

Revised Summary of Trial Court Budget Requests Fiscal Year 2003-2004

Trial Court Staff Attorneys

The mission of the Florida State Courts System is to:

- protect individual rights and liberties,
- uphold the law,
- enforce public order, and
- provide for the peaceful resolution of disputes.

Florida's courts' role in the criminal justice system is to determine guilt or innocence of the accused, safeguard victims' rights and impose appropriate punishment. The ability to carry out this work requires reasonable and adequate resources.

One key resource in criminal divisions is trial court staff attorneys. The courts are requesting an additional trial court staff attorney for each circuit that has averaged more than 20 capital case filings per year over the last eight years. In addition to the positions requested for capital cases, nine additional trial court staff attorney positions are requested to be distributed to circuits based on further study of trial court staff attorney needs. Staff attorney positions will also be included with judicial certification to maintain the 1 staff attorney to 3 judge ratio for circuit court. This budget proposal also includes \$149,150 in expense funding to support a two-day education program for trial court staff attorneys.

Capital case staff attorneys benefit the judicial system by keeping judges current in an area of law that is characterized by rapidly changing case law, statutory provisions, and rules. Death cases often are accompanied by much more voluminous documentation and pleadings. A staff attorney can provide valuable assistance to the judge in processing these extensive records. In capital cases, specialized proceedings not necessary in ordinary felony cases are required. A staff attorney can also help a judge empanel a death qualified jury, during penalty phase evidence production and jury instruction, and in the findings necessary in sentencing, all of which are unique to capital cases.

Total Budget Request: 21 positions, \$1,185,394, not including positions to be included with judicial certification request.

Circuit Distribution: 1 capital case staff attorney each in the 11th, 17th, 9th, 13th, 4th, 15th, 6th, 10th, 1st, 7th, 18th, and 5th. Remaining 9.0 FTE to be allocated based on outcome of upcoming review of staff attorneys by the Trial Court Performance & Accountability Commission.

TCBC Recommendation: File Issue.

General Masters

The mission of the Florida State Courts System is to:

- protect individual rights and liberties,
- uphold the law,
- enforce public order, and
- provide for the peaceful resolution of disputes.

Florida's courts play a key role in protecting children, families, and the elderly. The ability to effectively do so requires reasonable and adequate funding.

One key resource in the family, dependency and probate divisions are general masters. General Masters are also used extensively in mental health proceedings. The courts are requesting one general master and one secretary position for each circuit that is well below the statewide average of one general master for every 3,000 filings in these divisions. This budget proposal also includes \$65,000 in expense funding to support a two-day education conference for general masters and hearing officers.

General masters are beneficial to these divisions because they supplement the work of judicial officers in order to expedite hearings, expand judicial resources, and provide special expertise in a specific case type. They hear certain judicial proceedings involving substantive matters, make findings of fact and prepare recommended reports for the judges' consideration. They are a valuable resource for providing a timely opportunity to be heard, and resolving pre-trial, post-judgment and enforcement matters.

Total Budget Request: 18 positions, \$1,049,521.

Circuit Allocation: one general master and one secretarial position each for the 1st, 3rd, 5th, 7th, 9th, 10th, 12th, 14th, and 19th circuits.

TCBC Recommendation: File Issue.

Case Management

The mission of the Florida State Courts System is to ensure democracy by:

- protect individual rights and liberties,
- uphold the law,
- enforce public order, and
- provide for the peaceful resolution of disputes.

Florida's courts are committed to insuring that justice is carried out in a fair, timely, and impartial manner. The ability to carry out this work requires reasonable and adequate resources.

The approach for the budget request for case management positions is to bring circuits that have few case management positions closer to the average level of support enjoyed by similar circuits. The focus for this recommendation is on case management positions that work on types of cases that are a high priority. Some guidance in this area was provided by the Case Management Workshop conducted by the Committee on Trial Court Performance and Accountability. Prioritization factors may include: the presence of vulnerable parties; the percentage of pro se litigants; the complexity of the cases; and the volume of cases. The proposal also includes \$150,000 in expense funding required for case management education.

One widely used area of case management is in family courts. Case management staff evaluate cases and provide continued attention to the needs of the children and family as the case moves through the judicial system to ensure that the appropriate court resources and linkages to community resources are facilitated. The Supreme Court has found that appropriate case management resources should slow the demand for additional family court judges and that anticipated benefits would include: reducing the impact of inconsistent orders on law enforcement, witnesses and parties; encouraging agreed-upon resolution of issues, thereby reducing the judge's time in each case; reducing the need for further modification or enforcement proceedings; reducing the overall time that a family is in court, thereby minimizing the disruption to the litigants; and reducing the duplication of services. *Family Courts IV (2001)*.

