



# **IMPLEMENTATION OF REVISION 7 TO ARTICLE V OF THE FLORIDA CONSTITUTION**

**SUBMITTED TO:  
THE FLORIDA LEGISLATURE**

## **PHASE THREE REPORT**

**SUBMITTED BY:**

**July 16, 2003**

**MGT**  
*of America*

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## ***INDEMNIFICATION CLAUSE***

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## ***INDEMNIFICATION CLAUSE***

The recommendations contained in this report are our best professional opinions. The report is submitted, however, with the understanding that the Legislature will exercise its independent judgment regarding the issues and how those issues will ultimately be resolved.

## ***1.0 INTRODUCTION***

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## **1.0 INTRODUCTION**

The Florida Legislature issued a request for proposals to conduct research and provide analytical and other support to the Legislature regarding the implementation of Revision 7 to Article V of the Florida Constitution. MGT of America, Inc., was the successful bidder and was issued a contract executed by the presiding officers of the Legislature. MGT was engaged to complete the first four of five project phases, as follows:

Phase 1: Description of the Court System Operations

Phase 2: Recommendations to Increase Efficiency/Reduce Costs of Essential Services

Phase 3: Standardized Staffing and Costing Models

Phase 4: Recommendations on Court-Related Revenue

The Phase 1 report was delivered to the Legislature on January 22, 2003, the Phase 2 report on March 11, 2003, and the Phase 4 report on May 6, 2003. This report contains the Phase 3 engagement results.

### **1.1 Project Background**

#### **Article V**

Article V of the Florida Constitution provides for the judicial branch of state government, including its structure, functions, responsibilities, and governance. Significant changes were made to Article V in 1972, when Florida voters approved a major court restructuring to provide for a more unified and cohesive trial court system. The 1972 amendment designated funding responsibilities of the counties, the state, and court users. Over time, as the Office of Program Policy Analysis and Government Accountability (OPPAGA) reported, "State and county governments disagreed on how

much each should contribute; county governments believed that the state should assume a larger share of the cost that occurred.”<sup>1</sup> According to the Florida Association of Counties, to this end, after “20 years of unsuccessful pleading with the Legislature to assume more of the costs of its court system, Florida county leaders were compelled to pursue an amendment to the state constitution.”<sup>2</sup> This amendment, referred to as Revision 7, was passed in 1998 and assigns specific cost responsibilities to the state. It is to be fully implemented by July 1, 2004.

### **Revision 7**

As noted above, Revision 7 to Article V of the Constitution was approved by Florida’s voters in 1998. The amendment language relevant to funding is contained in Section 14. In addition to providing for continuing state appropriations for the salaries of justices and judges, Section 14 generally provides that:

- funding for the state courts system, state attorneys’ offices, public defenders’ offices, and court-appointed counsel are to be provided from state revenues;
- funding for the offices of the clerks of the circuit and county courts performing court-related functions . . . is to be provided by adequate and appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions as required by law. However, if certain fees cannot be levied because doing so would bar access to the courts, the state is required to provide funds to the clerks to cover resulting revenue shortfalls; and
- funding requirements of the county or municipality are to include communications services, existing radio systems, existing multiagency criminal justice information systems, and the cost of construction or lease, maintenance, utilities, and security of facilities for the trial courts, public defenders’ offices, state attorneys’ offices, and the offices of the clerks of the circuit and county courts performing court-related functions. Counties are also required to pay reasonable and necessary salaries and costs and expenses of the state courts system to meet local requirements as determined by law.

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<sup>1</sup> OPPAGA, “Many Article V Trial Courts Funding Issues Still Need to be Resolved.” *OPPAGA Information Brief*, Report No. 01-54, November 2001.

<sup>2</sup> Florida Association of Counties, “Article V/Revision 7: A Briefing for County Commissioners.” January 2001.

**Chapter 2000-237, Laws of Florida**

To implement the provisions of Revision 7, the 2000 Legislature passed CS/SB 1212, which was adopted as Chapter 2000-237, Laws of Florida. Section 1 of the bill describes the state's role in providing financial support to various entities as follows:

- State Courts System – to include the essential elements of the Supreme Court, district courts of appeal, circuit courts, county courts, and essential supports thereto.
- Offices of the Public Defenders and State Attorneys – to include those essential elements of the 20 state attorneys' and public defenders' offices as determined by general law.
- Court-appointed counsel – to include counsel appointed to ensure due process in criminal and civil proceedings in accordance with state and federal constitutional guarantees.

In addition, in describing funding requirements, the bill directs that:

- The offices of the clerks of the circuit and county courts are to provide court-related functions by charging adequate and appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions.
- County funding requirements are outlined pursuant to those itemized in Revision 7. The legislation provides for continuing funding responsibilities of the counties for existing elements of the state courts system, state attorneys' offices, public defenders' offices, court-appointed counsel, and the offices of the clerks of the circuit and county courts performing court-related functions, consistent with current law and practice until the Legislature expressly assumes the responsibility for funding those elements. Counties are required to fund the cost of communications services, existing radio systems, existing multiagency criminal justice information systems, and the cost of construction or lease, maintenance, utilities and security of facilities for the circuit courts and county courts, public defenders' offices, state attorneys' offices, and the offices of the clerks of the circuit and county courts.
- The Legislature is not obligated to fund current programs in the future if the programs are not designated as an essential element of the system as part of the implementation of Revision 7.

## **1.2 Phase 3 Objectives and Methodology**

The overall goal of Phase 3 is to develop workable staffing and costing models for carrying out essential activities and programs. Given a set of defined program elements and assuming a reasonable degree of certainty regarding the data, these models predict overall funding and staffing requirements for various entities and jurisdictions within the state judicial system based on selected workload indicators. The models are intended to provide a methodology that can be used by the Legislature in future years to estimate the costs by circuit and by entity of an efficiently operated state judicial system. An additional goal in Phase 3 is to address various issues that will arise when county-funded positions and equipment are shifted to state control. The following tasks were performed to meet this goal:

- determine transition strategies for trial court staffing and equipment;
- reduce estimates of current costs to reflect the savings from implementing improvement recommendations outlined in Phase 2;
- establish prototype staffing and costing models;
- validate staffing/costing models and identify underestimates;
- develop statewide cost estimates for elements addressed in Phases 1 and 2; and
- prepare and submit Phase 3 report.

