

AGENDA

12:00pm Meeting Convenes

Item I. Opening Remarks and Introductions

The Honorable Paul Alessandroni, Chair

- A. Welcome new and returning members
- B. Brief history of CSWC

Item II. Housekeeping

- A. Minutes of 04/10/2014 meeting
- B. Committee Charges (AOSC14-40)
- C. Committee Protocols and Procedures

Item III. Judicial Workload Study

- A. Project Summary and Review

Item IV. Issues of Interest

- A. Plan to incorporate Case-Event Definitional Framework (AOSC14-20) into SRS Reporting
- B. Uniform Data Reporting – Court Interpreter Hourly Report
- C. FY2013-15 Foreclosure Initiative
- D. Performance Measures Required by Fla. R. Jud. Admin. 2.225(a)(2)

Item V. Next Meeting

- A. In-person meeting in January or early February 2015

01:30pm Meeting Adjourns

Call in is available for interested parties:

Dial-in Number: 888-670-3525

Pass Code: 7566632234

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**COMMISSION ON TRIAL COURT
PERFORMANCE & ACCOUNTABILITY**
Court Statistics and Workload Committee

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Item I. Opening Remarks and Introductions

I.A. Opening Remarks

The Honorable Paul Alessandroni, Chair

I.B. New Members

The Court Statistics and Workload Committee has twelve continuing members and three new members for the FY2014-16 term.

The Honorable Scott Stephens

Circuit Judge, Thirteenth Judicial Circuit

The Honorable William F. Stone

Circuit Judge, First Judicial Circuit

The Honorable Paula S. O'Neil, Ph.D.

Clerk of Circuit Court & County Comptroller, Pasco County

I.C. Brief History of Court Statistics and Workload Committee

The Court Statistics and Workload Committee (CSWC) was originally established by the Florida Supreme Court in 1984 and was reconstituted regularly through June of 2002. The charges of the committee included monitoring the Summary Reporting System and pending case reporting, reviewing judicial certification data, assessing the needs for trial court activity data, judicial workload information, other data collection needs, and conducting other research or studies requested by the Chief Justice. In 1999-2000, several CSWC members served on the forty member Delphi Executive Committee overseeing the original Delphi Judicial Case Weight Study while others participated in the focus groups or time study. In 2002, a commission/committee reorganization strategy was adopted by the supreme court and the CSWC was not continued.

In late 2004, the Judicial Resource Study (JRS) Workgroup was established to conduct an evaluation of the case weights central to the judicial certification process and to review the concept of the Delphi case weighted workload model. Due to their prior experience with the 1999 study, several previous CSWC members agreed to serve for this study also. Work on the 2004 JRS project demonstrated a clear need for a dedicated body of judicial officers and managers to oversee and manage the data collection efforts of the trial courts. In its final report, the JRS Workgroup made a recommendation to reconstitute the Court Statistics and Workload Committee to fill this need.

In June 2007, the Commission on Trial Court Performance and Accountability approved the (JRS) workgroup recommendations and on August 29, 2007, the supreme court followed suit. The Court Statistics and Workload Committee was created with Supreme Court Administrative

Order AOSC08-32. IN RE: COMMISSION ON TRIAL COURT PERFORMANCE AND ACCOUNTABILITY. The committee was comprised of most of the original members of the JRS Workgroup as a logical consequence of their work on that project with Judge Ellen Masters of the Tenth Judicial Circuit as chair and Mike Bridenback, Trial Court Administrator of the Thirteenth Judicial Circuit, as vice-chair.

The CSWC's first term was marked with several significant challenges. Not the least of which was a tight budget climate that prevented the committee from meeting face-to-face. Despite this hindrance the committee conducted its business via emails and telephone conferences. The CSWC made several significant contributions to trial court data collection including several refinements to the Weighted Workload Model, oversight of the implementation of data requirements mandated by the Supreme Court Order on Complex Litigation and the development of the Case Management Framework document, which serves as a precursor to the current Trial Court Integrated Management Solution project (TIMS).

In July 2010, the CSWC kicked off its second full term. This term was largely dominated by the Trial Court Integrated Management Solution (TIMS) project. The project's primary purpose is to identify information that is necessary to efficiently and effectively move a case through the judicial system, define meaningful caseload measures and adopt a common, consistent set of elements and definitions designed to improve case processing for judges. Also, the CSWC participated in several workgroups to develop a data management framework that would enable the court to collect and use the information identified. During this term, the CSWC worked on other projects including the development of the data collection model for the proposed "Resolving Civil Disputes" project and the development of uniform definitions and standards for reopen and reopen closure events. The latter project included enhanced definitions for case closure, which provide clear guidelines for interpreting the status of open cases.

The FY2012-14 term for the CSWC welcomed a new chair: Judge Paul Alessandrone from Charlotte County. During this term, the committee completed several large projects. The final report from the TIMS project, which was carried over from the FY2010-12 term, was submitted to the supreme court. Specifically, the CSWC established uniform data definitions, guidelines and standards for data collection and reporting including the identification of a Trial Court Data Model for the capture of trial court case activity data. The final TIMS report was accepted by the supreme court in March 2013, and the Trial Court Data Model is being integrated into existing and future court data collection systems. The committee also recommended several enhancements to trial court case activity data collection efforts. These recommendations include: 1) a Case-Event Definitional Framework that establishes meaningful definitions for essential case events such as case filing, disposition, reopen in foreclosure cases. This framework is necessary to implement case reporting under the Trial Court Data Model and resolves many existing reporting issues within the Summary Reporting System. This definitional framework was adopted by the supreme court in March of 2014; 2) a methodology for the calculation of case age statistics and the collection of related case detail data as required by Fla. R. Jud. Admin. 2.225(a)(2) and 2.250(b); 3) a methodological review of the Weighted Workload Model to include revised event proportions for all case types and an adjustment modifier for

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county criminal and misdemeanor traffic; and 4) enhancements to parental notice of abortion reporting as an element of the Summary Reporting System under section 25.075, F.S. and Fla. R. Jud. Admin. 2.245(a).

Item II. Committee Housekeeping

II.A. Minutes of 04/10/2014 Meeting

**Minutes
Court Statistics & Workload Committee Meeting
April 10, 2014
Phone Conference**

The Honorable Paul Alessandroni, Chair

12:00 pm Meeting convened

Nine of the sixteen members were in attendance:

The Honorable Paul Alessandroni, The Honorable G. Keith Cary, The Honorable David H. Foxman, The Honorable Shelley J. Kravitz, Mr. Fred Buhl, Ms. Kathleen R. Pugh, The Honorable Sharon Robertson, Mr. Philip G. Schlissel, & Mr. David Trammell

Members absent:

The Honorable Ilona M. Holmes, The Honorable Ellen S. Masters, The Honorable J. Preston Silvernail (retired), The Honorable Barbara T. Scott (resigned), Ms. Diane Kirigin, Ms. Holly Elomina, & Mr. Grant Slayden

OSCA Staff in attendance:

Greg Youchock, P.J. Stockdale, Shelley Kaus, & Kimberly Curry

Other parties in attendance:

The Honorable Paula S. O'Neil

Item I. Welcome

- A. The chair thanked the members for serving the current term, and expressed his appreciation to The Honorable Paula O'Neil, Clerk of Circuit Court from Pasco County, for agreeing to serve in the upcoming FY2014-16 term.

Item II. Committee Housekeeping

A. Minutes from 1/31/2014 Meeting

1. Members voted (unanimously) to approve the minutes from the 1/31/2014 in-person meeting held in Tampa, FL.

Item III. End of Term Summary

- A. Recap of CSWC accomplishments
Staff reviewed the key projects the committee worked on over the two-year term and updated members on the outcome or current status of each project.
 - 1. Trial Court Integrated Management Solutions (TIMS) Project
 - 2. Judicial Case Weight Model Review
 - 3. Case Event Definitional Framework
 - 4. Performance Measures Required by Fla. R. Jud. Admin. 2.225(a)(2)
 - 5. Parental Notice of Abortion Form

- B. Draft of CSWC End of Term Summary
 - 1. Members voted (unanimously) to approve the two-paragraph summary provided in the meeting materials and to submit the summary to the TCP&A for inclusion in the commission's end of term report.

Item IV. Outstanding Issues

- A. Uniform Data Reporting - Court Interpreter Hourly Reporting
 - 1. Staff informed members that a data collection form has been created and is being evaluated to determine the programming and database resources necessary for implementation. Associated instructions are also under development.
 - 2. Staff advised that this project will be carried over into the next term.

Item V. Possible Issues for FY 2014-16 Term

Staff gave an overview of variety of projects that are likely to be of interest to the CSWC in the upcoming term, including:

- A. Judicial Weighted Workload Model Review
- B. Judicial Data Management Services (JDMS)
- C. Performance Measures Required by Fla. R. Jud. Admin. 2.225(a)(2)
- D. Incorporation of Case-Event Definitional Framework into case activity data management systems

12:42 pm Meeting Adjourned

Decision Needed:

- 1. Adopt the meeting minutes from 04/10/2014.

II.B. Committee Charges (AOSC14-40)

Charge One of Supreme Court Administrative Order, AOSC14-40, IN RE: COMMISSION ON TRIAL COURT PERFORMANCE AND ACCOUNTABILITY, (Enclosure One) directs the Commission on Trial Court Performance and Accountability (TCP&A) to

“1. Develop recommendations on a performance management framework for the trial courts with an emphasis on articulating long-term objectives for better quantifying performance to identify potential problems and take corrective action in the effective use of court resources. ... Collaborate with the Judicial Management Council’s Performance Workgroup on the prioritization of performance data needs to enhance the court system’s ability to better evaluate branch outputs and outcomes.”

Charges Three and Four of AOSC14-40 directs TCP&A through the Court Statistics and Workload Committee (CSWC) to

“3. ... continue to provide guidance and direction on data management issues as necessary to maintain integrity of data collection and reporting through appropriate Uniform Case Reporting systems, the Summary Reporting System, the Uniform Data Reporting System, and other data collection efforts relevant to court management. This includes associated analytical products such as the Weighted Caseload Model, case age and other case inventory statistics, and work related to the Judicial Data Management Services component of the Integrated Trial Court Adjudication Systems project.

4. ... manage and oversee all efforts to update the weights in the Judicial Workload Model.”

Discussion:

Charge One:

While charge one is not specific to the CSWC, any performance management framework must include a significant data and analytical component, which will involve the committee at some point. Enclosure Two outlines the proposed High Performance Court Framework under consideration by the TCP&A. Of the six key elements that make up this framework, four involve the collection and analysis of data to support the court improvement process. Elements four, five and six bring the concepts of “continual process improvement” to the court setting and are predicated on the implementation of efficient and effective data collection and analysis. The first TCP&A workgroup will be meeting on this performance framework in February 2015.

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CSWC staff will be working with TCP&A staff as appropriate to keep the committee informed of progress in this area.

Charge Three:

Charge three directs the CSWC to continue its work on guiding and refining the various data collection and reporting systems currently in use. It includes data collection in support of Uniform Case Reporting (ch. 25.075, F.S.) and other trial court management data collection. This charge recognizes the need for oversight of and guidance for existing trial court data collection efforts. The inclusion of the Judicial Data Management Services language recognizes the importance and need for guidance in the development of standardized data reporting to the state level in general. Charge three also provides for committee input on new data efforts that may be required within the trial courts and specifically cites the analytical uses of that data. This ties charge three to both charge one and charge four.

Charge Four:

Charge four represents a natural extension of charge three and the work that brought the CSWC together back in 2008. Case weights are one of the five components of the Weighted Caseload Model. Some members of this committee will remember that the revision of case weights is a challenging task. However, this committee is not solely responsible for the management of this project. As will be discussed in Item III, the case weight revision plan as advanced by the National Center for State Courts calls for a forty-member board of judges to oversee the details of the project.

Decision Needed:

1. None. For information only.

II.C. Committee Protocol and Procedures

The protocol for Supreme Court Committees was first published in 2008 to consolidate a number of pre-existing standards and requirements. The committee protocols (Enclosure Three) provide, in one convenient place, a reference tool to supreme court committee members and Office of the State Courts Administrator (OSCA) staff for conducting orderly, effective, efficient meetings. All members are invited to review them at their leisure.

In addition to the standard operating procedures, the CSWC has evolved additional operational strategies to assist the committee in the performance of their specific duties. Traditionally, the CSWC has been confronted with two types of tasks and has evolved three strategies for dealing with them.

