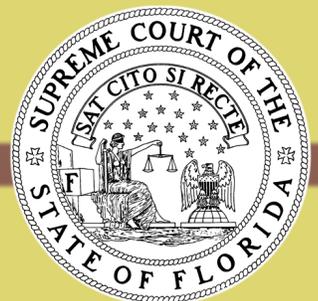


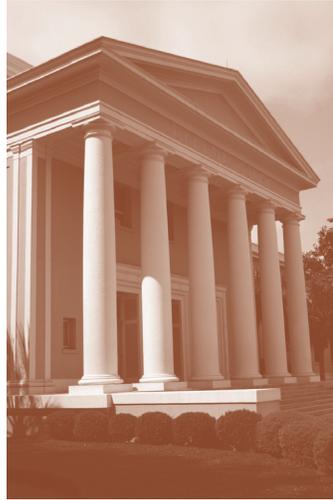
FLORIDA STATE COURTS

Annual Report 2004-2005



THE SUPREME COURT OF FLORIDA

2004-2005 Annual Report



BARBARA J. PARIENTE
CHIEF JUSTICE

CHARLES T. WELLS
HARRY LEE ANSTEAD
R. FRED LEWIS
PEGGY A. QUINCE
RAOUL G. CANTERO, III
KENNETH B. BELL
JUSTICES

ELISABETH H. GOODNER
STATE COURTS ADMINISTRATOR



The Florida Supreme Court Rotunda

© 2005
All rights reserved

TABLE OF Contents

Message from Chief Justice Pariente.....	1
The Florida Supreme Court Justices	3
Florida Judicial Branch: Mission and Vision.....	6
2004-2005: The Year in Review	
Revision 7	
Revision 7: Transforming Vision to Reality	7
Travails and Triumphs: Reflections from Some of the Trial Court Administrators.....	9
Emergency Preparedness	
The 2004 Hurricane Season: Emergency Preparedness Plan Goes Through Some Grueling Paces ..	11
The Public Information Officer Training Conference: Addressing Court Crises	13
Education and Outreach	
Law Day: Honoring the American Jury.....	14
The Florida Jury System: Innovations and Reforms.....	18
Supreme Court Docents: Opening the Courthouse Doors	19
The Justice Teaching Institute: Educating the Educators.....	20
The Florida Justice Institute and the Judicial Institute for Business Leaders	21
The Americans with Disabilities Act Conference: Addressing ADA Issues in the Courts	21
Alternative Dispute Resolution: Creative Solutions to Thorny Problems	22
Court Education: Instruction for Judges and Court Personnel.....	24
Children and Families	
Unified Family Court: Protecting Florida’s Children and Families.....	25
Drug Court Initiatives: Transforming Onus into Opportunity	26
Fairness and Diversity	
The Standing Committee on Fairness and Diversity: Equal Treatment for All	28
Technology	
Technology in the Courts: Streamlining Information to Accelerate Justice	29
Other Technological Innovations: Making the Courts More Accessible	31
Technology, Public Access, and Privacy Rights: The Rising Tension.....	32
Special Events, Awards, and Honors	
Chief Justice Pariente’s Swearing In: Building Bridges of Consensus.....	33
A Farewell to Supreme Court Marshal Wilson Barnes.....	35
Judge Susan F. Schaeffer: A Legacy of Determination, Wisdom, and Wit.....	35
The Betty Scharff Memorial Award: Honoring the Supreme Court’s Mentoring Program.....	36
Other Awards and Honors	37
Florida’s Court Structure	38
Administration	40
Florida’s Budget.....	41
State Courts System Appropriations	42
Judicial Certification Table	43
Filings: Florida’s Trial and Appellate Courts.....	44
Court Filings by Circuit and Division.....	45
Court Filings by Circuit, County, and Division	47
Court Contacts for 2005-2006	50
Map of State Circuits and Appellate Districts	54



The Justices' Conference Room

Message

FROM THE CHIEF JUSTICE

This has been an historic year for Florida's judiciary.

The excitement began the very first day of the fiscal year, when the branch finally became a truly unified court system funded with state money. Although realized on a single day, this major transformation was several years in the making. And it simply could not have been accomplished without the hard work of many people in all three branches of state government. Most Floridians never noticed a thing on July 1, 2004. That was a good thing – and it was thanks to the skill and dedication of the hundreds of people who spent many thousands of hours on the transition to the state-funded court system that voters mandated when they approved Revision 7 to the Florida Constitution in 1998. More than three decades earlier, Florida's courts had taken the first step toward becoming a unified system by replacing a hodge podge of courts with a standard structure that stretched from one end of the state to another. But funding remained fragmented. With a significant portion of the budget coming from local taxpayers, the level of court services provided to people still varied widely around the state depending on the richness of the underlying property tax base. Until now.

I took the oath of office as chief justice on July 2, the day after Revision 7 took effect. Like so many others in our branch, I was thrilled by the smoothness of the transition. But that was just one cause for celebration. When we reduced the inequity that existed between richer and poorer areas of our state, we made the ideal of justice that motivates us all that much clearer and brighter.

The fiscal year started off on a high note. But it soon turned stormy – literally.

Few of us will soon forget the six weeks in the summer of 2004, when four strong hurricanes battered our state, leaving destruction and distress in their wake. Charley hit hard in mid-August, coming ashore in Southwest Florida. It was followed by Frances, which made landfall in Southeast Florida, Ivan in the western Panhandle, and then Jeanne, which followed the path of Frances.

Like homes and businesses, courthouses were damaged from one end of the state to another. But I am proud to report that every circuit had an emergency plan to follow and that, as a branch, our response improved after each storm. I am even prouder of the stalwart work of judges, clerks, bailiffs, and other support staff who went to alternative sites and jails to make sure “the courts” stayed open even when the courthouses were shut down. We continue to work to fine-tune our emergency plans so that we can keep the courts open and fulfill our essential mission of protecting lives and liberty in the midst of disaster.

In addition to celebrating historic developments and coping with the challenges and difficulties of four hurricanes, the men and women who staff Florida's courthouses have spent this year working on initiatives



Chief Justice Barbara J. Pariente

and projects to improve the delivery of justice to families, businesses, and defendants who come to the courts every day. This report describes the details of those efforts, and I will highlight just some of my priorities as chief justice. One is finding practical ways to use technological advances so that judges have the information they need to make the best judgments they can. A related issue is striking the right balance between public records, which have been particularly cherished in Florida, and the right to privacy in a world that has been changed dramatically by the Internet. Other priorities: encouraging unified family court, improving the response to jury summons, monitoring fairness and diversity in our courts, and safeguarding the integrity and independence of the judicial branch.

It has been a big year. And it ended with a big bang, when the Legislature put \$8.5 million in the budget for 55 new judges and 65 support staff. Although only half of what we needed, this appropriation was the biggest boost ever given to the front-line of the Florida judiciary. The new trial judges – 35 in circuit court and 20 in county court – should be on the bench by early next year to help handle the flow of more than 1.2 million criminal filings and twice as many civil cases.

Because of the lessons of Revision 7, we began this fiscal year with a greater understanding than ever before of how complex a modern court system truly is. I hope this report will serve the same role for Floridians and deepen their understanding of the effort made by the men and women of this branch of government to fulfill the essential mission of the courts to provide justice to our people and uphold the rule of law.

Barbara J. Pariente



The Florida Supreme Court Library

Florida's SUPREME COURT JUSTICES

Barbara J. Pariente Chief Justice

Chief Justice Barbara J. Pariente is the fifty-first chief justice of the Florida Supreme Court and the second woman to serve in that role. She was appointed to the Court in 1997, and she advanced to chief justice on July 1, 2004.

She was born and raised in New York City, but Florida has been the chief justice's home for more than 30 years. Before her elevation to the Florida Supreme Court, Justice Pariente spent 18 years in private practice, specializing in civil trial litigation. Then, in September 1993, she was appointed to the Fourth District Court of Appeal, where she served until her appointment to the Supreme Court.

During her time on the Supreme Court, she has actively supported programs that promote successful alternatives to incarceration such as Florida's drug courts. She has also worked to improve methods for handling cases involving families and children in the courts. Based on her longstanding commitment to children, Chief Justice Pariente continues to be a mentor to school-age children and has encouraged Court employees to participate in the Court's mentoring program, which has two partner schools in Tallahassee; the Florida Supreme Court recently won a national award for these mentoring initiatives.



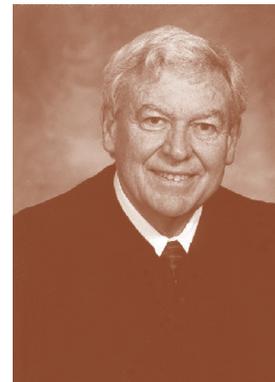
Justice Pariente is married to The Honorable Frederick A. Hazouri, judge of the Fourth District Court of Appeal, and together they have three grown children and six grandchildren.

Charles Talley Wells Justice

Justice Charles T. Wells joined the Supreme Court in June 1994; he served as chief justice from July 1, 2000, to July 1, 2002. He was chief justice during the Court's proceedings in the 2000 presidential election cases.

A native Floridian, Justice Wells was born in Orlando. Prior to his appointment to the Supreme Court, he spent 28 years in private practice in Orlando as an active civil trial lawyer engaged in commercial, insurance, and personal injury litigation. He also served for one year as a trial attorney with the U.S. Department of Justice in Washington, D.C.

While in Orlando, Justice Wells was vigorously involved in the Orange County Legal Aid Society as well as in the Guardian Ad Litem Program, representing dependent and abused children in juvenile and domestic court proceedings. The Legal Aid Society presented him with its Award of Excellence in 1989 in recognition of his outstanding pro bono service.



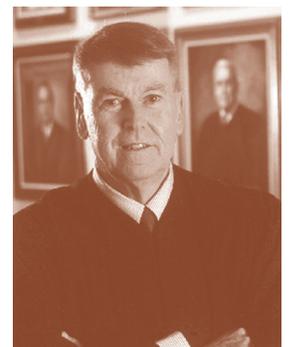
Justice Wells is married to Linda Fisher Wells, a lawyer, and they have three children, Charley, Shelley, and Ashley.

Harry Lee Anstead Justice

Justice Anstead was appointed to the Florida Supreme Court in 1994. He advanced to the highest judicial office in state government on July 1, 2002, when he became Florida's fiftieth chief justice, serving in that capacity until June 30, 2004.

Justice Anstead is a native Floridian, born in Jacksonville. He was a trial and appellate lawyer in South Florida until 1977, when he was appointed to the Fourth District Court of Appeal; there, he served as chief judge and from time to time as a circuit and county judge throughout the district.

As a citizen, lawyer, and judge, Justice Anstead has served his community and profession in a host of ways including service to charities, government, church, schools, and children. While on the Court, he initiated a comprehensive statewide program to improve professionalism among judges, lawyers, and law schools in the state. He has also been committed to improving the lot of children whose lives are affected by the courts. The major priority of his administration as chief justice was maintaining the excellence of Florida's trial courts during a time of transition, when funding for the trial courts shifted from local budgets to the state budget on July 1, 2004.



Justice Anstead and his wife Sue, a lawyer and child advocate herself, have five children, Chris, Jim, Laura, Amy, and Michael.



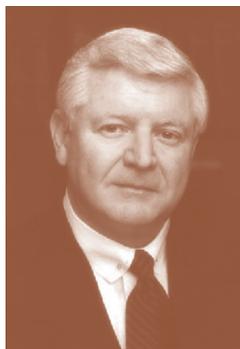
Florida's Supreme Court Justices (l-r): (seated) Justice Wells, Chief Justice Pariente, Justice Anstead; (standing) Justice Cantero, Justice Lewis, Justice Quince, and Justice Bell

R. Fred Lewis Justice

Justice R. Fred Lewis was appointed to the Supreme Court of Florida in December 1998.

Born in West Virginia, Justice Lewis made Florida his home 40 years ago, when he arrived here to go to college. After he graduated from law school in 1972, he attended and graduated from the United States Army A.G. School, and after his discharge from the military, he entered private practice in Miami, where he specialized in civil trial and appellate litigation until his appointment to the Florida Supreme Court.

In his professional life, Justice Lewis has been heavily involved in children's issues and was selected as Florida's Citizen of the Year in 2001 by the Florida Council. While in private practice, he was actively committed to providing counseling to families with children with impairments, and he offered pro bono legal services and counseling for cancer patients seeking proper treatment for multiple conditions. While on the Court, he has been a volunteer in the Florida Law Related Education Association, working with Florida educators and students; he teaches and works in schools throughout the state



to promote a better understanding of government institutions and to provide to the public open access to judicial officers.

Justice Lewis and his wife Judith have two children, Elle and Lindsay.

Peggy A. Quince Justice

Justice Peggy A. Quince was appointed to the Florida Supreme Court in December 1998; she has the distinction of being the first African-American woman on the Court.

Born in Virginia, Justice Quince began her legal career in 1975 in Washington, D.C., as a hearing

officer with the Rental Accommodations Office administering the city's new rent control law. She entered private practice in Virginia in 1977, specializing in real estate and domestic relations, and then moved to Bradenton, Florida, in 1978 to open a law office, where she practiced general civil law until 1980. From there, she joined the Attorney General's Office, Criminal Division, serving for nearly 14 years. In 1994, she was appointed to the Second District Court of Appeal, where she served until her appointment to the Supreme Court.

Justice Quince has been active in civic and community organizations, including Alpha Kappa Alpha Sorority, Jack and Jill of America, the Urban League, the NAACP, and the Tampa Organization for Black Affairs. She has also received numerous awards, especially for her work on behalf of girls, women, minorities, civil rights issues, and school programs.

Justice Quince and her husband Fred L. Buckine, an administrative law judge, have two daughters, Peggy LaVerne and Laura LaVerne.



Raoul G. Cantero, III

Justice

Justice Raoul G. Cantero, III, was appointed to the Supreme Court of Florida in July 2002.

Born in Madrid, Spain, to Cuban parents who had fled the communist regime in Cuba, Justice Cantero was a Fulbright Scholar who got his Bachelor of Arts from Florida State University and his law degree from Harvard Law School. Before his appointment to the Supreme Court, he was a shareholder and head of the appellate division of a Miami law firm, where he specialized in civil and criminal appeals as well as in commercial litigation.



Justice Cantero has also been active in the Miami community, serving as a member of the board of Legal Services of Greater Miami, a member of the Planning and Zoning Board of the City of Coral Gables, and a member of the Pastoral Council at St. Augustine Church in Coral Gables. He also lectures frequently and has authored many articles for law journals. In addition, he is an accomplished fiction writer, having published several short stories.

Justice Cantero and his wife Ana Maria have three children, Christian, Michael, and Elisa.

Kenneth B. Bell

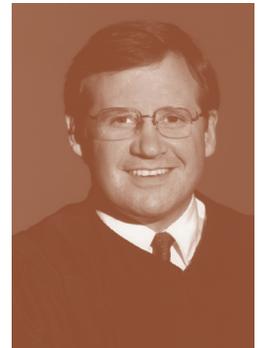
Justice

Justice Kenneth B. Bell was appointed to the Florida Supreme Court in December 2002.

A native Floridian, Justice Bell is in fact a seventh-generation Pensacolian whose paternal ancestors immigrated to the Pensacola area around 1819, when Florida was still a Spanish colony. Upon graduation from law school, Justice Bell entered private practice in Pensacola, focusing primarily on commercial and residential real estate. He continued his private practice until 1991, when he was appointed to the First Judicial Circuit of Florida, becoming the youngest circuit judge in the history of that circuit.

As a trial judge on the circuit bench for 12 years, he was actively involved in improving the justice process. He was also dedicated to improving the judicial process as it impacts children, opening the first “child witness room” in the First Circuit, for instance, and opening the only PACE Center for Girls in that circuit. In addition, he has worked with officials to establish a juvenile boot camp program and to develop systemwide school violence prevention programs. He has also been active in community affairs, serving on the board of many civic organizations.

Justice Bell and his wife have four children.



Detail on chair in the Justices' Conference Room

Florida JUDICIAL BRANCH

Mission

The mission of the judicial branch is to protect rights and liberties, uphold and interpret the law, and provide for the peaceful resolution of disputes.

Vision

Justice in Florida will be accessible, fair, effective, responsive, and accountable.

To be **accessible**, the Florida justice system will be convenient, understandable, timely, and affordable to everyone.

To be **fair**, it will respect the dignity of every person, regardless of race, class, gender or other characteristic; apply the law appropriately to the circumstances of individual cases, and include judges and court staff that reflect the community's diversity.

To be **effective**, it will uphold the law and apply rules and procedures consistently and in a timely manner, resolve cases with finality, and provide enforceable decisions.

To be **responsive**, it will anticipate and respond to the needs of all members of society, and provide a variety of dispute resolution methods.

To be **accountable**, the Florida justice system will use public resources efficiently, and in a way that the public can understand.

2004-2005: THE YEAR IN REVIEW

Revision 7

Transforming Vision to Reality

“You see things, and you say, ‘Why?’ But I dream things that never were, and I say, ‘Why not?’” Quoting George Bernard Shaw, Chief Judge Belvin Perry (Ninth Judicial Circuit) captured the jubilant, irrepressible mood of the celebrants at the Revision 7 Commemoration Ceremony at the Florida Supreme Court on July 1, 2004. That day marked the passage into full implementation of Revision 7 to Article V of the Florida Constitution: the voter-approved amendment that shifted the primary funding responsibility for the State Courts System from the counties to the state. And the sign that this prodigious feat had been successfully actualized was...silence; in fact, the best evidence of the seamlessness between the old and new funding systems was that nothing happened—no protests, no court closures, no unusual delays. Perhaps Miles McGrane, then president of The Florida Bar, put it best when he declared, “This morning,



Members of the Trial Court Budget Commission enjoy Judge Susan Schaeffer’s roguish sense of humor

“This morning, 8 o’clock came and went, and no one knew the difference.”

—Miles McGrane, The Florida Bar

8 o’clock came and went, and no one knew the difference.” Called the greatest challenge to the Third Branch since the early 1970s, when Florida’s modern state court system was created, the implementation of Revision 7, as many speakers emphasized, represented a monumental event, one that required vision, collective spirit and determination, an ability to put aside differences, the united effort of all three branches of government, and a single focus, message, and voice.

Approved by 67 percent of Florida voters in 1998, Revision 7 had two purposes: to relieve local governments of the increasing costs of subsidizing trial courts and to ensure equity in court funding across each county in the state, regardless of its wealth or lack thereof. Ultimately, the goal was to make sure that all Florida citizens, regardless of where they live, have access to the same essential trial court services. The deadline for implementing this amendment was July 1, 2004. So much was

at stake: action taken by the legislature would affect the quality of justice in Florida for years to come because the new funding structure would determine whether the courts could continue fulfilling their constitutional obligations without interruption.

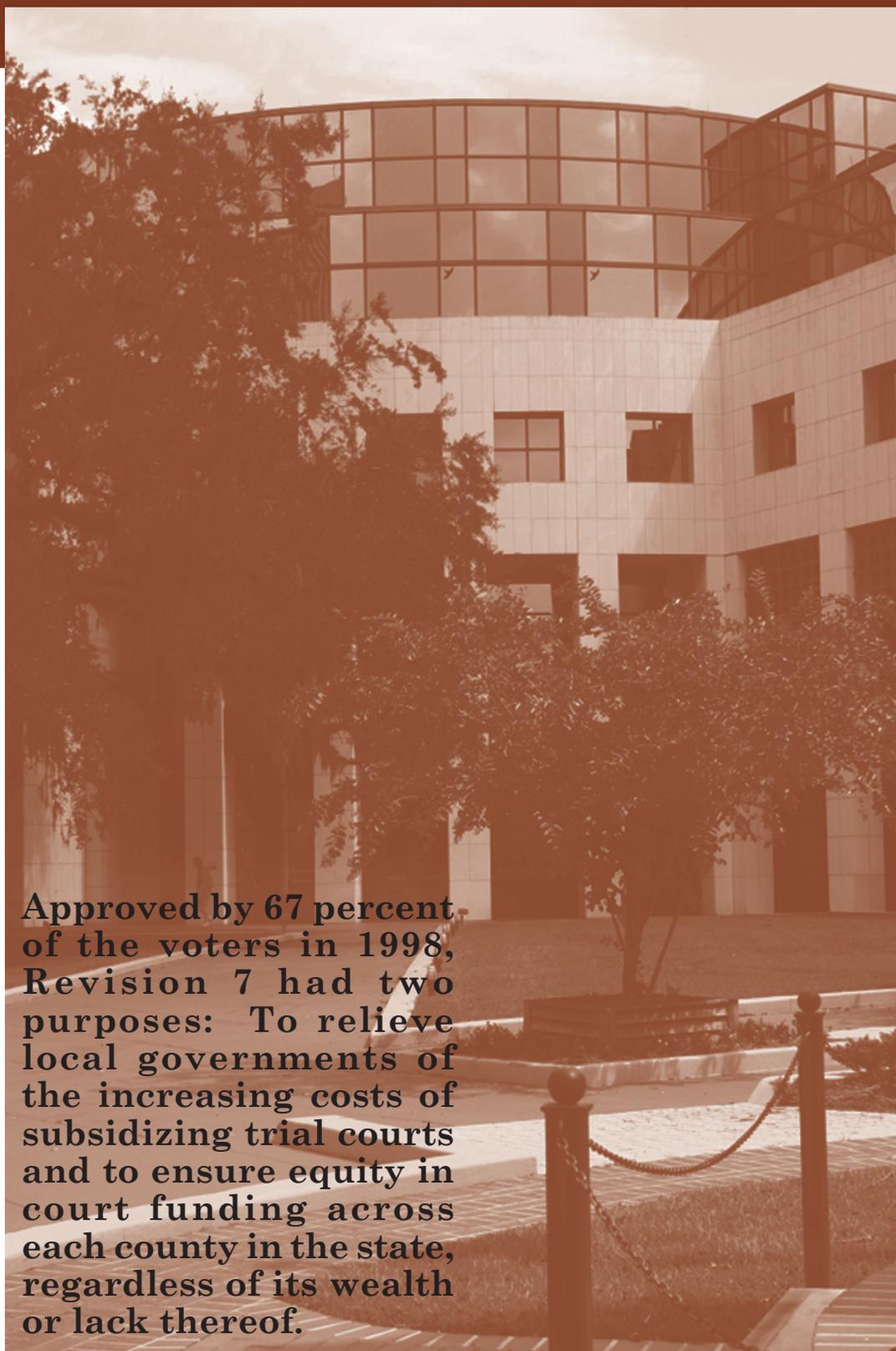
Although the essential elements of a unified court system were almost fully funded in 2004, as with any major legislation, ongoing refinements are not unusual, and legislators had to grapple with significant Revision 7 legislation in 2005. This year, a Revision 7 “glitch bill” was passed (Chapter 2005-236, Laws of Florida); altogether 117 pages long, with 75 sections, the glitch bill dealt with a package of concerns. As a result of the glitch bill, the chief judge of a circuit now determines the priority of services provided by the clerks to the trial court, and if a clerk wants to discontinue a service, he or she must either get the chief judge’s permission or else give one year’s notice of the discontinuation so that the judge can request legislative funding for the service.

