

FLORIDA STATE COURTS

Annual Report



2005-2006

The Supreme Court of Florida

2005-2006 Annual Report



Barbara J. Pariente
Chief Justice

Charles T. Wells
Harry Lee Anstead
R. Fred Lewis
Peggy A. Quince
Raoul G. Cantero, III
Kenneth B. Bell
Justices

Elisabeth H. Goodner
State Courts Administrator



Adorning the rotunda of the Florida Supreme Court, this statue of Lady Justice greets all who enter the building.

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Mission

The **mission** of the judicial branch is to protect rights and liberties, uphold and interpret the law, and provide for the peaceful resolution of disputes.

Vision

Justice in Florida will be accessible, fair, effective, responsive, and accountable.

To be **accessible**, the Florida justice system will be convenient, understandable, timely, and affordable to everyone.

To be **fair**, it will respect the dignity of every person, regardless of race, class, gender or other characteristic; apply the law appropriately to the circumstances of individual cases, and include judges and court staff that reflect the community's diversity.

To be **effective**, it will uphold the law and apply rules and procedures consistently and in a timely manner, resolve cases with finality, and provide enforceable decisions.

To be **responsive**, it will anticipate and respond to the needs of all members of society, and provide a variety of dispute resolution methods.

To be **accountable**, the Florida justice system will use public resources efficiently, and in a way that the public can understand.

MESSAGE FROM THE CHIEF JUSTICE

Justice in the 21st century!!! Just imagine—we are now more than halfway through the first decade of the 21st century. I believe that when we look back on this period of history, we will judge the time to be a defining moment for Florida’s judiciary and our judicial system. A time when, with the passage of Revision 7 and the tremendous leadership of judges throughout the State, we moved from 20 separate circuits looking out for local interests into a true unified and integrated court system. A time in which we shared best practices in the administration of justice; we learned from each other; where we were willing to say we can do it better and we can and should be more accountable to each other and to the public; a time in which we were willing to acknowledge that just because we always did things a certain way does not mean that way was the right way or the best way or even the most efficient way.

The end of this fiscal year marked the end of my two-year tenure as chief. As this annual report is released, I have passed the gavel to Chief Justice R. Fred Lewis, and I know the judiciary is in good hands. As Florida’s chief justice over the past two years, I traveled around the state and saw firsthand the dedication and expertise of our judges and court staff. It was an incredible journey.



Chief Justice Barbara J. Pariente

In courthouses all across Florida, the men and women who make up the Third Branch of government made decisions every day last year that affected countless lives – including the lives of the most vulnerable among us, our children. In the halls of justice throughout the state, I witnessed firsthand judges and court staff working together to provide for the peaceful resolution of disputes, to protect constitutional rights, and to uphold the rule of law. Those are the duties that confront the men and women of this branch every day. They performed them very well and in so doing continued to play a pivotal role in our society and our government.

The people who staff the Florida State Courts worked on many initiatives and innovations designed to keep our State Courts System in the vanguard of this nation’s judiciaries.

Although funding and technology are always important, we must never lose sight of the fact that the test of a justice system is its effect on individual lives. A huge number of people come to court because there is trouble in the family. We have come to realize that if we can truly obtain a picture of what is driving the legal issues—underlying issues such as family dysfunction, drug abuse, physical abuse, domestic violence—we can help ensure that the family and the child do not become repeat users of the legal system by continuing to have escalating problems that can eventually destroy their lives.

I am proud to report that throughout this State more and more circuits are implementing our unified family court model, and more and more judges are committed to handling these important cases. We have reached the tipping point, and that was evident in the successful family court conference (the second within a year) that drew over 600 participants. And we have expanded the drug court concept to dependency courts with great success in more and more circuits. These are initiatives that cannot always be measured for success by time standards or case disposition but where success is measured in human terms—families united after successful treatment for drug abuse; a dependent child saved from becoming entangled in the delinquency system; a judge who has the true picture of a family and the dynamics that drive the legal problems and who resolves interrelated problems with a broad understanding of all of the issues.

I am also pleased to report that we moved forward on issues like emergency preparedness, including the new threat from a possible pandemic. And we were successful in finally getting a program for court interpreter certification; we passed a comprehensive administrative order after years of study on online court records and new standards for jury panel size so that a proper balance is struck between conserving resources and providing adequate jurors for jury trials. And I am deeply gratified to note that all three judicial conferences and the Florida Supreme Court have adopted Principles of Professionalism for Florida Judges ensuring that judges serve as models for the behavior we expect to see of our lawyers.

We have continued to expand law-related education projects, which continue to excite and inspire students and teachers across Florida—initiatives like Constitution Day, Law Day, the Supreme Court Tour Program and the annual Justice Teaching Institute. These are initiatives which Chief Justice Lewis will take to new heights with a goal of improving the civic knowledge of our students and with that knowledge an appreciation for the unique role of the judicial branch as protectors of rights guaranteed by the Constitution.

When I look back on successes, two current developments will be especially important as time goes on because of the strength and stability they bring to our foundation and to our mission. Most immediately apparent: For the second year in a row, the Legislature and the Governor approved a significant increase in the number of trial judges. Over the last two years, 114 new judgeships have been created. That is an increase of 14 percent, the largest since the adoption of Article V in 1972 combined the hodge-podge of courts in Florida into a single state system.

The critical importance of these new judges cannot be overstated. When dockets are less crowded, cases will be heard more quickly, and judges can devote more time to the case before them. The people who turn to us for justice will be better served.

The second development that I believe warrants special notice may be more intangible than the creation of 114 new judgeships, but it is no less vital to our future. I'm talking about a change in perspective. Over the last several years, we have worked hard, both within the State Courts System internally and with our legislative and executive partners, to implement budgetary unification in our courts, as was required by the voters of this state in 1998 when they approved Revision 7.

In the process, I believe we have gradually but noticeably matured into a truly unified State Courts System. Rather than protecting and advancing local interests, we are now working together for the good of the branch as a whole. And that is why I believe we will look back on the first decade of the 21st century as a defining moment in history for Florida's judiciary—a time when collaboration and cooperation made this branch stronger and better.

Any modern court system is intricate and complex, but our overarching goal always is to make justice in Florida "accessible, fair, effective, responsive and accountable." This annual report is produced to that end, and I hope you will spend some time reviewing it.

A handwritten signature in black ink, reading "Barbara J. Pariente". The signature is written in a cursive, flowing style.

Florida's Supreme Court Justices

Barbara J. Pariente *Chief Justice*

Justice Pariente was appointed to the Florida Supreme Court in 1997, and she advanced to chief justice on July 1, 2004. She is the Court's fifty-first chief justice and the second woman to serve in that role.

Justice Pariente was born and raised in New York City, but Florida has been her home for more than 30 years. Before her elevation to the Supreme Court, she spent 18 years in private practice in West Palm Beach, specializing in civil trial litigation. Then, in September 1993, she was appointed to the Fourth District Court of Appeal, where she served until her appointment to the Supreme Court.

During her time on the Supreme Court, she has actively supported programs that promote successful alternatives to incarceration such as Florida's drug courts. She has also worked to improve methods for handling cases involving families and children in the courts. Based on her longstanding commitment to children, Justice Pariente continues to be a mentor to school-age children and has encouraged Court employees to participate in the Court's mentoring program, which has two partner schools in Tallahassee; the Florida Supreme Court recently won a national award for these mentoring initiatives.



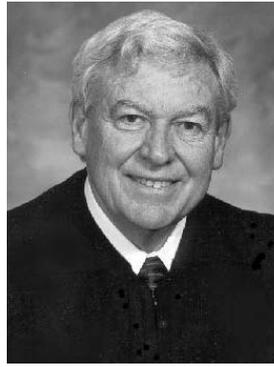
Justice Pariente is married to The Honorable Frederick A. Hazouri, judge of the Fourth District Court of Appeal, and together they have three grown children and six grandchildren.

Charles Talley Wells *Justice*

Justice Wells joined the Supreme Court in June 1994; he served as the Court's forty-ninth chief justice from July 1, 2000, to July 1, 2002. He was chief justice during

the Court's proceedings in the 2000 presidential election cases.

A native Floridian, Justice Wells was born in Orlando. Prior to his appointment to the Supreme Court, he spent 28 years in private practice in Orlando as an active civil trial lawyer engaged in commercial, insurance, and personal injury litigation. He also served for one year as a trial attorney with the U.S. Department of Justice in Washington, D.C.



While in Orlando, Justice Wells was vigorously involved in the Orange County Legal Aid Society as well as in the Guardian Ad Litem Program, representing dependent and abused children in juvenile and domestic court proceedings. The Legal Aid Society presented him with its Award of Excellence in 1989 in recognition of his outstanding pro bono service.

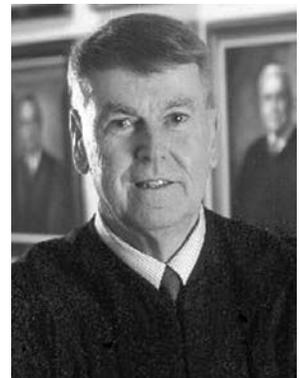
Justice Wells is married to Linda Fisher Wells, a lawyer, and they have three children, Charley, Shelley, and Ashley.

Harry Lee Anstead *Justice*

Justice Anstead was appointed to the Florida Supreme Court in 1994. He advanced to the highest judicial office in state government on July 1, 2002, when he became Florida's fiftieth chief justice, serving in that capacity until June 30, 2004.

Justice Anstead is a native Floridian, born in Jacksonville. He was a trial and appellate lawyer in South Florida until 1977, when he was appointed to the Fourth District Court of Appeal; there, he served as chief judge and from time to time as a circuit and county judge throughout the district.

As a citizen, lawyer, and judge, Justice Anstead has served his community and profession in a host of ways, including service to charities, government, church, schools, and children. While on the Court, he initiated



a comprehensive statewide program to improve professionalism among judges, lawyers, and law schools in the state. He has also been committed to improving the lot of children whose lives are affected by the courts. The major priority of his administration as chief justice was maintaining the excellence of Florida's trial courts during a time of transition, when funding for the trial courts shifted from the local budgets to the state budget on July 1, 2004.

Justice Anstead and his wife Sue, a lawyer and child advocate herself, have five children: Chris, Jim, Laura, Amy, and Michael.

R. Fred Lewis

Justice

Justice Lewis will be the fifty-second chief justice of the Florida Supreme Court. He was appointed to the Court in December 1998, and he will advance to chief justice on June 30, 2006.

Born in West Virginia, Justice Lewis made Florida his home 41 years ago, when he arrived here to attend college in Lakeland. He remained in Florida for law school, and, after graduating, he attended and graduated from the United States Army A.G. School. After his discharge from the military, he entered private practice in Miami, where he specialized in civil trial and appellate litigation until his appointment to the Florida Supreme Court.



In his professional life, Justice Lewis has been deeply involved in children's issues and was selected as Florida's Citizen of the Year in 2001 by the Florida Council. While in private practice, he was actively committed to providing counseling to families with children with impairments, and he offered pro bono legal services and counseling for cancer patients seeking proper treatment for multiple conditions. While on the Court, he has been a volunteer in the Florida Law Related Education Association, for which he works with teachers and students throughout the state to promote a better understanding of government institutions and to provide to the public open access to judicial officers.

Justice Lewis and his wife Judith have two children, Elle and Lindsay.

Peggy A. Quince

Justice

Justice Quince was appointed to the Florida Supreme Court in December 1998; she has the distinction of being the first African-American woman on the Court.

Born in Virginia, Justice Quince began her legal career in 1975 in Washington, D.C., as a hearing officer with the Rental Accommodations Office administering the city's new rent control law. She entered private practice in Virginia in 1977, specializing in real estate and domestic relations, and then moved to Bradenton, Florida, in 1978 to open a law office, where she practiced general civil law until 1980. From there, she joined the Attorney General's Office, Criminal Division, serving for nearly 14 years. In 1994, she was appointed to the Second District Court of Appeal, where she served until her appointment to the Supreme Court.



Justice Quince has been active in civic and community organizations, including Alpha Kappa Alpha Sorority, Jack and Jill of America, the Urban League, the NAACP, and the Tampa Organization for Black Affairs. She has also received numerous awards, especially for her work on behalf of girls, women, minorities, civil rights issues, and various school programs.

Justice Quince and her husband Fred L. Buckine, an administrative law judge, have two daughters, Peggy LaVerne and Laura LaVerne.

Raoul G. Cantero, III

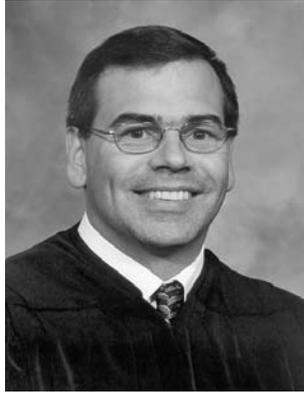
Justice

Justice Cantero was appointed to the Supreme Court of Florida in July 2002. He has the distinction of being the first Hispanic to sit on the Court.

Born in Madrid, Spain, to Cuban parents who had fled the communist regime in Cuba, Justice Cantero was a Fulbright Scholar who got his Bachelor of Arts from Florida State University and his law degree from Harvard Law School. Before his appointment to the Supreme Court, he was a shareholder and head of the appellate division of a Miami

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law firm, where he specialized in civil and criminal appeals at all levels, handling appeals in all five District Courts of Appeal and the Florida Supreme Court as well as in the U.S. Circuit Courts of Appeal and the U.S. Supreme Court. He also specialized in commercial litigation.



Justice Cantero is deeply interested in issues of professionalism in the practice of law, and he has spoken on this topic to both lawyers and law students. In addition, not only has he authored many articles for law journals, but he is also an accomplished fiction writer and has published several short stories.

Moreover, he has been

active in the Miami community, serving as a member of the board of Legal Services of Greater Miami, a member of the Planning and Zoning Board of the City of Coral Gables, and a member of the Pastoral Council at St. Augustine Church in Coral Gables.

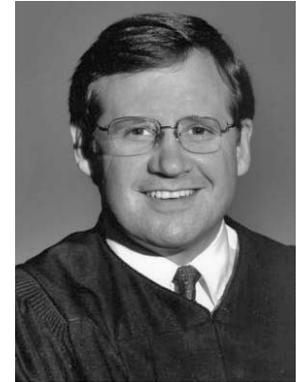
Justice Cantero and his wife Ana Maria have three children: Christian, Michael, and Elisa.

Kenneth B. Bell

Justice

Justice Bell was appointed to the Florida Supreme Court in December 2002.

A native Floridian, Justice Bell is in fact a seventh-generation Pensacolian whose paternal ancestors immigrated to the Pensacola area around 1819, when Florida was still a Spanish colony. Upon graduation from law school, Justice Bell entered private practice in Pensacola, focusing primarily on commercial and residential real estate. He continued his private practice until 1991, when he was appointed to the First Judicial Circuit of Florida, becoming the youngest circuit judge in the history of that circuit.



As a trial judge on the circuit bench for 12 years, he served on a variety of committees and boards that actively sought to improve the judicial process. He has also dedicated himself to improving the justice process as it impacts children, opening the first "child witness room" in the First Circuit, for instance, and promoting the establishment

of the only PACE Center for Girls in that circuit. In addition, he worked with officials to develop system-wide school violence prevention programs. He has also been active in community affairs, serving on the board of many civic organizations.

Justice Bell and his wife have four children.



Florida's Supreme Court Justices (l-r): (seated) Justice Wells, Chief Justice Pariente, Justice Anstead; (standing) Justice Cantero, Justice Lewis, Justice Quince, and Justice Bell

EMERGENCY PREPAREDNESS

Hurricane Season 2005

The 2005-06 fiscal year was particularly challenging for the Unified Supreme Court/Branch Court Emergency Management Work Group (CEMG): when not anticipating and addressing wind- and water-based disasters—such as the four savage hurricanes that pummeled Florida between July and October of 2005—



Hurricane Wilma's pounding uprooted the trees surrounding the Hendry County Courthouse.

this group was scrutinizing, and designing strategies for dealing with, the potential ramifications of a large-scale influenza pandemic.

After the assaults, in 2004, by a disastrous tropical storm and four uncompromising hurricanes, Florida suffered a quadruple onslaught of hurricane activity in 2005—although the state was clearly spared the devastation suffered by Louisiana and Mississippi. Dennis, which blew in on July 10, 2005, made the First Judicial Circuit its primary target in Florida, damaging the roof of the Santa Rosa County Courthouse and prompting the court to activate its Continuity of Operations Plan. A month and a half later, Katrina made an unceremonious arrival, saturating Southeast Florida. Then, on September 20, Rita swaggered in, barreling through the Florida Keys. Fortunately, however, none of these hurricanes caused more than minimal damage to the courts.

On the whole, compared to the 2004 season, Florida's 2005 hurricane activity was relatively mild...until, that is, October 24, when Wilma, a category 3 storm, burst ashore near Naples at approximately 6:30 in the morning, churning up winds of 125 miles per hour and prompting far-flung tornadoes and flooding. The assumption was that Wilma would weaken after it hit land, but this hurricane defied all educated expectations, pulverizing everything in its wake as it crossed the peninsula and causing comprehensive damage from Key West to Palm Beach before whirling into the Atlantic Ocean and

continuing its harrowing journey up the east coast. Every courthouse south of Charlotte and Indian River Counties was affected, and all had to close as a result of wind and/or water damage, lack of power, or both.

But, because the 2004 hurricane season had imparted some serviceable lessons that enabled the Florida court system to hone its emergency planning measures—lessons about the imperative of establishing a reliable communications system, providing unambiguous leadership, developing a branch-wide plan, and ensuring cooperation among all court stakeholders—Florida's courts were able to address the 2005 hurricane season with resounding success. To wit, within two to seven days after Wilma made landfall, almost all of Florida's courts were reopened; only

Broward's courthouses, which were extensively damaged, remained closed until November 7. The lesson that all of these crises have imparted is that, to be truly effective, the branch-wide emergency plan will require regular revisiting and updating: the CEMG recognizes that each new plight offers an opportunity to pioneer better emergency preparedness strategies.

Pandemic Influenza

Weather-related crises have certainly been taking center stage these last two years. However, the prospect of an influenza pandemic has become one of the CEMG's most time-consuming concerns—especially given the possibility that an avian flu, for instance, could disrupt court operations for up to 18 months; could launch a significant absenteeism rate, affecting mission-essential functions (according to estimates, up to a third of all judges and court personnel could be out due to sickness or

death); could create a serious staffing shortage that would affect public utilities and services, which would inevitably have repercussions on court facilities and infrastructure; could provoke weighty legal ramifications as a result of enforced quarantines and isolations; and could create severe caseload challenges due both to an increase in legal actions and to serious limitations on face-to-face courtroom contact.

Trying to anticipate such a contingency, in March 2006, the CEMG presented the Supreme Court with *Florida State Courts Strategy for Pandemic Influenza*, a strategy document that was endorsed by all seven justices, who then directed the courts to initiate efforts immediately to complete all applicable tasks described in the report (the strategy is available online at http://www.flcourts.org/gen_public/emergency/bin/panflu_strategy.pdf). The strategy's fundamental goals are consistent with all emergency preparedness measures in the courts, i.e., to "deal with crises in a way that protects the health and safety of everyone at the court facilities" and to "keep the courts open to ensure justice for the people."

The strategy defines two tactical objectives: the short-term tactical objective is to "have the capacity to perform mission essential functions and [to address] public health related cases for up to 90 days with possibly limited face-to-face contact and significant impact to key personnel"; the long term tactical objective is, "within 90 days, [to] have the capacity to perform all criminal matters, including jury trials, all emergency civil matters, and all mission essential functions with possibly limited face-to-face contact and significant impact to key personnel." The strategy also maps out the ideal process for responding to a pandemic, taking into account a host of possible circumstances. And it identifies seven planning tasks (and more specific subtasks) that must be completed right away; these planning tasks focus on engaging state and local public health and other officials; preparing for legal considerations; updating court technology continuity and disaster recovery plans; educating court personnel and stakeholders about the threats a pandemic poses; improving communications; strengthening court emergency management teams and addressing other personnel questions; and considering jury management issues. The courts have until November 30 to work out their tactical plans.

The strategy also recommends the development of a benchbook to ensure that Florida's judges and attorneys are aware of the legal issues associated with isolation and quarantine. The Publications Committee of the Florida Court Education Council, which is coordinating this effort,

is designing the benchbook as a purposeful guide that offers concise and practical information that judges and attorneys can utilize in court proceedings. As currently envisioned, the benchbook will begin by presenting some general information about quarantine law, executive powers (presidential as well as gubernatorial) in a public health emergency, federal and Florida statutory provisions relating to public health emergencies, and executive branch procedures in a Florida public health emergency. Then it will focus on practical, procedural issues such as habeas corpus proceedings, warrants, enforcement of quarantines, and conducting remote hearings.



M. Rony Francois, secretary of Florida's Department of Health, and Chief Justice Pariente meet with staff from the Supreme Court, OSCA, and the Department of Health in March to begin collaborating on pandemic influenza preparation efforts.

Another offshoot of the *Florida State Courts Strategy for Pandemic Influenza* was a day-long training program in Orlando, called "Florida State Courts Prepare: Planning for Pandemic as Part of an 'All-Hazards' Approach." This June event, which elicited excellent court participation, was funded by the Trial Court Budget Commission and the Fourth Judicial Circuit, with technical assistance from the Ninth Judicial Circuit. The program consisted of two sets of sessions: the first, called "Health Preparedness and the Florida State Courts," featured distinguished speakers such as Justice R. Fred Lewis, M. Rony Francois (secretary, Florida Department of Health), Daniel Stier (public health analyst, Centers for Disease Control and Prevention), and David Halstead (bureau chief, Preparedness and Response, Florida Division of Emergency Management) as well as a panel discussion on Pandemic Planning Issues for the Florida State Courts; and the second session, called "All-Hazards Planning: Successes, Failures, and Lessons Learned," focused on what the 2004 and 2005 hurricane seasons taught the courts. Aiming to provide the courts with more direction, information, and motivation, this Orlando training program was conceived as a kind of

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supplement to the *Strategy for Pandemic Influenza*; the organizers' goal was to help the courts more readily follow through on the strategy's seven main planning tasks (and the over 30 subtasks) for which they are responsible.

The program also addressed the question of what supplies should be stocked in case a flu pandemic strikes. Curiously, there are no national or state supplies guidelines for courts, although guidelines do exist for other institutions. So when the Trial Court Budget Commission allocated funds to the state court system for supplies, Greg Cowan, court operations consultant for the Office of the State Courts Administrator and coordinator of the June training program, had his homework cut out for him. After careful research, he recommended the purchase of biohazard waste bags, medical supply gloves, surgical masks, and N95 particulate respirators. The hope, of course, is that these supplies will never be called upon, but the CEMG has been working diligently to make sure that Florida's courts will be ready to tackle this crisis—should it ever become necessary.

