

**Section 1**

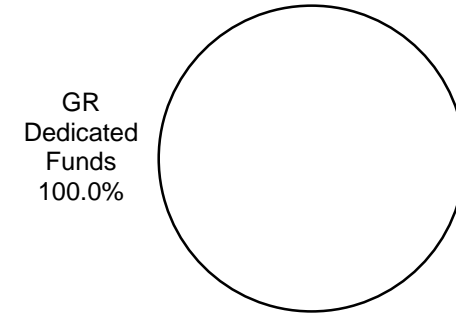
**Office of Capital Writs  
Summary of Recommendations - House**

Page IV-29  
Brad Levenson, Executive Director

George Dziuk, LBB Analyst

<b>Method of Financing</b>	<b>2014-15 Base</b>	<b>2016-17 Recommended</b>	<b>Biennial Change</b>	<b>% Change</b>
General Revenue Funds	\$0	\$0	\$0	0.0%
GR Dedicated Funds	\$2,106,979	\$2,211,446	\$104,467	5.0%
<i>Total GR-Related Funds</i>	<i>\$2,106,979</i>	<i>\$2,211,446</i>	<i>\$104,467</i>	<i>5.0%</i>
Federal Funds	\$0	\$0	\$0	0.0%
Other	\$0	\$0	\$0	0.0%
<b>All Funds</b>	<b>\$2,106,979</b>	<b>\$2,211,446</b>	<b>\$104,467</b>	<b>5.0%</b>

RECOMMENDED FUNDING  
BY METHOD OF FINANCING



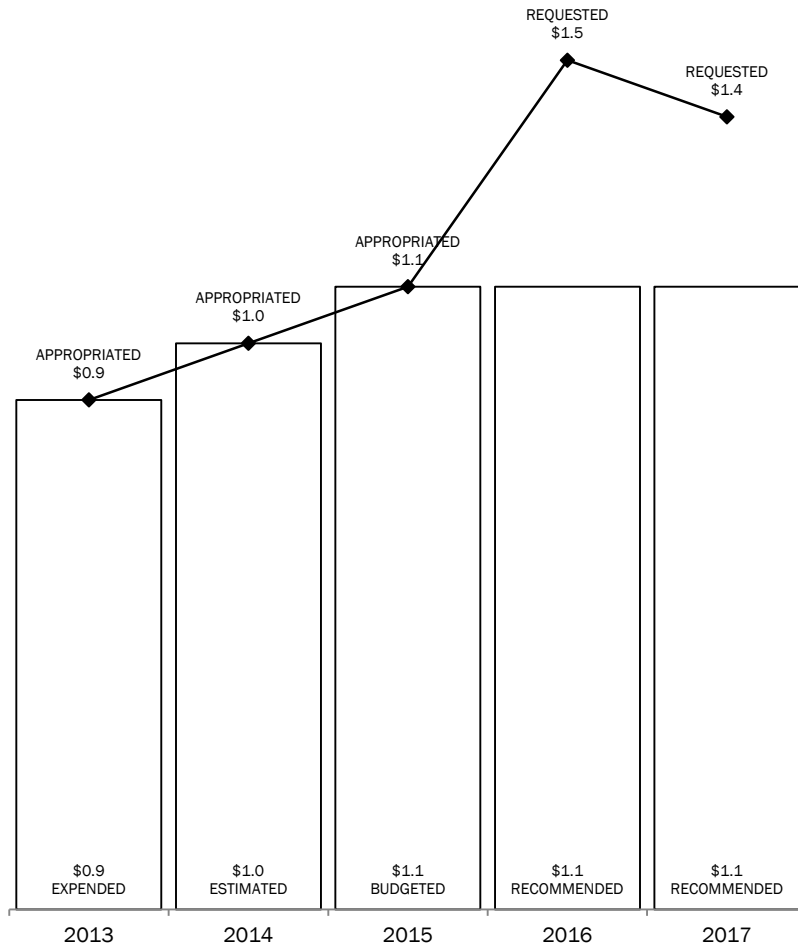
	<b>FY 2015 Budgeted</b>	<b>FY 2017 Recommended</b>	<b>Biennial Change</b>	<b>% Change</b>
<b>FTEs</b>	13.0	13.0	0.0	0.0%

The bill pattern for this agency (2016-17 Recommended) represents an estimated 100% of the agency's estimated total available funds for the 2016-17 biennium.

