

Minutes
Trial Court Budget Commission (TCBC)
Naples Registry Resort, Naples, FL
June 22, 2002

Members Present:

Susan Schaeffer, Chair	Donald Moran, Jr.
Don Briggs, Vice-Chair	Stan Morris
Mike Bridenback	Carol Ortman
Paul Bryan	Wayne Peacock
Ruben Carrerou	Nancy Perez
Joseph Farina	Belvin Perry, Jr.
Charles Francis	Judy Pittman
Kim Hammond	Mark Van Bever
Lee Haworth	Theresa Westerfield
Paul Kanarek	Doug Wilkinson
Randall McDonald	

Members Absent: No Members Absent

Others Present: OSCA Staff; Judge Daniel Dawson, 9th Circuit; and Nick Sudzina, Trial Court Administrator of the 10th Circuit.

Judge Schaeffer began the meeting at 8:30 am with all members present. She asked if there were any corrections to the April 2002 TCBC minutes. Seeing none, Judge Farina made a motion that they be approved. The motion was seconded by Carol Ortman and passed.

Wrap-Up from Meeting Held on June 21, 2002 Between the TCBC and the Trial Court Performance and Accountability Committee

Judge Schaeffer thanked the TCBC members for attending the previous day's workshop and said it was successful in helping determine which programs should or should not be considered as part of the court system budget. However, one issue that arose from the workshop that still needs to be addressed is whether to require small counties to have law libraries. She suggested that the TCBC wait to see the results of the meeting in a summary form and then revisit that issue and others as necessary.

Review of 2002 Legislative Session

Lisa Goodner, Deputy State Courts Administrator stated that this Legislative session the courts were successful in getting funding at a time when some agencies were not doing well in the budget process. However, not all of the news out of the legislative process was good for the

judicial branch.

The Legislature failed to re-authorize three of the trust funds that the courts have historically utilized. The Article V Trust Fund expires June 30, 2002 and will no longer exist. The other two trust funds, Court Education and Family Court, will expire in November 2004, unless they are re-authorized. Ms. Goodner pointed out that there are two more opportunities (sessions) to convince the Legislature to continue these two trust funds. Judge Schaeffer asked if there are other groups within the judicial branch that will be looking at the importance of these trust funds and making recommendations that they continue. Ms. Goodner replied that both the Florida Court Education Council and the Family Court Steering Committee are taking up the issue and will be presenting reasons why the trust funds should continue.

Charlotte Jerrett, Chief of Budget Services, went through those areas of the budget worksheet that involved new trial court funding for FY 2002-03. She stated that the Legislature provided money to obtain drug court coordinators in the 3rd and 6th circuits, there was a \$100,000 increase in funding for Jimmy Ryce conflict cases, and 39 new positions associated with additional judgeships were funded. Also while \$3.3 million was reduced in funding out of the Article V Trust Fund, \$2.8 million was restored from general revenue for funding of small county courthouse facilities. The foster care review program was continued in Dade county and \$200,000 cut in a previous special session in Marion County was restored. Also, this session, the Legislature funded 137.5 GAL positions at an annual expense of \$13 million dollars. Finally, the Legislature provided funding to restore cuts from a previous session for the drug court treatment services in Brevard and Pinellas counties.

Judge Schaeffer pointed out that the Legislature was also generous enough to fund \$3.3 million dollars to the courts as a means to move toward improved technology. She credited Judge Francis with taking the lead on this and noted it was a very important first step in moving toward having the technology in place for judges and staff to do a better job. Ms. Jerrett closed her presentation by stating that for the fiscal year 2002-03 there was approximately \$16.5 million dollars in new general revenue for the courts.

Revision 7 Legislative Issues

Rob Lubitz, State Courts Administrator, said that since the TCBC last met there has been much activity in the Legislature concerning Revision 7. Judge Schaeffer stated that the House of Representatives have staff that will probably be visiting some of the circuits soon to learn about the trial courts. She was recently informed that the staff would be visiting her circuit (6th Judicial Circuit) on June 24th and the 11th circuit and 17th circuit on the following two days.

