

FLORIDA STATE COURTS



2009-2010
Annual Report

THE SUPREME COURT OF FLORIDA

Annual Report, July 1, 2009—June 30, 2010



Peggy A. Quince
Chief Justice

Barbara J. Pariente

R. Fred Lewis

Charles T. Canady

Ricky Polston

Jorge Labarga

James E. C. Perry

Justices

Elisabeth H. Goodner

State Courts Administrator



The Great Seal of the Supreme Court of Florida is set into the floor beneath the court rotunda. The official motto—the Latin phrase *Sat Cito Si Recte*, meaning “Soon enough if done rightly”—indicates the importance of taking the time necessary to reach the correct result.

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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.

MESSAGE FROM THE CHIEF JUSTICE

Like so many families and communities in our country, Florida's courts will long associate the year that stretches from July 2009 through June 2010 with mortgage foreclosures. There is no denying that sad reality.

As I write this opening message to our annual report in the fall of 2010, the press of foreclosure cases in our state courts has only marginally eased: More than 400,000 cases are still pending. Contrast that with the foreclosure caseload for a normal year – around 70,000 – and the scope of the challenge faced by Florida's judiciary becomes clearer.

Before I say anything else, I must offer very sincere thanks to the judges and court staff who are handling foreclosures every day, working with great professionalism and dedication as they witness the financial and emotional toll levied in case after case after case. Truly, their service is to be commended.

However, I am also proud of the way we responded to the avalanche of cases as a branch of government. We didn't just work harder – we worked smarter. This report will provide the details so here I will only note that the state court system responded to this emergency with speed, resourcefulness and vigor.

Beyond the foreclosure crisis, we are all very familiar with the broader economic realities that have troubled our state and our country for the last few years, hurting families and businesses and forcing governments to cut budgets yet still provide services needed by citizens and essential in a democracy. Here, too, I am extremely proud of how the judicial branch responded.

I am also deeply grateful for steps taken by the legislative and executive branches last year to provide an adequate and stable funding source for Florida courts. Just a year later, the State Courts Revenue Trust Fund is supporting most court operations from a portion of the filing fees and court costs collected in connection with cases. That's clearly good news! But, unfortunately, most of the revenue flowing into the trust fund comes from fees generated by mortgage foreclosures. So trust fund

revenue will drop dramatically when the dramatic spike in foreclosures drops to normal levels. Our state will need to find more ways to ensure stable and sufficient funding for courts. This annual report has more details and I urge you to learn more about this important issue.

In fact, this annual report can provide you with many details about how Florida courts function “to protect rights and liberties, uphold and interpret the law, and provide for the peaceful resolution of disputes.” Those few simple words express the mission of the Florida judicial branch and I commend you for taking the time to learn more about it. I am confident that what you read in this report will strengthen your trust in and support of the state court system and, by extension, your appreciation for the remarkable form of self-government we all inherited and together will hand on to the generations that follow us.

As I speak of the future, let me assure you that we in the courts do not forget our obligation to plan for the future, even as we work hard every day to provide justice to the people immediately in front of us.

On July 1, 2009, the very first day of the fiscal year this report covers, I and the six other justices on the Florida Supreme Court approved a long-range strategic plan for the state courts, covering the period from 2009 through 2015. This was the second long-range plan for our branch and it identified broad issues that should be addressed. First on the list was “strengthening governance and independence.” So last fall, I established a study group to undertake an in-depth study of the current governance system of Florida's judicial branch. At its core, this is all about managing courts more effectively and efficiently. I encourage you to read more about this initiative in this annual report.



I have already referred to the mission of Florida's judiciary. Let me also share with you our vision: to provide justice that is "accessible, fair, effective, responsive and accountable." I cannot highlight in this message the many, many ways that Florida courts work to make that vision a reality but I can make note of just a few that you can read about in this report:

This year, we have conducted a thorough review of all the rules and procedures that govern how, when and why children in foster care can be put on psychotherapeutic drugs. We have produced clearer guidelines for judges who are trying to decide whether children need to be removed from their homes. We have worked with local governments, prison officials, and prosecutors and public defenders to significantly expand drug courts in several counties around the state.

These three initiatives I have just described are certainly examples of good government – but they are also so much more than that. They are examples of things that most truly make a world of difference in the lives of flesh-and-blood children and adults and families in our state.

Of course, the vast majority of the more than 3.5 million cases that Florida courts handle each year are vitally important to at least one person and usually several people.

It can be all too easy in our digitized world to pass right over a statistic so I am going to repeat myself: More than 3.5 million cases are handled each year by Florida courts. Think about that for just a moment. Family court. Probate matters. Criminal prosecutions. Civil lawsuits. And, yes, mortgage foreclosures. In this report you will find statistics on these different kinds of cases.

You can also read how the courts are exploring the best ways to use technology while also safeguarding against potential risks, like invasions of privacy. You will read about the steps laid to establish an "Innocence Commission" to investigate the causes of wrongful conviction.

In this report, you can find how Florida's courts are organized, from your county court to the Florida Supreme Court. And you can read about Florida's new chief justice – Charles Canady, who became the top judicial officer in Florida when my two-year term ended on June 30, 2010. I assure you we will all be extremely well-served with Chief Justice Canady as our leader for the next two years.

Finally, before I close this message, I must express my deep admiration for all the men and women who make up this branch of government. Thanks to their dedication and expertise, Florida's judiciary has enjoyed a national reputation as an effective, efficient and innovative court system for years and, more importantly, Florida's people have been well served when they have turned to the courts for justice.

A handwritten signature in black ink, reading "J. Lynn". The signature is written in a cursive, flowing style with a large, decorative flourish at the beginning and end.

FLORIDA'S SUPREME COURT JUSTICES

Peggy A. Quince *Chief Justice*

Justice Quince was appointed to the Florida Supreme Court in December 1998, and she served as chief justice from July 2008 – June 2010. The Court's fifty-third chief justice, she has the distinction of being the first African-American woman on the Court.



Born in Virginia, Justice Quince received her BS from Howard University and her JD from the Catholic University of America. She began her legal career in 1975 in Washington, DC, 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 many civic and community organizations, including Alpha Kappa Alpha Sorority, Jack and Jill of America, the Urban League, the NAACP, and The Links, Inc. She has also received numerous awards, especially for her work on behalf of girls, women, minorities, civil rights issues, and various school programs.

Justice Quince and her husband, attorney Fred L. Buckine, have two daughters, Peggy LaVerne and Laura LaVerne.

Barbara J. Pariente *Justice*

Justice Pariente was appointed to the Florida Supreme Court in 1997, and she served as chief justice from 2004 – 2006. She was the Court's fifty-first chief justice and the second woman to serve in that role.



Born and raised in New York City, Justice Pariente received her BA from Boston University and her JD from George Washington University Law School. But Florida has been her home for 37 years. After a two-year judicial clerkship in Fort Lauderdale, she spent 18 years in private practice in West Palm Beach, 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; she promotes judicial education on the unified family court and advocates for improved case management, case coordination, and non-adversarial methods for resolving family disputes. Because of her longstanding commitment to children, Justice Pariente continues to be a mentor to school-age children.

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 eight grandchildren.

R. Fred Lewis *Justice*

Justice Lewis was appointed to the Florida Supreme Court in December 1998, and he served as chief justice from 2006 – 2008. He was the fifty-second chief justice of the Court.

Born in Beckley, West Virginia, Justice Lewis made Florida his home in 1965, when he arrived to attend Florida Southern College in Lakeland. He then went to the University of Miami School of Law, and, after graduating, he attended the United States Army Adjutant General School. 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.



While serving as chief justice, he founded Justice

FLORIDA'S SUPREME COURT JUSTICES

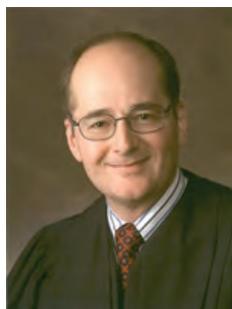
Teaching, an organization that pairs legal professionals with elementary, middle, and high schools in Florida to enhance civic and law-related education; currently, over 3,900 volunteer lawyers and judges are placed with and active in Florida's public schools. He also convened the first inter-branch mental health summit, which developed and proposed a comprehensive plan to address the increasing needs of those with mental illnesses who are involved in the criminal justice system. In addition, he established a task force to develop a survey with which to audit all court facilities in the state with the goal of identifying and removing obstacles that inhibit access to justice for people with disabilities.

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

Charles T. Canady

Justice

Justice Canady was appointed to the Florida Supreme Court in August 2008, and he advanced to chief justice on June 30, 2010.



Born in Lakeland, Florida, Justice Canady has the unusual distinction of having served in all three branches of government. Returning to Lakeland after receiving his BA from Haverford College and his JD from Yale Law School, he went into private practice, where he was primarily interested in real estate law. In 1984, he successfully ran for a

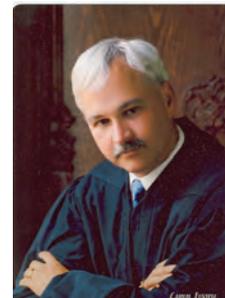
seat in the Florida House, where he served for three terms. Then in 1993, he was elected to the US House, where he served until 2001. Throughout his tenure in Congress, he was a member of the House Judiciary Committee, which sparked his interest in appellate work; he chaired the House Judiciary Subcommittee on the Constitution from 1995 to 2001. After leaving Washington, DC, he came to Tallahassee to serve as the governor's general counsel. In 2002, the governor appointed him to the Second District Court of Appeal, where he remained until his appointment to the Florida Supreme Court.

Justice Canady and his wife, Jennifer Houghton, have two children.

Ricky Polston

Justice

Justice Polston was appointed to the Florida Supreme Court in October 2008.



A native of Graceville, Florida, Justice Polston grew up on a farm that raised peanuts, watermelon, and cattle. He began his professional life as a certified public accountant: he received his BS in accounting from Florida State University in 1977 and developed a thriving career (in fact, he is still a licensed CPA). Nine years later, he received his law degree, also from Florida State University. He then went into private practice, where he handled cases in state, federal, and appellate court. He remained in private practice until his appointment to the First District Court of Appeal in 2001, where he served until he was appointed to the Supreme Court.

Justice Polston and his wife, Deborah Ehler Polston, are the parents of ten children: in addition to raising four biological children, they are raising a sibling group of six children whom they adopted from the state's foster care system.

Jorge Labarga

Justice

Justice Labarga was appointed to the Florida Supreme Court in January 2009; he is the second Hispanic to sit on the Court.

Born in Havana, Cuba, Justice Labarga was a young boy when he ventured to Pahokee, Florida, with his family. He received his bachelor's degree from the University of Florida in 1976, and, three years later, he earned his law degree, also from the University of Florida. He spent three years as an assistant public defender (from 1979 – 1982), five years as an assistant state attorney (from 1982 – 1987), and nine years in private practice, all in the



Fifteenth Judicial Circuit. Then in 1996, he was appointed a circuit judge in the Fifteenth Judicial Circuit, where he

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served in the family, civil, and criminal divisions and as the administrative judge of the civil division. Then in December 2008, he was appointed to the Fourth District Court of Appeal. However, Justice Labarga was on the appellate bench only one day before the governor selected him to serve on the Florida Supreme Court.

Justice Labarga and his wife Zulma have two children.

James E.C. Perry *Justice*

Justice Perry was appointed to the Florida Supreme Court in March 2009.

Born in New Bern, North Carolina, Justice Perry received his BA in business administration and accounting in 1966 from Saint Augustine's College. Drafted into the Army soon after he graduated, he went to officer candidate school, got a commission, and was eventually promoted to first lieutenant.



The assassination of Martin Luther King prompted his decision to go to law school: he felt that as a lawyer, he could do the most good. After earning his JD from Columbia University School of Law in 1972, he was determined “to go back to the South to fight for justice.” He arrived in Florida in 1973 and has lived here ever since. He was in private practice, specializing in civil and business law, until his 2000 appointment to the circuit bench in the Eighteenth Judicial Circuit—the first African-American appointed to that circuit. For a two-year term (2003 – 05), he was chief judge of the circuit. He served there until his appointment to the Supreme Court.

Involved in many community and civic organizations, Justice Perry is especially committed to those that serve at-risk children, and he has received numerous awards and honors for his work on behalf of children, minorities, and social justice issues.

Justice Perry and his wife, Adrienne M. Perry, a professor at Stetson University, have three children.



Florida's Supreme Court Justices. Seated (l-r) are Justice Pariente, Chief Justice Quince, and Justice Lewis; standing (l-r) are Justice Labarga, Justice Canady, Justice Polston, and Justice Perry.

THE YEAR IN REVIEW

2009 – 2010: The Year in Review

In light of the exacting budget constraints of the last few years—and the likelihood that the economic downturn will linger at least through the near future—Florida’s court system has had to practice, and will continue to exercise, exceptional fiscal vigilance and prudence. In keeping with this policy, State Courts Administrator Lisa Goodner often points out that “We have had to readjust our thinking about how to accomplish certain things. We’ve learned that we can make meaningful differences even with significantly limited resources, and we have been working to do great things with limited resources.”

The Florida state courts annual reports reflect the “great things” the judicial branch has achieved in keeping with its strategic plan’s five long-range issues:

Strengthening Governance and Independence; Improving the Administration of Justice; Supporting Competence and Quality; Enhancing Court Access and Services; and Enhancing Public Trust and Confidence.

Long-Range Issue #1: Strengthening Governance and Independence

To fulfill its mission, the judicial branch must strengthen its ability to fully function as a coequal and independent branch of government, to govern itself with coherence and clarity of purpose, to manage and control its internal operations, and to be accountable to the people.

Especially in this season of increased workloads and constrained resources, the branch is acutely alert to the challenges of strengthening governance and independence. Yet through its efforts to establish the State Courts Revenue Trust Fund, through its various long-range and operational planning initiatives, and through its creation of the Judicial Governance Study Group, Florida’s court system has demonstrated its commitment to governing itself effectively, purposefully, and responsibly.

Florida State Courts Revenue Trust Fund

On April 30, 2010, the last day of the regular legislative session, lawmakers approved a \$70.4 billion budget for fiscal year 2010/11, appropriating \$462.4 million for the state courts system—about \$10 million more than the courts received the preceding year (note: most of that increase represents a nonrecurring allocation to reduce the mortgage foreclosure backlog). Given the fiscal

inclemency of the last three years, the judicial branch fared better than anticipated. This is due in no small part to the creation, in the January 2009 special legislative session, of the State Courts Revenue Trust Fund, championed by Chief Justice Quince.

On the whole, branch leaders agree that the trust fund is a boon for the judicial branch: fueled by a portion of the filing fees and fines that the clerks take in for the courts, the trust fund ensures the court system a stable funding source that is able to support most court operations. ([This link goes to information about Florida’s courts and their funding needs.](#))

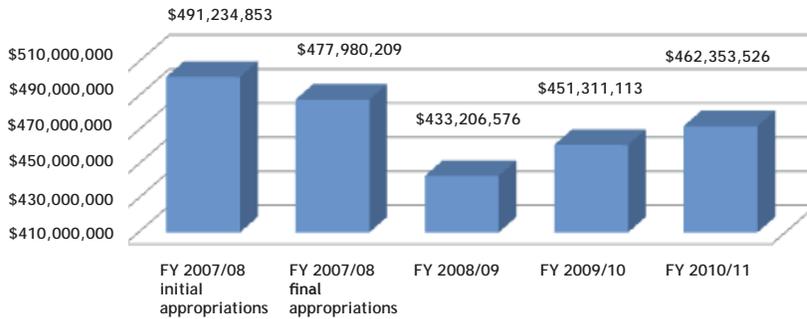
State economists are anticipating another general revenue shortfall for fiscal year 2011/12—about \$2.5 billion (due to the “flame-out” of federal stimulus dollars and the as-yet uncalculated impact of the recent oil spill, this figure might increase). However, because the judicial branch now has a dedicated funding source, it is less subject to the vagaries of the economy generally—and thus in a better position to fulfill its mission: to protect rights and liberties, to uphold and interpret the law, and to provide for the peaceful resolution of disputes. Also, because trust fund dollars, unlike general revenue dollars, have a chance to grow over time, the branch has greater budget flexibility. Moreover, buttressed by the fiscal stability that the trust fund offers, the branch is better able to contemplate, and commit to, longer-range projects, as this annual report details.

Since the institution of the trust fund, the court system has shifted significantly away from general revenue funding. In 2007/08, for example, 95 percent of the court system’s operating budget came out of general revenue. But in the 2009/10 budget, only 30 percent of court funding was from general revenue, with 70 percent trust-funded. And in the 2010/11 budget, general revenue constitutes only 10 percent of court funding, while 90 percent is supported by trust funds.

In substantive ways, the trust fund has already begun to benefit the courts. For instance, because the trust fund had a cash balance in the 2009/10 fiscal year, judicial branch leaders could seek spending authority to use trust fund dollars to begin disposing of the mortgage foreclosure backlog: lawmakers granted the courts a one-time infusion of \$6 million to hire senior judges and case managers for this purpose—and gave the county clerks authority to spend 3.6 million of their trust fund dollars to support judicial efforts. In addition, the legislature gave the courts spending authority to use 200,000 trust fund dollars to establish an Innocence Commission, which will

THE YEAR IN REVIEW

**State Courts System Budgets:
Fiscal Years 2007/08 – 2010/11**



Although the state courts system budget has strengthened from its nadir in fiscal year 2008/09, the increases of the last two years result from an injection of nonrecurring funds: the 2009/10 budget includes \$19.25 million in federal stimulus dollars (funding, for two years, for the drug court expansion program), and the 2010/11 budget includes, in part, a one-time infusion of \$7 million to reduce the mortgage foreclosure backlog (\$6 million for the courts; \$1 million for transfer to the Dept. of Community Affairs for legal assistance for foreclosure cases).

study past wrongful convictions in an effort to prevent the kinds of errors that lead to wrongful prosecution and incarceration.

The trust fund account is expected to be relatively healthy for the next year. But agitating any sense of complacency

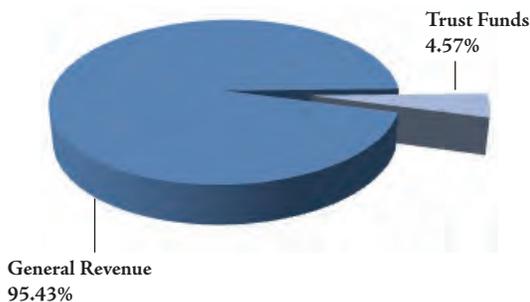
is the uncertainty of what has become the trust fund's primary funding stream.

Currently, approximately 77 percent of trust fund revenue derives from foreclosure filings—which means the court system's "portfolio" is not adequately diversified. Moreover, the foreclosure numbers continue to fluctuate, and although they are high at the moment, they will eventually decline: in fiscal year 2009/10, foreclosure filings swelled to over 330,000, but, once the foreclosure crisis is over, they are expected to return to normal levels of about 70,000 a year.

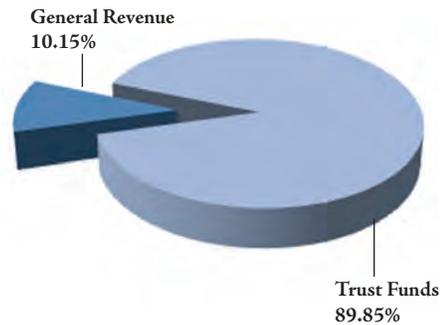
So, as it is presently configured, the way the trust fund is funded offers only a temporary solution. If court funding is to remain stable and viable—conditions that are essential to the branch's efforts to strengthen governance and independence—the State Courts Revenue Trust Fund will need to be augmented, or another revenue source will have to be found.

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**State Courts System Funding
Fiscal Year 2007/08**



**State Courts System Funding
Fiscal Year 2010/11**



In January 2009, the legislature established the State Courts Revenue Trust Fund, which is fed by a portion of the court system's filing fees and fines. Since then, the judicial branch's reliance on general revenue dollars has declined significantly. In fiscal year 2007/08, for instance, the court system's budget was largely general revenue-funded (95.43%). However, in the 2010/11 fiscal year budget, court operations are supported primarily by trust fund dollars (89.85%).

With the creation of the trust fund, the branch now has a stable, dedicated funding structure. However, the main source of trust fund revenues is currently mortgage foreclosure cases (77% of the total), which are expected to return to normal at some point—suggesting that the health of the trust fund is only temporary.

THE YEAR IN REVIEW

Long-Range and Operational Planning

Since the passage of a 1992 voter-driven amendment, Florida's constitution (article III, section 19) states that "General law shall provide for a long-range state planning document," and it directs each department and agency of state government, including the judicial branch, to develop a long-range plan that identifies statewide strategic goals and objectives consistent with the state planning document. Rule of Judicial Administration 2.225 also mandates that the branch develop a strategic plan.

Strategic planning bolsters the court system's efforts to govern itself with coherence and clarity of purpose, to manage and control its internal operations effectively, and to be accountable to the people—all aspirations of Long-Range Issue #1, Strengthening Governance and Independence. The judicial branch's first long-range plan, *Taking Bearings, Setting Course*, was published in 1998.

To remain relevant and supple, strategic plans should undergo periodic review and revision, and in May 2006, the Task Force on Judicial Branch Planning, chaired by former Chief Judge Joseph P. Farina (Eleventh Judicial Circuit), with the support of OSCA's Strategic Planning Unit, formally inaugurated the plan's revisionary process. The process, which took a little over three years to complete, encompassed a planning forum that elicited feedback from 100 justice system stakeholders; a public opinion telephone survey of over 2,000 randomly-selected Florida residents; surveys of more than 8,700 court users, attorneys, judges, court staff, and clerks of court; nine public meetings around the state; a day-long meeting with 27 justice system partners; and meetings with four different focus groups, which helped to articulate goals and strategies for the revision. The plan was drafted and sent to focus group participants for final feedback, and then the task force submitted the revised plan to the supreme court, which approved it unanimously on July 1, 2009, the first day of the 2009/10 fiscal year. (To read the revised long-range plan, follow [this link](#).)

Already, it is possible to perceive the inflections of the revised plan in the shaping of court policies and

operations. In October 2009, for instance, in response to the first issue and first goal of the plan, Chief Justice Quince created the Judicial Branch Governance Study Group—a demonstration of her commitment to setting the course of the court system in accordance with the goals of the long-range plan (see article that follows).

This spring, the long-range plan also played a fundamental role in the extensive orientation sessions in which Chief



Judge Joseph P. Farina, Eleventh Circuit, chaired the Task Force on Judicial Branch Planning.

Justice-elect Canady participated in his preparations to serve as the chief administrative officer of the judicial branch. The OSCA-based orientations were not structured around OSCA organizational units, as they had been in the past; rather, OSCA units were gathered into interdisciplinary groups reflecting topical/policy/functional areas inherent in the long-range plan. The substance of those orientations was linked with the plan as well: OSCA managers described their units' functions in relation to the plan's specific goals. With the plan undergirding the orientations, the justices sought to keep the mission and vision of the branch

prominently on everyone's mind, thus assuring continuity in focus as the court system prepared to move from the administration of one chief justice to the next.

The plan was also instrumental in Chief Justice-elect Canady's review of, and consideration of whether to re-

By embodying the judicial branch's guiding principles—and the branch's norms, its values, its ethos—the operational plan will aspire to give each person who works in the court system a palpable sense of his or her role in relation to the achievement of justice in Florida.

authorize, court committees that were set to expire: to aid his deliberations, committee staff were asked to detail the ways in which the work of each committee relates to the plan's objectives. Indeed, the revised long-range plan is steadily becoming a part of the court system's culture and daily lexicon.

