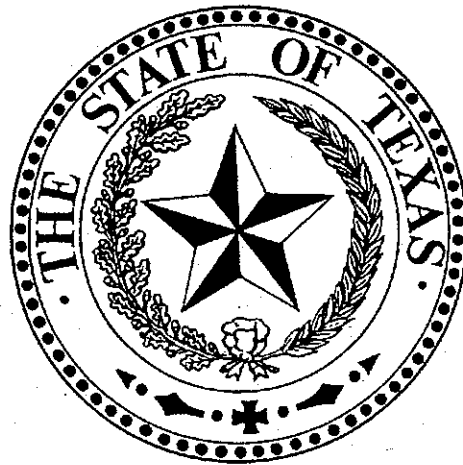


LEGISLATIVE APPROPRIATIONS REQUEST
FOR FISCAL YEARS 2010 AND 2011

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

by

SEVENTH COURT OF APPEALS



BRIAN QUINN, Chief Justice
JAMES T. CAMPBELL, Justice
MACKEY K. HANCOCK, Justice
PATRICK A. PIRTLE, Justice

2014	Lubbock
2010	Amarillo
2012	Lubbock
2012	Amarillo

LEGISLATIVE APPROPRIATIONS REQUEST

FOR FISCAL YEARS 2010 AND 2011

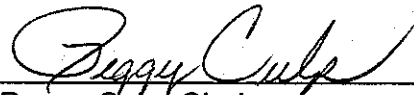
Submitted to the Governor's Office of Budget, Planning and Policy and the Legislative Budget Board

by

SEVENTH COURT OF APPEALS

July 29, 2008

Prepared By:

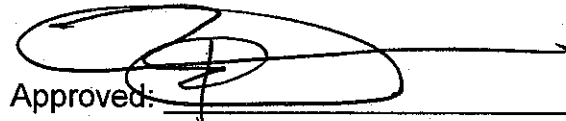


Peggy Culp, Clerk



Ree Pompa, Accountant III

Approved:



Brian Quinn, Chief Justice

TABLE OF CONTENTS

	PAGE
1. Administrator's Statement	1.A. Page 1-2
2. Organizational Chart	1.A.1Page 1
3. Summary of Base Request by Strategy	2.A. Page 1
4. Summary of Base Request by Method of Finance	2.B. Page 1-3
5. Summary of Base Request by Object of Expense	2.C. Page 1
6. Operating Costs Detail - Base Request.....	2.C.1Page1
7. Capital Expenditure Detail	2.C.2Page1
8. Summary of Base Request Objective Outcomes	2.D. Page 1
9. Summary of Exceptional Items Request	2.E. Page 1
10. Summary of Total Request by Strategy	2.F. Page 1-2
11. Summary of Total Request Objective Outcomes	2.G. Page 1
12. Strategy Request	3.A. Page 1-3
13. Rider Revisions and Additions Request	3.B. Page 1-3
14. Exceptional Item Request Schedule.....	4.A. Page 1
15. Exceptional Items Strategy Allocation Schedule	4.B. Page 1
16. Exceptional Items Strategy Request	4.C. Page 1
17. Historically Underutilized Business Supporting Schedule.....	6.A. Page 1
18. Ten Percent Biennial Base Reduction Options Schedule.....	6.I. Page 1
19. Direct Administrative and Support Costs.....	7.B. Page 1-2
20. General Revenue & General Revenue Dedicated Baseline Report	8.A. Page 1

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

Agency code: 227

Agency name: **Seventh Court of Appeals District, Amarillo**

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 94% of the 7th 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 7th 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 \$20 in monthly longevity pay for each year of service after the justice completes 16 years 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, or continue to make appropriate salary adjustments for non-legal staff to reflect increasing levels of responsibility. The amount requested will also allow the Seventh Court to comply with the mandate of Texas Government Code §659.0445. In the 2010-2011 biennium, the Seventh Court will need \$12,800 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 (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 7th 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 also 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

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

Agency code: 227

Agency name: **Seventh Court of Appeals District, Amarillo**

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):

- 1) Retain Article IV rider, Sec. 9, Appellate Court Exemptions
- 2) Retain Article IV rider, Sec. 10, Appropriation: 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

