

LEGISLATIVE APPROPRIATIONS REQUEST for Fiscal Years 2020 and 2021

Submitted to the Office of the Governor, Budget Division,
and the Legislative Budget Board

BY
242 - State Commission on Judicial Conduct

July 27, 2018



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Administrator's Statement

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Automated Budget and Evaluation System of Texas (ABEST)

242 State Commission on Judicial Conduct

The State Commission on Judicial Conduct ("SCJC") is comprised of thirteen members: six judicial members appointed by the Supreme Court of Texas, two attorney members appointed by the State Bar of Texas, and five public members (who are neither judges nor attorneys) appointed by the Office of the Governor. The current members of the Commission include:

Honorable Douglas S. Lang, Chair
Appellate Judge Member
Dallas, TX

Honorable Catherine N. Wylie, Vice-Chair
Municipal Court Judge Member
Houston, TX

Honorable David C. Hall, Secretary
County Court at Law Judge Member
Sweetwater, TX

Honorable David M. Patronella
Justice of the Peace Member
Houston, TX

Honorable Tramer J. Woytek
County Judge Member
Hallettsville, TX

Honorable Ruben Reyes
District Judge Member
Lubbock, TX

Mr. Demetrius K. Bivins
Attorney Member
Houston, TX

Mr. Ronald Bunch
Attorney Member
Waxahachie, TX

Mr. David M. Russell
Public Member

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Dripping Springs, TX

Mr. Sujeeth Draksharam
Public Member
Sugarland, TX

Mr. Darrick McGill
Public Member
Georgetown, TX

Ms. Maricela Alvarado
Public Member
Harlingen, TX

Ms. Amy Suhl
Public Member
Houston, TX

The mission of the SCJC is to promote public confidence in the integrity, independence, and impartiality of the judiciary while encouraging judges to maintain high ethical standards of conduct on and off the bench. The primary method for achieving this mission is through the investigation of allegations of judicial misconduct or disability. In appropriate cases where there is sufficient evidence that a willful or persistent violation of the Texas Code of Judicial Conduct has occurred, the SCJC may take disciplinary action against a judge through (i) a private or public sanction and/or an order of additional education; (ii) a suspension order; (iii) acceptance of a voluntary resignation agreement; or (iv) formal public proceedings that could result in a judge's public sanction, censure, or a recommendation for removal from office.

I. Introduction: Workload Increases, FY 2015-2018

During FY 2018, the Agency experienced a significant increase in total workload on two fronts: complaints continued to increase, and the number of external proceedings also increased dramatically.

A. Increase in Filed Complaints

Over the last three years, the number of filings received by the Commission have dramatically increased. The following shows the number filings received, dispositions and total caseload for each fiscal year since FY 2015:

FY	Filings	Dispositions	Caseload
15	1,066	1,245	477
16	1,193	1,050	625
17	1,535	1,333	827

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18 1,595 1,475 947

The Agency estimates the following for FY 2019-2021:

FY	Filings	Dispositions	Caseload
19	1,643	1,534	1,056
20	1,692	1,595	1,153
21	1,743	1,659	1,236

In order to ensure conservative forecasting estimations, the projections for FY 2019-2021 assume annual growth rates of 3% for filings and 4% for dispositions relative to FY 2018.

Between FY 2015 and FY 2017, the number of complaints received by the Agency increased by 44% from 1,066 to 1,535. By the end of FY 2018, the Agency expects to have received nearly 1,600 complaints. Simultaneously, the Commission's dispositions increased from 1,050 in FY 2016 to an estimated 1,475 in FY 2018. Nonetheless, because the number of new filings has outpaced dispositions, the Commission's total number of cases pending continues to increase.

Data reflecting the Agency's Filings, Dispositions, and Caseload dating back to FY 2011 and forecast through FY 2021 are included in the attached chart.

B. External Proceedings (Special Courts of Review and Formal Proceedings)

The Agency has also borne significant time and expense due to a surge in the number of external proceedings, including filing charges in seven Special Courts of Review and in support of two Formal Proceedings during FY 2018.

(1) Special Courts of Review

A Special Court of Review is the process by which a judge may appeal a sanction issued by the Commission, and is governed by Chapter 33.034 of the Texas Government Code. During FY 2018, seven judges sanctioned by the Commission exercised this statutory right. All seven cases required the preparation of a transcript of the proceedings, and Staff prepared and filed a formal charge in each of the seven cases. Four of these judges dismissed their complaints prior to the Final Hearing, and three went to Final Hearing. These Special Court of Review proceedings consumed an estimated 360 hours of Agency Staff time during FY 2018.

(2) Formal Proceedings

Agency Staff was involved in two formal proceedings and prepared a charging instrument in a third which resolved upon the judge's resignation in lieu of prosecution. One of the formal proceedings was filed in FY 2017, but continued into FY 2018 and required extensive Staff time before the judge ultimately resigned in lieu of further prosecution. The Agency estimates that Staff spent a total of approximately 120 hours in support of these two matters during FY 2018.

Based primarily on these issues, and others described below, the Commission is requesting three Exceptional Items, as follows:

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II. Discreet Hard Costs: Travel, External Proceedings and Expert Consultations -- \$46,000 Annual/\$97,000 Biennium (Exceptional Item #1)

The Agency's operating budget is significantly underfunded both with respect to hard costs associated with travel and external proceedings.

A. Travel Budget \$21,000 Annual/\$42,000 Biennium

The Agency's travel budget for FY 2018 and 2019 is \$59,000 per annum. However, recent experience indicates that the Agency's travel costs will exceed this amount in FY 2019 and into the FY 2020-2021 biennium. Using the costs from the December 2017 meeting, and adjusting for each meeting's respective hotel rates, the Agency's expected annual meeting expense is \$68,731.20.

Given that the Agency requires additional monies for attorney and investigator travel beyond the meeting costs themselves, the Agency is requesting that the \$59,000 prior budget be increased to \$80,000 per year, reflecting a \$21,000 increase in expenditures per year relative to the current biennium.

The Agency further notes that certain Commissioners have either arranged to have their employing entities to cover their travel costs, or have chosen not to be reimbursed for their travel expenses associated with their Commission work.

B. External Proceedings and Expert Consultations - \$25,000 Annual/\$50,000 Biennium

The unanticipated increase in external proceedings has been extremely expensive and, in the current biennium, unbudgeted. The Agency's hard costs for FY 18 associated with the nine external proceedings (seven Courts of Review and two Formal Proceedings) were \$27,642.51, primarily consisting of transcription fees.

The Agency also funded a psychological evaluation at a cost of \$3,625.00. Between these two categories, the Agency spent \$31,267.51 in FY 2018.

Because this year may represent an anomalously high number of cases appealed and removal proceedings filed, the Agency is requesting \$25,000 per year to ensure that it has sufficient funds for hard costs associated with these external proceedings and Expert Consultation fees (over which the Agency has no control).

