



**Wednesday, June 4, 2014**

**1:00 p.m. – 3:00 p.m.**

**Executive Conference Room, Supreme Court Building, Tallahassee, FL**

## **AGENDA**

- I. Welcome and Opening Remarks**
  - A. Roll Call**
  - B. Approval of March 28, 2014 Meeting Minutes**
  
- II. Status of FY 2013-14 Budget**
  - A. Salary Budgets**
  - B. 1<sup>st</sup> DCA Request**
  - C. Operating Budgets**
  - D. State Courts Revenue Trust Fund**
  
- III. 2014 Legislative Session - General Appropriation Act (GAA) Overview**
  
- IV. FY 2014-15 Allocations**
  - A. Appropriation Summary**
  - B. Operating Allocations**
  
- V. FY 2015-16 Legislative Budget Request (LBR)**
  - A. LBR Timelines**
  - B. Discussion of LBR Issue Strategy**
  
- VI. Pay Issues for Courts System Employees**
  - A. Implementation of FY 2014-15 Special Pay Issue: Status Report**
  - B. Performance-Based, Lump Sum Bonuses Authorized during 2013 Legislative Session: Status Report**
  - C. Geographical Differences Workgroup**
  
- VII. FY 2014-15 Budget and Pay Policies**
  - A. Payroll Projection Timeline**
  - B. FY 2014 Rate Distribution**



**VIII. Joint Workshop on Model Staffing Levels Report and Recommendations**

**IX. Other Business and Adjournment**

**A. Next Meeting: September 6, 2014, Jupiter Beach**

**District Court of Appeal Budget Commission  
VideoConference Call  
March 28, 2014**



**Members Present**

Judge Alan Lawson, Chair  
Judge Joseph Lewis, Jr.  
Judge Clayton Roberts  
Judge Charles Davis, Jr.  
Judge Frank Shepherd  
Judge Richard Suarez  
Judge Dorian Damoorgian  
Judge Cory Ciklin

Judge Vincent Torpy  
Judge William Van Nortwick, Jr.  
Marshal Jo Haynes  
Marshal Veronica Antonoff  
Marshal Daniel DiGiacomo  
Marshal Charles Crawford

**Members Absent**

Judge Stevan Northcutt  
Judge William Van Nortwick, Jr.  
Judge Melanie May

**Others Present**

Judge Gerber, Deputy Marshal Leslie Tharpe, Theresa Westerfield, Dorothy Wilson, Elizabeth Garber and other OSCA staff

**Special Note:** It is recommended that these minutes be used in conjunction with the meeting materials.

**Agenda Item I.: Welcome and Opening Remarks**

Judge Alan Lawson welcomed members and called the District Court of Appeal Budget Commission (DCABC) meeting to order at 3:00 p.m.

**Agenda Item II.: Approval of January 16, 2014 Minutes**

A motion was made by Judge Damoorgian to adopt the January 16, 2014 meeting minutes as drafted. Judge Davis seconded and the motion was passed without objection.

**Agenda Item III.: Fourth District Court of Appeal – FTE Request**

Judge Lawson presented the Fourth District Court of Appeal FTE request. Judge Lawson confirmed the current request is for non-law enforcement positions, although the original memo requested additional positions. Dorothy Wilson remarked that this request would not be

implemented until after the current fiscal year ends. Ms. Wilson further explained that the Fourth requires approval prior to canceling the existing contract.

A motion was made by Judge Torpy to approve the request and allow the Fourth DCA to utilize two FTE from the unfunded reserve. Judge Shepherd seconded and the motion passed without objection.

#### **Agenda Item IV.: State Courts Revenue Trust Fund Update**

Dorothy Wilson provided an update on the SCRTF stating that we are currently expected to experience a deficit of \$5.4 million. Ms. Wilson explained the deficit is due to revenues not coming in as estimated. Dorothy Wilson reported there is a small portion in the current back of bill for both the House and Senate to cover a portion of the deficit, \$1,776,000 and \$1,800,000, respectively. Ms. Wilson remarked that there was a meeting earlier this afternoon and that they are making a little headway with this issue.

#### **Agenda Item V.: Legislative Update**

Judge Lawson provided a legislative update stating session is entering into the conference stage. Judge Lawson reported that the House has not picked up the staff salary issue, however, the Senate has fully funded the issue in their proposals. Judge Lawson stated the DCA's are in a good position going into conference and that recent meetings with delegates assured that building issues remain at the top of their list.

#### **Adjournment**

With no other business before the Commission, Judge Shepherd motioned to adjourn. Judge Davis seconded and the meeting adjourned at 3:07 p.m.

Agenda Item II.A.: Salary Budget

FY 2013-14 District Courts of Appeal Salary Budget

May 2014

<b>1</b>	Projected Full Employment Payroll Liability through June 30, 2014	37,952,310
<b>2</b>	Salary Appropriation	(38,067,560)
<b>3</b>	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(115,250)
<b>4</b>	Actual Payroll Adjustments through May 29, 2014	(560,704)
<b>5</b>	Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(675,954)
<b>6</b>	Estimated Remaining Leave Payouts (based on two year average)	12,780
<b>7</b>	<b>FINAL - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment</b>	<b>(663,174)</b>
<b>8</b>	Projected Law Clerk Below Minimum Pay Plan Liability through June 30, 2014	15,725
<b>9</b>	Projected Law Clerk Incentives Pay Plan Liability through June 30, 2014	43,665
<b>10</b>	<b>Adjusted Liability OVER/(UNDER) Salary Appropriation including projected liability for the Law Clerk Pay Plan</b>	<b>(603,784)</b>

## **Item II.B.: First District Court of Appeal Personnel Action Exception Request**

**Issue:** First District Court of Appeal Chief Judge Joseph Lewis, Jr. submitted a request for an exception to the Fiscal Year 2013-14 Budget and Pay Administration Memorandum reclass limitations.<sup>1</sup> (See attached letter.)

**Discussion:** Chief Judge Lewis requests to reclass a current Career Attorney, Ken McLaughlin, who has a working title of Director of Writs and Motions, to a Director of Central Staff. The reclassified position will consolidate Mr. McLaughlin's current supervisory duties and responsibilities with those of a recently retired Career Attorney, who had a working title of Supervisor of the Post-Conviction Unit. Chief Judge Lewis also requests a 5% promotional increase to Mr. McLaughlin's current salary, which is consistent with the provisions of the Fiscal Year 2013-14 Budget and Pay Administration Memorandum.<sup>2</sup>

Chief Judge Lewis requests that the effective date of this action be June 16, 2014. Normally, however, reclasses are effective the first of the month following the month of approval by the State Courts Administrator.

A calculation of salary cost savings is also provided in Chief Judge Lewis' request. The reclass, with a 5% promotional increase, results in an additional salary rate amount of 4,101.47. The annualized cost, including benefits, is \$4,717.51.

To clarify, there is a Director of Central Staff assigned specifically to the separately funded Workers Comp Unit in the First District Court of Appeal. The First District does not have a Director's position in the Chief Judge's Central Staff and is requesting a Director of Central Staff position unrelated to the Workers Comp unit.

### **Options:**

1. Approve the request, pending approval of the reclass, but with an effective date of July 1, 2014.
2. Deny the request.

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<sup>1</sup> A.7. Positions approved for upward reclassifications are limited to those reclassifications which result in a salary increase of five percent (5%) or less over the original classification.

<sup>2</sup> A.7. If a position is reclassified within these limitation, 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.

## Theresa Westerfield

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**From:** Judge Joseph Lewis <lewisj@1dca.org>  
**Sent:** Friday, May 30, 2014 3:53 PM  
**To:** Judge C. Alan Lawson; Theresa Westerfield; Dorothy Wilson  
**Subject:** DCABC issue and reclassification  
**Attachments:** Position Description for Director of Central Staff.pdf

May 30, 2014

The Honorable Alan Lawson, Chair  
District Court of Appeal Budget Commission  
District Court of Appeal, Fifth District  
300 South Beach Street  
Daytona Beach, FL 32314

Theresa Westerfield  
Chief of Personnel Service  
Office of the State Courts Administrator  
Supreme Court Building  
500 South Duval Street  
Tallahassee, FL 32399-1925

Dorothy Wilson  
Chief of Budget Services  
Office of the State Courts Administrator  
Supreme Court Building  
500 South Duval Street  
Tallahassee, FL 32399-1925

Dear Judge Lawson, Ms. Westerfield, and Ms. Wilson,

Ms. Westerfield and Ms. Wilson, I was unsure as to which one of you I should send my request. Therefore, in an abundance of caution, I am sending my request to both of you for review and response. As I noted in my prior email to Ms. Westerfield, Linda Bulecza, our long-time supervisor of the post-conviction unit, retired on April 30, 2014. Ms. Bulecza, a Career Attorney, retired at an annual salary of \$84,663.12. I have decided not to fill Ms. Bulecza's vacant position at this time. If my plan changes in the future, I intend to fill the vacancy at the minimum salary for the position (\$59,607).

The First District does not currently have a Director of Central Staff position. I have designated the present head of Writs and Motions, Ken McLaughlin, a 20-year court employee, as the Director of Central Staff. Mr. McLaughlin was in a Career Attorney position with a working title of Director of Writs and Motions. I have also consolidated Ms. Bulecza's and Mr. Laughlin's supervisory duties and responsibilities into the Director of Central Staff position.

Accordingly, I am requesting that Mr. McLaughlin's position be reclassified from Career Attorney-District Court to Director of Central Staff. For your review, attached are the assigned

duties and responsibilities associated with the position. Please consider this as a request for the State Court Administrator to approve the reclassification of this position pending DCABC's approval. I understand that DCABC's approval is required as the action is an exception to the Budget and Pay Administration Memo for Fiscal Year 2013/14: "A.7. Positions approved for upward reclassifications are limited to those reclassifications which result in a salary increase of five percent (5%) or less over the original classification." (The upward reclassification from a Career Attorney – District Court to a Director of Central Staff results in a salary increase of 23.8%.) Consistent with Mr. McLaughlin's increased supervisory duties and position as the Director of Central Staff, I am requesting a 5% promotional increase to Mr. McLaughlin's current salary of \$82,029.36, which will bring his salary to \$86,130.83. This 5% promotional increase is consistent with the provisions of the Budget and Pay Administration Memo for Fiscal Year 2013/14. Accordingly, I am respectfully requesting that this matter be addressed as soon as possible by the District Court of Appeal Budget Commission, since Ms. Bulecza retired on April 30, 2014. As such, I am requesting that the effective date of this action be June 16, 2014.

Granting the request would not increase the total salary costs at the First District. To the contrary, consolidating the supervisory duties and responsibilities of the two supervisor positions into one position will result in a substantial reduction in total salary costs at the First District. Leaving Ms. Bulecza's position vacant will result in annual savings of \$84,663.12. Given that Ms. Bulecza's position will be left vacant, Mr. McLaughlin's 5% salary increase of \$4,101.47 will result in an overall annual savings in salary dollars of \$80,561.65, not including benefits ( $\$84,663.12 - \$4,101.47 = \$80,561.65$ ). Even if I fill Ms. Bulecza's Career Attorney position in the future at the minimum salary (\$59,607), the First District would still save \$29,157.59 annually, not including benefits ( $\$84,663.12 - \$59,607 + \$4,101.47 = \$29,157.59$ ).

If I can be of further assistance regarding my requests, please feel free to contact me.

Thanks,

Chief Judge Joseph Lewis, Jr.  
First District Court of Appeal  
2000 Drayton Drive  
Tallahassee, FL 32399  
(850)717-8199

District Court of Appeal Budget Commission

June 4, 2014

Tallahassee, Florida

Agenda Item II.C.: Operating Budgets

The data below represents the status of the FY 2013-14 operating budget as of May 31, 2014.

General Revenue Fund

Category	District	Appropriation	Expended / Encumbered	Remaining Balance	% Expended / Encumbered
Other Personal Services	5th	49,874	29,466	20,408	59.08%
Expenses	1st	1,425,124	1,403,587	21,537	98.49%
	2nd	807,364	767,751	39,613	95.09%
	3rd	258,795	212,441	46,354	82.09%
	4th	286,917	246,569	40,348	85.94%
	5th	243,842	200,644	43,198	82.28%
	<b>TOTAL</b>		<b>3,022,042</b>	<b>2,830,992</b>	<b>191,050</b>
Operating Capital Outlay	1st	2,150	2,150	0	100.00%
	2nd	50,111	47,590	2,521	94.97%
	3rd	3,579	3,579	0	100.00%
	4th	39,174	2,150	37,024	5.49%
	5th	11,250	8,772	2,478	77.97%
	<b>TOTAL</b>		<b>106,264</b>	<b>64,241</b>	<b>42,023</b>
Senior Judge Days	2nd	8,261	2,486	5,775	30.09%
	3rd	4,616	4,616	0	100.00%
	5th	2,016	1,775	241	88.05%
	<b>TOTAL</b>		<b>14,893</b>	<b>8,877</b>	<b>6,016</b>
Contracted Services	1st	48,594	29,002	19,592	59.68%
	2nd	199,012	174,782	24,230	87.82%
	3rd	101,450	100,356	1,094	98.92%
	4th	253,041	227,949	25,092	90.08%
	5th	70,771	41,676	29,095	58.89%
	<b>TOTAL</b>		<b>672,868</b>	<b>573,765</b>	<b>99,103</b>
DCA Law Library	1st	43,641	28,406	15,235	65.09%
	2nd	27,477	23,238	4,239	84.57%
	3rd	9,600	9,600	0	100.00%
	4th	18	18	0	100.00%
	5th	15,705	9,066	6,639	57.73%
	<b>TOTAL</b>		<b>96,441</b>	<b>70,328</b>	<b>26,113</b>

**Agenda Item II.C.: Operating Budgets**

The data below represents the status of the FY 2013-14 operating budget as of May 31, 2014.

**General Revenue Fund**

Category	District	Appropriation	Expended / Encumbered	Remaining Balance	% Expended / Encumbered
Lease/Lease Purchase	1st	16,895	16,521	374	97.79%
	2nd	13,453	12,899	554	95.88%
	3rd	5,365	4,809	556	89.64%
	4th	7,948	7,948	0	100.00%
	5th	12,446	10,550	1,896	84.77%
	<b>TOTAL</b>		<b>56,107</b>	<b>52,727</b>	<b>3,380</b>

**Administrative Trust Fund**

Category	Appropriation	Expended / Encumbered	Remaining Balance	% Expended / Encumbered
Expenses	94,669	52,001	42,668	54.93%
Operating Capital Outlay	27,000	8,081	18,919	29.93%
<b>TOTAL</b>	<b>121,669</b>	<b>60,082</b>	<b>61,587</b>	<b>49.38%</b>

State Courts System

June 4, 2014

State Courts Revenue Trust Fund - Monthly Cash Analysis  
Fiscal Year Reporting 2013-2014 (Official Estimates)

Based on Actual Revenues and Expenditures for  
July - May and REC Revenues and Estimated  
Expenditures for June

Tallahassee, Florida

Article V Revenue Estimating Conference Projections

1	February 6, 2013	9,150,000	9,150,000	9,150,000	9,150,000	8,887,500	8,887,500	8,887,500	7,807,500	7,807,500	7,807,500	7,807,500	7,807,500	102,300,000
2	August 6, 2013	8,184,377	8,288,425	8,474,866	8,163,209	8,357,132	7,806,364	7,760,267	8,243,322	8,786,219	9,099,339	8,547,607	8,806,070	100,517,197
3	December 3, 2013	8,179,427	7,098,193	6,987,802	6,800,075	6,680,194	6,305,801	6,283,386	7,454,777	7,993,551	8,055,078	7,410,607	8,351,109	87,600,000
4	February 13, 2014	8,203,792	7,098,193	6,987,802	6,800,075	7,263,224	6,383,566	6,709,647	6,911,682	7,386,971	7,510,614	6,871,896	7,872,538	86,000,000
5	<b>State Courts Revenue Trust Fund</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Year-To-Date Summary*</b>
6	<b>Beginning Balance (Carried Forward Cash from FY 12-13 includes \$2,884,715 in foreclosure funds)</b>	10,418,719	8,908,474	8,746,205	8,460,016	6,855,771	6,495,779	5,331,108	3,739,736	2,505,217	2,293,906	1,355,833	670,523	10,418,719
7	Fee and Fine Revenue Received*	8,184,377	7,095,068	6,998,227	6,796,200	7,267,278	6,373,396	6,735,153	6,403,721	7,320,607	7,329,159	7,241,177	7,872,538	85,616,901
8	Cost Sharing (JAC transfers/\$3,695,347 due annually)	788,679	135,158	0	843,026	80,924	508	842,917	81,100	35	923,842	0		3,696,188
9	Refunds/Miscellaneous	50	5,158	786	1,016	0	785	455	0	0	12,840	3,597		24,688
10	<b>Total Revenue Received</b>	<b>8,973,106</b>	<b>7,235,383</b>	<b>6,999,013</b>	<b>7,640,241</b>	<b>7,348,202</b>	<b>6,374,690</b>	<b>7,578,525</b>	<b>6,484,821</b>	<b>7,320,642</b>	<b>8,265,840</b>	<b>7,244,774</b>	<b>7,872,538</b>	<b>89,337,776</b>
11	<b>Available Cash Balance</b>	<b>19,391,826</b>	<b>16,143,857</b>	<b>15,745,218</b>	<b>16,100,257</b>	<b>14,203,973</b>	<b>12,870,469</b>	<b>12,909,633</b>	<b>10,224,557</b>	<b>9,825,859</b>	<b>10,559,746</b>	<b>8,600,607</b>	<b>8,543,061</b>	<b>99,756,495</b>
12	Staff Salary Expenditures	(7,167,344)	(7,211,511)	(7,247,265)	(7,379,173)	(7,493,861)	(7,399,720)	(7,405,181)	(7,396,043)	(7,466,340)	(7,463,101)	(7,479,718)	(7,639,837)	(88,749,093)
13	Staff Salary Expenditures - GR Shift								(230,000)			(220,000)		(450,000)
14	<b>Prior Year Certified Forwards - Staff Salary</b>	<b>(75,500)</b>												<b>(75,500)</b>
15	Mortgage Foreclosure Settlement Expenditures (From funds allocated in FY 2012-13)				(74,149)	(213,253)	(137,231)	(135,247)	(90,370)	(63,906)	(104,658)	(219,685)	(952,336)	(1,990,835)
16	<b>Prior Year Certified Forwards - Mortgage Foreclosure Settlement</b>	<b>(672,818)</b>	<b>(184,831)</b>	<b>(36,230)</b>										<b>(893,880)</b>
17	Conflict Cases Over the Flat Fee											(7,906)	(492,094)	(500,000)
18	<b>Prior Year Certified Forwards - Conflict Cases Over the Flat Fee</b>	<b>(693,241)</b>												<b>(693,241)</b>
19	Refunds	(2,371)	(1,310)	(1,708)	(2,908)	(1,080)	(2,410)	(1,504)	(2,928)	(1,708)	(697)	(2,705)	(1,939)	(23,266)
20	FY 14-15 GAA back of bill appropriation to cover FY 13-14 trust fund deficit												1,800,000	1,800,000
21	<b>Total SCRTF Operating Expenditures</b>	<b>(8,611,274)</b>	<b>(7,397,652)</b>	<b>(7,285,202)</b>	<b>(7,456,229)</b>	<b>(7,708,194)</b>	<b>(7,539,361)</b>	<b>(7,541,932)</b>	<b>(7,719,340)</b>	<b>(7,531,953)</b>	<b>(7,568,456)</b>	<b>(7,930,014)</b>	<b>(7,286,206)</b>	<b>(91,575,814)</b>
22	<b>8% General Revenue Service Charge</b>	<b>(1,872,077)</b>			<b>(1,788,257)</b>			<b>(1,627,964)</b>			<b>(1,635,458)</b>	<b>(70)</b>		<b>(6,923,826)</b>
23	<b>Ending Cash Balance</b>	<b>8,908,474</b>	<b>8,746,205</b>	<b>8,460,016</b>	<b>6,855,771</b>	<b>6,495,779</b>	<b>5,331,108</b>	<b>3,739,736</b>	<b>2,505,217</b>	<b>2,293,906</b>	<b>1,355,833</b>	<b>670,523</b>	<b>1,256,855</b>	<b>1,256,855</b>

\* Note: Actual revenues received reported by REC in Line 3 and OSCA in Line 6 differ due to the timing of reporting by the Department of Revenue and FLAIR posting to SCRTF.

Estimated 8% GRSC for July 2014 (1,795,430)

**STATE COURTS SYSTEM  
LEGISLATIVE BUDGET REQUEST  
FY 2014-15**

6/2/2014 2:55 PM		State Courts System					Conference Report on HB 5001					
Budget Entity/Issues		Issue Code	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust
1	<b>BRANCH WIDE - PAY ISSUES</b>											
2	Competitive Pay Adjustment Issue for State Courts System Employees	4401A70		5,677,512		89,430	<b>5,766,942</b>					-
3	Equity and Retention Pay Issue for State Courts System Employees	4401A80		9,836,772		29,530	<b>9,866,302</b>		5,589,397		2,543,217	<b>8,132,614</b>
4	<b>SUPREME COURT - 22010100</b>											
5	Death Penalty Case Processing	3000080	1.0	59,717	3,818		<b>59,717</b>					-
6	Case Management Support	3001700	1.0	76,331	3,818		<b>76,331</b>	1.0	76,331	3,818		<b>76,331</b>
7	Supreme Court - Meet Acceptable Security Standards	6800600	3.0	254,310	11,454		<b>254,310</b>					-
8	Law Library - Legal Research	4100400		17,069			<b>17,069</b>					-
9	Interior Space Refurbishing	7000260		237,360			<b>237,360</b>					-
10	<b>TOTAL SUPREME COURT</b>		<b>5.0</b>	<b>644,787</b>	<b>19,090</b>	-	<b>644,787</b>	<b>1.0</b>	<b>76,331</b>	<b>3,818</b>	-	<b>76,331</b>
11	<b>EXECUTIVE DIRECTION - 22010200</b>											
12	eFACTS Productivity Support	36311C0		172,834	125,164		<b>172,834</b>					-
13	Judicial Data Management	36315C0		502,086	107,887		<b>502,086</b>					-
14	Legal Research Support	36314C0		91,840	40,000		<b>91,840</b>					-
15	<b>TOTAL EXECUTIVE DIRECTION</b>		<b>0.0</b>	<b>766,760</b>	<b>273,051</b>	-	<b>766,760</b>	<b>0.0</b>	-	-	-	-
16	<b>ADMINISTRATIVE FUNDS - 22020100</b>											
17	Reduce Due Process Contingency Positions	33V0260						(6.0)				-
18	<del>Small County Courthouse Repairs and Renovations- Calhoun County</del> <b>VETOED</b>	5401234							200,000	200,000		<del>200,000</del>
19	<del>Small County Courthouse Repairs and Renovations- Jefferson County</del> <b>VETOED</b>	5401234							200,000	200,000		<del>200,000</del>
20	Small County Courthouse Repairs and Renovations-Washington County	5401234							9,205,877	9,205,877		<b>9,205,877</b>
21	<b>TOTAL ADMINISTRATIVE FUNDS</b>		<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(6.0)</b>	<b>9,205,877</b>	<b>9,205,877</b>	-	<b>9,205,877</b>

**STATE COURTS SYSTEM  
LEGISLATIVE BUDGET REQUEST  
FY 2014-15**

6/2/2014 2:55 PM		State Courts System					Conference Report on HB 5001					
Budget Entity/Issues		Issue Code	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust
22	<b>DISTRICT COURT OF APPEAL - 22100600</b>											
23	Building, Facilities Maintenance and Operational Upkeep <b>SCS REQUEST DETAILS:</b> (\$400,000 - Statewide Facility Maintenance, \$19,750 - 2nd DCA Facility Maintenance and \$48,889 - 3rd DCA Workstations)	7000210		468,639	68,639		<b>468,639</b>					-
24	CIP - 2nd DCA Driveway Expansion Lakeland Courthouse	990M000 081600		30,450	30,450		<b>30,450</b>		30,450	30,450		<b>30,450</b>
25	CIP - 3rd DCA - Hurricane Storm Shutters	990S000 080174		88,294	88,294		<b>88,294</b>					-
26	CIP - 3rd DCA Emergency Generator System	990S000 080032		212,814	212,814		<b>212,814</b>					-
27	CIP - 3rd DCA Entrance Glass Doors Replacement	990M000 080183		64,023	64,023		<b>64,023</b>					-
28	CIP - 3rd DCA Courthouse Remodeling for ADA, Security and Life Safety Issues	990M000 080179		2,092,495	2,092,495		<b>2,092,495</b>		2,092,495	2,092,495		<b>2,092,495</b>
29	CIP - 4th DCA New Courthouse Construction - Phase One <i>(Phase Two estimated at \$13,305,182)</i> <b>Senate Bill:</b> Half of the Phase Two estimated costs are funded totaling \$6,652,591 are included in this proposal.	990S000 080071		349,270	349,270		<b>349,270</b>					-
30	CIP - 4th DCA Courthouse Renovations for ADA Compliance, Security, Life Safety Issues and Mold and Water Remediation	990M000 080178		6,831,655	6,831,655		<b>6,831,655</b>					-
31	CIP - 5th DCA Security Systems	990S000 080176		125,000	125,000		<b>125,000</b>		125,000	125,000		<b>125,000</b>
32	CIP - 5th DCA HVAC Renovation	990M000 080184		724,389	724,389		<b>724,389</b>		724,389	724,389		<b>724,389</b>
33	CIP - Maintenance and Repair - New Construction, Repairs & Critical Maintenance - Appellate Courts	99M0000 082052							7,145,763	7,145,763		<b>7,145,763</b>
34	<b>TOTAL DISTRICT COURT OF APPEAL</b>		<b>0.0</b>	<b>10,987,029</b>	<b>10,587,029</b>	<b>-</b>	<b>10,987,029</b>	<b>0.0</b>	<b>10,118,097</b>	<b>10,118,097</b>	<b>-</b>	<b>10,118,097</b>

**STATE COURTS SYSTEM  
LEGISLATIVE BUDGET REQUEST  
FY 2014-15**

6/2/2014 2:55 PM		State Courts System					Conference Report on HB 5001					
Budget Entity/Issues		Issue Code	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust
35	<b>TRIAL COURTS - 22300100/22300200</b>											
36	Due Process Costs - Deduct (Transfers to JAC)						-		(500,000)		(500,000)	(1,000,000)
37	Court Reporting Equipment Refresh and Maintenance	36341C0		4,806,925	2,223,562		4,806,925					-
38	Court Reporting Equipment Expansion	36342C0		1,446,114	1,446,114		1,446,114					-
39	Death Penalty Case Processing - Law Clerks (32 Positions)	3000080	27.0	1,918,731	76,160		1,918,731					-
40	Funding for Backlog of Foreclosure Cases	3001010		3,837,624	3,837,624		3,837,624					-
41	Funding for Children's Advocacy Centers	3000115					-	3,500,000				3,500,000
42	Mary Lee's House - Child Advocacy Centers	3000115					-	1,500,000	1,500,000			1,500,000
43	Walton County Child Advocacy Center							350,000	250,000			350,000
44	Trial Courts General Counsel Support	3000120	10.0	1,181,043	23,800		1,181,043					-
45	24x7 Sobriety Monitoring Program	3000314						75,000	75,000			75,000
46	Domestic Violence GPS Program	3000316					-	316,000				316,000
47	Mental Health Diversion Program	3000318					-	250,000	250,000			250,000
48	Fund Shift Cost Sharing	3400330/3400340		3,695,347		(3,695,347)	-					-
49	Senior Judge for Citrus County Workload	3000420					-	88,415				88,415
50	Electronic Transmission of Judicial Order to Clerks of Court	36331C0		4,705,116	3,929,275		4,705,116					-
51	Remote Court Interpreting Technology	36343C0		81,428	53,588		81,428					-
52	Problem Solving Courts Education and Training	3800010		100,000	100,000		100,000	100,000	100,000			100,000
53	Conflict Counsel Payments Over the Flat Fee	5210000		2,081,103			2,081,103					-
54	Courthouse Furnishings - Nonpublic Areas	5402000		953,999	953,999		953,999	65,000	65,000			65,000
55	Post-Adjudicatory Drug Court	5406010		544,013			544,013	5,543,957				5,543,957
56	Vivitrol To Treat Alcohol or Opioid Addicted Offenders	5406020					-	3,000,000	2,000,000			3,000,000
57	Veterans' Courts	5406030					-	1,000,000				1,000,000
58	<b>TOTAL TRIAL COURTS</b>		<b>37.0</b>	<b>25,351,443</b>	<b>12,644,122</b>	<b>(3,695,347)</b>	<b>21,656,096</b>	<b>0.0</b>	<b>15,288,372</b>	<b>4,240,000</b>	<b>(500,000)</b>	<b>14,788,372</b>

**STATE COURTS SYSTEM  
LEGISLATIVE BUDGET REQUEST  
FY 2014-15**

6/2/2014 2:55 PM		State Courts System					Conference Report on HB 5001					
Budget Entity/Issues		Issue Code	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust
59	<b>CERTIFICATION OF ADDITIONAL JUDGESHIPS</b>											
60	<b>Executive Direction - Florida Cases Southern 2nd Reporter: \$500 for each certified judgeship SCS - 49 New Judgeships</b>	3009310		24,500			<b>24,500</b>					-
61	<b>District Court of Appeal - 3 DCA Judgeships (3 appellate court judges, 3 appellate judicial assistants, 6 appellate law clerks): SCS/House: 2 judgeship for 2nd DCA; 1 judgeship for 5th DCA</b>	3009310	12.0	1,351,047	45,816		<b>1,351,047</b>	12.0	1,350,507	45,276		<b>1,350,507</b>
62	<b>Circuit Courts - 7 Judgeships (23 FTE - 7 circuit judges, 7 circuit judicial assistants, and 9 trial court law clerks): SCS/House: 3 judgeships for the 5th Circuit; 2 judgeships for the 1st Circuit; 1 judgeship for the 7th and 9th Circuits. Note: House Proposal only funds 2 trial court law clerks.</b>	3009310	23.0	2,528,206	54,740		<b>2,528,206</b>					-
63	<b>County Courts - 39 Judgeships (78 FTE - 39 county judges and 39 county judicial assistants): SCS: 11 judgeships for Dade; 6 judgeships for Broward 5 judgeships for Palm Beach; 4 judgeships for Duval 2 judgeships for Orange, Hillsborough, and Lee; 1 judgeship for Volusia, Lake, Citrus, Osceola, Manatee, Sarasota, and Seminole House: 1 judgeship for Duval, Citrus, Lake, Osceola, Miami-Dade, Seminole, and Lee Counties; 2 judgeships in Hillsborough and Palm Beach</b>	3009310	78.0	10,189,517	185,640		<b>10,189,517</b>					-
64	<b>TOTAL CERTIFICATION OF ADDITIONAL JUDGESHIPS</b>		<b>113.0</b>	<b>14,093,270</b>	<b>286,196</b>	<b>0</b>	<b>14,093,270</b>	<b>12.0</b>	<b>1,350,507</b>	<b>45,276</b>	<b>0</b>	<b>1,350,507</b>
65	<b>TOTAL JUDICIAL BRANCH</b>		<b>42.0</b>	<b>53,264,303</b>	<b>23,523,292</b>	<b>(3,576,387)</b>	<b>49,687,916</b>	<b>7.0</b>	<b>41,628,581</b>	<b>23,613,068</b>	<b>2,043,217</b>	<b>43,671,798</b>

## Conference Report on HB 5001 - Proviso, Back of the Bill and Implementing Bill

### Proviso

1	The funds provided in Specific Appropriations 3147 through 3214 shall not be used to fund any facility study or architectural/engineering study to assist in planning for the current or future needs of the Second District Court of Appeal.									
2	From the funds in Specific Appropriation 3158 through 3168, the Office of the State Courts Administrator may expend up to \$10,000 to issue a solicitation to review document integrity and authentication systems and technology available that may eliminate fraud in the processing of court documents. Under the direction of the Florida Courts Technology Commission, the Office of the State Courts Administrator shall develop specifications for the system and technology in consultation with the Department of Corrections and the Florida Clerks of Court. The Office of the State Courts Administrator may issue the solicitation no later than October 1, 2014, and shall follow a competitive solicitation process consistent with section 287.057, Florida Statutes.									
3	<p>The funds in Specific Appropriation 3168A are provided for the restoration of small county historic courthouses.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Calhoun.....</td> <td style="width: 10%; text-align: right;">200,000</td> <td style="width: 10%;"><b>VETOED</b></td> </tr> <tr> <td>Jefferson.....</td> <td style="text-align: right;">200,000</td> <td><b>VETOED</b></td> </tr> <tr> <td>Washington.....</td> <td style="text-align: right;">9,205,877</td> <td></td> </tr> </table>	Calhoun.....	200,000	<b>VETOED</b>	Jefferson.....	200,000	<b>VETOED</b>	Washington.....	9,205,877	
Calhoun.....	200,000	<b>VETOED</b>								
Jefferson.....	200,000	<b>VETOED</b>								
Washington.....	9,205,877									
4	Funds in Specific Appropriation 3180A are provided for the construction of a new courthouse for the Fourth District Court of Appeal. The current 44-year-old building is experiencing a mold outbreak associated with an inadequate heating, ventilation, and air conditioning system, requires significant renovations to comply with the Americans With Disabilities Act (ADA), and requires renovations to address United States Marshals' Service security assessment deficiencies. The new courthouse will be located on a smaller footprint and will be more efficient than the current facility, resulting in immediate savings in operational and maintenance costs.									
5	From the funds in Specific Appropriation 3188, \$100,000 in nonrecurring general revenue funds is provided to train judges and staff on how to address co-occurring disorders in the criminal justice system.									
6	From the funds in Specific Appropriation 3191, \$3,500,000 in recurring general revenue funds shall be distributed to the 26 Children's Advocacy Centers throughout Florida based on the proportion of children served by each center during calendar year 2013. This funding may not be used to supplant local government reductions in Children's Advocacy Center funding. Any reductions in local government funding for the centers shall result in the withholding of funds appropriated in this line item.									
7	The Florida Network of Children's Advocacy Centers may spend up to \$25,000 of the funds in this line item for contract monitoring and oversight.									
8	From the funds in Specific Appropriation 3191, \$1,500,000 in nonrecurring general revenue funds is provided to Mary Lee's House in Tampa for child advocacy services.									
9	From the funds in Specific Appropriation 3191, \$100,000 in recurring general revenue funds and \$250,000 in nonrecurring general revenue funds are provided to the Walton County Children's Advocacy Center for child advocacy services and construction of a new facility. The nonrecurring funding amount shall be matched with local in-kind funding on a dollar-for-dollar basis.									
10	From the funds in Specific Appropriation 3193, \$1,000,000 in recurring general revenue funds and \$2,000,000 in nonrecurring general revenue funds is provided for naltrexone extended-release injectable medication to treat alcohol- or opioid-addicted offenders in court-ordered, community-based drug treatment programs. The Office of the State Courts Administrator shall use the funds to contract with a non-profit entity for the purpose of distributing the medication.									
11	From the funds in Specific Appropriation 3193, \$600,000 in recurring general revenue funds shall be distributed to Okaloosa, Pasco, Pinellas, and Clay counties and \$200,000 each in recurring general revenue funds shall be distributed to Duval and Orange counties to create or continue, pursuant to sections 948.08(7)(a), 948.16(2)(a), and 948.21, Florida Statutes, felony and/or misdemeanor pretrial or post-adjudicatory veterans' treatment intervention programs to address the substance abuse and/or mental health treatment needs of veterans and service members charged with, or on probation or community control for, criminal offenses.									
12	From the funds in Specific Appropriation 3193, \$250,000 in nonrecurring general revenue funds is provided to contract with the South Florida Behavioral Health Network to provide treatment services for individuals served by the 11th Judicial Circuit Criminal Mental Health Project.									
13	From the funds in Specific Appropriation 3193, \$5,000,000 in recurring general revenue funds is provided for treatment services for offenders in post-adjudicatory drug court programs in Broward, Escambia, Hillsborough, Marion, Orange, Pinellas, Polk, and Volusia counties. Each program shall serve prison-bound offenders (at least 50 percent of participants shall have Criminal Punishment Code scores of greater than 44 points but no more than 60 points) and shall make residential treatment beds available for clients needing residential treatment.									
14	The funds in Specific Appropriation 3193A are provided to implement a 24x7 Sobriety Monitoring Program pilot in the 4th Judicial Circuit. The pilot program shall use evidence-based practices that are anticipated to result in a reduction in recidivism for substance abuse related crimes and an increase in public safety for the community. Funds shall be used to produce a statewide template demonstration video for the training of patrol and correctional officers; pay for the program's set-up costs incurred by law enforcement; pay for a law enforcement coordinator; and defray other implementation costs.									
15	The funds in Specific Appropriation 3193B are provided to the Eighteenth Judicial Circuit to continue its program to protect victims of domestic violence with Active Global Positioning Satellite (GPS) technology.									

