

Recommendations of the Trial Court Budget Commission

FY 2008-2009 Legislative Budget Request

Issue: Compensation for SCS Employees

During the 2007 legislative session the Supreme Court requested as their top priority, approximately \$13 million for pay increases for SCS employees. This issue was not funded by the Legislature.

Compensation for SCS employees will remain as the top priority of the judicial branch. The classification and pay study conducted by Management Advisory Group is several years old and current information is required to generate updated costs for the 2008 session. The TCBC Personnel Committee was charged with updating the study. Every circuit has responded with updated survey data and staff are currently analyzing the information. The analysis and updated costs should be available by September.

Trial Court Budget Commission Recommendation:

Authorize the Executive Committee to approve any revisions to the request and file the issue as approved.

Recommendations of the Trial Court Budget Commission

FY 2008-2009 Legislative Budget Request

Issue: Court Interpreting

Over the last two fiscal years, court interpreting budget requests have been fully funded by the Legislature (19.0 FTEs and \$1.5 million in contractual funding). Contractual requests were approved by the TCBC based on the growth in the non-English speaking population. Position requests were approved by the TCBC provided they would be performing direct services or supervisory functions and if caseload demands justified the need.

For FY 2005-06, contractual expenditures totaled \$2,919,277. As of June 30, 2007, FY 2006-07 contractual expenditures totaled \$3,248,966 (not including certified forwards). During the FY 2007-08 allocation process, new positions were allotted as approved in the LBR and contractual funding of \$3,519,328 was allotted based on annualized FY 2006-07 expenditures with a one year non-English speaking population growth rate applied. The remaining statewide balance of \$510,108 was held in reserve.

For the FY 2008-09 LBR, the TCBC designated court interpreting as a priority issue. In preparation of the LBR, circuits were asked to estimate the amount of contractual funding they would no longer need to offset the cost of receiving requested positions. As such, circuit requests including contractual savings are reflected in the table below.

Circuit	Positions	Contractual Savings	Contractual Requests	OCO*
3			\$11,000	
4	1.0 FTE Supervising Court Interpreter		\$8,311	
6	2.0 FTE Court Interpreter	\$70,000		
7	3.0 FTE Court Interpreter	\$25,000		
9	1.0 FTE Court Interpreter	\$44,000		\$95,000
11	5.0 FTE Court Interpreter			
12			\$52,000	
13			\$61,061	
14	2.0 FTE Court Interpreter	\$30,000		
15	1.0 FTE Supervising Court Interpreter 2.0 FTE Court Interpreter	\$104,000		
19	3.0 FTE Court Interpreter	\$120,000		
Total	2.0 FTE Supervising Court Interpreter 18.0 FTE Court Interpreter	\$393,000	\$132,372	\$95,000

* 9th circuit requested \$95,000 OCO for the purchase of court interpreter equipment for 15 courtrooms to allow staff to interpret from a centralized remote location.

Most of these requests appear to be related to criminal, DV, and juvenile cases. Reasons cited for needing additional resources include new certification requirements, inability to offer competitive rates, and growth in the non-English speaking population. In addition to these requests, the 11th Circuit has requested \$166,193 in due process trust authority (cost recovery) for proposed court interpreting fee collections recovered through their civil traffic infraction hearing officer program.

Funding Methodology Committee Recommendations:

Positions and Contractual

File LBR for 16.0 FTE based on circuit requests and the percent increase in non-English speaking population (only 1.0 FTE is recommended for the 11th Circuit as their growth rate is only 2%). If new positions are appropriated by the Legislature for FY 2008-09, reduce each circuit's contractual allotment by the contractual savings amount indicated. Do not file LBR for additional contractual funding.

OCO

File LBR for \$95,000 in OCO as a pilot initiative to implement a central digital court interpreting system in the 9th Circuit.

Due Process Trust Authority

As civil traffic infraction cases are not considered a due process expense, do not file LBR for the 11th Circuit's request for \$166,193 in trust authority. *Note: The FMC recognized the possible need to re-evaluate court proceedings and case types where interpreting is required at public expense.*

Trial Court Budget Commission Recommendations:

File issue as recommended for 16.0 FTE and \$95,000 in OCO. If new positions are appropriated by the Legislature for FY 2008-09, reduce contractual allotments by the associated savings amount indicated by the circuits.

**Trial Court Budget Commission
Meeting August 14, 2007**

**Court Interpreting
FY 2008/09 LBR**

Circuit	Current FTE	FY 2008/09 Requested FTE	TCBC Approved LBR FTE	FY 2007/08 Contractual Allotments	Estimated FY 2007/08 Contractual Expenditures¹	1 year Growth Rate based on Ethnic Growth²	Proposed FY 2008/09 Contractual Budget³	Proposed FY 2008/09 Contractual Savings⁴
1	0.0	0.0	0.0	\$68,281	\$74,768	5.2%	\$78,644	\$0
2	0.0	0.0	0.0	\$23,831	\$25,238	6.2%	\$26,811	\$0
3	0.0	0.0	0.0	\$17,416	\$25,293	6.2%	\$26,870	\$0
4	0.0	1.0	1.0	\$207,767	\$201,197	7.3%	\$215,981	\$0
5	0.0	0.0	0.0	\$95,956	\$100,934	11.4%	\$112,447	\$0
6	0.0	2.0	2.0	\$261,352	\$246,808	8.7%	\$268,228	\$70,000
7	1.0	3.0	3.0	\$109,126	\$126,529	10.2%	\$139,402	\$25,000
8	1.0	0.0	0.0	\$73,119	\$71,449	6.2%	\$75,903	\$0
9	10.0	1.0	1.0	\$194,698	\$238,937	8.1%	\$258,282	\$44,000
10	6.0	0.0	0.0	\$186,932	\$166,312	8.0%	\$179,534	\$0
11	52.0	5.0	1.0	\$462,233	\$384,803	2.0%	\$392,562	\$0
12	0.0	0.0	0.0	\$348,920	\$362,859	7.8%	\$391,288	\$0
13	10.0	0.0	0.0	\$127,582	\$131,647	5.6%	\$138,978	\$0
14	0.0	2.0	2.0	\$58,665	\$61,141	6.2%	\$64,952	\$30,000
15	13.0	3.0	3.0	\$145,029	\$117,976	7.4%	\$126,713	\$104,000
16	2.0	0.0	0.0	\$24,276	\$28,262	2.0%	\$28,841	\$0
17	15.5	0.0	0.0	\$109,891	\$117,082	6.0%	\$124,136	\$0
18	1.0	0.0	0.0	\$107,459	\$122,677	6.2%	\$130,275	\$0
19	2.0	3.0	3.0	\$325,961	\$297,347	6.2%	\$315,881	\$120,000
20	7.0	0.0	0.0	\$561,834	\$588,316	9.2%	\$642,697	\$0
Total	120.5	20.0	16.0	\$4,020,436	\$3,489,574		\$3,738,425	\$393,000

¹ Based on FY 06/07 estimated expenditures + estimated certified forwards

² The growth rate was derived from the percentage increase in the ethnic population by county from CY 2003 to CY 2004, 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.

