



Note: By the morning of Friday, April 4, 2014, materials will be available at:

<http://www.flcourts.org/administration-funding/court-funding-budget/trial-court-budget-commission/>

MEETING AGENDA

8:30 a.m. to 12:00 p.m.

Monday, April 7, 2014

Judicial Meeting Room, Supreme Court Building, Tallahassee, FL

Welcome and Roll Call

- | | | |
|------|---|-----------|
| I. | Approval of January 6, 2014, and December 13, 2013, Minutes | 8:30-8:35 |
| II. | Status of FY 2013-14 Budget | 8:35-9:00 |
| A. | Salary Budgets | |
| 1. | Payroll Projections | |
| 2. | Positions Vacant for More than 180 Days | |
| 3. | Reclassification Actions | |
| B. | Operating Budgets | |
| C. | Trust Fund Cash Balances | |
| 1. | State Courts Revenue Trust Fund | |
| 2. | Administrative Trust Fund | |
| III. | Conflict Counsel Cases over the Flat Fee | 9:00-9:15 |
| IV. | Foreclosure Backlog Reduction Initiative | 9:15-9:30 |
| V. | Child Support Hearing Officers and General Magistrates | 9:30-9:45 |
| VI. | Update on Technology Funding Strategies Workgroup | 9:45-9:55 |

Break	9:55-10:10
VII. Update on 2014 Legislative Session	10:10-11:30
A. House and Senate Budget Proposals	
1. Implementing Bills	
2. Conforming Bills	
B. Pay Issue for State Courts System Staff	
C. Pay and Benefits Legislation	
D. Florida Retirement System Legislation	
E. Other Significant Budget-Related Legislation	
VIII. Judicial Conference and TCBC Legislative Activities	11:30-11:40
IX. Personnel Committee Report	11:40-11:50
X. Report from Chief Justice Designee to the Clerk of the Court Operations Corporation Executive Council	11:50-12:00
Adjourn	

Future TCBC Meetings

- Wednesday, June 4 (11 a.m. to 1 p.m.), Tallahassee
- Friday, June 20 (8:30 a.m. to 12 p.m.), Tampa

I. Approval of January 6, 2014, and December 13, 2013, Minutes

**Trial Court Budget Commission
Meeting Minutes
January 6, 2014**



Attendance – Members Present

The Honorable Margaret Steinbeck, Chair
The Honorable Catherine Brunson
The Honorable Ronald Ficarrotta
Mr. Tom Genung
Ms. Sandra Lonergan
The Honorable Thomas McGrady
The Honorable Debra Nelson
The Honorable Gregory Parker
The Honorable Belvin Perry, Jr
Ms. Kathy Pugh
The Honorable James McCune

The Honorable Mark Mahon, Vice Chair
The Honorable Robert Roundtree
The Honorable Olin Shinholser
Mr. Grant Slayden
The Honorable Elijah Smiley
Mr. Walt Smith
The Honorable Bertila Soto
The Honorable John Stargel
The Honorable Terry Terrell
Mr. Mark Weinberg
Ms. Robin Wright

Attendance – Members Absent

The Honorable Wayne Miller

The Honorable Patricia Thomas

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

Agenda Item I.: Welcome

Judge Steinbeck called the Trial Court Budget Commission (TCBC) meeting to order at 12:04 p.m. The roll was taken with a quorum present.

Agenda Item II. : Allocation of Child Support Hearing Officer Resources

Ms. Jessie Emrich McMillan presented options regarding a 0.5 FTE Child Support Enforcement Hearing Officer position returned by the 13th Circuit. The Funding Methodology Committee (FMC) recommended approval of the staff recommendation to allocate the 0.5 FTE to the 4th Circuit. Judge Perry motioned to approve with a second from Judge Roundtree. The motion passed without objection.

Agenda Item III. : FY 2014/15 Supplemental Legislative Budget Request – Criminal Judicial Viewers

Ms. Kris Slayden presented the recommendations of the TCBC Trial Court Technology Funding Strategies Workgroup. Judge Steinbeck reported Judge Miller from the 16th Circuit contacted her stating the 16th Circuit needs more bandwidth and licensing than originally determined and requested an additional \$65,000 for those needs. Judge Parker requested an additional \$70,000 for redundancy servers. Judge Steinbeck noted these additional amounts should pass the same review to ensure the requests fall within the established framework and cost standards for technology resources. Judge McGrady motioned to approve the recommendation to include the additional amounts requested by the 3rd and 16th Circuits, as part of the supplemental LBR for FY 2014-15, contingent upon meeting review criteria. Judge Ficarrotta seconded the motion, and the motion passed without objection. Walt Smith motioned to approve the justification narrative for the funding request with the supplemental LBR with a second by Judge Roundtree. The motion passed without objection.

Agenda Item IV. : Update/Discussion on Post-Adjudicatory Drug Court Study by Office of Program Policy Analysis and Government Accountability

Mr. Eric Maclure provided an update on the draft report from the Office of Program Policy Analysis and Government Accountability's (OPPAGA) study of the Post-Adjudicatory Drug Courts. He presented two options regarding if any revisions should be made to the filed FY 2014-15 LBR issue based upon the draft report. Judge Roundtree motioned to approve Option Two to amend the placeholder to convert OPS to FTE, with a second from Sandra Lonergan. Walt Smith sought a modification to the motion. Mr. Smith requested to go with Option One to make no changes to the original placeholder request of \$544,013 in recurring funding for the continuation of the 14 OPS drug court positions, and to authorize the Executive Committee the flexibility to work with legislative staff during session and to go with Option Two if the conversion of OPS to FTE approach is more appropriate. The amendment to the motion made by Walt Smith was accepted with a second by Judge Stargel. The motion passed with Ms. Lonergan objecting.

Adjournment

With no other business before the Commission, the meeting adjourned at 12:50 p.m.

**Trial Court Budget Commission
Meeting Minutes
December 13, 2013**



Attendance – Members Present

The Honorable Margaret Steinbeck, Chair
The Honorable Catherine Brunson
The Honorable Ronald Ficarrotta
Mr. Tom Genung
Ms. Sandra Lonergan
The Honorable Thomas McGrady
The Honorable Wayne Miller
The Honorable Debra Nelson
The Honorable Gregory Parker
The Honorable Belvin Perry, Jr
Ms. Kathy Pugh

The Honorable Mark Mahon, Vice Chair
The Honorable James McCune
The Honorable Olin Shinholser
Mr. Grant Slayden
The Honorable Elijah Smiley
Mr. Walt Smith
The Honorable Bertila Soto
The Honorable John Stargel
The Honorable Terry Terrell
Ms. Robin Wright

Attendance – Members Absent

The Honorable Robert Roundtree
The Honorable Patricia Thomas

Mr. Mark Weinberg

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 Steinbeck called the Trial Court Budget Commission (TCBC) meeting to order at 8:31 a.m. The roll was taken with a quorum present.

Judge Steinbeck presented the draft meeting minutes from the August 3, 2013 and September 17, 2013 TCBC meetings and asked if there were any changes necessary before approval. Judge Nelson moved to approve the minutes as presented with a second from Judge Perry. The motion passed without objection.

Agenda Item II. : Status of FY 2013-14 Budget

A. Salary Budgets

1) Payroll Projections

Dorothy Wilson provided an overview of the salary budgets for FY 2013-14 as of November 30, 2013. Ms. Wilson reported current projections estimate a potential \$500,000 deficit through yearend. OSCA staff is closely monitoring this issue and will provide the TCBC with updated projections as necessary for review.

2) Positions Vacant For More Than 180 Days

Theresa Westerfield provided an overview of positions vacant longer than 180 days as of December 2, 2013 noting the 11th and 17th Circuits continue to have court interpreting recruitment issues.

3) Reclassifications/Actions

Theresa Westerfield provided an overview of requests for reclassifications reporting the number of requests is going down and we are at \$50,000 less than this time last year.

B. Operating Budgets

Dorothy Wilson provided an overview of the operating budgets for FY 2013-14 as of November 30, 2013.

C. Trust Fund Cash Balances

Dorothy Wilson provided an overview of the trust fund cash balances through November 30, 2013 for FY 2013-14. The December 3, 2013 Revenue Estimating Conference revised its estimates downward by \$13 million resulting in an estimate of \$978,619 in carry forward cash at year end. Judge Steinbeck remarked it should be made clear that this is a revenue problem and not a spending problem. Ms. Wilson noted the trust fund will be monitored closely and the next step will be to notify legislative staff of the potential problem.

D. Conflict Counsel Cases Over the Flat Fee

Jessie McMillan Emrich provided an overview of the Conflict Counsel Cases over the Flat Fee noting current estimates project an increase of \$1.3 million in FY 2013-14 compared to FY 2012-13 based on the first four months of expenditure data.

E. Foreclosure Backlog Reduction Initiative

Kris Slayden provided an overview of the Foreclosure Backlog Reduction Initiative for FY 2013-14 reporting estimated pending cases as of October 31, 2013 were down to 272,470 compared to 329,171 as of June 30, 2013.

Agenda Item III. : Personnel Committee Report – Recommendation on the Trial Court Administrator Salary Adjustment Proposal

Judge Steinbeck reported on a letter from Judge Roundtree regarding Trial Court Administrator (TCA) salary adjustments. Judge Steinbeck acknowledged the Personnel Committee agrees adjustments need to be made, but after the Executive Committee reviewed this issue, it became apparent there is currently no flexibility in the salary budget to proceed with this issue at this time.

Judge Miller moved to defer this issue until such time as salary dollars are available. Judge McGrady seconded the motion and the motion passed without objection.

Agenda Item IV. : FY 2014-15 Supplemental Budget Request

A. Due Process Technology

1) Remote Court Interpreting

Ms. Patty Harris reported on the status of the remote court interpreting pilot project noting the recommendations of the Funding Methodology Committee. Judge Parker motioned to approve the recommendations with a second from Judge Brunson. The motion passed without objection.

2) Maintenance/Refresh of Existing Equipment and 3) Expansion of Due Process Equipment and Maintenance

Ms. Harris presented two options to address refresh and expansion issues.

The FMC recommended Option One (Modify the LBR to reduce the overall funding request by \$332,238 in recurring maintenance contractual. Allocate the approved requested funding amounts at the beginning of FY 2014-15 using the due process contractual funds, as available). The Executive Committee recommended Option Two (Do not modify the LBR) due to additional information reported in the annual due process technology inventory, and on discussions held with circuit court administration regarding the continued expansion needs. Judge Parker motioned, and Judge Ficarotta seconded, to approve the Executive Committee's recommendation of Option Two. The motion passed without objection.

B. Conflict Counsel Cases Over the Flat Fee

Jessie McMillan Emrich presented options for supplemental LBR consideration regarding the Conflict Counsel Cases Over the Flat Fee issue.

The FMC recommended Option Two. Judge McGrady motioned to approve the recommendation of Option Two with a second from Ms. Sandra Lonergan. The motion passed without objection.

C. Additional Compensation for County Judges

Judge Mahon reported on the status of the possible supplemental LBR issue regarding additional compensation for county judges. Judge Mahon provided background that based on a decision at the June 18, 2013 TCBC meeting, an ad-hoc subcommittee was created to examine the additional compensation issue. The subcommittee's final report made two recommendations. Judge Miller motioned to approve the subcommittee recommendations with a second from Judge McGrady. The motion passed without objection.

D. Courthouse Furnishings

Ms. Wilson provided an overview of the 17th Circuit's LBR issue for courthouse furnishings needed in its new 20-story main courthouse. Walt Smith motioned to approve the request with a second from Ms. Lonergan. The motion passed without objection.

E. Veterans, Substance Abuse, and Mental Health Court Training (*Supplemental Agenda*)

Eric Maclure reported on a LBR issue submitted by the Task Force on Substance Abuse and Mental Health Issues in the Courts. The task force is seeking \$100,000 in non-recurring funding for education and training needs for 150 judges and staff who handle cases in problem-solving courts like mental health, veterans, and drug courts. Ms. Lonergan motioned to approve Option One (File a supplemental LBR on this issue). Tom Genung seconded the motion, and it passed without objection.

Agenda Item V. : Technology Funding Strategies Workgroup

Judge Steinbeck reported the Technology Funding Strategies Workgroup (TFSW) is developing a proposal for the court system to implement judicial viewers in the criminal division, and to allow secure transmission of judges' orders to the Clerks of the Court in an electronic format. Additionally, the workgroup is looking to develop a comprehensive strategy to fund technology in the trial courts, and will present its' findings to the TCBC at a later date. Kris Slayden noted the workgroup is working on a FY 2014-15 supplemental LBR request related to the implementation of the judicial viewers in the criminal division with the workgroup and a proposal will be presented to the TCBC on January 6, 2014 for a decision on filing an issue.

Agenda Item VI. : Florida's Long Range Financial Outlook

Ms. Slayden provided an overview to the commission noting that General Revenue Fund collections should return to pre-recession levels as early as FY 2014-15. Ms. Slayden also

reported there is some lingering hesitancy in the economy due to the federal government's dealing with the sequester issue.

Agenda Item VII. : Update on Revenue Estimating Conference

Alex Krivosheyev provided an overview on the December 3, 2013 Revenue Estimating Conference reporting the estimate for the State Courts Revenue Trust Fund (SCRTF) is down by \$13 million to \$87.6 million. The SCRTF estimate is down due to foreclosure filings coming in below forecast. Mr. Krivosheyev reported the General Revenue estimates are up and currently forecast to have a \$2.1 billion non-recurring surplus.

Agenda Item VIII. : Update from the Chief Justice's Designee to the CCOC

Judge McGrady reported the Clerks' have implemented their new revenue process. Judge McGrady also reported the Clerks' are now required to submit actual excess filing fees rather than estimated excess filing fees to the Department of Revenue. Additionally, Senate Bill 1512 requires the Clerks of Court Operations Corporation (CCOC) to develop a uniform system of workload measures and applicable workload standards for court-related functions to facilitate an objective determination of the performance of each clerk in accordance with minimum standards. Development of the performance measures is currently underway and will be finalized in January.

Agenda Item IX. : Preparing for 2014 Legislative Session

Eric Maclure provided an overview of the upcoming 2014 Legislative Session which starts Tuesday, March 4, 2014. Mr. Maclure continued reporting there have been pre-session committee meetings in the fall, and will continue through January and February 2014. Mr. Maclure reviewed the Judicial Branch Legislative agenda, court-related issues of interest to policy makers, and emerging overall policy issues.