1. Long-term oversight or development tasks intended to refine or expand trial court data collection activities.

Discussion: These tasks are not time sensitive in nature and may take considerable time to bring to fruition requiring work over several meetings. Projects of these types are more conducive to the traditional committee process of quarterly or biannual meetings (although they may have some short term, time sensitive subparts). Examples of these projects would include modifications to the Weighted Workload Model, modifications to SRS, or the Senior Judge Data collection project.

Strategy: As these projects lend themselves to a more considered approach, resolution of these tasks generally occur within the context of regular committee meetings. Staff prepares an agenda item containing proposed actions, decisions needed and supporting information which is presented to members as part of a meeting package. Decisions are made, changes incorporated and other actions directed by the committee. Follow up is then provided at the next scheduled committee meeting.

2. Short-term, time sensitive tasks intended to address rapidly evolving data collection issues.

Discussion: These tasks may be short term in nature and are usually time sensitive. Consequently, they do not lend themselves to resolution through the standard committee process. In the past, these projects have involved one-time requests for trial court activity data such as the Legislature's Divisional Case County Report project currently underway or responses to system changes that are necessary to maintain the integrity of existing data collection efforts such as the committee's recent response to the Supreme Court's order on Complex Civil Litigation.

Strategy: Staff prepares an item description (similar to this agenda item) containing proposed activities, decisions needed and other supporting information and promulgates the information to members by email. Discussion of the item will occur through email. An optional conference call will be scheduled to allow members to consider the issue as a

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group and to promote free and open exchange among members. Amendments and changes to the task item resulting from this discussion will be sent to all members via email and a final email vote on all decisions required will be taken. Results will then be posted back to all committee members.

3. Status Reports intended to provide flexibility in committee work scheduling

Discussion: The CSWC typically meets quarterly either by phone or video conference or in person. When the committee is working on long-term or development tasks, these projects may not have advanced sufficiently to justify a quarterly meeting. Staff may only need to brief members on the progress of CSWC projects with no substantive decisions required.

Strategy: In these circumstances, the CSWC has opted to receive a status report via email in lieu of a phone conference as determined by the Chair. This provides the members with some flexibility in their schedules and workloads. Additional discussion of the status report occurs through email and staff is always available to discuss the state of these projects with individual members.

Decision Needed:

1. Adopt the proposed strategies for addressing committee tasks.

Enclosure One

Supreme Court Administrative Order AOSC14-40

IN RE: COMMISSION ON TRIAL COURT PERFORMANCE
AND ACCOUNTABILITY

Supreme Court of Florida

No. AOSC14-40

IN RE: COMMISSION ON TRIAL COURT
PERFORMANCE AND ACCOUNTABILITY

ADMINISTRATIVE ORDER

The Commission on Trial Court Performance and Accountability was established in 2002 for the purpose of proposing policies and procedures on matters related to the efficient and effective functioning of Florida's trial courts through the development of comprehensive performance measurement, resource management, and accountability programs.

Court committees are a vital component in the governance of the judicial branch. Committees established by the Supreme Court assist in the development of policies and operating procedures that enhance the administration of justice. The Commission must, however, be cognizant of the limitations on the resources available to support its efforts as it develops a work plan that will accomplish the important tasks assigned in this administrative order. Accordingly, the Chair should use discretion in the establishment of subcommittees that require operating funds and staff support. With regard to meetings, the Commission on Trial Court

Performance and Accountability should strive to utilize the most economical means appropriate to the type of work being accomplished.

During the next two years, the Commission shall perform the following tasks:

1. Develop recommendations on a performance management framework for the trial courts with an emphasis on articulating long-term objectives for better quantifying performance to identify potential problems and take corrective action in the effective use of court resources. Propose a plan for the development of benchmarks and goals for performance measures identified in the Trial Court Integrated Management Solution report. Collaborate with the Judicial Management Council's Performance Workgroup on the prioritization of performance data needs to enhance the court system's ability to better evaluate branch outputs and outcomes.
2. Collaborate on a joint study with the Commission on District Court of Appeal Performance and Accountability on the issue of delay in the receipt of documents which comprise the record in dependency and termination of parental rights appeals.
3. Through the Court Statistics and Workload Committee, continue to provide guidance and direction on data management issues as

necessary to maintain integrity of data collection and reporting through appropriate Uniform Case Reporting systems, the Summary Reporting System, the Uniform Data Reporting System, and other data collection efforts relevant to court management. This includes associated analytical products such as the Weighted Caseload Model, case age and other case inventory statistics, and work related to the Judicial Data Management Services component of the Integrated Trial Court Adjudication Systems project.

4. Through the Court Statistics and Workload Committee, manage and oversee all efforts to update the weights in the Judicial Workload Model.
5. Continue to provide support and assistance to the trial courts with regard to implementation of standards of operation and best practices approved by the Supreme Court.
6. Continue to propose judicial branch responses to any statutory requirements and requests by the Florida Legislature and the Office of the Governor related to trial court performance and accountability.

The Commission on Trial Court Performance and Accountability is authorized to propose statutory changes related to the operational efficiency and effectiveness of the trial courts.

The Commission on Trial Court Performance and Accountability is authorized to propose amendments to rules of court procedure on issues involving the operational efficiency and effectiveness of the trial courts, for consideration by the Court. In developing proposed amendments to rules of court procedure, the Commission is directed to establish appropriate liaison relationships with the relevant Bar rules committees. Should the Commission recommend amendments to rules of court procedure or forms, it shall file such recommendations in petition form with the Clerk of the Florida Supreme Court.

Should the Commission on Trial Court Performance and Accountability make recommendations that require additional funding or resources to implement, the Commission is directed to establish the necessary liaison relationship with the District Court of Appeal Budget Commission or the Trial Court Budget Commission, as appropriate. At a minimum, the Commission shall provide the chair of the respective budget commission with copies of Commission reports and recommendations that reference the need for additional court funding or resources, prior to the finalization of those reports.

Should the Commission on Trial Court Performance and Accountability make recommendations that impact court technology, the Commission is directed to establish the necessary liaison relationship with the Florida Courts Technology Commission. At a minimum, the Commission shall provide the Chair of the

Florida Courts Technology Commission with copies of Commission reports and recommendations that reference court technology, prior to the finalization of those reports.

Should the Commission on Trial Court Performance and Accountability make recommendations about the education and training needs of judges and court staff, the Commission is directed to establish the necessary liaison relationships with the Florida Court Education Council. At a minimum, the Commission shall provide the Chair of the Florida Court Education Council with copies of Commission reports and recommendations that reference court education, prior to the finalization of those reports.

The Commission on Trial Court Performance and Accountability should submit its reports to the Chief Justice through the State Courts Administrator.

The following individuals are appointed to serve on the Commission for terms that expire on June 30, 2016.

The Honorable Paul Alessandroni
County Court Judge, Charlotte County

The Honorable Herbert Baumann
Circuit Court Judge, Thirteenth Judicial Circuit

Ms. Barbara Dawicke
Trial Court Administrator, Fifteenth Judicial Circuit

Ms. Holly Elomina
Trial Court Administrator, Sixteenth Judicial Circuit

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

The Honorable Victor Hulslander
Circuit Court Judge, Eighth Judicial Circuit

Ms. Gay Inskeep
Trial Court Administrator, Sixth Judicial Circuit

The Honorable Leandra G. Johnson
Circuit Court Judge, Third Judicial Circuit

The Honorable Shelley Kravitz
County Court Judge, Dade County

The Honorable Ellen Sly Masters
Circuit Court Judge, Tenth Judicial Circuit

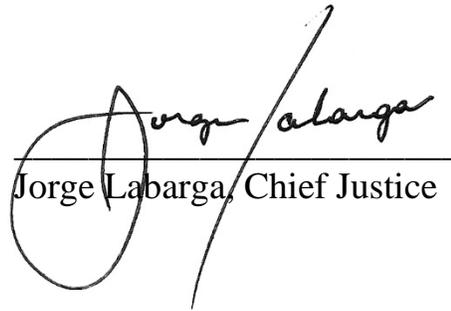
The Honorable Diana L. Moreland
Circuit Court Judge, Twelfth Judicial Circuit

The Honorable William Roby
Circuit Court Judge, Nineteenth Judicial Circuit

The Honorable Terry D. Terrell
Chief Judge, First Judicial Circuit

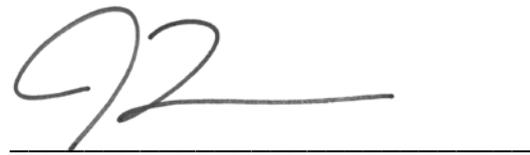
The Honorable Diana L. Moreland shall serve as chair through June 30,
2016. Staff support will be provided by the Office of the State Courts
Administrator.

DONE AND ORDERED at Tallahassee, Florida, on July 2, 2014.

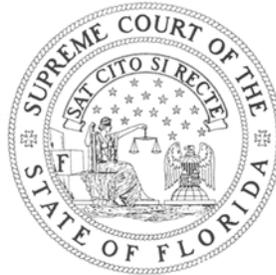


Jorge Labarga, Chief Justice

ATTEST:



John A. Tomasino, Clerk of Court



Enclosure Two

High Performance Court Framework
A Road Map for Improving Court Management

HIGH PERFORMANCE COURT Framework

A Road Map for Improving Court Management

The High Performance Court Framework clarifies what court leaders and managers can do to produce high quality administration of justice. It consists of six key elements:

- 1. Administrative Principles** define high performance. They indicate the kind of administrative processes judges and managers consider important and care about.
- 2. Managerial Culture** is the way judges and managers believe work gets done. Building a supportive culture is key to achieving high performance.
- 3. Perspectives** of a high performing court include: (a) Customer, (b) Internal Operating, (c) Innovation, and (d) Social Value.
- 4. Performance Measurement** builds on *CourTools* to provide a balanced assessment in areas covered by the Customer and Internal Operating Perspectives.
- 5. Performance Management** concerns the Innovation Perspective and uses performance results to refine court practices on the basis of evidence-based innovations. It also fulfills the Social Value Perspective by communicating job performance to the public and policy makers.
- 6. The Quality Cycle** is a dynamic, iterative process that links the five preceding concepts into a chain of action supporting ever-improving performance.

Administrative Principles

The High Performance Court Framework rests on four principles that define effective court administration and are widely shared by judges and court managers. Administrative principles include the following: (1) giving every case individual attention; (2) treating cases proportionately; (3) demonstrating court procedures are fair and understandable; and (4) exercising judicial control over the legal process.

The Framework Emphasizes Four Administrative Principles

- Giving every case individual attention
- Treating cases proportionately
- Demonstrating procedural justice
- Exercising judicial control over the legal process

A high performing court embraces each principle and seeks to make it real in its own local court context. Despite broad agreement on the importance and relevance of these principles, they do not necessarily lead to universal practices due to substantial differences in court cultures.

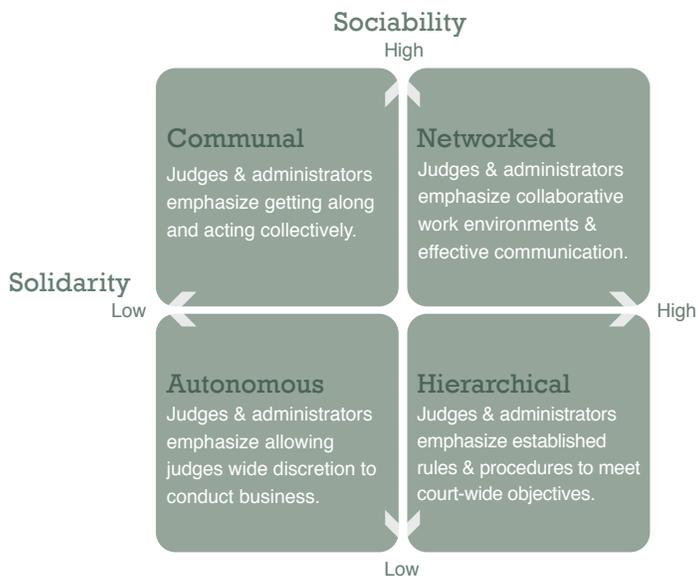
Managerial Culture

Court culture is the way judges and managers believe work currently gets done and the way they would like to see it get done in the future. Court culture acts as a filter between principles and practices. Different cultures apply the same administrative principles differently.