Several counties currently provide and fund a number of full-time employees for judicial system entities serving their jurisdiction. These positions were identified in representative circuits and organizational placement options were evaluated. Options included:

- transfer county employees to the state;
- retain current employees on county payrolls with state management and reimbursement; and
- hire new state employees to provide all services.

Variations on these options that were considered for administrative support services included development of a new organizational structure, privatization of all or some county and state operations, and design of a hybrid system with the state providing trial services and contracting with the counties for support services.

In addition to the employee option evaluations, MGT also investigated options for continued use of the equipment owned by the counties and currently used by the judicial system. Equipment inventories from four sample counties, which were requested during the Phase 1 interviews, were reviewed and the items assigned to one of these categories:

- office furniture and equipment;
- computers and other electronic equipment; and
- motor vehicles.

The acquisition cost and date for each of these items were also summarized. This information provided the basis for analysis of the following ownership options:

- transfer to the state with appropriate reimbursement;
- transfer to the state at no cost; and
- maintain county ownership.

Costs of each of the judicial system elements identified during Phase 1 were used as the basis for developing the costing models. The costs for eight of these elements were revised, however, to reflect the potential impact of implementing the Phase 2 improvement recommendations. This revision process included the following steps:

- establish midpoints of savings estimates for use in model development since both the potential cost reductions and the costs for several elements were expressed as ranges; and
- allocate cost reductions among judicial system entities for elements where more than one has budgetary responsibility (e.g., witness/evaluator costs among the courts, the state attorneys, and the public defenders, as well as to OSCA and JAC for contingencies).

The next step in the development of prototype staffing and costing models was to establish workload indicators that could be forecasted and used to determine future staffing and cost needs. The primary selection criteria for workload indicators are:

- sensitive to the associated workload;
- easy to record and report;
- auditable; and
- reasonably accurate data available through current reports.

After review of available information regarding possible indicators, MGT concluded that the following currently meet the criteria and would be evaluated for statistical significance:

- circuit population;
- judicial positions;
- filings by court and division; and
- dispositions by court and division.

Dispositions by type (e.g., trial, plea, dismissal, and other) for each court type and division and the numbers of various kinds of hearings were also considered since they are more sensitive to the amount of work that must be performed. None of these could be used to develop the prototype models, because auditable historical data are not currently available.

Some state attorneys suggest that the number of “referrals” was a more sensitive workload indicator for their offices as compared to filings since a portion of the matters referred to them do not result in charges being filed. Investigating these referrals, however, does require time and resource expenditures whether or not charges are filed. Similarly, public defenders suggest that “appointed cases” and “clients” would be much more sensitive indicators of their workload since they are appointed only to cases where the defendant is indigent, and some cases to which they are appointed have more than one client.

These items were not included in the analysis because statewide information on “referrals” and “appointed cases” are not currently maintained. Data relative to these indicators may be available in the future, however, as state attorneys and public defenders begin to track and report the information as part of required agency performance measures and standards for performance-based program budgets. In addition, the specificity of these variables has a drawback. If the same indicators are used for all judicial system entities, it will be much easier to record and report the data and to use the staffing and cost models. It should also be noted that case filings and dispositions are sensitive workload indicators for the state attorney models if the proportional relationship between filings/dispositions and referrals is relatively constant. Similarly, if the relationship between filings/dispositions and the number of “appointed cases” and “clients” is relatively constant, the models should be sensitive to changes in public defender workload.

In the Phase 2 report, we previously recommended that each circuit begin to record and report workload data by entity and element. The following major workload indicators should be collected pursuant to those recommendations:

- conflict cases—number and percentage of total cases;
- interpreters—events and total time in court;
- witnesses/evaluators—number by type, categorized by court division and case type;
- mediation/arbitration—cases by type;
- masters/hearing officers—cases by type;
- case management—volumes for workload indicators defined during workload standards development projects; and
- court administration—volumes for workload indicators defined during workload standards development projects.

After two to three years of reporting and auditing these data, as well as the special data for the state attorneys and public defenders, consideration should be given to modifying the structure and approach used for the staffing and costing models. The models presented in this report use the same workload indicators for all judicial system entities. Once a database of expanded information is developed, it should be determined whether more detailed workload indicators specific to each entity would improve the model accuracy and sensitivity enough to warrant the increased complexity of the budgeting and reporting processes.

Given the current availability of data and status of the legislative decision-making process, the models presented in this study represent the best possible instruments for use in determining the state's responsibilities under the revised system. However, several issues should be considered when reviewing the analyses in the subsequent chapters that directly relate to the nature of the models and transition strategies. First, most of the financial data used to develop the models are from FY 2000. If such models are to be used in developing budgets for FY 2005, the first fiscal year for full implementation of Revision 7, the analyses should be replicated with data from more recent fiscal years that reflect current policy decisions and funding levels from state and county sources. Similarly, the data used to derive the models do not yet reflect legislative judgement on what constitutes essential elements. Again, the analyses should be replicated once such decisions are made. Finally, further effort should be devoted to determining the most appropriate workload indicators to use in the models after the entities, as noted above, have several years of experience in compiling and reporting expanded measures of workload.

## **2.0 ANALYSIS OF TRANSITION STRATEGIES FOR EMPLOYEES AND EQUIPMENT**

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## **2.0 ANALYSIS OF TRANSITION STRATEGIES FOR EMPLOYEES AND EQUIPMENT**

This chapter provides an analysis of strategies for transitioning both employees and equipment from county funding and oversight to state funding and oversight. The methodology used to complete this analysis is listed below in Section 2.1. Subsequent sections describe employee classification and pay plans, employee benefits, related structural administration issues and changes, and issues related to equipment transfer.