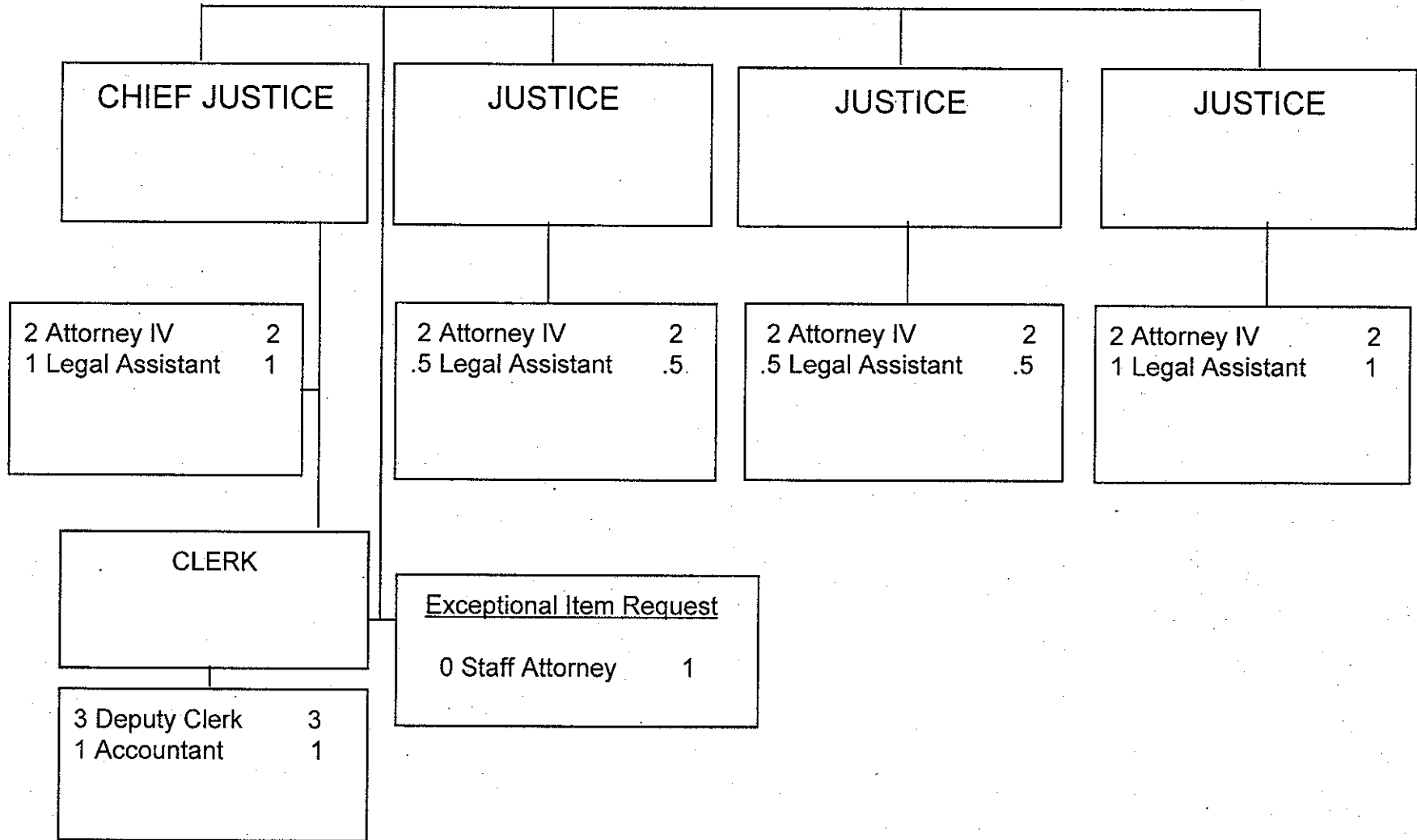
Historically, the Legislature has granted the courts exemption from certain limitations in the General Appropriations Act. It has also granted the authority to carryover unexpended budget balances between years of the biennium. The flexibility afforded by these measures enhances the courts' management 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 \$8,000, 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.

ORGANIZATION CHART
SEVENTH COURT OF APPEALS
2009-(2010-2011)



