

**Legislative Appropriations Request  
for Fiscal Years 2010 and 2011**

Submitted to the  
Governor's Office of Budget and Planning  
and  
Legislative Budget Board  
by

***FIFTH DISTRICT COURT OF APPEALS***  
at  
Dallas, Texas

Linda Thomas, Chief Justice

Justice Joseph Morris  
Justice Carolyn Wright  
Justice David Bridges  
Justice Kerry Fitzgerald  
Justice Molly Francis  
Justice Elizabeth Lang-Miers

August 06, 2008

Submitted by

Gayle Humpa, Business Administrator

Justice Mark Whittington  
Justice Jim Moseley  
Justice Michael O'Neill  
Justice Martin Richter  
Justice Douglas Lang  
Justice Amos Mazzant

Approved

Linda Thomas, Chief Justice

Agency code: 225

Agency name: **Fifth Court of Appeals District, Dallas**

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 93% of the Fifth Court's 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 Fifth Court 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 and to comply with the requirements of Section 659.0445 of the Texas Government Code which entitles justices to twenty dollars(\$20) in monthly longevity pay for each year of service after the justice completes sixteen years(16)of state service in the Judicial Retirement System of Texas. 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. The amount requested will also allow the Fifth Court to comply with the mandate of Texas Government Code Section 659.0445. In the 2010-11 biennium, the Fifth Court will need \$40,800 to fund its judicial longevity pay.

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 (see [www.bls.gov/oes/current/oes231011.htm](http://www.bls.gov/oes/current/oes231011.htm), May 2007), 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 Fifth Court 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).

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

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

DATE: 7/31/2008  
TIME: 11:59:30AM  
PAGE: 2 of 2

Agency code: 225 Agency name: Fifth Court of Appeals District, Dallas

- 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 carry over 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 \$32,000, 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: 7/31/2008  
 TIME: 12:00:14PM

Agency code: 225 Agency name: Fifth Court of Appeals District, Dallas

Goal / Objective / STRATEGY	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011
1 Appellate Court Operations					
1 Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	4,463,222	4,926,333	4,926,332	4,926,333	4,926,332
TOTAL, GOAL 1	\$4,463,222	\$4,926,333	\$4,926,332	\$4,926,333	\$4,926,332
TOTAL, AGENCY STRATEGY REQUEST	\$4,463,222	\$4,926,333	\$4,926,332	\$4,926,333	\$4,926,332
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$4,463,222	\$4,926,333	\$4,926,332	\$4,926,333	\$4,926,332
METHOD OF FINANCING:					
General Revenue Funds:					
1 General Revenue Fund	4,052,564	4,500,383	4,500,382	4,500,383	4,500,382
SUBTOTAL	\$4,052,564	\$4,500,383	\$4,500,382	\$4,500,383	\$4,500,382
Other Funds:					
573 Judicial Fund	393,950	393,950	393,950	393,950	393,950
666 Appropriated Receipts	16,708	32,000	32,000	32,000	32,000
SUBTOTAL	\$410,658	\$425,950	\$425,950	\$425,950	\$425,950
TOTAL, METHOD OF FINANCING	\$4,463,222	\$4,926,333	\$4,926,332	\$4,926,333	\$4,926,332

\*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: 7/31/2008  
 TIME: 12:00:40PM

Agency code: **225** Agency name: **Fifth Court of Appeals District, Dallas**

**METHOD OF FINANCING**      **Exp 2007**      **Est 2008**      **Bud 2009**      **Req 2010**      **Req 2011**

**OTHER FUNDS**

Regular Appropriations

\$0      \$393,950      \$393,950      \$393,950      \$393,950

**TRANSFERS**

HB11, 79th 2nd Called Session

\$393,950      \$0      \$0      \$0      \$0

**TOTAL, Judicial Fund No. 573**

**\$393,950      \$393,950      \$393,950      \$393,950      \$393,950**

**666** Appropriated Receipts

**REGULAR APPROPRIATIONS**

Regular Appropriations

\$0      \$32,000      \$32,000      \$32,000      \$32,000

**RIDER APPROPRIATION**

Art IX, Sec 8.03, Reimbursements and Payments (2006-07 GAA)