House of Representatives Staff Workgroups

Mr. Lubitz said that the House has set up approximately 10 separate workgroups to study the Revision 7 issues as interim projects this summer. To date, we have not been told the official names or scope of each of these workgroups. However, there have been numerous contacts between the House and OSCA staff. He listed the potential names of the workgroups we know so far: technology; due process; alternative dispute resolution; performance measures; statutory changes; revenues; court administration; and speciality courts. While the names of the workgroups are unclear, Brenda Johnson, OSCA Legislative Director, is keeping a log of all the contacts we've had and all of the information that has been requested and all the information that has been sent out. He pointed out that Peggy Horvath, OSCA Chief of Strategic Planning has had most of the contact with various groups and he asked Peggy to brief the TCBC on generally what the substance of those meetings has been.

Ms. Horvath said there were 4 groups that she has had contact with. The staff of these groups were very interested in what we do and wanted to learn. She and her staff have met four times with House staff from the due process workgroup, two times with staff dealing with quasi-judicial officers, one time with staff reviewing court performance and accountability, and four times with staff reviewing court administration. She reported that the House staff are very task oriented and these meetings have been productive.

House Survey on Revision 7 Issues

TCBC members were informed that Chief Judges and Trial Court Administrators had received an e-mail the week of June 17th that the House was going to send out a survey to each circuit to gather fiscal and personnel data related to trial court funding. Judge Schaeffer asked John Dew, OSCA Senior Court Consultant, to go over the survey with the members. Mr. Dew reported that the survey he was passing out was just received from the House staff and was in a draft form. Therefore, any suggestions we might have to improve the survey would be taken back to the House staff. He noted that a meeting was set for the following Monday, June 24th, between himself and those in the House drafting the survey. Mr. Dew also pointed out that it was his understanding that the House would also be providing a separate survey to the Clerk of the Courts and potentially the state attorneys and public defenders.

The Commission members went through several of the questions on the survey and provided suggestions for improvement. Ms. Goodner stated that the next step was to have OSCA staff meet the next day with the trial court administrators and walk through this document with them. All input would then be given to Mr. Dew to take his meeting with House staff on Monday.

Monthly Meetings with Representative Benson and Revision 7 Stakeholders

Mr. Lubitz pointed out that in addition to these committees' work and the survey, Representative Holly Benson is having monthly meetings with the stakeholders to discuss Revision 7 implementation. Those in attendance have been the courts, the state attorneys, the public defenders, the clerks' offices, county representatives, legislative groups, and the Governor's

office. Thus far, Mr. Lubitz reported that there were meetings held on May 1st and June 5th. The next monthly meeting is set for July 10, 2002. He reported that so far there have been two issues in particular that Representative Benson is concentrating on: trying to get a better handle on the actual expenditures of the counties for the trial courts, and reviewing the technology needs of the court system.

In order to determine county expenditures for the trial courts, Representative Benson has asked the Auditor General's Office (OAG) and the Legislative Committee on Intergovernmental Relations to work with the stakeholders in identifying ways to capture this information. The OAG has had separate meetings with our staff and are looking at the cost inventories we have done. They then plan to compare this information to the state's uniform chart of accounts to determine if the two sets of numbers can be reconciled. John Dew is working closely with them on this issue since he is familiar with the uniform chart of accounts and costs inventory.

Mr. Lubitz said that in the area of technology he thinks legislative staff working on Revision 7 are concerned that we don't have a single system of information. Representative Benson has asked what kind of system could be used to provide everyone services and also provide information for the Legislature. Mike Love, OSCA Director of Information Systems, has presented what the courts are doing through our JAD sessions being conducted by the Trial Court Technology Committee. The workgroup members appear to like that approach. However, Mr. Lubitz warned that the technology issue will not be an easy one to resolve since there are a lot of turf issues as well as expenses.

