

LEGISLATIVE APPROPRIATIONS REQUEST

for Fiscal Years 2028 and 2029

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

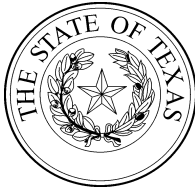
by

Third Court of Appeals

***August 7, 2026
Amended September 4, 2026***

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CERTIFICATE

Agency Name Third District Court of Appeals

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

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the Governor's Office will be notified in writing in accordance with Article IX, Section 7.01 (2026-27 GAA).

Chief Executive Office or Presiding Judge

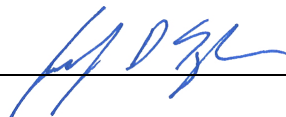

Signature

Darlene Byrne
Printed Name

Chief Justice
Title

September 4, 2026
Date

Chief Financial Officer


Signature

Jeffrey D. Kyle
Printed Name

Clerk of the Court
Title

September 4, 2026
Date

223 Third Court of Appeals District, Austin

The core function of Texas' intermediate appellate courts is to process, review, and decide by written opinion every appeal that is filed with them from trial courts, in civil and criminal cases, across numerous counties. These appeals include every substantive area of civil and criminal law—except for death penalty cases—and many of them must be decided on an expedited basis as mandated by the Legislature and the rules of appellate procedure.

The courts of appeals must also resolve a large number of original proceedings each fiscal year seeking extraordinary relief—such as a writ of habeas corpus, mandamus, prohibition, injunction, or quo warranto. Original proceedings, which are often filed during the pendency of litigation, commonly have voluminous records and must also be decided on an expedited basis. And many of them include a request for emergency temporary relief which must be addressed immediately.

Against this backdrop, Texas has gained more residents than any other state during the 21st century. Since 2000, the population of Texas has increased by more than 52%. More than 31 million people now live in Texas. And the vast majority are adults who look to the judiciary for resolution of their disputes as guaranteed by our Constitution. The Legislature has responded to this big increase population by creating nearly 200 new trial courts across Texas. And the Bench and the Bar have taken important steps to increase access to justice for all Texans.

New case filings in the courts of appeals began to return to their pre-COVID levels in fiscal year 2022. During the next three fiscal years (FY '23, FY '24, and FY '25), new case filings in the courts of appeals increased each fiscal year by between 4% to 8%. This is consistent with the increase in new cases experienced by the federal courts of appeals from 2022 to 2025 at nearly 4.4%.

This all changed for Texas' courts of appeals in fiscal year 2026. New case filings are increasing in FY '26 from FY '25 by 20%. And they are increasing by about 30% from FY '24—which was the last fiscal year before the 89th Legislative Session. (See Exhibit A.)

When equalization transfers are taken into account, every court of appeals in Texas (except the 15th court which has different jurisdictional requirements) is experiencing these large increases in new case filings—which are anticipated to continue for the foreseeable future. (See Exhibit B.)

Two important components of this big increase in new case filings are original proceedings and pro se appeals. Together, they constitute 54% of the new cases filed in the courts of appeals in FY '26.

Original proceedings are increasing in FY '26 from FY '25 by 49%. And they are increasing in FY '26 from FY '24 by 83%. (See Exhibit C.)

Meanwhile, pro se appeals are increasing in FY '26 from FY '25 by 36%. And they are increasing in FY '26 from FY '24 by 68%. (See Exhibit D.)

Yet, in the face of this dramatic growth, the number of staff attorneys (and other staff) at the courts of appeals who assist the justices with their workload has remained largely the same.

A key factor in handling the increasing workload without additional justices is the employment of highly skilled and trained staff attorneys (and other staff). They maximize the productivity of justices by processing complex cases, researching and drafting preliminary drafts of orders and opinions, disposing of voluminous motions, and managing accelerated and emergency matters.

The large population growth across the State and the magnitude of new case filings, in concert with an ever-increasing number of case types requiring expedited review, make it clear that the courts of appeals require additional staff attorneys, and/or other staff, to manage their growing dockets and to efficiently provide the timely,

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high-quality justice to which all citizens of Texas are entitled.

In that regard, 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 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.

Based upon a template of same-size courts, the courts of appeals are now asking the Legislature for additional staff attorneys, and/or other staff, to match the nearly 30% increase in new case filings since FY '24—subject to the particularized request of each court of appeals. (See Exhibit E.)

Without a sufficient number of qualified staff attorneys, and/or other staff, the courts of appeals are largely unable to handle the increasing volume of new case filings each fiscal year and 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) and also comply with the legislatively mandated Clearance Rate requirement.

The courts of appeals are appreciative of the increased funding for existing staff attorneys received last session. It is important and enables the courts of appeals to hire and retain qualified individuals for their existing staff attorney positions, and other staff. The courts of appeals are now faced with the need to increase the number of their staff attorney positions, and/or other staff, in order to keep pace with the growth of Texas and the large increase in new case filings. But they currently lack the funding to do so.

And now the courts of appeals have been instructed to reduce their base appropriation request for the 2028-29 biennium by 3%. Unlike other state agencies, 96.5% of each court of appeals' budget, on average, is dedicated to salaries and benefits. This budget reduction would thus result in a disproportionate and highly negative impact on the courts of appeals. The only way to absorb such a budget reduction is to cut court staff. This is counter-intuitive and unsustainable in light of the substantial increase in new case filings. Additionally, there is virtually no benefit to the State from a 3% budget cut on the courts of appeals. Indeed, funding for all of the courts of appeals comprises less than 0.04% of the State budget as a whole. And a 3% budget cut on the courts of appeals would approximately yield only a 0.002% reduction in the entire State budget.

Mindful of that, and of the critical role that the courts of appeals perform for all Texans, additional funding for additional staff attorneys, and/or other staff, as specifically requested by each court of appeals, is now necessary for the courts of appeals to ensure the efficient and timely administration of justice going forward.

EXCEPTIONAL ITEM #1: RESTORE THE 3% BUDGET CUT.

To address the highly negative and disproportionate impact of the required 3% reduction on the courts' funding, especially in light of the substantial increase in new case filings in Fiscal Year '26, the courts of appeals respectfully submit Exceptional Item #1 requesting the restoration of the 3% budget reduction so that their baseline funding will be the Fiscal Year 2027 budgeted levels. The Third Court of Appeals therefore respectfully requests a restoration to FY 2028-29 General Revenue funding in the amount of \$265,022.00.

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EXCEPTIONAL ITEM #2: ADDITIONAL FULL TIME STAFF ATTORNEYS DUE TO THE SUBSTANTIAL INCREASE IN NEW CASE FILINGS.

Due to the substantial increase in new case filings that the courts of appeals are experiencing in FY '26, and which are expected to continue for the foreseeable future, and based on the template of same-size courts above, the Third Court of Appeals respectfully submits its Exceptional Item # 2 in which it requests funding for six additional full-time staff attorneys.

These additional staff attorneys are necessary because the Third Court of Appeals has experienced a 27% increase in new case filings from FY '25 to FY '26. And a 29% increase from FY '24 to FY '26. These increases are beyond the current capacity of the Third Court of Appeals to handle and comply with the 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) and also comply with the legislatively mandated Clearance Rate requirement.

