

**Trial Court Budget Commission
Meeting Minutes
October 31, 2008**



Attendance - Members Present

Hon. Belvin Perry, Jr., Chair	Hon. Robert Morris
Hon. Charles Francis, Vice Chair	Carol Ortman
Hon. Alice Blackwell	Hon. Nancy Perez
Mike Bridenback	Hon. Judy Pittman
Hon. Paul Bryan	Hon. William Roby
Ruben Carrerou	Hon. Robert Roundtree
Hon. Joseph Farina	Walt Smith
Hon. John Laurent	Robin Wright
Hon. Mark Mahon	

Attendance - Members Absent

Hon. Carroll Kelly	Hon Susan Schaeffer
Hon. James Perry	Hon. Patricia Thomas
Hon. Thomas Reese	Mark Weinberg

The October 31, 2008 meeting of the Trial Court Budget Commission (TCBC) was called to order at 8:30 a.m. by Judge Belvin Perry, Chair.

I. Welcome and Introduction of Guests

Judge B. Perry welcomed the members and the roll was called. He also welcomed Chief Justice Quince and recognized the guests in attendance, including a number of individuals that participated via conference call.

Judge Perry thanked Judge Roby, Judge Perez, and Judge Reese for their service as members of the TCBC. He also welcomed Judge Catherine Brunson, Tom Genung, Judge Wayne Miller, and Judge Meg Steinbeck, who are replacing the outgoing members effective December 1, 2008. He asked the new members to read the Supreme Court Opinion authored by Justice Wells included in the materials and the Florida Rules of Judicial Administration 2.230. Judge Perry stated that decisions made by TCBC members are sometimes difficult and unpopular, and there will be critics and second guesses. While the members are from different circuits and counties, they are not to represent any particular interest except what is best for the third branch of government and are asked to participate for the good of the entire court system.

Chief Justice Quince stated that the branch will be developing funding strategies for the short and long term. The long term objective is for the court system to have dedicated sources of revenue to minimize the ups and downs from one budget year to the next. She asked everyone to stay focused and be together in their resolve.

Approval of August 18, 2008 Meeting Minutes

Judge B. Perry asked if there any revisions to the draft minutes from the August 18, 2008 meeting minutes. Communication was received from Mark Van Bever that on page six, the reference to the 18th Circuit is not correct and should reference the 8th Circuit. Judge Bryan made a motion to reflect the correction and adopt the meeting minutes as amended. The motion was seconded by Judge Pittman, and passed without objection.

II. Status of Current Year Funding

A. Salary Projections

Dorothy Wilson provided a review of the trial court payroll projections as of September 30, 2008 and reported the following:

After applying salary lapse and leave payouts, the payroll liability was \$1,491,819 over the circuit court salary appropriation and \$70,039 over the county court salary appropriation.

Judge Roundtree asked if the lapse amount is unusual. Ms. Wilson stated that the lapse is higher due to the hiring freeze and the large number of vacant county judgeships. Judge R. Morris asked what the circuits can do at the local level. Judge Perry stated that circuits should continue with current practices, making do with less. Charlotte Jerrett added that last year, of the \$228 million circuit salary appropriation, the remaining unexpended balance was \$36,000.

B. Operating Budgets

Dorothy Wilson provided a status of the trial court operating budgets as of September 30, 2008 and reported the following:

The budgets were reviewed by category. Spending rates across all categories were lower compared to the same time period last fiscal year. The travel freeze is one factor attributing to the lower expenditures.

C. Trust Fund Cash Balances

Charlotte Jerrett provided a review of the cash balances for the Mediation and Arbitration Trust Fund and Operating Trust Fund as of September 30, 2008 and reported the following:

The Budget Management Committee, chaired by Judge Laurent, monitors the trial court operating budget, and now includes the monitoring of trust fund cash balances.

