

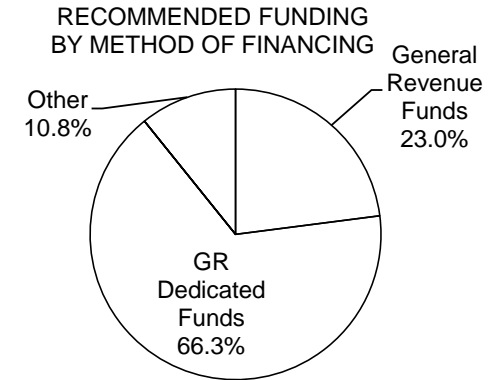
**Office of Court Administration, Texas Judicial Council
Summary of Recommendations - Senate**

Page IV-23

Carl Reynolds, Administrative Director (OCA), Executive Director (TJC)

Tina Beck, LBB Analyst

Method of Financing	2010-11 Appropriations	2010-11 Base	2012-13 Recommended	Biennial Change	% Change
General Revenue Funds	\$24,729,100	\$23,964,859	\$18,948,007	(\$5,016,852)	(20.9%)
GR Dedicated Funds	\$58,679,175	\$63,288,079	\$54,674,013	(\$8,614,066)	(13.6%)
<i>Total GR-Related Funds</i>	<i>\$83,408,275</i>	<i>\$87,252,938</i>	<i>\$73,622,020</i>	<i>(\$13,630,918)</i>	<i>(15.6%)</i>
Federal Funds	\$0	\$0	\$0	\$0	0.0%
Other	\$9,990,490	\$10,156,079	\$8,900,629	(\$1,255,450)	(12.4%)
All Funds	\$93,398,765	\$97,409,017	\$82,522,649	(\$14,886,368)	(15.3%)



	FY 2011 Appropriations	FY 2011 Budgeted	FY 2013 Recommended	Biennial Change	% Change
FTEs	198.3	195.4	183.2	(12.2)	(6.2%)

The bill pattern for this agency (2012-13 Recommended) represents an estimated 100% of the agency's estimated total available funds for the 2012-13 biennium.

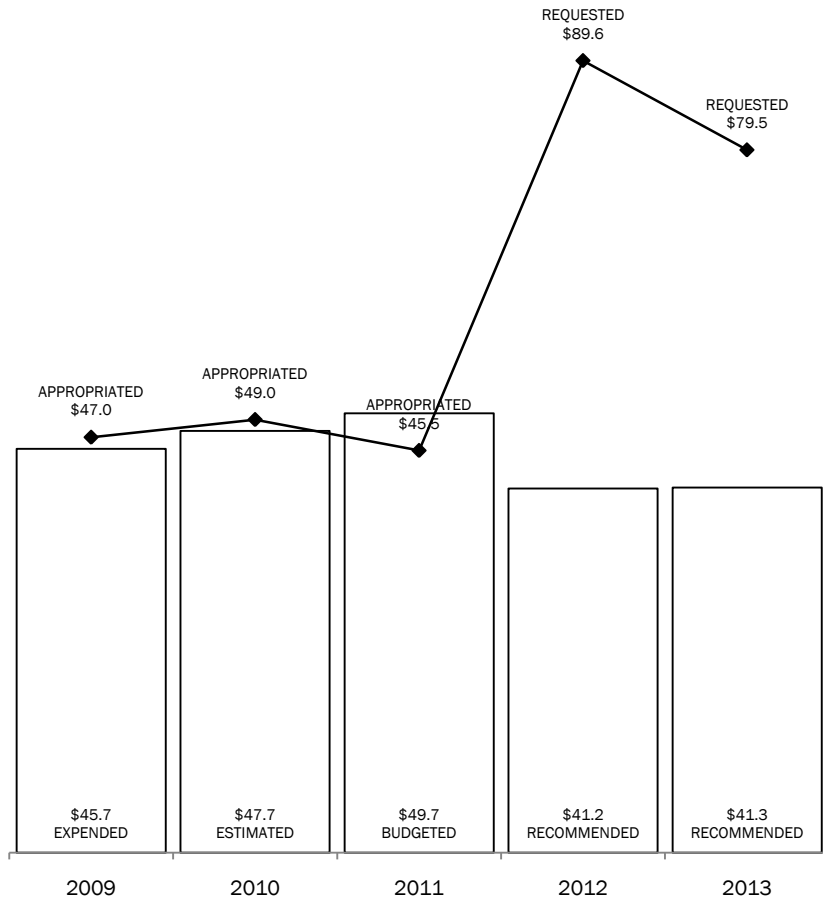
Office of Court Administration, Texas Judicial Council