### **2.1 Methodology**

Information about total staffing in each circuit is not available at this time. State-level entities, including the Office of State Courts Administrator (OSCA), the Justice Administrative Commission (JAC), the Florida Public Defenders Association (FPDA), and the Florida Prosecuting Attorneys Association (FPAA), were asked to provide data relative to both state- and county-funded positions, but no organization was able to provide information to the degree of detail necessary to complete an accurate transition analysis of positions in all 20 circuits. In order to calculate accurately the potential costs for the options considered for dealing with county-funded courts system positions, a listing of all positions within each entity is needed. No entity from which data were requested was able to provide this information. Therefore, for purposes of this analysis, representative circuits were chosen from circuits and counties visited by MGT during the site visits conducted as part of Phase 1 of this project. MGT collected additional data from the site visit circuits and counties in order to gather information on fringe benefits, the number and type of county-funded positions, pay ranges, current salaries for county-funded positions, and equipment inventories.

Further statewide data collection was not performed by MGT, because activity 4.3 in the proposal limited statewide cost and performance data to information developed by trial court stakeholders and collected during site visits completed as part of Phase 1 of the project. However, the Legislature may consider performing further data collection as the Article V, Revision 7 funding process progresses. MGT's task was complicated by several factors that would likely also complicate an attempt by the Legislature at further data collection. First, some counties with a large number of county-funded courts employees, especially Miami-Dade, have instituted generic job titles such as "Judicial Support Administrator" that can apply to any number of different positions. Significant input from local staff is needed to clearly define the duties of each staff person. Second, in multi-county circuits, each county may fund some courts system employees, and each county typically has a different pay plan, different job titles, different fringe benefits calculations, and different personnel regulations. This in many cases necessitates communication not only with staff at the courts system entity, but also at the county administration office for each county that funds personnel. Third, MGT found that the most effective form of communication with courts system or county entities is by telephone, because questions could be answered immediately and issues could be clarified most efficiently. However, in most cases, multiple phone calls were necessary for interpretation or to address additional questions, so a great deal of time and effort was spent making contact with the courts system entities and county offices in the selected circuits/counties. The Legislature could expect similar obstacles in gathering this data. Generally, data collected from courts system entities via paper survey is prone to error, due to the complexities of the information sought and the rigidity of the format.

In order to analyze circuits relative to size-specific needs and costs, OSCA has created a circuit stratification separating the 20 Florida judicial circuits into four groups

(see Appendix A for circuit stratification listing). For purposes of this analysis, a representative circuit was selected from each stratum. The selected circuits and corresponding strata are as follows:

- Small – 2<sup>nd</sup> Circuit (Leon, Franklin, Gadsden, Jefferson, Liberty, and Wakulla counties);
- Medium – 20<sup>th</sup> Circuit (Lee, Charlotte, Collier, Glades, and Hendry counties);
- Large – 6<sup>th</sup> Circuit (Pinellas and Pasco counties); and
- Extra Large – 11<sup>th</sup> Circuit (Miami-Dade County).

These circuits were chosen because each is serviced by a relatively substantial number of county-funded employees compared to their strata counterparts, with the exception of Miami-Dade, which is the only county and/or circuit in the Extra Large stratum. Additionally, MGT visited each of these circuits during the site visits conducted as part of Phase 1 of this project.

Information collected from the representative circuits indicates that issues found in these circuits provides valuable insight when analyzing transition strategies in the remaining 16 circuits. Relevant characteristics include:

- The 2<sup>nd</sup> Circuit, because of its location in the state capital, has a large number of filings relative to its population, because legal issues relative to the Legislature and the two state universities in Tallahassee are litigated in the circuit. The counties in the 2<sup>nd</sup> Circuit, with the exception of Leon County, also provide minimal if any funding to the courts.
- The 20<sup>th</sup> Circuit has the second highest number of county-funded public defender staff at 13 FTE and is the newest circuit in the state. This area is also experiencing some of the highest growth rates in Florida.
- The 6<sup>th</sup> Circuit represents a technologically advanced circuit and has the largest population of any multicounty circuit in the state.
- The 11<sup>th</sup> Circuit is the largest circuit in the state, both in terms of judicial system employees and population, and it correspondingly has the largest number of special programs and services within the judicial system.

Exhibit 2-1 depicts the state and county expenditures for FY 2000, as well as the number of current Full Time Equivalent employees (FTEs) for each representative circuit. The column labeled “FTEs – Limited” in Exhibit 2-1 excludes positions dedicated to activities that are not part of the courts system proper, such as probation and guardians ad litem; positions that were not recommended to be continued in Phase 2 of this project, such as general counsel and staff; and positions that the state is not required to fund, such as information technology staff. The inclusion of positions in the examination of transfer strategies does not represent a judgment of the necessity of the positions. Rather, positions are included based on general job titles and departments.

