

District Court of Appeal Budget Commission

Established by Rule of Judicial Administration 2.054, the Commission is directly responsible for recommending budgeting and funding policies and procedures for the district court budgets, so that the funding requirements of each of the appellate courts can be adequately addressed while promoting statewide operational consistency. The DCA Budget Commission is charged with specific responsibility to:

- establish budgeting and funding policies and procedures consistent with judicial branch plans and policies, directions from the supreme court, and in consideration of input from supreme court committees;
- make recommendations to the supreme court on a unitary district court component of the annual judicial branch budget request;
- advocate for the district court component of the annual judicial branch budget request;
- make recommendations to the supreme court on funding allocation formulas and/or criteria as well as associated accountability mechanisms based on actual legislative appropriations;
- monitor district court expenditure trends and revenue collections to identify unanticipated budget problems and to ensure the efficient use of resources;
- recommend statutory and rule changes related to district court budgets;
- develop recommended responses to findings on financial audits and reports by entities charged with auditing responsibilities regarding district court budgeting when appropriate;
- recommend to the supreme court district court budget reductions required by the legislature;
- identify potential additional sources of revenue for the district courts; and
- recommend to the supreme court legislative pay plan issues for district court personnel.

Major accomplishments: The commission prepares Legislative Budget Requests and addresses implementation issues including management of shortfalls in the district courts of appeal

Primary staff: Charlotte Jerrett, Director of Administrative Services, Office of the State Courts Administrator

Trial Court Budget Commission

Established by Rule of Judicial Administration 2.053, the Commission is directly responsible for recommending budgeting and funding policies and procedures for the trial court budget in order to support a trial court system that will effectively carry out the administration of justice and ensure equity and fairness in state funding among the 20 judicial circuits. The commission is charged with specific responsibility to:

- establish budgeting and funding policies and procedures consistent with judicial branch plans and policies, directions from the supreme court, and in consideration of input from supreme court committees and from the Florida Conference of Circuit Judges and the Florida Conference of County Court Judges;
- make recommendations to the supreme court on the trial court component of the annual judicial branch budget request;
- advocate for the trial court component of the annual judicial branch budget request and associated statutory changes;
- make recommendations to the supreme court on funding allocation formulas and budget implementation and criteria as well as associated accountability mechanisms based on actual legislative appropriations;

- monitor trial court expenditure trends and revenue collections to identify unanticipated budget problems and to ensure the efficient use of resources;
- recommend statutory and rule changes related to trial court budgets;
- develop recommended responses to findings on financial audits and reports by entities charged with auditing responsibilities regarding trial court budgeting when appropriate;
- recommend to the supreme court trial court budget reductions required by the legislature;
- identify potential additional sources of revenue for the trial courts; and
- recommend to the supreme court legislative pay plan issues for trial court personnel, except the commission shall not make recommendations as to pay or benefits for judges.

Major accomplishments: Conducted a comprehensive, auditable inventory of county costs associated with the trial courts

Identified core elements of the trial courts, to be recommended for funding by the State of Florida

Oversaw development of the FY 2002-03 and 2003-04 Legislative Budget Requests for the trial courts and responded to the need for budget reductions and salary shortfalls in the trial courts

Successfully advocated legislative adoption of a statutory infrastructure for implementation of Revision 7 in 2003 and necessary glitch bill amendments in 2004

Oversaw development of the 2004-05 Legislative Budget Request for the trial courts, and successfully advocated for full legislative funding of Revision 7

Primary staff: Charlotte Jerrett, Director of Administrative Services, Office of the State Courts Administrator

Florida Court Education Council

The Florida Court Education Council was established by administrative order in 1978. In that order, the Chief Justice charged the Council with the responsibility of furnishing policy-making guidance to the Chief Justice and providing oversight of the development and maintenance of a comprehensive educational program for Florida judges and certain court support personnel. Since that time, the Council has served in an advisory capacity to the Court. The Council’s responsibilities include making budgetary, programmatic, and policy recommendations regarding continuing education for Florida judges and certain court professionals. When the Legislature established the Court Education Trust Fund in 1982, it conferred on the council specific statutory duties for administering the trust fund.

