Chair Steinbeck called the Trial Court Budget Commission (TCBC) meeting to order at 8:30 a.m. and reminded members that the meeting was being recorded for administrative accuracy. The roll was taken with a quorum present. Chair Steinbeck invited guests to introduce themselves.

Agenda Item I: Opening Remarks by Chair
Chair Steinbeck recognized the importance of all issues on the agenda for the meeting including the implementation of the employee pay plan and the impact the issues have on the court system. She further acknowledged all members of the Commission and expressed her appreciation and thanks. Chair Steinbeck then recognized other court stakeholders in attendance. Chair Steinbeck welcomed new members Judge Stephen Jewett, Ms. Gina Justice, and Chief Judge Donald Myers to the Commission.
Agenda Item II: FY 2019-20 Allocations

A. Child Support Enforcement Hearing Officers
Kris Slayden presented an overview of the FY 2019-20 allocations. She noted there is currently a vacant 1.0 FTE hearing officer position and 1.0 FTE administrative support position in the 1st Circuit eligible for reallocation. Using the re-allocation methodology and net need based on workload, the 20th Circuit is eligible to receive the additional resource. Judge Ficarrotta moved approval of Option 1, reallocation of the vacant positions from the 1st Circuit to the 20th Circuit. Judge Soto seconded the motion, and the motion passed.

B. Problem-Solving Courts
Jennifer Grandal provided an overview of the current problem-solving courts allocations. She reviewed the previously approved funding strategy for problem-solving courts receiving allocations from the state appropriation. Ms. Grandal then summarized the funding appropriated to the problem-solving courts in the FY 2019-20 General Appropriations Act and prior TCBC actions allocating those funds. Ms. Grandal noted there is approximately $1.6 million in recurring funding available for allocation and stated a circuit application process for new problem-solving court funding was initiated by OSCA staff at the direction of the TCBC. Ms. Grandal then provided an update on the development of data reporting requirements for the problem-solving courts.

Judge Leifman presented the recommendations of the Problem-Solving Courts Advisory Workgroup (Workgroup). He stated the goal of the Workgroup is to ensure all problem-solving courts are not only meeting their standards, but also producing positive outcomes while being fiscally responsible. Judge Leifman reviewed the recommendation to fund all circuits’ first priority requests with the exception of the Marchman Act Drug Court in the 13th Circuit. Next, the Workgroup recommends funding second and additional priority requests, except for the Therapeutic Court in the 15th Circuit, beginning with circuits that have the least amount of funding in order to make funding more equitable across the circuits.

Judge Smiley moved approval of the Advisory Group’s recommendations for new funding allocations for FY 2019-20. Judge Hilliard seconded the motion, and the motion passed.

Agenda Item III: Recruitment and Retention Pay Issue for State Courts System Employees
Chair Steinbeck thanked the Legislature for fully funding the courts’ request for employee pay. She further thanked Judge Mahon, Judge Stargel, Executive Committee members, and Conference leaders for their support in lobbying the request. Chair Steinbeck noted, although the request was fully funded, there is not enough funding to support the classification and pay recommendations presented in the Evergreen, Inc. study. She further explained a process was developed to help prioritize needs for
funding. Chair Steinbeck recognized and thanked OSCA staff for providing the support and data needed to develop the proposed recommendations.

A. FY 2019-20 General Appropriations Act Special Pay Issue
Eric Maclure provided an overview of the 2019-20 General Appropriations Act language appropriating $9,790,235 in general revenue funding and $515,736 from trust funds in support of the judicial branch special pay issue. Mr. Maclure reviewed how the appropriation will be proportionately allocated among the court budget entities by FTE, noting the trial courts will be allocated $8.2 million in funding.

Chair Steinbeck emphasized this funding must be used for specific purposes excluding across the board raises for employees and raises based on merit. She stated a separate rate distribution will be recommended to the Chief Justice for approval to address issues such as merit increases, and any unanticipated adverse impacts related to the pay plan.

B. 2014 Special Pay Issue – Overview for Procedural Review
Eric Maclure provided a historical overview of prior TCBC recommendations related to the implementation of the 2014 special pay issue. Mr. Maclure emphasized the differences between the 2014 special pay issue compared to the FY 2019-20 budget request and proposed implementation recommendations.

C. 2019 Comprehensive Compensation and Classification Study Report
Blan Teagle reviewed the recommendations from the Evergreen Solutions classification and compensation study. Mr. Teagle emphasized the Evergreen Solutions study does not represent the Chief Justice’s plan for implementing the special pay issue, but rather provides an evidence-based study to inform the Commission in its development of a recommendation to the Chief Justice. Mr. Teagle proceeded to describe the methodologies, findings, and recommendations from the Evergreen Solutions final report.

