



**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**

**COURT OF APPEALS, FIRST DISTRICT  
HOUSTON, TEXAS**

**AUGUST 4, 2008**

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

DATE: 8/6/2008  
TIME: 12:58:58PM  
PAGE: 1 of 2

Agency code: 221

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

Administrator's Statement  
81st Regular Session, Agency Submission  
Automated Budget and Evaluation System of Texas (ABEST)

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 96% of the First 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 First 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. 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 support the corresponding ability to develop a career ladder 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 newly hired or promoted 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 the attorney salaries in other government sectors.

These guideline budget initiatives will permit the First 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%.

\*[www.bls.gov/oes/current/oes231011.htm](http://www.bls.gov/oes/current/oes231011.htm), May 2007

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

DATE: 8/6/2008  
TIME: 12:59:10PM  
PAGE: 2 of 2

Agency code: 221

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

**RIDER REQUESTS:**

The First 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 a staff attorney and \$97,750 for a chief staff attorney).

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 appellate courts exemptions from certain limitations in the General Appropriations Act. The Legislature has also granted the authority to carryover unexpended budget balances between years of the biennium. The flexibility afforded by these measures enhances the appellate courts' management ability, and we seek continuation of these budget features.

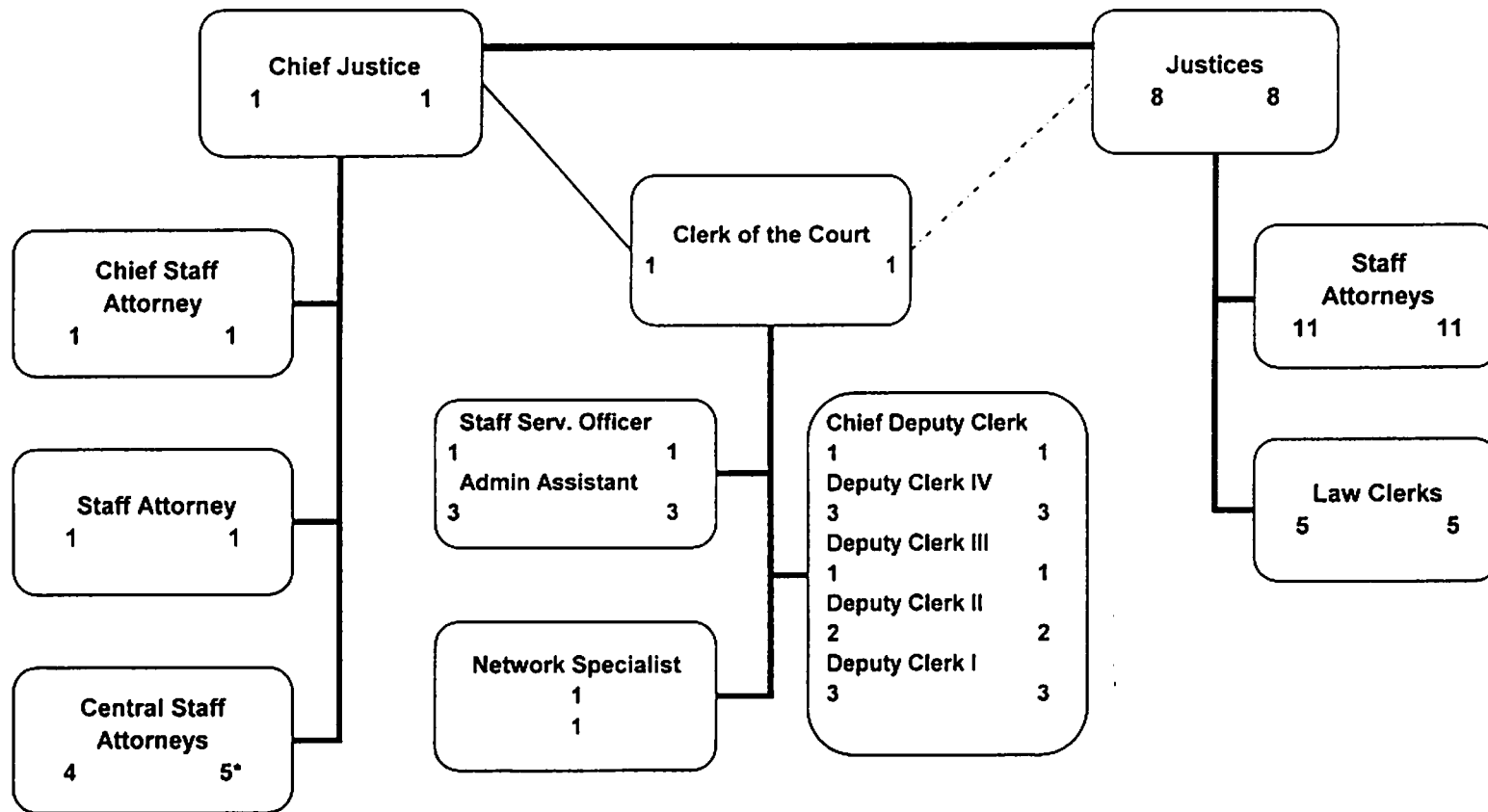
**Information Technology:**

The First 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: Appropriated Receipts**

At the direction of the LBB & Governors Office, the First Court has included appropriated receipts in the amount of \$8700, 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.