- **Mediation and Arbitration Trust Fund** - During the last fiscal year, fees were increased and funds were shifted for this element to be entirely self-funded. Sufficient cash must be available to pay for salaries. Two components make up the trust fund and are received separately: 1) certification of mediators, and 2) service fees. The revenues received were reviewed. The increase from July to August was due to the new fee structure. The expenditures were reviewed. The 7% fee surcharge is mandated and paid to the Department of Financial Services. The October 1 cash balance is \$5,030,622 and is considered a healthy balance for this fund.
- **Operating Trust Fund** – Two components make up the trust fund. JAC Cost Sharing is a revenue stream provided for in the General Appropriations Act for the payment of court reporting and court interpreting (11th Circuit) services due from the state attorneys and public defenders. Cost Recovery is the revenue generated from court reporting and court interpreting fees. The revenue and expenditures were reviewed. The October 1 cash balance is \$2,557,439 and is considered a healthy balance for this fund.

D. Requests for OCO Allocations: 11th and 18th Circuits

Charlotte Jerrett provided a review of the Operating Capital Outlay (OCO) requests from the 11th and 18th Circuits and reported the following:

The TCBC previously approved to pool the total OCO budget amount of \$286,883 in a Reserve account to be allocated based on specific circuit requests, with the priority given to needs associated with new courthouse facilities.

- **11th Circuit** – The circuit requests \$3,234 to purchase furniture for a judge's chamber. The furniture was privately owned by the previous judge occupying the chamber.

The BMC and Executive Committee recommended approving this request. Judge Roundtree made a motion, seconded by Judge R. Morris, to approve the \$3,234 OCO request. The motion passed without objection.

- **18th Circuit** – The circuit requests \$20,000 to purchase and install digital court recording equipment to be used for a new hearing room at the Brevard County Jail. This plan was not known at the time of filing the LBR, so it is not included for FY 09-10. Additional funds were requested in the FY 09-10 LBR for maintenance costs. The circuit indicates the additional cost for a year of partial maintenance in year two can be absorbed should this amount be funded.

The BMC and Executive Committee recommended approving this request with an addendum that if the LBR for maintenance costs is not funded, the 18th Circuit absorb the maintenance costs.

Judge Roundtree made the motion, seconded by Judge Laurent, to approve the 18th Circuit's request with the addendum. The motion passed without objection.

All requests for OCO funds should be addressed and forwarded to the TCBC Chair, Judge B. Perry, with a copy of the request to Lisa Goodner.

III. Strategy for the Court Funding Stabilization Initiative

Judge B. Perry stated that the objective of the initiative is to provide a new funding framework to establish stable funding sources, thereby eliminating the need for budget reductions. He thanked OSCA staff for their efforts in compiling the information.

A. Overview of Current Statutory and Constitutional Framework

Greg Smith provided a review of the current statutory and constitutional budgetary framework, noting the shared and dedicated sources. The third branch of government is treated by the constitution as an agency for funding and ultimately reductions. The branch is funded mostly through General Revenue funds and has little dedicated funding streams.

B. Determination of Necessary Funding Levels for Essential Court Elements

Sharon Buckingham provided a review of the determination of necessary funding levels and reported the following:

The TCBC Executive Committee and the State Courts Administrator provided OSCA staff with the following direction to address the determination of funding needs for the trial court elements:

- Project the total funding needs of each element for FY 2009-10.
- To the extent possible, use the funding methodologies that have been utilized since the Revision 7 transition to project the total cost of each element.
- Using the existing funding methodologies, propose both *reasonable* and *optimal* options for the funding levels. The *optimal* option provides the most favorable level of funding to ensure quality case processing/service. The *reasonable* option provides an acceptable level of funding that still allows for quality case processing/service.
- Incorporate into the total cost calculation of each option, an adjustment for the pay plan associated with existing and new positions. The *reasonable* option includes pay plan figures capped at \$5,000 minimum, \$5,000 time in class, and \$7,500 total. The *optimal* option includes pay plan figures capped at \$7,500 minimum, \$7,500 time in class, and \$10,000 total. The total cost

calculation also includes an equivalent adjustment for contractual rate increases, if applicable.

- Determine the extent to which county revenue is currently funding the elements of the trial court system. If a significant amount of county revenue is dedicated to funding a certain element across most circuits, adjust the reasonable and optimal thresholds accordingly to account for this increased need in state funding.

