



**AMENDED
LEGISLATIVE APPROPRIATIONS REQUEST**

For Fiscal Years 2026 and 2027

**Submitted to the
Office of the Governor, Budget Division
and the Legislative Budget Board**

by

TENTH COURT OF APPEALS DISTRICT

August 20, 2024

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Administrator's Statement

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89th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

230 Tenth Court of Appeals District, Waco

89TH LEGISLATIVE SESSION ADMINISTRATOR'S STATEMENT

Administrator's Statement
For Fiscal Years 2026 and 2027
89th Legislature

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. The courts of appeals are also tasked with resolving numerous original proceedings in the form of petitions seeking mandamus and habeas corpus relief, many of which involve voluminous records, that must be decided on an expedited basis.

Since 1983 until August 2024, the work of the courts of appeals has been accomplished by 80 justices statewide. Effective September 1, 2024, the Fifteenth Court of Appeals will become operational, increasing the total number of intermediate appellate court justices to 83 for the next biennium.

Since 1983, the population of Texas has nearly doubled. 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. In that regard, case filings in the Texas intermediate courts of appeals have returned to pre-pandemic levels. Adequate funding for the intermediate courts of appeals is essential for maintaining and providing cost-effective service to the citizens of Texas.

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

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 for the first time in 2015, and the courts had been operating under the same zero-based budget model and funding levels until the 88th Legislative Session when the Legislature increased the budgets for the intermediate appellate courts. The intermediate appellate courts are appreciative of the increased funding received last session.

Even with the increase in funding for the intermediate appellate courts from the 88th Legislative Session, the courts continue to lag behind in funding. With the growth in Texas population and the expansion of the Texas business environment, the demands of the core function of the courts have required higher-skilled and higher-salary positions in order to adequately serve the citizens of Texas. Further, the intermediate appellate courts have seen an increase in case activity that is a direct result of Operation Lone Star. Additionally, operating costs for necessary resources such as Westlaw/LexisNexis and other administrative needs have increased dramatically.

Funding for all courts of appeals (including the new Fifteenth Court of Appeals) comprises less than 0.04% 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

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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.

Respectfully, additional funding is now necessary to ensure the efficient administration of justice going forward.

EXCEPTIONAL ITEM #1:

ADJUSTMENT FOR INFLATION

Even after the increased funding received in the 88th Legislative Session, attorneys and staff of the intermediate appellate courts remain impacted in many ways by increasing costs due to inflation. Their buying power for goods and services has diminished and, at some courts, has resulted in attrition by those seeking higher-paying jobs that are often paid by other governmental entities that can pay more than the intermediate appellate courts. 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 continued population growth and increased case filings attributed to a booming business environment and state efforts to secure the Texas border.

Respectfully, the intermediate appellate courts join with the Texas Supreme Court and the other Article IV Courts and Agencies in requesting a six percent (6%) increase in general revenue appropriations to help absorb the continuing impact of inflation and the increased demands placed on the courts, as well as maintaining and recruiting a strong, experienced, and efficient judicial workforce. Thus, the 10th Court of Appeals requests this additional 6% to foster the business model adopted by the courts of appeals of equal funding for the same sized courts. Deviating from that model risks reversion to historic and potentially detrimental modes of individualized court funding focused less on the needs of Texas and the appellate judiciary as a whole.

SPECIAL PROVISIONS/RIDER EXCEPTION REQUESTS:

The courts of appeals also request the following with regard to the SPECIAL PROVISIONS – JUDICIARY found in Article IV (beginning at p. IV-42 of the General Appropriations Act for the 2024-25 Biennium) concerning across-the-board riders:

1. Retain Special Provisions – Judiciary, Sec. 3, Appellate Court Exemptions pertaining to the following Article IX riders: Section 6.10, Limitations on State Employment Levels, Section 6.13, Performance Standards, Section 14.03, Transfers – Capital Budget, and Section 3.04, Scheduled Exempt Positions.
2. Retain Special Provisions – Judiciary, Sec. 5, Interagency Contracts for Assigned Judges for Appellate Courts
3. Retain Special Provisions – Judiciary, Sec. 6, Appellate Court Transfer Authority

Historically, the Legislature has granted the courts exemption from certain limitations in the General Appropriations Act. The Legislature has 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.

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ADDITIONAL STATEMENTS OF SUPPORT:

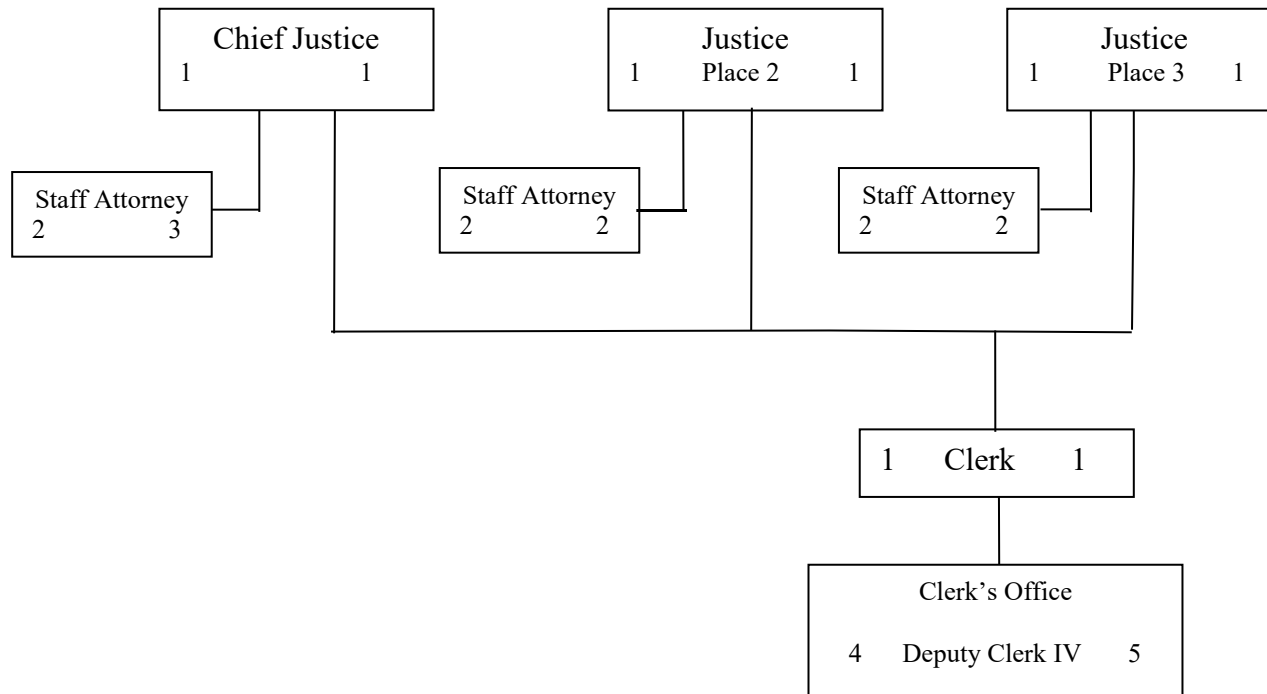
In order for the courts of appeals to function efficiently, it is vital that the Office of Court Administration (OCA) be adequately funded. The courts of appeals rely on many of the services provided by OCA and, therefore, the courts of appeals fully support the exceptional items the OCA requests as 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 \$3,080 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.

