

A Message from Chief Justice Anstead

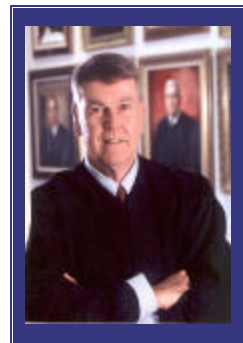
Headlines across the state are filled with concerns about court funding. Whether in the Miami Herald or the Pensacola News Journal, questions about court funding continue to echo for businesses, families, and civic leaders. We are all familiar with the maxim "if justice is delayed, justice is denied." On that dictum about the court system rests the work of the next few months. The issue is simple, if the courts do not receive adequate funding, backlogs and delays, already occurring in other states, will be inevitable.

We have repeatedly voiced our needs and concerns to the Governor, Legislature, business leaders, local governments, citizens and civic groups. However, with session beginning and less than four months until Article V, Revision 7 is implemented, much remains to be done. We must be active to seek adequate funding at both the state and the local level.

While we have questions about the fate of the courts' budget at the state level, some of our concerns were alleviated when Governor Bush released his budget recommendations on January 20. Governor Bush has recognized the need for proper funding of the Judicial Branch, and he has not recommended any reductions in current funding for the Branch. For that we are thankful.

The courts do differ, however, with the Governor on some important issues and the actual implementation of Revision 7 in 2004. When Florida voters passed Revision 7 in 1998 to shift many judicial funding responsibilities from the counties to the state, they did so with the intent of eliminating funding inequities, and funding a judicial branch in which justice is dispensed adequately and equally throughout all of Florida, even in the tax poor counties and circuits that have heretofore

(continued on back page)



Inside This Edition

The 2004 Legislative Session began on March 2nd and is scheduled to end April 30th. Governor Jeb Bush released his 2004-05 budget in January, stating "fiscal stewardship grows budget, increasing opportunity and security for Floridians."

(complete story on pages 2 & 3)

Contents

Governor Jeb Bush Releases Budget	2-3
Florida TaxWatch Recommends Higher Level of State Courts Funding	3
2004 Legislative Session	4-6
Judicial Branch Records Management Workshop Addresses Retention Issues	6
Supreme Court Recommends Judgeships	7
Chief Justice Anstead Asks New Judges to "Answer the Call"	8
Justice Barbara Pariente Speaks on Unified Family Courts	9
Conference of County Court Judges	10
Justice Barbara Pariente Visits With Local Courts	11
Finding a Mediator Only a Click Away	11
Court Interpreter Orientation and Written Exam	12
Article V Indigent Services Advisory Board Releases Recommendations	13
GAL Transfer, Executive Director Appointed	13
Diversity Workgroup	14
5th Annual Drug Court Graduation	15
Attorney and Law Firm Honored with Pro Bono Award	15
Courts Gear Up for Use of Electronic Procurement System	16
In Memory	16
Courtside Events	17

Governor Jeb Bush Releases FY 2004 - 2005 Budget Recommendations

By Brenda G. Johnson, Director of Community and Intergovernmental Relations, OSCA

When Governor Jeb Bush released his budget recommendations for fiscal year 2004-2005, the courts across the state were pleased to see no additional reductions in current funding. However, the Governor's approach to implementing the constitutional amendment known as "Revision 7" to Article V of the state Constitution did differ from that taken by the Trial Court Budget Commission. The main reason for this difference is one of philosophy. Governor Bush recommended that the state only pay what counties are currently paying for support of each circuit. The Trial Court Budget Commission developed a budget with the understanding the voters approved Revision 7 because they wanted to eliminate disparities in funding of essential court services. These court services have historically been based entirely on availability of local economic resources and not on a seamless approach to the delivery of justice across the state of Florida. The Governor's proposed bud-

get did not recognize the need for additional resources to ensure that, regardless of where they live, citizens have access to the same court services. In addition, the Governor recommended funding 40 new judges and 40 new support staff totaling \$3.7 million. This recommendation fell short of the Supreme Court's certification of need (see page 7) but would represent the first increase in two years.

In the last edition of the Full Court Press we provided an overview of the Judicial Branch Legislative Budget Request. The following charts highlight Article V, Revision 7 funding recommendations by the Governor, (chart 1) and show the differences between his recommendations and the State Courts System's Revision 7 request. In the March/April edition of the *Full Court Press* we plan to provide you an overview of the budget recommendations from the House and the Senate.

Article V, Revision 7 Funding Recommendations by Governor Bush

	FTE	
Implementation Requirements	18.5	\$ 1,588,867
Contingency Funding		\$ 5,000,000
Court Administration	241.5	\$ 16,149,901
Court Reporting	260.5	\$ 24,826,006
Court Reporting Services Paid to the Clerk		\$ 865,600
Court Interpreting	102.0	\$ 8,185,548
Expert Witness	14.0	\$ 5,943,613
Case Management	212.5	\$ 12,469,103
Master and Hearing Officers	198.0	\$ 10,885,640
Mediation and Arbitration	146.5	\$ 10,000,152
Law Clerk	12.0	\$ 696,190
Judges and Judicial Assistant		\$ 2,300,000
TOTAL Revision 7		\$ 99,090,620
Certification of New Judgeships	219.0	\$ 3,723,265
TOTAL	1,424.5	\$ 102,633,883