**EXHIBIT 2-1  
STATE AND COUNTY EXPENDITURES AND FTEs BY REPRESENTATIVE CIRCUIT  
AND ENTITY, FY 2000 AND CURRENT**

| Circuit | Entity          | State                     |                 | County                    |                   |                               |
|---------|-----------------|---------------------------|-----------------|---------------------------|-------------------|-------------------------------|
|         |                 | Expenditures <sup>1</sup> | FTEs            | Expenditures <sup>1</sup> | FTEs <sup>2</sup> | FTEs-<br>limited <sup>3</sup> |
| 2       | Public Defender | \$4,070,149.95            | 79.25           | \$2,237,662.00            | 1.00              | 1.00                          |
|         | State Attorney  | \$6,443,221.52            | 109.00          | \$525,708.00              | -                 | -                             |
|         | Trial Courts    | \$5,436,821.40            | 69.00           | \$2,371,111.00            | 28.30             | 22.30                         |
|         | <b>Total</b>    | <b>\$15,950,192.87</b>    | <b>257.25</b>   | <b>\$5,134,481.00</b>     | <b>29.30</b>      | <b>23.30</b>                  |
| 20      | Public Defender | \$4,239,857.00            | 85.00           | \$3,443,352.33            | 13.00             | 13.00                         |
|         | State Attorney  | \$11,985,328.00           | 225.50          | \$2,007,815.68            | 2.00              | 2.00                          |
|         | Trial Courts    | \$7,407,740.33            | 32.00           | \$7,159,064.98            | 173.50            | 86.50                         |
|         | <b>Total</b>    | <b>\$23,632,925.33</b>    | <b>342.50</b>   | <b>\$12,610,232.99</b>    | <b>188.50</b>     | <b>101.50</b>                 |
| 6       | Public Defender | \$10,170,431.00           | 195.00          | \$2,475,546.95            | 1.00              | 1.00                          |
|         | State Attorney  | \$20,912,506.00           | 448.00          | \$1,279,843.63            | 12.00             | 12.00                         |
|         | Trial Courts    | \$11,841,615.68           | 56.00           | \$11,123,972.44           | 116.00            | 76.00                         |
|         | <b>Total</b>    | <b>\$42,924,552.68</b>    | <b>699.00</b>   | <b>\$14,879,363.03</b>    | <b>129.00</b>     | <b>89.00</b>                  |
| 11      | Public Defender | \$19,482,731.26           | 363.50          | \$17,144,866.85           | 82.00             | 82.00                         |
|         | State Attorney  | \$56,763,216.00           | 1,177.25        | \$4,106,765.17            | 27.00             | 27.00                         |
|         | Trial Courts    | \$26,410,182.11           | 304.00          | \$42,942,158.47           | 341.00            | 286.00                        |
|         | <b>Total</b>    | <b>\$102,656,129.37</b>   | <b>1,844.75</b> | <b>\$64,193,790.49</b>    | <b>450.00</b>     | <b>395.00</b>                 |

<sup>1</sup> State expenditures for State Attorneys and Public Defenders are derived from the Long Range Program Plans for FY 2000, and for Trial Courts from the Legislative Budget Request for FY 2000. County expenditures are derived from the Annual Financial Report for FY 2000.

<sup>2</sup> Total number of county-funded FTEs – may include FTEs dedicated to functions within the judicial system that are not required to be funded by the state (including probation and information technology services).

<sup>3</sup> County-funded FTEs for transfer consideration – excludes FTEs dedicated to functions within the judicial system that are not required to be funded by the state (such as probation and information technology services).

In total, these circuits make up 20 percent of the circuits in the state and represent nearly 30 percent of statewide population, judges, and filings, and 28 percent of total dispositions. State expenditures for these circuits are nearly 33 percent of total statewide expenditures. Expenditures by the 14 counties in these circuits—21 percent of the 67 counties in Florida—equal 17 percent of total county expenditures for judicial functions in the state.

## **2.2 Employee Classification**

For each representative circuit discussed in the previous section, MGT examined the current county job classifications and pay grades for judicial system employees in relation to the current State Courts System salary schedule and class specifications. This task was complicated by a lack of position descriptions for several classes at the state level, as well as a similar lack of information in many cases at the local level. Also, county-funded positions often performed tasks that crossed over several state-level job classifications. In contrast, the state attorney and public defender positions for the most part mirrored the state positions, so drawing lines between the position classifications was relatively simple. In many cases, job titles were indicative of the functions the position performed. In order to determine the most reasonable state counterpart for county positions that did not have an attached position description, MGT looked at the department each county position was located in, as well as the current pay range. However, for these overall reasons, the analyses in this section are illustrative only.

Due to the specific nature of the duties performed by court staff and the lack of state-level position descriptions for all classifications, local court administrative staff—and state attorney, public defender, and Justice Administrative Commission (JAC) staff when necessary—should work in concert to develop clear and concise state-level position descriptions that will adequately address current tasks performed in local trial

courts. OSCA has worked toward addressing some of these issues through its Article V Personnel Subcommittee and appears to be well placed to act at the state-level and serve as a collector and compiler of local-level information. This group, along with local-level administrative staff and state attorney, public defender, and JAC staff, may in some instances need to create new position classifications to accommodate already existing county-level positions. This will be the case for many due process positions such as court reporters and court interpreters that have not previously been addressed in the State Courts System or state attorney or public defender personnel systems. Creation of new classifications may be avoided in many instances through creation and/or revision of current job descriptions; however, where new position classifications are created, job descriptions and pay grades should parallel current State Courts System and state attorney and public defender positions and pay ranges.

Exhibits in this section relative to the trial courts include information only for classifications to be considered for transfer, and calculations compare the difference between state and county pay ranges only. Expanded exhibits that include all county-funded courts classes can be found in Appendices B1 through E4.

#### ***2.2.1 2<sup>nd</sup> Circuit – Small***

Both Leon and Gadsden counties have created the classifications and pay ranges of their local judicial system employees to mirror current state-level classifications and pay plans, where available. As shown in Exhibit 2-2, the assistant public defender position funded by Leon County, though paid through the State Grants & Donations Trust Fund, does not share the same pay range as a typical state-paid assistant public defender. However, the \$40,000 salary cap set by the county falls well within the state pay range.

The Second Circuit trial court positions share the same position titles and pay ranges found at the state level. However, as depicted in Exhibit 2-3, there are still essentially six classifications that do not have state-level counterparts. There is currently a family mediator position classification in the state-level personnel system, but no general county or civil court mediator classifications. The cost containment specialist and detention coordinator positions also do not have direct state counterparts, and these positions may be best addressed through OSCA's Article V Personnel Subcommittee.