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

Agency code: 227

Agency name: Seventh Court of Appeals District, Amarillo

<u>Goal / Objective / STRATEGY</u>	<u>Exp 2007</u>	<u>Est 2008</u>	<u>Bud 2009</u>	<u>Req 2010</u>	<u>Req 2011</u>
<u>1</u> Appellate Court Operations					
<u>1</u> Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	1,649,975	1,627,347	1,634,496	1,634,496	1,634,496
TOTAL, GOAL 1	\$1,649,975	\$1,627,347	\$1,634,496	\$1,634,496	\$1,634,496
TOTAL, AGENCY STRATEGY REQUEST	\$1,649,975	\$1,627,347	\$1,634,496	\$1,634,496	\$1,634,496
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$1,649,975	\$1,627,347	\$1,634,496	\$1,634,496	\$1,634,496
<u>METHOD OF FINANCING:</u>					
General Revenue Funds:					
1 General Revenue Fund	1,520,072	1,496,747	1,503,896	1,503,896	1,503,896
SUBTOTAL	\$1,520,072	\$1,496,747	\$1,503,896	\$1,503,896	\$1,503,896
Other Funds:					
573 Judicial Fund	120,087	122,600	122,600	122,600	122,600
666 Appropriated Receipts	9,816	8,000	8,000	8,000	8,000
SUBTOTAL	\$129,903	\$130,600	\$130,600	\$130,600	\$130,600
TOTAL, METHOD OF FINANCING	\$1,649,975	\$1,627,347	\$1,634,496	\$1,634,496	\$1,634,496

*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)

Agency code: 227

Agency name: Seventh Court of Appeals District, Amarillo

METHOD OF FINANCING	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011
<u>GENERAL REVENUE</u>					
<u>1</u> General Revenue Fund					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriation from MOF Table	\$1,436,899	\$1,489,739	\$1,489,739	\$1,503,896	\$1,503,896
<i>TRANSFERS</i>					
Art IX, Sec 19.62(a), Salary Increase (2008-09 GAA)	\$0	\$7,008	\$14,157	\$0	\$0
Art IX, Sec 13.17, Salary Increase (2006-07 GAA)	\$22,281	\$0	\$0	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>					
Lapsed Appropriations	\$(3,308)	\$0	\$0	\$0	\$0
<i>UNEXPENDED BALANCES AUTHORITY</i>					
Art. IV, Sec. 10 Unexpended Balance (2006-07 GAA)	\$64,200	\$0	\$0	\$0	\$0
TOTAL, General Revenue Fund	\$1,520,072	\$1,496,747	\$1,503,896	\$1,503,896	\$1,503,896
TOTAL, ALL GENERAL REVENUE	\$1,520,072	\$1,496,747	\$1,503,896	\$1,503,896	\$1,503,896

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)

Agency code: 227

Agency name: Seventh Court of Appeals District, Amarillo

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 from MOF Table	\$0	\$122,600	\$122,600	\$122,600	\$122,600
<i>TRANSFERS</i>					
H.B. 11, 79th Leg., 2nd Called Session (2005)	\$122,600	\$0	\$0	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>					
Lapsed Appropriations	\$(2,513)	\$0	\$0	\$0	\$0
TOTAL, Judicial Fund No. 573	\$120,087	\$122,600	\$122,600	\$122,600	\$122,600
<u>666</u> Appropriated Receipts					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations from MOF Table	\$0	\$8,000	\$8,000	\$8,000	\$8,000
<i>RIDER APPROPRIATION</i>					
Art IX, Sec 8.03, Reimbursements and Payments (2006-07 GAA)	\$9,816	\$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)

Agency code: **227**

Agency name: **Seventh Court of Appeals District, Amarillo**

METHOD OF FINANCING	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011
<u>OTHER FUNDS</u>					
TOTAL, Appropriated Receipts	\$9,816	\$8,000	\$8,000	\$8,000	\$8,000
TOTAL, ALL OTHER FUNDS	\$129,903	\$130,600	\$130,600	\$130,600	\$130,600
GRAND TOTAL	\$1,649,975	\$1,627,347	\$1,634,496	\$1,634,496	\$1,634,496

FULL-TIME-EQUIVALENT POSITIONS

REGULAR APPROPRIATIONS					
Regular Appropriations from Bill Pattern	21.0	20.0	20.0	20.0	20.0
Adjustments	(1.2)	0.0	0.0	0.0	0.0
TOTAL, ADJUSTED FTES	19.8	20.0	20.0	20.0	20.0

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)