³ Projections by circuit were produced as an exercise to determine the statewide Legislative Budget Request amount. These figures **do not** represent the proposed allocation to individual circuits.

⁴ Proposed Fy 2008-09 contractual savings if requested FTE are allocated, as reported by circuits.

Data Source: RAND Florida: An Online Source for Florida and U.S. Statistics

Recommendations of the Trial Court Budget Commission

FY 2008-2009 Legislative Budget Request

Issue: Court Reporting

For FY 2007-08, the TCBC approved a LBR for 33 FTEs and \$1,669,274 in contractual funding based on circuit requests within the \$20.56 target unit cost. While the Legislature did not fund the requested FTE, the contractual request was fully funded. Unit cost for court reporting is calculated by dividing general revenue recurring salaries/benefits/expenses for positions plus contractual allocations (less applicable shared costs) divided by the most recent frozen fiscal year of filings with a “new judge” modifier applied. The “new judge” modifier is based on the number of new judgeships received for FY 2005-06 and FY 2006-07.

For FY 2008-09, the TCBC identified court reporting as a priority LBR issue. A statewide total of 52.0 FTEs and \$1,293,562 in contractual dollars have been requested. In preparation of the LBR, circuits were asked to estimate the amount of contractual funding they would no longer need to offset the cost of requested positions. These requests, including contractual savings, are reflected in the following table.

Circuit	Classification	Contractual Savings	Direct Service Contractual	Maintenance Contractual	OCO	Expense
1					\$29,000	
3				\$63,193	\$164,451	
4	1.0 FTE Digital Court Reporter 1.0 FTE ECR Manager	\$70,000	\$87,612	\$83,289	\$526,798	\$7,700
6	5.0 FTE Court Reporter I 3.0 FTE Digital Court Reporter	\$179,000			\$197,269	
7	2.0 FTE Digital Court Reporter			\$24,500	\$134,000	
9	2.0 FTE Court Reporter I 3.0 FTE Digital Court Reporter					
10	7.0 FTE Digital Court Reporter			\$60,000		
11	1.0 FTE Court Reporter I					
12	3.0 FTE Digital Court Reporter		\$300,000	\$40,000		
13	1.0 FTE Court Reporter II 1.0 FTE Scopist		\$19,710	\$37,301	\$267,736	\$204,240
14	2.0 FTE Digital Court Reporter 1.0 FTE Secretary Specialist	\$60,000		\$135,000		
15				\$7,713	\$132,583	
16			\$20,000			
17	2.0 FTE Digital Court Reporter		\$42,000	\$15,000	\$69,500	
18	2.0 FTE Digital Court Reporter		\$90,000		\$103,500	
19	7.0 FTE Digital Court Reporter	\$250,000		\$214,000	\$52,650	\$28,350
20	8.0 FTE Digital Court Reporter	\$345,600	\$53,844		\$621,732	
Total	52.0 FTE	\$904,600	\$613,166	\$679,996	\$2,299,219	\$240,290

In addition to these requests, one circuit (12th) requests additional trust authority in the amount of \$20,000. The 15th Circuit requests to reclassify 3.0 FTE Electronic Transcribers to 3.0 FTE Digital Court Reporters. The combined annual budgetary impact of these reclassifications is \$10,434. Further, the 15th Circuit requests to reclassify 1.0 FTE Court Operations Manager to 1.0 FTE Manager of Court Reporting Services. The annual impact of this reclassification is \$6,620.

Additionally, digital expansion and refresh costs continue to be an issue for the LBR with statewide requests totaling \$2,539,509. Preliminary 5-year projections of these costs, along with maintenance, have been estimated per the request of the TCBC based on the technology inventory submitted by the circuits in October 2006. However, due to the FY 2006-07 year-end spending allocations (\$2.3 million), it will be necessary to update the court reporting technology inventory to provide the most accurate projections possible.

Lastly, for consideration in developing the FY 2008-09 LBR recommendations, FY 2006-07 due process cost recovery collections and expenditures have been reviewed to determine if a portion of general revenue FTE and contractual requests may be funded through trust. Based on projected annual collections, five circuits were identified as candidates to fund a portion of their request through trust (see attached trust table).

Funding Methodology Committee Recommendations:

Unit Cost Calculation

Recommend the continued use of the “new judge” modifier in the unit cost calculation. Recommend deducting each circuit’s FY 2006-07 due process cost recovery collections from total court costs as an incentive to collect cost recovery and to maximize the use of this revenue to cover resource needs. Recommend interim policy for FY 2008-09 that all due process cost recovery collections be expended for court reporting purposes only.

Positions, Direct Services Contractual, and Maintenance Contractual

File LBR for 45.0 FTEs and \$866,958 in contractual funding based on circuit requests that are within the target unit cost of \$20.56 per the modified unit cost calculation stated above. Request additional trust authority for 4.0 FTEs (\$206,932 in salaries/benefits/expense authority) and \$193,068 in contractual authority based on overall statewide collections and circuit requests that may be covered by trust.

OCO and Expense

File LBR for \$2,299,219 OCO and \$240,290 in expense based on circuit requests. Perform additional analysis when the technology inventory has been updated, more reliable projections may be calculated using statewide refresh guidelines, and the ITN process is completed this fall. Modify LBR if needed. *Note: This analysis may also involve a review of equipment maintenance requests as they relate to the OCO and expense requests for new equipment.*

Reclassifications

Recommend forwarding reclassification requests to the Budget Management Committee for consideration. *Note: Subsequent to this recommendation, the requests were referred to the Executive Committee.*

Trial Court Budget Commission Recommendations:

Unit Cost Calculation

Continue the use of the “new judge” modifier in the unit cost calculation. Deduct each circuits’ FY 2006-07 due process cost recovery collections from total court costs as an incentive to collect cost recovery and to maximize the use of this revenue to cover resource needs.

General Revenue Positions and Contractual

File LBR for 49.0 FTEs and \$916,668 in contractual funding based on circuit requests that are within the target unit cost of \$20.56 per the modified unit cost calculation stated above.

Due Process Trust Authority

Request \$1,000,000 in total trust authority based on statewide collections (current authority equals \$600,000). During FY 2008-09 allocation process, assess need to implement a policy that all due process cost recovery collections be expended for court reporting purposes only.

OCO and Expense

File LBR as recommended for \$2,299,219 OCO and \$240,290 in expense based on circuit requests. Perform additional analysis when the technology inventory has been updated, more reliable projections may be calculated using statewide refresh guidelines, and the ITN process is completed this fall. Modify LBR if needed. *Note: This analysis may also involve a review of equipment maintenance requests as they relate to the OCO and expense requests for new equipment.*

Reclassifications

Do not file LBR. Circuits are directed to follow Personnel policies and procedures for reclassification requests. If the reclassification is approved, circuits must utilize available rate to fund the reclassification as outlined in the Budget and Pay Administration Memorandum from the Chief Justice dated July 2, 2007.