## Conference Report on HB 5001 - Proviso, Back of the Bill and Implementing Bill

### Back of the Bill

16	<p>SECTION 8. (2) SPECIAL PAY ISSUES</p> <p>Effective July 1, 2014, recurring funds are appropriated in Specific Appropriation 1981 to:</p> <p>(a) The judicial branch in the amount of \$5,589,397 from the General Revenue Fund and \$2,543,217 from trust funds 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.</p>
17	<p>SECTION 41. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG B2014-0457 as submitted on April 17, 2014, by the Chief Justice on behalf of the State Courts System for approval by the Legislative Budget Commission. The Chief Justice shall modify the approved operating budget for Fiscal Year 2013-2014 consistent with the amendment. This section is effective upon becoming law.</p>
18	<p>SECTION 47. The sum of \$1,800,000 in nonrecurring funds from the General Revenue Fund is appropriated to the State Courts Revenue Trust Fund within the State Courts System to cover Fiscal Year 2013-2014 trust fund deficits. This section is effective upon becoming law.</p>

### Implementing Bill

19	<p>Section 25. In order to implement section 7 of the 2014-2015 General Appropriations Act, subsection (2) of section 215.18, Florida Statutes, is amended to read:</p> <p>215.18 Transfers between funds; limitation.—</p> <p>(2) The Chief Justice of the Supreme Court may receive one or more trust fund loans to ensure that the state court system has funds sufficient to meet its appropriations in the <u>2014-2015</u> <del>2012-2013</del> General Appropriations Act. If the Chief Justice accesses the loan, he or she must notify the Governor and the chairs of the legislative appropriations committees in writing. The loan must come from other funds in the State Treasury which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds. The Governor shall order the transfer of funds within 5 days after the written notification from the Chief Justice. If the Governor does not order the transfer, the Chief Financial Officer shall transfer the requested funds. The loan of funds from which any money is temporarily transferred must be repaid by the end of the <u>2014-2015</u> <del>2012-2013</del> fiscal year. This subsection expires July 1, <u>2015</u> <del>2013</del>.</p>
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1	Judicial pay remains the same.
2	<p>(2) SPECIAL PAY ISSUES                  Effective July 1, 2014, recurring funds are appropriated in Specific Appropriation 1981 to:</p> <p>(a) The judicial branch in the amount of \$5,589,397 from the General Revenue Fund and \$2,543,217 from trust funds 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. <i>(Plan to be submitted to Legislative Budget Commission.)</i></p>
3	No change in state life insurance or state disability insurance.
4	<p>Effective July 1, 2014, the state health insurance plan, as defined in subsection (3)(b) [<i>i.e., State Health Insurance Plans and Benefits</i>] shall limit plan participant cost sharing (deductibles, coinsurance and copayments) for covered in-network medical services, the amount of which shall not exceed the annual cost sharing limitations for individual coverage or for family coverage as provided by the U.S. Department of Health and Human Services pursuant to the provisions of the federal Patient Protection and Affordable Care Act of 2010. Effective January 1, 2015, medical and prescription drug cost sharing amounts incurred by a plan participant for covered in-network services shall be aggregated to record the participant's total amount of plan cost sharing, which shall not exceed the annual cost sharing limitations. The plan shall pay 100 percent of covered in-network services for a plan participant during the applicable calendar year once the federal cost share limitations are reached.</p> <p><i>No other changes to the current plans themselves.</i></p>

5	<p>No change in premiums paid by employees for health insurance. (Maintains the "enhanced benefits" premiums paid by judicial assistants and senior managers.)</p>
6	<p>The Department of Management Services shall maintain a listing of certain maintenance drugs that must be filled through mail order by participants of the Preferred Provider Organization option only. Effective July 1, 2014, those drugs on the maintenance list may initially be filled three times in a retail pharmacy; thereafter, any covered prescriptions must be filled through mail order, unless the Department of Management Services develops a program to allow retail pharmacies to provide 90 day prescriptions for such drugs or unless a retail pharmacy agrees to provide 90 day prescriptions for such drugs for no more than the reimbursement paid for prescriptions fulfilled by mail order including the dispensing fee. Notwithstanding subparagraph (d)2. <i>[which maintains co-payments as currently set]</i>, and for the period beginning January 1, 2015, the co-payments for such 90 day prescriptions at a retail pharmacy shall be \$14 for generic drugs with a card, \$60 for preferred brand name drugs with a card, and \$100 for nonpreferred name brand drugs with a card. <i>[These co-payments match current mail order costs.]</i> This paragraph is contingent upon House Bill 5003 or similar legislation becoming law.</p>
7	<p>Payment of bar dues authorized.</p>
8	<p>Contingent upon the availability of funds, and at the agency head discretion, each agency is authorized to grant competitive pay adjustments to address retention, pay inequities, or other staffing issues. The agency is responsible for retaining sufficient documentation justifying any adjustments provided herein.</p>
9	<p>From existing resources, merit pay increases are authorized based on the employee's exemplary performance as evidenced by a performance evaluation conducted pursuant to chapter 60L-35, Florida Administrative Code, or a similar performance evaluation applicable to other pay plans. The Chief Justice may exempt judicial branch employees from the performance evaluation requirements.</p>

## All District Courts of Appeal FY 2014-2015 Appropriations

Issue	FTE*	Rate	Salaries & Benefits 010000	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt 103241	Law Library 103732	Lease Purchase 105281	HR Services 107040	ODP 210014	Fixed Capital Outlay (See Issue line for category)	Total
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**FTE and Rate**

1	2013-14 FTE Legislative Startup Appropriation <sup>1</sup>	433.0	28,143,009												
<b>FY 2013-14 Legislative Technical Adjustments</b>															
2	Issue Code 1001270 Salary Increases for FY 2013-14 Court Employees (Judges) Effective 7/1/2013		186,843												
3	Issue Code 1001290 Salary Increases for FY 2013-14 Statewide - All Employees Effective 10/1/2013		435,160												
4	Issue Code 1607290 Prorated Trust Fund Allotment for FY 13-14 Salary Increases		37,840												
<b>FY 2014-15 New Funding</b>															
5	Issue Code 3009310 Certification of Additional Judgeships	12.0	863,151												

**General Revenue (GR)**

6	2013-14 General Revenue Legislative Startup Appropriation <sup>1</sup>			19,202,576	66,767	3,017,154	85,364	51,790	681,645	93,012	162,797	62,686	96,572	171,100	23,691,463
<b>FY 2013-14 Legislative Technical Adjustments</b>															
7	Issue Code 1001090 Risk Management Premium Adjustment for FY 2013-14								56,050						56,050
8	Issue Code 1001270 Salary Increases for FY 2013-14 Court Employees (Judges) Effective 7/1/2013			127,230											127,230
9	Issue Code 1001290 Salary Increases for FY 2013-14 Statewide - All Employees Effective 10/1/2013			224,202											224,202

## All District Courts of Appeal FY 2014-2015 Appropriations

Issue	FTE*	Rate	Salaries & Benefits 010000	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt 103241	Law Library 103732	Lease Purchase 105281	HR Services 107040	ODP 210014	Fixed Capital Outlay (See Issue line for category)	Total
10 Issue Code 1001310 - Retirement Adjustment for FY 2013-14			978,017												978,017
11 Issue Code 1001320 - Health Insurance Subsidy - Retirees for FY 2013-14			13,626												13,626
12 Issue Code 1001330 - Health Insurance Premium Adjustment for FY 2013-14 Effective 3/1/2014			82,666												82,666
13 Issue Code 1005900 - HR Services Adjustment												1,402			1,402
14 Issue Code 26A1290 - Annualization of Salary Increases for FY 2013-14 Statewide (3 months)			74,734												74,734
15 Issue Code 26A1330 - Annualization of State Health Insurance Adjustments for FY 2013-14 (8 months)			165,332												165,332
<b>FY 2014-15 New Funding</b>															
16 Issue Code 3009310 - Certification of Additional Judgeships			1,218,375		129,408							2,724			1,350,507
17 Issue Code 990M000, Category 081600 - 2nd DCA Paving - Agency Managed														30,450	30,450
18 Issue Code 990M000, Category 080179 - 3rd DCA Building Remodel - DMS Managed														2,092,495	2,092,495
19 Issue Code 990M000, Category 082052 - 4th DCA New Court Building - DMS Managed														7,145,763	7,145,763

## All District Courts of Appeal FY 2014-2015 Appropriations

Issue	FTE*	Rate	Salaries & Benefits 010000	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt 103241	Law Library 103732	Lease Purchase 105281	HR Services 107040	ODP 210014	Fixed Capital Outlay (See Issue line for category)	Total
20 Issue Code 990S000, Category 080176 - 5th DCA Security Enhancement - Agency Managed														125,000	125,000
21 Issue Code 990M000, Category 080184 - 5th DCA HVAC Replacement - DMS Managed														724,389	724,389

**Administrative Trust Fund (ATF)**

22 2013-14 ATF Legislative Start Up Appropriation			1,615,272		94,669	27,000						2,163			1,739,104
<b>FY 2013-14 Legislative Technical Adjustments</b>															
23 Issue Code 1001270 Salary Increases for FY 2013-14 Court Employees (Judges) Effective 7/1/2013			10,706												10,706
24 Issue Code 1001290 Salary Increases for FY 2013-14 Statewide - All Employees Effective 10/1/2013			17,371												17,371
25 Issue Code 1001310 - Retirement Adjustment for FY 2013-14			82,299												82,299
26 Issue Code 1001320 - Health Insurance Subsidy - Retirees for FY 2013-14			1,147												1,147
27 Issue Code 1001330 - Health Insurance Premium Adjustment for FY 2013-14 Effective 3/1/2014			6,956												6,956
28 Issue Code 1005900 - HR Services Adjustment												(18)			(18)
29 Issue Code 1607290 - Prorated Trust Fund Amount for FY 2013-14 Salary Increases			1,495												1,495

## All District Courts of Appeal FY 2014-2015 Appropriations

Issue	FTE*	Rate	Salaries & Benefits 010000	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt 103241	Law Library 103732	Lease Purchase 105281	HR Services 107040	ODP 210014	Fixed Capital Outlay (See Issue line for category)	Total
30 Issue Code 26A1290 - Annualization of Salary Increases for FY 2013-14 Statewide (3 months)			6,289												6,289
31 Issue Code 26A1330 - Annualization of State Health Insurance Adjustments for FY 2013-14 (8 months)			13,912												13,912

**State Courts Revenue Trust Fund (SCRTF)**

32	2013-14 SCRTF Legislative Start Up Appropriation		14,618,707												14,618,707
<b>FY 2013-14 Legislative Technical Adjustments</b>															
33	Issue Code 1001270 Salary Increases for FY 2013-14 Court Employees (Judges) Effective 7/1/2013		96,849												96,849
34	Issue Code 1001290 Salary Increases for FY 2013-14 Statewide - All Employees Effective 10/1/2013		157,140												157,140
35	Issue Code 1001310 - Retirement Adjustment for FY 2013-14		744,477												744,477
36	Issue Code 1001320 - Health Insurance Subsidy - Retirees for FY 2013-14		10,373												10,373
37	Issue Code 1001330 - Health Insurance Premium Adjustment for FY 2013-14 Effective 3/1/2014		62,926												62,926
38	Issue Code 1607290 - Prorated Trust Fund Amount for FY 2013-14 Salary Increases		13,525												13,525

## All District Courts of Appeal FY 2014-2015 Appropriations

Issue	FTE*	Rate	Salaries & Benefits 010000	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt 103241	Law Library 103732	Lease Purchase 105281	HR Services 107040	ODP 210014	Fixed Capital Outlay (See Issue line for category)	Total
39 Issue Code 26A1290 - Annualization of Salary Increases for FY 2013-14 Statewide (3 months)			56,888												56,888
40 Issue Code 26A1330 - Annualization of State Health Insurance Adjustments for FY 2013-14 (8 months)			125,852												125,852

**SUMMARY**

41	FY 2014-15 General Revenue Appropriation			22,086,758	66,767	3,146,562	85,364	51,790	681,645	149,062	162,797	62,686	100,698	171,100	10,118,097	36,883,326
42	FY 2014-15 Administrative Trust Fund Appropriation	445.0	29,666,003	1,755,447	0	94,669	27,000	0	0	0	0	0	2,145	0	0	1,879,261
43	FY 2014-15 SCRTF Appropriation			15,886,737	0	0	0	0	0	0	0	0	0	0	0	15,886,737
44	FY 2014-15 TOTAL All Funds Appropriation	445.0	29,666,003	39,728,942	66,767	3,241,231	112,364	51,790	681,645	149,062	162,797	62,686	102,843	171,100	10,118,097	54,649,324

<sup>1</sup> Includes only those established positions; total positions authorized for FY 2013-14 is 433.0. Startup Budget includes those technical issues to back out Non-recurring funding from previous FY.

## 1st District Court of Appeal FY 2014-2015 Appropriations

Issue	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt 103241	Law Library 103732	Lease Purchase 105281	Total	
<b>General Revenue (GR)</b>										
1	2013-14 General Revenue Legislative Start Up Appropriation	10,249	1,425,124	4,642	7,700	83,594	44,799	86,641	16,895	1,679,644
<b>FY 2013-14 Legislative Technical Adjustments</b>										
2	Issue Code 1001090 Risk Management Adjustment					2,063				2,063
<b>Administrative Trust Fund (ATF)</b>										
3	2013-14 ATF Legislative Start Up Appropriation		94,669	27,000						121,669
<b>SUMMARY</b>										
4	FY 2014-15 General Revenue Appropriation	10,249	1,425,124	4,642	7,700	83,594	46,862	86,641	16,895	1,681,707
5	FY 2014-15 Administrative Trust Fund Appropriation	0	94,669	27,000	0	0	0	0	0	121,669
6	FY 2014-15 TOTAL All FUNDS Appropriation	10,249	1,519,793	31,642	7,700	83,594	46,862	86,641	16,895	1,803,376

**2nd District Court of Appeal  
FY 2014-2015 Appropriations**

Issue	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt 103241	Law Library 103732	Lease Purchase 105281	Fixed Capital Outlay (See Issue line for category)	Total	
<b>General Revenue (GR)</b>											
<b>1</b>	2013-14 General Revenue Legislative Startup Appropriation <sup>1</sup>	0	825,678	27,297	8,261	196,012	15,746	34,977	13,453	<b>1,121,424</b>	
<b>FY 2013-14 Legislative Technical Adjustments</b>											
<b>2</b>	Issue Code 1001090 - Risk Management Adjustment					402				<b>402</b>	
<b>FY 2014-15 New Funding</b>											
<b>3</b>	Issue Code 990M000, Category 081600 - 2nd DCA Paving - Agency Managed								30,450	<b>30,450</b>	
<b>SUMMARY</b>											
<b>4</b>	<b>FY 2014-15 General Revenue Appropriation</b>	<b>0</b>	<b>825,678</b>	<b>27,297</b>	<b>8,261</b>	<b>196,012</b>	<b>16,148</b>	<b>34,977</b>	<b>13,453</b>	<b>30,450</b>	<b>1,152,276</b>

<sup>1</sup> Startup Budget includes those technical issues to back out Non-recurring funding from previous FY.

Agenda Item IV.A.: Appropriation Summary

3rd District Court of Appeal  
 FY 2014-2015 Appropriations

Issue	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt 103241	Law Library 103732	Lease Purchase 105281	Fixed Capital Outlay (See Issue line for category)	Total	
<b>General Revenue (GR)</b>											
1	2013-14 General Revenue Legislative Startup Appropriation <sup>1</sup>		245,593	13,901	14,818	104,450	10,403	9,600	6,316	405,081	
<b>FY 2013-14 Legislative Technical Adjustments</b>											
2	Issue Code 1001090 - Risk Management Adjustment					49,111				49,111	
<b>FY 2014-15 New Funding</b>											
3	Issue Code 990M000, Category 080179 - 3rd DCA Building Remodel - DMS Managed								2,092,495	2,092,495	
<b>SUMMARY</b>											
4	<b>FY 2014-15 General Revenue Appropriation</b>	<b>0</b>	<b>245,593</b>	<b>13,901</b>	<b>14,818</b>	<b>104,450</b>	<b>59,514</b>	<b>9,600</b>	<b>6,316</b>	<b>2,092,495</b>	<b>2,546,687</b>

<sup>1</sup> Startup Budget includes those technical issues to back out Non-recurring funding from previous FY.

## 4th District Court of Appeal FY 2014-2015 Appropriations

Issue	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt 103241	Law Library 103732	Lease Purchase 105281	Fixed Capital Outlay (See Issue line for category)	Total
<b>General Revenue (GR)</b>										
<b>1</b>	2013-14 General Revenue Legislative Startup Appropriation <sup>1</sup>	6,644	286,917	18,274	18,995	226,818	12,335	15,874	13,576	<b>599,433</b>
<b>FY 2013-14 Legislative Technical Adjustments</b>										
<b>2</b>	Issue Code 1001090 - Risk Management Adjustment					4,090				<b>4,090</b>
<b>FY 2014-15 New Funding</b>										
<b>3</b>	Issue Code 990M000, Category 082052 - 4th DCA New Court Building - DMS Managed								7,145,763	<b>7,145,763</b>
<b>SUMMARY</b>										
<b>4</b>	<b>FY 2014-15 General Revenue Appropriation</b>	<b>6,644</b>	<b>286,917</b>	<b>18,274</b>	<b>18,995</b>	<b>226,818</b>	<b>16,425</b>	<b>15,874</b>	<b>13,576</b>	<b>7,145,763</b>

<sup>1</sup> Startup Budget includes those technical issues to back out Non-recurring funding from previous FY.

## 5th District Court of Appeal FY 2014-2015 Appropriations

Issue	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt 103241	Law Library 103732	Lease Purchase 105281	Fixed Capital Outlay (See Issue line for category)	Total
<b>General Revenue (GR)</b>										
<b>1</b>	2013-14 General Revenue Legislative Startup Appropriation <sup>1</sup>	49,874	233,842	21,250	2,016	70,771	9,729	15,705	12,446	<b>415,633</b>
<b>FY 2013-14 Legislative Technical Adjustments</b>										
<b>2</b>	Issue Code 1001090 - Risk Management Adjustment					384				<b>384</b>
<b>FY 2014-15 New Funding</b>										
<b>3</b>	Issue Code 990S000, Category 080176 - 5th DCA Security Enhancements - Agency Managed								125,000	<b>125,000</b>
<b>4</b>	Issue Code 990M000, Category 080184 - 5th DCA HVAC Replacement - DMS Managed								724,389	<b>724,389</b>
<b>SUMMARY</b>										
<b>6</b>	<b>FY 2014-15 General Revenue Appropriation</b>	<b>49,874</b>	<b>233,842</b>	<b>21,250</b>	<b>2,016</b>	<b>70,771</b>	<b>10,113</b>	<b>15,705</b>	<b>12,446</b>	<b>849,389</b>

<sup>1</sup> Startup Budget includes those technical issues to back out Non-recurring funding from previous FY.

Agenda Item IV.B.: Operating Allocations

First District Court of Appeal  
2014/2015 Operating Budget

Activity	Title	Cost Center	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt. Insurance 103241	Law Library 103732	Lease Purchase 105281	TOTAL
<b>General Revenue</b>											
Judicial Processing of Cases	Judges	110									0
	JA's	111									0
	Law Clerks, Central Staff	112									0
	Central Staff Support	119									0
	Library	180							86,641		86,641
	Comp to Retired Judges	630				7,700					7,700
Desktop Support	Information Systems Support	117		8,000							8,000
	DCA Automation	380									0
Judicial Administration	Marshal & Admin Staff	210					46,862				46,862
Court Records & Caseflow Mgt	Clerk's Office	114									0
Security	Security	118									0
Facility Maintenance & Mgt	Facility Maintenance & Mgt.	115									0
	Facility Lease	211									0
<b>Totals</b>			<b>0</b>	<b>8,000</b>	<b>0</b>	<b>7,700</b>	<b>0</b>	<b>46,862</b>	<b>86,641</b>	<b>0</b>	<b>149,203</b>

2014/2015 GR Appropriations (less CIP Funding)

10,249	1,425,124	4,642	7,700	83,594	46,862	86,641	16,895	1,681,707
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Activity	Title	Cost Center	Expense 040000	OCO 060000	TOTAL
<b>Administrative Trust Fund (ATF)</b>					
Judicial Processing of Cases	Workers' Compensation Unit	120	94,669	27,000	121,669
<b>Totals</b>			<b>94,669</b>	<b>27,000</b>	<b>121,669</b>

2014/2015 Beginning ATF Appropriations

94,669	27,000	121,669
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Agenda Item IV.B.: Operating Allocations

Second District Court of Appeal  
FY 2014-2015 Operating Budget

Activity	Title	Cost Center	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt. Insurance 103421	Law Library 103732	Lease Purchase 105281	TOTAL
<b>General Revenue</b>											
Judicial Processing of Cases	Judges	110									0
	JA's	111									0
	Law Clerks, Central Staff	112									0
	Central Staff Support	119									0
	Library	180							34,977		34,977
	Comp to Retired Judges	630				8,261					8,261
Desktop Support	Information Systems Support	117		8,000							8,000
	DCA Automation	380									0
Judicial Administration	Marshal & Admin Staff	210					16,148				16,148
Court Records & Caseflow Mgt	Clerk's Office	114									0
Security	Security	118									0
Facility Maintenance & Mgt	Facility Maintenance & Mgt	115									0
	Facility Lease	211									0
<b>Totals</b>			<b>0</b>	<b>8,000</b>	<b>0</b>	<b>8,261</b>	<b>0</b>	<b>16,148</b>	<b>34,977</b>	<b>0</b>	<b>67,386</b>

2014/2015 GR Appropriations (less CIP Funding)

0	825,678	27,297	8,261	196,012	16,148	34,977	13,453	1,121,826
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Capital Improvement Projects (CIP) - 2nd DCA Paving - Agency Managed (Category 081600)	30,450
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Total FY 2014-15 General Revenue Appropriation with CIP	1,152,276
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Agenda Item IV.B.: Operating Allocations

Third District Court of Appeal  
2014/2015 Operating Budget

Activity	Title	Cost Center	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt. Insurance 103241	Law Library 103732	Lease Purchase 105281	TOTAL
<b>General Revenue</b>											
Judicial Processing of Cases	Judges	110									0
	JA's	111									0
	Law Clerks, Central Staff	112									0
	Central Staff Support	119									0
	Library	180							9,600		9,600
	Comp to Retired Judges	630				14,818					14,818
Desktop Support	Information Systems Support	117		8,000							8,000
	DCA Automation	380									0
Judicial Administration	Marshal & Admin Staff	210						59,514			59,514
Court Records & Caseflow Mgt	Clerk's Office	114									0
Security	Security	118									0
Facility Maintenance & Mgt	Facility Maintenance & Mgt	115									0
<b>Totals</b>			<b>0</b>	<b>8,000</b>	<b>0</b>	<b>14,818</b>	<b>0</b>	<b>59,514</b>	<b>9,600</b>	<b>0</b>	<b>91,932</b>

2014/2015 GR Appropriations (less CIP Funding)

0	245,593	13,901	14,818	104,450	59,514	9,600	6,316	454,192
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Capital Improvement Projects (CIP) - 3rd DCA Building Remodel - DMS Managed (Category 080179)	2,092,495
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Total FY 2014-15 General Revenue Appropriation with CIP	2,546,687
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Agenda Item IV.B.: Operating Allocations

Fourth District Court of Appeal  
2014/2015 Operating Budget

Activity	Title	Cost Center	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt. Insurance 103241	Law Library 103732	Lease Purchase 105281	TOTAL
<b>General Revenue</b>											
Judicial Processing of Cases	Judges	110									0
	JA's	111									0
	Law Clerks, Central Staff	112									0
	Central Staff Support	119									0
	Library	180							15,874		15,874
	Comp to Retired Judges	630				18,995					18,995
Desktop Support	Information Systems Support	117		8,000							8,000
	DCA Automation	380									0
Judicial Administration	Marshal & Admin Staff	210					16,425				16,425
Court Records & Caseflow Mgt	Clerk's Office	114									0
Security	Security	118									0
Facility Maintenance & Mgt	Facility Maintenance & Mgt	115									0
<b>Totals</b>			<b>0</b>	<b>8,000</b>	<b>0</b>	<b>18,995</b>	<b>0</b>	<b>16,425</b>	<b>15,874</b>	<b>0</b>	<b>59,294</b>

2014/2015 GR Appropriations (less CIP Funding)

6,644	286,917	18,274	18,995	226,818	16,425	15,874	13,576	603,523
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Capital Improvement Projects (CIP) - 4th DCA New Court Building - DMS Managed (Category 082052)	7,145,763
<b>Total FY 2014-15 General Revenue Appropriation with CIP</b>	<b>7,749,286</b>

Agenda Item IV.B.: Operating Allocations

Fifth District Court of Appeal  
2014/2015 Operating Budget

Activity	Title	Cost Center	OPS 030000	Expense 040000	OCO 060000	Comp Sr. Judges 100630	Contracted Services 100777	Risk Mgmt. Insurance 103241	Law Library 103732	Lease Purchase 105281	TOTAL
<b>General Revenue</b>											
Judicial Processing of Cases	Judges	110									0
	JA's	111									0
	Law Clerks, Central Staff	112									0
	Central Staff Support	119									0
	Library	180							15,705		15,705
	Comp to Retired Judges	630				2,016					2,016
Desktop Support	Information Systems Support	117		8,000							8,000
	DCA Automation	380									0
Judicial Administration	Marshal & Admin Staff	210					10,113				10,113
Court Records & Caseflow Mgt	Clerk's Office	114									0
Security	FTE, Contract, and Expenses	118									0
Facility Maintenance & Mgt	FTE, Contract, Expenses	115									0
<b>Totals</b>			<b>0</b>	<b>8,000</b>	<b>0</b>	<b>2,016</b>	<b>0</b>	<b>10,113</b>	<b>15,705</b>	<b>0</b>	<b>35,834</b>

2014/2015 GR Appropriations (less CIP Funding)

49,874	233,842	21,250	2,016	70,771	10,113	15,705	12,446	416,017
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Capital Improvement Projects (CIP) - Security Enhancements - Agency Managed (Category 080176)	125,000
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Capital Improvement Projects (CIP) - HVAC Replacement - DMS Managed (Category 080184)	724,389
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Total FY 2014-15 General Revenue Appropriation with CIP	1,265,406
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## Agenda Item V.A. LBR Timelines

### 2015 - 2016 Legislative Budget Request\* Timeline District Courts of Appeal

Wednesday, June 4	Preliminary LBR strategy discussion; District Court of Appeal Budget Commission (DCABC) meeting - Tallahassee, FL
Monday, June 9	Legislative Budget Request (LBR) technical instructions distributed via email to Chief Judges and Marshals
Thursday, August 7	Budget requests due to OSCA Office of Budget Services
Friday, August 8- Friday, August 29	Issues and summaries prepared by Office of Budget Services for District Court of Appeal Budget Commission review
Saturday, September 6	District Court of Appeal Budget Commission review and approval of final Legislative Budget Request; Jupiter Beach, FL
Tuesday, September 16	Joint Leadership meeting materials sent out via email
Friday, September 19 (Tentative)	Joint meeting of Leadership with the Chief Justice, OSCA, District Court of Appeal Budget Commission, Trial Court Budget Commission, JQC and Judicial Conference Chairs to review the LBR recommendations, <i>1:00 p.m. to 4:00 p.m. – Telephone Conference (Executive Conference Center has been reserved for Tallahassee participants)</i>
Wednesday, September 24	Final LBR recommendations distributed to the Supreme Court for Court Conference
Wednesday, October 1 (Tentative)	Approval of LBR recommendations by the Chief Justice and the Court
Tuesday, October 14	Public Hearing
Wednesday, October 15	Submission of the Legislative Budget Request to the Legislature

\*Note: A separate timeline for the Capital Improvement Program Plan submission is provided.

## Agenda Item V.A. LBR Timelines

### FY 2015-16 through FY 2019-20 Capital Improvement Program Plan Fixed Capital Outlay Legislative Budget Request Timeline District Courts of Appeal

Wednesday, June 4	District Court of Appeal Budget Commission (DCABC) meeting to determine budget strategy for Capital Improvement Program Plan/Fixed Capital Outlay (CIPP/FCO) issues; Tallahassee, FL
Monday, June 9	Release of CIPP forms and technical instructions distributed via email to Chief Judges and Marshals
Monday, June 16 (by noon)	Marshals notify Project Monitor* and OSCA Budget Services Manager of intent to file issue(s) for FCO and begin development of FCO issues
Monday, June 16 - Thursday, August 7	Marshals develops FCO issues
Thursday, August 7	FCO project plans and CIPP forms due to OSCA Project Monitor and FCO narratives due to OSCA Budget Services Office by COB
Friday, August 8 - Friday, August 29	Project Monitor review of FCO issue request. Issues and summaries prepared by Office of Budget Services for District Court of Appeal Budget Commission review
Saturday, September 6	District Court of Appeal Budget Commission review and approval of final Legislative Budget Request; Jupiter Beach, FL
Tuesday, September 16	Joint Leadership meeting materials sent out via email
Friday, September 19 (Tentative)	Joint meeting of Leadership with the Chief Justice, OSCA, District Court of Appeal Budget Commission, Trial Court Budget Commission, JQC and Judicial Conference Chairs to review the LBR recommendations, <i>1:00 p.m. to 4:00 p.m. – Telephone Conference (Executive Conference Center has been reserved for Tallahassee participants)</i>
Wednesday, September 24	Final LBR recommendations distributed to the Supreme Court for Court Conference
Wednesday, October 1 (Tentative)	Approval of LBR recommendations by the Chief Justice and the Court

Tuesday, October 14          Public Hearing

Wednesday, October 15      Submission of the Legislative Budget Request to the Legislature

**\*Project Manager Contact Information:**

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Phone: (850)487-2373

**District Court of Appeal Budget Commission**  
**June 4, 2014**  
**Video Conference Meeting**

**Agenda Item V.B.: Discussion of Strategy for LBR Issues**

**Background:**

Each year the District Court of Appeal Budget Commission (DCABC) approves a strategy for the type of Legislative Budget Request to pursue for the next fiscal year. This approach helps to provide guidance to each District Court of Appeal (DCA) when deciding the types of request to file and allows the DCA's to speak with one voice through the Legislative process.

Last year, the DCABC's approved strategy for filing recurring and nonrecurring issues for the FY 2014-15 Legislative Budget Request (LBR) was for each DCA to submit their specific requests for critical needs within the official funding methodologies and to submit requests for any nonrecurring issues. Additionally, the DCABC approved strategy included filing a recurring maintenance issue to address ongoing maintenance and repairs for all state-managed DCA facilities, which was unfunded by the 2014 Legislature.

**Decisions Needed:**

The following items are offered for the Commission's consideration to address the DCA's needs for the FY 2015-16. Attached are the DCABC adopted Funding Methodologies (Attachment A) and the LBR Priority Classifications (Attachment B).

1. Recurring Costs:

*Option 1:* Use the funding methodologies to address additional needs in all elements or select elements.

*Option 2:* Each DCA submits specific requests for their critical needs within the official funding methodologies.

*Option 3:* Do not file an LBR.

2. Non-recurring Costs:

*Option 1:* Each DCA submit their requests for non-recurring issues.

*Option 2:* Do not file an LBR.

3. Other Requests:

File a recurring maintenance issue to be used to address ongoing maintenance and repairs for all DCA's.

*Option 1:* File an issue in the LBR.

*Option 2:* Do not file an LBR.

# DCAP&A Funding Methodologies as Adopted by DCABC

## Judicial Processing of Cases

### **Judicial Assistants**

Methodology based on a ratio of 1.0 judicial assistant FTE per judge.

### **Law Clerks**

Methodology based on ratio of 0.8 Central Staff Attorney FTE per Judge and 2.0 Law Clerk FTE per Judge.

### **Central Staff Support**

Methodology based on 1:3 ratio of support positions to Central Staff Attorneys.

### **Library**

Methodology based on a threshold of 1.0 FTE per district and includes \$150,000 per district in special category funding.

### **Senior Judge Days**

Methodology for the statewide ratio is based on 3 days per DCA judge. Due to the volatility in the need for senior judge days from year to year, they are available for use from a statewide pool in cost center 630 as opposed to individual allocations for each district.

## Court Records and Case Management

### **Clerk's Office**

Represent the need for clerk's office positions using a series of ratios:

### **Cases Filed:**

- One position (set-up deputy) per every 2,000 cases filed
- One position (docketing deputy) per every 40,000 entries

### **Case Processing:**

- One position (motion deputy) per every 7,500 motions
- One position (orders deputy) per every 15,000 orders
- One position (file maintenance deputy) per every 5,000 records maintained
- One position (inquiries deputy) per every 5,000 records maintained

### **Cases Disposed:**

- One position (case assignments/calendars deputy) per every 3,000 dispositions
- One position (opinions deputy) per every 5,000 dispositions
- One position (record destruction deputy) per every 10,000 dispositions
- One position (mandates deputy) per every 2,500 mandates

## Judicial Administration

### **Court Administration and Marshal's Office**

Methodology based on a threshold of 4.0 FTE per district (one marshal, one deputy marshal, one personnel specialist or accountant III, and one administrative assistant II; with one extra administrative assistant II position allocated per each additional facility).

# DCAP&A Funding Methodologies as Adopted by DCABC

## Judicial Administration Continued

### **Security**

Methodology based on a threshold of 3.0 FTE (or equivalent contract or OPS dollars) per district with 1.5 extra positions allocated per each additional facility.

## Facility Maintenance and Management

### **Facility Maintenance**

Methodology based on a threshold of one maintenance engineer per district and a ratio of one custodian for every 16,000 square feet of building space maintained. The funding threshold for other operating expenses based on historical expenditures with a cost-of-living increase applied.

## Technology

### **Information Systems Support and Desktop Support**

Methodology for information systems support based on a threshold of 3.0 FTE Systems Administrator positions (including 1.0 FTE assigned to each district clerks office). Desktop support is based on a threshold level of funding that has been consistent for several years. The methodology was based on the recommendation of the Appellate Court Technology Committee.

## Expenses, Other Personnel Services (OPS), Operating Capital Outlay (OCO) and Contracted Services

### **OPS**

Methodology calculated using the highest historical expenditures (over the last three years) with a cost-of-living increase applied.

### **Expense**

Methodology calculated using expense allotments since July 1, 2007 (and use whichever year is the highest), added to expense dollars allotted for new positions.

### **OCO (Recurring)**

Methodology calculated using the highest historical expenditures (over the last three years) with a cost-of-living increase applied.

### **OCO (Non-Recurring)**

Represent the need to replace furniture and equipment (except information systems equipment) at an amount equal to 5% of the cost of furniture and equipment previously purchased.

### **Contracted Services (Non-staffing related functions)**

Methodology calculated using the highest historical expenditures (over the last three years) with a cost-of-living increase applied.

## **LBR PRIORITY CLASSIFICATIONS**

### **1. Mandatory**

The project is mandated by law or is “deemed necessary to correct a potentially unsafe condition, where the loss to life or property is imminent and, if left unattended the asset would be rendered unsafe for use.” (CIP Instructions).

Life Safety and Licensure projects, e.g., necessary to meet fire marshal and health and life safety code requirements.

Environmental (“respond to the issues of dangerous asbestos removal, PCB dangers, and cited leaking storage tanks” per CIP Instructions) and other environmental building issues resulting in health problems.

Handicapped access projects “necessary to meet state and federal requirements for access to and use of facilities by handicapped persons, for example, the new provisions to the Americans with Disabilities Act”. (CIP Instructions)

### **2. Critical**

Security issues not related to building modifications, e.g., security personnel, equipment, etc.

Significant building functions, mechanical, component, or structural failure or other impacts to a building’s operations, integrity or habitability: electrical; HVAC; elevators; security systems; plumbing; roof systems, building envelope (exterior surfaces, doors, and windows); structural systems including all load-bearing elements; interior systems such as ceilings, flooring, and non-load bearing partitions; site projects involving the immediate site beneath the facility.

### **3. Core Mission Investments**

Maintain funding methodologies or improvements designed to enhance elements of the appellate courts, i.e., Judicial Processing of Cases (Judicial Assistants, Law Clerks, Central Staff Support, Library, Senior Judge Days); Court Records and Case Management; Judicial Administration; Security Facility Maintenance and Management; and Technology. Prioritize by tying to the priorities of Long Range Program Plan (per LBR instructions).

Non-building site repairs, e.g., drainage and grounds, and paving.

Maintain infrastructure, e.g., communications, preventive maintenance for basic building functions designed to avoid critical repairs.

Improvements for enhanced health/safety, e.g., ergonomic furniture.

#### **4. Value-Added**

Improvements to utility and basic building support, e.g., refurbishing finishes, energy conservation, etc. Any other desirable project to improve the function of the court.

**Agenda Item VI.A.: Pay Issues for Courts System Employees –  
Implementation of FY 2014-15 Special Pay Issues:  
Status Report**

**Background:**

The State Courts System filed two pay issues in the FY 2014-15 Legislative Budget Request.

1. Competitive Pay Adjustment Issue. The request was for a minimum 3.5% competitive salary increase for all State Courts System (SCS) employees and noted that, at a minimum, SCS employees be included in any general competitive salary increase as may be provided to other state employees.
2. Equity and Retention Issue. The request was for \$9,866,302 in recurring salary dollars branch wide to address a wide range of salary issues affecting the SCS. It was noted that in order to retain highly skilled employees and to experience more equity with other government salaries, the SCS needs approximately \$18,828,193 in recurring salary dollars. However, recognizing the considerable size of such a request, a two-year implementation period was proposed. The request was made for a lump sum so that the SCS could develop its own plan. OSCA staff conducted an analysis for legislative staff and legislators, but it was not a comprehensive analysis of every class in the SCS. However, it was enough to clearly illustrate the problems to the legislature. The *Legislative Talking Points for the Equity and Retention Pay Issue* are attached.

The legislature did not fund the competitive pay adjustment issue (across-the-board salary increase).

The legislature provided \$8,132,614 in recurring dollars to fund the equity and retention issue. The proviso language in the General Appropriations Act (GAA) requires that the funds be used for employee position classification salary adjustments to 1) encourage retention, 2) provide salary equity between the judicial branch and other governmental entities, and 3) provide market-based adjustments for recurring employee recruitment problems. Therefore, those are the parameters that must be used to guide the implementation plan.

The adjustments are not associated with merit. Further, the GAA parameters have the effect of limiting the classes of employees for adjustments, and not every employee in a class that is adjusted will receive an increase because some employees' salaries will exceed the new adjusted base pay.

The proviso language also requires that the funds be allocated proportionately to each level of the court, the Office of the State Courts Administrator, and the Judicial Qualifications Commission based on the total number of full-time equivalent positions (FTE), excluding judges.

## **Implementation Planning:**

The GAA requires that the Chief Justice, based upon recommendations from the Trial Court Budget Commission, the District Court of Appeal Budget Commission, and the State Courts Administrator, submit a plan for the position classification salary adjustments to the Legislative Budget Commission (LBC). The LBC, which is a joint committee of the Florida Legislature, will review the plan and must approve it prior to the funds being released. At this time, there is no scheduled meeting of the LBC, and the exact implementation date for the adjustment is yet to be determined.

In addition to the classes that were analyzed due to identified retention, equity, and recruitment problems for the pay issue (see again the attached *Legislative Talking Points for the Equity and Retention Pay Issue*), OSCA staff have begun to analyze a number of other classes that have also been noted by supreme court managers, district court judges and marshals, trial court judges and administrators, and OSCA staff as being problematic. These include classes in the following “groups,” some of which have already been validated by research: Trial Court Technology Officers, General Counsels, Court Managers (e.g., Court Operations Managers), Court Statisticians, Deputy Clerks, Court Security, Court Program Specialists, Court Interpreters, etc. Please note that some groups of classes and some classes themselves cross the various levels of court and OSCA, and some are particular to a single budget entity.

Staff analysis and preliminary proposals/options for the plan are expected to be ready for budget commissions in late June. Once the commissions’ recommendations are completed, they will be forwarded to the Chief Justice along with those from the State Courts Administrator for final review and approval in accordance with the proviso language. Once the Chief Justice approves the plan, it will be submitted to the LBC for consideration at their next scheduled meeting. Upon LBC approval, changes to pay grades, and to base salaries in classes, would have to be made and posted, followed by preparation of a mass upload into the People First system of relevant individual salary changes. The Department of Management Services requires a 20-day notice prior to a mass upload.

# STATE COURTS SYSTEM STAFF PAY ISSUE: TURNOVER

## State Courts System Overall

This table addresses turnover for sample specific classes within the State Courts System for 2013.

Classes of Employees	2013 Turnover Rate for State Courts System
Trial Court Law Clerks	26%
Administrative Services Managers and Directors of Administrative Services	18%
Administrative Assistants	17%
Court Program Specialists (Case Managers)	15%
Operations and Business Analysts	14%
Information Systems Analysts	12%
Budget Analysts, Managers, and Specialists	12%
Magistrates and Hearing Officers	7%
Court Reporters	7%
Court Interpreters	7%

## Office of the State Courts Administrator

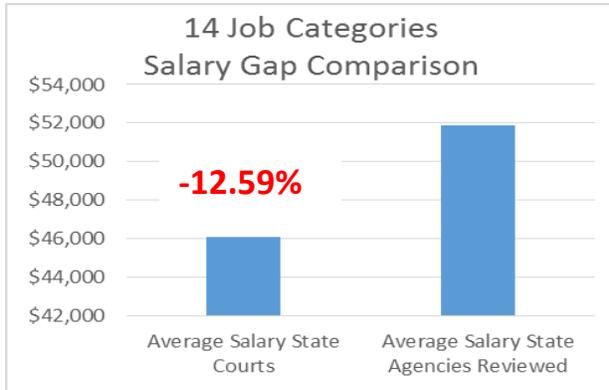
This table addresses employees who have left the Office of the State Courts Administrator (OSCA) since January 2011 for comparable positions in the executive and legislative branches performing work at a similar level. The average increase for these employees was \$5,321 (an average of 12% above their salary upon leaving). The increase does not reflect enhanced benefits that several of these employees received under their new positions.