D. Employee Recruitment and Retention Issues
Dorothy Willard presented data related to turnover rates from FY 2016-17 through FY 2018-19 and positions that have been vacant for over 180 days. Ms. Willard further presented an analysis of the current workforce, specifically the time in class and total years of service with the court system for filled positions. Chair Steinbeck noted 79.3% of the workforce has under 10 years in time in class and 62% of employees have under 10 years of service with the court system.

E. Guiding Principles
Chair Steinbeck provided an overview of the branch-wide guiding principles developed by the chairs and vice-chairs of the budget commissions, leaders of the judicial conferences, and the State Courts Administrator. She reported the Executive Committee discussed trial court specific principles to help guide the trial courts’ pay recommendations to the Chief Justice. Chair Steinbeck noted the principles emphasized development of recommendations as a one-year implementation plan with
the assumption no additional funding will be received in the near future, the trial courts’ portion of
the total appropriation would be fully expended, and salary management should be used to address
circuit-specific salary issues not addressed through the special pay issue.

Judge Rondolino moved approval of the trial court specific guiding principles. Judge Soto seconded
the motion, and the motion was adopted.

F. Options and Cost Estimates
Chair Steinbeck summarized the funding available for the trial courts and emphasized there is not
enough funding to support the recommendations of the Evergreen study. She noted the more
money placed towards increasing the minimum salaries, the less funding will be available to address
compression. Chair Steinbeck further stated it is anticipated the Executive Committee’s
recommendation to increase the minimum salaries will impact approximately 80% of the trial court
workforce and the recommendation for compression will impact those employees with more than 2
years of time in class.

Dorothy Willard provided background information regarding the workshops conducted by the TCBC
Executive Committee on August 13 and 14, 2019, and follow-up conference call on August 21, 2019.
Ms. Willard noted the Executive Committee considered several funding options including both
adjustments to the pay grade minimums and compression in order to provide equity and retention
as well as flexibility within the salary budget to address future personnel actions. Overall, the
Executive Committee is recommending funding 92% of the proposed minimums in the Evergreen
Study (including a modification to the trial court administrator classification), suspension of the
Competitive Area Differential (CAD) assigned to certain classifications, excluding court interpreters,
and incorporating the CAD amount into the base pay for existing employees, requesting the TCBC
Personnel Committee study the CADS and incentive plans for modifications as needed, and funding
compression based on time in class.

Judge Soto moved approval of the Executive Committee’s modified recommendation. Judge Mahon
seconded the motion, and the motion was passed favorably.

Dorothy Willard reviewed the timeline for implementing the employee special pay issue including
submission to the Supreme Court and Legislature for final approval.

Agenda Item IV: FY 2019-20 Salary Management
Sharon Bosley reported on recommendations from the Executive Committee regarding salary
management to address circuit-specific salary issues that may not be fully addressed through the
employee pay issue. Ms. Bosley stated the Executive Committee recommends a 600,000 rate
distribution for use at the discretion of the chief judges. She noted the discretionary funds may be used
to address recruitment, retention, equity, and merit salary issues.
Judge Parker moved to approve recommending to the Chief Justice a 600,000 trial court rate distribution contingent on salary projections supporting the availability of funds effective November 1, 2019. Judge Soto seconded the motion, and the motion passed unanimously.

Chair Steinbeck asked OSCA staff to distribute the Executive Committee’s proposed rules for the 2019 Special pay issue.

**Agenda Item V: Update on Operational Procedures**
Eric Maclure reviewed proposed changes to the TCBC operational procedures to reflect changes in the Rule of Judicial Administration 2.230. He noted updates to the membership and staff-support provisions are similar to those proposed by the District Courts of Appeal Budget Commission (DCABC). Judge Ficarrotta moved approval of further revisions to the operational procedures for Supreme Court consideration. Judge Smiley seconded the motion, and the motion passed.

**Agenda Item VI: County Court Jurisdiction Status Report**
Eric Maclure provided an update to changes in county court jurisdiction including operational changes and preparation of the report due to the Legislature.

**Agenda Item VII: Due Process Workgroup Update**
Judge Stargel provided an overview on upcoming Due Process Workgroup activities, including discussions about court-appointed counsel cost drivers and cost management analysis, analysis of expert witness expenditures, and review of virtual remote interpreting.

**Agenda Item VIII: FY 2020-21 Legislative Budget Request Update**
Kris Slayden reviewed the TCBC legislative budget request recommendations for FY 2020-21 that were submitted to the Chief Justice on July 24, 2019. Ms. Slayden reported the Supreme Court approved the recommendations as submitted on August 15, 2019. Ms. Slayden also provided an update on the General Revenue forecast as reported by the General Revenue Estimating Conference and the Long-Range Financial Outlook for the upcoming fiscal years.

**Agenda Item IX: Other Business**
There were no additional items for discussion.

**Adjournment**
With no other business before the commission, the meeting adjourned at 11:23 a.m.