



MEETING AGENDA

8:30 a.m. to 12:30 p.m., Tuesday, April 12, 2016
Orlando, Florida

Note: By close of business on Friday, April 8, materials will be posted at:
<http://www.flcourts.org/administration-funding/court-funding-budget/trial-court-budget-commission/>

Welcome and Roll Call

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|------|---|------------------|
| I. | Approval of January 8 and March 23, 2016, Minutes | 8:30-8:35 a.m. |
| II. | FY 2015-16 Budget Status | 8:35-9:10 a.m. |
| | A. Salary Budgets | |
| | B. Personnel Actions | |
| | C. Positions Vacant More than 180 Days | |
| | D. Operating Budgets | |
| | E. Trust Fund Cash Balances | |
| III. | FY 2015-16 End-of-Year Spending | 9:10-9:30 a.m. |
| IV. | Due Process Issues | 9:30-10:15 a.m. |
| | A. Circuit Due Process Deficits | |
| | B. Recommendations on Shared Remote Interpreting Services in Trial Courts | |
| | C. Due Process Workgroup Status Report | |
| V. | Special Initiatives and Updates | 10:15-10:30 a.m. |
| | A. Foreclosure Backlog Status Report and Resources | |
| | B. Cases over the Flat Fee | |

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| Break | 10:30-10:45 a.m. |
| VI. Legislative Issues and Updates | 10:45-11:15 a.m. |
| A. FY 2016-17 General Appropriations Act (GAA), Proviso, and Implementing Bill | |
| B. Pay and Benefits (GAA Section 8) | |
| C. Substantive Legislation | |
| 1. Judicial Branch Legislative Agenda | |
| 2. Other Bills of Interest | |
| VII. Budget Management Committee Recommendations for FY 2016-17 Budget Management Policies and Procedures | 11:15-11:45 a.m. |
| VIII. Report from Designee to Clerks of Court Operations Corporation | 11:45 a.m.-12 p.m. |
| IX. Other Business | 12-12:30 p.m. |

Adjourn

Next Meeting: Friday, June 17, 2016, Orlando (FY 2016-17 Allocations)

Agenda Item I. Approval of January 8 and March 23, 2016, Meeting Minutes

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**Trial Court Budget Commission
Meeting Minutes
January 8, 2016
Tampa, Florida**



Attendance – Members Present

The Honorable Mark Mahon, Chair	Ms. Kathy Pugh
The Honorable Robert Roundtree, Vice Chair	Mr. Grant Slayden
The Honorable Catherine Brunson	The Honorable Elijah Smiley
The Honorable Jeffrey Colbath	Mr. Walt Smith
The Honorable Ronald Ficarrotta	The Honorable Bertila Soto
The Honorable Diana Moreland	The Honorable John Stargel
The Honorable Augustus Aikens	The Honorable Margaret Steinbeck
The Honorable Frederick Lauten	The Honorable Patricia Thomas
Ms. Sandra Lonergan	Mr. Mark Weinberg
The Honorable Gregory Parker	Ms. Robin Wright
The Honorable Wayne Miller	
The Honorable Anthony Rondolino	

Attendance – Members Absent

Mr. Tom Genung	The Honorable Debra Nelson
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Special Note: It is recommended that these minutes be used in conjunction with the meeting materials.

Chair Mahon called the Trial Court Budget Commission (TCBC) meeting to order at 8:30 a.m. The roll was taken with a quorum present. Chair Mahon invited the members of the audience to introduce themselves.

Agenda Item I: Approval of July 10 and September 8, 2015, Meeting Minutes

Judge Mahon presented the draft meeting minutes from the July 10 and September 8, 2015, TCBC meetings and asked if there were any changes necessary before approval. Judge Brunson moved to approve the minutes as drafted. Judge Parker seconded, and the motion passed without objection.

Agenda Item II: FY 2015-16 Budget Status

A. Salary Budgets

Dorothy Willard provided an overview of the trial court salary budgets for FY 2015-16 as of December 31, 2015. The salary liability for the trial courts General Revenue/State Court Revenue Trust Fund was \$728,447 over the salary appropriation; however, is expected to be covered within the next few months.

Ms. Willard reported the Administrative Trust Fund's salary liability was under the appropriation by \$19,009 and the Federal Grants Trust Fund's liability was under the appropriation by \$175,216.

B. Personnel Actions

Beatriz Caballero provided an overview of the status of reclassifications and other personnel actions as of December 18, 2015.

C. Positions Vacant More Than 180 Days

Beatriz Caballero provided a brief overview of the positions vacant for more than 180 days as of December 18, 2015.

D. Operating Budgets

Dorothy Willard provided an overview of the operating budgets for FY 2015-16 as of December 31, 2015. Ms. Willard noted that to date overall spending is currently below the threshold.

E. Trust Fund Cash Balances

Kris Slayden provided an overview of the State Courts Revenue Trust Fund (SCRTF) projected cash balance estimates through December 2015 for FY 2015-16 and FY 2016-17. Assuming the revenues come in as projected, the estimated ending cash balance deficit for FY 2016-17 is approximately \$8.5 million. Ms. Slayden stated the court has the availability of requesting a loan to cover the deficit.

1. State Courts Revenue Trust Fund

Dorothy Willard provided an overview of the trust fund cash balance through December 31, 2015, for FY 2015-16. She noted that a \$6.3 million deficit was projected at year end. Ms. Willard reported that lapse generated will continue to reduce the deficit and close monitoring will continue. Once a better estimate is known, a decision will be determined as to whether to cover the deficit through holdbacks or to secure a loan to ensure the General Revenue Service Charge and payroll for July are covered.

2. Administrative Trust Fund

Dorothy Willard provided an overview of the trust fund cash balance through December 31, 2015, for FY 2015-16. The estimated ending cash balance was approximately \$1.7 million.

F. Revenue Estimating Conference Update and State Courts Revenue Trust Fund Projections

Kris Slayden reported the Revenue Estimating Conference (REC) met on December 21, 2015, and, as a result, the estimated revenues to the SCRTF for FY 2015-16 were adjusted downward by \$3.6 million. Ms. Slayden noted there will be an REC to update General Revenue (GR) on January 19, 2016. Ms. Slayden reported OSCA will continue to monitor GR and trust fund revenues.

Agenda Item III: Due Process Issues

A. Workgroup with Commission on Trial Court Performance and Accountability

Judge Roundtree presented the Due Process Workgroup Work Plan. Kris Slayden noted the workgroup intends to look thoroughly at invoices, best practices, etc., and will report back to the commission.

B-C. Due Process Issues - Current Expenditures, Movements of Funds, and Reserve Access; 25% Contractual Release

Dorothy Willard reported that during FY 2014-15 multiple circuits experienced due process deficits. On July 10, 2015, the TCBC voted to distribute 75% of circuit allotments at the beginning of the fiscal year and the remaining 25% at the beginning of the last quarter, on April 1, 2016. The following options were developed for the allocation of the remaining 25% due process contractual allocation based on expenditures-to-date and projected needs through fiscal year-end.

1. Allot based on projected need using an average of FY 2015-16 expenditure data for August through December and release the amount needed to meet estimated expenditures, not to exceed the circuit's 25% allocation amount. The 25% allocation not distributed would remain in the due process reserve to cover any future circuit deficits.
2. Allot based on projected need using an average of FY 2014-15 expenditure data for January through June (including certified forward expenditures) and release the amount needed to meet estimated expenditures, not to exceed the circuit's 25% allocation amount. The 25% allocation not distributed would remain in the due process reserve to cover any future circuit deficits.

Judge Ficarrota moved to approve Option One, allot based on projected need using an average of FY 2015-16 expenditure data for August through December. Judge Miller seconded, and the motion passed without objection.

D. Sixth Circuit Request to Fund Position from Cost Recovery Allocation

Dorothy Willard presented the Sixth Circuit request to fund one full-time FTE utilizing their revenue collected through cost recovery funds.

Walt Smith moved to approve, as requested by the Sixth Circuit, to utilize an unfunded FTE from reserve to be funded with the Sixth Circuit's cost recovery funds. Judge Ficarrota seconded, and the motion passed without objection. Dorothy Willard noted that circuit collections must sustain all position expenditures.

Agenda Item IV: Special Initiatives and Updates

A. Foreclosure Backlog Status Report and Resources

Lindsay Hafford presented the FY 2014-15 Foreclosure Initiative June 2015 Status Report. Kris Slayden noted the backlog cases will continue to be monitored and the charts updated throughout the year. Ms. Slayden reported the REC is looking at a new norm for foreclosures. The new norm has not been determined but is expected to be less than the 70,000 per year.

B. Cases Over the Flat Fee

Jessie McMillan presented an update on amount paid over the flat fee for conflict counsel criminal cases. The amount paid over the flat fee year-to-date as of November 2015 is \$4,002,549 with an annualized amount paid over the flat fee for FY 2015-16 of \$8,799,563.

Agenda Item V: FY 2015-16 End-of-Year Spending

Dorothy Willard presented the FY 2015-16 End-of-Year Spending plan issue stating the previous two year-end spending plans were able to meet due process equipment needs. Email communication will be sent to chief judges and trial court administrators to identify local needs. The data will be compiled for Budget Management Committee and Funding Methodology Committee review and priority recommendation for presentation to the TCBC. Ms. Willard presented the Fourteenth Circuit request for a "non-public space" furniture issue for \$66,003. The scheduled completion date is in April 2016, and the furniture must be ordered in February 2016, in order to be delivered timely for the April 2016 completion. Judge Smiley stated the Fourteenth Circuit was able to come up with \$15,000 to apply toward the furniture, which brings the request down to \$51,003. Judge Steinbeck moved to approve the request for \$51,003. Grant Slayden seconded, and the motion passed without objection.

Agenda Item VI: Legislative Issues and Updates

A. A Review of Florida Circuit Courts by Office of Program Policy Analysis and Government Accountability

Judge Mahon presented the review and recommended the Funding Methodology Committee examine the methodologies for the case management and law clerk elements and provide recommendations to the commission. Judge Roundtree moved to approve the recommendation. Judge Miller seconded, and the motion was approved without objection.

B. FY 2016-17 Budget Request

Dorothy Willard presented the Judicial Branch Legislative Budget Request for FY 2016-17, stating the House and Senate recommendations should be out by month end.

C. Substantive Legislation

Sarah Naf presented the Judicial Branch legislative agenda and other bills of interest stating there were two bills being reviewed that are not on the list. Retirement Benefits for Certain Judges, Senate Bill 7044, is scheduled to be heard Monday, January 11, 2016. State Group Insurance Program, Senate Bill 1434, has yet to be scheduled.

D. Session Strategies and Coverage

Judge Mahon outlined the preparations and outlook for the 2016 regular legislative session.

Agenda Item VII: Report from Designee to Florida Clerks of Court Operations Corporation

Judge Ficarrota reported there is a \$17 million shortfall projected this year for the clerks of court budget and the issue is being discussed with the legislature. Although there has been a decrease in caseload, there has been an increase in workload. Judge Ficarrota stated a meeting has been scheduled in February and an update will be reported following the February meeting.

Agenda Item VIII: Judicial Branch 2016-17 Long-Range Strategic Plan

Eric Maclure presented an overview of the Long-Range Strategic Plan for the Judicial Branch for 2016-21, which was released in December 2015. He noted that the plan is structured around long-range issues and goals under each issue. Mr. Maclure reported that commissions and committees of the State Courts System are being encouraged to use the plan as a guide for their respective work. He noted that some commissions and committees may see goals from the plan reflected in their future charges from the Supreme Court.

Agenda Item IX: Other Business – Funding Request from Conference of County Court Judges

Judge Aikens presented a request from the Conference of County Court Judges for funding from the commission to support holding a mid-year business meeting of conference leaders. Judge Roundtree stated the commission helped with funding last year and requested that the conference provide additional information for the commission to review on the need for the funding. Judge Roundtree recommended to defer the request until the information is received and reviewed. Judge Smiley moved to defer the request. Judge Ficarrota seconded, and the motion passed without objection.

Adjournment

With no other business before the commission, the meeting adjourned at 10:55 a.m.

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**Trial Court Budget Commission
Meeting Minutes
March 23, 2016
Telephone Conference**



Attendance – Members Present

The Honorable Mark Mahon, Chair	Ms. Kathy Pugh
The Honorable Robert Roundtree, Vice Chair	The Honorable Anthony Rondolino
The Honorable Catherine Brunson	The Honorable Margaret Steinbeck
The Honorable Gregory Parker	Mr. Grant Slayden
Mr. Walt Smith	The Honorable Elijah Smiley
Mr. Tom Genung	The Honorable Bertila Soto
The Honorable Frederick Lauten	The Honorable Augustus Aikens
Ms. Sandra Lonergan	Mr. Mark Weinberg
The Honorable Wayne Miller	Ms. Robin Wright
The Honorable Patricia Thomas	

Attendance – Members Absent

The Honorable Ronald Ficarrota	The Honorable Debra Nelson
The Honorable John Stargel	The Honorable Jeffrey Colbath
The Honorable Diana Moreland	

Special Note: It is recommended that these minutes be used in conjunction with the meeting materials.

Judge Mahon welcomed members and called the Trial Court Budget Commission (TCBC) meeting to order at 12:02 p.m. The roll was taken with a quorum present.

Agenda Item I: FY 2015-16 End-of-Year Spending and Related Budget Management Matters

Dorothy Willard presented the issue stating the year-end spending discussions began in December with a conference call with the Trial Court Administrators, advising each circuit to begin analyzing remaining funds and any anticipated needs. The matter was also discussed at the January 8, 2016, TCBC meeting. Implementation of a plan was stayed pending the outcomes of legislative session. As part of the exercise, the circuits returned \$1,539,381 and identified funding priorities totaling \$2,357,062. Six funding priorities were identified: Due Process Equipment Refresh (\$1,527,151); Remote Interpreting Equipment (\$166,933); Judicial Viewers

(\$618,786); Mediation Services (\$12,315); Senior Judge Days (\$8,877); and Furniture (\$23,000). Ms. Willard noted that topical experts reviewed all due process, remote interpreting, and judicial viewer requests to ensure they met existing standards. Circuits were asked to submit any budget amendments that may be needed to accommodate their internal spending plans. By utilizing the statewide reserves there was sufficient funding available to address the circuit priorities and internal spending plan budget amendments, if approved.

Due Process reevaluations were not included in this exercise due to the TCBC closely monitoring the due process elements. Ms. Willard noted there has been a decent upward trend in the third quarter spending and that the Budget Management Committee (BMC) will meet again and discuss due process deficits. Dorothy Willard stated that due to the limited time frame, further development and deployment of the Integrated Case Management System (ICMS) was not included; however, due to interest expressed by some circuits on expanded deployment, this may be an issue to consider funding at the beginning of next fiscal year. Ms. Willard reviewed the status of expenditures as of February 29, 2016, and noted that spending at rate of release would be roughly 34% remaining for this point in the fiscal year and, overall, 36.39% of the budget is remaining.

Ms. Willard presented the following options for the commission's consideration of the year-end spending plan, noting the BMC recommended approving.

- Option One: Approve requested circuit year-end spending priorities.
- Option Two: Disapprove requested circuit year-end spending priorities.

Judge Parker motioned to approve requested circuit year-end spending priorities. Tom Genung seconded, and the motion passed without objection.

Judge Mahon thanked everyone for the work involved on the year-end spending plan. Judge Mahon stated the April meeting will include BMC recommendations addressing enhanced budget management practices.

Walt Smith inquired if the remaining funding available was going to be spent and if the TCBC would entertain another request, stating since the requests were submitted the Twelfth Circuit has had a need arise. Judge Mahon stated the TCBC would be meeting again in April. Dorothy Willard requested that Walt Smith contact her with details of the need and to see what options were available.

Other Business

Eric Maclure stated the next meeting is scheduled for Tuesday, April 12, 2016, from 8:30 a.m. to 1:00 p.m., in Orlando.

Adjournment

With no other business before the commission, the meeting adjourned at 12:29 p.m.

Agenda Item II.A. FY 2015-16 Budget Status – Salary Budgets

Item II.A.: Salary Budgets

**FY 2015-16 Trial Courts Salary Budget
 General Revenue and State Courts Revenue Trust Fund
 March 2016**

CIRCUIT	1	Projected Full Employment Payroll Liability through June 30, 2016	272,112,713
	2	Projected DROP Liability through June 30, 2016	131,853
	3	Projected Law Clerk Below Minimum Pay Plan Liability through June 30, 2016	3,949
	4	Projected Law Clerk Incentives Pay Plan Liability through June 30, 2016	7,113
	5	Law Clerk Payroll Liability FY 16-17 through FY 20-21	946,073
	6	Court Interpreter Certification Liability	114,570
	7	Remaining Chief Judge Discretionary Funds for Retention/Equity/Recruitment Issues	379,927
	8	Total Projected Payroll Liability through June 30, 2016	273,696,199
	9	Salary Appropriation	(271,517,217)
	10	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	2,178,982
	11	Actual Payroll Adjustments through March 31, 2016	(2,962,269)
	12	Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(783,287)
	13	Estimated Leave Payouts	285,574
	14	Final - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(497,714)
COUNTY	15	Projected Full Employment Payroll Liability through June 30, 2016	84,078,621
	16	Projected DROP Liability through June 30, 2016	42,013
	17	Salary Appropriation	(84,244,216)
	18	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(123,582)
	19	Actual Payroll Adjustments through March 31, 2016	(775,262)
	20	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(898,844)
	21	Estimated Leave Payouts	33,018
	22	Final - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(865,825)
Trial Court Summary	23	Projected Full Employment Payroll Liability through June 30, 2016	356,191,334
	24	Projected DROP Liability through June 30, 2016	173,867
	25	Projected Law Clerk Below Minimum Pay Plan Liability through June 30, 2016	3,949
	26	Projected Law Clerk Incentives Pay Plan Liability through June 30, 2016	7,113
	27	Law Clerk Payroll Liability FY 16-17 through FY 20-21	946,073
	28	Court Interpreter Certification Liability	114,570
	29	Remaining Chief Judge Discretionary Funds for Retention/Equity/Recruitment Issues	379,927
	30	Total Projected Payroll Liability through June 30, 2016	357,816,833
	31	Salary Appropriation	(355,761,433)
	32	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	2,055,400
	33	Actual Payroll Adjustments through March 31, 2016	(3,737,531)
	34	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(1,682,131)
	35	Estimated Leave Payouts	318,592
	36	Final - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(1,363,539)

Agenda Item II.A.: Salary Budgets

**FY 2015-16 Trial Courts Salary Budget
 Administrative Trust Fund
 March 2016**

1	Projected Full Employment Payroll Liability through June 30, 2016	199,956
2	Salary Appropriation	(259,395)
3	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(59,439)
4	Actual Payroll Adjustments through March 31, 2016	(9,239)
5	Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(68,678)
6	Estimated Leave Payouts	0
7	Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(68,678)

**FY 2015-16 Trial Courts Salary Budget
 Federal Grants Trust Fund
 March 2016**

1	Projected Full Employment Payroll Liability through June 30, 2016	5,888,098
2	Salary Appropriation	(6,077,194)
3	Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(189,096)
4	Actual Payroll Adjustments through March 31, 2016	(15,328)
5	Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(204,424)
6	Estimated Leave Payouts	19,920
7	Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment	(184,504)

Agenda Item II.B. FY 2015-16 Budget Status – Personnel Actions

Agenda Item II.B.: Personnel Actions

**Materials for this agenda item will be
distributed during the meeting.**

Agenda Item II.C. FY 2015-16 Budget
Status – Positions Vacant More than 180
Days

Agenda Item II.C.: Vacancies over 180 days as of 03/24/16

Circuit	Cost Center	Cost Center Name	Position #	Class Title	FTE	# of Days Vacant	Date Position Vacant	Base Rate
7th Circuit	122	Case Management	010919	COURT PROGRAM SPECIALIST II ¹	.50	187	09/23/2015	\$36,115.32
11th Circuit	122	Case Management	010295	COURT OPERATIONS MANAGER ²	1.00	312	05/21/2015	\$53,028.84
11th Circuit	210	Court Administration	010321	CHIEF OF PERSONNEL SERVICES ³	1.00	209	09/01/2015	\$68,942.28
11th Circuit	131	Court Interpreting Services	010351	COURT INTERPRETER ⁴	1.00	209	09/01/2015	\$37,756.20
11th Circuit	131	Court Interpreting Services	010365	COURT INTERPRETER ⁵	0.50	483	12/01/2014	\$18,878.10
11th Circuit	129	Court Reporting Services	010389	DIGITAL COURT REPORTER ⁶	1.00	291	06/11/2015	\$31,664.64
11th Circuit	129	Court Reporting Services	011431	DIGITAL COURT REPORTER ⁷	1.00	226	08/15/2015	\$31,664.64
13th Circuit	131	Court Interpreting Services	010503	COURT INTERPRETER ⁸	1.00	233	08/08/2015	\$37,756.20
15th Circuit	131	Court Interpreting Services	010588	COURT INTERPRETER - CERTIFIED ⁹	1.00	229	08/12/2015	\$43,331.16
15th Circuit	131	Court Interpreting Services	010589	COURT INTERPRETER - CERTIFIED ¹⁰	1.00	210	08/31/2015	\$43,331.16
17th Circuit	111	17TH CIRCUIT COURT - JUDICIAL ASSISTANTS	001353	JUDICIAL ASSISTANT - CIRCUIT COURT ¹¹	1.00	263	07/09/2015	\$38,980.68 (CAD \$5,000)
19th Circuit	131	Court Interpreting Services	011441	COURT INTERPRETER ¹²	1.00	452	01/01/2015	\$37,756.20
20th Circuit	131	Court Interpreting Services	011641	COURT INTERPRETER ¹³	1.00	219	08 /22/2015	\$37,756.20

¹The 7th Circuit is discussing how best to utilize this position and should have a plan in place by the end of April 2016.

²The 11th Circuit is currently in the process of reviewing applications and preparing to interview.

³The 11th Circuit is re-advertising this position because the selected candidate, as previously reported, withdrew from further consideration due to salary. Recruitment efforts will again commence shortly.

^{4,5}The 11th Circuit continues to advertise on local websites, the Florida Courts website, and with the local Colleges and Universities that offer the Interpreting training programs. The position continues to be a challenge to fill.

⁶The 11th Circuit has recently submitted this position to Personnel for a position audit and reclassification.

⁷The 11th Circuit is in the process of advertising for this position, and recruitment efforts are currently in progress.

⁸The 13th Circuit is conducting a final interview with the only certified interpreter that applied for the circuit's vacant certified staff interpreter position.

⁹The 15th Circuit is in the process of interviewing. The circuit received 4 applications for this position; 3 interviews were conducted; and one candidate was provisionally certified.

¹⁰The 15th Circuit is in the process of interviewing. The circuit received 6 applications for this position. The applicants were not Certified Court Interpreters, nor were they provisionally approved, so interviews were not conducted. The position is posted on their website, at local colleges, and on Florida Courts website.

¹¹The 17th Circuit is awaiting the appointment of a new judge to fill this vacancy.

¹²The 19th Circuit has interviewed a certified interpreter, and they are conducting background checks. The circuit anticipates making an offer of employment soon.

¹³The 20th Circuit is continuing to work through the present challenge(s) of filling the Certified Court Interpreter vacant position in Charlotte County. Correspondence was received from a candidate on April 1 2016, that they were declining the employment offer commencing on April 5 2016, due to financial reasons. Recruitment efforts are ongoing.

Agenda Item II.D. FY 2015-16 Budget Status – Operating Budgets

Agenda Item II.D.: Operating Budgets

The data below represents the status of the FY 2015-16 operating budgets as of March 31, 2016.

Category	Budget Entity	Appropriation	Expended/ Encumbered	Remaining Balance	% Expended/ Encumbered
Other Personnel Services	Circuit	853,170	397,939	455,231	46.64%
	County	31,000	16,190	14,810	52.22%
	Total	884,170	414,128	470,042	46.84%
Expenses	Circuit	6,628,184	3,469,705	3,158,479	52.35%
	County	3,052,912	1,927,836	1,125,076	63.15%
	Total	9,681,096	5,397,541	4,283,555	55.75%
Operating Capital Outlay	Circuit	435,683	287,117	148,566	65.90%
Contracted Services	Circuit	1,385,557	663,761	721,796	47.91%
	County	244,000	72,328	171,672	29.64%
	Total	1,629,557	736,090	893,467	45.17%
Lease/Lease Purchase	Circuit	134,574	59,354	75,220	44.10%
	County	78,792	23,726	55,066	30.11%
	Total	213,366	83,079	130,287	38.94%
Other Data Processing Services	Circuit	97,902	97,902	0	100.00%

Agenda Item II.D.: Operating Budgets

The data below represents the status of the FY 2015-16 operating budgets as of March 31, 2016.

Category	Appropriation	Expended/ Encumbered	Remaining Balance	% Expended/ Encumbered
Additional Compensation to County Judges	75,000	50,725	24,275	67.63%
Civil Traffic Infraction Hearing Officers	1,891,289	1,212,774	678,515	64.12%
Mediation Services	3,188,619	2,054,153	1,134,466	64.42%
Due Process - Expert Witness	6,685,555	4,935,074	1,750,481	73.82%
Due Process - Court Reporting	7,394,065	5,363,877	2,030,188	72.54%
Due Process - Court Interpreting	2,955,006	2,211,542	743,464	74.84%
Total Due Process	17,034,626	12,510,493	4,524,133	73.44%

Trial Court Budget Commission

April 12, 2016

Orlando, Florida

Agenda Item II.D.: Operating Budgets

The data below represents the status of the FY 2015-16 operating budgets as of March 31, 2016.

Legislatively Funded Projects	Circuit	Appropriation	Expended/ Encumbered	Remaining Balance	% Expended/ Encumbered
Veterans Court	01	300,000	144,069	155,931	48.02%
	02	125,000	4,650	120,350	3.72%
	04	350,000	149,348	200,652	42.67%
	06	300,000	220,456	79,544	73.49%
	08	150,000	52,024	97,976	34.68%
	09	200,000	60,800	139,200	30.40%
	Total		1,425,000	631,347	793,653
Mental Health Diversion Program	11	250,000	7,247	242,753	2.90%
Post Adjudicatory Drug Court	01	317,000	175,813	141,187	55.46%
	05	154,877	38,886	115,991	25.11%
	06	823,680	164,067	659,613	19.92%
	07	286,200	182,877	103,323	63.90%
	09	905,030	222,776	682,254	24.62%
	10	492,713	212,594	280,119	43.15%
	13	795,500	533,177	262,323	67.02%
	17	1,225,000	546,586	678,414	44.62%
	Total		5,000,000	2,076,776	2,923,224
Naltrexone - Drug Treatment	00	5,682,689	1,938,623	3,744,066	34.11%
GPS Monitoring	18	316,000	198,202	117,798	62.72%

Trial Court Budget Commission

April 12, 2016

Orlando, Florida

Agenda Item II.D.: Operating Budgets

The data below represents the status of the FY 2015-16 operating budgets as of March 31, 2016.

Senior Judge Activity Summary Regular Senior Judge Allocation March 2016					
Circuit	Allotted Days	Days Transferred	Days Served	Remaining Allotted Days	Percent Remaining
1	286	0	161	125	43.71%
2	187	1	160	28	14.97%
3	101	(72)	12	17	16.83%
4	469	(16)	260	193	41.15%
5	606	0	377	229	37.79%
6	642	(45)	324	273	42.52%
7	359	(42)	231	86	23.96%
8	162	(20)	81	61	37.65%
9	527	(47)	268	212	40.23%
10	304	0	220	84	27.63%
11	1,024	(410)	506	108	10.55%
12	266	20	173	113	42.48%
13	573	0	332	241	42.06%
14	156	(60)	54	42	26.92%
15	449	0	288	161	35.86%
16	56	(12)	18	26	46.43%
17	755	0	492	263	34.83%
18	356	(1)	245	110	30.90%
19	233	(72)	86	75	32.19%
20	419	0	241	178	42.48%
Reserve	50	776	0	824	100.00%
TOTAL	7,980	0	4,529	3,449	43.22%

Agenda Item II.E. FY 2015-16 Budget Status – Trust Fund Cash Balances

State Courts System
State Courts Revenue Trust Fund - Monthly Cash Analysis
Fiscal Year Reporting 2015-2016 (Official Estimates)

Based on Actual Revenues and Expenditures
 for July - March and REC Revenues and
 Estimated Expenditures for April - June

Article V Revenue Estimating Conference Projections

1	February 17, 2015	8,039,637	6,947,557	6,807,650	6,807,650	6,862,401	6,412,574	6,265,253	6,476,131	7,343,390	7,591,996	7,163,314	7,290,079	84,007,632
2	July 20, 2015	6,561,983	6,828,194	6,799,712	6,354,508	6,793,505	5,955,919	6,177,546	6,446,962	6,790,973	7,101,311	6,758,100	6,531,555	79,100,268
3	December 21, 2015	6,868,704	6,719,579	6,300,345	6,087,832	6,220,803	5,683,231	5,825,111	6,085,369	6,425,501	6,732,494	6,399,132	6,174,465	75,522,566
4	State Courts Revenue Trust Fund	July	August	September	October	November	December	January	February	March	April	May	June	Year-To-Date Summary*
5	Beginning Balance	2,088,732	444,866	522,613	234,579	410,665	543,499	237,314	126,244	5,312,899	5,161,665	4,509,227	4,090,813	2,088,732
6	Fee and Fine Revenue Received*	6,878,304	6,719,629	6,278,232	6,109,945	6,229,304	5,150,568	6,561,439	5,580,726	6,498,177	6,732,494	6,399,132	6,174,465	75,312,413
7	Cost Sharing (JAC transfers/\$3,695,347 due annually)	842,914		80,924	842,903	80,924		923,842			923,842			3,695,347
8	Refunds/Miscellaneous	2,862	52,973	4,782	5									60,622
9	Total Revenue Received	7,724,080	6,772,602	6,363,938	6,952,852	6,310,228	5,150,568	7,485,280	5,580,726	6,498,177	7,656,336	6,399,132	6,174,465	79,068,382
10	Available Cash Balance	9,812,811	7,217,468	6,886,551	7,187,431	6,720,893	5,694,067	7,722,594	5,706,970	11,811,076	12,818,000	10,908,359	10,265,278	81,157,114
11	Staff Salary Expenditures	(7,769,999)	(6,693,983)	(6,651,332)	(6,685,217)	(6,177,029)	(6,655,820)	(6,196,581)	(6,692,941)	(6,648,609)	(6,816,591)	(6,816,591)	(6,816,591)	(80,621,282)
12	Staff Salary Expenditures - GR Shift				1,500,000		1,200,000			0	0	0	1,455,023	4,155,023
13	Refunds	(788)	(873)	(640)	(1,873)	(365)	(933)	(1,193)	(1,130)	(803)	(955)	(955)	(955)	(11,460)
14	SCRTF Loan in accordance with 215.18(2), F.S. ¹								6,300,000					6,300,000
15	Total SCRTF Operating Expenditures	(7,770,786)	(6,694,855)	(6,651,972)	(5,187,089)	(6,177,394)	(5,456,753)	(6,197,774)	(394,071)	(6,649,411)	(6,817,546)	(6,817,546)	(5,362,523)	(70,177,719)
16	<i>8% General Revenue Service Charge</i>	(1,597,159)			(1,589,677)			(1,398,576)			(1,491,227)			(6,076,639)
17	Ending Cash Balance	444,866	522,613	234,579	410,665	543,499	237,314	126,244	5,312,899	5,161,665	4,509,227	4,090,813	4,902,756	4,902,756

* Note: Actual revenues received reported by REC and OSCA differ due to the timing of reporting by the Department of Revenue and FLAIR posting to the SCRTF.