Trial Court Budget Commission
Meeting August 14, 2007
Court Reporting
FY 2008-09 LBR and Estimated Unit Cost

Circuit	General Revenue						Equipment		FY 2007-08 Unit Cost ³	Modified Estimated FY 2008-09 Unit Cost ³
	FTE	Classification	Estimated Salaries, Benefits, and Expenses ¹	Maintenance Contractual	Direct Services Contractual	Direct Services Contractual Savings ²	Non- Recurring OCO	Software		
1	0.0		\$0		\$0	\$0	\$29,000	\$0	\$18.30	\$18.30
2	0.0		\$0		\$0	\$0	\$0	\$0	\$19.87	\$19.87
3	0.0		\$0	\$63,193	\$0	\$0	\$164,451	\$0	\$21.44	\$25.20
4	1.0	Mgr. Electronic Ct. Rpt.	\$67,347	\$83,289	\$87,612	-\$70,000	\$526,798	\$7,700	\$9.23	\$10.89
	1.0	Digital Court Reporter	\$51,733							
5	0.0		\$0		\$0	\$0	\$0	\$0	\$15.85	\$15.85
6	5.0	Court Reporter I	\$336,735		\$0	-\$179,000	\$197,269	\$0	\$15.71	\$17.94
	3.0	Digital Court Reporter	\$155,199							
7	2.0	Digital Court Reporter	\$103,466	\$24,500	\$0	\$0	\$134,000	\$0	\$14.66	\$16.09
8	0.0		\$0		\$0	\$0	\$0	\$0	\$23.00	\$23.00
9	2.0	Court Reporter I	\$134,694		\$0	\$0	\$0	\$0	\$17.12	\$19.47
	3.0	Digital Court Reporter	\$155,199		\$0	\$0				
10	7.0	Digital Court Reporter	\$362,131	\$60,000	\$0	\$0	\$0	\$0	\$14.17	\$19.56
11	1.0	Court Reporter I	\$67,347		\$0	\$0	\$0	\$0	\$12.58	\$12.90
12	2.0	Digital Court Reporter	\$103,466	\$40,000	\$53,233	\$0	\$0	\$0	\$17.15	\$20.56
	1.0	Digital Court Reporter	\$51,733		\$246,767	\$0				
13	1.0	Court Reporter II	\$73,081	\$37,301	\$19,710		\$267,736	\$204,240	\$15.27	\$16.64
	1.0	Scopist	\$56,031							
14	2.0	Digital Court Reporter	\$103,466	\$135,000	\$0	-\$60,000	\$0	\$0	\$12.15	\$18.08
	1.0	Secretary Specialist	\$40,580							
15	0.0		\$0	\$7,713	\$0	\$0	\$132,583	\$0	\$12.54	\$12.62
16	0.0		\$0		\$20,000	\$0	\$0	\$0	\$32.46	\$35.32
17	2.0	Digital Court Reporter	\$103,466	\$15,000	\$42,000	\$0	\$69,500	\$0	\$17.34	\$18.48
18	2.0	Digital Court Reporter	\$103,466		\$90,000		\$103,500	\$0	\$13.56	\$15.80
19	5.0	Digital Court Reporter	\$258,665	\$167,466	\$0	-\$250,000	\$52,650	\$28,350	\$17.73	\$20.56
	2.0	Digital Court Reporter	\$103,466	\$46,534						
20	8.0	Digital Court Reporter	\$413,864		\$53,844	-\$345,600	\$621,732	\$0	\$11.94	\$12.93
Total	49.0		\$2,689,936	\$570,269	\$346,399	-\$904,600	\$2,299,219	\$240,290		

Trial Court Budget Commission
 Meeting August 14, 2007
 Court Reporting
 FY 2008-09 LBR and Estimated Unit Cost

FY 2008-09 LBR			
GR FTE	49.0	OCO	\$2,299,219
GR Contractual	\$916,668	Expense	\$240,290

██████████ = not recommended by TCBC

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

² Proposed contractual savings achieved if the circuits are allotted their new position requests.

³ Unit Costs are calculated by dividing the number of total cost of court reporting (including personnel and contractual, excluding shared costs, cost recovery and equipment) by the number of relevant filings.

Recommendations of the Trial Court Budget Commission

FY 2008-2009 Legislative Budget Request

Issue: Case Management

For the FY 2007-08 LBR, the TCBC approved position requests based on circuit “need” (rounded down) per the ratio of 1:5,500 projected FY 2007-08 eligible filings, with a floor of 8 FTE. A total of 80.0 FTEs were approved for the LBR, 20.0 of which were appropriated by the Legislature. These new FTEs were allotted based on each circuit’s percentage of the total statewide need up to the amount of FTEs requested by the circuits. If a circuit did not request FTEs, they were not allotted new positions.

For FY 2008-09, the TCBC designated case management as a priority LBR issue. Statewide, circuits are requesting a total of 114 FTE (see table below). Most requests for case managers appear to be related to family/UFC, criminal, civil and mental health cases. In addition to the requested positions, the 20th Circuit requests funding to upgrade an Administrative Assistant II position if the associated request for a new Court Program Specialist II position is not approved. The annual budgetary impact of this upgrade would be \$6,472. Also, the 4th Circuit requests \$13,500 in OCO for the purchase of new desks (for 11 requested positions) where the cost per desk is above the standard OCO amount provided for new positions.

Circuit	Positions	OCO
1	3.0 FTE Court Program Specialist II	
2	1.0 FTE Court Program Specialist II 2.0 FTE Court Program Specialist I	
3	1.0 FTE Administrative Secretary I	
4	3.0 FTE Program Coordinator 1.0 FTE Program Coordinator (Drug Court) 6.0 FTE Court Program Specialist II 2.0 FTE Court Program Specialist II (Drug Court) 2.0 FTE Senior Secretary	\$13,500
5	1.0 FTE Director of Case Management 5.0 FTE Program Coordinator	
6	2.0 FTE Court Program Specialist II 7.0 FTE Court Program Specialist I 2.0 FTE Court Program Specialist I (Drug Court)	
7	1.0 FTE Senior Court Program Specialist 4.0 FTE Court Program Specialist II	
8	2.0 FTE Court Program Specialist II	
9	2.0 FTE Court Program Specialist I	
10	5.0 FTE Court Program Specialist I	

Circuit	Positions	OCO
11	1.0 FTE Program Coordinator 12.0 FTE Court Program Specialist II 10.0 FTE Court Program Specialist I 4.0 FTE Administrative Assistant I 1.0 FTE Administrative Secretary I	
12	2.0 FTE Court Program Specialist II	
13	1.0 FTE Senior Court Program Specialist II 5.0 FTE Court Program Specialist II	
14	1.0 FTE Court Program Specialist II	
15	1.0 FTE Court Operations Manager 6.0 FTE Court Program Specialist II 1.0 FTE Court Program Specialist II (Drug Court)	
16	1.0 FTE Court Program Specialist II	
17	1.0 FTE Court Program Specialist II 3.0 FTE Court Program Specialist I	
18	5.0 FTE Court Program Specialist II	
19	2.0 FTE Court Program Specialist II 1.0 FTE Court Program Specialist II (Drug Court)	
20	4.0 FTE Court Program Specialist II	
Total	114.0 FTE	\$13,500

Funding Methodology Committee Recommendations:

Positions

File LBR for 71.0 Court Program Specialist II positions based on circuit “need” (rounded down) per the ratio of 1:5,500 projected FY 2008-09 eligible filings (with a floor of 8 FTE), up to the amount of FTEs requested by each circuit.