Adjournment

With no other business before the Commission, the meeting adjourned at 11:25 a.m.

II.A.1. Status of FY 2013-14 Budget - Salary Budgets - Payroll Projections

Item II.A.1.: Salary Budgets - Payroll Projections

**FY 2013-14 Trial Courts Salary Budget
 General Revenue and State Courts Revenue Trust Fund
 March 2014**

CIRCUIT	1	Projected Full Employment Payroll Liability through June 30, 2014	256,286,369
	2	Salary Appropriation	(254,578,876)
	3	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	1,707,493
	4	Actual Payroll Adjustment through March 31, 2014	(1,782,404)
	5	Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(74,911)
	6	Estimated Remaining Leave Payouts (based on two year average)	501,595
	7	Final - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	426,684
COUNTY	8	Projected Full Employment Payroll Liability through June 30, 2014	80,082,486
	9	Salary Appropriation	(79,872,073)
	10	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	210,413
	11	Actual Payroll Adjustment through March 31, 2014	(338,386)
	12	Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(127,973)
	13	Estimated Remaining Leave Payouts (based on two year average)	103,032
	14	Final - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(24,941)
Trial Court Summary	15	Projected Full Employment Payroll Liability through June 30, 2014	336,368,855
	16	Salary Appropriation	(334,450,949)
	17	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	1,917,906
	18	Actual Payroll Adjustment through March 31, 2014	(2,120,790)
	19	Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(202,884)
	20	Estimated Remaining Leave Payouts (based on two year average)	604,627
	21	Final - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	401,743

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Item II.A.1.: Salary Budgets - Payroll Projections

FY 2013-14 Trial Courts Salary Budget
Federal Grants Trust Fund
March 2014

1	Projected Full Employment Payroll Liability through June 30, 2014	5,705,763
2	Salary Appropriation	(5,842,929)
3	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(137,166)
4	Actual Payroll Adjustments through March 31, 2014	(58,846)
5	Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(196,012)
6	Estimated Remaining Leave Payouts (based on two year average)	25,794
7	Final - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(170,218)

FY 2013-14 Trial Courts Salary Budget
Administrative Trust Fund
March 2014

1	Projected Full Employment Payroll Liability through June 30, 2014	72,365
2	Salary Appropriation	(74,293)
3	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(1,928)
4	Actual Payroll Adjustments through March 31, 2014	(11,703)
5	Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(13,631)
6	Estimated Remaining Leave Payouts (based on two year average)	0
5	Final - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(13,631)

II.A.2. Status of FY 2013-14 Budget - Salary Budgets - Positions Vacant for More than 180 Days

Agenda Item II. A. 2.: Vacancies over 180 days as of 3/26/14

Circuit	Cost Center	Cost Center Title	Position #	CLASS TITLE	FTE	# of Days Vacant	Date Position Vacant	Base Rate
11th Circuit	210	Court Administration	09436	TRIAL COURT TECHNOLOGY OFFICER ¹	1.00	319	05/11/2013	\$74,877
15th Circuit	129	Court Reporting Services	10616	ELECTRONIC TRANSCRIBER ²	1.00	206	09/01/2013	\$26,658

¹ The 11th Circuit has "been unsuccessful in finding a replacement at the current starting salary . . . plan to submit a letter to the TCBC requesting to hire the position 10% above minimum."

² The 15th Circuit "had difficulties filling the transcriptionist position primarily because the salary is so low, \$26,658. The position remains vacant because, when advertised, we did not receive qualified applicants. Having had difficulties filling it . . . We decided that the Court Reporting Department would be better served by re-classifying this position to a scopist. We speculated that the higher salary, \$34,559, would likely make it easier to fill the position as the higher salary would attract qualified persons. However, by the time we reached that conclusion, the reclassification freeze was implemented. We are awaiting the thaw.

- Posted on Circuit website (open until filled) - 9/13
- Pulled from Circuit website - 1/14
- Advertised in 20 (plus) locations including AAERT, National Center for State Courts, and at local Colleges and Technical Institutions
- Received 13 application packages; no one qualified; no one selected."

II.A.3. Status of FY 2013-14 Budget - Salary Budgets - Reclassification Actions

**Agenda Item II. A. 3.: Trial Court FY 2013-14
 Reclassifications and Other Personnel Actions
 as of March 26, 2014**

Circuit	Number of Reclasses Requested	Dollar Amount of Requests	Status of Requests as of March 26, 2014	Dollar Amount of Approved Requests	Dollar Amount of Pending Reclass Requests
1	1	2,866	approved	2,866	
2					
3	2	5,108	1 approved; 1 - pending status of FY 13-14 salary deficit		5,108
4					
5	1	27,550	approved	8,327	
6	1	4,300	approved	4,300	
7	2 (1 had been pending from FY 12/13)	56,026	2 approved	56,026	
8					
9	1	6,693	approved	6,693	
10	1	15,956	approved	15,956	
11	2	5,363	1 approved; 1 - requested a review of position with no specific class requested - approved for a reclass	14,479	
12	1	2,725	approved	2,725	
13					
14					
15	2	11,672	2 approved	11,672	
16					
17	1	(10,006)	approved	(10,006)	
18	3	15,138	3 approved	15,138	
19	2	18,624	2 approved	18,624	
20	1	6,507	approved	6,507	
Total	20	168,522		153,307	5,108
Total Approved and Pending				158,415	

Other Personnel Actions: \$6,865 for 3 Lead Workers in the 9th (approved); \$1,959 for 1 Lead Worker in the 15th (approved); and \$2,069 for 1 Lead Worker in the 19th (approved). \$2,439 for 2 Demotion Retain Salary in the the 17th; \$2,240 for Demotion Retain Salary (partial) in the the 11th; \$1,220 for Demotion Retain Salary in the 12th; \$4,201 for Demotion Retain Salary in the 13th; \$868 for 2 Demotion Retain Salary in the the 15th; \$134 for Demotion Retain Salary (partial) in the the 5th; and \$1,337 for Demotion Retain Salary in the 6th. (Seven of the nine "Demotion Retain Salary" actions, in the amount of \$9,751, were for Circuit JAs demoted to County JA.)

II.B. Operating Budgets

Trial Court Budget Commission
April 7, 2014
Tallahassee, Florida

Agenda Item II.B.: Operating Budgets

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

Category	Budget Entity	Appropriation	Expended/ Encumbered	Remaining Balance	% Expended/ Encumbered
Other Personnel Services	Circuit	931,290	537,434	393,856	57.71%
Expenses	Circuit	6,872,150	2,892,680	3,979,470	42.09%
	County	3,103,912	1,731,643	1,372,269	55.79%
	Total	9,976,062	4,624,323	5,351,739	46.35%
Operating Capital Outlay	Circuit	469,083	255,203	213,880	54.40%
Contracted Services	Circuit	7,013,110	1,714,758	5,298,352	24.45%
	County	224,000	82,500	141,500	36.83%
	Total	7,237,110	1,797,257	5,439,853	24.83%
Lease/Lease Purchase	Circuit	180,255	134,972	45,283	74.88%
	County	78,792	25,629	53,163	32.53%
	Total	259,047	160,601	98,446	62.00%
Other Data Processing Services	Circuit	97,902	59,838	38,064	61.12%

Trial Court Budget Commission
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Tallahassee, Florida

Agenda Item II.B.: Operating Budgets

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

Category	Appropriation	Expended/ Encumbered	Remaining Balance	% Expended/ Encumbered
Additional Compensation to County Judges	75,000	45,945	29,055	61.26%
Civil Traffic Infraction Hearing Officers	2,123,854	1,255,349	868,505	59.11%
Mediation Services	3,247,831	1,900,325	1,347,506	58.51%
Due Process - Expert Witness	6,619,936	4,521,315	2,098,621	68.30%
Due Process - Court Reporting	8,767,342	5,623,915	3,143,427	64.15%
Due Process - Court Interpreting	2,967,920	1,787,221	1,180,699	60.22%
Due Process - Conflict Cases Over the Flat Fee	2,010,593	791,326	1,219,267	39.36%
Total Due Process	20,365,791	12,723,777	7,642,014	62.48%

Agenda Item II.B. Operating Budgets

Senior Judge Activity Summary Regular Senior Judge Allocation March 2014						
Court	Initial Days Allotted	Previous Month Allotment Balance	Current Month Days Transferred	Current Month Days Served	Current Month Ending Allotment Balance	**Percent Remaining
1st Judicial Circuit	243	180	-	3	177	72.84%
2nd Judicial Circuit	162	115	-	14	101	62.35%
3rd Judicial Circuit	89	73	-	-	73	82.02%
4th Judicial Circuit	237	120	-	46	74	31.22%
5th Judicial Circuit	542	374	-	6	368	67.90%
6th Judicial Circuit	441	274	-	9	265	60.09%
7th Judicial Circuit	285	198	-	3	195	68.42%
8th Judicial Circuit	146	58	-	5	53	36.30%
9th Judicial Circuit	430	192	-	14	178	41.40%
10th Judicial Circuit	258	108	-	14	94	36.43%
11th Judicial Circuit	778	465	-	42	423	54.37%
12th Judicial Circuit	195	123	-	17	106	54.36%
13th Judicial Circuit	397	218	-	34	184	46.35%
14th Judicial Circuit	134	110	-	4	106	79.10%
15th Judicial Circuit	346	223	-	19	204	58.96%
16th Judicial Circuit	46	33	-	4	29	63.04%
17th Judicial Circuit	550	413	-	31	382	69.45%
18th Judicial Circuit	276	139	-	22	117	42.39%
19th Judicial Circuit	190	101	-	13	88	46.32%
20th Judicial Circuit	329	213	-	21	192	58.36%
Reserve	50	29	-	-	29	58.00%
GRAND TOTAL	6,124	3,759	-	321	3,438	56.14%

** Percent remaining is calculated by dividing the new Allotment Balance by a total of the Initial Days Allotted and any Days Transferred (year to date).

Agenda Item II.B. Operating Budgets

<p align="center">Senior Judge Activity Summary Foreclosure Senior Judge Allocation March 2014</p>						
Court	Initial Days Allotted	Previous Month Allotment Balance	Current Month Days Transferred	Current Month Days Served	Current Month Ending Allotment Balance	**Percent Remaining
1st Judicial Circuit	221	91	-	21	70	31.67%
2nd Judicial Circuit	120	44	-	2	42	35.00%
3rd Judicial Circuit	-	-	-	-	-	
4th Judicial Circuit	1,132	419	-	98	321	28.36%
5th Judicial Circuit	340	120	-	25	95	27.94%
6th Judicial Circuit	330	124	-	19	105	31.82%
7th Judicial Circuit	225	88	-	9	79	35.11%
8th Judicial Circuit	-	-	-	-	-	
9th Judicial Circuit	600	324	-	79	245	40.83%
10th Judicial Circuit	150	71	-	12	59	39.33%
11th Judicial Circuit	619	197	-	65	132	21.32%
12th Judicial Circuit	240	104	-	19	85	35.42%
13th Judicial Circuit	849	313	-	74	239	28.15%
14th Judicial Circuit	144	54	-	11	43	29.86%
15th Judicial Circuit	519	216	-	42	174	33.53%
16th Judicial Circuit	120	43	-	10	33	27.50%
17th Judicial Circuit	449	155	-	33	122	27.17%
18th Judicial Circuit	401	222	-	21	201	50.12%
19th Judicial Circuit	150	56	-	12	44	29.33%
20th Judicial Circuit	342	118	-	32	86	25.15%
Reserve	-	-	-	-	-	
GRAND TOTAL	6,951	2,759	-	584	2,175	31.29%

** Percent remaining is calculated by dividing the new Allotment Balance by a total of the Initial Days Allotted and any Days Transferred (year to date).

II.C.1. Trust Fund Cash Balances - State Courts Revenue Trust Fund

**STATE COURTS REVENUE TRUST FUND
OSCA Projected Deficit
FY 2013/14**

Main Contributor to Deficit Situation		
Article V Revenue Estimating Conference Official Revenue Estimates For FY 2013/14		
1	2/6/13 - Official Estimates Used to Develop Courts' Current Year Budget	102,300,000
2	2/13/14 - Most Recent Official Revenue Estimates	86,000,000
3	Total Reduction in Estimated Revenue over last 12 months	(16,300,000)

Current Deficit Situation		
4	Beginning Balance July 1, 2013	10,418,719
5	Add: FY 2013/14 Projected Revenues ¹	86,000,000
6	Add: Refunds/Miscellaneous	8,250
7	Add: Cost Sharing	3,695,347
8	Estimated Total Revenues	100,122,316
9	Less: Estimated Expenditures ²	(97,705,030)
10	Less: Estimated Mandatory GR 8% Service Charge	(6,925,057)
11	Estimated Total Expenditures	(104,630,087)
12	Estimated Ending Cash Balance June 30th	(4,507,771)
13	Additional Actual Revenue Shortfall (through March 2014)	(570,925)
14	Subtotal Estimated Ending Cash Balance June 30th	(5,078,696)
15	Estimated Additional Revenue Shortfall (April - June 2014) ³	(893,905)
16	Total Estimated Ending Cash Balance June 30, 2014	(5,972,601)
17	House of Representatives Back of Bill Deficit Funding	1,776,000
18	Adjusted Ending Cash Balance June 30, 2014	(4,196,601)

¹ Official Article V Revenue Estimating Conference revenue projections, February 13, 2014.

² Estimated FY 2013/14 Expenditures includes actuals and certified forwards for July 2013 through March 2014 and estimated expenditures for April 2014 through June 2014.

³ Based on applying a 4% shortfall rate for April - June revenues, estimated from official revenue estimates coming in 4% lower than projected for February - March.