# Organizational Chart First Court of Appeals As of August 2008



\*Employee related to Exceptional Item 1



## CERTIFICATE

Agency Name Court of Appeals, First District

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

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the GOBPP will be notified in writing in accordance with Article IX, Section 7.01 (2008-09 GAA).

Chief Executive Office or Presiding Judge

Signature

Sherry Radack

Printed Name

Chief Justice

Title

8/4/2008

Date

Board or Commission Chair

Signature

Printed Name

Title

Date

Chief Financial Officer

Signature

M. Karinne McCullough

Printed Name

Clerk of the Court

Title

8/4/2008

Date

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

DATE: 8/6/2008  
 TIME: 1:00:18PM

Agency code: 221 Agency name: First 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	3,452,575	3,639,144	3,616,512	3,616,513	3,616,513
TOTAL, GOAL 1	<b>\$3,452,575</b>	<b>\$3,639,144</b>	<b>\$3,616,512</b>	<b>\$3,616,513</b>	<b>\$3,616,513</b>
TOTAL, AGENCY STRATEGY REQUEST	<b>\$3,452,575</b>	<b>\$3,639,144</b>	<b>\$3,616,512</b>	<b>\$3,616,513</b>	<b>\$3,616,513</b>
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	<b>\$3,452,575</b>	<b>\$3,639,144</b>	<b>\$3,616,512</b>	<b>\$3,616,513</b>	<b>\$3,616,513</b>
<u>METHOD OF FINANCING:</u>					
<b>General Revenue Funds:</b>					
1 General Revenue Fund	3,095,204	3,291,964	3,291,962	3,291,963	3,291,963
SUBTOTAL	<b>\$3,095,204</b>	<b>\$3,291,964</b>	<b>\$3,291,962</b>	<b>\$3,291,963</b>	<b>\$3,291,963</b>
<b>Other Funds:</b>					
573 Judicial Fund	273,350	273,350	273,350	273,350	273,350
666 Appropriated Receipts	41,521	31,330	8,700	8,700	8,700
777 Interagency Contracts	42,500	42,500	42,500	42,500	42,500
SUBTOTAL	<b>\$357,371</b>	<b>\$347,180</b>	<b>\$324,550</b>	<b>\$324,550</b>	<b>\$324,550</b>
TOTAL, METHOD OF FINANCING	<b>\$3,452,575</b>	<b>\$3,639,144</b>	<b>\$3,616,512</b>	<b>\$3,616,513</b>	<b>\$3,616,513</b>

\*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 I  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/6/2008  
 TIME: 1:00:30PM

Agency code: 221 Agency name: First Court of Appeals District, Houston

METHOD OF FINANCING	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011
<b><u>GENERAL REVENUE</u></b>					
1 General Revenue Fund					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations from MOF Table					
	\$2,953,599	\$3,291,964	\$3,291,962	\$3,291,963	\$3,291,963
<i>LAPSED APPROPRIATIONS</i>					
Lapsed Appropriations					
	\$(15,625)	\$0	\$0	\$0	\$0
<i>UNEXPENDED BALANCES AUTHORITY</i>					
Article IV, Sec 10. Unexpended Balance (2006-07 GAA)					
	\$157,230	\$0	\$0	\$0	\$0
<b>TOTAL, General Revenue Fund</b>	<b>\$3,095,204</b>	<b>\$3,291,964</b>	<b>\$3,291,962</b>	<b>\$3,291,963</b>	<b>\$3,291,963</b>
<b>TOTAL, ALL GENERAL REVENUE</b>	<b>\$3,095,204</b>	<b>\$3,291,964</b>	<b>\$3,291,962</b>	<b>\$3,291,963</b>	<b>\$3,291,963</b>

**OTHER FUNDS**

573 Judicial Fund No. 573					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations from MOF Table					
	\$0	\$273,350	\$273,350	\$273,350	\$273,350
<i>TRANSFERS</i>					

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: 8/6/2008  
 TIME: 1:00:38PM

Agency code: 221		Agency name: First Court of Appeals District, Houston			
METHOD OF FINANCING	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011
<b><u>OTHER FUNDS</u></b>					
House Bill 11, 79th Legislature, 2nd Called Session					
	\$273,350	\$0	\$0	\$0	\$0
<b>TOTAL, Judicial Fund No. 573</b>	<b>\$273,350</b>	<b>\$273,350</b>	<b>\$273,350</b>	<b>\$273,350</b>	<b>\$273,350</b>
<b><u>666</u> Appropriated Receipts</b>					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations from MOF Table					
	\$0	\$8,700	\$8,700	\$8,700	\$8,700
<i>RIDER APPROPRIATION</i>					
Art IX, Sec. 8.03, Publications or Sales of Records (2008-09 GAA)					
	\$41,521	\$22,630	\$0	\$0	\$0
<b>TOTAL, Appropriated Receipts</b>	<b>\$41,521</b>	<b>\$31,330</b>	<b>\$8,700</b>	<b>\$8,700</b>	<b>\$8,700</b>
<b><u>777</u> Interagency Contracts</b>					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations from MOF Table					
	\$0	\$42,500	\$42,500	\$42,500	\$42,500
<i>RIDER APPROPRIATION</i>					
Art IX, Sec. 8.03 Reimbursements and Payments (2008-09 GAA)					
	\$42,500	\$0	\$0	\$0	\$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: 8/6/2008  
 TIME: 1:00:38PM

