



# Supreme Court of Florida

500 South Duval Street  
Tallahassee, Florida 32399-1925


THOMAS D. HALL  
CLERK

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MARSHAL

## MEMORANDUM

HARRY LEE ANSTEAD  
CHIEF JUSTICE  
CHARLES T. WELLS  
BARBARA J. PARIENTE  
R. FRED LEWIS  
PEGGY A. QUINCE  
RAOUL G. CANTERO, III  
KENNETH B. BELL  
JUSTICES

**TO:** Chief Judges of the Circuit Courts  
Trial Court Administrators

**FROM:** Chief Justice Harry Lee Anstead 

**DATE:** October 20, 2003

**SUBJECT:** Containment of Petit Juror Per Diem Expenditures

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As most of you are aware, the \$4.5 million appropriated to the State Courts System by the Florida Legislature for FY 2003/04 to fund juror and witness expenses represents a \$600,000 reduction from previous years. This annual appropriation is primarily expended on per diem for petit jurors with a proportionately small amount of these dollars being expended on per diem for grand jurors as well as per diem and other expenses associated with pre-indictment witnesses.

Given the reduction in the FY 2003/04 appropriation, it is imperative that each of us take steps to contain these petit juror per diem expenditures. The necessity to contain these expenditures has recently become even more apparent given that all funds allotted for the first quarter of the fiscal year were expended well before the end of the quarter. Stated more directly, **we will run out of money before the end of the fiscal year if we continue to compensate our citizens for their service as jurors at current levels of expenditures.**

Results of a recent study conducted under the direction of the Trial Court Budget Commission (TCBC) indicate some savings may be achieved through further efficiencies in the current jury management practices. Specifically, most counties are currently not in compliance with the cost reductions measures promulgated through administrative order in March, 1995 by then Chief

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Justice Stephen H. Grimes. These cost reduction measures include reducing the number of citizens called for jury service so as to reach the goal of 18.3 people brought in (PBI) to start a trial and complying with the panel sizes established in the order. The panel sizes established in the order are:

Capital cases (in which the death penalty is sought) - no greater than 50 prospective jurors;

Other twelve-person juries and life felony trials - no greater than 30 prospective jurors;

Circuit criminal juries - no greater than 22 prospective jurors;

Circuit civil juries - no greater than 16 prospective jurors;

County court juries - no greater than 14 prospective jurors.

While the goal for PBI and the panel sizes may need to be reviewed and adjusted, they are the benchmarks currently in place. Therefore, **I am asking you to initiate efforts immediately throughout your circuit to strive toward the goal of averaging 18.3 people brought in to start a trial. Additionally, you should immediately begin efforts to ensure your circuit is making every effort to comply with the above panel sizes.**

Such efforts may include, among others, reviewing data and possibly adjusting procedures associated with the summoning of jurors, improving trial prediction, changing the number of prospective jurors reporting based on trial prediction, and reviewing data and possibly adjusting procedures associated with juror excusals.

For these efforts to have the necessary fiscal impact, cooperation and communication between the judges conducting trials and their respective jury managers will also be necessary.

The fiscal challenges facing the Florida trial courts over the next year are daunting and have already begun. The containment of these juror per diem costs represents our first test in this regard. I trust that with the continued leadership from each of you, we will be able to adequately pass this test, and we will successfully manage this current fiscal emergency associated with the most essential of trial court functions.

To assist you and your staff in these efforts, I have instructed Lisa Goodner to make her staff available to you for any technical assistance you may require. If you need such assistance, please contact Gregory J. Youchock at 850/922-5108 (SunCom 292-5108) or [youchocg@flcourts.org](mailto:youchocg@flcourts.org).

HLA/EHG/GJY/gjc

cc: Clerks of the Circuit Court  
Lisa Goodner  
Charlotte Jerrett  
Greg Youchock  
Greg Cowan