

**Trial Court Budget Commission  
Meeting Minutes  
Tallahassee, Florida  
April 5, 2005**



**Members Present**

Stan Morris, Chair	Charles Francis	Thomas Reese
Belvin Perry, Jr., Vice Chair	John Laurent	William Roby
Mike Bridenback	Carol Ortman	Patricia Thomas
Ruben Carrerou	Wayne Peacock	Mary Vanden Brook
David Demers	Nancy Perez	Mark Weinberg
Joseph Farina	James Perry	

**Members Absent**

Paul Bryan	A. B. Majeed	Donald Moran, Jr.
Judy Pittman	Susan Schaeffer	Walt Smith
Fred Tygart		

**Others Present**

Britt Beasley-4<sup>th</sup>, Judge Hayes-20<sup>th</sup>, Gay Inskeep-6<sup>th</sup>, Caron Jeffreys-20<sup>th</sup>, Elaine New-6<sup>th</sup>, and OSCA staff.

**WELCOME AND INTRODUCTION OF GUESTS**

**New Commission Appointments**

Judge Morris called the meeting to order Tuesday, April 5, 2005, at 8:08 a.m.

Judge Morris introduced and welcomed the following new member as appointed by Chief Justice Barbara Pariente: Mary Vanden Brook, Trial Court Administrator, 16<sup>th</sup> Circuit. Ms. Vanden Brook replaced Theresa Westerfield, who is now employed with OSCA as Budget Administrator.

Judge Morris recognized the guests in attendance.

**Approval of Meeting Minutes**

Judge Morris directed the members to review the minutes during breaks and to take up this item later in the meeting.

## LEGISLATIVE UPDATE

Brenda Johnson distributed and reviewed materials helpful for legislative contacts. The materials included directories, full legislative calendars for the House and Senate, and the OSCA daily legislative schedule which lists meetings of interest to the court.

As of Friday afternoon, with nearly half of session over, only 26 bills were passed by both the House and Senate. The session is scheduled to end May 6. Both houses will review their budgets Thursday and Friday of this week.

Included in the materials was the Weekly Review published Friday, April 1. Members may link to a bill from their electronic copy and access the current version. A special section will be created in the Weekly Review to include enrolled bills, when they are signed by the Governor. Also, included was the side-by-side of the State Court System Legislative Budget Request, House Proposal, and Senate Proposal, updated April 1.

The side-by-side of the Judgeships Certified, House Proposal, and Senate Proposal, updated with the April 4 amendments were reviewed. Lisa Goodner reminded the members that as stated in the Chief Judges' conference call, the numbers are only a starting point and are expected to increase. Ms. Goodner added that included in the packet are primary legislators circuits should visit, but do not forget to visit the freshman members.

Brenda Johnson reviewed the TCBC legislative meeting schedule, updated member information for primary committees, members by delegation, and a crosswalk listing members and the committees they serve. This week will be very busy at the Capitol and members should allow at least ten minutes before a meeting to clear security. If members are unable to schedule a meeting with their legislator, Ms. Johnson suggested stopping by their office anyway to speak with their aides.

Brenda Johnson reviewed the priority legislation list and bills to be taken up. The amendment to add law clerks to the student loan repayment bill does not look good. The Weekly Review includes summaries of bills with interest to the judiciary. All constitutional bills are being watched. SB 2576, relating to competency to proceed, has strong support and will be monitored. The Anti-Murder Act (SB 608), if passed, will have a huge impact on the judiciary. Les Garringer reported that the act denies bail or any form of pretrial release to forcible felony violators in certain circumstances and provides for hearings to determine probability of any danger posed to the community. HB 1879 compensates wrongful criminal felony convictions resulting in imprisonment for which the claimant was sentenced. The court must have a hearing to state actual innocence. The claimant may elect either a monetary or non-monetary award to be paid by the state. Brenda Johnson asked that members review the criminal bills that are posted in the Weekly Review, as they are very active.