\$16,708      \$0      \$0      \$0      \$0

**TOTAL, Appropriated Receipts**

**\$16,708      \$32,000      \$32,000      \$32,000      \$32,000**

**TOTAL, ALL OTHER FUNDS**

**\$410,658      \$425,950      \$425,950      \$425,950      \$425,950**

**GRAND TOTAL**

**\$4,463,222      \$4,926,333      \$4,926,332      \$4,926,333      \$4,926,332**



**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: 7/31/2008  
 TIME: 12:01:04PM

Agency code: 225

Agency name: Fifth Court of Appeals District, Dallas

OBJECT OF EXPENSE	Fifth Court of Appeals District, Dallas				
	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
1001 SALARIES AND WAGES	\$4,142,411	\$4,347,485	\$4,437,622	\$4,437,623	\$4,437,622
1002 OTHER PERSONNEL COSTS	\$55,506	\$110,676	\$53,975	\$53,975	\$53,975
2003 CONSUMABLE SUPPLIES	\$27,925	\$40,000	\$44,072	\$44,072	\$44,072
2005 TRAVEL	\$21,093	\$24,000	\$30,000	\$30,000	\$30,000
2006 RENT - BUILDING	\$31,338	\$36,720	\$36,720	\$36,720	\$36,720
2007 RENT - MACHINE AND OTHER	\$33,028	\$29,618	\$30,507	\$30,507	\$30,507
2009 OTHER OPERATING EXPENSE	\$149,374	\$337,834	\$293,436	\$293,436	\$293,436
5000 CAPITAL EXPENDITURES	\$2,547	\$0	\$0	\$0	\$0
<b>OOE Total (Excluding Riders)</b>	<b>\$4,463,222</b>	<b>\$4,926,333</b>	<b>\$4,926,332</b>	<b>\$4,926,333</b>	<b>\$4,926,332</b>
<b>OOE Total (Riders)</b>					
<b>Grand Total</b>	<b>\$4,463,222</b>	<b>\$4,926,333</b>	<b>\$4,926,332</b>	<b>\$4,926,333</b>	<b>\$4,926,332</b>



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

Date: 7/31/2008  
 Time: 12:01:32PM

Agency Code: 225 Agency: Fifth Court of Appeals District, Dallas

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	\$27,925	\$40,000	\$44,072	\$44,072	\$44,072
2	Postage	10,011	15,000	15,000	15,000	15,000
4	Travel	21,093	24,000	30,000	30,000	30,000
6	Registrations/Training	21,103	22,914	23,000	23,000	23,000
7	Subscriptions/Periodicals	44,054	68,456	45,000	45,000	45,000
10	Court Security	0	35,000	35,000	35,000	35,000
12	Maintenance & Repair - Equipment	0	6,577	0	0	0
13	Furniture & Equipment (Expensed)	7,445	151	8,000	8,000	8,000
16	Miscellaneous Expenses	3,359	23,436	23,436	23,436	23,436
25	Advertising	7,392	19,962	14,000	14,000	14,000
26	Books (expensed)	20,371	69,740	50,000	50,000	50,000
46	Communication Services	26,599	31,392	30,000	30,000	30,000
64	SORM Assessment	9,040	5,206	10,000	10,000	10,000
78	Leasehold Improvements - Expensed	0	40,000	40,000	40,000	40,000
	<b>Total, Operating Costs</b>	<b>\$198,392</b>	<b>\$401,834</b>	<b>\$367,508</b>	<b>\$367,508</b>	<b>\$367,508</b>

**2.D. SUMMARY OF BASE REQUEST OBJECTIVE OUTCOMES**

Date : 7/31/2008  
Time: 12:02:11PM

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

Agency code: 225

Agency name: Fifth Court of Appeals District, Dallas

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

92.80%

98.00%

97.75%

97.50%

97.50%

KEY 2 Percentage of Cases Under Submission for Less Than One Year

96.65%

95.50%

95.25%

95.00%

95.00%

KEY 3 Percentage of Cases Pending for Less Than Two Years

99.49%

98.50%

98.25%

97.50%

97.50%

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

DATE: 7/31/2008  
 TIME : 12:02:46PM

Agency code: 225

Agency name: Fifth Court of Appeals District, Dallas

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	Retain Adequate, Quality Staff	\$684,458	\$684,458		\$684,457	\$684,457	\$1,368,915	\$1,368,915	
<b>Total, Exceptional Items Request</b>		<b>\$684,458</b>	<b>\$684,458</b>		<b>\$684,457</b>	<b>\$684,457</b>	<b>\$1,368,915</b>	<b>\$1,368,915</b>	
<b>Method of Financing</b>									
	General Revenue	\$684,458	\$684,458		\$684,457	\$684,457	\$1,368,915	\$1,368,915	
	General Revenue - Dedicated		0			0		0	
	Federal Funds		0			0		0	
	Other Funds		0			0		0	
<b>Full Time Equivalent Positions</b>		<b>\$684,458</b>	<b>\$684,458</b>		<b>\$684,457</b>	<b>\$684,457</b>	<b>\$1,368,915</b>	<b>\$1,368,915</b>	

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 : 7/31/2008  
 TIME : 12:03:14PM

Agency code: 225 Agency name: Fifth Court of Appeals District, Dallas

Goal/Objective/STRATEGY	Base 2010	Base 2011	Exceptional 2010	Exceptional 2011	Total Request 2010	Total Request 2011
1 Appellate Court Operations						
1 Appellate Court Operations						
1 APPELLATE COURT OPERATIONS	\$4,926,333	\$4,926,332	\$684,458	\$684,457	\$5,610,791	\$5,610,789
TOTAL, GOAL 1	\$4,926,333	\$4,926,332	\$684,458	\$684,457	\$5,610,791	\$5,610,789
TOTAL, AGENCY STRATEGY REQUEST	\$4,926,333	\$4,926,332	\$684,458	\$684,457	\$5,610,791	\$5,610,789
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$4,926,333	\$4,926,332	\$684,458	\$684,457	\$5,610,791	\$5,610,789

