

**District Court of Appeal Budget Commission
Video Conference
January 8, 2015**



Members Present

Judge Alan Lawson, Chair
Judge Stevan Northcutt
Judge Dorian Damoorgian
Judge Charles Davis, Jr.
Judge Joseph Lewis, Jr.
Judge Frank Shepherd
Judge Richard Suarez
Judge Vincent Torpy
Judge William Palmer

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

Members Absent

Judge Clayton Roberts

Judge Cory Ciklin

Others Present

Judge Kerry Evander, Blan Teagle, Eric Maclure, Dorothy Wilson, Elizabeth Garber and other OSCA staff

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

Judge Alan Lawson welcomed members and called the District Court of Appeal Budget Commission (DCABC) meeting to order at 10:00 a.m.

Justice Polston began the meeting with opening remarks reminding everyone that when dealing with the equity/retention issues it is important to remember this is not an across the board pay raise. Each recommendation must be defensible to the legislature and will be very transparent.

Agenda Item I.: Rate Distribution

Dorothy Wilson presented the salary budget as of December 31, 2014. Dorothy continued through explaining the charts and noted on the FY 2014-15 Lapse Analysis chart that the estimated lapse percentage for FY 2014-15 is 1.14%, that averaged with FY 2013-14 lapse percentage estimated that \$445,882 would be generated in lapse for FY 2015-16. Ms. Wilson emphasized that this year is only the second year under statewide salary management and a new norm is being generated. Using the estimated lapse, Dorothy explained the chart that analyzed

the estimated FY 2015-16 salary budget. Ms. Wilson emphasized that the final liability under appropriation is not actual cash that will be reverted and that General Revenue (GR) will be maximized to preserve cash in the State Courts Revenue Trust Fund (SCRTF).

Judge Northcutt discussed the history of the courts imbalances prior to statewide management. Judge Northcutt suggested reviewing the salary budget on a monthly basis by a couple judges and all marshals and determine if any actions are necessary. Secondly, Judge Northcutt suggested spending some of their savings to raise the marshals to the clerks, and to distribute any remaining funds to the individual districts. Judge Damoorgian agreed with Judge Northcutt but felt that the funds should be distributed to the districts to be used at the Chief Judges discretion. Judge Shepherd commented that he generally agrees with both Judge Northcutt and Judge Damoorgian but verbalized the distribution should also rectify the disparity between the Director of Central Staff positions. Judge Lawson inquired as what the target distribution should be and Judge Northcutt responded that the Commission should not distribute down to zero but that the target should be somewhat conservative. Judge Northcutt reiterated that the salary budget should be monitored month-to-month with a distribution now.

Judge Shepherd indicated his agreement that there should be monthly monitoring of the salary budget. Judge Shepherd proposed a motion to form a committee consisting of two judges appointed by the DCABC chair and all the marshals to review the monthly salary budget reports and make recommendations to the DCABC. His motion also included distributing \$93,670 (half of the (\$187,340 listed on the December 2014 Salary Budget) to 1) equalize the Marshals to the clerks, 2) address the Director of Central Staff positions, 3) address the DCTD positions, and 4) distribute any remaining to the districts to be used at the Chief Judges discretion. Judge Lawson inquired if the \$187,340 was the correct amount to be considered for the rate distribution, asking staff if that was the correct number to use. Dorothy Wilson responded that the correct amount to start with was listed in line 3 on the Analysis of FY 2015-16 Projected Salary Budget chart (\$122,144) due to this being annualized. Judge Lawson asked what the implication of doing a monthly analysis would be. Ms. Wilson responded that it would require an additional amount of time and personnel resources. Ms. Wilson suggested the analysis be done on a quarterly basis. Judge Shepherd amended his motion to 1) distribute \$61,072 (half of the \$122,144) and 2) proposed committee to review and report recommendations on a quarterly basis. Judge Torpy seconded for discussion and further details.

Judge Torpy indicated that the priority should be to raise the Director of Central Staff positions to the median salary of \$86,130.84 and then to provide the remaining funds to move the marshal positions as close to the clerks as the money could do. Judge Torpy offered an amendment to

Judge Shepherd's motion, equalizing the Director of Central Staff positions to the median salary of \$86,130.84 and equalizing the marshals and clerks to the extent possible using the remainder of the \$61,072. Judge Damoorgian seconded the amendment and the amendment passed. Judge Lawson called for a roll call vote on the amended motion and the motion passed unanimously.

Judge Lawson stated he would appoint two judges to the committee along with the marshals. He also reminded the Commission that the approved rate distribution would be sent to the Chief Justice for approval. Justice Polston requested the Chief Justice be aware that he was in support of the rate distribution.

Agenda Item II.: DCA Technology Officer Classification

Blan Teagle provided an update stating there currently is a placeholder filed listing a new minimum of \$72,200 in Phase II of the pay plan pertaining to equity, retention and recruitment issues. Mr. Teagle stated OSCA has reached out to the Marshals and Trial Court Administrators for input and recommendations. In order to determine the correct new minimum, OSCA is comparing to Trial Court Technology Officers, as well as other class titles elsewhere within the State. Mr. Teagle stated he anticipates an amended LBR issue in February and noted that all amended issues must be approved by the Supreme Court.

Other Business

Judge Lawson reported that the House met yesterday and so far has indicated a positive reception. The budget picture is looking better, there is now expected to be a \$1 billion surplus. Judge Lawson also stated in a House Justice Appropriations Committee yesterday that members spoke up regarding the state of the court buildings and the need to take care of them.

Adjournment

With no other business before the Commission, Judge Damoorgian motioned to adjourn. Judge Torpy seconded and the meeting adjourned at 11:22 a.m.