EDUCATION AND OUTREACH

Based on the results of a recent survey, it has become common knowledge that Americans have greater familiarity with *The Simpsons* than with the First Amendment. A similar survey a few years earlier revealed the startling fact that, for young Americans, the three branches of government are harder to identify than the names of the Three Stooges. Nor can Floridians claim that this problem prevails only in other people's backyards: based on a statewide survey underwritten by The Florida Bar in December 2005, only 59% of Floridians could correctly distinguish the three branches of government—even though 90% acknowledged the importance of checks and balances in government. As for the concept of separation of powers, only 46% of Floridians could explain the idea correctly. As stunning as this sheer lack of knowledge is, even more frightening are the ramifications: if most Americans fail to grasp the elemental principles of democracy, will they be able to practice informed and responsible citizenship?

Questions like these poignantly underscore the urgency for educational and outreach efforts by Florida's court system, and the Florida Supreme Court has been working with energy and conviction to ensure that each Floridian who enters its doors understands the role and function of the Third Branch as well as grasping his or her own important responsibility as a partner in the state's court system.

The Court's education and outreach endeavors continue to be broad-stretching: the last fiscal year witnessed copious educational programs for the general public, especially for children, as well as outreach efforts for court users and for various court stakeholders. Nor do the Court's educational undertakings only reach out: they reach internally as well, with educational programs for county, circuit, and appellate judges as well as for court personnel. What follows is an overview of some of the Supreme Court's educational and outreach enterprises over the past fiscal year.

EDUCATIONAL RESOURCES FOR THE PUBLIC

Because, ultimately, civics education can help to create more engaged, involved, and responsible citizens, the Supreme Court is resolutely committed to creating educational opportunities for the public. Although children are the most conspicuous beneficiaries of the Court's educational programs, numerous learning opportunities are also available for the adults who visit the Court.

The Supreme Court Tour Program: Helping to Create Informed, Active Citizens

When the gavel passed to Chief Justice Pariente in July 2004, she voiced her desire to establish "a statewide civics education campaign so that we can educate and re-educate all Floridians, from our youngest to our oldest, on the important values of citizenship, the true meaning of the rule of law, and the genius of the three branches of



Young visitors to the Florida Supreme Court, playing the roles of justices and attorneys, participate in "The Mock Oral Argument Experience."

government.” Although the creation of a formal program is still in an embryonic stage, the Supreme Court has made significant advances in reaching out to and teaching Court visitors about the function and the workings of the judicial branch.

Each year, thousands of people—classes of students as well as family groups and adults—come to Tallahassee, eager for a tour of the august Florida Supreme Court building. The tours are conducted by talented, knowledgeable docents, staff members, and volunteers who have undergone a rigorous training program to inform them about every significant aspect of the Third Branch: the structure

and now offers 13 different age-appropriate hypothetical cases that students can act out. Elementary schoolers can participate in cases like “The School Search” or “School Uniforms,” while middle and high schoolers can act out cases like “Censoring the School Newspaper,” “Vulgar Speech in Schools,” and “The ID Stop.” According to teacher Beverly Gordon, “The students really gained a wealth of firsthand knowledge about the judicial branch and its importance to our system” as a result of the tour and their mock oral argument participation.

As the tour program grows, the number of guests to the Court steadily increases: in fiscal year 2005-06, for instance, the Court hosted 4,836 visitors who participated in either the mock oral argument or the historical tour (no records are kept of the number of people who take the self-guided tour). Last year, when it became evident that the numbers would continue to grow beyond anything that the docents and court staff could reasonably accommodate, Valencia Davis, a legal writing instructor at Florida State University and a volunteer in

When the gavel passed to Chief Justice Pariente in July 2004, she voiced her desire to establish “a state-wide civics education campaign so that we can educate and re-educate all Floridians, from our youngest to our oldest, on the important values of citizenship, the true meaning of the rule of law, and the genius of the three branches of government.”

of Florida’s judicial system, the work of the Court, the names of and anecdotes about justices past and current; the Supreme Court building and seal, the courtroom, the Florida constitution, the U.S. Constitution, and the various features of the oral argument—the latter because, guided by these tour officials, visitors have an opportunity to participate in a mock oral argument in the courtroom of the Florida Supreme Court.

Three different kinds of tours are available for Court guests: “The Mock Oral Argument Experience,” in which visitors get a chance to play the roles of justices and attorneys and participate in a simulated oral argument; “An Overview of Florida’s Judicial System,” in which tour guides inform and entertain visitors about various points of interest in the building; and a self-guided tour, in which Court guests, clasping handfuls of brochures and guidebooks, visit the public areas of the building on their own. Visitors are encouraged to tour the upper and lower rotunda areas, the courtroom, the clerk’s office, the library, the portrait gallery, and the lawyer’s lounge. And when the justices hold oral arguments (typically during the first or second week of the month), the public is invited to observe this formal, far-reaching judicial process.

The “Mock Oral Argument Experience,” which is the most popular of the three types of tours, lasts 90 minutes

the tour program, came up with a shrewd solution: she recruited a crew of FSU law students to volunteer to lead school groups through the paces of the mock oral argument. This year, 26 law students participated in the program—a full 43 percent of the total number of volunteers. In fact, during this year’s legislative session, when the number of student visitors swelled and the demand for mock oral arguments heightened, the FSU law student volunteers carried close to 80 percent of the tour load. These volunteers have contributed significantly to the program’s success.

The tour program has been around since 1994, when Mrs. Irene Kogan, wife of former Chief Justice Gerald Kogan (on the bench from 1987-1998), was prompted by a desire to help students who came to the Supreme Court learn more about Florida’s government and judicial process. Thanks to her inspiration, the program continues to expand and illuminate.

The Florida Supreme Court Library: An Educational Hub

The oldest state-supported library in Florida, the Supreme Court Library has been in existence since 1845. Originally designed for use by the Supreme Court as well as by the

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attorneys who practice before it, it serves primarily as a space in which to do legal research.

The library contains over 117,000 volumes as well as over 210,000 pieces of microfiche; additionally, it is the repository of a host of historical documents regarding the development of the Florida Supreme Court. Designated a federal depository library, the library also houses legal materials published by the Government Printing Office, and its acquisitions include nearly all of the reported decisions of all American courts. Further, it carries current statutory law for every state as well as a comprehensive collection of historical statutory law of Canada and the United Kingdom.



The Supreme Court Library's rare book and archives display showcases artifacts, books, and original photographs; among its holdings are legal tomes dating from the sixteenth century as well as rare Florida, English, and Spanish law books.

But the library embodies more than an aggregation of published materials. In her enthusiasm to share with the public the history of the Court and of Florida's justice system, Chief Justice Pariente has reconceptualized the library as the hub of a variety of outreach efforts targeting a wide range of audiences: library staff have created historical displays and photography exhibits, written reports, given speeches and presentations, and fashioned other instructional tools that serve a civics education function.

The Evolution of Justice Exhibit has been one of the library's most recent successes. Consisting of 40 display panels, it offers insight into the history of the Supreme Court and the development of Florida's justice system (with focuses on the law, cases, the court system, and juries and justices). Some of the drawings, documents, and photos reach back as far as 1597, reflecting judicial decisions made during the earliest days of English law; library staff put together a pamphlet and a 40-page booklet to supplement this exhibit.

In an exhibit dedicated to Justice Harold Sebring (on the bench from 1943-1955) are some of the justice's official U.S. Army documentary photograph albums and trial transcripts relating to his service as a judge at the Nuremburg war crimes trials in 1946-1947, along with memorabilia from his service in the field artillery in World War I.

In the *Rare Book and Archives Display*, one can find artifacts, books, and original photographs from the library's archives and rare book collections, including samples that date from the sixteenth century. Florida, English, and Spanish law books are among the treasures. This exhibit also contains personal and professional papers, letters and notes, photographs, and ephemera of

former justices, their families, and other Court personnel. Archival consultants on the library staff recently did an assessment of the archives and rare book collections, for which they evaluated the quantity, quality, distribution, and condition of the materials. They also recommended methods to protect, preserve, catalog, display, and care for these collections.

Over the past year, the rotunda case exhibits have included an exhibit of the

Passing the Gavel ceremony (to Chief Justice Pariente), an in memoriam exhibit for Justice Raymond Ehrlich and Justice Richard Ervin, Constitution Day exhibits, Law Day exhibits, and a "Cameras in the Courtroom" display that documented the first broadcasts of live Supreme Court proceedings in 1976.

The library has become a vital center of educational and outreach activity in the Court. Whether aiding researchers and library patrons with questions about rare books, advising State History Fair students about projects relating to the judiciary, or collaborating with the John G. Riley Museum of African American History and Culture regarding the anniversary of the Tallahassee Bus Boycott, library staff have clearly demonstrated the continued need for, and usefulness of, personal, face-to-face learning despite the enticements of the Internet Age.



The Justice Teaching Institute: The Court Hosts Visiting Teachers

Founded in 1997 and sponsored by the Florida Supreme Court, the Justice Teaching Institute is an annual, law-related education program that brings to the Court up to 25 secondary level school teachers from across the state to learn about the justice system and to behold it in action. The goal is to inspire these teachers to convey what they have learned to their students and colleagues, and, in fact, participants are exhorted either to develop a courts unit for their classes or to organize a local Justice Teaching Institute for other instructors in their school or district. Created by Annette Boyd Pitts, executive director of the Florida Law Related Education Association, this program has benefited from the fervid commitment of Justice R. Fred Lewis, who has played an elemental role in its evolution.



After witnessing an oral argument during this year's Justice Teaching Institute, the teachers listen attentively as Justice Lewis debriefs them and answers their questions.

After a competitive selection process, 24 dedicated teachers representing 12 different judicial circuits participated in the Institute this past April. Over the course of this exceptionally intensive Sunday-through-Thursday program, teachers had a singular opportunity to meet, learn from, and interact informally with the Supreme Court justices and other judges. Participants also toured the building; became versed in the structure and function of the state court system, an independent judiciary, separation of powers, and the criminal court process; delved into alternative methods of dispute resolution; became adept at accessing legal resources from library and Internet sources; watched and deconstructed film clips of oral arguments; and engaged

in an involved and rigorous review of and dialog about the constitutional issues implicit in a bona fide case before the Court—all of which prepared the teachers to participate in a mock oral argument about this case. Then—and this was the climax of the program—they got to watch the Supreme Court justices engage in the real oral argument about this very case.

This year, the case focus was *Hilton v. State of Florida*, for which the teachers had to contemplate carefully and prepare to argue the following constitutional issues: do the police have the statutory authority to stop a vehicle with a visibly cracked windshield in order to perform a safety inspection, regardless of whether the crack creates any immediate hazard, and does such a stop violate the appellant's Fourth Amendment.



Despite the nerve-racking intensity of this demanding, learning-filled five-day program, teachers offered nothing but enthusiastic, positive feedback. Most amazing, however, was the palpable transformation these teachers underwent over the five days. On Sunday, when they first arrived at the Court, one saw a gathering of somewhat tentative, cautious, nervous individuals who clearly felt out of their element in the Court. But as the days passed and their learning and confidence levels increased, they visibly morphed into a comfortable collective of loquacious, knowing professionals—"insiders" to the justice system who were able to wield complex legal concepts and strategies like experienced jurists. But, of course, they had some of the best teachers in the state: each Supreme Court justice led at least one session (with Justice Lewis making frequent appearances to teach various sessions), and Judge Michael Genden (Eleventh Judicial Circuit), Judge Janet Ferris (Second

Through the newly-inspired energy and focus and conviction of these teachers, the justices hope to educate and animate young people about the history, the functions, and the significance of the Third Branch.

Judicial Circuit), and Annette Boyd Pitts were present for the entire program, offering instruction, answering questions, and helping to shape these 24 individuals into the fine legal experts they would become.

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The Justice Teaching Institute gives educators an opportunity to expand dramatically their understanding and knowledge of Florida's justice system. As a result of this experience, when they return to their schools, they are ready to add a whole new dimension to their pedagogical arsenal: they are prepared to teach others—both their students as well as other instructors—about the history, nature, organization, function, and process of the Florida judicial system; to discuss the advantages of alternative dispute resolution; to access legal resources in order to teach law-related topics; and to develop mechanisms for teaching students about legal concepts in a meaningful, age-appropriate manner. With programs like these, the justices have aimed to address the alarming problems that continue to surface as a result of people's sad lack of knowledge about civics. Through the newly-inspired energy and focus and conviction of these teachers, the justices hope to educate and animate young people about the history, the functions, and the significance of the Third Branch.

Connecting with Florida's Youngest Learners

Some of the Court's outreach efforts reflect the justices' consistent, institutionalized dedication to civics education: the Supreme Court Tour Program and the Supreme Court Library are engaged in year-round educational activities, for instance, and the Justice Teaching Institute is offered every April. However, in addition to these undertakings, the Court also hosts other, periodic events that are designed to draw in young people and present them with rich—and lively—educational opportunities. In fact, it sometimes seems as if the epicenter of Florida's Third Branch is incessantly humming with the energy and spirit of students who, oscillating between awe and friskiness, are on a mission to learn about the justice system at the Supreme Court. Constitution Day, Mediation Day, Law Day, the Student Moot Court Competition Days, Take Your Child to Work Day, and Girls State are just some of the Court-sponsored, student-oriented programs that mingle serious learning with serious fun.

Constitution Day

It's not often that the Court gets to have "Benjamin Franklin" as one of its

distinguished visitors, but on September 13, 2005, in honor of Constitution Day, enraptured students from five local elementary school classes had the rare opportunity to listen to and ask questions of this founding father, just back from signing the Constitution in Philadelphia (understandably, the 20 high school students in attendance were rather more skeptical about the experience). After much contemplation and soul-searching, "I could find and think of no better form of government" than ours, Franklin proclaimed, and he reminded students that the founding fathers have "just given you a free country, and it is your duty to keep it free."

Now that Constitution Day is congressionally-mandated, in mid-September of every year, teachers all across the country will be challenged to come up with inspiring strategies for bringing home the significance of the U.S. Constitution, signed on September 17, 1787. In Florida this past year, many courts stepped in to partner with the educators in this endeavor.

The Florida Supreme Court's Constitution Day activities offered a rousing blend of instruction and amusement. In the courtroom, after chatting with Mr. Franklin, students were introduced to the justices and got to experience the formality of the Court setting. Later, in the Rotunda, they collected pocket Constitutions, practiced signing their names with quill-like pens on parchment-like facsimiles of the Constitution, explored Constitution-related exhibits and book displays, and excitedly requested the autographs of the perambulating justices. And in the Lawyer's Lounge, students took turns draping themselves in judges robes, hamming it up for the photos taken by the Court photographer.



Enthralling the elementary school children visiting the Supreme Court for Constitution Day, "Ben Franklin" talks about the relevance and value of the Constitution and about the rights and privileges of being a U. S. citizen.

After this bit of merriment, the elementary school students were divided into small groups and led through the "Invaders Activity," which is fashioned to get them thinking critically about their constitutional rights; the premise is that, if invaders came to our country and said that the students could keep only five of the rights guaranteed in the Bill of Rights, which would they keep—and why? The high school students, on the other hand, reconvened in the courtroom with Chief Justice Pariente and Justice Cantero for a wide-ranging roundtable discussion about the Constitution and

U.S. Supreme Court rulings on several First Amendment cases. The chief justice reminded everyone of the urgency of teaching young people about the Constitution and about civics because this knowledge, she stressed, will make them more likely to vote and will enable them to become more informed, more engaged, more responsible citizens.

Mediation Day

On October 20, 2005, peer mediators from nine Leon County elementary and middle schools—120 students altogether—gathered together at Florida State University for a Mediation Day Celebration that included a half-day training session. The event was sponsored by the university, which received organizational assistance from the Court's Dispute Resolution Center, and the guest speaker was Chief Justice Pariente. This celebration had three important catalysts: the Florida Supreme Court's Proclamation designating October 20, 2005, as Conflict



Chief Justice Pariente poses with elementary and middle school peer mediators at this year's Mediation Day Celebration at Florida State University.

Resolution Day; Governor Jeb Bush's Proclamation naming October 16-22, 2005, as Mediation Week; and the recognition of October 20 as National Conflict Resolution Day. Although commemorations of all sorts took place across the country and the world, this was one of the few events that focused on the role of peer mediation in elementary and middle schools.

After words of welcome from Sharon Press, chief of the Dispute Resolution Center, and the chief justice's keynote address, peer mediators from one of the elementary schools performed a buoyant song and dance routine about the value of mediation. Following this, students chose from a range of grade-appropriate training sessions with titles like "Peace Through Art," "Anger Management," and "Diversity in Action." Although the pressing goal of peer mediation is to teach students how to resolve conflicts

in their schools through nonbelligerent methods, the chief justice also stressed the long-range goal: "The essence of democracy is the ability to resolve differences through peaceful means," she declared, so "These skills will make you, when you grow up, better citizens."

Law Day

Across the country, Law Day has been commemorated since 1958, when President Eisenhower established it to bring attention to the country's admirable legacy of liberty, justice, and equality under the law. Three years later, Congress denominated May 1 as the official day on which to stage these nationwide celebrations. Then in 1998, the Florida Legislature authorized May 1 as Law Day and May 1-7 as Law Week. Annually, the American Bar Association chooses a special theme for Law Week; this year's theme was "Liberty Under Law: Separate Branches, Equal Powers."

In April 2006, Chief Justice Pariente issued a Proclamation declaring May "Law Month," urging everyone to contemplate "the profound benefits of a government composed of separate branches with equal powers." With recent polls showing a startling degeneration in the ability of Americans to grasp even the most elementary principles of our government and democracy, this theme was certainly timely: "The rule of law is the cornerstone of American democracy," she said; "Our Law Day theme this year goes directly to the heart of our democracy," for it calls attention to "the bedrock principles of separation of powers and checks and balances that have maintained our precious freedoms for more than two centuries."



Respondents Jessica Bouis and Jessica Moscoso (from Miami's Coral Reef Senior High) and petitioners Kathleen Wade and Nicola Menchetti (from Tallahassee's Lincoln High) represent the final two teams in the Florida High School Appellate Competition, which took place on Law Day at the Florida Supreme Court.

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Law Day events took place in and around courts all across the state: with the support of the Florida Law Related Education Association, schools took advantage of poster contests, essay contests, mock trials and hearings, legal forums, oratory contests, “Law at the Mall” booths, and class visits to courtrooms as well as visits to classrooms by justices, judges, and attorneys.

On May 5 at the Supreme Court, students who advanced to the finals of the second Annual Florida High School Moot Court Appellate Competition (sponsored by the Florida Law Related Education Association) argued their case before the justices. And on May 6, the Court hosted a reception for the eight statewide winners of the Law Day Poster and Essay Contest (also sponsored by the Florida Law Related Education Association); the winners and their families toured the Court and participated in an educational session before attending an awards luncheon (the winning entries remained on display in the Rotunda for several months).

But the “students” who work at the Court also had a chance to participate in the festive learning opportunities, for the Florida Supreme Court even planned an event for employees of the Court and the Office of the State Courts Administrator. After a reception in the Rotunda, employees engaged in an animated instructional activity called “Claim Your Powers,” which highlighted this year’s Law Day theme. The chief justice extended her thanks to all Court employees “for all you do throughout the year to enhance public understanding of and appreciation for the separation of powers and the role of the Judicial Branch.”

Other Activities

The Supreme Court has taken a particular interest in the university moot court teams. Celebrated as one of the best in the country, Florida State University’s student-run team was established in 1968, and its 30 members participate in regional, national, and even international competitions. New members are selected on the basis of the Annual Spring Intramural Competition for first year students—a competition that culminates in the Final Four Competition, which is held at the Florida

Supreme Court and is judged by the justices. Complex ADA issues were at the heart of the competition this past November, and, after the four law students presented their arguments, they were praised by the justices: “Your presentation equals—if not exceeds—many oral

arguments that come before the court,” Chief Justice Pariente stated, and she congratulated them for having “mastered the ability to ‘have a conversation’ with the Court.”

Another outreach activity that imbued the Court with vivacity and bustle was the Take Our Daughter and Sons to Work Day. This past April, more than 30 children between the ages of six and 13—the offspring of Supreme Court and Office of State Courts Administrator employees—converged upon the Court for a day of learning about the judicial system. After participating



Chief Justice Pariente poses a question to Girls State representatives visiting the Florida Supreme Court to participate in judicial branch activities this past June.

in the Invaders Activity and taking an historical tour of the building, they ascended to Chief Justice Pariente’s chambers, where they were playfully interrogated about what the Invaders Activity taught them about the Bill of Rights and were asked specific questions about particular amendments. The day’s events concluded with a discussion of the separation of powers and an ice cream social, a happy melding of schooling and sweetness.

“Some people make the laws. Some people explain the laws. Then some people make us obey the laws. This makes our country fair. The seesaw stays balanced when the three parts are working together.” –Sabina Alexandra Gonzalez, first grader from G.W. Carver Elementary School

Then in June, high school girls from all across the state assembled in Tallahassee for the week-long Girls State visit to the Capitol. For two of those days, 22 of the girls chose to participate in judicial branch activities. Over the course of those days, they learned about the oral argument

process, prepared for a mock oral argument in which they took the parts of justices and attorneys, heard the case, and made a decision. The chief justice thanked them for their participation and for their interest in the Third Branch, saying, "Your part in Girls State shows your willingness to be knowledgeable of and active in the governmental and judicial processes in Florida."

As all of these educational and outreach endeavors suggest, one is never too young to learn about the role and the significance of the judicial branch. At the Law Day event for Court building employees, Chief Justice said that, for her, it was particularly moving to read what some of the younger essay and poster contest winners wrote. She called particular attention to this year's youngest poster contest winner, a first-grader from Miami who had only just learned to speak English last year; to explain her poster of a seesaw balancing perfectly the three branches, this seven year old wrote, "Some people make the laws. Some people explain the laws. Then some people make us obey the laws. This makes our country fair. The seesaw stays balanced when the three parts are working together." How "heartening" that a first grader understands and can so clearly articulate what the separation of powers is, the chief justice proclaimed, concluding that, "Through this outreach, we really are able to change lives."

OUTREACH TO COURT USERS THROUGH IMPROVED SERVICES

"Justice in Florida will be accessible, fair, effective, responsive, and accountable," the Florida Supreme Court's vision statement affirms. In the spirit of that vision, the Supreme Court works diligently to make sure that anyone who enters the doors of a Florida courthouse—whether by choice or under duress—has the tools, services, and assistance he or she needs to navigate the justice system effectively.

The Dispute Resolution Center: Celebrating 20 Years of Progress

"Mediation empowers individuals to develop solutions to conflicts that strengthen relationships and are tailored to their particular needs," Chief Justice Pariente declared in her 2005 Conflict Resolution Proclamation. An ardent advocate of alternative dispute resolution (ADR), the chief encourages people of all ages to take advantage of mediation: as she explained to 125 Leon County elementary and middle school peer mediators who participated in a Mediation Day Celebration and

training session at Florida State University last October, "Whenever there are two people with a conflict, if you can help them find a resolution themselves, they'll be happier, and the solution will be longer lasting."