Chart 1

FY 2004-2005 Revision 7 Budget: Highlights of Differences

Issue	Court System's Request		Governor's Recommendations		Difference	
	FTEs	Total	FTEs	Total	FTEs	Total
EQUITY ISSUES: Funding requested by the courts to attain minimum service levels and thereby achieve more equitable funding of courts across the state.						
Court Administration	241.5	\$20,462,526	178.0	\$16,149,723	63.5	\$4,312,803
Masters & Hearing Officers	198.0	\$18,619,182	105.5	\$10,885,534	92.5	\$7,733,648
ACTUAL DOLLARS REQUIRED: Items on which the courts and the Governor differ on the dollars necessary this budget year to ensure successful implementation of the Revision 7 funding transition.						
Judge & JA Expenses (operating costs)		\$12,069,210		\$2,300,000		\$9,769,210
Technology	17.0	\$7,175,382	0.0	\$0	17.0	\$7,175,382
Total Contingency Funds*		\$11,870,308		\$5,000,000		\$6,870,308
LEGAL RESOURCES: Additional positions requested to improve the judge-to-law clerk ratio, currently paid by the state (not currently a county obligation, as are most other Revision 7 issues), which would enhance research assistance and other legal support for judges in order to expedite cases.						
Law Clerks	353.0	\$25,777,924	10.0	\$696,180	343.0	\$25,081,744

Chart 2

Florida TaxWatch Recommends Higher Level of State Courts Funding

Florida TaxWatch, an independent tax payer research institute, recently released an independent study of the court system's funding needs. The 74-page report recommended an additional \$35.6 million over Governor Jeb Bush's recommendation to adequately fund Florida's court system. The recommendations are part of a special report titled "Proper Funding of the State Courts System is Crucial to Rule of Law, Taxpayer Confidence, and a Healthy Economy." The report concludes that inadequate funding may result in justice delayed and justice denied.

To access the full report, go to the Florida TaxWatch website at www.floridatwatch.org.



2004 Legislative Session

An Important Session for the Judicial Branch of Florida

By Brenda G. Johnson, Director of Community and Intergovernmental Relations, OSCA

The 2004 Legislative Session is fast-paced and one of the most important sessions for Florida's Judicial Branch. One of the roles of the Office of the State Courts Administrator's (OSCA) Office of Community and Intergovernmental Relations is to track all legislation which may impact the judicial branch. Over the last few years we have tried to use technology to provide judges and court staff with legislative information timely without an overload of information that is not useful. This year, it is more important than ever that we have a successful communication program in place because of Revision 7 to Article V of the Constitution. The Full Court Press is only issued bi-monthly. We plan to give you a legislative session update during the March/April issue and then an end of session report in the May/June issue. We also plan to have a "Legislative Action" site available with weekly status reports on what is happening in the legislature that you can access at any time. We will provide more information about this site soon. In addition, for the status of overall legislation, please refer to the Legislature's on-line site at www.leg.state.fl.us.

The following is a very brief overview of the 2004 Session Highlights. The bill filing deadline for the Senate and House was March 2nd. In our mid-session report we will provide you with more details regarding the Legislative Session. Please call for additional information regarding any issue.

Revision 7 to Article V

The House and Senate committees are still working on necessary adjustments to legislation enacted in 2003 (HB 113A). They are address-

ing revisions or additions to cost controls and accountability measures that may be needed, and any temporary measures during the funding transition period. Members of the Trial Court Budget Commission, Conference of Circuit Judges, County Judges Conference, and the OSCA have both testified before key committees and provided information as requested by legislators and staff. We anticipate draft legislation will be available during the first two weeks of session.

2004 Legislative Budget Issues

The Courts' Legislative Budget Request continues to be discussed by legislative committees. Budget allocations to the subcommittee have not been appropriated yet by the President of the Senate or the Speaker of the House of Representatives. We expect the budget subcommittees to have a proposed recommended budget during the first three weeks of session.

Judicial Certification

SB 1688, by Senator Villalobos reflects the Supreme Court Opinion requesting a total of 88 additional judgeships. This bill has had no legislative action at this time. We understand the House will have a proposed committee bill, (PCB) for judicial certification, but have no indication of what may be recommended in the bill.

Criminal Justice Issues

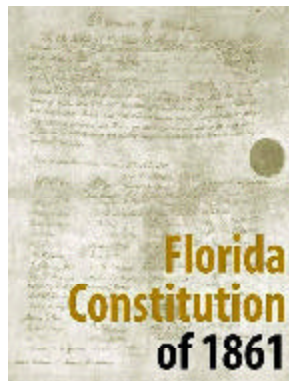
We are currently tracking over a hundred criminal justice bills. These bills address issues such as plea agreements and speedy trial rights. Oth-



ers increase, change or provide additional offense classifications, and revise penalties. OSCA staff is working with legislative staff providing information, as requested, and because of the volume of potential changes, stressing the importance of making the effective date of most criminal justice bills in October. This will ensure successful implementation by allowing the time for judges to receive legislative updates through scheduled education programs.

Constitutional Issues

The House and Senate both established a Select Committee on Constitutional Amendment Reform this year to consider whether the current amendment process should be revised. The committees are wrapping up their work and a final report will be presented to the President of the Senate and the Speaker of the House of Representatives very soon.



