Two years ago the citizens of Florida went to the voting booth and amended our State Constitution to provide that the bulk of the State Courts System’s operating costs will shift from county to state funding responsibility. The constitutional language mandates the transition to state funding be completed by July 1, 2004. During the last two years the Judicial Branch has worked diligently to plan for this transition and has followed a guiding principle that this process should take place in a way that minimizes the disruption and harm to the day-to-day operations of the trial courts and other justice system stakeholders.

Establishment and Subsequent Recommendations of the Article V Funding Steering Committee

In January 1999, then Chief Justice Major Harding created the Article V Funding Steering Committee to guide the judicial branch through the first stages of the transition to state funding. The Steering Committee, chaired by Judge Susan Schaeffer, made numerous policy recommendations to judicial leadership on the direction the courts, and ultimately the legislature, should proceed in its transition to state funding. Many of the Steering Committee’s recommendations were adopted by the 2000 Legislature and incorporated into a new chapter of law, Chapter 29, Florida Statutes, entitled “Court System Funding.” This steering committee, having completed its task of providing initial direction to the courts on the transition of Revision 7, conducted its final meeting on September 20, 2000.

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Revision 7 from page 1

Establishment of the Trial Court Funding Policy Section

In order to assure that adequate court staff resources are available to support the Revision 7 transition, State Courts Administrator Ken Palmer established the Trial Court Funding Policy Section in December 1999. John Dew, then Director of Communication and Legislative Relations with the Office of the State Courts Administrator, was named Chief of the newly established section. The Section now employs four staff who provide information about Revision 7 to interested individuals, address policies related to the transition, gather data from the 20 circuits concerning county funding of programs and staff, and provide staff support to the various court committees working on the transition. Information on Revision 7 transition is updated regularly on the court system’s web site, www.flcourts.org under Judicial Administration.

Costs Inventory-The Projected Expense of Revision 7

The Article V Funding Steering Committee conducted a survey of all 20 circuits in Spring 1999. The survey captured expense data on court activities funded by the 67 counties during their 1997-98 fiscal year. From this survey the Committee was able to project that the costs for providing those activities that are part of the “courts proper,” and which are currently paid for by the counties, will be between $175 - $200 million dollars, annually. The term “courts proper” does not include costs associated with the offices of the state attorneys, public defenders, court appointed counsel, or the clerks of the court.

Based on numbers from the 1999 survey, the Judicial Branch included in its Fiscal Year 2001/2002 Legislative Budget Request a request for $109 million for “phase one” of the Revision 7 transition. However, in order to get more recent data, an additional costs inventory for county fiscal year 1999-2000 is being conducted. The numbers from that survey will be used to amend the Legislative Budget Request to assure that the most accurate information available is provided to the legislature.

Chief Justice Visits the Circuits

Chief Justice Wells, noting the significant ramifications of Revision 7 to the trial courts of Florida, has taken to the road with a message for all trial court judges and staff. To date, he has visited 15 of the 20 judicial circuits. Justice Wells is meeting not only with the circuits’ chief judge, administrative judges, and trial court administrator to learn about the particular issues facing that circuit, but also with all the judges and interested staff to provide them with an educational presentation on Revision 7. “I have found the site visits to be extremely helpful to me in understanding the complexities we face in implementing Revision 7 across 20 circuits and 67 counties. I hope that the judges we have spoken with have come away from our meetings with a better feel for the impact of Revision 7 on their day-to-day courtroom activities,” commented Chief Justice Wells.

Communication with Constituencies

Revision 7 also impacts a variety of the court system’s constituencies. To ensure such constituencies are up-to-date on decisions and recommendations of the Article V Funding Steering Committee and also recommendations from the legislature, staff from the Trial Court Funding Policy Section has attended meetings of these groups. For example, section staff recently provided presentations on Revision 7 at the conferences of the Court Reporters Association, Law Librarians Association, and Judicial Assistants Association. In addition, staff provided presentations at recent Guardian ad Litem Directors and the Family Court Steering Committee meetings.

Establishment of the Trial Court Budget Commission

The Supreme Court established the Trial Court Budget Commission, effective December 1, 2000, through new Florida Rule of Judicial Administration 2.053. The 21 member Commission is responsible for developing and overseeing the administration of trial court budgets in a manner that ensures equity and fairness in state funding among the 20 circuits. (For a copy of the Supreme Court’s opinion adopting the rule, visit the Article V/Revision 7 web site at www.flcourts.org.)

