

**Trial Court Budget Commission  
Conference Call Meeting Minutes  
October 27, 2010**



**Attendance – Members Present**

The Honorable John Laurent, Chair	The Honorable Thomas McGrady
The Honorable Margaret Steinbeck, Vice Chair	The Honorable Wayne Miller
Mr. Mike Bridenback	Ms. Carol Ortman
The Honorable Catherine Brunson	The Honorable Belvin Perry, Jr.
The Honorable Paul Bryan	The Honorable Robert Roundtree
The Honorable Kevin Emas	The Honorable Elijah Smiley
The Honorable Joseph Farina	Mr. Walt Smith
The Honorable Charles Francis	The Honorable Patricia Thomas
Mr. Tom Genung	Mr. Mark Weinberg
Ms. Sandra Lonergan	Ms. Robin Wright
The Honorable Mark Mahon	

**Attendance – Members Absent**

The Honorable Clayton Simmons

**Welcome & Introduction of Guests**

Judge Laurent called the Trial Court Budget Commission (TCBC) conference call to order at 12:03 p.m. The roll was taken and a quorum was present. Judge Laurent directed guests to introduce themselves and he welcomed them to the conference call.

**Discussion of Foreclosure and Economic Recovery Initiative**

Judge Laurent presented a draft memorandum to the Chief Judges of the Circuit Courts regarding the foreclosure initiative on behalf of the TCBC. Judge Laurent asked if any of the members had any concerns or suggestions related to the content of the memorandum before it was distributed. Judge Farina offered that the memorandum was helpful in responding to concerns related to the 62% goal for the disposal of backlogged foreclosure cases. Judge Laurent reminded members that the 62% goal was developed as an internal tool to assess the progress on the Foreclosure and Economic Recovery Initiative. He reiterated that the goal corresponded to the funding allocated by the Legislature in which 62% of the original budget request for the foreclosure initiative was funded.

Kris Slayden presented three charts of data related to the Foreclosure and Economic Recovery Initiative. The first chart showed total real property/mortgage foreclosure initiative dispositions for the first quarter of fiscal year 2010-11, July 1, 2010 thru September 30, 2010.

Dispositions were totaled by month and circuit. A total column for the first quarter was also presented. In total, 65,830 foreclosure cases were disposed in the first quarter.

The second chart covered pending real property/mortgage foreclosure cases as of June 30, 2010 and September 30, 2010. Pending cases as of June 30, 2010 were summarized by circuit and totaled 462,339. New mortgage foreclosure cases in the first quarter of 2010 totaled 63,369. 77,984 cases were disposed in the first quarter; this amount includes both new and backlogged cases. In total, 447,724 mortgage foreclosure cases were pending disposition as of September 30, 2010.

The last chart presented data on mortgage foreclosure dispositions by type for the first quarter of fiscal year 2010. Of the 65,830 disposed backlogged cases, 17,025 were dismissed, 46,940 went to summary/final judgment, 23 went to trial, and in 1,842 cases the type was not identified.

Judge Farina wanted to know why data from new cases were included in the second chart. Ms. Slayden explained that the new cases were included because, as they accumulate, they add to the existing backlog and the additional information is necessary to fully evaluate the progress of the Foreclosure and Economic Recovery Initiative.

Walt Smith asked for clarification of the difference between total backlog cases disposed and the total cases disposed. Ms. Slayden acknowledged that some of the cases disposed included cases that are not considered backlogged. New cases account for the difference in the total disposed (backlogged) cases of 65,830 in the sixth column of the first chart versus the 77,984 presented in the fourth column of the second chart. Mr. Smith suggested that one chart be utilized to avoid confusion.

Judge Roundtree asked whether the application of senior judges could be revisited to address concerns related to cancellation issues effecting foreclosure case dockets. Judge Perry and Tom Genung offered brief comments related to Judge Roundtree's comment. It was determined that no changes to current policy related to senior judge usage would be necessary at the current time however the TCBC would continue to monitor concerns as they arise.

Judge Perry acknowledged in light of recent public record requests related to the Foreclosure and Economic Recovery Initiative, it may be prudent for the trial courts to coordinate efforts to ensure that responses are timely and fee methodologies are consistent. Judge Perry suggested that the Trial Court Administrators from each of the circuit get together to discuss their respective practices for responding to public record requests and the fees attributed to such requests in order to promote consistency throughout the trial courts. Judge Laurent added that

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the courts are required to comply with public record requests; however, the courts do not have to produce/create reports that do not exist.

**Adjournment**

With no other business before the commission, a motion was offered to adjourn. It was seconded and passed with none opposed. The meeting adjourned at 12:50 p.m.