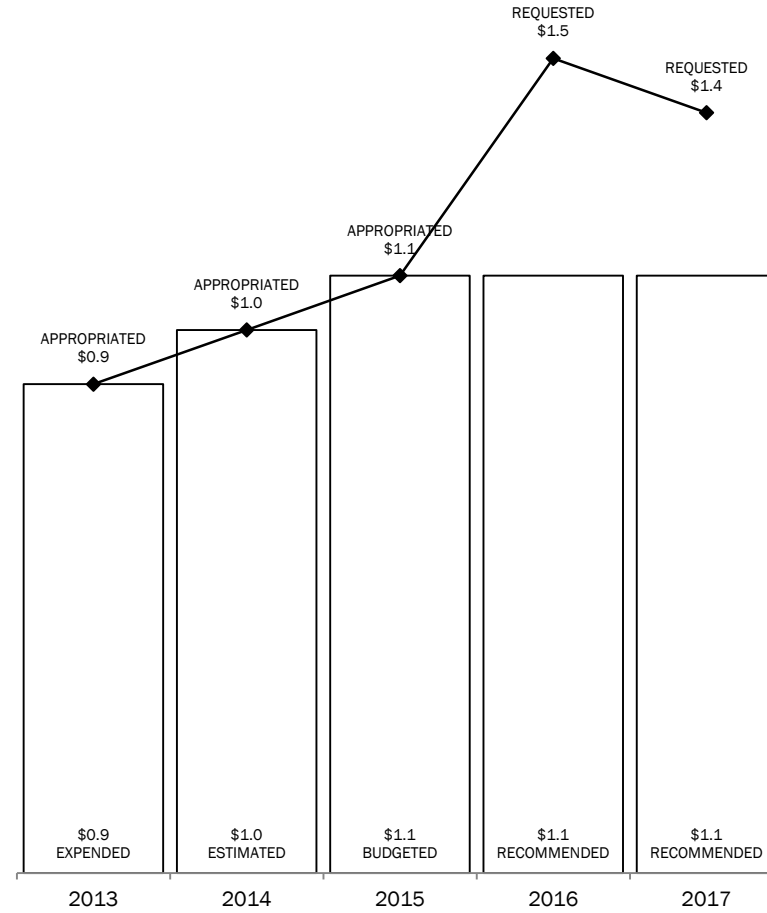
**Section 1**  
**Office of Capital Writs**  
**2016-2017 BIENNIUM**  
 IN MILLIONS

TOTAL= \$2.2 MILLION

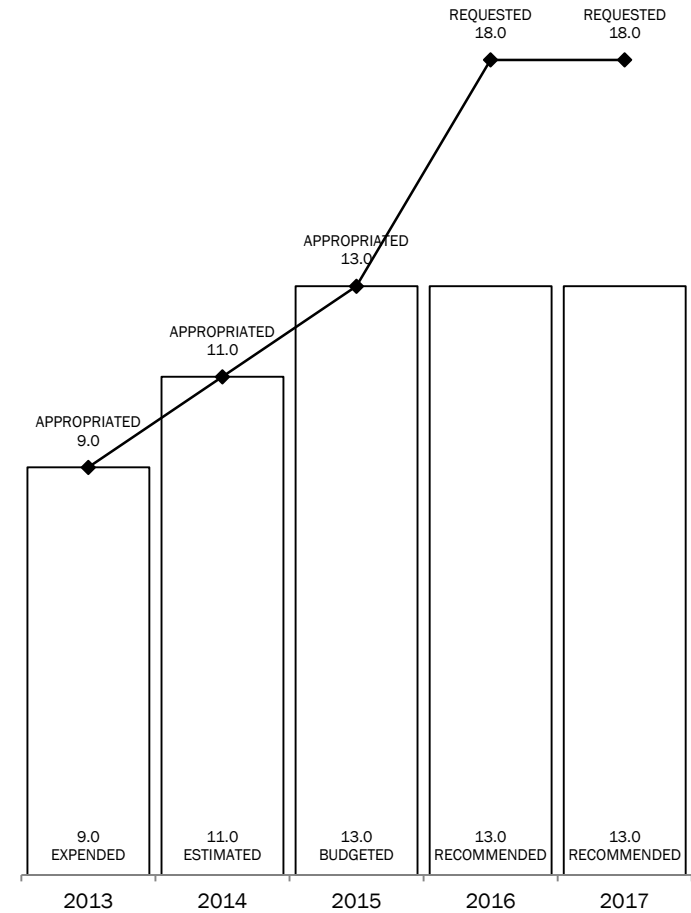
**ALL FUNDS**



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



**FULL-TIME-EQUIVALENT POSITIONS**



**Section 2**

**Office of Capital Writs  
Summary of Recommendations - House, By Method of Finance -- ALL FUNDS**

Strategy/Goal	2014-15 Base	2016-17 Recommended	Biennial Change	% Change	Comments
DEATH PENALTY REPRESENTATION A.1.1	\$2,106,979	\$2,211,446	\$104,467	5.0%	Recommendations fund the agency at 105 percent of 2014-15 spending levels through General Revenue-Dedicated Fair Defense Account No. 5073 and include the following increases:  1. \$7,793 to biennialize the 2014-15 general state employee salary increase; and 2. \$48,337 each year (\$96,674 total) to fully fund 13.0 FTEs (See also, Selected Fiscal and Policy Issues - House #3)
<b>Total, Goal A, DEATH PENALTY REPRESENTATION</b>	<b>\$2,106,979</b>	<b>\$2,211,446</b>	<b>\$104,467</b>	<b>5.0%</b>	
<b>Grand Total, All Strategies</b>	<b>\$2,106,979</b>	<b>\$2,211,446</b>	<b>\$104,467</b>	<b>5.0%</b>	

