

**The Long-Range Strategic Plan
For the Florida Judicial Branch
2009-2015**

**Progress Report
January 2012**



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Executive Summary

Each of the last two years the courts of Florida have disposed of more than 4.5 million cases, ranging from simple traffic citations to serious criminal cases and complex civil disputes with multiple parties. The management of such large caseloads and the administration of the resources and personnel necessary to manage the court system is a tremendous undertaking. Declining fiscal and staff resources also add to the daunting workload and challenges of the court system. And yet, the Florida Judicial Branch continues to make progressive strides in the high priorities defined in its long-range strategic plan.

The Long-Range Strategic Plan for the Florida Judicial Branch 2009-2015 sets out five major long-range issues as well as related goals and strategies to articulate a comprehensive plan of action to guide the judicial branch in advancing its mission and vision. The plan charts the course for the judicial branch including the supreme court, five district courts of appeal, 20 circuit courts, 67 county courts, and the Office of the State Courts Administrator.

The five long-range issues are:

1. Strengthening Governance and Independence
2. Improving the Administration of Justice
3. Supporting Competence and Quality
4. Enhancing Court Access and Services
5. Enhancing Public Trust and Confidence

The current Progress Report – January 2012 is a mid-cycle description and summary of the milestones and achievements toward meeting existing challenges and the strategic goals of the judicial branch.

Issue 1 – Strengthening Governance and Independence

Leading and Governing the Judicial Branch

The Florida Supreme Court is the highest court in Florida, and its chief justice is the chief administrative officer of the entire State Courts System. Currently, the Florida Supreme Court has a total staff of 97, including the seven justices, and utilizes only two percent (2%) of the entire State Court System's budget. Each justice has a small staff consisting of a judicial assistant and three staff attorneys. In addition to the justices and their staffs, the supreme court also oversees the following functions that contribute to the court's work as a court, or to the State Courts System and its diverse services: Central Staff, the Law Library, Marshal's Office, Office of the Clerk, Office of the Inspector General, Office of Public Information, and the Office of the State Courts Administrator (OSCA). (Note: OSCA is not included in the staffing or budget figures shown above.)

The OSCA was created to serve the supreme court and chief justice in carrying out responsibilities as the chief administrative officer of the judicial branch. Functions include a broad scope of budgetary, intergovernmental, fiscal, statistical, technological, educational, and legal responsibilities relating to the operations of the state courts. Additionally, the OSCA provides professional and administrative support to a broad range of councils, commissions, committees, and work groups appointed by the supreme court. The OSCA budget represents only five percent (5%) of the total State Courts System budget, with 171.5 FTE positions or four percent (4%) of the total of State Courts System employees. The Florida Judicial Branch has shown it is an innovator in the deployment of human and financial resources to manage workload in cost-effective and productive ways. The branch operates on less than one percent of the overall state budget, a much lower percentage of the overall state budget compared to similar states with diverse populations and large workloads.

To further strengthen and modernize the judicial branch's governance structure, the chief justice appointed a Judicial Branch Governance Study Group in 2009. The Governance Study Group performed extensive research and on January 31, 2011, presented its final recommendations to the supreme court which emphasized: 1) desire for the judicial branch to be more proactive rather than reactive; 2) consistent and strong leadership; 3) better communication at all levels throughout the branch. The recommendations of the Governance Study Group are currently under review and consideration by the supreme court.

Upholding Independence and Promoting Collaboration

The Florida Judicial Branch maintains open and transparent communication with both the executive and legislative branches on issues affecting the justice system. Florida's courts continuously operate from the premise that a legislative enactment is presumed to be constitutional. The courts clearly understand the duty to defer to the legislature in the realm of policy making. Florida's commitment to appropriate checks and balances among the branches ensures the proper role of the courts as the co-equal third branch of government.

There are numerous illustrations of collaboration between the judicial branch, executive branch agencies, and other governmental entities concerning budget, technology, education, court operations, children and families, and more. Several examples are:

- The Florida Judicial Branch is recognized by the National Center for State Courts as a flagship model of emergency preparedness and inter-governmental cooperation to ensure that crises are dealt with in a way that protects the health and safety of everyone in court facilities and keeps the courts open to ensure justice for all people.
- In 2011, the legislature authorized the judicial branch and the clerks of court to work together to determine suitable, less volatile revenue streams for the court system's and the clerks' trust funds. The clerks and courts have completed their work on the project and a report has been issued that provides recommendations about steps the legislature can take to stabilize court and clerk funding.

- Initiatives such as e-filing, the Trial Court Integrated Management System, the Florida Dependency Court Information System, the Drug Court Initiative, and others all require close cooperation with judicial partners and stakeholders to create effective solutions.

Issue 2 – Improving the Administration of Justice

Demonstrating Efficiency in Florida’s Court System

Supreme Court - The jurisdiction of the supreme court is set out in the Constitution with some degree of flexibility by which the Legislature may add or take away certain categories of cases. Operating within this jurisdiction has produced a fairly steady workload. The number of cases filed in Florida’s Supreme Court has averaged nearly 2,500 for each of the last five years. The workload of a court can perhaps best be assessed in terms of the number of cases that are pending at the court.

- From 2005 to 2010, there has been more than a 20% decline in the number of pending supreme court cases and more than a 20% decrease in the average age of pending supreme court cases.

Resources needed to process appeal cases vary depending on the type of case; however, the supreme court continues to address those challenges associated with rendering timely decisions.

- In 2010, over 80 percent of supreme court cases were disposed within 180 days and over 90 percent of cases were disposed within 365 days.

Clearance rates are the ratio between the number of cases filed and the number of cases decided in a given period. A rate under 100 percent means that not all cases were disposed during the year they were filed and a rate over 100 percent means that some cases carried forward from prior years were decided.

- In death penalty cases specifically, the supreme court’s clearance rate has improved from 72% in 2005 to 141% in 2010, and has remained over 100% from 2006 through 2010.

District Courts of Appeal - The bulk of trial court decisions that are appealed are never heard by the supreme court. Rather, they are reviewed by three-judge panels of the district courts of appeal. The ability of courts to provide justice and to protect the time and resources of litigants and justice system partners can be severely tested when dockets are full and judicial time is stretched thin.

- In fiscal year 2010-11, total district court of appeal case filings were 26,053, and total case filings per judge were just over 427.

Despite increases in total case filings and total case filings per judge, the timeliness of cases disposed remained relatively constant.

- Florida's five district courts of appeal continue to dispose of nearly all appeals and petitions within 180 days of oral argument, and for fiscal year 2010-11 recorded an overall clearance rate of 100.2%.

The Commission on District Court of Appeal Performance and Accountability, working with the District Court of Appeal clerks and Office of the State Courts Administrator staff, established a mechanism for generating reports that disclose the standard amount of time spent on a particular stage of a case. These reports enable DCA judges and personnel to see how efficiently they are processing dependency and termination of parental rights cases. In order to minimize the harmful effects on children involved in dependency and termination of parental rights cases, the DCAs strive to resolve these cases as quickly as possible.

- In fiscal year 2007-08 the number of all cases resolved within 195 days, from final judgment of the trial court to disposition by the appellate court, was 44 percent. In the second quarter of fiscal year 2010-11, that number rose to nearly 68 percent.

Trial Courts – Florida continues to suffer from the economic decline being experienced throughout the nation. The judicial branch has been grappling with the effects of these economic forces on its daily operations. Since fiscal year 2007-08, Florida's courts have faced reduced budgets, diminished resources, staff layoffs, salary reductions, hiring freezes, and travel restrictions. Additionally, mortgage foreclosures cases have also strained Florida's judicial system, reaching their peak in fiscal year 2008-09 when there were 34,000 mortgage foreclosure filings per month, resulting in a backlog now estimated at over 300,000 cases. With the exception of foreclosure cases, the trial courts have kept pace with filings and successfully managed the judicial workload while minimizing case backlog and court delay.

- Filings have been at or above four million for the last four years and dispositions for that same period have steadily climbed.
- The clearance rate for county and circuit courts for 2009-10 was nearly 110 percent, the first time the clearance rate has been above 100 percent in the last ten years.

Accountability to Florida's Citizens

The need for additional judgeships remains high due to an absence of funding for previously certified judgeships and overall increases in caseloads. While Florida's courts continue to focus on fiscal accountability and resource optimization, institutional capacity of the courts will continue to be tested.

- Based on 2009 comparative data from the National Center for State Courts published in 2011, Florida ranked 4th in the total number of incoming non-traffic cases per judge, and 1st among states with large populations.
- Nationally, the median number of annual incoming non-traffic cases per judge in general jurisdiction courts is 1,791, while in Florida it is 2,986.

Additional efforts are being made by Florida's courts to further address accountability and resource management.

- The Commission on Trial Court Performance and Accountability has been responsible for proposing policies and procedures on issues connected with the efficient and effective operation of Florida's trial courts.
- Alternative dispute resolution standards were approved by the supreme court in May 2009.
- In January 2010, court reporting services standards of operation and best practices were approved by the supreme court.
- The supreme court adopted changes to the standard civil jury instructions in March 2010 which include plain language modifications and other changes that will create a more effective and meaningful jury experience.

Harnessing the Power of Court Technology Tools

Technology continues to play a pivotal role in the judicial branch and several technology initiatives will further enhance court capabilities.

- The court system's Trial Court Integrated Management Solution (TIMS), promises to be a comprehensive solution to address the need for statewide access to information. TIMS will provide business requirements and an implementation plan for automating case processing—which will include case intake, document management, case management/tracking, case scheduling, court proceedings, resource management, and performance measurement. In late 2010 and early 2011, site visits were completed to explore local system capabilities, a detailed project plan was developed, workgroups were established by case type, and foundational work on the Probate case type commenced.
- Florida's appellate courts also continue working to develop software applications that will enable the seamless integration of e-filing with other automated court processes like case and workflow management. In May 2010, the Appellate Courts Technology

Committee voted to approve two pilot projects designed to facilitate this migration, and both have been making considerable progress.

- The Judicial Inquiry System (JIS) now performs an automated query on defendants the night before they appear on the docket to provide a complete criminal history. The capability is currently available in three counties with expansion to additional counties planned.
- Through a web-based application, the Florida Dependency Court Information System (FDCIS) will provide judges and court personnel with access to dependency-relevant data from various information systems within several executive branch agencies and is in test use in several locations throughout the state.
- The court system has proceeded deliberately to facilitate the electronic delivery of court records and supporting documents from lawyers and litigants to the clerks of court. Now, after years in development, an e-filing statewide portal that will achieve these goals is ready for expanded use. In January 2011, the portal went “live,” and over the next few years, statewide e-filing will grow incrementally. With e-filing: the public and the legal community will have easy and convenient access to the courts; clerks won’t have to spend time scanning, processing, copying, and searching for paper documents; and judges and court employees will be able to retrieve case-related documents more readily.

Issue 3 – Supporting Competence and Quality

Florida’s Court System Creates, Supports, and Delivers Educational Programs

Meeting the demands of justice in the twenty-first century requires that judicial officers and court staff have the knowledge, skills, and abilities to administer the justice system fairly, effectively, and in ways that foster trust and confidence. In order to ensure well-designed educational offerings and well-trained faculty and presenters, the Florida Court Education Council and the Court Education section conducted a total of six planning meetings and five faculty training and enrichment programs during fiscal years 2009-10 and 2010-11.

- Also during fiscal years 2009-10 and 2010-11, more than two dozen judicial educational events were held and more than 1,000 new and experienced trial court and appellate judges participated.
- Despite the fact that one statewide conference and several regional training events were cancelled due to the budget crisis in 2010-11, there were more than 50 educational events during fiscal years 2009-2010 and 2010-2011 for court staff and justice partner organizations with over 5,000 participants.

OSCA receives and administers federal grant funds in the areas of court improvement/dependency, juvenile delinquency and drug courts, and domestic violence, as well as some funding from several foundations. This non-state, supplemental funding affords access to national training and development opportunities that would not otherwise be available.

- During fiscal years 2009-2010 and 2010-2011, 214 judges and court staff were able to attend training events with nationally known experts.

Numerous distance learning events and methodologies were developed and utilized in fiscal years 2009-10 and 2010-11 to support the education and training of court personnel and to supplement live, in-person training for judges and judicial officers.

- During fiscal years 2009-10 and 2010-11, a total of 47 distance learning events were held for judges and court staff reaching an estimated 3,000 participants.

Publications are among the most utilized of the judiciary's self-learning resources. These resources allow judges and court staff to access and use these stores of information at the time they are needed.

- During fiscal years 2009-10 and 2010-11, a total of nine bench guides were developed or revised on various topics.
- Other self learning resources developed and made available online from 2009-2011 include: the Court Education section online library, with a compendium of various publications and resources; interactive, web-based educational programs; and the online Introduction to the Florida Courts System.

Issue 4 – Enhancing Court Access and Services

Public Access to the Courts is a Cornerstone of Our Justice System

Litigants may face a variety of obstacles in seeking access to the courts, including procedural barriers, the cost of litigation, physical obstacles, language and communication barriers, and cultural and attitudinal biases. The judicial branch has worked to identify and ameliorate the various barriers that exist preventing meaningful access to the courts. These actions include providing assistance and information to self-represented litigants, promoting architectural and electronic access for people with disabilities, and working to increase the pool of qualified court interpreters.

- OSCA's Office of Court Improvement (OCI) has developed, updated, and distributed a series of videos, publications, and other materials to be used by individuals involved in family law cases; including a guide to help young children prepare meaningfully for dependency court and a video explaining dependency court for older children. In

addition, OCI developed an online platform to allow participants in the domestic violence injunction process to complete pertinent forms online.

- In response to a 2010 Florida Supreme Court rule amendment, each court has reviewed and updated ADA notice language that is included on notices of hearing, jury summonses, and other forms. In addition, courts have posted on their website and in each courthouse the procedures for requesting an accommodation and grievance procedures for informally resolving complaints.
- Florida's courts also increasingly provide access to court information and services through their websites and other electronic means, which must be accessible to individuals with disabilities. Florida courts have been using Section 508 Standards, developed by the US Access Board, to ensure compliance with the ADA. OSCA staff offer live training as well as distance learning opportunities on ADA/508 standards for electronic information and making complex documents accessible.
- Meaningful access to the courts should be available for all people, regardless of their ability to communicate effectively in the English language. Through the OSCA, the Court Interpreter Certification Board is responsible for certifying, regulating, and disciplining court-appointed foreign language court interpreters, as well as suspending and revoking certification. As of August 2011, a total of 155 court interpreters have been certified. Given the limited number of court interpreters, the substantial need for court interpreting services, the fiscal limitations of the court system's budget, two judicial circuits have explored remote interpreting services as an alternative to traditional face-to-face court interpretation with great success.

Florida's Courts Are Committed to Providing Consistent Levels of High Quality, Appropriate Services to Court Users

Despite on-going fiscal restraints, the State Court System continues its efforts to address the needs of court users through various initiatives and programs designed to provide information, assistance, resources, and services to litigants.

Mediation and other alternative dispute resolution methods open communication and facilitate problem-solving between parties, conserving judicial time and court resources. The OSCA's Dispute Resolution Center (DRC) certifies mediators and mediation training programs.

- Currently, there are court-based mediation programs serving each of the twenty judicial circuits in the state and over 6,200 private certified mediators in Florida.
- The DRC conducted a statewide conference in August 2011 with approximately 850 attendees.