Request for Proposal for Revision 7 Consultant

Mr. Lubitz said the other current major activity related to Revision 7 is the Request for Proposal (RFP) from the Legislature to hire a consultant to review and make recommendations on how best to implement the revision. He asked John Dew to brief the Commission on the RFP. Mr. Dew provided some history of the RFP, which dated back to November 2001 when it was first expected to be released. At that time, the TCBC Executive Committee asked Lisa Goodner to suggest to the Legislature any improvements. Mr. Dew reported that the RFP, which was released on May 29, 2002, took into consideration many of those suggestions.

Mr. Dew reported that the RFP has five phases to be completed by a consultant. The first phase, which is to provide to the Legislature a comprehensive description of court operations including a list of activities and associated costs and revenues and available performance data, is due by January 6, 2003. The second phase, which is to make recommendations to increase court efficiency and reduce costs is due February 6, 2003. The third phase, which is to provide standard staffing and costs models is due March 3, 2003. The fourth phase, which is to make recommendations on court related revenues is due on April 3, 2003. The fifth phase, which could be performed by a different consultant than is hired for the first four phases, is to have a consultant be available to provide assistance in identifying and evaluating options to the Legislature regarding transition concerns, efficiency improvements, budget structure, necessary

and appropriate support structures, information flow and the role of the various entities once the Article V changes are implemented. The final phase takes place between June 3, 2003 and

August 1, 2003.

At this point, several TCBC members noted concerns they had with the RFP. Judge Schaeffer said that when looking on page 6, number #7 it looks like the RFP is suggesting that court administration is not an essential court function. She wanted to know what would happen if it was not identified as essential by the consultant and did this mean the state would expect that the county would have to pick up the whole level of funding in this area. Another TCBC member noted that it was interesting that the RFP was seeking advice from the consultant to determine whether the Legislature needs to repeal court rules to implement a new structure.

After several minutes of reviewing parts of the RFP, Judge Schaeffer suggested that the TCBC members should take the RFP back to their circuits and read each area more carefully. She pointed out that the RFP has already been released, and that hopefully; whoever it is that gets this bid will realize that we have a lot of data that will help them. Mr. Dew pointed out that on page 4 of the RFP "the consultant is expected to review pertinent information maintained by the Office of the State Courts Administrator (specifically the Trial Court Budget Commission)". He said the Legislative staff that put the RFP together do recognize the role and the importance of the TCBC in the Revision 7 transition. He noted that the next step is a mandatory proposers conference on June 24th. Mr. Dew said he would be attending this meeting to track what was happening. Judge Schaeffer thanked him for the report.

Florida Association of Clerks' Report

Mr. Dew stated that the report from the clerks' association was a summary of their court-related expenditures and revenues for county fiscal year 1999-2000. Mr. Dew reported that probably the most interesting result of this report shows that the clerks have a deficit of \$264 million dollars between their court-related revenues and expenses. This will mean that either the clerks will have to increase filing fees and court costs to alleviate such deficits in the future, or the state will have to pick up the difference through general revenue funding.

Ms. Goodner noted that on page 6 of the report, the clerks indicate they have almost 8,000 positions performing court-related functions. Also, Ms. Goodner pointed out that the report provides information on revenues the clerks collect for the state, cities, and counties. This information will help the Legislature begin to evaluate revenue sources and what funds might be moved to the state to help offset the cost of Revision 7.

Revision 7 Communications Advisory Committee

Committee Purpose

Judge Schaeffer said that a new committee has been established by Chief Justice-Elect Anstead that is chaired by Chief Judge Perry. The two main things Justice Anstead wanted immediately from the Communications Advisory Committee was a communications plan, key messages and theme, and a Revision 7 white paper. Because this new committee is helping others understand

why the successful implementation of Revision 7 is so important, Judge Schaeffer said she has asked several members of the TCBC Executive Committee to help the Communications Committee with these proposals.

Judge Perry gave an update on the new committee that held their first meeting on May 20th in Tallahassee. He said the goal is to educate and influence key governmental decision makers that are in charge of implementing Revision 7. At that meeting, Justice Anstead gave a clear vision that he wants the court system to look like on 7/1/2004. While the Legislature is in the process of forming their vision of what the court system should look like, we need to both educate and influence them.

