A Message from Lisa Goodner, State Courts Administrator

With its many ups and downs, this year’s legislative session was probably the most challenging one I’ve ever experienced. Over the course of those stressful few months, a series of budget proposals was considered that would have cut court funding significantly. But, ultimately, the court system’s 2011/12 appropriations, at $458.1 million, are very close to last year’s. As the lead article in this newsletter explains, we were able to avoid reductions because of our increased reliance on trust funds rather than the general revenue fund.

However, based on the current legislative funding framework, 79% of our State Courts Revenue Trust Fund revenue continues to come from mortgage foreclosure filings. These filings have fallen from a high of over 30,000/month (in 2008/09) to under 9,000/month (beginning in October 2010), causing dire cash flow problems. As a result, for the last quarter of 2010/11, we had to secure $33 million from the governor and legislature to support the trust fund and sustain court operations. On top of that, we entered the new fiscal year, which began July 1, with very little cash carry-over, so Chief Justice Canady has already exercised his authority to obtain a $54 million cash transfer to shore up the revenue in the trust fund.

Recurrent cash flow problems hinder court efficiency and could potentially disrupt day-to-day court operations. Keeping the courts open is critical to everyone in our state, and this funding crisis must be resolved. Accordingly, the legislature authorized the branch to make recommendations on how to stabilize court funding. A study is underway, overseen by the Revenue Stabilization Joint Workgroup (composed of judges and clerks of court), to determine suitable, less volatile revenue streams for the court system’s and the clerks’ trust funds.

A second study requested by the legislature, called the Study on Resolving Civil Disputes (under the direction of the Commission on Trial Court Performance and Accountability), seeks strategies for resolving civil disputes in a timely manner and reducing legal costs to the court system through the use of financial and other incentives. Let me emphasize that our goal is to improve productivity and efficiency without in any way sacrificing quality or effectiveness.

This brings me to a related point. The quality and effectiveness of our branch depends, in part, on the caliber of our court employees. Our branch is truly fortunate to have such a capable and competent workforce. Yet the many budgetary problems we have experienced in the last several years have prevented us from being able to pay court personnel what we know they merit. Here’s a consideration that I hope will inspire everyone: if we work diligently to improve branch efficiency, we are bound to reap savings—and when court funding finally stabilizes, my hope would be to translate some of these savings into improved compensation for our well-deserving employees.

I imagine many of you already have ideas for making our courts more efficient. In fact, from articles in the Full Court Press, I often learn more about programs and initiatives you’ve developed to cut costs and/or increase productivity (in this edition, for instance, see the story about Family Pro Se Day in the Seventeenth Circuit). These stories about your innovations energize other courts across the state. So please continue to let us know when you or your court has a suggestion about something that we can do better to improve court efficiency. Your ideas could ultimately be beneficial to us all.

Sincerely,
Lisa Goodner
Legislative Update

Court Budget & Changes in Benefits

State Courts System Budget
“A roller coaster ride”—that’s the metaphor that most often surfaces when branch leaders and OSCA staff describe the mercurial, almost dizzying succession of judicial budget proposals introduced during the course of this year’s legislative session. But, of course, legislators are required to create a balanced budget, and the state was facing a nearly $4 billion shortfall. Thus no entity that receives state funding was immune to the prospect of cuts. Many ultimately suffered significant ones.

In the end, however, the legislature appropriated $458.1 million for the state courts system—very close to the appropriation for fiscal year 2010/11. And, for that, the courts unequivocally have the State Courts Revenue Trust Fund to thank, attested Charlotte Jerrett, OSCA Administrative Services director, and Dorothy Wilson, OSCA Budget Services manager. The court system’s budget is currently 89.6 percent trust-funded and 10.4 percent general revenue-funded. “Because the court system is not very reliant on general revenue, we had no cuts,” they explained, adding that, “The bottom line is that the trust fund is serving its purpose.”

Although the courts had to borrow $33 million in emergency funding from the governor and the legislature to cover the last quarter of the 2010/11 fiscal year, that reflects a problem with the trust fund’s revenue streams—not with the trust fund itself, they pointed out. For the last two years, the trust fund has been largely dependent on a very volatile source: filing fees from mortgage foreclosures (79 percent of court revenue has been coming from foreclosure filings). And when those filings suddenly began plummeting last fall, a decline in the trust fund was inevitable (see following article, which discusses the effects of the mortgage foreclosure crisis on the courts).

The new fiscal year has only just begun (July 1), but because mortgage foreclosure filings are still depressed, the court system is already confronting a cash flow problem. Chief Justice Charles Canady was given authority to borrow up to $54 million to cover deficits the court system will inevitably face in the current fiscal year. This $54 million loan should prove adequate to sustain normal court operations through the first quarter of the 2011/12 fiscal year. However, it’s likely that the court system will have to apply for additional loans, which illustrates that the need to find permanent and more stable revenue streams becomes more urgent with each passing day. As judicial branch leaders have suggested, if the legislature authorizes the trust fund to draw more substantially from court revenue sources that—unlike foreclosure filings—are steady and diversified (e.g., regular civil filings), the trust fund should stabilize.

Toward that end, the legislature inserted proviso language into the General Appropriations Act directing OSCA to work with the clerks of court to develop and recommend appropriate revenue streams to channel into the State Courts Revenue Trust Fund and the Clerk of Court Trust Fund. The courts and the clerks have established a joint workgroup, the Revenue Stabilization Joint Workgroup, to oversee this project, and it will present its report to the legislature by November 1. “Stabilizing court funding remains my highest priority,” emphasizes Chief Justice Canady. And Governor Scott, at the annual meeting of The Florida Bar in June, indicated that a stable funding source for the courts is a priority for him as well.

Typically, regular legislative sessions begin in March each year. However, this year, the legislature will convene its 2012 regular session in January to address the complex issue of redistricting (the redrawing of congressional and state legislative districts to accommodate the population changes reflected in the 2010 Census); committee work will begin in September. In anticipation, the court system—in collaboration with the legislature, the governor, other governmental entities, and justice system partners—is gearing up early this year to continue its efforts to institute a resilient and dependable funding source for the branch.

Changes in Benefits
Like the raft of proposals regarding the judicial budget, the myriad recommendations relating to state workers’ retirement and health insurance benefits were vertigo-inducing at times. In the end, however, employees are seeing fewer changes to benefits than they might have anticipated.

In short, as of July 1, 2011, all state employees (excluding those already in DROP) began paying 3
percent of their pretax salaries into their retirement accounts. Employees who began working for the state before July 1 and entered, or plan to enter, DROP after that date will earn 1.3 percent interest, rather than 6.5 percent interest, on the money set aside under DROP. In addition, cost-of-living adjustments for employees who retire after July 1 have been reduced; the amount now will depend on when one retires and the number of years of service with which one retires.

The most dramatic benefits changes affect employees hired after July 1, 2011. Those employees will vest after eight years (it used to be six); will receive normal retirement benefits at age 65 or after 33 years of creditable service at any age (it used to be age 62 or after 30 years of service); and will receive average final compensation based on the highest eight years of salary (it used to be based on the highest five years).

