

District Court of Appeal Budget Commission Meeting
August 31, 2005
Executive Conference Room

DCABC Members Present:

Chief Judge Charles Kahn, Chair
Chief Judge Carolyn Fulmer
Chief Judge Gerald Cope
Chief Judge Matthew Stevenson, Vice Chair
Chief Judge Robert Pleus

Others Present:

Marshal Donald Brannon
Marshal Velma Johnson
Marshal Dottie Munro
Marshal Glen Rubin
Marshal Ty Berdeaux
Lisa Goodner
Blan Teagle
Charlotte Jerrett
Dorothy Burke
Peggy Horvath
Jo Suhr
David Pepper
Lynn Wells

Judge Kahn called the District Court of Appeal Budget Commission meeting to order at 9:00am. Discussions began with rule 2.054, Rules of Judicial Administration, which outlines the commission's responsibilities and duties. The commission acknowledged the need to follow the rule's intent. Additionally, the commission shall establish internal procedures and prepare a draft for the December meeting.

Peggy Horvath discussed charges outlined in administrative order number AOSC05-22, which outlines the responsibilities of the commission. A handout was provided and each charge is addressed below:

Charge number one addresses the goals and strategies of the operational plan and to identify those applicable to the district courts with budgetary implications. Peggy mentioned the language on page five (Horizon 2006 Operational Plan) regarding collaboration in the development and presentation of legislative budget requests that accurately identify resource needs sufficient to carry out the mission of the State Courts System, and to coordinate the presentation and oversight of budgets consistent with statutory requirements. Peggy suggested the formulation of a plan by May to have an overall plan for next year's budget cycle. Peggy also mentioned language on page eight (Horizon 2006 Operational Plan) that the OSCA will work in concert with the marshals of the District Courts of Appeal and the trial court administrators to develop uniform state purchasing and financial management directive and guidelines; to integrate the use of efficient technologies and other automated resources in the procurement functions and to facilitate the timely and accurate payment of invoices, deposit of revenues and maintenance of accounting records.

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Charges two through four address the establishment of liaisons of the DCABC with various appellate committees: Judge Kahn appointed Judge Carolyn Fulmer to work with the District Court of Appeal Workload and Jurisdiction committee chaired by Judge Chris Altenbernd; Judge Matthew Stevenson to work with the District Court of Appeal Performance and Accountability committee chaired by Judge Martha Warner; and Judge Robert Pleus to work with the Appellate Court Technology Committee chaired by Judge Thomas Sawaya.

Charge five addresses the State Courts System classification and pay study. David Pepper mentioned the first report from MAG is due by September 30 regarding pay recommendations only. The possibility of a video conference call was mentioned. The final report will be released in December of this year outlining classification and pay recommendations.

Charge six addresses alternative service delivery models, including outsourcing as well as court staffing with respect to the efficiency and effectiveness of court operations in areas such as security and facilities maintenance. Peggy mentioned the Zero Based Budgeting exercise conducted by the Legislature several years ago. Also, the issue of OPS personnel was discussed. David Pepper mentioned that a time limit is in place for OPS personnel (1040 hours/six months) and that benefits would not be included.

Charge seven addresses establishing subcommittees composed of other DCA judges and court staff with subject matter expertise to help advance the work of the commission. This may be beneficial in areas such as personnel issues, intergovernmental relations, and the advancement of the budget request. The conference legislative committee and subcommittees were discussed. Judge Kahn asked for comments relating to involvement in these issues. Judge Cope recommended advancing the calendar (appointment of incoming chief judge) prior to July 1st and the incoming chief judge could begin discussions and planning for the budget. Additional members agreed this was a good idea. Peggy Horvath then suggested working with strategic planning in May or June with the existing and incoming chief's to exchange ideas and begin working on a plan for the following year.

Charge eight addresses development of operational procedures for the commission as prescribed in rule 2.054(c), Rules of Judicial Administration. Judge Kahn mentioned he would formulate procedures and forward to the commission.

Discussions then proceeded to the law clerk pay plan. David Pepper handed out information relating to the issue. Various amounts were discussed and pay scales from the Georgia Supreme Court were also addressed. Judge Kahn mentioned discussing this matter with local clerks in his area and stressed that the DCABC supports funding adequate law clerk pay and 100% paid health benefits. Discussions arose relating to the classification and pay study and that there may be similarities relating to the estimates provided by David Pepper.

Judge Kahn moved to the next agenda item relating to various District Court of Appeals legislative budget requests for FY 2006-2007. The following items were discussed and approved as requested:

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Judicial Processing of Cases

- Career Attorney – The Fourth DCA is requesting a career attorney position to supplement the court's central staff in the amount of \$93,019. Judge Fulmer made a motion to approve the request. The motion was seconded by Judge Cope and the motion was approved without objection.
- Library Legal Research Publications – The Fifth DCA is requesting an additional \$62,148 which includes historical annual law library subscription cost increases of 6.9% to bring the law library back to minimal operating levels. Judge Cope made a motion to approve the request. The motion was seconded by Judge Pleus and the motion was approved without objection.
- Temporary Law Clerk – The Fifth DCA is requesting a temporary law clerk to provide assistance for positions during family medical leave and employee illness in the amount of \$21,057. Judge Cope made a motion to approve the request. The motion was seconded by Judge Pleus and the motion was approved without objection.

