

FY 2005/06 Legislative Budget Request

Issue: Law Clerk Element

Current funding for staff attorneys is based on a one-to-three ratio for circuit judges. The 2004/2005 Legislative Budget Request provided for a one-to-one ratio of staff attorneys to circuit judges. This issue was not funded.

The Commission on Trial Court Performance and Accountability (TCP&A) conducted a review of the role and responsibilities of staff attorneys 2002. TCP&A will continue that review to secure up-to-date statistics on the current assignment of staff attorneys to various divisions and specific functions by case type. This information will be available in advance of the legislative session and will assist in supporting the need for additional staff attorneys.

Funding Methodology Committee Recommendation:

The Funding Methodology Committee considered two options for the budget request. One option would be to renew the request for full funding of the one-to-one ratio. The second option would be to request a phased-in approach with funding in 2005/2006 to achieve a ratio of one staff attorney for every two circuit judges, and to seek funding in 2006/2007 to achieve a ratio of one law clerk for every circuit judge. These two options are provided to the TCBC for consideration.

Trial Court Budget Commission Recommendation:

- 1) File an issue based on a one-to-two ratio of law clerks to circuit judges. Given other competing priorities and limited resources, a two or three year phase-in may be necessary. See attached chart for circuit allocations.
- 2) Include the one-to-two ratio when filing the issue of certification of new judgeships.
- 3) Change "staff attorney" position title to "law clerk."

Law Clerk Budget Proposal
FY 2005-06
One Year Phase In for 1:2 Ratio

Circuit	Current State FTE	Proposed LBR FY 2005-06					Total FTE
		New FTE	New Salary and Benefits	Expense	OCO	Total	
1	7.0	4.0	\$299,304	\$39,924	\$8,400	\$347,628	11.0
2	5.0	3.0	\$224,478	\$29,943	\$6,300	\$260,721	8.0
3	2.0	1.0	\$74,826	\$9,981	\$2,100	\$86,907	3.0
4	10.0	6.0	\$448,957	\$59,886	\$12,600	\$521,443	16.0
5	8.0	5.0	\$374,131	\$49,905	\$10,500	\$434,536	13.0
6	14.0	7.0	\$523,783	\$69,867	\$14,700	\$608,350	21.0
7	8.0	4.0	\$299,304	\$39,924	\$8,400	\$347,628	12.0
8	4.0	2.0	\$149,652	\$19,962	\$4,200	\$173,814	6.0
9	12.0	7.0	\$523,783	\$69,867	\$14,700	\$608,350	19.0
10	7.0	4.0	\$299,304	\$39,924	\$8,400	\$347,628	11.0
11	25.0	12.0	\$897,913	\$119,772	\$25,200	\$1,042,885	37.0
12	6.0	4.0	\$299,304	\$39,924	\$8,400	\$347,628	10.0
13	12.0	7.0	\$523,783	\$69,867	\$14,700	\$608,350	19.0
14	3.0	2.0	\$149,652	\$19,962	\$4,200	\$173,814	5.0
15	11.0	6.0	\$448,957	\$59,886	\$12,600	\$521,443	17.0
16	1.0	1.0	\$74,826	\$9,981	\$2,100	\$86,907	2.0
17	18.0	9.0	\$673,435	\$89,829	\$18,900	\$782,164	27.0
18	8.0	4.0	\$299,304	\$39,924	\$8,400	\$347,628	12.0
19	5.0	3.0	\$224,478	\$29,943	\$6,300	\$260,721	8.0
20	8.0	4.0	\$299,304	\$39,924	\$8,400	\$347,628	12.0
State Total	174.0	95.0	\$7,108,480	\$948,195	\$199,500	\$8,256,175	269.0

Note: Based on Number of Judges Existing in FY 2004-05

FY 2005-06 Legislative Budget Request

Issue: Mediation

In 2004-05, the Legislature funded \$7,631,689 of the \$9,937,399 GR requested for mediation. Because the trial courts had difficulty explaining the model and related budget request, the TCBC requested that a simpler funding methodology be developed for the 2005-06 LBR.