Managerial culture falls along two distinct “dimensions.” The first dimension, called solidarity, is the spectrum of beliefs about the importance of judges and managers working together toward common ends. Solidarity refers to the degree to which a court has clearly understood and shared goals, mutual interests, and common ways of doing things. The second dimension, called sociability, concerns beliefs as to whether it is important for judges and managers to work cooperatively with one another. Sociability refers to the degree to which

court personnel acknowledge, communicate, and interact with one another in a cordial fashion.

Classifying courts along both dimensions produces four distinguishable types of cultures: (1) communal, (2) networked, (3) autonomous, and (4) hierarchical. Each of the four cultures is a particular combination of solidarity and sociability, as shown below.



An essential lesson from field research is that a high degree of solidarity is necessary to support performance initiatives. Hence, a challenge for court leaders is to encourage and facilitate collective decision-making among individual judges on what is best for the court as a whole. As a result, by focusing on solidarity and building consensus, a court can reduce the level of fragmentation and isolation, enabling it to more effectively apply the administrative principles.

Performance Perspectives, Measurement, and Management

The High Performance Court Framework uses the concept of perspectives to help guide performance assessment. Perspectives highlight how the interests of different individuals and groups involved in the legal process are affected by administrative practices. The Framework's four perspectives provide an integrated approach to performance measurement and management, as shown in the diagram: High Performance Court Framework at a Glance.



Performance Measurement. Combining the Customer and Internal Operating Perspectives yields four measurable performance areas (effectiveness, procedural satisfaction, efficiency, and productivity). Illustrative measures of the performance areas are drawn from *CourTools*, previously developed by the NCSC.

Performance Management. In a complementary way, the Innovation and Social Value Perspectives emphasize a court's dynamic use and management of evidence-based information, not just anecdotes, informal feedback, or intuition. The Innovation Perspective outlines four forms of social capital critical to developing positive results on an ongoing basis (as summarized in the graphic). It offers an approach courts can use to augment problem-

The High Performance Court Framework at a Glance

The following diagram shows how four perspectives produce a workable strategy to guide performance assessment. The perspectives show how the interests of those involved in the legal process are affected by how a court conducts business.

Customer Perspective

How should we treat all participants in the legal process?

Internal Operating Perspective

What does a well functioning court do to excel at managing its work?



Innovation Perspective

How can court personnel learn to respond and adapt to new circumstances and challenges?



Social Value Perspective

What is a court's responsibility to the public and funding bodies?



The High Performance Court Framework at a Glance

Following from left to right, the diagram illustrates how the perspectives frame an integrated approach to performance measurement and management.

HPC Measurement: A Balanced Scorecard

Effectiveness

Gauges the match between stated goals and their achievement.

CourTools and Other Measures:

Measure 5: Trial Date Certainty
Measure 7: Enforcement of Penalties
Measure 8: Juror Usage

Procedural Satisfaction

Gauges if customers perceive the court is providing fair and accessible service.

CourTools and Other Measures:

Measure 1: Access
Measure 1: Fairness
Transaction time

Efficiency

Gauges the variability and stability in key processes.

CourTools and Other Measures:

Measure 2: Clearance Rate
Measure 4: Age of Pending Caseload
Measure 6: Case File Integrity

Productivity

Gauges whether processes make the best use of judge and staff time.

CourTools and Other Measures:

Measure 10: Cost Per Case
Measure 3: Time to Disposition
Workload Assessment

HPC Management: The Four Capitals

Organizational Capital

Organizing judges and staff to achieve the best use of time in pursuing common goals and communicating those goals clearly to justice system partners.

Technological Capital

Using technology to achieve greater efficiency and quality, while managing it competently. Implementing up-to-date technology in an integrated way is key to effectively managing court business processes.

Human Capital

Promoting the sharing of information and ideas on performance strategies, targets, and results. Input and feedback are solicited by court leaders from all personnel.

Information Capital

Pursuing a credible evidence-based system to evaluate court performance. Ongoing attention to measurement and analysis help to ensure data are valid and meaningful.

HPC Management: Strengthening the Role of Courts in Society

Public Trust and Confidence

Public support is recognized as critical for legitimacy and compliance with decisions. As a result, a court will seek to demonstrate and communicate a record of successful job performance.

Support of Legitimizing Authorities

Adequate funding from other branches of government is sought on the basis of measurable court performance, especially the efficient use of public resources.

solving skills so as to better diagnose and forecast challenges.

The Social Value Perspective stresses the use of information in communicating the work of the court to its partners in the justice system as well as members of the public and policy makers.

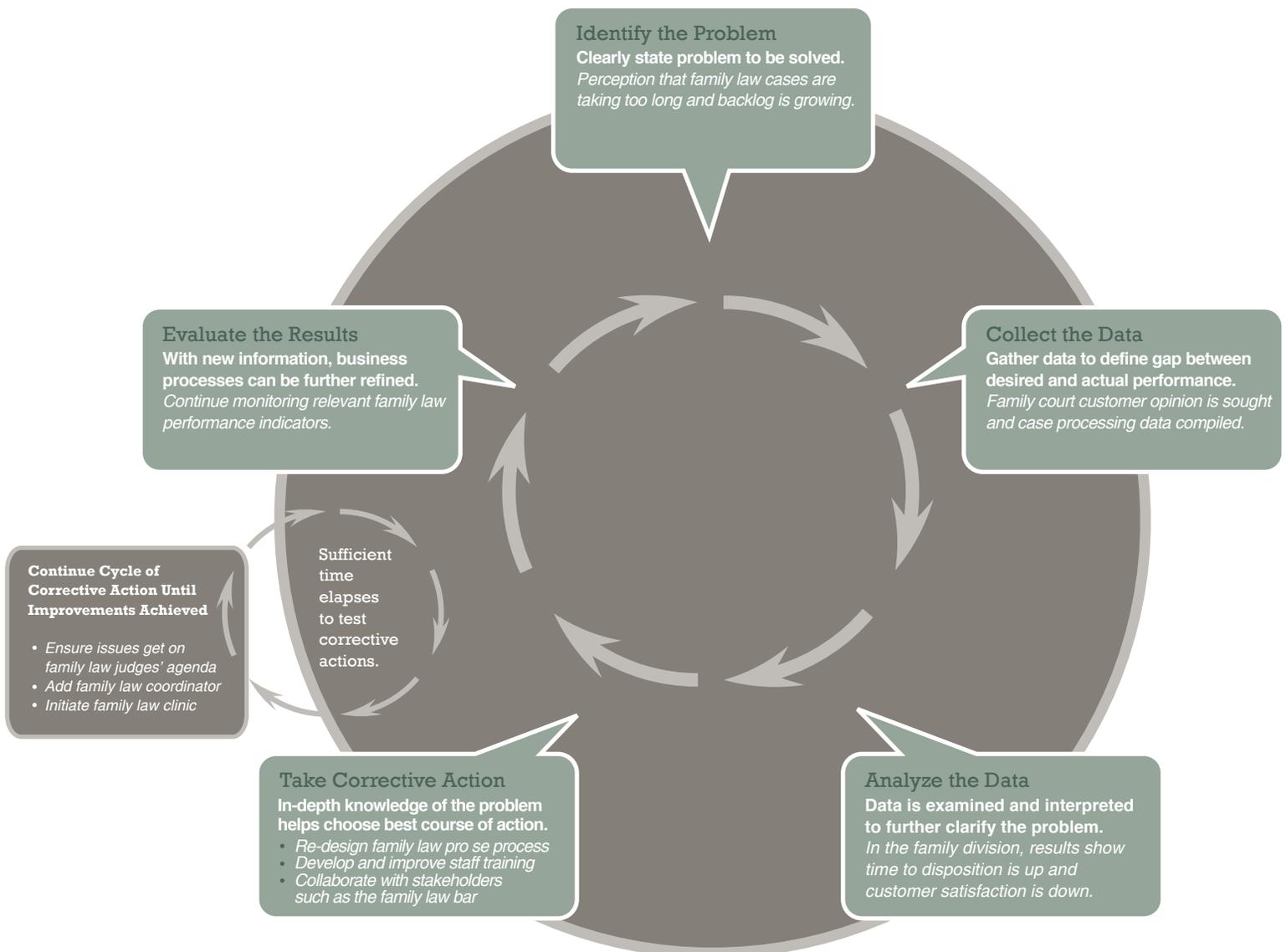
Quality Cycle

The Framework is a flexible set of steps a court can take to integrate and implement performance improvement into its ongoing operations, creating what can be called a “quality cycle.” The court

administration quality cycle includes five steps: determining the scope and content of a problem, information gathering, analysis, taking action, and evaluating the results.

In many courts, the road to high performance begins with the will to see how the four administrative principles are working out in practice and using data to gauge what “working out” means. In other words, when a court’s culture supports a commitment to high quality service, there is ongoing attention to identifying and resolving administrative problems. A clear statement of a specific problem is the first

Quality Cycle: Family Law Case Example



step in organizing a court's resources to effectively address it.

Collecting relevant data is the next key step of the quality cycle. A court can begin by consulting the Framework's proposed set of performance areas and accompanying measures (described in the first two perspectives) to gauge whether reality is consistent with expectations.

The third step in the cycle is examining and interpreting the results from the data collection and drawing out implications on what the real causes of the problem(s) are and what remedies might be appropriate. This step is clearly iterative. Once the basic character of a problem is identified, additional information can be gathered to further narrow and refine the problem and outline relevant responses.

The fourth step in the cycle is a fusion of performance measurement and management. Clearly specifying the problem allows court managers to marshal their resources (as

represented by the four capitals) and choose the new way of doing business that best fits the contours of the problem. As new information emerges, potential business process refinements and staff capability improvements will naturally evolve.

The fifth step involves checking to see whether the responses have had the intended outcomes and reporting those results. By gathering input from appropriate judges, court staff, and court customers and monitoring the relevant performance indicators, the court can determine if the problem is really fixed. The goal is not to temporarily change performance numbers, but to achieve real and continuing improvements in the process and in customer satisfaction.

Results also need to be shared with stakeholders in the legal process, members of the public, and policy makers in a clear and comprehensible manner. This narrative should indicate the net gains of past and current improvements and the status of mechanisms designed to avert problems in the future.

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Resources:

High-Performance Courts

www.ncsc.org/hpc

CourTools

www.courttools.org

Court Culture Assessment

www.ncsc.org/courtculture.ashx



www.ncsc.org

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This summary is based on the National Center for State Courts Working Paper Series *Achieving High Performance: A Framework for Courts*. Copies can be obtained by contacting the NCSC Research Division at 1.800.616.6109. Information Design provided by VisualResearch, Inc. Copyright © 2010 by the National Center for State Courts. All rights reserved.

Enclosure Three

Protocol for Supreme Court Committees

Protocol for Supreme Court Committees

Supporting the Mission of Florida's Judicial Branch

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PREFACE

The Protocol for Supreme Court Committees, first published in 2008, is a compilation and integration of several pre-existing standards and requirements and was developed to provide guidance to supreme court committee members and Office of the State Courts Administrator (OSCA) staff who serve in a support role to court committees. This protocol does not apply to committees staffed by The Florida Bar. These standards and guidelines have been combined into one convenient resource for court committee chairs, members, and OSCA staff to have a reference tool for conducting orderly, effective, efficient meetings and developing timely and appropriate written work product. The protocol is updated as needed by the Deputy State Courts Administrator's Office in coordination with the clerk of the court, the general counsel, the director of the Office of Community and Intergovernmental Relations, and is subject to the review and approval of the state courts administrator and the Florida Supreme Court. This document is the third edition of the protocol.

There are a number of court appointed committees for which OSCA is designated to provide staff support. This protocol includes a table depicting the various court committees and the present committee structure. The protocol also provides definitions and a narrative overview of the court committee structure and responsibilities. It contains additional sections pertaining to the authority of the supreme court and chief justice, and the roles and responsibilities of committee chairs, committee members, and staff who support the committees. The protocol addresses applicable rules and statutes that are pertinent in planning court committee meetings and developing written work (e.g. Americans with Disabilities Act and Florida statutes and court rules dealing with public records). The protocol also deals with scheduling and conducting meetings, assuring adequate security, providing sufficient staff coverage, developing agendas and minutes, conducting effective meetings, and committee requirements for submitting recommendations related to legislative priorities and court rule proposals. Finally, the protocol addresses proper method of submission for various written reports and proposals.