Total Budget Request: 9 positions, \$541,448.

Circuit Allocation: 1 case management position each for the 1st, 2nd, 3rd, 4th, 5th, 6th, 12th, 14th, and 15th circuits.

TCBC Recommendation: File Issue.

Court Administration

The mission of the Florida State Courts System is to:

- protect individual rights and liberties,
- uphold the law,
- enforce public order, and
- provide for the peaceful resolution of disputes.

In order for the courts to fulfill their mission, an adequate infrastructure is essential. A minimum administrative structure that gives every circuit the capacity to budget, buy goods and services, pay for goods and services, and hire staff, is essential. Additionally, each circuit will need a chief deputy court administrator to oversee court operations.

The budget proposal includes thirteen court administration positions in six circuits in order to facilitate the transition to state funding: the 3rd and 5th Circuits (three positions), the 10th Circuit (one position); and the 14th, 16th, and 19th Circuits (two positions). The proposal also includes \$40,000 for administrative staff training and coordination. Funds are also included to provide each circuit with a chief deputy court administrator either by upgrade of an existing state deputy, or converting chief deputies that are currently paid for by the county.

Total Budget Request: 26 administration positions, \$1,195,525

Circuit Distribution: three court administration positions in the 3rd and 5th circuits; one court administration position in the 10th circuit; and two court administration positions each in the 14th, 16th, and 19th circuits.

Circuit Distribution: one chief deputy court administrator position each for the 6th, 7th, 9th, 11th, 13th, 17th, and 20th circuits. One upgrade from senior deputy to chief deputy each, for the 1st, 2nd, 3rd, 5th, 8th, 10th, 12th, 14th, 15th, 16th, 18th, and 19th circuits.

TCBC Recommendation: File Issue.

Summary of New Trial Court Budget Requests Fiscal Year 2003-2004

Child Support Enforcement OPS/Contract Conversion to FTE

In order to follow federal guidelines regarding consistent classification and pay of employees, the TCBC should consider an issue to convert those hearing officers and secretaries currently paid by contract service agreements to full-time equivalent employees.

Total Budget Request: 7 FTE Hearing Officers and 2.50 FTE Senior Secretaries

Circuit Distribution:

1st - .50 FTE Hearing Officer, .50 FTE Sr. Sec.

2nd - .50 FTE Hearing Officer, .50 FTE Sr. Sec.

3rd - 1 FTE Hearing Officer, .50 FTE Sr. Sec.

10th - 1.0 FTE Hearing Officer

11th - .50 FTE Hearing Officer

12th - 1 FTE Hearing Officer

17th - .50 FTE Hearing Officer

18th - 1 FTE Hearing Officer, .50 FTE Sr. Sec.

19th - .50 FTE Hearing Officer, .50 FTE Sr. Sec.

20th - .50 FTE Hearing Officer

TCBC Recommendation: File Issue.

Family Court Implementation Pilot Projects

In FY 2000/01 the legislature authorized funding for pilot projects to encourage judicial circuits to develop effective mechanisms for coordinating cases, court services, and community services for Florida’s families involved in court proceedings, to ultimately establish models of best family court practices.

The sixth and twentieth circuits were awarded funding in the Model Family Court Implementation Grants category. Each were given the authority to develop and administer individual pilots in an effort to achieve the “model” family court. Those initiatives currently continue as follows:

Model Family Court Pilot - 6th Circuit

The type of case management provided by this pilot is best described as a “reviewing/coordinating” model, focusing on the quality services provided to children and families within a one-family/one-judge model. Grant funds were used to establish an urban unified family court (UFC) model in one of Pinellas County’s seven courthouses where dependency and delinquency cases are currently processed. The primary objective is to focus the pilot effort on children and families with the greatest need. Grant funds were also used to implement a rural UFC model in East Pasco County.

Model Family Court Pilot - 20th Circuit

The type of case management provided by this pilot is best described as “active management”, using proactive monitoring and case status conferences to ensure that issues are identified and resolved as early as possible. Grant funds were used to establish a Model Family Court in Lee County by creating a Family Law Resource center with a focus on intake, referral and proactive case management under a one-family/one-team model.

Total Budget Request: Continue base funding of \$500,000 for FY 2003/04 from the Family Court Trust Fund; study the issue of expansion to the remaining 18 circuits and make recommendations to the TCBC for the 2004/05 LBR submission, including an assessment and evaluation of existing pilots.

TCBC Recommendation: File Issue.