OSCA’s Office of Personnel Services put together a Frequently Asked Questions document that addresses the most pressing concerns (link to the FAQs). The Office of Public Information Pulse, compiled by the House of Representatives, is also quite helpful (link to the OPI Pulse).

The Florida Retirement System site is a very comprehensive resource. It hosts several sets of FAQs, a wide range of financial calculators, information for new hires, and information about investment basics, investment funds, local workshops, and FRS programs. Also from the FRS site, one can set up an appointment for phone, web-based, or in-person financial planning and counseling (link to MyFRS).

As asked about the changes to DROP and the lower cost-of-living adjustments, Gary Phillips, chief of OSCA’s Office of Personnel Services, had this advice: “People need to think about what it will take to reach their financial goals and try to figure out a way to offset these decreases.” For people with questions about retirement, he said, “The Division of Retirement can help you determine if it would be to your advantage to go into DROP or to work an additional five years [to increase your accrual rate]. And a financial planner can help you answer the questions, What will it take to maintain my lifestyle after retirement? Will I have to work longer? How much longer? Will I have to save more? How much more?” Particularly given the economic turmoil of the last four or so years, “It has become more incumbent on the individual to take an active role in preparing for later life,” he added.

This would be a good time to start thinking seriously about savings planning and deferred compensation options (link to information on deferred comp.).

Mr. Phillips also pointed out that, although employees had no changes to their health insurance benefits this fiscal year, they should expect to see more emphasis on health insurance legislation next year. Health care costs have gone up annually, but the state has absorbed those increases without raising premiums. At this rate, the Health Care Trust Fund will suffer a deficit in 2013, and the legislature will have to begin addressing that shortfall in the upcoming session.

Foreclosure Crisis Has Affected Florida’s Courts on Multiple Levels

Glorious beaches, boundless sunshine, low unemployment, a relatively modest cost of living, a surge in domestic retirees, an increase in foreign investors...in the earliest years of this century, many elements combined to spur Florida’s economy into becoming one of the most vigorous in the nation. Not surprisingly, the housing market here mushroomed as well—aided by the same factors that made home-buying more affordable across the country: subprime lending, zero-interest loans, low-interest ARMs, and zero down payments. According to the Florida Association of Realtors, from 2000 to mid-2005, the median sales price of a single family home in Florida jumped 88.6%. Indeed, in 2005, four of the top five metropolitan areas in the US with the greatest home price appreciation were in Florida.

However, escalating home values—along with the decreasing housing supply, rising interest rates, extravagant home equity withdrawals, pervasive real estate speculation, the widespread securitization of loans, and regulatory loopholes—soon made Florida’s housing market one of the most volatile in the US. Such overheated markets are, of course, unsustainable, and Florida, once referred to as the “poster child for the real estate boom,” eventually became the “poster child for the real estate bust.”
Real estate busts profoundly affect property owners, neighborhoods, communities, real estate values, local businesses, and mortgage markets. But they also have a dramatic effect on the courts. In Florida, the recent real estate collapse has impacted the courts in predictable—as well as in unique—ways.

Normally, Florida has about 6,000 foreclosure filings a month—or about 70,000 a year (during a real estate boom, foreclosure filings might even fall a little lower). However, as early as 2006, before there was much talk on the national level about a real estate bust, civil courts in several counties were already beginning to show signs of unusual activity. In fact, before the year was over, foreclosure filings had started to rise across the state, with the last quarter of 2006 showing over 8,000 per month. Then in 2007, foreclosure filings more than doubled: the courts logged over 182,000 that year. And the numbers continued increasing precipitously: with one in five Florida homeowners in foreclosure or seriously behind on mortgage payments, it became “normal” for the courts to see between 30,000 and 40,000 filings per month in 2008 and 2009. By June 30, 2010, 462,339 foreclosure cases had been filed and—due to their sheer volume and the lack of judicial resources—were inundating the courts.

Eventually, a significant new wave of foreclosure filings will hit the court system, which will find itself addressing workload from three different sources: first, the backlog, estimated now at 310,770 cases; second, new filings reflecting the significant number of mortgages that are currently delinquent (nearly 50% of Florida’s mortgaged homes are “underwater”); and third, the cases dismissed due to questionable or incomplete paperwork that will, at some point, be re-filed (since October, there have been 75,775 dismissals).

The inevitable effect of these increases in foreclosure filings has been a workload increase in Florida’s court system. Yet, just when the courts urgently began needing additional funding to address the workload increase, the state’s general revenue, which funded the court system, was dwindling due to declines in sales tax and property revenues—leading to a 12% reduction in the court system budget and the elimination of 290.5 positions between fiscal years 2007/08 and 2008/09.

Florida’s real estate collapse also caused the court system to experience another, though less predictable, fiscal crisis. When signs of significant economic instability first started manifesting in 2007, branch leaders began working with the legislature to establish a stable, reliable, dedicated funding source for the courts that would insulate them from economic turbulence. Toward that end, during a special legislative session in January 2009, lawmakers passed legislation increasing fine revenues, directing a majority of the increase into the newly-created State Courts Revenue Trust Fund—designed to protect the courts from further reductions in budget and personnel, should the state general revenue continue falling.

During regular session that spring, the legislature, responding to the unprecedented rise in foreclosure filings, decided to fill the shortfall in the state budget by subsidizing the court trust fund with revenue generated by an increase in foreclosure filing fees. These fees were set according to a sliding scale: from $400 for mortgages valued at up to $50,000, to $1,905 for mortgages valued at more than $250,000. After this new sliding-scale formula was instituted, 79% of revenue for the courts was coming from foreclosure filings.

With the creation of the trust fund, the courts now rely on a cash-based budget, meaning that the health of the trust fund is determined by the amount of filing fees and fines that the clerks take in for the courts: when court filings and fines increase, revenues in the trust fund increase; but when they decline, so do the revenues. To forecast the revenue anticipated from foreclosure filings and thus to gauge the solvency of the trust fund, the legislature created the Article V Revenue Estimating Conference.

When foreclosure filings were on the rise, the trust fund enjoyed a healthy cash balance. In fact, thanks to the trust fund’s cash balance in fiscal year 2009/10, judicial branch leaders were able to seek, and did receive, spending authority to use trust fund dollars to begin disposing of the foreclosure case backlog (lawmakers granted the courts a one-time infusion of $6 million to hire senior judges and case managers for this purpose.)

However, last October, filings came to an abrupt halt when the courts began encountering a tsunami of questionable paperwork—e.g., forged signatures, post-dated documents, lost documents—submitted by so-called “foreclosure mill” law firms. As a result, most of the major mortgage lenders imposed a voluntary moratorium on foreclosures while they got their processes and paperwork in order. Suddenly, filings fell from over 30,000 a month to under 9,000 a month—creating a considerable shortfall in the court trust fund. This past spring, to make payroll
without imposing furloughs or layoffs, the court system had to secure $33 million in emergency funding from the governor and the legislature.

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The bad news is that another tidal wave of foreclosure cases will overwhelm judicial resources. The “good” news—if it can be called that—is that, with these foreclosure filings and their corresponding revenue flow, the state courts trust fund will be robust again. Branch leaders continue to see the wisdom of having a court trust fund. However, they, along with Florida lawmakers, recognize that the court budget cannot continue to be balanced on the back of the foreclosure crisis—and that, to remain fiscally stable, the court system must have a more diversified portfolio from which to draw its revenue streams.

