

District Court of Appeal Budget Commission
Video Conference Call
July 22, 2016



Members Present

Judge Alan Lawson, Chair
Judge Wendy Berger
Judge Stevan Northcutt
Judge Clayton Roberts
Judge Leslie Rothenberg
Judge Richard Suarez
Judge Craig Villanti

Marshal Veronica Antonoff
Marshal Charles Crawford
Marshal Daniel DiGiacomo
Marshal Jo Haynes
Marshal Daniel McCarthy
Justice Ricky Polston

Members Absent

Judge Vance Salter
Judge Bradford Thomas

Judge Jonathan Gerber
Judge Cory Ciklin

Others Present

P.K. Jameson, Eric Maclure, Dorothy Willard 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 Approval of June 27, 2016, Minutes

Judge Alan Lawson welcomed members and called the District Court of Appeal Budget Commission (DCABC) meeting to order at 2:00 p.m.

Judge Lawson inquired if there were any edits to the June 27, 2016, meeting minutes. Judge Suarez recommended scheduling the DCABC meetings at regular intervals each year. Judge Lawson stated the problem with having a set schedule is the meetings are generally tailored to coincide with other deadlines around the legislature and the court. With no update to the minutes, Judge Suarez motioned the minutes be approved as drafted. Judge Northcutt seconded and the minutes were adopted as drafted.

Agenda Item II.: FY 2015-16 Budget Wrap-Up

A. Salary Budget

- B. Dorothy Willard presented the salary budgets as of June 30, 2016, stating the final adjusted liability under salary appropriation at full employment was \$965,040 below appropriation. Ms. Willard noted the \$965,040 was unspent trust fund authority.

C. Operating Budgets

Dorothy Willard presented the Operating Budgets as of June 30, 2016, noting that the remaining \$172,469 across all categories is anticipated to be spent during the certified forward process.

D. Trust Fund Cash Statement Overview

Dorothy Willard presented the State Courts Revenue Trust Fund Cash Analysis as of June 30, 2016, noting the ending cash balance was \$7,164,092. Ms. Willard reviewed the Administrative Trust Fund (ATF) cash statement as of June 30, 2016. The ATF ending cash balance was \$60,380. She also noted that remaining ATF funds would be reverted after the certified forward period.

Agenda Item III.: FY 2016-17 Budget Outlook

A. Salary Budget

Dorothy Willard presented the FY 2016-17 start up salary budget and noted the projected overtime liability, stating this was new to the report due to the anticipated changes in salary threshold in December 2016. Dorothy Willard reviewed the additional information on the chart providing scenarios based on lapse that has historically been generated. She also noted the projected deficit of \$387,626 will change pending response from a few districts regarding law clerk feedback and a new chart would be distributed once the adjustment is done.

B. Trust Fund Cash Statement Projections

Dorothy Willard presented the FY 2016-17 Trust Fund projections, stating the Revenue Estimating Conference (REC) is meeting later in the week and the projections would be updated pending changes from the REC. Judge Northcutt inquired on where we stand regarding the REC projections, stating staff is generally not as optimistic as the REC projections. Ms. Willard stated that staff projections currently align with the December REC projections.

C. Recommendations from the Salary Budget Committee

Judge Northcutt presented the recommendations from the Salary Budget Committee stating the committee responded to a memo from OSCA Personnel requesting the DCA approach to the second phase of the pay plan. The report anticipated the DCABC would follow the same approach as Phase I. Judge Northcutt noted the clerks and marshals percent of change on the chart is incorrect. The Marshals set forth their view for Phase II for a Director's position, Security Officer II, increase Deputy pay to a Chief Deputy Marshal, District Court Technology Officers, raise the minimum for Senior User Support and User Support positions. Judge Northcutt noted the desire to address salary compression issues created by Phase I, establish a Career Attorney step plan, and to generally address salaries where retainment issues are occurring.

Judge Northcutt stated the committee requested to discuss a FY2016-17 rate distribution as early as possible.

D. Positions Vacant over 180 Days

Dorothy Willard presented the Positions Vacant over 180 days, noting there was one new position on the report. Judge Lawson stated at the June meeting there was discussion regarding using the clerical assistant in another DCA and requested that if this is still the case that the salary committee consider using the position to fill a security position.

Agenda Item IV.: Recommendations for FY 2016-17 Budget and Pay Administration Memorandum

Dorothy Wilson stated a mocked up version is usually provided, however, there are still outstanding travel issues, and therefore last year's memo is contained in the materials. Judge Northcutt motioned to approve removing the ban on overlap positions. Judge Roberts seconded and the motion passed unanimously. Judge Northcutt raised the issue of interpretation of the law clerk pay plan, noting concern of hiring at ten percent below the minimum, but still allowing the employee to receive pay increases. Judge Lawson noted the document would be required to go before the full court for review if updated. Judge Berger recommended adding out of state travel for Clerk's National Conference. Judge Villanti motioned to approve Judge Berger's recommendation. Judge Northcutt seconded and the motion passed unanimously.

Agenda Item V.: FY 2017-18 Legislative Budget Requests (LBR)

A. Employee Pay Issue

Eric Maclure presented the Employee Pay Issue noting the narrative is the same used for the past two legislative cycles. Mr. Maclure noted that adjustments to salaries included compression factor and the court is in the process of updating its analysis. Judge Northcutt inquired if the \$5.9 million is half of the original request. Mr. Maclure responded the original request was for \$18 million. Judge Northcutt motioned to approve putting forth the employee pay issue. Judge Roberts seconded, and the motion passed unanimously.

B. Operating Issues

Dorothy Willard presented the FY 2017-18 DCA LBR Operating Issues, stating the Statewide Facility Maintenance issue has been revised with some information from past legislation. Ms. Willard noted the Department of Management Services (DMS) square footage amount used is out of date and only included for refurbishing, stating DMS recommends doing a study for a ten-year plan to determine a revised amount.

C. Fixed Capital Outlay

Charles Crawford presented the Fifth DCA's issue for exterior building sealant.

Judge Lawson stated the maintenance is a legitimate need, noting the DCA's are in an interesting place due to the past several year's funding for the Third and Fourth construction/renovation projects. Judge Lawson recommended to only promote the employee pay issue. Judge Thomas noted the budget amendment process could be utilized if an issue arises during the fiscal year.

Judge Villanti motioned to not file any operating or FCO issues during the FY 2017-18 LBR process. Judge Thomas seconded, and the motion passed unanimously.

D. Certification of New Judgeships

Dorothy Willard presented the Certification of New Judgeships, for informational purposes only. Judge Lawson stated he anticipated that there would not be any requests for new judgeships within the DCA's.

E. Discussion and Priority Determination of LBR Issues

This agenda item was not discussed due to the decision to not file LBR requests.

Agenda Item VI.: Other Business

Judge Lawson requested the Salary Budget Committee review Judge Ciklin's request for Other Personal Services (OPS) dollars to be used when law clerks are out. Judge Northcutt stated the overlap would also be available.

Marshal Jo Haynes stated the Second DCA is in the process of moving funds via a budget amendment and requested to borrow OCO funds until the amendment is approved. Judge Lawson requested all marshals to contact Ms. Haynes to discuss the transfer of funds.

Judge Lawson requested a status update on the Second DCA move to Tampa. Jo Haynes stated the Tampa lease has been finalized and furniture is expected in the following week, the move is anticipated for August 1, 2016. Ms. Haynes stated the Lakeland lease has also been finalized, and the move will hopefully occur in September.

Adjournment

With no other business before the commission, Judge Lawson adjourned the meeting at 3:20 p.m.