THE YEAR IN REVIEW

Long-range plans are often thought of as roadmaps: they outline the general trajectory of an organization's journey. But for the particulars of how to arrive at the destination, an organization needs an operational plan. Directly linked to the issues, goals, and strategies identified in the long-range plan, the operational plan spells out an organization's short-term priorities, and it guides an organization's major activities by laying out the tangible, practical steps it must take in order to reach its objectives.

With the input of OSCA managers serving on cross-functional, collaborative work teams, the Strategic Planning Unit has been working to construct a new operational plan for the branch. Reflecting the new administrative orders issued by the chief justice, the operational plan will identify the activities on which the court system must focus to achieve its strategic goals. It will also set the stage for measuring and evaluating the branch's progress toward meeting those goals. In addition, it will help the branch determine the resources it needs to perform its daily activities—and how those resources should be distributed. Finally, by embodying the judicial branch's guiding principles—and the branch's norms, its values, its ethos—the operational plan will aspire to give each person who works in the court system a palpable sense of his or her role in relation to the achievement of justice in Florida.

In the past, the branch's operational plans covered a two-year span that extended through the term of each chief justice (in keeping with a 1926 constitutional amendment, the chief justice, selected by the seven justices of the supreme court, serves a two-year term). For the first time, the plan will cover a three-year measure, to provide continuity as the branch transitions from one chief justice to another. The operational plan is projected to be completed by fall 2010.

Judicial Branch Governance Study Group

"The judicial branch will be governed in an effective and efficient manner": so states the first goal of Long-Range Issue #1. In its first of three strategies for achieving this goal, the long-range plan exhorts the following: "Reform and strengthen the governance and policy development structures of the judicial branch."

Galvanized by these words—and acknowledging the cumulative effects of the shift, from local to state government, of the greater responsibility for court funding; the

growing complexity of issues coming before the courts; and the attendant need to develop and apply responsive, consistent, and timely court policies—Chief Justice Quince, by administrative order, established the Judicial Branch Governance Study Group, declaring that it is "appropriate and timely for the judicial branch to undertake a study of its present governance structure."

In this October 2009 administrative order, Chief Justice Quince directs the group to embark on an "in-depth study of the current governance system of the judicial branch of Florida." The order defines *governance*, in this context, as "the system of exercising authority to provide direction and to undertake, coordinate, and regulate activities to achieve the vision and mission of the branch" and explains that judicial branch governance "encompasses policy-making, budgeting, rulemaking, leadership, decision-making, planning, and intergovernmental relations."

Based on the results of its study, the group will prepare a report that includes an examination of the structure and functions of the present governance system of the branch and an assessment of its effectiveness and efficiency; recommendations of actions or activities that would support improvement in the governance of the branch; and recommendations of any changes to the present governance system that would improve the effective and efficient management of the branch. ([Take this link to the administrative order.](#))

Underscoring the supreme court's commitment to this project, the chief justice named two justices to the study group: Justice Ricky Polston, whom she appointed chair, and Justice Jorge Labarga. To serve as vice chair, she appointed Judge Joseph P. Farina, Eleventh Circuit. Membership also includes two DCA judges, two additional circuit court judges, two county court judges, and two Florida Bar representatives; OSCA's Strategic Planning Unit is providing staff support.



Justice Ricky Polston chairs the Judicial Branch Governance Study Group.

The study group's research phase takes a three-pronged approach: first, in-person or phone interviews with key court system experts—e.g., presiding and former justices, chairs of judicial conferences, chief judges, chairs of court commissions, justice partners, and professional court staff—about governance practices now in place; second, surveys of judges and court staff about communication with court leadership; and third, solicited comments from groups that have a stake in the court

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system's governance structure—e.g., representatives and leaders of particular Florida Bar Sections and Rules Committees as well as statewide business associations—regarding collaboration with court leadership on policy development, rulemaking processes, and legislative/funding issues. Meanwhile, the Strategic Planning Unit is researching the judicial branch governance structures of 11 other states. With the support of a State Justice Institute grant, the study group hired consultants from the National Center for State Courts to help with this extensive collection of data and with the analysis and synthesis of materials collected.

By the end of September, the consultants will present their report to the study group. After reviewing this report, the study group will draft its own report and recommendations, which it will circulate for comments. Based on the feedback it receives, the group will revise its report and submit it to the supreme court at the end of December.

Given the complexity of the court system's current governance system, judicial branch leaders recognize the benefits of this kind of comprehensive self-examination. Recommendations to improve its governance and policy-making structure are bound to be helpful as the branch works to achieve the goals associated with Long-Range Issue #1, Strengthening Governance and Independence.

Long-Range Issue #2: Improving the Administration of Justice

The judicial branch must remain committed to ongoing improvement in the administration of justice, including effective case processing policies and the efficient management of resources.

Through a variety of dispute resolution processes—among them, diversion, mediation, plea, and adjudication by trial—Florida's state courts dispose of more than 3.5 million cases each year. These cases range from simple traffic citations to complex civil disputes with multiple parties to ponderous criminal cases. Depending on the case type and the manner of disposition, the resources needed to process them vary.

Managing such large caseloads and administering the resources and personnel needed to oversee the various case types is a complex enterprise—even when the economy is buoyant. Like the rest of the nation, however, Florida continues to suffer from the economic decline. And, like all strata of society, the judicial branch has been grappling

with the effects of these economic forces on its daily operations: since fiscal year 2007/08, Florida's courts have faced reduced budgets, diminished resources, staff layoffs, salary reductions for judges, a hiring freeze, and travel restrictions. Meanwhile, the demands on the courts have increased dramatically, as they typically do in difficult economic times—and funding for new judgeships has not been approved since 2006. The consequent judicial need deficit, coupled with the cuts to positions that provide direct support to judges (e.g., case managers, magistrates, staff attorneys), has created an environment of increased judicial workload, caseload backlog, and court delay.

Through the adoption of a range of emerging information technologies, performance and accountability measures, court improvement initiatives, alternative dispute resolution advances, and case management practices, the branch has worked assiduously to improve the administration of justice—despite the fallout from the enervated economy.

Technology

This year, the judicial branch's Florida Courts Technology Commission intensified its focus on transitioning to the electronic filing of court records both for trial and appellate courts and on overseeing the development of a statewide electronic filing portal. Through these, as well as several other opportune technology projects, the branch demonstrates its commitment to embracing technological innovations that enhance both the efficiency of the state courts system and the accessibility of court information to the public.

Florida Courts Technology Commission

Originally called the Court Technology Users Committee, the Florida Courts Technology Commission (FCTC)



Judge Judith L. Kreeger, Eleventh Circuit, chairs the Florida Courts Technology Commission.

was established in 1995 to advise the supreme court on issues associated with the use of technology in the

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judicial branch. The commission's primary responsibility is to coordinate and review recommendations reflecting all court policy matters having to do with the use of technology. All court committees and workgroups are directed to adhere to technology policies and standards that the commission adopts.

Chaired by Judge Judith L. Kreeger, Eleventh Circuit, the commission filed a petition in January asking the court to adopt a new Rule of Judicial Administration establishing the commission as a standing supreme court

scheduling, electronic records access, and other automated court processes—all of which must be compatible with one another. In its moves toward implementing the electronic delivery of court records, the branch has sought to keep in mind the more comprehensive objective of electronic access to the courts.

For many years, Florida's court system has been working on automating the process for filing court documents (in 1979, the supreme court adopted its first rules governing e-filing—for fax filings—and it established its first Electronic Filing Committee in 1996). In 2008, the legislature showed its support for these efforts by authorizing a transition to e-filing of court records and requesting that the supreme court set statewide standards; the court approved and adopted standards on July 1, 2009.

These steps toward improving electronic access are likely to benefit everyone who works in or utilizes the court system: the public and the legal community will have easy and convenient access to the courts; clerks won't have to spend time scanning, processing, copying, and searching for paper documents; and judges and court employees will be able to retrieve case-related documents more readily, which will improve judicial case management and increase the timely processing of cases. While saving time, these enhancements will also reduce the costs associated with using and storing court records in paper form.

Soon thereafter, the FCTC recommended that statewide e-filing begin in the probate division of the circuit courts, and it defined and compiled the data elements that need to be captured in probate division filings. As of June 21 of this year, of Florida's 67 counties, 44 received supreme court approval for their probate e-filing plans.

commission. After publishing the proposed rule and seeking, and considering, comments, the supreme court unanimously adopted the new rule on July 1, 2010, saying that it "formally establishes the FCTC as a standing Court commission with clearly defined responsibilities and authority. It places the FCTC on a status equal to that of other standing judicial branch commissions established by rule. More importantly, unlike the current practice of establishing and charging the FCTC by successive administrative order issued every two years by the incoming chief justice, establishing the FCTC by rule will stabilize the Commission's responsibilities, authority, and stature in the judicial branch." ([This link goes to the per curiam opinion.](#))

Up until recently, counties had to obtain supreme court approval for their e-filing plans; after review and approval, the court would release an administrative order specifically authorizing that county's plan. However, on July 1, when the FCTC became a standing court commission, the supreme court gave the chair of the FCTC authority to give approvals, and approvals are now communicated through a letter. ([Take this link to learn about the status of the various e-filing initiatives in Florida's courts.](#))

Electronic Filing and the Electronic Filing Portal

Although the term electronic filing, or e-filing, is generally used to denote the electronic delivery of court records and supporting documents from lawyers and litigants to the clerks of court, it actually signifies the more universal goal of electronic access to the courts—with e-filing being just one, though perhaps the most foundational, element. Electronic access encompasses the seamless integration of e-filing, electronic records management, automated

Meanwhile, during this year's legislative session, the legislature directed the judicial branch to expedite the implementation of e-filing. As a result, the FCTC voted to allow counties (or circuits) to submit e-filing plans for any division.

Inherent in the implementation of e-filing is the development of a statewide electronic filing portal—a uniform, public, Internet-based "gateway" through which electronic documents can be transmitted from filers to the 20 circuit courts, the five DCAs, and the supreme court. The FCTC and the Electronic Filing Committee, chaired by Chief Judge Manuel Menendez, Jr., Thirteenth Circuit, began developing a plan for the portal in November 2007.

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Late last year, the Florida Association of Court Clerks and Comptrollers (FACC) announced that it had built a portal that the courts could utilize, and, since January, the supreme court and the association have been negotiating the terms of two agreements: an interlocal agreement among eight clerks of circuit court and Florida Supreme Court Clerk of Court Tom Hall, as the designee of the chief justice, to establish the Florida E-Filing Authority, a public entity that will own the Statewide E-Filing Court Records Portal, and a development agreement between the Authority and FACC under which FACC will design, develop, implement, operate, upgrade, support, and maintain the portal for the benefit of the Authority. Once approved and in place, this portal will serve as the state's common entry point for the electronic filing—and viewing—of court documents.

These steps toward improving electronic access are likely to benefit everyone who works in or utilizes the court system: the public and the legal community will have easy and convenient access to the courts; clerks won't have to spend time scanning, processing, copying, and searching for paper documents; and judges and court employees will be able to retrieve case-related documents more readily, which will improve judicial case management and increase the timely processing of cases. While saving time, these enhancements will also reduce the costs associated with using and storing court records in paper form.

The Appellate Courts Technology Committee Pilots

In May 2010, the Appellate Courts Technology Committee (ACTC) approved two pilot technology projects. The first pilot is the First DCA's iDCA/eDCA solution. This solution was developed by the First DCA and will soon be piloted in the Fifth DCA. It is composed of three closely linked sites—iDCA (Internal DCA), eDCA (External DCA), and the Case Review System—and each allows users to complete actions specific to their relationship to the court. The system is closely tied with the existing case management system and provides e-filing, document management, and automated workflow features covering the appellate process.

The second pilot is the Florida Appellate Courts Technology Solution Project. With this project, the supreme court and the Second DCA will soon begin piloting a SharePoint-based, consolidated, collaborative electronic document management and workflow solution. This solution is designed to integrate case management systems, workflows, and document management and to provide remote access for justices, judges, law clerks, and clerks' offices. In addition, this solution will integrate with the statewide portal: through the portal, parties will

be able to file documents electronically with the appellate courts, and clerks will be able to transmit electronically the trial court records for these appellate court cases.

To facilitate e-filing, the supreme court released an administrative order allowing Florida's appellate courts to accept court records of trial court proceedings that are made or maintained in electronic form, thus obviating the need to duplicate the transmission and use of both paper and electronic records. This order also grants the chief justice or the chief judge the administrative authority to dispense with the requirement that paper copies be submitted with digital documents. ([This link goes to the administrative order on electronic appellate court records.](#))

Once the pilots are completed, the ACTC will select the most comprehensive solution that most closely fits the needs of the appellate courts.

Server Virtualization Initiative

Due to a variety of policy, funding, and/or technology stipulations, the various resources associated with any given computer-based court project must be kept entirely separate from the resources appropriated for any other project. As a result, every time a new computer-based project is initiated, ISS has to deploy a new server (i.e., hardware, an operating system, and an application) to support that project. The problem with this approach is that it is wasteful: rarely is more than 10 percent of a server's hardware resources used for any project. Yet, with each passing year, more physical servers are needed: for instance, in 2000, ISS managed only about 19 servers across the state; today, however, it manages close to 200.

Recent advances in technology have offered a solution to this escalating growth in hardware needs. "Virtualization" is a technology that allows a single physical server hardware device to host multiple, unique operating systems that function independently of one another. With virtualization, several "virtual servers" run inside a single physical server. In the past, this technology was expensive and not very sophisticated. Now, not only has the technology improved, but it is also an inherent function of the court system's current operating system—and comes at no additional cost to the courts.

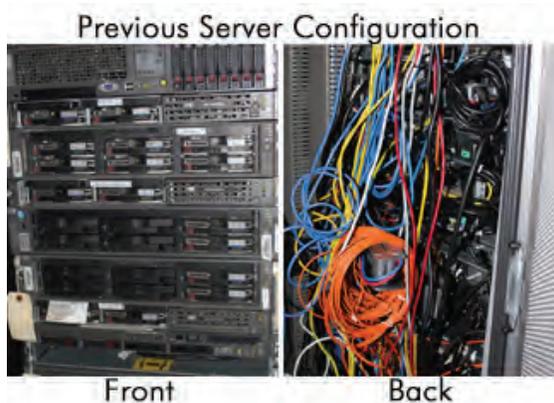
Enhancing this virtualization initiative is a complementary piece of technology called "clustering." Through clustering technology, multiple hardware servers, called "nodes," can be teamed together to share their powerful resources, eliminating their dependence on a particular hardware device. As a result of this teaming effort, if one node malfunctions, then another node in the cluster picks up

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where the broken one left off, and users experience no, or very little, interruption of service.

By harnessing these two powerful technologies, ISS has been able to replace 30 physical servers with just five machines. Those 30 are still in existence and are still working, but, in their current environment, they require less cost for maintenance, for network cabling, for replacing outdated hardware, and for the branch's

This March, the workgroup released its report, *Plan for Identifying and Recommending Options for Implementing the Integrated Computer System for the State Court System*. The report identifies three options for implementing an integrated system: (1) statewide data sharing (which would modify the current systems, incorporating a case management element into them); (2) an integrated computer system made up of multiple systems of record (which would involve enhancements to the disparate

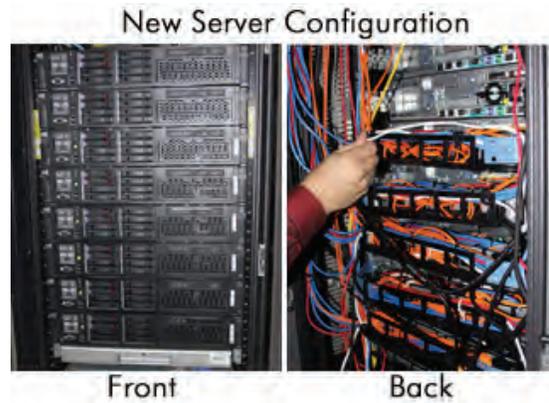


In this older server configuration (which takes up about a 2 x 3 foot physical space), each server can service only about eight machines. The older servers also contribute to a confusing network of cable connections (as seen on the back side). Environmentally, these servers function inefficiently, generating a lot of heat in the server room in which they are housed.

operating system licensing requirement. In addition, the Server Virtualization Initiative has reduced server sprawl—and it's definitely a "green" choice because it significantly reduces electricity needs (fewer machines means less drain on power and air conditioning). Through clustering and virtualization, ISS has exercised both fiscal and environmental prudence; over the next few months, ISS aims to convert the court system's other physical servers to virtualized clusters.

On the Horizon

Since the 1998 Revision 7 to Article V of Florida's constitution, the state has been required to pay for all costs associated with the state courts system except for certain enumerated county obligations, one of which is technology for the trial courts. Consequently, each of Florida's 67 counties has its own local computer system—and these various systems cannot communicate with, or share data with, each other. Addressing this shortcoming in the spring 2009 legislative session, the legislature authorized its Technology Review Workgroup to develop a plan to foster a more efficient use of technology by both the courts and the clerks.



While the new servers fit into about the same physical space as the older servers, each one services approximately 40 virtual servers and allows for substantially reduced cable connections in back. Finally, this new server configuration is extremely efficient, requiring far less energy consumption.

systems in place, enabling at least regional or, ideally, statewide communication among them); and (3) a single integrated computer system (which would replace the various disparate systems with a single system for all the trial courts in the state). ([Follow this link to access the workgroup's report.](#)) The workgroup offered numerous recommendations that, if adopted by the legislature, could help the branch address one of its most pressing long-term goals: instituting a statewide information technology system adequate to support effective and efficient case management and management of caseloads and court resources.

Performance and Accountability

Particularly in an age of strained resources, it is imperative that the court system develop and implement operating policies that use public resources thoughtfully, responsibly, and measurably, the long-range plan cautions. Hence one of the goals of Issue #2 is that "The State Courts System will utilize public resources effectively, efficiently, and in an accountable manner."

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Addressing this goal are two supreme court commissions—the Commission on DCA Performance and Accountability (since 1997) and the Commission on Trial Court Performance and Accountability (since 1998). These commissions were established to recommend policies and procedures to improve court operations through the development of comprehensive performance measurement, resource management, and accountability programs.

Commission on DCA Performance and Accountability

In order to maintain an effective and efficient justice system, courts must have a sufficient number of judges in place. When judicial workload exceeds capacity, courts experience what is called a judicial need deficit. When these deficits cause delays in case processing, they hinder the administration of justice—and diminish litigants' access to justice.

To ensure that the courts have an adequate number of judges, the branch performs annual reviews of the need for new judges as well as periodic reviews of judicial workload trends to determine whether the relative case weights need adjustment. (The Delphi-type study is used to measure each case type according to its relative complexity; regular re-evaluation, and occasionally a re-adjustment, of the weights are necessary due to fluctuations in judicial workload, changes in procedure and case precedent, and new legislation.)

In fiscal year 2009/10, the Commission on DCA Performance and Accountability, chaired by Judge William A. Van Nortwick, First DCA, conducted a review of the district courts' workload trends and considered adjustments to the relative case weights that are used to determine the need for additional judgeships. The review focused on two particular issues: whether to modify case weights to reflect the additional workload expended by the First DCA for administrative appeals, and by the Third DCA for all petitions and summary post-conviction relief matters.

In its report to the supreme court last October, the commission recommended adopting modifiers to reflect the additional workload outlaid by these two courts.

These modifiers reflect the percentage difference between the statewide average relative weight and the district average relative weight for the categories of cases that underwent workload review. The report points out that these modifiers can be “used to more accurately ascertain the future need for additional district court judges in Florida.” ([Take this link to access the commission's report.](#))

In addition to re-evaluating case weights, the commission developed and implemented a process for monitoring dependency and termination of parental rights cases in the appellate courts. Working with the DCA clerks and OSCA staff, the commission established a mechanism for generating reports that disclose the median days for 10 different timeframes (i.e., the standard amount of time spent on a particular stage of a case). These reports also indicate the percentage of cases that fall within the recommended timeframes for each district. Drawn from the DCA case management system, these reports can be produced on demand, and they can also link court personnel to more detailed case information that can assist in determining the cause of delay and can suggest actions to reduce the delay. In short, these reports enable DCA judges and personnel to see how efficiently they're processing dependency and termination of parental rights cases.

These reports represent a significant step toward measuring performance in the DCAs. So far, the statistics suggest that the districts are making a concerted effort to expedite their processing of these cases—despite the complexity of issues involved and the loss of resources over the last three years. If these reports do indeed make a difference in the time standards for these cases, the commission may consider expanding this process to include other case types.

Commission on Trial Court Performance and Accountability

To improve trial court performance—and to support the unification of trial court operations into a single statewide system—the Commission on Trial Court Performance and Accountability, chaired by Judge Robert B. Bennett, Twelfth Circuit, has focused particularly on developing and implementing standards of operation (i.e., mandatory



Judge William A. Van Nortwick, First DCA, chairs the Commission on DCA Performance and Accountability.

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practices) and best practices (i.e., suggested practices) for the major elements of the trial courts. These efforts are congruent with the long-range plan, which recommends that the branch “continue to develop and institutionalize performance and accountability management systems that implement best practices in resource management.”

Over the last few years, the commission developed a careful and systematic approach to developing standards of operation and best practices. First, it forms a workgroup to address a specific major element (e.g., mediation or court reporting). The workgroup constructs circuit profiles reflecting the operational practices of each circuit and the issues that each faces in providing that element. Along with other sources of information, these profiles,

The Best Practices Model, developed by the commission in 2002, comprises five steps: 1) developing standards of operation/best practices; 2) creating performance measures, goals, etc. that link to the standards/practices; 3) developing/ revising data collection systems to monitor performance; 4) providing educational opportunities and resources to help the trial courts implement the standards/practices; and 5) providing technical assistance to help the trial courts monitor and manage their operations. Through its implementation of this model, the commission keeps its attention firmly riveted to the goals of the long-range plan.

followed by a period of review and discussion, form the basis of the workgroup’s preliminary report: a draft of standards of operation, best practices, and other recommendations. The report is submitted to the commission, which invites, and takes into consideration, feedback from the various stakeholder groups. The workgroup then revises its report for review by the commission, which must approve it before sending it to the supreme court. After the report garners supreme court approval, the circuits begin receiving assistance in implementing the standards of operation.

The first major element on which the commission worked was alternative dispute resolution services, for which the supreme court approved standards in May 2009 ([take this link to the administrative order and the approved standards of operation for alternative dispute resolution services](#)). While progressing with its work on this element, the commission was also working on court

reporting services; it produced a report in 2007 and a supplement in 2009. Offering strategies for improving the uniformity, effectiveness, and efficiency of court reporting services, these reports addressed legal and operational issues arising from the use of digital technology; staffing and service delivery models; transcript production; the cost-sharing arrangement with the public defenders, state attorneys, and Justice Administration Commission; and measures for protecting confidential information when using digital technology. In its recommendations, the commission also proposed rule revisions connected with the definition of the official record, the court’s authority to control access to the record, and the production of transcripts by approved court reporters. In January of this year, the supreme court adopted the standards of operation and best practices proposed in the commission’s reports ([this link goes to the administrative order and approved standards of operation for court reporting](#)).