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

DATE : 7/31/2008  
 TIME : 12:03:19PM

Agency code: 225      Agency name: Fifth Court of Appeals District, Dallas

Goal/Objective/STRATEGY	Base	Base	Exceptional	Exceptional	Total Request	Total Request
	2010	2011	2010	2011	2010	2011
<b>General Revenue Funds:</b>						
1 General Revenue Fund	\$4,500,383	\$4,500,382	\$684,458	\$684,457	\$5,184,841	\$5,184,839
<b>Other Funds:</b>						
573 Judicial Fund	393,950	393,950	0	0	\$393,950	\$393,950
666 Appropriated Receipts	32,000	32,000	0	0	\$32,000	\$32,000
	<b>\$425,950</b>	<b>\$425,950</b>	<b>\$0</b>	<b>\$0</b>	<b>\$425,950</b>	<b>\$425,950</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$4,926,333</b>	<b>\$4,926,332</b>	<b>\$684,458</b>	<b>\$684,457</b>	<b>\$5,610,791</b>	<b>\$5,610,789</b>
<b>FULL TIME EQUIVALENT POSITIONS</b>	60.3	60.3	0.0	0.0	60.3	60.3

**2.G. SUMMARY OF TOTAL REQUEST OBJECTIVE OUTCOMES**

81st Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation system of Texas (ABEST)

Date : 7/31/2008

Time: 12:03:33PM

Agency code: **225** Agency name: **Fifth Court of Appeals District, Dallas**

Goal/ Objective / Outcome

BL	BL	Excp	Excp	Total	Total
2010	2011	2010	2011	Request 2010	Request 2011

1 Appellate Court Operations  
1 Appellate Court Operations

KEY 1 Clearance Rate

97.50%	97.50%	100.00%	100.00%	100.00%	100.00%
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KEY 2 Percentage of Cases Under Submission for Less Than One Year

95.00%	95.00%	99.00%	99.00%	99.00%	99.00%
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KEY 3 Percentage of Cases Pending for Less Than Two Years

97.50%	97.50%	99.00%	99.00%	99.00%	99.00%
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**3.A. STRATEGY REQUEST**  
 81st Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/31/2008  
 TIME: 12:03:54PM

Agency code: **225** Agency name: **Fifth Court of Appeals District, Dallas**

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
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**Output Measures:**

1	Number of Civil Cases Disposed	787.00	800.00	800.00	800.00	800.00
2	Number of Criminal Cases Disposed	1,136.00	1,150.00	1,150.00	1,150.00	1,150.00

**Explanatory/Input Measures:**

1	Number of Civil Cases Filed	866.00	883.00	900.00	900.00	900.00
2	Number of Criminal Cases Filed	1,273.00	1,331.00	1,350.00	1,350.00	1,350.00
3	Number of Cases Transferred in	1.00	1.00	0.00	0.00	0.00
4	Number of Cases Transferred out	52.00	142.00	50.00	50.00	50.00

**Objects of Expense:**

1001	SALARIES AND WAGES	\$4,142,411	\$4,347,485	\$4,437,622	\$4,437,623	\$4,437,622
1002	OTHER PERSONNEL COSTS	\$55,506	\$110,676	\$53,975	\$53,975	\$53,975
2003	CONSUMABLE SUPPLIES	\$27,925	\$40,000	\$44,072	\$44,072	\$44,072
2005	TRAVEL	\$21,093	\$24,000	\$30,000	\$30,000	\$30,000
2006	RENT - BUILDING	\$31,338	\$36,720	\$36,720	\$36,720	\$36,720
2007	RENT - MACHINE AND OTHER	\$33,028	\$29,618	\$30,507	\$30,507	\$30,507
2009	OTHER OPERATING EXPENSE	\$149,374	\$337,834	\$293,436	\$293,436	\$293,436
5000	CAPITAL EXPENDITURES	\$2,547	\$0	\$0	\$0	\$0
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$4,463,222</b>	<b>\$4,926,333</b>	<b>\$4,926,332</b>	<b>\$4,926,333</b>	<b>\$4,926,332</b>

**Method of Financing:**

1	General Revenue Fund	\$4,052,564	\$4,500,383	\$4,500,382	\$4,500,383	\$4,500,382
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$4,052,564</b>	<b>\$4,500,383</b>	<b>\$4,500,382</b>	<b>\$4,500,383</b>	<b>\$4,500,382</b>

**Method of Financing:**

573	Judicial Fund	\$393,950	\$393,950	\$393,950	\$393,950	\$393,950
666	Appropriated Receipts	\$16,708	\$32,000	\$32,000	\$32,000	\$32,000

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

DATE: 7/31/2008  
 TIME: 12:04:04PM

Agency code: **225** Agency name: **Fifth Court of Appeals District, Dallas**

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
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<b>SUBTOTAL, MOF (OTHER FUNDS)</b>						
		\$410,658	\$425,950	\$425,950	\$425,950	\$425,950

<b>TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)</b>						
		\$4,463,222	\$4,926,333	\$4,926,332	\$4,926,333	\$4,926,332

<b>TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)</b>						
		\$4,463,222	\$4,926,333	\$4,926,332	\$4,926,333	\$4,926,332

<b>FULL TIME EQUIVALENT POSITIONS:</b>						
		53.9	57.4	60.3	60.3	60.3

**STRATEGY DESCRIPTION AND JUSTIFICATION:**

The Fifth Court of Appeals was created in 1893 pursuant to authority granted by Article V Section 6, Texas Constitution. This Court has intermediate appellate jurisdiction of civil and criminal cases appealed from lower courts in civil cases where judgements rendered exceed \$100, exclusive of costs and other civil proceedings as provided by law, and in criminal courts except in post-conviction writs of habeas corpus and where the death penalty has been imposed. The Court has jurisdiction in six counties.

**EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:**

**STRATEGY DESCRIPTION AND JUSTIFICATION:**

The Fifth Court of Appeals was created in 1893 pursuant to authority granted by Article V Section 6, Texas Constitution. This Court has intermediate appellate jurisdiction of civil and criminal cases appealed from lower courts in civil cases where judgements rendered exceeds \$100, exclusive of costs and other civil proceedings as provided by law, and in criminal courts except in post-conviction writs of habeas corpus and where the death penalty has been imposed. The Court has jurisdiction in six counties.

**EXTERNAL/INTERNAL FACTORS:**

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: 7/31/2008  
TIME: 12:04:04PM

**SUMMARY TOTALS:**

OBJECTS OF EXPENSE:	\$4,463,222	\$4,926,333	\$4,926,332	\$4,926,333	\$4,926,332
METHODS OF FINANCE (INCLUDING RIDERS):				\$4,926,333	\$4,926,332
METHODS OF FINANCE (EXCLUDING RIDERS):	\$4,463,222	\$4,926,333	\$4,926,332	\$4,926,333	\$4,926,332
FULL TIME EQUIVALENT POSITIONS:	53.9	57.4	60.3	60.3	60.3

### 3.B. RIDER REVISIONS AND ADDITIONS REQUEST

<b>Agency Code:</b> 225 <b>Current Rider Number</b>		<b>Agency Name:</b> 5 <sup>th</sup> District Court of Appeals at Dallas <b>Page Number in</b> 2008-09 GAA		<b>Prepared by:</b> Gayle Humpa <b>Date:</b> 7/25/08		<b>Request Level:</b> Baseline	
<b>Proposed Rider Language</b>							
5	IV-38	<p><b>Transfer of Cases.</b> The Chief Justices of the 14 Courts of Appeals are encouraged to cooperate with the Chief Justice of the Supreme Court to transfer cases between appellate courts which are in neighboring jurisdictions in order to equalize the disparity between the workloads of the various courts of appeals.</p> <p><i>No change requested.</i></p>					
8	IV-39	<p><b>Judicial Internship Program.</b> It is the intent of the Legislature that the Judicial Branch cooperate with law schools to establish a judicial internship program for Texas appellate and trial courts. The Judicial Branch is encouraged to work with the Texas Judicial Council in the development of the judicial internship program.</p> <p><i>No change requested.</i></p>					
9	IV-39	<p><b>Appellate Court Exemptions.</b> The following provisions of Article IX of this Act do not apply to the appellate courts:</p> <ul style="list-style-type: none"> <li>a. Article IX, § 5.08, Limitation on Travel Expenditures</li> <li>b. Article IX, § 6.10, Limitation on State Employment Levels</li> <li>c. Article IX, § 6.15, Performance Rewards and Penalties</li> <li>d. Article IX, §14.03, Limit on Expenditures - Capital Budget</li> </ul> <p><i>The Courts of Appeals request that this rider be retained and section numbers updated as needed.</i></p>					
10	IV-39	<p><b>Appropriation: Unexpended Balances Between Fiscal Years within the Biennium.</b> Any unexpended balances from appropriations made to the appellate courts for fiscal year 2010 are hereby appropriated to the same court for fiscal year 2011 for the same purposes.</p> <p><i>Update to reflect the new biennium</i></p>					

### 3.B. RIDER REVISIONS AND ADDITIONS REQUEST

<b>Agency Code:</b> 225	<b>Agency Name:</b> 5 <sup>th</sup> District Court of Appeals at Dallas	<b>Prepared by:</b> Gayle Humpa	<b>Date:</b> 7/25/08	<b>Request Level:</b> Baseline
<b>Current Rider Number</b>	<b>Page Number in</b> 2008-09 GAA	<b>Proposed Rider Language</b>		
11	IV-39	<p><b>Intermediate Appellate Court Local Funding Information.</b> The Office of Court Administration shall assist the appellate courts in the submission of a report for local funding information each January 1 to the Legislative Budget Board and the Governor for the preceding fiscal year ending August 31. The report must be in a format prescribed by the Legislative Budget Board and the Governor.</p> <p style="text-align: center;"><i>No change requested.</i></p>		
12	IV-39	<p><b>Appellate Court Salary Limits.</b> It is the intent of the Legislature that no intermediate appellate court may pay more than one chief staff attorney promoted or hired after September 1, 2010, more than \$97,750 annually under this provision. Further, it is the intent of the Legislature that no intermediate appellate court may pay other permanent legal staff hired or promoted after September 1, 2010 more than \$85,000 annually. This provision does not apply to law clerk positions at any appellate court.</p> <p style="text-align: center;"><i>Update rider to reflect the new biennium and the amounts requested in the updated guideline budgets for the courts of appeals.</i></p>		
13	IV-39	<p><b>Interagency Contracts for Assigned Judges for Appellate Courts.</b> 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 2010 and 2011, 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 style="text-align: center;"><i>Update rider to reflect the new biennium.</i></p>		

### 3.B. RIDER REVISIONS AND ADDITIONS REQUEST

<b>Agency Code:</b> 225	<b>Agency Name:</b> 5 <sup>th</sup> District Court of Appeals at Dallas	<b>Prepared by:</b> Gayle Humppa	<b>Date:</b> 7/25/08	<b>Request Level:</b> Baseline
<b>Current Rider Number</b> 2008-09 GAA	<b>Page Number in</b> 2008-09 GAA	<b>Proposed Rider Language</b>		