Reclassifications

Recommend forwarding reclassification requests to the Budget Management Committee for consideration. *Note: Subsequent to this recommendation, these requests were referred to the Executive Committee.*

OCO

Do not file LBR.

Trial Court Budget Commission Recommendations:

Positions

File issue as recommended for 71.0 Court Program Specialist II positions. When 2007 Special Session cut decisions have been finalized, modify LBR if needed.

Reclassifications

Do not file LBR. Circuits are directed to follow Personnel policies and procedures for reclassification requests. If the reclassification is approved, circuits must utilize available rate to fund the reclassification as outlined in the Budget and Pay Administration Memorandum from the Chief Justice dated July 2, 2007.

OCO

Do not file LBR.

**Trial Court Budget Commission
Meeting August 14, 2007**

**Case Management
FY 2008-09 LBR**

Circuit	FY 2007-08 New FTE	FY 2007-08 Total FTE ¹	Forecasted Filings FY 2008-09 ²	Forecasted Filings Per FTE	Total Need Based on Funding Methodology (5,500 filings)	Net Need	Requests	TCBC Approved LBR
Small Circuit								
2	0	8	54,482	6,810	9.9	1.9	3.0	1
3	0	7	23,726	3,389	4.3	-2.7	1.0	1
8	1	7	51,954	6,494	9.4	1.4	2.0	1
14	0	7	43,902	6,272	8.0	1.0	1.0	1
16	0	7	12,162	1,737	2.2	-4.8	1.0	1
19	1	9	73,406	7,341	13.3	3.3	3.0	3
Total	2	45	259,632	5,524	47.2	0.2	11	8
Medium Circuit								
1	1	12	90,181	6,937	16.4	3.4	3.0	3
5	1	12	103,189	7,938	18.8	5.8	6.0	5
7	1	15	113,292	7,081	20.6	4.6	5.0	4
10	1	14	99,865	6,658	18.2	3.2	5.0	3
12	1	10	82,301	7,482	15.0	4.0	2.0	2
18	0	15	116,918	7,795	21.3	6.3	5.0	5
20	1	17	143,682	7,982	26.1	8.1	4.0	4
Total	6	95	749,428	7,420	136.3	35.3	30	26
Large Circuit								
4	2	23	179,808	7,192	32.7	7.7	14.0	7
6	2	25	191,317	7,086	34.8	7.8	11.0	7
9	1	24	176,153	7,046	32.0	7.0	2.0	2
11	2	55	360,410	6,323	65.5	8.5	28.0	8
13	2	24	175,060	6,733	31.8	5.8	6.0	5
15	1	23	159,151	6,631	28.9	4.9	8.0	4
17	2	36	236,453	6,222	43.0	5.0	4.0	4
Total	12	210	1,478,352	6,659	268.8	46.8	73	37
State	20	350	2,487,412	6,723	452.3	82.3	114	71

¹Total FTE includes positions in both 122 and 217 (drug court).

²Excludes civil traffic infraction filings.

Recommendations of the Trial Court Budget Commission

FY 2008-2009 Legislative Budget Request

Issue: General Magistrates

Additional magistrates have been identified as a priority for the FY 2008-09 LBR process. FTE's have not been requested since FY 2006-07 and have not been appropriated by the legislature since Revision 7. For FY 2007-08, a LBR was not filed for general magistrates as this issue was not identified as a priority of the TCBC and the results of the Judicial Resource Study were not yet available.

The current methodology for determining need for additional magistrates is based on the circuit "need" per the ratio of 1:3,000 projected relevant filings (family court, probate, guardianship, mental health, and pre-TPR dependency). A ratio of 1:1 administrative support is also considered in the methodology. In addition, 6 circuits receive contractual funds. Since the development of the methodology, a floor, or minimum level of resources, has not been used. In previous years, the circuit "net need" calculation was rounded down to the nearest whole number.

Circuit requests for FY 2008-09 are as follows:

Circuit	FTE Requests	Contractual	OCO
4	1.0 Administrative Secretary I		
4	1.0 Magistrate		\$2,500
5	1.0 Administrative Magistrate		
5	6.5 Administrative Secretary I		
5	5.5 Magistrate		
8	1.0 Magistrate		
11	5.0 Administrative Secretary I		
11	3.0 Magistrate		
12	3.0 Magistrate		
13	4.0 Administrative Assistant I		
13	4.0 Magistrate		
16	1.0 Magistrate	\$40,000	
20	2.0 Administrative Assistant III		
20	3.0 Magistrate		
Total	41.0 FTE	\$40,000	\$2,500

Since Revision 7, the sixteenth circuit has chosen to receive contractual service funds of \$65,000 instead of an FTE. This amount of contractual funds does not cover the cost of a full time general magistrate's salary, benefits and expenses. These funds have not been used for any administrative secretary services, which puts the sixteen circuit out of the 1:1 ratio. The sixteenth circuit has requested to increase their contractual services funds by \$40,000 if the 1.0 FTE magistrate position is not funded.

The Judicial Resource Study (JRS), described in the attached narrative, developed weights for the general magistrates based on case type. These weights were applied to forecasted FY 2008-09 relevant filings and circuits “net need” are calculated. The attached table compares the “net need” based on the current methodology with the “net need” generated by the JRS.

Funding Methodology Committee Recommendation:

The Funding Methodology Committee approved the new case weight methodology for General Magistrates developed during the Judicial Resource Study using projected relevant FY 08-09 filings. The FMC recommends filing a LBR for 6.0 FTE General Magistrates and 6.0 FTE Administrative Secretary I, based on rounding up the net need of .5 or higher and considering only those circuits who requested positions. The 1:1 ratio of administrative support for each magistrate position was applied.

No LBR will be filed for OCO.

Trial Court Budget Commission Recommendation:

File issue as recommended using the new case weight methodology.