- DRC staff conducted continuing mediator education programs on mediator ethics, domestic violence and cultural diversity in fiscal years 2009-10 and 2010-11 for over 130 certified mediators.

Some of the most difficult and private family matters – including separation and divorce, child support, child neglect, delinquency, dependency, family violence, substance abuse, and mental illness - often end up being addressed in the courts. Reconstituted by Chief Justice Canady in 2010 and chaired by Justice Pariente, the Steering Committee on Families and Children in the Court (FCC) is addressing issues related to Unified Family Courts (UFC) implementation, as well as addressing rule and statutory issues, identifying and defining elements necessary for effective family court case management, and liaising with the multi-disciplinary Dependency Court Improvement Panel. Supported by and working in conjunction with OSCA's Office of Court Improvement (OCI) staff, the Steering Committee has played an important role in the development of various resources and opportunities for family court improvement.

- OCI, in both fiscal years 2009-10 and 2010-11, conducted five regional judicial forums throughout the state on issues in dependency court.
- In January 2011, the Dependency Court Improvement Panel sponsored a three day conference, bringing together court-based and community-based individuals and organizations committed to implementing a model dependency court in their circuits.

First implemented in Miami-Dade County in 1989, drug courts have since expanded throughout Florida as well as across the United States and other countries.

- Based on available data, drug court treatment and services are estimated to cost approximately \$30 less per day per person than incarceration in a Florida prison, an annual savings of nearly \$11,000 per individual. Thus, the diversion of non-violent felony offenders from prison to successful treatment and diversion programs offers the potential to save millions of dollars each year.
- Supported by federal stimulus funding appropriated to the court system by the legislature in 2009, Florida has undertaken the expansion of adult post-adjudicatory drug court programs in eight counties across the state.

Since 2006, the court system has recognized that the arrest and incarceration of those with serious mental illnesses has wasted critical tax dollars and put recovery out of reach for countless Floridians. In 2010, Chief Justice Canady issued an administrative order creating the Task Force on Substance Abuse and Mental Health Issues. The Task Force was directed to: 1) continue to promote the recommendations contained in the *Transforming Florida's Mental Health System* 2007 report; 2) propose a strategy to address unresolved matters from the reports on the Task Force of Treatment-Based Drug Courts; 3) provide guidance to the OSCA as it resolves implementation issues related to the drug court expansion project; and 4) consider

how Florida's courts may more effectively serve veterans with mental illnesses and substance abuse issues who become involved in the criminal justice system.

Florida's Courts Work to Ensure That All People will be Treated Fairly and with Dignity When They Appear in Court

Today's judicial system is confronted by rapid and profound social, economic, demographic, and technological changes. The court system faces tremendous obstacles in light of these sweeping new challenges and pressures as it strives to meet its mandate to provide justice. Justice requires that the court system be open and accessible to all; respect the dignity of every person; and, respond to the needs of all members of society.

Established in 2004 by then-Chief Justice Barbara Pariente, the Standing Committee on Fairness and Diversity was created for the purpose of advancing the State Courts System's efforts to eliminate from court operations inappropriate bias based on race, gender, ethnicity, age, disability, or socioeconomic status. During fiscal years 2009-10 and 2010-11, the Standing Committee completed a number of tasks outlined in the administrative orders including a survey distributed throughout the court system to identify court projects and activities that educate the public about the court system and foster court community relationships.

- The committee has liaised with several law schools to develop linkages and collaborations between the diversity work of law schools and the Standing Committee, and has been actively involved in making presentations and disseminating materials at various law schools, and law student organizations, and Bar groups.
- Another committee initiative has been to collaborate with the Florida Court Education Council (FCEC) to identify and recommend resources for implementing permanent fairness and diversity training for judges and court staff at the state and local level.
- The committee estimates that by the end of fiscal 2009-10, approximately 90 percent of judges, general magistrates, and hearing officers and 66 percent of court staff had attended a day-long diversity training program.

Issue 5 – Enhancing Public Trust and Confidence

Utilizing Resources Competently in Challenging Economic Environment

The Florida Judicial Branch utilizes its resources effectively even though it is not adequately funded. The total dollar amount (\$436 million) allocated for the Florida Judicial Branch for fiscal year 2011-12 is a mere 0.7% of the overall state budget (over \$69 billion), with most resources being spent at the trial court level (almost 84% of the entire budget). The State Courts System has a total of 4,119 positions; at 3,429 positions, the majority of employees work in the trial courts (circuit and county).

In 1998, a major court reform, referred to as Revision 7 to Article V, was approved as an amendment to the Florida Constitution. Revision 7 requires a fundamental uniform funding system through state appropriation for both the appellate and trial courts of Florida. Based on the current legislative funding framework, 66% of the State Courts Revenue Trust Fund revenue continues to come from mortgage foreclosure filings. These filings have fallen from a high of over 30,000/month (in 2008/09) to under 9,000/month (beginning in October 2010), causing dire cash flow problems. The legislature authorized the judicial branch and the clerks of court to work together to determine suitable, less volatile revenue streams for the court system's and the clerks' trust funds. The clerks and courts have completed their work on the project and a report was issued November 2011 that provides recommendations about steps the legislature can take to stabilize court and clerk funding.

Since 1999, the supreme court has used a weighted caseload system to evaluate the need for new trial court judgeships. The need for additional judgeships remains high for two reasons: an absence of funding for previously certified judgeships and overall increases in caseloads. In February 2011, the Florida Supreme Court certified the need for 26 additional circuit judges and 54 additional county court judges. However, the Florida Legislature did not approve funding for any new judgeships.

Taking Action to Deepen Public Trust and Confidence

DNA testing has confirmed that despite the safeguards built into our criminal justice system, there still exists the possibility that individuals can be convicted of crimes they did not commit. The Florida Innocence Commission, established in 2010, is charged with conducting a comprehensive study of the causes of wrongful conviction and of measures to prevent such convictions. To help address the issue of wrongful conviction, the Florida Department of Law Enforcement, Florida Police Chiefs Association, and Florida Sheriffs Association, in collaboration with the Florida Prosecuting Attorneys Association, adopted standards related to eyewitness identification. A final report and recommendations will be presented to the supreme court in 2012.

The annual Justice Teaching Institute, first offered in 1997, offers 20-25 secondary school teachers from across Florida a chance to explore the inner workings of the judicial branch. The Institute is hosted by the supreme court, subsidized by The Florida Bar Foundation, and coordinated by the Florida Law Related Education Association. In addition to the various supreme-court based education and outreach programs, every circuit and appellate court in Florida continuously spearheads a host of projects and activities that educate the public about the court system and energize court-community relationships.

In an order dated February 3, 1976, the Florida Supreme Court formally recognized the Committee on Standards of Conduct Governing Judges currently known as the Judicial Ethics Advisory Committee (JEAC). The committee issues advisory opinions addressing judicial questions about each of the canons in the Code of Judicial Conduct. In fiscal year 2009-10, JEAC issued 28 opinions, and in fiscal year 2010-11, it issued 25 opinions. The JEAC is also actively involved in Judicial Campaign Conduct Forums. These 90-minute forums provide instruction to judicial candidates about the requirements of Canon 7 of the Code of Judicial Conduct, which governs political conduct by judges and judicial candidates. In May

2010, the Judicial Ethics Advisory Committee (JEAC) presented campaign conduct forums in all 20 circuits and several forums are planned for Spring 2012.

Mission and Vision Statements

Mission

To protect rights and liberties, uphold and interpret the law, and provide for the peaceful resolution of disputes.

Vision

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

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

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

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

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

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

Introduction

Each of the last two years the courts of Florida have disposed of more than 4.5 million cases, ranging from simple traffic citations to serious criminal cases and complex civil disputes with multiple parties. The management of such large caseloads and the administration of the resources and personnel necessary to manage the court system is a tremendous undertaking. Declining fiscal and staff resources also add to the daunting workload and challenges of the court system. And yet, the Florida Judicial Branch continues to make progressive strides in the high priorities defined in its long-range strategic plan.

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The five long-range issues are:

1. Strengthening Governance and Independence
2. Improving the Administration of Justice
3. Supporting Competence and Quality
4. Enhancing Court Access and Services
5. Enhancing Public Trust and Confidence

The long-range plan was developed with extensive input from the general public, legal professionals, advocates, a variety of justice system partners, and judges and court system staff throughout Florida. The plan is a leadership and management tool to assist the supreme court and the chief justice in effectively administering the State Courts System and providing overall guidance and direction to the judicial branch.

The current Progress Report - 2011 is a mid-cycle description and summary of the milestones and achievements toward meeting existing challenges and the strategic goals of the judicial branch. In essence, the Progress Report tells the story, to date, of the Florida Judicial Branch's advancement toward its vision of creating an accessible, fair, effective, responsive, and accountable justice system for all Floridians.

Issue 1 – Strengthening Governance and Independence

- Goal 1.1: The judicial branch will be governed in an effective and efficient manner.
- Goal 1.2: The judicial branch will interact effectively with all parts of government on issues related to the justice system.

Leading and Governing the Judicial Branch

Court System Embraces Progressive Governance Improvements

Effective governance is the foundation of a highly functioning system. Ultimately, the application of good governance serves to realize organizational and societal goals. To further strengthen and modernize the judicial branch's governance structure, the chief justice appointed a Judicial Branch Governance Study Group in 2009. The Florida Judicial Branch is one of a few state court systems to undertake such a progressive internal assessment. The Study Group was charged with: 1) performing an in-depth examination of the structure and functions of the present governance system; 2) completing an assessment of the current governance system's efficacy and efficiency; 3) making recommendations of actions or activities that would advance improvement in the governance of the judicial branch; and 4) making recommendations of any changes to the present governance system that would improve effective and efficient management.

The Governance Study Group performed extensive research, outreach, and review with a focus on policy-making, budgeting, rulemaking, leadership, decision-making, planning, and intergovernmental relations. For comparison, the governance structures of eleven other states were also studied. On January 31, 2011, the Judicial Branch Governance Study Group presented its final recommendations to the supreme court to enhance progress, alignment, coherence, and functioning. If adopted, the recommendations enable the system to be more nimble in achieving its vision of being accessible, fair, effective, responsive, and accountable. The recommendations also support a unified systems approach so the court system can anticipate and deal with current and emergent challenges, and improve functioning at a variety of levels.

The Study Group's recommendations focused on nine major governance issues:

1. The Supreme Court and Chief Justice
2. The Judicial Management Council
3. Chief Judges
4. Amending Rules of Court
5. Office of the State Courts Administrator
6. Chartering of the Conferences
7. Standing Legislative Committee
8. District Court of Appeals Budget Commission
9. Enhanced Communication

Three areas were significantly emphasized: 1) desire for the judicial branch to be more proactive rather than reactive; 2) consistent and strong leadership; 3) better communication at all levels throughout the branch.

The recommendations of the Governance Study Group are currently under review and consideration by the supreme court.

The Florida Supreme Court: Providing Adjudicatory and Administrative Leadership

The Florida Supreme Court is the highest court in Florida, and its chief justice is the chief administrative officer of the entire State Courts System. Currently, the Florida Supreme Court has a total staff of 97, including the 7 justices. Considering the wide scope of responsibilities, both adjudicatory and administrative, the Florida Supreme Court operates effectively with nominal staffing. The court utilizes 2% of the entire State Court System's budget. Each justice has a small staff consisting of a judicial assistant and three staff attorneys. The court also oversees the following functions that contribute to the court's work as a court, or to the State Courts System and its diverse services:

- **Central Staff** – provides analysis of issues raised in original proceedings and certain motions; assists with attorney discipline, bar admission, standard jury instructions, and rule amendment cases; and performs other duties as determined by the chief justice or the court as a whole.
- **Law Library** - provides legal research assistance to the supreme court justices and their staff and provides a computerized cataloging system which is accessible to the public via the court's website.
- **Marshal's Office** – custodian of the Supreme Court Building, its furnishings, and grounds; responsible for the court's security, overall operational budget, purchasing, and contracting.
- **Office of the Clerk** - receives all documents and other papers filed with the court, and is also responsible for maintaining all case files and tracking the progress of all cases through the supreme court.
- **Office of Inspector General** - initiates, conducts, and coordinates investigations designed to detect, deter, prevent, and eradicate fraud, waste, mismanagement, misconduct and other abuses in the State Courts System; advises in the development of performance measures, standards, and procedures for the evaluation of programs; reviews actions taken to improve program performance and meet program standards; performs audits, investigations, and management reviews relating to programs and operations; recommends corrective actions; reviews the progress made in implementing corrective action; and related duties.

- **Office of Public Information** –coordinates court communications with news media and the public at large; assists all the justices in their public communications and public activities as required; supervises the court’s website; coordinates the broadcast of court arguments; and coordinates public events as required by the chief justice.
- **Office of the State Courts Administrator** – (in-depth information is provided in the following section)

Office of the State Courts Administrator: Providing Essential and Pivotal Court Support

The Office of the State Courts Administrator (OSCA) was created to serve the supreme court and chief justice in carrying out responsibilities as the chief administrative officer of the judicial branch. OSCA’s purpose is to provide professional court management and administration of the state’s judicial system – in support of the adjudicatory functions necessary for the operation of the judicial branch, which includes the Supreme Court of Florida (7 justices), the five district courts of appeal (61 judges), the 20 circuit courts (599 judges), and the 67 county courts (322 judges). Functions include a broad scope of budgetary, intergovernmental, fiscal, statistical, technological, educational, programmatic, and legal responsibilities relating to the operations of the state courts.

However, the OSCA budget only represents 5% of the total State Courts System budget, a remarkably low percentage for an executive and administrative support function for the entire third branch of government. OSCA currently has 171.5 FTE positions or 4% of the total of State Courts System employees. The OSCA provides statewide administrative and policy support for over 4,000 State Courts System employees including the various levels of the judiciary.

The State Courts Administrator’s extensive responsibilities set out in rule include:

- Supervise the administrative office of the Florida courts
- Employ personnel necessary to aid in the administration of the State Courts System
- Represent the State Courts System before the legislature and other governmental bodies
- Supervise the preparation and submission of a proposed budget
- Appear before the legislature in support of the budget
- Assist in the preparation of education and training materials
- Assist in the conduct of educational and training sessions
- Assist in the development and make recommendations to improve the State Courts System
- Collect and compile uniform financial and statistical data or information

State level administrative staff contribute to a cohesive justice system that functions together collectively in the best interests of all. Through the development and implementation of statewide standards, policies, and guidelines, the OSCA helps ensure a consistent and uniform

court system. Through centralized staff support of administrative activities, the OSCA helps improve efficiencies and avoid duplication of effort.

Additionally, the OSCA provides professional and administrative support to a broad range of councils, commissions, steering committees, and work group/task forces appointed by the supreme court. These groups are the mechanism established by the supreme court for developing consensus on appropriate judicial branch policies affecting the administration of justice. Given the complexity of judicial branch issues, the numbers of these groups and their support needs continue to increase. These events have had considerable impact on OSCA and its limited resources.

