



Friday, July 11, 2014
2:00 p.m. – 5:00 p.m.
Video Conference Meeting

AGENDA

- I. Special Pay Issue for Court Employees Appropriated in FY 2014-15
- II. Salary Budget and Payroll Projections
 - A. FY 2013-14 Salary Budget and Payroll Projections Wrap Up
 - B. FY 2014-15 Salary Budget and Payroll Projections
 - C. Budget and Pay Policy Recommendations for Chief Justice's Budget and Pay Memorandum
- III. Other Business and Adjournment
 - A. *Tentative* - July 16, 2014, Video Conference Meeting
 - B. September 6, 2014, Jupiter Beach, Florida

If you are unable to join by video conference, the number to call into the meeting is 850-487-8439 ext. 900153#.

Item I. Special Pay Issue for Court Employees Appropriated in FY 2014-15

Videoconference

District Courts of Appeal Spreadsheet to run totals of available pay issue dollars during meeting as DCABC develops policies

1	Rate Target	Dollar Target	Employee Group	Issue	Methodology
2	803,128.00	\$923,757.00			
3	Cost	Cost	Regular benefit costs are 15.02% of rate; Special Risk benefit costs are 27.47% of rate		
4		\$0.00	LAW CLERKS	Equity, Retention	<p>Option 1 - Benchmark at 95% of the proposed new Supreme Court base rate of pay for law clerk series. Resulting in the following new base rates for district courts law clerk series: Law Clerk - 48,362.60; Senior Law Clerk - \$58,269.20; Career Attorney - 68,585.52. Rate cost: 492,229.74. 125 of 168 FTE affected.</p> <p>Option 2 - Benchmark at 95% of the proposed new Supreme Court base rate of pay for law clerk series and, for the incumbent Career Attorneys, apply an increase of 5% to current salary or use the new minimum, whichever is greater. Rate cost: 649,162.55. 161 of 168 FTE affected.</p> <p>Option 3 - Increase minimum for Law Clerk and Senior Law Clerk by 5%. Resulting in the following new base rates: Law Clerk - 47,833.88; Senior Law Clerk - 56,265.04. For Career Attorneys, benchmark at 95% of the proposed new Supreme Court base rate of pay and, as in Option 2, apply an increase of 5% to incumbent Career Attorneys' current salaries or increase to the proposed new minimum, whichever is greater. Rate cost: 442,154.86. 161 of 168 FTE affected.</p>
5		\$0.00	DIRECTOR OF CENTRAL STAFF	Equity	<p>Benchmark at 95% of the proposed new Supreme Court Director of Central Staff base rate, which would result in new base rate minimum for district court Director of Central Staff - \$76,206.14. No cost. No FTE affected. All 5 incumbents above new minimum.</p>
6		\$0.00	JUDICIAL ASSISTANTS	Retention, Recruitment	<p>Option 1 - Benchmark at 95% of the Supreme Court minimum pay. Resulting in a new base rate for district court JAs - \$35,868.39. Rate cost: 54,199.25. 15 of 65 FTE affected.</p> <p>Option 2 - Benchmark at 95% of the Supreme Court minimum pay; apply an increase of 2% or use the new minimum for each incumbent, whichever is greater. Rate cost: 99,303.74. All FTE affected.</p> <p>Option 3 - Benchmark at 95% of the Supreme Court minimum pay; apply an increase of 3% or use the new minimum for each incumbent, whichever is greater. Rate cost: 122,189.12. All FTE affected.</p> <p>Option 4 - Benchmark at 95% of the Supreme Court minimum pay; apply an increase of 4% or use the new minimum for each incumbent, whichever is greater. Rate cost: 145,348.19. All FTE affected.</p>

