

**District Court of Appeal Budget Commission Meeting  
July 28, 2006  
Orlando, Florida  
(10:00 a.m. - 12:00noon)**

**DCABC Members Present:**

Judge Charles Kahn, Jr., Chair  
Judge Matthew Stevenson, Vice Chair  
Judge Carolyn Fulmer  
Judge Gerald Cope, Jr.  
Judge Edwin Browning, Jr.  
Judge George Shahood

**Others Present:**

Marshal Don Brannon  
Marshal Velma Johnson  
Marshal Dottie Munro  
Marshal Glen Rubin  
Marshal Ty Berdeaux  
OSCA Staff

**Absent:**

Judge David Gersten  
Judge Stevan Northcutt  
Judge Robert Pleus, Jr.  
Judge William Palmer

Judge Charles Kahn called the District Court of Appeal Budget Commission (DCABC) meeting to order at 9:05 a.m. Judge Kahn asked for a motion to approve the minutes from the June 23, 2006, meeting. The motion to adopt the minutes was made by Judge Browning and seconded by Judge Fulmer. The motion was approved without objection.

**Petition for Rule Change - DCABC Operating Procedures**

Judge Kahn informed the commission that he would be filing a petition with the court for a change in the rule to coincide with the approved operating procedures. Judge Kahn discussed the change in membership of the commission to add one judge per DCA with one vote per DCA, and that each DCA marshal is designated as a non-voting participant of the commission.

**Status Report of Current Year Budgets**

Charlotte Jerrett briefed the members on the status of the operating budgets, as of July 1, 2006. Each marshal was forwarded the 2006/2007 DCA beginning allotments and asked to allot their budget by cost center, and forward to the Office of Budget Services. Ms. Jerrett asked the commission members to review the worksheets and notify Dorothy Burke, via e-mail, any changes or corrections to the allotments.

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Charlotte Jerrett answered questions regarding the newly formed contracted services appropriation category (100777), as passed by the Legislature and approved by the Governor (chapter law number 2005-152). The legislative intent removes contracted services from the list of allowable expenditures that may be paid from the expense (040000) appropriation category. Ms. Jerrett pointed out that no procedural modifications have been made to current budgetary procedures and that this was simply a coding change, for audit tracking purposes. Ms. Jerrett indicated that no change had been made to the OPS category, but recommended that all contractual services be paid from the new contracted services category.

**Discussion of FY 2007-08 Legislative Budget Request**

Charlotte Jerrett briefed the members regarding the LBR timeline dates and overall procedures for issue submittal. The DCA budget requests are due to the Office of Budget Services by July 31, 2006.

A memorandum and proposed job description was submitted by Jon Wheeler, First DCA Clerk, outlining a request for one full time FTE to assist with the appellate case management system (electronic filing of motions) due to continued workload demands. Judge Cope suggested deleting the word “users” in the first and second sections under illustrative duties and inserting the words “electronic filers”. The commission agreed. David Pepper stated that his office would review and update the job title/description and forward all recommendations to the members. Judge Kahn suggested including caseload information from each DCA as part of the narrative. The consensus of the Commission was to combine the issue into one budget request equaling four full-time FTE’s with an annual salary of \$38,000 for the First, Second, Fourth, and Fifth DCA’s, with salary dollars in the amount of \$14,000 for the Third DCA, to update an existing position within the clerk’s office; with an effective date of July 1, 2007.

Another issue arose relating to increasing operational costs for utilities, fuel, supplies, etc. Charlotte Jerrett suggested each DCA forward estimates to her, for combining each individual request into one issue for all DCA’s.

All issues will be discussed further and approval of the final LBR by the Commission, will take place during the August 21, 2006, meeting.

**Pay Issues**

- **Equalization Policy – Clerks and Marshals**  
Ty Berdeaux distributed a memorandum from Ken Palmer dated February 7, 2000, regarding equalized pay for clerks and marshals. Mr. Berdeaux requested that the DCABC adopt a policy to equalize clerks and marshals salaries across

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courts. Judge Kahn appointed a pay equity subcommittee of the DCABC to develop recommendations. The following individuals were appointed by Judge Kahn and asked to serve: Ty Berdeaux, Chair; Judges Shahood and Northcutt, Don Brannon, and Mary Cay Blanks. Judge Kahn asked that the subcommittee report its findings to the Commission during the August 21, 2006, meeting.

- **Law Clerk Compensation Plan**

David Pepper updated the members on the historical implementation and current status of the law clerk compensation plan. A handout was distributed outlining appellate law classes, appellate salary comparisons, and MAG proposed salary rates. Mr. Pepper discussed eligibility for pay increases: 1) After the first year of service, a \$2,500 increase in salary; 2) After two years of service, a promotion to senior law clerk based on tenure, and an eleven to twelve percent increase in salary; and 3) After five years of service, a promotion to a career attorney.

Judge Kahn asked about pay schedules of federal law clerks versus state appellate law clerks. Mr. Pepper said he would collect data and forward it to the members.

Mr. Pepper briefed the members regarding appellate law clerk salaries in Georgia. The annual salary for law clerks in Georgia is approximately \$70,000 yearly with the maximum salary of \$100,000 for individuals who have served ten years in the system. Currently, Florida has approximately 170 law clerks, compared to 22 law clerks in Georgia. Mr. Pepper mentioned he would continue to collect various salary data and forward it to the members.

A workgroup of law clerks will be meeting with Judge Kahn on August 20, 2006, to discuss their issues/concerns with the law clerk pay plan.

**Upcoming Commission Meetings**

Judge Kahn discussed the dates and times of the next scheduled meetings which are to be held Monday, August 21, 2006, from 9:00am – 4:00pm (changed from 3:00pm) in Tampa and Sunday, September 10, 2006, from 9:00am – 12:00n in Ponte Vedra Beach.

With no further business, the meeting adjourned at 12:25 p.m.