas border.

Respectfully, the intermediate appellate courts join with the Texas Supreme Court in requesting a six percent (6%) increase in general revenue appropriations to help absorb the continuing impact of inflation and the increased demands placed on the courts. Thus, the Fifteenth Court of Appeals requests this additional 6% to foster the business model adopted by the courts of appeals of equal funding for the same sized courts. Deviating from that model risks reversion to historic and potentially detrimental modes of individualized court funding focused less on the needs of Texas and the appellate judiciary as a whole.

**EXTERNAL/INTERNAL FACTORS:**

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 continued population growth and increased case filings attributed to a booming business environment and state efforts to secure the Texas border.

**PCLS TRACKING KEY:**

**4.A. Exceptional Item Request Schedule**  
89th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/16/2024**  
TIME: **6:48:47PM**

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Agency code: **235**                      Agency name: **Fifteenth Court of Appeals District, Austin**

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<b>CODE</b>	<b>DESCRIPTION</b>	<b>Excp 2026</b>	<b>Excp 2027</b>
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**DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :**

Continuation of Salary increase in future years.

**ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:**

<u>2028</u>	<u>2029</u>	<u>2030</u>
\$103,085	\$103,085	\$103,085

**4.A. Exceptional Item Request Schedule**  
 89th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/16/2024**  
 TIME: **6:48:47PM**

Agency code: **235**

Agency name: **Fifteenth Court of Appeals District, Austin**

CODE	DESCRIPTION	Excp 2026	Excp 2027
	<b>Item Name:</b> Buildout of the Courtroom for the 15th Court of Appeals <b>Item Priority:</b> 3 <b>IT Component:</b> Yes <b>Anticipated Out-year Costs:</b> Yes <b>Involve Contracts &gt; \$50,000:</b> Yes <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	85,000	85,000
1002	OTHER PERSONNEL COSTS	240	240
2004	UTILITIES	350	0
2009	OTHER OPERATING EXPENSE	185,500	706
5000	CAPITAL EXPENDITURES	840,000	0
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$1,111,090</b>	<b>\$85,946</b>
<b>METHOD OF FINANCING:</b>			
1	General Revenue Fund	1,111,090	85,946
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$1,111,090</b>	<b>\$85,946</b>
<b>FULL-TIME EQUIVALENT POSITIONS (FTE):</b>		1.00	1.00

**DESCRIPTION / JUSTIFICATION:**

The court is requesting the building of a dedicated courtroom. In the meantime, the court will be required to share a courtroom with the business court.

**EXTERNAL/INTERNAL FACTORS:**

Coordination of court dockets to ensure a courtroom is available could be challenging. Unlike the other 14 courts of appeals, our Court finds itself in a unique situation without a dedicated courtroom, a fundamental requirement for a court with statewide jurisdiction. This request does not factor in any potential yearly lease obligations that might arise when securing and maintaining a new courtroom.

In the alternative, the Court requests permission to use the 'Court of Appeals' courtroom on the 3rd floor of the Capitol, for what was once its historic purpose. This courtroom, with its rich history and significance, is currently closed to the public and is reportedly not being used for any critical function.

Initial discussions with staff of the State Preservation Board have raised a possible concern that the use would be judicial rather than legislative. However, the use of the courtroom for the Court's operation would not only be significantly less expensive but also a far more beneficial use from a historical perspective. It would restore the courtroom to its original purpose of hosting public arguments by a statewide court of appeals, a function it currently serves only once or twice a month, rather than its current unused status.

**4.A. Exceptional Item Request Schedule**  
 89th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/16/2024  
 TIME: 6:48:47PM

Agency code: 235

Agency name: Fifteenth Court of Appeals District, Austin

<b>CODE</b>	<b>DESCRIPTION</b>	<b>Excp 2026</b>	<b>Excp 2027</b>
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**PCLS TRACKING KEY:**

N/A

**DESCRIPTION OF IT COMPONENT INCLUDED IN EXCEPTIONAL ITEM:**

Switches, routers, internet, cabling, video-conferencing equipment, computer equipment for FTE.

**IS THIS IT COMPONENT RELATED TO A NEW OR CURRENT PROJECT?**

CURRENT

**STATUS:**

Pending approval from the legislature.

**OUTCOMES:**

N/A

**OUTPUTS:**

N/A

**TYPE OF PROJECT**

Network Services

**ALTERNATIVE ANALYSIS**

If IT component is not approved, the courtroom staff will not be able to reach the internet and there will be no video conferencing capability.

**ESTIMATED IT COST**

2024	2025	2026	2027	2028	2029	2030	Total Over Life of Project
\$0	\$0	\$152,706	\$706	\$706	\$706	\$4,006	\$158,830

**SCALABILITY**

2024	2025	2026	2027	2028	2029	2030	Total Over Life of Project
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**FTE**

2024	2025	2026	2027	2028	2029	2030
0.0	0.0	1.0	1.0	1.0	1.0	1.0

**4.A. Exceptional Item Request Schedule**  
 89th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/16/2024**  
 TIME: **6:48:47PM**

Agency code: **235**

Agency name: **Fifteenth Court of Appeals District, Austin**

<b>CODE</b>	<b>DESCRIPTION</b>	<b>Excp 2026</b>	<b>Excp 2027</b>
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**DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :**

Continued costs for staff salary and licensing.

**ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:**

	<b>2028</b>	<b>2029</b>	<b>2030</b>
	\$86,652	\$86,652	\$86,652

**APPROXIMATE PERCENTAGE OF EXCEPTIONAL ITEM :** 70.00%

**CONTRACT DESCRIPTION :**

The 15th COA will contract with the Texas Facilities Commission to build the courtroom.

**4.B. Exceptional Items Strategy Allocation Schedule**  
 89th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/16/2024**  
 TIME: **6:48:48PM**

Agency code: **235**                      Agency name: **Fifteenth Court of Appeals District, Austin**

Code	Description	Excp 2026	Excp 2027
<b>Item Name:</b> SB 30/HB 1 SALARY INCREASE FOR VACANT POSITIONS – 10% - Staff Services Officer			
<b>Allocation to Strategy:</b> 1-1-1 Appellate Court Operations			
<b>OBJECTS OF EXPENSE:</b>			
1001	SALARIES AND WAGES	250,809	250,809
2009	OTHER OPERATING EXPENSE	7,768	4,468
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$258,577</b>	<b>\$255,277</b>
<b>METHOD OF FINANCING:</b>			
1 General Revenue Fund		258,577	255,277
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$258,577</b>	<b>\$255,277</b>
<b>FULL-TIME EQUIVALENT POSITIONS (FTE):</b>		1.0	1.0

Agency code: 235 Agency name: Fifteenth Court of Appeals District, Austin

Code	Description	Excp 2026	Excp 2027
<b>Item Name:</b> Adjustment for Inflation - 6% salary increase			
<b>Allocation to Strategy:</b> 1-1-1 Appellate Court Operations			
<b>OBJECTS OF EXPENSE:</b>			
1001	SALARIES AND WAGES	101,562	101,562
2009	OTHER OPERATING EXPENSE	1,523	1,523
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$103,085</b>	<b>\$103,085</b>
<b>METHOD OF FINANCING:</b>			
1	General Revenue Fund	103,085	103,085
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$103,085</b>	<b>\$103,085</b>

Agency code: 235 Agency name: Fifteenth Court of Appeals District, Austin

Code	Description	Excp 2026	Excp 2027
<b>Item Name:</b>		Buildout of the Courtroom for the 15th Court of Appeals	
<b>Allocation to Strategy:</b>		1-1-1	Appellate Court Operations
<b>OBJECTS OF EXPENSE:</b>			
1001	SALARIES AND WAGES	85,000	85,000
1002	OTHER PERSONNEL COSTS	240	240
2004	UTILITIES	350	0
2009	OTHER OPERATING EXPENSE	185,500	706
5000	CAPITAL EXPENDITURES	840,000	0
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$1,111,090</b>	<b>\$85,946</b>
<b>METHOD OF FINANCING:</b>			
1 General Revenue Fund		1,111,090	85,946
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$1,111,090</b>	<b>\$85,946</b>
<b>FULL-TIME EQUIVALENT POSITIONS (FTE):</b>		1.0	1.0



**4.C. Exceptional Items Strategy Request**  
 89th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

**DATE:** 8/16/2024  
**TIME:** 6:48:48PM

Agency Code: **235** Agency name: **Fifteenth 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

<b>CODE DESCRIPTION</b>	<b>Exp 2026</b>	<b>Exp 2027</b>
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**EXPLANATORY/INPUT MEASURES:**

<u>1</u> Number of Cases Filed	122.00	122.00
<u>4</u> Number of Cases Disposed	122.00	122.00

**OBJECTS OF EXPENSE:**

1001 SALARIES AND WAGES	437,371	437,371
1002 OTHER PERSONNEL COSTS	240	240
2004 UTILITIES	350	0
2009 OTHER OPERATING EXPENSE	194,791	6,697
5000 CAPITAL EXPENDITURES	840,000	0
<b>Total, Objects of Expense</b>	<b>\$1,472,752</b>	<b>\$444,308</b>

**METHOD OF FINANCING:**

1 General Revenue Fund	1,472,752	444,308
<b>Total, Method of Finance</b>	<b>\$1,472,752</b>	<b>\$444,308</b>

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

	2.0	2.0
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**EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:**

SB 30/HB 1 SALARY INCREASE FOR VACANT POSITIONS – 10% - Staff Services Officer

Adjustment for Inflation - 6% salary increase

Buildout of the Courtroom for the 15th Court of Appeals

### Capital Expenditure Detail

Agency Code:	Court/Agency:	Strategy:			Prepared by:		Date:	Strategy:
235	Fifteenth Court of Appeals	A.1.1.			Jennifer Henry		8/14/2024	A.1.1.
Itemization by Capital Expenditure Category		Number of Units	Unit Cost	Expended 2023	Estimated 2024	Budgeted 2025	EXCP Requested 2026	EXCP Requested 2027
Category	Description of Items						2026	2027
5003	Build Courtroom	1		0	0	0	1,111,090	85,946
TOTAL							\$1,111,090	\$85,946
GRAND TOTAL: CAPITAL EXPENDITURES							\$1,111,090	\$85,946