On March 3, the House Public Safety and Crime Prevention Committee passed HJR 1741 that would divest the Supreme Court of its authority to adopt rules of practice and procedure in the courts. In addition, many bills regarding constitutional issues have been filed and we will report on what passed at the end of session.

Family Issues

SB 586 and CS/HB 447, Family Court Efficiency CS/HB 447 was heard in House Judiciary Committee on February 3, and passed out successfully. This bill would facilitate the identification and coordination of related cases in the family court division. We

anticipate the House Committee on the Future of Florida's Families to consider it at its next meeting and Senate activity should take place during the first two weeks of session.

CS/SB 316 and CS/HB 281 - Substance Abuse/Intervention had successful first committee of reference action in both the House and Senate. This bill, supported by the Supreme Court's Task Force on Treatment Based Drug Courts, would revise five sections of the Florida Statutes to further enhance Florida's drug court system.

Bill numbers pending - Reorganization of Chapter 985, Florida Statutes (Juvenile Justice)

This proposed legislation is technical in nature, and is designed to make the juvenile delinquency statutes more "user-friendly" for all the stakeholders involved: state attorneys, public defenders, children, parents, judges, employees of the Department of Juvenile Justice, and private service providers. Senator Alex Villalobos has filed the bill with Senate bill drafting and the House has approved the bill to be a proposed committee bill out of the Juvenile Justice Committee and The Public Safety and Crime Prevention Committee.

Additionally, OSCA's Legislative Office will continue to monitor and report on a variety of bills filed on issues relating to juvenile justice, child support, teen court, protective injunctions, adoption records, and psychotropic medications.

Mediation

SB 1970 and SB 1972 (Pending PCB in the House) "Florida Mediation Confidentiality and Privilege Act" The Supreme Court Committee on Alternative Dispute Resolution Rules and Policy recommended this legislation to provide uniformity and predictability regarding which mediation communications will be confidential.

SB 1972 is a public-records requirement for documents produced during mediation proceedings.

Personnel

OSCA is currently tracking over thirty personnel bills. Many of these bills relate to retirement. Others relate to per diem and travel expenses, health insurance, and employee screening criteria. Personnel issues change frequently during session and are often not decided until the final days.

Public Records

A number of public records bills have been filed and we will report on these at the end of session.

Probate/Guardianship

SB 700 and HB 463, Mental Health.

This legislation, if passed, will significantly alter proceedings under “The Baker Act” and redefine some of its terms. It also amends provisions regarding guardian advocates. Senate Bill 700 was amended and passed out of the Senate Children and Families Committee on February 18. We will continue to work on this legislation and report on any amendments adopted during session.

SB 1782, Guardianship. Provides for the “Joining for Public Guardianship Act” and establishes a grant program under the administration of the Statewide Public Guardianship Office.

Traffic

The OSCA is currently tracking over 40 traffic bills that relate to changes in DUI, high-speed motor vehicle pursuits, drivers licenses, and Florida’s Safety Belt Law. This will be a very active topic area this session.

Judicial Branch Records Management Workgroup

By Laura Rush, General Counsel, OSCA

A newly-established Judicial Branch Records Management Workgroup will address records retention issues in the trial and appellate courts. The five-member group is charged with developing uniform procedures for adding record categories to the retention schedule; notifying trial and appellate clerks of court and other court personnel about changes to the retention schedule; creating a protocol including training of trial and appellate clerks of court and court personnel to ensure that record categories are interpreted consistently and uniformly in all state courts; defining responsibilities of a branch records management liaison officer within the Office of the State Courts Administrator (OSCA) and the responsibilities of records management liaison officers within the trial and appellate courts; and recommending rule changes needed to effect retention schedule requirements. The workgroup will advise the Chief Justice and Supreme Court, the OSCA, and state trial and appellate courts about records management, retention, and destruction issues.

The following five members were appointed to the workgroup, which will expire on December 31, 2005:

The Honorable Robert K. Rouse, Circuit Judge, Seventh Judicial Circuit; Tom Long, Records Management Officer with the OSCA; Lynn Rawls, Government Operations Consultant, Bureau of Archives and Records Management, Department of State; Thomas McKendree, Records Management Liaison Officer, Second Judicial Circuit; and Mary Cay Blanks, Clerk, Third District Court of Appeal.

Supreme Court Recommends Judgeships; Certification Opinion Released

By Frank Funderburk, Senior Court Analyst, OSCA

The Supreme Court of Florida released its certification opinion for 2004, IN RE: CERTIFICATION OF NEED FOR ADDITIONAL JUDGES, on December 18, 2003, fulfilling its annual constitutional obligation to provide the Legislature with a certification of need for additional judgeships. The opinion acknowledges the historically positive role the Legislature has played in ensuring the adequate funding of the judicial branch. The Supreme Court cautions, however, that this is a critical time for the Third Branch of government, in light of the pending unification of its funding system pursuant to Revision 7, to Article V of the Florida Constitution.

In certifying the need for four (4) new district court of appeal judges, fifty-one (51) circuit court judges and thirty-three (33) county court judges, the Supreme Court recognizes the efforts of chief judges throughout the state in implementing cost-effective alternatives, where possible, to reduce the growing workload burden facing Florida's trial and district court judges. The Supreme Court specifically notes the critical role of judicial support staff and supplemental resources in ensuring the most efficient use of judicial time. The opinion emphasizes the need for continuous funding of these and other critical judicial services, citing the recent experiences of other states forced to curtail services in response to budget shortfalls.