Accordingly, proviso language in the 2011/12 General Appropriations Act directs OSCA and the Clerk of Courts Operation Corporation to work together “to develop and recommend by November 1, 2011...appropriate Article V revenue streams to be directed to the State Courts Revenue Trust Fund and the Clerk of Court Trust Fund to eliminate problems with cash flow in both funds and to ensure revenue streams are adequate to support appropriations.” With Clerk of Court Richard Weiss, who chairs the COCC Executive Council, Chief Justice Canady established the Revenue Stabilization Joint Workgroup, calling it “an excellent opportunity for judges and clerks to work in partnership to resolve the very troubling problems we have all faced with a lack of adequate revenue to support our appropriated budgets.”

State Courts Revenue Trust Fund
Monthly Revenues, July 2009 - June 2011

Note: As reported in the Department of Revenue Consolidation Report and OSCA, Finance and Accounting, for revenues remitted July 2009 through June 2011.
Meaningfully Measuring Court Performance

Florida’s courts consistently strive to improve the administration of justice. When the economy is listless and the state’s, and its citizens’, financial resources are suffering, the court system is especially driven to meet its objectives in a deliberate, conscientious, and responsible manner. The supreme court established two commissions to recommend policies and procedures that support the judicial branch’s goals of effectiveness and efficiency: the Commission on DCA Performance and Accountability (in 1997) and the Commission on Trial Court Performance and Accountability (in 1998).

Over the last few years, in an effort to gauge the branch’s progress in achieving these goals, the two commissions have been working to develop and implement mechanisms that monitor, analyze, and measure court performance. For instance, in fiscal year 2009/10, the Commission on DCA Performance and Accountability created a process for monitoring DCA dependency and termination of parental rights case data; the commission recently issued a report detailing some very positive findings. And the Commission on Trial Court Performance and Accountability is now overseeing Phase I of its Trial Court Integrated Management Solution project, a statewide automation system that, among its many functions, will also assist with performance measurement.

DCA Performance and Accountability: Dependency and Termination of Parental Rights Case Monitoring

In order to minimize the harmful effects on children involved in dependency and termination of parental rights (TPR) cases, the DCAs must resolve these cases as expeditiously as possible. Working with the DCA clerks and OSCA staff, the Commission on DCA Performance and Accountability developed a system for generating reports that reveal the median days for eight different dependency/TPR timeframes (a timeframe is the standard amount of time spent on a particular stage of a case). These reports also indicate the percentage of cases that fall within the recommended timeframes for each district. Furthermore, the reports can link court personnel to more detailed case information that may assist in determining the cause of delay and suggest actions to reduce that delay. The reports, which are drawn from the DCA case management system and are produced on demand, help DCA judges and court personnel assess how efficiently they are processing dependency and TPR cases.

After carefully monitoring the data for a year, the commission recently documented the results. In short, the data demonstrate that all the DCAs have improved their processing times for dependency/TPR cases. Every DCA is meeting the overall performance goal from final judgment to disposition. In addition, most DCAs are meeting the performance goal for Notice of Appeal to Disposition and for Answer Brief to Conference/Oral Argument, with substantial improvement by many districts since 2007. Moreover, in four of the eight timeframes being measured, the number of cases meeting the performance goal also increased. Finally, data indicate that the DCAs are receiving the records from the trial courts more quickly. At the last meeting of the commission, the chair, First DCA Judge William A. Van Nortwick, congratulated the districts for these significant improvements. After the report is finalized, it will be submitted to the supreme court and can be accessed from the Florida State Courts’ Performance and Accountability homepage (link to the webpage).

Trial Court Performance and Accountability: Trial Court Integrated Management Solution

In his first charge to the Commission on Trial Court Performance and Accountability in a June 2010 administrative order, Chief Justice Canady directed it to 1) identify the information, by case type, that needs to be accessed and tracked by judges, case managers, and other court staff in order to move cases efficiently and effectively through the trial court processes; 2) identify key caseload and workload information needed at the circuit and statewide reporting levels essential for performance monitoring and resource management; and 3) establish uniform data definitions, guidelines, and standards for data collection and reporting necessary to produce consistent, automated trial court case management statewide. This charge became the foundation for a complex, multi-year project called the Trial Court Integrated Management Solution, or TIMS, which the commission is addressing with the assistance of the Court Statistics and Workload Committee, the Steering Committee on Families and Children in the Court, and the Florida Courts Technology
Commission—and with the input of numerous project partners and subject matter experts.

TIMS is a standardized, statewide solution for addressing the automation of two major trial court functions: case processing and performance monitoring. It has two chief, equally important, thrusts. First, it’s being designed to support the efforts of judges, court staff, court administrators, clerks, and others on the front line by providing them with the information they need to process cases efficiently and effectively—which, in turn, will help the courts better meet the needs of the people who enter them. And, second, the uniform and comparable data that TIMS will elicit from across the state will help inform the policy decisions of the supreme court and its appointed committees for the management of the entire court system, and it will also assist with monitoring trial court performance measures. Phase I of the project—a labor-intensive process of identifying the information needed for processing cases, managing resources, and monitoring performance—recently began and should be completed next spring. Phase II will involve identifying the most feasible technological approach, and Phase III will focus on implementation planning. The goal is to present the supreme court with a comprehensive report and recommendations by July 1, 2012 (link to more info on TIMS).

Chief Judge Terry D. Terrell, First Circuit, who chairs the Commission on Trial Court Performance and Accountability, describes TIMS as “an aggressive, all-inclusive project focused on identifying the most accurate, useful, accessible data across the spectrum of court functions. As more and more emphasis is placed on effective, efficient case management at the trial court level,” he explained, “establishing a single entry system of data collection and retrieval will benefit everyone.” However, he noted that, “While TIMS will identify relevant data at the most inclusive level, the ultimate implementation of the highest and best use of that information will obviously be somewhat restricted, at least in the immediate future, by budget constraints.” On behalf of the commission, he offered “our thanks in advance to everyone who has agreed to assist with this Herculean project.”

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In discussing the performance measurement aspect of these two initiatives, Sharon Buckingham, senior court operations consultant with OSCA’s Court Services Unit and lead staff to the two commissions, pointed out that “Performance measurement is not an end in itself.” Rather, “It’s a tool that the courts can use to improve the way they do business.” When court performance is meaningfully measured, it “shows us where we are doing well, where we need to improve, and where there are problems on the horizon”; thus it can help the court system achieve a desired end. Ideally, performance measurement leads to the adoption of practical strategies for improvement, which leads to positive changes in practice, she explained. And, using the recent monitoring of dependency/TPR cases at the appellate level as an example, she emphasized that “These changes in practice can produce some spectacular results.”