I. DEFINITIONS

- **Bar Committee Liaison.** A court committee member who is also a member of a Florida Bar rules committee, and who will advise the Florida Bar committee about court committee rules proposals.
- **Committee Report.** A detailed report that summarizes a committee's research, and contains its findings, conclusions, and recommendations with regard to one or more of the tasks or charges assigned to the committee by the chief justice generally corresponding to a two-year cycle. During a committee's term there might be more than one report, depending on the nature and scope of charges. Not always will a committee's work product culminate in a written committee report.
- **End of Term Report.** A succinct high-level summation of a committee's work and accomplishments during its two-year term, along with any suggestions with regard to

- successor committees and future work. An end of term report will not usually be required for single-purpose committees (e.g., Task Force on Management of Cases Involving Complex Litigation), but will be required for committees that are given specific charges by administrative order. An end of term report is not the same thing as a “committee report” directed to a particular charge, or set of charges, or an annual report expressed by rule. If an annual report is required by rule, there is no need to also submit an end of term report (e.g., Florida Courts Technology Commission and Florida Court Education Council).
- **Justice Liaison.** A justice designated by the chief justice to act as a liaison between a court committee and the supreme court, and whose function is to advise the supreme court about the work of the committee.
 - **OSCA Committee Report Summary and Transmittal Form.** A document prepared by OSCA staff to provide the chief justice and the supreme court with a summary of a committee report and recommendations submitted by a Court committee, as well as administrative and fiscal information relevant to the report. This form provides the supreme court with OSCA’s perspective on implementation of recommendations contained within committee reports. The OSCA Report Summary and Transmittal Form is an internal document prepared at the behest of the state courts administrator for submission to the chief justice and the supreme court. The Report Summary and Transmittal Form is OSCA’s work product and is not prepared by the committee or its chair. Completion and submission of this form by OSCA staff to the state courts administrator assists the state courts administrator in ensuring uniform processing of committee recommendations in a timely manner. A Committee Report Summary and Transmittal Form accompanies a committee report, not an end of term report.
 - **Petition.** A supreme court filing proposing a new rule or rule amendment prepared in accordance with guidelines stated in [In Re: Guidelines for Rules Submissions, No. AOSC06-14, corrected \(July 14, 2006\)](#), Part I, Rules Style Guide, and Part IV, Non-Bar Committee Reports/Petitions to Amend Rules.

II. ROLES

Committees are the mechanism established by the supreme court for developing consensus on appropriate judicial branch policies affecting the administration of justice. While the state courts system is administered by the chief justice and the Florida Supreme Court, the policy development strategy of the judicial branch is, in many respects, very collegial. Due to the nature of the judicial branch, the development and implementation of policies and procedures for the trial and appellate courts involve a complex, and sometimes lengthy, process.

Some committees – such as the Trial Court Budget Commission, District Courts of Appeal (DCA) Budget Commission, and Judicial Management Council – are established

by the Rules of Judicial Administration. Others – Judicial Ethics Advisory Committee and Committees on Standard Jury Instructions – were established as a result of a supreme court opinion. And, by way of another example, while the Florida Court Education Council was initially established by administrative order, when the Florida Legislature established the Court Education Trust Fund in 1982 it conferred on the council specific statutory duties for administering the trust fund. Additional committees may be appointed when a specific issue or concern is brought to the supreme court’s attention, or when the supreme court desires to evaluate and improve the court system’s performance in a particular area.

Court committees make a vital contribution to the function of the judicial branch. The topics they deal with include judicial education, the emergence of new technologies and how they affect the judicial system, budget development and administration, and rules governing mediators and arbitrators, just to name a few. Serving on or staffing a court committee is a rewarding and important responsibility. These guidelines inform chairs, members, and staff about the unique aspects of their roles with regard to court committees.

A. The Supreme Court Governs, Committees Recommend, and Staff Support

- **Governance:** The chief justice is the chief administrative officer of the judicial branch. The Florida Supreme Court establishes policy for the branch and is responsible for the establishment of committees, designation of committee membership, identification of committee charges, and adoption of committee recommendations relating to policy and administration of the branch.
- **Policy Recommendations:** Committees are the mechanism established by the supreme court for developing consensus on appropriate judicial branch policies affecting the administration of justice. Committees allow the branch to take advantage of the rich intellectual, social, and experiential diversity of judges, practitioners, court staff, and topical experts. Committees are advisory in nature, and make recommendations for consideration by the supreme court. Court committees have no authority to become involved in issues beyond the scope of the applicable rule or administrative order, absent requesting and receiving approval in advance from the supreme court. Except for those that are established by rule and those that provide operational or regulatory oversight, committees will generally serve for a limited time frame to complete specific assignments.
- **Support:** Staff provides logistical, research, data collection and analysis, and other support to committees in performing the tasks assigned in the administrative order.

B. Overview of the Court Committee Structure

The current court committee structure involves five committee types: Council, Commissions, Division Steering Committees, Work Groups/Task Forces, and Other. A description of the committee types follows.

- **Council:** In accordance with the Rules of Judicial Administration, the Judicial Management Council of Florida is responsible for crisis planning; evaluating information on branch performance and effectiveness; long-range planning; recommending coordination of work by court committees; and other issues referred by the supreme court. Council membership includes internal and external representation.
- **Commissions:** Commissions address operational and policy matters that span the divisions and/or levels of the court. Membership of court commissions primarily consists of judicial officers and court personnel. Examples of state courts system commissions include:
 - DCA and Trial Court Budget Commissions
 - Commissions on DCA and Trial Court Performance and Accountability
 - Florida Court Education Council
 - Florida Courts Technology Commission
 - Committee on Alternative Dispute Resolution Rules and Policy
- **Division Steering Committees:** The work of steering committees is specific to particular court divisions. Steering committees may develop an aspirational vision of the ideal court division; recommend models, standards, and best practices; and conduct court improvement initiatives. They may also address the impact on their topical assignment area of new legislation, case law, federal guidelines, and other changes. Examples of division steering committees include:
 - Steering Committee on Families and Children in the Court
 - Criminal Court Steering Committee
- **Work Groups/Task Forces:** Work groups and task forces are ad hoc groups appointed for a specific period of time to address a specific issue or narrow topic. They conduct studies, prepare reports, and take other appropriate action as directed by the chief justice. Examples include:
 - Task Force on Substance Abuse and Mental Health Issues in the Court
 - Standing Committee on Fairness and Diversity
 - Task Force on Judicial Branch Planning
- **Other.** This group encompasses other committees required by supreme court opinion, statutory provisions, or other requirements and are delegated some decision making authority by the supreme court. Examples include:

- Judicial Ethics Advisory Committee
- Mediation Ethics Advisory Committee, Mediator Qualifications Board, and Mediation Training Review Board

C. Roles and Expectations

- **Chief Justice.** The Florida Supreme Court establishes court committees as necessary to accomplish the objectives established in the judicial branch strategic plan. The chief justice, after consultation with the supreme court, appoints the chair and members, sets the terms, and designates the tasks assigned to a committee. If a committee needs clarification on the scope of its role or charges, or requires guidance on a contemplated course of action, those matters should be directed to the chief justice or to the justice liaison if one is appointed.
- **Administrative Order.** Unless they are specified in statute or rule, a court committee's authority and responsibilities will be set forth in an administrative order. The administrative order provides the committee with a foundation and common understanding of the purpose, goals, objectives, and time lines for the committee's work. If a committee believes that, based on their knowledge and expertise its members should address issues or tasks outside the scope of the administrative order, the chair should seek the advice of the professional staff assigned to the committee to determine whether to submit a written request to the chief justice for direction.

The standard elements that should usually be included in an administrative order appointing a court committee are:

- Authority/Mission/Purpose of the Committee
- Responsibilities/Tasks/Charges
- Membership
- Member Terms
- Expiration Date, if applicable
- Rules of Court: a committee has no authority to recommend rule amendments unless there is an explicit authorization in the administrative order; additionally, the order will provide direction on requirements for liaising with the appropriate Florida Bar rules committee(s) and directions as to the process for submission to the supreme court.
- Statutory Proposals: a committee has no authority to recommend statutory amendments unless there is an explicit authorization in the administrative order.
- Mandatory Judicial Education: a requirement that, if a committee intends to recommend mandatory judicial education, the committee must liaison with the Florida Court Education Council in developing that recommendation.

- Recommendations that Impact the Court Budget: a requirement that, if a committee makes a recommendation that impacts court funding, the committee must liaison with the applicable budget commission(s).
- Recommendations that Impact Court Technology: a requirement that, if a committee makes a recommendation that impacts court technology, the committee must liaison with the Florida Courts Technology Commission.
- To conserve court system resources, committees are encouraged to limit in-person meetings and use options such as conference calls, videoconferences, and other electronic meeting options when appropriate.
- **Justice Liaison.** Many court commissions and committees are assigned a supreme court liaison, who is one of the active justices. The liaison serves as the primary communication link between the committee and the supreme court. A liaison may be assigned to a specific committee for any of a variety of reasons; knowledge and expertise in a particular subject area, interest in the topical area, and distribution of workload are among the factors considered by the chief justice in making liaison assignments. The liaison is expected to monitor the work of the committee and inform the supreme court about those committee activities that may require subsequent supreme court action. The liaison shall be given notice of and materials for all committee activities, but is not expected to routinely participate in the committee's activities. The justice liaison's monitoring function may be fulfilled through review of minutes, meetings and/or telephone conversations with the committee chair and staff, or attendance at all or part of a court committee's meetings. A justice liaison is not a member and does not vote. The liaison should not be present during and will not participate in committee deliberations on rule proposals or other matters that may come before the supreme court in an adjudicatory capacity. In some instances, a court committee will be chaired by a justice, in which case there will not be a separate justice liaison appointed.
- **Chair.** The committee chair calls meetings, establishes the agenda, presides at each meeting, and makes work assignments. The chair oversees the accountability of any subcommittees and, if necessary, appoints or removes members or chairs of subcommittees. The chair also works closely with staff to establish a meeting schedule, develop meeting agendas and materials, and submit an end of term report to the chief justice. During meetings, the chair facilitates the discussion and typically does not advocate for or against a proposal while in the chair position. If the chair is a justice, there is no justice liaison. If the chair is a justice, and the committee begins deliberation on matters that may come before the court in its adjudicatory capacity, the chair shall appoint the vice-chair, or other designee, to preside and shall not attend that portion of a committee meeting.
- **Committee Members.** The supreme court attempts to ensure knowledgeable, balanced, and diverse representation on committees. Members who are appointed to represent a specific group or organization are expected to effectuate two-way

communication between the committee and that organization. Court committees face tremendous challenges. Members are expected to take an active part in the activities and work assignments of the committee and to follow the appropriate committee policies and protocols. Full participation by each and every member is a critical component of success; therefore, members are expected to make exceptional effort to attend meetings. Nevertheless, there will be occasions when members cannot attend a meeting; members should advise the chair of those instances in advance. Court committee members are carefully selected for their specialized knowledge, and thus should not send a representative to committee functions. Should a member choose to do so, however, the representative will be allowed to observe and take notes, but will not be allowed to participate in deliberations or vote. Members who become unable to fulfill their commitment to the committee are expected to resign so that a replacement can be appointed, thereby minimizing the negative impact on the group and its ability to fulfill tasks.

- **Bar Committee Liaison.** The purpose of liaisons is to promote communication between supreme court committees whose recommendations may include changes to court rules and Florida Bar committees that advise the supreme court about specific bodies of court rules on a continuing basis.
- **Staff.** Staff support for court committees is primarily provided through the state courts administrator, who designates subordinate staff with the appropriate expertise and within available resources to perform these functions on his or her behalf. Staff work closely with the chair and committee members in developing and implementing activities designed to meet the mandates established by rule or administrative order. Staff is accountable to the state courts administrator for proper management of funds and work products within the province of the committee. Staff also works to ensure that the committee is in compliance with applicable state and federal laws, regulations, and guidelines. Generally, a lead staff member will be assigned primary responsibility for each committee or committee project.

D. Principles of Committee Service

- **Duty of Care** requires committee members to use reasonable care and good judgment in making decisions on behalf of the interests of the judicial branch.
- **Duty of Loyalty** requires committee members to be faithful to the committee and judicial branch, avoiding conflicts of interest.
- **Duty of Adherence** requires committee members to comply with governing documents (i.e., administrative orders, meeting rules, court policies, etc.).