Funding Methodology Committee Recommendation:

The service delivery model should not be changed from that proposed in FY 2004-05, as there has not been sufficient time to evaluate (or even institute in some circuits) the service model developed last year. The recommended funding methodology for determining the needs of each circuit to provide the mediation services included in the delivery model is as follows:

Circuit Size	Coordination Base	Mediator Services		
Small	\$250,000	\$4.00 per eligible filing in both GR and trust authority. Eligible filings include family (excluding DV), dependency, and county civil monetary filings.		
Medium	375,000			
Large	475,000			
Miami-Dade	600,000			
	\$7,575,000 GR	\$2,667,980 GR	\$2,667,980 TF	
Total Budget	\$10,242,980 GR	\$2,667,980 TF	12,910,960	

**County civil monetary filings are defined as small claims cases, and civil cases involving \$5,000 - \$15,000. County civil cases that are excluded are: other civil cases (equity; control of animals, interred bodies, injunctive relief and declaratory judgments), evictions, and civil traffic infractions.*

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Issue: Mediation (Continued)

This methodology is predicated on the following assumptions, which are based on what we know about historical expenditure patterns in courts that had mediation programs prior to Revision 7:

1. Circuits need a base level of resources to coordinate a mediation program. This base is related to circuit size.
2. Circuits need funding to provide mediators (volunteers, employees, and contract mediators) and this need is related to the number of eligible filings in a circuit.
3. Circuits can provide mediators for eligible case types if the state provides GR in the amount of \$4 per eligible case filing and \$4 in trust fund authority per eligible case filing. The trust fund authority will allow circuits to spend funds collected from the parties to support their mediation programs.

Subtracting what the TCBC has allocated to date for mediation (\$6,233,532) and what we have remaining to allocate in FY 2004-05 (\$1,101,395), the LBR necessary to fund all circuits according to this model is:

\$2,908,053 GR
438,015 TF

Circuits should be given an opportunity, before submission of the LBR, to provide input about whether they prefer funds to be designated to salary or contractual categories.

Trial Court Budget Commission Recommendation:

File issue as recommended.

FY 2005-06 Legislative Budget Request

Issue: Resource Management System

The Judicial Resource Management System will provide the technology infrastructure necessary to allow the State Courts System to implement its performance and accountability system. The quality management and accountability approach that the branch has embraced relies on coordination of strategic planning, performance measurement, program evaluation, and performance budgeting.

Given current limited resources, the State Courts System is unable to collect and analyze the data associated with the various tasks necessary to perform its activities. The requested resource is an automated, standardized system that will collect data relevant to performance measures across court divisions and programs. It will allow local and state-level managers to monitor and manage resources expended in the performance of all court activities.

The resource management system will have components for the statutorily enumerated elements as well as other court support resources. Performance measures have been developed for court reporting, language interpretation, expert witness and case management. The charge to the Commission on Trial Court Performance and Accountability corresponds to the major components of the management system:

- ▶ monitoring the process and methods used to assess system capacity and the need for additional resources;
- ▶ monitoring the process and data used to establish performance measures for trial courts;
- ▶ monitoring trial court performance data and providing feedback and guidance to trial court judges and court administrators; and
- ▶ facilitating collaboration between the Trial Court Budget Commission and the Office of State Courts Administrator in the development of a budgeting framework that allows for expression of the fiscal resources needed to effectively administer the trial courts.

August 5, 2004
Tampa, FL

FY 2005-06 Legislative Budget Request

Issue: Resource Management System (Continued)

Article II, Section 19 of the Florida Constitution requires that the judicial branch develop a quality management and accountability program. The branch has attempted to meet this general requirement through its performance and accountability initiative. The goals of the performance and accountability initiative are to provide timely and relevant information (“the dashboard”) to local court managers to allow them to effectively manage their courts, as well as to provide reliable information to state-level administrators to support workload measurement, budgeting, policy making, and accountability.

Beyond the general constitutional requirement and the judicial branch’s inherent management needs, Florida Statutes provide specific requirements to collect and report data on the use of state-funded resources. Florida Statute 216.013 requires the judicial branch to annually prepare a long-range program plan that includes “output, total costs, and unit costs for each function.” Florida Statute 216.023 requires the judicial branch to include with its legislative budget request performance information, including total amounts spent for each activity and unit costs for each activity. Florida Statute 216.1825 requires the judicial branch to work with the appropriations and substantive committees of the Legislature to provide activity-based budgeting, including alignment of outputs and true costs.