Agency code: **227**

Agency name: **Seventh Court of Appeals District, Amarillo**

OBJECT OF EXPENSE	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
1001 SALARIES AND WAGES	\$1,420,300	\$1,471,222	\$1,497,085	\$1,497,085	\$1,497,085
1002 OTHER PERSONNEL COSTS	\$92,820	\$33,661	\$17,820	\$18,800	\$25,100
2003 CONSUMABLE SUPPLIES	\$6,165	\$9,000	\$9,000	\$9,000	\$9,000
2004 UTILITIES	\$10,322	\$8,000	\$8,000	\$8,000	\$8,000
2005 TRAVEL	\$13,325	\$15,000	\$16,000	\$16,000	\$16,000
2006 RENT - BUILDING	\$20	\$20	\$20	\$20	\$20
2007 RENT - MACHINE AND OTHER	\$624	\$624	\$624	\$624	\$624
2009 OTHER OPERATING EXPENSE	\$87,241	\$89,820	\$85,947	\$84,967	\$78,667
5000 CAPITAL EXPENDITURES	\$19,158	\$0	\$0	\$0	\$0
OOE Total (Excluding Riders)	\$1,649,975	\$1,627,347	\$1,634,496	\$1,634,496	\$1,634,496
OOE Total (Riders)					
Grand Total	\$1,649,975	\$1,627,347	\$1,634,496	\$1,634,496	\$1,634,496

2.C.1. OPERATING COSTS DETAIL ~ BASE REQUEST

81st Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: 227 Agency: Seventh Court of Appeals District, Amarillo

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

Code	Type of Expense	Expended 2007	Estimated 2008	Budgeted 2009	Requested 2010	Requested 2011
2	Postage	\$10,232	\$10,000	\$10,000	\$10,000	\$10,000
5	Westlaw/Lexis	23,298	24,965	25,923	26,918	27,952
7	Subscriptions/Periodicals	14,423	16,585	17,300	17,500	17,500
10	Court Security	958	1,900	1,900	2,000	2,000
12	Maintenance & Repair - Equipment	1,764	2,500	2,500	2,500	2,500
13	Furniture & Equipment (Expensed)	3,205	4,000	3,000	2,000	1,000
15	Printing & Reproduction	4,872	2,500	3,000	3,000	0
16	Miscellaneous Expenses	0	3,248	2,073	1,740	1,126
24	Freight/Delivery	3,003	3,000	3,000	3,000	3,000
25	Advertising	3,994	3,000	1,042	1,100	500
28	Liability Insurance	4,160	4,160	4,160	4,160	4,160
54	Furnishings & Equip. - Controlled	5,275	5,000	3,000	2,000	1,000
64	SORM Assessment	2,789	1,954	1,954	1,954	1,954
101	Registrations/Membership Dues	9,268	7,008	7,095	7,095	5,975
	Total, Operating Costs	\$87,241	\$89,820	\$85,947	\$84,967	\$78,667

Capital Expenditure Detail

Agency Code:	Court/Agency:	Strategy:			Prepared by:	Date:	Strategy:	
227	Seventh Court of Appeals	Appellate Court Operations			Peggy Culp / Ree Pompa	7/29/2008	01	
Itemization by Capital Expenditure Category		Number of Units	Unit Cost	Expended 2007	Estimated 2008	Budgeted 2009	Requested 2010	Requested 2011
Category	Description of Items							
5007	Acquisition of Capital Equipment and Items							
	Copy Machine (N)	1	\$19,158	\$19,158	0	0	0	0

2.D. SUMMARY OF BASE REQUEST OBJECTIVE OUTCOMES

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

Agency code: 227

Agency name: Seventh Court of Appeals District, Amarillo

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					
	95.37%	95.00%	95.00%	95.00%	95.00%
KEY 2 Percentage of Cases Under Submission for Less Than One Year					
	99.86%	98.00%	98.00%	98.00%	98.00%
KEY 3 Percentage of Cases Pending for Less Than Two Years					
	99.80%	98.00%	98.00%	98.00%	98.00%

2.E. SUMMARY OF EXCEPTIONAL ITEMS REQUEST

81st Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 227

Agency name: Seventh Court of Appeals District, Amarillo

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	Same Funding for Same-sized Courts	\$207,432	\$207,432	1.0	\$207,432	\$207,432	1.0	\$414,864	\$414,864	
Total, Exceptional Items Request		\$207,432	\$207,432	1.0	\$207,432	\$207,432	1.0	\$414,864	\$414,864	
Method of Financing										
	General Revenue	\$207,432	\$207,432		\$207,432	\$207,432		\$414,864	\$414,864	
	General Revenue - Dedicated									
	Federal Funds									
	Other Funds									
		\$207,432	\$207,432		\$207,432	\$207,432		\$414,864	\$414,864	
Full Time Equivalent Positions				1.0				1.0		
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)