Technology

Technology Pilots in the Appellate Courts

In January, the Florida courts e-filing portal—the single, uniform gateway for the transmission of all electronically-filed court documents across the state—became operational. Currently, it’s available in 16 counties, and attorneys can e-file documents for cases in five trial court divisions (probate, circuit civil, county civil, family, and dependency). As of the end of June, 6,822 filings had been submitted through the portal, and the attorneys and the clerks of court who’ve been utilizing it enthuse about its efficiency, its time-savings, and its cost-effectiveness. Not surprisingly, therefore, e-filing continues to gather momentum statewide. Within the year, clerks of court in all 67 counties will be able to accept e-filings, and attorneys will be able to e-file documents for cases in all ten trial court divisions. In addition, the portal will eventually be accessible to self-represented litigants who want to file documents electronically.

On the horizon as well, Florida’s appellate courts will be accepting e-filings through the portal, and they have already begun to lay the groundwork for that inevitability. As court technology personnel frequently emphasize, however, e-filing is only one of a panoply of automated court processes that the court system must implement to support the migration toward a comprehensive digital environment.
Therefore, in their preparations for e-filing, the appellate courts are remaining focused on the larger picture, working to develop software applications that will enable the seamless integration of e-filing with other digital court processes like case management, document management, and workflow management. Toward that end, in May 2010, the Appellate Courts Technology Committee voted to approve two pilot projects that will facilitate the movement toward this broader digital culture.

The first project was developed by the First DCA for workers compensation cases. Called iDCA/eDCA, this project is closely connected to the existing case management system, and it includes e-filing, document management, and automated workflow features covering the appellate process. It consists of three closely linked sites: Internal DCA (iDCA), which is an internal component for document management for use by judges and law clerks; External DCA (eDCA), which is a template for electronic filing; and the Case Review System. iDCA/eDCA is now in full use at the First DCA and is in voluntary use in some suites at the Fifth DCA.

The work of the First DCA encouraged the development of a second undertaking, an application development solution called eFACTS (Electronic Florida Appellate Courts Technology Solution). Spearheading the FACTS Project are Judge Steven Northcutt, Second DCA; Tom Hall, clerk of the supreme court; and Denise Overstreet, application and data base manager with OSCA’s Information Systems Services; Justice Barbara Pariente is serving as the liaison. eFACTS is being piloted in the supreme court and the Second DCA.

Based in a Microsoft web application platform called SharePoint—a “very flexible platform,” Ms Overstreet emphasizes—eFACTS will enable judges to review, at will, all aspects of a case, from start to finish, on their computers and will also make it easy for judges to work together on these cases in an electronic environment. Building on SharePoint's capacity as an electronic document management and workflow system, eFACTS will “capture” (i.e., accept and process) both paper documents that have been scanned as well as electronic documents that have been received via standard email, the e-filing portal, and other electronic means; it will facilitate the logical organization of the documents and will automatically input the data into the case management system; it will store the documents in a secure environment; and it will enable users to locate, retrieve, and work on the documents they need, when they need them. Another compelling SharePoint feature on which eFACTS will capitalize is its innovative collaboration tools: eFACTS will enable multiple users to view and modify the same documents simultaneously—unconfined by physical access to case files—and it will keep track of the different versions created by different users.

In addition to electronic document and workflow management, eFACTS will offer a host of other features tailored to the needs of appellate court processes; features include a replacement of the pilot courts’ current case management systems; interactive and consolidated court conference and oral argument calendars; collaborative assignment tracking; electronic judicial voting; and full-text searches across all the documents using key words. Another advantage is that judges and justices will easily and securely be able to review cases and vote remotely via their mobile tablet devices. Of course, eventually, eFACTS will integrate with the e-filing portal: parties will use the portal to e-file their documents with the appellate courts, and clerks of court will use it to transmit electronically the trial court records for these appellate court cases. On top of all these other perks, eFACTS will considerably reduce paper-dependency as well as paper-storage concerns (i.e., space and cost).

eFACTS is a two-phase project: Phase I, which began in June 2010, is an overlay on the Second DCA’s and the supreme court’s current case management systems. During Phase II, those systems will be replaced; in addition, the portal will begin to accept appellate court e-filings. In April, the project entered the implementation stage of Phase I; the pilot courts have now begun user-acceptance testing in preparation for deploying this version of the application for production use.

Tom Hall, clerk of the supreme court and e-Filing Authority member, called eFACTS “a very exciting project” and noted that “The clerk’s office in the Florida Supreme Court has started actual testing of the software, and we believe it will greatly enhance efficiency in the court. We are looking forward to integrating it with the e-filing portal.” He considers eFACTS “a wonderful cooperative project of the courts, the clerks, and the technical staff from OSCA that promises to reap great rewards for the court system and the people of Florida.”

Reflecting on the great promise both of iDCA/eDCA and eFACTS, Judge Northcutt, who chairs the Appellate Courts Technology Committee, said, “The caseloads in Florida’s appellate courts have been outpacing their resources for years. With these projects, the courts are taking a giant leap forward. The end result will greatly improve the courts’ abilities to decide their cases in a timely fashion.”
Family Pro Se Days in the Seventeenth Circuit

One of the many repercussions of the current economic plight is the rising number of court cases in which at least one of the litigants is representing him or herself. This prevailing tendency can be seen across the country: an article in *Future Trends in State Courts 2009* begins, "It is no surprise that the economic crisis is dramatically impacting both the numbers and proportion of self-represented litigants. In a 2009 survey conducted by the Self-Represented Litigation Network, between 50 and 60 percent of judges reported higher caseloads and a higher percentage of the self-represented as a result of the crisis (with many reporting both)" (link to the Nat’l Center for State Courts publication; go to page nine).

Even before this economic emergency ballooned, Florida’s judicial branch began taking steps to help pro se parties get the assistance they need and the access to justice they seek: for instance, the supreme court’s Self-Help Workgroup developed a plan for establishing court-based self-help services across the state to ensure that the self-represented can obtain the forms, information, and other resources necessary for moving their cases forward smoothly. At the same time, the branch has been focusing on supporting judges’ efforts to address the ethical, legal, and practical challenges that these cases often present: judicial education programs regularly offer sessions, both online and at live programs, on practical techniques that judges can implement to keep pro se cases moving, and the Florida Court Education Council’s Publications Committee recently produced *Handling Florida Cases Involving Self-Represented Litigants*, an online manual for judges and court personnel.

Meanwhile, several circuits have been developing some very practical responses to the surge in cases with pro se parties. One of the highly successful solutions is the Seventeenth Circuit’s Family Pro Se Day—a program that has been helping judges and court staff swiftly reduce the backlog of certain types of cases while enabling self-represented litigants to have their cases heard more quickly. The Seventeenth has now held two Family Pro Se Days, both on a Saturday: the first, on December 11, and the second, on May 14.

So far, judges for the Family Pro Se Day dockets have heard only uncontested dissolution of marriage cases and name changes. After careful consideration, family case managers limited the dockets to these case types because, for the most part, “those cases were clean and ready to go,” explained Lynn Allen, the circuit’s family court manager. By scheduling these specific case types for Saturdays, she noted, the court is able to free up Monday-to-Friday docket time for more complex family law cases—for example, contested dissolution of marriage cases, child custody issues, and other cases that need considerable time to resolve. Another benefit of having Saturday dockets is that litigants can have their cases heard without having to take time off from work. In addition, the court has been able to offer free parking on Saturdays—a small but sweet enticement in this fiscally-strapped climate. Clearly, she emphasized, Family Pro Se Day is “a win-win for both the courts (lightening up caseloads) and the public (helping people move forward with their lives).”