The total anticipated expense for these requested FTEs in Biennium 2028-29 for the Third Court of Appeals is \$1,737,152.00.

EXCEPTIONAL ITEM #3: THE SUPREME COURT'S REQUEST FOR 6% INCREASE IN STAFF SALARIES.

Recruiting and retaining excellent judicial-branch staff is essential to the fair and efficient administration of justice in Texas. The rising cost of living combined with the draw of more lucrative employment at other government agencies and the private sector continue to create staffing challenges for the courts. The courts of appeals join with the Supreme Court of Texas and the other Article IV courts and agencies in requesting a 3% annual increase in staff pay throughout the Article IV courts and agencies in Fiscal Year '28 and also in Fiscal Year '29 to help maintain the judicial branch's position in the competitive market for talented, qualified, and experienced lawyers and other staff. The Third Court of Appeals, in conjunction with the rest of the judicial branch, therefore requests a 3% increase in staff salaries in Fiscal Year '28 and an additional 3% increase in Fiscal Year '29.

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 2026-27 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

Administrator's Statement

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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.

4. Add Special Provision – Traveling Justices and Judges and Mileage Reimbursement

Appellate court justices and judges that travel for official state business in a personal vehicle should be exempt from the requirement to complete a comparison worksheet showing that mileage reimbursement for travel in a personal vehicle is more cost-effective than the use of a rental car (as is currently the case for children's court and business court state who travel regularly for official state business). (See Article IV Appropriation for OCA, Texas Judicial Council – Item No. 7 entitled "Mileage Reimbursement for Children's Courts and Business Court Staff).

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 Third Court of Appeals has included appropriated receipts in the amount of \$2,000.00 reflecting reimbursement for copies of opinions and other court documents. These amounts are merely an offset for additional expenses incurred by the Court and do not constitute additional funds available for general expenditures for the Court. The amount can vary significantly from year to year.

Exhibit A

New Cases Filed by Fiscal Year

				Difference from FY 25 to FY 26		Difference from FY 24 to FY 26	
	FY 24	FY 25	FY 26 (Projected)	FY26	% Difference	FY26	% Difference
1st/Houston	952	1,042	1,293	251	24%	341	36%
2nd/Fort Worth	1,000	1,133	1,411	278	25%	411	41%
3rd/Austin	922	940	1,193	253	27%	271	29%
4th/San Antonio	861	864	951	87	10%	90	10%
5th/Dallas	1,451	1,629	1,896	267	16%	445	31%
6th/Texarkana	253	269	275	6	2%	22	9%
7th/Amarillo	308	287	311	24	8%	3	1%
8th/El Paso	337	221	283	62	28%	-54	-16%
9th/Beaumont	408	473	568	95	20%	160	39%
10th/Waco	444	443	567	124	28%	123	28%
11th/Eastland	300	290	358	68	23%	58	19%
12th/Tyler	320	290	351	61	21%	31	10%
13th/Corpus Christi	509	552	698	146	26%	189	37%
14th/Houston	923	1,073	1,328	255	24%	405	44%
15th/Statewide	N/A	135	120	-15	-11%	N/A	N/A
Total FYTD	8,988	9,641	11,603	1,962	20%	2,615	29%

Unusual, one-month spike occurred

Exhibit B

New Cases Filed by Fiscal Year - After Transfers

	FY 24	FY 25	FY 26 (Projected)	Difference from FY 25 to FY26	% Difference	Difference from FY 24 to FY26	% Difference	
1st/Houston	981	1,060	1,305	245	23%	324	33%	
2nd/Fort Worth	863	921	1,053	132	14%	190	22%	
3rd/Austin	732	834	879	45	5%	147	20%	
4th/San Antonio	644	782	931	149	19%	287	44%	
5th/Dallas	1,490	1,614	1,817	203	13%	327	22%	
6th/Texarkana	308	330	380	50	15%	72	23%	
7th/Amarillo	431	399	545	146	37%	114	26%	
8th/El Paso	453	319	428	109	34%	-25	-6%	Unusual, one-month spike occurred
9th/Beaumont	417	472	531	59	13%	114	27%	
10th/Waco	322	374	461	87	23%	139	43%	
11th/Eastland	325	330	411	81	25%	86	26%	
12th/Tyler	363	299	427	128	43%	64	18%	
13th/Corpus Christi	626	665	875	210	32%	249	40%	
14th/Houston	950	1,079	1,315	236	22%	365	38%	
15th/Statewide	N/A	254	244	-10	-4%	N/A	N/A	
Total FYTD	8,905	9,732	11,602	1,870	19%	2,697	30%	

Exhibit C

Original Proceedings						Difference from FY 25 to FY26		Difference from FY 24 to FY26	
Court	22	23	24	25	FY 26 (projected)	% Difference		% Difference	
1	221	176	176	186	252	66	36%	76	43%
2	80	55	97	120	200	80	66%	103	106%
3	144	113	122	159	261	102	64%	139	114%
4	112	112	115	141	199	58	41%	84	73%
5	214	228	225	297	465	168	56%	240	106%
6	31	29	19	38	49	11	28%	30	157%
7	59	38	40	25	23	-2	-7%	-17	-42%
8	29	26	29	49	87	38	78%	58	201%
9	46	56	51	49	82	33	66%	31	60%
10	86	81	58	58	115	57	99%	57	99%
11	48	45	30	34	39	5	15%	9	30%
12	39	58	36	45	58	13	29%	22	61%
13	90	97	90	115	190	75	65%	100	111%
14	219	178	159	187	239	52	28%	80	50%
15	N/A	N/A	N/A	32	26	-6	-18%	N/A	N/A
Total original proceedings filed	1,418	1,292	1,247	1,535	2,286	751	49%	1,039	83%
New cases filed	8,034	8,668	8,988	9,641	11,603				
Orig proceedings as % of new cases filed	18%	15%	14%	16%	20%				

