

FY 2006/07 Legislative Budget Request

Issue: Spending Authority for Cost Recovery

During the 2005 Legislative Session, the Legislature passed HB 1935, which at Section 67 authorizes the trial court administrator of each circuit to recover expenditures for any service for which state funds were used to provide a product or service to a user of the State Courts System who possesses the present ability to pay. This section of the bill does not authorize cost recovery from entities described in Sections 29.005 (State attorneys' offices), 29.006 (Public defenders) and 29.007 (Court-appointed counsel), Florida Statutes. The bill further requires the trial court administrator to deposit monies recovered under this section in the Grants and Donations Trust Fund within the State Courts System.

Spending authority is needed for recovered funds in order to cover the costs associated with providing the products and services. During fiscal year 2004-2005, \$484,227.47 was collected. Given a granting of spending authority, it is anticipated that collections may be higher during FY 2005-2006. Therefore, a budget amendment was filed and approved to establish spending authority in the amount of \$600,000 for a cost recovery category, within the Grants and Donations Trust Fund (Circuit Court Operations) to be used to compensate for the outlay of state-funded goods and services.

Funding Methodology Committee Recommendation:

Allocate cost recovery funds to each circuit based upon their pro rata share of last year's collections.

Approval is also needed to file an issue in the LBR to permanently establish cost recovery funds in the Trial Court budget.

Trial Court Budget Commission Recommendation:

File issue as recommended.

FY 2006/07 Legislative Budget Request

Issue: Resource Management System

Currently, the 20 court administration offices do not have a statewide standardized and systematic method for collecting and reporting data for the state funded elements of the court. There are some circuits that have internally developed systems for a particular element that assist in effectively managing their resources, as well as more efficiently providing reliable information to state-level administrators. For example, the 11th circuit has developed a web application with a back end Sequel Server for Court Interpreting. They produce their uniform data for OSCA from this system and capture greater detail on type of hearing, etc. Other standalone systems have been developed by this and other circuits, but may not lend themselves to statewide solutions. Additionally, many of the trial court administrators have voiced concern about the amount of workload required to produce and monitor the reporting requirements that have increased dramatically since the passing of Revision 7.

On July 1, 2004, the State Court System implemented the Uniform Data Reporting for due process, mediation, and Title IV-D child support enforcement hearing officers. This system allows for the 20 court administration offices to enter summary workload numbers via a web based system. The data is maintained and analyzed by the Office of the State Courts Administrator. Currently, this system has minimally satisfied the needs of the courts for workload measurement, policy making, resource allocation, and accountability.

Funding Methodology Committee Recommendation:

Request funding to purchase the basic technology infrastructure component needed to begin building a statewide resource management system. Utilize existing data warehousing and reporting systems developed in other circuits, and begin sharing the systems across the state.

20 Circuit Platforms (servers with backup capabilities)	\$120,000
20 Software Licenses for single process Sequel Server	\$ 30,000
Travel for training	<u>\$ 90,000</u>
Total FY 2006/07	\$240,000

Recurring Maintenance in Year 2+	\$ 30,000
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(This assumes that all networking infrastructure is in place and all individuals involved in the entering of data have the desktop systems needed.)

Trial Court Budget Commission Recommendation:

File issue as recommended. In order to implement statewide applications and allow for centralized administration, this issue will be filed with the Office of the State Courts Administrator's Legislative Budget Request.

FY 2006/07 Legislative Budget Requests

Issues: Budget Services received several circuit-specific requests as part of the FY 06-07 Legislative Budget Request (LBR) exercise for the trial courts.

Following is a listing of the requests; information regarding historical TCBC action on the issue, where applicable; the recommendations of the Funding Methodology Committee and the recommendations of the Trial Court Budget Commission.

1. Chief Deputy Court Administrator Position Requests

A request was received to establish a new Chief Deputy Court Administrator position in the 2nd Judicial Circuit. Currently, 13 circuits do not have a Chief Deputy Court Administrator position and the 7 existing Chief Deputy Court Administrators are in the 4th, 6th, 9th, 11th, 13th, 17th and the 20th Judicial Circuits. Requests were also received from the 8th, 10th, 16th, 18th, and 19th Judicial Circuits to convert existing positions to Chief Deputy Court Administrator positions.

Funding Methodology Committee Recommendation:

Defer decision until the completion of the classification and pay study.

Trial Court Budget Commission Recommendation:

As recommended, do not file issue at this time, but defer decision until the completion of the classification and pay study.

2. Lump Sum Bonuses

The following requests to fund lump sum bonuses were received: \$40,000 – 2nd Judicial Circuit; \$45,000 – 6th Judicial Circuit; \$40,000 – 10th Judicial Circuit; \$40,000 – 18th Judicial Circuit.

Funding Methodology Committee Recommendation:

Refer the issue of lump sum bonuses to the TCBC Executive Committee as an option to consider in their discussions regarding decentralization of trial court salary and rate management.

Trial Court Budget Commission Recommendation:

As recommended, do not file issue at this time, but defer issue to Executive Committee for further consideration and analysis. In addition, have consultant's (MAG) for classification and pay study consider lump sum bonuses in their analysis.

3. Additional OPS Funding

The 14th Judicial Circuit requests an increase of \$26,875 in OPS funds. The 14th Judicial Circuit reported these additional funds are needed to allow for emergency JA coverage for its 19 judges that are geographically located throughout six counties. Funding is also needed to provide back-up support to the Chief Judge.

During FY 2004-2005, only 52% of the funds budgeted for OPS in the Judges and JA cost center were spent statewide. The 14th Judicial Circuit was allotted \$10,924 in OPS funds for FY 2004-2005 and none of these funds were utilized as of June 30, 2005.

Funding Methodology Committee Recommendation:

Recommend that this issue is addressed during the FY 06/07 allocation process rather than as a legislative budget request issue.

Trial Court Budget Commission Recommendation:

As recommended, do not file issue.

The 4th Judicial Circuit requests additional funding in the amounts of \$50,000 for OPS and \$7,500 for Expenses to continue their internal education program to meet specific and unique needs in the 4th Judicial Circuit.

The 2004 Legislature amended Section 25.384(2)(a), F.S. to revise the purposes for which the Court Education Trust Fund could be used, i.e., "The trust fund moneys shall be used to provide education and training for judges and other court personnel as defined and determined by the Florida Court Educational Council." It was contemplated that this change in the Trust Fund's purposes would provide for education and training for other court personnel, such as Magistrates and Law Clerks, on a statewide basis.

Funding Methodology Committee Recommendation:

Recommend continued use of the training made available through the Florida Court Educational Council and any additional training needs be met by using existing resources available within the 4th Judicial Circuit.

The 4th Judicial Circuit withdrew their request.

