

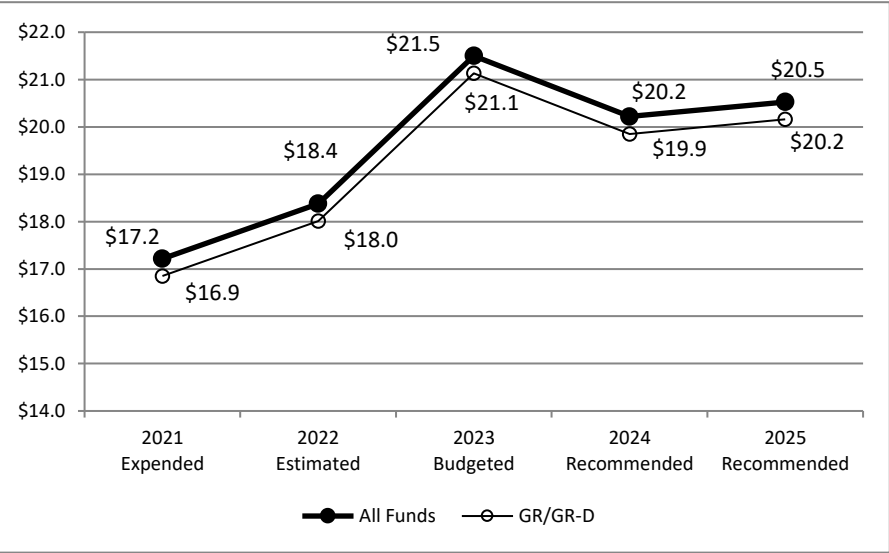
# **Court of Criminal Appeals** **Summary of Budget Recommendations - Senate**

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The Honorable Sharon Keller, Presiding Judge  
Bryan Hadley, LBB Analyst

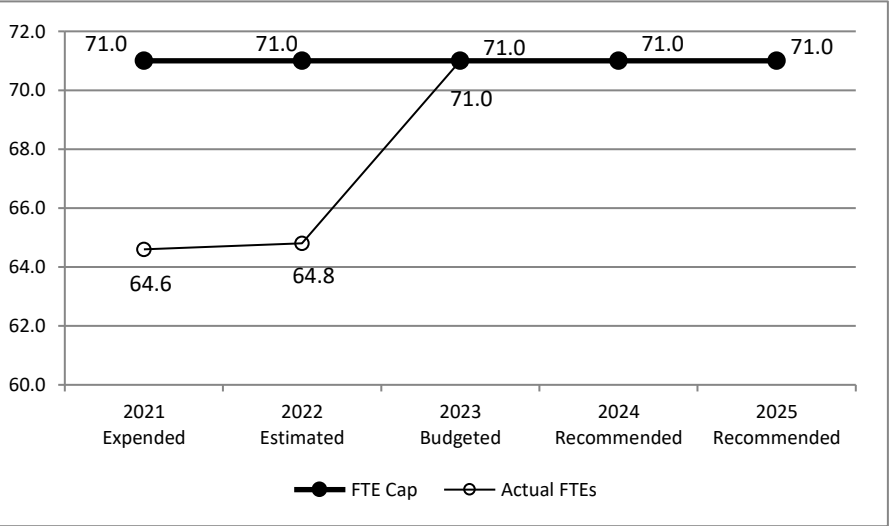
Method of Financing	2022-23 Base	2024-25 Recommended	Biennial Change (\$)	Biennial Change (%)
General Revenue Funds	\$14,074,023	\$14,892,883	\$818,860	5.8%
GR Dedicated Funds	\$25,068,658	\$25,117,386	\$48,728	0.2%
<i>Total GR-Related Funds</i>	<i>\$39,142,681</i>	<i>\$40,010,269</i>	<i>\$867,588</i>	<i>2.2%</i>
Federal Funds	\$0	\$0	\$0	0.0%
Other	\$735,502	\$735,502	\$0	0.0%
<b>All Funds</b>	<b>\$39,878,183</b>	<b>\$40,745,771</b>	<b>\$867,588</b>	<b>2.2%</b>

	FY 2023 Budgeted	FY 2025 Recommended	Biennial Change	Percent Change
FTEs	71.0	71.0	0.0	0.0%

Historical Funding Levels (Millions)



Historical Full-Time-Equivalent Employees (FTEs)



The bill pattern for this agency (2024-25 Recommended) represents an estimated 100.0% of the agency's estimated total available funds for the 2024-25 biennium.