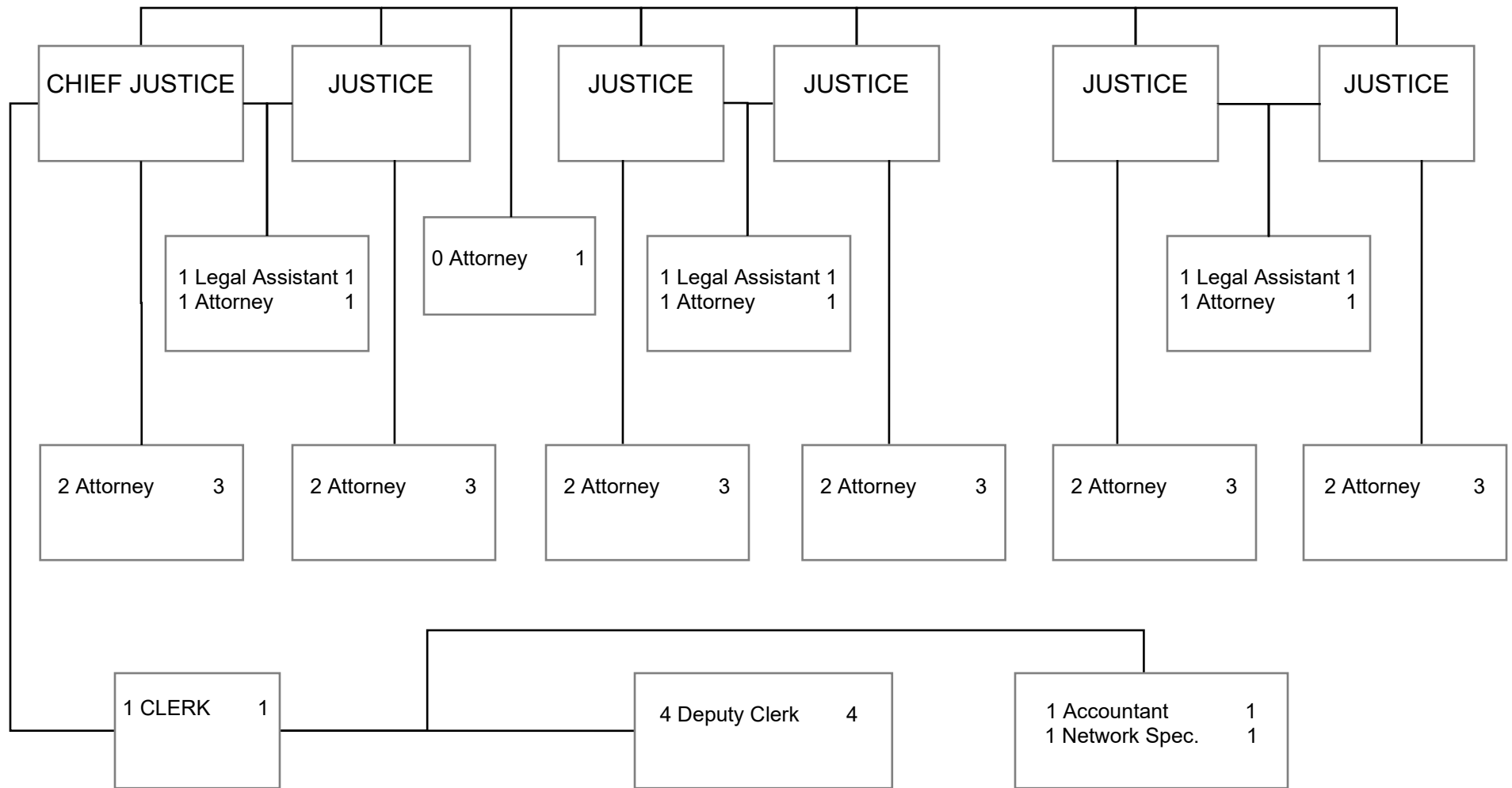
Exhibit D

New Cases Filed by Pro Se Litigants										
Court	22	23	24	25	FY 26 (projected)	Difference from FY 25 to FY26	% Difference	Difference from FY 24 to FY26	% Difference	
1	242	228	226	289	357	68	24%	131	58%	
2	198	221	267	334	439	105	31%	172	64%	
3	205	202	229	320	447	127	40%	218	95%	
4	144	151	141	201	265	64	32%	124	88%	
5	373	420	527	600	728	128	21%	201	38%	
6	42	50	39	67	95	28	41%	56	142%	
7	122	119	90	108	124	16	15%	34	37%	
8	61	66	70	62	158	96	154%	88	125%	
9	73	99	86	97	177	80	83%	91	106%	
10	144	120	118	125	191	66	53%	73	62%	
11	110	103	93	103	95	-9	-8%	2	2%	
12	77	56	77	72	92	20	28%	15	20%	
13	136	148	148	167	254	87	52%	106	72%	
14	252	246	236	321	429	108	34%	193	82%	
15	N/A	N/A	N/A	33	89	56	169%	N/A	N/A	
Total cases filed by pro se litigants	2,179	2,229	2,347	2,899	3,939	1,040	36%	1,592	68%	
New cases filed	8,034	8,668	8,988	9,641	11,603					
% of new cases filed by pro se litigants	27%	26%	26%	30%	34%					

Exhibit E.

COURT SIZE	NUMBER OF NEW STAFF ATTORNEYS AND/OR STAFF
13 JUSTICES	9
9 JUSTICES	8
6-7 JUSTICES	6
3-4 JUSTICES	4

ORGANIZATION CHART
THIRD COURT OF APPEALS
AGENCY 223
FY 2028-2029



Budget Overview - Biennial Amounts
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

223 Third Court of Appeals District, Austin
Appropriation Years: 2028-29

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS
	2026-27	2028-29	2026-27	2028-29	2026-27	2028-29	2026-27	2028-29	2026-27	2028-29	2028-29
Goal: 1. Appellate Court Operations											
1.1.1. Appellate Court Operations	6,519,800	6,324,206					76,000	76,000	6,595,800	6,400,206	2,304,096
1.1.2. Appellate Justice Salaries	2,314,260	2,244,832					365,800	365,800	2,680,060	2,610,632	69,428
Total, Goal	8,834,060	8,569,038					441,800	441,800	9,275,860	9,010,838	2,373,524
Total, Agency	8,834,060	8,569,038					441,800	441,800	9,275,860	9,010,838	2,373,524
Total FTEs									32.0	31.0	7.0

2.A. Summary of Base Request by Strategy

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Automated Budget and Evaluation System of Texas (ABEST)

223 Third Court of Appeals District, Austin

Goal / Objective / STRATEGY	Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
1 Appellate Court Operations					
1 Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	2,989,491	3,297,900	3,297,900	3,200,103	3,200,103
2 APPELLATE JUSTICE SALARIES	1,063,521	1,340,030	1,340,030	1,305,316	1,305,316
TOTAL, GOAL 1	\$4,053,012	\$4,637,930	\$4,637,930	\$4,505,419	\$4,505,419
TOTAL, AGENCY STRATEGY REQUEST	\$4,053,012	\$4,637,930	\$4,637,930	\$4,505,419	\$4,505,419
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$4,053,012	\$4,637,930	\$4,637,930	\$4,505,419	\$4,505,419

2.A. Summary of Base Request by Strategy

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Automated Budget and Evaluation System of Texas (ABEST)

223 Third Court of Appeals District, Austin

Goal / Objective / STRATEGY	Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
<u>METHOD OF FINANCING:</u>					
General Revenue Funds:					
1 General Revenue Fund	3,830,789	4,417,030	4,417,030	4,284,519	4,284,519
SUBTOTAL	\$3,830,789	\$4,417,030	\$4,417,030	\$4,284,519	\$4,284,519
Other Funds:					
573 Judicial Fund	182,900	182,900	182,900	182,900	182,900
666 Appropriated Receipts	3,323	2,000	2,000	2,000	2,000
777 Interagency Contracts	36,000	36,000	36,000	36,000	36,000
SUBTOTAL	\$222,223	\$220,900	\$220,900	\$220,900	\$220,900
TOTAL, METHOD OF FINANCING	\$4,053,012	\$4,637,930	\$4,637,930	\$4,505,419	\$4,505,419