4. Vehicles

The 10th Judicial Circuit requests \$20,000 to purchase a new vehicle to meet their travel needs to conduct court business within the three counties of the 10th Judicial Circuit and the 18th Judicial Circuit requests \$19,000 to replace an existing vehicle due to high mileage. (The 10th Circuit subsequently withdrew their request.)

Historically, the TCBC policy has been to consider vehicles a local requirement issue, rather than a state funding responsibility, as the need is conditioned upon geographic factors (Section 29.008 (2)(b)1., F.S.). However, some chief judges and trial court administrators have made the argument that because the need to travel is normally related to inter-county travel, no particular county has the responsibility to fund.

Funding Methodology Committee Recommendation:

Recommend funding be sought through the appropriate county.

Trial Court Budget Commission Recommendation:

As recommended, do not file issues at this time. Staff was directed to research the issue further for current uses of vehicles by other state entities.

FY 2006/07 Legislative Budget Request

Issue: Due Process – Court Reporting

The FY 2005-06 LBR requested approximately \$2.1 million in recurring funds for 50 new court reporting positions based on a target unit cost of \$17 (multiplied by FY 2002-03 applicable filings). The LBR also requested \$4 million in non-recurring funds for one-time equipment purchases (and to cover non-recurring expense/OCO for new positions). An additional \$1 million in recurring funds was requested in a supplemental budget request to cover new maintenance costs in FY 2005-06. The Legislature appropriated 25 new court reporting positions, however, funds for one-time equipment purchases and maintenance costs were not approved.

In May 2005, the Executive Committee of the TCBC approved the allocation of approximately \$3.6 million in FY 2004-05 pooled funds to be used towards the purchase of court reporting equipment. In June 2005, the TCBC also approved the allocation of the 25 new positions and an additional 11 positions from the due process contingency fund for court reporting services (paid with excess contractual funds). These allocations were approved based on the circuit court reporting plans for achieving the operational goals of the *Statewide Plan for Effective Use and Management of Court Reporting Services*.

Funding Methodology Committee Recommendation:

Per existing policy, request additional recurring funds for positions or contractual costs as requested by the circuits with exception to the following:

- User/technology support positions (county obligation).
- Stenographic positions that cause a circuit to be above the target unit cost of \$17 (within 5% margin of error).
- Other positions or contractual funds that cause a circuit to be above the target unit cost of \$17 (within 5% margin of error).

To accommodate the circuits' court reporting plans, request non-recurring OCO funds for the one-time purchase of equipment. In addition, request recurring funds for software to accommodate the court reporting plans.

To cover equipment purchased since Revision 7 (FY 2004-05 year-end funds) and to cover equipment purchased during FY 2006-07, consider a request for recurring maintenance funds.

Trial Court Budget Commission Recommendation:

Request 22 new court reporting positions as recommended by the Funding Methodology Committee. However, the 6th and 18th Circuits may request a stenographic court reporter in place of a recommended digital court reporter position as long as this does not put the circuit above the \$17 unit cost (within 5% margin of error).

Request \$709,440 in new contractual funds as recommended.

Request \$2,754,019 in non-recurring OCO as recommended.

Request \$1,106,844 in new recurring funds for software as recommended.

Request \$1,196,719 in new recurring funds for maintenance as recommended.

Trial Court Budget Commission

Meeting August 24, 2005

Court Reporting - TCA New Budget Requests and Estimated Unit Cost Fiscal Year 2006-07

Circuit	Staffing				Equipment				Estimated FY 2006-07 Unit Cost ³ (Full Request)	Estimated FY 2006-07 Unit Cost ³ (Recommended By TCBC)
	FTE	Classification	Estimated Salaries, Benefits, and Expenses ¹	Contractual ²	Non-Recurring OCO	Software	Purchased FY 2004-05 or FY 2005-06 Maintenance	Purchased FY 2006-07 Maintenance		
1	0.00	Not Applicable	\$0	\$0	\$241,000	\$98,000	\$40,000	\$33,000	\$17.18	\$17.18
2	1.00	DCR	\$49,968	\$5,880	\$75,000	\$50,000	\$25,000	\$12,500	\$17.67	\$17.67
3	1.00	Elec Transcriber	\$43,734	\$0	\$68,712	\$36,000	\$54,313	\$11,524	\$22.37	\$19.05
4	0.00	Not Applicable	\$0	\$81,311	\$68,223	\$36,000	\$51,148	\$10,422	\$9.59	\$9.59
5	7.00	DCR	\$409,764	-\$55,600	\$449,440	\$63,560	\$86,612	\$0	\$30.40	\$22.37
	1.00	User Supp Analyst								
6	5.00	DCR	\$378,493	\$0	\$36,000	\$19,000	\$89,000	\$11,000	\$18.86	\$17.67
	2.00	Crt Rep I								
7	0.00	Not Applicable	\$0	-\$25,000	\$192,750	\$130,000	\$77,600	\$32,000	\$11.50	\$11.50
8	0.00	Not Applicable	\$0	\$0	\$195,000	\$65,000	\$78,850	\$26,000	\$18.96	\$18.96
9	2.00	DCR	\$164,263	\$0	\$0	\$50,000	\$5,000	\$0	\$22.00	\$20.24
	1.00	Crt Rep I								
10	0.00	Not Applicable	\$0	\$0	\$30,000	\$0	\$0	\$0	\$10.91	\$10.91
11	1.00	Video Prod Asst	\$150,975	\$236,300	\$27,433	\$2,000	\$43,444	\$0	\$16.01	\$15.47
	1.00	DCR								
	1.00	User Supp Analyst								
12	0.00	Not Applicable	\$0	\$0	\$550,000	\$200,000	\$19,094	\$44,594	\$16.68	\$16.68
13	0.00	Not Applicable	\$0	\$485,223	\$0	\$0	\$15,000	\$0	\$17.46	\$17.46
14	0.00	Not Applicable	\$0	\$0	\$150,000	\$50,000	\$50,000	\$50,000	\$11.73	\$11.73
15	0.00	Not Applicable	\$0	\$0	\$87,561	\$20,284	\$0	\$20,000	\$11.41	\$11.41
16	0.00	Not Applicable	\$0	\$0	\$0	\$30,000	\$8,500	\$8,500	\$27.75	\$27.75
17	1.00	DCR	\$49,968	\$120,000	\$82,900	\$0	\$5,000	\$1,000	\$17.53	\$17.53
18	1.00	Mgr Elec Crt Rep	\$507,564	\$61,326	\$50,000	\$100,000	\$68,000	\$22,000	\$21.66	\$17.43
	1.00	Mgr Crt Rep Svcs								
	2.00	Crt Rep I								
	2.00	DCR								
	4.00	DCR								
19	4.00	DCR	\$278,128	-\$200,000	\$240,000	\$117,000	\$78,750	\$53,075	\$24.54	\$17.83
	1.00	DCR Technician								
20	9.00	DCR	\$514,040	\$0	\$210,000	\$40,000	\$40,193	\$25,600	\$15.16	\$15.16
	1.00	Mgr Elec Crt Rep								
Requested	49.00		\$2,546,898	\$709,440	\$2,754,019	\$1,106,844	\$835,504	\$361,215		
TCBC Rec.	22.00		\$1,113,660	\$709,440	\$2,754,019	\$1,106,844	\$835,504	\$361,215		

Footnotes on second page.

