

**LEGISLATIVE APPROPRIATIONS REQUEST
FOR FISCAL YEARS 2024 AND 2025**

**SUBMITTED TO THE
OFFICE OF THE GOVERNOR, BUDGET DIVISION
AND THE LEGISLATIVE BUDGET BOARD**

BY

**THE TWELFTH COURT OF APPEALS
TYLER, TEXAS
AUGUST 4, 2022**

**TWELFTH COURT OF APPEALS (232)
TYLER, TEXAS**

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232 Twelfth Court of Appeals District, Tyler

Administrator's Statement
For Fiscal Years 2024 and 2025
88th Legislature

Texas' intermediate appellate courts have weathered serious challenges brought on by the COVID-19 pandemic and the 2020 ransomware attack, but these challenges will continue into the foreseeable future. The courts have not been fully funded since 2015 yet have dutifully risen to the task as can be seen by the dramatic decline in the number of cases pending in the courts of appeals. Respectfully, additional funding is now necessary to ensure the efficient administration of justice going forward.

The core function of Texas intermediate appellate courts is to process, review, and decide by written opinion appeals from trial courts in civil and criminal cases. Population growth across the State and the magnitude of annual case filings, in concert with an ever-increasing number of case types requiring expedited review, make clear that the courts of appeals need sufficient resources to manage their busy dockets and provide the high quality of justice to which the citizens of Texas are entitled. Although case filings decreased in 2020 and 2021 due to the pandemic, filings have, not surprisingly, returned to pre-pandemic levels as of June 2022 and are expected to continue to increase as trial courts resume full operations. The Annual Statistical Report for 2021 reported that family violence cases increased at the highest rate over the past five years. We anticipate a rise in other types of litigation as well that will result in a surge of appeals over the next biennium.

The courts of appeals, collectively, began in the 79th and 80th Legislative Sessions to work toward a zero-based budget model referred to as Similar Funding for Same-Sized Courts. This budget model quantified the funding required to meet the personnel and operational needs of the courts, thus enabling the courts to accomplish their core function and meet their performance measures. The Similar Funding for Same-Sized Courts initiative was fully funded in 2015, and the courts have been operating under this zero-based budget model since that time.

Since the development of the budget model in 2005, the demands of the core function of the courts have required higher-skilled and higher-salary positions. The prior model used salary classification levels for attorneys and staff that are now outdated. Additionally, operating costs for necessary resources such as Westlaw/LexisNexis and other administrative needs have increased dramatically. Further, considering recent attacks on judges and an increase in mass shootings, more funds are needed to provide adequate security at the courts.

Prior to the 87th Legislative Session, in early 2020, the Council of Chiefs revised the data in the budget model to reflect the increased funding needed to optimally operate the fourteen courts. However, in preparing for the impending session, the Council was keenly aware that the need for state funds to address the pandemic was the highest priority. Because there were many uncertainties regarding the state of the economy and it was anticipated state revenues would be limited, agencies were asked to reduce budgets by 5%. The Council appreciated and respected the position of the state and, therefore, did not seek additional funding at that time. While the Council greatly appreciates that budgets of the courts of appeals in the last biennium were not cut, funding of the updated budget model is, nonetheless, now necessary. Accordingly, the budget model data has been further updated to reflect current operating needs.

Since 1983, the work of the intermediate courts of appeals has been accomplished by 80 justices statewide. In that time, the population of Texas has nearly doubled. A key component to handling the ever-increasing workload without additional justices has been the employment of a highly skilled and trained professional workforce, including appellate lawyers and clerical staff, who assist the justices in processing complex cases, researching and drafting orders and opinions, disposing of voluminous motions, and managing accelerated and emergency matters. Appellate work requires specialized knowledge and significant experience, and the courts constantly face competition from higher-paying private practice and government legal jobs for skilled attorneys and staff. Specialized technological skills are also necessary to understand and operate the complex case management system currently used by the courts. Transitioning to a new case management system in the next biennium will

232 Twelfth Court of Appeals District, Tyler

also require special skills. Hiring and retaining qualified support staff is critical to the courts' ability to manage their dockets and efficiently resolve the cases before them.

Funding for all fourteen courts of appeals comprises merely 0.035% of the State budget as a whole. Yet, on average, 96.5% of each appellate court's budget is dedicated to salaries and benefits. Without additional funding, appellate courts will be unable to attract and retain the highly trained and skilled support staff with the specialized knowledge and relevant experience critical to the courts' function. Without sufficient qualified staff, courts cannot comply with Legislative mandates to give accelerated and preferential treatment to certain appeals, such as parental-termination and juvenile-certification appeals under the Family Code, mental-health appeals under the Health and Safety Code, and interlocutory appeals under the Civil Practice and Remedies Code.

All fourteen courts of appeals continue to expend resources to recover from the 2020 ransomware attack on the courts' computer systems. The loss of data overall was substantial and continues to require resources to reconstitute work that could not be recovered. And while all State agencies experienced the negative effects of COVID-19, the combined effects of the ransomware attack plus COVID-19 created a unique hardship for the appellate courts.

EXCEPTIONAL ITEM #1: INCREASE THE GENERAL REVENUE LIMIT TO MEET THE UPDATED BUDGET MODEL

The updated budget model reflects increased funding to permit the courts to attract and retain experienced lawyers and support staff with the requisite knowledge and skills to assist the courts in meeting their performance measures and fulfilling the core function of timely processing and disposing of appeals. Without an increase in funding, appellate courts will lose talented personnel to higher-paying private jobs. This loss of key personnel will detrimentally affect performance standards, including (1) a reduction in overall dispositions of appeals, preventing the courts from clearing older cases and reaching the disposition target of 100% of new appeals filed in the biennium, and (2) an increase in the time from filing until disposition for those appeals which remain pending. Any unnecessary delay will be particularly devastating to the State by creating significant adverse consequences for the businesses, families, and children in Texas that are awaiting justice through the resolution of their disputes. Note, the updated budget model does not include an adjustment for the impact of inflation.

EXCEPTIONAL ITEM #2: JUDICIARY-WIDE INFLATION RELIEF

Attorneys and staff of the courts of appeals have been impacted in many ways by increasing costs due to inflation. The impact has been devastating for many because the State has not given them a meaningful raise in a significant period of time. Their buying power for goods and services has diminished and, at some courts, has resulted in attrition by those seeking higher-paying jobs. If salaries are not increased, the courts risk losing more personnel that will be costly to replace. Training takes time and will impact the ability of the courts to meet the current and expected demands as we navigate the post-pandemic surge.

On May 4, 2022, the Council of Chiefs submitted written testimony to the Senate Committee on Finance comprised of testimonials from court personnel describing personal experiences with rising costs. The Council asks for consideration of this testimony.