Turnover within OSCA for Comparable State Positions Since 2011	
Employees Lost	17 (10% of the OSCA workforce)
Total Salary Increase	\$90,457.69
Average Salary Increase	\$5,321.04
Average % Increase	12.04%

**Note about Turnover:** There may be an inverse ratio between the skill level/complexity of the work and the amount of turnover that is healthy. For example, a weaving factory (relatively low-skilled, easily replaceable skills, short training/learning curves) can afford a much higher level of turnover while remaining robust than can a complex, specialized organization such as a courts system. Therefore, for the State Courts System a turnover rate of over 4-5% is problematic and, in specialized job classes such as interpreters and reporters, is too high.

# STATE COURTS SYSTEM STAFF PAY ISSUE: SALARY EQUITY

The Office of the State Courts Administrator reviewed 14 broad job categories<sup>[1]</sup> to compare salaries of the State Courts System to salaries of other State of Florida government agencies. For those 14 job categories, 80 class titles and 1,819 employees' salaries in the State Courts System were analyzed and compared to 605 class titles and 13,314 employees' salaries within Career Service, Select Exempt Service, Senior Management Service, Justice Administrative Commission, Florida Lottery, Legislature, School for the Deaf and the Blind, and the Florida National Guard.<sup>[2]</sup> The findings reflect that the average salary of employees within the State Courts System is 12.59% below the average salary of other State of Florida government employees within the 14 broad job categories analyzed.



**Average Salary State Courts = \$46,088**

**Average Salary Other State of Florida Government Agencies Reviewed = \$51,890**

The following table shows the percentage difference in the average salary of employees of the State Courts System in specific job categories compared with the average salary for other state employees in those same categories.

Job Categories	Percentage Difference in Court Employees' Average Salary
Magistrates, Hearing Officers, and Admin. Law Judges	-44.67%
Attorneys	-10.79%
Administrative Services Managers	-14.34%
Budget – Analysts, Managers, and Specialists	-11.96%
Information Systems Analysts	-11.87%
Human Resources – Specialists and Analysts	-8.15%
Chiefs (e.g., Chief of Accounting, Chief of Support Services)	-6.85%
Analysts – Operations and Business	-6.17%
District and Regional Administrators/Directors	-2.15%
Judicial Assistants, Paralegals, and Legal Assistants	-.14%
Administrative Assistants	.28%
Database, Network, Web, and Information Systems	.41%
Purchasing	6.84%
Accountants	9.45%

<sup>[1]</sup> Not all class titles throughout the entire State Courts System were analyzed, primarily because they could not be comparably matched with those in other state government agencies due to the unique nature of some court work.

<sup>[2]</sup> Data Source: [http://www.floridahasarighttoknow.com/search\\_state\\_payroll.html](http://www.floridahasarighttoknow.com/search_state_payroll.html). Full-time FTE only.

## STATE COURTS SYSTEM STAFF PAY ISSUE: LOCAL STORIES

*“There are at least 20 positions each in Alachua County Government, the City of Gainesville, Santa Fe Community College, the University of Florida (not including the medical school), and other governmental employers with salaries that far exceed the starting salary of a trial court administrator. Most of these positions, in my opinion, do not require the education, training, management skills, or experience necessary for a competent trial court administrator.”*

- 8<sup>th</sup> Circuit Chief Judge, reflecting on future recruitment of Trial Court Administrator

The Trial Court Administrator advertised minimum salary is \$88,264, compared to the following existing salaries: University Acting Program Director – Engineering, \$210,861; Assistant City Manager, \$128,290; County Administrative Services Director, \$114,222; County Library Director, \$109,242; and County Chief Deputy Clerk of Court, \$98,413.

In fiscal year 2012-13, the Fourteenth Judicial Circuit experienced a 50% turnover rate in law clerks; two of these law clerks took positions for higher pay at other state agencies (one started out with a salary \$8,000 over that of his position with the court).

In Palm Beach County, the salary range for a County Commission Secretary II is \$41,477 to \$66,052, while the starting salary for a County Court Judicial Assistant is \$32,820 and for a Circuit Court Judicial Assistant is \$34,040.

Since January 2010, 18 different attorneys have occupied the seven full-time criminal law clerk positions (four state-funded, three county-funded) in the Sixth Judicial Circuit. Only one of those positions has been continuously filled during that time. Those who left had remained in a position from as little as one month to as long as three years, with an average time of about one and a half years.

## STATE COURTS SYSTEM STAFF PAY ISSUE: SALARY EROSION

Limited salary increases and the courts system's necessary practice of hiring most new employees at the salary minimum for the past several years have resulted in judicial assistants (JAs) in the trial courts and the district courts of appeal, as a class, experiencing a decline in actual average pay. Courts report that judicial assistants and other court employees often are compelled to assume second jobs in order to supplement their incomes.

### Trial Court Judicial Assistant Average Pay: 2006-2013

	10/30/2006	10/15/2013	\$ Change	% Change
Circuit	\$38,453.87	\$37,665.84	(\$788.03)	-2.05%
County	\$35,642.92	\$35,327.49	(\$315.43)	-0.88%
Combined	\$37,473.61	\$36,848.31	(\$625.30)	-1.67%

*"The low salaries detrimentally affect our judges' ability to keep good and experienced staff. We have had JAs leave for higher paying positions in the community. Several of our JAs, hoping to stay with their judge, have taken on second jobs to supplement their JA salaries," such as at Dairy Queen, the public library, T.J.Maxx, and as a housecleaner.*

■ Trial Court Administrator

*"Seven out of 12 of our deputy clerks are working weekends and/or nights at a funeral parlor, a delicatessen, a restaurant, H&R Block, as a hairdresser, and as a babysitter trying to make ends meet."*

■ District Court of Appeal Judge on employees in that court's Office of the Clerk supplementing their incomes with second jobs

## STATE COURTS SYSTEM STAFF PAY ISSUE

The top priority of the judicial branch's fiscal year 2014-15 Legislative Budget Request is a pay issue for State Courts System non-judge employees. The judicial branch requests \$9,866,302 in recurring salary dollars branchwide, effective July 1, 2014, to address a wide range of salary issues affecting court staff.

To retain highly skilled employees and to experience more equity with other government salaries, the courts need approximately \$18,828,193 in recurring salary appropriation. However, recognizing the considerable size of such a request, the courts system proposes a two-year implementation period.

In an updated analysis completed in February 2014, the Office of the State Courts Administrator reviewed 14 broad job categories to compare salaries of the State Courts System to salaries of other State of Florida government agencies. For those 14 job categories, 80 class titles and 1,819 employees' salaries in the State Courts System were analyzed and compared to 605 class titles and 13,314 employees' salaries elsewhere in state government. The findings reflect that the average salary of employees within the State Courts System is 12.59% below the average salary of other State of Florida government employees within the 14 broad job categories analyzed.

The loss of key managers and other high performers, who had developed broad knowledge bases of critical judicial branch operations, results in an essential need to develop and retain existing employees to ensure expertise. Filling knowledge gaps ensures the continued development of efficiencies in the work of the courts system, for the benefit of the individuals and businesses that turn to the courts system for the peaceful resolution of disputes.

The judicial branch's salary appropriation is unique in that judicial salaries are essentially a fixed cost. The courts have no flexibility to hold judgeships open or to alter the salary level to increase available salary dollars. Given this lack of flexibility, salary problems cannot be addressed effectively within the existing salary budget.

Challenges resulting from salary limitations vary across the levels of court and across the state. Examples include the inability to: offer salaries commensurate with experience because of the need typically to hire at the minimum; award merit within existing resources using the tool the Legislature provided in the General Appropriations Act; make needed adjustments to specific classes, as well as to specific geographical areas due to recruitment or retention problems; and incentivize valuable, experienced employees whose specialized knowledge base regarding the courts has accumulated over a number of years to stay with the courts.

- Since January 2011, in the Office of the State Courts Administrator (OSCA) 17 employees (**10% of the OSCA workforce**) have been **lost to the executive and legislative branches** for comparable positions performing work at a similar level. The **average increase for these employees was \$5,321** (an average of 12% above their salary upon leaving). Three of these employees experienced an increase of more than \$10,000.
- The Supreme Court Clerk's Office had a **30% turnover rate in core clerk positions** in the past year, with several experienced veteran staff **leaving for higher paying positions**, and the clerk's office **has had to advertise open positions repeatedly** in order to find anyone who appeared qualified and would accept the minimum salary.

- Various judicial circuits of all sizes from across the state report **difficulties with recruitment and retention of law clerks**. In the trial court law clerk class, the **turnover rate was 26%** for calendar year 2013.
- An analysis of trial court **judicial assistant** pay reveals that the **average salary has decreased** over the past seven years by 1.7 percent.
- In the past two years, the Twentieth Judicial Circuit (Charlotte, Collier, Glades, Hendry, and Lee counties) **lost its Court Administrator, Administrative Services Manager, and Chief Deputy Court Administrator all to higher paying positions** – two with the federal government and one with the Sarasota Sheriff’s Department.
- Faced with challenges in filling vacancies when they occur, the Eleventh Judicial Circuit (Miami-Dade County) has developed an **ongoing recruitment process for court interpreter positions**. Recruitment efforts have included advertising on the Eleventh Circuit website and the OSCA website, reaching out to private foreign language independent contractors, contacting students of the Translation and Interpretation Programs at the Department of Modern Languages at Florida International University, and forwarding the job announcement to all tested court interpreters of the OSCA Court Interpreters Program. These persistent efforts have aided in increasing the number of applicants; however, **attracting certified interpreters continues to be a challenge**.
- As a result of a new hire rate (\$74,876.64) that is not competitive, the Eleventh Circuit **cannot attract qualified candidates for its Trial Court Technology Officer**, who is responsible for overseeing an annual information technology (IT) budget of \$3.8 million and managing staff in multiple court locations, to include 33 IT professionals and support personnel. By comparison, the Miami-Dade County Clerk’s Office has a starting salary of \$96,500 for the Chief Information Officer classification and a starting salary of \$89,882 for the Clerk’s Assistant IT Director. The Eleventh Circuit recently advertised the position for the fourth time.

*“It is increasingly important for us to be able to retain career staff attorneys because of the experience, knowledge, and assistance they provide to the judges. Since we have not been allocated new judges, staff attorneys take on increased importance.”*

■ Circuit Chief Judge

*“As the courts move closer to a paperless system, the circuits must hold onto or hire CTOs who have the insight, and the technical and leadership skills, required to assist the judiciary reach the Supreme Court’s stated goal.”*

■ Trial Court Administrator

## STATE COURTS SYSTEM STAFF PAY ISSUE: LACK OF FLEXIBILITY TO FIX SALARY PROBLEMS

As the table below illustrates, the State Courts System begins the fiscal year with an overall salary deficit of \$3.9 million. The courts systems would have to hold vacant during the year the equivalent of 66.5 full-time equivalent (FTE) positions to address the salary deficit. Thus, lapse generated by the courts system necessarily is deployed toward the salary deficit and is not available to address specific salary problems that arise throughout the year. The courts system generates lapse through policies such as holding certain positions open for a mandatory period and, typically, hiring at the minimum.

Budget Entity	Beginning Estimated Liability	Final Adjusted Appropriation	Salary Deficit	Estimated Lapse	Sum of Deficit & Lapse	Lapse Factor %
Supreme Court	\$7,916,873	\$7,790,565	(\$126,308)	\$16,813	(\$109,495)	0.21%
OSCA	\$9,455,327	\$9,099,329	(\$355,998)	\$510,986	\$154,988	5.40%
DCAs	\$38,372,089	\$38,067,560	(\$304,529)	\$585,559	\$281,030	1.53%
Trial Courts	\$337,562,969	\$334,450,949	(\$3,112,020)	\$2,610,918	(\$501,102)	0.77%
<b>TOTALS</b>	<b>\$393,307,258</b>	<b>\$389,408,403</b>	<b>(\$3,898,855)</b>	<b>\$3,724,276</b>	<b>(\$174,579)</b>	<b>0.95%</b>

Further, judgeships, although half of the salary appropriation, generate significantly less lapse than staff positions generate, further limiting the courts' ability to rely on staff lapse to solve salary problems.

Branchwide	Proportional Average of Lapse Generated	FY 2013-14 Salary Appropriation
Judges	24.0%	49.7%
Staff	76.0%	50.3%

*“The feedback we get during exit interviews is that because of law school debt, salary is the primary factor behind [law clerks] leaving the court system. Many have indicated that they would like to stay with the court if there were prospects for advancement.”*

■ Trial Court Administrator

Appropriation \$8,132,614

Entity	FTE FY 14/15	% of FTE	prorated DOLLAR allocation	RATE calculated on dollar allocation
Supreme Court <sup>1</sup>	91.0	2.84%	\$230,623	200,507
OSCA <sup>2</sup>	172.0	5.36%	\$435,902	378,979
DCA <sup>3</sup>	364.5	11.36%	\$923,757	803,128
Trial Courts <sup>4</sup>	2576.5	80.29%	\$6,529,660	5,676,978
JQC	5.0	0.16%	\$12,672	11,017
Totals	3209.0	100.00%	\$8,132,614	7,070,609

<sup>1</sup> includes 1 additional FTE for Case Mgt. effective 7/1/14

<sup>2</sup> includes 2 additional FTE for Post-Adjudicatory Drug Court effective 7/1/14

<sup>3</sup> includes 11 additional FTE effective 7/1/14 (9 for certification; 2 from unfunded for 4th DCA Security)

<sup>4</sup> includes 14 additional FTE for Post-Adjudicatory Drug Court effective 7/1/14



## MEMORANDUM

To: Judge Alan Lawson  
Chair, District Court of Appeal Budget Commission

From: Judge Frank A. Shepherd  
Chief Judge, Third District Court of Appeal

Date: May 27, 2014

Re: Critical DCA Non-Attorney Employee Pay Issues

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With your indulgence, I would like to highlight a few non-attorney state court employee classification issues in advance of the June 4, 2014 District Court of Appeal Budget Commission, which were raised at the August 23, 2013 DCABC meeting<sup>1</sup> and considered critical, but withdrawn because they were encompassed in the global Salary Equity and Flexibility proposal which you, Lisa Goodner and others thankfully were able to guide through the legislature.<sup>2</sup> My concern is that in designing the branch wide plan for the use of these funds, the unique characteristics of these positions may be overlooked.

The non-attorney positions discussed at the August 23 meeting were: Chief Deputy Clerk, Deputy Marshal, Senior User Support Analyst and Security Officers. Let me address each briefly.

### **I. Chief Deputy Clerk and Deputy Marshal**

The current district court minimum salary for the Chief Deputy Clerk is \$43,193 and \$45,303 for the Deputy Marshal. I believe these starting salaries are unrealistic in the context of the position requirements, the salaries of some of the

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<sup>1</sup> See Appendix A.

<sup>2</sup> See Appendix B.

positions they supervise, and the comparable salaries of managers in the trial courts, executive branch, and other state agencies.

The Chief Deputy Clerk and Deputy Marshal are supervisory and management level positions. These individuals also serve as Acting Clerk and Acting Marshal in the absence of the Clerk or Marshal. The position requirements for the Chief Deputy Clerk and Deputy Marshal are a bachelor’s degree and six years of experience. In the case of the Deputy Marshal, two years of that experience must be in a supervisory position. It should take little reflection to see that these salaries are inadequate to attract qualified applicants with the required qualifications.

These individuals would almost certainly be considered “managers” and have the word “manager” in their title in most executive branch agencies. The average salary for the 124 SCS employees with the term “manager” in their title is presently \$56,836.<sup>3</sup> The average salary of all SCS positions with “chief” in the title is \$78,699.<sup>4</sup> The Deputy Marshal position was once titled Deputy Court Administrator. The equivalent trial court position is the chief deputy courts administrator. The average salary of the thirteen Chief Deputy Court Administrators is \$88,540,<sup>5</sup> and the minimum salary for that position is \$78,484.<sup>6</sup>

Finally, as illustrated by the chart below, prepared in conjunction with the SCS salary analysis completed in February 2014,<sup>7</sup> OSCA identified the court’s *Administrative Service Managers* positions as being the non-judicial position with the highest percentage difference with other State Agencies’ salaries:

Job Categories	Percentage Difference in Court Employees’ Average Salary
Magistrates, Hearing Officers, and Admin. Law Judges	-44.67%
<b>Administrative Services Managers</b>	<b>-14.34%</b>
Budget – Analysts, Managers, and Specialists	-11.96%
Information Systems Analysts	-11.87%
Attorneys	-10.79%
Human Resources – Specialists and Analysts	-8.15%
Chiefs (e.g., Chief of Accounting, Chief of Support Services)	-6.85%
Analysts – Operations and Business	-6.17%
District and Regional Administrators/Directors	-2.15%
Judicial Assistants, Paralegals, and Legal Assistants	-.14%
Administrative Assistants	.28%
Database, Network, Web, and Information Systems	.41%
Purchasing	6.84%
Accountants	9.45%

<sup>3</sup> See Appendix C, p. 1.

<sup>4</sup> See Appendix C, p. 2.

<sup>5</sup> See Appendix C, p. 3.

<sup>6</sup> See Appendix C, p. 3.

<sup>7</sup> See Appendix D.

The duties and responsibilities of the Chief Deputy Clerk and Deputy Marshal exceed those of an Administrative Service Manager. Nevertheless this table is instructive.

In recent times, our court has resolved the recruiting difficulties associated with the inadequate starting salaries for the Chief Deputy Clerk and Deputy Marshal by hiring from within. Those hired entered the position with a state salary of \$60,000 to \$70,000 and, of course, the necessary qualifications and experience. We and the other district courts of appeal will not always be able to work around these low starting salaries by hiring from within the court.

I also would point out that if we were able to find someone willing to take the position of Chief Deputy Clerk or Deputy Marshal at their present starting salary, it is highly possible the Chief Deputy Clerk or Deputy Marshal would find themselves supervising employees making higher salaries. For example, the starting salary for the Senior User Support Analyst, a position supervised by the Deputy Marshal, is \$41,694. At least in South Florida, the starting salary for this position always has been adjusted upward ten percent, based upon special qualifications, in order to fill the position. Thus, the de facto starting salary of the Senior User Support Analyst in our court historically has been \$45,863, higher than the starting salary of his/her supervisor. Moreover, the position requirements for the Senior User Support Analyst are less than those for the Deputy Marshal. The Second District Court of Appeal has experienced this anomaly. There, until recently, the Senior User Support Analyst was making almost \$5,300 more than the Deputy Marshal.

The minimum salaries for the Chief Deputy Clerk and Deputy Marshal positions clearly do not reflect the complexity of modern district court operations and administration. They are woefully inadequate. The minimum salary for these two positions should be not less than \$60,000.

## **II. Systems Administrator (New Tier above Senior User Support Analyst)**

The position description, class specifications and minimum salaries for the Senior User Support Analyst do not accurately reflect the duties, responsibilities, and required technical skill set needed to perform the advanced operational functions and infrastructure tasks needed to manage and support a district court's networks, hardware and software programs in today's technological environment. In addition, this individual evaluates new technologies, provides technical recommendations, manages technology projects, and supervises the work of the user support analyst. He or she also provides technology leadership and guidance as a member of the

Court's Emergency Management Team, in accordance with the district court's C.O.O.P., and also provides around-the-clock technical support. **In today's market, individuals performing these tasks are classified as Systems Administrators.**

**Salary.com** (<http://www1.salary.com/Systems-Administrator-II-salary.html>) identifies the national median annual pay for a Systems Administrator II as **\$73,471**. It describes the duties and responsibilities of a System Administrator as follows:

*Installs new software releases and system upgrades, evaluates and installs patches, and resolves software related problems. Performs system backups and recovery. Maintains data files and monitors system configuration to ensure data integrity. May require a bachelor's degree with at least 2-4 years of experience in the field or in a related area. Has knowledge of commonly-used concepts, practices, and procedures within a particular field. Relies on instructions and pre-established guidelines to perform the functions of the job. Works under immediate supervision. Primary job functions do not typically require exercising independent judgment. Typically reports to a project leader or manager.*

This job description essentially describes the tasks performed by our "Senior User Support Analyst."

The median salary for a Systems Administrator in Florida is \$70,040:<sup>8</sup>

	<b>Median Annual Salary Systems Administrator II</b>
<b>Tallahassee</b>	<b>66,638</b>
<b>Daytona</b>	<b>67,189</b>
<b>Tampa</b>	<b>70,040</b>
<b>Miami</b>	<b>70,113</b>
<b>West Palm Beach</b>	<b>70,385</b>

Furthermore, the same February 2014 OSCA prepared salary analysis, cited above, identifies the court's *Information Systems* positions as being 11.87% below other State Agencies:

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<sup>8</sup> See Appendix E.

Job Categories	Percentage Difference in Court Employees' Average Salary
Magistrates, Hearing Officers, and Admin. Law Judges	-44.67%
Administrative Services Managers	-14.34%
Budget – Analysts, Managers, and Specialists	-11.96%
Information Systems Analysts	-11.87%
Attorneys	-10.79%
Human Resources – Specialists and Analysts	-8.15%
Chiefs (e.g., Chief of Accounting, Chief of Support Services)	-6.85%
Analysts – Operations and Business	-6.17%
District and Regional Administrators/Directors	-2.15%
Judicial Assistants, Paralegals, and Legal Assistants	-.14%
Administrative Assistants	.28%
Database, Network, Web, and Information Systems	.41%
Purchasing	6.84%
Accountants	9.45%

I submit that the SCS Information Systems Consultant II position (4045) more closely reflects the responsibilities of a Systems Administrator in the state system.<sup>9</sup> The starting salary for the position is \$61,601:

4045	<u>Information Systems Consultant II</u>	110	Ex	02	5,133.45	10,338.77	61,601.40	124,065.28
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In order to retain employees with the skills necessary to support the highly complex and sophisticated technological environment in which today's courts operate, and provide market-based adjustments to remedy employee recruitment problems of individuals with these skills in the district courts of appeal, I recommend the following:

1. The creation of a new Systems Administrator position classification with a starting salary of \$61,601. This new classification will more properly reflect the advancement of the duties, responsibilities and education requirements of for the district courts of appeal's technology officers.
2. Upgrade the Senior User Support Analyst salary to \$47,000.

### III. District Court Security Officer II.

The district courts of appeal presently have two classes of court security officer positions: Court Security Officer I and Court Security Officer II. The district

<sup>9</sup> See Appendix F.

court minimum salary is \$22,768 for the Court Security Officer I position and \$26,658 for the Court Security Officer II position. The salaries for these positions were considered “priority for consideration” as early as June 2013, in the most recently completed LBR process.

The marshals, who are the direct supervisors of the district courts of appeal court security officers, all agree there should be one class for district court of appeal security personnel with a starting salary of about \$34,000, noting that for a beginning police officer with no experience in Volusia County, the starting salary is \$33,182. In this regard, it is important to remember that court security officers in the district courts are required to either possess or complete the “Training Commission Basic Recruit Law Enforcement Course” and have three years of related security experience (eg., positions responsible for screening visitors, monitoring activity utilizing video surveillance equipment, patrolling building and grounds, managing emergency situations, and performing related clerical tasks).

Research reveals that the 2012 average statewide salary for a municipal police officer was \$37,775.<sup>10</sup> The 2012 average statewide starting salary for a deputy sheriff was \$34,587.<sup>11</sup> The 2012 average statewide salary at a state agency was \$36,579.<sup>12</sup> The 2012 average statewide starting salary for an officer at a school or port was \$38,093.<sup>13</sup> The starting salary of the equivalent position at the Florida Supreme Court is \$33,076.

I can conceive of no principled reason why the security personnel at a district court of appeal should make less than its counterpart at the Florida Supreme Court. When taking a bullet, location is irrelevant. I propose there be one class of district court security officer, Court Security Officer II, with a minimum salary of \$33,076.

#### **IV. Create two tiers for the Maintenance Engineer position.**

There is one additional critical area in the District Courts of Appeal I believe needs attention in the current context: the position of Maintenance Engineer.

The qualifications and experience of the Maintenance Engineer position vary widely among the district courts of appeal. Some Maintenance Engineers can fix and replace major building components, substantially minimizing vendor outlays and generating many thousands of dollars in savings to the court. Others have basic

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<sup>10</sup> See Appendix G, p. 6.

<sup>11</sup> See Appendix G, p. 8.

<sup>12</sup> See Appendix G, p. 9.

<sup>13</sup> See Appendix G, p. 10.

building maintenance skills. While individuals with either skill set have value, there is a clear difference in value to the court between these two skill sets. The value will increase as our buildings age and budgets shrink due to increased cost of contract labor versus the fixed size of our budgets.

**Ehow.com** shows the average state salaries for Maintenance Engineers as \$53,770, and Building Engineers from \$35,360 to \$72,800 depending on experience.<sup>14</sup>

Although not discussed at the August 23, 2013, DCABC meeting, I believe it appropriate at our upcoming meeting to recognize and clearly delineate between the value to the court of these different skill sets. Accordingly, I propose creating two tiers as follows:

- a) **Maintenance Specialist** – Change the title of the current Maintenance Engineer position to Maintenance Specialist. The position requirements and salary for this position will remain unchanged: Associate’s Degree and one year of experience and pay grade 11 (\$24,727 starting salary).
- b) **Maintenance Engineer** – New position. Requirements will be a bachelor’s degree and two years’ experience. Additional relevant experience may substitute for the recommended educational level on a year-for-year basis. I propose this new position be established in pay grade 23 (\$41,267 starting salary).

I would appreciate your placing this request on the agenda for the June 4 meeting and including this memorandum in the materials distribution.

Thanks.

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<sup>14</sup> See Appendix H



Video Conference  
 Friday, August 23, 2013  
 2:00 p.m. – 5:00 p.m.

## AGENDA

- I. Welcome and Opening Remarks
  - A. Roll Call
  - B. Approval of June 20, 2013 Meeting Minutes
  
- II. FY 2012-13 Wrap Up
  - A. Salary Budgets
  - B. Operating Budgets
  - C. Trust Fund Cash Statement Overview
  
- III. FY 2013-14 Budget Update
  - A. Salary Budget and Payroll Projections
  - B. Budget and Pay Policy Recommendations for Chief Justice's Budget and Pay Memorandum
  - C. Salary Exception Requests
  
- IV. FY 2013-14 General Revenue and State Courts Revenue Trust Fund Revenue Projections
  
- V. **FY 2014-15 Legislative Budget Request**
  - A. Enhancing Existing Resources: Pay Issues**
  - B. Operating Issues
  - C. Fixed Capital Outlay Issues
  - D. Certification of New Judgeships
  - E. Discussion and Priority Determination of LBR Issues
  
- VI. Other Business and Adjournment

**District Court of Appeal Budget Commission**  
**August 23, 2013**  
**Videoconference**

**Item V.A. FY 2014-15 Legislative Budget Request – Enhancing Existing  
Resources: Employee Pay Issues**

**1. Salary Equity and Salary Flexibility**

Background

In the FY 2013/14 Legislative Budget Request (LBR), \$5.5 million was requested to provide a 3.5% competitive salary adjustment to all State Court System (SCS) employees. The request noted that SCS employee pay has fallen further behind competing employers in state and local government and that the average salary of SCS employees was nearly 10% behind competing employers. (Subsequent to the submission of the LBR, an updated comparison of average state salaries by class was conducted and this update reflected that the average salary of forty-three executive branch classes was actually 11.45% higher than SCS classes.)

The request also reported that in the Office of the State Courts Administrator (OSCA) alone, nearly 10% of the workforce (between 2009 and June 2012) had accepted positions with executive branch agencies and that the average pay increase realized by those employees was over \$6,800 with five of the employees taking positions with salary increases over \$10,000, not including enhanced benefit packages. (Again, subsequent to the submission of the LBR, the data was re-examined for only the 2011 and 2012 years. Seventeen OSCA employees [10% of the OSCA workforce] had been lost to the executive and legislative branches during just those two years. The average increase for these employees was \$5,845 [13% above salary upon leaving SCS]. Four of the employees experienced an increase of over \$10,000.)

The salary appropriation for the State Courts System does not provide necessary flexibility for the branch to address a number of salary problems nor to respond to dynamic, shifting employment market factors.

One-half of the branch's salary appropriation is a fixed cost needed for judicial salary obligations and, with no flexibility to hold those positions open to generate lapse dollars, salary problems as they appear cannot be addressed. At the

beginning of each fiscal year, all levels of the court have been required to develop policies to generate the necessary salary dollars to meet projected payroll liability. These policies have taken on various forms including such requirements as holding positions open for a specified number of days, hiring all new employees at the minimum, limiting promotional salary increases to 5% above current salary (instead of the 10% flexibility in the State Courts System's Classification and Pay Plan), prohibiting any overlap of positions, etc.

Although challenges surrounding salary limitations are extremely varied across the levels of court and across the state, the following represents a sample of the issues the branch has been unable to adequately address:

- Selected, targeted adjustments to specific classes as well as to geographical areas as needs arise in either or both cases due to recruitment and retention problems.
- Salary compression, i.e., where the salary differential between those of newly hired (junior) employees versus those of long-term (senior) employees is smaller than it should be. This compression occurs between classes as well as within classes.
- Salary inversion, i.e., when salary compression, left unadjusted, results in junior employees' salaries being greater than senior employees' salaries. Like salary compression, salary inversion can occur between classes as well as within classes.
- Merit increases. Like competitive pay, being recognized for excellent service and performance is a motivating factor for continued improvement in support of creating efficiencies for the branch.
- Counter offers. This has resulted in the loss of key managers and other high performers, who had developed broad knowledge bases of critical judicial branch operations. Their loss is compounded by long-term, high performing employees who have recently retired or will be retiring, resulting in an essential need to develop and retain existing high performing and high potential employees to ensure expertise. Filling knowledge gaps with experienced employees ensures the continued development of efficiencies in the work of the State Courts System.

### Current Situation and Issue

The SCS 3.5% employee salary adjustment request was not funded during the 2013 Legislative Session. The General Appropriations Act for FY 13-14, however, does provide for a competitive pay adjustment of \$1,400 for employees with a base rate

of pay of \$40,000 or less on September 30, 2013 and, for employees with a base rate of pay more than \$40,000 on September 30, 2013, the increase is \$1,000 (although all employees with a base rate of pay between \$40,001 and \$40,399 would be granted an increase that would bring them up to \$41,400). Applying the GAA salary adjustments to the base salaries in the June 30, 2013 rate report results in 56% of all SCS employees receiving an increase above 3.5% of their current base salary and 44% will receive an increase below 3.5%.

The FY 13-14 competitive pay adjustment had no affect on the SCS's ability to keep pace with the executive branch agencies. Recent news from *Human Resource Executive* ([www.hreonlin.com](http://www.hreonlin.com), 7/15/13) regarding wages notes that the annual wage increase has hovered between 2.5 percent and 3 percent since a few years after the recession officially ended (December 2009). Sources indicate large companies are expecting to pay about 3 percent more this year while small employers (with fewer than 100 employees) are raising their pay by 4.1 percent. The report notes that small companies are raising their pay because they have to do so to get the candidates they want.

The branch continues to experience difficulty in reaching its Long Range Strategic Plan goal of supporting competency and quality. Success in this regard depends on the branch's ability to attract, hire and retain highly qualified and competent employees. As well, competitive pay is a motivating factor for continued improvement in support of creating efficiencies for the branch. As the economy improves, the employment environment is sure to become increasingly competitive.

### **Option chart (Attachment A).**

At its August 3, 2013 meeting, the Trial Court Budget Commission (TCBC) voted to recommend filing an LBR issue for a multiyear request, requesting a six percent salary increase for FY 2014-15 with a portion to address salary equity and a portion to address salary flexibility.

### **See Attachment B**

#### Decision Needed:

1. File an LBR issue for salary equity and flexibility.
2. Do not file an LBR issue for salary equity and flexibility.

## **2. Staff Attorney Pay**

### Background and Issue

The DCABC voted at its June 20, 2013 meeting, within their FY 14-15 LBR discussion, that the minimum and maximum salaries for Supreme Court and district court appellate law clerks be equalized; that the current minimums be adjusted 5% upward; and that a new Career Attorney class be created (10% over the “new” minimum for a Career Attorney) for a fourth level of law clerk at ten years of appellate law clerk service.

### **Attachment C reflects the costs of such increases for law clerk minimums.**

The costs of creating a new Career Attorney class 10% over the “new” minimum for a Career Attorney) for a fourth level of law clerk at ten years of appellate law clerk service for FY 14-15 are estimated at \$316,974 (recurring). However, an additional \$775,776 in recurring dollars would need to be requested in order to continue funding the increases year over year. (This issue would not affect current Career Attorneys who are already above the proposed new class.)

At its August 3, 2013 meeting, the TCBC initially approved the filing of an LBR trial court law clerk pay issue benchmarked at 95% of the district courts’ final LBR request for appellate law clerk pay, and to provide a \$3,500 incentive at the conclusion of the eighth year of service. Subsequently in the meeting, however, the TCBC agreed that the trial court law clerk pay issue would fit within the larger salary flexibility issue and need not be filed as a separate issue.

Likewise, the Supreme Court Budget Oversight Committee made a similar finding at its August 19, 2013 meeting while also noting that law clerk pay branchwide needs further study and closer examination prior to any action on the issue.

### Decision Needed:

1. File an LBR issue to provide funding to adjust the current pay minimums of the law clerk classes to 5% above current Supreme Court staff attorney classes and an issue to create a new Career Attorney class 10% over the “new” minimum for a Career Attorney) for a fourth level of law clerk at ten years of appellate law clerk service.
2. Do not file an LBR issue for law clerk pay or a fourth level of law clerk.

### **3. Information Technology Support Pay**

#### Background and Issue

The DCABC reviewed salary comparisons for selected district court positions at its June 20, 2013 meeting. For the LBR, pay for positions in Information Technology (IT), was selected for further consideration. In the interim, the marshals developed a proposal to maintain the existing User Support Analyst positions; restructure the Senior User Support Analyst position to provide for a minimum of four years' experience and some network KSAs with a proposed annual salary minimum of \$47,000 (current minimum is \$41,694.12); and create a new management/administrator IT class, Systems Administrator – District Court, with a minimum salary of \$60,456 for employees whose duties, experience and responsibility are consistent with the KSAs of a system administrator.

#### **See Attachment D**

Staff has reviewed the proposal and found that for the ten Senior User Support Analyst positions in the SCS (6 positions in district courts of appeal and four positions in OSCA), the average salary is \$48,279. In addition, research indicates that average starting salaries for IT user support positions range from a high of about \$58,000 in Tallahassee to a low of about \$45,000 in Lakeland. Although the proposed new minimum of \$47,000 appears reasonable and justifiable given the salary research findings, the effect of increasing the minimum for the Senior User Support Analyst class needs to be examined in light of the salary structure for all the positions in the SCS Technology classifications and would require the creation of a new pay grade. If this new minimum were adopted after the October 1, 2013 pay increases, the rate needed to adjust two senior user support analysts in the district courts would be 4,446 with a cost of \$5,091.

In regard to the creation of a System Administrator – District Court, further research needs to be conducted to determine if an existing SCS Technology classification might already encompass the KSAs needed by the district courts of appeal or whether a new classification specification needs to be developed and vetted through the Appellate Court Technology Committee.

#### **4. Security Officer Pay**

##### Background and Issue

Again, as a result of the DCABC having reviewed salary comparisons for selected district court positions at its June 20, 2013 meeting, the DCABC identified the security officer classes (Court Security Officer I – District Court, minimum salary of \$22,768.44, and Court Security Officer II – District Court, \$26,658.48) as priorities for consideration in the LBR of increased minimums. The marshals propose one class for district court security personnel with a starting salary of about \$34,000, noting that for a beginning police officer with no experience in Volusia County, the starting salary is \$34,000. Court security officers in the district courts are required to have two to three years of related experience (positions are responsible for screening visitors, monitoring activity utilizing video surveillance equipment, patrolling building and grounds, managing emergency situations, and performing related clerical tasks).

Because the duties of the security officer classifications are not comparable to the duties of a police officer, staff recommends consideration be given to the proposal for one class of district court security personnel but with a minimum of \$27,819.84 (pay grade 14). If this new minimum were adopted after the October 1, 2013 pay increases, the rate needed to adjust four security officers would be 14,046 with a cost of \$16,098.

##### Decision Needed:

1. Address this issue through existing salary and benefit appropriation.
2. Address this issue using the salary flexibility dollars requested, if funded during the 2014 Legislative Session.
3. File an LBR issue.
4. Do not address this issue at this time.

#### **5. Chief Deputy Clerk and Deputy Marshal Pay**

The marshals have submitted a proposal to increase the Chief Deputy Clerk – District Court and Deputy Marshal – District Court minimums to \$50,979 (current minimum is \$45,303.72).

**See Attachment E**

Staff has reviewed the proposal and had performed some research on this issue previously. The proposed new minimum is not consistent with the SCS pay grade structure, i.e., there is no pay grade with a minimum of \$50,979. Staff would recommend consideration be given to changing the pay grade for these positions to pay grade 27 (minimum \$49,947.12), the pay grade for the Court Operations Manager class in the trial courts. If this new minimum were adopted after the October 1, 2013 pay increases, the rate needed to adjust two deputy marshals would be 6,845 with a cost of \$7,744. Again, no rate would be needed to adjust the chief deputy clerk minimums.

Decision Needed:

1. Address this issue through existing salary and benefit appropriation.
2. Address this issue using the salary flexibility dollars requested, if funded during the 2014 Legislative Session.
3. File an LBR issue
4. Do not address this issue at this time.

**Estimated Cost of Options for FY 14-15 LBR Salary Equity and Flexibility Issue**

Court Staff	Rate*	2.00%	3.00%	3.50%	4.00%	5.00%	6.00%	6.35% 2005 MAG Study	9% (8.9% is half way between MAG and Ex Branch average difference)	11.45% Ex Branch average difference
Supreme Court	4,724,549	108,287	162,430	189,502	216,573	270,717	324,860	343,810	487,290	619,941
OSCA	8,881,893	203,573	305,359	356,253	407,146	508,932	610,719	646,344	916,078	1,165,455
District Courts	18,451,277	422,903	634,355	740,081	845,807	1,057,258	1,268,710	1,342,718	1,903,065	2,421,121
Circuit Courts	101,176,460	2,318,964	3,478,447	4,058,188	4,637,929	5,797,411	6,956,893	7,362,712	10,435,340	13,276,072
County Courts	10,254,795	235,040	352,560	411,320	470,080	587,600	705,120	746,252	1,057,680	1,345,603
<b>Total</b>	<b>143,488,974</b>	<b>3,288,767</b>	<b>4,933,151</b>	<b>5,755,343</b>	<b>6,577,535</b>	<b>8,221,918</b>	<b>9,866,302</b>	<b>10,441,836</b>	<b>14,799,453</b>	<b>18,828,193</b>

\* based on June 2013 rate utilized including estimated October 1, 2013 increases

**Estimated Cost of Options for FY 14-15 LBR  
 Salary Equity and Flexibility Issue**

<b>Court Staff</b>	<b>Rate*</b>	<b>2.5% FLEXIBILITY</b>	<b>3.5% EQUITY</b>	<b>6% TOTAL ISSUE</b>
Supreme Court	4,724,549	\$ 135,358	\$ 189,502	\$ 324,860
OSCA	8,881,893	\$ 254,466	\$ 356,253	\$ 610,719
District Courts	18,451,277	\$ 528,629	\$ 740,081	\$ 1,268,710
Circuit Courts	101,176,460	\$ 2,898,706	\$ 4,058,188	\$ 6,956,893
County Courts	10,254,795	\$ 293,800	\$ 411,320	\$ 705,120
<b>Total</b>	<b>143,488,974</b>	<b>\$ 4,110,959</b>	<b>\$ 5,755,343</b>	<b>\$ 9,866,302</b>

\* based on June 2013 rate utilized including estimated October 1, 2013 increases

**FY 14-15 LBR Law Clerk Pay Issue**

Supreme Court	Current minimums	Proposal to equalize to Sup Ct Staff Atty salaries at 5% above Sup Ct Staff Atty current minimum salaries
Staff Attorney	49,352.28	51,819.89
Senior Staff Attorney	57,733.56	60,620.24
Career Staff Attorney	66,115.80	69,421.59

Senior Staff Attorney over Staff Attorney	14.52%	14.52%
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Career Attorney over Senior Staff Attorney	12.68%	12.68%
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DCA <u>Estimated Costs</u>	<b>\$781,628.75</b>
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new level of Career Attorney at 10 years at 10% above new minimum for Career Attorney
76,363.75

**Note:** Neither of these issues would affect current staff attorneys who are already above the proposed or who will be above the new minimums after the October 1, 2013 \$1,000 salary adjustment.