2012-2013 BIENNIUM

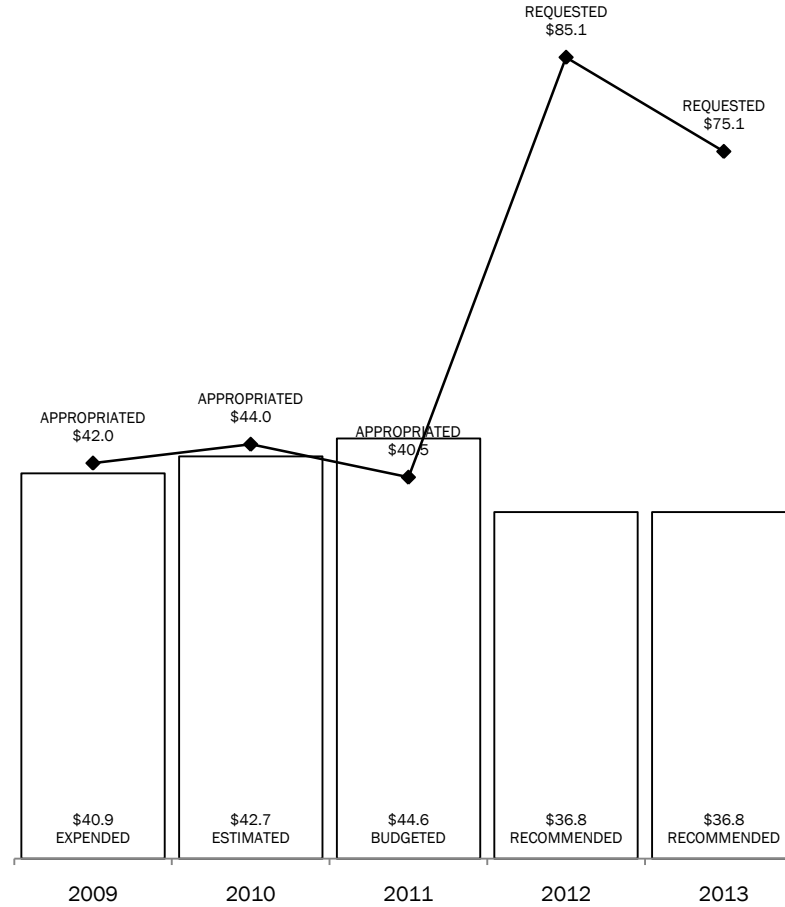
IN MILLIONS

TOTAL= \$82.5 MILLION

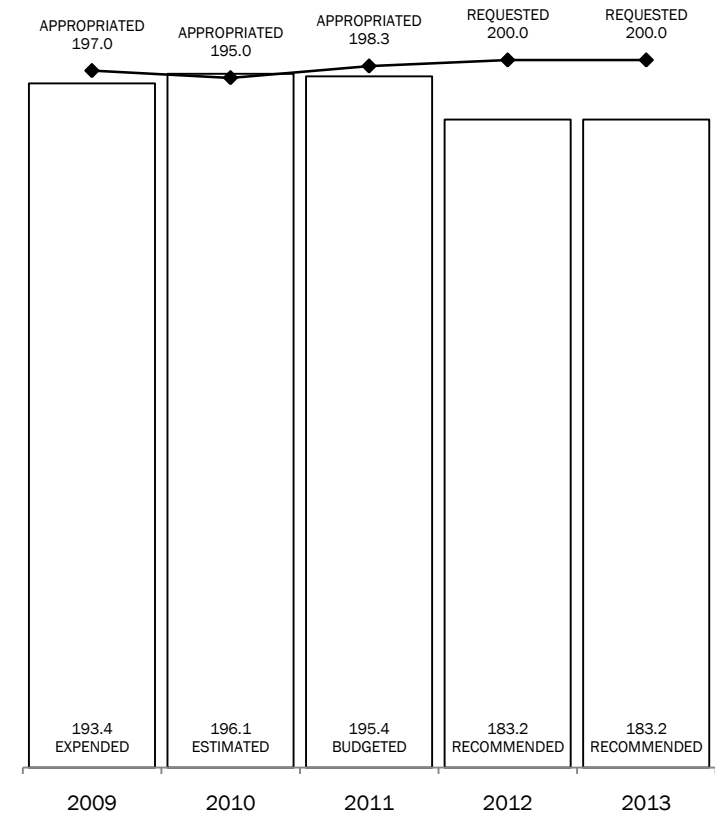
ALL FUNDS



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



FULL-TIME-EQUIVALENT POSITIONS



Office of Court Administration, Texas Judicial Council
Summary of Recommendations - Senate, By Method of Finance -- ALL FUNDS

Strategy/Goal	2010-11 Base	2012-13 Recommended	Biennial Change	% Change	Comments (Optional)
COURT ADMINISTRATION A.1.1	\$4,870,379	\$4,072,750	(\$797,629)	(16.4%)	The Introduced Bill includes decreases of \$620,196 in General Revenue Funds, primarily for a 10 percent reduction applied to agency administration, research and court services, the collection improvement program, and legal services (\$0.6 million), for process server certification (\$63,620 which is transferred to Strategy C.1.3, Guardians and Process Servers), and for travel for the Texas Judicial Council and the Judicial Compensation Commission (\$8,600).
INFORMATION TECHNOLOGY A.1.2	\$10,115,554	\$4,496,683	(\$5,618,871)	(55.5%)	The Introduced Bill includes decreases of \$4,816,863 in General Revenue Funds primarily in capital budget and related costs for information technology (IT) replacement cycles and projects for disaster recovery, e-filing, and data-enabled forms (\$3.6 million); and for ongoing support of certain ongoing IT projects (\$1.2 million).
