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

Page IV-9 through IV-24
The Honorable Bonnie Sudderth, Chair, Council of Chief Justices
Bryan Hadley, LBB Analyst

Method of Financing	2020-21 Base	2022-23 Recommended	Biennial Change ($)	Biennial Change (%)
General Revenue Funds	$80,776,924	$80,920,155	$143,231	0.2%
GR Dedicated Funds	$0	$0	$0	0.0%
Total GR-Related Funds	*$80,776,924*	*$80,920,155*	*$143,231*	*0.2%*
Federal Funds	$0	$0	$0	0.0%
Other	$6,112,403	$6,037,886	($74,517)	(1.2%)
All Funds	**$86,889,327**	**$86,958,041**	**$68,714**	**0.1%**

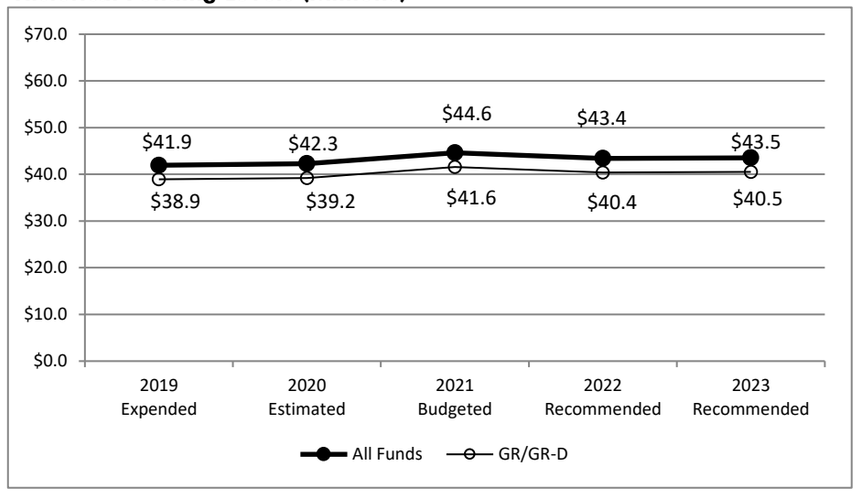
	FY 2021 Budgeted	FY 2023 Recommended	Biennial Change	Percent Change
FTEs	402.5	402.5	0.0	0.0%

The 14 Courts of Appeals were exempt from the 5 percent reduction for the 2020-21 biennium.

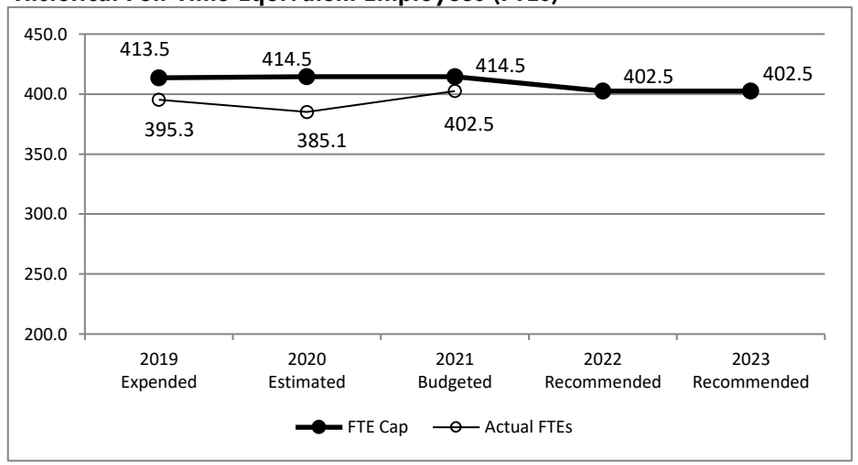
The bill pattern for these courts (2022-23 Recommended) represents the following percentages for each of the courts' total available funds.