Major accomplishments: Development of policies and procedures necessary to implement Rule 2.150, Florida Rules of Judicial Administration, which sets out requirements for continuing judicial education

Administration of the Court Education Trust Fund

Development of policies to ensure comprehensive and qualitatively superior educational offerings for Florida’s state court judges and certain court support personnel

Oversight of the provision of an estimated 57,000 contact hours of court education annually

Development of minimum standards for published materials, improved training for judicial faculty, education mission statements, and needs assessments and evaluations for each program

Investigation and implementation of distance learning methods as ways to supplement current educational programming

Primary staff: Susan Leseman, Chief of Court Education, Office of the State Courts Administrator

Florida Courts Technology Commission

Originally established in 1995 as the Court Technology User's Committee, the Commission is charged with:

- recommending policy governing the use of technology resources in the State Courts System;
- formulating priorities for appellate and trial court technology budgets and present those recommendations to the District Court of Appeal Budget Commission and the Trial Court Budget Commission;
- reviewing and approving any modifications to the technical and functional standards developed by the Appellate Technology Committee and the Trial Court Technology Committee, and ensuring that the technology utilized at all levels of the State Courts System is capable of being fully integrated;
- evaluating strategic/operational technology plans submitted by the judicial circuits, as well as any technology plans developed by the Appellate Court Technology Committee;
- performing such other assignments related to the use of technology in the Judicial Branch as may be directed by the Chief Justice of the Supreme Court.

Major accomplishments: Adoption of technology-related requirements recommended by the Work Group on Emergency Preparedness

Submitted report regarding court technology continuity and disaster recovery planning

Adoption of functional requirements document, technical standards and judicial information strategic plan

Preparation of draft judicial branch information security program

Primary Staff: Mike Love, State Courts Technology Officer, Office of the State Courts Administrator

Commission on District Court of Appeal Budget Performance and Accountability

Established in response to the requirement that a quality management and accountability program be implemented in the judicial branch (see Article III, section 19(h), Fla.Const.), the Commission is responsible for overseeing the initiative to support ongoing enhancement of the performance of Florida's district courts of appeal and improvement in the ability of the district courts to be accountable to the people. The Commission is charged with specific responsibility to:

- Make recommendations as needed to the Supreme Court regarding the performance measurement and accountability system for the district courts of appeal
- Review district court of appeal case management information and ensure the establishment of uniform data definitions and uniform reporting procedures. The Commission should direct attention to information required to support the process of annual certification of need for additional district court judges and information required to comply with statutory reporting requirements.
- Coordinate a proposed judicial branch response to requests by the Florida Legislature and the Office of the Governor related to district court performance and accountability.

Major accomplishments: Implemented a comprehensive performance and accountability system for the Florida court system

Proposed performance measures to legislature which were adopted

Proposed a rule amendment regarding the case-filings-per-judge threshold

Engaged in a study on the effect of court size on collegiality

Primary staff: Peggy Horvath, Chief of Strategic Planning, Office of the State Courts Administrator

Commission on Trial Court Performance and Accountability

Established in response to the requirement that a quality management and accountability program be implemented in the judicial branch (see Article III, section 19(h), Fla.Const.), the Commission is responsible for overseeing the initiative to support ongoing enhancement of the performance of Florida's trial courts and improvement in the ability of the trial courts to be accountable to the people. The Commission is charged with specific responsibility to:

- Continue to develop, coordinate, report, and make recommendations to the Supreme Court on a comprehensive performance measurement, improvement, and accountability system for the trial courts.
- Propose an overall management system for the due process services of court reporting, language interpretation, and expert witnesses. In this regard the Commission should coordinate with the legislatively created Article V Indigent Services Advisory Board. The Commission is requested to give priority attention to the development and implementation of a management system for court reporting. The court reporting management system should address practices and procedures for inter-agency coordination with clerks, state attorneys, public defenders and court-appointed counsel; delivery models, standards, funding, and technology options; performance and cost data; and long-term improvement strategies.
- In consultation with the Supreme Court Committee on Alternative Dispute Resolution Rules and Policy and other entities as appropriate, propose an overall management system, performance and

workload measurements, and procedures to ensure compliance with legislative data requirements, for court mediation programs receiving state funding.