Estimated 8% GRSC for July 2016 (1,544,487)

¹ SCRTF Loan Repayment will be made utilizing General Revenue Funds

State Courts System
 FY 2015-16 Cash Statement
 Administrative Trust Fund
 As of March 31, 2016

22300100-Circuit Courts	Beginning Balance	Revenue Received	Expenditures	Refunds	Ending Balance
Cost Recovery	1,666,083.95	627,891.18	(521,656.37)	0.00	1,772,318.76
Cost Recovery-Move to Expenditures	0.00	0.00	0.00	0.00	0.00
Service Charge	0.00	0.00	(52,342.44)	0.00	(52,342.44)
Prior Year Warrant Cancel/Refunds	0.00	0.00	0.00	0.00	0.00
Refunds 220020	0.00	0.00	0.00	(1,529.25)	(1,529.25)
Circuit Courts Ending Cash Balance	1,666,083.95	627,891.18	(573,998.81)	(1,529.25)	1,718,447.07

STATE COURTS REVENUE TRUST FUND Cash Balance Estimates Through March 2016

FY 2015-16		
1	Beginning Balance July 1, 2015	2,088,732
2	Add: FY 2015-16 Official Revenue Projections ¹	75,373,035
3	Add: Cost Sharing Revenue Received	3,695,347
4	Estimated Total Revenue	81,157,114
5	Less: Estimated Expenditures ²	(80,632,742)
6	Less: Estimated Mandatory GR 8% Service Charge	(6,076,639)
7	Estimated Total Expenditures	(86,709,381)
8	Add: Loan Received from State Treasury	6,300,000
9	Add: Maximizing General Revenue Through Funds Shift of SCRTF Expenditures	4,155,023
10	Estimated Ending Cash Balance June 30, 2016	4,902,756

FY 2016-17		
11	Beginning Balance July 1, 2016	4,902,756
12	Add: FY 2016-17 Official Revenue Projections ¹	75,034,940
13	Add: Cost Sharing Revenue Received	3,695,347
14	Estimated Total Revenue	83,633,043
15	Less: Estimated Expenditures After \$8.5 Million Fund Shift ³	(72,635,839)
16	Less: Estimated Mandatory GR 8% Service Charge	(6,046,584)
17	Estimated Total Expenditures	(78,682,423)
18	Estimated Ending Cash Balance June 30, 2017	4,950,620

Note: FY 2015-16 back-of-bill supplemental appropriation of \$6 million and repayment of \$6.3 million loan was addressed in the State Courts System general revenue account.

¹ Official Article V Revenue Estimating Conference revenue projections, December 21, 2015, with FY 2015-16 adjustment for actual December 2015 - March 2016 revenue received, including refunds.

² FY 2015-16 Estimated Expenditures are based on actual expenditures through March 2016 and estimated expenditures through June 2016.

³ FY 2016-17 Estimated Expenditures are based on the FY 2016-17 GAA, less Governor's Vetos, which factors in the \$8.5 million fund shift from the SCRTF to General Revenue.

Agenda Item III. FY 2015-16 End-of-Year Spending

Agenda Item III.: FY 2015-16 End-of-Year Spending

Issue:

During the March 23, 2016, conference call meeting, the Trial Court Budget Commission (TCBC) approved the trial courts' year-end spending priority requests. During the meeting, Walt Smith, TCBC member and Trial Court Administrator of the Twelfth Judicial Circuit, inquired if another opportunity to request year-end funds would be available. Mr. Smith was directed to work with the Office of the State Courts Administrator (OSCA) budget staff and, if needed, bring the issue to the next TCBC meeting.

At the time of the statewide year-end exercise, the Twelfth Circuit indicated they did not have any needs that could not be covered with their existing budget. Since that time, two unexpected issues have arisen requiring the need for additional funding:

- An estimate of \$240,000 is requested for a CourtSmart upgrade.
- \$75,000 is requested for hardware upgrade (servers and storage) to aiSmartBench equipment (Mentis).

Analysis:

The \$240,000 for the CourtSmart upgrade may be funded with due process contractual services reserve funds. However, if this action is approved by the TCBC, additional approval will be required by the chief justice for an exception to the budget and pay administration memorandum.

Options:

The Budget Management Committee discussed the following options at their April 6, 2016, conference call:

Option 1: Recommend approval for the CourtSmart upgrade and authorize the OSCA budget staff to request exception approval by the chief justice and to transfer an estimated \$240,000, or the final negotiated cost, from the due process reserve for the CourtSmart upgrade. In addition, recommend approval of the request for the judicial viewer upgrade, authorize the OSCA budget staff to utilize \$75,000 from reserve, and submit a budget amendment to complete this request.

Option 2: Do not approve the request.

The Budget Management Committee deferred the request for CourtSmart upgrade funding pending receipt of additional information.

The Budget Management Committee considered the \$75,000 request to upgrade judicial viewers as a separate request and recommended approval.

Agenda Item IV.A. Due Process Issues – Circuit Due Process Deficits

Agenda Item IV.A.: Due Process Issues - Circuit Due Process Deficits

Background:

During FY 2014-15, multiple circuits with due process deficits, due to increased expenditures, sought access to the due process reserve to cover expenditures through fiscal year-end. As a result, the due process reserve was depleted, and the Trial Court Budget Commission (TCBC) activated steps to replenish the reserve through a transfer of unobligated funds from individual circuit budgets.

For FY 2015-16 allocations, on July 10, 2015, the TCBC approved to distribute 75% of circuit allotments at the beginning of the fiscal year and the remaining 25% at the beginning of the last quarter, based on expenditures-to-date and assessed need. At their January 8, 2016, meeting, the TCBC approved reallocation of the remaining 25% allotment, based on expenditures-to-date and projected needs through fiscal year-end. The remaining 25% due process funds were distributed to the circuits.

Issue:

As reported during the Budget Management Committee (BMC) conference call on March 21, 2016, and the TCBC conference call on March 23, 2016, due process contractual services expenditure data reflected an upward trend during the second half of the fiscal year and deficits were projected again in multiple circuits. Therefore, an analysis of projected due process expenditures was necessary to possibly address projected deficit needs at one time. As of March 31, 2016, the overall projected due process contractual services deficit was \$1,291,536 (see attached charts by due process element). The due process reserve as of March 31, 2016, after distribution of the 25% allocation, was \$3,096,326.

Options:

The BMC discussed the following options at their April 6, 2016, conference call:

Option 1: Authorize staff of the Office of the State Court Administrator to transfer a net of \$1,291,546 from the due process reserve to those circuits with projected deficits and sweep excess balances in each element as reflected. The remaining balance of the due process reserve after the transfers will be \$1,804,780. Recommend any circuits requiring additional funds after the deficit mitigation distribution follow the Procedures for Addressing Deficits in Due Process Services Appropriation Category.

**Trial Court Budget Commission
April 12, 2016
Orlando, Florida**

Option 2: Authorize staff of the Office of the State Court Administrator to transfer \$1,481,256 from the due process reserve to those circuits with projected deficits in each element as reflected. The remaining balance of the due process reserve after the transfers will be \$1,615,070. Recommend any circuits requiring additional funds after the deficit mitigation distribution follow the Procedures for Addressing Deficits in Due Process Services Appropriation Category.

Option 3: Do not authorize systematic transfer of funds and review due process deficit requests on a case-by-case basis following the Procedures for Addressing Deficits in Due Process Services Appropriation Category.

The BMC approved recommendation of Option 2.

Agenda Item IV.A.: Due Process Issues - FY 2015-16 Projected Due Process Deficits

Trial Court Due Process Budget Allocations

FY 2015-2016

TOTAL OF ALL DUE PROCESS

Cost Centers - 127, 129, 131

Analysis Based on FY 15-16 Expenditure Average (August-March)						
A	B	C	D	E	F	
Circuit	Allocation as of 03/31/16	Total Expenditures as of 03/31/16	FY 15-16 Estimated Expenditures April - Certified Forwards (4 months)	Estimated Remaining Allocation	Option 1 Distribute Estimated Deficits and Sweep Excess (rounded)	Option 2 Distribute Estimated Deficits Only (rounded)
1	288,719.00	243,240.73	102,846.43	(57,368.16)	(57,368.00)	(59,791.00)
2	444,585.00	297,443.31	153,137.66	(5,995.97)	(5,995.00)	(10,924.00)
3	54,619.00	31,658.96	14,920.71	8,039.33	8,039.00	(3,072.00)
4	1,684,150.00	1,312,482.10	570,377.24	(198,709.34)	(198,711.00)	(198,711.00)
5	430,676.00	281,860.80	97,372.06	51,443.14	51,444.00	-
6	876,950.00	642,746.72	303,510.18	(69,306.90)	(69,308.00)	(69,308.00)
7	388,250.00	246,498.83	117,312.11	24,439.07	24,439.00	(1,361.00)
8	158,829.00	104,513.20	50,844.36	3,471.44	3,471.00	(14,775.00)
9	686,758.00	494,457.22	210,905.26	(18,604.48)	(18,605.00)	(37,838.00)
10	1,109,043.00	832,955.70	411,725.60	(135,638.30)	(135,640.00)	(135,640.00)
11	3,151,528.00	2,312,171.87	1,142,803.56	(303,447.43)	(303,449.00)	(303,449.00)
12	618,852.00	448,377.98	243,751.49	(73,277.47)	(73,279.00)	(73,279.00)
13	2,229,627.00	1,509,453.50	725,621.25	(5,447.75)	(5,447.00)	(28,538.00)
14	124,242.00	105,195.44	51,960.22	(32,913.66)	(32,914.00)	(35,053.00)
15	787,934.00	612,343.02	293,701.64	(118,110.66)	(118,112.00)	(118,112.00)
16	71,101.00	59,776.00	21,638.00	(10,313.00)	(10,313.00)	(14,138.00)
17	1,761,601.00	1,156,087.50	671,943.75	(66,430.25)	(66,432.00)	(66,432.00)
18	366,776.00	228,811.81	111,549.16	26,415.04	26,416.00	(1,053.00)
19	711,782.00	534,692.33	259,232.90	(82,143.23)	(82,144.00)	(82,144.00)
20	1,088,604.00	967,099.87	349,140.59	(227,636.46)	(227,638.00)	(227,638.00)
Total	17,034,626.00	12,421,866.89	5,904,294.12	(1,291,535.01)	(1,291,546.00)	(1,481,256.00)
<i>Due Process Reserve</i>					3,096,326.00	3,096,326.00
Remaining Due Process Reserve					1,804,780.00	1,615,070.00

Trial Court Budget Commission

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Orlando, Florida

Agenda Item IV.A.: Due Process Issues - FY 2015-16 Projected Due Process Deficits

Trial Court Due Process Budget Allocations

FY 2015-2016

Expert Witness - General Revenue Fund

Cost Center - 127

Analysis Based on FY 15-16 Expenditure Average (August-March)						
A	B	C	D	E	F	
Circuit	Allocation as of 03/31/16	Total Expenditures as of 03/31/16	FY 15-16 Estimated Expenditures April - Certified Forwards (4 months)	Estimated Remaining Allocation	Option 1 Distribute Estimated Deficits and Sweep Excess (rounded)	Option 2 Distribute Estimated Deficits Only (rounded)
1	206,123.00	175,445.75	87,722.88	(57,045.63)	(57,046.00)	(57,046.00)
2	404,643.00	277,694.34	137,872.17	(10,923.51)	(10,924.00)	(10,924.00)
3	18,968.00	14,692.70	7,346.35	(3,071.05)	(3,072.00)	(3,072.00)
4	126,163.00	107,145.63	51,485.57	(32,468.20)	(32,469.00)	(32,469.00)
5	196,600.00	131,450.00	65,075.00	75.00	75.00	
6	241,472.00	163,935.10	81,967.55	(4,430.65)	(4,431.00)	(4,431.00)
7	170,554.00	114,440.00	54,320.00	1,794.00	1,794.00	
8	85,665.00	67,737.28	32,456.40	(14,528.68)	(14,529.00)	(14,529.00)
9	434,903.00	310,210.45	153,355.23	(28,662.68)	(28,663.00)	(28,663.00)
10	685,037.00	532,767.27	263,999.89	(111,730.16)	(111,731.00)	(111,731.00)
11	1,095,532.00	796,014.25	391,816.50	(92,298.75)	(92,299.00)	(92,299.00)
12	262,424.00	199,631.41	99,065.71	(36,273.12)	(36,274.00)	(36,274.00)
13	732,137.00	513,850.00	246,825.00	(28,538.00)	(28,538.00)	(28,538.00)
14	85,644.00	78,329.08	38,889.54	(31,574.62)	(31,575.00)	(31,575.00)
15	424,031.00	330,662.50	160,981.25	(67,612.75)	(67,613.00)	(67,613.00)
16	33,418.00	29,280.00	13,165.00	(9,027.00)	(9,027.00)	(9,027.00)
17	870,624.00	596,077.50	298,038.75	(23,492.25)	(23,493.00)	(23,493.00)
18	139,660.00	94,275.00	46,437.50	(1,052.50)	(1,053.00)	(1,053.00)
19	201,137.00	160,415.00	77,386.88	(36,664.88)	(36,665.00)	(36,665.00)
20	270,820.00	241,020.37	115,665.19	(85,865.56)	(85,866.00)	(85,866.00)
Total	6,685,555.00	4,935,073.63	2,423,872.33	(673,390.96)	(673,399.00)	(675,268.00)

Trial Court Budget Commission

April 12, 2016

Orlando, Florida

Agenda Item IV.A.: Due Process Issues - FY 2015-16 Projected Due Process Deficits

Trial Court Due Process Budget Allocations

FY 2015-2016

Court Reporting - General Revenue Fund

Cost Center - 129

	A	B	C	D	E	F
Analysis Based on FY 15-16 Expenditure Average (August-March)						
Circuit	Allocation as of 03/31/16	Total Expenditures as of 03/31/16 ¹	FY 15-16 Estimated Expenditures April - Certified Forwards ² (4 months)	Estimated Remaining Allocation	Option 1 Distribute Estimated Deficits and Sweep Excess (rounded)	Option 2 Distribute Estimated Deficits Only (rounded)
1	45,137.00	40,874.72	1,840.25	2,422.03	2,423.00	
2 ²	15,447.00	6,339.22	8,560.61	547.17	548.00	
3	3,912.00	2,044.24	1,022.12	845.64	846.00	
4	1,314,698.00	1,012,986.13	422,716.50	(121,004.63)	(121,005.00)	(121,005.00)
5	166,407.00	106,468.64	10,430.22	49,508.14	49,509.00	
6	399,273.00	307,279.12	136,348.88	(44,355.00)	(44,355.00)	(44,355.00)
7	137,805.00	77,770.00	36,029.50	24,005.50	24,006.00	
8	27,100.00	5,903.23	2,951.62	18,245.16	18,246.00	
9	116,663.00	87,606.06	9,824.68	19,232.27	19,233.00	
10	351,466.00	250,245.50	122,868.91	(21,648.41)	(21,649.00)	(21,649.00)
11	1,725,061.00	1,240,835.77	615,404.89	(131,179.66)	(131,180.00)	(131,180.00)
12 ²	30,027.00	13,024.00	26,824.50	(9,821.50)	(9,822.00)	(9,822.00)
13	1,345,331.00	897,167.47	429,578.24	18,585.30	18,586.00	
14	4,209.00	1,622.00	448.50	2,138.50	2,139.00	
15	228,608.00	188,448.63	86,479.44	(46,320.07)	(46,321.00)	(46,321.00)
16	24,989.00	18,626.21	2,538.11	3,824.69	3,825.00	
17 ²	758,860.00	466,355.00	327,077.50	(34,572.50)	(34,573.00)	(34,573.00)
18	184,719.00	108,789.76	52,678.13	23,251.11	23,252.00	
19	62,074.00	43,581.10	20,635.75	(2,142.85)	(2,143.00)	(2,143.00)
20	452,279.00	399,284.45	71,896.27	(18,901.72)	(18,902.00)	(18,902.00)
Total	7,394,065.00	5,275,251.25	2,386,154.59	(267,340.84)	(267,337.00)	(429,950.00)

¹ Expenditures include direct services only and exclude maintenance costs paid.

² Anticipated maintenance costs not paid to date were added as estimated expenditures.

Agenda Item IV.A.: Due Process Issues - FY 2015-16 Projected Due Process Deficits

Trial Court Due Process Budget Allocations

FY 2015-2016

Court Interpreting - General Revenue Fund

Cost Center - 131

Analysis Based on FY 15-16 Expenditure Average (August-March)						
A	B	C	D	E	F	
Circuit	Allocation as of 03/31/16	Total Expenditures as of 03/31/16	FY 15-16 Estimated Expenditures April - Certified Forwards (4 months)	Estimated Remaining Allocation	Option 1 Distribute Estimated Deficits and Sweep Excess (rounded)	Option 2 Distribute Estimated Deficits Only (rounded)
1	37,459.00	26,920.26	13,283.30	(2,744.56)	(2,745.00)	(2,745.00)
2	24,495.00	13,409.75	6,704.88	4,380.38	4,381.00	
3	31,739.00	14,922.02	6,552.24	10,264.74	10,265.00	
4	243,289.00	192,350.34	96,175.17	(45,236.51)	(45,237.00)	(45,237.00)
5	67,669.00	43,942.16	21,866.84	1,860.00	1,860.00	
6	236,205.00	171,532.50	85,193.75	(20,521.25)	(20,522.00)	(20,522.00)
7	79,891.00	54,288.83	26,962.61	(1,360.44)	(1,361.00)	(1,361.00)
8	46,064.00	30,872.69	15,436.35	(245.03)	(246.00)	(246.00)
9	135,192.00	96,640.71	47,725.36	(9,174.07)	(9,175.00)	(9,175.00)
10	72,540.00	49,942.93	24,856.80	(2,259.73)	(2,260.00)	(2,260.00)
11	330,935.00	275,321.85	135,582.18	(79,969.03)	(79,970.00)	(79,970.00)
12	326,401.00	235,722.57	117,861.29	(27,182.86)	(27,183.00)	(27,183.00)
13	152,159.00	98,436.03	49,218.02	4,504.96	4,505.00	
14	34,389.00	25,244.36	12,622.18	(3,477.54)	(3,478.00)	(3,478.00)
15	135,295.00	93,231.89	46,240.95	(4,177.84)	(4,178.00)	(4,178.00)
16	12,694.00	11,869.79	5,934.90	(5,110.69)	(5,111.00)	(5,111.00)
17	132,117.00	93,655.00	46,827.50	(8,365.50)	(8,366.00)	(8,366.00)
18	42,397.00	25,747.05	12,433.53	4,216.43	4,217.00	
19	448,571.00	330,696.23	161,210.27	(43,335.50)	(43,336.00)	(43,336.00)
20	365,505.00	326,795.05	161,579.13	(122,869.18)	(122,870.00)	(122,870.00)
Total	2,955,006.00	2,211,542.01	1,094,267.20	(350,803.21)	(350,810.00)	(376,038.00)

Agenda Item IV.B. Due Process Issues – Recommendations on Shared Remote Interpreting Services in Trial Courts

Agenda Item IV.B.: Due Process Issues – Recommendations on Shared Remote Interpreting Services in Trial Courts

Background

In January 2012, the Supreme Court, in AOSC11-45, approved several of the recommendations proposed by the Commission on Trial Court Performance and Accountability (TCP&A) in *Recommendations for the Provision of Court Interpreting Services in Florida’s Trial Courts*. Among those, the Supreme Court charged the Trial Court Budget Commission (TCBC) with “monitoring court interpreting budgets to ensure that, to the extent possible given the fiscal environment, the trial courts are provided the opportunity to seek the necessary and appropriate level of resources for purposes of implementing those polices in the future, as funding becomes available” and to conduct “a feasibility study to assess the viability of remote interpreting technology for improving efficiencies as well as reducing anticipated operational costs associated with expanding the provision of court interpreting to all court proceedings and court-managed activities.” Subsequently, the Supreme Court, also in 2012, directed the TCBC to complete an analysis on the expansion of remote interpreting technology to increase the efficiency and effectiveness in providing court interpreting services (see attached letter to Judge Margaret Steinbeck, who was then chair of the TCBC).

The TCBC established a Due Process Technology Workgroup (DPTW) to review the current state of remote technology in consideration of expanding remote interpreting regionally or statewide. In 2013, a pilot project was established, through a \$100,000 legislative budget request of the Judicial Branch that the Legislature approved, in the 7th, 9th, 14th, 15th, and 16th circuits to study the processes associated with a shared model of virtual remote interpreting technology (VRI). VRI is a solution that enables courtrooms to have on-demand and scheduled access to a pool of certified interpreters via the use of a statewide audio/video network. With VRI, courtrooms and interpreter offices are equipped with audio/video technology. This technology enables interpreters to provide instant remote video interpretation to any courtroom connected to the network. VRI allows the interpreter to control the audio settings within the courtroom from a remote location. The Office of the State Courts Administrator (OSCA) participated in the pilot by housing the call manager.

Current

A joint workgroup, with cross-over membership from the DPTW, the Court Interpreter Certification Board, and the TCP&A, was established to make recommendations on the business processes for sharing remote interpreting resources (Workgroup).

In December 2015, a report was drafted and approved by the Workgroup advancing several recommendations on the concept of sharing interpreter resources across circuit boundaries, using VRI (see attached). Six recommendations are proposed to support the maximized use of the limited supply of certified interpreters through the use of VRI technology, helping to eliminate geographic barriers. Each recommendation includes a set of specific, discrete-level business guidelines that are also proposed for implementation purposes. The six recommendations are:

1. Establish a statewide pool of qualified interpreter resources. The Workgroup recommends the Trial Court Budget Commission, during its annual resource allocation process, consider the number of

hours (per week) each circuit will be required to contribute to the pool. The allocation should be based on a workload threshold to ensure equitable distribution of interpreter workload across circuits.

2. Establish statewide education and training provisions, including materials and resources, to ensure remote interpreters and courtroom participants understand and are able to operate video remote interpreting technology appropriately.
3. Ensure that all remote interpreters participating in the statewide pool track their events by entering data, for each remote interpreting event, into a local reporting system or Activity Form. Monthly reports shall be provided by each circuit to the OSCA, in a format prescribed by OSCA, by the 15th day of each succeeding month.
4. Ensure all certified staff interpreters take an oath as administered by a presiding judge at the initial start of employment. The oath shall be considered valid for the duration of the interpreter's employment barring situations such as lapse of certification, disciplinary action, or suspension.
5. Establish a governance committee to make recommendations to the Commission on Trial Court Performance and Accountability, the Court Interpreter Certification Board, and the Trial Court Budget Commission regarding oversight of shared remote interpreting services.
6. Direct the governance committee to monitor funding needs of the circuits in consideration of making recommendations to the Trial Court Budget Commission on changes to existing allocations, standard rates, and cost recovery/sharing practices, to ensure the highest efficiency in the use of the interpreter resources within the shared remote interpreting model.

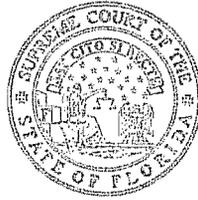
The FY 2016-17 legislative budget request for the Judicial Branch included \$7,183,750 (non-recurring for expansion) and \$1,126,455 (recurring for refreshing equipment and maintenance) in funding for VRI over a four year, phased-in plan, as part of the comprehensive budget request for trial court technology; however, no funding was appropriated. The proposal was based on a gradual implementation of statewide remote interpreting equipment based on receipt of funding. This plan would allow for continued implementation of interpreter endpoints over a three-year period with the goal of coverage in one-third of non-civil courtrooms in large circuits, one-half of non-civil courtrooms in medium circuits, and three-quarters of non-civil courtrooms in small circuits.

On March 23, 2016, the TCBC approved the FY 2015-16 End-of-Year Spending Plan that included remote interpreting non-recurring costs as an allowable expense to cover with the year-end funds, to be spent by June 30, 2016. Five circuits requested and were approved for funds for remote interpreting (5th, 7th, 13th, 16th, 20th) for a total of \$166,933.

The Commission on Trial Court Performance and Accountability approved the report and recommendations at their January 22, 2016, meeting. The report and recommendations were also presented at the Court Interpreter Certification Board meeting on April 7, 2016 (results unknown).

TCBC Action Needed

The attached report and recommendations are provided for discussion purposes. This issue may need to be referred to the Funding Methodology Committee for input on recommendations #1 and #6 before a vote is taken on the report and recommendations.



Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

RICKY POLSTON
CHIEF JUSTICE
BARBARA J. PARIENTE
R. FRED LEWIS
PEGGY A. QUINCE
CHARLES T. CANADY
JORGE LABARGA
JAMES E.C. PERRY
JUSTICES

THOMAS D. HALL
CLERK OF COURT

SILVESTER DAWSON
MARSHAL

September 28, 2012

The Honorable Margaret O. Steinbeck
Chair, Trial Court Budget Commission
1700 Monroe Street
Ft. Myers, Florida 33901

Dear Judge Steinbeck:

On September 25, 2012, the Supreme Court reviewed the proposed FY 2013-14 Legislative Budget Request for the Judicial Branch.

In accordance with Rule of Judicial Administration 2.230(d), the Court is referring back to the Trial Court Budget Commission the proposal to file a placeholder for \$11,598,829 and 132 positions for court interpreting services.

Rather than file such a placeholder at this time, the Court asks that the Commission complete its analysis regarding the expansion of remote interpreting technology to increase both the efficiency and effectiveness in the provision of court interpreting services, and submit a budget issue in that regard for the Court's consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Ricky Polston", written over a horizontal line.

Ricky Polston

RP/dgh

**ADMINISTRATIVE OFFICE
OF THE COURTS**



**NINETEENTH
JUDICIAL CIRCUIT**

Thomas A. Genung
Trial Court Administrator

March 16, 2016

The Honorable Mark H. Mahon, Chair
Trial Court Budget Commission
Duval County Courthouse
501 W. Adams Street, Room #7007
Jacksonville, FL 32202-4628

RE: Report and Recommendations on Shared Remote Interpreting Services in the Trial Courts

Dear Chief Judge Mahon:

As Chair of the Shared Remote Interpreting Workgroup (Workgroup), I am writing to respectfully request that consideration be given towards introducing the enclosed Workgroup's final report and recommendations at the upcoming April 12, 2016 meeting of the Trial Court Budget Commission (TCBC).

As you know, the TCBC approved to file a legislative budget request, in FY 2016-17, in the total amount of \$2,854,847 (\$442,097 recurring) to support the continued implementation of remote interpreting technology statewide. Additionally, a few circuits currently are expressing interest in utilizing unobligated FY 2015-16 funds to begin implementation of this technology locally.

With such implications, a workgroup, with cross-over membership from the Trial Court Budget Commission, the Court Interpreter Certification Board, and the Commission on Trial Court Performance and Accountability (TCP&A), was established to make recommendations on the business processes for sharing remote interpreting resources. Over the course of two years, the Workgroup reviewed efforts of the shared remote interpreting technology pilot. In December, 2015, a report was drafted advancing several recommendations on the concept of sharing interpreter resources across circuit boundaries, using Virtual Remote Interpreting (VRI).

The Workgroup's report contains six recommendations proposed to support the maximized use of limited certified interpreters with the assisted use of VRI technology to eliminate geographical barriers. The recommendations address a statewide pool of qualified interpreter

Chief Judge Mahon

March 16, 2016

Page 2

resources, education and training, data collection, and establishing a governance committee to monitor the funding needs of, and provide oversight for, shared remote interpreting services.

Given the complexity of the report and the need for members to evaluate the implementation effects of the recommendations, I recommend initial presentation of the Workgroup's report to the TCBC on April 12, 2016 with final review/approval during a future meeting perhaps during the summer. The report has been presented to and approved by the TCP&A and is on the agenda for the next Court Interpreter Certification Board meeting scheduled on April 7, 2016, in Tampa, FL. Once approval is reached by all commissions, the report may be advanced to the Supreme Court, for their consideration, as necessary.

Thank you and the members of the Trial Court Budget Commission, for your time and consideration.

Sincerely,



Thomas A. Genung
Chair,
Shared Remote Interpreting
Workgroup

TG/me/pah

Enclosure

CC: Eric Maclure, Deputy State Courts Administrator

Recommendations on Shared Remote Interpreting Services in Florida's Trial Courts

Commission on Trial Court Performance and Accountability

Trial Court Budget Commission

Court Interpreter Certification Board

December 2015

Respectfully Submitted:

SHARED REMOTE INTERPRETING WORKGROUP MEMBERS

Mr. Thomas Genung

Chair

Trial Court Administrator, Nineteenth Judicial Circuit

Ms. Ody Arias-Zerivitz, Interpreter Services Coordinator, Ninth Judicial Circuit

Mr. Matthew Benefiel, Trial Court Administrator, Ninth Judicial Circuit

The Honorable Ronald W. Flury, County Judge, Leon County

Mr. Gary Hagan, Court Technology Officer, Fourteenth Judicial Circuit

Ms. Shirley Olson, Criminal Court Services Manager, Seventh Judicial Circuit

The Honorable Carlos A. Rodriguez, Circuit Judge, Seventeenth Judicial Circuit

Ms. Kristina Velez, Court Operations Consultant, Eighth Judicial Circuit

STAFF SUPPORT

Office of the State Courts Administrator, 500 South Duval Street, Tallahassee, FL 32399

Lisa Bell, Senior Court Operations Consultant, Court Interpreter Certification Program

Chris Blakeslee, Information Systems Manager, Information Systems Support

Maggie Evans, Court Operations Consultant, Court Services

Patty Harris, Senior Court Operations Consultant, Court Services

Arlene Johnson, Senior Court Statistics Consultant, Court Services

Victor McKay, Senior Court Analyst II, Court Services

Alan Neubauer, State Courts Technology Officer, Information Systems Support

Blan Teagle, Deputy State Courts Administrator

Saree Stewart, Senior Court Analyst II, Court Services

PJ Stockdale, Senior Court Statistics Consultant, Court Services

Greg Youchock, Chief, Court Services

Xiaoyuan Zhu, Court Statistician, Court Services

RECOMMENDATIONS ON SHARED REMOTE INTERPRETING SERVICES

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Executive Summary

In December 2011, the Supreme Court, in AOSC11-45 approved several recommendations proposed by the Commission on Trial Court Performance and Accountability (TCP&A) in *Recommendations for the Provision of Court Interpreting Services in Florida's Trial Courts*. Among those, the Court directed the Trial Court Budget Commission (TCBC) to “monitor court interpreting budgets to ensure that, to the extent possible given the fiscal environment, the trial courts are provided the opportunity to seek the necessary and appropriate level of resources for purposes of implementing those policies in the future, as funding becomes available” and to conduct “a feasibility study to assess the viability of remote interpreting technology for improving efficiencies as well as reducing anticipated operational costs associated with expanding the provision of court interpreting to all court proceedings and court-managed activities.”