█ = Not Recommended By Trial Court Budget Commission

Trial Court Budget Commission

Meeting August 24, 2005

Court Reporting - TCA New Budget Requests and Estimated Unit Cost Fiscal Year 2006-07

¹ Salary, benefits, recurring expenses, and non-recurring expenses provided by Budget Services. Two position classification requested (Video Production Assistant in Circuit 11 and DCR Technician in Circuit 19) do not exist, however, salaries estimated in their Court Reporting Plans are included above.

² Circuits (4, 11, 18) are anticipating rate increases to their 06-07 contracts, therefore they are requesting additional funding as shown.

³ Unit Costs are calculated by dividing the number of total cost of court reporting (including personnel and contractual, excluding shared costs and equipment) by the number of relevant filings. The following reclassifications are included in the unit cost calculation:

1st Circuit – 2 CRI downgrade to 2-DCR

6th Circuit: Lead worker status for existing 1.0 FTE Court Reporter in Pasco.

5th Circuit: Lead worker status for 2.0 FTE DCRs (06-07 request) for 2 counties w/o supervisory staff (Citrus & Sumter).

20th Circuit: 1- ECR Mgr. upgrade to 1-Mgr., Court Reporting Svs.

FY 2006/07 Legislative Budget Request

Issue: Due Process – Expert Witnesses

For FY 2005-06, approximately \$3 million was requested and legislatively appropriated for the expert witness element. However, during the 2005 Legislative Session, HB 1935 (the “glitch bill”) altered how expert witnesses that determine an adult’s competency will be paid. As of July 1, 2005, these witnesses will be paid for by the state courts system. Prior to this time, the state attorney, public defender, and the Justice Administrative Commission (JAC) were largely responsible for payment.

In June 2005, the Trial Court Budget Commission approved a redistribution of FY 2005-06 funds based on an estimated cost increase of \$7.7 million. To determine the estimated cost increase, an average charge was applied to newly affected case filings. When the first few months of actual expenditure data become available for FY 2005-06, a projection will be calculated for the additional funds needed to cover the full fiscal year. A budget amendment will be submitted to the Legislative Budget Commission to access first the Due Process Contingency Fund and then the Working Capital Fund for funds to cover the shortfall.

Funding Methodology Committee Recommendation:

Request a placeholder for an additional \$7.7 million in contractual funds based on the methodology used to calculate the projected need for FY 2005-06.

File a supplemental budget request when sufficient FY 2005-06 expenditure data is available to calculate a projected need for FY 2006-07.

Trial Court Budget Commission Recommendation:

File issue as recommended.

FY 2006/07 Legislative Budget Request

Issue: Due Process – Interpreters

The Revision 7 LBR was generated based on each circuit’s projected actual requirements. In FY 2004-05, the TCBC allocated funds to meet each circuit’s existing FTE and contractual requirements, including increased in need that had materialized subsequent to the LBR development. FTE were allocated to those circuits with significant caseloads for the provision of direct services and supervisory functions. The 1st, 2nd, 3rd, 4th, 5th, 8th, 14th, and 18th circuits’ contractual funds were pooled, based on unpredictable needs. The 11th circuit provides cost sharing services to the state attorney and public defender, and court appointed counsel.

In FY 2005-06, contractual allotments were adjusted to reflect annualized expenditures from FY 2004-05 for each circuit, with the excess posted to reserve to be used in the likely event of unforeseen circumstances.

Trial Court Request FY 2006-07:

Circuit	Element	Request
8	Interpreter	(1.0 FTE) Court Program Specialist
9	Interpreter	(2.0 FTE) Court Interpreter
10	Interpreter	(1.0 FTE) Court Interpreter
19	Interpreter	(1.0 FTE) Court Interpreter

Funding Methodology Committee Recommendation:

Approve the transfer of contractual funds for those circuits (9th and 10th) willing to reduce their contractual allotments in FY 2006-07 to cover the newly requested positions.

Request a percentage increase in base budget funds. This increase may be based on the average yearly growth in ethnic population multiplied by 3 years to represent workload growth since FY 2003-04. For those circuits such as the 19th, requesting additional positions above and beyond their contractual allotments, consider their request during the FY 2006-07 allocation process.

Maintain existing policy of FTE allocated only if caseload demands justify the need and if the positions requested will perform direct services or supervisory functions. FTE requested to perform coordination functions (partially or full-time), such as in the 8th circuit, should not be allocated unless this impact is considered statewide.

Trial Court Budget Commission Recommendation:

File issue as recommended. Approve 2.0 FTE for the 9th Circuit and 1 FTE for the 10th Circuit with the understanding that these circuits will reduce their contractual allotments. Request 1.0 FTE in consideration of the 19th Circuit’s request during the 2006-07 allocation process. Request \$1,022,197 in new funding.

Trial Court Budget Commission
Meeting August 24, 2005
Court Interpreting
Proposed FY 2006/07 LBR Budget

Circuit	FTE	Estimated Salary plus Benefits/ Expenses	Contractual	Total FY 2005/06 Budget	3 year Growth Rate based on Average EthnicGrowth¹	Proposed FY 2006/07 Budget
1	0.00	\$0	\$33,428	\$33,428	15.1%	\$38,475
2	0.00	\$0	\$10,414	\$10,414	15.1%	\$11,986
3	0.00	\$0	\$3,072	\$3,072	15.1%	\$3,536
4	0.00	\$0	\$108,009	\$108,009	15.1%	\$124,318
5	0.00	\$0	\$45,573	\$45,573	15.1%	\$52,454
6	0.00	\$0	\$160,132	\$160,132	22.5%	\$196,231
7	1.00	\$51,397	\$96,541	\$147,938	22.5%	\$181,264
8	0.00	\$0	\$62,782	\$62,782	15.1%	\$72,262
9	7.00	\$325,293	\$171,361	\$496,654	21.4%	\$602,744
10	3.00	\$131,962	\$86,058	\$218,020	19.8%	\$261,194
11	52.00	\$3,471,759	\$347,223	\$3,818,982	8.5%	\$4,142,732
12	0.00	\$0	\$232,377	\$232,377	23.7%	\$287,341
13	8.00	\$339,256	\$135,380	\$474,636	17.4%	\$557,264
14	0.00	\$0	\$18,112	\$18,112	15.1%	\$20,847
15	13.00	\$591,995	\$92,067	\$684,062	24.0%	\$848,577
16	1.00	\$40,184	\$42,205	\$82,389	12.2%	\$92,461
17	12.50	\$440,497	\$74,981	\$515,478	24.1%	\$639,540
18	0.00	\$0	\$95,191	\$95,191	15.1%	\$109,564
19	1.00	\$55,364	\$180,178	\$235,542	22.1%	\$287,570
20	3.00	\$135,704	\$362,557	\$498,261	28.7%	\$641,092
Pooled	0.00	\$0	\$149,451	\$149,451	15.1%	\$172,017
Total	101.50	\$5,583,411	\$2,507,092	\$8,090,503	15.4%	\$9,112,700

FY 2006/07 Proposed LBR	\$1,022,197
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¹ The growth rate was derived from the average yearly percentage increase in the ethnic population by county from CY 2000 to CY 2003, published by the RAND. Ethnic statistics are used as a proxy for "Percent of People in Florida who speak a language other than English at home". That statistic is only available by county for CY 2000. The average for all the smaller counties were used because of the volatility that exists with the smaller counties.