Agency code: 221	Agency name: <b>First Court of Appeals District, Houston</b>				
<b>METHOD OF FINANCING</b>	<b>Exp 2007</b>	<b>Est 2008</b>	<b>Bud 2009</b>	<b>Req 2010</b>	<b>Req 2011</b>
<b><u>OTHER FUNDS</u></b>					
<b>TOTAL, Interagency Contracts</b>	\$42,500	\$42,500	\$42,500	\$42,500	\$42,500
<b>TOTAL, ALL OTHER FUNDS</b>	\$357,371	\$347,180	\$324,550	\$324,550	\$324,550
<b>GRAND TOTAL</b>	\$3,452,575	\$3,639,144	\$3,616,512	\$3,616,513	\$3,616,513

**FULL-TIME-EQUIVALENT POSITIONS**

<b>REGULAR APPROPRIATIONS</b>					
Regular Appropriations	43.5	48.0	48.0	48.0	48.0
Adjustments	0.6	0.0	0.0	0.0	0.0
<b>TOTAL, ADJUSTED FTES</b>	<b>44.1</b>	<b>48.0</b>	<b>48.0</b>	<b>48.0</b>	<b>48.0</b>

<b>NUMBER OF 100% FEDERALLY FUNDED FTES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**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: 8/6/2008  
 TIME: 1:00:49PM

Agency code: 221	Agency name: First Court of Appeals District, Houston				
OBJECT OF EXPENSE	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
1001 SALARIES AND WAGES	\$3,104,777	\$3,386,170	\$3,400,829	\$3,405,329	\$3,405,329
1002 OTHER PERSONNEL COSTS	\$98,616	\$54,671	\$32,700	\$32,700	\$32,700
2003 CONSUMABLE SUPPLIES	\$14,637	\$5,338	\$4,838	\$4,838	\$4,838
2005 TRAVEL	\$9,657	\$8,804	\$8,500	\$7,500	\$7,500
2006 RENT - BUILDING	\$21,086	\$13,447	\$13,747	\$14,000	\$14,000
2007 RENT - MACHINE AND OTHER	\$8,129	\$11,964	\$11,964	\$11,964	\$11,964
2009 OTHER OPERATING EXPENSE	\$195,673	\$158,750	\$143,934	\$140,182	\$140,182
<b>OOE Total (Excluding Riders)</b>	<b>\$3,452,575</b>	<b>\$3,639,144</b>	<b>\$3,616,512</b>	<b>\$3,616,513</b>	<b>\$3,616,513</b>
<b>OOE Total (Riders)</b>					
<b>Grand Total</b>	<b>\$3,452,575</b>	<b>\$3,639,144</b>	<b>\$3,616,512</b>	<b>\$3,616,513</b>	<b>\$3,616,513</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: 8/6/2008  
 Time: 1:01:07PM

Agency Code: 221 Agency: First 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	\$14,637	\$5,338	\$4,838	\$5,000	\$5,000
2	Postage	25,000	12,000	13,000	13,000	13,000
4	Travel	9,657	8,804	8,500	8,500	8,500
6	Registrations/Training	8,090	7,554	6,554	6,554	6,554
7	Subscriptions/Periodicals	53,034	6,488	6,688	6,688	6,688
12	Maintenance & Repair - Equipment	3,484	2,500	2,700	2,700	2,700
14	Rentals & Leases - Postage Meter	8,129	11,964	11,964	11,964	11,964
15	Printing & Reproduction	30	0	0	0	0
23	Longevity	19,320	18,560	19,560	20,560	20,560
24	Freight/Delivery	3,690	3,961	4,361	4,361	4,361
26	Books (expensed)	20,754	52,312	52,616	52,616	52,616
27	Membership Dues	9,776	10,531	10,131	10,131	10,131
28	Liability Insurance	4,405	4,405	4,505	4,505	4,505
31	Non-recurring Expenses	8,219	3,902	0	0	0
34	Lump Sum	6,424	11,624	9,024	9,024	9,024
37	Computer Software / Upgrades	1,196	500	700	700	700
38	Computer Parts and Supplies	18,166	4,454	4,500	4,500	4,500
46	Communication Services	0	250	600	600	600
64	SORM Assessment	4,895	5,571	5,571	5,571	5,571
75	Maint. & Repair Computer Software	399	399	399	399	399
96	Salaries	3,104,777	3,386,170	3,400,829	3,405,329	3,405,329
100	Unemployment Compensation Benefit	183	214	0	0	0
124	Rental of Space	21,086	13,447	13,747	14,000	14,000
	<b>Total, Operating Costs</b>	<b>\$3,345,351</b>	<b>\$3,570,948</b>	<b>\$3,580,787</b>	<b>\$3,586,702</b>	<b>\$3,586,702</b>