STATE COURTS REVENUE TRUST FUND
OSCA Projected Deficit and Proposed General Revenue Fund Shift
FY 2014/15

Current Deficit Situation		
1	Beginning Balance July 1, 2014	0
2	Add: FY 2014/15 Official Revenue Projections ¹	95,000,000
3	Add: Cost Sharing	3,695,347
4	Estimated Total Revenue	98,695,347
5	Less: Estimated Expenditures ²	(95,807,482)
6	Less: Estimated Mandatory GR 8% Service Charge	(7,408,891)
7	Estimated Total Expenditures	(103,216,373)
8	Estimated Ending Cash Balance June 30, 2015	(4,521,026)

Proposed Solution		
9	Beginning Balance July 1, 2014	0
10	Add: FY 2014/15 Official Revenue Projections ¹	95,000,000
11	Add: Cost Sharing	3,695,347
12	Estimated Total Revenue	98,695,347
13	Adjustment: Proposed Foreclosure Revenue Redirect to GR³	(28,400,000)
14	New Estimated Total Revenues	70,295,347
15	Less: Estimated Expenditures ²	(95,807,482)
16	Less: Estimated Mandatory GR 8% Service Charge	(5,704,891)
17	Estimated Total Expenditures	(101,512,373)
18	Adjustment: Proposed Fund Shift to GR⁴	31,400,000
19	New Estimated Total Expenditures	(70,112,373)
20	Estimated Ending Cash Balance June 30, 2015	182,974

¹ Official Article V Revenue Estimating Conference revenue projections, February 13, 2014.

² Estimated FY 2014/15 Expenditures is based on the Governor's FY 2014/15 Start-Up Budget. **Does not include any estimated increases to the appropriation (all payroll) for statewide employer contribution benefit costs.**

³ Based on the official Revenue Estimating Conference estimates, February 13, 2014, for the amount of foreclosure filing fee currently earmarked for the SCRTF (\$770).

⁴ Based on the amount of foreclosure revenue redirect plus an additional \$3 million to cover the estimated appropriation.

II.C.2. Trust Fund Cash Balances - Administrative Trust Fund

Trial Court Budget Commission
April 7, 2014
Tallahassee, Florida

Item II.C.2.: Trust Fund Cash Balances

State Courts System
FY 2013-14 Cash Statement
Administrative Trust Fund
As of March 31, 2014

22300100-Circuit Courts	Beginning Balance	Revenue Received	Expenditures	Refunds	Ending Balance
Cost Recovery	1,160,498.11	513,222.15	(526,806.18)	(3,886.10)	1,143,027.98
Service Charge	0.00	0.00	(43,928.15)		(43,928.15)
Prior Year Warrant Cancel/Refunds	0.00	1,250.00	0.00	0.00	1,250.00
Attorney Payments Over the Flat Fee	27,122.24	0.00	(14,282.00)	0.00	12,840.24
Circuit Courts Ending Cash Balance	1,187,620.35	514,472.15	(585,016.33)	(3,886.10)	1,113,190.07

III. Conflict Counsel Cases over the Flat Fee

Agenda Item III.: Conflict Counsel Cases over the Flat Fee

Background:

A court-appointed private attorney assigned to represent a criminal defendant is entitled to payment of a flat fee not to exceed those prescribed in the General Appropriations Act (GAA) based on the case type. The attorney, however, may receive a fee in excess of the flat fee upon a showing, to the chief judge or a designee, of the need for extraordinary and unusual efforts.

During the 2011 and 2012 sessions, the Florida Legislature raised concerns that the expenditures for criminal conflict cases paid in excess of the statutory flat fee have increased significantly over the last few years. The FY 2012/13 General Appropriations Act included a special category appropriation in the Justice Administrative Commission (JAC) budget of \$3,000,000 for court ordered payments for attorney fees in criminal conflict cases in excess of the flat fee. Proviso language for the appropriation specified that “if funds in this category are insufficient to pay the amounts ordered by the court above the flat fees, the amounts ordered above the flat fees shall be paid from the due process funds or other funds as necessary appropriated to the state courts system in the General Appropriations Act.”

The FY 2013/14 GAA once again included the proviso language mentioned above; however, the Legislature appropriated an increase in the amount of funds in the JAC budget dedicated to criminal conflict counsel payments in excess of the flat fees from \$3,000,000 to \$3,650,000, increasing the threshold to be reached before responsibility for payment of these bills is transferred to the courts. In addition, the Legislature appropriated additional recurring funding to the courts in the amount of \$1,000,000 (\$500,000 in general revenue funds and \$500,000 in trust authority) for FY 2013/14 to address expenditures in excess of the flat fee.

Current Expenditures:

Currently, FY 2013/14 expenditures for payments in excess of the flat fee are estimated to be approximately \$6.5 million, an increase of over \$1.2 million from FY 2012/13 expenditures. The majority of FY 2013/14 expenditures are related to Capital and RICO cases, with 68.8% of this fiscal year’s expenditures associated with these case types (see **Attachment A**).

Proposed Legislation:

FY 2014/15 Legislative Budget Request (LBR)

Although the increase in amount of funds to both the JAC and State Courts System (SCS) may potentially help alleviate some of the estimated costs expected to be borne by the courts, this issue still represents a partially unfunded mandate to the court’s budget. In August of 2013, the TCBC recommended filing a placeholder LBR in the amount of \$1,211,877 to cover potential expenditures related to payments in excess of the flat fees. At the December 13, 2013, meeting, the TCBC further recommended revising the FY 2014/15 LBR amount to \$2,081,103 based on additional expenditure data.

Proposed Appropriations Bills

Both the Senate and the House have released their proposed appropriations bills for FY 2014/15 (Senate – SB 2500, House – HB 5001). Neither the Senate nor the House proposed appropriations bills include funding for the courts' LBR; however, SB 2500 **removes** the proviso language requiring amounts ordered above the flat fee to be paid from the courts' due process funds once the JAC appropriation has been exhausted. The requirement still remains in the statutes [s.27.5304 (12)(f)3., F.S.] to be addressed. The bill also proposes increases in the established flat fees for the Capital – Death Penalty, Capital – Death Penalty Waived, Capital Sexual Battery, Capital Appeals, Felony – Life, Felony – Life (RICO), Felony – PBL (RICO), and Felony – 1st Degree (RICO) case types. The House proposed appropriations bill, HB 5001, retains both the proviso language requiring payments for attorney fees from the courts' due process funds and the current flat fees for all case types.

Substantive Bills

Senate Bill 2508 removes the responsibility for appointment of private attorneys in executive clemency proceedings from the trial courts and places it with the Board of Executive Clemency. The bill also removes responsibility for payment of these court appointed attorneys in executive clemency proceedings from the JAC and places it with the Parole Commission. This change in responsibility may result in fewer payments in excess of the flat fee that would be incurred by both the JAC and the courts; however, the fiscal impact to the courts' budget is an insignificant amount.

Senate Bill 2510 proposes to eliminate the limited registry for private counsel willing to accept a flat fee. These limited registries were established as a mechanism for controlling costs for fees paid to court appointed conflict counsel. With the removal of the limited registries, court appointed private attorneys are no longer precluded from seeking compensation in excess of the flat fees. The bill also creates a pilot program in select circuits (6th, 9th, 10th, and 13th) and in the Criminal Conflict and Civil Regional Counsel (Regional Counsel) for the 2nd and 5th regions, to share responsibilities for handling criminal conflict cases. Finally, the bill increases the statutory caps for nonlife felonies from \$2,500 to \$6,000; for life felonies from \$3,000 to \$9,000; for appeal from \$2,000 to \$9,000; and for capital cases from \$15,000 to \$25,000. Although these provisions would have a fiscal impact to the courts' budget, the amount of the impact is indeterminate.

Circuit Allowance Methodology:

During the FY 2013/14 allocation process, the TCBC directed the Funding Methodology Committee (FMC) to examine all funding methodologies for determining allocations to the circuits. Due to time constraints and circuit input, OSCA staff recommend focusing on revising the funding methodology for payments over the flat fee for the upcoming fiscal year while addressing the remaining funding methodologies during later fiscal years.

As previously mentioned, the majority of expenditures in excess of the flat fee are incurred for Capital and RICO cases. Because these case types are so complex and the current statutory flat fees are so low that costs for these case types cannot be contained any lower, the TCBC approved funding all Capital and RICO cases from the statewide pool. In addition, circuit expenditure allowances are determined each year to attempt to contain costs for other case types. These allowances are based on each circuit's three-year average expenditures for other case types (see **Attachment B**). If a circuit exceeds its expenditure allowance, the circuit must transfer funds from other sources in its own budget to cover the expense.

Decision Needed:

In advance of the June allocation cycle, direction is needed from the Commission for revising the funding methodology. Due to the unavailability of information on conflict attorney represented cases in the pipeline and the fact that payments are extremely volatile, OSCA staff recommends maintaining the three-year average expenditure methodology for determining circuit allowances; however, the Commission may wish to approve additional case types be included for payment from the statewide pool along with Capital and RICO cases. OSCA staff have reviewed expenditure data by case type, based on FY 2007/08 through November FY 2013/14 data, including the number and average amount of cases paid over the flat fee by case type (see **Attachment C**). Based on this information, the following options have been developed for consideration. TCBC approved changes will be used to update the funding methodology for determining FY 2014/15 circuit allowances. Changes to the case types to be paid from the statewide pool will be effective July 1, 2014.

(Note: each option maintains Capital – Death Penalty and RICO case type payments from the statewide pool)

Option 1: Maintain the current methodology. (Shaded in gray in Attachment C. Includes Capital – Death Penalty and RICO case types)

Option 2:

A: Include all Capital case types (Capital – Death Penalty, Capital – Death Penalty Waived, Capital Sexual Battery, and Capital Appeals) in the statewide pool.

B: Include RICO Appeals in the statewide pool.

Option 3: Include those case types that have both a high percentage of cases paid over the flat fee and a high average amount paid in excess of the flat fee in the statewide pool (Capital – Death Penalty Waived, Capital Appeals, Felony Life, and Felony Appeals).

FMC Recommendation: Approve Option 2 (shaded in blue in attachment C). Consider additional modifications, such as establishing funding floors, in determining circuit allowances.

Trial Court Budget Commission April 7, 2014, Meeting

Amount Paid Over the Flat Fee for Conflict Counsel Criminal Cases
FY 2008/09 through FY 2013/14 Annualized

Circuit	Total Amount Paid Over the Flat Fee FY 2008/09	Total Amount Paid Over the Flat Fee FY 2009/10	Total Amount Paid Over the Flat Fee FY 2010/11	Total Amount Paid Over the Flat Fee FY 2011/12	Total Amount Paid Over the Flat Fee FY 2012/13	Total Amount Paid Over the Flat Fee FY 2013/14 Annualized*	Difference between FY 2013/14 and FY 2012/13
1	\$37,405	\$32,048	\$148,368	\$296,281	\$243,023	\$72,621	(\$170,402)
2	\$9,328	\$46,778	\$2,250	\$25,370	\$22,310	\$0	(\$22,310)
3	\$14,880	\$3,345	\$4,215	\$99,388	\$12,623	\$51,163	\$38,540
4	\$175,782	\$508,102	\$1,082,531	\$569,386	\$418,630	\$511,539	\$92,909
5	\$23,240	\$64,141	\$71,200	\$445,559	\$93,359	\$172,177	\$78,819
6	\$6,058	\$72,676	\$186,588	\$112,345	\$219,744	\$451,068	\$231,324
7	\$126,160	\$69,819	\$76,698	\$178,148	\$282,231	\$124,196	(\$158,035)
8	\$21,363	\$68,572	\$98,770	\$48,669	\$67,165	\$51,822	(\$15,343)
9	\$10,104	\$45,547	\$18,828	\$72,658	\$29,235	\$58,529	\$29,294
10	\$50,735	\$62,727	\$221,063	\$616,746	\$62,162	\$397,566	\$335,404
11	\$161,635	\$526,888	\$1,008,927	\$1,410,618	\$1,644,640	\$2,225,361	\$580,721
12	\$37,034	\$38,087	\$96,825	\$167,775	\$263,017	\$297,175	\$34,158
13	\$14,705	\$113,070	\$502,964	\$571,502	\$356,374	\$283,978	(\$72,396)
14	\$34,527	\$10,203	\$66,055	\$93,279	\$85,469	\$2,280	(\$83,189)
15	\$65,875	\$154,345	\$454,039	\$1,039,109	\$498,671	\$340,338	(\$158,333)
16	\$0	\$0	\$1,078	\$0	\$0	\$10,712	\$10,712
17	\$232,890	\$504,275	\$572,326	\$974,248	\$410,698	\$744,565	\$333,867
18	\$1,500	\$11,491	\$5,028	\$50,398	\$17,527	\$11,850	(\$5,677)
19	\$16,283	\$75,354	\$23,708	\$123,060	\$211,494	\$292,807	\$81,314
20	\$30,855	\$197,284	\$239,775	\$174,358	\$419,605	\$485,252	\$65,647
Total	\$1,070,356	\$2,604,750	\$4,881,233	\$7,068,895	\$5,357,975	\$6,584,999	\$1,227,024

Source: Data provided by the Justice Administrative Commission.

*Annualized using July through January 2014 data.