The commission is now focusing on its third major trial court element, court interpreting. In May 2009, it approved the formation of a court interpreting workgroup, which created circuit profiles to assemble an overview of court interpreting operations across the state. Then the

workgroup spent the first part of this year developing standards of operation, best practices, and other recommendations. Various stakeholder groups reviewed the draft report this spring, offering an abundance of comments; the report is being revised, and after it receives commission approval, it will be submitted to the supreme court.

The above efforts represent the first step of the Best Practices Model, developed by the commission in 2002. This model includes three main action areas: to define, to develop, and to implement. And it comprises five steps: 1) developing standards of operation/best practices; 2) creating performance measures, goals, etc. that link to the standards/practices; 3) developing/revising data collection systems to monitor performance; 4) providing educational opportunities and resources to help the trial courts implement the standards/practices; and 5) providing

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technical assistance to help the trial courts monitor and manage their operations. Through its implementation of this model, the commission keeps its attention firmly riveted to the goals of the long-range plan.



Judge Robert B. Bennett, Twelfth Circuit, chaired the Commission on Trial Court Performance and Accountability.

While concentrating on the Best Practices Model for three trial court elements, the commission has also been working on a court-based self-help initiative. In an April 2008 report submitted to the supreme court, the commission described a services framework that meets the access needs of self-represented litigants in civil cases; outlined basic principles and assumptions connected with court-based self-help programs; clarified the roles and responsibilities of the various partners; and proposed rules for court-based self-help programs in the trial courts ([this link goes to the self-help report](#)). Eight months later, in response to the budget crisis, the commission submitted a supplement to its report in which it recommended a hybrid model consisting of local self-help centers in each circuit and a statewide, OSCA-based call-in center ([take this link to access the supplement to the self-help report](#)).

The supreme court approved the recommendations in both reports, and, in August 2009, it directed the commission chair, along with the chair of the Steering Committee on Children and Families in the Court, to appoint a workgroup of subject matter experts to develop an implementation plan for self-help programs in the trial courts. The workgroup began by conducting and analyzing a comprehensive self-help services survey of various stakeholder groups throughout the state. Now it is working on formalizing recommendations for an infrastructure to support these programs (e.g., form

development, staff training, operating policies and procedures) and on devising a strategy for funding these programs. The workgroup's final report will be submitted to the supreme court in early March.

Court Improvement

Some of the most complex and private family matters—issues connected with separation and divorce, child support, child neglect, delinquency, dependency, family violence, substance abuse, and mental illness—end up being addressed in the courts. Since 1988, when it launched its family court initiative, the judicial branch has worked with its partners to develop an integrated, comprehensive approach to handling these sensitive cases. Through its adoption of pioneering practices and programs associated with family court and drug court, and through its efforts to address the underlying problems leading to the repeated incarceration of people with mental illnesses, the branch strives to resolve the disputes that touch families in a fair, timely, efficient, and cost-effective way.

Family Court

In January 2008, the Children's Bureau (in the US Department of Health and Human Services) evaluated Florida's child welfare system to ascertain its ability to improve outcomes for the state's most vulnerable children. The bureau determined that Florida's Department of Children and Families would have to make a great many changes to conform to federal child welfare requirements—or the state would risk losing the millions of federal dollars that substantially support its foster care system. Recognizing the need to take concurrent actions, the judicial branch developed a work plan to improve the dependency division of the family court and then formed a statewide, multidisciplinary Dependency Court Improvement Panel to oversee the plan's action steps; to chair the panel, Chief Justice Quince named Judge Jeri B. Cohen, Eleventh Circuit. The panel—which includes judges from across the state as well as members of the Department of Children and Families, Department of Juvenile Justice, Guardian ad Litem, Parents Regional Council, Florida Coalition for Children, and a young adult formerly in foster care—swiftly directed its attention to the work plan. In fiscal year 2009/10, the panel was able to complete most of the projects enumerated in the plan.

The panel's first undertaking was to compile an Involving Children in the Court Packet, which consists of 13 documents that offer suggestions for encouraging children

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of all ages to participate actively in the court proceedings that concern them. These documents, which were sent to all judges and magistrates who hear dependency cases, include statutory information about children in the court; legal authority for including children in the court; guidelines for engaging children in various age groups in court procedures; relevant articles and a bibliography of other useful literature; and a technical assistance brief. The panel also adopted age-appropriate notice letters that let children know they have a right to be present at their dependency hearings.



Judge Jeri B. Cohen, Eleventh Circuit, chairs the statewide Dependency Court Improvement Panel.

In addition, the panel worked with OSCA's Office of Court Improvement to develop a guide to help young children (8 to 12) prepare meaningfully for court visits and to assist them with the debriefing process after a court visit. *What's Happening in Dependency Court: An Activity Book for Children Going to Court in Florida* explains

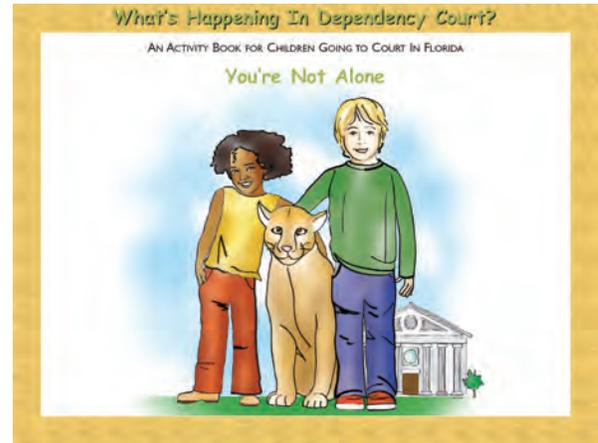
the role of the judge and other principal players in the courtroom, answers questions children are likely to have, and encourages children to speak to the Guardian ad Litem and the judge about anything that concerns them. ([This link takes you to the guide.](#))

For older children (12 to 18) who are preparing to go to dependency court, the panel directed the Office of Court Improvement to script a lively video that explains what dependency court is, how they will get to their hearings, what they can expect to happen, and who will be in the courtroom and in what capacity. *Make Your Voice Heard: A Guide to Dependency Court* also urges young people to play an active role in their hearings. ([To watch this video, follow this link.](#))

The panel also designed a comprehensive shelter hearing benchcard to help dependency judges improve the quality of their hearings. Among other things, the benchcard is designed to prevent the unnecessary removal of children; limit the trauma to children by identifying their needs early; speed the casework by requiring early evaluations;

identify potential placements with relatives; and reduce the time the children spend in care. ([Follow this link to view the shelter hearing benchcard.](#))

To help judges assess children's safety and improve child safety outcomes, the panel adopted and disseminated



What's Happening in Dependency Court: An Activity Book for Children Going to Court in Florida was created to help 8 to 12 year olds prepare for court visits or debrief after court visits.

the ABA's recently-published *Child Safety, A Guide for Judges and Attorneys*, which delineates a decision-making structure for determining whether to remove a child and when to return a child home. ([Follow this link to view the guide.](#))

Last fall, the Office of Court Improvement also coordinated five regional, daylong trainings for judges, magistrates, and court staff who work with dependency cases. Next year, for dependency judges, the panel will assist in developing statewide education in conjunction



A "Connected by 25" youth panel opened the regional dependency court trainings that were held across the state in late October/early November 2009. This is the youth panel that participated in the Orlando training.

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with training for the other family court case types, where there is overlap.

To support further the work of the panel, the Office of Court Improvement has been revising its *Dependency Benchbook*, last issued in 2008. The new edition, which will be available this fall, will have two main sections. The first will include comprehensive, laminated benchcards for each significant dependency hearing type—along with statutory and case law background for each hearing. The second section will contain six judicial checklists with promising, new evidence-based practices; it will also include resource documents for dependency-related issues.

Finally, the branch recently introduced a series of dependency court improvement tools to address the prescription of psychotherapeutic medications to children. Children can be harmed when they are prescribed drugs intended for adults or drugs intended for another purpose (i.e., off-label use). Even before the tragic death of Gabriel Myers, a seven-year-old in foster care, in April 2009, Chief Justice Quince and other Florida judges expressed concern about prescribing psychotherapeutic medications to children. In December 2008, the chief justice directed the Steering Committee on Families and Children in the Courts to review the rules, statutes, and procedures associated with the approval and administration of psychotropic medications to children in foster care and protective services and to recommend changes to current practices so as to ensure sufficient oversight of the dispensing of these medications.

The steering committee created the Subcommittee on Psychotherapeutic Medications to address this issue, and the subcommittee, chaired by Judge Herbert Baumann, Thirteenth Circuit, produced three valuable tools for judges. The first is the *Psychotropic Medications Judicial Reference Guide*, which contains a treasury of resources, among them, a benchcard; a medication index listing each medication's brand name, generic name, and uses; sections on psychotic symptoms, depression, mood disorders/bipolar disorder, anxiety disorders, and ADHD disorder; and a chart showing the FDA-approved age for various psychotropic medications.

Second, the subcommittee produced a comprehensive medical report that standardizes the information that community-based care providers will have to bring before a judge before asking permission to prescribe psychotropic medication for children; this report also ensures that the child's parent or legal guardian has given express and informed consent and that the physician has

gathered information so complete that the report can be used in lieu of a court appearance. And, third, the subcommittee created a "medical cheat sheet"—a concise, user-friendly catalog that lays out the various categories of psychotropic drugs typically prescribed to children; it identifies each drug's brand name, generic name, and possible side effects, also drawing attention to any special notes of which the court should be aware. These tools will assist judges in determining the best path for each child for whom psychotropic medications are being considered.

The initiatives described above have all been advanced in an effort to improve outcomes for Florida's most defenseless children. At the same time these statewide measures are being introduced, Chief Justice Quince is hoping that positive change will be instituted locally as well: "The paradigm of meaningful change needs to begin at the circuit and community levels with commitment, leadership, and action from our judges and magistrates who oversee dependency cases in their courtroom," she wrote. Toward that end, the panel will be seeking out judges who are willing to become model dependency judges for their circuit; these model judges will help foster the dependency court improvement panel's initiatives on the local level.

The branch has been particularly focused on improving the dependency division of the family court, but it has also kept its attention fixed on a number of domestic violence initiatives. When the economy is in a slump and unemployment and foreclosures are on the rise, the pressure on families tends to become more pronounced. Although these trying circumstances can't be said to cause domestic violence, they have been shown to aggravate it, and they also hinder victims' efforts to escape from it. With funding support from the Violence Against Women Grants Office, the judicial branch has been coordinating training opportunities and developing resources and partnerships that can help judges and court personnel respond more effectively to domestic violence cases.



Judge Herbert Baumann, Thirteenth Circuit, chairs the Subcommittee on Psychotherapeutic Medication.

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An online interactive training program, the Domestic Violence Virtual Courtroom familiarizes judges, court staff, and stakeholders with each aspect of the domestic violence injunction process and describes appropriate responses to a range of hypothetical situations. Because of the success of this program, it is being used as a template for a Domestic Violence Case Management Virtual Courtroom, which should be ready to roll out by summer 2011.

Chapter 39 injunctions have become the basis for a video script crafted by the Office of Court Improvement. In an animated, engaging way, this script, called *Mythbreakers: The Chapter 39 Episode*, challenges the notion that Chapter 39 injunctions are troublesome or too hot to handle and that they can put adult victims in greater danger from the abusive parent. The video, which is being professionally produced, will be available online next summer.

The judicial branch also continued to work with its partners to address domestic violence-related issues. One such endeavor is the Florida Attorney General Statewide Domestic Violence Fatality Review Team, on which Office of Court Improvement staff were invited to participate. After a two-day training event, team members met to conduct fatality reviews and to develop a uniform data collection tool for submitting data to the Department of Children and Families. The team's goal is to create policy recommendations that might help prevent domestic violence homicides. Office of Court Improvement staff were also invited to give numerous trainings for the Department of Children and Families on the civil domestic violence injunction for protection process.

To guide its efforts in orchestrating educational opportunities for judges and court personnel, the Office of Court Improvement developed and distributed a domestic violence training needs assessment. Staff will use the results as a planning tool: the information will influence the development of publications, the purchase of training materials, and the shaping of future training events.

Two training events are already being patterned in response to the needs assessment. For domestic violence coordinators, the Office of Court Improvement is planning a day-and-a-half-long professional development program for next spring. And a significant training event is being planned for judges who hear domestic violence cases: scheduled for the fall, this three-day, hands-on, highly interactive program, called the Enhancing Judicial Skills in Domestic Violence Cases Workshop, is designed to help new and experienced judges hone their skills in addressing civil and criminal domestic violence cases.

Drug Court

Conceived in Miami-Dade County in 1989, drug courts can now be found all across the world. Drug court involves a 12 to 18-month process in which non-violent substance abusers are placed into treatment programs under the watchful supervision of a judge and a team of treatment and justice-system professionals. Although each drug court is unique, reflecting the needs, priorities, and resources of its local community, most have in common certain elements: among them, they remove drug-related cases from the traditional courtroom environment; they offer a range of treatment and rehabilitation services; they take a non-adversarial approach; they require offenders to maintain ongoing interaction with the court; and they obligate offenders to undergo random alcohol and drug tests, rewarding them for positive behavior and sanctioning them for negative behavior. All drug courts focus on the offender's treatment and recovery.



Chief Justice Quince, the keynote speaker at this year's eleventh annual statewide drug court graduation ceremony, reads a resolution, signed by all seven justices, that "recognizes the practitioners and participants who make drug courts work and the significant contributions drug courts have made, and continue to make, in reducing drug usage and crime in Florida and throughout the nation."

In its 21-year history, drug court has expanded considerably beyond its first embodiment, which was adult criminal drug court. These days, the drug court model includes juvenile, dependency, and DUI drug courts, and aspects of this model, especially its case management practices, have been adopted by other docket types (e.g., mental health, family-focused, and truancy). Florida is home to 107 drug courts: 50 adult criminal, five

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misdeemeanor, 25 juvenile, 22 dependency, one juvenile re-entry, and four DUI drug courts.

One of the most palpable appeals of drug court is that it can save public money—a particularly agreeable proposition in the current economy. The Florida Department of Corrections calculates that it costs approximately \$110 to incarcerate one person in prison for one day—over \$40,000 for one person for a year. If it could redirect a substantial population of non-violent felony offenders from prison to successful treatment and diversion programs, the state could conceivably save millions of dollars each year. That realization, in part, inspired the expansion of the adult post-adjudicatory drug court program, in which eight counties across the state are currently participating (post-adjudicatory drug court is for non-violent offenders who typically have prior convictions).

The drug court expansion program is a joint project of the court system, county government, the offices of the state attorneys and public defenders, the Department of Corrections, and substance abuse treatment providers. The two-year program is being funded by \$19 million in federal stimulus dollars that the legislature appropriated to the court system in 2009. The Florida Department of Law Enforcement is administering the funds, and OSCA is managing them; the participating drug courts are required to meet specific data-reporting requirements, and the legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA) is evaluating these data. OSCA staff have been working to develop a confidential, comprehensive, and secure case management system to aggregate the considerable number and kinds of client-level data that the expansion drug courts must collect to comply with the reporting requirements of the Department of Law Enforcement, OPPAGA, and state and federal government. These data will help the branch and the legislature evaluate the viability of adult post-adjudicatory drug court.

The expansion program has been operational in all eight counties since January, and, as of the end of June, 355 defendants had entered the program. To participate, defendants must otherwise be prison-bound; must admit guilt or be found guilty of a non-violent felony and must agree to enter a drug court program as part of

their sentence; must score 52 points or fewer on Florida's criminal sentencing scoresheet; and must be considered amenable to post-adjudicatory drug court treatment.

Eventually, over the two-year period, the program aims to serve 4,000 prison-bound, non-violent felony offenders. Of the 4,000 offenders who will participate, it's estimated that 2,000 will complete the program successfully, and 1,600 will avoid entering Florida's prison system. If these estimates prove true, the state could save more than the \$100 million needed to build and operate a new prison.

Over the last few years, extensive research has shown that, in addition to saving the state money, drug court reduces recidivism, increases public safety, returns former

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substance abusers to a life of productivity, restores families, and saves lives. However, thus far, Florida's drug courts have not undergone a statewide evaluation to assess their effectiveness. In 2008, the supreme court's Task Force on Treatment-Based Drug Courts recommended that Florida's drug courts be evaluated to authenticate their success and to reinforce the need for dedicated state funding to support and expand operations; with the support of Office of Court Improvement staff and with technical assistance from the National Center for State Courts, the task force developed a plan for evaluating drug courts in the state.

This year, OSCA received a Bureau of Justice Assistance Grant to perform the statewide evaluation, and it is currently seeking proposals from qualified individuals and entities for a process evaluation, an outcome and income evaluation, and a cost effectiveness analysis on five to seven adult drug courts in the state. The goal of the evaluation is to measure the efficacy of drug court versus traditional sentencing options for drug- and alcohol-addicted individuals who enter the criminal justice

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system. The evaluation will also elucidate the elements of drug court that are related to successful outcomes and will help the state determine where to expand drug courts to include more offenders in need of services. Finally, it will be used to improve prospects for drug court funding.

Also with external funding—from a Juvenile Accountability Block Grant—OSCA and the Eighth Judicial Circuit coordinated a distance learning training called “Working with Youth with Mental Health Disorders in the Juvenile Justice System,” taught by Professor Holly Hills, of the Department of Mental Health Law and Policy at the University of South Florida. Via the court system’s videoconferencing network, 150 juvenile justice professionals representing 12 circuits participated. Juvenile Accountability Block Grant funding is being used to subsidize three more trainings in the coming fiscal year: one on working with resistant parents in the juvenile justice process; one on understanding and motivating youth in the juvenile justice system; and one on the promise of juvenile drug courts. With another grant for the following fiscal year, OSCA will be orchestrating trainings on juvenile delinquency.

And, with multiple funding sources, OSCA, in conjunction with the Florida Association of Drug Court Professionals (FADCP), coordinated another distance learning event: Douglas B. Marlowe, chief of science, policy and law for the National Association of Drug Court Professionals, presented “Targeting Dispositions for Drug Offenders by Risks and Needs” and “Best Practices in Drug Courts” to 381 drug court professionals representing all 20 circuits. This program was sponsored by the FADCP, OSCA, the Eighteenth Judicial Circuit, and several state and federal agencies. OSCA and the FADCP are planning another distance learning program for October 2010.

Finally, this May, Florida held its eleventh annual statewide drug court graduation ceremony. Hosted by the Seventh Circuit, the event featured over 300 drug court graduates from 27 drug courts in 12 counties; thousands of others—drug court graduates, special guests, and spectators—were present via videocast. Distinguished speakers included Chief Justice Quince and Bruce D. Grant, director of Florida’s Office of Drug Control Policy, who referred to drug court as “the crown jewel” of Florida’s treatment strategy. Florida’s drug courts combine “good, solid, evidence-based treatment with accountability,” he pronounced, emphasizing that “Accountability plus treatment equals success.”

Mental Health Initiatives

Within 15 days of an incompetency hearing, the Department of Children and Families is required by law to take custody of a defendant who is charged with a felony, is found incompetent to stand trial, and meets the criteria for forensic hospitalization. But with approximately 125,000 people with serious mental illnesses being arrested and booked into Florida’s jails each year, the agency has been so overwhelmed at times that it has struggled to meet legal timeliness standards. As a result, defendants have waited as long as three months for a forensic bed, languishing in jails, draining county resources and, at times, hurting themselves.

Annually, counties spend about \$500 million to house these individuals. In addition to that is the \$600 million the state pays each year to house people with mental illnesses in state prisons and forensic treatment facilities. And the costs are expected to escalate: over the next decade, the number of state prison beds serving inmates



Judge Steven Leifman, Miami-Dade County, is Chief Justice Quince’s special advisor on criminal justice and mental health.

with mental illnesses is projected to more than double from 17,000 to 35,000—with capital and operating costs calculated at about \$3.6 billion for the new beds alone.

Right now, for 1,700 forensic beds serving approximately 3,000 defendants under forensic commitment, Florida is spending more than \$210 million each year—a third of all adult mental health dollars and two thirds of all state mental health hospital dollars. This money pays primarily for services to restore competency—not necessarily for services to address long-term wellness and recovery for mental illnesses.

Once competency is restored and the inmates are discharged from the state treatment facilities, they stand

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trial for their charges and, if convicted, are sentenced to jail or prison (where they continue to fatigue taxpayer dollars). Since they receive no further hospital services and assistance, their symptoms often worsen. When they are finally released, they find few community services and supports in place to help them, and many commit a new offense or fail to comply with the terms of probation. Not surprisingly, they find themselves back in the justice and forensic mental health systems. And so the cycle continues.

Over the last few years, branch leaders have been working toward a cogent strategy for addressing this swelling crisis. In August 2006, former Chief Justice R. Fred Lewis established the Mental Health Subcommittee to study the issue and make recommendations. He named Judge Steven Leifman, Miami-Dade County, chair, and also appointed him the supreme court special advisor on criminal justice and mental health—a role Judge Leifman was asked to fill through Chief Justice Quince's term as well. The following year, at an inter-branch Mental Health Summit hosted by the supreme court, the subcommittee released its report, *Transforming Florida's Mental Health System*. Among other things, the report presents a detailed plan for drawing down federal dollars to subsidize a comprehensive system of community-based care services that will assist people with mental illnesses and keep them from entering the criminal justice system. During the spring 2008 legislative session, the judicial branch sought funding to implement this plan; however, despite legislative commitment, the measure was not successful, due largely to the budget plight. ([Follow this link to access the report.](#))

In 2009 and 2010, Judge Leifman advocated for the passage of bills that supported the expansion of community-based diversion and re-entry initiatives, significantly transposing the state's financial priorities from the incarceration of non-violent offenders to their rehabilitation. The bills had strong support both in the House and Senate—but, again, due to the austere economy, the measures failed.

The issue has since become the focus of an interim project of the Senate. Called the Forensic Hospital Diversion Pilot Programs, the interim project has six objectives: staff will review services that are provided to individuals found incompetent to proceed to trial and not guilty by reason of insanity due to mental illnesses; they will

evaluate the feasibility of implementing a limited number of pilot programs to divert select individuals in the above categories from state hospitals to community-based residential treatment facilities that will provide assistance in accessing support services after discharge; they will review the Medicaid state plan to determine the feasibility of leveraging federal funding for services provided in the pilot programs; they will meet with interested stakeholders; they will evaluate the fiscal and public safety impacts of implementing the pilot programs; and they will propose legislation appropriate to their findings.

Meanwhile, the chief justice, in an effort to continue the momentum created by the Mental Health Subcommittee, created the Task Force on Substance Abuse and Mental Health Issues and asked Judge Leifman to chair it.

“Without an improved system of care for people with severe mental illnesses, our jails will continue to operate as the de facto mental health system—wasting critical tax dollars and putting recovery out of reach for countless Floridians,” warned Miami-Dade County Judge Steven Leifman, supreme court special advisor on criminal justice and mental health.

Among other responsibilities, the task force will continue to promote the efforts outlined in the Mental Health Subcommittee's report. “Without an improved system of care for people with severe mental illnesses, our jails will continue to operate as the de facto mental health system—wasting critical tax dollars and putting recovery out of reach for countless Floridians,” Judge Leifman warned.

Alternative Dispute Resolution

Among its strategies for processing cases effectively, efficiently, and in a timely manner, the long-range plan recommends that the court system “continue to explore and implement effective alternative dispute resolution processes.” By opening communication—and thereby facilitating problem-solving—between the parties, and by conserving judicial time and resources, mediation and other alternative dispute resolution methods assist in improving the administration of justice.