The idea for Family Pro Se Day came from Trial Court Administrator Carol Ortman. Several years ago, while she was serving on the National Association for Court Management’s Awards Committee, the Superior Court of Arizona won a Justice Achievement Award Honorable Mention for its Night and Saturday Family Court initiative—designed to make it convenient for citizens to attend court hearings without having to lose time from work. Imagining the potential of this kind of program for the Seventeenth Circuit, Ms Ortman presented the idea to Chief Judge Victor Tobin and Unified Family Court Administrative Judge Susan Greenhawt; together, they considered ways to make this concept work for their circuit, drafted an outline, and presented it to their family court manager, Ms Allen, to coordinate and implement in the Seventeenth. And that is how their Family Pro Se Day came into being.

It takes a small village to ensure the success of each Family Pro Se Day. Naturally, judicial participation...
is essential (eight judges volunteered to preside at the first event and nine at the second). But to run smoothly, the program also relies on the support of a range of court administration staff, among them, family case managers, information systems personnel, and mediators. Also indispensable is the assistance of several Broward County entities—specifically, the clerk of the court and his staff, the sheriff’s office, and the county commission. Everyone’s efforts were vigorously rewarded: on the first Family Pro Se Day, 350 cases were cleared; and on the second, 369 cleared.

Reflecting on the enthusiastic response to Family Pro Se Day, Judge Greenhawt remarked, “The feedback we received after the first event was so positive, we were really happy to offer this service again to the community....We really put a big effort into making Family Pro Se Day as seamless as possible.” And litigants could definitely tell that much preparation went into making sure the day ran smoothly; a woman who was able to finalize her divorce on the first Pro Se Day observed, “The event was quick; there were many court staff people working and willing to help.” And even though she and her husband didn’t have to go to mediation because they had agreed on everything beforehand, she was impressed that “mediators were there to try to solve cases right on the spot.” She also appreciated the free parking, calling it “a plus in these economic times.” Ms Allen attributes the success of the Family Pro Se Days to “the coordination of all the units helping—and, in particular, to the efforts of the case managers for their hard work, extra hours, and extra work on top of their already heavy workload.” She feels “pretty confident we’ll be continuing this event, holding it two or three times a year, provided all the other departments and agencies have the ability to do so.”

Domestic Violence Coordinators Meet in Tallahassee

For the first time since April 2009, domestic violence coordinators had an opportunity to gather together, face-to-face, for a comprehensive, statewide education program this spring. Altogether, for an intensive day and a half, 37 DV coordinators from all 20 circuits congregated in Tallahassee for a training that covered a wealth of topics: some, to acquaint attendees with recent court improvement initiatives, and others, to introduce coordinators to new strategies and tools designed to enhance their efficiency and effectiveness.

Coordinated by Kathleen Tailer, senior attorney, along with Austin Newberry and Andrew Wentzell, senior court analysts, all with OSCA’s Office of Court Improvement, the training began quite dramatically—literally—with a riveting one-woman play called The Yellow Dress, whose disturbing content and emotional ending left everyone briefly speechless after the actor’s final words. Derived from the stories of young women who were victims of dating violence, this original play is the creation of Deana’s Educational Theater, a non-profit, Massachusetts-based company that develops and produces educational theater programs on relationship violence for children in grades K through 12, college students, the military, and community groups. The company actors—called artist-educators—are also trained as facilitators: after the play, they guide a discussion with viewers on the issues of violence prevalence and prevention. Together, the play and discussion aim to help audience members recognize the early warning signs of abuse, understand the cycle of abuse, assist family member and friends who are victims or perpetrators of abuse, and access community resources.

Also extremely powerful and edifying was an exercise called Comings and Goings: Challenges for Domestic Violence Victims. Developed by the National Council of Juvenile and Family Court Judges, this highly-interactive “decision-making” exercise was designed to give judges an idea of what domestic violence victims go through before they even get to court. The exercise was conducted by Judge Janice M. Rosa, with the New York State Supreme Court (New York’s trial tier), who began by introducing the coordinators to the facts of the case: you are a 35-year-old woman, married for 15 years, with three children; you work part-time as a hairdresser while the kids are at school; you are devoutly religious; you have a modest home in a rural area, and your husband works construction; you love your dog.

Each participant was handed an arbitrary amount of “money” and “goodwill favors” to use at his/her discretion (in other words, true to life, everyone
began with a different set of resources and amount of cash). Participants all started out at “home,” and, as the case unfolded and Judge Rosa narrated the mounting crises, each participant had to revisit his/her decision about what to do: remain at/return home (which cost no money); go to a friend’s home or to the DV shelter (which cost goodwill favors); go to a hotel or rent an apartment—if he/she could afford it; or become homeless. Each of these places had a designated location in the meeting room, and, with each new decision, participants had to move physically to the destination they chose. They were instructed to remain in role throughout the exercise—and to move through the role silently. After they ran out of their allotted amount of money and goodwill favors, they had only two choices: they either had to return home or face homelessness.

In the discussion that followed the exercise, Judge Rosa acknowledged that judges and court personnel often feel frustrated because they can’t understand why the victims come to court, then go away, then return, then go away again, and keep changing their minds. “We think that leaving [the perpetrators] should be so easy,” she said, but this exercise reminds everyone that victims face a tangle of mostly dreadful choices, have to make all sorts of compromises, and, despite all evidence to the contrary, keep hoping that their home situation will improve. The exercise, she explained, answers the question, “Why don’t they just leave?”

The DV coordinators were visibly moved by the exercise, and they remarked that the palpable silence in which the exercise unfolded really brought home the ways in which DV victims feel silenced, isolated, alone, and scared. They also talked about some of the ways in which this exercise will change the way they do their jobs.

The next day, coordinators had an opportunity to work with Sixth Circuit Judge Lynn Tepper, who led two very conversational education sessions, the first on Crossover Cases—Dependency and Domestic Violence: What to Look for When They Cross Your Desk, and the second on Coordinating ANY Related Cases and Monitoring DVIs: The Progress and Need to Recognize That a DVI Does Not Exist in a Static World.

Finally, punctuating the training were sessions on the various educational videos produced by the Office of Court Improvement; recent court initiatives for pro se parties; the progress of the Trial Court Integrated Management Solution; and the court system’s strategic plan. And coordinators particularly enjoyed the opportunity to share DV news and best practices and to get the latest legislative updates.

Indeed, they offered favorable comments about all aspects of the program. One attendee found it “very valuable to interact with case managers/ DV coordinators from other circuits to compare procedures.” Another found Judge Tepper’s session especially valuable: “Judge Tepper was fantastic, and I loved her approach to problem resolution in helping families in DV and dependency.” Noted a first-time attendee, “I really enjoyed being here....I felt all the materials and speakers were helpful and informative, and OSCA staff is also well-prepared and informative about changing issues.” Coordinators look forward to the next statewide opportunity to gather and learn together again—hopefully, sometime in spring 2012.