E. Committee Operating Procedures

Committee operating procedures are a tool that can be used to help ensure that court committees stay on task and on time. And, while many committee chairs

elect to work through consensus building, when consensus cannot be reached the chair may find it helpful to utilize formal voting procedures. For more details, see Roberts Rules of Order available online at www.robertsrules.com.

- An **Agenda** is issued to ensure that important business is covered.
- **Motions** are proposals for action.
- A **Second** is required for the motion to be discussed.
- **Amendments** may be made to most motions if they improve the intent or clarify the original motion.
- **Tabling** lays the motion aside.
- **Calling the Question** refers to ending the discussion and voting on the motion.
- **Minutes** should record the time and location of the meeting, participants, and the outcomes of the motions.
- **Voting** is the official action after discussion to adopt, kill, or table the motion.
- **Quorum** is a majority of committee members or the required number as set forth in the meeting rules in order to conduct business.

F. Code of Conduct

- Respect the chair.
- Bring a calendar to meetings.
- Travel arrangements should permit members to arrive on time and participate in the full meeting.
- Use of cell phones, PDAs, laptops, tablets, and other electronic devices during a meeting is limited to official meeting business (viewing meeting materials, taking notes).
- Read and prepare for meetings.
- Bring needed files, paper, and pen.
- Follow the agenda.
- Listen more than you speak.
- Speak when you have an essential point.

- Respect the rules of order.
- Leave personal and political agendas at the door.
- Actions of the committee belong to the committee; exhibit respect for your fellow committee members by supporting committee actions publicly when appearing in an official capacity as a representative of the committee. When presenting conflicting positions from those taken by the committee or voicing a minority view, members must stipulate that those positions are not those of the committee but of the individual or as a member of another organization.

III. AMERICANS WITH DISABILITIES ACT

[The Americans with Disabilities Act of 1990 \(ADA\)](#) is a federal civil rights law enacted by Congress to ensure that qualified individuals with disabilities are afforded the same opportunities that are available to persons without disabilities. [Title I of the ADA](#) requires state courts to provide reasonable accommodations for qualified judges and court employees with disabilities. [Title II of the ADA](#) applies to state and local government entities – including state courts – and requires them to remove communication barriers and afford accessibility for all their services, programs, and activities.

A. Accessible Meeting Sites

All committee-sponsored meetings and activities should be held in locations that are physically accessible. Committee chairs and staff should take reasonable and necessary steps, prior to any meeting, to ensure that hotels, public buildings, and/or other proposed meeting sites comply with the [ADA Standards for Accessible Design](#).

B. Accommodations for Participation in Committee Events

The state courts system will attempt to provide auxiliary aids and services for qualified individuals with disabilities who have an interest in participating in court committee activities. Announcements of committee meetings, training sessions, and other activities should include information about the availability of auxiliary aids and services, upon request and with advance notice. Sample ADA notice language for committee-sponsored meetings, teleconferences, videoconferences, and other events follows:

Persons with disabilities who need an accommodation to participate in [insert the name of the event] should contact [insert name, address, phone number, and email address of the appropriate staff member] as far in advance as possible but preferably at least five working days before the date of

the scheduled event. Persons using a TDD may contact [insert appropriate staff member's name] through the Florida Relay Service, 711.

Examples of auxiliary aids or services that the state courts system may need to provide for qualified individuals with disabilities who participate in court committee meetings or events include:

- Assistive listening devices
- Qualified sign language interpreters and oral interpreters
- Real-time transcription services
- Accessible formats such as large print, Braille, on disk, or audio tapes
- Qualified readers

C. Accessibility of Electronic Committee Information

The [Americans with Disabilities Act](#) prohibits discrimination on the basis of disability, and Florida law requires the judicial branch to adhere to the Section 508 standards. The Florida Accessible Electronic and Information Technology Act¹ requires that all three branches of state government make their electronic information and data accessible. The law provides that state entities shall develop, procure, maintain, and use accessible electronic information and information technology acquired on or after July 1, 2006, that conform to Section 508 standards. The Florida act became effective July 1, 2006, and applies prospectively to software applications and operating systems, web-based Intranet and Internet information and applications, telecommunications products, video and multimedia products, self-contained closed products, and desktop and portable computers.

Committee reports must be designed so that they are accessible to persons who use assistive technology. Committee websites must also be accessible. And, if a court committee provides information in multimedia formats — streaming media, CD-ROMs, etc. — this information must be accessible: videos should include captioning and video descriptions and a text transcript should be available and assistive technology should be able to navigate the multimedia application without using a mouse.

D. Alternate Formats of Committee Documents

In addition to the electronic accessibility requirements discussed in paragraph C above, upon request by a qualified individual with a disability, committee work

¹ [Sections 282.601–282.606, Fla. Stat.](#)

products must be provided in alternate formats such as Braille, large print, audiotape, or on disk. Sample language that should be included on committee reports and similar work products follows:

Alternate Formats

Upon request by a qualified individual with a disability, this document will be made available in alternate formats.

To order this document in an alternate format, please contact [insert name, address, phone number, and email address of the appropriate staff person].

IV. PUBLIC MEETINGS AND PUBLIC RECORDS

Committee meeting video and audio records and minutes are public records, unless matters that are confidential pursuant to statute or rule are discussed. Committee records must be maintained in accordance with the judicial branch administrative records retention schedule. When recordings are used to assist in the preparation of the official record, recordings become superseded by the minutes and may be discarded once written minutes are prepared. Committee members should be advised prior to the beginning of the meeting that it will be recorded. Drafts of committee reports and other work products are public records that must be provided upon request and dissemination should be coordinated by the chair, in consultation with the OSCA's General Counsel's Office. Committee members should not on their own initiative disseminate copies of a committee report before it has been formally submitted to and reviewed by the supreme court.

The public meeting and notice requirements of [Chapter 286, Florida Statutes](#), do not apply to judicial branch events. Nevertheless, most meetings of official supreme court-appointed committees, judicial conferences, and other official court events should be presumed to be generally accessible by the public. Instances in which an event would *not* be accessible to members of the public, upon request, include:

- Florida Supreme Court conferences.
- Meetings when confidential or sensitive issues will be discussed (i.e., executive sessions, emergency preparedness planning, etc.).
- Meetings of judicial officers and/or court staff that comprise informal work groups or where preliminary discussions on matters will occur.

V. SECURITY

Because of security concerns, advance notice of court committee meetings and judicial conferences is not normally provided to the public, except by invitation. Accordingly, staff should refrain from posting on the Florida Courts Internet site or other venue accessible to the public any calendars, notices, agendas, or other documents disclosing

the date and location of court meetings; such information may, however, be posted on the Intranet site.

In some instances — such as public hearings — the state courts system is specifically seeking the public’s participation or input on court-related matters, and information about the event must be published in advance. Additionally, some official court committees — such as the Trial Court Budget Commission — have adopted procedures requiring that meeting notices be posted on the Florida Courts Internet site in advance, so that interested persons are provided with a reasonable opportunity to be heard on agenda items under consideration by the Commission. In those and similar circumstances, staff should utilize the criteria in these guidelines to ensure that appropriate security precautions are implemented.

If staff receives an inquiry from a reporter or other member of the public about the location of a committee meeting, judicial conference, or other court event, staff should advise that such information is not generally provided to the public in order to ensure the safety of judicial officers and staff. If possible, respond to the caller’s questions about the substance of a meeting without disclosing the location, which often satisfies his or her informational needs. Because of security concerns, do not offer to provide calendars, agendas, meeting notices, or other documents that disclose the date and location of court meetings. These documents should be provided only if the individual submits a formal public records request, in which case the normal public records request protocol must be followed. If information is requested in a manner that raises security concerns, staff should take prudent security precautions as described in these guidelines.

Upon request from staff of a governmental or justice system entity (e.g., The Florida Bar, Office of Program Policy Analysis and Government Accountability (OPPAGA), The Florida Legislature, Attorney General’s Office), information about upcoming meetings should be readily provided. However, one should mention to them that in order to ensure the safety of event participants, meeting details are not generally provided to the public. Please request their assistance in helping maintain the security of the event by not widely distributing the information that is being provided.

Primary staff assigned to the project, in consultation with his or her manager(s) and committee chairs, is responsible for determining the appropriate security precautions for a particular event, based on these guidelines.

It is not always necessary to provide security coverage at ordinary court committee meetings. However, if one or more of the following elements are present, staff should consult with the appropriate security personnel (for those described below) in order to determine whether security coverage might be appropriate at meetings and events involving judges and court staff:

- The event will be held at a location other than a courthouse or other location in which adequate security is already provided.

- The event is a public hearing or other highly visible event. That is, the event has been publicized in the media or on the Florida Courts Internet site, or a large number of people have been notified of the event.
- The event includes discussion of a highly controversial topic.
- The event includes public figures or dignitaries such as the governor, cabinet members, legislators, justices, or others.
- There is some credible intelligence indicating a potential threat to the judicial branch or any of its officials or staff.

Furthermore, if committee members express concern about security or if unusual inquiries are received about the meeting, the chair and staff should consider moving the meeting to a courthouse or other secure location or arranging adequate security coverage.

If the committee chair and staff determined that it would be prudent to have security coverage at a court-sponsored event that is located in Tallahassee, staff should coordinate the security arrangements through the Supreme Court Marshal's Office. A written request should be submitted to the supreme court marshal, and a written confirmation that the arrangements have been made should be requested. If the event is located outside the Tallahassee area, staff should initiate a request for security arrangements through the appropriate Trial Court Administrator's Office or DCA Marshal's Office, which will coordinate security coverage with the local law enforcement, as appropriate in their area. The following information should be provided to them:

- The date, time, and location of the meeting, along with a list of anticipated attendees.
- Other information about the meeting site such as the distance between the various meeting rooms, whether it is a gated/restricted-entrance facility, etc.

For events that will be convened at a courthouse, staff should contact the appropriate marshal or trial court administrator, in advance, to notify them of the meeting and any specific security needs, including attendance of dignitaries, any known threats, and other security concerns such as recent controversial court decisions, controversial meeting topics, etc.

Security coverage is provided at all major judicial education programs. Accordingly, it is not usually necessary for committee staff to make separate security arrangements for each meeting held in conjunction with judicial education programs. However, committee staff should provide advance notice to the appropriate program coordinator (as indicated below) about the meeting and any specific security needs, including attendance of dignitaries, known threats, recent controversial court decisions, controversial meeting topics, etc.:

- Appellate Education Programs: conference manager
- Circuit Judges Annual Education Programs: conference manager
- County Judges Annual Education Programs: conference manager
- Florida Judicial College, College of Advanced Judicial Studies, and other court education programs: the appropriate program coordinator in the OSCA Court Education Office

Whenever the chief justice or an associate justice will participate in a court-related event outside of a courthouse, staff should consult with the Supreme Court Marshal's Office regarding any security arrangements that office deems to be necessary.

It costs approximately \$25–\$35 per hour to cover the cost of each sworn law enforcement officer. Committee staff should provide for security costs in project budget plans. Please note that resources have not been allocated to the Supreme Court Marshal's Office for the provision of security at off-site meetings; nevertheless, that office will make every effort to provide or make arrangements for security coverage at Tallahassee court events.

Whether or not it is necessary for security coverage, there are other steps one can take to improve security at court-sponsored meetings and events:

- *Name Tags.* Provide the participants with name tags that are visibly discernable from other persons who may be in the same location. Do not use titles (such as judge, state attorney, etc.) on name tags.
- *Marquee Announcements.* When posting a meeting at a hotel or other location, avoid using terms like “court,” “judicial,” “judge,” or other words that indicate the likely meeting participants. For example, instead of the Florida Courts Technology Commission, one might say Technology Commission. Or instead of posting a notice about the Trial Court Budget Commission, one might use the initials TCBC. OSCA is another acronym familiar to judges and court staff but anonymous to those outside the court system, and could be used on marquee announcements.