Initially impelled by grassroots, community-based efforts, alternative dispute resolution (ADR) in Florida was launched in a Dade County citizen dispute settlement

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center in 1975. ADR was brought under the aegis of the court system in 1988, and, since then, the judicial branch has developed the most comprehensive court-connected mediation program in the country.

The branch ushered in some far-reaching ADR advances in the 2009/10 fiscal year. The supreme court approved a managed mediation program to address Florida's heightening mortgage foreclosure crisis; adopted revised Mediation Training Standards and Procedures; approved rule changes for certified and court-appointed mediators to include appellate mediator certification; and approved rule changes regarding mediator marketing practices. In addition, the Florida Dispute Resolution Center coordinated an ambitious statewide conference for mediators and arbitrators—and welcomed a new director.

Managed Mediation to Address the Mortgage Foreclosure Backlog

One in five Florida homeowners is either in foreclosure or seriously behind on mortgage payments. Normally at about 70,000 a year, foreclosure filings peaked at 403,477 in 2008/09. Although the filings have diminished since then (to approximately 337,596 in 2009/10), the backlog at the end of the 2009/10 fiscal year was estimated at over 468,000 cases. And experts now warn of a new wave of foreclosures within the next year or two.

In March 2009, anticipating the monumental toll that the crescendo of filings would take on Florida's already-strained judicial resources, Chief Justice Quince established the Task Force on Residential Mortgage Foreclosure Cases, directing it to "recommend to the Supreme Court policies, procedures, strategies, and methods for easing the backlog of pending residential mortgage foreclosure cases while protecting the rights of parties." Under the leadership of Judge Jennifer Bailey, Eleventh Circuit, the task force, through surveys as well as press releases, articles, and interviews in local newspapers, sought information about the crisis from the broadest possible range of affected parties (attorneys, judges, borrowers, and lenders/servicers/holders).

Based on its research and the feedback it received, the task force concluded that the lack of communication between plaintiffs and borrowers is the biggest obstacle to the early resolution of foreclosure cases. In its *Final Report*

and *Recommendations on Residential Mortgage Foreclosure Cases*, released in August 2009, the task force identified several origins of the communication problem, among them, the disproportionate bargaining power between the parties (particularly since so many of the borrowers are self-represented); borrower mistrust of lenders and their representatives; borrower frustration from failed efforts to deal with their lenders; and borrower discomfort with and apprehension about court-related procedures.

The most auspicious strategy for promoting communication and facilitating problem-solving between the parties, the report concluded, is managed mediation. In addition, through managed mediation, those cases that can settle will move through the system as quickly as possible—thus preventing the depletion of scarce judicial resources. With managed mediation, Judge Bailey explained, "We make sure that every case that goes before a judge, goes before a judge because it has to, saving judicial resources for those cases that weren't going to settle."



Judge Jennifer Bailey, Eleventh Circuit, chaired the Task Force on Residential Mortgage Foreclosure Cases.

The report recommended the adoption of a uniform, statewide, managed mediation program, implemented through a model administrative order issued by the chief judge of each circuit. It also recommended that, with few exceptions, all foreclosure cases that involve residential homestead property be referred to mediation. Since trial courts are not permitted to collect fees to provide circuit civil mediation services, the report proposed the use of outside entities to manage the mediation programs (it also set forth specific criteria that these entities must meet).

In a December 2009 administrative order, Chief Justice Quince approved the vast majority of the task force's recommendations, including its model administrative order, which was adopted with only minor modifications. Based on this model, each circuit chief judge has developed his or her own administrative order and has contracted with, or is about to contract with, a managed mediation provider who will oversee and administer that circuit's program. A number of organizations and individuals have begun offering the specialized training required of mediators who want to participate in a managed mediation program. (To read the supreme court's administrative orders, the task force report, the local orders, and related documents, follow this link.)

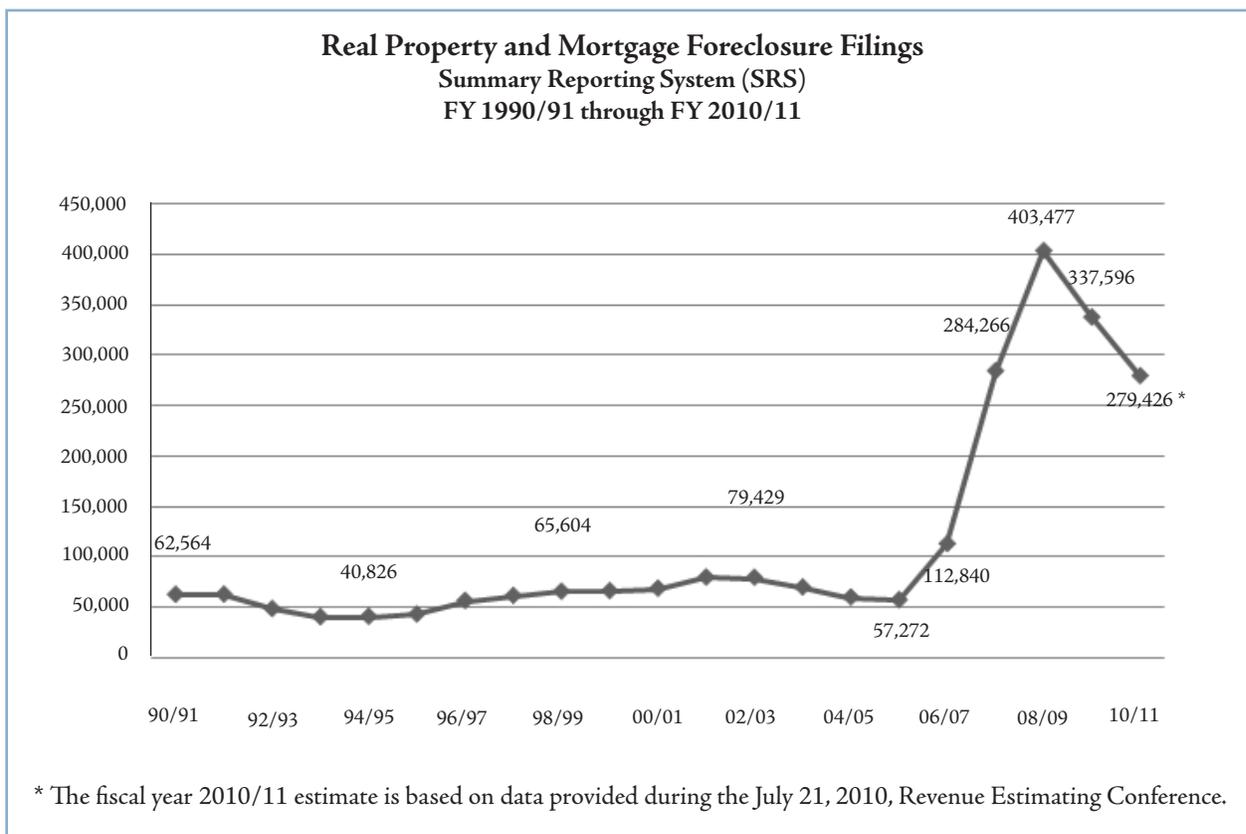
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In a per curiam opinion released this February, the supreme court also adopted several rule changes based on task force proposals. Among them, the plaintiff is now required to verify mortgage foreclosure complaints involving residential real property. This means that the plaintiff will have to investigate and verify its ownership of the note, or the right to enforce the note, and ensure that the allegations in the complaint are accurate, which will conserve judicial resources and give trial courts authority to sanction plaintiffs who make false allegations. Also, the court adopted a new Affidavit of Diligent Search and Inquiry form, which will standardize affidavits and

to measure the effects of these extra resources on the backlog, OSCA has begun collecting the data, and the Supreme Court Committee on ADR Rules and Policy is preparing a report for release in December.

Mediation Training Standards and Procedures

To ensure the high caliber of the more than 5,000 certified mediators in the state, the supreme court must have confidence in the merits of the training and mentoring that mediators undergo. To provide a sound basis by which the court can ensure the quality of this training, former Chief Justice Raymond Ehrlich, by administrative



provide the court with information about the plaintiff's methods for trying to locate and serve the defendant.

To begin addressing the foreclosure backlog using managed mediation programs, the judicial branch requested that the legislature give the courts one-time spending authority to use \$9.6 million from the State Courts Revenue Trust Fund to hire additional senior judges, magistrates, and case managers. The legislature authorized an allocation of \$6 million for this purpose. And it also gave the clerks of court spending authority to use \$3.6 million of their trust fund dollars to support the court system's efforts. Although it's still too early

order, approved the state's first set of mediation training standards in 1989. Last revised in 2000, the standards plainly needed updating to accommodate some significant changes in alternative dispute resolution (ADR) rules and statutes—including the November 2007 court opinion that substantially amended the qualifications for becoming a certified mediator (the qualifications used to be educational degree-based but are now point-based).

To assist in its re-examination of the training standards, the Committee on ADR Rules and Policy gathered together groups of mediation training consultants, mediation training program providers, approved mediation

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trainers, subject matter specialists in various fields of study, and members of the Mediation Training Review Board (which hears grievances filed against mediation trainers). The revised Mediation Training Standards and Procedures, which took five years to complete, comprises six major changes. Among them, as part of their required hours of continuing mediator education, primary trainers must now take three hours of train-the-trainer or adult teaching techniques. In addition, upon initial approval and for each two-year renewal cycle, primary and assistant trainers have to pass an open-book exam on the rules governing mediation. Also, primary trainers can now enjoy greater flexibility in the delivery method of the required mediation training. And, henceforth, training program certification will be every five years instead of every three years. The committee unanimously approved the revised standards in May 2009, and two months later, Chief Justice Quince adopted them. ([Follow this link to view the administrative order and revised training standards.](#))

Florida has 19 certified mediation training providers representing 27 certified mediation training programs and about 350 approved mediation trainers. As a result of these new standards, the court has more objective criteria for ensuring that the people who train Florida's mediators are indeed well-qualified.

Appellate Mediator Certification

In the past, the supreme court certified mediators in four areas: county court, family, circuit court, and dependency. In a July 1, 2010, opinion, the court approved a new area for the first time in 10 years: mediators can now receive certification for appellate mediation as well.

Interest in appellate mediation crystallized in 2001, when the Fifth DCA began piloting the Appellate Mediation Program for final civil and family appeals, in cases in which attorneys represent all parties. Saying that it resolved disputes more quickly and less expensively than the appellate process and that it helped to narrow and clarify the issues for appeal so that cases could be expedited, the Fifth DCA declared the program a success, adopting it as a permanent program in 2004.

Since then, at former Chief Justice Pariente's suggestion, the other DCAs began considering the implementation of a similar program. In response to a petition by the Committee on ADR Rules and Policy, the supreme court amended the Florida Rules of Appellate Procedure and the Rules for Certified and Court-Appointed Mediators to include mediation in appellate procedures.

To become an appellate mediator, one must be a Florida Supreme Court certified circuit court, family, or dependency mediator, must successfully complete a certified appellate mediation training program, and must be licensed to practice law unless the parties agree otherwise. As soon as the training standards and other administrative and procedural details are finalized, the certification process will begin. ([To access the opinion and the revised rules, follow this link.](#))

Mediator Marketing Practices

In response to a comprehensive review and revision of the rules governing mediator advertising and marketing practices by the Committee on ADR Rules and Policy, the supreme court modified the Rules for Certified and Court-Appointed Mediators in a per curiam opinion released on April 1, 2010.

Now, mediators may indicate that they are certified only if the certification was obtained through the successful completion of an established certification process and if they clearly identify the entity that certified them. Moreover, they must reveal the area(s) in which they are

“The roles of a mediator and an adjudicator are fundamentally distinct. The integrity of the judicial system may be impugned when the prestige of the judicial office is used for commercial purposes. When engaging in any mediation marketing practice, a former adjudicative officer should not lend the prestige of the judicial office to advance private interests in a manner inconsistent with this rule. For example, the depiction of a mediator in judicial robes or use of the word ‘judge’ with or without modifiers to the mediator’s name would be inappropriate. However, an accurate representation of the mediator’s judicial experience would not be inappropriate.” ~The Florida Supreme Court

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certified. In addition, if a mediator has prior adjudicative experience—e.g., as a judge, magistrate, or administrative hearing officer—that mediator cannot state or imply that this prior experience makes him or her a better or more qualified mediator. ([Follow this link to read the opinion and the revised rules.](#))

To the end of the rule, the supreme court appended the following commentary: “The roles of a mediator and an adjudicator are fundamentally distinct. The integrity of the judicial system may be impugned when the prestige of the judicial office is used for commercial purposes. When engaging in any mediation marketing practice, a former adjudicative officer should not lend the prestige of the judicial office to advance private interests in a manner inconsistent with this rule. For example, the depiction of a mediator in judicial robes or use of the word ‘judge’ with or without modifiers to the mediator’s name would be inappropriate. However, an accurate representation of the mediator’s judicial experience would not be inappropriate.”

Florida Dispute Resolution Center Conference

Welcoming the more than 1,000 attendees to the day-and-a-half-long Eighteenth Annual Florida Dispute Resolution Center Conference in August 2009, Chief Justice Quince began by pointing out that Florida has fewer judges per capita than any other large state: the national average is 7.3 judges per population of 100,000—but Florida has only 4.5 judges per population of 100,000. Gesturing toward the audience of mediators and arbitrators, she exclaimed, “You make it possible for us to dispose of cases on a timely basis” and thanked everyone in the room “for all you do for the court system and the people of Florida.”

Three plenary sessions punctuated three sets of fifteen workshops covering a wide range of topics: from mediator ethics, diversity/cultural awareness, and domestic violence education to dealing with pro se parties, building your practice, and train the trainer. In addition to the remarkable array of educational options, the conference gave mediators and arbitrators an opportunity to meet Janice Fleischer, who became chief of OSCA’s ADR Unit and director of Florida’s Dispute Resolution Center in July 2009.

Long-Range Issue #3: Supporting Competence and Quality

The Florida State Courts System is committed to having a workforce that is highly qualified and dedicated to service.

To meet the demands of justice in the twenty-first century, the men and women who work in the judicial branch must be leavened with knowledge, skills, and abilities that support their efforts to administer the justice system fairly, effectively, and in a way that fosters trust and confidence. Underscoring the relationship between the delivery of justice and the competence and quality of judicial officers and court staff, Long-Range Issue #3 advises that “Advanced levels of training and development are critical to enable those who work within the system to effectively perform the challenging work of the courts and meet demands placed on them.”

Education for Judges and Court Personnel

In 1978, the supreme court created the Florida Court Education Council to coordinate and oversee the creation and maintenance of a comprehensive educational program for judges and some court personnel and to manage the budget that supports these endeavors. Chaired by Justice Barbara J. Pariente and vice-chaired by Judge Jennifer Bailey, Eleventh Circuit, the council, with the support of OSCA’s Court Education Section, administers continuing education through live programs, distance learning events, and publications and other self-learning resources.

Education for Judges

Although severe budget constraints and a travel freeze meant that the council was unable to offer its full



Justice Pariente (on right) chaired the Florida Court Education Council through June of this year. Sitting next to her is Martha Martin, chief of OSCA’s Court Education Section.

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complement of live programs for Florida judges, it did strive to enable judges to meet their educational needs (judges are required to take a minimum of 30 approved credit hours of court education every three years, and new judges have to fulfill additional requirements).

In the fall, a Handling Capital Cases Refresher was offered for judges who hear death penalty cases. Also available in the fall was the annual education program of the Florida Conference of District Court of Appeal Judges; held in conjunction with the American Bar Association's Appellate Judges Education Institute, this conference gave Florida's DCA judges a chance to interact with appellate judges from across the country and to attend sessions led by speakers they wouldn't normally have a chance to hear.

A DUI Traffic Adjudication Lab was offered in the winter. Also in the winter was phase one of the Florida Judicial College—a requirement for new trial judges; 26 judges participated in this intensive five-day program, which, through a series of orientation sessions and a trial skills workshop, explores the science and the art of judging. It was followed two months later by phase two of the college, a five-day program that focuses on more complex substantive and procedural matters. Participating in phase two were 27 new trial judges; six judges who moved from the county to the circuit bench; 37 judges who had changed, or were about to change, divisions; and two general magistrates who were changing divisions.

This spring, Florida's trial and appellate court judges had an opportunity to attend the Florida College of Advanced Judicial Studies: a comprehensive continuing judicial education program that includes courses for judges seeking to sharpen existing skills as well as courses that encourage thoughtful reflection on the meaning of justice. At the same time and place, "old new judges" were invited to participate in a new program called Enhancing Judicial Bench Skills. Conceived as a post-judicial college refresher, this program gave judges who have been on the bench a few years an opportunity to delve into some of the topics they'd studied at the Florida Judicial College with more experienced eyes. Offered by the Court Education Section in collaboration with the National Judicial College, the course was, on the whole, enthusiastically received by participants, who found the more interactive presentations particularly helpful.

Judges also took advantage of a host of distance learning programs: videoconference offerings included a Civil Law Update, a Criminal Law update, Foreclosures 101, and Tenants Rights in Foreclosures. In addition, judges took part in a teleconference featuring a Probate and

Guardianship Law Update. National Judicial College webcasts on a wide variety of legal topics were also available for judges.

This year, the council also ushered in some changes for appellate judges. Since 1991, all newly elected and appointed trial court judges have been required to participate in Florida's Judicial Mentor Program, which partners them with more experienced judges to ensure that they have immediate access to critical information, court resources, and one-on-one guidance; the goal is to make their transition from the bar to the bench as seamless as possible. At its March 2010 meeting, the council adopted a policy requiring DCA chief judges, working with the dean of the appellate judges program, to appoint a mentor judge for each new appellate judge; for each new supreme court justice, a mentor justice will be appointed as well. And the council also adopted a policy requiring new appellate judges who never sat as trial court judges to attend the first phase of the Florida Judicial College, reasoning that it would be a good addition to the education of appellate judges.

Education for Court Personnel

Like judges, court personnel too should be given opportunities to develop the "knowledge, skills, and abilities" to serve and perform at the highest professional levels," Long-Range Issue #3 recommends. The council, through its Florida Court Personnel Committee and the Court Education Section, continues developing strategies to provide training opportunities for the court system's approximately 3,000 employees.

Efforts to build an education program for court personnel began in 2006, when the council hired a consultant to perform an education needs assessment. The consultant evaluated the training needs of six categories of court staff—general magistrates and hearing officers, trial court staff attorneys and general counsel, judicial assistants, administrative services personnel, family court personnel, and case managers—and made recommendations about their training needs and the most effective and cost-effective methods for addressing them. The following year, in 2008, the council established the Florida Court Personnel Committee, chaired by Judge Kathleen Kroll, Fifteenth Circuit, to create an architecture for meeting these needs. Since then, the council has provided funding and support for some energizing instructional opportunities for court personnel.

Appellate law clerks and staff attorneys were invited to take advantage of two distance learning programs this year, both via videoconference. The first, Dependency

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101, gave participants a global view of how dependency cases progress from start to finish at the trial level. And the second, a 2010 US Constitutional Law Update, focused on recent decisions and pending cases before the US Supreme Court. For these two sessions, OSCA's Information Systems Services launched the court system's first experiments with streaming video, which uses the Internet to deliver an audio signal directly to people's desktops or other locations, eliminating the need for participants to travel to a site with videoconference equipment.

Also, new court employees can now take an intranet-based course called "An Introduction to the State Courts System," created by the Court Education Section. This short, interactive education program familiarizes viewers with the structure and functions of the state courts and with the judicial branch as a whole. Through practice questions, staff can test their understanding of the material as they progress.

In addition to these distance learning opportunities, the council supported two in-person trainings. In the fall, it funded a two-day conference for Florida's court public information officers; in addition to learning about crisis and internal communications, conference attendees examined the emergence of and professional uses for social media tools. Also, with funding from the council, along with a STOP Violence Against Women grant, 153 case managers from across the state gathered together for a two-day education program; case managers studied the fundamentals of caseload management, explored strategies for creating or enhancing their court's caseload management program,

and learned how to implement an effective differentiated case management plan.

The council also subsidized a number of local education initiatives. The Florida Court Personnel Committee developed a process through which court personnel groups can apply for funding for education programs that they design; altogether, 16 applications were approved, and circuits offered trainings on topics like the Power of

Like judges, court personnel too should be given opportunities to develop the "knowledge, skills, and abilities to serve and perform at the highest professional levels," Long-Range Issue #3 recommends. The Florida Court Education Council, through its Florida Court Personnel Committee and the Court Education Section, continues developing strategies to provide training opportunities for the court system's approximately 3,000 employees.

Great Customer Service, Leadership and Team Building in the Court Environment, and Maintaining Excellence Through Best in Class Human Resources Practices. These local initiatives were so well-attended and acclaimed that the council plans to offer another round of funding for local trainings for the 2010/11 fiscal year.

Furthermore, the council offered two faculty training programs for court staff. The first was developed for court technology personnel and for court staff who are involved in training as part of their position. This program was decidedly technology-oriented: participants focused on presentation skills associated with distance learning formats such as web conference and videoconference activities. Those who attended are now poised to teach courses in their circuits and, through distance learning mechanisms, to share their knowledge with other circuits. For the second faculty training, each circuit was asked to send a representative involved in education programming (i.e., court employees who teach, plan, or work with locating funding for education programs). As a result of this program, each court now has an employee



Court personnel at the Tenth Circuit participated in two four-hour training workshops: the Power of Great Customer Service and Leadership and Team Building in the Court Environment. This was one of a number of local education initiatives funded by the Florida Court Education Council.

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who has training in planning programs and in applying for funding to subsidize them.

At this juncture, in its endeavors to expand training options for court personnel, the council has completed much of the initial stage outlined with the help of its consultant. Through programming, funding, and/or faculty training, the council has provided educational opportunities for the six categories of court personnel deemed most in need of training. In addition, its faculty training programs have reached representatives of almost every circuit and DCA. And its funding of local, regional, and statewide education proposals by court personnel has resulted in a variety of programs that not only benefit program participants but also generate course materials and identify faculty potentially useful for other court personnel. The mechanics are now in place for beginning the second stage of the process: to provide the support that newly-trained faculty need to help them teach others, and to focus on strategies for sharing these locally-produced educational initiatives across the state.

Publications and Other Self-Learning Resources

To improve and augment training and educational offerings for judges and court employees, Long-Range Issue #3 suggests that the branch boost its self-learning resources and electronic/online tools. Thus during fiscal year 2009/10, judges and court personnel authored or revised numerous electronic publications, started developing a web-based course for family court judges, expanded the online resource library, and began testing a subscription service.

The branch worked diligently to update and add to its menu of online publications, which are among the most utilized of the judiciary's self-learning resources. For instance, significant revisions were made to *An Aid to Understanding Canon 7*, a manual to assist judicial candidates in campaign and political activities. In prior editions, the Judicial Ethics Advisory Committee opinions were organized by date; seeking to make the revised edition more user-friendly, the committee adopted a "frequently asked questions" format for the opinions, making it far easier for judicial candidates to find answers to their particular questions. The *Criminal Benchguide for Circuit Judges* and the *Judicial Ethics Benchguide* have also been updated to reflect changes in the law and will soon be released.

The Publications Committee, an arm of the Florida Court Education Council, has also been reformatting and updating the *Contempt Benchguide* and the *Judicial Administration Benchguide*. And, quarterly, the committee

continues to reformat and index the *Domestic Violence Case Law Summaries* and to summarize the *Traffic-Related Appellate Opinion Summaries*.