Trial Court Budget Commission
April 7, 2014, Meeting
 Amount Paid Over the Flat Fee for Conflict Counsel Criminal Cases
 Monthly FY 2013/14

Circuit	Total Amount Paid Over the Flat Fee July 2013*	Total Amount Paid Over the Flat Fee August 2013	Total Amount Paid Over the Flat Fee September 2013	Total Amount Paid Over the Flat Fee October 2013	Total Amount Paid Over the Flat Fee November 2013	Total Amount Paid Over the Flat Fee December 2013	Total Amount Paid Over the Flat Fee January 2014	Total Amount Paid Over the Flat Fee February 2014	Total Amount Paid Over the Flat Fee FY 2013/14 YTD	Total Amount Paid Over the Flat Fee FY 2013/14 Annualized
1	\$30,665	\$0	\$0	\$0	\$0	\$11,538	\$15,162	\$0	\$57,364	\$72,621
2	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
3	\$0	\$15,655	\$10,888	\$2,500	\$0	\$0	\$0	\$5,066	\$34,109	\$51,163
4	\$29,810	\$1,670	\$5,690	\$32,773	\$82,222	\$79,655	\$75,046	\$29,500	\$336,365	\$511,539
5	\$15,000	\$0	\$0	\$0	\$0	\$48,322	\$51,700	\$0	\$115,022	\$172,177
6	\$18,630	\$0	\$1,027	\$38,263	\$163,640	\$27,660	\$44,423	\$176	\$293,818	\$451,068
7	\$0	\$8,455	\$11,675	\$0	\$22,470	\$15,000	\$10,198	\$15,000	\$82,798	\$124,196
8	\$25,839	\$4,560	\$0	\$0	\$0	\$0	\$0	\$11,975	\$42,373	\$51,822
9	\$0	\$18,127	\$0	\$20,893	\$0	\$0	\$0	\$0	\$39,019	\$58,529
10	\$131,730	\$40,600	\$77,510	\$21,056	\$0	\$0	\$25,965	\$4,038	\$300,899	\$397,566
11	\$482,924	\$114,783	\$220,932	\$116,831	\$153,125	\$256,752	\$144,619	\$101,782	\$1,591,747	\$2,225,361
12	\$29,568	\$18,173	\$112,838	\$19,783	\$5,460	\$3,343	\$10,700	\$0	\$199,863	\$297,175
13	\$68,610	\$35,668	\$0	\$25,300	\$35,318	\$0	\$10,800	\$29,968	\$205,663	\$283,978
14	\$2,280	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,280	\$2,280
15	\$16,128	\$27,828	\$14,803	\$100,152	\$13,296	\$21,445	\$21,623	\$7,170	\$222,443	\$340,338
16	\$0	\$7,141	(\$7,141)	\$7,141	\$0	\$0	\$0	\$0	\$7,141	\$10,712
17	\$35,120	\$51,658	\$180,480	\$95,673	\$0	\$16,360	\$44,775	\$62,520	\$486,585	\$744,565
18	\$0	\$2,600	\$0	\$0	\$5,300	\$0	\$0	\$0	\$7,900	\$11,850
19	\$22,543	\$0	\$26,970	\$101,243	\$23,555	\$19,822	\$398	\$0	\$194,529	\$292,807
20	\$4,843	\$0	\$10,280	\$9,903	\$16,443	\$115,685	\$135,585	\$17,820	\$310,558	\$485,252
Total	\$913,686	\$346,915	\$665,950	\$591,509	\$520,827	\$615,581	\$590,992	\$285,014	\$4,530,475	\$6,584,999

Source: Data provided by the Justice Administrative Commission.

* July 2013 includes payments that ordinarily would have been made from FY 2013/14 funds but instead were paid using OSCA FY 2012/13 funding authority.

**JAC - Criminal Conflict Attorney
 Payments Over the Flat Fee
 FY 2013/14
 July 2013 - February 2014**

Expenditure Summary				
CIRCUIT	Capital Cases	RICO Cases	Other Cases	TOTAL*
1	\$7,268	\$0	\$50,097	\$57,365
2	\$0	\$0	\$0	\$0
3	\$0	\$0	\$34,109	\$34,109
4	\$112,396	\$0	\$223,969	\$336,365
5	\$100,202	\$0	\$14,820	\$115,022
6	\$256,829	\$4,320	\$32,669	\$293,818
7	\$30,000	\$0	\$52,798	\$82,798
8	\$0	\$0	\$42,373	\$42,373
9	\$0	\$0	\$39,019	\$39,019
10	\$249,840	\$0	\$51,059	\$300,899
11	\$1,072,670	\$134,525	\$384,552	\$1,591,747
12	\$15,040	\$145,865	\$38,958	\$199,863
13	\$71,925	\$63,373	\$70,365	\$205,663
14	\$0	\$0	\$2,280	\$2,280
15	\$10,130	\$132,383	\$79,931	\$222,444
16	\$0	\$0	\$7,141	\$7,141
17	\$310,724	\$20,280	\$155,581	\$486,585
18	\$0	\$0	\$7,900	\$7,900
19	\$52,870	\$85,721	\$55,939	\$194,530
20	\$239,900	\$0	\$70,658	\$310,558
TOTAL*	\$2,529,794	\$586,467	\$1,414,215	\$4,530,476

Statewide Conflict Counsel Payment Over the Flat Fee Pool				
CIRCUIT	Expenditure Allowance	Other Case Types Expenditures	Circuit Transfers to Date	Monthly (Over) / Under Allowance*
1	\$79,336	\$50,097		\$29,240
2	\$15,896	\$0		\$15,896
3	\$6,610	\$34,109	\$22,433	(\$5,066)
4	\$165,774	\$223,969	\$43,695	(\$14,500)
5	\$83,999	\$14,820		\$69,179
6	\$56,974	\$32,669		\$24,306
7	\$58,564	\$52,798		\$5,767
8	\$52,470	\$42,373		\$10,097
9	\$24,071	\$39,019	\$14,948	\$0
10	\$41,659	\$51,059	\$5,362	(\$4,038)
11	\$600,916	\$384,552		\$216,364
12	\$96,907	\$38,958		\$57,949
13	\$77,056	\$70,365		\$6,691
14	\$87,685	\$2,280		\$85,405
15	\$202,251	\$79,931		\$122,321
16	\$359	\$7,141	\$6,782	\$0
17	\$362,222	\$155,581		\$206,641
18	\$13,628	\$7,900		\$5,728
19	\$39,349	\$55,939	\$16,590	\$0
20	\$130,253	\$70,658		\$59,596
TOTAL*	\$2,195,979	\$1,414,215	\$109,810	\$891,576

Note: Data provided by the Justice Administrative Commission.

*Totals may not be exact due to rounding.

Trial Court Budget Commission
June 18, 2013, Meeting
 FY 2013/14 Criminal Conflict Attorney Case Payments
 in Excess of the Statutory Flat Fee

Proposed Statewide Pool for Capital and RICO Cases				
	Total Payments Over the Flat Fee FY 2010/11	Total Payments Over the Flat Fee FY 2011/12	Total Payments Over the Flat Fee FY 2012/13 (Annualized)	3 Year Average
Capital Cases	\$1,864,325	\$3,179,748	\$2,333,579	\$2,459,217
RICO Cases	\$559,236	\$1,446,896	\$989,705	\$998,612
TOTAL	\$2,423,561	\$4,626,644	\$3,323,284	\$3,457,830
Other Case Types				\$2,368,890
Total				\$5,653,810

A	B	C	D	E	F	G	H	I	J	K
Proposed Circuit Specific Expenditure Allowance for all Other Case Types										
Circuit	FY 2010/11 Actual Expenditures (Excluding Capital and RICO Case Payments)	FY 2011/12 Actual Expenditures (Excluding Capital Cases and RICO Case Payments)	FY 2012/13 Annualized Expenditures (Excluding Capital Cases and RICO Case Payments)	3 Year Average	FY 2012/13 (YTD) Court Appointed Criminal Cases	FY 2012/13 (YTD) Court Appointed Criminal Case Payments over the Flat Fee	Percent of Total Court Appointed Criminal Case Payments over the Flat Fee	FY 2012/13 Expenditure Allowance	Difference Between 3 Year Average and FY2012/13 Expenditure Allowance	Proposed FY 2013/14 Expenditure Allowance
1	\$34,838	\$110,394	\$92,777	\$79,336	713	13	1.8%	\$105,714	(\$26,378)	\$79,336
2	\$2,250	\$25,370	\$20,067	\$15,896	371	2	0.5%	\$6,176	\$9,720	\$15,896
3	\$4,215	\$9,338	\$6,277	\$6,610	311	2	0.6%	\$4,637	\$1,973	\$6,610
4*	\$684,504	\$188,178	\$143,371	\$165,774	652	27	4.1%	\$177,069	(\$11,295)	\$165,774
5	\$71,200	\$76,837	\$103,961	\$83,999	722	14	1.9%	\$101,913	(\$17,914)	\$83,999
6	\$34,616	\$70,139	\$66,167	\$56,974	504	13	2.6%	\$52,939	\$4,035	\$56,974
7	\$57,218	\$21,468	\$97,007	\$58,564	639	18	2.8%	\$62,939	(\$4,375)	\$58,564
8	\$51,000	\$43,112	\$63,297	\$52,470	476	2	0.4%	\$56,100	(\$3,630)	\$52,470
9	\$18,828	\$39,553	\$13,833	\$24,071	497	4	0.8%	\$31,609	(\$7,538)	\$24,071
10	\$50,452	\$10,380	\$64,147	\$41,659	423	3	0.7%	\$55,497	(\$13,838)	\$41,659
11	\$511,267	\$647,406	\$644,076	\$600,916	432	89	20.6%	\$235,767	\$365,149	\$600,916
12	\$96,825	\$68,315	\$125,583	\$96,907	229	12	5.2%	\$88,949	\$7,958	\$96,907
13	\$129,178	\$43,879	\$58,111	\$77,056	206	16	7.8%	\$85,026	(\$7,970)	\$77,056
14	\$66,055	\$93,279	\$103,720	\$87,685	456	4	0.9%	\$82,990	\$4,695	\$87,685
15	\$223,516	\$272,039	\$111,197	\$202,251	334	31	9.3%	\$102,079	\$100,172	\$202,251
16	\$1,078	\$0	\$0	\$359	13	0	0.0%	\$1,185	(\$826)	\$359
17	\$280,564	\$560,662	\$245,440	\$362,222	771	19	2.5%	\$215,719	\$146,503	\$362,222
18	\$5,028	\$12,488	\$23,369	\$13,628	837	2	0.2%	\$5,530	\$8,098	\$13,628
19	\$16,673	\$60,224	\$41,151	\$39,349	260	16	6.2%	\$32,953	\$6,396	\$39,349
20	\$118,369	\$89,194	\$183,196	\$130,253	311	23	7.4%	\$135,491	(\$5,238)	\$130,253
Total	\$2,457,671	\$2,442,251	\$2,206,747	\$2,195,980	9,157	310	3.4%	\$1,640,282	\$555,698	\$2,195,980

*Due to an outlier, only 2 years were calculated in the 3 year average.

Trial Court Budget Commission

April 7, 2014, Meeting

Criminal Conflict Attorney Cases Paid Over the Flat Fee

Descriptive Statistics Based on FY 2007/08 through November FY 2013/14 Data

- Case Types currently paid from the statewide pool

- FMC recommended case types to include in the statewide pool

Column A	B	C	D	E	F
Case Type	Number of Cases Paid At, Below, and Over the Flat Fee	Number of Cases Paid Over the Flat Fee	% Paid Over the Flat Fee	Total Paid Over the Flat Fee	Average Amount Paid Over the Flat Fee Per Case
3.850 / 3.800 POSTCONVICTION	2,094	66	3.2%	\$342,739	\$5,193
CAPITAL - 1ST DEGREE MURDER (LEAD / CO-COUNSEL)	726	276	38.0%	\$10,250,696	\$37,140
CAPITAL - 1ST DEGREE MURDER - DEATH PENALTY WAIVED	81	60	74.1%	\$785,675	\$13,095
CAPITAL APPEALS	22	9	40.9%	\$352,177	\$39,131
CAPITAL SEXUAL BATTERY	148	36	24.3%	\$282,257	\$7,840
CRIMINAL TRAFFIC	963	2	0.2%	\$750	\$375
FELONY - LIFE	1,499	243	16.2%	\$2,488,466	\$10,241
FELONY - PBL	4,716	268	5.7%	\$1,978,431	\$7,382
FELONY 1ST DEGREE	5,302	268	5.1%	\$2,631,022	\$9,817
FELONY 2ND DEGREE	15,936	229	1.4%	\$1,143,363	\$4,993
FELONY 3RD DEGREE	20,482	128	0.6%	\$439,349	\$3,432
FELONY APPEALS	502	45	9.0%	\$476,186	\$10,582
FELONY FIRST DEGREE – RICO	149	125	83.9%	\$2,593,211	\$20,746
FELONY LIFE – RICO	15	12	80.0%	\$222,598	\$18,550
FELONY PBL – RICO	18	18	100.0%	\$249,459	\$13,859
JUVENILE DELINQUENCY - 1ST DEGREE FELONY	870	18	2.1%	\$22,550	\$1,253
JUVENILE DELINQUENCY - 2ND DEGREE	4,152	16	0.4%	\$42,053	\$2,628
JUVENILE DELINQUENCY - 3RD DEGREE	5,104	12	0.2%	\$21,349	\$1,779
JUVENILE DELINQUENCY - FELONY LIFE	73	1	1.4%	\$700	\$700
JUVENILE DELINQUENCY - MISDEMEANOR	4,722	4	0.1%	\$1,257	\$314
MISDEMEANOR	7,301	12	0.2%	\$12,315	\$1,026
MISDEMEANOR APPEALS	220	2	0.9%	\$1,620	\$810
VOP - FELONY (INCLUDES VOCC)	4,237	31	0.7%	\$89,953	\$2,902
TOTAL	79,332	1,881	2.4%	\$24,428,175	\$12,987

Note: Data provided by the Justice Administrative Commission.