The Supreme Court notes that it continues to rely upon its weighted caseload system, developed in 1999 in response to a legislative mandate, when addressing the methodology used to identify judicial need for both trial and district courts. The statistically rigorous methodology effectively translates judicial caseload into judicial workload, by assigning case weights, in minutes, to the various case types established for all divisions of court.

In justifying its recommendations to the Legislature, the Supreme Court attributes the relatively high judicial need to two primary factors: (1) the absence of funding for previously certified judgeships, and (2) continuing increases in judicial caseloads statewide. The Supreme Court identifies a number of criteria driving the caseload increases, notably population growth, changing demographics, and an overall reduction in supplemental court resources according to last year's budget cuts.

The opinion also notes a recent change in the workload criteria used to assess the need for district court judges. In response to recommendations from the District Courts of Appeal Performance and Accountability Commission (DCAP&A), the Supreme Court has adopted a new workload standard for district court judges, increasing the current standard from 250 case filings per judge to 350 filings per judge. This increase is possible due in part to improvements in case processing times through the use of senior judges, enhanced information technology and case management systems, and the expanded use of staff attorneys. This is one of many steps taken by the judiciary to ensure the most efficient use of its resources.

The Supreme Court has made a case for funding its 2004 judicial certification. The Branch now awaits legislative action to see whether the judgeships requested will be fully or partially funded.

Senator Alex Villalobos filed legislation (SB 1688) that calls for implementing the certification order. This bill can be found at <http://www.flsenate.gov/data/session/2004/Senate/bills/billtext/pdf/s1688.pdf>.

Chief Justice Anstead Addresses New Judges - Asks All Florida Jurists to “Answer the Call” to Advocate for Court Funding

By Blan Teagle, Deputy State Courts Administrator, OSCA

Showing support for the Florida Judicial College, Chief Justice Harry Lee Anstead, accompanied by Justices Quince, Cantero, and Bell, attended the opening day luncheon session of the College on Monday, January 5. In an address to the twenty-five newly appointed judges in Tallahassee for a week of rigorous trial skills instruction and orientation, Justice Anstead welcomed the new members of the court family and praised them, as well as the deans, faculty and staff for their intense commitment to the highest educational standards. Justice Anstead said that in prior years he might simply have emphasized the importance of continuing education and would have encouraged judges to learn all they could about their adjudicative responsibilities. He explained that this year, in light of Revision 7, to Article V of the Florida Constitution, embraced by the electorate in 1998, he has to call on them, and on all Florida judges, to do even more. The reason, he shared, is that this constitutional amendment, designed to shift most of the cost for funding the judicial branch from counties to the state, is scheduled for full implementation on July 1, and the stakes are higher than they have ever been if Florida's courts are to continue to be viewed as among the very best nationwide.

Justice Anstead told the attentive group that he became involved in the judicial system in the 1960's during the Kennedy Administration and in his more than 40 years working as an attorney and as a judge, he has never seen a potential threat like the one that exists with the shift to state funding under Revision 7. The intent behind the shift required by the amendment was to ensure that justice is equally dispensed regardless of geography, local tax base, or millage caps, and to guarantee that rich and poor counties alike receive the same quality of essential court services. As Justice Anstead explained it, however, even if the transition is fully funded during the 2004 legislative session, this does not mean that the need for local funding

goes completely away. Despite the worthy aim of Revision 7, even under the best scenario, there will still be a need to support some critical court functions at the local level. And it will take judges speaking in a unified voice statewide and locally to get that message across and make it clear to their community leaders and elected officials just how much they and their constituents benefit by the continuation of a strong judicial branch.

Invoking the judicial oath of office, Justice Anstead reminded the audience, “As part of your oath, you pledged to maintain the quality of justice that now exists.... Every judge's primary responsibility is to maintain and improve the justice system.” Specifically, he said he needs help in the form of advocacy with local legislative delegations, community and business leaders, and county commissions. It is incumbent on all Florida judges, said the Chief Justice, to do what they can in their own communities to educate and inform government officials and citizens about what it will take to sustain and improve the legal system and the administration of justice. That means doing more than he would have asked of a new judicial college class in the past; it means more than handling dockets competently, expeditiously, and with dignity and respect for the judicial office. It requires “answering the call” to accept responsibility for the whole of Florida's justice system.

Justice Anstead closed with an analogy to the image of the storied “long gray line” at West Point, saying that between now and the end of the legislative session he is asking for a “long line of black robed judges in Florida” including those assembled as students at the College, who are ready to do their part to champion funding for the whole branch. “That robe,” said Justice Anstead, “is a privileged mantle of responsibility.”

Justice Pariente Speaks on Unified Family Courts Concept as Sound Case Management

By Blan Teagle, Deputy State Courts Administrator, OSCA

Speaking to 25 newly appointed judges who were attending Phase I of the Florida Judicial College in Tallahassee on January 6, Justice Barbara Pariente, Chair of the Supreme Court Committee on Families and Children in the Courts (FCC), spoke eloquently about why there is a move to unified family courts.

While her audience included those newest to the bench, her message was meant for all judges and court staff. Justice Pariente said that the bottom line is the number of family related cases requiring a holistic approach. She was well equipped with research data to support the assertion that a unified family courts approach that does not stove-pipe domestic relations, domestic violence, juvenile dependency, and juvenile delinquency into separate divisions of court results in justice that is both effective and efficient for Florida's families.