**Organizational Chart
Tenth Court of Appeals
2026-2027**





CERTIFICATE

Agency Name Tenth Court of Appeals

This is to certify that the information contained in the agency Legislative Appropriations Request filed with the Legislative Budget Board (LBB) and the Office of the Governor, Budget and Policy Division, 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 Office of the Governor will be notified in writing in accordance with House Bill 1, Article IX, Section 7.01, Eighty-eighth Legislature, Regular Session, 2023.

Chief Executive Officer

Thomas W. Gray
Signature

Thomas W. Gray
Printed Name

Chief Justice
Title

August 20, 2024
Date

Chief Financial Officer

Sherry Williamson
Signature

Sherry Williamson
Printed Name

Clerk
Title

August 20, 2024
Date

Budget Overview - Biennial Amounts
89th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

230 Tenth Court of Appeals District, Waco
Appropriation Years: 2026-27

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS
	2024-25	2026-27	2024-25	2026-27	2024-25	2026-27	2024-25	2026-27	2024-25	2026-27	2026-27
	Goal: 1. Appellate Court Operations										
1.1.1. Appellate Court Operations	2,996,474	3,053,389					10,000	10,000	3,006,474	3,063,389	183,203
1.1.2. Appellate Justice Salaries	996,788	996,788					184,900	184,900	1,181,688	1,181,688	
Total, Goal	3,993,262	4,050,177					194,900	194,900	4,188,162	4,245,077	183,203
Total, Agency	3,993,262	4,050,177					194,900	194,900	4,188,162	4,245,077	183,203
Total FTEs									17.0	17.0	0.0

2.A. Summary of Base Request by Strategy

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Automated Budget and Evaluation System of Texas (ABEST)

230 Tenth Court of Appeals District, Waco

Goal / Objective / STRATEGY	Exp 2023	Est 2024	Bud 2025	Req 2026	Req 2027
1 Appellate Court Operations					
1 Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	1,201,238	1,261,137	1,745,337	1,531,694	1,531,695
2 APPELLATE JUSTICE SALARIES	590,844	590,844	590,844	590,844	590,844
TOTAL, GOAL 1	\$1,792,082	\$1,851,981	\$2,336,181	\$2,122,538	\$2,122,539
TOTAL, AGENCY STRATEGY REQUEST	\$1,792,082	\$1,851,981	\$2,336,181	\$2,122,538	\$2,122,539
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$1,792,082	\$1,851,981	\$2,336,181	\$2,122,538	\$2,122,539

2.A. Summary of Base Request by Strategy

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89th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

230 Tenth Court of Appeals District, Waco

Goal / Objective / STRATEGY	Exp 2023	Est 2024	Bud 2025	Req 2026	Req 2027
<u>METHOD OF FINANCING:</u>					
General Revenue Funds:					
1 General Revenue Fund	1,694,256	1,754,531	2,238,731	2,025,088	2,025,089
SUBTOTAL	\$1,694,256	\$1,754,531	\$2,238,731	\$2,025,088	\$2,025,089
Other Funds:					
573 Judicial Fund	92,450	92,450	92,450	92,450	92,450
666 Appropriated Receipts	5,376	5,000	5,000	5,000	5,000
SUBTOTAL	\$97,826	\$97,450	\$97,450	\$97,450	\$97,450
TOTAL, METHOD OF FINANCING	\$1,792,082	\$1,851,981	\$2,336,181	\$2,122,538	\$2,122,539

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

2.B. Summary of Base Request by Method of Finance
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

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Agency code: **230** Agency name: **Tenth Court of Appeals District, Waco**

METHOD OF FINANCING	Exp 2023	Est 2024	Bud 2025	Req 2026	Req 2027
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GENERAL REVENUE

1 General Revenue Fund

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2022-23 GAA)

\$1,680,224	\$0	\$0	\$0	\$0
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Regular Appropriations from MOF Table (2024-25 GAA)

\$0	\$1,963,811	\$2,016,365	\$0	\$0
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Regular Appropriations from MOF Table (2026-2027)

\$0	\$0	\$0	\$2,025,088	\$2,025,089
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TRANSFERS

SB 30, 88th Leg, Regular Session

\$9,072	\$0	\$0	\$0	\$0
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Comments: 5 percent salary increase effective July 1, 2023.