In addition, the Publications Committee is close to completing its *Handling Cases Involving Self-Represented Litigants Benchguide*—an adaptation of a national resource for judges. Also for judges, the committee has begun adapting a national model benchguide for court interpreters for use in Florida. And with OSCA's Personnel Services Unit, the committee is working on a *New Employee Handbook*, which will offer templates that circuits can customize for local use.

OSCA staff are also close to completing a comprehensive, web-based course called *Fundamentals for Family Court Judges*. The supreme court mandates that judges who are either new to the family division, or who haven't served



At the faculty training programs for court personnel, participants learned how to create and give a presentation that distance learning audiences would be able to see, hear, and interact with. Here, Noel Chessman, CTO for the Fifteenth Circuit, and Hanna Watson, OSCA's MyFlorida Marketplace administrator, prepare their presentation.

in the family division for two years, take a course in the fundamentals of family law, domestic violence, juvenile dependency, and juvenile delinquency within 60 days of their assignment, and this course will help judges meet that requirement. A joint venture of OSCA's Publications Unit, Court Education Section, and Office of Court Improvement, the *Fundamentals* has been beta-tested and will be available this fall.

Meanwhile, the Court Education Resource Library continues to be expanded. The resource library provides links to a host of educational resources: to publications and other media prepared by various OSCA units, to selected materials from Court Education's live programming, to

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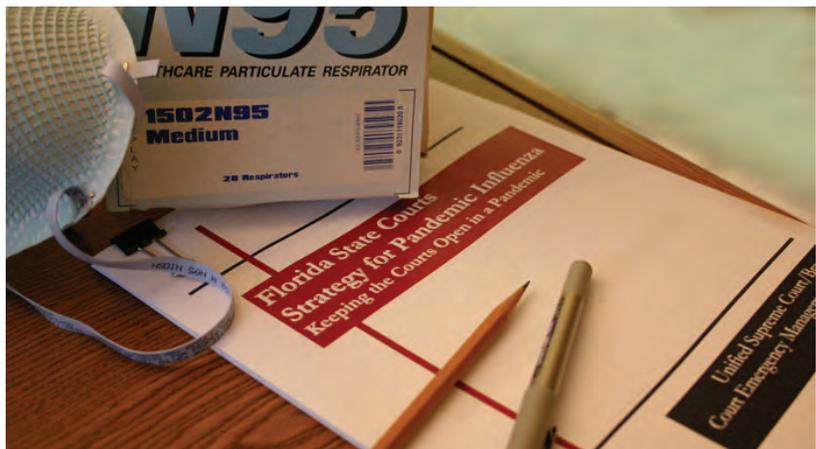
online training and CD-ROM information, and to useful resources from other state and national organizations. And a subscription service—for which judges and court personnel will be able to sign up to receive alerts about the availability of educational materials in which they're interested—has undergone an initial round of testing; staff have compiled an initial subscriber base of magistrates for further testing.

In providing ongoing professional development, education, and training through a wide range of media, the judicial branch underscores its commitment to sustaining a highly-qualified workforce that is dedicated to service.

Long-Range Issue #4: Enhancing Court Access and Services

Florida's judicial branch is committed to improving access to courts, and to providing the highest quality of services to everyone who enters a courthouse.

“Public access to the courts is the cornerstone of our justice system,” begins the description of Long-Range Issue #4. Recalling one of the Florida constitution's imperatives—that “the courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay”—the issue description emphasizes that, “Inherent in this mandate is the precept that our courts are neutral bodies that will interpret the law fairly, and will ensure equal treatment of all parties.” By working to keep the courts open, even in crisis situations, and by its tenacious efforts to build greater fairness and diversity awareness, to increase the pool of qualified court interpreters, and to promote architectural and electronic access for people with disabilities, the judicial branch endeavors to provide all people with meaningful access to Florida's courts and to treat all people fairly and with respect.



Emergency Preparedness

Florida's was one of the first court systems in the nation to institutionalize a planning process for addressing emergencies of all sorts: soon after the 9/11 attacks, exclaiming that we must “Keep the courts open to ensure

justice for the people,” former Chief Justice Charles Wells began establishing branch-wide policies and procedures for anticipating and managing court crises. Since then, each Florida court identified its mission-essential functions; each constructed a preparedness plan that comprises emergency and administrative procedures as well as a continuity of operations plan; and each designated an emergency coordinating officer, a public information officer, and a court emergency management team. His efforts also led to the creation of the Unified Supreme Court/Branch Court Emergency Management Group (CEMG), which recommends policy for, prepares for, and responds to emergencies both in the supreme court building and in courts statewide.

In the earlier months of fiscal year 2009/10, the H1N1 Influenza was still perceived as a threat that could potentially debilitate the branch with a cumulative absentee rate of up to 40 percent of court-related employees for up to three months. Thus, last fall, the branch's emergency preparedness measures focused intently on strategies for anticipating, and mitigating the effects of, a virus that could significantly hamper court operations.

Toward that end, the CEMG put together a 37-minute staff orientation video on the virus, and the branch created a web page from which judges and court personnel could access the video, a series of useful FAQs, and links to additional resources. To help the courts prepare for and respond to the upcoming flu season, the CEMG regularly distributed information about and links to current federal reports and guidelines. And the CEMG also gathered

together the chief judges, trial court administrators, DCA clerks and marshals, and emergency coordinating officers for an H1N1 Influenza conference call; in addition to discussing the current and anticipated situation in Florida, callers considered steps that could be taken to

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protect court employees and to minimize disruptions to court functions. Callers also talked about Chief Justice Quince's May 2009 administrative order regarding the court system's response to the H1N1 virus; OSCA's *Pandemic Staffing Guide*; the Publications Committee's *Pandemic Influenza Benchmark: Legal Issues Concerning Quarantine and Isolation*; and the CEMG's *Florida State Court's Strategy for Pandemic Influenza*.

At the end of June 2010, the US Public Health Emergency for the H1N1 Influenza expired, and, not long after, the World Health Organization declared an end to the pandemic globally. But if a universal, highly-

At the end of June 2010, the US Public Health Emergency for the H1N1 Influenza expired, and, not long after, the World Health Organization declared an end to the pandemic globally. But if a universal, highly-infectious disease strikes in the future, the branch now has strategies in place both "to protect the health and safety of everyone in the court facilities" and to "keep the courts open to ensure justice for the people"—the emergency preparedness goals toward which the branch aspires.

infectious disease strikes in the future, the branch now has strategies in place both "to protect the health and safety of everyone in the court facilities" and to "keep the courts open to ensure justice for the people"—the emergency preparedness goals toward which the branch aspires. In the meanwhile, "The CEMG—and all of Florida's courts—continue to assess and monitor all threats to the operations of the court system and to update and refine their emergency preparedness plans," declared OSCA General Services Manager Tom Long, who serves as the alternate emergency coordinating officer for Florida's judicial branch.

Fairness and Diversity Awareness

Florida's courts strive to "treat all people fairly and with respect," as one of the goals of Long-Range Issue #4 underscores. The branch has had an abiding commitment to creating a court environment that is bias-free—a domain in which everyone is treated with respect, fairness, and dignity: in 1987, the supreme court established the Gender Bias Study Commission; in 1989, the Racial

and Ethnic Bias Study Commission; in the early 90s, the Committee on the Court-Related Needs of Elders and Persons with Disabilities; and in 1997, the Commission on Fairness. Over the years, the judicial branch implemented many of the committee recommendations that fell within its jurisdiction.

More recently, in 2004, the Standing Committee on Fairness and Diversity was established by former Chief Justice Barbara Pariente. The purpose of the committee has been "to advance the State Courts System's efforts to eliminate from court operations bias that is based on race, gender, ethnicity, age, disability, financial status, or any characteristic that is without legal relevance."

Despite the year's fiscal challenges, the committee, chaired by Judge Scott M. Bernstein, Eleventh Circuit, was able to complete the charges with which Chief Justice Quince had tasked it. Its first responsibility was to identify and work to fortify court-community relationships. After distributing a survey to all the Diversity Teams asking them to inventory court projects and activities that educate the public about the court system

and foster court-community relationships, the committee found that individual courts connect with the public in a lively spectrum of ways: through courthouse tours, citizen guides, Justice Teaching and other school initiatives, teen courts, Law Day activities, meet your judge and "inside the courts" programs, speaker's bureaus, public opinion surveys, and media outreach events. By sharing information with the public about court operations, processes, and procedures, these initiatives contribute to greater understanding and support of the court system; in addition, they create venues in which the courts can facilitate dialogs on fairness and diversity topics. Also fostering court-community relations is the Diversity Events Calendar that the committee created; posted on the committee's webpage, the calendar describes court-based diversity events that are being held throughout the state. ([Follow this link to access the list of court-community activities, the Diversity Calendar, and other committee-related publications.](#))

The committee was also directed to develop practical educational materials that can help judges, court staff,

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This photo, housed in the Supreme Court Library archives, features members of the Judicial Council of the Virgil Hawkins Florida Chapter of the National Bar Association (a national association of African-American lawyers that was formed because the ABA refused, in the 1930s, to admit black lawyers into its membership). This meeting of Florida's African-American judges took place between 2002 and 2005 at Bethune-Cookman University in Daytona Beach.

and attorneys recognize, respond to, and understand their role in eradicating bias in the courtroom. *Recognizing and Eliminating Bias from Court Operations*, the fruit of this endeavor, supports the efforts of judges and court staff to reshape their own approaches—and, by extension, the court environment—so as to cultivate a justice system that treats all people with courtesy and respect. Chapters include information on recognizing bias; steps to eliminating bias in the courtroom environment—rights and responsibilities; achieving bias-free communication; and institutionalizing fairness and diversity. The committee hopes to include the publication in various court education programs and, with the help of several grants, to distribute hard copies to all judges and court employees. Also in conjunction with this charge, the committee is seeking funding to present a diversity train-the-trainer program to train one judge and one court employee in each circuit and DCA; the goal is to develop an in-house nucleus of competent diversity trainers who can share their skills and knowledge with judges and court staff well into the future.

The committee has also been collaborating with the Florida Court Education Council to identify and recommend resources for implementing

permanent fairness and diversity training for judges and court personnel on the local and state level. And, with the goal of promoting a more coordinated statewide approach to addressing fairness and diversity, the committee authored an informational brochure about its background and history for distribution to various organizations that are striving to eliminate racial, ethnic, and socioeconomic bias from the legal profession (e.g., The Florida Bar Commission on Professionalism and Florida law schools). The committee also liaised with several law schools to make presentations, to hand out informational materials, to encourage students to apply for judicial clerkships and court internships, and to discuss the possibility of collaborating on diversity workshops.

At the end of the fiscal year, the committee estimated that

approximately 90 percent of judges, general magistrates, and hearing officers and approximately 66 percent of court employees had attended a one-day diversity training program. This is heartening news. However, the committee also recognizes that true cultural sensitivity cannot be gleaned from a one-time, stand-alone diversity training session—so it is endeavoring to create mechanisms, both local and statewide, that periodically reinforce the message of these trainings.



The Ninth Circuit's Inside the Courts Program introduces citizens to the court system and gives them a chance to interact with judges in an informal setting. Designed to foster court-community relationships, this highly interactive educational experience gives audiences many opportunities for lively participation.

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Court Interpreters Program

“Non-English speakers and those not fluent in English generally have significant difficulty understanding the court system and may not be able to fully participate in the court process,” Long-Range Issue #4 observes. It also acknowledges that “Our system of jurisprudence may be unfamiliar to citizens from other nations, and may present a level of complexity that is intimidating and frustrating.” Recognizing that meaningful access to the courts should be available for all people, regardless of their ability to communicate effectively in the English language, the judicial branch is committed to building an adequate pool of qualified court interpreters.

To help judges and trial court administrators appraise the credentials of court interpreters seeking appointment, the supreme court created the Court Interpreter Certification Board in 2006, making it responsible for certifying,

With 16.7 percent of Florida’s population foreign born, and with 23.1 percent speaking a language other than English at home, the judicial branch is particularly vigilant against English language bias; through its court interpreters program, it continues to make concerted efforts to reduce the effects of communication barriers to Florida’s courts.

regulating, and disciplining court-appointed foreign language court interpreters as well as for suspending and revoking certification. Soon after it was established, the board, presently chaired by Judge Ronald Ficarrotta, Thirteenth Circuit, began developing comprehensive certification guidelines, which it implemented in May 2008. Since July of that year, judges have been required, whenever possible, to appoint certified or duly qualified court interpreters for people with limited English proficiency who are involved in criminal, juvenile, and select civil proceedings.

Among the requirements for remaining certified, every two years, court interpreters must obtain 16 hours of continuing education. Designed to reinforce their knowledge, skills, and abilities, continuing education helps interpreters perform their duties competently, fairly, and efficiently and aids in their achievement of the highest standards of personal and professional conduct.

Toward the end of the 2009/10 fiscal year, members of the first group of certified court interpreters were about to reach their two-year anniversary, signaling the need to renew their certification—and thus to begin earning their continuing education requirements. Aware of the time-sensitivity of the process, the board’s Continuing Education Committee, chaired by Trial Court Administrator Gay Inskeep, Sixth Circuit, worked diligently to ensure that continuing education requirements would be in place before any of the 132 certified court interpreters had to renew.

Before drafting its continuing interpreter education compliance requirements, the committee examined the Florida Dispute Resolution Center’s continuing education requirements for certified mediators as well as the requirements of state court systems that already have a seasoned court interpreter certification process. Based on this information, the committee constructed

directives that clearly identify what interpreters must know to maintain certification and earn continuing education credits—and what continuing education providers must know to apply for program approval. Certified interpreters now have a document that defines the purpose of continuing education, the criteria that educational programs must meet, the kinds of activities that do—and

don’t—receive credit, the providers that are pre-approved, the computation of credit, the procedures for certification renewal, and the ways in which credit can be earned other than through in-person attendance at educational events (for instance, through distance learning, self-study, and group-study). For continuing education providers, the document details the application and approval process, the qualifications for instructors, and the responsibilities they must meet.

While developing the requirements, the committee was guided by several criteria: it aimed to fashion requirements that court interpreters can reasonably and manageably satisfy, and it strove to ensure that the fees vendors pay to become providers are not cost-prohibitive. The board’s goal, Judge Ficarrotta emphasized, was “to guarantee the citizens of the state of Florida their due process rights while having the best court interpreters available to work for our court system.”

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In addition to formulating continuing education requirements, the board also began implementing some of the recommendations of the Court Interpreting Workgroup, an arm of the Commission on Trial Court Performance and Accountability that was established to develop standards of operation and best practices for court interpreting services. For example, a national benchbook and a benchcard on court interpreting are being modified to conform to statutory requirements and Florida-specific rules and policies. In addition, the board is developing a recruitment brochure and other materials that the circuits can use to bolster applicant interest in court interpreting positions; expanding its online registry of spoken language interpreters who have passed an approved oral proficiency exam, transforming it into a query-capable, centralized resource both of certified interpreters and of interpreters who have participated in the orientation and passed the written exam but are not yet certified; and creating an electronic listserv to facilitate statewide communication and information-sharing among all court interpreting services coordinators.

With 16.7 percent of Florida's population foreign born, and with 23.1 percent speaking a language other than English at home, the judicial branch is particularly vigilant against English language bias; through its court interpreters program, it continues to make concerted efforts to reduce the effects of communication barriers to Florida's courts.

Architectural and Electronic Access for People with Disabilities

The disabilities community includes people who are blind or have low vision; people who are deaf or hard of hearing; people with mobility impairments; people with mental or developmental disabilities; and people who have a combination of disabilities. Approximately one in five Americans has some kind of disability—with nearly one in eight having a severe disability, according to the US Census Bureau. Because the nation's population is aging, and because the likelihood of having a disability increases with age, the number of people with disabilities is expected to increase in the coming years.

The Americans with Disabilities Act (ADA) was enacted to afford qualified individuals with disabilities the same opportunities that are available to people without disabilities. The ADA just celebrated its twentieth anniversary—

but people with disabilities continue to encounter architectural and communication barriers in this country. Florida's judicial branch has been working tenaciously to help people with disabilities participate fully and effectively in court proceedings.

In 2006, former Chief Justice R. Fred Lewis established a committee to coordinate a branch-wide court accessibility initiative. The committee oversaw the development of a courts-specific survey instrument to identify architectural barriers in public areas of court facilities, worked with chief judges to create a local Court Accessibility Team in each circuit and DCA, and provided regional training sessions to teach team members how to survey and evaluate their court facilities. Based on its findings, each team prepared a transition plan that identified architectural barriers in its facilities, discussed measures for addressing the problems, and determined who would be responsible for making the corrections. The teams were still constructing their transition plans when the gavel passed to Chief Justice Quince, who immediately expressed her "ongoing commitment to the court accessibility initiative."

Despite the dearth of funding at the state and local levels, Florida's courts have continued to make progress in eliminating architectural obstacles identified in their transition plans. Among the improvements, many courts now have ADA accessible daises and ante-rooms, water fountains, auto-open entry doors, and restrooms as well as ADA compliant ramps, countertop heights, door-closer speeds, assistive listening devices, and handrail returns; many courts also restriped parking lots to create additional disabled parking spaces, and they created and posted signs letting court visitors with disabilities know how to get the accommodations they need.



Among a host of recent courthouse improvements, Okaloosa County facility personnel replaced a narrow, steep concrete ramp to the courthouse in Crestview with a composite (wood substitute) ramp that is ADA compliant.

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NOTICE Americans With Disabilities Act (ADA)



The Eleventh Judicial Circuit of Florida is in compliance with the Americans with Disabilities Act (ADA) and provides reasonable accommodations to persons with disabilities to enable their full participation in court proceedings, programs or services. If you are a person with a disability who needs assistance in order to participate in a program or service of the Court, please notify the Eleventh Judicial Circuit Court's ADA Coordinator, Lawson E. Thomas Courthouse Center, 175 NW 1st Ave., Suite 2702, Miami, FL 33128, telephone number (305) 349-7175 Voice; (305) 349-7174 TDD; (305) 349-7355 Fax; as far in advance as possible but preferably at least five (5) days prior to your scheduled court proceeding.

The Eleventh Circuit's new ADA sign is on display at the information booth of Miami-Dade's four main courthouses and at the security desk of the six branch courthouses.

Although the Court Accessibility Teams were created relatively recently, for at least 20 years, the judicial branch has been developing strategies to facilitate access for people with disabilities. Since the 1990 enactment of the ADA, each circuit and appellate court has designated at least one ADA coordinator; the 30-plus coordinators across the state, along with the statewide court ADA coordinator, work together to eradicate architectural and communication barriers. This year, each court's ADA coordinator prominently posted information on his/her website about how to request an ADA accommodation in that court. In addition, the Florida Courts ADA webpage now has links to each trial and appellate court's ADA information, making it easier for people learn how to request accommodations in any court. The webpage, recently redesigned to make it easier to use, also includes a directory of the branch's ADA coordinators. ([Take this link to access the court system's ADA webpage.](#)) To reach the broadest possible audience, the court system even established a Florida Courts ADA Information page on Facebook. ([Follow this link to visit the Facebook page.](#))

Throughout the fiscal year, ADA coordinators continued to come together every other month via conference call. Each call gave coordinators a chance to learn about resources available to them, to discuss challenging situations, and to find out about relevant news/events—in addition, each call featured a guest presenter. Coordinators benefitted from this opportunity to listen to excellent speakers

addressing a wide range of topics at little, if any, cost to the state courts system. During fiscal year 2009/10, guests covered topics like Florida's Transportation Disadvantaged Program, Memory Loss/Alzheimer's Disease/Dementia, the National Protection and Advocacy System, and Reasonable Accommodations for Judges and Court Employees.

To better guide Florida's courts and the public about their rights and obligations under the ADA, the branch also implemented supreme court-approved amendments to Rule of Judicial Administration 2.540. In response to the rule amendments, each court reviewed and updated its notices of hearing, jury summonses, and other forms; posted in each courthouse the procedures for obtaining an accommodation; and published on its website and in each courthouse the grievance procedures for resolving complaints. The amendments also require courts to provide a written response if they deny an accommodation, grant it only in part, or grant an alternative accommodation. With the assistance of a workgroup, OSCA developed a Model ADA Accommodation Request Form and invited each circuit and district to customize the form for its own use. ([Follow this link to access the revised rule and the model form.](#))

Federal law requires the state courts, as an entity covered by Title II of the ADA, to ensure equal access to all of its services, programs, and activities. Since Florida's courts

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are increasingly providing access to court services through their websites and other electronic means, they must make certain that communications via electronic information and information technologies are accessible to people with disabilities. The Florida courts have been utilizing the Section 508 Standards, which were developed and adopted by the US Access Board, as a vehicle for ensuring compliance with the ADA as it relates to effective communication via electronic formats. To standardize its provision of accessible electronic information, OSCA developed a policy called *Accessibility to Persons with Disabilities of Electronic OSCA Information*. The policy

system's representative on the Legal System Accessibility Task Force, which was established by a governor-appointed council to address communication accessibility for people who are deaf and hard of hearing and have come in contact with the legal system. In that capacity, in addition to giving presentations, Ms Howells helped to develop training materials for use throughout the criminal justice system; the task force's most recent accomplishment is a DVD called *Legal System Access for Persons with Hearing Loss*; together with a trainer's manual and a PowerPoint presentation, this DVD provides training to people in the legal system on how to work and communicate more

effectively with individuals who are deaf, hard of hearing, or deaf-blind. ([Follow this link to download these free training materials.](#))

Over three million people are affected by disabilities in Florida. Through its many accessibility endeavors, the judicial branch continues to work to identify and ameliorate the architectural and communication barriers faced by people with disabilities.

The Americans with Disabilities Act (ADA) was enacted to afford qualified individuals with disabilities the same opportunities that are available to people without disabilities. The ADA just celebrated its twentieth anniversary—but people with disabilities continue to encounter architectural and communication barriers in this country. Florida's judicial branch has been working tenaciously to help people with disabilities participate fully and effectively in court proceedings.

emphasizes that all documents, websites, web-based enterprises, email, and multi-media presentations created by OSCA must be accessible to employees and members of the public with disabilities. The policy notes that, at times, the application of current Section 508 Standards is not feasible, not helpful to people with disabilities, and/or not practical, so it also provides guidelines on content that might be appropriate for an accessibility accommodation. The OSCA ADA coordinator and general counsel are authorized to recommend situations in which the use of an accessibility accommodation on a case-by-case or categorical basis may be appropriate.

In addition, OSCA continued to offer both in-person and distance learning training opportunities on topics like ADA/508 standards for electronic court information and making complex documents (e.g., forms and newsletters) accessible. Trainings were offered to supreme court and OSCA staff as well as to court employees across the state and to Florida Bar and Florida Board of Bar Examiners staff.

Finally, during the fiscal year, the statewide court ADA coordinator, Ms Debbie Howells, served as the court

Long-Range Issue #5: Enhancing Public Trust and Confidence

Regardless of the economic and political challenges, the branch must remain steadfast in its commitment to maintain and consistently build the public's trust and confidence.

Equal in weight and importance, the five issues that constitute the long-range plan are connected and interdependent in rich and resonant ways. However, Enhancing Public Trust and Confidence comes last because it is recognized as the culmination of the issues that precede it—the “harvest” that the branch reaps through effectively accomplishing the goals of the four issues on which trust and confidence in the courts is built: Strengthening Governance and Independence, Improving the Administration of Justice, Supporting Competence and Quality, and Enhancing Court Access and Services.