Judge Morris asked the members to send a memo or email to Brenda Johnson, to report any legislative meetings held, with whom, and what was discussed. This process will streamline the communications process and assist with keeping all informed.

Judge Roby asked if the selection of conference designees was completed yet. Brenda Johnson stated that usually the chairperson working on the issue, general appropriations committee members, and alternates are selected. A letter should be distributed next week listing the conferees.

Lisa Goodner asked that when using the certification side-by-side fact sheet in discussions during legislative meetings, please point out that the additional current and future certification need will increase, if the pending criminal bills are enacted.

Judge Morris advised the members to refer judges' salary/benefits issues to judges from the Florida Conference of Circuit Court Judges, who are monitoring those areas.

### **Trial Court Budget Request**

Dorothy Burke reviewed the side-by-side chart of the Legislative Budget Request, showing the State Courts System request, House proposal, and Senate proposal.

### **Cost Allocation Formula for Cost Sharing**

Kris Slayden reported that on February 24, 2005, Senator Crist requested that the courts take the lead on working with all parties to reach consensus on a fair and efficient methodology for allocating the shared court reporting and court interpreting costs. In addition, staff to Senator Crist requested that court staff develop a methodology to proportion the shared costs using employee workload data. Court staff met separately with the state attorneys, public defenders, and representatives from the JAC and held a conference call on March 2<sup>nd</sup>, 9<sup>th</sup>, and 10<sup>th</sup> to reach a consensus. The letter to Senator Crist was sent on March 10<sup>th</sup>. In the interim, OSCA staff met with Senate staff and provided two methodologies. The methodologies do not include depositions since the TCBC has decided to no longer provide them, effective July 1, 2005.

Last year's methodology was a best guess until the State Courts System could review alternatives to improve the methodology. On February 16, 2004, the Funding Methodology Committee approved a methodology to determine the fair distribution of court reporting shared costs with the State Attorneys, Public Defenders, and Justice Administrative Commission. This methodology consists of annualizing the number of shared cost pages as submitted by the trial courts in the monthly workload data reports provided to OSCA. The ranges of per page costs (\$3 to \$7), as indicated in the Indigent Services Advisory Board Report were used as a baseline to calculate this methodology. Seven dollars (\$7) per page is consistent with the industry standard, inclusive of an original plus two copies. The \$7 per page rate is used only as a method to fairly calculate projected shared costs. Quarterly payments would be made by the entities based upon the annual projections budgeted under this methodology, and not upon the actual number of pages produced. The provision of the record on CDs, as opposed to transcript pages, was not contemplated in these projections as

the statewide costs of the CDs are negligible. However, this methodology would not preclude the circuits from charging and collecting for the provision of the record on CDs.

At its February 28, 2005, meeting, the Executive Committee approved the Funding Methodology Committee's proposal to advance an alternative method to the current cost sharing distribution, based upon a flat \$7 per page rate, for the projected shared cost pages produced by trial court employees.

The Senate's current proposed FY 2005/06 budget position is to incorporate proviso language in JAC's budget instructing the state attorneys, public defenders, and JAC to pay \$3,953,101 to the State Courts System on a quarterly basis. The House's current proposed FY 2005/06 budget position is to eliminate the cost sharing and fund shift the \$5,532,870 trust authority associated with court reporting and court interpreting services to general revenue. Mike Bridenback asked that if the Senate's proposal is approved, if that action would contribute to the salary deficit. Judge Morris indicated it would contribute to the deficit.

### **Glitch Legislation**

Greg Smith distributed HB 1935, House amendment PCB JU 05-10, talking points relating to PCB JU 05-10, and a side-by-side comparison of HB 1935 and SB 2542. The House amendments include: the chief judge shall determine the priorities for the court-related functions of the clerks of court; required notice of clerk discontinuance of court-related functions; and additional funding to clerks of court from the Clerks of Court Operations Conference for additional workload outside the control of the clerks.

