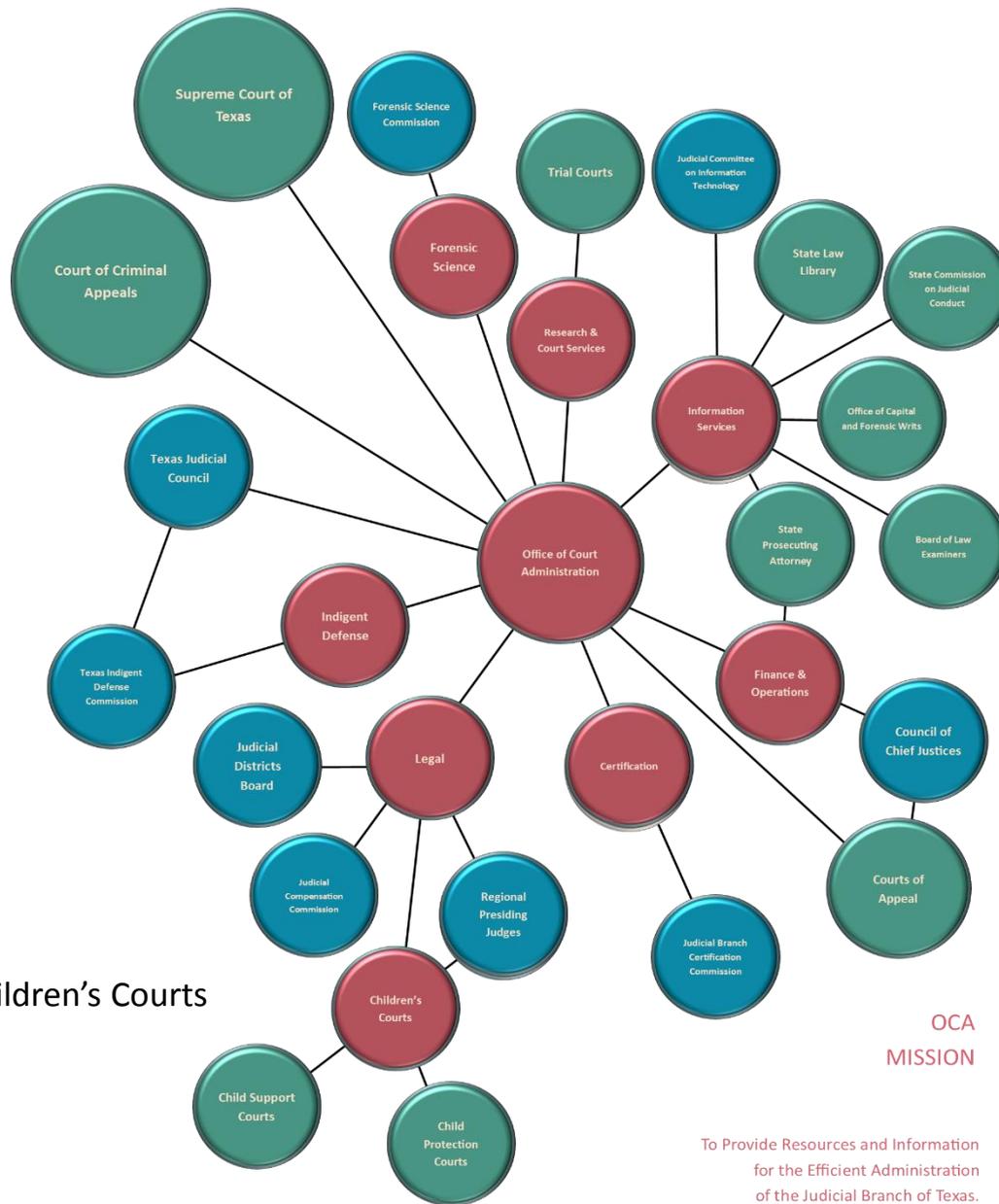


Legislative Appropriations Request
Exceptional Items
for Fiscal Years 2020 and 2021
Senate



Office of Court Administration, Texas Judicial Council
David Slayton
Administrative Director



Total FTEs = 236.6 *

*137.4 FTEs (58%) in Children's Courts

OCA
MISSION

To Provide Resources and Information
for the Efficient Administration
of the Judicial Branch of Texas.