1	Rate Target	Dollar Target	Employee Group	Issue	Methodology
2	803,128.00	\$923,757.00			
3	Cost	Cost	Regular benefit costs are 15.02% of rate; Special Risk benefit costs are 27.47% of rate		
7		\$0.00	CHIEF DEPUTY CLERK - DISTRICT COURT	Equity	<p>Option 1 - Benchmark at 95% of the proposed new Supreme Court Chief Deputy Clerk minimum pay. Resulting in a new base rate for district court Chief Deputy Clerk - 68,585.52. Rate cost: 31,603.80. 3 of 5 FTE affected.</p> <p>Option 2 - Increase minimum to the current average salary plus 5% resulting in a new base rate of 67,663.23. Rate cost: 28,836.93. 3 of 5 FTE affected.</p> <p>Option 3 - Increase minimum to equalize it to the current average salary of the Deputy Marshals plus 5% resulting in a new base rate of 57,798.32. Rate cost: 12,096.68. 1 of 5 FTE affected.</p>
8		\$0.00	DEPUTY MARSHAL - DISTRICT COURT	Equity	<p>Option 1 - Increase minimum to equalize it to the benchmark at 95% of the proposed new Supreme Court Chief Deputy Clerk minimum pay. Resulting in a new base rate for district court Deputy Marshal - 68,585.52. Rate cost: 67,397.51. All 5 FTE affected.</p> <p>Option 2 - Increase minimum to 5% of the current average salary plus 5%. Resulting in a new base rate for district court Deputy Marshal - 57,798.32. Rate cost: 12,338.92. 3 of 5 FTE affected.</p>
9		\$0.00	SENIOR USER SUPPORT ANALYST	Equity, Retention, Recruitment	New classification of Distributed Computer Systems Analyst (<i>Attachment 2</i>). Would allow for reclass of eligible current Senior User Support Analysts to the new classification with the base rate of pay at \$53,213.40. Rate cost if all Senior User Support Analysts are eligible for reclass: 22,182 . 4 of 6 FTE affected.
10		\$0.00	COURT SECURITY OFFICER I & II - DISTRICT COURT	Equity, Retention, Recruitment	<p>Option 1 - Equalize to the Supreme Court proposed new minimum pay for Deputy Marshals which would result in new base rate minimum for district court Court Security Officer II - 35,903.36. Do not assume that current CSO I's are eligible for reclass to CSO II. Propose new minimum that maintains the current distances between the court security officer classes resulting in new base rate minimum for district court Court Security Officer I - 30,664.30. Rate cost: 60,243.65. All 8 FTE affected.</p> <p>Option 2 - Equalize to the Supreme Court proposed new minimum pay for Deputy Marshals and <u>assume all current Court Security Officer I's are eligible for reclass to CSO II.</u> Rate cost: 75,960.83. All 8 FTE affected.</p> <p>Option 3 - Equalize to the Supreme Court <u>current</u> minimum pay for Deputy Marshals. which would result in new base rate minimum for district court Court Security Officer II - 33,076.56. Do not assume that current CSO I's are eligible for reclass to CSO II. Propose new minimum that maintains the current distances between the court security officer classes resulting in new base rate minimum for district court Court Security Officer I - 28,247.38. Rate cost: 40,505.53. 7 of 8 FTE affected.</p> <p>Option 4 - Equalize to the Supreme Court <u>current</u> minimum pay for Deputy Marshals and <u>assume all current Court Security Officer I's are eligible for reclass to CSO II.</u> Rate cost: 60,646.67. 7 of 8 FTE affected.</p>