### Capital Expenditure Detail

<b>Agency Code:</b> 221	<b>Court/Agency:</b> First Court of Appeals	<b>Strategy:</b> 3001			<b>Prepared by:</b> Elisa Chavous		<b>Date:</b> 8/4/2008	<b>Strategy:</b>
Itemization by Capital Expenditure Category		Number of Units	Unit Cost	Expended 2007	Estimated 2008	Budgeted 2009	Requested 2010	Requested 2011
Category	Description of Items							
	None to Report							

2.D. SUMMARY OF BASE REQUEST OBJECTIVE OUTCOMES

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

Date : 8/6/2008  
 Time: 1:01:55PM

Agency code: 221

Agency name: First 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					
	101.65%	96.23%	100.00%	100.00%	100.00%
KEY      2 Percentage of Cases Under Submission for Less Than One Year					
	97.52%	97.80%	97.80%	97.80%	97.80%
KEY      3 Percentage of Cases Pending for Less Than Two Years					
	97.89%	98.62%	98.62%	98.62%	98.62%

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

DATE: 8/6/2008  
 TIME: 1:02:09PM

Agency code: 221

Agency name: First 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	\$498,774	\$498,774	1.0	\$498,774	\$498,774	1.0	\$997,548	\$997,548
<b>Total, Exceptional Items Request</b>		<b>\$498,774</b>	<b>\$498,774</b>	<b>1.0</b>	<b>\$498,774</b>	<b>\$498,774</b>	<b>1.0</b>	<b>\$997,548</b>	<b>\$997,548</b>
<b>Method of Financing</b>									
	General Revenue	\$498,774	\$498,774		\$498,774	\$498,774		\$997,548	\$997,548
	General Revenue - Dedicated								
	Federal Funds								
	Other Funds								
		<b>\$498,774</b>	<b>\$498,774</b>		<b>\$498,774</b>	<b>\$498,774</b>		<b>\$997,548</b>	<b>\$997,548</b>
<b>Full Time Equivalent Positions</b>				<b>1.0</b>				<b>1.0</b>	
<b>Number of 100% Federally Funded FTEs</b>				<b>0.0</b>				<b>0.0</b>	



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

DATE : 8/6/2008  
 TIME : 1:02:28PM

Agency code: 221	Agency name: First Court of Appeals District, Houston					
Goal/Objective/STRATEGY	Base 2010	Base 2011	Exceptional 2010	Exceptional 2011	Total Request 2010	Total Request 2011
I Appellate Court Operations						
1 Appellate Court Operations						
I APPELLATE COURT OPERATIONS	\$3,616,513	\$3,616,513	\$498,774	\$498,774	\$4,115,287	\$4,115,287
TOTAL, GOAL 1	\$3,616,513	\$3,616,513	\$498,774	\$498,774	\$4,115,287	\$4,115,287
TOTAL, AGENCY STRATEGY REQUEST	\$3,616,513	\$3,616,513	\$498,774	\$498,774	\$4,115,287	\$4,115,287
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$3,616,513	\$3,616,513	\$498,774	\$498,774	\$4,115,287	\$4,115,287

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

DATE : 8/6/2008  
 TIME : 1:02:36PM

Agency code: 221		Agency name: First Court of Appeals District, Houston				
<i>Goal/Objective/STRATEGY</i>	Base 2010	Base 2011	Exceptional 2010	Exceptional 2011	Total Request 2010	Total Request 2011
<b>General Revenue Funds:</b>						
1 General Revenue Fund	\$3,291,963	\$3,291,963	\$498,774	\$498,774	\$3,790,737	\$3,790,737
	<b>\$3,291,963</b>	<b>\$3,291,963</b>	<b>\$498,774</b>	<b>\$498,774</b>	<b>\$3,790,737</b>	<b>\$3,790,737</b>
<b>Other Funds:</b>						
573 Judicial Fund	273,350	273,350	0	0	\$273,350	\$273,350
666 Appropriated Receipts	8,700	8,700	0	0	\$8,700	\$8,700
777 Interagency Contracts	42,500	42,500	0	0	\$42,500	\$42,500
	<b>\$324,550</b>	<b>\$324,550</b>	<b>\$0</b>	<b>\$0</b>	<b>\$324,550</b>	<b>\$324,550</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$3,616,513</b>	<b>\$3,616,513</b>	<b>\$498,774</b>	<b>\$498,774</b>	<b>\$4,115,287</b>	<b>\$4,115,287</b>
<b>FULL TIME EQUIVALENT POSITIONS</b>	<b>48.0</b>	<b>48.0</b>	<b>1.0</b>	<b>1.0</b>	<b>49.0</b>	<b>49.0</b>

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

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

Date : 8/6/2008  
 Time: 1:02:45PM

Agency code: 221

Agency name: First 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 Appellate Court Operations						
<b>KEY 1 Clearance Rate</b>						
	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
<b>KEY 2 Percentage of Cases Under Submission for Less Than One Year</b>						
	97.80%	97.80%	100.00%	100.00%	100.00%	100.00%
<b>KEY 3 Percentage of Cases Pending for Less Than Two Years</b>						
	98.62%	98.62%	100.00%	100.00%	100.00%	100.00%