Using mediators to address community quandaries has obvious advantages, for this practice not only strengthens a community's ability to solve disputes, but it also prevents the courts from being overburdened with cases that could be settled more efficiently and cost-effectively out of court. Furthermore, litigants experience a sense of empowerment at the opportunity to map out their own resolutions because they then have the chance to design more responsive and creative solutions to their plights—which has the added benefit of making the parties more



The Mediator Qualifications Board, a 51-member body appointed by the chief justice, convenes in complaint committees of three and hearing panels of five to resolve grievances filed against certified or court-appointed mediators. This picture was taken at their annual meeting in December 2005.

likely to comply with the solutions. Thus, by typically leading to the peaceful resolution of disputes, by using public resources efficiently, and by being responsive to the particular needs of each litigant, mediation plays a critical role in the improvement of the administration of justice—an efficacious byproduct of which is that it builds public trust and confidence. Not surprisingly, therefore, one of the cornerstones of the Florida Supreme Court's strategic plan has been to make mediation "equally available for all eligible cases statewide."

Mediation and arbitration are not new to this country: beginning in the 1930s, people made considerable use of these practices, primarily to settle labor-management disputes. Thirty years later, with the rise of the civil rights movement, the notion of developing alternative methods for resolving problems became both appealing and critical

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when the courts found themselves glutted with civil and criminal disputes that, in simpler times, had been dealt with in more intimate, neighborly contexts—e.g., by families, communities, and local civic interventions. Thus mediation and arbitration strategies were reinvented when, in the late 1960s, communities began to experiment with unorthodox strategies for solving disputes.

Florida's court system has actively promoted the use of alternative dispute resolution (ADR) methods since the 1970s. ADR had its origins in Dade County, which established the first citizen dispute center in 1975. For the first twelve years, legislation authorized the creation of citizen dispute settlement centers and the judicial referral of cases to family mediation, but, on the whole, most of the ADR momentum was fomented by grassroots efforts.

That all changed in 1987, when, as a result of the reports of the 1985 and 1986 Legislative Study Commissions, groundbreaking legislation was adopted to grant trial judges the power to refer any contested civil matter to mediation or arbitration. In addition, the Supreme Court was authorized to create standards for a range of ADR elements including certification, training, conduct, and discipline. As a result of this legislation, ADR in Florida was elevated to a venerated place in the civil justice system, and the use of mediation and arbitration has burgeoned since then. Now, Florida has one of the most extensive, court-connected mediation programs in the country.

Florida's Dispute Resolution Center (DRC), founded in 1986, was the first statewide hub for education, training, and research in the area of ADR. Established by Chief Justice Joseph Boyd and Talbot "Sandy" D'Alemberte, Dean of Florida State University College of Law, this center has a broad range of responsibilities: it certifies mediators and mediation training programs; provides basic and advanced mediation training to volunteers; sponsors an annual conference for mediators and arbitrators; publishes a newsletter and annual compendium; aids the state's trial and appellate courts with their ADR programs; and provides staff assistance to four Florida Supreme

Court mediation boards and committees (the Supreme Court Committee on ADR Rules and Policy, a mediator grievance board, a grievance board for certified training, and a mediator ethics advisory committee).

Due to the commitment to ADR by the courts as well as the legislature, Florida continues to be "a leader in recognizing and promoting mediation as an alternative to litigation," according to the chief justice: Florida currently has nine citizen dispute settlement programs, 49 county mediation programs (all 20 circuits are served), 45 family mediation programs, 13 circuit civil mediation programs, 40 dependency mediation programs, three arbitration programs, and one appellate mediation program. In addition, in the 2005-2006 fiscal year, the DRC renewed 1,668 mediators and certified 755 new ones, swelling the database to a total of 5,064 certified mediators.



Justice Harry Lee Anstead serves as the liaison to the Florida Supreme Court Committee on Alternative Dispute Resolution Rules and Policy, which is chaired by Seventh Circuit Judge Shawn Briese (pictured on left).

Also over the past year, the DRC updated its *Compendium of Mediation and Arbitration Programs* as well as its *ADR Resource Handbook* (both of which are available in print and online versions) and continued its publication of *The Resolution Report*, a quarterly newsletter (of which there are two printed and two electronic

issues each year). In addition, the DRC coordinated its fourteenth annual conference, themed "Great Expectations," which gathered together 850 attendees, and it is currently preparing for its 2006 conference, entitled "Honoring Our Past...Celebrating our Future." In keeping with this theme, and in commemoration of the DRC's twentieth anniversary, the conference will pay tribute to attorney David U. Strawn, who chaired the Legislative Study Commission that helped to effect the revolutionary legislation empowering judges to refer civil cases to mediation and arbitration as well as chairing the special rules committee that implemented the legislative framework for ADR in Florida's court system.

In one of the most significant ADR accomplishments this year, the Court, with only minor modifications, adopted proposed amendments filed by the ADR Rules and Policy Committee regarding the qualifications necessary to

become a mediator. The new requirements, which amend the Florida Rules for Certified and Court-Appointed Mediators, continue to revolve around training, education, and mentorship—but the category of experience has been added. As a result of this change, the qualifications, which used to be heavily degree-based, are now point-based—an innovation that enables an aspiring mediator to get credit for other types of mediation experience.

For instance, to be a family mediator under the old, degree-based system, one would have needed a minimum of 40 hours in a certified family mediation training program; a master's degree or Ph.D. in social work, mental health, or a behavioral or social science; and mentorship experience that involves observing two family mediations and conducting two supervised family mediations. To become a family mediator under the new point system, one needs 30 points in certified mediation training; 25 points for a combination of education and mediation experience (e.g., a minimum of a bachelor's degree coupled with five years

By typically leading to the peaceful resolution of disputes, by using public resources efficiently, and by being responsive to the particular needs of each litigant, mediation plays a critical role in the improvement of the administration of justice—an efficacious byproduct of which is that it builds public trust and confidence.

of mediation experience); 30 points for mentorship; and an additional 15 points that can come from a range of possibilities including a more advanced degree, additional mentorship work, foreign language conversational ability, and additional mediation training.

According to Sharon Press, chief of the DRC, the ADR Rules and Policy Committee is particularly proud of this accomplishment because it represents “such a major shift in thinking” about what mediation truly is. These amendments “recognize that mediation is a separate and distinct enterprise—it’s not just law, and it’s not just therapy. Mediation has its own path...there isn’t a single right path.” Simply put, underpinning this change is the acknowledgement that “one can become a good mediator by mediating.”

This year, the ADR Rules and Policy Committee also addressed the issue of senior judges as mediators (senior judges are retired judges who are eligible for assignment to temporary judicial duty). Instructed by the Court, the committee closely considered whether senior judges should be allowed to serve as mediators—and, if so under what circumstances—and it proposed, and the Court adopted, rule amendments to the Code of Judicial Conduct, the Florida Rules for Certified and Court-Appointed Mediators, the Florida Rules of Judicial Administration, and other court procedural rules. Despite the potential for ethical conflict, there have been no published complaints against senior judges serving as mediators, so this was a proactive effort on the part of the Court to deal with “the propriety of a senior judge acting as both a mediator and an assigned senior judge.”

Among the more noteworthy rules changes, senior judges who plan to mediate are now required to be certified by the Florida Supreme Court for that type of mediation. If they have a history of having presided over a case involving any party, attorney, or law firm in the mediation, they are obliged to reveal that fact before the mediation begins. They are also required to take judicial education ethics courses that focus on the ways in which their status as judges may interfere with their actions as mediators, or vice versa. Moreover, senior judges may not advertise, solicit business, or associate with a law firm or participate in any other activity that directly or indirectly promotes their mediation services. As a result of these reforms, the Court is confident that senior judges will be able “to continue to serve effectively and ethically as mediators in a manner that best serves Florida’s justice system and avoids potential conflicts and ethical concerns.”

Strategies for Ensuring Meaningful Access to Justice

Florida’s constitution (article I, section 21) mandates that “The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.” However, as has been forcefully articulated, without **meaningful** access to the courts, there is no access at all. In other words, not only must litigants be able to get into the courtroom—but their legal issues must be brought to just resolution as well. Florida’s court system continues to work diligently to secure meaningful access to justice for all Floridians.

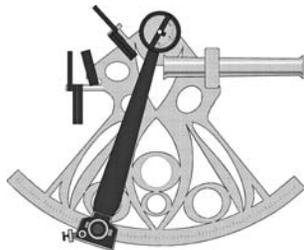
a) Certifying Foreign Language Interpreters

In one Florida decision a few years ago, a non-native speaker was sentenced to 15 years in prison after

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unwittingly pleading guilty to stealing a \$125,000 dump truck—when he thought he had entered a plea to stealing a toolbox. A new trial was ordered when it was discovered that the error resulted from the inadequate interpretation provided by the defendant's interpreter.

In another state, a non-native speaker was convicted of murder and sentenced to 40 years in prison—but the interpretation process was so flawed that the chief judge threw out the murder verdict and the sentence. At the second trial, for which the defendant was supplied with certified interpreters, he was convicted of reckless homicide and sentenced to five years.



For the interrogation process of a non-native speaker for a murder case in yet another state, the police secured the services of an interpreter who was not fluent in the language she was hired to interpret and did not have any prior training in court interpreting. Then the prosecutor hired a language professor to transcribe and translate the recorded interrogation—but the professor, who was untrained in legal translations, sanitized the *Miranda* warning during the translation process, giving the judge, attorneys, and jury a significant misimpression of the rights that had been read to the defendant. The murder conviction was overturned because of the interpreter errors made throughout the entire case process.

Nationwide, one can unearth a plethora of examples of courtroom crises that have resulted from using unqualified language interpreters. In general, if interpreting errors are discovered, a new trial may be ordered, which comes at a hefty price for the taxpayer. But if the errors are not discovered, then hapless defendants may pay an exorbitant price for crimes they did not commit. Understandably, the potential for such problems in Florida is enormous: in terms of population of non-English speakers and those who speak English “not well,” Florida ranks fourth in the nation.

According to the January 2005 Population Statistics of RAND Florida, 24% of people in Florida (over the age of five) speak a language other than English at home. That means that, out of Florida's total population of 17,788,023, approximately 4,008,839 do not speak English at home.

Broken down by county, in 28 of Florida's 67 counties, 10% or more of the general population is non-English speaking. Of those 28 counties, 12 counties have a non-English speaking population of between 15 and 29.9%; three counties have a non-English speaking population of between 30 and 49.9%; and one county—Miami-Dade—has a non-English speaking population of close to 70%. The top ten foreign language needs in the state, in descending order, are Spanish, Sign Language, Haitian-Creole, Portuguese, Russian, Vietnamese, French, Arabic, Bosnian, and Laotian.

Because Florida's judiciary is required to provide all Floridians—regardless of their native language—with equal access to justice, the courts must do what is necessary to guarantee the due process rights of those who are disadvantaged by a language barrier. In keeping with this obligation, the court system has been committed to the development of a statewide court interpreter training and certification program since 1991. Fortunately, Florida has not had to forge this path entirely on its own: since 1997, the state has benefited from membership in the Consortium for State Court Interpreter Certification. Founded in 1995 and coordinated by the National Center for State Courts, the consortium, a 36-state

“Florida, one of the most culturally diverse states in the nation, now has [the basis for] a reliable certification program for foreign language court interpreters. This program will ensure that justice is dispensed equally throughout our circuits by providing qualified interpreters to assist those who may be disadvantaged by a language barrier.” –The Florida Supreme Court

partnership, provides access to approved tests, savings in test development costs, standards for test administration, training and educational programs, and statewide forums in which members have the opportunity to meet and exchange ideas.

Even though Florida's courts have been dedicated to creating a strong court interpreters program, the judicial branch was not empowered to establish a formal certification process—until this spring, when the Florida

Legislature authorized the Supreme Court to “establish minimum standards and procedures for qualifications, certification, professional conduct, discipline, and training” of court-appointed foreign language court interpreters. In response, the Court wrote, “Florida, one of the most culturally diverse states in the nation, now has [the basis for] a reliable certification program for foreign language court interpreters. This program will ensure that justice is dispensed equally throughout our circuits by providing qualified interpreters to assist those who may be disadvantaged by a language barrier.”

The chief justice is currently in the process of appointing a Court Interpreter Certification Board that will be responsible for the certification and discipline of interpreters; it will also establish continuing education and other requirements that court interpreters will have to meet as well as the schedule for certification fees. Once the certification program is in place, Florida’s courts will have uniform, statewide standards for courtroom interpreters, thereby better meeting the needs of its richly diverse population and helping to prevent the sorts of courtroom crises that may result from using unqualified court interpreters.

b) Providing Services for Self-represented Litigants

In Florida, litigants have the constitutionally-guaranteed right to represent themselves in court on any matter (called “pro se” in Florida). Since the 1980s, the number of litigants who opt for pro se representation, particularly in family law cases, has been mounting steadily: on average, for instance, 80% of all family law cases and 65% of all dissolution of marriage cases have at least one self-represented party in this state. Some litigants are pro se because they cannot afford a lawyer, and some are pro se because they do not want to hire a lawyer. But, whatever the reason for their decision, justice should be every bit as accessible to these parties as it is to parties with lawyers. If, for instance, pro se litigants are unaware of the necessary protocols and, as a result, neglect to file the required paperwork, their case will probably be delayed, which will likely cause them to feel frustrated and disenfranchised; as a further side effect, the courts will end up with congested dockets. Undeniably, everyone loses when pro se litigants do not receive the help they need.

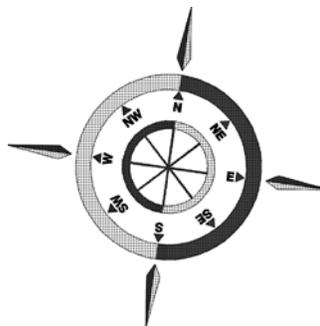
In January 2006, Chief Justice Pariente established a work group consisting of 31 people—trial and appellate judges,

clerks, court administrators, court staff, lawyers, and other justice system partners—to brainstorm about methods for enabling pro se litigants to navigate the court system effectively and to achieve meaningful access to justice. The group, which has taken a broad, service-oriented

In the process of being developed is a comprehensive services framework that will accomplish two important goals: it will help self-represented litigants as they advance through the judicial process, and it will enable the judges and court personnel involved in pro se cases to use their time more efficiently.

approach to pro se litigation, identified 47 “threshold services” that it regards as essential for meeting the needs of self-represented litigants, and it issued an action report and recommendations. Ultimately, the work group envisions a court-based self-help program that has two purposes: to connect pro se litigants with legal services, when possible, and to provide access, information, resources, and procedural aid to these litigants.

Currently, the two court performance and accountability commissions are taking the work group’s recommendations into account as they evaluate the courts’ current level of support; assess the need for specific modifications; analyze the budget requirements; determine what services are already available (e.g., pro bono help, legal aid), what the courts could be doing, what the courts should be doing, and what the courts can’t reasonably attempt to do; and broaden the dialog by addressing the needs of the self-represented with other court and community stakeholders. In the process of being developed is a comprehensive services framework that will help self-represented litigants as they advance through the judicial process, and it will enable the judges and court personnel involved in pro se cases to use their time more efficiently.



c) Improving the Jury Management System

Chief Justice Pariente frequently celebrates the judiciary as the only branch of government that truly shares power with the people: through “the genius of our jury system,” she acclaims, the people become “partners in the justice system.” Wanting to ensure that the jury system continues

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to operate in a manner that guarantees the constitutional right to a trial by jury, and, further, wanting to make certain that the service of jurors and potential jurors “is meaningful and responsive to the needs of the individual jurors and the justice system,” she established the Work Group on Standards for Jury Panel Sizes in September 2004. The work group, charged with assessing and updating the standards for measuring performance of the jury management system, issued its final report last March (available online at http://www.flcourts.org/gen_public/jury/bin/wg_finalreport.pdf).

In response to this report, the Supreme Court issued an administrative order this past June, outlining the three objectives that an effective and efficient jury management system must have: an ample supply of jurors must be available for the days on which jury selection

associated with the management of cases and jurors is the most important factor in ensuring an ample supply of jurors is available at the courthouse the day of jury selection while eliminating or at least minimizing inconvenience to our citizen jurors. Delays, continuances, mistrials, or unnecessarily inconveniencing our citizens due to a failure to collaborate or share information are unacceptable.”

d) Measuring and Updating Trial Court Workload

Cases can be processed swiftly only if courts have an adequate number of judges on the bench. When filings increase—which has clearly been the tendency—then more judges are needed to ensure the timely administration of justice. Over the last two years, Florida’s trial courts have been fortunate because the legislature and governor have recognized and embraced the need for new judges: last year, they approved funding for 59 new judges, and this year, for an additional 55—representing a 13% increase in the number of trial court judges. This increase is significant because it means that cases will be heard more expeditiously and that litigants will have prompter access to justice.

The Supreme Court is determined to reconfigure the jury experience so that it becomes more meaningful and satisfying to the jurors—as well as more serviceable to the litigants who are ensured the right to due process from the justice system.

takes place; citizens must not be unduly inconvenienced by being unnecessarily summoned for jury duty; and fiscal resources earmarked for the payment of juror per diem must be used wisely. The order also identified a series of corrective measures and directed the trial courts to begin implementing them. Among other things, chief judges, presiding judges, trial court administrators, and jury managers are charged with improving the summoning yield, ensuring juror compliance, and increasing citizen participation.



Judge Thomas Bateman, Second Judicial Circuit, chairs the Work Group on Standards for Jury Panel Sizes.

The Supreme Court is determined to reconfigure the jury experience so that it becomes more meaningful and satisfying to the jurors—as well as more serviceable to the litigants who are ensured the right to due process from the justice system. The administrative order vigorously articulates what is necessary to achieve these goals: “Collaboration and communication between the presiding judge, trial attorneys, jury managers, and all other relevant persons

case or, far more time-consuming, a capital murder case—receive a greater weight. The system that Florida’s courts implemented is based on the Delphi Research Method, which involves sampling expert opinion to arrive at valid case weights. To validate and refine the weights, OSCA and the National Center for State Courts used a time study that measured real world workload of judges for a range of cases in the courts.

Workload fluctuation, new legislation, and the availability of new resources make it essential to re-evaluate the accuracy of the case weights periodically, so the National Center for State Courts has recommended that they be re-measured and updated approximately every five years. To this end, in August 2005, the Judicial Resource Study Work Group was formed and given several charges: among them, it is responsible for updating the case weights established in the original study and for developing a methodology that can be used to determine more effectively the need for additional resources and to allocate more adeptly the general magistrates, child support enforcement hearing officers, and civil traffic infraction hearing officers. The work group aims to fulfill its various charges by June of next year.

Updating the case weights is a rather elaborate process: this summer, OSCA staff will travel across the state to offer 60 Certification Case Weight Survey Training sessions—covering all 20 circuits—to provide circuit and county

they actually spend during that phase of a typical case. Based on the judges' responses to the survey, the Judicial Resource Study Work Group will be able to establish the extent to which the case weights established in 1999 must be modified.

This work of the Judicial Resource Study Work Group is essential because, having accurate case weights will enable the Supreme Court to justify its requests for new judges, and having the appropriate number of judges will enable litigants to feel confident that that the administration of justice is fair and expedient.

e) Evaluating DCA Workload and Jurisdiction

The Supreme Court is empowered by Florida's constitution (article V, section 9) to establish uniform criteria to determine the need for additional judges as well as the need to increase, decrease, or redefine appellate districts. Therefore, the Court authorizes regular reviews of DCA workload, jurisdiction, structure, and organization.

In September 2004, the Court created the Committee on District Court of Appeal Workload and Jurisdiction to spearhead a comprehensive evaluation of the DCAs.

The committee's goal was to determine "whether, given the totality of the circumstances, Florida's district courts are able to effectively and efficiently perform their primary functions in service to the people." To achieve this goal, the committee evaluated the case mix of the DCAs—looking at three different points of time over a 40-year period; it assessed judicial workload

based on established relative weights for cases disposed on the merits; and it examined the effect of caseload and workload on case processing.

In its report, the committee recommended that, every eight years, an assessment should be conducted by a Court-appointed review committee to determine whether the DCAs, both collectively and individually, are able to fulfill their constitutional mission. "If there are indications that the courts are struggling to fulfill their mission, then responsible steps should be considered, including geographic redefinition of the districts and alteration of subject matter jurisdiction," the report noted. As a consequence of this report, the

The weighted caseload system dissects the amount of time it takes to handle the 26 different types of cases filed in the trial courts: cases that can be addressed relatively quickly—for example, a civil traffic case or a small claims case—receive a lower weight while more complex cases—for instance, a professional malpractice and product liability case or, far more time-consuming, a capital murder case—receive a greater weight.

court judges with information about the certification of new judges case weight system (what it is, how it works, and why it's important); to explain why the case weights must be updated; to introduce judges to the Internet-based survey that will be used to update the case weights; and to show the judges how to fill the survey out. As the training sessions will demonstrate, each case type has its own survey, and case types are grouped by division of court. Each case type is divided into events representing a particular phase of the case, and each event includes a brief description of that phase of the case and a list of the judicial events that might be part of such a case. Judges will be asked to consider a typical version of each phase of a case and to enter the amount of time that



Court created the District Court of Appeal Workload and Jurisdiction Assessment Committee, which has been charged with evaluating each DCA in terms of five criteria: effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence. The committee has developed an online survey that gives lawyers, litigants, and the public an opportunity to evaluate (anonymously) the DCAs; the survey results will be used to help the committee determine whether a court's performance in a particular area could be significantly improved with a jurisdictional change.

Regarding the report from the Committee on District Court of Appeal Workload and Jurisdiction, the Court wrote, "A timely and meaningful appeal heard by a fair and impartial tribunal is integral to our system of justice. Appellate review identifies and corrects harmful trial-level errors, ensuring consistent application of the laws

The process for becoming a senior judge is somewhat elaborate. Three months before retirement from the bench, aspiring senior judges are asked to submit a letter notifying the chief justice of their retirement and of their desire to serve as a senior judge. They are then asked to complete several forms. For the "Consent to be Assigned to Judicial Service" form, judges are asked to provide factual information (e.g., about the court from which they are retiring) as well as to signal their willingness to abide by certain requirements (obtaining continuing judicial education credits, not engaging in the practice of law, etc.); for the Judicial Questionnaire, judges are queried about their docket preference and their willingness to travel outside of their own circuit, for instance, and they are also asked to provide the names of five attorneys who appeared before them within the last three months.

After these forms have been received by the Supreme Court, an inquiry is sent to the Judicial Qualifications Commission to find out if any disciplinary action has been taken against a judge who is seeking to become a senior judge. Also requested is a letter from the judge's chief judge seeking information on the judge's continued ability to serve. Once these inquiries have been completed, the application is considered for approval by the Supreme Court. If the Court approves the application, the judge's name is placed on the Senior Judge Intranet site, a database used by chief judges to assign senior judges.