### **2.2.2 20<sup>th</sup> Circuit – Medium**

Four of the five counties in the 20<sup>th</sup> Circuit have different sets of pay ranges and position classifications, requiring court administration staff to deal with five different systems, including the state. Generally, county-funded positions in the 20<sup>th</sup> Circuit are comparable to state-funded positions, but the pay ranges and position titles are not exactly the same in all cases, depending on which county is funding the position and the particular judicial system entity. In the case of Public Defender's Office positions, the titles are virtually the same as state-paid employees, and the pay ranges are similar. Exhibit 2-4 compares the current county position titles and pay ranges by county to the state classifications and pay ranges. Total minimums of pay ranges would decrease by just over \$1,300, or 3 percent, while maximums of pay ranges would increase by nearly \$8,000, or 9.1 percent.

County-paid positions in the State Attorney's Office share the state pay grades, and the position titles are the same as or similar to current state positions, as shown in Exhibit 2-5. The two county-funded positions in the 20<sup>th</sup> Circuit State Attorney's Office are considered contract positions for the purpose of prosecuting county ordinances and may not be considered for transfer to state funding.

**EXHIBIT 2-2**  
**LEON COUNTY AND STATE COURTS SYSTEM POSITION TITLE AND PAY RANGE COMPARISON WITH DIFFERENCE**  
**AND PERCENT DIFFERENCE: PUBLIC DEFENDER**

| County                    |                                               |             | State                     |             |              | Difference |         | Percent difference |         |
|---------------------------|-----------------------------------------------|-------------|---------------------------|-------------|--------------|------------|---------|--------------------|---------|
| Position Title            | Minimum                                       | Maximum     | Position Title            | Minimum     | Maximum      | Minimum    | Maximum | Minimum            | Maximum |
| Assistant Public Defender | Hourly rate paid using OPS \$\$ (no benefits) | \$40,000.00 | Assistant Public Defender | \$36,829.32 | \$131,695.92 | -          | -       | -                  | -       |

Source: Second Circuit Public Defender's Office; Office of State Courts Administrator.

**EXHIBIT 2-3**  
**LEON COUNTY AND STATE COURTS SYSTEM POSITION TITLE AND PAY RANGE COMPARISON WITH DIFFERENCE**  
**AND PERCENT DIFFERENCE: TRIAL COURTS**

| County                       |             |              | State                       |             |              | Difference |         | Percent difference |         |
|------------------------------|-------------|--------------|-----------------------------|-------------|--------------|------------|---------|--------------------|---------|
| Position Title               | Minimum     | Maximum      | Position Title              | Minimum     | Maximum      | Minimum    | Maximum | Minimum            | Maximum |
| Administrative Assistant I   | \$26,215.20 | \$47,187.36  | Administrative Assistant I  | \$26,215.20 | \$47,187.36  | \$0.00     | \$0.00  | 0.0%               | 0.0%    |
| Administrative Assistant II  | \$28,571.16 | \$51,428.04  | Administrative Assistant II | \$28,571.16 | \$51,428.04  | \$0.00     | \$0.00  | 0.0%               | 0.0%    |
| Administrative Secretary I   | \$26,215.20 | \$47,187.36  | Administrative Secretary I  | \$26,215.20 | \$47,187.36  | \$0.00     | \$0.00  | 0.0%               | 0.0%    |
| Administrative Secretary II  | \$29,838.24 | \$53,708.88  | Administrative Secretary II | \$29,838.24 | \$53,708.88  | \$0.00     | \$0.00  | 0.0%               | 0.0%    |
| Cost Containment Specialist* | -           | -            | -                           | -           | -            | -          | -       | -                  | -       |
| Detention Coordinator*       | -           | -            | -                           | -           | -            | -          | -       | -                  | -       |
| General Master               | \$69,538.68 | \$121,692.72 | Hearing Ofc./Gen. Master    | \$69,538.68 | \$121,692.72 | \$0.00     | \$0.00  | 0.0%               | 0.0%    |
| Secretary Specialist         | \$21,455.16 | \$37,546.56  | Secretary Specialist        | \$21,455.16 | \$37,546.56  | \$0.00     | \$0.00  | 0.0%               | 0.0%    |
| Chief Court Reporter*        | -           | -            | -                           | -           | -            | -          | -       | -                  | -       |
| Court Reporter (Leon)*       | -           | -            | -                           | -           | -            | -          | -       | -                  | -       |
| Court Reporter (Gadsden)*    | -           | -            | -                           | -           | -            | -          | -       | -                  | -       |
| Attorney                     | \$40,502.88 | \$70,880.04  | Trial Court Staff Attorney  | \$40,502.88 | \$70,880.04  | \$0.00     | \$0.00  | 0.0%               | 0.0%    |
| Coordinator                  | \$40,702.08 | \$71,228.64  | Program Coordinator         | \$40,702.08 | \$71,228.64  | \$0.00     | \$0.00  | 0.0%               | 0.0%    |
| County Mediator*             | -           | -            | -                           | -           | -            | -          | -       | -                  | -       |
| Circuit Mediator*            | -           | -            | -                           | -           | -            | -          | -       | -                  | -       |

Source: Second Circuit Court Administration; Office of State Courts Administrator.

\* Second Circuit Court Administration did not provide pay ranges for these positions, but actual salary figures are included in Appendix B2.

**EXHIBIT 2-4**

**CHARLOTTE, COLLIER, HENDRY, AND LEE COUNTIES AND STATE COURTS SYSTEM POSITION TITLE AND PAY RANGE COMPARISON WITH DIFFERENCE AND PERCENT DIFFERENCE: PUBLIC DEFENDER**

| County                    |             |             | State                     |             |              | Difference   |            | Percent difference |         |
|---------------------------|-------------|-------------|---------------------------|-------------|--------------|--------------|------------|--------------------|---------|
| Position Title            | Minimum     | Maximum     | Position Title            | Minimum     | Maximum      | Minimum      | Maximum    | Minimum            | Maximum |
| Assistant Public Defender | no minimum  | no maximum  | Assistant Public Defender | \$36,829.32 | \$136,284.00 | -            | -          | -                  | -       |
| Secretary                 | \$18,449.47 | \$28,032.58 | Secretary II              | \$16,513.56 | \$34,517.04  | (\$1,935.91) | \$6,484.46 | -10.5%             | 23.1%   |
| Investigator              | \$24,810.48 | \$59,745.72 | Investigator I            | \$25,430.76 | \$61,239.36  | \$620.28     | \$1,493.64 | 2.5%               | 2.5%    |

Source: 20<sup>th</sup> Circuit Public Defender's Office; Justice Administrative Commission.

