

LEGISLATIVE APPROPRIATIONS REQUEST for Fiscal Years 2026 and 2027

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

242 - State Commission on Judicial Conduct



Originally submitted August 20, 2024; Updated August 21, 2024

Administrator's Statement

8/30/2024 11:19:07AM

89th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

242 State Commission on Judicial Conduct

Administrator's Statement

89th Regular Session, Agency Submission, Version I

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 Gary L. Steel, Chair
District Court Judge Member
Seguin, TX

Honorable Ken Wise, Vice-Chair
Fourteenth Court of Appeals Member
Houston, TX

Honorable Cary Walker, Secretary
County Court at Law Judge Member
Fort Worth, TX

Ms. Janis Holt
Public Member
Silsbee, TX

Mr. Clifton Roberson
Attorney Member
Tyler, TX

Ms. Kathy P. Ward
Public Member
Plano, TX

Honorable Wayne Money
Justice of the Peace Judge Member
Greenville, TX

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89th Regular Session, Agency Submission, Version 1
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242 State Commission on Judicial Conduct

Mr. Andrew "Andy" Kahan
Public Member
Houston, TX

Honorable Tano E. Tijerina
Constitutional County Judge Member
Laredo, TX

Mr. Clifford T. Harbin
Attorney Member
Montgomery, TX

Honorable Chace A. Craig
Municipal Court Judge Member
Abilene, TX

Ms. Sylvia Borunda Firth
Attorney Member
El Paso, TX

Mr. Derek Cohen
Public Member
Austin, TX

The mission of the SCJC is to protect the public, 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. On September 1, 2023, a constitutional amendment took effect providing additional powers to the SCJC with respect to candidates for judicial office, pursuant to Section 1-a, Article V, Texas Constitution.

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242 State Commission on Judicial Conduct

The SCJC has three funding priorities for FY 2026/2027 biennium.

1. Judiciary-Wide Inflation Relief (\$61,216 Annual/\$122,432 Biennium)

The SCJC expresses its appreciation to the Legislature for the positive impacts of the recent round of pay raises, both targeted and across the board. However, even after the increased funding received in the 88th Legislative Session, attorneys and staff of the Article IV Courts and Agencies, which includes the SCJC, remain impacted by the increasing costs due to inflation and the draw of higher paid employment opportunities in other governmental agencies and the private sector.

The SCJC is aware of the need to adequately compensate its highly skilled attorneys and staff to efficiently and effectively assist the agency in complying with the statutory mandates relating to the investigation and disposition of cases, and to fulfill the mission of the agency. Retaining existing staff and recruiting qualified candidates are of utmost importance, not only because of the experience and expertise required for the unique work in the area of judicial discipline, but also because the SCJC expects high ethical standards and confidentiality that accompany working for the agency. The SCJC, in concert with the other Article IV Courts and Agencies, is therefore seeking a 6% increase in staff salaries this biennium.

2. Funding to Increase General Counsel Salary (\$5,500 Annual/\$11,000 Biennium)

The salary of the General Counsel should be increased to reflect the responsibilities of the position and to remain in line with similar positions in other judicial conduct agencies in other states and the appellate courts. The nature of the work performed, and the expertise required of a SCJC General Counsel demands that management be able to hire and retain seasoned candidates with exceptional advanced legal experience. The General Counsel's duties includes, but is not limited to, the management of the agency's legal team; handling the more complex cases requiring a thorough and full investigations; providing legal advice and counsel to the SCJC members; handling proceedings relating to the appeals of SCJC sanctions; assisting special counsel at all stages of litigation and/or formal proceedings; handling hundreds of ethics calls each month from judges, attorneys, and others; and handling ethics presentations at judicial training programs across the state throughout the year.

