

Legislative Appropriations Request

for Fiscal Years 2010 and 2011

**Submitted to the
Governor's Office of Budget, Planning and Policy
and the Legislative Budget Board**

by

Fourteenth Court of Appeals

August 6, 2008

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ADMINISTRATOR'S STATEMENT
81st Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
TIME: 3:27:33PM
PAGE: 1 of 2

Agency code: 234

Agency name: **Fourteenth Court of Appeals District, Houston**

Administrator's Statement

The core function of the state courts of appeals is to process, review, and decide by written opinion or order appeals from criminal and civil trial courts. This requires a highly skilled and trained professional workforce, including appellate court lawyers and clerical staff, who assist the justices of the court in disposing of cases and researching and writing opinions. Consequently, approximately 94% of the Fourteenth Court of Appeals appropriated budget is dedicated to salaries. During the 79th and 80th legislative sessions, the courts of appeals collectively sought resources to similarly fund same-size appellate courts to: 1) create a career ladder for staff attorneys that would allow for the recruitment and retention of qualified attorneys, 2) reclassify the majority of law clerks as permanent staff attorneys, and 3) make salary adjustments for some non-legal staff to reflect levels of responsibility. By the end of the 80th Legislature, the majority of this "guideline budget" initiative was funded, bringing same-size courts to similar funding levels. The Fourteenth Court of Appeals is grateful for the Legislature's support in procuring this much-needed funding.

To continue meeting performance goals and dispose of more cases in less time, the guideline budgets have been revised to add funding that is needed to continue to recruit and retain a qualified staff. The additional funding will allow the courts to continue the same size court initiative of a career ladder for attorneys, add one or more permanent staff attorneys, and continue to make appropriate salary adjustments for non-legal staff to reflect increasing levels of responsibility.

While the number of justices for each state court of appeals has not been increased in twenty five (25) years, filings have increased by fifty-five (55) percent over the same time period. The courts of appeals disposed of an average of nearly 12,000 cases in each of the past six years. The courts of appeals must have an adequate number of experienced legal staff to properly handle this workload. The federal courts employ three attorneys for each active federal court of appeals judge, compared to two attorneys for each judge in the state courts of appeals. Therefore, the revised guideline budget includes an additional staff attorney to assist the court in managing its caseload in a productive and efficient manner.

The courts of appeals must also be able to offer competitive salaries in order to recruit and retain the most qualified staff. According to national statistics published by the Bureau of Labor Statistics, attorneys in state government are paid less than other industry sectors, including local and federal government. In FY 2007, the annual mean wage for attorneys in state government was \$78,310 compared to \$87,130 for local government and \$119,730 for federal government. Currently, the courts of appeals have a rider that limits the pay of newly hired or promoted attorneys to \$72,500 (and \$84,000 for a chief staff attorney in each court). Further, the current budget levels do not allow adequate funding to compensate attorneys at higher rates. To address this issue, the courts of appeals have revised their guideline budgets to bring their attorney salaries more in line with other government sectors.

These guideline budget initiatives will permit the Fourteenth Court of Appeals to continue to decrease the time cases are under submission and the time cases are pending to levels consistent with historical court performance goals. The court's clearance rate would remain at or slightly above 100%.

RIDER REQUESTS:

The court requests a change to Article IV rider, Sec. 12, Appellate Court Salary Limits, to reflect the salary levels proposed in the revised guideline budgets (\$85,000 for staff attorney and \$97,750 for chief staff attorney).

ADMINISTRATOR'S STATEMENT
81st Regular Session, Agency Submission, Version I
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Agency code: 234

Agency name: **Fourteenth Court of Appeals District, Houston**

The court also requests the following with regard to the across the board riders found in Article IV (p. IV-39):

- 1) Retain Article IV rider, Sec. 9, Appellate Court Exemptions
- 2) Retain Article IV rider, Sec. 10, Appn: Unexpended Balances Between Fiscal Years within the Biennium
- 3) Retain Article IV rider, Sec. 13, Interagency Contracts for Assigned Judges for Appellate Courts
- 4) Retain Article IV rider, Sec. 14, 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 authority to carryover unexpended budget balances between years of the biennium. The flexibility afforded by these measures enhances the courts' management ability, and we seek continuation of these budget features.