Revision 7 Communications Plan

Judge Perry reviewed with the TCBC a draft outline for the Revision 7 communications plan. The plan calls for identifying key decision makers; identifying partners; developing key messages to be used statewide; tailoring additional messages for partners; developing/recommending a statewide theme for a Revision 7 campaign; developing delivery media; and determining a statewide delivery strategy and schedule. Such a campaign would include developing brochures, press releases, power point presentations, talking points, and videos on the subject.

Judge Schaeffer stated that the Revision 7 campaign is one of Chief Justice-Elect Anstead's major priorities during his term. She asked the TCBC members directly if they wanted to participate in the campaign or not. While several TCBC members expressed reservations about a campaign, the full commission agreed that the campaign was a good idea and were generally supportive.

Committee Messages Related to Revision 7

Judge Perry reviewed the four Revision 7 key messages drafted by the Communications Committee. The first is that our courts need enough funding to: protect individual rights and liberties; uphold the law; ensure public order, and provide for a peaceful resolution of disputes in a timely, fair and impartial manner. The second message is that our courts need enough funding to fairly determine guilt or innocence of the accused, safeguard victims' rights, and impose appropriate punishment. The third message is that our courts need enough funding to promptly resolve business and property disputes. And the fourth message is that our courts need enough funding to protect children, families, and the elderly.

Committee Theme Related to Revision 7

The Communications Committee has considered about nine or ten themes, but is now down to three themes. The three themes are "Justice for all Floridians", "Funding Justice for all Floridians", and "Support our courts". He said the Committee at its next meeting wants to select the final theme and asked the TCBC members to provide feedback on which theme they like

best. After several minutes of discussion and debate the TCBC recommended that the theme “Justice for all Floridians” would be their recommendation. Judge Perry said he would take this back to the Committee and that they may also run these suggested themes by some focus groups for input.

Revision 7 White Paper

Judge Perry next asked the TCBC members to turn to the draft Revision 7 white paper found in their notebook. Schaeffer said she asked the Executive Committee prior to this meeting to review the draft Revision 7 white paper because in her opinion there are some overall problems with the paper. Numerous members of the TCBC also stated they had objections to the current draft. Such objections centered around the tone of the paper, which appears to be providing a negative and defensive position. Judge Briggs moved that the white paper, if published, should be toned down and made non-confrontational. Furthermore, the TCBC reserved their right for final approval of this paper until after they see the final draft. Judge Farina seconded the motion. The motion passed unanimously. Judge Schaeffer asked the TCBC to determine which of the other materials, in addition to the white paper, they believed should be part of the Revision 7 communications plan. The members agreed that in the campaign there should be talking points and power point presentations. However they did not believe the campaign needed to include brochures or press releases.

Technology

Judge Francis reported that the budget request for a single inquiry system was funded. He also reported on a presentation he made to the Criminal Justice Information System Council. He stated that the current technology system needs to be made easier to use for the judges statewide. In his circuit, (2nd) he found that on an average, only 8 out of the 23 judges use computers. He was hopeful that increased funds would provide better and more user-friendly technology for the judges in the future.

Programs to Potentially be Transferred to State Attorneys or Public Defenders

Judge Schaeffer said that she will approach the leadership of the state attorneys and public defenders soon to discuss programs that are currently funded at the local level that may eventually be transferred at the state level to state attorneys and public defenders. She asked those TCBC members that had once been either an assistant state attorney or assistant public defender to assist her by serving on an ad hoc committee. Judge Pittman and Morris volunteered to serve. In addition, Judge Schaeffer asked Ruben Carrerou to serve.

Allocation of New Guardian ad Litem Funding

During the most recent session, the Legislature provided \$7.2 million and 137.5 FTEs to the GAL program. The reasons were due to the need to increase representation of dependent children by the GAL program; the desire to professionalize the Program’s representation; the recognition that an advocacy program requires adequate attorney resources; and the inherent

authority of the court to appoint an attorney to represent a child. The TCBC's Funding Methodology Subcommittee met on June 10, 2002 and had several recommendations for the TCBC related to the GAL program.

