

**Section 1**

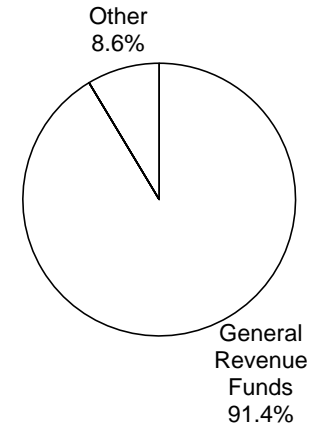
**The 14 Court of Appeals Districts  
Summary of Recommendations- House**

Page IV- 6  
The Honorable Catherine Stone  
Chair, Council of Chief Justices

Mary Kay Spellman, LBB Analyst

RECOMMENDED FUNDING  
BY METHOD OF FINANCING

Method of Financing	2012-13 Base	2014-15 Recommended	Biennial Change	% Change
General Revenue Funds	\$60,987,578	\$60,987,578	\$0	0.0%
GR Dedicated Funds	\$0	\$0	\$0	0.0%
<i>Total GR-Related Funds</i>	<i>\$60,987,578</i>	<i>\$60,987,578</i>	<i>\$0</i>	<i>0.0%</i>
Federal Funds	\$0	\$0	\$0	0.0%
Other	\$5,817,251	\$5,745,478	(\$71,773)	(1.2%)
<b>All Funds</b>	<b>\$66,804,829</b>	<b>\$66,733,056</b>	<b>(\$71,773)</b>	<b>(0.1%)</b>



FTEs	FY 2013 Budgeted	FY 2015 Recommended	Biennial Change	% Change
	403.7	401.2	(2.5)	(0.6%)

The bill patterns for these courts (2014-15 Recommended) represent an estimated percentage of the courts' estimated total available funds, detailed below:

First Court of Appeals District, Houston	92.5%	Eighth Court of Appeals District, El Paso	93.9%
Second Court of Appeals District, Fort Worth	95.6%	Ninth Court of Appeals District, Beaumont	94.8%
Third Court of Appeals District, Austin	90.6%	Tenth Court of Appeals District, Waco	98.0%
Fourth Court of Appeals District, San Antonio	90.1%	Eleventh Court of Appeals District, Eastland	94.8%
Fifth Court of Appeals District, Dallas	94.3%	Twelfth Court of Appeals District, Tyler	93.6%
Sixth Court of Appeals District, Texarkana	93.0%	Thirteenth Court of Appeals District, Corpus Christi-Edinburg	98.7%
Seventh Court of Appeals District, Amarillo	93.7%	Fourteenth Court of Appeals District, Houston	90.7%