Emphasizing the volume of cases, Justice Pariente said that in the year 2000, family related cases accounted for 44% of trial court civil caseloads. Focusing on domestic violence alone, Justice Pariente pointed to statistics showing a 96.2% increase in injunction filings between 1992 and 2002.

Justice Pariente emphasized that the driving force behind the initiative is the fact that "minimizing conflict will maximize efficiency." Citing assistance judicial education and the Court's website can provide, she reminded recent judicial appointees that the 2001 Supreme Court Opinion and the Unified Family Court Tool Kit are available at www.flcourts.org.

In a Revision 7 context, Pariente zeroed in on data demonstrating that what works for families is also efficient for courts and can improve not only outcomes for people, but

expedite those outcomes, resulting in faster closure rates for a variety of cases. Unified Family Courts are a Court Improvement initiative, because we have to pursue standards of excellence that address our citizens' legal needs and we have to be accountable for efficient administration at the same time. The FCC approach offers a chance to partner excellence and accountability and guarantee justice for all Floridians.



New judges take a break from training for a group photograph

Florida Conference of County Court Judges

By Susan Morley, Senior Attorney, OSCA

The Conference of County Court Judges of Florida held its Annual Education Program on January 13 -15, where approximately 180 county judges attended. The agenda featured a combination of general course offerings and specific Civil and Criminal tracks developed by the Conference's Education Committee and its Chair, Judge Karl Grube. The Education Program kicked off the conference with a Legislative Update, presented by **Senator Rod Smith** (Chair, Senate Appropriations Subcommittee on Article V Implementation and Judiciary) and **Representative Holly Benson** (Chair, House Select Committee on Article V), along with co-panelists, Judge C. Jeffery Arnold, Judge Tim Harley, and Judge Shelley Kravitz. Issues discussed included court funding and the Revision 7 "glitch" legislation to be offered during the coming legislative session, the Governor's budget proposal, and the probability that funding will be provided for additional judgeships this year. Subsequent course offerings included "The Judge as Fact-finder and Decision Maker" (Judge Michael Raiden), "Video Technology and the Courts" (Judge Nelson Bailey, Assistant State Attorney Mark Lewis, and Rex Dimmig, Administration Division Director, Public Defender, Bartow), and a session on recognizing and reporting the Unlicensed Practice of Law, presented by Judge Louis Schiff.

The second day of the conference began with a presentation to all judges on Judicial Immunity, offered by Dee Beranek, former Deputy State Courts Administrator; Laura Rush, OSCA's General Counsel; and Greg Smith, Senior Attorney, OSCA. They were followed by a session on the Psychology of Stalking, presented by Dr. Sherrie Bourg-Carter and Dr. Michael Brannon. Program participants then moved outdoors for a luncheon presentation by Chief Justice Anstead and Judge Jeffrey Colbath on Ethics: Beyond Canon 7 (although pursuant

to his continuing commitment, the Chief Justice also addressed Revision 7 issues). The remainder of the afternoon was spent in two tracks, during which Civil Judges heard presentations on Replevin and Break Orders (Judge Peter Evans and Judge Doug Henderson), and Fair Debt Collection Practices (Attorney Mark Tischhauser), while Criminal Judges attended a Criminal Law Update by Judge David Demers and a session on the use of the DMV's new Interlock Device (Peter Stoumbelis).

On the last day of the conference, the judges convened to discuss the Service members Civil Relief Act (new Federal legislation passed in November 2003 amending the previous Soldier's and Sailor's Relief Act), by Judge Augustus Aikens and Captain Kevin Flood, JAGC. A panel discussion titled "Judging the Judge: Views from the Other Side" followed, with a panel including Nancy Daniels (President, Statewide Association of Public Defenders), Lynn Drysdale (Jacksonville Legal Aid attorney), Brad King (State Attorney, Ocala), John Rivera (President, Dade County Police Benevolent Association) and Paul Pinkham, (Legal Affairs Reporter, The Florida Times Union). Judge Sheldon Schwartz served as moderator for the session, encouraging both panelists and attending judges to engage in a frank discussion of areas of concern. The Education conference closed with a presentation by Judge Phyllis Kotey on Ethics and Elections.

The next Conference of County Court Judges will be held on July 14 - 16, 2004.

Justice Pariente Visits with Local Courts

By Christopher Hill, Court Operation Consultant and Aaron Gerson, Court Analyst, OSCA

On January 23, 2004, Justice Barbara J. Pariente visited the Fourteenth Judicial Circuit to observe and learn more about the circuit's approach to handling cases involving families and children. This was Justice Pariente's eighth circuit site visit as part of her efforts to promote the implementation of unified family courts throughout the state. The site visit, which was hosted by Chief Judge Judy M. Pittman and Court Administrator Jennifer Dyer Wells, included a tour of the new Bay County Juvenile Justice Courthouse, and a luncheon at which Justice Pariente met with judges from the six counties that make up the Fourteenth Judicial Circuit.

One theme that emerged from the site visit was the importance of building strong community connections, especially when financial resources are scarce. As one example, local attorneys volunteer their time on the first Saturday of each month to assist pro se litigants who are involved in complex family law litigation and can not afford an attorney. This program, which is known as the First Saturday Legal Clinic, was jointly developed by the Bay County Self-Help Program and Northwest Florida Legal Aid, Inc, and it is one of the ways the Fourteenth Judicial Circuit is meeting the needs of families and children in the court system.

