

**ARKANSAS BUDGET SYSTEM
AGENCY PROGRAM COMMENTARY
1995 - 1997**

As predicted in the Court of Appeals' 1991-1993 and 1993-1995 Program Commentaries, filings in the Court of Appeals have risen during the past bienniums. The number of appeals filed in FY 90-91 increased by 11%, and they have increased by 33 1/2% during the past years. In FY 93-94, 1,091 appeals were filed, and the average number of opinions written by a sitting judge was 111, which is approximately 40 more than the number of opinions written by judges in five nearby jurisdictions and does not include the 264 appeals from the Employment Security Division that were disposed of by the Court without written opinions. In order to help manage this heavy docket, the 1991 legislature passed Act 959, § 2, now codified as Ark. Code Ann. § 16-12-106(c), which allowed the Chief Justice of the Supreme Court to authorize special or emergency judges to be used by the Court of Appeals whenever the caseload of the Court of Appeals so demanded. Six of these special judges were utilized in 1992, and while it allowed the Court to dispose of 31 additional cases, it greatly increased the work of the already burdened Court. Therefore, these special judges were not utilized in 1993.

Because the evidence indicated that the filings with the Court of Appeals would continue to increase, the 1993 legislature passed Act 1085, which increased the number of sitting judges to 12, effective July 1, 1995, doubling the size of the present Court. This budget request therefore reflects the additional funding the Court anticipates it will need to staff and equip these additional judgeships.

REGULAR SALARIES The salary requests for FY 95-96 include a 5% increase above the FY 94-95 appropriated level, and the salary requests for FY 96-97 contain another 5% increase.

Additionally, the budget for this biennium requests 21 additional positions above those currently appropriated. These positions include 12 additional law clerks at the current grade 21, 6 additional secretaries and one additional receptionist at the current grade 13 as support personnel for the new judges. The Court is also requesting 2 additional deputy clerks and the upgrade of an existing deputy clerk to an administrative assistant (grade 19) to assist the Supreme Court Clerk with the management of the records, which will increase because of the new judges.

AGENCY

ARKANSAS COURT OF APPEALS (018)

DIRECTOR



CHIEF JUSTICE John E. King

**AGENCY PROGRAM
COMMENTARY**

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EXTRA HELP Request is the same from FY 94-95 authorized appropriation.

PERSONAL SERVICE MATCHING is being requested in proportion to the additional positions and salary requests for FY 95-96 and FY 96-97. The FY 95-96 amount is \$512,177. The FY 96-97 amount is \$537,785.

MAINTENANCE AND OPERATION The Court's maintenance and operating budget requests the increases it anticipates it will need to provide for the additional judges and their staffs. For the most part, these increased requests reflect double the amount of the Court's FY 94-95 budgeted appropriation. Of the \$9,000 requested for office machines in FY 95-96, \$7,000 of this total is a one-time increase to equip the six new judges and their staffs. Accordingly, the Court's FY 96-97 request has been reduced by this amount.

SPECIAL JUDGES This request has not increased from the Court's FY 94-95 appropriation of \$42,025.

COURT APPOINTED ATTORNEYS Because the size of the Court will be doubling, the Court is seeking \$90,000 to support the caseload for 12 judges for FY 95-96 and FY 96-97. This amount is twice the amount of the Court's actual expenditure for FY 93-94 but only \$20,000 over its FY 94-95 authorized appropriation.

CONFERENCE AND TRAVEL The Court is seeking an increase of \$22,987 over its FY 94-95 authorized appropriation of \$21,013 in order to provide for conference, education, and travel for the 6 additional judges.

CAPITAL OUTLAY For FY 95-96, the Court is requesting a budget of \$290,123 to provide furniture, equipment, computers, and libraries for the 6 new judges and their staffs. \$258,823 of the requested increase in capital outlay reflects a one-time only expense which includes \$147,091 for office furniture and equipment, \$50,000 for libraries, and \$61,732 for computer equipment. An increase of \$15,250 above the authorized FY 94-95 appropriation is being requested for FY 96-97 to replace office furniture and equipment, make improvements to the offices, and for library acquisitions.

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With the recommendation of this budget, the Court of Appeals will be able to continue reviewing in an orderly and just fashion the cases appealed from circuit, chancery, juvenile, and probate courts, along with appeals from the Arkansas Public Service Commission, the Workers' Compensation Commission, the Employment Security Division, and other administrative agencies.

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CHIEF JUDGE John E. Jennings

ARKANSAS COURT OF APPEALS
SUMMARY OF AUDIT FINDINGS AND RECOMMENDATIONS
FOR THE YEAR ENDED JUNE 30, 1992

	<u>Fund Type</u> Governmental	<u>Account Group</u> General Fixed Assets	<u>Total</u>
Assets	\$ 8,995.73	\$ 245,883.66	\$ 254,879.39
Fund Equity	8,995.73	245,883.66	254,879.39
Revenues	1,111,000.00		1,111,000.00
Expenditures	1,111,716.26		1,111,716.26
Other Financing Sources (Uses)	(317.52)		(317.52)

Findings

None.

