

PENDING DOCUMENT

House Appropriations Committee
 Representative Turner, Chair

Members: Representatives McClendon, Orr, King, Perry,
 Gonzales, Longoria
 Decision Document

Decisions as of 03/12/2013

Article IV, The Judiciary Total, Article IV The Judiciary	Outstanding Items for Consideration		Outstanding Items for Consideration		Tentative Workgroup Decisions		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2014-15 Biennial Total		Pended Items 2014-15 Biennial Total		Adopted 2014-15 Biennial Total		Article XI 2014-15 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Supreme Court of Texas								
Total, Outstanding Items / Tentative Decisions	\$ 409,000	\$ 409,000	\$ -	\$ -	\$ 144,500	\$ 144,500	\$ 120,000	\$ 120,000
Total, Full-time Equivalents / Tentative Decisions	1.0	1.0	0.0	0.0	0.0	0.0	1.0	1.0
Court of Criminal Appeals								
Total, Outstanding Items / Tentative Decisions	\$ 3,292,846	\$ 3,292,846	\$ -	\$ -	\$ 248,007	\$ 533,007	\$ 2,226,462	\$ 2,226,462
Total, Full-time Equivalents / Tentative Decisions	2.0	2.0	0.0	0.0	0.0	0.0	2.0	2.0
Office of Court Administration, Texas Judicial Council								
Total, Outstanding Items / Tentative Decisions	\$ 138,387,917	\$ 139,423,617	\$ -	\$ -	\$ -	\$ -	\$ 137,860,257	\$ 138,895,957
Total, Full-time Equivalents / Tentative Decisions	16.0	16.0	0.0	0.0	3.0	3.0	12.0	12.0
State Commission on Judicial Conduct								
Total, Outstanding Items / Tentative Decisions	\$ 270,622	\$ 270,622	\$ -	\$ -	\$ -	\$ -	\$ 270,622	\$ 270,622
Total, Full-time Equivalents / Tentative Decisions	1.0	1.0	0.0	0.0	0.0	0.0	1.0	1.0
Judiciary Section, Comptroller's Department								
Total, Outstanding Items / Tentative Decisions	\$ 479,456	\$ 551,289	\$ -	\$ -	\$ 245,940	\$ 245,940	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total, Outstanding Items / Tentative Decisions	\$ 142,839,841	\$ 143,947,374	\$ -	\$ -	\$ 638,447	\$ 923,447	\$ 140,477,341	\$ 141,513,041
COST-OUT ADJUSTMENTS								
1. Office of Court Administration: GEER recommendation to increase training efforts on court costs and fees for local court personnel. (Revenue gain contingent on legislation)	\$ (504,310)	\$ (504,310)					\$ (504,310)	\$ (504,310)

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	Outstanding Items for Consideration		Outstanding Items for Consideration		Tentative Workgroup Decisions		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2014-15 Biennial Total		Pended Items 2014-15 Biennial Total		Adopted 2014-15 Biennial Total		Article XI 2014-15 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Article IV, The Judiciary Total, Article IV The Judiciary								
Technical Adjustments:								
Agency Requests:								
Total Cost-out Adjustments	\$ (504,310)	\$ (504,310)	\$ -	\$ -	\$ -	\$ -	\$ (504,310)	\$ (504,310)
Total GR & GR-Ded Adopted Items less Cost-out Adjust	\$ 142,335,531	\$ 143,443,064	\$ -	\$ -	\$ 638,447	\$ 923,447	\$ 139,973,031	\$ 141,008,731
	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015
Total, Full-time Equivalents / Tentative Decisions	20.0	20.0	0.0	0.0	3.0	3.0	16.0	16.0