1	Rate Target	Dollar Target	Employee Group	Issue	Methodology
2	803,128.00	\$923,757.00			
3	Cost	Cost	Regular benefit costs are 15.02% of rate; Special Risk benefit costs are 27.47% of rate		
11		\$0.00	ADMINISTRATIVE ASSISTANTS	Retention	Equalize the AAI to the proposed new minimum for a JA - County, i.e., 32,092.77, just as they are currently equalized, and use current differences between the levels resulting in new base rate minimum for AAIL - 34,981.12 and for AAIII - 41,627.53. Rate cost: 26,685.47 . 8 of 14 FTE affected.
12		\$0.00	MAINTENANCE ENGINEER - DISTRICT COURT	Equity	Create a new class - Facilities Director at the minimum pay of \$41,400.06 (average pay of the Facilities Director at the Department of Management Services). Would allow for reclass of eligible current Maintenance Engineers. Rate cost: 25,835.34 . 3 of 4 FTE affected.
13		\$0.00	CUSTODIAL SUPERVISOR	Equity	Increase minimum to the average salary of the Custodial Supervisor in seven state agencies - 24,346.39. Rate cost: 1,465.97 . 1 of 3 FTE affected.
14		\$0.00	CUSTODIAL WORKER	Equity	Increase minimum maintaining the current difference between the Custodial Supervisor and the Custodial Worker resulting in a new base rate minimum of \$21,682.13. Rate cost: 3,885.77 . 1 of 4 FTE affected.
15		\$0.00	CLERICAL ASSISTANT	Equity	Increase minimum to average Clerk Specialist in 15 state agencies (22,302.94). No cost . No FTE affected. The 2 incumbents are above new minimum.
16		\$0.00	LEGAL SECRETARY	Equity	Increase minimum to average of Justice Administrative Commission Legal Assistant/Secretary I and II (31,774.76). No cost . No FTE affected. The 1 incumbent is above new minimum.
17		\$0.00	DEPUTY CLERK I	Retention, Equity	Option 1 - Benchmark at 95% of the Supreme Court proposed new minimum pay, which would result in new base rate minimum for district court Deputy Clerk I - 31,665.71. Rate cost: 41,368.63 . 12 of 13 FTE affected. Option 2 - Equalized to Supreme Court proposed new minimum pay, which would result in new base rate minimum for district court Deputy Clerk I - 33,321.80. Rate cost: 61,439.43 . All 13 FTE affected.
18		\$0.00	DEPUTY CLERK II	Retention, Equity	Option 1 - Benchmark at 95% of the Supreme Court proposed new minimum pay, which would result in new base rate minimum for district court Deputy Clerk II - 34,786.45. Rate cost: 54,423.59 . 18 of 21 FTE affected. Option 2 - Equalized to Supreme Court proposed new minimum pay, which would result in new base rate minimum for district court Deputy Clerk II - 36,617.32. Rate cost: 88,078.89 . 19 of 21 FTE affected.
19		\$0.00	DEPUTY CLERK III	Equity	Benchmark at 95% of the Supreme Court proposed new minimum pay, which would result in new base rate minimum for district court Deputy Clerk III - 43,482.45. Rate cost: 54,783.42 . 17 of 24 FTE affected.
20	(84,900.00)	(\$97,651.98)	Specific retention and/or recruitment issues to be addressed at district court level (<i>Attachment 1</i>)		
21	718,228.00	\$826,105.02	Balance		

Groups of classes or a series of classes are based on problem classes identified over several years and on data provided to legislature and subsequently re-validated

bold italics indicate a class or series of classes shared with other levels of court

shaded cells indicate a class or series of classes traditionally "benchmarked"

**District Court of Appeal Budget Commission
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Attachment 1

District Courts of Appeal

Specific Retention/Recruitment Distribution Proposal

DCA	TOTAL FTE*	% of TOTAL FTE	Amount of Rate (Based on % of FTE)
1	94.0	25.79%	21,894.65
2	85.5	23.46%	19,914.81
3	54.0	14.81%	12,577.78
4	67.0	18.38%	15,605.76
5	64.0	17.56%	14,907.00
TOTAL	364.5	100.00%	84,900.00

* does not include judges; includes new FY 14/15 FTE

amount of rate calculated at same % of overall rate allocation as trial courts (approximately 10.57%). Rounded up.

**Florida State Courts System
Class Specification**

Distributed Computer Systems Analyst

Class Code:
Pay Grade 107

General Description

The essential function of the position within the organization is to perform responsible technical work installing, supporting and maintaining the District Court of Appeal's distributed computer systems, to include desktop operating systems, application software, local area network user account provisioning, mobile device support and telecommunication components.

Examples of Work Performed

(Note: The examples of work as listed in this class specification are not necessarily descriptive of any one position in the class. The omission of specific statements does not preclude management from assigning specific duties not listed herein if such duties are a logical assignment to the position.)

- Desktop / printer support and configuration
- Limited file server and utility server administration
- Application installation
- Creating and maintaining user accounts for network access
- Establishing user security access and permissions to workgroups or domains
- Supporting remote access
- Maintaining the physical LAN infrastructure (i.e. cabling and network access points).
- Preventative maintenance for all supported systems.
- Responds to and resolves connectivity problems for users.
- Performs related work as required.

Competencies

Data Responsibility:

Refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.

Distributed Computer Systems Analyst

Synthesizes or integrates analysis of data or information to discover facts or develop knowledge or interpretations; modifies policies, procedures, or methodologies based on findings.

People Responsibility:

Refers to individuals who have contact with or are influenced by the position.

Instructs or trains others through explanation, demonstration, and supervised practice, or by making recommendations on the basis of technical disciplines.

Assets Responsibility:

Refers to the responsibility for achieving economies or preventing loss within the organization.

Requires some responsibility for achieving minor economies and/or preventing minor losses through the handling of or accounting for materials, supplies, or small amounts of money.

Mathematical Requirements:

Deals with quantities, magnitudes, and forms and their relationships and attributes by the use of numbers and symbols.