III. Funding for Three Additional Positions - \$198,600 Annual/\$397,200 Biennium (Exceptional Item #2)

In light of the anticipated continued increase in filings with the Agency, the Agency requests an exceptional item to create three additional FTE positions, as follows:

Item	Annual Expense	Biennium Expense
Attorney (new position)	\$ 93,600	\$187,200
Investigator (new position)	\$ 60,000	\$120,000
Administrator (new position)	\$ 45,000	\$ 90,000

The expected effect of these additional positions is to add at least 200 cases/year to the Agency's capacity to dispose of cases. This would likely ensure that the Agency would be able to resolve at least as many complaints as it receives in a given year, even with expected increased filings, and may provide the Agency to reduce the backlog that has been developing since FY 2015.

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IV. Retention of Existing Staff by Realignment of Comparable Salaries/Upgrading Existing Investigation position to an Attorney - \$126,978 Annual/\$253,956 Biennium (Exceptional Item #3)

The Agency places a high value on recruiting and retaining high quality Staff Attorneys. While it is not the aim of the Agency to match private sector pay (first year associate salaries with major law firms have risen to nearly \$200,000), when compared to other comparable state attorney positions, the Agency falls well below comparable salaries paid to comparably skilled attorneys at other agencies. The current disparities can neither be justified nor designed to retain the highly skilled and experienced lawyers who contribute greatly to the Agency's ability to complete its mission.

A. Attorneys' Salaries - \$69,440 Annual/\$138,880 Biennium

The work the Agency performs demands extremely high quality attorneys in order to thoroughly investigate and prepare cases for the Commission's consideration, and to be able to handle our external proceedings (both Special Courts of Review and Formal Proceedings) when called upon. Additionally, the Agency invests considerable time and effort in each newly hired attorney, with a steep learning curve typically requiring at least one and typically two years to reach full operational proficiency. As such, the Agency benchmarked its attorneys' salary levels with comparable positions at comparable government employers, including the Texas Attorney General and the Courts of Appeals. The data show that the Agency has fallen far behind these two employers, as follows:

Entity	Average Salary	Median Salary
AAG	\$98,383	\$95,458
COA	\$94,837	\$93,600
SCJC	\$79,250	\$75,000
Delta	\$(17,360)	\$(19,529)

Based on these data, the Agency requests that each of its four existing attorney FTE positions funded at \$93,600 annually per position (the lowest of the four comparable data points from the AG and Court of Appeals positions). The annual cost of this increase will be \$69,440 in base salary.

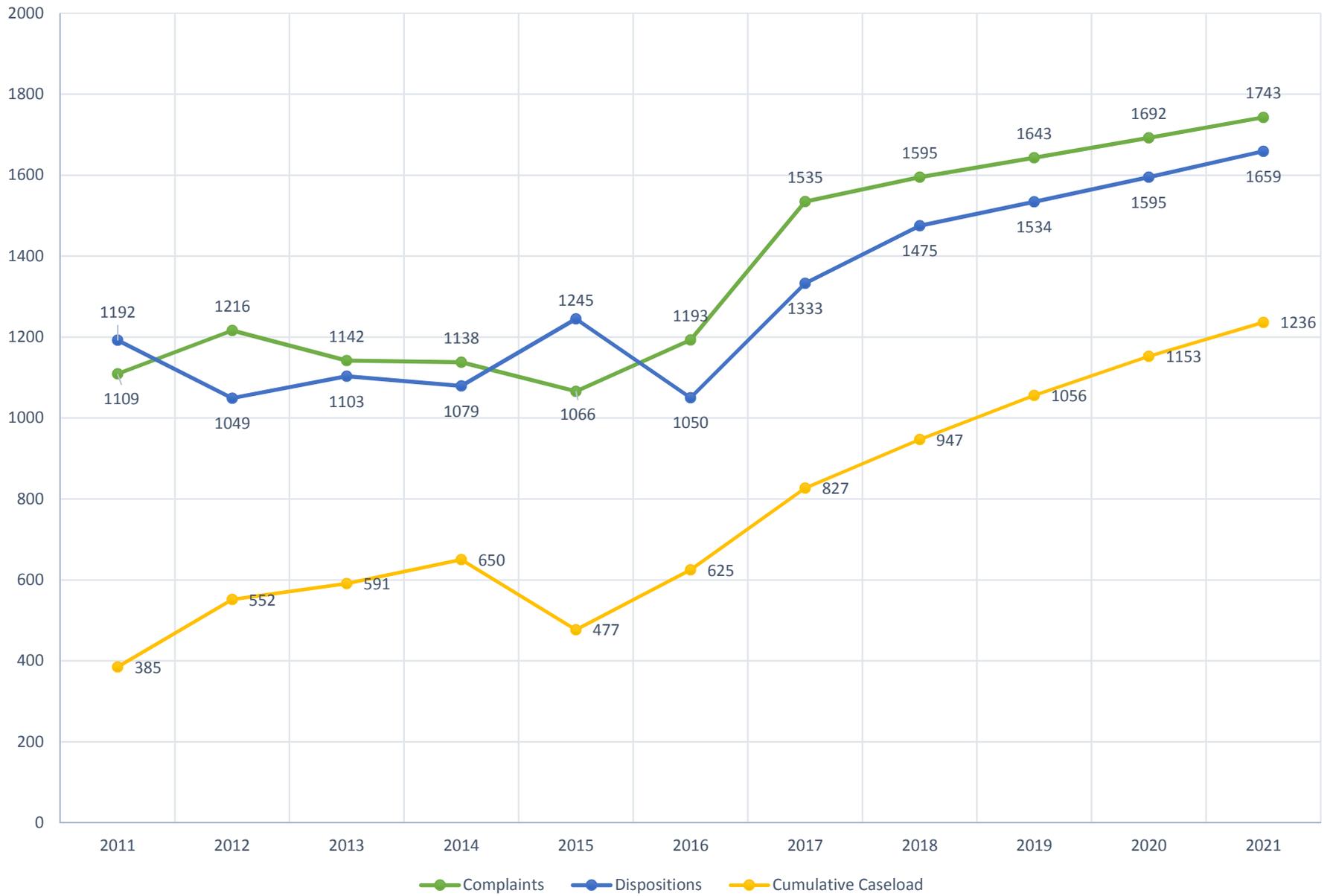
B. Remaining Staff Salaries - \$13,938 Annual/\$27,876 Biennium

The Agency is requesting an across the board increase of 3% for remaining staff not included in the above attorney positions.

C. Upgrade existing Investigator Position to Attorney Position - \$43,600 Annual/\$87,200 Biennium

Finally, the Agency desires to upgrade one of its current investigator positions to an attorney position. One of the Agency's investigators has a law degree and intends to sit for the February 2019 Bar Exam. The Agency would be well served to have the ability to promote this individual to the position of an Attorney. Alternatively, if the individual does not obtain a law license, the Agency would still benefit from being able to convert an investigator position to an attorney, and therefore requests this addition.

SCJC Complaints, Dispositions, and Caseloads (FY 2011 - FY 2021)



State Commission on Judicial Conduct Organizational Chart





CERTIFICATE

Agency Name State Commission on Judicial Conduct

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 Budget Division (Governor's Office) 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 PDF file submitted via the LBB Document Submission application are identical.