Judicial Administration

- Administrative Assistant II - The Fifth DCA is requesting one full time Administrative Assistant II position to assist in the administrative and fiscal duties related to managing the daily operations and support functions of the court in the amount of \$57,203. Judge Cope made a motion to approve the request. The motion was seconded by Judge Kahn and the motion was approved without objection.

Security (All motions approved at once.)

- X-Ray Equipment – All five DCA's are requesting \$175,000 for new mail/package x-ray machines. Judge Cope made a motion to approve the request. The motion was seconded by Judge Fulmer and the motion was approved without objection.
- Court Security Officer I – The Third DCA is requesting an in-house court security officer in the amount of \$12,685 to meet the minimum essential security manpower. Judge Cope made a motion to approve the request. The motion was seconded by Judge Fulmer and the motion was approved without objection.
- CCTV Security Recording – The Fifth DCA is requesting an automated CCTV security system to provide immediate security monitoring of the building (including parking structure) and grounds in the amount of \$28,235. Judge Cope made a motion to approve the request. The motion was seconded by Judge Fulmer and the motion was approved without objection.
- Law Enforcement Officer (OPS) – The Fifth DCA is requesting \$4,064 to implement preventative measures to ensure the safety of all participants in the judicial process through providing additional (FY 2006-07) OPS funding required to service the request (continuation contract). Judge Cope made a motion to approve the request. The motion was seconded by Judge Fulmer and the motion was approved without objection.

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Facility Maintenance and Management (All motions approved at once.)

- Lawn Maintenance – The Second DCA is requesting \$8,712 in recurring OPS dollars to provide continuing lawn maintenance at the Lakeland headquarters. Judge Pleus made a motion to approve the request. The motion was seconded by Judge Kahn and the motion was approved without objection.
- Telephone System – The Second DCA is requesting \$49,750 in non-recurring dollars to replace the Lakeland headquarters telephone system. Judge Pleus made a motion to approve the request. The motion was seconded by Judge Kahn and the motion was approved without objection. Lisa Goodner suggested that since an efficient and cost effective phone system was important to all district courts, that it may be a good idea for OSCA Information System Services staff to research this issue for possible benefit to all. Everyone agreed and Mike Love indicated he would follow-up.
- Architect Fees, Redesign Building Entrance – The Third DCA is requesting a placeholder of \$100,000 for architect fees for the renovation of the main entrance to the building to reduce security problems. Judge Pleus made a motion to approve the request. The motion was seconded by Judge Kahn and the motion was approved without objection.
- Replacement of Equipment – The Fifth DCA is requesting \$28,222 in operating capital outlay be appropriated for replacement of equipment that has been inoperable, obsolete or in violation of fire codes. Judge Pleus made a motion to approve the request. The motion was seconded by Judge Kahn and the motion was approved without objection.

Fixed Capital Outlay (All motions approved at once.)

- Capital Improvement Plan, New Court Building – The First DCA is requesting \$19,795,669 to meet the increasing requirements of an expanding caseload. The caseload of the First DCA has increased 10.6% in the past two years. The current court building was constructed for fifteen judges in 1980 and the Court has been at capacity since 1994. The time is fast approaching when the Court will need to consider additional judges and/or support staff to handle the caseload. The building does not have sufficient land available to construct additional office space and parking at a reasonable cost and without unacceptable disruption to the operation of the Court. Judge Cope made a motion to approve the request. The motion was seconded by Judge Pleus and the motion was approved without objection.
- Re-Roofing Main Courthouse and Building Annex – The Third DCA is requesting \$618,337 to continue the re-roofing project. Judge Stevenson made a motion to approve the request. The motion was seconded by Judge Pleus and the motion was approved without objection.
- Ceiling Tile and Lighting Fixture Replacement – The Third DCA is requesting \$218,557 to replace ceiling tiles and tiles on the first and second floors in the main building. Additionally, the request includes an upgrade to the lighting system. Judge

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Stevenson made a motion to approve the request. The motion was seconded by Judge Pleus and the motion was approved without objection.

- Capital Improvement Plan, Building Expansion – The Fourth DCA is requesting \$2,000,000 to add additional space to meet existing needs and projected short term growth. The funds will be used to expand both office and on-site storage space requirements. Judge Pleus made a motion to approve the request. The motion was seconded by Judge Fulmer and the motion was approved without objection. Judge Kahn asked the Fourth DCA to provide detail on the components of the \$2,000,000. The members agreed.

Other Issues

- The restoration of salary dollars was requested by the Fourth DCA in the amount of \$90,000, was discussed and left pending. Judge Kahn suggested that Judge Stevenson coordinate with the OSCA staff to develop a plan to address this issue and forward it, via e-mail, to the commission. Once the issue has been resolved, the commission could vote on the issue prior to the joint meeting.

Judge Kahn announced that the joint meeting of the Budget Commissions' Leadership was scheduled for Tuesday, September 6, from 1:00pm-3:00pm (executive conference room) and that all materials needed to be provided before then.

The meeting concluded at 12:00n.