- Clarify the respective roles of constitutional officers regarding the essential functions of the courts.
- Finalize recommendations regarding implementation of the performance and accountability system for circuit criminal cases.
- Recommend a design and propose implementation strategies relating to a court resource management system for the trial courts that supports effective resource management and accountability.
- Coordinate a proposed judicial branch response to statutory requirements and requests by the Florida Legislature and the Office of the Governor that relate to trial court performance.
- Continue to monitor the Summary Reporting System, the Delphi Weighted Caseload measures, and other trial court data reporting systems relevant to the certification of need of judges, and make recommendations to the Supreme Court for enhancements that will improve the reliability of these systems.

Major accomplishments: Implemented a comprehensive performance and accountability system for the Florida court system

Proposed performance measures to Legislature which were adopted

Developed funding methodologies for core elements of the trial courts, which were critical to Revision 7 funding

Studied issues relating to effective utilization of senior judges, court interpreters, court reporters, and hearing officers/general masters resources

Primary staff: Peggy Horvath, Chief of Strategic Planning, Office of the State Courts Administrator

Committee on Alternative Dispute Resolution Rules and Policy

Pursuant to Chapter 44, Florida Statutes, the Supreme Court is required to establish rules of practice and procedure for court-ordered mediation, court-ordered non-binding arbitration, voluntary trial resolution, and court-connected voluntary binding arbitration. Pursuant to section 44.106, Florida Statutes, the Supreme Court is required to establish standards for training for court-appointed mediators and arbitrators. Those two functions have been combined under the umbrella of the Committee on ADR Rules and Policy, which is directed to:

- monitor court rules governing alternative dispute resolution procedures and recommend to the Court necessary amendments;
- monitor legislation and trends in the field and when necessary and appropriate recommend rules regarding the implementation of alternative dispute resolution procedures;
- recommend for consideration changes in administrative policies, statutes, and training standards that would enhance the goals of alternative dispute resolution;
- assess and develop, if appropriate, recommendations for rules, procedures, and model practices to govern the appropriate use of mediation in criminal and juvenile delinquency;

- assess how courts are handling mediation cases, including where domestic violence is present, and develop recommendations for model practices for handling cases, as appropriate;
- review requests from individuals seeking waivers of the qualifications required for arbitrators and mediators or reviews of denial of certification and make recommendations for or against certification to the Supreme Court;
- monitor the continuing education, mentorship, and basic mediation and arbitration training requirements and recommend revisions as appropriate;
- coordinate with other court committees to further the alternative dispute resolution goals of the Supreme Court;
- make such other recommendations that would improve the use of mediation, arbitration, and other alternatives to supplement the judicial process; and
- perform such other assignments related to alternative dispute resolution as may be directed by the Chief Justice of the Supreme Court.

Major accomplishments: Proposed major revision of Chapter 44, Florida Statutes, relating to mediator confidentiality (passed both chambers during 2004 session)

Submitted report to the Supreme Court on the use of senior judges as mediators

Developed proposed amendments to the Florida Rules for Certified and Court-Appointed Mediators relating to procedures for handling lack of good moral character issues

Primary staff: Sharon Press, Chief of the Dispute Resolution Center, Office of the State Courts Administrator

Steering Committee on Children and Families in the Court

Originally established in 1994 in response to a Florida Supreme Court opinion, the committee is charged with assisting the chief justice and supreme court in furtherance of the goals of the unified family court initiative. Specific duties identified include:

- Develop methods to make family court proceedings more understandable to children and families.
- Develop outreach strategies to inform stakeholders about Unified Family Court.
- Make recommendations to the Supreme Court that will promote further implementation of Unified Family Court.
- Design improved case management practices for case types that are under a Unified Family Court jurisdiction.
- Describe the essential elements that ensure the successful judicial administration of cases involving children or families.
- Develop course instruction guidelines that focus on specific competencies that various professionals need to possess to perform their respective roles within the Unified Family Court, and distribute those guidelines to other stakeholder groups responsible for developing educational curricula for professionals who work in or with Unified Family Courts.