Since its inception, the functions and responsibilities of OSCA have grown exponentially with minimal increases in staffing. The State Courts Administrator and Deputy State Courts Administrator provide executive leadership with a large span of control and oversight. Functions include:

- Administrative and Budget Services
- Community and Intergovernmental Relations
- Court Education
- Court Improvement
- Court Services
- Dispute Resolution Center
- Finance and Accounting
- General Counsel
- General Services
- Information Systems Services
- Personnel
- Publications
- Strategic Planning

The Office of the State Courts Administrator has been nationally recognized for innovation and managerial excellence in providing effective governance for the judicial branch. OSCA demonstrates leadership in helping the court system to speak with one voice. The mission of the branch is advanced through OSCA's strong commitment to transparency and accountability, open communication, and constructive institutional relationships.

National awards to OSCA staff or initiatives supported by the OSCA:

- National Center for State Courts Distinguished Service Award
- National Association for Court Management Award of Merit
- Justice Management Institute Award for Excellence
- National Association of Drug Court Professionals Partnership Award
- International Institute for Conflict Prevention and Resolution Special Award for Excellence in Dispute Resolution
- American Bar Association National Conference of Special Court Judges: Education Award
- Justice Served: Selected as one of the nation's top 10 court web sites
- Reporting Excellence Award: Improved Statistical Reporting of Appellate Caseloads Consistent with the State Court Guide to Statistical Reporting

Upholding Independence and Promoting Collaboration

Preserving Separation of Powers: A Fair and Impartial Judiciary

The Florida Judicial Branch maintains open and transparent communication with both the executive and legislative branches on issues affecting the justice system. This commitment to appropriate checks and balances among the branches ensures the proper role of the courts as the co-equal third branch of government in protecting rights and upholding the Constitution. When looking only at discretionary cases that state supreme courts accept, Florida ranks 3rd lowest among 44 courts with available data drawn from the National Center on State Courts. In 2010, out of 983 discretionary review cases filed in the supreme court, only 86 cases were granted review, less than nine percent. Additionally, Florida's courts continuously operate from the premise that a legislative enactment is presumed to be constitutional. Florida's appellate courts begin each constitutional challenge to legislative action by attempting to resolve the question on a non-constitutional basis. The courts clearly understand the duty to defer to the legislature in the realm of policy making. However, if a statute directly conflicts with a provision of the Florida Constitution, the courts are required to uphold the Constitution.

Florida Courts a National Model in Emergency Preparedness

The Florida Judicial Branch is recognized by the National Center for State Courts as a flagship model of emergency preparedness and inter-governmental cooperation to ensure that crises are dealt with in a way that protects the health and safety of everyone in court facilities and

keeps the courts open to ensure justice for all people. For example, a publication entitled *Pandemic Staffing Guide* specifies both staffing and administrative actions to be taken in the event of a pandemic event. The Florida Court Emergency Management Group (CEMG) recommends, develops, distributes, and implements policy directives from the Court as may be needed to deal with changes to normal operations of the State Courts necessitated by natural or manmade disasters. The CEMG remains active monitoring storm systems and tracking other disasters that may necessitate action by the court system. The State Court Administrator and the Marshal of the Supreme Court currently co-chair the Court Emergency Management Group. In addition, several Continuity of Operations Plan (COOP) templates are posted on the OSCA website for use in local court jurisdictions.

Broad collaboration with other governmental entities concerning emergency preparedness has long been established, and is ongoing through communication and simulations. This ensures that emergency assessments and responses to threats are accomplished through support and cooperation of agencies in the executive branch, and with local agencies and constitutional officers. The key to successful planning is the continued establishment of means to foster coordination of resources, and the establishment of communications links that will support immediate responses to threats and emergencies.

Courts and Clerks Work Together to Address Justice Funding Crisis

Recurrent cash flow problems hinder court efficiency and can potentially disrupt day-to-day court operations. Judicial branch leaders and lawmakers agree that the funding crisis must be resolved. All concur that the court budget cannot continue to be balanced on the back of the foreclosure crisis and that a more diversified and resilient funding stream formula is necessary. Toward that end, the legislature authorized the judicial branch and the clerks of court to work together to determine suitable, less volatile revenue streams for the court system's and the clerks' trust funds. The clerks and courts have completed their work on the project and a report has been issued that provides recommendations about steps the legislature can take to stabilize court and clerk funding.

Promoting Collaboration

Examples of broad collaboration with executive branch agencies and other governmental entities concerning budget, technology, education, court operations, children and families, and more, are detailed throughout this report. Initiatives such as e-filing, the Trial Court Integrated Management System, the Florida Dependency Court Information System, the Drug Court initiative, and others all require close cooperation with judicial partners and stakeholders to create effective solutions.

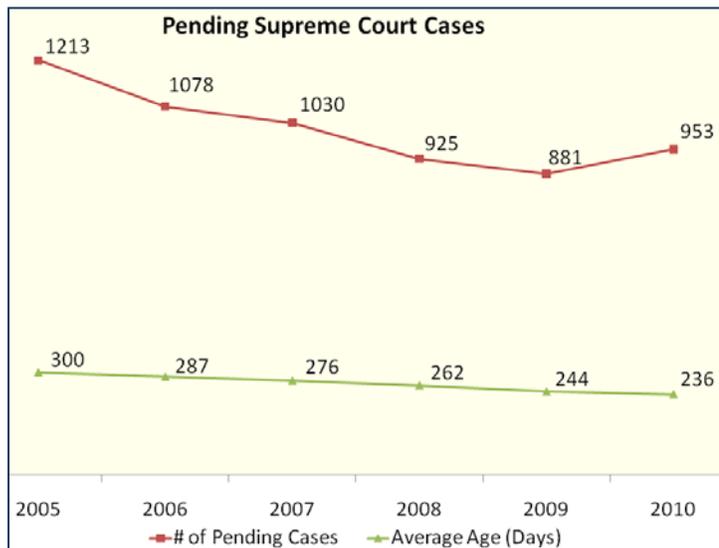
Issue 2 – Improving the Administration of Justice

- Goal 2.1: Cases will be processed effectively, efficiently, and in a timely manner.
- Goal 2.2: The State Courts System will utilize public resources effectively, efficiently, and in an accountable manner.
- Goal 2.3: The State Courts will have a statewide information technology system adequate to support effective and efficient case management and management of caseloads and court resources.
- Goal 2.4: The roles and responsibilities of the state courts and the circuit clerks of court when performing court related functions will be clearly defined.

Demonstrating Efficiency in Florida's Court System

Average Age of Supreme Court Cases Continues Downward Trend

The jurisdiction of the supreme court is set out in the Constitution with some degree of flexibility by which the Legislature may add or take away certain categories of cases. Operating within this jurisdiction has produced a fairly steady workload. The number of cases filed in Florida's Supreme Court has averaged nearly 2,500 for each of the last five years. The workload of a court can perhaps best be assessed in terms of the number of cases that are pending at the court. Pending caseloads are typically examined in relation to the age of pending cases. A large pending caseload with increasing ages of cases indicates an emerging backlog; a large pending caseload with steady or decreasing aging indicates the court is busy and efficiently addressing the increased volume. The chart presents the numbers of pending cases and the average age in days at the supreme court calculated December 31st of each year. There is more than a 20% decline in the number of pending cases and more than a 20% decrease in the average age of pending cases from 2005 to 2010.



Source: Florida Supreme Court

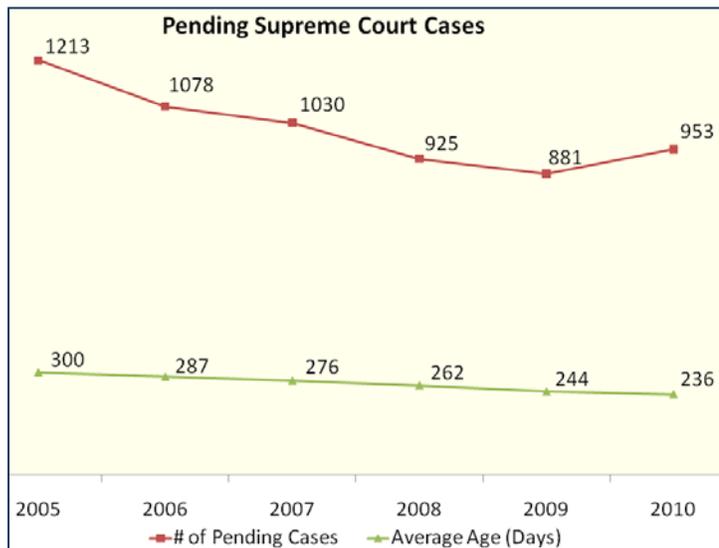
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Demonstrating Efficiency in Florida's Court System

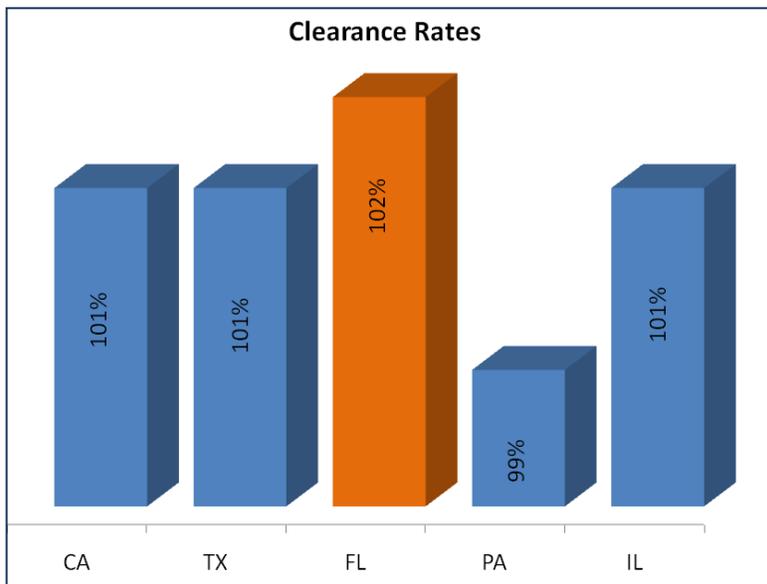
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Source: Florida Supreme Court

Florida Compares Well in Court of Last Resort Clearance Rates



Source: Richard Herring, *The Florida Courts: Supreme Courts in the 50 States*, March 2011

Clearance rate measures whether the court is keeping up with its incoming caseload. If cases are not disposed in a timely manner, a backlog of cases awaiting disposition will grow. Knowledge of clearance rates can help a court pinpoint emerging problems and indicate where improvements can be made. The graph to the left is based on data primarily from 2008 through 2010. Caseload information and clearance rates for 46 of the 52 courts of last resort were obtained.

Clearance rates are the ratio between the number of cases

filed and the number of cases decided in a given period. A rate under 100 percent means that not all cases were disposed during the year and a rate over 100 percent means that some cases carried forward from prior years were decided. The state with the lowest clearance rate was Rhode Island with 76 percent and the state with the highest was West Virginia with 178 percent. The average clearance rate was 95 percent, well below Florida's 2009 102 percent clearance rate. The chart compares Florida with the top five most populous states (no data was available for New York). For 2010, the Florida Supreme Court recorded a clearance rate of 97 percent, still above the national average for clearance rates.

Supreme Court Case Processing Time Down for the Last Five Consecutive Years

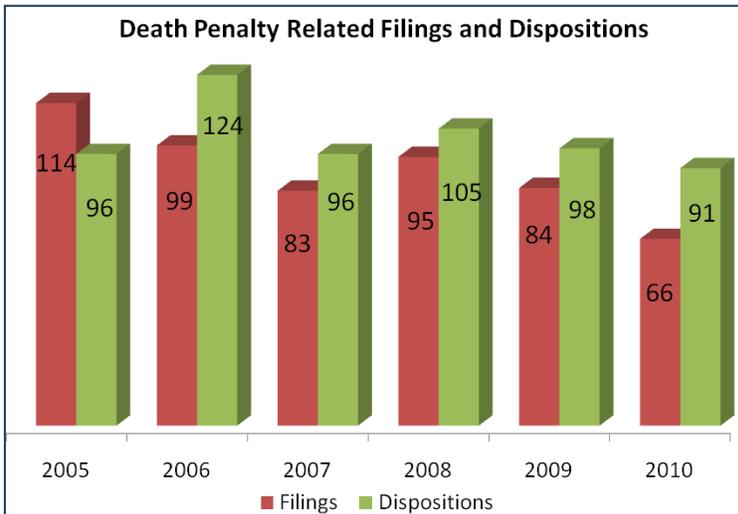
The judicial branch is committed to ongoing improvement in the administration of justice, including effective case processing. Resources needed to process appeal cases varies depending on the type of case, however, the supreme court continues to address those challenges associated with rendering timely decisions. From 2006 through 2010 the average number of days from filing to disposition for all



Source: Florida Supreme Court

supreme court case types was reduced 27 percent. In addition, in 2010, over 80 percent of supreme court cases were disposed within 180 days and over 90 percent of cases were disposed of within 365 days. Justice system partners, as well as individual litigants, the general public, and society at large rely on courts to provide consistent, fair, clear, and timely decisions in cases.

Florida High Court Improves Death Penalty Case Docket



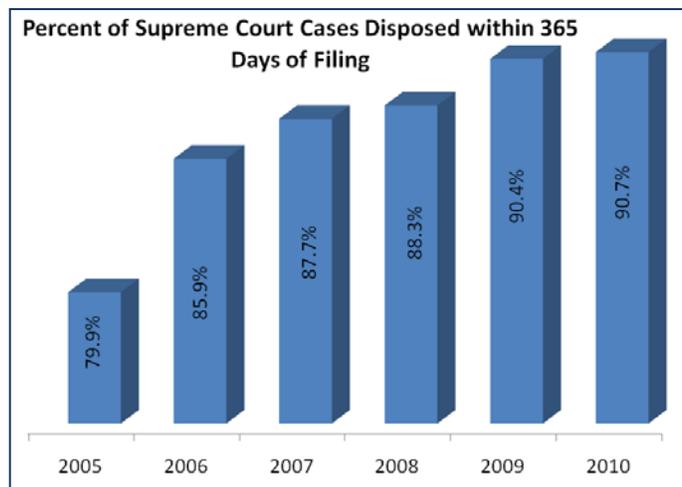
Source: Florida Supreme Court

Few aspects of the Florida Supreme Court's jurisdiction receive more public attention than death penalty cases. The supreme court is required to review final orders imposing death sentences. Both state and federal courts recognize the complexity and gravity of death penalty cases and acknowledge they may take longer to process and decide. In death penalty cases specifically, the clearance rate has improved from 72% in 2005 to 141% in 2010. A clearance rate over 100 percent

means that cases carried forward from prior years were decided, thereby reducing the court's backlog. The supreme court clearance rate for death penalty cases has been over 100% for the last 5 years (2006 through 2010). In other words, the supreme court has consistently disposed of more death penalty cases than have been filed in a given year.