Texas Judicial Council

- Policy-making body for the Judicial Branch
- 22 members – Judicial, Legislative, Executive Appointees
 - Chief Justice, Chair
 - Presiding Judge, CCA – Vice Chair
 - 2 appellate justices
 - 2 district court judges
 - 2 county court judges
 - 2 justices of the peace
 - 2 municipal court judges
 - 2 senators
 - 2 representatives
 - 6 public members appointed by Governor
- Executive Director – statutorily Administrative Director, OCA
- OCA provides staff support

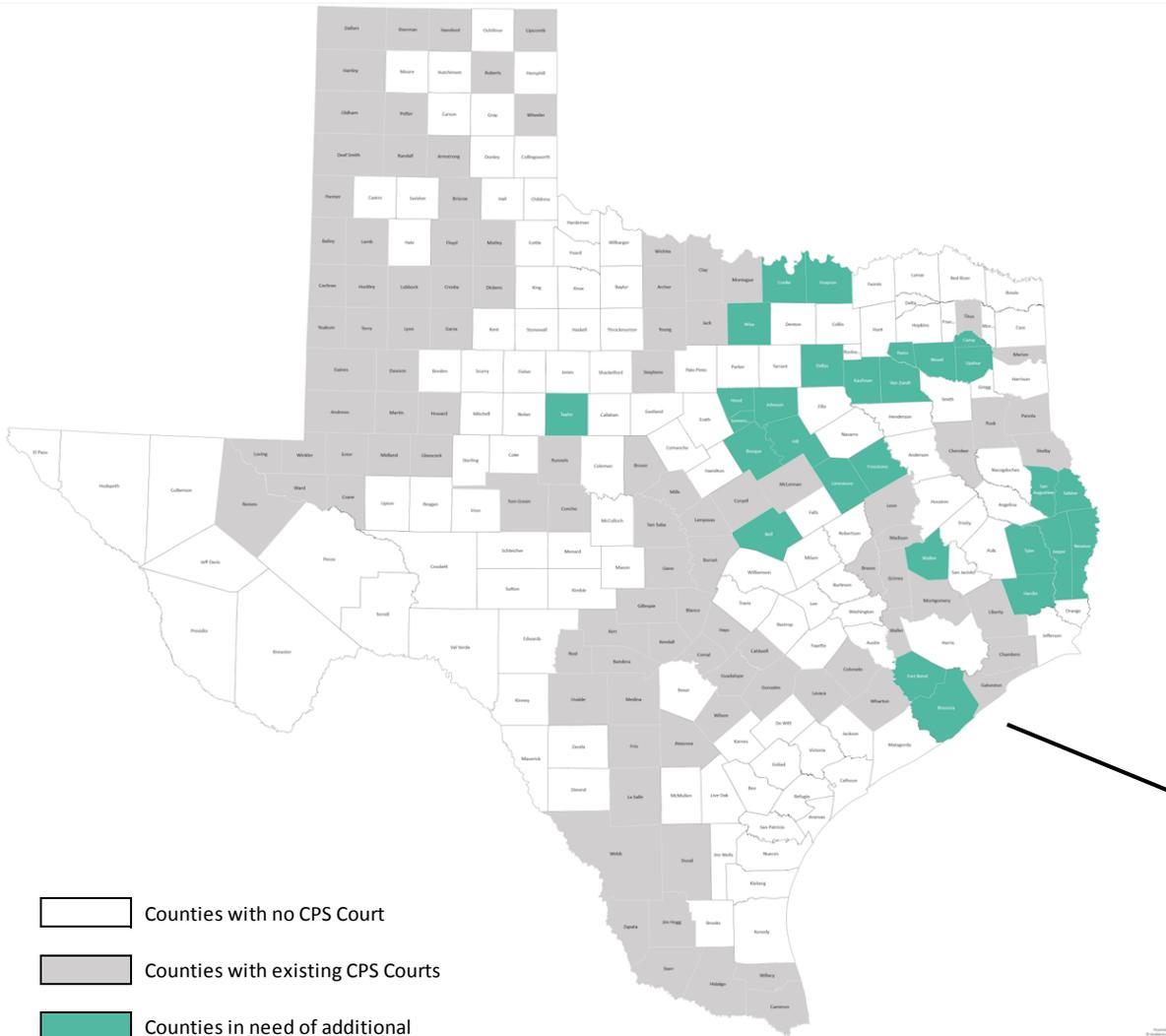


Texas Judicial Council Efforts & Accomplishments

- **Data Collection Improvements**
- **Juvenile Justice**
 - School ticketing reform - 2013
 - Decriminalization of failure to attend school - 2015
- **Guardianship**
 - Strengthened guardianship alternatives and procedures in guardianship cases - 2015
- **Mental Health Revisions**
 - Screening protocols, competency restoration, jail diversion - 2017 and Current
- **Criminal Court Cost Assessment - 2017**
- **Courthouse Security Enhancements - 2017**
- **Civil Justice System Improvements - Current**
- **Modernizing Bail and Pretrial System - Current**
- **Elder and Incapacitated Adult Exploitation Protections - Current**



Exceptional Item #1: Protecting Texas Children - Create Additional Courts for Growing CPS Caseloads



- Regional Presiding Judges have identified a need for **9 additional child protection courts (CPCs)**
- 18 FTEs (9 Associate Judges, 9 Court Coordinators)