DOCKET EQUALIZATION A.1.3	\$14,290	\$13,576	(\$714)	(5.0%)	The Introduced Bill includes a decrease of \$714 in General Revenue Funds to reflect a 5 percent reduction in travel expenses for docket equalization at the 14 Courts of Appeals.
ASSIST ADMIN JUDICIAL REGIONS A.1.4	\$436,590	\$0	(\$436,590)	(100.0%)	The Introduced Bill suspends state-funded administrative assistance to the nine presiding judges of the administrative judicial regions. The total reduction of \$436,590 is comprised of \$361,672 in General Revenue Funds and \$74,918 in Appropriated Receipts.
INDIGENT DEFENSE A.2.1	\$63,378,079	\$54,674,013	(\$8,704,066)	(13.7%)	The Introduced Bill includes a decrease of \$8,614,066 from the General Revenue-Dedicated Fair Defense Account No. 5073, primarily for reduced grants to counties for indigent defense (\$8.4 million, including a transfer of \$845,630 to the new Office of Capital Writs and maintaining funding for innocence projects at four state law schools), and to reflect a 10 percent reduction in program administrative costs (\$174,100, including 1 FTE).
Total, Goal A, PROCESSES AND INFORMATION	\$78,814,892	\$63,257,022	(\$15,557,870)	(19.7%)	
CHILD SUPPORT COURTS PROGRAM B.1.1	\$12,972,457	\$12,927,078	(\$45,379)	(0.3%)	The Introduced Bill maintains funding for 43 child support courts at nearly 100 percent of 2010-11 appropriated levels. Interagency Contracts are provided on a 2:1 basis in this strategy and originate as federal funds appropriated to the Office of Attorney General.

