

Section 1

**Supreme Court of Texas
Summary of Recommendations- House**

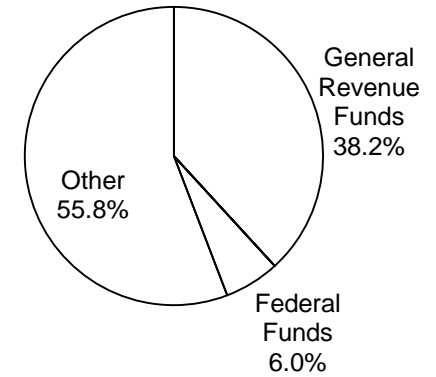
Page IV-1

The Honorable Wallace Jefferson, Chief Justice

Mary Kay Spellman, LBB Analyst

| Method of Financing | 2012-13 Base | 2014-15 Recommended | Biennial Change | % Change |
|-------------------------------|-------------------------|--------------------------------|----------------------------|---------------------|
| General Revenue Funds | \$27,524,996 | \$22,926,270 | (\$4,598,726) | (16.7%) |
| GR Dedicated Funds | \$0 | \$0 | \$0 | 0.0% |
| <i>Total GR-Related Funds</i> | <i>\$27,524,996</i> | <i>\$22,926,270</i> | <i>(\$4,598,726)</i> | <i>(16.7%)</i> |
| Federal Funds | \$3,600,000 | \$3,600,000 | \$0 | 0.0% |
| Other | \$42,715,831 | \$33,511,780 | (\$9,204,051) | (21.5%) |
| All Funds | \$73,840,827 | \$60,038,050 | (\$13,802,777) | (18.7%) |

RECOMMENDED FUNDING
BY METHOD OF FINANCING



| | FY 2013 Budgeted | FY 2015 Recommended | Biennial Change | % Change |
|-------------|-----------------------------|--------------------------------|----------------------------|---------------------|
| FTEs | 76.0 | 76.0 | 0.0 | 0.0% |

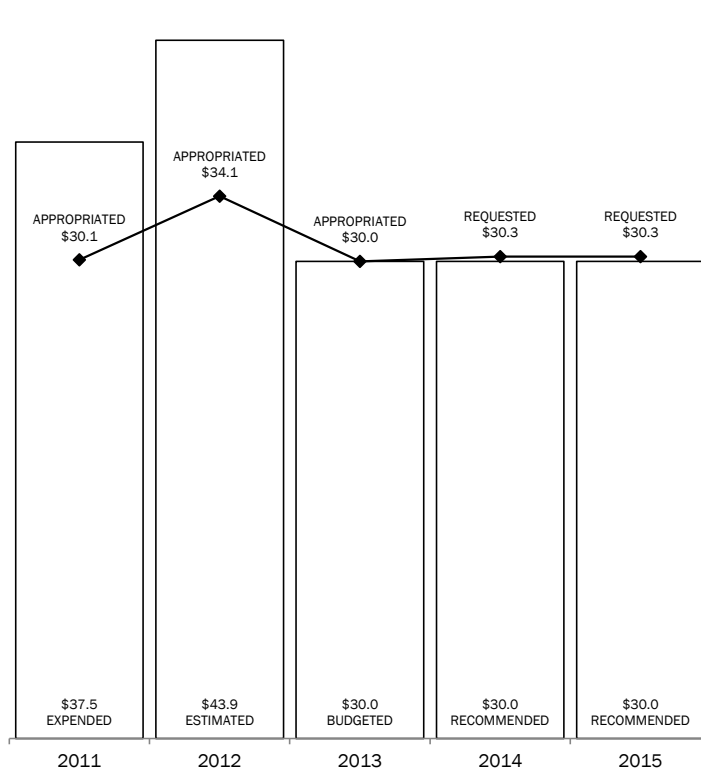
The bill pattern for this agency (2014-15 Recommended) represents an estimated 67.4% of the agency's estimated total available funds for the 2014-15 biennium.

