Chair Steinbeck called the Trial Court Budget Commission (TCBC) meeting to order at 12:00 p.m. and reminded members the meeting was being recorded for administrative accuracy. The roll was taken with a quorum present. She invited additional phone participants to introduce themselves.

**Agenda Item I: Due Process Issues**

Jessie McMillan acknowledged the Commission’s prior decision to approve using remaining FY 2017-18 due process services category funding to support the expansion and maintenance of virtual remote interpreting technology. Ms. McMillan presented an overview of available due process services funds including expenditures incurred through May 31, 2018, estimated expenditures for June 2018 through the certified forward process, and total projected remaining allotments for each circuit. She noted, of the twenty circuits, twelve circuits were projected to have remaining FY 2017-18 funds and seven circuits were estimated to have a deficit in due process contractual funds. In total, including the due process reserve balance as of May 31, 2018, it is estimated there will be over $1.6 million in remaining funds. Ms. McMillan presented two options for the Commission’s consideration. The first option is to maintain $100,000 in the due process reserve and authorize OSCA staff to transfer funds to those circuits with projected deficits. This will project an estimated $1.5 million in available due process funding. The second option is to adopt an alternative methodology using a different reserve amount.
Judge Stargel requested an overview be provided as to the factors that have led to the available amount of funding and why it is important to address these funds so quickly. Chair Steinbeck responded that due to active management of due process funds, particularly through the primary focus of the Due Process Workgroup to examine ways to deliver services more cost effectively, these measures taken by the Commission have been able to create some additional resources through cost savings. She noted the idea behind the use of available due process funds is to maximize resources.

Judge Nelson moved approval of Option 1. Judge Ficarrotta seconded, and the motion passed without objection. Chair Steinbeck noted with the approval of Option 1, $100,000 will be placed in reserve. This decision will impact some of the discussion related to other agenda items.

**Agenda Item II: Supplemental Year-End Spending Plan – Virtual Remote Interpreting**

Patty Harris stated the Due Process Workgroup was examining ways to maximize existing court interpreting resources to address some of the challenges circuits are reporting in terms of obtaining certified interpreters. Based on estimated available due process services contractual funds at the time, OSCA staff reached out to all of the circuits to see if anyone would be interested in purchasing virtual remote interpreting (VRI) equipment with year in funds. Ms. Harris noted staff received requests for funds in the amount of $2.6 million. At the time of the Due Process Workgroup meeting, it was estimated approximately $1.8 million in due process contractual funding would be available based on expenditures through April 2018. Based on the circuit requests and estimated available funds, the Workgroup recommended fully funding all circuits’ requests with the exception of circuits 10 and 11, which were reduced using information provided by those circuits. Ms. Harris stated due to the decision made in Agenda Item I, a decision is needed from the Commission whether to use other sources of funding such as the due process cost-recovery trust fund to fully fund circuits’ requests for VRI technology, or consider an alternative.

Walt Smith asked if the $100,000 must be held in reserve. He further asked where will the funding to support the recurring costs for the 11th Circuit in Option 1 be coming from in future years. Chair Steinbeck stated it is debatable the amount of funding that should be held in reserve; however, the trial courts have routinely held back some funds to address unforeseen issues. She asked if it would be possible to adjust the reserve amount to $0 and still maintain a level of comfort. She noted that even if no funds were held in reserve there is still insufficient due process contractual funds to cover the costs of the requests. Dorothy Willard reminded the Commission that based on the decision made during Agenda Item I, those circuits with projected deficits will receive additional funding to address the deficits, and the $100,000 suggested for the reserve would be used to address any unknown issues that may arise. Ms. Willard also noted at this point in the fiscal year the circuits have not identified to OSCA any potential deficits they are aware of and it is unlikely any unforeseen issues will happen. She also noted that OSCA staff can reach out to the circuits to see if there is any unspent cost recovery authority that could be given on a one-time basis to the statewide level to address any due process needs. Based
on historical expenditures there is potentially anywhere from $400,000-$500,000 in unspent cost-recovery authority for the current year and any returned authority may be sufficient to cover the remaining costs to fully fund the circuit requests and the $100,000 that would have been set aside in the general revenue reserve.

Addressing Mr. Smith’s questions regarding the FY 2018-19 obligations for the 11th Circuit, Kris Slayden stated the Workgroup recognized that part of the implementation of VRI equipment included recurring maintenance costs. Because of this, the Workgroup recommended including, as part of the options, those recurring costs. Specifically, the non-recurring costs for the 11th circuit in FY 2018-19 under Option 1 are related to installation costs that would incur outside of the certified forward timeframe.

Walt Smith moved approval of Option 1 with the caveat that OSCA staff continue to work with the circuits to either reduce costs or increase available funding including the use of cost-recovery funds. Additionally, Mr. Smith moved to reverse the decision made in Agenda Item I and to not keep funds in reserve. Grant Slayden seconded, and the motion passed without objection.

Eric Maclure asked if the motion included directions for staff to reach out to the circuits for any unobligated cost-recovery funding authority. Walt Smith indicated yes. Chair Steinbeck inquired if the Executive Committee could have authority to make any decisions needed on an emergent basis and inform the full Commission at a later time if needed. Judge Smiley moved approval of the request. Grant Slayden seconded, and the motion passed without objection.

**Agenda Item III: Problem-Solving Court Advisory Group Status/Recommendations**

Chair Steinbeck thanked Judge Smiley and OSCA staff for their work on the Problem-Solving Court Advisory Group (Advisory Group). Judge Smiley provided an update on the Commission’s prior decision to fund problem-solving courts currently receiving non-recurring funds through the first quarter of fiscal year 2018-19 and allow the Advisory Group additional time to gather data in order to develop recommendations for funding for the remaining quarters. He stated the Advisory Group has reviewed the additional data and is recommending those problem-solving courts currently receiving non-recurring funds be funded throughout the entire fiscal year at their current levels with the opportunity to review expenditures through the year for potential adjustments if needed. Eric Maclure described the three options for the TCBC’s consideration and noted the Advisory Group recommended approval of Option 2.

Judge Nelson moved approval for Option 2. Judge Brunson seconded, and the motion passed without objection.
Walt Smith asked for an update on the remaining funds for problem-solving courts and if decisions will be available for the TCBC’s consideration. Judge Smiley replied additional recommendations from the Advisory Group will be presented at the June 26, 2018, meeting.

**Agenda Item IV. Other Business**
There were no issues to report.

**Adjournment**
With no other business before the commission, the meeting adjourned at 12:46 p.m.