First Court of Appeals District, Houston 92.2%
Second Court of Appeals District, Fort Worth 91.0%
Third Court of Appeals District, Austin 89.1%
Fourth Court of Appeals District, San Antonio 87.9%
Fifth Court of Appeals District, Dallas 95.0%
Sixth Court of Appeals District, Texarkana 95.3%
Seventh Court of Appeals District, Amarillo 90.2%
Eighth Court of Appeals District, El Paso 89.7%
Ninth Court of Appeals District, Beaumont 97.8%
Tenth Court of Appeals District, Waco 100.0%
Eleventh Court of Appeals District, Eastland 95.7%
Twelfth Court of Appeals District, Tyler 94.1%
Thirteenth Court of Appeals District, Corpus Christi-Edinburg 98.8%
Fourteenth Court of Appeals District, Houston 92.5%

Historical Funding Levels (Millions)



Historical Full-Time-Equivalent Employees (FTEs)



The 14 Court of Appeals Districts
Summary of Funding Changes and Recommendations - House

	Funding Changes and Recommendations for the 2022-23 Biennium compared to the 2020-21 Base Spending Level	General Revenue	GR-Dedicated	Federal Funds	Other Funds	All Funds	Strategy in Appendix A
SIGNIFICANT Funding Changes and Recommendations (each issue is explained in Section 3 and additional details are provided in Appendix A):							
A)	Net Increase in Strategy A.1.2, Appellate Justice Salaries, in various Court of Appeals resulting from judicial position changes within the judicial compensation tiers created through enactment of HB 2384, Eighty-sixth Legislature, Regular Session, 2019 (see also, Selected Fiscal and Policy Issues - House #1).	$143,231	$0	$0	$0	$143,231	A.1.2
OTHER Funding Changes and Recommendations (these issues are not addressed in Section 3 but details are provided in Appendix A):							
B)	Decrease in Appropriated Receipts due to anticipated reduction in requests for sales of copies of court opinions from the public and publishers and a decrease in an Interagency Contract with the Office of Court Administration for information technology services.	$0	$0	$0	($74,517)	($74,517)	A.1.1
	TOTAL SIGNIFICANT & OTHER Funding Changes and Recommendations	**$143,231**	**$0**	**$0**	**($74,517)**	**$68,714**	As Listed
	SIGNIFICANT & OTHER Funding Increases	$143,231	$0	$0	$0	$143,231	As Listed
	SIGNIFICANT & OTHER Funding Decreases	$0	$0	$0	($74,517)	($74,517)	As Listed

NOTE: Totals may not sum due to rounding.

The 14 Court of Appeals Districts
Selected Fiscal and Policy Issues - House

1. **New Judicial Salary Strategy.** Recommendations provide $28.1 million in All Funds which includes an estimated General Revenue funding increase of $0.1 million above 2020-21 spending levels for judicial compensation. Enactment of House Bill 2384, Eighty-sixth Legislature, 2019, adjusted the compensation structure for certain judges and prosecutors by creating tiers of compensation based on years of service. State salary and salary supplements for these positions remain linked to a district judge's base salary of $140,000 as set in the General Appropriations Act. Judges and prosecutors with four to eight years of service receive compensation at 110 percent of a district judge's base salary, or $154,000, and 120 percent of a district judge's base salary, or $168,000, for eight or more years of service.

   The Eighty-sixth Legislature, 2019, modified the General Appropriations Act for the 2020–21 biennium due to the enactment of this legislation by creating individual, estimated, and non-transferrable strategies within the bill patterns of the 16 appellate courts and the Office of State Prosecuting Attorney to isolate required compensation-related appropriations. The estimated appropriation authority provides the flexibility to adjust funding levels to meet unanticipated changes in compensation obligations resulting from tenure changes and elections or appointment of persons with years of service credits differing from the previous position holder.