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the Governor's Office will be notified in writing in accordance with Article IX, Section 7.01 (2018-19 GAA).

Chief Executive Officer or Presiding Judge

Handwritten signature of Eric Vinson in blue ink.

Signature

ERIC VINSON

Printed Name

Executive Director

Title

7/27/2018

Date

Board or Commission Chair

Handwritten signature of Douglas S. Lang in blue ink.

Signature

Justice Douglas S. Lang

Printed Name

Chair

Title

July 23, 2018

Date

Chief Financial Officer

Handwritten signature of Kathryn Crabtree in blue ink.

Signature

Kathryn Crabtree

Printed Name

Staff Services Officer

Title

7-27-2018

Date

Budget Overview - Biennial Amounts
86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

242 State Commission on Judicial Conduct
Appropriation Years: 2020-21

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS	
	2018-19	2020-21	2018-19	2020-21	2018-19	2020-21	2018-19	2020-21	2018-19	2020-21	2020-21	
Goal: 1. Administration and Enforcement												
1.1.1. Administration And Enforcement	2,268,622	2,268,622							2,268,622	2,268,622		760,134
Total, Goal	2,268,622	2,268,622							2,268,622	2,268,622		760,134
Total, Agency	2,268,622	2,268,622							2,268,622	2,268,622		760,134
Total FTEs									14.0	14.0		3.0

2.A. Summary of Base Request by Strategy

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Automated Budget and Evaluation System of Texas (ABEST)

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Goal / Objective / STRATEGY	Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
1 Administration and Enforcement					
1 Administration and Enforcement					
1 ADMINISTRATION AND ENFORCEMENT	1,175,189	1,134,311	1,134,311	1,134,311	1,134,311
TOTAL, GOAL 1	\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311
TOTAL, AGENCY STRATEGY REQUEST	\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311
<u>METHOD OF FINANCING:</u>					
General Revenue Funds:					
1 General Revenue Fund	1,175,189	1,134,311	1,134,311	1,134,311	1,134,311
SUBTOTAL	\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311
TOTAL, METHOD OF FINANCING	\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311

*Rider appropriations for the historical years are included in the strategy amounts.

2.B. Summary of Base Request by Method of Finance

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 242		Agency name: State Commission on Judicial Conduct				
METHOD OF FINANCING	Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021	
<u>GENERAL REVENUE</u>						
<u>1</u> General Revenue Fund						
<i>REGULAR APPROPRIATIONS</i>						
Regular Appropriations from MOF Table (2018-19 GAA)	\$0	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311	
Regular Appropriations from MOF Table (2016-17 GAA)	\$1,109,936	\$0	\$0	\$0	\$0	
<i>RIDER APPROPRIATION</i>						
Rider 2, UB within Biennium (16-17 GAA)	\$21,375	\$0	\$0	\$0	\$0	
<i>TRANSFERS</i>						
Art IX, Sec 18.02, Salary Increase for General State Employees (2016-17)	\$14,280	\$0	\$0	\$0	\$0	
<i>LAPSED APPROPRIATIONS</i>						
Regular Appropriation from MOF Table (2016-17 GAA)	\$(8,294)	\$0	\$0	\$0	\$0	

Comments: For FY17, \$2,751.43 is from \$5,000 dedicated for investigator travel

2.B. Summary of Base Request by Method of Finance

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 242		Agency name: State Commission on Judicial Conduct				
METHOD OF FINANCING		Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
<u>GENERAL REVENUE</u>						
<i>UNEXPENDED BALANCES AUTHORITY</i>						
Strategy A.1.1, Administration and Enforcement (2016-17 GAA)						
		\$37,892	\$0	\$0	\$0	\$0
TOTAL,	General Revenue Fund	\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311
TOTAL, ALL	GENERAL REVENUE	\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311
GRAND TOTAL		\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311
FULL-TIME-EQUIVALENT POSITIONS						
REGULAR APPROPRIATIONS						
	Regular Appropriations from MOF Table (2018-19 GAA)	0.0	14.0	14.0	14.0	14.0
	Regular Appropriations from MOF Table (2016-17 GAA)	14.0	0.0	0.0	0.0	0.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP						
	UNAUTHORIZED NUMBER OVER (BELOW) CAP	(0.6)	(0.3)	0.0	0.0	0.0
TOTAL, ADJUSTED FTES		13.4	13.7	14.0	14.0	14.0

2.B. Summary of Base Request by Method of Finance

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 242	Agency name: State Commission on Judicial Conduct					
METHOD OF FINANCING	Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021	
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

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Automated Budget and Evaluation System of Texas (ABEST)

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OBJECT OF EXPENSE	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
1001 SALARIES AND WAGES	\$906,314	\$943,053	\$973,045	\$973,045	\$973,045
1002 OTHER PERSONNEL COSTS	\$63,358	\$36,000	\$24,931	\$24,931	\$24,931
2001 PROFESSIONAL FEES AND SERVICES	\$42,041	\$16,434	\$1,400	\$1,400	\$1,400
2003 CONSUMABLE SUPPLIES	\$4,769	\$5,500	\$5,500	\$5,500	\$5,500
2004 UTILITIES	\$1,906	\$984	\$1,200	\$1,200	\$1,200
2005 TRAVEL	\$59,552	\$71,000	\$59,000	\$59,000	\$59,000
2006 RENT - BUILDING	\$3,079	\$3,058	\$2,600	\$2,600	\$2,600
2007 RENT - MACHINE AND OTHER	\$1,877	\$1,716	\$2,600	\$2,600	\$2,600
2009 OTHER OPERATING EXPENSE	\$92,293	\$56,566	\$64,035	\$64,035	\$64,035
OOE Total (Excluding Riders)	\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311
OOE Total (Riders)					
Grand Total	\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311

2.C.1. Operating Costs Detail ~ Base Request

Date: 7/30/2018
Time: 4:19:30PM

86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: 242 Agency: State Commission on Judicial Conduct

BASE REQUEST STRATEGY: 1-1-1 Administration and Enforcement

Code	Type of Expense	Expended 2017	Estimated 2018	Budgeted 2019	Requested 2020	Requested 2021
2	Postage	\$623	\$3,000	\$3,000	\$3,200	\$3,500
5	Westlaw/Lexis	17,206	285	4,000	8,000	8,000
7	Subscriptions/Periodicals	82	357	500	500	500
12	Maintenance & Repair - Equipment	0	11	0	0	0
15	Printing & Reproduction	599	525	650	650	650
24	Freight/Delivery	102	30	50	50	50
29	Court Reporter Expenses	5,351	8,308	9,500	9,500	9,500
37	Computer Software / Upgrades	14,978	0	0	0	0
45	Telephone/Communication Services	5,407	5,500	5,500	5,800	5,800
56	Computer Equipment - Expensed	3,066	54	0	950	0
64	SORM Assessment	1,023	1,045	1,100	1,500	1,500
94	Awards	100	400	300	200	0
114	Reimbursement to TWC	0	5,928	0	0	0
117	Case Management System	9,802	5,175	5,285	5,785	5,785
145	Computer Equipment (controlled)	4,960	0	5,000	0	0
146	Interest	25	1	0	0	0
157	Fees and Other Charges	135	3,112	150	150	150
167	Benefits	0	6,250	8,000	8,250	8,250
168	Registration, Training, Membership	11,050	4,560	8,500	8,500	8,500
176	Furniture and Equipment	9,128	2,025	2,500	0	850
195	Payroll Health Insurance Contrib.	8,656	10,000	10,000	11,000	11,000
	Total, Operating Costs	\$92,293	\$56,566	\$64,035	\$64,035	\$64,035