3. Increase Funds for Commissioner Travel (\$3,900 Annual/\$7,800 Biennium)

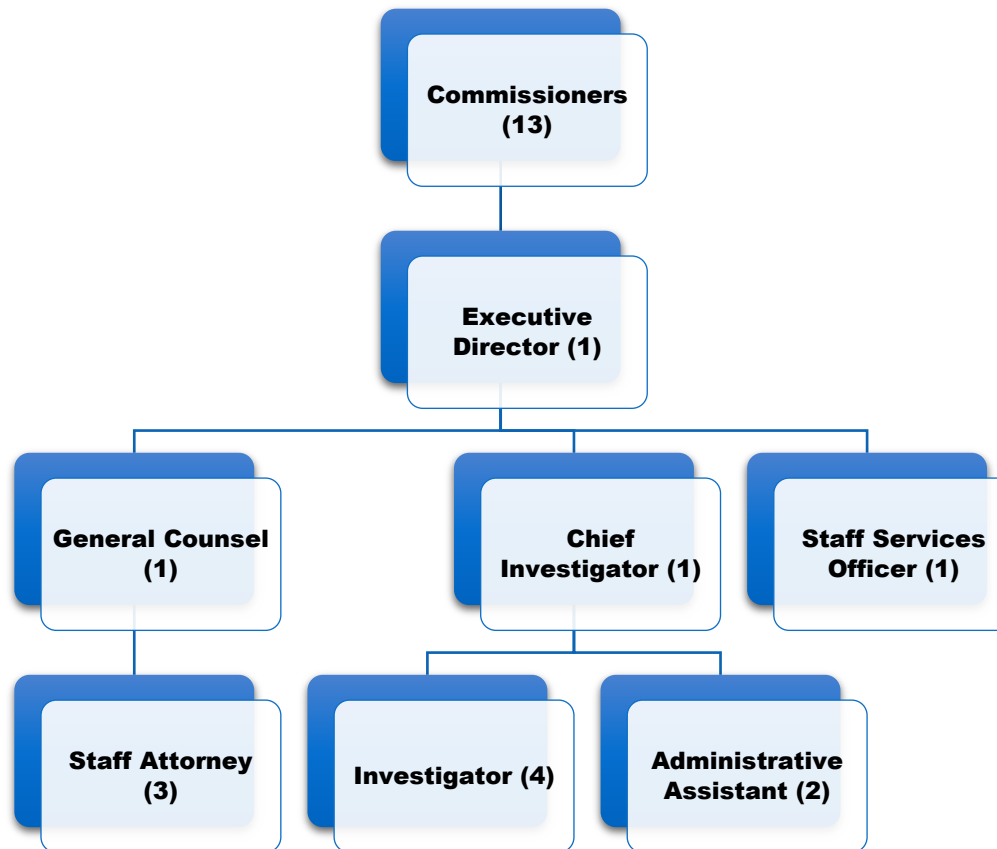
As travel costs, particularly lodging in downtown Austin continues to rise, the SCJC finds that it needs additional funding to accommodate the increase in the maximum lodging rates for Austin, Texas. In order to fulfill its mission and achieve the agency's annual performance measure, Commission members travel to Austin six times per year to attend meetings that last between two to three days each. The agency's current travel budget for Commissions was initially based on a maximum lodging rate of \$120 per day. The agency is seeking additional funding to cover the difference between the original \$120/day maximum lodging rate to the current \$170/day maximum lodging rate for its member to travel to Austin to attend six 3-day meetings per year of the biennium.

In order to meet its mandate and provide essential services to the state, the SCJC respectfully asks that its appropriations request receive favorable consideration.

Respectfully submitted,

Jacqueline R. Habersham,
Executive Director
State Commission On Judicial Conduct

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 Office of the Governor, Budget and Policy Division, 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 Office of the Governor will be notified in writing in accordance with House Bill 1, Article IX, Section 7.01, Eighty-eighth Legislature, Regular Session, 2023.

Chief Executive Office or Presiding Judge

Jaqueline R. Habersham
Signature

Jaqueline R. Habersham
Printed Name

Executive Director
Title

8/19/24
Date

Board or Commission Chair

[Signature]
Signature

GARY L. STEEL
Printed Name

Chair - 27th District Judge
Title

8/19/24
Date

Chief Financial Officer

Patricia Ortiz
Signature

Patricia Ortiz
Printed Name

Staff Services Officer
Title

August 16, 2024
Date

Budget Overview - Biennial Amounts
89th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

242 State Commission on Judicial Conduct
Appropriation Years: 2026-27

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS	
	2024-25	2026-27	2024-25	2026-27	2024-25	2026-27	2024-25	2026-27	2024-25	2026-27	2026-27	
Goal: 1. Administration and Enforcement												
1.1.1. Administration And Enforcement	2,991,955	2,989,543							2,991,955	2,989,543		141,232
Total, Goal	2,991,955	2,989,543							2,991,955	2,989,543		141,232
Total, Agency	2,991,955	2,989,543							2,991,955	2,989,543		141,232
Total FTEs									15.0	15.0		0.0

