

**District Court of Appeal Budget Commission  
Video Conference Call Meeting Minutes  
April 29, 2008**

**DCABC Members Present:**

Judge Stevan Northcutt, Chair  
Judge Paul Hawkes  
Judge Darryl Casanueva  
Judge Juan Ramirez  
Judge David Monaco

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

**Others Present:**

Judge Martha Warner  
Judge Richard Orfinger  
Marshal Jo Suhr  
Marshal Glen Rubin  
Lisa Goodner

Judge Vance Salter  
Marshal Don Brannon  
Marshal Dottie Munro  
Pam Wild  
OSCA Staff

**Absent**

Judge Robert Gross  
Marshal Ty Berdeaux

Judge William Palmer

Judge Stevan Northcutt called the District Court of Appeal Budget Commission (DCABC) meeting to order at 9:10 a.m.

**Legislative Activities**

*Conference Report (HB 5001) for FY 2008-09 and Overview of FY 2007-08 FTE and Salary Reductions*

Judge Northcutt briefed the members on the General Appropriations Act (GAA) and asked staff to go over specific reductions. Dorothy Wilson said that staff was currently verifying the conference report (HB 5001), which was just released. Ms. Wilson briefed the members on the draft conference impact analysis worksheet for FY 2008-09, as well as FY 2007-08 FTE and salary reductions. The appellate courts budget was reduced as follows:

\$2,388,965 in Salaries and Benefits (13.0 FTE's); \$5,000 in Other Personal Services (OPS); \$134,704 in Expense; 35,942 in Operating Capital Outlay (OCO); \$10,000 in Compensation to Senior Judges; \$78,819 in Contracted Services; \$70,453 in Risk Management Insurance; \$102,562 in the DCA Law Library; and \$1,377 in the Human Resource Services category. Additionally, Ms. Wilson addressed Trust Fund (TF) issues relating to the Mediation/Arbitration TF within the OSCA consisting of 3.0 FTE's and \$231,164 in authority; the Operating TF within OSCA totaling \$59,176 in authority; Workers' Compensation TF consisting of 10.0 FTE's and \$1,981,688 in authority; and the Mediation/Arbitration Element within the trial courts consisting of 30.0 FTE's and \$8,648,155 in authority. Ms. Wilson also stated that the 1<sup>st</sup> DCA Workers' Compensation fund shift budget authority in the amount of \$1.9 million was in the process of being verified by staff.

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Ms. Jerrett directed the members to a document provided outlining outstanding appellate base budget salary/FTE reductions for FY 2007-08 and FY 2008-09 that needed to be identified for allocation. Members addressed concerns relating to FTE reductions and Ms. Jerrett described the quarterly release of funds, leave payouts, certified forwards, and unemployment compensation estimates associated with FTE reductions.

Additionally, Ms. Jerrett summarized information which would be provided to the members for discussion at today's meeting: 1) Detail of reductions for FY 2007-08 by individual court; 2) reconciliation of FY 2007-08 and FY 2008-09 base budgets within the General Appropriations Act (GAA); 3) Individual DCA FTE and budgets, as of March 2008 (after current year reductions); and 4) Details of all DCA positions per court, per cost center, and estimated cost of each position (salaries and benefits).

### **DCABC Resource Allocation Principles**

Judge Northcutt addressed six proposed allocation principles relating to formulating budgetary decisions for the appellate courts:

*Principle One:* Allocation of resources among the DCA's must be fair and equitable, based on identifiable allocation measures.

*Principle Two:* The allocation and use of resources must be transparent. No method of distributing our resources can be reliable unless we all are accountable. Each court should promptly and accurately report the manner in which it is using the resources allocated to it.

*Principle Three:* To the extent possible, each DCA should have discretion and flexibility in its use of resources. Once the DCABC has determined how resources should be allocated among the five courts, each court should have the ability to govern its own use of those resources in accordance with the State of Florida and the State Court System rules and regulations.

*Principle Four:* All judges must be treated equally. Every judge should be afforded the same level of personal staff.

*Principle Five:* Every court is entitled to at least the minimum resources necessary to operate in its unique situation. Every court faces factors that it cannot control and that affect its minimum operating requirements, e.g., number of judges; nature, age and size of physical plant; local utility rates, etc.

*Principle Six:* To the extent possible, any reallocation of existing resources should be accomplished in the manner least likely to disrupt the workflow of the courts or the lives of the employees affected. Equitable, predictable allocation principles should promote stability in our courts, not destabilize them. Sudden and dramatic shifts of resources from court to court could

significantly disrupt the workflow of an affected court and demoralize its staff. “To the extent possible” language was suggested by Judge Monaco and adopted by the members.

The consensus of the members was to adopt principles 1, 2, 3, and 6, as amended. Principles 4 and 5 were not adopted and will be addressed at the next meeting.

**Allocation Measures and Funding Methodology Options**

Judge Northcutt discussed allocation measures and funding methodology methods options for the DCA’s. Several approaches were outlined ranging from function based case shifting, to a cost-per-case assessment. Due to time restraints and the complexity of the funding methodologies, the commission agreed to meet Thursday, May 1, 2008 from 9:00a.m – 11:00a.m to continue this discussion.

With no further business, the meeting adjourned at 11:50 a.m.