2.D. Summary of Base Request Objective Outcomes
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

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242 State Commission on Judicial Conduct

Goal/ Objective / Outcome	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
1 Administration and Enforcement					
1 Administration and Enforcement					
KEY 1 Percentage of Cases Disposed					
	86.84%	94.00%	95.00%	94.00%	95.00%

2.E. Summary of Exceptional Items Request
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/30/2018
 TIME : 4:19:30PM

Agency code: 242

Agency name: State Commission on Judicial Conduct

Priority	Item	2020			2021			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	Travel & Evaluation Expenses	\$46,000	\$46,000	0.0	\$46,000	\$46,000	0.0	\$92,000	\$92,000
2	3 Additional Staff Positions	\$203,688	\$203,688	3.0	\$203,688	\$203,688	3.0	\$407,376	\$407,376
3	Retention (Salary Alignment)	\$130,379	\$130,379	0.0	\$130,379	\$130,379	0.0	\$260,758	\$260,758
Total, Exceptional Items Request		\$380,067	\$380,067	3.0	\$380,067	\$380,067	3.0	\$760,134	\$760,134
Method of Financing									
	General Revenue	\$380,067	\$380,067		\$380,067	\$380,067		\$760,134	\$760,134
	General Revenue - Dedicated								
	Federal Funds								
	Other Funds								
		\$380,067	\$380,067		\$380,067	\$380,067		\$760,134	\$760,134
Full Time Equivalent Positions				3.0				3.0	
Number of 100% Federally Funded FTEs				0.0				0.0	

2.F. Summary of Total Request by Strategy
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/30/2018
 TIME : 4:19:30PM

Agency code: 242 Agency name: State Commission on Judicial Conduct

Goal/Objective/STRATEGY	Base 2020	Base 2021	Exceptional 2020	Exceptional 2021	Total Request 2020	Total Request 2021
1 Administration and Enforcement						
<i>1 Administration and Enforcement</i>						
1 ADMINISTRATION AND ENFORCEMENT	\$1,134,311	\$1,134,311	\$380,067	\$380,067	\$1,514,378	\$1,514,378
TOTAL, GOAL 1	\$1,134,311	\$1,134,311	\$380,067	\$380,067	\$1,514,378	\$1,514,378
TOTAL, AGENCY STRATEGY REQUEST	\$1,134,311	\$1,134,311	\$380,067	\$380,067	\$1,514,378	\$1,514,378
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$1,134,311	\$1,134,311	\$380,067	\$380,067	\$1,514,378	\$1,514,378

2.F. Summary of Total Request by Strategy
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/30/2018

TIME : 4:19:30PM

Agency code: 242 Agency name: State Commission on Judicial Conduct

Goal/Objective/STRATEGY	Base 2020	Base 2021	Exceptional 2020	Exceptional 2021	Total Request 2020	Total Request 2021
General Revenue Funds:						
1 General Revenue Fund	\$1,134,311	\$1,134,311	\$380,067	\$380,067	\$1,514,378	\$1,514,378
	\$1,134,311	\$1,134,311	\$380,067	\$380,067	\$1,514,378	\$1,514,378
TOTAL, METHOD OF FINANCING	\$1,134,311	\$1,134,311	\$380,067	\$380,067	\$1,514,378	\$1,514,378
FULL TIME EQUIVALENT POSITIONS	14.0	14.0	3.0	3.0	17.0	17.0

2.G. Summary of Total Request Objective Outcomes
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 7/30/2018
 Time: 4:19:31PM

Agency code: **242** Agency name: **State Commission on Judicial Conduct**

Goal/ Objective / Outcome

	BL 2020	BL 2021	Excp 2020	Excp 2021	Total Request 2020	Total Request 2021
1 Administration and Enforcement						
1 <i>Administration and Enforcement</i>						
KEY 1 Percentage of Cases Disposed						
	94.00%	95.00%	104.00%	104.50%	104.00%	104.50%

242 State Commission on Judicial Conduct

GOAL: 1 Administration and Enforcement
 OBJECTIVE: 1 Administration and Enforcement
 STRATEGY: 1 Administration and Enforcement

Service Categories:
 Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
Output Measures:						
1	Number of Cases Pending	827.00	947.00	1,056.00	1,153.00	1,236.00
2	Number of Presentations on Judicial Ethics at Conferences and Meetings	16.00	16.00	16.00	16.00	16.00
3	Formal Proceeding, Suspension, or Amicus Curiae Cases	2.00	1.00	2.00	2.00	2.00
4	Cases Requesting Reconsideration Disposed	23.00	250.00	275.00	300.00	325.00
5	Number of Cases Disposed	1,333.00	1,475.00	1,534.00	1,595.00	1,659.00
6	Ethics Calls Taken by Staff	750.00	750.00	750.00	750.00	750.00
Efficiency Measures:						
1	Average Time for Case Resolution	6.02	7.00	6.00	10.00	10.00
2	Average Cost Per Judge Assisted by the Amicus Curiae Program	0.00	0.00	0.00	0.00	0.00
Explanatory/Input Measures:						
1	Number of Cases Filed	1,535.00	1,595.00	1,643.00	1,692.00	1,743.00
2	Number of Post-sanction Appeals	2.00	7.00	5.00	5.00	5.00
3	Amicus Curiae Assistance	0.00	0.00	0.00	0.00	0.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$906,314	\$943,053	\$973,045	\$973,045	\$973,045

242 State Commission on Judicial Conduct

GOAL: 1 Administration and Enforcement
 OBJECTIVE: 1 Administration and Enforcement
 STRATEGY: 1 Administration and Enforcement

Service Categories:
 Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
1002	OTHER PERSONNEL COSTS	\$63,358	\$36,000	\$24,931	\$24,931	\$24,931
2001	PROFESSIONAL FEES AND SERVICES	\$42,041	\$16,434	\$1,400	\$1,400	\$1,400
2003	CONSUMABLE SUPPLIES	\$4,769	\$5,500	\$5,500	\$5,500	\$5,500
2004	UTILITIES	\$1,906	\$984	\$1,200	\$1,200	\$1,200
2005	TRAVEL	\$59,552	\$71,000	\$59,000	\$59,000	\$59,000
2006	RENT - BUILDING	\$3,079	\$3,058	\$2,600	\$2,600	\$2,600
2007	RENT - MACHINE AND OTHER	\$1,877	\$1,716	\$2,600	\$2,600	\$2,600
2009	OTHER OPERATING EXPENSE	\$92,293	\$56,566	\$64,035	\$64,035	\$64,035
TOTAL, OBJECT OF EXPENSE		\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311
Method of Financing:						
1	General Revenue Fund	\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$1,134,311	\$1,134,311
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)					\$1,134,311	\$1,134,311
FULL TIME EQUIVALENT POSITIONS:		13.4	13.7	14.0	14.0	14.0