2.A. Summary of Base Request by Strategy

8/30/2024 11:19:19AM

89th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

242 State Commission on Judicial Conduct

Goal / Objective / STRATEGY	Exp 2023	Est 2024	Bud 2025	Req 2026	Req 2027
1 Administration and Enforcement					
1 Administration and Enforcement					
1 ADMINISTRATION AND ENFORCEMENT	1,148,680	1,506,020	1,485,935	1,494,771	1,494,772
TOTAL, GOAL 1	\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772
TOTAL, AGENCY STRATEGY REQUEST	\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772
METHOD OF FINANCING:					
General Revenue Funds:					
1 General Revenue Fund	1,148,680	1,506,020	1,485,935	1,494,771	1,494,772
SUBTOTAL	\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772
TOTAL, METHOD OF FINANCING	\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772

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

2.B. Summary of Base Request by Method of Finance
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

8/30/2024 11:19:19AM

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

METHOD OF FINANCING	Exp 2023	Est 2024	Bud 2025	Req 2026	Req 2027
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GENERAL REVENUE

1 General Revenue Fund

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2022-23 GAA)

\$1,221,954	\$0	\$0	\$0	\$0
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Regular Appropriations from MOF Table (2024-25 GAA)

\$0	\$1,615,880	\$1,595,795	\$1,494,771	\$1,494,772
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Regular Appropriations from MOF Table (2024-25 GAA)

\$0	\$0	\$0	\$0	\$0
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RIDER APPROPRIATION

Art IX, Sec. 18.08 Contingency HB 367 (2024-25 GAA)

\$0	\$81,200	\$81,200	\$0	\$0
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Senate Bill 21, 88th Legislature Regular Session

\$0	\$(191,060)	\$(191,060)	\$0	\$0
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TRANSFERS

SB 30, 88th Leg, Regular Session

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

8/30/2024 11:19:19AM

89th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 242		Agency name: State Commission on Judicial Conduct				
METHOD OF FINANCING		Exp 2023	Est 2024	Bud 2025	Req 2026	Req 2027
<u>GENERAL REVENUE</u>		\$3,800	\$0	\$0	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>						
	SB 30, 88th Leg, Regular Session	\$(3,800)	\$0	\$0	\$0	\$0
	87th Legislature Regular Session Lapsed Appropriation	\$(73,274)	\$0	\$0	\$0	\$0
TOTAL,	General Revenue Fund	\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772
TOTAL, ALL	GENERAL REVENUE	\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772
GRAND TOTAL		\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772

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

8/30/2024 11:19:19AM

89th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

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

METHOD OF FINANCING	Exp 2023	Est 2024	Bud 2025	Req 2026	Req 2027
FULL-TIME-EQUIVALENT POSITIONS					
REGULAR APPROPRIATIONS					
Regular Appropriations from MOF Table (2022-23 GAA)	14.0	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2024-25 GAA)	0.0	16.0	16.0	15.0	15.0
RIDER APPROPRIATION					
Art IX, Sec 6.10(j), Fewer than 50 FTEs (2024-25 GAA) Comments: Art. IX, Sec. 18.08 Contingency HB 367	0.0	1.0	1.0	0.0	0.0
Art IX, Sec 6.10(j), Fewer than 50 FTEs (2024-25 GAA) Comments: SB 21 88th Legislature Regular Session	0.0	(2.0)	(2.0)	0.0	0.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP					
Unauthorized Number Over (Below) Cap (UN)	(1.1)	(2.0)	0.0	0.0	0.0
TOTAL, ADJUSTED FTES	12.9	13.0	15.0	15.0	15.0
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

8/30/2024 11:19:20AM

89th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

242 State Commission on Judicial Conduct

OBJECT OF EXPENSE	Exp 2023	Est 2024	Bud 2025	BL 2026	BL 2027
1001 SALARIES AND WAGES	\$934,700	\$997,631	\$1,027,903	\$1,137,763	\$1,137,763
1002 OTHER PERSONNEL COSTS	\$53,175	\$25,306	\$24,949	\$24,949	\$24,949
2001 PROFESSIONAL FEES AND SERVICES	\$819	\$80,000	\$80,000	\$80,000	\$80,000
2003 CONSUMABLE SUPPLIES	\$2,691	\$3,000	\$3,000	\$3,000	\$3,000
2004 UTILITIES	\$1,319	\$1,320	\$1,320	\$1,320	\$1,320
2005 TRAVEL	\$72,666	\$80,000	\$80,000	\$80,000	\$80,000
2006 RENT - BUILDING	\$3,029	\$3,620	\$3,620	\$3,620	\$3,620
2007 RENT - MACHINE AND OTHER	\$822	\$2,000	\$2,000	\$2,000	\$2,000
2009 OTHER OPERATING EXPENSE	\$79,459	\$313,143	\$263,143	\$162,119	\$162,120
OOE Total (Excluding Riders)	\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772
OOE Total (Riders)				\$0	\$0
Grand Total	\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772