## ATTACHMENT D

### Proposal to Create a System Administrator - District Court

The nature of the technology support needs in the district courts has changed significantly since the sr. user support class was created in the 1990s. At that time, both technology support positions shared the same tasks, taking care of the basic maintenance of printers, desktop workstations, word-processing and e-mail programs. As the reliance on technology grew, the sr. user support analyst assumed the more complex and critical tasks.

Our district court technology positions have evolved with the technology and now provide advanced operational functions and infrastructure tasks necessary to manage and support local and wireless networks, hardware, desktop and peripherals, numerous software applications and operating systems, client/server e-mail applications, legal research tools, including network servers, desktop equipment, laptops, a multitude of court-owned and user provided mobile devices, local and networked printers, local and networked scanning equipment, audio-video recording equipment, video conferencing systems, and Voice over Internet Protocol (VoIP) phones, critical information technology security processes, web publishing, managing owner and vendor maintenance, and all of the related end-user training.

The sr. user support analyst evaluates technologies and provides technical recommendations on the adoption and acquisition of technology items. Administers access and provides support to all courts systems including e-filing, e-mail, file sharing and video sharing. Manages the inventory of all technology property items. Manages all court technology projects to ensure that all requirements are met and completed on time. Supervises the work of the user support analyst and performs the duties of that position as needed. Provides 24/7 IT management and technical support for court users and critical systems. Provides technology leadership and guidance as a member of the court's Emergency Management Team in accordance with the court's Continuity of Operations Plan.

Current SCS salaries in the sr. user support class range from \$43,675 to \$59,541. All are below the midpoint of the range, which is \$60,456. While experience is an important component of compensation, the sr. user support minimum is not competitive for the district court application and progression within the salary range has not kept pace with the market.

There should be three technology classifications available for use by the district courts so that each court can determine its needs and recruit and retain more experienced user support technicians and network and systems operations managers. Courts could create a support system that best suits their needs and the duties, responsibilities and

KSAs of their IT staff, electing to have two sr. user support positions or a system administrator and a user support analyst.

- **User Support Analyst.** Maintain the existing technician position for first-level user support with the minimum remaining at 39,708;
- **Sr. User Support - District Court.** Create a new technician/administrative support class with a minimum of \$47k (for purposes of discussion) with a minimum of 4 years' experience and some network KSAs; and
- **Systems Administrator- District Court.** Create a new management/administrator class with a minimum salary of \$60,456 (for purposes of discussion), for employees who duties, experience and responsibility are consistent with the KSAs of a system administrator.

**Sr. User Support Analyst - District Court.** There are 6.0 FTE positions currently classified as sr. user support analyst in the district court budget entity. If the new class and \$47,000 minimum is adopted after the October 1 pay increases, the total rate needed for this action would be \$4443 to adjust two positions.

Class Title	State Hire Date	Annual Salary
SENIOR ...	03/05/2012	\$45,863.28
SENIOR ...	06/07/1989	\$59,540.52
SENIOR ...	11/01/2007	\$47,614.32
SENIOR ...	10/01/1999	\$59,525.04
SENIOR ...	07/01/2013	\$41,694.12
SENIOR ...	04/17/2000	\$51,500.04

**System Administrator - District Court.** There are 6.0 FTE positions currently classified as sr. user support analyst in the district court budget entity. In the event that five positions (assumes only one per court) were eligible to be classified as system administrators after the October 1 pay increases, the total rate needed would be \$33,237 to adjust three of the positions.

**Attachment E**

**Proposal to adjust the Chief Deputy Clerk and Deputy Marshal minimums**

The current minimums for the chief deputy clerk and deputy marshal positions are too low to recruit and retain qualified staff in these key management positions. Both are key professional management positions, comprising essential functions and complex activities critical to the core operations of their respective offices. Our courts rely on their expertise and depth of experience in their areas of responsibility.

The 2005 Classification and compensation Study for the Florida State Courts System (aka MAG study) proposed that these positions share the same pay grade and minimum salary. The \$50,979 minimum salary recommended by the MAG study should be adopted. If the new minimum is adopted after October 1 pay increases, the total rate needed for this action would be \$8909 to adjust two deputy marshals. No rate would be required for the chief deputy clerk minimum adjustment.

Class Title	State Hire Date	Annual Salary
DEPUTY ...	09/24/1996	\$55,512.12
DEPUTY ...	07/01/2011	\$45,745.68
DEPUTY ...	10/01/1999	\$59,301.60
DEPUTY ...	09/01/2011	\$45,303.72
DEPUTY ...	12/18/1996	\$60,836.76

Class Title	State Hire Date	Annual Salary
CHIEF D...	05/27/1968	\$71,421.12
CHIEF D...	09/01/1982	\$74,632.08
CHIEF D...	09/01/1977	\$66,591.60
CHIEF D...	08/13/1979	\$59,859.60
CHIEF D...	02/06/1980	\$62,726.76



**VideoConference Call  
Thursday, January 16, 2014  
3:30 pm – 4:30 pm**

## **AGENDA**

- I. Welcome and Roll Call**
- II. Approval of August 23, 2013 and September 18, 2013 Minutes**
- III. Recommendations from the Geographical Differences Workgroup**
- IV. Amended Fourth DCA Courthouse Renovation Issue for FY 2014-15  
Legislative Budget Request**
  - A. Mold/Water Intrusion LBR**
  - B. Alternative New Construction LBR**

# **Approval of August 23, 2013 and September 18, 2013 Minutes**

**District Court of Appeal Budget Commission  
Video Conference  
August 23, 2013**



**Members Present**

Judge Alan Lawson, Chair  
Judge Joseph Lewis, Jr.  
Judge Clayton Roberts  
Judge Charles Davis, Jr.  
Judge Stevan Northcutt  
Marshal Veronica Antonoff  
Marshal Charles Crawford  
Judge Richard Suarez

Judge Frank Shepherd  
Judge Dorian Damoorgian  
Judge Vincent Torpy  
Judge William Van Nortwick, Jr.  
Marshal Stephen Nevels  
Marshal Jo Haynes  
Marshal Daniel DiGiacomo  
Judge Cory Ciklin

**Members Absent**

Judge Linda Wells

**Others Present**

Lisa Goodner, Theresa Westerfield, Dorothy Wilson and other OSCA staff

**Special Note:** It is recommended that these minutes be used in conjunction with the meeting materials.

**Agenda Item I.: Welcome and Approval of Meeting Minutes**

Judge Alan Lawson welcomed members and called the District Court of Appeal Budget Commission (DCABC) meeting to order at 2:00 p.m.

Judge Lawson reviewed a correction to the draft minutes for June 20, 2013. Judge Lawson asked if there were any other revisions to the June 20, 2013 meeting minutes. A motion was made by Judge Torpy to adopt the minutes as amended. Judge Northcutt seconded and the motion was passed without objection.

**Agenda Item II.: FY 2012-13 Wrap-up**

**A. Salary Budgets**

Dorothy Wilson presented the Salary Budgets as of June 30, 2013.

**B. Operating Budgets**

Ms. Wilson reported on the status of the FY 2012-13 operating budgets as of June 30, 2013.

### **C. Trust Fund Cash Statements**

Dorothy Wilson reviewed the trust fund cash balances as of June 30, 2013.

## **Agenda Item III.: FY 2013-14 Budget Update**

### **A. Salary Budget and Payroll Projections**

Dorothy Wilson reviewed the start up salary budgets stating the final estimated liability at full employment is \$346,309 over the appropriation. She noted the appropriation includes estimates for adjustments to health, retirement and the across the board rate increase. These figures will be revised once the actual adjustments have been released.

Ms. Wilson remarked the projected law clerk pay plan liability was calculated using input received from the Marshals who confirmed the accuracy of the projections with additional information regarding law experience that impacts when incentive/increases are eligible. Judge Lawson commented that the law clerk plan does not include the vote from the June 20, 2013 meeting approving to put forth a plan to equalize salary minimum and maximum for DCA and Supreme Court Law Clerks, adjust the minimum by five percent, and add a 4<sup>th</sup> level Career Attorney II at ten years.

### **B. Budget and Pay Policy Recommendations for Chief Justice's Budget and Pay Memorandum**

Theresa Westerfield and Dorothy Wilson reviewed the Budget and Pay Memorandum. Judge Lawson remarked Vision 2000 Committee should be added to section 4.b. Supreme Court-Appointed Committees of the memorandum. Judge Roberts motioned to approve the Budget and Pay Memorandum as amended. Judge Damoorgian seconded and the motion passed without objection.

### **C. Salary Exception Requests**

Theresa Westerfield presented the Second District Court of Appeal exception request to hire a judicial assistant at 10% above the minimum. Judge Davis stated the Second DCA had previously waived having a competitive salary differential (CAD) and noted with a CAD in place there would be no need for the salary exception request. Judge Roberts suggested instead of granting exceptions we should look into the policy. Lisa Goodner commented the Budget and Pay memo reflected to hire at minimum back when the budget shortfalls began. Judge Lawson recommended the DCABC revisit this issue, looking at the policy to potentially allow hiring at 10 percent above the minimum if employee vacating the position makes more than 10 percent above the minimum. Judge Damoorgian motioned to approve the salary exception request from the 2<sup>nd</sup> DCA. Judge Torpy seconded and the motion passed without objection.

## **Agenda Item IV.: FY 2013-14 General Revenue and State Courts Revenue Trust Fund Revenue Projections**

Alex Krivosheyev reported on the Article V Revenue Estimating Conference stating that GR is anticipated to continue to grow and foreclosures are expected to decline resulting in a decline in SCRTF. Lisa Goodner remarked that the \$87.6 million in trust fund authority is all salaries.

## **Agenda Item V.: FY2014-15 Legislative Budget Request**

### **A. Enhancing Existing Resources: Pay Issues**

Theresa Westerfield presented the Salary Equity and Salary Flexibility issue stating the judicial branch does not have the flexibility as do some executive branch agencies. She further explained that at its August 3, 2013 meeting, the Trial Court Budget Commission (TCBC) voted to recommend the filing of an LBR issue for a six percent salary increase with a portion to address salary equity and a portion to address salary flexibility. In addition, she reported that the Supreme Court Budget Oversight Committee, at its August 19, 2013 meeting, agreed with the TCBC recommendation. The DCABC was provided with charts reflecting the costs of an overall need of 11.45% over current rate by budget entity and reflecting a breakdown of the cost of 6% of salary costs over current rate with a 3.5% in equity (across the board) and 2.5% in flexibility (to address critical salary issues).

Judge Lawson commented if the DCABC approves to put forth this issue that he does not feel the DCABC should pursue the other pay issues requested for consideration at this time. Judge Torpy motioned to table all other pay issues at this time. Judge Damoorgian seconded the motion. A roll call vote was taken and the motion passed without objection.

Judge Torpy motioned to file an LBR issue as proposed by the TCBC for salary equity and flexibility with a notation that they prefer to request the entire amount needed for the 11.45% (\$18,828,193), if funds are available. However, the DCABC would agree to \$9,866,302 (6%) in the first year as part of a two-year implementation. Judge Damoorgian seconded and the motion passed without objection.

### **B. and C. Operating and Fixed Capital Outlay Issues**

Dorothy Wilson presented the operating and fixed capital outlay issues. Judge Lawson remarked that under the certification of new judgeships issue the branch would be asking for two new judges for the 2<sup>nd</sup> DCA which would include new attorneys as well. The 2<sup>nd</sup> DCA withdrew the operating issue for two new career attorney positions. Judge Torpy motioned to approve all issues. Judge Roberts seconded and the motioned passed without objection.

**D. Certification of New Judgeships**

Dorothy Wilson presented an informational update on the certification of new judgeships stating that due to the September 6, 2013 request deadline, staff recommends the Commission vote concerning the requests for new judgeships during the week of September 9, 2013 through email.

**E. Discussion and Priority Determination of LBR Issues**

Dorothy Wilson presented the priority determination of LBR issues for review. Judge Shepherd requested the 3<sup>rd</sup> DCA issue to acquire and install an emergency generator system be moved from 2-critical to 1-mandatory. Judge Shepherd motioned to accept classification listing with the one modification and to combine all operating issues into one issue totaling \$468,000. Judge Northcutt seconded and the motion passed without objection.

**Agenda Item VI.: Adjournment**

With no other business before the Commission, the meeting adjourned at 3:24 p.m.

DRAFT

Comparisons of management positions in the SCS.

Source [State of Florida Salaries](http://dmssalaries.herokuapp.com/salaries), DMS at <http://dmssalaries.herokuapp.com/salaries>.  
 Download of all State Courts System to excel in May 2014 and filtered by class title.

All SCS positions filtered for "manager" in the class title.

.... complete data not copied here

6600	FINANCE AND ACCOUNTING MANA	10/1/2003	67933.8
6550	PURCHASING MANAGER	6/28/2001	56464.44
6750	BUDGET MANAGER	2/1/2012	56800.92
7150	COURT OPERATIONS MANAGER	1/10/2011	50947.08
6850	HUMAN RESOURCE MANAGER	7/1/2004	50947.08
7735	MANAGER ELECTRONIC COURT REF	7/1/2004	54321.24
6860	HUMAN RESOURCES SERVICES MAI	4/22/1980	54944.76
7705	MANAGER COURT REPORTING SER	7/1/2004	58942.68
7350	FAMILY COURT MANAGER	9/1/1981	50947.08
6550	PURCHASING MANAGER	11/18/1986	48568.92
7150	COURT OPERATIONS MANAGER	12/18/2006	50947.08
6710	BUDGET SERVICES MANAGER	7/1/2004	64746.84
7705	MANAGER COURT REPORTING SER	8/15/2011	58942.68
6850	HUMAN RESOURCE MANAGER	8/12/1991	49947.12
7650	DRUG COURT MANAGER	2/18/2013	50947.44
7350	FAMILY COURT MANAGER	5/21/1990	50947.08
7735	MANAGER ELECTRONIC COURT REF	12/8/2008	44193.48
7150	COURT OPERATIONS MANAGER	11/16/1998	57077.04
6750	BUDGET MANAGER	7/1/2004	56356.2
7650	DRUG COURT MANAGER	10/30/2000	51043.8
7150	COURT OPERATIONS MANAGER	12/20/2004	50947.08
7350	FAMILY COURT MANAGER	9/1/1987	28467
7150	COURT OPERATIONS MANAGER	7/1/2004	75370.92
6050	ADMINISTRATIVE SERVICES MANAG	10/2/2000	56067
7150	COURT OPERATIONS MANAGER	7/1/2004	50947.08
7650	DRUG COURT MANAGER	12/7/2004	57718.92
7150	COURT OPERATIONS MANAGER	9/30/2002	55511.16
7705	MANAGER COURT REPORTING SER	12/3/2007	57942.72
7150	COURT OPERATIONS MANAGER	7/1/2004	89068.2
6050	ADMINISTRATIVE SERVICES MANAG	7/21/2003	53444.76
7150	COURT OPERATIONS MANAGER	11/7/1988	50947.08
6850	HUMAN RESOURCE MANAGER	4/25/2005	50947.08
<b>124</b>			<b>56836.79</b> <-----

All SCS positions filtered for "chief" in the class title.

.... complete data not copied here

Class Code	Class Title	State Hire Date	Salary
6280	CHIEF DEPUTY COURT ADMINISTRATOR	1/31/1986	110035.2
6280	CHIEF DEPUTY COURT ADMINISTRATOR	9/26/1988	97001.28
2620	CHIEF DEPUTY CLERK - SUPREME COURT	8/5/1994	67115.76
6800	CHIEF OF PERSONNEL SERVICES	7/1/2004	64746.84
6800	CHIEF OF PERSONNEL SERVICES	9/10/2012	65703
6280	CHIEF DEPUTY COURT ADMINISTRATOR	7/1/2004	106634.9
6560	CHIEF OF FINANCE & ACCOUNTING	10/11/2004	71280.96
6280	CHIEF DEPUTY COURT ADMINISTRATOR	3/29/2005	78484.56
2610	CHIEF DEPUTY CLERK - DISTRICT COURT	8/13/1979	60859.56
6280	CHIEF DEPUTY COURT ADMINISTRATOR	10/1/2012	82358.76
7130	CHIEF OF STRATEGIC PLANNING	10/1/1999	73795.08
6640	CHIEF OF FINANCE & ACCOUNTING	9/22/1997	71280.96
6800	CHIEF OF PERSONNEL SERVICES	7/1/2004	103114.6
1500	CHIEF DEPUTY MARSHAL - SUPREME COURT	5/26/2005	50870.04
5040	CHIEF OF COURT EDUCATION	10/4/1999	80497.32
2610	CHIEF DEPUTY CLERK - DISTRICT COURT	9/1/1977	67591.56
2610	CHIEF DEPUTY CLERK - DISTRICT COURT	9/1/1982	75632.04
6280	CHIEF DEPUTY COURT ADMINISTRATOR	7/1/2004	91604.16
6280	CHIEF DEPUTY COURT ADMINISTRATOR	10/2/1995	82358.76
7610	CHIEF OF COURT IMPROVEMENT	7/21/1997	75999.96
6280	CHIEF DEPUTY COURT ADMINISTRATOR	4/17/2006	78484.56
2610	CHIEF DEPUTY CLERK - DISTRICT COURT	5/27/1968	72421.08
6280	CHIEF DEPUTY COURT ADMINISTRATOR	2/28/2001	81584.52
6800	CHIEF OF PERSONNEL SERVICES	7/1/2004	67934.16
6800	CHIEF OF PERSONNEL SERVICES	4/16/1985	69753.36
6280	CHIEF DEPUTY COURT ADMINISTRATOR	1/8/1990	78484.56
6800	CHIEF OF PERSONNEL SERVICES	11/6/1995	83065.56
6280	CHIEF DEPUTY COURT ADMINISTRATOR	9/11/2006	78484.56
6280	CHIEF DEPUTY COURT ADMINISTRATOR	2/5/1999	78484.56
6800	CHIEF OF PERSONNEL SERVICES	1/11/1993	74795.04
6280	CHIEF DEPUTY COURT ADMINISTRATOR	2/1/1990	107023.6
6700	CHIEF OF BUDGET SERVICES - OSCA	9/21/1998	74795.04
7000	CHIEF OF COURT SERVICES	2/14/1986	74795.04
<b>33</b>			<b>78699.12</b>



### All chief deputy court administrators

Class Code	Class Title	State Hire Date	Salary
6280	CHIEF DEPUTY COURT ADMINISTRATOR	1/31/1986	110035.2
6280	CHIEF DEPUTY COURT ADMINISTRATOR	9/26/1988	97001.28
6280	CHIEF DEPUTY COURT ADMINISTRATOR	7/1/2004	106634.9
6280	CHIEF DEPUTY COURT ADMINISTRATOR	3/29/2005	78484.56
6280	CHIEF DEPUTY COURT ADMINISTRATOR	10/1/2012	82358.76
6280	CHIEF DEPUTY COURT ADMINISTRATOR	7/1/2004	91604.16
6280	CHIEF DEPUTY COURT ADMINISTRATOR	10/2/1995	82358.76
6280	CHIEF DEPUTY COURT ADMINISTRATOR	4/17/2006	78484.56
6280	CHIEF DEPUTY COURT ADMINISTRATOR	2/28/2001	81584.52
6280	CHIEF DEPUTY COURT ADMINISTRATOR	1/8/1990	78484.56
6280	CHIEF DEPUTY COURT ADMINISTRATOR	9/11/2006	78484.56
6280	CHIEF DEPUTY COURT ADMINISTRATOR	2/5/1999	78484.56
6280	CHIEF DEPUTY COURT ADMINISTRATOR	2/1/1990	107023.6
<b>13</b>			<b>88540.3</b>

# STATE COURTS SYSTEM STAFF PARITY ISSUE: A BUSINESS CASE

## State Courts System Turnover for Sample Classes

Classes of Employees	2013 Turnover Rate for State Courts System
Trial Court Law Clerks	26%
Administrative Services Managers and Directors of Administrative Services	18%
Administrative Assistants	17%
Court Program Specialists (Case Managers)	15%
Operations and Business Analysts	14%
Information Systems Analysts	12%
Budget Analysts, Managers, and Specialists	12%
Magistrates and Hearing Officers	7%
Court Reporters	7%
Court Interpreters	7%

## Salary Comparison: Courts System and Florida State Government

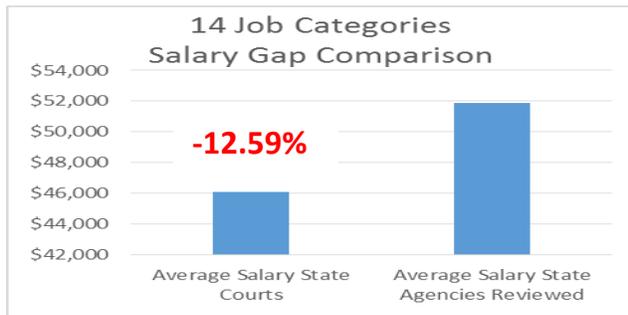
In an updated analysis completed in February 2014, the Office of the State Courts Administrator reviewed 14 broad job categories<sup>[1]</sup> to **compare salaries of the State Courts System to salaries of other State of Florida government agencies**. For those 14 job categories, 80 class titles and 1,819 employees' salaries in the State Courts System were analyzed and compared to 605 class titles and 13,314 employees' salaries within Career Service, Select Exempt Service, Senior Management Service, Justice Administrative Commission, Florida Lottery, Legislature, School for the Deaf and the Blind, and Florida National Guard.<sup>[2]</sup> The findings reflect that the **average salary of employees within the State Courts System is 12.59% below the average salary of other State of Florida government employees** within the 14 broad job categories analyzed.

This table shows the percentage difference in the average salary of employees of the courts system in specific job categories compared with the average salary for other state employees in those same categories.

Job Categories	Percentage Difference in Court Employees' Average Salary
Magistrates, Hearing Officers, and Admin. Law Judges	-44.67%
Administrative Services Managers	-14.34%
Budget – Analysts, Managers, and Specialists	-11.96%
Information Systems Analysts	-11.87%
Attorneys	-10.79%
Human Resources – Specialists and Analysts	-8.15%
Chiefs (e.g., Chief of Accounting, Chief of Support Services)	-6.85%
Analysts – Operations and Business	-6.17%
District and Regional Administrators/Directors	-2.15%
Judicial Assistants, Paralegals, and Legal Assistants	-.14%
Administrative Assistants	.28%
Database, Network, Web, and Information Systems	.41%
Purchasing	6.84%
Accountants	9.45%

<sup>[1]</sup> Not all class titles throughout the entire State Courts System were analyzed, primarily because they could not be comparably matched with those in other state government agencies due to the unique nature of some court work.

<sup>[2]</sup> Data Source: [http://www.floridahasarighttoknow.com/search\\_state\\_payroll.html](http://www.floridahasarighttoknow.com/search_state_payroll.html). Full-time FTE only.



**Average Salary – State Courts = \$46,088**

**Average Salary – Other State of Florida Government Agencies Reviewed = \$51,890**

**The top priority of the judicial branch’s fiscal year 2014-15 Legislative Budget Request is a pay issue for State Courts System non-judge employees. The judicial branch requests \$9,866,302 in recurring salary dollars branchwide to address a wide range of salary issues affecting court staff and the timely disposition of cases.**

- To retain highly skilled employees and to experience more equity with other government salaries, the courts **need approximately \$18,828,193 in recurring salary appropriation**. However, recognizing the considerable size of such a request, the courts system proposes a **two-year implementation period**.
- The **loss of key managers and other high performers**, who had developed broad knowledge bases of critical judicial branch operations, **results in an essential need to develop and retain existing employees** to ensure expertise. Filling knowledge gaps ensures the continued development of efficiencies in the work of the courts system, for the benefit of the individuals and businesses that turn to the courts system for the peaceful resolution of disputes.
- Since January 2011, in the Office of the State Courts Administrator (OSCA) 17 employees (**10% of the OSCA workforce**) have been **lost to the executive and legislative branches** for comparable positions performing work at a similar level. The **average increase for these employees was \$5,321** (an average of 12% above their salary upon leaving). Three of these employees experienced an increase of more than \$10,000.
- An analysis of trial court **judicial assistant** pay reveals that the **average salary has decreased** over the past seven years by 1.7 percent.
- Various judicial circuits of all sizes from across the state report **difficulties with recruitment and retention of law clerks**. In the trial court law clerk class, the **turnover rate was 26%** for calendar year 2013.
- Turnover among court staff who assist judges **disrupts the timely and efficient processing of cases**, to the detriment of businesses and individuals anxious to have matters resolved. Also, as private sector employers well understand, **turnover is costly** – from the recruitment process to the training of new hires – **and impedes productivity**.
- The courts’ mission is to protect rights and liberties, uphold and interpret the law, and provide for the peaceful resolution of disputes. Our vision is that justice will be accessible, fair, effective, responsive, and accountable. When courts are not competitive with other governmental employers in the recruitment and retention of personnel, there is a **risk of delays in processing cases important to individuals’ lives and to the livelihood of businesses**.

### **Senate Budget Includes Special Pay Issue for Court Staff**

The Senate’s proposed fiscal year 2014-15 budget includes a special pay issue for non-judge employees for just under \$10 million, as stated by the Appropriations Chair on the Senate floor, to encourage employee retention, provide equity adjustments to equalize salaries with other governmental entities, and provide market-based adjustments to remedy recurring employee recruitment problems. The funds 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. To ensure accountability, the proposed budget requires the Chief Justice to submit a plan to the Legislative Budget Commission for the position classification salary adjustments. The courts encourage the House to join the Senate in funding this issue and request \$9.87 million to address this problem.

*Prepared by the Office of the State Courts Administrator, April 3, 2014*

The screenshot shows the salary.com website interface. At the top, there is a browser address bar with the URL 'http://www1.salary.com/FL/Tallahassee/Systems-Administrator-II-sal...'. Below the browser, there is a search bar with 'network' entered. The main content area features a green navigation bar with links for 'Salary', 'Job Search', 'Education', 'Career Development', and 'Work & Life'. The main heading is 'Systems Administrator II Salaries in Tallahassee, FL'. Below this, there is a section for 'Alternate Job Titles' and a question 'What is the average Systems Administrator II salary for Tallahassee, FL?'. The text explains that the salary varies based on factors and provides a range. It also lists categories and similar job titles. A large section contains a bell curve chart showing the distribution of salaries. The chart is titled 'This chart describes the expected percentage of people who perform the job of Systems Administrator II in Tallahassee, FL that make less than that salary.' The chart shows a median salary of \$66,638. Other data points include 10% at \$50,097, 25% at \$57,980, 75% at \$75,438, and 90% at \$83,449. To the right of the chart are links for 'Purchase Full Report', 'Systems Administrator II Salaries in FL', 'US National Average Salaries for Systems Administrator II', and 'Canadian National Average Salaries for Systems Administrator II'. Below the chart is a 'Refine by' section with dropdown menus for Location, Industry, Company Size, Education, Years of Exp., and Other. At the bottom of the chart area is a 'Change Search Criteria' section with input fields for job title and city/postal code, and a 'SUBMIT' button.

**Job Description for Systems Administrator II**

Installs new software releases and system upgrades, evaluates and installs patches, and resolves software related problems. Performs system backups and recovery. Maintains data files and monitors system configuration to ensure data integrity. May require a bachelor's degree with at least 2-4 years of experience in the field or in a related area. Has knowledge of commonly-used concepts, practices, and procedures within a particular field. Relies on instructions and pre-established guidelines to perform the functions of the job. Works under immediate supervision. Primary job functions do not typically require exercising independent judgment. Typically reports to a project leader or manager. [View full job description](#)

View IT -- All Jobs by Salary Range: <\$30K, \$30K-\$50K, \$50K-\$80K, \$80K-\$100K, >\$100K

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## Systems Administrator II Salaries in Daytona Beach, FL

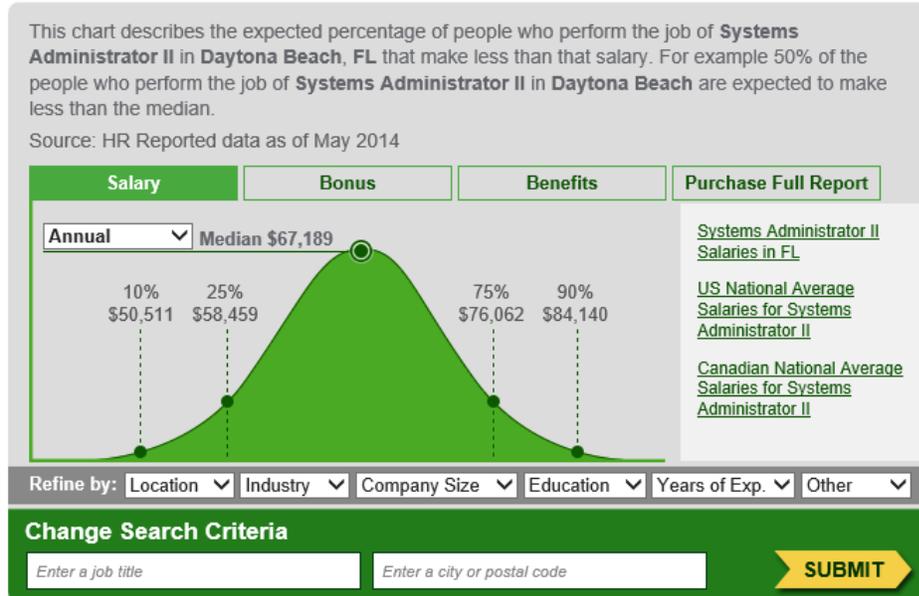
**Alternate Job Titles:** Systems Administrator II, Systems Administrator, IT Administrator

**What is the average Systems Administrator II salary for Daytona Beach, FL?**

The salary for someone with the job title Systems Administrator II in Daytona Beach, FL varies depending on a number of factors. Our team of Certified Compensation Professionals has analyzed survey data collected from thousands of HR departments at employers of all sizes and industries on Systems Administrator II salaries to construct a range which describes the distribution of salaries for people with the job title Systems Administrator II in Daytona Beach, FL.

**Categories:** [IT -- All](#), [IT -- Computers, Hardware](#)

**Similar Job Titles:** [Systems Engineer II](#), [Systems Administrator III](#), [Network Administrator II](#), [Operating Systems Programmer II](#), [Business Systems Analyst II](#), [Applications Systems Analyst II](#), [NT Systems Administrator](#), [UNIX Administrator](#), [Systems Architect](#)



### Job Description for Systems Administrator II

Installs new software releases and system upgrades, evaluates and installs patches, and resolves software related problems. Performs system backups and recovery. Maintains data files and monitors system configuration to ensure data integrity. May require a bachelor's degree with at least 2-4 years of experience in the field or in a related area. Has knowledge of commonly-used concepts, practices, and procedures within a particular field. Relies on instructions and pre-established guidelines to perform the functions of the job. Works under immediate supervision. Primary job functions do not typically require exercising independent judgment. Typically reports to a project leader or manager. [View full job description](#)

**View IT -- All Jobs by Salary Range:** [<\\$30K](#), [\\$30K-\\$50K](#), [\\$50K-\\$80K](#), [\\$80K-\\$100K](#), [>\\$100K](#)



## Systems Administrator II Salaries in Tampa, FL

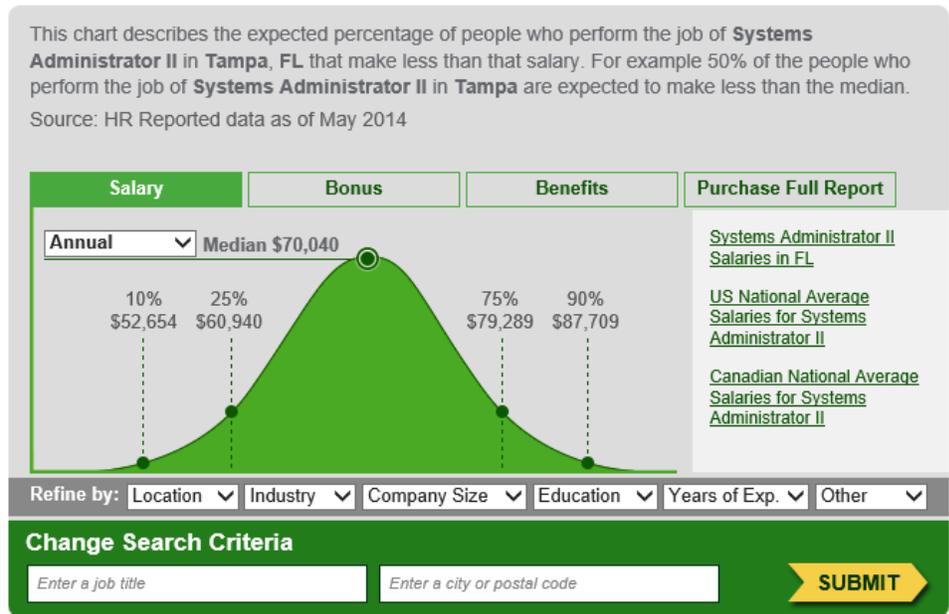
**Alternate Job Titles:** Systems Administrator II, Systems Administrator, IT Administrator

**What is the average Systems Administrator II salary for Tampa, FL?**

The salary for someone with the job title Systems Administrator II in Tampa, FL varies depending on a number of factors. Our team of Certified Compensation Professionals has analyzed survey data collected from thousands of HR departments at employers of all sizes and industries on Systems Administrator II salaries to construct a range which describes the distribution of salaries for people with the job title Systems Administrator II in Tampa, FL.

**Categories:** [IT -- All](#), [IT -- Computers, Hardware](#)

**Similar Job Titles:** [Systems Engineer II](#), [Systems Administrator III](#), [Network Administrator II](#), [Operating Systems Programmer II](#), [Business Systems Analyst II](#), [Applications Systems Analyst II](#), [NT Systems Administrator](#), [UNIX Administrator](#), [Systems Architect](#)



### Job Description for Systems Administrator II

Installs new software releases and system upgrades, evaluates and installs patches, and resolves software related problems. Performs system backups and recovery. Maintains data files and monitors system configuration to ensure data integrity. May require a bachelor's degree with at least 2-4 years of experience in the field or in a related area. Has knowledge of commonly-used concepts, practices, and procedures within a particular field. Relies on instructions and pre-established guidelines to perform the functions of the job. Works under immediate supervision. Primary job functions do not typically require exercising independent judgment. Typically reports to a project leader or manager. [View full job description](#)

View [IT -- All Jobs](#) by Salary Range: [<\\$30K](#), [\\$30K-\\$50K](#), [\\$50K-\\$80K](#), [\\$80K-\\$100K](#), [>\\$100K](#)

<http://www1.salary.com/FL/Miami/Systems-Administrator-II-salary.html>

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## Systems Administrator II Salaries in Miami, FL

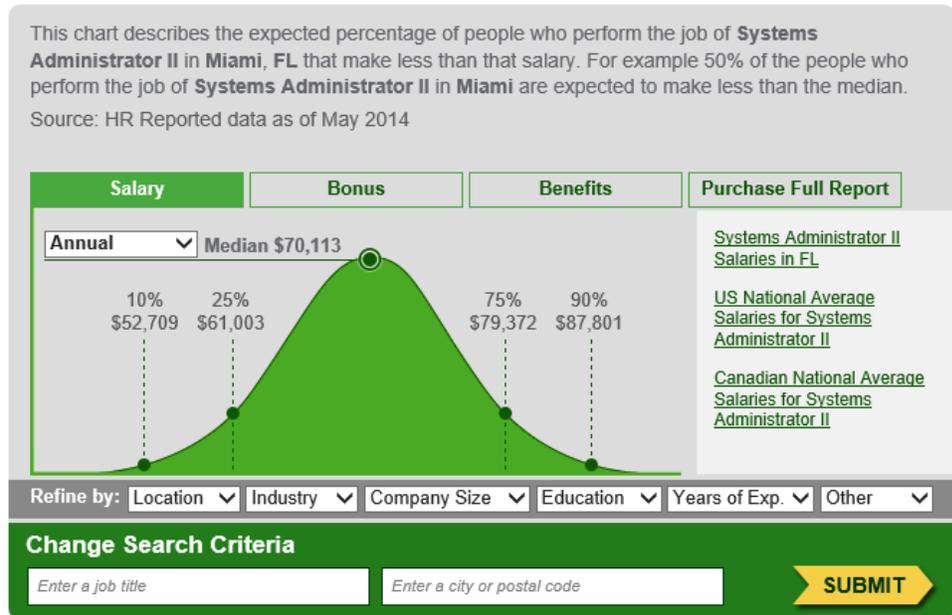
**Alternate Job Titles:** Systems Administrator II, Systems Administrator, IT Administrator

**What is the average Systems Administrator II salary for Miami, FL?**

The salary for someone with the job title Systems Administrator II in Miami, FL varies depending on a number of factors. Our team of Certified Compensation Professionals has analyzed survey data collected from thousands of HR departments at employers of all sizes and industries on Systems Administrator II salaries to construct a range which describes the distribution of salaries for people with the job title Systems Administrator II in Miami, FL.

**Categories:** [IT -- All](#), [IT -- Computers, Hardware](#)

**Similar Job Titles:** [Systems Engineer II](#), [Systems Administrator III](#), [Network Administrator II](#), [Operating Systems Programmer II](#), [Business Systems Analyst II](#), [Applications Systems Analyst II](#), [NT Systems Administrator](#), [UNIX Administrator](#), [Systems Architect](#)



### Job Description for Systems Administrator II

Installs new software releases and system upgrades, evaluates and installs patches, and resolves software related problems. Performs system backups and recovery. Maintains data files and monitors system configuration to ensure data integrity. May require a bachelor's degree with at least 2-4 years of experience in the field or in a related area. Has knowledge of commonly-used concepts, practices, and procedures within a particular field. Relies on instructions and pre-established guidelines to perform the functions of the job. Works under immediate supervision. Primary job functions do not typically require exercising independent judgment. Typically reports to a project leader or manager. [View full job description](#)

**View IT -- All Jobs by Salary Range:** [<\\$30K](#), [\\$30K-\\$50K](#), [\\$50K-\\$80K](#), [\\$80K-\\$100K](#), [>\\$100K](#)

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## Systems Administrator II Salaries in West Palm Beach, FL

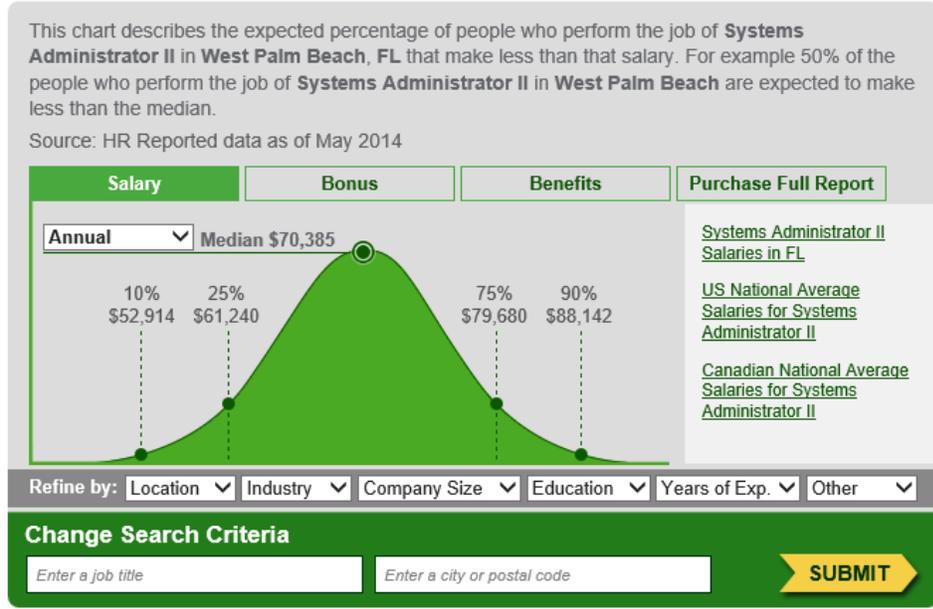
**Alternate Job Titles:** Systems Administrator II, Systems Administrator, IT Administrator

### What is the average Systems Administrator II salary for West Palm Beach, FL?

The salary for someone with the job title Systems Administrator II in West Palm Beach, FL varies depending on a number of factors. Our team of Certified Compensation Professionals has analyzed survey data collected from thousands of HR departments at employers of all sizes and industries on Systems Administrator II salaries to construct a range which describes the distribution of salaries for people with the job title Systems Administrator II in West Palm Beach, FL.