Chief Justice Wells made appointments to the Commission in November 2000. All 20 circuits are represented on the Commission. The Commission’s first meeting took place in Tallahassee on December 11-12, 2000 and the second is scheduled for January 22-23, 2001.

Revision 7 Completion Date

According to the Florida Constitution, the transition to state funding is to be fully effectuated by July 1, 2004. However, Section 29.003, Florida Statutes sets forth a phase-in schedule that requires the legislature to review the State Courts System's budget and programs during fiscal year 2000/2001 and 2001/2002, to determine “those elements appropriate to receive
state funding and, based on the availability of accurate data, determine the most appropriate means for funding such elements and provide direction regarding budgeting for the state courts system.” While the Judicial Branch can be proud of its accomplishments in the Revision 7 transition over the last two years, it still has numerous and significant policy issues to address. The Trial Court Budget Commission will be the lead judicial branch entity during this transition and beyond, in developing policy recommendations regarding trial court funding. Looking back over the past two years, while keeping an eye on the final deadline less than four years away, reminds us of the challenge we all have in following the guiding principle of “minimizing the disruption and harm to the day-to-day operations of the trial courts and other justice system stakeholders.”

John D. Dew is the Chief of Trial Court Funding Policy Section for the OSCA. For additional information on Revision 7 transition, he can be contacted via voice mail at (850) 488-8414 or e-mail at dewj@flcourts.org.

The Trial Court Budget Commission

Judge Susan F. Schaeffer, Chair
Judge Don F. Briggs, Vice-Chair
Judge Stan R. Morris
Judge Charles A. Francis
Judge Belvin Perry, Jr.
Judge Joseph P. Farina
Mike Bridenback, Administrator
Theresa Westerfield, Administrator
Judge Paul S. Bryan
Judge Kim C. Hammond
Judge Judy M. Pittman
Wayne Peacock, Administrator
Carol Lee Ortman, Administrator
Mark VanBever, Administrator
Judge Donald R. Moran, Jr.
Judge Randall G. McDonald
Judge Lee E. Haworth
Judge Paul B. Kanarek
Judge Nancy Perez
Ruben Carrerou, Administrator
Doug Wilkinson, Administrator

Ballot Referendum - Selection of Judges

Florida citizens in all 67 counties rejected the option of selecting trial judges through a merit selection/retention process and voted to maintain a nonpartisan election system for filling circuit and county judgeships.
New Faces Join the Judicial Management Council

The membership of the Judicial Management Council was recently reconstituted. In selecting the new members, Chief Justice Charles T. Wells noted that there was a conscious effort to ensure that the make-up of the Council continued to be representative of Florida, thereby providing diverse perspectives. Some of the undertakings of the Council over the next two years will be to continue stewarding the State Courts System’s strategic planning activities, continue reviewing the existing Florida jury system and evaluating the need for improvements, and propose an emergency preparedness plan for the State Courts System.

The following individuals have been appointed by Chief Justice Wells to serve on the JMC:

Mark P. Buell, Schropp Buell & Elligett, Tampa
Jean A. Bice, Attorney, Ocala
Charles T. Canady, Governor’s Office
Judge Jeffrey Colbath, Palm Beach County
Henry Cook, Duval County Court Clerk
Mr. Fred Dudley, Tallahassee
Judge Sandra Edwards-Stephens, Marion County
Chief Judge Joseph Farina, 11th Circuit
Chief Judge Jacqueline Griffin, 5th DCA
Joseph Hatchett, Akerman Senterfitt & Edison, Tallahassee
Judge Nelly N. Khouzam, 6th Circuit
Philip D. Lewis, Philip D. Lewis Company, Riviera Beach
Wilhelmena Mack, Ed.D., Right Associates, Ft. Lauderdale

William McBride, Jr., Holland & Knight, Tampa
Bernie McCabe, State Attorney, 6th Circuit
Leslie V. Pantin, Jr., Pantin Partnership, Inc., Miami
C. Richard Parker, Public Defender, 8th Circuit
Judge Cristina Pereya-Shuminer, Dade County
Penny Ralston, Dean, College of Human Sciences, Florida State University
James Rogers, Bureau Chief, Office of the Attorney General
Judge Robert Shevin, 3rd DCA
Alvin E. Smith, M.D., Daytona Beach
Thomas Warner, Solicitor General
Mark Weinberg, Court Administrator, 7th Circuit
Judge Alice Blackwell White, 9th Circuit

The primary role of the Council is to provide recommendations to the Chief Justice and Supreme Court on policy matters with statewide impact on the administration of justice. The first meeting of the Council took place on December 8, 2000 in Tallahassee.