2.D. Summary of Base Request Objective Outcomes
 89th 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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
1 Administration and Enforcement					
1 Administration and Enforcement					
KEY 1 Percentage of Cases Disposed	126.81%	95.00%	95.00%	95.00%	95.00%

2.E. Summary of Exceptional Items Request
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/30/2024
 TIME : 11:19:20AM

Agency code: 242

Agency name: State Commission on Judicial Conduct

Priority	Item	2026			2027			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	Judiciary-Wide Inflation Relief	\$61,216	\$61,216		\$61,216	\$61,216		\$122,432	\$122,432
2	Funding General Counsel Salary	\$5,500	\$5,500		\$5,500	\$5,500		\$11,000	\$11,000
3	Increase Funds for Comm'r Travel	\$3,900	\$3,900		\$3,900	\$3,900		\$7,800	\$7,800
Total, Exceptional Items Request		\$70,616	\$70,616		\$70,616	\$70,616		\$141,232	\$141,232

Method of Financing

General Revenue	\$70,616	\$70,616		\$70,616	\$70,616		\$141,232	\$141,232
General Revenue - Dedicated								
Federal Funds								
Other Funds								
	\$70,616	\$70,616		\$70,616	\$70,616		\$141,232	\$141,232

Full Time Equivalent Positions

Number of 100% Federally Funded FTEs **0.0** **0.0**

2.F. Summary of Total Request by Strategy
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/30/2024
 TIME : 11:19:21AM

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

Goal/Objective/STRATEGY	Base 2026	Base 2027	Exceptional 2026	Exceptional 2027	Total Request 2026	Total Request 2027
1 Administration and Enforcement						
1 Administration and Enforcement						
1 ADMINISTRATION AND ENFORCEMENT	\$1,494,771	\$1,494,772	\$70,616	\$70,616	\$1,565,387	\$1,565,388
TOTAL, GOAL 1	\$1,494,771	\$1,494,772	\$70,616	\$70,616	\$1,565,387	\$1,565,388
TOTAL, AGENCY STRATEGY REQUEST	\$1,494,771	\$1,494,772	\$70,616	\$70,616	\$1,565,387	\$1,565,388
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST	\$0	\$0	\$0	\$0	\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$1,494,771	\$1,494,772	\$70,616	\$70,616	\$1,565,387	\$1,565,388

2.F. Summary of Total Request by Strategy
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/30/2024
 TIME : 11:19:21AM

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

Goal/Objective/STRATEGY	Base 2026	Base 2027	Exceptional 2026	Exceptional 2027	Total Request 2026	Total Request 2027
General Revenue Funds:						
1 General Revenue Fund	\$1,494,771	\$1,494,772	\$70,616	\$70,616	\$1,565,387	\$1,565,388
	\$1,494,771	\$1,494,772	\$70,616	\$70,616	\$1,565,387	\$1,565,388
TOTAL, METHOD OF FINANCING	\$1,494,771	\$1,494,772	\$70,616	\$70,616	\$1,565,387	\$1,565,388
FULL TIME EQUIVALENT POSITIONS	15.0	15.0	0.0	0.0	15.0	15.0

2.G. Summary of Total Request Objective Outcomes
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 8/30/2024
 Time: 11:19:21AM

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

Goal/ Objective / Outcome

	BL 2026	BL 2027	Excp 2026	Excp 2027	Total Request 2026	Total Request 2027
1 Administration and Enforcement						
1 Administration and Enforcement						
KEY 1 Percentage of Cases Disposed						
	95.00%	95.00%	95.00%	95.00%	95.00%	95.00%