<b>14</b>	<b>IV-39</b>	<p><b>Appellate Court Transfer Authority.</b> The Chief Justice of the Supreme Court of Texas, the Presiding Judge of the Court of Criminal Appeals, or the Chair of the Council of Chief Justices is authorized to transfer funds between appellate courts, notwithstanding any other provision in this Act and subject to prior approval of any transfer of funds by the Legislative Budget Board and the Governor. Any such transfer shall be made for the purpose of efficient and effective appellate court operations and management of court caseloads. It is the intent of the Legislature that transfers made under this provision are addressed by the Legislative Budget Board and the Governor in reviewing amounts requested in the appellate courts' Legislative Appropriations Request for the 2012-2013 biennium.</p> <p>Updated rider to reflect the new biennium.</p>
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4.A. EXCEPTIONAL ITEM REQUEST SCHEDULE  
 81st Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/31/2008  
 TIME: 12:05:33PM

Agency code: 225 Agency name:

Fifth Court of Appeals District, Dallas

CODE DESCRIPTION Exp 2010 Exp 2011

Item Name: Employ and Retain Adequate, Quality Staff/Similar Funding for Same-Sized Courts.

Item Priority: 1

Includes Funding for the Following Strategy or Strategies: 01-01-01 Appellate Court Operations

OBJECTS OF EXPENSE:

1001	SALARIES AND WAGES	601,185	601,184
1002	OTHER PERSONNEL COSTS	8,160	8,160
2009	OTHER OPERATING EXPENSE	75,113	75,113
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$684,458</b>	<b>\$684,457</b>

METHOD OF FINANCING:

1	General Revenue Fund	684,458	684,457
997	Other Funds	0	0
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$684,458</b>	<b>\$684,457</b>

DESCRIPTION / JUSTIFICATION:

These sums will enable the Fifth Court to hire sufficient personnel to better process the cases and to pay the attorneys and nonlegal staff salaries that are commensurate with their responsibilities and the salaries paid to like personnel at the other courts of appeals

EXTERNAL/INTERNAL FACTORS:

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

DATE: 7/31/2008

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

TIME: 4:09:42PM

Agency code: 225 Agency name: Fifth Court of Appeals District, Dallas

Code Description

Excp 2010

Excp 2011

Item Name: Employ and Retain Adequate, Quality Staff/Similar Funding for Same-Sized Courts.

Allocation to Strategy: 1-1-1 Appellate Court Operations

STRATEGY IMPACT ON OUTCOME MEASURES:

1 Clearance Rate	100.00%	100.00%
2 Percentage of Cases Under Submission for Less Than One Year	99.00%	99.00%
3 Percentage of Cases Pending for Less Than Two Years	99.00%	99.00%

OUTPUT MEASURES:

1 Number of Civil Cases Disposed	820.00	820.00
2 Number of Criminal Cases Disposed	1,200.00	1,200.00

EXPLANATORY/INPUT MEASURES:

1 Number of Civil Cases Filed	900.00	900.00
2 Number of Criminal Cases Filed	1,350.00	1,350.00
4 Number of Cases Transferred out	50.00	50.00

OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	601,185	601,184
1002 OTHER PERSONNEL COSTS	8,160	8,160
2003 CONSUMABLE SUPPLIES	13,403	13,403
2005 TRAVEL	11,000	11,000
2009 OTHER OPERATING EXPENSE	50,710	50,710

TOTAL, OBJECT OF EXPENSE

\$684,458 \$684,457

METHOD OF FINANCING:

1 General Revenue Fund	684,458	684,457
997 Other Funds	0	0

TOTAL, METHOD OF FINANCING

\$684,458 \$684,457

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

**DATE:** 7/31/2008  
**TIME:** 12:06:09PM

Agency name: **Fifth Court of Appeals District, Dallas**

Agency Code: **225**

**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**

**STRATEGY IMPACT ON OUTCOME MEASURES:**

<b>1</b> Clearance Rate	100.00 %	100.00 %
<b>2</b> Percentage of Cases Under Submission for Less Than One Year	99.00 %	99.00 %
<b>3</b> Percentage of Cases Pending for Less Than Two Years	99.00 %	99.00 %

**OUTPUT MEASURES:**

<b>1</b> Number of Civil Cases Disposed	820.00	820.00
<b>2</b> Number of Criminal Cases Disposed	1,200.00	1,200.00

**EXPLANATORY/INPUT MEASURES:**

<b>1</b> Number of Civil Cases Filed	900.00	900.00
<b>2</b> Number of Criminal Cases Filed	1,350.00	1,350.00
<b>4</b> Number of Cases Transferred out	50.00	50.00

**OBJECTS OF EXPENSE:**

1001 SALARIES AND WAGES	601,185	601,184
1002 OTHER PERSONNEL COSTS	8,160	8,160
2003 CONSUMABLE SUPPLIES	13,403	13,403
2005 TRAVEL	11,000	11,000
2009 OTHER OPERATING EXPENSE	50,710	50,710
<b>Total, Objects of Expense</b>	<b>\$684,458</b>	<b>\$684,457</b>

**METHOD OF FINANCING:**

1 General Revenue Fund	684,458	684,457
<b>Total, Method of Finance</b>	<b>\$684,458</b>	<b>\$684,457</b>

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

**DATE:** 7/31/2008  
**TIME:** 12:06:13PM

Agency Code: **225** Agency name: **Fifth Court of Appeals District, Dallas**

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** **Excp 2010** **Excp 2011**

**EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:**

Employ and Retain Adequate, Quality Staff/Similar Funding for Same-Sized Courts.