Benchmarks

New Judicial Placements Since September 2000:

District Court of Appeal
Richard B. Orfinger 5th DCA
William D. Palmer 5th DCA

Circuit Court
Luis M. Garcia 16th Circuit
Charlene V. Edwards-Honeywell 13th Circuit
William P. Levens 13th Circuit
Richard A. Neilsen 13th Circuit

County Court
Fred N. Witten Gulf County

Any judge wishing to place his or her photograph on file with Full Court Press should send it to Kelly Sciba, Supreme Court of Florida, 500 S. Duval Street, Tallahassee, FL 32399-1900.
Court Public Information Officers Form Association

With the national move toward strengthening public trust and confidence in the courts, the role of judicial public information officer (PIO) has become more important. Courts are relying on their PIOs for more pro-active media relations, community outreach, and public education. Because of the fast-pace and ever changing nature of the profession, court PIO's need an educational support network.

The National Conference of Court Public Information Officers has been formed to provide a forum for the exchange of information, ideas, and best practices for improving the mission of the court public information officer in educating and informing the various constituencies about the courts and the rule of law in society. The more than 60 members of the Conference have been meeting informally for nine years, but became an official association in January 2000.

The Conference held its most recent annual meeting in Orlando in November 2000. More than 50 members from around the world attended the meeting that featured educational sessions on topics such as high profile case management, fair trial versus free press, and even stress management. Attendees shared best-practice ideas and showcased their work.

Brenda Johnson, chief of communication and legislative relations for the Office of the State Courts Administrator, has been chosen to chair the Conference’s membership committee in its inaugural year. Her primary responsibility will be to promote the association and recruit new members.

Dispute Resolution Center Celebrates Mediation Week

Florida has always been a leader in recognizing and promoting mediation as an alternative to litigation in the courts. Mediation empowers individuals to take control of their lives and devise solutions to conflicts which are tailored to their particular needs. Because of this, Governor Jeb Bush proclaimed November 1 - 7, 2000 Mediation Week in Florida.

To celebrate, the Tallahassee Community Mediation Celebration was held at Tom Brown Park on November 5, 2000. The Celebration is a day of fun, food and music designed to promote and educate students and the community on the benefits of conflict resolution, not only as a way of solving individual disputes, but also as a way of strengthening and building peaceful communities.

Kids even had the opportunity to design their own “peace quilt squares” which will be made into one large quilt as part of the Peace Through Mediation 2000 Quilt Project. This project allows children to represent, through art, their understanding of abstract concepts of dispute resolution – specifically mediation. The making of the “peace quilts” enables children to graphically illustrate abstract concepts associated with conflict and show how people can resolve conflicts peacefully.

It is hoped this knowledge will empower children to avoid conflicts in every day life situations through better communication, and enable them to become happy adults and responsible citizens.

Legislative Organizational Session

The 2000 Legislative Organizational Session was held Tuesday, November 21, in Tallahassee. Senate President John McKay was sworn in by Justice R. Fred Lewis and House Speaker Tom Feeney, was sworn in by Chief Justice Charles T. Wells.

Contact the Communications and Legislative Relations Office at (850) 922-5081 for additional information.
Each year Florida Tax Watch, The Florida Council of 100 and the State of Florida join forces to present the Davis Productivity Awards. Now in its 12th year, the Davis Productivity Awards is a government improvement program designed to recognize and reward state government employees whose work significantly and measurably increases productivity and/or saves public dollars. This year, one individual and three work units in the State Courts System were selected to receive four Davis Productivity Awards for their initiatives and innovations in improving court programs and operations.

JoAnne Sargent of the Third District Court of Appeal was recognized for her success in obtaining an energy conservation grant for her court. Receipt of this competitive grant from the State of Florida’s Innovation Investment Program for Energy Conservation provided funding for installation of new storage tanks for the court’s air conditioning system. This efficiency measure has resulted in a considerable reduction in energy costs, a savings to the tax payers of Florida. Ms Sargent will receive a certificate of achievement for her efforts.