**EXHIBIT 2-5**

**LEE COUNTY AND STATE COURTS SYSTEM POSITION TITLE AND PAY RANGE COMPARISON WITH DIFFERENCE AND PERCENT DIFFERENCE: STATE ATTORNEY**

| County                   |             |              | State                       |             |              | Difference |         | Percent difference |         |
|--------------------------|-------------|--------------|-----------------------------|-------------|--------------|------------|---------|--------------------|---------|
| Position Title           | Minimum     | Maximum      | Position Title              | Minimum     | Maximum      | Minimum    | Maximum | Minimum            | Maximum |
| Assistant State Attorney | \$36,829.32 | \$137,185.92 | Assistant State Attorney    | \$36,829.32 | \$137,185.92 | \$0.00     | \$0.00  | 0.0%               | 0.0%    |
| Office Assistant         | \$21,881.76 | \$38,360.76  | Legal Assistant/Secretary I | \$21,881.76 | \$38,360.76  | \$0.00     | \$0.00  | 0.0%               | 0.0%    |

Source: 20<sup>th</sup> Circuit State Attorney's Office; Justice Administrative Commission.

The county-funded positions in the 20<sup>th</sup> Circuit trial courts are funded by Charlotte, Collier, and Lee counties, with some position classifications being funded by multiple counties. It appears that the court developed the pay grades and position classifications or the counties worked in conjunction with one another to develop positions that would be the same across counties. Only two county-paid position classifications in the 20<sup>th</sup> Circuit do not have current state equivalents—court interpreters and court trainees—and both classifications should be addressed through the state-level courts personnel committee. County minimum pay ranges are 2.5 percent higher than the state equivalents overall, and county maximum pay ranges are 22.4 percent higher. The minimums of pay ranges would have to be raised nearly \$26,000, and matching the maximum pay range levels would require a \$511,000 increase. Some of the largest increases in the minimum of pay ranges would occur in court administration positions that have some supervisory duties and the general master positions. The only significant decreases in pay ranges would occur for court counselors, court program managers, and civil case managers, as depicted in Exhibit 2-6.

### **2.2.3 6<sup>th</sup> Circuit – Large**

The two counties in the 6<sup>th</sup> Circuit—Pasco and Pinellas—have different job classifications and pay grades for judicial system employees. Also, like several other counties that fall within the large circuit stratum, Pinellas County has a competitive area differential added to state salaries to provide equality to employees living in costlier areas. The 6<sup>th</sup> Circuit Public Defender's Office has one Pasco County-funded assistant public defender position that is funded through the State Grants & Donations Trust Fund and, as such, mirrors the state-level classification. Though there is not an official pay range for this position, Pasco County funded it at a salary, as shown in Appendix D1, that falls within the current state-level pay range depicted in Exhibit 2-7.

**EXHIBIT 2-6  
CHARLOTTE, COLLIER, AND LEE COUNTIES AND STATE COURTS SYSTEM POSITION TITLE AND PAY RANGE  
COMPARISON WITH DIFFERENCE AND PERCENT DIFFERENCE: TRIAL COURTS**