The judicial branch also seeks to foster the public's trust and confidence by meaningfully striving to embody the

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five fundamental values that inform the vision of the branch: its aspirations to be “accessible, fair, effective, responsive, and accountable.”

Through its emergency management plans, which are designed to keep the courts open, even in crises; through its efforts to reduce physical, communication, and language barriers; and through its embrace of new technologies that facilitate participation in court proceedings (e.g., electronic filing and electronic access to court records), the judicial branch strives to be accessible (see long-range issues #2 and 4).

Through its education and training initiatives, which equip judges and court personnel with the knowledge, skills, and attitudes that enable them to administer the justice system impartially; through its commitment to fairness and diversity awareness; and through its efforts to enable all people to participate fully, effectively, and with dignity in court proceedings, the judicial branch strives to be fair (see long-range issues #3 and 4).

Through its determination to establish a stable funding source; through its efforts to assess and improve the efficient management of the court system; through its exploration and implementation of successful alternative dispute resolution processes; through its strategies for administering its resources adroitly; and through its manifold court improvement measures, the judicial branch strives to be effective (see long-range issues #1 and 2).

Through its many extensive outreach initiatives—among them, to develop the long-range plan; to assess the effectiveness and efficiency of the branch’s governance system; to develop standards of operation and best practices for the trial courts; to determine the best and fairest strategies for easing the backlog of residential mortgage foreclosure cases; to gather perceptions of fairness in Florida’s courts and to implement these findings; and to determine the accessibility of the courts for people with disabilities—the judicial branch strives to be responsive (see issues #1, 2, 3, and 4).

And through its commitment to strategic planning; through its measures to reform and strengthen the governance and policy development structures of the branch; through its development of standards that measure court performance; and through its ongoing court improvement efforts, the judicial branch strives to be accountable (see long-range issues #1 and 2).

The articles below highlight some of the branch’s additional undertakings to inspire public trust and confidence.

Florida Innocence Commission

Despite the various safeguards inherent in the criminal justice system, DNA testing has verified that people can be convicted of crimes they did not commit. In fact, in the last few years, at least 11 convictions in Florida have been reversed as a result of DNA evidence.

Wrongful or erroneous conviction is costly on many levels. When innocent people are wrongfully or erroneously convicted, both they and their families suffer the burden of the punishment. And those years behind bars are irrecoverable. At the same time, the people who are actually responsible for the crime remain free—



Chief Judge Belvin Perry, Jr., Ninth Circuit, chairs the Florida Innocence Commission.

unpunished and liable to commit additional offenses. Wrongful conviction is costly for taxpayers as well—they bear the expense of the prosecution, trial, and appeal processes as well as the high compensation costs (\$50,000 for each year that a wrongfully convicted person spent behind bars). In addition, wrongful convictions abrade public trust and confidence in the justice system.

Chief Justice Quince laid the groundwork for establishing the supreme court’s recently-created Florida Innocence Commission. Seeding the idea was a December 2009 petition filed by Talbot “Sandy” D’Alemberte (former American Bar Association President and current Florida

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Innocence Project board member), on behalf of 68 lawyers, asking the court to adopt a rule establishing an innocence commission. Though committed to the concept, the chief justice had to decline the petition, saying that an administrative order, not a rule petition, is the appropriate mechanism. She also noted the lack of funding for an innocence commission.

But she pursued the idea, sending a letter to incoming Senate President Mike Haridopolos, R-Indiatlantic, requesting suggestions for funding such a commission. Having recently worked on a compensation bill for a wrongfully-convicted man who spent 27 years behind bars, Senator Haridopolos spearheaded legislation authorizing the court to use \$200,000 from the court

enforcement officers. The commission will also review individual cases in which innocence has already been officially acknowledged—but it will not review unproven claims of innocence. Solutions commissioners propose might include suggested rule proposals or amendments, changes to jury instructions, statutory changes, and other procedural changes directly connected to the wrongful conviction of the innocent. ([To access the Innocence Commission's website, follow this link.](#))

No later than June 30, 2011, the commission will submit an interim report to the supreme court, and by June 30 of the following year, it will issue a final report setting forth all of its findings and recommendations. Through the work of the commission, the supreme court aims to avoid

the wrongful or erroneous conviction of the innocent, increase the conviction of the guilty—and, ultimately, to positively impact public trust and confidence in Florida's justice system.

In his opening remarks at the first meeting of the Florida Innocence Commission, Judge

Perry began, "We're all here for one common goal; it centers around the concept called *justice*. That is what this is all about," he emphasized, adding, "Hopefully, at the end of the day, we will make our criminal justice system in Florida better."

Through the work of the Florida Innocence Commission, the supreme court aims to avoid the wrongful or erroneous conviction of the innocent, increase the conviction of the guilty—and, ultimately, to positively impact public trust and confidence in Florida's justice system.

system's Mediation and Arbitration Trust Fund to support a commission—a sum that The Florida Bar Foundation supplemented with a \$115,000 grant. Thanks to Chief Justice Quince's preliminary work, Justice Canady, on his second day as chief (July 2, 2010), was able to release an administrative order establishing, setting the priorities for, and naming the membership of the Florida Innocence Commission.

This 23-member body gathers together prosecutors, defense attorneys, judges, law enforcement officers, legislators, legal scholars, and victim advocates to identify the common causes of wrongful or erroneous convictions and to recommend measures for decreasing the possibility of wrongful convictions in the future. Ninth Circuit Chief Judge Belvin Perry, Jr., chairs the commission, and former Monroe County Judge Lester A. Garringer, Jr., is the executive director. As supreme court liaison to the commission, Justice Quince may be present to witness and participate firsthand in the commission's journey.

Among the topics that commissioners will study are eyewitness misidentification, DNA and other forensic science, false confessions, informant/jailhouse snitches, and the professional responsibility and accountability of judges, prosecutors, defense attorneys, and law

Education and Outreach

When people are informed about the courts, they tend to have a deeper appreciation of the judicial branch and its role as the guardian of the Constitution, studies have shown. Therefore, to build trust and confidence, the branch has endeavored to educate people of all ages, in many walks of life, about the role, purposes, function, and accomplishments of the courts—as well as about constitutional and legal principles. This section describes some of the branch's initiatives to teach people about the courts and thereby to foster trust and confidence in the justice system.

Judicial Campaign Conduct Forums

Instituted in 1998, the Judicial Campaign Conduct Forums, typically held in the spring of election years, are offered in every circuit in which there is a contested judicial election. These 90-minute forums provide instruction to judicial

THE YEAR IN REVIEW

candidates about the requirements of Canon 7 of the *Code of Judicial Conduct*, which governs political conduct by judges and judicial candidates. Forum attendees learn about the importance of integrity and professionalism among candidates for judicial office, the impact of campaign conduct on public trust and confidence in the judicial system—and the grave and humbling consequences of any breaches of the code. Coordinated by the supreme court, the trial court chief judges, the Judicial Ethics Advisory Committee, and The Florida Bar Board of Governors, the forums are also open to campaign managers, campaign staff, local political party chairs, the presidents of local bar associations, print and broadcast media, and the public. This year, Florida experienced an unprecedented number of contested judicial races; the forums, held on May 6 and 7, were well-attended by candidates for judicial office and their campaign representatives.

Annual Reporters Workshop

For 20 years, the supreme court has hosted an annual Reporters Workshop, in which journalists who are either new to Florida or new to the legal/courts “beat” participate in a two-day workshop introducing them to the basics in legal reporting. Presented by The Florida Bar Media



At the Annual Reporters Workshop, Supreme Court Director of Public Information Craig Waters (on right) introduces a panel discussion on Covering High-Profile Court Cases.

and Communications Law Committee and subsidized by The Florida Bar Foundation, the workshops are

open to newspaper, radio news, TV news, and Internet news services reporters who have been nominated by their editors. The program includes sessions by justices,

In addition to the various supreme-court based education and outreach programs for visitors of all ages, every circuit and appellate court in Florida spearheads a host of projects and activities that educate the public about the court system and energize court-community relationships—enterprises like courthouse tours, citizen guides, Justice Teaching and other school outreach efforts, teen courts, Law Day activities, meet your judge programs, speaker’s bureaus, public opinion surveys, and media outreach efforts.

judges, lawyers, and veteran journalists; the October 2009 workshop addressed topics like Public Records and Florida’s Open Government Laws, Covering High-Profile Court Cases, Lawyer Regulation, Libel Law and Defamation, and Funding Our State Courts. The public still gets most of its information about the court system from more traditional news sources, and this program provides journalists with a useful introduction to covering justice system issues.

Justice Teaching Initiative

Established in 2006 by former Chief Justice R. Fred Lewis, Justice Teaching is a law-related education initiative that aims to partner a legal professional with every elementary, middle, and high school in the state in order to promote an understanding of Florida’s justice system and laws, develop critical thinking and problem-solving skills, and demonstrate the effective interaction of Florida’s courts within the constitutional structure. So far, close to 3,800 lawyers and judges have been trained to serve as resources for Justice Teaching, and almost every public school in the state has at least one Justice Teaching volunteer. Recently, the initiative has been expanded to include Florida’s private schools (of which there are 1,500), and the program has begun to recruit volunteers to teach in these schools as well. After attending a Justice Teaching training session, volunteers have access to a host of tested, interactive strategies for engaging students in lively exchanges about the justice system and

THE YEAR IN REVIEW

how it affects their lives. ([Follow this link to visit the Justice Teaching website.](#))

Justice Teaching Institute

First offered in 1997, when former Chief Justice Gerald Kogan conceived it as part of the Florida Supreme Court's Sesquicentennial Celebration, the annual Justice Teaching Institute offers 25 secondary school teachers from across Florida a chance to explore, over a five-day stretch, the inner workings of the judicial branch. Sponsored by the supreme court, subsidized by The Florida Bar Foundation, and coordinated by the Florida Law Related Education Association, the institute is an

most of the teachers develop a courts unit for classroom use and/or facilitate training programs for other teachers at their school, thereby creating opportunities for a great many students to develop an understanding of and an appreciation for the role and functions of the judicial branch. ([Take this link to visit the Justice Teaching Institute website.](#))

Visiting the Court: Educational Tours and Programs

Visitors to Florida's capital can choose from a variety of ways to learn about the history and function of the state's highest court. The favorite activity of student groups (fourth to twelfth graders) visiting the court is the Mock



This year's Justice Teaching Institute fellows pose for a group photograph in the Florida Supreme Court courtroom.

Oral Argument. Students spend the first part of this 90-minute program learning a detailed lesson about the judicial branch and Florida's court system. Then, led by a staff attorney or trained volunteer, students act out an oral argument on an age-appropriate hypothetical case (there are 15 from which to choose). Also available to court visitors is the Educational Tour, which includes instruction about the branch and the court system, in-depth

intense, interactive program for which teachers must undergo an exacting selection process to be chosen.

Taught primarily by the justices and by Ms Annette Boyd Pitts, executive director of the Florida Law Related Education Association, teachers learn about the structure and function of the state courts system, the criminal court process, the significance of an independent judiciary, the Florida Constitution, the case study method, alternative dispute resolution methods, accessing legal resources from the library and the Internet, the oral argument process, and the constitutional issues undergirding an actual case that is about to be argued before the court. The climax of the program is the teachers' own mock oral argument on the very case for which the justices are themselves preparing. After they return to their schools,

information about the history of the supreme court, and a tour of the library and the lawyer's lounge. If they prefer, visitors can take a self-guided tour of the public areas of the building (courtroom, library, rare book room, upper and lower rotunda, portrait gallery, and lawyer's lounge). Between January and May 2010—"tour season" in the supreme court—the Mock Oral Argument and the Educational Tour had 3,790 participants altogether.

Another lively educational initiative is the Making My Vote Count! Civics Program, for seventh grade groups. This joint program of the supreme court, Florida's Historic Capitol, and the Museum of Florida History explores the importance and individual responsibility of voting in Florida. The goal of this new civics program is to familiarize students with the election process and

THE YEAR IN REVIEW

encourage them to become involved, informed, engaged citizens. Finally, student groups can also participate in the Journey Through Justice Program, which works in conjunction with the Courtroom to Courtroom Program offered by the Leon County Teen Court. This program, for which students participate in a mock trial and a mock oral argument, gives them an in-depth understanding of the court system and Florida's third branch of government. (For more information about these education programs, follow this link.)

In addition to these supreme-court based education and outreach programs for visitors of all ages, every circuit and appellate court in Florida spearheads a host of projects and activities that educate the public about the court system and energize court-community relationships—enterprises like courthouse tours, citizen guides, Justice Teaching and other school outreach efforts, teen courts, Law Day activities, meet your judge programs, speaker's bureaus, public opinion surveys, and media outreach efforts. (This link goes to a compilation of court-community relationship-building activities across the state.)

The Florida Supreme Court Library

Established in 1845, the Florida Supreme Court Library is the oldest of Florida's state-supported libraries. It was originally designed for use by the supreme court and the attorneys who practice before it, but now it also assists the general public and answers calls for assistance from law firms and other law libraries in the state and around the nation.

Over the last fiscal year, the library acquired and began inventorying the papers of retired Justices Harry Lee

Anstead, Charles Wells, Ben Overton, Gerald Kogan, and Leander Shaw, and many of those papers will soon be available to researchers and the public. The library also added biographical materials from former Justice B.K. Roberts to its collection. Over 3,800 visitors—researchers, school groups, special groups, and individuals—enjoyed the library's rare book room and its displays of library treasures in the reading room.

In the library's archives collection are more than 7,000 photos and negatives dating back to 1899, documenting a considerable stretch of supreme court history. Approximately 400 of these historic photos were scanned into the Florida Photographic Archives and are now available to researchers worldwide. (Follow this link to visit the photo archives website.)

Finally, as part of its *Evolution of Justice in Florida* project, the library prepared three new rotunda exhibits this year. Featuring original books, documents, and artifacts of relevance to the supreme court and the justice system, these exhibits covered The Progressive Era, 1901 to 1926; the Depression and World War II, 1926 to 1945; and a special exhibit on 30 years of Cameras in the Courtroom, 1979 to 2009. This project was conceived in 2002 by former Chief Justice Anstead as an opportunity to "educate the public about the history of our state's judiciary and to strengthen confidence in Florida's Courts System." (Take this link to visit the library website.)

Court Publications

To educate and inform the public about the judicial branch and to improve communication between the judicial branch and the community, the OSCA's Publications

Unit, under the direction of the supreme court, produces the *Florida State Courts Annual Report* each fall (this link takes you to the annual reports); in addition, each spring, summer, and winter, it produces the *Full Court Press*, the official newsletter of the state courts system of Florida, whose aim is to present information, to promote communication, and to create a kind of "meeting place" for all the members of the state courts family, both nuclear and extended (follow this link to access the newsletters).



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Transitions

Passing of the Gavel to Chief Justice Charles T. Canady

In keeping with a 1926 constitutional amendment, the seven justices of the Florida Supreme Court select the chief justice, who serves a two-year term. When Chief Justice Peggy A. Quince, who began her term as chief on July 1, 2008, passed the ceremonial gavel to Justice Charles T. Canady on June 30, 2010, he became the court's fifty-fourth chief justice since Florida achieved statehood in 1845.

Given the Spartan economy, the future chief justice decided in favor of a modest, quiet swearing-in ceremony in the rotunda; only his family, his colleagues on the bench, and court staff were present. He expressed his appreciation to Justice Quince for doing an "outstanding job" and for her "firm and steady leadership" during these very difficult few years, saying, "And I, as I take on these responsibilities, will continue to look to her for assistance, along with the assistance of my other colleagues on the

court, as we face the challenges that are ahead of us." And he thanked Florida Supreme Court and Office of the State Courts Administrator personnel, calling them "a wonderful team."

The funding issue will continue to be the branch's greatest challenge, he stressed: "We have a system in Florida that is not funded as it should be," and, compared with other state judiciaries, "We are a very lean system," he pointed out. Yet "We, I think, do an amazing job in providing a system of justice that works for the people of Florida."

Before passing the gavel to him, Chief Justice Quince emphasized that "It is going to be great for the judicial system to have someone who is familiar with all the branches of government"—a reflection on Chief Justice Canady's resonant experience as a lawyer, a state representative, a member of congress, and general counsel for Governor Bush before being appointed a DCA judge in 2002. "The court system will be in great hands with Justice Canady," she predicted.



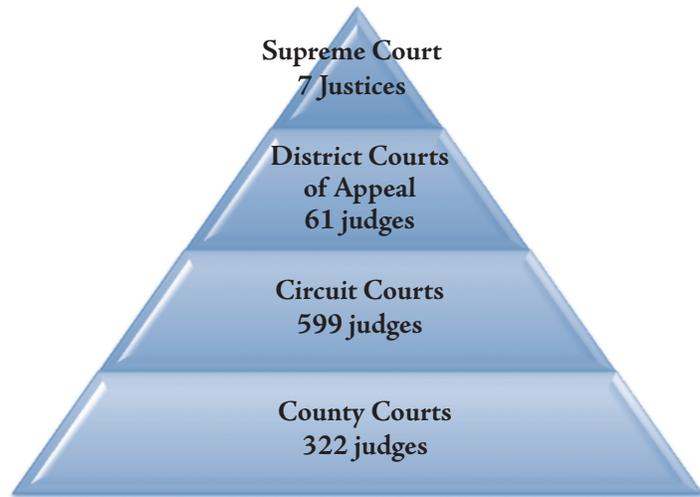
On June 30, 2010, Chief Justice Charles T. Canady became the fifty-fourth chief justice of the Florida Supreme Court.

FLORIDA'S COURT STRUCTURE

Florida's Court Structure

Florida's court system consists of the following entities: two appellate level courts (the supreme court and five district courts of appeal) and two trial level courts (20 circuit courts and 67 county courts). The chief justice presides as the chief administrative officer of the judicial branch.

On July 1, 1972, the Office of the State Court Administrator (OSCA) was created with initial emphasis on developing a uniform case reporting system in order to provide information about activities of the judiciary. Additional responsibilities include preparing the operating budget for the judicial branch, projecting the need for new judges and serving as the liaison between the court system and the legislative branch, the executive branch, the auxiliary agencies of the court, and national court research and planning agencies.



Appellate Courts

Supreme Court

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

District Courts of Appeal

- 61 judges, six-year terms
- Five districts:
 - 1st District: Tallahassee, 15 judges
 - 2nd District: Lakeland, 14 judges
 - 3rd District: Miami, 10 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

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

County Courts

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

FLORIDA'S COURT STRUCTURE

Supreme Court of Florida

The supreme court is the highest court in Florida. To constitute a quorum to conduct business, five of the seven justices must be present, and four justices must agree on a decision in each case.

Mandatory jurisdiction includes death penalty cases, district court decisions declaring a state statute or provision of the state constitution invalid, bond validations, rules of court procedure, and statewide agency actions relating to public utilities. The court also has exclusive authority to regulate the admission and discipline of lawyers in Florida as well as the authority to discipline and remove judges.

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.

The district courts decide most appeals from circuit court cases and many administrative law appeals from actions by the executive branch. In addition, the district courts of appeal must review county court decisions invalidating a provision of Florida's constitution or statutes, and they may review an order or judgment of a county court that is certified by the county court to be of great public importance.

Circuit Courts

The majority of jury trials in Florida take place before circuit court judges. The circuit courts are referred to as the 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 from administrative action if provided by general law. 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 their 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

1st District:	1, 2, 3, 4, 8, 14
2nd District:	6, 10, 12, 13, 20
3rd District:	11, 16
4th District:	15, 17, 19
5th District:	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

COURT 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 Supreme Court of Florida, the five district courts of appeal, the 20 circuit courts, and the 67 county courts.

OSCA has manifold 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 court system. OSCA also coordinates a gamut of educational programs for judges and court personnel; these programs are designed to ensure that judges and court employees have the knowledge, skills, and abilities to serve and perform at the highest professional levels.

OSCA assists the state court system in a variety of other ways, as well: among them, it collects and analyzes statistical information relevant to court operations; implements administrative and legislative initiatives for family, dependency, and delinquency court cases; develops long-range and operational plans; offers statewide mediation training and certification through the Dispute Resolution Center; evaluates the qualifications of court interpreters; coordinates, writes, and edits administrative

and judicial publications; and provides technical support for the trial and appellate courts, including support for the state-funded computer infrastructure of Florida's court system. For more information about OSCA, visit the Florida State Courts website at <http://www.flcourts.org/>

Trial Court Administrators

Each of the 20 circuits in Florida has a trial court administrator, who supports the chief judge in his or her constitutional role as the administrative supervisor of the circuit and county courts. The office of the trial court administrator provides professional staff support to ensure effective and efficient court operations.

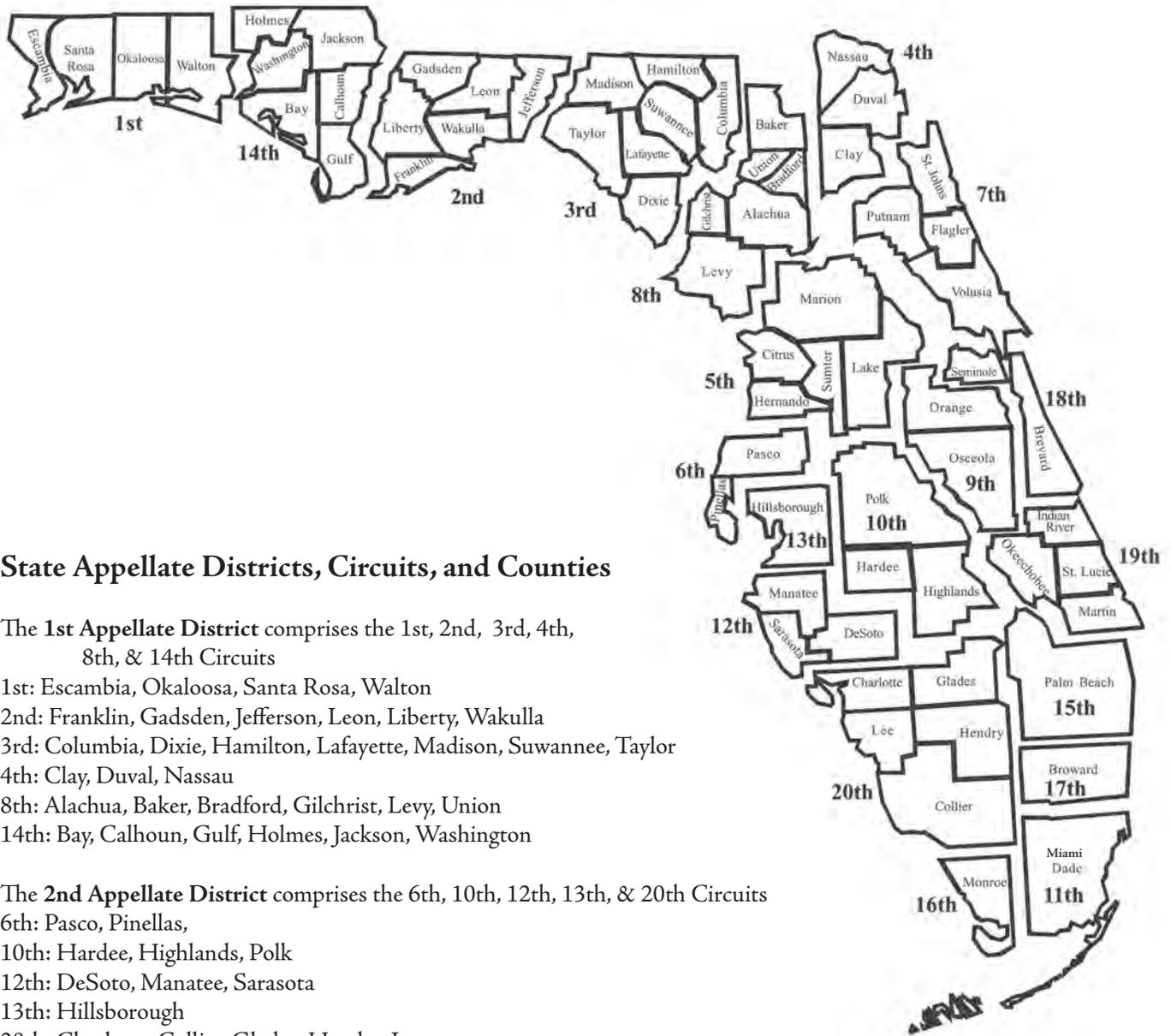
Trial court administrators have multiple responsibilities. They manage judicial operations such as courtroom scheduling, facilities management, caseload policy, ADA policy, statistical analysis, inter-branch and intergovernmental relations, technology planning, jury oversight, public information, and 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 manage and provide 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 homepages of Florida's circuit courts, go to <http://www.flcourts.org/courts/circuit/circuit.shtml>



State Courts Administrator Elisabeth H. Goodner.