To qualify for senior judge status—and to maintain that status—senior judges must fulfill certain obligations: they must not engage in the practice of law, must be a member in good standing of The Florida Bar, must file a financial disclosure statement for the fiscal year during which they served, and must complete 30 hours of continuing judicial education requirements every three years.

As of today, Florida's court system reaps the benefits of the wisdom and experience of the 142 retired judges who have senior judge status (including the 14 retired judges who were granted senior judge status in the 2005-2006 fiscal year). Altogether, 114 senior judges sat on the bench during the fiscal year. Clearly, senior judges' continued commitment to public service helps to enable the smooth operation of Florida's judiciary.

The District Court of Appeal Workload and Jurisdiction Assessment Committee has been charged with evaluating each DCA in terms of five criteria: effectiveness, efficiency, access to appellate review, professionalism, and public trust and confidence.

and constitutionally-guaranteed rights and liberties. A court keeping pace with its caseload is indispensable to this process. An efficient, well-resourced appellate court expeditiously processes appeals...and renders thoroughly researched and carefully considered decisions on the issues presented." The work of the committees on DCA workload and jurisdiction is momentous because it will ensure that these courts "continue to dispense justice in a timely and efficient manner that meets the needs of our people."

f) Utilizing Senior Judges

Performing a number of important functions in Florida's judicial system, senior judges boost the level of service that citizens are able to expect from the courts. As a result of the availability of senior judges, for instance, litigants have quicker court access; trial calendars are stepped up; backlogs are tackled; and case disruptions are prevented when sickness or death keeps active judges from sitting on the bench. Because of their experience as well as their ability to compensate for the judicial shortfall, senior judges have been a great resource for the judiciary.

Judicial Branch Planning: The Future Trends Workshop

Florida's constitution mandates that the judicial branch have a long-range plan (article III, section 19). But even without this constitutional requirement, the courts recognize the wisdom of engaging in strategic and operational planning because it offers the branch an opportunity to delineate the major challenges confronting—or about to confront—the court system and to formulate a deliberate, robust, and comprehensive approach for addressing those challenges. Deciding to meet these challenges head on, Chief Justice Pariente, within two weeks of becoming chief in July 2004, created the Task Force on Judicial Branch Planning, which was charged with finalizing an operational plan for 2004-2006; proposing an operational plan for 2006-2008; and recommending a strategy for reviewing and updating the court system's long-range strategic plan—a plan designed to guide the courts over the next eight years.

The two-day Judicial Branch Planning Workshop, an offshoot of the work of the task force, was organized to help the court system identify future branch challenges, goals, and strategies. Held in Orlando this past May, the workshop had two purposes: to reassess the long-range strategic plan that has been in place and, after presentations and deliberations about the ways in which various trends may affect the courts over the next eight years, to make recommendations for updating the strategic plan. In a remarkable outreach gesture, a broad spectrum of participants—among them, judges, court personnel, clerks, attorneys, teachers and university professors, law enforcement personnel, and officers in public and private companies and organizations—was invited to participate in this planning process that will guide Chief Justice Pariente's successors as they take the helm and assume the leadership role for the judicial branch.

On the first day, participants listened to a range of presentations providing an overview of critical topics and trends likely to affect the court system over the next decade.

Presentations were varied and included sessions on topical areas such as "Embracing Growth and Diversity: Social and Economic Changes," "Where Science, Technology, and the Law Intersect," and "Court Organization and the Administration of Justice." Participants had an opportunity to ask questions and were encouraged to reflect upon what they heard and to write down their responses after each session. On the second day, each participant was assigned to one of five break-out groups: Clarifying the Role of the Judicial Branch; Improving the Administration of Justice; Supporting Competence and Quality; Enhancing Public Access and Service; and Building Public Trust and Confidence. With the help of a facilitator, each group was guided to use the participants' collective experience—coupled with the information

from the presentations of the day before—in order to address the following questions: what are the challenges the courts will face over the next six to eight years, and what strategies should be employed to address these challenges? Then all the participants re-gathered and reported on their group discussions; reaction and interaction were encouraged.

OSCA's Strategic Planning Unit is compiling and analyzing the individual participant responses as well as the observations and comments from the break-out groups, and these will become instrumental in the revision of the two-year operational plan, a draft of which is due out this fall. Before beginning to update the long-range strategic plan, the Task

Force on Judicial Branch Planning will identify outreach groups and hold feedback sessions; the plan is scheduled to be finalized by May 2007 and to be submitted to the Court in June.

Both Chief Justice Pariente, who welcomed the attendees, and Chief Justice-Elect Lewis, who offered closing remarks, celebrated the important role of the public in shaping the long-range strategic plan that has been guiding the courts over these last years, and they expressed appreciation to the workshop participants for their spirit of collaboration, thanking them for putting their heads together to make the judiciary stronger and more responsive to the needs of the people it serves.



During a break at the Judicial Branch Planning Workshop, Judge Janet Ferris, Second Judicial Circuit, confers with Dominic M. Calabro, president of Florida TaxWatch, while former Governor Reuben Askew, in foreground, talks with other attendees.

INSTRUCTIONAL OPPORTUNITIES FOR JUDGES AND COURT PERSONNEL

The public and court users aren't the only recipients of the Supreme Court's educational endeavors, for the Court is also responsible for generating dynamic instructional programs for its judges and certain court employees. Currently, the Court supports educational initiatives for appellate, circuit, and county court judges as well as for appellate clerks, appellate marshals, and trial court administrators, and efforts are now underway to expand the programming to address the educational needs of other court personnel as well.

Court Education: Enhancing the Competence of Those Serving in the Judiciary

Often called "the Father of Court Education," Justice Ben F. Overton (on the bench from 1974 to 1999) established the first formal mechanisms for providing Florida's judges with education and training programs. Over the years, Florida's award-winning court education program has developed pedagogical tools to meet the instructional needs and requirements of all of its state judges. Whether one is a seasoned, highly-esteemed trial or appellate court judge—or a judge who has just been appointed or elected to the bench—this program provides educational opportunities that deepen the judge's knowledge, skills, and expertise and that reinforce his or her ability to administer justice fairly, effectively, professionally, and competently.

Florida judges have been able to take advantage of judicial education courses since the late 1970s, though they have been required to take them only since 1988. As a consequence of a Rule of Judicial Administration adopted by the Florida Supreme Court on December 31, 1987, Florida judges must take a minimum of 30 approved credit hours of court education every three years. New judges are held to the same standard; however, in addition, they are expected to complete the Florida Judicial College, a comprehensive, two-week judicial education curriculum, as well as participate in a mentoring program, all within their first year on the bench.

Currently, approximately 900 hours of instruction are available annually for judges and for certain court personnel (e.g., court administrators, appellate law clerks, marshals), and, soon, educational programming will broaden to include other groups of court personnel. The Florida Court Education Council is in the process of hiring a consultant to conduct an educational needs assessment of six different groups of court personnel who have not traditionally had access to court education programs: the groups that will be studied are magistrates and hearing officers; trial court law clerks, staff attorneys, and general counsel; judicial assistants; administrative services personnel; case managers; and family court managers and their staff. The consultant will make recommendations about subject matter and delivery methods.

The most popular format for educational programming, whether for judges or for court personnel, continues to be live, interactive presentations in a lecture and discussion



In his presentation at the first phase of the Florida Judicial College this past January, Judge Scott Brownell, Twelfth Judicial Circuit, intrigues new judges with his discussion of the ways in which judging styles may be shaped by personality type as defined by the Myers-Briggs Type Inventory.

environment. However, distance learning formats are beginning to become attractive as well. A new instructional offering this year, for instance, is an online version of the court education program's Judicial Campaign Conduct Forums for people campaigning for circuit and county court judgeships; the materials include a PowerPoint presentation, *An Aid to Understanding Canon 7* (guidelines that assist judicial candidates in campaign and political activities), Florida Bar Rules relating to the Code of Judicial Conduct, The Florida Election Code, and Judicial Ethics Advisory Committee Opinions. Also available as of this year is a distance learning program for appellate law clerks on U.S. constitutional law, the separation of powers, and judicial independence; this set of online videotapes hosts Erwin Chemerinsky, Duke

University professor of law and political science, as the presenter.

Within the next year, the court education program will compile an intranet resource on judicial ethics that will serve as a comprehensive reference and training tool for judges. And, as the technologies improve, the program will continue to experiment with distance learning strategies such as Live Meeting Online Conferencing, video clips, interactive online training, and videoconferences. Also

in the planning stage is an intranet framework that will readily contain the wide range of online delivery mechanisms that the program envisions utilizing.

The court education program also develops, edits, and electronically distributes court education publications to enhance the competence of the judiciary and court personnel. Some publications currently available are Domestic Violence Case Law Summaries with Index, An Aid to Understanding Canon 7, Judicial Ethics Benchguide, Florida Traffic-related Appellate Opinions, and the Judicial Ethics Advisory Opinions Index. Projects under development or review include a contempt benchguide, a criminal benchguide for circuit judges, and a pandemic flu benchguide.

Currently, Florida has a total of seven Supreme Court justices, 62 district courts of appeal judges, 564 circuit judges, 302 county court judges, and 142 senior judges (who are bound by the same education requirements as active judges). And, given that the Florida Legislature recently approved funding for an additional 35 circuit judges and 20 county court judges, all of whom will be elected this November, the court education program will soon be responsible for an even more ambitious instructional curriculum.

CHILDREN AND FAMILIES

Unified Family Court: Innovative Strategies for Addressing Complex Cases

Dissolution of marriage, annulment, division of property, domestic violence, dependency, delinquency, truancy, paternity, child support, custodial care, adoption...family court comprises a wide range of legal concerns, often involving several different legal proceedings; as a result, family court cases are frequently complex and ponderous. In addition, over the last two decades, the volume of family court cases has been increasing inexorably. From fiscal year 1986-87 to 2004-05, for instance, the number of domestic relations court filings in Florida increased by 81.5%; over that same period, the number of juvenile delinquency and dependency court filings increased by 39.7%. Of all cases heard in circuit courts in fiscal year 2004-05, 43.7% were domestic relations, delinquency, and dependency cases.

Recognizing the need for significant reform, the Supreme Court, between 1991 and 2001, issued four separate

opinions underlining the need for a family court system that would provide children in court with greater protection and that would settle family discord with greater agility. In its fourth opinion, it identified twelve guiding principles as a foundation for defining and implementing a family court. Among them are the following: children should live in safe and permanent homes; the court should first consider the needs and best interests of the children; the court should coordinate or combine related family cases; the court should manage its cases responsibly, keeping in mind the needs of the family; the court should coordinate and make the best use of its resources as well as establish networks with community resources; the court should identify services for the parties, design solutions that will engender long-term stability, and decrease the need for additional court action; and court services should be available to parties at a reasonable cost. In short, the Supreme Court's goal was to develop a comprehensive strategy for handling and resolving all cases that involve children and families—a strategy that would be impartial, efficient, and cost-effective and that would also be responsive to the emotional needs of the parties while making the best use of available judicial resources.

A fully-implemented unified family court (UFC) consists of a range of fundamental elements including the crossover docket, coordinated case management, security, family law advisory groups, court-related services, and the use of technology. UFCs also depend upon useful collaborations among various units of the court as well



At the 2005 family court conference, "Understanding Family Conflict," over 500 justice system partners from across the state gathered for workshops, professional development sessions, circuit breakouts, and networking opportunities.

as beneficial outreach efforts to germane social service providers (the Department of Children and Families, Guardian Ad Litem, the Department of Revenue, etc.). As a result, UFCs have the ability to offer a remarkably high and integrated level of service to their users.



Hillsborough County Court Judge Raul (Sonny) Palomino, recently elected the new president of the Conference of County Court Judges of Florida, poses with his chief judge, Manuel Menendez, Jr., Thirteenth Judicial Circuit, who is also the chair of the Florida Conference of Circuit Judges. (above)



Chief Judge Robert J. Pleus, Jr. (Fifth DCA), Judge Martha Warner (Fourth DCA), and Judge Chris Altenbernd (Second DCA) participate in the District Court Budget Commission meeting held at the Florida Supreme Court. (above)

Enveloped in judicial robes, Leon County elementary school students adopted magisterial poses in celebration of Constitution Day at the Florida Supreme Court. (below)



The poster of Erin Morrow, 17, of Miami Killian Sr. High School, which is one of the winners of the law day poster contest sponsored by the Florida Law Related Education Association. (left)



At the United Judicial Conference, Chief Justice Pariente presents Judge Terry Terrell, First Judicial Circuit, with the Judicial Award for Excellence. (below)

THE YEAR IN PICTURES



Chief Judge Belvin Perry, Jr., Ninth Judicial Circuit, and Judge Stan Morris, Eighth Judicial Circuit, chair of the Trial Court Budget Commission, exchange ideas with the other members of the commission. (above)



The poster of Kacie Colebrooke, 16, of Miami Killian Sr. High School, which is one of the winners of the law day poster contest sponsored by the Florida Law Related Education Association. (above)



Chief Justice Pariente poses with Girls State representatives who were at the Florida Supreme Court to participate in a two-day judicial branch education activity. (above)



Justice Lewis offers words of wisdom and encouragement to the twenty-four teachers attending the five-day Justice Teaching Institute program, sponsored by the Florida Supreme Court. (above)

At the May 2006 domestic violence coordinators meeting, Chief Justice Pariente presents a commendation to Ms. Cherie Simmers, family court manager in the Tenth Judicial Circuit, in recognition of her contributions to serving effectively domestic violence victims and their families. (below)



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Over the course of the past year, all of Florida's circuits have made considerable strides in implementing UFC elements. "We are finally past the tipping point," proclaimed Rose Patterson, chief of OSCA's Office of Court Improvement, and the most conspicuous sign is that "People's thoughts have finally begun to change—they are thinking of cases in terms of families rather than dockets," she declared. Probably the best illustration of the court

Unified family courts have the ability to offer a remarkably high and integrated level of service to their users.

system's progress is the recently-published 2004-2005 *Compendium of Family Court Practices*, a comprehensive overview of the most rewarding innovations implemented by the circuits (available online at http://www.flcourts.org/gen_public/family/bin/04-05compendium.pdf). Organizing its "promising practices" by category (e.g., "Family Law Advisory Groups," "Family Court Practices for Delinquency Cases," "Family Court Practices for Domestic Violence Cases"), the compendium includes a broad spectrum of suggestions, many of which can be realized without much difficulty. Among the recommendations are the following: institute child-friendly waiting areas; expand the use of mediation for family cases; offer biweekly adoption status hearings; establish monthly "open mic" sessions for kids in family court; set up family court town hall meetings; initiate a domestic violence judicial review process; and organize monthly status conferences for pro se litigants. The significance of this compendium is that it articulates promising, new UFC ideas; it is a forum for a branch-wide sharing of suggestions and possibilities; and it serves as a springboard for all of Florida's circuits, inspiring them to put their imaginations to work to create the best practices for their particular family court needs.

Another family court advance this year was the creation of the Children's Leadership Forum, a momentous "brainstorming initiative" that gathers together professionals who share an interest and investment in the welfare of children. Members include employees of the Department of Children and Families, the Department of Health, the Florida Coalition Against Domestic Violence, the Florida School Board Association, the Department of Revenue, the Department of Juvenile Justice, the Department of Education, the Office of Drug Control, the Agency for Workforce Innovation, and, of

course, Third Branch representatives. Initiated by Chief Justice Pariente, the forum provides this wide range of agencies and organizations with a stage for sharing their knowledge and ideas and for building understanding. The rationale for the forum is simple: there's far greater power in collective efforts than in individual ones, and when people work together as partners, they can spark a larger vision and enjoy greater success. Specifically, this forum aims to ignite these agencies to think and work beyond their customary, somewhat specialized arenas, making their primary concern the best interests of the child; the goal is to get them to collaborate more usefully, spend their limited financial allocations more wisely, and provide better services to children in need.

"Understanding Family Conflict," the 2005 family court conference, generated another opportunity to convene professionals from across the state to address issues regarding the welfare of children and families. Over



Members of the Children's Leadership Forum convene to exchange ideas about how to provide better services to children in need; pictured here are Chief Justice Pariente; Bambi Lockman, FL Department of Education; John Hogenmuller, FL Prosecuting Attorneys Association, and Angela Orkin, Executive Director of the FL GAL Program.

500 participants—among them, judges, court personnel, state attorneys, public defenders, and employees of the Departments of Juvenile Justice, the Department of Children and Families, Legal Aid, Guardian Ad Litem, the Children's Services Council, and others—gathered to attend a plethora of workshops (24 choices altogether), in-depth professional development sessions, and two circuit breakouts, as well as to meet, re-meet, network, and share best practices. Coordinated by OSCA's Office of Court Improvement, this was the second of what promises to become an annual event; the third, entitled "Tools to Move Forward," is scheduled for August 2006.

The Domestic Violence Benchbook, certainly a forward-moving tool, was published early this fiscal year. Created to provide judges with technical legal assistance, this benchbook includes the statutes governing domestic violence cases as well as applicable federal law and critical case law. It also includes an array of tools and information for judges who deal with batterers: for example, it contains background information on the cycle of domestic violence and its effect on people involved in court procedures; it



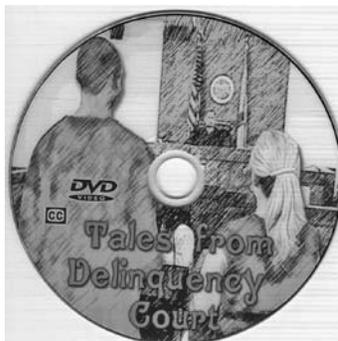
details the relationship between substance abuse and domestic violence; and it raises custody issues that judges might want to consider when a parent is a batterer.

Another publication, *The Domestic Violence Injunction Case Management Guidelines*, developed with input from court administration staff from around the state and coordinated by the Office of Court Improvement, is now completed and is scheduled to be published this October. This is the first time that the courts will have in place a centralized set of guidelines for domestic violence case managers regarding standards, processes, expectations, recommendations, and practical, hands-on applications. This publication covers issues like "The Legal Basis for Case Management," "DV Case Manager Qualifications and Training," "DV Injunction Case Process," "The Use of ADR in DVI Cases," "Ethics and Case Management," and "DV and Substance Abuse." Designed to be broadly applicable, the guide will also serve as a model for case management guidelines for other kinds of family cases.

In another effort to address the plague of domestic violence, in spring 2005, the Domestic Violence Subcommittee of the Supreme Court Committee on ADR Rules and Policy and the Dispute Resolution Center (with the support of the Office of Court Improvement, which provided domestic violence and research expertise) undertook a project to examine the interplay between mediation and domestic violence and to determine the prospects for devising a screening mechanism for family cases regarding domestic violence issues. To this end, pre- and post-mediation questionnaires were developed and distributed in several

circuits to collect information from family court litigants regarding their experiences with domestic violence and with the mediation process. The pre-mediation questionnaire aims to elicit information from litigants about their experiences with domestic violence and about their perceived ability to participate meaningfully in the mediation process; the post-mediation questionnaire aims to get information about the parties' experiences with the mediation process (specifically, the outcomes of the process). The goal of this project is to try to identify in which sorts of cases mediation may not be appropriate due to domestic violence as well as to determine when mediation might require special accommodations.

In another series of family court initiatives, domestic violence coordinators as well as dependency case managers from across the state took advantage of several meeting opportunities at the Supreme Court this year; dependency case managers got together once, and domestic violence coordinators met two times. These meetings provided training, information, policy and legislative updates, and professional development education. The meetings entailed formal presentations as well as informal roundtable discussions, and participants especially relished the opportunity to swap ideas, identify and exchange best practices, get feedback, and make contacts with cross-state counterparts.



Written by a panel of judges with the help of OSCA staff, the *Tales from Delinquency Court* video was developed to support and guide children and their families through the trials of delinquency court.

A number of family court enterprises are in store for the coming year. More training opportunities will come as a result of two recently-awarded grants funded through the Dependency Court Improvement Program. The grants, which are funded through 2010, will be used for local-driven court improvement efforts.

Also, to aid judges and court personnel who hear UFC crossover cases, OSCA's Office of Court Improvement is in the process of compiling a bench checklist. Modeled after the 2004 Domestic Violence Checklist for Judges, the Crossover Checklist will include a discussion of how to identify crossover cases as well as a checklist that focuses on the jurisdictional, evidentiary, and order requirements unique to each type of UFC case.

A juvenile delinquency manual is also being produced by Office of Court Improvement staff. This manual is intended to help court personnel navigate Chapter 985,

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Florida Statutes, which addresses Florida's juvenile justice system and which was recently reorganized to provide a chronological presentation of the delinquency proceeding from the introduction of the child into the system to the case outcome. The manual will include a chart that reflects both the old and new locations of particular provisions of the chapter, a flow chart of key events in juvenile delinquency proceedings, tables of critical time frames, a bench checklist, and a chart summarizing the assessment and detention options for different types of offenses as identified by Chapter 985.

Family disputes engender some of the most difficult and critical decisions that the judiciary must make, and Florida's court system is demonstrably dedicated to resolving them in a manner that is equitable, efficient, timely, and cost-effective and that doesn't cause additional emotional stress to the children and families who have been placed in the trust of the judicial system.

Florida's Drug Courts: A Successful Approach to Changing Offender Behavior

It was the late 1980s, and crack cocaine usage was beginning to infest the neighborhoods of Dade County. Courtrooms were inundated with offenders charged with possession and purchase of controlled substances, and it became evident that the county would soon suffer from jail-overcrowding and that the courts would be hit with federal sanctions. Clearly, extreme measures had to be taken, judges and court personnel acknowledged.

Then in 1989, with Florida Supreme Court approval and with the support of various state and local community leaders, Judge Herbert Klein, of the Eleventh Judicial Circuit, conceptualized and engineered the nation's first drug court—a revolutionary, court-based diversion and treatment program for drug offenders. Florida now has 102 drug courts, with at least one in each circuit and with another eight in the planning stages. Since 1989, the drug court model has expanded beyond adult criminal drug courts to include juvenile delinquency and family dependency, and other problem-solving type programs have also been implemented around the state and country such as DUI/drug courts and mental health courts. Currently, more than 1,600 drug courts exist across the country; every state has them, as do many countries. With the second most extensive drug court system in the U.S.,

Florida continues to be a forerunner in the expansion and the development of drug court initiatives.

Not a "specialty court," drug court is, rather, an innovative, 12-18 month process that involves placing non-violent substance abusers into treatment programs in which they are carefully supervised by a judge and a unit of treatment and justice-system professionals. Subjected to random alcohol and drug tests, offenders are given sanctions for negative behavior and rewards for positive behavior. Although each drug court is unique, reflecting the needs, priorities, resources, and personality of the community it inhabits, certain key features subsist in all drug court programs, e.g., the removal of drug cases from traditional courtrooms, a range of treatment and rehabilitation services, a non-adversarial approach, ongoing interaction with the court, and interdisciplinary education. The primary focus of all drug courts is the participants' treatment and recovery; the paramount goal is to eliminate—not simply to punish—the criminal behavior, which benefits both the offenders and the communities in which they reside.