Section 1
Supreme Court of Texas

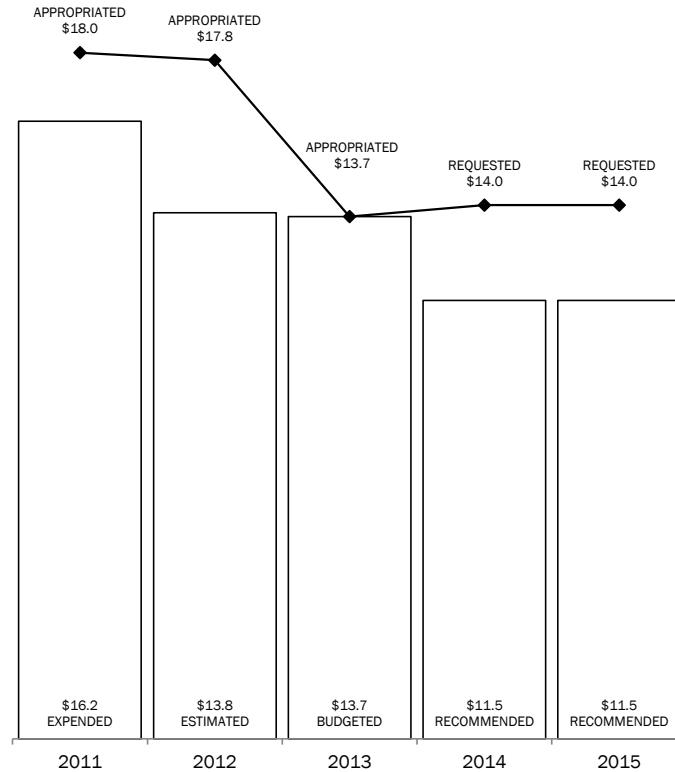
2014-2015 BIENNIUM
 IN MILLIONS

TOTAL= \$60.0 MILLION

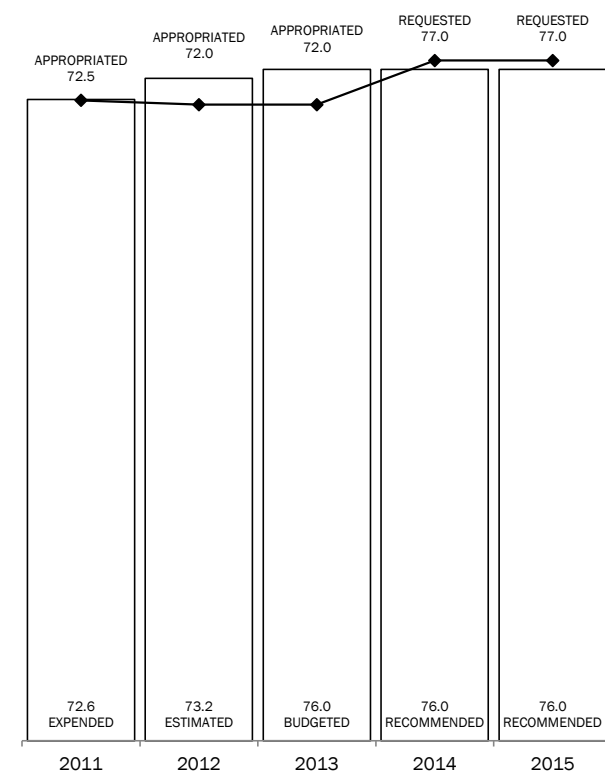
ALL FUNDS



**GENERAL REVENUE AND
 GENERAL REVENUE-DEDICATED FUNDS**



FULL-TIME-EQUIVALENT POSITIONS



Note: 1) Expended and estimated amounts exceed appropriated amounts due to unexpended balances brought forward from 2011 into 2012, plus one-time Civil Penalties revenue for Basic Civil Legal Services. 2) Appropriation amounts for 2011 and 2012 include a contingency appropriation, General Revenue-Dedicated Account No. 5010, Sexual Assault Program, which was never received due to litigation regarding the sexually oriented business fee, and revenues that did not exceed the Biennial Revenue Estimate. 3) Like all appellate courts, the Supreme Court is exempted from Art. IX, Sec. 6.10, which limits FTE Counts to cap in GAA.