242 State Commission on Judicial Conduct

GOAL: 1 Administration and Enforcement
 OBJECTIVE: 1 Administration and Enforcement Service Categories:
 STRATEGY: 1 Administration and Enforcement Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
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STRATEGY DESCRIPTION AND JUSTIFICATION:

The SCJC promotes public confidence in the integrity, independence, and impartiality of the judiciary while encouraging judges to maintain high ethical standards of conduct on and off the bench. The agency investigates allegations of judicial misconduct or disability, and takes appropriate action, including sanction, education, or the filing of formal proceedings that could result in the judge's censure or removal from office.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

Funding to enable the agency to conduct at least six meetings per year, to handle its current and forecast caseloads, and to retain current experienced staff are key factors in the agency's ability to meet its key performance measure.

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL CHANGE</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
<u>Base Spending (Est 2018 + Bud 2019)</u>	<u>Baseline Request (BL 2020 + BL 2021)</u>		<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$2,268,622	\$2,268,622	\$0	\$0	Total of Explanation of Biennial Change

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311
METHODS OF FINANCE (INCLUDING RIDERS):				\$1,134,311	\$1,134,311
METHODS OF FINANCE (EXCLUDING RIDERS):	\$1,175,189	\$1,134,311	\$1,134,311	\$1,134,311	\$1,134,311
FULL TIME EQUIVALENT POSITIONS:	13.4	13.7	14.0	14.0	14.0

4.A. Exceptional Item Request Schedule
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/30/2018
 TIME: 4:19:31PM

Agency code: 242

Agency name:
State Commission on Judicial Conduct

CODE	DESCRIPTION	Excp 2020	Excp 2021
	Item Name: Hard Costs Associated with Commission Meetings, Investigator and Attorney Travel, and Professional Evaluations		
	Item Priority: 1		
	IT Component: No		
	Anticipated Out-year Costs: No		
	Involve Contracts > \$50,000: No		
	Includes Funding for the Following Strategy or Strategies: 01-01-01 Administration and Enforcement		
 OBJECTS OF EXPENSE:			
2001	PROFESSIONAL FEES AND SERVICES	2,500	2,500
2005	TRAVEL	21,000	21,000
2009	OTHER OPERATING EXPENSE	22,500	22,500
	TOTAL, OBJECT OF EXPENSE	\$46,000	\$46,000
 METHOD OF FINANCING:			
1	General Revenue Fund	46,000	46,000
	TOTAL, METHOD OF FINANCING	\$46,000	\$46,000

DESCRIPTION / JUSTIFICATION:

The Agency's operating budget is significantly underfunded both with respect to hard costs associated with travel and external proceedings.

A. Travel Budget \$21,000 Annual/\$42,000 Biennium

The Agency's travel budget for FY 2018 and 2019 is \$59,000 per annum. However, recent experience indicates that the Agency's travel costs will exceed this amount in FY 2019 and into the FY 2020-2021 biennium. Using the costs from the December 2017 meeting, and adjusting for each meeting's respective hotel rates, the Agency's expected annual meeting expense is \$68,731.20.

Given that the Agency requires additional monies for attorney and investigator travel beyond the meeting costs themselves, the Agency is requesting that the \$59,000 prior budget be increased to \$80,000 per year, reflecting a \$21,000 increase in expenditures per year relative to the current biennium.

The Agency further notes that certain Commissioners have either arranged to have their employing entities to cover their travel costs, or have chosen not to be reimbursed for their travel expenses associated with their Commission work.

B. External Proceedings and Expert Consultations - \$25,000 Annual/\$50,000 Biennium

4.A. Exceptional Item Request Schedule
86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/30/2018
TIME: 4:19:31PM

Agency code: 242

Agency name:
State Commission on Judicial Conduct

CODE	DESCRIPTION	Excp 2020	Excp 2021
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The unanticipated increase in external proceedings has been extremely expensive and, in the current biennium, unbudgeted. The Agency's hard costs for FY 18 associated with the nine external proceedings (seven Courts of Review and two Formal Proceedings) were \$27,642.51, primarily consisting of transcription fees.

The Agency also funded a psychological evaluation at a cost of \$3,625.00. Between these two categories, the Agency spent \$31,267.51 in FY 2018.

Because this year may represent an anomalously high number of cases appealed and removal proceedings filed, the Agency is requesting \$25,000 per year to ensure that it has sufficient funds for hard costs associated with these external proceedings and Expert Consultation fees (over which the Agency has no control).

EXTERNAL/INTERNAL FACTORS:

External - the Agency must pay for transcripts on a short turnaround time both when a judge appeals a sanction to a Special Court of Review and after the Final Hearing .

The costs associated with psychological evaluations are also entirely external to the Agency .

PCLS TRACKING KEY:

4.A. Exceptional Item Request Schedule
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/30/2018
 TIME: 4:19:31PM

Agency code: 242

Agency name: State Commission on Judicial Conduct

CODE	DESCRIPTION	Excp 2020	Excp 2021
	Item Name: Requesting creation of 3 additional staff members (1 atty, 1 investigator, 1 administrative professional) Item Priority: 2 IT Component: No Anticipated Out-year Costs: No Involve Contracts > \$50,000: No Includes Funding for the Following Strategy or Strategies: 01-01-01 Administration and Enforcement		
	OBJECTS OF EXPENSE:		
1001	SALARIES AND WAGES	198,600	198,600
1002	OTHER PERSONNEL COSTS	5,088	5,088
	TOTAL, OBJECT OF EXPENSE	\$203,688	\$203,688

METHOD OF FINANCING:

1	General Revenue Fund	203,688	203,688
	TOTAL, METHOD OF FINANCING	\$203,688	\$203,688

	FULL-TIME EQUIVALENT POSITIONS (FTE):	3.00	3.00
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DESCRIPTION / JUSTIFICATION:

Caseload increase of >40% over 2 year period and drastic increase in external proceedings.

During FY 2018, the Agency experienced a significant increase in complaints received and the number of external proceedings

A. Filed Complaints

Between FY 2015 and FY 2017, the number of complaints received by the Agency increased by 44% from 1,066 to 1,535. By the end of FY 2018, the Agency expects to have received nearly 1,600 complaints. Simultaneously, the Commission's dispositions increased from 1,050 in FY 2016 to an estimated 1,475 in FY 2018.

B. External Proceedings (Special Courts of Review and Formal Proceedings)

The Agency has also borne significant time and expense due to a surge in the number of external proceedings, including filing charges in seven Special Courts of Review and in support of two Formal Proceedings during FY 2018.