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LBB Analyst: Zelma Smith

Article IV, The Judiciary Supreme Court of Texas Exceptional Items	Outstanding Items for Consideration		Outstanding Items for Consideration		Tentative Workgroup Decisions		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2014-15 Biennial Total		Pended Items 2014-15 Biennial Total		Adopted 2014-15 Biennial Total		Article XI 2014-15 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:								
None								
Performance Review & Other Budget Recommendations:								
None								
Agency Requests:								
1. <i>Staff Attorney Pay Increases</i>	\$ 198,000	\$ 198,000			\$ 99,000	\$ 99,000		
Across the board salary increases for staff attorneys for Attorney Vs (13 FTEs), the annual salary would increase from \$93,232 to \$100,232; for the General Counsel IV and Clerk of the Court the annual salaries would increase from \$107,000 to approximately \$111,000. Work group adopted half of the requested salary increase.								
2. <i>Non-legal Staff Pay Increases</i>	\$ 91,000	\$ 91,000			\$ 45,500	\$ 45,500		
Non-legal staff salary increases likely to be across the board to raise deputy court clerk salaries to levels comparable with other appellate court clerks (26 FTEs in 13 positions/classifications; average annual salary increase of \$1,750). Work group adopted half of the requested salary increase.								
3. <i>Support for the Supreme Court Rules Function</i>	\$ 120,000	\$ 120,000					\$ 120,000	\$ 120,000
1 FTE (a Legal Assistant) to assist Rules Attorney with Court's rule-making authority (\$60,000 per fiscal year).								

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	Outstanding Items for Consideration		Outstanding Items for Consideration		Tentative Workgroup Decisions		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2014-15 Biennial Total		Pended Items 2014-15 Biennial Total		Adopted 2014-15 Biennial Total		Article XI 2014-15 Biennial Total	
Article IV, The Judiciary Supreme Court of Texas Exceptional Items	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Workgroup Rider and Program Revisions and Additions:								
Total, Exceptional Items / Tentative Decisions	\$ 409,000	\$ 409,000	\$ -	\$ -	\$ 144,500	\$ 144,500	\$ 120,000	\$ 120,000
	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015
Total, Full-time Equivalentents / Tentative Decisions	1.0	1.0	0.0	0.0	0.0	0.0	1.0	1.0

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Article IV, The Judiciary Court of Criminal Appeals Exceptional Items	Outstanding Items for Consideration		Outstanding Items for Consideration		Tentative Workgroup Decisions		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2014-15 Biennial Total GR & GR-Dedicated All Funds		Pended Items 2014-15 Biennial Total GR & GR-Dedicated All Funds		Adopted 2014-15 Biennial Total GR & GR-Dedicated All Funds		Article XI 2014-15 Biennial Total GR & GR-Dedicated All Funds	
Technical Adjustments:								
1. Additional Funds for Judicial Education - Method of Finance correction. Funding adopted by HAC on 2/20/2013 included a method-of-finance error. Of the \$1,370,000 adopted by HAC, \$1,085,000 was out of GR-Dedicated Account No. 540 and \$285,000 represented recycled refunds of grants and are classified as Appropriated Receipts rather than GR-Dedicated funds. Amounts adopted by HAC should have been \$1,085,000 in GR-Dedicated Funds. The All Funds amount of \$1,370,000 adopted by HAC remains the same.					\$ (285,000)	\$ -		
Performance Review & Other Budget Recommendations:								
None								
Agency Requests:								
1. <i>Enhance Appellate Court Operations (includes 2 FTEs)</i>	\$ 1,292,846	\$ 1,292,846						
(a) Increase annual salary for General Counsel (\$95,000 to \$107,000 annually), and 24 Staff Attorneys (average annual increase of \$17,401; \$429,634 per fiscal year). Work group adopted half of the requested salary increase.					\$ 429,634	\$ 429,634		
(b) Increase annual salaries for nine law clerks from \$48,000 to \$50,000 annually (\$18,000 per fiscal year). Work group adopted half of the requested salary increase.					\$ 18,000	\$ 18,000		