The glitch bill also streamlines the process of determining criminal and civil indigence; in addition, it clarifies which party is responsible for paying for certain types of expert witnesses appointed for the court. Moreover, it allows for the creation of a schedule of partial payment for court-appointed criminal attorneys when a case is not resolved in six months; similarly, it specifies intervals in dependency and appellate cases for partial payment of attorneys’ fees. This last set of modifications makes it less undesirable for attorneys to accept long-term cases.

Overall, the Trial Court Budget Commission, created by the Court to recommend the budget requests for the trial courts and to develop strategies to execute the shift in funding, was satisfied with the bill; it is optimistic that, from hereon in, only minor changes will need to be addressed. Now it is possible to say that “Justice for All Floridians,” the rallying cry of those who struggled to make Revision 7 a triumph, is close to a reality.



Chief Judge Belvin Perry, Jr., of the Ninth Judicial Circuit, member of the Trial Court Budget Commission



Approved by 67 percent of the voters in 1998, Revision 7 had two purposes: To relieve local governments of the increasing costs of subsidizing trial courts and to ensure equity in court funding across each county in the state, regardless of its wealth or lack thereof.

The Leon County Courthouse

Travails and Triumphs: Reflections from Some of the Trial Court Administrators

“Justice for all Floridians” is no longer merely a hopeful slogan, and the basic mandates of Revision 7 have been successfully carried out now since July 1, 2004. However, getting from conception to actualization was—and continues to be—a challenge, even for the circuits that have gained the most from the shift from county to state funding. While several statewide committees painstakingly worked out the universal details—e.g., the framework and the funding that would enable Revision 7 to work—many of the circuits, as well as the Office of the State Courts Administrator (OSCA), are still identifying and addressing the ramifications that Revision 7 is having for their own operations.

David Pepper, chief of Personnel Services at the OSCA, said that personnel began to contemplate the implementation of Revision 7 in 1999. Payroll was going to be a colossal undertaking, he anticipated, because, with the funding shift, most of the circuits’ employees were going to be transferred from county to state employment, which meant that his staff were going to have to add 1,200 new positions to the State Courts System’s database. Although this might sound like rote data entry work, it was actually far more complex: since each of these positions was, in a sense, newly-created, personnel first had to devise new organization codes, classes, and position numbers for each one. Then staff had to enter this new information into the database—all of which had to be done manually. Once entered, the data had to be verified for accuracy, involving a huge flow of back and forth traffic. It took about nine months just to enter and verify all the data. In addition was the threat of benefits loss; for instance, people moving from county to state employment were going to lose their health insurance for July 2004 since they were no longer on their county payroll and had not been on the state payroll the prior month; special legislation was required for these employees to have coverage for July.

All of the above had to be accomplished without additional staff—and while personnel staff were simultaneously carrying out their usual responsibilities (OSCA presented personnel with a Team Award for its extraordinary efforts). On the whole, Dr. Pepper would call this operation a success, due largely to his dedicated staff and to the years of planning. The only concern that remains, he said, is that there are some significant pay inequities among the new employees from across the state; as a result, a major classification and pay study of the State Courts System is underway to address problems that surfaced as a consequence of the funding shift.

Pay and benefits did create problems for some of Mike Bridenback’s staff. Mr. Bridenback, trial court administrator for the Thirteenth Judicial Circuit (Hillsborough County) and a member of the Trial Court Budget Commission, lost 30 positions as a result of Revision 7. Many of these positions were unfilled at the time, so he actually only had to let go of five people, but he also lost an additional six of his senior staff due to a cut in opportunities for growth and cuts in benefits (in the move from county to state payroll, his staff lost, on average, \$4,000/year in benefits). In addition, he is facing considerable morale problems: his employees have had to take on substantially larger workloads, and their salary opportunities are severely restricted.

Another concern about Revision 7 is that trial court administrators now have less control over operations. Before Revision 7, as long as they worked within the scope of the counties’ bottom lines, trial court administrators had an enviable amount of freedom to juggle their budgets to cover needed services; Mr. Bridenback said that there is less flexibility now, and managing the budgets for due process services is of particular concern, given that funding for certain of these costs may be insufficient.

But he does see promise as well. For instance, he has been able to make Revision 7 work without negatively impacting services or access to justice. Also beneficial is that courts have been forced to rethink the way they operate. Courts are difficult to change, he said; tradition becomes a kind of stranglehold. But the move to state funding has challenged the status quo and forced the entire legal culture to reconsider and reorganize its business practices; court personnel have had to become creative in order to offset the losses that the circuit suffered (approximately four million dollars/year for this circuit). Also, he noted that his relationship with the county has changed for the better:

Hillsborough met its obligations to the court by adequately funding his technology and facilities requests.

As Mr. Bridenback acknowledged, the Thirteenth Judicial Circuit was decidedly one of the “have” circuits, and Revision 7 has recast these circuits into the so-called “donors,” which have had to make sacrifices so that the “have not” circuits can receive equitable funding. On balance, he recognizes that Revision 7 is clearly good for the State Courts System as a whole, even though some of the bigger circuits lost funding and positions.

“Clearly, the intent [of Revision 7] was to ensure that all Floridians have access to the same quality of court services, regardless of where they live.”

—Justice Anstead

Susan Ferrante is trial court administrator of the Fifteenth Judicial Circuit, another of the “have” circuits (Palm Beach County). However, Revision 7 actually treated her circuit rather well. Before implementation, she was able to work out an arrangement with the county to place any employees who might be cut, and, as result, her circuit suffered no layoffs. In addition, her employees did not get any salary reductions, nor did they endure any loss of benefits: their benefits are the same as or equivalent to what they had been under the county. So her



The Fifteenth Circuit's Main Judicial Complex

staff are not facing morale problems: she has had no turnover, and everyone is satisfied, she said.

Ms Ferrante did express some reservations, however. Her gravest concern is with the continuing quality of several programs that her circuit established, programs that are not considered “essential elements” and are therefore not receiving funding under the new formula. Three programs in particular—Supervised Visitation, the Self Service Center (for those who represent themselves in court), and the Domestic Violence Intake Program—

have been under her jurisdiction since their inception, and her circuit has run them successfully, efficiently, and inexpensively for a number of years. But the shift in funding forced her to turn them over to the clerk or the county to run, and she has no control over them anymore. Thinking philosophically about the future of these programs, she compared them to children leaving home to be on their own; as the parent, she hopes she did a good job in raising them and making them strong, and now she can only hope that they’ll continue to be alright without her guidance.

Most everyone would agree with Justice Anstead’s declaration that now, instead of a two-class system, one for the haves and one for the have nots, Florida has “one uniform, high-quality class” of courts. And that is indeed historic.

Although admitting that the transition to Revision 7 has been the biggest challenge to the State Courts System in her 20 years of employment with the court, she attributes her relative lack of crises to good planning, an ability to win over her employees, and good support from her judges.

The situation for Jennifer Wells, trial court administrator for one of the “have not” circuits, has been radically different from the other two. The Fourteenth Judicial Circuit is small, and it covers six counties, five of which are rural counties with rather limited tax bases (the circuit includes Bay, Calhoun, Gulf, Holmes, Jackson, and Washington counties). The year before Revision 7 was implemented, she had lost positions due to county budget cuts; she was down to four positions to cover all six counties. With Revision 7, she received money to fill a number of new positions, and while the salaries might be a little low for some, so far they are adequate. Employee morale is not a problem in this circuit.

Ms Wells is thrilled to have the new positions; she now has support she never had before. She is no longer providing the bare minimum level of service—what she referred to as “survival level”; now, she can provide services she never offered before as well as improve those she already had. In just one year, for example, she has developed a more complete mediation program, expanded case management, developed staff training in human resources, expanded public information services, hired magistrates to provide quicker hearings for litigants, and hired a court operations person who can deal with

emergency preparedness and ADA issues; in the past, these services either were not covered or else she was trying to cover them herself. Now, she said, she has gone from being reactive to proactive: instead of dealing with the fallout, she can tackle potential problems in advance. Thanks to Revision 7, her circuit can provide an access, effectiveness, and economy that weren’t available before.

However, having new positions has also been a challenge, she admitted. It took a year to hire and to train this entirely new workforce, and training was extensive because people don’t typically have a background in court system operations, so new employees require a considerable amount of re-education. Also, with the greater workforce has come a far greater workload: the circuit is growing, as are the demands. No longer is it acceptable to do the bare minimum; the expectations for service, quality, and new programs have increased, and people now demand a better product and a better result. But now, at least, with the

more equitable funding structure, this circuit is closer to the level of standards expected of all the courts in the state.

The transition was, overall, fairly smooth for Ms Wells, which she attributes to the enormous amount of work that went into preparing for the transition. She also praised the cooperative relationship of the various stakeholders in her area: all the clerks, state attorneys, public defenders, and county governments worked together. They met regularly; she kept them informed about what was going on; they helped each other out. Not that that was anything new for her circuit: as she said, they always had to make due with so little before, so they had a history of being creative and collaborative, building a relationship of trust and rapport over the years, which served them well in this time of potential crisis.

No doubt each trial court administrator has his or her own very different story to tell about the trials and triumphs wrought by Revision 7. And no one would deny that the situation is still imperfect. However, most everyone would agree with Justice Anstead's declaration that now, instead of a two-class system, one for the haves and one for the have nots, Florida has "one, uniform, high-quality class" of courts. And that is indeed historic.

Emergency Preparedness

The 2004 Hurricane Season: Emergency Preparedness Plan Goes Through Some Grueling Paces

After 1886, when four hurricanes struck Texas, no state suffered a similar fate...until last year. In 2004, Florida was slammed by four major hurricanes and a tropical storm—all within a six-week period. In fact, the total U.S. damage from these five severe weather events is estimated to exceed that of the most exorbitant single hurricane ever to hit this country: Hurricane Andrew, which struck Florida in 1992.

The hurricane season began late for Florida last year: tropical storm Bonnie made landfall west of Apalachicola on August 12; the next day, Hurricane Charley made landfall in Charlotte County, killing 31; after a several-week respite, Frances made landfall on September 5, killing 33 as it crossed the peninsula toward the Gulf and then headed up to the Big Bend, where it made a second landfall; then a week and a half later, on September 16, Ivan killed 52 people as it pummeled its way through Florida; finally, on September 26, Florida was doused by Jeanne, which killed 8. "Hurricane anxiety," as Governor Jeb Bush called it, certainly afflicted the entire state.

Fortunately, the courts were not without a plan to deal with this potentially statewide disaster: prompted by the tragedy of September 11, 2001, then Chief Justice Wells created the Work Group on Emergency Preparedness, which was charged with "develop[ing] a plan for the State Courts System to better respond to emergency situations." The work group was required to adhere at all times to two critical policy goals: to protect the health and safety of everyone inside the courts and to keep the courts open to ensure justice for the people. The work group completed its final report in March 2002, and, after the report's approval by the chief justice, its recommendations were implemented.



The Pensacola Civic Center became Escambia County's temporary courthouse after Ivan's wrath

Court operations were kept intact last summer because, by August 2003, each court had been required to submit an emergency preparedness plan (including a continuity of operations plan), have it approved, and put it into effect. Furthermore, each court had been directed to appoint a team that would determine the court's mission-essential functions as well as a group that would develop local policy for preparing for, responding to, and recovering from an emergency. In addition, each court was required to designate a public information officer who was responsible for disseminating emergency information and for maintaining communication with the Office of the State Courts Administrator and with various stakeholders. Thanks to all this 9/11-driven preparation, courts had clearly-drawn protocols to follow. If a court concluded that its primary facility had to be closed, then it already had, in place, a predetermined, temporary, alternate facility in which it could perform its mission-essential functions. Consequently, the courts were able to remain operational during this unpredictable, challenging, anxiety-ridden hurricane season.

Hurricane season 2004 truly put these emergency planning efforts to the test. But on the whole, all the diligence and strategizing paid off. Two success stories deserve particular notice. On account of Hurricane Ivan, Escambia County suffered the greatest damage of all the counties, and its courthouse endured the most injury and had to close the longest

(over two weeks). Yet, because the First Judicial Circuit had a solid continuity of operations plan that had been worked out with the county, the court was able to move to its prearranged, temporary facility, the Pensacola Civic Center.

And Palm Beach County also lost the use of its main courthouse due to major water damage from Hurricane Frances. Yet, as a result of its emergency preparedness plan, the court was able to use the county jail as its base of operations, holding a total of 776 first appearances and 170 felony arraignments, as well as a number of domestic violence and other hearings, between September 2 and September 12. Thanks to its pre-arranged emergency measures, the Fifteenth Circuit was able to avoid the potential crisis of serious jail-overcrowding.

Not that challenges don't remain. Hurricane season 2004 gave the courts a unique opportunity to discover the aspects of emergency preparedness that still need work. On the whole, four critical lessons were learned.

First, a reliable means of communication is essential to maintaining court operations. To address this concern, the

Office of the State Courts Administrator recently purchased 33 satellite phones (one for each circuit and one for each district court, with some remaining to be distributed on an emergency basis).

Second, the hurricane crises reinforced the absolute need for clear, predetermined, on-the-ground leadership before, during, and after the emergency. A predetermined person—or group—must be in charge at all times, and all stakeholders must know who that person or group is.

Third, the State Courts System recognized the need for a branch-wide plan in addition to the individual court plans, particularly because some crises could conceivably have a branch-wide impact. One aspect of the branch-wide plan would be daily, statewide conference calls so that the chief justice as well as the chief judges can remain aware of what's going on in other courts across the state and can therefore make the best and most cooperative decisions.

And finally, the last hurricane season stressed to the courts the need for cooperation between the court and the other

The total U.S. damage from these five severe weather events is estimated to exceed that of the most exorbitant single hurricane ever to hit this country: Hurricane Andrew, which struck Florida in 1992.



U.S. 98 after Hurricane Dennis ripped through the Panhandle

stakeholders—e.g., local government, police, sheriff, fire department, emergency management, local Bar, etc.—because the courts must rely extensively on these other agencies to keep people safe and keep the courts functional.

Without a doubt, last year's hurricane crisis reinforced the need for emergency preparedness in the Florida State Courts. In the meanwhile, efforts are already underway to determine what did and did not work and to apply what has been learned so as to make the quality of emergency preparedness in the Florida State Courts even more comprehensive.

The Public Information Officer Training Conference: Addressing Court Crises

Enlivening the usually sober basement of the Florida Supreme Court building, public information officers (PIOs) from across the state converged in early June for the first ever Florida Court PIO Training Conference, a two and a half day series of interactive sessions delving into the issues and techniques that all Florida State Courts PIOs need to master in order to perform their functions efficiently and effectively.

Hosted by the Florida Supreme Court, the Office of the State Courts Administrator, the National Judicial College, and the Conference of Court PIOs (and supported by The Florida Bar Foundation), the conference showcased local, state, and national speakers who provoked attendees with a wide-ranging series of media-related talks: "Overview of



Craig Waters, PIO for the Florida Supreme Court and coordinator of the 2005 conference

Working with the Media," "Knowing When to Talk and When Not to," "Planning for a Media Onslaught," "Florida's Public Records and Meeting Laws," and "Emergency Preparedness in the Florida State Courts" are just some of the topics covered.

In addition, throughout the conference, randomly-determined teams of PIOs worked on an extensive "media project exercise" for which they had to come up with an unusual media challenge (reality-based or fictional) and then compose an extensive plan to address this challenge, utilizing the knowledge they had gained during the conference. The conference culminated in each team's presentation of its plan before the entire conference body.

One of the most important and most emphasized points was the need to "plan" for unexpected situations and crises; in particular, participants were urged to discover their key message; to get that message out; to stay single-mindedly on that message; and—when the situation involves more than one court—to speak with a single, unified voice.



Faculty members for the Florida Supreme Court Public Information Officers Training Conference.

In a somewhat roundabout way, this conference grew out of the tragedy of 9/11. Soon thereafter, then Chief Justice Wells created the Work Group on Emergency Preparedness, whose final report and recommendations were implemented in May 2002. Among other things, the report mandated the creation or the designation of a PIO for each state court so that every court would have someone in place to coordinate emergency response activities and to provide information to the media and the public. Thus the conference can be seen as an inevitable offshoot of Chief Justice Wells' initiatives.

This grant-funded conference, which had 40 participants altogether, was the first of its kind in Florida—and in the nation. The conference coordinators' eventual goal is to hold regular meetings of Florida court PIOs, possibly fusing these gatherings with existing annual programs such as those of the marshals and clerks of court.

Education and Outreach

Law Day: Honoring the American Jury

The celebration of Law Day has been an American institution since 1958. Forty-seven years ago, President Eisenhower established Law Day in order to call attention to and to fortify the country's grand heritage of liberty, justice, and equality under the law. Three years later, Congress designated May 1 as the official day on which to commemorate Law Day. Then in 1998, the Florida Legislature specified a day (May 1) and a week (May 1-7) for the annual observance. Each year, the American Bar Association chooses a special theme for Law Week. This year, throughout the first week of May, Floridians across the state were encouraged to participate in honoring one of the foundations of our freedoms guaranteed by the U.S. Constitution: The American Jury.

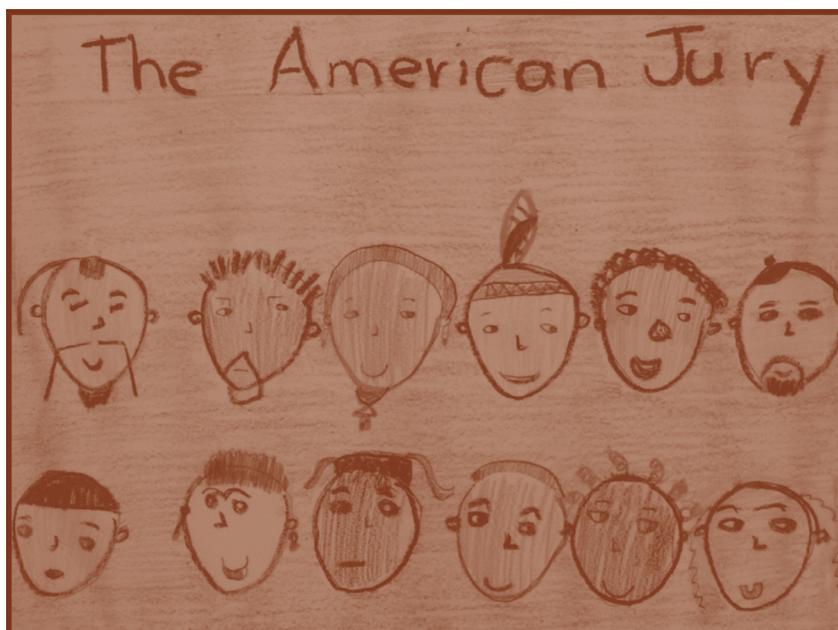
In recognition of Law Day and in conjunction with this year's theme, Chief Justice Pariente issued a proclamation on March 15, 2005, designating May 2005 as Juror Appreciation Month. In her proclamation, she "urge[s] the judiciary, attorneys, Bar associations, citizens, schools, businesses, and media of Florida to use this occasion to dedicate themselves to the preservation and strengthening of the jury system and to expressing appreciation for those Floridians who answer the call to jury service."

The chief justice emphasizes that "Jury service is a privilege and a responsibility of citizenship, and few civic activities provide such a direct contact with our democracy as does jury service, which affords an opportunity for citizens with a variety of life

"Jury service is a privilege and a responsibility of citizenship, and few civic activities provide such a direct contact with our democracy as does jury service, which affords an opportunity for citizens with a variety of life experiences and backgrounds to actively participate in the jury system." —Chief Justice Pariente

experiences and backgrounds to actively participate in the jury system." This system, she continues, "reinforce[s] our beliefs that everyday people can make the right decisions and that we are an open, democratic government."

The Florida Constitution has guaranteed the right of trial by jury since 1838. Even so, the history of the Florida jury system has been somewhat uneven. For instance, originally, only free, white males could serve on juries. This tradition continued until 1908, when Florida Justice James B. Whitfield shook up the South with an opinion outlawing the exclusion of African-American males from jury service in Florida. But women continued to be banned from jury duty until 1949—and even



Bella Zelaya, 6, G. W. Carver Elementary School, Coconut Grove

then, in order to serve, they actively had to seek out the clerk of the court to request inclusion on juror lists. Not until 1967 did the legislature change the law to include women automatically on potential juror lists. "This history shows that the Florida jury system is healthy, but in constant need of tending," the chief justice reminds us.