**Section 1**  
**The 14 Court of Appeals Districts**

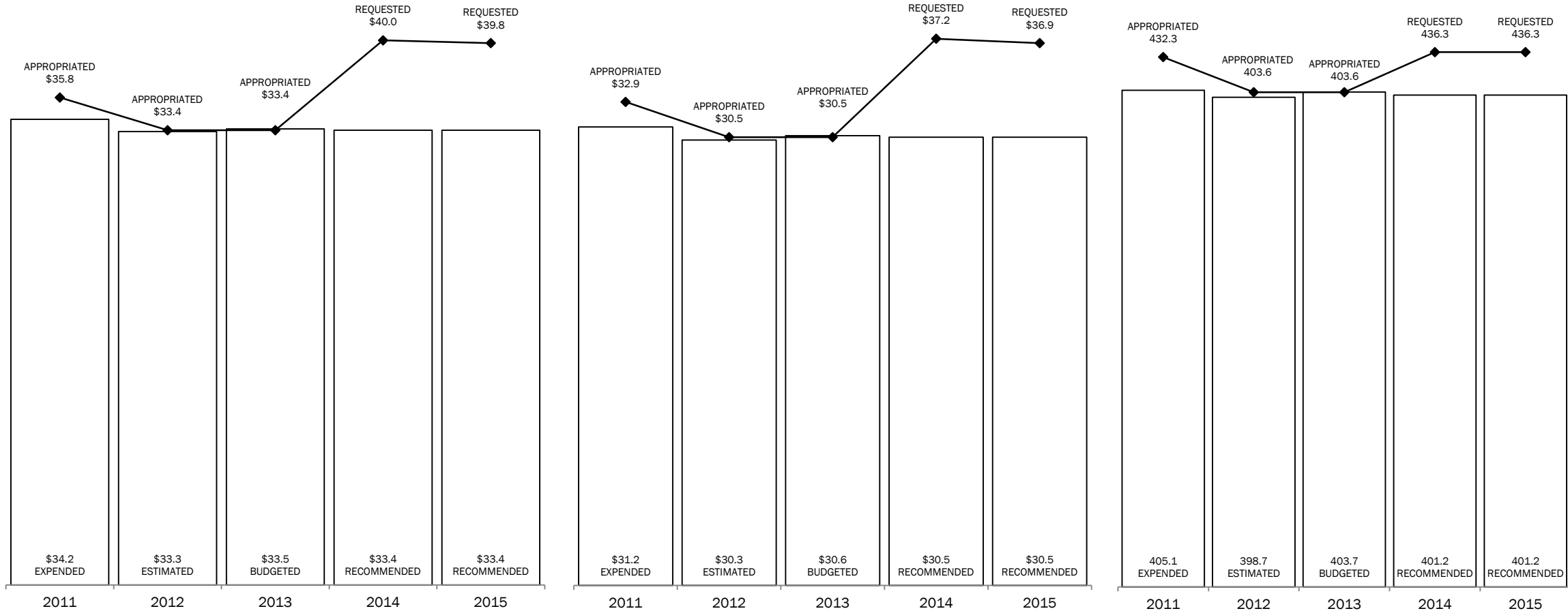
2014-2015 BIENNIUM  
 IN MILLIONS

TOTAL= \$66.7 MILLION

**ALL FUNDS**

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

**FULL-TIME-EQUIVALENT POSITIONS**



Note: Budgeted amounts exceed appropriated amounts in 2013 because of unexpended balance authority within the biennium.

Section 2

**The 14 Court of Appeals Districts  
Summary of Recommendations- House, By Method of Finance -- ALL FUNDS**

Strategy/Goal	2012-13 Base	2014-15 Recommended	Biennial Change	% Change	Comments	
<b>Metropolitan Courts</b>						
<b>First Court of Appeals District, Houston</b>						
APPELLATE COURT OPERATIONS A.1.1	\$7,498,991	\$7,475,959	(\$23,032)	(0.3%)	All Funds recommendations for the 14 Courts of Appeals are approximately 0.1% below 2012-13 levels. The biennial difference in All Funds is primarily due to certain courts receiving additional Appropriated Receipts in 2012-13. General Revenue recommendations fund the courts at 100% of baseline General Revenue funding levels.	
<b>Fifth Court of Appeals District, Dallas</b>						
APPELLATE COURT OPERATIONS A.1.1	\$10,221,777	\$10,221,777	\$0	0.0%		
<b>Fourteenth Court of Appeals District, Houston</b>						
APPELLATE COURT OPERATIONS A.1.1	\$7,530,247	\$7,510,202	(\$20,045)	(0.3%)		
<b>All Other Courts of Appeals</b>						
<b>Second Court of Appeals District, Fort Worth</b>						
APPELLATE COURT OPERATIONS A.1.1	\$5,681,557	\$5,675,643	(\$5,914)	(0.1%)		
<b>Third Court of Appeals District, Austin</b>						
APPELLATE COURT OPERATIONS A.1.1	\$4,965,972	\$4,965,972	\$0	0.0%		
<b>Fourth Court of Appeals District, San Antonio</b>						
APPELLATE COURT OPERATIONS A.1.1	\$5,742,947	\$5,737,358	(\$5,589)	(0.1%)		
<b>Sixth Court of Appeals District, Texarkana</b>						
APPELLATE COURT OPERATIONS A.1.1	\$2,694,115	\$2,688,915	(\$5,200)	(0.2%)		
<b>Seventh Court of Appeals District, Amarillo</b>						
APPELLATE COURT OPERATIONS A.1.1	\$3,326,255	\$3,324,462	(\$1,793)	(0.1%)		
<b>Eighth Court of Appeals District, El Paso</b>						
APPELLATE COURT OPERATIONS A.1.1	\$2,753,126	\$2,747,926	(\$5,200)	(0.2%)		
<b>Ninth Court of Appeals District, Beaumont</b>						
APPELLATE COURT OPERATIONS A.1.1	\$3,318,055	\$3,315,055	(\$3,000)	(0.1%)		
<b>Tenth Court of Appeals District, Waco</b>						
APPELLATE COURT OPERATIONS A.1.1	\$2,663,958	\$2,661,958	(\$2,000)	(0.1%)		
<b>Eleventh Court of Appeals District, Eastland</b>						
APPELLATE COURT OPERATIONS A.1.1	\$2,688,857	\$2,688,857	\$0	0.0%		
<b>Twelfth Court of Appeals District, Tyler</b>						
APPELLATE COURT OPERATIONS A.1.1	\$2,734,087	\$2,734,087	\$0	0.0%		
<b>Thirteenth Court of Appeals District, Corpus Christi-Edinburg</b>						
APPELLATE COURT OPERATIONS A.1.1	\$4,984,885	\$4,984,885	\$0	0.0%		
<b>Total, LBB Recommendations</b>	<b>\$66,804,829</b>	<b>\$66,733,056</b>	<b>(\$71,773)</b>	<b>(0.1%)</b>		