In response to these directives, the Trial Court Budget Commission established a Due Process Technology Workgroup to review the current state of remote technology in consideration of improving operational efficiencies in court proceedings currently covered with state funded interpreter resources. In 2014, a pilot project was initiated in the Seventh, Ninth, Fourteenth, Fifteenth, and Sixteenth Circuits to study the processes associated with providing remote interpreting services within a statewide network. The Office of the State Courts Administrator (OSCA) participated in the pilot by housing a statewide call manager. Additionally, a joint workgroup, with cross-over membership from the Due Process Technology Workgroup, the Court Interpreter Certification Board, and the Commission on Trial Court Performance and Accountability, was established to make recommendations, based on the results of the pilot and on the business processes for sharing remote interpreting resources.

The workgroup, referred to as the Shared Remote Interpreting Workgroup (Workgroup), met several times between February 2014 and October 2015, including an in-person meeting held at the Orange County Courthouse on April 4, 2014, to view live demonstrations of shared remote interpreting. The Workgroup also initiated a six-month data collection effort on court interpreter workload. This effort, conducted from August 2014 to January 2015, involved court interpreters entering information on a web-based form for each proceeding involving state-funded interpreter services. The information was used to update statistics reported through the Uniform Data Reporting system, but also provided detail on the interpreter, the level of qualification, and the actual time involved in interpreting.¹ The information also informed the Workgroup on whether to expand the remote interpreting pilot to additional areas of the court system.

¹ Uniform Data Reporting (UDR) is a data reporting system used by Florida's trial courts to provide monthly information to the Florida Office of the State Courts Administrator on the use of state-funded mediators, court interpreters, court reporters, and expert witness resources. The system was developed in 2004 upon implementation of a unified court budgetary framework for Florida's trial courts.

RECOMMENDATIONS ON SHARED REMOTE INTERPRETING SERVICES

As of result of the Workgroup's study, the following recommendations are offered on shared remote interpreting services for the trial courts. For each recommendation, a set of specific, discrete-level business guidelines is also proposed for implementation purposes.

- I. Establish a statewide pool of qualified interpreter resources. The Workgroup recommends the Trial Court Budget Commission, during its annual resource allocation process, consider the number of hours (per week) each circuit will be required to contribute to the pool. The allocation should be based on a workload threshold to ensure equitable distribution of interpreter workload across circuits.
- II. Establish statewide education and training provisions, including materials and resources, to ensure remote interpreters and courtroom participants understand and are able to operate video remote interpreting technology appropriately.
- III. Ensure that all remote interpreters participating in the statewide pool track their events by entering data, for each remote interpreting event, into a local reporting system or *Activity Form*. Monthly reports shall be provided by each circuit to the OSCA, in a format prescribed by OSCA, by the 15th day of each succeeding month.
- IV. Ensure all certified staff interpreters take an oath as administered by a presiding judge at the initial start of employment. The oath shall be considered valid for the duration of the interpreter's employment barring situations such as lapse of certification, disciplinary action, or suspension.
- V. Establish a governance committee to make recommendations to the Commission on Trial Court Performance and Accountability, the Court Interpreter Certification Board, and the Trial Court Budget Commission regarding oversight of shared remote interpreting services.
- VI. Direct the governance committee to monitor funding needs of the circuits in consideration of making recommendations to the Trial Court Budget Commission on changes to existing allocations, standard rates, and cost recovery/sharing practices, to ensure the highest efficiency in the use of the interpreter resources within the shared remote interpreting model.

The Workgroup offers these recommendations in support of the efforts of the Florida State Courts System to improve access to qualified interpreter services. Court interpreting services are an integral component to ensuring the constitutional right of access to justice. According to the U.S. Census Bureau, approximately 27% of Florida's population includes those persons who are limited English proficient.² Courts continue to face challenges in addressing the increased needs for quality interpreting services amid a short supply of qualified interpreters. While large population centers are

² U.S. Census Bureau Quick facts, <http://quickfacts.census.gov/qfd/states/12000.html>

RECOMMENDATIONS ON SHARED REMOTE INTERPRETING SERVICES

home to more interpreters, rural areas of the state lack the same resources. By embracing technology, the state courts system can eliminate these geographical hindrances. Shared use of remote interpreting services represents an opportunity for courts to greatly improve interpreter services through enhanced technological communications, while also wisely using state resources.

The Workgroup would like to thank the justices of the Florida Supreme Court, the Trial Court Budget Commission, the Commission on Trial Court Performance and Accountability, and the Court Interpreter Certification Board, for the opportunity to submit these recommendations.

Introduction

According to the U.S. Census Bureau, as of 2010, 26.64% of Florida's population spoke a language other than English at home. By 2013, this percentage increased to 27.4%.³ This trend of growth in the non-English speaking population is an indicator of interpreter resources needed in Florida's court system. Nonetheless, growth in this population demographic alone cannot be read in isolation. In fact, the number of cases in which an interpreter was used has actually declined. In FY 2010-11, 442,271 cases occurred that required a court interpreter to provide services. By 2013, the number of cases requiring an interpreter declined to 350,541. This decline in overall interpreter services is regarded as a larger reflection of reduced court filings and national crime rates, as well as changes in societal trends to rehabilitate and reduce incarceration of non-violent offenders. With these changes, fewer criminal cases are entering the court system; therefore, fewer interpreter events are occurring. Although, it is uncertain whether the decline may continue in the future. As the Florida economy continues to recover from the 2007 Great Recession, new laws may be enacted that result in additional arrests. These actions may result in increased need for interpreter services. Also, the Commission on Trial Court Performance and Accountability, in its 2010 report, *Recommendations for the Provision of Court Interpreting Services in Florida's Trial Courts*, recommended the expansion of interpreter services to all court proceedings and court managed activities.⁴ Based on these recommendations, it is expected that Florida may face increased need to provide interpreting services in future years. With the possibility of increased need, it is essential the state courts system improve its ability to provide services in cases involving parties or witnesses who are limited English proficient (LEP).

Currently, Florida ranks fourth in the nation for having the largest non-English speaking population, following closely behind states such as California, Texas, and New York.⁵ To ensure quality interpreting services in the state courts system, the Florida Supreme Court, in 2008, implemented a state certification program for spoken language interpreters. Florida is joined by approximately 25 other states that have established procedures for certifying spoken language interpreters. The Court Interpreter Certification Program, within the Florida Office of the State Courts Administrator, currently offers oral qualification examinations in the following languages: Arabic, Bosnian/Serbian/Croatian, Cantonese, French, Haitian Creole, Hmong, Ilocano, Korean, Laotian,

³ U.S. Census Bureau Quick facts, <http://quickfacts.census.gov/qfd/states/12000.html>

⁴ "Court Proceedings" are defined to include any civil or criminal event or proceeding presided over by a judge, magistrate, or hearing officer. "Court-managed activities" shall be defined as any activity or service operated or managed by the court system.

⁵ American Community Survey Report, [Language Use in the United States: 2011](#).

Mandarin, Marshallese, Polish, Portuguese, Russian, Somali, Spanish, Turkish, and Vietnamese. As of September 25, 2015, 281 interpreters were certified through the Florida program.

Recently, several amendments were made to the Florida Rules for Certification and Regulation of Spoken Language Court Interpreters promoting the use of the program's more highly qualified interpreters when interpreters are privately retained as well as when they are court-appointed. Additionally, the state courts system is focusing on innovative solutions in utilizing court interpreting resources. In 2013, the Florida Supreme Court directed its Trial Court Budget Commission to review the use of technology to improve access to qualified court interpreters certified through Florida's Court Interpreter Certification Program. In response, the Trial Court Budget Commission initiated a technology pilot to test how remote technology can be used to enhance court interpreter operations. Such a solution, commonly referred to as virtual remote interpreting (VRI) will enable sharing of interpreting resources regionally to allow access to qualified interpreters over a broader geographical area.

To explore how court interpreter resources can be utilized using VRI technology, a Shared Remote Interpreting Workgroup (Workgroup), with cross-over membership from several court committees, the Trial Court Budget Commission, the Court Interpreter Certification Board, and the Commission on Trial Court Performance and Accountability, was established. The Workgroup was directed to make recommendations on the business processes associated with sharing remote interpreting resources across circuit jurisdictions. The purpose of this report is to present those business process recommendations.

Description of the Virtual Remote Interpreting Technology

As defined by the Workgroup, virtual remote interpreting technology (VRI) is a solution that enables courtrooms to have on-demand and scheduled access to a pool of certified interpreters via the use of a statewide audio/video network. With VRI, courtrooms and interpreter offices are equipped with audio/video technology. This technology enables interpreters to provide instant remote video interpretation to any courtroom connected to the network. Further, VRI allows the interpreter to control the audio settings within the courtroom from a remote location.

Throughout most of the 20th century, interpreting services were primarily conducted either face-to-face or with the use of standard or speaker telephones. In recent years, technological advancements have made it possible to provide interpretations with the use of sophisticated digital audio/video systems.

Section 36.303(f) of Title 28 of the United States Codes, offers its definition of VRI. It states VRI provides real-time, full-motion video and audio over a dedicated high-speed, wide-bandwidth video connection or wireless connection that delivers high-quality video images that do not produce lags, choppy, blurry, or grainy images, or irregular

pauses in communication. The video includes a sharply delineated image that is large enough to display the interpreter's face, arms, hands, and fingers, and the participating individual's face, arms, hands, and fingers, regardless of his or her body position; and renders a clear, audible transmission of voices.⁶

When used appropriately, VRI can offer several benefits such as improved access to quality services and effective use of fiscal resources. It can also expedite the time within which an interpreting service can be rendered. For instance, VRI significantly reduces travel and “down time” associated with interpreters having to walk or drive between courtroom locations. Also, VRI enables simultaneous interpreting, in addition to consecutive interpreting. According to the National Center for State Courts, as well as the Commission on Trial Court Performance and Accountability, simultaneous interpreting allows for continuous interpretation at the same time someone is speaking and is intended to be heard or seen only by the person receiving the interpretation. This mode is especially helpful in courtroom settings as judges engage in colloquies or make statements intended for all courtroom participants. Consecutive interpreting requires the interpreter to render an interpretation after the speaker has stopped speaking. This mode is used when a non-English speaking person is giving testimony or when the judge or an officer of the court is communicating directly with the person and is expecting a response. By the use of both video and audio components, VRI allows remote interpreters to provide service as if they were located in the courtroom. There is no degradation of service as there would be with telephone interpreting where the interpreter can provide only consecutive interpreting.

The Use of Virtual Remote Interpreting Technology Nationally and by Other States

In November 2012, the National Center for State Courts (NCSC) issued a white paper entitled, *Recommendations for the Use of Court Video Remote Interpretation*. This report introduces several recommendations to the Council of Chief Justices (CCJ) and the Council of State Court Administrators (COSCA) in establishing policy, business and technical best practices for VRI. Among its recommendations, the NCSC notes the increased diversity in language needs amid an existing shortage of qualified court interpreters who can provide services in person in the courtroom.⁷ To address these challenges, the report offers six specific proposed actions to be taken by the CCJ and COSCA towards establishing:

- A national standard for cross-certification of court interpreters;

⁶ Section 36.303(f) of Title 28 of the United States Codes.

⁷ Recommendations for the Use of Court Video Remote Interpretation (VRI), Thomas M. Clarke, Ph.D., November 2012.

RECOMMENDATIONS ON SHARED REMOTE INTERPRETING SERVICES

- A national legal certification that layers on top of language certification from other domains;
- A national protocol for “stepping down” the quality of interpreters used;
- A national clearinghouse of certified and/or qualified interpreters that could be used for remote court interpretation;
- Business and technical standards that any national cloud provider of remote interpretation capabilities must comply with; and,
- Certification of national cloud providers within the set policies.

Currently, at the direction of COSCA, the NCSC is working to implement these recommendations. In 2015, the NCSC developed a national interpreter “tier” system based on proficiency designations for spoken language interpreters. Further, the NCSC developed business and technical standards for VRI. In May 2015, the NCSC issued a Request for Proposals on a national cloud provision for remote interpreting services. The NCSC is currently reviewing the proposals received through this procurement process for consideration in developing a national cloud capability. As a result of this process, each state may be provided the opportunity to contract with the NCSC to obtain access to the national interpreters via the national cloud.

Current requirements imposed by the United States Department of Justice, under Title VI of the Civil Rights Act of 1964, are motivating the development of these solutions for interpreter services. These federal provisions went into effect on January 16, 2001, ensuring all state recipients of federal funding “take reasonable steps to ensure access to programs and activities to limited English proficient persons.”⁸

States such as Arizona and New York are also moving ahead with statewide remote capability using technology. Like Florida, Arizona is working to implement simultaneous remote interpreting using statewide capability. New York already utilizes a fiber network to every court and a videoconferencing center that has been primarily used for internal court training, but can also be used to support remote interpreters in furtherance of a statewide model. Currently, Florida and Arizona are the only two states using technology designed for both consecutive and simultaneous interpreting services.

As more states move toward integrating similar remote interpreter equipment around a national cloud capability, states may achieve a greater pool of trained interpreters to perform remote interpreting. These potential benefits have prompted the NCSC to move toward development of standards for a shared court video interpreter network that states may use as a guideline for expanding technological resources.

⁸ Federal Register. Vol. 67, No. 117. Tuesday, June 18, 2002, 41455.

The Current Use of Virtual Remote Interpreting in Florida's Trial Courts

In Florida, the use of Virtual Remote Interpreting (VRI) technology for interpreting services is gaining widespread recognition as the demand for more effective and efficient interpreting services continues to increase. Access to qualified court interpreters remains one of the courts' biggest challenges, especially in rural counties where interpreter resources are very limited.

A few judicial circuits within Florida have begun to implement VRI on a circuit-wide basis. The Ninth, Fifteenth, and Seventeenth Circuits began implementing integrated VRI solutions as early as 2007. The remaining circuits have tested the use of off-the-shelf videoconferencing equipment, although, these efforts have not led to major success. Videoconference systems, commonly used for meetings, provide fewer features compared to VRI. These units lack features such as attorney-client privileged communication capability. Also, these units are designed primarily for consecutive mode interpreting and require more human resources than is usually available in rural courts to troubleshoot technical issues. For example, in 2010, the Second Circuit participated in a pilot with the Ninth Circuit using a video remote interpretation cart. The cart was located within Gadsden County, a rural county with a small population. Due to the complex task of setting up the cart and moving it from room to room, the cart did not prove suitable or cost effective.⁹

In recent years, Florida's judicial circuits have shown growing interest in the implementation of VRI solutions. VRI can be likened to a custom-packaged solution designed specifically for the courts' needs. In 2012, the Seventh Circuit participated in a pilot of an integrated VRI solution. This trial, using loaned equipment, resulted in an improved understanding of the benefits and limitations of using VRI, especially in those circuits that have multiple counties. The Seventh Circuit was able to utilize its in-house interpreters remotely in certain courtrooms. Logistical issues were identified, such as not having the circuit-wide network available for outlying counties. This lack of network availability limited the benefits of such a solution. As a result, a more workable solution, capable of remote access within a statewide area network, was conceived.

The Shared Remote Interpreting Pilot of 2014

In 2014, a regional VRI pilot was established based on the results of the local trial with the Seventh Circuit. This pilot effort was funded through a \$100,000 legislative appropriation. The funding allowed expansion of the 2012 pilot to multiple circuits. Also, a statewide call manager was purchased and located in Tallahassee, FL, to allow the use of the statewide network as part of the pilot. Using the statewide network, the call manager automatically connects the courtrooms needing interpreter services with a remote interpreter who may be located elsewhere.

⁹ Letter to Chief Judge Francis, Second Judicial Circuit of Florida, December 9, 2010.

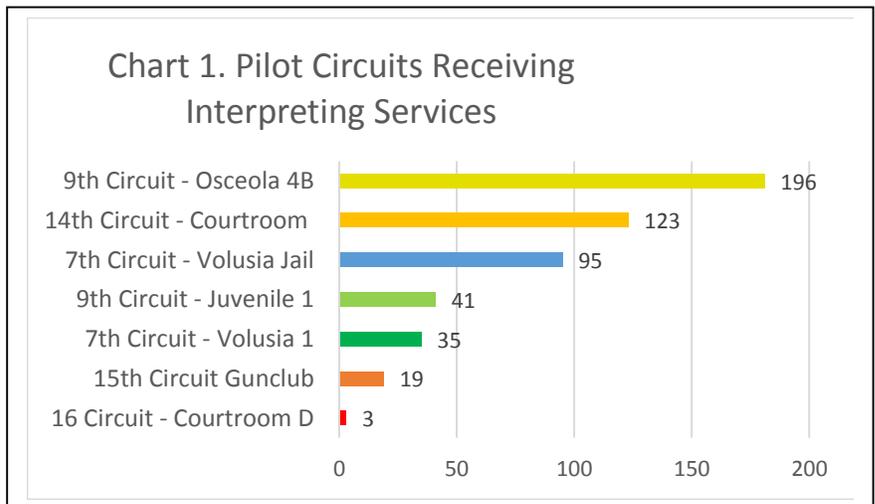
RECOMMENDATIONS ON SHARED REMOTE INTERPRETING SERVICES

The overall objective of the 2014 pilot was to explore whether the use of VRI technology with a statewide call manager is effective. Through the pilot, several business processes were reviewed to understand the impact of the solution on courtroom participants, as well as court administration/technology staff. For instance, it was beneficial to ascertain how well the equipment performed on its own with limited technical assistance provided by local court technology staff. Also, it was helpful to see how suitable the solution is for certain types of proceedings. These reviews have assisted the Workgroup in determining how to refine the pilot approach and offer recommendations for full deployment, which may include several small rural counties where limited support is available.

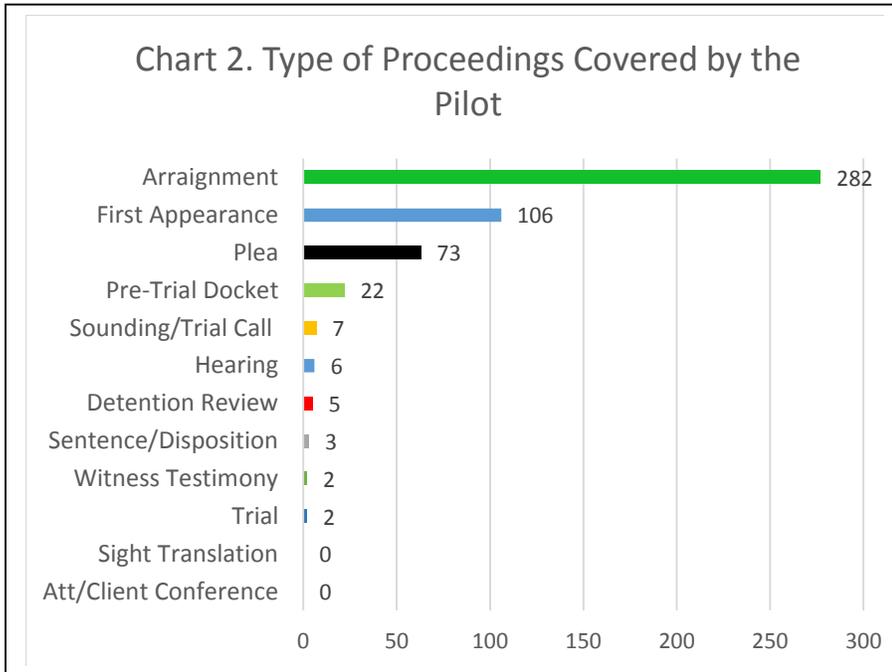
In March 2014, the VRI pilot went live between the Seventh, Ninth, Fourteenth, Fifteenth and Sixteenth Judicial Circuits. As of August 2015, the pilot produced interpreting services in over 513 cases based on a shared services model concept. (See Chart 1. Pilot Circuits Receiving Interpreting Services). The shared services concept allows interpreting services to be provided by staff and contractual interpreters residing in

outlying circuits using the statewide call manager located in Tallahassee, FL. For example, during the pilot, the Seventh and Ninth Circuits provided interpreting services to remote locations in their circuits (e.g., multiple outlying counties) and other circuits on the statewide network. The Seventh Circuit provided 96 (18.7%) interpreting service events. The Ninth Circuit provided 417 (81.3%) interpreting events. These events occurred

primarily to meet Spanish interpreting service needs, although nine other events occurred in Haitian-Creole, French, Greek and Arabic languages. Most of the events were scheduled in advance (97.6%). A small percentage of events occurred on-demand (2.3%).



RECOMMENDATIONS ON SHARED REMOTE INTERPRETING SERVICES



Case types covered by the pilot have included county criminal (403), circuit criminal (66), delinquency (39), and dependency (4) cases. The types of proceedings covered within the pilot have included mostly arraignments and first appearances. Two trials were covered within the pilot. (See Chart 2 – Type of Proceedings Covered by the Pilot).¹⁰

Two proceeding types not covered within the pilot include sight translations and attorney/client conferences. This was due to the low volume of cases occurring at

the time. The system is, however, capable of covering these events. For instance, a closed communication line is available for attorney/client conferences. The remote interpreter is able to control the opening and closing of this line. Also, sight translations can be accomplished as each remote interpreter is provided two desktop computer monitors. This allows the interpreter to view documents on a second monitor while viewing a live video feed of the courtroom on a main monitor. The sight translation documents can either be emailed to the remote interpreter or stored on the remote interpreter’s desktop in advance of the court proceeding.

Generally, the pilot has been viewed as a success. The pilot demonstrated the technical aspects of VRI to be functional. For instance, the demonstration of the interpreter’s usage of the system, including the interpreter’s ability to control the courtroom audio from a remote location, have been viewed as critical successes to the project. Based on these technical successes, several circuits have expressed interest in expanding this technology to their courtrooms. Also, the pilot information has been useful to the Workgroup in developing the business model recommendations included later in this report.

Interpreter Activity Data Collection Effort

In June 2014, the Workgroup initiated a temporary, comprehensive data collection effort to track all court interpreting events occurring in the trial courts. The purpose of the data collection effort was to conduct analysis on the usefulness of establishing a shared remote interpreting model, based on the

¹⁰ As of July, 2015. Data is reported by interpreter staff involved in the regional pilot through a Formstack web-based data entry form.

successes of the VRI pilot. A pool model may allow circuits to have access to certified court interpreters using VRI. A review of the current level of services was deemed necessary to determine how a shared pool may be designed. Currently, limited information is available statewide through the Uniform Data Reporting (UDR) system. The UDR is designed to capture monthly, summary-level information on the number of “events.” The system does not capture “hours” or information related to number of different types of events occurring per day or the professional status of interpreters providing services. Thus, the Workgroup determined more detailed workload data should be captured over a six-month period.

Further, as a long-term consideration, if a shared remote interpreting model is implemented, discrete-level workload information will be needed for on-going resource management purposes. Thus, the six-month data collection effort was viewed as an opportunity to gain insight on the long-term needs of collecting data for on-going governance and performance monitoring purposes of shared remote interpreting services.

In July 2014, the OSCA contacted each circuit and requested their participation in the comprehensive, six-month data collection effort. Circuits were asked to use a web-based data entry form created by the OSCA through a Formstack subscription service.¹¹ Each interpreter was asked to use the form to enter detailed, descriptive information on each interpreting event. Data elements included:

- Interpreter Name (First and Last)
- Interpreter Type (Court Employee, Freelance Contractor, or Vendor Contractor)
- Date and Time Interpreting Service Begins and Ends
- Uniform Case Number (UCN)
- Uniform Data Report (UDR) Case Type
- Type of Event (e.g., first appearance hearing)
- Courthouse Name
- Language
- Credential of Interpreter (Florida Certified, Florida Language Skilled, Florida Provisionally Approved, Federal Certified)
- Type of Remote Interpreting Service (In-Person, Telephonic, or Remote)

Nineteen of the twenty circuits agreed to participate in the study and began reporting on the above listed data elements. The Twelfth Circuit declined to participate in the collection effort due to local circumstances. Of the nineteen participating circuits, seventeen agreed to use OSCA’s web-based data entry form. The Fifth Circuit submitted data using Excel spreadsheets. The Eleventh Circuit reported data using Excel spreadsheets that were exported from a local web-based data entry system.

¹¹ www.formstack.com

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The data collection effort began August 1, 2014 and ended January 31, 2015. In total, 139,735 interpreting events and 50,245 hours were reported by the trial courts. Of these events/hours, the study revealed 32% (44,718) events were provided using interpreters that have limited or no credential. Of the remaining events, 67% (93,684) were provided using Florida Certified Interpreters; and 1% (1,333) were provided by Federal Certified interpreters.^{12 13}

For more information on the results of the six-month data collection effort, please see Appendix A. This appendix provides summary charts on a range of information gleaned from the data collection effort, including the types of proceedings needing interpreter services and number of in-person, telephonic, and remote interpreting services.

¹² In March 2014, the Florida Supreme Court adopted amendments to the Court Interpreter Rules, See *In re Amends. to Fla. Rules for Certif. & Regul. of Court Interpreters*, 136 So. 3d 584 (Fla. 2014). With those amendments, the Florida Supreme Court established and set the qualifications for the three “designations” of court interpreters: certified, language skilled, and provisionally approved.

¹³ At the time of the Interpreter Activity Data Collection Effort no provisionally approved or language skilled interpreters existed in the state.

Recommendations on Shared Remote Interpreting Services

Upon review of the technology pilot efforts and the court interpreter activity data collection effort, the Workgroup offers the following recommendations on shared remote interpreting services for the trial courts.

I. Establishment of a Statewide Court Interpreting Pool

The Workgroup has determined the first critical element needed to achieve successful realization of VRI benefits is the establishment of a statewide pool. The statewide pool will allow circuits to access

Recommendation One – Establish a statewide pool of court interpreters that are certified in accordance with the Florida Rules for Certification and Regulation of Spoken Language Court Interpreters.

qualified interpreter resources, irrespective of location. When a court interpreter is needed, a circuit will place a request for the specific language from the courtroom (e.g., from a menu on a touch screen tablet). This action will allow an interpreter, from the pool, to appear via video from a remote location. The

interpreter will be able to control the private, public, and on-the-record courtroom audio. Some of the direct benefits of creating a statewide pool include:

- Providing qualified interpreters to more litigants over a much broader geographical area.
- Reducing the need for contract interpreters.
- Reducing courtroom wait times and travel for interpreters, thereby allowing interpreters to cover more proceedings.
- Assuring that resources match demand, thus allowing cost avoidance.

Due to the ad hoc nature of using contractual resources, many contract interpreters leave the courthouse upon completion of an event, although standard contract language generally requires payment for a two-hour minimum. The concept of contract interpreters remaining for the duration of their contractual minimum is promoted through the use of a statewide pool. In doing so, contractual interpreters can either provide additional (pooled) services via virtual remote interpreting or cover in-person court events, freeing up staff interpreters to provide services remotely. Staff interpreters provide greater quality control than contract court interpreters. Therefore, for ad hoc (on demand) needs, staff interpreters should be relied upon to provide remote interpreting services within a statewide pool. For scheduled events and languages not provided by the statewide pool, contractual interpreters can be used to fill the void.

Proposed Business Model for the Statewide Pool:

- A. All circuits should participate in a shared remote interpreting model as a consumer court.¹⁴
- B. A workload threshold of 4.5 hours per day should be used to determine circuits that should become a provider court.¹⁵ This is the number of hours per day a pooled interpreter can reasonably be expected to deliver interpreting services. As a provider court, circuits should retain the management and rotation assignment of their staff and contract interpreter resources. Because the formula will match circuit resources with workload, there will be no need to transfer funds from circuit to circuit. All provider circuits should supply interpreters for the shared pool, with the exception of circuits that do not meet the pre-determined workload threshold. The interpreter(s) pool requirement will be determined, by language, using the following formula:

$$\begin{aligned} & \textbf{Maximum Statewide Pool Requirement per Circuit} \\ & \text{Number of Threshold Hours per Certified State Employee} \\ & \quad - \text{Total Circuit Estimated Annual Workload} \\ & \quad = \text{Number of Hours to Contribute to Statewide Pool} \end{aligned}$$

- C. For events lasting more than one hour, remote interpreters should take breaks allowing 20 minute shifts. These breaks are recommended by the Commission on Trial Court Performance and Accountability in the 2010 report, *Recommendations for Provision of Court Interpreter Services in Florida's Trial Courts*, to assure that the quality of the interpretation is not diminished by fatigue.
- D. The statewide pool should primarily include staff interpreters for on-demand services. Circuits required to provide interpreters into the pool, but that do not employ staff interpreters, can fulfill their pool requirement with contractual interpreters.
- E. To make the connection, the software should be designed to connect a consumer court to a pooled interpreter based upon the following credentials:
- Interpreter is certified in the requested language;
 - If available, an interpreter employed by the requesting court;
 - If no interpreter employed by the requesting court is available, interpreter employed outside the circuit who has been idle the longest.
- F. The state call manager should connect to regional and national cloud-based VRI services for languages of lesser diffusion and potentially offer certified Spanish interpreting services for

¹⁴ "Consumer court" refers to a circuit that receives interpreting services via the statewide pool.

¹⁵ "Provider court" refers to a circuit that provides interpreting services to other circuits via the statewide pool.

cost recovery. Depending upon the number of participating circuits, the pool should include the following languages:

- Spanish
- Creole
- Sign¹⁶

- G. For sign language service needs, the Workgroup recommends the Trial Court Budget Commission consider the establishment of a full-time equivalent position to provide sign language services statewide. This FTE can be filled through a statewide advertisement, with oversight provided through a statewide hiring committee. The FTE could then be allocated to a circuit in which the selected candidate resides. The circuit receiving the FTE allocation should maintain direct supervisory management responsibilities for the position.
- H. If the statewide pool expands to include all circuits, additional languages should be added to include Portuguese, Vietnamese, and Russian. As these languages are added, the Workgroup recommends the Trial Court Budget Commission review statewide needs pertaining to these languages and consider establishment of additional full-time equivalent positions to provide services statewide as well.
- I. A properly staffed pool should be able to provide on-demand service with all receiving equal and immediate priority. Provided below is a list of events to be covered by the pool:
1. Initial appearances;
 2. Arraignments;
 3. VOPs (Violation of Probation hearings);
 4. Dependency and delinquency hearings and trials;
 5. Traffic and misdemeanor;
 6. Felony pre-trial hearings;
 7. Docket sounding;
 8. Injunctions;
 9. Baker and Marchman Acts – consecutive with tablet/laptop; and
 10. Any other short-duration, in-court proceeding deemed appropriate by the presiding judge pursuant to the statutes, court rules and Supreme Court administrative orders applicable to the court interpreting services. Sidebar communication should be a part of the VRI service in the courtroom.

¹⁶ In proceedings where sign language services are required, the person needing services must be able to see the monitor or screen clearly, and the remote sign language interpreter must also be able to see the court user clearly. Therefore, courts should consult technical and functional standards for determining the appropriate logistical size display monitor for use in delivering remote sign language services.

Note: Felony trials should be excluded from coverage by the pool.