Art IX, Sec 17.16, Appropriation for a Salary Increase for General State Employees
 (2024-25 GAA)

\$0	\$4,362	\$8,724	\$0	\$0
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Comments: Additional allocation from Comptroller necessary to implement 5 percent salary increase

2.B. Summary of Base Request by Method of Finance
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

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Agency code: **230** Agency name: **Tenth Court of Appeals District, Waco**

METHOD OF FINANCING	Exp 2023	Est 2024	Bud 2025	Req 2026	Req 2027
<u>GENERAL REVENUE</u>					
<i>LAPSED APPROPRIATIONS</i>					
Lapsed Appropriations	\$ (103,484)	\$ 0	\$ 0	\$ 0	\$ 0
<i>UNEXPENDED BALANCES AUTHORITY</i>					
A.1.1. Appellate Court Operations (2022-23 GAA)	\$ 108,444	\$ 0	\$ 0	\$ 0	\$ 0
Art. IV, Special Provisions - Judiciary Section 9, Unexpended Balances Authority (2024-2025)	\$ 0	\$ (213,642)	\$ 213,642	\$ 0	\$ 0
TOTAL, General Revenue Fund	\$1,694,256	\$1,754,531	\$2,238,731	\$2,025,088	\$2,025,089
TOTAL, ALL GENERAL REVENUE	\$1,694,256	\$1,754,531	\$2,238,731	\$2,025,088	\$2,025,089

OTHER FUNDS

573 Judicial Fund No. 573

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2022-23 GAA)

2.B. Summary of Base Request by Method of Finance
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

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Agency code: 230		Agency name: Tenth Court of Appeals District, Waco				
METHOD OF FINANCING		Exp 2023	Est 2024	Bud 2025	Req 2026	Req 2027
<u>OTHER FUNDS</u>						
		\$92,450	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2024-25 GAA)	\$0	\$92,450	\$92,450	\$0	\$0
	Regular Appropriations from MOF Table (2026-27 GAA)	\$0	\$0	\$0	\$92,450	\$92,450
TOTAL,	Judicial Fund No. 573	\$92,450	\$92,450	\$92,450	\$92,450	\$92,450
<u>666</u>	Appropriated Receipts					
	<i>REGULAR APPROPRIATIONS</i>					
	Regular Appropriations from MOF Table (2022-23 GAA)	\$5,000	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2024-25 GAA)	\$0	\$5,000	\$5,000	\$0	\$0
	Regular Appropriations from MOF Table (2026-27 GAA)	\$0	\$0	\$0	\$5,000	\$5,000

2.B. Summary of Base Request by Method of Finance
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

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Agency code: 230		Agency name: Tenth Court of Appeals District, Waco				
METHOD OF FINANCING		Exp 2023	Est 2024	Bud 2025	Req 2026	Req 2027
<u>OTHER FUNDS</u>						
<i>RIDER APPROPRIATION</i>						
Art IX, Sec 8.02, Reimbursements and Payments (2022-23 GAA)						
		\$376	\$0	\$0	\$0	\$0
TOTAL,	Appropriated Receipts	\$5,376	\$5,000	\$5,000	\$5,000	\$5,000
TOTAL, ALL	OTHER FUNDS	\$97,826	\$97,450	\$97,450	\$97,450	\$97,450
GRAND TOTAL		\$1,792,082	\$1,851,981	\$2,336,181	\$2,122,538	\$2,122,539

2.B. Summary of Base Request by Method of Finance

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89th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

METHOD OF FINANCING	Exp 2023	Est 2024	Bud 2025	Req 2026	Req 2027
<p>Agency code: 230 Agency name: Tenth Court of Appeals District, Waco</p>					
FULL-TIME-EQUIVALENT POSITIONS					
REGULAR APPROPRIATIONS					
Regular Appropriations from MOF Table (2022-23 GAA)	17.5	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2024-25 GAA)	0.0	17.0	17.0	0.0	0.0
Regular Appropriations from MOF Table (2026-2027 GAA)	0.0	0.0	0.0	17.0	17.0
LAPSED APPROPRIATIONS					
Regular Appropriations from MOF Table (2022-23 GAA)	(3.5)	0.0	0.0	0.0	0.0
TOTAL, ADJUSTED FTES	14.0	17.0	17.0	17.0	17.0

NUMBER OF 100% FEDERALLY FUNDED FTEs

2.C. Summary of Base Request by Object of Expense

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Automated Budget and Evaluation System of Texas (ABEST)

230 Tenth Court of Appeals District, Waco

OBJECT OF EXPENSE	Exp 2023	Est 2024	Bud 2025	BL 2026	BL 2027
1001 SALARIES AND WAGES	\$1,589,896	\$1,611,369	\$2,048,537	\$1,814,894	\$1,814,895
1002 OTHER PERSONNEL COSTS	\$115,699	\$163,536	\$173,444	\$193,444	\$193,444
2001 PROFESSIONAL FEES AND SERVICES	\$0	\$0	\$1,000	\$1,000	\$1,000
2003 CONSUMABLE SUPPLIES	\$5,085	\$5,366	\$8,000	\$8,000	\$8,000
2004 UTILITIES	\$1,812	\$1,615	\$3,000	\$3,000	\$3,000
2005 TRAVEL	\$9,219	\$14,302	\$20,000	\$20,000	\$20,000
2007 RENT - MACHINE AND OTHER	\$858	\$917	\$2,000	\$2,000	\$2,000
2009 OTHER OPERATING EXPENSE	\$69,513	\$54,876	\$80,200	\$80,200	\$80,200
OOE Total (Excluding Riders)	\$1,792,082	\$1,851,981	\$2,336,181	\$2,122,538	\$2,122,539
OOE Total (Riders)					
Grand Total	\$1,792,082	\$1,851,981	\$2,336,181	\$2,122,538	\$2,122,539

89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: **230** Agency: **Tenth Court of Appeals District, Waco**

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

Code	Type of Expense	Expended	Estimated	Budgeted	Requested	Requested
5	Westlaw/Lexis	\$19,022	\$10,202	\$15,000	\$15,000	\$15,000
11	Misc. Operating Costs	12,695	5,908	10,000	10,000	10,000
12	Maintenance & Repair - Equipment	1,759	620	2,000	2,000	2,000
64	SORM Assessment	1,425	1,884	2,500	2,500	2,500
94	Awards	1,825	3,150	4,000	4,000	4,000
108	Publications	4,182	7,346	9,000	9,000	9,000
168	Registration, Training, Membership	3,625	1,367	5,000	5,000	5,000
177	Janitorial Services	10,200	10,500	15,000	15,000	15,000
213	ERS 1% & .5%	14,780	13,899	17,700	17,700	17,700
	Total, Operating Costs	\$69,513	\$54,876	\$80,200	\$80,200	\$80,200