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

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

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 223		Agency name: Third Court of Appeals District, Austin				
METHOD OF FINANCING		Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
<u>GENERAL REVENUE</u>						
<u>1</u> General Revenue Fund						
<i>REGULAR APPROPRIATIONS</i>						
Regular Appropriations from MOF Table (2024-25 GAA)						
		\$3,799,851	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2026-27 GAA)						
		\$0	\$4,009,970	\$4,009,970	\$0	\$0
Regular Appropriations from MOF Table (2028-29 GAA)						
		\$0	\$0	\$0	\$4,284,519	\$4,284,519
<i>RIDER APPROPRIATION</i>						
Art. IX Sec/ 18.83, Contingency for SB293						
		\$0	\$268,925	\$268,925	\$0	\$0
Comments: Judicial Salaries						
<i>TRANSFERS</i>						
Art IX, Sec 17.16, Appropriation for a Salary Increase for General State Employees (2024-25 GAA)						
		\$30,339	\$0	\$0	\$0	\$0

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

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code:	223	Agency name:	Third Court of Appeals District, Austin			
METHOD OF FINANCING		Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
<u>GENERAL REVENUE</u>						
Comments: 5% Salary Increase						
GAA, 89th Leg. R.S., SB1 Art. IX, Sec. 17.15						
		\$0	\$130,807	\$130,807	\$0	\$0
Comments: 6% Attorney Salaries						
<i>LAPSED APPROPRIATIONS</i>						
Lapsed Appropriations, Strategy 1 Appellate Court Operations						
		\$(92)	\$0	\$0	\$0	\$0
Lapsed Appropriations, Strategy 2 Appellate Justice Salaries						
		\$(630)	\$0	\$0	\$0	\$0
<i>UNEXPENDED BALANCES AUTHORITY</i>						
Special Provisions, Sec. 9, Unexpended Balance Authority (2024-25 GAA)						
		\$1,321	\$0	\$0	\$0	\$0
<i>BASE ADJUSTMENT</i>						
Strategy A.1.2 Appellate Justice Salaries, Estimated and Nontransferable						
		\$0	\$7,328	\$7,328	\$0	\$0

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

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90th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 223		Agency name: Third Court of Appeals District, Austin				
METHOD OF FINANCING		Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
<u>GENERAL REVENUE</u>						
Comments: A.1.2, Judicial Salaries Estimated						
TOTAL,	General Revenue Fund	\$3,830,789	\$4,417,030	\$4,417,030	\$4,284,519	\$4,284,519
TOTAL, ALL	GENERAL REVENUE	\$3,830,789	\$4,417,030	\$4,417,030	\$4,284,519	\$4,284,519
<u>OTHER FUNDS</u>						
<u>573</u>	Judicial Fund No. 573					
	REGULAR APPROPRIATIONS					
	Regular Appropriations from MOF Table (2024-25 GAA)	\$182,900	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2026-27 GAA)	\$0	\$182,900	\$182,900	\$0	\$0
	Regular Appropriations from MOF Table (2028-29 GAA)	\$0	\$0	\$0	\$182,900	\$182,900
TOTAL,	Judicial Fund No. 573	\$182,900	\$182,900	\$182,900	\$182,900	\$182,900

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

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90th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 223		Agency name: Third Court of Appeals District, Austin				
METHOD OF FINANCING		Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
<u>OTHER FUNDS</u>						
<u>666</u>	Appropriated Receipts					
	<i>REGULAR APPROPRIATIONS</i>					
	Regular Appropriations from MOF Table (2024-25 GAA)					
		\$11,000	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2026-27 GAA)					
		\$0	\$11,000	\$11,000	\$0	\$0
	Regular Appropriations from MOF Table (2028-29 GAA)					
		\$0	\$0	\$0	\$2,000	\$2,000
	Comments: Reduction in receipts due to the loss of paper opinion sales.					
	<i>LAPSED APPROPRIATIONS</i>					
	Lapsed Appropriations					
		\$(7,677)	\$(9,000)	\$(9,000)	\$0	\$0
TOTAL,	Appropriated Receipts	\$3,323	\$2,000	\$2,000	\$2,000	\$2,000
<u>777</u>	Interagency Contracts					
	<i>REGULAR APPROPRIATIONS</i>					

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

8/7/2026 8:46:52AM

90th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 223		Agency name: Third Court of Appeals District, Austin				
METHOD OF FINANCING		Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
<u>OTHER FUNDS</u>						
Regular Appropriations from MOF Table (2024-25 GAA)		\$36,000	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2026-27 GAA)		\$0	\$36,000	\$36,000	\$0	\$0
Regular Appropriations from MOF Table (2028-29 GAA)		\$0	\$0	\$0	\$36,000	\$36,000
TOTAL,	Interagency Contracts	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
TOTAL, ALL	OTHER FUNDS	\$222,223	\$220,900	\$220,900	\$220,900	\$220,900
GRAND TOTAL		\$4,053,012	\$4,637,930	\$4,637,930	\$4,505,419	\$4,505,419

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

8/7/2026 8:46:52AM

90th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 223	Agency name: Third Court of Appeals District, Austin				
METHOD OF FINANCING	Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
FULL-TIME-EQUIVALENT POSITIONS					
REGULAR APPROPRIATIONS					
Regular Appropriations from MOF Table (2024-25 GAA)	32.0	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2026-27 GAA)	0.0	32.0	32.0	0.0	0.0
Regular Appropriations from MOF Table (2024-25 GAA)	0.0	0.0	0.0	31.0	31.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP					
Unauthorized Number Over(Below) Cap	(0.3)	0.0	0.0	0.0	0.0
TOTAL, ADJUSTED FTES	31.7	32.0	32.0	31.0	31.0
NUMBER OF 100% FEDERALLY FUNDED FTES					
	0.0	0.0	0.0	0.0	0.0

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

8/7/2026 8:46:53AM

90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)**223 Third Court of Appeals District, Austin**

OBJECT OF EXPENSE	Exp 2025	Est 2026	Bud 2027	BL 2028	BL 2029
1001 SALARIES AND WAGES	\$3,880,447	\$4,415,668	\$4,476,078	\$4,344,648	\$4,344,648
1002 OTHER PERSONNEL COSTS	\$168,303	\$219,062	\$153,472	\$152,391	\$152,391
2003 CONSUMABLE SUPPLIES	\$141	\$200	\$1,000	\$1,000	\$1,000
2006 RENT - BUILDING	\$0	\$0	\$1,080	\$1,080	\$1,080
2009 OTHER OPERATING EXPENSE	\$4,121	\$3,000	\$6,300	\$6,300	\$6,300
OOE Total (Excluding Riders)	\$4,053,012	\$4,637,930	\$4,637,930	\$4,505,419	\$4,505,419
OOE Total (Riders)					
Grand Total	\$4,053,012	\$4,637,930	\$4,637,930	\$4,505,419	\$4,505,419

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

Date: 8/7/2026
Time: 8:46:58AM90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

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

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

Code	Type of Expense	Expended	Estimated	Budgeted	Requested	Requested
2	Postage	\$0	\$0	\$500	\$500	\$500
24	Freight/Delivery	0	0	500	500	500
41	Telecommunication Charges	736	0	0	0	0
64	SORM Assessment	3,385	3,000	3,500	3,500	3,500
177	Janitorial Services	0	0	1,800	1,800	1,800
Total, Operating Costs		\$4,121	\$3,000	\$6,300	\$6,300	\$6,300

