



**Tuesday, September 29, 2015**

**8:30a.m. - noon**

**Judicial Meeting Room, Supreme Court Building, Tallahassee, FL**

## **AGENDA**

- I. Welcome and Opening Remarks**
  - A. Roll Call
  - B. Approval of July 24, 2015 Meeting Minutes
  
- II. DCABC Orientation**
  - A. Florida Rule of Judicial Administration 2.235
  - B. DCABC Operational Procedures
  - C. Presentation - Overview of the Legislative Process, Navigating the Operating Budget, and Components of Salary Budget Management
  
- III. FY 2014-15 Budget Wrap-Up**
  - A. Salary Budget
  - B. Operating Budget
  - C. Trust Fund Cash Statement Overview
  
- IV. Status of FY 2015-16 Budget**
  - A. Salary Budgets
  - B. Operating Budgets
  - C. Positions Vacant over 180 Days
  - D. Trust Fund Cash Statement Overview
  
- V. Budget and Pay Policy Recommendations for Chief Justice's Budget and Pay Memorandum**
  
- VI. Recommendations from the Salary Budget Committee**
  
- VII. Staff Attorney Recommendations**
  
- VIII. Other Business and Adjournment**

# **I. Welcome and Opening Remarks**

**District Court of Appeal Budget Commission  
Video Conference  
July 24, 2015**



**Members Present**

Judge Alan Lawson, Chair  
Judge Stevan Northcutt  
Judge Clayton Roberts  
Judge Craig C. Villanti  
Judge Cory Ciklin  
Judge Richard Suarez  
Judge William Palmer

Marshal Veronica Antonoff  
Marshal Charles Crawford  
Marshal Daniel DiGiacomo  
Marshal Daniel McCarthy  
Marshal Jo Haynes

**Members Absent**

Judge Vance Salter

**Others Present**

Judge Frank A. Shepherd, Eric Maclure, Dorothy Wilson, Beatriz Caballero, Elizabeth Garber and other OSCA staff

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

Judge Alan Lawson welcomed members and called the District Court of Appeal Budget Commission (DCABC) meeting to order at 10:15 a.m.

**Agenda Item I.B.: Approval of September 6, 2014, and January 8, 2015, Meeting Minutes**

Judge Lawson and Judge Shepherd noted the September 6, 2014, minutes, Agenda Item VI.H., required amending. Judge Suarez noted the January 8, 2015, minutes, Agenda Item II, required amending. Judge Roberts motioned to approve the minutes as amended. Judge Suarez seconded, and the amended minutes were approved unanimously. Judge Shepherd requested that the minutes be distributed prior to the meeting materials to allow time to properly review.

**Agenda Item II.: FY 2015-16 Allocations**

**A. Appropriations Summary**

Dorothy Willard presented the FY 2015-16 Appropriations Summary, noting a correction on issue code 1001380 that judges should not have been cited on the salary increase as this increase for FY 2014-15

was for staff only. Ms. Willard noted the fund shift contained within the summary was the DCA portion of the \$18.5 million branch wide issue approved by the Legislature. Judge Lawson further clarified that the fund shift Dorothy mentioned was moving State Courts Revenue Trust Fund (SCRTF) to General Revenue (GR) and inquired if the \$18.5 million approved would solve the court system deficit. Ms. Willard responded that during session this amount was enough to prevent a deficit; however, she further noted there was a Revenue Estimating Conference (REC) on July 20<sup>th</sup> which resulted in revenues being adjusted down. Due to the revenues decreasing, it is anticipated that there will be a deficit close to \$3 million in the SCRTF.

### **B. Operating Budgets**

Dorothy Willard presented the FY 2015-16 Operating Budgets stating they were emailed to the marshals earlier in the week with a return due date of July 30, 2015, and will be posted in FLAIR by close of business July 31, 2015.

## **Agenda Item III.: FY 2016-17 Legislative Budget Request (LBR)**

### **A. Employee Pay Issue**

Eric Maclure briefly reviewed the employee pay issue stating it was the same issue as filed in the FY 2015-16 LBR but which was not funded. The issue requests the second-year funding for court staff salary issues in the amount of \$5,902,588. Judge Northcutt inquired who the \$5.9 million was for and if it was for the branch overall. Judge Lawson responded stating that the issue was branch wide. Judge Northcutt asked if there was a DCA amount determined at this point. Eric Maclure stated the \$5.9 million is same number that was in the FY 15-16 LBR and the DCA portion was \$200,322. He further stated that OSCA, in consultation with the marshals, focused on analyzing positions that were not addressed during the first phase. In addition, the analysis included consideration of salary compression that occurred when the minimum salary level for some positions was increased but existing employees above the minimum did not experience a change in salary. Judge Suarez remarked that as the year progresses the Commission will be examining rate to do a rate distribution, and that it would be beneficial to know what issues the second year phase includes. Judge Shepherd agreed, stating it would be good to know for what the funding would be used. Judge Ciklin stated that the DCA's do not want to lose sight of what they intended to create from this phase and need to continue to deem vital, as with the DCA Technology Officers. Judge Lawson stated the attorneys need to be addressed and placed at trial court level. Judge Shepherd remarked Phase II should include Technology Officers, step plan, and any issues deemed necessary at the time. Mr. Maclure stated that the implementation of any second phase funding would go through a similar implementation process as Phase I.

Judge Lawson inquired if there were any objections to Option I, approve including Phase II of the staff pay issue in the DCA recommended FY 2016-17 legislative budget request. No objections were noted, and Option I was unanimously recommended. The DCABC also voiced its support for the State Courts System, as part of its FY 2016-17 LBR, taking the same approach on judicial salaries as it did during the FY 2015-16 budget cycle.

### **A. Operating Issues**

Judge Lawson presented the DCA operating issues for the Commission's consideration.

- *2<sup>nd</sup> District Court of Appeal Additional Leased Space – Tampa*: Option 1 was unanimously approved.
- *X-Ray Machines*: Marshal DiGiacomo noted that upon further analysis, the 4<sup>th</sup> DCA would like to be included in this LBR issue. Judge Lawson expressed his concern regarding the appearance of the issue to the Legislature, noting the 3<sup>rd</sup> and 4<sup>th</sup> district courts previously received funding based on studies that stated all issues were to be addressed. Judge Ciklin responded stating the funding received covers security issues relating to the new building construction. With a move in date of July 2017, the x-ray machine located in the current building needs to be addressed. Judge Suarez agreed that the 3<sup>rd</sup> DCA would withdraw itself from the request, and the 4<sup>th</sup> DCA also agreed not to be included. Judge Lawson asked if there were any objections to filing the issue for the 2<sup>nd</sup> and 5<sup>th</sup> DCA's only. With no objections, Option 1 was unanimously approved.
- *Security Support – Court Security Officer II 5 FTE*: Judge Northcutt stated the narrative required clarification pertaining to the minimum coverage. The three officers cover three shifts, not three on one shift. Judge Lawson requested the marshals to provide details relating to the documented threats to the district courts. He further stated that the language be removed if the requested detailed information would result in the district courts becoming vulnerable. Judge Lawson further requested to clarify the methodology used. Dorothy Willard recommended using unfunded FTE instead of requesting new FTE for the issue. Judge Shepherd inquired if that meant they would use excess rate to cover the issue as well. Judge Lawson responded that there would be insufficient rate, the issue would be submitted utilizing the unfunded FTE, and the request would be for salary funding. Judge Lawson presented Option 1, updated with the previous items discussed, for approval. With no objections noted, Option 1 was unanimously approved.
- *Operational Increases – Statewide Facility Maintenance*: Judge Lawson stated the DCABC should file this issue; however, he noted that, due to DMS managed facilities and the 4<sup>th</sup> DCA new building construction, facilities maintenance will be decreasing and the issue may not be well received. With no objections noted, Option 1 was unanimously approved.

- *Appellate Judiciary Travel*: Judge Lawson stated this was the issue as submitted for the FY 2015-16 LBR and the information contained within requires updating. Judge Lawson asked if there were any objections. With no objections noted, Option 1 was unanimously approved.

## **B. Fixed Capital Outlay Issues**

Judge Lawson presented the DCA Fixed Capital Outlay issues for the Commission's consideration.

- *2<sup>nd</sup> District Court of Appeal – Courthouse Acquisition – DMS Managed*: Option 1 was unanimously approved.
- *3<sup>rd</sup> District Court of Appeal – Supplemental Funding for Remodeling of Court Building for ADA Compliance, Security and Core Systems Upgrade – DMS Managed*: Dorothy Willard requested to allow staff to continue to work with the 3<sup>rd</sup> DCA to make technical adjustments once all CIP forms are received and noted the amount of the request may change once all documentation is received. Judge Suarez stated the 3<sup>rd</sup> DCA CIP forms will be completed and sent today and the 3<sup>rd</sup> will work with Budget on the issue. Option 1, with the caveat to adjust, was unanimously approved.
- *4<sup>th</sup> District Court of Appeal – Courthouse Construction – DMS Managed*: Option 1 was unanimously approved.

## **C. Certification of New Judgeships**

Judge Lawson stated no new judges are being requested by the district courts and this agenda item was for informational purposes and requires no action. Dorothy Willard noted that the Chief Judges would still need to respond to the certification requests when they are sent in August.

## **D. Discussion and Priority Determination of LBR Issues**

Judge Northcutt recommended changing the Security Support – 5.0 FTE issue to classification 2. Critical. The amended priority determination was unanimously approved.

## **Agenda Item IV.: Marshal Special Pay Increase Update**

Judge Lawson informed the DCABC that he had spoken with the Chief Justice about the issue of the special pay increase for the district court marshals, and he reported that the Chief Justice has deferred the issue until August, to allow the Supreme Court to review. Judge Ciklin inquired whether, since the rate distribution was deferred, there is rate to be equally distributed for salary enhancements. Judge Lawson responded that this is only deferred until August, and that if at that time it is not approved there will be available rate. Judge Northcutt requested to respond in a more formal way to address the concerns, before the issue goes to the whole Court. Judge Shepherd questioned why the June special pay increase for the district court marshals had to be submitted to the Chief Justice rather than being

effective upon the DCABC's action. He noted that viewing the DCABC's action as a recommendation raises questions about the purpose of the DCABC. Judge Shepherd also asked what the Supreme Court has submitted to the Legislature to increase marshal pay. Judge Lawson referred the question to Dorothy Willard. Dorothy responded stating the Supreme Court issues would need to be researched to determine what has previously been submitted. Ms. Willard noted that the January 2015 DCABC pay increase for the district court marshals was submitted to the Chief Justice for approval. Judge Shepherd requested the Supreme Court LBR issues be researched and asked Eric Maclure if he had previously researched the authority of the Legislature related to marshal pay. Judge Shepherd directed Eric to email communication dated July 16, 2014, in which Eric indicated that the Legislature does not currently prescribe in law the specific salaries of the marshals. Judge Shepherd further stated the DCA marshals perform functions different from the Supreme Court marshal, that they are misnamed due their duties, and that they perhaps should be called something like "court executives".

### **Other Business**

Judge Lawson stated the next DCABC meeting is scheduled for September 29, 2015, in Tallahassee. Dorothy Willard stated the draft minutes for today's meeting would be sent out for edits prior to the next meeting.

### **Adjournment**

With no other business before the Commission, Judge Lawson adjourned the meeting at 11:23 a.m.

## **II. DCABC Orientation**

**Agenda Item II.A.: RULE 2.235. DISTRICT COURT OF APPEAL BUDGET COMMISSION**

**(a) Purpose.** The purpose of this rule is to establish a District Court of Appeal Budget Commission with responsibility for developing and overseeing the administration of district court budgets in a manner which ensures equity and fairness in state funding among the 5 districts.

**(b) Responsibilities.** The District Court of Appeal Budget Commission is charged with specific responsibility to:

- (1) establish budgeting and funding policies and procedures consistent with judicial branch plans and policies, directions from the supreme court, and in consideration of input from the Commission on District Court of Appeal Performance and Accountability, and other supreme court committees;
- (2) make recommendations to the supreme court on a unitary district court component of the annual judicial branch budget request;
- (3) advocate for the district court component of the annual judicial branch budget request;
- (4) make recommendations to the supreme court on funding allocation formulas and/or criteria as well as associated accountability mechanisms based on actual legislative appropriations;
- (5) monitor district court expenditure trends and revenue collections to identify unanticipated budget problems and to ensure the efficient use of resources;
- (6) recommend statutory and rule changes related to district court budgets;
- (7) develop recommended responses to findings on financial audits and reports from the Supreme Court Inspector General, Auditor General, Office of Program Policy Analysis and Government Accountability, and other governmental entities charged with auditing responsibilities regarding district court budgeting when appropriate;
- (8) recommend to the supreme court district court budget reductions required by the legislature;
- (9) identify potential additional sources of revenue for the district courts;
- (10) recommend to the supreme court legislative pay plan issues for district court personnel, except the commission shall not make recommendations as to pay or benefits for judges; and
- (11) request input from the Commission on District Court of Appeal Performance and Accountability on recommendations from that commission that may impact the district court budget or require funding.

**(c) Operational Procedures.** The District Court of Appeal Budget Commission will establish operating procedures necessary to carry out its responsibilities as outlined in subdivision (b),

**District Court of Appeal Budget Commission**  
**September 29, 2015**  
**Tallahassee, Florida**

subject to final approval by the supreme court. These procedures shall include:

(1) a method for ensuring input from interested constituencies, including the chief judges, marshals, and clerks of the district courts, other members of the district court judiciary, the Judicial Management Council, the Commission on District Court of Appeal Performance and Accountability, and other judicial branch committees and commissions; and

(2) a method for appeal of the decisions of the District Court of Appeal Budget Commission. Appeals may be made only by a chief judge on behalf of the district. Appeals may be heard only by the District Court of Appeal Budget Commission unless the appeal is based on the failure of the commission to adhere to its operating procedures, in which case the appeal may be made to the supreme court.

**(d) Action by Supreme Court or Chief Justice on Recommendations of District Court of Appeal Budget Commission.** The supreme court or chief justice, as appropriate, may take any or all of the following actions on recommendations made by the District Court of Appeal Budget Commission:

- (1) The adoption of the recommendations of the commission made in accordance with the discharge of its responsibilities listed in subdivision (b) in whole.
- (2) The adoption of the recommendations in part and referral of specific issues or questions back to the commission for further study or alternative recommendations.

**(e) Membership and Organization.** The District Court of Appeal Budget Commission will be composed of 10 voting members appointed by the chief justice who will represent the interests of the district courts generally rather than the individual interests of a particular district.

- (1) The membership shall include the chief judge of each district court of appeal, who shall serve for his or her term as chief judge. The membership shall also include one additional judge from each district court of appeal, appointed by the chief justice, with advice from each chief judge. The marshal of each district court of appeal shall serve as a nonvoting member. Ex officio nonvoting members shall also include the chairs of the District Court of Appeal Performance and Accountability Commission and the Appellate Court Technology Committee, and the president of the District Court of Appeal Judges Conference.
- (2) The chief justice will appoint 1 member to serve as chair and 1 member to serve as vice chair, each for a four-year term, or until the member's term on the commission expires.
- (3) The commission may establish subcommittees as necessary to satisfactorily carry out its responsibilities. Subcommittees may make recommendations only to the commission as a whole. The chair of the commission may appoint a non-commission member to serve on a subcommittee.
- (4) Effective July 1, 2013, the commission shall be reconstituted with staggered terms for voting members, as follows: (A) The chief judge of each district will be appointed for his or her term as chief judge. (B) The additional judge from each odd-numbered district will be appointed for a four-year term. (C) The additional judge from each even-numbered district will be appointed

**District Court of Appeal Budget Commission**  
**September 29, 2015**  
**Tallahassee, Florida**

for a two-year term, and thereafter to four-year terms. (D) Each nonvoting member will serve so long as he or she continues to hold the office which entitles him or her to membership on the commission.

**(f) Staff Support and Funding.** The Office of the State Courts Administrator will provide primary staff support to the commission. Adequate staffing and resources will be made available to the Office of the State Courts Administrator to ensure the commission is able to fulfill its responsibilities as outlined in this rule. Sufficient resources will also be provided for the commission and its subcommittees to meet and otherwise complete its work.

**Agenda Item II.B.: DISTRICT COURT OF APPEAL BUDGET COMMISSION  
OPERATIONAL PROCEDURES**

**I. Background and Authority.**

The District Court of Appeal Budget Commission (DCABC) is created pursuant to Florida Rule of Judicial Administration 2.235.

**II. Responsibilities.**

The DCABC shall promote a unified budgetary process, assuring equity and fairness in the allocation of resources. The members of the DCABC are charged with representing the interests of the District Courts generally rather than the individual interests of a particular District.

The responsibilities of the DCABC are as set forth in Florida Rule of Judicial Administration 2.235(b).

**III. Purpose.**

The purpose of this document is to set forth procedures for the general operations of the Commission.

**IV. Membership.**

In accordance with Florida Rule of Judicial Administration 2.235, ten individuals shall be appointed by the Chief Justice to serve on the Commission. The membership consists of the chief judge of each district court of appeal, and one additional judge from each district court of appeal, as designated by the Chief Justice. The Chief Justice will designate the Chairperson and vice Chairperson. The Office of the State Courts Administrator (OSCA) will provide staff to record minutes, to notify members of meetings, and other support related to the operation of the Commission. The marshal of each district court of appeal shall serve as a non-voting member.