Office of Court Administration, Texas Judicial Council
Summary of Recommendations - Senate, By Method of Finance -- ALL FUNDS

Strategy/Goal	2010-11 Base	2012-13 Recommended	Biennial Change	% Change	Comments (Optional)
CHILD PROTECTION COURTS PROGRAM B.1.2	\$5,111,538	\$5,022,579	(\$88,959)	(1.7%)	The Introduced Bill maintains funding for 17 child protection courts at nearly 100 percent of 2010-11 appropriated levels.
Total, Goal B, SPECIALTY COURT PROGRAMS	\$18,083,995	\$17,949,657	(\$134,338)	(0.7%)	
COURT REPORTERS CERT BOARD C.1.1	\$331,406	\$314,837	(\$16,569)	(5.0%)	The Introduced Bill includes a decrease of \$16,569 to reflect the 5 percent reduction.
TEXASONLINE C.1.2	\$24,064	\$22,861	(\$1,203)	(5.0%)	The Introduced Bill includes an agency-requested decrease of \$1,203 to reflect a 5 percent reduction to this estimated and self-leveling appropriation.
GUARDIANS AND PROCESS SERVERS C.1.3	\$154,660	\$214,818	\$60,158	38.9%	The Introduced Bill includes an increase of \$63,620 to reflect the transfer of the process server function from Strategy A.1.1, Court Administration, offset by an agency-requested decrease to meet the 5 percent requirement. The \$214,818 recommended for this strategy is contingent on legislation authorizing fees for certification programs for guardians and process servers being enacted by the Eighty-second Legislature.
Total, Goal C, CERTIFY INDIVIDUALS AND BUSINESSES	\$510,130	\$552,516	\$42,386	8.3%	
REPRESENTATION BEFORE CCA D.1.1	\$0	\$763,454	\$763,454	100.0%	The Introduced Bill reflects the administrative attachment of the Office of the State Prosecuting Attorney (OSPA) to the Office of Court Administration (OCA). Baseline bill funding levels of \$763,454 reflect a decrease of \$113,900 from 2010-11 base funding levels of \$877,354. This amount reduces General Revenue funding by \$90,000 (\$45,000 per year) due to the elimination of a staff services officer through a recommended administrative consolidation with the OCA (see Selected Fiscal and Policy Issue No. 5). The Introduced Bill also reduce Interagency Contract Funding by \$23,900 (\$11,950 per year) to conform with funding The Introduced Bill for multi-county prosecutor office apportionment payments at the Comptroller's Judiciary Section.
Total, Goal D, REPRESENTATION BEFORE CCA	\$0	\$763,454	\$763,454	100.0%	
Grand Total, All Strategies	\$97,409,017	\$82,522,649	(\$14,886,368)	(15.3%)	

Office of Court Administration, Texas Judicial Council
Selected Fiscal and Policy Issues

Recommended funding in the Introduced Bill begins with the agency's 2010-11 approved base and incorporates the following adjustments.

1. **General Revenue Reductions.** A decrease of \$5,016,852 in General Revenue, including:
 - a. A decrease of \$4,816,863 in information technology (IT) projects and services and 9.4 FTEs in Strategy A.1.2, Information Technology, related to:
 - i. Capital budget and related costs, including:
 1. A decrease of \$1,542,480 to suspend IT replacement cycles;
 2. A decrease of \$967,786 to defer enhancements to the Texas Appeals Management and E-Filing System (TAMES);
 3. A decrease of \$629,440 to suspend initiation of a new Statewide Judicial Smart Forms project to provide data-enabled standardized forms for use by litigants, attorneys, and courts in judicial filings; and,
 4. A decrease of \$460,042 to defer enhancements to the Judicial Emergency Data Infrastructure (JEDI) disaster recovery project.
 - ii. Deferring ongoing support for certain IT projects, including:
 1. A decrease of \$464,563 for the Automated Registry (AR) system, which allows authorized individuals to query records for persons appearing before the court, including records from the Department of Public Safety, the Texas Department of Criminal Justice, the Department of State Health Services (vital statistics and mental health records), the Workforce Commission, and the Department of Family and Protective Services child protective services records.
 2. A decrease of \$752,552 for the current Texas Appeals Management and E-Filing System (TAMES). TAMES enables e-filing of appellate court cases and has other features, including improving the level of case information available online and allowing for in-chambers collaboration in writing and reviewing opinions.
 - b. A decrease of \$620,196 and 3.4 FTEs to reflect 10 percent reductions to agency administration (\$0.3 million); research and court services, the collection improvement program, and legal services (\$0.3 million); process server certification (for a \$63,620 transfer to Strategy C.1.3, Guardians and Process Servers); and, travel for the Texas Judicial Council and the Judicial Compensation Commission (\$8,600).