FY 2006/07 Legislative Budget Request

Issue: Alternative Dispute Resolution (ADR)

A major goal of the judicial branch is “Access to Justice.” The “Access to Justice” movement has greatly benefited from the use of mediation services. Thus, for the purposes of Revision 7, a model was developed so that mediation programs would be uniformly provided regardless of where a case is filed in the state. The services covered under the model include mediation for small claims, county civil, dependency, and family cases (where the joint income of the parties is below \$100,000).

For FY 2004-05, approximately \$10 million in General Revenue (GR) was requested in order to fully fund the model for mediation programs in the trial courts. Trust fund spending authority was requested so that mediation fees collected from parties could be funneled back into support of the programs. While full spending authority was approved for mediation fees (cost recovery), the Legislature did not provide the GR necessary to fully fund the model for FY 2004-05. This left a shortage of approximately \$2.9 million in GR and a disparity in state funded mediation programs provided across the state (information on the current level of mediation services provided in the circuits is attached). For FY 2005-06, a request to fund the remaining GR need of \$2.9 million was not approved by the Legislature.

Funding Methodology Committee Recommendation:

The approach for requesting mediation resources in FY 2006-07 should be consistent with the following general policies:

- New resources should be requested to optimize the model for mediation programs including coverage for all counties in a circuit and coverage of the appropriate case types.
- Funding priorities should be limited to those mediation functions within the model.
- ADR positions must primarily perform model functions, however, these positions are not prohibited from performing other ADR functions in addition to their primary responsibilities.
- Expenditures from GR contractual mediation allocations (special category) should be limited to the procurement of contract mediation services included in the model.

- Minimize requests for additional GR by maximizing the use of cost recovery (within the amount allowed under the model).

Using forecasted FY 2006-07 filings, update the existing formula (\$4 multiplied by applicable filings) for the service delivery GR amount allowed for each circuit under the mediation model.

Request additional recurring funds for positions or contractual costs as requested by the circuits, with exception to:

- Positions that cause a circuit to exceed the amount allowed under the updated mediation model.
- Contractual funds that cause a circuit to exceed the amount allowed under the updated mediation model.

Future Considerations:

At their June 21, 2005 meeting, the Commission on Trial Court Performance and Accountability determined that there is a need to more closely review mediation services in the trial courts. This may include the development of a Post-Revision 7 statewide plan for the effective use of mediation resources.

Trial Court Budget Commission Recommendation:

Request 29.50 new positions and \$508,713 in new contractual funds.

Note: The 5th Circuit was not penalized for a \$150,000 recurring allocation for dependency mediation, thus the positions and contractual funds requested by this circuit will be included in the LBR. The 6th Circuit withdrew their contractual request, however, the positions requested by this circuit will be included in the LBR. It was determined that the 18th Circuit's requested positions will be included in the LBR as a proposed reclassification of an existing position would bring them within the model.

Trial Court Budget Commission

Meeting August 24, 2005

Mediation - TCA New Budget Requests Fiscal Year 2006-07

Circuit	General Revenue Funding Model for FY 2006-07	Existing General Revenue for FY 2005-06	Budget Request Fiscal Year 2006-07					General Revenue Funding Model Balance FY 2006-07 ²
			FTE	Classification	Estimated Salaries, Benefits, and Expenses ¹	Contractual	Total Budget Request FY 2006-07	
1	\$462,832	\$185,972	1.00 1.00	Mediation Svcs Coord Adm Asst I	\$109,265	\$91,860	\$201,125	\$75,736
2	\$310,390	\$272,601	0.50	Adm Sec I	\$22,590	\$15,198	\$37,788	\$1
3	\$275,561	\$190,057	0.00	Not Applicable	\$0	\$0	\$0	\$85,504
4	\$685,839	\$357,036	2.00 2.00	Adm Asst I Mediator - Cir/Fam	\$218,530	\$20,000	\$238,530	\$90,274
5	\$478,324	\$347,508	1.00 1.00 2.00	ADR Director Mediation Svcs Coord Mediator - Cir/Fam	\$270,867	\$9,949	\$280,816	-\$150,000
6	\$646,622	\$568,453	2.00	Crt Prg Spec I	\$96,588	\$0	\$96,588	-\$18,419
7	\$465,859	\$236,690	0.00	Not Applicable	\$0	\$0	\$0	\$229,169
8	\$297,914	\$263,182	0.00	Not Applicable	\$0	\$28,258	\$28,258	\$6,474
9	\$694,999	\$590,994	0.00	Reclass 2.0 CPS I to 2.0 Med Svcs Coord	\$13,831	\$69,078	\$82,909	\$21,096
10	\$472,856	\$294,033	1.00	Secretary	\$35,281	\$45,000	\$80,281	\$98,542
11	\$1,041,456	\$789,531	3.00	Mediator - Cir/Fam	\$196,494	\$26,038	\$222,532	\$29,393
12	\$453,621	\$240,341	1.00 2.00	ADR Director Mediation Svcs Coord	\$205,369		\$205,369	\$7,912
13	\$670,523	\$591,147	0.00	Not Applicable	\$0	\$79,375	\$79,375	\$1
14	\$293,640	\$129,158	1.00 1.00	ADR Director Program Asst	\$114,297	\$50,184	\$164,481	\$1
15	\$649,288	\$572,387	0.00	Not Applicable	\$0	\$0	\$0	\$76,901
16	\$260,569	\$121,479	1.00	Mediator - Cir/Fam	\$65,498	\$24,500	\$89,998	\$49,092
17	\$764,871	\$690,669	1.00	Adm Asst I	\$45,157	\$0	\$45,157	\$29,045
18 ³	\$478,315	\$348,237	2.00 1.00	Adm Asst I Sr Crt Pgm Spec	\$148,015	-\$10,727	\$137,288	-\$7,210
19	\$319,424	\$116,443	1.00 2.00	Mediation Svcs Coord Mediator - Cir/Fam	\$196,494		\$196,494	\$6,487
20	\$498,340	\$398,684	0.00	Reclass 1.0 Sr Sec to 1.0 Med - Cir/Fam	\$14,248	\$60,000	\$74,248	\$25,408
Totals	\$10,221,243	\$7,304,601	29.50		\$1,752,524	\$508,713	\$2,261,237	\$655,405

¹ Salary, benefits, recurring expenses, and non-recurring expenses provided by Budget Services.