| County                            |             |              | State                       |             |              | Difference   |               | Percent difference |         |
|-----------------------------------|-------------|--------------|-----------------------------|-------------|--------------|--------------|---------------|--------------------|---------|
| Position Title                    | Minimum     | Maximum      | Position Title              | Minimum     | Maximum      | Minimum      | Maximum       | Minimum            | Maximum |
| Accounts Specialist               | \$23,641.80 | \$48,482.46  | Fiscal Assistant            | \$23,301.00 | \$40,776.72  | (\$340.80)   | (\$7,705.74)  | -1.4%              | -15.9%  |
| Administrative Assistant          | \$22,140.30 | \$45,314.88  | Administrative Assistant I  | \$26,215.20 | \$47,187.36  | \$4,074.90   | \$1,872.48    | 18.4%              | 4.1%    |
| Arbitration/Mediation Coordinator | \$27,054.30 | \$55,513.64  | Program Coordinator         | \$40,702.08 | \$71,228.64  | \$13,647.78  | \$15,715.00   | 50.4%              | 28.3%   |
| Chief Deputy Court Administrator  | \$51,651.60 | \$120,557.58 | Chief Deputy Court Admin.   | \$73,015.44 | \$127,777.08 | \$21,363.84  | \$7,219.50    | 41.4%              | 6.0%    |
| Civil Case Manager                | \$35,462.70 | \$72,782.06  | Case Coordinator II         | \$31,168.68 | \$54,545.16  | (\$4,294.02) | (\$18,236.90) | -12.1%             | -25.1%  |
| Court Counselor                   | \$39,393.90 | \$83,637.58  | Court Counselor             | \$32,565.60 | \$56,989.80  | (\$6,828.30) | (\$26,647.78) | -17.3%             | -31.9%  |
| Court Interpreter                 | \$27,054.30 | \$55,513.64  | -                           | -           | -            | -            | -             | -                  | -       |
| Court Program Manager             | \$51,651.60 | \$120,557.58 | Deputy Court Administrator  | \$42,690.60 | \$74,708.52  | (\$8,961.00) | (\$45,849.06) | -17.3%             | -38.0%  |
| Court Trainee                     | \$10,712.00 | \$21,788.26  | -                           | -           | -            | -            | -             | -                  | -       |
| Domestic Violence Case Manager    | \$27,054.30 | \$55,513.64  | Case Coordinator I          | \$28,571.16 | \$51,428.04  | \$1,516.86   | (\$4,085.60)  | 5.6%               | -7.4%   |
| D/V Coordinator/Supervisor        | \$28,965.30 | \$62,386.22  | Program Coordinator         | \$40,702.08 | \$71,228.64  | \$11,736.78  | \$8,842.42    | 40.5%              | 14.2%   |
| D/V Docket Case Manager           | \$21,021.00 | \$42,378.70  | Case Coordinator I          | \$28,571.16 | \$51,428.04  | \$7,550.16   | \$9,049.34    | 35.9%              | 21.4%   |
| Deputy Court Administrator        | \$36,827.70 | \$78,151.32  | Deputy Court Administrator  | \$42,690.00 | \$74,708.52  | \$5,862.30   | (\$3,442.80)  | 15.9%              | -4.4%   |
| Docket Clerical Assistant         | \$19,082.70 | \$37,240.84  | Clerical Assistant          | \$19,780.92 | \$34,616.64  | \$698.22     | (\$2,624.20)  | 3.7%               | -7.0%   |
| Executive Assistant               | \$27,054.30 | \$55,513.64  | Administrative Assistant I  | \$26,215.20 | \$47,187.36  | (\$839.10)   | (\$8,326.28)  | -3.1%              | -15.0%  |
| Fiscal Operations Specialist      | \$27,054.30 | \$55,513.64  | Budget Specialist           | \$32,565.60 | \$56,989.80  | \$5,511.30   | \$1,476.16    | 20.4%              | 2.7%    |
| General Master Assistant          | \$27,054.30 | \$55,513.64  | Administrative Assistant I  | \$26,215.20 | \$47,187.36  | (\$839.10)   | (\$8,326.28)  | -3.1%              | -15.0%  |
| General Master/Case Manager       | \$55,255.20 | \$129,014.08 | Hearing Officer/Gen. Master | \$69,538.68 | \$121,692.72 | \$14,283.48  | (\$7,321.36)  | 25.9%              | -5.7%   |
| HR Specialist/Office Manager      | \$27,054.30 | \$55,513.64  | Personnel Specialist        | \$31,168.68 | \$54,545.16  | \$4,114.38   | (\$968.48)    | 15.2%              | -1.7%   |
| Legal Secretary                   | \$23,641.80 | \$48,482.46  | Legal Secretary             | \$22,355.64 | \$39,122.40  | (\$1,286.16) | (\$9,360.06)  | -5.4%              | -19.3%  |
| Office Assistant II               | \$16,489.20 | \$32,180.20  | Clerical Assistant          | \$19,780.92 | \$34,616.64  | \$3,291.72   | \$2,436.44    | 20.0%              | 7.6%    |
| Program Coordinator               | \$25,640.94 | \$53,178.84  | Program Coordinator         | \$40,702.08 | \$71,228.64  | \$15,061.14  | \$18,049.80   | 58.7%              | 33.9%   |
| Program Specialist I              | \$20,038.20 | \$39,597.48  | Court Program Specialist I  | \$28,571.16 | \$51,428.04  | \$8,532.96   | \$11,830.56   | 42.6%              | 29.9%   |
| Program Specialist II             | \$22,140.30 | \$45,314.88  | Court Program Specialist II | \$34,032.24 | \$59,556.48  | \$11,891.94  | \$14,241.60   | 53.7%              | 31.4%   |
| Program Specialist Supervisor     | \$25,640.94 | \$53,178.84  | Court Program Specialist II | \$34,032.24 | \$59,556.48  | \$8,391.30   | \$6,377.64    | 32.7%              | 12.0%   |
| Secretary II                      | \$19,082.70 | \$37,240.84  | Secretary Specialist        | \$21,455.16 | \$37,546.56  | \$2,372.46   | \$305.72      | 12.4%              | 0.8%    |
| Secretary III                     | \$21,021.00 | \$42,378.70  | Senior Secretary            | \$23,301.00 | \$40,776.72  | \$2,280.00   | (\$1,601.98)  | 10.8%              | -3.8%   |
| Senior Deputy Court Administrator | \$45,099.60 | \$105,301.82 | Senior Deputy Ct. Admin.    | \$51,890.76 | \$90,808.80  | \$6,791.16   | (\$14,493.02) | 15.1%              | -13.8%  |
| Senior Fiscal Officer             | \$45,099.60 | \$105,301.82 | Budget Administrator        | \$49,419.84 | \$86,484.72  | \$4,320.24   | (\$18,817.10) | 9.6%               | -17.9%  |
| Senior Secretary                  | \$21,021.00 | \$42,378.70  | Senior Secretary            | \$23,301.00 | \$40,776.72  | \$2,280.00   | (\$1,601.98)  | 10.8%              | -3.8%   |
| Staff Attorney                    | \$33,142.20 | \$68,030.30  | Trial Court Staff Attorney  | \$40,502.88 | \$70,880.04  | \$7,360.68   | \$2,849.74    | 22.2%              | 4.2%    |

Source: 20<sup>th</sup> Circuit Court Administration; Office of State Courts Administrator.

Although the Pinellas County-funded State Attorney's Office positions are not funded at the same pay ranges or with the same job classifications as the state, they are relatively similar to the state-level positions. However, two positions—Victim Witness Counselor and Clerk Typist III—would require minimum pay range hikes of nearly 24 percent to bring them to the current state minimum. Overall, the minimum of the pay ranges would need to be raised an additional \$12,000 to bring all classifications to the state level, and the maximum of the pay ranges would need to be increased by \$5,000, as shown in Exhibit 2-8.