**Court of Criminal Appeals**  
**Summary of Funding Changes and Recommendations - Senate**

**Section 2**

Funding Changes and Recommendations for the 2024-25 Biennium compared to the 2022-23 Base Spending Level		General Revenue	GR-Dedicated	Federal Funds	Other Funds	All Funds	Strategy in Appendix A
<b><i>SIGNIFICANT Funding Changes and Recommendations (each issue is explained in Section 3 and additional details are provided in Appendix A):</i></b>							
A)	General Revenue Increase in Strategy A.1.2, Appellate Judge Salaries, for anticipated changes in judicial tenure under the tiered, tenure-based compensation structure established by Government Code §659.012. (See also, Selected Fiscal and Policy Issue #1).	\$16,294	\$0	\$0	\$0	\$16,294	A.1.2
<b><i>OTHER Funding Changes and Recommendations (these issues are not addressed in Section 3 but details are provided in Appendix A):</i></b>							
B)	General Revenue and General Revenue-Dedicated increases for salary adjustments.	\$802,566	\$48,728	\$0.0	\$0.0	\$851,294	C.1.1
<b>TOTAL SIGNIFICANT &amp; OTHER Funding Changes and Recommendations</b>		<b>\$818,860</b>	<b>\$48,728</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$867,588</b>	As Listed
<i>SIGNIFICANT &amp; OTHER Funding Increases</i>		\$818,860	\$48,728	\$0.0	\$0.0	\$867,588	As Listed
<i>SIGNIFICANT &amp; OTHER Funding Decreases</i>		\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	As Listed

NOTE: Totals may not sum due to rounding.

**Court of Criminal Appeals  
Selected Fiscal and Policy Issues - Senate**

1. **Judicial Salaries.** Recommendations provide \$3.7 million in All Funds, including \$3.0 million in estimated General Revenue funds, for judicial compensation. This is an estimated increase of \$16,294 above 2022-23 spending levels to cover the salary, benefits, and longevity costs for anticipated increases in judicial tenure at the Court of Criminal Appeals (CCA) during the 2024-25 biennium.

Base salaries for judges of the CCA are linked to the base salary of a district judge under the tiered, tenure-based compensation structure established by Government Code §659.012. Statute sets the base salary for a CCA judge, other than the presiding judge, at 120.0 percent of the district judge base salary (\$168,000) for the first four years of their tenure. When their tenure is between 4 and 8 years, the judge earns 110.0 percent of their \$168,000 base salary (\$184,800). A judge with over 8 years of tenure earns a salary that's 120.0 percent of their \$168,000 base salary (\$201,600).

Judge salaries are funded through an estimated and non-transferrable strategy isolating required compensation appropriations and providing flexibility to adjust funding levels for unanticipated changes in compensation obligations resulting from tenure changes and elections or appointments of persons with years of service credits differing from the previous position holder.

2. **Court Funding and Staff Salaries.** Recommendations continue General Revenue appropriations at 2022-23 levels for the Court to address its mandatory caseload of direct appeals of cases in which the death penalty has been imposed and post-conviction applications for writs of habeus corpus. Recommendations do not include \$1.3 million requested by the Court agency to align salaries for CCA FTEs with like positions at the Supreme Court of Texas. (See also, Items Not Included in Recommendations #1.)
3. **Judicial Education.** Recommendations provide \$25.9 million in All Funds, which continues 2022-23 spending levels, to provide ongoing education for judges and other court staff during the 2024-25 biennium. This includes \$1.1 million in All Funds to provide training and education related to mental and behavioral health. Judicial Education funding recommendations include the following amounts and methods of finance:

- **\$0.9 million in General Revenue** which includes \$0.4 million to contract with statewide professional associations and other entities whose purposes include continuing legal education for judges and court staff on mental health issues and pre-trial diversion and \$0.5 million to train, educate, and inform judges and their staff about mental health care resources available in Texas; and
- **\$25.1 million in GR-Dedicated Judicial Court and Personnel Training Fund No. 540 (GR-D Fund 540)** to provide grants funding for legal education and training for judges, prosecutors and staff, defense attorneys and staff, clerks and court personnel, and public defenders, including \$0.3 million for providing judicial education services and training on indigent defendants and mental health.

GR-D Fund 540 revenues include 3.3224 percent of court costs paid by people convicted of an offense; a portion of the filing fees paid to a court clerk by people filing civil, probate, guardianship, or mental health cases in a district court, statutory county court, statutory probate court, or county court; and other fees, not to exceed \$50, collected by the Supreme Court of Texas and the 14 Courts of Appeals.

