

**Florida Supreme Court
Commission on District Court of Appeal Performance and Accountability Meeting
Video Conference
January 13, 2015**

Minutes

Members in attendance:

Judge Anthony Black, Judge Vance Salter, Judge Martha Warner, Mary Cay Blanks, Jo Haynes, and Justice Peggy Quince (Liaison).

Absent:

Judge Jay P. Cohen and Judge Simone Marsteller

Staff in attendance:

Maggie Evans, Patty Harris, Arlene Johnson, Blan Teagle, and Greg Youchock.

I. Welcome and Introductions.

Judge Salter called the meeting to order at 2:30 pm.

II. Approval of September 7, 2014 Minutes.

The minutes were approved unanimously with no edits.

III. Review of Judicial Relative Case Weights

Judge Salter opened the discussion with a review of his email on November 21, 2014, outlining the issues and potential options in approving the updated relative case weights. He asked for any questions from the members regarding the methodology. A question was asked regarding how the outliers were handled in the statistics. Arlene Johnson responded that all outliers were removed, as they represented a significant difference from the other responses. She explained that most responses were comparable to previous years and this particular case weight review was completed by all the judges, as compared to the previous study. She also noted that the data is more reliable when more judges participate. Justice Quince suggested describing the differences between the judges participating in the previous study and the current study, in the report.

Ms. Johnson reported that the modifier for the First DCA, approved in 2010, was no longer necessary as the responses from that district were in line with the rest of the responses.

The group discussed whether a time study by an independent consultant would be more reliable. Concerns were raised with the money that would be necessary to fund such a study and whether it would make a justifiable difference. It was suggested that in the report to the Court, discuss the criticism received indicating that a time study would be a more accurate depiction of workload and suggest that the Court may want to consider a time study for appellate judges.

Additionally, the group discussed the possibility of reviewing the weighted case disposition threshold of 280. It was suggested that one of the recommendations of the report should be the review of the threshold.

The group unanimously approved Option 2, which removes the outliers from the calculation of the relative case weights. In addition, the group approved suggesting the option of a time study to the Court and a review of the weighted case disposition threshold. Finally, the group approved recommending that the Court remove the modifier for the First DCA. Judge Salter noted that the next step would be to draft the report and circulate it to the members for review and comments.

IV. Update on Joint Workgroup on Dependency/TPR Appeals.

Maggie Evans provided an update on the Joint Workgroup on Dependency/TPR Appeals. The group has met twice via conference call, reviewing background information and requesting updated circuit profiles, a court reporting managers' survey, and more recent data. As the request of the group, two members were added, including a trial clerk representative and an attorney for the Office of Criminal Conflict and Civil Regional Counsel. The group plans to meet on February 9 in Orlando to review the updated documents and responses and begin to draft recommendations.

V. Other Business.

There being no other business, Judge Salter adjourned the meeting at 3:32 pm.