Trial Court Budget Commission
Meeting August 14, 2007

General Magistrates
FY 2008-09 LBR

Circuit	Current Number of GM's	Total Need ¹	Net Need	Circuit Requests for GM's	TCBC Approved LBR for GM's
Group I Circuits					
2	2.0	2.3	0.3	0.0	0.0
3	1.0	1.3	0.3	0.0	0.0
8	2.0	2.5	0.5	1.0	1.0
14	2.0	2.2	0.2	0.0	0.0
16	0.0	0.5	0.5	1.0	1.0
19	3.0	3.7	0.7	0.0	0.0
Group II Circuits					
1	4.0	5.0	1.0	0.0	0.0
5	5.0	6.6	1.6	6.5	2.0
7	3.5	4.8	1.3	0.0	0.0
10	4.0	5.5	1.5	0.0	0.0
12	4.0	3.2	-0.8	3.0	0.0
18	4.0	4.6	0.6	0.0	0.0
20	5.0	5.8	0.8	3.0	1.0
Group III Circuits					
4	7.0	6.9	-0.1	1.0	0.0
6	8.0	6.8	-1.2	0.0	0.0
9	6.0	6.7	0.7	0.0	0.0
13	7.0	7.7	0.7	4.0	1.0
15	7.0	6.2	-0.8	0.0	0.0
17	10.0	8.5	-1.5	0.0	0.0
Group IV Circuit					
11	12.0	12.0	0.0	3.0	0.0
Total					
	96.5	102.9	6.4	22.5	6.0

¹ Total Need based on 2007 Judicial Resource Study weights applied to projected fiscal year 2008-09 filings for simplified dissolution, dissolution, child support, UIFSA, other domestic relations, domestic violence, repeat violence, delinquency, dependency, professional malpractice, products liability, auto negligence, other negligence, condominium, contract & indebtedness, real property & mortgage foreclosure, eminent domain, other circuit civil, probate, guardianship, trust, Baker Act, substance

Recommendations of the Trial Court Budget Commission

FY 2008-2009 Legislative Budget Request

Issue: Child Support Enforcement Hearing Officers

The FY 07-08 contract was reduced by \$500,000 from last fiscal year. Given the financial outlook and impending budget cuts to be addressed during the September Special Session, the Department of Revenue (DOR) has proposed an additional reduction to the contract in the amount of \$200,000, as part of their target reduction exercise.

An analysis of budget, expenditure trends, and salary projections indicates that this additional \$200,000 reduction can be absorbed within current operations with no change in the level of service provided. The current year contract has been negotiated with a \$175,000 reduction to salaries (average 3.6% lapse; 4.25 FTE vacant) and a \$25,000 reduction to OPS, out of a total OPS budget of \$150,000 (OPS expenditures approximately \$25,000 for last fiscal year).

The total contract amount after these adjustments is approximately \$5.9M. DOR is opposed to and will not support any further contract reductions through FY 08-09.

The trial courts last received additional child support enforcement hearing officer FTE's in FY 2005-06 per the Department of Revenue's (DOR) LBR. For FY 2006-07 and FY 2007-08, a LBR was not filed for child support hearing officers as this was not identified as a priority of the TCBC and the results of the Judicial Resource Study were not yet available.

The Revision 7 LBR included hearing officers and support staff that existed as that time under a DOR/county cooperative. Since that time, there has not been a standardized, quantitative methodology used to determine the need for additional resources. Trial Court Administrator requests, DOR recommendations, and Uniform Data System workload data have been considered in the LBR process and allocation process. In addition, no policy has been made for the ratio of hearing officers to support staff.

In the past few years, a reserve OPS fund of \$151,018 has been available to the circuit for coverage issues and administrative help. Last year, only \$24,335.38 was spent by three circuits.

The Judicial Resource Study (JRS), described in the attached narrative, developed weights for child support enforcement hearing officers based on case type. These weights were applied to forecasted FY 2008-09 relevant filings and circuits "net need" are calculated.

Several factors impact the workload of child support enforcement hearing officers. One integral factor is of the case weight methodology is child support filings. However, child support filings have been declining in the last year (statewide 25% from FY 2004-05 to FY 2005-06) due in part to the automated computer system currently being implemented by DOR, which has slowed down the number of cases being referred to hearing officers. DOR has suggested that this reduction in workload is temporary and will return to normal levels once the system is fully operational.

Other factors that are not considered by the JRS, but can have a significant impact on workload, include legal service providers, DOR case managers, and local conditions (especially when counties are spaced out and significant travel is required). The variability of these factors across the state exists and may not be fully represented in the results generated by the JRS. These ancillary factors need to be taken into account when reviewing the net need results.

At this time DOR is not submitting a LBR requesting funding for additional hearing officers.

Circuit requests for FY 2008-09 are as follows:

Circuit	FTE Requests
6	0.5 Administrative Secretary I

Funding Methodology Committee Recommendation:

The Funding Methodology Committee approved the new case weight methodology for Title IV-D Child Support Hearing Officers developed during the Judicial Resource Study. The FMC recommends not filing a LBR, as the statewide calculation does not indicate additional resources needed above the FY 2007-08 allocation. The FMC recommends referring the sixth circuit's request to the BMC to consider reallocating a vacant .5 FTE Administrative Secretary I from the eighteenth circuit. Subsequent to the FMC meeting, this reallocation request was sent to the TCBC Executive Committee for consideration.

Trial Court Budget Commission Recommendation:

Do not file LBR. The reallocation of a .5 FTE Administrative Secretary I to the sixth circuit will be considered following September 1, 2007 when circuits have had the opportunity to fill positions vacant over 180 days.

Recommend the use of the new case weight methodology.

Recommendations of the Trial Court Budget Commission

FY 2008-2009 Legislative Budget Request

Issue: Traffic Infraction Hearing Officers

Currently, only contractual funding is appropriated for the traffic infraction hearing officer element. Administrative support positions have not been allocated to the circuits as a part of the funding methodology. The current funding methodology is based on a threshold of \$7,299 per county judge. Counties with existing allotments higher than this threshold are held harmless. Additional resources have not been requested from the Legislature since Revision 7. However, the total appropriation of \$2,892,848 was reduced by \$500,000 during the 2007 Legislative Session. As of June 30, 2007 only \$1,673,223 has been expended statewide. In the FY 2007-08 allotment process, the \$7,299 allotment per county judge was maintained (with no new judges, no adjustment was needed for those counties that receive the threshold amount). The counties that have historically received above the threshold amount had their budget reduced proportionally to absorb the \$500,000 decrease in budget.

For FY 2007-08, a LBR was not filed for traffic hearing officers as this was not identified as a priority of the TCBC and the results of the Judicial Resource Study were not yet available.

A case weight was developed for traffic hearing officers during the Judicial Resource Study for the case type of civil traffic infractions; however it was the recommendation of the Judicial Resource Study Workgroup and the Commission on Trial Court Performance & Accountability not to implement a case weight and workload model for traffic hearing officers due to the inconsistencies among circuits in how the hearing officers are utilized and accuracy issues related to traffic filing data collected from the Department of Highway Safety and Motor Vehicles (see attached narrative).

Circuit requests for FY 2008-09 are as follows:

Circuit	FTE Requests	Contractual
9	1.0 Administrative Secretary I	
11		\$322,970 (increase hourly rate to \$60)
Total	1.0	\$322,970

Funding Methodology Committee Recommendation:

The Funding Methodology Committee does not recommend filing a LBR for Traffic Infraction Hearing Officers. The Committee will consider redistributing allotment of funds during the FY 2008-09 allocation process.