This year's "tending" involved a host of commemorative activities across the state, and the jurors of the Second and Fifteenth Circuits were treated to especially festive ceremonies in which the chief justice was the guest and speaker of honor. The ceremony in the Fifteenth Circuit was held on Monday, May 2, in West Palm Beach. Local county and city officials also participated, issuing proclamations in support of jurors and handing out

buttons declaring appreciation for jurors. The train and bus authorities provided free tickets to transport jurors to the courthouse, and the Palm Beach County Bar Association provided free bagels and coffee to jurors. The local media made announcements and printed stories and articles about jury duty, and the entire event was videotaped.

The Second Circuit ceremony was held in Tallahassee on Friday, May 6. The chief justice was also on hand for this celebration to thank jurors for their service. At the ceremony, city and county commissioners announced a new program that will provide free bus service to jurors on their way to and from jury duty. And the mayor urged downtown merchants to offer discounts to jurors as a way of showing appreciation and highlighting downtown's vitality. Jurors were given pens and bookmarks expressing admiration for their service, and judges and court staff wore buttons reading "We Appreciate Our Jurors." After the celebration, Chief Justice Pariente said, "My hope is that courts and local governments throughout Florida will see examples like these and will work together to help our jurors fulfill their duty."

But Law Day was not limited to activities for Florida's adults: even children across the state were encouraged to participate in

order to learn more about the concept of the American jury system. To spark interest in the state's youth, the Florida Law Related Education Association, in cooperation with the Florida Supreme Court and The Florida Bar, sponsored an essay and a poster contest. Essays were judged on the basis of content, personal reflection, originality, craftsmanship, and adherence to the theme, and posters were judged by their creativity, originality, and adherence to the theme. One winner in each category (elementary, middle, and high school) was selected for each contest, and the winners, accompanied by their families and their teachers, came to Tallahassee in May to meet the Florida Supreme Court justices and to participate in an educational program and awards ceremony.

Middle school student Joe Nurrenbrock, one of the essay contest winners, perhaps sums up the lessons of Law Day best when he says, "The jury system bestows on average people, with nothing to gain or lose, the power to determine the fate of their peers. This is the true beauty and power of the jury system. The belief that average citizens can set aside prejudice and work for a common goal: Justice."

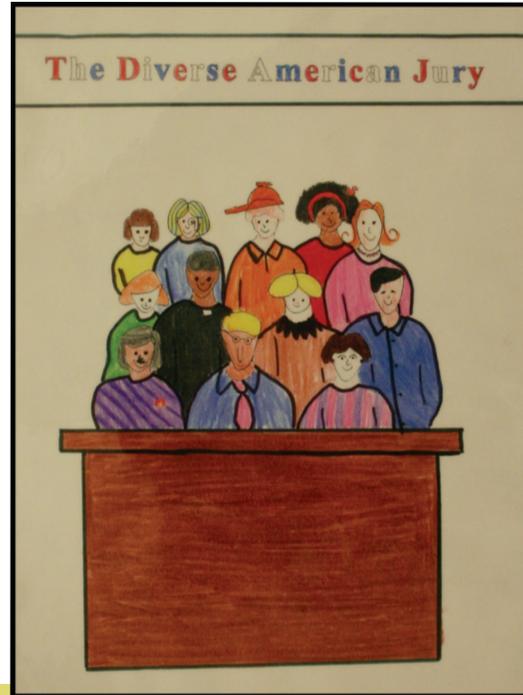


Ashley Duke, 16, Miami Killian Senior High School, Miami

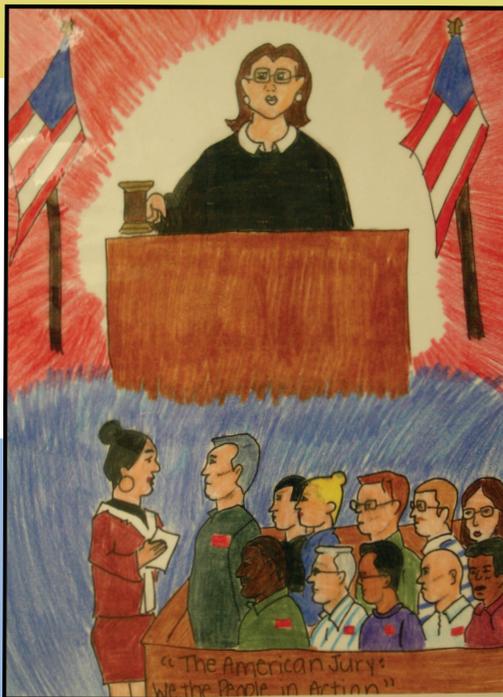
Submissions to the American Jury System Poster Contest (sponsored by the Florida Law Related Education Association)



Emily Keator, 11, M. K. Rawlings Elementary School,
Ponte Vedra



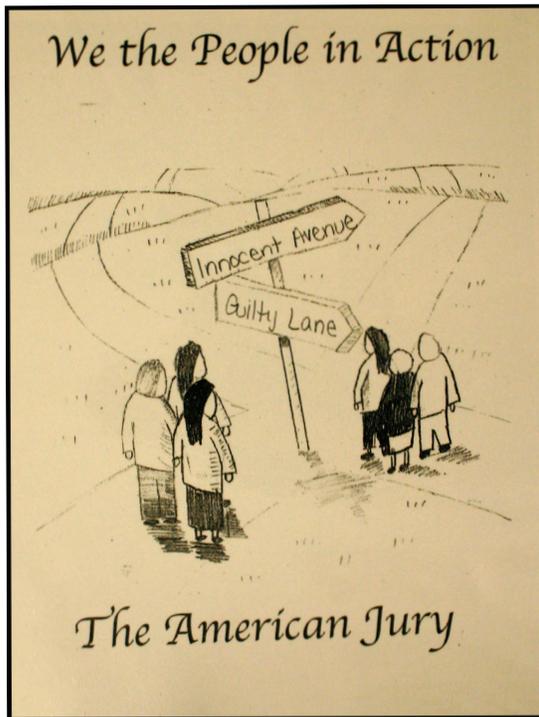
Shelby Carson, 12, PATS Center at Brentwood
Middle School, Pensacola



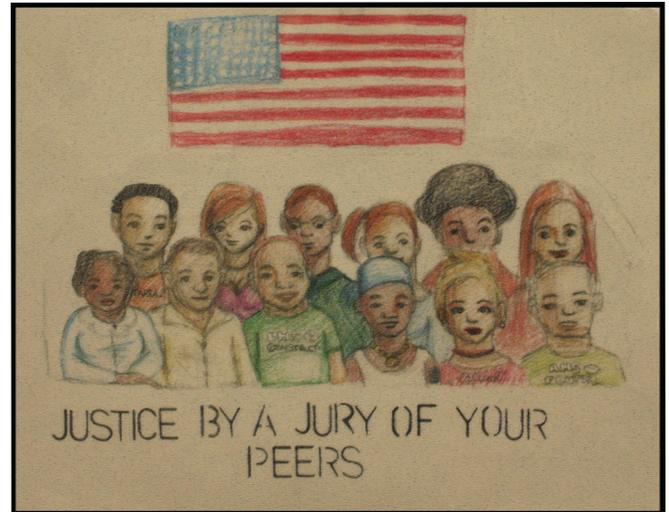
Stephanie Diez, 15, Miami Killian Senior High
School, Miami



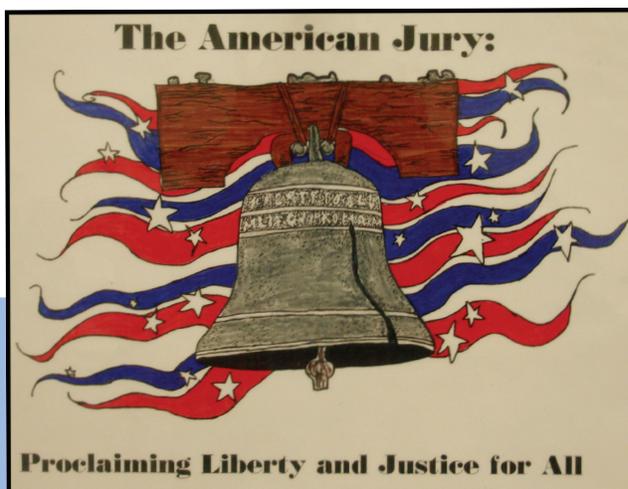
Liam Rawson, 11, M. K. Rawlings Elementary School,
Ponte Vedra



Elissa Erskine, 13, PATS Center at Brentwood Middle School, Pensacola



Heather Ward, 17, Jupiter Community High School, Jupiter



Taylor Morgan, 13, PATS Center at Brentwood Middle School, Pensacola



Roy Hornsby, 12, PATS Center at Brentwood Middle School, Pensacola

The Florida Jury System: Innovations and Reforms

This year's Law Day commemorations in Florida reminded everyone of the myriad reasons for appreciating and celebrating the American Jury, but the Florida State Courts have also been mindful of the need for significant jury reforms for many years. In particular, reforms are critical because the percentage of Floridians who respond to jury summonses is lower than (and, in some parts of the state, radically lower than) the national average. This problem has raised a red flag: access to the courts—which means access to justice—can be guaranteed only if the juror system is effective and efficient, which is an impossible goal if jury participation is inadequate. In response to mounting concerns about the jury system, the Florida State Courts have been concentrating on two particularly pressing issues: jury panel sizes and jury innovations.

By Administrative Order, Chief Justice Pariente established the Work Group on Standards for Jury Panel Sizes on September 22, 2004, with the goal of “ensur[ing] that the service of jurors and potential jurors is meaningful and responsive to the needs of the individual jurors and the justice system.” This work group, chaired by The Honorable Thomas Bateman, circuit judge of the Second Judicial Circuit, has been evaluating methods for improving the management of Florida's jury system and for making sure that adequate numbers of jurors are available for each case to be tried; the group is specifically investigating concerns about summons enforcement, non-compliant jurors, and postponements of jury duty. Ultimately, the work group aims to discover strategies for increasing citizen participation in the jury process.

Engaged in a kindred, though more comprehensive, endeavor, the Jury Innovations Committee, chaired by the recently deceased Judge Robert Shevin, formerly of the Third District Court of Appeal, aimed to evaluate the entirety of the Florida jury system and ascertain the need for improvements to the system itself. Judge Shevin recognized that, in the long run, a healthy court system depends upon the way in which jurors are treated. Jurors should be treated “not as children,” he said, “but as intelligent, informed

adults who possess the ability to multi-task and interactively process information.” Moreover, “jurors are not, and should not be, bystanders during a trial but rather full partners in the proceedings. Jurors should always be treated with respect and honor since their role is just as important as that of the judge, the lawyer, and court staff.”

After much deliberation, the Jury Innovations Committee arrived at 48 recommendations, which were broken down into three categories: recommendations concerning management and administration; those reflecting in-court procedures;

and those addressing juror treatment and compensation. Among the many issues the committee considered are standard panel sizes; the juror source list; statutory exemptions; juror orientation; expedited trials; the use of professional and anonymous jurors; peremptory challenges; note-taking by jurors; various categories of

jury instructions; juror time management; juror pay; juror privacy; and the need for a juror bill of rights. The 48 recommendations were reviewed by the Florida Supreme Court justices and then forwarded to the legislature and the pertinent Florida Bar committees for their consideration; The Florida Bar submitted its response to the Court, and, at this time, the committee's recommendations are pending before the Court.

“Jurors are not, and should not be, bystanders during a trial but rather full partners in the proceedings. Jurors should always be treated with respect and honor since their role is just as important as that of the judge, the lawyer, and court staff.”

—Judge Robert Shevin

Ultimately, the goal of both the Work Group on Standards for Jury Panel Sizes and the Jury Innovations Committee is to enhance the juror's experience and to improve the jury process in ways that benefit the jury system as a whole.



The Leon County Court honors its jurors during Juror Appreciation Month

Supreme Court Docents: Opening the Courthouse Doors

Every year, thousands of people—student groups as well as adults—walk up the stately steps of the Florida Supreme Court, eager for a tour of the building. The tours are led by schooled, knowledgeable staff members and docents who are connected with the Florida Law Related Education Association. These volunteers undergo a rigorous training process to familiarize them with every aspect of the Third Branch: the structure of the Florida Judicial System, the work of the Court, the justices past and present, the Florida Supreme Court building, the Florida Supreme Court Seal, the courtroom, the U.S. Constitution, the Florida Constitution, and the various particulars of the oral argument—the latter because, guided by the docents, visitors can participate in a mock oral argument in the courtroom itself.

Visitors can choose from among three kinds of tours: “The Mock Oral Argument Experience”—the most popular—in which visitors, playing the roles of justices and attorneys, recreate a real oral argument encounter; “An Overview of Florida’s Judicial System,” in which docents guide guests through various points of interest; and a self-guided tour, in which visitors, armed with an assortment of brochures and handbooks, journey through the public areas of the building on their own. Visitors have the opportunity to go through the upper and lower rotunda areas, the courtroom, the clerk’s office, the library, the portrait gallery, and the lawyers’ lounge. Once a month, oral arguments are held, and the public is invited to witness the justices engaged in this consequential judicial process.

Beginning in mid-October 2004, library staff began to utilize a standard registration form to collect data about the number and

kinds of visits. Between then and the end of May 2005, staff and docents gave a total of 86 oral argument and historical tours (no records are kept of the number of people doing the self-guided tour). Of the 86 tours, they gave 59 mock oral argument and 27 historical tours. Altogether, 3,577 students toured the Court, with 2,432 participating in mock oral arguments and 1,145 taking the historical tour. In addition, 682 adults visited, with 460 taking part in the mock oral argument tour and 222 opting for the historical tour.



Docent Annie Baxter leads elementary school children through the paces of the oral argument

Because the number of guests to the Florida Supreme Court continues to increase, library staff members have feared that the Court won’t be able to accommodate the many people who want to participate in a mock oral argument. Thus a volunteer project for first year law students—the brainchild of Valencia Davis, a legal writing instructor at Florida State University Law School—was recently born: approximately 20 FSU law students volunteered their time giving mock oral arguments to school groups. This volunteer project was so successful that library staff are hoping to make it a permanent part of the docent program.

Visitors can choose from among three kinds of tours: “The Mock Oral Argument Experience”—the most popular—in which visitors, playing the roles of justices and attorneys, recreate a real oral argument encounter; “An Overview of Florida’s Judicial System,” in which docents guide guests through various points of interest; and a self-guided tour, in which visitors, armed with an assortment of brochures and handbooks, journey through the public areas of the building on their own.

The docent program has not, in fact, been a Supreme Court institution for very long. The program was established in 1994 by Mrs. Irene Kogan while Justice Gerald Kogan was on the bench. She was motivated by a desire to help students who came to the Florida Supreme Court to learn more about our government and our laws, and her program's success continues to shine.

The Justice Teaching Institute: Educating the Educators

Sponsored by the Florida Supreme Court, the Justice Teaching Institute is a law-related education program that was founded in 1997 with the purpose of giving up to 25 secondary level public and private school teachers annually an opportunity to learn about the justice system in action—and then to convey what they learned to their students and others. In fact, one of the recommendations of the program is that participants make one of two educational commitments after going through the Justice Teaching Institute: they are encouraged either to develop a courts unit for their classes or to provide training for 10 other instructors in their school or district.

In return for this commitment, participants have a unique opportunity to meet with the Supreme Court justices and other judges, tour the Supreme Court, learn about the structure and function of the Florida State Courts System, discover alternatives to the

traditional system of dispute resolution, delve into some of the pressing issues confronting the state courts, participate in mock oral arguments, and engage in an extensive and rigorous review of and dialogue about a constitutional issue before the Court. This program is the creation of Annette Boyd Pitts, executive director of the Florida Law Related Education Association, and Justice R. Fred Lewis has played an instrumental role in its development.

In April of this year, 24 teachers from 12 different judicial circuits attended the Institute, and the year's focus was the case of *Golphin v. State of Florida*; the participants were responsible for determining whether the police violated the defendant's Fourth Amendment rights when they detained him in order to run a check for outstanding warrants. Despite the rigors and intensity of this jam-packed, five-day program, attendees raved about it: Jacksonville teacher Anthony Gentile enthused, "This was the best workshop for teachers I have ever attended"; "This

“I am completely committed to continuing this fight in educating the youth and public on civic education.”

—Pensacola teacher Jennifer Glass

has changed my life!” Port Charlotte teacher Meredith Masony exclaimed; and Pensacola teacher Jennifer Glass promised, “I am completely committed to continuing this fight in educating the youth and public on civic education.”



Justice Quince and Annette Boyd Pitts talk to Judges David Krathen (Seventeenth Circuit) and Janet Ferris (Second Circuit) at the Justice Teaching Institute

As a result of this program, educators dramatically expand their understanding and knowledge of the state's judicial system: they are now equipped to teach others about the history, nature, organization, function, and process of the Florida judicial system; to explain and communicate the significance of alternative dispute resolution; to use technology to teach law-related topics; and to develop strategies for teaching students about legal concepts in a meaningful way. With programs like the Justice Teaching Institute, the justices hope to begin remedying the problems that arise from the dismal lack of knowledge about Florida's court system; through the vehicle of the newly-educated teachers, they also hope to educate and energize young people about the history, roles, and consequence of the Third Branch.

The Florida Justice Institute and the Judicial Institute for Business Leaders

The Florida Justice Institute and the Judicial Institute for Business Leaders, held at the Florida Supreme Court, offer members of the legislative and the business communities an opportunity to further their understanding of the operations, functions, and responsibilities of the Florida court system. The institutes also give participants a chance to meet the justices, to discuss topics of mutual concern, and to consider the challenges of administering justice in the twenty-first century. This year, building on past success, the Court once again offered these educational programs to legislators and business leaders from around the state.

In this year's series of informational sessions, Chief Justice Pariente and Justices Lewis, Cantero, and Bell explored a range of topics with participants: the differences—as well as the overlaps—among the roles and functions of the three branches; the separation of powers, checks and balances, and judicial independence and accountability; the purpose and significance of the power of judicial review; the organization of the State Courts System; the differences in function between the trial and appellate courts; and the Court's rule-making function and its regulation of The Florida Bar are some of the areas that were covered.

The Florida Justice Institute, co-sponsored by the Supreme Court and The Florida Bar, creates an opportunity for ongoing, two-way communication between the Court and the legislature; this year, in addition to the various sessions,

These institutes offer the judicial, legislative, and business communities a unique opportunity to learn from and listen to one another and to appreciate anew the constitutional sanctity of the separation of powers.

Justices addressed judicial-legislative relations, including channels of communication among the branches and ways of strengthening those channels, and justices and legislators also had time for an informal dialogue over lunch. The Judicial Institute for Business Leaders, co-sponsored by the Supreme Court and the Business Law Section of The Florida Bar, had a similar program but a different goal: over the last few years, the changes wrought by Revision 7 to Article V of the Florida Constitution have revealed both to the courts and to business that a dialogue is essential in order to ensure the efficient and effective administration of justice in cases involving business disputes, public safety, personal property, and family matters.

The Judicial Institute for Business Leaders provides court and business leaders with a chance to maintain and reinforce this important allegiance to the cause of Justice for all Floridians.

These institutes offer the judicial, legislative, and business communities a unique opportunity to learn from and listen to one another and to appreciate anew the constitutional sanctity of the separation of powers. Over the last few years, these kinds of legislative and community outreach programs have gained nationwide momentum, and the Florida Supreme Court has considered inviting other citizen groups to the Court in order to address the impact that the efficient administration of justice has on their personal and professional lives.

The Americans with Disabilities Act Conference: Addressing ADA Issues in the Courts

All 20 circuit courts and three district courts of appeal sent court Americans with Disabilities Act (ADA) coordinators to Orlando in June for a two-day conference and training program. Falling just a month before the fifteenth anniversary of the ADA, the conference also doubled as a commemoration of this consequential federal law. The ADA, enacted on July 26, 1990, prohibits discrimination against, and ensures equal opportunities for, persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation, and this year's conference specifically addressed two features of the Act: Title I, which deals with employment issues, and Title II, which covers access to court programs and services.

The conference was necessary and timely for a number of reasons, all of which had to be attended to. First, the federal Access Board, which develops ADA Accessibility Guidelines, recently established a Courthouse Access Advisory Committee. Also, the U.S. Supreme Court recently issued an opinion (*Tennessee v. Lane*) regarding the application of Title II to the state courts. And, closer to home, as a result of the implementation of Revision 7, the state is now responsible for payment of all ADA-related costs that rise to the level of due process requirements (though the counties still pay for non-due process costs including facility enhancements, communication equipment, and technology). Finally, trial courts have experienced significant turnover in the staff responsible for ADA compliance. All of these issues were pressing to be addressed, so the conference couldn't have been more opportune.

The courses covered an array of substantive topics: the prehistory and the history of the ADA, including an explanation

of the five titles of the Act; the challenges faced by individuals with disabilities when they interact with the court system; the State Courts System's obligations to provide access to programs and services by making reasonable changes in policies and practices, by ensuring effective communication, and by removing barriers to physical access (Title II Basics); and the State Courts System's legal obligations regarding recruiting practices and the interview process, including a discussion of who is, and who is not, protected by the law and what types of accommodations must be provided for protected individuals (Title I Basics).

In addition to these more lecture-oriented courses, the conference also divided participants into small groups in order to discuss hypothetical scenarios with ADA implications; this exercise gave participants a chance to contemplate when and how to apply the ADA to real-life situations. For instance, on Title II, participants wrestled with the following scenario: a trial has been scheduled for a felony defendant who weighs 600 pounds. His



Justice Lewis was one of the speakers at this year's ADA Conference

attorney requested that the court provide a heavy duty wheelchair. Is the court required to provide this accommodation? In another scenario, a prospective juror is a quadriplegic, and he is eager to serve as a juror. His wife usually serves as his attendant. The court indicates it is willing to provide someone to assist the individual in getting around the courthouse but has no one who is trained to provide

attendant services. What is the court's obligation to provide attendant services? Can the court let his wife accompany him? Can the court dismiss all potential jurors who are quadriplegics, based solely on their disability?