Operating costs for all elements have been estimated based on the year with the highest appropriation as follows:

- Contracted Services – beginning FY 2007-08
- OPS – FY 2006-07
- Recurring OCO – beginning FY 2007-08

Two options will be presented for each element, except Judges. The ultimate goal is to select which option should be used to represent the estimated statewide funding need for each element. This information will then be used to determine the amount of additional general revenue or trust dollars required to address total trial court needs under the new funding framework.

The number of existing judges and new judges certified for FY 2008-09 was used due to the pending Supreme Court certification of need for additional judgeships.

Ms. Buckingham asked the members to focus on the bottom line figures of the tables. The figures provided in the tables are not indicative of proposed allocations for each circuit and are only provided as an illustration of the methodology utilized to arrive at a statewide total cost for each element.

The Executive Committee recommended using the *optimal* option for the pay plan caps for all elements. Judge Roundtree made a motion to use the *optimal* pay plan option for determining the needs of all the trial court elements. Mike Bridenback seconded, and the motion passed without objection.

i. Adjudication Elements

a. Judges

Judge costs have been calculated based on the number of existing judges and new judges certified for FY 2008-09 as a representation of the FY 2009-10 judicial need. Certification for FY 2009-10 is still pending with the Supreme Court.

b. Judicial Assistants

Based on the above vote and approval to calculate the total cost based on the higher pay caps, the *optimal* option for this element will be used, with one judicial assistant per every judge.

c. Law Clerks

Reasonable Option: Calculate total cost based on one law clerk per every two judges, using the lower pay plan caps.

Optimal Option: Calculate total cost based on one law clerk per every judge, using the higher pay plan caps.

The Executive Committee recommended the Reasonable Option, but using the higher pay caps. Judge Roundtree made a motion to calculate the total cost based on one law clerk per every two judges, using the higher pay plan caps. Judge Pittman seconded, and the motion was passed without objection.

d. General Magistrates

Reasonable Option: Calculate total cost based on the case weighted methodology, holding harmless those circuits with a negative need, using the lower pay plan caps, and a 1:1 ratio of administrative support to magistrates.

Optimal Option: Calculate total cost using the same methodology as the reasonable option, using the higher pay plan caps, and expanding resources statewide in the probate division based on existing coverage in select full-service circuits.

The Executive Committee recommended the Reasonable option, but using the higher pay caps. Judge Mahon made a motion to calculate the total cost based on the case weighted methodology, holding harmless those circuits with a negative need, using the higher pay plan caps, and a 1:1 ratio of administrative support to magistrates. Judge Roundtree seconded, and the motion passed without objection.

e. Child Support Hearing Officers

Reasonable Option: Calculate total cost based on no change to existing positions (because there is a statewide negative need) and using the lower pay plan caps.

Optimal Option: Total cost is calculated based on the case weighted methodology, holding harmless those circuits with a negative need, using the higher pay plan caps, and a 1:1 ratio of administrative support to hearing officers.

The Executive Committee recommended the Optimal Option. Judge Roundtree made a motion, seconded by Judge Pittman, to calculate total cost based on the case weighted methodology, holding harmless those circuits with a negative need, using the higher pay plan caps,

and a 1:1 ratio of administrative support to hearing officers. The motion passed without objection.

f. Traffic Infraction Hearing Officers

Reasonable Option: Calculate total cost based on a \$7,299 per county judge threshold, holding harmless those circuits with allocations above the threshold in the beginning of FY 2007-08.

Optimal Option: Calculate total cost based on applying a 28.9% increase to the reasonable budget for each circuit. The percent increase is based on allowing all circuits to pay a \$75 hourly rate (equates to a \$9,408 per county judge threshold).

Currently the circuits are paying in the \$50-\$55 range. The Executive Committee recommended the Optimal Option. Walt Smith made a motion to calculate total cost based on applying a \$7,299 per county judge threshold, holding harmless those circuits with allocations above the threshold in the beginning of FY 2007-08, and applying a 28.9% increase for each circuit. The percent increase is based on allowing all circuits to pay a \$75 hourly rate (equates to a \$9,408 per county judge threshold). Judge Perez seconded, and the motion passed without objection.

g. Senior Judges

Reasonable Option: Calculate total cost based on the total days (7,322) appropriated in the beginning FY 2007-08, a \$350 per day rate, holding 200 days in reserve, and a proportional distribution based on judicial need calculated during the FY 2008-09 certification process.