2.D. Summary of Base Request Objective Outcomes
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

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230 Tenth Court of Appeals District, Waco

Goal/ Objective / Outcome	Exp 2023	Est 2024	Bud 2025	BL 2026	BL 2027
1 Appellate Court Operations					
1 Appellate Court Operations					
KEY 1 Clearance Rate					
	98.07%	77.39%	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					
	98.92%	99.31%	100.00%	100.00%	100.00%

2.E. Summary of Exceptional Items Request
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/21/2024
 TIME : 8:08:37AM

Agency code: 230

Agency name: Tenth Court of Appeals District, Waco

Priority	Item	2026			2027			Biennium	
		GR and GR/Dedicated	All Funds	FTEs	GR and GR/Dedicated	All Funds	FTEs	GR and GR/Dedicated	All Funds
1	Adjustment for Inflation	\$91,601	\$91,601	0.0	\$91,602	\$91,602	0.0	\$183,203	\$183,203
2	Judicial Pay Increase								
Total, Exceptional Items Request		\$91,601	\$91,601	0.0	\$91,602	\$91,602	0.0	\$183,203	\$183,203
Method of Financing									
	General Revenue	\$91,601	\$91,601		\$91,602	\$91,602		\$183,203	\$183,203
	General Revenue - Dedicated								
	Federal Funds								
	Other Funds								
		\$91,601	\$91,601		\$91,602	\$91,602		\$183,203	\$183,203
Full Time Equivalent Positions				0.0				0.0	
Number of 100% Federally Funded FTEs									

2.F. Summary of Total Request by Strategy
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/21/2024
 TIME : 8:08:37AM

Agency code: 230 Agency name: Tenth Court of Appeals District, Waco

Goal/Objective/STRATEGY	Base 2026	Base 2027	Exceptional 2026	Exceptional 2027	Total Request 2026	Total Request 2027
1 Appellate Court Operations						
1 <i>Appellate Court Operations</i>						
1 APPELLATE COURT OPERATIONS	\$1,531,694	\$1,531,695	\$91,601	\$91,602	\$1,623,295	\$1,623,297
2 APPELLATE JUSTICE SALARIES	590,844	590,844	0	0	590,844	590,844
TOTAL, GOAL 1	\$2,122,538	\$2,122,539	\$91,601	\$91,602	\$2,214,139	\$2,214,141
TOTAL, AGENCY STRATEGY REQUEST	\$2,122,538	\$2,122,539	\$91,601	\$91,602	\$2,214,139	\$2,214,141
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$2,122,538	\$2,122,539	\$91,601	\$91,602	\$2,214,139	\$2,214,141

2.F. Summary of Total Request by Strategy
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/21/2024
 TIME : 8:08:37AM

Agency code: 230 Agency name: Tenth Court of Appeals District, Waco

Goal/Objective/STRATEGY	Base 2026	Base 2027	Exceptional 2026	Exceptional 2027	Total Request 2026	Total Request 2027
General Revenue Funds:						
1 General Revenue Fund	\$2,025,088	\$2,025,089	\$91,601	\$91,602	\$2,116,689	\$2,116,691
	\$2,025,088	\$2,025,089	\$91,601	\$91,602	\$2,116,689	\$2,116,691
Other Funds:						
573 Judicial Fund	92,450	92,450	0	0	92,450	92,450
666 Appropriated Receipts	5,000	5,000	0	0	5,000	5,000
	\$97,450	\$97,450	\$0	\$0	\$97,450	\$97,450
TOTAL, METHOD OF FINANCING	\$2,122,538	\$2,122,539	\$91,601	\$91,602	\$2,214,139	\$2,214,141
FULL TIME EQUIVALENT POSITIONS	17.0	17.0	0.0	0.0	17.0	17.0

2.G. Summary of Total Request Objective Outcomes
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 8/21/2024
 Time: 8:08:38AM

Agency code: **230** Agency name: **Tenth Court of Appeals District, Waco**

Goal/ Objective / Outcome

	BL 2026	BL 2027	Excp 2026	Excp 2027	Total Request 2026	Total Request 2027
1 Appellate Court Operations						
1 <i>Appellate Court Operations</i>						
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%

230 Tenth Court of Appeals District, Waco

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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
Output Measures:						
1	Number of Civil Cases Disposed	145.00	100.00	125.00	125.00	125.00
2	Number of Criminal Cases Disposed	210.00	150.00	185.00	185.00	185.00
Explanatory/Input Measures:						
1	Number of Civil Cases Filed	179.00	175.00	175.00	175.00	175.00
2	Number of Criminal Cases Filed	236.00	270.00	270.00	270.00	270.00
3	Number of Cases Transferred in	0.00	0.00	0.00	0.00	0.00
4	Number of Cases Transferred out	99.00	122.00	110.00	110.00	110.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$1,032,496	\$1,053,969	\$1,491,137	\$1,257,494	\$1,257,495
1002	OTHER PERSONNEL COSTS	\$82,255	\$130,092	\$140,000	\$160,000	\$160,000
2001	PROFESSIONAL FEES AND SERVICES	\$0	\$0	\$1,000	\$1,000	\$1,000
2003	CONSUMABLE SUPPLIES	\$5,085	\$5,366	\$8,000	\$8,000	\$8,000
2004	UTILITIES	\$1,812	\$1,615	\$3,000	\$3,000	\$3,000
2005	TRAVEL	\$9,219	\$14,302	\$20,000	\$20,000	\$20,000
2007	RENT - MACHINE AND OTHER	\$858	\$917	\$2,000	\$2,000	\$2,000
2009	OTHER OPERATING EXPENSE	\$69,513	\$54,876	\$80,200	\$80,200	\$80,200

