Chair Steinbeck called the Trial Court Budget Commission (TCBC) meeting to order at 12:00 p.m. and reminded members that the meeting was being recorded for administrative accuracy. The roll was taken with a quorum present. She invited additional phone participants to introduce themselves. Chair Steinbeck then acknowledged Justice Lawson and Marti Harkness from Senate staff and thanked them for their continued support of the TCBC.

Agenda Item I: Approval of December 18, 2017, Meeting Minutes
Chair Steinbeck presented the draft meeting minutes from the December 18, 2017, TCBC meeting and asked if there were any changes necessary before approval. Judge Mahon moved to approve the minutes as drafted. Judge Lauten seconded, and the motion passed without objection.

Agenda Item II: FY 2017-18 Budget Status

A. Salary Budgets
Dorothy Willard provided an overview of the trial court salary budgets for FY 2017-18 as of February 28, 2018. The salary liability for the trial courts General Revenue/State Court Revenue Trust Fund is approximately $67,988 under the salary appropriation. Ms. Willard noted there is still a projected deficit on the circuit court level. It is anticipated this deficit will be fully covered in May due to projected lapse. She further stated the trial courts continue to recover from the hiring freeze, but trouble recruiting and hiring positions is contributing to being under the appropriation in the overall salary budget. The Administrative Trust Fund salary liability is under the appropriation by $35,144,
and the Federal Grants Trust Fund liability is over the appropriation by $29,888. Ms. Willard noted OSCA has received an additional contract adjustment from the Department of Revenue. Based on the contract adjustment, the Federal Grants Trust Fund liability should be under appropriation by approximately $16,000 by the end of the fiscal year.

B. Positions Vacant More Than 180 Days
Beatriz Caballero provided an overview of the positions vacant for more than 180 days as of March 16, 2018. Chair Steinbeck noted the majority of the vacancies are interpreters. She stated a legislative budget request was filed on behalf of the trial courts to address issues with retaining and recruiting court interpreters; however, this issue was not funded by the Legislature for FY 2018-19. Chair Steinbeck further stated court interpreting vacancies will be an ongoing issue the Commission will need to address.

C. Operating Budgets
Ms. Willard provided an overview of the operating budgets for FY 2017-18 as of February 28, 2018, in comparison with the same time period last fiscal year. The expenditures reflected in the materials do not include any returned funds associated with the year-end spending plan. Ms. Willard noted at this time in the fiscal year, if we were spending at the rate of release, approximately 67% of funds would be expended. She noted spending in the Other Personal Services (OPS), Expenses, Other Capital Outlay (OCO), Contracted Services, Lease Purchase, and Other Data Processing Services (ODPS) categories are in line with prior year expenditures. Expenditures in the Additional Compensation to County Judges category are up 8% compared to FY 2016-17, while Civil Traffic Infraction Hearing Officers (12%) and Mediation Services (1%) have decreased compared to the prior fiscal year. It was noted spending is 8% lower in the due process elements as compared to this same period last year.

Ms. Willard provided an overview of FY 2017-18 legislative projects and senior judge activity as of February 28, 2018. She stated the senior judge days served are down approximately 12% from this same period last year.

D. Trust Fund Cash Balances
Ms. Willard provided an overview of the State Courts Revenue Trust Fund (SCRTF) cash analysis as of February 28, 2018, and stated there is an approximate carry forward into next fiscal year of $14.2 million. The trust fund will need to carry forward approximately $4.0 million into FY 2018-19 in order to cover the first quarter expenditures for FY 2018-19. Ms. Willard noted OSCA staff continue to monitor and adjust remaining FY 2017-18 estimated expenditures based on generated salary lapse.

Ms. Willard then provided an overview of the Administrative Trust Fund (ATF), and stated there is an approximate balance of $2.7 million.
**Agenda Item III: Reallocation of FY 2017-18 Post-Adjudicatory Drug Court Funds**

Eric Maclure provided an overview of the current funds available to the trial courts through the FY 2017-18 General Appropriations Act for support of post-adjudicatory drug courts in 10 counties. He noted the TCBC determined allocations of these funds at their June 27, 2017, meeting and then further revised the allotments to include funding to Seminole County in August. Mr. Maclure stated in order to maximize the use of available funds, the Commission may wish to revise the allotments for the remainder of the fiscal year while still maintaining a small amount of funds in statewide reserve. Judge Smiley moved to reallocate funds from the First, Seventeenth, and Eighteenth Circuits to address needs in the Fifth, Tenth, and Thirteenth Circuits. Judge Ficarrotta seconded, and the motion passed without objection.

