

District Court of Appeal Budget Commission
Video Conference Call
June 27, 2016



Members Present

Judge Alan Lawson, Chair
Judge Wendy Berger
Judge Cory Ciklin
Judge Jonathan Gerber
Judge Stevan Northcutt
Judge Clayton Roberts
Judge Leslie Rothenberg
Judge Richard Suarez

Judge Bradford Thomas
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

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 December 9, 2015, Minutes

Judge Alan Lawson welcomed members and called the District Court of Appeal Budget Commission (DCABC) meeting to order at 1:28 p.m.

Judge Lawson inquired if there were any edits to the December 9, 2015, meeting minutes. With no update to the minutes, Judge Lawson requested the minutes be approved as drafted. With no objections, the December 9, 2015, minutes were adopted as drafted.

Agenda Item II.: Status of FY 2015-16 Salary Budget

A. Salary Budget

Dorothy Willard presented the Salary Budgets as of May 31, 2016, stating the final adjusted liability under salary appropriation at full employment was \$926,113. Ms. Willard noted that resources between General Revenue and the trust funds would be maximized in June to ensure cash is preserved in the State Courts Revenue Trust Fund.

B. Operating Budgets

Dorothy Willard presented the Operating Budgets as of May 31, 2016, noting that there have been several budget amendments and other actions to maximize resources among the DCA's, and the remaining appropriation is down to \$246,000 remaining. Judge Lawson thanked the First DCA for working with others and inquired if the legislative budget request (LBR) that wasn't filed for the security machines was funded. Marshal Haynes replied that the Second DCA did not have the funds available this year to fund the request. Judge Lawson encouraged the marshals to maximize resources to limit reversions.

C. Trust Fund Cash Statement Overview

Dorothy Willard presented the State Courts Revenue Trust Fund Cash Analysis as of May 31, 2016, noting the ending cash balance was \$6,344,041. Ms. Willard stated the ending cash balance maximizes General Revenue and reflects the trust fund loan repayment of \$6.3 million. Dorothy Willard reviewed the Administrative Trust Fund (ATF) cash statement as of May 31, 2016. The ATF ending cash balance was \$345,880.60. Ms. Willard noted that any remaining ATF funds would be reverted after the certified forward period.

D. Positions Vacant over 180 Days

Dorothy Willard presented the Positions Vacant over 180 Days as of May 31, 2016, noting there were currently three positions vacant that met the criteria. Judge Roberts stated position #000680, Appellate Judicial Assistant, was recently filled. Judge Lawson inquired if there was a plan to fill the remaining two vacant positions. Judge Roberts replied there is a plan to fill position #008351, Career Attorney only and recommended speaking in the future on how to proceed with the remaining vacant position #000067, Clerical Assistant. Judge Lawson suggested looking into filling a security position.

Beatriz Caballero reported that on May 23, 2016, the U.S. Department of Labor, Wage and Hour Division, signed a new rule that takes effect in December 2016, changing the salary threshold from \$23,660 to \$47,476 for those eligible to receive overtime. Additional information will be communicated prior to December 1, 2016.

Agenda Item III.: FY 2016-17 Allocations

A. Appropriation Summary

Dorothy Willard presented the FY 2016-17 Appropriations Summary.

B. Operating Allocations

Dorothy Willard presented the FY 2016-17 Operating Budgets stating they would be emailed to the marshals to allow them to allocate these funds to the appropriate cost centers for FY 2016-17. Judge Lawson inquired if funds could be moved between Other Personal Services (OPS) and Salaries. Ms. Willard explained that funds can be moved between categories via a budget amendment. Judge Lawson requested the Budget Management Committee review whether there is a need to increase the OPS dollars that are available, stating the court needs to have the ability to utilize OPS dollars when vacancies occur. Judge Northcutt agreed and also recommended the court have an overlap procedure in place.

Agenda Item IV.: FY 2017-18 Legislative Budget Request

A. LBR Timeline

Dorothy Wilson reviewed the FY 2017-18 LBR and Capital Improvement Program Plan (CIPP) Fixed Capital Outlay LBR timelines, stating the DCABC would meet via video conference on July 22, 2016, to approve LBR issues.

B. Discussion of LBR Issue Strategy

Judge Lawson recommended employing the same strategy as previous years. Each DCA submits specific requests for their critical needs within the official funding methodologies and each DCA Marshal discusses and submits their requests for non-recurring issues. Dorothy Willard noted there were two statewide issues that needed to be addressed, stating the budget office requires guidance in preparation for the upcoming meeting on July 22, 2016.

1. Employee Pay Issue - Judge Lawson recommended moving forward and submitting the Phase II of the pay issue. Judge Northcutt motioned to submit the pay issue as a top priority. Judge Ciklin seconded, and the motion was unanimously approved.
2. Building, Facilities Maintenance and Operational Upkeep Issue – Judge Lawson stated the request puts the DCA's in a position to address building issues that may come up, noting the amount of the request may need to be updated due to the need of LBR's decreasing. Judge Lawson asked P.K. Jameson to weigh in on the issue. Ms. Jameson stated it is a legitimate need but recommended determining if the issue should be submitted in the upcoming LBR or to wait a year or two and pick the issue back up during a later LBR submission. Judge Ciklin stated the realization of the need for funds if a major component goes out and requires repair. He further stated to reduce the amount of the request, showing there was thought put into the requested need and possibly

renaming it to an emergency repairs reserve fund. Judge Lawson inquired if the issue would be better filed in a trust fund, to escrow and prepare for major issues. Ms. Willard noted that if the trust fund was stable it could be an option, however, the stability must be proven. Judge Lawson recommended removing the Fourth DCA square footage to account for the new building and reducing the amount of the issue down, adding in the narrative that the amount may be reduced in the supplemental based on the Second DCA study being completed in December. Judge Northcutt motioned to approve Judge Lawson's recommendation. Judge Roberts seconded, and the motion passed without objection.

Adjournment

Technical difficulties occurred with the video conference causing all five DCA's to be disconnected. Judge Lawson requested an email be sent stating the meeting was adjourned due to disconnect and any issues remaining would be discussed at the next meeting. With no other business before the commission, Judge Lawson adjourned the meeting at 2:30 p.m.