Judge Daniel Dawson, Circuit Judge from the 9th Circuit who worked with the Legislature and OSCA staff on this issue, was introduced and explained the GAL project in his circuit and also provided information on the new funding. The "Osceola Model" provides for an appointment to every child at shelter; assigns a professional case coordinator for each child in conjunction with the utilization of a lay volunteer; has a ratio of case coordinators to petitions of 1 to 40; has attorneys present at all stages of representation; and has a ratio of attorneys to petitions of 1 to 100.

Pat Badland, OSCA Court Program Manager for the Court Improvement Program, provided the recommendations by the Funding Methodology Subcommittee and the reasoning. Step one would be to re-establish the 9th circuit attorney ad litem pilot project with the \$1,682,102 provided by the Legislature. Because the legislative appropriations language does not specify the categories associated with the salaries and expenses for the program, the OSCA staff will pursue a budget amendment to move \$515,241 from the expense category to the salary category for the continuation of the Osceola County 10.5 FTE positions. Step two is to determine the allocation of the remaining FTE positions. Ms. Badland reported that due to numerous calls from circuits expressing concern that using contract attorneys exclusively to represent the program is less effective than hiring full time attorneys, the subcommittee made a recommendation to establish some attorney FTEs. This means, due to the higher salary requirements of the attorney positions, that there would only be 121.75 new positions instead of the 127 available FTEs. However, through a budget amendment additional funds could be moved to the salary category so that all the FTE can be utilized.

Step three would be to allocate the remaining for expense dollars. The subcommittee recommended that the pilot project in the 9th circuit would receive \$1,682,102, an appropriation of \$1,154,071 in expense dollars would be associated with the new FTE positions, and the remaining \$2,105,373 would be allocated among circuits for contract attorneys based on a sliding scale formula.

A general discussion ensued concerning the option of using FTEs to hire staff program attorneys. A concern was expressed that we in no way want to disregard what the intent of the Legislature was for the use of these new dollars. However, it appears that if the "Osceola model" represents one of the best ways to assure a efficient and effective GAL program then the use of more staff program attorneys would be appropriate.

Lisa Goodner said all the work papers and documentation that we got from the Legislature seems to indicate that it's clearly the intent that the attorney piece of the funding be provided through contractual services. However, we were told that the Governor's office was the one most interested in having these positions contracted out and if we could convince his office that this is the best use of funds the House and Senate likely would not object to a budget amendment.

Judge Schaeffer asked Judge Dawson if the Osceola Model uses any contract attorneys? He said no contract attorneys are used, just the FTE program attorneys. Judge Dawson stated that it's extremely important in the model that they be FTE. He added further that he believes there was a misunderstanding at the end of the legislative session by the Governor's office on this issue and that it may be fairly easy to fix.

At this point, Ms. Badland pointed out that the Funding Methodology Subcommittee also had a second funding option that would not make the program attorneys FTE but would instead have them be contracted out. She pointed out that a side by side comparison of the options of the number of case coordinators, senior secretaries, and program attorneys for each circuit was found in the notebook. The purpose of having the second option was in case the TCBC decided against option 1.

Judge Pittman made a motion that the TCBC approve Option 1, but only if the Governor's office and the Legislature approved the strategy. If the Governor and the Legislature did not agree, then Option 2 would be used. The motion was seconded by Judge Perry. The motion passed unanimously.

Operating Budget for 2002-2003

Charlotte Jerrett asked the members to turn to the Circuit Court Proposed Allotments for FY 2002-03 found in their notebook. She reminded the members that on April 23, 2002 they voted to continue the current method for determining circuit allocations absent additional funding for Revision 7 issues. This meant OSCA staff are to allot all funds according to proviso language and the General Appropriations Act; allot new positions to circuits as provided in the GAA including salaries, expense and operating capital outlay dollars appropriated for start up costs; refer to legislative work papers for intent and additional specific direction; distribute base; seek TCBC approval; and post allotments into FLAIR/SAMAS to be managed by circuits. Ms. Jerrett went over the proposed allotments for FY 2002-03 for other personal services for each circuit. She then provided an overview of the allotments recommended for expenses for each circuit. Ms. Jerrett reminded the members that Indigent Examiners are no longer in the expense categories because those positions were cut last December. She also presented the recommendations on operating capital outlay and special categories.