**V. Meetings.**

1. Number of Meetings: The Commission will meet no less than three times annually, to include a meeting as soon as possible after adjournment of the regular session of the Florida Legislature.

2. Regular Meetings: The Commission will meet regularly at a time and place designated by the Chairperson. Although Chapter 286, Florida Statutes, is not applicable to the Judicial Branch, regular meetings of the Commission will be open to the public and all official acts of the Commission will be taken at public meetings, provided that the schedule of meetings is available on the Commission's website at [www.flcourts.org](http://www.flcourts.org). At the discretion of the Chairperson, meetings, including special or emergency meetings, may be held by video conference. Any meeting may be closed by a vote of a majority of the Commission, when not prohibited by Florida Rule of Judicial Administration 2.420.

3. Special Meetings: Special meetings, including hearings and workshops may be called by the Chairperson or by a majority of the Chief Judges.

**District Court of Appeal Budget Commission**  
**September 29, 2015**  
**Tallahassee, Florida**

4. Emergency Meetings: An emergency meeting of the Commission may be called by the Chairperson with no less than twenty-four (24) hour's notice whenever, in the opinion of the Chairperson, an issue requires immediate Commission action. Whenever such emergency meeting is called, the Chairperson will notify OSCA staff. OSCA staff will immediately serve either verbal or written notice upon each member of the Commission, stating the date, hour, place, and purpose of the meeting. No other business will be transacted at the meeting unless additional emergency matters are agreed to by a majority of those Commission members in attendance.

5. Notice of Regular Meetings: Notice of regular meetings of the Commission will be posted to the Commission's website by OSCA staff not less than three (3) days before the event and will include a statement of the general subject matter to be considered.

6. Attendance: Attendance at Commission meetings is mandatory and shall be in person unless otherwise approved by the Chairperson. Notification of absence from a Commission meeting should be made in advance of the meeting to OSCA staff. A member can be present electronically during a scheduled meeting as approved by the Chairperson.

7. Voting:

a. Quorum: Each member shall have one vote. A representative voting member of at least four (4) of the District Courts must be present to constitute a quorum for the transaction of business. A majority vote of those members present is required to take action.

b. No Proxy Voting: A Commission members must be present to vote on issues, either in person, or pursuant to previous approval for electronic participation. No member may authorize another person to vote on any issue in place of the member.

8. Minutes: Minutes will be taken by OSCA staff at Commission meetings and a draft will be posted to the Commission's website within thirty (30) days of each meeting. Once approved by the DCABC, a finalized copy of the minutes will be posted on the Commission's website.

**VI. Agenda.**

1. Recommendations to the Commission and all matters of business or concern to be included in the agenda will be presented to the Chairperson or the OSCA staff prior to any meeting. The Chairperson, with the assistance of OSCA staff, will assemble the items received, including those from Commission members, with sufficient time to prepare the agenda in advance of each meeting and provide a copy of the agenda to each member of the Commission at least three days prior to the meeting. If additional items or supporting documentation become available, a supplemental agenda may be provided one day prior to the meeting. The agenda and any supplemental agenda will be posted on the Commission's website.

2. Commission members may add additional items not included on the published agenda to the full Commission meeting agenda if a majority of the District Courts and the Chairperson approve.

**District Court of Appeal Budget Commission**  
**September 29, 2015**  
**Tallahassee, Florida**

**VII. Appearances Before the Commission.**

1. The Commission shall provide any person or group a reasonable opportunity to be heard on any agenda item being considered by the Commission.
2. Individuals or representatives of any group who desire to appear before the Commission to address a subject within the Commission's jurisdiction shall submit their requests to the Chairperson of the DCABC for the matter to be included in the agenda. The Chairperson will determine whether the item will be heard and when the item will be heard. The Chairperson may place time limits on any presentation or decline to hear any matter determined to be outside the Commission's jurisdiction.
3. The Chairperson shall have the discretion during the course of a Commission meeting to recognize any individual or representatives of groups to address the Commission on items listed on the Commission's agenda.

**VIII. Subcommittees.**

The Commission may authorize the establishment of subcommittees. Members are expected to serve on at least one subcommittee. Subcommittees may have members that are not Commission members; however, each committee shall have at least one Commission member. The Chairperson shall appoint the members of each subcommittee and the subcommittee chair. Ad Hoc subcommittees may be appointed by the Chairperson.

Subcommittee meetings may be held at the discretion of the Commission Chair or the chair of any subcommittee. If a subcommittee member misses two consecutive subcommittee meetings, the chairperson of the subcommittee may contact the member regarding the attendance. If a member misses three consecutive subcommittee meetings, the chairperson of the subcommittee may make a motion to recommend replacement of that member on the Commission and if the Commission approves, the Chairperson of the DCABC shall act accordingly.

**IX. Appeals.**

Only the chief judge of a District Court is authorized to appeal a decision of the District Court of Appeal Budget Commission to the Florida Supreme Court. Any appeal must be made within ten (10) days of the DCABC's final decision. The Supreme Court will hear only appeals that are based on the failure of the DCABC to adhere to its operational procedures and may be taken only after exhausting all other remedies.

**X. Budgeting Policies and Procedures.**

1. Policies and procedures governing DCABC budgeting development and administration will be developed by the Commission as necessary.
2. Policies and procedures developed and implemented by the Commission will be placed on the Commission's website.

*Date Approved by the DCABC: August 18, 2006*  
*Date Approved by Supreme Court: September 28, 2006*

**Agenda Item II.C.: Presentation – Overview of the  
Legislative Process, Navigating the Operating  
Budget, and Components of Salary Budget  
Management**

**There are no materials for this agenda item**

### **III. FY 2014-15 Budget Wrap-Up**

**Agenda Item III.A.: FY 2014-15 Budget Wrap-Up Salary Budget**

**FY 2014-15 District Courts of Appeal Salary Budget  
JUNE 2015**

|          |   |                    |
|----------|---|--------------------|
| <b>1</b> | Projected Full Employment Payroll Liability through June 30, 2015                     | 40,717,150         |
| <b>2</b> | Salary Appropriation  | (41,077,353)       |
| <b>3</b> | <b>Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment</b>        | <b>(360,203)</b>   |
| <b>4</b> | Actual Payroll Adjustments through June 30, 2015                                      | (1,130,360)        |
| <b>5</b> | <b>FINAL - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment</b> | <b>(1,490,563)</b> |

|                                 |             |
|---------------------------------|-------------|
| General Revenue                 | (13,249)    |
| State Courts Revenue Trust Fund | (1,387,681) |
| Administrative Trust Fund       | (89,633)    |
|                                 | (1,490,563) |

**LAPSE ADJUSTED FOR VACANT CERTIFICATION POSITIONS**

|           |   |                  |
|-----------|---|------------------|
| <b>6</b>  | Projected Full Employment Payroll Liability through June 30, 2015                     | 40,717,150       |
| <b>7</b>  | Salary Appropriation  | (41,077,353)     |
| <b>8</b>  | <b>Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment</b>        | <b>(360,203)</b> |
| <b>9</b>  | Actual Payroll Adjustments through June 30, 2015                                      | (581,024)        |
| <b>10</b> | <b>FINAL - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment</b> | <b>(941,227)</b> |

**Adjusted Lapse Percentage 1.76% or \$722,581**

**Actual Leave Payouts - \$59,124**

**Agenda Item III.B.: FY 2014-15 Wrap-Up Operating Budget**

The data below represents the status of the FY 2014-15 operating budget as of September 20, 2015.

**General Revenue Fund**

| Category                        | District     | Appropriation    | Expended         | Certified Forward as of September 20, 2015 | Remaining Balance | % Expended    |
|---------------------------------|--------------|------------------|------------------|--|-------------------|---------------|
| <b>Other Personal Services</b>  | 1st          | 24,809           | 0                | 0  | 24,809            | 0.00%         |
|                                 | 2nd          | 0                | 0                | 0  | 0                 | 0.00%         |
|                                 | 3rd          | 0                | 0                | 0  | 0                 | 0.00%         |
|                                 | 4th          | 2,150            | 2,055            | 0  | 95                | 95.58%        |
|                                 | 5th          | 73,434           | 47,873           | 0  | 25,561            | 65.19%        |
|                                 | <b>TOTAL</b> | <b>100,393</b>   | <b>49,928</b>    | <b>0</b>                                   | <b>50,465</b>     | <b>49.73%</b> |
| <b>Expenses</b>                 | 1st          | 1,425,124        | 1,402,373        | 3,785                                      | 18,966            | 98.67%        |
|                                 | 2nd          | 894,081          | 866,796          | 27,284                                     | 1                 | 100.00%       |
|                                 | 3rd          | 245,593          | 213,841          | 31,336                                     | 417               | 99.83%        |
|                                 | 4th          | 321,483          | 293,718          | 26,358                                     | 1,407             | 99.56%        |
|                                 | 5th          | 268,978          | 265,523          | 1,205                                      | 2,250             | 99.16%        |
|                                 | <b>TOTAL</b> | <b>3,155,259</b> | <b>3,042,251</b> | <b>89,967</b>                              | <b>23,041</b>     | <b>99.27%</b> |
| <b>Operating Capital Outlay</b> | 1st          | 4,642            | 0                | 1,200                                      | 3,442             | 25.85%        |
|                                 | 2nd          | 53,197           | 39,528           | 13,356                                     | 312               | 99.41%        |
|                                 | 3rd          | 28,936           | 28,935           | 0  | 1                 | 100.00%       |
|                                 | 4th          | 18,274           | 12,451           | 5,822                                      | 1                 | 99.99%        |
|                                 | 5th          | 15,350           | 14,950           | 0  | 400               | 97.39%        |
|                                 | <b>TOTAL</b> | <b>120,399</b>   | <b>95,865</b>    | <b>20,378</b>                              | <b>4,156</b>      | <b>96.55%</b> |
| <b>Senior Judge Days</b>        | 1st          | 7,700            | 0                | 0  | 7,700             | 0.00%         |
|                                 | 2nd          | 8,261            | 2,841            | 0  | 5,420             | 34.39%        |
|                                 | 3rd          | 1,066            | 1,065            | 0  | 1                 | 99.91%        |
|                                 | 4th          | 0                | 0                | 0  | 0                 | 0.00%         |
|                                 | 5th          | 48,533           | 40,123           | 0  | 8,410             | 82.67%        |
|                                 | <b>TOTAL</b> | <b>65,560</b>    | <b>44,029</b>    | <b>0</b>                                   | <b>21,531</b>     | <b>67.16%</b> |
| <b>Contracted Services</b>      | 1st          | 68,751           | 19,707           | 907  | 48,137            | 29.98%        |
|                                 | 2nd          | 218,184          | 198,364          | 19,542                                     | 277               | 99.87%        |
|                                 | 3rd          | 116,877          | 91,723           | 25,096                                     | 58                | 99.95%        |
|                                 | 4th          | 185,319          | 181,738          | 3,113                                      | 468               | 99.75%        |
|                                 | 5th          | 75,721           | 64,685           | 10,023                                     | 1,013             | 98.66%        |
|                                 | <b>TOTAL</b> | <b>664,852</b>   | <b>556,218</b>   | <b>58,681</b>                              | <b>49,953</b>     | <b>92.49%</b> |

**Agenda Item III.B.: FY 2014-15 Wrap-Up Operating Budget**

The data below represents the status of the FY 2014-15 operating budget as of September 20, 2015.

**General Revenue Fund**

| Category                    | District     | Appropriation | Expended       | Certified Forward as of September 20, 2015 | Remaining Balance | % Expended    |
|-----------------------------|--------------|---------------|----------------|--|-------------------|---------------|
| <b>DCA Law Library</b>      | 1st          | 83,441        | 40,744         | 3,369                                      | 39,328            | 52.87%        |
|                             | 2nd          | 38,177        | 31,262         | 5,136                                      | 1,779             | 95.34%        |
|                             | 3rd          | 10,650        | 10,644         | 0  | 6                 | 99.94%        |
|                             | 4th          | 683           | 302            | 371  | 10                | 98.54%        |
|                             | 5th          | 14,275        | 13,167         | 0  | 1,108             | 92.24%        |
|                             | <b>TOTAL</b> |               | <b>147,226</b> | <b>96,119</b>                              | <b>8,877</b>      | <b>42,231</b> |
| <b>Lease/Lease Purchase</b> | 1st          | 16,895        | 16,640         | 240  | 15                | 99.91%        |
|                             | 2nd          | 13,453        | 11,300         | 824  | 1,329             | 90.12%        |
|                             | 3rd          | 6,316         | 4,523          | 625  | 1,168             | 81.50%        |
|                             | 4th          | 5,758         | 5,758          | 0  | 0                 | 100.00%       |
|                             | 5th          | 12,446        | 8,449          | 1,996                                      | 2,001             | 83.92%        |
|                             | <b>TOTAL</b> |               | <b>54,868</b>  | <b>46,669</b>                              | <b>3,685</b>      | <b>4,514</b>  |

**Administrative Trust Fund**

| Category                        | Appropriation  | Expended      | Certified Forward as of September 20, 2015 | Remaining Balance | % Expended    |
|---------------------------------|----------------|---------------|--|-------------------|---------------|
| <b>Expenses</b>                 | 94,669         | 73,449        | 1,571                                      | 19,650            | 79.24%        |
| <b>Operating Capital Outlay</b> | 27,000         | 10,404        | 9,409                                      | 7,187             | 73.38%        |
| <b>TOTAL</b>                    | <b>121,669</b> | <b>83,853</b> | <b>10,979</b>                              | <b>26,837</b>     | <b>77.94%</b> |

**State Courts System  
State Courts Revenue Trust Fund - Monthly Cash Analysis  
Fiscal Year Reporting 2014-2015 (Official Estimates)**

Based on Actual Revenues and Expenditures for  
July - June

**Article V Revenue Estimating Conference Projections**

|    |   |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                     |                              |
|----|---|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------------|------------------------------|
| 1  | July 18, 2014   | 6,225,972          | 6,791,341          | 7,054,936          | 6,645,955          | 6,986,637          | 6,451,851          | 6,510,407          | 6,807,654          | 7,379,306          | 7,562,310          | 7,124,526          | 7,688,104           | 83,229,000                   |
| 2  | November 7, 2014  | 7,480,000          | 7,240,000          | 6,590,000          | 6,640,000          | 7,130,000          | 6,410,000          | 6,470,000          | 6,720,000          | 7,250,000          | 7,530,000          | 6,880,000          | 7,570,000           | 83,910,000                   |
| 3  | February 17, 2015   | 7,479,536          | 7,244,756          | 6,587,880          | 6,640,961          | 6,904,337          | 5,669,189          | 6,349,659          | 6,202,866          | 7,016,144          | 7,451,771          | 6,886,621          | 7,009,002           | 81,442,720                   |
| 4  | <b>State Courts Revenue Trust Fund</b>                          | <b>July</b>        | <b>August</b>      | <b>September</b>   | <b>October</b>     | <b>November</b>    | <b>December</b>    | <b>January</b>     | <b>February</b>    | <b>March</b>       | <b>April</b>       | <b>May</b>         | <b>June</b>         | <b>Year-To-Date Summary*</b> |
| 5  | <b>Beginning Balance</b>  | 2,060,034          | 1,014,191          | 548,768            | 359,609            | 125,687            | 117,208            | 87,721             | 165,016            | 147,721            | 4,269,154          | 3,018,183          | 1,746,498           | 2,060,034                    |
| 6  | Fee and Fine Revenue Received*                                  | 7,554,051          | 7,252,656          | 6,596,300          | 6,664,811          | 6,945,186          | 5,672,762          | 6,354,335          | 5,943,179          | 6,592,039          | 7,005,680          | 6,696,190          | 6,267,263           | 79,544,453                   |
| 7  | Cost Sharing (JAC transfers/\$3,695,347 due annually)           | 842,913            | 83,409             | 10,173             | 923,940            | 469                | 245                | 817,095            |                    |                    | 1,030,589          | 4,759              |                     | 3,713,590                    |
| 8  | Refunds/Miscellaneous   | 1,959              | 4,061              | 423                |                    |                    |                    |                    |                    |                    |                    |                    |                     | 6,442                        |
| 9  | Transfers   |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    | 15,400,000          | 15,400,000                   |
| 10 | <b>Total Revenue Received</b>                                   | 8,398,923          | 7,340,126          | 6,606,896          | 7,588,750          | 6,945,655          | 5,673,007          | 7,171,430          | 5,943,179          | 6,592,039          | 8,036,268          | 6,700,949          | 21,667,263          | 98,664,484                   |
| 11 | <b>Available Cash Balance</b>                                   | <b>10,458,956</b>  | <b>8,354,318</b>   | <b>7,155,664</b>   | <b>7,948,359</b>   | <b>7,071,342</b>   | <b>5,790,215</b>   | <b>7,259,151</b>   | <b>6,108,194</b>   | <b>6,739,760</b>   | <b>12,305,422</b>  | <b>9,719,132</b>   | <b>23,413,762</b>   | <b>100,724,518</b>           |
| 12 | Staff Salary Expenditures                                       | (7,505,690)        | (7,571,922)        | (8,235,790)        | (7,754,740)        | (7,753,909)        | (7,800,124)        | (7,715,935)        | (7,833,242)        | (7,783,054)        | (7,774,758)        | (7,971,616)        | (5,923,090)         | (91,623,869)                 |
| 13 | Staff Salary Expenditures - GR Shift                            |                    |                    | 1,500,000          | 1,640,000          | 800,000            | 2,100,000          | 2,172,000          | 1,875,000          | (10,087,000)       |                    |                    |                     | 0                            |
| 14 | Prior Year Certified Forwards - Staff Salary                    | (101,824)          | (36,061)           |                    |                    |                    |                    |                    |                    |                    |                    |                    |                     | (137,885)                    |
| 15 | Prior Year Certified Forwards - Mortgage Foreclosure Settlement | (117,622)          | (194,995)          | (57,157)           |                    |                    |                    |                    |                    |                    |                    |                    |                     | (369,774)                    |
| 16 | Refunds   | (2,070)            | (2,571)            | (3,109)            | (2,355)            | (225)              | (2,370)            | (1,884)            | (2,231)            | (553)              | (1,690)            | (1,018)            | (1,940)             | (22,015)                     |
| 17 | SCRTF Loan in accordance with 215.18(2), F.S.                   |                    |                    |                    |                    |                    |                    |                    |                    | 15,400,000         |                    |                    |                     | 15,400,000                   |
| 18 | Repayment of SCRTF Loan in accordance with 215.18(2), F.S.      |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    | (15,400,000)        | (15,400,000)                 |
| 19 | <b>Total SCRTF Operating Expenditures</b>                       | <b>(7,727,206)</b> | <b>(7,805,550)</b> | <b>(6,796,055)</b> | <b>(6,117,095)</b> | <b>(6,954,134)</b> | <b>(5,702,494)</b> | <b>(5,545,819)</b> | <b>(5,960,473)</b> | <b>(2,470,606)</b> | <b>(7,776,448)</b> | <b>(7,972,634)</b> | <b>(21,325,030)</b> | <b>(92,153,543)</b>          |
| 20 | <i>8% General Revenue Service Charge</i>                        | (1,717,559)        |                    |                    | (1,705,577)        |                    |                    | (1,548,316)        |                    |                    | (1,510,791)        |                    |                     | (6,482,243)                  |
| 21 | <b>Ending Cash Balance</b>                                      | <b>1,014,191</b>   | <b>548,768</b>     | <b>359,609</b>     | <b>125,687</b>     | <b>117,208</b>     | <b>87,721</b>      | <b>165,016</b>     | <b>147,721</b>     | <b>4,269,154</b>   | <b>3,018,183</b>   | <b>1,746,498</b>   | <b>2,088,732</b>    | <b>2,088,732</b>             |