Trial Court Budget Commission Recommendation:

Do not file LBR. Consider circuit requests during FY 2008-09 allocation process.

Recommendations of the Trial Court Budget Commission

FY 2008-2009 Legislative Budget Request

Issue: Expert Witness

In FY 2005-06, a total of \$4,954,677 was spent on expert witnesses (\$460,358 for custody evaluations). In FY 2006-07, a total of \$5,643,541 has been spent on expert witnesses, not including certified forwards (\$286,239 for custody evaluations).

For FY 2007-08, the Legislature fully funded the expert witness budget request of \$1,616,177 in contractual funding. This request was approved by the TCBC based on a projected increase in non-custody evaluation expenditures. For FY 2007-08, the total contractual budget for expert witnesses is \$7,102,812. During the allocation process, 5% (\$355,141) of the total budget was placed in reserve and \$6,747,671 was allotted based on a proportional distribution of annualized FY 2006-07 non-custody evaluation expenditures (as of May 2007).

For FY 2008-09, the TCBC did not specifically designate expert witnesses as a priority LBR issue. Circuit requests are reflected in the table below.

Circuit	Contractual	Expense
4	\$37,585	
12	\$31,000	
18		\$5,000 (travel expenses for custody evaluators)
Total	\$68,585	\$5,000

Funding Methodology Committee Recommendation:

Do not file LBR.

Trial Court Budget Commission Recommendation:

Do not file LBR.

Recommendations of the Trial Court Budget Commission

FY 2008-2009 Legislative Budget Request

Issue: Law Clerks

For FY 2007-08, a law clerk LBR was not filed and additional judgeships were not appropriated by the Legislature. For FY 2008-09, the TCBC did not designate law clerks as a priority LBR issue.

Circuit requests for FY 2008-09 are as follows:

Circuit	Requests
18	1.0 FTE Law Clerk – Post Conviction
Total	1.0 FTE Law Clerk – Post Conviction

A review of the July 1, 2007 vacancy report provided by the Office of Personnel Services indicates that 6.0 trial court law clerk positions and 1.0 senior trial court law clerk position have been vacant for a period over 180 days in four circuits. Two of these positions have been vacant for over a year.

Funding Methodology Committee Recommendation:

Do not file LBR.

Trial Court Budget Commission Recommendation:

Do not file LBR.

Recommendations of the Trial Court Budget Commission

FY 2008-2009 Legislative Budget Request

Issue: Court Administration

A court administration LBR has not been filed since Revision 7. The current funding methodology for court administration is based on a minimum level of support necessary to provide executive direction, general administration and judicial operation functions in small (9.0 FTEs), medium (14.0 FTEs), large (27.0 FTEs) and very large circuits (42.0 FTEs). The formula includes one trial court administrator and one court technology officer per circuit and two general counsel positions (one general counsel and one support staff) for large circuits and Miami-Dade.

	TCA	CTO	General 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	38.0	42.0

For FY 2008-09, the TCBC did not designate court administration as a priority LBR issue. Circuit requests are as follows:

Circuit	Positions	OPS	General Contract Services
2	1.0 FTE Chief Deputy Court Administrator 1.0 FTE General Counsel 1.0 FTE Senior Court Analyst II	\$22,880	\$8,575
4	1.0 FTE Budget Specialist 1.0 FTE Court Education Program Specialist 1.0 FTE Court Operations Consultant 1.0 FTE Court Operations Manager 1.0 FTE Human Resources Officer 1.0 FTE Senior Accountant	\$37,440	
5	1.0 FTE Chief Deputy Court Administrator 1.0 FTE Finance and Accounting Manager 1.0 FTE General Counsel 1.0 FTE Senior Court Analyst II		
6	1.0 FTE Administrative Assistant II	\$75,000 (\$45,000 for General Counsel)	
8	1.0 FTE Court Operations Manager 1.0 FTE Court Program Specialist II 1.0 FTE General Counsel		

Circuit	Positions	OPS	General Contract Services
11	1.0 FTE Accountant II 1.0 FTE Administrative Assistant I 1.0 FTE Administrative Assistant II 1.0 FTE Administrative Secretary I 1.0 FTE Fiscal Assistant 1.0 FTE Purchasing Specialist 1.0 FTE Purchasing Technician		
12		\$10,000	\$15,000
14			\$5,000
15	1.0 FTE Chief Deputy Court Administrator 1.0 FTE Court Communications Coordinator 3.0 FTE Administrative Assistant II		
17	1.0 FTE Director of Community Relations 1.0 FTE Purchasing Specialist		
18	1.0 FTE Chief Deputy Court Administrator		
19	1.0 FTE Accountant IV 2.0 FTE Administrative Assistant II		
20	1.0 FTE Administrative Services Manager 2.0 FTE Personnel Services Specialist 2.0 FTE Purchasing Specialist		
Total	40.0 FTE	\$145,320	\$28,575

Reasons cited for needing additional resources include increased levels of workload; higher demand for services; and inequities (classification and pay issues) resulting from staff performing additional duties outside their current job description. The 17th Circuit requests a reclassification of a Court Communications Officer if the associated position request for a new Director of Community Relations is not approved. The annual budgetary impact of this reclassification would be \$22,069. Also, the 15th Circuit requests a transfer of two existing positions (Court Operations Manager and Family Case Manager) from the court administration element to the case management element if the associated position requests for a new Chief Deputy Court Administrator and new Court Communications Coordinator are approved. Historically, circuits have been prohibited from transferring positions across elements. Thus, a policy change would be required by the TCBC in order to approve this action. In addition, the 15th Circuit requests a reclassification of an Administrative Secretary I to an Administrative Assistant III. The annual budgetary impact of this reclassification would be \$8,623. The 15th Circuit also requests a reclassification of 2.0 FTE Legal Secretaries to 2.0 FTE Administrative Assistant II's. The combined annual budgetary impact of these reclassifications is \$14,604.

Approving new resource requests would require a revision to the current formula for allocating court administration staff. If all circuit requests are approved, the total impact will equate to a statewide need for 122 positions. For instance:

- General Counsel – The 2nd, 5th and 8th Circuits requested one general counsel position each. If the 5th Circuit’s request is approved, the formula for medium circuits would increase to allow for two general counsel positions (one general counsel and one support staff), creating a total impact of 14.0 FTEs. If the 2nd and 8th Circuits’ requests are approved, the formula for small circuits would increase to allow for two general counsel positions (one general counsel and one support staff), creating a total impact of 12.0 FTEs.
- Operations/Administration – Of the small circuits, the 19th Circuit requested the most additional positions (3.0 FTEs). If approved, this would equate to a total impact of 18.0 FTEs for small circuits. Of the medium circuits, the 20th Circuit requested the most additional positions (5 FTEs). If approved, this would equate to a total impact of 35.0 FTEs for medium circuits. Of the large circuits, the 4th requested the most additional positions (6.0 FTEs). If approved, this would equate to a total impact of 36.0 FTEs for large circuits. For the 11th Circuit (very large), the impact would be 7.0 FTEs.