- J. The Workgroup recommends further review by the Trial Court Budget Commission to address the possibility of additional funding and/or establishment of cost sharing arrangements, as authorized under Florida Statute 29.018, for providing VRI services to entities outside of the courtroom. It is possible the statewide VRI solution can be used to provide services to the public defender and other entities in proceedings where certified interpreters are required; however, proper accountability measures will need to be in place. Also, additional funding may be needed to purchase technology for hearing rooms where plea negotiations occur.

From a technical perspective, a statewide call manager will provide the connection between the requesting courtroom and a pool interpreter who meets the required criteria. When a courtroom requires a language not supported by the pool, the requesting court should schedule a contract interpreter to cover the event from a remote workstation. If the contract interpreter resides outside of the requesting circuit, the contract interpreter can provide the remote service from the interpreters' circuit of residence. The statewide VRI system should be available to all languages for scheduled events. For languages not covered by the pool, the circuit can use the statewide VRI system to arrange for coverage by a non-pool interpreter. This includes using a contractual interpreter from another circuit on the VRI system (e.g., Mandarin Chinese interpreter residing in Orlando using the VRI system to cover an event in Key West).

With enough participating circuits, the pool should be staffed from 8a.m.–5p.m. including both time zones (i.e., EST and CST). Guidelines should be developed to ensure high demand peak times are covered. Peak times usually begin in the morning around 9a.m. for approximately one hour Monday through Friday. The VRI interpreters should rotate hourly into the pool to ensure maximum coverage. When the national VRI program is operational, idle interpreters can login to the national pool for cost-recovery opportunities.

Many on-site interpreters spend time waiting in courtrooms for cases in which they are providing interpreting services. The use of services on-demand will eliminate the down time associated with an interpreter waiting in a courtroom. Thus, it is assumed by eliminating down time, courts will have sufficient availability for on-demand services. The Workgroup recognizes scheduled events are preferable in certain instances (e.g., languages of lesser diffusion should always be scheduled. Also, the statewide VRI system can be used outside of the 8a.m. –5p.m. for scheduled events). These impacts should be monitored, within the statewide pool, to ensure operational procedures are consistent with the needs and practices of the circuits.

As the needs within the statewide pool reach optimum levels (e.g., all twenty circuits participate to receive statewide pool services), consideration should be given towards establishing FTE positions within the statewide pool. With the establishment of a statewide pool, the trial courts should be able to allocate resources based on a statewide perspective. Currently, there are several certified

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contractual interpreters unable to work at full-time status due to low demands of a hiring circuit. With VRI, certified contractual interpreters may be willing to serve as a full-time employee for providing services via the statewide pool. This would help trial courts maximize available, qualified resources, currently in such short supply.

The Workgroup notes future challenges that may need to be addressed in the long-term. For instance, small circuits, due to limited availability of interpreters, will typically hire one interpreter (usually the one interpreter that is available in the area) to provide services to the court, in the courtroom, as well as to the public defender for services outside of the courtroom. Due to the low volume of services provided to the public defender in these instances, the court, in these smaller circuits, will absorb the cost of the interpreter. Conversely, large circuits, typically home to large population centers/high volume of interpreters, have practices in place for providing one interpreter for the court. Another interpreter is then hired separately by the public defender to handle plea negotiations and other communications held outside of the courtroom. The general differences in how small circuits versus large circuits handle provision of these services outside of the courtroom presents a unique challenge in developing the VRI business model, especially since the VRI solution advances a consistent, statewide application of funding/services. Due to the existing cultural differences and funding practices among these circuit groups, and recognizing that most circuits have not entered into local cost sharing arrangements with outside entities, the Workgroup limited its recommendations, in scope, to the current funding obligations as delineated under Florida Statute 29.008(2). In the future, the Workgroup recommends further review by the Trial Court Budget Commission to address the possibility of additional funding for these services and/or entering into cost sharing arrangements, as authorized under Florida Statute 29.018. It is possible, the statewide VRI solution can be used to provide services to the public defender and other entities, however, proper accountability measures would need to be put in place. Also, additional funding may be needed to purchase technology for hearing rooms where plea negotiations occur.

Another observation by the Workgroup relates to recording of the interpretation services. During the pilot, the Workgroup noted the existing capability of the VRI solution to record interpretations, as demonstrated by the Fourteenth Circuit. However, because the court record is inclusive of the English translation only, recording of the actual interpretation service is not necessary. Based on the outcomes of the pilot, the Commission on Trial Court Performance and Accountability is currently reviewing whether to recommend a statewide policy to record the interpretation from an accountability standpoint for ensuring accuracy. Currently, the practice to record interpretations via the VRI solution is viewed by the Workgroup as a local option.

II. Education and Special Training Needs for Remote Interpreting Services

VRI services will inevitably change some of the ways in which users and courtroom participants acquire interpreting services. There are new business processes and technical procedures that must be taken into consideration when using VRI services. Clarifying these roles and responsibilities of

Recommendation Two – Establish statewide education and training provisions, including materials and resources, to ensure remote interpreters and courtroom participants understand and are able to operate VRI appropriately.

stakeholders and participants can be helpful to ensure the highest quality service delivery. The Workgroup recommends education and special training materials be developed and provided to circuits participating in the VRI program. This will ensure all those using

VRI equipment will understand the technical requirements and deliver remote interpreting services effectively.

Section 36.303(f) of Title 28 of the United States Codes provides that a public institution choosing to provide qualified interpreters via VRI service shall ensure adequate training to users of the technology and other involved individuals so that they may quickly and efficiently set up and operate the VRI.

The Workgroup recommends the following business model guidelines in consideration of these education and training provisions.

Proposed Business Model for the Education and Special Training Needs:

- A. Office of the State Courts Administrator - Currently, the Court Interpreter Certification and Regulation Program within the Florida Office of the State Courts Administrator offers a two-day orientation to prospective court interpreters interested in becoming certified. The orientation is intended to provide a general overview into the interpreting profession. A brief introduction on remote interpreting, including statewide and national efforts and goals, is currently incorporated into the curriculum. With the implementation of a statewide pool, however, the Workgroup recommends the Court Interpreter Certification Board and OSCA consider enhancements to the existing curriculum to include the following additional training criteria:
1. History on remote interpreting as a statewide solution/service.
 2. Technology review including the description on the difference between centralized VRI and telephonic interpretation.
 3. Current statewide VRI efforts and goals.
 4. Role of the interpreter in the VRI solution/service.
 5. Discussion on fears and reservations over using VRI.
 6. Discussion on how the expansion of remote interpreting contributes to career advancement.

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- B. The Workgroup recommends that OSCA develop an instructional video and accredit and maintain an updated list of all interpreters who submit a completion verification of the instructional video. The OSCA should further seek eligibility, through the Court Interpreter Certification Board and Florida Court Education Council, for continuing education credits as part of this education program. The OSCA should offer the instructional video on its website as well as an on-line training video of interactive sections where interpreters may log-on to press buttons and simulate the statewide VRI system.
- C. The Workgroup further recommends that the OSCA encourage more training opportunities on remote interpreting and provide support to those circuits wishing to expand this technology, including:
1. Continuous engagement with the circuits.
 2. Provide and maintain a contact listing of participating courts.
 3. Encourage the use of this technology.
 4. Lastly, it is recommended that OSCA create and provide a *Courtroom Assessment Form* to be completed by circuits for each courtroom that will connect to the statewide pool. This form will assess the interpreter service needs of the courtroom. For instance, the form will gather information on:
 - i. Is this a circuit or county division?
 - ii. Does the public defender use the in-person interpreter provided by court administration to prepare cases the day of the event?
 - iii. What type of hearings are heard in this division?
 - iv. What is the rate by which interpreting services are needed?
- D. Circuit Court Administration - The circuit court administration offices should be responsible for the following training requirements for the statewide court interpreting pool:
1. A remote interpreting contact person will be designated to lead the expansion effort in their circuit. Each circuit participating should have a designated contact person in order to receive and send important program communications. These functions may not need to be performed by an interpreter. Many administrative related tasks such as scheduling, invoicing, and data entry may be performed by an administrative staff designee.
 2. The designated remote person will be required to learn and review support materials established for this technology, such as recommendations from the Workgroup and all videos and training material, both for judges and interpreters. The designee will provide 1:1 training to remote interpreters and courtroom participants, as necessary. Also, the designee will maintain contact with all key players responsible for installing/maintaining the technology such as schedulers, the vendor, and AV staff.

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3. Court Administration must complete the *Courtroom Assessment Form* which is provided by OSCA before any courtroom joins the remote interpreting pilot.
 4. The court administrator will ensure that judges undergo training through the instructional video prior to using the service.
 5. The court administrator will ensure and verify that staff and freelance/contractual interpreters in the circuit undergo the training through the instructional video prior to using the technology.
 6. Court administration should develop an *Activity Form* to capture data on the VRI events covered within the pool. The *Activity Form* will contain data elements as prescribed by the OSCA.
- E. Court Interpreters (Staff, Freelance, and Vendor Contractors) - Before allowing an interpreter to provide service via the statewide pool, the circuit should apply the following criteria:
1. Interpreter must hold the minimum credential of Certified or Language Skilled.
 2. Interpreter must view the instructional video on remote interpreting and submit verification to OSCA by completing the form on the hyperlink at the end of the video. This verification is required even if the interpreter has taken the state orientation provided by the OSCA.
 3. The interpreter must be provided a 1:1 training by the designated remote staff. This training will consist of the following:
 - i. Specific instructions on connecting to the courtroom.
 - ii. Camera operation.
 - iii. Voice preset operation - how to switch back and forth and also conferencing in an additional party into the service, (e.g., witness, parent, attorney).
 - iv. Protocol maintenance - same protocol as when in-person, (i.e., announcing interpreter's name and credential for the record, note taking, asking for clarification, asking for breaks, etc.).
 4. Interpreter must be instructed and trained to enter each of the covered events onto the *Activity Form*, upon assignment.
 5. Interpreter will be informed of circuit billing and invoice submission procedures.
 6. Interpreter will be given an operations log to document any technical difficulties experienced with the system while providing service.
- F. Circuit and County Court Judges - The following are suggestions for judges using the remote court interpreting system:

1. Chief judges should encourage circuit and county judges to view an instructional video on remote interpreting prior to using the service. For purposes of aiding OSCA with keeping track of user judges and jurisdiction, judges are encouraged to submit verification of video completion through the hyperlink found at the end of the instructional video. Judges will be sent an email confirmation to certify completion.
2. Judges should remind all parties to speak clearly into microphones, one person at a time, whenever using an interpreter via the remote system.
3. Judges should instruct the clerk to make the connection to the pool or may opt to select the interpreter themselves directly from the keypad on the bench.
4. Judges should instruct the bailiff to ensure that the defendant wears a headset at the initiation of the proceeding.
5. Judges should be encouraged to prioritize using the services of remote interpreters over a non-certified in-person interpreter, or over continuing a case due to lack of an in-person interpreter.
6. Judges should remind attorneys to come prepared when working with non-English speaking clients. This means that all conversations and offers should be accomplished and conveyed, if possible, prior to showing up to court by using their own resources and/or interpreters.

III. Data Collection and Performance Monitoring

Historic performance, in conjunction with current and emerging trends, are the best predictors for determining the standards, thresholds and averages of the future funding and resource allocation needs. Projecting future needs may also benefit from considering filings and activity based

information per case type, and using those trends to establish context.

Recommendation Three – Each remote interpreter participating in the statewide pool shall track their events by entering data, for each VRI event, into a local reporting system. Monthly reports shall be provided by each circuit to the OSCA, in a format prescribed by OSCA, by the 15th day of each succeeding month.

If a statewide pool is established, the Workgroup believes it will be necessary to evaluate interpreter needs across jurisdictions to ensure court resources, within the pool, are properly aligned to meet the needs of the trial courts. Currently, the Uniform Data Reporting (UDR) system is designed to capture summary-

level information on the number of court interpreting “events.” However, this information is limited and cannot be relied upon for conducting resource management analyses as necessary for the VRI statewide pool.

The American Bar Association, in its 2012 publication, *Standards for Language Access in Courts*, emphasized the importance of exploring and supporting methods to better identify and track needs of interpreters for both individual cases and overall. They note how data can be used to assist courts

in making decisions about hiring staff, developing appropriate interpreter pools, reaching out to community organizations to develop additional language access services, and prioritizing the use of court resources. They recommend courts monitor the scheduling and billing of interpreters, broken down by language, type of proceeding, and location to allow for evaluation of language access needs. For this task, they suggest courts incorporate individualized needs of Limited English Proficiency (LEP) persons into local intake or case management systems. This will achieve collection and reporting of data on the languages for which interpreters have been *requested* as well as data on languages for which interpreters have been *provided*, two equally important types of data.¹⁷

The Workgroup, in evaluating the ability of the Florida trial courts to capture and report data on interpreting needs, identified several existing limitations and constraints in this area. For instance, the Workgroup recognized the courts' challenges in capturing data in which an interpreting service need is first identified or requested. Knowing precisely how often interpreting services are requested can help determine demands across all case types, not just where courts are currently funded to provide services. This information can be used in planning and determining additional resources based on growth or expansion of coverage. The ABA recommends that each court ask questions regarding interpreter needs and track this regardless of whether an interpreter is provided privately or with public funds. Currently, courts' local and state UDR systems typically only track interpreter services that are *provided* using state funds. Thus, very limited information is available on the interpreter services requested across all case types. As a result, one of the drawbacks in the Workgroup's review efforts was to analyze total need across all case types.

Additionally, when interpreter need is first identified and tracked, it is usually noted by an attorney or case manager with the use of a checkbox in the court's case management/scheduling systems. More often than not, the date and time are not recorded, only a check mark. Thus, the Workgroup notes this as another limitation in reviewing how technology could be used to provide time savings across criminal and civil case types, including the time from the point an interpreter need is first identified to the point services are rendered. While it is generally understood VRI services will improve these timeframes significantly through the use of on-demand services within a shared pool, the inability to access this data hindered the Workgroup's analysis regarding this benefit.

To improve the capacity of the trial courts to harness performance monitoring data, the Workgroup recommends a number of actions for consideration. Most importantly, the Workgroup recommends all court interpreters using VRI track their workload, for each covered event, via a local data collection system. This data entry must be completed by all interpreters using VRI including court employees and contract interpreters. The collection of data will allow circuits to report monthly statistics to the OSCA to allow monitoring of the events/hours covered by the statewide pool in order to adjust pool resources based on demands. Additionally, pooled interpreters should not be required to work more hours per day or handle more events than what best practice standards indicate, as exceeding the

¹⁷ American Bar Association, Standards for Language Access in Courts. February, 2012.

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number of hours or events may adversely impact the quality of the interpreter service delivered. Reporting of VRI workload data will also allow these qualitative aspects of using VRI to be monitored to ensure services are provided effectively.

Proposed Business Model for Data Collection and Performance Monitoring:

- A. Circuits participating in the statewide pool as provider circuits should establish a discrete-level data collection/reporting system, or *Activity Form* in either Excel format or web form (e.g., Formstack subscription service), to collect information on the court interpreter pool workload.
- B. All court interpreters providing services within the VRI pool should track their pool workload and enter data using this discrete-level collection/reporting system or *Activity Form*. This includes employees, freelance, and vendor interpreters.
- C. The following data elements noted in the table under the column labeled “current data elements” should be collected for each pool event.
- D. Additional data elements noted in the column labeled “future data elements” are not required but are deemed important by the Workgroup for future reporting needs. The Workgroup recommends that the Florida Courts Technology Commission and the Court Statistics and Workload Committee review these future data elements in consideration of evolving local scheduling/case management systems.

Current Data Elements	Future Data Elements
Date and Time Submitted Circuit Providing Services Circuit Receiving Services Receiving Services Courtroom Interpreter Name Interpreter Type (Staff, Freelance, or Vendor) Qualification (Certified, Provisionally Approved, or Language Skilled) Language Date/Start Time of Service Date/End Service Time Schedule Type (Pre-scheduled or On-demand) Uniform Data Reporting (UDR) Case type Judge (You can use Hon. For first name) Case Style Case Number Type of Event (e.g., arraignment)	Uniform Case Number (UCN) Date and Time Requested (across all case types) Requested Language

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Interpreter Assigned Actor ID (interpreters will be assigned an ID)	
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- E. Circuits should continue to report to the Uniform Data Reporting System as usual. Therefore, if an event originates in the receiving Circuit but is covered by an interpreter located in another circuit, the event should be reported in the originating circuit’s UDR as well as in the statewide VRI reporting system.
- F. Monthly reports should be provided to OSCA summarizing the statistics on the statewide VRI pool events. These reports are to be completed by the 15th day of each succeeding month. The summary statistics should include the same data elements as required by the UDR system for each circuit where services were delivered.
- G. The OSCA should begin developing a scripting language to extract “current data elements” from the statewide call manager. Programming should be initiated as quickly as possible and implemented up-front to reduce data-entry burden on the circuits. The Workgroup recommends the OSCA begin work on this issue as a first priority with completion targeted within one year. Once these data elements are automatically retrieved, notice should be sent to the circuits to alleviate them from unnecessary data collection and reporting.
- H. All data elements collected should conform to the Court Data Model, as accepted by the Supreme Court in March 2013, as part of the TCP&A report, *Trial Court Integrated Management Solution (TIMS): Identifying Key Case and Workload Data and Establishing Uniform Definitions for Improving Automation of Florida’s Trial Courts Phase One Report*.

The Workgroup members discussed how these recommendations provide a first step toward improving the collection of meaningful court interpreter data. In the future, a single, dedicated application could alleviate some of the existing issues in terms of data collection as necessary to monitor the statewide pool.¹⁸ For instance, a custom web application could be developed to allow interpreters to complete data entry via mobile devices which may improve data entry ease and response, although such an application would be complex to build. Alternatively, circuits could retain the use of off-the-shelf web-based reporting systems such as Formstack that allow exports of data in excel format. Exports of data to excel would provide opportunity for circuit staff to review, correct errors, and back-fill missing data fields, such as Uniform Case Number (UCN), prior to submission to

¹⁸ Data limitations and constraints recognized by the Workgroup include challenges in counting the number of interpreter events. This regularly occurs in first appearance proceedings where case numbers are not yet assigned. Further, in instances when an interpreter provides services to multiple cases and defendants in a short period, interpreters find it difficult to track these events and case numbers separately. Thus, the inability for interpreters to report each event separately can reduce overall assurance in counting these events.

the OSCA. While off-the-shelf solutions may not scale to statewide reporting, they may provide a suitable local level reporting mechanism to collect detailed information on interpreter workload.

Another option discussed by the Workgroup is to create management reports using data tracked by the statewide call manager. This method would reduce inevitable human data entry burden/error as the statewide call manager could automatically track data on the duration of interpreting events occurring between circuits. However, the system could only produce limited reports on the calls occurring within the shared model. For instance, the system could not provide information on events occurring outside of the shared pool. Also, certain descriptive information on the types of proceedings covered would be difficult to track. To overcome the latter, the shared model system could be designed to include a “pop-up window” to prompt the remote interpreter to enter additional descriptive information on the interpreting event such as case type, case number or total number of events. Further, each interpreter could be assigned a unique identifier to reduce the need for interpreters to re-enter their names and other personal identifier information each time an event occurs. To accomplish this, each interpreter invited to participate in the shared pool would register with OSCA to receive a unique identification code. The unique identifier could then be entered on the pop-up window for tracking purposes as well as to route calls to the most qualified interpreter based on language need. Though, for the latter, a separate pop-up window may be needed to allow remote interpreters to sign-in and sign-out during the day.

With such implications, alternative options should be explored for future, permanent data collection needs of the shared remote interpreting program. During the interim until evaluation of future reporting capabilities can occur, the Workgroup recommends continuation of local reporting for shared circuits until such time the management reports from the statewide call manager can be built. With this option, shared model events can be tracked by the pool interpreters based on the above proposed business model guidelines. For all interpreting events, data should continue to be tracked by circuits’ local data collection methods and then reported summarily to OSCA under the current UDR reporting requirements. This will provide monthly statistics on all events and hours by UDR language and case type including events covered within and outside the statewide pool.

IV. Administration of the Interpreter Oath

As part of the Workgroup’s efforts, existing statutes and court rules were reviewed to determine changes based on the use of VRI. The Workgroup located one statute and one operational court policy that may need to be addressed.

Currently, Florida Statute 90.606(3) states, “An interpreter shall take an oath that he or she will make

a true interpretation of the questions asked and the answers given...” In 2010, the Commission on Trial Court Performance and Accountability considered this statute as part of its report, *Recommendations for the Provision of Court Interpreting Services in Florida Trial Courts*. Within the report, the TCP&A developed policy recommendations to address swearing in of interpreters. It

Recommendation Four – Allow certified staff interpreters to take an oath as administered by a presiding judge at the initial start of employment. The oath shall be considered valid for the duration of the interpreter’s employment barring situations such as lapse of certification, disciplinary action, or suspension.

states, as a standard of operation, that a court interpreter shall be sworn in at the beginning of a proceeding or set of proceedings.¹⁹ Ideally, the TCP&A recommends that a court interpreter take an oath before each proceeding. However, the TCP&A also notes, “[f]or the sake of expediency, judges and court administrators have found that for interpreters who are employees of the court or are familiar to the judge, the oath can be administered at

the beginning of the day’s work in a given courtroom and the oath extends for the duration of the day’s services in that courtroom.”

When using VRI services, via the statewide pool, it is expected that the remote interpreter will provide services to multiple courtrooms in many locations throughout the day. In consideration of this, the Workgroup recommends that the remote interpreter take an oath at the start of employment. This will alleviate the interpreters from having to take multiple oaths in one day.

Proposed Business Model Suggestions for Swearing In Interpreters:

- A. For certified staff interpreters only, an “oath” ceremony should be conducted where a presiding judge administers the oath. The oath shall remain valid for the duration of the interpreter’s employment barring situations such as lapse of certification, disciplinary action, etc. The staff interpreter shall be bound by the oath and the interpreter’s Professional Code of Conduct. Having such an oath for certified staff interpreters prevents delays when an interpreter is covering several events in various courtrooms.
- B. When a pooled interpreter remotes into a courtroom, especially in a different circuit, the interpreter should make their presence known and introduce him/herself on the record as a staff interpreter.
- C. In the case of trials, the oath should always be administered orally to the interpreter as it is beneficial for the jury to observe the oath.

¹⁹ Commission on Trial Court Performance and Accountability 2010 Report, *Recommendations for the Provision of Court Interpreting Services in Florida Trial Courts*.

- D. The Court Interpreter Certification Board and the Commission on Trial Court Performance and Accountability should conduct a review of the existing rules and standards of operation for incorporating a written oath at the beginning of employment to accommodate remote interpreting (since this level of remote interpreting was not contemplated at the time the standards and best practices were originally developed).

V. Governance of a Shared Remote Interpreting Model

Oversight of a shared remote interpreting model is necessary to ensure that language access services paid for with public funds are provided in accordance with the mission and vision of the judicial branch, and applicable federal and state laws. Due to the unique nature of interpreting needs in each

Recommendation Five – Establish a governance committee to make recommendations to the Court Interpreter Certification Board (CICB) and the Trial Court Budget Commission (TCBC) regarding oversight of shared remote interpreting services.

circuit, it is recommended that one entity be established to assist with providing general oversight, administration/management, coordination of information and data collection, and provide recommendations for modifications to procedures of a shared remote interpreting services model. A single governing entity will ensure state-level consistency of shared remote interpreting model practices and protocols,

while providing flexibility, as necessary, for circuits in need of varied services. Without one governing entity responsible for the oversight of the shared remote interpreting model, it is possible that shared remote interpreting may not adequately meet the needs of all twenty circuits. Further, it may be very challenging to institute procedural changes for all participating circuits in a shared remote interpreting model without an established governing entity.

Proposed Business Model Suggestions for Governance:

- A. The governance committee should:
 1. Be composed of judges, trial court administrators, and court staff that perform court interpreting related coordination duties. The governance committee shall be staffed by the OSCA. Representation on the governance committee should include small, medium, and large circuits.
 2. Develop recommendations to the TCBC on additional funding needs, as requested by the circuits, for interpreting services associated with shared remote interpreting. These recommendations should be based on standardized room models/costs, for both state and county obligated portions of remote interpreting technology, as developed by the TCBC’s Due Process Technology Workgroup.

RECOMMENDATIONS ON SHARED REMOTE INTERPRETING SERVICES

3. Be responsible for collecting data and needs-based funding information for shared remote interpreting for the circuits.
4. Oversee ongoing administration/management issues. This shall include procedural changes to the shared remote interpreting model based upon periodic review of circuit data, as well as feedback and recommendations from the circuits regarding procedural changes to the model. Consideration should be given to an annual review of the shared remote interpreting model, with procedural modifications made as appropriate.
5. Establish Memorandum of Understandings (MOUs) between circuits and the governance committee. An example MOU is provided in Appendix B.
6. To the extent they have bearing on procedures for administration of the model, address complaints/issues filed between circuits related to the use of shared remote interpreters.
7. Establish a grievance policy to address operational issues that may arise as a result of the use of VRI.

The governance committee should make funding recommendations to the TCBC for the annual Legislative Budget Request (LBR) based on periodic surveys and data collection from the circuits defining shared remote interpreter technical and staffing needs. For instance, the functions of management, coordination, and direct service delivery are applicable to all circuits; however, based on low demands within some areas of the state, not all circuits require FTE positions to support each of these functions. The Workgroup discussed the recommendations, especially those pertaining to statewide pool coordination and training, and how these may result in additional resource needs. Most circuits with court interpreter managers may be able to absorb the additional workload; however, some circuits may not. These types of resource issues will need to be reviewed and considered by the governance committee and the TCBC during implementation of a statewide pool model.

Ultimately, the recommendations from the governance committee would be advanced to the TCBC separate from other due process related items (e.g., court reporting needs). The committee would be responsible for making recommendations to the TCBC for funding needs for shared remote interpreting services at the circuit level, and for statewide needs based upon information provided by the circuits. A technical subcommittee (i.e., court technology officers and others) might be best suited to make recommendations to the governance committee regarding technical funding needs (e.g., hardware, licensing, and network infrastructure). This process will allow one body with technical and business application expertise to ensure funding requests for language access are in accordance with Supreme Court administrative orders and recommendations of other state courts system court committees.

It is recommended that an annual review of this model take place, which would include compiling comments, feedback, data, and any additional outreach, to determine if services are being provided in the most efficient and effective manner, and to suggest any adjustments to the model. Once funding recommendations are compiled, the governance committee should outreach the recommendations to all twenty circuits for review. As with other major projects, such as the foreclosure initiative, it is helpful for circuits to understand what is being asked for by each other. This proves especially beneficial when a circuit is reminded that it may need funding for an item previously not considered, but being requested by another circuit. The governance committee should also review, on a quarterly basis, any data that is made available.

The scope of the governance committee should be limited solely to matters related to issues of shared remote interpreting services. The committee should be responsible for addressing complaints/issues filed between circuits regarding the use of shared interpreters as it pertains to procedural implementation of the model, and not to matters governed under the Florida Rules for Certification and Regulation of Spoken Language Court Interpreters, which properly reside with the Court Interpreter Certification Board. Resolving disputes between circuits regarding administration/management and procedures for the shared remote interpreter model should indeed be a responsibility of the applicable oversight entity, which is similar to responsibilities of the Mediation Qualifications Board and Court Interpreter Certification Board. The committee should not be responsible for addressing complaints/issues filed between circuits that involve matters within the jurisdiction of the Court Interpreter Certification and Regulation Board pursuant to Florida Rules for Certification and Regulation of Spoken Language Court Interpreters. Any personnel issues related to staff interpreters should be handled at the circuit level.

VI. Funding and Resource Allocation of the Shared Remote Interpreting Model

Given the disparity in languages, costs for interpreters, and frequency of utilization of services among Florida's judicial circuits, it is important to have flexibility in funding and resource allocation models. The current statewide Florida budget for court interpreting includes 125.5 FTE and \$3,203,831 in direct services contractual resources. Contractual resources are allocated based on each circuit's expenditures and projected growth in non-English speaking population.

With the establishment of a statewide pool, interpreter resources will be shared across circuits in

Recommendation Six – The Governance
Committee shall monitor funding needs of the circuits in consideration of making recommendations to the TCBC on changes to existing allocations, standard rates, cost recovery/sharing practices, to ensure highest efficiency in the use of the interpreter resources within the shared remote interpreting model.

order to leverage the use of existing qualified resources. Over time, as performance of the pool is monitored, resources may need to be adjusted to ensure equity. For instance, staffing model changes (e.g., shifting a contractual to an FTE) may need to be considered based on decreases/increases in contractual service interpreter demands. As an example, if statewide demands for Russian interpreting are enough to justify the use of a full-time employee interpreter, consideration should be

given to creating an FTE in the pool to serve that purpose. The full-time interpreter will provide Russian interpreter services to all circuits within the pool. Also, if leveraging existing staff Spanish interpreters results in a decrease of contractual Spanish interpreters in some circuits, those resources should be redirected towards purchasing technology.

With these implications, workload trends of interpreters should be sharply evaluated to develop recommendations on overall budget management of the shared circuit resources under a shared remote interpreting business model. Therefore, the Workgroup recommends ongoing monitoring of these resources to ensure that improvements and necessary adjustments can be made that are consistent with current funding provisions.

Proposed Business Model Suggestions for Funding and Resource Allocation:

- A. Options should be available for a diverse funding/resource allocation model, including pay-as-you-go (i.e., cost recovery).
- B. Cost sharing may be applied to circuits where the frequency of shared remote interpreting services usage is higher and there is a substantial contribution to the model from interpreters in those respective circuits. Funding levels can be modified via the Legislature on an on-going basis based on the changing needs of the stakeholders. Therefore, cost sharing payment reconciliation must be evaluated periodically throughout the fiscal year to determine monthly, quarterly, and annual usage cost and contribution cost per circuit. Adjustments should be made as necessary based on evolving needs.
- C. Pay-as-you-go (i.e., cost recovery) may be applied to circuits where the frequency of use of shared interpreting is minimal and there is limited or no contribution to the model from interpreters in those circuits. Payments may be made monthly.

RECOMMENDATIONS ON SHARED REMOTE INTERPRETING SERVICES

- D. Standardized rates should be used when staff interpreters are providing shared interpreter services.
- E. Contract interpreter rates vary throughout the state and by circuit. It may be in the best interest of the state courts system to develop state or regional-based contracts with interpreters for the provision of shared interpreting services.
- F. Fiscal incentive should be given to the participating circuits by allowing those circuits to keep a percentage of the savings.

These business model guidelines are suggestions and will need a more in-depth review by the governance committee prior to becoming official recommendations to the TCBC. Funding for technology and additional operational resources were not contemplated by the Workgroup. It is recognized, however, additional funding may be needed to implement the recommendations contained in this report. The Workgroup recognizes the efforts conducted already by the Trial Court Budget Commission to seek funding for remote interpreting technology as part of the *Trial Courts' Comprehensive Technology Strategic Plan*. The Workgroup suggests that additional work be conducted in the future to assess the full fiscal impact of these recommendations.

For instance, cost sharing has not been received well by many circuits. Although, ideally it may be applied to circuits where the frequency of shared remote interpreting services usage is higher and there is a substantial contribution to the model from interpreters in those respective circuits. Cost sharing will only work if all stakeholders agree on a funding methodology and that, based on the funding methodology, funding levels can be modified via the Legislature on an on-going basis based on the changing needs of the stakeholders.