Without drug court, when non-violent substance abusers get arrested and go through the usual legal process, their underlying abuse or addiction problems often remain untreated, which means that the offenders generally repeat



This May, Florida was honored with the 2006 National Drug Court Month Award; pictured here are retired Judge Karen Freeman-Wilson (former NADCP CEO and NDCI executive director); Judge John Schwartz (Rochester, NY, supervising judge and NADCP board chair); Drug Court Judge Jeffrey Rosinek (Eleventh Judicial Circuit); Martin Epstein (assistant state attorney and past FADCP chair); Jennifer Grandal (OSCA's statewide drug court coordinator); and Judge Melanie May (Fourth DCA and FADCP chair).

this pattern of abuse and arrest when they are released. However, when the offenders go through drug court, they have a demonstrably higher chance of putting an end to their cycle of drug abuse or addiction and entanglement

in the legal system. The recidivism rate of those who do not participate in a drug court program is 43.5% (Office of National Drug Control Policy, February 2003); on the other hand, the recidivism rate of drug court graduates is between 16 and 27% (data taken from the *Report on Florida's Drug Courts*, July 2004). According to other studies, there is a correlation between the amount of time offenders participate in a drug treatment program and their ability to stay clean and sober. Florida's drug court program lasts 12 to 18 months, and the program's retention rate is high, between 60 and 70% (according to the data on juvenile drug courts that OSCA captured in 2005, for instance, the retention rate is 66%). In addition, drug court is exceptionally cost-effective: compare the annual cost of incarcerating a drug offender—between \$20,000 and \$50,000 per person—with the cost of drug court—between \$2,500 and \$4,000 per person.

Finally, drug court programs also benefit children and families. Substance abuse is a major contributing factor in child abuse cases, for instance. Drug court holds out the opportunity for long-term reduction of drug abuse and addiction, thus reducing the criminal behaviors

Drug court is exceptionally cost-effective: compare the annual cost of incarcerating a drug offender—between \$20,000 and \$50,000 per person—with the cost of drug court—between \$2,500 and \$4,000 per person.

that drug use typically generates, so when drug courts succeed, the families and children who were victimized by substance abusers have a greater chance of succeeding as well. Chief Justice Pariente underlines another benefit of drug courts for children and families: "Every time that we have to terminate the rights of a parent because of a treatable addiction, we have fractured a family with potential, devastating effects on the parent and child," she stresses. When the addiction is treated, there's hope that the family can be salvaged.

The drug court program's greatest achievement in 2005-06 was its Family Dependency Drug Court Implementation Training Initiative. Funded by a Florida

Dependency Court Improvement Grant, this initiative involved two three-day training sessions coordinated by the National Drug Court Institute (which organized the sessions, developed the agenda, and provided the training and support) and by the Office of the State Courts Administrator (OSCA). Now that five more circuits have completed training, 17 of the circuits currently have, or soon will have, fully-implemented dependency drug court programs.

Another significant accomplishment was the April implementation of the Quarterly Drug Court Data Report—a user-friendly, online system with interactive, multimedia elements. The report seeks quarterly statistics from all operational drug courts about the following information: type of drug court; number of current drug court participants; number of participants

who graduated from drug court; number of drug court transfers to and from the jurisdiction; number of drug-free babies born to female participants; number of parents who graduated from the drug court program who are currently reunified with their children; and, of those reunifications, number of children who are reunified with their parents.

The report also enables a breakdown of each drug court participant's gender, race, and ethnicity. So far, OSCA has been able to collect data for all of 2005 and for the first two quarters of 2006, and the responses of court personnel have been favorable: "no problems"; "clear instructions, easy entry"; "no problems getting in at all." Designed to capture critical data elements developed

by the Drug Court Task Force, the Court Data Report will also be helpful in making federal funding requests and in complying with information-requests from court personnel, the governor's office, national and state agencies, and the general public.

Florida also celebrated its Seventh Annual Drug Court Graduation this past May, during National Drug Court Month. Each year, one jurisdiction is chosen to host the opening graduation ceremony, which is broadcast live to the participating drug courts around the state by way of the State Courts Videoconferencing Network. This year, the Fourth Judicial Circuit hosted the event, which took place in Jacksonville. Featuring remarks by Chief



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Justice Pariente, Governor Jeb Bush, and Chief Judge Donald Moran, of the Fourth Judicial Circuit, the event commemorated 178 statewide drug court graduates.

Also in May, Florida was presented with the 2006 National Drug Court Month Award; bestowed by the National Association of Drug Court Professionals, the award distinguished Florida "For its outstanding accomplishments in recognizing National Drug Court Month." Third Branch representatives on hand to accept the award were Judge Jeffrey Rosinek (Eleventh Judicial Circuit), Judge Melanie May (Fourth DCA), and Jennifer Grandal (statewide drug court coordinator with OSCA). This is the second time Florida was singled out for this national award; it was the 2001 recipient as well.

Then in June, Florida's court system participated in the governor's Eighth Annual Drug Control Summit, a gathering in which drug court stakeholders convened to offer their input into the future direction of the state's Drug Control Strategy. Speakers included Governor Jeb Bush, William Janes (director, Office of Drug Control), and Dr. Aaron White (Duke University Medical Center). Judge Melanie May was invited to pay tribute to 13 "outstanding drug court graduates," who were honored for their accomplishments since completing the program.

OSCA also has a number of important drug court projects in the planning stages. For instance, with the \$150,000 grant it just received from the Department of Juvenile Justice, OSCA will expand the state's juvenile delinquency drug courts, with the funding going toward implementation, enhancement, and training. The goal is to establish a juvenile delinquency drug court program in every judicial circuit.

OSCA also looks forward to the implementation of the recently-passed House Bill 175, "The Robert J. Koch Drug Court Intervention Act," which, pursuant to Chapter 39, Florida Statutes, incorporates the principles of drug courts into dependency proceedings and identifies the importance of addressing substance abuse in dependency cases using the drug court model. The bill also expands the eligible offenses for juvenile pretrial intervention drug courts, and it allows for protocol of sanctions and incentives to be imposed, including jail-based treatment or incarceration for adults and detention for juveniles. In addition, contingent upon annual legislative appropriation, the bill

requires each judicial circuit to establish a position for a coordinator of the treatment-based drug court program.

Due to the continued and dedicated collaboration of the state court system, the governor, the legislature, and the many drug court partners, Florida remains a leader in drug court initiatives.

FAIRNESS AND DIVERSITY

The Standing Committee on Fairness and Diversity: Eradicating Bias from Florida's Courts

Because "Bias or other barriers to meaningful access can result in unequal treatment which can give rise to injustice," the Standing Committee on Fairness and Diversity was launched by Chief Justice Pariente (in a November 2004 administrative order) and was charged with "advancing the State Courts System's efforts to eliminate from court operations inappropriate bias based on race, gender, ethnicity, age, disability, or socioeconomic status." In conjunction with the goals of ensuring fairness and equal treatment is the mission to create a diverse court environment; as the administrative order states, "The



Chief Justice Pariente talks to the children of Supreme Court and OSCA employees about the Bill of Rights and the separation of powers at this year's Take Your Child to Work Day.

Florida State Courts System can better serve the people of this state and enhance the credibility of the justice system if judges and court staff reflect the diversity of the community we serve." Consisting of a heterogeneous group of people from both the public and private sectors, the committee is chaired by Judge Gill Freeman, Eleventh

Judicial Circuit, and it has four charges, two of which have been accomplished and two of which are in progress.

Charge one has been successfully addressed: “Design a program to promote and ensure the diversity of judicial staff attorneys and judicial law clerks within the Florida State Courts System and propose strategies to facilitate timely implementation of the initiative.” Last December, the committee completed its report, *Promoting and Ensuring the Diversity of Judicial Staff Attorneys and Law Clerks Within the Florida State Courts System*, and the Court approved it in January (report is available online at http://www.flcourts.org/gen_public/family/diversity/bin/lawclerk_report.pdf). The report, based on data from Florida’s eight law schools, current law clerks and staff attorneys, and members of the judiciary, addressed the perception of judicial clerkships, the percentage of racial minorities in clerkship positions, and the role of law schools and private employers in prompting aspiring attorneys to become—or not to become—law clerks.

Based on this data, the committee identified three considerable barriers that need to be addressed: qualified law students often lack awareness about law clerk positions; in addition, the application process doesn’t encourage a diverse pool of applicants, particularly because many positions are filled without having been advertised; and, finally, the salary has not typically been enticing. The committee has already identified strategies for overcoming these barriers; these strategies include working with law schools to encourage qualified students to consider applying for court clerkships, creating a unified application website for the court system, and encouraging chief judges to keep diversity in mind as they fill new law clerk and staff attorney positions.

In charge four, the committee was directed to create a “Court Diversity Information Resource Center on the Florida Courts Internet site, including links to model diversity and fairness court education curricula, relevant state and national organizations, diversity publications, and other materials.” This charge was accomplished in the summer of 2005; the interactive website is updated and expanded on an ongoing basis.

Charge two required that the committee “conduct outreach and obtain input from judges, court staff, attorneys, jurors, litigants, and/or the public on their perceptions of disparate treatment in Florida courts” and that a report be submitted outlining the committee’s findings. Because of its magnitude, this task has been daunting. So far, survey

data have been collected from over 5,000 lawyers, judges, jurors, litigants, and court personnel. Moreover, information was gathered from a two-day public hearing held last January, during

which 31 individuals and organizations gave testimony about their perceptions of inequitable treatment in the courts. Once the results of all this outreach have been compiled and analyzed, the committee will write a report registering the perceptions of unequal treatment by stakeholders, court users, and the public.

For the third charge, the committee had to “evaluate the need to conduct new research on diversity and fairness in the justice system or to update or expand research underlying findings and recommendations by previous court committees.” With the help of the St. Thomas



The Standing Committee on Fairness and Diversity will also address the issue of courthouse accessibility for people with disabilities—a project that will involve conducting new self-evaluations and developing new transition plans for all court facilities.

Law Library staff, the committee is making progress on this project, and, along with the input from the surveys and public hearings, this research review will play a role in developing recommendations to the Court on fairness and diversity issues that need to be studied and/or addressed.

The Standing Committee on Fairness and Diversity will direct its attention to four initiatives over the next two years. First, it will begin implementing strategies to improve the diversity of law clerks and staff attorneys. In addition, to ensure that it is working with a fair and accurate cross-section of perceptions of unequal treatment in the court system, the committee will hold three more public hearings, and, once the responses have been received, the committee will analyze those—along with the survey data and the responses received at the first public hearing—to create a comprehensive chronicle of the perceptions of disparate treatment in Florida courts. It will also address the issue of courthouse accessibility for people

with disabilities—a project that will involve conducting new self-evaluations and developing new transition plans for all court facilities. Finally, to complement state-level training initiatives, the committee will



will consider strategies for promoting diversity education for judges and court staff at the local level.

“Justice requires that the court system be accessible to all, respect the dignity of every person, include judges and court staff that reflect the community’s diversity, and respond to the needs of all members of society,” the administrative order asserts. The Standing Committee on Fairness and Diversity is making great strides in meeting the far-ranging and momentous requirements of this order.

OSCA’s Human Resources Officer: Another Commitment to Fairness and Diversity

This spring, reinforcing the Court’s dedication to ensuring fairness and diversity throughout the judicial branch, OSCA’s Personnel Services hired people to fill two newly-created EEO positions: a human resources officer and an assistant. Among their responsibilities, they will coordinate regular training programs—available to the supervisors, managers, and employees of Florida’s courts—on a range of employee relations issues, and they will ensure that the court system’s workforce is in compliance with its personnel rules and regulations as well as with state and federal employment laws and regulations.

One of their priorities is to develop a comprehensive, ongoing supervisory training program to ensure that supervisors cultivate the core competencies required for them to be successful in their role. Training will focus on topics such as the Family Medical Leave Act, ADA, diversity, fair labor standards, and civil rights complaint procedure, but it will also cover the so-called “soft skills” such as resolving employee conflicts, motivating employees, increasing productivity, and conducting performance management. Other training priorities are sexual harassment prevention and diversity training for all court system employees.

The human resources officer will also focus on encouraging all circuits to submit their annual EEO reports to OSCA.

These reports provide a breakdown of each circuit’s workforce statistics, enabling OSCA to ascertain whether the circuit workforce reflects the available local labor force. If any circuits are encountering obstacles in recruiting women and minorities, these reports will register the concerns, and Personnel Services will provide guidance to the circuits on actions they may take to address these obstacles.

With the creation of these two EEO positions, Florida’s court system has emphatically underscored how seriously it takes its responsibility to ensure that the court population is diverse and that justice in Florida is fair, responsive, and accountable.

TECHNOLOGY

Technology in the Courts: Embracing Innovation and Change

Whether by making case processing more streamlined, by managing resources more effortlessly, or by providing better, more immediate access to up-to-date information for judges, court personnel, and the public, innovative technologies have dramatically modified the ways in which courts handle and deploy information, enabling them to operate with an efficiency and effectiveness that were hitherto inconceivable. Eager to incorporate new technologies into court procedures, Florida’s court system has built a reputation for embracing creativity and originality in improving the administration of justice.

The State Courts Network

The Information Systems Services (ISS) Division of the Office of the State Courts Administrator (OSCA) provides support for the state-funded computer



Justice Cantero, liaison to the Supreme Court’s Florida Courts Technology Commission, addresses the members of the Trial Court Technology Committee; pictured with him are Jannet Lewis, trial court technology officer, and Judge John Kest, Ninth Judicial Circuit.

infrastructure of Florida's court system, including the support of approximately 700 end users and desktop computers that communicate with each other statewide and over 130 servers and critical network devices. The ISS Division also manages and supports the State Courts Network, implemented in 2001, which currently services 85% of the judiciary. The approximately 3,500 judicial personnel employed by the Florida Supreme Court, the five district courts of appeal, the twenty judicial circuits, and OSCA have access to secure communications, thanks to this State Courts Network. It supports email services, on-line legal research services for judges and legal staff, and Internet access and videoconferencing capacity in 47 court locations.

The Judicial Inquiry System

The Judicial Inquiry System (JIS) is one of the Florida court system's most innovative technological projects. The JIS, which streamlines information from a range of local, state, and federal agencies into a single, central "dashboard," enables judges, judicial staff, and other governmental entities to access a wide range of data sources through one point of entry, creating a mechanism through which justice system partners can share critical material readily. From a single query, judges have the benefit of comprehensive search results, thereby saving both time and money. In addition, judges can get time-sensitive information—like a complete criminal history background check—almost instantly. Agencies from which information is drawn include the Florida Association of Clerks and Comptrollers, the Department of Corrections, the Department of Highway Safety, the Department of Law Enforcement, and the Florida and the National Crime Information Centers. Since January of this year, all circuits have been connected to the JIS, which now has over 1,000 users.

This year, the JIS was expanded to reflect the requirements of the Jessica Lunsford Act (JLA), signed into law in May 2005. Under the requirements of this Florida law, anyone

who preys on a child under 12 must be sentenced to no fewer than 25 years in prison and must be tracked for life if he or she is ever released. As of April, the augmented JIS includes a new function called "JLA First Appearance

From a single query to the Judicial Inquiry System, judges have the benefit of comprehensive search results, thereby saving both time and money. In addition, judges can get time-sensitive information—like a complete criminal history background check—almost instantly.

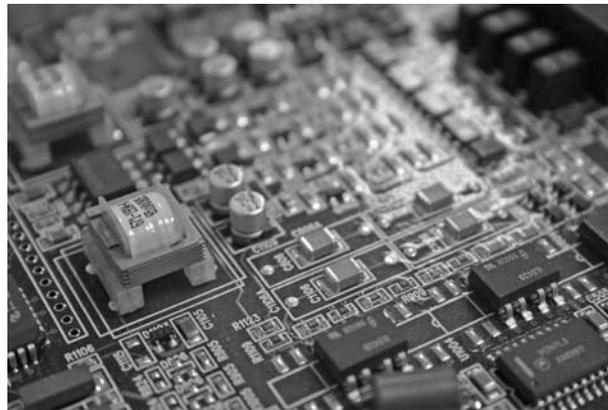
Calendar," which gives judges and other criminal justice officials automatic access to information necessary for the appropriate handling of the recently-arrested both before and during their first appearance for arraignment. Especially helpful is its Alert Status section, which instantly singles out high risk sexual offenders, sexual predators, and those who are on supervised release status.

The Judicial Case Management Information System Project

Also in the final stages of development is a resourceful system that tracks events in child abuse and neglect cases. The Judicial Case Management Information System (JCMIS) is designed to provide courts with a statewide system that collects and reports the data needed to manage judicial caseloads efficiently. The system automatically generates forms and orders, tracks cases, and identifies backlogs, thus assisting courts as they strive to place children with safe and stable families. Developed in conjunction with the Department of Children and Families and the Eleventh Judicial Circuit, the system is being tested in Miami-Dade County with plans for statewide implementation in the near future. The JCMIS dependency module will ultimately become the foundation for a broader case management system that can be used in support of all family court dockets.

On-Line Sentencing System

Significant progress has also been made on the On-Line Sentencing System, which is a web-based application that electronically provides sentencing data to judges, state attorneys, clerks of court, the Florida Department of



Law Enforcement, and the Department of Corrections. Created to automate the sentencing process, this system guides judges through the process, providing them with more concise sentencing documents, with accurate and prompt Commitment Packets, and with accurate criminal court assessment calculations; this system also eliminates the need for re-keying data, which reduces the likelihood of data entry errors. ISS is currently enhancing the functionality of the system so that it can also create probation orders, handle probation violations, and populate screens automatically with the statutorily-required conditions of sentences. The system is being piloted in Alachua County and will be ready for statewide deployment this fall.

Digital Court Reporting

The use of digital court reporting (DCR) continues to increase in Florida's courtrooms. A cutting-edge technology that observes, records, and annotates court proceedings, DCR has the capacity to create an accurate and complete record of everything that is said. Since adopting this innovative technology, Florida's courts have developed standards requiring all DCR vendors to meet particular system specifications and functionality; the courts also have greater access to court transcripts; court-required information is being delivered without an increase in operating costs; and the courts own the automated record. Currently, 600 of Florida's courtrooms provide DCR services.

The Article V Technology Board

Created by the Florida Legislature in 2004, the Article V Technology Board has been responsible for addressing electronic integration issues facing the state court system entities. It was specifically charged with identifying the minimum data elements, functional requirements, security and access requirements, and standards and protocols for data integration, as well as for recommending policy, functional, and operational changes needed to achieve necessary access to data. On July 1, 2006, the term for the board expired, and the Office of the State Courts Administrator was legislatively directed to continue some of the work of the board, specifically, those areas relating to the systems and data integration throughout the court system.

It should be noted that although the trial courts continue their efforts to move forward with initiatives focused on enhancing and expanding systems and data integration, significant funding challenges have yet to be resolved.

Online Access to Court Records: Integrating New Technologies into Modern Society

Indisputably, as evidenced by the projects detailed above, technology generally keeps its promise of efficiency and of greater and more immediate access. However, one of the unavoidable consequences of this same technology is the sudden, ready availability of sensitive, confidential, and privacy-threatening information. Naturally, courts across the nation are profoundly affected by the strain between opening access and safeguarding privacy, and this tension is particularly evident in Florida. On the



one hand, Floridians enjoy the benefits of the Sunshine Amendment, approved by over 83% of voters in 1992, which grants "every person...the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee

For the last five years, the Supreme Court has been actively addressing ways to balance the access to judicial records with the right of privacy, both of which are guaranteed by Florida's constitution.

of the state, or of persons acting in their behalf." And on the other hand, Floridians relish and fiercely guard their fundamental, constitutional right of privacy: "Every

natural person has the right to be let alone and free from governmental intrusion into the person's private life." For the last five years, the Supreme Court has been actively addressing ways to balance the access to judicial records with the right of privacy, both of which are guaranteed by Florida's constitution.

Building on the efforts of three different judicial and legislative committees, the Supreme Court's 15-member Committee on Privacy and Court Records released its final report—*Privacy, Access, and Court Records*—in August 2005 (the report is available online at http://www.flcourts.org/gen_public/stratplan/privacy.shtml); a draft was submitted in early May, and public comments were accepted through early June. Divided into five sections—an Introduction, Recommendations, Member Comments, and two appendices—the report openly reflects the intrinsic difficulty in coming to conclusions about such a far-reaching and controversial issue (this is particularly true in the Member Comments section, which includes two sets



Court Records, which will propose revisions to Florida Rule of Judicial Administration 2.051 regarding the conditions for electronic access, the responsibility of the filer, and sanctions for unauthorized filings; it endorsed the creation of a pilot program in Manatee County; and it called upon various entities, including the Florida Association of Court Clerks and Comptrollers, The Florida Bar, the Florida Court Education Council, the Task Force on Treatment-Based Drug Court, the Steering Committee on Families and Children in the Court, the Family Law Rules Committee, the Florida Courts Technology Commission, and the Office of the State Courts Administrator, to review specific recommendations and to advise the chief justice regarding their implementation.

On the same day, Chief Justice Pariente issued an administrative order establishing an interim policy that "allows extensive docket information, as well as all final orders and judgments of the courts, to be made available electronically, such as on a website, as long as no confidential information is released"; the order also details which specific court records may be made electronically available.

"The issue," the justices recognized, "is not whether the courts will make records available electronically, but rather when and under what conditions they will do so."

As the committee's report noted, and as the justices agreed, the challenge for the Third Branch is "not merely to create an electronic access policy

of minority views as well as a rebuttal of these views). However, the majority of members did reach agreement about a number of important issues. Altogether, the report contains 24 recommendations: six that should be swiftly implemented, four that aim to minimize the inclusion of unnecessary personal information in court records, and 14 that provide an architecture for a system of electronic access.

as a companion to an 'over the counter' records policy, but to create a blueprint for a comprehensive policy on court records that will serve the public and the courts as they move through the transition from a system of primarily paper records to one of primarily digital records." Thus the Court recognizes and embraces its obligation to move forward—but to do so responsibly.

Between January and June of this year, the Court held three meetings to receive public comment, and, on June 30, 2006, the day on which the gavel passed from Chief Justice Pariente to Chief Justice Lewis, an administrative order, signed by both of them, was issued to implement some of the committee's recommendations and to establish them as the basis for a consistent, statewide policy that includes critical privacy precautions and protections. "The issue," the justices recognized, "is not whether the courts will make records available electronically, but rather when and under what conditions they will do so." Among other things, the administrative order approved the committee's overall recommendation of providing online access to non-confidential court records when suitable safeguards and conditions are adhered to.

In addition to addressing the issue of online access as it relates to court records, the Court will be concentrating on the matter of online access as it relates to people with disabilities, whether they are employees of state agencies or members of the public: a recently passed bill requires that employees with disabilities must have access to and be provided with information that is comparable to the information provided to individuals who do not have disabilities; further, this same access must be provided to members of the public with disabilities who are seeking information or services from state agencies. This is a particularly important issue for Justice Lewis, who has pledged to work tirelessly to ensure that the court system's facilities, programs, and services—both face-to-face and online—are in compliance with the Americans with Disabilities Act.