INFORMATION TECHNOLOGY:

This Court supports the consolidated budget approach represented in the biennial appropriations request of the Office of Court Administration. If the OCA's request is not fully funded for the 2010-11 biennium, this court would need additional funds to maintain its own, separate information technology network.

NOTE on Appropriated Receipts – At the direction of the LBB & Governors Office, this court has included appropriated receipts in the amount of \$34,161, 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 of the court. The amount can vary significantly from year to year.

2.A. SUMMARY OF BASE REQUEST BY STRATEGY
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
 TIME: 3:27:56PM

Agency code: 234 Agency name: Fourteenth Court of Appeals District, Houston

Goal / Objective / STRATEGY	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011
<u>1</u> Appellate Court Operations					
<u>1</u> Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	3,389,359	3,531,390	3,766,524	3,647,728	3,647,728
TOTAL, GOAL 1	\$3,389,359	\$3,531,390	\$3,766,524	\$3,647,728	\$3,647,728
TOTAL, AGENCY STRATEGY REQUEST	\$3,389,359	\$3,531,390	\$3,766,524	\$3,647,728	\$3,647,728
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$3,389,359	\$3,531,390	\$3,766,524	\$3,647,728	\$3,647,728
<u>METHOD OF FINANCING:</u>					
General Revenue Funds:					
1 General Revenue Fund	3,042,990	3,192,918	3,439,135	3,320,339	3,320,339
SUBTOTAL	\$3,042,990	\$3,192,918	\$3,439,135	\$3,320,339	\$3,320,339
Other Funds:					
573 Judicial Fund	273,350	273,350	273,350	273,350	273,350
666 Appropriated Receipts	30,519	22,622	11,539	11,539	11,539
777 Interagency Contracts	42,500	42,500	42,500	42,500	42,500
SUBTOTAL	\$346,369	\$338,472	\$327,389	\$327,389	\$327,389
TOTAL, METHOD OF FINANCING	\$3,389,359	\$3,531,390	\$3,766,524	\$3,647,728	\$3,647,728

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

2.B. SUMMARY OF BASE REQUEST BY METHOD OF FINANCE
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
 TIME: 3:28:06PM

Agency code: 234

Agency name: Fourteenth Court of Appeals District, Houston

METHOD OF FINANCING	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011
<u>GENERAL REVENUE</u>					
<u>1</u> General Revenue Fund					
REGULAR APPROPRIATIONS					
Regular Appropriations	\$2,947,814	\$3,304,415	\$3,304,413	\$3,320,339	\$3,320,339
TRANSFERS					
Art. IX, Sec 19.62(a), Salary Increase (2008-09 GAA)	\$0	\$7,300	\$15,925	\$0	\$0
Art. IX, Sec. 13.17(a),Salary Increase (2006-2007 GAA)	\$11,516	\$0	\$0	\$0	\$0
LAPSED APPROPRIATIONS					
Lapse unused regular appropriation	\$(10,295)	\$0	\$0	\$0	\$0
UNEXPENDED BALANCES AUTHORITY					
Art. IV, Special Provision, Sec. 10, (2006-07, 2008-09 GAA)	\$93,955	\$(118,797)	\$118,797	\$0	\$0
TOTAL, General Revenue Fund	\$3,042,990	\$3,192,918	\$3,439,135	\$3,320,339	\$3,320,339
TOTAL, ALL GENERAL REVENUE	\$3,042,990	\$3,192,918	\$3,439,135	\$3,320,339	\$3,320,339

OTHER FUNDS

2.B. SUMMARY OF BASE REQUEST BY METHOD OF FINANCE
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
 TIME: 3:28:10PM

Agency code: 234

Agency name: Fourteenth Court of Appeals District, Houston

METHOD OF FINANCING	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011
<u>OTHER FUNDS</u>					
<u>573</u> Judicial Fund No. 573					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations	\$0	\$273,350	\$273,350	\$273,350	\$273,350
<i>TRANSFERS</i>					
House Bill 11, Seventy-ninth Legislature, Second Called Session, 2005	\$273,350	\$0	\$0	\$0	\$0
TOTAL, Judicial Fund No. 573	\$273,350	\$273,350	\$273,350	\$273,350	\$273,350
<u>666</u> Appropriated Receipts					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations	\$0	\$11,539	\$11,539	\$11,539	\$11,539
<i>RIDER APPROPRIATION</i>					
Art IX, Sec. 8.03, Reimb and Pmts. (2006-07 GAA)	\$30,519	\$0	\$0	\$0	\$0
Art. IX, Sec. 8.03, Reimb. and Pmts. (2008-09 GAA)	\$0	\$11,083	\$0	\$0	\$0
TOTAL, Appropriated Receipts	\$30,519	\$22,622	\$11,539	\$11,539	\$11,539