MAP OF FLORIDA'S COURT JURISDICTIONS



State Appellate Districts, Circuits, and Counties

The **1st Appellate District** comprises the 1st, 2nd, 3rd, 4th, 8th, & 14th Circuits

1st: Escambia, Okaloosa, Santa Rosa, Walton

2nd: Franklin, Gadsden, Jefferson, Leon, Liberty, Wakulla

3rd: Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, Taylor

4th: Clay, Duval, Nassau

8th: Alachua, Baker, Bradford, Gilchrist, Levy, Union

14th: Bay, Calhoun, Gulf, Holmes, Jackson, Washington

The **2nd Appellate District** comprises the 6th, 10th, 12th, 13th, & 20th Circuits

6th: Pasco, Pinellas,

10th: Hardee, Highlands, Polk

12th: DeSoto, Manatee, Sarasota

13th: Hillsborough

20th: Charlotte, Collier, Glades, Hendry, Lee

The **3rd Appellate District** comprises the 11th & 16th Circuits

11th: Miami-Dade

16th: Monroe

The **4th Appellate District** comprises the 15th, 17th, & 19th Circuits

15th: Palm Beach

17th: Broward

19th: Indian River, Okeechobee, St. Lucie, Martin

The **5th Appellate District** comprises the 5th, 7th, 9th, & 18th Circuits

5th: Citrus, Hernando, Lake, Marion, Sumter

7th: Flagler, Putnam, St. Johns, Volusia

9th: Orange, Osceola

18th: Brevard, Seminole

JUDICIAL CERTIFICATION TABLE

District Court of Appeal

Session Year	Requested	Certified	Authorized	% Authorized (of those certified)	Total
2000	0	0	0	n/a	62
2001	0	0	0	n/a	62
2002	2	2	0	0%	62
2003	3	2	0	0%	62
2004	4	4	0	0%	62
2005	2	2	0	0%	62
2006	2	2	0	0%	62
2007	2	2	0	0%	62
2008	-1	-1	-1	n/a	61
2009	0	0	0	n/a	61
2010	1	0	0	n/a	61

Circuit

Session Year	Requested	Certified	Authorized	% Authorized (of those certified)	Total
2000	34	30	0	0%	493
2001	40	30	16	53.3%	509
2002	35	34	18	52.9%	527
2003	35	33	0	0%	527
2004	54	51	0	0%	527
2005	69	67	37	55.2%	564
2006	41	40	35	87.5%	599
2007	24	22	0	0%	599
2008	44	19	0	0%	599
2009	45	29	0	0%	599
2010	40	37	0	0%	599

County

Session Year	Requested	Certified	Authorized	% Authorized (of those certified)	Total
2000	17	13	0	0%	269
2001	23	14	11	78.6%	280
2002	16	13	0	0%	280
2003	23	21	0	0%	280
2004	38	33	0	0%	280
2005	44	41	22	53.7%	302
2006	26	24	20	83.3%	322
2007	15	13	0	0%	322
2008	46	42	0	0%	322
2009	68	39	0	0%	322
2010	54	53	0	0%	322

Judicial Certification

Since 1999, the supreme court has used a weighted caseload system to evaluate the need for new trial court judgeships. The weighted caseload system analyzes Florida's trial court caseload statistics according to complexity. Cases that are typically complex, such as capital murder cases, receive a higher weight, while cases that are generally less complex, such as civil traffic cases, receive a lower weight. These weights are then applied to case filing statistics to determine the need for additional judgeships.

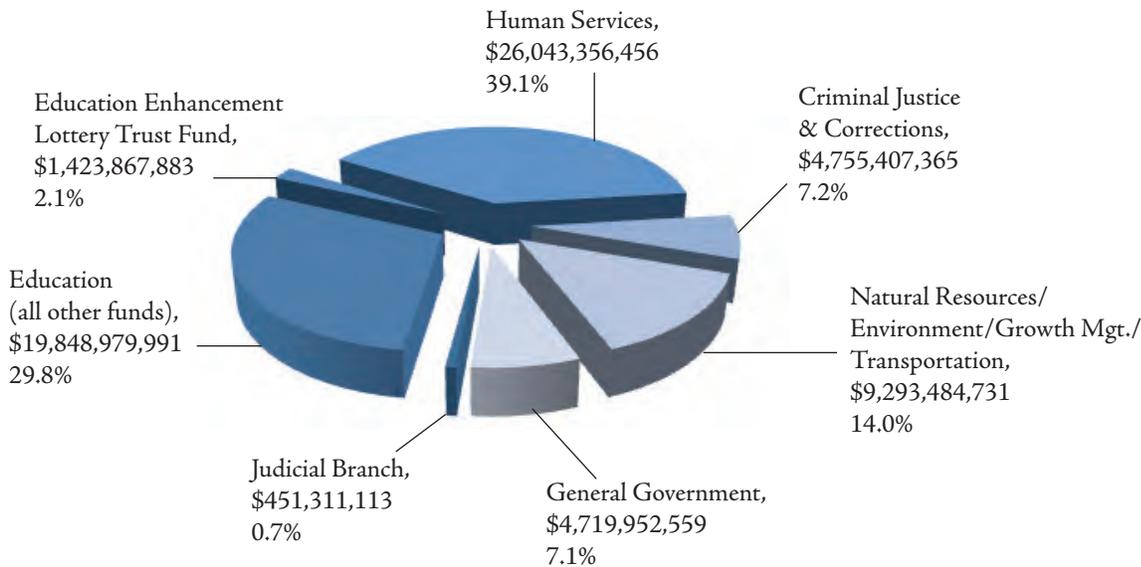
The need for additional judgeships remains high for two reasons: an absence of funding for previously certified judgeships and overall increases in caseloads. If judicial workload continues to exceed capacity and the judicial need deficit is not addressed, likely consequences may be case processing delays,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

In February 2010, the Florida Supreme Court certified the need for 37 additional circuit judges and 53 additional county court judges. However, the Florida Legislature did not approve funding for any new judgeships this year.

FLORIDA'S BUDGET

2009-2010 Fiscal Year Appropriations

(For an accessible version of this information, follow [this link](#).)



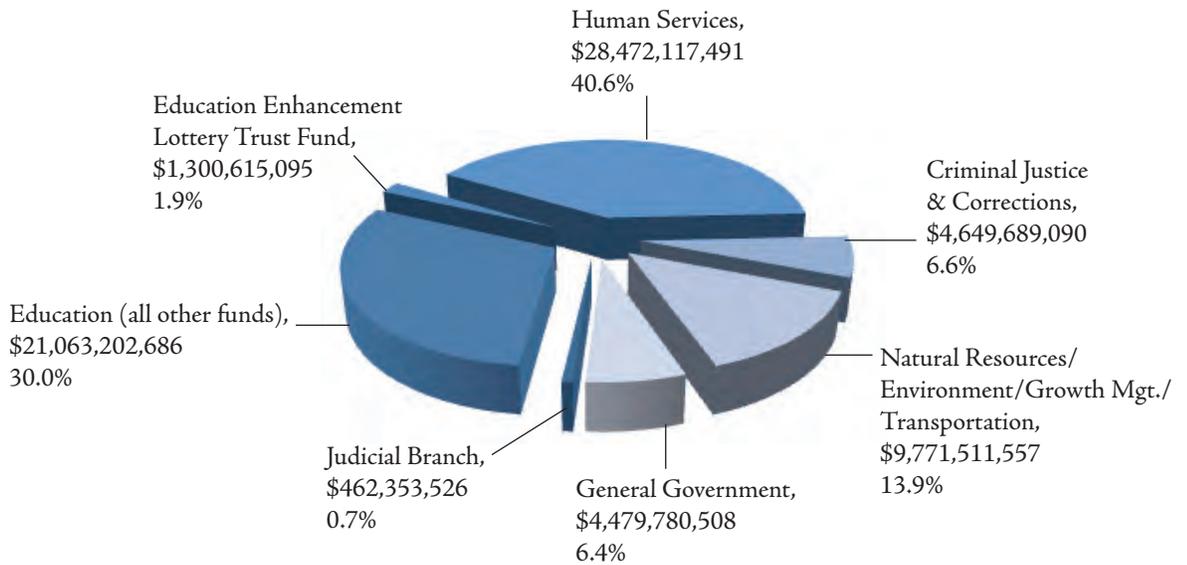
Total: \$66,536,360,098

This total includes only those issues that were funded in the General Appropriations Act, SB 2600.

Florida's courts get less than 1% of the state's total budget

2010-2011 Fiscal Year Appropriations

(For an accessible version of this information, follow [this link](#).)



Total: \$70,199,269,953

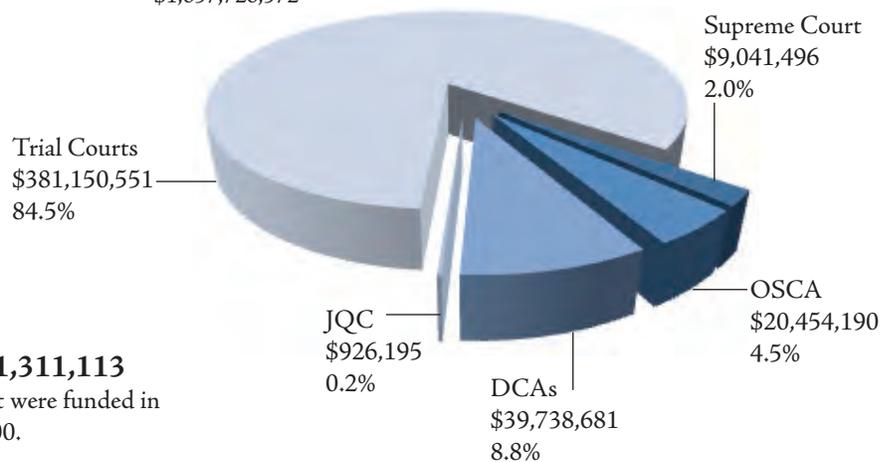
Note: This total includes those issues that were funded in the General Appropriations Act, HB 5001.

STATE COURTS SYSTEM APPROPRIATIONS

Justice System Appropriations 2009-2010 Fiscal Year

(For an accessible version of this information, follow [this link.](#))

State Courts System	\$451,311,113
Justice Administration Executive Direction	\$80,864,887
Statewide Guardian Ad Litem Program	\$30,747,537
Clerks of Court	\$451,380,312
Clerks of Court Operations Corporation	1,730,586
State Attorneys	\$379,570,149
Public Defenders Judicial Circuit	\$186,263,491
Public Defenders Appellate	\$13,418,632
Capital Collateral Regional Counsel	\$6,968,728
Criminal Conflict and Civil Regional Counsels	\$35,470,937
Total	\$1,637,726,372



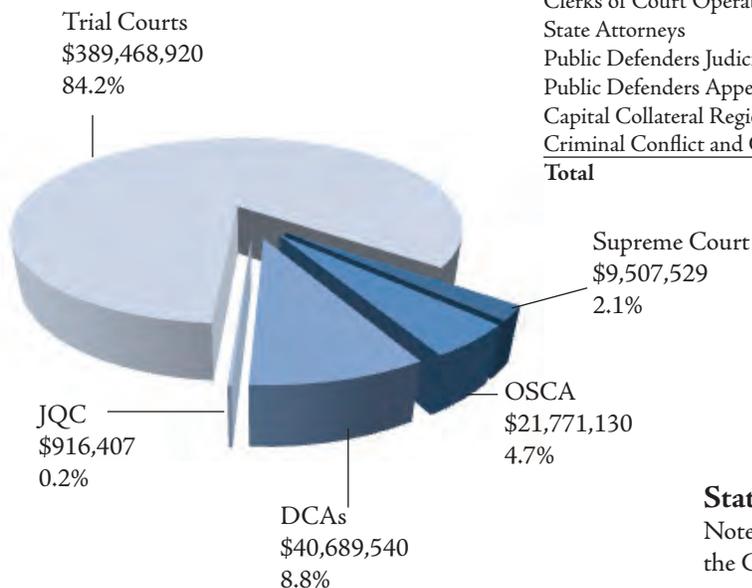
State Courts System Total: \$451,311,113

Note: This total reflects those issues that were funded in the General Appropriations Act, SB 2600.

Justice System Appropriations 2010-2011 Fiscal Year

(For an accessible version of this information, follow [this link.](#))

State Courts System	\$462,353,526
Justice Administration Executive Direction	\$86,122,802
Statewide Guardian Ad Litem Program	\$31,108,174
Clerks of Court	\$451,380,312
Clerks of Court Operations Corporation	\$1,734,000
State Attorneys	\$391,196,292
Public Defenders Judicial Circuit	\$192,061,318
Public Defenders Appellate	\$13,779,432
Capital Collateral Regional Counsel	\$7,008,841
Criminal Conflict and Civil Regional Counsels	\$36,122,770
Total	\$1,672,867,467



State Courts System Total: \$462,353,526

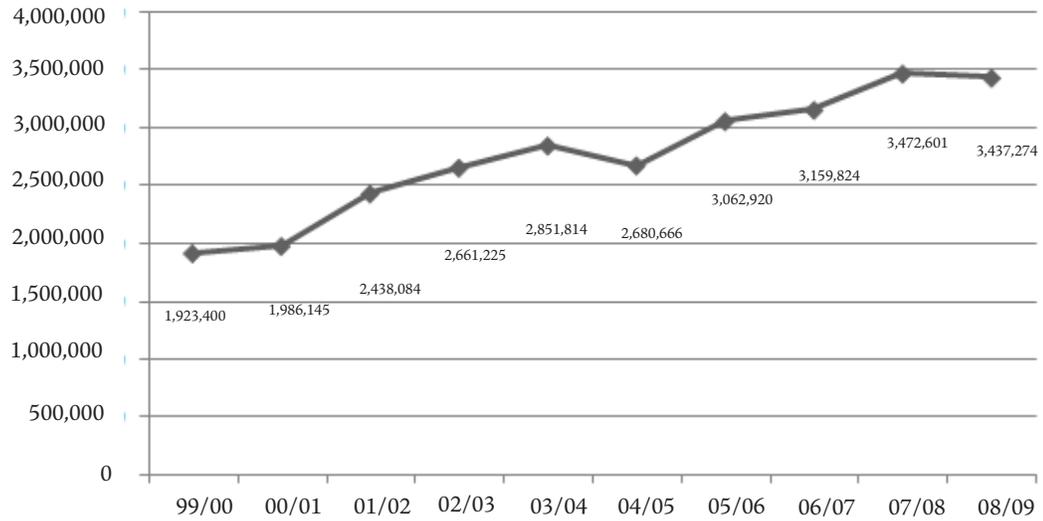
Note: This total includes those issues that were funded in the General Appropriations Act, HB 5001.

FILINGS

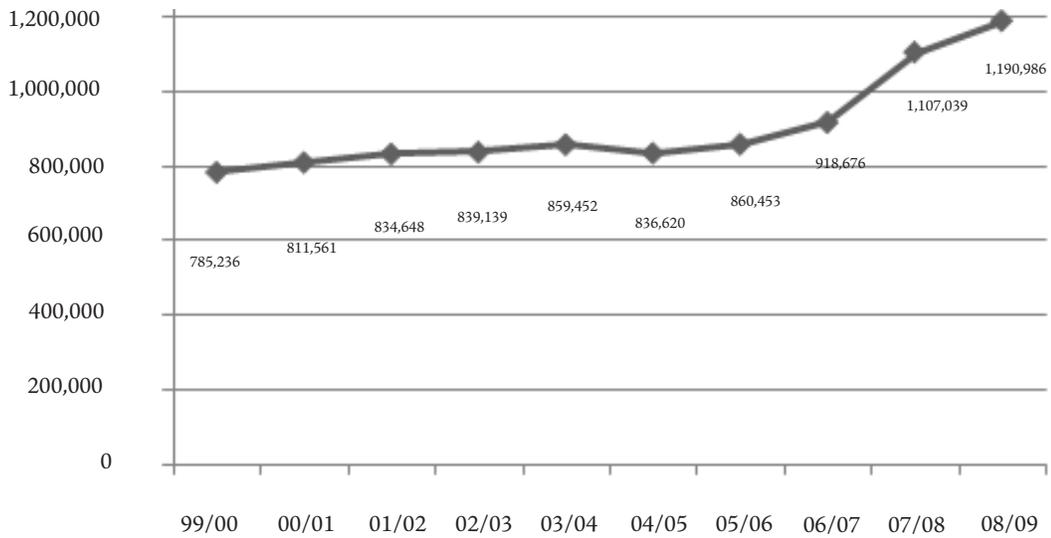
Filings, Florida's Trial Courts FY 1999-00 to 2008-09

(For an accessible version of this information, follow [this link.](#))

County Courts



Circuit Courts

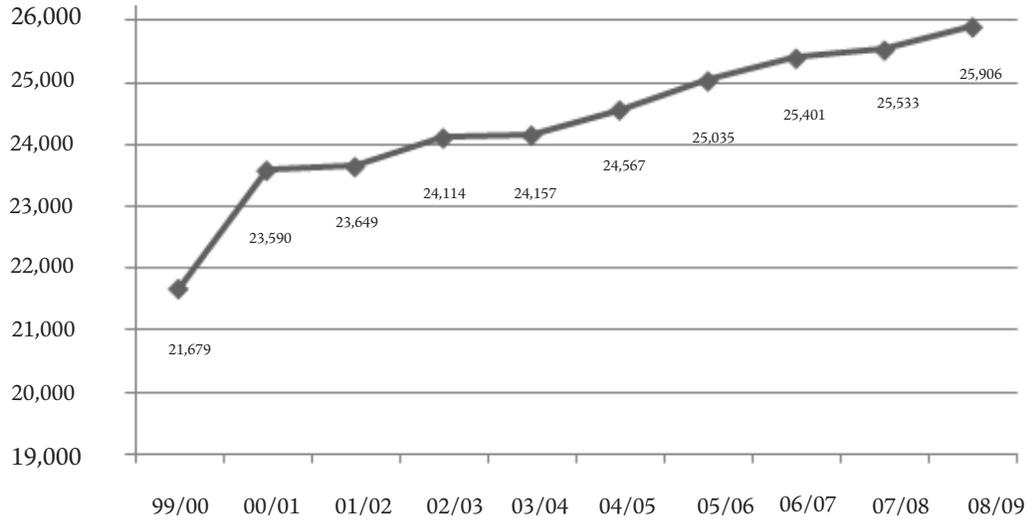


FILINGS

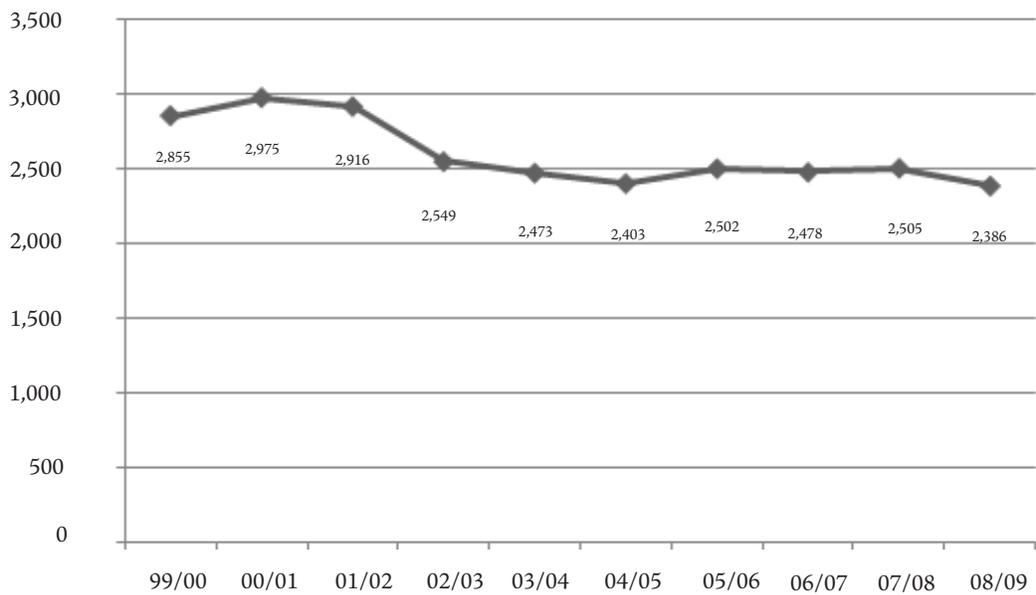
Filings, Florida's Appellate Courts FY 1999-00 to 2008-09

(For an accessible version of this information, follow this link.)

District Courts



Supreme Court



DCA FILINGS BY CASE CATEGORY

Notice of Appeal and Petition FY 2008-09

(For an accessible version of these filings, follow [this link](#).)

* Criminal post conviction filings include notice of appeal only.

DCA	Case Category	Total Filings
All	Administrative	1,893
All	Civil	5,040
All	Criminal	10,300
All	Criminal Post Conviction*	5,568
All	Family	1,173
All	Juvenile	1,212
All	Probate/Guardianship	203
All	Workers' Compensation	517
		25,906

DCA	Case Category	Total Filings	DCA	Case Category	Total Filings	DCA	Case Category	Total Filings
1	Administrative	1,144	3	Administrative	185	5	Administrative	196
	Civil	1,156		Civil	950		Civil	709
	Criminal	2,112		Criminal	983		Criminal	2,056
	Criminal Post Conviction*	1,084		Criminal Post Conviction*	880		Criminal Post Conviction*	1,120
	Family	197		Family	187		Family	264
	Juvenile	232		Juvenile	200		Juvenile	282
	Probate/Guardianship	26		Probate/Guardianship	44		Probate/Guardianship	17
	Workers' Compensation	517			3,429			4,644
	6,468			Total	25,906			
2	Administrative	135	4	Administrative	233			
	Civil	1,068		Civil	1,157			
	Criminal	3,010		Criminal	2,139			
	Criminal Post Conviction*	1,380		Criminal Post Conviction*	1,104			
	Family	262		Family	263			
	Juvenile	347		Juvenile	151			
	Probate/Guardianship	41		Probate/Guardianship	75			
		6,243			5,122			

TRIAL COURT FILINGS BY CIRCUIT AND DIVISION

FY 2008-09 (drawn from frozen database on 6/21/10)

(For an accessible version of these filings, follow [this link](#).)