Section 2

Supreme Court of Texas
Summary of Recommendations- House, By Method of Finance -- ALL FUNDS

| Strategy/Goal | 2012-13 Base | 2014-15 Recommended | Biennial Change | % Change | Comments |
|--|---------------------|------------------------|-----------------------|----------------|---|
| APPELLATE COURT OPERATIONS A.1.1 | \$10,892,910 | \$10,892,910 | \$0 | 0.0% | Recommendations provide \$10.9 million in All Funds for the Supreme Court's Appellate Court Operations strategy and equal 2012-13 funding levels. |
| Total, Goal A, APPELLATE COURT OPERATIONS | \$10,892,910 | \$10,892,910 | \$0 | 0.0% | |
| BASIC CIVIL LEGAL SERVICES B.1.1 | \$59,117,296 | \$45,314,519 | (\$13,802,777) | (23.3%) | Recommendations include a decrease of \$13.8 million, comprised of the following changes by Method-of-Finance. (a) In Judicial Fund No. 573: a one-time windfall in civil penalties of \$10 million (a decrease); \$3.8 million unexpended balance brought forward into fiscal year 2012 from the 2010-11 biennium (a decrease); and a \$4.6 million increase to reflect a higher level of anticipated BCLS receipts in the 2014-15 biennium. In FY 2012, BCLS receipts exceeded anticipated levels by \$2.3 million. All BCLS collections are appropriated upon receipt, including unexpended balances collected in prior biennia (see Rider 2). (b) In General Revenue: recommendations replace \$4.6 million in General Revenue with an offsetting increase from Judicial Fund No. 573 (Other Funds) to reflect higher than expected collections of dedicated BCLS receipts. |
| COURT IMPROVEMENT PROJECTS B.1.2 | \$3,600,000 | \$3,600,000 | \$0 | 0.0% | Recommendations for the Court Improvement Projects total \$3.6 million in Federal Funds and match 2012-13 funding levels. The funding is expected to continue through the 2014-15 biennium. |
| MULTI-DISTRICT LITIGATION B.1.3 | \$230,621 | \$230,621 | \$0 | 0.0% | Recommendations fund the Multi-District Litigation strategy at 100 percent of the 2012-13 levels in All Funds. Funding provides court staff (court coordinator and court reporter; judge's salary paid from CPA Judiciary budget) and technology to handle multi-district litigation cases, such as asbestosis and silicosis related cases. Only one such case is currently being funded. |
| Total, Goal B, COURT PROGRAMS | \$62,947,917 | \$49,145,140 | (\$13,802,777) | (21.9%) | |
| Grand Total, All Strategies | \$73,840,827 | \$60,038,050 | (\$13,802,777) | (18.7%) | |

Section 3

Supreme Court of Texas Selected Fiscal and Policy Issues

1. **Basic Civil Legal Services (BCLS).** In fiscal year 2012, the Court received a one-time windfall in civil penalties from the \$428 million awarded to the State of Texas due to the settlement between 49 states and the country's five biggest mortgage lenders related to deceptive trade practices. Pursuant to the Government Code 402.007, an amount not to exceed \$10 million per biennium in civil penalties may be awarded to the Court. Additionally, in 2012, an unexpended balance of \$3.8 million was brought forward from the 2010-11 biennium. Recommendations for 2014-15 do not continue the one-time civil penalty windfall of \$10 million with state appropriations. Revenues to Judicial Fund No. 573 are expected to increase in the 2014-15 biennium. In fiscal year 2012, the actual BCLS receipts were \$2.3 million higher than the appropriated level of \$11.3 million. Using this figure, LBB staff estimates \$4.6 million in revenue may be generated above the 2012-13 funding levels in 2014-15, and recommendations include a method of finance swap which replaces General Revenue with the anticipated additional Judicial Fund No. 573 receipts.
2. **Supreme Court Support Fee Unexpended Balance Authority Between Biennia and Within the Biennium.** Recommendations appropriate all unexpended balances in the Supreme Court Support Account in the Judicial Fund No. 573 at the end of fiscal year 2013 (estimated to be \$0) to Strategy A.1.1., Appellate Court Operations in 2014-15. Currently, only actual receipts are appropriated to the courts. The Supreme Court Support Fee Account was established by Senate Bill 1182, Eightieth Legislature, 2007, and its sole revenue source is a \$50 fee on civil cases filed in the Supreme Court, or the 14 Courts of Appeals. The court may use the fund for any expenses related to court operations. The account and Judicial Fund No. 573, do not impact certification of the GAA.