Percent of Supreme Court Cases Disposed of within a Year Exceeds National Recognized Standard

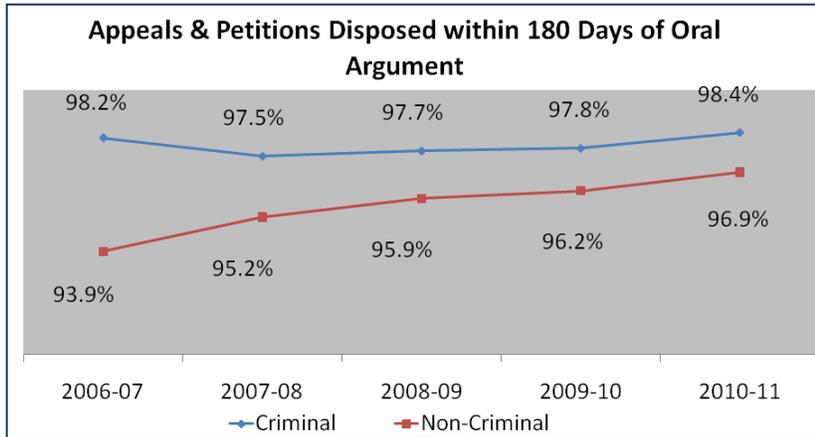
Once an appellate court acquires jurisdiction of a matter, the validity of a lower tribunal's decision remains in doubt until the appellate court rules. Timeliness is an essential aspect of resolving cases and providing the finality for which the appellate process is designed. Any unnecessary delay adversely affects all litigants involved. To help address this critical appellate court reporting element, the American Bar Association has published a case processing time standard of 90 percent of cases disposed within



Source: Florida Supreme Court

365 days in courts of last resort. For the last two years, 2009 and 2010, the Florida Supreme Court has exceeded that national standard.

Florida’s District Courts of Appeal Maintain Timeliness Indicators Despite Increasing Workload



Source: Office of the State Courts Administrator, *Florida District Courts of Appeal Judicial Certification Statistics*, July 2011

The bulk of trial court decisions that are appealed are never heard by the supreme court. Rather, they are reviewed by three-judge panels of the district courts of appeal. The district courts of appeal can hear appeals from final judgments and can review certain non-final orders. As a general rule, decisions of the district courts of appeal represent the final appellate review of litigated cases. A

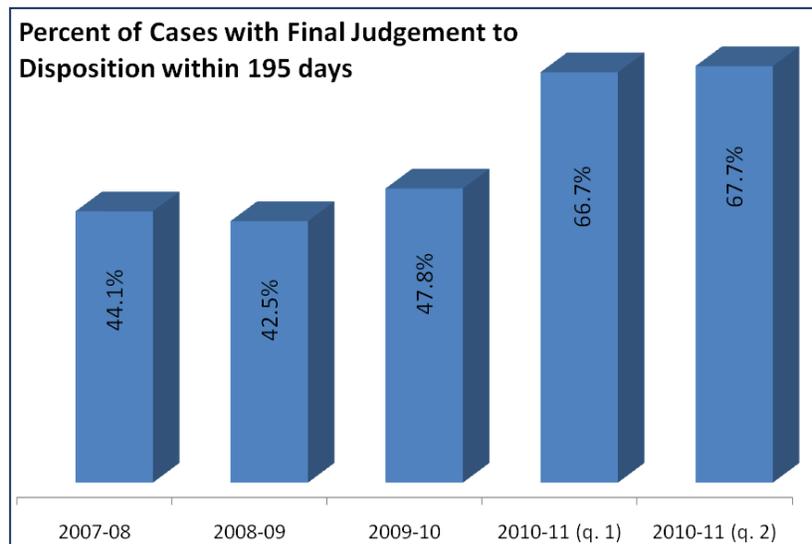
person who is displeased with a district court's express decision may ask for review in the Florida Supreme Court and then in the United States Supreme Court, but neither tribunal may be required to accept the case for further review. The ability of courts to provide justice and to protect the time and resources of litigants and justice system partners can be severely tested when dockets are full and judicial time is stretched thin. From fiscal year 2006-07 total district court of appeal case filings were 25,401; in 2010-11 total case filings were 26,053, or a 2.6 percent increase. From fiscal year 2006-07 total district court of appeal case filings per judge were 409.7; in 2010-11 total case filings per judge were 427.1, or a 4.2 percent increase. Despite increases in filings and filings per judge, the timeliness of cases disposed remained relatively constant. Florida’s five district courts of appeal continue to dispose of nearly all appeals and petitions within 180 days of oral argument, and for fiscal year 2010-11 recorded an overall clearance rate of 100.2%.

Positive Strides in the Timely Resolution of Appellate Parental Rights Cases

The Commission on District Court of Appeal Performance and Accountability was established in 2002 to propose policies and procedures related to the efficient and effective functioning of Florida's district courts through the development of comprehensive resource management, performance measurement, and accountability programs. In response to this ongoing charge, the commission developed and implemented a process for monitoring dependency and termination of parental rights cases in the appellate courts. Working with the District Court of Appeal clerks and Office of the State Courts Administrator staff, the commission established a mechanism for generating reports that disclose the median days for 10 different timeframes (i.e., the standard amount of time spent on a particular stage of a case). These reports also indicate the percentage of cases that fall within the recommended timeframes for each district. Drawn from the DCA case management system, these reports can be produced on demand, and link court personnel to more detailed case information that can assist in determining the cause of delay. In short, these reports enable DCA judges and personnel to see how efficiently they

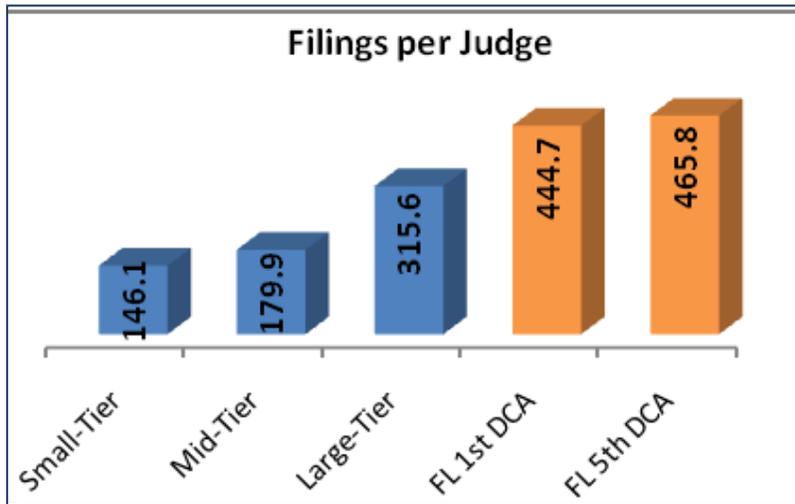
are processing dependency and termination of parental rights cases. In fiscal year 2007-08 the number of all cases, from final judgment of the trial court to disposition by the appellate court, resolved within 195 days was 44 percent. In the second quarter of fiscal year 2010-11, that number rose to nearly 68 percent. The statistics suggest that the districts are making a concerted effort to expedite their processing of these cases—despite the complexity of issues involved and the loss

of resources over the last three years. In order to minimize the harmful effects on children involved in dependency and termination of parental rights cases, the DCAs strive to resolve these cases as quickly as possible. Rendering decisions and placing children in a safe and permanent home at the earliest possible time helps promote child welfare.



Source: Office of the State Courts Administrator, *District Courts of Appeal Dependency and TPR Time Frame Review*, February 2011

National Study Helps Illustrate Florida's Appellate Court Workload



Source: Council of Chief Judges of the State Courts of Appeal, *Comparative Attributes of Legal Staff in Intermediate Appellate Courts*, April 2011

In cooperation with the Council of Chief Judges of the State Courts of Appeal, the National Center for State Courts surveyed intermediate courts of appeal across the United States. The study examined the number of judges, the number of each type of legal staff employed by the court, the internal procedures and the various ways in which legal staff are used, and work quality and cost indicators. The 34 intermediate courts of appeal

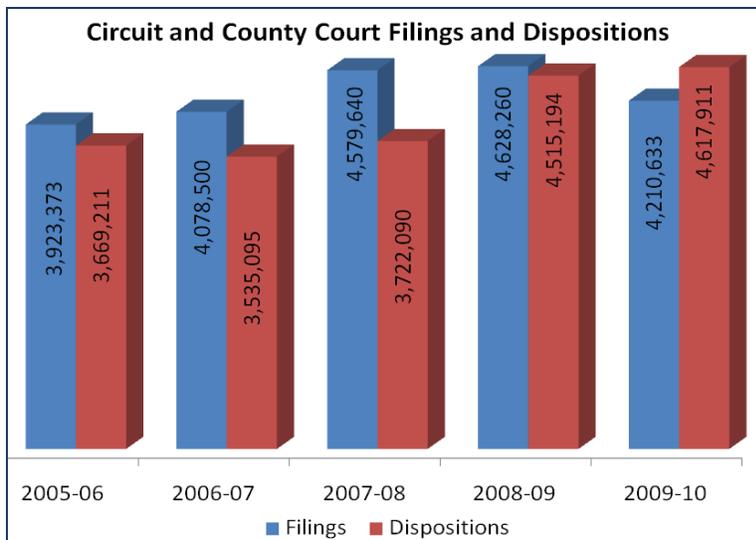
survey respondents included two Florida appellate courts. The respondent courts were grouped into three tiers based on the number of new case filings in 2009: 1 to 1,500 (small-tier courts); 1,501 to 4,500 (mid-tier courts); and 4,501 or more (large-tier courts). Based on the available responses, the two Florida appellate court respondents ranked highest in the number of filings per judge at 465.8 and 444.7 filings per judge. In contrast, small-tier courts had an average of 146.1 filings per judge; mid-tier courts had an average of 179.9 filings per judge; and large-tier courts had an average of 315.6 filings per judge. The study asserts, "The higher workload generated by increased filings generally creates the need for more judges to decide cases as well as legal staff to perform chambers support services and administrative tasks." Florida continues to demonstrate efficiency and has operated with 61 appellate judges since fiscal year 1993-94 (62 judges during the period 1999-00 through 2007-08) as filings have continued to increase.

Recommendation Advanced to Ensure Fair and Efficient Resolution of Complex Litigation

Cases considered "complex" generally share certain features: in addition to the considerable amount of money often at stake, these cases usually engage multiple witnesses and experts and involve complicated legal or case management issues; moreover, they tend to take a long time to settle. Complex cases can involve mass torts, class actions, product liability, intellectual property, trade secrets, and multiple parties. To be disposed timely, these cases require significant judicial attention including the need for regular and sustained case management as well as an orderly discovery process. As a result, complex cases can exhaust the resources and time of the court system and the parties involved. A taskforce was convened by the supreme court and submitted a formal report with recommendations. The task force's chief recommendation was the adoption of a new rule of civil procedure for complex cases: in addition to defining a complex case and identifying the criteria that trial courts should consider

in determining whether a case is complex, the rule provides specific case management guidelines, delineating the procedural steps that judges should follow, and that attorneys are expected to abide by, once a case is deemed complex. The rule is tailored specifically to allow the parties and trial courts to identify, early in the litigation process, those cases needing proactive judicial involvement, the early setting of a trial date, and a specific schedule to which the parties must adhere for the completion of pretrial and trial tasks. The goal is to encourage trial courts to manage their dockets and, with regard to cases designated as complex, provide for uniform case management statewide to prevent delay. The rule was formally adopted by the supreme court in October 2009. From January 2010 through June 2011 there were 61,725 complex civil filings.

Trial Courts Keeping Pace with Demands



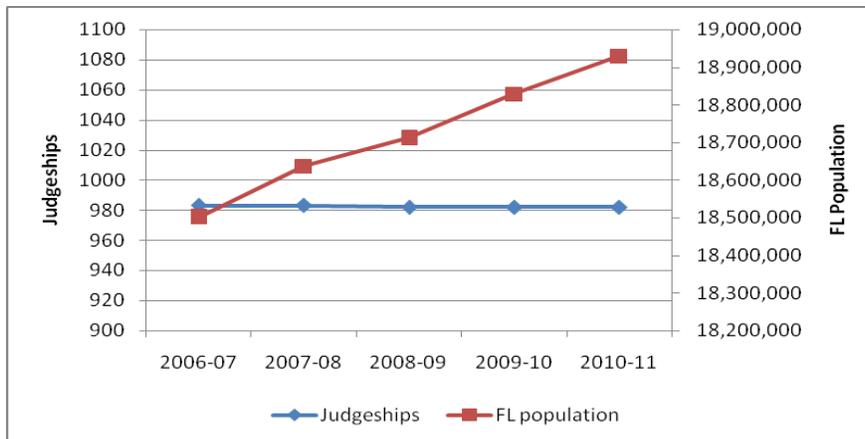
Source: Office of the State Courts Administrator, *Trial Court Statistical Reference Guide FY 2009-10*, February 2011

Managing large court caseloads and administering the resources and personnel needed to oversee the various case types is a complex enterprise—even when the economy is buoyant. Like the rest of the nation, however, Florida continues to suffer from the economic decline. The judicial branch has been grappling with the effects of these economic forces on its daily operations. Since fiscal year 2007-08, Florida’s courts have faced reduced budgets, diminished resources, staff layoffs, salary reductions, hiring freezes, and travel

restrictions. Mortgage foreclosures have also strained Florida’s judicial system. At their peak, in fiscal year 2008-09, there were 34,000 mortgage foreclosure filings per month. Normally, Florida has about 6,000 foreclosure filings a month—or about 70,000 a year. Eventually, a significant new wave of foreclosure filings may hit the court system, which could find itself addressing workload from three different sources: first, the backlog, estimated now at over 300,000 cases; second, new filings reflecting the significant number of mortgages that are currently delinquent (nearly 50% of Florida’s mortgaged homes are “underwater”); and third, the cases dismissed due to questionable or incomplete paperwork that may be re-filed (in fiscal year 2010-11 there were over 131,000 dismissals). Despite these resource challenges, the trial courts have generally kept pace with filings and successfully managed the judicial workload while minimizing case backlog and court delay. Filings have been at or above four million for the last four years and dispositions for that same period have steadily climbed. The clearance rate for county and circuit courts for 2009-10 was nearly 110 percent, the first time the clearance rate has been above 100 percent in the last ten years.

Accountability to Florida's Citizens

Population Numbers Help Illustrate Judicial Workload



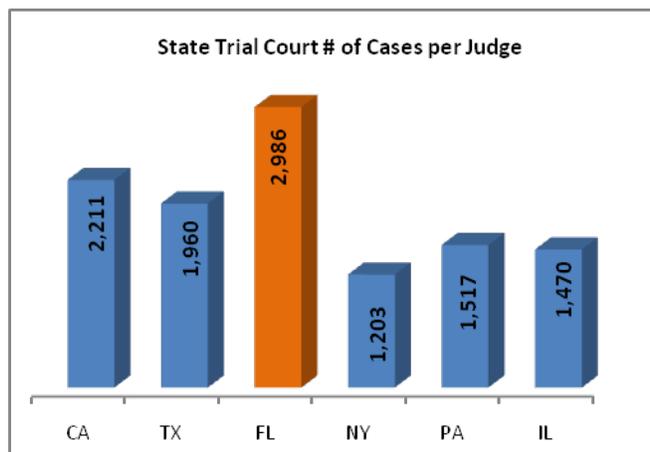
Source: FL Office of Economic and Demographic Research, FL Demographic Estimating Conference, Nov. 30, 2011

The number of judges to state population in Florida would indicate that Florida courts have one of the most significant workloads in the nation. In 2008, Florida ranked 46th in the ratio of citizens to judges, with 1st being the lowest ratio. Florida's population has grown from 18.5 million in 2006-07 to 18.9 million in 2010-11. During that

same period, a growth of nearly 429,000 citizens, the total number of judges did not increase. While Florida's courts continue to focus on fiscal accountability and resource optimization, institutional capacity of the courts will continue to be tested.