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Article IV, The Judiciary Court of Criminal Appeals Exceptional Items	Outstanding Items for Consideration		Outstanding Items for Consideration		Tentative Workgroup Decisions		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2014-15 Biennial Total GR & GR-Dedicated All Funds		Pended Items 2014-15 Biennial Total GR & GR-Dedicated All Funds		Adopted 2014-15 Biennial Total GR & GR-Dedicated All Funds		Article XI 2014-15 Biennial Total GR & GR-Dedicated All Funds	
(c) Increase 23 non-legal staff salaries (average annual increase of \$3,721; \$85,573 per fiscal year). <i>Work group adopted half of the requested salary increase.</i>					\$ 85,373	\$ 85,373		
(d) Restoration of 1 staff attorney position (\$93,231 per fiscal year); and							\$ 186,462	\$ 186,462
(e) Custodian position (\$20,000 per fiscal year).							\$ 40,000	\$ 40,000
2. Delete Rider 11; create new rider and appropriation	\$ 2,000,000	\$ 2,000,000					\$ 2,000,000	\$ 2,000,000
The Court of Criminal Appeals seeks to delete Rider 11 from the Introduced Bill and replace it with a new rider designating \$1 million per fiscal year in General Revenue for Mental Health Inpatient Training.								
Workgroup Rider and Program Revisions and Additions:								
Total, Exceptional Items / Tentative Decisions	\$ 3,292,846	\$ 3,292,846	\$ -	\$ -	\$ 248,007	\$ 533,007	\$ 2,226,462	\$ 2,226,462
	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015
Total, Full-time Equivalentents / Tentative Decisions	2.0	2.0	0.0	0.0	0.0	0.0	2.0	2.0

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	Outstanding Items for Consideration		Outstanding Items for Consideration		Tentative Workgroup Decisions		Tentative Workgroup Decisions	
Article IV, The Judiciary Office of Court Administration, Texas Judicial Council Exceptional Items	Items Not Included in HB 1 2014-15 Biennial Total		Pended Items 2014-15 Biennial Total		Adopted 2014-15 Biennial Total		Article XI 2014-15 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:								
1. Technical Correction - Coordination of Language Access in Courts (includes 3 FTEs) - Funding already adopted by HAC 2/19/2013, related FTEs were not included in original decision document.					Adopt			
Performance Review & Other Budget Recommendations:								
1. Increase appropriations and include a rider that allocates these funds for four FTEs to the agency to develop and provide education to local court personnel on court costs and fees. Revenue from the consolidated court cost would offset the cost of the FTEs. (Revenue gain is contingent on legislation)	\$ 504,310	\$ 504,310					\$ 504,310	\$ 504,310
Agency Requests:								
1. <i>Court Administration (includes 4 FTEs)</i>	\$ 527,660	\$ 527,660						
(a) Judicial Information: Includes funding for a communications director and a research specialist. Because the OCA is the central repository for information on the Judicial Branch, providing information quickly and on demand is dependant on staffing. (2 FTEs, \$290,700 for the biennium)								

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Article IV, The Judiciary Office of Court Administration, Texas Judicial Council Exceptional Items	Outstanding Items for Consideration		Outstanding Items for Consideration		Tentative Workgroup Decisions		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2014-15 Biennial Total</u>		Pended Items <u>2014-15 Biennial Total</u>		Adopted <u>2014-15 Biennial Total</u>		Article XI <u>2014-15 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
(b) Court Services: Includes funding for a court coordinator. Because OCA is mandated to consult with and assist courts, delivery of consulting services to the courts is difficult without adequate staff. This position has been held vacant because of recent budget cuts. (1 FTE, \$142,850 for the biennium)								
(c) Administrative Support Staff: Funding request for administrative support staff. Because of additional workload imposed on OCA, including 5 new functions since 2005, staff is needed. (1 FTE, \$94,110 for the biennium)								
2. <i>Specialty Courts (includes 8 FTEs)</i>	\$ 1,180,154	\$ 1,517,412					\$ 1,180,154	\$ 1,517,412
(a) One additional child support court in El Paso, due to growing caseload. OCA employs 43 associated judges to hear and dispose of Title IV-D child support cases. (2 FTEs; \$307,556 over biennium)								
(b) Three new child protection courts due to growing caseload. OCA has 17 child protection courts serving 120 counties. In FY 2011, held over 27,000 hearings. (\$951,464 over biennium)								
(c) Salary increases for court coordinators in the child support and child protection courts. (\$204,642 over biennium)								

