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ATTORNEY GENERAL *of* TEXAS

**Agency Strategic Plan Fiscal Years 2023-2027**



**FISCAL YEARS 2023 TO 2027**

**BY**

**ATTORNEY GENERAL KEN PAXTON**

JUNE 1, 2022

A handwritten signature in black ink, appearing to read 'Brent Webster', with a stylized flourish at the end.

Brent Webster  
First Assistant Attorney General



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Schedule E and G are not required for the OAG Strategic Plan.

# The Office of the Attorney General

## Mission

The Attorney General champions liberty and justice for Texas. The Office of the Attorney General operates under the direction of the Attorney General to accomplish this mission.

## Philosophy

The principles of individual liberty, limited government, economic freedom, and personal responsibility guide the work of the Attorney General.

## Values

The Office of Attorney General is committed to performing its duties with excellence, serving Texas with humility and integrity, and exploring innovative solutions in accomplishing the work of the agency.

## Work

The Texas Attorney General is the State of Texas's chief legal officer. As provided by the Texas Constitution and governing statutes, the Office of Attorney General's main responsibilities are:

- Defending the State of Texas and its duly enacted laws by providing legal representation to the State, its officials and agencies, rendering legal opinions, reviewing public securities, and ensuring compliance with the Texas Public Information Act.
- Serving the children of Texas through the enforcement of the state's child support laws and the collection of child support on behalf of Texas families.
- Securing justice for Texans by investigating and prosecuting criminal activities, including crimes of human trafficking, border security, internet crimes against children, violent crimes, election fraud, assisting local law enforcement, district and county attorneys in prosecutions and appeals, investigating Medicaid fraud, apprehending fugitives, and providing support to victims of violent crime.
- Protecting Texans from fraud, waste, and abuse by enforcing consumer protection and antitrust laws, including by addressing anti-competitive conduct or civil liberty violations, educating consumers on fraudulent scams, and seeking recovery from Medicaid fraudsters in civil actions.
- Safeguarding the freedoms of Texans as guaranteed by the United States and Texas constitutions, and the sovereignty of Texas.

## Goal 1. Provide Legal Services

### *Specific Action Items to Achieve Your Goal*

The Texas Attorney General is the chief legal officer for the State of Texas. The Office of the Attorney General (OAG) operates under the direction of the Attorney General to accomplish this mission. As provided for by the Texas constitution and governing statutes, the OAG defends the State of Texas and its duly enacted laws by providing legal representation to the State and its officials and agencies, rendering legal opinions, reviewing public securities, and securing compliance with the Texas Public Information Act.

Under Attorney General Paxton, the State has recovered over \$4.0 billion for Texas taxpayers and the OAG has protected citizens' rights from federal government overreach by successfully litigating over 30 major federal lawsuits in FY 2021 and FY 2022. The OAG is currently litigating almost 30,000 state matters ranging from border security to First and Second Amendments violations.

Legal services divisions fall into three practice areas:

- legal counsel (non-litigation civil),
- civil litigation, and
- appellate litigation.

The OAG provides legal counsel and support to the State of Texas, its officials and agencies, other authorized entities, and oversees certain specialized civil litigation matters through its Legal Counsel Divisions.

- The **Open Records Division** ensures access, transparency, clarity, and uniform application of the Texas Public Information Act (PIA). The division issues written decisions on exceptions to disclosure and the release of public records; provides input and performs research for the Legislative and Executive branches of state government; and educates the public and governmental entities on public information laws. In addition to answering questions on public information laws through a toll-free Open Government Hotline, the division facilitates the resolution of disputes between governmental bodies and private citizens as issues arise during the open records process.
- The **Opinion Committee Division** researches and drafts legal opinions in response to questions of law posed by persons authorized by statute to request formal Attorney General opinions. Authorized requestors include the Governor, heads of state agencies and departments, boards of state educational institutions and systems, legislative committees, district and county attorneys, and county auditors. These opinions provide clarity on questions of law but generally do not resolve questions of fact, instead leaving fact-finding to the governmental entity at issue or a court. In addition, the division provides training and support to governmental entities on open meetings laws.
- The **Public Finance Division** reviews proceedings for all bonds, public securities, and similar obligations issued by all governmental entities or instrumentalities of the State and certain nonprofit corporations created to act on behalf of political subdivisions. Pursuant to statute, if the OAG determines the issuance of the public security conforms with the law, the OAG shall approve the security. Once approved, registered, and delivered, the public securities become valid and incontestable under state law.

## Goal 1. Provide Legal Services

- The **General Counsel Division** provides legal advice and counsel to the Attorney General, his executive staff, and other OAG divisions on issues involving general government law, compliance matters, and agency policies and procedures. This division also serves as legal counsel to the OAG and other select agencies on issues of procurement, contract negotiation, and contract drafting. The division reviews and approves outside counsel contracts; reviews and approves contingent-fee contracts for political subdivisions; and provides advice and counsel to officials for certain local governmental entities related to the Texas Disaster Act. The division also oversees OAG's administrative rulemaking, and members of the division serve as the OAG's formal complaint officer, as the agency's representative for the Secretary of State's Voting Systems Examiners, and as a liaison with the Governor's Office on handgun license reciprocity.

The OAG oversees the state's civil litigation matters and divides the matters among 12 Civil Litigation Divisions to cover both defense matters and enforcement cases that provide restitution for the State and its citizens when they have been harmed.

- The **Administrative Law Division** provides representation and legal services to state agencies in administrative law matters and administrative procedures, and defends the State in court. The division provides general legal counsel to multiple small state agencies and boards that do not employ their own in-house general counsel. The division also defends legal challenges to Open Records Letter Rulings. In addition, the division brings enforcement actions in district court on behalf of state agencies and on behalf of the OAG in matters where the OAG has original enforcement jurisdiction, ensuring that local governments comply with state law. The division also takes legal action against long-term care providers such as nursing homes, intermediate care facilities for persons with intellectual disabilities, assisted living facilities, and home-health services in which an investigation finds illegal or dangerous conditions of care.
- The **Antitrust Division** is responsible for enforcing state and federal antitrust laws. The division investigates and prosecutes anticompetitive activity such as bid-rigging, price-fixing, market allocation, unreasonable trade restraints, monopolization, and potentially anticompetitive mergers. While the main focus of the division is anticompetitive activity that directly impacts Texas consumers and governmental entities, it works closely with other state and federal partners to promote competition in the marketplace.
- The **Bankruptcy and Collections Division** is the centralized collection authority for the State, charged with pursuing recovery of unpaid debts, judgments, taxes, fees, fines, penalties, loans, and other delinquent obligations. The division's investigators seek to locate and identify parties responsible for the debt, and its attorneys pursue collections in state court. The division also represents the State and its agencies in federal court around the country to protect the State's monetary and regulatory interests in bankruptcy cases.
- The **Civil Medicaid Fraud Division** investigates and prosecutes allegations of unlawful acts against the Medicaid program to pursue claims and recover taxpayer dollars under the Texas Medicaid Fraud Prevention Act (TMFPA). The division pursues enforcement actions for various fraudulent schemes including kickbacks, off-label marketing, upcoding, and false price reporting against a wide range of defendants, from individual providers to multinational drug manufacturers. The investigations often result in a significant recovery to the state through negotiation and settlement. The majority of the cases derive from private whistleblower lawsuits filed under seal in which the State is allowed to intervene. The division also initiates State investigations which result in enforcement actions brought in state court.

## Goal 1. Provide Legal Services

- The **Consumer Protection Division** conducts investigations and files civil lawsuits to enforce state and federal laws protecting consumers and the business community. These laws address data breaches and other privacy issues, health care fraud, robocalls, debt collection, misleading advertising, and a wide variety of scams involving deceptive trade practices. During a disaster, the division investigates and prosecutes price gouging. The division also accepts complaints filed by consumers, partners with other state and federal enforcement agencies, and conducts community outreach and education.
- The **Environmental Protection Division** provides legal counsel to the State and its natural resource agencies in matters pertaining to environmental protection, natural resources, and public utilities. The division prosecutes and defends complex cases at both trial and appellate levels in state and federal courts. Among other tasks, this division ensures protection of the public's health and safety, obtaining corrective action and statutory penalties through actions to enforce laws addressing a wide range of environmental concerns (safe drinking water, municipal and industrial solid waste, air and water quality enforcement, and state cleanup for hazardous substance spills). In addition, the division protects the State's lands, minerals, and natural resources by enforcing state statutes and agency rules. This division preserves State resources by defending regulatory agencies' actions and final orders issued under the agencies' statutory authority. The division is responsible for a wide range of legal actions related to environmental protection and industry regulation; protecting natural resources, including State water, oil and gas, and plants or wildlife; and gas, electric, and water utilities.
- The **Financial Litigation and Charitable Trusts Division** defends and prosecutes lawsuits involving regulatory and financial matters for state agencies. The division handles contractual disputes for all state agencies and serves as legal counsel to the OAG and other select agencies on issues of procurement, contract negotiation, and contract drafting. In addition, the division reviews, as required by statute, certain outside counsel, collections and health care contracts. The division also fulfills the OAG's duty to protect the public's interest in charitable trusts and assets.
- The **General Litigation Division** represents the State's interests in civil litigation regarding matters of public concern to vindicate Texas's sovereign and legal rights and further the State's policy interests. The division's team of experienced attorneys regularly litigate highly complex cases across any subject matter, both as plaintiffs and as defendants, against the highest caliber of attorney. The division contributes significantly to broader strategic initiatives within the agency. Additionally, division attorneys defend state agencies, elected and appointed officials (in their official capacities), and state employees (in their official capacities) in many other types of civil litigation, including employment litigation, whistleblower claims, tenure denials, discrimination claims, student dismissals, civil rights lawsuits, and other constitutional and statutory claims. The division also defends challenges to the constitutionality of Texas statutes and the State's administration of programs such as public education, Medicaid, and the state hospital system.
- The **Law Enforcement Defense Division** defends the State's law enforcement agencies, including their officials and employees, in civil suits primarily brought pursuant to 42 U.S.C. § 1983, state and federal statutory laws, including Title VII, the Americans with Disabilities Act, the Rehabilitation Act, the Religious Land Use and Institutionalized Persons Act, and the Texas Tort Claims Act. In addition to civil rights, tort, and employment lawsuits, the division defends lawsuits against state district judges in their official capacities and habeas corpus proceedings brought against the Executive Director of the Texas Civil Commitment Office.

## Goal 1. Provide Legal Services

- The **Tax Litigation Division** defends the Texas Comptroller of Public Accounts (CPA) and the Texas Workforce Commission in district and appellate courts in suits seeking a refund of, or relief from liability for, state taxes, including franchise, sales, use, excise, occupational and unemployment taxes, along with associated penalties and interest, including penalties for fraud. The division also defends the Texas Workforce Commission in cases challenging agency decisions on unemployment benefits, fraud and wage claims, resisting third-party discovery, subpoena enforcement, and various other matters throughout the State. The division advises its client agencies on bill analysis, drafting statutory language and rulemaking, and defends the agencies in challenges to statutes and rules related to state taxes and the Texas Unemployment Compensation Act.
- The **Tort Litigation Division** defends state agencies and state employees in civil personal injury and property damage lawsuits throughout the State. Such suits include medical malpractice, workers' compensation, premises defect, automobile collisions, libel, slander, and wrongful termination. The division also investigates and evaluates pre-litigation claims and provides counsel to state entities on tort and workers' compensation-related civil matters. In addition, the division pursues subrogation and first-party claims against responsible parties for reimbursement of state expenses or damages to state property caused by wrongful acts.
- The **Transportation Division** provides legal advice and representation to the Texas Department of Transportation (TxDOT). The majority of the division's docket involves bringing eminent domain cases on behalf of the State, wherein the State acquires private property for public use in exchange for just compensation. The property acquired in these proceedings allow TxDOT to build public highways to deliver mobility, enable economic opportunity, and enhance quality of life for all Texans. The division also represents TxDOT and its employees in other civil litigation matters, including tort claims, employment law, property damage, environmental claims, collections, contract claims, and administrative cases.

The **Special Litigation Division (SLD)** develops legal strategies to establish precedents and jurisprudence favorable to the State's interests. SLD's experienced litigators excel in high-stakes and highly complex civil litigation, and they have long-standing working relationships with elected officials and executive officers across the State. SLD oversees important affirmative policy litigation for the Attorney General of Texas that may not otherwise fall within the scope of other litigation divisions. The division also manages its own docket of cases, including defending against challenges to state laws and regulations and encroachments on state sovereignty.

The **Solicitor General Division (SGD)** is responsible for supervising and approving all appellate litigation for the State and for ensuring consistency in legal positions taken by the State. The SGD determines which division within OAG will handle any appeal to which the State is a party. The SGD is responsible for handling the appeals deemed most significant to Texas's interests and the development of federal and state jurisprudence.

The Civil Litigation Divisions, SLD, and SGD all work to defend the duly enacted laws of the State of Texas.

### *Describe How Your Goal or Action Items Support Each Statewide Objective*

#### 1. **Accountable to tax and fee payers of Texas.**

- The OAG defends the State of Texas in numerous cases, including cases that seek to promote economic freedom, support limited government, defend the United States and Texas Constitutions, and preserve the rule of law.

## Goal 1. Provide Legal Services

- The OAG continues to be a significant source of both revenue and fiscal savings for the state, with nearly \$430 million recovered to General Revenue (GR) in FY 2021 bringing the total recoveries during the Paxton administration to over \$1.6 billion at the end of FY 2021. At the end of this past fiscal year, Civil Litigation Divisions were managing almost 30,000 pending litigation matters and claims. Many of these matters will result in additional revenue as claims are resolved.
- It is anticipated GR recoveries will continue increasing during FY 2022 as opioid settlements are finalized, bringing total recoveries under the Paxton administration to over \$4.0 billion. Moreover, through pre-litigation advice and the defense of the State in lawsuits challenging statutes, state agency actions, contracts, employment decisions, and other civil claims, the OAG has successfully avoided and minimized costly claims (totaling in the tens of billions in savings to the state).
- In FY 2020 and FY2021, the SLD successfully defended the State against 13 federal lawsuits that sought to overwrite Texas's election laws in response to the COVID-19 pandemic. In addition, this division was responsible for managing nearly a half dozen multi-state coalitions, centered on preserving pro-growth policies, such as Nationwide Permits and the 401 Certification Rule, which enable Texas to develop its natural resources.
- The OAG sued the federal government to ensure that Texas receives the federal funds to which it is entitled. In January 2021, the SLD obtained a preliminary injunction that prevented the Centers for Medicare & Medicaid Services from arbitrarily and capriciously denying Texas' Medicaid 1115 Waiver, which provides critical funding and is essential to providing vulnerable communities with quality care. The injunction was upheld on appeal, and the case was finally resolved with the federal government relenting its previously administrative action and allowing Texas to continue implementing the waiver without change. It is estimated that by securing this relief, the OAG saved the State between \$250 and \$300 billion over the life of the program.
- The Law Enforcement Defense Division manages a very active litigation docket of over 1,200 cases; and the division's attorneys successfully defend state agencies and officials from the vast majority of claims asserted against them, thereby saving the State millions of dollars in potential damages every year.
- Between 2015 and 2021, the Tax Litigation Division successfully defended approximately \$294 million in claims made by plaintiffs who sought erroneous relief from their tax liability, usually in the form of refunds from the State fisc, that would have placed the burden disproportionately on other taxpayers.
- The Environmental Protection Division provides public notice and the opportunity for comment, in accordance with statute, for settlements and judgments that resolve environmental enforcement cases. Many such cases stem from, and involve direct input by, citizens who depend on lawsuits filed by this division to obtain or protect their access to clean drinking water; to enforce regulations that protect air quality; or to prevent or clean up pollution from municipal, industrial, or toxic waste.
- The Civil Medicaid Fraud Division has recovered \$854 million in taxpayer dollars during the Paxton Administration, including \$426 million recovered to GR as of FY 2021. Since 2000 the division has recovered almost \$2.4 billion for taxpayers. Medicaid recoveries obtained by this division typically include an amount returned to GR representing the Texas taxpayer share and an amount returned to the United States Treasury representing the federal taxpayer share; an amount awarded to the relator for the relator's statutory share and attorney fees; and an amount retained by the OAG for the State's attorney fees.

## Goal 1. Provide Legal Services

- The Tort Litigation Division saved taxpayers more than \$44 million in FY 2020 and FY 2021 by securing dismissal of or settling tort and workers' compensation actions brought by and against the state through efficient investigations, negotiations, litigation, and appellate practices.

### 2. Efficient by producing maximum results with no waste of taxpayer funds and by identifying any function or provision you consider redundant or cost-effective.

- The OAG has launched investigations and filed multiple cases against big technology companies for violating Texas laws. This type of litigation is costly due to experts and the evolving nature of technology. The OAG is working closely with the Legislature to maximize funds while holding the companies responsible by seeking structural reforms and damages for their unlawful conduct. Due to ongoing investigations, the OAG anticipates further litigation against technology companies and will use its statutory authority to protect Texans in the most financial prudent way possible.
- The Consumer Protection Division continues to maximize its recoveries and injunctive relief by participating in multi-state litigation. This participation allowed the division to leverage the resources of a large coalition of states to achieve substantial recoveries and consumer relief using reduced investment of money and work hours. Doing so has allowed the division to use their resources to maximize Texas's impact on national matters while simultaneously providing relief to Texas consumers. Through the division's efforts, multiple settlements with opioid manufacturers and distributors have been reached in FY 2022, with nearly two billion dollars to be placed in a Texas funds over the life of the settlements to address the costs of the opioid crisis in Texas.
- The Civil Medicaid Fraud Division enforcement actions yield significant returns for the taxpayers. The division estimates that the average annual recovery to GR from FY 2015 to FY 2021, exceeded \$60.8 million.
- The Civil Litigation Divisions achieved greater efficiency by transferring responsibility for investigating and resolving pre-litigation tort claims made against the Texas Department of Criminal Justice from the Law Enforcement Defense Division to the Tort Litigation Division. The Tort Litigation Division already handled a robust docket of pre-litigation tort claims for most other state agencies and had an effective team and efficient processes in place to handle a large volume of pre-litigation claims. The transfer of these cases fit naturally into the Tort Litigation Division without requiring additional resources and freed up time and resources in the Law Enforcement Defense Division to focus on their core function.
- The SGD approves all requests from other divisions to appeal, to not appeal, or to join amicus briefs. This review process helps to maximize the use of state funds, ensure consistency, and limit the number of cases that are unlikely to succeed.
- The Tax Litigation Division increased its efficiency and success by working with the CPA to enact legislation prohibiting the collection of disputed liabilities during a lawsuit but allowing the State to place liens on the plaintiff's assets. Before this legislation was in place, the division spent considerable resources preparing for emergency hearings to defend against temporary restraining orders and injunctions, which were frequently granted without sufficient bond. The new laws allow division attorneys to conduct discovery and adequately prepare their cases while ensuring the State's interests are secured.

## Goal 1. Provide Legal Services

- Because public health and safety and Texas's natural resources are at stake, the Environmental Protection Division's work is essential. The division attorneys strive to deliver maximum results with minimum taxpayer burden by delivering results in a cost-effective manner and recovering attorney fees when authorized by statute. The division also preserves Texas resources by pursuing the recovery of response costs for hazardous substances released or contamination to recover state funds under the Texas Water Code, the Texas Health and Safety Code, and state or federal Superfund statutes.

### 3. Effective by successfully fulfilling core functions, achieving performance measures, and implementing plans to continuously improve.

- Civil Litigation management evaluates caseloads, litigation history, core functions, and operations to ensure legal cases are handled in the most effective manner. The OAG Civil Litigation Divisions met or exceeded target range for the following performance measure targets in FY 2020 and FY 2021.
  - The Bankruptcy and Collections Division exceeded the Legislative Budget Board's (LBB) performance measure target of delinquent state revenue collected by 10.43 percent in FY 2020 and 63.52 percent in FY 2021 reporting \$55.2 million and \$81.8 million collected, respectively.
  - The agency met or exceeded the LBB performance target range related to legal hours billed to litigation and counseling at 102.27 percent in FY 2020 and 96.72 percent in FY 2021.
  - The agency also intentionally reduced spending during COVID-19 exercising prudent budgetary restraint driving the LBB performance measure target related to average cost per legal hour under target by 3.54 percent in FY 2020 and 6.65 percent in FY 2021.
- Legal Counsel management evaluates caseloads, litigation history, workloads, core functions, and operations to ensure that open records letter rulings, legal opinions, legal cases, external contract review requests, and public security reviews are handled efficiently, effectively, and within statutorily mandated deadlines. Since 2015, the Open Records Division has issued more than 240,000 letter rulings all within the deadlines mandated by the PIA. Core functions covered by the legal counsel divisions include a range of statutorily assigned duties and responsibilities, which are fulfilled while providing excellent customer service and well in advance of statutorily mandated deadlines.
- Employing zero-based budgeting methodologies, the OAG continues to align core legal functions with available resources seeking opportunities to pivot economies of scale toward statutory requirements, including compliance with new legislation. In addition, the OAG maximizes existing resources and organizational expertise for which the key element of success is measured by the OAG's ability to recruit and retain talent.
- The Environmental Protection Division continually strives to deliver top-quality representation that yields prompt, cost-effective, favorable litigation outcomes. The division is highly proficient and resolves most defense cases without protracted litigation, saving considerable resources for the state agencies it represents. In FY 2021, the division collected over \$2.5 million in civil penalties and exceeded its projection for annual collection of attorney fees by nearly 20 percent, recouping over \$350,000 to defray fees borne by Texas taxpayers.

## **Goal 1. Provide Legal Services**

### **4. Attentive to providing excellent customer service.**

- The OAG seeks input and commentary from its client agencies and institutions of higher education by conducting regular customer satisfaction assessment surveys. The OAG solicits comments and performance evaluations regarding legal services from state agency heads and general counsels. Of the survey responses by client agencies and institutions of higher education, 97.5 percent of the respondents expressed overall satisfaction with the legal services they received.
- The administrative and executive functions of the OAG are largely centralized in Austin with several regional offices for specific functions such as child support and Medicaid fraud prosecution. However, to better serve all of our clients, the OAG is continually reviewing its regional structure based on lessons learned during the required remote working conditions caused by COVID-19. The OAG strives to maintain a more flexible workplace to benefit both OAG clients and employees. The OAG also routinely reviews and assesses the changing needs of our clients and uses case data to better position continued efficiencies with locations both inside and outside of the Austin area.
- The Tax Litigation Division compiles a weekly update for the CPA that lists important upcoming dates for every CPA matter in the division. Division attorneys and management work closely with client agencies to ensure matters are being handled effectively and their needs are being met. In turn, the client agencies provide insightful subject-matter expertise that helps the attorneys navigate and brief nuanced issues to courts.
- The Environmental Protection Division develops strong relationships with the client agencies it serves. A recent client survey, responses described division attorneys as “exemplary,” “professional,” “diligent,” and “absolutely the best.” The division strives to provide customer service to Texas taxpayers who depend on the division’s legal work, whether or not they directly interact with the division.
- The Tort Litigation Division collaborates closely with client agencies by consistently discussing case strategies, sending draft pleadings, discovery and briefs to the client for approval prior to filing or serving, and timely responding to all client inquiries.
- The Civil Medicaid Fraud Division investigates and prosecutes enforcement actions involving unlawful acts committed against the Medicaid Program. Texas Medicaid is administered by the Texas Health and Human Services Commission (HHSC). The division also provides representation to HHSC when requested for certain non-Medicaid related issues. The division further collaborates with Texas HHS Office of Inspector General (OIG) and regularly communicates and shares information in the ongoing effort to identify and deter fraud, waste, and abuse in the Medicaid Program.

### **5. Transparent such that agency actions can be understood by any Texan.**

- The Open Records Division is dedicated to ensuring the public can easily access government records through the PIA. To ensure transparency, the division issues both formal and informal decisions, educates the public and governmental entities on the PIA through both in-person trainings and informational videos on our website, and monitors compliance of governmental entities. Additionally, the OAG operates the Open Government Hotline, which allows Texans to speak directly to OAG attorneys and obtain answers to open government questions. Since January 2015, the OAG has responded to more than 81,000 Open Government Hotline calls. The division also provides training upon request and hosts an annual conference open to members of the public, private entities, and both state and local governmental entities.

## Goal 1. Provide Legal Services

- The OAG’s website shares key information to the public including consumer protection alerts about scams, attorney general opinions, news, reports and publications. Texans can file consumer complaints, and submit a catastrophe notice. The website also provides consumers with information about data breaches and law enforcement reporting.
- Enforcement suits often result from complaints made by concerned Texans. Though the work of the Environmental Protection Division is highly complex and specialized, the division often interacts directly with the public to protect their health and safety. For example, one type of enforcement handled by the division is a “colonias” case. As used in this context, the term “colonias” refers to substandard residential developments, typically near the Texas-Mexico border, lacking basic services such as drinking water, sewage treatment, and paved roads. The division represents the State in enforcement litigation pursuant to direct statutory authority, and to do so it responds directly to complaints or inquiries from affected members of the public. Likewise, Texans affected by water, air, or waste pollution often work directly with the division in enforcement litigation, with the ultimate opportunity to weigh in on any settlement or judgment.
- The OAG researches and issues opinions to authorized requestors to help clarify questions of law. To help ensure the public can easily access and monitor the opinions process, requests for opinion are published in the Texas Register when received and are posted on the internet when issued. The OAG also provides an e-mail notification when opinion requests are received and when opinions are issued for individuals who subscribe to such notifications. Information on opinions and past opinions can be found at: [www.texasattorneygeneral.gov](http://www.texasattorneygeneral.gov).

### *Information Resources Planning*

Technology accommodations for the OAG’s increased legal services case volumes, combined with the greater complexity of related data, fuels the demand for continuous improvements. There is a need for advancements in supporting technology that is targeted to realize greater efficiencies in attorney case assignments, achieving deadlines, timekeeping, billing, and workflow management. Integrating this technology with supporting systems provides increasing efficiencies to OAG’s attorneys and support staff.

Transformation of the OAG’s legacy systems delivering attorneys and legal teams the flexibility of secure, real-time access to case information and collaboration services is central to our strategy of having full supportability wherever the employee is working. Availability of secure yet unbound avenues to agency intellectual property and efficient service inspires acceptance of and progression toward a flexible workplace that facilitates partnerships between both internal and external parties.

With the escalating volume and varied forms of eDiscovery data, the OAG is committed to the investment vital to maintain secure, modern, scalable platforms capable of delivering early case assessments along with the efficient review and production of discoverable data, all while honoring the data’s critical chain of custody. Adoption of advanced analytic capabilities supporting continuous growth coupled with education of OAG eDiscovery staff result in the empowerment of attorneys and legal teams to achieve the highest quality results.

