

**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 11<sup>th</sup> and 17<sup>th</sup> 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 17<sup>th</sup> 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.