2.D. Summary of Base Request Objective Outcomes
 90th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

8/7/2026 8:46:53AM

223 Third Court of Appeals District, Austin					
Goal/ Objective / Outcome	Exp 2025	Est 2026	Bud 2027	BL 2028	BL 2029
1 Appellate Court Operations					
1 Appellate Court Operations					
KEY 1 Clearance Rate					
	86.45%	90.42%	76.90%	69.97%	63.60%
KEY 2 Percentage of Cases Under Submission for Less Than One Year					
	100.00%	99.31%	99.31%	98.60%	97.90%
KEY 3 Percentage of Cases Pending for Less Than Two Years					
	99.68%	99.56%	99.30%	89.37%	80.40%

2.E. Summary of Exceptional Items Request
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/7/2026
TIME : 8:46:53AM

Agency code: 223

Agency name: Third Court of Appeals District, Austin

Priority	Item	2028			2029			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	Restore 3%	\$132,511	\$132,511	1.0	\$132,511	\$132,511	1.0	\$265,022	\$265,022
2	Staff Attorneys	\$870,226	\$870,226	6.0	\$866,926	\$866,926	6.0	\$1,737,152	\$1,737,152
3	6% Increase	\$122,558	\$122,558		\$248,792	\$248,792		\$371,350	\$371,350
Total, Exceptional Items Request		\$1,125,295	\$1,125,295	7.0	\$1,248,229	\$1,248,229	7.0	\$2,373,524	\$2,373,524
Method of Financing									
	General Revenue	\$1,125,295	\$1,125,295		\$1,248,229	\$1,248,229		\$2,373,524	\$2,373,524
	General Revenue - Dedicated								
	Federal Funds								
	Other Funds								
		\$1,125,295	\$1,125,295		\$1,248,229	\$1,248,229		\$2,373,524	\$2,373,524
Full Time Equivalent Positions				7.0				7.0	
Number of 100% Federally Funded FTEs				0.0				0.0	

2.F. Summary of Total Request by Strategy
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/7/2026
TIME : 8:46:54AM

Agency code: 223	Agency name: Third Court of Appeals District, Austin					
Goal/Objective/STRATEGY	Base 2028	Base 2029	Exceptional 2028	Exceptional 2029	Total Request 2028	Total Request 2029
1 Appellate Court Operations						
1 Appellate Court Operations						
1 APPELLATE COURT OPERATIONS	\$3,200,103	\$3,200,103	\$1,090,581	\$1,213,515	\$4,290,684	\$4,413,618
2 APPELLATE JUSTICE SALARIES	1,305,316	1,305,316	34,714	34,714	1,340,030	1,340,030
TOTAL, GOAL 1	\$4,505,419	\$4,505,419	\$1,125,295	\$1,248,229	\$5,630,714	\$5,753,648
TOTAL, AGENCY STRATEGY REQUEST	\$4,505,419	\$4,505,419	\$1,125,295	\$1,248,229	\$5,630,714	\$5,753,648
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$4,505,419	\$4,505,419	\$1,125,295	\$1,248,229	\$5,630,714	\$5,753,648

2.F. Summary of Total Request by Strategy
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/7/2026
TIME : 8:46:54AM

Agency code: 223		Agency name: Third Court of Appeals District, Austin					
Goal/Objective/STRATEGY		Base 2028	Base 2029	Exceptional 2028	Exceptional 2029	Total Request 2028	Total Request 2029
General Revenue Funds:							
1	General Revenue Fund	\$4,284,519	\$4,284,519	\$1,125,295	\$1,248,229	\$5,409,814	\$5,532,748
		\$4,284,519	\$4,284,519	\$1,125,295	\$1,248,229	\$5,409,814	\$5,532,748
Other Funds:							
573	Judicial Fund	182,900	182,900	0	0	182,900	182,900
666	Appropriated Receipts	2,000	2,000	0	0	2,000	2,000
777	Interagency Contracts	36,000	36,000	0	0	36,000	36,000
		\$220,900	\$220,900	\$0	\$0	\$220,900	\$220,900
TOTAL, METHOD OF FINANCING		\$4,505,419	\$4,505,419	\$1,125,295	\$1,248,229	\$5,630,714	\$5,753,648
FULL TIME EQUIVALENT POSITIONS		31.0	31.0	7.0	7.0	38.0	38.0

2.G. Summary of Total Request Objective Outcomes
 90th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 8/7/2026
 Time: 8:46:54AM

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

Goal/ Objective / Outcome

		BL 2028	BL 2029	Excp 2028	Excp 2029	Total Request 2028	Total Request 2029
1	Appellate Court Operations						
1	Appellate Court Operations						
KEY	1 Clearance Rate						
		69.97%	63.60%	99.10%	90.10%	99.10%	90.10%
KEY	2 Percentage of Cases Under Submission for Less Than One Year						
		98.60%	97.90%	100.00%	99.00%	100.00%	99.00%
KEY	3 Percentage of Cases Pending for Less Than Two Years						
		89.37%	80.40%	100.00%	98.00%	100.00%	98.00%

223 Third Court of Appeals District, Austin

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

Service Categories:

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

CODE	DESCRIPTION	Exp 2025	Est 2026	Bud 2027	BL 2028	BL 2029
Output Measures:						
1	Number of Civil Cases Disposed	602.00	619.00	584.00	584.00	584.00
2	Number of Criminal Cases Disposed	234.00	278.00	255.00	255.00	255.00
Explanatory/Input Measures:						
1	Number of Civil Cases Filed	753.00	938.00	1,032.00	1,135.00	1,249.00
2	Number of Criminal Cases Filed	320.00	374.00	411.00	452.00	497.00
3	Number of Cases Transferred in	6.00	4.00	4.00	5.00	5.00
4	Number of Cases Transferred out	112.00	324.00	356.00	393.00	432.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$2,845,647	\$3,112,444	\$3,172,854	\$3,076,138	\$3,076,138
1002	OTHER PERSONNEL COSTS	\$139,582	\$182,256	\$116,666	\$115,585	\$115,585
2003	CONSUMABLE SUPPLIES	\$141	\$200	\$1,000	\$1,000	\$1,000
2006	RENT - BUILDING	\$0	\$0	\$1,080	\$1,080	\$1,080
2009	OTHER OPERATING EXPENSE	\$4,121	\$3,000	\$6,300	\$6,300	\$6,300
TOTAL, OBJECT OF EXPENSE		\$2,989,491	\$3,297,900	\$3,297,900	\$3,200,103	\$3,200,103
Method of Financing:						
1	General Revenue Fund	\$2,950,168	\$3,259,900	\$3,259,900	\$3,162,103	\$3,162,103

223 Third Court of Appeals District, Austin

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

Service Categories:

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

CODE	DESCRIPTION	Exp 2025	Est 2026	Bud 2027	BL 2028	BL 2029
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$2,950,168	\$3,259,900	\$3,259,900	\$3,162,103	\$3,162,103
Method of Financing:						
666	Appropriated Receipts	\$3,323	\$2,000	\$2,000	\$2,000	\$2,000
777	Interagency Contracts	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
SUBTOTAL, MOF (OTHER FUNDS)		\$39,323	\$38,000	\$38,000	\$38,000	\$38,000
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$3,200,103	\$3,200,103
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$2,989,491	\$3,297,900	\$3,297,900	\$3,200,103	\$3,200,103
FULL TIME EQUIVALENT POSITIONS:		25.7	26.0	26.0	25.0	25.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Court of Appeals for the Third District of Texas was created in 1892 by an Act of the 22nd Legislature, 1st C.J., P. 25, ch. 15; Gammel's Laws of Texas, Vol. 10, Page 389. This Court has intermediate appellate jurisdiction of both civil and criminal cases appealed from lower courts; in civil cases where judgment rendered exceeds \$100, exclusive of costs, and other civil proceedings as provided by law; and in criminal cases except in post-conviction writs of habeas corpus and where the death penalty has been imposed. The Court reviews State of Texas administrative law appeals from cases throughout the state.