2.B. SUMMARY OF BASE REQUEST BY METHOD OF FINANCE
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
 TIME: 3:28:10PM

Agency code: 234

Agency name: Fourteenth Court of Appeals District, Houston

METHOD OF FINANCING	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011
<u>OTHER FUNDS</u>					
777 Interagency Contracts					
REGULAR APPROPRIATIONS					
Regular Appropriations					
	\$0	\$42,500	\$42,500	\$42,500	\$42,500
RIDER APPROPRIATION					
Art. IX, Sec. 8.03, Reimb. and Pmts JCIT (2006-07 GAA)					
	\$42,500	\$0	\$0	\$0	\$0
TOTAL, Interagency Contracts	\$42,500	\$42,500	\$42,500	\$42,500	\$42,500
TOTAL ALL OTHER FUNDS	\$346,369	\$338,472	\$327,389	\$327,389	\$327,389
GRAND TOTAL	\$3,389,359	\$3,531,390	\$3,766,524	\$3,647,728	\$3,647,728

FULL-TIME-EQUIVALENT POSITIONS

REGULAR APPROPRIATIONS					
Regular Appropriations	43.5	47.0	47.0	47.0	47.0
Adjustments	1.1	0.0	0.0	0.0	0.0
TOTAL, ADJUSTED FTES	44.6	47.0	47.0	47.0	47.0

2.B. SUMMARY OF BASE REQUEST BY METHOD OF FINANCE
81st Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
TIME: 3:28:10PM

Agency code: 234

Agency name: Fourteenth Court of Appeals District, Houston

METHOD OF FINANCING	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011
NUMBER OF 100% FEDERALLY FUNDED FTEs	0.0	0.0	0.0	0.0	0.0

2.C. SUMMARY OF BASE REQUEST BY OBJECT OF EXPENSE
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
 TIME: 3:28:29PM

Agency code: 234	Agency name: Fourteenth Court of Appeals District, Houston				
OBJECT OF EXPENSE	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
1001 SALARIES AND WAGES	\$3,114,930	\$3,181,789	\$3,567,650	\$3,428,966	\$3,428,966
1002 OTHER PERSONNEL COSTS	\$119,113	\$156,971	\$44,994	\$49,494	\$49,494
2001 PROFESSIONAL FEES AND SERVICES	\$185	\$1,239	\$1,238	\$1,362	\$1,362
2003 CONSUMABLE SUPPLIES	\$31,354	\$19,670	\$19,670	\$21,637	\$21,637
2005 TRAVEL	\$11,604	\$8,155	\$7,683	\$8,451	\$8,451
2006 RENT - BUILDING	\$5,668	\$4,898	\$4,898	\$5,388	\$5,388
2009 OTHER OPERATING EXPENSE	\$106,505	\$151,485	\$120,391	\$132,430	\$132,430
5000 CAPITAL EXPENDITURES	\$0	\$7,183	\$0	\$0	\$0
OOE Total (Excluding Riders)	\$3,389,359	\$3,531,390	\$3,766,524	\$3,647,728	\$3,647,728
OOE Total (Riders)					
Grand Total	\$3,389,359	\$3,531,390	\$3,766,524	\$3,647,728	\$3,647,728

2.C.1. OPERATING COSTS DETAIL ~ BASE REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/24/2008
 Time: 3:28:51PM