The side-by-side comparison of HB 1935 and SB 2542 was reviewed. The house bill may impose an unworkable burden on the 20 ISCs not to exceed GAA total dollars. The language about JAC investigating alternate models to provide due process services should be deleted. The house bill solves a potential UPL problem, and discontinues the statewide ISAB. The senate bill has language regarding no payment for due process costs on 3.850 appeal. The implementation issue to use \$1 of the \$2 recording fee to defray the cost of information technology at the local level has no support so far. Britt Beasley asked if excess funds may be used to support local technology. Judge Francis replied that state funds cannot be used for information technology. The issue of expert and other witness payments will be resolved.

## **BUDGET MANAGEMENT COMMITTEE REPORT**

### **Summary of Executive Committee Decisions**

Judge Laurent reviewed the summary of Executive Committee decisions made from December 2004 – April 2005 regarding pay policy and reported that no appeals were made to the TCBC. Two requests regarding digital court reporting, recently decided by the Executive Committee were reviewed. The first request by the Eighteenth Circuit identified an

immediate need for a digital court reporter due to the Brevard Clerk's discontinuation of service and was approved by the Executive Committee. The second request from the Twentieth Circuit identified a critical need for 3 additional electronic court recorder positions required for basic daily courtroom coverage. The Executive Committee deferred the request until the digital court reporting plan is completed. Caron Jeffreys expressed concern of the ability for six staff and a manager to effectively cover the five counties, in the Twentieth Circuit.

#### **Title IV-D Child Support Hearing Officer Use in the 15<sup>th</sup> Judicial Circuit**

During early March, OSCA staff was contacted by the contract manager for Title IV-D funds at the Department of Revenue (DOR) regarding concerns about the 15<sup>th</sup> Judicial Circuit's use of their federally funded hearing officer. DOR's regional manager had reported that resources were being used to hear types of cases other than IV-D matters.

OSCA staff forwarded this inquiry (as they do all others of this nature) to Ken Chambers, the Supreme Court Inspector General. Upon investigation, Mr. Chambers confirmed that resources were not being used in a manner consistent with the terms of the agreement with DOR, and requirements for federal funding.

Mr. Chambers recommended that the 15<sup>th</sup> Circuit correct the data that was submitted to the OSCA regarding the amount of time was actually spent hearing Title IV-D cases. The 15<sup>th</sup> Circuit responded, affirming the data provided. DOR has been notified of the findings and further action is pending. This action could include a statewide audit of all circuits and their compliance with the contract terms; required repayment of billed amounts for the hours worked for cases other than Title IV-D; discontinuance of federal matching funds, etc.

Judge Morris stated that it is the 15<sup>th</sup> Circuit's understanding that the Inspector General did not disagree with the use of the hearing officer. Judge Perez will follow up to ensure full compliance.

The Budget Management Committee recommendation is for the TCBC Chair to contact the Chief Judge of the 15<sup>th</sup> Circuit and to notify chief judges and trial court administrators of this issue and remind them of the strict requirements for continued use of this funding, and continue to monitor the situation, pending further action from Department of Revenue.

#### **Salary Shortfall**

Dorothy Burke reported that last year, in FY 2003/04, the trial courts were faced with a total \$4.3 million General Revenue salary shortfall between the Circuit and County Court budget entities. The TCBC successfully managed this shortfall by imposing a hiring freeze on all vacant positions, and mandating across-the-board operating budget reductions for all circuit budgets.

Ms. Burke reviewed a chart showing that July 1 estimates for FY 2004/05 indicated the annual circuit courts salary budget would be short approximately \$6.4 million, and the county courts would be short \$800,000. The \$6.4 million estimated shortfall included the potential \$5,532,870 shortfall associated with court reporting and court interpreting. At the time the payroll projections were completed, there were unresolved cost sharing funding issues with the State Attorneys, Public Defenders, and JAC. As of March 31, 2005, approximately \$2.7 million had been received in associated cost sharing funds.