230 Tenth Court of Appeals District, Waco

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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
TOTAL, OBJECT OF EXPENSE		\$1,201,238	\$1,261,137	\$1,745,337	\$1,531,694	\$1,531,695
Method of Financing:						
1	General Revenue Fund	\$1,195,862	\$1,256,137	\$1,740,337	\$1,526,694	\$1,526,695
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$1,195,862	\$1,256,137	\$1,740,337	\$1,526,694	\$1,526,695
Method of Financing:						
666	Appropriated Receipts	\$5,376	\$5,000	\$5,000	\$5,000	\$5,000
SUBTOTAL, MOF (OTHER FUNDS)		\$5,376	\$5,000	\$5,000	\$5,000	\$5,000
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$1,531,694	\$1,531,695
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$1,201,238	\$1,261,137	\$1,745,337	\$1,531,694	\$1,531,695
FULL TIME EQUIVALENT POSITIONS:		11.0	14.0	14.0	14.0	14.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Tenth Court of Appeals has appellate jurisdiction of civil and criminal cases appealed from trial courts in 18 counties. Appeals are of judgments in civil cases where the judgment exceeds \$250, exclusive of costs, and other proceedings as provided by law; and in criminal cases except in some postconviction writs of habeas corpus and when the death penalty has been assessed. The Court also has jurisdiction in original proceedings, such as petitions for writs of mandamus from those same 18 counties.

230 Tenth Court of Appeals District, Waco

GOAL:	1	Appellate Court Operations	
OBJECTIVE:	1	Appellate Court Operations	Service Categories:
STRATEGY:	1	Appellate Court Operations	Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2023	Est 2024	Bud 2025	BL 2026	BL 2027
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EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

The main factors which impact this strategy are those that affect the balance that must be achieved between a constant flow of new proceedings and the necessary staffing to timely process those proceedings. Unlike the US and Texas Supreme Courts, or the Texas Court of Criminal Appeals, all of which have discretionary review, this Court must dispose of every proceeding filed by a written opinion that addresses every issue raised by the parties, no matter how frivolous. The Court has no control over the number of cases filed. Once a case is filed, it remains on our docket until we can write the opinion. Thus, if our staff is reduced to a level at which we are unable to dispose of as many cases as there are new cases filed in the same period, our inventory of cases grows. This is commonly referred to as a backlog. A backlog which results from inadequate staffing can take a very long time to eliminate even when the Court is returned to being fully staffed. Thus, the external factor of new filings is what primarily drives the need for adequate funding. The primary internal factor is the level of training and experience of the Court's staff, both legal and administrative. This Court's staff had been extraordinarily stable over a long period of time. Adequate compensation continues to be a critical factor, whether you characterize that as internal or external, in the ability to attract and retain staff with sufficient training and experience to timely process the Court's docket.

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
Base Spending (Est 2024 + Bud 2025)	Baseline Request (BL 2026 + BL 2027)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$3,006,474	\$3,063,389	\$56,915	\$56,915	This amount is the LBB amount o bieniallize FY2024-25 salary adjustments.
			\$56,915	Total of Explanation of Biennial Change

230 Tenth Court of Appeals District, Waco

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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
Objects of Expense:						
1001	SALARIES AND WAGES	\$557,400	\$557,400	\$557,400	\$557,400	\$557,400
1002	OTHER PERSONNEL COSTS	\$33,444	\$33,444	\$33,444	\$33,444	\$33,444
TOTAL, OBJECT OF EXPENSE		\$590,844	\$590,844	\$590,844	\$590,844	\$590,844
Method of Financing:						
1	General Revenue Fund	\$498,394	\$498,394	\$498,394	\$498,394	\$498,394
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$498,394	\$498,394	\$498,394	\$498,394	\$498,394
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)					\$590,844	\$590,844
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$590,844	\$590,844	\$590,844	\$590,844	\$590,844
FULL TIME EQUIVALENT POSITIONS:		3.0	3.0	3.0	3.0	3.0

230 Tenth Court of Appeals District, Waco

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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
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STRATEGY DESCRIPTION AND JUSTIFICATION:

The Tenth Court of Appeals has three justices as required by the Texas Constitution and relevant statutes.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

The factors are derived by the number of justices for the Court as determined by the legislature and their number of years of service as it impacts their longevity pay.

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
Base Spending (Est 2024 + Bud 2025)	Baseline Request (BL 2026 + BL 2027)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$1,181,688	\$1,181,688	\$0	\$0	Total of Explanation of Biennial Change

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$1,792,082	\$1,851,981	\$2,336,181	\$2,122,538	\$2,122,539
METHODS OF FINANCE (INCLUDING RIDERS):				\$2,122,538	\$2,122,539
METHODS OF FINANCE (EXCLUDING RIDERS):	\$1,792,082	\$1,851,981	\$2,336,181	\$2,122,538	\$2,122,539
FULL TIME EQUIVALENT POSITIONS:	14.0	17.0	17.0	17.0	17.0

3.B. Rider Revisions and Additions Request

Agency Code: 230	Agency Name: 10th Court of Appeals	Prepared By: Sherry Williamson	Date: 8/16/2024	Request Level: Baseline
Current Rider Number	Page Number in 2024-2025 GAA	Proposed Rider Language		
5	IV-43	<p>Sec. 5. 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 15 Courts of Appeals may enter into a contract with the Office of the Comptroller for fiscal years 20242026 and 20252027, 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.</p> <p><i>Updating rider to include the 15th Court of Appeals and adjust the years for the 2026-2027 biennium.</i></p>		
7	IV-43	<p>Sec. 7. Schedule of Exempt Positions ^{1, 2, 3, 4}</p> <p>No change to sections (a), (b), and (c).</p> <p>(d) Information Listing – Judicial and Prosecutor Compensation. Government Code §659.012, Judicial Salaries, and Section 46.003, Compensation of State Prosecutors, establish a tiered, tenure-based compensation structure for certain judges and professional prosecutor positions that is linked to the base salary of a district judge as set by the General Appropriations Act and adjusts depending on the judge’s or professional prosecutor’s tenure. Consistent with Government Code Section 46.003 and Section 659.012, for their first four years of service, <u>district judges earn a base salary set by the General Appropriations Act and certain other judges or the and professional prosecutors earn a base salary that is a certain percentage of the base salary of a district judge, subject to certain other statutory limitations. The base salary for justices on the 1st through the 14th Court of Appeals is 110% of a district judge’s base salary and the base salary for a justice on the 15th Court of Appeals is \$5,000 less than 120% of the state base salary of a district judge. The base salary for justices on the Supreme Court and judges on the Court of Criminal Appeals is 120% of the base salary of a district judge.</u> When their tenure is between 4-8 years of service, the judge or professional prosecutor earns 110 percent of the judge or prosecutor’s base salary. With 8 or more years of tenure, the judge or professional prosecutor’s salary is 120 percent of the judge or professional prosecutor’s base salary. <u>County prosecutors receive a supplement from the state that is provided to the county in an amount based on a formula that includes the base salary of a district judge with comparable years of service</u></p>		