Sixteenth Circuit Hosts Twelfth Annual Statewide Drug Court Graduation

In honor of National Drug Court Month, on Friday, May 13, the Sixteenth Judicial Circuit hosted Florida’s twelfth annual statewide drug court graduation ceremony in Key West. Participating in the event were 160 drug court graduates from 17 drug courts in nine judicial circuits. Sixteenth Circuit Judge Mark H. Jones, a drug court judge for 14 years, presided over the function, and the keynote speakers were Chief Justice Canady and State Representative Ron Saunders; in addition, three former drug court graduates, one of whom has been in recovery for more than 12 years, shared their inspiring stories with the audience. While a throng of local judges, community leaders, public officials, and family members and friends of the graduates gathered to mark the occasion at the Freeman Justice Center, circuits across the state viewed the ceremony through the court system’s videoconferencing network; immediately after,
many went on to conduct their own local graduation commemorations.

The world’s first drug court was established in Miami 22 years ago. Since then, drug courts have flourished all over the country: more than 2,500 exist in the US and its territories, and Florida is home to 104 drug courts (including adult criminal, misdemeanor, juvenile, dependency, juvenile re-entry, and DUI drug courts). Implementing community-based judicial supervision and intensive addiction treatment, drug court was conceived as an alternative to incarceration.

In fact, research has shown that three of every four drug court graduates remain arrest-free at least two years after graduation. As Chief Justice Canady emphasized in his address at the ceremony, “Every participant who successfully completes drug court is one less individual in our jails and prisons, which ultimately saves money for the people of Florida.” But as considerable as it is to keep non-violent offenders out of prison and thereby save taxpayer dollars, drug court accomplishes even more than that. As the chief justice also pointed out, everyone who graduates from drug court is also “one more child who gets back on the right track. It’s one more child that has their parent back. Drug courts are smart on crime and smart for our communities. The more participants who overcome addiction through drug courts, the more Floridians save and the more productive and healthy our entire state is. The positive outcomes are far reaching, and they restore our society as a whole.”

Chief Justice Canady also took a moment to thank the drug court staff around the state: “Without your dedication as highly trained drug court professionals, our success with drug courts would not be what it is today. Your compassion and guidance are the cornerstones to the foundation and principles of drug courts. You have made a difference by changing the way the courts, agencies, and governments address the problem of substance abuse and its devastating effects on individuals, families, businesses, and our communities.”

And the chief justice also praised the graduates for their “dedication and perseverance to complete the requirements of the drug court. As you know, choosing to participate in drug court was the more difficult path. Oftentimes the right decision is the more difficult one to choose. The importance of your commitment to stop abusing drugs cannot be understated. You are making a difference not only in your life but also the lives of your family and friends. You are making a difference in your community, state, and your country….You have made all of us so very proud, and for that I applaud you.”

He ended by reading from the Drug Court Month Proclamation he signed, in which he “recognizes practitioners and participants who make drug courts work and the significant contributions drug courts have made, and continue to make, in reducing drug usage and crime in Florida and throughout the nation” (link to the proclamation and press release).

**Miscellaneous**

**Team Wellness Challenge: A Hearty Competition for Good Health**

“Certainty? In this world nothing is certain but death and taxes,” Benjamin Franklin famously declared—the obverse being that most everything else on this great globe is precarious, fickle, and unpredictable. Especially when economic conditions are as turbulent as they’ve been these last few years, it’s easy—and normal—for people to feel overwhelmed by phenomena over which they have, or at least feel they have, little or no control....

Perhaps in part fueled by the indeterminacy that’s roiled everyone’s life lately, several hundred state employees in Tallahassee—among them, 37 court personnel with the supreme court and OSCA—began formally and attentively focusing on a few actions over which they **can** exercise some control: specifically, food and beverage intake and physical activity. Cheerleading one another in four-person teams, these determined state workers have been participating in an online, point-based wellness program called the Team Wellness Challenge—and their efforts have begun to pay off in some significant, and truly inspiring, ways. In fact, between January 1 and May 31 of this year, the 37 supreme court and OSCA employees who are participating in the Team Wellness Challenge lost a total of 308 pounds and collectively walked 12,367 miles—the equivalent of striding from Miami to San Francisco, and back, two times!
Launched in May 2010, the Team Wellness Challenge (TWC) was spearheaded by James Chapman, webmaster at Florida’s Department of Juvenile Justice (though he’s quick to point out that he actually got the idea from his wife, who’s been involved in a similar kind of endeavor through the Tallahassee law firm at which she works). Because he’s always had an interest in health and fitness generally, he became a member of his department’s Wellness Committee awhile back. Juvenile Justice has about 4,500 employees—many of whom have desk jobs or spend their days at detention or residential centers and have little opportunity for physical activity, he explained. So he designed the TWC to support his department’s commitment to helping its employees embrace a healthy lifestyle.

At first, the TWC was somewhat modest in its aspirations, Mr. Chapman acknowledged. In fact, the program wasn’t even web-based in the beginning. After identifying “the top four things people should do every day—exercise 30 minutes, hard enough to keep the heart rate up; walk 10,000 steps; eat fruits and vegetables; and drink water”—he designated a certain number of points for each component and created a point-based, team-based challenge; fellow employees interested in participating in the challenge were asked to keep track of the points they earned on paper forms.

It didn’t take long before interest in the program began catching on. And as the challenge grew in popularity—and as state employees outside of Juvenile Justice began hearing about it—Mr. Chapman, outside of work hours, developed the Team Wellness Challenge website, eventually adding more features, making it extremely user-friendly, and opening registration to other state government entities. In addition to his department, five state agencies and the supreme court/OSCA have been registered to participate in this program for months now (court employees have been on board since last October). Beginning this spring, he made the program available to all government entities—local, state, and federal—as well as small businesses. And now, individuals can sign up on their own, even if their workplace is not interested in joining.

Once registered, TWC participants are able to track, and earn points on a daily basis for, their water intake, vegetable and fruit consumption, sustained exercise sessions, stair-climbing sets, physicals and medical screenings, and health-education endeavors (i.e., attending lunch and learns; reading online articles on nutrition, exercise, sound weight-loss techniques, and the like). In addition, participants can record their work-out progress in a pedometer-steps diary, an exercise diary, and a running diary, and they can also log their daily resting heart rate and monthly weight loss. It costs nothing to register for or to participate in any aspect of the TWC. There are no contracts to sign and no annoying emails to slog through—and the website is refreshingly devoid of advertising and pop-ups.

The website also encourages participants to sign up for the Walk Across Florida initiative—a playful competition devised to encourage everyone to walk at least 10,000 steps (which works out to about four miles) a day. The goal is to walk—metaphorically, of course—the length of Florida, the 831 miles between Pensacola and Key West.