(1) Special Courts of Review

Historically, the Agency has experienced approximately one Special Court of Review every two years. However, during FY 2018 alone, seven judges sanctioned by the

4.A. Exceptional Item Request Schedule
86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/30/2018
TIME: 4:19:31PM

Agency code: 242

Agency name:

State Commission on Judicial Conduct

CODE	DESCRIPTION	Excp 2020	Excp 2021
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Commission invoked their statutory right to a Special Court of Review. All seven required the preparation of a transcript of the proceedings, and Staff prepared and filed a formal charge in each case. Four of these judges dismissed their complaints prior to the Final Hearing, and three went to Final Hearing. These proceedings consumed an estimated 360 hours of Agency Staff time during FY 2018.

(2) Formal Proceedings

Agency Staff was involved in two formal proceedings and prepared a charging instrument in a third which resolved upon the judge's resignation in lieu of prosecution. The Agency estimates that Staff spent a total of approximately 120 hours in support of these two matters during FY 2018.

The attached chart reflects the expected beneficial effect from this Exceptional Item with respect to dispositions and caseload.

EXTERNAL/INTERNAL FACTORS:

External - tied to the number of cases filed and number of cases appealed over which the Agency has no control.

PCLS TRACKING KEY:

4.A. Exceptional Item Request Schedule
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/30/2018
 TIME: 4:19:31PM

Agency code: 242

Agency name: State Commission on Judicial Conduct

CODE	DESCRIPTION	Excp 2020	Excp 2021
	Item Name: Prioritization of Existing Staff Retention in Alignment with Comparable Government Employment Item Priority: 3 IT Component: No Anticipated Out-year Costs: No Involve Contracts > \$50,000: No Includes Funding for the Following Strategy or Strategies: 01-01-01 Administration and Enforcement		
	OBJECTS OF EXPENSE:		
1001	SALARIES AND WAGES	126,978	126,978
1002	OTHER PERSONNEL COSTS	3,401	3,401
	TOTAL, OBJECT OF EXPENSE	\$130,379	\$130,379

METHOD OF FINANCING:

1	General Revenue Fund	130,379	130,379
	TOTAL, METHOD OF FINANCING	\$130,379	\$130,379

DESCRIPTION / JUSTIFICATION:

The Agency falls well below the salaries paid to comparably skilled attorneys at other agencies. The current disparities can neither be justified nor designed to retain the highly skilled and experienced lawyers.

A. Attorneys' Salaries - \$69,440 Annual/\$138,880 Biennium

The work the Agency performs demands extremely high quality attorneys. Additionally, the Agency invests considerable time and effort in each newly hired attorney, with a steep learning curve typically requiring at least one and typically two years to reach full operational proficiency. The following compares the salaries of other government employers with similar demands for high talent attorneys, including the Texas Attorney General and the Courts of Appeals:

Entity	Average Salary	Median Salary
AAG	\$98,383	\$95,458
COA	\$94,837	\$93,600
SCJC	\$79,250	\$75,000
Delta	\$(17,360)	\$(19,529)

The Agency requests funding of \$93,600 annually per position (the lowest of the four comparable data points).

4.A. Exceptional Item Request Schedule
86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/30/2018
TIME: 4:19:31PM

Agency code: 242

Agency name:

State Commission on Judicial Conduct

CODE	DESCRIPTION	Excp 2020	Excp 2021
B.	Remaining Staff Salaries - \$13,938 Annual/\$27,876 Biennium		

The Agency is requesting an across the board increase of 3% for remaining staff not included in the above attorney positions.

C. Upgrade existing Investigator Position to Attorney Position - \$43,600 Annual/\$87,200 Biennium

The Agency desires to upgrade one of its current investigator positions to an attorney position. One of the Agency's investigators has a law degree and intends to sit for the February 2019 Bar Exam. The Agency would be well served to have the ability to promote this individual to the position of an Attorney. Alternatively, if the individual does not obtain a law license, the Agency would still benefit from being able to convert an investigator position to an attorney, and therefore requests this addition.

EXTERNAL/INTERNAL FACTORS:

External - other comparable government employers are paying well above the Agency's funding level for attorneys.

PCLS TRACKING KEY:

Agency code: 242 Agency name: State Commission on Judicial Conduct

Code	Description	Excp 2020	Excp 2021
Item Name: Hard Costs Associated with Commission Meetings, Investigator and Attorney Travel, and Professional Evaluations			
Allocation to Strategy: 1-1-1 Administration and Enforcement			
STRATEGY IMPACT ON OUTCOME MEASURES:			
	<u>1</u> Percentage of Cases Disposed	0.00%	0.00%
OUTPUT MEASURES:			
	<u>1</u> Number of Cases Pending	0.00	0.00
EFFICIENCY MEASURES:			
	<u>1</u> Average Time for Case Resolution	0.00	0.00
EXPLANATORY/INPUT MEASURES:			
	<u>1</u> Number of Cases Filed	0.00	0.00
OBJECTS OF EXPENSE:			
2001	PROFESSIONAL FEES AND SERVICES	2,500	2,500
2005	TRAVEL	21,000	21,000
2009	OTHER OPERATING EXPENSE	22,500	22,500
TOTAL, OBJECT OF EXPENSE		\$46,000	\$46,000
METHOD OF FINANCING:			
	1 General Revenue Fund	46,000	46,000
TOTAL, METHOD OF FINANCING		\$46,000	\$46,000
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.0	0.0

Agency code: 242 Agency name: State Commission on Judicial Conduct

Code	Description	Excp 2020	Excp 2021
Item Name:	Requesting creation of 3 additional staff members (1 atty, 1 investigator, 1 administrative professional)		
Allocation to Strategy:	1-1-1 Administration and Enforcement		
STRATEGY IMPACT ON OUTCOME MEASURES:			
<u>1</u>	Percentage of Cases Disposed	104.00%	104.50%
OUTPUT MEASURES:			
<u>1</u>	Number of Cases Pending	1,089.00	1,018.00
EFFICIENCY MEASURES:			
<u>1</u>	Average Time for Case Resolution	7.00	7.00
EXPLANATORY/INPUT MEASURES:			
<u>2</u>	Number of Post-sanction Appeals	0.00	0.00
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	198,600	198,600
1002	OTHER PERSONNEL COSTS	5,088	5,088
TOTAL, OBJECT OF EXPENSE		\$203,688	\$203,688
METHOD OF FINANCING:			
1	General Revenue Fund	203,688	203,688
TOTAL, METHOD OF FINANCING		\$203,688	\$203,688
FULL-TIME EQUIVALENT POSITIONS (FTE):		3.0	3.0