Historically, requests for new OPS/general contract services resources have not been approved by the TCBC. Generally, needs arising for these funds are accommodated within a circuit’s existing operating budget via budget transfers (allows funds to be shifted between cost centers) or budget amendments (allows funds to be shifted between budget categories). Each year, circuits are allotted OPS funds in the 110 Cost Center (Judges/JA’s) and as temporary service needs arise in other elements, funds are temporarily transferred to those elements. Presently, OPS funds are not *permanently* allotted across elements because these funds are provided for temporary needs. General contracted service needs are also funded within a circuit’s existing operating expense budget. Upon a circuit’s request, OSCA will either temporarily or permanently transfer expense funds to this category via budget amendment.

Funding Methodology Committee Recommendations:

Positions

Do not file LBR.

Reclassifications

Recommend forwarding reclassification requests to the Budget Management Committee for consideration. *Note: Subsequent to this recommendation, these requests were referred to the Executive Committee.*

OPS/General Contract Services

Do not file LBR.

Funding Methodology

For future legislative budget requests, recommend revising formula based on increasing the level of support, for small and medium circuits, to include two general counsel

positions (one general counsel and one support staff) and one additional operations/administration position.

Trial Court Budget Commission Recommendations:

Positions

Do not file LBR.

Reclassifications

Do not file LBR. Circuits are directed to follow Personnel policies and procedures for reclassification requests. If the reclassification is approved, circuits must utilize available rate to fund the reclassification as outlined in the Budget and Pay Administration Memorandum from the Chief Justice dated July 2, 2007.

OPS/General Contract Services

Do not file LBR.

Funding Methodology

As recommended, for future legislative budget requests, increase formula for small and medium circuits by two general counsel positions (one general counsel and one support staff) and one operations/administration position.

Recommendations of the Trial Court Budget Commission

FY 2008-2009 Legislative Budget Request

Issue: Mediation

The mediation model is based on 1) a circuit size formula for coordination and 2) a filings formula for direct services; as illustrated in the following table.

	Coordination	Direct Services
	GR	GR
Small	\$250,000	\$4 per Eligible Filing
Medium	\$375,000	
Large	\$475,000	
Very Large	\$600,000	

For FY 2007-08, a mediation LBR was not filed. Further, during the 2007 legislative session, statewide trust authority was cut by \$308,713 leaving \$2,229,292 available for allotment. For the FY 2007-08 allocation process, trust authority was allotted based on a proportional distribution of the total appropriation using annualized FY 2006-07 trust collections. Contractual GR was allotted based on deducting annualized FY 2006-07 trust and contractual GR expenditures from the FY 2007-08 trust authority allotments. Where calculations resulted in a negative balance indicating a deficit, GR contractual was allotted up to the amount allowed under the mediation model to cover the need. The remaining statewide GR contractual balance of \$33,197 was placed in reserve.

For the FY 2008-09 LBR, the TCBC did not designate mediation as a priority issue. Circuit requests are as follows:

Circuit	Positions	Contractual
1	1.0 FTE ADR Director	
4	1.0 FTE Mediator- Circuit/Family 1.0 FTE Secretary Specialist	
8	1.0 FTE Mediator- Circuit/Family	\$35,000 (Trust Authority)
9	1.0 FTE Court Program Specialist	
14		\$25,000 (GR) \$25,000 (Trust Authority)
15	1.0 FTE Administrative Secretary I (Trust Authority) 1.0 FTE Mediator – Circuit/Family (Trust Authority)	
Total	5.0 FTE (GR) 2.0 FTE (Trust Authority)	\$25,000 (GR) \$60,000 (Trust Authority)

Funding Methodology Committee Recommendations:

General Revenue Positions and Contractual

Do not file LBR.

Trust Authority Positions and Contractual

Request additional trust authority for 2.0 FTEs (\$118,889 in salaries/benefits/ expense authority) and \$401,869 in contractual authority based on circuit requests and annualized FY 2006-07 trust collections with a 10% growth rate applied statewide.

Future Considerations:

During the next several months, the Committee on ADR Rules and Policy will be working to develop recommendations on standards and best practices for mediation including recommendations for modifying the existing mediation model.

Trial Court Budget Commission Recommendations:

General Revenue Positions and Contractual

Do not file LBR.

Mediation Trust Authority

Request \$2,750,050 in total trust authority based on circuit requests and annualized FY 2006-07 trust collections with a 10% growth rate applied (current authority equals \$2,229,292).

**Trial Court Budget Commission
Meeting August 14, 2007**

**Mediation
FY 2008-09 Trust Authority**

Circuit	FY 2007-08 Trust Authority	Estimated FY 2006-07 Trust Expenditures ¹	Annualized FY 2006-07 Trust Collections with 10% Growth Rate ²	Budget Request Fiscal Year 2008-09					TCBC Approved LBR ⁴
				FTE	Classification	Estimated Salaries, Benefits, and Expenses ³	Contractual	Total Budget Request FY 2008-09	
1	\$71,148	\$67,640	\$82,248	0.00		\$0	\$0	\$0	\$82,248
2	\$30,440	\$20,858	\$34,803	0.00		\$0	\$0	\$0	\$34,803
3	\$20,809	\$19,950	\$24,535	0.00		\$0	\$0	\$0	\$24,535
4	\$56,703	\$70,378	\$59,876	0.00		\$0	\$0	\$0	\$59,876
5	\$37,585	\$0	\$43,040	0.00		\$0	\$0	\$0	\$43,040
6	\$160,414	\$196,272	\$233,368	0.00		\$0	\$0	\$0	\$233,368
7	\$20,356	\$10,722	\$22,502	0.00		\$0	\$0	\$0	\$22,502
8	\$62,730	\$90,313	\$68,520	0.00		\$0	\$35,000	\$35,000	\$103,520
9	\$351,187	\$377,059	\$397,435	0.00		\$0	\$0	\$0	\$397,435
10	\$76,177	\$15,110	\$87,824	0.00		\$0	\$0	\$0	\$87,824
11	\$92,818	\$74,728	\$105,534	0.00		\$0	\$0	\$0	\$105,534
12	\$37,650	\$7,606	\$42,986	0.00		\$0	\$0	\$0	\$42,986
13	\$325,620	\$299,932	\$370,189	0.00		\$0	\$0	\$0	\$370,189
14	\$1,899	\$0	\$3,960	0.00		\$0	\$25,000	\$25,000	\$28,960
15	\$253,651	\$1,792	\$266,259	1.00	Adm Sec I	\$118,889	\$0	\$118,889	\$385,148
				1.00	Mediator Cir/Fam				
16	\$6,717	\$0	\$8,204	0.00		\$0	\$0	\$0	\$8,204
17	\$135,925	\$39,438	\$150,120	0.00		\$0	\$0	\$0	\$150,120
18	\$173,250	\$143,573	\$213,308	0.00		\$0	\$0	\$0	\$213,308
19	\$39,375	\$1,720	\$42,889	0.00		\$0	\$0	\$0	\$42,889
20	\$274,838	\$301,284	\$313,561	0.00		\$0	\$0	\$0	\$313,561
Total	\$2,229,292	\$1,738,375	\$2,571,161	2.00		\$118,889	\$60,000	\$178,889	\$2,750,050
FY 2008-09 LBR Request									\$520,758

¹ Estimated FY 2006-07 Trust Expenditures includes actual FY 2006-07 expenditures and estimated certified forward dollars. Expenditures include a 1.0 Administrative Secretary I for the first circuit and an unfilled 1.0 Mediator/Circuit Family for the fourth circuit.