- \$4.2 million over biennium – Includes lump sum obligations due to anticipated retirements
- By the end of the 2020-21 biennium, 57% of child support court staff and 20% of the CPC staff will be eligible to retire creating a \$1 million potential liability for OCA
- Request includes \$549K contingency funding for lump sum annual leave payments

Proposed new courts: 1) Dallas; 2) Bell; 3) Taylor; 4) Grayson, Cooke and Wise; 5) Northeast Texas Child Protection Court No. 2; 6) Southeast Texas Cluster Court; 7) Brazos River Valley Cluster Court; 8) Brazoria; 9) Hood, Johnson, Somerville, Bosque and Hill.



Exceptional Item #2: Restoration of Funding for Statewide Judicial Technology



Fund 5157 – Statewide Electronic System Account		
Statutorily restricted to spending on:		
eFiling	Grants to Counties for Integration	Statewide Judicial Technology Projects

SB 1 Reduced funding for Statewide Judicial Technology by over \$5.5 million.

- Amount in SB 1 is not enough to cover the current eFiling contract in 2020
- Critical judicial projects that can't be completed without restoration:
 - Procuring new eFiling contract
 - Guardianship Registry Database mandated by SB 1096 (85R)
 - Court statistics database to collect case level data
- **\$5.5 million over the biennium**
- Fund 5157 is not subject to budget certification



Exceptional Item #3: Securing Texas Courthouses and Providing Safety for Texas Judges