## Goal 2. Enforce Child Support Laws and Ensure Proper Collection of Child Support

### *Specific Action Items to Achieve Your Goal*

By statute, the OAG serves the children of Texas through enforcement of the state's child support laws and the collection of child support on behalf of Texas families. All states that receive federal funding for Temporary Assistance for Needy Families (TANF) are required to have a centralized child support collections program under Title IV, Part D (IV-D) of the Federal Social Security Act. The cost of operating the Texas Child Support Division (CSD) is more than two-thirds federally funded. In addition, the OAG earns federal performance incentive funds that are distributed to states that excel at collecting child support.

Apart from the federal funds that support the program, the State of Texas benefits from a nationally recognized program that is both efficient and effective in collecting child support, helping to ensure that parents pay to support their children.

According to the federal Office of Child Support Enforcement Federal Fiscal Year (FFY) 2020 Preliminary Data Report, Texas led the nation by collecting nearly \$4.8 billion in Child Support for FFY 2020. According to the OAG's most recent statutorily-required cost avoidance report, the CSD allowed taxpayers to avoid more than \$1.5 billion in TANF, Medicaid, and other costs in State Fiscal Year (FY) 2020. As a result, the CSD saved more than a billion dollars for taxpayers. More importantly, the CSD ensures that Texas children have the resources they need to grow healthy and strong.

1. The CSD is designated as the state child support program which assists parents in obtaining financial support for children pursuant to the Code of Federal Regulations (45 CFR 302) and the Texas Family Code (Chapter 231). To encourage parental responsibility, the CSD establishes paternity for children, obtains court orders for financial and medical support, and vigorously enforces child support orders. The CSD works with public and private entities to promote the involvement of both parents in the life of the child. The CSD staff perform their duties in an efficient manner and provides excellent customer service. The CSD caseload at the end of FY 2021 was approximately 1.5 million cases.

#### Overall Duties:

- Locating Non-Custodial Parents
- Establishing and Acknowledging Paternity
- Establishing and Modifying Child and Medical Support Orders
- Enforcing Support Orders
- Collecting and Disbursing Support

These functions are fulfilled through the combined efforts of 11 field operational units and five units housed within the CSD's state office headquarters. Core child support processes are enhanced and supported through a series of family-centered programs that encourage Texas parents to take an active, responsible role in their children's lives: Parenting and Paternity Awareness (p.a.p.a.), Noncustodial Parent (NCP) Choices, Get Child Support Safely, and the Access and Visitation Program.

2. The State Disbursement Unit (SDU) distributed over 19.2 million child support payments in FY 2021 through the SDU vendor. Federal law requires states to process all IV-D payments and certain non-IV-D payments through a centralized SDU.

## **Goal 2. Enforce Child Support Laws and Ensure Proper Collection of Child Support**

Effective and efficient management of the child support caseload in Texas is an ever-evolving challenge. Balancing the complexities of enforcing child support laws with changing needs and expectations of CSD customers requires the CSD to constantly seek new and better ways to accomplish its goal through new technologies and improved business practices. The CSD continues to be the model for other states on how to assist parents in obtaining the financial support their children need and to reduce the cost of the social safety net by holding non-custodial parents accountable to the costs of raising a child.

*Describe How Your Goal or Action Items Support Each Statewide Objective.*

### **1. Accountable to tax and fee payers of Texas.**

- The CSD continues to excel and demonstrate exceptional performance:
  - In FY 2020, Texas avoided \$1.5 billion in public assistance costs (including TANF, Medicaid, and Food Stamp (SNAP) payments) through CSD child support collections.

### **2. Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.**

- The efficiency ratio of total dollars collected per dollar spent exceeds \$13, more than twice the national average, making the Texas child support program the most cost-effective programs in the nation.
- Collected more than \$1.8 million per full-time employee in FY 2021.

### **3. Effective in successfully fulfilling core functions, measuring success in achieving performance measures and implementing plans to continuously improve.**

- CSD exceeded the LBB's performance measure in FY 2021 for the amount of child support collected.
  - Collected more than \$4.67 billion in FY 2021, a 10.63 percent increase over the past five years.
  - CSD exceeds the LBB performance measure for ratio of total dollars collected per dollar spent by collecting over \$14 for every \$1 spent in FY 2021.

### **4. Providing excellent customer service.**

- The CSD has more than 2,200 field employees who directly serve child support customers throughout Texas. The State is divided into ten service regions and multiple local offices, which includes five metro consolidated offices, 32 field offices, 37 storefront locations, three enterprise customer service centers, and four specialized offices: Special Collections, Foster Care, Interstate, and Case Initiation Services.
- The CSD has significantly expanded services to families by broadening use of and improving access to digital services. Web conferencing, digital signature, electronic notary, and mobile devices have empowered child support officers and attorneys to serve the public in times that necessitated remote work and business continuity. Live child support customer service specialists are available for online chat sessions to engage in outreach and support the public. Virtual lobbies allow customers to simply scan a QR code to enter a video conference with a staff member who is able to address their needs. The CSD also continuously improves upon its customer service portals that provide families and partners access to case information and the ability to upload documents and information.

## Goal 2. Enforce Child Support Laws and Ensure Proper Collection of Child Support

- The CSD is in the process of consolidating all customer engagement operations into one organizational unit, which will be comprised of the three existing customer service centers and the CSD's live chat platform. Consolidation of these functions will allow for a more consistent training and development experience for staff and will achieve economies of scale as staff are empowered with the tools and resources necessary to flex in between communication channels, such as phones and chat, depending on customer demand. In FY 2021, the CSD staff handled more than 1.9 million calls and 1.1 million chats, a 25 percent increase in inbound contact from the fiscal year prior.

### 5. Transparent such that agency actions can be understood by any Texan.

- The CSD strives to meet parents and families where they are today, recognizing the changing social and digital landscape. Maximizing communication through the OAG website and other social media channels using plain, understandable language for complex legal processes, legislation, and up-to-date information remains an ongoing priority for the agency.

### *Information Resources Planning*

The CSD's vision is a Texas in which every child can count on the full emotional and financial support of both parents. The 1.5 million families served by OAG deserve every resource and opportunity to realize that vision, with their needs at the center of our services, processes, and technology. Technology allows the OAG to optimize limited resources to not only do more, but to do better. With that vision in mind, the OAG is invested on the path toward modernization, including a full Agile transformation to support an iterative, component-based approach to business process reimagination, application development, and legacy technology replacement.

Significant progress has been made since the start of our modernization efforts, including the release of several key products.

- Query Interstate Cases for Kids is a federal portal that allows Texas access to inter-jurisdictional case information from other state systems and vice versa. An estimated two weeks of worker productivity are gained for each day the system has gone live by providing information in a self-service manner that previously required more time-consuming communication methods, such as phone calls, fax, and email.
- Contracts Core & Contracts Analytics allow CSD to monitor core child support case processing contracts more effectively, better align contracts and service level agreements to business needs, and make data-driven decisions regarding vendor performance and future procurements.
- Contact Center application pilots have created the foundation for the future case management system user experience providing a 360-degree case/member view. Early application access has allowed case workers to use the application on live calls to provide immediate feedback to the product team, resulting in the continuous improvement to the quality of the application.
- Enterprise Identity Access Management (EIAM) has improved the security and login experience for parents and attorneys using our existing Child Support Interactive customer portal. Enhancements included intuitive user identification and password creation, the introduction of new self-registration and self-service password management, and improved overall user experience for customers. This is the first of many self-service features released for the next generation customer portal to divert traffic away from manual channels with an optimized user experience on our web site. As of April 2022, the customer portal is currently averaging over one million logins a month taking advantage of the improved EIAM solution.

## **Goal 2. Enforce Child Support Laws and Ensure Proper Collection of Child Support**

In addition to product deployments, significant effort has been made to lay the groundwork for modernization of core child support functions currently housed on the mainframe, such as financial and legal processes. Modernization continues to elevate the child support customer experience, improve program performance, and replace legacy technology capabilities. Key activities include:

- Optimizing user experience for customers by providing a unified omni-channel experience across all areas of engagement including call centers, chat, web applications, Integrated Voice Recognition, and store fronts;
- Providing increased digital transparency to cases and the case management processes;
- Building modern data analytic capabilities for case segmentation, smart case assignment, and providing insight to case workers on what interventions will yield the most impact for the families they serve;
- Modernizing and consolidating financial capabilities; and
- Migrating off all legacy mainframe technology to secure, scalable, cloud-based systems.

## Goal 3. Securing Justice by Criminal Prosecutions and Investigations

### *Specific Action Items to Achieve Your Goal*

A key component of the OAG's mission is to secure justice for Texans by investigating and prosecuting criminal activities, including crimes of murder, human trafficking, internet crimes against children, and election fraud as well as securing the Texas border. The OAG also assists local law enforcement in prosecutions and appeals, investigates Medicaid fraud, apprehends fugitives, and provides support to victims of violent crime by administering victim assistance programs.

The **Criminal Prosecutions Intake Division** is a newly-created division as of September 1, 2021. The goal of this division is to properly communicate with law enforcement agencies and county and district attorneys offices regarding their request for assistance in prosecution or representation as attorney pro tem. This division works closely with the OAG's Criminal Investigation Division on staffing all new investigations and prosecution requests. This division assures that OAG is in compliance with Texas Code of Criminal Procedure Art. 39.14 (The Morton Act). This division has processed 143 requests since it was started and has accepted 111 new cases.

The **Criminal Prosecutions Division (CPD)** is responsible for prosecuting crimes across the State of Texas. Those crimes include capital murder, all sexual and physical abuse crimes against children, white collar and public integrity offenses, family violence, and various other criminal offenses. The CPD represents Texas in criminal proceedings as attorney pro tem or as Special Prosecutor when county or district attorney offices are in need of assistance. Since 2019, CPD has experienced an increase in the number of referrals and requests to represent Texas as attorney pro tem. In addition to prosecutions, the OAG's Victim Assistance Coordinator provides resources to the victims and victims' families when OAG represents the State in criminal prosecutions who have been affected by violent crime. There is currently only one victim assistance coordinator for the entire CPD caseload. To better provide assistance to these victims of crime, the OAG intends to increase staffing in this critical role to more effectively address the increase in victims referred to the agency. CPD consists of three main teams:

1. The **Capital Murder Team** is responsible for capital murder cases across the State. This team prosecutes capital murder charges both in circumstances where the State is seeking capital punishment and when capital punishment has been waived.
2. The **Special Prosecution Team** specializes in prosecuting complex violent criminal offenses including murder, crimes against children, sexual assaults, and family violence crimes. It handles all types of public corruption cases, often with a public official being an alleged offender. This team also handles the prosecution of major white-collar crimes such as fraud, money laundering, cybercrimes, and theft.
3. The **Juvenile Crime Intervention Team (JCI)** provides criminal and juvenile justice personnel with resources needed to combat juvenile crime and gang activity in Texas communities. JCI administers a secure gang resource system and provides specialized gang and juvenile law-related training and comprehensive juvenile-based publications.

The **Election Integrity Division** investigates and prosecutes allegations of voter fraud. Secure elections are the cornerstone of a thriving democracy. Election fraud referrals to the OAG have continued to increase in complexity and volume over the past two years. This division partners with local prosecutors to handle complex election integrity prosecutions by lending specialized expertise in election fraud investigation and prosecution and frequently steps in when district attorneys are conflicted out due to political considerations.

### Goal 3. Securing Justice by Criminal Prosecutions and Investigations

The OAG's **Human Trafficking and Transnational Organized Crime Division (HTTOC)**, combats human trafficking through criminal prosecutions, civil investigations and actions, community outreach, training, and policy efforts. HTTOC has seven prosecutors that assist district attorney offices with child and adult labor and sex trafficking cases as well as organized crime cases throughout Texas. In addition to criminal remedies, HTTOC employs civil attorneys who use various methods to hold traffickers financially accountable, targeting illicit massage businesses with the collaboration of the OAG's Consumer Protection Division. HTTOC also developed a training video, "Be the One in the Fight Against Human Trafficking," which is available free to the public online, and which is used by many state agencies to train their staff. Finally, HTTOC, as designee for General Paxton, chairs the Texas Human Trafficking Prevention Task Force and the Texas Human Trafficking Prevention Coordinating Council.

The **Criminal Appeals Division (CAD)** is charged with representing the State in challenges to the validity of state felony convictions and sentences through federal habeas corpus review in federal district courts, the United States Court of Appeals for the Fifth Circuit, and the Supreme Court of the United States. This division also frequently represents the State in direct appeal and postconviction proceedings brought in Texas state courts, either as assisting prosecuting attorneys for a county or as district attorney pro tem. As of May 2022, CAD is deputized or appointed in 82 state court cases, a number that has doubled in the last five years and is expected to rise even further during the coming biennium.

The OAG **Law Enforcement Division (LED)**, is comprised of both the **Criminal Investigations Division (CID)** and the **Medicaid Fraud Control Unit (MFCU)**. LED is staffed by over 200 commissioned peace officers and conducts both reactive and proactive criminal investigations and fugitive apprehensions.

**CID** has four primary units in which OAG investigators' experience and specialized skill sets fulfill an underserved area and need within the law enforcement community. Within each unit there are specialized sections that are a component of each unit to address both underserved law enforcement niches and OAG initiatives. CID is staffed with over 125 investigators, crime analysts, auditors, and support staff, including over 100 commissioned peace officers.

- The **Child Exploitation Unit (CEU)** mission is to conduct criminal investigations and arrest individuals regarding the sexual abuse and exploitation of children by means of electronic and internet facilitated crimes as well as cases involving live victims.
  - CEU is the headquarters for the Southern Texas Internet Crimes Against Children Task Force (ICAC), which is responsible for 134 Texas Counties and is comprised of over 45 affiliate local, state, and federal law enforcement agencies.
  - The CEU's Digital Forensics Unit (DFU) locates, identifies, and extracts evidence of criminal activity through forensic examinations of computers, cellular phones, vehicular infotainment systems, and other digital storage devices. The DFU performs this mission in support of OAG investigations regarding white collar crimes, public integrity, money laundering, human trafficking, election fraud, homicide, and child sexual exploitation offenses. The DFU is relied upon heavily by not only the OAG, but also municipal and state law enforcement agencies across Texas, as well as the Texas Department of Public Safety – specifically, the Texas Rangers.

### Goal 3. Securing Justice by Criminal Prosecutions and Investigations

- The **Human Trafficking Unit (HTU)** is the law enforcement arm of OAG’s anti-human trafficking initiatives. It works closely and in tandem with HTTOC. Its mission is to locate and rescue victims of both sexual and forced labor trafficking. The HTU conducts criminal investigations of human trafficking offenses involving force, fraud, or coercion of the victims, regardless of age or nationality, and arrests individuals who are involved in the trafficking of these victims. The highest priority of the HTU is domestic and international child sex trafficking victims. It is engaged in prosecutions, investigations, and training throughout the state. As the state gains a better understanding of the depth and complexity of a typical human trafficking case, increased reliance on OAG resources for assistance is anticipated.
- The **Fugitive Apprehension Unit (FAU)** mission is to locate and apprehend fugitives from justice regarding violent crimes and sexual offenses. FAU conducts joint operations with local, state, and federal law enforcement agencies to ensure sex offender compliance with mandated sex offender registration requirements, as well as the apprehension of high-risk fugitives throughout Texas.
- The **Special Investigations Unit (SIU)** mission is to conduct criminal investigations and arrest individuals regarding various white-collar crimes, money laundering, public integrity, election integrity, “cold case” homicides, and crimes committed by transnational organized criminal organizations. The SIU provides direct assistance to the OAG Criminal Prosecutions Division. SIU often assists local and state law enforcement agencies when additional resources, subject matter expertise, or an impartial investigation is warranted.
  - The **Cold Case and Missing Person Unit** was created in March 2021 as its own unit within the SIU. The mission of this unit is to assist and support law enforcement agencies across the State in the investigation and prosecution of unsolved homicides and missing persons cases. As of 2019, there were approximately 19,207 unsolved homicides in the Texas. In 2021, the unit surveyed 390 law enforcement agencies across the state and found that 74.16 percent of respondents indicated that the main resource lacking in their department was the number of investigators assigned to work on cold cases. The survey also demonstrated that there is a lack of crime analysts/support staff (56.74 percent), training opportunities (48.60 percent), and funding for forensic testing (42.22 percent). Among the respondents, 94.36 percent stated that they do not have a full-time dedicated cold case unit or team to investigate unsolved homicides or missing persons cases. This unit serves as a force multiplier. It provides investigative assistance, training opportunities, forensic testing, and collaboration opportunities with local, state, and federal partners.
  - The **Prosecution Assistance Unit** provides much needed investigative assistance to our agency’s criminal prosecutors. The Criminal Prosecution Division has over 400 open cases. During the COVID-19 pandemic, we saw an increase in reported crime and the courts were not operating robustly due to COVID-19. Now, as court activities are resuming, many of these cases are being accelerated to meet statutory deadlines. This has precipitated the need for more investigative prosecutorial assistance.

### **Goal 3. Securing Justice by Criminal Prosecutions and Investigations**

- The **Professional Standards Unit (PSU)** mission is to ensure the agency's commissioned peace officers meet all legislatively mandated continuing education courses and agency policies. The PSU is tasked with the applicant selection process and conducts extensive background investigations for candidates for employment within CID. Tasked with the safety, security, and building access for OAG operations within the Austin area, the PSU helps ensure the safety and security of all OAG employees. The PSU also oversees and administers the physical fitness requirements of OAG's commissioned peace officers as required under Schedule C. The PSU conducts administrative and criminal investigations involving OAG employees through the Fraud, Waste, and Abuse referral program. The PSU also investigates complaints of wrongful exclusion of concealed handgun license holders and refers complaints that have not been cured to the appropriate civil litigation division. Additionally, the PSU provides law enforcement related assistance and guidance to constituents, as well as local, state, and federal law enforcement entities through the Law Enforcement Liaison Officer.

The **Medicaid Fraud Control Unit (MFCU)** was created in 1979 by federal law to investigate and refer for prosecution criminal fraud by Medicaid providers, physical abuse and criminal neglect of patients in health care facilities receiving Medicaid funding, and misappropriation of patients' private funds in these facilities. Federal regulations provide for the funding of every State's MFCU, at a 25/75 State/federal split. This that the state is only required to provide 25 percent of MFCU funding with a 75 percent match is provided through a federal grant.

The MFCU is staffed with over 180 investigators, auditors, attorneys and support staff including over 100 commissioned peace officers. The unit is comprised of 12 teams in nine cities around the state and maintains more than 1,500 open cases per year with an average investigative caseload of 16.32 cases per person. The MFCU is charged by federal statute to conduct a statewide program for investigating and prosecuting (or referring for prosecution) violations of all state laws pertaining to fraud in the Medicaid program. Key responsibilities of the MFCU include:

- Investigate and refer for prosecution allegations of criminal offenses involving fraud committed by health care providers such as doctors, dentists, counselors, and hospitals.
- Pursue allegations of elder abuse, neglect and financial exploitation and drug diversion that occur in health care facilities which receive Medicaid funds.
- Conduct detailed, highly complex fraud investigations, perform exhaustive audits and analyses, execute search warrants and arrest warrants, and serve subpoenas.
- Work collaboratively with multiple state and federal partners. Peace officers from each MFCU team are designated as FBI Task Force Officers.

The MFCU's cases are referred to both state and federal courts for prosecution. The MFCU attorneys are cross designated to serve as Special Assistant United States Attorneys and are embedded in all four United States Attorney's Offices in Texas. Additionally, the MFCU attorneys are appointed as special prosecutors to handle MFCU cases in local district attorney offices.

The scope of work and the structure of the MFCU is determined by 12 federal performance standards and by a memorandum of understanding (MOU) executed between Texas HHSC and the OAG. This MOU ensures investigations of Medicaid waste, fraud, and abuse are coordinated among agencies to deliver effective results for taxpayers, pursuant to Texas Government Code, Sections 531.103 and 531.104.

### **Goal 3. Securing Justice by Criminal Prosecutions and Investigations**

*Describe How Your Goal or Action Items Support Each Statewide Objective*

#### **1. Accountable to tax and fee payers of Texas.**

- Working through tips, referrals, searches, and thorough investigations, the CID investigates highly complex crimes and apprehends individuals in which the OAG law enforcement personnel fulfill specialized investigative expertise and resources that other law enforcement agencies cannot fulfill. These functions assist other governmental units funded by taxpayer dollars and keep Texans safe from those who would do them harm.
  - CEU has made over 430 arrests for possession of child pornography and 276 arrests for online solicitation arrests since its inception.
  - As of August 2021, the FAU marked over 13,700 arrests since the founding of the unit in 2003.
- Texas is third in the nation in Medicaid expenditures, trailing only California and New York. As the Medicaid population increases, so does the likelihood for waste, fraud, and abuse. The OAG's MFCU is the only law enforcement agency in Texas dedicated solely to Medicaid fraud prevention, with 75 percent of its funding derived from the federal government. As a result of their hard work and dedications, in FY 2021, the MFCU saw more than \$325 million in court ordered restitution in its cases.

#### **2. Efficient by producing maximum results with no waste of taxpayer funds and by identifying any function or provision you consider redundant or cost-effective.**

- Border security, and its effect on Texas, is a top priority for the OAG. One of the agency's main goals is to ensure that the laws of this State are upheld, and that Texans are protected first and foremost. The OAG has filed over ten lawsuits against the federal government for failure to enforce immigration law and specifically to address the border crisis that is exhausting not only local law enforcement officials, but our rural community resources along the border.
- The JCI has been responsible for the development and maintenance of the statutorily mandated Gang Resource System (GRS) since its inception in 1999. The GRS is a secure website that is accessible only to criminal and juvenile justice agency personnel. Designed to identify and monitor criminal street gangs and Texas Department of Criminal Justice (TDCJ) Security Threat Groups, the GRS also promotes the sharing of general gang information and fosters interagency cooperation. As of April 2022, the GRS contained 2,668 juvenile, adult, and prison gang records. Of these records, 2,533 represent active gangs and 135 inactive. Approximately 161 agencies, including local, state, and federal criminal justice agencies, have provided detailed information on the most criminally active street and prison gangs in their jurisdictions, as determined by each agency.
- In 2020, JCI redesigned the GRS to enhance its functionality, user accessibility, and data collection capabilities. By October 2020, JCI staff disseminated registration information to more than 2,500 criminal and juvenile justice agency personnel throughout the state and continue to approve online applications. Current users have access to the GRS to retrieve and/or submit information related to criminal street gangs, security threat groups/prison gangs, cartels and transnational criminal organizations, and human trafficking organizations. The GRS also allows users to monitor recruitment techniques and migration patterns, and to connect with law enforcement/criminal justice agency contacts to increase networking and information-sharing.

### **Goal 3. Securing Justice by Criminal Prosecutions and Investigations**

- The OAG has expertise in investigating and prosecuting internet facilitated sexual exploitation of children, hands-on sexual offenses against children, digital forensics, financial investigations, money laundering and human trafficking. The OAG commissioned peace officers collaborate and cooperate with local, state, and federal law enforcement agencies on complex investigations to ensure results on the cases are achieved to promote public safety. Likewise, the availability of this knowledge base avoids duplication of time and effort for law enforcement.
- 3. Effective by successfully fulfilling core functions, achieving performance measures, and implementing plans to continuously improve.**
- The OAG's CID units fulfill an underserved area and need within the law enforcement community.
    - CEU arrested 276 individuals for Online Solicitation of a Minor, and 433 individuals for Possession of Child Pornography. Those arrests have resulted in 1,716 indictments with 905 convictions.
    - HTU arrested 155 individuals with 77 convictions in relation to the trafficking of persons.
    - FAU located and apprehended over 13,736 fugitives from justice, including 40 arrests of fugitives listed on Texas Department of Public Safety Top Ten Most Wanted list.
    - SIU arrested 657 individuals resulting in 1,942 indictments and over 792 convictions, with the seizure of over \$200 million in U.S currency and assets obtained through criminal activity.
  - The OAG's CEU participates in the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP), ICAC Task Force program. The CEU is designated as the Southern Texas ICAC Task Force and serves 134 counties. This nation-wide task force program consists of a network of 61 multi-agency, multi-jurisdictional task forces engaged in proactive investigations, forensic examinations, and prosecutions of criminals who prey on children using technology and the Internet. The CEU ICAC Task Force's affiliation with other ICAC task forces has provided an excellent network of investigators who specialize in the investigation, prevention and prosecution of child exploitation crimes.
  - The CEU ICAC Task Force receives CyberTipline Reports from the National Center for Missing and Exploited Children of suspected sexual exploitation of children that have been facilitated using technology or the internet. Out of the total 61 ICAC Task Force's, the OAG's CEU ICAC Task Force has ranked second in the nation for the past two years in the number of CyberTipline reports assigned for investigations. The number of CyberTipline reports continues to grow at an astonishing rate from 6,539 reports received in 2018 to 15,968 reports received in 2021. Based on current trends it is anticipated that the CEU ICAC Task Force will receive over 20,000 CyberTipline Reports in 2022. This level of crimes against children is unprecedented and a threat to Texas children's safety. The CEU ICAC Task Force is dedicated to working to keep Texas safe and providing the resources necessary to investigate crimes against children.
  - The MFCU identifies millions of dollars in Medicaid overpayments annually through its fraud investigations while also meeting federal performance measures to maintain a continuous case flow and maintain a balance of fraud cases with abuse and neglect cases. The MFCU refers dozens of providers to HHSC for sanctions, exclusion, and recoupment.

### **Goal 3. Securing Justice by Criminal Prosecutions and Investigations**

#### **4. Attentive to providing excellent customer service.**

- The CPD provides education to local law enforcement agencies on gang resources and school safety as part of the Texas School Safety Center and the Texas Violent Gang Task Force.
- The HTOC continues to conduct outreach and education opportunities to law enforcement and civilians on identifying victims of human trafficking and prosecuting human trafficking-related cases. Through in person, virtual, and recorded trainings, HTOC has trained over 250,000 law enforcement officials, prosecutors, judges, businesses, and citizens across Texas
- The CEU is instrumental in providing community outreach and training to law enforcement, various interest groups, school administrators, students, and parents across Texas concerning the online and social media facilitated sexual exploitation of children. Since its inception CEU has conducted 1,408 outreach presentations to more than 282,809 people.
- The MFCU is headquartered in Austin and maintains eight field offices to directly provide service in each major region of Texas.

#### **5. Transparent such that agency actions can be understood by any Texan.**

- The OAG provides information on the agency website at [www.texasattorneygeneral.gov](http://www.texasattorneygeneral.gov) to allow individuals to initiate complaints. The agency also operates a toll-free hotline to receive reports or tips from individuals on crimes.
- The OAG is required by law to issue numerous periodic reports on criminal justice activities statewide, including the Human Trafficking Prevention Task Force report, the Texas Human Trafficking Prevention Coordinating Council's Strategic Plan, the annual asset forfeiture summary report, custodial death reports, and commissioned peace officer involved shooting reports. The MFCU investigators conduct outreach activities to educate individuals on how to avoid, detect, and report Medicaid fraud, waste, and abuse.