² Represents the available balance from the General Revenue Funding Model for FY 2006-07 including the Fiscal Year 2006-07 requests.

³ The 18th circuit is requesting to give up expense dollars associated with new positions in order to stay within the model.

FY 2006/07 Legislative Budget Request

Issue: Case Processing Trial Court Law Clerks

The present formula for allocating law clerks to the circuits is 1 law clerk for every 3 circuit judges. This does not equate to 1/3 of a law clerk being available to each circuit judge, as many circuit and county judges do not enjoy a comparable level of law clerk support. In response to the need for additional law clerk support, the trial courts submitted an unsuccessful FY 2005-06 LBR for 92.0 FTE, which was based on a ratio of 1 law clerk for every 2 circuit judges.

Each circuit determines priorities for assigning work to law clerks, which can include administrative legal work for the chief judge and trial court administrator. This distribution is the result of the local legal culture, overall judicial workload, judicial need, case complexity, and availability of county-funded law clerks. A 2004 OSCA survey found that the equivalent of 47.0 of the 174.0 state-funded FTE were devoted to criminal post-conviction and related writs; 21.0 FTE to criminal appeals from county court; and 11.0 FTE to civil appeals from county court. **Seventy-nine FTE, 45% of the state funded law clerk effort, are dedicated to post-disposition workload.** On the other hand, total effort directed to dependency cases was less than the equivalent of 2.0 FTE and effort directed to domestic relations cases was a little more than 12.0 FTE. With additional law clerks, the needs of original actions and other divisions would be better addressed.

Over the past 10 years there has been a substantial growth in the number of post conviction filings in the trial and intermediate appellate courts. This is attributed to statutory changes relating to sentencing, the growth in prison population, and the increase in time served for prisoners. It is expected that the growth trend in prison admissions and population will continue, due to changes in statutes and DOC operating policies. The preparation and review of post-conviction matters is labor intensive and law clerks are essential to the process. As a result of the increased workload many circuits have been forced to reallocate law clerks from other divisions of the court to provide support to criminal judges. They can no longer handle the criminal workload and the growth in post-conviction matters. The Funding Methodology Committee recommends a LBR to accommodate the need for additional law clerks to provide case processing support for post-conviction matters and county appeals to circuit court.

Recommended Methodology:

The OSCA staff attempted to obtain discrete workload data to define an equitable allocation of law clerks. However, because this work is an extension of an existing case, the filing data reported by the clerks is not reliable and has not been subject to audit controls. Many TCAs were unable to go back and verify or generate filing numbers with any confidence. Because county criminal and civil SRS data, prison admission data and prison population data are more reliable, staff recommends that these data be used to apportion additional law clerks requested. County filings are the basis for county dispositions, which may be appealed to circuit court. Prison admissions are the result of sentencing orders, which are the basis of post-conviction filings. The prison population within a circuit is the source of writs not directed to the sentencing court, and other prison-related litigation, such as suits for injunctive relief and money damages against prison personnel (torts, civil rights).

Absent discrete data, the OSCA staff has had to rely on the experience of the trial court administrators and law clerks, combined with the examination of related criminal filings data, to determine the need for, and equitable distribution of, law clerks. Based on this input the Funding Methodology Committee recommends that an additional 41 law clerks be requested in the 2006-07 trial court legislative budget request. The law clerks would be apportioned based on the 3 data elements which contribute to the workload for handling post conviction matters (county filings, prisoner admissions and prisoner population).

- The FTE are distributed based on each circuit's percentage of the total for the three elements. In other words, the percentages are converted to "points," which were used to distribute FTE. The prison admission percentages or "points" were given double weight, due to the high workload volume for these cases.
- The distribution includes one additional FTE for the 2nd circuit to address suits against the DOC and Florida Parole Commission, which must be filed in Leon County, regardless of their sentencing court or the location of the prison facility. The number of extraordinary writs filed in Leon County is significantly above those reported by other circuits.

The total LBR associated with 41 law clerks would be: **\$2,567,051**

Trial Court Requests FY 06-07:

Most circuits did not submit law clerk requests because the TCBC had directed that a statewide issue for law clerks be developed. However, the following requests were submitted:

Circuit	Element	Request
2	Law Clerk	(1.0 FTE) Admin. Assistant II
4	Law Clerk	\$50,000 OPS attorney
6*	Law Clerk	(2.0 FTE) Law Clerk for county judges
	Law Clerk	(1.0 FTE) Sr. Law Clerk for capital cases

* The 6th requested 2 additional law clerk position requests, which are captured under the court administration element.

Discussion issues:

Trial Court Requests. The proposed methodology for 41 law clerks would provide two law clerks for the 4th circuit and 2 law clerks for the 6th circuit.

Support Staff. The 2nd circuit has requested a law clerk support staff position. The Revision 7 funding methodology for law clerks specifically excluded support staff. The Funding Methodology Committee recommends that this policy be retained and that support staff for law clerks NOT be included in the trial court LBR.

Trial Court Budget Commission Recommendation:

File issue for 42.0 FTE and an estimated \$2,741,034.

As recommended, do not file issue for support staff for law clerks.

Trial Court Budget Commission
Meeting August 24, 2005
Proposed FY 2006/07
Trial Court Law Clerks

Circuit	TCBC Recommendation
1	2
2	3
3	2
4	2
5	2
6	2
7	2
8	2
9	3
10	2
11	3
12	2
13	3
14	2
15	2
16	0
17	3
18	1
19	2
20	2
Total	42

FY 2006/07 Legislative Budget Request

Issue: Case Processing - Child Support Hearing Officers

In FY 2005-06, there were 16.0 total FTE appropriated (8.0 hearing officers and 8.0 support staff). 4.0 FTE became effective July 1, 2005. Another 4.0 FTE become effective January 1, 2006 and the last 8.0 FTE become effective April 1, 2006. After a review of the circuit requests, the Department of Revenue's (DOR) recommendations, and child support workload data; the TCBC allocated the 4.0 FTE effective July 1, 2005 as follows:

- 1.0 FTE CSHO to the 11th
- 0.5 FTE CSHO each to the 7th and 20th
- 1.0 FTE support position to the 12th
- 0.5 FTE support staff each to the 4th and 10th

Additionally all circuits were given the opportunity to convert expense dollars to OPS. The TCBC decided to review and allocate the additional positions in December 2005. DOR staff has indicated that they will not be filing a CSHO LBR issue for FY 2006-07.