Uses practical application of fractions, percentages, ratios and proportions, measurements, or logarithms; may use algebraic solutions of equations and equalities, deductive geometry, and/or descriptive statistics.

Communications Requirements:

Involves the ability to analyze and interpret data as well as the ability to read, write, and communicate effectively to both internal and external customers.

Reads and interprets advanced professional materials; writes complex reports and papers; speaks to high level professional groups.

Complexity of Work:

Addresses the analysis, initiative, ingenuity, creativity, and concentration required by the position and the presence of any unusual pressures.

Performs work involving the application of principles of logical thinking, technological or legal practice to diagnose or define problems, collect data and solve abstract problems with widespread unit or organization impact; requires sustained, intense concentration for accurate results and continuous exposure to unusual pressure.

Impact of Decisions:

Refers to consequences such as damage to property, loss of data or property, exposure of the organization to legal liability, or injury or death to individuals.

Makes decisions with serious impact - affects most units in organization, and may affect citizens; probability of damage is likely.

Equipment Usage:

Refers to inanimate objects such as substances, materials, machines, tools, equipment, work aids, or products. A thing is tangible and has shape, form, and other physical characteristics.

Formulates new concepts or theories through original research to resolve unconventional problems.

Safety of Others:

Refers to the responsibility for other people's safety, either inherent in the job or to assure the safety of the general public.

Requires some responsibility for safety and health of others and/or for occasional enforcement of the standards of public safety or health.

Education and Experience Guidelines

Education:

Refers to job specific training and education that is recommended for entry into the position. Additional relevant experience may substitute for the recommended educational level on a year-for-year basis.

- A bachelor's degree with a major in computer science or management information systems

Experience:

Refers to the amount of related work experience that is recommended for entry into the position that would result in reasonable expectation that the person can perform the required tasks. Additional relevant education may substitute for the recommended experience on a year-for-year basis, excluding supervisory experience.

- Two years of experience in computer systems analysis, computer programming, office automation systems, or in planning or designing distributed computer systems

Distributed Computer Systems Analyst

Licenses, Certifications, and Registrations Required:

Refers to professional, state, or federal licenses, certifications, or registrations required to enter the position.

- None required

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ATTACHMENT 3

Status of Review of District Court Classes

CLASS TITLE	COMPLETED
ADMINISTRATIVE ASSISTANT I	√
ADMINISTRATIVE ASSISTANT II	√
ADMINISTRATIVE ASSISTANT III	√
ADMINISTRATIVE SECRETARY I	X
APPELLATE JUDICIAL ASST - DISTRICT COURT	√
CAREER ATTORNEY	√
CHIEF DEPUTY CLERK - DISTRICT COURT	√
CLERICAL ASSISTANT	√
COURT SECURITY OFFICER I -DISTRICT COURT	√
COURT SECURITY OFFICER II-DISTRICT COURT	√
CUSTODIAL SUPERVISOR	√
CUSTODIAL WORKER	√
DEPUTY CLERK I	√
DEPUTY CLERK II	√
DEPUTY CLERK III	√
DEPUTY MARSHAL - DISTRICT COURT	√
DIRECTOR OF CENTRAL STAFF	√
LAW CLERK	√
LEGAL SECRETARY	√
LIBRARIAN	X
MAINTENANCE ENGINEER - DISTRICT COURT	√
SECRETARY SPECIALIST	X
SENIOR LAW CLERK	√
SENIOR USER SUPPORT ANALYST	√
USER SUPPORT ANALYST	X

√ indicates classes which are provided in spreadsheet for running totals

X indicates either a class where preliminary data, both pre-session and post-session, does not indicate equity problems nor retention problems.

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Agenda Item II.A.: FY 2013-14 Salary Budget and Payroll Projections Wrap Up

FY 2013-14 District Courts of Appeal Salary Budget
June 2014

1	Projected Full Employment Payroll Liability through June 30, 2014	37,950,430
2	Salary Appropriation	(38,067,560)
3	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(117,130)
4	Actual Payroll Adjustments through June 30, 2014	(599,543)
5	FINAL - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(716,673)

LAPSE ADJUSTED FOR VACANCIES OVER 365 DAYS

1	Projected Full Employment Payroll Liability through June 30, 2014	37,950,430
2	Salary Appropriation	(38,067,560)
3	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(117,130)
4	Actual Payroll Adjustments through June 30, 2014	(334,071)
5	FINAL - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(451,201)

General Revenue	(448)
State Courts Revenue Trust Fund	(450,753)
Administrative Trust Fund	0
	<u><u>(451,201)</u></u>