Projections through February indicate that mostly due to significant vacancies since July 1, the salary budget is covered through year end, assuming no changes in current personnel action policies. Judge Laurent reminded the members that the substantial savings were due to the new positions not being filled until October. No significant numbers of new positions are anticipated for next year, and therefore, the large savings from the lapse was a one time opportunity.

Judge Farina commended the circuits for a good job on the savings and reducing the shortfall amount this year. He asked the amount of the lapse as of July 1. Ms. Burke explained that vacancy data is not available. Judge Laurent added that staff has been working with Convergys to correct problems with data after conversion from the COPES system.

Mike Bridenback asked if any salary dollars left over could be used for bonuses. Lisa Goodner stated that we are very limited on how the salary funds are used. Employee bonuses require a specific appropriation, and therefore, are not allowed.

### **Operating Expense and Due Process Budgets**

Dorothy Burke reported that through February 28, 2005, the trial courts continue to be conservative in spending operating budget categories. Expenditure data through February 28, 2005, reflects nearly 19% spent in the expense category, up from 15% through December, 2004. It is expected that this percentage will increase somewhat dramatically for the months of March and April as circuits begin implementing individual spending plans. Judge Laurent reviewed the percentages of budgeted expenses by cost center.

Ms. Burke reviewed the 2<sup>nd</sup> quarter due process costs expenditure reports, which is forwarded to the legislature quarterly, as required by the General Appropriations Act. In a meeting with House staff, it was expressed to OSCA staff that the legislature is very interested in how the funds for due process costs are spent.

Ms. Burke reviewed the Civil Traffic cost center expenditures, which have been very low to date. The funds may be used for training and seminars for civil traffic infraction hearing officers. Judge Laurent encouraged the use of contractual dollars.

Judge Demers asked about a bonus for staff attorneys. Lisa Goodner stated that the approved plan is not a bonus. The plan will cover law clerks that earned their incentive pay plan

before July 1, but were caught in the hiring freeze. OSCA will send instructions for processing the affected employees.

### **Cost Recovery for Mediation**

Dorothy Burke reported that deposits for mediation cost recovery are extremely low. With the implementation of Revision 7, cost recovery for mediation services became statutory. This change has presented various challenges regarding collections by Clerks of Court, delayed deposits, unclear procedures for litigants regarding payment, etc.

Ms. Burke reviewed the Mediation Service Fees/Cash Statements Summary. Approximately \$725,000 has been deposited as of February 28, 2005, and the courts have authority to spend \$2,229,965. Trial Court Administrators have been encouraged to work with the clerks to ensure that the collection process is working as it should and that collections are being deposited accurately. Ms. Burke reminded the members that while there is sufficient authority, funds cannot be expended in excess of collections.

### **Cost Sharing for Court Reporting and Court Interpreting**

Dorothy Burke reported that the 2004 Legislature funded models for due process costs in General Revenue and the Grants & Donations Trust Fund. According to the model agreed to during session, the State Attorneys, Public Defenders, and JAC were to remit the amount of funds to pay for their estimated portion of court reporting services as provided by trial court employees.

With the implementation of Revision 7, some of these entities have indicated that they were not funded amounts to pay for these services, and/or they didn't understand the model. The JAC previously indicated that they only had statutory authority to pay on a per case basis, but had recently transferred funds to bring all payments current.

The Legislature has subsequently requested that the court and parties participating in the current cost sharing arrangement work together to find an alternative solution and allocation methodology for funding these costs in the Fiscal Year 2005-2006 budget, as previously discussed by Kris Slayden.

Ms. Burke reviewed a chart summarizing billings and receipts. The State Courts System was budgeted a total of \$4,690,569 for court reporting services cost and \$815,600 for court interpreting cost sharing with approximately \$1,376,542 being billed each quarter. Through March 31, 2005 (3<sup>rd</sup> quarter), approximately \$2,314,244 had been received for court reporting and \$412,276 for court interpreting for a total of \$2,726,520. Since this budget authority was intended to pay for a portion of the salaries of trial court employees who provide these services, payroll shortfalls will be adversely affected if the payments continue to be short.