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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
Output Measures:						
1	Number of Cases Pending	326.00	350.00	50.00	50.00	50.00
2	Number of Presentations on Judicial Ethics at Conferences and Meetings	20.00	22.00	20.00	20.00	20.00
3	Formal Proceeding, Suspension, or Amicus Curiae Cases	1.00	5.00	1.00	1.00	1.00
4	Cases Requesting Reconsideration Disposed	68.00	67.00	40.00	40.00	40.00
5	Number of Cases Disposed	1,173.00	1,186.00	1,000.00	1,000.00	1,000.00
6	Ethics Calls Taken by Staff	280.00	276.00	400.00	400.00	400.00
Efficiency Measures:						
1	Average Time for Case Resolution	8.02	5.00	5.00	5.00	5.00
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	925.00	1,132.00	1,000.00	1,000.00	1,000.00
2	Number of Post-sanction Appeals	18.00	10.00	10.00	10.00	10.00
3	Amicus Curiae Assistance	0.00	0.00	0.00	0.00	0.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$934,700	\$997,631	\$1,027,903	\$1,137,763	\$1,137,763

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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
1002	OTHER PERSONNEL COSTS	\$53,175	\$25,306	\$24,949	\$24,949	\$24,949
2001	PROFESSIONAL FEES AND SERVICES	\$819	\$80,000	\$80,000	\$80,000	\$80,000
2003	CONSUMABLE SUPPLIES	\$2,691	\$3,000	\$3,000	\$3,000	\$3,000
2004	UTILITIES	\$1,319	\$1,320	\$1,320	\$1,320	\$1,320
2005	TRAVEL	\$72,666	\$80,000	\$80,000	\$80,000	\$80,000
2006	RENT - BUILDING	\$3,029	\$3,620	\$3,620	\$3,620	\$3,620
2007	RENT - MACHINE AND OTHER	\$822	\$2,000	\$2,000	\$2,000	\$2,000
2009	OTHER OPERATING EXPENSE	\$79,459	\$313,143	\$263,143	\$162,119	\$162,120
TOTAL, OBJECT OF EXPENSE		\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772
Method of Financing:						
1	General Revenue Fund	\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772
Rider Appropriations:						
1	General Revenue Fund					
701	1 Page Number in 2024-2025 GAA				\$0	\$0
TOTAL, RIDER & UNEXPENDED BALANCES APPROP					\$0	\$0

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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$1,494,771	\$1,494,772
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772
FULL TIME EQUIVALENT POSITIONS:		12.9	13.0	15.0	15.0	15.0

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.

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 2023	Est 2024	Bud 2025	BL 2026	BL 2027
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EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
<u>Base Spending (Est 2024 + Bud 2025)</u>	<u>Baseline Request (BL 2026 + BL 2027)</u>	<u>CHANGE</u>	<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$2,991,955	\$2,989,543	\$(2,412)	\$(2,412)	The agency received \$47,588 biennially for FY 24-25 salary adjustments and \$50,000 of one time cost were removed in the 2026-2027 GR/GR-D Limit.
			\$(2,412)	Total of Explanation of Biennial Change

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772
METHODS OF FINANCE (INCLUDING RIDERS):				\$1,494,771	\$1,494,772
METHODS OF FINANCE (EXCLUDING RIDERS):	\$1,148,680	\$1,506,020	\$1,485,935	\$1,494,771	\$1,494,772
FULL TIME EQUIVALENT POSITIONS:	12.9	13.0	15.0	15.0	15.0

3.B. Rider Revisions and Additions Request

Agency Code: 242	Agency Name: State Commission On Judicial Conduct	Prepared By: Patricia Ortiz	Date: 08/21/2024	Request Level:
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Current Rider Number	Page Number in 2024–25 GAA	Proposed Rider Language
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701

IV-34

Unexpended Balances. The State Commission on Judicial Conduct is hereby authorized to carry forward unexpended balances from fiscal year 2026 into fiscal year 2027.

3.C. Rider Appropriations and Unexpended Balances Request
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/30/2024**
 TIME: **11:19:29AM**

Agency Code: 242 State Commission on Judicial Conduct

RIDER	STRATEGY	Exp 2023	Est 2024	Bud 2025	BL 2026	BL 2027
701 1	Unexpended Balance 1-1-1 ADMINISTRATION AND ENFORCEMENT	\$0	\$0	\$0	\$0	\$0
OBJECT OF EXPENSE:						
	1001 SALARIES AND WAGES	\$0	\$0	\$0	\$0	\$0
Total, Object of Expense		\$0	\$0	\$0	\$0	\$0
METHOD OF FINANCING:						
	1 General Revenue Fund	\$0	\$0	\$0	\$0	\$0
Total, Method of Financing		\$0	\$0	\$0	\$0	\$0

Description/Justification for continuation of existing riders or proposed new rider

The State Commission On Judicial Conduct is hereby authorized to carry forward unexpended balances from fiscal year 2026 into fiscal year 2027.