**Categories:** [IT -- All](#), [IT -- Computers, Hardware](#)

**Similar Job Titles:** [Systems Engineer II](#), [Systems Administrator III](#), [Network Administrator II](#), [Operating Systems Programmer II](#), [Business Systems Analyst II](#), [Applications Systems Analyst II](#), [NT Systems Administrator](#), [UNIX Administrator](#), [Systems Architect](#)



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Installs new software releases and system upgrades, evaluates and installs patches, and resolves software related problems. Performs system backups and recovery. Maintains data files and monitors system configuration to ensure data integrity. May require a bachelor's degree with at least 2-4 years of experience in the field or in a related area. Has knowledge of commonly-used concepts, practices, and procedures within a particular field. Relies on instructions and pre-established guidelines to perform the functions of the job. Works under immediate supervision. Primary job functions do not typically require exercising independent judgment. Typically reports to a project leader or manager. [View full job description](#)

View IT -- All Jobs by Salary Range: [<\\$30K](#), [\\$30K-\\$50K](#), [\\$50K-\\$80K](#), [\\$80K-\\$100K](#), [>\\$100K](#)

## Florida State Courts System Class Specification

### Class Title: Information Systems Consultant II

Class Code: 4045

[Pay Grade 110](#)

### General Description

The essential function of the position within the organization is to provide technical support and analysis. The position is responsible for developing, designing, testing, implementing and maintaining computer applications/systems; providing data and reports; analyzing the technical feasibility of proposed system projects; resolving complex software problems; developing new productivity tools and methodologies; and providing production support. The position works under general supervision independently developing work methods and sequences.

### 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.)

Analyzes computer application requirements and the technical feasibility of proposed projects.

Develops, designs, tests, implements, and maintains computer applications; designs and documents databases.

Provides enhancements and maintenance for existing computer system applications, resolving complex software problems.

Develops new productivity tools and methodologies; creates custom reports as requested; codes applications programs.

Consults with court clerks, deputy clerks and judges regarding computer application requirements to ensure efficient operations for areas of responsibility.

Develops and updates instructions for use of computer applications; provides technical training for applications end-users and assists co-workers with technical problems.

Examines and analyzes data entered into the computer applications to ensure the data meets database requirements.

## INFORMATION SYSTEMS CONSULTANT II

Collaborates with other agencies and departments on technical projects; prepares clear and detailed instructions for use of computer applications. Ensures compliance with applicable policies, procedures, regulations and laws in the performance of technical tasks.

Adheres to information Systems Development Methodology (ISDM) and Project Management documentation requirements as adopted by ISS. Also meets ISS information technology standards when developing.

Ensures that design and implementation procedures make use of appropriate information engineering principles under the ITIL framework as adopted by ISS, including ISS production Change Management, Release Management and Service Management.

Attends staff meetings to exchange information; attends technical classes, workshops or seminars to improve technical skills. Perfect skills in the use of application and database developmental tools.

### **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.

Conducts research to discover new methodologies or to find solutions for unresolved problems.

#### **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; will use logic and set theory to understand, develop and manage relational databases.

**Communications Requirements:**

Involves the ability to read, write, and speak.

Reads and interprets advanced professional materials; writes extremely 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 broad principles of professional management and leadership to solve new problems for which conventional solutions do not exist; 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 moderately serious impact - affects work unit and may affect other units or citizens.

**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.

Coordinates the handling of machines, tools, equipment, or work aids involving extensive latitude for judgment regarding attainment of standard or in selecting appropriate items, such as complex software applications.

**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.

Bachelor's degree in engineering, computer science, management information systems or a closely related field.

### **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.

Five years of related experience.

### **Licenses, Certifications, and Registrations Required:**

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

None



GERALD M. BAILEY  
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## Criminal Justice Agency Profile Survey Results

### Overview

The Criminal Justice Agency Profile Report (CJAP) is created annually to obtain compensation and benefit information of criminal justice agencies in the state of Florida.

Section 943.18, F. S., requires that the Criminal Justice Standards and Training Commission (CJSTC), "...make a comprehensive study of the compensation and benefits paid to law enforcement and correctional officers throughout the state..." which should include the factors upon which compensation is based.

This report is a tool for evaluating compensation paid to criminal justice personnel and assists criminal justice agencies in determining the level of compensation required to attract and retain qualified law enforcement and correctional personnel.

The report's questions are limited to entry-level sworn officers (in law enforcement and correctional) and the minimum compensation provided.

The report also provides comparative data on topics such as pre-employment requirements; available insurance programs; annual leave; retirement options; special units; training programs; educational requirements; and full-time officer demographics.

If you have questions on the information provided by a specific agency, please contact them directly. [Agency contact information](#) can be found on the FDLE website.

The 2010, 2011 and 2012 CJAP reports are currently available on the FDLE web site.

All Information is in Microsoft Excel Spreadsheet format.

### 2012 Criminal Justice Agency Profile Survey Results

For Information about each section please click on that respective link below.

<a href="#">Police Departments</a>	<a href="#">Sheriffs' Offices</a>	<a href="#">State Agencies</a>	<a href="#">Schools and Ports</a>	<a href="#">Correctional Agencies</a>	<a href="#">Survey Description</a>	<a href="#">Statewide Ratios</a>
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### 2011 Criminal Justice Agency Profile Survey Results

For Information about each section please click on that respective link below.

<a href="#">Police Departments</a>	<a href="#">Sheriffs' Offices</a>	<a href="#">State Agencies</a>	<a href="#">Schools and Ports</a>	<a href="#">Correctional Agencies</a>	<a href="#">Survey Description</a>	<a href="#">Statewide Ratios</a>
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### 2010 Criminal Justice Agency Profile Survey Results

For Information about each section please click on that respective link below.

<a href="#">Police Departments</a>	<a href="#">Sheriffs' Offices</a>	<a href="#">State Agencies</a>	<a href="#">Schools and Ports</a>	<a href="#">Correctional Agencies</a>	<a href="#">Survey Description</a>	<a href="#">Statewide Ratios</a>
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(For CJAP reports prior to 2010, contact the Professionalism Program at (850) 410-8600.)

## Police Departments - Salary (2012)

Agency	County	Entry Min Salary
Alachua Police Department	Alachua	31,502
Altamonte Springs Police Department	Seminole	38,000
Altha Police Department	Calhoun	30,000
Apalachicola Police Department	Franklin	30,000
Apopka Police Department	Orange	44,155
Arcadia Police Department	DeSoto	32,000
Astatula Police Department	Lake	30,000
Atlantic Beach Police Department	Duval	39,071
Atlantis Police Department	Palm Beach	43,705
Auburndale Police Department	Polk	36,983
Aventura Police Department	Dade	51,984
Avon Park Police Department	Highlands	29,786
Bal Harbour Village Police Department	Dade	55,000
Bartow Police Department	Polk	32,092
Bay Harbor Island Police Department	Dade	48,259
Belleair Police Department	Pinellas	43,592
Bellevue Police Department	Marion	30,049
Biscayne Park Police Department	Dade	34,500
Blountstown Police Department	Calhoun	26,500
Boca Raton Police Services Department	Palm Beach	52,500
Bonifay Police Department	Holmes	21,840
Bowling Green Police Department	Hardee	26,728
Boynton Beach Police Department	Palm Beach	44,800
Bradenton Beach Police Department	Manatee	39,000
Bradenton Police Department	Manatee	39,000
Brooksville Police Department	Hernando	37,247
Bunnell Police Department	Flagler	35,522
Cape Coral Police Department	Lee	40,539
Carrabelle Police Department	Franklin	30,500
Casselberry Police Department	Seminole	36,999
Cedar Key Police Department	Levy	35,226
Center Hill Police Department	Sumter	26,000
Chattahoochee Police Department	Gadsden	25,000
ChieFLand Police Department	Levy	27,993
Chipley Police Department	Washington	25,945
City Of Belle Isle Police Department	Orange	37,500
Clearwater Police Department	Pinellas	44,471
Clermont Police Department	Lake	41,190
Clewiston Police Department	Hendry	39,890
Cocoa Beach Police Department	Brevard	35,090
Cocoa Police Department	Brevard	36,116
Coconut Creek Police Department	Broward	51,215
Coleman Police Department	Sumter	22,000
Coral Gables Police Department	Dade	44,193
Coral Springs Police Department	Broward	53,866
Cottdale Police Department	Jackson	23,000
Crescent City Police Department	Putnam	33,590

Crestview Police Department	Okaloosa	24,883
Dade City Police Department	Pasco	35,668
Davenport Police Department	Polk	30,162
Davie Police Department	Broward	51,687
Daytona Beach Police Department	Volusia	34,301
Daytona Beach Shores Public Safety Department	Volusia	35,844
Defuniak Springs Police Department	Walton	33,125
Deland Police Department	Volusia	32,236
Delray Beach Police Department	Palm Beach	44,310
Doral Police Department	Dade	44,592
Dunnellon Police Department	Marion	31,117
Eatonville Police Department	Orange	35,254
Edgewater Police Department	Volusia	32,329
Edgewood Police Department	Orange	40,884
El Portal Police Department	Dade	32,000
Escambia County Solid Waste Department	Escambia	25,979
Eustis Police Department	Lake	33,551
Fellsmere Police Department	Indian River	33,000
Fernandina Beach Police Department	Nassau	40,519
FLorida City Police Department	Dade	39,918
Fort Lauderdale Police Department	Broward	54,808
Fort Myers Police Department	Lee	35,172
Fort Walton Beach Police Department	Okaloosa	32,445
Fruitland Park Police Department	Lake	30,576
Golden Beach Police Department	Dade	43,260
Graceville Police Department	Jackson	23,442
Green Cove Springs Police Department	Clay	33,900
Greenacres Department of Public Safety	Palm Beach	45,138
Gretna Police Department	Gadsden	26,775
Groveland Police Department	Lake	36,336
Gulf Breeze Police Department	Santa Rosa	34,386
Gulf Stream Police Department	Palm Beach	45,500
Gulfport Police Department	Pinellas	47,714
Haines City Police Department	Polk	35,945
Hallandale Beach Police Department	Broward	48,568
Havana Police Department	Gadsden	28,000
Hialeah Gardens Police Department	Dade	38,000
Hialeah Police Department	Dade	42,000
High Springs Police Department	Alachua	32,000
Highland Beach Police Department	Palm Beach	48,000
Hillsboro Beach Police Department	Broward	56,344
Holly Hill Police Department	Volusia	32,463
Hollywood Police Department	Broward	42,000
Holmes Beach Police Department	Manatee	39,391
Homestead Police Department	Dade	48,547
Howey-In-The-Hills Police Department	Lake	30,500
Indialantic Police Department	Brevard	35,308
Indian Creek Village Police Department	Dade	40,170
Indian Harbour Beach Police Department	Brevard	37,848
Indian River Shores Department of Public Safety	Indian River	38,802

Indian Shores Police Department	Pinellas	37,150
Inglis Police Department	Levy	20,800
Interlachen Police Department	Putnam	24,000
Jacksonville Beach Police Department	Duval	36,629
Juno Beach Police Department	Palm Beach	45,893
Jupiter Inlet Colony Police Department	Palm Beach	52,224
Jupiter Island Public Safety Department	Martin	48,450
Jupiter Police Department	Palm Beach	44,169
Kenneth City Police Department	Pinellas	34,329
Key Biscayne Police Department	Dade	48,092
Key Colony Beach Police Department	Monroe	46,962
Key West Police Department	Monroe	43,181
Kissimmee Police Department	Osceola	37,170
Lady Lake Police Department	Lake	36,894
Lake Alfred Police Department	Polk	26,230
Lake City Police Department	Columbia	32,521
Lake Clarke Shores Police Department	Palm Beach	41,600
Lake Hamilton Police Department	Polk	27,040
Lake Mary Police Department	Seminole	35,970
Lake Placid Police Department	Highlands	31,734
Lake Wales Police Department	Polk	33,018
Lakeland Police Department	Polk	40,863
Lantana Police Department	Palm Beach	43,241
Largo Police Department	Pinellas	41,704
Lauderhill Police Department	Broward	52,548
Lighthouse Point Police Department	Broward	51,757
Live Oak Police Department	Suwannee	30,000
Longboat Key Police Department	Manatee	39,700
Longwood Police Department	Seminole	45,500
Lynn Haven Police Department	Bay	34,000
Madison Police Department	Madison	30,900
Maitland Police Department	Orange	38,137
Manalapan Police Department	Palm Beach	43,677
Marco Island Police Department	Collier	40,000
Margate Police Department	Broward	49,217
Marianna Police Department	Jackson	24,281
Medley Police Department	Dade	49,657
Melbourne Beach Police Department	Brevard	32,500
Melbourne Village Police Department	Brevard	32,000
Mexico Beach Police Department	Bay	26,000
Miami Beach Police Department	Dade	51,558
Miami Gardens Police Department	Dade	47,900
Miami Police Department	Dade	45,929
Miami Shores Police Department	Dade	50,169
Miami Springs Police Department	Dade	48,025
Miccosukee Police Department	Dade	39,321
Midway Police Department	Gadsden	28,500
Milton Police Department	Santa Rosa	29,469
Miramar Police Department	Broward	45,626
Monticello Police Department	Jefferson	28,000

Neptune Beach Police Department	Duval	34,560
New Smyrna Beach Police Department	Volusia	32,843
Niceville Police Department	Okaloosa	28,642
North Miami Beach Police Department	Dade	46,576
North Palm Beach Public Safety Department	Palm Beach	42,367
North Port Police Department	Sarasota	41,509
Oakland Police Department	Orange	37,500
Ocala Police Department	Marion	36,003
Ocean Ridge Police Department	Palm Beach	45,670
Ocoee Police Department	Orange	40,500
Opa Locka Police Department	Dade	36,000
Orange City Police Department	Volusia	31,974
Orange Park Police Department	Clay	33,450
Orlando Police Department	Orange	43,237
Ormond Beach Police Department	Volusia	35,651
Oviedo Police Department	Seminole	37,631
Palatka Police Department	Putnam	31,421
Palm Bay Police Department	Brevard	35,811
Palm Beach Gardens Police Department	Palm Beach	46,149
Palm Beach Police Department	Palm Beach	47,000
Palm Beach Shores Police Department	Palm Beach	40,500
Palm Springs Public Safety Department	Palm Beach	45,958
Palmetto Police Department	Manatee	34,919
Panama City Beach Police Department	Bay	33,966
Panama City Police Department	Bay	32,603
Parker Police Department	Bay	33,981
Pembroke Pines Police Department	Broward	48,755
Pensacola Police Department	Escambia	32,968
Perry Police Department	Taylor	38,064
Pinecrest Police Department	Dade	52,727
Pinellas Park Police Department	Pinellas	40,967
Plant City Police Department	Hillsborough	42,915
Ponce Inlet Police Department	Volusia	32,980
Port Orange Police Department	Volusia	34,366
Port St. Lucie Police Department	St. Lucie	42,599
Punta Gorda Police Department	Charlotte	40,000
Quincy Police Department	Gadsden	30,000
Riviera Beach Police Department	Palm Beach	38,000
Rockledge Police Department	Brevard	34,200
Sanford Police Department	Seminole	35,720
Sanibel Police Department	Lee	34,108
Sarasota Police Department	Sarasota	41,644
Satellite Beach Police Department	Brevard	31,470
Sea Ranch Lakes Police Department	Broward	49,400
Sebastian Police Department	Indian River	37,200
Sebring Police Department	Highlands	34,800
Seminole Police Department	Broward	45,500
Shalimar Police Department	Okaloosa	25,000
South Daytona Police Department	Volusia	35,117
South Miami Police Department	Dade	44,389

South Palm Beach Public Safety Department	Palm Beach	40,685
Springfield Police Department	Bay	24,024
St. Augustine Beach Police Department	St. Johns	35,888
St. Augustine Police Department	St. Johns	38,600
St. Cloud Police Department	Osceola	38,951
St. Petersburg Police Department	Pinellas	43,616
Starke Police Department	Bradford	27,846
Stuart Police Department	Martin	44,990
Sunny Isles Beach Police Department	Dade	47,290
Sunrise Police Department	Broward	57,963
Surfside Police Department	Dade	50,258
Tallahassee Police Department	Leon	42,765
Tampa Police Department	Hillsborough	46,384
Tarpon Springs Police Department	Pinellas	40,509
Tavares Police Department	Lake	33,600
Temple Terrace Police Department	Hillsborough	46,406
Tequesta Police Department	Palm Beach	44,289
Titusville Police Department	Brevard	34,320
Treasure Island Police Department	Pinellas	42,920
Trenton Police Department	Gilchrist	30,000
Umatilla Police Department	Lake	34,000
Valparaiso Police Department	Okaloosa	29,474
Venice Police Department	Sarasota	40,450
Vero Beach Police Department	Indian River	36,982
Virginia Gardens Police Department	Dade	40,573
Volusia County Beach Patrol	Volusia	33,182
Waldo Police Department	Alachua	26,500
Wauchula Police Department	Hardee	27,435
Webster Police Department	Sumter	25,000
West Melbourne Police Department	Brevard	35,560
West Miami Police Department	Dade	42,273
West Palm Beach Police Department	Palm Beach	45,324
White Springs Police Department	Hamilton	22,500
Wildwood Police Department	Sumter	35,500
Williston Police Department	Levy	28,000
Wilton Manors Police Department	Broward	47,151
Winter Garden Police Department	Orange	42,037
Winter Haven Police Department	Polk	38,168
Winter Park Police Department	Orange	38,523
Winter Springs Police Department	Seminole	32,850
Zephyrhills Police Department	Pasco	35,485
		8,990,651
<b>MUNICIPAL POLICE OFFICER AVERAGE:</b>		<b>\$37,775.84</b>

## Sheriff's Offices Law Enforcement - Salary (2012)

Agency	County	Entry Min Salary
Alachua County Sheriff's Office	Alachua	33,362
Baker County Sheriff's Office	Baker	32,034
Bay County Sheriff's Office	Bay	32,000
Bradford County Sheriff's Office	Bradford	30,000
Brevard County Sheriff's Office	Brevard	36,004
Broward County Sheriff's Office	Broward	44,744
Calhoun County Sheriff's Office	Calhoun	28,000
Charlotte County Sheriff's Office	Charlotte	39,520
Citrus County Sheriff's Office	Citrus	35,071
Clay County Sheriff's Office	Clay	34,650
Collier County Sheriff's Office	Collier	41,645
Columbia County Sheriff's Office	Columbia	30,000
Desoto County Sheriff's Office	DeSoto	32,494
Escambia County Sheriff's Office	Escambia	33,882
Flagler County Sheriff's Office	Flagler	33,012
Franklin County Sheriff's Office	Franklin	31,500
Gadsden County Sheriff's Office	Gadsden	30,000
Gilchrist County Sheriff's Office	Gilchrist	30,000
Glades County Sheriff's Office	Glades	36,756
Gulf County Sheriff's Office	Gulf	31,900
Hamilton County Sheriff's Office	Hamilton	20,000
Hardee County Sheriff's Office	Hardee	33,000
Hendry County Sheriff's Office	Hendry	36,000
Hernando County Sheriff's Office	Hernando	39,401
Highlands County Sheriff's Office	Highlands	31,796
Hillsborough County Sheriff's Office	Hillsborough	44,881
Holmes County Sheriff's Office	Holmes	25,000
Indian River County Sheriff's Office	Indian River	38,950
Jackson County Sheriff's Office	Jackson	28,000
Jacksonville Sheriff's Office	Duval	38,148
Jefferson County Sheriff's Office	Jefferson	25,000
Lafayette County Sheriff's Office	Lafayette	26,000
Lake County Sheriff's Office	Lake	35,485
Lee County Sheriff's Office	Lee	35,294
Leon County Sheriff's Office	Leon	41,759
Levy County Sheriff's Office	Levy	28,840
Madison County Sheriff's Office	Madison	30,900
Manatee County Sheriff's Office	Manatee	39,689
Marion County Sheriff's Office	Marion	28,600
Martin County Sheriff's Office	Martin	42,120
Miami-Dade Police Department	Dade	50,490
Monroe County Sheriff's Office	Monroe	42,286
Okaloosa County Sheriff's Office	Okaloosa	34,590

Okeechobee County Sheriff's Office	Okeechobee	34,000
Orange County Sheriff's Office	Orange	38,001
Osceola County Sheriff's Office	Osceola	37,745
Palm Beach County Sheriff's Office	Palm Beach	47,220
Pasco County Sheriff's Office	Pasco	39,382
Pinellas County Sheriff's Office	Pinellas	41,284
Polk County Sheriff's Office	Polk	38,125
Putnam County Sheriff's Office	Putnam	29,120
Santa Rosa County Sheriff's Office	Santa Rosa	30,560
Sarasota County Sheriff's Office	Sarasota	40,000
Seminole County Sheriff's Office	Seminole	36,089
St. Johns County Sheriff's Office	St. Johns	36,050
St. Lucie County Sheriff's Office	St. Lucie	36,500
Sumter County Sheriff's Office	Sumter	36,167
Suwannee County Sheriff's Office	Suwannee	30,000
Taylor County Sheriff's Office	Taylor	32,305
Union County Sheriff's Office	Union	30,500
Volusia County Sheriff's Office	Volusia	35,616
Wakulla County Sheriff's Office	Wakulla	30,000
Walton County Sheriff's Office	Walton	33,588
Washington County Sheriff's Office	Washington	28,538
		2,213,593

<b>DEPUTY SHERIFF AVERAGE:</b>	<b>\$34,587.39</b>
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## State Agencies - Salary (2012)

Agency	County	Entry Min Salary
Capitol Police - FDLE	Leon	31,880
Department of Agriculture and Consumer Services	Leon	31,880
Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco	Leon	39,559
Florida Department of Financial Services, Office of Fiscal Integrity	Leon	36,382
Florida Department of Highway Safety & Motor Vehicles, Division of Florida Highway Patrol	Leon	33,977
Florida Department of Law Enforcement	Leon	45,819
Florida Department of the Lottery, Division of Security	Leon	32,500
Florida Division Of State Fire Marshal, Fire Investigation	Leon	39,559
Florida Fish and Wildlife Conservation Commission	Leon	32,836
Florida Supreme Court Office of the Marshal	Leon	33,352
Office Of The Attorney General, Medicaid Fraud Control Unit	Leon	31,880
State Attorney's Office, Eighteenth Judicial Circuit	Brevard	32,613
State Attorney's Office, Eighth Judicial Circuit	Alachua	40,000
State Attorney's Office, Eleventh Judicial Circuit	Dade	36,941
State Attorney's Office, Fifteenth Judicial Circuit	Palm Beach	47,000
State Attorney's Office, Fifth Judicial Circuit	Marion	30,000
State Attorney's Office, First Judicial Circuit	Escambia	32,613
State Attorney's Office, Fourteenth Judicial Circuit	Jackson	32,613
State Attorney's Office, Fourth Judicial Circuit	Duval	44,000
State Attorney's Office, Nineteenth Judicial Circuit	St. Lucie	37,680
State Attorney's Office, Ninth Judicial Circuit	Orange	38,680
State Attorney's Office, Second Judicial Circuit	Leon	37,680
State Attorney's Office, Seventh Judicial Circuit	Volusia	42,500
State Attorney's Office, Sixteenth Judicial Circuit	Monroe	32,613
State Attorney's Office, Sixth Judicial Circuit	Pinellas	42,000
State Attorney's Office, Tenth Judicial Circuit	Polk	32,613
State Attorney's Office, Third Judicial Circuit	Suwannee	43,000
State Attorney's Office, Thirteenth Judicial Circuit	Hillsborough	32,613
State Attorney's Office, Twelfth Judicial Circuit	Sarasota	32,613
State Attorney's Office, Twentieth Judicial Circuit	Lee	40,000
		1,097,396
<b>STATE AGENCY AVERAGE:</b>		<b>\$36,579.87</b>

## Schools and Ports - Salary (2012)

Agency	County	Entry Min Salary
Broward County School Board Police Department	Broward	60,873
Canaveral Port Authority Police Department	Brevard	38,000
Duval County School Police Department	Duval	34,992
Edison State College Department Of Public Safety	Lee	32,000
Florida Agricultural And Mechanical University Police Department	Leon	34,176
Florida Atlantic University Police Department	Palm Beach	38,868
Florida Gulf Coast University Police and Safety	Lee	37,000
Florida International University Public Safety Department	Dade	41,232
Florida School for the Deaf and the Blind Campus Police	St. Johns	31,879
Florida State University Police Department	Leon	37,917
Jacksonville Aviation Authority Police Department	Duval	42,100
Lee County Port Authority Police Department	Lee	41,635
Leon County Schools Dept Of Safety, Security & Emergency Mgt	Leon	48,000
Melbourne International Airport Police Department	Brevard	33,774
Miami-Dade Schools Police Department	Dade	38,238
New College Of Florida Police Department	Sarasota	35,000
Palm Beach County School District Police Department	Palm Beach	41,837
Panama City Airport Police Department	Bay	28,350
Pinellas County School Police Department	Pinellas	34,995
Putnam County School District Police Department	Putnam	42,000
Sanford Airport Police Department	Seminole	33,000
Santa Fe Community College Police Department	Alachua	27,505
Sarasota Manatee Airport Authority	Sarasota	36,275
Tallahassee Comm. College Police Dept.	Leon	31,868
Tampa International Airport Police Department	Hillsborough	46,213
University Of Central Florida Police Department	Orange	38,000
University of Florida Police Department	Alachua	39,735
University of North Florida Police Department	Duval	31,333
University of South Florida Police Department	Hillsborough	42,000
University Of South Florida, St. Petersburg	Pinellas	44,000
		1,142,795
<b>SCHOOLS AND PORTS AVERAGE:</b>		<b>\$38,093.17</b>

The screenshot shows a web browser window with the URL <http://www1.salary.com/Facilities-Manager-Salary.html>. The page title is "Facilities Manager Salary | S...". The browser's address bar shows "Find: deputy marshal". Below the browser window is a green navigation bar with the following menu items: Salary, Job Search, Education, Career Development, Work & Life, and F.

## Facilities Manager Salaries

View [Facilities Manager Hourly Wages](#)

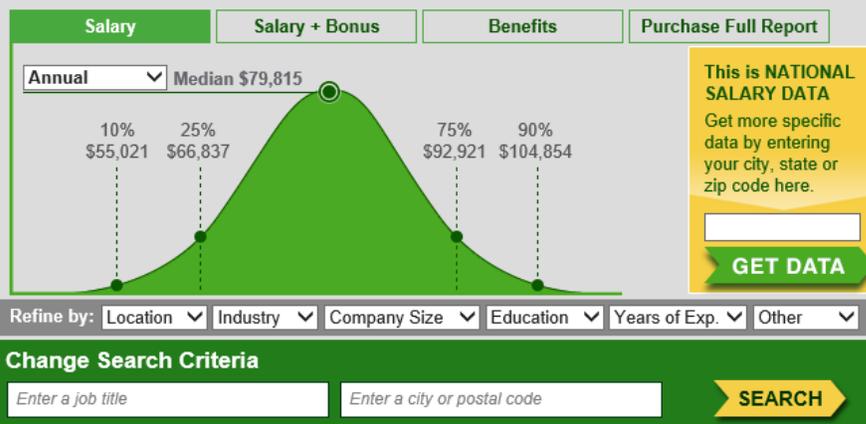
Alternate Job Titles: [Facilities Manager](#)

### What is the average annual salary for Facilities Manager?

The annual salary for someone with the job title Facilities Manager may vary depending on a number of factors including industry, company size, location, years of experience and level of education. Our team of Certified Compensation Professionals has analyzed survey data collected from thousands of HR departments at companies of all sizes and industries to present this range of annual salaries for people with the job title Facilities Manager in the United States.

This chart describes the expected percentage of people who perform the job of Facilities Manager in the United States that make less than that annual salary. For example the median expected annual pay for a typical Facilities Manager in the United States is \$79,815 so 50% of the people who perform the job of Facilities Manager in the United States are expected to make less than \$79,815.

Source: HR Reported data as of May 2014



If you would like more details about compensation for this position including benefits and how other factors may influence your pay try our [Salary Wizard](#). If you are planning to negotiate a salary you may want to purchase a [Personal Salary Report](#). If you are an employer looking to price this position you may want to purchase a [Job Valuation Report](#) or [Salary Wizard Professional Edition](#).

### Job Description for Facilities Manager

Ensures optimal functioning of building systems including mechanical, electrical, fire/life safety, and elevators. May manage a staff of employees in the maintenance of buildings and grounds. May oversee contractors for facility renovation project. May require a bachelors degree and at least 5 years of experience in the field. Familiar with a variety of the field's concepts, practices, and procedures. Relies on experience and judgment to plan and accomplish goals. Performs a variety of tasks. Leads and directs the work of others. A wide degree of creativity and latitude is expected. Typically reports to a head of a unit/department. [View Facilities Manager job description](#)

View Materials Management Jobs by Salary Range: [<\\$30K](#), [\\$30K-\\$50K](#), [\\$50K-\\$80K](#), [\\$80K-\\$100K](#), [>\\$100K](#)

Categories: [Materials Management](#), [Facilities, Maintenance, and Repair](#)

Industries: [Aerospace & Defense](#), [Biotechnology](#), [Business Services](#), [Chemicals](#), [Construction](#), [Edu., Gov't & Nonprofit](#), [Energy & Utilities](#), [Financial Services](#), [Healthcare](#), [Hospitality & Leisure](#), [Insurance](#), [Internet, Media](#), [MFG Durable](#), [MFG Nondurable](#), [Pharmaceuticals](#), [Retail & Wholesale](#), [Software & Networking](#), [Telecom](#), [Transportation](#)

Similar Job Titles: [Facilities Maintenance Manager I](#), [Facilities Director](#), [Facilities Planner](#), [Facilities Maintenance Supervisor](#), [Clinical Facilities Planning Manager](#), [Facilities Maintenance Manager II](#), [Facilities Supervisor](#), [Facilities Engineer I](#), [Facilities Engineer II](#)

<http://www1.salary.com/Facilities-Manager-Salary.html>

Browser address bar: <http://www1.salary.com/Facilities-Supervisor-Salary.html>

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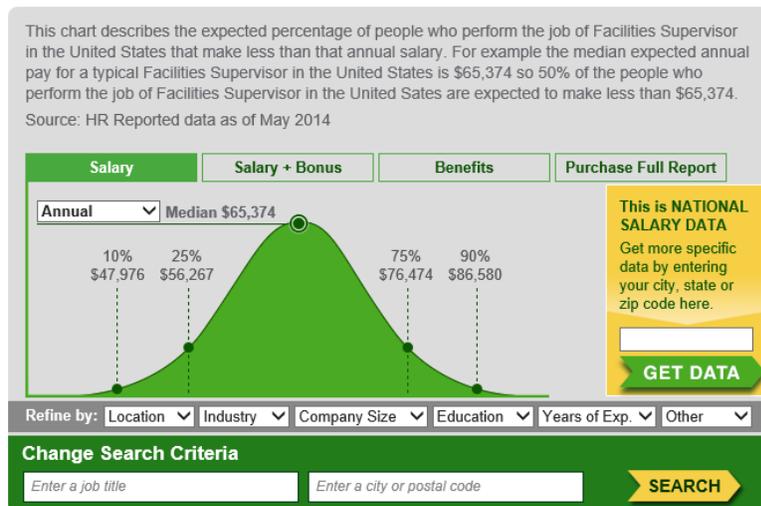
## Facilities Supervisor Salaries

View [Facilities Supervisor Hourly Wages](#)

Alternate Job Titles: Facilities Supervisor, Building Supervisor

What is the average annual salary for Facilities Supervisor?

The annual salary for someone with the job title Facilities Supervisor may vary depending on a number of factors including industry, company size, location, years of experience and level of education. Our team of Certified Compensation Professionals has analyzed survey data collected from thousands of HR departments at companies of all sizes and industries to present this range of annual salaries for people with the job title Facilities Supervisor in the United States.



If you would like more details about compensation for this position including benefits and how other factors may influence your pay try our [Salary Wizard](#). If you are planning to negotiate a salary you may want to purchase a [Personal Salary Report](#). If you are an employer looking to price this position you may want to purchase a [Job Valuation Report](#) or [Salary Wizard Professional Edition](#).

### Job Description for Facilities Supervisor

Supervises and trains building and facilities maintenance staff. Oversees installation, inspections, repairs, trouble shooting and daily maintenance of buildings, infrastructures, and facility equipments. Responsible for keeping buildings and facilities in good status to comply with environmental, health, and safety policies. Requires an associate's degree and 3-5 years of experience in the field or in a related area. Familiar with standard concepts, practices, and procedures within a particular field. Relies on experience and judgment to plan and accomplish goals. Performs a variety of complex tasks. A certain degree of creativity and latitude is required. Typically reports to a manager. [View Facilities Supervisor job description](#)

View Facilities, Maintenance, and Repair Jobs by Salary Range: [<\\$30K](#), [\\$30K-\\$50K](#), [\\$50K-\\$80K](#), [\\$80K-\\$100K](#), [>\\$100K](#)

Categories: [Facilities, Maintenance, and Repair](#), [Construction and Installation](#)

Industries: [Aerospace & Defense](#), [Biotechnology](#), [Business Services](#), [Chemicals](#), [Construction](#), [Edu., Gov't. & Nonprofit](#), [Energy & Utilities](#), [Financial Services](#), [Healthcare](#), [Hospitality & Leisure](#), [Insurance](#), [Internet](#), [Media](#), [MFG Durable](#), [MFG Nondurable](#), [Pharmaceuticals](#), [Retail & Wholesale](#), [Software & Networking](#), [Telecom](#), [Transportation](#)

Similar Job Titles: [Facilities Maintenance Supervisor](#), [Facilities Director](#), [Facilities Planner](#), [Facilities Maintenance Manager I](#), [Facilities Manager](#), [Field Service Supervisor II](#), [Production Supervisor I](#), [Production Supervisor III](#), [Production Supervisor II](#)

<http://www1.salary.com/Facilities-Supervisor-Salary.html>



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# How Much Money Does a Maintenance Engineer Make?

By Kara Page, eHow Contributor

Maintenance or stationary engineers control heating, ventilation and air-conditioning systems in a variety of types of facilities, a job which requires performing routine maintenance duties as well as repair work when necessary. Like educational and licensure requirements, the amount of money a maintenance engineer makes varies from one location to another.

## Salary

Maintenance engineers made an average salary of \$52,620, as of May 2010, reports the Bureau of Labor Statistics. In the 10th percentile, wages began at less than \$32,640 a year, while salaries exceeded \$73,580 in the 90th percentile. The median annual wage of a maintenance engineer was \$52,140.

## Employer

The largest employers of maintenance engineers were general medical surgical hospitals, as of 2010, which offered average salaries of \$53,720, according to the bureau. Those working for colleges, universities and professional schools earned an average of \$49,050 a year, and those employed in pulp, paper and paperboard mills earned an average of \$48,380. Local governments offered an average salary of \$57,390 for maintenance engineers, and state governments offered an average of \$53,770. The highest-paying industry for maintenance engineers was the postal service, which offered an average salary of \$72,220 a year.

## Location

The highest concentration of jobs for maintenance engineers was found in the state of Maine, where 0.87 were employed per every thousand workers and the average salary was \$45,190, as of 2010. Maintenance engineers in Illinois enjoyed the highest salary average of all states at \$66,260 annually, followed by those in New York at \$62,420. Springfield, Illinois, was the nation's highest-paying urban area for maintenance engineers with an average salary of \$82,000, and south Illinois was the highest-paying rural area with an average of \$79,240.

## Outlook

The bureau predicts a slower than average employment rate increase for maintenance engineers at 5 percent between 2008 and 2018. The most job opportunities will be available in industries that require precise temperature control, such as medical facilities. While employers prefer those engineers with more experience, new maintenance engineers can increase their chances in the job market by completing a training course or apprenticeship.

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# Salary of a Building Engineer

By Lucy Friend, eHow Contributor

Building engineers play a key role in facility maintenance for large commercial buildings. They're responsible for the upkeep and operations of all building systems including HVAC, mechanical and electrical equipment, and plumbing.

## Educational Requirements

This position normally requires a **high school diploma or GED**. Training in a specific area such as HVAC, plumbing, or electrical trades are a plus. Some organizations will require certification or trade school training.

## Applicant Testing

Because of the broad range of skills required for this position, candidates with little or no experience may be considered. They may be tested on their mechanical and technical aptitude. The company may be willing to train an employee who can learn tasks quickly and efficiently, especially if the candidate scores well and is technically inclined.

## Other Requirements

Building engineers are required to lift and move heavy objects. Because of the physical demands of the position, they may be required to pass a physical exam given by a doctor or clinic. They may also be required to have their own tools for the position.

## Salary

A building engineer's salary can range from \$17 to \$35 per hour depending on experience and type of tasks that are required on a daily basis. For example, a

- 35,360 / yr  
→ 72,800 / yr

building engineer at a four star hotel may be paid a higher wage because the facility has more equipment that requires maintenance.

## Overtime and Holidays

Because of the demands of this position, building engineers are normally required to be on call for emergencies on a rotating basis, which includes holidays. Overtime can increase salary, but expect to work a 24 hour shift on a rotating basis.

## Resources

[Building Engineer Salary](#)

**Agenda Item VI. B.: Pay Issues for Courts System Employees –  
Performance-Based, Lump Sum Bonuses Authorized  
during 2013 Legislative Session: Status Report**

**Background:**

The 2013 legislature appropriated funds for FY 2013-14 one-time lump sum bonuses:

*Funds are provided in Specific Appropriation 1950A to allow each agency head, including the Chief Justice of the Supreme Court and the Board of Governors, to provide discretionary one-time lump sum bonuses of \$600 to eligible permanent employees in order to recruit, retain and reward quality personnel as provided in s. 110.1245(2), Florida Statutes, or pursuant to a policy adopted by the Board of Governors for state university employees or by the Chief Justice for judicial branch employees, which is consistent with those statutory requirements.*

In March 2014, the *Chief Justice's Plan for Awarding June 2014 Lump Sum Bonuses* was sent to all chief judges, supreme court managers, marshals, trial court administrators, and OSCA managers along with instructions on completing and submitting bonus distribution information in accordance with the plan. That information was subsequently sent, as required, to the Governor's Office of Policy and Budget (OPB) on April 2, 2014.