## Section 3

### The Fourteen Court of Appeals Districts Selected Fiscal and Policy Issues

1. **Similar Funding for Same-Sized Courts Block Grant.** The 14 Court of Appeals have submitted a request for block grant funding historically called Similar Funding for Same-Sized Courts as an exceptional item. Previous block grants have been split amongst the courts to provide targeted pay increases for staff attorneys, law clerks, and non-legal staff, as well as the addition of new attorney and non-attorney staff. In the 2008-09 biennium, the courts requested \$4.7 million and were appropriated \$4.3 million. In 2010-11, the courts sought funding of \$8.7 million and were appropriated \$3.8 million. For the 2014-15 biennium, the 14 Court of Appeals have requested \$12.8 million in block grant funding for Similar Funding for Same-Sized Courts, an 18.6 percent increase above 2012-13 spending levels. Recommendations do not include additional funds for the 2014-15 biennium. (See Section 3b for information on block grant requests).

#### Similar Funding for Same-sized Courts Block Grants (in Millions)

	<u>2008-09</u>	<u>2010-11</u>	<u>2012-13</u>	<u>2014-15</u>
Funding Request	\$4.7	\$8.7	n/a	\$12.8
Appropriated amounts	\$4.3	\$3.8	n/a	_____

Section 3

Courts of Appeals

Similar Funding for Same-Size Courts

Allocation of Block Grant Funds to Categories

Exceptional Item 1

Requested Funding for 2014-15

Similar Funding for Same-Sized Courts - Allocation to Categories												
COA	Justices	Reclassify Law Clerks	Attorney Staff	Non-Attorney Staff	Attorney Salaries	Non-Attorney Salaries	Other Operating Costs	Total	Restored FTEs	New FTEs	Total FTEs	
1	9	\$ 78,000	\$ 180,000	\$ 450,000	\$ 429,872	\$ 261,726	\$ 80,881	\$ 1,480,479	5.0	1.0	6.0	
2	7	\$ 76,760	\$ 177,200	\$ 84,460	\$ 346,278	\$ 245,984	\$ 337,874	\$ 1,268,556	2.0		2.0	
3	6	\$ -	\$ 177,200	\$ -	\$ 546,000	\$ 92,788	\$ 43,162	\$ 859,150	1.0		1.0	
4	7	\$ 304,800	\$ -	\$ 346,080	\$ 83,696	\$ 124,002	\$ 326,264	\$ 1,184,842		4.0	4.0	
5	13	\$ -	\$ 445,000	\$ 94,276	\$ 973,895	\$ 340,691	\$ 172,860	\$ 2,026,722	5.1		5.1	
6	3	\$ -	\$ -	\$ -	\$ 201,000	\$ 137,325	\$ 150,000	\$ 488,325	-		-	
7	4	\$ -	\$ 195,000	\$ 69,800	\$ 257,600	\$ 36,758	\$ 77,540	\$ 636,698	1.0	1.0	2.0	
8	3	\$ -	\$ 160,000	\$ 66,565	\$ 182,000	\$ 42,435	\$ 36,314	\$ 487,314	1.0	1.0*	2.0	
9	4	\$ -	\$ -	\$ 80,000	\$ 322,600	\$ 124,824	\$ 118,680	\$ 646,104	1.0		1.0	
10	3	\$ -	\$ -	\$ 60,000	\$ 30,000	\$ 30,000	\$ 403,282	\$ 523,282		1.0	1.0	
11	3	\$ -	\$ -	\$ 50,000	\$ 150,000	\$ 160,000	\$ 136,383	\$ 496,383		1.0	1.0	
12	3	\$ -	\$ -	\$ 170,980	\$ 160,700	\$ 49,042	\$ 61,430	\$ 442,152	1.0	1.0	2.0	
13	6	\$ -	\$ 177,200	\$ 168,920	\$ 392,532	\$ 61,594	\$ 43,992	\$ 844,238	1.5	1.5	3.0	
14	9	\$ 226,600	\$ 354,400	\$ 66,607	\$ 278,508	\$ 125,799	\$ 400,000	\$ 1,451,914	3.0	*	3.0	
		\$ 686,160	\$ 1,866,000	\$ 1,707,688	\$ 4,354,681	\$ 1,832,968	\$ 2,388,662	\$ 12,836,159	21.6	10.5	33.1	

\* FTE numbers have been updated from LAR submission

**Section 4**

**The Fourteen Court of Appeals Districts  
Performance Review and Policy Report Highlights**

<b>Reports &amp; Recommendations</b>	<b>Report Page</b>	<b>Savings/ (Cost)</b>	<b>Gain/ (Loss)</b>	<b>Fund Type</b>	<b>Included in Introduced Bill</b>	<b>Action Required During Session</b>
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**NO RELATED RECOMMENDATIONS**

## Section 5

### **The Fourteen Court of Appeals Districts Rider Highlights**

Riders affecting appellate courts are included in Article IV, Special Provisions. Recommendations continue the following provisions.