Agency code: 242 Agency name: State Commission on Judicial Conduct

Code	Description	Excp 2020	Excp 2021
Item Name: Prioritization of Existing Staff Retention in Alignment with Comparable Government Employment			
Allocation to Strategy: 1-1-1 Administration and Enforcement			
STRATEGY IMPACT ON OUTCOME MEASURES:			
1	Percentage of Cases Disposed	100.00%	100.00%
OUTPUT MEASURES:			
1	Number of Cases Pending	0.00	0.00
EFFICIENCY MEASURES:			
1	Average Time for Case Resolution	0.00	0.00
EXPLANATORY/INPUT MEASURES:			
1	Number of Cases Filed	0.00	0.00
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	126,978	126,978
1002	OTHER PERSONNEL COSTS	3,401	3,401
TOTAL, OBJECT OF EXPENSE		\$130,379	\$130,379
METHOD OF FINANCING:			
1	General Revenue Fund	130,379	130,379
TOTAL, METHOD OF FINANCING		\$130,379	\$130,379
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.0	0.0

4.C. Exceptional Items Strategy Request
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/30/2018
TIME: 4:19:31PM

Agency Code: **242** Agency name: **State Commission on Judicial Conduct**

GOAL: 1 Administration and Enforcement
 OBJECTIVE: 1 Administration and Enforcement
 STRATEGY: 1 Administration and Enforcement

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE DESCRIPTION	Exp 2020	Exp 2021
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STRATEGY IMPACT ON OUTCOME MEASURES:

<u>1</u> Percentage of Cases Disposed	104.00 %	104.50 %
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OUTPUT MEASURES:

<u>1</u> Number of Cases Pending	953.00	836.00
<u>5</u> Number of Cases Disposed	1,795.00	1,859.00

EFFICIENCY MEASURES:

<u>1</u> Average Time for Case Resolution	7.00	7.00
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OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	325,578	325,578
1002 OTHER PERSONNEL COSTS	8,489	8,489
2001 PROFESSIONAL FEES AND SERVICES	2,500	2,500
2005 TRAVEL	21,000	21,000
2009 OTHER OPERATING EXPENSE	22,500	22,500
Total, Objects of Expense	\$380,067	\$380,067

METHOD OF FINANCING:

1 General Revenue Fund	380,067	380,067
Total, Method of Finance	\$380,067	\$380,067

FULL-TIME EQUIVALENT POSITIONS (FTE):

	3.0	3.0
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Hard Costs Associated with Commission Meetings, Investigator and Attorney Travel, and Professional Evaluations

4.C. Exceptional Items Strategy Request
86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/30/2018
TIME: 4:19:31PM

Agency Code: **242** Agency name: **State Commission on Judicial Conduct**

GOAL: 1 Administration and Enforcement

OBJECTIVE: 1 Administration and Enforcement

STRATEGY: 1 Administration and Enforcement

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE DESCRIPTION

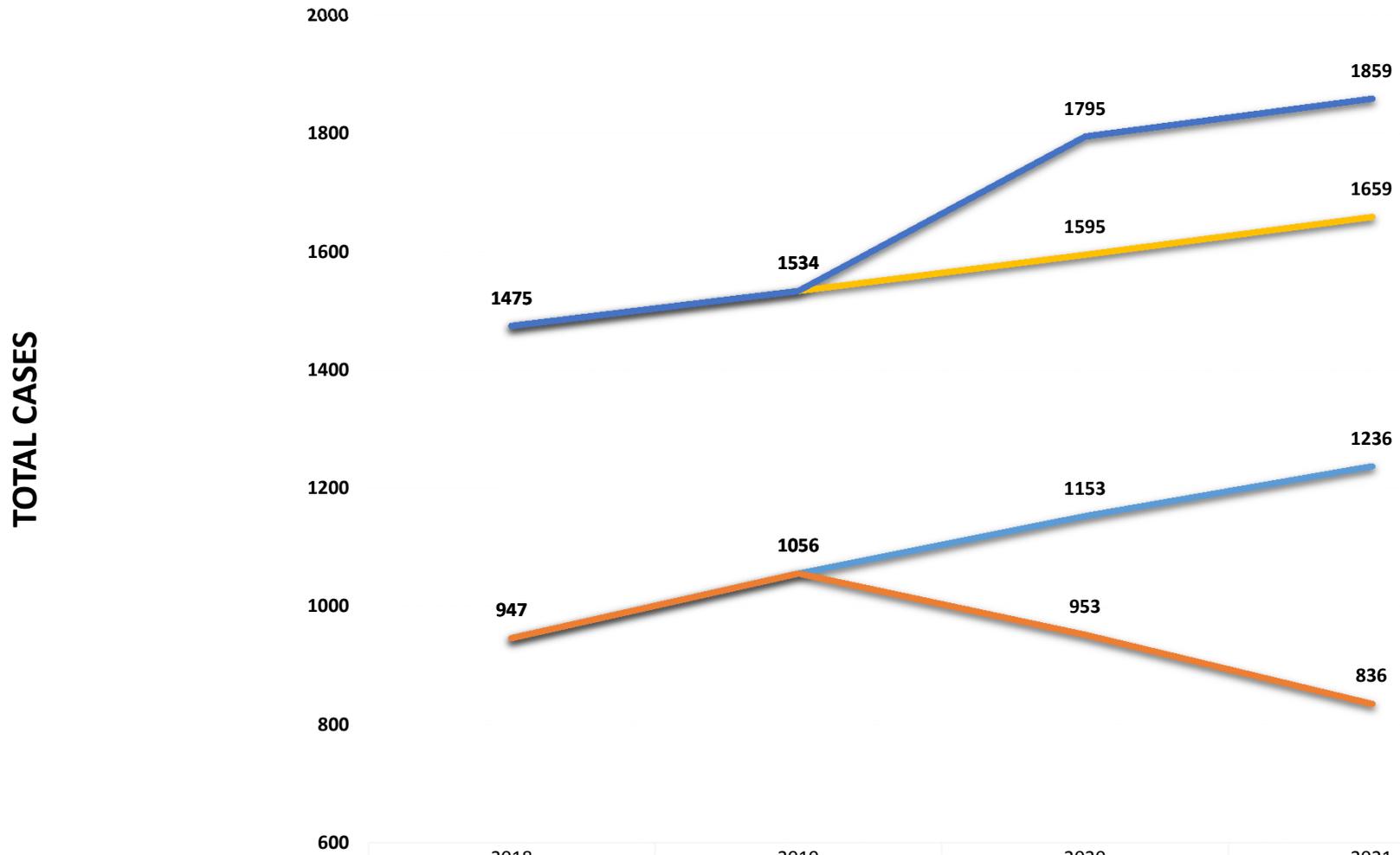
Exp 2020

Exp 2021

Requesting creation of 3 additional staff members (1 atty, 1 investigator, 1 administrative professional)

Prioritization of Existing Staff Retention in Alignment with Comparable Government Employment

Disposition and Caseload Forecasts - Baseline vs. Exceptional Items (FY 2018-2021)



	2018	2019	2020	2021
Dispositions (Baseline)	1475	1534	1595	1659
Dispositions (w/ Exceptional Items)	1475	1534	1795	1859
Caseload (Baseline)	947	1056	1153	1236
Caseload (w/ Exceptional Items)	947	1056	953	836

6.A. Historically Underutilized Business Supporting Schedule
 86th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/30/2018
 Time: 4:19:32PM