Major accomplishments: Developed specific recommendations on the characteristics of a model family court

Oversaw numerous revisions to family law forms and rules, to improve the family court experience for litigants and improve access to the courts

Predecessor committee facilitated the drafting and passage of comprehensive revisions to Chapter 39

Contributed to reducing the amount of time Florida children remain in foster care

Host to annual interdisciplinary education summits

Data collection on the judicial administration juvenile delinquency cases and domestic violence cases

Primary staff: Patricia Badland, Chief of Court Improvement, Office of the State Courts Administrator

Criminal Court Steering Committee

The purpose of the committee is to facilitate the development of consistent and expedited recommendations to the Supreme Court regarding changes required by legislative enactments, judicial decisions, or other events or circumstances involving criminal law matters. The Committee is currently charged with performing the following tasks:

- Recommend changes to procedural rules or forms that are necessary due to Supreme Court decisions that affect criminal or delinquency laws.
- Propose amendments to procedural rules or forms that are required to implement the Florida Criminal Punishment Code.
- Finalize the committee's development of proposed rules governing procedures in Jimmy Ryce Act cases. Finalize the committee's development of proposed amendments to rule 3.590, Florida Rules of Criminal Procedure, relating to motions for new trial in capital cases.
- Finalize the committee's review and recommendations concerning required qualifications for counsel in capital cases.
- Finalize the committee's review of procedures Florida courts are using to review briefs filed pursuant to Anders v. California, 386 U.S. 738 (1967), and make recommendations as to whether better alternatives exist, and whether appellate public defender offices are applying Anders procedures in a consistent manner.
- Finalize the committee's recommendations concerning alternate court procedures relating to the penalty phase in capital cases, as presently addressed in section 921.141, Florida Statutes, in response to recent United States Supreme Court rulings. Develop proposed rules of court governing the review of orders determining defendants under a sentence of death to be competent to discharge counsel and waive further proceedings.
- Consider the need for an amendment to rule 3.850, Florida Rules of Criminal Procedure, in light of the Court's opinion in Nelson v.State, 29 Fla. L. Weekly S277 (Fla. June 3, 2004).
- Perform such other tasks in the furtherance of justice in criminal cases as may be requested by the Chief Justice.

Major accomplishments: Updated sentencing forms and initiated a project on automated sentencing forms

Generated letters to the affected rules committees and judicial conferences requesting action on the appropriate criminal and juvenile legislation

Proposed appropriate changes to the rules of court, including various aspects of death penalty cases

Predecessor committee proposed standards to ensure that attorneys assigned to capital cases have the appropriate experience

Primary staff: Les Garringer, General Counsel's Office, Office of the State Courts Administrator

Mediator Qualifications Board

On the authority of section 44.106, Florida Statutes, and the Florida rules for Certified and Court-Appointed Mediators, the board was created in 1992. It is responsible for:

- accepting grievances against certified mediators;
- determining probable cause with regard to grievances filed against certified mediators;
- conducting hearings in relation to grievance proceedings, if necessary;
- sanctioning certified mediators, if appropriate.

Major accomplishments: Received 105 grievances since its inception and closed 100

Primary staff: Sharon Press, Chief of the Dispute Resolution Center, Office of the State Courts Administrator

Mediator Ethics Advisory Committee

As required by Rule 10.900, Florida Rules of Certified and Court-Appointed Mediators, a panel was appointed in 1994 to provide written advisory opinions to mediators concerning interpretations of the rules and guidance on standards of conduct.

Major accomplishments: Issued 84 advisory ethics opinions since its inception

Primary staff: Sharon Press, Chief of the Dispute Resolution Center, Office of the State Courts Administrator

Mediation Training Review Board

The Board is responsible for reviewing complaints against mediation training programs that have been certified by the Supreme Court of Florida.