VI. COMPLIANCE WITH ETHICAL REQUIREMENTS AND PURCHASING AND PROCUREMENT RULES AND PROCEDURES

When planning and conducting court committee meetings and events, staff and members must comport with all applicable ethical requirements, including:

- [Code of Judicial Conduct \(see especially Canons 2, 3, and 5\)](#)
- [Section 112.313, Florida Statutes](#)

- [State Courts System Purchasing Directives](#)
- [Florida Supreme Court Confidentiality Policy](#)
- [Florida Supreme Court Internet Use Policy](#)
- [Supreme Court and OSCA Vendor Gift Policy](#)

VII. STAFF COVERAGE OF AND ATTENDANCE AT COMMITTEE MEETINGS

The responsibility for determining who attends committee meetings rests with the lead staff member assigned to the project. Individuals whose presence is critical to the meeting will be notified by the lead staff member. Others who may be interested in attending a meeting should ask the lead staff in advance. Some of the factors that may be considered in determining the staff who should attend a committee meeting or event include:

- ***Role at committee meeting.*** The primary purpose for staff attendance at committee meetings is to provide staff support for the committee, including the presentation of research/information, the recording of minutes, provision of background, and, if requested, recommending policy options. Staff may also appear at committee meetings to report on the activities of another committee or initiative, or to speak to legislative or budgetary issues.
- ***Costs.*** Travel is expensive and should be managed wisely. Attendance at meetings should be carefully considered. In general, each person who attends a committee meeting should contribute to the meeting.
- ***Committee comfort.*** Committees often operate best when they are able to discuss issues candidly. During some deliberative stages of committee work, the presence of too many staff persons may inhibit frank discussions. This is less of a concern when the committee is in an information-gathering stage, or when committee members are receiving or making formal presentations.
- ***Subject matter related to current or future staff work.*** Staff who do not provide direct support to a committee often have job responsibilities that are closely related to or will be affected by the work of a committee. Additionally, those who do not provide direct support to the committee may have responsibility for implementing recommendations of the committee, and it would be beneficial for them to observe the discussion firsthand.
- ***Professional development.*** Some committee meetings or events present unique and/or cost-effective training opportunities.

- **Other factors.** If resources and time permit, there may be other legitimate purposes for attending committee meetings, particularly if they are held either in Tallahassee or in a city where staff have other business (e.g., Florida Bar meetings and judicial conferences).

VIII. MEETING MINUTES

A. Purpose of Meeting Minutes

- To establish a record for decisions that are made and those items that require follow-up.
- To avoid reopening and reworking issues that have already been decided.
- To remind members about actions that have been taken and to serve as a catalyst for next step(s).

B. Elements of Good Minutes

- A record of who was in attendance at the meeting.
- The date, time, duration, location, starting and ending time of the meeting, as well as the date, time and place of the next meeting.
- A record of who is responsible for what and by when.
- An indication of the disposition of each item. Minutes usually reflect decisions and agreed-upon actions rather than a detailed account of the discussions.

IX. PROTOCOL FOR COURT COMMITTEES SEEKING TO RECOMMEND LEGISLATIVE ISSUES

A court committee cannot propose a statutory change unless it has express authority to do so. If a court committee has received no explicit authority to propose a statutory change, but becomes aware that a change is needed, the committee may: (1) contact the chief justice by letter seeking guidance; or (2) include a general recommendation for a statutory change in the committee's report.

When a committee has been given specific authority to propose statutory changes, the following protocol must be followed:

- When a potential legislative issue is on the agenda for discussion by a court committee, the state courts administrator and the director of the Office of Community and Intergovernmental Relations (OCIR) should be notified in advance and invited to participate in the meeting.

- If a court committee anticipates legislative activity on an issue, the committee should complete a Legislative Issue Information Sheet and return the form to OCIR by mid-summer, consistent with the annual legislative policy development schedule released by OCIR through e-mail and on the Intranet each year. If draft bill language is available, it should be attached to the form.
- OCIR is authorized to and responsible for communicating with representatives of the district courts, circuit courts, county courts, The Florida Bar, and/or others, as appropriate, in regard to potential legislative issues.
- Proposed legislative issues, along with comments developed with the representatives mentioned above, will be compiled by OCIR and presented to the state courts administrator.
- The state courts administrator, assisted by OCIR, will present potential legislative issues to the supreme court, in the fall, preceding the legislative session each year. Those issues will then be considered by the supreme court and, if approved, will be included in the proposed Judicial Branch Legislative Agenda, and that document will be available for use by all judges and court staff who have been designated to assist in advancing the issues.
- As necessary, the state courts administrator and OCIR in cooperation with the committee recommending the legislative issue or other designated persons as appropriate, will secure sponsors for approved legislation.
- The committee recommending the legislative issue shall designate a member of the committee to serve as a liaison to the state courts administrator, OCIR, and the legislature on the issue; to address and make decisions on behalf of the committee on matters, including but not limited to amendments, which may arise on the legislation; and, as necessary, to meet with legislators and legislative staff or appear before legislative committees on the issue.
- The unit of the Office of the State Courts Administrator providing staff support to the court committee shall designate a staff person to serve as a liaison to the state courts administrator and OCIR on the legislative issue; to provide technical assistance to the committee and OCIR on matters, including but not limited to amendments, which may arise on the legislation; and, as necessary, to attend meetings with legislators and legislative staff or meetings of legislative committees on the issue.
- The Judicial Branch Legislative Agenda will be periodically updated and made available to judges and court staff on the Intranet.
- Notice of any meetings between court committee members/staff and legislators/legislative staff should be provided via e-mail to OCIR in advance when possible or as soon after the meeting as is practicable.
- Information about proposed amendments to language in a bill or a draft bill should be provided to OCIR as soon as it becomes available.

- If the issue becomes law, committee staff shall, no later than August 1, provide OCIR with pertinent implementation deadlines, any reporting requirements, any requirements to develop rule changes, and any other information necessary to fully implement the law.

X. SUBMISSION OF COMMITTEE REPORTS AND PETITIONS

A. General Guidelines for Submission of Reports

- Committee reports will be submitted to the chief justice through the state courts administrator. If the committee also is proposing rule changes, the report shall advise the supreme court that a separate rules petition has been prepared and will be filed with the Florida Supreme Court Clerk's Office. If a committee has been authorized to recommend statutory amendments, those proposals should be outlined in a committee's report and not submitted via a petition.
- Staff should provide the committee report to the state courts administrator, along with an OSCA Committee Report Summary and Transmittal Form prepared by staff. As with other work products, management reviews of a committee report, including review by the designated deputy state courts administrator where appropriate, should be obtained prior to submission to the state courts administrator. Staff should build in lead time to ensure adequate time for review. The state courts administrator will provide the report, along with the completed OSCA Committee Report Summary and Transmittal Form, to the chief justice with copies to the other justices, the clerk of court, the director of the Central Staff Office, and the director of the Public Information Office, as appropriate. Committee chairs, members, and staff should not submit reports directly to the chief justice, as that may result in confusion, delays, an inability to implement a recommendation, or other obstacles.
- Courtesy copies of reports should be provided to any entities affected by the report, as directed by the state courts administrator.
- Committee reports should be posted on the Florida Courts Internet site (unless there is a specific directive to do otherwise); given to the Supreme Court Library; and sent to the State Library/Archives pursuant to statutory requirement.
- If the chief justice or supreme court determines that action is required to respond to or implement recommendations contained in the report, the chief justice or supreme court will take such action and notify staff.

B. General Guidelines for Submission of Rule Proposals

- The only acceptable method for submission of rule proposals is by a formal petition filed with the supreme court. Rule proposals submitted as part of a committee report will not be accepted.

- A court committee must have express authority to draft and submit rule changes directly to the supreme court, either by rule, through a charge contained in the administrative order establishing or continuing the committee or through a letter issued to the committee by the clerk of court.
- If a court committee has received no express authority to propose a rule change, but becomes aware that a change is needed, the committee may: (1) contact the justice liaison by letter so that the supreme court may refer the matter to the appropriate Florida Bar rules committee or supreme court committee; (2) contact the appropriate Florida Bar committee liaison about the matter; or (3) include a general recommendation for the rule change in the committee's report.
- If a court committee has authority to propose rule changes to the supreme court but is required to liaison with a Florida Bar rules committee, the committee must forward its rule proposal to the Florida Bar rules committee for review and remarks prior to submitting the proposal via petition to the supreme court. The committee liaison should explain rule proposals to the Florida Bar rules committee. The committee may include remarks from the Florida Bar rules committee in its petition to the supreme court. Official comment from the Florida Bar committee may be submitted directly to the supreme court during the appropriate comment period, but should not be included as part of the court committee's petition.
- If a rule proposal drafted by a court committee relates to a "non-referral" rule identified in [rule 2.140\(g\), Florida Rules of Judicial Administration](#), the committee need not coordinate with The Florida Bar Rules of Judicial Administration Committee. Proposals relating to non-referral rules may be submitted by the Office of the State Courts Administrator or a court committee, provided the committee has express authority to draft and propose rules, by petition filed with the Florida Supreme Court Clerk's Office. If a committee does not have authority to propose rules, it may include a recommendation for a rule or rule change, along with its administrative recommendations, in a report to the supreme court submitted through the state courts administrator.

C. Submission of Petitions to Amend the Rules

- Petitions to amend the rules must be prepared in accordance with the Guidelines for Rules Submissions, as enumerated in [AOSC06-14](#). Rule petitions should be filed with the Florida Supreme Court Clerk's Office in electronic form only, by using the Florida Courts E-Filing Portal (<https://www.myflcourtagency.com>). Petitions to amend the rules and all attachments must be filed in Microsoft Word format. [In Re: Electronic Filing in the Supreme Court of Florida via the Florida Courts E-Filing Portal, No. AOSC13-7 \(February 18, 2013\)](#).
- Before filing a petition to amend the rules with the clerk of court, committee staff should notify the state courts administrator.

D. General Guidelines for Submission of Statutory Proposals

- Court committees may not recommend statutory amendments absent express authority to do so. Such authority is usually conveyed via rule or administrative order.
- On behalf of the committee, staff must forward statutory proposals to the state courts administrator and the director of the Office of Community and Intergovernmental Relations for submission to the supreme court. Statutory proposals approved by the chief justice and supreme court may be included within the judicial branch agenda for the next legislative session. Only those statutory proposals approved by the supreme court shall be considered part of the branch legislative agenda.
- Unless the supreme court has affirmatively supported or has no objection to pursuit of a statutory issue as part of the approved judicial branch legislative agenda, committee members may not communicate with legislators or legislative staff on behalf of the committee, the supreme court, or the judicial branch in regard to the statutory issue. This provision is not intended to apply to committee members expressing their personal views who affirmatively state that they are not speaking on behalf of the committee, the supreme court, or the judicial branch. See [rule 2.205\(a\)\(1\)\(B\), Florida Rules of Judicial Administration](#).
- For further information see Section IX. Protocol for Court Committees Seeking to Recommend Legislative Issues.

E. Communication Between OSCA Staff and Supreme Court Personnel

- Administrative Matters
 - Justices and supreme court staff may consult with OSCA staff about committee reports and other work products that are before the chief justice or supreme court in their administrative capacity.
 - OSCA staff should not relay to committee members the content of discussions with the supreme court or supreme court staff relating to administrative orders, committee reports or work products, or other administrative matters pending before the chief justice or supreme court, unless requested to do so by the chief justice or supreme court.
- Rule Proposals and Petitions to Amend Rules
 - OSCA staff may consult with the Central Staff Office about technical matters concerning committee rule proposals or petitions to amend rules before a petition is filed with the supreme court.
 - OSCA staff may relay to committee members the content of pre-filing discussions with supreme court staff about technical matters concerning rule proposals or petitions to amend rules.

- Communications between supreme court personnel and OSCA staff should cease once a petition to amend rules is filed with the supreme court.

XI. OSCA COMMITTEE REPORT SUMMARY AND TRANSMITTAL FORM

The purpose of the OSCA Committee Report Summary and Transmittal Form is to provide the chief justice and the supreme court with administrative and fiscal information with regard to reports submitted by court committees, and to provide the court with OSCA's input and perspective on implementation of recommendations contained within those reports. Completion of this form is not a committee work product. Completion of this form helps ensure uniform processing of committee recommendations in a timely manner. Failure to follow the appropriate procedures may result in delays, an inability to implement a recommendation, or other obstacles.

I. Background Information

- A. Name of Committee [name]
- B. Title of Project or Report [title]
- C. Date of Committee's Last Meeting [date]
- D. Supreme Court Liaison [name of justice]
- E. Chair [name of chair]
- F. Staff Contact(s) [name of primary staff]

II. Committee Recommendations Requiring Action by the Chief Justice and/or Supreme Court

- A. Brief Summary of Report and/or Recommendations.