**Agenda Item IV: FY 2017-18 Year-End Spending Plan**

Dorothy Willard provided background information concerning the TCBC’s approval, at the December 18, 2017, meeting, for a year-end spending plan and direction to OSCA staff to assist the circuits with evaluating unobligated funds and outstanding needs. Ms. Willard reviewed the available funding and requested circuit needs, then provided two options. Option 1 is to approved the proposed fiscal year-end spending plan and submit a request to the chief justice for an exception to the trial court budget and pay memorandum to allow for the purchase of equipment using due process funds. Option 2 is to propose an alternative plan.

Chair Steinbeck stated the Executive Committee discussed the purchase of general equipment not routinely provided for with state funds and software for an electronic form creator. The Executive Committee was concerned the trial courts did not have authority to spend state funding on these items and that further legal research was needed. Judge Smiley asked if the Commission decided to pull these requests from the spending plan today, that does not mean these items have been denied, just additional legal research is needed before approval. Chair Steinbeck confirmed.

Grant Slayden made a motion to approve Option 1 as identified in the meeting materials with the caveat that additional legal research from the OSCA General Counsel is needed indicating the appropriateness of the purchase of the general equipment and software using state funds. Sandra Lonergan seconded the motion.

Paul Silverman asked if circuits will have the ability to submit alternative requests for items that are appropriate and within approved funding amounts. Chair Steinbeck indicated a motion will need to be submitted by a voting member of the Commission. Judge Brunson inquired if funds have been spent in the past on these types of items. Ms. Willard responded the trial courts have not spent money on an electronic form creator in the past and the payment requests for general equipment items have generally been returned to circuits as an unallowable expense.

With no further questions, Option 1 was approved with the caveat that additional legal research was needed. Mark Weinberg opposed the motion. Judge Brasington made a subsequent motion to allow
circuits to resubmit funding requests, and authorize the Executive Committee to review and approve, if the items in question are determined to be inappropriate to purchase with state funding. Walt Smith seconded the motion, and the motion was approved unanimously.

Agenda Item V: 2018 Legislative Session Issues and Outcomes

A. FY 2018-19 General Appropriations Act/Implementing Bill
Ms. Willard provided an overview of the final Conference Report, less governor vetoes, from the 2018 Legislative Session. The Supreme Court received funding for travel reimbursement and Executive Direction received funding for electronic notification technology and early childhood court program evaluations. There was no funding received for the District Courts of Appeal. The trial courts received funding for various legislative projects. Ms. Willard noted the $2 million reduction in FY 2017-18 salary budget was restored for FY 2018-19. Judge Smiley asked where will the restoration in salary budget be reflected in the trial court budget, and Ms. Willard indicated in the FY 2018-19 payroll projections.

Ms. Willard provided an overview of the proviso and implementing language. She noted proviso language related to problem-solving courts will be discussed in greater detail in Agenda Item VI.A. Also, the FY 2018-19 implementing language reflects current language, however, updated for dates.

B. Executive Committee Discussion on Operating Budget Realignment
Chair Steinbeck reported the TCBC Executive Committee conducted an emergency telephone conference on January 18, 2018. In keeping with the TCBC operating procedures, she provided an overview of the issue discussed to the full Commission including a potential fund-shift of base operating categories from General Revenue to the State Courts Revenue Trust Fund. Chair Steinbeck stated the proposed fund-shift was not approved during the legislative session. She noted although the issue is no longer time sensitive, it is something the Commission may need to discuss at a later meeting and consider as part of the 2019 Legislative Session.

C. Substantive Legislation
Due to time constraints, Chair Steinbeck proposed deferring this agenda item to the next TCBC meeting. Sarah Naf Biel stated there are no legislative issues needing immediate attention.