3.C. Rider Appropriations and Unexpended Balances Request
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/30/2024**
 TIME: **11:19:29AM**

Agency Code: 242 State Commission on Judicial Conduct

RIDER	STRATEGY	Exp 2023	Est 2024	Bud 2025	BL 2026	BL 2027
SUMMARY:						
OBJECT OF EXPENSE TOTAL		\$0	\$0	\$0	\$0	\$0
METHOD OF FINANCING TOTAL		\$0	\$0	\$0	\$0	\$0

4.A. Exceptional Item Request Schedule
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/30/2024
 TIME: 11:19:29AM

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

CODE	DESCRIPTION	Excp 2026	Excp 2027
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Item Name: Judiciary-Wide Inflation Relief (\$61,216 Annual/\$122,432 Biennium)
Item Priority: 1
IT Component: No
Anticipated Out-year Costs: Yes
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	61,216	61,216
TOTAL, OBJECT OF EXPENSE		61,216	61,216

METHOD OF FINANCING:

1	General Revenue Fund	61,216	61,216
TOTAL, METHOD OF FINANCING		61,216	61,216

DESCRIPTION / JUSTIFICATION:

The SCJC, in concert with the other Article IV Courts and Agencies, is therefore seeking a 6% increase in staff salaries this biennium.

EXTERNAL/INTERNAL FACTORS:

The SCJC expresses its appreciation to the Legislature for the positive impacts of the recent round of pay raises, both targeted and across the board. However, even after the increased funding received in the 88th Legislative Session, attorneys and staff of the Article IV Courts and Agencies, which includes the SCJC, remain impacted by the increasing costs due to inflation and the draw of higher paid employment opportunities in other governmental agencies and the private sector. The SCJC is aware of the need to adequately compensate its highly skilled attorneys and staff to efficiently and effectively assist the agency in complying with the statutory mandates relating to the investigation and disposition of cases, and to fulfill the mission of the agency. Retaining existing staff and recruiting qualified candidates are of utmost importance, not only because of the experience and expertise required for the unique work in the area of judicial discipline, but also because the SCJC expects high ethical standards and confidentiality that accompany working for the agency.

PCLS TRACKING KEY:

Agency code: **242**

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

CODE	DESCRIPTION	Excp 2026	Excp 2027
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DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :

The SCJC expresses its appreciation to the Legislature for the positive impacts of the recent round of pay raises, both targeted and across the board. However, even after the increased funding received in the 88th Legislative Session, attorneys and staff of the Article IV Courts and Agencies, which includes the SCJC, remain impacted by the increasing costs due to inflation and the draw of higher paid employment opportunities in other governmental agencies and the private sector.

The SCJC is aware of the need to adequately compensate its highly skilled attorneys and staff to efficiently assist the agency in complying with the statutory mandates relating to the investigation and disposition of cases, and to fulfill the mission of the agency. Retaining existing staff and recruiting qualified candidates are of utmost importance, not only because of the experience and expertise required for the unique work in the area of judicial discipline, but also because the SCJC expects high ethical standards and confidentiality that accompany working for the agency. The SCJC, in concert with the other Article IV Courts and Agencies, is therefore seeking a 6% increase in staff salaries this biennium.

ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:

2028	2029	2030
<hr/>	<hr/>	<hr/>
\$61,216	\$61,216	\$61,216

4.A. Exceptional Item Request Schedule
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/30/2024
 TIME: 11:19:29AM

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

CODE	DESCRIPTION	Excp 2026	Excp 2027
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Item Name: Funding to Increase General Counsel Salary (\$5,500 Annual/\$11,000 Biennium)
Item Priority: 2
IT Component: No
Anticipated Out-year Costs: Yes
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	5,500	5,500
TOTAL, OBJECT OF EXPENSE		5,500	5,500

METHOD OF FINANCING:

1	General Revenue Fund	5,500	5,500
TOTAL, METHOD OF FINANCING		5,500	5,500

DESCRIPTION / JUSTIFICATION:

The salary of the General Counsel should be increased to reflect the responsibilities of the position and to remain in line with similar positions in other judicial conduct agencies in other states and the appellate courts. The nature of the work performed and the expertise required of an SCJC General Counsel demands that management be able to hire and retain seasoned candidates with exceptional advanced legal experience. The General Counsel's duties includes, but is not limited to the management of the agency's legal team; handling the more complex cases requiring a thorough and full investigation, providing legal advice and counsel to the SCJC members; handling proceedings relating to the appeals of SCJC sanctions; assisting special counsel at all stages of litigation and/or formal proceedings; handling hundreds of ethics calls each month from judges, attorneys and others; handling ethics presentations at judicial training programs across the state throughout the year.

EXTERNAL/INTERNAL FACTORS:

The nature of the work performed, and the expertise required of an SCJC General Counsel demands that management be able to hire and retain seasoned candidates with exceptional advanced legal experience that new attorneys would not have.

PCLS TRACKING KEY:

4.A. Exceptional Item Request Schedule
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/30/2024**
 TIME: **11:19:29AM**

Agency code: **242**

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

CODE	DESCRIPTION	Excp 2026	Excp 2027
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DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :

The salary of the General Counsel should be increased to reflect the responsibilities of the position and to remain in line with similar positions in other judicial conduct agencies in other states and the appellate courts. The nature of the work performed, and the expertise required of an SCJC General Counsel demands that management be able to hire and retain seasoned candidates with exceptional advanced legal experience. The General Counsel’s duties includes, but is not limited to the management of the agency’s legal team handling the more complex cases requiring a thorough and full investigation; providing legal advice and counsel to the SCJC members; handling proceedings relating to the appeals of SCJC sanctions; assisting special counsel at all stages of litigation and/or formal proceedings; handling hundreds of ethics calls each month from judges, attorneys and others; handling ethics presentations at judicial training programs across the state throughout the year.

ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:

2028	2029	2030
\$5,500	\$5,500	\$5,500

4.A. Exceptional Item Request Schedule
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/30/2024**
 TIME: **11:19:29AM**

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

CODE	DESCRIPTION	Excp 2026	Excp 2027
	Item Name: Increase Funds for Commissioner Travel (\$3,900 Annual/\$7,800 Biennium)		
	Item Priority: 3		
	IT Component: No		
	Anticipated Out-year Costs: Yes		
	Involve Contracts > \$50,000: No		
	Includes Funding for the Following Strategy or Strategies: 01-01-01 Administration and Enforcement		
 OBJECTS OF EXPENSE:			
2005	TRAVEL	3,900	3,900
TOTAL, OBJECT OF EXPENSE		\$3,900	\$3,900
 METHOD OF FINANCING:			
1	General Revenue Fund	3,900	3,900
TOTAL, METHOD OF FINANCING		\$3,900	\$3,900

DESCRIPTION / JUSTIFICATION:

As travel costs, particularly lodging in downtown Austin continues to rise, the SCJC finds that it needs additional funding to accommodate the increase in the maximum lodging rate for Austin, Texas. In order to fulfill its mission and achieve the agency’s annual performance measure, Commission members travel to Austin six times per year to attend meetings that last between two and three days each. The agency’s current travel budget for Commissions was initially based on a maximum lodging rate of \$120 per day. The agency is seeking additional funding to cover the difference between the original \$120/day maximum lodging rate to the current \$170/day maximum lodging rate for its member to travel to Austin to attend six 3-day meetings per year of the biennium.

EXTERNAL/INTERNAL FACTORS:

The agency is seeking additional funding to cover the difference between the original \$120/day maximum lodging rate to the current \$170/day maximum lodging rate for its member to travel to Austin to attend six 3-day meetings per year of the biennium.

PCLS TRACKING KEY:

Agency code: **242**

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

CODE	DESCRIPTION	Excp 2026	Excp 2027
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DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :

Increase Funds for Commissioner Travel (\$3,900 Annual/\$7,800 Biennium)

As travel costs, particularly lodging in downtown Austin continues to rise, the SCJC finds that it needs additional funding to accommodate the increase in the maximum lodging rate for Austin, Texas.

In order to fulfill its mission and achieve the agency’s annual performance measure, Commission members travel to Austin six times per year to attend meetings that last between two to three days each. The agency’s current travel budget for Commissions was initially based on a maximum lodging rate of \$120 per day. The agency is seeking additional funding to cover the difference between the original \$120/day maximum lodging rate to the current \$170/day maximum lodging rate for its member to travel to Austin to attend six 3-day meetings per year of the biennium.

ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:

2028	2029	2030
\$3,900	\$3,900	\$3,900

4.B. Exceptional Items Strategy Allocation Schedule
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/30/2024**
 TIME: **11:19:30AM**

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

Code	Description	Excp 2026	Excp 2027
Item Name: Judiciary-Wide Inflation Relief (\$61,216 Annual/\$122,432 Biennium)			
Allocation to Strategy: 1-1-1 Administration and Enforcement			
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	61,216	61,216
TOTAL, OBJECT OF EXPENSE		\$61,216	\$61,216
METHOD OF FINANCING:			
1	General Revenue Fund	61,216	61,216
TOTAL, METHOD OF FINANCING		\$61,216	\$61,216

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

Code	Description	Excp 2026	Excp 2027
Item Name: Funding to Increase General Counsel Salary (\$5,500 Annual/\$11,000 Biennium)			
Allocation to Strategy: 1-1-1 Administration and Enforcement			
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	5,500	5,500
TOTAL, OBJECT OF EXPENSE		5,500	5,500
METHOD OF FINANCING:			
1	General Revenue Fund	5,500	5,500
TOTAL, METHOD OF FINANCING		5,500	5,500

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

Code	Description	Excp 2026	Excp 2027
Item Name: Increase Funds for Commissioner Travel (\$3,900 Annual/\$7,800 Biennium)			
Allocation to Strategy: 1-1-1 Administration and Enforcement			
OBJECTS OF EXPENSE:			
2005	TRAVEL	3,900	3,900
TOTAL, OBJECT OF EXPENSE		3,900	3,900
METHOD OF FINANCING:			
1	General Revenue Fund	3,900	3,900
TOTAL, METHOD OF FINANCING		3,900	3,900

4.C. Exceptional Items Strategy Request
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/30/2024
TIME: 11:19:30AM

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 2026	Exp 2027
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STRATEGY IMPACT ON OUTCOME MEASURES:

<u>1</u> Percentage of Cases Disposed	95.00 %	95.00 %
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OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	66,716	66,716
2005 TRAVEL	3,900	3,900
Total, Objects of Expense	\$70,616	\$70,616

METHOD OF FINANCING:

1 General Revenue Fund	70,616	70,616
Total, Method of Finance	\$70,616	\$70,616

EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Judiciary-Wide Inflation Relief (\$61,216 Annual/\$122,432 Biennium)
 Funding to Increase General Counsel Salary (\$5,500 Annual/\$11,000 Biennium)
 Increase Funds for Commissioner Travel (\$3,900 Annual/\$7,800 Biennium)

6.A. Historically Underutilized Business Supporting Schedule
 89th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: **8/30/2024**
 Time: **11:19:30AM**

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

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year - HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2022			Total Expenditures FY 2022			HUB Expenditures FY 2023			Total Expenditures FY 2023	
			% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$	FY 2023			
26.0%	Other Services	26.0 %	0.0%	-26.0%	\$0	\$63,957	26.0 %	0.0%	-26.0%	\$90	\$215,226		
21.1%	Commodities	21.0 %	0.4%	-20.6%	\$52	\$14,771	21.0 %	0.6%	-20.4%	\$176	\$28,607		
	Total Expenditures		0.1%		\$52	\$78,728		0.1%		\$266	\$243,833		

B. Assessment of Attainment of HUB Procurement Goals

Attainment:

The State Commission On Judicial Conduct strive to meet our HUB goals each year.

Applicability:

Our small General Revenue only funded judicial agency is comprised of 14 FTEs and our budget is mostly comprised of employee salaries and travel expenses for our Commissioners. As a small agency, we face unique problems that many large agencies do not face since we only utilize 2 of the 6 HUB categories.

Factors Affecting Attainment:

The agency's budget is mostly comprised of employee salaries and travel expenses for our commissioners. We have a HUB Vendor for our office supplies but most of our purchases are through Work Quest and TXSmartBuy.

C. Good-Faith Efforts to Increase HUB Participation

Outreach Efforts and Mentor-Protégé Programs:

Our agency HUB Coordinator has attended online purchasing seminars put on by different state agencies.

HUB Program Staffing:

The agency has one FTE that works part time on HUB program.

Current and Future 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.