Also, the funding methodology used for operational due process resources is based on a three-year average of past expenditures. Under this model, circuits that have stayed within their budget receive less money in the next year. Circuits that exceed their budget receive additional funds. This funding practice creates disincentives for improving business operations in the circuits. Thus, better fiscal incentives should ensure circuit budgets are not harmed as a result of innovative new practices. Rather, circuits should be rewarded through the re-dedication of cost savings to further support successful innovations.

As for contract interpreters, it may be beneficial to have statewide contracts for certain languages. A contract interpreter may not want to provide services for a region due to being paid less than in the region in which he/she resides. In some instances a contract interpreter may be willing to accept a slightly lower rate due to having an increase in assignments. Further, rates for contract interpreters tend to vary throughout the state and often by circuit. Standardized rates for shared interpreter services may be easier to achieve when staff interpreters are used versus contract interpreters. Contracts may need to be negotiated regionally to take into consideration what may be substantial

rate differences. Contractors from outside of the region should only be used when absolutely necessary.

Conclusion

In Florida, there is no one size fits all for language access services. Florida is on the cutting edge of shared remote interpreting. Accordingly, the suggested guidelines may meet the diverse needs of the circuits in Florida, while providing information on what works, what does not work, and may prove useful for refining best practices nationally.

In review of the pilot, the Shared Remote Interpreting Workgroup concludes virtual remote interpreting technology (VRI) can provide significant benefits to the trial courts in the areas of efficiency, quality, and accountability. VRI will allow for improved access to quality court interpreter services. From an efficiency standpoint, VRI can assist in reducing travel associated with interpreters having to walk or drive between courtroom locations, or wait between hearings in one location. Circuit court staff will no longer have to spend hours locating a qualified interpreter or pay expensive travel accommodations to bring a qualified interpreter in-person to the courtroom. Also, court proceeding delays or “slowdowns” associated with single mode interpreting can be reduced as VRI supports both simultaneous and consecutive interpretation. Fewer continuances may occur because interpreters are more readily available using VRI. Quality may be improved by VRI because circuits can leverage state certified staff interpreter resources, thereby reducing reliance on non-qualified interpreters. Circuit court staff will no longer have to endure decisions that result in making compromises, often in favor of access over quality, because of a lack in available qualified interpreters. Overall, these benefits together improve accountability of tax-payer funded court resources. Such conclusions have compelled the Workgroup to offer these recommendations.

The Workgroup would like to extend its appreciation to the members of the Trial Court Budget Commission, the Court Interpreter Certification Board, and the Commission on Trial Court Performance and Accountability for the opportunity to work on such an important project. The Workgroup would also like to extend its gratitude to those circuits and their staff who participated in the VRI pilot and six-month data collection effort. Their support and cooperative efforts contributed greatly to the Workgroup and the development of these recommendations.

Appendices

[Appendix A – Summary Results of the Six-Month Interpreter Activity Data Collection Effort](#)

[Appendix B – Draft Memorandum of Understanding](#)

Appendix A

Shared Remote Interpreting Workgroup Interpreter Activity Data Collection Effort Events and Minutes Provided by Delivery Method By Circuit, Covered by Circuits Outside of the Pilot

		Outside Pilot Events August 2014 - January 2015			
Circuit	Delivery Method	Total Events	Percent of Total Events	Total Minutes	Average Minutes Per Event
1	In-Person	590	88.3%	22,029	37
	Remote	9	1.3%	144	16
	Telephonic	69	10.3%	828	12
	Circuit Total	668	100.0%	23,001	34
2	In-Person	288	91.1%	10,763	37
	Remote	17	5.4%	1,042	61
	Telephonic	11	3.5%	150	14
	Circuit Total	316	100.0%	11,955	38
3	In-Person	234	81.8%	7,021	30
	Remote	7	2.4%	258	37
	Telephonic	45	15.7%	715	16
	Circuit Total	286	100.0%	7,994	28
4	In-Person	1,471	99.7%	42,341	29
	Remote	4	0.3%	136	34
	Telephonic	1	0.1%	5	5
	Circuit Total	1,476	100.0%	42,482	29
5	In-Person	2,291	96.1%	188,795	82
	Remote	9	0.4%	434	48
	Telephonic	54	2.3%	2,894	54
	Unknown	29	1.2%	1,943	67
	Circuit Total	2,383	100.0%	194,066	81
6	In-Person	1,537	91.4%	88,249	57
	Telephonic	144	8.6%	2,559	18
	Circuit Total	1,681	100.0%	90,808	54
7	In-Person	1,380	95.7%	37,064	27
	Remote	53	3.7%	2,261	43
	Telephonic	9	0.6%	280	31
	Circuit Total	1,442	100.0%	39,605	27
8	In-Person	275	80.4%	12,109	44
	Remote	2	0.6%	75	38
	Telephonic	65	19.0%	414	6
	Circuit Total	342	100.0%	12,598	37

Shared Remote Interpreting Workgroup
 Interpreter Activity Data Collection Effort
 Events and Minutes Provided by Delivery Method
 By Circuit, Covered by Circuits Outside of the Pilot

		Outside Pilot Events August 2014 - January 2015			
Circuit	Delivery Method	Total Events	Percent of Total Events	Total Minutes	Average Minutes Per Event
9	In-Person	6,116	76.0%	115,791	19
	Remote	1,911	23.7%	18,731	10
	Telephonic	23	0.3%	142	6
	Circuit Total	8,050	100.0%	134,664	17
10	In-Person	2,925	88.3%	52,986	18
	Remote	382	11.5%	6,845	18
	Telephonic	5	0.2%	94	19
	Circuit Total	3,312	100.0%	59,925	18
11	In-Person	83,549	91.9%	1,410,584	17
	Remote	5,460	6.0%	81,665	15
	Telephonic	1,488	1.6%	30,054	20
	Unknown	401	0.4%	27,365	68
	Circuit Total	90,898	100.0%	1,549,668	17
13	In-Person	5,027	93.0%	99,752	20
	Remote	364	6.7%	11,431	31
	Telephonic	16	0.3%	776	49
	Circuit Total	5,407	100.0%	111,959	21
14	In-Person	301	82.9%	9,710	32
	Remote	5	1.4%	102	20
	Telephonic	13	3.6%	252	19
	Unknown	44	12.1%	2,447	56
	Circuit Total	363	100.0%	12,511	34
15	In-Person	7,031	94.8%	175,055	25
	Remote	300	4.0%	2,161	7
	Telephonic	89	1.2%	1,112	12
	Circuit Total	7,420	100.0%	178,328	24
16	In-Person	428	47.8%	15,840	37
	Remote	411	45.9%	16,200	39
	Telephonic	56	6.3%	474	8
	Circuit Total	895	100.0%	32,514	36

Shared Remote Interpreting Workgroup
 Interpreter Activity Data Collection Effort
 Events and Minutes Provided by Delivery Method
 By Circuit, Covered by Circuits Outside of the Pilot

		Outside Pilot Events August 2014 - January 2015			
Circuit	Delivery Method	Total Events	Percent of Total Events	Total Minutes	Average Minutes Per Event
17	In-Person	3,340	80.3%	113,433	34
	Remote	812	19.5%	10,992	14
	Telephonic	8	0.2%	279	35
	Circuit Total	4,160	100.0%	124,704	30
18	In-Person	600	88.8%	18,577	31
	Remote	6	0.9%	67	11
	Telephonic	70	10.4%	820	12
	Circuit Total	676	100.0%	19,464	29
19	In-Person	4,054	98.9%	81,715	20
	Remote	30	0.7%	591	20
	Telephonic	14	0.3%	310	22
	Circuit Total	4,098	100.0%	82,616	20
20	In-Person	5,280	90.1%	257,268	49
	Remote	530	9.0%	26,907	51
	Telephonic	52	0.9%	1,635	31
	Circuit Total	5,862	100.0%	285,810	49
State	In-Person	126,717	90.7%	2,759,082	22
	Remote	10,312	7.4%	180,042	17
	Telephonic	2,232	1.6%	43,793	20
	Unknown	474	0.3%	31,755	67
	State Total	139,735	100.0%	3,014,672	22

Notes:

1. Data is self-reported by individual interpreters. Circuits were unable to verify data submitted. They could only verify total events.
2. At the time of the data collection effort, it was noted no provisionally approved or language skilled interpreters existed in the state as these were new designations as of March 2014. See *In re Amends. to Fla. Rules for Certif. & Regul. of Court Interpreters.*, 136 So. 3d 584 (Fla. 2014).
3. Events reported within the pilot represent less than one percent of total events statewide. Therefore, comparative analysis on timeframes were inconclusive.
4. Data reported reflects direct services only. Administrative travel related events are excluded.
5. Unknown delivery method includes N/A, translation, and blank entries.
6. Outside pilot events do not include circuit 12.
7. Does not includes events with negative, zero, or over 660 minutes.

Shared Remote Interpreting Workgroup
 Interpreter Activity Data Collection Effort
 Events and Minutes Provided by Type of Case
 Covered by Circuits In and Outside of the Pilot

Type of Case	Outside Pilot Events August 2014 - January 2015				Pilot Events March 2014 - March 2015 (Circuits providing service)			
	Total Events	Percent of Total Events	Total Minutes	Average Minutes Per Event	Total Events	Percent of Total Events	Total Minutes	Average Minutes Per Event
Baker/Marchman/Guardianship	322	0.2%	12,187	38	0	0.0%	0	NA
Circuit Criminal	41,537	29.7%	968,963	23	67	17.4%	1,855	28
County Criminal	49,694	35.6%	855,982	17	273	71.1%	6,348	23
Delinquency	6,358	4.6%	208,323	33	39	10.2%	479	12
Dependency/CINS/FINS	4,596	3.3%	215,964	47	4	1.0%	56	14
Domestic Violence Injunctions	8,787	6.3%	228,230	26	0	0.0%	0	NA
Magistrate/CSEHO or Title IV-D	711	0.5%	33,625	47	1	0.3%	20	20
Other Case Types	27,730	19.8%	491,398	18	0	0.0%	0	NA
Total	139,735	100.0%	3,014,672	22	384	100.0%	8,758	23

Notes:

1. Data is self-reported by individual interpreters. Circuits were unable to verify data submitted. They could only verify total events.
2. At the time of the data collection effort, it was noted no provisionally approved or language skilled interpreters existed in the state as these were new designations as of March 2014. See In re Amends. to Fla. Rules for Certif. & Regul. of Court Interprtrs., 136 So. 3d 584 (Fla. 2014).
3. Events reported within the pilot represent less than one percent of total events statewide. Therefore, comparative analysis on timeframes were inconclusive.
4. Data reported reflects direct services only. Administrative travel related events are excluded.
5. Other case types include, but is not limited to, civil, judicial reviews, mediation, translation, and unknown entries.
6. Outside pilot events do not include circuit 12.
7. Does not include events with negative, zero, or over 660 minutes.

**Shared Remote Interpreting Workgroup
 Interpreter Activity Data Collection Effort
 Events and Minutes Provided by Type of Event
 Covered by Circuits In and Outside of the Pilot**

Type of Event	Outside Pilot Events August 2014 - January 2015				Pilot Events March 2014 - March 2015 (Circuits providing service)			
	Total Events	Percent of Total Events	Total Minutes	Average Minutes Per Event	Total Events	Percent of Total Events	Total Minutes	Average Minutes Per Event
Arrest	29,634	21.2%	413,367	14	185	48.2%	4,119	22
Atty/Client Conference	1,708	1.2%	36,150	21	0	0.0%	0	NA
Detention Review	305	0.2%	11,065	36	4	1.0%	52	13
Docket Sounding/Trial Call	1,927	1.4%	61,948	32	7	1.8%	97	14
First Appearance Hearing	6,604	4.7%	186,532	28	106	27.6%	3,606	34
Other Hearings	42,632	30.5%	853,205	20	4	1.0%	118	30
Plea	17,838	12.8%	257,624	14	51	13.3%	420	8
Pre-Trial	2,317	1.7%	77,962	34	12	3.1%	109	9
Sentence/Disposition	1,425	1.0%	48,452	34	3	0.8%	27	9
Sight Translation	2,273	1.6%	79,050	35	0	0.0%	0	NA
Trial	3,437	2.5%	176,421	51	2	0.5%	70	35
Witness Testimony	2,564	1.8%	62,689	24	2	0.5%	50	25
Deposition	441	0.3%	28,870	65	0	0.0%	0	NA
Interviews	12,018	8.6%	222,895	19	0	0.0%	0	NA
Psychological Evaluation	88	0.1%	2,716	31	0	0.0%	0	NA
Other	13,917	10.0%	468,948	34	8	2.1%	90	11
No Event	455	0.3%	20,229	44	0	0.0%	0	NA
Unknown	152	0.1%	6,549	43	0	0.0%	0	NA
Total	139,735	100.0%	3,014,672	22	384	100.0%	8,758	23

Notes:

1. Data is self-reported by individual interpreters. Circuits were unable to verify data submitted. They could only verify total events.
2. At the time of the data collection effort, it was noted no provisionally approved or language skilled interpreters existed in the state as these were new designations as of March 2014. See In re Amends. to Fla. Rules for Certif. & Regul. of Court Interprtrs., 136 So. 3d 584 (Fla. 2014).
3. Events reported within the pilot represent less than one percent of total events statewide. Therefore, comparative analysis on timeframes were inconclusive.
4. Data reported reflects direct services only. Administrative travel related events are excluded.
5. Outside pilot events do not include circuit 12.
6. Other hearings includes bond, motion, and status hearings entries. Unknown includes domestic violence, dependency, and unknown entries.
7. Does not include events with negative, zero, or over 60 minutes.

Shared Remote Interpreting Workgroup
 Interpreter Activity Data Collection Effort
 Events and Minutes Provided by Professional Category
 By Circuit, Covered by Circuits In and Outside of the Pilot

Circuit	Professional Category	Outside Pilot Events August 2014 - January 2015				Pilot Events March 2014 - March 2015 (Circuits providing service)			
		Total Events	Percent of Total Events	Total Minutes	Average Minutes Per Event	Total Events	Percent of Total Events	Total Minutes	Average Minutes Per Event
1	Florida Certified	20	3.0%	458	23				
	No Credential	7	1.0%	235	34				
	Other	641	96.0%	22,308	35				
	Total	668	100.0%	23,001	34				
2	Florida Certified	203	64.2%	9,894	49				
	No Credential	11	3.5%	55	5				
	Other	102	32.3%	2,006	20				
	Total	316	100.0%	11,955	38				
3	Florida Certified	72	25.2%	2,050	28				
	No Credential	67	23.4%	2,780	41				
	Other	147	51.4%	3,164	22				
	Total	286	100.0%	7,994	28				
4	Florida Certified	1,035	70.1%	23,644	23				
	No Credential	235	15.9%	12,731	54				
	Other	206	14.0%	6,107	30				
	Total	1,476	100.0%	42,482	29				
5	Federal Certified	80	3.4%	9,025	113				
	Florida Certified	1,630	68.4%	144,412	89				
	No Credential	52	2.2%	3,905	75				
	Other	621	26.1%	36,724	59				
	Total	2,383	100.0%	194,066	81				
6	Florida Certified	1,163	69.2%	48,404	42				
	No Credential	143	8.5%	12,137	85				
	Other	375	22.3%	30,267	81				
	Total	1,681	100.0%	90,808	54				
7	Florida Certified	1,322	91.7%	33,335	25	92	100.0%	3,767	41
	No Credential	40	2.8%	2,246	56	0	0	0	NA
	Other	80	5.5%	4,024	50	0	0	0	NA
	Total	1,442	100.0%	39,605	27	92	100.0%	3,767	41
8	Florida Certified	108	31.6%	5,218	48				
	No Credential	42	12.3%	1,380	33				
	Other	192	56.1%	6,000	31				
	Total	342	100.0%	12,598	37				
9	Florida Certified	6,575	81.7%	100,636	15	292	100.0%	4,991	17
	No Credential	227	2.8%	11,263	50	0	0.0%	0	NA
	Other	1,248	15.5%	22,765	18	0	0.0%	0	NA
	Total	8,050	100.0%	134,664	17	292	100.0%	4,991	17

Shared Remote Interpreting Workgroup
 Interpreter Activity Data Collection Effort
 Events and Minutes Provided by Professional Category
 By Circuit, Covered by Circuits In and Outside of the Pilot

Circuit	Professional Category	Outside Pilot Events August 2014 - January 2015				Pilot Events March 2014 - March 2015 (Circuits providing service)			
		Total Events	Percent of Total Events	Total Minutes	Average Minutes Per Event	Total Events	Percent of Total Events	Total Minutes	Average Minutes Per Event
10	Florida Certified	1,962	59.2%	41,528	21				
	No Credential	1,142	34.5%	12,437	11				
	Other	208	6.3%	5,960	29				
	Total	3,312	100.0%	59,925	18				
11	Federal Certified	1,253	1.4%	20,205	16				
	Florida Certified	63,158	69.5%	992,003	16				
	No Credential	20,682	22.8%	393,045	19				
	Other	5,805	6.4%	144,415	25				
	Total	90,898	100.0%	1,549,668	17				
13	Florida Certified	2,202	40.7%	40,095	18				
	No Credential	741	13.7%	13,978	19				
	Other	2,464	45.6%	57,886	23				
	Total	5,407	100.0%	111,959	21				
14	Florida Certified	4	1.1%	1,560	390				
	No Credential	336	92.6%	10,186	30				
	Other	23	6.3%	765	33				
	Total	363	100.0%	12,511	34				
15	Florida Certified	6,103	82.3%	138,632	23				
	No Credential	383	5.2%	11,391	30				
	Other	934	12.6%	28,305	30				
	Total	7,420	100.0%	178,328	24				
16	Florida Certified	408	45.6%	16,125	40				
	No Credential	458	51.2%	15,985	35				
	Other	29	3.2%	404	14				
	Total	895	100.0%	32,514	36				
17	Florida Certified	2,343	56.3%	72,536	31				
	No Credential	1,540	37.0%	40,573	26				
	Other	277	6.7%	11,595	42				
	Total	4,160	100.0%	124,704	30				
18	Florida Certified	546	80.8%	10,755	20				
	No Credential	31	4.6%	5,415	175				
	Other	99	14.6%	3,294	33				
	Total	676	100.0%	19,464	29				

**Shared Remote Interpreting Workgroup
Interpreter Activity Data Collection Effort
Events and Minutes Provided by Professional Category
By Circuit, Covered by Circuits In and Outside of the Pilot**

Circuit	Professional Category	Outside Pilot Events August 2014 - January 2015				Pilot Events March 2014 - March 2015 (Circuits providing service)			
		Total Events	Percent of Total Events	Total Minutes	Average Minutes Per Event	Total Events	Percent of Total Events	Total Minutes	Average Minutes Per Event
19	Florida Certified	2,106	51.4%	23,459	11				
	No Credential	1,583	38.6%	39,572	25				
	Other	409	10.0%	19,585	48				
	Total	4,098	100.0%	82,616	20				
20	Florida Certified	2,724	46.5%	132,002	48				
	No Credential	374	6.4%	16,216	43				
	Other	2,764	47.2%	137,592	50				
	Total	5,862	100.0%	285,810	49				
State	Florida Certified	93,684	67.0%	1,836,746	20	384	100.0%	8,758	23
	Federal Certified	1,333	1.0%	29,230	22	0	0.0%	0	NA
	No Credential	28,094	20.1%	605,530	22	0	0.0%	0	NA
	Other	16,624	11.9%	543,166	33	0	0.0%	0	NA
	Total	139,735	100.0%	3,014,672	22	384	100.0%	8,758	23

Notes:

1. Data is self-reported by individual interpreters. Circuits were unable to verify data submitted. They could only verify total events.
2. At the time of the data collection effort, it was noted no provisionally approved or language skilled interpreters existed in the state as these were new designations as of March 2014. See In re Amends. to Fla. Rules for Certif. & Regul. of Court Interpreters., 136 So. 3d 584 (Fla. 2014).
3. Events reported within the pilot represent less than one percent of total events statewide. Therefore, comparative analysis on timeframes were inconclusive.
4. Data reported reflects direct services only. Administrative travel related events are excluded.
5. Other professional category includes court employee, Florida language skilled, Florida professionally approved, and duly qualified entries.
6. Outside pilot events do not include circuit 12.
7. Does not include events with negative, zero, or over 660 minutes.

**Shared Remote Interpreting Workgroup
 Interpreter Activity Data Collection Effort
 Average Minutes Per Event
 By Circuit and Language, Covered by Circuits In and Outside of the Pilot**

Circuit	Outside Pilot Events August 2014 - January 2015				Pilot Events March 2014 - March 2015 (Circuits providing service)			
	Spanish	Haitian- Creole	Other	Sign Language	Spanish	Haitian- Creole	Other	Sign Language
1	33	NA	24	64				
2	37	NA	49	58				
3	27	NA	46	13				
4	23	70	53	96				
5	81	34	94	86				
6	41	35	80	154				
7	25	NA	60	59	41	NA	NA	NA
8	22	NA	143	148				
9	14	36	62	63	17	12	24	NA
10	17	22	39	60				
11	17	30	21	NA				
13	20	29	45	40				
14	32	NA	46	63				
15	21	31	78	137				
16	36	31	54	46				
17	25	48	76	62				
18	26	14	18	82				
19	19	37	30	134				
20	47	63	59	157				
Total	20	34	60	95	23	12	24	NA

Notes:

1. Data is self-reported by individual interpreters. Circuits were unable to verify data submitted. They could only verify total events.
2. At the time of the data collection effort, it was noted no provisionally approved or language skilled interpreters existed in the state as these were new designations as of March 2014. See *In re Amends. to Fla. Rules for Certif. & Regul. of Court Interpretr.*, 136 So. 3d 584 (Fla. 2014).
3. Events reported within the pilot represent less than one percent of total events statewide. Therefore, comparative analysis on timeframes were inconclusive.
4. Data reported reflects direct services only. Administrative travel related events are excluded.
5. Other languages includes, but is not limited to, Albanian, Amharic, Arabic, Bengali, Chinese, Mandarin, Korean, and Portuguese.
6. Outside pilot events do not include circuit 12.
7. Does not include events with negative, zero, or over 660 minutes.

**Shared Remote Interpreting Workgroup
 Interpreter Activity Data Collection Effort
 Number of Events
 By Circuit and Language, Covered by Circuits In and Outside of the Pilot**

Circuit	Outside Pilot Events August 2014 - January 2015				Pilot Events March 2014 - March 2015 (Circuits providing service)			
	Spanish	Haitian- Creole	Other	Sign Language	Spanish	Haitian- Creole	Other	Sign Language
1	616	0	17	35				
2	304	0	3	9				
3	276	0	9	1				
4	1,218	6	230	22				
5	2,313	2	33	35				
6	1,384	2	162	133				
7	1,356	0	43	43	92	0	0	0
8	302	0	7	33				
9	7,503	259	170	118	284	3	5	0
10	3,167	66	30	49				
11	87,433	3,299	166	0				
13	5,289	23	53	42				
14	324	0	26	13				
15	6,647	515	206	52				
16	878	6	10	1				
17	3,502	367	234	57				
18	633	1	11	31				
19	3,920	115	50	13				
20	5,425	328	88	21				
Total	132,490	4,989	1,548	708	376	3	5	0

Notes:

1. Data is self-reported by individual interpreters. Circuits were unable to verify data submitted. They could only verify total events.
2. At the time of the data collection effort, it was noted no provisionally approved or language skilled interpreters existed in the state as these were new designations as of March 2014. See *In re Amends. to Fla. Rules for Certif. & Regul. of Court Interpreters*, 136 So. 3d 584 (Fla. 2014).
3. Events reported within the pilot represent less than one percent of total events statewide. Therefore, comparative analysis on timeframes were inconclusive.
4. Data reported reflects direct services only. Administrative travel related events are excluded.
5. Other languages includes, but is not limited to, Albanian, Amharic, Arabic, Bengali, Chinese, Mandarin, Korean, and Portuguese.
6. Outside pilot events do not include circuit 12.
7. Does not include events with negative, zero, or over 660 minutes.

Shared Remote Interpreting Workgroup
 Interpreter Activity Data Collection Effort
 Average Number of Events Per Day
 By Circuit, Covered by Circuits Outside of the Pilot

Circuit	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	1	6	11	7	4	3	2
2	1	2	7	2	3	2	1
3	1	3	6	2	3	3	1
4	2	13	15	13	10	4	2
5	2	15	20	18	29	11	2
6	2	13	11	23	11	7	2
7	1	9	18	13	10	5	1
8	2	4	4	3	4	2	1
9	7	49	61	68	76	53	8
10	5	19	26	36	21	18	3
11	26	764	778	722	638	554	29
13	6	39	63	55	31	15	4
14	2	3	3	3	4	2	1
15	4	55	83	73	22	44	4
16	2	5	8	9	8	5	2
17	3	30	35	33	33	22	4
18	1	6	7	5	5	5	1
19	3	27	40	33	42	9	2
20	7	67	42	41	26	36	6

Notes:

1. Data is self-reported by individual interpreters. Circuits were unable to verify data submitted. They could only verify total events.
2. At the time of the data collection effort, it was noted no provisionally approved or language skilled interpreters existed in the state as these were new designations as of March 2014. See In re Amends. to Fla. Rules for Certif. & Regul. of Court Interpreters., 136 So. 3d 584 (Fla. 2014).
3. Events reported within the pilot represent less than one percent of total events statewide. Therefore, comparative analysis on timeframes were inconclusive.
4. Data reported reflects direct services only. Administrative travel related events are excluded.

DRAFT Memorandum of Understanding

on

Shared Remote Interpreting Services

This Memorandum of Understanding (MOU) is made and entered into by and between the Joint Workgroup on Shared Remote Interpreting (SRIW) and the _____ Judicial Circuit (Circuit).

I. Purpose

The purpose of this MOU is to define the agreement between the SRIW and the Circuit regarding the utilization of virtual remote interpreting equipment and associated court interpreters. The MOU will provide the Circuit with information necessary to utilize the virtual remote interpreting equipment and the pool of certified court interpreters to provide and/or receive remote interpreting services.

II. Background

Court interpreting services are critical to the operations of the trial courts. In concert with the mission of the Florida Judicial Branch to be accessible, fair, effective, responsive, and accountable, the SRIW is reviewing the use of technology to enhance and enable the delivery of these services. Court interpreting services, when combined with the use of advanced technology, promises to significantly enhance the courts' ability to address an increasing demand for qualified interpreters amid a large diversity of languages and limited court resources and budgets. To facilitate the on-going development and improvement of interpreting services through the use of technology, the SRIW and the Circuit agree to develop a partnership to work cooperatively together ensuring the highest level of court interpreting services possible.

III. Legal Authority

The parties agree that, for purposes of executing this MOU, the SRIW is the governing authority in providing the virtual remote interpreting equipment and access to certified court interpreters, as established within a statewide pool, to support the shared interpreter service needs of the trial courts.

The Circuit is subject to all statutes, court rules and Supreme Court administrative orders applicable to the court interpreting services.

IV. Definitions

1. Virtual Remote Interpreting (VRI) - VRI is defined as the provision of court interpreting services using telepresence videoconferencing technology. VRI is used to provide interpreting services when the interpreter is at a location physically separate from the consumer needing the service.
2. Remote Interpreter - A remote interpreter is a court interpreter who is certified according to the Florida Rules for Certification and Regulation of Spoken Language Court Interpreters, and Florida Rules of Judicial Administration. The remote interpreter also possesses the necessary training to operate and deliver interpreting services using VRI.
3. Statewide Pool - A statewide pool will allow the court, when a court interpreter is needed, to place a request for the specific language from the courtroom (e.g., from a menu on a touch screen tablet). This action will allow an interpreter, from the pool, to appear via video from a remote location. The interpreter, from a remote location, will be able to render the interpreting services.

V. Shared Remote Interpreting Initiative

The Shared Remote Interpreting Initiative (Initiative) comprises a combined set of technical and business model practices to ensure court interpreting services are provided in a manner that best meets the current needs of the trial courts. From a technical perspective, the Initiative comprises VRI, an integrated network system of audio and video technology to enable a clear, audible communication between a remotely located staff interpreter and the court proceedings held in multiple counties throughout Florida. From a business perspective, the Initiative also includes an established statewide pool of qualified interpreters to be shared among circuits. The purpose of the Initiative is to allow qualified staff and contractual interpreters to be shared across circuit boundaries providing interpreter resources across a broader geographical area. Utilizing VRI can significantly reduce the time and cost associated with interpreters having to walk or drive between courtroom locations. Ultimately, the Initiative will improve effectiveness in the delivery of services by maximizing the use of state certified staff interpreter resources thereby reducing reliance on lesser qualified interpreter resources.

VI. Types of Proceedings Covered by Statewide Pool

Currently, the VRI solution is designed for in-court proceedings of short duration:

1. Initial appearances
2. Arraignments
3. VOPs (Violation of Probation hearings)
4. Dependency and delinquency hearings and trials
5. Traffic and misdemeanor
6. Felony pre-trial hearings
7. Docket sounding
8. Injunctions
9. Baker and Marchman Acts – consecutive with tablet/laptop
10. Any other short-duration, in-court proceeding deemed appropriate by the presiding judge pursuant to the statutes, court rules and Supreme Court administrative orders applicable to the court interpreting services

Note: Felony trials should be excluded from coverage by the pool. In the future, the SRIW will assess capabilities to enable the expansion into other areas including more complex proceeding types (e.g., proceedings in which two interpreters are needed to provide interpreting services, such as one for a witness and one for a defendant). For now, VRI is intended for proceedings needing only one interpreter.

VII. Languages Covered by Statewide Pool

The VRI solution will provide coverage for the following languages:

- Spanish
- Creole
- Sign (Requires 37" + display monitor)

To make the connection, a pooled interpreter will be selected based upon the following criteria:

- Interpreter is certified in the requested language;
- If available, an interpreter employed by the requesting court;
- If no interpreter employed by the requesting court is available, the available interpreter employed outside the circuit who has been idle the longest.

When a courtroom requires a language not supported by the pool, the requesting court may pre-schedule and arrange for a contract interpreter to cover the event using the statewide VRI system. The statewide VRI system should be available to all languages for scheduled events. If the contract interpreter resides outside of the requesting circuit, the contract interpreter can provide the remote service from the circuit where they reside (e.g., Mandarin Chinese interpreter residing in Orlando using the VRI system to cover an event in Key West).

Since uniform, statewide rates are not established for contractual interpreting services, rates currently vary across the state based on local market conditions and whether the interpreter must travel to provide the in-person service. Contract interpreters, providing services using VRI, should receive a rate exclusive of costs relating to travel or other logistical hardships, as well as cost issues pertaining to lesser economies of scale. Circuits should choose contract interpreters in consideration of these impacts (i.e., ability to capitalize on lower neighboring circuit rates using VRI). For instance, if an interpreter has a contract with both the providing and receiving Circuit, and the rates differ, the receiving Circuit should pay the lesser rate. Thus, Circuits should consider adding new provisions to existing contracts to address differing rates of in-person and VRI services, as applicable. Lastly, if a receiving Circuit receives VRI services within the two-hour minimum provision of a provider Circuit's interpreter (initially hired for VRI), then the receiving Circuit will not be required to pay the contract interpreter.