#### *Information Resources Planning*

Technology plays a key role in criminal investigations, Medicaid fraud investigations, and criminal prosecutions. Technology improvements keep the OAG on the forefront of criminal justice work by investing in advances in case management, forensic tools, the collection and preservation of data, automating processes, and reporting information. The OAG seeks to continuously improve transparency, strengthen trust, and enhance government accountability by providing access to public data sets for numerous law enforcement and criminal justice initiatives. The ability to securely manage data and evidence, conduct investigations, share information, and streamline investigative reports for court prosecutions is the primary focus.

Projects include:

- The modernization of case management for the criminal justice divisions to optimize productivity, draft charges faster, and make better management decisions by providing increased visibility to case load and status;
- Improvements to evidence management for intake, storage, release, and disposition; and
- Data and analytics for cases and statutory reports.

### **Goal 3. Securing Justice by Criminal Prosecutions and Investigations**

Data sets and reports include information regarding data breaches, election code violations, officer-involved shootings, custodial deaths, and asset forfeiture. Criminal justice reporting is required by state law and results in information to inform research and policy decisions. Streamlining intake for reporting and investing in modern analytics solutions will further enhance this initiative.

## Goal 4. Administer Crime Victim Services and Victims' Assistance Grants

### *Specific Action Items to Achieve Your Goal*

The OAG fulfills its various constitutional and statutory duties to serve victims of violent crime through direct compensation payments, victim assistance, and grants to victim assistance providers. The Texas Crime Victims' Compensation (CVC) Program is the nation's largest crime victim compensation program.

The **Crime Victim Services Division (CVSD)** administers five programs that aid victims of crime.

- The CVC Program administers the Texas **Compensation to Victims of Crime Fund (CVCF)**, a constitutionally dedicated fund which provides reimbursement for statutorily defined crime-related pecuniary losses to victims of violent crime and their families. The CVC Program assists eligible victims or claimants with payments for crime-related costs such as counseling, medical treatment, funerals, and loss of income not paid by other sources. The CVC Program also reimburses costs related to a sexual assault examination. The CVC Program can reimburse victims and providers for the medical costs of the exams; primarily medical providers effective September 1, 2019 although law enforcement can receive reimbursement for exams conducted prior to August 31, 2019 through August 31, 2023 for the forensic costs of sexual assault exams depending on the date of the exam.
- The **Address Confidentiality Program (ACP)** provides a confidential substitute mailing address and mail forwarding service for victims to protect the true residential address of victims of family violence, sexual assault, human trafficking, and stalking. The Texas Legislature authorized the OAG to establish the ACP during the 80th Legislative Session to help prevent a victim's actual address from being revealed in state government documents and files while still allowing the victim to receive and send mail.
- The **Sexual Assault Prevention and Crisis Services (SAPCS)** Program is statutorily authorized under Texas Government Code Section 420.004. SAPCS administers and provides statutorily mandated oversight of the:
  1. Sexual Assault Nurse Examiner certification program;
  2. Development of the protocol for sexual assault forensic evidence collection and approval of the kit used for evidence collection;
  3. Development of a statewide telehealth center for sexual assault exams; and
  4. Certification of sexual assault training programs used to train advocates.

SAPCS staff also administer two federal grants that are received by the OAG and awarded to sexual assault programs and the state sexual assault coalition for victim services and sexual violence prevention.

SAPCS Program staff serve as the agency designee on the Sexual Assault Survivors Task Force led by the Office of the Governor and provide training and technical assistance to nurses seeking certification and to sexual assault programs on training certification, providing services to victims and prevention efforts.

- The Statewide Automated Victim Notification System (SAVNS) fulfills a constitutional duty to provide victims and concerned members of the community with up-to-date information about offenders' county jail custody and court status through a toll-free hotline or through the vendor's website. The OAG provides funds to counties to participate in the program, of which 149 counties currently participate.

## **Goal 4. Administer Crime Victim Services and Victims' Assistance Grants**

- The CVSD provides programmatic expertise for the victim-related services on the victim assistance grants that are awarded by the OAG through appropriations dedicated by the Legislature for that purpose.

The CVSD is mandated to develop and distribute to law enforcement agencies the pseudonym forms for victims of sexual assault, family violence, stalking, and human trafficking who wish to remove their names from public files and records concerning the offense.

The CVSD and Grants Administration Division work cooperatively to administer the victim assistance strategy by awarding grants and crime victim services contracts. The Legislature appropriates funds to the OAG to provide victims assistance grants for Victims Assistance Coordinators and Crime Victim Liaisons, SAPCS Program, Legal Services Grants, Other Victims Assistance Grants, and Statewide Victim Notification System. The funds are appropriated from a mixture of general revenue, general revenue dedicated, and federal funds for FY 2022 and FY 2023.

### *Describe How Your Goal or Action Items Support Each Statewide Objective*

#### **1. Accountable to tax and fee payers of Texas.**

- The CVSD report for the CVCF and Victims Assistance grants is published annually and available on the OAG website as required by the Code of Criminal Procedure Article 56B.005. This report details the legislative history of the CVCF as well as tracking the performance of the constitutionally dedicated fund over recent fiscal years.
- As required by the Code of Criminal Procedure Article 56B.460, the OAG biennially prior to each legislative session prepares a forecast and estimates for the CVCF in consultation with the CPA to ensure the fund has a sufficient balance to pay CVC claims for eligible victims of crime.
- The OAG works with the Comptroller of Public Accounts to forecast and certify estimates of the CVCF. The OAG also works closely with the Legislature to ensure full consideration is given to all proposed changes to any state laws that may have an impact on the CVCF, in addition to reporting on the overall financial health of the fund. Notably, the OAG worked with the Legislature during the 87th Legislative Session to ensure the fund balance available would be sufficient to support appropriations for FY 2022 and FY 2023 due to the significant revenue declines into CVCF caused by COVID-19.
- The OAG is also working closely with the Office of the Governor to implement Senate Bill 8, 87th Legislature, 3rd Called Session, which appropriated funds from the American Rescue Plan Act of 2021 to the OAG for the purpose of compensating crime victims. This funding is intended to further offset revenue losses caused by COVID-19. The OAG remains committed to the legislative intent of the CVCF, which is to first ensure victims of crime are provided financial assistance for crime-related expenses that are not reimbursed by insurance or other sources, and to second fund victim services.

#### **2. Efficient by producing maximum results with no waste of taxpayer funds and by identifying any function or provision you consider redundant or cost-effective.**

- The CVC Program continuously strives to streamline its business practices that collect information from victims and law enforcement agencies, determines eligibility, awards victim payments, and accounts for finances. A legal team handles appeals, subrogation, and restitution.

## **Goal 4. Administer Crime Victim Services and Victims' Assistance Grants**

- Victims assistance grants are administered using a request for proposal from entities that desire to pursue a grant, which is posted on the Texas Register. The grant process follows the procedures set forth in the Texas Uniform Grant and Contract Management Act (Chapter 783, Government Code), to minimize cost, duplication, and paperwork and to maximize the efficient and effective use of public funds.

### **3. Effective by successfully fulfilling core functions, achieving performance measures, and implementing plans to continuously improve.**

- In FY 2021 the CVC Program provided \$71.4 million in financial assistance to Texas crime victims and their families, an increase of \$3.3 million over the previous year.
- In FY 2022, CVSD added additional functionality to the online web portal for victims, advocates, and service providers. Improved online applications were created as well as the ability to view correspondence, download forms, and upload documents and bills.

### **4. Attentive to providing excellent customer service.**

- The CVSD is headquartered in Austin and maintains regional offices in San Antonio, Houston, and El Paso to provide direct services to Texans across the state. CVSD representatives will frequently travel to areas when reports of violent crime have been received, in order to provide support for both victims and first responders.
- The OAG provides the applications and instructions for the CVC Program on the OAG public website and allows for a victim to apply online and for a health care provider to apply online for a sexual assault examination claim. In fact, 91% of those surveyed in the Report on Customer Service were satisfied with the ease for completing applications for CVC benefits.
- The request for proposals for grants funding and applications and instructions for the programs operated by the CVSD are available on the OAG public website. In addition, forms are available through local victim assistance coordinators.

### **5. Transparent such that agency actions can be understood by any Texan.**

- CVSD implemented a crime victims' portal to better serve victims and those who assist them by streamlining the process and increasing the ability of authorized individuals to get needed information from the agency. As part of this effort, CVSD has taken specific steps to ensure that victim assistance information and processes are communicated in plain, understandable language. Website enhancements have improved the public's ability to quickly sign-in to access the CVSD website to receive case-specific information, learn about victim assistance programs, or contact the CVSD for assistance. In FY 2021, 44.9 percent of victim applications in Texas were received via the Crime Victims' Compensation Portal.

## *Information Resources Planning*

Victims of crime face many challenges in the aftermath of a violent crime, and support is critical to their recovery. Throughout the COVID-19 pandemic, victims were faced with additional challenges including emotional distress and social isolation. During this time, OAG staff remained committed to the fundamental goal of serving victims and their families.

#### **Goal 4. Administer Crime Victim Services and Victims' Assistance Grants**

The OAG was able to use prior investments in technology to maintain communication and provide much needed customer service to advocates, victims, and their families. Furthermore, the OAG strengthened how we serve Texans remotely with enhancements to the CVC Web Portal, which included adding the capability for medical providers to apply for reimbursement of sexual assault exam fees as required by legislation.

The Crime Victims' Case Management System enables crime victim services to be delivered more effectively by offering a streamlined online application and case processing system for victims and their immediate family. Texas is one of the few states that offer crime victims' compensation via an online system. Victims and advocates are able to submit online applications, upload documentation, and follow each step of the claim review process with near real-time updates. This enables case workers to reduce intake time, approve applications and bill payments faster, and provide services with a lower error rate. Improvements to this division's systems provide flexibility to support changes in law while also ensuring the security of its infrastructure will continue.

## Goal 5. Protect Texans from Fraud, Waste, and Abuse

### *Specific Action Items to Achieve Your Goal*

As an agency, the OAG enforces laws related to fraud, waste, and abuse through its legal services and criminal justice divisions. Specifically, the OAG enforces Medicaid Fraud laws, civil consumer protection and antitrust laws. The Tax Litigation Division defends unemployment fraud decisions issued by the Texas Workforce Commission and tax fraud penalties assessed by the CPA.

Equally as important, the OAG is committed to performing its duties and responsibilities with innovative solutions that are accountable to all Texans. Looking ahead, the OAG is committed to continually identifying and eliminating redundancies, and to ensuring that the agency is efficiently using taxpayer dollars in its own operations.

### *Describe How Your Goal or Action Items Support Each Statewide Objective*

#### **1. Accountable to tax and fee payers of Texas.**

- The OAG serves multiple clients and customers, including children and families, victims of crime, state agencies, officers and officials, all with various needs. The OAG strives to operate efficiently to ensure the agency operations support each of their respective customers and clients. The OAG believes that actively revisiting how we are accountable to the tax and fee payers within the management team at the agency keeps the agency commitment to this goal engaged. In fact, the OAG employed intentional prudent fiscal savings of tax and fee payer funds during economic uncertainty caused by COVID-19 and returned GR to the state as well as complied with the requested 5-percent GR reduction of appropriations.
- The Civil Medicaid Fraud Division pursues allegations of fraud perpetrated on the Medicaid Program, which provides medical coverage to lower income Texans. Currently, more than 5.2 million Texans are enrolled in Texas Medicaid. As of 2019, 53 percent of all Texas births were covered by Medicaid. Fraud, waste, and abuse divert funds from the essential health care services relied upon by these Texans. Enforcement actions prosecuted by the division recover taxpayer dollars unlawfully diverted from the Medicaid Program.

#### **2. Efficient by producing maximum results with no waste of taxpayer funds and by identifying any function or provision you consider redundant or cost-effective.**

- Prior to the 85th Legislative Session, the Attorney General implemented a zero-based budget review of all divisions and programs. The purpose of this effort was to streamline the agency, identify core agency functions, locate and eliminate redundancies, and ensure that the OAG was efficiently using taxpayer dollars. Zero-based budget methodologies and principles are woven into the foundation of agency's operations and allow the OAG to act quickly when addressing economic, legal, and communal issues. The OAG continuously assesses current and future needs because of the alignment of appropriations to agency requirements. The executive management team remains committed and focused on these concepts applying them during the creation of this strategic plan.

## **Goal 5. Protect Texans from Fraud, Waste, and Abuse**

### **3. Effective by successfully fulfilling core functions, achieving performance measures, and implementing plans to continuously improve.**

- The continued utilization of zero-based budget methodologies allows each division to review the laws that are applicable to each division's responsibilities, determine the core functions and priorities, and evaluate the level of service provided and resources dedicated to those tasks. As efficiencies are found through zero-based budgeting, funds can continue to be sent either back to the Treasury for the Legislature to appropriate or reallocated within the OAG to continuously improve the efficiency and effectiveness of the agency.

### **4. Attentive to providing excellent customer service.**

- The OAG is committed to providing high quality customer service to its state agency clients and Texas taxpayers to ensure they receive the maximum benefit from their interaction with OAG attorneys and staff. Courtesy, respect, responsiveness, efficiency, and effectiveness are values that the Attorney General and executive management team actively promote throughout the agency. As evidenced by the Report on Customer Service referenced in this document, the agency is proactively seeking input from actual clients and customers as to what we are doing well and what areas we can improve upon.
  - The Civil Medicaid Fraud Division is in constant communication with Texas HHSC as the administrator of the Texas Medicaid Program. The division collaborates with HHSC to review and apply the Texas rules, regulations, and policies relevant to enforcement actions under the TMFPA. HHSC employees who are called as witnesses, deposed, or otherwise required to give sworn testimony are prepared and represented by the division at various legal proceedings. The division further coordinates Medicaid fraud investigations with Texas HHS-OIG.

### **5. Transparent such that agency actions can be understood by any Texan.**

- The OAG is committed to promoting statewide transparency through its open government units and their activities.
- Because of the importance of our agency under the PIA, it is imperative that the OAG set the standard in responding to public information requests. The Public Information Coordinator's office (PIC) is responsible for handling and tracking all public information requests, or open records requests, received by the OAG; coordinating the OAG's response to each request; providing advice to OAG staff on public information issues; and seeking rulings from the Open Records Division when appropriate. Additionally, PIC frequently receives calls from other governmental bodies seeking advice on how to handle public information requests.
- The OAG's public-facing website, [www.texasattorneygeneral.gov](http://www.texasattorneygeneral.gov), continues to strive to increase communication with the public and improve customer service. Information concerning key areas including news, initiation of consumer and law enforcement complaints, accessing child support information and resources, open government publications, education materials on preventing human trafficking, avoidance of potential fraudulent transactions, and an index to attorney general opinions, will continue to be promptly made accessible to our constituents through this medium.

## Goal 5. Protect Texans from Fraud, Waste, and Abuse

### *Information Resources Planning*

The OAG ensures that Texas consumers are protected by filing civil cases in the public interest and educating Texans on how to spot and avoid possible scams. Last year the OAG received over 30,000 consumer complaints.

The OAG's consumer complaint application can be filed easily online, and the system allows for basic status management. Opportunities exist to evolve and modernize this platform and its capabilities to optimize efficiencies for agency staff, engage in mediation with businesses and consumers, as well as correlate complaints often observed when a state of emergency is declared by the Governor.

The OAG remains committed to continuously improving services to increase communication, transparency, and accessibility. OAG systems store sensitive and confidential information making security a main priority. Cybersecurity threats are dynamic, and given their deceptive nature, the OAG must be adaptive in evaluating and investing cybersecurity priorities based on a sound risk management process that factors in the latest security intelligence and real-world incidents. To achieve OAG goals, this means strengthening the OAG's security posture through collaborative governance, increased training, awareness, compliance, and risk management solutions.

### *Describe Any Other Considerations Relevant to Your Goal or Action Item*

- Contract Manager Training  
The OAG is ensuring that each person classified as a contract manager is trained and certified in contract management.
- Enhancing Military Installations  
The OAG does not have expenditures related to military installations.
- Texas-Louisiana and Texas-Mexico Border Regions  
The OAG maintains regional offices across the State to provide high-quality client and customer service. The MFCU maintain regional offices in El Paso and Hidalgo Counties. The Consumer Protection Division and the CVSD maintains a regional office in El Paso County. The OAG also maintains the "colonias" database and prevention website as well as represents the State in enforcement litigation against developers of illegal or substandard subdivisions. CSD maintains regional offices in Bexar, Dallas, El Paso, Harris, Hidalgo, Lubbock, Smith, Tarrant, and Travis counties.

## Redundancies and Impediments

### *Idea #1: Designated Law Enforcement Office or Agency*

<p>Service, statute, rule, or regulation (provide specific citation if applicable)</p>	<p>Code of Criminal Procedure, Title 1, Chapter 18B. Installation and Use of Tracking Equipment, Access to Communications; Article 18B.001 Definitions</p>
<p>Describe why the service, statute, rule, or regulation is resulting in inefficient or ineffective agency operations</p>	<p>The OAG is not listed and a “Designated Law Enforcement Office or Agency” under 18B.001(4). Investigators from the OAG CID conduct a wide variety of criminal investigations each year. These investigations involve recovering missing and endangered children, locating wanted fugitives/sex offenders, locating human trafficking victims, and arresting child pornographers and require the use of a variety of resources and investigative tools. Oftentimes, an investigation requires an investigator to utilize electronic means to locate a person such as by cellular phone. Only the Prosecutor with jurisdiction within the county may apply in person for an Order under 18B.051 when an Officer from a non-Designated law enforcement office or agency makes the application. In many cases and in certain areas the District Attorney is unavailable due to case load. If the request is made by an officer from a “designated law enforcement office or agency” the application may be made through an assistant or other person acting on the Prosecutor’s behalf. This would greatly assist OAG CID officers in the execution of their duties and solve this issue.</p>
<p>Provide agency recommendation for modification or elimination</p>	<p>Add “Office of the Attorney General” to section 18B.001(4) “Designated Law Enforcement Office or Agency”.</p>
<p>Describe the estimated cost savings or other benefit associated with recommended change</p>	<p>This designation would give OAC CID Investigators the ability to be more efficient and effective when applying for the installation and use of a pen register, ESN reader, trap and trace, or similar equipment that combines the function of a pen register and a trap and trace device during investigations that may require the use of such. Time would be more efficiently spent during complex investigations if OAG CID were allowed to utilize a process already established within the Code of Criminal Procedure for other similar law enforcement agencies.</p>

## Redundancies and Impediments

### *Idea #2: Employee Training Records*

<p>Service, statute, rule, or regulation (provide specific citation if applicable)</p>	<p>Section 20.010 of the Texas Labor Code requires all state employees to take regular training regarding employment discrimination and sexual harassment and imposes certain requirements on state agencies about the recordkeeping of such data.</p>
<p>Describe why the service, statute, rule, or regulation is resulting in inefficient or ineffective agency operations</p>	<p>Section 21.010(e) of the Texas Labor Code requires that each employee sign a statement verifying attendance in the agency's discrimination and harassment awareness training. According to Section 21.010(e), the signed statement must then be filed in the employee's personnel file. Since this law took effect, most state agencies have transitioned to electronic record keeping for training data. As written, however, this statute requires a copy of the course completion to be filed in the employee's master personnel file, which creates an inefficient process for maintaining training records, especially in light of technological advancements since the law took effect.</p>
<p>Provide agency recommendation for modification or elimination</p>	<p>Recommend amending Section 21.010(e) of the Texas Labor Code to provide flexibility to agencies to maintain the training course completion records in the same manner the agency maintains other training course completion records instead of printing and/or storing copies of the training completion records. Technology has improved greatly since this statute was adopted in 1999 to allow for the tracking and recording of training completion records.</p>
<p>Describe the estimated cost savings or other benefit associated with recommended change</p>	<p>This recommended change will impact all agencies. The fiscal impact for each agency will be small, but the overall impact will allow agency human resources departments to gain efficiencies by maximizing their efforts on managing the agency's needs instead of filing paper and/or electronic copies of documents. Large agencies spend many hours filing these training records copies annually.</p>

## Redundancies and Impediments

### *Idea #3: Public Information Act Electronic Filing*

<p>Service, statute, rule, or regulation (provide specific citation if applicable)</p>	<p>Sections 552.308 and 552.309 of the Government Code specify that information may be submitted to the OAG via first class United States mail, common or contract carrier, interagency mail, or through the designated OAG electronic submission service.</p>
<p>Describe why the service, statute, rule, or regulation is resulting in inefficient or ineffective agency operations</p>	<p>Most governmental bodies submit ruling requests via USPS or interagency mail. The Open Records Division (ORD) received over 55,000 pieces of mail in FY 2019. This mail must be processed at multiple levels before it can be reviewed and routed within ORD. Once it is received by ORD, it must be handled by multiple staff (sometimes as many as eight individuals including support staff and attorneys) during the ruling process. This requires extensive administrative resources, the physical presence and effort of numerous OAG staff, and is a significant impediment to telework policies. In a post-COVID-19 pandemic landscape, it would be a cost-savings for state agencies to fully utilize the e-filings.</p>
<p>Provide agency recommendation for modification or elimination</p>	<p>Amend Texas Government Code Chapter 552 to require or encourage electronic submission of ruling requests.</p>
<p>Describe the estimated cost savings or other benefit associated with recommended change</p>	<p>Increased e-filing could result in direct cost savings because it would ease some of the burden on OAG's mail center operations and staff. In addition, increased e-filing would accommodate more flexible telecommuting policies. This could allow the OAG to reduce the number of employees in the office, thereby reducing the overall need for office space and necessary equipment. It would also help to mitigate the need to be physically present in the office during a disaster or emergency scenario, especially one involving contagious diseases that could be spread through the mail. Increased e-filing, especially with an updated/modernized e-filing system, could also increase the efficiency of ORD file processing.</p>

## Redundancies and Impediments

### *Idea #4: Litigation Documents – Health Records*

<p>Service, statute, rule, or regulation (provide specific citation if applicable)</p>	<p>Health and Safety Code Chapter 181 provides that the Attorney General is responsible for enforcement of the Texas Medical Records Privacy Act (the Privacy Act, Texas Health &amp; Safety Code Section 181.201) The Privacy Act requires all Covered Entities to comply with the Health Insurance Portability and Accountability Act and Privacy Standards (HIPAA). The current definition of Covered Entities includes any person who comes into possession of, obtains, or stores protected health information. (Texas Health &amp; Safety Code §181.001(b)(2)).</p>
<p>Describe why the service, statute, rule, or regulation is resulting in inefficient or ineffective agency operations</p>	<p>Section 181.001(b)(2) of the Texas Health and Safety Code is so broad as to include district and county courts, district and county clerks, district and county attorney offices, the OAG and many other offices which come into possession of protected health information during the criminal and civil litigation process. By including in the definition of Covered Entity any person who comes into possession, obtains, or stores protected health information, litigation participants are arguably required to utilize extensive state and judicial resources to place a multitude of protected health information under seal in any civil or criminal proceeding for which they may be utilized. In addition, litigants face hurdles in investigating and evaluating claims made against them by individuals who make claims which are based upon the subject of the protected health records.</p>
<p>Provide agency recommendation for modification or elimination</p>	<p>Recommend amending Section 181.001(b)(2) to exclude from its definition of “covered entity” any person or entity who obtains protected health information solely in connection with an investigation or evaluation of a legal claim, or in a civil or criminal proceeding in which any party relies upon protected health information as part of the party’s claim or defense.</p>
<p>Describe the estimated cost savings or other benefit associated with recommended change</p>	<p>The recommended changes to Section 181.001(b)(2) of the Texas Health and Safety Code will have a minimal fiscal impact for state agencies, but the overall impact will allow the OAG to gain efficiencies by streamlining communication with clients in prelitigation matters, more readily obtain and disclose protected health information that is directly related to the defense of a claim, and reduce the number of OAG attorneys and staff hours spent conducting discovery, motion practice, and travel expenses related to hearings on motions to compel.</p>

**Schedule A: Budget Structure - Goals, Objectives and Outcome Measures, Strategies and Output, Efficiency and Explanatory Measures for Fiscal Years 2024-2025**

<b>Goal 1:</b>	<p>PROVIDE LEGAL SERVICES</p> <p>To provide skillful and high quality legal representation, counsel, and assistance for the State of Texas and its authorized entities and employees in the lawful performance of their duties.</p>
<b>Operational Goals:</b>	<p>Executive Management and Administration</p> <p>Provide Legal Services</p> <p>Criminal Justice and Investigations</p>
<b>Objective:</b>	<p>LEGAL COUNSEL AND LITIGATION</p> <p>To provide skillful and high quality legal counsel and litigation support for cases referred by the State of Texas and its authorized entities and employees in the lawful performance of their duties during each year of the strategic plan.</p>
<b>Strategy:</b>	<p>LEGAL SERVICES</p> <p>Respond to the legal counsel needs of the State of Texas and its authorized entities and employees by providing appropriate legal advice and answers to legal questions posed by state agencies and certain office holders, including the issuance of formal opinions and open records letters and decisions. Respond to the litigation needs of the State of Texas and its authorized entities and employees defending and enforcing Texas law through the use of appropriate pre-trial and trial actions. Provide investigative and prosecutorial assistance to local and federal criminal justice organizations in response to a variety of law enforcement challenges. Pro-actively investigate cyber crimes such as child pornography, solicitation of minors, identity theft and fraud. Locate and apprehend convicted sex offenders who have failed to comply with mandated sex offender registration requirements. Investigate and prosecute human trafficking and election fraud.</p>
<b>Outcome Measure:</b>	Delinquent State Revenue Collected (Key)
<b>Outcome Measure:</b>	Ratio of Total Legal Services Caseload to Cases Closed/Settled
<b>Output Measure:</b>	Legal Hours Billed to Litigation and Legal Counsel (Key)
<b>Output Measure:</b>	Legal Hours Billed to ADR
<b>Output Measure:</b>	Legal Hours Billed to Colonias Project
<b>Efficiency Measure:</b>	Average Cost Per Legal Hour (Key)
<b>Explanatory Measure:</b>	Legal Hours Billed to Legal Counsel
<b>Explanatory Measure:</b>	Legal Hours Billed to Litigation
<b>Explanatory Measure:</b>	Consumer Protection Complaints Closed
<b>Explanatory Measure:</b>	Formal Opinions and Open Records Letters and Decisions Issued
<b>Explanatory Measure:</b>	Number of Criminal Investigations Call for Service Requests

**Schedule A: Budget Structure - Goals, Objectives and Outcome Measures, Strategies and Output, Efficiency and Explanatory Measures for Fiscal Years 2024-2025**

**Goal 2:** ENFORCE CHILD SUPPORT LAW  
To enforce aggressively and fairly both state and federal child support laws and regulations.

**Operational Goals:** Executive Management and Administration  
Enforce Child Support Laws

**Objective:** COLLECT CHILD SUPPORT  
To collect court-ordered child support through the use of administrative actions and all available legal actions allowed by state and federal laws and regulations. Operate a federally mandated state disbursement unit.

**Strategy:** CHILD SUPPORT ENFORCEMENT  
Collect court-ordered child support through the use of the following: establish paternity; establish child support obligations; enforce child support obligations; and receive and distribute child support monies.