Ms. Jerrett noted that the next page in the member's notebook shows the Family Courts Trust Fund. Judge Schaeffer pointed out that both the 6th and 20th circuits had model family court pilots that would be discontinued unless some of the trust fund monies were provided to continue them. Mike Bridenback moved that the recommended allocations for the trust funds, including the dollars to continue the family court model programs in the 6th and 20th circuits, with the balance of the unallocated dollars for family court pilots distributed to the 6th and 20th proportionately, be approved. The motion was seconded and approved.

Ms. Jerrett then pointed out that in the child support enforcement budget the expense category had been reduced due to the fact that there has been no increase to the contract, and the annualization costs over the last three years had added up to about \$30,000.

Ms. Jerrett said the final two pages, titled “proposed allotments-county courts” show the allotment based on the number of judges per county and \$1200 per judge. A motion to approve all of the recommendations was made and seconded. The motion passed unanimously.

Ms. Goodner said she wanted to bring to the TCBC members attention an issue concerning contracting with hearing officers in several circuits. The Comptroller's office has questioned the current contracting practice because these officers don't appear to meet the definition for being independent contractors. Ms. Goodner said the chief judges and the trial court administrators have been advised that beginning this year these people will be paid on an OPS payroll rather than contract. However, the other problem we run into when we do this is that state law prohibits you using OPS for anything except temporary work. She suggested that the TCBC needs to address this issue at the next meeting, prior to the final budget request in August. There should be consideration as to whether we should include these masters and hearing officers as FTEs so we can get these people into regularly established positions on an ongoing basis.

Ms. Goodner said the other issue from the Funding Methodology Committee is the mediation/innovation grants distributed out of the Mediation Arbitration Trust Fund. This year since the TCBC had voted to review the proposed trust fund allocations and allotments as well as general revenue, the Funding Methodology Committee is recommending the distribution of the innovation grant applications for the next year based on certain criteria: that grants should be given if they have statewide implication that ultimately will make them replicable in other parts of the state, that they have some way of being self-sustaining after the grant period ends, or that they are time limited and don't incur any ongoing obligations. She pointed out that the attachments in the member's notebook shows the type of innovation grants that have been funded in the past. The recommendation from the Funding Methodology Subcommittee is to allow us to proceed with the grants listed. Carol Ortman made a motion to approve all the recommendations presented to the TCBC. The motion was seconded and approved.

Fiscal Year 2003/2004 Budget Recommendations

Lisa Goodner pointed out that in April the TCBC approved the budget strategy for FY 2003/2004 as follows. There would be a continued effort to provide funding for the “have nots”; allow for Supreme Court Committee input; not advance a specific Revision 7 budget request; not file new technology issues; allow current analysis of trial court technology needs to be completed by the Trial Court Technology Committee; file the issue from the previous year for funding of a financial management infrastructure system; and consider an amended strategy for presenting these issues to the Legislature. Ms. Goodner noted that the judicial branch will also likely be required in the long range program plan to advance proposed 5% target budget reductions similar to last year. The TCBC also voted that we provide the budget requests to the chief judges and court administrators, but not ask them to go through the same extensive analysis of the issues as we did last

year since we are essentially bringing forth the same issues again this budget cycle. However, they should have an opportunity to raise any burning issue if they felt like there was something that we missed and that they absolutely have to have.

Ms. Goodner went over the draft letter to the chief judges and trial court administrators concerning the legislative budget request and long range program plan and asked if the TCBC members had any suggestions. Judge Schaeffer suggested that on page 1 of the draft letter that the word "serious" be changed to "critical" and on page 2, the word "important" also be changed to "critical". Ms. Goodner asked if there were any other concerns. Seeing none, Judge Schaeffer said that the letter with those minor edits would be presented to the chief judges and trial court administrators.