Cases per Judge Demonstrates Inordinate Workload

The need for additional judgeships remains high due to an absence of funding for previously certified judgeships and overall increases in caseloads. Florida has significantly more cases per judge than do most other states. Based on 2009 comparative data from the National Center for State Courts published in 2011, Florida ranked 4th in the total number of incoming non-traffic cases per judge, and 1st among states with large populations. The median number of annual incoming non-traffic cases per judge in general jurisdiction courts is 1,791 and in Florida it is 2,986. In February 2011, the Florida Supreme Court certified the need for 26 additional circuit judges and 54 additional county court judges. However, due to Florida's economic challenges, the Florida Legislature did not approve funding for any new judgeships. The court continues to demonstrate its ability to manage services in a cost effective and accountable manner, despite fiscal and human resource challenges.



Source: National Center for State Courts, *Examining the Work of State Courts: An Analysis of 2009 State Court Caseloads*, 2011

Standards and Best Practices Adopted by High Court to Address Resource Management

Since its creation in 2002, the Commission on Trial Court Performance and Accountability has been responsible for proposing policies and procedures on issues connected with the efficient and effective operation of Florida's trial courts. In an endeavor aimed at improving trial court performance—and at supporting the unification of trial court operations into a single statewide system—one of the commission's tasks has been to develop and implement standards of operation and best practices for the major elements of the trial courts. The first major element on which the commission worked was alternative dispute resolution services, for which the supreme court approved standards in May 2009. While progressing with its work on this element, the commission was also working on court reporting services. Offering strategies for improving the uniformity, effectiveness, and efficiency of court reporting services, these reports addressed legal and operational issues arising from the use of digital technology; staffing and service delivery models; transcript production; the cost-sharing arrangement with the public defenders, state attorneys, and Justice Administration Commission; and measures for protecting confidential information when using digital technology. In its recommendations, the commission also proposed rule revisions connected with the definition of the official record, the court's authority to control access to the record, and the production of transcripts by approved court reporters. In January 2010, the supreme court adopted the standards of operation and best practices proposed in the Recommendations for the Provision of Court Reporting Services in Florida's Trial Courts report.

Revised Civil Jury Instructions Adopted

In March 2010, the Florida Supreme Court adopted changes to the standard civil jury instructions and authorized their publication and use. In 2006, the supreme court Committee on Standard Jury Instructions in Civil Cases embarked on the most comprehensive review and evaluation of Florida's standard civil jury instructions since the first publication in 1967. The amended standard civil instructions include a number of plain language modifications which attempt to simplify the instructions to increase juror understanding, by changing nonessential, "legalese" to its plain English equivalent. For example, the following substitutions are included in the amended instructions: "before/after" for "prior/subsequent"; "like" for "same"; "the" for "such"; "amount" for "degree"; and more. The Committee also submitted a number of reports that extended beyond reorganizing and rewording the civil instructions, seeking amendment of substantive aspects of some standard civil instructions. One of those revisions includes new language which permits the jurors to make a specific request that the court reporter read back relevant portions of the trial testimony. Based on these revised jury instructions, the citizens of this state will experience a more meaningful and satisfying jury experience, while facilitating a more efficient and more effective jury system overall.

Harnessing the Power of Court Technology Tools

Trial Court Integrated Management Solution Moves Court Forward

Since the 1998 Revision 7 to Article V of Florida's constitution, the state has been required to pay for all costs associated with the state courts system except for certain enumerated county obligations, one of which is technology for the trial courts. Consequently, each of Florida's 67 counties has its own local computer system which makes it difficult to communicate and share data. The court system's Trial Court Integrated Management Solution (TIMS), promises to be a comprehensive solution to address the need for statewide access to information. Most significantly, TIMS will provide business requirements and an implementation plan for automating case processing—which will include case intake, document management, case management/tracking, case scheduling, court proceedings, and resource management. Moreover, through its ability to collect comparable data across the trial courts, the system developed as a result of the TIMS project will also assist with performance measurement. Phase One of the project relies on a collaborative effort of subject matter experts to identify the information, by case type, that needs to be accessed and tracked by judges, case managers, and other court staff in order to move cases efficiently and effectively through the trial court process. Also in this phase, key caseload and workload information essential for performance and resource management will be determined. A technology assessment (phase two) and an implementation plan (phase three) will follow. In a proposed phase four, an actual funding strategy and implementation of TIMS will occur; however, this effort will occur post July 2012 and after the completion of the previous three phases. The charge for TIMS was articulated in an administrative order issued by Chief Justice Canady in August 2010. In late 2010 and early 2011, site visits were completed to explore local system capabilities, a detailed project plan was developed, workgroups were established by case type, and foundational work on the Probate case type commenced. This monumental task will address several issues and goals within the long range strategic plan and will help improve accessibility, effectiveness, responsiveness, and accountability of the court system.

Expanding Judicial Inquiry System Capabilities to Justice Partners

Gathering data from thirteen local, state, and federal agencies, OSCA's Judicial Inquiry System (JIS) provides over 5,000 justice system partner users with ready access to information about an arrestee's injunctions, risk statuses, warrants, open cases, federal arrests, and other pertinent information. User-friendly—the data are accessible through a single point of entry—the JIS enables judges to make timely and informed decisions, enhancing public safety. One of the striking features of the JIS is its exceptional adaptability. Since it went into production in 2001, it has undergone numerous expansions, each of which has made it more useful, efficient, and elastic in its capabilities. In 2009, the JIS was enhanced yet again to include the Active Warrant Alert Calendar System. The JIS now performs an automated query on defendants the night before they appear on the docket, generating—every day, and for every judge—a calendar that provides a complete criminal history background for all individuals scheduled to appear in

court. The calendar also indicates whether they have any outstanding warrants. This capability is currently available in three counties with expansion to additional counties planned. In addition, the Governor's Children and Youth Cabinet, whose goal is to improve the self-sufficiency, safety, economic stability, health, and quality of life of all Florida's children, expressed interest in the system. Since the JIS is inherently an information-sharing system—and since it already provides access to the kinds of information the Cabinet was seeking—the Cabinet was eager to adapt it for its own purposes. Making use of the existing connections, contract, and system functionality already in place, saved the state both time and money. The Cabinet received access to the system in December 2010. The JIS now provides Cabinet members with access to relevant information when they need it, enabling them to offer superior services to Florida's children in a timely manner.

Dependency Court Information System Helps Ensure Timeliness

With funding from a federal grant, OSCA's Office of Court Improvement is developing a standard dependency case management system. Through a web-based application, the Florida Dependency Court Information System (FDCIS) will provide judges and court personnel with access to dependency-relevant data from various information systems within several executive branch agencies (Department of Children and Families, Department of Juvenile Justice, Department of Education) as well as from the Florida Association of Court Clerks and Comptrollers' Comprehensive Case Information System. FDCIS will also monitor dependency cases for compliance with state and federal timeliness guidelines and will organize dependency judge and case manager workload. By ensuring that the judiciary has access to critical material before dependency hearings, FDCIS will support the branch's efforts to ensure the accuracy and timeliness of court events, thereby improving its management of dependency cases. The system is already in test use in several locations throughout the state.

Server Virtualization an Investment for the Future

Recent advances in technology have offered a solution to escalating growth in computer server hardware needs. "Virtualization" is a technology that allows a single physical server hardware device to host multiple, unique operating systems that function independently of one another. In the past, this technology was expensive and not very sophisticated. Now, not only has the technology improved, but it is also an inherent function of the court system's current operating system—and comes at no additional cost to the courts. Enhancing this virtualization initiative is a complementary piece of technology called "clustering." Through clustering technology, multiple hardware servers, called "nodes," can be teamed together to share their powerful resources, eliminating their dependence on a particular hardware device. As a result of this teaming effort, if one node malfunctions, then another node in the cluster picks up where the broken one left off, and users experience no, or very little, interruption of service. By harnessing these two powerful technologies, Information Systems Services has been able to replace physical servers with virtualized servers and is currently running 110 virtualized servers with only 15 servers. In their current environment, the virtual servers require less cost for maintenance, for network cabling, for replacing outdated hardware, and for the branch's

operating system licensing requirement. In addition, the Server Virtualization Initiative has reduced server sprawl—and is a “greener” choice significantly reducing electricity needs. Through clustering and virtualization, ISS has exercised both fiscal and environmental prudence; over the next year, ISS aims to convert the court system’s other physical servers to virtualized clusters. The virtualization initiative will save an estimated \$500,000 in hardware costs over six years.

E-Filing: Moving from Concept to Completion

The supreme court established its first set of rules on electronic filing, or e-filing—by fax—more than three decades ago, in 1979. Since these early ventures into the domain of e-filing, the court system has proceeded deliberately to facilitate the electronic delivery of court records and supporting documents from lawyers and litigants to the clerks of court. To truly improve the administration of justice, e-filing must reduce costs for the court and the clerks and improve case processing and case management. Now, after years in development, an e-filing statewide portal that will achieve these goals is ready for expanded use. Approved and adopted by the supreme court in July 2009, the Florida Supreme Court Statewide Standards for Electronic Access to the Courts, identifies the major components of the electronic court; offers a conceptual model of the portal; details the standards for e-filing that must be used by any parties submitting e-filing plans for the court’s consideration; describes a framework for developing a baseline for a court case management system; and addresses governance and oversight issues. In the fall of 2009, the Florida Association of Court Clerks and Comptrollers (FACC) announced it had built a portal that the courts could utilize. FACC already had an infrastructure for e-filing documents like deeds and for making electronic child support payments; by tweaking this operationally-successful system, FACC was able to develop something that would be useful both to the courts and the clerks. In January 2011, the portal went “live,” and over the next few years, statewide e-filing will grow incrementally. Within the year, e-filing is expected to be available in all 67 counties. And, in the future, self-represented litigants will also be able to file documents electronically. E-filing is sure to benefit everyone who utilizes or works in the court system: the public and the legal community will have easy and convenient access to the courts; clerks won’t have to spend time scanning, processing, copying, and searching for paper documents; and judges and court employees will be able to retrieve case-related documents more readily, which will improve judicial case management and increase the timely processing of cases. In addition to saving time for everyone, these enhancements will reduce the costs associated with using and storing court records in paper form.

New Court Rules Protect Privacy

In June 2011, the Florida Supreme Court considered and adopted proposed amendments to the rules of court and forms intended to minimize the amount of unnecessary personal information included in documents filed with the courts. Reducing the amount of extraneous personal information in court records is a necessary step in the court’s ongoing effort to provide the public with electronic access to non-confidential court records. As part of that effort, the court

recently adopted procedures that allow clerks of court to readily identify and screen from the public confidential information filed with the courts and refine the procedures for sealing and unsealing court records. One of the more notable changes was the adoption of the new Rule of Judicial Administration 2.425 (Minimization of the Filing of Sensitive Information) to govern the filing of sensitive personal information, a key component of the minimization efforts. To avoid the electronic dissemination of sensitive personal information unnecessary to court proceedings, both attorneys and pro se litigants must be vigilant to file only authorized documents that comply with requirements. The newly enacted rules provide for sanctions for violations of these rules. The court will continue to promote continued education and a change in mindset for all those involved in the litigation process for these rules to work as intended. Florida courts recognize with the benefits of electronic access to documents comes the responsibility to minimize unnecessary personal information in court records.

Technology Project Enhances Appellate Court Processes

Florida's appellate courts continue working to develop software applications that will enable the seamless integration of e-filing with other automated court processes like case management, document management, and workflow management. In May 2010, the Appellate Courts Technology Committee voted to approve two pilot projects designed to facilitate this migration, and both have been making considerable progress. Successful implementation of one of the pilot systems will greatly improve the courts' abilities to decide their cases in a timely manner.

The first project, called iDCA/eDCA, was developed by the First DCA for workers compensation cases. Closely connected to the existing case management system, it includes e-filing, document management, and automated workflow features covering the appellate process. It consists of three closely linked sites: Internal DCA (iDCA), which is an internal component for document management for use by judges and law clerks; External DCA (eDCA), which is a template for electronic filing; and the Case Review System. iDCA/eDCA is now in full use at the First DCA and is in voluntary use in some offices at the Fifth DCA.

The second, the Electronic Florida Appellate Courts Technology Solution (eFACTS) technology initiative, will also greatly improve the court's ability to decide their cases in a timely fashion. eFACTS will accept and process both paper and electronic documents; it will facilitate the logical organization of the documents and will automatically input the data into the case management system; it will store multiple versions of the documents in a secure environment; and it will enable users to locate, retrieve, and work on the documents they need, when they need them. In addition to electronic document and workflow management, eFACTS will offer a host of other features tailored to the needs of appellate court processes. This two phase project began June 2010, and in April 2011, the pilot courts began user-acceptance testing.

Issue 3 – Supporting Competence and Quality

- Goal 3.1: Judges and court employees will have the knowledge, skills, and abilities to serve and perform at the highest professional levels.
- Goal 3.2: All court employees will be of good character and adhere to high standards of professionalism and ethics at all times.
- Goal 3.3: The state courts system will attract, hire, and retain highly qualified and competent employees.
- Goal 3.4: The judicial branch will attract, retain, and support highly qualified judicial candidates.

Florida’s Court System Creates, Supports, and Delivers Educational Programs

Meeting the demands of justice in the twenty-first century requires that judicial officers and court staff have the knowledge, skills, and abilities to administer the justice system fairly, effectively, and in ways that foster trust and confidence. As noted in the Long Range Strategic Plan, advanced levels of training and development are critical to enable those who work within the system to effectively perform the challenging work of the courts and meet the demands placed upon them.

A number of components of the court system are involved in educational programs and learning opportunities for judges and court staff. They include the Florida Court Education Council (FCEC), which coordinates and oversees the comprehensive educational program and manages the budget that supports those endeavors. In order to ensure well-designed educational offerings and well-trained faculty and presenters, the FCEC and the Court Education section conducted a total of six planning meetings and five faculty training and enrichment programs during fiscal years 2009-10 and 2010-11. Trial court judges, court staff from throughout the state, and various OSCA offices and units, including the Dispute Resolution Center, the Publications Unit, and the Office of Court Improvement, also play an important role in training and education.

Educational Programs for Judges Provide Numerous Learning Opportunities

During fiscal years 2009-10 and 2010-11, a variety of judicial educational events were held for new and experienced trial court and appellate judges. These events provided live training on a range of topics including trial skills, substantive law, complex substantive and procedural matters, and advanced education on an assortment of topics, such as handling capital cases, ethics, DUI adjudication, judicial fact finding and decision-making, criminal law, enhancing judicial bench skills, judicial leadership, and family law issues. While many events were planned

and coordinated by the FCEC and OSCA's Court Education section, others occurred in conjunction with national and statewide conferences planned by outside sponsors and held within the state of Florida, some were designed and funded by OSCA's Dispute Resolution Center and the Office of Court Improvement, and still others were provided locally and approved for (partial) funding by the FCEC. This amalgam of approaches to providing judicial education affords access to a considerable array of high-quality training opportunities for judges and judicial officers, while making efficient, effective use of funding and staff resources. During fiscal years 2009-2010 and 2010-11, more than two dozen live training events for judges were conducted; more than 1,000 judges participated each year. (Notes: These are not "unduplicated" totals, as a number of judges participated in more than one training event each year. In addition, the College of Advanced Judicial Studies, a major FCEC educational event, was cancelled in fiscal year 2010-11 due to the budget crisis.)