The courts of appeals join in the judiciary-wide inflation relief for non-judicial employees sought by Article IV courts and agencies. Respectfully, a ten percent (10%) increase on the budget model salaries is sought to help absorb the impact of inflation. To maintain the Similar Funding for Same-Sized Courts model that has worked exceptionally well for years, the requested percentage must be based on the budget model salaries. This exceptional item is not duplicative of exceptional item 1, which does not include an adjustment for the inflation that is expected to persist for some time to come.

EXCEPTIONAL ITEM #3: JUDICIAL PAY INCREASE DUE TO CHANGE IN TENURE

232 Twelfth Court of Appeals District, Tyler

One Justice will merit an increase in judicial pay due to reaching the next tier as provided in Texas Government Code section 659.012.

RIDER REQUESTS:

The courts of appeals also request the following with regard to the across-the-board riders found in Article IV (p. IV-38):

1. Retain Article IV rider, Sec. 3, Appellate Court Exemptions
2. Retain Article IV rider, Sec. 5, Interagency Contracts for Assigned Judges for Appellate Courts
3. Retain Article IV rider, Sec. 6, Appellate Court Transfer Authority

Historically, the Legislature has granted the courts exemption from certain limitations in the General Appropriations Act. They have also granted the courts the authority to carry over unexpended budget balances between years within the biennium. The flexibility afforded by these measures enhances the courts' management ability, and we seek continuation of these budget features.

ADDITIONAL STATEMENTS OF SUPPORT:

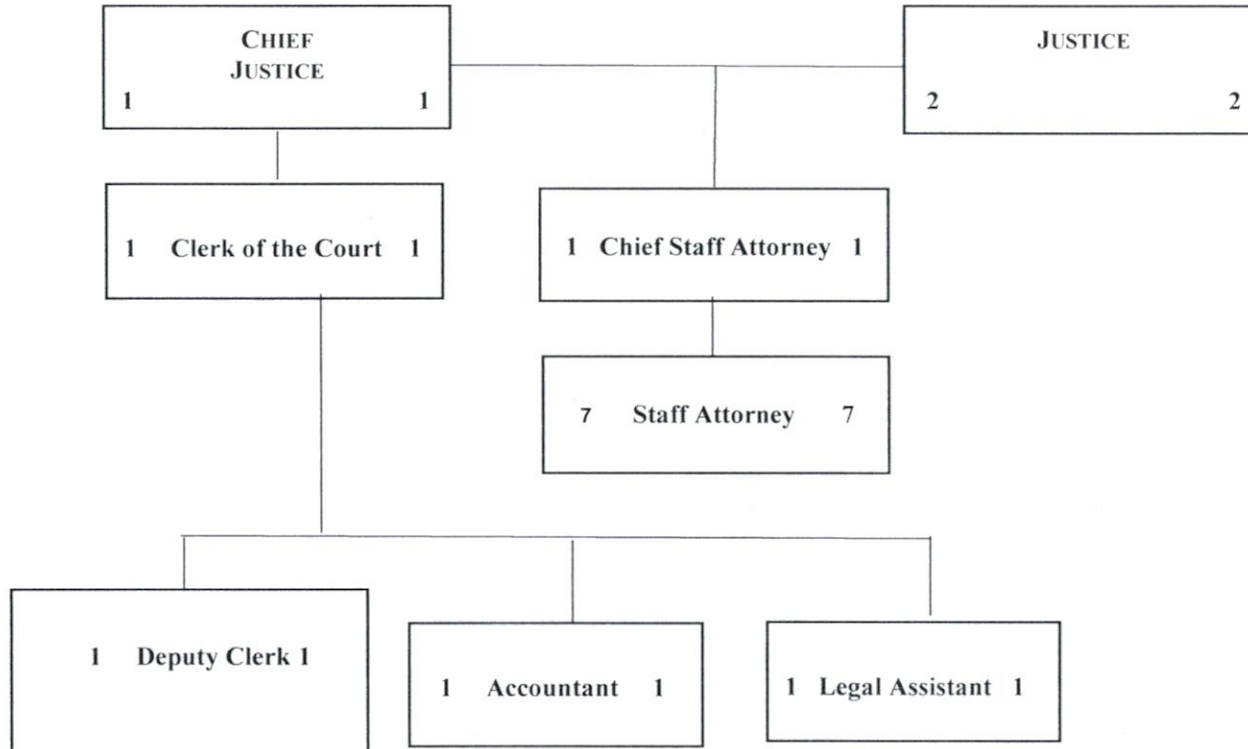
In order for the courts of appeals to function efficiently, it is vital that the Office of Court Administration (OCA) be adequately funded. The courts of appeals rely on many of the services provided by OCA and, therefore, the courts of appeals fully support the exceptional items the OCA requests as part of its funding. More specifically, the courts of appeals strongly support the request for funding related to the acquisition of a new appellate case management system to replace the current system known as TAMES as well as a case-level data system.

If the Legislature appropriates a cost-of-living increase to state employees, the courts of appeals request that all court employees be included in any such cost-of-living increase.

Finally, the courts of appeals wish to express appreciation to and support for the Judicial Compensation Commission and the Legislature's efforts to strengthen the justice system by increasing judicial salaries to attract and retain a strong judiciary. The courts of appeals request the Legislature implement the Judicial Compensation Commission's recommendations for an increase in judicial compensation.

Note: on Appropriated Receipts – At the direction of the LBB & Governor's Office, this Court has included appropriated receipts in the amount of \$4000.00 reflecting reimbursement for copies of opinions and other court documents. These amounts are merely an offset for additional expenses incurred by the Court and do not constitute additional funds available for general expenditures for the Court. The amount can vary significantly from year to year.

**TWELFTH COURT OF APPEALS (232)
 TYLER, TEXAS
 ORGANIZATIONAL CHART
 2024-2025
 WITH EXCEPTIONAL ITEMS**



Please Note: The number to the left of each position represents the number of approved positions in 2022-2023
 The number to the right of each position is the represents the budgeted positions for the 2024-2025 biennium.



CERTIFICATE

TWELFTH COURT OF APPEALS (232)
TYLER, TEXAS

This is to certify that the information contained in the agency Legislative Appropriation Request filed with the Legislative Budget Board (LBB) and the Governor's Office of Budget, Planning and Policy (GOBPP) is accurate to the best of my knowledge and that the electronic submission to the LBB via the Automated Budget and Evaluation System of Texas (ABEST) and the PDF file submitted via the LBB Document Submission application are identical.

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the Governor's office will be notified in writing in accordance with Article IX, Section 7.01 (2016-17 GAA).