Optimal Option – Calculate total cost based on the total days (8,318) appropriated in FY 2004-05, a \$350 per day rate, holding 200 days in reserve, and a proportional distribution based on judicial need calculated during the FY 2008-09 certification process.

The Executive Committee recommended the Reasonable Option amended to increase the per day rate to \$400. Judge Mahon made a motion to calculate total cost based on the total days (7,322) appropriated in the beginning FY 2007-08, a \$400 per day rate, holding 200 days in reserve, and a proportional distribution based on judicial need calculated during the FY 2008-09 certification process. Judge Roundtree seconded, and the motion passed without objection.

h. Mediation

Based on the work of a workgroup drawn from members of the Alternative Dispute Resolution Rules and Policy Committee to propose standards of operation and best practices for state-funded court-

connected ADR/Mediation program, the Trial Court Performance and Accountability (TCP&A) approved an August 2008 report for submission to the Supreme Court. Included in the report is a comprehensive examination of the existing ADR/Mediation funding methodology and a recommendation for what the TCP&A believes to be a more meaningful calculation for establishing a ceiling cost for services. This new formula factors in actual workload and the actual cost of providing services while also encouraging growth in services across all applicable case types and counties in a circuit.

Reasonable Option: Calculate total cost based on the proposed new ceiling calculation, holding harmless those circuits with existing allocations above the ceiling, using the lower pay plan caps.

Optimal Option: Calculate total cost using the same methodology as the Reasonable Option, using the higher pay plan caps.

The Executive Committee recommended the Optimal Option. Mike Bridenback made a motion to calculate total cost based on the proposed new ceiling calculation, holding harmless those circuits with existing allocations above the ceiling, and using the higher pay plan caps. Judge Roundtree seconded, and the motion passed without objection.

i. Case Management

Reasonable Option: Calculate total cost based on the need of one position per every 5,500 filings and a floor of 8 positions, using the lower pay plan caps.

Optimal Option: Total cost is calculated based on the need of one position per every 3,190 filings (August 2006 mean) and a floor of 8 positions, using the higher pay plan caps.

The Executive Committee recommended the Reasonable Option, but using the higher pay caps. Judge Roundtree made a motion to calculate the total cost based on the need of one position per every 5,500 filings and a floor of 8 positions, using the higher pay plan caps. Carol Ortman seconded, and the motion passed without objection.

ii. **Governance Elements**

a. Court Administration

The Executive Committee recommended that staff provide additional information regarding circuit size classification and to table this element for the December 2008 TCBC meeting. Judge Roundtree

made a motion, seconded by Judge Mahon, to table the Court Administration element until the December 2008 meeting.

iii. Due Process Elements

a. Court Reporting

Reasonable Option: Calculate total cost based on bringing all circuits up to the beginning FY 2007-08 median unit cost (\$15.78, with the new judge modifier applied), using the lower pay plan caps, holding harmless those circuits above the target unit cost, adding the FY 2009-10 LBR for non-recurring equipment requests, and adding the cost of bringing cost sharing dollars into the court's budget.

Optimal Option: Calculate total cost based on bringing all circuits up to the 20.56 unit cost (with the new judge modifier applied), using the higher pay plan caps, holding harmless those circuits above the target unit cost, adding the FY 2009-10 LBR for non-recurring equipment requests, and adding the cost of bringing cost sharing dollars into the court's budget.

Alternative New Methodology: Calculate total cost based on a ceiling calculation for each circuit using a \$50 per steno/real-time hour, \$25 per digital/analog hour, and \$7 per transcript page (FY 2007-08 Uniform Data Reporting System figures), using the lower pay plan caps, holding harmless those circuits above the ceiling, adding the FY 2009-10 LBR for non-recurring equipment requests, and adding the cost of bringing cost sharing dollars into the court's budget.