Adjusted Lapse Percentage - 1.03% or \$392,331

Actual Leave Payouts - \$13,004

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Agenda Item II.B.: FY 2014-15 Salary Budget and Payroll Projections

FY 2014-15 District Courts of Appeal Salary Budget

1	Projected Full Employment Payroll Liability through June 30, 2015	39,982,756
2	Projected DROP Liability through June 30, 2015	66,924
3	Projected Law Clerk Below Minimum Pay Plan Liability through June 30, 2015	19,808
4	Projected Law Clerk Incentives Pay Plan Liability through June 30, 2015	252,399
5	Total Projected Payroll Liability through June 30, 2015	40,321,887
6	Estimated Salary Appropriation	(40,213,879)
7	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	108,008
8	Estimated Leave Payouts (based on two year average)	27,289
9	FINAL - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	135,297

Agenda Item II.C.: Budget and Pay Policy Recommendations for Chief Justice's Budget and Pay Memorandum

Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

JORGE LABARGA
CHIEF JUSTICE
BARBARA J. PARIENTE
R. FRED LEWIS
PEGGY A. QUINCE
CHARLES T. CANADY
RICKY POLSTON
JAMES E.C. PERRY
JUSTICES

JOHN A. TOMASINO
CLERK OF COURT

SILVESTER DAWSON
MARSHAL

MEMORANDUM

TO: Chief Judges of the District Courts of Appeal Marshals

FROM: Chief Justice Jorge Labarga

DATE: July 8, 2014

SUBJECT: Budget and Pay Administration for Fiscal Year 2014-15

I have established the following budget and pay administration policies for the current fiscal year, consistent with the recommendations of the District Court of Appeal Budget Commission (DCABC). Substantive changes from the prior year's policy are underlined.

A. Personnel Actions

1. Court Staff Salaries

Pursuant to the Fiscal Year 2014-15 General Appropriations Act, the judicial branch has been provided funding “for position classification salary adjustments for judicial branch employees, excluding judges, to encourage employee retention, provide equity adjustments to equalize salaries between the judicial branch and other governmental entities for similar positions and duties, and provide market-based adjustments necessary to remedy recurring employee recruitment

problems for specific position classifications. The funds available for these adjustments shall be allocated proportionately among the circuit and county courts, the district courts of appeal, the Supreme Court, the Office of the State Courts Administrator, and the Judicial Qualifications Commission, based upon the total number of full-time-equivalent positions, excluding judges, employed by each of those components of the judicial branch. The Chief Justice, based upon recommendations from the Trial Court Budget Commission, District Court of Appeal Budget Commission, and the State Courts Administrator, shall submit a plan for such position classification salary adjustments pursuant to section 216.177(2), Florida Statutes.” Therefore, salary adjustments may be made in compliance with the approved plan.

Effective October 1, 2013, eligible⁺ employees whose base rate of pay is \$40,000 or less on September 30, 2013 will receive an annual increase of \$1,400.

Effective October 1, 2013, eligible employees with a base rate of pay greater than \$40,000 on September 30, 2013 will receive an annual increase of \$1,000; provided however, in no instance shall the base rate of pay for these employees be increased to annual amount less than \$41,400.

For the purpose of determining the applicable increase for part time employees, the full time equivalent value of the base rate of pay on September 30, 2013, shall be used; but the amount of the annual increase for a part time employee shall be proportional to the full time equivalency of the employee’s position.

The minimums for each pay grade shall not be adjusted during the 2013/14 fiscal year and the maximums for each pay grade shall be adjusted upward by 6.0 percent, effective July 1, 2013.

⁺“Eligible” employees refer to employees who are, at a minimum, meeting their required performance standards, if applicable. Employees classified as being other personnel services (OPS) employees are not eligible for an increase. For the State Courts System, employees who are not working under a Performance Improvement Plan are assumed to be meeting their required performance standards.

The salaries of the clerks of the district courts shall be equalized among themselves, and the salaries of the marshals of the district courts shall be equalized among themselves. No clerk or marshal of a district court will be eligible to receive a special pay increase, or salary rate allocation, unless the District Court of Appeal Budget Commission approves an equal increase for all clerks and/or marshals of the district courts.

2. Judicial Salaries

Effective July 1, 2014 ~~July 1, 2013~~, a district court judge's salary is \$154,140 ~~\$153,140~~.