Court Staff Benefit from a Range of Educational Programs Designed to Enhance High-level Skills and Generate Excellent Performance

The FCEC, the Court Education section, the Office of Court Improvement, the DRC, and circuit judges and court staff participated in developing, offering, or funding these offerings of live education programs. The topics addressed included diversity and cultural awareness, effective communication, case management, leadership development, management and supervision, ethics, sexual harassment prevention, and specific family law, drug court, juvenile drug court, and mediation topics. Several events were statewide professional conferences, such as the annual Dispute Resolution Center (DRC) conference, the annual Judicial Assistant Association conference, the statewide case managers' conference, the Statewide Dependency Summit, and the Court Public Information Officer's training conference. Despite the fact that one statewide conference and several regional training events were cancelled due to the budget crisis in 2010-11, there were more than 50 such educational events during fiscal years 2009-2010 and 2010-2011, with over 5,000 participants from the court system as well as justice partner agencies and organizations. (Note: These are not "unduplicated" totals, as a number of individuals participated in more than one training event each year.)

Federal Grant Funds and Foundation Support Provide Access to Education and Professional Development

OSCA receives and administers federal grant funds in the areas of court improvement/dependency, juvenile delinquency and drug courts, and domestic violence, as well as some funding from several foundations. This non-state, supplemental funding affords access to national training and development opportunities that would not otherwise be available, but are crucial to an informed, well-functioning court system that is responsive to the needs of litigants involved in court cases. During fiscal years 2009-2010 and 2010-2011, 214 judges and court staff were able to attend and participate in five domestic violence conferences, seven dependency conferences, two juvenile delinquency conferences, and five juvenile drug court training events with nationally known experts.

OSCA Staff Ensure Effective Administrative Processes and Provide Training on Administration and Management Needs

In its role of providing organizational support to the court system, OSCA is very aware of the need for effective administrative processes and the importance of capable management and supervision. During fiscal year 2010-11, OSCA's Administrative Services Division (ASD) offered a one and a half day training session on all ASD functions for 58 trial court staff; a planned follow-up training session was not held due to cash constraints. In conjunction with the Trial Court Budget Commission's Personnel Committee, OSCA's Office of Personnel Services re-wrote the job classification specifications for jobs throughout the court system during fiscal year 2009-10. Prior to adoption, those specifications were then reviewed and commented upon by top administrators in the trial courts and appellate courts. In fiscal year 2010-11, the Office of Personnel Services developed and conducted performance management training for OSCA managers and supervisors, with particular emphasis on SMART performance goals, communication, and dealing with behavior and performance issues. Additionally, Personnel Services developed a draft training needs assessment to ascertain human resource training priorities. Though initially intended to be implemented within OSCA, it may be made accessible to trial courts through distance learning mechanisms if resources become available. Finally, Personnel Services is creating a digital training library with information and resources for managers and supervisors.

Distance Learning Opportunities Help Bridge the Gap between Educational Needs and Budget Constraints

Numerous distance learning events and methodologies were developed and utilized in fiscal years 2009-10 and 2010-11 to support the education and training of court personnel and to supplement live, in-person training for judges and judicial officers. This has enabled the court system to maximize available educational and training opportunities despite serious budgetary limitations. Judges participated in a variety of distance learning programs, including videoconference offerings on civil law, criminal law, and foreclosures and tenants' rights, as well as a teleconference featuring probate and guardianship law updates. Additionally, the FCEC purchased subscriptions to the National Judicial College webcasts, which afforded judges, magistrates, hearing officers and attorneys education on a considerable array of topics, including: self-represented litigants; ethics; judicial security; use of electronic evidence; U.S. Supreme Court decisions; internet crimes against children; and, a series of webcasts on electronic discovery issues. Distance learning events for court personnel included eleven videoconferences and one webinar on topics ranging from dependency cases and a 2010 U.S. Constitutional law update to drug court issues, juvenile delinquency, an update on 2009 legislative actions, and preventing sexual harassment in the workplace. Other court personnel participated in additional distance learning programs, including a day-long videoconference on drug courts, an update on the actions taken by the 2009 Legislature, and preventing sexual harassment in the workplace. During fiscal years 2009-10 and 2010-11, a total of 47 distance learning events were held for judges and court staff; though it is difficult ascertain an accurate

total number of participants in these events, conservative documentation indicates that well over 3,000 individuals took part.

Publications and Other Self-learning Resources Provide Accessible, Updated, and Cost-effective Augmentation of Training and Education

Publications are among the most utilized of the judiciary's self-learning resources, and during fiscal years 2009-10 and 2010-11, judges and court staff authored or revised numerous electronic publications. Bench guides provide in-depth legal information and guidance to judges about handling various types of cases and procedures. During fiscal years 2009-10 and 2010-11, a total of nine bench guides were developed or revised on topics including self-represented litigants, criminal cases, contempt, judicial ethics, judicial administration, dependency, and pandemic influenza. Further, a Judicial Reference Guide was developed for judges, including a benchcard, a medication index, and information on commonly prescribed medications. In addition to the comprehensive bench guides, summaries of case law and legal opinions are prepared and posted on-line quarterly for domestic violence case law, traffic related appellate opinions, and the Judicial Ethics Advisory Committee opinions. Other resources developed for the judiciary include electronic documents on judicial ethics and information on resources for mental health and substance abuse cases, as well as a benchcard to be used by judges for shelter hearings in dependency cases. Additional publications developed for judges and court staff includes a semi-annual newsletter on family and drug court issues; domestic violence-related articles, reference guides and factsheets; and, a yearly update on changes in Chapter 39 of the Florida Statutes – PROCEEDINGS RELATING TO CHILDREN.

Other self learning resources developed and made available online from 2009-2011 include: the Court Education section online library, with a compendium of various publications and resources; interactive, web-based educational programs, such as Fundamentals for Family Court Judges, Dependency Hearing Virtual Court, and the Domestic Violence Virtual Courtroom; and, the online Introduction to the Florida Courts System. Additionally, one video, available online, provides readily available information on Chapter 39 injunctions; another video distributed to courts statewide explains how dependency court judges can intervene on behalf of young children. These resources allow judges and court staff to access and use these stores of information at the time they are needed and when the users have the time to make good use of them.

Issue 4 – Enhancing Court Access and Services

Goal 4.1: Provide meaningful access to Florida’s courts for all people.

Goal 4.2: Florida’s courts will provide the highest quality of services to court users.

Goal 4.3: Florida’s courts will treat all people fairly and with respect.

Public Access to the Courts is a Cornerstone of Our Justice System

Litigants may face a variety of obstacles in seeking access to the courts, including procedural barriers, the cost of litigation, physical obstacles, language and communication barriers, and cultural and attitudinal biases. The judicial branch has worked to identify and to ameliorate the various barriers that exist, preventing meaningful access to the courts. These actions include providing assistance and information to self-represented litigants, promoting architectural and electronic access for people with disabilities, and working to increase the pool of qualified court interpreters. The following sub-sections describe the actions taken by the state courts system to address various aspects of access to the courts.

Available Resources Provide Information and Procedural Help to Those Involved in the Court Process

The Florida State Courts Self-Help web page provides access to information from local self-help centers, free and low-cost legal aid, and family law forms for use in dissolution, paternity, child support, domestic violence, name change, and grandparent visitation cases. The forms are up-to-date, in engrossed (ready to use) format, with all amendments incorporated. All forms are provided free of charge by the Florida Supreme Court.

OSCA’s Office of Court Improvement (OCI) has developed, updated, and distributed a series of videos, publications, and other materials to be used by individuals involved in various types of family law cases. In conjunction with the Dependency Court Multidisciplinary Panel, the OCI developed a guide to help young children (8 to 12 years old) prepare meaningfully for dependency court and to assist them with the debriefing process after a court event. Thirteen thousand (13,000) copies of this activity booklet were published and have been made available to children involved in dependency cases. A video explaining dependency court, as well as court processes and participants was developed for older children (12 to 18 years old), urging them to play an active role in their hearings; this video is freely available online. The OCI also reprinted and distributed informational brochures for domestic violence petitioners and respondents, and developed an on-line platform to allow participants in the domestic violence injunction process to complete pertinent forms online.

Florida's Courts Address Architectural and Electronic Access for People with Disabilities

From 2009-2011, Florida's courts have continued their progress in eliminating architectural obstacles identified in the court accessibility initiative established by then-Chief Justice R. Fred Lewis in 2006. Despite the scarcity of funding at the state and local levels, more court facilities now have ADA accessible daises and ante-rooms, water fountains, auto-open entry doors, and restrooms as well as ADA compliant ramps, countertop heights, door-closer speeds, assistive listening devices, and handrail returns; more courts also restriped parking lots to create additional accessible parking spaces or to correct the design of existing accessible parking spaces, and they created and posted signs to better inform court visitors with disabilities about the process to request the accommodations that may be needed to participate in court proceedings or activities.

To better inform Florida's courts and the public about their rights and obligations under the ADA, in 2010 the branch also implemented supreme court-approved amendments to Rule of Judicial Administration 2.540. In response to the rule amendments, each court reviewed and updated the ADA notice language that is included on notices of hearing, jury summonses, and other forms. In addition, courts posted on their website and in each courthouse the procedures for requesting an accommodation and the grievance procedures for informally resolving complaints. The rule amendments also require courts to provide a written response when the court denies an accommodation, grants it only in part, or grants an alternative accommodation. With the assistance of a workgroup, OSCA developed a Model ADA Accommodation Request Form and invited each circuit and district to customize the form for its own use.

The following ADA guidelines are posted on the State Court System website to assist judges and staff in implementing the ADA in the court system. Title I Guidelines assist elected officials, nonjudicial officers, and supervisors in ensuring compliance with the employment provisions of the ADA; Title II Guidelines assist judicial officers and courthouse personnel in understanding the provisions of the ADA relating to accessibility of state and local government services, programs, and activities and assist the courts in ensuring that architectural or communication barriers do not obstruct any person's access to the courts.

In the summer of 2010, the US Department of Justice published new regulations regarding implementation of Title II of the ADA, regulating access to the services, programs, and activities of state and local government; topics addressed include two-tiers of mobility devices, expanding the list of auxiliary communication aids and services, and revisions concerning companions, service animals, and telecommunications. The department also adopted new ADA Standards for Accessible Design, which govern new construction and renovations to existing court facilities. The new regulations and standards became enforceable in March 2011, and the OSCA has diligently communicated these changes throughout the court system.

Since the 1990 enactment of the ADA, each circuit and appellate court has designated at least one staff member to serve as that court's ADA coordinator. The local court ADA coordinators

work in conjunction with the statewide ADA coordinator to provide auxiliary aids and services that persons with disabilities need to effectively communicate with the court, modify policies and procedures, and ameliorate or eradicate architectural barriers. The ADA coordinators communicate every other month via conference call to learn about various types of disabilities and examples of accommodations, learn about resources available to assist the courts in implementing the ADA, to discuss challenging situations, and to find out about other relevant news/events.

Because Florida's courts increasingly provide access to court information and services through their websites and other electronic means, communications via electronic information and information technologies must be accessible to individuals with disabilities. Florida courts have been using Section 508 Standards, developed by the US Access Board, to ensure compliance with the ADA relative to effective communication in electronic formats. All documents, websites, web-based enterprises, email, and multi-media presentations created by OSCA must be accessible to employees and members of the public. OSCA staff offer live training as well as distance learning opportunities on ADA/508 standards for electronic information and making complex documents accessible. Trainings have been provided to supreme court and OSCA staff, as well as to court employees around the state and to staff of the Florida Bar and the Florida Board of Bar Examiners. Steps are being taken to ensure that electronic filing is also accessible to persons with disabilities. The US Department of Justice has affirmed that state and local government websites are covered by Title II of the ADA, and is in the process of developing regulations regarding web accessibility standards. Once these regulations are finalized and published, Florida's courts will be responsible for ensuring that all of their new or altered web content meets those new federal accessibility standards.

Court Interpreters Provide Court Access to Non-English Speakers and Those Not Fluent in English

Meaningful access to the courts should be available for all people, regardless of their ability to communicate effectively in the English language. With 18.7 percent of Florida's population foreign born, and with 25.8 percent speaking a language other than English at home, the judicial branch is especially vigilant against English language bias and continues to make concerted efforts to reduce the effects of communication barriers to Florida's courts.

The State Courts System has developed a statewide program to assist judges and trial court administrators in assessing the qualifications of court interpreters, including the use of written and oral qualifications examinations. Through the OSCA, the Court Interpreter Certification Board is responsible for certifying, regulating, and disciplining court-appointed foreign language court interpreters, as well as suspending and revoking certification. OSCA currently offers oral qualifications examinations in the following languages: Arabic, Cantonese, French, Haitian Creole, Hmong, Ilocano, Korean, Laotian, Mandarin, Polish, Portuguese, Russian, Somali, Spanish, and Vietnamese. Although Florida's population comprises considerable cultural diversity, currently certification has been awarded only to interpreters who speak Spanish,

Haitian-Creole, French, Russian, and Portuguese; as of August, 2011, a total of 155 court interpreters have been certified.

Florida Rule of Judicial Administration 2.560(e) allows for the appointment of either duly qualified or certified spoken language interpreters for select cases, and calls for a diligent search to be made in appointing an interpreter in either category. There is also a provision to allow the appointment of an individual who is neither certified nor duly qualified, but only in limited circumstances. A duly qualified interpreter is one who: has obtained a passing grade on a written examination administered by the OSCA; has attended a two-day orientation program offered by the OSCA; has an understanding of basic legal terminology in both languages; and, is familiar with Part III of the court rules which outline the appropriate conduct for certified court interpreters and articulate a core set of principles for court interpreters. A certified court interpreter is one who: meets duly qualified interpreter criteria, plus passes an oral proficiency exam, consents to a background check, and agrees to obtain continuing education credits. The Editorial Committee of the Florida Court Education Council's Publications Committee is in the process of finalizing a benchbook for judges on court interpretation to provide guidance and information to judges on the use of court interpreter services. The benchbook includes a chapter on interpretation for those who are deaf/hard-of-hearing, and is expected to be finalized and published in early 2012.

Given the limited number of certified (or duly qualified) court interpreters, the substantial need for court interpreting services, the fiscal limitations of the court system's budget, and the need for swift and effective administration of justice, two judicial circuits have explored remote interpreting services as an alternative to the traditional model of in-person, face-to-face court interpretation. Remote audio technology enables court interpreters to connect to any courtroom, communicate directly with the participants, and deliver simultaneous interpretation. This empowers circuit courts to support a greater number of hearings with existing staff and resources, thus increasing efficiency and reducing costs. The Ninth Judicial Circuit implemented its Remote Court Interpreting Program in 2007, and the Seventeenth Judicial Circuit began its Remote Interpreting System in 2010. Though the two circuits utilize different kinds of technology to perform the remote interpreting service, both report that their programs have been successful in providing a much-needed service with improved operational efficiencies and significant savings.

Florida's Courts Are Committed to Providing Consistent Levels of High Quality, Appropriate Services to Court Users

Despite on-going fiscal restraints, the State Court System continues its efforts to address the needs of court users through various initiatives and programs designed to provide information, assistance, resources, and services to litigants. The following sub-sections describe these efforts in the areas of alternative dispute resolution, family courts, drug courts, and the mental health initiatives.