### **Payment for Civil Traffic Witnesses**

Lisa Goodner reported that the 2004 Legislature did not address funding or state payment responsibility for civil traffic witnesses in the Revision 7 implementing legislation. The position of the TCBC is that it is inappropriate for the courts to handle payment of witnesses and they must maintain the appearance of impartiality. The Legislature approached the State Courts System last fall and asked that we assume payment responsibility for civil traffic witnesses, as a stop-gap measure for traffic witness payments during the current fiscal year.

OSCA staff worked with the FACC to develop procedures whereby payments are made by the local clerks, from funds advanced by the OSCA (on behalf of the trial courts), and are reconciled at the end of the period for over/under actual expenditure needs. These funds are being advanced from the Juror and Witness appropriation, and projections on jury expenditures through year end indicate this account can absorb up to an additional \$500,000 for civil traffic payments.

Payments will be made by the OSCA for the period of March 1, through June 30, 2005. Only those bills that have not been previously paid are subject to payment. Three counties have requested advances for a total of about \$40,000 to date.

House and Senate glitch bill legislation proposes that these payments should be paid from the State Attorneys' budgets beginning FY 2005.

### **Pooled Due Process Funds**

Dorothy Burke reported that funds were allocated at the beginning of FY 2004-2005 to two "pooled" accounts for contractual services in the areas of Expert Witnesses and Court Interpreting. The pools were established to expend funds for those circuits whose historical usage of these services was nominal and/or who had no FTE allocation in these two due process categories.

As of March 31, 2005 (end of 3<sup>rd</sup> quarter), \$60,033 of the \$210,000 allocation (31%) was spent in the Expert Witness cost center. In the Court Interpreting cost center, by the end of the 3<sup>rd</sup> quarter \$207,806 was spent in support of the pooled allocation of \$200,000. It will be necessary to transfer funds to cover this deficit and the projected 4<sup>th</sup> quarter deficit to year end.

A chart detailing the pooled fund usage was reviewed. Given the fairly high usage of the pooled court interpreting account, the TCBC may want to consider making allocations for court interpreting to all circuits next year.

### **Year End Spending Plan for Excess Circuit Funds**

Judge Laurent reported that at the February 17, 2005 Budget Management Committee meeting, staff was directed to poll the circuits to determine a projected available balance

through fiscal year end in the areas (aggregate) of Due Process Budgets and Operating Budgets. The circuits were subsequently polled and each has responded. Simultaneous with the circuits' work, OSCA Budget Services developed a projected available balances worksheet, based on historical spending trends, and used both sets of data to estimate overall unexpended balances for the circuit courts. Budget Services also analyzed other circuit budgets, such as Compensation to Senior Judges, Operating Reserves, etc.

Taking the most conservative approach, and utilizing the estimates from trial court administrators, there is \$3,205,071 available in the Operating Category and \$2,256,683 in the Due Process Category for a total of \$5,461,754, to be considered by the Trial Court Budget Commission in support of a statewide trial court spending plan.

- Priorities for one-time funding initiatives include:
  1. Digital Court Reporting (DCR) equipment (\$4,000,000 – no FTE)  
It should be noted that a need is anticipated for a staffing complement for some new DCR installations which would necessitate use of the contingency fund. While FTE to accommodate this need can be requested from the contingency fund, the TCBC may want to consider leaving some of the remaining 33 FTE and some of the remaining \$3,412,200 in reserve for emergencies.
  2. Judicial Inquiry System – 8 additional connections and 3-year maintenance (\$292,800)
  3. Asset Tracking System to comply with Section 29.008, F.S. effective July 1, 2005 (\$75,000)
  4. Online Sentencing System (\$465,000)
  5. Vulnerability Mitigation Tool, i.e., “Hacker Catcher” for all OSCA servers that support the trial courts (\$45,000)

Should the TCBC accept all of the priority recommendations, which total \$4,877,800, there would be a remaining balance of \$583,954 for other considerations.