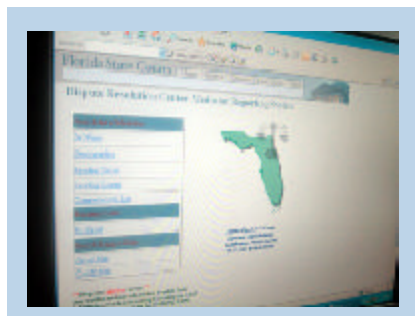
Justice Pariente returns from each of these visits with a renewed appreciation for the great strides circuits are making in improving their family courts. The Office of Court Improvement uses the knowledge gained from these site visits to develop and disseminate best practice publications, such as *Florida's Family Court Tool Kit: Volume I*, with the goal that other circuits will replicate these practices and reap the improvements.

Finding a Mediator is Now Only a Click Away

By Sharon Press, Court Program Manager, OSCA

As of mid-December, anyone can access and search the complete list of Florida Supreme Court Certified Mediators through the Court's website. The new "*Find a Certified Mediator*" link, not only allows the trial courts to run their rotation lists, but also enables individuals who have been referred to mediation to run a list of certified mediators who meet criteria based on circuit or county residence, type of certification, or demographic information which was self-reported on a mediator's initial application for certification. This information is "up-to-the-minute" accurate. As soon as information is added or deleted in Tallahassee, it is available on the website. For the trial courts, this means as soon as a new mediator is certified or lapses from certification, you will be able to see the mediator's status and there will be no more waiting for the rotation lists to be sent to you by the Dispute Resolution Center (DRC).

To search for the status of a certified mediator, first go to the Court's website at <http://www.flcourts.org>. From the side menu, click on Judicial Administration and then Alternative Dispute Resolution (ADR) for the ADR Index Page. Click on the Find a Certified Mediator link and the Main Menu page will open, providing access to the DRC Mediator Reporting System.



Front page of the new "Find a Certified Mediator" webiste

Court Interpreter Training and Testing

By Lisa Bell, Court Operations Consultant, OSCA & Craig Waters, Public Information Director, Florida Supreme Court

Can you imagine how frightened and overwhelmed you would be to find yourself facing a judge in a foreign country where you cannot speak the language? Your fate rests in the hands of the judge, but you cannot understand her. And she cannot understand you. That is a stark reality for thousands of non-English speaking persons living in Florida.

To lessen this problem, the State Courts System now offers training and testing of foreign language court interpreters. The training consists of a two-day orientation workshop, and testing includes both a written and oral examination. Sessions already have been held recently in Fort Myers, Ft. Lauderdale, Tampa, and Panama City. More sessions will be added in Fiscal Year 2004/2005.

Regarding the training, interested participants first attend a two-day workshop where emphasis is given to educating interpreter candidates or practicing interpreters. The orientation includes information about:

- what is expected of them when working in the State Courts System of Florida;
- how they can improve their language proficiency;
- what techniques they can use to develop the specific skills required for interpreting; and
- where they can go to receive professional skills training in more formal, longer-term educational settings.

After attending the workshop, candidates may take a written examination which tests one's English proficiency, knowledge of legal terminology and courtroom structure, and understanding of ethics and professional conduct related issues. Following completion of the written exam, successful candidates may register for oral proficiency testing in Spanish, Haitian Cre-

ole, Russian, Vietnamese, Korean, Polish, Arabic, Mandarin, Cantonese, Laotian, and Hmong. Test development in other languages is anticipated and will be offered when available.

The testing and training of interpreters is of special importance to Florida as the increased number of Non-English or limited-English speaking persons in our state has turned language barriers into a growing problem for the courts. Judges are aware that interpreters must be recruited and trained to work in the courtroom environment, but are often faced with the risk of appointing an interpreter whose qualifications are insufficient to effectively represent the interests of Non-English speaking persons.

The training and testing sponsored by the Office of the State Courts Administrator (OSCA) is an excellent judicial support mechanism since judges, who are not fluent in the language to be interpreted, may not be in a position to assess the interpreter's language fluency and interpreting skills. Quality service is enhanced as a result of the testing and workshops offered by the current Court Interpreter Program within OSCA. Moreover, those who successfully complete the entire program are eligible to be listed on the State Courts' Registry of Tested Interpreters, which serves as an on-line locator system for qualified interpreter resources, and qualified interpreters are paid for their work.

The OSCA encourages judges and staff in our courts to refer potential candidates to this program so we can increase the pool of qualified interpreters. Registration materials and additional information are available on the Web at: <http://www.flcourts.org/osca/divisions/interpret/index.html>. For further information please contact Lisa Bell at (850) 922-5107, or Suncom 292-5107.

Article V Indigent Services Advisory Board Sends Recommendations to the Legislature

By Jennifer Hirst, Communications Coordinator
OSCA

When the Florida Legislature passed House Bill 113-A during last year's special session, it created the Article V Indigent Services Advisory Board under section 29.014, Florida Statutes. The Board, staffed by the Justice Administrative Commission (as required by the statute), consists of twelve members appointed for four year terms that began July 1, 2003.