Agency Code: 234 Agency: Fourteenth Court of Appeals District, Houston

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

Code	Type of Expense	Expended 2007	Estimated 2008	Budgeted 2009	Requested 2010	Requested 2011
1	Consumable Supplies	\$31,354	\$19,670	\$19,670	\$21,637	\$21,637
2	Postage	20,000	23,294	23,294	25,623	25,623
4	Travel	11,604	8,155	7,683	8,451	8,451
5	Westlaw/Lexis	2,457	2,160	2,160	2,376	2,376
6	Registrations/Training	3,392	5,652	5,652	6,217	6,217
7	Subscriptions/Periodicals	25,535	29,218	29,218	32,140	32,140
12	Maintenance & Repair - Equipment	4,626	2,885	2,665	2,932	2,932
13	Furniture & Equipment (Expensed)	13,785	5,736	5,736	6,310	6,310
15	Printing & Reproduction	677	2,617	2,617	2,879	2,879
24	Freight/Delivery	1,252	2,894	2,894	3,183	3,183
26	Books (expensed)	23,473	35,010	35,010	38,511	38,511
27	Membership Dues	3,540	4,927	4,927	5,420	5,420
37	Computer Software / Upgrades	600	0	0	0	0
38	Computer Parts and Supplies	368	1,685	1,685	1,854	1,854
39	Computer Equipment - Non Capital	0	28,114	0	0	0
40	Offsite Storage / Parking	5,668	4,898	4,898	5,388	5,388
51	Other Operating Expenses	335	281	93	101	101
64	SORM Assessment	3,672	4,140	3,940	4,334	4,334
81	Professional Fees and Services	185	1,239	1,238	1,362	1,362
94	Awards	453	785	500	550	550
118	Temporary Employment Services	2,340	2,086	0	0	0
	Total, Operating Costs	\$155,316	\$185,446	\$153,880	\$169,268	\$169,268

2.D. SUMMARY OF BASE REQUEST OBJECTIVE OUTCOMES

81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 7/24/2008
 Time: 3:29:12PM

Agency code: 234

Agency name: Fourteenth Court of Appeals District, Houston

Goal/ Objective / Outcome	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
1 Appellate Court Operations					
1 Appellate Court Operations					
KEY 1 Clearance Rate	103.08%	90.98%	85.00%	85.00%	85.00%
KEY 2 Percentage of Cases Under Submission for Less Than One Year	97.24%	95.43%	97.00%	93.00%	90.00%
KEY 3 Percentage of Cases Pending for Less Than Two Years	98.38%	99.55%	97.00%	95.00%	93.00%

2.E. SUMMARY OF EXCEPTIONAL ITEMS REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
 TIME : 3:29:23PM

Agency code: 234

Agency name: **Fourteenth Court of Appeals District, Houston**

Priority	Item	2010			2011			Biennium		
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	
1	Similar Funding Same-sized Courts	\$470,398	\$470,398	0.0	\$470,398	\$470,398	0.0	\$940,796	\$940,796	
Total, Exceptional Items Request		\$470,398	\$470,398	0.0	\$470,398	\$470,398	0.0	\$940,796	\$940,796	
Method of Financing										
	General Revenue	\$470,398	\$470,398		\$470,398	\$470,398		\$940,796	\$940,796	
	General Revenue - Dedicated									
	Federal Funds									
	Other Funds									
		\$470,398	\$470,398		\$470,398	\$470,398		\$940,796	\$940,796	
Full Time Equivalent Positions				0.0				0.0		
Number of 100% Federally Funded FTEs				0.0				0.0		

2.F. SUMMARY OF TOTAL REQUEST BY STRATEGY
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/24/2008
 TIME : 3:30:55PM

<i>Goal/Objective/STRATEGY</i>	Base 2010	Base 2011	Exceptional 2010	Exceptional 2011	Total Request 2010	Total Request 2011
Agency code: 234	Agency name: Fourteenth Court of Appeals District, Houston					
1 Appellate Court Operations						
1 <i>Appellate Court Operations</i>						
1 APPELLATE COURT OPERATIONS	\$3,647,728	\$3,647,728	\$470,398	\$470,398	\$4,118,126	\$4,118,126
TOTAL, GOAL 1	\$3,647,728	\$3,647,728	\$470,398	\$470,398	\$4,118,126	\$4,118,126
TOTAL, AGENCY STRATEGY REQUEST	\$3,647,728	\$3,647,728	\$470,398	\$470,398	\$4,118,126	\$4,118,126
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$3,647,728	\$3,647,728	\$470,398	\$470,398	\$4,118,126	\$4,118,126

2.F. SUMMARY OF TOTAL REQUEST BY STRATEGY
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/24/2008
 TIME : 3:30:58PM