Major accomplishments: Received 9 grievances since its inception

Primary staff: Sharon Press, Chief of the Dispute Resolution Center, Office of the State Courts Administrator

Task Force on Treatment-Based Drug Courts

The Committee was established in 1998 to make recommendations on the legal, policy, and procedural issues confronting treatment-based drug courts and explore the extent to which this concept can provide a meaningful solution to the devastating effect of substance abuse on our society. The committee is currently directed to focus on the following tasks:

- Develop strategies to assist judges with integrating drug court principles in family court proceedings.
- Review national and state evaluations on drug courts and develop recommended standards of practice for the management of drug courts.
- Develop standards for dependency and delinquency drug courts.

Major accomplishments: Worked with the Legislature to codify the principles of drug courts and create the Florida Association of Drug Court Professionals

Worked with the Executive Branch to expand treatment funding and capacity for drug courts

Secured a \$300,000 grant for a statewide drug court conference and the development of a statewide data system for collection of drug court statistics

Primary staff: Patricia Badland, Chief of Court Improvement, Office of the State Courts Administrator

Judicial Branch Records Management Work Group

The work group was established in January of 2004 for the purpose of addressing and resolving questions pertaining to the management, retention, and destruction of judicial branch records. The Work Group assists the Supreme Court in implementing rules 2.075 and 2.076, Florida Rules of Judicial Administration, and the Judicial Branch Retention Schedule for Administrative Records.

Primary staff: Laura Rush, General Counsel, and Tom Long, General Services Manager, Office of the State Courts Administrator

Committee on Privacy and Court Records

The committee was established for the purpose of developing comprehensive policies to guide electronic access to court records. The committee is charged with:

- By July 1, 2005, recommend to the Florida Supreme Court comprehensive policies to regulate the electronic release of court records;
- develop and initiate strategies to reduce the amount of personal and sensitive information that becomes a part of court records unnecessarily;

- develop and submit to the Supreme Court of Florida recommendations regarding categories of information that are routinely included in court records that the Supreme Court should submit to the Florida Legislature for consideration to be given for exemptions from the right of access pursuant to section 24 of Article I of the Florida Constitution.

Primary staff: Steve Henley, Court Operations Consultant, Strategic Planning, Office of the State Courts Administrator

Judicial Ethics Advisory Committee

Created by supreme court opinion in 1976, the committee renders written advisory opinions to inquiring judges, judicial candidates, and quasi-judicial officers concerning the propriety of contemplated judicial and non-judicial conduct. The committee makes recommendations to the Supreme Court regarding modifications to Florida's Code of Judicial Conduct and presents campaign conduct forums for judicial candidates in all circuits where there are contested judicial elections. Members are selected by the respective groups/entities.

Major accomplishments: Issues 40-50 advisory opinions per year.

Conducts campaign forums in circuits where there are contested judicial elections.

Produces and updates an Aid to Understanding Canon 7 for all judicial candidates.

Petitions for changes in the Code of Judicial Conduct, when appropriate and necessary.

Primary staff: Susan Leseman, Chief of Court Education, Office of the State Courts Administrator

Local Rules Advisory Committee

Pursuant to Rule of Judicial Administration 2.130(g), when a local rule is proposed by a majority of circuit and county judges in a circuit, the chief justice may appoint a local rules advisory committee to consider and make recommendations to the court concerning local rules and administrative orders.

Major accomplishments: Reviewed and provided recommendations on numerous proposed local rules

Primary staff: Tom Hall, Clerk of the Florida Supreme Court

Task Force on Judicial Branch Planning

Established in 2004 to perform the planning functions previously assigned to the Judicial Management Council, the Task Force is charged with:

- Finalizing a proposed operational plan for the period of 2004-2006.
- Proposing a strategy for reviewing and updating the long-range strategic plan.
- In consultation with other court committees, officers, staff, and stakeholders, proposing an operational plan for the period of 2006-2008.

Primary staff: Peggy Horvath, Chief of Strategic Planning, Office of the State Courts Administrator

Workgroup on Standards for Jury Panel Sizes – appointment pending

Task Force on Diversity and Fairness – appointment pending

Committee on DCA Workload and Jurisdiction – appointment pending