Agency code: 227		Agency name: Seventh Court of Appeals District, Amarillo				
Goal/Objective/STRATEGY	Base 2010	Base 2011	Exceptional 2010	Exceptional 2011	Total Request 2010	Total Request 2011
1 Appellate Court Operations						
<i>1 Appellate Court Operations</i>						
1 APPELLATE COURT OPERATIONS	\$1,634,496	\$1,634,496	\$207,432	\$207,432	\$1,841,928	\$1,841,928
TOTAL, GOAL 1	\$1,634,496	\$1,634,496	\$207,432	\$207,432	\$1,841,928	\$1,841,928
TOTAL, AGENCY STRATEGY REQUEST	\$1,634,496	\$1,634,496	\$207,432	\$207,432	\$1,841,928	\$1,841,928
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$1,634,496	\$1,634,496	\$207,432	\$207,432	\$1,841,928	\$1,841,928

2.F. SUMMARY OF TOTAL REQUEST BY STRATEGY

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

Agency code: 227

Agency name: Seventh Court of Appeals District, Amarillo

<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	\$1,503,896	\$1,503,896	\$207,432	\$207,432	\$1,711,328	\$1,711,328
	\$1,503,896	\$1,503,896	\$207,432	\$207,432	\$1,711,328	\$1,711,328
Other Funds:						
573 Judicial Fund	122,600	122,600	0	0	\$122,600	\$122,600
666 Appropriated Receipts	8,000	8,000	0	0	\$8,000	\$8,000
	\$130,600	\$130,600	\$0	\$0	\$130,600	\$130,600
TOTAL, METHOD OF FINANCING	\$1,634,496	\$1,634,496	\$207,432	\$207,432	\$1,841,928	\$1,841,928
FULL TIME EQUIVALENT POSITIONS	20.0	20.0	1.0	1.0	21.0	21.0

2.G. SUMMARY OF TOTAL REQUEST OBJECTIVE OUTCOMES

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

Agency code: 227

Agency name: Seventh Court of Appeals District, Amarillo

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						
KEY 1 Clearance Rate						
	95.00%	95.00%	100.00%	100.00%	100.00%	100.00%
KEY 2 Percentage of Cases Under Submission for Less Than One Year						
	98.00%	98.00%	100.00%	100.00%	100.00%	100.00%
KEY 3 Percentage of Cases Pending for Less Than Two Years						
	98.00%	98.00%	100.00%	100.00%	100.00%	100.00%

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

Agency code: 227 Agency name: Seventh Court of Appeals District, Amarillo

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
Output Measures:						
1	Number of Civil Cases Disposed	223.00	225.00	225.00	225.00	225.00
2	Number of Criminal Cases Disposed	354.00	352.00	352.00	352.00	352.00
Explanatory/Input Measures:						
1	Number of Civil Cases Filed	177.00	179.00	179.00	179.00	179.00
2	Number of Criminal Cases Filed	326.00	336.00	336.00	336.00	336.00
3	Number of Cases Transferred in	103.00	90.00	90.00	90.00	90.00
4	Number of Cases Transferred out	1.00	0.00	0.00	0.00	0.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$1,420,300	\$1,471,222	\$1,497,085	\$1,497,085	\$1,497,085
1002	OTHER PERSONNEL COSTS	\$92,820	\$33,661	\$17,820	\$18,800	\$25,100
2003	CONSUMABLE SUPPLIES	\$6,165	\$9,000	\$9,000	\$9,000	\$9,000
2004	UTILITIES	\$10,322	\$8,000	\$8,000	\$8,000	\$8,000
2005	TRAVEL	\$13,325	\$15,000	\$16,000	\$16,000	\$16,000
2006	RENT - BUILDING	\$20	\$20	\$20	\$20	\$20
2007	RENT - MACHINE AND OTHER	\$624	\$624	\$624	\$624	\$624
2009	OTHER OPERATING EXPENSE	\$87,241	\$89,820	\$85,947	\$84,967	\$78,667
5000	CAPITAL EXPENDITURES	\$19,158	\$0	\$0	\$0	\$0
TOTAL, OBJECT OF EXPENSE		\$1,649,975	\$1,627,347	\$1,634,496	\$1,634,496	\$1,634,496
Method of Financing:						
1	General Revenue Fund	\$1,520,072	\$1,496,747	\$1,503,896	\$1,503,896	\$1,503,896
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$1,520,072	\$1,496,747	\$1,503,896	\$1,503,896	\$1,503,896

Method of Financing:

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

Agency code: 227 Agency name: Seventh Court of Appeals District, Amarillo

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
573	Judicial Fund	\$120,087	\$122,600	\$122,600	\$122,600	\$122,600
666	Appropriated Receipts	\$9,816	\$8,000	\$8,000	\$8,000	\$8,000
SUBTOTAL, MOF (OTHER FUNDS)		\$129,903	\$130,600	\$130,600	\$130,600	\$130,600
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$1,634,496	\$1,634,496
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$1,649,975	\$1,627,347	\$1,634,496	\$1,634,496	\$1,634,496
FULL TIME EQUIVALENT POSITIONS:		19.8	20.0	20.0	20.0	20.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Seventh Court of Appeals was created in 1911 and is located in the City of Amarillo. The Court has intermediated appellate jurisdiction of civil and criminal cases appealed from lower courts in civil cases where judgments rendered exceed \$100, exclusive of costs and other civil proceedings as provided by law; and in criminal cases except in post-conviction writs of habeas corpus and where the death penalty has been imposed. The court has jurisdiction in forty-six counties.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

Courts of Appeals in Texas are medium to small appellate courts with highly specialized staff. The main factor which drives appellate court operations is the need to attract and retain highly trained and knowledgeable staff to work on an increasing caseload and dispense justice in a fair and efficient manner.

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

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$1,649,975	\$1,627,347	\$1,634,496	\$1,634,496	\$1,634,496
METHODS OF FINANCE (INCLUDING RIDERS):				\$1,634,496	\$1,634,496
METHODS OF FINANCE (EXCLUDING RIDERS):	\$1,649,975	\$1,627,347	\$1,634,496	\$1,634,496	\$1,634,496
FULL TIME EQUIVALENT POSITIONS:	19.8	20.0	20.0	20.0	20.0

3.B. RIDER REVISIONS AND ADDITIONS REQUEST

Agency Code: 227	Agency Name: Seventh Court of Appeals	Prepared by: Peggy Culp / Ree Pompa	Date: July 29, 2008	Request Level: Baseline
Current Rider Number	Page Number in 2008-09 GAA	Proposed Rider Language		
5	IV-38	<p>Transfer of Cases. 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>Judicial Internship Program. 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>Appellate Court Exemptions. The following provisions of Article IX of this Act do not apply to the appellate courts:</p> <ul style="list-style-type: none"> a. Article IX, § 5.08, Limitation on Travel Expenditures b. Article IX, § 6.10, Limitation on State Employment Levels c. Article IX, § 6.15, Performance Rewards and Penalties d. Article IX, §14.03, Limit on Expenditures - Capital Budget <p><i>The Courts of Appeals request that this rider be retained and section numbers updated as needed.</i></p>		
10	IV-39	<p>Appropriation: Unexpended Balances Between Fiscal Years within the Biennium. 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>		

3.B. RIDER REVISIONS AND ADDITIONS REQUEST

Agency Code: 227	Agency Name: Seventh Court of Appeals	Prepared by: Peggy Culp / Ree Pompa	Date: July 29, 2008	Request Level: Baseline
Current Rider Number	Page Number in 2008-09 GAA	Proposed Rider Language		
11	IV-39	<p>Intermediate Appellate Court Local Funding Information. 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>Appellate Court Salary Limits. 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>		
13	IV-39	<p>Interagency Contracts for Assigned Judges for Appellate Courts. Out of funds appropriated in this article to Strategies A.1.1, Appellate Court Operations, the Supreme Court of Texas, the Court of Criminal Appeals, or any of the 14 Courts of Appeals may enter into a contract with the Office of the Comptroller for fiscal years 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>		

3.B. RIDER REVISIONS AND ADDITIONS REQUEST

Agency Code: 227	Agency Name: Seventh Court of Appeals	Prepared by: Peggy Culp / Ree Pompa	Date: July 29, 2008	Request Level: Baseline
Current Rider Number	Page Number in 2008-09 GAA	Proposed Rider Language		
14	IV-39	<p>Appellate Court Transfer Authority. 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 appellate courts involved, 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>		

4.A. EXCEPTIONAL ITEM REQUEST SCHEDULE
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 227

Agency name:

Seventh Court of Appeals District, Amarillo

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		
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	207,432	207,432
	TOTAL, OBJECT OF EXPENSE	\$207,432	\$207,432
METHOD OF FINANCING:			
1	General Revenue Fund	207,432	207,432
	TOTAL, METHOD OF FINANCING	\$207,432	\$207,432
FULL-TIME EQUIVALENT POSITIONS (FTE):		1.00	1.00

DESCRIPTION / JUSTIFICATION:

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, or 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.

EXTERNAL/INTERNAL FACTORS:

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 (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 7th 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%.