Generally, Mr. Chapman pointed out, people in supervisory positions support their employees’ participation in workplace wellness programs because everyone, both employees and employers, wins (State Courts Administrator Lisa Goodner gave OSCA employees permission to participate, and Chief Justice Canady granted permission to supreme court employees). Explained Michelle Perez, administrative assistant with OSCA’s Personnel Services and the TWC wellness coordinator for the supreme court/OSCA, “The main aim of an employee wellness program is to encourage employees to lead healthier lifestyles. Employers benefit because it is proven that when employees are healthy, they are happier and more productive. Being healthy increases concentration, energy levels, and output. Healthy employees are more likely to perform at the desired level. Increased productivity in the workplace is a by-product of the success of wellness programs. And these types of programs also significantly reduce the cost of sick leave,” she added. In addition, employees “are aware that the court is supporting their efforts to improve their health and wellbeing, and this breeds greater loyalty and responsibility.”
As wellness coordinator, Ms Perez’ role “is to organize events and direct people to resources to achieve the goal of the best mental and physical health possible.” She’s been in this role for a few months now and has “already seen the morale boost substantially within the court system.” So far, she said, 18.5 percent of the supreme court/OSCA workforce is actively participating in the program. And, by all measures, the court teams have done phenomenally well. From January through June, court teams have won top place in all three categories measured monthly: “top 10 by combined team total points,” “top 10 by combined team steps,” and “top 10 by combined team weight loss.”

“Regardless of how much money we make or how we live,” she reflected, “once our health is lost, nothing else matters. The ability to educate and inspire people to recognize the rewards of good health and work toward achieving those goals is what makes being a wellness coordinator so rewarding.” For more information about the Team Wellness Challenge, go to http://www.teamwellnesschallenge.com/. Also, Ms Perez will be happy to answer questions about the program; contact her at (850) 410-3375 or perezm@flcourts.org

Try a Green Smoothie

In a blender,
Puree a handful of spinach or kale with 1 cup water or coconut water
Add 1 banana, and blend again
Add frozen fruit (your choice) 3/4 of the way to top of blender jar
Add green tea-based fruit/veggie drink (or something comparable) to just below the top, and blend again until smooth.

Suggests James Chapman, founder of the Team Wellness Challenge and green smoothie recipe-concoctor, “Enjoy this as a great breakfast or snack during the day for an extra energy boost: it’s a great way to ‘drink’ your fruits & vegetables for the day!”

Two Resounding Success Stories

Two of the more dramatic Team Wellness Challenge success stories belong to Jackie Hallifax, deputy director of the supreme court’s Public Information Office, who lost 85 pounds as of June 30, and Gary Phillips, chief of OSCA’s Office of Personnel Services, who lost 68 pounds as of June 30. Their information is quite personal—and includes the sorts of autobiographical details that people are not usually comfortable revealing to anonymous readers. But both agreed to share their journey with the Full Court Press because they hope their narratives might serve as sources of inspiration to others. Here, in their words, are their stories.

Jackie Hallifax
The password I picked to access my Team Wellness Challenge account is “step-by-step.” And those three words are the best description of how my life has changed in the last 10 months. Even better than “85 pounds”… although those are two nice words too!

I had seriously resolved to do whatever was in my power to become healthy a few months before the TEAM Wellness Challenge came to the Supreme Court. My goal was to eat “healthy” and to exercise moderately 40 minutes five times a week. It had to be 40 minutes of moderate exercise because I couldn’t have managed 20 minutes of strenuous exercise.
For me, eating healthy meant boosting my veggie intake big time and reducing my consumption of pasta and rice and the like. I had already switched in recent years to whole grains and olive oil and black coffee. The only thing I vowed to absolutely ban was the vending machine—and I’ve got to say, that was very smart of me! I don’t think it would kill me to stop at the vending machine once in a blue moon. But I wanted to avoid a daily tug of war in my head: “Just this once!” “Go on, what’s the big deal!” and, of course, the oh-so-tempting and so-very-persuasive “You deserve a little treat!”

I lost weight, and I gained strength. At the beginning, my focus was just on losing weight, but I was quickly surprised at how good it felt to be stronger and more flexible! Of course, I also gained energy. It seems to me that all these things just make life better all the time. Whether I’m sitting, whether I’m moving, whether I’m awake, whether I’m asleep: better, better, better, better.

About four months into my new “good health” regimen, the Team Wellness Challenge came to the Supreme Court. For me, it was a no-brainer. I was already on this journey; of course I would participate. But I was surprised to find how inspiring and encouraging the program was. One of my teammates is right down the hall from me, and she is a great support. Other coworkers have also given me wonderful encouragement from the beginning. As for the Wellness Challenge—it is all about building good habits, and I believe that’s a powerful perspective—not that bad habits should be ignored! But, at least for me, the accent on the positive is essential.

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**Gary Phillips**

I first began the Team Wellness Challenge in October 2010. I lost 15 pounds that month, and then reverted to my old ways, gaining it all back plus a few over the holidays. I began again in earnest in February 2011. As of June 30, 2011, I’ve lost 68 pounds and am only 5 pounds away from my original goal.

I lost this weight by significantly altering my lifestyle after firmly committing to my goals. I decided to try a popular weight-loss program, started walking in the evenings with my wife, and began logging points on the wellness system website. With a good deal of discipline and after building some physical stamina, I worked my way back into the gym. Now I lift weights and work out on the elliptical three times per week and walk with my wife about four or five times per week. I have a modest splurge in my diet about once a week (once every two to three weeks for the first two months), limiting alcohol consumption to special occasions or social events, and then only one or two glasses of wine.

That is how I’ve done it, and this is what it has done for me—I feel I have a new lease on life. This includes being generally happier and having more self-confidence. My posture has even improved. I enjoy buying and wearing nice clothes again, and my golf game has even improved!

Weight has been a lifelong struggle for me, and I was a smoker for over 30 years. These factors were bound to put me in an early grave. After stopping smoking a little over two years ago, my weight consistently climbed up until I was unhealthy. My cholesterol, blood pressure, and blood sugar counts were high to the point that I was borderline metabolic disorder. Now those numbers are under control, and without medicine.

I’ve lost weight in the past, but always gained it back. This time I have a maintenance plan in place for after I hit my goal. I also have a different outlook on things. In this stage of my life, relationships are more important to me, as are personal and professional successes. A person’s time on earth is short, and every day counts. I didn’t feel that way 68 pounds ago.

Someone told me recently that I had inspired others to change their lifestyle. For me, there is no better feeling of accomplishment than positively influencing someone else. If I can accomplish permanent changes in my behavior that will improve my life, those of my loved ones, and help other people to achieve their goals, I will truly be a happy man.
Revised *Dependency Benchbook* is Now Online

The revised *Dependency Benchbook* is now online. Based on state-of-the-art science and child welfare knowledge, the revised benchbook identifies promising and evidence-based practices designed to support the efforts of judges and magistrates who address the safety, permanency, and well-being of children involved in Florida's court system. The benchbook is divided into four sections: Family-Centered Practice in Child Welfare; Five Federal Laws and the National Compact Dependency Judges Need to Apply; General Legal issues; and Hearing Benchcards (link to benchbook).