2. **Appellate Court Operations.** Recommendations maintain General Revenue appropriations at 2020–21 spending levels to maintain the court's clearance rates at or above 100 percent, which includes addressing a backlog of cases resulting from the COVID-19 pandemic. According to information provided by the Office of Court Administration, the appellate courts typically held 186 trials per week prior to the COVID-19 pandemic. Under normal circumstances, approximately 5,400 trials would have been held between March and September. As a result of the pandemic, the courts were able to hold 30 actual trials between March and September 2020.

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

		2022-23 Biennial Total					
		GR & GR-D	All Funds	FTEs	Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2024-25
Agency Exceptional Items Not Included (in agency priority order)							
	None						
TOTAL Items Not Included in Recommendations		**$0**	**$0**	**-**			**$0**

The 14 Court of Appeals Districts
Appendices - House

Table of Contents		
Appendix	**Appendix Title**	**Page**
A	Funding Changes and Recommendations by Strategy	6
B	Summary of Federal Funds	*
C	FTE Highlights	10

* Appendix is not included - no significant information to report

The 14 Court of Appeals Districts
Funding Changes and Recommendations by Strategy - House -- ALL FUNDS

Strategy/Goal	2020-21 Base	2022-23 Recommended	Biennial Change	% Change	Comments
Metropolitan Courts					
First Court of Appeals District, Houston					
APPELLATE COURT OPERATIONS 1.1.1	$6,615,106	$6,610,555	($4,551)	(0.1%)	Recommendations reflect an anticipated decrease in Appropriated Receipts.
APPELLATE JUSTICE SLARIES 1.1.2.	$2,932,773	$2,997,659	$64,886	2.2%	Recommendations reflect increase resulting from judges' changes in the judicial and prosecutor compensation tiers created by HB 2384 during the Eighty-sixth Legislature, 2019. (See also, Selected Fiscal and Policy Issues - House #1)
SUBTOTAL	$9,547,879	$9,608,214	$60,335	0.6%	
Fifth Court of Appeals District, Dallas					
APPELLATE COURT OPERATIONS 1.1.1	$8,958,399	$8,958,399	$0	0.0%	
APPELLATE JUSTICE SLARIES 1.1.2.	$4,422,016	$4,398,440	($23,576)	(0.5%)	Recommendations reflect changes resulting from differences in judges' judicial service in salary tiers created by HB 2384 during the Eighty-sixth Legislature, 2019. (See also, Selected Fiscal and Policy Issues - House #1)
SUBTOTAL	$13,380,415	$13,356,839	($23,576)	(0.2%)	
Fourteenth Court of Appeals District, Houston					
APPELLATE COURT OPERATIONS 1.1.1	$6,932,800	$6,870,445	($62,355)	(0.9%)	Recommendations reflect an anticipated decrease in Appropriated Receipts and Interagency Contracts.
APPELLATE JUSTICE SLARIES 1.1.2.	$3,050,220	$3,131,126	$80,906	2.7%	Recommendations reflect increase resulting from judges' changes in the judicial and prosecutor compensation tiers created by HB 2384 during the Eighty-sixth Legislature, 2019. (See also, Selected Fiscal and Policy Issues - House #1)
SUBTOTAL	$9,983,020	$10,001,571	$18,551	0.2%	
All Other Courts of Appeals					
Second Court of Appeals District, Fort Worth					

The 14 Court of Appeals Districts
Funding Changes and Recommendations by Strategy - House -- ALL FUNDS