Estimated 8% GRSC for July 2015

(1,597,531)

## **IV. Status of FY 2015-16 Budget**

**Agenda Item IV.A.: Status of FY 2015-16 Budget - Salary Budget**

**FY 2015-16 District Courts of Appeal Salary Budget**  
**Start-Up**

|           |   |                   |
|-----------|---|-------------------|
| <b>1</b>  | Projected Full Employment Payroll Liability through June 30, 2016                     | 40,919,545        |
| <b>2</b>  | Projected DROP Liability through June 30, 2016  | 248,324           |
| <b>3</b>  | Projected Law Clerk Below Minimum Pay Plan Liability through June 30, 2016            | 16,321            |
| <b>4</b>  | Projected Law Clerk Incentives Pay Plan Liability through June 30, 2016               | 164,188           |
| <b>6</b>  | <b>Total Projected Payroll Liability through June 30, 2016</b>                        | <b>41,348,379</b> |
| <b>7</b>  | Salary Appropriation  | (41,343,971)      |
| <b>8</b>  | <b>Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment</b>        | <b>4,408</b>      |
| <b>11</b> | Estimated Leave Payouts (based on two year average)                                   | 36,064            |
| <b>12</b> | <b>FINAL - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment</b> | <b>40,472</b>     |

**Agenda Item IV.A.: Status of FY 2015-16 Budget - Salary Budget**

**FY 2015-16 District Courts of Appeal Salary Budget  
AUGUST 2015**

|           |   |                   |
|-----------|---|-------------------|
| <b>1</b>  | Projected Full Employment Payroll Liability through June 30, 2016                     | 40,746,446        |
| <b>2</b>  | Projected DROP Liability through June 30, 2016  | 213,733           |
| <b>3</b>  | Projected Law Clerk Below Minimum Pay Plan Liability through June 30, 2016            | 70,637            |
| <b>4</b>  | Projected Law Clerk Incentives Pay Plan Liability through June 30, 2016               | 93,995            |
| <b>6</b>  | <b>Total Projected Payroll Liability through June 30, 2016</b>                        | <b>41,124,811</b> |
| <b>7</b>  | Estimated Salary Appropriation  | (41,343,971)      |
| <b>8</b>  | <b>Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment</b>        | <b>(219,160)</b>  |
| <b>9</b>  | Actual Payroll Adjustments through August 31, 2015                                    | (95,278)          |
| <b>10</b> | Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment                | (314,438)         |
| <b>11</b> | Estimated Leave Payouts (based on two year average)                                   | 36,064            |
| <b>12</b> | <b>FINAL - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment</b> | <b>(278,374)</b>  |

**District Court of Appeal Budget Commission**  
**September 29, 2015**  
**Tallahassee, Florida**

**Agenda Item IV.B.: Status of FY 2015-16 Budget - Operating Budgets**

The data below represents the status of the FY 2015-16 operating budget as of August 31, 2015.

**General Revenue Fund**

| <b>Category</b>                     | <b>District</b> | <b>Appropriation</b> | <b>Expended /<br/>Encumbered</b> | <b>Remaining<br/>Balance</b> | <b>% Expended /<br/>Encumbered</b> |
|-------------------------------------|-----------------|----------------------|----------------------------------|------------------------------|------------------------------------|
| <b>Other Personal<br/>Services</b>  | 1st             | 24,809               | 0                                | 24,809                       | 0.00%                              |
|                                     | 2nd             | 14,560               | 0                                | 14,560                       | 0.00%                              |
|                                     | 3rd             | 14,560               | 0                                | 14,560                       | 0.00%                              |
|                                     | 4th             | 6,644                | 0                                | 6,644                        | 0.00%                              |
|                                     | 5th             | 79,434               | 3,061                            | 76,373                       | 3.85%                              |
|                                     | <b>TOTAL</b>    |                      | <b>140,007</b>                   | <b>3,061</b>                 | <b>136,946</b>                     |
| <b>Expenses</b>                     | 1st             | 1,425,124            | 356,074                          | 1,069,050                    | 24.99%                             |
|                                     | 2nd             | 881,766              | 138,131                          | 743,635                      | 15.67%                             |
|                                     | 3rd             | 245,593              | 24,962                           | 220,631                      | 10.16%                             |
|                                     | 4th             | 286,917              | 52,946                           | 233,971                      | 18.45%                             |
|                                     | 5th             | 261,886              | 53,770                           | 208,116                      | 20.53%                             |
|                                     | <b>TOTAL</b>    |                      | <b>3,101,286</b>                 | <b>625,883</b>               | <b>2,475,403</b>                   |
| <b>Operating Capital<br/>Outlay</b> | 1st             | 4,642                | 1,554                            | 3,088                        | 33.48%                             |
|                                     | 2nd             | 27,297               | 0                                | 27,297                       | 0.00%                              |
|                                     | 3rd             | 13,901               | 0                                | 13,901                       | 0.00%                              |
|                                     | 4th             | 18,274               | 1,424                            | 16,850                       | 7.79%                              |
|                                     | 5th             | 21,250               | 0                                | 21,250                       | 0.00%                              |
|                                     | <b>TOTAL</b>    |                      | <b>85,364</b>                    | <b>2,978</b>                 | <b>82,386</b>                      |
| <b>Senior Judge Days</b>            | 1st             | 7,700                | 0                                | 7,700                        | 0.00%                              |
|                                     | 2nd             | 8,261                | 355                              | 7,906                        | 4.30%                              |
|                                     | 3rd             | 14,818               | 0                                | 14,818                       | 0.00%                              |
|                                     | 4th             | 18,995               | 0                                | 18,995                       | 0.00%                              |
|                                     | 5th             | 2,016                | 2,486                            | (470)                        | 123.29%                            |
|                                     | <b>TOTAL</b>    |                      | <b>51,790</b>                    | <b>2,841</b>                 | <b>48,949</b>                      |
| <b>Contracted<br/>Services</b>      | 1st             | 83,594               | 994                              | 82,600                       | 1.19%                              |
|                                     | 2nd             | 196,012              | 42,485                           | 153,527                      | 21.67%                             |
|                                     | 3rd             | 104,450              | 45,038                           | 59,412                       | 43.12%                             |
|                                     | 4th             | 155,247              | 65,632                           | 89,615                       | 42.28%                             |
|                                     | 5th             | 55,771               | 28,247                           | 27,524                       | 50.65%                             |
|                                     | <b>TOTAL</b>    |                      | <b>595,074</b>                   | <b>182,396</b>               | <b>412,678</b>                     |

**District Court of Appeal Budget Commission**  
**September 29, 2015**  
**Tallahassee, Florida**

**Agenda Item IV.B.: Status of FY 2015-16 Budget - Operating Budgets**

The data below represents the status of the FY 2015-16 operating budget as of August 31, 2015.

**General Revenue Fund**

| Category                    | District     | Appropriation | Expended / Encumbered | Remaining Balance | % Expended / Encumbered |
|-----------------------------|--------------|---------------|-----------------------|-------------------|-------------------------|
| <b>DCA Law Library</b>      | 1st          | 86,641        | 4,964                 | 81,677            | 5.73%                   |
|                             | 2nd          | 34,977        | 3,699                 | 31,278            | 10.57%                  |
|                             | 3rd          | 9,600         | 1,125                 | 8,475             | 11.72%                  |
|                             | 4th          | 15,874        | 0                     | 15,874            | 0.00%                   |
|                             | 5th          | 15,705        | 13,229                | 2,476             | 84.23%                  |
|                             | <b>TOTAL</b> |               | <b>162,797</b>        | <b>23,016</b>     | <b>139,781</b>          |
| <b>Lease/Lease Purchase</b> | 1st          | 16,895        | 13,063                | 3,832             | 77.32%                  |
|                             | 2nd          | 13,453        | 6,467                 | 6,986             | 48.07%                  |
|                             | 3rd          | 6,316         | 1,379                 | 4,937             | 21.83%                  |
|                             | 4th          | 13,576        | 5,758                 | 7,818             | 42.41%                  |
|                             | 5th          | 12,446        | 3,841                 | 8,605             | 30.86%                  |
|                             | <b>TOTAL</b> |               | <b>62,686</b>         | <b>30,508</b>     | <b>32,178</b>           |

**Administrative Trust Fund**

| Category                        | Appropriation  | Expended / Encumbered | Remaining Balance | % Expended / Encumbered |
|---------------------------------|----------------|-----------------------|-------------------|-------------------------|
| <b>Expenses</b>                 | 94,669         | 2,402                 | 92,267            | 2.54%                   |
| <b>Operating Capital Outlay</b> | 27,000         | 0                     | 27,000            | 0.00%                   |
| <b>TOTAL</b>                    | <b>121,669</b> | <b>2,402</b>          | <b>119,267</b>    | <b>1.97%</b>            |

**Agenda Item IV.C.: Positions Vacant over 180 Days**

There are no positions currently vacant over 180 days within the District Courts of Appeal.

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 - August and REC Revenues and Estimated Expenditures for September - 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  | <b>State Courts Revenue Trust Fund</b>                | <b>July</b>        | <b>August</b>      | <b>September</b>   | <b>October</b>     | <b>November</b>    | <b>December</b>    | <b>January</b>     | <b>February</b>    | <b>March</b>       | <b>April</b>       | <b>May</b>         | <b>June</b>        | <b>Year-To-Date Summary*</b> |
| 4  | <b>Beginning Balance</b>                              | 2,088,732          | 444,866            | 522,613            | 654,309            | 0                  | 125,489            | 0                  | 0                  | 0                  | 122,957            | 0                  | 90,084             | 2,088,732                    |
| 5  | Fee and Fine Revenue Received*                        | 6,878,304          | 6,719,629          | 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          | 79,308,024                   |
| 6  | Cost Sharing (JAC transfers/\$3,695,347 due annually) | 842,914            |                    |                    | 950,811            |                    |                    | 950,811            |                    |                    | 950,811            |                    |                    | 3,695,347                    |
| 7  | Refunds/Miscellaneous                                 | 2,862              | 52,973             |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    | 55,835                       |
| 8  | <b>Total Revenue Received</b>                         | <b>7,724,080</b>   | <b>6,772,602</b>   | <b>6,799,712</b>   | <b>7,305,319</b>   | <b>6,793,505</b>   | <b>5,955,919</b>   | <b>7,128,357</b>   | <b>6,446,962</b>   | <b>6,790,973</b>   | <b>8,052,122</b>   | <b>6,758,100</b>   | <b>6,531,555</b>   | <b>83,059,206</b>            |
| 9  | <b>Available Cash Balance</b>                         | <b>9,812,811</b>   | <b>7,217,468</b>   | <b>7,322,325</b>   | <b>7,959,628</b>   | <b>6,793,505</b>   | <b>6,081,408</b>   | <b>7,128,357</b>   | <b>6,446,962</b>   | <b>6,790,973</b>   | <b>8,175,079</b>   | <b>6,758,100</b>   | <b>6,621,639</b>   | <b>85,147,938</b>            |
| 10 | Staff Salary Expenditures                             | (7,769,999)        | (6,693,983)        | (6,667,186)        | (6,667,186)        | (6,667,186)        | (6,667,186)        | (6,667,186)        | (6,667,186)        | (6,667,186)        | (6,667,186)        | (6,667,186)        | (6,667,186)        | (81,135,839)                 |
| 11 | Refunds   | (788)              | (873)              | (830)              | (830)              | (830)              | (830)              | (830)              | (830)              | (830)              | (830)              | (830)              | (830)              | (9,960)                      |
| 12 | <b>Total SCRTF Operating Expenditures</b>             | <b>(7,770,786)</b> | <b>(6,694,855)</b> | <b>(6,668,016)</b> | <b>(81,145,799)</b>          |
| 13 | <i>8% General Revenue Service Charge</i>              | (1,597,159)        |                    |                    | (1,631,812)        |                    |                    | (1,528,315)        |                    |                    | (1,553,238)        |                    |                    | (6,310,523)                  |
| 14 | <b>Ending Cash Balance</b>                            | <b>444,866</b>     | <b>522,613</b>     | <b>654,309</b>     | <b>(340,199)</b>   | <b>125,489</b>     | <b>(586,607)</b>   | <b>(1,067,973)</b> | <b>(221,054)</b>   | <b>122,957</b>     | <b>(46,175)</b>    | <b>90,084</b>      | <b>(46,376)</b>    | <b>(2,308,385)</b>           |

\* 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 (1,631,277)

**V. Budget and Pay Policy Recommendations for Chief  
Justice's Budget and Pay  
Memorandum**

# Supreme Court of Florida

500 South Duval Street  
Tallahassee, Florida 32399-1925

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

JOHN A. TOMASINO  
CLERK OF COURT

SILVESTER DAWSON  
MARSHAL

## MEMORANDUM

**TO:** Chief Judges of the District Courts of Appeal Marshals

**FROM:** Chief Justice Jorge Labarga

**DATE:** October XX, 2015

**SUBJECT:** Budget and Pay Administration for Fiscal Year 2015-16

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I have established the following budget and pay administration policies for the current fiscal year, consistent with the recommendations of the District Court of Appeal Budget Commission (DCABC). Substantive changes from the prior year's policy are underlined.

### A. Personnel Actions

#### 1. Court Staff Salaries

~~Pursuant to the Fiscal Year 2014-15 General Appropriations Act, the judicial branch has been provided funding “for position classification salary adjustments for judicial branch employees, excluding judges, to encourage employee retention, provide equity adjustments to equalize salaries between the judicial branch and other governmental entities for similar positions and duties, and provide market-based adjustments necessary to remedy recurring employee recruitment problems for specific position classifications. The funds available for~~

~~these adjustments shall be allocated proportionately among the circuit and county courts, the district courts of appeal, the Supreme Court, the Office of the State Courts Administrator, and the Judicial Qualifications Commission, based upon the total number of full-time equivalent positions, excluding judges, employed by each of those components of the judicial branch. The Chief Justice, based upon recommendations from the Trial Court Budget Commission, District Court of Appeal Budget Commission, and the State Courts Administrator, shall submit a plan for such position classification salary adjustments pursuant to section 216.177(2), Florida Statutes.<sup>22</sup> Therefore, salary adjustments may be made in compliance with the approved plan.~~

The salaries of the clerks of the district courts shall be equalized among themselves, and the salaries of the marshals of the district courts shall be equalized among themselves. No clerk or marshal of a district court will be eligible to receive a special pay increase, or salary rate allocation, unless the District Court of Appeal Budget Commission approves an equal increase for all clerks and/or marshals of the district courts.