**OPERATING COSTS DETAIL ~ EXCEPTIONAL ITEMS**  
 81st Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: 225 Agency: Fifth Court of Appeals District, Dallas

BASE REQUEST STRATEGY: Appellate Court Operations

Code	Type of Expense	Year	Exceptional 1	Exceptional 2	Exceptional 3	Exceptional 4	Exceptional 5
1	Consumable Supplies	2010	\$13,403				
		2011	13,403				
2	Postage	2010	5,000				
		2011	5,000				
4	Travel	2010	11,000				
		2011	11,000				
6	Registrations/Training	2010	2,000				
		2011	2,000				
7	Subscriptions/Periodicals	2010					
		2011					
10	Court Security	2010	5,000				
		2011	5,000				
12	Maintenance & Repair - Equipment	2010					
		2011					
13	Furniture & Equipment (Expensed)	2010					
		2011					
16	Miscellaneous Expenses	2010					
		2011					
25	Advertising	2010	5,962				
		2011	5,962				
26	Books (expensed)	2010	19,740				
		2011	19,740				
46	Communication Services	2010	10,000				
		2011	10,000				
64	SORM Assessment	2010					
		2011					

**OPERATING COSTS DETAIL ~ EXCEPTIONAL ITEMS**  
 81st Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/31/2008  
 Time: 12:06:37PM  
 Page: 2 of 2

Agency Code: 225 Agency: Fifth Court of Appeals District, Dallas

BASE REQUEST STRATEGY: Appellate Court Operations

Code	Type of Expense	Year	Exceptional 1	Exceptional 2	Exceptional 3	Exceptional 4	Exceptional 5
78	Leasehold Improvements - Expensed	2010	\$3,008				
		2011	3,008				
<b>Total, Operating Costs</b>		2010	<b>\$75,113</b>				
		2011	<b>\$75,113</b>				

**6.A. HISTORICALLY UNDERUTILIZED BUSINESS SUPPORTING SCHEDULE**  
 81st Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/31/2008  
 Time: 12:06:54PM

Agency Code: 225 Agency: Fifth Court of Appeals District, Dallas

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		% Goal	% Actual	
57.2%	Special Trade Construction	0.0 %	0.0%	\$0	0.0 %	0.0%	\$600
33.0%	Other Services	2.0 %	0.6%	\$480	2.0 %	0.3%	\$44,562
12.6%	Commodities	10.0 %	15.6%	\$4,726	10.0 %	13.2%	\$57,961
	<b>Total Expenditures</b>		<b>4.9%</b>	<b>\$5,206</b>		<b>7.5%</b>	<b>\$103,123</b>

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

**Attainment:**

The Court attained 4.9% of applicable statewide HUB procurement goals in 2006.  
 The Court attained 7.6% of applicable statewide HUB procurement goals in 2007.

**Applicability:**

In the year 2006-07 the procurement categories not applicable to the courts operations were: heavy construction, building construction and professional services as the court did not have any programs related to these procurement categories

**Factors Affecting Attainment:**

The Fifth Court spends a majority of its appropriated funds on salaries Computer and printer purchases are now made through the Office of Court Administration The Court's third biggest procurement expense is the purchase of law book/electronic legal research. Unfortunately, after examination of current catalogs, lists and price quotation of dealers or publishers, do not show this specialized research material - with exact specifications - to be available from any other source. The Court supports the statewide initiative of creating jobs for Texans with disabilities and purchases commodities from TTBH Industries

**"Good-Faith" Efforts:**

The Fifth Court of Appeals conscientiously makes every effort to recognize HUB vendors Office and computer supplies/maintenance are purchased from local HUB vendors; when possible. The Court has utilized HUBs for commodities purchase and other services and made a good faith effort to meet and exceed the goals outlined in TAC 11.13(G).

### 6.B. Current Biennium One-time Expenditure Schedule

<b>Agency Code:</b> 225	<b>Agency Name:</b> Fifth District Court of Appeals	<b>Prepared By:</b> Fifth District Court of Appeals	<b>Date:</b> 8/6/2008
Item N/A	2008-2009	MOF	2010-2011
	Amount 0	0	Amount 0
		MOF	MOF
		0	0

**6.B. Current Biennium One-time Expenditure Schedule - Strategy Allocation 2008-09 Biennium**

<b>Agency Code:</b> 225	<b>Agency Name:</b> Fifth District Court of Appeals	<b>Prepared By:</b> Fifth District Court of Appeals	<b>Date:</b> 08/06/08
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**PROJECT ITEM:**

**ALLOCATION TO STRATEGY:**

<b>Code</b>	<b>Strategy Allocation</b>	<b>Estimated 2008</b>	<b>Budgeted 2009</b>	<b>Requested 2010</b>	<b>Requested 2011</b>
	<b>Objects of Expense:</b> N/A	0	0	0	0
	<b>Total, Objects of Expense</b>	\$0	\$0	\$0	\$0
	<b>Method of Financing:</b> N/A	\$0	\$0	\$0	\$0
	<b>Total, Method of Financing</b>	\$0	\$0	\$0	\$0

**Description of Item for 2008-09**

N/A

6.B. Current Biennium One-time Expenditure Schedule - Strategy Allocation 2010-11 Biennium