Strategy/Goal	2020-21 Base	2022-23 Recommended	Biennial Change	% Change	Comments
APPELLATE COURT OPERATIONS 1.1.1	$5,098,400	$5,091,480	($6,920)	(0.1%)	Recommendations reflect an anticipated decrease in Appropriated Receipts.
APPELLATE JUSTICE SLARIES 1.1.2.	$2,467,587	$2,469,744	$2,157	0.1%	Recommendations reflect increase resulting from judges' changes in the judicial and prosecutor compensation tiers created by HB 2384 during the Eighty-sixth Legislature, 2019. (See also, Selected Fiscal and Policy Issues - House #1)
SUBTOTAL	$7,565,987	$7,561,224	($4,763)	(0.1%)	
Third Court of Appeals District, Austin					
APPELLATE COURT OPERATIONS 1.1.1	$4,261,884	$4,267,708	$5,824	0.1%	Recommendations reflect an anticipated increase in Appropriated Receipts.
APPELLATE JUSTICE SLARIES 1.1.2.	$2,077,668	$2,077,668	$0	0.0%	
SUBTOTAL	$6,339,552	$6,345,376	$5,824	0.1%	
Fourth Court of Appeals District, San Antonio					
APPELLATE COURT OPERATIONS 1.1.1	$5,090,277	$5,089,355	($922)	(0.0%)	Recommendations reflect an anticipated decrease in Appropriated Receipts.
APPELLATE JUSTICE SLARIES 1.1.2.	$2,473,031	$2,420,372	($52,659)	(2.1%)	Recommendations reflect increase resulting from judges' changes in the judicial and prosecutor compensation tiers created by HB 2384 during the Eighty-sixth Legislature, 2019. (See also, Selected Fiscal and Policy Issues - House #1)
SUBTOTAL	$7,563,308	$7,509,727	($53,581)	(0.7%)	
Sixth Court of Appeals District, Texarkana					
APPELLATE COURT OPERATIONS 1.1.1	$2,373,372	$2,372,372	($1,000)	(0.0%)	Recommendations reflect an anticipated decrease in Appropriated Receipts.
APPELLATE JUSTICE SLARIES 1.1.2.	$1,100,992	$1,100,992	$0	0.0%	
SUBTOTAL	$3,474,364	$3,473,364	($1,000)	(0.0%)	
Seventh Court of Appeals District, Amarillo					
APPELLATE COURT OPERATIONS 1.1.1	$2,881,350	$2,880,293	($1,057)	(0.0%)	Recommendations reflect an anticipated decrease in Appropriated Receipts.

The 14 Court of Appeals Districts
Funding Changes and Recommendations by Strategy - House -- ALL FUNDS

Strategy/Goal	2020-21 Base	2022-23 Recommended	Biennial Change	% Change	Comments
APPELLATE JUSTICE SLARIES 1.1.2.	$1,446,932	$1,474,288	$27,356	1.9%	Recommendations reflect increase resulting from judges' changes in the judicial and prosecutor compensation tiers created by HB 2384 during the Eighty-sixth Legislature, 2019. (See also, Selected Fiscal and Policy Issues - House #1)
SUBTOTAL	$4,328,282	$4,354,581	$26,299	0.6%	
Eighth Court of Appeals District, El Paso					
APPELLATE COURT OPERATIONS 1.1.1	$2,383,722	$2,381,931	($1,791)	(0.1%)	Recommendations reflect an anticipated decrease in Appropriated Receipts.
APPELLATE JUSTICE SLARIES 1.1.2.	$986,249	$1,000,506	$14,257	1.4%	Recommendations reflect increase resulting from judges' changes in the judicial and prosecutor compensation tiers created by HB 2384 during the Eighty-sixth Legislature, 2019. (See also, Selected Fiscal and Policy Issues - House #1)
SUBTOTAL	$3,369,971	$3,382,437	$12,466	0.4%	
Ninth Court of Appeals District, Beaumont					
APPELLATE COURT OPERATIONS 1.1.1	$2,902,594	$2,902,594	$0	0.0%	
APPELLATE JUSTICE SLARIES 1.1.2.	$1,523,876	$1,523,876	$0	0.0%	
SUBTOTAL	$4,426,470	$4,426,470	$0	0.0%	
Tenth Court of Appeals District, Waco					
APPELLATE COURT OPERATIONS 1.1.1	$2,373,659	$2,373,659	$0	0.0%	
APPELLATE JUSTICE SLARIES 1.1.2.	$1,181,688	$1,181,688	$0	0.0%	
SUBTOTAL	$3,555,347	$3,555,347	$0	0.0%	
Eleventh Court of Appeals District, Eastland					
APPELLATE COURT OPERATIONS 1.1.1	$2,419,538	$2,419,538	$0	0.0%	
APPELLATE JUSTICE SLARIES 1.1.2.	$1,021,750	$1,032,120	$10,370	1.0%	Recommendations reflect increase resulting from judges' changes in the judicial and prosecutor compensation tiers created by HB 2384 during the Eighty-sixth Legislature, 2019. (See also, Selected Fiscal and Policy Issues - House #1)
SUBTOTAL	$3,441,288	$3,451,658	$10,370	0.3%	