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

DATE: 8/6/2008  
 TIME: 1:02:55PM

Agency code: 221 Agency name: First 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
<b>Output Measures:</b>						
1	Number of Civil Cases Disposed	604.00	589.00	608.00	608.00	608.00
2	Number of Criminal Cases Disposed	689.00	556.00	686.00	686.00	686.00
<b>Explanatory/Input Measures:</b>						
1	Number of Civil Cases Filed	633.00	553.00	634.00	634.00	634.00
2	Number of Criminal Cases Filed	659.00	636.00	656.00	656.00	656.00
3	Number of Cases Transferred in	9.00	53.00	53.00	53.00	53.00
4	Number of Cases Transferred out	29.00	22.00	22.00	22.00	22.00
<b>Objects of Expense:</b>						
1001	SALARIES AND WAGES	\$3,104,777	\$3,386,170	\$3,400,829	\$3,405,329	\$3,405,329
1002	OTHER PERSONNEL COSTS	\$98,616	\$54,671	\$32,700	\$32,700	\$32,700
2003	CONSUMABLE SUPPLIES	\$14,637	\$5,338	\$4,838	\$4,838	\$4,838
2005	TRAVEL	\$9,657	\$8,804	\$8,500	\$7,500	\$7,500
2006	RENT - BUILDING	\$21,086	\$13,447	\$13,747	\$14,000	\$14,000
2007	RENT - MACHINE AND OTHER	\$8,129	\$11,964	\$11,964	\$11,964	\$11,964
2009	OTHER OPERATING EXPENSE	\$195,673	\$158,750	\$143,934	\$140,182	\$140,182
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$3,452,575</b>	<b>\$3,639,144</b>	<b>\$3,616,512</b>	<b>\$3,616,513</b>	<b>\$3,616,513</b>
<b>Method of Financing:</b>						
1	General Revenue Fund	\$3,095,204	\$3,291,964	\$3,291,962	\$3,291,963	\$3,291,963
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$3,095,204</b>	<b>\$3,291,964</b>	<b>\$3,291,962</b>	<b>\$3,291,963</b>	<b>\$3,291,963</b>
<b>Method of Financing:</b>						
573	Judicial Fund	\$273,350	\$273,350	\$273,350	\$273,350	\$273,350
666	Appropriated Receipts	\$41,521	\$31,330	\$8,700	\$8,700	\$8,700
777	Interagency Contracts	\$42,500	\$42,500	\$42,500	\$42,500	\$42,500

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

DATE: 8/6/2008  
 TIME: 1:02:59PM

Agency code: 221      Agency name: **First 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
<b>SUBTOTAL, MOF (OTHER FUNDS)</b>		<b>\$357,371</b>	<b>\$347,180</b>	<b>\$324,550</b>	<b>\$324,550</b>	<b>\$324,550</b>
<b>TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)</b>					<b>\$3,616,513</b>	<b>\$3,616,513</b>
<b>TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)</b>		<b>\$3,452,575</b>	<b>\$3,639,144</b>	<b>\$3,616,512</b>	<b>\$3,616,513</b>	<b>\$3,616,513</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>44.1</b>	<b>48.0</b>	<b>48.0</b>	<b>48.0</b>	<b>48.0</b>

**STRATEGY DESCRIPTION AND JUSTIFICATION:**

The First Court of Appeals was created in 1891 by an amendment to Article 1817, V.T.C.S., pursuant to authority granted by Article V Section 1, Texas Constitution. This Court has intermediate appellate jurisdiction of civil and criminal cases appealed from lower courts in civil cases where judgments exceed \$100, exclusive of costs, and other civil proceedings as provided by law; and in criminal cases, except post-conviction writs of habeas corpus, and where the death penalty has been imposed. This Court has jurisdiction over 10 counties.

**EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:**

Courts of appeals are, by nature, small entities with a highly specialized staff. Courts of appeals have no discretion to decline appellate review of any case filed, and no control over the number of cases filed. The primary factor which drives the strategy is the need to attract and retain highly trained and knowledgeable staff to maintain the Court's ability to dispose of cases in as effective and efficient manner as possible in order to meet the Legislature's performance measures and the expectations of Texas citizens.

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

DATE: 8/6/2008  
TIME: 1:02:59PM

**SUMMARY TOTALS:**

<b>OBJECTS OF EXPENSE:</b>	\$3,452,575	\$3,639,144	\$3,616,512	\$3,616,513	\$3,616,513
<b>METHODS OF FINANCE (INCLUDING RIDERS):</b>				\$3,616,513	\$3,616,513
<b>METHODS OF FINANCE (EXCLUDING RIDERS):</b>	\$3,452,575	\$3,639,144	\$3,616,512	\$3,616,513	\$3,616,513
<b>FULL TIME EQUIVALENT POSITIONS:</b>	44.1	48.0	48.0	48.0	48.0

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

<b>Agency Code:</b> 221	<b>Agency Name:</b> Court of Appeals, First District	<b>Prepared by:</b>	<b>Date:</b> 7/23/2008	<b>Request Level:</b> Baseline
<b>Current Rider Number</b>	<b>Page Number in 2008-09 GAA</b>	<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 rider to reflect the new biennium.</i></p>		