3.B. Rider Revisions and Additions Request (continued)

		<p><u>and the number of counties served by the state prosecutor in the county.</u> The table below shows the base salary amounts for each state judge and prosecutor position that are dependent on years of service within each tier.</p> <p><i>Amending language to provide clarification on judicial and prosecutor compensation.</i></p>																																																																									
7		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Judge / Prosecutor</th> <th style="text-align: left;">Court / Judicial District / State Agency</th> <th style="text-align: right;">Base Salary (0-4 years)</th> <th style="text-align: right;">(4-8 years)</th> <th style="text-align: right;">(8+ years)</th> </tr> </thead> <tbody> <tr> <td>Chief Justice Presiding Judge</td> <td>Supreme Court Court of Criminal Appeals</td> <td style="text-align: right;">\$170,500</td> <td style="text-align: right;">\$187,300</td> <td style="text-align: right;">\$204,100</td> </tr> <tr> <td>Justice Judge</td> <td>Supreme Court Court of Criminal Appeals</td> <td style="text-align: right;">\$168,000</td> <td style="text-align: right;">\$184,800</td> <td style="text-align: right;">\$201,600</td> </tr> <tr> <td>Chief Justice</td> <td>1st – 14th Court of Appeals</td> <td style="text-align: right;">\$156,500</td> <td style="text-align: right;">\$172,150</td> <td style="text-align: right;">\$187,800</td> </tr> <tr> <td>Justice Judge</td> <td>1st – 14th Court of Appeals</td> <td style="text-align: right;">\$154,000</td> <td style="text-align: right;">\$169,400</td> <td style="text-align: right;">\$184,800</td> </tr> <tr> <td><u>Chief Justice</u></td> <td><u>15th Court of Appeals</u></td> <td style="text-align: right;"><u>\$165,500</u></td> <td style="text-align: right;"><u>\$181,800</u></td> <td style="text-align: right;"><u>\$198,100</u></td> </tr> <tr> <td><u>Justice Judge</u></td> <td><u>15th Court of Appeals</u></td> <td style="text-align: right;"><u>\$163,000</u></td> <td style="text-align: right;"><u>\$179,300</u></td> <td style="text-align: right;"><u>\$195,600</u></td> </tr> <tr> <td>Associate Judge</td> <td>Child Protection Court Child Support Court</td> <td style="text-align: right;">\$126,000</td> <td style="text-align: right;">\$138,600</td> <td style="text-align: right;">\$151,200</td> </tr> <tr> <td>Business Court Judge</td> <td>Business Court</td> <td style="text-align: right;">\$140,000</td> <td style="text-align: right;">\$154,000</td> <td style="text-align: right;">\$168,000</td> </tr> <tr> <td>District Judge</td> <td>District Court</td> <td style="text-align: right;">\$140,000</td> <td style="text-align: right;">\$154,000</td> <td style="text-align: right;">\$168,000</td> </tr> <tr> <td>State Prosecuting Attorney</td> <td>Office of the State Prosecuting Attorney</td> <td style="text-align: right;">\$140,000</td> <td style="text-align: right;">\$154,000</td> <td style="text-align: right;">\$168,000</td> </tr> <tr> <td>Professional Prosecutors</td> <td>Judicial Districts</td> <td style="text-align: right;">\$140,000</td> <td style="text-align: right;">\$154,000</td> <td style="text-align: right;">\$168,000</td> </tr> <tr> <td>District Attorneys</td> <td>Judicial Districts</td> <td style="text-align: right;">\$112,000</td> <td style="text-align: right;">\$123,200</td> <td style="text-align: right;">\$134,400</td> </tr> <tr> <td>County Prosecutors</td> <td>Constitutional County Court</td> <td style="text-align: right;">\$23,334 to \$70,000</td> <td style="text-align: right;">\$25,667 to \$77,000</td> <td style="text-align: right;">\$28,001 to \$84,000</td> </tr> </tbody> </table>	Judge / Prosecutor	Court / Judicial District / State Agency	Base Salary (0-4 years)	(4-8 years)	(8+ years)	Chief Justice Presiding Judge	Supreme Court Court of Criminal Appeals	\$170,500	\$187,300	\$204,100	Justice Judge	Supreme Court Court of Criminal Appeals	\$168,000	\$184,800	\$201,600	Chief Justice	1st – 14 th Court of Appeals	\$156,500	\$172,150	\$187,800	Justice Judge	1st – 14 th Court of Appeals	\$154,000	\$169,400	\$184,800	<u>Chief Justice</u>	<u>15th Court of Appeals</u>	<u>\$165,500</u>	<u>\$181,800</u>	<u>\$198,100</u>	<u>Justice Judge</u>	<u>15th Court of Appeals</u>	<u>\$163,000</u>	<u>\$179,300</u>	<u>\$195,600</u>	Associate Judge	Child Protection Court Child Support Court	\$126,000	\$138,600	\$151,200	Business Court Judge	Business Court	\$140,000	\$154,000	\$168,000	District Judge	District Court	\$140,000	\$154,000	\$168,000	State Prosecuting Attorney	Office of the State Prosecuting Attorney	\$140,000	\$154,000	\$168,000	Professional Prosecutors	Judicial Districts	\$140,000	\$154,000	\$168,000	District Attorneys	Judicial Districts	\$112,000	\$123,200	\$134,400	County Prosecutors	Constitutional County Court	\$23,334 to \$70,000	\$25,667 to \$77,000	\$28,001 to \$84,000			
Judge / Prosecutor	Court / Judicial District / State Agency	Base Salary (0-4 years)	(4-8 years)	(8+ years)																																																																							
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County Prosecutors	Constitutional County Court	\$23,334 to \$70,000	\$25,667 to \$77,000	\$28,001 to \$84,000																																																																							
	IV-44	<p><i>The schedule in Rider 7. Schedule of Exempt Positions needs to be amended to break out the judge salaries for the 15th Court of Appeals, which differs from the other intermediate appellate courts.</i></p>																																																																									