* Family court filings include domestic relations, juvenile delinquency, juvenile dependency, and termination of parental rights.

** These data do not include all civil traffic infractions reported to the Department of Highway Safety and Motor Vehicles. They represent only those civil traffic infraction filings involving a judge or hearing officer.

Circuit	County	Division	Total Filings
All	All	Adult Criminal	209,593
All	All	Civil	547,194
All	All	Family Court*	335,854
All	All	Probate	98,345
All	All	County Adult Criminal	1,002,496
All	All	County Civil**	2,434,778
			4,628,260

COURT FILINGS BY CIRCUIT AND DIVISION

* Family court filings include domestic relations, juvenile delinquency, juvenile dependency, and termination of parental rights.

** These data do not include all civil traffic infractions reported to the Department of Highway Safety and Motor Vehicles. They only represent those civil traffic infraction filings involving a judge or hearing officer.

Circuit	Division	Total Filings	Circuit	Division	Total Filings	Circuit	Division	Total Filings
1	Adult Criminal	9,798	8	Adult Criminal	4,464	15	Adult Criminal	11,482
	Civil	12,214		Civil	3,949		Civil	44,071
	Family Court*	15,692		Family Court*	6,695		Family Court*	17,345
	Probate	4,082		Probate	2,284		Probate	7,510
	County Adult Criminal	32,586		County Adult Criminal	22,546		County Adult Criminal	83,295
	County Civil**	43,516		County Civil**	36,021		County Civil**	227,874
		117,888			75,959			391,577
2	Adult Criminal	5,034	9	Adult Criminal	16,349	16	Adult Criminal	1,469
	Civil	6,324		Civil	51,812		Civil	2,486
	Family Court*	7,086		Family Court*	27,976		Family Court*	1,522
	Probate	3,450		Probate	4,749		Probate	522
	County Adult Criminal	14,548		County Adult Criminal	66,770		County Adult Criminal	4,179
	County Civil**	23,377		County Civil**	148,352		County Civil**	8,352
		59,819			316,008			18,530
3	Adult Criminal	2,207	10	Adult Criminal	7,823	17	Adult Criminal	17,597
	Civil	2,061		Civil	15,755		Civil	70,113
	Family Court*	4,883		Family Court*	16,895		Family Court*	31,656
	Probate	1,101		Probate	4,247		Probate	7,235
	County Adult Criminal	8,959		County Adult Criminal	38,845		County Adult Criminal	89,616
	County Civil**	15,012		County Civil**	50,485		County Civil**	355,608
		34,223			134,050			571,825
4	Adult Criminal	12,432	11	Adult Criminal	27,476	18	Adult Criminal	8,728
	Civil	23,147		Civil	93,092		Civil	22,640
	Family Court*	22,317		Family Court*	38,267		Family Court*	15,705
	Probate	4,573		Probate	9,782		Probate	4,501
	County Adult Criminal	75,168		County Adult Criminal	154,018		County Adult Criminal	49,491
	County Civil**	171,589		County Civil**	740,611		County Civil**	78,679
		309,226			1,063,246			179,744
5	Adult Criminal	11,676	12	Adult Criminal	7,244	19	Adult Criminal	6,483
	Civil	22,634		Civil	20,310		Civil	18,072
	Family Court*	18,789		Family Court*	13,151		Family Court*	10,386
	Probate	6,406		Probate	5,645		Probate	3,918
	County Adult Criminal	34,471		County Adult Criminal	29,269		County Adult Criminal	29,500
	County Civil**	60,000		County Civil**	42,327		County Civil**	43,687
		153,976			117,946			112,046
6	Adult Criminal	17,174	13	Adult Criminal	17,105	20	Adult Criminal	10,706
	Civil	33,322		Civil	32,522		Civil	47,786
	Family Court*	22,797		Family Court*	24,522		Family Court*	17,653
	Probate	8,671		Probate	6,213		Probate	6,452
	County Adult Criminal	66,915		County Adult Criminal	71,903		County Adult Criminal	54,888
	County Civil**	84,284		County Civil**	141,034		County Civil**	75,645
		233,163			293,299			213,130
7	Adult Criminal	9,594	14	Adult Criminal	4,752	Total		
	Civil	20,148		Civil	4,736			4,628,260
	Family Court*	16,130		Family Court*	6,387			
	Probate	5,159		Probate	1,845			
	County Adult Criminal	56,357		County Adult Criminal	19,172			
	County Civil**	63,437		County Civil**	24,888			
		170,825			61,780			

COURT FILINGS BY CIRCUIT, COUNTY, & DIVISION

FY 2007-08 (drawn from frozen database on 6/21/10)

(For an accessible version of these filings, follow this link.)

* Family court filings include domestic relations, juvenile delinquency, juvenile dependency, and termination of parental rights.

** These data do not include all civil traffic infractions reported to the Department of Highway Safety and Motor Vehicles. They represent only those civil traffic infraction filings involving a judge or hearing officer.

Circuit & County	Division	Total Filings	Circuit & County	Division	Total Filings	Circuit & County	Division	Total Filings	
1	Escambia	Adult Criminal	5,293	Leon	Adult Criminal	3,383	Madison	Adult Criminal	224
		Civil	4,196		Civil	4,621		Civil	218
		Family Court*	7,578		Family Court*	4,679		Family Court*	362
		Probate	2,169		Probate	2,524		Probate	119
		County Adult Criminal	14,502		County Adult Criminal	8,865		County Adult Criminal	1,173
		County Civil**	16,943		County Civil**	11,691		County Civil**	3,109
		50,681		35,763		5,205			
	Okaloosa	Adult Criminal	2,327	Liberty	Adult Criminal	134	Suwannee	Adult Criminal	541
		Civil	3,463		Civil	68		Civil	380
		Family Court*	4,349		Family Court*	149		Family Court*	1,202
		Probate	1,126		Probate	29		Probate	226
		County Adult Criminal	10,002		County Adult Criminal	297		County Adult Criminal	1,397
		County Civil**	14,373		County Civil**	502		County Civil**	2,027
		35,640		1,179		5,773			
	Santa Rosa	Adult Criminal	1,487	Wakulla	Adult Criminal	377	Taylor	Adult Criminal	283
Civil		2,120	Civil		492	Civil		207	
Family Court*		2,692	Family Court*		590	Family Court*		543	
Probate		540	Probate		136	Probate		119	
County Adult Criminal		4,966	County Adult Criminal		1,200	County Adult Criminal		1,428	
County Civil**		8,068	County Civil**		1,957	County Civil**		1,749	
	19,873		4,752		4,329				
Walton	Adult Criminal	691	3 Columbia	Adult Criminal	744	4 Clay	Adult Criminal	1,044	
	Civil	2,435		Civil	843		Civil	3,276	
	Family Court*	1,073		Family Court*	1,823		Family Court*	3,097	
	Probate	247		Probate	411		Probate	523	
	County Adult Criminal	3,116		County Adult Criminal	3,427		County Adult Criminal	6,635	
	County Civil**	4,132		County Civil**	5,084		County Civil**	11,256	
	11,694		12,332		25,831				
2 Franklin	Adult Criminal	259	Dixie	Adult Criminal	126	Duval	Adult Criminal	10,436	
	Civil	396		Civil	165		Civil	18,783	
	Family Court*	268		Family Court*	461		Family Court*	17,718	
	Probate	61		Probate	81		Probate	3,797	
	County Adult Criminal	899		County Adult Criminal	603		County Adult Criminal	65,144	
	County Civil**	670		County Civil**	1,419		County Civil**	156,928	
	2,553		2,855		272,806				
Gadsden	Adult Criminal	703	Hamilton	Adult Criminal	258	Nassau	Adult Criminal	952	
	Civil	552		Civil	170		Civil	1,088	
	Family Court*	1,171		Family Court*	391		Family Court*	1,502	
	Probate	625		Probate	102		Probate	253	
	County Adult Criminal	2,782		County Adult Criminal	764		County Adult Criminal	3,389	
	County Civil**	6,190		County Civil**	1,357		County Civil**	3,405	
	12,023		3,042		10,589				
Jefferson	Adult Criminal	178	Lafayette	Adult Criminal	31	5 Citrus	Adult Criminal	1,064	
	Civil	195		Civil	78		Civil	2,445	
	Family Court*	229		Family Court*	101		Family Court*	2,457	
	Probate	75		Probate	43		Probate	942	
	County Adult Criminal	505		County Adult Criminal	167		County Adult Criminal	4,345	
	County Civil**	2,367		County Civil**	267		County Civil**	6,348	
	3,549		687		17,601				

COURT FILINGS BY CIRCUIT, COUNTY, & DIVISION

Circuit & County	Division	Total Filings	Circuit & County	Division	Total Filings	Circuit & County	Division	Total Filings
Hernando	Adult Criminal	2,411	St. Johns	Adult Criminal	1,271	9 Orange	Adult Criminal	12,840
	Civil	4,500		Civil	3,727		Civil	37,823
	Family Court*	3,706		Family Court*	2,614		Family Court*	21,684
	Probate	1,690		Probate	715		Probate	3,779
	County Adult Criminal	5,206		County Adult Criminal	7,214		County Adult Criminal	53,791
	County Civil**	12,861		County Civil**	13,125		County Civil**	117,673
		30,374			28,666			247,590
Lake	Adult Criminal	3,401	Volusia	Adult Criminal	6,228	Osceola	Adult Criminal	3,509
	Civil	7,135		Civil	12,049		Civil	13,989
	Family Court*	4,801		Family Court*	9,247		Family Court*	6,292
	Probate	1,596		Probate	3,550		Probate	970
	County Adult Criminal	11,449		County Adult Criminal	41,802		County Adult Criminal	12,979
	County Civil**	18,401		County Civil**	40,971		County Civil**	30,679
		46,783			113,847			68,418
Marion	Adult Criminal	3,984	8 Alachua	Adult Criminal	2,706	10 Hardee	Adult Criminal	292
	Civil	7,326		Civil	2,449		Civil	248
	Family Court*	6,789		Family Court*	4,127		Family Court*	646
	Probate	1,815		Probate	1,582		Probate	118
	County Adult Criminal	11,069		County Adult Criminal	16,698		County Adult Criminal	2,232
	County Civil**	16,692		County Civil**	25,530		County Civil**	2,482
		47,675			53,092			6,018
Sumter	Adult Criminal	816	Baker	Adult Criminal	417	Highlands	Adult Criminal	994
	Civil	1,228		Civil	285		Civil	1,861
	Family Court*	1,036		Family Court*	590		Family Court*	1,902
	Probate	363		Probate	237		Probate	834
	County Adult Criminal	2,402		County Adult Criminal	1,340		County Adult Criminal	2,961
	County Civil**	5,698		County Civil**	2,082		County Civil**	5,829
		11,543			4,951			14,381
6 Pasco	Adult Criminal	4,179	Bradford	Adult Criminal	372	Polk	Adult Criminal	6,537
	Civil	11,840		Civil	331		Civil	13,646
	Family Court*	7,726		Family Court*	535		Family Court*	14,347
	Probate	2,751		Probate	111		Probate	3,295
	County Adult Criminal	16,659		County Adult Criminal	1,336		County Adult Criminal	33,652
	County Civil**	24,603		County Civil**	4,547		County Civil**	42,174
		67,758			7,232			113,651
Pinellas	Adult Criminal	12,995	Gilchrist	Adult Criminal	181	11 Miami-Dade	Adult Criminal	27,476
	Civil	21,482		Civil	161		Civil	93,092
	Family Court*	15,071		Family Court*	353		Family Court*	38,267
	Probate	5,920		Probate	56		Probate	9,782
	County Adult Criminal	50,256		County Adult Criminal	704		County Adult Criminal	154,018
	County Civil**	59,681		County Civil**	841		County Civil**	740,611
		165,405			2,296			1,063,246
7 Flagler	Adult Criminal	734	Levy	Adult Criminal	602	12 DeSoto	Adult Criminal	546
	Civil	3,345		Civil	572		Civil	487
	Family Court*	2,184		Family Court*	822		Family Court*	696
	Probate	545		Probate	220		Probate	94
	County Adult Criminal	3,576		County Adult Criminal	2,056		County Adult Criminal	1,587
	County Civil**	5,488		County Civil**	2,381		County Civil**	1,501
		15,872			6,653			4,911
Putnam	Adult Criminal	1,361	Union	Adult Criminal	186	Manatee	Adult Criminal	2,980
	Civil	1,027		Civil	151		Civil	8,064
	Family Court*	2,085		Family Court*	268		Family Court*	6,212
	Probate	349		Probate	78		Probate	1,561
	County Adult Criminal	3,765		County Adult Criminal	412		County Adult Criminal	13,401
	County Civil**	3,853		County Civil**	640		County Civil**	17,157
		12,440			1,735			49,375

COURT FILINGS BY CIRCUIT, COUNTY, & DIVISION

Circuit & County	Division	Total Filings	Circuit & County	Division	Total Filings	Circuit & County	Division	Total Filings
Sarasota	Adult Criminal	3,718	15 Palm Beach	Adult Criminal	11,482	Okeechobee	Adult Criminal	675
	Civil	11,759		Civil	44,071		Civil	765
	Family Court*	6,243		Family Court*	17,345		Family Court*	1,149
	Probate	3,990		Probate	7,510		Probate	227
	County Adult Criminal	14,281		County Adult Criminal	83,295		County Adult Criminal	2,224
	County Civil**	23,669		County Civil**	227,874		County Civil**	2,257
		63,660			391,577			7,297
13 Hillsborough	Adult Criminal	17,105	16 Monroe	Adult Criminal	1,469	St. Lucie	Adult Criminal	3,015
	Civil	32,522		Civil	2,486		Civil	10,526
	Family Court*	24,522		Family Court*	1,522		Family Court*	5,103
	Probate	6,213		Probate	522		Probate	1,986
	County Adult Criminal	71,903		County Adult Criminal	4,179		County Adult Criminal	14,953
	County Civil**	141,034		County Civil**	8,352		County Civil**	22,201
		293,299			18,530			57,784
14 Bay	Adult Criminal	3,066	17 Broward	Adult Criminal	17,597	20 Charlotte	Adult Criminal	1,725
	Civil	3,302		Civil	70,113		Civil	5,850
	Family Court*	3,522		Family Court*	31,656		Family Court*	3,026
	Probate	1,017		Probate	7,235		Probate	1,614
	County Adult Criminal	13,653		County Adult Criminal	89,616		County Adult Criminal	4,895
	County Civil**	13,820		County Civil**	355,608		County Civil**	8,993
		38,380			571,825			26,103
Calhoun	Adult Criminal	232	18 Brevard	Adult Criminal	5,068	Collier	Adult Criminal	2,087
	Civil	105		Civil	12,558		Civil	10,849
	Family Court*	328		Family Court*	9,520		Family Court*	4,008
	Probate	79		Probate	2,767		Probate	1,653
	County Adult Criminal	664		County Adult Criminal	30,584		County Adult Criminal	14,036
	County Civil**	1,352		County Civil**	39,174		County Civil**	21,059
		2,760			99,671			53,692
Gulf	Adult Criminal	199	Seminole	Adult Criminal	3,660	Glades	Adult Criminal	289
	Civil	396		Civil	10,082		Civil	132
	Family Court*	312		Family Court*	6,185		Family Court*	194
	Probate	105		Probate	1,734		Probate	33
	County Adult Criminal	495		County Adult Criminal	18,907		County Adult Criminal	691
	County Civil**	635		County Civil**	39,505		County Civil**	1,598
		2,142			80,073			2,937
Holmes	Adult Criminal	344	19 Indian River	Adult Criminal	1,415	Hendry	Adult Criminal	738
	Civil	169		Civil	3,316		Civil	746
	Family Court*	494		Family Court*	2,203		Family Court*	895
	Probate	117		Probate	927		Probate	131
	County Adult Criminal	925		County Adult Criminal	4,782		County Adult Criminal	2,979
	County Civil**	1,564		County Civil**	9,050		County Civil**	2,346
		3,613			21,693			7,835
Jackson	Adult Criminal	541	Martin	Adult Criminal	1,378	Lee	Adult Criminal	5,867
	Civil	482		Civil	3,465		Civil	30,209
	Family Court*	1,160		Family Court*	1,931		Family Court*	9,530
	Probate	341		Probate	778		Probate	3,021
	County Adult Criminal	2,512		County Adult Criminal	7,541		County Adult Criminal	32,287
	County Civil**	5,329		County Civil**	10,179		County Civil**	41,649
		10,365			25,272			122,563
Washington	Adult Criminal	370						
	Civil	282						
	Family Court*	571						
	Probate	186						
	County Adult Criminal	923						
	County Civil**	2,188						
		4,520						

COURT CONTACTS FOR 2010-2011

FLORIDA SUPREME COURT

Chief Justice CHARLES T. CANADY (850) 488-6130
Clerk Thomas D. Hall (850) 488-0125
Act. Marshal Kevin White (850) 488-8845
Director of Public Info. Craig Waters (850) 414-7641
Website <http://www.floridasupremecourt.org>

DISTRICT COURTS OF APPEAL

1st DCA

Chief Judge PAUL HAWKES (850) 487-1000
Clerk Jon S. Wheeler (850) 488-6151
Marshal Stephen M. Nevels (850) 488-8136
Website <http://www.1dca.org>

2nd DCA

Chief Judge DARRYL C. CASANUEVA (813) 272-3430
Clerk James R. Birkhold (863) 499-2290
Marshal Jo Haynes Suhr (863) 499-2290
Website <http://www.2dca.org>

3rd DCA

Chief Judge JUAN RAMIREZ, JR. (305) 229-3200
Clerk Mary Cay Blanks (305) 229-3200
Marshal Alan Sadowski (305) 229-3200
Website <http://www.3dca.flcourts.org>

4th DCA

Chief Judge ROBERT M. GROSS (561) 242-2068
Clerk Marilyn Beuttenmuller (561) 242-2000
Marshal Glen Rubin (561) 242-2000
Website <http://www.4dca.org>

5th DCA

Chief Judge DAVID M. MONACO (386) 947-1514
Clerk Susan Wright (386) 255-8600
Marshal Ty W. Berdeaux (386) 947-1500
Website <http://www.5dca.org>

CIRCUIT COURTS

1st Judicial Circuit

Escambia, Okaloosa, Santa Rosa, and Walton counties
Chief Judge TERRY D. TERRELL (850) 595-4464
Court Administrator Robin Wright (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.leoncountyfl.gov/2ndCircuit/>

3rd Judicial Circuit

Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, and Taylor counties
Chief Judge DAVID W. FINA (386) 362-6353
Court Administrator Sondra Lanier (386) 758-2163
Website <http://www.jud3.flcourts.org>

4th Judicial Circuit

Clay, Duval, and Nassau counties
Chief Judge DONALD R. MORAN, JR. (904) 630-2295
Court Administrator Joe Stelma (904) 630-1655
Website <http://www.coj.net/Departments/Fourth+Judicial+Circuit+Court/default.htm>

5th Judicial Circuit

Hernando, Lake, Marion, Citrus, and Sumter counties
Chief Judge DANIEL MERRITT, SR. (352) 754-4221
Court Administrator David M. Trammell (352) 401-6701
Website <http://www.circuit5.org>

6th Judicial Circuit

Pasco and Pinellas counties
Chief Judge J. THOMAS MCGRADY (727) 464-7457
Court Administrator Gay Inskeep (727) 582-7477
Website <http://www.jud6.org>

7th Judicial Circuit

Flagler, Putnam, St. Johns, and Volusia counties
Chief Judge J. DAVID WALSH (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 MARTHA ANN LOTT (352) 374-3646
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) 836-2051
Website <http://www.ninthcircuit.org/>

10th Judicial Circuit

Hardee, Highlands, and Polk counties
Chief Judge J. DAVID LANGFORD (863) 534-4650
Court Administrator Nick Sudzina (863) 534-4686
Website <http://www.jud10.org>

11th Judicial Circuit

Miami-Dade County
Chief Judge JOEL H. BROWN (305) 349-5720
Court Administrator Sandra Lonergan (305) 349-7000
Website <http://www.jud11.flcourts.org>

COURT CONTACTS FOR 2010-2011

12th Judicial Circuit

DeSoto, Manatee, and Sarasota counties

Chief Judge LEE E. HAWORTH (941) 861-7950
Court Administrator Walt Smith (941) 861-7800
Website <http://www.jud12.flcourts.org/>

13th Judicial Circuit

Hillsborough County

Chief Judge MANUEL MENENDEZ, JR. (813) 272-5022
Court Administrator Mike Bridenback (813) 272-5894
Website <http://fljud13.org>

14th Judicial Circuit

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

Chief Judge HENTZ MCCLELLAN (850) 674-5442
Court Administrator Jan Shadburn (850) 747-5370
Website <http://www.jud14.flcourts.org>

15th Judicial Circuit

Palm Beach County

Chief Judge PETER D. BLANC (561) 355-1721
Court Administrator Barbara L. Dawicke (561) 355-1872
Website <http://15thcircuit.co.palm-beach.fl.us/web/guest/cadmin>

16th Judicial Circuit

Monroe County

Chief Judge LUIS M. GARCIA (305) 852-7165
Court Administrator Holly Elomina (305) 295-3644
Website <http://www.keyscourts.net>

17th Judicial Circuit

Broward County

Chief Judge VICTOR TOBIN (954) 831-6332
Court Administrator Carol Ortman (954) 831-7740
Website <http://www.17th.flcourts.org>

18th Judicial Circuit

Brevard and Seminole counties

Chief Judge J. PRESTON SILVERNAIL (321) 617-7262
Court Administrator Mark Van Bever (321) 633-2171
Website <http://www.flcourts18.org>

19th Judicial Circuit

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

Chief Judge STEVEN J. LEVIN (772) 223-4827
Court Administrator Tom Genung (772) 807-4370
Website <http://www.circuit19.org>

20th Judicial Circuit

Charlotte, Collier, Glades, Hendry, and Lee counties

Chief Judge G. KEITH CARY (239) 533-9140
Court Administrator Richard Callanan (239) 533-1712
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) 410-2504

Administrative Services Director

Charlotte Jerrett (850) 488-9922

Budget Services Manager

Dorothy Wilson (850) 488-3735

Community and Intergovernmental Relations Director

Brenda G. Johnson (850) 922-5692

Court Education Chief

Martha Martin (850) 922-5079

Court Improvement Chief

Rose Patterson (850) 414-8869

Court Services Chief

Greg Youchock (850) 922-5108

Dispute Resolution Center Director

Janice Fleischer (850) 921-2910

Finance and Accounting Manager

Jackie Knight (850) 488-3737

General Counsel

Laura Rush (850) 922-5109

General Services Manager

Tom Long (850) 487-2373

Act. State Courts Technology Officer

Alan Neubauer (850) 414-7741

Personnel Services Chief

Gary Phillips (850) 487-0778

Publications Managing Attorney

Susan Leseman (850) 410-3352

Strategic Planning Chief

Barbara French (850) 488-6569

Email for OSCA Staff

osca@flcourts.org

OSCA Website

<http://www.flcourts.org>

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For more information, call
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or visit www.flcourts.org

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Supreme Court Chief Justice Peggy A. Quince
State Courts Administrator Elisabeth H. Goodner
Deputy State Courts Administrator Blan L. Teagle
Publications Managing Attorney Susan Leseman

Written and edited by
Beth C. Schwartz
Court Publications Writer



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