## 2. Judicial Salaries

Effective July 1, 2015, a district court judge's salary is \$154,140.

## 3. Salary Budget Management

a. It does not appear to be necessary to hold positions vacant in the district courts at this time. However, the District Court of Appeal Budget Commission will monitor the salary budget and impose such restrictions as necessary in order to cover payroll costs through the end of the fiscal year.

b. Subject to available salary appropriation, as confirmed by the Chief Justice, a rate distribution may be made during FY 2015/16 FY 2014/15.

- i. Distribution to the district courts will be based on the total number of eligible FTE in each district (less judges) unless otherwise directed by the DCABC.
- ii. Individual salary increases may not exceed 10 percent.
- iii. No retroactive salary increases are permitted unless approved by the DCABC due to special circumstances. However, retroactivity may not extend back further than two months.
- iv. When it is anticipated that allocations for a district court will not be used by June 30, 2016 ~~June 30, 2015~~, the DCABC will determine whether to re-purpose the funds or let the funds revert for statewide budget management.
- v. Outside of any rate distribution, no special pay increases are permitted. The chief judge may request an exception from the DCABC. These requests should be sent to the Chair of the DCABC with copies to the State Courts Administrator.

#### 4. Other Personnel Actions

- a. Initial appointment rates must be at the minimum of the class pay range. The chief judge may request an exception from the DCABC. These requests should be sent to the Chair of the DCABC with copies to the State Courts Administrator. If the chief judge provides documentation to the State Courts Administrator that the affected position has been advertised no fewer than two times and that either no applicant met the qualifications or that no qualified applicant would accept the position at the minimum salary, appointment up to 10% above the minimum salary is summarily approved. ~~However, if the pending special pay plan issue for district courts is approved with a district specific salary adjustment amount, the district must first use those funds in this event.~~
- b. Upon promotion, an employee's salary shall be increased to the minimum of the class to which the employee is being promoted. However, if that increase is less than five percent (5%), the chief

judge or his/her designee may approve a promotional increase for an employee of up to five percent (5%) of the employee's salary prior to promotion, provided such an increase will not place the employee's salary above the maximum for the new range. The chief judge may request an exception by the DCABC. These requests should be sent to the Chair of the DCABC with copies to the State Courts Administrator.

c. Regarding Donation of Sick Leave, State Courts Personnel Regulations section 4.09(3)(B): In the case of the district courts of appeal, the chief judge of the employee's court may notify the chief judges of the other district courts of appeal of the request for donations. Any chief judge of a district court of appeal may notify the employees of his/her respective court of the request for donations.

d. Other than regulations limited by these "Other Personnel Action" policies and procedures and the sharing of sick leave donations across the district courts, all regulations provided in the State Courts System Personnel Manual ([https://intranet.flcourts.org/osca/personnel/bin/personnel\\_regulationsmanual.pdf](https://intranet.flcourts.org/osca/personnel/bin/personnel_regulationsmanual.pdf)) remain in effect.

5. Law clerk appointment rates are to be made in accordance with the policies outlined in the Appellate Law Clerk Pay Plan. Any incentive adjustments and promotional increases made at the discretion of the employing judge and chief judge, shall be consistent with the Appellate Court Law Clerk Pay Plan, a current copy of which is found in **Attachment I**. No special pay increases are permitted. The chief judge may request an exception from the DCABC. These requests should be sent to the Chair of the DCABC with copies to the State Courts Administrator.

6. No overlap of positions is permitted. The chief judge may request an exception from the DCABC. These requests should be sent to the Chair of the DCABC with copies to the State Courts Administrator.

7. Positions approved for upward reclassifications are limited to those reclassifications which result in a salary increase of ten percent (10%) or less over the original classification. If a position is reclassified within these limitations, the chief judge may approve a promotional increase for the incumbent not to exceed five percent (5%) of the employee's current salary or to the minimum of the new class, whichever is greater, provided such an increase will not place the employee's salary above the maximum for the new range.
8. An employee who is selected for an acting appointment in a managerial position, i.e., Marshal, Clerk, or Director of Central Staff, is eligible for a five percent (5%) pay increase or the amount necessary to bring the employee's pay to the minimum of the higher class, whichever amount is lower, for the period of time the employee is in an acting managerial capacity, provided the employee has completed two months of service in the acting capacity.

## B. Budget Administration

### 1. Budget Category Adjustments

Section 216.181, Florida Statutes, requires that all budget amendments from the judicial branch must be requested only through the Chief Justice and must be approved by the Chief Justice and the Legislative Budget Commission. If it is determined, after reviewing your operating budgets that you need adjustments from one operating budget category to another, please complete the transfer form (in hard-copy or by e-mail) and send it to Dorothy Willard Wilson, Chief of Budget Services, so that appropriate budget amendments can be processed. **Attachment II** provides instructions and the form for this purpose.

## C. Fixed Capital Outlay (FCO) Projects and Administration

*District Court Fixed Capital Outlay Projects and Administration of In re: District Court Fixed Capital Projects, No. AOSC11-3 (Fla. Jan 14, 2011)*, provides for the oversight and monitoring of district court courthouse construction projects. See **Attachment III** for policy guidelines.

## D. Authorized Travel

### 1. Out-of-State Travel

- a. In order to implement funds appropriated in the 2015/16 ~~2014/15~~ General Appropriations Act for state employee travel, with prior approval of the chief judge and submission of a Travel Authorization Form (TAR), expenses to attend conferences, educational or other informative sessions of the Council of Chief Judges of the State Courts of Appeal may be reimbursed since this travel is mission critical to the operations of the District Courts of Appeal. The chief judge of each court may also authorize mission critical travel to attend meetings, conferences, seminars, training classes, and travel for events in addition to the Council of Chief Judges of the State Courts of Appeal and other than those covered in Sections 4, 5, and 7 below, provided that all expenses are paid with a source of funding other than state funds.
  
- b. The mission critical national education program, *National Association for Court Management Annual Conference*, is approved when held out of state, and travel expenses may be paid with state funds.

### 2. Intra-District Travel

Intra-district travel necessary as a result of case-related activities or administrative matters may be approved by the chief judge provided such travel is in support of the administration of justice as provided for in the Rules of Judicial Administration.

### 3. Intra-State Travel

I am delegating authority to the chief judge to approve travel for activities that are critical to each court's mission. In accordance with the 2015/16 ~~2014/15~~ GAA Implementing Bill (SB 2502) (~~HB 5001~~),

funds may not be used to pay for travel by state employees to conferences or staff training activities unless the agency head (chief judge) has approved in writing that such activities are critical to the court's mission. Education and training activities must be directly related to employees' current job duties and have primary benefit to the state.

#### 4. Travel Expenses – Florida Bar Meetings

You are encouraged to continue to support judicial participation in meetings of the following sections and committees, which are provided as a guideline for the chief judges of the district courts:

##### a. Annual and Midyear Meetings

Chief judges and the chair and chair-elect of the Florida Conference of District Court of Appeal Judges will be reimbursed for reasonable travel expenses for their attendance at the mid-year and annual meetings of The Florida Bar. These expenses will be charged against your district court budget.

##### b. Supreme Court-Appointed Committees

Members of court-appointed committees of The Florida Bar may be reimbursed for reasonable travel expenses associated with the meetings of those groups with prior approval from the chief judge or designee. These expenses will be charged against your district court budget. The committees and section to which this policy applies are:

- Standard Jury Instructions Committee – Civil
- Standard Jury Instructions Committee – Contract & Business Cases
- Commission on Professionalism

c. Selected Committees

District court judges and other court staff who are serving as members of selected committees and sections of The Florida Bar may be reimbursed for reasonable travel expenses associated with the meetings of those groups with prior approval from the chief judge or designee and submission of a Travel Authorization Request (TAR) form. These expenses will be charged against your district court budget. The committees and section to which this policy applies are:

- Alternative Dispute Resolution Section Executive Council
- Appellate Court Rules Committee
- Appellate Practice Section Executive Council
- Civil Procedure Rules Committee
- Code and Rules of Evidence Committee
- Constitutional Judiciary Committee
- Continuing Legal Education Committee
- Criminal Law Section Executive Council
- Criminal Procedure Rules Committee
- Family Law Rules Committee
- Family Law Section Executive Council
- Florida Probate Rules Committee
- Judicial Administration & Evaluation Committee
- Judicial Nominating Procedures Committee
- Juvenile Court Rules Committee
- Law Related Education Committee
- Legal Needs of Children Committee
- Pro Bono Legal Services Committee
- Professional Ethics Committee
- Professionalism Committee
- Real Property, Probate and Trust Law Section Executive Council
- Rules of Judicial Administration Committee
- Small Claims Rules Committee

- Traffic Court Rules Committee
- Trial Lawyers Section Executive Council
- Vision 2016 Commission and Workgroups

These specific guidelines apply to all committee and section related travel:

- d. Room charges that exceed the established conference rate will be reimbursed only up to that rate. Judges are encouraged to make alternative arrangements, at lower rates, when at all possible. Room charges in excess of \$150.00 per night (room rate only), should be avoided, but when that is not possible, excess charges must be justified on travel vouchers submitted for reimbursement.
  - e. For approved committee and section meetings, same day travel must be utilized whenever possible. Necessary overnight travel will be reimbursed for the night immediately before or after the date of the committee meeting only if same day travel cannot be accomplished or presents an undue hardship.
  - f. No reimbursement for attendance at Supreme Court oral argument representing a section or committee will be paid.
  - g. No reimbursement for attendance at seminars, symposiums, etc., representing a section or committee will be paid.
5. Travel Expenses for Participation in State Courts System Committees or Commissions

Reasonable travel expenses necessary for participation in State Courts System committees or commissions (e.g., District Courts of Appeal Budget Commission, Standard Jury Instructions Committee - Criminal) will be paid without prior authorization, from the budgets of and in accordance with the travel guidelines established for each committee. Reimbursement for attendance at Supreme Court oral

argument to represent a committee or commission must be approved in advance by the Chief Justice.

#### 6. Travel Expenses for Legislative Hearings

Generally, the OSCA will coordinate travel by judges for participating in legislative hearings. Expenses associated with such travel will be paid from your district court budget with prior approval of the chief judge or designee, or if such participation is associated with membership on a Supreme Court committee, expenses will be reimbursed from that committee budget. When judges receive personal invitations to appear and testify before a legislative committee, expenses for associated travel will be paid from the district court budget with prior approval from the chief judge.

#### 7. Out-of-State Educational Travel

Out-of-state educational travel will continue to be approved by the Florida Court Education Council in accordance with its established guidelines.

### E. General Travel Guidelines

#### 1. Rules Governing Per Diem and Lodging for Overnight Travel

According to State Chief Financial Officer policy, a traveler may not claim per diem or lodging reimbursement for overnight travel within fifty (50) miles (one-way) of his or her headquarters or residence, (calculated in accordance with the Department of Transportation Official Map Miles) whichever is less, unless the circumstances necessitating the overnight stay are fully explained by the traveler and approved by the Agency Head. I am delegating this approval authority to chief judges, with the exception of the travel funded through the Court Education Trust Fund, travel associated with the circuit and county conferences' business programs, and travel funded by state budgetary sources other than the district courts. Official written approval from the chief judge must be attached to the

reimbursement voucher when submitted for payment. Vouchers without this approval will be returned.

2. Lodging Room Rate Limits

Hotel room charges that exceed \$150.00 per night (room rate only), should be avoided, and less costly alternatives secured when possible. Charges in excess of \$150.00 (room rate only), must be justified on travel vouchers submitted for reimbursement. This rate does not apply to travel sponsored by Court Education Trust Fund, or travel funded by state budgetary sources other than individual district courts budgets. Rates funded by these sources will be set by the paying entity.

3. Prohibition of Class C Meal Reimbursement

Reimbursement for Class C travel for per diem and subsistence is prohibited in section 112.061(15), Florida Statutes.

4. TAR Submission for Convention and Conference Travel

Travel reimbursements for convention or conference travel (with the exception of judges' participation in the district court conference), must be submitted for payment with a Travel Authorization Request (TAR) form, according to State of Florida travel guidelines. TAR forms will be prepared by the OSCA on the judges' behalf for district court conference education and business programs.

F. Senior Judge Compensation

Senior judge compensation is \$350 for each day of service for FY 2015/16 2014/15. **Attachment IV** reflects the allocation of senior judge days for each district court. Any necessary travel expenses for senior judges to serve must be paid from each court's allocation.

G. Payment of Florida Bar Membership Fees/Legal Education Courses

The 2015/16 ~~2014/15~~ General Appropriations Act allows for the payment of Florida Bar membership fees for employees that require membership as a condition of their employment by the state. (For a list of eligible position titles, please refer to the memorandum of July 2, 2015 ~~3, 2014~~ from Jackie Knight.)

Payment for legal education courses will be left to the discretion of each chief judge based on the availability of expense money within each district court.

I am requesting that you disseminate the information contained in this memorandum to all judges in your courts. The policies outlined herein will remain in effect until such time as they are succeeded with an updated memorandum.

If you have any questions about budget matters, please contact Dorothy Willard ~~Wilson~~, Chief of Budget Services, at (850) 488-3735. Questions relating to personnel matters should be directed to Beatriz Caballero ~~Theresa Westerfield~~, Chief of Personnel Services, at (850) 617-4028. Other finance questions should be directed to Jackie Knight, Chief of Finance and Accounting Services, at (850) 488-3737.

Attachments

cc: Patricia (PK) Jameson  
Eric Maclure  
Blan Teagle  
Dorothy Willard  
Beatriz Caballero  
Jackie Knight  
Steven Hall

JL/ssb

**FLORIDA STATE COURTS SYSTEM  
APPELLATE COURT LAW CLERK PAY PLAN**

**IMPLEMENTATION POLICIES**

The following policies shall govern appointments, incentive adjustments, promotions, pay increases, and utilization of rate and salary dollars for Appellate Court Law Clerks, effective January 1, 1990:

**APPOINTMENT**

Law Clerks may be appointed to positions in the appellate courts by either an original or a reinstatement appointment.

An original appointment may be made to the class of Law Clerk, Senior Law Clerk or Career Attorney, and involves placing a candidate on the State Courts System payroll for the first time. Law Clerks who have been admitted to the Florida Bar and who have less than one year of experience practicing law subsequent to passing the Bar shall be appointed at the minimum salary for the Law Clerk class. Law Clerks who have not been admitted to the Florida Bar shall be hired at 10% below the minimum salary for the Law Clerk class. Law Clerks who have been admitted to the Florida Bar and who have at least one year of experience in the practice of law subsequent to passing the Bar may be hired at up to 10% above the minimum salary for the Law Clerk class at the Chief Judge's discretion. A Law Clerk with extraordinary, prior, nonlegal experience may be appointed at up to 5% above the minimum.

An attorney who has been admitted to the Florida Bar and who has at least two years experience in the practice of law, subsequent to passing the Bar, may be appointed to the Senior Law Clerk class at the minimum salary. An attorney who has been admitted to the Florida Bar and who has at least three years experience in the practice of law, subsequent to passing the Bar, may be appointed to the Senior Law Clerk class at up to 10% above the minimum salary at the Chief Judge's discretion. Original appointments to the Senior Law Clerk class in excess of the 10% above the minimum salary must be approved in advance by the Chief Justice.

An attorney who has been admitted to the Florida Bar and who has at least five years experience in the practice of law subsequent to passing the Bar or five years experience as a Law Clerk, may be appointed to the Career Attorney Class at the minimum salary. An attorney who has at least six years experience in the practice of law subsequent to passing the Bar, may be appointed at up to 10% above the minimum salary at the Chief Judge's discretion. Original appointments to the Career Attorney class in excess of the 10% above the minimum salary must be approved in advance by the Chief Justice.

A reinstatement appointment is the act of placing a Law Clerk on the State Courts System payroll who has previously been employed by the State Courts System as a Law Clerk. A reinstated Law Clerk may be appointed at the discretion of the Chief Judge or designee at any rate within the pay range for the class to which the Law Clerk is being reinstated which is equal to or below the rate being paid at the time of separation. The Law Clerk shall not be eligible for

adjustments in the pay range while not employed with the State Courts System; however, if the Law Clerk's salary at the time of separation was lower than the current minimum of the pay range for the class, the Law Clerk shall be paid at least the current minimum rate. The Law Clerk may be paid, at the discretion of the Chief Judge, up to 10% above the minimum of the pay range if the Law Clerk possesses training and experience at least one year in excess of the minimum experience requirements for the class to which they are appointed.

## **PROMOTION**

Eligible Law Clerks may be promoted to Senior Law Clerk or Career Attorney with a promotional pay increase of up to 10% of their base rate of pay or raised at least to the minimum salary for the class to which they are promoted at the discretion of the Chief Judge.

To be eligible for promotion to Senior Law Clerk, the Law Clerk must be a member of the Florida Bar and have had two years experience as a Law Clerk or a combination of experience as a Law Clerk and in the practice of Law. Experience in the practice of law must be subsequent to admission to the Florida Bar. Experience as an Appellate Court Law Clerk prior to admission to the Bar will count as long as the Law Clerk is admitted to the Florida Bar prior to the promotion to Senior Law Clerk.