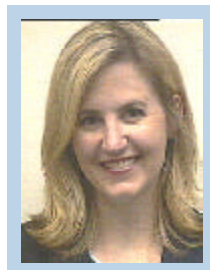
The Board advises the Legislature on cost containment strategies and policies and qualification and compensation standards governing the expenditure of state appropriated due process services for indigents provided through the courts, state attorneys, public defenders, and private court-appointed counsel. These services include, but are not limited to, court-appointed counsel, court reporters and transcription services, court interpreters, and expert witnesses.

Over the past six months, the Board has held several meetings and reviewed numerous documents submitted by stakeholders and agencies within the judicial branch. In doing so, the Board has approved its recommendations that include qualifications for those providing due process services, adjustments to existing compensation standards for service providers, cost containment policies and strategies, and uniform standards to be applied by the Public Defender and the court in making conflict of interest determinations. The Board has submitted its recommendations to the Legislature and will continue to amend any initial recommendations requiring modification. To review the entire executive summary, including the recommendations, visit the State Courts intranet website under "What's New" at <http://intranet.flcourts.org/>.

Guardian ad Litem Transition

For over twenty years, the Florida Guardian ad Litem (GAL) Program has been housed in the judicial branch. In 2003, the Legislature transferred the Program to provide a statewide infrastructure to increase functioning and standardization among the local programs. To accomplish this, on January 1, 2004, the GAL Program was transferred to a newly created Statewide Guardian ad Litem Office, administratively housed within the Justice Administrative Commission (JAC). The state office will provide supervision and direction to the local GAL programs.

On December 5, 2003, Governor Jeb Bush announced the appointment of Angela H. Orkin as Executive Director of the newly created Statewide GAL office. Prior to her appointment by Governor Bush, Ms. Orkin was a Senior Attorney at the Office of the State Courts Administrator and served as the leader of the GAL transition team. Prior to joining OSCA, Ms. Orkin served in the Attorney General's Office and also previously worked for KidsVoice, a legal aid program for children in Pittsburgh, Pennsylvania.



For further information on the Statewide Guardian ad Litem Office, Ms. Orkin can be reached at:

Phone: 850.922.7213

Fax: 850.922.7211

E-mail: angelaorkin@gal.fl.gov

OSCA Diversity Work Group Steadfastly Committed to Its Charge

By Greg Cowan, Court Operations Consultant, OSCA

The OSCA Diversity Work Group continues to provide recommendations to the State Courts Administrator on improving diversity and morale within the Office of the State Courts Administrator.

The Work Group continues to pursue the four tasks with which it was originally charged. These tasks are:

1. Review and propose strategies to improve minority representation among OSCA staff;
2. Develop and coordinate staff training on diversity;
3. Propose strategies to improve internal communications and employee relations; and
4. Recommend other diversity and cultural matters that may need to be addressed by the OSCA.

In addition to these tasks, the Work Group has been asked on occasion to provide recommendations to the State Courts Administrator on other more specific issues, such as recommendations recently adopted by Lisa Goodner on an improved OSCA dress code. The membership on the Work Group is made up of a cross section of OSCA employees representing each of the sections within the OSCA; representing support, professional, technical, and administrative staff; and representing the ethnic, racial, and gender diversity within the OSCA.

Since its inception, the Work Group has aggressively pursued the completion of its charge. An all-inclusive list of the Work Group's accomplishments to date is simply too extensive to include here. However, highlights from this list are:

1. Developing an OSCA employee directory with staff photos;

2. Organizing two building-wide holiday socials as well as other onsite and offsite events;
3. Establishing an OSCA awards program;
4. Establishing monthly brown bag luncheons;
5. Developing principles regarding employment;
6. Participating in the Tallahassee race relations conference;
7. Proposing changes to OPS hiring practices; and
8. Increasing awareness and reflection on diversity issues.

For all that has been completed, there is a certain pride in accomplishment among the members of the Work Group. Nevertheless, there is also recognition that difficult issues still remain to be addressed, and along with this recognition exists a steadfast commitment to the principles and actions necessary to achieve a more diverse OSCA. For more information contact Sharon Press at (850) 921-2910.



5th Annual Statewide Drug Court Graduation On The Way

By Jennifer Grandal, Senior Court Analyst, OSCA

For the past four years, Florida has celebrated National Drug Court Month in May by hosting a statewide drug court graduation . This year's statewide graduation will be hosted by Polk County (Bartow, Florida) in the Tenth Judicial Circuit and will take place on Friday, May 14, 2004 at 2:00 p.m. EST. Simultaneous graduation ceremonies will occur with those participating drug court programs who will first view the opening ceremony live through the Court's video-conferencing technology. It is anticipated that Governor Jeb Bush and Justice Barbara Pariente will participate again this year.

The OSCA encourages all drug court programs both to participate in this statewide event, and to celebrate National Drug Court Month in some other fashion. This is always an excellent opportunity for drug courts to showcase their programs and to gain exposure locally and statewide. Approximately 10,000 participants graduate each year from drug court! If you would like additional information on this upcoming event, please contact Jennifer Grandal in the OSCA at (850) 922-5101 or grandalj@flcourts.org.