Section 3

**Supreme Court of Texas
FTE Highlights**

| Full-Time-Equivalent Positions | Expended 2011 | Estimated 2012 | Budgeted 2013 | Recommended 2014 | Recommended 2015 |
|---|------------------|-------------------|------------------|---------------------|---------------------|
| Cap | 72.5 | 72.0 | 72.0 | 76.0 | 76.0 |
| Actual/Budgeted | 72.6 | 73.2 | 76.0 | NA | NA |
| Schedule of Exempt Positions (Cap) | | | | | |
| Chief Justice | \$152,500 | \$152,500 | \$152,500 | \$152,500 | \$152,500 |
| Justice (8) | \$150,000 | \$150,000 | \$150,000 | \$150,000 | \$150,000 |

Note: Appellate Courts are exempt from the FTE Cap restrictions due to Section 4, Article IV, Special Provisions. Increase in FTE cap in Court Improvement Strategy. All positions are federally funded.

Section 3

**Supreme Court of Texas
Performance Measure Highlights**

| | Expended 2011 | Estimated 2012 | Budgeted 2013 | Recommended 2014 | Recommended 2015 |
|---|------------------|-------------------|------------------|---------------------|---------------------|
| • <i>Disposition Rate</i> | 102% | 99% | 102% | 102% | 102% |
| <i>Measure Explanation: The disposition rate reflects the number of cases disposed of in any reporting period in relationship to the total number of cases filed or reinstated by the granting of a motion for rehearing during the reporting period.</i> | | | | | |

All Funding Sources for Basic Civil Legal Services

Funds Within the GAA - Basic Civil Legal Services (Fiscal Year)

| | 2011 | 2012 | 2013 | 2012-13 Base | 2014 Recommended | 2015 Recommended | 2014-15 Recommended | Change from 2012-13 to 2014- 15 (\$) | Change from 2012-13 to 2014- 15 (%) |
|--|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|------------------------|--|---|
| General Revenue | \$ 11,212,500 | \$ 8,783,784 | \$ 8,783,783 | \$ 17,567,567 | \$ 6,484,421 | \$ 6,484,420 | \$ 12,968,841 | \$ (4,598,726) | -26.2% |
| Judicial Fund No. 573 | \$ 15,616,097 | \$ 25,176,253 | \$ 11,373,476 | \$ 36,549,729 | \$ 13,672,839 | \$ 13,672,839 | \$ 27,345,678 | \$ (9,204,051) | -25.2% |
| IAC with Attorney General (Crime Victims Compensation Fund No. 469) | \$ 2,494,586 | \$ 2,500,000 | \$ 2,500,000 | \$ 5,000,000 | \$ 2,500,000 | \$ 2,500,000 | \$ 5,000,000 | \$ - | 0.0% |
| Total State BCLS Contribution | \$ 29,323,183 | \$ 36,460,037 | \$ 22,657,259 | \$ 59,117,296 | \$ 22,657,260 | \$ 22,657,259 | \$ 45,314,519 | \$ (13,802,777) | -23.3% |

Funds Outside the GAA - Basic Civil Legal Services (Calendar Year)