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

<b>Agency Code:</b> 221	<b>Agency Name:</b> Court of Appeals, First District	<b>Prepared by:</b>	<b>Date:</b> 7/23/2008	<b>Request Level:</b> Baseline
<b>Current Rider Number</b>	<b>Page Number in 2008-09 GAA</b>	<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><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><i>Update rider to reflect the new biennium and 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><i>Update rider to reflect the new biennium.</i></p>		
14	IV-39	<p><b>Appellate Court Transfer Authority.</b> The Chief Justice of the Supreme Court of Texas, the Presiding Judge of the Court of</p>		



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

<b>Agency Code:</b> 221	<b>Agency Name:</b> Court of Appeals, First District	<b>Prepared by:</b>	<b>Date:</b> 7/23/2008	<b>Request Level:</b> Baseline
<b>Current Rider Number</b>	<b>Page Number in</b> 2008-09 GAA	<b>Proposed Rider Language</b>		
		<p>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><i>Update rider to reflect the new biennium.</i></p>		

Agency code: 221

Agency name:  
 First Court of Appeals District, Houston

CODE	DESCRIPTION	Excp 2010	Excp 2011
	Item Name: Similar Funding for Same-Sized Courts		
	Item Priority: 1		
	Includes Funding for the Following Strategy or Strategies: 01-01-01 Appellate Court Operations		
<b>OBJECTS OF EXPENSE:</b>			
1001	SALARIES AND WAGES	443,080	443,080
2009	OTHER OPERATING EXPENSE	55,694	55,694
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$498,774</b>	<b>\$498,774</b>
<b>METHOD OF FINANCING:</b>			
1	General Revenue Fund	498,774	498,774
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$498,774</b>	<b>\$498,774</b>
<b>FULL-TIME EQUIVALENT POSITIONS (FTE):</b>		1.00	1.00

**DESCRIPTION / JUSTIFICATION:**

With funding for Exceptional Item 1, the Court would continue to make salary adjustments for both legal and non-legal staff to reflect the levels of responsibility in the jobs performed, other law clerk positions could potentially be converted to permanent staff attorney positions. Non-legal staff could be expanded and salaries increased to more effectively support the court's operations, in particular, case management, increasingly complex human resource matters, and the State's reporting requirements.

**EXTERNAL/INTERNAL FACTORS:**

The specialized nature of appellate courts requires a workforce with specialized knowledge, experience, and skills. National studies and our experience show that, except for additional judges, legal staff support most directly affects a court's efficiency and caseload disposition. Therefore, any loss of trained, experienced legal or non-legal staff disrupts the court's ability to conduct its day-to-day operations. With funding for Exceptional Item 1, \$997,548 for the biennium, the Court will continue to have the ability to reach and maintain adequate staffing and pay levels to better compete with the private and other governmental sectors. This additional funding will support the Court's ability to attract and retain the qualified staff the Court must have to operate effectively and efficiently and to satisfy legislative performance requirements. This funding will also allow the Court to adequately staff positions to support our necessary clerical and administrative functions. The costs associated with employee turnover and the negative effects on productivity can be minimized, while the Court continues to operate at historical performance levels and maintains the highest quality of legal analysis. The citizens of Texas deserve no less.

Agency code: 221

Agency name: First Court of Appeals District, Houston

Code Description	Excp 2010	Excp 2011
<b>Item Name:</b> Similar Funding for Same-Sized Courts		
<b>Allocation to Strategy:</b> 1-1-1 Appellate Court Operations		
<b>STRATEGY IMPACT ON OUTCOME MEASURES:</b>		
<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%
<b>OUTPUT MEASURES:</b>		
<u>1</u> Number of Civil Cases Disposed	608.00	608.00
<u>2</u> Number of Criminal Cases Disposed	686.00	686.00
<b>EXPLANATORY/INPUT MEASURES:</b>		
<u>1</u> Number of Civil Cases Filed	634.00	634.00
<u>2</u> Number of Criminal Cases Filed	656.00	656.00
<u>3</u> Number of Cases Transferred in	53.00	53.00
<u>4</u> Number of Cases Transferred out	22.00	22.00
<b>OBJECTS OF EXPENSE:</b>		
1001 SALARIES AND WAGES	443,080	443,080
2009 OTHER OPERATING EXPENSE	55,694	55,694
<b>TOTAL, OBJECT OF EXPENSE</b>	<b>\$498,774</b>	<b>\$498,774</b>
<b>METHOD OF FINANCING:</b>		
1 General Revenue Fund	498,774	498,774
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$498,774</b>	<b>\$498,774</b>
<b>FULL-TIME EQUIVALENT POSITIONS (FTE):</b>	1.0	1.0

Agency Code: 221

Agency name: First 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:**

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

**OUTPUT MEASURES:**

1 Number of Civil Cases Disposed	608.00	608.00
2 Number of Criminal Cases Disposed	686.00	686.00

**EXPLANATORY/INPUT MEASURES:**

1 Number of Civil Cases Filed	634.00	634.00
2 Number of Criminal Cases Filed	656.00	656.00
3 Number of Cases Transferred in	53.00	53.00
4 Number of Cases Transferred out	22.00	22.00