Agenda Item VI: Preparing for FY 2018-19 Allocations

A. Problem-Solving Court Funding and Proviso
Eric Maclure described the FY 2017-18 appropriated funds and current allocation practices for the various problem-solving courts in the trial courts. Mr. Maclure then reviewed the appropriated funding and proviso language in the FY 2018-19 General Appropriations Act (GAA). He noted the GAA consolidates current funding for existing post-adjudicatory drug courts and veterans courts; provides an additional $2.5 million; and places the funding into a special category. Further, the
proviso language states the TCBC shall allocate the available $7.5 million minus the designated funding for veteran’s court, provides a requirement for matching funds by local, federal, or private funds, and provides an exemption for fiscally constrained counties or problem-solving courts that serve a state funding responsibility. Mr. Maclure reported a number of issues the TCBC will need to consider when allocating funds such as continuation funding for existing programs, data needs for collection and reporting, maximizing the capacity of existing problem-solving courts versus the creation of new courts, return on investment, and state-level infrastructure needed to support problem-solving courts.

Chair Steinbeck informed the Commission that she had contacted Judge Leifman, chair of the Task Force on Substance Abuse and Mental Health Issues in the Courts (SAMH), and Judge Greider, chair of the Steering Committee on Families and Children in the Court, to let them know this topic is on the meeting agenda. Chair Steinbeck further noted the TCBC typically does not weigh-in on matters involving policy; however, the funding for this issue overlaps with policy implications. Given this overlap, Chair Steinbeck asked for ideas for going forward with developing funding methodologies for problem-solving courts given the requirements in the proviso language.

Walt Smith asked if the proviso language requires a cash match or includes current county dollars being spent on staff and equipment. PK Jameson answered that the courts proposed language allowing for an in-kind match, but the Legislature did not pick up this proposal. She further stated it is believed county funded staff and cash spent specifically on specialty courts would meet the requirements of the proviso language. Walt Smith suggested starting with the total $8.9 million available, maintain the $5.0 million for the post-adjudicatory courts assuming they have the same funding needs, provide the $1.4 million recurring funds to veteran’s courts, encumber the non-recurring funds for veteran’s courts, and then allocate the remaining funds to other circuits. Grant Slayden, in conjunction with Walt Smith’s suggestion, recommended before encumbering the non-recurring funds, finding out which circuits plan to use funding for problem-solving courts, verify if counties want these courts to continue to receive funding on a recurring or non-recurring basis, and then prioritize remaining funds to circuits who do not currently receive funds. Judge Mahon asked if the $65 county discretionary funds could be used as part of the matching requirement. PK Jameson answered the $65 discretionary funds are local money and could be used towards the matching requirement. Chair Steinbeck noted the matching requirements only apply to those courts that do not support a state funding responsibility. Further research would be needed to determine which problem-solving courts do not fall within a state funding responsibility, for example, offenders destined for county jails or mental health courts serving misdemeanor populations.

Due to the multiple funding and policy implications, Chair Steinbeck stated she would like to provide guidance to all circuits as to the TCBC’s interpretation of the proviso language and the requirements related to the matching requirements. In addition, Chair Steinbeck stated she would like to establish a separate funding advisory group specific to problem-solving courts including TCBC members and subject matter experts from the Task Force on Substance Abuse and Mental Health Issues and the
Steering Committee on Families and Children. Judge Mahon moved to approve creating such a group. Grant Slayden seconded, and the motion passed without objection.

B. Other Issues
   There were no issues to report.

**Agenda Item VII. Report from Chief Justice Designee to Clerks of Court Operations Corporation Executive Council**

Judge Ficarrotta provided an update on Clerks of Court Operations Corporation (CCOC) activities. He reported the FY 2018-19 budget for the clerks of court will be $13 million less than current county fiscal year. This reduction is due to factors such as increased health costs for FTE and reduced revenues from cases. The clerks received several additional duties without corresponding funds. He further stated the clerks and courts want to continue to work together to address budget needs and improve revenue collections.

**Agenda Item VIII. Other Business**

There were no issues to report.

**Adjournment**

With no other business before the commission, the meeting adjourned at 1:29 p.m.