To be eligible for promotion to Career Attorney, the Law Clerk must be a member of the Florida Bar and have had five years experience as a Law Clerk or a combination of experience as a Law Clerk and in the practice of law. Experience in the practice of law must be subsequent to admission to the Florida Bar. Experience as an Appellate Court Law Clerk prior to admission to the Bar will count as long as the Law Clerk is admitted to the Florida Bar prior to promotion to Career Attorney.

## **INCENTIVE ADJUSTMENTS**

Law Clerks who complete one year of service with a court and at the request of their supervising judge commit to a second year may be granted an incentive adjustment of between \$1,500 and \$2,500. Chief Judges may authorize an incentive adjustment not exceeding \$2,500 upon the recommendation of the supervising judge. Incentive adjustments are not automatic and are at the discretion of the Chief Judge.

## **PAY INCREASES**

Pay increases may be made in order to induce a Law Clerk to remain with the Court, e.g., incentive adjustments up to \$2,500 or special pay increases up to 10%. In addition, pay increases may be made in association with a Law Clerk's promotion to Senior Law Clerk or Career Attorney, e.g., promotional pay increases up to 10% of the employee's base rate of pay or an amount sufficient to bring the Law Clerk being promoted up to the minimum of the class to which they are appointed. Special pay increase of up to 10% of the employee's base rate of pay may be made to Law Clerks for the purposes determined justifiable by the Chief Judge. An employee may not receive special pay increases totaling in excess of 10% during the fiscal year.

Incentive adjustments exceeding \$2,500, promotional pay increases in excess of 10%, unless necessary to bring the Law Clerk to the minimum of the class to which they are being

appointed, and special pay increases exceeding 10% of the employee's base rate of pay during a fiscal year must be approved in advance by the Chief Justice.

### **UTILIZATION OF LAW CLERK RATE AND SALARY DOLLARS**

All appointments, promotions, incentive adjustments or special pay increases, whether approved by the Chief Judge within his/her delegated authority or by the Chief Justice, are subject to available Law Clerk rate and salary dollars. Appellate courts may not take any action affecting a Law Clerk's salary which will create a rate or salary deficit without prior approval. Law Clerk rate will continue to be controlled separately. Surplus rate and salary dollars which may accumulate may be applied to other court support positions, if the Court has satisfied the requirements for basic incentive adjustments for Law Clerks who have completed their first year of service.

ESTABLISHED: January 1, 1990

REVISED: December 14, 1993

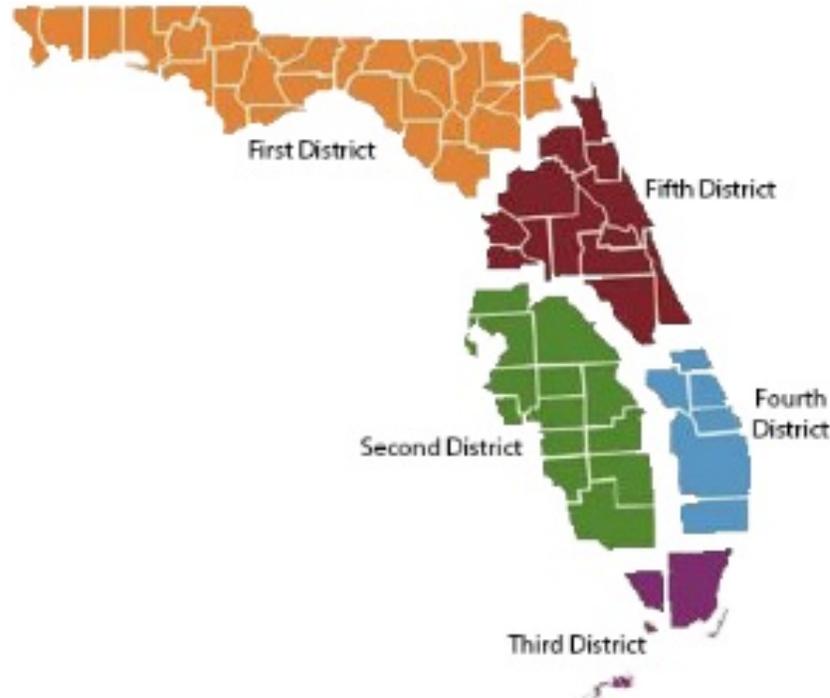
AMENDED: August 27, 1998

AMENDED: November 1, 2001

## **VI. Recommendations from the Salary Budget Committee**

# Salary Management Subcommittee

## Purpose and Role



- **Purpose.** The purpose of the salary management team is to monitor salary expenditures and obligations on a regular basis and, based on projections, make recommendations to the DCABC to restrict or loosen salary dollar and rate policies, including making rate distributions. The goal is to meet anticipated salary obligations and to avoid reverting salary dollars unnecessarily.
- **Role of the Marshals.** The role of the marshals is to provide the information necessary to make and validate the salary projections. Reliable projections for salary and related liabilities will allow the DCABC to effectively manage salary dollars and rate.

# Salary Management Basics

## Transactions that Impact Salary Dollars \$\$\$

- Rate
- Retirement costs, especially judges moving into and out of DROP
- Vacant positions, especially judicial officers
- Benefits, especially single or family health coverage
- Employer payroll taxes (FICA and Medicare)
- Position overlap

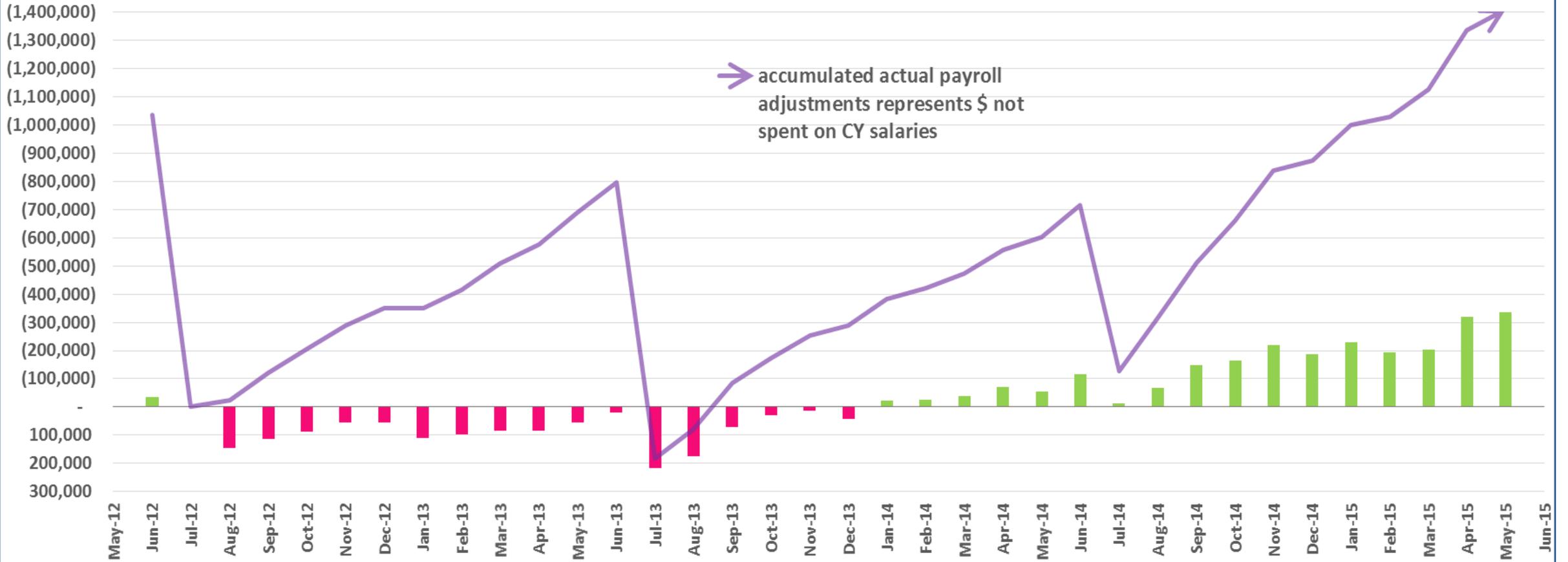
## Transactions that Impact Rate

- Position classification and base salary
  - reclassification actions, including law clerk pay plan
  - pay increases, promotional increases, hiring above minimum
  - turnover (but only for employees paid a base salary that is above the class minimum)
- Salary additives (CAD, lead worker, etc.)

## DCA Salary Projections

Full Employment, after adding DROP and Law Clerk Liability, is Over/(Under) Salary Appropriation.

This chart reflects the monthly OSCA projections, which show our full employment liabilities against our appropriation.



Full employment liabilities exceed appropriation but lapse will cover that and more.

Appropriation exceeds full employment liabilities.

# How we use OSCA's Salary Projections

## FY 2014-15 District Courts of Appeal Salary Budget NOVEMBER 2014

|    |  |                   | DATE   | Full Employment Liability | Annual Appropriation | Full Employment + CY DROP and LC Pay Plan Liability is Over/(Under) Appropriation | Actual Payroll Adjustments Year-to-Date | OSCA's projected "send" back" number includes estimated leave liability. |
|----|--|-------------------|--------|---------------------------|----------------------|---|---|--|
| 1  | Projected Full Employment Payroll Liability through June 30, 2015                      | 40,663,164        | Mar-14 | 37,982,437                |                      | (38,770)  | (449,550)                               | (474,526)  |
| 2  | Projected DROP Liability through June 30, 2015   | 77,816            | Apr-14 | 37,958,890                | 38,067,560           | (71,402)  | (500,855)                               | (558,463)  |
| 3  | Projected Law Clerk Below Minimum Pay Plan Liability through June 30, 2015             | 5,797             | May-14 | 37,952,310                |                      | (55,860)  | (560,704)                               | (603,784)  |
| 4  | Projected Law Clerk Incentives Pay Plan Liability through June 30, 2015                | 114,875           | Jun-14 | 37,950,430                | 38,067,560           | (117,130)   | (599,543)                               | (716,673)  |
| 5  | Remaining Chief Judge Discretionary Funds for retention, equity and recruitment Issues | 13,598            | Jul-14 | 39,852,981                | 40,198,601           | (13,378)  | (140,587)                               | (126,686)  |
| 6  | <b>Total Projected Payroll Liability through June 30, 2015</b>                         | <b>40,875,250</b> | Aug-14 | 39,806,007                | 40,175,499           | (66,607)  | (263,597)                               | (314,837)  |
| 7  | Salary Appropriation   | (41,095,113)      | Sep-14 | 40,649,853                | 41,099,113           | (147,152)   | (380,304)                               | (512,088)  |
| 8  | <b>Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment</b>         | <b>(219,863)</b>  | Oct-14 | 40,696,793                | Line 7 41,095,113    | (163,713)   | (511,033)                               | (660,260)  |
| 9  | Actual Payroll Adjustments through November 30, 2014                                   | (632,934)         | Nov-14 | Line 1 40,663,164         |                      | Line 8 (219,863)  | Line 9 (632,934)                        | Line 12 (838,312)  |
| 10 | Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment                 | (852,797)         | Dec-14 | 40,907,773                | 41,095,113           | (187,340)   | (700,617)                               | (875,151)  |
| 11 | Estimated Leave Payouts (based on two year average)                                    | 14,485            | Jan-15 | 40,681,302                |                      | (227,910)   | (786,331)                               | (1,001,435)  |
| 12 | <b>FINAL - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment</b>  | <b>(838,312)</b>  | Feb-15 | 40,901,095                | 41,095,113           | (194,018)   | (847,270)                               | (1,028,482)  |
|    |  |                   | Mar-15 | 40,892,253                |                      | (202,860)   | (932,441)                               | (1,126,525)  |
|    |  |                   | Apr-15 | 40,757,746                | 41,077,353           | (319,607)   | (1,346,373)                             | (1,337,597)  |
|    |  |                   | May-15 | 40,740,958                |                      | (336,395)   | (1,419,084)                             | (1,410,308)  |

## District Court Salary Budget

| DATE   | Full Employment Liability | Annual Appropriation | Full Employment + CY DROP and LC Pay Plan Liability is Over/(Under) Appropriation | Actual Payroll Adjustments Year-to-Date | OSCA's projected "send" back" number includes estimated leave liability. |
|--------|---------------------------|----------------------|---|---|--|
| Jun-12 | 34,963,543                | 34,998,391           | (34,848)  |   | (1,035,630)  |
| Jul-12 |                           |                      |   |   |  |
| Aug-12 | 35,137,080                | 35,128,123           | 145,865   | (206,375)                               | (22,994)   |
| Sep-12 | 35,156,106                | 35,161,500           | 113,726   | (256,829)                               | (120,012)  |
|        |                           | 35,161,500           |   |   |  |
| Oct-12 | 35,141,997                |                      | 87,032  | (308,222)                               | (206,344)  |
| Nov-12 | 35,142,400                |                      | 54,235  | (351,245)                               | (288,829)  |
| Dec-12 | 35,150,939                | 35,161,500           | 54,745  | (414,523)                               | (351,597)  |
| Jan-13 | 35,211,644                |                      | 109,920   | (463,313)                               | (351,804)  |
| Feb-13 | 35,192,990                | 35,161,500           | 96,796  | (494,052)                               | (415,891)  |
| Mar-13 | 35,181,642                |                      | 82,948  | (525,542)                               | (510,248)  |
| Apr-13 | 35,170,365                | 35,161,500           | 85,760  | (671,312)                               | (577,120)  |
| May-13 | 35,180,127                |                      | 55,348  | (753,651)                               | (691,065)  |
| Jun-13 | 35,181,480                | 35,161,500           | 19,980  | (818,195)                               | (798,215)  |
| Jul-13 | 38,073,594                | 38,025,780           | 216,176   | (60,390)                                | 181,571  |
| Aug-13 | 38,041,189                | 38,025,780           | 175,509   | (116,268)                               | 80,075   |
| Sep-13 | 37,961,937                | 38,067,560           | 70,441  | (175,571)                               | (84,296)   |
| Oct-13 | 37,997,344                | 38,067,560           | 28,432  | (221,613)                               | (172,348)  |
| Nov-13 | 38,003,909                |                      | 12,739  | (281,388)                               | (253,406)  |
| Dec-13 | 38,038,874                | 38,067,560           | 41,563  | (346,708)                               | (289,902)  |
| Jan-14 | 37,979,503                |                      | (20,672)  | (378,262)                               | (383,692)  |
| Feb-14 | 37,987,951                | 38,067,560           | (26,549)  | (408,733)                               | (420,793)  |
| Mar-14 | 37,982,437                |                      | (38,770)  | (449,550)                               | (474,526)  |
| Apr-14 | 37,958,890                | 38,067,560           | (71,402)  | (500,855)                               | (558,463)  |
| May-14 | 37,952,310                |                      | (55,860)  | (560,704)                               | (603,784)  |
| Jun-14 | 37,950,430                | 38,067,560           | (117,130)   | (599,543)                               | (716,673)  |
| Jul-14 | 39,852,981                | 40,198,601           | (13,378)  | (140,587)                               | (126,686)  |
| Aug-14 | 39,806,007                | 40,175,499           | (66,607)  | (263,597)                               | (314,837)  |
| Sep-14 | 40,649,853                | 41,099,113           | (147,152)   | (380,304)                               | (512,088)  |
| Oct-14 | 40,696,793                | 41,095,113           | (163,713)   | (511,033)                               | (660,260)  |
| Nov-14 | 40,663,164                |                      | (219,863)   | (632,934)                               | (838,312)  |
| Dec-14 | 40,907,773                | 41,095,113           | (187,340)   | (700,617)                               | (875,151)  |
| Jan-15 | 40,681,302                |                      | (227,910)   | (786,331)                               | (1,001,435)  |
| Feb-15 | 40,901,095                | 41,095,113           | (194,018)   | (847,270)                               | (1,028,482)  |
| Mar-15 | 40,892,253                |                      | (202,860)   | (932,441)                               | (1,126,525)  |
| Apr-15 | 40,757,746                | 41,077,353           | (319,607)   | (1,346,373)                             | (1,337,597)  |
| May-15 | 40,740,958                |                      | (336,395)   | (1,419,084)                             | (1,410,308)  |

If we aimed for a 1% lapse on a \$41 million salary budget, we would need to push the "pink" number to 400,000 at the beginning of the year and never let it go "green."