The Executive Committee recommended the Alternative New Methodology, amended to include the use of higher pay plan caps. Mike Bridenback expressed the need to move away from the unit cost methodology as the method of delivery varies greatly statewide. The alternative option is based on actual delivery of services which provides uniformity and is a step in the right direction for fair allocation.

Judge Roby made a motion to calculate total cost based on a ceiling calculation for each circuit using a \$50 per steno/real-time hour, \$25 per digital/analog hour, and \$7 per transcript page (FY 2007-08 Uniform Data Reporting System figures), using the higher pay plan caps, holding harmless those circuits above the ceiling, adding the FY 2009-10 LBR for non-recurring equipment requests, and adding the cost of bringing cost sharing dollars into the court's budget. Mike Bridenback seconded, and the motion passed without objection.

b. Court Interpreting

Reasonable Option: Calculate total cost based on applying the statewide two year 16.3% increase in non-English speaking population (from 3,136,448 to 3,646,499) to FY 2007-08 expenditures, using the lower pay plan caps.

Optimal Option: calculate total cost based on applying the average two year 23.4 % increase in non-English speaking population (using the growth rates for each circuit) to FY 2007-08 expenditures, using the higher pay plan caps.

The Executive Committee recommending the Optimal Option. Judge Mahon made a motion to calculate total cost based on applying the average two year 23.4 % increase in non-English speaking population (using the growth rates for each circuit) to FY 2007-08 expenditures, using the higher pay plan caps. Judge Roundtree seconded, the motion passed without objection.

The members discussed the use of the court interpreting funds and that the funds can be shared with other circuits with additional need and that the funds may be shifted from one due process category to another. Unusual dialects may take up more of the budget and the due process contingency fund may be accessed, however, all other resources must be utilized first.

c. Expert Witness

Reasonable Option: Calculate total cost based on applying the statewide 3.2% growth in non-custody expenditures over two years to the FY 2008-09 contractual budget.

Optimal Option: Calculate total cost based on the same methodology in the reasonable option, but with a 20.2% increase applied to each circuit for custody evaluations. The increase is determined by using the average percent of the 5th, 9th, 12th, and 13th Circuit's budget that are dedicated to custody evaluations.

The Executive Committee recommended the Reasonable Option. Judge Farina made a motion to calculate total cost based on applying the statewide 3.2% growth in non-custody expenditures over two years to the FY 2008-09 contractual budget. Judge Mahon seconded, and the motion passed without objection.

iv. **Operating Costs**

Proposed operating costs were calculated based on the year with the historically highest appropriation and then applied a cost-of-living increase to project out to FY 2009-10.

- a. Contracted Services – beginning FY 2007-08
- b. OPS – FY 2006-07
- c. Recurring OCO – beginning FY 2007-08

Judge Roundtree made a motion to approve the operating costs for contracted services, OPS, and OCO categories as proposed. Judge Farina seconded, and the motion passed without objection.

C. Consideration of a New Funding Structure

Kris Slayden provided a review of a PowerPoint presentation and reported the following:

i. Identification of Stable Funding Source

a. Article V Funding Streams

Staff was directed to research and provide answers to the following questions:

- What funds are generated from Article V?
- How are the funds distributed that are collected by the clerks of court for court related services?
- How much is retained?

The research provided the following information:

- Court related services fines and fees are mandated to be distributed with 2/3 to the clerks and 1/3 to the state after earmarks.
- The clerks of court determine and prepare their annual budget.
- Should a deficit occur in the clerks' projected revenues and result in a budget deficit, their budget is balanced using funds from the state's 1/3.
- From the state's 1/3 of the fines and fees, funds are used to balance deficit counties' budget, then the remainder of the 1/3 is distributed to the state.
- The clerks' total projected revenue for fiscal year 2008-09 is \$550,719,633, the total budgeted expenditures and reserve is \$539,222,065 and an \$11,497,568 surplus is reflected. The 1/3 of fines and fees going to the state should be \$183,573,193. However, there are 62 counties that do not generate enough revenue to cover their budget with the 2/3 portion. In fiscal year 2007-08, the clerks remitted \$65.6 million to General Revenue from their end of month excess and end of year excess.
- The determination of how much of the fines and fees the clerks have been retaining has been difficult due to multiple reporting requirements and multiple earmarks.