This comprehensive administrative order also reflected the Court's intent to establish a Committee on Access to

Personnel Services: Employing Technology to Provide More Accommodating Assistance

The mission of OSCA's Office of Personnel Services is to "provide sound and responsible policy interpretation, technical advice, and efficient and courteous service to all of the officers and employees of the State Courts System, while assuring compliance with federal, state, and local employment laws." An inspection of the new Automated Attendance and Leave System and of the expansive, newly-redesigned intranet site reveals how seriously Personnel Services is taking its mission.



Personnel Services' new intranet site offers judges and court personnel a plethora of human resources tools, among them, employment information, benefits, employee relations information, training modules, supervisor toolkits, and a feedback form.

The recently-implemented Automated Attendance and Leave System not only lets employees keep track of work time (on a daily, weekly, monthly, or random basis) but also lets them make leave requests and track leave time—annual, sick, regular compensatory, special compensatory, personal holiday hours, and even mentoring hours. Further, this system enables the monthly timesheets to be electronically submitted to and approved by the employee's supervisor, thereby expediting personnel's auditing process—all of which lets the employee have online access to his or her new leave balances far more quickly than ever before. For OSCA employees, the system went live with the pay period that ended in early April; for Supreme Court employees, with the pay period that ended in early June. Personnel Services staff will introduce the system at the September personnel conference, and in October, circuit and DCA personnel representatives and technology staff will receive training so that they can guide the employees in their courts. The goal is to have all the circuits and DCAs implement this smart and convenient system by the spring.

Another technology-based project that will prove invaluable to officers and employees of the state court system is Personnel Services' new intranet site. Scheduled to go live in the fall, this new site—which is both pleasing to look at and exceptionally easy to navigate—will provide judges and court personnel with a multitude of human resources tools that are clearly identified and easy to access. For instance, under "Court Employment," one can link to information on recruitment, salary schedule, class specifications, and position description forms; under "Benefits," one can find material on health insurance, supplemental insurance, Florida prepaid college tuition, and retirement. The New Employee Reference Manual is available on the site, as is a range of "Employee Relations" information on topics like civil rights complaint procedure, discrimination complaint procedure, and the Employee Assistance Program; moreover, one can take advantage of training modules (on subjects like equal employment opportunity). Also available are Supervisor Toolkits, which contain, for example, sample letters to employees and medical certification requests; in addition, the toolkits provide checklists that ensure that supervisors meet federal compliances when, for instance, an employee requests time off under the Family Medical Leave Act. Also featured is a feedback form that gives employees a chance to let Personnel Services know how it is doing; from this same form, employees can ask specific questions as well as share concerns about general personnel issues. Personnel staff are very enthusiastic about their site's contemporary look and its extensive and user-friendly menu. Their goal is to make this site as functional and as welcoming as possible, keeping it straightforward, readily usable, current, relevant, and mobile enough so that it can speedily reflect changing needs and systemic modifications.

Online Publications and Forms

Online Publications

The library of online publications continues to grow, underscoring the state court system's efforts to be as accessible, effective, and responsive as possible. During fiscal year 2005-2006, the following documents were added or updated, and, unless otherwise noted, all can be accessed from the Florida State Courts website, <http://www.flcourts.org/index.shtml>

- Promoting and Ensuring the Diversity of Judicial Staff Attorneys and Law Clerks within the Florida State Courts System (December 2005)
- 2004-2005 Compendium of Family Court Practices
- 2005 Family Court Self Assessments

- Florida Dispute Resolution Center's The Resolution Report (April 2006)
- The ADR Resource Handbook (October 2005)
- 2005 Florida Mediation and Arbitration Programs: A Compendium
- Florida State Courts Strategy for Pandemic Influenza: Keeping the Courts Open (March 2006)
- Work Group on Standards for Jury Panel Sizes: Final Report (March 2006)
- Final Report of the Committee on Privacy and Court Records (August 2005)
- Committee on District Court of Appeal Workload and Jurisdiction: Report and Recommendations (October 2005)
- DCA Workload Report to the Supreme Court (September 2005)
- Factors That Impact Caseload in the District Court of Appeal (September 2005)
- Judicial Certification Statistics (September 2005)
- Florida Traffic-Related Appellate Opinions Summaries (2006)
- An Aid to Understanding Canon 7
- Judicial Ethics Advisory Opinions: Topical Index
- Domestic Violence Case Law Summary—Civil Cases (summer 2006)
- Domestic Violence Case Law Summary—Criminal Cases (summer 2006)
- Trial Court Statistical Reference Guide (2004-2005)
- Trial Court Fact Sheet (November 2005)
- Trial Court Statistics Query (2005)
- The Florida State Courts Annual Report: 2004-2005
- The Full Court Press (official quarterly newsletter of Florida's state court system)
- CourtNews (regular posting of newsworthy events regarding Florida's state courts)
- Standard Jury Instructions for Criminal Cases (December 2005; access via the Supreme Court website, <http://www.floridasupremecourt.org/>)

Online Forms

Florida Supreme Court Approved Family Law Forms are updated as needed. Those listed below were added in the past fiscal year. All the family law forms may be accessed from the following:

http://www.flcourts.org/gen_public/family/forms_rules/index.shtml

- Certificate of Compliance with Mandatory Disclosure
- Disclosure from Nonlawyer
- Application for Determination of Civil Indigent Status

THE PASSING OF THE GAVEL

Chief Justice R. Fred Lewis: "Come Share with Us Your Vision of Justice"

On June 30, 2006, a day marked both by solemnity and jubilation (and no dearth of sports allusions), the ceremonial gavel passed from Chief Justice Barbara J. Pariente to Chief Justice R. Fred Lewis in the courtroom of the Florida Supreme Court building. As the program leaflet announced, "The passing of the ceremonial gavel represents the peaceful and seamless transition of the Chief Justice of Florida," and this commemoration was no exception. If collegiality, admiration, and mutual respect are any indications, this year's ceremony certainly prognosticated a fluent passage from one chief to the next.



The gavel passed peacefully and seamlessly to new Chief Justice Lewis from former Chief Justice Pariente.

As is customary, the passing of the gavel ceremony looks both fondly toward the past, paying homage to the outgoing chief, and hopefully toward the future, extolling the promise of the new chief's vision. Thus many speakers first gave thanks to Chief Justice Pariente: Chief Justice Lewis began by extending "our appreciation, our gratitude, and our love for your remarkable service and leadership," and Chief Judge Joe Farina, Eleventh Judicial Circuit, expressed his "heartfelt appreciation and sincere gratitude for everything you have done on behalf of the court system and all Floridians," singling out her energetic

The Year in Review 2005-2006

advocacy on behalf of the additional 114 trial judges, the additional trial court law clerks, the statewide technology system, the benchmarking of judicial salaries, and the unified family court.

In her remarks, Chief Justice Pariente, commenting upon “this incredible journey these last two years,” also began with a gesture toward the past, thanking Florida’s judges for “performing heroically” in upholding the rule of law, even under the threat of the eight pernicious hurricanes, and she especially underscored her appreciation for all that Florida judges have done to “dispense justice, especially for our most vulnerable, children.”

Leapfrogging ahead four years, she tried to imagine what people would remember about the spirit of justice in Florida during the first decade of the twenty-first century, predicting that two accomplishments in particular would stand out. The first, she surmised, would be the successful implementation of Revision 7, which shifted the primary funding responsibility for the state court system from the counties to the state—a shift that is piloting the court system not only toward budgetary unification but also toward systemic thinking: in her words, “I believe that we will look back

learned to think in terms of what is best for the whole system of justice rather than merely what is best for our individual circuits, counties, and districts.”

And she anticipated that the second major accomplishment would be considered the court system’s success in responding to the needs of children who have been placed in the trust of the justice system: “My hope



On June 30, 2006, Chief Justice R. Fred Lewis became the fifty-second chief justice of the Florida Supreme Court.

“I believe that we will look back on this ten-year period—beginning with Justice Wells’ tenure as chief justice and continuing with Chief Justice Anstead—as a time that we who serve in our state courts learned to think in terms of what is best for the whole system of justice rather than merely what is best for our individual circuits, counties, and districts.”

—Chief Justice Pariente

on this ten-year period—beginning with Justice Wells’ tenure as chief justice and continuing with Chief Justice Anstead—as a time that we who serve in our state courts

is that in this decade, we will be remembered not just for how we faced the challenge of the high-profile cases [the 2000 presidential election, school vouchers], but by how we treated the least among us, our children who became entangled in the judicial system and whose needs must be addressed and whose voices must be heard.” Chief Judge Farina, who was the last speaker before the oath was administered by former Justice Leander J. Shaw, Jr., segued gracefully between the out-going and the incoming chiefs when he said, “Fortunately, your [Pariente’s] interest in and dedication to children is shared by our next chief justice, Fred Lewis.

Having known Chief Justice Lewis since the young, athletically-gifted native of Beckley, West Virginia, arrived in Lakeland to attend Florida Southern College in 1965, the Reverend Dr. Tom Price

praised the new chief for his “integrity, passion, steadiness, devotion, unpretentiousness, discipline, common touch, educational zeal, sense of fairness, respect for the law, and commitment to the underdog.” H. T. Smith, past president of the National Bar Association, characterized the new chief as “a judicial diamond” that “is now cut

The passing of the ceremonial gavel represents the peaceful and seamless transition of the Chief Justice of Florida.

and polished and shines brightly like the North Star in our legal firmament.” “A visionary and an advocate” and “a teacher of teachers” is how Bob Butterworth, dean of St. Thomas University School of Law, described Chief Justice Lewis. And Chief Judge Farina declared that the new chief “believed and proved that education is the most important ingredient, giving every child a chance to break out of their own ‘holler,’ out of their own hopelessness, out of their own despair.”

Final guest speaker Annette Boyd Pitts, executive director of the Florida Law Related Education Association, introduced herself as speaking on behalf of Florida’s teachers and students, and she described her first meeting with Chief Justice Lewis, which took place at a retirement party for Justice Kogan in 1998. At that meeting, the recently-appointed justice told her that he wants to volunteer for her organization, saying that he would like to visit Florida schools three or four times each month to talk about the courts, the justice system, and the constitution. Ms Pitts was understandably confounded by this proposition—no one in his position had ever done anything like this before—but “Since that day,” she asserted, “Justice Lewis has visited schools three to four times a month, missing only one month: November 2000...for obvious reasons.” She warmly thanked him, saying that “He has brought a human side to justice.”

In the closing remarks, Chief Justice Lewis, focusing on the importance of collaboration and cooperation—the importance of “the team” as opposed to the “me or I”—laid out his partnership-based vision for the next two years. Among his priorities will be an open and operational court system in the face of whatever may occur, whether hurricane or avian flu; the continued application of technology founded on “values-based judgment”; an improvement in the management of complex cases; greater

interaction between the bench and the bar; a committee on jury instructions for business and contract disputes; and continued implementation of unified family court.

He also will create a task force on judicial evaluations that will enable the people of Florida to know who their judges are; his goal is to keep unfit judges off the bench but also to protect from baseless attack those judges who do their jobs competently. He also seeks greater ADA compliance in the courts, noting that over three million Floridians are impacted by disabilities—over 29% of people in Miami-Dade County alone; court facilities, programs, and services must be surveyed and access problems must be addressed because “these artificial barriers must not be in place for Florida’s citizens.” He will also ensure that the courts initiate statewide efforts for sensitivity and diversity training for court personnel. But the “cornerstone of the next two years will be justice teaching,” he stressed: he aims to create a “permanent, statewide structure for reaching out to every school in Florida,” through which “We’re going to form the most comprehensive approach to support civic education that’s ever been attempted,” he vowed.

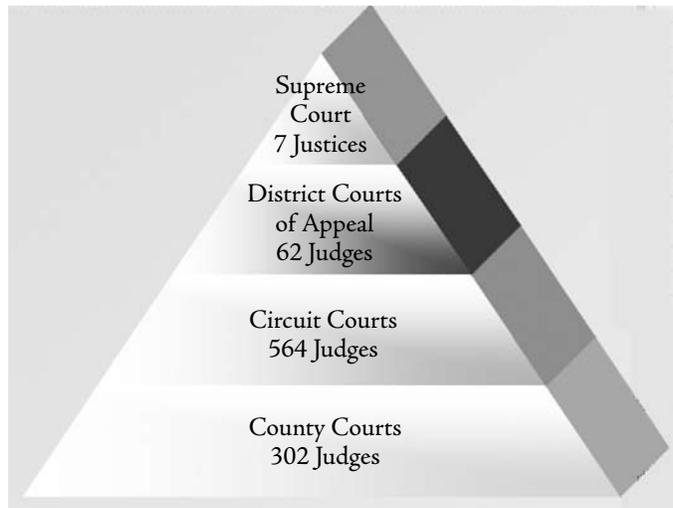
But the “cornerstone of the next two years will be justice teaching,” Chief Justice Lewis stressed; he aims to create a “permanent, statewide structure for reaching out to every school in Florida,” through which “We’re going to form the most comprehensive approach to support civic education that’s ever been attempted,” he vowed.

“We are all connected, and we are all connected in our search for visions of justice,” he reminded everyone. He ended by reiterating the importance of the “we” in the judicial system: “We’re really going to work to fulfill the promises of this democracy,” he promised. And through this “we”—this most inclusive of pronouns—he reached out to everyone in the court community, to everyone in the executive and legislative branches...and to everyone who truly strives for justice.

Florida's Court Structure

Florida's court system consists of the following entities: two appellate level courts—the Supreme Court and five district courts of appeal—and two trial level courts—20 circuit courts and 67 county courts. The chief justice presides as the chief administrative officer of the judicial branch.

On July 1, 1972, the Office of the State Courts Administrator (OSCA) was created with initial emphasis on the development of a uniform case reporting system to provide information on activities in the judiciary. Additional responsibilities include the preparation of the operating budget for the judicial branch, projecting the need for new judges, and serving as the liaison among the court system and the legislative branch, the executive branch, the auxiliary agencies of the court, and national court research and planning agencies.



This pyramid reflects the composition of Florida's courts at the end of fiscal year 2005-2006.

Appellate Courts

Supreme Court

- ✦ Seven justices, six-year terms
- ✦ Sits in Tallahassee
- ✦ Five justices constitute a quorum

District Courts of Appeal

- ✦ 62 judges, six-year terms
- ✦ Five districts:
 - 1st District Tallahassee: 15 judges
 - 2nd District Lakeland: 14 judges
 - 3rd District Miami: 11 judges
 - 4th District West Palm Beach: 12 judges
 - 5th District Daytona Beach: 10 judges
- ✦ Cases generally reviewed by three-judge panels

Trial Courts

Circuit Courts

- ✦ 564 judges, six-year terms
- ✦ 20 judicial circuits
- ✦ Number of judges in each circuit based on caseload
- ✦ Judges preside individually, not on panels

County Courts

- ✦ 302 judges, six-year terms
- ✦ At least one judge in each of the 67 counties
- ✦ Judges preside individually, not on panels

FLORIDA'S COURT STRUCTURE

Supreme Court of Florida

The Supreme Court is the highest court in Florida. Five of the seven justices are required to constitute a quorum to conduct business, and four justices must agree on a decision in each case. The court has exclusive authority to regulate the admission and discipline of lawyers in Florida as well as the responsibility to discipline and remove judges.

Mandatory jurisdiction includes death penalty cases, district court decisions declaring a state statute or provision of the state constitution invalid, bond validations, rule of court procedures, and actions of statewide agencies relating to public utilities.

District Courts of Appeal

The bulk of trial court decisions that are appealed are reviewed by three-judge panels of the district courts of appeal (DCAs). In each district court, a chief judge, who is selected by the body of district court judges, is responsible for the administrative duties of the court.

Jurisdiction extends to appeals from final judgments or orders of trial courts in cases that either are not directly appealable to the Supreme Court or are not taken from a county court to a circuit court, and to the review of certain non-final orders. The district courts have been granted the power to review most final actions taken by state agencies in carrying out the duties of the executive branch of government.

Circuit Courts

The majority of jury trials in Florida take place before circuit court judges. The circuit courts are referred to as the courts of general jurisdiction. Circuit courts hear all criminal and civil matters not within the jurisdiction of county courts, including family law, juvenile delinquency and dependency, mental health, probate, guardianship, and civil matters over \$15,000. They also hear some appeals from county court rulings and judgments and from administrative hearings. Finally, they have the power to issue extraordinary writs necessary to the complete exercise of their jurisdiction.

County Courts

Each county has at least one county court judge. The number of judges in each county court varies with the population and caseload of the county. County courts are courts of limited jurisdiction, which is established by statute. The county courts are sometimes referred to as "the people's courts" because a large part of the courts' work involves citizen disputes such as violations of municipal

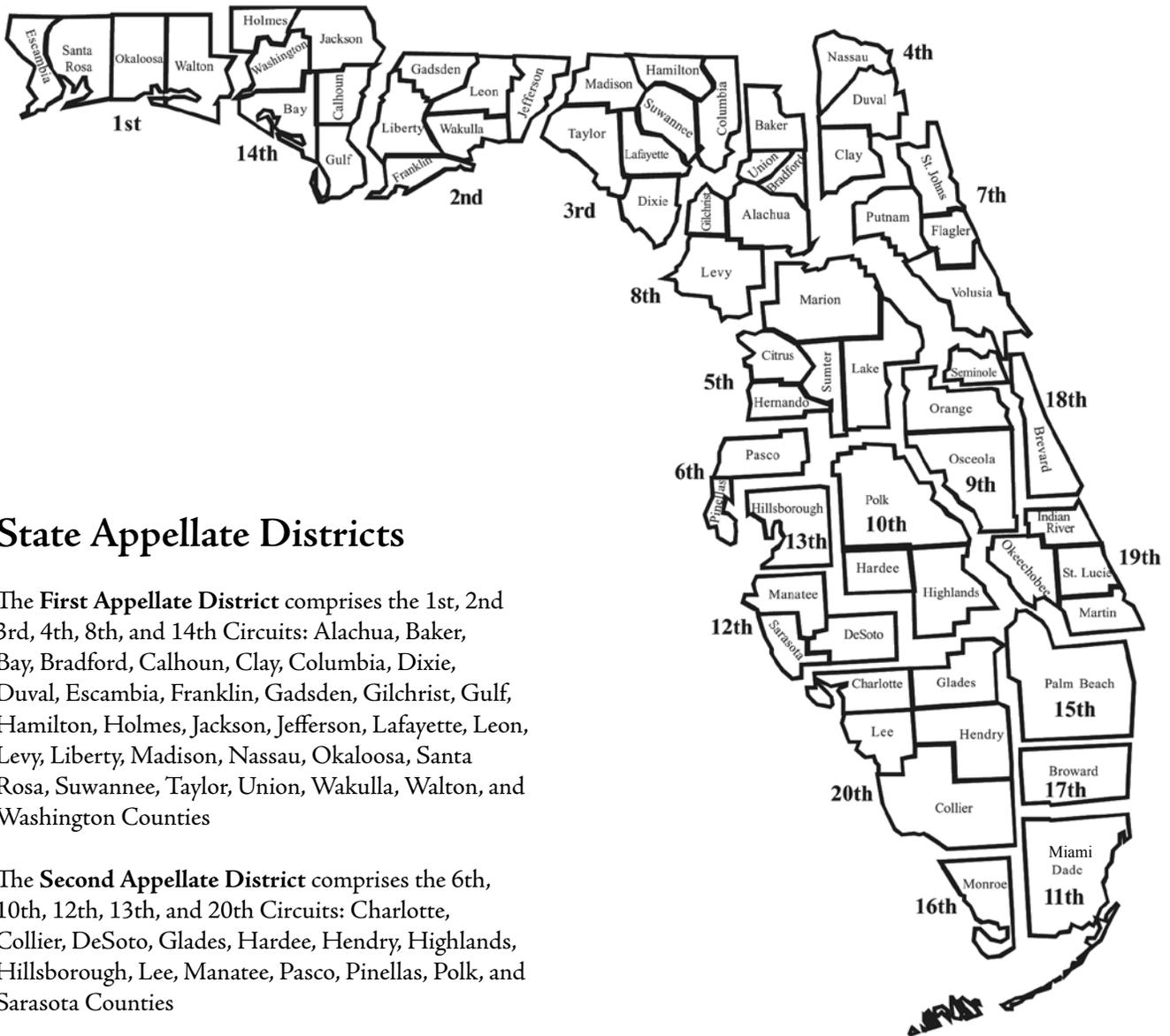
and county ordinances, traffic offenses, landlord-tenant disputes, misdemeanor criminal matters, and monetary disputes up to \$15,000. In addition, county court judges may hear simplified dissolution of marriage cases.

DCA Circuits

1st Circuit:	1, 2, 3, 4, 8, 14
2nd Circuit:	6, 10, 12, 13, 20
3rd Circuit:	11, 16
4th Circuit:	15, 17, 19
5th Circuit:	5, 7, 9, 18

Circuit Counties

- 1 Escambia, Okaloosa, Santa Rosa, Walton
- 2 Franklin, Gadsden, Jefferson, Leon, Liberty, Wakulla
- 3 Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, Taylor
- 4 Clay, Duval, Nassau
- 5 Citrus, Hernando, Lake, Marion, Sumter
- 6 Pasco, Pinellas
- 7 Flagler, Putnam, St. Johns, Volusia
- 8 Alachua, Baker, Bradford, Gilchrist, Levy, Union
- 9 Orange, Osceola
- 10 Hardee, Highlands, Polk
- 11 Miami-Dade
- 12 DeSoto, Manatee, Sarasota
- 13 Hillsborough
- 14 Bay, Calhoun, Gulf, Holmes, Jackson, Washington
- 15 Palm Beach
- 16 Monroe
- 17 Broward
- 18 Brevard, Seminole
- 19 Indian River, Martin, Okeechobee, St. Lucie
- 20 Charlotte, Collier, Glades, Hendry, Lee



State Appellate Districts

The **First Appellate District** comprises the 1st, 2nd, 3rd, 4th, 8th, and 14th Circuits: Alachua, Baker, Bay, Bradford, Calhoun, Clay, Columbia, Dixie, Duval, Escambia, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Nassau, Okaloosa, Santa Rosa, Suwannee, Taylor, Union, Wakulla, Walton, and Washington Counties

The **Second Appellate District** comprises the 6th, 10th, 12th, 13th, and 20th Circuits: Charlotte, Collier, DeSoto, Glades, Hardee, Hendry, Highlands, Hillsborough, Lee, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties

The **Third Appellate District** comprises the 11th and 16th Circuits: Miami-Dade and Monroe Counties

The **Fourth Appellate District** comprises the 15th, 17th and 19th Circuits: Broward, Indian River, Okeechobee, Palm Beach, St. Lucie, and Martin Counties

The **Fifth Appellate District** comprises the 5th, 7th, 9th, and 18th Circuits: Brevard, Citrus, Flagler, Hernando, Lake, Marion, Orange, Osceola, Putnam, St. Johns, Seminole, Sumter, and Volusia Counties

JUDICIAL CERTIFICATION TABLE

Session Year	District Court of Appeal					Circuit					County				
	Requested	Certified	Authorized	%Authorized (of those certified)	Total	Requested	Certified	Authorized	%Authorized (of those certified)	Total	Requested	Certified	Authorized	%Authorized (of those certified)	Total
1997	3	0	0	n/a	61	16	7	7	100.0%	468	6	3	3	100.0%	263
1998	0	0	0	n/a	61	19	13	0	0.0%	468	12	5	0	0.0%	263
1999	1	1	1	100.0%	62	27	25	25	100.0%	493	17	6	6	100.0%	269
2000	0	0	0	n/a	62	34	30	0	0.0%	493	17	13	0	0.0%	269
2001	0	0	0	n/a	62	40	30	16	53.3%	509	23	14	11	78.6%	280
2002	2	2	0	0.0%	62	35	34	18	52.9%	527	16	13	0	0.0%	280
2003	3	2	0	0.0%	62	35	33	0	0.0%	527	23	21	0	0.0%	280
2004	4	4	0	0.0%	62	54	51	0	0.0%	527	38	33	0	0.0%	280
2005	2	2	0	0.0%	62	69	67	37	52.2%	564	44	41	22	48.8%	302
2006	2	0	0	0.0%	62	41	40	35	87.5%	599	26	24	20	83.3%	322

Judicial Certification Table

For the last seven years, the Supreme Court has used a weighted caseload system to evaluate the need for new trial court judgeships. The weighted caseload system analyzes Florida's trial court caseload statistics according to complexity. Complex cases, such as capital murder cases, receive a higher weight, while less complex cases, such as civil traffic cases, receive a lower weight. These weights are then applied to case filing statistics to determine the need for additional judgeships.