On the whole, the conference was a great success, judging by the emails received. "The conference was excellent," said one attendee. "The ADA training seminar was professionally done and very informative," another declared. According to

a third, "The agenda, speakers, and presentation format were all outstanding. I believe all attendees derived a lot of benefit from the workshop and that the program content will assist us

"The agenda, speakers, and presentation format were all outstanding. I believe all attendees derived a lot of benefit from the workshop and that the program content will assist us immensely as we confront ADA issues in our local courts."

—conference participant

immensely as we confront ADA issues in our local courts," he claimed, perfectly articulating the ways in which the conference achieved its objective.

Alternative Dispute Resolution: Creative Solutions to Thorny Problems

The movement to resolve legal disputes outside the traditional court system in the U.S. began in the late 1960s. At the time, the legal and justice systems were severely overburdened with civil and criminal disputes that, in more innocent times, had been addressed by families, communities, and local civic intercessions. A creative solution to the quandary became both desirable and necessary.

Mediation and arbitration were not new to this country as both had been used to settle labor-management disputes since the 1930s. The civil rights movement further strengthened these practices by introducing communities to unconventional methods for settling problems. Over time, the notion of instructing volunteers to address community problems came to seem logical and appealing. Stakeholders realized that the palpable advantages of using trained volunteers and of operating outside of the court system are twofold: the community's ability to solve disputes is fortified, and the court is no longer swamped with issues that previously taxed its time. Another recognized benefit is that designing their own resolutions is extremely empowering to litigants because it gives them the opportunity to develop more flexible, creative solutions to their problems—which also generally means that the parties will be more likely to adhere to the solutions.

The Florida Courts System has embraced Alternative Dispute Resolution (ADR) since the 1970s. ADR began in Dade County with the creation, in 1975, of the first citizen dispute center, and the use of mediation and arbitration has grown significantly since then. Thanks to the efforts of the judiciary and the

legislature, Florida now has one of the most comprehensive court-connected mediation programs in the country.

Up until 1987, the legislature had minimal involvement in ADR: legislation was limited to authorizing the referral of cases to family mediation programs and to sanctioning the creation of citizen dispute settlement centers. But in 1987, based on the reports of the 1985-1987 Legislative Study Commissions, breakthrough legislation was adopted to grant trial judges the authority to refer any contested civil matter to mediation or arbitration; furthermore, this legislation authorized the Supreme Court to standardize various ADR features such as certification, training, conduct, and discipline. All told, this legislation institutionalized ADR as an acknowledged aspect of the civil justice system.

Meanwhile, in 1986, Chief Justice Joseph Boyd and Dean of the Florida State University College of Law, Talbot “Sandy” D’Alemberte, established the Florida Dispute Resolution Center (DRC) at the Florida Supreme Court. This Center continues to have a broad range of functions: for example, it provides staff assistance to the Florida Supreme Court mediation boards and committees; it certifies mediators and mediation training programs; it provides basic and advanced mediation training to

volunteers; it sponsors an annual conference for mediators and arbitrators; it publishes a newsletter and annual compendium; and it aids the state’s trial and appellate courts with their ADR programs.



Rep. John P. Quinones IV (on right), himself an active mediator, honored ADR mediators with House Resolution 9021, which “commends Florida’s mediators for their commitment to their communities and for their dedication to a program that, through their untiring effort, has become a highly successful method of conflict resolution.”

In 2004-2005, the DRC certified 641 new mediators and renewed 1,891 mediators; Florida now has a database of nearly 5,000 certified mediators. In addition, the DRC compiled a report and made recommendations on the appropriate use of parent coordinators and on the ethics of using senior judges as mediators; it also proposed revisions to the Florida Rules for Certified and Court-Appointed Mediators in order to encourage more diversity in the profession. Furthermore, the DRC redesigned and published its *Compendium of Mediation and Arbitration Programs* as well as publishing its newsletter, *The Resolution Report*, online for the first time. At its thirteenth

Designing their own resolutions is extremely empowering to litigants because it gives them the opportunity to develop more flexible, creative solutions to their problems—which also generally means that the parties will be more likely to adhere to the solutions.



County mediators at the ADR conference

annual conference, called “Framing Our Future,” the DRC hosted over 800 attendees; “Great Expectations,” the theme of the fourteenth annual conference, is scheduled for August of this year.

Also over the next fiscal year, the DRC is preparing research in order to make a series of recommendations to the Court regarding the practical and ethical issues related to advertising by certified mediators; the development of appellate mediation in all of the districts; the development and appropriate use of court-ordered arbitration; and the safeguards that will ensure that mediation is being used appropriately in situations in which domestic violence may be present.

ADR in Florida is unique because the Florida Supreme Court and the Office of the State Courts Administrator were committed to and behind the development of neighborhood justice centers from the very beginning. In most states, ADR has functioned as a stark alternative to the court system; in Florida, however, ADR was nurtured, encouraged, and in some cases even supported financially by the Florida State Courts System. The unswerving commitment to ADR by both the courts and the legislature is what has led to the strength and extensiveness of alternative dispute resolution in Florida.

Court Education: Instruction for Judges and Court Personnel

Although required to take judicial education courses only since 1988, Florida judges have had the option to take them since the late 70s. Former Justice Ben F. Overton, often referred to as “The Father of Court Education,” was instrumental in setting up a mechanism for providing judges and certain court personnel with education and training programs that deepen their knowledge, skills, and expertise and that ready them to administer justice fairly, effectively, professionally, and competently. Over the years, Florida’s award-winning court education program has become a model for other states’ programs.

Florida’s court education program attends to the instructional needs of every state judge in Florida. For instance, during their first year in office, all new judges

In 2004-05, the Court Education Section continued to supplement its program with new distance learning offerings. This year’s additions included course materials on CD-ROM; online and CD-ROM course materials with interactive components (e.g., hypotheticals, exercises, etc.); and videoconferenced distance learning sessions that incorporate group activities at multiple sites. In preparation are WebCT courses on the Baker Act and Small Claims; online and videoconference programming for appellate law clerks and staff attorneys; the continued development of an online library; and expanded use of the intranet site for continuing education postings.



Chief Justice Pariente presents a diploma to Judge Walter M. Green upon his graduation from the Florida Judicial College

In addition, during the last fiscal year, the Office of the State Courts Administrator (OSCA) created a new publications unit that will ensure the development and production of court education publications for judges and other court personnel. And another significant project is on the horizon: in its 2004-2006 Florida Court Education Council Administrative Order, the Florida Supreme Court charged the Council with conducting an educational needs assessment and making recommendations regarding appropriate education delivery systems; the Court also charged the Council with making recommendations about expenditures with regard to maintaining the quality of existing programs and to serving the educational needs of the additional court personnel eligible to request and receive education through the Court Education Trust Fund. The Council anticipates that the completion of these tasks may be a lengthy process but is confident that a plan for the education and training of other court personnel will be adopted.

Last fiscal year, the program offered between 800 and 1,000 instructional hours altogether; in offering this quantity of instructional hours, OSCA’s Court Education Section was responsible for a total of 78,474 available contact hours of instruction.

are required to complete a comprehensive judicial education curriculum, but even practiced judges must participate in continuing professional education: every three years, Florida judges are obligated to take a minimum of 30 approved credit hours of court education. This Rule of Judicial Administration, adopted by the Florida Supreme Court on December 31, 1987, set out the requirements for continuing judicial education.

Last fiscal year, the program offered between 800 and 1,000 instructional hours altogether; in offering this quantity of instructional hours, OSCA’s Court Education Section was responsible for a total of 78,474 available contact hours of instruction. And with the addition of 35 new circuit judges and 20 new county judges approved by the Florida Legislature in the closing days of its 2005 session, Florida’s court education program will soon have the opportunity to attend to the educational needs of 55 new judges.

Children and Families

Unified Family Court: Protecting Florida's Children and Families

Family court cases cover a range of issues including divorce, domestic violence, paternity, child support, dependency, adoption, and delinquency. Because family court cases often involve more than a single legal proceeding, they can be extremely unwieldy and complex. In addition to being complex, family court cases have also proliferated enormously over the years. For example, from fiscal year 1986-87 to 2003-04, the number of domestic relations court filings in Florida increased by 88.4 percent, and the number of juvenile delinquency and dependency court filings increased by 42.8 percent. In fact, 44 percent of all cases heard in circuit courts in fiscal year 2003-04 were domestic relations, delinquency, and dependency cases. This combination of problems—the proliferation and the complexity of family court cases—has severely strained the judicial system, prompting an urgency for reform among many stakeholders; specifically, reformers seek to create a system that has far-ranging and coordinated jurisdiction over all cases that involve children and relate to the family.

For over a decade, the Florida Supreme Court has been increasingly committed to providing families and children with an accessible and comprehensive vehicle for resolving legal disputes in an efficient and impartial manner. Between 1991 and 2001, the Court issued four separate opinions emphasizing the need for a family court system that would furnish children in court with greater protection and that would resolve family disputes with greater dexterity. To achieve these ends, in 2002, then Chief Justice Anstead combined two earlier steering committees, the Family Court Steering Committee and the Children's Court Improvement Committee, to form the Steering Committee on Families and Children in the Courts. He then appointed Justice Pariente to chair this committee, and under her navigation, the Florida court system has begun to make significant progress toward the realization of a unified family court. In order to help the courts more fully implement

the unified family court concept this year, Justice Quince, the liaison to this committee, made site visits to several circuits (the fourth, eighth, tenth, and thirteenth) to discover their resource needs. What follows are some of the year's successful unified family court initiatives.

Indicative of the Court's determination to take all the division out of a family's experience in the court system, **Florida's first family court conference, "A Vision Without Division,"** was held in Orlando in October 2004. Participation was enthusiastic: over 500 people attended, among them judges, magistrates, hearing officers, case managers, trial court administrators, clerks, and attorneys, as well as staff from the Department of Juvenile Justice, the Department of Revenue, the Department of Children and Families, and the Department of Education.



Attendees at last year's Vision without Division Conference

Coordinated by the Office of Court Improvement, under the aegis of the Office of the State Courts Administrator (OSCA), the three-day program was varied and intense: participants were treated to a rousing opening plenary, with Chief Justice Pariente as one of the keynote speakers. Attendees then had a choice of 15 workshops, focusing on topics such as Juvenile Mental Health Issues, Legal Issues Involving Children and Domestic Violence, Promoting the Rights of Children,

and Drug Court for Juveniles and Parents. Participants also chose from among five "Institutes," all of which examined seven essential elements of the unified family court in relation to specific dockets (dependency, delinquency, domestic violence, child support, and dissolution of marriage). In addition, everyone took part in three "Circuit Breakouts": in a focused environment, participants got together with the other attendees from their circuit in order to communicate about and wrestle with family court concerns specific to their jurisdiction. On

The passage of the Family Court Efficiency Bill in this year's legislative session is another victory for Florida's children and families.

the whole, the conference provided these various stakeholders with an opportunity to share some of their best and most innovative practices. The response was so overwhelmingly positive that another conference is in the planning stages for October 2005; this one will have as its theme "Understanding Family Conflict."

Domestic violence, which cuts across more family cases than any other issue, is also under the auspices of unified family court. This year, with a grant from the federal STOP Violence Against Women Act, the Office of Court Improvement was able to purchase 20 laptop computers, one for the **domestic violence coordinators** in each circuit. With these laptops, the coordinators now have quick access to more information (e.g., other pending or previous court cases in which a family is involved), which means that the domestic violence cases can move more swiftly through the court process.



The unified family court logo

The Office of Court Improvement also provided **training for the domestic violence coordinators**, holding four training sessions this year: two of them regional and two, statewide. The sessions functioned primarily as educational opportunities (with speakers, local experts, etc.), but they also gave the domestic violence coordinators a chance to share information, get feedback, and learn about initiatives and practices developed by their colleagues. Soon, coordinators will also be able to take advantage of the **Domestic Violence Case Management Guidelines**, a project that the Office of Court Improvement is spearheading; these guidelines will offer information about legal and procedural issues, domestic violence dynamics, the effects of domestic violence on children, ethical concerns, and communication within the court system.

In addition, the **Domestic Violence Benchbook** was completed and awaiting publication at the end of the fiscal year. Designed to offer technical legal assistance to judges, this benchbook details the statutes governing domestic violence cases and includes relevant case law. Along with other useful tools, it contains background information on the cycle of domestic violence and its effect on people involved in court procedures; the relationship between substance abuse and domestic violence; and custody issues that judges might want to take into account when a parent is a batterer.

The passage of the **Family Court Efficiency Bill** in this year's legislative session is another victory for Florida's children and families, for it will add statutory authority to the implementation of unified family court initiatives. This bill allows the Supreme Court to create a unique identifier in order

to better track and coordinate cases involving members of the same family. Moreover, among other provisions, it clearly lays out the precedence of custody orders between dependency and other custody cases; it permits evidence and judgments from a dependency case to be admissible in subsequent civil proceedings; and it provides a means for modifying previous custody rulings from a dependency case. Although the creation of the unique identifier is a complicated issue that is still in its preliminary stages, overall, this bill will significantly increase efficiency in the administration of family court cases.

With their unswerving and passionate commitment, Chief Justice Pariente, Justice Quince, and members of the Steering Committee on Families and Children in the Courts aim to keep the unified family court in the spotlight, guiding the Florida State Courts System toward embracing a fully integrated, comprehensive process for handling all cases involving children and families.

Florida's Drug Court Initiatives: Transforming Onus into Opportunity

In the late 1980s, crack cocaine usage began to plague the neighborhoods of Dade County. The scourge became so serious that the prospect of jail overcrowding and federal court-imposed sanctions was imminent: thousands of offenders charged with possession and purchase of controlled substances began to overwhelm the courts, and court personnel realized that something radical had to be done quickly.

With the approval of the Florida Supreme Court, and with the aid of various state and local community leaders, Judge Herbert Klein of the Eleventh Judicial Circuit pioneered the Miami-Dade County Drug Court in 1989—the first court of its kind not only in the country but also in the world. Now, over 1,200 drug courts exist across the globe: all 50 states have them, as do Puerto Rico, Guam, South America, Canada,

The Miami Dade Drug Court, pioneered in 1989, was the first court of its kind not only in the country but also in the world. Now, over 1,200 drug courts exist across the globe.

England, Bermuda, and Australia. Florida has 89 altogether, with 13 more in the planning stages; in fact, Florida has the second largest drug court system in the U.S., and this state continues to be a pacesetter in the creation and the evolution of drug court.

Drug court is not a “specialty court.” Rather, it is a 12-18 month process that involves placing non-violent substance abusers into a treatment program in which they are closely monitored by a judge, along with a team of justice-system and treatment professionals. Offenders undergo frequent,



The Office of Court Improvement logo

random alcohol and drug testing, receiving rewards for positive behavior and sanctions for negative behavior. The offenders’ treatment and recovery is the primary focus, with the ultimate goal of eliminating, rather than merely punishing, criminal behavior. Although all drug courts typically contain certain key components (e.g., a continuum of treatment and rehabilitation services, a non-adversarial approach, ongoing court interaction, interdisciplinary education, etc.), each drug court in Florida is individual, tailored to local needs and exigencies.

Drug court makes sense for a multitude of reasons. First, drugs (alcohol included) are implicated in the majority of criminal activities across the country and state—and a significant percentage of these activities is nonviolent. If the offenders go through the traditional legal process, their underpinning problem with drug abuse or addiction remains untreated, which means that the cycle of drug abuse and arrest is likely to continue. However, drug courts have a high likelihood of putting an end to this cycle: while those who do not participate in a drug court program have a recidivism rate of 48%, the recidivism rate of drug court graduates is between 16 and 27%. On another front, studies have shown that an offender’s ability to remain clean and sober is correlated with the length of time he or she participates in a drug treatment program; given its high retention rate of between 60-70%, and its lengthy, 12-18 month treatment component, drug court has a far greater promise of success than any other known strategy. Finally, drug court is remarkably cost effective: while the incarceration of drug offenders can cost between \$20,000 and \$50,000 a year per person, drug court costs are minimal, between \$2,500 and \$4,000 a year per person.

Children and families also benefit from the successes of drug court. Studies reveal that between 25-50% of all men who commit acts of domestic violence also have substance abuse problems; moreover, research shows that substance abuse causes or contributes to seven out of ten cases of child maltreatment. Drug court offers the best chance for long-term reduction of drug abuse and addiction—and thus it offers the best prospect for reducing the criminal behaviors that drug use often generates.



In May, which is National Drug Court Month, 24 drug court programs throughout the state participated in the **Sixth Annual Statewide Drug Court Graduation**. Governor Jeb Bush and Chief Justice Pariente addressed close to 200 of Florida’s drug court graduates; other guests of honor included Justice Quince; Mr. James R. McDonough, director of the Florida Office of Drug Control; and local judges and dignitaries. Each year, one jurisdiction is selected to host the opening graduation ceremony, which is broadcast live to the participating drug courts around the state via the State Courts Videoconferencing Network; this May, the Fourteenth Judicial Circuit hosted the event, which took place in Panama City.



In September 2004, Florida hosted its **fifth statewide drug court conference**: the 2004 Forum for the Florida Association of Drug Court Professionals, called “Moving Florida Drug Courts Forward Through Partnerships,” was held in St. Augustine.

Judges, drug coordinators, state attorneys, public defenders, and law enforcement and probation officers were among the 300 participants; the U.S. Office of Justice Program, the National Drug Court Institute, the Florida Association of Drug Court Professionals, the Office of the State Courts Administrator, the Seventh Judicial Circuit of Florida, and Putnam, St. Johns, and Volusia counties sponsored the event. Governor Bush and Chief Justice Pariente

participated in the opening ceremony, and conference speakers included legislators as well as technical experts at the state and national levels. In addition to countywide team building sessions, participants attended panel discussions on Broadening



Judge Don T. Sirmons, of the Fourteenth Circuit, speaks at this year’s drug court graduation; flanking him are Governor Bush, Chief Justice Pariente, and Justice Quince

Community Perspectives and Improving our System of Care, Thinking Outside the Box: Issues to Consider When Screening Clients, and Emerging Trends and New Drugs of Abuse. Another conference for the range of Florida's drug court stakeholders is in the planning stages for the 2005-06 fiscal year.



The state's **drug court coordinators** also met this year—the first meeting exclusively for this group since 1995. Justice Quince welcomed participants at the opening session, and over the two-day meeting, held in February at the Florida Supreme

Drug court is not a “specialty court.” Rather, it is a 12-18 month process that involves placing non-violent substance abusers into a treatment program in which they are closely monitored by a judge, along with a team of justice-system and treatment professionals.

Court, coordinators discussed proposed drug court legislation, surveyed various district courts of appeal opinions, talked about jail sanctions, and reviewed the range of available brochures and manuals. Coordinators are eager to hold another meeting this fiscal year.



The Office of Court Improvement (OCI), under the Office of the State Courts Administrator, has several other drug court enterprises in gestation. For instance, the eight circuits in the state that do not yet have dependency drug courts will be welcoming them this year. Partnering with the National Drug Court Institute, the OCI will provide these circuits with two six-day training sessions, one in November and one in February, on how to initiate a drug court. The OCI is also working on implementing a web-based drug court data reporting system for the Supreme Court, the legislature, and the governor's office, and it is putting together a series of guidelines called Best Practices for Drug Court, which will be a toolkit for stakeholders. Finally, it is working on trying to get support for legislation that will enhance and expand the drug court system within the state as well as create a vehicle for generating a stable revenue stream for drug court case management. With all these projects on the horizon, and with the vigorous support of Governor Bush and Chief Justice Pariente, Florida continues to shine as an international leader in drug court initiatives.

Fairness and Diversity

The Standing Committee on Fairness and Diversity: Equal Treatment for All

Because they are a neutral body and the ultimate arbiter of disputes, thereby occupying a unique position within the justice system, courts are expected to provide unwaveringly fair and equal treatment to the public. Even the impression of unfairness could undermine the public's trust and confidence in the courts. Thus the Florida State Courts System must be endlessly watchful for any bias in its operations. Similarly, the courts recognize the need to address diversity issues: for the justice system to have true credibility, the composition of the courts must reflect the make-up of the state's population.

With this in mind, the chief justice established the Standing Committee on Fairness and Diversity by Administrative Order on November 19, 2004. This committee's purpose is to “advanc[e] the State Courts System's efforts to eliminate from court operations inappropriate bias based on race, gender, ethnicity, age, disability, or socioeconomic class.” Chaired by The



Chief Justice Pariente visits with children of Supreme Court and OSCA employees

Honorable Gill Freeman, circuit judge of the Eleventh Judicial Circuit, the committee embraces a wide—and, not surprisingly, a diverse—range of members from both the public and private sectors: judges, government as well as private attorneys,

state court staff, law school professors, bar association representatives, and other judicial stakeholders. At their first meeting, as members were getting to know one another, they shared personal anecdotes about their own experiences with racial, ethnic, gender, and religious bias, and it is precisely these experiences that have fuelled this group's commitment to seeking a fair, representative, and equitable Florida State Courts System.

Together, these members are working to address the four charges for which the committee is accountable. It is charged with fashioning a program to promote and ensure the diversity

Even the impression of unfairness could undermine the public's trust and confidence in the courts.

of judicial staff attorneys and judicial law clerks in the State Courts System—and then with strategizing a means to implement the program. The committee is also expected to conduct outreach and gather information from judges, court staff, attorneys, jurors, and litigants about their perceptions of unequal treatment in Florida courts. In addition, the committee must determine whether there's a need to conduct new research on fairness and diversity in the justice system, and it also

<http://www.flcourts.org/diversity/>

must ascertain whether any recommendations from previous research still need to be acted upon. Finally, the committee is responsible for establishing a Court Diversity Information Resource Center that will be available on the Florida State Courts Internet site.

