

ITEM REDUCTIONS BY METHOD OF FINANCING
 81st Regular Session, 2010-11 Agency Item Reductions
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 3/3/2010
 Time: 3:59:44PM
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Agency code: 225

Agency name: Fifth Court of Appeals District, Dallas

Item Priority and Name/ Method of Financing	2010	2011	Biennial Total	Target
1 Appellate Court Operations				
Item Comment: As discussed in the joint letter to state leadership dated 02/16/10, the Courts of Appeal request to maintain the full level of funding appropriated to the Courts for FY2010-2011 and to utilize that funding as authorized by the 81st Legislature. A 5% reduction of the budget for the 5th Court of Appeals is \$485,486. This would require the court to limit electronic legal research and eliminate hard copy subscriptions of primary and secondary research materials. This will significantly impact the timely disposition of cases.				
GENERAL REVENUE FUNDS				
1 General Revenue Fund	\$0	\$88,454		
General Revenue Funds Total	\$0	\$88,454		
Item Total	\$0	\$88,454		
2 Leave One Clerk Position Vacant				
Item Comment: As discussed in the joint letter to state leadership dated 02/16/10, the Courts of Appeal request to maintain the full level of funding appropriated to the Courts for FY2010-2011 and to utilize that funding as authorized by the 81st Legislature. Thus, 93% of the Court's FY10-FY11 appropriated budget is dedicated to salaries. A 5% reduction of the budget for the 5th Court of Appeals is \$485,486 and will require one clerk position remain vacant and 1.5 clerk positions be eliminated. This represents 25% of the Court's highly skilled clerical staff and will delay implementation of the electronic filing process by at least three months. The sole 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 clerical staff who assist the judges of the court with intaking, processing and disposing of cases.				
GENERAL REVENUE FUNDS				
1 General Revenue Fund	\$16,975	\$29,100		
General Revenue Funds Total	\$16,975	\$29,100		
Item Total	\$16,975	\$29,100		

* - Indicates amount does not meet target requirements.

ITEM REDUCTIONS BY METHOD OF FINANCING
 81st Regular Session, 2010-11 Agency Item Reductions
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 3/3/2010
 Time: 3:59:48PM
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Agency code: 225

Agency name: Fifth Court of Appeals District, Dallas

Item Priority and Name/ Method of Financing	2010	2011	Biennial Total	Target
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3 Reduce Staffing

Item Comment: As discussed in the joint letter to state leadership dated 02/16/10, the Courts of Appeal request to maintain the full level of funding appropriated to the Courts for FY2010-2011 and to utilize that funding as authorized by the 81st Legislature. The sole 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. A 5% reduction of the budget for the 5th Court of Appeals is \$485,486 and will require the elimination of 4 attorney positions and 1.5 clerk positions. The elimination of 4 staff attorney positions at this court represents 12.99% of the court's legal staff. This reduction in funding would cause the court to fall below the 2:1 lawyer/judge ratio and would cause our clearance rate to fall below 90%. Reduced funding would cause disposition of appeals to be 88% of new appeals filed in the biennium, and the time for which appeals remain pending during the biennium would be increased, thus creating a backlog of cases. Additionally, eliminating appellate lawyers and trained clerical staff results in the loss of institutional knowledge further impacting timeliness in disposing of cases. Any reduction in funding will negatively impact "similar funding for same sized courts" creating the disruptive funding inequities the legislature has spent the last several years attempting to eliminate.

GENERAL REVENUE FUNDS

1 General Revenue Fund	\$0	\$350,957		
General Revenue Funds Total	\$0	\$350,957		
Item Total	\$0	\$350,957		
Agency General Revenue Total	\$16,975	\$468,511		
Agency GR Dedicated Total				
Agency Grand Total	\$16,975	\$468,511	\$485,486	\$485,486

* - Indicates amount does not meet target requirements.