# January 8 Meeting

District Court of Appeal Budget Commission  
 January 8, 2015  
 Video Conference Call

# Current Projections

## Agenda Item I.: Rate Distribution

ADD \$46,517 to  
 estimated  
 appropriation

### Analysis of FY 2015-16 District Court of Appeals Projected Salary Budget

|    |  |                  |
|----|--|------------------|
| 1  | Estimated FY 2015-16 Appropriation                             | 41,095,113       |
| 2  | Estimated FY 2015-16 Liability                                 | 40,972,969       |
| 3  | <b>Liability Over/(Under) Appropriation</b>                    | <b>(122,144)</b> |
| 4  | <b>Other Factors</b>   |                  |
| 5  | Law Clerk Incentive Pay Plan                                   | 206,102          |
| 6  | DROP Liability - Judges  | 45,617           |
| 7  | Social Security Increase                                       | 5,952            |
| 8  | 17 vacancies health insurance increased to family coverage     | 72,174           |
| 9  | Leave Payouts  | 27,411           |
| 10 | <b>Adjusted Liability (Under)/Over Appropriation</b>           | <b>235,112</b>   |
| 11 | Estimated FY 2015-16 Lapse                                     | (445,882)        |
| 12 | <b>Estimated Adjusted Liability (Under)/Over Appropriation</b> | <b>(210,770)</b> |

### FY 2015-16 District Courts of Appeal Salary Budget AUGUST 2015

|    |   |                   |
|----|---|-------------------|
| 1  | Projected Full Employment Payroll Liability through June 30, 2016                     | 40,746,446        |
| 2  | Projected DROP Liability through June 30, 2016  | 213,733           |
| 3  | Projected Law Clerk Below Minimum Pay Plan Liability through June 30, 2016            | 70,637            |
| 4  | Projected Law Clerk Incentives Pay Plan Liability through June 30, 2016               | 93,995            |
| 6  | <b>Total Projected Payroll Liability through June 30, 2016</b>                        | <b>41,124,811</b> |
| 7  | Estimated Salary Appropriation  | (41,343,971)      |
| 8  | <b>Projected Liability OVER/(UNDER) Salary Appropriation @ Full Employment</b>        | <b>(219,160)</b>  |
| 9  | Actual Payroll Adjustments through August 31, 2015                                    | (95,278)          |
| 10 | Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment                | (314,438)         |
| 11 | Estimated Leave Payouts (based on two year average)                                   | 36,064            |
| 12 | <b>FINAL - Adjusted Liability OVER/(UNDER) Salary Appropriation @ Full Employment</b> | <b>(278,374)</b>  |

#### Potential Factors if sufficient lapse is not generated:

1. Limited flexibility with future new hires above the minimum and promotion increases.
2. May be necessary to require a hard freeze on vacant positions in order to generate sufficient lapse to cover any salary deficit.
3. May be necessary to transfer operating budget to salaries and benefits to cover any salary deficit.
4. Sufficient lapse may be needed to cover any supplemental appropriations related to benefit changes for FY 2015-16.

# OSCA's Rate Trends

## DISTRICT COURTS OF APPEAL CONVERGYS/LASPBS RATE DETAIL REPORT AUGUST 2014

| PROGRAM                                | FTE          | JULY                |                   | AUGUST              |                    | INCREASE<br>(DECREASE) |
|--|--------------|---------------------|-------------------|---------------------|--------------------|------------------------|
|  |              | CONVERGYS<br>REPORT | FTE               | CONVERGYS<br>REPORT | FTE                |                        |
| <b>RATE SUMMARY</b>                    |              |                     |                   |                     |                    |                        |
| 110 JUDGES                             | 64.0         | 9,864,960           | 64.0              | 9,864,960           |                    | 0                      |
| 111 JUDICIAL ASSISTANTS                | 65.0         | 2,831,493           | 65.0              | 2,831,493           |                    | 0                      |
| 112 LAW CLERKS                         | 160.0        | 9,593,067           | 160.0             | 9,576,253           |                    | (16,814)               |
| 114 CLERK                              | 68.0         | 2,995,938           | 67.0              | 2,970,261           |                    | (25,677)               |
| 115 FACILITY MAIN. & MGMT.             | 10.5         | 320,691             | 10.5              | 309,855             |                    | (10,836)               |
| 117 INFO. SYSTEM SUPPORT               | 7.0          | 339,496             | 7.0               | 339,496             |                    | 0                      |
| 118 SECURITY                           | 7.0          | 194,273             | 8.0               | 219,001             |                    | 24,727                 |
| 119 CENTRAL STAFF SUPPORT              | 5.0          | 176,613             | 5.0               | 176,613             |                    | 0                      |
| 180 LIBRARY                            | 1.0          | 31,665              | 1.0               | 31,665              |                    | 0                      |
| 210 ADMINISTRATION                     | 18.0         | 1,065,608           | 18.0              | 1,068,235           |                    | 2,627                  |
| 120 WORKERS COMPENSATION UNIT          | 23.0         | 1,196,550           | 23.0              | 1,196,550           |                    | 0                      |
| <b>TOTAL DISTRICT COURTS OF APPEAL</b> | <b>428.5</b> | <b>28,610,354</b>   | <b>428.5</b>      | <b>28,584,381</b>   |                    | <b>(25,973)</b>        |
| <b>RATE ADJUSTMENTS</b>                |              |                     |                   |                     |                    |                        |
| Reserve for Law Clerk Below Minimum    |              |                     |                   |                     |                    |                        |
| 1st DCA                                |              | 0                   |                   | 4,555               |                    | 4,555                  |
| 2nd DCA                                |              | 4,555               |                   | 4,555               |                    | 0                      |
| 3rd DCA                                |              | 8,110               |                   | 8,110               |                    | 0                      |
| 4th DCA                                |              | 1,055               |                   | 14,721              |                    | 13,666                 |
| 5th DCA                                |              | 4,556               |                   | 18,223              |                    | 13,666                 |
| <b>LAW CLERK Reserve Total</b>         |              | <b>18,277</b>       |                   | <b>50,164</b>       |                    | <b>31,887</b>          |
| Law Clerk Pay Plan Incentives          |              |                     |                   |                     |                    |                        |
| 1st DCA                                |              | 39,161              |                   | 25,602              |                    | (13,559)               |
| 2nd DCA                                |              | 39,161              |                   | 36,661              |                    | (2,500)                |
| 3rd DCA                                |              | 26,589              |                   | 24,089              |                    | (2,500)                |
| 4th DCA                                |              | 63,670              |                   | 34,581              |                    | (29,089)               |
| 5th DCA                                |              | 43,632              |                   | 24,581              |                    | (19,051)               |
| <b>Incentives TOTAL</b>                |              | <b>212,213</b>      |                   | <b>145,514</b>      |                    | <b>(66,700)</b>        |
| <b>ADJUSTED CONVERGYS TOTAL</b>        | <b>428.5</b> | <b>28,840,844</b>   | <b>428.5</b>      | <b>28,780,059</b>   |                    | <b>(60,785)</b>        |
|  |              |                     | <b>AUTHORIZED</b> | <b>APPROVED</b>     | <b>OVER</b>        |                        |
|  |              |                     | <b>FTE</b>        | <b>RATE</b>         | <b>(UNDER)</b>     |                        |
|  |              |                     | <b>445</b>        | <b>30,469,006</b>   | <b>(1,688,947)</b> |                        |

\*Includes 16.5 unfunded positions

| FY and month    | FTE   | Adjusted Rate,<br>including liabilities | Difference from<br>previous month | Notes                                |
|-----------------|-------|---|-----------------------------------|--------------------------------------|
| <b>FY 12-13</b> |       |   |                                   |                                      |
| 12-Jul          | 414.5 | 27,239,512                              |                                   |                                      |
| 12-Aug          |       | 27,266,649                              | 27,137                            |                                      |
| 12-Sep          |       | 27,277,295                              | 10,646                            |                                      |
| 12-Oct          |       | 27,275,518                              | -1,777                            |                                      |
| 12-Nov          |       | 27,267,714                              | -7,804                            |                                      |
| 12-Dec          |       | 27,269,245                              | 1,531                             |                                      |
| 13-Jan          |       | 27,292,476                              | 23,231                            |                                      |
| 13-Feb          |       | 27,241,546                              | -50,930                           |                                      |
| 13-Mar          |       | 27,200,749                              | -40,797                           |                                      |
| 13-Apr          |       | 27,176,463                              | -24,286                           |                                      |
| 13-May          |       | 27,161,297                              | -15,166                           |                                      |
| 13-Jun          |       | 27,222,986                              | 61,689                            | DCABC rate distribuion               |
| <b>FY 13-14</b> |       |   |                                   |                                      |
| 13-Jul          |       | 27,541,040                              | 318,054                           | judges' 2% returned                  |
| 13-Aug          |       | 27,519,229                              | -21,811                           |                                      |
| 13-Sep          |       | 27,477,093                              | -42,136                           |                                      |
| 13-Oct          |       | 27,900,366                              | 423,273                           | legislative pay raises               |
| 13-Nov          |       | 27,889,584                              | -10,782                           |                                      |
| 13-Dec          |       | 27,902,445                              | 12,861                            |                                      |
| 14-Jan          | 414.5 | 27,888,120                              | -14,325                           |                                      |
| 14-Feb          |       | 27,859,322                              | -28,798                           |                                      |
| 14-Mar          |       | 27,818,169                              | -41,153                           |                                      |
| 14-Apr          |       | 27,793,164                              | -25,005                           |                                      |
| 14-May          |       | 27,741,245                              | -51,919                           |                                      |
| 14-Jun          |       | 27,704,652                              | -36,593                           |                                      |
| <b>FY 14-15</b> |       |   |                                   |                                      |
| 14-Jul          | 428.5 | 28,840,844                              | 1,136,192                         | 12 new FTE funded plus 2 pulled from |
| 14-Aug          |       | 28,780,059                              | -60,785                           |                                      |
| 14-Sep          |       | 29,545,017                              | 764,958                           | salary issue implemented             |

| FY and month    | FTE   | Adjusted Rate,<br>including liabilities | Difference from<br>previous month | Notes  |
|-----------------|-------|---|-----------------------------------|--|
| <b>FY 12-13</b> |       |   |                                   |  |
| 12-Jul          | 414.5 | 27,239,512                              |                                   |  |
| 12-Aug          |       | 27,266,649                              | 27,137                            |  |
| 12-Sep          |       | 27,277,295                              | 10,646                            |  |
| 12-Oct          |       | 27,275,518                              | -1,777                            |  |
| 12-Nov          |       | 27,267,714                              | -7,804                            |  |
| 12-Dec          |       | 27,269,245                              | 1,531                             |  |
| 13-Jan          |       | 27,292,476                              | 23,231                            |  |
| 13-Feb          |       | 27,241,546                              | -50,930                           |  |
| 13-Mar          |       | 27,200,749                              | -40,797                           |  |
| 13-Apr          |       | 27,176,463                              | -24,286                           |  |
| 13-May          |       | 27,161,297                              | -15,166                           |  |
| 13-Jun          |       | 27,222,986                              | 61,689                            | DCABC rate distribuion   |
| <b>FY 13-14</b> |       |   |                                   |  |
| 13-Jul          |       | 27,541,040                              | 318,054                           | judges' 2% returned  |
| 13-Aug          |       | 27,519,229                              | -21,811                           |  |
| 13-Sep          |       | 27,477,093                              | -42,136                           |  |
| 13-Oct          |       | 27,900,366                              | 423,273                           | legislative pay raises   |
| 13-Nov          |       | 27,889,584                              | -10,782                           |  |
| 13-Dec          |       | 27,902,445                              | 12,861                            |  |
| 14-Jan          | 414.5 | 27,888,120                              | -14,325                           |  |
| 14-Feb          |       | 27,859,322                              | -28,798                           |  |
| 14-Mar          |       | 27,818,169                              | -41,153                           |  |
| 14-Apr          |       | 27,793,164                              | -25,005                           |  |
| 14-May          |       | 27,741,245                              | -51,919                           |  |
| 14-Jun          |       | 27,704,652                              | -36,593                           |  |
| <b>FY 14-15</b> |       |   |                                   |  |
| 14-Jul          | 428.5 | 28,840,844                              | 1,136,192                         | 12 new FTE funded plus 2 pulled from reserve for 4DCA security |
| 14-Aug          |       | 28,780,059                              | -60,785                           |  |
| 14-Sep          |       | 29,545,017                              | 764,958                           | salary issue implemented                                       |
| 14-Oct          |       | 29,563,623                              | 18,606                            | chief judge spending   |
| 14-Nov          |       | 29,510,250                              | -53,373                           |  |
| 14-Dec          |       | 29,513,874                              | 3,624                             |  |
| 15-Jan          |       | 29,504,226                              | -9,648                            |  |
| 15-Feb          |       | 29,577,779                              | 73,553                            | 53,096 rate distribution - effective date January              |
| 15-Mar          |       | 29,570,955                              | -6,824                            |  |
| 15-Apr          |       | 29,459,742                              | -111,213                          | March number has been adjusted on the April report ?????       |
| 15-May          |       | 29,427,981                              | -31,761                           |  |

## **VII. Staff Attorney Recommendations**

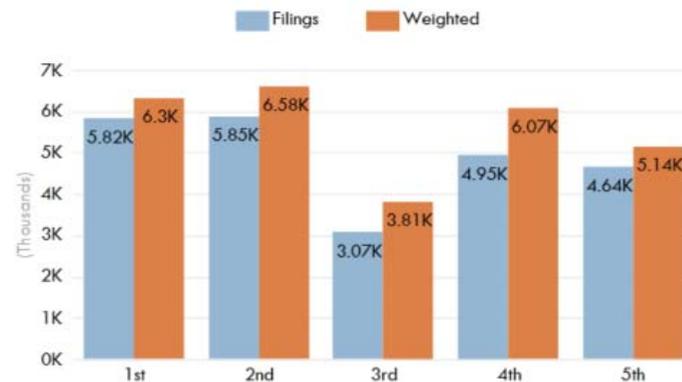


# Workload (no W/C) and Resource Summary by FY

2011-12   2012-13   2013-14   **2014-15**

| Fiscal Year | District     | Filings      | Weighted     |
|-------------|--------------|--------------|--------------|
| 2014-15     | 1st          | 5818         | 6303         |
|             | 2nd          | 5847         | 6585         |
|             | 3rd          | 3067         | 3812         |
|             | 4th          | 4946         | 6066         |
|             | 5th          | 4644         | 5144         |
|             | <b>Total</b> | <b>24322</b> | <b>27910</b> |
| 2013-14     | 1st          | 5841         | 6195         |
|             | 2nd          | 6259         | 6943         |
|             | 3rd          | 3172         | 3949         |
|             | 4th          | 4908         | 6059         |
|             | 5th          | 4587         | 5102         |
|             | <b>Total</b> | <b>24767</b> | <b>28248</b> |
| 2012-13     | 1st          | 5872         | 6092         |
|             | 2nd          | 6087         | 6557         |
|             | 3rd          | 3409         | 4166         |
|             | 4th          | 4638         | 5469         |
|             | 5th          | 4693         | 4939         |
|             | <b>Total</b> | <b>24699</b> | <b>27223</b> |
| 2011-12     | 1st          | 6386         | 6535         |
|             | 2nd          | 6839         | 7284         |
|             | 3rd          | 3393         | 3964         |
|             | 4th          | 4880         | 5646         |
|             | 5th          | 5068         | 5306         |
|             | <b>Total</b> | <b>26566</b> | <b>28735</b> |

Filings, and Weighted by District



% Filings, and %Weighted Filings by District



| Fiscal Year | District     | Attorneys  | Judges    |
|-------------|--------------|------------|-----------|
| 2013-14     | 1st          | 42         | 15        |
|             | 2nd          | 37         | 14        |
|             | 3rd          | 22         | 10        |
|             | 4th          | 33         | 11        |
|             | 5th          | 28         | 11        |
|             | <b>Total</b> | <b>162</b> | <b>61</b> |
| 2014-15     | 1st          | 40         | 15        |
|             | 2nd          | 43         | 16        |
|             | 3rd          | 22         | 10        |
|             | 4th          | 34         | 12        |
|             | 5th          | 31         | 11        |
|             | <b>Total</b> | <b>170</b> | <b>64</b> |

\*\*Attorney total does not include 5.0 FTE attorneys set aside for 1st DCA for Workers' Comp.

July 2014 2DCA added 4 attorneys with the 2 new judges; 5DCA added 2 attorneys with 1 new judge.

In September 2014 a DCABC workload reallocation of 2 attorneys from the 1DCA to the 2DCA and funded one new attorney for the 4DCA.