Chief Justice

James T. Worthen
Signature

James T. Worthen

Chief Justice
August 4, 2022

Clerk of Court

Katrina McClenny
Signature

Katrina McClenny

Clerk of Court
August 4, 2022

Budget Overview - Biennial Amounts
88th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

232 Twelfth Court of Appeals District, Tyler
Appropriation Years: 2024-25

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS
	2022-23	2024-25	2022-23	2024-25	2022-23	2024-25	2022-23	2024-25	2022-23	2024-25	2024-25
	Goal: 1. Appellate Court Operations										
1.1.1. Appellate Court Operations	2,369,004	2,369,004					8,000	8,000	2,377,004	2,377,004	710,106
1.1.2. Appellate Justice Salaries	947,200	947,200					184,900	184,900	1,132,100	1,132,100	30,800
Total, Goal	3,316,204	3,316,204					192,900	192,900	3,509,104	3,509,104	740,906
Total, Agency	3,316,204	3,316,204					192,900	192,900	3,509,104	3,509,104	740,906
Total FTEs									16.0	15.0	0.0

2.A. Summary of Base Request by Strategy

7/29/2022 10:26:19AM

88th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

232 Twelfth Court of Appeals District, Tyler

Goal / Objective / STRATEGY	Exp 2021	Est 2022	Bud 2023	Req 2024	Req 2025
I Appellate Court Operations					
1 Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	1,245,237	1,188,502	1,188,502	1,188,502	1,188,502
2 APPELLATE JUSTICE SALARIES	566,050	566,050	566,050	566,050	566,050
TOTAL, GOAL 1	\$1,811,287	\$1,754,552	\$1,754,552	\$1,754,552	\$1,754,552
TOTAL, AGENCY STRATEGY REQUEST	\$1,811,287	\$1,754,552	\$1,754,552	\$1,754,552	\$1,754,552
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$1,811,287	\$1,754,552	\$1,754,552	\$1,754,552	\$1,754,552

2.A. Summary of Base Request by Strategy

7/29/2022 10:26:19AM

88th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

232 Twelfth Court of Appeals District, Tyler

Goal / Objective / STRATEGY	Exp 2021	Est 2022	Bud 2023	Req 2024	Req 2025
METHOD OF FINANCING:					
General Revenue Funds:					
1 General Revenue Fund	1,711,731	1,658,102	1,658,102	1,658,102	1,658,102
SUBTOTAL	\$1,711,731	\$1,658,102	\$1,658,102	\$1,658,102	\$1,658,102
Other Funds:					
573 Judicial Fund	92,450	92,450	92,450	92,450	92,450
666 Appropriated Receipts	7,106	4,000	4,000	4,000	4,000
SUBTOTAL	\$99,556	\$96,450	\$96,450	\$96,450	\$96,450
TOTAL, METHOD OF FINANCING	\$1,811,287	\$1,754,552	\$1,754,552	\$1,754,552	\$1,754,552

*Rider appropriations for the historical years are included in the strategy amounts.

2.B. Summary of Base Request by Method of Finance
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

7/29/2022 10:28:22AM

Agency code: **232** Agency name: **Twelfth Court of Appeals District, Tyler**

METHOD OF FINANCING	Exp 2021	Est 2022	Bud 2023	Req 2024	Req 2025
<u>GENERAL REVENUE</u>					
<u>1</u> General Revenue Fund					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations from MOF Table (2020-21 GAA)	\$1,560,976	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2022-23 GAA)	\$0	\$1,658,102	\$1,658,102	\$0	\$0
Regular Appropriations from MOF Table (2024-25 GAA)	\$0	\$0	\$0	\$1,184,502	\$1,184,502
Regular Appropriations from MOF Table (2024-25 GAA)	\$0	\$0	\$0	\$473,600	\$473,600
<i>RIDER APPROPRIATION</i>					
Article IX Section 18.25 Contingency on HB2384	\$(376,901)	\$0	\$0	\$0	\$0
Comments: Reduction of Strategy A.1.1					

2.B. Summary of Base Request by Method of Finance
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

7/29/2022 10:28:22AM

Agency code: **232** Agency name: **Twelfth Court of Appeals District, Tyler**

METHOD OF FINANCING	Exp 2021	Est 2022	Bud 2023	Req 2024	Req 2025
<u>GENERAL REVENUE</u>					
Article IX Section 18.25 Contingency on HB2384	\$468,180	\$0	\$0	\$0	\$0
Comments: Strategy A.1.2 is an estimated and nontransferable appropriation which includes additional \$4,645 for 1% ERS contribution					
Article IX Section 18.25 Contingency on HB2384	\$5,420	\$0	\$0	\$0	\$0
Comments: Insufficient Appropriations for 1 Tier 2 Chief Justice, 1 Tier 2 Justice & 1 Tier 1 Justice					
<i>LAPSED APPROPRIATIONS</i>					
Lapsed Appropriations to the GAA (2020-2021)	\$(575)	\$0	\$0	\$0	\$0
Comments: Registration fee returned after year-end					
<i>UNEXPENDED BALANCES AUTHORITY</i>					
SB 500, 86th Leg, Regular Session	\$54,631	\$0	\$0	\$0	\$0
TOTAL, General Revenue Fund	\$1,711,731	\$1,658,102	\$1,658,102	\$1,658,102	\$1,658,102

2.B. Summary of Base Request by Method of Finance
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

7/29/2022 10:28:22AM

Agency code: **232** Agency name: **Twelfth Court of Appeals District, Tyler**

METHOD OF FINANCING	Exp 2021	Est 2022	Bud 2023	Req 2024	Req 2025
TOTAL, ALL GENERAL REVENUE	\$1,711,731	\$1,658,102	\$1,658,102	\$1,658,102	\$1,658,102

OTHER FUNDS

573 Judicial Fund No. 573

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2020-21 GAA)

\$92,450 \$0 \$0 \$0 \$0

Regular Appropriations from MOF Table (2022-23 GAA)

\$0 \$92,450 \$92,450 \$0 \$0

Regular Appropriations from MOF Table (2024-25 GAA)

\$0 \$0 \$0 \$92,450 \$92,450

TOTAL, Judicial Fund No. 573	\$92,450	\$92,450	\$92,450	\$92,450	\$92,450
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666 Appropriated Receipts

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2020-21 GAA)

\$4,000 \$0 \$0 \$0 \$0

2.B. Summary of Base Request by Method of Finance
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

7/29/2022 10:28:22AM

Agency code: **232** Agency name: **Twelfth Court of Appeals District, Tyler**

METHOD OF FINANCING	Exp 2021	Est 2022	Bud 2023	Req 2024	Req 2025
<u>OTHER FUNDS</u>					
Regular Appropriations from MOF Table (2022-23 GAA)	\$0	\$4,000	\$4,000	\$0	\$0
Regular Appropriations from MOF Table (2024-25 GAA)	\$0	\$0	\$0	\$4,000	\$4,000
<i>RIDER APPROPRIATION</i>					
Art IX, Sec 8.02, Reimbursements and Payments (2020-21 GAA)	\$3,106	\$0	\$0	\$0	\$0
Comments: \$3,106 over estimated amount collected					
TOTAL, Appropriated Receipts	\$7,106	\$4,000	\$4,000	\$4,000	\$4,000
TOTAL, ALL OTHER FUNDS	\$99,556	\$96,450	\$96,450	\$96,450	\$96,450
GRAND TOTAL	\$1,811,287	\$1,754,552	\$1,754,552	\$1,754,552	\$1,754,552