VIII. Responsibilities of the Courtroom Participants

Courtroom personnel should assist in initiating a call to a remote interpreter who is available upon demand or with whom they have a pre-scheduled event.

A person needing interpretation in the courtroom should be provided access to a headset that will allow them to hear the interpreter providing simultaneous and consecutive interpretation of the proceeding in a private mode. If needed, a headset should also be made available to the lawyer of a person needing interpretation in case they need to communicate, off the record, while at the podium. Litigant-to-lawyer private communication may be conducted in a consecutive mode within the courtroom on private mode. Switching audio from public-to-private/private-to-public will be executed by the remote interpreter who determines where his or her voice is heard, on the PA or into the headset.

IX. Establishing Necessary Equipment

It is important that the Circuit first assess the equipment and connectivity available in courtrooms to ensure new video units can integrate into existing courtroom sound systems. This integration will provide audio to and from the courtroom allowing the services of the interpreter to be conducted through the sound system with voice cancellation features. Existing fixed courtroom units should include:

- Video conferencing room system custom installed to optimize courtroom views and audio
- Audio-out integrated with court reporting/audio systems
- Pan/Tilt/Zoom camera required
- Monitor/Projection unit for interpreter video
- 2 additional IP phones for simultaneous interpretation and private sidebar discussions
- Integrated headsets to video and IP phones

X. Performance Monitoring and Reporting

All court interpreters using VRI should track their workload by entering the data, for each covered event, into the Formstack reporting system. This data entry must be done by court employees and contract interpreters. This reporting system will allow the SRIW to monitor the events/hours covered by the statewide pool in order to adjust pool resources based on demands.

Circuits should continue to report to the Uniform Summary Reporting System as usual. Therefore, if an event originates in the receiving Circuit but is covered by an interpreter located in another circuit, the event should be reported in the originating circuit's UDR as well as in the statewide VRI reporting system, Formstack.

Monthly reports produced from Formstack will be provided to OSCA summarizing the statistics on the statewide VRI. These reports are to be completed by the 15th day of each succeeding month. The summary statistics should include the same data elements as required by the UDR system for each circuit where services were delivered.

XI. Reimbursement of Costs

Circuits participating in the Initiative will limit the use of these services to the courtroom only. Any other party (public defenders, state attorneys, VOP officers, etc.) must resort to other sources for interpreting services and may not rely on the statewide VRI system.

Generally, when interpreting at public expense is required for a court event, the court is responsible for costs associated with providing a qualified interpreter to interpret all non-English communication meant to be heard by all participants or the judge. Costs related to the interpretation of privileged or other private communications between persons participating in the court event, such as the state attorney, public defender, court appointed counsel, private counsel, or the media, are to be borne by those entities participating in said conversations.

However, for purposes of this MOU, so long as the use of the remote interpreter is for communication meant to be heard in the courtroom where the remote interpreting equipment is installed, the SRIW agrees to provide access to pooled court interpreter services at no cost to the external parties.

XII. Duration

This MOU shall be effective upon execution by both parties. It may be mutually terminated by written agreement of both parties, or unilaterally by the SRIW or the Circuit, provided the terminating party serves the other party with written notice of an intention to terminate the MOU in no less than 60 days from the date such notice is sent. A written notice of intention to terminate shall include the factual basis and reason for such termination.

XIII. Amendments

This MOU may be subsequently amended by written agreement between the parties.

XIV. Authorizing Signatures and Dates

Tom Genung
Chair, Shared Remote Interpreting Workgroup

Date:

_____ (Printed Name)
Chief Judge
_____ Judicial Circuit

Date:

_____ (Printed Name)
Trial Court Administrator
_____ Judicial Circuit

Date:

Agenda Item IV.C. Due Process Issues – Due Process Workgroup Status Report

Agenda Item IV.C.: Due Process Issues – Due Process Workgroup Status Report

Background

At the January 2016 Trial Court Budget Commission (TCBC) meeting, the Due Process Workgroup (Workgroup) presented their work plan, developed at their November 5, 2015, meeting. The work plan provided:

- General Objectives – to identify the factors affecting the cost of providing court reporting, court interpreting, and expert witness services and to develop comprehensive fiscal and operational recommendations for the provision of due process services.
- Scope – to analyze current due process policies, practices, and costs; to examine the actual delivery of services in relation to the current standards and best practices; to review the efficiency and effectiveness of service delivery methods, given current funding levels; to develop recommendations for fair allocation of resources and containment of costs; to develop recommendations relating to statutory, rule, or other policy changes; and to determine appropriate level of resources for all due process elements.
- Specific Tasks and Deliverables for Court Experts, which was identified as the priority issue to be studied.

Additionally, the Workgroup reported on the estimated available funds in due process, considering projected expenditures through year-end and current reserve amount, and provided an analysis on cost per expert witness evaluation, by circuit for FY 2014-15, based on Uniform Data Reporting statistics and expenditure data.

Current

The Workgroup met on April 11, 2016, to review updated expenditure and event data, to discuss specific research performed by OSCA staff on expert witness costs and operations, and to determine potential process improvements and cost containment mechanisms to recommend to the TCBC and Commission on Trial Court Performance and Accountability.

The Workgroup directed OSCA staff to gather information through the following two methods:

1. Survey court administration staff regarding expert witness operations, events, and rates.
2. Review a sample of expert witness invoices.

With information gathered from these two research projects, the Workgroup considered the following process improvements and cost containment mechanisms:

1. Revise the statewide expert witness invoice.
2. Revise the Uniform Data Reporting (UDR) system.
3. Develop a statewide rate structure for expert witnesses.

4. Develop operational and policy improvements.
5. Determine statutory changes and rule revisions needed.

The co-chairs of the Workgroup, Chief Judge Roundtree and Judge Moreland, will provide a verbal update on the discussion that occurred at the meeting on April 11, 2016.

TCBC Action Needed

None. The Workgroup will meet again in July 2016 to finalize recommendations to the TCBC on expert witness issues.

Agenda Item V.A. Special Initiatives and Updates – Foreclosure Backlog Status Report and Resources

**FY 2015/16 Foreclosure Initiative
October 2015 Status Report
Number of Foreclosure Initiative Pending Cases
By Circuit**

Circuit	Pending Cases as of June 2012 ¹	Pending Cases as of June 2013 ²	Pending Cases as of June 2014 ³	Pending Cases as of June 2015 ⁴	Pending Cases as of September 2015
1	9,929	9,556	4,930	2,470	2,454
2	3,463	3,689	1,840	1,285	1,303
3	1,260	1,236	631	572	574
4	19,742	19,828	9,252	4,718	4,533
5	14,686	13,640	8,849	7,523	7,368
6	28,806	28,611	16,261	9,118	8,611
7	18,462	17,867	7,185	3,600	3,455
8	1,902	1,836	1,287	1,046	1,028
9	33,512	27,336	11,584	4,373	3,745
10	9,171	8,977	4,727	2,615	2,641
11	52,211	36,389	17,303	10,704	10,890
12	16,629	14,109	6,337	3,218	3,134
13	27,939	21,992	13,470	8,443	8,010
14	3,400	3,359	1,790	1,170	1,186
15	32,977	27,651	11,671	4,701	4,549
16	1,723	1,533	500	299	304
17	45,118	40,373	20,206	7,577	6,877
18	27,723	25,391	8,079	3,753	3,520
19	13,699	10,791	4,370	2,047	1,966
20	15,355	15,007	9,219	3,947	3,704
Total	377,707	329,171	159,491	83,179	79,852

Foreclosure Initiative Statistics ⁵ (Run date: April 7, 2016)			
Amendments since the September 2015 Status Report	October 2015 Filings	October 2015 Dispositions	Pending Cases as of October 2015 ⁶
-13	256	184	2,513
-4	98	136	1,261
-5	47	59	557
-34	376	333	4,542
-28	348	358	7,330
-47	419	872	8,111
10	265	327	3,403
11	89	85	1,043
-241	513	708	3,309
10	204	268	2,587
31	695	822	10,794
2	161	287	3,010
-26	326	531	7,779
-5	70	68	1,183
19	386	478	4,476
0	17	25	296
66	493	967	6,469
-26	268	395	3,367
-9	184	193	1,948
3	228	363	3,572
-286	5,443	7,459	77,550

¹ Pending cases as of June 2012 was determined by subtracting the number of SRS Real Property/Mortgage Foreclosure dispositions from the number of filings from August 2006 through June 2012.

² Pending cases as of June 2013 was determined by subtracting the number of SRS Real Property/Mortgage Foreclosure dispositions from the number of filings from August 2006 through June 2013.

³ Pending cases as of June 2014 was determined by subtracting the number of SRS Real Property/Mortgage Foreclosure dispositions from the number of filings from August 2006 through April 2014. Pending cases for May and June 2014 are based on dynamic data reported as outlined in the FY 2013/14 Foreclosure Initiative Data Collection Plan.

⁴ Pending cases as of June 2015 was based on dynamic data reported as outlined in the FY 2013/14 Foreclosure Initiative Data Collection Plan.

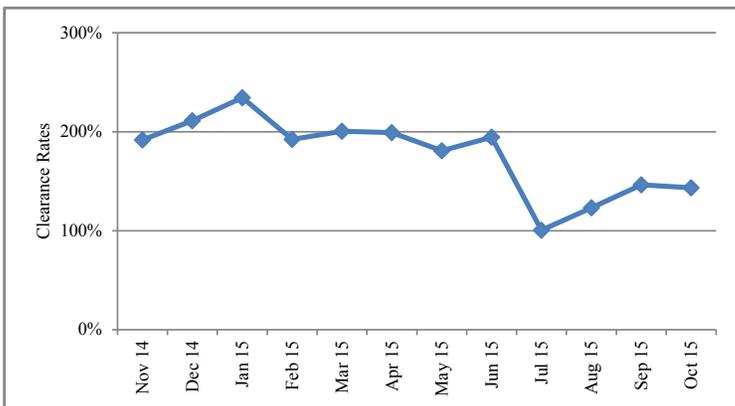
⁵ Foreclosure initiative statistics are based on dynamic data reported by each Clerk of Court to the Office of the State Courts Administrator as outlined in the FY 2013/14 Foreclosure Initiative Data Collection Plan and do not include reopen or inactive cases. Included are commercial, homestead residential, and non-homestead residential foreclosure cases. Foreclosure initiative statistics are also based on Summary Reporting System filings and dispositions data for other real property actions (i.e., quiet title, condemnation, ejectment, and similar matters). Additionally, these statistics are subject to amendments by the Clerk of Court. The results of these amendments are provided in the column labeled Amendments since the September 2015 Status Report.

⁶ Pending cases as of October 2015 was determined by subtracting the number of October 2015 dispositions from the sum of pending cases as of September 2015, October 2015 filings, and Clerk of Court amendments.

FY 2015/16 Foreclosure Initiative October 2015 Status Report State Total

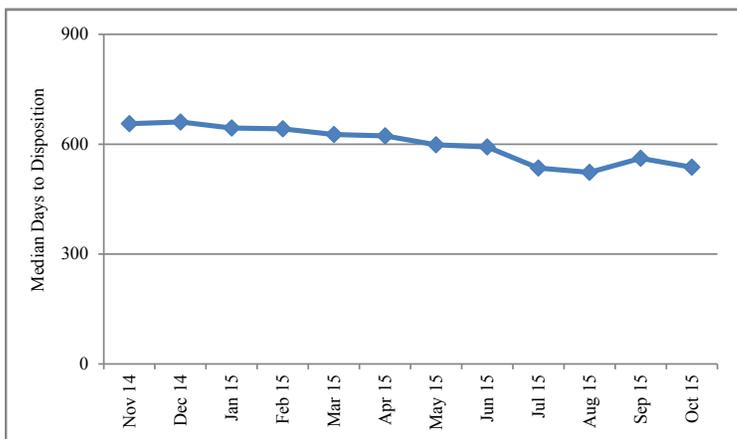
(Run Date: April 7, 2016)

Clearance Rates (does not include reopened and inactive cases)



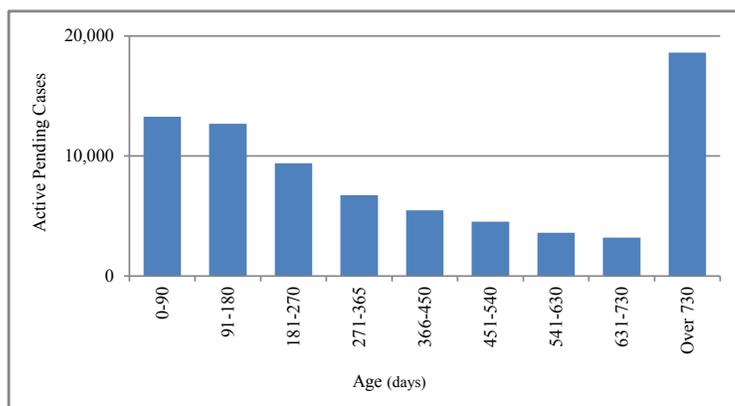
Report As of	Clearance Rate
11/30/2014	192%
12/31/2014	211%
1/31/2015	234%
2/28/2015	192%
3/31/2015	200%
4/30/2015	199%
5/31/2015	181%
6/30/2015	194%
7/31/2015	101%
8/31/2015	123%
9/30/2015	146%
10/31/2015	143%

Mean Days to Disposition (does not include reopened and inactive cases)



Report As of	Mean Days to Disposition
11/30/2014	656
12/31/2014	661
1/31/2015	644
2/28/2015	642
3/31/2015	626
4/30/2015	623
5/31/2015	599
6/30/2015	592
7/31/2015	535
8/31/2015	523
9/30/2015	561
10/31/2015	537

Age of Active Pending Cases (does not include reopened and inactive cases)



Age (days)	Active Pending Cases	Percent of Total
0-90	13,280	17%
91-180	12,687	16%
181-270	9,401	12%
271-365	6,743	9%
366-450	5,487	7%
451-540	4,537	6%
541-630	3,612	5%
631-730	3,196	4%
Over 730	18,607	24%
Total	77,550	100%

Note: Foreclosure initiative statistics are based on dynamic data reported by each Clerk of Court to the Office of the State Courts Administrator as outlined in the FY 2013/14 Foreclosure Initiative Data Collection Plan and do not include reopen or inactive cases. Included are commercial, homestead residential, and non-homestead residential foreclosure cases. Foreclosure initiative statistics are also based on Summary Reporting System filings and dispositions data for other real property actions (i.e., quiet title, condemnation, ejectment, and similar matters). Additionally, these statistics are subject to amendments by the Clerk of Court.

FY 2015/16 Foreclosure Initiative October 2015 Status Report Clearance Rates¹

By Circuit (Run Date: April 7, 2016)

Circuit	Jul-15	Aug-15	Sep-15	Oct-15
1	115%	83%	91%	72%
2	90%	98%	97%	139%
3	116%	105%	129%	126%
4	74%	128%	123%	89%
5	110%	86%	128%	103%
6	96%	140%	174%	208%
7	115%	112%	130%	123%
8	78%	120%	123%	96%
9	99%	142%	152%	138%
10	79%	100%	130%	131%
11	80%	86%	133%	118%
12	70%	128%	152%	178%
13	121%	135%	155%	163%
14	80%	88%	100%	97%
15	119%	116%	112%	124%
16	135%	96%	115%	147%
17	113%	147%	202%	196%
18	105%	167%	139%	147%
19	105%	124%	136%	105%
20	121%	122%	172%	159%
Total	101%	123%	146%	143%

¹ Foreclosure initiative statistics are based on dynamic data reported by each Clerk of Court to the Office of the State Courts Administrator as outlined in the FY 2013/14 Foreclosure Initiative Data Collection Plan and do not include reopen or inactive cases. Included are commercial, homestead residential, and non-homestead residential foreclosure cases. Foreclosure initiative statistics are also based on Summary Reporting System filings and dispositions data for other real property actions (i.e., quiet title, condemnation, ejectment, and similar matters).

**FY 2015/16 Foreclosure Initiative
 October 2015 Status Report
 Mean Number of Days from Filing to Disposition¹
 By Circuit (Run Date: April 7, 2016)**

Circuit	Jul-15	Aug-15	Sep-15	Oct-15
1	404	368	407	339
2	520	366	395	429
3	330	425	868	759
4	354	388	393	417
5	431	378	393	412
6	669	643	663	620
7	400	383	379	392
8	356	329	296	317
9	568	554	553	522
10	372	373	394	406
11	471	458	494	484
12	666	582	1,378	662
13	829	914	819	819
14	427	402	431	287
15	416	447	472	551
16	394	553	423	506
17	658	663	629	611
18	641	478	564	485
19	395	364	420	373
20	572	520	522	564
Total	535	523	561	537

¹ Foreclosure initiative statistics are based on dynamic data reported by each Clerk of Court to the Office of the State Courts Administrator as outlined in the FY 2013/14 Foreclosure Initiative Data Collection Plan and do not include reopen or inactive cases. Included are commercial, homestead residential, and non-homestead residential foreclosure cases. Foreclosure initiative statistics are also based on Summary Reporting System filings and dispositions data for other real property actions (i.e., quiet title, condemnation, ejectment, and similar matters).

**FY 2015/16 Foreclosure Initiative
October 2015 Status Report
Age of Active Pending Cases and Percent of Cases Over 730 Days¹
By Circuit (Sorted by percent of cases over 730 days), Run Date: April 7, 2016**

Circuit	Number of Cases										Percent of Cases Over 730 Days
	0 to 90 Days	91 to 180 Days	181 to 270 Days	271 to 365 Days	366 to 450 Days	451 to 540 Days	541 to 630 Days	631 to 730 Days	Over 730 Days	Total Cases	
13	848	842	673	492	406	381	318	396	3,423	7,779	44%
12	386	382	273	266	208	161	166	163	1,005	3,010	33%
4	982	778	411	220	202	150	145	140	1,514	4,542	33%
20	568	593	390	265	216	152	144	84	1,160	3,572	32%
6	1,098	1,170	786	635	616	517	376	381	2,532	8,111	31%
15	792	782	581	392	315	257	172	157	1,028	4,476	23%
11	1,702	1,576	1,190	998	913	817	654	548	2,396	10,794	22%
17	1,169	1,229	805	530	475	376	302	277	1,306	6,469	20%
5	986	1,030	1,147	806	635	499	411	372	1,444	7,330	20%
9	901	682	439	239	149	131	103	75	590	3,309	18%
2	254	250	198	119	76	59	48	38	219	1,261	17%
18	681	629	467	305	239	212	160	110	564	3,367	17%
14	219	200	129	122	111	98	69	52	183	1,183	15%
16	59	52	43	29	24	23	11	10	45	296	15%
19	386	397	274	195	137	116	80	79	284	1,948	15%
3	130	106	79	50	42	35	13	21	81	557	15%
10	559	547	398	287	182	152	105	75	282	2,587	11%
7	721	701	502	365	269	227	178	105	335	3,403	10%
1	624	533	440	298	182	95	99	69	173	2,513	7%
8	215	208	176	130	90	79	58	44	43	1,043	4%
Total	13,280	12,687	9,401	6,743	5,487	4,537	3,612	3,196	18,607	77,550	24%

¹ Foreclosure initiative statistics are based on dynamic data reported by each Clerk of Court to the Office of the State Courts Administrator as outlined in the FY 2013/14 Foreclosure Initiative Data Collection Plan and do not include reopen or inactive cases. Included are commercial, homestead residential, and non-homestead residential foreclosure cases. Foreclosure initiative statistics are also based on Summary Reporting System filings and dispositions data for other real property actions (i.e., quiet title, condemnation, ejectment, and similar matters).

**FY 2015/16 Foreclosure Initiative
 October 2015 Status Report
 Number of Foreclosure Initiative Filings¹
 By Circuit (Run Date: April 7, 2016)**

Circuit	Jul-15	Aug-15	Sep-15	Oct-15
1	220	225	230	256
2	112	99	94	98
3	45	43	45	47
4	439	349	332	376
5	446	454	311	348
6	549	417	398	419
7	307	286	267	265
8	91	75	71	89
9	624	501	454	513
10	239	212	205	204
11	764	682	585	695
12	191	159	146	161
13	389	327	308	326
14	104	95	97	70
15	450	396	344	386
16	20	27	20	17
17	699	608	469	493
18	318	255	256	268
19	195	144	134	184
20	311	260	243	228
Total	6,513	5,614	5,009	5,443

¹ Foreclosure initiative statistics are based on dynamic data reported by each Clerk of Court to the Office of the State Courts Administrator as outlined in the FY 2013/14 Foreclosure Initiative Data Collection Plan and do not include reopen or inactive cases. Included are commercial, homestead residential, and non-homestead residential foreclosure cases. Foreclosure initiative statistics are also based on Summary Reporting System filings and dispositions data for other real property actions (i.e., quiet title, condemnation, ejectment, and similar matters). Additionally, these statistics are subject to modification by the Clerk of Court.

**FY 2015/16 Foreclosure Initiative
 October 2015 Status Report
 Number of Foreclosure Initiative Dispositions¹
 By Circuit (Run Date: April 7, 2016)**

Circuit	Jul-15	Aug-15	Sep-15	Oct-15
1	252	187	210	184
2	101	97	91	136
3	52	45	58	59
4	327	446	407	333
5	491	390	398	358
6	529	585	691	872
7	354	319	347	327
8	71	90	87	85
9	619	709	690	708
10	190	211	266	268
11	614	588	776	822
12	133	203	222	287
13	471	440	476	531
14	83	84	97	68
15	536	458	385	478
16	27	26	23	25
17	790	893	946	967
18	334	427	355	395
19	204	179	182	193
20	376	317	417	363
Total	6,554	6,694	7,124	7,459

¹ Foreclosure initiative statistics are based on dynamic data reported by each Clerk of Court to the Office of the State Courts Administrator as outlined in the FY 2013/14 Foreclosure Initiative Data Collection Plan and do not include reopen or inactive cases. Included are commercial, homestead residential, and non-homestead residential foreclosure cases. Foreclosure initiative statistics are also based on Summary Reporting System filings and dispositions data for other real property actions (i.e., quiet title, condemnation, ejectment, and similar matters). Additionally, these statistics are subject to modification by the Clerk of Court.

**Trial Court Budget Commission
April 12, 2016, Meeting
Foreclosure Backlog and Resource Analysis**

Progress Made in Backlog

Circuit	Foreclosure Initiative Pending Cases (as of October 2015)	SRS Filings (November to February 2016)	SRS Dispositions (November to February 2016)	Foreclosure Initiative Pending Cases (as of February 2016)	Percent Change in Pending Cases (October 2015 to February 2016)
1	2,513	806	885	2,434	-3.1%
2	1,261	326	445	1,142	-9.4%
3	557	155	160	552	-0.9%
4	4,542	1,360	1,599	4,303	-5.3%
5	7,330	1,120	1,509	6,941	-5.3%
6	8,111	1,523	2,596	7,038	-13.2%
7	3,403	992	1,370	3,025	-11.1%
8	1,043	305	299	1,049	0.6%
9	3,309	1,832	2,048	3,093	-6.5%
10	2,587	797	1,038	2,346	-9.3%
11	10,794	2,419	2,936	10,277	-4.8%
12	3,010	625	801	2,834	-5.8%
13	7,779	1,200	1,912	7,067	-9.2%
14	1,183	319	324	1,178	-0.4%
15	4,476	1,450	1,976	3,950	-11.8%
16	296	57	100	253	-14.5%
17	6,469	2,124	2,915	5,678	-12.2%
18	3,367	976	1,270	3,073	-8.7%
19	1,948	564	750	1,762	-9.5%
20	3,572	959	1,295	3,236	-9.4%
Total	77,550	19,909	26,228	71,231	-8.1%

**Senior Judge Days Used
(as of April 5, 2016)**

Initial Days Allotted	Current Month Ending Allotment Balance	Days Used or Transferred	Percent Used
286	125	161	56.3%
187	28	159	85.0%
101	17	84	83.2%
469	193	276	58.8%
606	229	377	62.2%
642	273	369	57.5%
359	86	273	76.0%
162	61	101	62.3%
527	212	315	59.8%
304	84	220	72.4%
1,024	108	916	89.5%
266	113	153	57.5%
573	241	332	57.9%
156	42	114	73.1%
449	161	288	64.1%
56	26	30	53.6%
755	263	492	65.2%
356	110	246	69.1%
233	75	158	67.8%
419	178	241	57.5%
7,930	2,625	5,305	66.9%

Agenda Item V.B. Special Initiatives and Updates – Cases over the Flat Fee

Trial Court Budget Commission April 12, 2016, Meeting

Amount Paid Over the Flat Fee for Conflict Counsel Criminal Cases
FY 2008-09 through March 2016

Circuit	Total Amount Paid Over the Flat Fee FY 2008-09	Total Amount Paid Over the Flat Fee FY 2009-10	Total Amount Paid Over the Flat Fee FY 2010-11	Total Amount Paid Over the Flat Fee FY 2011-12	Total Amount Paid Over the Flat Fee FY 2012-13	Total Amount Paid Over the Flat Fee FY 2013-14	Total Amount Paid Over the Flat Fee FY 2014-15	Total Amount Paid Over the Flat Fee FY 2015-16 YTD
1	\$37,405	\$32,048	\$148,368	\$296,281	\$243,023	\$180,179	\$253,645	\$264,985
2	\$9,328	\$46,778	\$2,250	\$25,370	\$22,310	\$0	\$18,860	\$22,592
3	\$14,880	\$3,345	\$4,215	\$99,388	\$12,623	\$40,069	\$0	\$13,076
4	\$175,782	\$508,102	\$1,082,531	\$569,386	\$418,630	\$642,221	\$570,389	\$861,780
5	\$23,240	\$64,141	\$71,200	\$445,559	\$93,359	\$396,199	\$358,568	\$353,657
6	\$6,058	\$72,676	\$186,588	\$112,345	\$219,744	\$430,558	\$472,023	\$309,681
7	\$126,160	\$69,819	\$76,698	\$178,148	\$282,231	\$173,850	\$403,725	\$167,790
8	\$21,363	\$68,572	\$98,770	\$48,669	\$67,165	\$44,373	\$123,492	\$147,457
9	\$10,104	\$45,547	\$18,828	\$72,658	\$29,235	\$47,664	\$149,715	\$126,750
10	\$50,735	\$62,727	\$221,063	\$616,746	\$62,162	\$339,451	\$42,660	\$134,650
11	\$161,635	\$526,888	\$1,008,927	\$1,410,618	\$1,644,640	\$2,160,616	\$2,915,212	\$2,964,032
12	\$37,034	\$38,087	\$96,825	\$167,775	\$263,017	\$247,416	\$60,669	\$2,523
13	\$14,705	\$113,070	\$502,964	\$571,502	\$356,374	\$258,900	\$782,120	\$184,236
14	\$34,527	\$10,203	\$66,055	\$93,279	\$85,469	\$2,280	\$21,668	\$26,780
15	\$65,875	\$154,345	\$454,039	\$1,039,109	\$498,671	\$353,865	\$206,316	\$132,699
16	\$0	\$0	\$1,078	\$0	\$0	\$7,141	\$750	\$8,580
17	\$232,890	\$504,275	\$572,326	\$974,248	\$410,698	\$647,871	\$910,479	\$1,695,071
18	\$1,500	\$11,491	\$5,028	\$50,398	\$17,527	\$56,319	\$106,466	\$97,112
19	\$16,283	\$75,354	\$23,708	\$123,060	\$211,494	\$388,841	\$90,376	\$148,753
20	\$30,855	\$197,284	\$239,775	\$174,358	\$419,605	\$391,395	\$212,844	\$171,580
Total	\$1,070,356	\$2,604,750	\$4,881,233	\$7,068,895	\$5,357,975	\$6,809,207	\$7,699,975	\$7,833,782

Source: Data provided by the Justice Administrative Commission.

**Trial Court Budget Commission
April 12, 2016, Meeting**

**Amount Paid Over the Flat Fee for Conflict Counsel Criminal Cases
Monthly FY 2015-16**

Circuit	Total Amount Paid Over the Flat Fee July 2015	Total Amount Paid Over the Flat Fee August 2015	Total Amount Paid Over the Flat Fee September 2015	Total Amount Paid Over the Flat Fee October 2015	Total Amount Paid Over the Flat Fee November 2015	Total Amount Paid Over the Flat Fee December 2015	Total Amount Paid Over the Flat Fee January 2016	Total Amount Paid Over the Flat Fee February 2016	Total Amount Paid Over the Flat Fee March 2016	Total Amount Paid Over the Flat Fee April 2016	Total Amount Paid Over the Flat Fee May 2016	Total Amount Paid Over the Flat Fee June 2016	Total Amount Paid Over the Flat Fee FY 2015-16 YTD
1	\$0	\$0	\$3,478	\$29,993	\$0	\$223,110	\$0	\$8,405	\$0				\$264,985
2	\$0	\$7,512	\$0	\$0	\$0	\$0	\$0	\$15,080	\$0				\$22,592
3	\$0	\$0	\$0	\$8,125	\$0	\$4,951	\$0	\$0	\$0				\$13,076
4	\$23,280	\$153,620	\$33,123	\$42,658	\$109,250	\$206,145	\$22,478	\$0	\$271,228				\$861,780
5	\$101,420	\$20,544	\$24,032	\$52,810	\$8,606	\$56,430	\$80,966	\$2,475	\$6,374				\$353,657
6	\$0	\$48,937	\$1,700	\$43,608	\$0	\$87,553	\$0	\$127,884	\$0				\$309,681
7	\$0	\$21,752	\$0	\$49,366	\$13,918	\$14,685	\$3,580	\$33,788	\$30,703				\$167,790
8	\$0	\$0	\$0	\$0	\$0	\$70,824	\$0	\$76,633	\$0				\$147,457
9	\$19,120	\$45,608	\$0	\$0	\$4,753	\$12,779	\$36,790	\$0	\$7,700				\$126,750
10	\$0	\$80,458	\$0	\$23,750	\$8,150	\$4,635	\$2,000	\$6,748	\$8,910				\$134,650
11	\$314,338	\$315,213	\$253,282	\$348,751	\$129,120	\$63,075	\$651,198	\$260,240	\$628,815				\$2,964,032
12	\$0	\$2,523	\$0	\$0	\$0	\$0	\$0	\$0	\$0				\$2,523
13	\$41,963	\$18,756	\$47,044	\$16,583	\$9,525	\$0	\$14,508	\$13,190	\$22,670				\$184,236
14	\$0	\$0	\$0	\$0	\$0	\$26,780	\$0	\$0	\$0				\$26,780
15	\$0	\$0	\$18,070	\$3,880	\$23,465	\$0	\$0	\$73,640	\$13,644				\$132,699
16	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$4,500	\$4,080				\$8,580
17	\$702,870	\$151,950	\$81,884	\$83,360	\$189,840	\$113,103	\$81,245	\$207,925	\$82,895				\$1,695,071
18	\$37,525	\$0	\$36,150	\$0	\$11,322	\$0	\$0	\$12,115	\$0				\$97,112
19	\$0	\$0	\$8,395	\$26,850	\$30,570	\$80,940	\$0	\$1,998	\$0				\$148,753
20	\$0	\$11,210	\$76,620	\$7,920	\$24,007	\$12,573	\$0	\$39,250	\$0				\$171,580
Total	\$1,240,515	\$878,081	\$583,776	\$737,652	\$562,526	\$977,582	\$892,764	\$883,868	\$1,077,018	\$0	\$0	\$0	\$7,833,782

Source: Data provided by the Justice Administrative Commission.