- OSCA Court Services will be reviewing Court Reporting Plans currently being developed by each circuit pursuant to the March 24, 2005 memorandum issued by Alice Blackwell White, Chair of the Commission on Trial Court Performance and Accountability. The circuit plans have a due date of May 1, 2005. A review of the plans is being conducted as they are received and it is anticipated that all plan reviews would be completed by May 4, 2005 in order to meet certain critical deadlines. Considerations for prioritizing allocations include the following, with the first being the fundamental concern:
  1. Circuits above \$17 unit cost attempting to reduce expenses;
  2. FTE to fill current staffing deficits;
  3. FTE to replace clerk button-pushing;
  4. FTE to assist circuits in transition to DCR to increase coverage capabilities;
  5. FTE to reduce or eliminate contract expense;
  6. Equipment purchase to replace non-functioning or dysfunctional (analog) equipment;
  7. Equipment purchase to assist circuits in becoming a full-service court;

8. Equipment purchase in compliance with *Statewide Standards for Integrated Digital Court Recording Systems*;
9. Available staff to operate new equipment;
10. Ability to employ resources within current fiscal year deadlines; and
11. Willingness of counties to fulfill wiring obligations.

Judge Roby asked why funds are allowed for statewide information technology but not on the local level. Lisa Goodner stated that court reporting, as a due process cost, is an exception to the information technology rule, and state funds may be used. Ms. Goodner stressed that individual circuit spending plans would not be affected and the items on the list would be funded by the excess dollars as reported by the trial courts. Judge Laurent stated that the items on the list are not hardware. Stand alone systems are allowed, but if they are connected to the network, they are not allowed. Theresa Westerfield stated that OSCA has a budget for information technology and are using funds for a statewide benefit. OSCA may not buy hardware and distribute to the circuits. Judge Francis added that OSCA may not buy servers, but is trying to enhance the video conferencing system (high tech courtrooms).

Britt Beasley asked if the list could be evaluated by the circuits for re-evaluation of need and make suggestions. Judge Morris directed staff to send a memorandum to the circuits with a deadline to send suggestions for expanding the list of spending plan items. Mark Weinberg asked the members when expanding the list, to keep in mind that the excess funds are estimates only.

## **DISCUSSION OF CLERK OF COURT FUNCTIONS**

### **Legislative Activities Related to Clerk of Court Functions**

Judge Morris reported that some clerks are withdrawing from performing court related functions, and these actions are affecting the courts. There is litigation pending in the 18<sup>th</sup> Circuit. The Legislature has asked the courts and the clerks to resolve this issue.

Greg Smith reported that two weeks ago, amendments to the glitch bill were filed. Those amendments are now part of the House bill.

The amendment marked #9 is located on page 42 of HB 1935, and states “The chief judge of each circuit, after consultation with the clerk of court, shall coordinate the provision of all court-related functions and determine the priorities for the court-related functions of the clerk of court provided pursuant to s. 28.35 (4) (a).”

The amendment marked #10 requires clerks to give notice of one year of the intention to substantially modify or discontinue a court-related function, unless the chief judge of the circuit has consented in writing to the discontinuance or substantial modification. This amendment is intended to allow for the State Courts System to request funds to perform the

additional duties. The amendment also holds harmless the clerk for performing court-related functions, if it is later determined that the duty is not a proper expenditure of state funds.

The amendment marked #11 addresses the clerks' concerns and allows an increase of their spending cap for additional funding necessary to perform new and additional functions required by changes in the statute, court rule, increase in number of judges or other judicial resources.

The amendment marked #15 adds again the language about giving the chief judge authority to determine the priority of services provided by the clerk of court to the trial court.