**Outcome Measure:** Percent of Title IV-D Cases That Have Court Orders (Key)  
**Outcome Measure:** Percent of All Current Child Support Amounts Due That Are Collected (Key)

**Outcome Measure:** Percent of Paying Cases Among Title IV-D Cases in Arrears (Key)  
**Outcome Measure:** Percent of Paternity Establishment for Out of Wedlock Births (Key)

**Output Measure:** Amount of Title IV-D Child Support Collected (in Millions) (Key)  
**Output Measure:** Number of IV-D Children for Whom Paternity Has Been Established

**Output Measure:** Number of Child Support Obligations Established

**Output Measure:** Number of Income Withholdings Initiated

**Efficiency Measure:** Ratio of Total Dollars Collected Per Dollar Spent (Key)

**Explanatory Measure:** Number of Paternity Acknowledgements

**Explanatory Measure:** Current TANF Cases As Percent of Total Caseload

**Explanatory Measure:** Child Support Collected through IRS Offsets (in Millions)

**Explanatory Measure:** Number of Hard to Work Cases

**Strategy:** STATE DISBURSEMENT UNIT  
Operate a state disbursement unit that receives and processes all eligible child support payments.

**Output Measure:** Number of Payment Receipts Processed by the SDU Vendor (Key)

**Efficiency Measure:** Average Cost Per Payment Receipt Processed by the SDU Vendor

**Efficiency Measure:** Percent of Payment Receipts Processed Then Disbursed within Two Days of Receipt

**Schedule A: Budget Structure - Goals, Objectives and Outcome Measures, Strategies and Output, Efficiency and Explanatory Measures for Fiscal Years 2024-2025**

- Goal 3:** CRIME VICTIMS' SERVICES  
To provide services and information to victims of crime in a caring, sensitive, and efficient manner.
- Operational Goals:** Executive Management and Administration  
Crime Victim Services and Victims Assistance Grants
- Objective:** REVIEW/COMPENSATE VICTIMS  
To provide assistance to victims of crime through direct compensation payments, training, grants, and contracts to victim assistance providers.
- Strategy:** CRIME VICTIMS' COMPENSATION  
Obtain and review all claims for crime victims' compensation in accordance with state and federal regulations to determine eligibility for payment; ensure that all bills are reviewed for medical reasonableness and necessity and paid at the correct rate and that limits are not exceeded.
- Outcome Measure:** Amount of Crime Victims' Compensation Awarded (Key)  
**Outcome Measure:** Number of Crime Victims Who Received an Initial Award  
**Output Measure:** Number of Eligibility Determinations Made  
**Output Measure:** Number of CVC Training Participants  
**Output Measure:** Number of CVC Outreach Recipients  
**Efficiency Measure:** Average Cost to Analyze a Claim and Make an Award  
**Efficiency Measure:** Average Number of Days to Analyze a Claim and Make an Award (Key)  
**Explanatory Measure:** Number of Crime Victim Applications Received
- Strategy:** VICTIMS ASSISTANCE  
Provide grants or contracts, training, and technical assistance to support victim-related services or assistance in the state; certify Sexual Assault Nurse Examiners and sexual assault advocate training programs; and provide victims of family violence, sexual assault, and stalking with a confidential mailing address and a means of receiving mail.
- Output Measure:** Number of Entities Which Receive a Grant or Contract for Victim Services or Victim Assistance  
**Output Measure:** Total Dollars Awarded to Victim Services or Victim Assistance Programs  
**Output Measure:** Number of Sexual Assault Training Participants  
**Output Measure:** Number of Sexual Assault Outreach Recipients

**Schedule A: Budget Structure - Goals, Objectives and Outcome Measures, Strategies and Output, Efficiency and Explanatory Measures for Fiscal Years 2024-2025**

<b>Goal 4:</b>	REFER MEDICAID CRIMES To provide an environment free of fraud, physical abuse, and criminal neglect for Medicaid recipients and the Medicaid program.
<b>Operational Goals:</b>	Executive Management and Administration Criminal Justice and Investigations
<b>Objective:</b>	MEDICAID CRIME CONTROL To conduct a statewide program of investigation and to refer for prosecution 100 percent of discovered violations of the Texas Medicaid Program as required by federal regulations during each year of the strategic plan.
<b>Strategy:</b>	MEDICAID INVESTIGATION Conduct a statewide program of investigation and refer for prosecution all violations of laws pertaining to fraud in the administration of the Texas Medicaid Program, the provision of medical assistance, and the activities of providers of medical assistance under the State Medicaid Plan. Review complaints alleging abuse or neglect of patients in health care facilities receiving payments under the State Medicaid Plan.
<b>Outcome Measure:</b>	Amount of Medicaid Over-payments Identified by Criminal Investigations
<b>Output Measure:</b>	Number of Investigations Concluded (Key)
<b>Output Measure:</b>	Number of Cases Referred for Prosecution
<b>Efficiency Measure:</b>	Average Cost Per Investigation Concluded

**Schedule A: Budget Structure - Goals, Objectives and Outcome Measures, Strategies and Output,  
Efficiency and Explanatory Measures for Fiscal Years 2024-2025**

<b>Goal 5:</b>	GENERAL ADMINISTRATION General Administration.
<b>Operational Goals:</b>	Executive Management and Administration
<b>Objective:</b>	AGENCY IT PROJECTS Provide oversight and administration of major information technology projects, with the objective of completing all administered projects within schedule and budget.
<b>Strategy:</b>	AGENCY IT PROJECTS Provide oversight and administration of major information technology projects, with the objective of completing all administered projects within schedule and budget.

**Schedule A: Budget Structure - Goals, Objectives and Outcome Measures, Strategies and Output, Efficiency and Explanatory Measures for Fiscal Years 2024-2025**

**Goal 6:** ADMINISTRATIVE SUPPORT for SORM  
Provide administrative support to the State Office of Risk Management in administering state employees workers' compensation.

**Operational Goals:** Executive Management and Administration

**Objective:** ADMINISTRATIVE SUPPORT for SORM  
Provide administrative support to the State Office of Risk Management in administering state employee workers' compensation.

**Strategy:** ADMINISTRATIVE SUPPORT for SORM  
Provide administrative support to the State Office of Risk Management.

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Goal: PROVIDE LEGAL SERVICES**

To provide skillful and high quality legal representation, counsel, and assistance for the State of Texas and its authorized entities and employees in the lawful performance of their duties.

### **Objective: LEGAL COUNSEL AND LITIGATION**

To provide skillful and high quality legal counsel and litigation support for cases referred by the State of Texas and its authorized entities and employees in the lawful performance of their duties during each year of the strategic plan.

### **Outcome Measure: Delinquent State Revenue Collected (Key)**

**Definition:** This measure reflects the total dollar amount collected or obtained on delinquent taxes, debts, fees, fines, penalties and other obligations, after they have been certified or referred by a State agency to the OAG Bankruptcy & Collections Division or OAG involvement is requested. These accounts are referred either after State agency efforts have been exhausted or legal representation in bankruptcy court is required.

**Purpose/Importance:** This measure reflects the agency's compliance with and success in meeting both its statutory and appropriation act requirements to attempt collection on all delinquent debts and obligations owed to the state and to its agencies.

**Source/Collection of Data:** Client State agencies furnish monthly or periodic reports which document payments that agencies receive on delinquent accounts in a certified, bankruptcy, collection or judgment status.

Amounts collected on behalf of certain state agencies are documented by the OAG's Accounting Division each month through copies of deposit and clearance vouchers.

**Method of Calculation:** The calculation for this measure is a cumulative count of delinquent state revenue collected.

**Data Limitations:** The amount of collectible delinquent revenue is a function of the amount, age and nature of delinquent obligations referred to the OAG and is affected by external factors including the state of the economy, the unemployment rate, and the increase or decrease in national bankruptcy filings for businesses and individuals.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Outcome Measure: Ratio of Total Legal Services Caseload to Cases Closed/Settled**

**Definition:** The total number of litigation cases open at any time during the year as compared to the total number of litigation cases closed during that same fiscal year.

**Purpose/Importance:** On an annual basis, the ratio is used to demonstrate increases and decreases in open and closed cases, which may reflect a sharp increase in certain types of lawsuits requiring a reallocation of resources.

**Source/Collection of Data:** Reports from the OAG's electronic case management systems.

**Method of Calculation:** The formula for this measure is the number of cases pending August 31 of the prior fiscal year plus the number of opened and reopened cases from September 1 through August 31 of the current fiscal year. This amount is divided by the number of closed cases from September 1 through August 31 (current fiscal year). The ratio is the total open caseload (the final calculated number) to the number of cases closed/settled (one). Example: 3.5:1 -- for every 3.5 cases that are open at any time during the fiscal year, one is closed.

**Data Limitations:** Legal cases are referred to and initiated by this office. The amount of time spent on a case and the number of cases defended is not totally within the OAG's control. External factors such as opposing parties, depositions, court dockets, etc., can impact time spent on a case.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Strategy: LEGAL SERVICES**

Respond to the legal counsel needs of the State of Texas and its authorized entities and employees by providing appropriate legal advice and answers to legal questions posed by state agencies and certain office holders, including the issuance of formal opinions and open records letters and decisions. Respond to the litigation needs of the State of Texas and its authorized entities and employees defending and enforcing Texas law through the use of appropriate pre-trial and trial actions. Provide investigative and prosecutorial assistance to local and federal criminal justice organizations in response to a variety of law enforcement challenges. Pro-actively investigate cyber crimes such as child pornography, solicitation of minors, identity theft and fraud. Locate and apprehend convicted sex offenders who have failed to comply with mandated sex offender registration requirements. Investigate and prosecute human trafficking and election fraud.

### **Output Measure: Legal Hours Billed to Litigation and Legal Counsel (Key)**

**Definition:** The total number of hours attributed to cases designated by set-up status as legal counsel and litigation cases (see explanatory measures Number of Hours Billed to Legal Counsel and Number of Hours Billed to Litigation for definitions).

**Purpose/Importance:** The OAG is charged by the State Constitution to represent the State in all matters before the Texas Supreme Court to which the State is a party, to defend and enforce the laws and Constitution of the State of Texas, represent the State and its agencies and employees in litigation, approve public bond issues, and to provide legal advice to the Governor, other elected officials and other duties as may be required by law. This measure is an indicator of the amount of legal services delivered to the State, state agencies and other designated clients.

**Source/Collection of Data:** Legal hours worked by agency time keepers (attorneys, law clerks, legal assistants, investigators, and other classified positions) are entered into the OAG's Timekeeping system every month for work done in the prior month. The source document is an automated OAG Timekeeping Report.

**Method of Calculation:** The calculation for this measure is a cumulative count of litigation and legal counsel hours entered into the OAG Timekeeping system.

**Data Limitations:** The amount of legal hours worked is dependent upon the number of agency timekeepers.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Output Measure: Legal Hours Billed to ADR**

**Definition:** The total number of hours attributed to the alternative dispute resolution (ADR) time keeping code, which includes mediation, settlement conferences, and all other types of alternative dispute resolution.

**Purpose/Importance:** Alternative Dispute Resolution utilizes procedures for settling disputes by means other than litigation (i.e., arbitration, mediation, etc.).

**Source/Collection of Data:** Legal hours worked by agency time keepers (attorneys, law clerks, legal assistants, investigators, and other classified positions) are entered into the OAG's Timekeeping system every month for work done in the prior month.

NOTE: ADR hours are part of reported Number of Legal Hours Billed. Although most ADR hours worked are applied to cases with a set-up status of litigation, some ADR hours are applied to legal counsel cases. The source document is an automated OAG Timekeeping Report for Hours Billed to ADR.

**Method of Calculation:** The calculation for this measure is a cumulative count of Alternative Dispute Resolution hours entered into the OAG Timekeeping system.

**Data Limitations:** The amount of ADR hours worked is dependent upon the number of legal cases in which ADR is utilized (ADR may not always be an appropriate means of settling legal disputes).

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Output Measure: Legal Hours Billed to Colonias Project**

**Definition:** The total number of litigation and legal counsel hours attributed to cases designated as colonias cases. A case is assumed to be a colonias case if it involves compliance investigation, enforcement litigation, educational outreach, or legal research concerning land subdivision and colonias prevention laws in counties located fully or partially within 50 miles of the Texas-Mexico border, or counties fully or partially within 100 miles of the Texas-Mexico border that contain the majority of the area of a municipality with a population of more than 250,000, or counties that are economically distressed as defined by law. The primary laws involved in OAG colonias cases are Local Government Code Chapters 212 and 232, Water Code Chapters 16 and 17, Property Code Chapter 5, Texas Water Development Board model subdivision rules, and the Texas Commission on Environmental Quality rules for on-site sewage facilities and drinking water standards.

**Purpose/Importance:** The typical colonias enforcement case brought by the OAG is against a residential subdivision developer who has failed to meet minimum state standards for the platting or sale of residential subdivision lots, including requirements for safe drinking water and waste water treatment.

**Source/Collection of Data:** Legal hours worked by agency time keepers (attorneys, law clerks, legal assistants, investigators, and other classified positions) are entered into the OAG's timekeeping system every month for work done in the prior month. The source documents are automated OAG Timekeeping Reports for Colonias Cases.

**Method of Calculation:** The calculation for this measure is a cumulative count of Colonias hours entered into the OAG Timekeeping system.

**Data Limitations:** The amount of Colonias hours worked is dependent upon the amount of Colonias activity, the number of border subdivision inquiries, and changes in state law.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Efficiency Measure: Average Cost Per Legal Hour (Key)**

**Definition:** The per legal hour cost to the OAG of providing litigation and legal counsel services to client agencies and other client entities.

**Purpose/Importance:** This measure is an indicator of the agency's cost efficiency for each legal hour worked.

**Source/Collection of Data:** Cost information for the Legal Services Strategy comes from the agency's budget variance reports. Litigation and legal counsel services are actually the Number of Legal Hours Billed to Litigation and Legal Counsel (output measure). Number of legal hours billed comes from automated OAG Timekeeping Reports for hours billed to litigation and legal counsel.

**Method of Calculation:** The formula for this measure is direct expenditures for the Legal Services Strategy plus a percentage of indirect administrative support costs based on the OAG's Indirect Cost Plan divided by the Number of Legal Hours Billed to Litigation and Legal Counsel for the reporting period.

The Annual Performance Measure Report will calculate the average cost using actual expenditures and accrued obligations for the reporting appropriation year. Note: Legal hours billed to litigation, legal counsel, ADR, and Colonias are included in Number of Legal Hours Billed to Litigation and Legal Counsel.

**Data Limitations:** Direct program expenditures for the reporting period used to establish the target for this measure may not include rider appropriations, and/or across-the-board legislative salary increases, which negatively impact reported performance.

The amount of legal hours worked is dependent upon the number of agency time keepers.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "L" (Lower than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Explanatory Measure: Legal Hours Billed to Legal Counsel**

**Definition:** The total number of hours attributed to cases designated by set-up status as legal counsel cases (uncontested set-up status). A case is assumed to be a legal counsel case if the primary purpose of the case is to provide general legal advice on a proposed line of conduct to a client agency or other client entity.

**Purpose/Importance:** The OAG is charged by the State Constitution to represent the State in all matters before the Texas Supreme Court to which the State is a party, to defend and enforce the laws and Constitution of the State of Texas, represent the State and its agencies and employees in litigation, approve public bond issues, and to provide legal advice to the Governor, other elected officials and other duties as may be required by law. This measure is an indicator of the amount of legal services delivered to the State, state agencies and other designated clients.

**Source/Collection of Data:** Legal counsel hours worked by agency time keepers (attorneys, law clerks, legal assistants, investigators, and other classified positions) are entered into the OAG's Timekeeping system every month for work done in the prior month. The source document is an automated OAG Timekeeping Report.

**Method of Calculation:** The calculation for this measure is a cumulative count of legal counsel hours entered into the OAG Timekeeping system.

**Data Limitations:** The amount of legal hours worked is dependent upon the number of agency timekeepers.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Explanatory Measure: Legal Hours Billed to Litigation**

**Definition:** The total number of hours attributed to cases designated by set-up status as litigation cases (contested set-up status). A case is assumed to be a litigation case if there is a reasonable expectation that the actions taken by the OAG will be contested by another party, thereby causing the other party to seek or be subject to judicial remedy.

**Purpose/Importance:** The OAG is charged by the State Constitution to represent the State in all matters before the Texas Supreme Court to which the State is a party, to defend and enforce the laws and Constitution of the State of Texas, represent the State and its agencies and employees in litigation, approve public bond issues, and to provide legal advice to the Governor, other elected officials and other duties as may be required by law. This measure is an indicator of the amount of legal services delivered to the State, state agencies and other designated clients.

**Source/Collection of Data:** Litigation hours worked by agency time keepers (attorneys, law clerks, legal assistants, investigators, and other classified positions) are entered into the OAG's Timekeeping system every month for work done in the prior month. The source document is an automated OAG Timekeeping Report.

**Method of Calculation:** The calculation for this measure is a cumulative count of litigation hours entered into the OAG Timekeeping system.

**Data Limitations:** The amount of legal hours worked is dependent upon the number of agency timekeepers.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Explanatory Measure: Consumer Protection Complaints Closed**

**Definition:** The number of Consumer Protection Division complaints closed. The Division receives consumer complaints from the public, and records the information in a complaint database. Division staff review complaints to detect patterns of conduct that violate state or federal consumer protection laws, and to determine which merit further enforcement attention. A complaint is closed when the Division initiates further enforcement attention or no further agency action is anticipated.

**Purpose/Importance:** The receipt of complaints by the division enables the division to monitor trends and business practices throughout the state and nationwide, affecting Texans. The analysis of these complaints supports the division's ability to identify potential cases and determine enforcement priorities. The transfer of the complaint data to the database enables division personnel in Austin, and the five regional offices to review the complaint data.

**Source/Collection of Data:** Complaints are collected and recorded in a database in Austin. The database is shared by Austin and the five regional offices; Dallas, El Paso, Houston, San Antonio and Pharr.

**Method of Calculation:** The method of calculation is a cumulative count of complaints closed as reflected in the consumer complaint database.

**Data Limitations:** The number of complaints closed is dependent on filings by consumers and referrals from other governmental agencies and consumer organizations.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Explanatory Measure: Formal Opinions and Open Records Letters and Decisions Issued**

**Definition:** The number of opinions and open records letters & decisions issued either in response to a request from a statutorily authorized requestor pursuant to Chapter 402 (Attorney General Opinions) or Section 552.301 (Open Records Decisions) of the Government Code or in furtherance of the Attorney General's uniformity authority under Section 552.011 of the Government Code.

**Purpose/Importance:** The Opinion Committee researches and drafts legal opinions in response to questions of law posed by persons authorized by statute to request formal Attorney General Opinions pursuant to section 402.042 of the Government Code. The Open Records Division issues written decisions related to access to public information under Chapter 552 of the Government Code.

**Source/Collection of Data:** Automated Opinion Division Database Report on Opinions Issued and Open Records Division Monthly Report.

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of opinions and open records letters and decisions issued.

**Data Limitations:** The number of opinions and open records letters and decisions issued is affected by the number of authorized requests received. The number of opinions and open records letters & decisions issued may also be affected by the number of previous determinations issued by the OAG.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Explanatory Measure: Number of Criminal Investigations Call for Service Requests**

**Definition:** The OAG's Criminal Investigations Division receives requests for investigative assistance from a variety of sources, such as the public, the legislative and executive branch of state government, and other units of government. In addition, the division also receives requests for investigative assistance from local, state and federal law enforcement agencies. When the division receives such requests, the information is entered into a computer system that captures the details of the individual request. Once the information is entered, the system creates a "call for service request."

**Purpose/Importance:** The OAG's Criminal Investigations Division relies upon a call for service request to manage the resources of the division. Once a call for service request is created, it is reviewed by a supervisor and then assigned to an investigator for the appropriate response. The call for service request system is a multi-user system that automates law enforcement record keeping functions of the division. The system tracks the activity from the time of the initial phone call or contact to the final disposition. Many of the call for service requests are subsequently opened as investigations.

**Source/Collection of Data:** Data for this measure is maintained by designated staff of the OAG's Criminal Investigations Division. Call for service request information is entered into a specific data management system that provides for retrieval of the statistical information related to call for service requests. To assure the accuracy of the information, call for service requests are entered at the time they are received. Calls for service are received through multiple sources such as telephone, e-mail, fax, and correspondence.

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of calls for service received and entered into the system by investigative staff for the period.

**Data Limitations:** The number of calls for service received is dependent upon the number of individuals and entities requiring service or needing a response from the OAG. Data maintained in a call for service record that contains information concerning the detection, investigation, or prosecution of a crime, is maintained as confidential and would be exempt from disclosure under the Public Information Act, including but not limited to Government Code 552.108.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

**Goal: ENFORCE CHILD SUPPORT LAW**

To enforce aggressively and fairly both state and federal child support laws and regulations.

**Objective: COLLECT CHILD SUPPORT**

To collect court-ordered child support through the use of administrative actions and all available legal actions allowed by state and federal laws and regulations. Operate a federally mandated state disbursement unit.

**Outcome Measure: Percent of Title IV-D Cases That Have Court Orders (Key)**

**Definition:** This measure reflects the percent of all IV-D cases that have court orders.

**Purpose/Importance:** The purpose of this measure is to monitor the effectiveness of the system of establishing court orders in IV-D cases. Many cases that are opened with the OAG's Child Support Enforcement Division require the establishment of an order for child support. An order must be established before child support can be collected. This measure is also a federal incentive measure reported for the federal fiscal year (October 1 through September 30).

**Source/Collection of Data:** This information will be obtained from management reports generated from data available on TXCSES.

**Method of Calculation:** The percentage is calculated as the number of open cases with court ordered child support at the end of each reporting period divided by the total number of open cases at the end of each reporting period.

**Data Limitations:** None.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Outcome Measure: Percent of All Current Child Support Amounts Due That Are Collected (Key)**

**Definition:** This measure reports the percent of all current child support amounts due that are collected and then disbursed.

**Purpose/Importance:** This measure reflects the success in collecting all current child support amounts due that are collected and then disbursed. This measure is also a federal incentive measure reported for the federal fiscal year (October 1 through September 30).

**Source/Collection of Data:** This information will be obtained from management reports generated from data available on TXCSES.

**Method of Calculation:** The percentage is calculated as the total amount of child support collected and then disbursed as current support during the reporting period divided by the total amount of current child support due during the reporting period.

**Data Limitations:** None.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Outcome Measure: Percent of Paying Cases Among Title IV-D Cases in Arrears (Key)**

**Definition:** This measure is the percent of IV-D cases with arrears due in which any amount is paid toward arrears.

**Purpose/Importance:** This measure reflects the success in collecting arrears owed to custodial parents or the state. This measure is also a federal incentive measure reported for the federal fiscal year (October 1 through September 30).

**Source/Collection of Data:** This information will be obtained from management reports generated from data available on TXCSES.

**Method of Calculation:** The percentage is calculated as the total number of cases with arrears due that had a collection made for arrears divided by the total number of cases with arrears due during the reporting period.

**Data Limitations:** None.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Outcome Measure: Percent of Paternity Establishment for Out of Wedlock Births (Key)**

**Definition:** Percent of paternity establishment is the ratio of children whose paternity has been established in Texas compared to the number of children born out-of-wedlock (BOW) in Texas during the fiscal year. Paternities are those established by a court order or by an Acknowledgment of Paternity (AOP) or through adoption.

**Purpose/Importance:** Determination of paternity is necessary to establish a child support order for an unmarried parent. A similar measure is reported as a federal incentive measure for the federal fiscal year (October 1 through September 30).

The calculation for the state and federal measure differs. The state calculation uses the paternities established and the out-of-wedlock births from the current fiscal year. The federal calculation uses paternities established from the current fiscal year and the out-of-wedlock births from the previous fiscal year.

**Source/Collection of Data:** Births and paternities are reported to the Texas Department of State Health Services (DSHS) Vital Statistics Unit (VSU) by hospitals and county registrars. VSU records and transmits BOW and AOP information to the OAG via electronic file exchange. Court ordered paternities are based on data residing on TXCSES. VSU also provides a count of statewide adoptions to the OAG.

**Method of Calculation:** The percentage is the number of paternities established divided by the number of births out-of-wedlock. Where there are both a court order and an AOP for the same child, only one is counted.

**Data Limitations:** Because several entities are involved - hospitals, county registrars and VSU - there can be a time lag in receipt of BOW and AOP data and all data may not be available at the end of the state fiscal year.

The OAG Paternity Opportunity Program provides training and child support information to hospitals and other entities. Information is passed on to prospective and new parents. The decision to acknowledge paternity is voluntary. The OAG relies on hospitals and other entities, including the VSU for paternity acknowledgment and out-of-wedlock birth information. Birth certificates contain information on the mother's marital status and are filed with the VSU.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

**Strategy: CHILD SUPPORT ENFORCEMENT**

Collect court-ordered child support through the use of the following: establish paternity; establish child support obligations; enforce child support obligations; and receive and distribute child support monies.

**Output Measure: Amount of Title IV-D Child Support Collected (in Millions) (Key)**

**Definition:** The amount of disbursed child support collections during the reporting period. This measure excludes non IV-D wage withholding collections processed through the federally mandated State Disbursement Unit (SDU), which acts as a conduit between employers and non IV-D custodial parents.

**Purpose/Importance:** A primary function of the IV-D agency (Attorney General's Office) is to collect child support, as mandated by state and federal law.

**Source/Collection of Data:** IV-D collections will be obtained from management reports generated from data available on TXCSES.

**Method of Calculation:** The calculation for this measure is a cumulative count of the amount of Title IV-D child support collected and then disbursed as provided by management reports generated from data available on TXCSES.

**Data Limitations:** None.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Output Measure: Number of IV-D Children for Whom Paternity Has Been Established**

**Definition:** This measure counts the number of children in IV-D cases for whom paternity has been established during the state fiscal year either through court action or the Acknowledgment of Paternity (AOP) process.

**Purpose/Importance:** Paternity must be determined before the OAG can obtain an order for child support.

**Source/Collection of Data:** This data resides on TXCSES. DSHS Vital Statistics Unit (VSU) provides AOP data to the OAG through electronic file exchange.

**Method of Calculation:** This measure is a cumulative count of children for whom paternity has been established. The measure counts a paternity when it is the result of either a court order or an AOP. Where there is both a court order and an AOP for the same child, only one is counted. This measure does not include adoptions.

**Data Limitations:** Because several entities are involved - hospitals, county registrars and VSU - there can be a time lag in receipt of births out-of-wedlock (BOW) and AOP data and all data may not be available at the end of the state fiscal year.

The OAG Paternity Opportunity Program provides training and child support information to hospitals and other entities. Information is passed on to prospective and new parents. The decision to acknowledge paternity is voluntary. The OAG relies on hospitals and other entities, including the VSU for paternity acknowledgment and out-of-wedlock birth information. Birth certificates contain information on the mother's marital status and are filed with the VSU.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Output Measure: Number of Child Support Obligations Established**

**Definition:** The number of child support orders established during the reporting period.

**Purpose/Importance:** To ensure that the agency continues to establish new obligations. An order for support must be established before child support can be collected.