**JAC - Criminal Conflict Attorney
 Payments Over the Flat Fee
 FY 2015-16
 July 2015 - March 2016**

Expenditure Summary				
CIRCUIT	Capital Cases	RICO Cases	Other Cases	TOTAL*
1	\$252,890	\$0	\$12,095	\$264,985
2	\$22,592	\$0	\$0	\$22,592
3	\$0	\$0	\$13,076	\$13,076
4	\$534,925	\$0	\$326,855	\$861,780
5	\$338,954	\$0	\$14,703	\$353,657
6	\$288,077	\$0	\$21,605	\$309,681
7	\$53,381	\$0	\$114,408	\$167,788
8	\$70,824	\$0	\$76,633	\$147,457
9	\$114,297	\$0	\$12,453	\$126,750
10	\$112,358	\$0	\$22,293	\$134,650
11	\$2,506,183	\$35,979	\$421,870	\$2,964,032
12	\$0	\$0	\$2,523	\$2,523
13	\$10,990	\$84,898	\$88,348	\$184,236
14	\$0	\$0	\$26,780	\$26,780
15	\$108,425	\$0	\$24,274	\$132,699
16	\$0	\$0	\$8,580	\$8,580
17	\$1,252,660	\$0	\$442,412	\$1,695,071
18	\$5,360	\$0	\$91,752	\$97,112
19	\$0	\$107,790	\$40,963	\$148,753
20	\$17,560	\$0	\$154,020	\$171,580
TOTAL*	\$5,689,474	\$228,667	\$1,915,638	\$7,833,780
Percent of Total	72.6%	2.9%	24.5%	

Note: Data provided by the Justice Administrative Commission.

*Totals may not be exact due to rounding.

**FY 2014-15
 July 2014 - March 2015**

Expenditure Summary				
CIRCUIT	Capital Cases	RICO Cases	Other Cases	TOTAL*
TOTAL*	\$3,558,062	\$189,261	\$1,632,334	\$5,379,657
Percent of Total	66.1%	3.5%	30.3%	

Trial Court Budget Commission

April 12, 2016, Meeting

Justice Administrative Commission - Cases Over the Flat Fee

FY 2016-17 Appropriation and Flat Fees

FY 2015-16 Appropriation	\$6,700,000
FY 2016-17 Appropriation	\$7,600,000
Difference	\$900,000

COURT-APPOINTED ATTORNEY FLAT RATES BY CASE TYPE & FISCAL YEAR*

REGISTRY CATEGORY	CASES INCLUDED IN CATEGORY	FLAT FEE FY 2008-2014	FLAT FEE FY 2014 - 2016	FLAT FEE Starting FY 2016 - 17
CAPITAL	1st Degree Murder (Lead Counsel)	\$15,000	\$25,000	\$25,000
	1st Degree Murder (Co- Counsel)	\$15,000	\$25,000	\$25,000
	Capital Sexual Battery	\$2,000	\$4,000	\$4,000
	Capital (Non-Death other than Capital Sexual Battery)	\$2,500	\$9,000	\$15,000
CRIMINAL - RICO	Felony – Life (RICO)	\$2,500	\$9,000	\$9,000
	Felony – Punishable by Life (RICO)	\$2,000	\$6,000	\$6,000
	Felony 1st Degree (RICO)	\$1,500	\$5,000	\$5,000
CRIMINAL	Felony - Noncapital Murder	N/A	N/A	\$15,000
	Felony – Life	\$2,500	\$5,000	\$5,000
	Felony – Punishable by Life	\$2,000	\$2,000	\$2,500
	Felony – 1st Degree	\$1,500	\$1,500	\$1,875
	Felony – 2nd Degree	\$1,000	\$1,000	\$1,250
	Felony – 3rd Degree	\$750	\$750	\$935
	Violation of Probation – Felony (include VOCC)	\$500	\$500	\$625
	Misdemeanor	\$400	\$400	\$500
	Criminal Traffic	\$400	\$400	\$500
	Felony or Misdemeanor (No Information filed)	\$400	\$400	\$500
	Violation of Probation – Misdemeanor (includes VOCC)	\$300	\$300	\$375
	Contempt Proceedings	\$400	\$400	\$500
	Extradition	\$500	\$500	\$625
	DELINQUENCY	Juvenile Delinquency – Felony Life	\$700	\$700
Juvenile Delinquency – 1st Degree Felony		\$600	\$600	\$750
Juvenile Delinquency – 2nd Degree Felony		\$400	\$400	\$500
Juvenile Delinquency – 3rd Degree Felony		\$300	\$300	\$375
Juvenile Delinquency – Misdemeanor		\$300	\$300	\$375
Juvenile Delinquency – (Direct File or No Information Filed)		\$300	\$300	\$375
Violation of Probation– Juvenile Delinquency (includes VOCC)		\$300	\$300	\$375
POST-CONVICTION	Rules 3.850 and 3.800 at trial and appellate level (also includes postconviction petitions for habeas corpus and petitions for belated appeal)	\$1,000	\$1,000	\$1,250
CAPITAL and CRIMINAL APPEALS	Capital Appeals	\$2,000	\$9,000	\$9,000
	Felony Appeals	\$1,500	\$1,500	\$1,875
	Juvenile Delinquency Appeals	\$1,000	\$1,000	\$1,250
	Misdemeanor Appeals	\$750	\$750	\$935

*The flat rates for appointments on or after July 1, 2007, are set forth in the General Appropriations Act (GAA) for each fiscal year. The applicable flat fee is determined by the flat fee in effect on the date of appointment.

Agenda Item VI.A. Legislative Issues
and Updates – FY 2016-17 General
Appropriations Act (GAA), Proviso, and
Implementing Bill

JUDICIAL BRANCH
CONFERENCE REPORT ON HOUSE BILL 5001
FY 2016-17

Updated 03/31/16; 4:15 p.m.

	Budget Entity/Issues	Issue Code	Category (FCO)	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust
1	SUPREME COURT - 22010100							
2	Supreme Court - Security Support	6800610			78,414	9,445		78,414
3	Interior Building Space Refurbishing	7000260			237,360	237,360		237,360
4	TOTAL SUPREME COURT			0.0	315,774	246,805	0	315,774
5	EXECUTIVE DIRECTION - 22010200							
6	Operational Support for the State Courts System	3003015		6.0	707,789	25,650		707,789
7	Supreme Court - Annex Building Lease	7000100			63,236			63,236
8	TOTAL EXECUTIVE DIRECTION			6.0	771,025	25,650	0	771,025
9	ADMINISTERED FUNDS - 22020100							
10	Charlotte County Justice Center VETOED	5401000			1,000,000	1,000,000		1,000,000
11	Okaloosa County Courthouse VETOED	5401000			1,000,000	1,000,000		1,000,000
12	Glades Small County Courthouse	5401234			350,000	350,000		350,000
13	Nassau County Courthouse Renovations VETOED	5401237			300,000	300,000		300,000
14	TOTAL ADMINISTERED FUNDS			0.0	350,000	350,000	0	350,000
15	DISTRICT COURT OF APPEAL - 22100600							
16	2nd DCA Lease Payments				518,000	114,500		518,000
17	CIP - 3rd DCA Court Remodeling for ADA, Security and Building Systems Upgrades	990M000	080179		6,482,222	6,482,222		6,482,222
18	CIP - 4th DCA Courthouse Construction	990S000	080071		7,509,276	7,509,276		7,509,276
19	Transfer to the Department of Management Services for 2nd DCA study of courthouse space and location needs.				200,000	200,000		200,000
20	TOTAL DISTRICT COURT OF APPEAL			0.0	14,709,498	14,305,998	0	14,709,498
21	TRIAL COURTS - 22300100/22300200							
22	Increase Childrens Advocacy Center Funding	3004110			500,000	500,000		500,000
23	Friends of the Children's Advocacy Center of Brevard to secure a permanent building	3004110			1,500,000	1,500,000		1,500,000
24	Gap Funding Project - Jail Diversion Model	5000120			250,000	250,000		250,000
25	Nancy J. Cotterman Childrens Advocacy and Rape Crisis Center	5001700			50,000	50,000	200,000	250,000
26	Increase Drug Court Funding - Escambia and Okaloosa Counties	5406010			400,000	400,000		400,000
27	Grove Counseling Center/Treatment Services for Seminole County Juvenile Drug Court	5406015			260,000	260,000		260,000
28	Vivitrol Drug Treatment	5406020			2,000,000			2,000,000

**JUDICIAL BRANCH
CONFERENCE REPORT ON HOUSE BILL 5001
FY 2016-17**

Updated 03/31/16; 4:15 p.m.

Budget Entity/Issues		Issue Code	Category (FCO)	FTE	General Revenue	GR Non-Recurring	Trust	Total GR and Trust
29	Expand Veterans Court - Duval, Hillsborough, Manatee, Pasco, Pinellas, Sarasota, and Seminole Counties	5401239/ 5406030			1,012,032	1,012,032		1,012,032
30	Collier County Veterans Treatment Court	5403030			105,000	105,000		105,000
31	Second Circuit Mental Health Court (To fully restore the misdemeanor and felony docket in all counties of the 2nd Circuit)	5402030			200,000	200,000		200,000
32	Reduce Excess Circuit Court General Revenue Authority (due to an annual trend of reversions) (296,031) OPS (743,969) Expense (81,000) Civil Traffic H.O. (324,000) Comp. to Retired Judges (796,000) Contracted Services (81,000) Mediation/Arbitration Svcs. (378,000) Due Process Costs (2,700,000) Total Reduction	33V0600			(2,700,000)			(2,700,000)
33	TOTAL TRIAL COURTS			0.0	3,577,032	4,277,032	200,000	3,777,032
34	JUDICIAL QUALIFICATIONS COMMISSION - 22350100							
35	Judicial Qualifications Commission Operational Increases	3000070			115,671	3,804		115,671
36	TOTAL JUDICIAL QUALIFICATIONS COMMISSION			0.0	115,671	3,804	0	115,671
37	TRUST FUND SHIFT TO GENERAL REVENUE							
38	State Courts Revenue Trust Fund Shift to General Revenue - Deduct	3400300					(8,500,000)	(8,500,000)
39	State Courts Revenue Trust Fund Shift to General Revenue - Add	3400400			8,500,000			8,500,000
40	TOTAL TRUST FUND SHIFT TO GENERAL REVENUE			0.0	8,500,000	0	(8,500,000)	0
41	TOTAL JUDICIAL BRANCH			6.0	28,339,000	19,209,289	(8,300,000)	20,039,000

State Courts System
Proviso, Back of Bill, Conforming and Implementing Language

Updated 03/15/16; 2:45 p.m.

Conference Report on House Bill 5001	
PROVISO	
1	<p>NEW - Administered Funds: The funds in Specific Appropriation 3130A are provided for the renovation or restoration of small county courthouses as follows:</p> <p>Glades County Courthouse 350,000</p>
2	<p>VETOED - NEW - Administered Funds: The funds in Specific Appropriations 3130B are provided for the renovation, restoration or expansion of the county courthouses as follows:</p> <p>Charlotte County Justice Center 1,000,000</p> <p>Okaloosa County Courthouse 1,000,000</p>
3	<p>VETOED - NEW - Administered Funds: The funds in Specific Appropriation 3130C shall be used to address maintenance issues in the Nassau County Courthouse.</p>
4	<p>NEW - District Courts of Appeal: The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a review of the Florida District Courts of Appeal to determine whether the current jurisdictional boundaries fairly and effectively distribute the workload of the circuit courts. OPPAGA shall identify options for rearranging the districts' boundaries to improve workload distribution and reduce costs to the court system. The Office of the State Courts Administrator (OSCA) shall provide OPPAGA with requested data to complete its study, including circuit and appellate workload data. The study shall be provided to the Governor, President of the Senate, Speaker of the House of Representatives, and Chief Justice of the Florida Supreme Court no later than February 1, 2017.</p>
5	<p>NEW - District Courts of Appeal: From the funds in Specific Appropriation 3142A, \$200,000 in nonrecurring general revenue funds is provided to contract for a study of the courthouse space and location needs of the Second District Court of Appeal. The study shall 1) Evaluate the current courthouse facilities and locations of the court. The evaluation will include, but not limited to, review and consideration of: total square footage, space configuration, parking, and parcel-size needs of the court; the caseload of the court based on judicial circuits from which the cases on appeal originate; the geographic boundaries of the district; the population dispersion of the district; the city of residence of users and staff of the court; and the availability of existing buildings to house the court or land for construction of a courthouse. 2) Estimate the costs for any necessary repairs or renovations for operating the courthouse facility and property in Lakeland, Polk County. 3) Provide a market analysis of the facility and property in Lakeland, Polk County, including but not limited to an assessment of the commercial and non-commercial uses of property in the surrounding area and the identification of and the feasibility of potential alternative public and private uses of the facility and property. 4) Recommend whether maintaining separate facilities and location or consolidating in one facility and location better benefits users and facilitates the effective operation of the court and provide a cost-benefit analysis of location options. 5) Depending upon the study's recommendations on maintaining separate facilities and locations or consolidating in one facility or location, recommend the most desirable location or locations for the court by city or county considering the business and operational case for that location or locations. The Office of the State Court Administrator shall submit the study to the President of the Senate, Speaker of the House of Representatives, Chief Justice of the Supreme Court, and Chief Judge of the Second District Court of Appeal by December 31, 2016.</p>

State Courts System
Proviso, Back of Bill, Conforming and Implementing Language

Updated 03/15/16; 2:45 p.m.

Conference Report on House Bill 5001	
6	REVISED - Circuit Courts: From the funds in Specific Appropriation 3152, \$3,500,000 in recurring general revenue funds and \$500,000 in nonrecurring general revenue funds shall be distributed to the 27 Children's Advocacy Centers throughout Florida based on the proportion of children provided with direct services be each center during calendar year 2015. This funding may not be used to supplant local government reductions in Children's Advocacy Center funding. Any reductions in local government funding for the centers shall result in the withholding of funds appropriated in this line item.
7	EXISTING - Circuit Courts: From the funds in Specific Appropriation 3152, the Florida Network of Children's Advocacy Centers may spend up to \$80,000 for contract monitoring and oversight.
8	EXISTING - Circuit Courts: From the funds in Specific Appropriation 3152, \$100,000 in recurring general revenue funds is provided to the Walton County Children's Advocacy Center for child advocacy services.
9	EXISTING - Circuit Courts: From the funds in Specific Appropriation 3152, \$300,000 in recurring general revenue funds shall be used to support child protection teams operating in Children's Advocacy Centers. These funds may not be used for administrative support.
10	REVISED - Circuit Courts: From the funds in Specific Appropriation 3152, \$50,000 in nonrecurring general revenue funds and \$200,000 nonrecurring funds from the Federal Grants Trust Fund are provided to the Nancy J. Cotterman Children's Advocacy and Rape Crisis Center for child advocacy services.
11	REVISED - Circuit Courts: From the funds in Specific Appropriation 3154, \$5,000,000 in recurring general revenue funds is provided for naltrexone extended-release injectable medication to treat alcohol- or opioid-addicted individuals involved in the criminal justice system, individuals who have a high likelihood of criminal justice involvement, or who are in court-ordered, community-based drug treatment. The Office of the State Courts Administrator shall use the funds to contract with a non-profit entity for the purpose of distributing the medication.
12	NEW - Circuit Courts: From the funds in Specific Appropriation 3154, \$1,500,000 in nonrecurring general revenue funds is provided to the Friends of the Children's Advocacy Center of Brevard to secure a permanent building for the Children's Advocacy Center.
13	NEW - Circuit Courts: From the funds in Specific Appropriation 3154, \$260,000 in nonrecurring general revenue funds is provided to the Grove Counseling Center to provide treatment services for the Seminole County Juvenile Drug Court.
14	REVISED - Circuit Courts: From the funds in Specific Appropriation 3154, \$5,000,000 in recurring general revenue funds and \$400,000 in nonrecurring general revenue funds are provided for treatment services for offenders in post-adjudicatory drug court programs in Broward, Escambia, Hillsborough, Marion, Okaloosa, Orange, Pinellas, Polk, and Volusia counties. Each program shall serve prison-bound offenders (at least 50 percent of participants shall have Criminal Punishment Code scores of greater than 44 points but no more than 60 points) and shall make residential treatment beds available for clients needing residential treatment.
15	NEW - Circuit Courts: From the funds in Specific Appropriation 3154, \$250,000 in nonrecurring general revenue funds is provided for gap funding for housing and wraparound behavioral health treatment services provided by the Miami-Dade Homeless Trust for individuals referred by the 11th Judicial Circuit Criminal Mental Health Project and participating in jail diversion programs.

State Courts System
Proviso, Back of Bill, Conforming and Implementing Language

Updated 03/15/16; 2:45 p.m.

Conference Report on House Bill 5001																																	
16	NEW - Circuit Courts: From the funds in Specific Appropriation 3154, \$200,000 in nonrecurring general revenue funds is provided to the Second Judicial Circuit Mental Health Court to fully restore both the misdemeanor and felony dockets in all counties of the Second Circuit.																																
17	EXISTING - Circuit Courts: The funds in Specific Appropriation 3155 are provided to the Eighteenth Judicial Circuit to continue its program to protect victims of domestic violence with Active Global Positioning Satellite (GPS) technology.																																
18	<p>REVISED - Circuit Courts: Recurring general revenue funds in Specific Appropriation 3158 are provided to the following counties for felony and/or misdemeanor pretrial or post-adjudicatory veterans' treatment intervention programs:</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td>Alachua</td><td style="text-align: right;">150,000</td></tr> <tr><td>Clay</td><td style="text-align: right;">150,000</td></tr> <tr><td>Duval</td><td style="text-align: right;">200,000</td></tr> <tr><td>Escambia</td><td style="text-align: right;">150,000</td></tr> <tr><td>Leon</td><td style="text-align: right;">125,000</td></tr> <tr><td>Okaloosa</td><td style="text-align: right;">150,000</td></tr> <tr><td>Orange</td><td style="text-align: right;">200,000</td></tr> <tr><td>Pasco</td><td style="text-align: right;">150,000</td></tr> <tr><td>Pinellas</td><td style="text-align: right;">150,000</td></tr> </table> <p>Nonrecurring general revenue funds in Specific Appropriation 3158 are provided to the following counties for felony and/or misdemeanor pretrial or post-adjudicatory veterans' treatment intervention programs:</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td>Duval</td><td style="text-align: right;">112,032</td></tr> <tr><td>Hillsborough</td><td style="text-align: right;">150,000</td></tr> <tr><td>Manatee</td><td style="text-align: right;">150,000</td></tr> <tr><td>Pasco</td><td style="text-align: right;">150,000</td></tr> <tr><td>Pinellas</td><td style="text-align: right;">150,000</td></tr> <tr><td>Sarasota</td><td style="text-align: right;">150,000</td></tr> <tr><td>Seminole</td><td style="text-align: right;">150,000</td></tr> </table>	Alachua	150,000	Clay	150,000	Duval	200,000	Escambia	150,000	Leon	125,000	Okaloosa	150,000	Orange	200,000	Pasco	150,000	Pinellas	150,000	Duval	112,032	Hillsborough	150,000	Manatee	150,000	Pasco	150,000	Pinellas	150,000	Sarasota	150,000	Seminole	150,000
Alachua	150,000																																
Clay	150,000																																
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Leon	125,000																																
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Pasco	150,000																																
Pinellas	150,000																																
Sarasota	150,000																																
Seminole	150,000																																
19	NEW - Circuit Courts: From the funds in Specific Appropriation 3158, \$105,000 in nonrecurring general revenue funds is provided to the Collier County Veterans Treatment Court to divert veterans with mental health and substance abuse treatment needs from the criminal justice system. The funds will be used for an outreach worker, case manager, and the Veterans Helping Veterans mentor program at the David Lawrence Mental Health Center in Collier.																																

BACK OF BILL PROVISIONS	
1	REVISED (dates) - Section 58. The unexpended balance of funds appropriated to the state court in Specific Appropriation 3169 of chapter 2015-232, Laws of Florida, for the funding of naltrexone extended-release injectable medication shall revert and is reappropriated for Fiscal Year 2016-2017 for the same purpose.
2	NEW - Section 59. From the funds appropriate in Specific Appropriation 3162 of chapter 2015-232, Laws of Florida, to the State Court System, \$6,000,000 from the State Court Revenue Trust Fund shall revert immediately. This section shall take effect upon becoming law.

State Courts System
Proviso, Back of Bill, Conforming and Implementing Language

Updated 03/15/16; 2:45 p.m.

Conference Report on House Bill 5001	
3	NEW - Section 60. There is hereby appropriated for Fiscal Year 2015-2016, \$6,000,000 in nonrecurring funds from the General Revenue Fund to the State Court System for operating expenditures. This section is effective upon becoming law.
4	REVISED (dates) - Section 61. The unexpended balance of funds appropriated to the state courts in Specific Appropriation 3151 of chapter 2015-232, Laws of Florida, for the compensation of retired judges shall revert and is reappropriated for Fiscal Year 2016-2017 for the same purpose.

IMPLEMENTING BILLS	
1	REVISED (dates) - Section 59, 215.18 (2) - The Chief Justice of the Supreme Court may receive one or more trust fund loans to ensure that the state court system has funds sufficient to meet its appropriations in the 2016-2017 General Appropriations Act. If the Chief Justice accesses the loan, he or she must notify the Governor and the chairs of the legislative appropriations committees in writing. The loan must come from other funds in the State Treasury which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds. The Governor shall order the transfer of funds within 5 days after the written notification from the Chief Justice. If the Governor does not order the transfer, the Chief Financial Officer shall transfer the requested funds. The loan of funds from which any money is temporarily transferred must be repaid by the end of the 2016-2017 fiscal year. This subsection expires July 1, 2017.
2	REVISED (dates) - Section 68. In order to implement appropriations used to pay existing lease contracts for private lease space in excess of 2,000 square feet in the 2016-2017 General Appropriations Act, the Department of Management Services, with the cooperation of the agencies having the existing lease contracts for office or storage space, shall use tenant broker services to renegotiate or reprocure all private lease agreements for office or storage space expiring between July 1, 2017, and June 30, 2019, in order to reduce costs in future years. The department shall incorporate this initiative into its 2016 master leasing report required under s. 255.249(7), Florida Statutes, and may use tenant broker services to explore the possibilities of collocating office or storage space, to review the space needs of each agency, and to review the length and terms of potential renewals or renegotiations. The department shall provide a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2016, which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2017.
3	REVISED (dates) - Section 119. In order to implement appropriations in the 2016-2017 General Appropriations Act for state employee travel, the funds appropriated to each state agency which may be used for travel by state employees shall be limited during the 2016-2017 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used for travel by state employees to foreign countries, other states, conferences, staff training activities, or other administrative functions unless the agency head has approved, in writing, that such activities are critical to the agency's mission. The agency head shall consider teleconferencing and other forms of electronic communication to meet the needs of the proposed activity before approving mission-critical travel. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities. This section expires July 1, 2017.

State Courts System
Proviso, Back of Bill, Conforming and Implementing Language

Updated 03/15/16; 2:45 p.m.

Conference Report on House Bill 5001	
4	NEW - Section 120. In order to implement appropriations in the 2016-2017 General Appropriations Act for state employee travel and notwithstanding s. 112.061, Florida Statutes, costs for lodging associated with a meeting, conference, or convention organized or sponsored in whole or in part by a state agency or the judicial branch may not exceed \$150 per day. An employee may expend his or her own funds for any lodging expenses in excess of \$150 per day. This section expires July 1, 2017.
5	NEW - Section 121. In order to implement appropriations in the 2016-2017 General Appropriations Act for executive branch and judicial branch employee travel, the executive branch state agencies and the judicial branch must collaborate with the Executive Office of the Governor to implement the statewide travel management system funded in Specific Appropriation 1965A in the 2016-2017 General Appropriations Act. For the purpose of complying with s. 112.061, Florida Statutes, all executive branch state agencies and the judicial branch must use the statewide travel management system. This section expires July 1, 2017.
6	NEW - Section 124. In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2016-2017 General Appropriations Act, a state agency may not enter into a contract containing a nondisclosure clause that prohibits the contractor from disclosing information relevant to the performance of the contract to members or staff of the Senate or the House of Representatives. This section expires July 1, 2017.

Agenda Item VI.B. Legislative Issues and Updates – Pay and Benefits (GAA Section 8)

FY 2016-17 General Appropriations Act (ch. 2016-66, Laws of Fla.)

Section 8 -- PAY and BENEFITS

	Employee and Officer Compensation/Special Pay Issues
1	No change in judicial pay. No special pay issue for court system non-judge employees. No change in state employee pay in general.
	Benefits: Health, Life, and Disability Insurance
2	No change in premiums paid by <i>employees</i> for health insurance. Maintains the "enhanced benefits" premiums paid by judicial assistants and senior managers (i.e., "agency pay-all" benefits). Increases <i>employer/state</i> share for health insurance premiums effective December 1, 2016. Note: The premium provisions are contingent on HB 7089 NOT becoming law. That bill did not become law. It would have required, for the 2017 plan year, the Department of Management Services to determine and recommend premiums for enrollees that reflect the actual differences in costs to the program for each of the health maintenance organization and the preferred provider organization plan options offered in the state group insurance program for both self-insured and fully insured plans. The premium alternatives for the plan options would have reflected the costs to the program for both medical and prescription drug benefits. The bill also provided that beginning in the 2019 plan year, state employees and officials would have been offered health plan choices at four different levels. The state would have contributed a specified amount toward payment of the premium. If the cost of the plan selected by the employee was less than the state's contribution toward the premium, the employee could have used the remainder to: fund a flexible spending arrangement or health savings account; purchase additional benefits offered through the State Group Insurance Program; or increase his or her salary.
3	No change in co-payments for the State Group Health Insurance prescription drug plan.

FY 2016-17 General Appropriations Act (ch. 2016-66, Laws of Fla.)

Section 8 -- PAY and BENEFITS

4	<p>The Department of Management Services shall maintain a listing of certain maintenance drugs that must be filled through mail order by participants of the Preferred Provider Organization option only. Effective July 1, 2016, those drugs on the maintenance list may initially be filled three times in a retail pharmacy; thereafter, any covered prescriptions must be filled through mail order, unless a retail pharmacy agrees to provide 90 day prescriptions for such drugs for no more than the reimbursement paid for prescriptions fulfilled by mail order, including the dispensing fee. Notwithstanding subparagraph (d)2. (which maintains co-payments as currently set), and for the period beginning July 1, 2016, the co-payments for such 90 day prescriptions at a retail pharmacy shall be \$14 for generic drugs with a card, \$60 for preferred brand name drugs with a card, and \$100 for nonpreferred name brand drugs with a card. (These co-payments match current mail order costs.)</p> <p>Note: This paragraph is contingent upon the budget implementing bill or similar legislation becoming law. The implementing bill became law and reenacts the prescription drug program.</p>
5	No change in state life insurance or state disability insurance.
Other Benefits & Pay Additives/Incentive Programs	
6	Payment of bar dues and legal education courses is authorized for employees who are required to be a member of The Florida Bar as a condition of employment.
7	Contingent upon the availability of funds, and at the agency head's discretion, each agency is authorized to grant competitive pay adjustments to address retention, pay inequities, or other staffing issues. The agency is responsible for retaining sufficient documentation justifying any adjustments provided herein.
8	Each agency is authorized to grant merit pay increases based on the employee's exemplary performance as evidenced by a performance evaluation conducted pursuant to chapter 60L-35, Florida Administrative Code, or a similar performance evaluation applicable to other pay plans. The Chief Justice may exempt judicial branch employees from the performance evaluation requirements.

Agenda Item VI.C. Legislative Issues and Updates – Substantive Legislation

Agenda Item VI.C.: Substantive Legislation

Following is a table highlighting outcomes from the 2016 legislative session for key bills of interest to the State Courts System, as well as for issues on the substantive 2016 Judicial Branch Approved Legislative Agenda.

The Governor has not yet completed action on the bills, but the information for the bills he has signed includes the assigned chapter law numbers. The status of the Governor’s action on the bills is as of April 6, 2016.

Issue	Brief Description	Passed?
<i>Bills Addressing Judges and Judicial/Court Administration</i>		
Appellate Term Limits	Proposing a constitutional amendment to prospectively limit the service of a Supreme Court justice or district court of appeal judge to two full-length terms. HJR 197 ; SJR 322	No
Mandatory Judicial Retirement	Proposing a constitutional amendment to raise the mandatory retirement age for new justices and judges from 70 to 75.	Legislation to increase the mandatory judicial retirement age was not filed.
Senior Judges	Enabling certain retired judges to return as senior judges without having to wait 12 months to avoid forfeiture or suspension of retirement benefits.	Legislation to enable retired judges to return as senior judges without having to wait 12 months to avoid forfeiture or suspension of retirement benefits was not filed.
Jury Service	Authorizing a person permanently incapable of caring for himself or herself to obtain a permanent exemption from jury duty if the request is accompanied by a written statement from a physician.	Yes Ch. 2016-52, Laws of Fla.