[Insert a brief summary of the report and its key recommendations. This summary may be no more than a few sentences or paragraphs and should not be any longer than one page.]

- B. Supreme Court Action(s) Requested by the Committee.

[Insert a concise description of the specific action requested of the supreme court. Examples include: adoption of a policy; endorsement of best practices; change in a professional fee; etc.]

C. Proposed Implementation Step(s).

[Briefly state a strategy for implementing the action set forth in item II.B., above. For example: issuance of a memorandum to chief judges; referral of a proposed rule amendment to a Florida Bar rules committee; issuance of an administrative order; etc.]

D. Time Frame.

[If applicable, identify any factors that impact on the need for expedited implementation of the committee’s recommendation; e.g. rule must be adopted to implement legislation that becomes effective on a certain date.]

E. Rules of Court Procedure.

[Are any amendments to rules of court procedure being proposed? If so, please briefly describe the proposed rule and the committee’s interaction with the applicable Florida Bar rules committee]

F. Referral to Other Court Committee(s).

[Should the court, as a matter of sound decision making and/or as a policy or budget concern, consider referring one or more recommendations to another court committee, Florida Bar committee, or other entity for comment or further review?]

III. Anticipated Judicial and Fiscal Impact

[This section cannot be left blank. Provide as much information as possible about the fiscal and workload impact of the committee’s recommendations on the court system. If exact dollar amounts cannot be determined but there will be an impact, indicate that the fiscal amount has not yet been determined but do not state not applicable.]

	Amount	Amount	Amount
	Year 1	Year 2	Year 3
FISCAL IMPACT ON COURTS:	(FY 13-14)	(FY 14-15)	(FY 15-16)

Non-recurring Effects:

Recurring Effects:

Long-Run Effects Other Than Normal Growth:

Total Revenues and Expenditures:

FISCAL IMPACT ON OTHER GOVERNMENTAL ENTITIES:

[Describe the anticipated fiscal impact on other governmental entities such as the clerks of court, state attorneys, public defenders, guardian ad litem program, law enforcement, executive branch entities, etc.]

DIRECT FISCAL IMPACT ON PRIVATE SECTOR:

[Describe the anticipated fiscal impact on the private sector such as attorneys, businesses, court-related service providers, etc.]

OTHER WORKLOAD AND FISCAL COMMENTS:

[Please use this space to note any other workload or fiscal comments that are relevant to the committee's report.]

XII. END OF TERM REPORT

An end of term report is a succinct summation of a committee's work and accomplishments during the two-year term of the chief justice who appointed the committee and provided it with its charges. An end of term report will not usually be required for single-purpose committees (e.g., the Task Force on Management of Cases Involving Complex Litigation), but will be required for committees that are given specific charges by administrative order. An end of term report is not the same thing as a "committee report" directed to a particular charge, or set of charges, or an annual report expressed by rule. If an annual report is required by rule, there is no need to also submit an end of term report (e.g., Florida Courts Technology Commission and Florida Court Education Council).

The end of term report is prepared by the committee chair with assistance of staff and is provided via the state courts administrator to the chief justice and the supreme court. As with other work products, appropriate management reviews of end of term reports, including review by the designated deputy state courts administrator where appropriate, should be obtained prior to submission to the state courts administrator. The end of term report provides a concise overview of committee work accomplished and serves as a status report that: (1) reviews the charges and tasks contained in the administrative order appointing the committee; (2) describes charge-related tasks undertaken and completed during the outgoing chief justice's administration; (3) identifies the status of any pending initiatives; (4) provides a progress report and explanation for any charges not met or fully addressed; and (5) identifies for the incoming chief justice any committee recommendations regarding reappointment, appointment of a successor committee, or referral to a separate committee, and may include suggested enumerated charges for the incoming chief justice to consider including in future administrative orders.

The end of term report may reference and briefly summarize content of in-depth final reports and recommendations or rules petitions developed in the course of fulfilling the committee's previous charges; however, the more detailed reports or petitions are not to be restated, reargued, or comprehensively reviewed.

APPENDIX:

Overview of Supreme Court Appointed Committees Staffed by the Office of the State Courts Administrator

Committee	Authority	Purpose and Current Charges (where applicable)	Establish Date	Chair	Justice Liaison	Lead Staff
<p><u>COUNCILS:</u> Councils are responsible for addressing judicial administration issues that have statewide impact, affect multiple levels of the court system, or affect multiple constituencies in the court community. Council membership includes internal and external representation.</p>						
Judicial Management Council	Fla. R. Jud. Admin. 2.225	Serves as a focused advisory body to assist the chief justice and supreme court in identifying trends, potential crisis situations, and the means to address them.	1950s; Reestablished in 2012	Polston	N/A	OSCA: Teagle
<p><u>COMMISSIONS:</u> Commissions address high-level policy issues that span the divisions and/or levels of the court. Membership of court commissions primarily consists of judicial officers and court personnel.</p>						
DCA Budget Commission	Fla. R. Jud. Admin. 2.235	Oversees the preparation and implementation of the district court component of the judicial branch budget. The Commission is directly responsible for recommending budgeting and funding policies and procedures for the district court budgets, so that the funding requirements of each of the intermediate appellate courts can be adequately addressed while promoting statewide operational consistency.	2001	Lawson, effective July 1, 2013	Polston	OSCA: Wilson
Trial Court Budget Commission	Fla. R. Jud. Admin. 2.230	Oversees the preparation and implementation of the trial court component of the judicial branch budget. The Commission is directly responsible for recommending budgeting and funding policies and procedures for the trial court budget, in order to support a trial court system that will effectively carry out the administration of justice.	2000	Steinbeck	Perry	OSCA: Goodner
Commission on DCA Performance & Accountability	Administrative order. See also s. 19, Art. III, Fla. Const.; Ch. 216, Fla. Stat.	Proposes policies and procedures on matters related to the efficient and effective functioning of Florida's district courts through the development of comprehensive resource management, performance measurement, and accountability programs. <ul style="list-style-type: none"> ▪ Monitor statewide performance indicators, recommend improvements in case processing practices, and report to the Supreme Court on the efficiency, effectiveness, and timeliness of DCA case processing (particularly dependency, TPR, and postconviction cases). ▪ Review DCA case management info and ensure establishment of uniform data definitions and reporting procedures. Work with ACTC regarding any revisions to the DCA case management system that may impact the definitions and/or reporting of district DCA data. ▪ Provide input to DCABC on budget and funding issues pertaining to DCA operations and performance. ▪ Propose responses to any statutory requirements and requests by executive and legislative branches related to DCA performance and accountability. 	2002; Prior to that was a JMC committee	Van Nortwick	Quince	OSCA: Geraci

Committee	Authority	Purpose and Current Charges (where applicable)	Establish Date	Chair	Justice Liaison	Lead Staff
Commission on Trial Court Performance & Accountability	Administrative order. See also s. 19, Art. III, Fla. Const.; Ch. 216, Fla. Stat.	<p>Proposes policies and procedures on matters related to the efficient and effective functioning of Florida’s trial courts, through the development of comprehensive performance measurement, resource management, and accountability programs.</p> <ul style="list-style-type: none"> ▪ Identify information that needs to be accessed and tracked in order to move cases efficiently and effectively through the trial court process. Identify key caseload and workload information needed at the circuit and statewide reporting levels essential for performance monitoring and resource management. Establish uniform data definitions, guidelines, and standards for data collection and reporting necessary to produce consistent, automated trial court case management statewide. ▪ Address policy issues to maintain the integrity of the Summary Reporting System, the Weighted Caseload Model, the Uniform Data Reporting System, and other trial court data collection efforts. Provide direction for addressing special data collection needs requested by the legislature or others and guidance in the development of standardized reporting systems for the trial courts. Provide policy guidance related to data collection and analysis pertaining to trial court activity, workload, supplemental resources, and performance measures. ▪ Continue development of standards of operation and best practices for the major elements of the trial courts, with focus on expert witness services. ▪ Provide assistance to trial courts with regard to implementation of standards of operation and best practices approved by the Supreme Court. ▪ Propose responses to any statutory requirements and requests by executive and legislative branches related to trial court performance and accountability. 	2002; Prior to that was a JMC committee	Terrell	Labarga	OSCA: Harris
Florida Courts Technology Commission - Appellate Court Technology Committee	Fla. R. Jud. Admin. 2.236	Oversees, manages, and directs the development and use of technology within the judicial branch under the direction of the Florida Supreme Court, as specified in Florida Rule of Judicial Administration 2.236.	1995; Reestablished by rule in 2010	Munyon	Pariante	OSCA: Neubauer
Florida Court Education Council	Administrative order. See also s. 25.384, Fla. Stat.	<p>Provides oversight of the development and maintenance of a comprehensive educational program for Florida judges and certain court support personnel. The Council’s responsibilities include making budgetary, programmatic, and policy recommendations to the Supreme Court regarding continuing education for Florida judges and certain court professionals.</p> <ul style="list-style-type: none"> ▪ Administer the Court Education Trust Fund to provide education and training for judges and Florida court personnel. ▪ Develop publications to enhance the competence of the judiciary and court support personnel. ▪ Develop distance learning events and methodologies in order to support the education and training of Florida court personnel 	1978	Labarga	N/A	OSCA: Martin

Committee	Authority	Purpose and Current Charges (where applicable)	Establish Date	Chair	Justice Liaison	Lead Staff
Committee on ADR Rules and Policy	Administrative order.	Pursuant to Chapter 44, Florida Statutes, the Supreme Court is required to establish rules of practice and procedure for court-ordered mediation, court-ordered non-binding arbitration, voluntary trial resolution, and court-connected voluntary binding arbitration. Pursuant to section 44.106, Florida Statutes, the Supreme Court is required to establish standards for training for court-appointed mediators and arbitrators. Those two functions have been combined under the umbrella of the Committee on Alternative Dispute Resolution Rules and Policy.	Created in 2003 by merging two committees that were established in 1988	Palmer	Quince	OSCA: Fleischer
STEERING COMMITTEES: Steering committees represent the interests of their respective court divisions. They develop an aspirational vision of the ideal court division; recommend models, standards, and best practices; and conduct court improvement initiatives. Steering committees also address the impact on their topical assignment area of new legislation, case law, federal guidelines, and other changes.						
Steering Committee on Families and Children in the Court	Administrative order.	<p>The goal of the family court initiative is to establish a fully integrated, comprehensive approach to handling all cases involving children and families. The Steering Committee works to encourage and facilitate improvements in efficiency and effectiveness of family court operations.</p> <ul style="list-style-type: none"> ▪ Develop and encourage implementation of promising practices to help ensure that children involved in dependency and delinquency court cases stay in school and are less likely to be arrested, suspended, or expelled. ▪ Provide input to DJJ as it addresses statutory amendments to Ch., 985, Fla. Stat. ▪ Subject to available resources, provide an education program for family court judges and staff that addresses promising unified family court practices and strategies for unified family court implementation. ▪ Assist the multi-disciplinary panel that must be established by OSCA to guide the federally prescribed efforts of the Dependency Court Improvement Grant. ▪ Examine the necessity to amend the judicial notice provisions within Ch. 741 and ss. 90.403 and 90.202, Fla. Stat. If amendments are deemed necessary, propose specific language to the Court for consideration of inclusion in its legislative agenda. 	1994 Combined, or superceded, two or more former court committees	Pariante	N/A	OSCA: Patterson
Criminal Court Steering Committee - Subcommittee on Capital Postconviction Proceedings	Administrative order.	<p>Develops consistent and expedited recommendations to the Supreme Court regarding changes required by legislative enactments, judicial decisions, or other events or circumstances involving criminal law matters.</p> <ul style="list-style-type: none"> ▪ Recommend, if necessary, proposed changes to the uniform orders of supervision that are prepared and disseminated by DOC, in consultation with OSCA. ▪ Recommend, if necessary, proposed statutory and/or rule changes related to the involuntary commitment of sexually violent predators in light of Morel v. Wilkins, 37 Fla. L. Weekly S161 (Fla. March 8, 2012). ▪ Recommend, if necessary, proposed statutory and/or rule changes to post-conviction matters, including forms, in light of the Court’s opinion in SC11-1679 (In Re: Amendments to the Florida Rules of Criminal Procedure – Post-Conviction Rules). 	2002; Merged up to five predecessor committees	Emas	Labarga	OSCA: Schneider