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

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

Agency code: **227**

Agency name: **Seventh Court of Appeals District, Amarillo**

Code Description	Excp 2010	Excp 2011
Item Name: Similar Funding for Same-sized Courts		
Allocation to Strategy: 1-1-1 Appellate Court Operations		
STRATEGY IMPACT ON OUTCOME MEASURES:		
<u>1</u> Clearance Rate	100.00%	100.00%
OBJECTS OF EXPENSE:		
1001 SALARIES AND WAGES	207,432	207,432
TOTAL, OBJECT OF EXPENSE	\$207,432	\$207,432
METHOD OF FINANCING:		
1 General Revenue Fund	207,432	207,432
TOTAL, METHOD OF FINANCING	\$207,432	\$207,432
FULL-TIME EQUIVALENT POSITIONS (FTE):	1.0	1.0

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

Agency Code: 227

Agency name: Seventh Court of Appeals District, Amarillo

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:

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 %

OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	207,432	207,432
Total, Objects of Expense	\$207,432	\$207,432

METHOD OF FINANCING:

1 General Revenue Fund	207,432	207,432
Total, Method of Finance	\$207,432	\$207,432

FULL-TIME EQUIVALENT POSITIONS (FTE):

1.0	1.0
-----	-----

EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Similar Funding for Same-sized Courts

6.A. HISTORICALLY UNDERUTILIZED BUSINESS SUPPORTING SCHEDULE

81st Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: 227 Agency: Seventh Court of Appeals District, Amarillo

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 \$	
57.2%	Special Trade Construction	57.2 %	0.0%	\$0	\$1,104	57.2 %	0.0%	\$0	\$0
33.0%	Other Services	33.0 %	6.0%	\$1,313	\$21,846	33.0 %	1.1%	\$469	\$42,513
12.6%	Commodities	12.6 %	66.7%	\$5,852	\$8,770	12.6 %	41.2%	\$5,868	\$14,252
	Total Expenditures		22.6%	\$7,165	\$31,720		11.2%	\$6,337	\$56,765

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

Attainment:

The Court attained or exceeded one of two, or 50% of the applicable statewide HUB procurement goals in FY2006 and FY2007.

Applicability:

The "Heavy Construction", "Building Construction", and "Professional Services" categories were not applicable to the Court's operations in either fiscal year 2006 or fiscal year 2007 since the Court did not have any strategies or programs related to construction or the need for professional services.

In fiscal year 2006, the total expended on "Special Trade Construction" was not contracted with a HUB vendor. The construction was in a county owned building in which the Court offices are located. The county has authority over contracts awarded regarding services for county buildings, therefore, it is required we use vendors they recommend for purchase of services. The "Special Trade Construction" category was not applicable to the Court's operations in fiscal year 2007.

Factors Affecting Attainment:

The majority of the Court's appropriations, approximately 94% was expended on salaries and personnel costs during FY2006-2007. A large portion of the Court's remaining expenditures were solo-source. Whenever possible and feasible, other purchasing was carried out through TPASS term contract/catalog purchasing.

"Good-Faith" Efforts:

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

6.I. 10 Percent Biennial Base Reduction Options Schedule

Approved Reduction Amount

\$293,105

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

Agency Code: 227		Agency Name: SEVENTH 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
	Strat	Name	GR	GR-Dedicated	Federal	Other	All Funds	FY 08	FY 09		
1	1-1-1	Appellate Court Operations	293,105				\$ 293,105	2	2	Y	10.0%
2							\$ -				
3							\$ -				
4							\$ -				
5							\$ -				
6							\$ -				
7							\$ -				
8							\$ -				
9							\$ -				
10							\$ -				
11							\$ -				
12							\$ -				
Agency Biennial Total			\$ 293,105	\$ -	\$ -	\$ -	\$ 293,105	2.0	2.0		10.0%
Agency Biennial Total (GR + GR-D)			\$ 293,105								

Rank / Name

Explanation of Impact to Programs and Revenue Collections

1 Appellate Court Operations

Reduced funding for the judiciary in the FY2010-11 would cause (1) dispositions of appeals to decrease, and (2) the time for which appeals remained pending during the biennium would be increased.

The core function of the courts 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 clerical staff who assist the judges of the court in disposing of cases and researching and writing opinions. Consequently 94% of the Court's FY2008-2009 appropriated budget is dedicated to salaries. A 10% reduction in the Court's appropriated budget, which amounts to \$293,105 will require the Court to eliminate 2 staff attorney positions in the amount of \$290,000 representing 20% of the Court's legal staff and reduce operational expenses in the amount of \$3,105. 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. Additionally, lawyers working for multiple judges are less efficient than those working with and responsible to an individual judge. This reduction in legal staff will 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. To prevent the backlog of cases and maintain minimum disposition and clearance rates, this Court specifically needs the assistance of a minimum of eight staff attorneys.