Alternative Dispute Resolution Methods Assist in Improving the Administration of Justice

Alternative dispute resolution (ADR) was brought under the auspices of Florida's court system in 1988, and since that time the judicial branch has developed one of the most comprehensive court-connected mediation programs in the country. Mediation and other alternative dispute resolution methods open communication and facilitate problem-solving between parties, thereby conserving judicial time and court resources. Currently, there are court-based mediation programs serving each of the twenty judicial circuits in the state; additionally, there are over 6,200 private certified mediators in Florida. The OSCA's Dispute Resolution Center (DRC) provides staff assistance to four Supreme Court of Florida mediation boards and committees; certifies mediators and mediation training programs; sponsors an annual conference for mediators and arbitrators; publishes a newsletter and the DRC Compendium of ADR Programs; provides basic and advanced county mediation training to volunteers; and assists the local court systems throughout Florida as needed. In August, 2009, the DRC conducted a statewide conference for mediators and arbitrators which approximately 1,000 individuals attended, including judges, court staff, volunteers, and private mediators; due to a change in leadership as well as limited resources, the DRC did not put on a statewide conference in 2010. The DRC conducted a statewide conference in August 2011, and its attendance mirrored that of the 2009 with approximately 850 attendees. DRC staff conducted continuing mediator education programs on mediator ethics, domestic violence and cultural diversity (fiscal years 2009-10 and 2010-11) for over 130 certified mediators; attendees were primarily those mediators who volunteer in court-connected county mediation programs.

The Supreme Court Committee on Alternative Dispute Resolution Rules and Policy proposed changes in several areas of mediation including refining rules, training standards and practice. Revised, updated mediation standards and procedures reflecting significant changes in ADR rules and statutes were recommended to the supreme court, and were adopted by the court in July, 2009. The committee recommended and the supreme court adopted the addition of certification in appellate court mediation as well as the revision of rules governing mediator advertising and marketing.

Family Court Strives to Resolve Disputes That Touch Families in a Fair, Timely, Efficient, and Cost-effective Way

Some of the most difficult and private family matters – including separation and divorce, child support, child neglect, delinquency, dependency, family violence, substance abuse, and mental illness - often end up being addressed in the courts. The judicial branch has adopted pioneering practices and programs to develop an integrated, comprehensive approach to handling such sensitive cases. To that end, the supreme court established the first family court committee in 1994, and has continued to recognize the significance of family courts through establishing and continuing to support the Steering Committee on Families and Children in the Court (FCC). Reconstituted by Chief Justice Canady in 2010 and chaired by Justice Pariente, the Steering Committee is tasked with several charges related to Unified Family Courts (UFC) implementation, as well as addressing rule and statutory issues, identifying and defining

elements necessary for effective family court case management, and liaising with the multi-disciplinary Dependency Court Improvement Panel. Three subcommittees have been formed to address the committee's charges; one is working with the Dependency Court Improvement Panel to establish model dependency courts across the state, another is working with charges involving the Florida Rules of Judicial Administration and the Florida Statutes, while the third is working on some of the barriers to UFC implementation. Supported by and working in conjunction with OSCA's Office of Court Improvement (OCI) staff, the Steering Committee has played an important role in the development of various resources and opportunities for family court improvement.

Within the OSCA, the Office of Court Improvement (OCI) provides technical assistance to judges and court staff in the trial courts throughout the state, thus reinforcing and enhancing substantive and procedural knowledge. With regard to domestic violence cases, OCI provides updated materials to judges attending the New Judges College, phases I and II, and in March, 2011 held a statewide meeting of domestic violence coordinators/case managers to provide and exchange information on current issues. Technical assistance is also provided to judges and court staff on dependency cases and issues. In both fiscal years 2009-10 and 2010-11, five regional judicial forums were conducted throughout the state on issues in dependency court as well as the newly revised dependency bench book, enabling judges to review and discuss legal changes and issues in an informal format. In January 2011, the Dependency Court Improvement Panel sponsored a three day conference, bringing together court-based and community-based individuals and organizations committed to implementing a model dependency court in their circuits. OCI also arranged for a technical assistance consultation to be provided to a circuit juvenile drug court team by a national expert, who conducted interviews and observations, and then provided a written report including recommendations. This partnership between OSCA/OCI and the trial courts facilitates a free flow of information in both directions and thereby improves the effectiveness of the court system.

Drug Courts Offer a Cost-effective Alternative to Incarceration

First implemented in Miami-Dade County in 1989, drug courts have since expanded throughout Florida as well as across the United States and numerous other countries. Drug courts typically involve a 12 to 18 month process in which non-violent substance abusers are placed into treatment programs under the supervision of a judge and a team of treatment and justice-system professionals. The drug court model includes adult felony, misdemeanor, juvenile, dependency, juvenile re-entry, and DUI drug courts; there are currently 103 drug court programs in Florida. Drug courts focus on the offenders' treatment and recovery by moving drug-related cases from the courtroom environment to community treatment and rehabilitation services; participants receive needed treatment and are required to undergo random alcohol and drug tests, with rewards for positive behavior and sanctions for negative behavior, and to maintain ongoing interaction with the courts. This combination of treatment and accountability provides the opportunity to recover from addiction and to avoid further criminal justice sanctions such as imprisonment, producing positive outcomes for individuals and avoiding the substantial public costs of incarceration. Based on available data, drug court

treatment and services are estimated to cost approximately \$30 less per day per person than incarceration in a Florida prison, an annual savings of nearly \$11,000 per individual. Thus, the diversion of non-violent felony offenders from prison to successful treatment and diversion programs offers the potential to save millions of dollars each year.

Supported by federal stimulus funding appropriated to the court system by the legislature in 2009, Florida has undertaken the expansion of adult post-adjudicatory drug court programs in eight counties across the state. The expansion program is a joint project of the court system, county governments, the offices of the state attorneys and public defenders, the Department of Corrections, and substance abuse treatment providers. Participating drug courts are required to meet specific data-reporting requirements in order to comply with the state and federal reporting requirements. The OSCA's staff have been working with a contracted vendor on the development of the data/case management system to be used to capture and aggregate the expansion drug court data; at a minimum, these data will be used by the judicial branch and the legislature to evaluate the viability of adult post-judicatory drug courts.

In recent years, research has shown that drug court programs reduce recidivism, increase public safety, return former substance abusers to productive lives, restore families, and save lives, in addition to saving public dollars. However, to date there has been no statewide evaluation of the effectiveness of Florida's drug courts. The supreme court's Task Force on Treatment-Based Drug Courts, in conjunction with OSCA's Office of Court Improvement and with technical assistance from the National Center for State Courts, developed a plan for evaluating Florida's drug courts. In 2010, the OSCA obtained a Bureau of Justice Assistance grant to perform the statewide evaluation, designed to measure the efficacy of drug court for drug and alcohol addicted individuals who enter the criminal justice system. Through a competitive bidding process, the OSCA has selected a vendor to conduct the evaluation, and the process of identifying the drug courts to participate in the evaluation is underway; the final evaluation report will be completed by the fall of 2012.

Mental Health Initiatives Focus on Treatment Rather Than Incarceration

Since 2006, the court system has recognized that the arrest and incarceration of those with serious mental illnesses has wasted critical tax dollars and put recovery out of reach for countless Floridians. Individuals who are arrested for felony offenses and found incompetent to stand trial meet the criteria for forensic hospitalization, but due to the scarcity of forensic beds relative to the number of individuals in need of those beds, may instead spend months in jail without any services to restore competency and thereby depleting county resources. Additionally, the state spends hundreds of millions of dollars to house people with mental illnesses in state prisons and forensic treatment facilities. Once competency has been restored, these persons stand trial and if convicted, are sentenced to jail or prison where they receive no further treatment, so their illnesses often worsen. Then-Chief Justice R. Fred Lewis established the Mental Health Subcommittee in 2006, under the Steering Committee on Families and Children in the Court, to study this issue and make recommendations.

In 2010, Chief Justice Canady issued an Administrative Order, AOSC10-52, creating the Task Force on Substance Abuse and Mental Health Issues in order to continue the momentum created by the Mental Health Subcommittee; Judge Steven Leifman was appointed to chair the Task Force. Recognizing that substance abuse and mental illness often co-occur and that the judicial case management principles associated with cases involving those conditions are similar, the Task Force is directed to continue to promote the recommendations contained in the *Transforming Florida's Mental Health System 2007* report, to propose a strategy to address unresolved matters from the reports on the Task Force of Treatment-Based Drug Courts, and to provide guidance to the OSCA as it resolves implementation issues related to the drug court expansion project. After the Task Force's first meeting, Chief Justice Canady added a fourth charge: to consider how Florida's courts may more effectively serve veterans with mental illnesses and substance abuse issues who become involved in the criminal justice system.

Florida's Courts Work to Ensure That All People will be Treated Fairly and with Dignity When They Appear in Court

Today's judicial system is confronted by rapid and profound social, economic, demographic, and technological changes. The court system faces tremendous obstacles in light of these sweeping new challenges and pressures as it strives to meet its mandate to provide justice. Justice requires that the court system be open and accessible to all; respect the dignity of every person; and, respond to the needs of all members of society. Florida's judicial branch continues its active commitment to equal access, fairness, and justice for all.

The Supreme Court Standing Committee on Fairness and Diversity Provides a Continuing Focus on Fairness and Diversity

Established in 2004 by then-Chief Justice Barbara Pariente, the Standing Committee on Fairness and Diversity was created for the purpose of advancing the State Courts System's efforts to eliminate from court operations inappropriate bias based on race, gender, ethnicity, age, disability, or socioeconomic status. Each successive Chief Justice has extended the term of the Standing Committee to ensure that the important work of the committee continues to proceed; since 2008, the committee has been chaired by Judge Scott Bernstein of the 11th Judicial Circuit.

During fiscal years 2009-10 and 2010-11, the Standing Committee completed a number of tasks outlined in the administrative orders issued by then-Chief Justice Quince and Chief Justice Canady. In order to identify and work to fortify court-community relationships, a survey was distributed to the Diversity Teams throughout the court system asking them to identify court projects and activities that educate the public about the court system and foster court community relationships. The committee found that individual courts connect with the public in a variety of ways that contribute to greater understanding of the court system and create venues in which the courts can facilitate dialogs on fairness and diversity topics. In the Ninth Judicial Circuit, for example, the "Inside the Courts" program introduces citizens to the court system and gives them an opportunity to interact with judges in an informal setting. The

committee has liaised with several law schools to develop linkages and collaborations between the diversity work of law schools and the Standing Committee, and has been actively involved in making presentations and disseminating materials at various law schools, and law student organizations. Additionally, several members of the committee made presentations to various Bar groups and conferences regarding the committee's work and the importance of diversity in the legal community. The Standing Committee also created the Diversity Events calendar, posted on the committee's web page, describing court-based diversity events that are being held throughout the state.

Another committee initiative has been to collaborate with the Florida Court Education Council (FCEC) to identify and recommend resources for implementing permanent fairness and diversity training for judges and court staff at the state and local level. The committee estimates that by the end of fiscal 2009-10, approximately 90 percent of judges, general magistrates, and hearing officers and 66 percent of court staff had attended a day-long diversity training program. In response to recommendations from the FCEC, in December 2010 the supreme court adopted amendments to the Florida Rule of Judicial Administration; the amendments increase the number of continuing judicial education credit hours required in ethics from two to four hours, and clarify that approved courses in fairness and diversity can be used to fulfill the ethics requirement.

Issue 5 – Enhancing Public Trust and Confidence

- Goal 5.1: The State Courts System will be accountable to the public for its use of public resources and overall performance.
- Goal 5.2: The public will better understand the purpose and role of the judicial branch.
- Goal 5.3: The courts will be fair, impartial, and free from bias, political pressures, and special interests.

Utilizing Resources Competently in Challenging Economic Environment

Insufficient Resources Undermine the Functioning of the Court System

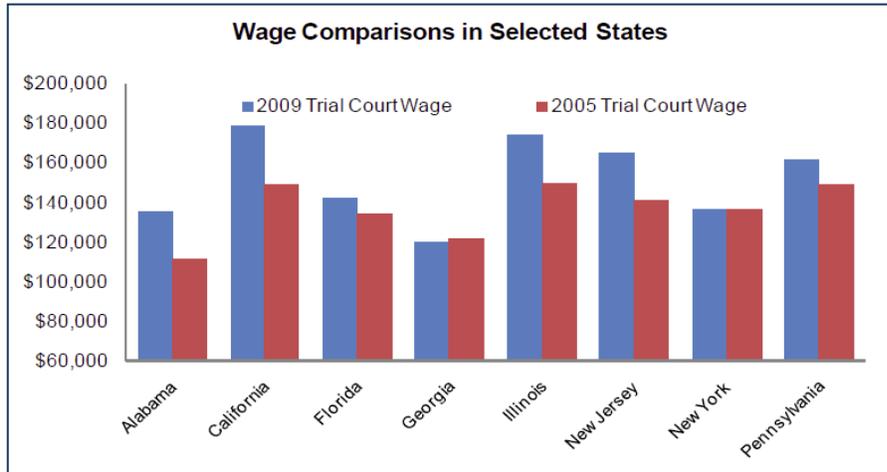
In 1998, a major court reform, referred to as Revision 7 to Article V, was approved as an amendment to the Florida Constitution by Florida voters. Revision 7 requires a fundamental uniform funding system through state appropriation for both the appellate and trial courts of Florida. Revision 7 was designed to relieve local governments of the increasing costs of subsidizing the trial courts and to ensure equity in court funding for each county—thereby providing all Floridians with access to the same essential trial court services, regardless of where in the state they reside. However, along with Revision 7 came a massive expansion of functions, duties, and responsibilities for the court system.

In 2009, the legislature increased foreclosure filing fees and directed them into a trust fund to pay for most of the court system's expenses. Based on the current legislative funding framework, 66% of the State Courts Revenue Trust Fund revenue continues to come from mortgage foreclosure filings. These filings have fallen from a high of over 30,000/month (in 2008/09) to under 9,000/month (beginning in October 2010), causing dire cash flow problems. Though this decrease in foreclosure filings is considered to be temporary, recurrent cash flow problems hinder court efficiency and would significantly disrupt day-to-day court operations if funds were not available to meet payroll and billing obligations. Keeping the courts open is critical to everyone in the state. Accordingly, the legislature authorized the judicial branch and the clerks of court to work together to determine suitable, less volatile revenue streams for the court system's and the clerks' trust funds. The clerks and courts have completed their work on the project and a report has been issued that provides recommendations about steps the legislature can take to stabilize court and clerk funding.

Despite some fluctuations in Florida's population estimates, the state is still on track to become the third most populous state in 2015. Most Floridians will interact with a court in some direct way during their lifetime. Increasingly, citizens and businesses turn to the courts resulting in more filings and heavy workloads throughout the system. Previous cuts in court funding and positions (many were valuable support positions), and inadequate resources leave the courts struggling to dispense justice.

Study Finds Comparatively Low Compensation for Florida Trial Judges

A recent study (January, 2011) sponsored by the Florida Chamber Foundation and performed by the Washington Economics Group, Inc. examined trial court judicial salaries in the state of Florida by developing a 50-state quantitative model. The sophisticated model analyzed the



Source: Florida Chamber Foundation, A Comprehensive Analysis of Judicial Compensation, Recruitment, and Retention Practices in the State of Florida, January 2011.

salaries of Florida’s trial judges compared with other states. The study concluded that the annual wages of Florida’s trial judges are lower by nearly \$16,000 than the 50-state model would predict. The following comparison states were selected in order to provide context for Florida trial judge wage levels: Alabama, California, Georgia,

Illinois, New Jersey, New York, and Pennsylvania. These comparable states were selected based upon the states’ size, geography, and judicial systems.