2.B. Summary of Base Request by Method of Finance
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

7/29/2022 10:28:22AM

Agency code: **232**

Agency name: **Twelfth Court of Appeals District, Tyler**

METHOD OF FINANCING	Exp 2021	Est 2022	Bud 2023	Req 2024	Req 2025
FULL-TIME-EQUIVALENT POSITIONS					
REGULAR APPROPRIATIONS					
Regular Appropriations from MOF Table (2020-21 GAA)	16.0	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2022-23 GAA)	0.0	16.0	16.0	0.0	0.0
Regular Appropriations from MOF Table (2024-25 GAA)	0.0	0.0	0.0	15.0	15.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP					
Unauthorized Number below Cap	(1.2)	0.0	0.0	0.0	0.0
Comments: One unfilled position					
TOTAL, ADJUSTED FTES	14.8	16.0	16.0	15.0	15.0

**NUMBER OF 100% FEDERALLY FUNDED
 FTES**

2.C. Summary of Base Request by Object of Expense
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

7/29/2022 10:28:22AM

232 Twelfth Court of Appeals District, Tyler

OBJECT OF EXPENSE	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
1001 SALARIES AND WAGES	\$1,589,152	\$1,659,841	\$1,659,841	\$1,659,841	\$1,659,841
1002 OTHER PERSONNEL COSTS	\$134,226	\$45,998	\$45,998	\$45,998	\$45,998
2003 CONSUMABLE SUPPLIES	\$10,237	\$5,000	\$5,000	\$5,000	\$5,000
2004 UTILITIES	\$3,456	\$4,500	\$4,500	\$4,500	\$4,500
2005 TRAVEL	\$510	\$1,500	\$1,500	\$1,500	\$1,500
2007 RENT - MACHINE AND OTHER	\$2,465	\$4,544	\$4,544	\$4,544	\$4,544
2009 OTHER OPERATING EXPENSE	\$71,241	\$33,169	\$33,169	\$33,169	\$33,169
OOE Total (Excluding Riders)	\$1,811,287	\$1,754,552	\$1,754,552	\$1,754,552	\$1,754,552
OOE Total (Riders)					
Grand Total	\$1,811,287	\$1,754,552	\$1,754,552	\$1,754,552	\$1,754,552

88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: 232 Agency: Twelfth Court of Appeals District, Tyler

BASE REQUEST STRATEGY: 1-1-1 Appellate Court Operations

Code	Type of Expense	Expended	Estimated	Budgeted	Requested	Requested
1	Consumable Supplies	\$10,237	\$5,000	\$5,000	\$5,000	\$5,000
4	Travel	510	1,500	1,500	1,500	1,500
20	Rental & Leases	2,465	4,544	4,544	4,544	4,544
51	Other Operating Expenses	71,241	33,161	33,161	33,161	33,161
80	Utilities	3,456	4,500	4,500	4,500	4,500
	Total, Operating Costs	\$87,909	\$48,705	\$48,705	\$48,705	\$48,705

2.D. Summary of Base Request Objective Outcomes
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

7/29/2022 4:17:33PM

232 Twelfth Court of Appeals District, Tyler

Goal/ Objective / Outcome	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
1 Appellate Court Operations					
<i>1 Appellate Court Operations</i>					
KEY 1 Clearance Rate					
	123.58%	90.00%	100.00%	100.00%	100.00%
KEY 2 Percentage of Cases Under Submission for Less Than One Year					
	100.00%	100.00%	100.00%	100.00%	100.00%
KEY 3 Percentage of Cases Pending for Less Than Two Years					
	100.00%	100.00%	100.00%	100.00%	100.00%

2.E. Summary of Exceptional Items Request
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/29/2022
 TIME : 4:18:13PM

Agency code: 232

Agency name: **Twelfth Court of Appeals District, Tyler**

Priority	Item	2024			2025			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	UPDATED COA BUDGET MODEL	\$230,429	\$230,429	0.0	\$230,429	\$230,429	0.0	\$460,858	\$460,858
2	JUDICIARY-WIDE INFLATION RELIE	\$124,624	\$124,624	0.0	\$124,624	\$124,624	0.0	\$249,248	\$249,248
3	JUDICIAL TENURE INCREASE	\$8,981	\$8,981	0.0	\$15,400	\$15,400	0.0	\$24,381	\$24,381
Total, Exceptional Items Request		\$364,034	\$364,034	0.0	\$370,453	\$370,453	0.0	\$734,487	\$734,487

Method of Financing

General Revenue	\$364,034	\$364,034		\$370,453	\$370,453		\$734,487	\$734,487
General Revenue - Dedicated								
Federal Funds								
Other Funds								
	\$364,034	\$364,034		\$370,453	\$370,453		\$734,487	\$734,487

Full Time Equivalent Positions

0.0

0.0

Number of 100% Federally Funded FTEs

2.F. Summary of Total Request by Strategy
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/29/2022
 TIME : 4:18:37PM

Agency code: 232	Agency name: Twelfth Court of Appeals District, Tyler					
Goal/Objective/STRATEGY	Base 2024	Base 2025	Exceptional 2024	Exceptional 2025	Total Request 2024	Total Request 2025
1 Appellate Court Operations						
1 Appellate Court Operations						
1 APPELLATE COURT OPERATIONS	\$1,188,502	\$1,188,502	\$355,053	\$355,053	\$1,543,555	\$1,543,555
2 APPELLATE JUSTICE SALARIES	566,050	566,050	8,981	15,400	575,031	581,450
TOTAL, GOAL 1	\$1,754,552	\$1,754,552	\$364,034	\$370,453	\$2,118,586	\$2,125,005
TOTAL, AGENCY STRATEGY REQUEST	\$1,754,552	\$1,754,552	\$364,034	\$370,453	\$2,118,586	\$2,125,005
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$1,754,552	\$1,754,552	\$364,034	\$370,453	\$2,118,586	\$2,125,005

2.F. Summary of Total Request by Strategy
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/29/2022
 TIME : 4:18:37PM

Agency code: 232		Agency name: Twelfth Court of Appeals District, Tyler				
Goal/Objective/STRATEGY	Base 2024	Base 2025	Exceptional 2024	Exceptional 2025	Total Request 2024	Total Request 2025
General Revenue Funds:						
1 General Revenue Fund	\$1,658,102	\$1,658,102	\$364,034	\$370,453	\$2,022,136	\$2,028,555
	\$1,658,102	\$1,658,102	\$364,034	\$370,453	\$2,022,136	\$2,028,555
Other Funds:						
573 Judicial Fund	92,450	92,450	0	0	92,450	92,450
666 Appropriated Receipts	4,000	4,000	0	0	4,000	4,000
	\$96,450	\$96,450	\$0	\$0	\$96,450	\$96,450
TOTAL, METHOD OF FINANCING	\$1,754,552	\$1,754,552	\$364,034	\$370,453	\$2,118,586	\$2,125,005
FULL TIME EQUIVALENT POSITIONS	15.0	15.0	0.0	0.0	15.0	15.0