² Represents a 10 percent growth rate applied to annualized FY 2006-07 trust collections as reported on the Mediation Services Cost Recovery report for cost center 430 (Office of Budget Services, July 2007). Does not include refunds.

³ Salaries, benefits, recurring expenses, and non-recurring expenses provided by OSCA, Budget Services.

⁴ Represents the sum of TCA Budget Request and Trust Collections.

Recommendations of the Trial Court Budget Commission

FY 2008-2009 Legislative Budget Request

Issue: Juror Per Diem

Standard jury panel sizes were implemented by the Supreme Court in the early 1990's in response to an Auditor General performance audit. The implementation of standard panel sizes, combined with a reduction in the term of service and a statutory change in the payment of jurors, have saved the State Courts System more than \$18 million in unnecessary juror per diem costs. However, data submitted to the Office of the State Courts Administrator indicated the standard panel sizes were being exceeded. A review of jury management practices completed in March 2003 provided initial evidence that the standards for jury panel sizes were no longer applicable.

Based on this initial evidence, the Trial Court Budget Commission recommended to the Supreme Court that a more detailed review of the standards be conducted. Through administrative order AOSC04-64, Justice Barbara J. Pariente established the Workgroup on Standards for Jury Panel Sizes to develop and recommend new standards. The workgroup issued its final report in March 2006 with recommendations to adjust the standards upward and allow greater flexibility to presiding judges. These changes were adopted by the Supreme Court and have been implemented through administrative order AOSC06-13.

It was estimated that the changes to the standards may translate into a higher number of citizens being requested to report for jury duty. A higher number of jurors reporting for jury duty would translate into increased juror per diem expenditures. The current juror per diem appropriation is \$4,536,910.

An analysis of juror per diem expenditure data was conducted to determine the potential need for additional dollars in FY 2008-09. The following table depicts the quarterly expenditures for FY 2004-05 through FY 2006-07 and provides FY 2007-08 and FY 2008-09 projections based on an average 5.45% percent growth rate.

Funding Methodology Committee Recommendation:

File LBR for \$498,472 based on annual average 5.45% growth rate in expenditures.

Trial Court Budget Commission Recommendation:

Table until FY 2007 Special Session cut decisions have been finalized. File as a supplemental LBR issue if needed.

Recommendations of the Trial Court Budget Commission

FY 2008-2009 Legislative Budget Request

Issue: Other Circuit Requests

Issue 1: FTE in Judges/JA's cost center (110)

The 4th Circuit requests 1 FTE Administrative Secretary II. Based on the request narrative, this appears to be a request for a "floater" Judicial Assistant.

During Revision 7 implementation, the one-to-one ratio of JA's to Judges was adhered to and no provisions for additional Judicial Assistant support were developed. Temporary judicial assistant services are provided to each circuit through the Other Personal Services (OPS) allotments.

Funding Methodology Committee Recommendation:

Do not file issue.

Trial Court Budget Commission Recommendation:

As recommended, do not file issue.

Issue 2: Other Personal Services (OPS)

A) The 4th Circuit requests a total of \$23,130 in OPS funding for temporary employment of the following positions:

Drug Court Assistant (\$2,808);
Office Assistant (\$7,800);
ADA Coordination Assistant (\$7,800); and
Record Keeping Assistant (\$31,200).

This request was made in the Judges & JA's cost center (110). The 4th Circuit currently has \$26,478 in OPS funding in the Judges & JA's cost center.

Funding Methodology Committee Recommendation:

Do not file issue.

Trial Court Budget Commission Recommendation:

As recommended, do not file issue.

- B) The 12th Circuit requests \$10,150 in recurring OPS funding for temporary JA's in Circuit Court. The request would allow each circuit JA two weeks of coverage while they are out on annual or sick leave. The current allotment only allows 1.2 weeks of coverage per JA.

Funding Methodology Committee Recommendation:

Do not file issue.

Trial Court Budget Commission Recommendation:

As recommended, do not file issue.

- C) The 12th Circuit requests \$12,000 in recurring OPS funding for temporary JA's in County Court. The request would allow each county JA two weeks of coverage while they are out on annual or sick leave.

Currently, there is no OPS funding in the County Court budget entity.

Funding Methodology Committee Recommendation:

Do not file issue.

Trial Court Budget Commission Recommendation:

As recommended, do not file issue.

- D) The 20th Circuit requests \$21,000 in OPS funding for temporary JA's in Circuit Court. FY 06-07 OPS funds were exhausted in less than 6 months into the fiscal year. One of the circumstances limiting coverage by other JA's is location of judges and JA's, e.g., Glades County, where there is only one judge and one JA.

Funding Methodology Committee Recommendation:

Do not file issue.

Trial Court Budget Commission Recommendation:

As recommended, do not file issue.

Issue 3: Operating Capital Outlay (OCO) and Expenses

- A) The 18th Circuit requests a permanent transfer of \$50,000 from Expenses to OCO.

For Fiscal Year 2005-2006, the TCBC voted to approve a transfer of funds from the Expense category to the OCO category in order to establish a permanent OCO base in the Circuit Courts to be used for the replacement of allowable office furniture and equipment pursuant to Section 29.008 (1)(a) 1 and 2, F.S. The circuits were then polled to determine the amount in each cost center for transfer from Expense to OCO. As a result of that exercise, \$50,000 in Expense was permanently transferred to OCO in cost center 110 (Judges and JA's) in the 18th Circuit beginning in Fiscal Year 2005-2006. This request is for an additional \$50,000 permanent transfer to OCO from Expense.

Funding Methodology Committee Recommendation:

Do not file issue.

Trial Court Budget Commission Recommendation:

As recommended, do not file issue.

B) The 5th Circuit requests non-recurring funds in the amount of \$103,000 in Expenses and \$152,000 in OCO for furnishing an expansion of the Marion County Judicial Center. This expansion is due to be completed by March, 2009. Equipment and furnishings are needed for non-public areas, which are a state funding responsibility. These are areas other than courtrooms, hearing rooms, jury facilities and other public areas, pursuant to Section 29.008, F.S.

Funding Methodology Committee Recommendation:

File issue as requested.

Trial Court Budget Commission Recommendation:

File issue as recommended for \$103,000 in Expense and \$152,000 in OCO for furnishing the expansion of the Marion County Judicial Center, in the 5th Judicial Circuit.