Trial Court Requests FY 06-07:

Circuit	Element	Request
3	CSHO	(0.5 FTE) Admin Sec. I
	CSHO	(0.5 FTE) CSHO
6	CSHO	(0.5 FTE) CSHO
11	CSHO	(1.0 FTE) Admin. Sec. I

Funding Methodology Committee Recommendation:

Consider these requests when allocating the remaining 12.0 FTE for FY 2005-06 and continue to work with the DOR to measure workload and need.

Trial Court Budget Commission Recommendation:

As recommended, do not file issue.

FY 2006/07 Legislative Budget Request

Issue: Case Processing – Case Management

The Revision 7 LBR requested at a ratio of 1:6,760 eligible FY 2002-03 cases, with a floor of 7.0 FTE. (Eligible cases were defined as all cases except traffic infractions.) Case management positions were limited to those that met the statutory definition of case management for state funding in s. 29.004, F.S.

Trial Court Requests FY 06-07:

Circuit	Element	Request
2	Case Management	(1 FTE) Court Program Spec. I for criminal division
3	Case Management – DC	(1 FTE) AAI for drug court manager
	Case Management	(2 FTE) Court Specialist II for family court
6	Case Management – DC	(1 FTE) Court Program Spec. I for drug court (Pinellas)
	Case Management – DC	(1 FTE) Court Program Spec. II for drug court (Pasco)
	Case Management	(3 FTE) Court Program Spec. II for family court
	Case Management	(1 FTE) Court Program Spec. I for domestic violence
	Court Admin.	(1 FTE) Program Assistant for family *
Case Management	(2 FTE) Court Counselor – guardianship monitoring *	
8	Case Management	(1 FTE) Program Coordinator for domestic violence
9	Case Management	(3 FTE) Court Program Spec. I for family court (Osceola)
10	Case Management	(1 FTE) Court Program Spec. I for self-help
11	Case Management	(3 FTE) Court Program Spec. I for county civil DLOP and 120 days no service tasks that clerk used to do
	Case Management	(1 FTE) AAI for calendar for family division
13	Case Management	(2 FTE) Court Program Spec. II for delinquency
	Case Management	(1 FTE) Court Operations Manager for guardianship/elder **
	Case Management	(1 FTE) Court Counselor for elder court **
15	Case Management	(2 FTE) Court Program Spec. I for domestic violence
	Case Management	(2 FTE) Court Program Spec I for probate
	Case Management	(4 FTE) Court Program Spec. I for family court
	Case Management	(2 FTE) Court Program Spec. I for Title IV-D cases
17	Case Management	(1 FTE) Court Program Spec. I for family court
	Case Management	(1 FTE) Court Program Spec. II for family court
	Case Management	(3 FTE) Court Program Spec. I for probate division
18	Case Management	(2 FTE) Court Program Spec. II
20	Case Management	(3 FTE) Court Program Spec. II for family court
Total Request for Element		45 FTE

*county funding not secure

**VOCA grant ending

Funding Methodology Committee Recommendation:

Update the existing formula using forecasted FY 2006-07 filings and maintain the 1:6,760 ratio. Request a total of 11.0 Case Manager positions statewide based on need.

Due to the overwhelming number of requests for case managers, further study should be conducted to determine if the methodology should be changed in future years to take into consideration increased workload for certain divisions of court (in terms of statutory changes or other systemic demands, such as progress in implementing the unified family court).

Trial Court Budget Commission Recommendation:

File issue as recommended.

Trial Court Budget Commission
Meeting August 24, 2005
Case Management
FY 2006/07 LBR Proposal

Circuits	Forecasted Filings FY 2006/07	Current Number of Case Managers	Total Need Based on Funding Methodology (6,760 filings)	Request	TCBC Recommendation
1	84,477	12.0	12.5	0.0	0.0
2	49,486	8.0	7.3	1.0	0.0
3	21,479	7.0	NA	3.0	0.0
4	173,803	23.0	25.7	0.0	2.0
5	87,266	12.0	12.9	0.0	0.0
6	172,355	22.0	25.5	9.0	3.0
7	108,503	15.0	16.1	0.0	1.0
8	44,876	7.0	NA	1.0	0.0
9	165,598	24.0	24.5	3.0	0.0
10	97,311	14.0	14.4	1.0	0.0
11	343,369	55.0	50.8	4.0	0.0
12	69,975	10.0	10.4	0.0	0.0
13	165,476	22.0	24.5	4.0	2.0
14	43,744	7.0	NA	0.0	0.0
15	153,433	22.0	22.7	10.0	0.0
16	10,848	7.0	NA	0.0	0.0
17	244,520	35.0	36.2	5.0	1.0
18	99,352	14.0	14.7	2.0	0.0
19	66,989	9.0	9.9	0.0	0.0
20	117,609	15.0	17.4	3.0	2.0
State Total	2,320,469	340		45.0	11.0

Shaded circuits are requesting resources.

Note: Based on historical methodology, the recommendation is based on a deficit need of at least 1.0 FTE.

FY 2006/07 Legislative Budget Request

Issue: Case Processing General Magistrates

The Revision 7 LBR requested at a ratio of 1:3,000 eligible FY 2002-03 cases. (Eligible cases were defined as domestic relations, probate, guardianship, mental health and pre-TPR dependency.) In calculating the ratio, circuits that were close to the 3,000 were “rounded-up” and were eligible for another master. The request included a 1:1 ratio for support staff. The LBR was for 198.0 FTE; the legislature funded 192.0, resulting in a deficit of 6.0 FTE. However, an error in the LBR generated an additional 1.0 FTE. The TCBC recalculated the distribution to eliminate the “rounding-up.” This reduced the master positions in the 1st, 5th, 7th, and 9th circuits, and generated 3.0 FTE, which were posted to the reserve to address the salary shortfall.

Trial Court Requests FY 06-07:

Circuit	Element	Request
2	Magistrate	(1.0 FTE) Admin. Sec. I for family GM
	Magistrate	(1.0 FTE) General Magistrate - family
6	Magistrate	(1.0 FTE) Admin. Sec. I for family GM
	Magistrate	(1.0 FTE) Admin. General Magistrate - family
	Magistrate	\$70,000 for OPS magistrate truancy pilot
13	Magistrate	(1.0 FTE) General Magistrate –delinquency *
20	Magistrate	(2.0 FTE) General Magistrate for family court *

* Request did not include support staff, which was included in the Revision 7 methodology.

Recommendation of Funding Methodology Committee for FY 2006-07 Legislative Budget Request:

Update the existing formula using forecasted FY 2006-07 filings and maintain the 1:3,000 ratio. Request a total of 3.0 FTE General Magistrate positions statewide based on need. Request a total of 3.0 FTE support positions to match the General Magistrate request.

Trial Court Budget Commission Recommendation:

File issue as recommended.