Agency Code: 242 Agency: State Commission on Judicial Conduct

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year 2016 - 2017 HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2016			Total Expenditures FY 2016		HUB Expenditures FY 2017			Total Expenditures FY 2017	
			% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$	FY 2017		
11.2%	Heavy Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
21.1%	Building Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
32.9%	Special Trade	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
23.7%	Professional Services	23.7 %	0.0%	-23.7%	\$0	\$4,000	23.7 %	0.0%	-23.7%	\$0	\$35,741	
26.0%	Other Services	26.0 %	100.0%	74.0%	\$3,283	\$3,283	26.0 %	95.1%	69.1%	\$5,091	\$5,351	
21.1%	Commodities	21.0 %	55.8%	34.8%	\$3,248	\$5,826	21.0 %	24.0%	3.0%	\$799	\$3,326	
	Total Expenditures		49.8%		\$6,531	\$13,109		13.3%		\$5,890	\$44,418	

B. Assessment of Fiscal Year 2016 - 2017 Efforts to Meet HUB Procurement Goals

Attainment:

The State Commission on Judicial Conduct exceeded the applicable HUB goals in FY 2016 and FY 2017 in the Other Services and Commodities categories.

Applicability:

The Heavy Construction, Building Construction, and Special Trade categories are not acceptability to our agency.

Factors Affecting Attainment:

The agency was unable to obtain HUB vendors for Professional Services in FY 2016 and FY 2017. The purchases included medical evaluations, legal services, AFR preparation services, and consultant work for our new computer software system through a DIR contract.

"Good-Faith" Efforts:

The State Commission on Judicial Conduct has made "good faith" efforts to consider HUB vendors in our purchases and will continue to do so.

6.I. Percent Biennial Base Reduction Options

10 % REDUCTION

86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/30/2018
Time: 4:19:32PM

Agency code: **242** Agency name: **State Commission on Judicial Conduct**

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			PROGRAM AMOUNT		TARGET
	2020	2021	Biennial Total	2020	2021	Biennial Total	2020	2021	Biennial Total

1 FTE reductions

Category: Programs - Service Reductions (FTEs-Layoffs)

Item Comment: The SCJC is a very small agency (14 FTEs) within the judicial branch of government and has historically operated on limited resources. Close to 90% of the general revenue appropriated to the Agency each year goes towards salaries, wages and other personnel costs, and majority of the remainder funds mission-critical aspects of the Agency's operations (particularly travel costs associated with its six annual meetings).

In order to achieve a 10% GR reduction, the Agency would be forced to eliminate at least two FTE positions.

The Agency notes that the a 10% reduction would have a negative impact on its ability to attain the goal of 95% disposition of cases, and would contribute to larger caseloads and serious delays in case resolutions relative to the status quo. This is especially true in light of the ~35% increase in case filings received this year compared to previous years.

Strategy: 1-1-1 Administration and Enforcement

General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$113,431	\$113,431	\$226,862	\$113,431	\$113,431	\$226,862
General Revenue Funds Total	\$0	\$0	\$0	\$113,431	\$113,431	\$226,862	\$113,431	\$113,431	\$226,862
Item Total	\$0	\$0	\$0	\$113,431	\$113,431	\$226,862	\$113,431	\$113,431	\$226,862

FTE Reductions (From FY 2020 and FY 2021 Base Request)

2.0 2.0

AGENCY TOTALS

General Revenue Total				\$113,431	\$113,431	\$226,862	\$113,431	\$113,431	\$226,862	\$226,862
Agency Grand Total	\$0	\$0	\$0	\$113,431	\$113,431	\$226,862	\$113,431	\$113,431	\$226,862	\$226,862

6.I. Percent Biennial Base Reduction Options

10 % REDUCTION

86th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/30/2018
Time: 4:19:32PM

Agency code: **242** Agency name: **State Commission on Judicial Conduct**

Item Priority and Name/ <u>Method of Financing</u>	REVENUE LOSS			REDUCTION AMOUNT			PROGRAM AMOUNT		TARGET
	2020	2021	Biennial Total	2020	2021	Biennial Total	2020	2021	Biennial Total
Difference, Options Total Less Target									
Agency FTE Reductions (From FY 2020 and FY 2021 Base Request)				2.0	2.0				
Article Total				\$113,431	\$113,431	\$226,862	\$113,431	\$113,431	\$226,862
Statewide Total				\$113,431	\$113,431	\$226,862	\$113,431	\$113,431	\$226,862

Agency code: 242

Agency name: State Commission on Judicial Conduct

Strategy	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
1-1-1 Administration and Enforcement					
OBJECTS OF EXPENSE:					
1001 SALARIES AND WAGES	\$120,908	\$127,205	\$127,205	\$129,105	\$129,105
1002 OTHER PERSONNEL COSTS	2,613	3,767	3,816	3,873	3,873
2001 PROFESSIONAL FEES AND SERVICES	1,300	1,300	1,300	1,300	1,300
2003 CONSUMABLE SUPPLIES	500	500	500	500	500
2007 RENT - MACHINE AND OTHER	300	300	300	300	300
2009 OTHER OPERATING EXPENSE	1,000	1,000	1,000	1,000	1,000
Total, Objects of Expense	\$126,621	\$134,072	\$134,121	\$136,078	\$136,078
METHOD OF FINANCING:					
1 General Revenue Fund	126,621	134,072	134,121	136,078	136,078
Total, Method of Financing	\$126,621	\$134,072	\$134,121	\$136,078	\$136,078
FULL-TIME-EQUIVALENT POSITIONS (FTE):	1.6	1.6	1.6	1.6	1.6

DESCRIPTION

The Administrative and Support cost in this strategy are related to the percentage of salaries and related operating costs of agency personnel performing administrative functions .
 Percentages for Direct Administration are:

- Executive Director: 50%
- Deputy Director: 10%
- Staff Services Officer: 100%
- Senior Investigator: 5%

Agency code: 242

Agency name: State Commission on Judicial Conduct

	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
GRAND TOTALS					
Objects of Expense					
1001 SALARIES AND WAGES	\$120,908	\$127,205	\$127,205	\$129,105	\$129,105
1002 OTHER PERSONNEL COSTS	\$2,613	\$3,767	\$3,816	\$3,873	\$3,873
2001 PROFESSIONAL FEES AND SERVICES	\$1,300	\$1,300	\$1,300	\$1,300	\$1,300
2003 CONSUMABLE SUPPLIES	\$500	\$500	\$500	\$500	\$500
2007 RENT - MACHINE AND OTHER	\$300	\$300	\$300	\$300	\$300
2009 OTHER OPERATING EXPENSE	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
Total, Objects of Expense	\$126,621	\$134,072	\$134,121	\$136,078	\$136,078
Method of Financing					
1 General Revenue Fund	\$126,621	\$134,072	\$134,121	\$136,078	\$136,078
Total, Method of Financing	\$126,621	\$134,072	\$134,121	\$136,078	\$136,078
Full-Time-Equivalent Positions (FTE)	1.6	1.6	1.6	1.6	1.6