~~Effective October 1, 2013, a district court judge's salary is: \$154,140.~~

3. Salary Budget Management

- a. It does not appear to be necessary to hold positions vacant in the district courts at this time. However, the District Court of Appeal Budget Commission will monitor the salary budget and impose such restrictions as necessary in order to cover payroll costs through the end of the fiscal year.
- b. Subject to available salary appropriation, a rate distribution may be made during FY 2014/15 ~~2013/14~~.
 - i. Distribution to the district courts will be based on the total number of eligible FTE in each district (less judges).
 - ii. Individual salary increases may not exceed 10 percent.
 - iii. No retroactive salary increases are permitted unless approved by the DCABC due to special circumstances. However, retroactivity may not extend back further than two months.
 - iv. When it is anticipated that allocations for a district court will not be used by June 30, 2015 ~~June 30, 2014~~, the DCABC will

determine whether to re-purpose the funds or let the funds revert for statewide budget management.

- v. Outside of any rate distribution, no special pay increases are permitted. The chief judge may request an exception from the DCABC. These requests should be sent to the Chair of the DCABC with copies to the State Courts Administrator.

4. Other Personnel Actions

- a. Initial appointment rates must be at the minimum of the class pay range. The chief judge may request an exception from the DCABC. These requests should be sent to the Chair of the DCABC with copies to the State Courts Administrator. If the chief judge provides documentation to the State Courts Administrator that the affected position has been advertised no fewer than two times and that either no applicant met the qualifications or that no qualified applicant would accept the position at the minimum salary, appointment up to 10% above the minimum salary is summarily approved.
- b. Upon promotion, an employee's salary shall be increased to the minimum of the class to which the employee is being promoted. However, if that increase is less than five percent (5%), the chief judge or his/her designee may approve a promotional increase for an employee of up to five percent (5%) of the employee's salary prior to promotion, provided such an increase will not place the employee's salary above the maximum for the new range. The chief judge may request an exception by the DCABC. These requests should be sent to the Chair of the DCABC with copies to the State Courts Administrator.
- c. Regarding Donation of Sick Leave, State Courts Personnel Regulations section 4.09(3)(B): In the case of the district courts of appeal, the chief judge of the employee's court may notify the chief judges of the other district courts of appeal of the request for donations. Any chief judge of a district court of appeal may notify

the employees of his/her respective court of the request for donations.

- d. Other than regulations limited by these “Other Personnel Action” policies and procedures and the sharing of sick leave donations across the district courts, all regulations provided in the State Courts System Personnel Manual (https://intranet.flcourts.org/osca/personnel/bin/personnel_regulationsmanual.pdf) remain in effect.
5. Law clerk appointment rates are to be made in accordance with the policies outlined in the Appellate Law Clerk Pay Plan. Any incentive adjustments and promotional increases made at the discretion of the employing judge and chief judge, shall be consistent with the Appellate Court Law Clerk Pay Plan, a current copy of which is found in **Attachment I**. No special pay increases are permitted. The chief judge may request an exception from the DCABC. These requests should be sent to the Chair of the DCABC with copies to the State Courts Administrator.
6. No overlap of positions is permitted. The chief judge may request an exception from the DCABC. These requests should be sent to the Chair of the DCABC with copies to the State Courts Administrator.
7. Positions approved for upward reclassifications are limited to those reclassifications which result in a salary increase of ten percent (10%) ~~five percent (5%)~~ or less over the original classification. If a position is reclassified within these limitations, the chief judge may approve a promotional increase for the incumbent not to exceed five percent (5%) of the employee’s current salary or to the minimum of the new class, whichever is greater, provided such an increase will not place the employee’s salary above the maximum for the new range.
8. An employee who is selected for an acting appointment in a managerial position, i.e., Marshal, Clerk, or Director of Central Staff, is eligible for a five percent (5%) pay increase or the amount necessary to bring the employee’s pay to the minimum of the higher

class, whichever amount is lower, for the period of time the employee is in an acting managerial capacity, provided the employee has completed two months of service in the acting capacity.

B. Budget Administration

1. Budget Category Adjustments

Section 216.181, Florida Statutes, requires that all budget amendments from the judicial branch must be requested only through the Chief Justice and must be approved by the Chief Justice and the Legislative Budget Commission. If it is determined, after reviewing your operating budgets that you need adjustments from one operating budget category to another, please complete the transfer form (in hard-copy or by e-mail) and send it to Dorothy Wilson, Chief of Budget Services, so that appropriate budget amendments can be processed. **Attachment II** provides instructions and the form for this purpose.