Agency code: 227

Agency name: Seventh Court of Appeals District, Amarillo

Strategy	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
1-1-1 Appellate Court Operations					
OBJECTS OF EXPENSE:					
1001 SALARIES AND WAGES	\$ 154,143	\$ 161,687	\$ 178,291	\$ 164,291	\$ 164,291
1002 OTHER PERSONNEL COSTS	10,073	3,699	2,122	2,063	2,754
2003 CONSUMABLE SUPPLIES	669	989	1,072	988	988
2004 UTILITIES	1,120	879	953	878	878
2005 TRAVEL	1,446	1,649	1,905	1,756	1,756
2006 RENT - BUILDING	2	2	2	2	2
2007 RENT - MACHINE AND OTHER	68	69	74	68	68
2009 OTHER OPERATING EXPENSE	9,468	9,871	10,236	9,324	8,633
5000 CAPITAL EXPENDITURES	2,079	0	0	0	0
Total, Objects of Expense	\$ 179,068	\$ 178,845	\$ 194,655	\$ 179,370	\$ 179,370

METHOD OF FINANCING:

I General Revenue Fund	179,068	178,845	194,655	179,370	179,370
Total, Method of Financing	\$ 179,068	\$ 178,845	\$ 194,655	\$ 179,370	\$ 179,370

FULL-TIME-EQUIVALENT POSITIONS (FTE):

2.3	2.3	2.4	2.3	2.3
-----	-----	-----	-----	-----

DESCRIPTION

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

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

Agency code: 227

Agency name: Seventh Court of Appeals District, Amarillo

	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
GRAND TOTALS					
Objects of Expense					
1001 SALARIES AND WAGES	\$154,143	\$161,687	\$178,291	\$164,291	\$164,291
1002 OTHER PERSONNEL COSTS	\$10,073	\$3,699	\$2,122	\$2,063	\$2,754
2003 CONSUMABLE SUPPLIES	\$669	\$989	\$1,072	\$988	\$988
2004 UTILITIES	\$1,120	\$879	\$953	\$878	\$878
2005 TRAVEL	\$1,446	\$1,649	\$1,905	\$1,756	\$1,756
2006 RENT - BUILDING	\$2	\$2	\$2	\$2	\$2
2007 RENT - MACHINE AND OTHER	\$68	\$69	\$74	\$68	\$68
2009 OTHER OPERATING EXPENSE	\$9,468	\$9,871	\$10,236	\$9,324	\$8,633
5000 CAPITAL EXPENDITURES	\$2,079	\$0	\$0	\$0	\$0
Total, Objects of Expense	\$179,068	\$178,845	\$194,655	\$179,370	\$179,370
Method of Financing					
1 General Revenue Fund	\$179,068	\$178,845	\$194,655	\$179,370	\$179,370
Total, Method of Financing	\$179,068	\$178,845	\$194,655	\$179,370	\$179,370
Full-Time-Equivalent Positions (FTE)	2.3	2.3	2.4	2.3	2.3

GENERAL REVENUE (GR) & GENERAL REVENUE DEDICATED (GR-D) BASELINE REPORT

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

Agency code:

Agency name: **Seventh Court of Appeals District, Amarillo**

GR Baseline Request Limit = \$3,007,792

GR-D Baseline Request Limit = \$1

Strategy/Strategy Option/Rider				2010 Funds				2011 Funds				Biennial Cumulative GR	Biennial Cumulative Ded	Page #	
FTEs	Total	GR	Ded	FTEs	Total	GR	Ded								
Strategy: 1 - 1 - 1 Appellate Court Operations															
20.0	1,634,496	1,503,896	0	20.0	1,634,496	1,503,896	0	3,007,792	0						
20.0				20.0				*****GR Baseline Request Limit=\$3,007,792*****							
Excp Item: 1 Similar Funding for Same-sized Courts															
1.0	207,432	207,432	0	1.0	207,432	207,432	0	3,422,656	0						
Strategy Detail for Excp Item: 1															
Strategy: 1 - 1 - 1 Appellate Court Operations															
1.0	207,432	207,432	0	1.0	207,432	207,432	0								
21.0	\$1,841,928	\$1,711,328	\$0	21.0	\$1,841,928	\$1,711,328	0								