2.G. Summary of Total Request Objective Outcomes
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 7/29/2022
 Time: 10:28:23AM

Agency code: 232 Agency name: **Twelfth Court of Appeals District, Tyler**

Goal/ Objective / Outcome

		BL 2024	BL 2025	Excp 2024	Excp 2025	Total Request 2024	Total Request 2025
1	Appellate Court Operations						
1	Appellate Court Operations						
KEY	1 Clearance Rate						
		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
KEY	2 Percentage of Cases Under Submission for Less Than One Year						
		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
KEY	3 Percentage of Cases Pending for Less Than Two Years						
		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

232 Twelfth Court of Appeals District, Tyler

GOAL: 1 Appellate Court Operations
 OBJECTIVE: 1 Appellate Court Operations
 STRATEGY: 1 Appellate Court Operations

Service Categories:
 Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
Output Measures:						
1	Number of Civil Cases Disposed	129.00	118.00	130.00	130.00	130.00
2	Number of Criminal Cases Disposed	154.00	186.00	225.00	225.00	225.00
Explanatory/Input Measures:						
1	Number of Civil Cases Filed	101.00	132.00	135.00	135.00	135.00
2	Number of Criminal Cases Filed	128.00	188.00	248.00	248.00	248.00
3	Number of Cases Transferred in	0.00	20.00	12.00	12.00	12.00
4	Number of Cases Transferred out	0.00	41.00	40.00	40.00	40.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$1,047,152	\$1,117,841	\$1,117,841	\$1,117,841	\$1,117,841
1002	OTHER PERSONNEL COSTS	\$115,596	\$27,368	\$27,368	\$27,368	\$27,368
2003	CONSUMABLE SUPPLIES	\$10,237	\$5,000	\$5,000	\$5,000	\$5,000
2004	UTILITIES	\$3,456	\$4,500	\$4,500	\$4,500	\$4,500
2005	TRAVEL	\$510	\$1,500	\$1,500	\$1,500	\$1,500
2007	RENT - MACHINE AND OTHER	\$2,465	\$4,544	\$4,544	\$4,544	\$4,544
2009	OTHER OPERATING EXPENSE	\$65,821	\$27,749	\$27,749	\$27,749	\$27,749
TOTAL, OBJECT OF EXPENSE		\$1,245,237	\$1,188,502	\$1,188,502	\$1,188,502	\$1,188,502

232 Twelfth Court of Appeals District, Tyler

GOAL: 1 Appellate Court Operations
 OBJECTIVE: 1 Appellate Court Operations
 STRATEGY: 1 Appellate Court Operations

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
Method of Financing:						
1	General Revenue Fund	\$1,238,131	\$1,184,502	\$1,184,502	\$1,184,502	\$1,184,502
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$1,238,131	\$1,184,502	\$1,184,502	\$1,184,502	\$1,184,502
Method of Financing:						
666	Appropriated Receipts	\$7,106	\$4,000	\$4,000	\$4,000	\$4,000
SUBTOTAL, MOF (OTHER FUNDS)		\$7,106	\$4,000	\$4,000	\$4,000	\$4,000
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$1,188,502	\$1,188,502
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$1,245,237	\$1,188,502	\$1,188,502	\$1,188,502	\$1,188,502
FULL TIME EQUIVALENT POSITIONS:		11.8	13.0	13.0	12.0	12.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Twelfth Court of Appeals was created in 1963 by an Act of the 58th Legislature, H.B. 68. The Court has intermediate appellate jurisdiction in civil cases in which the judgment rendered exceeds \$100, exclusive of costs, and other civil proceedings as provided by law, and in criminal cases, except in post-conviction writs of habeas corpus and where the death penalty has been imposed. The Court has jurisdiction over seventeen (17) counties.

232 Twelfth Court of Appeals District, Tyler

GOAL: 1 Appellate Court Operations
 OBJECTIVE: 1 Appellate Court Operations
 STRATEGY: 1 Appellate Court Operations

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
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EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

The Twelfth Court of Appeals is a constitutional state entity comprised of three elected justices assisted by a highly specialized and well-trained staff of full time employees. The Court must be able to carry out its constitutional and statutory responsibilities to appropriately serve the people in our 17- county jurisdiction in an effective and efficient manner. To do this, the Court must be able to attract and retain knowledgeable, highly trained, and professional staff members in both legal and non-legal positions. Analyzing cases on appeal from a court's perspective and assisting with court opinions are skills which take time to develop. Loss of experienced staff members, especially staff attorneys, creates difficulties in the timely processing of and disposing of appeals. New attorneys, even if experienced, take precious time to develop the skills required of staff attorneys doing appellate work. Our cases have become more complex, as generally, easier cases do not reach us because they have been resolved through alternative dispute resolution. Experienced, qualified staff attorneys are essential for effective analysis and briefing of complex issues, as well as for assistance in legal research and drafting opinions. This ability to attract and retain experienced appellate attorneys play a vital role in the Courts' ability to fulfill their core function of timely processing and disposing of appeals while maintaining the high quality of justice to which the citizens of Texas are entitled.

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

STRATEGY BIENNIAL TOTAL - ALL FUNDS		BIENNIAL CHANGE	EXPLANATION OF BIENNIAL CHANGE	
Base Spending (Est 2022 + Bud 2023)	Baseline Request (BL 2024 + BL 2025)		\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$2,377,004	\$2,377,004	\$0	\$0	Total of Explanation of Biennial Change

232 Twelfth Court of Appeals District, Tyler

GOAL: 1 Appellate Court Operations
 OBJECTIVE: 1 Appellate Court Operations
 STRATEGY: 2 Appellate Justice Salaries. Estimated and Nontransferable

Service Categories:
 Service: NA Income: NA Age: NA

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
Objects of Expense:						
1001	SALARIES AND WAGES	\$542,000	\$542,000	\$542,000	\$542,000	\$542,000
1002	OTHER PERSONNEL COSTS	\$18,630	\$18,630	\$18,630	\$18,630	\$18,630
2009	OTHER OPERATING EXPENSE	\$5,420	\$5,420	\$5,420	\$5,420	\$5,420
TOTAL, OBJECT OF EXPENSE		\$566,050	\$566,050	\$566,050	\$566,050	\$566,050
Method of Financing:						
1	General Revenue Fund	\$473,600	\$473,600	\$473,600	\$473,600	\$473,600
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$473,600	\$473,600	\$473,600	\$473,600	\$473,600
Method of Financing:						
573	Judicial Fund	\$92,450	\$92,450	\$92,450	\$92,450	\$92,450
SUBTOTAL, MOF (OTHER FUNDS)		\$92,450	\$92,450	\$92,450	\$92,450	\$92,450
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$566,050	\$566,050
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$566,050	\$566,050	\$566,050	\$566,050	\$566,050
FULL TIME EQUIVALENT POSITIONS:		3.0	3.0	3.0	3.0	3.0