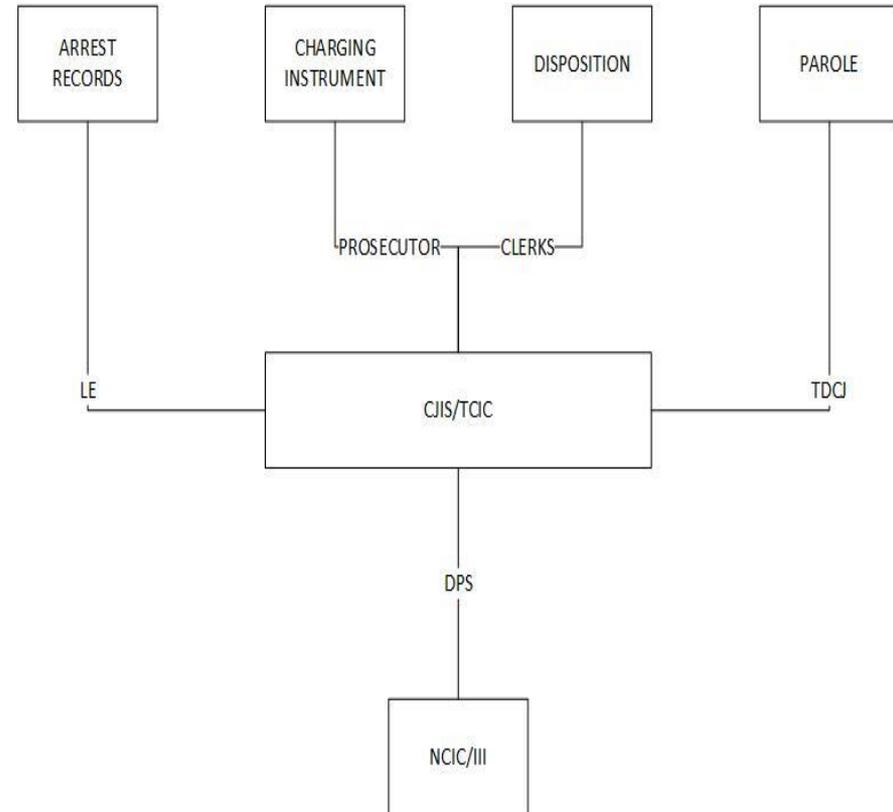
- Court security reported incidents increased 225% from FY17 to FY18
- There is a need to expand consultation and technical assistance on court security to over 3,000 judges and county personnel
- Includes 2 FTEs to:
 - Assist in removing personal info from public databases; review court security protocols; provide technical assistance; connect counties and judges with security resources
- \$376,346 over the biennium



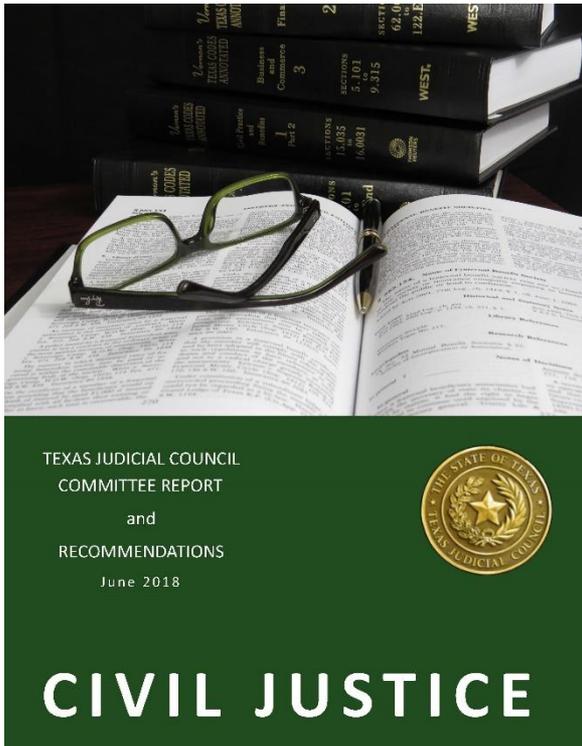
Exceptional Item #4: School Safety Initiative – Statewide Case Management System (CMS)

- Automates reporting of court records to the National Instant Criminal Background Check System (NICS)
- CMS one of 40 recommendations included in the Governor’s School and Firearm Safety Action Plan issued May 30th, 2018 and a Judicial Council recommendation
- Close critical information gaps to prevent shootings like that in Sutherland Springs
- Necessary to comply with Federal CPS judgment
- Targets counties with population under 20,000 (> 1/2 of Texas counties) which have limits on collecting data
- Provides magistrates immediate access to critical information
- Standard configuration for use by all counties
- 2 FTEs (Project Manager and Contract Manager)
- \$29.7 million over the biennium