Enhancing the State Courts Network

The Trial Court Technology Commission approved this issue for advancement to the TCBC at their July 16 meeting. This budget issue is being submitted to enable the state courts system to continue to access Internet services and support the mandated increases to the network bandwidth to provide for effective levels of communications within the court system. These communications services support the consolidated legal research facilities and video conferencing capabilities throughout the judicial branch. Recurring funding is requested in the amount of \$70,000 to continue ongoing annual Internet line costs for the judicial branch, and \$250,000 for increases in bandwidth services costs implemented through the Department of Management Services.

This funding ensures the continued network operations for the State Courts Network and is critical to the day-to-day operations of the court system in carrying out its judicial responsibilities to uphold the law and ensure public order. These networking capabilities are, at a basic level, the underlying components that support and facilitate the disposition of cases through our court system. With the court system having a unique role in the protection of all individuals, especially as it regards the needs of children, families and the elderly, every case should be resolved as expeditiously and fairly as possible.

The networking infrastructure plays a very significant role and is a critical tool to ensuring that our justice system continues to carry out decisions in a fair, timely and impartial manner in achieving an expeditious resolution of disputes and cases which have a direct impact on the well being of the public.

Total Budget Request: \$320,000
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TCBC Recommendation: File issue.

Video Teleconferencing for Trial Courts

The Trial Court Technology Commission approved this issue for advancement to the TCBC at their July 16 meeting. This budget issue is being submitted to provide for the purchase of video teleconferencing units in the trial courts, and additional network communications bandwidth for the state network backbone. Non-recurring funding in the amount of \$221,000 is requested for FY 2003-04 to support the purchase of the 14 video teleconferencing units and two wireless systems; \$281,400 is requested in recurring funds to support this initiative.

The implementation of these video conferencing resources have provided for cross-county arraignments and first appearances, inter-circuit and inter-state hearings, expert witness testimony outside of the local jurisdiction, depositions, and other evidentiary hearings. There is a need to leverage the use of additional video teleconferencing support in the judicial circuits, specifically in those circuits where there are multiple counties and the judge (s) have to schedule a significant percentage of their time in travel.

Video conferencing is being utilized to reduce costs to the taxpayers in many areas of the courts. Cost recovery is immediate in cross-county arraignments and first appearances. Video conferencing assists with eliminating scheduling conflicts in order to maximize the use of the judges' and court staffs' time, and has also proven to reduce, if not eliminate, travel costs throughout many of our judicial circuits. It allows for a reduction of costs in the transportation of prisoners to and from hearings, as well as increasing public safety. Additionally, several circuits are coordinating the use of video with other state agencies to allow for expert witness testimony, depositions and other evidentiary hearings.

Video conferencing has proven to be an extremely useful and cost-effective tool in expediting the movement of cases through the court system, which has had a direct and positive impact on meeting the needs of the public. One of the goals being realized with the use of video conferencing is its capability to allow judges to promptly resolve business, property and other disputes in a fair, timely and impartial manner. The courts are continually reviewing advancements in technology that would seek to provide individuals with the most expeditious means to resolve their issues. The courts are very focused at this time on the handling of cases which impact directly on children, families and the elderly. It is important that the courts have the most technologically capable equipment to enable them to met out justice in as timely a manner as possible.

Total Budget Request: \$502,400 for Fiscal Year 2003/04, with \$281,400 continuing in FY 2004/05 for ongoing support of the system. The Trial Court Technology Commission has recommended that these units be allocated to those courthouses that do not yet have video conferencing capabilities, based on judicial population at each courthouse.

TCBC recommendation: File Issue

Maintenance Support for Enterprise Judicial Information System (EJIS)

The Trial Court Technology Commission approved this issue for advancement to the TCBC at their July 16 meeting. During FY 2002-2003 funding of \$3.3 million was appropriated to acquire hardware, software, grant-in-aid funding to support the various state and local entities system modifications, and development and integration services to establish an enterprise (statewide) judicial information system. Initial operating capability will provide access to a minimum of seven (FDLE, DJJ, DCF, DHSMV, Corrections, Clerk of Court, and Sheriff/Law Enforcement) state and local data sources and will be accessible to judges statewide using a simple web browser. The technology will allow judges and others to search multiple sources with a single query, enabling trial court judges and court staff to perform their duties faster, more efficiently, and more cost effectively.

Recurring funding of \$650,000 is requested for support staff and ongoing maintenance of the system to ensure that the initial investment is protected and the continued access and availability of data is maintained. It is further recommended that this funding, if approved, would more appropriately be allocated directly to the State Technology Office, since the EJIS project encompasses the courts, other criminal justice entities, and social service entities, serving the needs of the public.