Recommendations continue funding from GR-D Fund 540 at 2022-23 spending levels with estimated appropriation authority to allow for any additional revenues received to be spent for the same purpose.

Recommendations do not include \$0.2 million in General Revenue requested by the agency to provide additional continuing legal education to public defenders. (See also, Items Not Included in Recommendations #2.)

4. **Unexpended Balance Authority.** Recommendations continue the Court’s Unexpended Balance authority but remove the strategy-level designations in the bill pattern and include a new Special Provisions – Judiciary rider providing the same authority for all Article IV courts and agencies.

Court of Criminal Appeals  
Items Not Included in Recommendations - Senate

	2024-25 Biennial Total			Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2026-27
	GR & GR-D	All Funds	FTEs			

Agency Exceptional Items Not Included (in agency priority order)

1)	<b>Salary Parity With the Supreme Court of Texas.</b> General Revenue funding to provide salary parity for 59.0 Court of Criminal Appeals FTEs who make less than their counterparts at the Supreme Court of Texas. (See also, Selected Fiscal and Policy Issue #2.)	\$1,290,116	\$1,290,116	0.0	No	No	\$1,290,116
2)	<b>Funding To Increase Training for Public Defenders.</b> General Revenue funding for the court to provide additional continuing legal education training to Public Defenders. (See also, Selected Fiscal and Policy Issue #3.)	\$200,000	\$200,000	0.0	No	Yes	\$200,000

<b>TOTAL Items Not Included in Recommendations</b>	<b>\$1,490,116</b>	<b>\$1,490,116</b>	<b>0.0</b>				<b>\$1,490,116</b>
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**Court of Criminal Appeals  
Appendices - Senate**

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\* Appendix is not included - no significant information to report

Court of Criminal Appeals					
Funding Changes and Recommendations by Strategy - Senate -- ALL FUNDS					
Strategy/Goal	2022-23 Base	2024-25 Recommended	Biennial Change	% Change	Comments
APPELLATE COURT OPERATIONS A.1.1	\$10,267,943	\$10,267,943	\$0	0.0%	Recommendations reflect an increase to cover the salary, benefits, and longevity costs for anticipated increases in judicial tenure during the 2024-25 biennium. (See also, Selected Fiscal and Policy Issue #1)
APPELLATE JUDGE SALARIES A.1.2	\$3,666,582	\$3,682,876	\$16,294	0.4%	
Total, Goal A, APPELLATE COURT OPERATIONS	\$13,934,525	\$13,950,819	\$16,294	0.1%	
JUDICIAL EDUCATION B.1.1	\$25,943,658	\$25,943,658	\$0	0.0%	
Total, Goal B, JUDICIAL EDUCATION	\$25,943,658	\$25,943,658	\$0	0.0%	
SALARY ADJUSTMENTS C.1.1	\$0	\$851,294	\$851,294	100.0%	Recommendations include a new strategy for salary adjustments.
Total, Goal C, SALARY ADJUSTMENTS	\$0	\$851,294	\$851,294	100.0%	
Grand Total, All Strategies	\$39,878,183	\$40,745,771	\$867,588	2.2%	

**Court of Criminal Appeals  
FTE Highlights - Senate**

Full-Time-Equivalent Positions	Expended 2021	Estimated 2022	Budgeted 2023	Recommended 2024	Recommended 2025
Cap	71.0	71.0	71.0	71.0	71.0
Actual/Budgeted	64.6	64.8	71.0	NA	NA

Schedule of Exempt Positions (Cap)					
Presiding Judge (1)	\$170,500	\$170,500	\$170,500	\$170,500	\$170,500
Judge (8)	\$168,000	\$168,000	\$168,000	\$168,000	\$168,000

- Notes:
- a) The Court of Criminal Appeals is 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) The base salaries for judges of the Court of Criminal Appeals are linked to the base salary of a district judge under the tiered, tenure-based compensation structure established by Government Code §659.012. Statute sets the base salary for a judge, other than the presiding judge, of the Court of Criminal Appeals at 120.0 percent of the district judge base salary (\$168,000) for the first four years of their tenure. When their tenure is between 4 and 8 years, the judge earns 110.0 percent of their \$168,000 base salary (\$184,800). A judge with over 8 years of tenure earns a salary that’s 120.0 percent of their \$168,000 base salary (\$201,600).