- There is a lack of accountability for the difference in what should have been submitted to the state and what was actually submitted. An Auditor General's report indicated that the Clerk of Court Operations Corporation is not doing an adequate job monitoring the clerks' budgets in some areas. Thirty-eight clerks did not remit the required funds to the state.
- The clerks average a 7% budget growth annually and have 67 constitutional officers. The courts have experienced a 6% drop in FTE, budgets cuts, and have almost 1,000 constitutional officers.
- The clerks submit the state's portion of the fines and fees annually, after their fiscal year closing. The funds are held in their local financial institutions.

Before the members adjourned for lunch, Judge Mahon introduced Representative Bill Galvano, Chair of the House Rules and Calendar Council, who reported that a goal of this session will be to take a hard look at budget by agency and sub-agency to determine that revenues are being distributed fairly and how funds are spent. Other areas of interest are budget and economic development, possible dedicated sources of funding, and changing the idea that the judicial branch is another agency. Judge B. Perry thanked Representative Galvano for taking the time to speak with the members of the TCBC.

b. Potential Revenues for the Courts

Prior to identifying potential revenues for the courts, the budget structure; general revenue, trust, and contingency, was reviewed. The guiding principles were to look at only the revenue that involves the court system and leaving earmarks and county funds alone, maximize the stability of revenue streams due to the volatility of filing fees, and diversify the revenue streams due to the drop in fee collections during bad economic times.

Senate Bill 1790 mandates that the increase in filing fees be directed to the general revenue fund; however, staff is unable to validate the amount actually coming into the fund.

The members discussed fee increases and risks to access to the court and denying justice to the underprivileged. Some fees have not been increased in years. Judge B. Perry stated that staff was directed to identify all possible or available sources of revenue, whatever the practicality. The following items were presented to the TCBC membership for consideration and discussed at length preceding the votes:

1. Civil Traffic Infractions – Proposed Fine Increase \$3 or \$5
Judge R. Morris made a motion, seconded by Judge Laurent to increase the fine by \$5. The motion passed by the majority, with Judge Perez dissenting.
2. Reopen Cases – Proposed Filing Fee Increase of \$75
Increase fee from \$50 to \$125. Judge Roundtree made a motion to decline this proposal. The motion was seconded by Judge Perez. This item was withdrawn and tabled for further refinement for complexity of cases.
3. Recording Service Charge – Proposed \$2 Per Page Increase
Increase per page fee from \$2 to \$4. The increase would be earmarked for the courts, in a trust fund, and consolidated at the circuit level. Judge Perez made a motion, seconded by Mike Bridenback, to approve the \$2 increase. After member discussion, Judge Perez withdrew the motion.
4. Civil Response – Proposed New Fee
New fee of \$300 proposed for a new answer fee, not counter response. This item was withdrawn and tabled for further refinement.
5. Motions – Proposed New \$20 Fee
This item was withdrawn and tabled for further refinement.
6. Jury Demand – Proposed New \$85 Fee
This item was withdrawn and tabled for further refinement.
7. Base Fine for Civil Traffic (Speeding) – Proposed Increase in Filing Fee of \$25
Judge Francis made a motion, seconded by Judge Laurent, to decline the proposed \$25 fee increase. The motion passed without objection.
8. Proposed Sliding Scale Filing Fees
This item was withdrawn and tabled for further refinement.

ii. **Next Steps**

- a. Potential Statutory or Constitutional Revisions
The members discussed the need to redirect existing fees. The court system is revenue producing but receives little of the revenues that are generated. Judge Roundtree made a motion to review current fees generated for the court system that are not being received by the court system, and to review and re-work statutes. Judge Perez seconded, and the motion passed without objection.