Issue	Brief Description	Passed?
	HB 111	
Self-Authentication of Documents	<p>Authorizing certified copies of public documents to be filed electronically (HB 225).</p> <p>Authorizing certified copies of public documents to be filed electronically and providing a method for authenticating public documents other than by certified copies (SB 352).</p>	No
Planning and Budgeting	<p>Removing judicial branch budget provisions from ch. 216, F.S., and relocating them to a newly created chapter of law.</p> <p>SB 924; no House bill</p>	No
Retirement Benefits of Certain Judges	<p>Authorizing trial court judges who have completed their Deferred Retirement Option Program (DROP) participation to transfer all or part of their DROP proceeds to the Florida Retirement System investment plan.</p> <p>SB 7044; no House bill</p>	No
Allocation of Court Costs	<p>Revising provisions governing use of the county-adopted \$65 court fee to, in part, eliminate the 25% allocation for court innovations and for each of the other three categories and give county commissions authority to allocate unspent monies collected under the fee at the end of the year.</p> <p>HB 573; no Senate bill</p>	No
Juror Costs	<p>Transferring responsibility for the costs of juror payments, juror meals and lodging, and juror-related personnel costs from the clerks of court back to the state, to be administered by the Justice Administrative Commission.</p> <p>HB 7095; no Senate bill</p>	No. However, similar provisions were passed in the budget implementing bill (HB 5003). The clerks of court are responsible for any costs that exceed the \$11.7 million in funding provided in the

Issue	Brief Description	Passed?
		General Appropriations Act for these purposes.
Driver License-Related Penalties and Fees	Revising numerous provisions governing driver license suspensions and revocations and associated penalties and fees. HB 207 ; SB 7046	No
<i>Bills Affecting or of Interest to the State Courts System by Topic</i>		
FAMILY		
Alimony/Time-Sharing	Substantially revising statutory provisions governing alimony and providing that in establishing a parenting plan and time-sharing schedule, the court shall begin with the premise that a minor child should spend approximately equal amounts of time with each parent. SB 668	Yes Presented to the Governor on April 4 (must be acted on by April 19).
Collaborative Law	Creating a framework for the practice of collaborative law in family law cases. HB 967	Yes Ch. 2016-93, Laws of Fla.
Appointed Counsel for Dependent Children	Requiring appointment of an attorney for a dependent child identified by the court as having need for legal representation (SB 1212). Requiring appointment of an attorney for a dependent child who is prescribed a psychotropic medication and is under the age of 8 and for a dependent child if the Statewide Guardian Ad Litem Program certifies that it has a conflict of interest that precludes the program from providing the child with a guardian ad litem (HB 949).	No
CIVIL		
Nonresident Plaintiffs in Civil Actions	Repealing a requirement that a nonresident plaintiff in a civil action post a bond to secure the payment of court costs that may be adjudged against the plaintiff. SB 396	Yes Ch. 2016-43, Laws of Fla.
Judgments	Revising provisions governing how a creditor may collect	Yes

Issue	Brief Description	Passed?
	<p>a judgment against a debtor and governing proceedings supplementary which provide a judgment creditor a mechanism to investigate and discover assets that a judgment debtor may have improperly concealed.</p> <p>SB 1042</p>	<p>Ch. 2016-33, Laws of Fla.</p>
<p>“Sanctuary” Cities</p>	<p>Prohibiting “sanctuary” policies sometimes used by law enforcement agencies to release undocumented immigrants not likely to be picked up by federal immigration officials.</p> <p>HB 675; SB 872</p>	<p>No</p>
<p>REAL PROPERTY, PROBATE, AND TRUST LAW</p>		
<p>Estates</p>	<p>Specifying when a trustee may use trust assets to pay attorney fees and costs and establishing a procedure by which a trustee may seek to use trust assets to pay attorney fees and costs incurred when defending a breach of trust claim.</p> <p>SB 540</p>	<p>Yes</p> <p>Ch. 2016-189, Laws of Fla.</p>
<p>Guardianship</p>	<p>Renaming the Statewide Public Guardianship Office as the Office of Public and Professional Guardians and directing the office to regulate professional guardians.</p> <p>SB 232</p>	<p>Yes</p> <p>Ch. 2016-40, Laws of Fla.</p>
<p>EVIDENCE</p>		
<p>Victim and Witness Protection</p>	<p>In part, increasing the maximum age at which a victim or witness may be allowed to testify via closed circuit television rather than in a courtroom in specified circumstances and increasing the maximum age of victims and witnesses for whom the court may enter protective orders.</p> <p>SB 1294</p>	<p>Yes</p> <p>Ch. 2016-199, Laws of Fla.</p>
<p>PUBLIC RECORDS</p>		
<p>Public Records/Attorney Fees</p>	<p>Revising the conditions under which attorney fees shall be assessed against an agency found to have violated public records laws.</p>	<p>No</p>

Issue	Brief Description	Passed?
	HB 1021 ; SB 1220	
CRIMINAL		
Alternative Sanctioning	<p>Authorizing the chief judge of each judicial circuit, in consultation with specified stakeholders, to establish an alternative sanctioning program for technical violations of probation.</p> <p>HB 1149</p>	<p>Yes</p> <p>Ch. 2016-100, Laws of Fla.</p>
Mandatory Sentencing	<p>Removing aggravated assault from the list of crimes subject to a “10-20-Life” mandatory sentence.</p> <p>SB 228</p>	<p>Yes</p> <p>Ch. 2016-7, Laws of Fla.</p>
Contraband Forfeiture	<p>Revising contraband forfeiture provisions to, among other changes, require the seizing agency to apply for a probable cause order from the court within a reasonable time after seizing the property and increasing the evidentiary standard from clear and convincing evidence to beyond a reasonable doubt.</p> <p>SB 1044</p>	<p>Yes</p> <p>Ch. 2016-179, Laws of Fla.</p>
Death Penalty	<p>Revising death penalty sentencing processes to address issues raised by the U.S. Supreme Court <u>Hurst v. Florida</u> decision.</p> <p>HB 7101</p>	<p>Yes</p> <p>Ch. 2016-13, Laws of Fla.</p>
Controlled Substances	<p>Authorizing a court to grant a defendant’s motion to depart from a 3-year mandatory minimum term and mandatory fine for trafficking in specified drugs if certain conditions are met.</p> <p>HB 327; SB 84</p>	<p>No</p>
Crimes Evidencing Prejudice	<p>Providing for enhanced penalties if the commission of an offense evidences prejudice based on the victim’s employment as a justice or judge, correctional officer or correctional probation officer, or first responder.</p> <p>HB 309; SB 652</p>	<p>No</p>
Orders of No Contact	<p>Clarifying that a court has the discretion to issue an order of no contact to a person on pretrial release.</p>	<p>Yes</p>

Issue	Brief Description	Passed?
	SB 1412	Presented to the Governor on March 25 (must be acted on by April 9).
Open Carry of Firearms	Authorizing concealed carry licensees to openly carry firearms. HB 163 ; SB 300	No
Firearms on Campus	Authorizing concealed carry licensees to carry concealed weapons on state college and university campuses. HB 4001 ; SB 68	No
JUVENILES/YOUTH INTERACTING WITH COURTS		
Transfer of Juveniles to Adult Criminal Court	Revising the circumstances under which a juvenile may be transferred to adult criminal court. HB 129 ; SB 314	No
MENTAL HEALTH		
Mental Health Treatment	Authorizing continuation of psychotherapeutic medications at a civil or forensic facility and reducing the time after which charges against persons who remain incompetent to proceed may be dismissed from five years to three years. HB 769	Yes Ch. 2016-135, Laws of Fla.
Mental Health and Substance Abuse	Revising Florida’s system for the delivery of behavioral health services to improve coordination between local agencies offering mental health and substance abuse treatment and to increase access to such treatment. SB 12	Yes Presented to the Governor on April 1 (must be acted on by April 16).
Mental Health Services in the Criminal Justice System	Addressing mental health issues in the criminal justice system by, in part, expanding veterans court eligibility, authorizing county court judges to order misdemeanants to involuntary outpatient treatment if certain conditions are met, and creating statutory authority and guidelines for the establishment of mental health courts.	Yes Ch. 2016-127, Laws of Fla.

Issue	Brief Description	Passed?
	HB 439	
TRAFFIC		
Traffic Infraction Detectors	Prohibiting the use of red-light cameras at intersections. HB 4027 ; SB 168	No
<i>Judicial Branch Approved Legislative Agenda</i>		
Appellate Administration	Changing the statutory designation of the Second District Court of Appeal headquarters from Lakeland to Tampa. Revising or repealing provisions related to the records of Supreme Court and district clerks to reflect developments in technology and electronic storage and filing. Providing travel reimbursement and subsistence for certain Supreme Court justices, and travel reimbursement for certain appellate judges.	A House bill to change the Second DCA headquarters and to revise record storage provisions (HB 815) did not pass. ¹ Legislation related to travel reimbursement was not filed.
Retirement Benefits	Maintaining current retirement benefits and keeping the defined benefit plan open.	Legislation to reduce benefits or close the defined benefit plan was not filed. The following proposals are not related to the judicial branch agenda, but are related to retirement and are included here for informational purposes. Legislation that would have

¹ The fiscal year 2016-17 budget provides funding for a study of the courthouse space and location needs of the Second District Court of Appeal.

Issue	Brief Description	Passed?
		<p>authorized reenrollment of retirees of the Florida Retirement System (FRS) (HB 7107; SB 7014) and changed the default plan selection from the pension plan to the investment plan (HB 7107) did not pass. Legislation to create benefits for family members of FRS members of the investment plan who are killed in the line of duty passed the Legislature and has been presented to the Governor (SB 7012).</p>
Health Insurance Benefits	Maintaining health insurance contributions at the current level.	Legislation to reform state employee health benefits (HB 7089 ; SB 1434) was considered but not passed.
Senior Judges	See section above on “Bills Addressing Judges and Judicial/Court Administration.”	No
Mandatory Judicial Retirement	See section above on “Bills Addressing Judges and Judicial/Court Administration.”	No
Baker Act and Marchman Act	Updating and enhancing the Baker Act and Marchman Act by, in part, streamlining involuntary examination and treatment provisions and incorporating Baker Act recommendations from the Supreme Court Fairness Commission (1999).	Many provisions were included in SB 12 (see section above on “Bills Affecting or

Issue	Brief Description	Passed?
		of Interest to the State Courts System by Topic” under “Mental Health”).
Mental Health Treatment	See section above on “Bills Affecting or of Interest to the State Courts System by Topic” under “Mental Health.”	Yes
Mental Health Courts	Advocating that any legislation codifying mental health courts not be inconsistent with nationally accepted key components of mental health courts.	Court suggestions were included in SB 12 (see section above on “Bills Affecting or of Interest to the State Courts System by Topic” under “Mental Health”).
Prison Inmate Reentry Program	Requiring the Department of Corrections to create and implement a reentry program for certain nonviolent, low-risk offenders.	Legislation to require creation of such a reentry program was not filed.
Veterans Court Eligibility	Allowing private military contractors, military members of foreign allied countries, and individuals who served in the active military, naval, or air service and who were discharged or released under any condition to participate in veterans courts.	A bill passed that contained a more limited eligibility expansion allowing veterans discharged or released under a general discharge to participate in veterans courts (HB 439 ; see section above on “Bills Affecting or of Interest to the State Courts System by Topic” under “Mental Health”).
Direct File and Juvenile Offenders	Increasing judicial discretion in determining direct filing of juveniles.	Legislation addressing the issues (HB 129 ;

Issue	Brief Description	Passed?
	<p>Providing protection for juveniles previously found incompetent or with pending competency proceedings.</p> <p>Creating a reverse waiver for juveniles to be referred from adult criminal court back to delinquency court.</p>	<p>SB 314) did not pass (see section above on “Bills Affecting or of Interest to the State Courts System by Topic” under “Juveniles/ Youth Interacting with Courts”).</p>
Time-Sharing	<p>Opposing creation of an equal time sharing presumption in child custody cases.</p>	<p>Legislation to create such a presumption (HB 553; SB 250) did not pass. A separate Senate bill (SB 668) did pass that provides that in establishing a parenting plan and time-sharing schedule, the court shall begin with the premise that a minor child should spend approximately equal amounts of time with each parent (see section above on “Bills Affecting or of Interest to the State Courts System by Topic” under “Family Law”).</p>

Agenda Item VII. Budget Management
Committee Recommendations for
FY 2016-17 Budget Management
Policies and Procedures

**Agenda Item VII.A.: Budget Management Committee Recommendations for FY 2016-17
Budget Management Policies and Procedures – Allocation of Base Budget Reductions**

Issue:

In the FY 2016-17 General Appropriations Act (GAA), the Legislature implemented base budget reductions within the circuit courts budget entity based on FY 2014-15 operating budget reversions. The reduction amounts, by category, are as follows:

296,031	Other Personal Services
743,969	Expenses
81,000	Civil Traffic Infraction Hearing Officers
324,000	Compensation to Retired Judges (Senior Judges)
796,000	Contracted Services
81,000	Mediation/Arbitration Services
<u>378,000</u>	Due Process Services
2,700,000	Total Base Budget Reductions

The Civil Traffic Infraction Hearing Officers, Compensation to Retired Judges, Mediation/ Arbitration Services, and Due Process Services categories have historically been reallocated each year by the TCBC, after taking into the consideration recommendations from the Funding Methodology Committee. The total appropriation available by category is considered in the reallocation process.

The Other Personal Services, Expenses, and Contracted Services appropriation categories are considered part of the base budget by the TCBC and are typically not reallocated each year unless a change occurred through the legislative budget process. To implement the base budget reductions, the Trial Court Budget Commission will need to implement allocation reductions for these categories.

Options:

Option 1: Allocate reductions based on the percent of total FY 2014-15 reversions (see attached charts).

The Budget Management committee discussed the option at their April 6, 2016, conference call and approved recommendation of Option 1.

Trial Court Budget Commission
April 12, 2016
Orlando, Florida

Agenda Item VII.A. Budget Management Committee Recommendations for FY 2016-17 Budget Management Policies and Procedures — Allocation of Base Budget Reductions

	A	B	C	D	E
	Other Personal Services (030000)				
Circuit	FY 2014-15 Base Allotment ¹	% of Total Base Allotment	FY 2014-15 Reversion	% of Total Reversion	Option 1 Based on % of Total Reversion
Reserve	769,549	69.59%	448,196	74.58%	220,778
1	0	0.00%	0	0.00%	0
2	0	0.00%	0	0.00%	0
3	0	0.00%	0	0.00%	0
4	0	0.00%	0	0.00%	0
5	67,273	6.08%	3,835	0.64%	1,895
6	74,000	6.69%	35,369	5.88%	17,407
7	0	0.00%	0	0.00%	0
8 ²	0	0.00%	20,822	3.46%	10,243
9	162,182	14.66%	29,240	4.87%	14,417
10	0	0.00%	0	0.00%	0
11 ³	0	0.00%	35,064	5.83%	17,259
12	0	0.00%	0	0.00%	0
13	0	0.00%	0	0.00%	0
14	0	0.00%	0	0.00%	0
15	33,000	2.98%	28,468	4.74%	14,032
16	0	0.00%	0	0.00%	0
17	0	0.00%	0	0.00%	0
18	0	0.00%	0	0.00%	0
19	0	0.00%	0	0.00%	0
20	0	0.00%	0	0.00%	0
Total	1,106,004	100.00%	600,994	100.00%	296,031

Base Budget Reduction 296,031

¹ Represents recurring base allotment and does not include any budget amendments and internal transfers.

² The 8th Circuit requested \$24,500 budget amendment in FY 14-15 and the funds be made as part of their base, beginning in FY 15-16.

³ The 11th Circuit requested \$50,000 budget amendment in FY 15-16 and the funds be made as part of their base, beginning in FY 16-17.

Trial Court Budget Commission
April 12, 2016
Orlando, Florida

Agenda Item VII.A. Budget Management Committee Recommendations for FY 2016-17 Budget Management Policies and Procedures — Allocation of Base Budget Reductions

	A	B	C	D	E
	Expenses (040000)				
Circuit	FY 2014-15 Base Allotment ¹	% of Total Base Allotment	FY 2014-15 Reversion	% of Total Reversion	Option 1 Based on % of Total Reversion
Reserve	2,075,806	28.54%	1,072,366	50.07%	372,504
1	202,975	2.79%	3,749	0.18%	1,339
2	144,199	1.98%	34,584	1.61%	11,978
3	80,862	1.11%	8,751	0.41%	3,050
4	310,277	4.27%	5,752	0.27%	2,009
5	265,200	3.65%	497	0.02%	149
6	342,545	4.71%	110,505	5.16%	38,389
7	310,688	4.27%	90,409	4.22%	31,396
8	129,567	1.78%	22,978	1.07%	7,960
9	447,828	6.16%	84,936	3.97%	29,536
10	241,395	3.32%	6,825	0.32%	2,381
11	351,175	4.83%	5,765	0.27%	2,009
12	268,027	3.68%	130,710	6.10%	45,382
13	397,470	5.46%	150,311	7.02%	52,227
14	103,634	1.42%	35,045	1.64%	12,201
15	428,092	5.88%	59,002	2.75%	20,459
16	52,555	0.72%	23,529	1.10%	8,184
17	543,998	7.48%	239,149	11.17%	83,101
18	197,059	2.71%	18,305	0.85%	6,324
19	225,552	3.10%	17,501	0.82%	6,101
20	155,729	2.14%	20,971	0.98%	7,291
Total	7,274,633	100.00%	2,141,640	100.00%	743,970

Base Budget Reduction 743,970

¹ Represents recurring base allotment and does not include any budget amendments and internal transfers.

Trial Court Budget Commission
 April 12, 2016
 Orlando, Florida

Agenda Item VII.A. Budget Management Committee Recommendations for FY 2016-17 Budget Management Policies and Procedures — Allocation of Base Budget Reductions

	A	B	C	D	E
	Contracted Services (100777)				
Circuit	FY 2014-15 Base Allotment ¹	% of Total Base Allotment	FY 2014-15 Reversion	% of Total Reversion	Option 1 Based on % of Total Reversion
Reserve ²	84,768	6.75%	162,121.29	22.38%	178,146
1	23,185	1.85%	5,658.81	0.78%	6,209
2	21,914	1.75%	1,076.70	0.15%	1,194
3	4,679	0.37%	1,401.36	0.19%	1,512
4	82,150	6.56%	8,391.34	1.16%	9,234
5	2,107	0.17%	1,102.90	0.15%	1,194
6	104,091	8.31%	30,567.67	4.22%	33,591
7	22,604	1.80%	18,977.88	2.62%	20,855
8	26,852	2.14%	311.79	0.04%	318
9	44,133	3.52%	39,579.08	5.47%	43,541
10	11,863	0.95%	10,275.04	1.42%	11,303
11	165,011	13.17%	119,961.47	16.57%	131,897
12	0	0.00%	0.00	0.00%	0
13	158,328	12.63%	13,391.00	1.85%	14,726
14 ³	4,320	0.34%	3,953.46	0.55%	4,378
15	37,812	3.02%	3,379.94	0.47%	3,741
16	61,344	4.90%	23,067.25	3.19%	25,392
17 ³	169,371	13.52%	156,846.41	21.67%	172,493
18	39,810	3.18%	6,947.77	0.96%	7,642
19	39,919	3.19%	23,361.43	3.23%	25,711
20	148,849	11.88%	93,578.32	12.93%	102,923
Total	1,253,110	100.00%	723,950.91	100.00%	796,000

Base Budget Reduction 796,000

¹ Represents recurring base allotment and does not include any budget amendments and internal transfers.

² The reserve reduction allocation is more than the base allotment and may be met by moving funds from the Expenses category in reserve.

³ The 14th and 17th Circuits' reduction allocation is more than the base allotment, and each circuit will need to move funds from another category.

**Agenda Item VII.B.: Budget Management Committee Recommendations for FY 2016-17
Budget Management Policies and Procedures – Allocation Policy Recommendations**

Background:

In part due to the recent \$2.7M budget reduction sustained during the 2016 Legislative Session and to ensure resources are maximized throughout the Trial Court budget, Judge Mahon, Chair of the Trial Court Budget Commission (TCBC), charged the Budget Management Committee (BMC) to provide alternative FY 2016-17 allocation policy recommendations for the TCBC's consideration at the April 12, 2016, meeting.

Currently the Trial Court budget includes the following operating categories: Other Personal Services (OPS); Expenses; Operating Capital Outlay (OCO); Civil Traffic Infraction Hearing Officers; Compensation to Retired Judges; Contracted Services; Lease-Purchase of Equipment; Mediation/Arbitration Services; Due Process Services; and Additional Compensation for County Judges. There are other categories in the Trial Court budget that are designated by the Legislature for a specific purpose that can only be used for a specific purpose. The other categories consist of the following: Grants and Aids – Child Advocacy Centers; Domestic Violence Offender Monitoring; Risk Management Insurance; Statewide Grand Jury-Expenses; Veterans Court; and Transfer to Department of Management Services – Human Resources Services Purchased per Statewide Contract.

Historically, beginning with the implementation of Revision 7 in FY 2004-05, base operating budgets were established for OPS, Expenses, and OCO. As the Department of Financial Services implemented new legislative directives over the fiscal years guiding the use of specific operating categories, partial funding transitioned from OPS and Expenses, to what is now known as Contracted Services and Lease-Purchase of Equipment categories. These specific operating categories have been considered part of the base budget by the TCBC for each circuit and have not been reallocated each year. Since FY 2004-05, they have only been changed through the legislative budget process. Changes would include legislative reductions sustained in FY 2008-09 and FY 2009-10 or individual circuit requests to realign funding to meet long-term operating needs of the circuit.

Allocations for the remaining operating categories, Civil Traffic Infraction Hearing Officers, Compensation to Retired Judges, Mediation/Arbitration Services, Due Process Services, and Additional Compensation for County Judges, have historically been reallocated each year by the TCBC after taking into consideration recommendations from the Funding Methodology Committee (FMC).

Issue:

Historically, after the TCBC has approved allocations for the new fiscal year, the allocations are then posted in FLAIR (the state accounting system), and the circuits have access to 100% of the approved allocation throughout the fiscal year. However, this fiscal year the TCBC approved to distribute 75% of the due process contractual category at the beginning of the fiscal year and the remaining 25% at the beginning of the last quarter. This was done to maximize resources in the due process contractual category and ensure the due process needs of all circuits were met.

Allocations are typically not adjusted by the TCBC during the fiscal year unless there is a specific issue that needs to be addressed. Issues that have impacted allocations in the past have been: decline in overall State General Revenue funding requiring legislative reductions, cash flow issues in the State Courts Revenue Trust Fund, due process deficits, and funds returned by circuits to be used toward a year-end spending plan.

In FY 2014-15, the circuits reverted \$5.4M from operating categories that was not designated by the Legislature for a specific purpose. To maximize resources the following policy options were developed for discussion and possible alternative allocation release methods.

Options:

The Budget Management Committee discussed the following options at their April 6, 2016, conference call:

STANDARD BASE OPERATING CATEGORIES (includes OPS, Expenses, OCO, Contracted Services, and Lease-Purchase of Equipment):

1. Release allocations in accordance with the state standard release plan of 25% per quarter, and any unused funds at the end of the 1st, 2nd, and 3rd quarters would be returned to the statewide reserve to be used for statewide initiatives.
2. Release allocations in 50% increments (at the beginning of the 1st and 3rd quarters), and any unused funds at the end of the 2nd quarter would be returned to the statewide reserve to be used for statewide initiatives. Any unobligated funds that may exist after the 2nd quarter would have to be determined through an unobligated survey of the circuits.
3. Maintain current policy of releasing 100% of allocations and review on an as-needed basis.

The Budget Management Committee approved recommendation of Option 2.

OTHER OPERATING CATEGORIES:

A. Compensation to Retired Judges (Senior Judge Days)

1. Release allocations in accordance with the state standard release plan of 25% per quarter, and any unused funds at the end of the 2nd and 3rd quarters would be returned to the statewide reserve to be used for statewide initiatives. Policy recommendations would need to be developed by the BMC to address accessing remaining allocations early.
2. Release allocations in 50% increments (at the beginning of the 1st and 3rd quarters), and any unused funds at the end of the 2nd quarter would be returned to the statewide reserve to be used for statewide initiatives. Any unobligated funds that may exist after the 2nd quarter would have to be determined through an unobligated survey of the circuits. Policy recommendations would need to be developed by the BMC to address accessing remaining allocations early.
3. Maintain current policy of releasing 100% of allocations and review on an as needed basis.

Note: Existing policies regarding senior judge day deficits may need to be revisited by the BMC for consideration by the TCBC.

The Budget Management Committee approved recommendation of Option 2.

B. Additional Compensation for County Judges

Due to current allocation policies for Additional Compensation for County Judges, these funds are being fully expended.

1. Maintain current policy of releasing 100% of allocations and utilizing any unspent funding during the certified forward process to cover uncompensated hours that occurred during the fiscal year.

The Budget Management Committee approved recommendation of Option 1.

C. Civil Traffic Infraction Hearing Officers

1. Maintain category funding at the statewide level and continue to maintain expenditures at the circuit level. An expenditure monitoring report of allocations approved by the TCBC would be prepared and monitored by the BMC. A copy of the

- report would be maintained on the courts' intranet site for circuits to view. Circuits would be expected to continue to spend within their approved allotment.
2. Release allocations in accordance with the state standard release plan of 25% per quarter, and any unused funds at the end of the 2nd and 3rd quarters would be returned to the statewide reserve to be used for statewide initiatives. Policy recommendations would need to be developed by the BMC to address accessing remaining allocations early.
 3. Release allocations in 50% increments (at the beginning of the 1st and 3rd quarters), and any unused funds at the end of the 2nd quarter would be returned to the statewide reserve to be used for statewide initiatives. Any unobligated funds that may exist after the 2nd quarter would have to be determined through an unobligated survey of the circuits. Policy recommendations would need to be developed by the BMC to address accessing remaining allocations early.
 4. Maintain current policy of releasing 100% of allocations and review on an as needed basis.

Note: Policy recommendations would need to be developed by the BMC for the TCBC's consideration to address deficits.

The Budget Management Committee approved recommendation of Option 1.

D. Mediation/Arbitration Services

1. Maintain category funding at the statewide level and continue to maintain expenditures at the circuit level. An expenditure monitoring report of allocations approved by the TCBC would be prepared and monitored by the BMC. A copy of the report would be maintained on the courts' intranet site for circuits to view. Circuits would be expected to continue to spend within their approved allotment.
2. Release allocations in accordance with the state standard release plan of 25% per quarter, and any unused funds at the end of the 2nd and 3rd quarters would be returned to the statewide reserve to be used for statewide initiatives. Policy recommendations would need to be developed by the BMC to address accessing remaining allocations early.
3. Release allocations in 50% increments (at the beginning of the 1st and 3rd quarters), and any unused funds at the end of the 2nd quarter would be returned to the statewide reserve to be used for statewide initiatives. Any unobligated funds that may exist after

the 2nd quarter would have to be determined through an unobligated survey of the circuits. Policy recommendations would need to be developed by the BMC to address accessing remaining allocations early.

4. Maintain current policy of releasing 100% of allocations and review on an as needed basis.

Note: Policy recommendations would need to be developed by the BMC for the TCBC's consideration to address deficits.

The Budget Management Committee approved recommendation of Option 1.

E. Due Process Services

1. Maintain category funding at the statewide level and continue to maintain expenditures at the circuit level. An expenditure monitoring report of allocations approved by the TCBC would be prepared and monitored by the BMC. A copy of the report would be maintained on the courts intranet site for circuits to view. Circuits would be expected to continue to spend within their approved allotment. Existing policies regarding due process deficits would need to be revisited by the BMC for consideration by the TCBC.
2. Release allocations in accordance with the state standard release plan of 25% per quarter, and any unused funds at the end of the 2nd and 3rd quarters would be returned to the statewide reserve to be used for statewide initiatives. Policy recommendations would need to be developed by the BMC to address accessing remaining allocations early.
3. Release allocations in 50% increments (at the beginning of the 1st and 3rd quarters), and any unused funds at the end of the 2nd quarter would be returned to the statewide reserve to be used for statewide initiatives. Any unobligated funds that may exist after the 2nd quarter would have to be determined through an unobligated survey of the circuits. Policy recommendations would need to be developed by the BMC to address accessing remaining allocations early.
4. Maintain current policy of releasing 100% of allocations and review on an as needed basis.

The Budget Management Committee approved recommendation of Option 1.

Agenda Item VIII. Report from Designee to Florida Clerks of Court Operations Corporation



ENROLLED

HB 5003, Engrossed 1

2016 Legislature

2757 Florida Police Benevolent Association (PBA). The work group is
 2758 directed to create a law enforcement officers' career
 2759 development plan to attract and retain quality employees. The
 2760 work group must create a work plan for all represented agencies
 2761 that emphasizes job training, job skills, educational
 2762 attainment, experience, and retention.

2763 (2) The work group shall consist of the following
 2764 representatives:

2765 (a) At least one agency management representative from
 2766 each law enforcement agency;

2767 (b) At least three representatives from DMS, one of whom
 2768 shall serve as the work group's chair;

2769 (c) At least one active law enforcement officer, as
 2770 designated by the PBA from each agency represented by a
 2771 bargaining unit, one of whom shall serve as the work group's
 2772 vice chair; and

2773 (d) At least three representatives from the PBA.

2774 (3) The work group shall meet on or after July 1, 2016,
 2775 and conduct meetings as necessary to complete a career
 2776 development plan proposal by November 30, 2016. The proposal
 2777 shall be presented to the Governor, the President of the Senate,
 2778 and the Speaker of the House of Representatives by December 1,
 2779 2016.

2780 (4) This section expires July 1, 2017.

2781 **Section 66.** In order to implement Specific Appropriation
 2782 772A of the 2016-2017 General Appropriations Act, and



ENROLLED

HB 5003, Engrossed 1

2016 Legislature

2783 notwithstanding ss. 28.35 and 40.24, Florida Statutes, the
2784 Justice Administrative Commission shall provide funds to the
2785 clerks of court to pay compensation to jurors, for meals or
2786 lodging provided to jurors, and for jury-related personnel costs
2787 as provided in this section. Each clerk of the circuit court
2788 shall forward to the Justice Administrative Commission a
2789 quarterly estimate of funds necessary to pay compensation to
2790 jurors and for meals or lodging provided to jurors. The Florida
2791 Clerks of Court Operations Corporation shall forward to the
2792 Justice Administrative Commission a quarterly estimate of jury-
2793 related personnel costs necessary to pay each clerk of the
2794 circuit court personnel costs related to jury management. Upon
2795 receipt of such estimates, the Justice Administrative Commission
2796 shall endorse the amount deemed necessary for payment to the
2797 clerks of the court during the quarter and shall submit a
2798 request for payment to the Chief Financial Officer. If the
2799 Justice Administrative Commission believes that the amount
2800 appropriated by the Legislature is insufficient to meet such
2801 costs during the remaining part of the state fiscal year, the
2802 commission may apportion the funds appropriated in the General
2803 Appropriations Act for those purposes among the several
2804 counties, basing the apportionment upon the amount expended for
2805 such purposes in each county during the prior fiscal year. In
2806 that case, the Chief Financial Officer shall only issue the
2807 appropriate apportioned amount by warrant to each county. The
2808 clerks of court are responsible for any costs of compensation to



ENROLLED

HB 5003, Engrossed 1

2016 Legislature

2809 jurors, for meals or lodging provided to jurors, and for jury
2810 related personnel costs that exceed the funding provided in the
2811 General Appropriations Act for these purposes. This section
2812 expires July 1, 2017.

2813 Section 67. In order to implement Specific Appropriations
2814 1093 through 1105 of the 2016-2017 General Appropriations Act,
2815 the Department of Juvenile Justice may not provide, make, pay,
2816 or deduct and a nonfiscally constrained county may not apply,
2817 deduct, or receive any reimbursement or any credit for any
2818 previous overpayment of juvenile detention care costs related to
2819 or for any previous state fiscal year against the juvenile
2820 detention care costs due from the nonfiscally constrained county
2821 in the 2016-2017 fiscal year pursuant to s. 985.686, Florida
2822 Statutes, or any other law. The section is contingent upon CS/SB
2823 1322 becoming law. This section expires July 1, 2017.

2824 Section 68. In order to implement appropriations used to
2825 pay existing lease contracts for private lease space in excess
2826 of 2,000 square feet in the 2016-2017 General Appropriations
2827 Act, the Department of Management Services, with the cooperation
2828 of the agencies having the existing lease contracts for office
2829 or storage space, shall use tenant broker services to
2830 renegotiate or reprocure all private lease agreements for office
2831 or storage space expiring between July 1, 2017, and June 30,
2832 2019, in order to reduce costs in future years. The department
2833 shall incorporate this initiative into its 2016 master leasing
2834 report required under s. 255.249(7), Florida Statutes, and may

Agenda Item IX. Other Business

Agenda Item IX.: Other Business

There are no materials for this agenda item.