**OBJECTS OF EXPENSE:**

1001 SALARIES AND WAGES	443,080	443,080
2009 OTHER OPERATING EXPENSE	55,694	55,694
<b>Total, Objects of Expense</b>	<b>\$498,774</b>	<b>\$498,774</b>

**METHOD OF FINANCING:**

1 General Revenue Fund	498,774	498,774
<b>Total, Method of Finance</b>	<b>\$498,774</b>	<b>\$498,774</b>

**FULL-TIME EQUIVALENT POSITIONS (FTE):**

1.0	1.0
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Agency Code: 221 Agency name: First 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

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CODE DESCRIPTION Excp 2010 Excp 2011

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

Similar Funding for Same-Sized Courts

**J.D. OPERATING COSTS DETAIL ~ EXCEPTIONAL ITEMS**

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

Date: 8/4/2008

Time: 11:56:02 AM

Page: 1 of

2

Agency Code: 221 Agency: First Court of Appeals District, Houston

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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	\$2,350				
		2011	2,350				
2	Postage	2010	\$10,000				
		2011	10,000				
4	Travel	2010	\$2,000				
		2011	2,000				
6	Registrations/Training	2010	\$3,000				
		2011	3,000				
7	Subscriptions/Periodicals	2010	\$3,722				
		2011	3,722				
12	Maintenance & Repair - Equipment	2010					
		2011					
14	Rentals & Leases - Postage Meter	2010	\$1,500				
		2011	1,500				
15	Printing & Reproduction	2010					
		2011					
23	Longevity	2010	\$9,350				
		2011	9,350				
24	Freight/Delivery	2010	\$1,200				
		2011	1,200				
26	Books (expensed)	2010	\$8,000				
		2011	8,000				
27	Membership Dues	2010	\$400				
		2011	400				
28	Liability Insurance	2010					
		2011					
31	Non-recurring Expenses	2010					
		2011					
34	Lump Sum	2010	\$8,600				
		2011	8,600				

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

Date: 8/4/2008  
 Time: 11:56:02 AM  
 Page: 2 of 2

Agency Code: 221 Agency: First Court of Appeals District, Houston

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BASE REQUEST STRATEGY: Appellate Court Operations

Code	Type of Expense	Year	Exceptional 1	Exceptional 2	Exceptional 3	Exceptional 4	Exceptional 5
37	Computer Software / Upgrades	2010	\$1,000				
		2011	1,000				
38	Computer Parts and Supplies	2010	\$2,300				
		2011	2,300				
46	Communication Services	2010					
		2011					
64	SORM Assessment	2010	\$1,500				
		2011	1,500				
75	Maint. & Repair Computer Software	2010					
		2011					
96	Salaries	2010	\$443,080				
		2011	443,080				
100	Unemployment Compensation Benefit	2010					
		2011					
124	Rental of Space	2010	\$772				
		2011	772				
	<b>Total, Operating Costs</b>	2010	<b>\$498,774</b>				
		2011	<b>\$498,774</b>				

Agency Code: 221 Agency: First 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 \$	
12.6%	Commodities	0.0 %	0.0%	\$0	\$0	0.0 %	100.0%	\$15,070	\$15,070
	<b>Total Expenditures</b>		<b>0.0%</b>	<b>\$0</b>	<b>\$0</b>		<b>100.0%</b>	<b>\$15,070</b>	<b>\$15,070</b>

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

**Attainment:**

During the biennium, the Court was aware of the preference to purchase from HUB vendors. With only approximately 4% of our budget available over and above salaries, and most vendors of items we purchase are non-HUB, single-source vendors, success has been limited. However, the Court exceeded the sole applicable statewide HUB procurement goal for Commodities in FY 2007.

**Applicability:**

Five of the six HUB categories were not applicable to Court operations in FY 2006-07: Heavy Construction, Building Construction, Special Trade, Professional Services, and Other Services. We did have purchases in HUB category: Commodities.

**Factors Affecting Attainment:**

Some 96% of our budget is allocated for salaries. A large portion of the Court's remaining expenditures were solo-source. The size of the Court and its limited budget provides limited opportunity for HUB purchases. The Other Services goal cannot be met as there are no HUB vendors providing legal research which represents a large portion of the Court's expenditures in this category. However, we made a good faith effort to purchase from HUB vendors, and we exceeded 100% of the statewide Commodities procurement goals in FY 2007. Whenever possible and feasible, other purchasing was carried out through TPASS term contract/catalog purchasing.

**"Good-Faith" Efforts:**

The Court supports the HUB procurement program and will continue to make a good faith effort to meet HUB goals by giving HUB vendors preference for purchases when possible.



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

<b>Agency Code:</b> 221	<b>Agency Name:</b> First Court of Appeals	<b>Prepared By:</b> Elisa Chavous		<b>Date:</b> 8/4/2008
Item	2008-2009		2010-2011	
	Amount	MOF	Amount	MOF
None to Report		General Revenue		General Revenue

6.I. 10 Percent Biennial Base Reduction Options Schedule

Approved Reduction Amount  
\$626,620

\*Approved Base\* here refers to approved 2008-09 base AFTER policy letter exceptions have been excluded.