223 Third Court of Appeals District, Austin

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

Service Categories:

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

CODE	DESCRIPTION	Exp 2025	Est 2026	Bud 2027	BL 2028	BL 2029
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EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

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

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL CHANGE</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
<u>Base Spending (Est 2026 + Bud 2027)</u>	<u>Baseline Request (BL 2028 + BL 2029)</u>		<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$6,595,800	\$6,400,206	\$(195,594)	\$(195,594)	3% reduction in general revenue, resulting in the loss of one FTE.
			\$(195,594)	Total of Explanation of Biennial Change

223 Third 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 2025	Est 2026	Bud 2027	BL 2028	BL 2029
Objects of Expense:								
1001	SALARIES AND WAGES			\$1,034,800	\$1,303,224	\$1,303,224	\$1,268,510	\$1,268,510
1002	OTHER PERSONNEL COSTS			\$28,721	\$36,806	\$36,806	\$36,806	\$36,806
TOTAL, OBJECT OF EXPENSE				\$1,063,521	\$1,340,030	\$1,340,030	\$1,305,316	\$1,305,316
Method of Financing:								
1	General Revenue Fund			\$880,621	\$1,157,130	\$1,157,130	\$1,122,416	\$1,122,416
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)				\$880,621	\$1,157,130	\$1,157,130	\$1,122,416	\$1,122,416
Method of Financing:								
573	Judicial Fund			\$182,900	\$182,900	\$182,900	\$182,900	\$182,900
SUBTOTAL, MOF (OTHER FUNDS)				\$182,900	\$182,900	\$182,900	\$182,900	\$182,900
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)							\$1,305,316	\$1,305,316
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)				\$1,063,521	\$1,340,030	\$1,340,030	\$1,305,316	\$1,305,316
FULL TIME EQUIVALENT POSITIONS:				6.0	6.0	6.0	6.0	6.0

223 Third Court of Appeals District, Austin

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

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

CODE	DESCRIPTION	Exp 2025	Est 2026	Bud 2027	BL 2028	BL 2029
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STRATEGY DESCRIPTION AND JUSTIFICATION:

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL CHANGE</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
<u>Base Spending (Est 2026 + Bud 2027)</u>	<u>Baseline Request (BL 2028 + BL 2029)</u>		<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$2,680,060	\$2,610,632	\$(69,428)	\$(69,428)	3% reduction from General Revenue.
			\$(69,428)	Total of Explanation of Biennial Change

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$4,053,012	\$4,637,930	\$4,637,930	\$4,505,419	\$4,505,419
METHODS OF FINANCE (INCLUDING RIDERS):				\$4,505,419	\$4,505,419
METHODS OF FINANCE (EXCLUDING RIDERS):	\$4,053,012	\$4,637,930	\$4,637,930	\$4,505,419	\$4,505,419
FULL TIME EQUIVALENT POSITIONS:	31.7	32.0	32.0	31.0	31.0

3.B. Rider Revisions and Additions Request

Agency Code: 223	Agency Name: Court of Appeals, Third District	Prepared By: Jeffrey Kyle	Date: August 6, 2026	Request Level: Baseline
Current Rider Number	Page Number in 2026–2027 GAA	Proposed Rider Language		

2, 3, 4, 6,
7, 8

No changes recommended for Riders 2, 3, 4, 6, 7, and 8

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 ~~2026~~2028 and ~~2027~~2029, 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.

Adjusting the years in the rider for the 2028-2029 biennium.

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, 15 Courts of Appeals, Office of Court Administration, Office of Capital and Forensic Writs, Office of the State Prosecuting Attorney, State Commission on Judicial Conduct, and State Law Library as of August 31, ~~2026~~2028, are appropriated to the respective court or agency for the fiscal year beginning September 1, ~~2026~~2028, for the same purpose.

Updating the rider to adjust the years for the 2028-2029 biennium.

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IV

Mileage Reimbursement for Appellate Court Staff. Appellate court staff who travel regularly to hear case dockets may be reimbursed for mileage at the state-approved rate when they travel for official state business in a personal vehicle. These staff are also exempt from the requirement to complete a comparison worksheet showing that mileage reimbursement for travel in a personal vehicle is more cost-effective than the use of a rental car.

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

Requesting addition of the cost comparison exemption for the appellate courts that is afforded to the other court personnel within the judiciary.

4.A. Exceptional Item Request Schedule
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/7/2026
TIME: 8:46:58AM

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

CODE	DESCRIPTION		Excp 2028	Excp 2029
	Item Name:	Restore the 3% Budget Cut		
	Item Priority:	1		
	IT Component:	No		
	Anticipated Out-year Costs:	Yes		
	Involve Contracts > \$50,000:	No		
	Includes Funding for the Following Strategy or Strategies:	01-01-01 Appellate Court Operations		
		01-01-02 Appellate Justice Salaries. Estimated and Nontransferable		
OBJECTS OF EXPENSE:				
1001	SALARIES AND WAGES		132,511	132,511
	TOTAL, OBJECT OF EXPENSE		\$132,511	\$132,511
METHOD OF FINANCING:				
1	General Revenue Fund		132,511	132,511
	TOTAL, METHOD OF FINANCING		\$132,511	\$132,511
FULL-TIME EQUIVALENT POSITIONS (FTE):			1.00	1.00

DESCRIPTION / JUSTIFICATION:

Unlike other state agencies, 96.5% of each court of appeals' budget, on average, is dedicated to salaries and benefits. This budget reduction would thus result in a disproportionate and highly negative impact on the courts of appeals. The only way to absorb such a budget reduction is to cut court staff. Resulting in a 5% reduction in disposed cases.

EXTERNAL/INTERNAL FACTORS:

a 3% reduction is counter-intuitive and unsustainable in light of the substantial increase in new case filings. Additionally, there is virtually no benefit to the State from a 3% budget cut on the courts of appeals. Indeed, funding for all of the courts of appeals comprises less than 0.04% of the State budget as a whole. And a 3% budget cut on the courts of appeals would approximately yield only a 0.002% reduction in the entire State budget.