The committee, which first assembled in January of this year, has met several times thus far. In order to address efficiently the four different charges, the committee was divided into four subcommittees, one for each charge. Already, two of the charges are almost completely fulfilled. The Diversity Information Resource Center website (charge four) was officially launched on April 22, and, in addition to information about the Standing Committee on Fairness and Diversity, it contains links to relevant Florida committee reports, Florida Bar studies, and national studies and articles (visit <http://www.flcourts.org/diversity/>). Though up and running, this website is still in its infancy; the chief justice and committee members envision its becoming a broader marketplace of ideas in which groups outside the courts will be able to submit announcements as well as ideas about "best practices" (e.g., successful minority recruitment models). And charge one

(ensuring diversity among law clerks and staff attorneys) is well on its way toward completion: the subcommittee initiated three information-gathering projects, reviewed their results, and developed recommendations for a report to the chief justice about how to further diversify Florida's judicial staff attorneys and judicial law clerks.

According to the Administrative Order, "Justice requires that the court system be accessible to all, respect the dignity of every person, include judges and court staff that reflect the community's diversity, and respond to the needs of all members of society." The Standing Committee on Fairness and Diversity is determined to find ways to meet these requirements so that justice truly can be served.

Technology

Technology in the Courts: Streamlining Information to Accelerate Justice

Digital technology is radically altering the ways in which information can move and disseminate, thereby creating opportunities that were never even conceivable in a paper-bound world. As a result, Florida's judicial system has been able to make great strides in improving and enhancing the efficiency, effectiveness, and swiftness of processes that are essential to the management of court-related information. Due to its readiness to integrate new technologies into court procedures, Florida's court system has become highly regarded for its embrace of innovation and change. These technologies have aided the judicial branch in its mission to improve the administration of justice, enhance public access and service, and build public trust and confidence.

The Information Systems Services (ISS) Division of the Office of the State Courts Administrator (OSCA) provides support for the state-funded computer infrastructure of Florida's court system, including the support of approximately 700 end users and desktop computers that communicate with each other statewide and over 130 servers and critical network devices. The ISS Division also manages and supports the State Courts Network, implemented in 2001, which currently services 85% of the judiciary. The approximately 3,500 judicial personnel employed by the Florida Supreme Court, the five district courts of appeal, the twenty judicial circuits, and the OSCA have access to secure communications, thanks to this State Courts Network. It supports email services, on-line legal research services for judges and legal staff, and Internet access and

videoconferencing capacity in 47 court locations. In addition to these ongoing responsibilities, the ISS Division has been working on three consequential technological projects.

The Judicial Inquiry System (JIS) streamlines information from a variety of Florida state agencies into a single, central “dashboard” accessible by judges and other related personnel. It is a data query system that enables the sharing of critical information statewide. The system has the ability to extract specific data from a range of databases (13 different data sources) and transfer the data directly into the OSCA’s automated JIS dashboard. Judges can now receive search results from a single query as opposed to making twenty different queries, saving the courts a considerable amount of money and time (the search time is reduced from days to minutes) as well as enabling judges

Due to its readiness to integrate new technologies into court procedures, Florida’s court system has become highly regarded for its embrace of innovation and change. These technologies have aided the judicial branch in its mission to improve the administration of justice, enhance public access and service, and build public trust and confidence.

to have the information they need quickly to make critical judicial decisions. Furthermore, judges can access a more complete picture than ever before of any individual involved in the judicial system. Another benefit is that this system is user friendly, so minimal training is needed.

The system is already in production, and, to date, it has approximately 300 users. Significant expansion of the system is planned for fiscal year 2005-06 for implementation of the Jessica Lunsford Act, signed into law in May 2005, which requires those who prey on children under 12 to be sentenced to at least 25 years in prison and, if they are released, to be tracked for life. Once the Judicial Inquiry System is expanded and enhanced, judges will have timely and critical assistance with their critical decision-making responsibilities, especially those that affect public safety, children, families, and the elderly.

The On-Line Sentencing System is a web-based application that is designed to guide and assist judges through the sentencing process; it was created to enhance the process, not to replace it. The system standardizes and automates the sentencing process during criminal court proceedings to produce a clear, concise, and understandable sentencing document at the end of a defendant’s in-court activity. Because of this project, the state attorneys will be able to obtain current case data and criminal history data via the JIS to populate automatically the specific fields needed for the On-Line Sentencing System, thereby eliminating duplicate data entry and reducing data entry errors. Also, judges will be able to ensure the imposition of accurate sentences as well as the inclusion of all statutorily-mandated provisions and findings. Another feature of this project is that data from the system can be shared electronically and are

readily available for transmission to other entities authorized to receive them, e.g., the clerk’s office, the Department of Corrections, and the Florida Department of Law Enforcement. By standardizing the sentencing process, the On-Line Sentencing System Project will facilitate compliance with the Florida Statutes relating to the criminal court processes and thereby reduce the number of appeals from criminal cases. Judges, clerks, state attorneys, the Department of Corrections, and sheriffs all stand to benefit from this system. Alachua County agreed to pilot this system, and, thanks to the cooperation

among the county’s judicial staff, court administration, clerk of court, state attorney, and public defender, ISS is scheduled to implement the system later this year.

The Judicial Case Management Information System Project, a group effort by the ISS Division and the Office of Court Improvement, is a vehicle for tracking events in child abuse and neglect cases. Currently, data are maintained by multiple sources using widely varying methods, often impeding

the efficient and timely processing of cases. Thus the development of a standard judicial data management system has become critical. Once this system is in place, the courts will have a

statewide dependency case management system, which means that necessary information will be systematically collected and reported and that judicial case managers, for whom the system was designed, will have access to the data management tools they need to manage their caseloads effectively; in addition,



the system will automatically generate forms and orders, track cases, identify backlogs, process abuse and neglect cases in a timely manner, and assist courts in placing children with safe and stable families. The system was developed in partnership with the Department of Children and Families and the Eleventh Judicial Circuit for eventual statewide implementation. It will be piloted in Miami-Dade County by this August, and an additional three counties will implement the system as of November.

In addition to working on these critical projects, ISS has made considerable progress in expanding the State Courts Network. During this past fiscal year, an additional 17 network connections were installed. These connections allow additional court staff to communicate through the Florida court system's private, secure network, and they provide videoconferencing capability. In another technological development, four counties were approved to undertake electronic filing initiatives this year (bringing the total to 11 counties). E-filing enhances and improves court processes by providing safe and secure electronic transactions over the Internet, expediting the filing of court documents, reducing unnecessary data entry and errors, providing capability for online review of documents, and significantly reducing various costs related to paper, postage, and storage. Although the courts will not likely ever be completely paper-free, they are certainly moving in that direction; by embracing these new technologies, the judicial system is well on its way to being more effective in its day-to-day operations and to providing greater accessibility and more immediate responsiveness to the public.

Other Technological Innovations: Making the Courts More Accessible

Website Redesign

In November 2004, the Florida Supreme Court website underwent a significant remodeling: already six years old (which is fairly ancient in the web world), the prior design was no longer as "friendly" as it used to be. For instance, in the past, the Supreme Court and the Florida State Courts shared a website, but now each has a separate site, each with distinct information but also with useful links between them. The sites continue to reflect a broad scope of material, but the new design is both easier to navigate and more appealing.

The new Florida Supreme Court website can be found at <http://www.floridasupremecourt.org>

The new OSCA Florida State Courts website is at <http://www.flcourts.org>

Online Publications and Forms

The range of online publications and forms continues to swell, reinforcing the Florida State Courts System's endeavors to



New Websites for the Florida Supreme Court and the Florida State Courts

be as accessible, efficient, and effective as possible. During fiscal year 2004-2005, the following documents were added or updated:

Online Publications

- *The Resolution Report* (May 2005; first online edition of Dispute Resolution Center newsletter)
- "Emerging Preparedness in the Florida Judicial Branch" (spring 2005)
- *Domestic Violence Case Law Summary—Civil Cases* (April 2005)
- *Domestic Violence Case Law Summary—Criminal Cases* (April 2005)
- Family Court Conference Self-Assessment Reports (October 2004)
- *Dependency Benchbook* (March 2005)
- *Family Court Toolkit : Volume 2* (September 2004)
- *Report on Florida's Drug Courts* (July 2004)
- *Chapter 39, Florida Statutes*, and excerpts from the *Florida Rules of Juvenile Procedure* (August 2004)
- "Information for Jurors and Jury Managers" (2004)
- Draft Report from the Florida Supreme Court Committee on Privacy and Court Records (May 2005)
- "Trial Court Statistical Reference Guide" (2003-2004)
- "Trial Court Fact Sheet" (October 2004)
- "Trial Court Statistics Query" (2004)
- *CourtNews* (regular posting of newsworthy events regarding the Florida State Courts)

Online Forms

The following Florida Supreme Court Approved Family Law Forms were added or updated in the past fiscal year and may be readily accessed from the following web address:

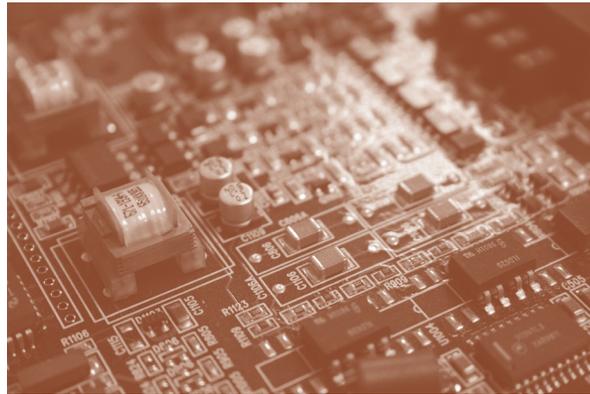
http://www.flcourts.org/gen_public/family/forms_rules/index.shtml

- Judicial Waiver of Parental Notice of Termination of Pregnancy forms
- General information for self-represented litigants
- Application for Determination of Civil Indigent Status
- Limited Appearance forms
- Acknowledgement of Assistance by Attorney
- Petitions for Dissolution of Marriage
- Petitions for Support Unconnected with Dissolution of Marriage
- Supplemental petitions to modify custody, child support, and alimony
- Instructions and forms related to magistrates
- Notice of Hearing (general)
- Notice of Hearing (child support enforcement hearing officer)
- Civil Contempt/Enforcement forms
- Forms regarding domestic, repeat, dating, and sexual violence
- Name Change forms
- Paternity forms
- Adoption forms

Technology, Public Access, and Privacy Rights: The Rising Tension

Technology's seductive promise of greater accessibility and efficiency leads to unquestionably worthy enterprises, such as those detailed above. In addition, and inevitably, technological advances have made public records more easily attainable. These advances have made access to public records even easier for Floridians because, living in the Sunshine State, Floridians also have the benefit of the "Sunshine Amendment," a constitutional obligation to make government records available to the public. In short, the Sunshine Amendment, overwhelmingly approved by voters (by over 83%) in the 1992 general election, grants "every person...the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or of persons acting in their behalf." The Information Age has truly expedited the public's access to public records.

On the one hand, the open government ensured by the Sunshine Amendment holds elected officials accountable for their decisions and decision-making processes. Thus most Floridians would agree that this greater openness that technology enables is essential for good government. On the other hand, most also recognize that an inevitable outgrowth of digital technology is the easy Internet availability of sensitive and/or confidential material, which can jeopardize their privacy. For instance, in the course of providing even basic government services, local and state agencies collect a broad stretch of often unneeded information about people (social security number, financial



information, medical and psychiatric reports, etc.); much of what is collected is "open," which means that this information can be procured—and used for a variety of purposes—for free or for a minimal charge by private entities. Clearly, this ready access by unauthorized agents can be seen as violating the privacy of Florida's residents.

This statutorily-guaranteed access to government records includes access to those of the judicial branch, and, given the current technological push, more and more court records are becoming available online, which has become the source of much debate within the courts. Florida constitutionally

Florida constitutionally guarantees open records, but the Constitution also guarantees privacy rights. For the last five years, the Court has been working on a way to balance these two sets of rights in the Digital Age.

guarantees open records, but the Constitution also guarantees privacy rights. For the last five years, the Court has been working on a way to balance these two sets of rights in the Digital Age.

In early 2001, then Chief Justice Wells instructed the Judicial Management Council of Florida to study the issue of open records as it affects the Florida courts. In a report submitted later that year, the Council, while acknowledging that emerging technologies offer great hope for advances in the efficiency, effectiveness, and openness of the courts, also concluded that current regulation was insufficient to protect the public's privacy interests. It also recommended that the Court take steps to keep confidential and sensitive information secure from inappropriate disclosure through the use of deliberately considered, uniform regulations. Until comprehensive policies were in place, court records should not be generally available electronically, the Council contended.

During the 2002 session, the legislature created the Study Committee on Public Records, which was charged with studying the issue of privacy in relation to the electronic release of public records, including court records. This study, completed in 2003, largely reinforced the findings and recommendations of the Judicial Management Council.

In response to the recommendations of the Judicial Management Council and the legislative study, then Chief Justice Anstead established the Committee on Privacy and Court Records in November 2003. This committee was charged with a series of tasks, among them, to study, determine, and recommend to the Court policies and rules governing electronic access to court records; to identify requirements for authorizing the electronic release of records and to establish categories of court records that may or may not be authorized for release; to design strategies to reduce the amount of personal and sensitive information that may unnecessarily become part of court records; to devise methods for educating lawyers, judges, and the public regarding the privacy implications of including sensitive information in official records; and to establish categories of information that may be included in court records automatically but that should be submitted to the Florida Legislature for consideration as possible legal exemptions from the right of access. In the meanwhile, the chief justice called for a limited moratorium on electronic access to court records.

The 15-member Committee on Privacy and Court Records worked assiduously for over a year and a half, submitting a draft report, available online, on May 6, 2005; public comments were accepted until June 3. Although the committee members have not achieved unanimity on several major issues, the draft report indicates a majority of the committee members do agree about a number of important recommendations: that the Florida judicial branch should aim to enable electronic access to court records but that appropriate policies should be in place before access is granted; that the current rules and law governing confidentiality in court records cannot effectively be applied to a large volume of court records, and, moreover, that the court rule that regulates confidentiality should be revised to delimit a narrow, appropriate, readily identifiable body of information that must

be kept confidential; that litigants should not be required to disclose certain privileged information without adequate reason so as to prevent unwarranted governmental intrusion into their personal lives; that the Congress and the Florida Legislature should enact meaningful privacy reform in order to protect people from abuse resulting from information gleaned from public records; and that some records, including dockets, final orders and judgments, and appellate briefs and opinions, should be authorized for electronic release immediately.

The committee will meet once more in August. "While the committee has worked diligently towards obtaining agreement on complex and controversial issues," Committee Chair Jon Mills told the Chief Justice, "it is no surprise that members of the committee have different positions on the various proposals. In my judgment the Supreme Court would be best served by allowing the committee an additional opportunity to discuss these issues in person at an open meeting."

Special Events, Awards, and Honors

Chief Justice Pariente's Swearing In: Building Bridges of Consensus

"Celebration" is typically defined as the observation of a day or event with ceremonies of respect and solemnity or of festivity and rejoicing, but Chief Justice Barbara Pariente's swearing in, on July 2, 2004, covered the sweeping spectrum of emotions. The soon to be Former Chief Justice Anstead set the stage by declaring that even though spectators were about to witness "serious and important proceedings," this event would be "in the nature of a celebration," and he encouraged everyone to "take photos, cheers, applaud, laugh, cry as the emotion moves you." Audience members needed no additional prompting: they readily gave way to the exhilarating web of feelings that this ritual inspired.



Judge Rosemary Barkett swears in Chief Justice Pariente while husband Judge Fred Hazouri holds the Bible

Guest speakers at the swearing in ceremony of the fifty-first chief justice included Doris Nicole Davis (Chief Justice Pariente's long-term mentee); Florida Bar President Kelly Overstreet Johnson; Representative Marco Rubio; Senator "Skip" Campbell; Attorney General Charlie Crist; Governor Jeb Bush; Former Justice Major B. Harding; Judge Rosemary Barkett; Justice Peggy Quince; son Joshua Pariente Koehler; husband Judge Fred Hazouri; and of course Chief Justice Pariente herself, twice, both to reconvene the Court after the passing of the gavel and also to offer closing remarks.

Undergirding much of the ceremony was Chief Justice Pariente's sense of humor, which was evident in her own playful quips and comments as well as in the gaiety and lightheartedness that her swearing in evoked in so many of those who came to pay tribute to her. The high spirits began with Representative Rubio, who claimed he lost his notes on his flight to Tallahassee but felt certain that someone en route to Miami was deriving the educational benefit; his lost notes later became the source of several other speakers' jokes. Then, Senator Campbell provoked much laughter when he fined himself \$50—and then tried to pay the Court—after his cell phone went off in the courtroom. Also kindling merriment was Justice Quince, who inspired chuckles with her descriptions of the chief justice's rather Spartan dietary and exercise regimens.

But this joviality clearly had an obverse side: the chief justice's bout with breast cancer—an issue that surfaced often during the ceremony. Many speakers called attention to what Attorney

Because of these characteristics, Former Justice Harding confidently predicted that "She will seek to build bridges of consensus rather than draw lines of division."

Speakers also celebrated Chief Justice Pariente's past judicial successes: her efforts to make sure that lower income, disabled, abused, and neglected children have greater access to the courts;

her commitment to mentoring; and her focus on restorative justice, treatment-based drug court, and unified family court.



Chief Justice Pariente at the Swearing In Ceremony

But as prominent was an emphasis on the future. The newly-sworn-in chief justice is committed to making sure that all of Florida's state courts have access to advanced technology so as to guarantee court efficiency and accessibility. She also stressed her desire to educate the public about the courts, reminding listeners that the court is an equal but separate branch of government and that our government is founded on the bedrock of the separation of powers and the independence of the judiciary; the

court system, she underlined, is the only branch of government that truly partners with the public through the genius of our jury system. Moreover, she pledged that prevention programs and unified family court will continue to be given top priority; in her words, "We must invest in the front end so that we can keep our young people from graduating from our juvenile justice system into our adult prison population."

In her closing remarks, Chief Justice Pariente gracefully paid tribute to her predecessors, calling attention to the many ways in which their passions and goals have shaped her own. She

credited Justice Shaw with her commitment to diversity in the court system. Her zeal for unified family court, she said, is the offshoot of Justice Barkett's dedication. To Justice Overton, she gave praise

for teaching her about the wisdom of mediation. Her pledge to open access, she attributed to Justice Kogan. She thanked Justice Harding for instilling in her an investment in judicial education. She expressed appreciation to Justice Wells for underscoring for her the benefits of advanced technology. And she attributed to Justice Anstead her determination to stay focused on children's issues. "The time is always right to do what is right," she reminded listeners, quoting Martin Luther King, and she ended by assuring all Floridians of her commitment to equal justice under the law.

"The time is always right to do what is right." —Martin Luther King, Jr.

General Charlie Crist described as the "courageous way [she] faced cancer and beat it," and they saw her successful battle as a metaphor for her focus, her tirelessness, her tenacity, and her indomitability. Other attributes of the new chief justice were mentioned with such frequency that they developed an almost refrain-like quality: her "courage and determination"; her "strong sense of purpose"; her "grace and compassion"; her efforts to make "every event in [her] life a celebration"; her "support for good causes"; her "thoroughness and boundless energy"; her "intelligence and objectivity"; her ability to "overcome many obstacles" and to "reach out with respect and dignity"; her problem-solving skills; and her "common sense."

A Farewell to Florida Supreme Court Marshal Wilson Barnes

After 15 years in office, Florida Supreme Court Marshal Wilson E. Barnes retired on June 1; his life and career were honored in a ceremonial session on May 5. Colonel Barnes, 67, became the Court's fifth marshal on July 1, 1990, and his incumbency at the Florida Supreme Court was far from uninteresting; he successfully secured the safety of the Court through a number of highly-publicized incidents, most notably the 2000 presidential election appeals and the anthrax scares that ensued after the September 11, 2001, terrorist attacks. Due to the entirely new genres of threats that arose during his tenure, he was responsible for spearheading a substantial overhaul of court security procedures.



Honoring Marshal Wilson Barnes for his 15 years of service at the Florida Supreme Court

After graduating from Virginia State University with a bachelor's and a master's degree, Colonel Barnes joined the Army, rising to the rank of colonel and relishing a 29-year military career; he concluded his armed forces duty at U.S. Central Command at MacDill Air Force Base, where he was director of military and civilian

He successfully secured the safety of the Court through a number of highly-publicized incidents, most notably the 2000 presidential election appeals and the anthrax scares that ensued after the September 11, 2001, terrorist attacks.

personnel in 16 countries. For his military service, he was decorated with the Bronze Star medal, the Defense Superior Service medal, and the National Defense Service medal.

"We don't have medals to honor our heroes, so we honor our heroes the way we know best, with our words, with our thanks, and with this ceremony," Chief Justice Pariente said as she opened the ceremony. "The Court family will miss Wilson tremendously," she declared.

Judge Susan F. Schaeffer: A Legacy of Determination, Wisdom, and Wit

"You are our heroes, and we thank you!" This utterance became one of the refrains of Judge Schaeffer's speech at the Revision 7 Commemoration on July 1, 2004: the Trial Court Budget Commission's "A-Team," the governor and the legislature, the business community, The Florida Bar, the Supreme Court justices, OSCA staff—all were the recipients of Judge Schaeffer's effusive thanks, and all were honored by her with the status of "hero." But no one would doubt that the real hero that day was Judge Schaeffer herself, for it was she who successfully undertook the Herculean labor of ensuring the smooth and successful implementation of Revision 7. It would be no exaggeration to say that "Justice for all Floridians"—the goal of Revision 7—has been realized largely because of her vision and tenacity.

As chair of the Trial Court Budget Commission, Judge Schaeffer's challenges were prodigious. In a brief stretch of time, she had to find a way to persuade legislators to value—and to commit to funding—the so-called "equity elements" that all state courts must have; she had to convince, cajole, and sometimes even threaten trial court judges to get involved in the process; she had to learn how to exercise gargantuan self-restraint; she had to develop the craft of effective lobbying; and she had to master the subtle skills of diplomacy.