IV. Foreclosure Backlog Reduction Initiative

State Courts System

FY 2013-14 Foreclosure Backlog Reduction Initiative

Cost Center 375 - All Funds

As of March 31, 2014

Circuit	Allotment	Expenditures/Encumbrances							% of Allotment Expended/ Encumbered
		Other Personal Services	Expenses	Compensation to Senior Judges	Contracted Services	Lease/Lease Purchase	Other Data Processing Services	Total	
0	135,513	0	36,709	0	0	0	68,565	105,275	77.69%
1	848,902	132,498	0	42,274	0	0	183,755	358,527	42.23%
2	538,609	50,618	2,012	26,986	0	0	157,975	237,591	44.11%
3	155,627	60,370	23,128	0	0	0	40,000	123,499	79.36%
4	908,654	135,066	3,993	247,132	0	0	288,600	674,791	74.26%
5	1,331,061	211,565	379	73,856	0	0	119,988	405,787	30.49%
6	1,231,352	416,053	19,655	83,088	0	0	124,669	643,465	52.26%
7	888,815	114,123	10,458	47,935	0	0	0	172,517	19.41%
8	659,125	38,992	0	0	50,400	0	287,896	377,288	57.24%
9	849,968	377,921	16,544	115,044	0	0	44,000	553,509	65.12%
10	297,449	109,753	8,620	30,181	0	0	0	148,555	49.94%
11	2,554,047	583,054	49,712	161,539	0	2,063	248,513	1,044,880	40.91%
12	423,417	188,479	27,944	48,645	0	0	0	265,068	62.60%
13	810,200	172,904	1,991	196,356	27,390	0	0	398,641	49.20%
14	402,067	37,421	3,399	32,667	0	0	102,468	175,956	43.76%
15	1,085,055	350,503	12,735	115,044	0	0	262,860	741,143	68.30%
16	168,406	33,487	3,742	33,732	5,203	0	11,167	87,332	51.86%
17	1,675,815	355,950	5,474	105,812	0	0	484,153	951,389	56.77%
18	859,284	229,331	21,829	56,102	0	0	76,590	383,852	44.67%
19	539,843	160,821	12,381	33,732	0	0	92,293	299,227	55.43%
20	641,511	156,918	43,021	79,537	0	0	0	279,476	43.57%
Total	17,004,720	3,915,828	303,728	1,529,663	82,993	2,063	2,593,493	8,427,768	49.56%

State Courts System

FY 2013-14 Foreclosure Backlog Reduction Initiative

Cost Center 375 - General Revenue

As of March 31, 2014

Circuit	Allotment	Expenditures/Encumbrances							% of Allotment Expended/ Encumbered
		Other Personal Services	Expenses	Compensation to Senior Judges	Contracted Services	Lease/Lease Purchase	Other Data Processing Services	Total	
0	60,000	0	36,709	0	0	0	0	36,709	61.18%
1	590,597	132,498	0	42,274	0	0	94,604	269,376	45.61%
2	471,453	50,618	2,012	26,986	0	0	90,819	170,435	36.15%
3	115,627	60,370	23,128	0	0	0	0	83,499	72.21%
4	592,962	135,066	3,993	247,132	0	0	0	386,191	65.13%
5	1,210,514	211,565	379	73,856	0	0	119,988	405,787	33.52%
6	845,286	416,053	19,655	83,088	0	0	57,459	576,255	68.17%
7	888,815	114,123	10,458	47,935	0	0	0	172,517	19.41%
8	529,775	38,992	0	0	50,400	0	261,431	350,823	66.22%
9	802,827	377,921	16,544	115,044	0	0	0	509,509	63.46%
10	297,449	109,753	8,620	30,181	0	0	0	148,555	49.94%
11	2,552,128	583,054	49,712	161,539	0	2,063	246,594	1,042,961	40.87%
12	423,417	188,479	27,944	48,645	0	0	0	265,068	62.60%
13	657,282	172,904	1,991	196,356	27,390	0	0	398,641	60.65%
14	402,067	37,421	3,399	32,667	0	0	102,468	175,956	43.76%
15	934,652	350,503	12,735	115,044	0	0	169,500	647,783	69.31%
16	156,517	33,487	3,742	33,732	5,203	0	0	76,165	48.66%
17	1,642,145	355,950	5,474	105,812	0	0	458,642	925,878	56.38%
18	858,220	229,331	21,829	56,102	0	0	75,526	382,788	44.60%
19	419,708	160,821	12,381	33,732	0	0	39,629	246,563	58.75%
20	542,715	156,918	43,021	79,537	0	0	0	279,476	51.50%
Total	14,994,156	3,915,828	303,728	1,529,663	82,993	2,063	1,716,661	7,550,936	50.36%

State Courts System
 FY 2013-14 Foreclosure Backlog Reduction Initiative
 Cost Center 375 -State Courts Revenue Trust Fund
 As of March 31, 2014

Circuit	Allotment	Expenditures/Encumbrances		% of Allotment Expended/ Encumbered
		Other Data Processing Services	Total	
0	75,513	68,565	68,565	90.80%
1	258,305	89,151	89,151	34.51%
2	67,156	67,156	67,156	100.00%
3	40,000	40,000	40,000	100.00%
4	315,692	288,600	288,600	91.42%
5	120,547	0	0	0.00%
6	386,066	67,210	67,210	17.41%
7	0	0	0	0.00%
8	129,350	26,465	26,465	20.46%
9	47,141	44,000	44,000	93.34%
10	0	0	0	0.00%
11	1,919	1,919	1,919	100.00%
12	0	0	0	0.00%
13	152,918	0	0	0.00%
14	0	0	0	0.00%
15	150,403	93,360	93,360	62.07%
16	11,889	11,167	11,167	93.93%
17	33,670	25,511	25,511	75.77%
18	1,064	1,064	1,064	100.00%
19	120,135	52,664	52,664	43.84%
20	98,796	0	0	0.00%
Total	2,010,564	876,832	876,832	43.61%

Agenda Item IV.: Foreclosure Backlog Reduction Initiative

Background:

During the 2013 Legislative Session, non-recurring funds were appropriated to the State Courts System (SCS) from the National Mortgage Foreclosure Settlement Funds for judicial and case management resources (\$16 million), as well as technology resources (\$5.3 million), to reduce the backlog of foreclosure cases. The Legislature authorized the SCS to expend these funds over two fiscal years (FY 2013/14 and FY 2014/15).

On May 15, 2013, the Trial Court Budget Commission (TCBC) approved circuit allocations for FY 2013/14 for case management and judicial resources in the amount of approximately \$9.5 million. These allocations were based on fully funding the Foreclosure Backlog Reduction Initiative as recommended by the TCBC Foreclosure Initiative Workgroup. The allocation methodology employed a weighted average of pending foreclosure cases and estimated future foreclosure filings. From the \$16 million appropriated by the legislature, approximately \$6.5 million was left for allocation in FY 2014/15. The TCBC fully allocated the \$5.3 million for technology resources.

Progress in Reducing Pending Foreclosure Cases:

Based on official foreclosure filings estimates and average levels of foreclosure dispositions in each circuit in FY 2013/14, all circuits will require funding in FY 2014/15 to continue reducing their backlog of pending foreclosure cases and to avoid building up a new backlog of cases.

Expenditures of FY 2013/14 Allocations:

As of March 24, 2014, \$5.7 million has been expended of the circuit allocations for judicial and case management resources (**see column L in Attachment A**). Based on current expenditure trends, it is anticipated that approximately \$7.6 million of the statewide allocation will be expended in the current fiscal year, leaving approximately \$2.0 million in unspent funds to be carried over into FY 2014/15 (**see column N in Attachment A**).

Decisions Needed:

- 1) Should any FY 2013/14 funds unspent by the circuits be added to the resources designated for FY 2014/15 and reallocated to the circuits based on a methodology recommended by the Funding Methodology Committee (FMC)?

FMC Recommendation:

Fiscal year 2013/14 funds unspent by the circuits (estimated \$2.0 million) should be added to the resources designated for FY 2014/15 (\$6.5 million) and reallocated to the circuits based on a methodology recommended by the FMC. A total of \$8.5 million is estimated to be available for allocation to the circuits for FY 2014/15.

- 2) How should FY 2014/15 funds be allocated to the circuits?
 - a) Based on circuits' performance in reducing their pending foreclosure caseload (**see Attachment B**)?
 - b) Based on circuits' FY 2013/14 expenditure trends (**see column M in Attachment A**)?
 - c) Based on current circuit workload as defined by 1). Pending foreclosure cases, 2). estimated FY 2014/15 foreclosure filings, or 3) a combination of pending foreclosure cases and FY 2014/15 foreclosure filings?

FMC Recommendation:

Develop a funding methodology that utilizes FY 2013/14 circuit allocations as the basis for FY 2014/15 allocations. Circulate proposed allotments to the circuits for feedback on whether circuits can fully utilize the proposed allotments. Also develop an option for allocating resources to the circuits that utilizes a weighted average of pending foreclosure cases and estimated future foreclosure filings.

- 3) Should executive direction continue to receive resources in FY 2014/15 to maintain the Foreclosure Performance Indicators Dashboard?

FMC Recommendation:

Executive direction should continue receiving resources in FY 2014/15 to maintain the Foreclosure Performance Indicators Dashboard.

Trial Court Budget Commission

Meeting April 7, 2014

Foreclosure Backlog Reduction Initiative

Allocations and Expenditures of Judicial and Case Management Resources

As of March 24, 2014

A	B	C	D	E	F	G	H	I	J	K	L	M	N	
Allocations						Expenditures								
Sr. Judge	Expense	OPS	Lease Purchase	Contractual	TOTAL	Sr. Judge	Expense	OPS	Lease Purchase	Contractual	TOTAL	Estimated FY 2013/14 Expenditures	Estimated FY 2013/14 Unspent Funds	
1	\$78,472	\$0	\$201,965	\$0	\$0	\$280,437	\$36,593	\$0	\$132,394	\$0	\$0	\$168,987	\$225,317	\$55,120
2	\$42,609	\$2,563	\$84,281	\$0	\$0	\$129,453	\$26,986	\$2,012	\$50,618	\$0	\$0	\$79,615	\$106,154	\$23,299
3	\$0	\$27,000	\$88,627	\$0	\$0	\$115,627	\$0	\$23,128	\$60,370	\$0	\$0	\$83,499	\$111,331	\$4,296
4	\$402,300	\$7,500	\$183,162	\$0	\$0	\$592,962	\$247,132	\$3,993	\$135,066	\$0	\$0	\$386,191	\$514,922	\$78,040
5	\$120,726	\$472	\$298,212	\$0	\$0	\$419,410	\$73,856	\$290	\$211,027	\$0	\$0	\$285,173	\$380,230	\$39,180
6	\$117,175	\$20,000	\$638,111	\$0	\$0	\$775,286	\$79,182	\$19,655	\$415,302	\$0	\$0	\$514,139	\$685,518	\$89,768
7	\$79,892	\$14,825	\$219,798	\$0	\$0	\$314,515	\$47,935	\$10,458	\$114,123	\$0	\$0	\$172,517	\$230,022	\$84,493
8	\$0	\$0	\$56,975	\$0	\$72,800	\$129,775	\$0	\$0	\$38,992	\$0	\$47,600	\$86,592	\$115,456	\$14,319
9	\$213,081	\$20,000	\$569,746	\$0	\$0	\$802,827	\$101,196	\$16,059	\$377,896	\$0	\$0	\$495,151	\$660,201	\$142,626
10	\$53,262	\$13,764	\$190,423	\$0	\$0	\$257,449	\$28,406	\$8,620	\$109,753	\$0	\$0	\$146,779	\$195,706	\$61,743
11	\$220,147	\$90,757	\$865,206	\$2,343	\$0	\$1,178,453	\$151,952	\$49,712	\$583,054	\$2,063	\$0	\$786,780	\$1,049,040	\$129,413
12	\$85,218	\$30,000	\$308,199	\$0	\$0	\$423,417	\$48,645	\$27,944	\$188,212	\$0	\$0	\$264,802	\$353,069	\$70,348
13	\$301,814	\$10,000	\$250,417	\$0	\$37,961	\$600,192	\$189,255	\$1,991	\$172,904	\$0	\$25,470	\$389,620	\$519,493	\$80,699
14	\$51,131	\$4,070	\$74,616	\$0	\$0	\$129,817	\$31,957	\$3,399	\$35,698	\$0	\$0	\$71,054	\$94,738	\$35,079
15	\$184,639	\$31,891	\$548,622	\$0	\$0	\$765,152	\$106,522	\$12,735	\$350,503	\$0	\$0	\$469,761	\$626,348	\$138,804
16	\$42,609	\$16,700	\$65,036	\$0	\$22,172	\$146,517	\$30,181	\$3,742	\$33,487	\$0	\$563	\$67,973	\$90,631	\$55,886
17	\$159,784	\$54,100	\$928,261	\$0	\$0	\$1,142,145	\$105,812	\$5,364	\$355,950	\$0	\$0	\$467,126	\$622,835	\$519,310
18	\$142,386	\$52,866	\$426,732	\$1,236	\$0	\$623,220	\$55,747	\$21,624	\$228,256	\$0	\$0	\$305,626	\$407,502	\$215,718
19	\$53,262	\$15,000	\$233,946	\$0	\$0	\$302,208	\$32,312	\$12,361	\$160,821	\$0	\$0	\$205,494	\$273,992	\$28,216
20	\$121,436	\$128,862	\$292,417	\$0	\$0	\$542,715	\$79,537	\$42,737	\$156,918	\$0	\$0	\$279,192	\$372,256	\$170,459
TOTAL	\$2,469,943	\$540,370	\$6,524,752	\$3,579	\$132,933	\$9,671,577	\$1,473,206	\$265,825	\$3,911,344	\$2,063	\$73,633	\$5,726,071	\$7,634,762	\$2,036,815

Trial Court Budget Commission

Meeting April 7, 2014

Analysis of Reduction in Pending Foreclosure Cases By Circuit, As of February 2014

Circuit	Estimated Pending Cases as of June 30, 2012 ¹	Estimated Pending Cases as of June 30, 2013 ²	July 2013 through February 2014 Filings	July 2013 through February 2014 Dispositions	Estimated Pending Cases as of February 28, 2014 ³	% Change in Pending Cases Between June 30, 2013 and February 28, 2014.
1	9,929	9,556	2,148	4,547	7,157	-25.1%
2	3,463	3,689	922	2,306	2,305	-37.5%
3	1,260	1,236	438	778	896	-27.5%
4	19,742	19,828	3,793	8,840	14,781	-25.5%
5	14,686	13,640	3,602	7,480	9,762	-28.4%
6	28,806	28,611	4,667	9,743	23,535	-17.7%
7	18,462	17,867	2,888	7,271	13,484	-24.5%
8	1,902	1,836	832	1,513	1,155	-37.1%
9	33,512	27,336	5,500	15,409	17,427	-36.2%
10	9,171	8,977	2,236	5,017	6,196	-31.0%
11	52,211	36,389	7,454	22,089	21,754	-40.2%
12	16,629	14,109	2,176	6,360	9,925	-29.7%
13	27,939	21,992	3,419	9,395	16,016	-27.2%
14	3,400	3,359	950	1,688	2,621	-22.0%
15	32,977	27,651	4,129	14,325	17,455	-36.9%
16	1,723	1,533	266	683	1,116	-27.2%
17	45,118	40,373	5,842	18,261	27,954	-30.8%
18	27,723	25,391	2,951	8,464	19,878	-21.7%
19	13,699	10,791	2,049	6,446	6,394	-40.7%
20	15,355	15,007	3,485	8,962	9,530	-36.5%
Total	377,707	329,171	59,747	159,577	229,341	-30.3%

¹ Estimated Pending Cases as of June 30, 2012, was determined by subtracting the number of SRS Real Property/Mortgage Foreclosure dispositions from the number of filings from July 1, 2006, through June 30, 2012.

² Estimated Pending Cases as of June 30, 2013, was determined by subtracting the number of SRS Real Property/Mortgage Foreclosure dispositions from the number of filings from July 1, 2006, through June 30, 2013.

³ Estimated Pending Cases as of February 28, 2014, was determined by subtracting the number of July 2013 through February 2014 dispositions from the sum of Estimated Pending Cases as of June 30, 2013, and July 2013 through February 2014 filings.