Agency Code: 225	Agency Name: Fifth District Court of Appeals	Prepared By: Fifth District Court of Appeals	Date: 08/06/08
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PROJECT ITEM:

ALLOCATION TO STRATEGY:

Code	Strategy Allocation	Estimated 2008	Budgeted 2009	Requested 2010	Requested 2011
	Objects of Expense: N/A	0	0	0	0
	<b>Total, Objects of Expense</b>			\$0	\$0
	Method of Financing: N/A	\$0	\$0	\$0	\$0
	<b>Total, Method of Financing</b>			\$0	\$0

Description of Item for 2010-11

N/A

**6.H. Estimated Total of All Agency Funds Outside the GAA Bill Pattern**  
Agency Name

**ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2010-11 GAA BILL PATTERN** \$ **759,433**

<u>Fund Name</u>		
Estimated Beginning Balance in FY 2008	\$	18,288
Estimated Revenues FY 2008	\$	369,885
Estimated Revenues FY 2009	\$	369,885
<b>FY 2008-09 Total</b>	<b>\$</b>	<b>758,058</b>
Estimated Beginning Balance in FY 2010	\$	19,663
Estimated Revenues FY 2010	\$	369,885
Estimated Revenues FY 2011	\$	369,885
<b>FY 2010-11 Total</b>	<b>\$</b>	<b>759,433</b>

**Constitutional or Statutory Creation and Use of Funds:**

V.T.C.A., Government Code Section 22.2061, Appellate Judicial System - Purpose to defray costs and expenses incurred by the county to assist the Fifth Court of Appeals.

**Method of Calculation and Revenue Assumptions:**

Historical analysis.

## 6.1. 10 Percent Biennial Base Reduction Options Schedule

Approved Reduction Amount

Agency Code: 225

Agency Name: Fifth District Court of Appeals

Rank	Reduction Item	Biennial Application of 10% Percent Reduction					FTE Reductions (FY 2010-11 Base Request Compared to Budgeted 2009)	Revenue Impact? Y/N	Cumulative GR-related reduction as a % of Approved Base
		GR	GR-Dedicated	Federal	Other	All Funds			
1	Strat 1-1-1 Appellate Court Operations	888,345				888,345	5	N	#DIV/0!
2									#DIV/0!
3									#DIV/0!
4									#DIV/0!
5									#DIV/0!
6									#DIV/0!
7									#DIV/0!
8									#DIV/0!
9									#DIV/0!
10									#DIV/0!
11									#DIV/0!
12									#DIV/0!
<b>Agency Biennial Total</b>		<b>\$ 888,345</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 888,345</b>	<b>5.0</b>	<b>5.0</b>	<b>#DIV/0!</b>
<b>Agency Biennial Total (GR + GR-D)</b>		<b>\$ 888,345</b>	<b>\$ 888,345</b>						<b>#DIV/0!</b>

Rank / Name  
Explanation of Impact to Programs and Revenue Collections

1 Appellate Court Operations

The total GR reduction of \$888,345 will require the elimination of five (5) attorney positions and a 50% cut in other operations eliminating/reducing law books, Westlaw/Lexis and court security.

2 0

3 0

4 0



Agency code: 225

Agency name: Fifth Court of Appeals District, Dallas

Strategy	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
1-1-1					
Appellate Court Operations					

OBJECTS OF EXPENSE:

1001	SALARIES AND WAGES	\$ 233,780	\$ 247,741	\$ 247,741	\$ 247,741	\$ 247,741
1002	OTHER PERSONNEL COSTS	3,330	6,641	3,239	3,239	3,239
2003	CONSUMABLE SUPPLIES	1,676	2,400	2,644	2,644	2,644
2005	TRAVEL	1,266	1,440	1,800	1,800	1,800
2006	RENT - BUILDING	1,880	2,203	2,203	2,203	2,203
2007	RENT - MACHINE AND OTHER	1,982	1,777	1,830	1,830	1,830
2009	OTHER OPERATING EXPENSE	8,962	20,270	17,607	17,607	17,607
5000	CAPITAL EXPENDITURES	153	0	0	0	0
	Total, Objects of Expense	\$ 253,029	\$ 282,472	\$ 277,064	\$ 277,064	\$ 277,064

METHOD OF FINANCING:

1	General Revenue Fund	253,029	282,472	277,064	277,064	277,064
	Total, Method of Financing	\$ 253,029	\$ 282,472	\$ 277,064	\$ 277,064	\$ 277,064

FULL-TIME-EQUIVALENT POSITIONS (FTE):

3.5		3.5	3.5	3.5	3.5
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**7.B. DIRECT ADMINISTRATIVE AND SUPPORT COSTS**  
 81st Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/31/2008  
 TIME : 12:09:11PM

Agency code: 225

Agency name: Fifth Court of Appeals District, Dallas

	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
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**GRAND TOTALS**

**Objects of Expense**

1001 SALARIES AND WAGES	\$233,780	\$247,741	\$247,741	\$247,741	\$247,741
1002 OTHER PERSONNEL COSTS	\$3,330	\$6,641	\$3,239	\$3,239	\$3,239
2003 CONSUMABLE SUPPLIES	\$1,676	\$2,400	\$2,644	\$2,644	\$2,644
2005 TRAVEL	\$1,266	\$1,440	\$1,800	\$1,800	\$1,800
2006 RENT - BUILDING	\$1,880	\$2,203	\$2,203	\$2,203	\$2,203
2007 RENT - MACHINE AND OTHER	\$1,982	\$1,777	\$1,830	\$1,830	\$1,830
2009 OTHER OPERATING EXPENSE	\$8,962	\$20,270	\$17,607	\$17,607	\$17,607
5000 CAPITAL EXPENDITURES	\$153	\$0	\$0	\$0	\$0
<b>Total, Objects of Expense</b>	<b>\$253,029</b>	<b>\$282,472</b>	<b>\$277,064</b>	<b>\$277,064</b>	<b>\$277,064</b>