**3.B. Rider Revisions and Additions Request
(continued)**

9	IV-44	<p>Sec. 9. Unexpended Balance Authority. Any unexpended and unobligated balances remaining in non-estimated strategies at the Supreme Court of Texas, Court of Criminal Appeals, 44¹⁵ Courts of Appeals, Office of Court Administration, Office of Capital and Forensic Writs, Office of the State Prosecuting Attorney, and State Commission on Judicial Conduct as of August 31, 2024²⁶, are appropriated to the respective court or agency for the fiscal year beginning September 1, 2024²⁶, for the same purpose.</p> <p><i>Updating the rider to include the 15th Court of Appeals and to adjust the year for the 2026-2027 biennium</i></p>
10	IV-44	<p>Sec. 10. Contingency for SB 1045^{5,6}</p> <p>(a) Contingent on the enactment of Senate Bill 1045, Eighty-eighth Legislature, Regular Session, or similar legislation, relating to the creation of the Fifteenth Court of Appeals with jurisdiction over certain civil cases, the compensation of the justices of that court, and the jurisdiction of the courts of appeals in this state, General Revenue funds in the amount of \$2,397,807 and 17.0 FTEs in fiscal year 2024 and \$2,327,569 and 17.0 FTEs in the fiscal year 2025 are appropriated for the purpose of implementing the legislation.</p> <p>(b) Upon the enactment of Senate Bill 1045, appropriations and FTEs identified above in subsection (a) shall be provided to the Fifteenth Court of Appeals in a new bill pattern for that purpose in Article IV, The Judiciary, of this Act. The bill pattern shall include:</p> <p>(1) a Method of Financing with General Revenue appropriations in fiscal year 2025;</p> <p>(2) a Number of Full-Time Equivalent (FTE) in fiscal year 2025;</p> <p>(3) a Schedule of Exempt Positions including one Chief Justice and two Justices with salary caps in fiscal year 2025;</p> <p>(4) a strategy for Appellate Court Operations with amounts for that purpose in fiscal year 2025;</p> <p>(5) a strategy for Appellate Justice Salaries with amounts for that purpose that are estimated and nontransferable in fiscal year 2025;</p> <p>(6) a Performance Measure Targets rider including the following performance measures with targets of 100% attainment in fiscal year 2025;</p>

**3.B. Rider Revisions and Additions Request
(continued)**

		<p>(A) Clearance Rate; (B) Percentage of Cases Under Submission for Less Than One Year; and (C) Percentage of Cases Pending for Less Than Two Years.</p> <p><i>Rider is no longer needed. Bill pattern for the 15th Court of Appeals is in place in the 2024-2025 GAA.</i></p>
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4.A. Exceptional Item Request Schedule
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/21/2024
 TIME: 8:08:49AM

Agency code: 230 Agency name: Tenth Court of Appeals District, Waco

CODE	DESCRIPTION	Excp 2026	Excp 2027
	Item Name: Adjustment for Inflation Item Priority: 1 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	91,601	91,602
TOTAL, OBJECT OF EXPENSE		\$91,601	\$91,602
METHOD OF FINANCING:			
1	General Revenue Fund	91,601	91,602
TOTAL, METHOD OF FINANCING		\$91,601	\$91,602

DESCRIPTION / JUSTIFICATION:

Even after the increased funding received in the 88th Legislative Session, attorneys and staff of the intermediate appellate courts remain impacted in many ways by increasing costs due to inflation. Their buying power for goods and services has diminished and, at some courts, has resulted in attrition by those seeking higher-paying jobs that are often paid by other governmental entities that can pay more than the intermediate appellate courts. 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 continued population growth and increased case filings attributed to a booming business environment and state efforts to secure the Texas border.

EXTERNAL/INTERNAL FACTORS:

Respectfully, the intermediate appellate courts join with the Texas Supreme Court and the other Article IV Courts and Agencies in requesting a six percent (6%) increase in general revenue appropriations to help absorb the continuing impact of inflation and the increased demands placed on the courts, as well as maintaining and recruiting a strong, experienced, and efficient judicial workforce. Thus, the Tenth Court of Appeals requests this additional 6% to foster the business model adopted by the courts of appeals of equal funding for the same sized courts. Deviating from that model risks reversion to historic and potentially detrimental modes of individualized court funding focused less on the needs of Texas and the appellate judiciary as a whole.