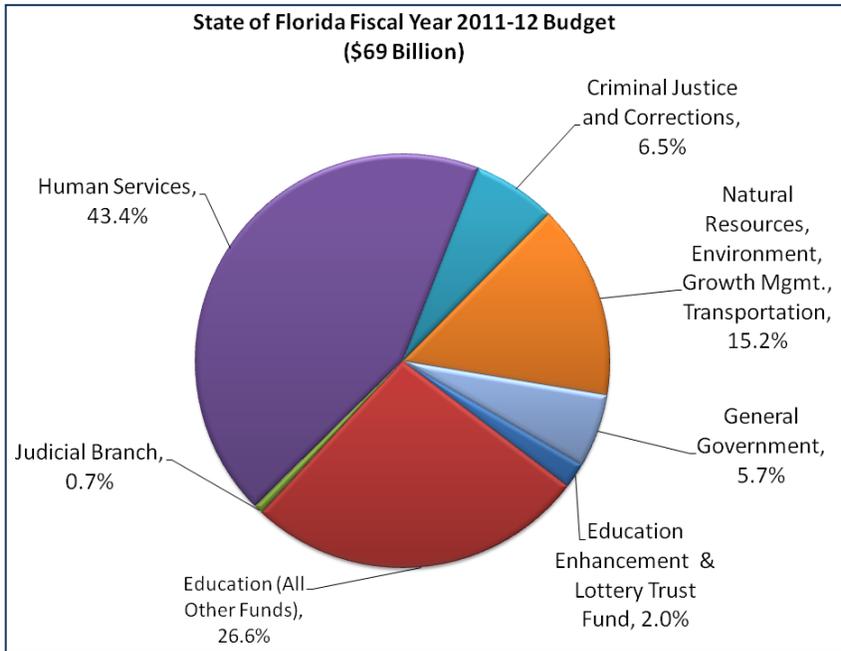
Need for New Judges Remains Unfunded: Courts Still Operating at 2007 Staffing Levels

Since 1999, the supreme court has used a weighted caseload system to evaluate the need for new trial court judgeships. The weighted caseload system analyzes Florida’s trial court caseload statistics according to complexity. Cases that are typically complex, such as capital murder cases, receive a higher weight, while cases that are generally less complex, such as civil traffic cases, receive a lower weight. These weights are then applied to case filing statistics to determine the need for additional judgeships. The need for additional judgeships remains high for two reasons: an absence of funding for previously certified judgeships and overall increases in caseloads. If judicial workload continues to exceed capacity and the judicial need deficit is not addressed, likely consequences may be case processing delays, less time devoted to individual cases, and potentially diminished access to the courts. In February 2011, the Florida Supreme Court certified the need for 26 additional circuit judges and 54 additional county court judges. However, the Florida Legislature did not approve funding for any new judgeships.

Year	Requested	Certified	Authorized
2006	67	64	20
2007	39	35	0
2008	90	61	0
2009	113	68	0
2010	94	90	0
2011	95	80	0

Source: Office of the State Courts Administrator, Florida State Courts Annual Report 2010-2011.

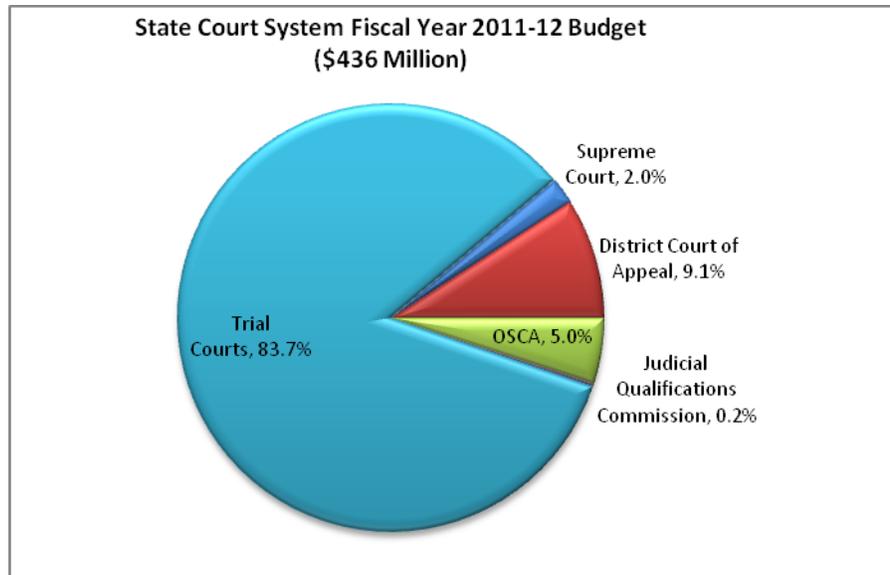
Judicial Branch Uses Limited Funding Prudently to Maximize Services



Source: Office of the State Courts Administrator.

The Florida Judicial Branch utilizes its resources effectively even though it is not adequately funded. Floridians get good value for the money spent on their State Courts System. The total dollar amount (\$436 million) allocated for the Florida Judicial Branch is a mere 0.7% of the overall state budget (over \$69 billion); this is a much lower percentage of the overall state budget compared to similar states with diverse populations and large workloads.

The majority of resources are spent at the trial court level (almost 84% of the entire budget). Besides its role as the court of last resort, the supreme court, in conjunction with the Office of the State Courts Administrator provide leadership and administrative support for the branch. And yet, they only comprise a total of 7% of the total State Courts System’s budget.

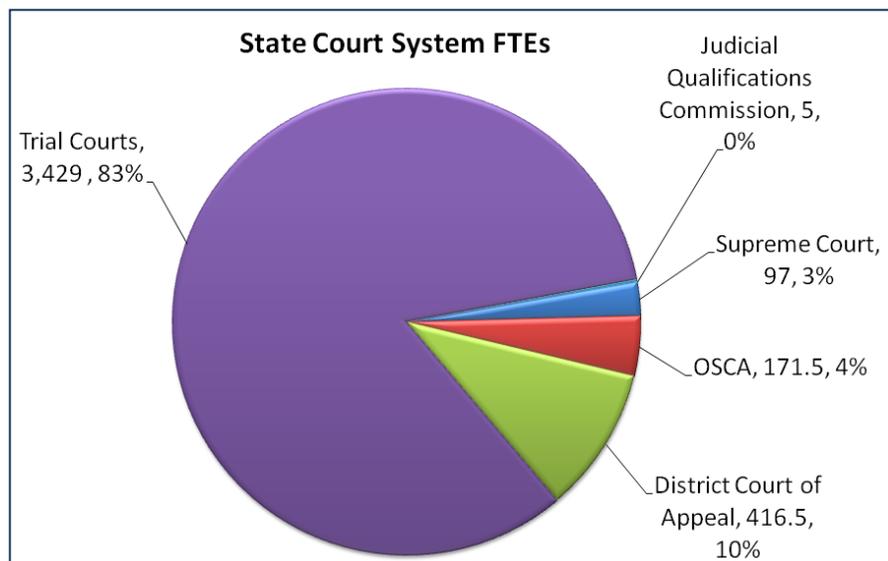


Source: Office of the State Courts Administrator.

Good Stewards of State Resources: Innovation, a Hallmark of Florida’s Court System

Florida’s State Courts System is recognized as among the nation’s best for innovations, groundbreaking achievements and overall excellence by the National Center for State Courts, the American Bar Association, and others. Florida continues to promote: openness of court proceedings and records; access to justice for litigants without attorneys; innovations to reduce time spent on jury duty; efficiency and timeliness in processing a large volume of cases; and innovations such as drug courts that save money—and lives!

The State Courts System has a total of 4,119 positions. At 3,429 positions, the bulk of employees are in the trial courts (circuit and county). To help cope with staffing shortages and increasing demands, utilizing professionals such as judicial assistants, staff attorneys, court administrators, magistrates, hearing officers, mediators, and case managers, the court system has shown it is an innovator in the deployment of human resources to manage workload in cost-effective and productive ways. Unfortunately, these critical support positions are the types of positions that are cut when budget reductions are made.



Source: Office of the State Courts Administrator.

Taking Action to Deepen Public Trust and Confidence

Reducing/Eliminating Wrongful Convictions to Preserve Public Trust and Ensure Justice

DNA testing has confirmed that despite the safeguards built into our criminal justice system, there still exists the possibility that individuals can be convicted of crimes they did not commit. In the last few years, at least 11 convictions in Florida have been reversed as a result of DNA evidence. Wrongful conviction of the innocent not only impacts those convicted and their families; it also allows the person who actually committed the crime to go unpunished and to be free to commit additional crimes. Furthermore, a wrongful conviction places the victim of the crime in a position of having to endure continued participation in the criminal justice system. In addition, wrongful convictions negatively impact public trust and confidence in the justice system.

Through the work of the Florida Innocence Commission, the supreme court aims to avoid the wrongful or erroneous conviction of the innocent, increase the conviction of the guilty-and, ultimately, to positively impact public trust and confidence in Florida's criminal justice system.

The Florida Innocence Commission, established in 2010, is charged with conducting a comprehensive study of the causes of wrongful conviction and of measures to prevent such convictions and preserve public trust and confidence in the criminal justice system. The Commission has held six meetings throughout the state and considered: treatises and articles by experts; task force and bar association

reports and recommendations; statutes from Florida and other jurisdictions; court rules from Florida and other jurisdictions; case law; jury instructions from Florida and other jurisdictions; and law enforcement protocol.

The Commission is currently conducting its examination and bringing together prosecutors, defense attorneys, judges, law enforcement, legislative representatives, and victim advocates, to work together as a collegial body to identify the common causes of wrongful convictions, and to recommend procedures to decrease the possibility of these convictions in the future. To help address the issue of wrongful conviction, the Florida Department of Law Enforcement, Florida Police Chiefs Association, and Florida Sheriffs Association, in collaboration with the Florida Prosecuting Attorneys Association, have adopted standards related to eyewitness identification. The standards are designed to promote improved eyewitness identification efforts and procedures, while at the same time allowing law enforcement agency heads flexibility in crafting policies that best meet the needs of the agencies and the expectations of the state attorney's offices that prosecute the cases. The standards were revised June 15, 2011 to take into account comments and input received since they were first issued on March 1, 2011. A final report and recommendations will be presented to the supreme court in 2012.

State Courts System Sponsors Widespread Outreach Efforts

In addition to the various supreme-court based education and outreach programs for visitors of all ages, every circuit and appellate court in Florida continuously spearheads a host of projects and activities that educate the public about the court system and energize court-community relationships. These enterprises include courthouse tours, citizen guides, Justice Teaching and other school outreach efforts, teen courts, Law Day activities, meet your judge programs, speaker's bureaus, public opinion surveys, and media outreach efforts. The Florida courts website is also a key vehicle to help educate the public on its mission to protect rights and liberties, uphold and interpret the law, and provide for the peaceful resolution of disputes. The site provides a wealth of information on the court's history, statistics, reports, current initiatives, and forms. The website registers over a million hits per year.

Justice Teaching Institute: Deepening the Knowledge Base of Teachers

First offered in 1997, when former Chief Justice Gerald Kogan conceived it as part of the Florida Supreme Court's Sesquicentennial Celebration, the annual Justice Teaching Institute offers 20-25 secondary school teachers from across Florida a chance to explore, over a five-day stretch, the inner workings of the judicial branch. The Institute is sponsored and hosted by the supreme court, subsidized by The Florida Bar Foundation, and coordinated by the Florida Law Related Education Association. It is an intense, interactive program for which teachers must undergo an exacting selection process to be chosen.

After successfully completing the Institute, teachers receive certificates recognizing them as Fellows of the Justice Teaching Institute. The climax of the program is the teachers' own mock oral argument on the very case for which the justices are themselves preparing. After they return to their schools, the teachers develop a courts unit for classroom use and/or facilitate training programs for other teachers at their school, thereby creating opportunities for a great many students to develop an understanding of and an appreciation for the role and functions of the judicial branch.

The selected candidates participate in a variety of subjects and experiences including:

- Mock oral arguments
- Overview of the State Courts System
- Technology and the Courts
- Alternative dispute resolution
- Law-related lessons
- History of the Supreme Court of Florida
- Visits to the trial and appellate courts
- Case studies
- Issues confronting the state courts

Workshops to Promote a Deeper Understanding of Justice System Issues

The court system recognizes that the public still gets most of its information about the court system from more traditional news sources. The Annual Reporters Workshop format provides journalists with a useful introduction to covering justice system issues. The supreme court hosts the Annual Reporters Workshop, in which journalists who are either new to Florida or new to the legal/courts "beat" participate in a two-day workshop introducing them to the basics in legal reporting. Presented by The Florida Bar Media and Communications Law Committee and subsidized by The Florida Bar Foundation, the workshops are open to newspaper, radio news, TV news, and Internet news services reporters who have been nominated by their editors. The program includes sessions by justices, judges, lawyers, and veteran journalists.

Court Publications Detail Strategic Accomplishments and Enhance Communication

To educate and inform the public about the judicial branch and to improve communication between the judicial branch and the community, the OSCA's Publications Unit, under the direction of the supreme court, produces the Florida State Courts Annual Report each fall. The Annual Report is accessible on the State Courts System website. In addition, each spring, summer, and winter, the Court Publications Unit produces the Full Court Press, the official newsletter of the State Courts System of Florida, whose aim is to present information and promote communication for all employees of the State Courts System, justice system partners, and the extended public. These publications are also published on the State Courts System website.

Judicial Ethics Advisory Committee: Sustaining public trust and confidence in Judicial Conduct

In an order dated February 3, 1976, the Florida Supreme Court formally recognized the Committee on Standards of Conduct Governing Judges currently known as the Judicial Ethics Advisory Committee (JEAC). The court authorized the committee to render written advisory opinions concerning the propriety of contemplated judicial and non-judicial conduct and subsequently authorized the committee to recommend changes in the Code of Judicial Conduct. The committee issues advisory opinions addressing judicial questions about each of the canons in the Code of Judicial Conduct, and is actively involved in Judicial Campaign Conduct Forums. In fiscal year 2009-10, JEAC issued 28 opinions, and in fiscal year 2010-11, it issued 25 opinions.

Judicial Campaign Conduct Forums Stress Importance of Integrity and Professionalism

Judicial Campaign Conduct Forums, typically held in the spring of election years, are offered in every circuit in which there is a contested judicial election. These 90-minute forums provide instruction to judicial candidates about the requirements of Canon 7 of the Code of Judicial Conduct, which governs political conduct by judges and judicial candidates. Forum attendees learn about the importance of integrity and professionalism among candidates for judicial office, the impact of campaign conduct on public trust and confidence in the judicial system, and the consequences of any breaches of the code. Coordinated by the supreme court, the trial court chief judges, the Judicial Ethics Advisory Committee, and the Florida Bar Board of Governors, the forums are also open to campaign managers, campaign staff, local political party chairs, the presidents of local bar associations, print and broadcast media, and the public. All judicial circuits had contested judicial elections in 2010. In May 2010, the Judicial Ethics Advisory Committee (JEAC) presented campaign conduct forums in all 20 circuits. Also, *An Aid to Understanding Canon 7* was substantially revised in 2009-2010. Several judicial conduct forums are planned for Spring 2012.