After taking these decreases into account, the agency's information technology strategy is funded at \$4,496,683, including 18.6 FTEs to maintain core services. Within this reduced funding level, the agency would need to reprioritize project support, if any, for the AR and TAMES projects, which are zero-funded in the recommendations.

- c. A decrease of \$361,672 and 2.0 FTEs to suspend state-paid administrative assistance to the nine presiding judges of the administrative judicial regions (Strategy A.1.4.) These amounts were prorated among the nine regions, and counties have been picking up unfunded costs of assisting the judges in their administrative duties in recent years. The judges' duties include assigning visiting judges to sit in both district and statutory county courts.
2. **Indigent Defense Grant Reductions.** Decrease General Revenue-Dedicated Funds from the Fair Defense Account No. 5073 by \$8,614,066 for the Indigent Defense Program to reflect an overall reduction of 13.6 percent, including:
 - a. A decrease of \$8,439,966 in indigent defense grants to counties, with remaining grant funds of nearly \$26.2 million per fiscal year. This amount exceeds fiscal year 2008 expended levels of \$21 million by nearly \$5 million. This reduction includes a \$845,630 transfer to the Office of Capital Writs for death penalty representation to replace an equal amount of General Revenue, and maintaining innocence projects at four law schools at 100 percent of 2010-11 appropriated levels, or \$800,000 for the biennium; and,
 - b. A decrease of \$174,100 and 1 FTE to reflect a reduction of 10 percent in program administration costs (see Rider 8, Indigent Defense).Recommendations eliminate estimated appropriation authority and provide sum certain appropriations for the Fair Defense Account (see Rider 8).
3. **Reductions in Other Funds.** Decrease Other Funds by \$1,255,450, primarily due to a reduction of \$802,008 in Interagency Contracts for Strategy B.1.2, Information Technology. In the 2010-11 biennium, the agency received one-time funding from the Supreme Court's federal funds for Court Improvement Projects for the capital budget project Texas Data Enabled Courts for Kids, which helped to integrate automated information for the Texas Department of Family and Protective Services, the courts, and related government entities.
4. **Contingent Revenue for the Guardian and Process Servers Certification Programs.** Supplemental Appropriations Made in Riders in the bill pattern include the amounts of \$107,354 in fiscal year 2012 and \$107,464 in fiscal year 2013 (or \$214,818 for the biennium) out of General Revenue and 2.0 FTEs for Strategy C.1.3, Guardians and Process Servers are contingent on the enactment of legislation by the Eighty-second Legislature, authorizing fees from process server certification and the allowable use of such fees by the Office of Court Administration (see Rider 12).
5. **Administrative Consolidation of the Office of the State Prosecuting Attorney with the Office of Court Administration.** The Introduced Bill provides for reduced funding at the Office of the State Prosecuting Attorney (OSPA) due to a recommended administrative consolidation with the Office of Court Administration (OCA). Administrative consolidation would allow OSPA to be reduced by one FTE, a staff services officer, saving \$90,000 (\$45,000 per year) in General Revenue. OCA would give the office administrative assistance such as budget, planning and purchasing, as well as reporting requirement duties. This would free the remaining staff (3 attorneys and 1 legal secretary) to concentrate on the Office's core function of representing the State before the Court of Criminal Appeals and aiding local prosecutors that have asked OSPA for assistance. Current statutory requirements governing the appointment of the State Prosecuting Attorney are found in Chapter

42, Government Code. The Court of Criminal Appeals is required to appoint a State Prosecuting Attorney to represent the State in all proceedings before that court. Additionally, the State Prosecuting Attorney's salary is statutorily tied to that of a district judge (\$125,000) and is included in the list of professional prosecutors found in Chapter 46, Government Code.