**Status:**

As of May 29, 2014, the appropriation has not been posted in the state budgeting system. The electronic mass load, consisting of required information on each State Courts System bonus awardee, has been sent to the Department of Management Services (DMS). This, and all the agencies' mass loads, are being held by DMS until the appropriation is posted. At the state Human Resource Officers' meeting on May 21, 2014, DMS representatives noted that until the appropriation is posted, announcements regarding awardees should not be made. Once the appropriation is posted, DMS will forward all the mass loads to the Bureau of State Payroll. A special supplemental payroll for the awards is scheduled to run on June 19, with a warrant date of June 25. Therefore, it is expected that the appropriation will be posted shortly. At that time, assuming the appropriation is sufficient to cover the number of bonuses, awardees can be notified. Please note that there is no language in the FY 2013-14 General Appropriations Act that includes the state's payment of the employee portion of taxes or FICA.

**Item VI.C.: Geographical Differences Workgroup**

Recommendations and approval of Geographical Differences Workgroup Report documentation:  
Memo/Report attached.

District Court of Appeal Budget Commission Videoconference Meeting Minutes of January 16, 2014, page 2:

“Agenda Item III.: Recommendations from the Geographical Difference Workgroup

Judge Lawson presented the recommendations from the geographical difference workgroup. Judge Lawson stated that two votes would need to be approved. The first vote would be to approve the recommendations in concept and the second vote would be approved in regards to how and when the recommendations would be funded and he noted two technical changes to the report 1) the implementation would be recurring instead of non-recurring 2) the CAD will be matching that of the Executive Branch as of the date of this report. Judge Lawson noted that the career attorneys were not included in the recommendation when all other staff were considered. Judge Shepherd stated that it would cost \$10,601.78 in order to include the career attorneys in the recommendation and the decision by the workgroup was to exclude them from the recommendation.

Judge Lawson called for a vote. Judge Damoorgian motioned to approve recommendations from the geographical difference workgroup with the two technical changes. Judge Northcutt seconded and the motion passed without objection. Judge Lawson stated that with no objection they would defer the decision on how and when to fund the recommendations until after session. Judge Shepherd stated that if the pay plan issue is not funded that he would like this issue to be addressed as a top priority when the salary needs are addressed.”

Note: the two technical changes referred to in the minutes are as follows:

1. On page 4 of the memo/report, the word “non-recurring” in the last paragraph was changed to “recurring”.
2. On page 4 of the memo/report, the paragraph numbered 2 was changed to:  
“With the exception of career attorneys, all Third District Court of Appeal positions, whose Executive Branch equivalent have a CAD, will be granted the CAD matching that of the Executive Branch as of the date of this report.”



## **MEMORANDUM**

To: Members of the District Court of Appeal Budget Commission

From: Geographical Cost of Living Differences Workgroup

Date: December 17, 2013

Re: Geographical Cost of Living Differences Workgroup Report

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At its June 20, 2013 meeting in Tampa, the DCABC voted to appoint a workgroup to study the cost of living differences at court locations around the state, determine any inequities, quantify them, and make recommendations on how to proceed. In July, 2013, DCABC Chair Alan Lawson appointed Judge Stevan Northcutt (Second DCA), Judge Frank Shepherd (Third DCA) and Judge Cory Ciklin (Fourth DCA) as voting members of the workgroup. The marshals of those three courts were appointed as non-voting members, and Theresa Westerfield was assigned as OSCA support. Judge Shepherd was asked to chair the workgroup. The report and recommendations of the workgroup follow:

### I.

#### Geographical Cost of Living Differences

The Workgroup found that the best data from which to ascertain the geographical cost of living differences in Florida is Sperling's Best Places, [www.bestplaces.net](http://www.bestplaces.net), a national research organization often featured on network television and websites presenting information about cities in the United States including cost of living comparisons, best places to live, best places for climate, best places to retire and the like. Using Sperling as a resource, the cost of living difference among DCA court locations is as follows:

Court Location	% Cheaper than Miami	
	Overall Cost of Living	Housing
Daytona Beach	21%	61%
Lakeland	20%	51%
Tampa	19%	49%
West Palm Beach	13%	40%
Tallahassee	10%	26%

It is telling, but not surprising on reflection, that there is a perfect correlation between the geographical cost of living differences among these locations and the cost of housing in each location. A copy of the Sperling data is attached as Exhibit “A.”

## II.

### Methodology Used by the United States Courts to Treat Geographical Salary Inequities.

The Workgroup also studied the methodology used by the United States Courts to address geographical salary inequities. The attached data from the U.S. Office of Personnel Management (O.P.M.) describes the approach. See Exhibit “B.” Some of the significant conclusions that can be drawn from these attachments are the following:

- a. The United States Courts model their pay structure on the executive branch, including pay differences based upon geographical location (“locality rates”), as they are published.
- b. The United States Courts adjust their “locality rates” annually or biennially as the executive branch makes adjustments.
- c. The “locality rates” are based on the location of the duty station, not employee home address.
- d. The adjustment is a percentage of the base salary, not a fixed amount.
- e. The adjustment is made for all employees in a court location, not by position.
- f. The criteria articulated by O.P.M. in making locality rate adjustments include the following:
  - Significantly higher non-Federal pay rates than those payable by the Federal Government within the area, location, or occupational group involved;
  - the remoteness of the area or location;

- the undesirability of the working conditions or nature of the work involved; or
  - any other circumstance OPM considers appropriate.
- g. Following the executive branch model, the United States Courts have established a locality rate adjustment for just one geographic area of the State of Florida: the Miami-Fort Lauderdale-Pompano Beach area.<sup>1</sup> The locality rate adjustment for this area is 20.79%.

### III.

#### Competitive Area Differential Comparison District Courts of Appeal v. Equivalent Executive Branch Positions.

Finally, the Workgroup reviewed data comparing presently existing cost of area allowances in the state district courts and equivalent executive branch positions. See Exhibit “C.” The following observations can be derived from an examination of this exhibit:

- a. There is no correlation between the district courts pay structure and the executive branch pay structure concerning which positions receive a competitive area differential.
- b. There is no correlation between the district courts pay structure and the executive branch pay structure concerning the amount of the competitive area differential assigned to equivalent positions in those instances where each has a competitive area differential.
- c. The executive branch competitive area differentials favor the lower paid positions. The district court of appeal competitive area differentials do not. Half of the employees of the Third District Court of Appeal in executive branch equivalent low-paid positions – those in the IT support, security officer and deputy clerk positions – do not have a competitive area differential.
- d. The average competitive area differential for executive branch equivalent positions is 16% higher than the average for the correlative district court of appeal positions.

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<sup>1</sup> The “Miami-Fort Lauderdale-Pompano Beach area” consists of Broward County, Miami-Dade County, Monroe County, and Palm Beach County. See U.S. Office of Personnel Management Locality Pay Area Definitions, <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2012/locality-pay-area-definitions/>.

IV.  
Recommendation

The Sperling data shows that the cost of living where the Third District Court of Appeal is located is 10% to 21% higher than every other district court of appeal location. Those employed by United States Courts in our location have long had a “locality rate” increase of 20.79%. The Third District Court of Appeal is the only district court of appeal where both the Sperling data and federal data support a geographic difference adjustment.

For these reasons, the Workgroup recommends that the District Court of Appeal Budget Commission give the following authority to the Chief Judge of the Third District Court of Appeal:

1. The Chief Judge of the Third District Court of Appeal is granted special authority to authorize, with the exception of the career attorney class, all appointments (initial, promotion, rehire, and upward reclassification) at 10% above the class minimum base salary. This special authority relates to the demonstrated higher cost of living the Third DCA experiences in relation to the rest of the state, and shall not affect any other special circumstance where an exception to hire above the minimum may be requested or authorized. Current employees’ salaries will be adjusted accordingly.
2. With the exception of career attorneys, all Third District Court of Appeal positions, whose Executive Branch equivalent have a CAD, will be granted the CAD stipulated by Executive Branch.

Because most of the positions in the Third District Court of Appeal either have a competitive area differential or are occupied by employees whose present salaries are already 10% above the minimum, the implementation of this recommendation would be a non-recurring cost of \$65,014.19 **inclusive of benefits**. On December 31, 2014 and January 31, 2014 two personnel actions will yield salary savings in the amount of **\$29,146.91 (salary & benefits)**, reducing the implementation cost to **\$35,867.29**. See Exhibit “D.”

Judge Frank A. Shepherd, Chair

cc: w/encl.  
Marshal Jo Haynes  
Marshal Veronica Antonoff  
Theresa Westerfield, OSCA Chief of Personnel

		Employee Information			MINIMUM SALARIES				CAD			NEW Salary Info		
Class Title	Name	Salary NO CAD	CAD	Salary w/CAD	CURRENT Minimum	10 %	Minimum + 10% increase	COST TO RAISE MIN SALARIES BY 10%	CAD Appellate Courts	CAD Executive Branch	COST TO IMPLEMENT NEW CADs	INCREASE (10% +CAD)	New salary after 10% + CAD increase	TOTAL
Chief Deputy Clerk	McCurdy, Debra	75,632.08	0.00	75,632.08	43,193.52	4,319.35	47,512.87	0.00	0.00	0.00	0.00	0.00		
Deputy Clerk I	Nikisha Stanley	28,058.48	0.00	28,058.48	26,658.48	2,665.85	29,324.33	1,265.85	0.00	1,268.80	1,268.80	2,534.65	30,593.13	
	Abauza, Eddy	33,244.00		33,244.00	26,658.48	2,665.85	29,324.33	0.00		1,268.80	1,268.80	1,268.80	34,512.80	
Deputy Clerk II	Sherrrod, Teresa	31,411.20	0.00	31,411.20	29,039.52	2,903.95	31,943.47	532.27	0.00	1,268.80	1,268.80	1,801.07	33,212.27	
Deputy Clerk III	Rolle, Barbara	48,890.68	0.00	48,890.68	36,115.32	3,611.53	39,726.85	0.00	0.00	1,268.80	1,268.80	1,268.80	50,159.48	
	Adams, Lillie	42,624.88	0.00	42,624.88	36,115.32	3,611.53	39,726.85	0.00	0.00	1,268.80	1,268.80	1,268.80	43,893.68	
	Piedra, Lourdes	42,624.88	0.00	42,624.88	36,115.32	3,611.53	39,726.85	0.00	0.00	1,268.80	1,268.80	1,268.80	43,893.68	
	Medina, Ian	41,142.80	0.00	41,142.80	36,115.32	3,611.53	39,726.85	0.00	0.00	1,268.80	1,268.80	1,268.80	42,411.60	
	Machin, Sonia	38,466.08	0.00	38,466.08	36,115.32	3,611.53	39,726.85	1,260.77	0.00	1,268.80	1,268.80	2,529.57	40,995.65	
	Puig, Rosa	37,515.32	0.00	37,515.32	36,115.32	3,611.53	39,726.85	2,211.53	0.00	1,268.80	1,268.80	3,480.33	40,995.65	
<b>Clerk's Office</b>								<b>5,270.42</b>			<b>11,419.20</b>		<b>16,689.62</b>	
Deputy Marshal	Frank Valles Jr.	45,303.72	0.00	45,303.72	45,303.72	4,530.37	49,834.09	4,530.37	0.00	0.00	0.00	4,530.37	49,834.09	
Sr. User Support Analyst	Jackson, Aldo J.	46,863.28	0.00	46,863.28	41,694.12	4,169.41	45,863.53	0.00	0.00	1,248.00	1,248.00	1,248.00	48,111.28	
	Falero, Angel	44,679.28	0.00	44,679.28	39,708.48	3,970.85	43,679.33	0.00	0.00	1,248.00	1,248.00	1,248.00	45,927.28	
Court Security Officer II	Hernandez, Harold	34,723.16	0.00	34,723.16	26,658.48	2,665.85	29,324.33	0.00	0.00	956.80	956.80	956.80	35,679.96	
	Martinez, Jose	26,658.48	0.00	26,658.48	26,658.48	2,665.85	29,324.33	2,665.85	0.00	956.80	956.80	3,622.65	30,281.13	
Admin. Assistant I	Suarez, Sheila	29,219.84	1,205.16	30,425.00	27,819.84	2,781.98	30,601.82	1,381.98	1,205.16	1,268.80	63.64	1,445.62	31,870.62	
Admin. Assistant II	Allen, Suyin	46,040.08	1,205.16	47,245.24	30,320.04	3,032.00	33,352.04	0.00	1,205.16	1,268.80	63.64	63.64	47,308.88	
Maintenance Engineer	Palacios, Santiago	46,427.68	1,365.84	47,793.52	24,727.32	2,472.73	27,200.05	0.00	1,365.84	1,976.00	610.16	610.16	48,403.68	
Custodial Supervisor	DelaSalle, Carmen	26,771.60	743.16	27,514.76	18,630.96	1,863.10	20,494.06	0.00	743.16	956.80	213.64	213.64	27,728.40	
Custodial Worker	Rogers, Keith	22,179.08	743.16	22,922.24	16,592.16	1,659.22	18,251.38	0.00	743.16	956.80	213.64	213.64	23,135.88	
<b>Marshal's Office</b>								<b>8,578.20</b>			<b>5,574.32</b>		<b>14,152.52</b>	
AJA	Susan Faerber	60,987.16	5,000.04	65,987.20	30,320.04	3,032.00	33,352.04	0.00	5,000.04	0.00	0.00	0.00		
AJA	Morales, Helga	49,637.44	5,000.04	54,637.48	30,320.04	3,032.00	33,352.04	0.00	5,000.04	0.00	0.00	0.00		
AJA	Ramos Dolores	47,463.16	5,000.04	52,463.20	30,320.04	3,032.00	33,352.04	0.00	5,000.04	0.00	0.00	0.00		
AJA	Verrine, Tracy	47,463.16	5,000.04	52,463.20	30,320.04	3,032.00	33,352.04	0.00	5,000.04	0.00	0.00	0.00		
AJA	Yusty, Alicia	43,036.84	5,000.04	48,036.88	30,320.04	3,032.00	33,352.04	0.00	5,000.04	0.00	0.00	0.00		
AJA	Mosley, Marie	43,036.84	5,000.04	48,036.88	30,320.04	3,032.00	33,352.04	0.00	5,000.04	0.00	0.00	0.00		
AJA	Gonzalez, Ana	43,036.84	5,000.04	48,036.88	30,320.04	3,032.00	33,352.04	0.00	5,000.04	0.00	0.00	0.00		
AJA	Diaz, Guadalupe	38,036.80	5,000.04	43,036.84	30,320.04	3,032.00	33,352.04	0.00	5,000.04	0.00	0.00	0.00		
AJA (Termin. 12/30/13)	* Tolon, Maria	43,036.84	5,000.04	48,036.88	30,320.04	3,032.00	33,352.04	0.00	5,000.04	0.00	0.00	0.00		
AJA (New Hire 12/31/13)	* Adriana Yusty	30,320.04	5,000.04	35,320.08	30,320.04	3,032.00	33,352.04	0.00	5,000.04	0.00	0.00	0.00		
AJA (Termin. 1/31/14)	* West, Mary	43,036.84	5,000.04	48,036.88	30,320.04	3,032.00	33,352.04	0.00	5,000.04	0.00	0.00	0.00		
AJA (New Hire 2/1/14)	* Fran Mendenhal	30,320.04	5,000.04	35,320.08	30,320.04	3,032.00	33,352.04	0.00	5,000.04	0.00	0.00	0.00		
<b>AJAs</b>								<b>0.00</b>			<b>0.00</b>		<b>0.00</b>	
Law Clerk	* Rachel Ortiz	53,611.60	0.00	53,611.60	Employee will terminate on 12/20/13 and will be replaced with a Career Attorney									
Law Clerk	Eves, Eric	49,056.08	0.00	49,056.08	45,556.08	4,555.61	50,111.69	3,555.61	0.00	0.00	0.00	3,555.61	52,611.69	
Law Clerk	Monckton, Jeremy	46,556.08	0.00	46,556.08	45,556.08	4,555.61	50,111.69	3,555.61	0.00	0.00	0.00	3,555.61	50,111.69	
Law Clerk	Gross, Jessica L.	46,556.08	0.00	46,556.08	45,556.08	4,555.61	50,111.69	3,555.61	0.00	0.00	0.00	3,555.61	50,111.69	
Law Clerk	Scavone, Robert	46,556.08	0.00	46,556.08	45,556.08	4,555.61	50,111.69	3,555.61	0.00	0.00	0.00	3,555.61	50,111.69	
Law Clerk	Joshua Carpenter	42,000.88	0.00	42,000.88	45,556.08	4,555.61	50,111.69	3,555.61	0.00	0.00	0.00	3,555.61	45,556.49	
Law Clerk	Bailey, Paul	42,000.88	0.00	42,000.88	45,556.08	4,555.61	50,111.69	3,555.61	0.00	0.00	0.00	3,555.61	45,556.49	
Law Clerk	* VACANT	45,556.08	0.00	45,556.08	45,556.08	4,555.61	50,111.69	4,555.61	0.00	0.00	0.00	4,555.61	50,111.69	
Career Atty	Bramnick, Gale	79,765.60	0.00	79,765.60	59,607.00			0.00	0.00	0.00	0.00	0.00		
Career Atty	Reyes, Sara	79,765.60	0.00	79,765.60	59,607.00			0.00	0.00	0.00	0.00	0.00		
Career Atty	Prieto, Mercedes	79,765.60	0.00	79,765.60	59,607.00			0.00	0.00	0.00	0.00	0.00		
Career Atty	Rodriguez, Rosa	79,765.60	0.00	79,765.60	59,607.00			0.00	0.00	0.00	0.00	0.00		
Career Atty	Bond, Montserrat	74,036.16	0.00	74,036.16	59,607.00			0.00	0.00	0.00	0.00	0.00		
Career Atty	Sarria-Sanchez, Merc	70,380.76	0.00	70,380.76	59,607.00			0.00	0.00	0.00	0.00	0.00		
Career Atty	Veilleux, April	72,036.16	0.00	72,036.16	59,607.00			0.00	0.00	0.00	0.00	0.00		
Career Atty	Trexler, Melanie	72,036.16	0.00	72,036.16	59,607.00			0.00	0.00	0.00	0.00	0.00		
Career Atty	Nickel, Kyle	70,380.76	0.00	70,380.76	59,607.00			0.00	0.00	0.00	0.00	0.00		
Career Atty	Lopez, Enrique	68,567.76	0.00	68,567.76	59,607.00			0.00	0.00	0.00	0.00	0.00		
Career Atty	Erin Loeb	62,587.32	0.00	62,587.32	59,607.00			0.00	0.00	0.00	0.00	0.00		
Career Atty	Herskowitz, Jennifer	61,607.00	0.00	61,607.00	59,607.00			0.00	0.00	0.00	0.00	0.00		
Career Atty	Davis, Lauren B.	61,907.00	0.00	61,907.00	59,607.00			0.00	0.00	0.00	0.00	0.00		
Career Atty	McNulty, Kerry	66,567.76	0.00	66,567.76	59,607.00			0.00	0.00	0.00	0.00	0.00		
<b>Law Clerks</b>								<b>25,889.26</b>			<b>0.00</b>		<b>25,889.26</b>	
<b>TOTAL:</b>								<b>39,737.89</b>			<b>16,993.52</b>		<b>56,731.41</b>	
												Salary + Benefits	<b>65,014.19</b>	
												Salary + Benefits	<b>(\$29,146.91)</b>	
												Adjusted Cost (Salary + Benefits)	<b>35,867.29</b>	
												* Personnel actions will reduce 3DCA salary liability by	<b>\$25,433.60</b>	

## **Agenda Item VII.A. Payroll Projection Timeline**

### **State Courts System FY 2014-15 Payroll Projections Audit Timeline District Courts of Appeal**

Monday, June 16 - Friday, June 20	Prepare and format FY 2014-15 payroll projection files
Tuesday, June 24	Production of June Payroll Registry
Tuesday, June 24 - Tuesday, July 1	Audit period
Wednesday, July 2	Review and reconciliation of audit findings
Thursday, July 3 - Monday, July 7	Review and reconciliation of remaining audit findings with Personnel
Thursday, July 3 - Monday, July 7	Prepare start up payroll projection report and salary budget reports
Tuesday, July 8 - Wednesday, July 9	Payroll Projection reports and salary budget reports provided to Senior Analysts for review and analysis
Thursday, July 10	Payroll Projection reports and salary budget reports provided to Budget Administrator for review and analysis
Friday, July 11	Payroll Projection reports and salary budget reports presented to Chief of Budget Services for final review and approval
Saturday, September 6	Distribution of FY 2014-15 payroll projections to the District Courts of Appeal Budget Commission

**District Court of Appeal Budget Commission  
and  
Commission on District Court of Appeal Performance  
and Accountability**

**Report and Recommendations of the  
Joint Workgroup on Model Staffing Levels**

**June 2, 2014**

## **Joint Workgroup Members**

**The Honorable William Van Nortwick, Jr.**, Appellate Judge, First District Court of Appeal,  
*Chair*

**The Honorable Dorian K. Damoorgian**, Chief Judge, Fourth District Court of Appeal

**Ms. Jacinda Haynes**, Marshal, Second District Court of Appeal

**The Honorable Stevan Northcutt**, Appellate Judge, Second District Court of Appeal

**The Honorable Vance E. Salter**, Appellate Judge, Third District Court of Appeal

## **Staff Support**

### **Office of the State Courts Administrator**

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### Introduction

The District Court of Appeal Budget Commission (DCABC), in 2012, approved several recommendations outlined by the Resource Allocation Workgroup regarding budget management policies of the district courts. As part of these recommendations, the DCABC approved employing a statewide approach to managing appropriations and establishing uniform budget management policies and guidelines. To aid in implementation of these recommendations, Judge Richard B. Orfinger, then DCABC Chair, created multiple workgroups to address development of budgetary policies necessary to support implementation of the approved recommendations. A workgroup, the Joint Workgroup on Model Staffing Levels (Joint Workgroup), was established comprising members from both the Commission on District Court of Appeal Performance and Accountability (DCAP&A) and the DCABC. The Joint Workgroup was charged with establishing a statewide model for staffing levels that includes guidelines for periodic reallocation of FTE. The resources in which the Joint Workgroup was charged with reviewing included the clerks of court, marshals, judicial assistants, law clerks (i.e., suite attorneys) and central staff of the district courts. The Joint Workgroup met several times, through in-person meetings and videoconferences, to discuss each staffing resource, solicit input from various sources within the districts, and analyze potential impacts to staffing needs.

Based on input from the district clerks of court and the district marshals, the Joint Workgroup decided to maintain the methodologies for the clerks and marshals as expressed in the DCAP&A's *Recommendations for the Court Funding Stabilization Initiative, Statement of Need* (November 2008) (**Appendix A**). With the impact to staffing needs as a result of the implementation of e-filing and electronic case processing still unknown, changes to the methodology for clerks of court is premature at this time. Consensus from the district court marshals indicated the current calculations used are adequate for determining need. No changes were recommended to the judicial assistant allocation.

As to central staff resources, it was decided further examination of central staff workload was needed to develop a statewide, uniform workload methodology for calculating the need and equitable resource allocation for central staff attorneys. Due to limited resources, it was determined that a time study for central staff attorneys was not feasible. Consequently, Judge William A. Van Nortwick, Jr., Joint Workgroup Chair, and Judge Orfinger directed Office of the State Courts Administrator (OSCA) staff to examine current judicial relative case weights used in the certification of new judgeships for possible use in assessing appellate central staff workload.

### Background on the Weighted Judicial Workload Methodology (Judicial Relative Weights)

Judicial relative case weights are based on the Delphi<sup>1</sup> principles of consensus determination. The case weights provide information regarding the relative judicial workload involved in each type of case disposed on the merits and allow for a comparative assessment of the distribution of judicial workload between districts. In 2005, through a consensus process, district court judges

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<sup>1</sup> The Delphi is a group facilitation technique that aims to seek convergence and consensus on the opinions of informed participants (experts) through a series of structured questions.

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established a mid-ranked case (Appeal from Criminal Judgment and Sentence at 100 points) and set relative weights of each case category in relation to the mid-ranked case based on how much more or less work is required to dispose of a typical case in that group.<sup>2</sup>

A similar process was developed for determining a case weighted methodology for appellate law clerks. In this process, questions pertaining to the rank order of each appellate case type and proportional relationship to other case types will be presented to elbow clerks and central staff attorneys. Each response will be used to determine the relative weights. It is important to note that relative weights will not represent anything but a distinction of attorney workload between the different types of cases. The weights will not be a measurement of actual minutes or any specific unit of time.

The process in this evaluation requires five steps. The first step is to establish categories of similar cases (or case groups). During step 2, the case groups are rank ordered in terms of attorney workload. In step 3, the mid-ranked case group is selected and assigned a relative weight of 100. The magnitude of the remaining case groups in relation to the mid-ranked group is approximated by the sampled experts in step 4. Step 5 uses the information captured in step 4 to create the relative weights. Due to time constraints, a time study will not be conducted to validate the relative case weights.

### **Central Staff Workgroup - Establishing Appellate Law Clerk Case Weights (Methodology)**

To aid the Joint Workgroup in the analysis of central staff workload, a workgroup of appellate law clerks was created consisting of members from each district, including four central staff attorneys and one suite attorney.<sup>3</sup> With the assistance of the Central Staff Workgroup (Workgroup), OSCA staff proposed conducting a modified case weighting process for central staff based on the judicial relative case weights appropriately adjusted to reflect central staff workload. The challenge faced by OSCA staff and the Workgroup included developing a single, statewide methodology that will evaluate the work and needs of the five district courts in a consistent manner while accounting for the different systems and practices for using central staff attorneys across the districts. Any proposed workload model would need to allow for the continued viability of each court's operation, allow flexibility in the individual staffing choices of the judges, and address variations and changes in workload.

The Workgroup met via videoconference on October 31, 2013 to begin reviewing information regarding judicial relative case weights, available case data, and the proposed framework for a relative weighted workload methodology for determining central staff resource distribution and need. The Workgroup considered several methodological issues, including the following:

- How does the work of suite attorneys impact the calculation of central staff workload?

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<sup>2</sup> See Commission on District Court of Appeal Performance and Accountability, Workload Report to the Supreme Court (2005). <http://www.flcourts.org/core/fileparse.php/260/urlt/2005DCAWorkloadReport.pdf>

<sup>3</sup> The First DCA, Second DCA, Fourth DCA, and Fifth DCA were represented by central staff attorneys. The Third DCA was represented by a suite attorney.

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- Can the existing judicial relative case weights be modified to reflect central staff workload?
- What is an appropriate measure of workload (ex. filings, motions, dispositions)?
- What are the appropriate appellate law clerk case groups?
- What is the mid-rank case that should be used for developing relative weights?

Throughout the districts, several different systems and practices are employed for using suite attorneys and central staff attorneys. In some instances, suite attorneys perform work similar to central staff attorneys while central staff attorneys may be asked to perform the duties of suite attorneys. The Third District Court of Appeal (DCA) does not employ a central staff attorney model and prefers a system whereby judges review incoming files and then direct their staff as to what additional steps are needed in terms of necessary research or writing. To account for these differences, the Workgroup decided to capture the workload for both suite attorneys and central staff attorneys to obtain an overall perspective of appellate law clerks. Although organizational structures and workload assignments differ across the five districts, the benefits of using a relative case weight model include having the ability to observe changes in workload over time and allow for a comparative assessment across districts. Filings, unlike dispositions on merit used in the judicial workload model, were selected as the unit of measure as the number of filings would best capture the full work performed by appellate law clerks. It was noted many filings are not brought to disposition on the merits; however, that does not mean work was not performed by law clerks processing those filings.

As a result of the above methodological discussion, the Workgroup developed 20 case groups based on similar attorney work and available case categories captured by filing data (see **Appendix B**). Notice of Appeal (NOA) – Criminal Judgment and Sentence was selected by the Workgroup as the mid-ranked case. This case group was selected as it is a common filing in which many appellate law clerks would have a working knowledge.

### Appellate Law Clerk Weighted Caseload Survey

In order to develop relative case weights reflective of central staff workload, the Workgroup recommended surveying appellate law clerks (both central staff and suite attorneys) with at least two years of tenure with the courts and experience processing Notice of Appeal (NOA) – Criminal Judgment and Sentence cases. OSCA staff sent a survey to career attorneys<sup>4</sup> and senior law clerks<sup>5</sup> who met the eligibility requirements in each district and asked them to assign a relative case weight to the 19 case groups in comparison to the mid-ranked case. Of the 110 surveys sent to eligible participants, 67 responses were used in the analysis of relative case weights. The survey, summary of responses, and average relative weight by case group for central staff attorneys, suite attorneys, and overall attorneys are shown in **Appendix C**.

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<sup>4</sup> The essential function of career attorneys within the district is to train and supervisor new attorneys, and review and evaluate court cases and make recommendations to judges. Career attorneys are required to have at least 5 years of working experience.

<sup>5</sup> The essential function of senior law clerks within the district is to lead in providing assistance to judges in processing appeal cases. Senior law clerks are required to have at least 2 years of working experience.

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### Central Staff Workgroup - Workload Model

The Central Staff Workgroup met again by conference call on February 5, 2014 to review the results of the survey and develop a model reflective of central staff workload. The model first determines the statewide weighted filings by multiplying the relative case weights by the number of cases filed. Next, the statewide weighted filings are divided by the total number of appellate law clerks to obtain the state's weighted filings per law clerk. The state's weighted filings per law clerk are then applied to each district's weighted filings to calculate their estimated total appellate law clerk FTE need. Finally, the appellate law clerk resource need is derived by subtracting the current number of appellate law clerks from the estimated total appellate law clerk FTE need. The FTE need can be used in two ways, 1) to determine new law clerk resources to be requested through a legislative budget request, and 2) aid in determining inequities in the distribution of resources across districts for purposes of reallocation. **Appendix D** provides examples of how the workload model is applied to determine resource need. It should be noted, any changes (increases or decreases) to appellate law clerk FTE would occur within central staff attorneys. Under this workload model, the current ratio of two suite attorneys per judge will be maintained. OSCA staff also reviewed the FTE need based on unweighted filings and noted only a slight variation in FTE need from using the weighted filings. It was determined weighted filings would more accurately capture the need for resources by accounting for the different types of filings each district receives during the year.

As mentioned previously, and shown in **Appendix C**, the appellate law clerk survey captured the average relative weight by case group for central staff attorneys, suite attorneys, and for overall attorneys. The Workgroup considered the appropriateness of using the Central Staff Average Relative Weights or the Overall Average Relative Weights in reflecting the workload of central staff. There was concern that the Overall Average Relative Weights may not accurately reflect the workload of central staff. There are some case groups in which suite attorneys gave a greater or lesser relative weight than those of the central staff attorneys, raising the question as to whether the inclusion of the suite attorney survey responses would unfairly skew the overall average.<sup>6</sup> Concerns were also expressed regarding the impact of the Worker's Compensation unit in the First DCA in the calculation of workload need. Questions arose as to whether the Worker's Compensation case type, filings, and associated central staff FTE should be included in a statewide methodology when only one district is processing these types of cases.

### Central Staff Workgroup - Recommendations

Four analyses, using FY 2012/13 filings, were presented to the Workgroup for consideration. Each analysis applied variations in the use of the average relative weights (either using the Overall Average Relative Weights or the Central Staff Average Weight). To be consistent, the weighted filings per total attorneys (both suite attorneys and central staff attorneys) were used in the determination of resource need when using the Overall Average Relative Weights. Total weighted filings per central staff attorney only were used when Central Staff Average Weights

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<sup>6</sup> As noted in the Appellate Law Clerk Weighted Caseload Survey Results (Appendix C), the ratio of survey respondents compared to actual law clerk FTE are more heavily weighted to the central staff as compared to the population.

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were included in the workload model. The four analyses<sup>7</sup> are listed below along with the resulting resource distribution and proposed need (See **Appendix D** for the calculation of need).

*Analysis 1: FTE Need using Overall Weights and Current Total FTE*

	First	Second	Third	Fourth	Fifth	Total FTE
Estimated Total FTE Need	40.0	41.3	26.2	34.4	31.1	<b>173.0</b>
<b>Difference (A positive value indicates a deficit.)</b>	<b>-7.0</b>	<b>0.3</b>	<b>4.2</b>	<b>1.4</b>	<b>1.1</b>	<b>0.0</b>

*Analysis 2: FTE Need using Central Staff Weights and Current Central Staff FTE*

	First	Second	Third	Fourth	Fifth	Total FTE
Estimated Central Staff FTE Need	10.4	10.7	6.9	9.0	8.0	<b>45.0</b>
<b>Difference (A positive value indicates a deficit.)</b>	<b>-6.6</b>	<b>1.7</b>	<b>4.9</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

*Analysis 3: FTE Need using Overall Weights and Current Total FTE (excluding the Worker's Compensation case type and associated central staff FTE<sup>8</sup>)*

	First	Second	Third	Fourth	Fifth	Total FTE
Estimated Total FTE Need	37.6	40.5	25.7	33.8	30.5	<b>168.0</b>
<b>Difference (A positive value indicates a deficit.)</b>	<b>-4.4</b>	<b>-0.5</b>	<b>3.7</b>	<b>0.8</b>	<b>0.5</b>	<b>0.0</b>

*Analysis 4: FTE Need using Central Staff Weights and Current Central Staff FTE (Excludes the Worker's Compensation case type and associated central staff FTE. Adjustments were also made to the Third DCA law clerks, moving two suite attorneys to the central staff attorney category<sup>9</sup>)*

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<sup>7</sup> Each analysis assumes no statewide need for additional resources.

<sup>8</sup> The First DCA indicated 5 FTE are currently assigned to the Worker's Compensation unit.

<sup>9</sup> Although, the 3<sup>rd</sup> DCA does not have a central staff model similar to the other DCA's, it is believed there are some suite attorneys that are performing work similar to central staff attorneys. The 3<sup>rd</sup> DCA's weighted filings per suite attorneys are lower than the other DCA's. In order to bring the number of weighted filings per suite attorneys more aligned with the other DCA weighted filings, 2 suite attorney FTEs were moved to the central staff FTE total. This adjustment is intended to capture some of the central staff attorney related work that may be performed by suite attorneys.

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	First	Second	Third	Fourth	Fifth	Total FTE
Estimated Central Staff FTE Need	9.3	10.1	6.5	8.5	7.6	42.0
<b>Difference (A positive value indicates a deficit.)</b>	<b>-2.7</b>	<b>1.1</b>	<b>2.5</b>	<b>-0.5</b>	<b>-0.4</b>	<b>0.0</b>

After careful review of the four analyses, the Workgroup recommended two methodologies for the Joint Workgroup's consideration, *Analysis 1* and *Analysis 3*. Ultimately, the Workgroup determined the use of the Overall Average Relative Weights to be most appropriate. Selecting the Overall Average Relative Weights best addressed the previously expressed challenges of accounting for multiple staffing models employed within the districts. The Workgroup recommended the methodology presented in *Analysis 1* for requesting additional central staff resources, excluding the negative FTE need in the First DCA, as part of the FY 2015/16 legislative budget request. When determining the need for additional resources the Workgroup believed the workload of all central staff attorneys, including central staff assigned to the Worker's Compensation unit, should be considered. For purposes of allocation and potential redistribution of resources, the Workgroup recommended the methodology demonstrated in *Analysis 3*. Due to the uniqueness of the Worker's Compensation unit in the First DCA, the Workgroup did not believe work associated with the unit should be included in any methodology used for reallocation of resources.

### Joint Workgroup - Recommendations

The Joint Workgroup met via videoconference on March 18, 2014 and May 27, 2014, to review the materials and recommendations from the Central Staff Workgroup. Much like the Central Staff Workgroup, the Joint Workgroup considered the role of suite attorneys, the appropriateness of the average relative weights (overall or central staff only), and the inclusion of certain case groups in the calculation of workload. Many of the same concerns of the Central Staff Workgroup were expressed and contemplated by the Joint Workgroup. The Joint Workgroup approved the following recommendations for model staffing levels.

#### *LBR Methodology for Central Staff Attorneys*

The Joint Workgroup recommends maintaining the current funding methodology adopted by the DCABC based on a ratio of 0.8 central staff attorney FTE per judge and 2.0 law clerk FTE per judge.<sup>10</sup> After the analysis completed by OSCA staff and the Central Staff Workgroup, the Joint Workgroup determined that, nevertheless, there is insufficient information to suggest a more appropriate methodology for requesting resources. Further, although the Central Staff Workgroup recommended *Analysis 1* as a LBR methodology, the Joint Workgroup concluded that *Analysis 1* did not provide an adequate justification to the Legislature for a request for additional central staff resources. The Joint Workgroup also considered the establishment of a

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<sup>10</sup> The ratio of 2.8 law clerks per judge is supported by findings from the National Center for State Courts (NCSC). The NCSC report can be accessed at [http://cdm16501.contentdm.oclc.org/cdm/ref/collection/appellate/id/947#img\\_view\\_container](http://cdm16501.contentdm.oclc.org/cdm/ref/collection/appellate/id/947#img_view_container).

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weighted filings threshold for establishing a district's need for resources; however, the Joint Workgroup did not feel there is adequate information to institute such a threshold.

### *Allocation Methodology for Central Staff Attorneys*

For allocation and redistribution of existing resources, the Joint Workgroup is recommending the use of methodologies as calculated under either *Analysis 1* or *Analysis 3*. The Joint Workgroup defers to the DCABC to determine a preferred methodology. The following policy guidelines for reallocating existing central staff FTE are recommended by the Joint Workgroup.

1. Reallocation should be based on a 3 year average need.
2. Reallocations should occur through attrition only - no filled positions should be reallocated.
3. A threshold should be established of minimum excess FTE net need to be met in order for reallocation to occur.

### *Maintain Existing Funding Formulas*

As mentioned previously in the report, the Joint Workgroup recommends maintaining the current funding methodologies for clerks of court, marshals, judicial assistants, and suite attorneys. Due to the implementation of electronic filing and case processing within the district courts, modifications to the staffing model should be deferred until the electronic system is fully implemented and operational in each district. Based on the consensus among district court marshals that current calculations for need are adequate, the Joint Workgroup does not recommend changes to the current funding methodology for the marshals' offices. No changes are recommended to the judicial assistant allocation.

**Appendices**

- A. DCAP&A Funding Methodologies as Adopted by the DCABC**
- B. Appellate Law Clerk Case Groups**
- C. Appellate Attorney Survey and Results**
- D. Appellate Law Clerk Relative Case Weights and Workload Methodology**

## DCAP&A Funding Methodologies as Adopted by DCABC

### Judicial Processing of Cases

#### **Judicial Assistants**

Methodology based on a ratio of 1.0 judicial assistant FTE per judge.

#### **Law Clerks**

Methodology based on ratio of 0.8 Central Staff Attorney FTE per Judge and 2.0 Law Clerk FTE per Judge.

#### **Central Staff Support**

Methodology based on 1:3 ratio of support positions to Central Staff Attorneys.

#### **Library**

Methodology based on a threshold of 1.0 FTE per district and includes \$150,000 per district in special category funding.

#### **Senior Judge Days**

Methodology for the statewide ratio is based on 3 days per DCA judge. Due to the volatility in the need for senior judge days from year to year, they are available for use from a statewide pool in cost center 630 as opposed to individual allocations for each district.

### Court Records and Case Management

#### **Clerk's Office**

Represent the need for clerk's office positions using a series of ratios:

#### **Cases Filed:**

- One position (set-up deputy) per every 2,000 cases filed
- One position (docketing deputy) per every 40,000 entries

#### **Case Processing:**

- One position (motion deputy) per every 7,500 motions
- One position (orders deputy) per every 15,000 orders
- One position (file maintenance deputy) per every 5,000 records maintained
- One position (inquiries deputy) per every 5,000 records maintained

#### **Cases Disposed:**

- One position (case assignments/calendars deputy) per every 3,000 dispositions
- One position (opinions deputy) per every 5,000 dispositions
- One position (record destruction deputy) per every 10,000 dispositions
- One position (mandates deputy) per every 2,500 mandates

### Judicial Administration

#### **Court Administration and Marshal's Office**

Methodology based on a threshold of 4.0 FTE per district (one marshal, one deputy marshal, one personnel specialist or accountant III, and one administrative assistant II; with one extra administrative assistant II position allocated per each additional facility).