Having an adequate number of judgeships is essential: if judicial workload exceeds capacity and a judicial need deficit is not addressed, likely consequences may be case processing delays, less time devoted to dispositions, and potentially diminished access to the courts.

In December 2005, the Florida Supreme Court certified the need for 66 new judges for the 2006-2007 fiscal year: two DCA judges, 40 circuit judges, and 24 county court judges. The Florida Legislature approved funding for 55 new judges—35 circuit and 20 county court judges—all of whom will run for election in November 2006.

Administration

Office of the State Courts Administrator

The Office of the State Courts Administrator (OSCA) was created in 1972 to serve the chief justice in carrying out his or her responsibilities as the chief administrative officer of the judicial branch. OSCA's purpose is to provide professional court management and administration of the state's judicial system—basically, the non-adjudicatory services and functions necessary for the smooth operation of the judicial branch, which includes the Florida Supreme Court, the district courts of appeal, the circuit courts, and the county courts.

OSCA has a range of duties: it prepares the judicial branch's budget requests to the legislature; it monitors legislation; and it serves as a point of contact for legislators and their staff regarding issues related to the state court system. OSCA also provides a wide range of educational programs for judges; these programs, which enable judges to meet mandatory continuing education requirements, are designed to increase judicial knowledge and skills, thereby improving the administration of justice.

OSCA also assists with implementing administrative and legislative initiatives for family, dependency, and delinquency court cases; collecting and analyzing statistical information relevant to court operations; offering statewide mediation training and certification through the Dispute Resolution Center; coordinating, writing, and editing administrative and court education

publications; providing technical support for trial and appellate courts; developing strategic planning; and other related functions. For more information about OSCA, visit the Florida State Courts website at <http://www.flcourts.org>

Trial Court Administrators

The trial court administrator supports the chief judge in his or her constitutional role as the administrative supervisor of the circuit and county courts; each of the 20 circuits in Florida has a trial court administrator. The office of the trial court administrator provides professional staff support to ensure effective and efficient court operations.

Trial court administrators have multiple responsibilities. They manage judicial operations such as courtroom scheduling, facilities management, caseflow policy, ADA policy, statistical analysis, inter-branch and intergovernmental relations, technology planning, jury oversight, public information, and emergency planning. They also oversee court business operations including personnel, planning and budgeting, finance and accounting, purchasing, property and records, and staff training.

In addition, the trial court administrators provide administration and support for essential court resources including court reporting, court interpreters, expert witnesses, staff attorneys, magistrates and hearing officers, mediation, and case management. For links to the homepage of all of Florida's circuit courts, go to <http://www.flcourts.org/courts/circuit/circuit.shtml>



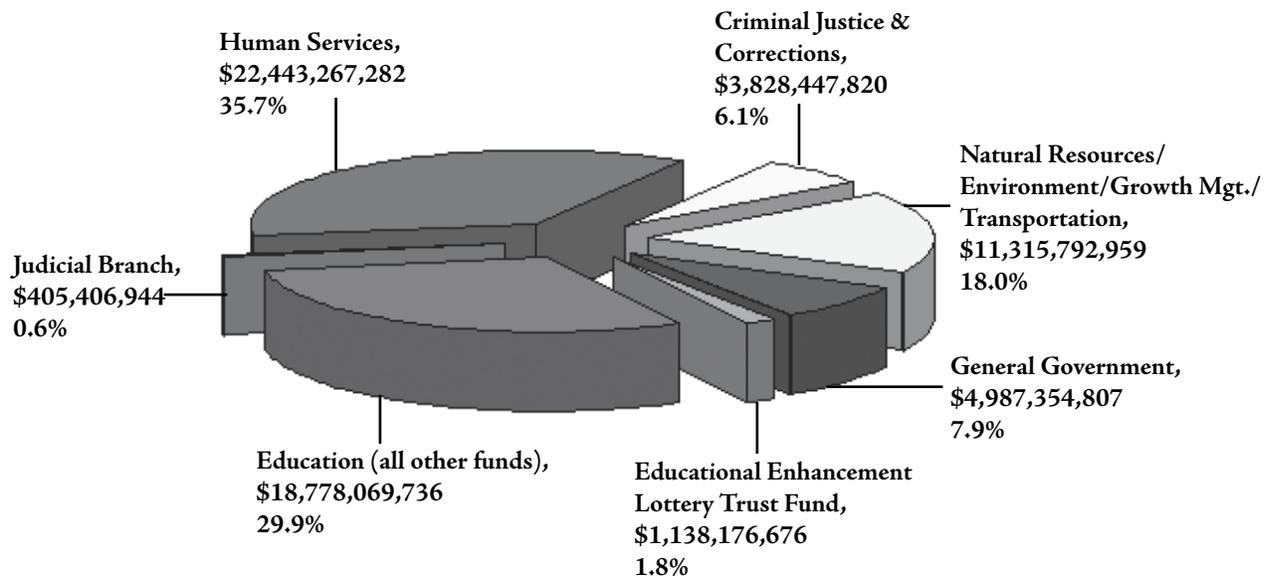
State Courts Administrator
Elisabeth H. Goodner



Group shot of OSCA staff

FLORIDA'S BUDGET

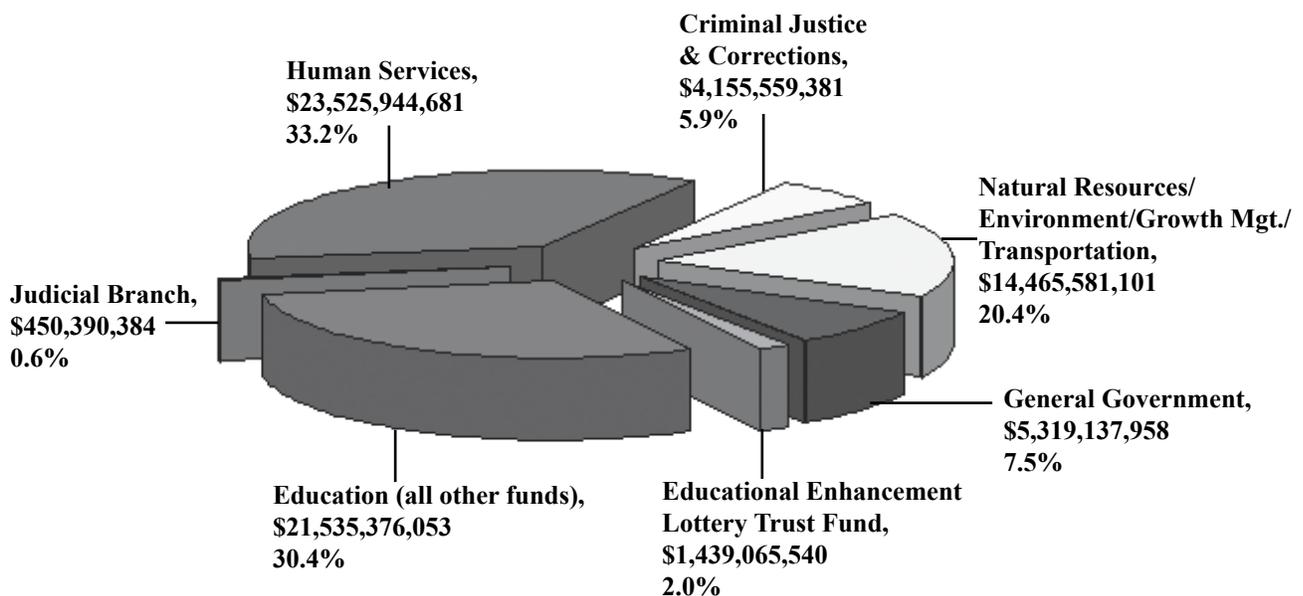
2005-2006 Fiscal Year Appropriations



Total: \$62,896,516,224

Note: Totals include only issues that were funded in the General Appropriations Act, SB 2600

2006-2007 Fiscal Year Appropriations



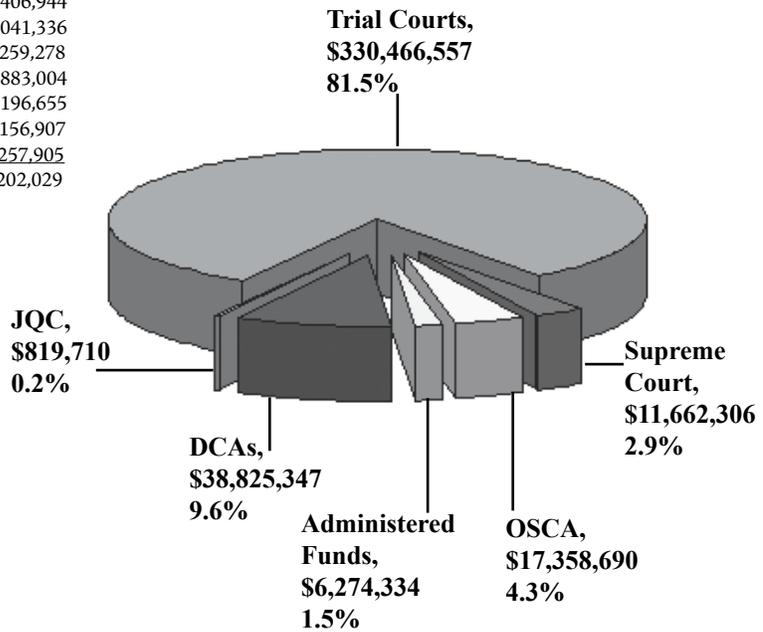
Total: \$70,891,055,098

Note: Totals include only issues that were funded in the General Appropriations Act, HB 5001

Judicial System Appropriations 2005-2006 Fiscal Year

State Courts System	\$405,406,944
Justice Administration Executive Direction	\$107,041,336
Statewide Guardian Ad Litem Program	\$26,259,278
State Attorneys	\$344,883,004
Public Defenders Judicial Circuit	\$169,196,655
Public Defenders Appellate	\$13,156,907
Capital Collateral Regional Counsel	\$7,257,905
Total	\$1,073,202,029

Note: Totals include only issues that were funded in the General Appropriations Act, SB 2600.

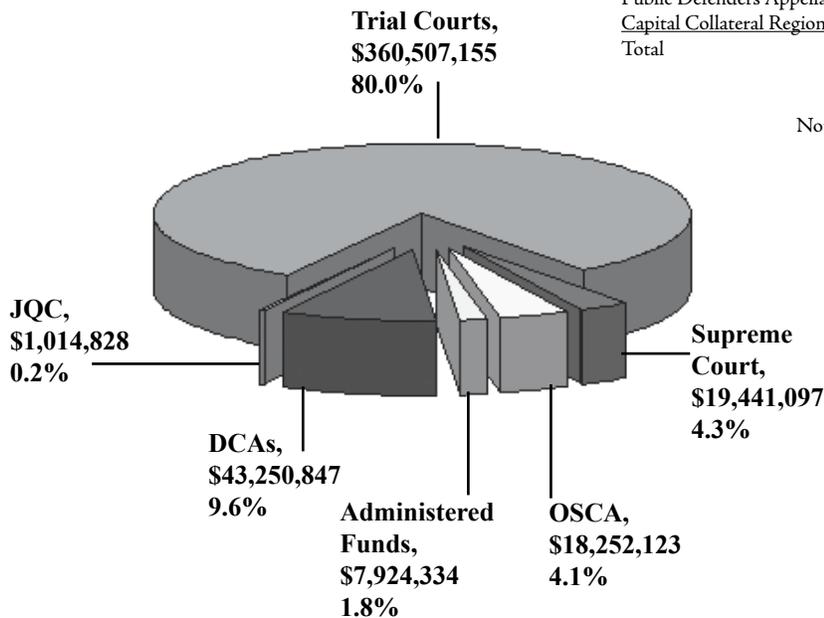


Florida's courts get less than 1% of the state's total budget

Judicial System Appropriations 2006-2007 Fiscal Year

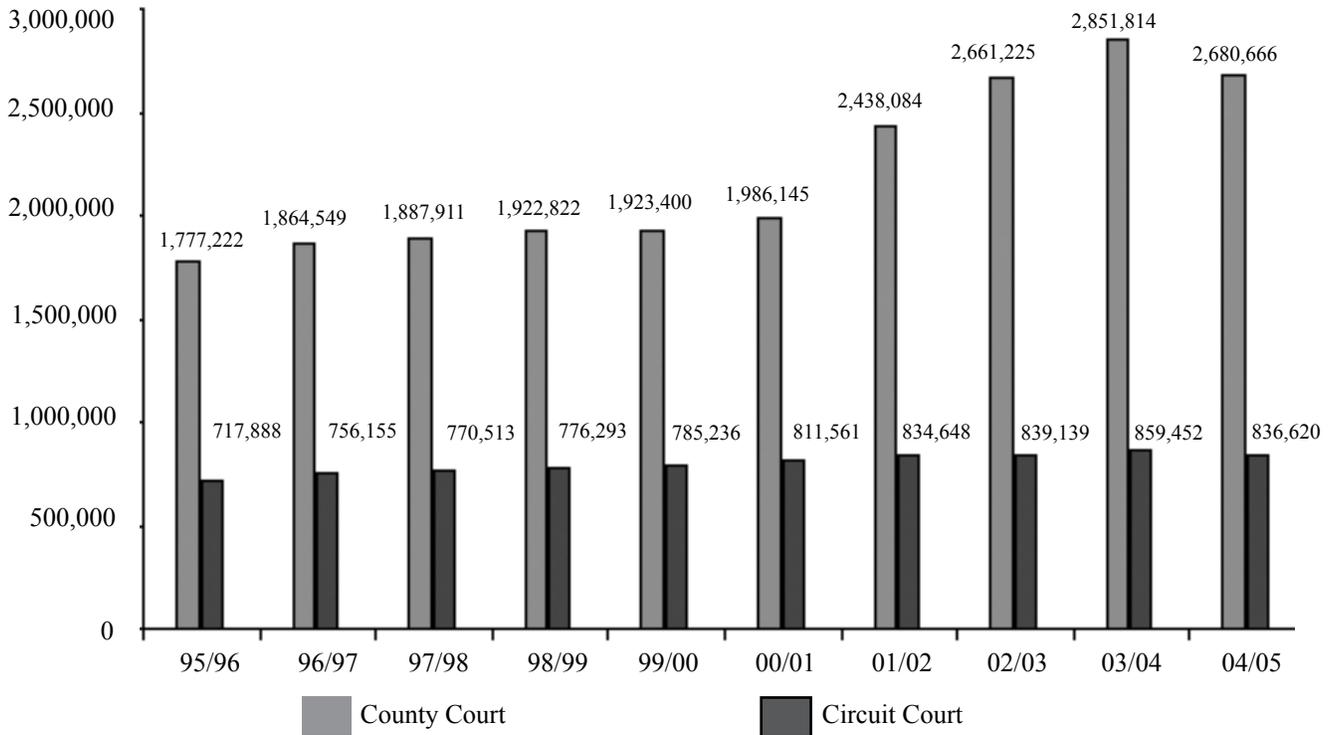
State Courts System	\$450,390,384
Justice Administration Executive Direction	\$115,894,547
Statewide Guardian Ad Litem Program	\$33,978,176
State Attorneys	\$374,107,995
Public Defenders Judicial Circuit	\$187,207,280
Public Defenders Appellate	\$14,233,047
Capital Collateral Regional Counsel	\$7,712,137
Total	\$1,183,523,566

Note: Totals include only issues that were funded in the General Appropriations Act, HB 5001.

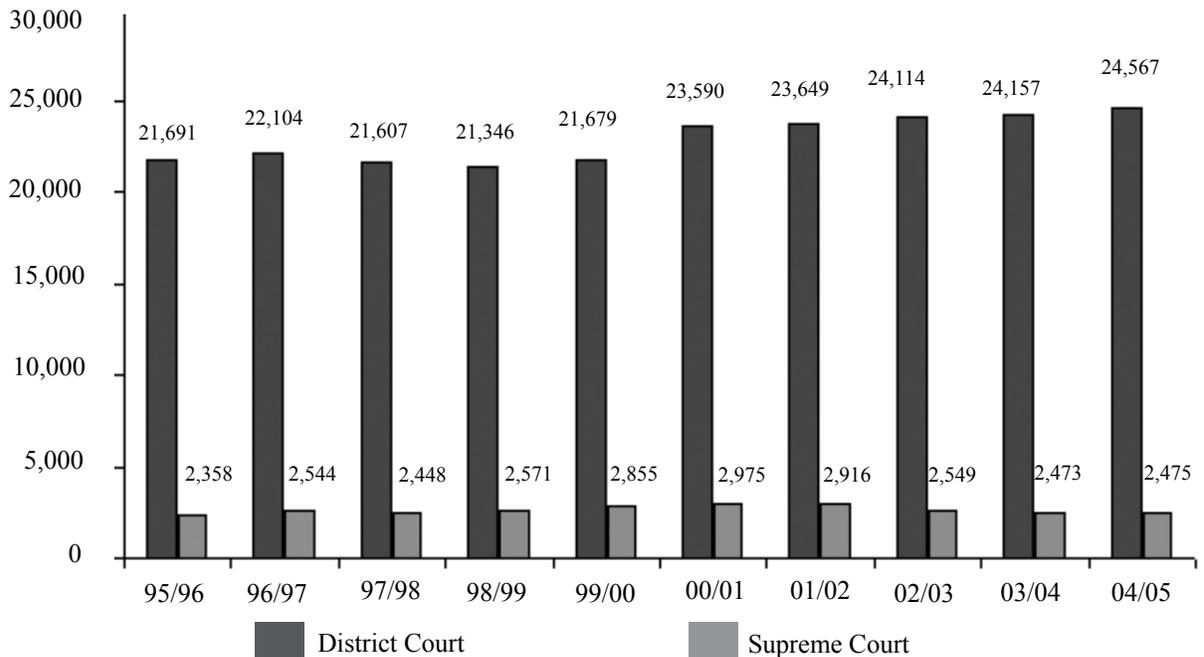


FILINGS

Florida's Trial Courts Circuit and County Court Filings FY 1995-96 to 2004-05



Florida's Appellate Courts Florida Appellate Filings FY 1995-96 to 2004-05



Notice of Appeal and Petition FY 2004-05 (as of July 2006)

* Criminal Post Conviction include notice of appeal only.

DCA	Case Category	Total Filings
All	Administrative	1,593
All	Civil	5,159
All	Criminal	8,879
All	Criminal Post Conviction*	5,953
All	Family	1,041
All	Juvenile	1,194
All	Probate/Guardianship	201
All	Workers' Compensation	547
		24,567

DCA	Case Category	Total Filings	DCA	Case Category	Total Filings	DCA	Case Category	Total Filings
1	Administrative	832	3	Administrative	178	5	Administrative	167
	Civil	1,123		Civil	775		Civil	717
	Criminal	1,925		Criminal	927		Criminal	1,780
	Criminal Post Conviction*	1,058		Criminal Post Conviction*	948		Criminal Post Conviction*	1,132
	Family	205		Family	170		Family	230
	Juvenile	257		Juvenile	135		Juvenile	234
	Probate/Guardianship	21		Probate/Guardianship	48		Probate/Guardianship	25
	Workers' Compensation	547			3,181			4,285
		5,968						
2	Administrative	146	4	Administrative	270	Total		24,567
	Civil	1,281		Civil	1,263			
	Criminal	2,501		Criminal	1,746			
	Criminal Post Conviction*	1,665		Criminal Post Conviction*	1,150			
	Family	102		Family	334			
	Juvenile	335		Juvenile	233			
	Probate/Guardianship	52		Probate/Guardianship	55			
		6,082			5,051			

COURT FILINGS BY CIRCUIT AND DIVISION

FY 2004-05 (Drawn from Frozen Database on 7-19-2006)

Circuit	County	Division	Total Filings
All	All	Adult Criminal	199,009
All	All	Civil	162,116
All	All	Family Court*	365,990
All	All	Probate	109,505
All	All	County Adult Criminal	996,377
All	All	County Civil**	1,684,289
			3,517,286



COURT FILINGS BY CIRCUIT AND DIVISION

* This table has changed from previous years. Family Court includes Domestic Relations, Juvenile Delinquency and Dependency with the exception of Termination of Parental Rights Dispositions.

**These data do not include all Civil Traffic Infractions reported to the Department of Highway Safety and Motor Vehicles. They only represent those Civil Traffic Infraction filings involving a judge or hearing officer.