PCLS TRACKING KEY:

4.A. Exceptional Item Request Schedule
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/7/2026**
TIME: **8:46:58AM**

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

CODE	DESCRIPTION	Excp 2028		Excp 2029
DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :				
Restoration of the 3% budget cut.				
ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:				
		2030	2031	2032
OUT-YEAR ALL FUNDS:		\$132,511	\$132,511	\$132,511
OUT-YEAR GR ONLY COSTS FOR ITEM:				
1	General Revenue Fund	\$132,511	\$132,511	\$132,511
TOTAL OUT-YEAR GR ONLY:		\$132,511	\$132,511	\$132,511

4.A. Exceptional Item Request Schedule
 90th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/7/2026**
 TIME: **8:46:58AM**

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

CODE	DESCRIPTION	Excp 2028	Excp 2029
Item Name: Additional Full Time Staff Attorneys Due to the Substantial Increase in New Case Filings. Item Priority: 2 IT Component: No Anticipated Out-year Costs: Yes Involve Contracts > \$50,000: No Includes Funding for the Following Strategy or Strategies: 01-01-01 Appellate Court Operations			
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	852,000	852,000
1002	OTHER PERSONNEL COSTS	12,780	12,780
2009	OTHER OPERATING EXPENSE	5,446	2,146
TOTAL, OBJECT OF EXPENSE		\$870,226	\$866,926
METHOD OF FINANCING:			
1	General Revenue Fund	870,226	866,926
TOTAL, METHOD OF FINANCING		\$870,226	\$866,926
FULL-TIME EQUIVALENT POSITIONS (FTE):		6.00	6.00

DESCRIPTION / JUSTIFICATION:

Due to the substantial increase in new case filings that the courts of appeals are experiencing in FY '26, and which are expected to continue for the foreseeable future, the Third Court of Appeals respectfully submits its Exceptional Item # 2 in which it requests funding for six additional full time staff attorneys.

EXTERNAL/INTERNAL FACTORS:

The Third Court of Appeals workload has increased 34.97% since FY23. New case filings are beyond the current capacity of the Third Court of Appeals to handle and comply with the 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) and also comply with the legislatively mandated Clearance Rate requirement.

PCLS TRACKING KEY:

4.A. Exceptional Item Request Schedule
 90th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/7/2026**
 TIME: **8:46:58AM**

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

<u>CODE</u>	<u>DESCRIPTION</u>	<u>Excp 2028</u>	<u>Excp 2029</u>
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DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :

6 additional full time staff attorneys due to the substantial increase in new case filings.

ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:

	<u>2030</u>	<u>2031</u>	<u>2032</u>
OUT-YEAR ALL FUNDS:	\$866,926	\$866,926	\$866,926
OUT-YEAR GR ONLY COSTS FOR ITEM:			
1 General Revenue Fund	\$866,926	\$866,926	\$866,926
TOTAL OUT-YEAR GR ONLY:	\$866,926	\$866,926	\$866,926

4.A. Exceptional Item Request Schedule
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/7/2026
TIME: 8:46:58AM

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

CODE	DESCRIPTION	Excp 2028	Excp 2029
	Item Name: The Supreme Court's Request for 6% Increase in Staff Salaries.		
	Item Priority: 3		
	IT Component: No		
	Anticipated Out-year Costs: Yes		
	Involve Contracts > \$50,000: No		
	Includes Funding for the Following Strategy or Strategies: 01-01-01 Appellate Court Operations		
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	120,747	245,115
1002	OTHER PERSONNEL COSTS	1,811	3,677
TOTAL, OBJECT OF EXPENSE		\$122,558	\$248,792
METHOD OF FINANCING:			
1	General Revenue Fund	122,558	248,792
TOTAL, METHOD OF FINANCING		\$122,558	\$248,792

DESCRIPTION / JUSTIFICATION:

The courts of appeals understand that the Supreme Court of Texas is requesting a 6% increase over Biennium 2028-29 for its judicial staff as an exceptional item. To the extent that the Legislature approves that exceptional item in whole or in part for the supreme court, then the court of appeals would respectfully request the same 6% increase, or such other increase as is approved for the supreme court and its judicial staff.

EXTERNAL/INTERNAL FACTORS:

Courts of Appeals are relatively small entities with specialized staffing requirements. The core function of the courts is to process and review appeals from civil and criminal trial courts. This requires a highly skilled and trained professional workforce of appellate court lawyers who assist the judges of the court in disposing of cases and researching and writing opinions. This request is necessary to keep the court of appeals' staff salaries competitive.

PCLS TRACKING KEY:

4.A. Exceptional Item Request Schedule
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/7/2026**
TIME: **8:46:58AM**

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

CODE	DESCRIPTION	Excp 2028		Excp 2029
DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :				
6% increase in staff salaries.				
ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:				
		2030	2031	2032
OUT-YEAR ALL FUNDS:		\$248,792	\$248,792	\$248,792
OUT-YEAR GR ONLY COSTS FOR ITEM:				
1	General Revenue Fund	\$248,792	\$248,792	\$248,792
TOTAL OUT-YEAR GR ONLY:		\$248,792	\$248,792	\$248,792

4.B. Exceptional Items Strategy Allocation Schedule

90th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/7/2026

TIME: 8:46:59AM

Agency code: 223

Agency name: Third Court of Appeals District, Austin

Code	Description	Excp 2028	Excp 2029
Item Name:		Restore the 3% Budget Cut	
Allocation to Strategy:		1-1-1	Appellate Court Operations
STRATEGY IMPACT ON OUTCOME MEASURES:			
<u>1</u>	Clearance Rate	74.10%	67.40%
OUTPUT MEASURES:			
<u>1</u>	Number of Civil Cases Disposed	38.00	38.00
<u>2</u>	Number of Criminal Cases Disposed	12.00	12.00
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	97,797	97,797
TOTAL, OBJECT OF EXPENSE		\$97,797	\$97,797
METHOD OF FINANCING:			
1	General Revenue Fund	97,797	97,797
TOTAL, METHOD OF FINANCING		\$97,797	\$97,797
FULL-TIME EQUIVALENT POSITIONS (FTE):		1.0	1.0

Agency code:	223	Agency name:	Third Court of Appeals District, Austin		
Code	Description			Excp 2028	Excp 2029
Item Name:	Restore the 3% Budget Cut				
Allocation to Strategy:	1-1-2	Appellate Justice Salaries. Estimated and Nontransferable			
OBJECTS OF EXPENSE:					
1001	SALARIES AND WAGES			34,714	34,714
TOTAL, OBJECT OF EXPENSE				\$34,714	\$34,714
METHOD OF FINANCING:					
1	General Revenue Fund			34,714	34,714
TOTAL, METHOD OF FINANCING				\$34,714	\$34,714

4.B. Exceptional Items Strategy Allocation Schedule

90th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/7/2026

TIME: 8:46:59AM

Agency code:	223	Agency name:	Third Court of Appeals District, Austin		
Code	Description			Excp 2028	Excp 2029
Item Name:	Additional Full Time Staff Attorneys Due to the Substantial Increase in New Case Filings.				
Allocation to Strategy:	1-1-1	Appellate Court Operations			
STRATEGY IMPACT ON OUTCOME MEASURES:					
<u>1</u>	Clearance Rate			99.10%	90.10%
OUTPUT MEASURES:					
<u>1</u>	Number of Civil Cases Disposed			225.00	225.00
<u>2</u>	Number of Criminal Cases Disposed			75.00	75.00
OBJECTS OF EXPENSE:					
1001	SALARIES AND WAGES			852,000	852,000
1002	OTHER PERSONNEL COSTS			12,780	12,780
2009	OTHER OPERATING EXPENSE			5,446	2,146
TOTAL, OBJECT OF EXPENSE				\$870,226	\$866,926
METHOD OF FINANCING:					
1	General Revenue Fund			870,226	866,926
TOTAL, METHOD OF FINANCING				\$870,226	\$866,926
FULL-TIME EQUIVALENT POSITIONS (FTE):				6.0	6.0