The General Appropriations Act for FY 2004-05, section 2956A, Special Categories, State Courts Due Process Costs provides that funds in Specific appropriation 2956A are provided for state courts due process costs. As specified in section 29.004, Florida Statutes, applicable due process costs include court reporting and transcription services, foreign language and sign language interpreters and translators, and expert witnesses not requested by any party which are appointed by the court. The Trial Court Budget Commission shall apportion these funds for use in each judicial circuit and the Office of the State Courts Administrator is authorized to pay such fees and expenses, subject to all specifications and limitations as provided by law. The Office of the State Courts Administrator shall submit quarterly reports of these due process payments to the House and Senate Appropriations Committees, by judicial circuit, which shall include, but not be limited to: information on requests for payment received; court orders received directing payment; and actual encumbrances and disbursements from this special appropriations category.

Trial Court Budget Commission
August 5, 2004

FY 2005-06 Legislative Budget Request

Issue: Resource Management System (Continued)

Staff Recommendation:

The request for the technology infrastructure component of the resource management system is for \$845,000 in non-recurring costs in FY 2005/06. This includes funding for hardware and servers in each of Florida's 20 judicial circuits (\$200,000), purchase of licences for software to be installed on approximately 300 employees' and administrators' desktop computers (\$450,000), and consulting services to support an Enterprise Resource Planning solution that includes planning, design, configuration, customization and training (\$195,000). Recurring funding is requested to provide ongoing annual maintenance for the hardware and licensing (\$152,000).

Hardware	\$200,000
Software	\$450,000
<u>Consulting</u>	<u>\$195,000</u>
Non-recurring	\$845,000
Recurring (maintenance)	\$152,100
Grand Total	\$997,100

Trial Court Budget Commission Recommendation:

File issue as recommended.

FY 2005/2006 Legislative Budget Request

Issue: Combine Circuit Court and County Court Budget Entities

The County Court Budget Entity consists only of funds for salaries and expenses for county judges and judicial assistants. For FY 2004/2005, the TCBC voted to allocate expense dollars based on the total available expense dollars in both budget entities, and the number of FTE in both circuit and county courts. To implement these actions, approval was given by the TCBC to move the expense funds from the County Court Budget Entity to the Circuit Court Budget Entity via budget amendment. An issue was filed in the 2004/2005 Legislative Budget Request to combine these budget entities, but no action was taken.

Funding Methodology Committee Recommendation:

File a technical issue in the 2005/2006 LBR issue to combine the Circuit and County Court budget entities into one budget entity, titled Trial Courts.

Trial Court Budget Commission Recommendation:

File issue as recommended.

FY 2005/06 Legislative Budget Request

Issue: Equipment Transfer Effective July 1, 2005 Pursuant to s. 29.008, FS

Section 28 of SB 2962 addresses the transfer of this property:

s. 29.008(1)(a)2. Equipment and furnishings under this paragraph in existence and owned by counties on July 1, 2005, except for that in the possession of the clerks, for areas other than courtrooms, jury facilities, and other public areas in courthouses and any other facility occupied by the courts, state attorneys, public defenders, shall be transferred to the state at no charge. This provision does not apply to any communication services as defined in s. 29.008 (1)(f).

Staff Recommendation:

File an LBR issue to cover the costs the State will be picking up effective July 1, 2005. These costs would be for maintenance agreements or lease agreements associated with stand-alone copiers, typewriters, etc. (Technology items remain a county responsibility and court reporting equipment maintenance is covered under a separate issue.) Preliminary estimates indicate this cost will be in the \$200,000 - \$400,000 range. Actual cost data is still pending from circuits, but will be used in determining the final amount of the issue filed.

TCBC Recommendation:

File an issue for \$959,109 based on cost estimates received from circuits.

FY 2005/06 Legislative Budget Request

Issue: Due Process Costs

Given the uncertainty of sufficient resources and limited expenditure history the courts' have with budgets for expert witness, court reporting, and court interpreting expenses, consideration should be given to the following issues:

- ✓ There are no amounts factored into the base budget for annual increases for contract services.
- ✓ During FY 03/04, the legislature appropriated \$3.4 million in contingency funds for due process costs. Of that amount \$637,866 is non-recurring.
- ✓ A TCBC policy determination of payment obligations for expert witnesses, pursuant to Chapter 744 F.S. is pending.
- ✓ There are pending recommendations from the legislature's Article V Indigent Services Advisory Board regarding standardized rates for due process services.

Funding Methodology Committee Recommendation:

File a placeholder issue in the LBR until the issues are resolved.

TCBC Recommendation:

File an issue for \$5,000,000 as a placeholder until outstanding policy issues are resolved, and data is available regarding actual expenditures.

