

**District Court of Appeal Budget Commission
Tampa, Florida
Meeting Minutes
August 21, 2007**

DCABC Members Present:

Judge Stevan Northcutt, Chair
Judge Peter Webster
Judge Darryl Casanueva
Judge Robert Gross

Judge Edwin Browning Jr., Vice Chair
Judge Carolyn Fulmer
Judge David Gersten
Judge David Monaco

Others Present:

Marshal Don Brannon
Marshal Jo Suhr
Marshal Glen Rubin
Lisa Goodner

Marshal Velma Johnson
Marshal Dottie Munro
Marshal Ty Berdeaux
OSCA Staff

Absent:

Judge George Shahood
Judge Juan Ramirez

Judge William Palmer

Judge Stevan Northcutt called the District Court of Appeal Budget Commission (DCABC) meeting to order at 10:05 a.m. Judge Northcutt asked for a motion to approve the minutes from the June 27, 2007; July 18, 2007; and August 3, 2007, meetings. The motion to adopt the June 27, 2007, meeting minutes was made by Judge Browning and seconded by Judge Casanueva. The motion to adopt the July 18, 2007, meeting minutes was made by Judge Gersten and seconded by Judge Webster. The motion to adopt the August 3, 2007, meeting minutes was made by Judge Webster and seconded by Judge Casanueva. All three motions were approved without objection.

Update on the Final Budget Reduction Proposal

Judge Northcutt briefed the members on the current status of the final budget reduction proposal approved during the August 3, 2007, DCABC meeting. Charlotte Jerrett stated the reduction exercise was completed and submitted to the Governor's office and the Legislature this past Friday, August 17, 2007, and that meetings have been set with the Senate and House appropriations staff to further address those measures. Ms. Goodner stated that the Chief Justice has reviewed and approved the budget reduction proposal and that correspondence has been presented to the Governor's office, the Senate President, and the House Speaker. The Chief Justice plans to testify on behalf of the branch during the upcoming Senate and House interim committee meetings scheduled for August 28, 2007.

Review and Discussion of FY 08/09 Legislative Budget Request Issues

Judge Northcutt opened the floor for discussion and explanation of the legislative budget requests for FY 2008-09. Each representative described their Court's requests to the

Commission members. Ms. Jerrett referred the members to documents that summarized each request. The Commission's actions are listed below:

Judicial Processing of Cases

- Technology Support, Clerk's Office, Four FTE's – This request includes the First, Second, Fourth and Fifth District Courts of Appeal. A motion to approve the request was made by Judge Browning and seconded by Judge Gersten. The motion was unanimously approved.
- Fifth District Court of Appeal, Deputy Clerk II, One FTE - A motion to approve the request was made by Judge Gersten and seconded by Judge Browning. The motion was unanimously approved.
- Second District Court of Appeal, Career Attorney, One FTE - A motion to approve the request was made by Judge Gersten and seconded by Judge Browning. The motion was unanimously approved.

Judicial Administration

- Fifth District Court of Appeal, Restoration of Lapse Funding - Following discussions by members of the Commission, it was determined that additional information would be required to analyze the issue further. The request was withdrawn from further consideration by Judge Monaco and Ty Berdeaux. Ms. Jerrett stated that the Office of Budget Services would compile historical salary data for all DCA's (three year period) for future discussions.

Court Records and Case Flow Management

- Second District Court of Appeal, Courier Services - A motion to approve the request was made by Judge Gross and seconded by Judge Webster. The motion was unanimously approved.

Facility Maintenance and Management

- Second District Court of Appeal, Air Conditioning System - A motion to approve the request was made by Judge Webster and seconded by Judge Gersten. The motion was unanimously approved.
- Second District Court of Appeal, Replacement of Furniture and Equipment - A motion to approve the request was made by Judge Webster and seconded by Judge Gersten. Following discussions by members of the Commission, it was determined that the previously approved motion to request \$48,715 in non-recurring funds should be modified to a recurring funds request in the amount of \$48,715. A substitute motion was offered by Judge Webster and seconded by Judge Northcutt. This motion was unanimously approved.

Fixed Capital Outlay

- Third District Court of Appeal, Remodeling of Court Building for Security, Building Systems Upgrade – Discussions arose relating to ADA requirements, phase in costs associated, and whether or not the two year timeline was sufficient to complete all projects. Dottie Monroe stated that the requested amounts reflect corrective actions for ADA compliance, and phase in costs would be broken out and provided to the Office of Budget Services, as the request may take over two years to complete. A motion to approve the request was made by Judge Webster and seconded by Judge Casanueva. The motion was unanimously approved.
- Fifth District Court of Appeal, Upgrades of Court Building, Front Reception/ Lobby Area, Courtroom and Judicial Conference Room - A motion to approve the request was made by Judge Gross and seconded by Judge Browning. The motion was unanimously approved.

Additionally, Ms. Jerrett indicated to the members that as Special Session “C” progresses, if adjustments are needed to a request(s), the branch would have the opportunity to file supplemental budget issues for FY 08/09.

Review and Discussion of FY 08/09 New Judgeship Requests

The First, Second, Third, and Fifth DCA’s submitted no requests for new judgeships for FY 2008/09. Judge Gross stated that the Fourth DCA would request one new judgeship. A motion to approve the request for one additional appellate judgeship in the Fourth DCA was made by Judge Gersten and seconded by Judge Casanueva. The motion passed without objection. Judge Gross indicated his office would forward the new judgeship request early next week.

Budget 101 Presentation

Ms. Jerrett and Ms. Burke conducted a comprehensive presentation relating to internal and external budgetary policies and practices. These included procedures and processes outlined within the Florida Constitution; laws affecting the budgetary processes within Chapter 216, F.S.; LBR requirements and timelines, Executive and Legislative branches roles and responsibilities; DCABC roles and responsibilities; Review of the Florida Rules of Judicial Administration (2.053, 2.054, and 2.235); Session dates and overall responsibilities; the General Appropriations Act (GAA) outlining relevant sections pertaining to the branch; explanation of the budget and pay memorandum for FY 2007-08; implementing and developing the operating budget; budget amendment processes and postings, and overall guiding principles for the Commission members.

Next Meeting

Judge Northcutt announced that the next scheduled DCABC meeting, will be held via video conference upon the conclusion of the August 28, 2007, interim legislative committee meetings. Additional details are forthcoming.

With no further business, the meeting adjourned at 1:02 p.m.