Charlotte Jerrett reviewed with the members the trial court budget request summary for FY 2003/04 that was in their notebooks. The request was for 67 new positions at an expense of \$5,272,321 dollars. Detail on the type of positions, and which circuits will receive such positions was presented. Ms. Jerrett then went over the budget request time line with the members. On August 6-7, the next scheduled TCBC meeting, staff will bring back any input we get from the trial courts on the budget request and we will require a final vote at that time to recommend to the Supreme Court. On August 21, if appeals are necessary, the TCBC will hear them. Then on August 27 the Chief Justice and the Supreme Court will be conferencing on the entire budget and a final budget recommendation is due to the Legislature on September 15.

Judge Perry stated that again he must go on the record to note that the 9th circuit is being punished in the area of case management by the broad sweeping definition the Funding Methodology Subcommittee is using. Using their definition makes it appear his circuit has more case managers than they have.

Legislative Budget Strategy for FY 2003/04 Budget Request

Judge Schaeffer said that many of the issues requested last year by the TCBC were not funded by the Legislature. And at the same time, issues that were not requested, such as the new GAL positions, were. Therefore, she stated that in her opinion we should seek a new marketing strategy. In light of this, she indicated that she was creating a new permanent subcommittee of the TCBC called the Legislative Liaison Committee.

Judge Schaeffer said she is going to propose to Chief Justice-Elect Anstead that the members of this new committee be responsible for advocating for the trial court budget request with the Legislature. Furthermore, she plans to present the trial court budget commission to the legislative appropriation committees, and to let the members know that individuals from our new subcommittee will be coming to see them throughout the course of the legislative session. She said she has asked Judge Moran to chair this committee and he has accepted. Other members on the committee will be Judge Farina, Judge Perry, Judge Francis and Mike Bridenback.

Judge Schaeffer stated that she has given Judge Moran, as the chair, permission to add members to the committee wherever he thinks there is a need. She commented that it is time for us to let

our presence be known, to say that we are the trial courts, and this is our Trial Court Budget Commission and we're going to lobby our own efforts here. She asked the members for the authority to appoint the legislative subcommittee. The motion was made, seconded, and approved unanimously.

Judge Haworth asked OSCA staff if they knew yet how the revenue estimates look for next year. Ms. Goodner replied that she believes the estimating conference meets again in July. Early reports indicate it will be another difficult year for the state budget.

Pay Plan for Fiscal Year 2003/04

Judge Schaeffer stated that before Mark Van Bever presents this issue, she wanted to thank him for serving as chair of the Personnel Subcommittee since the TCBC's inception. He recently asked to step down and Theresa Westerfield will be taking over the role as chair of the subcommittee. The Commission gave Mr. Van Bever a round of applause for his hard work.

Mr. Van Bever stated that there are three requests that the Personnel Subcommittee is presenting. First is a request for funding to upgrade 13 Senior Deputy Court Administrator positions to Chief Deputy Court Administrator, in the amount of \$344,440 annually. Second, the committee recommends funding to bring each secretarial support position to the next higher level classification of secretarial support in the amount of \$171,640 annually. Finally, Mr. Van Bever noted that a survey was sent out June 7, 2002 concerning judicial assistant salaries. A pay issue for increases for all judicial assistant classes may be developed pending the results of the survey.

Judge Perry made a motion to approve the pay plan recommendations from the Personnel Subcommittee. There was a second by Judge Bryan. After discussion, the motion was approved unanimously. Judge Schaeffer again thanked Mr. Van Bever for his excellent work.

Other Business

Judge Schaeffer said that when more is known about the rate analysis, the TCBC will take action. If quick action needs to be taken it will be done so by the Executive Committee and reported back to the full TCBC. However, if there is time, then the issue will first be brought to the full Commission for a discussion and vote. Judge Perry asked if we knew how many senior judge days are provided in the recent Legislative budget. Ms. Goodner replied that it is the same as last year.

Judge Schaeffer thanked everyone for their participation and hard work. The meeting was concluded at 2pm.