**Trial Court Budget Commission
Meeting August 24, 2005
General Magistrates
FY 2006/07 LBR Proposal**

Circuit	Forecasted Filings FY 2006/07	Current Number of GM's	Total Need based on Funding Methodology (3,000 relevant filings)	Request	TCBC Recommendation
Group I Circuits (Small)					
2	7,043	2.0	2.3	1.0	0.0
3	3,798	1.0	1.3	0.0	0.0
8	6,438	2.0	2.1	0.0	0.0
14	6,245	2.0	2.1	0.0	0.0
16	1,459	0.3	0.5	0.0	0.0
19	9,891	3.0	3.3	0.0	0.0
Group II Circuits (Medium)					
1	14,117	4.0	4.7	0.0	0.0
5	17,354	5.0	5.8	0.0	0.0
7	13,836	4.0	4.6	0.0	0.0
10	13,462	4.0	4.5	0.0	0.0
12	12,665	4.0	4.2	0.0	0.0
18	13,796	4.0	4.6	0.0	0.0
20	20,877	5.0	7.0	2.0	2.0
Group III Circuits (Large)					
4	19,805	7.0	6.6	0.0	0.0
6	23,642	8.0	7.9	3.0	0.0
9	21,082	6.0	7.0	0.0	1.0
13	20,983	7.0	7.0	1.0	0.0
15	18,968	7.0	6.3	0.0	0.0
17	27,982	10.0	9.3	0.0	0.0
Group IV Circuit (Very Large)					
11	34,168	12.0	11.4	0.0	0.0
State Total					
	307,611	97.3		7.0	3.0

Note: Shaded circuits are requesting resources.

FY 2006/07 Legislative Budget Request

Issue: Case Processing – Civil Traffic Infraction Hearing Officers

In FY 2005-06, the threshold allocation was increased from \$6,473 per county judge to \$7,299 per county judge, except that counties with an existing higher allocation per judge were not increased. Further, \$500,000 in excess funds were taken for the salary shortfall, leaving no unallocated funds remaining.

As the \$50 cap was removed from statute last year, the TCBC asked Funding Methodology to review this issue. Funding Methodology reviewed information collected by the OSCA Personnel Office regarding those circuits planning to increase the hourly rate of pay beyond \$50. Three circuits, the 6th, 13th and 17th, are increasing their rates.

Trial Court Requests FY 06-07:

Circuit	Element	Request
11	Civil Traffic HO	\$35,000

Funding Methodology Committee Recommendation:

As the trial courts have \$500,000 in excess to cover what is actually allocated for this element, the 11th Circuit's request may be addressed within the allocation process for FY 2006-07.

The Committee did not reach consensus on a recommendation regarding the rate cap. One option proposed by the Committee is to not assign a cap as long as the circuits stay within their allotments. The other proposed option is to allow for an increased cap of \$60 or \$65 as long as the circuits stay within their allotment. It was also recommended that in addition to a cap, there also be a floor of \$50.

Maintaining the \$50 cap was also an option discussed. Overall concerns included that traffic infraction hearing officers may be paid more than General Magistrates if the cap is increased higher than \$60 and that additional time may be needed to study this issue.

Trial Court Budget Commission Recommendation:

The request from the 11th Circuit was withdrawn.

It is recommended that no additional funds be requested for this element.

(Note: It was determined that the 6th and 17th Circuit's rates have not increased.)

FY 2006/07 Legislative Budget Request

Issue: Court Administration - Management of Court-Appointed Counsel

Revision 7 identified work related to the support of court-appointed counsel as a state responsibility. In FY 2004-05, the Justice Administrative Commission (JAC) received 50 positions to absorb increased workload as a result of Revision 7 to include the management of the budget and compensation of court-appointed counsel for the state. However, several tasks and responsibilities remain for which the trial courts have been forced to absorb without the appropriation of additional funding. Some of these tasks are administrative and/or operational in nature while other tasks require legal analysis and support.

The Commission on Trial Court Performance and Accountability believes that an Executive Branch agency, such as the JAC, should perform all functions to support and manage court-appointed counsel. However, in order to address the workload that is currently being absorbed by court administration, they identified administrative/operational support functions in order to formulate a Legislative Budget Request (LBR). Those identified functions and their associated tasks are attached (see July 13, 2005 letter). The circuits were then surveyed to determine associated workload and recommended position classifications that should perform these duties.

The TCP&A did not consider for the LBR those functions which are legal in nature. They felt strongly that it is a significant conflict of interest for the courts to provide legal support to entities that essentially oversee legal counsel for indigent parties.

Funding Methodology Committee Recommendation:

Request up to 1.0 FTE Court Program Specialist II for each small and medium circuit (without exceeding the circuit's total requested FTE's). Request up to 1.0 FTE Court Operations Manager and 1.0 FTE Administrative Assistant II for each large circuit (without exceeding the circuit's total requested FTE's).

Trial Court Budget Commission Recommendation:

Request 27.0 FTE (1.0 FTE Court Program Specialist II for small and medium circuits, 1.0 FTE Court Operations Manager and 1.0 FTE Administrative Assistant II for large circuits.)

Trial Court Budget Commission
Meeting August 24, 2005
Court Appointed Counsel
FY 2006/07 LBR

TCA Reported Unfunded Workload				
Circuit	Supervisory/ Professional/ Operational	Administrative	Total	TCBC Recommendation
Group I Circuits (Small)				
2	0.15	0.85	1.00	1.00
3	0.00	0.00	0.00	1.00
8	1.00	1.00	2.00	1.00
14	1.00	1.00	2.00	1.00
16	0.00	0.50	0.50	1.00
19	0.85	0.15	1.00	1.00
Group II Circuits (Medium)				
1	0.60	0.40	1.00	1.00
5	0.00	0.50	0.50	1.00
7	1.00	0.00	1.00	1.00
10	0.00	0.45	0.45	1.00
12	DNR	DNR	DNR	1.00
18	2.85	0.15	3.00	1.00
20	0.37	0.65	1.02	1.00
Group III Circuits (Large)				
4	0.50	0.50	1.00	2.00
6	0.90	2.95	3.85	2.00
9	0.25	0.25	0.50	2.00
11	0.55	2.00	2.55	2.00
13	0.75	1.15	1.90	2.00
15	0.20	0.73	0.93	2.00
17	0.30	1.50	1.80	2.00
Total				
			24.00	27.00

DNR - Did not respond to the survey.

Trial Court Budget Commission
August 24, 2005
Tampa, FL

FY 2006/07 Legislative Budget Request

Issue: Court Administration – Individual Circuit Requests

The Revision 7 LBR was based on a minimum level of support necessary to provide executive direction, general administration and judicial operations in small (9 FTE), medium (14 FTE), large (27 FTE) and very large circuits (42 FTE). The formula included one trial court administrator and one court technology officer per circuit and 2 court counsel positions (one general counsel and one support staff) for the large circuits and Miami-Dade.