| | 2011 | 2012 | 2013 | 2012-13 Base | Estimated 2014 | Estimated 2015 | 2014- 15 Projections | Change from 2012-13 to 2014- 15 (\$) | Change from 2012-13 to 2014- 15 (%) |
|---|----------------------|----------------------|----------------------|-----------------------|----------------------|----------------------|-------------------------|--|---|
| Interest on Lawyers Trust Accounts (IOLTA) | \$ 4,000,000 | \$ 4,500,000 | \$ 4,400,000 | \$ 8,900,000 | \$ 4,300,000 | \$ 4,300,000 | \$ 8,600,000 | \$ (300,000) | -3.4% |
| Legal Services Corporation and Other Federal Funding | \$ 39,639,138 | \$ 38,870,000 | \$ 38,870,000 | \$ 77,740,000 | \$ 34,982,100 | \$ 34,982,100 | \$ 69,964,200 | \$ (7,775,800) | -10.0% |
| Other (Donations and Grants from Foundations) | \$ 17,347,000 | \$ 20,493,000 | \$ 18,783,000 | \$ 39,276,000 | \$ 18,785,000 | \$ 18,785,000 | \$ 37,570,000 | \$ (1,706,000) | -4.3% |
| | | | | | | | | \$ - | |
| Total BCLS Funding Outside GAA | \$ 60,986,138 | \$ 63,863,000 | \$ 62,053,000 | \$ 125,916,000 | \$ 58,067,100 | \$ 58,067,100 | \$ 116,134,200 | \$ (9,781,800) | -7.8% |

**Estimate of Total BCLS
Funding from All
Revenue Sources**

| | | | | | | | | | |
|--|----------------------|-----------------------|----------------------|-----------------------|----------------------|----------------------|-----------------------|------------------------|---------------|
| | \$ 90,309,321 | \$ 100,323,037 | \$ 84,710,259 | \$ 185,033,296 | \$ 80,724,360 | \$ 80,724,359 | \$ 161,448,719 | \$ (23,584,577) | -12.7% |
|--|----------------------|-----------------------|----------------------|-----------------------|----------------------|----------------------|-----------------------|------------------------|---------------|

Source: Texas Access to Justice Foundation, Supreme Court

Section 4

**Supreme Court of Texas
Performance Review and Policy Report Highlights**

| Reports & Recommendations | Report Page | Savings/ (Cost) | Gain/ (Loss) | Fund Type | Included in Introduced Bill | Action Required During Session |
|--------------------------------------|--------------------|----------------------------|-------------------------|------------------|--|---------------------------------------|
|--------------------------------------|--------------------|----------------------------|-------------------------|------------------|--|---------------------------------------|

NO RELATED RECOMMENDATIONS

Section 5

Supreme Court of Texas Rider Highlights

5. **Court Improvement Projects.** Rider updated to reflect amount allocated to administer this federal grant program from \$481,500 to \$600,000 per fiscal year. The allocation increase is due to a shift in program focus from pass-through to one managed by in-house staff since program inception. The Court Improvement project is federally funded initiative designed to improve state court processes for children and families involved in abuse, neglect and dependency proceedings.
6. **Texas Young Lawyers License Plate Receipts.** Rider updated to reflect revenue collection on or after September 1, 2013. All 2014-15 receipts from license plate sales are appropriated to the Supreme Court.
8. **Appropriation: Supreme Court Support Fee.** Rider updated to reflect addition of unexpended balance authority between biennia.

Section 6

**Supreme Court of Texas
Items not Included in Recommendations- House**

In Agency Priority Order:

1. Staff Attorney Pay Increases

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.

2. Non-legal Staff Pay Increases

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.

3. Support for the Supreme Court Rules Function

1 FTE (a Legal Assistant) to assist Rules Attorney with Court's rule-making authority (\$60,000 per fiscal year).

4. General Revenue for Basic Civil Legal Services

Reverse recommended General Revenue reductions related to additional Judicial Fund No. 573 receipts.

5. Funding for Supreme Court Committee Travel

6. Court Reporter for the Supreme Court Advisory Committee

Contract to transcribe 6-8 Supreme Court Advisory Committee Meetings per year (\$25,000 per fiscal year).

| 2014-15 Biennial Total | |
|-----------------------------------|---------------------|
| GR & GR- Dedicated | All Funds |
| \$ 198,000 | \$ 198,000 |
| \$ 91,000 | \$ 91,000 |
| \$ 120,000 | \$ 120,000 |
| \$ 4,598,726 | \$ 4,598,726 |
| \$ 80,000 | \$ 80,000 |
| \$ 50,000 | \$ 50,000 |
| \$ 5,137,726 | \$ 5,137,726 |

Total, Items Not Included in the Recommendations