Committee	Authority	Purpose and Current Charges (where applicable)	Establish Date	Chair	Justice Liaison	Lead Staff
<p>WORK GROUPS/TASK FORCES: Work groups and task forces are ad hoc groups appointed for a specific period of time to address a specific issue or narrow topic. They conduct studies, prepare reports, and take other appropriate action as directed by the Supreme Court.</p>						
Unified Committee on Judicial Compensation	Fla. R. Jud. Admin. 2.244	Serves as the court system’s mechanism for addressing and advancing judicial compensation and benefits issues. The committee develops and recommends to the supreme court judicial pay and benefits priorities, and advocates for judicial pay and benefits issues approved by the court for inclusion in the annual judicial branch LBR.	Established in 2005 and codified in rule in 2012	Polston	N/A	OSCA: Goodner
Task Force on Substance Abuse and Mental Health Issues in the Courts	Administrative order.	<p>Addresses the needs of individuals with serious mental illnesses and substance abuse issues who become involved in the justice system.</p> <ul style="list-style-type: none"> ▪ Address statutory and rule changes relating to the confidentiality of treatment records and behavior health evaluations. ▪ Continue to promote the recommendations outlined in the Transforming Florida's Mental Health System report. ▪ Provide guidance to OSCA relating to the post-adjudication drug court expansion project. ▪ Develop a resource guide for judges and court staff in assisting veterans with mental health and substance abuse disorders who become involved in the criminal justice system. ▪ Examine how to best target resources and programs that serve individuals with mental health and substance abuse disorders. ▪ Develop recommendations to ensure that judges handling cases involving individuals with substance abuse and mental health disorders receive appropriate and timely education and training. 	2010; It is the success to drug court task force	Leifman	Quince	OSCA: Patterson
Standing Committee on Fairness and Diversity	Administrative order.	<p>Helps advance the State Courts System’s efforts to eliminate from court operations bias that is based on race, gender, ethnicity, age, disability, financial status, or any characteristic that is without legal relevance.</p> <ul style="list-style-type: none"> ▪ Identify and explore strategies that chief judges could use to promote and encourage diversity in the administration of justice. ▪ Work with the FCEC to identify and recommend resources necessary to ensure that all judges and court staff have the opportunity to participate in a fairness and diversity education program. ▪ Build partnerships and collaborations with The Florida Bar Commission on Professionalism, local bar associations, community organizations, and Florida law schools for the purpose of advancing fairness and diversity initiatives within the legal profession. ▪ Develop recommendations relating to the reassessment of perceptions of disparate treatment in the Florida court system. 	2004; It is the successor to Fairness, Gender Bias, and Racial & Ethnic Bias Com’s	Bernstein	Perry	OSCA: Samuel
<p>OTHER COMMITTEES: This group encompasses other committees required by Court opinion, statutory provisions, or other requirements and that should, by reason of their regulatory or other responsibilities, operate more independently from Court oversight.</p>						

Committee	Authority	Purpose and Current Charges (where applicable)	Establish Date	Chair	Justice Liaison	Lead Staff
Committee on Standard Jury Instructions in Criminal Cases	327 So. 2d 6	Makes recommendations to the Court regarding changes that are required in jury instructions in criminal cases. These changes will be in response to legislative enactments, judicial decisions, or other events or circumstances that affect the presentation of cases to trial juries. The Committee is also charged with reviewing the standard instructions for errors and inaccuracies and recommending to the Court amendments and revisions in the instructions that would be beneficial to the administration of justice.	1976	Bulone	Labarga	OSCA: ¹ Schneider
Judicial Ethics Advisory Committee	327 So. 2d 5	Renders written advisory opinions to inquiring judges concerning the propriety of contemplated judicial and nonjudicial conduct.	1976	Arias, effective July 1, 2013	Canady	OSCA: Goodlett
Mediation Qualifications Board	Fla. R. Cert. Mediators 10.730	Responsible for accepting grievances against certified mediators; determining probable cause with regard to grievances filed against certified mediators; conducting hearings in relation to grievance proceedings, if necessary; and sanctioning certified mediators, if appropriate.	1992	N/A	N/A	OSCA: Fleischer
Mediation Training Review Board	Administrative order	Responsible for reviewing complaints filed against certified mediation training programs.	1995	Vacant	N/A	OSCA: Fleischer
Mediator Ethics Advisory Committee	Fla. R. Cert. Mediators 10.900(a)	Provides written advisory opinions to mediators concerning interpretations of the rules and guidance on standards of conduct.	1994 as Mediator Qualifications Advisory Panel; renamed in 2000	Greenfield-Mandler	N/A	OSCA: Fleischer
Court Interpreter Certification Board	Fla. R. Cert. Court Interp 14.110	Assists the Supreme Court of Florida in overseeing the certification and regulation of court interpreters as set forth in Rules 14.100 through 14.460.	2006	Davis, effective July 1, 2013	Canady	OSCA: Bell
Judicial Branch Records Management Committee	Administrative order. See also 973 So. 2d 437 (Fla. 2008)	Records retention issues in the judicial branch have become increasingly complex in recent years, requiring a new level of oversight and attention. In 2008, the Supreme Court approved the creation of a comprehensive judicial branch records management and retention program. The Committee was subsequently established to oversee that records management and retention program.	2008	Thomas	Pariente	OSCA: Hall
Local Rule Advisory Committee	Fla. R. Jud. Admin. 2.140(h)	Makes recommendations to the Court concerning local rules and administrative orders submitted pursuant to Florida Rule of Judicial Administration 2.215(e).	1979 (?)	Silvernail	Quince	OSCA: ² Schneider

Prepared by the Office of the State Courts Administrator
December 11, 2013

¹ The committee was originally staffed by The Florida Bar. Staff responsibilities were transferred to OSCA effective January 1, 2005.

² Staff responsibilities for the committee were assigned to OSCA in 2010. Prior to that time, there was no official staff support provided to the committee; former 1st DCA Judge Marguerite Davis, who previously chaired the committee, fulfilled the staff functions.

Item III. Judicial Workload Study Update

III.A. Project Summary and Review

The Supreme Court of Florida has tasked the Office of the State Courts Administrator (OSCA) with updating the trial court judicial case weights used to evaluate judicial workload. The OSCA has 15 years of direct experience evaluating judicial workload beginning with the 1999 Delphi Workload Assessment followed by the 2006-07 Judicial Resource Study (JRS). At present, Court Services' staff is reviewing the methodology and dialoguing with staff from the National Center for State Courts, the original consultants to the 1999 Delphi and 2006-07 JRS study.

Several major methodological steps have been identified by the NCSC, including the need to:

- appoint and convene a Judicial Needs Assessment Committee (Executive Committee);
- conduct in-person or web-based training hosted by OSCA staff for the circuits re: time study;
- conduct a one month web-based judicial time study of all trial court judges;
- administer a web-based *Sufficiency of Time* survey for all trial court judges;
- conduct site visits to a stratified sample of small, medium, large and extra-large circuits, meeting with the chief judge, administrative judges and trial court administrators;
- convene a group of approximately 120 judges by court division to assess the proposed revised weights; and
- reconvene the Judicial Needs Assessment Committee to review and approve of the final proposed case weights.

An effort of this magnitude generally takes 12-18 months and requires significant funding to hire consultants, as well as the costs associated with judicial and staff site visits and meetings.

The total estimated cost for the study is \$360,000. At its June 20, 2014 meeting, the Trial Court Budget Commission appropriated funding for the judicial workload study. Judge Alessandroni, Chair of the Court Statistics and Workload Committee and select members of the committee will be directly involved in this effort.

**Commission on Trial Court
Performance & Accountability
Court Statistics & Workload Committee
Phone Conference
October 15, 2014**

A final determination as to when the study will begin is pending, but it is anticipated that it will commence in early 2015. OSCA staff is awaiting final approval from the supreme court before it can execute a contract with the National Center for State Courts.

Decision Needed:

1. None. For information only.

Item IV. Issues of Interest

IV.A. Plan to incorporate Case-Event Definitional Framework (AOSC14-20) into SRS Reporting

On March 26, 2014 the supreme court issued AOSC14-20 In re: Trial Court Case-Event Definitional Framework, which established specific definitions for critical events within a case essential for correct reporting of case activity in the trial courts.

The State Courts Administrator was specifically directed with taking "...the appropriate action to implement this Framework as an intrinsic element of new trial court case activity data management projects, ..., and to retrofit, as necessary and practical, existing trial court data collection systems ... in a reasonable time frame commensurate with available resources and the expected benefits of such actions."

In keeping with the supreme court charge to incorporate the Case-Event Definitional Framework into existing development projects, the OSCA has developed a physical data model that implements case-event elements of the Trial Court Data Model, including database tables and supporting software code as part of the 2014 Criminal Transaction System Modernization project. In addition to upgrading the data collected via the Offender Based Transaction System (OBTS), this implementation is general in nature and will be usable by any subsequent data projects that involve case-event reporting.

IV.B. Uniform Data Reporting - Court Interpreter Hourly Reporting

Supreme Court Administrative Order AOSC11-45 IN RE: COURT INTERPRETING SERVICES IN FLORIDA'S TRIAL COURTS adopts a set of recommendations on standards of operation and best practices. The order directs TCP&A and CSWC to modify court interpreting statistics collected in the Uniform Data Reporting (UDR) system to capture the number of court interpreting hours (in quarter hour segments), by proceeding type and language, in addition to the number of events. These statistics should also be modified in order to be consistent with amendments to s. 29.004, Florida Statutes.

The OSCA has begun collecting court interpreting events and hours as part of a program being administered by the TCP&A. Currently, TCP&A is conducting a pilot program on the use of Shared Remote Interpreting Resources, which includes the reporting of both events and hours. To reduce the reporting burden on circuit court administrations, reporting of court interpreting events and hours via the Uniform Data Reporting (UDR) system has been suspended. UDR statistics for court interpreting events and hours are being computed from data provided under the Shared Remote Interpreting pilot project. Once this project is complete, reporting will resume under the previously existing UDR reporting mechanism.

IV.C. FY2013-15 Foreclosure Initiative

The Foreclosure Initiative is currently in its sixteenth month. OSCA staff has been working diligently with the clerks of court to increase the accuracy, completeness, and timeliness of the data. The last three months in particular have shown remarkable improvement to the quality of the data. Since September, 51 of the 67 counties report their data on a weekly basis at a minimum, with 43 of them submitting daily reports of the activity that occurs on mortgage foreclosure cases. The reporting of inactivity (case statuses of “Inactive” and “Reopen Inactive”) was something many counties initially struggled to provide when the initiative began in July 2013. Currently, 42 counties have reported inactivity to the initiative and staff is working with the remaining counties to be able to achieve full compliance with the Data Collection Plan.

The result of the increase in data submission frequency, completeness, and accuracy has significantly reduced the amount of time in which calculated statistics can be considered reliable and ready for publication. In particular, the daily submission, combined with the ability to capture case activity as it occurs instead of querying data after the fact, has resulted in a tremendous leap forward in the quality of the Foreclosure Initiative data. This event-push model was a recommendation from the TIMS report and Trial Court Data Model, which this committee was instrumental in developing.

IV.D. Performance Measures Required by Fla. R. Jud. Admin. 2.225(a)(2)

As noted in our April 10, 2014 meeting, the CSWC has completed the initial evaluation of reporting needs under this rule and established pilot reporting through the 2013-2015 Foreclosure Initiative. These measures are included as an element under several related projects such as the TCP&A’s High Performing Courts, the Judicial Management Council Performance Workgroup and the OSCA’s Judicial Data Management Services. Care should be taken to ensure that the final performance measurement effort as required by rule will meet the needs of all stakeholders involved. Additional work on these measures is on hold to give these encompassing projects an opportunity to complete their respective planning. Staff will continue to monitor the advancement of these projects as they involve the CSWC.

Decision Needed:

1. None. For information only.

Item V. Next Meeting

The next meeting of the FY2014-16 term will be an in-person meeting in late January or early February of 2015. To minimize impact on CSWC members, staff is attempting to coordinate the in-person meeting in conjunction with the first in-person meeting of the Judicial Workload Study. It is expected that the CSWC meeting will either be held in Orlando or Tampa, FL.

Committee Action Needed:

1. Staff will announce the proposed CSWC in-person meeting date and location once any Judicial Workload Study meetings are scheduled. Please reply to this forthcoming email to indicate your availability for the in-person meeting.