**Office of Court Administration, Texas Judicial Council
FTE Highlights**

Full-Time-Equivalent Positions	Expended 2009	Actual 2010	Budgeted 2011	Recommended 2012	Recommended 2013
Cap	196.0	201.0	198.3	183.2	183.2
Actual/Budgeted	193.4	196.1	195.4	NA	NA
Strategy Highlights					
<i>Court Administration (A.1.1)</i>	33.0	33.8	33.9	29.1	29.1
<i>Information Technology (A.1.2)</i>	31.3	33.0	28.0	18.6	18.6
<i>Assistance to the Administrative Judicial Regions (A.1.4)</i>	5.5	2.0	2.0	0.0	0.0
<i>Indigent Defense (A.2.1)</i>	7.0	9.3	10.0	9.0	9.0
<i>Guardians and Process Servers (C.1.3)</i>	1.0	1.0	1.0	2.0*	2.0*
<i>Office of the State Prosecuting Attorney (D.1.1)</i>	0.0	0.0	0.0	4.0	4.0
Schedule of Exempt Positions					
Administrative Director, Group 5**	\$110,700	\$130,000	\$130,000	\$130,000	\$130,000
State Prosecuting Attorney					

Notes: Agency estimated amounts in 2010 exceeded 2010 cap due the addition of 1.3 FTEs 100 percent federally funded for two programs, one related to domestic violence court cases and the other related to child protection courts. Also, in January 2010 the Legislative Budget Board and the Governor's Office approved a temporary increase in the agency's FTE cap by 6 FTEs (from 195 to 201 FTEs) to enable the agency to complete information technology projects for the appellate courts and specialty child support courts.

*The 2.0 FTEs shown for Strategy C.1.3, Guardians and Process Servers are contingent on enactment of legislation by the Eighty-second Legislature authorizing fees from process server certification and the allowable use of such fees by the Office of Court Administration.

**See Article IV, Special Provisions, Sec. 13, Schedule of Exempt Positions, for additional information on the Group 5 cap for this position.

**Office of Court Administration, Texas Judicial Council
Performance Measure Highlights**

	Expended 2009	Actual 2010	Budgeted 2011	Recommended 2012	Recommended 2013
• <i>Child Support Courts Case Disposition Rate</i>	98.6%	98.7%	100%	100%	100%
• <i>Number of Children Who Have Received a Final Order</i>	4,896	4,598	4,909	4,900	4,900
<i>LBB-Provided Statewide Caseloads and Projections for Number of Removals.</i>	<i>12,107</i>	<i>16,566</i>	<i>17,099</i>	<i>17,583</i>	<i>18,067</i>
• <i>Number of Guardians Certified</i>	324	332	355	370	384
<i>Measure Explanation: According to the agency, guardian certification fees generated \$3,700 in revenue in fiscal year 2010. Performance targets may be maintained for this program, contingent on legislation relating to process server certification fees and the allowable use of such fees by the Office of Court Administration (see Selected Fiscal and Policy Issue No. 4 and Rider 12 in the agency's bill pattern).</i>					
• <i>Number of Process Servers Certified</i>	4,042	5,448	6,092	6,776	7,331
<i>Measure Explanation: Currently the agency is not authorized to collect process server certification fees. Performance targets may be maintained for the program, contingent on legislation relating to process server certification fees and the allowable use of such fees by the Office of Court Administration (see Selected Fiscal and Policy Issue No. 4 and Rider 12 in the agency's bill pattern).</i>					

Section 4

Texas Judicial Council Office of Court Administration (OCA)
Performance Review and Policy Report Highlights

Reports & Recommendations	GEER Report Page	Savings/ (Cost)	Gain/ (Loss)	Fund Type	Is included in the Introduced Bill	Action Required During Session
---------------------------	------------------	-----------------	--------------	-----------	------------------------------------	--------------------------------