C. Fixed Capital Outlay (FCO) Projects and Administration

District Court Fixed Capital Outlay Projects and Administration of In re: District Court Fixed Capital Projects, No. AOSC11-3 (Fla. Jan 14, 2011), provides for the oversight and monitoring of district court courthouse construction projects. See **Attachment III** for policy guidelines.

D. Authorized Travel

1. Out-of-State Travel

In order to implement funds appropriated in the 2014/15 ~~2013/14~~ General Appropriations Act for state employee travel, with prior approval of the chief judge and submission of a Travel Authorization Form (TAR), expenses to attend conferences, educational or other informative sessions of the Council of Chief Judges of the State Courts of Appeal may be reimbursed since this travel is mission critical to the operations of the District Courts of Appeal. The chief judge of each court may also authorize mission critical travel to attend

meetings, conferences, seminars, training classes, and travel for events in addition to the Council of Chief Judges of the State Courts of Appeal and other than those covered in Sections 4, 5, and 7 below, provided that all expenses are paid with a source of funding other than state funds.

2. Intra-District Travel

Intra-district travel necessary as a result of case-related activities or administrative matters may be approved by the chief judge provided such travel is in support of the administration of justice as provided for in the Rules of Judicial Administration.

3. Intra-State Travel

I am delegating authority to the chief judge to approve travel for activities that are critical to each court's mission. In accordance with the 2014/15 2013/14 GAA Implementing Bill (HB 5001) (SB 1502), funds may not be used to pay for travel by state employees to conferences or staff training activities unless the agency head (chief judge) has approved in writing that such activities are critical to the court's mission. Education and training activities must be directly related to employees' current job duties and have primary benefit to the state.

4. Travel Expenses – Florida Bar Meetings

You are encouraged to continue to support judicial participation in meetings of the following sections and committees, which are provided as a guideline for the chief judges of the district courts:

a. Annual and Midyear Meetings

Chief judges and the chair and chair-elect of the Florida Conference of District Court of Appeal Judges will be reimbursed for reasonable travel expenses for their attendance at the mid-year and annual meetings of The Florida Bar. These expenses will be charged against your district court budget.

b. Supreme Court-Appointed Committees

Members of court-appointed committees of The Florida Bar may be reimbursed for reasonable travel expenses associated with the meetings of those groups with prior approval from the chief judge or designee. These expenses will be charged against your district court budget. The committees and section to which this policy applies are:

- Standard Jury Instructions Committee – Civil
- Standard Jury Instructions Committee – Contract & Business Cases
- Commission on Professionalism

c. Selected Committees

District court judges and other court staff who are serving as members of selected committees and sections of The Florida Bar may be reimbursed for reasonable travel expenses associated with the meetings of those groups with prior approval from the chief judge or designee and submission of a Travel Authorization Request (TAR) form. These expenses will be charged against your district court budget. The committees and section to which this policy applies are:

- Alternative Dispute Resolution Section Executive Council
- Appellate Court Rules Committee
- Appellate Practice Section Executive Council
- Civil Procedure Rules Committee
- Code and Rules of Evidence Committee
- Constitutional Judiciary Committee
- Continuing Legal Education Committee
- Criminal Law Section Executive Council

- Criminal Procedure Rules Committee
- Family Law Rules Committee
- Family Law Section Executive Council
- Florida Probate Rules Committee
- Judicial Administration & Evaluation Committee
- Judicial Nominating Procedures Committee
- Juvenile Court Rules Committee
- Law Related Education Committee
- Legal Needs of Children Committee
- Pro Bono Legal Services Committee
- Professional Ethics Committee
- Professionalism Committee
- Real Property, Probate and Trust Law Section Executive Council
- Rules of Judicial Administration Committee
- Small Claims Rules Committee
- Traffic Court Rules Committee
- Trial Lawyers Section Executive Council
- Vision 2016 Commission and Workgroups

These specific guidelines apply to all committee and section related travel:

- d. Room charges that exceed the established conference rate will be reimbursed only up to that rate. Judges are encouraged to make alternative arrangements, at lower rates, when at all possible. Room charges in excess of \$150.00 per night (room rate only), ~~including taxes~~, should be avoided, but when that is not possible, excess charges must be justified on travel vouchers submitted for reimbursement.
- e. For approved committee and section meetings, same day travel must be utilized whenever possible. Necessary overnight travel will be reimbursed for the night immediately before or after the date of the committee meeting only if same day travel cannot be accomplished or presents an undue hardship.