V. Child Support Hearing Officers and General Magistrates

Agenda Item V.: Child Support Hearing Officers and General Magistrates

Background:

At the June 18, 2013, meeting, the TCBC approved FY 2013/14 allotments for the Child Support Enforcement Hearing Officer (CSEHO) and General Magistrate (GM) elements. The Commission directed staff to continue to monitor vacancies in both categories. According to established procedures (see **Attachment A**), when vacancies become available, staff are directed to recommend reallocating hearing officers/magistrates and administrative support FTE's based on the following: 1) maximum sustained net need based on workload in the charts approved in the FY 2013/14 allotments (see **Attachment B**), 2) the one-to-one ratio of hearing officer/magistrate to administrative support, 3) Department of Revenue (DOR) information where appropriate, and 4) circuit information. A minimum threshold of 0.5 FTE negative (excess) sustained net need must be met before reallocation will be considered. For reallocation of GM positions, the combined net need in both the GM and CSEHO categories should be considered. This information is submitted to the TCBC Executive Committee for consideration in allocations and reallocation of positions throughout the fiscal year.

Current Issue:

As administrative support positions have become vacant, questions have arisen as to the appropriate application of the approved policies in recommending allocations and reallocations. Below are questions in which the policies need clarification. **Attachment C** provides examples of different scenarios in which the policies may be applied, as well as staff recommendations.

Question 1: Should recommendation for reallocation of current resources occur based on the net need or the 1:1 ratio? (Examples 1, 2, 3, 5, and 6 in Attachment C)

Question 2: When a circuit has an excess of administrative support positions based on the 1:1 ratio, but an overall need for resources based on workload, should reallocation of the administrative support FTE be recommended? (Example 4 in Attachment C)

Question 3: When additional administrative support positions are available for allocation to the circuits, should additional resources be given to those circuits with the highest net need based on workload or the greatest disparity in the 1:1 ratio? (Examples 7 - 12 in Attachment C)

Decision Needed:

Recommended guidelines are needed for appropriately applying the approved policies for allocating/reallocating administrative support resources.

FMC Recommendation:

Approve staff recommendations as shown in Attachment C. For Example 3 in Attachment C (a circuit has an even 1:1 ratio but an excess need based on workload), recommend reallocation for vacant positions.

Jessie Emrich

From: Jessie Emrich
Sent: Friday, June 28, 2013 8:55 AM
To: Trial Court Administrators; Trial Court Chief Judges
Cc: Kristine Slayden; Alex Krivosheyev; Theresa Westerfield; Dorothy Wilson; Lisa Goodner
Subject: FY 2013-14 CSEHO/GM Allotments
Attachments: CSEHO_FY1314_TCBC.pdf; General Magistrates_FY1314_TCBC.pdf

Chief Judges/TCA's – Attached are the Fiscal Year 2013-14 circuit allotments for General Magistrates and Child Support Enforcement Hearing Officers as approved at the June 18th TCBC meeting. These allocations were based on a 3 year maximum sustained workload methodology that indicates each circuit's net need for hearing officers and general magistrates. The administrative support net need for both elements is based on maintaining a 1:1 ratio of hearing officer/GM to support staff. These charts will be effective for the entire fiscal year. As a reminder, the procedures for reallocation of positions is listed below:

- 1) Reallocations will occur through attrition only - no filled positions will be reallocated.
- 2) Both elements will be monitored throughout the year for vacancies. Issues relating to vacant positions, as they become available, will be brought to the Executive Committee for final decision as to potential reallocation.
- 3) If you have a position that becomes vacant during the year **and** your circuit has a negative net need or uneven 1:1 ratio, as presented in the attached charts, please contact Kris Slayden, at slaydenk@flcourts.org, in Resource Planning, **and** Theresa Westerfield, at westerfieldt@flcourts.org, in Personnel as soon as possible. This will initiate the process for reallocating resources. The position must be held vacant until the process is complete. Only the portion of the position that is considered excess (as indicated by the negative net need or ratio) needs to be held vacant and will be considered for reallocation. A minimum excess net need of 0.5 FTE must be met for reallocation to occur. The Office of Personnel Services will work with your circuit to align the FTE portion of the position that you may fill.
- 4) Department of Revenue and affected circuits will be contacted for information to supplement the workload analysis.
- 5) OSCA staff will collect all relevant information and schedule a call with the Executive Committee for a decision on reallocation.
- 6) The Executive Committee's decision will then be forwarded to the affected circuits and to the appropriate OSCA staff in Resource Planning, Budget and Personnel for handling.

Please contact either Theresa or Kris if you have any questions.

Thank you,
Jessie

Jessie Emrich McMillan
Resource Planning
Office of the State Courts Administrator
500 S. Duval Street
Tallahassee, Florida 32399-1900

**Trial Court Budget Commission
Meeting January 6, 2014
Child Support Enforcement Hearing Officers
FY 2013/14 Allotment, Total Need and Net Need**

A	B	C	D	E	F	G	H
Circuit	FY 2013/14 Allotment ¹		Total Need			Net Need ⁴	
	Child Support Enforcement Hearing Officer FTE Allotment	Administrative Support FTE Allotment	Maximum Total Need ²	Child Support Enforcement Hearing Officer Maximum Total Need (Rounded to the nearest whole FTE)	Administrative Support Maximum Total Need ³ (Rounded to the nearest whole FTE)	Child Support Enforcement Hearing Officer Net Need	Administrative Support Net Need
1	2.25	2.25	2.8	3	3	0.75	0.75
2	1.5	1	0.9	1	1	-0.5	0
3	1	0.5	0.9	1	1	0	0.5
4	3	2.5	3.9	4	4	1	1.5
5	2.5	2	3.8	4	4	1.5	2
6	3	3	2.6	3	3	0	0
7	1.5	0.5	2.4	2	2	0.5	1.5
8	2.5	2.75	1.9	2	2	-0.5	-0.75
9	3.5	3.5	3.5	4	4	0.5	0.5
10	2	1	2.9	3	3	1	2
11	3.5	3	4.8	5	5	1.5	2
12	2.5	2.5	3.2	3	3	0.5	0.5
13	2	2	3.5	4	4	2	2
14	1.5	1	1.6	2	2	0.5	1
15	2	2	1.7	2	2	0	0
16	0	0	0.2	0	0	0	0
17	2	2	2.6	3	3	1	1
18	2	2	2.3	2	2	0	0
19	2	1	1.8	2	2	0	1
20	1.25	1	2.0	2	2	0.75	1
Total	41.5	35.5	49.1	52	52	10.5	16.5

¹ FY 2013/14 Allotment includes the Trial Court Budget Commission FTE reallocation decision in January 2014. In addition, circuit 8 has 0.25 FTE more Administrative Support FTE than CSEHO FTE.

² Maximum Total Need reflects the maximum Child Support Enforcement Hearing Officer (CSEHO) FTE projected total need over a three year period. The total need was calculated in two steps. The first step estimates the CSEHO workload by multiplying the case weight of 83.4 minutes to 92.8% of projected child support and UIFSA filings and 5.6% of projected other domestic relations filings. In the second step, the CSEHO total need was calculated by dividing the estimated CSEHO workload by the total time available for case related work.

³ Administrative Support Maximum Total Need assumes a 1:1 ratio of Administrative Support to CSEHO.

⁴ Net Need is the difference between Maximum Total Need and FY 2013/14 Allotment. Circuit 13 have the highest positive CSEHO net FTE need and circuits 5, 10, 11, and 13 have the highest positive Administrative Support net FTE need. Circuits 2 and 8 have the highest negative CSEHO net FTE need and circuit 8 has the highest negative Administrative Support net FTE need.

Trial Court Budget Commission
Meeting December 13, 2013
General Magistrates
FY 2013/14 Allotment, Total Need, and Net Need

A	B	C	D	E	F	G	H
	FY 2013/14 Allotment ¹		Total Need			Net Need ⁴	
Circuit	General Magistrate FTE Allotment	Administrative Support FTE Allotment	Maximum Total Need ²	General Magistrate Maximum Total Need (Rounded to the nearest whole FTE)	Administrative Support Maximum Total Need ³ (Rounded to the nearest whole FTE)	General Magistrate Net Need	Administrative Support Net Need
1	3.5	3	4.7	5	5	1.5	2
2	2	2	2.3	2	2	0	0
3	1	0	1.2	1	1	0	1
4	7	6	6.8	7	7	0	1
5	5	5	6.4	6	6	1	1
6	7.25	7	6.6	7	7	-0.25	0
7	3.5	4	4.8	5	5	1.5	1
8	2	1	2.3	2	2	0	1
9	6	4	7.2	7	7	1	3
10	4	3	4.9	5	5	1	2
11	11	11	12.2	12	12	1	1
12	4	3	4.0	4	4	0	1
13	7	7	7.8	8	8	1	1
14	2	1	2.2	2	2	0	1
15	7	6	5.8	6	6	-1	0
16	0	0	0.5	1	1	0	0
17	9	8.5	8.0	8	8	-1	-0.5
18	4	3	4.6	5	5	1	2
19	3	3	3.5	4	4	1	1
20	5	5	5.4	5	5	0	0
Total	93.25	82.5	101.3	102	102	7.75	18.5

¹ FY 2013/14 Allotment includes the Executive Committee FTE reallocation decision in December 2013. In addition, circuit 7 has 0.5 FTE more Administrative Support FTE than General Magistrate FTE and circuit 16 uses contracted services for General Magistrates.

² Maximum Total Need reflects the maximum General Magistrate FTE total need over a three year period. The total need is based on projected filings for simplified dissolution, dissolution, child support, UIFSA, other domestic relations, domestic violence, repeat violence, delinquency, dependency, professional malpractice, products liability, auto negligence, other negligence, condominium, contract & indebtedness, real property/mortgage foreclosure, eminent domain, other circuit civil, probate, guardianship, trust, Baker Act, substance abuse, other social, small claims, and county civil (\$5,001 to \$15,000). The total need for each of the three years was calculated in two steps. The first step estimated General Magistrate workload by multiplying the projected filings by the appropriate case weight. In the second step, General Magistrate total need was calculated by dividing the estimated General Magistrate workload by the total time available for case related work.

³ Administrative Support Maximum Total Need assumes a 1:1 ratio of Administrative Support to General Magistrate.

⁴ Net Need is the difference between Maximum Total Need and FY 2013/14 Allotment. Circuits 1 and 7 have the highest positive General Magistrate net FTE need and circuit 9 has the highest positive Administrative Support net FTE need. Circuits 15 and 17 have the highest negative General Magistrate net FTE need and circuit 17 has the highest negative Administrative Support net FTE need.

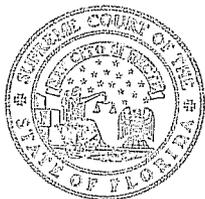
Trial Court Budget Commission
April 7, 2014, Meeting
 GM/CSEHO Administrative Support Allocation Matrix

Reallocating Current Resources (Losing Positions)				
Example	GM/CSEHO to Support Ratio	Administrative Support Net Need based on Workload	Staff Recommendation	FMC Recommendation
	<i>Uneven Ratio</i>	<i>Negative</i>		
1	3.0 FTE : 4.0 FTE	-1.0	Yes	Yes
2	9.5 FTE : 8.5 FTE	-0.5	No	No
	<i>Even Ratio</i>	<i>Negative</i>		
3	1.5 FTE : 1.5 FTE	-0.5		Yes
	<i>Uneven Ratio</i>	<i>Positive</i>		
4	3.5 FTE : 4.0 FTE	1.5	No	No
5	2.5 FTE : 2.0 FTE	2.0	No	No
	<i>Even Ratio</i>	<i>Positive</i>		
6	2.0 FTE : 2.0 FTE	2.0	No	No

Allocating Additional Resources (Gaining Positions)				
Example	GM/CSEHO to Support Ratio	Administrative Support Net Need based on Workload	Staff Recommendation	FMC Recommendation
	<i>Uneven Ratio</i>	<i>Negative</i>		
7	3.0 FTE : 4.0 FTE	-1.0	No	No
8	9.5 FTE : 8.5 FTE	-0.5	No	No
	<i>Even Ratio</i>	<i>Negative</i>		
9	1.5 FTE : 1.5 FTE	-0.5	No	No
	<i>Uneven Ratio</i>	<i>Positive</i>		
10	3.5 FTE : 4.0 FTE	1.5	No	No
11	2.0 FTE : 0.5 FTE	2.0	Yes	Yes
	<i>Even Ratio</i>	<i>Positive</i>		
12	2.0 FTE : 2.0 FTE	2.0	No	No

Note: When allocating additional resources to a circuit in need based on workload, any disparity in the 1:1 ratio will be addressed before the need for resources.

VI. Update on Technology Funding Strategies Workgroup



Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

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

JOHN A. TOMASINO
CLERK OF COURT

SILVESTER DAWSON
MARSHAL

March 20, 2014

The Honorable Margaret O. Steinbeck
Chair, Trial Court Budget Commission
1700 Monroe Street
Ft. Myers, Florida 33901

Dear Judge Steinbeck:

Thank you for establishing the Trial Court Technology Funding Strategies Workgroup (Workgroup) in response to my June 25, 2013 letter to you asking the Trial Court Budget Commission to review potential funding sources to fund judicial viewers and the future technology needs of the state courts system. I commend the on-going efforts of the Workgroup with respect to lifecycle funding for judicial viewers.

As you may recall from my June 25, 2013 letter, one of the recommendations from the National Center for State Courts' Report, was to "fund on-going statewide technology capabilities with new online electronic data and document access fees". The National Center's Report suggests that "new use fees" for bulk and/or compiled data dumps, subscription, access, or special access for large scale data resellers could become "significant on-going sources of revenue" to fund the future of court technology needs. Another recommendation from the National Center's Report was the allocation of new revenue generated by remote access fees between the clerks and OSCA in proportion to the implementation costs of the new technology capabilities being implemented.

The Honorable Margaret O. Steinbeck
March 20, 2014
Page Two

Accordingly, the Court asks that the Trial Court Budget Commission consider the issue of access fees for remote access to court documents, including a proposed fee structure, if any, for electronic access to court records, and submit its recommendations to the Court when they are developed.