Agency code: 234		Agency name: Fourteenth Court of Appeals District, Houston				
<i>Goal/Objective/STRATEGY</i>	Base 2010	Base 2011	Exceptional 2010	Exceptional 2011	Total Request 2010	Total Request 2011
General Revenue Funds:						
1 General Revenue Fund	\$3,320,339	\$3,320,339	\$470,398	\$470,398	\$3,790,737	\$3,790,737
	\$3,320,339	\$3,320,339	\$470,398	\$470,398	\$3,790,737	\$3,790,737
Other Funds:						
573 Judicial Fund	273,350	273,350	0	0	\$273,350	\$273,350
666 Appropriated Receipts	11,539	11,539	0	0	\$11,539	\$11,539
777 Interagency Contracts	42,500	42,500	0	0	\$42,500	\$42,500
	\$327,389	\$327,389	\$0	\$0	\$327,389	\$327,389
TOTAL, METHOD OF FINANCING	\$3,647,728	\$3,647,728	\$470,398	\$470,398	\$4,118,126	\$4,118,126
FULL TIME EQUIVALENT POSITIONS	47.0	47.0	0.0	0.0	47.0	47.0

2.G. SUMMARY OF TOTAL REQUEST OBJECTIVE OUTCOMES

81st Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation system of Texas (ABEST)

Date : 7/24/2008
Time: 3:31:04PM

Agency code: 234

Agency name: Fourteenth Court of Appeals District, Houston

Goal/ Objective / Outcome

	BL 2010	BL 2011	Excp 2010	Excp 2011	Total Request 2010	Total Request 2011
1 Appellate Court Operations						
1 <i>Appellate Court Operations</i>						
KEY 1 Clearance Rate						
	85.00%	85.00%	100.00%	100.00%	100.00%	100.00%
KEY 2 Percentage of Cases Under Submission for Less Than One Year						
	93.00%	90.00%			93.00%	90.00%
KEY 3 Percentage of Cases Pending for Less Than Two Years						
	95.00%	93.00%			95.00%	93.00%

3.A. STRATEGY REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
 TIME: 3:31:15PM

Agency code: **234** Agency name: **Fourteenth Court of Appeals District, Houston**

GOAL: 1 Appellate Court Operations Statewide Goal/Benchmark: 0 0
 OBJECTIVE: 1 Appellate Court Operations Service Categories:
 STRATEGY: 1 Appellate Court Operations Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
Output Measures:						
1	Number of Civil Cases Disposed	657.00	540.00	552.00	576.00	582.00
2	Number of Criminal Cases Disposed	614.00	448.00	477.00	531.00	546.00
Explanatory/Input Measures:						
1	Number of Civil Cases Filed	608.00	586.00	593.00	574.00	574.00
2	Number of Criminal Cases Filed	455.00	495.00	522.00	563.00	563.00
3	Number of Cases Transferred in	15.00	75.00	86.00	74.00	68.00
4	Number of Cases Transferred out	15.00	26.00	11.00	15.00	22.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$3,114,930	\$3,181,789	\$3,567,650	\$3,428,966	\$3,428,966
1002	OTHER PERSONNEL COSTS	\$119,113	\$156,971	\$44,994	\$49,494	\$49,494
2001	PROFESSIONAL FEES AND SERVICES	\$185	\$1,239	\$1,238	\$1,362	\$1,362
2003	CONSUMABLE SUPPLIES	\$31,354	\$19,670	\$19,670	\$21,637	\$21,637
2005	TRAVEL	\$11,604	\$8,155	\$7,683	\$8,451	\$8,451
2006	RENT - BUILDING	\$5,668	\$4,898	\$4,898	\$5,388	\$5,388
2009	OTHER OPERATING EXPENSE	\$106,505	\$151,485	\$120,391	\$132,430	\$132,430
5000	CAPITAL EXPENDITURES	\$0	\$7,183	\$0	\$0	\$0
TOTAL, OBJECT OF EXPENSE		\$3,389,359	\$3,531,390	\$3,766,524	\$3,647,728	\$3,647,728
Method of Financing:						
1	General Revenue Fund	\$3,042,990	\$3,192,918	\$3,439,135	\$3,320,339	\$3,320,339
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$3,042,990	\$3,192,918	\$3,439,135	\$3,320,339	\$3,320,339
Method of Financing:						
573	Judicial Fund	\$273,350	\$273,350	\$273,350	\$273,350	\$273,350
666	Appropriated Receipts	\$30,519	\$22,622	\$11,539	\$11,539	\$11,539

3.A. STRATEGY REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
 TIME: 3:31:25PM

Agency code: **234** Agency name: **Fourteenth Court of Appeals District, Houston**