Agency code: 223		Agency name: Third Court of Appeals District, Austin	
Code	Description	Excp 2028	Excp 2029
Item Name:		The Supreme Court's Request for 6% Increase in Staff Salaries.	
Allocation to Strategy:		1-1-1	Appellate Court Operations
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	120,747	245,115
1002	OTHER PERSONNEL COSTS	1,811	3,677
TOTAL, OBJECT OF EXPENSE		\$122,558	\$248,792
METHOD OF FINANCING:			
1	General Revenue Fund	122,558	248,792
TOTAL, METHOD OF FINANCING		\$122,558	\$248,792

4.C. Exceptional Items Strategy Request
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/7/2026
TIME: 8:46:59AM

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

GOAL: 1 Appellate Court Operations

OBJECTIVE: 1 Appellate Court Operations

STRATEGY: 1 Appellate Court Operations

Service Categories:

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

CODE	DESCRIPTION	Excp 2028	Excp 2029
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STRATEGY IMPACT ON OUTCOME MEASURES:

<u>1</u> Clearance Rate	99.10 %	90.10 %
<u>2</u> Percentage of Cases Under Submission for Less Than One Year	100.00 %	99.00 %
<u>3</u> Percentage of Cases Pending for Less Than Two Years	100.00 %	98.00 %

OUTPUT MEASURES:

<u>1</u> Number of Civil Cases Disposed	263.00	263.00
<u>2</u> Number of Criminal Cases Disposed	87.00	87.00

OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	1,070,544	1,194,912
1002 OTHER PERSONNEL COSTS	14,591	16,457
2009 OTHER OPERATING EXPENSE	5,446	2,146
Total, Objects of Expense	\$1,090,581	\$1,213,515

METHOD OF FINANCING:

1 General Revenue Fund	1,090,581	1,213,515
Total, Method of Finance	\$1,090,581	\$1,213,515

FULL-TIME EQUIVALENT POSITIONS (FTE):	7.0	7.0
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Restore the 3% Budget Cut

Additional Full Time Staff Attorneys Due to the Substantial Increase in New Case Filings.

The Supreme Court's Request for 6% Increase in Staff Salaries.

4.C. Exceptional Items Strategy Request
 90th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/7/2026
TIME: 8:46:59AM

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

GOAL: 1 Appellate Court Operations

OBJECTIVE: 1 Appellate Court Operations

STRATEGY: 2 Appellate Justice Salaries. Estimated and Nontransferable

Service Categories:

Service: NA Income: NA Age: NA

CODE	DESCRIPTION	Excp 2028	Excp 2029
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OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES

34,714

34,714

Total, Objects of Expense

\$34,714

\$34,714

METHOD OF FINANCING:

1 General Revenue Fund

34,714

34,714

Total, Method of Finance

\$34,714

\$34,714

EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Restore the 3% Budget Cut

6.A. Historically Underutilized Business Supporting Schedule
 90th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: **8/7/2026**
 Time: **8:47:01AM**

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

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year - HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2024			Total Expenditures FY 2024		HUB Expenditures FY 2025			Total Expenditures FY 2025	
			% Actual	Diff	Actual \$			% Actual	Diff	Actual \$		
11.2%	Heavy Construction	11.2 %	0.0%	-11.2%	\$0	\$0	11.2 %	0.0%	-11.2%	\$0	\$0	\$0
21.1%	Building Construction	21.1 %	0.0%	-21.1%	\$0	\$0	21.1 %	0.0%	-21.1%	\$0	\$0	\$0
32.9%	Special Trade	32.9 %	0.0%	-32.9%	\$0	\$0	32.9 %	0.0%	-32.9%	\$0	\$0	\$0
23.7%	Professional Services	23.7 %	0.0%	-23.7%	\$0	\$0	23.7 %	0.0%	-23.7%	\$0	\$0	\$0
26.0%	Other Services	26.0 %	0.0%	-26.0%	\$0	\$0	26.0 %	0.0%	-26.0%	\$0	\$0	\$0
21.1%	Commodities	21.1 %	0.0%	-21.1%	\$0	\$0	21.1 %	100.0%	78.9%	\$141	\$141	\$141
	Total Expenditures		0.0%		\$0	\$0		100.0%		\$141	\$141	\$141

B. Assessment of Attainment of HUB Procurement Goals

Attainment:

The Court attained 100% of the applicable state wide HUB goals in fiscal year 2024 and 2025.

Applicability:

In both fiscal years 2024 and 2025 the procurement categories of Heavy Construction, Building Construction, Special Trade, and Professional Services were not applicable to the Court's operations.

Factors Affecting Attainment:

N/A

C. Good-Faith Efforts to Increase HUB Participation

Outreach Efforts and Mentor-Protégé Programs:

N/A

HUB Program Staffing:

The court has one accountant dedicated to increasing participation of HUBs. The accountant looks for HUB vendors for all purchases of goods and services.

Current and Future Good-Faith Efforts:

6.A. Historically Underutilized Business Supporting Schedule
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: **8/7/2026**
Time: **8:47:01AM**

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

The Court has always made every effort to make purchases and obtain services from qualified HUB vendors . Our large technological budget is funded and administered through the Office of Court Administration and is not reflected in this Court's HUB report . All factors continuing to be equal, this Court will continue to use TIBH (as required in Chapter 122 of the Texas Human Resources Code) whenever possible, strive to enter into business with HUBs as often as possible, and attempt to reach the state goal each fiscal year.

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

ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2028-29 GAA BILL PATTERN	\$ 656,086
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Fund Name

Estimated Beginning Balance in FY 2026	\$ 178,901
Estimated Revenues FY 2026	\$ 265,000
Estimated Revenues FY 2027	\$ 265,000
FY 2026-27 Total	\$ 708,901
Estimated Beginning Balance in FY 2028	\$ 126,086
Estimated Revenues FY 2028	\$ 265,000
Estimated Revenues FY 2029	\$ 265,000
FY 2028-29 Total	\$ 656,086

Constitutional or Statutory Creation and Use of Funds:

Sub Chapter C, Sec. 22.2041 Tex Gov't Code and Sec. 659.021 Tex. Gov't Code

Method of Calculation and Revenue Assumptions:

In accordance with the above referenced statute, the District and County Clerks of the various courts in the 24 counties that make up the Third Court of Appeals' District are to collect and remit a \$5.00 filing fee on each civil suit filed in a county court, county court-at-law, probate court or district court.

Part 6.L. Interagency Contracts
90th Regular Session, Agency Submission

Agency Code: 223	Agency: Third Court of Appeals	Prepared by: Jeffrey D. Kyle
Date: September 4, 2026		

[illegible]