To introduce the new benchbook and to highlight all the changes that have been made since the 2008 edition, OSCA's Office of Court Improvement coordinated five, day-long regional trainings for dependency judges and magistrates. Scheduled between June 10 and July 1, the trainings were held in Tallahassee (with Judge Jill Walker, Second Circuit, leading the training); Jacksonville (with Judge David Gooding, Fourth Circuit); Tampa (with Judge Lynn Tepper, Sixth Circuit); Orlando (with Judge Sue Robbins, Fifth Circuit); and West Palm Beach, (with Judge Jeri Beth Cohen, Eleventh Circuit). Each judge and magistrate in attendance was asked to pick one innovative practice, as well as one hearing benchcard, to implement. This year’s Dependency Summit in September will build upon what attendees learned at the training.

American Bar Association Training on Child Safety

At the supreme court on August 18, from 8 AM – 5 PM, the American Bar Association will give a presentation on Child Safety: A Guide for Judges and Attorneys (see tab 6 of the newly revised *Dependency Benchbook*). In the past, case plan compliance was the basis for returning children to their homes; however, this workshop is founded on the premise that children should be returned to their homes when safety is achieved.

Wakulla County Judge Jill Walker, the model dependency court judge for the Second Circuit, will host the training, which is open to judges, attorneys, and stakeholders in the dependency system in the First, Second, and Fourteenth Circuits (interested parties from other circuits are invited to attend as well). People who want to participate are asked to contact OSCA Senior Attorney Kathleen Tailer at (850) 617-4007 or tailerk@flcourts.org
Florida Innocence Commission Issues Interim Report

The Florida Innocence Commission, established in July 2010 by administrative order “to conduct a comprehensive study of the causes of wrongful conviction and of measures to prevent such convictions,” issued an interim report, which focuses on the issue of eyewitness misidentification. Analyses of convictions of the innocent have shown that mistaken eyewitness identification is the single greatest cause of wrongful convictions in Florida and across the country. After studying this issue extensively, the commission offered recommendations designed to prevent the conviction of the innocent due to erroneous eyewitness identification (link to the report).

In its final report, which will be submitted to the court in June 2012, the commission will offer recommendations about other issues that contribute to wrongful convictions, e.g., false confessions, informant testimony, invalidated or improper scientific evidence, and professional responsibility and accountability.

2011 Dispute Resolution Center Conference for Mediators & Arbitrators

The Annual Dispute Resolution Center Conference for Mediators and Arbitrators will be held in Orlando from Thursday, August 25 through Saturday, August 27. Mediators will be able to earn 12.7 CME hours with a minimum of 2 hours of mediator ethics (and may be able to earn additional ethics, domestic violence education, and diversity hours, depending on the workshops selected).

The conference registration form, the brochure, and hotel information are available online at [http://www.flcourts.org/gen_public/adr/ourconf.shtml](http://www.flcourts.org/gen_public/adr/ourconf.shtml). Beth Roach, conference coordinator, will be happy to answer questions; call her at (850) 921-2910 or email her at roache@flcourts.org
Awards and Honors

Judge Lucy Chernow Brown, Fifteenth Circuit, was recently presented with the Justice Barbara Pariente Award by the Palm Beach County Florida Association for Women Lawyers; she was chosen to receive this honor for her commitment to advancing women in the legal profession through her effort, innovation, and leadership.

Retired Judge Amy Karan, Eleventh Circuit, was honored with the 2010 Payant Award for Faculty Excellence by the National Judicial College’s Faculty Council; she was selected for this award “not only for her dedication to providing the best education to our nation’s judges, but also because she commands the respect of the judicial community through her enthusiasm, her expertise and her devotion to the rule of law.”

Chief Judge J. Thomas McGrady, Sixth Circuit, was named the Florida Jurist of the Year by the American Board of Trial Advocates. He was nominated by the Tampa Bay ABOTA Chapter, which praised him for his “tireless and effective behind-the-scenes efforts to maintain a judicial system that is open to all and free from the influence of financial and political power.”

Trial Court Administrator Carol Lee Ortman, Seventeenth Circuit, was honored with the Liberty Bell Award by the Broward County Bar Association; presented annually, the Liberty Bell Award recognizes a local citizen for outstanding contributions in encouraging respect for the judicial system and the rule of law.

The First DCA recently was presented with two Davis Productivity Awards: its iDCA/eDCA Development Team was honored for developing an electronic filing and document management system, and its Clerk’s Office was honored for forming a digital document conversion team that scanned and hyperlinked millions of pages of court documents for use in the electronic document management system. (Bestowed since 1989, Davis Productivity Awards recognize and reward Florida state employees and work units whose work significantly and measurably increases productivity and promotes innovation, improving the delivery of state services and saving money for Florida taxpayers and businesses.)

Achievements

Volusia County Pretrial Services, an office of the Seventh Judicial Circuit Court Administrator’s Office, gained re-accreditation from the Florida Corrections Accreditation Commission on June 28. One of five pretrial services agencies currently accredited by the FCAC, Volusia County Pretrial Services assesses and supervises qualified defendants who are released from jail while their criminal case is pending, helping to reduce housing costs at the jail. People under the supervision of pretrial services maintain contact with court officers, comply with a variety of conditions, and attend scheduled court dates/events.

Farewell

Sharon Buckingham, a senior court operations consultant who has been with OSCA since 1998, left Tallahassee to settle in Knoxville, where her husband accepted a professorship with the University of Tennessee. Originally hired to work with the Dependency Court Improvement Program, she transitioned to the Court Services Unit in 2000, where she’s been ever since. Most recently, she served as lead staff to the Funding Methodology Committee of the Trial Court Budget Commission as well as to the two Commissions on Performance and Accountability, for which she assisted with studies that culminated in pivotal reports (e.g., on court reporting, court interpreting, mediation, self-help, and dependency/termination of parental rights). She was also instrumental in developing the plan for the Trial Court Integrated Management Solution project (TIMS). We wish her well in her next chapter...
In Memoriam


**Senior Judge Richard F. Conrad** served on the bench of the Ninth Judicial Circuit from 1985 – 2011.


If you have information about judges and court personnel who have received awards or honors for their contributions to the bench please forward it to the *Full Court Press*
July
4 – 7 Conference of County Court Judges of Florida Annual Program, Boca Raton, FL
5 – 7 Trial Court Administrators Education Program, Boca Raton, FL
11-12 Substance Abuse Mental Health Task Force Meeting, Orlando, FL
15 Court ADA Coordinators Conference Call, 12:00 – 1:00 PM
20 – 22 Court Interpreter Oral Language Exams, Palm Beach, FL
22 Universal Planning Committee Meeting of the Florida Court Education Council, Tampa, FL

August
13 Trial Court Budget Commission Meeting, Marco Island, FL
13 Judicial Administration Committee Meeting of the Florida Conference of Circuit Judges, 1:00-3:00 PM, Marco Island, FL
14 – 17 Florida Conference of Circuit Judges Annual Education Program, Marco Island, FL
25 – 27 Dispute Resolution Center Conference for Mediators & Arbitrators, Orlando, FL
29 Florida Innocence Commission Meeting, Orlando, FL

September
7 – 9 Dependency Summit, Orlando, FL
12 – 14 Florida Conference of DCA Judges, Amelia Island, FL
16 Court ADA Coordinators Conference Call, 12:00 – 1:00 PM
22 – 23 Steering Committee on Families & Children in the Court Meeting, Tallahassee, FL
26 – 27 Florida Courts Technology Commission, Orlando, FL