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

Statewide Goal/Benchmark: 0 0
 Service Categories:
 Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
777	Interagency Contracts	\$42,500	\$42,500	\$42,500	\$42,500	\$42,500
SUBTOTAL, MOF (OTHER FUNDS)		\$346,369	\$338,472	\$327,389	\$327,389	\$327,389
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$3,647,728	\$3,647,728
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$3,389,359	\$3,531,390	\$3,766,524	\$3,647,728	\$3,647,728
FULL TIME EQUIVALENT POSITIONS:		44.6	47.0	47.0	47.0	47.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Fourteenth Court of Appeals was created in 1967 by amendment to the Article 1817, V.T.C.S. pursuant to the authority granted by Article 5, Section 1, Texas Constitution. This court has intermediate appellate jurisdiction in civil cases in which the judgment rendered exceeds \$100, exclusive of cost, and, effective September 1, 1981, in criminal cases, except those in which the death penalty has been assessed.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

Court of Appeals are by nature, small agencies with highly specialized staff. The main factor which drives this strategy is the need to attract and retain highly trained and knowledgeable staff to work on an increasing caseload.

3.A. STRATEGY REQUEST
81st Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
TIME: 3:31:25PM

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$3,389,359	\$3,531,390	\$3,766,524	\$3,647,728	\$3,647,728
METHODS OF FINANCE (INCLUDING RIDERS):				\$3,647,728	\$3,647,728
METHODS OF FINANCE (EXCLUDING RIDERS):	\$3,389,359	\$3,531,390	\$3,766,524	\$3,647,728	\$3,647,728
FULL TIME EQUIVALENT POSITIONS:	44.6	47.0	47.0	47.0	47.0

4.A. EXCEPTIONAL ITEM REQUEST SCHEDULE
 81st Regular Session, Agency Submission, Version I
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
 TIME: 3:32:10PM

Agency code: 234

Agency name:

Fourteenth Court of Appeals District, Houston

CODE	DESCRIPTION	Excp 2010	Excp 2011
	Item Name: Similar Funding for Same-sized Courts - Employ and Retain Quality Staff		
	Item Priority: 1		
	Includes Funding for the Following Strategy or Strategies: 01-01-01 Appellate Court Operations		
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	470,398	470,398
	TOTAL, OBJECT OF EXPENSE	\$470,398	\$470,398
METHOD OF FINANCING:			
1	General Revenue Fund	470,398	470,398
	TOTAL, METHOD OF FINANCING	\$470,398	\$470,398

DESCRIPTION / JUSTIFICATION:

During the 79th and 80th legislative sessions, the courts of appeals collectively sought resources to similarly fund same-size appellate courts to: 1) create a career ladder for staff attorneys that would allow for the recruitment and retention of qualified attorneys, 2) reclassify the majority of law clerks as permanent staff attorneys, and 3) make salary adjustments for some non-legal staff to reflect levels of responsibility. By the end of the 80th Legislature, the majority of this "guideline budget" initiative was funded, bringing same-size courts to similar funding levels. The Fourteenth Court of Appeals is grateful for the Legislature's support in procuring this much-needed funding. To continue meeting performance goals and dispose of more cases in less time, the guideline budgets have been revised to add funding that is needed to continue to recruit and retain a qualified staff. The additional funding requested above in the amount of \$940,796 will allow the courts to continue the same size court initiative of a career ladder for attorneys, add one or more permanent staff attorneys, and continue to make appropriate salary adjustments for non-legal staff to reflect increasing levels of responsibility.

EXTERNAL/INTERNAL FACTORS:

Courts of appeals are small offices with specialized staff. National studies and our experience show that, except for additional judges, legal staff support most directly affects a court's efficiency and caseload disposition. Complex cases require sophisticated analysis, technical knowledge, and legal expertise. A stable, experienced legal staff is essential in meeting our performance goals, disposing of more cases in a shorter time despite an increasing caseload and maintaining the quality of our opinions. Escalating salaries in the private sector, and substantially higher salaries for comparable positions in the public sector, place the courts at a disadvantage for attracting and retaining excellent legal staff. This funding will also allow the Court to adequately staff positions to support our necessary clerical and administrative functions. Loss of experienced court staff creates difficulties in timely processing and disposing of appeals and in maintaining professional business practices. This exceptional item would allow the court to operate at historical performance measure levels while maintaining the highest quality of legal analysis. The citizens of Texas deserve no less.