**Method of Financing**

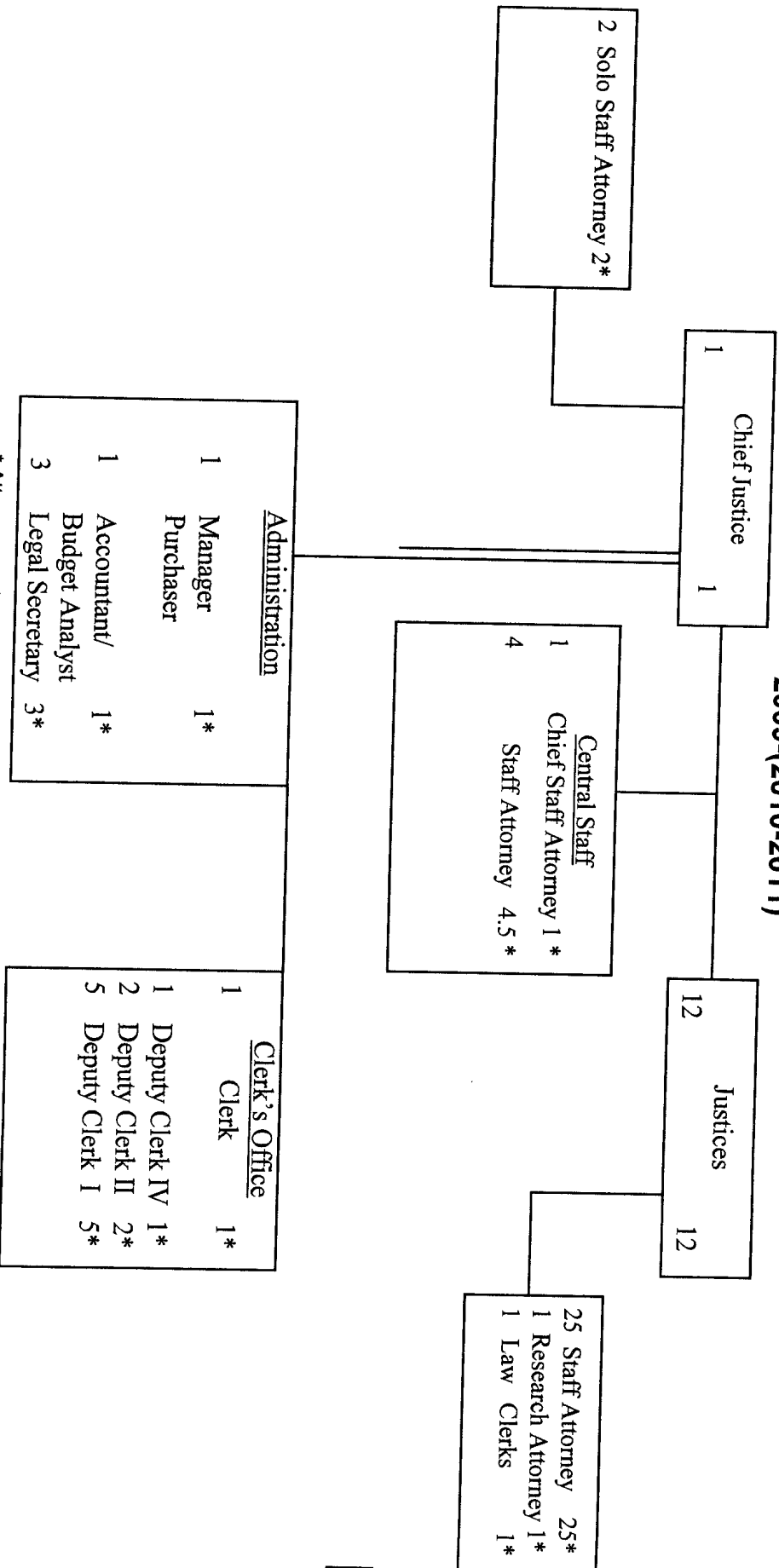
1 General Revenue Fund	\$253,029	\$282,472	\$277,064	\$277,064	\$277,064
<b>Total, Method of Financing</b>	<b>\$253,029</b>	<b>\$282,472</b>	<b>\$277,064</b>	<b>\$277,064</b>	<b>\$277,064</b>
<b>Full-Time-Equivalent Positions (FTE)</b>	<b>3.5</b>	<b>3.5</b>	<b>3.5</b>	<b>3.5</b>	<b>3.5</b>



## Organizational Chart

Attach an organizational chart of the Fifth Court. The number on the left is the number of budgeted positions for fiscal year 2009. The number on the right is the number of positions requested to retain adequate, quality legal and non-legal staff with salaries that are commensurate with their responsibilities and the salaries paid to like personnel at the other courts of appeals for the 20010-2011 biennium.

### Organizational Chart 2009-(2010-2011)



\* Attorneys and Non-Legal Staff related to Exceptional Item Request 1