NO RELATED RECOMMENDATIONS

Section 5

Office of Court Administration Rider Highlights

2. **(former) Capital Budget.** Rider deleted consistent with recommendation to provide no new capital budget authority.
3. **(former) Restriction, Assistance to the Administrative Judicial Regions.** Rider deleted consistent with recommendation not to fund this program.
2. **Information Regarding Allocation of Full-Time-Equivalent Positions.** Rider modified to reflect funded allocation of FTEs across strategies.
3. **Information Services for the Trial Courts.** Rider modified to reflect funding levels for trial court information technology projects.
4. **Information Technology Equipment Services.** Rider modified to add the new Office of Capital Writs to the appellate courts and judicial branch agencies served by the agency's funding for information technology staff and equipment.
8. **Indigent Defense.** Rider modified in alignment with recommended funding levels for this program, including removing estimated appropriation authority for the General Revenue-Dedicated Fair Defense Account No. 5073.
9. **(former) Assistance to Presiding Judges of the Nine Administrative Regions.** Consistent with zero-funding this strategy, this rider is recommended for deletion. The rider originated in the 2004-05 GAA and directed the agency to assist the presiding judges in finding alternative funding for visiting judge programs, funding for which was substantially reduced in the 2004-05 biennium. Other than the agency's funds for child protection courts, which have been used to fund visiting judges for child protection courts (see Rider 7), no alternative funding for the visiting judge programs has been found.
9. **Performance Reporting for the Collection Improvement Program.** Rider modified to reflect information currently available on the agency's collections programs.
13. **(new) Children's Justice Grants to States.** Rider moved from Article IV, Special Provisions, and modified in alignment with recommendation to direct the Office of Court Administration to collaborate with the Texas Center for the Judiciary in reporting on receipts of federal funds awarded to states on a formula basis to states, as well as fund disbursements to eligible programs.
14. **(new) Contingency Appropriation for Legislation Relating to Certain License Fees.** Rider designates \$214,818 for the biennium and 2.0 FTEs for Strategy C.1.3, Guardians and Process Servers, contingent on the enactment of legislation by the Eighty-second Legislature, relating to process server certification fees and the allowable use of such fees by the Office of Court Administration.

Section 6

**Office of Court Administration, Texas Judicial Council
Items not Included in Recommendations**

	2012-13 Biennial Total	
	GR & GR- Dedicated	All Funds
Agency Requests		
1. Information Services for the Trial Courts - Modify Rider 3 amounts from \$1,730,092 to \$1,173,931 to reflect amounts available in the introduced bill.	\$ -	\$ -
2. Restore core services in Information Technology for case management (\$752,552 and 5.4 FTEs), disaster recovery (\$87,082 and 0.6 FTE), and equipment replacement (\$100,000).	\$ 939,634	\$ 939,634
3. Restore core services in Court Administration, including 2.4 FTEs.	\$ 270,000	\$ 270,000
4. Restore Core Services and Add Funding to Regulatory Function.		
a) Contingency Appropriation for Legislation Relating to Certain License Fees. Modify Rider 14 to increase contingent revenue from process server certification fees to fund the following two items:		
b) Restore 5 percent reductions to the Court Reporters Certification Board (\$16,569) and the Guardianship Certification Board and Process Server Review Board (\$7,930); and, expand the allowable use of process server fees in contingent legislation to include certification of court reporters, as well as process servers and guardians.	\$ 24,499	\$ 24,499
c) Add funding for Guardians and Process Servers, including 1.0 new FTE.	\$ 140,600	\$ 140,600
5. Indigent Defense		
a) Restore reductions to grants (\$8,439,966) and administration (\$174,100), including 1 administrative FTE.	\$ 8,614,066	\$ 8,614,066
b) Indigent Defense - Modify Rider 8 to restore the agency's estimated appropriation authority to all funds deposited to the General Revenue-Dedicated Fair Defense Account No. 5073; and, restore the administrative allocation to \$870,500 per fiscal year, up from \$783,450 per fiscal year (see funding request of \$174,100).	\$ 7,000,000	\$ 7,000,000
c) Innocence Projects - Modify Rider 11 amounts for innocence projects at law schools from \$400,000 to \$320,000 per fiscal year, with the balance, or \$80,000 per fiscal year reallocated to fund one new administrative FTE.	\$ -	\$ -
6. Partially restore reduction to the Administrative Judicial Regions, including 2 FTEs (\$307,422 from General Revenue and \$43,788 from Appropriated Receipts).	\$ 307,422	\$ 351,210
Total, Items Not Included in the Recommendations	\$ 17,296,221	\$ 17,340,009