**Source/Collection of Data:** This measure is determined using information from court orders for which obligations are established. This information resides on TXCSES.

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of new child support obligations established. The measure counts child support orders established, but not second obligations or modifications.

**Data Limitations:** None.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Output Measure: Number of Income Withholdings Initiated**

**Definition:** The count of all administrative income withholdings (AIWs) initiated during the reporting period. Income withholding is the deduction of child support from the non-custodial parent's wages, bonuses, pensions, etc.

**Purpose/Importance:** This measure reflects agency efforts to work with employers to effectively initiate income withholdings. Historically, income withholding accounts for a majority of child support collected.

**Source/Collection of Data:** This information will be obtained from management reports generated from data available on TXCSES.

**Method of Calculation:** The measure counts all income withholdings initiated during the period.

**Data Limitations:** None.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Efficiency Measure: Ratio of Total Dollars Collected Per Dollar Spent (Key)**

**Definition:** The amount of child support dollars collected and then disbursed per every dollar spent in the Child Support Enforcement Strategy. The amount of child support collected is determined by the output performance measure Amount of Title IV-D Child Support Collected (in millions). Dollars spent on the Child Support Program are reflected on budget reports.

**Purpose/Importance:** This measure is an indicator of cost effectiveness.

**Source/Collection of Data:** Cost information comes from the agency's budget variance reports and other system generated reports. IV-D collections will be obtained from management reports generated from data available on TXCSES.

**Method of Calculation:** The formula for this measure is the total amount of Title IV-D child support collected and then disbursed for the reporting period divided by direct program expenditures for the reporting period, plus a percentage of indirect administrative support costs based on the OAG's Indirect Cost Plan. The amount excludes expenditures associated with processing collections through the State Disbursement Unit (SDU). The Annual Performance Measure Report will calculate the ratio using actual expenditures and accrued obligations for the reporting appropriation year.

**Data Limitations:** Direct program expenditures for the reporting period used to establish the target for this measure may not include rider appropriations, and/or across-the-board legislative salary increases, which negatively impact reported performance.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Explanatory Measure: Number of Paternity Acknowledgements**

**Definition:** The number of paternity acknowledgments, including Title IV-D and non Title IV-D, received at the Vital Statistics Unit (VSU) during the reporting period. A paternity acknowledgment for this measure is defined as the Texas Department of State Health Services (DSHS) Acknowledgment of Paternity (AOP) form.

**Purpose/Importance:** The OAG Child Support Division operates a hospital-based paternity acknowledgment program. Determination of paternity is necessary to establish a child support order for an unmarried parent. This measure provides information on the success of paternity acknowledgment in the hospital setting.

**Source/Collection of Data:** This information will be obtained from management reports generated from data available on TXCSES, as received from VSU electronic files.

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of paternity acknowledgments as provided by management reports generated from data available on TXCSES, as received from VSU electronic files.

**Data Limitations:** Because several entities are involved - hospitals, county registrars and VSU - there can be a time lag in receipt of births out-of-wedlock (BOW) and AOP data and all data may not be available at the end of the state fiscal year.

The OAG Paternity Opportunity Program provides training and child support information to facilities and hospitals. Information is passed on to prospective and new parents. The decision to acknowledge paternity is voluntary. The OAG relies on hospitals, facilities, and the VSU for paternity acknowledgment and out-of-wedlock birth information. Birth certificates contain information on the mother's marital status and are filed with the VSU. VSU provides AOP data to the OAG through electronic file exchange.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

**Explanatory Measure:** Current TANF Cases as Percent of Total Caseload

**Definition:** The percent of child support cases that are currently receiving Temporary Assistance to Needy Families (TANF) benefits from the Texas Health and Human Services Commission (HHSC). Cases are designated as current TANF cases based on information received through a data exchange with HHSC.

**Purpose/Importance:** This measure provides information on the composition of the child support caseload.

**Source/Collection of Data:** This information will be obtained from management reports generated from data available on TXCSES.

**Method of Calculation:** The calculation for this measure is current TANF cases divided by the total child support caseload.

**Data Limitations:** None.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Explanatory Measure: Child Support Collected through IRS Offsets (in Millions)**

**Definition:** The amount of IV-D child support collected and then disbursed through the interception of federal income tax refunds. Submissions for the interception of tax refunds are made in accordance with federal policy. Monies intercepted through this process are used to reimburse the state for previously paid TANF benefits and to recover child support arrears owed to custodial parents.

**Purpose/Importance:** This measure evaluates the effectiveness of the IRS intercept process. Historically, the IRS tax refund intercept process has been the second most effective method for collecting child support. Only income withholding surpasses it.

**Source/Collection of Data:** This information will be obtained from management reports generated from data available on TXCSES.

**Method of Calculation:** The calculation for this measure is a cumulative count of the amount of IV-D child support collected and then disbursed through IRS offsets as provided by management reports generated from data available on TXCSES.

**Data Limitations:** None.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Explanatory Measure: Number of Hard to Work Cases**

**Definition:** The number of child support orders or paternities established during the reporting period for cases that are difficult to work. Difficult or hard to work cases include cases in which the non-custodial parent is incarcerated, the child is in the custody of a relative, there are missing SSNs or other identifiable information, there is inadequate locate information, and/or other similar factors requiring more than the average amount of time to work.

**Purpose/Importance:** This measure provides information on the agency's ability to establish paternity and/or obtain an order for support in difficult to work cases. Paternity must be determined and an order for support established before child support can be collected.

**Source/Collection of Data:** The Number of Hard to Work Cases will be a subset of Child Support Obligations and Paternities Established. This information will be obtained from management reports generated from data available on TXCSES. Hard to work cases with a new support order or paternity establishment during the year are counted and reported for this measure. A hard to work case is identified by one or more of the following factors: the non-custodial parent is incarcerated, the child is in the custody of a relative, there are missing SSNs or other identifiable information, there is inadequate locate information, and/or other similar factors requiring more than the average amount of time to work.

**Method of Calculation:** The method of calculation is a cumulative count of cases based on data available on TXCSES.

**Data Limitations:** None.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

**Strategy: STATE DISBURSEMENT UNIT**

Operate a state disbursement unit that receives and processes all eligible child support payments.

**Output Measure: Number of Payment Receipts Processed by the SDU Vendor (Key)**

**Definition:** The number of payment receipts processed by the State Disbursement Unit (SDU) vendor as stipulated in the SDU contract. Payment receipts that are processed by the OAG Child Support Division will not be included in this count.

**Purpose/Importance:** This measure assesses the performance of the vendor contracted to operate the SDU.

**Source/Collection of Data:** This information will be provided by the SDU vendor and validated by the OAG.

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of payment receipts processed by the SDU vendor.

**Data Limitations:** None.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Efficiency Measure: Average Cost Per Payment Receipt Processed by the SDU Vendor**

**Definition:** The average cost per payment receipt processed by the State Disbursement Unit (SDU). All costs associated with the SDU strategy are included in this measure and reflected on OAG budget reports. The SDU vendor will provide data on the number of payment receipts processed.

**Purpose/Importance:** This measure assesses the performance of the vendor contracted to operate the SDU.

**Source/Collection of Data:** This information will be provided by the SDU vendor and validated by the OAG.

**Method of Calculation:** The formula for this measure is direct expenditures for the SDU strategy divided by the number of payment receipts processed as reported in "Number of Payment Receipts Processed by the SDU Vendor." External annual reporting will calculate the average cost using actual expenditures and accrued obligations for the reporting appropriation year.

**Data Limitations:** None.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "L" (Lower than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Efficiency Measure: Percent of Payment Receipts Processed Then Disbursed within Two Days of Receipt**

**Definition:** Percent of all payment receipts processed and then disbursed through the SDU vendor and the OAG within two (2) business days to appropriate payees (excluding IRS off-sets and other IV-D payments for which the two-day disbursement is not applicable, per federal guidelines). The SDU will process payments from employers, non-custodial parents, IV-D agencies and other sources. Payees include custodial parents, other state agencies, IV-D agencies, and other designated payees.

**Purpose/Importance:** This measure assesses the performance of the vendor and OAG.

**Source/Collection of Data:** This information is obtained from data available on TXCSES.

**Method of Calculation:** The total number of payments processed and then disbursed within two days of receipt by the SDU vendor and the OAG divided by the total number of payments processed and then disbursed. This calculation will exclude those IV-D payments for which the two-day disbursement requirement does not apply.

**Data Limitations:** None.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

**Goal: CRIME VICTIMS' SERVICES**

To provide services and information to victims of crime in a caring, sensitive, and efficient manner.

**Objective: REVIEW/COMPENSATE VICTIMS**

To provide assistance to victims of crime through direct compensation payments, training, grants, and contracts to victim assistance providers.

**Outcome Measure: Amount of Crime Victims' Compensation Awarded (Key)**

**Definition:** The amount of monies awarded under the Crime Victims' Compensation Act.

**Purpose/Importance:** The measure can be used as a comparison between years and as an indicator of potential problems in a single year when expenditures are either higher or lower than estimated.

**Source/Collection of Data:** USAS Expenditure Detail for Crime Victims' Compensation awarded each fiscal year.

**Method of Calculation:** The calculation for this measure is a cumulative count of crime victims' compensation awarded.

**Data Limitations:** The data is affected by deviations in the number of applications for benefits received by the agency. If there is an increase or decrease in the number of applications, there may be an increase or decrease in the amount of compensation awarded. The amount of compensation awarded is also controlled by legislative changes to benefits, either by adding or deleting benefits or by increasing or decreasing the maximum amounts of existing benefits. Because medical benefits are awarded according to the limitations of the Texas Department of Insurance, Division of Worker's Compensation Medical Fee Guidelines, any changes in the Medical Fee Guidelines will also affect the amount of compensation awarded.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Outcome Measure: Number of Crime Victims Who Received an Initial Award**

**Definition:** The measure is defined as the number of crime victims that receive an initial award or an award is made on their behalf for any one of the pecuniary losses mandated by Article 56B.003 (10) of the Crime Victims' Compensation Act. The term "crime victim" refers to a person that is eligible to receive an award under the act. It includes the primary victim as defined in Article 56B.003 (14) of the act and a claimant as defined in Article 56B.003 (2) of the act. In a particular claim, the Crime Victims' Compensation Program may award the victim moneys for lost wages and for the expense of medical treatment; and may award claimants in the same claim moneys for the expense of travel or the cost of mental health counseling as the result of the crime. In this instance, the Compensation to Victims of Crime Fund has affected two crime victims; the primary victim and a family member, etc. (Claimant).

**Purpose/Importance:** The significance of this measure is to reflect the number of crime victims' lives that have been affected by the Crime Victims' Compensation Program.

**Source/Collection of Data:** Victims of Crime Compensation System Automated Report.

**Method of Calculation:** The measure is calculated by counting the initial award made to a victim on a claim during the reporting fiscal year regardless of when the application was filed. An award will not be counted during this reporting period if the initial award was made in a prior fiscal year. The measure will only count the initial award made in a given fiscal year; even though there may be subsequent awards made in the same or subsequent fiscal years.

**Data Limitations:** The data is affected by deviations in the number of applications for benefits received by the agency. The number of crime victims who receive an award is also dependent on legislative changes to benefits.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

**Strategy: CRIME VICTIMS' COMPENSATION**

Obtain and review all claims for crime victims' compensation in accordance with state and federal regulations to determine eligibility for payment; ensure that all bills are reviewed for medical reasonableness and necessity and paid at the correct rate and that limits are not exceeded.

**Output Measure: Number of Eligibility Determinations Made**

**Definition:** The total number of crime victim applications reviewed with eligibility determinations made under the Texas Crime Victims' Compensation Act.

**Purpose/Importance:** Eligibility must be determined before an award can be made. This measure reflects the output of the Eligibility Section of the Crime Victims' Compensation Program.

**Source/Collection of Data:** Victims of Crime Compensation System Automated Report. The system tracks the status of a claim and counts any determination recorded in the system whether it is benefitted or denied.

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of eligibility determinations made.

**Data Limitations:** The number of eligibility determinations made is affected by the number of applications received.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Output Measure: Number of CVC Training Participants**

**Definition:** The number of people who receive Crime Victims' Compensation (CVC) Training from the Office of the Attorney General (OAG) in a given year. Training formats may include general training sessions, video conference training sessions, and computer-based training sessions.

**Purpose/Importance:** This performance measure is intended to reflect the number of people in Texas that are receiving information about the availability of Crime Victims' Compensation and how to apply for compensation benefits. It is important to ensure that individuals and victim service providers are educated about the services available to victims and can respond sensitively to the needs of those victims.

**Source/Collection of Data:** The information for this measurement comes from a report filed by the trainer conducting the presentation. The reports are compiled on a monthly basis by the OAG (Crime Victims' Internal Report on Presentations).

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of CVC training participants.

**Data Limitations:** None.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Output Measure: Number of CVC Outreach Recipients**

**Definition:** The number of people who are exposed to Crime Victims' Compensation (CVC) outreach in a given year. All outreach is focused on raising awareness of Crime Victims' Compensation. Outreach may include but is not limited to public speeches, information booths, media interviews, public service announcements, newsletters, articles, editorials, and website visits.

**Purpose/Importance:** This performance measure indicates the number of people in Texas who have been informed about Crime Victims' Compensation. It is important to ensure that all victims are made aware of the services available to them and that communities are prepared to respond to victims' needs.

**Source/Collection of Data:** The information for this measurement comes from a report filed by the Office of the Attorney General (OAG) staff person conducting the outreach. The reports are compiled on a monthly basis by the OAG (Crime Victims' Internal Report on Presentations). For outreach in which the program has an information booth, the program only counts 25% of the total number of attendees. For media interviews, newsletters, articles, editorials, and public service announcements, 25% of the media outlet's market may be counted. For website visits, the total number of visits to the Crime Victims' Compensation Program link on the OAG website is counted.

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of CVC outreach recipients.

**Data Limitations:** None.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Efficiency Measure: Average Cost to Analyze a Claim and Make an Award**

**Definition:** The average cost to analyze a claim and make an award, including victim and allied professional education, application processing, eligibility determination and bill payment. Processing an application means counting every application that is received and setup in the Victims of Crime Compensation System as a “claim”.

**Purpose/Importance:** The measurement is an accurate reflection of the true costs associated with claims processing. The measure counts all applications received by the Crime Victims’ Compensation Program in which any work is performed, such as the setup of the application in the automated system, establishing a file, sending an acknowledgment to the applicant, requesting law enforcement information, conducting eligibility determination, and payment of bills.

**Source/Collection of Data:** Cost information comes from the agency's budget variance reports. The number of applications received comes from the Victims of Crime Compensation System Automated Report.

**Method of Calculation:** Cost information (numerator in calculation) for the Crime Victims’ Compensation Strategy is reflected on budget reports. Number of applications reviewed (denominator in calculation) is the explanatory measure Number of Crime Victim Applications Received. The formula for this measure is direct expenditures for the Crime Victims’ Compensation Strategy plus a percentage of indirect administrative support costs based on the OAG’s Indirect Cost Plan divided by the number of applications received during the reporting period. The cost of actual crime victims’ compensation payments is deducted from the total cost of the strategy. The Annual Performance Measure Report will calculate the average cost using actual expenditures and accrued obligations for the reporting appropriation year.

**Data Limitations:** Direct program expenditures for the reporting period used to establish the target for this measure may not include rider appropriations, and/or across-the-board legislative salary increases, which negatively impact reported performance.

Also, see data limitations for explanatory measure Number of Crime Victim Applications Received.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "L" (Lower than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Efficiency Measure: Average Number of Days to Analyze a Claim and Make an Award (Key)**

**Definition:** The average number of days required to make payment on a bill for a benefitted claim from the date the application is received to the date of the first payment, including the time for reviewing applications and law enforcement reports, determining eligibility, and reviewing bills for medical treatment, counseling, funeral, childcare, travel, crime scene clean-up, and other expenses, and reimbursements to law enforcement agencies for forensic sexual assault examinations.

**Purpose/Importance:** The faster an application can be determined eligible and the claim analyzed and awarded, the faster a victim is assisted.

**Source/Collection of Data:** Victims of Crime Compensation System Automated Report.

**Method of Calculation:** T.C.C.P. Art. 56B.051 defines when a crime victim application is considered complete. If an application is received without needed victim, claimant, crime information or sufficient payment information, the program requests the necessary information and places the application in suspense. The application is taken out of suspense once the requested information or any other information is received that allows the program to take further action on the application. The time an application spends in suspense is not included in this measure.

Each quarter a manual review of all claims with a turnaround time greater than 250 days is performed. When it is determined that circumstances out of the Crime Victims' Compensation Program's control prevented payment processing, the claim is subtracted from the calculation. These circumstances may include, but are not limited to, the victim utilizing collateral sources (as required by law), obtaining restitution payments, filing a civil suit, or deferring approved benefits until a later date.

NOTE: Only the first payment made on an application is counted. Subsequent payments are not captured.

**Data Limitations:** The measure is affected by deviations in the number of applications received. A change in the number of applications may impact the turnaround time to analyze a claim and make an award. The time to determine eligibility is included in the measure. Some claims have a complicated fact situation that may delay the completion of a law enforcement agency's report. In these cases, the claim is placed in a suspended status until law enforcement completes their investigation. Upon completion of the investigation, the claim is returned to open status. The Program is also dependent upon external entities to provide information necessary to calculate an award, such as: medical records, employer wage verification, medical billings and explanation of benefits from medical insurance. Sexual assault exam reimbursements and payments for funeral services and travel require less documentation, while relocation, medical expenses and psychiatric care require detailed information.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "L" (Lower than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

**Explanatory Measure:** Number of Crime Victim Applications Received

**Definition:** The total number of applications for benefits received by the agency during a fiscal year.

**Purpose/Importance:** This performance measure serves as an indicator of whether crime victims and law enforcement agencies are receiving information about the existence of the program. Most Crime Victims' Compensation Strategy performance measure targets are projected based on the number of applications received in prior fiscal years.

**Source/Collection of Data:** Victims of Crime Compensation System Automated Report.

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of crime victim applications received.

**Data Limitations:** The Crime Victims' Compensation Program has two performance measures related to outreach that reflect education and training activities intended to inform allied professionals and advocates who come into contact with crime victims. To the extent that a crime victim chooses to submit an application after being informed about the program or benefits is not within control of the agency.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Strategy: VICTIMS ASSISTANCE**

Provide grants or contracts, training, and technical assistance to support victim-related services or assistance in the state; certify Sexual Assault Nurse Examiners and sexual assault advocate training programs; and provide victims of family violence, sexual assault, and stalking with a confidential mailing address and a means of receiving mail.

### **Output Measure: Number of Entities Which Receive a Grant or Contract for Victim Services or Victim Assistance**

**Definition:** The number of entities awarded grants and/or contracts by the Office of the Attorney General for victim services or victim assistance. This measure includes, but is not limited to, non-profits, governmental units, and other entities.

**Purpose/Importance:** The measure indicates the number of state or local programs receiving assistance through the Compensation to Victims' of Crime Fund, Article 56.541, Code of Criminal Procedure, and Chapter 420 of the Government Code.

**Source/Collection of Data:** Victim Assistance Report on Grants Awarded, award letters and contracts, including contract documents, maintained by the OAG.

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of entities which receive a grant or contract for victim services or victim assistance.

**Data Limitations:** The number of entities receiving grants is affected by the amount appropriated and/or granted to the OAG by state and federal governments. The Legislature may appropriate money for this strategy by rider with a specific directive for how and whom it may be awarded. The projected target of entities receiving grants may not be achieved if state and federal funding falls short of appropriations.

Typically, the majority of grants are awarded in the first quarter of the fiscal year. However, some grants may occur later in the fiscal year.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Output Measure: Total Dollars Awarded to Victim Services or Victim Assistance Programs**

**Definition:** The amount of money awarded by grants or contracts to victim services and victim assistance programs by the Office of the Attorney General (OAG). This measure includes but is not limited to, non-profits, governmental units, and other entities.

**Purpose/Importance:** This measure reflects the amount of state and federal resources awarded through the OAG for grants and/or contracts to support victim services and victim assistance programs in Texas.

**Source/Collection of Data:** Victim Assistance Report on Grants Awarded, award letters and contracts, including contract documents, maintained by the OAG.

**Method of Calculation:** The calculation for this measure is a cumulative count of the total dollars awarded to victim services or victim assistance programs.

**Data Limitations:** The amount of money awarded is tied to the amount appropriated and/or granted to the OAG by state and federal governments. The Legislature may appropriate money for this strategy by rider with a specific directive for how and whom it may be awarded. The projected target of dollars awarded may not be achieved if state and federal funding falls short of appropriations.

Typically, the majority of dollars are awarded in the first quarter of the fiscal year. However, some awards may occur later in the fiscal year.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Output Measure: Number of Sexual Assault Training Participants**

**Definition:** The number of people who receive sexual assault prevention and crisis services training in a given year. Training is limited to that delivered by the Office of the Attorney General (OAG) and OAG funded sexual assault programs or service organizations. Training formats may include general training sessions, video conference training sessions, and computer based training sessions. Training may be provided for Sexual Assault Nurse Examiners, law enforcement, allied professionals, victim advocates, students and community organizations.

**Purpose/Importance:** This performance measure is intended to reflect the number of people in Texas trained on the problem of sexual assault, preventative measures to address the problem, and the State resources available for these efforts. It is important to ensure that individuals and victim service providers are educated about the services available to sexual assault victims and can respond sensitively to the needs of those victims.

**Source/Collection of Data:** The information for this measure comes from a report filed by the trainer conducting the presentation and from monthly reports submitted by OAG funded sexual assault programs. The reports are compiled on a monthly basis by the OAG (SAPCS Monthly Report and the Crime Victims' Internal Report on Presentations).

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of sexual assault training participants.

**Data Limitations:** The number of sexual assault training participants is affected by the amount appropriated and/or granted to the OAG by state and federal governments. The Legislature may appropriate money for this strategy by rider with a specific directive for how and whom it may be awarded. The projected target of sexual assault training participants may not be achieved if state and federal funding falls short of appropriations.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Output Measure: Number of Sexual Assault Outreach Recipients**

**Definition:** The number of people who are exposed to sexual assault prevention and crisis services outreach in a given year. All outreach is focused on raising awareness of sexual assault. The outreach presentations are limited to those delivered by the OAG and OAG funded sexual assault programs or service organizations. Outreach may include but is not limited to public speeches, information booths, media interviews, public service announcements, newsletters, articles, editorials, and website visits.

**Purpose/Importance:** This performance measure indicates the number of people in Texas who have been informed about the problem of sexual assault, preventative measures to address this problem, and the State resources available for these efforts. It is important to ensure that all sexual assault victims are made aware of the services that are available to them and that communities are prepared to respond to victims' needs.

**Source/Collection of Data:** The information for this measure comes from a report filed by the person conducting the outreach and from monthly reports submitted by OAG funded sexual assault programs. The reports are compiled on a monthly basis by the OAG (SAPCS Monthly Report). For outreach in which the program has an information booth, the program only counts 25% of the total number of attendees. For media interviews, newsletters, articles, editorials, and public service announcements, 25% of the media outlet's market may be counted. For website visits, the total number of visits to the Sexual Assault and Crisis Prevention link on the OAG website is counted.

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of sexual assault outreach recipients.

**Data Limitations:** The number of sexual assault outreach recipients is affected by the amount appropriated and/or granted to the OAG by state and federal governments. The Legislature may appropriate money for this strategy by rider with a specific directive for how and whom it may be awarded. The projected target of sexual assault outreach recipients may not be achieved if state and federal funding falls short of appropriations.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

**Goal: REFER MEDICAID CRIMES**

To provide an environment free of fraud, physical abuse, and criminal neglect for Medicaid recipients and the Medicaid program.

**Objective: MEDICAID CRIME CONTROL**

To conduct a statewide program of investigation and to refer for prosecution 100 percent of discovered violations of the Texas Medicaid Program as required by federal regulations during each year of the strategic plan.

**Outcome Measure:** Amount of Medicaid Over-payments Identified by Criminal Investigations

**Definition:** The amount of money that the unit has determined from its investigations as having been wrongfully overpaid by the Medicaid Program. Investigations are conducted for the purpose of and extent necessary to determine if criminal activity has occurred and, if appropriate, secure prosecution through local and federal prosecutors.

**Purpose/Importance:** The MFCU is charged by federal statute to investigate criminal fraudulent overpayments made by the Medicaid program. The MFCU is required to report overpayments to the United States Department of Health and Human Services – Office of Inspector General.

**Source/Collection of Data:** Automated Medicaid Fraud System Activity report.

**Method of Calculation:** The calculation for this measure is a cumulative count of the amount of Medicaid overpayments identified.

**Data Limitations:** The OAG's Medicaid Fraud Control Unit has no prosecutorial authority. Nor is there a statute that mandates the prosecuting authority to prosecute MFCU cases. Overpayments identified are limited to those discovered during the course of the investigation. Investigations do not usually identify total overpayments.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Strategy: MEDICAID INVESTIGATION**

Conduct a statewide program of investigation and refer for prosecution all violations of laws pertaining to fraud in the administration of the Texas Medicaid Program, the provision of medical assistance, and the activities of providers of medical assistance under the State Medicaid Plan. Review complaints alleging abuse or neglect of patients in health care facilities receiving payments under the State Medicaid Plan.

### **Output Measure: Number of Investigations Concluded (Key)**

**Definition:** The number of investigations completed during the reporting period regardless of results. Cases are opened when the Medicaid Fraud Control Unit determines the referral has prosecution potential and resources are available to conduct investigations. Investigations are closed (concluded): when the OAG determines there is lack of sufficient evidence to refer for prosecution, a referral for prosecution is declined, or upon disposition of the case by the local or federal prosecutor.

**Purpose/Importance:** The MFCU is charged by federal statute to conduct a statewide program for investigating and prosecuting (or referring for prosecution) violations of all applicable state laws pertaining to fraud in the Medicaid program. The MFCU is required to report the number of investigations concluded to the United States Department of Health and Human Services – Office of Inspector General.

**Source/Collection of Data:** Automated Medicaid Fraud System Activity report.

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of investigations concluded.

**Data Limitations:** The number of investigations concluded is affected by the number, size (how long the case takes to investigate) and type of referrals. Some cases may take longer to conclude in order to obtain a positive result.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Output Measure: Number of Cases Referred for Prosecution**

**Definition:** The number of investigations that have disclosed violations of criminal law and that have been referred to an appropriate prosecuting authority for prosecutive consideration.

**Purpose/Importance:** The MFCU is charged by federal statute to refer cases for prosecution. The MFCU is required to report the number of referrals for prosecution to the United States Department of Health and Human Services – Office of Inspector General.

**Source/Collection of Data:** Automated Medicaid Fraud System Activity report.

**Method of Calculation:** The calculation for this measure is a cumulative count of the number of cases referred for prosecution.

**Data Limitations:** The number of cases referred for prosecution is impacted by the facts of the case.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Target Attainment:** "H" (Higher than target).