**Trial Court Budget Commission
August 5, 2004
Tampa, Florida**

FY 2005/06 Legislative Budget Request

Issue: Legislative Authorization to Pay Professional Certification/License Fees

State Chief Financial Officer guidelines prohibit the payment of professional certification fees unless specifically authorized by law.

Funding Methodology Committee Recommendation:

Request back-of-the-bill language authorizing payment of certification fees for court interpreters, mediators, and court reporters.

TCBC Recommendation:

Develop back-of-the-bill language authorizing payment of certification fees for court interpreters, mediators, and court reporters, for inclusion in the FY 2005-06 General Appropriations Act.

FY 2005/06 Legislative Budget Request

Issue: Personnel Study on Compensation & Benefits

An early recommendation of the Personnel Committee was to have a complete classification and pay study of the State Courts system conducted by an independent party after Revision 7 was implemented. The principal reasons for this recommendation were:

- The structure of the current salary schedule has not been systematically reviewed since 1991.
- Revision 7 has added classes of positions not previously included in the State Courts System's classification system and no thorough pay study of these positions has been conducted.
- Revision 7 has resulted in the incorporation of classification and pay systems from nearly all 67 counties, many of which had pay scales and practices significantly above the SCS.
- It is commonly accepted that SCS pay has fallen significantly behind the private sector and other branches of government due to limited pay increases and budget shortfalls.
- Limiting appointment rates and the inability to award bonuses and special pay increases has had a deleterious effect on the recruitment and retention of the best employees.

The study will be designed to determine if the SCS has a competitive pay system, if positions are properly classified, and if best practices are employed in developing organization models for the courts.

Personnel Committee Recommendation:

File LBR issue as described above. OSCA Personnel staff is currently researching the cost to conduct this study and will consider independent management consulting firms, the State University System, or grants, or combinations of the three. Conducting a comprehensive state-wide compensation and benefits study is expected to cost approximately \$85,000 - \$100,000. Estimated cost data is still pending from prospective consultants.

TCBC Recommendation:

- 1) File issue as recommended, but direct TCBC Personnel Committee to study and make a recommendation on benefits for senior management classifications.
- 2) File an issue to provide for senior management benefits. A placeholder issue will be filed if the Personnel Committee study is not completed prior to submission of the legislative budget request.

FY 2005/2006 Legislative Budget Request

Issue: Judicial Inquiry System (JIS)

The Trial Court Budget Commission has determined that there is a need to request funding to expand the browser based Judicial Inquiry System (JIS) currently being developed in a limited scope using federal grant funds. The federally funded JIS implementation provides for a data integrated and query system, which is a secure information network to facilitate the sharing of critical information statewide. It will also incorporate the functionality to extract defined data from various disparate databases and transfer the data directly into the OSCA's automated sentencing database, thereby eliminating the need for data entry and the possibility of data entry error.

Current Situation:

Presently, there is access to the following databases: FDLE Hot Files and Criminal History records, Department of Correction Inmate Information, DHSMV License and Vehicle databases, Leon County Clerk of Court, and the Florida Association of Court Clerks' Comprehensive Case Information System (CCIS), which maintains data transferred from 23 clerk of court systems. Although the system currently supports an unlimited user licensing platform, the existing server infrastructure can only accommodate a maximum of 1000 users.

Analysis:

System expansion will take two years to fully implement and the funding requested is \$1,051,000 (inclusive of the second year recurring costs of \$70,000). The full implementation will support connections to a total of 30 State databases, keeping in mind that there may be multiple database connections within a single State agency. The State agencies currently proposed for the expansion of the system include; Department of Health (vital statistics data), Department of Elder Affairs (probate/guardianship data), Department of State (corporate records), Department of Juvenile Justice, Department of Children and Families (adoption records, child abuse data, etc.), Department of Revenue (child support data), Department

FY 2005/2006 Legislative Budget Request

Issue: Judicial Inquiry System (JIS)(Continued)

of Business & Professional Regulations (license data), Department of Banking & Finance (income data), Department of Environmental Protection, Department of Lottery (lottery winnings), Department of Education (school & truancy records), and the Agency for Workforce Innovation (unemployment data). Upon full implementation of this request the system will support access for a total of 5000 users, but as noted earlier, the system supports an unlimited user licensing platform which is only restricted by the limitations of the server infrastructure.