- Sec. 4, Appellate court exemptions from Article IX limitations on FTEs, capital budgets, and performance rewards and penalties;
- Sec. 5, Unexpended balance authority within the Biennium;
- Sec. 8, Interagency contracts between appellate courts and Comptroller's Judiciary Section for visiting judges funded by judicial vacancies; and
- Sec. 9, Authorizes transfer of funds between the courts upon approval by the Legislative Budget Board and the Governor.

**The 14 Court of Appeals Districts  
Items not Included in Recommendations- House**

	<b>2014-15 Biennial Total</b>	
	<b>GR &amp; GR- Dedicated</b>	<b>All Funds</b>
<b>In Agency Priority Order:</b>		
<b>Similar Funding for Same-Sized Courts (See Block Grant Funding Allocation, Section 3c)</b>		
<b>Metropolitan Courts</b>		
<b>First Court of Appeals District, Houston</b>		
1. Similar Funding Same-Sized Courts (includes 6.0 FTE)	\$ 1,480,479	\$ 1,480,479
<b>Fifth Court of Appeals District, Dallas</b>		
1. Similar Funding for Same-Sized Courts (includes 5.1 FTE)	\$ 2,026,722	\$ 2,026,722
<b>Fourteenth Court of Appeals District, Houston</b>		
1. Similar Funding Same-Sized Courts (includes 3.0 FTE)	\$ 1,451,914	\$ 1,451,914
<b>All Other Courts of Appeals</b>		
<b>Second Court of Appeals District, Fort Worth</b>		
1. Similar Funding for Same-Sized Courts (includes 2.0 FTE)	\$ 1,268,556	\$ 1,268,556
2. Technology Request (technology upgrades, including telephone system, scanners)	\$ 251,178	\$ 251,178
<b>Third Court of Appeals District, Austin</b>		
1. Similar Funding for Same-Sized Courts (includes 1.0 FTE)	\$ 859,150	\$ 859,150
<b>Fourth Court of Appeals District, San Antonio</b>		
1. Similar Funding for Same-Sized Courts (includes 4.0 FTE)	\$ 1,184,842	\$ 1,184,842
<b>Sixth Court of Appeals District, Texarkana</b>		
1. Similar Funding for Same-Sized Courts (includes 0 FTE)	\$ 488,325	\$ 488,325



## Section 6

**The 14 Court of Appeals Districts  
Items not Included in Recommendations- House**

	<b>2014-15 Biennial Total</b>	
	<b>GR &amp; GR- Dedicated</b>	<b>All Funds</b>
<b>Seventh Court of Appeals District, Amarillo</b>		
1. Similar Funding for Same-Sized Courts (includes 2.0 FTE)	\$ 636,698	\$ 636,698
<b>Eighth Court of Appeals District, El Paso</b>		
1. Similar Funding for Same-Sized Courts (includes 2.0 FTE)	\$ 487,314	\$ 487,314
<b>Ninth Court of Appeals District, Beaumont</b>		
1. Similar Funding for Same-Sized Courts (includes 1.0 FTE)	\$ 646,104	\$ 646,104
<b>Tenth Court of Appeals District, Waco</b>		
1. Similar Funding for Same-Sized Courts (includes 1.0 FTE and \$403,282 for building/court relocation)	\$ 523,282	\$ 523,282
<b>Eleventh Court of Appeals District, Eastland</b>		
1. Similar Funding - Same-Sized Courts (includes 1.0 FTE)	\$ 496,383	\$ 496,383
<b>Twelfth Court of Appeals District, Tyler</b>		
1. Similar Funding for Same-Sized Courts (includes 2.0 FTE)	\$ 442,152	\$ 442,152
<b>Thirteenth Court of Appeals District, Corpus Christi-Edinburg</b>		
1. Similar Funding for Same-Sized Courts (includes 3.0 FTE)	\$ 844,238	\$ 844,238
<b>Total, Items Not Included in the Recommendations</b>	<b>\$ 13,087,337</b>	<b>\$ 13,087,337</b>

Note: (1) Total funding for the 14 Court of Appeals for exceptional item 1, Similar Funding for Same-Sized Courts is \$12,836,159.

(2) The Second Court of Appeals, Fort Worth, is requesting a second exceptional item (\$251,178) in the first year of the biennium for technology replacement and upgrades.