Recommendations

None.

ARKANSAS BUDGET SYSTEM
EMPLOYMENT SUMMARY
AS REQUIRED BY ACT 358 OF 1993

AGENCY TITLE Arkansas Court of Appeals

	MALE	FEMALE	TOTAL	PERCENTAGE OF TOTAL
WHITE EMPLOYEES	<u>6</u>	<u>21*</u>	<u>27</u>	<u>96%</u>
BLACK EMPLOYEES	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
EMPLOYEES OF OTHER RACIAL MINORITIES	<u>0</u>	<u>1</u>	<u>1</u>	<u>4%</u>
TOTAL EMPLOYED AS OF <u>9-7-94</u> DATE			<u>1</u>	<u>4%</u>
			TOTAL MINORITIES	
			<u>28</u>	<u>100%</u>
			TOTAL EMPLOYEES	


 AGENCY DIRECTOR
 JOHN E. JENNINGS, Chief Judge

* Effective October 1, 1994, one of the presently employed white female employees will be replaced by a hispanic female employee.

**ARKANSAS BUDGET SYSTEM
DEPARTMENT APPROPRIATION SUMMARY**

AGENCY TITLE		1993-95				1995-97				1995-97			
Court of Appeals (018)		Expenditures				Biennium Request				Executive Recommendation			
Appropriations		Actual	No. of	Budgeted	No. of	Year 1	No. of	Year 2	No. of	Year 1	No. of	Year 2	No. of
Code	Name	1993-94	Pos.	1994-95	Pos.	1995-96	Pos.	1996-97	Pos.	1995-96	Pos.	1996-97	Pos.
111	Court of Appeals	\$1,227,640	29	\$1,528,081	29	\$3,035,031	50	\$2,902,821	50	No Executive Recommendation is made for this agency.			
TOTALS		\$1,227,640	29	\$1,528,081	29	\$3,035,031	50	\$2,902,821	50				
Funding Sources			% of Total		% of Total		% of Total		% of Total		% of Total		% of Total
Fund Balances													
General Revenues													
Special Revenues													
Federal Funds													
Const. & Fiscal Agency Fund													
State Central Services Fund		1,227,640	100.0%	1,528,081	100.0%	3,035,031	100.0%	2,902,821	100.0%				
Non-Revenue Receipts													
Cash Funds													
Other													
Total Funding		1,227,640	100.0%	1,528,081	100.0%	3,035,031	100.0%	2,902,821	100.0%				
Excess Appro./ (Funding)													
TOTAL		\$1,227,640		\$1,528,081		\$3,035,031		\$2,902,821					
DEPARTMENT				DIRECTOR					DEPARTMENT APPROPRIATION SUMMARY				
COURT OF APPEALS (018)				John E. Jennings, Chief Judge					BR 40 55				

ARKANSAS BUDGET SYSTEM

	EXPENDITURES					RECOMMENDATIONS	
	93-94	94-95	94-95	95-96	96-97	LEGISLATIVE	
	ACTUAL	BUDGETED	AUTHORIZED APPROPRIATION	TOTAL REQUEST	TOTAL REQUEST	95-96	96-97
Regular Salaries	896,366	1,061,521	1,061,521	*1,876,106	*1,969,911		
Number of Positions	29	29	29	*50	*50		
Extra Help	0	10,000	25,000	25,000	25,000		
Number of Positions	0	4	7	7	7		
Personal Services Matching	213,755	265,380	265,380	512,177	537,785		
Maintenance and Operation	53,137	78,318	93,318	155,600	148,600		
Special Judges	100	6,599	42,025	42,025	42,025		
Court-Appointed Attorneys (Other Legal Fees)	45,000	65,000	70,000	90,000	90,000		
Conference and Travel	6,906	11,013	21,013	44,000	44,000		
Capital Outlay	12,376	30,250	30,250	**290,123	45,500		
Proposed Funding Sources	1,227,640	1,528,081	1,608,507	3,035,031	2,902,821		
Fund Balances							
General Revenues							
Special Revenues							
Federal Funds							
Const. & Fiscal Agy. Fund							
State Central Services Fund	1,227,640	1,528,081		3,035,031	2,902,821		
Non-Revenue Receipts							
Cash Funds							
Other							
Total Funding	1,227,640	1,528,081		3,035,031	2,902,821		
Excess Appro./ (Funding)							
TOTAL	1,227,640	1,528,081		3,035,031	2,902,821		

DEPARTMENT JUSTICE DEPARTMENT
 AGENCY ARKANSAS COURT OF APPEALS (018)
 APPROPRIATION 111
 FUND STATE CENTRAL SERVICES (HSC)

* 21 additional positions are needed to supply each of the 6 new judges with supporting personnel (law clerks, etc.).
 ** Includes one time expense of furnishing 6 new judges and staff with furniture, computer equipment, and library.

Appropriation Summary
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