## DCAP&A Funding Methodologies as Adopted by DCABC

### Judicial Administration Continued

#### **Security**

Methodology based on a threshold of 3.0 FTE (or equivalent contract or OPS dollars) per district with 1.5 extra positions allocated per each additional facility.

### Facility Maintenance and Management

#### **Facility Maintenance**

Methodology based on a threshold of one maintenance engineer per district and a ratio of one custodian for every 16,000 square feet of building space maintained. The funding threshold for other operating expenses based on historical expenditures with a cost-of-living increase applied.

### Technology

#### **Information Systems Support and Desktop Support**

Methodology for information systems support based on a threshold of 3.0 FTE Systems Administrator positions (including 1.0 FTE assigned to each district clerks office). Desktop support is based on a threshold level of funding that has been consistent for several years. The methodology was based on the recommendation of the Appellate Court Technology Committee.

### Expenses, Other Personnel Services (OPS), Operating Capital Outlay (OCO) and Contracted Services

#### **OPS**

Methodology calculated using the highest historical expenditures (over the last three years) with a cost-of-living increase applied.

#### **Expense**

Methodology calculated using expense allotments since July 1, 2007 (and use whichever year is the highest), added to expense dollars allotted for new positions.

#### **OCO (Recurring)**

Methodology calculated using the highest historical expenditures (over the last three years) with a cost-of-living increase applied.

#### **OCO (Non-Recurring)**

Represent the need to replace furniture and equipment (except information systems equipment) at an amount equal to 5% of the cost of furniture and equipment previously purchased.

#### **Contracted Services (Non-staffing related functions)**

Methodology calculated using the highest historical expenditures (over the last three years) with a cost-of-living increase applied.

## Commission on District Court of Appeal Performance & Accountability

### Recommendations for the Court Funding Stabilization Initiative *Statement of Need*

#### Introduction

Due to the recent budgetary shortfall, the judicial branch has initiated a Court Funding Stabilization plan with both short-term and long-term objectives. In the short-term, the objective is to minimize additional reductions in court budgets and restore the ability to utilize vacant positions. Over the long-term, the objectives are to determine necessary funding levels to allow for the reasonable staffing and support for essential court elements at all levels of the court and equitably across all jurisdictions; restructure the funding framework for the State Courts System's budget to protect the courts' ability to perform constitutional functions in times of economic decline; and assess the impact of loss of resources to better convey to policymakers the negative outcomes for Florida's citizens. In order to achieve these objectives, the branch has developed a multi-faceted approach that includes the following:

1. Develop a statement of need, through court committees and other entities, to represent the level of funding required throughout the branch.
2. Develop an appropriate funding framework for the branch through the court budget commissions.
3. Develop an impact assessment using information from the circuit and district courts to assess the impact of the loss of resources and the impact of the chronic underfunding of the branch.
4. Generate a position paper on court funding.
5. Formal approval of the position paper by the State Court System leadership and the Supreme Court.
6. Evaluation by an independent authority, such as an economist and/or other appropriate entity, in order to validate the economic impact of an inadequately funded court system.
7. Engagement of stakeholders through interactive dialogue with various groups (Florida Bar steering group, business coalitions, and public interest partners) to inform them about the position paper, to gain their support, and to finalize preparations for moving forward with statutory, budgetary, and/or constitutional proposals.

The recommendations in this report pertain to step one, developing a statement of need for the district courts of appeal.

## **Background**

Prior to the establishment of the Court Funding Stabilization Initiative, the District Court of Appeal Budget Commission (DCABC) began discussions regarding the identification of resource usage in each district court and a transition towards a statewide operational norm for allocating resources. Specifically, the DCABC considered certain principles for use in formulating budgetary decisions for the district courts. At their April 29, 2008 meeting, the DCABC considered adopting six principles, listed below. The DCABC approved principles A., B., C., and D.; however principles E. and F. were tabled.

- A. ***Allocation of resources among the DCAs must be fair and equitable, based on identifiable allocation measures.***
- B. ***The allocation and use of resources must be transparent.*** No method of distributing our resources can be reliable unless we all are accountable. Each court should promptly and accurately report the manner in which it is using the resources allocated to it.
- C. ***To the extent possible, each DCA should have discretion and flexibility in its use of resources.*** Once the DCABC has determined how resources should be allocated among the five courts, each court should have the ability to govern its own use of those resources in accordance with State of Florida and State Court System rules and regulations.
- D. ***To the extent possible, any reallocation of existing resources should be accomplished in the manner least likely to disrupt the workflow of the courts or the lives of the employees affected.*** Equitable, predictable allocation principles should promote stability in our courts, not destabilize them. Sudden and dramatic shifts of resources from court to court could significantly disrupt the workflow of an affected court and demoralize its staff.
- E. ***All judges must be treated equally.*** Every judge should be afforded the same level of personal staff.
- F. ***Every court is entitled to at least the minimum resources necessary to operate in its unique situation.*** Every court faces factors that it cannot control and that affect its minimum operating requirements, e.g., number of judges; nature, age and size of physical plant; local utility rates, etc.

## Goal

Per the direction of the Chief Justice, the Commission on District Court of Appeal Performance and Accountability (DCAP&A) was tasked with developing recommended methodologies for determining the total funding needs of each district court element. These recommendations were objectively developed to reflect a statewide perspective of the need for resources and to ensure that each methodology may be properly defended to the legislature and others. The recommended methodologies are intended to broadly address the needs of all districts, despite variations in case processing practices and resource usage across the state.

Limited time parameters prevented the DCAP&A from conducting in-depth studies in order to develop more data driven methodologies. However, in addition to the above budget commission principles, the DCAP&A was able to review methodologies utilized by the federal courts, other state courts (which undertook substantial studies to develop their methodologies), the Florida Department of Management Services, The Florida Bar's Law Office Management Assistance Service, the private business and legal community, and those institutionalized by the Trial Court Budget Commission. A review of district court caseload statistics was also crucial to the development of the recommendations.

The recommendations are provided on the following pages by district court element. Recommendations are not provided for desktop support elements, as these will be addressed by the Appellate Court Technology Committee in conjunction with other technology recommendations.

**Judicial Assistants (Cost Center 111)**

**Recommendation:**

Based on the existing number of district court judges (less the decertified judgeship in the Third District), represent the need for judicial assistants using a ratio of one judicial assistant per judge<sup>1</sup>.

**Justification:**

Judicial assistants provide highly responsible and independent administrative, secretarial, and clerical support to assigned judges. They are often involved in developing work processes and may perform case management functions that support judges in their primary constitutional role within the judicial branch. Without this resource, a judge’s ability to effectively carry out his or her duties would be compromised.

Historically, judicial assistants have been funded at a level of one judicial assistant per judge. Further, this ratio is consistent with the funding of judicial assistants in the trial courts. In the district courts, each judicial assistant supports not only a judge but also the judges’ two law clerks. The funding of one judicial assistant per every two law clerks and one judge is in keeping with the 1:3 staffing ratio used by private law firms as confirmed by The Florida Bar’s Law Office Management Assistance Service.

**Associated Data:**

District	FY 2008/09 Allotment			FY 2009/10 Recommended Judicial Assistant FTE Ratio of 1:1
	Judicial Assistant FTE	Judge FTE	Judicial Assistants Per Judge	
First	16	15	1.1	15
Second	15	14	1.1	14
Third <sup>2</sup>	10	10	1.0	10
Fourth	12	12	1.0	12
Fifth	10	10	1.0	10
<b>State</b>	<b>63</b>	<b>61</b>		<b>61</b>

<sup>1</sup> The DCAP&A also recommends that districts be permitted to hire a law clerk into a judicial assistant slot, but only if the district remains within the funding amount allocated to Cost Center 111.

<sup>2</sup> The Third District includes the FTE reduction for a Judicial Assistant and Judge effective January 2009.

## Law Clerks and Central Staff Attorneys (Cost Center 112)

### **Recommendation:**

Represent the need for total attorneys using a ratio of two law clerks per judge and at least .8 central staff attorneys per judge (reasonable) or 1.2 central staff attorneys per judge (optimum).<sup>3</sup>

### **Justification:**

Majority Position (*Judge Vance Salter, Judge William Van Nortwick, Judge Chris Altenbernd, Ms. Mary Cay Blanks, and Mr. Tom Hall*)

Although each district should have flexibility in determining how law clerks are deployed, central staff attorneys should be considered separately from law clerks working in a judicial suite. The latter category of attorneys, “law clerks” (sometimes referred to as “elbow clerks”), are the two research attorneys assigned to, and hired by, each appellate judge. The “two law clerks per judge” formula has proven efficient over a course of many years; it is equitable as among districts and the judges within a district; and it parallels the “partner and two associate” team typical in private law firms.

Central staff attorneys are specialists in particular types of cases: post-conviction criminal cases, petitions for special writs and for habeas corpus, and worker’s compensation appeals, for example. Special tasks can be performed by these attorneys to “work up” a case for more efficient processing by the panel of judges assigned to the case. In post-conviction cases, for example, it is often important for the central staff attorneys to review prior applications by the same defendant, the records and rulings in those prior cases, and the accuracy of representations made by the defendant and the State in the parties’ submissions.

Four of the five districts rely on central staff attorneys; the Third District does not have a central staff. At present, the Third District has one court attorney who assists with court-wide functions such as orders in the clerk’s office, maintenance of the library, and legal services to the court itself (contract review regarding outside vendors and management of litigation pertaining to the court, for example). In prior years, there were two additional attorneys to assist Third District judges on a “floating” basis when the law clerks are absent for vacations, illness, or other excused absence. The First District has a unique and separate allocation of central staff attorneys and support personnel to its specially-funded worker’s compensation appeal unit, and the other districts lack venue to hear those appeals. No study has been conducted by the districts, and no data-driven methodology developed, regarding appropriate central staff attorney levels. In an effort to identify some form of “one size fits all” methodology for district central staff attorney levels, however, the DCAP&A considered these parameters:

- 1) Total case filings per district. This metric is problematic, however, because each district has a mix of different types of cases requiring different levels of judicial and central staff attorney attention.
- 2) Weighted dispositions per district. This metric was developed several years ago and is utilized in the determination of judicial staffing levels for annual certification or decertification. It recognizes that all appellate cases are not alike,

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<sup>3</sup> The DCAP&A also noted that a districts’ ability to dispose of a high volume of cases is in part the result of the courts’ ability to retain senior career staff attorneys. Thus, the DCAP&A suggests that having a staffing mix of senior and less experienced attorneys is essential to the courts’ ability to handle its caseload. Further, if time and resources permit in the future, the DCAP&A recommends that a time study be conducted of attorney usage in order to develop a case weighted methodology.

and that different “weights” are appropriate based on the differing levels of time and attention required. Demonstrating that increased case filings do not necessarily produce more weighted dispositions, three districts had an increase in number of cases filed between FY 2006-07 and FY 2007-08, but had a reduced total for weighted dispositions between the two years when the types of cases were appropriately weighted.

- 3) Eligible cases per district. Recognizing that central staff attorneys work primarily on certain types of post-conviction cases and special writs, this metric considers the total number of such cases “eligible” for central staff review.
- 4) Central staff attorneys per judge. In the federal appellate system and the California system, a certain ratio of central staff attorneys per appellate judge is considered appropriate. This is a simple methodology, but it may not be equitable when comparing one district with weighted dispositions justifying the certification and approval of one or more additional judgeships (but judgeships not approved by the legislature) to another district with weighted dispositions justifying a decertification. In effect, central staff attorneys act in part as a safety valve to improve the efficiency of a district unable to obtain the additional judicial positions warranted by its workload.

In considering these methodologies, OSCA staff provided historical data so that computations could be made by district for all attorneys (law clerks and central staff attorneys) or for only the central staff attorneys. After these different methodologies were considered (again, without a deliberate and data-based study), the Commission reached majority and minority recommendations among its eight members.

For the four districts relying significantly on central staff, the majority recommends a reasonable minimum staffing level of two judicial clerks per judge plus 0.8 central staff attorneys per judge,<sup>4</sup> and an optimum minimum staffing level of 1.2 central staff attorneys per judge. For any district that does not rely significantly on a central staff, the majority recommends a minimum staffing level of two law clerks per judge plus two central staff attorneys for the court as a whole (one court attorney plus one primarily “floating” to cover normal absences by the judicial clerks).

Pending a definitive study focused on the most efficient use of central staff attorneys and the appropriate methodology for adding or subtracting central staff attorneys, and subject to the minimum staffing levels described above, the majority would agree to a higher number of central staff attorneys if produced by the formula “one attorney (including both law clerks and central staff attorneys) per 153 cases filed” proposed by the minority. The majority does not believe that this is a reliable long-term measure, however, because (a) it is more volatile—as case filings vary from year to year by district, it is inefficient to hire and fire based on these fluctuations, and (b) that measure does not reflect the varying composition of cases filed in the five districts and the number of particular categories of cases that benefit most from preparatory work by central staff attorneys. The majority has not identified any court system or study which relies upon a simple “cases filed” metric in determining how many central staff attorneys an appellate court should have.

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<sup>4</sup> The minimum reasonable number of central staff attorneys for the First District is exclusive of the six research attorneys assigned to the unique and separately-funded unit working exclusively on worker’s compensation appeals.

Minority Position (*Judge Martha Warner, Judge William Palmer, and Mr. Ty Berdeaux*)

The methodology for determining the number and need for staff attorneys on the appellate court should rely on case filings and consist of a ratio of one attorney per 153 total filings, with a floor of two law clerks per judge plus two additional central staff attorneys for the court as a whole.

Historically, judges have relied on staff attorneys to assist them in the many tasks necessary to the decision-making process as well as the management of the court. These tasks include, among others: 1) assisting in opinion preparation; 2) preparation of detailed research memos on cases prior to oral argument or conference; 3) various case screening tasks to manage caseload; 4) review and research on motions; 5) attendance at oral argument or case conference. Some courts also assign senior staff attorneys the task of management and training of other staff attorneys. As caseloads grew across the country, courts relied on the creation of central staff to handle discrete portions of the court caseload, particularly those cases involving postconviction matters and writs.

In Florida, two law clerks have been funded with the creation of each judicial position. In addition, four out of five districts have a central staff, each of varying size and each performing different tasks for their respective courts.

Because the caseloads vary widely across the courts and the mix of responsibilities of staff attorneys vary between those courts having central staff and those that do not, a methodology which creates a floor for central staff in those courts having central staff attorneys may overstate any court's need for staff. In many of the courts, the total number of filings has not increased markedly over the last few years but the mix of cases has shifted markedly to postconviction cases usually assigned to central staff. That means that while central staff attorneys may have more cases assigned to them, the personal law clerks may have considerably fewer of the cases generally assigned to chambers. Thus, an efficient use of attorney resources would be to shift some of the central staff caseload to law clerks as needed to assure that resources are being used to their maximum. Using an overall case filings as the methodology for determining the need for staff attorneys, permits a court to use all the staff to handle their caseload in an efficient manner without assigning to it a specific structure.

Basing a methodology on creating a central staff ratio of .8-1.2 lawyer per judge ties the central staff to a measure not directly related to the work that they do. First, the number of judges is determined by a certification of need currently based upon judge dispositions, not case filings. Staff attorneys frequently perform substantial work on cases which never result in a judicial disposition which is counted in the formula. Second, even if a position is needed, it may not be funded. Tying a critical resource such as staff attorneys to the creation of a judicial position may prevent a court in need of staff resources from receiving them, because the methodology would not permit their funding without the creation of another judicial position. Third, if a court's filings go down but a judicial position is not decertified, which is usually the case, then the central staff of one court may have a substantially smaller caseload than another court and would thus violate the principle adopted by DCABC that the allocation of resources among the districts must be fair and equitable.

For these reasons, the minority recommends a funding formula tied to the actual workload and based upon a total number of case filings per staff attorney. We agree with a floor of two law clerks per judge plus two additional central staff attorneys per court. The additional two per court permits those attorneys to perform additional functions, such as screening, training, assistance with motions and orders, all of which are generally not performed by the "law clerks."

**Associated Data:**

District	Filings <sup>5</sup>			
	FY 2004/05	FY 2005/06	FY 2006/07	FY 2007/08
First	5,968	6,355	6,837	6,366
Second	6,082	5,989	5,898	6,213
Third	3,181	3,097	3,287	3,345
Fourth	5,051	4,925	4,998	5,194
Fifth	4,285	4,669	4,381	4,415
<b>State</b>	<b>24,567</b>	<b>25,035</b>	<b>25,401</b>	<b>25,533</b>

District	Total Attorneys			
	FY 2004/05	FY 2005/06	FY 2006/07	FY 2007/08
First	43	43	43	43
Second	36	36	38	38
Third	25	25	23	23
Fourth	32	32	33	33
Fifth	26	27	27	28
<b>State</b>	<b>162</b>	<b>163</b>	<b>164</b>	<b>165</b>

District	Filings Per Attorney				Average
	FY 2004/05	FY 2005/06	FY 2006/07	FY 2007/08	
First	139	148	159	148	<b>148</b>
Second	169	166	155	164	<b>164</b>
Third	127	124	143	145	<b>135</b>
Fourth	158	154	151	157	<b>155</b>
Fifth	165	173	162	158	<b>164</b>
<b>State Average<sup>6</sup></b>	<b>152</b>	<b>153</b>	<b>154</b>	<b>154</b>	<b>153</b>

<sup>5</sup> Filings include all petitions and notices.

<sup>6</sup> State Average was derived by averaging the filings per attorney for each district over four years.

District	Majority Position				
	2 FTE Law Clerks Per Judge	Reasonable 0.8 FTE Central Staff Attorneys Per Judge	Reasonable Total <sup>7</sup>	Optimum 1.2 FTE Central Staff Attorneys Per Judge	Optimum Total <sup>8</sup>
First	30	12	47	18	48
Second	28	11	39	17	45
Third	20	8	28	12	32
Fourth	24	10	34	14	38
Fifth	20	8	28	12	32
<b>State</b>	<b>122</b>	<b>49</b>	<b>176</b>	<b>73</b>	<b>195</b>

District	FY 2008/09 Annualized Number of Total Filings <sup>9</sup>	FY 2008/09 FTE Allotment <sup>10</sup>	Minority Position			
			FY 2009/10 Recommended Total Attorneys FTE Ratio of 1 Per 153 Filings <sup>11</sup>	2 FTE Law Clerks Per Judge	Central Staff Attorneys (with a floor of 2)	Total <sup>12</sup>
First	6,621	47	47	30	17	47
Second	6,534	36	43	28	15	43
Third	3,300	20	22	20	2	22
Fourth	5,292	31	35	24	11	35
Fifth	4,824	28	32	20	12	32
<b>State</b>	<b>26,571</b>	<b>162</b>	<b>179</b>	<b>122</b>	<b>57</b>	<b>179</b>

<sup>7</sup> Reasonable Total is the sum of 2 FTE Law Clerks Per Judge and Reasonable 0.8 FTE Central Staff Attorneys Per Judge. Additionally, the First District is held harmless at 47 positions due to the Workers Compensation Unit (based on legislative intent).

<sup>8</sup> Optimum Total is the sum of 2 FTE Law Clerks Per Judge and Optimum 1.2 FTE Central Staff Attorneys Per Judge.

<sup>9</sup> FY 2008/09 Annualized Number of Total Filings is based on actual data for July 2008 through October 2008.

<sup>10</sup> FY 2008/09 Allotment for the Third District does not include the judge reduction effective January 2009.

<sup>11</sup> FY 2009/10 Recommended Total Attorneys FTE Ratio of 1 Per 153 Filings. The First District is held harmless at 47 positions due to the Workers Compensation Unit (based on legislative intent).

<sup>12</sup> Total is the sum of 2 FTE Law Clerks Per Judge and a floor of 2 FTE Central Staff Attorneys per district.

**Central Staff Support (Cost Center 119)**

**Recommendation:**

Represent the need for central staff support using a ratio of one support position per every three central staff attorneys.

**Justification:**

The Florida Bar’s Law Office Management Assistance Service verified that the minimum level of staff support should be one assistant per every three central staff attorneys which is the norm in larger firms. Further, according to a newsletter provided by the State Bar of Texas, many firms now assign three lawyers to one administrative assistant. They expect lawyers to efficiently create rough drafts of documents on their own, leaving the formatting and final touches to the administrative support staff. Further, lawyers usually maintain their own calendar using Outlook or other software that permits appointment setting. They also often answer their own phones or let them forward to voicemail.

**Associated Data:**

District	FY 2008/09 Staff Support FTE Allotment	Majority Position - Reasonable FY 2009/10 Recommendation		Majority Position - Optimum FY 2009/10 Recommendation	
		0.8 FTE Central Staff Attorneys Per Judge	Central Staff Support FTE Ratio of 1 Per 3 Central Staff Attorneys	1.2 FTE Central Staff Attorneys Per Judge	Central Staff Support FTE Ratio of 1 Per 3 Central Staff Attorneys
First	3	12	4	18	6
Second	3	11	4	17	6
Third	1	8	3	12	4
Fourth	0	10	3	14	5
Fifth	2	8	3	12	4
<b>State</b>	<b>9</b>	<b>49</b>	<b>17</b>	<b>73</b>	<b>25</b>

District	FY 2008/09 Staff Support FTE Allotment	Minority Position FY 2009/10 Recommendation	
		Floor for Central Staff Attorneys	Central Staff Support FTE Ratio of 1 Per 3 Central Staff Attorneys
First	3	17	6
Second	3	15	5
Third	1	2	1
Fourth	0	11	4
Fifth	2	12	4
<b>State</b>	<b>9</b>	<b>57</b>	<b>20</b>

## **Library (Cost Center 180)**

### **Recommendation:**

Represent the need for library resources using a ratio of one position per district and a ratio of \$150,000 in special category funding (for other operating costs) per district.

### **Justification:**

For the purpose of developing funding recommendations, the Third and Fourth District court librarians created guidelines for a model district court library. They stated that the mission of a district court of appeal law library and law librarian is to, “provide essential legal resources to enable the judiciary to analyze and apply the correct law to the facts of each case before the court in order to achieve legally accurate opinions.” Further, they stated that to accomplish this mission, “the law library must be up-to-date and provide a diverse, flexible, and accurate primary and secondary body of law on all topics which may appear before the court.” They continued by stating that:

While it is generally accepted that on-line technology (Westlaw, Lexis/Nexis, and internet) will dominate the research capabilities of the courts, a total dependence on any one type of research is not recommended. Complete legal research requires reliance on all possible types of resources because each resource provides potentially different results on an issue. Where inadequacies in one research method surface, it must be possible to turn to other available methods. Further, convenient and user friendly formats, taking individual judicial style and preference into consideration, must be provided. Finally, the law library should be available to the general public, which should have access to basic legal support through print subscriptions.

Lastly, it should be noted that section 29.004, Florida Statutes, provides that, for purposes of implementing section 14, Article V of the State Constitution, revenue appropriated by general law should include “basic legal materials reasonably accessible to the public other than a public law library. These materials may be provided in a courthouse facility or any library facility.” Further, section 35.28, Florida Statutes, pertaining to district court of appeal libraries provides that “the library of each of the district courts of appeal and its custodian shall be provided by rule of the Supreme Court. Payment for books, equipment, supplies, and quarters as provided for in the rules shall be paid from funds appropriated for the district courts, on requisition drawn as provided by law.”

The recommended methodology would bring all districts up to one position in this cost center. Additionally, to allow for flexibility and expansion in special category spending in each district, a funding ratio was determined by using the maximum operating budget as of April 2008 (\$122,562) rounded up to \$150,000 per district. The increase to \$150,000 in special category spending is warranted to allow for a consistent optimum level of access to information in each district as listed below.

**Legislative-** Official State Statutes & Constitution, Laws of Florida: General and Special Acts, West Annotated Florida Statutes, Florida Administrative Code (First District only), Attorney General Opinions, Florida Session Law Reporter, Local Municipal and County Codes, Florida Administrative Code

**Reporters-** Florida Law Weekly, Southern Reporter (Florida Cases), including Advance Sheets, Southern Reporter (including Advance Sheets)

**Writing Manuals-** Bluebook, Elements of Legal Style (Garner, Oxford), Florida Style Manual (Florida State University), Strunk & White Elements of Style

**Dictionaries-** A Dictionary of Modern Legal Usage (Garner, Oxford), Black's Law Dictionary, Legal Thesaurus, Martindale Hubbell – Florida edition only, Webster's Dictionary, Webster's Thesaurus, Words & Phrases (Thompson/West)

**Federal Resources-** United States Statutes Annotated (Thompson/West), United States Law Weekly (BNA), Florida Law Weekly (Federal)

**Florida Bar Continuing Legal Education Publications-** All publications are prepared by The Florida Bar Continuing Legal Education staff and distributed by Lexis/Nexis; and are free to the Law Library and any Judge who requests them. These publications are listed by separate handout in the monthly Florida Bar News.

**Law Reviews-** All Florida Law School Reviews

**Legal Encyclopedias-** Florida Jurisprudence, Florida Digest, Corpus Juris Secundum (C.J.S.) (not currently available on Westlaw), All Restatements of the Law, Uniform Laws Annotated (Thompson/West), American Jurisprudence (Am. Jur.)(Thompson/West)

**Newsletters-** Locally published Legal News

**Rules-** Florida Rules of Court (State), Florida Rules of Court (Federal), Florida Rules of Court (Local), Florida Criminal Laws and Rules (Thompson/West)

**Treatises-** Padovano's Florida Appellate Practice (Thompson/West Practice Series), Attorney's Fees in Florida (Hauser)(Lexis/Nexis), Fletcher Cyclopedia Corporations (Thompson/West), Florida Corporations Manual (Lexis/Nexis), Berman's Florida Civil Procedure (Thompson/West), Florida Civil Practice (Ramirez) (Lexis/Nexis), Florida Civil Procedure Forms (DeFoor & Schultz)(Thompson/West), Padovano's Florida Civil Practice (Thompson/West), Trawick's Florida Practice and Procedure (Thompson/West), Trawick's Florida Practice and Procedure (Forms)(Thompson/West), Florida Criminal Sentencing (Revere Publishing), Florida DUI Handbook (Thompson/West Practice Series), Florida Sentencing (Burgess)(Thompson/West Practice Series), Florida Standard Jury Instructions in Civil Cases, Florida Standard Jury Instructions in Criminal Cases Ineffective Assistance of Counsel (Burkoff)(Thompson/West), Making Sense of Search and Seizure Law, a 4th Amendment Handbook (Hubbart)(Carolina Academic Press), Search & Seizure (LaFave)(Thompson/West), Searches & Seizures, Arrests & Confessions (Ringel)(Thompson/West), Wharton's Criminal Law (Thompson/West), Wharton's Criminal Procedure (Thompson/West), Florida Construction Law Manual (Thompson/West), Florida Construction Lien Manual (Raskusin)(Lexis/Nexis), Corbin on Contracts (Lexis/Nexis), Williston on Contracts (Thompson/West), Ehrhardt's Florida Evidence, Florida Evidence Manual (Ramirez)(Lexis/Nexis), McCormick on Evidence (Thompson/West), Modern Scientific Evidence (Faigman)(Thompson/West), Wigmore: A Treatise on Evidence (Aspen Law & Business), Florida Elder Law (Thompson/West), Florida Law Practice(Lexis/Nexis), Appleman on Insurance (Lexis/Nexis), Florida Insurance Law (Thompson/West), Florida Motor Vehicle No Fault Law – PIP (Thompson/West), Florida Law of Trusts (Grimsley & Powell)(Thompson/West), Trawick's Redfearn Wills & Administration in Florida (Thompson/West), Florida Mortgages (Thompson/West Florida Practice Series), Powell on Real Property (Lexis/Nexis), Sutherland Statutory Construction (Thompson/West), Florida Personal Injury Law & Practice (Sawaya)(Thompson/West), The Law of Torts (replaces Prosser & Keaton)(Thompson/West), Anderson's Uniform Commercial Code (Thompson/West), Florida Workers' Compensation (Thompson/West), Workers' Compensation Law (Larson)(Lexis/Nexis), Admiralty & Maritime Law (Schoenbaum)(Thompson/West), Goods in Transit (Sorkin)(Lexis/Nexis), Antieau on Local Government Law (Stevenson)(Lexis/Nexis), Fletcher Cyclopedia Corporations (Thompson/West), Civil Procedure (Florida Pleading and Practice Forms)(Thompson/West), Federal Practice and Procedure (Wright & Miller)(Thompson/West), Moore's Federal Practice (Lexis/Nexis), Newberg on Class Actions (Thompson/West), Hearsay Handbook (Thompson/West)(Trial Practice Series), Search Warrant Law Desk Book (Burkoff)(Thompson/West), Substantive Criminal Law (LaFave)(Thompson/West), Section 1983 Litigation in State Courts (Steinglass)(Thompson/West), Modern Constitutional Law (Thompson/West), Florida Creditor's Rights Manual

**Appendix A: DCAP&A Funding Methodologies as Adopted by the DCABC**

(Rakusin)(Lexis/Nexis), Courtroom Criminal Evidence (Imwinkelried)(Lexis/Nexis), Wharton’s Criminal Evidence (Torcia)(Thompson/West), Florida Family Law (Abrams)(Lexis/Nexis), Couch on Insurance (Thompson/West), Scott on Trusts (Aspen Publishers), Trusts & Trustees (Bogert)(Thompson/West), Nichols on Eminent Domain (Lexis/Nexis), Rathkopf’s The Law of Zoning and Planning (Ziegler)(Thompson/West), Real Estate Brokerage Law (Gaudio)(Thompson/West), Real Estate Finance Law (Nelson)(Thompson/West), Florida Torts (Lexis/Nexis), White & Summers Uniform Commercial Code (Thompson/West), Williston on Sales (Squillante)(Thompson/West)

**Judicial Suites-** Black’s Law Dictionary, Blue Books for each Judge and Law Clerk, Ehrhardt’s Florida Evidence (Thompson/West), Florida Cases (Southern Reporter) (free and/or Supreme Court funded set), Florida Law Weekly, Florida Rules of Court (State)(one for each Judge and Law Clerk), Florida Rules of Court (Federal), Florida Rules of Court (Local), Florida Statutes (Official), Laws of Florida (Official), Florida Style Manual, Florida Jurisprudence if requested (Thompson/West), Florida Statutes Annotated if requested (Thompson/West)

**Associated Data:**

District	FY 2008/09 FTE Allotment	FY 2009/10 Recommended 1 FTE Per District	FY 2009/10 Recommended \$150,000 Operating Budget for Subscriptions
First	1	1	\$150,000
Second	0	1	\$150,000
Third	0	1	\$150,000
Fourth	1	1	\$150,000
Fifth	1	1	\$150,000
<b>State</b>	<b>3</b>	<b>5</b>	<b>\$750,000</b>

**Senior Judge Days (Cost Center 630)**

**Recommendation:**

Represent the need for senior judge days using a statewide ratio of 3 senior judge days used per judge<sup>13</sup>.

**Justification:**

Historically, senior judge days have been allotted for the current year based on prior year allocations. Thus, there is not a formal methodology for determining the need for senior judges that act as a replacement for judges who are out of the office.

The ratio was determined based on the statewide total FY 2006-07 and FY 2007-08 days used per judge. In the future, if time and resources allow, the DCAP&A may be able to develop recommendations on the proper usage of senior judges in the district courts.

**Associated Data:**

Time Period	District Court Judges	Senior Judge Days Expended	Days Per Judge
FY 2004/05	62	104	2
FY 2005/06	62	105	2
FY 2006/07	62	160	3
FY 2007/08	62	168	3

<b>FY 2009/10 Recommended Senior Judge Days at a Ratio of 3 Per District Court Judge<sup>14</sup></b>	<b>183</b>
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<sup>13</sup> Because of the volatility in the need for senior judge days from year to year, the DCAP&A recommends that senior judge days be made available for use from a statewide pool in Cost Center 630 as opposed to individual allocations for each district.

<sup>14</sup> Recommended 183 days calculated using 61 judges due to the decertification of a judgeship in the Third District.

### **Clerk's Office (Cost Center 114)**

#### **Recommendation:**

Represent the need for clerk's office positions using a series of ratios:

##### Cases Filed

- One position (set-up deputy) per every 2,000 cases filed
- One position (docketing deputy) per every 40,000 entries

##### Case Processing

- One position (motion deputy) per every 7,500 motions
- One position (orders deputy) per every 15,000 orders
- One position (file maintenance deputy) per every 5,000 records maintained
- One position (inquiries deputy) per every 5,000 records maintained

##### Cases Disposed

- One position (case assignment/calendars deputy) per every 3,000 dispositions
- One position (opinions deputy) per every 5,000 dispositions
- One position (record destruction deputy) per every 10,000 dispositions
- One position (mandates deputy) per every 2,500 mandates

#### **Justification:**

For the purpose of developing funding recommendations, the appellate court clerks and the supreme court clerk recommended staffing ratios for a Florida intermediate appellate court clerk's office. The clerks have relied on their extensive knowledge and best collective judgments, as well as over 118 years of combined experience with the Florida State Courts System, to develop this recommendation. The proposed funding methodology represents a reasonably staffed Florida appellate court clerk's office and uses the most recent measurable statistical outputs of tasks accomplished in each of the clerk's offices. The reasonably staffed clerk's office is one which can perform the quantifiable functions that are historically required to support the Florida appellate courts.

To accomplish the task of creating a funding methodology, the clerks, with the assistance of OSCA staff, gathered statistical data from the case management system, including data on cases filed, cases disposed, records maintained, incoming docket entries, motions, orders, and mandates. The clerks also identified common and essential functions in every clerk's office and categorized them into three basic stages of an appellate case: cases filed, case processing, and cases disposed. Workload allocations were then assigned to ten core functions. It should be noted that the average length of service of the current staff was taken into consideration when the workload allocations were determined. Longevity of service has a positive effect on staffing needs, and the workload allocations per clerk would have been much lower (i.e., the number of deputies needed to perform the same function would be higher) if the length of service had been lower.

The clerks examined in-depth the staffing and experience in each court that has been required historically to perform the individual tasks, including the number of units a well-qualified and experienced deputy could be expected to perform in a year. While the total number of tasks performed in each function is quantifiable, who performs those tasks may be different in each court and spread among various deputies based on the individual deputies' skills, abilities, and training. Also affecting the allocations was the high level of experience of the deputy clerks in each of the clerk's offices. The results of the application of the allocations were then validated

when applying the only study found regarding the staffing of a state intermediate appellate court clerk’s office. That study was completed in 1996 in California and relied on a time and motion study from 1985.

It was also noted by the clerks that regardless of the methodology results, non-quantifiable factors such as the amount of judicial staff supported, pro se litigant support, and other efficiency and effectiveness factors should be considered when determining whether it is necessary to increase or decrease staff in an appellate clerk’s office.

The DCAP&A has approved the clerks’ recommended methodology based on the above ten ratios.

**Associated Data** (See the Appendix on page 24 and 25 for a more detailed table as provided by the clerks):

Stage	Ratios	FY 2009/10 Recommended Clerk Positions					
		1st	2nd	3rd	4th	5th	Total
Cases Filed	Set Up Deputy (1 FTE Per 2,000 Cases Filed)	3.18	3.11	1.7	2.6	2.21	12.77
	Docketing Deputy (1 FTE Per 40,000 Entries)	1.4	1.06	0.8	1.1	1.1	5.39
	<b>Total</b>	<b>5</b>	<b>4</b>	<b>2</b>	<b>4</b>	<b>3</b>	<b>18</b>
Case Processing	Motions Deputy (1 FTE Per 7,500 Motions)	2.36	1.71	1.8	2.1	1.2	9.19
	Orders Deputy (1 FTE Per 15,000 Orders)	2.07	1.63	1.1	1.7	1.04	7.44
	Filing/Closed File Maintenance Deputy (1 FTE Per 5,000 Records Maintained)	2.12	2.05	1.1	1.6	1.33	8.2
	Inquiries/Counter/Telephone Deputy (1 FTE Per 5,000 Records Maintained)	2.12	2.05	1.1	1.6	1.33	8.2
	<b>Total</b>	<b>9</b>	<b>7</b>	<b>5</b>	<b>7</b>	<b>5</b>	<b>33</b>
Dispositions	Case Assignments/Calendars Deputy (1 FTE Per 3,000 Dispositions)	2.07	2.01	1.1	1.7	1.5	8.38
	Opinions Deputy (1 FTE Per 5,000 Dispositions)	1.24	1.2	0.7	1.0	0.9	5.01
	Record Destruction Deputy (1 FTE Per 10,000 Dispositions)	0.62	0.6	0.3	0.5	0.45	2.51
	Mandates/Record Return/Rehearings Deputy (1 FTE Per 2,500 Mandates)	1.53	1.54	0.8	1.2	1.13	6.16
	<b>Total</b>	<b>5</b>	<b>5</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>22</b>
<b>Clerk of Court</b>		<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>5</b>
<b>FY 2009/10 Total Recommended</b>		<b>20</b>	<b>18</b>	<b>11</b>	<b>16</b>	<b>13</b>	<b>78</b>
<b>FY 2008/09 FTE Allotment</b>		<b>17</b>	<b>16</b>	<b>11</b>	<b>13</b>	<b>10</b>	<b>67</b>

## **Judicial Administration (Cost Center 210)**

### **Recommendation:**

Represent the need for court administration positions based on a threshold of four positions per district including: one marshal, one deputy marshal, one personnel specialist or accountant III, and one administrative assistant II; with one extra administrative assistant II position allocated per each additional facility.

### **Justification:**

For the purpose of developing funding recommendations, the appellate court marshals recommended a staffing threshold for the court administration cost center. The marshals are charged with the responsibility of executing the process of the court. As the custodian of the court building and its contents, the marshal is charged with providing executive oversight and management. In order to manage the day to day operations of the court, it is necessary to have a professionally trained staff to assist in carrying out those responsibilities. The marshals also provide management oversight for security, facilities, and information systems, although staff for these functions is not included in this activity. Similar to the methodology used in the trial courts, the cost of administration includes a threshold of personnel to perform various functions:

#### **Executive Direction**

- Overseeing all administrative and fiscal responsibilities
- Emergency Planning, response and recovery
- ADA compliance and coordination
- Public Information Officer
- EEO compliance
- Attend court sessions and record
- Liaison with the Office of the State Courts Administrator

#### **Fiscal Management**

- Preparation of annual Legislative budget and Capital Improvements Plan
- Maintaining fiscal records for audit and review
- Purchasing
- Processing accounts payable
- Monitoring expenditures to ensure that the court stays within its approved budget
- Reconciliation of all financial records
- Preparation of contracts
- Working with Department of Management Services regarding pending fixed capital outlay projects
- Property and records management
- Strategic and operational planning for the court
- Preparation of financial work papers and certified forwards

**Human Resources**

- Recruitment and selection of personnel
- Background checks of new employees
- Payroll processing
- Personnel issues including recruitment and selection, processing all personnel action forms, lateral transfers, leave of absence, Family Medical Leave Act, Open Enrollment
- Insurance issues – assisting employees with insurance changes and open enrollment
- Maintains spreadsheets pertaining to personnel and attendance
- Employee Assistance Plan
- Training employees in the use of Time and Attendance
- Verifying and approving time sheets

**Facilities support**

- General maintenance and preventive maintenance and cleaning of court facilities and grounds
- Monitoring of HVAC and boiler equipment
- Maintaining equipment in good working condition
- Card access control
- Security support
- Reception duties

Each district court of appeal requires a marshal position and two support personnel with experience and skills in fiscal management, budgeting and human resources and facility operations. Additionally, each district court requires one administrative support position per facility to provide parallel support for the courier and mail operations, courtroom set-up for OA, maintaining office supplies, and acting as a liaison with judges and court staff located in different buildings.