Court Administration Element R7 Methodology

Circuit	TCA	CTO	Court Counsel	Operations/ Administration	Total
Small	1.0	1.0	0	7.0	9.0
Medium	1.0	1.0	0	12.0	14.0
Large	1.0	1.0	2.0	23.0	27.0
Miami-Dade	1.0	1.0	2.0	37.0	42.0

Trial Court Requests FY 06-07:

Circuit	Element	Request
2	Court Admin.	(1 FTE) Sr. Court Analyst II for budget/research/survey/data
	Court Admin.	(1 FTE) Chief Deputy Court Administrator
	Court Admin.	(1 FTE) General Counsel
3	Court Admin.	(1 FTE) User Support Analyst – technology
4	Court Admin.	(1 FTE) Public Information Officer
5	Court Admin.	(1 FTE) Court Op. Manager – data, policy, programs
	Court Admin.	(1 FTE) Court Analyst – data/analysis/research/training/communication
	Court Admin.	(1 FTE) Admin. Asst. II – accounting/personnel
6	Law Clerk	(1 FTE) AA III for court counsel
	Law Clerk	(1 FTE) Sr. Attorney to serve as deputy court counsel
	Court Admin.	(1 FTE) AAI as floating JA
	Court Admin.	(1 FTE) AAI for court operations division/senior judge program
	Court Admin.	(1 FTE) Personnel Technician
	Court Admin.	(1 FTE) Administrative Services Manager for criminal division
9	Court Admin.	(1 FTE) Senior Attorney I to serve as asst. general counsel
18	Court Admin.	(1 FTE) Court Operations Manager – data

Accommodating the above circuit requests would require a revision to the existing formula for allocating court administration staff. For instance:

- General Counsel – The trial court requests, if granted, would require adding general counsel positions to the small and medium circuits and a sr. attorney and support position to the large circuits. While the 2nd circuit did not ask for a support position, the formula for court counsel includes one.
- Data Administration – The trial court requests, if granted, would likely require adding at least one data administration position for each circuit as the capacity to effectively and accountably manage Revision 7 resources (Resource Management System) has not been funded to date. Four of the requested positions are to assist with data collection and management.
- Operations/Administration Positions – Based on the trial court requests, the methodology for the operations and administration positions would also be increased by at least one position or as much as 4 positions, depending on the size of the circuit.
- User Support – The formula does not contemplate technology user support positions, as these are county obligations.

Overall, the impact of revising the formula could equate to the need for an additional 100 plus positions statewide (see table below).

Circuit	Court Counsel	Data Admin.	Operations/Admin.
Small	+ 1.0 to 2.0	+ 1.0	+ 1.0
Medium	+ 1.0 to 2.0	+ 1.0	+ 1.0
Large	+ 2.0	+ 1.0	+ 1.0 to 4.0
Miami-Dade	+ 2.0	+ 1.0	+ 1.0 to 4.0

Funding Methodology Committee Recommendation:

Maintain existing formula and do not request additional court administration resources for FY 2006-07.

Trial Court Budget Commission Recommendation:

As recommended, do not file issue.

FY 2006/07 Legislative Budget Request

Issue: State Courts Network Expansion

During the 2005 Legislative session, funding was allocated to support the implementation of the Jessica Lunsford Act (HB 1877). The implementation includes installation of the 22 county connections remaining to complete the State Courts Network. The implementation of this network infrastructure will be completed by December 2005, and will support the network access needed to provide critical information at the offender's first appearance hearing. The Jessica Lunsford Act allocation provides sufficient funding for the installation of the network lines and the monthly line charges of \$1,500 per location for the first year, but does not provide recurring funds to support the line charges after June 30, 2006.

Recurring funding of \$396,000 is requested to cover the monthly T-1 network line charges for the 22 connections at a cost of \$18,000 annually per connection. The requested funding will reside in the OSCA's State Courts Network budget.

Trial Court Technology Committee Recommendation:

Pursue funding in support of this budget request.

Trial Court Budget Commission Recommendation:

File issue as recommended. In order to implement statewide application and allow for centralized administration, this issue will be filed with the Office of the State Courts Administrator's Legislative Budget Request.

Issue: Expansion of the On-Line Sentencing System

The Office of the State Courts Administrator (OSCA) is currently developing an automated On-Line Sentencing System (OLSS). The On-Line Sentencing System (OLSS), which is a secure web-based application, is designed to enhance the court sentencing processes, not replace them. The OLSS will provide sentencing data electronically to entities such as the state attorneys, judges, clerks of court, and the Department of Corrections. The OSCA plans to pilot the system using federal grant funding in one circuit location by early 2006.

Although the courtroom equipment to support and expand the OLSS will be provided by the counties, the server infrastructure in support of the system is a state responsibility. The infrastructure design will provide fault tolerance and

redundancy. This will be achieved by utilizing the regional co-locations of the State Courts Network. Each of the four network co-locations will house a standard set of two servers for the OLSS, an application database server and a web server. At the circuit level, there will also be an application database server and web server installed at the six most populated circuits, which supports 80% of the judicial population. The other remaining circuits will utilize the co-locations to support the OLSS redundancy distribution requirements. The Judicial Inquiry System (JIS) will communicate with the OLSS via the co-locations. The OLSS will replicate data between the circuits and co-locations. This design will allow circuit level access to the system in the event of a wide area network failure in addition to maintaining multiple copies of the data in the event of a hardware failure.

This funding request will support the purchase of the necessary servers and software to implement the OLSS (two servers in each of the four network co-locations, Tallahassee, Jacksonville, Tampa and Miami; and two dedicated servers in the six largest circuit locations, 9th circuit (Orange County), 6th circuit (Pinellas/Pasco Counties), 13th circuit (Hillsborough County), 15th circuit (Palm Beach County), 17th circuit (Broward County) and 11th circuit (Miami-Dade County). The recurring funding will support the ongoing license maintenance requirements for the ten servers.

The benefits of the OLSS include: 1) a more clear, concise, understandable, and accurate sentencing document, 2) the creation of accurate and timely Commitment Packets transmitted electronically to the Department of Corrections reducing confusion and reducing the amount of time defendants serve in the county jails; 3) the elimination of the need for several entities to re-key data, thereby reducing labor and the possibility of typographical errors; and 4) accurate criminal court assessment reports.

Funding of \$191,400 is requested for FY 2006/07 to purchase the necessary server hardware and software for the four network co-locations and the six largest judicial circuits. Recurring funding of \$23,500 is requested for FY 2007/08 for the ongoing software licensing requirements. The requested funding will reside in the OSCA's State Courts Network budget.

Trial Court Technology Committee Recommendation:

Pursue funding in support of this budget request.

Trial Court Budget Commission Recommendation:

File issue as recommended. In order to implement statewide application and allow for centralized administration, this issue will be filed with the Office of the State Courts Administrator's Legislative Budget Request.