- f. No reimbursement for attendance at Supreme Court oral argument representing a section or committee will be paid.
- g. No reimbursement for attendance at seminars, symposiums, etc., representing a section or committee will be paid.

5. Travel Expenses for Participation in State Courts System Committees or Commissions

Reasonable travel expenses necessary for participation in State Courts System committees or commissions (e.g., District Courts of Appeal Budget Commission, Standard Jury Instructions Committee - Criminal) will be paid without prior authorization, from the budgets of and in accordance with the travel guidelines established for each committee. Reimbursement for attendance at Supreme Court oral argument to represent a committee or commission must be approved in advance by the Chief Justice.

6. Travel Expenses for Legislative Hearings

Generally, the OSCA will coordinate travel by judges for participating in legislative hearings. Expenses associated with such travel will be paid from your district court budget with prior approval of the chief judge or designee, or if such participation is associated with membership on a Supreme Court committee, expenses will be reimbursed from that committee budget. When judges receive personal invitations to appear and testify before a legislative committee, expenses for associated travel will be paid from the district court budget with prior approval from the chief judge.

7. Out-of-State Educational Travel

Out-of-state educational travel will continue to be approved by the Florida Court Education Council in accordance with its established guidelines.

E. General Travel Guidelines

1. Rules Governing Per Diem and Lodging for Overnight Travel

According to State Chief Financial Officer policy, a traveler may not claim per diem or lodging reimbursement for overnight travel within fifty (50) miles (one-way) of his or her headquarters or residence, (calculated in accordance with the Department of Transportation Official Map Miles) whichever is less, unless the circumstances necessitating the overnight stay are fully explained by the traveler and approved by the Agency Head. I am delegating this approval authority to chief judges, with the exception of the travel funded through the Court Education Trust Fund, travel associated with the circuit and county conferences' business programs, and travel funded by state budgetary sources other than the district courts. Official written approval from the chief judge must be attached to the reimbursement voucher when submitted for payment. Vouchers without this approval will be returned.

2. Lodging Room Rate Limits

Hotel room charges that exceed \$150.00 per night (room rate only), ~~including taxes~~, should be avoided, and less costly alternatives secured when possible. Charges in excess of \$150.00 (room rate only), ~~including taxes~~, must be justified on travel vouchers submitted for reimbursement. This rate does not apply to travel sponsored by Court Education Trust Fund, or travel funded by state budgetary sources other than individual district courts budgets. Rates funded by these sources will be set by the paying entity.

3. Prohibition of Class C Meal Reimbursement

Reimbursement for Class C travel for per diem and subsistence is prohibited in section 112.061(15), Florida Statutes.

4. TAR Submission for Convention and Conference Travel

Travel reimbursements for convention or conference travel (with the exception of judges' participation in the district court conference), must be submitted for payment with a Travel Authorization Request (TAR) form, according to State of Florida travel guidelines. TAR forms will be prepared by the OSCA on the judges' behalf for district court conference education and business programs.

F. Senior Judge Compensation

Senior judge compensation is \$350 for each day of service for FY 2014/15 ~~2013/14~~. **Attachment IV** reflects the allocation of senior judge days for each district court. Any necessary travel expenses for senior judges to serve must be paid from each court's allocation.

G. Payment of Florida Bar Membership Fees/Legal Education Courses

The 2014/15 ~~2013/14~~ General Appropriations Act allows for the payment of Florida Bar membership fees for employees that require membership as a condition of their employment by the state. (For a list of eligible position titles, please refer to the memorandum of July 3, 2014 ~~1, 2013~~ from Jackie Knight.)

Payment for legal education courses will be left to the discretion of each chief judge based on the availability of expense money within each district court.

I am requesting that you disseminate the information contained in this memorandum to all judges in your courts. The policies outlined herein will remain in effect until such time as they are succeeded with an updated memorandum.

If you have any questions about budget matters, please contact Dorothy Wilson, Chief of Budget Services, at (850) 488-3735. Questions relating to personnel matters should be directed to Theresa Westerfield, Chief of Personnel

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Services, at (850) 617-4028. Other finance questions should be directed to Jackie Knight, Chief of Finance and Accounting Services, at (850) 488-3737.

Attachments

cc: Patricia (PK) Jameson
Eric Maclure
Blan Teagle
Dorothy Wilson
Theresa Westerfield
Jackie Knight
Steven Hall

JL/ssb