

**Supreme Court of Florida
Commission on Trial Court Performance and Accountability
Teleconference
December 2, 2009
12:00 pm to 1:00 pm**

Minutes

Members in attendance:

Judge Robert Bennett, Judge Brian Davis, Judge Thomas Jaworski, Judge Kathleen Kroll, Judge Peter Lopez, Judge Ellen Sly Masters, Judge Jonathan Sjostrom, Judge William Wright, Mike Bridenback, Gay Inskeep

Members absent:

Judge Peter Marshall, Judge Terry Terrell, Carol Ortman, Justice Jorge Labarga (Liaison), Judge Lisa Davidson (Liaison)

Staff in attendance:

Sharon Buckingham, Greg Youchock, Maggie Geraci, Arlene Johnson, Barbara French, Steve Henley, Joanne Snair, Katherine Simpson, Susan Leseman

Judge Bennett called the meeting to order at 12:04 pm.

Sharon Buckingham took attendance and noted a quorum had been achieved.

I. Approval of the September 25, 2009 Minutes

Judge Bennett asked if the members have had an opportunity to review the draft minutes and if there were any changes to be made. No changes were made. Judge Jaworski moved approval of the minutes. Judge Sjostrom seconded the motion. The minutes were approved without opposition.

II. Trial Court Operating Procedures Manual Proposal

Judge Bennett stated that the Chief Justice has asked the TCP&A to look into developing a comprehensive reference manual that includes the standards of operation and best practices that have been approved by the Supreme Court, including a process for revising the manual.

Ms. Buckingham reviewed the Trial Court Operating Procedures Manual Proposal under Agenda Item II in the meeting materials:

- Staff proposes that the manual only include standards of operation and best practices that have been officially adopted by the Supreme Court. The manual should not supplant the development of element-specific or division-specific reference guides.
- Staff proposes that links to the manual be provided in two locations on the State Courts System Internet site, the Performance and Accountability web page and the Reference and Resource for Judges web page. Also, a link will be provided on the Court Education Resource Library, Court Publications web page on the State Courts System Intranet site.

- Staff proposes that the manual only be accessible on the web and organized by element category. Links to other resources would be provided with the element category.
- Staff proposes that updates be provided to the manual in two ways: (1) when a set of standards of operation and best practices are created for the first time for a trial court element and (2) when the TCP&A finds it necessary to recommend revisions to a set of Supreme Court approved standards and best practices. Staff proposes that the first scenario can be handled by established Supreme Court procedures for the submission of reports. The second scenario could be handled through a more streamlined process including a memo from the TCP&A Chair recommending revisions to previously approved standards of operation and best practices submitted via the State Courts Administrator for approval by the Chief Justice.
- Staff suggested three possible titles for the manual as noted in the proposal.

Ms. Buckingham stated that staff would recommend using “Compendium of Standards of Operation and Best Practices for Florida’s Trial Courts” as the title. Judge Bennett stated that it was indeed a compendium. Judge Bennett asked if the compendium could be printed by section by both judges and trial court administrators. Ms. Buckingham stated that the files would be in a printable format for anyone who accessed the website.

Judge Davis asked what was meant by element-specific and division-specific. Ms. Buckingham stated that element-specific meant core elements of the court system, such as court reporting and alternative dispute resolution. Division-specific meant the various divisions of court and could also include other areas such as drug courts or self-help.

Judge Kroll asked if the complete compendium would include links to the full TCP&A reports. Ms. Buckingham answered that there would be links to the full reports and other resources pertinent to the section or chapter.

Judge Bennett asked if the TCP&A reports are on the State Courts System’s website. Ms. Buckingham confirmed that they are.

Gay Inskeep asked what other resources would be linked to the compendium, if not just the work of the TCP&A. Ms. Buckingham responded that the links would include other useful resources such as applicable statutes and court rules. Ms. Buckingham also explained that the OSCA plans to develop a court reporting manual.

Judge Davis asked if information on updating the compendium would be included and if the Governance Study Group would be consulted. Ms. Buckingham responded that this information would be included and the Strategic Planning Unit, who staff the Study Group, were sitting in on today’s conference call.

Judge Lopez asked if proposed rule changes would be included. Judge Bennett responded that only approved standards and best practices would be in the compendium.

Judge Davis asked if there was a central location judges and administrators could view contemplated changes. Judge Bennett responded that reports with the TCP&A recommendations are published on the Performance & Accountability website, which Ms. Buckingham confirmed. Ms. Buckingham also noted that the TCP&A process for developing recommendations almost always includes outreach to all of the circuits.

After no further comments or questions, Judge Jaworski moved approval of the proposal. Gay Inskeep seconded the motion. The proposal was approved without opposition.

III. Brief Projects Update

Court Interpreting Workgroup

Ms. Buckingham reported that the Court Interpreting Workgroup has met twice and has scheduled a face-to-face workshop in Orlando for January 2010. The group is very enthusiastic and ready to work on this project. Ms. Buckingham stated that the Court Interpreting Circuit Profiles have been completed and would be sent to the members along with the final version of the supplemental court reporting report that was submitted to the Supreme Court.

Self-Help Workgroup

Greg Youchock reported that the Chair, Judge Dawn Caloca-Johnson of the Second Judicial Circuit, has been secured. Judge Caloca-Johnson has approved the action plan and the suggested members for the workgroup. Mr. Youchock stated that he is in the process of contacting the suggested members for confirmation. The workgroup is expected to have two in person meetings, but more work will be completed via teleconferences.

Judge Bennett stated that he appreciates all the participants of the workgroup and explained that this workgroup is tasked with determining how to implement self-help throughout the state.

Judge Kroll asked who determines the members of the workgroup. Judge Bennett responded that the chair of the workgroup determines the members. Judge Kroll explained that her clerk was interested in participating, but they had not seen anything about membership. Mr. Youchock stated that two clerks were on the list and that the head of the State Library Association, from Palm Beach County, would also be participating. He went on to state that if either of the clerks declined to be on the workgroup, he would contact the Palm Beach County Clerk. Judge Kroll stated that the impact of self-help on the clerks of large counties needed to be considered by the workgroup.

IV. Schedule Next Meeting

Ms. Buckingham suggested the committee consider holding the next TCP&A meeting in conjunction with the Florida College of Advanced Judicial Studies (AJS) scheduled for May 24 through 28, 2010, but she needed to research whether this would be possible. Judge Bennett stated it would be good to tie the TCP&A meeting in with another event which many of the members will already be attending.

Ms. Buckingham noted that Justice Labarga is very interested in participating in the TCP&A meetings. Judge Bennett stated they would try to schedule the next meeting when Justice Labarga could attend.

Judge Bennett adjourned the meeting at 12:30 pm.