# Workload (no W/C) and Resource Summary by FY

2013-14

2014-15

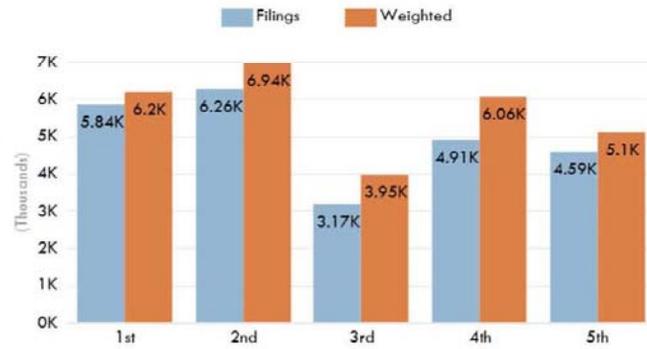
2011-12

2012-13

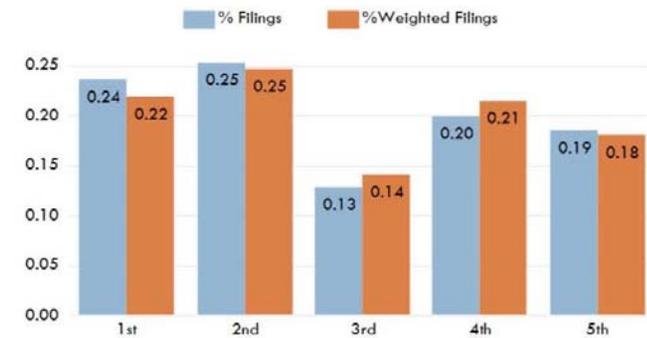
2013-14

2014-15

Filings, and Weighted by District



% Filings, and %Weighted Filings by District



Filings, and Weighted by District



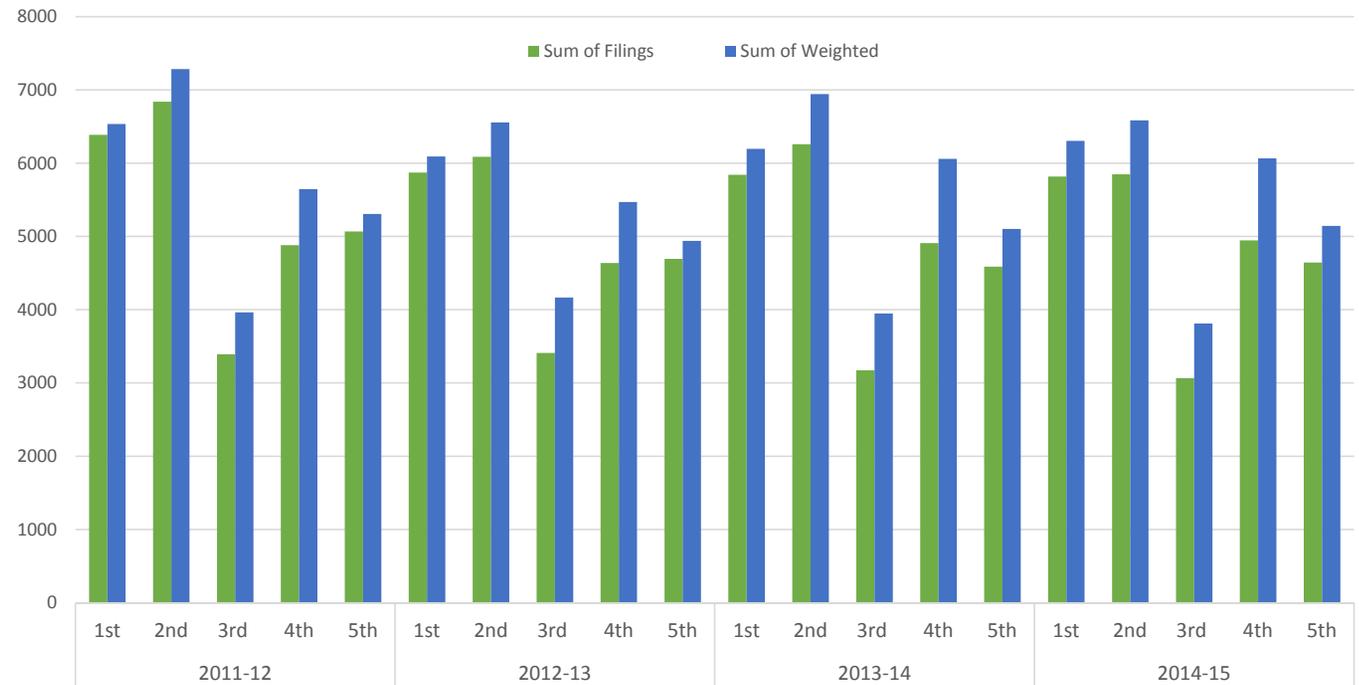
% Filings, and %Weighted Filings by District



| Fiscal Year | District | Sum of Filings | Sum of Weighted |
|-------------|----------|----------------|-----------------|
| 2011-12     | 1st      | 6386           | 6535            |
|             | 2nd      | 6839           | 7284            |
|             | 3rd      | 3393           | 3964            |
|             | 4th      | 4880           | 5646            |
|             | 5th      | 5068           | 5306            |
| 2012-13     | 1st      | 5872           | 6092            |
|             | 2nd      | 6087           | 6557            |
|             | 3rd      | 3409           | 4166            |
|             | 4th      | 4638           | 5469            |
|             | 5th      | 4693           | 4939            |
| 2013-14     | 1st      | 5841           | 6195            |
|             | 2nd      | 6259           | 6943            |
|             | 3rd      | 3172           | 3949            |
|             | 4th      | 4908           | 6059            |
|             | 5th      | 4587           | 5102            |
| 2014-15     | 1st      | 5818           | 6303            |
|             | 2nd      | 5847           | 6585            |
|             | 3rd      | 3067           | 3812            |
|             | 4th      | 4946           | 6066            |
|             | 5th      | 4644           | 5144            |

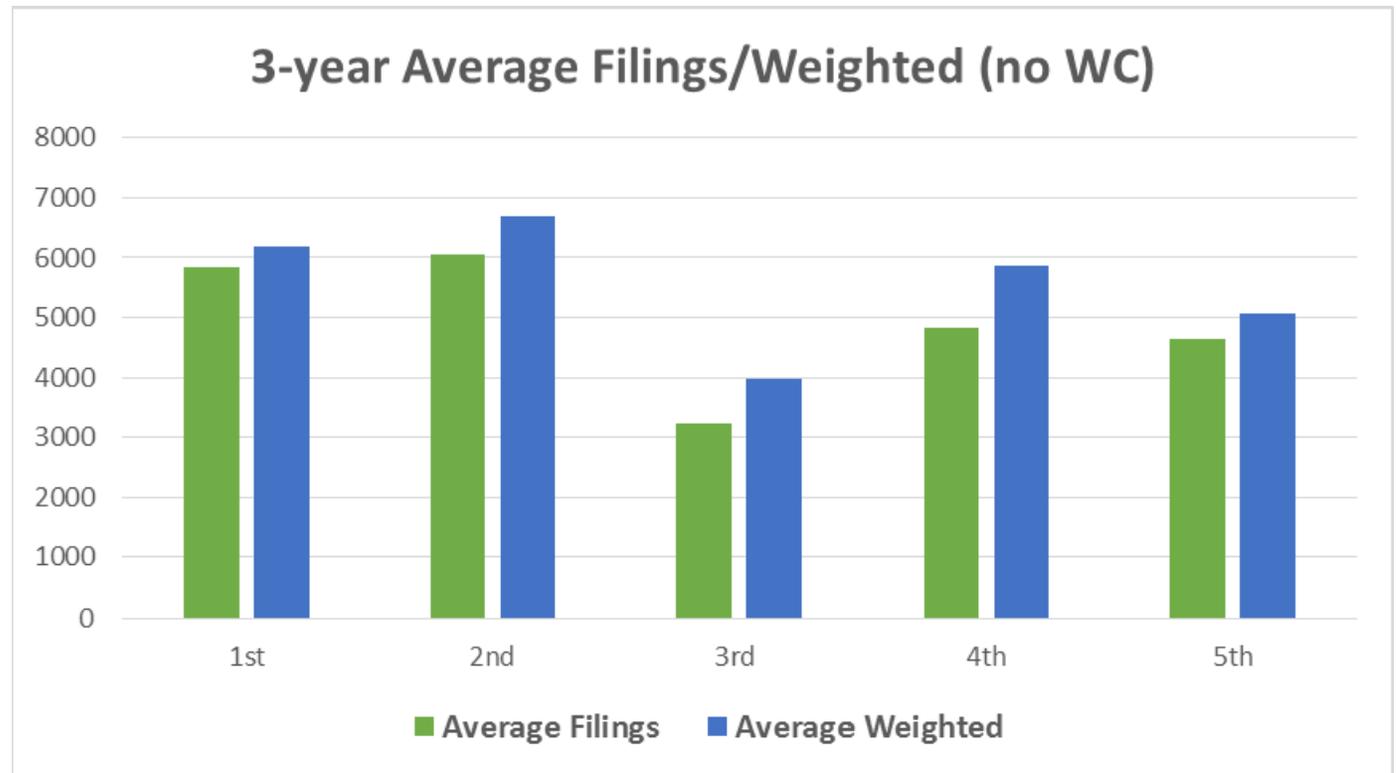
# Workload Trends

Filings and Weighted Filings by DCA and FY

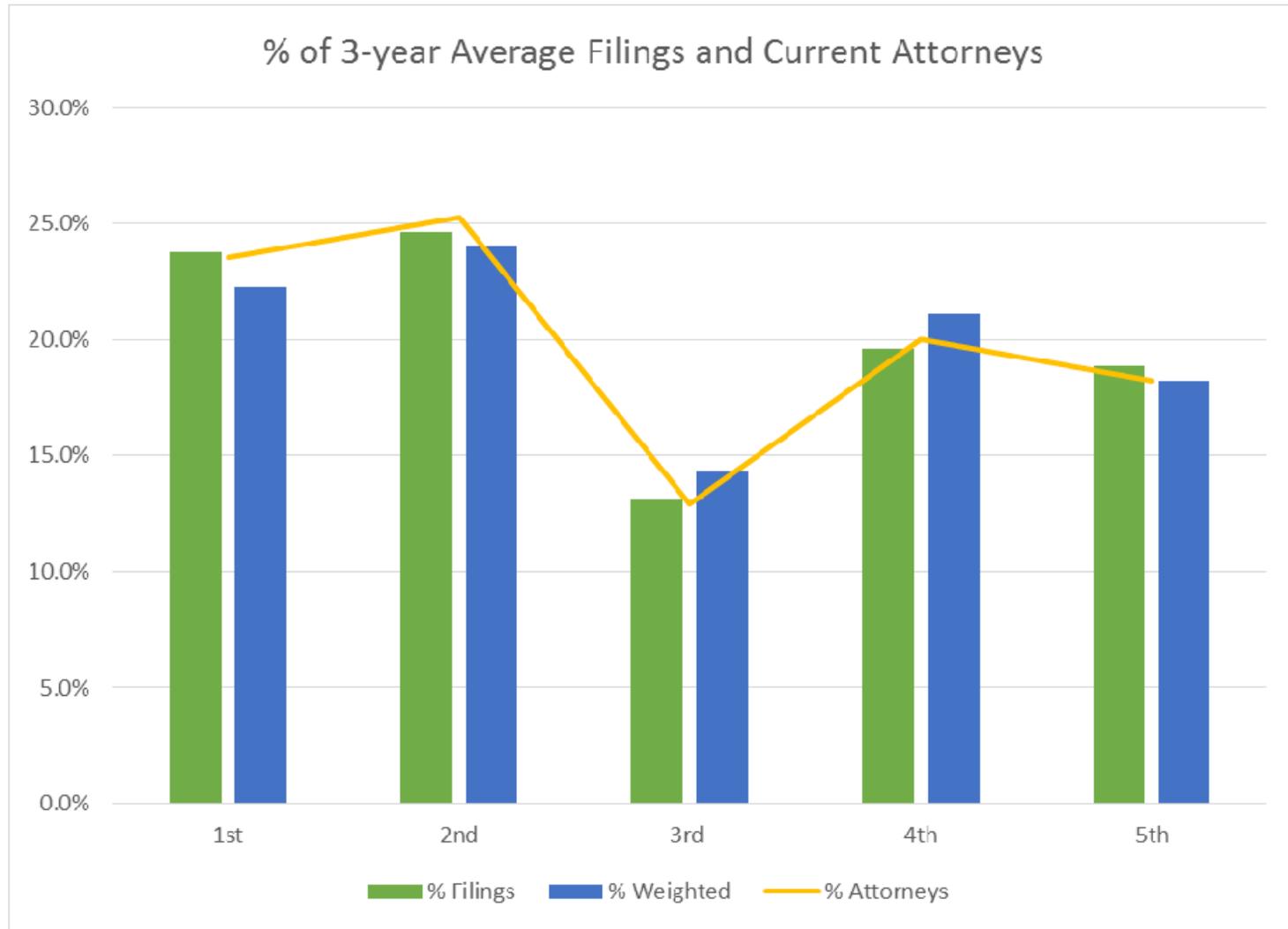


# 3-Year Average

| DCA | 3-Year Average Filings | 3-Year Average Weighted |
|-----|------------------------|-------------------------|
| 1st | 5844                   | 6197                    |
| 2nd | 6064                   | 6695                    |
| 3rd | 3216                   | 3976                    |
| 4th | 4831                   | 5865                    |
| 5th | 4641                   | 5062                    |



| District | 3-year Average Filings |            | Current Attorneys |
|----------|------------------------|------------|-------------------|
|          | % Filings              | % Weighted | % Attorneys       |
| 1st      | 23.8%                  | 22.3%      | 23.5%             |
| 2nd      | 24.7%                  | 24.1%      | 25.3%             |
| 3rd      | 13.1%                  | 14.3%      | 12.9%             |
| 4th      | 19.6%                  | 21.1%      | 20.0%             |
| 5th      | 18.9%                  | 18.2%      | 18.2%             |
| Total    | 100.00                 | 100.00     | 100.00            |



# Workload per Attorney

| FY 2014-15 (no W/C) |         |          |           |              |               |
|---------------------|---------|----------|-----------|--------------|---------------|
| DCA                 | Filings | Weighted | Attorneys | Filings/Atty | Weighted/Atty |
| 1st                 | 5818    | 6303     | 40*       | 145          | 158           |
| 2nd                 | 5847    | 6585     | 43        | 136          | 153           |
| 3rd                 | 3067    | 3812     | 22        | 139          | 173           |
| 4th                 | 4946    | 6066     | 34        | 145          | <b>178</b>    |
| 5th                 | 4644    | 5144     | 31        | <b>150</b>   | 166           |
| <b>Average</b>      |         |          |           | <b>143</b>   | <b>166</b>    |

\*Excludes the 5.0 attorneys in the 1<sup>st</sup> DCA's workers' comp unit.

**Distribute Attorneys by 3-year % Workload (no W/C)**

| DCA          | Current Atty FTE | Need Based on Filing | gain/(loss) (1) | Need Based on Weighted Filings | gain(loss) (2) |
|--------------|------------------|----------------------|-----------------|--------------------------------|----------------|
| 1st          | 40               | 40.39                | 0.39            | 37.90                          | -2.10          |
| 2nd          | 43               | 41.91                | -1.09           | 40.95                          | -2.05          |
| 3rd          | 22               | 22.23                | 0.23            | 24.32                          | 2.32           |
| 4th          | 34               | 33.39                | -0.61           | 35.87                          | 1.87           |
| 5th          | 31               | 32.08                | 1.08            | 30.96                          | -0.04          |
| <b>Total</b> | <b>170</b>       | <b>170</b>           | <b>0</b>        | <b>170</b>                     | <b>0</b>       |

**Combining the 4 Measures**

| DCA          | (1)         | (2)         | (3)         | (4)         | Average     |
|--------------|-------------|-------------|-------------|-------------|-------------|
| 1st          | 0.39        | -2.10       | 0.60        | -2.83       | -0.99       |
| 2nd          | -1.09       | -2.05       | -1.31       | -2.63       | -1.77       |
| 3rd          | 0.23        | 2.32        | -1.40       | 1.47        | 0.65        |
| 4th          | -0.61       | 1.87        | -0.04       | 3.38        | 1.15        |
| 5th          | 1.08        | -0.04       | 2.16        | 0.62        | 0.95        |
| <b>Total</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> |

**Distribute Judicial and Attorney Resources by % Workload (no W/C)**

| DCA          | Current Atty + Judge FTE | Need Based on Filing | gain/(loss) (3) | Need Based on Weighted | gain(loss) (4) |
|--------------|--------------------------|----------------------|-----------------|------------------------|----------------|
| 1st          | 55                       | 55.60                | 0.60            | 52.17                  | -2.83          |
| 2nd          | 59                       | 57.69                | -1.31           | 56.37                  | -2.63          |
| 3rd          | 32                       | 30.60                | -1.40           | 33.47                  | 1.47           |
| 4th          | 46                       | 45.96                | -0.04           | 49.38                  | 3.38           |
| 5th          | 42                       | 44.16                | 2.16            | 42.62                  | 0.62           |
| <b>Total</b> | <b>234</b>               | <b>234</b>           | <b>0</b>        | <b>234</b>             | <b>0</b>       |