Circuit	Division	Total Filings	Circuit	Division	Total Filings	Circuit	Division	Total Filings
1	Adult Criminal	10,587	8	Adult Criminal	4,611	15	Adult Criminal	10,944
	Civil	5,018		Civil	2,291		Civil	11,453
	Family Court*	16,609		Family Court*	7,835		Family Court*	18,423
	Probate	4,064		Probate	2,098		Probate	8,082
	County Adult Criminal	34,646		County Adult Criminal	21,879		County Adult Criminal	73,473
	County Civil**	32,334		County Civil**	25,793		County Civil**	155,883
		103,258			64,507			278,258
2	Adult Criminal	5,336	9	Adult Criminal	16,043	16	Adult Criminal	1,302
	Civil	3,985		Civil	12,754		Civil	762
	Family Court*	7,436		Family Court*	28,972		Family Court*	1,792
	Probate	2,751		Probate	5,510		Probate	532
	County Adult Criminal	17,693		County Adult Criminal	60,417		County Adult Criminal	4,683
	County Civil**	25,197		County Civil**	88,521		County Civil**	4,780
		62,398			212,217			13,851
3	Adult Criminal	2,158	10	Adult Criminal	8,571	17	Adult Criminal	15,341
	Civil	1,297		Civil	5,684		Civil	18,898
	Family Court*	4,922		Family Court*	18,775		Family Court*	35,478
	Probate	1,104		Probate	4,681		Probate	8,801
	County Adult Criminal	9,880		County Adult Criminal	40,169		County Adult Criminal	91,391
	County Civil**	9,524		County Civil**	35,039		County Civil**	318,541
		28,885			112,919			488,450
4	Adult Criminal	10,030	11	Adult Criminal	26,003	18	Adult Criminal	8,048
	Civil	10,311		Civil	26,445		Civil	5,944
	Family Court*	24,529		Family Court*	41,545		Family Court*	15,819
	Probate	5,461		Probate	10,133		Probate	5,447
	County Adult Criminal	87,590		County Adult Criminal	139,118		County Adult Criminal	42,134
	County Civil**	83,248		County Civil**	494,445		County Civil**	56,258
		221,169			737,689			133,650
5	Adult Criminal	10,215	12	Adult Criminal	6,889	19	Adult Criminal	5,999
	Civil	7,410		Civil	4,533		Civil	3,771
	Family Court*	19,611		Family Court*	13,502		Family Court*	10,961
	Probate	7,218		Probate	5,750		Probate	3,706
	County Adult Criminal	35,650		County Adult Criminal	30,537		County Adult Criminal	31,663
	County Civil**	39,778		County Civil**	31,132		County Civil**	29,980
		119,882			92,343			86,080
6	Adult Criminal	16,940	13	Adult Criminal	18,028	20	Adult Criminal	8,258
	Civil	11,821		Civil	11,323		Civil	9,918
	Family Court*	28,350		Family Court*	28,308		Family Court*	18,241
	Probate	10,056		Probate	5,413		Probate	11,005
	County Adult Criminal	73,283		County Adult Criminal	76,142		County Adult Criminal	49,570
	County Civil**	68,943		County Civil**	76,954		County Civil**	47,419
		209,393			216,168			144,411
7	Adult Criminal	9,236	14	Adult Criminal	4,470	Total		
	Civil	6,179		Civil	2,319			
	Family Court*	17,422		Family Court*	7,460			
	Probate	5,769		Probate	1,924			
	County Adult Criminal	55,888		County Adult Criminal	20,571			
	County Civil**	44,502		County Civil**	16,018			
		138,996			52,762			3,517,286

FY 2004-05 (Drawn from Frozen Database on 7-19-2006)

* This table has changed from previous years. Family Court includes Domestic Relations, Juvenile Delinquency and Dependency with the exception of Termination of Parental Rights Dispositions.

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Circuit	County	Division	Total Filings	Circuit	County	Division	Total Filings	Circuit	County	Division	Total Filings	
1	Escambia	Adult Criminal	5,790	Leon	Adult Criminal	3,718	Madison	Adult Criminal	198	Civil	137	
		Civil	2,331		Civil	3,025		Civil	137			
		Family Court*	7,949		Family Court*	4,806		Family Court*	540			
		Probate	2,026		Probate	1,839		Probate	114			
		County Adult Criminal	15,290		County Adult Criminal	13,167		County Adult Criminal	1,096			
		County Civil**	14,120		County Civil**	19,184		County Civil**	1,556			
			47,506			45,739					3,641	
	Okaloosa	Adult Criminal	2,625	Liberty	Adult Criminal	81	Suwannee	Adult Criminal	549	Civil	247	
		Civil	1,070		Civil	36		Civil	247			
		Family Court*	4,601		Family Court*	191		Family Court*	1,119			
		Probate	1,180		Probate	33		Probate	240			
		County Adult Criminal	9,447		County Adult Criminal	214		County Adult Criminal	1,992			
County Civil**		10,053	County Civil**		553	County Civil**		1,525				
		28,976			1,108					5,672		
Santa Rosa	Adult Criminal	1,162	Wakulla	Adult Criminal	383	Taylor	Adult Criminal	215	Civil	88		
	Civil	1,076		Civil	284		Civil	88				
	Family Court*	2,754		Family Court*	471		Family Court*	606				
	Probate	566		Probate	153		Probate	171				
	County Adult Criminal	5,418		County Adult Criminal	1,086		County Adult Criminal	1,283				
	County Civil**	5,919		County Civil**	1,228		County Civil**	1,003				
		16,895			3,605					3,366		
Walton	Adult Criminal	1,010	3	Columbia	Adult Criminal	836	4	Clay	Adult Criminal	1,048	Civil	1,214
	Civil	541			Civil	556			Civil	1,214		
	Family Court*	1,305			Family Court*	1,757			Family Court*	2,841		
	Probate	292			Probate	347			Probate	421		
	County Adult Criminal	4,491			County Adult Criminal	4,065			County Adult Criminal	6,143		
	County Civil**	2,242			County Civil**	3,408			County Civil**	6,944		
		9,881			10,969					18,611		
2	Franklin	Adult Criminal	218	Dixie	Adult Criminal	88	Duval	Adult Criminal	8,397	Civil	8,591	
		Civil	105		Civil	120		Civil	8,591			
		Family Court*	279		Family Court*	492		Family Court*	20,328			
		Probate	97		Probate	110		Probate	4,794			
		County Adult Criminal	1,043		County Adult Criminal	509		County Adult Criminal	77,917			
		County Civil**	637		County Civil**	597		County Civil**	74,158			
		2,379			1,916					194,185		
Gadsden	Adult Criminal	759	Hamilton	Adult Criminal	220	Nassau	Adult Criminal	585	Civil	506		
	Civil	391		Civil	111		Civil	506				
	Family Court*	1,452		Family Court*	259		Family Court*	1,360				
	Probate	552		Probate	69		Probate	246				
	County Adult Criminal	1,784		County Adult Criminal	735		County Adult Criminal	3,530				
	County Civil**	2,681		County Civil**	1,087		County Civil**	2,146				
		7,619			2,481					8,373		
Jefferson	Adult Criminal	177	Lafayette	Adult Criminal	52	5	Citrus	Adult Criminal	1,081	Civil	974	
	Civil	144		Civil	38			Civil	974			
	Family Court*	237		Family Court*	149			Family Court*	2,783			
	Probate	77		Probate	53			Probate	1,435			
	County Adult Criminal	399		County Adult Criminal	200			County Adult Criminal	4,007			
	County Civil**	914		County Civil**	348			County Civil**	4,369			
		1,948			840					14,649		

COURT FILINGS BY CIRCUIT, COUNTY, & DIVISION

Circuit	County	Division	Total Filings	Circuit	County	Division	Total Filings	Circuit	County	Division	Total Filings
	Hernando	Adult Criminal	1,755		Volusia	Adult Criminal	6,349	10	Hardee	Adult Criminal	335
		Civil	1,302			Civil	4,002			Civil	156
		Family Court*	3,483			Family Court*	11,003			Family Court*	962
		Probate	1,681			Probate	4,103			Probate	127
		County Adult Criminal	5,444			County Adult Criminal	40,554			County Adult Criminal	1,699
		County Civil**	6,872			County Civil**	30,382			County Civil**	1,127
			20,537				96,393				4,406
	Lake	Adult Criminal	3,100	8	Alachua	Adult Criminal	3,344		Highlands	Adult Criminal	864
		Civil	1,647			Civil	1,280			Civil	756
		Family Court*	4,661			Family Court*	5,055			Family Court*	1,833
		Probate	1,282			Probate	1,433			Probate	1,254
		County Adult Criminal	10,812			County Adult Criminal	17,351			County Adult Criminal	3,515
		County Civil**	10,449			County Civil**	19,954			County Civil**	3,284
			31,951				48,417				11,506
	Marion	Adult Criminal	3,655		Baker	Adult Criminal	328		Polk	Adult Criminal	7,372
		Civil	2,683			Civil	217			Civil	4,772
		Family Court*	7,556			Family Court*	601			Family Court*	15,980
		Probate	2,550			Probate	206			Probate	3,300
		County Adult Criminal	13,139			County Adult Criminal	1,017			County Adult Criminal	34,955
		County Civil**	14,596			County Civil**	1,203			County Civil**	30,628
			44,179				3,572				97,007
	Sumter	Adult Criminal	624		Bradford	Adult Criminal	344	11	Dade	Adult Criminal	26,003
		Civil	804			Civil	263			Civil	26,445
		Family Court*	1,128			Family Court*	543			Family Court*	41,545
		Probate	270			Probate	105			Probate	10,133
		County Adult Criminal	2,248			County Adult Criminal	1,442			County Adult Criminal	139,118
		County Civil**	3,492			County Civil**	2,124			County Civil**	494,445
			8,566				4,821				737,689
6	Pasco	Adult Criminal	3,855		Gilchrist	Adult Criminal	130	12	Desoto	Adult Criminal	586
		Civil	3,408			Civil	76			Civil	220
		Family Court*	8,509			Family Court*	378			Family Court*	800
		Probate	3,198			Probate	57			Probate	151
		County Adult Criminal	15,981			County Adult Criminal	523			County Adult Criminal	1,648
		County Civil**	15,687			County Civil**	461			County Civil**	1,153
			50,638				1,625				4,558
	Pinellas	Adult Criminal	13,085		Levy	Adult Criminal	260		Manatee	Adult Criminal	2,945
		Civil	8,413			Civil	331			Civil	1,691
		Family Court*	19,841			Family Court*	897			Family Court*	6,276
		Probate	6,858			Probate	243			Probate	1,795
		County Adult Criminal	57,302			County Adult Criminal	1,199			County Adult Criminal	13,992
		County Civil**	53,256			County Civil**	1,611			County Civil**	12,014
			158,755				4,541				38,713
7	Flagler	Adult Criminal	716		Union	Adult Criminal	205		Sarasota	Adult Criminal	3,358
		Civil	587			Civil	124			Civil	2,622
		Family Court*	1,292			Family Court*	361			Family Court*	6,426
		Probate	554			Probate	54			Probate	3,804
		County Adult Criminal	2,793			County Adult Criminal	347			County Adult Criminal	14,897
		County Civil**	2,565			County Civil**	440			County Civil**	17,965
			8,507				1,531				49,072
	Putnam	Adult Criminal	721	9	Orange	Adult Criminal	13,236	13	Hillsborough	Adult Criminal	18,028
		Civil	604			Civil	10,342			Civil	11,323
		Family Court*	2,201			Family Court*	23,585			Family Court*	28,308
		Probate	435			Probate	4,511			Probate	5,413
		County Adult Criminal	4,638			County Adult Criminal	49,288			County Adult Criminal	76,142
		County Civil**	3,473			County Civil**	71,455			County Civil**	76,954
			12,072				172,417				216,168
	St. Johns	Adult Criminal	1,450		Osceola	Adult Criminal	2,807	14	Bay	Adult Criminal	2,975
		Civil	986			Civil	2,412			Civil	1,273
		Family Court*	2,926			Family Court*	5,387			Family Court*	4,418
		Probate	677			Probate	999			Probate	1,144
		County Adult Criminal	7,903			County Adult Criminal	11,129			County Adult Criminal	14,453
		County Civil**	8,082			County Civil**	17,066			County Civil**	10,231
			22,024				39,800				34,494

COURT FILINGS BY CIRCUIT, COUNTY, & DIVISION

Circuit	County	Division	Total Filings	Circuit	County	Division	Total Filings	Circuit	County	Division	Total Filings
	Calhoun	Adult Criminal	213	17	Broward	Adult Criminal	15,341	20	St. Lucie	Adult Criminal	2,565
		Civil	101			Civil	18,898			Civil	1,683
		Family Court*	427			Family Court*	35,478			Family Court*	5,110
		Probate	64			Probate	8,801			Probate	1,647
		County Adult Criminal	684			County Adult Criminal	91,391			County Adult Criminal	15,913
		County Civil**	530			County Civil**	318,541			County Civil**	16,517
			2,019				488,450				43,435
	Gulf	Adult Criminal	207	18	Brevard	Adult Criminal	4,794	20	Charlotte	Adult Criminal	1,402
		Civil	120			Civil	3,367			Civil	1,893
		Family Court*	340			Family Court*	9,699			Family Court*	2,676
		Probate	78			Probate	3,405			Probate	2,886
		County Adult Criminal	779			County Adult Criminal	28,702			County Adult Criminal	5,205
		County Civil**	595			County Civil**	29,161			County Civil**	5,061
			2,119				79,128				19,123
	Holmes	Adult Criminal	320		Seminole	Adult Criminal	3,254		Collier	Adult Criminal	2,760
		Civil	129			Civil	2,577			Civil	2,122
		Family Court*	429			Family Court*	6,120			Family Court*	4,675
		Probate	100			Probate	2,042			Probate	1,870
		County Adult Criminal	1,053			County Adult Criminal	13,432			County Adult Criminal	18,613
		County Civil**	792			County Civil**	27,097			County Civil**	16,116
			2,823				54,522				46,156
	Jackson	Adult Criminal	516	19	Indian River	Adult Criminal	1,424		Glades	Adult Criminal	133
		Civil	358			Civil	763			Civil	96
		Family Court*	1,306			Family Court*	2,327			Family Court*	218
		Probate	333			Probate	985			Probate	37
		County Adult Criminal	2,231			County Adult Criminal	5,738			County Adult Criminal	566
		County Civil**	2,326			County Civil**	4,896			County Civil**	595
			7,070				16,133				1,645
	Washington	Adult Criminal	239		Martin	Adult Criminal	1,368		Hendry	Adult Criminal	458
		Civil	338			Civil	998			Civil	336
		Family Court*	540			Family Court*	2,302			Family Court*	1,064
		Probate	205			Probate	843			Probate	184
		County Adult Criminal	1,371			County Adult Criminal	7,694			County Adult Criminal	2,801
		County Civil**	1,544			County Civil**	6,726			County Civil**	1,464
			4,237				19,931				6,307
15	Palm Beach	Adult Criminal	10,944		Okeechobee	Adult Criminal	642		Lee	Adult Criminal	3,505
		Civil	11,453			Civil	327			Civil	5,471
		Family Court*	18,423			Family Court*	1,222			Family Court*	9,608
		Probate	8,082			Probate	231			Probate	6,028
		County Adult Criminal	73,473			County Adult Criminal	2,318			County Adult Criminal	22,385
		County Civil**	155,883			County Civil**	1,841			County Civil**	24,183
			278,258				6,581				71,180
16	Monroe	Adult Criminal	1,302								
		Civil	762								
		Family Court*	1,792								
		Probate	532								
		County Adult Criminal	4,683								
		County Civil**	4,780								
			13,851								

COURT CONTACTS FOR 2006-2007

FLORIDA SUPREME COURT

Chief Justice R. FRED LEWIS (850) 488-0007
Clerk Thomas D. Hall (850) 488-0125
Acting Marshal Kevin White (850) 488-8845
Director of Public Info. Craig Waters (850) 414-7641
Website <http://www.floridasupremecourt.org>

DISTRICT COURTS OF APPEAL

1st DCA

Chief Judge CHARLES J. KAHN, JR. (850) 487-2323
Clerk Jon S. Wheeler (850) 488-6151
Marshal Donald H. Brannon (850) 488-8136
Website <http://www.1dca.org>

2nd DCA

Chief Judge CAROLYN K. FULMER (863) 499-2290
Clerk James R. Birkhold (863) 499-2290
Marshal Velma Johnson (863) 499-2290
Website <http://www.2dca.org>

3rd DCA

Chief Judge GERALD B. COPE, JR. (305) 229-3200
Clerk Mary Cay Blanks (305) 229-3200
Marshal Dottie Munro (305) 229-3200
Website <http://www.3dca.flcourts.org>

4th DCA

Chief Judge W. MATTHEW STEVENSON (561) 242-2058
Clerk Marilyn Beuttenmuller (561) 242-2000
Marshal Glen Rubin (561) 242-2000
Website <http://www.4dca.org>

5th DCA

Chief Judge ROBERT J. PLEUS, JR. (386) 947-1550
Clerk Susan Wright (386) 255-8600
Marshal Ty W. Berdeaux (386) 947-1500
Website <http://www.5dca.org>

CIRCUIT COURTS

1st Judicial Circuit

Escambia, Okaloosa, Santa Rosa, and Walton counties
Chief Judge KIM A. SKIEVASKI (850) 595-4456
Court Administrator Wayne Peacock (850) 595-4400
Website <http://www.firstjudicialcircuit.org>

2nd Judicial Circuit

Franklin, Gadsden, Jefferson, Leon, Liberty, and Wakulla counties
Chief Judge CHARLES A. FRANCIS (850) 577-4306
Court Administrator Grant Slayden (850) 577-4420
Website <http://www.2ndcircuit.leon.fl.us>

3rd Judicial Circuit

Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, and Taylor counties
Chief Judge JULIAN E. COLLINS (386) 719-7546
Court Administrator Barbara Dawicke (386) 758-2163
Website <http://www.jud3.flcourts.org>

4th Judicial Circuit

Clay, Duval, and Nassau counties
Chief Judge DONALD R. MORAN, JR. (904) 630-2541
Court Administrator H. Britt Beasley (904) 630-1693
Website <http://www.coj.net/Departments/Fourth+Judicial+Circuit+Court/default.htm>

5th Judicial Circuit

Hernando, Lake, Marion, Citrus, and Sumter counties
Chief Judge VICTOR J. MUSLEH (352) 401-6770
Court Administrator David M. Trammell (352) 401 6701
Website <http://www.circuit5.org>

6th Judicial Circuit

Pasco and Pinellas counties
Chief Judge DAVID A. DEMERS (727) 582-7882
Court Administrator Gay Inskeep (727) 582-7477
Website <http://www.jud6.org>

7th Judicial Circuit

Flagler, Putnam, St. Johns, and Volusia counties
Chief Judge WILLIAM A. PARSONS (386) 239-7790
Court Administrator Mark Weinberg (386) 257-6097
Website <http://www.circuit7.org>

8th Judicial Circuit

Alachua, Baker, Bradford, Gilchrist, Levy, and Union counties
Chief Judge FREDERICK D. SMITH (352) 374-3652
Court Administrator Ted McFetridge (352) 374-3648
Website <http://www.circuit8.org>

9th Judicial Circuit

Orange and Osceola counties
Chief Judge BELVIN PERRY, JR. (407) 836-2008
Court Administrator Matthew Benefiel (407) 836-2050
Website <http://www.ninja9.org>

10th Judicial Circuit

Hardee, Highlands, and Polk counties
Chief Judge RONALD A. HERRING (863) 534-4650
Court Administrator Nick Sudzina (863) 534-4690
Website <http://www.jud10.org>

11th Judicial Circuit

Miami-Dade County
Chief Judge JOSEPH P. FARINA (305) 349-7054
Court Administrator Ruben Carrerou (305) 349-7001
Website <http://www.jud11.flcourts.org>

COURT CONTACTS FOR 2006-2007

12th Judicial Circuit

DeSoto, Manatee, and Sarasota counties

Chief Judge ROBERT B. BENNETT, JR. (941) 861-7942

Court Administrator Walt Smith (941) 861-7800

Website <http://12circuit.state.fl.us>

13th Judicial Circuit

Hillsborough County

Chief Judge

MANUEL MENENDEZ, JR. (813) 272-5022

Court Administrator Mike Bridenback (813) 272-5894

Website <http://fljud13.org>

14th Judicial Circuit

Bay, Calhoun, Gulf, Holmes, Jackson, and Washington counties

Chief Judge WILLIAM L. WRIGHT (850) 482-9078

Court Administrator Jennifer Dyer Wells (850) 747-5327

Website <http://www.jud14.flcourts.org>

15th Judicial Circuit

Palm Beach County

Chief Judge KATHLEEN J. KROLL (561) 355-4378

Court Administrator Susan Ferrante (561) 355-2431

Website <http://www.co.palm-beach.fl.us/cadmin>

16th Judicial Circuit

Monroe County

Chief Judge RICHARD G. PAYNE (305) 292-3433

Court Administrator Mary Vanden Brook (305) 292-3423

Website <http://www.jud16.flcourts.org>

17th Judicial Circuit

Broward County

Chief Judge DALE ROSS (954) 831-7837

Court Administrator Carol Ortman (954) 831-7740

Website <http://www.17th.flcourts.org>

18th Judicial Circuit

Brevard and Seminole counties

Chief Judge Tonya B. Rainwater (321) 617-7283

Court Administrator Mark Van Bever (321) 633-2171

Website <http://www.flcourts18.org>

19th Judicial Circuit

Indian River, Martin, Okeechobee, and St. Lucie counties

Chief Judge WILLIAM A. ROBY (772) 871-7252

Court Administrator Tom Genung (772) 462-1472

Website <http://www.circuit19.org>

20th Judicial Circuit

Charlotte, Collier, Glades, Hendry, and Lee counties

Chief Judge HUGH D. HAYES (239) 774-8116

Court Administrator L. Caron Jeffreys (239) 335-2231

Website <http://www.ca.cjis20.org>

OSCA STAFF CONTACTS

State Courts Administrator

Elisabeth H. Goodner (850) 922-5081

Deputy State Courts Administrator

Blan L. Teagle (850) 488-9922

General Counsel

Laura Rush (850) 922-5109

Director of Community and Intergovernmental Relations

Brenda G. Johnson (850) 922-5692

Director of Administrative Services

Charlotte Jerrett (850) 488-9922

Budget Services Manager

Dorothy Burke (850) 488-9922

Finance and Accounting Manager

Lavitta Stanford (850) 488-3737

General Services Manager

Tom Long (850) 487-2373

Chief of Strategic Planning

Barbara French (850) 488-6569

Chief of Personnel Services

David Pepper (850) 922-7033

Chief of Court Services

Greg Youchock (850) 922-5108

Chief of Court Improvement

Rose Patterson (850) 487-1414

Chief of Court Education

Martha Martin (850) 922-5079

Publications Attorney

Susan Leseman (850) 410-3352

Chief of Dispute Resolution

Sharon Press (850) 921-2910

ISS State Courts Technology Officer

Chris Noel (850) 488-6568

ISS Applications Development Manager

Clyde Conrad (850) 487-7980

Information Systems Support Manager

John Cook (850) 488-6576

Information Systems Support Manager

Alan Neubauer (850) 414-7741

Information Systems Services Manager

Maria Arnold (850) 487-7074

Email for OSCA Staff

osca@flcourts.org

OSCA Website

<http://www.flcourts.org>

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For more information, call
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or visit www.flcourts.org

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Supreme Court Justice Barbara J. Pariente
State Courts Administrator Elisabeth H. Goodner
Deputy State Courts Administrator Blan L. Teagle
Publications Attorney Susan Leseman

Written and edited by
Beth C. Schwartz
Court Publications Writer

Photographs and design by
Phillip Pollock
Web Administrator

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