232 Twelfth Court of Appeals District, Tyler

GOAL: 1 Appellate Court Operations
 OBJECTIVE: 1 Appellate Court Operations Service Categories:
 STRATEGY: 2 Appellate Justice Salaries. Estimated and Nontransferable Service: NA Income: NA Age: NA

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
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STRATEGY DESCRIPTION AND JUSTIFICATION:

The Twelfth Court of Appeals was created in 1963 by an Act of the 58th Legislature, H.B. 68. The Court has intermediate appellate jurisdiction in civil cases in which the judgment rendered exceeds \$100, exclusive of costs, and other civil proceedings as provided by law, and in criminal cases, except in post-conviction writs of habeas corpus and where the death penalty has been imposed. The Court has jurisdiction over seventeen (17) counties.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

The Twelfth Court of Appeals is a constitutional state entity comprised of three elected justices assisted by a highly specialized and well-trained staff of full time employees. The Court must be able to carry out its constitutional and statutory responsibilities to appropriately serve the people in our 17- county jurisdiction in an effective and efficient manner. To do this, the Court must be able to attract and retain knowledgeable, highly trained, and professional staff members in both legal and non-legal positions. Analyzing cases on appeal from a court's perspective and assisting with court opinions are skills which take time to develop. Loss of experienced staff members, especially staff attorneys, creates difficulties in the timely processing of and disposing of appeals. New attorneys, even if experienced, take precious time to develop the skills required of staff attorneys doing appellate work. Our cases have become more complex, as generally, easier cases do not reach us because they have been resolved through alternative dispute resolution. Experienced, qualified staff attorneys are essential for effective analysis and briefing of complex issues, as well as for assistance in legal research and drafting opinions. This ability to attract and retain experienced appellate attorneys play a vital role in the Courts' ability to fulfill their core function of timely processing and disposing of appeals while maintaining the high quality of justice to which the citizens of Texas are entitled.

232 Twelfth Court of Appeals District, Tyler

GOAL: 1 Appellate Court Operations
 OBJECTIVE: 1 Appellate Court Operations Service Categories:
 STRATEGY: 2 Appellate Justice Salaries. Estimated and Nontransferable Service: NA Income: NA Age: NA

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
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EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL CHANGE</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
<u>Base Spending (Est 2022 + Bud 2023)</u>	<u>Baseline Request (BL 2024 + BL 2025)</u>		<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$1,132,100	\$1,132,100	\$0	\$0	Total of Explanation of Biennial Change

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$1,811,287	\$1,754,552	\$1,754,552	\$1,754,552	\$1,754,552
METHODS OF FINANCE (INCLUDING RIDERS):				\$1,754,552	\$1,754,552
METHODS OF FINANCE (EXCLUDING RIDERS):	\$1,811,287	\$1,754,552	\$1,754,552	\$1,754,552	\$1,754,552
FULL TIME EQUIVALENT POSITIONS:	14.8	16.0	16.0	15.0	15.0

3.B. Rider Revisions and Additions Request

Agency Code: 232	Agency Name: 12th Court of Appeals, District, _____	Prepared By: Katrina McClenny	Date: July 29, 2022	Request Level: Baseline
Current Rider Number	Page Number in 2022-2023 GAA	Proposed Rider Language		

5

IV-38

Sec. 6. Interagency Contracts for Assigned Judges for Appellate Courts. Out of funds appropriated in this Article to Strategies A.1.1., Appellate Court Operations, the Supreme Court of Texas, the Court of Criminal Appeals, or any of the 14 Courts of Appeals may enter into a contract with the Office of the Comptroller for fiscal years 2024 and 2025, for the purpose of reimbursing the Comptroller for amounts expended for judges assigned under Chapter 74, Government Code to hear cases of the appellate courts. It is the intent of the Legislature that any amounts reimbursed under this contract for judges assigned to the appellate courts are in addition to amounts appropriated for the use of assigned judges in Strategy A.1.3. Visiting Judges – Appellate in the Judiciary Section, Comptroller's Department.

Updating rider to adjust the years for the 2024-2025 biennium.

4.A. Exceptional Item Request Schedule
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/3/2022
 TIME: 9:06:44PM

Agency code: 232 Agency name: Twelfth Court of Appeals District, Tyler

CODE	DESCRIPTION	Excp 2024	Excp 2025
	<p>Item Name: INCREASE THE GENERAL REVENUE LIMIT TO MEET THE UPDATED BUDGET MODEL (similar funding for same sized courts)</p> <p>Item Priority: 1</p> <p>IT Component: No</p> <p>Anticipated Out-year Costs: No</p> <p>Involve Contracts > \$50,000: No</p> <p>Includes Funding for the Following Strategy or Strategies: 01-01-01 Appellate Court Operations</p>		
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	226,973	226,973
2009	OTHER OPERATING EXPENSE	3,456	3,456
	TOTAL, OBJECT OF EXPENSE	\$230,429	\$230,429
METHOD OF FINANCING:			
1	General Revenue Fund	230,429	230,429
	TOTAL, METHOD OF FINANCING	\$230,429	\$230,429

DESCRIPTION / JUSTIFICATION:

The updated budget model reflects increased funding to permit the courts to attract and retain experienced lawyers and support staff with the requisite knowledge and skills to assist the courts in meeting their performance measures and fulfilling the core function of timely processing and disposing of appeals. Without an increase in funding, appellate courts will lose talented personnel to higher-paying private jobs. This loss of key personnel will detrimentally effect performance standards, including (1) a reduction in overall dispositions of appeals, preventing the courts from clearing older cases and reaching the disposition target of 100% of new appeals filed in the biennium, and (2) an increase in the time from filing until disposition for those appeals which remain pending. Any unnecessary delay will be particularly devastating to the State by creating significant adverse consequences for the businesses, families, and children in Texas that are awaiting justice through the resolution of their disputes. Note, also, that the budget model is updated as of 2020 and does not include an adjustment for the impact of inflation.

EXTERNAL/INTERNAL FACTORS:

Prior to this LAR, the budget model had not completed been updated since 2005. Operating at this funding level has prevented the courts of appeals from increasing salaries to a level that will help the courts attract and retain the most qualified attorneys and staff. Loss of key personnel will effect performance standards thus preventing the courts from reaching the disposition target of 100% of new appeals filed in the biennium. It will further result in an increase in the time from filing until disposition for remaining appeals.