## Section 3

### Office of Capital Writs Selected Fiscal and Policy Issues - House

1. **Method of Finance Swap:** The agency requests to transition from 100 percent funding through the General Revenue–Dedicated No. 5073 Fair Defense Account to a 47 percent/53 percent General Revenue/General Revenue–Dedicated split. This swap would result in a General Revenue increase of \$993,942 in the 2016–17 biennium. It would not likely result in a savings to General Revenue–Dedicated No. 5073 Fair Defense Account, because the Texas Indigent Defense Commission (in the bill pattern of the Office of Court Administration) has estimated appropriation authority on balances in the account. Recommendations do not include this swap, and continue 100 percent funding through the General Revenue–Dedicated No. 5073 Fair Defense Account (See also, Items Not Included in Recommendations – House #1).
2. **Facility Space:** The agency’s facilities were built to house nine FTEs. As the agency’s staff size has grown to 13.0 FTEs, the amount of space available to house these additional FTEs has decreased to a point where staff are currently housed in the file/copy room. The agency requests \$96,563 in one-time funding to build out new space on the same floor within their present facility and for associated office equipment. This is not included in recommendations (see also, Items Not Included in Recommendations - House #3).
3. **Biennialize Salaries and Wages for New Positions Provided in Fiscal Year 2015:** Recommendations include biennialization of fiscal year 2015 appropriated amounts to restore salaries and wages to fiscal year 2015 levels each year of the 2016–17 biennium for 2.0 new FTEs that were authorized beginning in fiscal year 2015.

**Section 3**

**Office of Capital Writs  
Performance Measure Highlights - House**

	Expended 2013	Estimated 2014	Budgeted 2015	Recommended 2016	Recommended 2017
• <i>The Number of Appointments Accepted*</i>	10	11	11	12	12
<i>* This key performance measure is new for the 2016-17 biennium.</i>					

**Section 4**

**Office of Capital Writs  
Performance Review and Policy Report Highlights - House**

<b>Reports &amp; Recommendations</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**

**Office of Capital Writs  
Rider Highlights - House**

NONE

**Section 6**

**Office of Capital Writs  
Items not Included in Recommendations - House**

	2016-17 Biennial Total	
	GR & GR- Dedicated	All Funds
<b>Agency Exceptional Items - In Agency Priority Order</b>		
1. Request for reinstatement to the 2010-11 biennium funding split of General Revenue (47 percent or \$993,942)/General Revenue-Dedicated Fair Defense Account No. 5073 (53 percent or \$1.1 million). Agency is currently 100 percent funded through General Revenue-Dedicated Fair Defense Account No. 5073 (See also, Selected Fiscal and Policy Issues - House #1).	\$ -	\$ -
2. Request for General Revenue-Dedicated Fair Defense Account No. 5073 funding for additional appropriations and FTEs to meet increasing caseload demands.	\$ 552,000	\$ 552,000
Request includes the following 5.0 FTEs:		
1. Attorney (\$70,000 per year)		
2. Attorney (\$60,000 per year)		
3. Investigator (\$52,000 per year)		
4. Investigator (\$52,000 per year)		
5. Paralegal (\$42,000 per year)		
3. Request for General Revenue-Dedicated Fair Defense Account No. 5073 funding to remodel a file room and provide additional office space, office furniture, computers, and telephones to meet work space needs (See also, Selected Fiscal and Policy Issues - House #2).	\$ 96,563	\$ 96,563
4. Request for General Revenue-Dedicated Fair Defense Account No. 5073 funding for attorney and investigator salary increases for current staff to provide salaries that are competitive with similar positions in other agencies.	\$ 68,000	\$ 68,000
<b>Total, Items Not Included in the Recommendations</b>	<b>\$ 716,563</b>	<b>\$ 716,563</b>



**Section 7**

**Office of Capital Writs  
Summary of 10 Percent Biennial Base Reduction Options - House**

Priority	Item	Description/Impact	Biennial Reduction Amounts				Included in Intro Bill?	
			GR and GR-Dedicated	All Funds	FTEs	Potential Revenue Loss		Reduction as % of Program GR/GR-D Total
1	<b>Eliminate two FTEs (legal and non-legal staff), reduce case-related travel, and reduce use of expert witnesses</b>	The reduction would include the following: 1. Reduced funding for expert witnesses used in preparation for and during evidentiary hearings 2. Reduced funding for case-related travel 3. Elimination of 2.0 FTE positions (one staff attorney and one non-legal position)  The reduction's impact would mean fewer cases would be accepted by the agency which would negatively impact the agency's capacity to fulfill its core mission.	\$208,687	\$208,687	2.0	\$0	9%	No

TOTAL, 10% Reduction Options

<b>\$208,687</b>	<b>\$208,687</b>	<b>2.0</b>	<b>\$0</b>
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