Two initiatives undertaken by work units in the Eleventh Circuit were selected for commendations. The distinction of “Outstanding Work Unit” was awarded to County Court Judge Steven Leifman, the court administrator’s office, Clerk of Court, the court’s Information Technology Department and the Miami-Dade Police Department for their implementation of pre-trial conference hearings in the county court criminal division. The hearings were implemented because of the escalating number of requests for infraction trials and the inability of the court to respond timely and effectively to clientele with existing resources. In total, this program has resulted in an approximate 75% reduction in the total number of cases going to trial. In addition to having the honor of being a recipient of the highest monetary award given by Davis Productivity officials, this work group will receive a commemorative plaque and $2,500.

Through the leadership of Circuit Judge Barbara Levenson, the JOBS Program in the Eleventh Circuit was implemented with a comprehensive approach to identifying and assessing the needs of first-time probation violators who are court-ordered into the program for job placement. Essentially, this program makes taxpayers out of tax users through job placement of probation violators who are first-time offenders. The job placement program has yielded a significant decrease in rearrest rates and is lowering the number of hours required by court staff to process those offenses, resulting in increased savings. This work unit will receive a “Distinguished Work Unit Award” with a commemorative plaque and $1,500.

The Office of the State Courts Administrator Information System Services Section was selected to receive a “Notable Work Unit Award” for the implementation of the Appellate Court Case Management System. This new system provides for automated document creation and on-line viewing of documents. It also provides for the collection of statistical data to support the implementation of performance-based budgeting, and has the potential to support electronic filing, public access to case summary information, and a data base of legal research resources for court staff. For their achievements and hard work, Clyde Conrad, Barbara Woodsum, Gary Croudace and Greg Ramsey in OSCA’s Information System Services will receive a commemorative plaque and $600.

It is our esteemed pleasure to recognize these employees and their respective work units as recipients of this year’s Davis Productivity Awards. We congratulate them on their significant accomplishments and applaud their commitment to excellence in the courts.

To find out more information about the Davis Productivity Awards, please consult their website at www.floridataxwatch.org or contact Cathy Brockmeier, Personnel Management Analyst at (850) 488-3707 or SunCom 278-3707.
Committee on Pro Bono Legal Services to Facilitate Participation by Judges and Court Staff

Florida has long been a leader in promoting pro bono service for people or organizations who cannot otherwise afford legal services. It is part of an attorney’s professional responsibility to render pro bono legal services to the poor. However, judges and their staff are prohibited from performing legal services due to constitutional, legal, and ethical constraints. Recognizing these challenges, Chief Justice Charles T. Wells has requested that The Standing Committee on Pro Bono Legal Service establish a task force.

This task force, chaired by Judge William A. Van Nortwick, Jr., has been charged with proposing a plan that will facilitate participation in pro bono activities by the judiciary and judicial staff. Relating to judges and judicial staff, the Committee will study how a pro bono commitment, or a similar undertaking, can be carried out, collect information on non-traditional pro-bono activities and consider the need for rules relating to pro bono service. The Committee will report its findings and recommendations to the Supreme Court by June 30, 2001.

The following individuals have been appointed by Chief Justice Wells to serve on the task force:

Judge William A. Van Nortwick, Jr., 1st DCA, Chair
Judge G. Cynthia Angelos, 19th Circuit
Judge Roberto A. Arias, Duval County
Judge James M. Barton, Hillsborough County
Judge Lucy C. Brown, 15th Circuit
Judge Eugene J. Fierro, 11th Circuit
Donna Krusbe, Staff Attorney, 4th DCA
Judge Reginald K. Whitehead, 9th Circuit
Justice Barbara Pariente, Supreme Court Liaison
December

1  Mediator Qualifications Board Annual Meeting, TBA
3 - 6  Trial Court Administrators Annual Education Meeting, Amelia Island Plantation
3 - 6  Florida Conference of Circuit Judges, Amelia Island Plantation
4  Task Force on Victims of Self-Inflicted Crimes, Ocala
4 - 8  Traffic Adjudication Seminar, The Westin Innisbrook Resort, Tampa Bay
6 - 9  Conference of State Court Administrators (COSCA) Midyear Mtg., Phoenix, Arizona
7  Supreme Court Workgroup on Public Records, Amelia Island (tentative)
8  Judicial Management Council, Tallahassee
11  Trial Court Budget Commission, Tallahassee
12  Article V Financial Accountability and Efficiency Workgroup Meeting, 9-11, Room 117 Knott Building
15  Treatment-Based Drug Court Steering Committee Meeting, 10:00-4:00, Tampa Airport Marriott
18  Task Force on Victims of Self-Inflicted Crimes, Tallahassee
25  Christmas - Court Closed

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