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	Items Not Included in HB 1 2014-15 Biennial Total		Pended Items 2014-15 Biennial Total		Adopted 2014-15 Biennial Total		Article XI 2014-15 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
(d) Professional development for child support court coordinators. (\$53,750 for fiscal year 2014)								
3. <i>Specialty Courts- Salary Increases for Associate Judges</i>	\$ 642,324	\$ 1,340,766					\$ 642,324	\$ 1,340,766
Agency requests addition of a 4th tier to the salary schedule established by the Presiding Judges of the Administrative Judicial Regions. Currently the maximum salary for a judge is \$100,194 per fiscal year. The new maximum salary would be \$112,500. (55 judges would be affected.)								
Texas Indigent Defense Commission								
1. <i>Indigent Defense - Provide Full Funding to Counties</i>	\$ 135,533,469	\$ 135,533,469					\$135,533,469	\$135,533,469
TIDC through the administration of the grant programs fund approximately 15 percent of the cost of indigent defense, with counties covering about 85 percent. Funding of this exceptional item would help defray the costs borne by the counties for indigent defense representation. (Agency LAR proposes funding would come from General Revenue).								

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	Items Not Included in HB 1 2014-15 Biennial Total		Pended Items 2014-15 Biennial Total		Adopted 2014-15 Biennial Total		Article XI 2014-15 Biennial Total	
Exceptional Items	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Workgroup Rider and Program Revisions and Additions:								
Total, Exceptional Items / Tentative Decisions	\$ 138,387,917	\$ 139,423,617	\$ -	\$ -	\$ -	\$ -	\$137,860,257	\$138,895,957
	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015
Total, Full-time Equivalents / Tentative Decisions	16.0	16.0	0.0	0.0	3.0	3.0	12.0	12.0

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Article IV, The Judiciary State Commission on Judicial Conduct Exceptional Items	Outstanding Items for Consideration		Outstanding Items for Consideration		Tentative Workgroup Decisions		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2014-15 Biennial Total		Pended Items 2014-15 Biennial Total		Adopted 2014-15 Biennial Total		Article XI 2014-15 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:								
None								
Performance Review & Other Budget Recommendations:								
None								
Agency Requests:								
1. <i>Additional Staff Attorney</i>	\$ 160,000	\$ 160,000					\$ 160,000	\$ 160,000
One additional staff attorney (\$80,000 per fiscal year) for the purposes of not only lowering the time a case takes for resolution, but also reducing case backlog.								
2. <i>Increase Attorney Salaries</i>	\$ 110,622	\$ 110,622					\$ 110,622	\$ 110,622
Provide funding for four staff attorneys to increase each attorney's salary to \$80,000 per year. The increases range from \$13,050 to \$17,500 per attorney, who are paid in a range of \$62,500 to \$66,950.								
Workgroup Rider and Program Revisions and Additions:								
Total, Exceptional Items / Tentative Decisions	\$ 270,622	\$ 270,622	\$ -	\$ -	\$ -	\$ -	\$ 270,622	\$ 270,622
	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015
Total, Full-time Equivalents / Tentative Decisions	1.0	1.0	0.0	0.0	0.0	0.0	1.0	1.0

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	Items Not Included in HB 1 2014-15 Biennial Total		Pended Items 2014-15 Biennial Total		Adopted 2014-15 Biennial Total		Article XI 2014-15 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:								
None								
Performance Review & Other Budget Recommendations:								
None								
Agency Requests:								
3. Special Prosecution Unit, Walker County	\$ 479,456	\$ 551,289						
a) Criminal Division requests include: i) \$21,443 from Criminal Justice Grants (Other Funds) for county-forecasted increases in health insurance costs; ii) \$50,800 to provide insurance benefits for three employees upon retirement, which are provided to other county retirees until the retiree becomes eligible for Medicare; iii) \$105,148 from General Revenue to provide a 4 percent pay raise to retain quality staff; and, iv) \$80,000 from General Revenue to purchase five new vehicles to replace vehicles with mileage in excess of 140,000. Alternatively, with regard to the vehicle request, previous Legislatures have authorized the Department of Public Safety to transfer low-mileage vehicles to Walker County for the Criminal Division's use. The rider-authorized transfer could be made at no cost to the bill.					\$ 105,148	\$ 105,148		