## Schedule B: List of Measure Definitions for Fiscal Years 2024-2025

### **Efficiency Measure: Average Cost Per Investigation Concluded**

**Definition:** The average cost per Medicaid Fraud Control Unit (MFCU) investigation concluded.

**Purpose/Importance:** This measure is an indicator of cost effectiveness.

**Source/Collection of Data:** Cost information for the MFCU Strategy comes from the agency's budget variance reports. Number of Investigations Concluded is an output measure for this Strategy. The automated Medicaid Fraud System Activity report provides the total number of investigations concluded.

**Method of Calculation:** The formula for this measure is direct expenditures for the MFCU Strategy plus a percentage of indirect administrative support costs based on the OAG's Indirect Cost Plan divided by the Number of Investigations Concluded for the reporting period. The Annual Performance Measure Report will calculate the average cost using actual expenditures and accrued obligations for the reporting appropriation year.

**Data Limitations:** Direct program expenditures for the reporting period used to establish the target for this measure may not include rider appropriations, and/or across-the-board legislative salary increases, which negatively impact reported performance.

Also, see data limitations for output measure Number of Investigations Concluded.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Target Attainment:** "L" (Lower than target).

# Schedule C: Historically Underutilized Business Plan for Fiscal Years 2024-2025

## Section I: Mission

The mission of the Office of Attorney General’s (OAG) Historically Underutilized Business (HUB) Program is to make a good faith effort to meet the OAG’s HUB goals based upon the 2009 State of Texas Disparity Study conducted by the Texas Comptroller of Public Accounts (CPA). In accordance with Texas Government Code, Chapter 2161 and 34 Texas Administrative Code §§20.281-20.298, the OAG administers programs which encourage participation by HUBs, in all contracting and subcontracting opportunities.

## Section II: Overview

The OAG submitted the HUB Plan in compliance with the reporting requirements of the General Appropriations Act (GAA), Article IX, Sections 7.06 and 7.08. The OAG HUB Plan is responsive to GAA, Article IX, Section 7.07 (a) (1) and (a) (3) (E)-(F). The OAG refers to the 2009 Texas Disparity Study conducted by the CPA Statewide Procurement Division (SPD) for the information requested in the GAA, Article IX, Section 7.07 (a)(3)(A)-(D). The OAG’s HUB goals and strategic plan incorporated the 2009 Texas Disparity Study’s findings and results. The activities stated in the GAA, Article IX, Section 7.07 (3)(A)-(D) are activities associated with conducting a disparity study. These reporting requirements are now included in the GAA, Article IX, Section 7.08 and Reporting of HUB Key Measures.

The OAG HUB participation for FY 2018-2021 is identified in Table 1.

**Table 1: FY 2018-2021 HUB Participation**

Fiscal Year	HUB Percentage
FY 2018	43.04%
FY 2019	28.04%
FY 2020	25.57%
FY 2021	18.93%

The OAG HUB utilization in FY 2021 was 18.93 percent versus the statewide average of 10.48 percent. The COVID-19 pandemic and subsequent economic disturbances such as lower spending, decreased demand for goods, and supply chain interruptions caused extreme fluctuations in the overall HUB attainment. The OAG will continue its good faith efforts to meet the HUB procurement category goals,<sup>1</sup> specific to OAG expenditure types.

## Section III: FY 2022 Goals

The goal of the OAG HUB Program is to promote fair and competitive business opportunities which maximize the inclusion of minority-owned, woman and service-disabled veteran-owned businesses certified through the CPA’s Statewide Procurement Division (SPD).

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<sup>1</sup> HUB goals were re-assessed June 2021.

## Schedule C: Historically Underutilized Business Plan for Fiscal Years 2024-2025

The OAG HUB goals are appropriate to our expenditures, and the 2009 State of Texas Disparity Study goal setting methodology. The OAG strives to meet or exceed these goals by its proactive approach in the procurement process. This approach ensures that the opportunity for state business has been extended to as many HUB vendors as possible.

The FY 2022 OAG HUB procurement category goals are identified in Table 2.

**Table 2: FY 2022 OAG HUB Procurement Category Goals**

Procurement Category	OAG HUB Goal
Heavy Construction <sup>2</sup>	N/A
Building Construction <sup>3</sup>	N/A
Special Trades <sup>4</sup>	32.90%
Professional Services <sup>5</sup>	0.00%
Other Services	26.00%
Commodities	21.10%

In addition, the OAG seeks to increase HUB utilization through direct expenditures and HUB subcontracting among our larger contracts, which are estimated to account for 40-60 percent of total HUB expenditures.

### Section IV: HUB Programs, Processes, and Activities

#### A. Access

- Increase the number of certified HUB vendor responses received by supplementing bid opportunities with Non-Centralized Master Bidders List (CMBL) HUB vendors.
- Attend OAG mission-related events and conferences where vendors will be participating and/or demonstrating services and products related to the OAG's statutory responsibilities.
- Obtain assurances that awarded prime contractors will make a good-faith effort to subcontract with HUBs, based on their HUB Subcontracting Plans (HSP); and maintain that commitment throughout the contract.
- Maintain a HUB Program office including a full time HUB Coordinator in the Procurement and Contract Operations Division
- Facilitate meetings between HUB vendors, OAG purchasing staff and other key OAG decision makers.
- Coordinate HUB forums and outreach events.
- Participation in Senator West's annual "Doing Business Texas Style" Spot Bid Fair.

#### B. Awareness

- Conduct major solicitation pre-bid conferences briefing the vendor community on HUB Subcontracting Plan (HSP) requirements.
- Post pre-bid conference sign-in sheet on the Electronic State Business Daily with solicitation

<sup>2</sup> The agency does not make expenditures in the Heavy Construction category.

<sup>3</sup> The agency does not make expenditures in the Building Construction category.

<sup>4</sup> Leasehold improvement vendor selections for OAG field offices are made by the Texas Facilities Commission and the lessor.

<sup>5</sup> The agency does not make expenditures for Professional Services.

## Schedule C: Historically Underutilized Business Plan for Fiscal Years 2024-2025

- documents as resource for prime vendors to network with potential HUB subcontractors.
- Notify HUB vendors via email for solicitations over \$100,000 with identified potential subcontracting opportunities. Note: The subcontracting opportunities identified within large procurements may be classified by differing class and item National Institute of Governmental Purchasing codes.
- Notify HUB vendors listed under the class and item numbers of pre-solicitation conferences.
- Contact large corporations through their Supplier Diversity Programs.
- Conduct one-on-one HUB vendor meetings to discuss in depth the opportunity that exists and provide attainable work plan to increase HUB vendor's knowledge of the State of Texas procurement processes. Increase the number of "virtual" events by hosting web-based vendor information sessions.
- Provide an internal HUB Program plan to update the OAG's Executive Management team regarding HUB program activities, related initiatives, and projects.
- Participate in the activities of the HUB Discussion Workgroup, Texas African American Chambers of Commerce, Texas Mexican American Chambers of Commerce, Texas Chamber of Commerce, and Office of the Governors Department of Small Business Assistance, Economic Development and Tourism.

### C. Accountability

- Conduct post-award meetings with end users and awarded contractor to ensure their understanding of required HUB reporting post award.
- Monitor the HSP Prime Contractor Progress Assessment Reports (PAR) as applicable to resulting awarded contracts.
- Incorporate HSP PAR into OAG's internal procurement system (CAPPS).
- Prepare monthly reports to assess HUB utilization by OAG division.
- Expand the Mentor-Protégé Program and establish quantifiable milestones designed to foster successful relationships between prime contractors and HUBs.
- Create a HUB reporting dashboard for division HUB utilization.
- Recognize prime contractors HUB utilization and good faith efforts with an OAG certificate signed by the Attorney General.
- Monitor total expenditures and the percentage of purchases awarded directly and indirectly through subcontracting to HUBs, under the applicable procurement categories.
- Track the number of contracts awarded to certified HUBs resulting from OAG's outreach efforts.
- Conduct in-reach training with a "Best Practices for HUB Subcontracting" training session for OAG project managers, contract attorneys, and procurement staff.
- Provide new Procurement Division staff "HUB 101" and "Best Practices Guidelines" training.

The OAG is fully committed in its efforts to enhance and encourage growth for minority-owned, woman-owned, and service-disabled veteran-owned businesses.

## Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025

### Fiscal Years

2024 – 2025

### Project Name

Child Support IT System Modernization, Phase 3

### Type

Information Resources

### Description of the Project or Acquisition

Phase 3 of the System Modernization project continues the transformation of the child support system and applications using modern Software as a Service, integration Platform as a Service (SaaS/iPaaS), low code, and cloud technologies. This phase of the project represents activity planned through August of 2025 and builds upon work that will be completed in Phase 2, which ends in August 2023. During Phase 2, CSD built upon Agile software development processes and continued to build out required systems architecture and infrastructure of the renewed system. Phase 2 completes the rollout of five key products including *Contact Center* for call center support, an *Employer Portal*, *Contract Management and Analytics*, the *Child Support Connect Portal* for self-service for parents, and a modernized financial system. Phase 3 will complete the process of removing application dependencies from the legacy mainframe system, optimize systems architecture and infrastructure, and deliver value to internal and external customers through modernizing case management core system components, including locate, establishment, enforcement, and reporting capabilities.

### Anticipated Useful Life of the Project

The expected useful life of the project is estimated 7-10 years.

### Timing of the Capital Need

FY 2024	FY 2025	FY 2026	FY 2027	Total
\$36,000,000	\$12,000,000	\$0	\$0	\$48,000,000

### Proposed Source of Funds (Method of Financing)

General Revenue and Federal Funds

### Proposed Type of Financing

Cash

### Legislative Authority of the Project

Texas Government Code, Chapter 2054. Information Resources

## **Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025**

### **Potential Consequences of Postponing**

A loss of funding would not only hinder our ability to continue and build upon the successes and momentum generated in the past three years but would also have a significant and lasting impact on the OAG's ability to fulfill its mission of ensuring that Texas children get the support they need and deserve. While the existing mainframe system has enabled Texas to become a national leader in the delivery of child support services, the OAG's ability to sustain and improve its performance are limited by legacy technology. Like all agencies, the OAG is faced with an impending retirement cliff. As our most tenured and experienced employees approach and achieve retirement eligibility, it becomes even more critical to leverage their expertise and deep programmatic knowledge to support efforts to build the child support program of tomorrow. The momentum and experience built in the last three years have positioned this project for successful scaling and deployment of several applications critical to support initiatives.

A delay of Phase 3 funding and the loss of associated federal financial participation would cause a multi-million dollar loss of both actual and opportunity costs. This would result in the need to reobtain skills, the loss of institutional knowledge, and the need to award new contracts, as well as delay realizing benefits. In addition, delay will increase costs for extended hardware and software support for legacy systems while increasing risk and technical debt.

### **Revenue/Cost Savings**

Improved workflow and business processes automation coupled with reduced hardware and software expenses will result in cost savings and cost avoidance netting a positive return on investment.

### **Additional Related Information Requested by the Bond Review Board**

None

### **Legal Requirement**

Each state agency and institution of higher education is required to submit a Capital Expenditure Report to the Texas Higher Education Coordinating Board and Bond Review Board for each biennium in which specific types of capital projects are planned. The legal authority and requirement for this report is 87th Legislative Session, Senate Bill 1 (General Appropriations Act), 2022-23 Biennium, Art. IX, Sec. 11.03. Details may be found on the Bond Review Board website at: [http://www.brb.state.tx.us/cep/cep\\_legislation.aspx](http://www.brb.state.tx.us/cep/cep_legislation.aspx).

## Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025

### Fiscal Years

2024 – 2025

### Project Name

Child Support Mainframe Decommission Project

### Type

Information Resources

### Description of the Project or Acquisition

The child support mainframe has over 25 years and 213 terabytes of legacy data. While the Child Support IT System Modernization Project will complete removing all mainframe dependencies, this project will focus on the continuous process and disposition of archiving all mainframe data to modern storage systems. State records retention schedules requires the OAG to maintain child support case data for five years after the case has closed. Systems and tooling utilized as a result of this project will allow for continuously archiving of case data to maximize the efficiency on platforms for open cases, while remaining in legal compliance with records retention schedules. Key historical case data and information will also be made available for data analytics and reporting solutions.

### Anticipated Useful Life of the Project

The expected useful life of the project is estimated 7-10 years.

### Timing of the Capital Need

FY 2024	FY 2025	FY 2026	FY 2027	Total
\$10,000,000	\$10,000,000	\$0	\$0	\$20,000,000

### Proposed Source of Funds (Method of Financing)

General Revenue and Federal Funds

### Proposed Type of Financing

Cash

### Legislative Authority of the Project

Texas Government Code, Chapter 2054. Information Resources

### Potential Consequences of Postponing

Potential risks associated with an aging and retiring workforce to support the mainframe are high and demand an overall IT legacy application modernization strategy. In addition, delay will increase costs for extended hardware and software support for legacy systems while increasing risk and technical debt.

### Revenue/Cost Savings

Improved automation and increased data-driven decision making, coupled with reduced hardware and software expenses, will result in cost savings and cost avoidance netting a positive return on investment.

## Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025

### **Additional Related Information Requested by the Bond Review Board**

None

### **Legal Requirement**

Each state agency and institution of higher education is required to submit a Capital Expenditure Report to the Texas Higher Education Coordinating Board and Bond Review Board for each biennium in which specific types of capital projects are planned. The legal authority and requirement for this report is 87th Legislative Session, Senate Bill 1 (General Appropriations Act), 2022-23 Biennium, Art. IX, Sec. 11.03. Details may be found on the Bond Review Board website at: [http://www.brb.state.tx.us/cep/cep\\_legislation.aspx](http://www.brb.state.tx.us/cep/cep_legislation.aspx).

## Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025

### Fiscal Years

2024 – 2025

### Project Name

Legal Case Modernization

### Type

Information Resources

### Description of the Project or Acquisition

The OAG Legal Case Modernization project will migrate 14 legal divisions to a modern, low-code, configurable system for case management. This project will unify all legal divisions under one platform and streamline the ability for case collaboration, optimized document management, workflow, task management, and case analytics.

The OAG manages a caseload of almost 30,000 cases at any given time. Outcomes of this project will include:

- Removing documents from numerous shared network drives and systems to a single content management platform where work product can be collaboratively shared, versioned, searched, and associated to one or many cases.
- Shared visibility into case information, deadlines, tasks, and court dates through integrated calendaring and scheduling capabilities.
- Dashboards with real-time visibility to key agency metrics including number of cases, attorney case load, hours associated to a case, win/loss rates, and time/hours billed.

### Anticipated Useful Life of the Project

The expected useful life of the project is estimated 7-10 years.

### Timing of the Capital Need

FY 2024	FY 2025	FY 2026	FY 2027	Total
\$6,000,000	\$1,500,000	\$0	\$0	\$7,500,000

### Proposed Source of Funds (Method of Financing)

General Revenue

### Proposed Type of Financing

Cash

### Legislative Authority of the Project

Texas Government Code, Chapter 2054. Information Resources

### Potential Consequences of Postponing

Postponing implementation of the Legal Case Modernization project will result in continued use of systems that are disjointed. Agency operations and collaboration would also be limited due to the lack of usage and buy-in to the current system because of its cumbersome user experience, limited capabilities, and complete reliance on an external vendor for every system modification.

## **Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025**

### **Revenue/Cost Savings**

The Legal Case Modernization will provide a significant long-term return on investment by allowing the OAG to optimize case management of all its legal divisions.

### **Additional Related Information Requested by the Bond Review Board**

None

### **Legal Requirement**

Each state agency and institution of higher education is required to submit a Capital Expenditure Report to the Texas Higher Education Coordinating Board and Bond Review Board for each biennium in which specific types of capital projects are planned. The legal authority and requirement for this report is 87th Legislative Session, Senate Bill 1 (General Appropriations Act), 2022-23 Biennium, Art. IX, Sec. 11.03. Details may be found on the Bond Review Board website at: [http://www.brb.state.tx.us/cep/cep\\_legislation.aspx](http://www.brb.state.tx.us/cep/cep_legislation.aspx).

## Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025

### Fiscal Years

2024 – 2025

### Project Name

Application Modernization Project

### Type

Information Resources

### Description of the Project or Acquisition

The OAG Administrative and Legal Divisions are in the process of removing all dependencies from its legacy mainframe, including the CAPPs Financials migration and Legal Case Legacy Modernization. This project will focus on all other legacy applications that remain and the process to archive data in more modern storage systems. State records retention schedules requires the OAG to maintain legal case files anywhere from five years upwards to permanent retention depending on the case. Systems and tooling utilized as a result of this project will be utilized on an ongoing basis to continuously archive case data to maximize the efficiency on platforms for open cases, while remaining in legal compliance for records retention schedules for closed cases. Key historical case data and information will also be made available for data analytics and reporting solutions.

### Anticipated Useful Life of the Project

The expected useful life of the project is estimated 7-10 years.

### Timing of the Capital Need

FY 2024	FY 2025	FY 2026	FY 2027	Total
\$4,625,000	\$0	\$0	\$0	\$4,625,000

### Proposed Source of Funds (Method of Financing)

General Revenue

### Proposed Type of Financing

Cash

### Legislative Authority of the Project

Texas Government Code, Chapter 2054. Information Resources

### Potential Consequences of Postponing

Potential risks associated with an aging and retiring workforce to support the mainframe are high and demand an overall IT legacy application modernization strategy. In addition, delay will increase costs for extended hardware and software support for legacy systems while increasing risk and technical debt.

### Revenue/Cost Savings

Improved automation and increased data-driven decision making, coupled with reduced hardware and software expenses, will result in cost savings and cost avoidance netting a positive return on investment.

## Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025

### **Additional Related Information Requested by the Bond Review Board**

None

### **Legal Requirement**

Each state agency and institution of higher education is required to submit a Capital Expenditure Report to the Texas Higher Education Coordinating Board and Bond Review Board for each biennium in which specific types of capital projects are planned. The legal authority and requirement for this report is 87th Legislative Session, Senate Bill 1 (General Appropriations Act), 2022-23 Biennium, Art. IX, Sec. 11.03. Details may be found on the Bond Review Board website at: [http://www.brb.state.tx.us/cep/cep\\_legislation.aspx](http://www.brb.state.tx.us/cep/cep_legislation.aspx).

## Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025

### Fiscal Years

2024 – 2025

### Project Name

Criminal Investigations Data Intelligence Solution

### Type

Information Resources

### Description of the Project or Acquisition

The OAG Criminal Investigation Division uses numerous disjointed systems to manage criminal investigative work that varies and ranges from investigations into human trafficking to cold cases. Evidence is dispersed through numerous stored network drives and storage systems. Criminal cases contain some of the most sensitive data within our agency. This data requires systematic tagging, classification, case association, isolation, and more importantly, chain of custody controls to ensure data is preserved and unaltered. The amount of data and information associated with a criminal investigation has grown drastically due to rich media, video evidence, and social media. A more efficient, secure way to store, manage, and collaborate with this data and information within our agency and other law enforcement entities is required.

### Anticipated Useful Life of the Project

The expected useful life of the project is estimated 7-10 years.

### Timing of the Capital Need

FY 2024	FY 2025	FY 2026	FY 2027	Total
\$ 3,200,000	\$ 1,500,000	\$0	\$0	\$4,700,000

### Proposed Source of Funds (Method of Financing)

General Revenue

### Proposed Type of Financing

Cash

### Legislative Authority of the Project

Texas Government Code, Chapter 2054. Information Resources

### Potential Consequences of Postponing

The lack of automation and use of multiple disconnected processes hinders business efficiency, the ability to leverage modern technologies, the sharing of critical case data, and data intelligence analysis capabilities.

### Revenue/Cost Savings

The criminal justice divisions will be served more efficiently with a criminal investigations data intelligence solution. Optimized data sharing will be more cost efficient, allowing the agency to continue adding functionalities and enhanced efficiencies.

## Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025

### **Additional Related Information Requested by the Bond Review Board**

None

### **Legal Requirement**

Each state agency and institution of higher education is required to submit a Capital Expenditure Report to the Texas Higher Education Coordinating Board and Bond Review Board for each biennium in which specific types of capital projects are planned. The legal authority and requirement for this report is 87th Legislative Session, Senate Bill 1 (General Appropriations Act), 2022-23 Biennium, Art. IX, Sec. 11.03. Details may be found on the Bond Review Board website at: [http://www.brb.state.tx.us/cep/cep\\_legislation.aspx](http://www.brb.state.tx.us/cep/cep_legislation.aspx).

## Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025

### Fiscal Years

2024 – 2025

### Project Name

Consumer Complaint Platform

### Type

Information Resources

### Description of the Project or Acquisition

The OAG protects Texans by accepting complaints, filing civil cases in the public interest, and educating Texans on how to spot and avoid possible scams. This project will modernize the consumer complaint online form to a mobile application on the Texas by Texas (TxT) platform. It includes updating identity management, the ability to utilize mobile devices to submit online complaints for unlawful business practices, and the ability to notify users of potential cyber threats and internet or email scams.

### Anticipated Useful Life of the Project

The expected useful life of the project is estimated 7-10 years.

### Timing of the Capital Need

FY 2024	FY 2025	FY 2026	FY 2027	Total
\$ 3,200,000	\$1,500,000	\$0	\$0	\$4,700,000

### Proposed Source of Funds (Method of Financing)

General Revenue

### Proposed Type of Financing

Cash

### Legislative Authority of the Project

Texas Government Code, Chapter 2054. Information Resources

### Potential Consequences of Postponing

Limitations within our current system prohibits the OAG from resolving more consumer complaints. These limitations lead to a duplication of work, unclear status of complaints for consumers, and the need for manual intervention.

### Revenue/Cost Savings

A modernized Consumer Complaint System will assist OAG employees to assess complaints as they are filed more efficiently and effectively to potentially maximize recoveries and injunctive relief, engage in mediation with businesses and consumers, and correlate complaints often observed when a state of emergency is declared by the Governor.

## **Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025**

The OAG requested consideration from the Joint Oversight Committee on Investment in Information Technology Improvement and Modernization Projects through the Department of Information Resources (DIR) to utilize American Rescue Plan Act (ARPA) funding as identified in Section 25 of Senate Bill 8, 87th Legislature, 3<sup>rd</sup> Called Session for the Consumer Complaint Platform during FY 2023. Should ARPA funding not be approved by the oversight committee, the OAG will pursue this project in the 2024-2025 biennium.

### **Additional Related Information Requested by the Bond Review Board**

None

### **Legal Requirement**

Each state agency and institution of higher education is required to submit a Capital Expenditure Report to the Texas Higher Education Coordinating Board and Bond Review Board for each biennium in which specific types of capital projects are planned. The legal authority and requirement for this report is 87th Legislative Session, Senate Bill 1 (General Appropriations Act), 2022-23 Biennium, Art. IX, Sec. 11.03. Details may be found on the Bond Review Board website at: [http://www.brb.state.tx.us/cep/cep\\_legislation.aspx](http://www.brb.state.tx.us/cep/cep_legislation.aspx).

## Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025

### Fiscal Years

2024 – 2025

### Project Name

Cyber Security Management, Governance, & Reporting

### Type

Information Resources

### Description of the Project or Acquisition

The OAG has over 2,000 technology assets responsible for safeguarding data and information for legal services, child support, criminal justice, and crime victims. This project will focus on the automation of discovery, inventory, monitoring, and alerting for each technology asset. This will assure the data is monitored, controlled, encrypted, and safeguarded.

### Anticipated Useful Life of the Project

The expected useful life of the project is estimated 7-10 years.

### Timing of the Capital Need

FY 2024	FY 2025	FY 2026	FY 2027	Total
\$2,175,000	\$2,000,000	\$0	\$0	\$4,175,000

### Proposed Source of Funds (Method of Financing)

General Revenue

### Proposed Type of Financing

Cash

### Legislative Authority of the Project

Texas Government Code, Chapter 2054. Information Resources

### Potential Consequences of Postponing

OAG technology assets span over 100 offices, multiple data centers, and clouds. Utilizing modern security capabilities assists our IT teams with safeguarding our expanding data footprint as our constituents needs become increasingly digital. This will allow for monitoring that incorporates industry leading automation, visibility, and security. This would place the OAG in the best position to move towards a more secure zero trust network access. Postponing this project impacts the ability to continuously increase OAG security posture.

### Revenue/Cost Savings

The OAG requested consideration from the Joint Oversight Committee on Investment in Information Technology Improvement and Modernization Projects through DIR to utilize ARPA funding as identified in Section 25 of Senate Bill 8, 87th Legislature, 3<sup>rd</sup> Called Session for the Cyber Security Management, Governance, & Reporting project during FY 2023. Should ARPA funding not be approved by the oversight committee, the OAG will pursue this project in the 2024-2025 biennium.

## Schedule D: Statewide Capital Planning for Fiscal Years 2024-2025

### **Additional Related Information Requested by the Bond Review Board**

None

### **Legal Requirement**

Each state agency and institution of higher education is required to submit a Capital Expenditure Report to the Texas Higher Education Coordinating Board and Bond Review Board for each biennium in which specific types of capital projects are planned. The legal authority and requirement for this report is 87th Legislative Session, Senate Bill 1 (General Appropriations Act), 2022-23 Biennium, Art. IX, Sec. 11.03. Details may be found on the Bond Review Board website at: [http://www.brb.state.tx.us/cep/cep\\_legislation.aspx](http://www.brb.state.tx.us/cep/cep_legislation.aspx).

# Schedule F: Agency Workforce Plan

## Part I: Overview

### About the Agency

The Texas Attorney General is the State of Texas's chief legal officer. As provided by the Texas Constitution and statutes, some of the main responsibilities of the Office of the Attorney General (OAG) include:

- Serving as legal counsel to all boards and agencies of state government;
- Issuing legal opinions when requested by the Governor, heads of state agencies and other officials and agencies as provided by Texas statutes;
- Sitting as an ex-officio member of State committees and commissions;
- Defending challenges to State laws and suits against both state agencies and individual employees of the State; and
- Filing civil suits on behalf of other state agencies.

In some circumstances, the Attorney General has original jurisdiction to prosecute violations of the law, but in other cases, criminal prosecutions by the Attorney General are initiated only upon the request of a local prosecutor.

The OAG serves and protects the rights of all Texas citizens. These efforts include, but are not limited to enforcement of health, safety, and consumer regulations, educational outreach programs, protection of the rights of the elderly and disabled, collection of court-ordered child support, and the administration of the Compensation to Victims of Crime Fund.

### Core Business Functions

The OAG provides high-quality legal services, including representation, counsel, and assistance to state agencies, and institutions of higher education. The OAG responds to the litigation needs of the State of Texas by defending and enforcing Texas law using appropriate pre-trial, trial, and appellate actions. In addition, the OAG administers the State's Child Support program and provides a wide array of criminal justice-related services.

#### *Legal Counsel*

The OAG provides legal counsel and related services both internally and externally. These services include issuing formal legal opinions to statutorily authorized requestors, issuing open records letters and decisions to appropriate governmental entities, reviewing public bond obligations issued by Texas governmental entities, handling contract disputes for state agencies, representing the public interest in certain charitable-related matters, and defending state laws against constitutional challenges.