Sincerely,



Ricky Polston

RP/lg

**VII.A.1. Update on 2014 Legislative Session
- House and Senate Budget Proposals -
Implementing Bills**

STATE COURTS SYSTEM
LEGISLATIVE BUDGET REQUEST
FY 2014-15

3/28/2014 8:13AM		State Courts System					SB 2500					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	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust
1	BRANCH WIDE - PAY ISSUES																
2	Competitive Pay Adjustment Issue for State Courts System Employees	4401A70		5,677,512		89,430	5,766,942					-					-
3	Equity and Retention Pay Issue for State Courts System Employees	4401A80		9,836,772		29,530	9,866,302					-					-
4	SUPREME COURT - 22010100																
5	Death Penalty Case Processing	3000080	1.0	59,717	3,818		59,717	1.0	59,717	3,818		59,717					-
6	Case Management Support	3001700	1.0	76,331	3,818		76,331	1.0	76,331	3,818		76,331					-
7	Supreme Court - Meet Acceptable Security Standards	6800600	3.0	254,310	11,454		254,310					-					-
8	Law Library - Legal Research	4100400		17,069			17,069					-					-
9	Interior Space Refurbishing	7000260		237,360			237,360					-					-
10	TOTAL SUPREME COURT		5.0	644,787	19,090	-	644,787	2.0	136,048	7,636	-	136,048	0.0	-	-	-	-
11	EXECUTIVE DIRECTION - 22010200																
12	Reduce Vacant Positions	33V1620											(1.0)				
13	eFACTS Productivity Support	36311C0		172,834	125,164		172,834					-					-
14	Judicial Data Management	36315C0		502,086	107,887		502,086					-					-
15	Legal Research Support	36314C0		91,840	40,000		91,840					-					-
16	TOTAL EXECUTIVE DIRECTION		0.0	766,760	273,051	-	766,760	0.0	-	-	-	-	(1.0)	-	-	-	-
17	ADMINISTRATIVE FUNDS - 22020100																
18	Reduce Due Process Contingency Positions	33V0260						(6.0)				-					-
19	Small County Courthouse Repairs and Renovations - Calhoun County	5401234							200,000	200,000		200,000		1,273,000	1,273,000		1,273,000
20	Small County Courthouse Repairs and Renovations - Washington County											-		1,000,000	1,000,000		1,000,000
21	TOTAL ADMINISTRATIVE FUNDS		0.0	0	0	0	0	(6.0)	200,000	200,000	-	200,000	0.0	2,273,000	2,273,000	-	2,273,000

STATE COURTS SYSTEM
LEGISLATIVE BUDGET REQUEST
FY 2014-15

3/28/2014 8:13AM		State Courts System					SB 2500					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	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust
22	DISTRICT COURT OF APPEAL - 22100600																
23	Reduce Vacant Positions	33V1620											(2.0)				
24	Building, Facilities Maintenance and Operational Upkeep SCS REQUEST DETAILS: (\$400,000 - Statewide Facility Maintenance, \$19,750 - 2nd DCA Facility Maintenance and \$48,889 - 3rd DCA Workstations)	7000210		468,639	68,639		468,639		400,000			400,000					-
25	CIP - 2nd DCA Driveway Expansion Lakeland Courthouse	990M000 081600		30,450	30,450		30,450		30,450	30,450		30,450					-
26	CIP - 3rd DCA - Hurricane Storm Shutters	990S000 080174		88,294	88,294		88,294		88,294	88,294		88,294					-
27	CIP - 3rd DCA Emergency Generator System	990S000 080032		212,814	212,814		212,814		212,814	212,814		212,814					-
28	CIP - 3rd DCA Entrance Glass Doors Replacement	990M000 080183		64,023	64,023		64,023		64,023	64,023		64,023					-
29	CIP - 3rd DCA Courthouse Remodeling for ADA, Security and Life Safety Issues	990M000 080179		2,092,495	2,092,495		2,092,495		2,092,495	2,092,495		2,092,495					-
30	CIP - 4th DCA New Courthouse Construction - Phase One <i>(Phase Two estimated at \$13,305,182)</i> Senate Bill: Half of the Phase Two estimated costs are funded totaling \$6,652,591 are included in this proposal.	990S000 080071		349,270	349,270		349,270		7,001,861	7,001,861		7,001,861					-
31	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		6,831,655					-					-
32	CIP - 5th DCA Security Systems	990S000 080176		125,000	125,000		125,000		125,000	125,000		125,000					-
33	CIP - 5th DCA HVAC Renovation	990M000 080184		724,389	724,389		724,389		724,389	724,389		724,389					-
34	CIP - Maintenance and Repair	99M0000												3,000,000	3,000,000		3,000,000
35	TOTAL DISTRICT COURT OF APPEAL		0.0	10,987,029	10,587,029	-	10,987,029	0.0	10,739,326	10,339,326	-	10,739,326	(2.0)	3,000,000	3,000,000	-	3,000,000

Agenda Item VII.A.: House and Senate Budget Proposals

STATE COURTS SYSTEM
LEGISLATIVE BUDGET REQUEST
FY 2014-15

3/28/2014 8:13AM		State Courts System					SB 2500					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	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust
36	TRIAL COURTS - 22300100/22300200																
37	Reduce Vacant Positions	33V1620											(1.0)				
38	Court Reporting Equipment Refresh and Maintenance	36341C0		4,806,925	2,223,562		4,806,925					-					-
39	Court Reporting Equipment Expansion	36342C0		1,446,114	1,446,114		1,446,114					-					-
40	Death Penalty Case Processing - Law Clerks (32 Positions)	3000080	27.0	1,918,731	76,160		1,918,731	27.0	1,918,731	76,160		1,918,731					-
41	Funding for Backlog of Foreclosure Cases	3001010		3,837,624	3,837,624		3,837,624					-					-
42	Funding for Children's Advocacy Centers	3000115					-		4,800,000	300,000		4,800,000		4,500,000	1,500,000		4,500,000
43	Trial Courts General Counsel Support	3000120	10.0	1,181,043	23,800		1,181,043	10.0	1,181,043	23,800		1,181,043					-
44	24x7 Sobriety Monitoring Program	3000314							75,000	75,000		75,000					-
45	Domestic Violence GPS Program	3000316					-		316,000			316,000					-
46	Mental Health Diversion Program	3000318					-		250,000	250,000		250,000					-
47	Fund Shift Cost Sharing	3400330/3400340		3,695,347		(3,695,347)	-					-					-
48	Senior Judge for Citrus County Workload	3000420					-		88,415			88,415					-
49	Electronic Transmission of Judicial Order to Clerks of Court	36331C0		4,705,116	3,929,275		4,705,116					-					-
50	Remote Court Interpreting Technology	36343C0		81,428	53,588		81,428					-					-
51	Financial Assistance to Counties for Court Related Technology Responsibilities - Village of Virginia Gardens	36305C0					-		50,000	50,000		50,000					-
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 (1st, 4th, 14th and 17th Circuits)	5402000		953,999	953,999		953,999					-					-
55	Post-Adjudicatory Drug Court	5406010		544,013			544,013		5,543,957			5,543,957		5,546,957			5,546,957
56	Vivitrol To Treat Alcohol or Opioid Addicted Offenders	5406020					-		1,000,000			1,000,000		500,000	500,000		500,000
57	Veterans' Courts	5406030					-		800,000			800,000		800,000	800,000		800,000
58	New County Courthouse in Washington County	990S000					-		6,000,000	6,000,000		6,000,000					-
59	TOTAL TRIAL COURTS		37.0	25,351,443	12,644,122	(3,695,347)	21,656,096	37.0	22,123,146	6,874,960	-	22,123,146	(1.0)	11,346,957	2,800,000	-	11,346,957
60	JUDICIAL QUALIFICIATIONS COMMISSION - 22350100																
61	Reduce Vacant Positions	33V1620											(1.0)				
62	TOTAL JUDICIAL QUALIFICIATIONS COMMISSION		0.0	-	-	-	-	0.0	-	-	-	-	(1.0)	-	-	-	-

STATE COURTS SYSTEM
LEGISLATIVE BUDGET REQUEST
FY 2014-15

3/28/2014 8:13AM		State Courts System						SB 2500					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	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust
63	CERTIFICATION OF ADDITIONAL JUDGESHIPS																
64	Executive Direction - Florida Cases Southern 2nd Reporter: \$500 for each certified judgeship SCS - 49 New Judgeships	3009310		24,500			24,500					-					
65	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	3009310	12.0	1,351,047	45,816		1,351,047					-	12.0				
66	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.	3009310	23.0	2,528,206	54,740		2,528,206					-	16.0	5,084,889	135,716		5,084,889
67	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	3009310	78.0	10,189,517	185,640		10,189,517					-	22.0				
60	TOTAL CERTIFICATION OF ADDITIONAL JUDGESHIPS		113.0	14,093,270	286,196	0	14,093,270	0.0	0	0	0	0	50.0	5,084,889	135,716	0	5,084,889
61	TOTAL JUDICIAL BRANCH		42.0	53,264,303	23,523,292	(3,576,387)	49,687,916	33.0	33,198,520	17,421,922	0	33,198,520	45.0	21,704,846	8,208,716	0	21,704,846

Proviso, Back of the Bill, and Conforming Language

Senate Bill 2500

Proviso

1	Funds in Specific Appropriation 3167A, are subject to approval by the Legislative Budget Commission, pursuant to chapter 216, Florida Statutes. For all requested expenditures in this category, the courts must demonstrate that the expenditures serve a direct and lawful public purpose, are necessary to conduct official business of the state, and are necessary for the performance of official duties.
2	From the funds in Specific Appropriation 3168A, \$200,000 in nonrecurring general funds is provided for the restoration of the Calhoun County Courthouse.
3	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.
4	<p>From the funds in Specific Appropriation 3191, \$4,500,000 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.</p> <p>The Children’s Advocacy Centers shall use \$1,000,000 in this line item for medical team services. The Florida Network of Children’s Advocacy Centers may spend up to \$25,000 in this line item for contract monitoring and oversight.</p> <p>From the funds in Specific Appropriation 3191, \$300,000 in nonrecurring general revenue funds is provided to Mary Lee’s House in Tampa for child advocacy services.</p>
5	<p>From the funds in Specific Appropriation 3193, \$800,000 in recurring general revenue funds shall be distributed to Okaloosa, Pasco, Pinellas, Duval, and Clay counties to create, pursuant to sections 948.08(7)(a) and 948.16 (2)(a), Florida Statutes, felony and/or misdemeanor pretrial veterans’ treatment intervention programs to address the substance abuse and mental health treatment needs of veterans and service members charged with criminal offenses.</p> <p>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.</p> <p>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 (50 percent of participants shall have Criminal Punishment Code scores of 44 points or greater) and shall make residential treatment beds available for clients needing residential treatment.</p> <p>From the funds in Specific Appropriation 3193, \$1,000,000 in recurring general revenue funds may be used to procure Vivitrol to treat alcohol or opioid-addicted offenders in post-adjudicatory drug court.</p>

Proviso, Back of the Bill, and Conforming Language

Senate Bill 2500

Proviso

6	<p>From the funds in Specific Appropriation 3193A, \$50,000 in nonrecurring general revenue funds is provided to update the criminal justice information system for the Village of Virginia Gardens.</p> <p>From the funds in Specific Appropriation 3193A, \$75,000 in nonrecurring general revenue funds is 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.</p>
7	<p>From the funds in Specific Appropriation 3193B, \$316,000 in recurring general revenue is provided to the Eighteenth Judicial Circuit to continue its program to protect victims of domestic violence with Active Global Positioning Satellite (GPS) technology.</p>

Back of the Bill Provisions

8	<p>SECTION 28. There is hereby appropriated the sum of \$1,800,000 in nonrecurring general revenue to address a projected deficit in the State Courts Revenue Trust Fund within the State Court System. Funds shall be used for Fiscal Year 2013-2014 court ordered payments for attorney fees in criminal conflict cases in excess of the flat fee established in law as specified in line item 749 of the Fiscal Year 2013-2014 General Appropriations Act. This section is effective upon becoming law.</p>
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Proviso, Back of the Bill, and Conforming Language

House Bill 5001

Proviso

9	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.
10	The funds in Specific Appropriation 3168A are provided for the restoration of small county historic courthouses. Calhoun..... 1,273,000 Washington..... 1,000,000
11	<p>From the funds in Specific Appropriation 3191, \$3,238,240 in recurring general revenue funds and \$1,430,000 in nonrecurring general revenue funds shall be distributed to the 26 Children’s Advocacy Centers throughout Florida based on an allocation methodology approved by the board of the Florida Network of Children’s Advocacy Centers using 2013 calendar year data that ensures an equitable distribution of funds among network participants. The criteria and methodologies must take into account factors that include the center’s accreditation status with respect to the National Children’s Alliance, the number of clients served, the number of direct services provided, and the population of the area being served by the children’s advocacy center. The funds distributed to the Children’s Advocacy Centers are to be used to provide direct services to victims of child abuse and neglect, including, case management and advocacy, therapy, crisis counseling, psychological evaluations, forensic and specialized interviews, approved prevention services, and medical evaluations. The funds may only be expended for personnel costs associated with providing the direct services and for such other costs necessary and essential to providing direct services and to ensure that quality direct services are provided. No more than ten percent of the funds distributed to the Children’s Advocacy Centers may be used for operating costs incurred while providing direct services. The board shall distribute the funds allocated for prevention services only to Children’s Advocacy Centers who provide approved prevention services with a recognized curriculum and evidence-based outcome measures. 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.</p> <p>The Florida Network of Children’s Advocacy Centers may spend up to \$70,000 of the nonrecurring general revenue funds in this line item for contract monitoring and oversight.</p>
12	<p>From the funds in Specific Appropriation 3193, \$500,000 in nonrecurring general revenue funds is provided for naltrexone extended release injectable drug treatments to medically assist drug court participants for addiction.</p> <p>From the funds in Specific Appropriation 3193, \$600,000 in nonrecurring general revenue funds shall be distributed to Okaloosa, Pasco, Pinellas, and Clay counties and \$200,000 in nonrecurring general revenue funds shall be distributed to Duval County for felony and/or misdemeanor pretrial veterans’ treatment intervention programs to address the substance abuse and mental health treatment needs of veterans and service members charged with criminal offenses.</p>

Proviso, Back of the Bill, and Conforming Language

House Bill 5001

Back of the Bill Provisions

13	SECTION 34. The sum of \$1,776,000 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.
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Conforming Bills

14	HB 5301 - Additional Judgeships: Creates 21 Judgeships including three additional appellate judgeships, seven additional circuit court judgeships and eleven additional county court judgeships
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Agenda Item VII.A.1.: Update on 2014 Legislative Session - Implementing Bills

**State Courts System
Implementing Bill Review**

	House Bill 5003	Senate Bill 2502
1	Section 11: Amends 29.008(4)(c) to extend to FY 14-15, an exemption of counties from being required to maintain expenditures as listed under the county funding of court related functions.	
2	Section 12: Extends to FY 14-15 the requirement for any existing lease contracts for private lease space in excess of 2,000 square feet shall use tenant broker services to renegotiate or reprocur all private lease agreements expiring between July 1, 2015 and June 30, 2017. The OSCA Annex is 20,000 square feet and the lease expires 06/30/16.	Section 16: Extends to FY 14-15 the requirement for any existing lease contracts for private lease space in excess of 2,000 square feet shall use tenant broker services to renegotiate or reprocur all private lease agreements expiring between July 1, 2015 and June 30, 2017. The OSCA Annex is 20,000 square feet and the lease expires 06/30/16.
3	Section 35: Extends to FY 14-15 the directive that state agency employee travel be limited to activities that are critical to each state agency's mission. Restricts travel to foreign countries, other states, conferences, staff-training activities, or other administrative functions unless the agency head has approved, in writing, that it is critical to the agency's mission.	Section 39: Extends to FY 14-15 the directive that state agency employee travel be limited to activities that are critical to each state agency's mission. Restricts travel to foreign countries, other states, conferences, staff-training activities, or other administrative functions unless the agency head has approved, in writing, that it is critical to the agency's mission.
4	Section 38: Authorizes EOG to transfer FY 14-15 funds appropriated in Expenses between agencies for reduction in Suncom services.	