The 14 Court of Appeals Districts
Funding Changes and Recommendations by Strategy - House -- ALL FUNDS

Strategy/Goal	2020-21 Base	2022-23 Recommended	Biennial Change	% Change	Comments
Twelfth Court of Appeals District, Tyler					
APPELLATE COURT OPERATIONS 1.1.1	$2,377,333	$2,377,004	($329)	(0.0%)	
APPELLATE JUSTICE SLARIES 1.1.2.	$1,131,196	$1,132,100	$904	0.1%	Recommendations reflect increase resulting from judges' changes in the judicial and prosecutor compensation tiers created by HB 2384 during the Eighty-sixth Legislature, 2019. (See also, Selected Fiscal and Policy Issues - House #1)
SUBTOTAL	$3,508,529	$3,509,104	$575	0.0%	
Thirteenth Court of Appeals District, Corpus Christi-Edinburg					
APPELLATE COURT OPERATIONS 1.1.1	$4,227,621	$4,226,205	($1,416)	(0.0%)	
APPELLATE JUSTICE SLARIES 1.1.2.	$2,177,294	$2,195,924	$18,630	0.9%	Recommendations reflect increase resulting from judges' changes in the judicial and prosecutor compensation tiers created by HB 2384 during the Eighty-sixth Legislature, 2019. (See also, Selected Fiscal and Policy Issues - House #1)
SUBTOTAL	$6,404,915	$6,422,129	$17,214	0.3%	
Total, Goal 1, APPELLATE COURT OPERATIONS	**$58,896,055**	**$58,821,538**	**($74,517)**	**(0.1%)**	
Total, Goal 1, APPELLATE JUSTICE SALARIES	**$27,993,272**	**$28,136,503**	**$143,231**	**0.5%**	
Total, LBB Recommendations	**$86,889,327**	**$86,958,041**	**$68,714**	**0.1%**	

The 14 Court of Appeals Districts
FTE Highlights - House

Full-Time-Equivalent Positions	Expended 2019	Estimated 2020	Budgeted 2021	Recommended 2022	Recommended 2023
Cap	413.5	414.5	414.5	402.5	402.5
Actual/Budgeted	395.3	385.1	402.5	NA	NA

Schedule of Exempt Positions (Cap)					
Chief Justice (14)	$156,500	$156,500	$156,500	$156,500	$156,500
Justice (66)	$154,000	$154,000	$154,000	$154,000	$154,000

Notes:
a) The 14 Courts of Appeal are exempted from Article IX, Section 6.10, which limits the number of FTEs paid from appropriated funds to the amounts specified in the General Appropriations Act.

b) House Bill 2384, Eighty-sixth Legislature, Regular Session, 2019, created compensation tiers based on years of service for the Chief Justice and Justices of the 14 Courts of Appeald and continued to link the salaries to a district judge's base salary of $140,000 as set in the General Appropriations Act. Justices with four to eight years of service receive compensation at 110% of a district judge's base salary, or $154,000, and 120% of a district judge's base salary, or $168,000, for eight or more years of service.

c) State Auditor's Office is the source for the fiscal year 2019 and fiscal year 2020 annual average (actual) FTE levels.