#### *Civil Litigation*

The OAG performs a wide variety of civil litigation-related services. These services include, but are not limited to representing State agencies in administrative law matters, prosecuting antitrust violations, recovering debts owed to the State, investigating unlawful acts against the Medicaid program, enforcing the Texas Deceptive Trade Practices Act, representing the State in environmental protection matters, defending State agencies in civil litigation, providing representation to law enforcement agencies, defending the state in certain tax-related matters, representing state agencies in property damage suits, and providing litigation services to the Texas Department of Transportation.

## Schedule F: Agency Workforce Plan

### *Child Support*

As the statutorily designated child support enforcement agency for the State of Texas, the OAG is responsible for the establishment and enforcement of child support. The OAG provides a host of child support services across the state. These services include establishing paternity; obtaining court orders for financial, medical, and dental support for children; enforcing child support orders; and collaborating with state agencies and community organizations to serve Texas families.

### *Criminal Justice*

A key component of the OAG's mission is to secure justice for Texans by investigating and prosecuting criminal activities, including crimes of human trafficking, internet crimes against children, election fraud, and assisting local law enforcement in prosecutions and appeals.

The OAG also operates the Medicaid Fraud Control Unit (MFCU), which investigates criminal fraud by Medicaid providers and abuse and neglect of patients in health care facilities operated by the Medicaid program. MFCU also helps local and federal authorities with Medicaid fraud-related prosecutions.

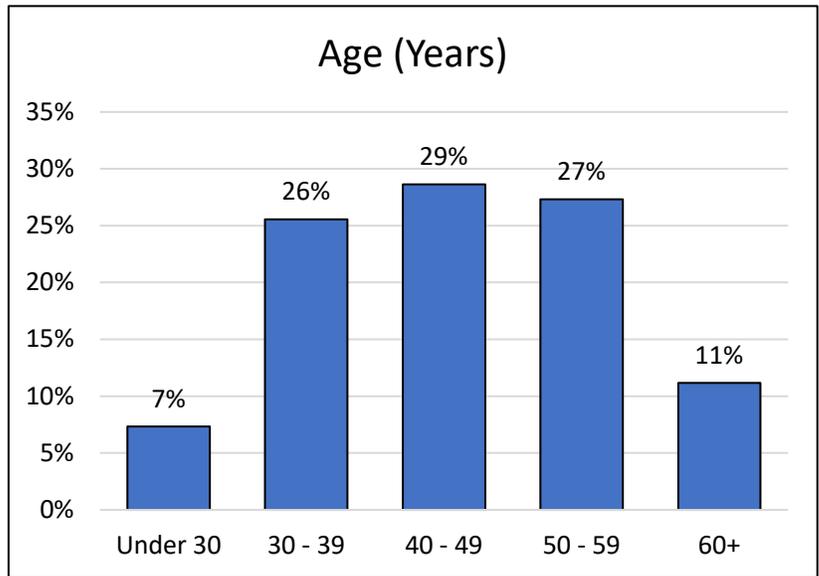
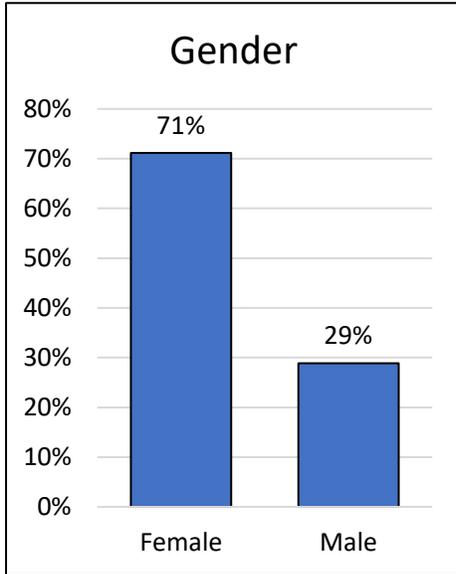
In addition, the OAG serves victims of crime through direct compensation payments, victim assistance, and grants to victim assistance providers.

# Schedule F: Agency Workforce Plan

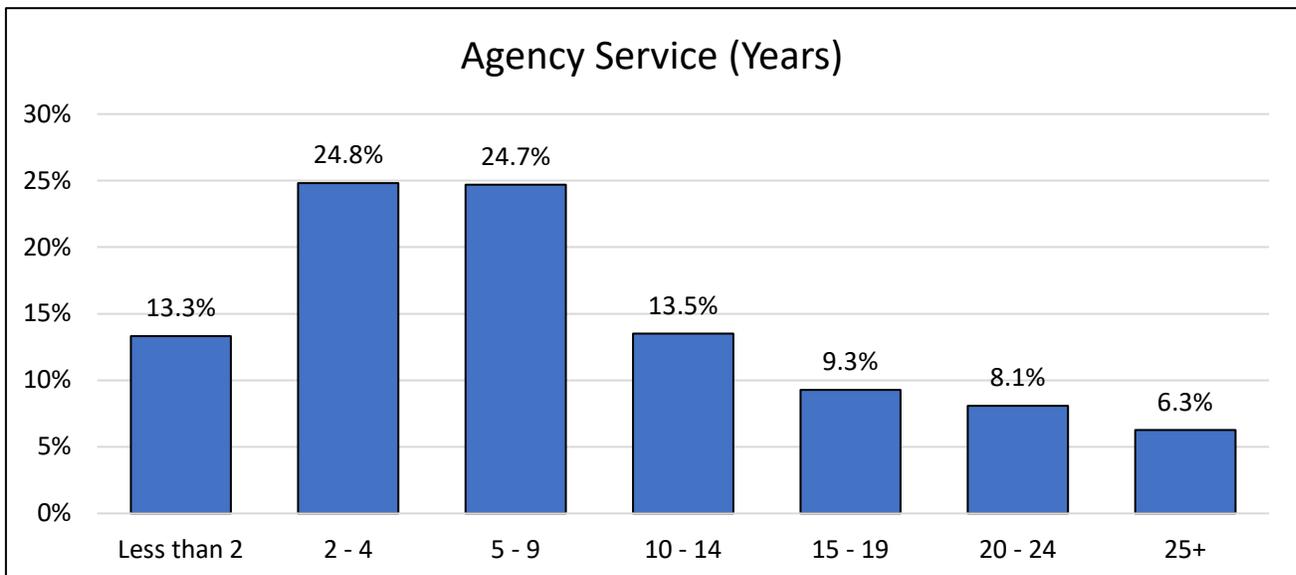
## Part II: Current Workforce Profile

### Workforce Demographics

As of February 28, 2022, the OAG has 3,879 employees. The OAG workforce is 71 percent female and 29 percent male, with an ethnic group composition of 42.5 percent White, 37.7 percent Hispanic, 14.6 percent African American, 2.9 percent Asian, 2.0 percent Two or More Ethnic Groups, 0.2 percent American Indian/Alaskan Native, and 0.2% Native Hawaiian/Other Pacific Islander. The average age is 46.0 years, with 67 percent of the agency’s employees 40 years of age or older. The average length of agency service is 9.75 years – 63 percent of agency employees have less than ten years of agency service, while 37 percent have ten or more. The following charts are profiles of the agency’s full-time and part-time employee workforce.



Source: Centralized Accounting and Payroll/Personnel System (CAPPS)



Source: Centralized Accounting and Payroll/Personnel System (CAPPS)

## Schedule F: Agency Workforce Plan

The following table compares the percentage of African American, Hispanic, and female OAG employees as of February 28, 2022, to the statewide civilian workforce as reported by the Texas Workforce Commission’s Civil Rights Division.

Job Category	African American		Hispanic		Female	
	OAG %	State %	OAG %	State %	OAG %	State %
Officials and Administrators	5.00	8.10	17.86	22.40	46.43	38.80
Administrative Support	12.75	14.30	41.00	36.40	86.00	71.60
Service Maintenance <sup>6</sup>	22.16	13.20	49.97	52.40	87.17	52.00
Professionals	9.25	10.90	27.02	20.30	63.51	54.50
Protective Service	7.33	20.80	29.67	30.90	22.34	23.00
Skilled Craft	0.00	10.20	50.00	51.50	50.00	12.00
Technicians	9.52	14.40	29.37	29.20	39.68	55.20

Source: Texas Workforce Commission’s 2021 Workforce Utilization Analysis Tool

Source: Centralized Accounting and Payroll/Personnel System (CAPPS)

Most of the demographics of the OAG workforce are statistically representative of the Texas labor pool. As calculated with the 2021 Workforce Utilization Analysis Tool provided by the Texas Workforce Commission’s Civil Rights Division, the categories with potential underutilizations are African American Officials and Administrators, African American Protective Service, African American Technicians, and Female Technicians.

Pursuant to the OAG EEO Plan, the OAG will continue to endeavor to recruit more staff for the categories identified above. The Human Resources Director will emphasize the recruitment of individuals for jobs listed within the categories in which the OAG’s workforce has an underutilization. Programs used for this purpose will include the OAG’s Intern Program, which recruits interns at the undergraduate level. The OAG will also endeavor to attend minority recruitment fairs at historically diverse universities as resources allow.

Additionally, the OAG remains compliant with federal and state laws and regulations regarding the recruitment and selection of veterans. As of February 28, 2022, 7.0 percent of OAG employees are veterans.

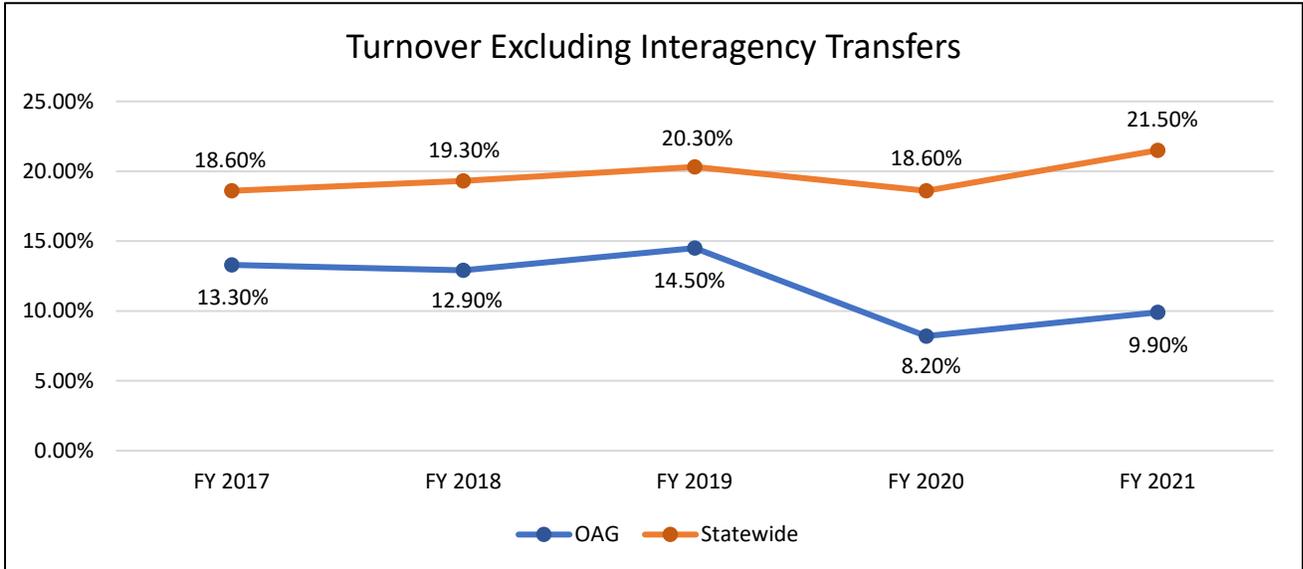
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<sup>6</sup> Per directive from the Texas Workforce Commission’s Civil Rights Division, the “Paraprofessionals” category is combined with the “Service Maintenance” category.

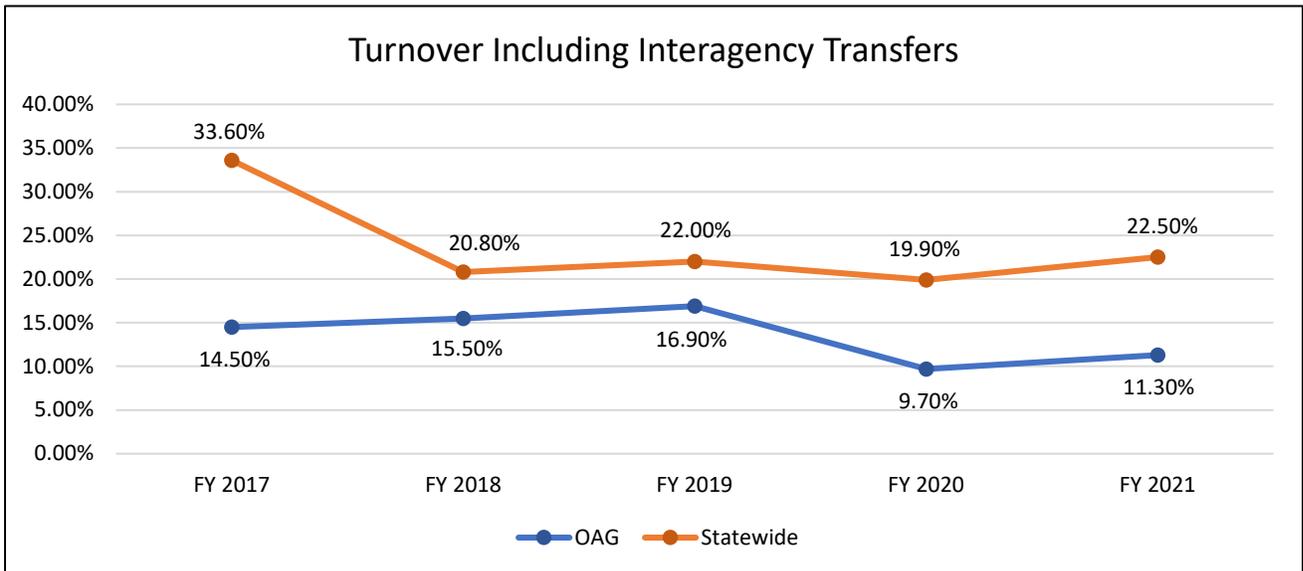
## Schedule F: Agency Workforce Plan

### Employee Turnover

The turnover rate for the OAG is consistently below the turnover rate across all state agencies. A comparison of the OAG turnover rate to the statewide rate for FY 2017 through FY 2021 is below.



Employee Types: Classified Regular Full-Time, Classified Regular Part-Time  
 Source: State Auditor's Office Turnover Data for Agency 302 - Office of the Attorney General, All Agencies



Employee Types: Classified Regular Full-Time, Classified Regular Part-Time  
 Source: State Auditor's Office Turnover Data for Agency 302 - Office of the Attorney General, All Agencies

## Schedule F: Agency Workforce Plan

### Potential Retirement Eligibility Impact

An analysis of OAG staff tenure and age indicates that 460 staff members – or approximately 11.9 percent of the agency’s workforce – currently are, or will become, eligible to retire during FY 2022 under the state’s “Rule of Eighty” criteria.<sup>7</sup> As Table A indicates, approximately 26.9 percent (1,044 employees) of the OAG’s staff are anticipated to be eligible for retirement under the “Rule of Eighty” between FY 2022 and FY 2027.

**TABLE A: Number of OAG Employees  
Projected to Be Eligible to Retire by Fiscal Year Using “Rule of Eighty”**

	FY22	FY23	FY24	FY25	FY26	FY27	Total Eligible	Total Staff	% Eligible in FY22	% Eligible Between FY22 & FY27
Employees	460	94	122	116	123	129	1,044	3,879	11.9%	26.9%

Source: Centralized Accounting and Payroll/Personnel System (CAPPS)

Table B shows the estimated number of agency staff by selected classified position series who may likely reach retirement eligibility during FY 2022 through FY 2027. Approximately 47.8 percent of the agency’s employees in the Director classification series and 45.8 percent of employees in its Manager classification series are projected to reach retirement eligibility during this time. In addition, 54.3 percent of the agency’s employees in the Legal Secretary classification series are projected to reach retirement eligibility during this same time.

**TABLE B: Number of OAG Employees by Selected Classification Series  
Projected to be Eligible to Retire by Fiscal Year Using “Rule of Eighty”**

Classification Series	FY22	FY23	FY24	FY25	FY26	FY27	Total Eligible	Total Staff by Series	% Eligible in FY22	% Eligible Between FY22 & FY27
Administrative Assistant	34	5	7	6	8	9	69	181	18.8%	38.1%
Assistant Attorney General	65	12	16	9	16	13	131	703	9.2%	18.6%
Child Support Officer	111	32	33	35	40	35	286	1,229	9.0%	23.3%
Child Support Technician	24	2	11	3	8	12	60	302	7.9%	19.9%
Director	22	4	4	4	1	9	44	92	23.9%	47.8%
Investigator	14	1	4	4	3	3	29	69	20.3%	42.0%
Legal Assistant	17	2	5	4	5	3	36	124	13.7%	29.0%
Legal Secretary	9	3	3	2	0	2	19	35	25.7%	54.3%
Manager	31	5	10	8	2	4	60	131	23.7%	45.8%

Source: Centralized Accounting and Payroll/Personnel System (CAPPS)

The OAG, on a limited basis, utilizes rehired ERS retirees to fulfill mission-critical job functions. As of February 28, 2022, there are 87 rehired ERS retirees at OAG, comprising 2.2% of the total employee population.

<sup>7</sup> Based on the number of OAG employees as of February 28, 2022. These estimates are conservative as employees may retire for reasons other than the “Rule of Eighty”.

## Schedule F: Agency Workforce Plan

### Part III: Future Workforce Profile

#### Overview

With 26.9 percent of the OAG's workforce eligible to retire by FY 2027, the OAG's future workforce could experience potentially significant changes to its composition.

#### Skills and Competencies

The OAG continues to work to foster the sharing of institutional knowledge within its divisions and across the agency. In order for the OAG to remain efficient and effective, the OAG strives to develop key competencies within its workforce, including the following:

- Legal expertise
- Effective written and oral communication
- Adaptability and receptivity to changing systems and processes
- Utilizing and leveraging technology
- Constructive coaching and feedback between managers and staff
- Proactive attitude towards problem solving and identifying efficiency opportunities

#### Influences from New Technologies

##### *Centralized Accounting and Payroll/Personnel System (CAPPS)*

With the planned implementation of the statewide CAPPS Financials module September 1, 2022, there are potential opportunities for efficiency gains across various administrative functions. Following this implementation, the OAG will have completed its migration to the two major CAPPS modules: CAPPS HR/Payroll and CAPPS Financials. It is essential for current and future OAG administrative staff to be proficient operating these systems and the CAPPS Recruit application also adopted by the OAG.

##### *Teleworking Technologies*

The OAG provides flexible workplace options as appropriate for the agency's needs. Effectively leveraging these teleworking opportunities requires current and prospective employees to be competent and familiar with the capabilities and limitations of agency information technologies. As a result, skills utilizing these technologies could become important factors for professional success.

##### *Economic Factors*

Prolonged inflation, significant increases to cost of living, and/or general levels of lower unemployment could create recruiting and retention challenges. In particular, rapid increases to the general wage levels of attorneys and information technology professionals could create acute challenges for in-demand positions.

### Part IV: Gap Analysis

#### Overview

As stated previously, the percentage of retirement eligible employees in the coming years may impact staffing levels at the OAG, and it could create a loss of institutional knowledge and experience. OAG efforts to mitigate this risk include professional development, cross-training within program areas, knowledge and processes management, and the implementation of effective hiring processes targeting the identification and selection of the best-qualified candidates for job openings.

## Schedule F: Agency Workforce Plan

### Anticipated Shortage in Staff Levels

The OAG is watchful for trends that could signal upcoming acute issues regarding staff shortfalls in its core function of providing high-quality legal services. Increases to attorney wage levels, increases to overall cost of living, and/or sustained inflation could result in challenges to recruiting and retaining legal talent.

### Potential Skills Gaps

Certain key skills help drive success at the OAG. These include an ability to think critically, communicate effectively, leverage technology and data, and be proactively committed to improving efficiency and organizational effectiveness. The OAG anticipates that its needs for these key skills will increase over the coming five-year period.

## Part V: Strategic Development

### Overview

The OAG provides a number of programs and initiatives designed to attract, develop, and retain talented individuals who possess the skills and competencies necessary for success.

### Training

The Texas Legislature has recognized that programs for the education and training of state employees materially aid effective state administration. In addition, state law requires that all state employees complete certain mandatory training. Moreover, the Texas Government Code allows state agencies to spend public funds for education and training programs. The OAG provides training, employee development opportunities, peace officer education, and continuing legal education to ensure compliance with certain statutory requirements, develop key work-related competencies, strengthen the high-quality investigative work conducted by the agency, and develop and meet the agency's ongoing need for high-quality legal talent.

### Recruitment

The purpose of recruitment is to attract outstanding individuals who have an interest in state government. The OAG has ongoing programs that serve to enhance the recruitment of employees. In addition, the OAG continues to implement the following programs, which are intended to build a strong, talented pool of highly engaged prospective employees.

#### *Law Clerk Program*

The Law Clerk Program introduces qualified first-year and second-year law students from around the country to the rewarding and diverse OAG legal work. Law clerks work alongside OAG attorneys, gaining hands-on experience in their areas of interest. As in a traditional clerkship program, law clerks are expected to research relevant law, write legal memoranda, and assist agency attorneys.

Law clerks are selected based on factors such as grades, writing ability, legal experience, and interest in public service work. Recruiting includes participating in on-campus interviews at law schools, attending public service career events, and accepting applications from students throughout the country.

## Schedule F: Agency Workforce Plan

### *Intern Program*

The Intern Program provides unpaid internships for motivated undergraduate students and individuals. The program provides realistic training situations for interns to gain valuable hands-on experience.

Interns are selected based on factors such as scholastic achievement, grade-point average, leadership skills, participation in extracurricular activities, and communication skills. Recruiting for the program includes attendance at job and internship fairs, public presentations at colleges and universities, and dissemination of information to various career-services offices.

### *Child Support Intern, Volunteer, and Outreach Program*

The Child Support's Intern, Volunteer, and Outreach Program recruits talented interns and volunteers who possess the desire to give back to their community through public service. This program plays a pivotal role in assisting local child support offices by providing invaluable support and assistance in processing high volume caseloads.

### *OAG Fellowship Programs*

The OAG offers several post-graduate fellowships, including the OAG Honors Fellowship Program and the Gregory S. Coleman Fellowship Program.

The OAG Honors Fellowship Program recruits former OAG law clerks who have demonstrated a commitment to the agency and shown potential to excel as agency lawyers. The Honors Fellows work in the Civil Litigation, Legal Counsel and Criminal Justice divisions. Honors Fellows are encouraged to apply for Assistant Attorney General positions once they obtain their Texas law license.

The Gregory S. Coleman Fellowship Program honors Gregory S. Coleman, the first solicitor general of Texas. Selected candidates typically start a Coleman fellowship immediately after completing a judicial clerkship. Coleman Fellows work in the OAG's Office of the Solicitor General.

## **Retention**

To increase retention, the OAG provides employees the following:

### **1. Education and Training**

The OAG provides education and training programs designed to develop relevant knowledge, skills, and abilities and to increase employee engagement.

### **2. Payment of Fees for Professional Certifications and Licenses**

For certifications or licenses that are directly related to the individual employee's business function in the agency, the OAG reimburses certain professional fees paid by OAG employees.

### **3. Alternative Work Schedules and Flexible Workplace**

Pursuant to OAG policy, employees may have alternative work schedules. In addition, the OAG has a teleworking program for eligible personnel as appropriate for agency's needs.

### **4. Administrative Leave for Outstanding Performance**

Employees may be awarded administrative leave for outstanding performance pursuant to Section 661.911 of the Texas Government Code.

### **5. Wellness Program**

The OAG's Wellness Program provides employees the opportunity to participate in a variety of health initiatives.

## Schedule F: Agency Workforce Plan

### **6. Retention Payments**

The OAG may offer one-time additional compensation payments to retain employees designated as possessing scarce skills, critical knowledge, or attributes required for the ongoing success of the agency. To be eligible, the employee must have completed 12 continuous months of service with the agency in accordance with Texas Government Code Section 659.262.

### **Succession Planning**

The OAG utilizes a variety of practices and procedures that collectively contribute to the continuity of competent personnel in critical positions and the management of institutional knowledge. These include:

#### **1. Tangible Recognition**

The OAG recognizes and supports the retention of potential future leaders through pay raises and promotions, training opportunities, mentoring, and job assignments. These activities are designed to ensure continuity in key or critical positions and identify individuals who have demonstrated the potential to assume new roles and higher levels of responsibility.

#### **2. Centralized Knowledge and Processes**

The OAG places value on effectively documenting procedures and increasing the robustness of existing written knowledge. This reduces the transaction cost associated with turnover and expedites both the onboarding of new hires and the internal movement of existing staff.

#### **3. Distribution of Knowledge**

In addition to written content, the OAG creates opportunities (e.g., mock trials) for employees to benefit from inter-divisional collaboration and supports intra-division knowledge sharing. This collaboration and sharing of knowledge contributes to an environment for developing future leaders and improves communication and collaboration within the agency.

## **Schedule H: Report on Customer Service**

The Office of Attorney General (OAG) is committed to providing high quality customer service to its state agency clients and Texas taxpayers to ensure they receive the maximum benefit from their interaction with OAG attorneys and staff. Excellence, humility, integrity, and innovation are values that the Attorney General and Executive Management actively promote throughout the agency.

### **Inventory of External Customers**

For the purposes of the biennial customer satisfaction assessment, the OAG services three major external customer classes for which the agency has customer satisfaction-related performance measures: (1) legal services clients, (2) clients with child support cases, and (3) eligible crime victims who have applied for and been approved to receive crime victim compensation.

For the 2022 assessment, the legal services client group includes state agency executive directors, their general counsels and agency staff, as well as appointed board chairs of state commissions and councils. Client agencies receive a full array of legal services including general counsel support and legal representation in litigation matters. Litigation support covers a wide variety of matters, including administrative appeals, defense of state agencies and state employees in state and federal courts, employment litigation, consumer protection enforcement, environmental protection, licensing actions, collections, and various other matters. The scope of representation may include pre-litigation assistance, trial preparation and discovery, negotiation of settlements, and representation at trial and on appeal.

Child support customers include both custodial and noncustodial parents who have child support cases with the Attorney General's Child Support Division (CSD). Under Title IV, Part D, of the federal Social Security Act, CSD provides services including locating absent parents, establishing paternity for children born out of wedlock, establishing and modifying child support orders, enforcing child support orders, and collecting and disbursing child support payments. CSD's current caseload includes over 1.5 million cases.