The total funding requested for FY 2005/06 is \$490,500, which includes \$450,000 to provide for expansion of the system to include connections to 15 of the 30 additional State databases at a cost of \$30,000 per connection; \$40,000 to add two more servers to the system infrastructure and \$500 to acquire security certification for both servers. These additional servers will accommodate another 2000 users on the system, based on a ratio of 1000 users per server. Funding for FY 2006/07 (phase II of the project) will also require \$490,500 to provide for the remaining 15 database connections and another two servers with security certifications. It will also require recurring funding of \$70,000 in support of the first year implementation for ongoing system and hardware maintenance costs. Total recurring funding to support the system in FY 2007/08 will be \$140,000.

The data to be obtained through this system will assist judges (and potentially law enforcement and other governmental users) with their critical decision making responsibilities, specifically those that impact public safety, and those that affect children, families, and the elderly. The JIS is an integrated system that provides users with access to the most current "real-time" data housed in the state and local databases connected to the system. It provides a consolidated view of the data through a single query and includes photos where applicable (i.e. motor vehicle licensing records, inmate records), therefore providing judges with a positive identification during court events. Since it is a browser based system it provides the user with "any-where, any-time" access.

FY 2005/2006 Legislative Budget Request

Issue: Judicial Inquiry System (JIS) (Continued)

This system will fulfill a significant role in reducing delays, lowering costs, and improving efficiencies, as well as allowing for more informed decisions in the court system, and potentially throughout the law enforcement community.

Trial Court Technology Commission Recommendation:

File an LBR issue to implement expansion of the JIS over a two year period. Funding requested for FY 2005/06 is \$490,500. Funding requested for FY 2006/07 is \$560,500, which includes \$490,500 for Phase II and recurring funding of \$70,000 to support of the first year system and hardware maintenance costs. Total recurring funding to be requested FY 2007/08 will be \$140,000 to support ongoing system and hardware maintenance costs.

TCBC Recommendation:

File issue as recommended.

FY 2005/06 Legislative Budget Request

Issue: Migration to Digital Court Reporting

As part of the budget preparation process, circuits were provided a form to complete to identify their funding needs for court reporting services. The primary focus of the exercise was to determine costs to accomplish the migration to digital court reporting. Most of the circuits have identified the need for funding equipment and staff. The requests vary substantially in terms of service delivery proposals including the number of staff required, the configuration of the digital equipment, and the degree of centralized control. The requests total approximately \$7,000,000 in new general revenue funding.

The current funding methodology for court reporting services was based on maintaining the current service levels and models. The reports of the Commission on Trial Court Performance and Accountability and the Article V Indigent Services Advisory Board recommend that an analysis be performed to define court reporting service delivery models that incorporate best business practices. The Chief Justice has assigned this task to the Commission on Trial Court Performance and Accountability to be accomplished on an expedited time line.

Funding Methodology Committee Recommendation:

File a place holder LBR issue in the amount of \$7,000,000. The details of the budget request and proposed allocation of funding to the circuits would be determined after the Commission on Trial Court Performance and Accountability develops the court reporting service delivery framework. The budget request may be phased in over a two year period based on considerations of practical implementation considerations.

Trial Court Budget Commission Recommendation:

File issue as recommended, but include 56.0 FTE as part of the \$7,000,000 placeholder.

Establishment of a Budget for a Mandatory Court Reporter Certification Program

Issue:

During the 2004 legislative session, section 25.383, Florida Statutes was revised, creating provisions for the Supreme Court to determine court reporting certification and renewal fees in an amount sufficient to cover the full cost of administering a court reporter certification program. Further, the revisions designate the Grants and Donations Trust Fund as the ultimate repository for the fees collected. The revisions went into effect on July 1, 2004. For reference, these revisions were addressed as a part of the Revision 7 glitch bill (SB 2962).

Since 1990, the issue of court reporter certification has been debated by various workgroups and committees. Ultimately, the Supreme Court of Florida (hereafter referred to as "Court") approved a set of rules governing a certification process, formally codified as rules 13.010, et. seq. In addition, the Court approved revisions to Rule 2.070, Florida Rules of Judicial Administration, which provides guidance with regard to the use and management of court reporters, including establishing criteria for the appointment of a court reporter, identifying acceptable methods for reporting, specifying guidelines for transcript productions, and setting general policy for adopting reasonable fees for court reporting services.