**VII.A.2. Update on 2014 Legislative Session
- House and Senate Budget Proposals -
Conforming Bills**

Agenda Item VII. A. 2.: Conforming Bills

Following are summaries of the court-related conforming bills proposed by the Senate and the House of Representatives to make statutory changes that complement their fiscal year 2014-15 proposed budgets.

Court-Appointed Counsel (SB 2510; no House companion): With respect to private attorneys who provide representation when the public defender and regional counsel have conflicts of interest, this bill:

- Eliminates the statutory authority enacted in 2012 for the chief judge of each circuit to establish limited registries of private attorneys who are willing to waive compensation in excess of the flat fee except in capital and racketeering cases;
- Establishes a Cross-Circuit Conflict Representation Pilot Program in the offices of the public defender in the Sixth, Ninth, Tenth, and Thirteenth Judicial Circuits and in the regional counsel offices for the Second and Fifth Regions. Under the pilot program, when conflicts arise, cases shall be assigned to a public defender or regional counsel in a participating circuit or region, as prescribed in the bill, before being assigned to a private attorney; and
- Increases the maximum flat fees authorized in statute¹ that private attorneys may receive upon providing representation for:
 - Noncapital, nonlife felonies at the trial level to \$6,000 (from \$2,500);
 - Life felonies at the trial level to \$9,000 (from \$3,000);
 - Capital cases at the trial level to \$25,000 (from \$15,000); and
 - Appeals to \$9,000 (from \$2,000).

The pilot program and the increase in maximum-authorized flat fees may contribute toward reduced costs related to the payment of fees exceeding the flat fees. However, the elimination of the statutory authority for limited registries will eliminate any current cost-savings from the registries. The overall impact of the bill on expenditures for the payment of conflict counsel fees exceeding the flat fees is not known.

¹ The Legislature prescribes the actual flat fees by case type annually in the general appropriations act (GAA). In its proposed GAA for fiscal year 2014-15 (SB 2500), the Senate increases the flat fees for a number of case types. The House (HB 5001) proposes to retain the same flat fees from the current fiscal year.

It is noteworthy that the Senate proposed budget does not contain proviso language from the current-year budget requiring the State Courts System to pay excess fees from its funds when the annual appropriation to the Justice Administrative Commission for this purpose is exhausted.² The House proposed budget still contains this requirement.

Additional Judgeships (HB 5301; no Senate companion): To complement funding for additional judgeships provided in the House's proposed budget, this bill amends the statutory sections governing the number of judges to authorize:

- Three additional district court of appeal judgeships (two in the Second District and one in the Fifth District);
- Seven additional circuit judgeships (two in the First Circuit; three in the Fifth Circuit; and one each in the Seventh Circuit and the Ninth Circuit); and
- Eleven additional county judgeships (one each in Citrus, Duval, Lake, Lee, Miami-Dade, Osceola, and Seminole counties, and two each in Hillsborough and Palm Beach counties).

Executive Clemency (HB 5303 and SB 2508): The similar bills:

- Remove trial court judges from involvement in the appointment of counsel in proceedings for relief by executive clemency in death penalty cases;
- Provide for the Board of Executive Clemency to appoint private counsel to represent a person sentenced to death for relief by executive clemency;
- Eliminate the requirement for the Justice Administrative Commission to pay the compensation of private court-appointed counsel in these cases; and
- Provide for compensation not to exceed \$10,000, to be paid from funds budgeted to the Parole Commission.

Prepared by the OSCA Deputy State Court Administrator's Office, April 2, 2014

² There is also a statutory requirement (s. 27.5304(12)(f), F.S.) for the courts system to share in the liability for excess-fee payments. Although the Senate conforming bill does not repeal the statutory provision, it appears the intent of the Senate is to relieve the courts of this requirement at least for fiscal year 2014-15.

VII.B. Update on 2014 Legislative Session - Pay Issue for State Courts System Staff

**Proposed Fiscal Year 2014-15 GAA's
Back of the Bill Section 8 - PAY and BENEFITS**

Item VII. B. and C.

Senate Bill 2500	House Bill 5001
Judicial pay remains the same.	Judicial pay remains the same.
<p>From funds appropriated in Specific Appropriation 1981 (<i>this is lump sum appropriation in General Government Administered Funds with no proviso indicating the amount for the judicial branch</i>) recurring funds are provided to the judicial branch to provide 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>	
No change in state life insurance or state disability insurance.	No change in state life insurance or state disability insurance.
No change in health insurance plans.	No change in health insurance plans.
No change in premiums paid by employees for health insurance. (Maintains the "enhanced benefits" premiums paid by judicial assistants and senior managers.)	No change in premiums paid by employees for health insurance. (Maintains the "enhanced benefits" premiums paid by judicial assistants and senior managers.)
No change in prescription drug program.	No change in prescription drug program.
Payment of bar dues authorized.	Payment of bar dues authorized.
<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>	<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>

VII.C. Update on 2014 Legislative Session - Pay and Benefits Legislation

**Proposed Fiscal Year 2014-15 GAA's
Back of the Bill Section 8 - PAY and BENEFITS**

Item VII. B. and C.

Senate Bill 2500	House Bill 5001
Judicial pay remains the same.	Judicial pay remains the same.
<p>From funds appropriated in Specific Appropriation 1981 (<i>this is lump sum appropriation in General Government Administered Funds with no proviso indicating the amount for the judicial branch</i>) recurring funds are provided to the judicial branch to provide 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>	
No change in state life insurance or state disability insurance.	No change in state life insurance or state disability insurance.
No change in health insurance plans.	No change in health insurance plans.
No change in premiums paid by employees for health insurance. (Maintains the "enhanced benefits" premiums paid by judicial assistants and senior managers.)	No change in premiums paid by employees for health insurance. (Maintains the "enhanced benefits" premiums paid by judicial assistants and senior managers.)
No change in prescription drug program.	No change in prescription drug program.
Payment of bar dues authorized.	Payment of bar dues authorized.
<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>	<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>

Agenda Item VII.C.: Pay and Benefits Legislation

HB 7157 – State Group Health Insurance

This bill was originally submitted as a proposed committee bill (PCB HHSC 14-01) for consideration by the House Health and Human Services Committee. It was passed by the committee on March 20, 2014, and filed March 21, 2014. The bill was referred to, and is now in, Appropriations but as of April 3, 2014, has not been scheduled to be heard.

The bill directs the Florida Department of Management Services (DMS) to establish employee contribution rates for the 2015 plan year (the plan year is the calendar year) that reflect the full actuarial benefit difference between the HMO and the PPO. For the 2015 plan year, the PPO contribution rate must be less than the employee contribution level for the 2014 plan year. Consequently, next year employees would be given a choice between paying more for the higher value HMO and paying less, compared to the prior year, for the lower value PPO.

The bill gives DMS broad authority to contract for a wide variety of additional products and services to be included in the state program. Employees could purchase these new products as optional benefits. Examples include: prepaid limited health service organizations, prepaid health clinic service providers, entities that provide health services or treatments through a bidding process, etc. DMS is directed to contract with at least one entity that provides comprehensive pricing and inclusive services for surgery and other types of medical procedures. These “bundled” services will be another option.

Beginning in 2015, DMS is directed to implement a 3-year price transparency pilot project in at least one, but no more than three areas of the state. DMS will designate between 20 and 50 diagnostic procedures and elective surgical procedures commonly utilized by enrollees. The health plans will provide to DMS the contracted prices by provider for these procedures, and DMS will then designate a benchmark price for each procedure. If an employee participating in the project (employee participation is voluntary) selects a provider who offers the procedure at a price below the benchmark, then the state will pay the employee 50 percent of the difference between the benchmark and the price paid. The payment will be taxable income.

Beginning in the 2017 plan year, the bill provides that state employees will have health plan choices at four different benefit levels:

- Platinum Level (at least 90% actuarial value)
- Gold Level (at least 80% actuarial value)
- Silver Level (at least 70% actuarial value)
- Bronze Level (at least 60% actuarial value)

Note: The actuarial value concept used in regard to health insurance plans is used to compare the relative value of health insurance options: the higher the actuarial value, the less patient cost-sharing the plan will have on average. For example, a plan with an actuarial value of 70%, means that for a standard population, the plan will pay 70% of the enrollees' health care expenses, while the enrollees themselves will pay 30% through some combination of deductibles, copays, and coinsurance. While enrollees in the aggregate would be expected to pay the same out-of-pocket costs in two plans with the same actuarial value, any given enrollee could have different costs depending on how much and what type of health services he or she uses.

The state will make a defined contribution for each employee toward the cost of purchasing a health plan. The employee will have the following options:

If the cost of the plan selected by the employee is less than the state's contribution, then the employee may use the remainder to:

- Fund a flexible spending arrangement.
- Fund a health savings account.
- Purchase additional benefits offered through the state group insurance program.
- Increase the employee's salary.

If the cost of the plan selected is more than the state's contribution, the employee will have to pay the additional premium.

Hypothetical from House Staff Analysis:

Family Coverage	Current Plan 86%-93% AV (comparable to "Platinum Level")	80% AV Coverage (comparable to "Gold Level")	70% AV Coverage (comparable to "Silver Level")	60% AV Coverage (comparable to "Bronze Level")
State Contribution	\$15,168	\$15,168	\$15,168	\$15,168
Plan Cost	\$17,328	\$14,344	\$12,852	\$11,361
Employee Contribution	\$2,160	\$0	\$0	\$0
Employee Receives	\$0	\$824	\$2,316	\$3,807

The bill also directs DMS to hire an independent benefits consultant (IBC). The IBC will assist DMS in developing a plan for the implementation of the new benefit levels in the state program. The plan is required to be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 1, 2016, and is to include recommendations for employer and employee contribution policies; steps necessary for maintaining or improving total employee compensation levels when the transition is initiated; and an education strategy to inform employees on the additional choices available in the state group insurance program. The IBC will also provide ongoing assessments and analysis for the program.

There is currently no Senate companion bill.

VII.D. Update on 2014 Legislative Session - Florida Retirement System Legislation

Agenda Item VII.D.: Florida Retirement System Legislation

House PCB SAC 14-02 – Florida Retirement System (FRS)

This bill was released on April 2, 2014, as a proposed committee bill for consideration by the House State Affairs Committee and scheduled to be heard by the committee on Friday, April 4, 2014.

The bill's changes affect new enrollees in the FRS effective July 1, 2015, and do not affect current members and retirees.

The bill requires employees initially enrolled on or after July 1, 2015, in positions covered by the Elected Officers' Class (which includes justices and judges) or the Senior Management Services Class, to become compulsory members of the investment plan, and the investment plan membership continues if there is a subsequent employment in a position covered by another membership class. If enrolled prior to July 1, 2015, the bill authorizes an officer or employee to retain membership in the pension plan or investment plan with eligibility to use the election opportunity to move between plans. However, the bill prohibits those employees initially enrolled on or after July 1, 2015, in positions covered by the Elected Officers' Class or the Senior Management Services Class, from using the election opportunity.

The bill enrolls new employees (other than Elected Officers and Senior Management Services employees) as of July 1, 2015, in the pension plan at the commencement of employment. The employee may, by the last business day of the eighth month following the employee's month of hire, elect to participate in the pension plan or the investment plan. If the employee fails to make an election, the employee is defaulted into the investment plan, although the one election opportunity to move between plans is maintained in the bill.

For any new member initially enrolled in the FRS on or after July 1, 2015, the bill extends the vesting period for the pension plan to 10 years (the current vesting period, depending upon the employee's initial hire date, is six or eight years of creditable service). The vesting period for members of the investment plan remains at one year of creditable service.

The bill maintains disability benefits available for all FRS members, but for those initially enrolled on or after July 1, 2015, it extends the disability vesting period for non-duty disability from eight years to 10 years of creditable service.

VII.E. Update on 2014 Legislative Session - Other Significant Budget-Related Legislation

Agenda Item VII.E.: Other Significant Budget-Related Legislation

There are no materials for this agenda item.

VIII. Judicial Conference and TCBC Legislative Activities

Agenda Item VIII.: Judicial Conference and TCBC Legislative Activities

There are no materials for this agenda item.

IX. Personnel Committee Report

Agenda Item IX.: Personnel Committee Report

There are no materials for this agenda item.

**X. Report from Chief Justice Designee to the
Clerk of the Court Operations
Corporation Executive Council**

**Agenda Item X.: Report from Chief Justice Designee to the Clerks of Court
Operations Corporation Executive Council**

There are no materials for this agenda item.