PCLS TRACKING KEY:

4.A. Exceptional Item Request Schedule
88th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/3/2022
TIME: 9:06:44PM

Agency code: 232

Agency name: Twelfth Court of Appeals District, Tyler

CODE DESCRIPTION

Excp 2024

Excp 2025

4.A. Exceptional Item Request Schedule
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/3/2022
 TIME: 9:06:44PM

Agency code: 232 Agency name: Twelfth Court of Appeals District, Tyler

CODE	DESCRIPTION	Excp 2024	Excp 2025
	Item Name: JOINT REQEUST FOR AN ADJUSTMENT FOR INFLATION (for all Art. IV non-judicial staff) Item Priority: 2 IT Component: No Anticipated Out-year Costs: No Involve Contracts > \$50,000: No Includes Funding for the Following Strategy or Strategies: 01-01-01 Appellate Court Operations		
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	122,755	122,755
2009	OTHER OPERATING EXPENSE	1,869	1,869
TOTAL, OBJECT OF EXPENSE		\$124,624	\$124,624
METHOD OF FINANCING:			
1	General Revenue Fund	124,624	124,624
TOTAL, METHOD OF FINANCING		\$124,624	\$124,624

DESCRIPTION / JUSTIFICATION:

Attorneys and staff of the courts of appeals have been impacted in many ways by increasing costs due to inflation. The impact has been devastating for many because the State has not given them a meaningful raise in a significant period of time. Their buying power for goods and services has diminished and, at some courts, has resulted in attrition by those seeking higher-paying jobs. If salaries are not increased, the courts risk losing more personnel that will be costly to replace. Training takes time and will impact the ability of the courts to meet the current and expected demands as we navigate the post-pandemic surge.

On May 4, 2022, the Council of Chiefs submitted written testimony to the Senate Committee on Finance comprised of testimonials from court personnel describing personal experiences with rising costs. The Council asks for consideration of this testimony.

The courts of appeals join in the judiciary-wide inflation relief for non-judicial employees sought by Article IV courts and agencies. Respectfully, a ten percent (10%) increase on the budget model salaries is sought to help absorb the impact of inflation. To maintain the Similar Funding for Same-Sized Courts model that has worked exceptionally well for years, the requested percentage must be based on the budget model salaries. This exceptional item is not duplicative of exceptional item 1, which does not include an adjustment for the inflation that is expected to persist for some time to come.

EXTERNAL/INTERNAL FACTORS:

Inflation is diminishing the buying power of attorneys and staff. Many are struggling to pay mortgages, rent and other items necessary for their livelihood. A ten percent (10%) increase on the budget model salaries is sought to offset the current impact of inflation, diminish the affect of future inflation, and to permit the courts of appeals to pay attorneys and staff competitive salaries that will help them in the event of a recession.

4.A. Exceptional Item Request Schedule
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/3/2022
 TIME: 9:06:44PM

Agency code: 232 Agency name: Twelfth Court of Appeals District, Tyler

CODE	DESCRIPTION	Excp 2024	Excp 2025
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Item Name:	JUDICIAL PAY INCREASE DUE TO CHANGE IN TENURE (as provided by Texas Government Code section 659.012)		
Item Priority:	3		
IT Component:	No		
Anticipated Out-year Costs:	No		
Involve Contracts > \$50,000:	No		
Includes Funding for the Following Strategy or Strategies:	01-01-02 Appellate Justice Salaries. Estimated and Nontransferable		

OBJECTS OF EXPENSE:

1001	SALARIES AND WAGES	8,846	15,246
2009	OTHER OPERATING EXPENSE	135	154
TOTAL, OBJECT OF EXPENSE		\$8,981	\$15,400

METHOD OF FINANCING:

1	General Revenue Fund	8,981	15,400
TOTAL, METHOD OF FINANCING		\$8,981	\$15,400

DESCRIPTION / JUSTIFICATION:

One Justice will merit an increase in judicial pay due to reaching the next tier as provided in Texas Government Code section 659.012.

EXTERNAL/INTERNAL FACTORS:

Texas Government Code section 659.012 establishes the pay for the Justices.

PCLS TRACKING KEY:

4.B. Exceptional Items Strategy Allocation Schedule
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/29/2022
 TIME: 10:28:29AM

Agency code: 232 Agency name: Twelfth Court of Appeals District, Tyler

Code	Description	Excp 2024	Excp 2025
Item Name: INCREASE THE GENERAL REVENUE LIMIT TO MEET THE UPDATED BUDGET MODEL (similar funding for same sized courts)			
Allocation to Strategy: 1-1-1 Appellate Court Operations			
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	226,973	226,973
2009	OTHER OPERATING EXPENSE	3,456	3,456
TOTAL, OBJECT OF EXPENSE		\$230,429	\$230,429
METHOD OF FINANCING:			
1	General Revenue Fund	230,429	230,429
TOTAL, METHOD OF FINANCING		\$230,429	\$230,429
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.0	0.0

4.B. Exceptional Items Strategy Allocation Schedule
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/29/2022
 TIME: 10:28:29AM

Agency code: 232 Agency name: Twelfth Court of Appeals District, Tyler

Code	Description	Excp 2024	Excp 2025
Item Name: JOINT REQEUST FOR AN ADJUSTMENT FOR INFLATION (for all Art. IV non-judicial staff)			
Allocation to Strategy: 1-1-1 Appellate Court Operations			
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	122,755	122,755
2009	OTHER OPERATING EXPENSE	1,869	1,869
TOTAL, OBJECT OF EXPENSE		\$124,624	\$124,624
METHOD OF FINANCING:			
1 General Revenue Fund		124,624	124,624
TOTAL, METHOD OF FINANCING		\$124,624	\$124,624
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.0	0.0

4.B. Exceptional Items Strategy Allocation Schedule
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/29/2022
 TIME: 4:19:42PM

Agency code: **232** Agency name: **Twelfth Court of Appeals District, Tyler**

Code	Description	Excp 2024	Excp 2025
Item Name: JUDICIAL PAY INCREASE DUE TO CHANGE IN TENURE (as provided by Texas Government Code section 659.012)			
Allocation to Strategy: 1-1-2 Appellate Justice Salaries. Estimated and Nontransferable			
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	8,846	15,246
2009	OTHER OPERATING EXPENSE	135	154
TOTAL, OBJECT OF EXPENSE		\$8,981	\$15,400
METHOD OF FINANCING:			
1 General Revenue Fund		8,981	15,400
TOTAL, METHOD OF FINANCING		\$8,981	\$15,400
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.0	0.0

4.C. Exceptional Items Strategy Request
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/29/2022
TIME: 10:28:29AM

Agency Code: **232** Agency name: **Twelfth Court of Appeals District, Tyler**

GOAL: 1 Appellate Court Operations
 OBJECTIVE: 1 Appellate Court Operations
 STRATEGY: 1 Appellate Court Operations

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE DESCRIPTION	Excp 2024	Excp 2025
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STRATEGY IMPACT ON OUTCOME MEASURES:

<u>1</u> Clearance Rate	100.00 %	100.00 %
<u>2</u> Percentage of Cases Under Submission for Less Than One Year	100.00 %	100.00 %
<u>3</u> Percentage of Cases Pending for Less Than Two Years	100.00 %	100.00 %

OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	349,728	349,728
2009 OTHER OPERATING EXPENSE	5,325	5,325
Total, Objects of Expense	\$355,053	\$355,053