D. Assessment of the Impact of Insufficient Funding Levels

Greg Youchock provided a review of the assessment process and reported the following:

A detailed assessment allows the courts to demonstrate to the legislature the impact of budget cuts. Anecdotal information regarding cuts to the court budget must be supported in some way by data.

i. Summary of Survey Findings

The first outreach was to court administrators and involved court management. Circuits were surveyed and responses collated to develop a framework from which to develop data collection strategies. Consistent themes revealed by the survey responses were:

- The loss of judicial case management resources has resulted in delays in case processing and has impacted access to justice.
- The loss of general magistrates and their support staff has also resulted in delays in case processing.
- Many circuits have benefited from their ability to shift positions and resources onto county budgets. Most circuits report this as a short term fix, with several projecting cuts to these resources in the next twelve months.
- Loss of other court administration staff has had detrimental impacts on the circuits but this may be difficult to quantify.
- Loss of civil traffic infraction hearing officers has had a cascading effect on resources in other divisions.
- Family division resources appear to be the hardest hit.
- Problem solving court resources were hard hit, but many were shifted onto county funding streams.
- Foreclosure filings have burdened court resources around the state.
- Travel costs, contracting costs, and liability for overtime and comp time have increased in many circuits. Travel is related to the additional circuit travel required of staff taking on additional responsibility due to cuts in FTE's.

Staff is working from these themes to develop a data collection strategy. Data will be used to try and develop a stronger foundation for determining the impact of cuts to trial courts around the state.

ii. Target Issues for Further Exploration

The second outreach will involve case processing time, and referrals or non-referrals to other agencies, and to document problems in relation to pre- and post-RIF plans.

iii. Plan for Data Collection

Circuits may be contacted for additional assistance in collecting limited, but specific case processing data. The goal is to capture the data in six weeks and to include the following:

- Filing and disposition data will be used to provide a high level picture of the case processing of family and foreclosure cases.
- Staff will pull specific and limited data from court case files and will need the assistance of some circuits in developing a sample of files and in logistically working with the court clerks.
- Some circuits have local data available on the court processing of various case types and staff may look to these data sources.
- Financial data may include local travel costs, contract costs, leave payouts, and overtime costs.

Walt Smith suggested that three or four points with examples be included in the assessment and not just numbers. Judge Kravitz stated that Judge Kelley asked county judges provide feedback on the impact of the budget cuts. Lisa Goodner would appreciate any compelling information resulting from the outreach.

E. Update on Activities with Business and Bar Coalitions

Judge B. Perry reviewed the activities with the business and bar coalitions and reported the following:

Chief Justice Quince, Chief Judge Perry, Chief Judge Francis, Lisa Goodner, and staff have been attending meetings with business community leaders. The courts have been asked to: 1) capture the amount of funding that is needed; and 2) identify revenue sources and where they are going.

Judge Blanc, Judge Blackwell, and the Florida Conference of Circuit Court Judges (FCCJ) have been very involved. The judicial branch's effort is going to require everyone working in one direction and with one goal, under the leadership of the Chief Justice, and coordination from OSCA staff.

Judge Blanc reviewed FCCJ's outreach activities and reported that meetings were held with Senate President Jeff Atwater and his chief of staff. Another meeting is being scheduled.

Judge Francis cautioned association heads to use one voice and coordinate efforts. The focus should be the infrastructure of third branch of government.

Lisa Goodner reported that the The Florida Bar has contracted with the Washington Economics Group to prepare an economic study of not properly

funding the courts. A third party independent source to validate the courts data could be very beneficial.

Adjournment

Chief Justice Quince reminded everyone in attendance that we are in this together and need to be on one page. If any issues arise, bring them to the chief judges meeting in December and do not go around the TCBC. She asked the members to share the information from this meeting with their chief judges. In January, the Bar will have a court funding summit at their mid-year Florida Bar meeting. Our real focus is what is happening in the court system. This is a court issue, at every level of the courts.

Judge Perry also asked the members to go back to their circuit or conference and provide an update. He again emphasized the message of speaking with one voice. This is a very critical time for the courts. Judge Perry thanked the members for their time and dedication for their service for the people of Florida. He added that what we are doing is very important: we are here to preserve the rule of law.

With no other business before the commission, Judge Perry adjourned the meeting at 2:50 p.m.