In her inimitable way—candid, unreserved, and with the daring good humor that is her trademark—she told the narrative of her Revision 7 journey, the subtext of which was her unwavering dedication to and protection of the court system.

The July 1, 2004, commemoration represented the culmination of her many incremental triumphs, thanks to which adequate state funding is now provided for essential trial court services for every citizen—regardless of the county in which he or she lives. As Justice Anstead declared, no longer does the Florida judiciary have a two-class system, torn between the "have"

and the “have not” courts; rather, now the Florida State Courts System is “one, uniform, high-quality class,” and Floridians owe a debt of gratitude to Judge Schaeffer for this reform.

Judge Schaeffer, who retired at the end of 2004, was originally appointed to the bench by then Governor Bob Graham in 1982;

The Betty Scharff Memorial Award: Honoring the Supreme Court’s Mentoring Program

HOSTS (“Help One Student to Succeed”) Learning named the Florida Supreme Court as one of the recipients of its most prestigious tribute this year: the Betty Scharff Memorial Award.

“Chair Emeritus Schaeffer shall be a perpetual nonvoting member of the Trial Court Budget Commission and shall be advised of all Commission meetings and authorized to attend at state expense. Chair Emeritus Schaeffer shall share with the Commission the benefit of her immense knowledge and considerable expertise on trial court funding issues and perform such other tasks as may be assigned by the Commission Chair.” —Chief Justice Pariente

she served for 22 years in the Sixth Judicial Circuit and was elected chief judge an unprecedented three consecutive terms. During her years on the bench, she presided over a number of her circuit’s hotly-watched trials, and she also gained national recognition for her expertise on death penalty procedure. She is known as a tireless educator, and she is revered for some of her major innovations, such as instituting both drug court and the unified family court in her circuit, making her court a model for other state circuits. For her keen mind, her famous comedic sense, her sagacity, and her courage, her colleagues have come to think of her as an “institution.”

On November 15, 2004, by Proclamation and Administrative Order, Judge Schaeffer was awarded the honorary lifetime title of Chair Emeritus of the Trial Court Budget Commission by Chief Justice Pariente—the first time in Florida history that such an honor has been bestowed. Thus Judge Schaeffer is now under order to continue “shar[ing] with the Commission the benefit of her immense knowledge and considerable expertise on trial court funding issues and perform[ing] such other tasks as may be assigned by the Commission Chair.” As a result of her continued involvement, the court system will always have the advantage of her wisdom, her insight, and what the Chief Justice referred to as her “plainspoken, no-nonsense advice.” So, although Judge Schaeffer is retired and believes she has every intention of passing her free time mastering her golf game, the Court apparently has other plans for her.

This award is “the highest honor given by HOSTS Learning to nominated individuals who go the extra mile.” According to Betty Scharff, a co-developer of HOSTS Learning’s reading and math program, “Every child [can] succeed if given the right tools to learn in a loving environment,” and the Florida Supreme Court demonstrated the truth of Scharff’s words.

For the past three years, justices and court staff have been going to Bond Elementary School in Tallahassee, Florida, to mentor students through the HOSTS program. According to Principal Arrhea Williams, the Florida Supreme Court mentors “were with us when we initiated the HOSTS program, and their impacts on

the students are phenomenal. Their level of caring is commendable,” she said. As a result of their commitment, the HOSTS students’ reading and writing scores have improved significantly. “The one-to-one tutoring through HOSTS by employees of the Supreme Court of Florida has been instrumental in making a difference,” she asserted.

Mentoring, of course, is not a new concept. It goes back at least as far as the ancient Greece of Socrates and Plato. Mentoring, then as now, typically signifies a sustained learning-relationship between a young person and an adult. Through the adult’s continued presence and involvement, he or she offers support and guidance to the youth. Not surprisingly, statistics reveal that when young people are mentored, they are less likely to begin using illegal drugs or drinking alcohol, and they are also less likely to skip school or to get into fights.



The Florida Conference of Circuit Judges, chaired by Circuit Judge Frederick B. Tygart of the Fourth Circuit, honors Judge Schaeffer

Governor Jeb Bush started the Governor's Mentoring Initiative in 1999, and, as a result, the judicial branch implemented a policy in 2000 encouraging employees to work in voluntary mentoring programs: supervisors are authorized to grant administrative leave for one hour of mentoring per week.



OSCA employee Donna Brewer is honored by Chief Justice Pariente and Justice Quince for her commitment to mentoring

On August 30, 2004, Chief Justice Pariente established the Supreme Court/Office of the State Courts Administrator Mentoring Committee. Its purpose is "to steer the Court's current mentoring initiative and to explore opportunities for expanding options for Justices and court staff to voluntarily participate in structured mentoring programs." The Betty Scharff Memorial Award honors the Florida Supreme Court for its vision and its commitment.

**"Every child [can] succeed if given the right tools to learn in a loving environment."
—Betty Scharff**

Other Awards and Honors

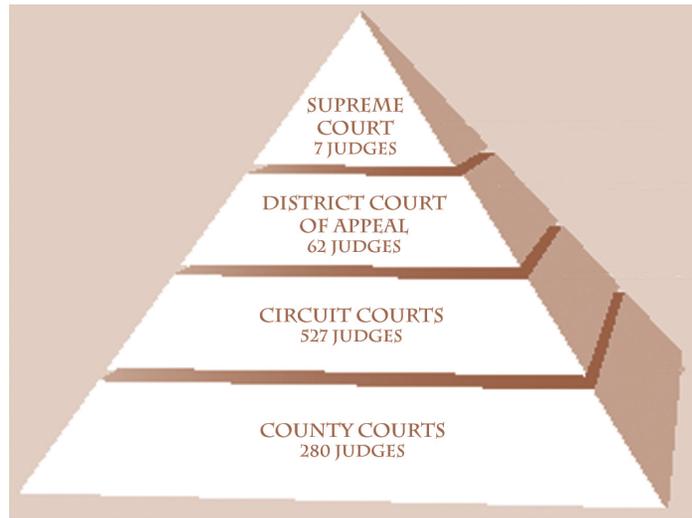
- **Judge William A. Van Nortwick, Jr.**, of the First District Court of Appeal, was the first recipient of the Florida Supreme Court's Distinguished Judicial Service Award on April 7, 2005. The purpose of this award, created by Chief Justice Pariente, is to recognize an active or retired judge for outstanding and sustained service to the public through legal or civic service or a combination thereof, especially as it relates to pro bono services.
- **Judge Irene Sullivan**, of the Sixth Judicial Circuit's Unified Family Court, was the first recipient of the Children's Justice Award, bestowed by the Salvation Army of Pinellas County.
- Judge Susan Schaeffer, Trial Court Budget Commission Chair, conferred special honor on the "heroes" who worked with her to ease the Revision 7 funding transition. The honorees were **Justices Major Harding, Charles Wells, and Harry Lee Anstead; Senators Skip Campbell, Jim King, Ken Pruitt, Rod Smith, Alex Villalobos, and Stephen Wise; Representatives Johnnie Byrd, Holly Benson, Dan Gelber, Dudley Goodlette, Arthenia Joiner, Jeff Kottkamp, Bruce Kyle, Mark Mahon, Joe Negron, Tim Ryan, and Jack Seiler; Governor Jeb Bush; and the TCBC "A-Team" members Judges Joe Farina, Charlie Francis, John Laurent, Stan Morris, and Belvin Perry; Trial Court Administrator Carol Ortman; and State Courts Administrator Lisa Goodner.**
- **The Judicial Inquiry System project**, designed and implemented by OSCA's Information Systems Services Division, was the recipient of *InfoWorld's* "2004 InfoWorld 100," an award honoring the year's most innovative information technology projects. *InfoWorld*, a highly-regarded technology magazine, pays tribute to transformative projects that highlight the resourcefulness of the IT community.

Florida's COURT STRUCTURE

The Florida State Courts System (SCS) consists of the following entities: two appellate level courts - the Supreme Court and district courts of appeal; and two trial level courts - circuit courts and county courts. The chief justice presides as the chief administrative officer of the judicial branch.

On July 1, 1972, the Office of the State Courts Administrator (OSCA) was created with initial emphasis on the development of a uniform case reporting system to provide information on activities in the judiciary. Additional responsibilities include the preparation of the operating budget for the judicial branch and projecting the need for judges.

The executive staff the State Courts Administrator serves as the liaison among the court system and the legislative branch, the executive branch, the auxiliary agencies of the Court, and national court research and planning agencies. The OSCA's legislative and communication functions are handled directly by the State Courts Administrator and her executive staff.



APPELLATE COURTS

Supreme Court

- 7 justices, six-year terms
- Sits in Tallahassee
- Five justices constitute a quorum

District Courts of Appeal

- 62 judges, six-year terms
- Five Districts:
 - 1st District Tallahassee -15 judges
 - 2nd District Lakeland -14 judges
 - 3rd District Miami -11 judges
 - 4th District West Palm Beach - 12 judges
 - 5th District Daytona Beach - 10 judges
- Cases generally reviewed by three-judge panels

TRIAL COURTS

Circuit Courts

- 527 judges, six-year terms
- Twenty judicial circuits
- Number of judges in each circuit based on caseload
- Judges preside individually, not on panels

County Courts

- 280 judges, six-year terms
- At least one judge in each of the 67 counties
- Judges preside individually, not on panels

SUPREME COURT OF FLORIDA

The Supreme Court is the highest court in Florida. Five justices are required to constitute a quorum to conduct business, and four justices must agree on a decision in each case. The Court has exclusive authority to regulate the admission and discipline of lawyers in Florida, as well as the responsibility to discipline and remove judges.

Mandatory jurisdiction includes death penalty cases, district court decisions declaring a state statute or provision of the state Constitution invalid, bond validations, rule of court procedures, and actions of statewide agencies relating to public utilities.

DISTRICT COURTS OF APPEAL

The bulk of trial court decisions that are appealed are reviewed by three-judge panels of the district courts of appeal (DCAs). In each district court, a chief judge, who is selected by the body of district court judges, is responsible for the administrative duties of the court.

Jurisdiction extends to appeals from final judgments or orders of trial courts in cases that either are not directly appealable to the Supreme Court or are not taken from a county court to a circuit court, and to the review of certain non-final orders. The district courts have been granted the power to review most final actions taken by state agencies in carrying out the duties of the executive branch of government.

CIRCUIT COURTS

The majority of jury trials in Florida take place before circuit court judges. The circuit courts are referred to as courts of general jurisdiction. Circuit courts hear all criminal and civil matters not within the jurisdiction of county courts, including: family law; juvenile delinquency and dependency; mental health; probate; guardianship; and civil matters over \$15,000. They also hear some appeals from county court rulings and judgments, and administrative hearings. Finally, they have the power to issue extraordinary writs necessary to the complete exercise of their jurisdiction.

COUNTY COURTS

Each county has at least one county court judge. The number of judges in each county court varies with the population and caseload of the county. County courts are courts of limited jurisdiction, which is established by statute. The county courts are sometimes referred to as “the people’s courts,” because a large part of the courts’ work involves citizen disputes, such as violations of municipal and county ordinances, traffic offenses, landlord-tenant disputes, misdemeanor criminal matters, and monetary disputes up to \$15,000. In addition, county court judges may hear simplified dissolution of marriage cases.

DCA Circuits

- 1** 1, 2, 3, 4, 8, 14
- 2** 6, 10, 12, 13, 20
- 3** 11, 16
- 4** 15, 17, 19
- 5** 5, 7, 9, 18

Circuit Counties

- 1 Escambia, Okaloosa, Santa Rosa, Walton
- 2 Franklin, Gadsden, Jefferson, Leon, Liberty, Wakulla
- 3 Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, Taylor
- 4 Clay, Duval, Nassau
- 5 Citrus, Hernando, Lake, Marion, Sumter
- 6 Pasco, Pinellas
- 7 Flagler, Putnam, St. Johns, Volusia
- 8 Alachua, Baker, Bradford, Gilchrist, Levy, Union
- 9 Orange, Osceola
- 10 Hardee, Highlands, Polk
- 11 Miami-Dade
- 12 DeSoto, Manatee, Sarasota
- 13 Hillsborough
- 14 Bay, Calhoun, Gulf, Holmes, Jackson, Washington
- 15 Palm Beach
- 16 Monroe
- 17 Broward
- 18 Brevard, Seminole
- 19 Indian River, Martin, Okeechobee, St. Lucie
- 20 Charlotte, Collier, Glades, Hendry, Lee

Administration

Office of the State Courts Administrator

The Office of the State Courts Administrator (OSCA) was created in 1972 to serve the chief justice in carrying out his or her responsibilities as the chief administrative officer of the judicial branch. OSCA's purpose is to provide professional court management and administration of the state's judicial system—basically, the non-adjudicatory services and functions necessary for the smooth operation of the judicial branch, which includes the Florida Supreme Court, the district courts of appeal, the circuit courts, and the county courts.

OSCA has a range of duties: it prepares the judicial branch's budget requests to the legislature; it monitors legislation; and it serves as a point of contact for legislators and their staff regarding issues related to the State Courts System. OSCA also provides a wide range of educational programs for judges; these programs, which enable judges to meet mandatory continuing education requirements, are designed to increase judicial knowledge and skills, with the ultimate goal of improving the administration of justice.

OSCA also assists with implementing administrative and legislative initiatives for family, dependency, and delinquency court cases; collecting and analyzing statistical information relevant to court operations; offering statewide mediation training and certification through the Dispute Resolution Center; providing technical support for trial and appellate courts; developing strategic planning; and other related

functions. For more information about OSCA, visit the Florida State Courts website at <http://www.flcourts.org>

Trial Court Administrators

The trial court administrator supports the chief judge in his or her constitutional role as the administrative supervisor of the circuit and county courts; each of the twenty circuits in Florida has a trial court administrator. The office of the trial court administrator provides professional staff support to ensure effective and efficient court operations.

Trial court administrators have multiple responsibilities. They manage judicial operations such as courtroom scheduling, facilities management, caseload policy, ADA policy, statistical analysis, inter-branch and intergovernmental relations, technology planning, jury oversight, public information, and emergency planning. They also oversee court business operations including personnel,

planning and budgeting, finance and accounting, purchasing, property and records, and staff training.

In addition, the trial court administrators provide administration and support for essential court resources including court reporting, court interpreters, expert witnesses, staff attorneys, magistrates and hearing officers, mediation, and case management. For links to the homepage of any of Florida's circuit courts, go to <http://www.flcourts.org/courts/circuit/circuit.shtml>



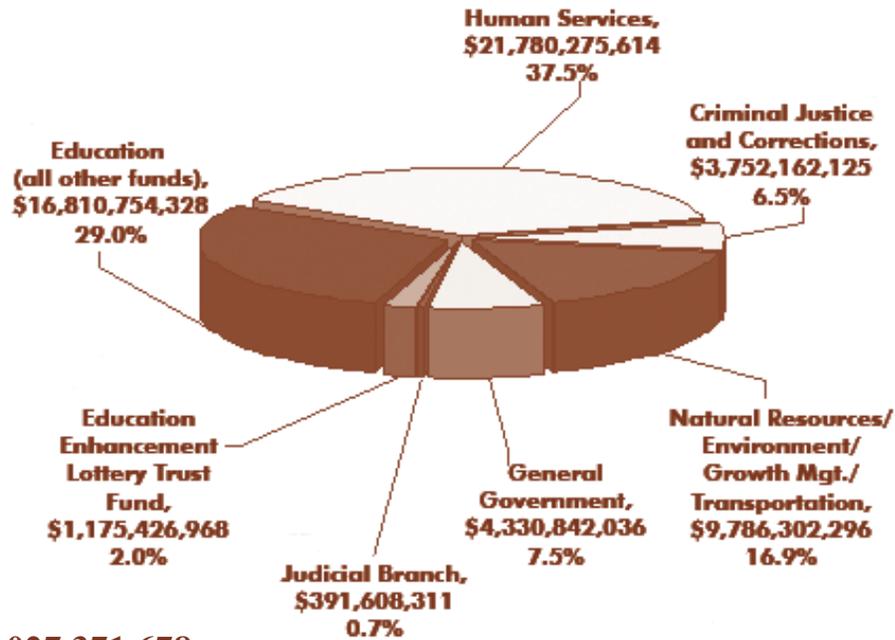
Elisabeth H. Goodner, State Courts Administrator



Group shot of the OSCA staff

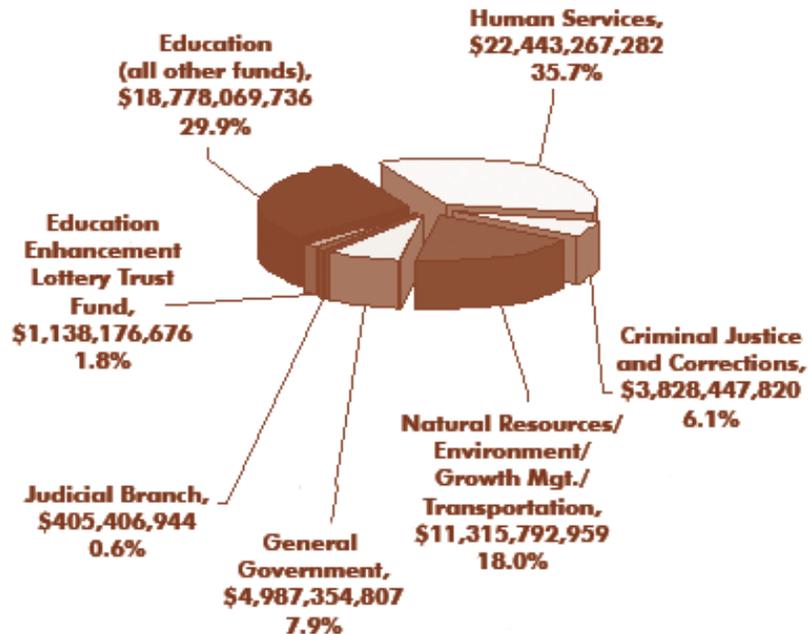
Florida's BUDGET

2004-2005 Fiscal Year Appropriations



Total: \$58,027,371,678

*2005-2006 Fiscal Year Appropriations



Total: \$62,896,516,224

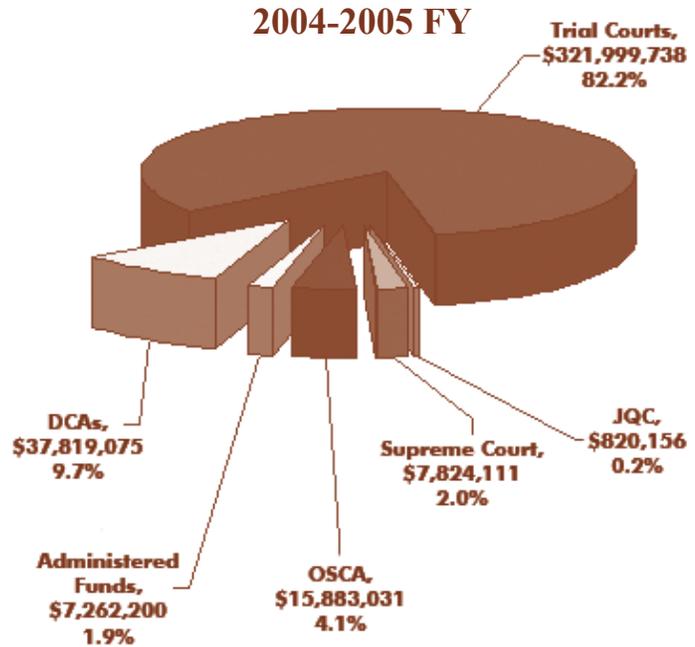
* Totals only include issues that were funded in the General Appropriations Act, SB 2600

State COURTS SYSTEM APPROPRIATIONS

Judicial System 2004-2005 FY Appropriations

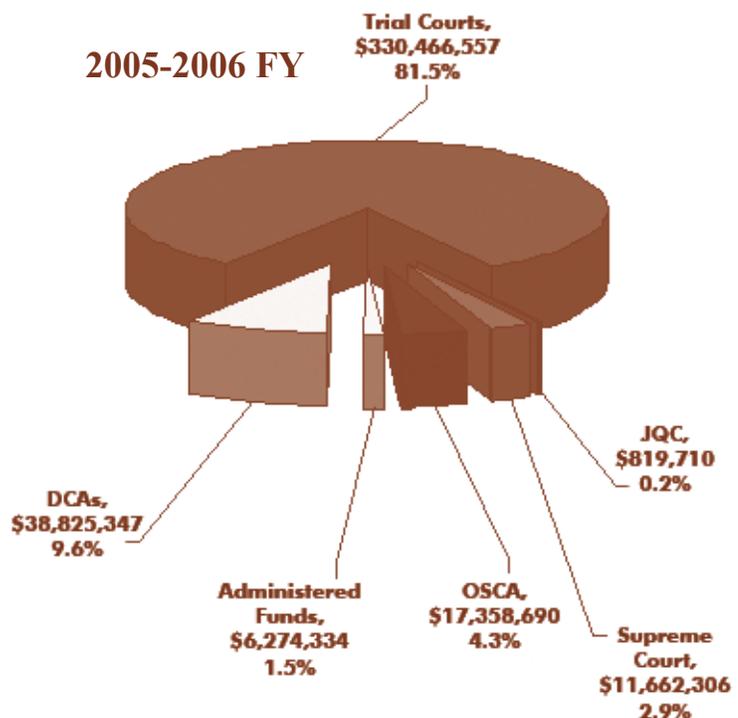
State Courts System	\$391,608,311
Justice Administration Executive Direction	\$105,457,927
Statewide Guardian Ad Litem Program	\$22,357,256
State Attorneys	\$322,472,815
Public Defenders Judicial Circuit	\$164,177,274
Public Defenders Appellate	\$13,046,677
Capital Collateral Regional Counsel	\$7,212,132
Total	\$1,036,332,392

The courts get less than 1% of the State's total budget



Judicial System 2005-2006 FY Appropriations

State Courts System	\$405,406,944
Justice Administration Executive Direction	\$107,041,336
Statewide Guardian Ad Litem Program	\$26,259,278
State Attorneys	\$344,883,004
Public Defenders Judicial Circuit	\$169,196,655
Public Defenders Appellate	\$13,156,907
Capital Collateral Regional Counsel	\$7,257,905
Total	\$1,073,202,029



Judicial CERTIFICATION TABLE

Judicial Certification Table By Legislative Session

Session Year	District Court of Appeal					Circuit					County				
	Requested	Certified	Authorized	%Authorized (of those certified)	Total	Requested	Certified	Authorized	%Authorized (of those certified)	Total	Requested	Certified	Authorized	%Authorized (of those certified)	Total
1996	0	0	0	n/a	61	12	5	6	120%	461	9	4	4	100.0%	260
1997	3	0	0	n/a	61	16	7	7	100.0%	468	6	3	3	100.0%	263
1998	0	0	0	n/a	61	19	13	0	0.0%	468	12	5	0	0.0%	263
1999	1	1	1	100.0%	62	27	25	25	100.0%	493	17	6	6	100.0%	269
2000	0	0	0	n/a	62	34	30	0	0.0%	493	17	13	0	0.0%	269
2001	0	0	0	n/a	62	40	30	16	53.3%	509	23	14	11	78.6%	280
2002	2	2	0	0.0%	62	35	34	18	52.9%	527	16	13	0	0.0%	280
2003	3	2	0	0.0%	62	35	33	0	0.0%	527	23	21	0	0.0%	280
2004	4	4	0	0.0%	62	54	51	0	0.0%	527	38	33	0	0.0%	280
2005	2	2	0	0.0%	62	69	67	35	52.2%	562	44	41	20	48.8%	300

For the last six years, the Supreme Court has used a Weighted Caseload System in evaluating the need for new trial court judgeships. The Weighted Caseload System analyzes Florida's trial court caseload statistics according to complexity. Cases that are more complex, such as Capital Murder cases, receive a higher weight, while less complex cases receive a lower weight. These weights are then applied to case filing statistics to determine the need for additional judgeships.

