

**District Court of Appeal Budget Commission
Meeting Minutes
September 5, 2017
Orlando, Florida**



Members Present

Judge Jonathan Gerber, Chair
Judge Wendy Berger
Judge Stevan Northcutt
Judge Bradford Thomas
Judge Spencer Levine
Judge Jay Cohen
Judge Clayton Roberts

Marshal Veronica Antonoff
Marshal Charles Crawford
Marshal Jo Haynes
Judge Leslie Rothenberg
Marshal Chris Corzine
Marshal Daniel DiGiacomo

Members Absent

Judge Vance Salter
Judge Barbara Lagoa

Judge Edward LaRose
Judge Darryl Casanueva

Others Present

P.K. Jameson, Eric Maclure, Sharon Bosley and other OSCA staff

Special Note: It is recommended that these minutes be used in conjunction with the meeting materials.

Agenda Item I.: Welcome and Opening Remarks

Judge Jonathan Gerber welcomed members and called the District Court of Appeal Budget Commission (DCABC) meeting to order at 3:08 p.m.

Judge Gerber inquired if there were any edits to the August 3, 2017, meeting minutes. Judge Northcutt noted the minutes incorrectly reflect recommendations from the Salary Budget Committee regarding the Budget and Pay Memo. Judge Gerber requested Judge Northcutt to provide the required changes to the minutes. The August 3, 2017, draft minutes were approved subject to revisions.

Agenda Item II.: Fiscal Year 2017-18 Salary Budget

A. Update on Previous DCABC Actions

i. First DCA Central Staff Director Pay Request – Supreme Court Conference August 30, 2017

Judge Gerber provided an update on the First DCA Central Staff Director Pay Request stating the proposal submitted contained two alternatives. Option One was an across the board pay increase. Option Two consisted of an increase for the First DCA central staff only. Judge Gerber stated the supreme court met on August 30, 2017, and approved the second alternative, an increase to the central staff in the First DCA. PK Jameson noted that there was no discussion by the court regarding the issue, just an approval.

ii. Judicial Assistant CAD Issue – Being Analyzed by OSCA Staff

Beatriz Caballero reported that due to the current workload associated with the LBR pay plan issue, the Judicial Assistant CAD review had not been conducted yet. Ms. Caballero stated once the review is complete, the information will be forwarded to the DCABC. Marshal Haynes inquired if the review will be conducted prior to court conference in October. Ms. Caballero replied that she would hopefully have a recommendation soon. Judge Gerber noted that due to timing, an email vote would be preferred if DCABC action is required.

B. Update on Supplemental Appropriations

Judge Gerber stated this agenda item was related to the Salary Budget Committee (SBC) charge to determine if a rate distribution is possible. Eric Maclure advised that budget staff can view preliminary numbers and noted that staff will complete the analysis after affirmation of numbers and once the LBR is filed. Judge Northcutt noted the CAD issue would also need to be finalized for the SBC to make rate distribution recommendations.

C. Review and Confirm Budget and Pay Memo Recommendations

Judge Gerber stated at the August 3, 2017, meeting the SBC presented their recommendations regarding the Budget and Pay Memo. The DCABC voted for Judge Gerber and Judge Roberts to meet with the chief justice to set up dialogue and communicate the DCABC concerns regarding the memo. Judge Gerber stated a meeting was scheduled for August 31st and subsequently cancelled. The DCABC received direction via a letter from the chief justice to proceed with setting forth recommendations for the Budget and Pay Memo. Marshal Haynes noted the meeting minutes reflect the marshals would be included in the

\$1,000 pay increase, however, the Budget and Pay Memo does not reflect the pay increase. Judge Gerber stated the version of the memo presented in the materials addresses this issue in another section. With no objections, the recommended Budget and Pay Memo presented in the meeting materials was approved.

D. Senior Judge Pay Increase Proposal

Eric Maclure reviewed the senior judge pay increase issue, stating at their June meeting, the Trial Court Budget Commission (TCBC) voted to approve a pay increase for senior judges to \$375 per day. Marshal Haynes inquired if the Supreme Court has approved the trial courts budget and pay memo and if the increase in pay would be retroactive. Judge Gerber confirmed that the trial courts memo has been approved. Beatriz Caballero noted it would not be an issue for the pay increase to be retroactive to July, if approved. Judge Gerber stated the chart presented for approval is an accurate representation of how the pay increase would impact each district court. The proposed increase to senior judge pay was approved with no objections, with the caveat that the budget and pay memo would be revised to reflect the approval and that the pay increase would be retroactive with a July 1st effective date.

E. Fourth DCA Floating Law Clerk Continuation Request

Eric Maclure presented the Fourth DCA issue. Judge Gerber stated it was the Fourth's intention to convert this position to a third deputy marshal, however, due to anticipated lengthy absences, the Fourth needs to retain the floating law clerk. Judge Gerber stated the Fourth will review this position annually to best determine the need and will convert the position to its original intention once the need to retain a floating law clerk is no longer necessary. With no objections, Option One, to approve the Fourth DCA request to maintain the floating law clerk FTE and evaluate the workflow levels annually to determine whether to maintain or convert the position, was approved.

F. First DCA Reclassification Request

Beatriz Caballero presented the First DCA reclassification request. Judge Thomas stated that the First DCA has taken internal measures and thanked Marshal Crawford for his assistance. Judge Roberts noted the incumbents of the positions are long-term sworn law enforcement officers but have not been in sworn positions. The First DCA has recently become a law enforcement agency. Option One, approve the First DCA's request to reclassify position numbers 11672, 11673, and 10674 from Court Security Officer I to the minimum of a Deputy Marshal-District Court classification, in accordance with Section A-7 of the November 22, 2016, Fiscal Year 2016-17 Budget and Pay Administration Memorandum was unanimously approved.

G. Third DCA Reclassification Request

Beatriz Caballero presented the Third DCA reclassification request. Judge Rothenberg requested the action to be expedited if approved due to being down an officer. Ms. Caballero noted, if approved, the position would only need to be reclassified and this process can be accomplished quickly. Option One, approve the Third DCA's request to reclassify position number 99006 from a Court Security Officer I to the minimum of a Deputy Marshal-District Court classification, in accordance with Section A-7 of the November 22, 2016, Fiscal Year 2016-17 Budget and Pay Administration Memorandum was unanimously approved.

Agenda Item III.: Update on Second DCA FY 2018-19 Legislative Budget Request

Judge Gerber presented an update on the Second DCA LBR request, stating the additional \$4 million requested for acquisition of land was the mid-range of comparable land sales. Judge Gerber reported that he and Judge Roberts held a conference call with the trial courts once the DCABC approved including the additional funds for the LBR issue. PK Jameson stated the chief justice and the courts were very supportive of the Second DCA LBR issue.

Agenda Item VI.: Other Business and Adjournment

Other Business

Judge Gerber reminded members of the following:

- September 14th – LBR press conference.
- The first legislative committee week is scheduled for the week of September 11th. Judge Gerber and Roberts will be in Tallahassee during the committee week. Judge Gerber stated he fully expects to engage the Second DCA judges with the legislature.
- Judge Gerber stated it is not necessary to schedule future meetings at this time; however, members should monitor for emails in the event issues arise requiring immediate action.

Adjournment

With no other business before the commission, the meeting adjourned at 3:55 p.m.