District Courts of Appeal  
Workload Analysis Using Overall Average Relative Case Weights and FY 2011-12 Filings

|                               |   | FY 2012-13 Filings                               |                |                |                |                |                |                          |
|-------------------------------|---|--|----------------|----------------|----------------|----------------|----------------|--------------------------|
| Delphi Case Type              |   | Overall<br>Average<br>Relative<br>Case<br>Weight | First          | Second         | Third          | Fourth         | Fifth          | <b>Total<br/>Filings</b> |
| 1.                            | Petitions - Certiorari (Includes Certiorari and Review Non-Final Agency Action)   | 148  | 309            | 287            | 172            | 242            | 174            | <b>1,184</b>             |
| 2.                            | Petitions - Habeas Corpus   | 84   | 142            | 210            | 196            | 141            | 108            | <b>797</b>               |
| 3.                            | Petitions - Mandamus and Belated Appeal   | 63   | 770            | 543            | 154            | 456            | 444            | <b>2,367</b>             |
| 4.                            | Petitions - Ineffective Assistance of Appellate Counsel   | 95   | 152            | 182            | 11             | 89             | 132            | <b>566</b>               |
| 5.                            | Petitions - Prohibition   | 100  | 121            | 142            | 97             | 106            | 104            | <b>570</b>               |
| 6.                            | Petitions - All Other (Includes Coram Nobis, Quo Warranto, Review Orders Excluding the Press or Public, and Other Original Proceedings) | 84   | 8              | 24             | 7              | 8              | 4              | <b>51</b>                |
| 7.                            | NOA - Administrative (Unemployment Compensation Only)   | 67   | 644            | 13             | 48             | 48             | 15             | <b>768</b>               |
| 8.                            | NOA - Administrative (Other)  | 123  | 472            | 79             | 93             | 94             | 88             | <b>826</b>               |
| 9.                            | NOA - Civil Final (Includes Civil, Family, and Probate/Guardianship)  | 171  | 860            | 1,013          | 920            | 1,184          | 684            | <b>4,661</b>             |
| 10.                           | NOA - Civil Nonfinal (Includes Civil, Family, and Probate/Guardianship)   | 143  | 100            | 268            | 166            | 324            | 227            | <b>1,085</b>             |
| 11.                           | NOA - Criminal Summary Post Conviction (Includes 3.800 and 3.801)   | 82   | 413            | 776            | 323            | 311            | 363            | <b>2,186</b>             |
| 12.                           | NOA - Criminal Summary Postconviction (Includes 3.850 and 3.853)  | 94   | 622            | 872            | 453            | 617            | 620            | <b>3,184</b>             |
| 13.                           | NOA - Criminal Nonsummary Postconviction (Includes 3.850 and 3.853)   | 108  | 150            | 163            | 34             | 87             | 114            | <b>548</b>               |
| 14.                           | NOA - Criminal State Appeals  | 103  | 18             | 96             | 32             | 71             | 64             | <b>281</b>               |
| 15.                           | NOA - Criminal Habeas Corpus and Other Criminal   | 84   | 204            | 70             | 169            | 106            | 191            | <b>740</b>               |
| 16.                           | NOA - Juvenile Dependency (Includes Dependency and TPR)   | 129  | 96             | 158            | 56             | 77             | 124            | <b>511</b>               |
| 17.                           | NOA - Workers' Compensation   | 117  | 307            | 0              | 0              | 0              | 0              | <b>307</b>               |
| 18.                           | NOA - Criminal Anders (Trial)   | 86   | 192            | 227            | 89             | 90             | 252            | <b>850</b>               |
| 19.                           | NOA - Criminal Anders (Plea)  | 47   | 192            | 227            | 89             | 90             | 252            | <b>850</b>               |
| 20.                           | NOA - Judgment and Sentence (Includes Delinquency, Other Juvenile and Judgment and Sentence)  | 100  | 921            | 1,489          | 284            | 739            | 1,108          | <b>4,541</b>             |
| <b>Total Filings</b>          |   |  | <b>6,693</b>   | <b>6,839</b>   | <b>3,393</b>   | <b>4,880</b>   | <b>5,068</b>   | <b>26,873</b>            |
| <b>Total Weighted Filings</b> |   |  | <b>689,409</b> | <b>728,411</b> | <b>396,361</b> | <b>564,605</b> | <b>530,632</b> | <b>2,909,418</b>         |

Note: FY 2012-13 filings include 13 nonsummary 3.800 criminal postconviction cases. A delphi case type was not created to account for these filings. In this analysis, the 13 filings are included in the NOA - Criminal Summary Postconviction (includes 3.800 and 3.801) delphi case type.

|                           |                |
|---------------------------|----------------|
| 1st DCA w/o Workers' Comp | <b>6,386</b>   |
|                           | <b>653,490</b> |

District Courts of Appeal  
Workload Analysis Using Overall Average Relative Case Weights and FY 2012-13 Filings

|  |                                      | FY 2012-13 Filings |                |                |                |                |                  |  |
|--|--------------------------------------|--------------------|----------------|----------------|----------------|----------------|------------------|--|
| Delphi Case Type   | Overall Average Relative Case Weight | First              | Second         | Third          | Fourth         | Fifth          | Total Filings    |  |
| 1. Petitions - Certiorari (Includes Certiorari and Review Non-Final Agency Action)   | 148                                  | 338                | 244            | 204            | 250            | 168            | <b>1,204</b>     |  |
| 2. Petitions - Habeas Corpus   | 84                                   | 154                | 162            | 162            | 161            | 140            | <b>779</b>       |  |
| 3. Petitions - Mandamus and Belated Appeal   | 63                                   | 847                | 526            | 137            | 388            | 488            | <b>2,386</b>     |  |
| 4. Petitions - Ineffective Assistance of Appellate Counsel   | 95                                   | 126                | 138            | 11             | 98             | 139            | <b>512</b>       |  |
| 5. Petitions - Prohibition   | 100                                  | 121                | 142            | 90             | 125            | 114            | <b>592</b>       |  |
| 6. Petitions - All Other (Includes Coram Nobis, Quo Warranto, Review Orders Excluding the Press or Public, and Other Original Proceedings) | 84                                   | 22                 | 18             | 10             | 10             | 3              | <b>63</b>        |  |
| 7. NOA - Administrative (Unemployment Compensation Only)   | 67                                   | 453                | 21             | 39             | 30             | 29             | <b>572</b>       |  |
| 8. NOA - Administrative (Other)  | 123                                  | 236                | 60             | 55             | 67             | 44             | <b>462</b>       |  |
| 9. NOA - Civil Final (Includes Civil, Family, and Probate/Guardianship)  | 171                                  | 926                | 1,049          | 1,114          | 1,220          | 784            | <b>5,093</b>     |  |
| 10. NOA - Civil Nonfinal (Includes Civil, Family, and Probate/Guardianship)  | 143                                  | 104                | 282            | 206            | 358            | 207            | <b>1,157</b>     |  |
| 11. NOA - Criminal Summary Post Conviction (Includes 3.800 and 3.801)  | 82                                   | 379                | 615            | 304            | 279            | 370            | <b>1,947</b>     |  |
| 12. NOA - Criminal Summary Postconviction (Includes 3.850 and 3.853)   | 94                                   | 602                | 735            | 378            | 468            | 583            | <b>2,766</b>     |  |
| 13. NOA - Criminal Nonsummary Postconviction (Includes 3.850 and 3.853)  | 108                                  | 122                | 213            | 37             | 78             | 107            | <b>557</b>       |  |
| 14. NOA - Criminal State Appeals   | 103                                  | 41                 | 56             | 16             | 41             | 52             | <b>206</b>       |  |
| 15. NOA - Criminal Habeas Corpus and Other Criminal  | 84                                   | 171                | 69             | 175            | 107            | 158            | <b>680</b>       |  |
| 16. NOA - Juvenile Dependency (Includes Dependency and TPR)  | 129                                  | 136                | 136            | 40             | 59             | 123            | <b>494</b>       |  |
| 17. NOA - Workers' Compensation  | 117                                  | 232                | 0              | 0              | 0              | 0              | <b>232</b>       |  |
| 18. NOA - Criminal Anders (Trial)  | 86                                   | 180                | 271            | 77             | 101            | 283            | <b>912</b>       |  |
| 19. NOA - Criminal Anders (Plea)   | 47                                   | 180                | 271            | 77             | 101            | 283            | <b>912</b>       |  |
| 20. NOA - Judgment and Sentence (Includes Delinquency, Other Juvenile and Judgment and Sentence)   | 100                                  | 734                | 1,079          | 277            | 697            | 618            | <b>3,405</b>     |  |
| <b>Total Filings</b>   |                                      | <b>6,104</b>       | <b>6,087</b>   | <b>3,409</b>   | <b>4,638</b>   | <b>4,693</b>   | <b>24,931</b>    |  |
| <b>Total Weighted Filings</b>  |                                      | <b>636,293</b>     | <b>655,747</b> | <b>416,551</b> | <b>546,932</b> | <b>493,877</b> | <b>2,749,400</b> |  |

Note: FY 2012-13 filings include 13 nonsummary 3.800 criminal postconviction cases. A delphi case type was not created to account for these filings. In this analysis, the 13 filings are included in the NOA - Criminal Summary Postconviction (includes 3.800 and 3.801) delphi case type.

1st DCA w/o Workers' Comp 5,872  
609,149

District Courts of Appeal  
Workload Analysis Using Overall Average Relative Case Weights and FY 2013-14 Filings

|  |                                      | FY 2013-14 Filings |                |                |                |                |                  |  |
|--|--------------------------------------|--------------------|----------------|----------------|----------------|----------------|------------------|--|
| Delphi Case Type   | Overall Average Relative Case Weight | First              | Second         | Third          | Fourth         | Fifth          | Total Filings    |  |
| 1. Petitions - Certiorari (Includes Certiorari and Review Non-Final Agency Action)   | 148                                  | 329                | 247            | 180            | 235            | 176            | <b>1,167</b>     |  |
| 2. Petitions - Habeas Corpus   | 84                                   | 151                | 201            | 166            | 139            | 157            | <b>814</b>       |  |
| 3. Petitions - Mandamus and Belated Appeal   | 63                                   | 855                | 531            | 121            | 418            | 425            | <b>2,350</b>     |  |
| 4. Petitions - Ineffective Assistance of Appellate Counsel   | 95                                   | 149                | 143            | 15             | 77             | 135            | <b>519</b>       |  |
| 5. Petitions - Prohibition   | 100                                  | 125                | 159            | 87             | 138            | 97             | <b>606</b>       |  |
| 6. Petitions - All Other (Includes Coram Nobis, Quo Warranto, Review Orders Excluding the Press or Public, and Other Original Proceedings) | 84                                   | 24                 | 19             | 8              | 5              | 2              | <b>58</b>        |  |
| 7. NOA - Administrative (Unemployment Compensation Only)   | 67                                   | 203                | 25             | 28             | 11             | 10             | <b>277</b>       |  |
| 8. NOA - Administrative (Other)  | 123                                  | 301                | 53             | 57             | 100            | 35             | <b>546</b>       |  |
| 9. NOA - Civil Final (Includes Civil, Family, and Probate/Guardianship)  | 171                                  | 959                | 1,239          | 1,089          | 1,607          | 983            | <b>5,877</b>     |  |
| 10. NOA - Civil Nonfinal (Includes Civil, Family, and Probate/Guardianship)  | 143                                  | 113                | 301            | 215            | 370            | 251            | <b>1,250</b>     |  |
| 11. NOA - Criminal Summary Post Conviction (Includes 3.800 and 3.801)  | 82                                   | 365                | 576            | 251            | 268            | 332            | <b>1,792</b>     |  |
| 12. NOA - Criminal Summary Postconviction (Includes 3.850 and 3.853)   | 94                                   | 563                | 696            | 301            | 436            | 528            | <b>2,524</b>     |  |
| 13. NOA - Criminal Nonsummary Postconviction (Includes 3.850 and 3.853)  | 108                                  | 125                | 254            | 33             | 93             | 122            | <b>627</b>       |  |
| 14. NOA - Criminal State Appeals   | 103                                  | 26                 | 61             | 21             | 52             | 50             | <b>210</b>       |  |
| 15. NOA - Criminal Habeas Corpus and Other Criminal  | 84                                   | 235                | 48             | 187            | 132            | 155            | <b>757</b>       |  |
| 16. NOA - Juvenile Dependency (Includes Dependency and TPR)  | 129                                  | 143                | 157            | 63             | 61             | 102            | <b>526</b>       |  |
| 17. NOA - Workers' Compensation  | 117                                  | 232                | 0              | 0              | 0              | 0              | <b>232</b>       |  |
| 18. NOA - Criminal Anders (Trial)  | 86                                   | 148                | 184            | 50             | 46             | 172            | <b>600</b>       |  |
| 19. NOA - Criminal Anders (Plea)   | 47                                   | 148                | 184            | 50             | 46             | 172            | <b>600</b>       |  |
| 20. NOA - Judgment and Sentence (Includes Delinquency, Other Juvenile and Judgment and Sentence)   | 100                                  | 879                | 1,181          | 250            | 674            | 683            | <b>3,667</b>     |  |
| <b>Total Filings</b>   |                                      | <b>6,073</b>       | <b>6,259</b>   | <b>3,172</b>   | <b>4,908</b>   | <b>4,587</b>   | <b>24,999</b>    |  |
| <b>Total Weighted Filings</b>  |                                      | <b>646,629</b>     | <b>694,308</b> | <b>394,943</b> | <b>605,904</b> | <b>510,201</b> | <b>2,851,985</b> |  |

Note: FY 2012-13 filings include 13 nonsummary 3.800 criminal postconviction cases. A delphi case type was not created to account for these filings. In this analysis, the 13 filings are included in the NOA - Criminal Summary Postconviction (includes 3.800 and 3.801) delphi case type.

|                           |                |
|---------------------------|----------------|
| 1st DCA w/o Workers' Comp | <b>5,841</b>   |
|                           | <b>619,485</b> |

District Courts of Appeal  
Workload Analysis Using Overall Average Relative Case Weights and FY 2014-15 Filings

|  |                                      | FY 2014-15 Filings |                |                |                |                |                  |  |
|--|--------------------------------------|--------------------|----------------|----------------|----------------|----------------|------------------|--|
| Delphi Case Type   | Overall Average Relative Case Weight | First              | Second         | Third          | Fourth         | Fifth          | Total Filings    |  |
| 1. Petitions - Certiorari (Includes Certiorari and Review Non-Final Agency Action)   | 148                                  | 388                | 258            | 169            | 269            | 179            | <b>1,263</b>     |  |
| 2. Petitions - Habeas Corpus   | 84                                   | 168                | 173            | 202            | 168            | 112            | <b>823</b>       |  |
| 3. Petitions - Mandamus and Belated Appeal   | 63                                   | 783                | 484            | 135            | 418            | 422            | <b>2,242</b>     |  |
| 4. Petitions - Ineffective Assistance of Appellate Counsel   | 95                                   | 159                | 146            | 14             | 87             | 157            | <b>563</b>       |  |
| 5. Petitions - Prohibition   | 100                                  | 142                | 131            | 98             | 129            | 111            | <b>611</b>       |  |
| 6. Petitions - All Other (Includes Coram Nobis, Quo Warranto, Review Orders Excluding the Press or Public, and Other Original Proceedings) | 84                                   | 13                 | 21             | 6              | 6              | 2              | <b>48</b>        |  |
| 7. NOA - Administrative (Unemployment Compensation Only)   | 67                                   | 163                | 21             | 23             | 22             | 8              | <b>237</b>       |  |
| 8. NOA - Administrative (Other)  | 123                                  | 462                | 93             | 48             | 100            | 79             | <b>782</b>       |  |
| 9. NOA - Civil Final (Includes Civil, Family, and Probate/Guardianship)  | 171                                  | 1,034              | 1,271          | 1,063          | 1,517          | 970            | <b>5,855</b>     |  |
| 10. NOA - Civil Nonfinal (Includes Civil, Family, and Probate/Guardianship)  | 143                                  | 121                | 264            | 193            | 414            | 240            | <b>1,232</b>     |  |
| 11. NOA - Criminal Summary Post Conviction (Includes 3.800 and 3.801)  | 82                                   | 336                | 510            | 241            | 287            | 358            | <b>1,732</b>     |  |
| 12. NOA - Criminal Summary Postconviction (Includes 3.850 and 3.853)   | 94                                   | 462                | 707            | 288            | 380            | 598            | <b>2,435</b>     |  |
| 13. NOA - Criminal Nonsummary Postconviction (Includes 3.850 and 3.853)  | 108                                  | 132                | 177            | 34             | 62             | 97             | <b>502</b>       |  |
| 14. NOA - Criminal State Appeals   | 103                                  | 19                 | 36             | 23             | 47             | 61             | <b>186</b>       |  |
| 15. NOA - Criminal Habeas Corpus and Other Criminal  | 84                                   | 189                | 47             | 180            | 105            | 142            | <b>663</b>       |  |
| 16. NOA - Juvenile Dependency (Includes Dependency and TPR)  | 129                                  | 107                | 165            | 68             | 110            | 101            | <b>551</b>       |  |
| 17. NOA - Workers' Compensation  | 117                                  | 231                | 0              | 0              | 0              | 0              | <b>231</b>       |  |
| 18. NOA - Criminal Anders (Trial)  | 86                                   | 205                | 180            | 41             | 60             | 189            | <b>675</b>       |  |
| 19. NOA - Criminal Anders (Plea)   | 47                                   | 205                | 180            | 41             | 60             | 189            | <b>675</b>       |  |
| 20. NOA - Judgment and Sentence (Includes Delinquency, Other Juvenile and Judgment and Sentence)   | 100                                  | 730                | 983            | 200            | 705            | 629            | <b>3,247</b>     |  |
| <b>Total Filings</b>   |                                      | <b>6,049</b>       | <b>5,847</b>   | <b>3,067</b>   | <b>4,946</b>   | <b>4,644</b>   | <b>24,553</b>    |  |
| <b>Total Weighted Filings</b>  |                                      | <b>657,290</b>     | <b>658,456</b> | <b>381,156</b> | <b>606,591</b> | <b>514,433</b> | <b>2,817,926</b> |  |

1st DCA w/o Workers' Comp 5,818  
630,263

## **VIII. Other Business and Adjournment**