The purpose of this project is to provide for the statewide sharing of information as it relates to the timely, expeditious, and fair processing of case dispositions. This system will enable the courts to obtain the most current, extensive data available to ensure that the public is protected, that disputes are resolved in an efficient manner, that victim's rights are protected and that appropriate informed decisions are made throughout the courts statewide. Most importantly, critical information will be obtained through an automated, electronic process, therefore replacing many of the manual paper intensive processes currently in place.

Total Budget Request: \$650,000 with appropriation to the State Technology Office.

TCBC Recommendation: File issue in STO budget.

Oracle Financial & Procurement System Software

Over the past several years, in support of implementing Revision 7, OSCA's Information Systems Services (ISS) has investigated various automated financial management systems. With assistance from the trial courts, these systems were reviewed and assessed to determine which system would best meet the financial requirements of the 20 judicial circuits, and to increase the productivity and efficiency within the judicial branch. The Implementation of Revision 7 will increase various administrative tasks with the OSCA, due to the shift of administrative responsibilities from the counties to the state. Additionally, various administrative tasks will be decentralized at the circuit level. It is anticipated that the employee base for the judicial branch may double; therefore, it is critical that a core system be implemented for all branch employees.

After the review, a determination was made that the Oracle's Financial and Procurement System Software would provide the needed solution to integrate the finance, accounting and procurement processes. The appellate courts currently utilize Oracle data base products and tools; thus the base licensing for the system software would be in place. The budget proposal requested funding in the amount of \$995,433, which included system software costs, consulting services to develop an automated interface between the State SAMAS system, and the hardware required to house the dedicated system. The proposal also included two OSCA FTE; an Applications/Data Base Administrator for the technical expertise, and a Financial Applications position for the required financial expertise.

Although this issue was to be resubmitted for FY 2003/2004, we have been advised that funding of over \$36 million is in place for this year, FY 2002/2003, for the FLAIR (SAMAS) replacement system. The proviso language indicates implementation of this system within two fiscal years (by July 1, 2004). The system will include many of the features and functions that the courts had requested for the Oracle automated system. Further discussion with the Office of the Comptroller has confirmed that the FLAIR replacement system would also provide an interface with the SPURS state purchasing system, and more up-to-date financial reporting than was previously available in the existing SAMAS system.

Based on the implementation of the FLAIR (SAMAS) replacement system, which will enhance and expedite access to the state financial data and procurement information, it is recommended that the courts not submit the budget issue for the Oracle's Financial & Procurement System Software as previously anticipated.

Total Budget Request: 2.0 FTE, \$995,443

TCBC Recommendation: Do not file this issue.

Court Reporter Budget Issue

In 2002 the Trial Court Budget Commission discussed the possibility of seeking one time funding for digital court reporting technology. The commission observed that emerging technologies present an opportunity to increase efficiency in the recording and production of the court record, which could result in significant cost containment in the Revision 7 budget request for court reporting services. The Commission asked that the Committee on Trial Court Performance and Accountability examine the delivery options for court recording to develop a strategic approach to long-term cost containment and budgeting.

In April 2002 the Committee on Trial Court Performance and Accountability engaged a court reporter workgroup to review the current practices for recording and preparing court records and to develop policy and procedural recommendation to improve the efficiency and effectiveness of this service. The workgroup met on April 9-10, 2002 and again on May 7, 2002. Their preliminary finding and recommendations were presented to the Committee on Trial Court Performance and Accountability on May 31, 2002. Included in their findings was an acknowledgment that digital court recording does provide an efficient and effective method of recording court proceedings. They recommended that technology be incorporated into court rooms and hearing rooms to provide for electronic recording capabilities. Their findings and recommendation was forwarded to the Funding Methodology Subcommittee for budget considerations.

Subsequently the Funding Methodology Subcommittee coordinated the distribution of a survey to all circuits to identify the specific needs of the circuits for digital court reporting technology. The identification of the technology options that would best provide these services was coordinated with the Court Technology Commission. The proposed technology solutions to meet the circuit needs and the associated budget proposal was reviewed and approved by the Funding Methodology Subcommittee on July 30, 2002.

The proposal provides for digital court reporting equipment for 19 of the 20 circuits. The 19th circuit currently has state of the art equipment in all its court facilities and does not request additional funding. The total funding request is for \$11,968,000. To support this budget request the Funding Methodology Subcommittee will continue to work with the circuits to identify information and data on the potential cost containment and reductions that will result from the implementation of digital recording.

Total Budget Request: \$11,968,000, with the opportunity for the 4 th , 6 th , and 13 th circuits to revisit their request, as they did not include equipment for circuit criminal divisions.
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TCBC Recommendation: File Issue.