METHOD OF FINANCING:

1 General Revenue Fund	355,053	355,053
Total, Method of Finance	\$355,053	\$355,053

EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

INCREASE THE GENERAL REVENUE LIMIT TO MEET THE UPDATED BUDGET MODEL (similar funding for same sized courts)

JOINT REQEUST FOR AN ADJUSTMENT FOR INFLATION (for all Art. IV non-judicial staff)

4.C. Exceptional Items Strategy Request
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/29/2022
TIME: 4:20:08PM

Agency Code: **232** Agency name: **Twelfth Court of Appeals District, Tyler**

GOAL: 1 Appellate Court Operations

OBJECTIVE: 1 Appellate Court Operations

STRATEGY: 2 Appellate Justice Salaries. Estimated and Nontransferable

Service Categories:

Service: NA Income: NA Age: NA

CODE DESCRIPTION	Excp 2024	Excp 2025
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OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	8,846	15,246
2009 OTHER OPERATING EXPENSE	135	154
Total, Objects of Expense	\$8,981	\$15,400

METHOD OF FINANCING:

1 General Revenue Fund	8,981	15,400
Total, Method of Finance	\$8,981	\$15,400

EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

JUDICIAL PAY INCREASE DUE TO CHANGE IN TENURE (as provided by Texas Government Code section 659.012)

6.A. Historically Underutilized Business Supporting Schedule
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: **7/29/2022**
 Time: **10:28:30AM**

Agency Code: **232** Agency: **Twelfth Court of Appeals District, Tyler**

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year - HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2020			Total Expenditures FY 2020		HUB Expenditures FY 2021			Total Expenditures FY 2021	
			% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$	FY 2021		
21.1%	Commodities	21.1 %	49.4%	28.3%	\$1,060	\$2,147	21.1 %	80.6%	59.5%	\$10,237	\$12,702	
	Total Expenditures		49.4%		\$1,060	\$2,147		80.6%		\$10,237	\$12,702	

B. Assessment of Attainment of HUB Procurement Goals

Attainment:

Applicability:

Factors Affecting Attainment:

C. Good-Faith Efforts to Increase HUB Participation

Outreach Efforts and Mentor-Protégé Programs:

HUB Program Staffing:

Current and Future Good-Faith Efforts:

**6.H. Estimated Total of All Agency Funds Outside the GAA Bill Pattern
Twelfth Court of Appeals**

ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2024-25 GAA BILL PATTERN	\$	216,726
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Fund Name		
Estimated Beginning Balance in FY 2022	\$	96,903
Estimated Revenues FY 2022	\$	50,331
Estimated Revenues FY 2023	\$	71,000
FY 2022-23 Total	\$	218,234
Estimated Beginning Balance in FY 2024	\$	74,726
Estimated Revenues FY 2024	\$	71,000
Estimated Revenues FY 2025	\$	71,000
FY 2024-25 Total	\$	216,726
Constitutional or Statutory Creation and Use of Funds:		
Section 22.2131 of the Texas Government Code provides that “the commissioners court of each county in the Twelfth Court of Appeals District, by order entered in its minutes, shall establish an appellate judicial system to assist the court of appeals for the county in the processing of appeals filed with the court of appeals from the county courts, statutory county courts, probate courts, and district courts.” These funds shall be used to “establish and maintain a fund system to assist the Twelfth Court of Appeals District and any other court of appeals district that has an appellate judicial system in the county. The fund may not be used for any other purpose. “ Added by Acts 2009, 81 st Leg., R.S., Ch. 50, Sec. 1, eff. September 1, 2009. Collections implemented at the county level on January 1, 2010.		
Method of Calculation and Revenue Assumptions:		
In accordance with the above referenced statute, the District and County Clerks of the various courts in the counties that compose the Twelfth Court of Appeals District are to collect and remit a \$5 filing fee on each civil suit filed in a county court, county court-at-law, probate court, or district court.		

6.E. Estimated Revenue Collections Supporting Schedule
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: **232** Agency name: **Twelfth Court of Appeals District, Tyler**

FUND/ACCOUNT	Act 2021	Exp 2022	Est 2023	Est 2024	Est 2025
666 Appropriated Receipts					
Beginning Balance (Unencumbered):	\$7,106	\$4,000	\$4,000	\$4,000	\$4,000
Estimated Revenue:					
Ending Fund/Account Balance	\$7,106	\$4,000	\$4,000	\$4,000	\$4,000

REVENUE ASSUMPTIONS:

CONTACT PERSON:

Katrina McClenny

General Revenue (GR) & General Revenue Dedicated (GR-D) Baseline

DATE: 7/29/2022

88th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

TIME: 4:20:38PM

Agency code: 232

Agency name: Twelfth Court of Appeals District, Tyler

GR Baseline Request Limit = \$3,316,204

GR-D Baseline Request Limit = \$0

Strategy/Strategy Option/Rider				2024 Funds				2025 Funds				Biennial Cumulative GR	Biennial Cumulative Ded	Page #
FTEs	Total	GR	Ded	FTEs	Total	GR	Ded							
Strategy: 1 - 1 - 1	Appellate Court Operations													
12.0	1,188,502	1,184,502	0	12.0	1,188,502	1,184,502	0		2,369,004	0				
Strategy: 1 - 1 - 2	Appellate Justice Salaries. Estimated and Nontransferable													
3.0	566,050	473,600	0	3.0	566,050	473,600	0		3,316,204	0				
15.0				15.0					*****GR Baseline Request Limit=\$3,316,204*****					
Excp Item: 1	INCREASE THE GENERAL REVENUE LIMIT TO MEET THE UPDATED BUDGET MODEL (similar funding for same sized courts)													
0.0	230,429	230,429	0	0.0	230,429	230,429	0		3,777,062	0				
Strategy Detail for Excp Item: 1														
Strategy: 1 - 1 - 1	Appellate Court Operations													
0.0	230,429	230,429	0	0.0	230,429	230,429	0							
Excp Item: 2	JOINT REQEUST FOR AN ADJUSTMENT FOR INFLATION (for all Art. IV non-judicial staff)													
0.0	124,624	124,624	0	0.0	124,624	124,624	0		4,026,310	0				
Strategy Detail for Excp Item: 2														
Strategy: 1 - 1 - 1	Appellate Court Operations													
0.0	124,624	124,624	0	0.0	124,624	124,624	0							
Excp Item: 3	JUDICIAL PAY INCREASE DUE TO CHANGE IN TENURE (as provided by Texas Government Code section 659.012)													
0.0	8,981	8,981	0	0.0	15,400	15,400	0		4,050,691	0				
Strategy Detail for Excp Item: 3														
Strategy: 1 - 1 - 2	Appellate Justice Salaries. Estimated and Nontransferable													
0.0	8,981	8,981	0	0.0	15,400	15,400	0							
15.0	\$2,118,586	\$2,022,136	\$0	15.0	\$2,125,005	\$2,028,555	0							