Agency Code: 221		Agency Name: First 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	FY 08	FY 09		
	Strat	Name									
1	1-1-1	Appellate Court Operations	626,620					\$ 626,620			10.0%
2								\$ -			10.0%
3								\$ -			10.0%
4								\$ -			10.0%
5								\$ -			10.0%
6								\$ -			10.0%
7								\$ -			10.0%
8								\$ -			10.0%
9								\$ -			10.0%
10								\$ -			10.0%
11								\$ -			10.0%
12								\$ -			10.0%
Agency Biennial Total			\$ 626,620	\$ -	\$ -	\$ -	\$ -	\$ 626,620	5.0-6.0	5.0-6.0	10.0%
Agency Biennial Total (GR + GR-D)			\$ 626,620								

Rank / Name  
Explanation of Impact to Programs and Revenue Collections

1 Appellate Court Operations

Ten percent less funding for this Court in FY 2010-11 would likely cause (1) dispositions of appeals to decrease substantially, and (2) the time for which appeals remain pending to increase.

The core function of the Court is to process and review appeals from criminal and civil trial courts. This requires a highly skilled and trained professional workforce including appellate court lawyers and support staff to assist the judges of the Court in disposing of cases through research and drafting opinions. Consequently, 96% of the Court's FY 2008-09 appropriated budget is dedicated to salaries. A ten percent reduction in the Court's appropriated budget, which amounts to \$626,620/\$317,726 per FY, would require the Court to either (1) eliminate all five law clerks plus at least one staff attorney; or (2) five senior staff attorneys (\$76,125 each); or (3) four senior staff attorneys (\$72,125 each) with the difference made up from a reduction in operations or the loss of a non-legal employee. The ten percent reduction would cause a 22-27% reduction of the Court's legal staff. The minimum number of lawyers an appellate court must have to perform at a reasonably productive and efficient level is two lawyers to each judge. This reduction in legal staff would drop the Court below the 2:1 ratio and cause the Court to assign some legal staff to a "pool" shared by all of the judges of the Court. The number of dispositions and their timeliness would suffer. To prevent the backlog of cases and maintain histo

Agency code: 221

Agency name: First Court of Appeals District, Houston

Strategy		Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
1-1-1	Appellate Court Operations					
<b>OBJECTS OF EXPENSE:</b>						
1001	SALARIES AND WAGES	\$ 221,049	\$ 240,137	\$ 240,137	\$ 240,137	\$ 240,137
1002	OTHER PERSONNEL COSTS	7,033	3,899	2,332	2,405	2,405
2003	CONSUMABLE SUPPLIES	1,044	381	345	357	357
2005	TRAVEL	689	628	606	535	535
2007	RENT - MACHINE AND OTHER	1,504	853	853	853	853
2009	OTHER OPERATING EXPENSE	13,954	11,321	10,265	9,912	9,912
<b>Total, Objects of Expense</b>		<b>\$ 245,273</b>	<b>\$ 257,219</b>	<b>\$ 254,538</b>	<b>\$ 254,199</b>	<b>\$ 254,199</b>

**METHOD OF FINANCING:**

I	General Revenue Fund	245,273	257,219	254,538	254,199	254,199
<b>Total, Method of Financing</b>		<b>\$ 245,273</b>	<b>\$ 257,219</b>	<b>\$ 254,538</b>	<b>\$ 254,199</b>	<b>\$ 254,199</b>

**FULL-TIME-EQUIVALENT POSITIONS (FTE):**

3.4	3.4	3.4	3.4	3.4
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**DESCRIPTION**

The administrative and support costs are related to the percentage of salaries and related cost of court personnel performing administrative functions. Direct administrative salary costs for 2008 are shown as follows:

Chief Justice	35%
Chief Staff Attorney	2%
Clerk of the Court	85%
Chief Deputy Clerk	25%
Staff Services Officer III	100%
Administrative Assistant IV	100%

Full-Time Equivalent Positions (FTE) 3.47

Agency code: 221

Agency name: First Court of Appeals District, Houston

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

**Objects of Expense**

1001 SALARIES AND WAGES	\$221,049	\$240,137	\$240,137	\$240,137	\$240,137
1002 OTHER PERSONNEL COSTS	\$7,033	\$3,899	\$2,332	\$2,405	\$2,405
2003 CONSUMABLE SUPPLIES	\$1,044	\$381	\$345	\$357	\$357
2005 TRAVEL	\$689	\$628	\$606	\$535	\$535
2007 RENT - MACHINE AND OTHER	\$1,504	\$853	\$853	\$853	\$853
2009 OTHER OPERATING EXPENSE	\$13,954	\$11,321	\$10,265	\$9,912	\$9,912
<b>Total, Objects of Expense</b>	<b>\$245,273</b>	<b>\$257,219</b>	<b>\$254,538</b>	<b>\$254,199</b>	<b>\$254,199</b>

**Method of Financing**

1 General Revenue Fund	\$245,273	\$257,219	\$254,538	\$254,199	\$254,199
<b>Total, Method of Financing</b>	<b>\$245,273</b>	<b>\$257,219</b>	<b>\$254,538</b>	<b>\$254,199</b>	<b>\$254,199</b>

<b>Full-Time-Equivalent Positions (FTE)</b>	<b>3.4</b>	<b>3.4</b>	<b>3.4</b>	<b>3.4</b>	<b>3.4</b>
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