CRIMINAL RECORDS FLOWCHART



Exceptional Item #5: Judicial Council Resources

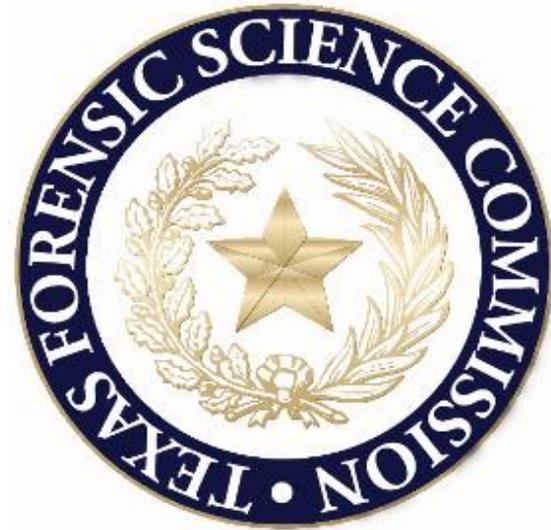


- Funding for the Texas Judicial Council:
 - Judicial Workload study is 11 years old - used to determine need for new district courts
 - 2 FTEs for staff attorney resources – assist trial judges in analyzing difficult legal issues
 - 2 FTEs for staff attorney resources - assist visiting appellate judges for 14 Courts of Appeals
- Judicial Council has never been provided an appropriation for this work
- OCA has been required to provide funding for major studies in recent years to permit the Council to make its decisions
- \$1.2 million over the biennium



Exceptional Item #6: Restoration of Funding for Forensic Science Commission

- SB 1 included request for appropriation of \$191,800 out of GR-Dedicated FSC Account 5173, but reduced GR by equivalent amount
- Restoration of GR funding will be used to create forensic bench book; accreditation program for crime scene reconstruction; and ongoing licensing system maintenance



\$191,800 over biennium



Riders

- **Estimated Receipts Appropriation, Texas Forensic Science Commission Operating Account.** There is hereby appropriated to the Office of Court Administration, Texas Judicial Council an amount equal to the unexpended balance on hand from all fees deposited into the Texas Forensic Science Commission Operating Account No. 5173 for the Texas Forensic Science Commission, as of August 31, 2019, to administer and enforce Article 38.01 (estimated to be \$108,000). In addition to the amounts appropriated above are all deposits to the Forensic Science Commission Operating Account No. 5173 for the same purposes (estimated to be \$0 in fiscal year 2020 and \$3,000 in fiscal year 2021.)
- **Estimated Receipts Appropriation, Statewide Electronic Filing System Account.** There is hereby appropriated to the Office of Court Administration, Texas Judicial Council an amount equal to the unexpended balance on hand from all fees deposited into the Statewide Electronic Filing System Account No. 5157 as of August 31, 2019 (estimated to be \$11,483,000). In addition to the amounts appropriated above are all deposits to the Statewide Electronic Filing System Account No. 5157 for the same purposes (estimated to be \$4,711,470 in fiscal year 2020 and \$5,132,870 in fiscal year 2021.)
- **Performance Reporting for the Collection Improvement Program.** The Office of Court Administration shall report the following information to the Legislative Budget Board and the Governor on September 1st of each year: (1) the number of mandatory programs in operation; (2) the number of mandatory programs not in compliance; (3) the number of voluntary programs in operation; (4) the number of new voluntary programs in operation; and (5) information on program revenue that indicates the impact of the collections program on revenue collections in participating programs. The office of Court Administration should seek to increase the number of voluntary programs by five each fiscal year.



Riders

- ~~Guardianship Compliance Project~~ **Guardianship Abuse, Fraud, and Exploitation Deterrence Program.** Amounts appropriated above from the General Revenue Fund include ~~\$2,893,620~~ **\$2,514,267** in fiscal year 2020 and ~~\$2,440,267~~ **\$2,440,267** in fiscal year 2021 in Strategy A.1.1., Court Administration, and ~~34.3~~ **28.0** FTEs each fiscal year, for the ~~Guardianship Compliance Project~~ **Guardianship Abuse, Fraud, and Exploitation Deterrence Program.**
- **Staff Attorneys for Visiting Appellate Justices.** Amounts appropriated above from the General Revenue fund, include \$267,730 in fiscal year 2020 and \$263,290 in fiscal year 2021 in Strategy A.1.1 Court Administration and 2.0 FTEs each fiscal year, for expenses related to the employment of staff attorneys or fees paid to contracted staff attorneys for assisting judges assigned to the courts of appeals under Chapters 74 or 75 of the Government Code or justices assigned cases in addition to their ordinary caseload. OCA will coordinate with the Council of Chief Justices or the Council's designee in the selection of and the assignment of work to the staff attorneys.