PCLS TRACKING KEY:

4.A. Exceptional Item Request Schedule
89th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/21/2024**
TIME: **8:08:49AM**

Agency code: **230**

Agency name: **Tenth Court of Appeals District, Waco**

CODE	DESCRIPTION	Excp 2026	Excp 2027
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Agency code: 230 Agency name: Tenth Court of Appeals District, Waco

Code	Description	Excp 2026	Excp 2027
Item Name: Adjustment for Inflation			
Allocation to Strategy: 1-1-1 Appellate Court Operations			
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%
OUTPUT MEASURES:			
<u>1</u>	Number of Civil Cases Disposed	0.00	0.00
<u>2</u>	Number of Criminal Cases Disposed	0.00	0.00
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	91,601	91,602
TOTAL, OBJECT OF EXPENSE		\$91,601	\$91,602
METHOD OF FINANCING:			
1	General Revenue Fund	91,601	91,602
TOTAL, METHOD OF FINANCING		\$91,601	\$91,602
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.0	0.0

4.C. Exceptional Items Strategy Request
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/21/2024
TIME: 8:08:50AM

Agency Code: **230** Agency name: **Tenth Court of Appeals District, Waco**

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 2026	Exp 2027
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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	91,601	91,602
Total, Objects of Expense	\$91,601	\$91,602

METHOD OF FINANCING:

1 General Revenue Fund	91,601	91,602
Total, Method of Finance	\$91,601	\$91,602

EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Adjustment for Inflation

6.A. Historically Underutilized Business Supporting Schedule
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: **8/21/2024**
 Time: **8:08:52AM**

Agency Code: **230** Agency: **Tenth Court of Appeals District, Waco**

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year - HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2022			Total Expenditures FY 2022		HUB Expenditures FY 2023			Total Expenditures FY 2023	
			% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$	FY 2023		
11.2%	Heavy Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
21.1%	Building Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
32.9%	Special Trade	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
23.7%	Professional Services	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
26.0%	Other Services	26.0 %	28.6%	2.6%	\$9,250	\$32,327	26.0 %	30.0%	4.0%	\$10,200	\$34,029	
21.1%	Commodities	21.1 %	26.3%	5.2%	\$890	\$3,384	21.1 %	7.4%	-13.7%	\$416	\$5,649	
	Total Expenditures		28.4%		\$10,140	\$35,711		26.8%		\$10,616	\$39,678	

B. Assessment of Attainment of HUB Procurement Goals

Attainment:

The Tenth Court of Appeals attained our goal in both years for one of the applicable categories and in the first year for the other applicable category.

Applicability:

The "Heavy Construction," "Professional Services," and "Special Trade" categories were not applicable to the Court's operations in either Fiscal Year 2022 or Fiscal Year 2023.

Factors Affecting Attainment:

The majority of the Court's appropriations are expended on salaries and personnel costs. A large portion of the Court's remaining expenditures are sole-source. Because the Court is housed in the McLennan County courthouse, we must request and pay for the improvement and some repairs to the space they provide the court. Since we have no control over their process of bidding a project or their method of selecting vendors, the selection of the vendor for funds paid for our requested improvements, even when paid directly to the vendor, are beyond the Court's control. It effectively makes this type of purchase a sole-source purchase because it is paid either to the county directly or the vendor selected by the county. Whenever possible and feasible, other purchasing is carried out through TX Smartbuy term contract/catalog purchasing. In addition, the Office of Court Administration provides almost all of the Court's computer equipment and support.

C. Good-Faith Efforts to Increase HUB Participation

Outreach Efforts and Mentor-Protégé Programs:

6.A. Historically Underutilized Business Supporting Schedule
89th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: **8/21/2024**
Time: **8:08:52AM**

Agency Code: **230** Agency: **Tenth Court of Appeals District, Waco**

HUB Program Staffing:

Current and Future Good-Faith Efforts:

The Court continues to make a good faith effort to increase purchases and contract awards to HUBs . All other factors under the State purchasing rules being equal, HUB vendors are given preference. However, there are instances where HUB vendor products or services are more costly than non-HUB vendors, and under such circumstances, the agency will choose the best value as it is incurring expenses using taxpayer's dollars. All other factors under the State's rules being equal, the Court plans to make a good-faith effort to meet and increase the State HUB goals by giving HUB vendors preference for purchases.

**6.H. Estimated Total of All Agency Funds Outside the GAA Bill Pattern
Tenth Court of Appeals (230)**

ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2026-27 GAA BILL PATTERN	\$ 594,395
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Fund Name	
Estimated Beginning Balance in FY 2024	\$ 154,395
Estimated Revenues FY 2024	\$ 110,000
Estimated Revenues FY 2025	\$ 110,000
FY 2024-25 Total	\$ 374,395
Estimated Beginning Balance in FY 2026	\$ 374,395
Estimated Revenues FY 2026	\$ 110,000
Estimated Revenues FY 2027	\$ 110,000
FY 2026-27 Total	\$ 594,395
Constitutional or Statutory Creation and Use of Funds:	
<p>Pursuant to Sections 22.201 and 22.229 of the Texas Government Code. A fee is charged for each non-indigent civil suit filed in each county court, statutory court, probate court, or district court, except such fees that apply to a suit filed by a county or a suit for delinquent taxes. Funds received from such fees shall be used only for the purpose of assisting the Tenth Court of Appeals.</p>	
Method of Calculation and Revenue Assumptions:	
<p>The number of civil suits filed determines the actual revenue received.</p>	

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

DATE: 8/21/2024

89th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

TIME: 8:14:28AM

Agency code: 230

Agency name: **Tenth Court of Appeals District, Waco**

GR Baseline Request Limit = \$4,050,177

GR-D Baseline Request Limit = \$0

Strategy/Strategy Option/Rider

2026 Funds

2027 Funds

**Biennial
Cumulative GR**

**Biennial
Cumulative Ded**

Page #

FTEs	Total	GR	Ded	FTEs	Total	GR	Ded			
Strategy: 1 - 1 - 1 Appellate Court Operations										
14.0	1,531,694	1,526,694	0	14.0	1,531,695	1,526,695	0	3,053,389	0	_____
Strategy: 1 - 1 - 2 Appellate Justice Salaries. Estimated and Nontransferable										
3.0	590,844	498,394	0	3.0	590,844	498,394	0	4,050,177	0	_____
17.0				17.0				*****GR Baseline Request Limit=\$4,050,177*****		
Excp Item: 1 Adjustment for Inflation										
0.0	91,601	91,601	0	0.0	91,602	91,602	0	4,233,380	0	_____
Strategy Detail for Excp Item: 1										
Strategy: 1 - 1 - 1 Appellate Court Operations										
0.0	91,601	91,601	0	0.0	91,602	91,602	0			
17.0	\$2,214,139	\$2,116,689	\$0	17.0	\$2,214,141	\$2,116,691	0			