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

81st Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008

TIME: 3:32:29PM

Agency code: 234

Agency name: Fourteenth Court of Appeals District, Houston

Code	Description	Excp 2010	Excp 2011
Item Name:	Similar Funding for Same-sized Courts - Employ and Retain Quality Staff		
Allocation to Strategy:	1-1-1 Appellate Court Operations		
STRATEGY IMPACT ON OUTCOME MEASURES:			
1	Clearance Rate	105.00%	100.00%
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	470,398	470,398
TOTAL, OBJECT OF EXPENSE		\$470,398	\$470,398
METHOD OF FINANCING:			
1	General Revenue Fund	470,398	470,398
TOTAL, METHOD OF FINANCING		\$470,398	\$470,398
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.0	0.0

4.C. EXCEPTIONAL ITEMS STRATEGY REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
TIME: 3:32:41PM

Agency Code: **234**

Agency name: **Fourteenth Court of Appeals District, Houston**

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

Statewide Goal/Benchmark: 0 - 0
 Service Categories:
 Service: 01 Income: A.2 Age: B.3

CODE DESCRIPTION	Excp 2010	Excp 2011
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STRATEGY IMPACT ON OUTCOME MEASURES:

<u>1</u> Clearance Rate	100.00 %	100.00 %
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OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	470,398	470,398
Total, Objects of Expense	\$470,398	\$470,398

METHOD OF FINANCING:

1 General Revenue Fund	470,398	470,398
Total, Method of Finance	\$470,398	\$470,398

EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Similar Funding for Same-sized Courts - Employ and Retain Quality Staff

6.A. HISTORICALLY UNDERUTILIZED BUSINESS SUPPORTING SCHEDULE

81st Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/24/2008
Time: 3:32:56PM

Agency Code: 234 Agency: Fourteenth Court of Appeals District, Houston

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year 2006 - 2007 HUB Expenditure Information

Statewide HUB Goals	Procurement Category	HUB Expenditures FY 2006			Total Expenditures FY 2006	HUB Expenditures FY 2007			Total Expenditures FY 2007
		% Goal	% Actual	Actual \$		% Goal	% Actual	Actual \$	
33.0%	Other Services	33.0 %	38.2%	\$5,366	\$14,032	33.0 %	10.6%	\$819	\$7,723
12.6%	Commodities	12.6 %	19.3%	\$6,604	\$34,232	12.6 %	46.9%	\$5,908	\$12,585
	Total Expenditures		24.8%	\$11,970	\$48,264		33.1%	\$6,727	\$20,308

B. Assessment of Fiscal Year 2006 - 2007 Efforts to Meet HUB Procurement Goals

Attainment:

The agency more than exceeded the applicable statewide HUB procurement goals in FY2006 and FY2007 in the categories where HUB's were available for use.

Applicability:

The "Heavy Construction," Building Construction," and "Special Trade Construction," categories are not applicable to agency operations in either fiscal year 2006 or fiscal year 2007 since the agency did not have any strategies or programs related to construction.

The "Professional Services" category is not applicable to the agency since the agency does not select any professional service contracts.

Factors Affecting Attainment:

In fiscal year 2006, the goals of "Other Services" and "Commodities" were exceeded due to the following:

- major purchases were made with HUB vendors
- consistent repeat purchases to HUB vendors were utilized

In fiscal year 2007, the goals of "Other Services" category were not met due to the following:

- a major portion was expensed on delivery, repair/maintenance of equipment and communication services which are not available by a HUB vendor
- printing expenditures are exempt from bidding for Judicial agencies per Texas Const. Sec. 21
- the lowest bid was from a non-hub vendor
- only source available

In fiscal year 2007, the goals of "Commodities" were exceeded due to the following:

- major purchases were made with HUB vendors
- consistent repeat purchases to HUB vendors were utilized

"Good-Faith" Efforts:

The agency made the following good faith efforts to comply with statewide HUB procurement goals per 1 TAC Section 111.13c:

- ensured that contract specifications, terms, and conditions reflected the agency's actual requirements, were clearly stated, and did not impose unreasonable or unnecessary contract requirements
- gathered information on HUB vendors from the on-line system and contacted the vendor directly for a bid
- used the TBPC state term contracts where applicable, not always resulting in the use of a HUB vendor