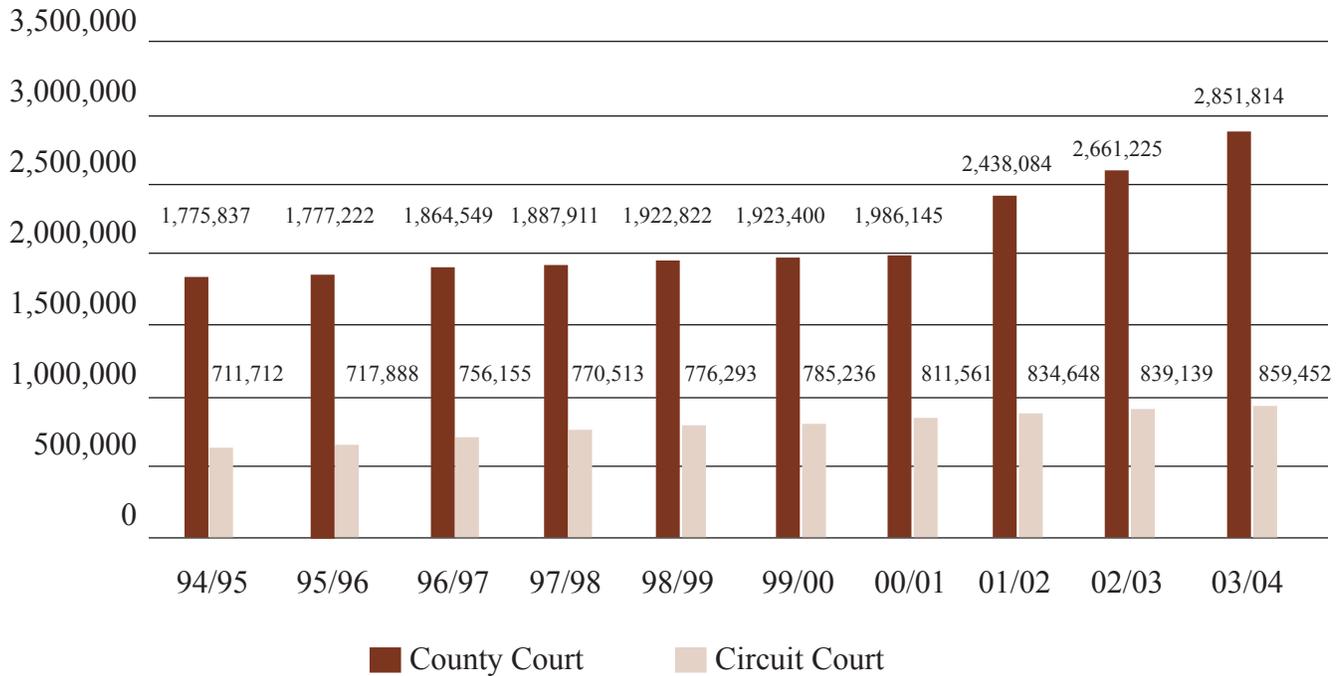
The need for additional judgeships remains high for two primary reasons: an absence of funding for previously certified judgeships and overall increases in caseloads. If judicial workload continues to exceed capacity and the judicial need deficit is not addressed, likely consequences may be case processing delays, less time devoted to dispositions, and potentially diminished access to the courts.

The Florida Supreme Court certified the need for 110 new judges for the 2005-06 fiscal year, and the Florida Legislature approved funding for 55 new judges (35 circuit judges and 20 county court judges), all of whom will be appointed by Governor Jeb Bush.

Filings

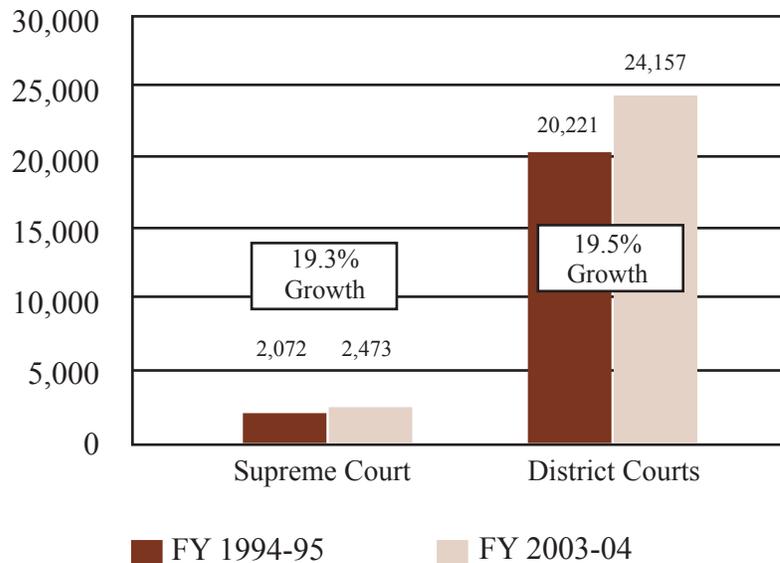
Florida's Trial Courts

Circuit and County Court Filings FY 1994-95 to 2003-04



Florida's Appellate Courts

Florida Appellate Filings FY 1994-95 to 2003-04



Court FILINGS BY CIRCUIT AND DIVISION

FY 2003-04 (Drawn from Frozen Database on 6-28-2005)

Circuit	County	Division	Total Filings
All	All	Adult Criminal	193,870
All	All	Civil	178,970
All	All	Family-Domestic Relations	284,522
All	All	Probate	108,183
All	All	Family-Juvenile Delinquency	77,532
All	All	Family-Juvenile Dependency	16,375
All	All	County Adult Criminal	1,012,494
All	All	County Civil	1,839,320
			3,711,266

Circuit	Division	Total Filings	Circuit	Division	Total Filings	Circuit	Division	Total Filings
1	Adult Criminal	8,769	5	Adult Criminal	9,496	9	Adult Criminal	15,579
	Civil	5,618		Civil	7,482		Civil	14,168
	Family-Domestic Relations	13,564		Family-Domestic Relations	14,894		Family-Domestic Relations	22,696
	Probate	4,070		Probate	6,300		Probate	5,412
	Family-Juvenile Delinquency	3,537		Family-Juvenile Delinquency	3,873		Family-Juvenile Delinquency	7,325
	Family-Juvenile Dependency	1,028		Family-Juvenile Dependency	1,420		Family-Juvenile Dependency	842
	County Adult Criminal	34,282		County Adult Criminal	30,220		County Adult Criminal	59,049
	County Civil	36,759		County Civil	40,248		County Civil	89,163
		107,627			113,933			214,234
2	Adult Criminal	5,488	6	Adult Criminal	16,556	10	Adult Criminal	8,320
	Civil	4,175		Civil	12,925		Civil	6,850
	Family-Domestic Relations	6,870		Family-Domestic Relations	19,733		Family-Domestic Relations	13,666
	Probate	2,531		Probate	10,245		Probate	4,346
	Family-Juvenile Delinquency	1,705		Family-Juvenile Delinquency	6,817		Family-Juvenile Delinquency	4,722
	Family-Juvenile Dependency	334		Family-Juvenile Dependency	1,336		Family-Juvenile Dependency	1,207
	County Adult Criminal	19,491		County Adult Criminal	71,801		County Adult Criminal	40,727
	County Civil	28,413		County Civil	72,430		County Civil	42,345
		69,007			211,843			122,183
3	Adult Criminal	1,665	7	Adult Criminal	8,502	11	Adult Criminal	24,182
	Civil	1,519		Civil	6,770		Civil	29,369
	Family-Domestic Relations	4,495		Family-Domestic Relations	13,404		Family-Domestic Relations	33,501
	Probate	1,099		Probate	5,763		Probate	10,663
	Family-Juvenile Delinquency	665		Family-Juvenile Delinquency	4,639		Family-Juvenile Delinquency	7,629
	Family-Juvenile Dependency	198		Family-Juvenile Dependency	722		Family-Juvenile Dependency	1,141
	County Adult Criminal	8,560		County Adult Criminal	62,087		County Adult Criminal	139,780
	County Civil	12,417		County Civil	50,824		County Civil	514,434
		30,618			152,711			760,699
4	Adult Criminal	10,005	8	Adult Criminal	5,043	12	Adult Criminal	6,251
	Civil	10,735		Civil	2,396		Civil	5,189
	Family-Domestic Relations	20,735		Family-Domestic Relations	5,549		Family-Domestic Relations	11,311
	Probate	5,782		Probate	2,067		Probate	5,611
	Family-Juvenile Delinquency	3,416		Family-Juvenile Delinquency	1,866		Family-Juvenile Delinquency	2,490
	Family-Juvenile Dependency	1,334		Family-Juvenile Dependency	387		Family-Juvenile Dependency	481
	County Adult Criminal	88,357		County Adult Criminal	23,333		County Adult Criminal	27,480
	County Civil	99,826		County Civil	26,789		County Civil	34,701
		240,190			67,430			93,514

Court FILINGS BY CIRCUIT AND DIVISION

Circuit	Division	Total Filings	Circuit	Division	Total Filings	Circuit	Division	Total Filings
13	Adult Criminal	17,437	16	Adult Criminal	1,272	19	Adult Criminal	5,458
	Civil	12,112		Civil	895		Civil	4,314
	Family-Domestic Relations	18,817		Family-Domestic Relations	1,495		Family-Domestic Relations	8,651
	Probate	5,991		Probate	509		Probate	4,231
	Family-Juvenile Delinquency	5,293		Family-Juvenile Delinquency	393		Family-Juvenile Delinquency	3,000
	Family-Juvenile Dependency	1,635		Family-Juvenile Dependency	109		Family-Juvenile Dependency	560
	County Adult Criminal	68,982		County Adult Criminal	6,129		County Adult Criminal	27,921
County Civil	76,410	County Civil	7,734	County Civil	31,042			
	206,677		18,536		85,177			
14	Adult Criminal	4,601	17	Adult Criminal	15,401	20	Adult Criminal	7,991
	Civil	2,545		Civil	21,574		Civil	10,101
	Family-Domestic Relations	5,228		Family-Domestic Relations	25,416		Family-Domestic Relations	15,029
	Probate	1,802		Probate	9,459		Probate	8,757
	Family-Juvenile Delinquency	2,065		Family-Juvenile Delinquency	7,062		Family-Juvenile Delinquency	4,067
	Family-Juvenile Dependency	392		Family-Juvenile Dependency	1,171		Family-Juvenile Dependency	621
	County Adult Criminal	21,246		County Adult Criminal	101,690		County Adult Criminal	58,526
County Civil	19,582	County Civil	359,996	County Civil	58,756			
	57,461		541,769		163,848			
15	Adult Criminal	11,048	18	Adult Criminal	10,806	Total		3,711,266
	Civil	13,533		Civil	6,700			
	Family-Domestic Relations	16,373		Family-Domestic Relations	13,095			
	Probate	8,541		Probate	5,004			
	Family-Juvenile Delinquency	3,896		Family-Juvenile Delinquency	3,072			
	Family-Juvenile Dependency	751		Family-Juvenile Dependency	706			
	County Adult Criminal	71,306		County Adult Criminal	51,527			
County Civil	178,165	County Civil	59,286					
	303,613		150,196					



The Florida Supreme Court Rotunda

Court FILINGS BY CIRCUIT COUNTY AND DIVISION

FY 2003-04 (Drawn from Frozen Database on 6-28-2005)

Circuit County	Division	Total Filings	Circuit County	Division	Total Filings	Circuit County	Division	Total Filings					
1	Escambia	Adult Criminal	5,422	Leon	Adult Criminal	3,807	Madison	Adult Criminal	143				
		Civil	2,584			Civil		3,181		Civil	176		
		Family-Domestic Relations	6,348			Family-Domestic Relations		4,453		Family-Domestic Relations	421		
		Probate	1,984			Probate		1,667		Probate	127		
		Family-Juvenile Delinquency	2,070			Family-Juvenile Delinquency		1,151		Family-Juvenile Delinquency	116		
		Family-Juvenile Dependency	388			Family-Juvenile Dependency		124		Family-Juvenile Dependency	21		
		County Adult Criminal	15,817			County Adult Criminal		14,195		County Adult Criminal	1,043		
		County Civil	17,125			County Civil		20,283		County Civil	3,102		
			51,738					48,861			5,149		
		Okaloosa	Adult Criminal		1,570	Liberty		Adult Criminal	85	Suwannee	Adult Criminal	411	
		Civil	1,316		Civil		55		Civil		301		
		Family-Domestic Relations	3,793		Family-Domestic Relations		123		Family-Domestic Relations		946		
		Probate	1,212		Probate		30		Probate		245		
		Family-Juvenile Delinquency	731		Family-Juvenile Delinquency		16		Family-Juvenile Delinquency		226		
		Family-Juvenile Dependency	288		Family-Juvenile Dependency		4		Family-Juvenile Dependency		59		
		County Adult Criminal	7,005		County Adult Criminal		208		County Adult Criminal		1,721		
		County Civil	11,275		County Civil		840		County Civil		2,022		
			27,190				1,361				5,931		
		Santa Rosa	Adult Criminal	921	Wakulla		Adult Criminal	380	Taylor		Adult Criminal	185	
		Civil	1,129			Civil	287			Civil	134		
		Family-Domestic Relations	2,264			Family-Domestic Relations	462			Family-Domestic Relations	599		
		Probate	589			Probate	201			Probate	177		
		Family-Juvenile Delinquency	566			Family-Juvenile Delinquency	137			Family-Juvenile Delinquency	85		
		Family-Juvenile Dependency	240			Family-Juvenile Dependency	54			Family-Juvenile Dependency	17		
		County Adult Criminal	5,702			County Adult Criminal	1,200			County Adult Criminal	1,122		
		County Civil	5,896			County Civil	1,630			County Civil	1,348		
			17,307				4,351				3,667		
		Walton	Adult Criminal	856		3	Columbia	Adult Criminal		602	4	Clay	Adult Criminal
		Civil	589		Civil			645		Civil			1,143
		Family-Domestic Relations	1,159		Family-Domestic Relations			1,840		Family-Domestic Relations			1,592
		Probate	285		Probate			389		Probate			491
		Family-Juvenile Delinquency	170		Family-Juvenile Delinquency			154		Family-Juvenile Delinquency			710
		Family-Juvenile Dependency	112		Family-Juvenile Dependency			68		Family-Juvenile Dependency			131
		County Adult Criminal	5,758		County Adult Criminal			3,516		County Adult Criminal			6,239
		County Civil	2,463		County Civil			4,190		County Civil			6,301
			11,392					11,404					17,719
2		Franklin	Adult Criminal	210	Dixie			Adult Criminal	34	Duval			Adult Criminal
	Civil		127			Civil	70		Civil		9,042		
	Family-Domestic Relations		237			Family-Domestic Relations	323		Family-Domestic Relations		18,075		
	Probate		95			Probate	68		Probate		5,065		
	Family-Juvenile Delinquency		42			Family-Juvenile Delinquency	4		Family-Juvenile Delinquency		2,536		
	Family-Juvenile Dependency		3			Family-Juvenile Dependency	18		Family-Juvenile Dependency		1,130		
	County Adult Criminal		815			County Adult Criminal	295		County Adult Criminal		78,753		
	County Civil		996			County Civil	510		County Civil		91,177		
			2,525				1,322				213,959		
			Gadsden	Adult Criminal		815	Hamilton	Adult Criminal	223		Nassau	Adult Criminal	712
Civil		424			Civil	145			Civil	550			
Family-Domestic Relations		1,333			Family-Domestic Relations	253			Family-Domestic Relations	1,068			
Probate		470			Probate	54			Probate	226			
Family-Juvenile Delinquency		325			Family-Juvenile Delinquency	53			Family-Juvenile Delinquency	170			
Family-Juvenile Dependency		142			Family-Juvenile Dependency	9			Family-Juvenile Dependency	73			
County Adult Criminal		2,681			County Adult Criminal	705			County Adult Criminal	3,365			
County Civil		3,604			County Civil	904			County Civil	2,348			
		9,794				2,346				8,512			
		Jefferson		Adult Criminal	191	Lafayette		Adult Criminal	67	5		Citrus	Adult Criminal
	Civil		101		Civil		48		Civil		1,016		
	Family-Domestic Relations		262		Family-Domestic Relations		113		Family-Domestic Relations		2,087		
	Probate		68		Probate		39		Probate		1,011		
	Family-Juvenile Delinquency		34		Family-Juvenile Delinquency		27		Family-Juvenile Delinquency		438		
	Family-Juvenile Dependency		7		Family-Juvenile Dependency		6		Family-Juvenile Dependency		153		
	County Adult Criminal		392		County Adult Criminal		158		County Adult Criminal		3,323		
	County Civil		1,060		County Civil		341		County Civil		4,387		
			2,115				799				13,234		