The revision to Rule 2.070 also created a requirement that any court reporter seeking to work in Florida's courts must be a "Certified Court Reporter," per the provisions of the certification rules. In 1998, the Courts formally adopted the certification rules, with a provision for the revised Rule 2.070 to go into effect three years later. The Court chose to stagger implementation of these rules to allow sufficient time for court reporters to obtain certification before the requirements of 2.070 became effective. **However, the Court specifically addressed the need for an appropriation to initialize the certification program, suggesting that the rules were to be adopted subject to sufficient initial funding for program implementation.** In 1999, the Court held the rules in abeyance, in response to the lack of funding. The rules remain in abeyance.

Staff Recommendation:

For FY 2005-2006, 3.5 FTE and an estimated budget of \$325,731 (the cost of the 3.5 FTE is included in this figure) is needed for the court reporter certification program. The budget will be used to offset the costs to conduct three 1-day face-to-face Board

meetings, conduct three 1-day emergency/disciplinary hearings, maintain day-to-day operations involving records and database management, and generally administer the provisions of the program.

It should be noted that the program will have the ability to be self-sustaining once the provisions of Rule 2.070 go into effect (three years after the certification rules become effective). Until that time, limited general revenue funding will be required to offset the costs of administering the program. It is anticipated that the requested FTE, if approved, will be hired in July or October 2005. Those staff must then assist in the creation of a Certification Board, which must meet and deliberate the fee criteria. The Board will subsequently recommend a fee structure to the Supreme Court. At the earliest, the certification and renewal fees could be approved and go into effect by January 2006. If this is the case, court reporters will still have 2-3 years before the provisions of Rule 2.070 become effective. Hence, fee revenues will not be predictable for the initial 2-3 years of the program.

Trial Court Budget Commission Recommendation:

No motion was made on this issue.

FY 2005/2006 Legislative Budget Request

Issue: Salary Shortfall:

In FY 2003/2004 the trial courts were faced with a total \$4.3M General Revenue salary shortfall between the Circuit and County Court budget entities. In 2003, the 2003 Legislature cut 79.5 positions and associated salary dollars from the circuit court budget and the base salary budget was lapsed an additional \$709,339. These actions, plus other factors such as unfunded position reclassifications, and hiring staff at 10% above the minimum, have lead to the depletion of the once healthy salary budget. The TCBC successfully managed this shortfall by imposing a hiring freeze on all vacant positions, and mandating across-the-board operating budget reductions for all circuit budgets. An issue was filed in the 2004/2005 Legislative Budget Request to cover the trial courts salary deficit, but no action was taken.

Preliminary estimates indicate for FY 2004/2005 the trial courts salary budget will be short approximately \$5.3M. The \$1M increase is attributed to the 2% salary lapse applied to all new Revision 7 positions. The TCBC developed salary management policies at their June meeting, to mitigate the shortfall for FY 2004/2005. These actions include not filling new positions until October 1st; hiring all initial appointments at the minimum of the pay range; disallowing overlaps of positions; placing unallocated FTE in Reserve; and transferring funds from unallocated operating categories to the salary/benefits category.

The payment of annual and sick leave to terminating employees or employees entering DROP, also contributes to the salary shortfall. The TCBC will monitor these actions monthly. Leave payouts for the trials courts have steadily increased since FY 2001/2002. Between FY 2001/2002 and FY 2003/2004 leave payouts increased by 74%. The 2004 Legislature funded a \$651,000 request for leave payouts. This appropriation was subsequently vetoed by the Governor.

FY 2005/2006 Legislative Budget Request

Issue: Salary Shortfall (Continued)

Staff Recommendation:

- A. File LBR issue to restore salary lapse dollars cut during 2003 legislative session. \$709,339

- B. File LBR issue for leave liability based on the average payments of the past two fiscal years. \$827,236

- C. File LBR issue for \$5.3M to cover the trial court salary shortfall.

TCBC Recommendation:

1. File an issue to restore salary lapse dollars in the amount of \$2,709,339. This amount includes \$709,339 that was cut during the 2003 legislative session, and the remaining \$2,000,000 necessary to cover the projected \$5.3M salary shortfall for FY 2004/05. The TCBC adopted hiring policies limiting appointment rates to the minimum of the class, placed unallocated positions in reserve, and took other actions to permanently reduce the projected \$5.3M salary shortfall to \$2M.

2. File issue to cover the leave liability in the amount of \$827,236.