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

ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2008-09 GAA BILL PATTERN	\$	728,408
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Fund Name		
Estimated Beginning Balance in FY 2008		
Estimated Revenues FY 2008	\$	420,703
Estimated Revenues FY 2009	\$	407,220
FY 2006-07 Total	\$	827,923
Estimated Beginning Balance in FY 2010		
Estimated Revenues FY 2010	\$	407,220
Estimated Revenues FY 2011	\$	407,220
FY 2008-09 Total	\$	814,440
Constitutional or Statutory Creation and Use of Funds:		
Pursuant to section 22.202 of the Government code, counties other than Harris County composing the First and Fourteenth Court of Appeals Districts shall annually reimburse Harris County for the costs incurred by Harris County during its previous fiscal year for supplemental salaries and fringe benefits for the justices of those courts. In addition, these counties are also to provide reimbursement for furnishings, equipment, supplies and utility expenses for those courts.		
Method of Calculation and Revenue Assumptions:		
Each county is to pay a share based on the proportion of their population to the total population of all counties in these districts. To effectuate the billing and payment process, the Harris County Commissioners Court is required to furnish each county liable for expenses with a statement of that county's share. Furthermore, the statement must be approved by the Chief Justices of the Courts of Appeals.		

7.B. DIRECT ADMINISTRATIVE AND SUPPORT COSTS
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
 TIME : 3:33:09PM

Agency code: 234

Agency name: Fourteenth Court of Appeals District, Houston

Strategy		Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
1-1-1	Appellate Court Operations					
OBJECTS OF EXPENSE:						
1001	SALARIES AND WAGES	\$ 3,115	\$ 3,182	\$ 3,568	\$ 3,429	\$ 3,429
1002	OTHER PERSONNEL COSTS	119	157	45	49	49
2001	PROFESSIONAL FEES AND SERVICES	0	1	1	1	1
2003	CONSUMABLE SUPPLIES	31	20	20	22	22
2005	TRAVEL	12	8	8	8	8
2006	RENT - BUILDING	6	5	5	5	5
2009	OTHER OPERATING EXPENSE	107	151	120	132	132
5000	CAPITAL EXPENDITURES	0	7	0	0	0
Total, Objects of Expense		\$ 3,390	\$ 3,531	\$ 3,767	\$ 3,646	\$ 3,646

METHOD OF FINANCING:

1	General Revenue Fund	3,390	3,531	3,767	3,646	3,646
Total, Method of Financing		\$ 3,390	\$ 3,531	\$ 3,767	\$ 3,646	\$ 3,646

FULL-TIME-EQUIVALENT POSITIONS (FTE):

4.4	4.4	4.4	4.4	4.4
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DESCRIPTION

The administrative and support costs in the strategy are related to the percentage of salaries and related operating costs of court personnel performing administrative functions.

7.B. DIRECT ADMINISTRATIVE AND SUPPORT COSTS
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/24/2008
 TIME : 3:33:13PM

Agency code: 234

Agency name: Fourteenth Court of Appeals District, Houston

	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
GRAND TOTALS					
Objects of Expense					
1001 SALARIES AND WAGES	\$3,115	\$3,182	\$3,568	\$3,429	\$3,429
1002 OTHER PERSONNEL COSTS	\$119	\$157	\$45	\$49	\$49
2001 PROFESSIONAL FEES AND SERVICES	\$0	\$1	\$1	\$1	\$1
2003 CONSUMABLE SUPPLIES	\$31	\$20	\$20	\$22	\$22
2005 TRAVEL	\$12	\$8	\$8	\$8	\$8
2006 RENT - BUILDING	\$6	\$5	\$5	\$5	\$5
2009 OTHER OPERATING EXPENSE	\$107	\$151	\$120	\$132	\$132
5000 CAPITAL EXPENDITURES	\$0	\$7	\$0	\$0	\$0
Total, Objects of Expense	\$3,390	\$3,531	\$3,767	\$3,646	\$3,646
Method of Financing					
1 General Revenue Fund	\$3,390	\$3,531	\$3,767	\$3,646	\$3,646
Total, Method of Financing	\$3,390	\$3,531	\$3,767	\$3,646	\$3,646
Full-Time-Equivalent Positions (FTE)	4.4	4.4	4.4	4.4	4.4

Organizational Chart Fourteenth Court of Appeals

2008 – (2010 – 2011)