Crime Victim Services Division (CVSD) clients are victims of violent crime, their family members, or others who have taken on crime-related costs on behalf of a victim, who have applied for compensation under the Crime Victims' Compensation Act (the Act). The OAG reviews and approves applications for reimbursement from eligible victims who are injured, threatened, or killed as a result of a violent crime under the Act. The OAG covers crime-related costs that are not covered by another source, such as health insurance. Within the statutory confines enacted by the Legislature, CVSD informs victims about their rights and compensation, makes eligibility determinations, and reimburses crime victims for allowable expenses. The number of victim applications approved in FY 2021 was 16,922.

## Schedule H: Report on Customer Service

### Legal Services

#### Information Gathering Methods

Legal services clients were identified by nine separate civil litigation divisions within the OAG: Administrative Law, Bankruptcy and Collections, Environmental Protection, Financial Litigation and Charitable Trusts, General Litigation, Law Enforcement Defense, Tax Litigation, Tort Litigation, and Transportation. These divisions' clients include executive directors, state agency general counsels and client agency staff, as well as appointed board chairs of state commissions and councils with whom the OAG divisions had direct contact when providing legal services. The final combined client list consisted of 658 individuals. Any client identified as receiving services from more than one OAG litigation division was given the opportunity to complete a separate survey for each division with which they were listed as a client. In total, 862 surveys were offered.

The 2022 legal services survey was conducted online beginning February 8, 2022. SurveyMonkey was used to administer the survey. Clients were emailed a link and asked to complete the short survey. When the survey project closed on February 22, 2022, 186 individuals had responded (22 percent), and 239 surveys had been completed (28 percent of those offered). Results of the legal services client satisfaction assessment are based on this sample.

#### Customer Satisfaction Assessment: Clients of Legal Services

In the 239 survey responses that were submitted, client agencies expressed a high rate of overall satisfaction with legal services received from the Office of Attorney General. Over 97 percent of the respondents expressed overall satisfaction with the legal services they received (rating  $\geq 3$ ). Six respondents indicated they were dissatisfied (2 percent) with the services they received.

Legal services clients assessed several aspects of the customer service provided by OAG staff, including attorneys' accessibility, availability, communication skills, understanding of the clients' concerns and objectives, and the handling of settlements and litigation. Legal services clients were asked whether they agreed or disagreed with various statements using a five-point scale: 5 - "strongly agree," 4 - "agree," 3 - "somewhat agree," 2 - "disagree," and 1 - "strongly disagree." The responses that identified "NA/don't know" were not included in the percentage totals. The final question on the survey asked respondents to rate their overall satisfaction with legal services received from the OAG.

#### Online Legal Services Client Survey Questions

- Q1: Division attorneys are accessible by telephone.
- Q2: Division attorneys are available to meet when necessary.
- Q3: Division attorneys provide requested information.
- Q4: Division attorneys listen to client's concerns.
- Q5: Division attorneys understand client's needs and objectives.
- Q6: Division attorneys present and explore options.
- Q7: Division attorneys explain issues and legal principles clearly.
- Q8: Division attorneys accurately assess the strength of case(s).
- Q9: Division attorneys complete work in a timely manner.
- Q10: Division attorneys help witnesses prepare to testify.
- Q11: Division attorneys keep clients informed about case status.
- Q12: Division attorneys negotiate favorable settlements.
- Q13: Division attorneys effectively represent client's interests.
- Q14: How satisfied were you with the legal services provided by the division in total?

## Schedule H: Report on Customer Service

Responses to specific questions are indicated in the table below.

**Table 1: Legal Services Client Survey**

Question	(5) Strongly agree	(4) Agree	(3) Somewhat agree	(2) Disagree	(1) Strongly disagree	N/A-Don't know	Sum	Average	% Satisfied (≥3)
1. Division attorneys are accessible by telephone.	153	75	6	0	0	4	238	4.6	100%
2. Division attorneys are available to meet when necessary.	146	75	4	0	0	13	238	4.6	100%
3. Division attorneys provide requested information.	145	73	14	0	0	6	238	4.6	100%
4. Division attorneys listen to client's concerns.	148	72	9	4	0	5	238	4.6	98.3%
5. Division attorneys understand client's needs and objectives.	137	71	20	5	0	5	238	4.5	97.9%
6. Division attorneys present and explore options.	137	77	16	1	0	7	238	4.5	99.6%
7. Division attorneys explain issues and legal principles clearly.	142	72	12	2	1	9	238	4.5	98.7%
8. Division attorneys accurately assess the strength of case(s).	124	71	23	2	0	17	237	4.4	99.1%
9. Division attorneys complete work in a timely manner.	132	64	29	4	0	9	238	4.4	98.3%
10. Division attorneys help witnesses prepare to testify.	96	57	6	0	1	79	239	4.5	99.4%
11. Division attorneys keep clients informed about case status.	120	69	29	1	0	20	239	4.4	99.5%
12. Division attorneys negotiate favorable settlements.	92	52	15	2	0	76	237	4.5	98.8%
13. Division attorneys effectively represent client's interests.	131	79	14	4	0	11	239	4.5	98.2%
14. How satisfied were you with the legal services provided by the division in total?	139	80	11	6	0	2	238	4.5	97.5%

## Schedule H: Report on Customer Service

A comment section was also provided for legal services clients. Responses were shared with all levels of management so that any concerns, complaints, or suggestions submitted by clients can be addressed and appropriate plans of action developed.

### Child Support

#### Customer Service Improvement Methods

It is stated in the CSD's FY 2020-2021 Strategic Plan, "As the Child Support Division looks toward the future, our aim is to be the top-performing child support program in the nation by every possible measure, for one simple reason: the families who are served by our program deserve nothing less." As the division looks for ways that it can continue to improve service to families, there can be no more important voice than those of the very families that we serve.

2020 presented many challenges to CSD's customers, business, and customer service model, but within those challenges, many opportunities have arisen that have allowed CSD to try new and innovative ways to meet customers' needs. Ideas and improvements that, in the past, may have taken months or years to come to fruition, were instead implemented in just days and weeks. Up to March of 2020, most customer interaction occurred on the phone, in an office, or at court, but the unprecedented events of the year jump-started a world of virtual services out of sheer necessity. CSD implemented, almost immediately, online live chat, virtual court hearings, child support review conferences held via videoconference, documents sent and signed digitally by staff, customers and partners, and notary services performed and recorded online, to name just a few.

- In previous years, customers who visited child support locations around the state were provided customer service survey cards, allowing them to provide feedback regarding the quality of their visit. In response to office closures, increased use of virtual services and an effort to minimize physical exchange of paper surveys in response to the COVID-19 pandemic, CSD instead conducted an email campaign to gather customer sentiment, the Voice of the Customer Campaign.
- Customers also express satisfaction with services through the "compliment" option on the Child Support Interactive (CSI) website, personal customer visit, or telephone. These compliments are then logged and tracked with a "kudos" code so positive feedback can be recognized.
- Customers have the opportunity to submit comments, complaints and/or suggestions through the CSI website. Customer suggestions and comments are shared with managers of appropriate business areas for action. Formal complaints are responded to through the agency's ombudsman program, which tracks and resolves complaints at the local office level. If the complaint cannot be resolved at the office level, ombudsmen at the regional and state office level review and resolve the customer complaint. All complaints are documented through the CSD computer system to ensure uniformity throughout the state.
- As part of this effort, the training division has several courses which focus on customer service topics and more continue to be developed which seek to improve or reinforce positive and constructive interaction with all customers of CSD.
- CSD is currently transforming technology solutions for customers as well. A key objective for the ongoing system modernization is to develop real-time feedback loops to gather platform analytics and customer sentiment. This data will drive the prioritization of changes to CSD systems to continually improve customer adoption and satisfaction. A recent enterprise identity and access management release established the framework for coordinating a customer's unique identity across all our channels of communication, offering future opportunities to better understand how customers interact with CSD and the effectiveness of the channels offered.

## Schedule H: Report on Customer Service

- In response to increased customer call volumes at the onset of the COVID-19 pandemic, CSD implemented online live chat options for customers as an alternative. The division found that this has become a preferred contact method for many customers, making our services much more convenient. Between September 1, 2020, and August 31, 2021, over 1 million chats were initiated by customers.
- In response to opening new customer communications channels, seeking to improve consistency of service across the organization, and increasing first point of contact resolution, CSD is creating a new centralized department for customer service operations. This new department will unify training and development of customer service staff statewide and work toward building a more flexible staffing model that allows CSD to meet customers in the channels in which they choose to engage.

### Voice of the Customer Campaign

CSD launched its first Voice of the Customer (VOTC) campaign, in which the division sought survey responses from a sample of customers that during the prior week had utilized one of the 14 primary contact channels available. CSD sought out information about the service delivery channels they use, their preferences and barriers to specific service channels, customer satisfaction ratings on key child support service items, and to elicit customer feedback and suggestions on how CSD can improve their service offerings. Surveys were available in both English and Spanish with a total of 72,720 offered. The VOTC was conducted from August 24, 2020, ending October 15, 2020, resulting in 6,892 completed surveys, over a 9% response rate.

All of the innovations, experiences, and lessons learned present CSD with the opportunity to reimagine our service delivery model. Once the necessity of the moment has passed, what can we take with us from this year to build the child support program of the future? As we ask ourselves that question, it is critical that we keep the needs and preferences of the families we serve front and center in our considerations. There can be no better time than now to reach out to our customers directly and hear what they have to say about our service model, their preferences, their suggestions for improvement and their satisfaction levels. With this as the forefront, the CSD undertook the VOTC campaign to elicit direct, specific, and actionable feedback from the families we serve.

Through VOTC, customers were asked the following:

1. Please select all of the ways in which you have interacted with the Child Support Division in the past year.

Instructions for 2-8: Please use the following sliding scales to indicate your preference for interacting with the Child Support Division.

2. In Person vs. Virtual - Customer Support
3. Paper vs. Electronic Documents
4. Phone vs. Chat
5. Agent vs. Self-Service
6. In Person vs. Virtual - Child Support Negotiation
7. In Person vs. Virtual - Court Hearing
8. If you are unable to use any of the communication methods offered by the child support division, please tell us why.

## Schedule H: Report on Customer Service

Instructions for 9-16: On a scale of Strongly Disagree to Strongly Agree, please rate your experience with the Child Support Division.

9. Convenient and easy to access
10. Simple and easy to understand
11. Fair – I feel heard and understood
12. Reliable – I know what to expect and why
13. Timely – Services are provided when expected
14. If you selected Strongly Disagree or Disagree on any of the above questions, please tell us why.
15. Do you have any other suggestions for how the Child Support Division can improve on how we support you as a customer?
16. How did you receive this survey?

### VOTC: In Person vs. Virtual Services and Barriers to Service Options

Customers reported a preference for virtual services in all areas surveyed. Court services obtained the lowest preference rating with 57 percent of respondents favoring virtual services. Customer service options (Phone vs. Chat, In-person vs. Virtual, and Agent vs. Self-Service) all had preference ratings between 60-70% for virtual services. Paper documents versus electronic documents received the highest virtual preference rating at 75%.

4.1% of respondents reported a barrier to utilizing offered customer service channels. These barriers were split into four (4) categories:

- Barriers that can be overcome with customer service initiatives (38%)
- Barriers that can be overcome with technology initiatives (17%)
- Specific barriers to obtaining virtual (28%) and in-person (16%) services

### VOTC: Summary

Across the approximately 7,000 responses in the five areas of customer satisfaction, satisfaction sentiment scores broke out as follows:

- 43.1% of customers had positive sentiment scores
- 19% of customers had mixed sentiment scores across the areas surveyed
- 37.2% of customers had negative sentiment scores

Customers with negative sentiment scores were asked to explain why. While there were a number of responses across all areas of child support services, the large majority of comments related to the lack of proactive communication or information on case status, not enforcing child support, being poorly treated by an agent, receiving inconsistent information, and a surprising number of comments very specifically complaining about the Interactive Voice Response system (IVR) menu options.

### VOTC: Customer Improvement Suggestions

As would be expected, suggestions were conversely related to the areas that customers scored with negative sentiment scores. Suggestions fell into five primary categories:

- Improve Treatment of Customers/Customer Service Knowledge (56.2 percent)
- Improve Communications, specifically be proactive and timely (35.8 percent)
- Improve Enforcement Actions, specifically be more expedient and more forceful (27.2 percent)
- Improve Technology, specifically the IVR Menu (8.9 percent)
- Compliments (9.2 percent)

The timeliness of this data supported CSD in providing the best possible COVID-19 pandemic response, maintaining continuity of services, and growth into service delivery channels that had yet to be explored.

## Schedule H: Report on Customer Service

### Customer Satisfaction Assessment

To complete CSD's customer satisfaction assessment and to specifically address agency performance measures, 1,962 surveys were offered to a random sample of Child Support customers. Using SurveyMonkey to administer the survey, customers were emailed a link and asked to complete the 8-question survey. The 2022 Child Support survey was conducted online beginning January 20, 2022, and closing on February 19, 2022, resulting in a 10 percent response rate with 199 surveys completed.

CSD customers were asked whether they agreed or disagreed with various statements using a five-point scale: 5 - "strongly agree," 4 - "agree," 3 - "somewhat agree," 2 - "disagree," and 1 - "strongly disagree." The responses that identified "NA/don't know" were not included in the percentage totals. The final question on the survey asked respondents to rate their overall satisfaction with CSD services received from the OAG. Approximately 62 percent of the respondents expressed overall satisfaction (rating  $\geq 3$ ). This information was assessed and provided in the table below.

### Online CSD Customer Survey Questions

- Q1: How satisfied are you with the agency's facilities, including your ability to access the agency, the office location, signs, and cleanliness?
- Q2: How satisfied are you with agency staff, including employee courtesy, friendliness, and knowledgeability, and whether staff members adequately identify themselves to customers by name, including the use of name plates or tags for accountability?
- Q3: How satisfied are you with agency communications, including toll-free telephone access, the average time you spend on hold, call transfers, access to a live person, letters, electronic mail, and any applicable text messaging or mobile applications?
- Q4: How satisfied are you with the agency's Internet site, including the ease of use of the site, mobile access to the site, information on the location of the site and the agency, and information accessible through the site such as a listing of services and programs and whom to contact for further information or to complain?
- Q5: How satisfied are you with the agency's complaint handling process, including whether it is easy to file a complaint and whether responses are timely?
- Q6: How satisfied are you with the agency's ability to timely serve you, including the amount of time you wait for service in person?
- Q7: How satisfied are you with any agency brochures or other printed information, including the accuracy of that information?
- Q8: Please rate your overall satisfaction with the agency.

## Schedule H: Report on Customer Service

**Table 2: Child Support Customer Survey Results**

Question	(5) Very satisfied	(4) Satisfied	(3) Neutral	(2) Unsatisfied	(1) Very Unsatisfied	N/A-Not Applicable	Sum	Average	% Satisfied (≥3)
1. How satisfied are you with the agency's facilities, including your ability to access the agency, the office location, signs, and cleanliness?	61	35	33	13	43	14	199	3.3	69.7%
2. How satisfied are you with agency staff, including employee courtesy, friendliness, and knowledgeability, and whether staff members adequately identify themselves to customers by name, including the use of name plates or tags for accountability?	62	45	29	23	35	5	199	3.4	70.1%
3. How satisfied are you with agency communications, including toll-free telephone access, the average time you spend on hold, call transfers, access to a live person, letters, electronic mail, and any applicable text messaging or mobile applications?	53	39	28	27	48	4	199	3.1	61.5%
4. How satisfied are you with the agency's Internet site, including the ease of use of the site, mobile access to the site, information on the location of the site and the agency, and information accessible through the site such as a listing of services and programs and whom to contact for further information or to complain?	54	42	39	28	28	8	199	3.3	70.1%
5. How satisfied are you with the agency's complaint handling process, including whether it is easy to file a complaint and whether responses are timely?	49	28	30	27	47	18	199	3.0	59.1%
6. How satisfied are you with the agency's ability to timely serve you, including the amount of time you wait for service in person?	51	43	30	20	46	7	197	3.2	65.3%
7. How satisfied are you with the agency's facilities, including your ability to access the agency, the office location, signs, and cleanliness?	49	38	43	17	25	26	198	3.4	75.6%
8. Please rate your overall satisfaction with the agency.	55	42	25	30	45	2	199	3.2	61.9%

## Schedule H: Report on Customer Service

### Crime Victims

#### Information Gathering Methods

CVSD continues to look for ways to provide the best service to victims of violent crime and their families in Texas. CVSD began utilizing online customer service surveys in 2019 through their recently developed online Crime Victims' Compensation (CVC) Portal. Surveys are presented in both English and Spanish depending on the language preference indicated on the application.

Surveys are automatically presented for online applicants based on specific claim events. Regardless of whether the claim is approved or a payment is made, every applicant receives at least one survey prompt after the application is submitted. There are four events that will prompt a survey.

- Event 1 - Online Application Submission
  - Every online applicant is presented with a survey regarding the online application's accessibility and completion ease immediately after submission.
- Event 2 - Application Approval
  - If an application is approved, an email is sent to the victim or claimant identifying an application status change and requesting they log into the CVC Portal. After logging in, they are presented with the second survey regarding application approval timeliness.
- Event 3 - 30 Days After 1<sup>st</sup> Payment
  - If a victim or claimant receives a payment, an email with a link to the survey regarding their satisfaction with the payment is sent 30 days after a payment has been made.
- Event 4 - 90 Days After 1<sup>st</sup> Payment
  - If a victim or claimant receives a payment, an email is sent with a link to a survey regarding their overall satisfaction with the CVC program 90 days after a payment has been made.

#### Customer Satisfaction Assessment: Eligible Victims of Crime

From March 2020 to December 2021, a total of 17,903 online applicants had the opportunity to take at least the application submission survey. Of those application surveys, 12,612 were completed, a 70 percent response rate. Response data is based on the number of surveys completed and not the number of online applicants.

A total of 22,053 surveys were completed. Of the total questions answered, 88 percent (rating  $\geq 3$ ) expressed satisfaction. For clients responding regarding overall satisfaction, 80 percent expressed a favorable response. Respondents indicate their responses using a five-point scale: 5 - "strongly agree/strongly satisfied," 4 - "agree/satisfied," 3 - "somewhat agree/somewhat satisfied," 2 - "disagree/dissatisfied," and 1 - "strongly disagree/strongly dissatisfied." Respondents also have the option to not answer.

#### Crime Victim Survey Statement

<b>Application Submission</b>
The application for Crime Victims' Compensation (CVC) benefits was easy to complete.
<b>Application Approval</b>
Application has been approved. My application was approved in a timely manner.
<b>30 Days After First Payment</b>
How satisfied are you with the recent payment you received from the CVC program?
<b>90 Days After First Payment</b>
How satisfied are you with the crime related expenses you have received so far from the CVC program?
How satisfied are you with the web application and internet access to the CVC program?
If you called CVC, you were able to reach someone on the phone within 48 hours.
Overall, how satisfied are you with the services provided by the CVC program?

## Schedule H: Report on Customer Service

**Table 3: Crime Victim Survey**

Event	Question	(5) Strongly Agree/ Strongly Satisfied	(4) Agree/ Satisfied	(3) Somewhat Agree/ Somewhat Satisfied	(2) Disagree/ Dissatisfied	(1) Strongly Disagree/ Strongly Dissatisfied	Sum	Average	% Satisfied (≥3)
Application Submission	The application for CVC benefits was easy to complete.	5344	4229	1950	223	866	12612	4.03	91%
Application Approval	Application has been approved. My application was approved in a timely manner.	1578	1760	1132	295	379	5144	3.75	87%
30 Days After First Payment	How satisfied are you with the recent payment you received from the CVC program?	240	252	209	94	143	938	3.38	75%
90 Days After First Payment	How satisfied are you with the crime related expenses you have received so far from the CVC program?	174	194	214	103	126	811	3.23	72%
90 Days After First Payment	How satisfied are you with the web application and internet access to the CVC program?	272	306	176	49	43	846	3.85	89%
90 Days After First Payment	If you called CVC, you were able to reach someone on the phone within 48 hours.	218	235	169	104	148	874	3.31	71%
90 Days After First Payment	Overall, how satisfied are you with the services provided by the CVC program?	219	235	207	77	90	828	3.50	80%

Respondents were provided with an opportunity to provide more information by use of the agency contact form via the agency web link at <https://www.texasattorneygeneral.gov/crime-victims/crime-victim-services-contact-us>. In addition, CVSD is reviewing the ability of enhancing the CVC Portal to include direct feedback capabilities.

### Agency Customer Service Satisfaction

In accordance with the *Instructions for Preparing and Submitting Agency Strategic Plans for fiscal years 2023 to 2027* issued February 25, 2022, and to best ensure our external clients had an opportunity to address any additional aspects of customer service, a survey was conducted to encompass the eight specific questions required per Appendix 8 of the *Instructions*. The three external customer classes identified previously were provided a SurveyMonkey link to measure their satisfaction with the agency’s facilities, staff interactions, communications, website, complaint handling processes, timeliness, printed information, and overall satisfaction with the agency. This information was assessed and provided in the table below.

## Schedule H: Report on Customer Service

**Table 4: Agency Customer Service Satisfaction Survey Results**

Question	(5) Very satisfied	(4) Satisfied	(3) Neutral	(2) Unsatisfied	(1) Very Unsatisfied	N/A-Not Applicable	Sum	Average	% Satisfied (≥3)
1. How satisfied are you with the agency's facilities, including your ability to access the agency, the office location, signs, and cleanliness?	141	98	56	23	61	186	565	3.6	77.8%
2. How satisfied are you with agency staff, including employee courtesy, friendliness, and knowledgeability, and whether staff members adequately identify themselves to customers by name, including the use of name plates or tags for accountability?	216	130	61	34	56	69	566	3.8	81.9%
3. How satisfied are you with agency communications, including toll-free telephone access, the average time you spend on hold, call transfers, access to a live person, letters, electronic mail, and any applicable text messaging or mobile applications?	180	125	59	46	83	72	565	3.6	73.8%
4. How satisfied are you with the agency's Internet site, including the ease of use of the site, mobile access to the site, information on the location of the site and the agency, and information accessible through the site such as a listing of services and programs and whom to contact for further information or to complain?	118	135	82	51	47	131	564	3.5	77.4%
5. How satisfied are you with the agency's complaint handling process, including whether it is easy to file a complaint and whether responses are timely?	98	65	45	45	81	231	565	3.2	62.3%
6. How satisfied are you with the agency's ability to timely serve you, including the amount of time you wait for service in person?	176	116	57	35	85	93	562	3.6	74.4%
7. How satisfied are you with the agency's facilities, including your ability to access the agency, the office location, signs, and cleanliness?	109	92	71	31	42	218	563	3.6	78.9%
8. Please rate your overall satisfaction with the agency.	206	152	65	44	89	9	565	3.6	76.1%

## **Schedule H: Report on Customer Service**

### **Follow-Up to Customer Satisfaction Assessment**

In addition to providing customers a forum to address concerns that are identified to their cases, the OAG also looks for broader indicators that are instructive as Executive Management continues re-evaluating program strategies to ensure all operations are as effective and efficient as possible. The results of the surveys were tabulated and reported to all levels of management. Survey instruments were then provided to division managers. Based on statistical survey results and narrative comments from customers, affected division chiefs are developing responsive action plans. Division chiefs responsible for managing litigation divisions have been tasked with conducting proactive outreach to any client agencies that expressed concerns or suggested improvements to help facilitate candor among respondents. Customers had the option of responding anonymously when surveyed; any customers who identified themselves and expressed concerns are contacted by the appropriate staff in an attempt to resolve whatever issues were identified. In addition, enhancements to the OAG's electronic contact form, CSI and CVSD's online portal will be reviewed for possible enhancements to further facilitate survey options and customer service feedback capabilities. The OAG will continue to appraise survey methods to increase customer response rates. The Office of the Attorney General is committed to performing its duties with excellence and will continue to seek out protocols and methods to meet and surpass our current benchmarks.

## Schedule H: Report on Customer Service

### Performance Measures for Customer Service/Satisfaction

Table 5 Goal: Provide Legal Services

<b>Legal Services</b>	<b>Data</b>
Percentage of Surveyed Customer Respondents (Client Agencies) Expressing Overall Satisfaction with Legal Services Received	97.5%
Percentage of Surveyed Customer Respondents (Client Agencies) Identifying Ways to Improve Service Delivery	12%
Number of Customers (Client agency heads and/or agency counsel) Surveyed	239
Number of Customers (Client agency heads and/or agency counsel) Served	658
Cost Per Customer (Client Agency) Surveyed	\$1.30

Table 6 Goal: Enforce Child Support Law

<b>Child Support</b>	<b>Data</b>
Percentage of Surveyed Customer Respondents (Custodial and noncustodial Parents) Expressing Overall Satisfaction with Child Support Services Received	61.9%
Percentage of Customers (Custodial and noncustodial Parents) Identifying Ways to Improve Service Delivery	<1%
Number of Customers (Custodial and noncustodial Parents) Surveyed	7,091
Number of Customers (Custodial and noncustodial Parents) Served	2,713,876
Cost Per Customer (Custodial and noncustodial Parents) Surveyed	\$0.02
Percentage of Phone Calls Answered by the Child Support Customer Service Centers	91.4%

Table 7 Goal: Crime Victim Services

<b>Crime Victim Services</b>	<b>Data</b>
Percentage of Surveyed Customer Respondents (Eligible Crime Victim Applicants) Expressing Overall Satisfaction with Crime Victims' Compensation Services Received	80%
Percentage of Surveyed Customer Respondents (Eligible Crime Victim Applicants) Identifying Ways to Improve Service Delivery	11%
Number of Customers (Eligible Crime Victim Applicants) Surveyed	22,053
Number of Customers (Eligible Crime Victim Applicants) Served	16,922
Cost Per Customer (Eligible Crime Victim Applicant) Surveyed	\$1.19

Table 8 Agency-wide: Customer-Related Explanatory Measures

<b>Explanatory Measure</b>	<b>Data</b>
Number of Customers Identified	2,731,456
Number of Customer Groups Inventoried	8

## Schedule H: Report on Customer Service

### Inventory of External Customers Served By Strategy

Table 9: Customers Served

Strategy	Customers	Services
Legal Services	State agency executive directors and general counsel, boards and commissions of state government, authorized opinion requestors, open records decision requestors, bond counsel, the Legislature, and criminal prosecutors.	Legal counsel, litigation, and alternative dispute resolution; attorney general opinions, open records rulings, bond review.
Child Support Enforcement	Custodial and noncustodial parents.	Establish paternity and child support obligations, enforce orders, and distribute monies.
State Disbursement Unit	Custodial and noncustodial parents.	Establish paternity and child support obligations, enforce orders, and distribute monies.
Crime Victims' Compensation	Eligible applicants for crime victims' compensation.	Review claims, determine eligibility, and pay allowable expenses.
Victims Assistance Grants	VAG grant applicants and grantees.	Administer grants and contracts for victim assistance and sexual assault services.
Medicaid Investigation	Administrators of the federal Medicaid program, taxpayers.	Investigate and prosecute Medicaid fraud and criminal abuse and neglect in Medicaid- funded long-term care facilities.
Agency IT Projects	OAG employees	Administer information technology projects across the agency.
Administrative support for SORM	SORM	Administrative support for the State Office of Risk Management.