**5.B. Capital Budget Project Information**  
 89th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/16/2024  
 TIME: 6:48:49PM

Agency Code:	<b>235</b>	Agency name:	<b>Fifteenth Court of Appeals District, Austin</b>
Category Number:	<b>5002</b>	Category Name:	<b>CONST OF BLDGS/FACILITIES</b>
Project number:	<b>1</b>	Project Name:	<b>15th COA Courtroom</b>

**PROJECT DESCRIPTION**

**General Information**

Unlike the other 14 courts of appeals, our Court finds itself in a unique situation without a dedicated courtroom, a fundamental requirement for a court with statewide jurisdiction. The LAR includes a request for \$1.2 million for this purpose. This cost does not factor in any potential yearly lease obligations that might arise when securing and maintaining a new courtroom.

<b>PLCS Tracking Key</b>	N/A
<b>Number of Units / Average Unit Cost</b>	N/A
<b>Estimated Completion Date</b>	08/31/2027

<b>Additional Capital Expenditure Amounts Required</b>		<b>2028</b>	<b>2029</b>
		0	0
<b>Type of Financing</b>	CA	CURRENT APPROPRIATIONS	
<b>Projected Useful Life</b>	30-40 years		
<b>Estimated/Actual Project Cost</b>	\$1,197,036		
<b>Length of Financing/ Lease Period</b>	N/A		

<b><u>ESTIMATED/ACTUAL DEBT OBLIGATION PAYMENTS</u></b>				<b>Total over</b>
<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>	<b>project life</b>
0	0	0	0	0

<b><u>REVENUE GENERATION / COST SAVINGS</u></b>		
<b><u>REVENUE COST FLAG</u></b>	<b><u>MOF CODE</u></b>	<b><u>AVERAGE AMOUNT</u></b>

**Explanation:** Alternatively, the Court requests permission to use the 'Court of Appeals' courtroom on the 3rd floor of the Capitol, for what was once its historic purpose. This courtroom, rich in history and significance, is currently closed to the public and is reportedly not being used for any critical function.

**Project Location:** Austin, Texas

**Beneficiaries:** 15th Court of Appeals Justices, 15th Court of Appeals staff, legal community, corporate community, and general public.

**Frequency of Use and External Factors Affecting Use:**

Monthly

**235 Fifteenth Court of Appeals District, Austin**

Category Code / Category Name <i>Project Number / Name</i> OOE / TOF / MOF CODE	Excp 2026	Excp 2027
5002 Construction of Buildings and Facilities		
<u>1 15th COA Courtroom</u>		
<b>Objects of Expense</b>		
1001 SALARIES AND WAGES	85,000	85,000
1002 OTHER PERSONNEL COSTS	240	240
2004 UTILITIES	350	0
2009 OTHER OPERATING EXPENSE	185,500	706
5000 CAPITAL EXPENDITURES	840,000	0
<b>Subtotal OOE, Project</b> 1	<b>1,111,090</b>	<b>85,946</b>
<b>Type of Financing</b>		
CA           1 General Revenue Fund	1,111,090	85,946
<b>Subtotal TOF, Project</b> 1	<b>1,111,090</b>	<b>85,946</b>
<b>Subtotal Category</b> <b>5002</b>	<b>1,111,090</b>	<b>85,946</b>
<b>AGENCY TOTAL</b>	<b>1,111,090</b>	<b>85,946</b>
<b>METHOD OF FINANCING:</b>		
1 General Revenue Fund	1,111,090	85,946
<b>Total, Method of Financing</b>	<b>1,111,090</b>	<b>85,946</b>
<b>TYPE OF FINANCING:</b>		
CA    CURRENT APPROPRIATIONS	1,111,090	85,946
<b>Total, Type of Financing</b>	<b>1,111,090</b>	<b>85,946</b>

235 Fifteenth Court of Appeals District, Austin

Category Code/Name

Project Number/Name

Goal/Obj/Str	Strategy Name	Excp 2026	Excp 2027
5002 Construction of Buildings and Facilities			
1	15th COA Courtroom		
1	1 1 APPELLATE COURT OPERATIONS	85,000	85,000
1	1 1 APPELLATE COURT OPERATIONS	240	240
1	1 1 APPELLATE COURT OPERATIONS	350	0
1	1 1 APPELLATE COURT OPERATIONS	185,500	706
1	1 1 APPELLATE COURT OPERATIONS	840,000	0
TOTAL, PROJECT		1,111,090	85,946
<b>TOTAL, ALL PROJECTS</b>		<b>1,111,090</b>	<b>85,946</b>