The DCAP&A has approved the marshals’ recommended methodology.

**Associated Data:**

District	FY 2008/09 FTE Allotment	FY 2009/10 Recommended FTE
First	5	4
Second	7	5
Third	4	4
Fourth	3	4
Fifth	2	4
<b>State</b>	<b>21</b>	<b>21</b>

## **Security (Cost Center 118)**

### **Recommendation:**

Represent the need for security positions based on a threshold of three positions (or equivalent contract or OPS dollars) per district with 1.5 extra positions allocated per each additional facility.

Represent the need for non-recurring OCO funding based on the need to install and upgrade security equipment including cameras, X-ray imaging systems, walk-through metal detectors, and electronic monitoring equipment (CCTV and card access).

### **Justification:**

For the purpose of developing funding recommendations, the appellate court marshals recommended a staffing threshold and a non-recurring OCO request for the security cost center. With ever-increasing incidents of violence in courthouses it is imperative that each of the courts have a secure environment in which to conduct the appellate process. A courthouse must provide a stable, relatively predictable environment where judges, court staff, and the public can conduct activities without disruption or harm and without fear of such disturbance or injury. The ability to carry out the judicial responsibilities in an open, secure and accessible manner is a fundamental component of the exercise of the rule of law.

Effective courthouse security is a carefully designed balance between architectural solutions, allocation of security personnel, compliance with established security procedures, and installation and optimization of security systems and equipment. All of these work together to impede, detect, access and neutralize all unauthorized external and internal activity. The cost of security includes the following components:

#### **Security Personnel**

- Each court facility should be secured by qualified armed officers during times when the court is open to the public and in the off-hours when judges and court staff may be working. Two officers are required during open hours (limits distractions during the screening process, provides coverage to front security station should a security officer be called away from the station, provides for physical perimeter security (rounds) while maintaining front security coverage, essential backup during incidents, etc.) and one officer during off-hours when the building is typically occupied by judges or staff.
- Security officers may be employees of the court or contracted from private firms or local sheriff's office.
- Anyone entering the courthouse should be screened for weapons. All mail and packages should be screened as well.
- All entrances, parking areas, as well as the perimeter of the courthouse should be under continuous electronic surveillance that is monitored by security personnel during the secure hours.

#### **Physical Security**

- Physical security by definition is the physical measures designed to safeguard personnel, prevent unauthorized access to material (facilities, equipment, and documents) and to protect against sabotage, damage and theft.

- Security equipment should be installed and maintained in compliance with guidelines, which include: closed circuit TV, access controls, advanced alarms, and high security lighting.

The recommended methodology **does not** include support for protective intelligence or protective investigation functions, criminal investigation or additional personal security required during a high-profile or other heightened threat incident.

The DCAP&A has approved the marshals' recommended methodology.

**Associated Data:**

District	FY 2008/09 FTE Allotment <sup>15</sup>	FY 2009/10 Recommended FTE
First	3	3
Second	0	4.5
Third	2	3
Fourth	0	3
Fifth	1	3
<b>State</b>	<b>6</b>	<b>16.5</b>

<sup>15</sup> The Second and Fourth Districts use a contractual services staffing model.

## **Facilities Maintenance and Management (Cost Center 115)**

### **Recommendation:**

Represent the need for facilities maintenance and management resources using:

- 1) A threshold of one maintenance engineer per district.
- 2) A ratio of one custodian per every 16,000 square feet of building space maintained.
- 3) A funding threshold for other operating expenses (e.g., lease payments, utilities, grounds maintenance) based on historical expenditures with a cost-of-living increase applied.

### **Justification:**

For the purpose of developing funding recommendations, the appellate court marshals recommended a staffing threshold, a staffing ratio, and a funding threshold for other operating expenses. Facilities maintenance and management is essential to ensuring a clean, safe and functional environment for all court personnel and visitors. Proper maintenance activities are not only critical to maintaining the proper appearance of facilities and grounds but extending the useful life of equipment and structures as well. The district courts of appeal must develop effective funding methodologies to ensure that resources allocated to this activity are reasonable.

**Districts courts can establish reasonable maintenance resource levels by adopting staffing formulas using generally accepted industry standards, outsourcing services and implementing preventative maintenance and energy management programs.** Functions covered in facilities maintenance and management include:

- Facilities upkeep (structural repairs, modifications, cleaning)
- Equipment repair and preventative maintenance
- Household supplies
- Grounds and landscape maintenance
- Utilities (electric, water, sewer, garbage)
- Insurance (property, boiler, etc.)
- Leasing (office equipment, office space)
- Replacement Furniture and Equipment (under \$1,000)
- Operating Capital Outlay (equipment \$1,000 or more)

The maintenance engineer is responsible for the upkeep and repair of all district court facilities and equipment. Duties include performing routine maintenance, major repairs and other capital projects. The maintenance engineer reports directly to the marshal and deputy marshal. The district courts of appeal require that the aforementioned duties be performed by a qualified maintenance engineer on a daily basis. The district courts should provide one FTE maintenance engineer per court location.

Custodians are responsible for the cleaning and waste disposal at all district court facilities. Custodians report to the marshal and deputy marshal and are not part of the Maintenance Department. This is a common and desired practice in site-based decision making, and allows the principal to be held accountable for the cleanliness of the court. The custodial department is headed by a custodial supervisor. As the district courts of appeal face factors that they cannot control which affect minimum operating custodial requirements (i.e., size of physical plant, population of building, etc.), each courts maintains its own practice of custodial staffing levels, household supply consumption and product pricing trends to determine household funding

levels. Finally, it has also been determined that the Florida Department of Management Services uses a service ratio of 16,000 gross square feet per custodian.

Each district court of appeal is also responsible for maintaining the grounds in accordance with the dignity of the institution. This includes, but is not limited to:

- Grass cutting
- Tree and shrub trimming / pruning
- Fertilization (lawn, trees, shrubs)
- Weed and pest control
- Re-sod of damaged areas
- Irrigation system maintenance

As the district courts of appeal face factors that they may not be able to control which affect minimum operating levels for grounds and landscape maintenance requirements, each court maintains a practice of using historical contractual service expenditures to determine sufficient grounds and landscape maintenance funding levels.

As the district courts of appeal face factors that they may not be able to control which affect minimum operating levels for facilities (i.e., plumbing repairs, etc.) each court maintains a practice of using in-house resources and/or outside contractors to service the facility needs of the court.

Finally, district courts of appeal face factors that they may not be able to control which affect the cost for lease payments and utilities. These are costs that must be funded for each district.

The DCAP&A has approved the marshals' recommended methodology.

**Associated Data:**

District	FY 2008/09 FTE Allotment	Building Square Footage	FY 2009/10 Recommendations		
			Facilities Engineer FTE (1 FTE Per District)	Custodian FTE (1 FTE Per 16,000 Building Square Feet)	Total
First	3.0	49,000	1	3	4
Second	2.5	29,745	1	2	3
Third	3.0	48,300	1	3	4
Fourth	2.0	39,000	1	3	4
Fifth	5.0	57,100	1	3	4
<b>State</b>	<b>15.5</b>	<b>223,145</b>	<b>5</b>	<b>14</b>	<b>19</b>

**Operating Categories for All Cost Centers – Expense, Contracted Services, OPS, Recurring OCO, and Non-recurring OCO**

**Recommendation:**

Represent the need for expense using current FY 2008-09 expense allotments added to expense dollars allotted for new positions at a rate of \$10,112 per position (\$6,700 recurring and \$3,412 non-recurring).

Represent the need for contracted services *for non-staffing related functions* using the highest historical expenditures (over the last three years) with a cost-of-living increase applied.

Represent the need for OPS funding using the highest historical expenditures (over the last three years) with a cost-of-living increase applied.

Represent the need for recurring OCO using the highest historical expenditures (over the last three years) with a cost-of-living increase applied.

Represent the need for non-recurring OCO to replace furniture and equipment (except information systems equipment) at an amount equal to 5% of the cost of furniture and equipment previously purchased.

**Justification:**

The above recommendation is consistent with the methodologies being utilized by the trial courts, as a part of the Court Funding Stabilization Initiative, to cost-out operating categories. Some cost centers may be exempt from the above methodologies if their needs are already addressed by another methodology used for a specific element.

Essential equipment that has expended its useful life must be replaced. The marshal of each district court determines future need for replacement furniture, equipment, and OCO at the beginning of the legislative budget process and includes sufficient funding for replacement of these items in what is called the Capital Improvements Program request or CIP. A funding methodology must be adopted that will sufficiently address both of these related elements for each court. Further, a line item for replacement furniture and equipment, for items costing less than \$1,000, exists in the operating budget of each district court. Chapter 216 FS defines operating capital outlay (OCO) as "the appropriation category used to fund equipment, fixtures, and other tangible personal property of a non-consumable and non-expendable nature." Items purchased as OCO maintain a cost above \$1,000 and have a useful life expectancy exceeding one year.

Each district court is diligent in ensuring that prices it pays for supplies, equipment and services are reasonable. Procedures for conducting cost comparisons prior to contracting for facility maintenance-related goods and services, and the use of state contract purchasing services which provide reduced prices for commodities and services through volume discounts, ensure that the expenditures are kept to a minimum. Contracts are periodically re-bid to enhance competition. This strengthens methodologies that employ historical expenditures and best business practices.

**Associated Data:**

Associated data will be prepared per the direction of the DCA Budget Commission.

## APPENDIX

**Revised Florida District Courts of Appeal Reasonable Clerk's Office Staffing Needs**  
**(Based on FY 07-08 Statistics)**

	1st	2nd	3rd	4th	5th	Total
<b><u>Cases Filed</u></b>	6368	6216	3347	5195	4413	25539
Setup Deputy (per 2,000 cases filed)	3.18	3.11	1.67	2.60	2.21	12.77
Incoming Docket Entries	56043	42549	30920	42471	43935	215918
Docketing Deputy (per 40,000 entries)	1.40	1.06	0.77	1.06	1.10	5.40
<b>Total Cases Filed Deputies</b>	<b>5</b>	<b>4</b>	<b>2</b>	<b>4</b>	<b>3</b>	<b>18</b>
<b><u>Case Processing</u></b>						
Motions (review, tracking, processing, & assignment)	17719	12853	13786	15628	8981	68967
Motions Deputy (per 7,500 motions)	2.36	1.71	1.84	2.08	1.20	9.20
Orders (prepared, issued, tracked, called out)	31086	24508	15732	24823	15638	111787
Orders Deputy (per 15,000 orders)	2.07	1.63	1.05	1.65	1.04	7.45
Records Maintained	10576	10262	5465	8073	6631	41007
Filing/Closed File Maintenance Deputy (per 5,000 records maintained)	2.12	2.05	1.09	1.61	1.33	8.20
Inquiries/Counter/Telephone Deputy (per 5,000 records maintained)	2.12	2.05	1.09	1.61	1.33	8.20
<b>Total Case Processing Deputies</b>	<b>9</b>	<b>7</b>	<b>5</b>	<b>7</b>	<b>5</b>	<b>33</b>

Appendix A: DCAP&A Funding Methodologies as Adopted by the DCABC

<b>Dispositions</b>	6205	6018	3408	4973	4492	25096
Case Assignments/Calendars Deputy (per 3,000 dispositions)	2.07	2.01	1.14	1.66	1.50	8.37
Opinions Deputy (per 5,000 dispositions)	1.24	1.20	0.68	0.99	0.90	5.02
Record Destruction Deputy (per 10,000 dispositions)	0.62	0.60	0.34	0.50	0.45	2.51
Mandates	3822	3858	2021	2873	2814	15388
Mandates/Record Return/Rehearings Deputy (per 2,500 mandates)	1.53	1.54	0.81	1.15	1.13	6.16
<b>Total Disposition Deputies</b>	<b>5</b>	<b>5</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>22</b>
Total Cases Filed Deputies	5	4	2	4	3	18
Total Case Processing Deputies	9	7	5	7	5	33
Total Disposition Deputies	5	5	3	4	4	22
<b>Total Reasonable Deputy Clerk Staffing</b>	<b>19</b>	<b>17</b>	<b>10</b>	<b>15</b>	<b>12</b>	<b>73</b>
Clerk	1	1	1	1	1	5
<b>Total Reasonable Clerks' Offices Staff</b>	<b>20</b>	<b>18</b>	<b>11</b>	<b>16</b>	<b>13</b>	<b>78</b>
Total Staffing as of April 2008*	17	17	14	16	10	74
Current Total Staffing*	17	17	11	13	10	68

\*Staffing figures indicate the total number of employees working in the clerks' offices regardless of cost center assignment.

Revised 11/13/08

## Case Filings Categories and Appellate Law Clerk Case Groups

	Case Filings Categories	Appellate Law Clerk Case Groups
Petitions	Certiorari	Petitions - Certiorari
	Petition to Review Non-Final Agency Action	
	Habeas Corpus	Petitions - Habeas Corpus
	Mandamus	Petitions - Mandamus
	Petition for Belated Appeal	
	Ineffective Assistance of Counsel	Petitions - Ineffective Assistance of Counsel
	Prohibition	Petitions - Prohibition
	Coram Nobis	Petitions - All Other
	Other Original Proceedings	
	Quo Warranto	
	Petition to Review Orders Excluding the Press or Public	
Notices of Appeal	Administrative Unemployment Compensation	NOA - Administrative (Unemployment Compensation)
	Administrative Other	NOA - Administrative (Other)
	Civil	NOA - Civil Final
		NOA - Civil Non-Final
	Criminal Post Conviction (3.800 & 3.801)	NOA - Criminal Summary Postconviction (3.800 & 3.801)
	Criminal Post Conviction (3.850 & 3.853)	NOA - Criminal Summary Postconviction (3.850 & 3.853)
		NOA - Criminal Nonsummary Postconviction (3.850 & 3.853)
	Criminal Judgment and Sentence	NOA - Criminal Judgment and Sentence
	Juvenile - Delinquency	
	Juvenile - Other	
	Criminal State Appeals	NOA - Criminal State Appeals
	Criminal Habeas Corpus	NOA - Criminal Habeas Corpus and Other
	Criminal Other	
	Juvenile Dependency	NOA - Juvenile Dependency & TPR
	Juvenile TPR	
	Workers Compensation	NOA - Workers Compensation
	All Family Matters	Included in NOA - Civil (both Final and Non-Final)
All Probate/Guardianship Matters	Included in NOA - Civil (both Final and Non-Final)	
Criminal Anders	NOA - Criminal Anders (Trial)*	
	NOA - Criminal Anders (Plea)*	

\* Both Criminal Anders (Trial) and Criminal Anders (Plea) represent 1/2 the total Criminal Anders filings.

## **Appellate Law Clerk Weighted Caseload Survey Instructions**

### **Case Types**

To reduce the number of case types to be weighed, the District Courts of Appeal Central Staff Workgroup has grouped cases together in instances where they agreed the cases represented similar attorney "workload." There are 19 case groups.

### **Survey Scenario**

Imagine that you have been assigned 19 cases representing each of these 19 grouped case types. **Each will be representative of the average work required for that case group.** Based on your personal experience with cases in each group, you should assign each a relative weight that reflects your estimation of attorney work required to process a case in that case group.

It is critical that you assume each of these cases will require the **average** attorney workload to process a case in that group. For example, for the cases in each group, the briefs (or motions, petitions and responses) and records are of average length.

- The volume of a particular case type in your court is not directly relevant to its weight.
- Do not consider the efforts of other staff in the processing of the case.

### **Assigning weights from Base Line**

#### **Appeal from Criminal Judgment and Sentence = 100 point case**

To insure that each participant ranks the cases relative to a common base line, the DCA RAW has assigned the Appeal from Criminal Judgment and Sentence case group (which includes Juvenile Delinquency and Juvenile Other) a weight of 100 points. Please assign a relative weight to the other 19 case groups based on how much more or less work is required to process a "typical", "average", or "normal" version of each case group.

- The lowest weight you can assign to a case type grouping is "1".
- There is no limit to the highest weight that you can assign relative to the 100 point case.
- You may assign the same weight to more than one case type grouping.

### **Examples**

If you think the work required by a case group represents one-fifth of the work required by the 100 point case group, assign a relative weight of "20"; if you think a case group requires 50% more work, assign a relative weight of "150"; if you think a case group requires the same work as the Appeal from Criminal Judgment and Sentence case group, assign a weight of "100". **If you do not have experience with a case group, enter N/A for not applicable.**

### **Survey Time Frame**

The Appellate Law Clerk Weighted Caseload Survey will be available for completion from November 18, 2013 through December 3, 2013. If you experience any problems, please contact Arlene Johnson with the Office of the State Courts Administrator at (850) 922-5103 or [johnsona@flcourts.org](mailto:johnsona@flcourts.org).

## Appellate Law Clerk Weighted Caseload Survey

- ✓ The Appellate Law Clerk Weighted Caseload Survey was conducted from November 18, 2013 through December 3, 2013.
- ✓ 110 appellate law clerks with at least two years' work experience and experience with Judgment and Sentence cases were eligible to participate in the survey. The distribution of eligible participants by district is outlined below.

District	Eligible Participants
1	34
2	28
3	15
4	14
5	19
Total	110

- ✓ Sixty nine survey responses were received (15 from the first district, 21 from the second district 12 from the third district 10 from the fourth district, and 11 from the fifth district).
- ✓ Two responses were identified as outliers. These outliers are not part of this analysis. An outlier was provided by a Suite Attorney in the second district and a Suite Attorney in the third district.
- ✓ Sixty seven survey responses were used in the analysis. The distribution of survey responses by district and position is outlined below.

District	Central Staff Attorney	Suite Attorney	Total
1	6	9	15
2	4	16	20
3	1	10	11
4	6	4	10
5	8	3	11
Total	25	42	67

## Appellate Law Clerk Weighted Caseload Survey Results - Average Relative Weight By Delphi Case Type

Sorted by Central Staff Attorney Average Relative Weight

Column	A	B	C	D
Delphi Case Type	Central Staff Attorney Average Relative Weight	Suite Attorney Average Relative Weight	Overall Average Relative Weight	FY 2012-13 Filings
NOA - Civil Final (Includes Civil, Family, and Probate/Guardianship)	185	166	171	5,093
Petitions - Certiorari (Includes Certiorari and Review Non-Final Agency Action)	162	138	148	1,204
NOA - Worker's Compensation	156	101	117	232
NOA - Civil Nonfinal (Includes Civil, Family, and Probate/Guardianship)	150	141	143	1,157
NOA - Juvenile Dependency (Includes Dependency and TPR)	129	129	129	494
NOA - Administrative (Other)	121	124	123	462
NOA Criminal Nonsummary Postconviction (Includes 3.850 and 3.853)	111	107	108	557
Petitions - Prohibition	108	92	100	592
NOA - Judgment and Sentence	100	100	100	3,405
Petitions - Ineffective Assistance of Appellate Counsel	98	93	95	512
NOA Criminal Summary Postconviction (Includes 3.850 and 3.853)	98	91	94	2,766
NOA - Criminal State Appeals	94	107	103	206
Petitions - Habeas Corpus	87	82	84	779
NOA - Criminal Anders (Trial)	83	87	86	912
NOA Criminal Summary Postconviction (Includes 3.800 and 3.801)	82	81	82	1,947
NOA - Criminal Habeas Corpus and Other Criminal	80	86	84	680
Petitions - All Other (Includes Coram Nobis, Quo Warranto, Review Orders Excluding the Press or Public, and Other Original Proceedings)	77	94	84	63
NOA - Administrative (Unemployment Compensation Only)	57	71	67	572
Petitions - Mandamus and Belated Appeal	55	70	63	2,386
NOA - Criminal Anders (Plea)	48	46	47	912
<b>Number of FTE Respondents</b>	25	42	67	
<b>Actual FTE</b>	45	122	167	

District Courts of Appeal  
Workload Analysis Using Overall Average Relative Case Weights and FY 2012-13 Filings

Column	A	B	C	D	E	F	G	H	
			FY 2012-13 Filings						
Line	Delphi Case Type	Overall Average Relative Case Weight	First	Second	Third	Fourth	Fifth	Total Filings	
1.	Petitions - Certiorari (Includes Certiorari and Review Non-Final Agency Action)	148	338	244	204	250	168	<b>1,204</b>	
2.	Petitions - Habeas Corpus	84	154	162	162	161	140	<b>779</b>	
3.	Petitions - Mandamus and Belated Appeal	63	847	526	137	388	488	<b>2,386</b>	
4.	Petitions - Ineffective Assistance of Appellate Counsel	95	126	138	11	98	139	<b>512</b>	
5.	Petitions - Prohibition	100	121	142	90	125	114	<b>592</b>	
6.	Petitions - All Other (Includes Coram Nobis, Quo Warranto, Review Orders Excluding the Press or Public, and Other Original Proceedings)	84	22	18	10	10	3	<b>63</b>	
7.	NOA - Administrative (Unemployment Compensation Only)	67	453	21	39	30	29	<b>572</b>	
8.	NOA - Administrative (Other)	123	236	60	55	67	44	<b>462</b>	
9.	NOA - Civil Final (Includes Civil, Family, and Probate/Guardianship)	171	926	1,049	1,114	1,220	784	<b>5,093</b>	
10.	NOA - Civil Nonfinal (Includes Civil, Family, and Probate/Guardianship)	143	104	282	206	358	207	<b>1,157</b>	
11.	NOA - Criminal Summary Post Conviction (Includes 3.800 and 3.801)	82	379	615	304	279	370	<b>1,947</b>	
12.	NOA - Criminal Summary Postconviction (Includes 3.850 and 3.853)	94	602	735	378	468	583	<b>2,766</b>	
13.	NOA - Criminal Nonsummary Postconviction (Includes 3.850 and 3.853)	108	122	213	37	78	107	<b>557</b>	
14.	NOA - Criminal State Appeals	103	41	56	16	41	52	<b>206</b>	
15.	NOA - Criminal Habeas Corpus and Other Criminal	84	171	69	175	107	158	<b>680</b>	
16.	NOA - Juvenile Dependency (Includes Dependency and TPR)	129	136	136	40	59	123	<b>494</b>	
17.	NOA - Workers' Compensation	117	232	0	0	0	0	<b>232</b>	
18.	NOA - Criminal Anders (Trial)	86	180	271	77	101	283	<b>912</b>	
19.	NOA - Criminal Anders (Plea)	47	180	271	77	101	283	<b>912</b>	
20.	NOA - Judgment and Sentence (Includes Delinquency, Other Juvenile and Judgment and Sentence)	100	734	1,079	277	697	618	<b>3,405</b>	
21.	<b>Total Filings</b>		<b>6,104</b>	<b>6,087</b>	<b>3,409</b>	<b>4,638</b>	<b>4,693</b>	<b>24,931</b>	
22.	<b>Total Weighted Filings</b>		<b>636,293</b>	<b>655,747</b>	<b>416,551</b>	<b>546,932</b>	<b>493,877</b>	<b>2,749,400</b>	
23.	<b>Total Judges (in FTE)</b>		<b>15</b>	<b>16</b>	<b>10</b>	<b>12</b>	<b>11</b>	<b>64</b>	
24.	<b>Total Attorneys (in FTE)</b>		<b>47</b>	<b>41</b>	<b>22</b>	<b>33</b>	<b>30</b>	<b>173</b>	
25.	Suite Attorneys (in FTE)		30	32	20	24	22	<b>128</b>	
26.	Central Staff Attorneys (in FTE)		17	9	2	9	8	<b>45</b>	
27.	<b>Weighted Filings Per Total Attorneys (in FTE)</b>		<b>13,538</b>	<b>15,994</b>	<b>18,934</b>	<b>16,574</b>	<b>16,463</b>	<b>15,892</b>	
28.	Weighted Filings Per Suite Attorneys (in FTE)		21,210	20,492	20,828	22,789	22,449	<b>21,480</b>	
29.	Weighted Filings Per Central Staff Attorneys (in FTE)		37,429	72,861	208,276	60,770	61,735	<b>61,098</b>	
30.	Total Weighted Filings		636,293	655,747	416,551	546,932	493,877	<b>2,749,400</b>	
31.	Total Attorney FTE		47	41	22	33	30	<b>173</b>	
32.	Estimated FTE Need (Total Weighted Filings divided by Weighted Filings Per Total Attorney FTE)		40.0	41.3	26.2	34.4	31.1	<b>173.0</b>	
33.	<b>Difference (A positive value indicates a deficit.)</b>		<b>-7.0</b>	<b>0.3</b>	<b>4.2</b>	<b>1.4</b>	<b>1.1</b>	<b>0</b>	

Note: FY 2012-13 filings include 13 nonsummary 3.800 criminal postconviction cases. A delphi case type was not created to account for these filings. In this analysis, the 13 filings are included in the NOA - Criminal Summary Postconviction (includes 3.800 and 3.801) delphi case type.

District Courts of Appeal  
Workload Analysis Using Central Staff Average Relative Case Weights and FY 2012-13 Filings

Column	A	B	C	D	E	F	G	H
			FY 2012-13 Filings					
Line	Delphi Case Type	Central Staff Average Relative Case Weight	First	Second	Third	Fourth	Fifth	Total Filings
1.	Petitions - Certiorari (Includes Certiorari and Review Non-Final Agency Action)	162	338	244	204	250	168	1,204
2.	Petitions - Habeas Corpus	87	154	162	162	161	140	779
3.	Petitions - Mandamus and Belated Appeal	55	847	526	137	388	488	2,386
4.	Petitions - Ineffective Assistance of Appellate Counsel	98	126	138	11	98	139	512
5.	Petitions - Prohibition	108	121	142	90	125	114	592
6.	Petitions - All Other (Includes Coram Nobis, Quo Warranto, Review Orders Excluding the Press or Public, and Other Original Proceedings)	77	22	18	10	10	3	63
7.	NOA - Administrative (Unemployment Compensation Only)	57	453	21	39	30	29	572
8.	NOA - Administrative (Other)	121	236	60	55	67	44	462
9.	NOA - Civil Final (Includes Civil, Family, and Probate/Guardianship)	185	926	1,049	1,114	1,220	784	5,093
10.	NOA - Civil Nonfinal (Includes Civil, Family, and Probate/Guardianship)	150	104	282	206	358	207	1,157
11.	NOA - Criminal Summary Post Conviction (Includes 3.800 and 3.801)	82	379	615	304	279	370	1,947
12.	NOA - Criminal Summary Postconviction (Includes 3.850 and 3.853)	98	602	735	378	468	583	2,766
13.	NOA - Criminal Nonsummary Postconviction (Includes 3.850 and 3.853)	111	122	213	37	78	107	557
14.	NOA - Criminal State Appeals	94	41	56	16	41	52	206
15.	NOA - Criminal Habeas Corpus and Other Criminal	80	171	69	175	107	158	680
16.	NOA - Juvenile Dependency (Includes Dependency and TPR)	129	136	136	40	59	123	494
17.	NOA - Workers' Compensation	156	232	0	0	0	0	232
18.	NOA - Criminal Anders (Trial)	83	180	271	77	101	283	912
19.	NOA - Criminal Anders (Plea)	48	180	271	77	101	283	912
20.	NOA - Judgment and Sentence (Includes Delinquency, Other Juvenile and Judgment and Sentence)	100	734	1,079	277	697	618	3,405
21.	<b>Total Filings</b>		<b>6,104</b>	<b>6,087</b>	<b>3,409</b>	<b>4,638</b>	<b>4,693</b>	<b>24,931</b>
22.	<b>Total Weighted Filings</b>		<b>655,002</b>	<b>675,452</b>	<b>436,643</b>	<b>569,294</b>	<b>507,087</b>	<b>2,843,478</b>
23.	<b>Total Judges (in FTE)</b>		<b>15</b>	<b>16</b>	<b>10</b>	<b>12</b>	<b>11</b>	<b>64</b>
24.	<b>Total Attorneys (in FTE)</b>		<b>47</b>	<b>41</b>	<b>22</b>	<b>33</b>	<b>30</b>	<b>173</b>
25.	Suite Attorneys (in FTE)		30	32	20	24	22	128
26.	Central Staff Attorneys (in FTE)		17	9	2	9	8	45
27.	<b>Weighted Filings Per Total Attorneys (in FTE)</b>		<b>13,936</b>	<b>16,474</b>	<b>19,847</b>	<b>17,251</b>	<b>16,903</b>	<b>16,436</b>
28.	Weighted Filings Per Suite Attorneys (in FTE)		21,833	21,108	21,832	23,721	23,049	22,215
29.	Weighted Filings Per Central Staff Attorneys (in FTE)		38,530	75,050	218,322	63,255	63,386	63,188
30.	<b>Total Weighted Filings</b>		<b>655,002</b>	<b>675,452</b>	<b>436,643</b>	<b>569,294</b>	<b>507,087</b>	<b>2,843,478</b>
31.	Central Staff Attorney FTE		17	9	2	9	8	45
32.	Estimated FTE Need (Total Weighted Filings divided by Weighted Filings Per Central Staff Attorney FTE)		10.4	10.7	6.9	9.0	8.0	45.0
33.	<b>Difference (A positive value indicates a deficit.)</b>		<b>-6.6</b>	<b>1.7</b>	<b>4.9</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Note: FY 2012-13 filings include 13 nonsummary 3.800 criminal postconviction cases. A delphi case type was not created to account for these filings. In this analysis, the 13 filings are included in the NOA - Criminal Summary Postconviction (includes 3.800 and 3.801) delphi case type.

District Courts of Appeal  
Workload Analysis Using Overall Average Relative Case Weights and FY 2012-13 Filings  
**Worker's Compensation Not Included**

Column	A	B	C	D	E	F	G	H	
			FY 2012-13 Filings						
Line	Delphi Case Type	Overall Average Relative Case Weight	First	Second	Third	Fourth	Fifth	Total Filings	
1.	Petitions - Certiorari (Includes Certiorari and Review Non-Final Agency Action)	148	338	244	204	250	168	<b>1,204</b>	
2.	Petitions - Habeas Corpus	84	154	162	162	161	140	<b>779</b>	
3.	Petitions - Mandamus and Belated Appeal	63	847	526	137	388	488	<b>2,386</b>	
4.	Petitions - Ineffective Assistance of Appellate Counsel	95	126	138	11	98	139	<b>512</b>	
5.	Petitions - Prohibition	100	121	142	90	125	114	<b>592</b>	
6.	Petitions - All Other (Includes Coram Nobis, Quo Warranto, Review Orders Excluding the Press or Public, and Other Original Proceedings)	84	22	18	10	10	3	<b>63</b>	
7.	NOA - Administrative (Unemployment Compensation Only)	67	453	21	39	30	29	<b>572</b>	
8.	NOA - Administrative (Other)	123	236	60	55	67	44	<b>462</b>	
9.	NOA - Civil Final (Includes Civil, Family, and Probate/Guardianship)	171	926	1,049	1,114	1,220	784	<b>5,093</b>	
10.	NOA - Civil Nonfinal (Includes Civil, Family, and Probate/Guardianship)	143	104	282	206	358	207	<b>1,157</b>	
11.	NOA - Criminal Summary Post Conviction (Includes 3.800 and 3.801)	82	379	615	304	279	370	<b>1,947</b>	
12.	NOA - Criminal Summary Postconviction (Includes 3.850 and 3.853)	94	602	735	378	468	583	<b>2,766</b>	
13.	NOA - Criminal Nonsummary Postconviction (Includes 3.850 and 3.853)	108	122	213	37	78	107	<b>557</b>	
14.	NOA - Criminal State Appeals	103	41	56	16	41	52	<b>206</b>	
15.	NOA - Criminal Habeas Corpus and Other Criminal	84	171	69	175	107	158	<b>680</b>	
16.	NOA - Juvenile Dependency (Includes Dependency and TPR)	129	136	136	40	59	123	<b>494</b>	
17.	NOA - Criminal Anders (Trial)	86	180	271	77	101	283	<b>912</b>	
18.	NOA - Criminal Anders (Plea)	47	180	271	77	101	283	<b>912</b>	
19.	NOA - Judgment and Sentence (Includes Delinquency, Other Juvenile and Judgment and Sentence)	100	734	1,079	277	697	618	<b>3,405</b>	
20.	<b>Total Filings</b>		<b>5,872</b>	<b>6,087</b>	<b>3,409</b>	<b>4,638</b>	<b>4,693</b>	<b>24,699</b>	
21.	<b>Total Weighted Filings</b>		<b>609,149</b>	<b>655,747</b>	<b>416,551</b>	<b>546,932</b>	<b>493,877</b>	<b>2,722,256</b>	
22.	<b>Total Judges (in FTE)</b>		<b>15</b>	<b>16</b>	<b>10</b>	<b>12</b>	<b>11</b>	<b>64</b>	
23.	<b>Total Attorneys (in FTE)</b>		<b>42</b>	<b>41</b>	<b>22</b>	<b>33</b>	<b>30</b>	<b>168</b>	
24.	Elbow Clerks (in FTE adjusted for 3rd DCA)		30	32	20	24	22	<b>128</b>	
25.	Central Staff Attorneys (in FTE adjusted for 3rd DCA and Worker's Comp)		12	9	2	9	8	<b>40</b>	
26.	<b>Weighted Filings Per Total Attorneys (in FTE)</b>		<b>14,504</b>	<b>15,994</b>	<b>18,934</b>	<b>16,574</b>	<b>16,463</b>	<b>16,204</b>	
27.	Weighted Filings Per Elbow Clerks (in FTE)		20,305	20,492	20,828	22,789	22,449	<b>21,268</b>	
28.	Weighted Filings Per Central Staff Attorneys (in FTE)		50,762	72,861	208,276	60,770	61,735	<b>68,056</b>	
29.	Total Weighted Filings		609,149	655,747	416,551	546,932	493,877	<b>2,722,256</b>	
30.	Total Attorney FTE		42	41	22	33	30	<b>168</b>	
31.	Estimated FTE Need (Total Weighted Filings divided by Weighted Filings Per Total Attorney FTE)		37.6	40.5	25.7	33.8	30.5	<b>168.0</b>	
32.	<b>Difference (A positive value indicates a deficit.)</b>		<b>-4.4</b>	<b>-0.5</b>	<b>3.7</b>	<b>0.8</b>	<b>0.5</b>	<b>0.0</b>	

Note: FY 2012-13 filings include 13 nonsummary 3.800 criminal postconviction cases. A delphi case type was not created to account for these filings. In this analysis, the 13 filings are included in the NOA - Criminal Summary Postconviction (includes 3.800 and 3.801) delphi case type.

District Courts of Appeal  
Workload Analysis Using Central Staff Average Relative Case Weights and FY 2012-13 Filings  
**3rd DCA Adjustment and Excluding Worker's Compensation**

Column	A	B	C	D	E	F	G	H	
			FY 2012-13 Filings						
Line	Delphi Case Type	Central Staff Average Relative Case Weight	First	Second	Third	Fourth	Fifth	Total Filings	
1.	Petitions - Certiorari (Includes Certiorari and Review Non-Final Agency Action)	162	338	244	204	250	168	<b>1,204</b>	
2.	Petitions - Habeas Corpus	87	154	162	162	161	140	<b>779</b>	
3.	Petitions - Mandamus and Belated Appeal	55	847	526	137	388	488	<b>2,386</b>	
4.	Petitions - Ineffective Assistance of Appellate Counsel	98	126	138	11	98	139	<b>512</b>	
5.	Petitions - Prohibition	108	121	142	90	125	114	<b>592</b>	
6.	Petitions - All Other (Includes Coram Nobis, Quo Warranto, Review Orders Excluding the Press or Public, and Other Original Proceedings)	77	22	18	10	10	3	<b>63</b>	
7.	NOA - Administrative (Unemployment Compensation Only)	57	453	21	39	30	29	<b>572</b>	
8.	NOA - Administrative (Other)	121	236	60	55	67	44	<b>462</b>	
9.	NOA - Civil Final (Includes Civil, Family, and Probate/Guardianship)	185	926	1,049	1,114	1,220	784	<b>5,093</b>	
10.	NOA - Civil Nonfinal (Includes Civil, Family, and Probate/Guardianship)	150	104	282	206	358	207	<b>1,157</b>	
11.	NOA - Criminal Summary Post Conviction (Includes 3.800 and 3.801)	82	379	615	304	279	370	<b>1,947</b>	
12.	NOA - Criminal Summary Postconviction (Includes 3.850 and 3.853)	98	602	735	378	468	583	<b>2,766</b>	
13.	NOA - Criminal Nonsummary Postconviction (Includes 3.850 and 3.853)	111	122	213	37	78	107	<b>557</b>	
14.	NOA - Criminal State Appeals	94	41	56	16	41	52	<b>206</b>	
15.	NOA - Criminal Habeas Corpus and Other Criminal	80	171	69	175	107	158	<b>680</b>	
16.	NOA - Juvenile Dependency (Includes Dependency and TPR)	129	136	136	40	59	123	<b>494</b>	
17.	NOA - Criminal Anders (Trial)	83	180	271	77	101	283	<b>912</b>	
18.	NOA - Criminal Anders (Plea)	48	180	271	77	101	283	<b>912</b>	
19.	NOA - Judgment and Sentence (Includes Delinquency, Other Juvenile and Judgment and Sentence)	100	734	1,079	277	697	618	<b>3,405</b>	
20.	<b>Total Filings</b>		<b>5,872</b>	<b>6,087</b>	<b>3,409</b>	<b>4,638</b>	<b>4,693</b>	<b>24,699</b>	
21.	<b>Total Weighted Filings</b>		<b>618,810</b>	<b>675,452</b>	<b>436,643</b>	<b>569,294</b>	<b>507,087</b>	<b>2,807,286</b>	
22.	<b>Total Judges (in FTE)</b>		<b>15</b>	<b>16</b>	<b>10</b>	<b>12</b>	<b>11</b>	<b>64</b>	
23.	<b>Total Attorneys (in FTE)</b>		<b>42</b>	<b>41</b>	<b>22</b>	<b>33</b>	<b>30</b>	<b>168</b>	
24.	Elbow Clerks (in FTE)		30	32	18	24	22	<b>126</b>	
25.	Central Staff Attorneys (in FTE)		12	9	4	9	8	<b>42</b>	
26.	<b>Weighted Filings Per Total Attorneys (in FTE)</b>		<b>14,734</b>	<b>16,474</b>	<b>19,847</b>	<b>17,251</b>	<b>16,903</b>	<b>16,710</b>	
27.	Weighted Filings Per Elbow Clerks (in FTE)		20,627	21,108	24,258	23,721	23,049	<b>22,280</b>	
28.	Weighted Filings Per Central Staff Attorneys (in FTE)		51,568	75,050	109,161	63,255	63,386	<b>66,840</b>	
29.	Total Weighted Filings		618,810	675,452	436,643	569,294	507,087	<b>2,807,286</b>	
30.	Central Staff Attorney FTE		12	9	4	9	8	<b>42</b>	
31.	Estimated FTE Need (Total Weighted Filings divided by Weighted Filings Per Central Staff Attorney FTE)		9.3	10.1	6.5	8.5	7.6	<b>42.0</b>	
32.	<b>Difference (A positive value indicates a deficit.)</b>		<b>-2.7</b>	<b>1.1</b>	<b>2.5</b>	<b>-0.5</b>	<b>-0.4</b>	<b>0.0</b>	

Note: FY 2012-13 filings include 13 nonsummary 3.800 criminal postconviction cases. A delphi case type was not created to account for these filings. In this analysis, the 13 filings are included in the NOA - Criminal Summary Postconviction (includes 3.800 and 3.801) delphi case type.