FILINGS BY CIRCUIT COUNTY AND DIVISION

Circuit County	Division	Total Filings	Circuit County	Division	Total Filings	Circuit County	Division	Total Filings		
Hernando	Adult Criminal	1,555	St. Johns	Adult Criminal	1,214	9	Orange	Adult Criminal	12,561	
	Civil	1,339		Civil	1,074			Civil	11,073	
	Family-Domestic Relations	2,633		Family-Domestic Relations	2,137			Family-Domestic Relations	18,504	
	Probate	1,694		Probate	814			Probate	4,448	
	Family-Juvenile Delinquency	501		Family-Juvenile Delinquency	812			Family-Juvenile Delinquency	6,021	
	Family-Juvenile Dependency	306		Family-Juvenile Dependency	126			Family-Juvenile Dependency	570	
	County Adult Criminal	4,873		County Adult Criminal	9,951			County Adult Criminal	48,115	
	County Civil	7,648		County Civil	8,593			County Civil	69,377	
	20,549		24,721		170,669					
Lake	Adult Criminal	2,576	Volusia	Adult Criminal	5,822	Osceola	Adult Criminal	3,018		
	Civil	1,826		Civil	4,324		Civil	3,095		
	Family-Domestic Relations	3,511		Family-Domestic Relations	8,485		Family-Domestic Relations	4,192		
	Probate	1,345		Probate	4,040		Probate	964		
	Family-Juvenile Delinquency	1,111		Family-Juvenile Delinquency	2,967		Family-Juvenile Delinquency	1,304		
	Family-Juvenile Dependency	360		Family-Juvenile Dependency	463		Family-Juvenile Dependency	272		
	County Adult Criminal	7,349		County Adult Criminal	43,413		County Adult Criminal	10,934		
	County Civil	10,705		County Civil	36,172		County Civil	19,786		
	28,783		105,686		43,565					
Marion	Adult Criminal	4,076	8	Alachua	Adult Criminal	3,430	10	Hardee	Adult Criminal	300
	Civil	2,648			Civil	1,311			Civil	231
	Family-Domestic Relations	5,934			Family-Domestic Relations	3,182			Family-Domestic Relations	651
	Probate	1,996			Probate	1,492			Probate	127
	Family-Juvenile Delinquency	1,648			Family-Juvenile Delinquency	1,378			Family-Juvenile Delinquency	270
	Family-Juvenile Dependency	452			Family-Juvenile Dependency	219			Family-Juvenile Dependency	47
	County Adult Criminal	13,037			County Adult Criminal	18,318			County Adult Criminal	1,868
	County Civil	14,570			County Civil	19,347			County Civil	1,683
	44,361		48,677		5,177					
Sumter	Adult Criminal	470	Baker	Adult Criminal	301	Highlands	Adult Criminal	898		
	Civil	653		Civil	217		Civil	864		
	Family-Domestic Relations	729		Family-Domestic Relations	556		Family-Domestic Relations	1,451		
	Probate	254		Probate	157		Probate	1,012		
	Family-Juvenile Delinquency	175		Family-Juvenile Delinquency	105		Family-Juvenile Delinquency	495		
	Family-Juvenile Dependency	149		Family-Juvenile Dependency	25		Family-Juvenile Dependency	107		
	County Adult Criminal	1,638		County Adult Criminal	895		County Adult Criminal	3,377		
	County Civil	2,938		County Civil	1,423		County Civil	4,472		
	7,006		3,679		12,676					
6	Pasco	Adult Criminal	3,545	Bradford	Adult Criminal	454	Polk	Adult Criminal	7,122	
		Civil	3,474		Civil	269		Civil	5,755	
		Family-Domestic Relations	6,484		Family-Domestic Relations	441		Family-Domestic Relations	11,564	
		Probate	3,140		Probate	88		Probate	3,207	
		Family-Juvenile Delinquency	1,758		Family-Juvenile Delinquency	82		Family-Juvenile Delinquency	3,957	
		Family-Juvenile Dependency	434		Family-Juvenile Dependency	41		Family-Juvenile Dependency	1,053	
		County Adult Criminal	16,566		County Adult Criminal	1,635		County Adult Criminal	35,482	
		County Civil	18,667		County Civil	3,046		County Civil	36,190	
	54,068		6,056		104,330					
Pinellas	Adult Criminal	13,011	Gilchrist	Adult Criminal	134	11	Dade	Adult Criminal	24,182	
	Civil	9,451		Civil	109			Civil	29,369	
	Family-Domestic Relations	13,249		Family-Domestic Relations	349			Family-Domestic Relations	33,501	
	Probate	7,105		Probate	83			Probate	10,663	
	Family-Juvenile Delinquency	5,059		Family-Juvenile Delinquency	42			Family-Juvenile Delinquency	7,629	
	Family-Juvenile Dependency	902		Family-Juvenile Dependency	26			Family-Juvenile Dependency	1,141	
	County Adult Criminal	55,235		County Adult Criminal	373			County Adult Criminal	139,780	
	County Civil	53,763		County Civil	657			County Civil	514,434	
	157,775		1,773		760,699					
7	Flagler	Adult Criminal	504	Levy	Adult Criminal	456	12	Desoto	Adult Criminal	383
		Civil	693		Civil	373			Civil	277
		Family-Domestic Relations	946		Family-Domestic Relations	729			Family-Domestic Relations	655
		Probate	510		Probate	190			Probate	155
		Family-Juvenile Delinquency	214		Family-Juvenile Delinquency	196			Family-Juvenile Delinquency	180
		Family-Juvenile Dependency	15		Family-Juvenile Dependency	46			Family-Juvenile Dependency	33
		County Adult Criminal	2,255		County Adult Criminal	1,784			County Adult Criminal	1,533
		County Civil	2,271		County Civil	1,890			County Civil	1,655
	7,408		5,664		4,871					
Putnam	Adult Criminal	962	Union	Adult Criminal	268	Manatee	Adult Criminal	2,795		
	Civil	679		Civil	117		Civil	1,888		
	Family-Domestic Relations	1,836		Family-Domestic Relations	292		Family-Domestic Relations	5,291		
	Probate	399		Probate	57		Probate	2,068		
	Family-Juvenile Delinquency	646		Family-Juvenile Delinquency	63		Family-Juvenile Delinquency	1,132		
	Family-Juvenile Dependency	118		Family-Juvenile Dependency	30		Family-Juvenile Dependency	262		
	County Adult Criminal	6,468		County Adult Criminal	328		County Adult Criminal	12,290		
	County Civil	3,788		County Civil	426		County Civil	14,766		
	14,896		1,581		40,492					

Court FILINGS BY CIRCUIT COUNTY AND DIVISION

Circuit County	Division	Total Filings	Circuit County	Division	Total Filings	Circuit County	Division	Total Filings		
Sarasota	Adult Criminal	3,073	15	Palm Beach	Adult Criminal	11,048	St. Lucie	Adult Criminal	2,390	
	Civil	3,024			Civil	13,533		Civil	2,003	
	Family-Domestic Relations	5,365			Family-Domestic Relations	16,373		Family-Domestic Relations	4,213	
	Probate	3,388			Probate	8,541		Probate	1,954	
	Family-Juvenile Delinquency	1,178			Family-Juvenile Delinquency	3,896		Family-Juvenile Delinquency	1,508	
	Family-Juvenile Dependency	186			Family-Juvenile Dependency	751		Family-Juvenile Dependency	273	
	County Adult Criminal	13,657			County Adult Criminal	71,306		County Adult Criminal	13,487	
	County Civil	18,280			County Civil	178,165		County Civil	17,223	
	48,151		303,613		43,051					
13 Hillsborough	Adult Criminal	17,437	16	Monroe	Adult Criminal	1,272	20	Charlotte	Adult Criminal	1,297
	Civil	12,112			Civil	895			Civil	2,226
	Family-Domestic Relations	18,817			Family-Domestic Relations	1,495			Family-Domestic Relations	2,363
	Probate	5,991			Probate	509			Probate	2,250
	Family-Juvenile Delinquency	5,293			Family-Juvenile Delinquency	393			Family-Juvenile Delinquency	608
	Family-Juvenile Dependency	1,635			Family-Juvenile Dependency	109			Family-Juvenile Dependency	60
	County Adult Criminal	68,982			County Adult Criminal	6,129			County Adult Criminal	4,980
	County Civil	76,410			County Civil	7,734			County Civil	6,098
	206,677		18,536		19,882					
14 Bay	Adult Criminal	2,768	17	Broward	Adult Criminal	15,401	Collier	Adult Criminal	2,698	
	Civil	1,527			Civil	21,574		Civil	2,272	
	Family-Domestic Relations	2,966			Family-Domestic Relations	25,416		Family-Domestic Relations	3,863	
	Probate	1,115			Probate	9,459		Probate	1,838	
	Family-Juvenile Delinquency	1,437			Family-Juvenile Delinquency	7,062		Family-Juvenile Delinquency	1,058	
	Family-Juvenile Dependency	264			Family-Juvenile Dependency	1,171		Family-Juvenile Dependency	175	
	County Adult Criminal	15,882			County Adult Criminal	101,690		County Adult Criminal	20,704	
	County Civil	12,022			County Civil	359,996		County Civil	18,835	
	37,981		541,769		51,443					
Calhoun	Adult Criminal	314	18	Brevard	Adult Criminal	7,496	Glades	Adult Criminal	179	
	Civil	141			Civil	3,710		Civil	91	
	Family-Domestic Relations	322			Family-Domestic Relations	7,617		Family-Domestic Relations	114	
	Probate	75			Probate	3,260		Probate	39	
	Family-Juvenile Delinquency	74			Family-Juvenile Delinquency	1,837		Family-Juvenile Delinquency	21	
	Family-Juvenile Dependency	26			Family-Juvenile Dependency	479		Family-Juvenile Dependency	5	
	County Adult Criminal	678			County Adult Criminal	38,721		County Adult Criminal	609	
	County Civil	1,187			County Civil	32,462		County Civil	948	
	2,817		95,582		2,006					
Gulf	Adult Criminal	237	Seminole	Adult Criminal	3,310	Hendry	Adult Criminal	415		
	Civil	153		Civil	2,990		Civil	300		
	Family-Domestic Relations	269		Family-Domestic Relations	5,478		Family-Domestic Relations	820		
	Probate	87		Probate	1,744		Probate	134		
	Family-Juvenile Delinquency	65		Family-Juvenile Delinquency	1,235		Family-Juvenile Delinquency	307		
	Family-Juvenile Dependency	4		Family-Juvenile Dependency	227		Family-Juvenile Dependency	40		
	County Adult Criminal	507		County Adult Criminal	12,806		County Adult Criminal	2,910		
	County Civil	614		County Civil	26,824		County Civil	1,910		
	1,936		54,614		6,836					
Holmes	Adult Criminal	355	19	Indian River	Adult Criminal	1,191	Lee	Adult Criminal	3,402	
	Civil	158			Civil	887		Civil	5,212	
	Family-Domestic Relations	389			Family-Domestic Relations	1,888		Family-Domestic Relations	7,869	
	Probate	97			Probate	1,131		Probate	4,496	
	Family-Juvenile Delinquency	86			Family-Juvenile Delinquency	484		Family-Juvenile Delinquency	2,073	
	Family-Juvenile Dependency	26			Family-Juvenile Dependency	133		Family-Juvenile Dependency	341	
	County Adult Criminal	882			County Adult Criminal	5,517		County Adult Criminal	29,323	
	County Civil	1,176			County Civil	5,419		County Civil	30,965	
	3,169		16,650		83,681					
Jackson	Adult Criminal	663	Martin	Adult Criminal	1,255	Okeechobee	Adult Criminal	622		
	Civil	339		Civil	1,040		Civil	384		
	Family-Domestic Relations	848		Family-Domestic Relations	1,677		Family-Domestic Relations	873		
	Probate	307		Probate	874		Probate	272		
	Family-Juvenile Delinquency	246		Family-Juvenile Delinquency	689		Family-Juvenile Delinquency	319		
	Family-Juvenile Dependency	64		Family-Juvenile Dependency	61		Family-Juvenile Dependency	93		
	County Adult Criminal	2,357		County Adult Criminal	6,650		County Adult Criminal	2,267		
	County Civil	2,691		County Civil	6,250		County Civil	2,150		
	7,515		18,496		6,980					
Washington	Adult Criminal	264	Okeechobee	Adult Criminal	622	Okeechobee	Adult Criminal	622		
	Civil	227		Civil	384		Civil	384		
	Family-Domestic Relations	434		Family-Domestic Relations	873		Family-Domestic Relations	873		
	Probate	121		Probate	272		Probate	272		
	Family-Juvenile Delinquency	157		Family-Juvenile Delinquency	319		Family-Juvenile Delinquency	319		
	Family-Juvenile Dependency	8		Family-Juvenile Dependency	93		Family-Juvenile Dependency	93		
	County Adult Criminal	940		County Adult Criminal	2,267		County Adult Criminal	2,267		
	County Civil	1,892		County Civil	2,150		County Civil	2,150		
	4,043		6,980		6,980					

COURT *Contacts*

FLORIDA SUPREME COURT

Chief Justice BARBARA J. PARIENTE (850) 488-8421
Clerk Thomas D. Hall (850) 488-0125
Marshal Stephen Robertson (850) 488-8845
Director of Public Information Craig Waters (850) 414-7641
Website <http://www.floridasupremecourt.org>

DISTRICT COURT OF APPEAL

1st DCA

Chief Judge CHARLES J. KAHN, JR. (850) 487-2323
Clerk Jon S. Wheeler (850) 488-6151
Marshal Donald H. Brannon (850) 488-8136
Website <http://www.1dca.org>

2nd DCA

Chief Judge CAROLYN K. FULMER (863) 499-2290
Clerk James R. Birkhold (863) 499-2290
Marshal Velma Johnson (863) 499-2290
Website <http://www.2dca.org>

3rd DCA

Chief Judge GERALD B. COPE, JR. (305) 229-3200
Clerk Mary Cay Blanks (305) 229-3200
Marshal Dottie Munro (305) 229-3200
Website <http://www.3dca.flcourts.org>

4th DCA

Chief Judge W. MATTHEW STEVENSON (561) 242-2058
Clerk Marilyn Beuttenmuller (561) 242-2000
Marshal Glen Rubin (561) 242-2000
Website <http://www.4dca.org>

5th DCA

Chief Judge ROBERT J. PLEUS, JR. (386) 947-1550
Clerk Frank J. Habershaw (386) 255-8600
Marshal Ty W. Berdeaux (386) 947-1500
Website <http://www.5dca.org>

CIRCUIT COURT

1st Judicial Circuit

Escambia, Okaloosa, Santa Rosa, and Walton counties

Chief Judge KIM A. SKIEVASKI (850) 595-4456
Court Administrator Wayne Peacock (850) 595-4400
Website <http://www.firstjudicialcircuit.org>

2nd Judicial Circuit

Franklin, Gadsden, Jefferson, Leon, Liberty, and Wakulla counties

Chief Judge CHARLES A. FRANCIS (850) 577-4306

Court Administrator Grant Slayden (850) 577-4420

Website <http://www.2ndcircuit.leon.fl.us>

3rd Judicial Circuit

Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, and Taylor counties

Chief Judge JULIAN E. COLLINS (386) 719-7546

Court Administrator Nancy K. Nydam (386) 758-2163

Website <http://www.jud3.flcourts.org>

4th Judicial Circuit

Clay, Duval, and Nassau counties

Chief Judge DONALD R. MORAN, JR. (904) 630-2541

Court Administrator H. Britt Beasley (904) 630-1693

Website <http://www.coj.net/Departments/Fourth+Judicial+Circuit+Court/default.htm>

5th Judicial Circuit

Hernando, Lake, Marion, Citrus, and Sumter counties

Chief Judge VICTOR J. MUSLEH (352) 401-6770

Court Administrator David M. Trammell (352) 401 6701

Website <http://www.circuit5.org>

6th Judicial Circuit

Pasco and Pinellas counties

Chief Judge DAVID A. DEMERS (727) 582-7882

Court Administrator Gay Inskeep (727) 582-7477

Website <http://www.jud6.org>

7th Judicial Circuit

Flagler, Putnam, St. Johns, and Volusia counties

Chief Judge WILLIAM A. PARSONS (386) 239-7790

Court Administrator Mark Weinberg (386) 257-6097

Website <http://www.circuit7.org>

8th Judicial Circuit

Alachua, Baker, Bradford, Gilchrist, Levy, and Union counties

Chief Judge FREDERICK D. SMITH (352) 374-3652

Court Administrator Ted McFetridge (352) 374-3648

Website <http://www.circuit8.org>

9th Judicial Circuit

Orange and Osceola counties

Chief Judge BELVIN PERRY, JR. (407) 836-2008

Court Administrator Matthew Benefiel (407) 836-2050

Website <http://www.ninja9.org>

COURT *Contacts*

10th Judicial Circuit

Hardee, Highlands, and Polk counties

Chief Judge RONALD A. HERRING

Court Administrator Nick Sudzina

Website

(863) 534-4650

(863) 534-4690

<http://www.jud10.org>

11th Judicial Circuit

Miami-Dade County

Chief Judge JOSEPH P. FARINA

Court Administrator Ruben Carrerou

Website

(305) 349-7054

(305) 349-7001

<http://www.jud11.flcourts.org>

12th Judicial Circuit

DeSoto, Manatee, and Sarasota counties

Chief Judge ROBERT B. BENNETT, JR.

Court Administrator Walt Smith

Website

(941) 861-7942

(941) 861-7800

<http://12circuit.state.fl.us>

13th Judicial Circuit

Hillsborough County

Chief Judge MANUEL MENENDEZ, JR.

Court Administrator Mike Bridenback

Website

(813) 272-5022

(813) 272-5894

<http://jud13.flcourts.org>

14th Judicial Circuit

Bay, Calhoun, Gulf, Holmes, Jackson, and Washington counties

Chief Judge WILLIAM L. WRIGHT

Court Administrator Jennifer Dyer Wells

Website

(850) 482-9078

(850) 747-5327

<http://www.jud14.flcourts.org>

15th Judicial Circuit

Palm Beach County

Chief Judge KATHLEEN J. KROLL

Court Administrator Susan Ferrante

Website

(561) 355-4378

(561) 355-2431

<http://www.co.palm-beach.fl.us/cadmin>

16th Judicial Circuit

Monroe County

Chief Judge RICHARD G. PAYNE

Court Administrator Mary Vanden Brook

Website

(305) 292-3433

(305) 292-3423

<http://www.jud16.flcourts.org>

17th Judicial Circuit

Broward County

Chief Judge DALE ROSS

Court Administrator Carol Ortman

Website

(954) 831-7837

(954) 831-7740

<http://www.17th.flcourts.org>

18th Judicial Circuit

Brevard and Seminole counties

Chief Judge KERRY I. EVANDER (321) 617-7287

Court Administrator Mark Van Bever (321) 637-5555

Website <http://www.flcourts18.org>

19th Judicial Circuit

Indian River, Martin, Okeechobee, and St. Lucie counties

Chief Judge WILLIAM A. ROBY (772) 463-3281

Court Administrator Thomas H. Willis (772) 462-1472

Website <http://www.circuit19.org>

20th Judicial Circuit

Charlotte, Collier, Glades, Hendry, and Lee counties

Chief Judge HUGH D. HAYES (239) 774-8116

Court Administrator L. Caron Jeffreys (239) 335-2231

Website <http://www.ca.cjis20.org>

OSCA STAFF CONTACTS

State Courts Administrator

Elisabeth H. Goodner (850) 922-5081

Deputy State Courts Administrator

Blan L. Teagle (850) 488-9922

General Counsel

Laura Rush (850) 922-5109

Director of Community and Intergovernmental Relations

Brenda G. Johnson (850) 922-5692

Director of Administrative Services

Charlotte Jerrett (850) 488-9922

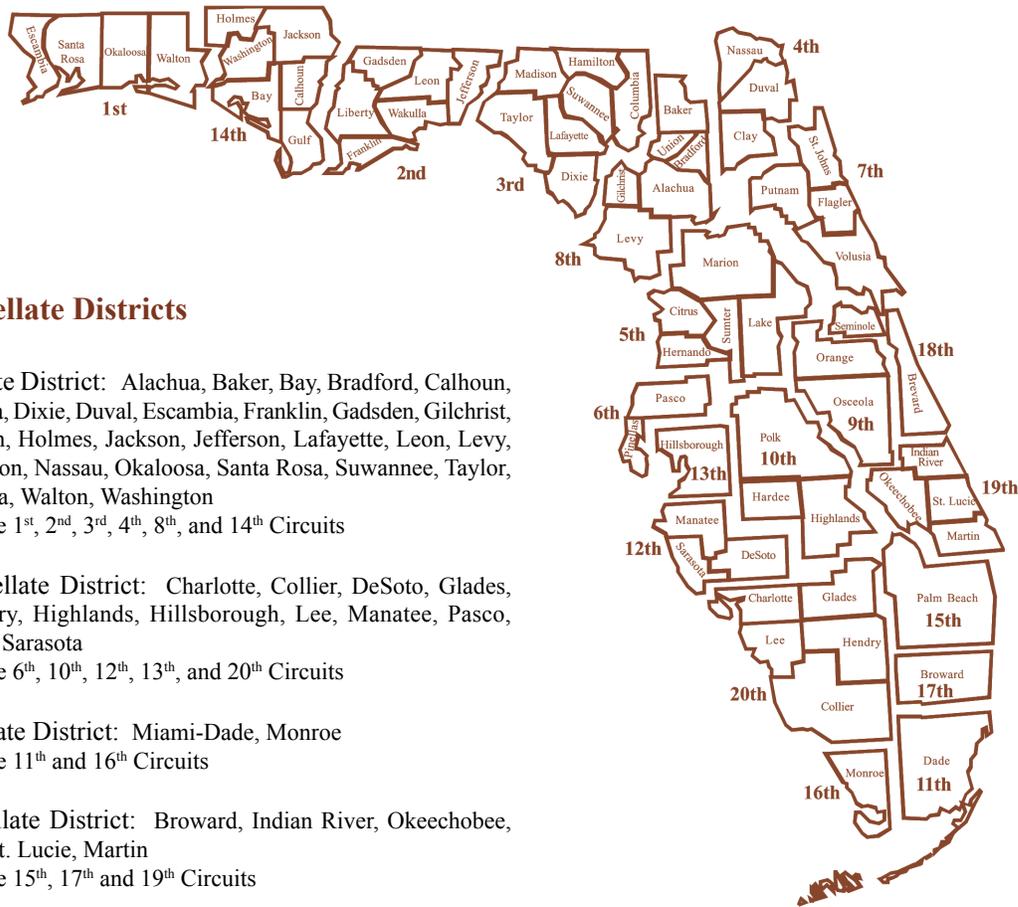
Email for OSCA Staff

osca@flcourts.org

OSCA Website

<http://www.flcourts.org>

STATE *Circuits and Appellate Districts*



State Appellate Districts

First Appellate District: Alachua, Baker, Bay, Bradford, Calhoun, Clay, Columbia, Dixie, Duval, Escambia, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Nassau, Okaloosa, Santa Rosa, Suwannee, Taylor, Union, Wakulla, Walton, Washington
 Comprising the 1st, 2nd, 3rd, 4th, 8th, and 14th Circuits

Second Appellate District: Charlotte, Collier, DeSoto, Glades, Hardee, Hendry, Highlands, Hillsborough, Lee, Manatee, Pasco, Pinellas, Polk, Sarasota
 Comprising the 6th, 10th, 12th, 13th, and 20th Circuits

Third Appellate District: Miami-Dade, Monroe
 Comprising the 11th and 16th Circuits

Fourth Appellate District: Broward, Indian River, Okeechobee, Palm Beach, St. Lucie, Martin
 Comprising the 15th, 17th and 19th Circuits

Fifth Appellate District: Brevard, Citrus, Flagler, Hernando, Lake, Marion, Orange, Osceola, Putnam, St. Johns, Seminole, Sumter, Volusia
 Comprising the 5th, 7th, 9th, 18th Circuits

The 2004-2005 Florida State Courts Annual Report

is published by

The Office of the State Courts Administrator
500 South Duval Street
Tallahassee, FL 32399-1900

For more information, call
(850) 922-5081
or visit www.flcourts.org

Under the direction of
Supreme Court Chief Justice Barbara J. Pariente
State Courts Administrator Elisabeth H. Goodner
Deputy State Courts Administrator Blan L. Teagle
Senior Attorney Susan Leseman

Written and edited by
Beth C. Schwartz
Court Publications Writer

Photographs by
Phillip Pollock
Web Administrator

Layout and design by
Charity Wood
www.thecharitycase.com

THE *2004-2005* FLORIDA STATE COURTS
ANNUAL REPORT IS PUBLISHED BY:
THE OFFICE OF THE STATE COURTS ADMINISTRATOR
TALLAHASSEE, FLORIDA 32399-1900

FOR MORE INFORMATION, CALL (850) 922-5081
OR VISIT: WWW.FLCOURTS.ORG