Tampa Lawyer Edward M. Waller & Miami's Kozyak Tropin & Throckmorton, P.A., Law Firm Receive Top Pro Bono Awards

By Craig Waters, Public Information Director, Florida Supreme Court



In courtroom ceremonies on January 29, Chief Justice Harry Lee Anstead awarded the state's top legal public service honor—the Tobias Simon Pro Bono Service Award—to an attorney active in the state and national professionalism movement, Edward M. Waller of Tampa. Justice Anstead also honored the Miami law firm of Kozyak Tropin & Throckmorton, P.A., for its work in providing legal services to those who otherwise could not afford them.

With 36 years' experience practicing law, Waller received his award not only for contributing hundreds of hours of legal work to pro bono clients, but also for helping obtain funding for the Tampa Bay Area Legal Services organization. Waller also is a member of the Florida Supreme Courts Commission on Professionalism and Chair of the American Bar Association Standing Committee on Professionalism.

Kozyak Tropin & Throckmorton, P.A., received the Law Firm Award for its continuing commitment to pro bono work. For many years the firm has encouraged its attorneys to donate 20 hours of their time annually to pro bono work, for which they receive credit toward billing requirements. This has resulted in thousands of hours of time spent helping the underprivileged of South Florida with their legal needs.



(Photo courtesy of The Florida Bar)

Members of the firm also have provided legal services and sought financial support for programs to provide pro bono bankruptcy services in South Florida. The Chief Justice's Law Firm award is not awarded annually, but only when a truly deserving firm achieves the honor.

Courts Gear Up for Use of Electronic Procurement System

By Tom Long, Chief of General Services, OSCA

MyFloridaMarketPlace, a new web-based procurement system, will soon be the primary purchasing tool for the Judicial Branch. The MyFloridaMarketPlace system combines the use of Internet technology with procurement best practices to streamline the purchasing process and reduce costs. This system will replace the current non-automated Judicial Branch purchasing process.



Many people have asked, what are the advantages of using MyFloridaMarketPlace? There are several benefits over the Branch's current procurement process. To begin with the system will have *state-of-the-art tools* that will permit users to conduct activities such as access to on-line catalogs, on-line quoting and sourcing, automated workflow and on-line approvals and receiving. The system allows for *leveraging the state's purchasing power* with the potential of reducing the cost of goods and services. Using this system will allow its users to have *improved reporting* because it has the ability to generate detailed reports and track contract compliance at both a Court and Branch level of detail. And, as with most systems that turn primarily "paperless", the system will be *fast and have more accurate ordering* from the time a buyer enters a purchase request into the system until the time the invoice is paid. The entire process is one seamless transaction, reducing the risk of errors caused by duplicate entry.

As we continue preparing for the MyFloridaMarketPlace implementation, in the next few months, each court will be requested to designate one person to serve as the primary trainer for the purchasing process within a particular court. A "Train-the-Trainers" session will take place in June, 2004, to educate participants on the capabilities and various components of the system. Each court will be able to customize the purchasing procurement process to conform with the various policies and preferences within a particular court. We anticipate "going live" this August, with full, branch-wide implementation of the MyFloridaMarketPlace by September 1. For more information on MyFloridaMarketPlace visit the website found at <http://marketplace.myflorida.com>.

In Memory of our Friends Who Served the Courts

Retired Judge Marvin U. Mounts, Jr., one of the state's longest serving judges died on January 3, at age 71. Judge Mounts began his career 44 years ago as a county prosecutor and spent 30 years on the bench. He made significant contributions to the court system including hiring the first black, female, Hispanic, and Jewish prosecutors.

All who knew Judge Mounts have no doubt that had there not been a state law preventing judges to seek re-election after the age 70, he would have still been working on the bench, proudly serving Florida's courts.

(continued from front page)

not been able to provide modern court services and innovations.

Governor Bush has suggested that in 2004 the state pay only for what the counties are currently paying, regardless of the fact that courts in many Florida communities have been chronically underfunded by the counties. This underfunding, and the two class system of justice that has resulted was the major target of Revision 7's provision for uniform state funding of court services. Our goal this session is to ask the Legislature to find the resources to ensure the quality of existing courts services are adequate for all Floridians wherever they reside in Florida as of July 1, 2004, and to insure that services improve in communities that were too tax poor to provide them in the past. This is the mandate of Revision 7.

Florida's courts are modern, efficient, and effective, working with fewer judges per capita than other courts across the United States. Our ability to serve Florida's citizens well is due in large part to the skills, talents and devotion of the judiciary and court staff. When people start talking about our achievements, I always think of the actual people in the judicial branch and the role each person plays in serving the justice system of this great state. You are all very much deserving and appreciated for your passion and commitment.

I hope every one of you will join me over the next few months as we all speak to the need for the citizens of Florida to have ready access to their courts system to assist them in the countless ways our courts touch their lives. Good things happen when people work together for a noble and common purpose.

Sincerely,

Harry Lee Anstead

MARCH 2004

2 Florida Legislature Convenes, Tallahassee
7 - 12 Florida Judicial College, Phase II, Tallahassee
18 - 19 Supreme Court Committee on ADR Rules and Policy
Meeting, Orlando

APRIL 2004

9 Good Friday Holiday - Court Closed
18 - 22 Justice Teaching Institute, Supreme Court, Tallahassee
30 Last Day of Session

Courtside Events

Harry Lee Anstead, Chief Justice
Lisa Goodner, State Courts Administrator
Jennifer Hirst, Art Director & Editor

Office of the State Courts Administrator
500 South Duval Street
Tallahassee, Florida 32399-1900
(850) 922-5081
www.flcourts.org