### **Trial Court Performance & Accountability Workgroup Report**

Peggy Horvath gave background on the Trial Court Performance and Accountability (TCP&A) briefing paper. The TCP&A's Workgroup on Clerk of Court Functions was established to help clarify: (a) general principles relating to clerk of court support to the court; (b) the roles and responsibilities of the clerks and how they relate to the court's roles and responsibilities; and (c) judicial branch expectations as to the performance of clerk of court court-related functions. The paper was prepared to update the Chief Justice on the workgroup's progress to date.

The briefing paper is organized in four sections. Section I sets forth the goals established by the workgroup relating to the clerks' performance of their court-related functions. Section II describes clerk performance issues that are related to the implementation of Revision 7 to Article V of the Florida Constitution (Revision 7). Section III addresses clerk performance issues that are not directly linked to Revision 7. Section IV briefly summarizes the present state of the law relating to the clerks' court-related functions and summarizes the branch framework within which we are operating. The main issues identified are: clarity of roles; workload; quality, continuation of services, privacy; case information and communication; and uniform case numbers.

The Workgroup summarized that specific issues regarding clerk of court performance issues arise from four sources: (a) a lack of clarity as to required duties and tasks; (b) ambiguity as to accountability; (c) inadequate funding; and (d) interpretations of statutory authority. The report further states that the challenge of meeting trial court operational needs where funding is limited can be met with firm judicial leadership at the local level, supported by clear policies and guidance at the state level relative to overall management of court operations and court records.

### **PERSONNEL ISSUES – CLASSIFICATION AND PAY STUDY**

David Pepper reported that the Personnel Committee established a workgroup of 13 volunteers to create a Request for Proposal (RFP), as directed by the TCBC, for the independent position classification and pay study. The RFP was reviewed by the General

Counsel and was approved. The deadline for receipt of proposals from vendors is May 6, 2005. The deadline for completion of the study is September 30, 2005. Trial Court Administrators and Chief Judges will be notified of the outcome and results of the study.

Judge Morris added that the study will be funded by the trial courts. Britt Beasley asked if the appellate courts would help fund the study. David Pepper stated that the appellate courts would not help fund the study but they will partially benefit as they have support positions that are the same as the trial courts. OSCA staff will be included in the study and will share the cost for comparison purposes. Britt Beasley stated that there is a distinction between trial court and appellate law clerks. David Pepper stated that the consultant will most likely look at the appellate law clerk position. Britt Beasley added that all State Courts System's positions should be studied and that the proposal should include training of OSCA staff, on the methodology, by the consultant.

Ruben Carrerou asked how much work will be required by the individual circuits. David Pepper stated that two OSCA personnel staff, along with circuit personnel staff, will assist the consultant. All staff should review and update their current position description. The consultant may do a sampling of positions from small, medium, and large circuits and may not have to visit each circuit.

### **DISCUSSION OF LEGISLATIVE PRIORITIES**

Judge Morris directed the members to refer to workload issues (salary shortfall) when meeting with legislators and give specific examples of how the issues have impacted them locally. They should also explain that the chief judge of each circuit must be the primary authority in directing court-related functions, especially when dealing with multiple county clerks.

Judge Morris added that if any questions arise, please call Judges B. Perry, Laurent, Francis, Farina, Brenda Johnson, Lisa Goodner, or himself.

### **APPROVAL OF MEETING MINUTES**

Judge Reese made a motion to approve the minutes as drafted. Judge Francis seconded and the motion was approved, without objection.

### **ADJOURNMENT**

Judge Morris thanked OSCA staff for their work. He also thanked trial court administrators and OSCA staff for providing data that has been taken to the legislature. The next TCBC meeting will be held June 11, 2005, from 8:30 a.m. to 1:30 p.m., in Wesley Chapel. With no other business before the commission, Judge Morris adjourned the meeting at 1:00 p.m.