The Pasco County-funded positions in the 6<sup>th</sup> Circuit trial courts are in most cases the same as the state level. The only exceptions to this, as shown in Exhibit 2-9, are two court administration positions and court reporter positions. Pinellas County-funded trial court positions lacking state counterparts include staff psychologist, behavioral evaluator and director, field investigator, and two court administration coordinators. There are three field investigator classifications found in the circuit, but the only classification listed here performs behavioral evaluation field investigations. The remaining field investigator positions perform guardianship or child custody investigations, and as such are not included in this limited group. Should the state decide to fund Pasco County-funded positions at their current pay range levels, the minimum of pay ranges would decrease overall by more than \$4,500, and the maximum of pay ranges would decrease by nearly \$7,900, for a decrease in both instances of 1.3 percent. Transfer of Pinellas County-funded positions in the 6<sup>th</sup> Circuit trial courts show a minimum pay range decrease of \$10,000, or 0.9 percent, and a maximum pay range decrease of nearly \$4,000, or 0.2 percent.

EXHIBIT 2-7

PASCO COUNTY AND STATE COURTS SYSTEM POSITION TITLE AND PAY RANGE COMPARISON WITH DIFFERENCE AND PERCENT DIFFERENCE: PUBLIC DEFENDER

| County                    |            |            | State                     |             |              | Difference |         | Percent difference |         |
|---------------------------|------------|------------|---------------------------|-------------|--------------|------------|---------|--------------------|---------|
| Position Title            | Minimum    | Maximum    | Position Title            | Minimum     | Maximum      | Minimum    | Maximum | Minimum            | Maximum |
| Assistant Public Defender | no minimum | no maximum | Assistant Public Defender | \$36,829.32 | \$136,284.00 | -          | -       | -                  | -       |

Source: 6<sup>th</sup> Circuit Public Defender's Office; Justice Administrative Commission.

EXHIBIT 2-8

PINELLAS COUNTY AND STATE COURTS SYSTEM POSITION TITLE AND PAY RANGE COMPARISON WITH DIFFERENCE AND PERCENT DIFFERENCE: STATE ATTORNEY

| County                             |             |             | State                  |             |             | Difference |              | Percent difference |         |
|------------------------------------|-------------|-------------|------------------------|-------------|-------------|------------|--------------|--------------------|---------|
| Position Title                     | Minimum     | Maximum     | Position Title         | Minimum     | Maximum     | Minimum    | Maximum      | Minimum            | Maximum |
| Victim Witness Counselor           | \$17,658.00 | \$37,048.56 | V/W Counselor I        | \$21,881.76 | \$38,360.76 | \$4,223.76 | \$1,312.20   | 23.9%              | 3.5%    |
| Victim Advocate                    | \$27,134.40 | \$45,683.28 | V/W Counselor III      | \$28,558.80 | \$49,496.64 | \$1,424.40 | \$3,813.36   | 5.2%               | 8.3%    |
| Clerk Typist III                   | \$17,658.00 | \$37,048.56 | Process Server II      | \$21,881.76 | \$38,360.76 | \$4,223.76 | \$1,312.20   | 23.9%              | 3.5%    |
| Domestic Violence Case Coordinator | \$17,280.00 | \$35,185.44 | Motor Vehicle Operator | \$19,424.28 | \$33,870.00 | \$2,144.28 | (\$1,315.44) | 12.4%              | -3.7%   |

Source: 6<sup>th</sup> Circuit State Attorney's Office; Justice Administrative Commission.

EXHIBIT 2-9

PASCO COUNTY AND STATE COURTS SYSTEM POSITION TITLE AND PAY RANGE COMPARISON WITH DIFFERENCE AND PERCENT DIFFERENCE: TRIAL COURTS

| County                         |             |              | State                      |             |              | Difference    |               | Percent difference |         |
|--------------------------------|-------------|--------------|----------------------------|-------------|--------------|---------------|---------------|--------------------|---------|
| Position Title                 | Minimum     | Maximum      | Position Title             | Minimum     | Maximum      | Minimum       | Maximum       | Minimum            | Maximum |
| Administrative Assistant I     | \$26,215.20 | \$47,187.36  | Administrative Assistant I | \$26,215.20 | \$47,187.36  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Budget Specialist              | \$32,565.60 | \$56,989.80  | Budget Specialist          | \$32,565.60 | \$56,989.80  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Court Program Spec I           | \$28,571.16 | \$51,428.04  | Court Program Spec I       | \$28,571.16 | \$51,428.04  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Court Reporter                 | \$42,690.60 | \$74,708.52  | -                          | -           | -            | -             | -             | -                  | -       |
| Diversion Programs Manager     | \$34,032.24 | \$59,556.48  | Program Coordinator        | \$40,702.08 | \$71,228.64  | \$6,669.84    | \$11,672.16   | 19.6%              | 19.6%   |
| General Master                 | \$69,538.68 | \$121,692.72 | Hearing Ofc./Gn. Master    | \$69,538.68 | \$121,692.72 | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Lead Court Reporter            | \$44,825.13 | \$78,443.95  | -                          | -           | -            | -             | -             | -                  | -       |
| Program Assistant              | \$23,301.00 | \$40,776.72  | Program Assistant          | \$23,301.00 | \$40,776.72  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Secretary - Pasco              | \$19,780.92 | \$34,616.64  | Secretary                  | \$19,780.92 | \$34,616.64  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Senior Court Analyst           | \$38,887.56 | \$68,053.20  | Sr Court Analyst I         | \$38,887.56 | \$68,053.20  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Senior Secretary - Pasco       | \$23,301.00 | \$40,776.72  | Senior Secretary           | \$23,301.00 | \$40,776.72  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Sr Deputy Court Admin. - Pasco | \$63,073.56 | \$110,378.76 | Sr Deputy Court Admin.     | \$51,890.76 | \$90,808.80  | (\$11,182.80) | (\$19,569.96) | -17.7%             | -17.7%  |

Source: 6<sup>th</sup> Circuit Court Administration; Office of State Courts Administrator.

Many Pinellas County positions match state positions exactly, and of the nine positions that don't share the same pay ranges, five would require significantly lower minimum pay ranges—between \$3,000 and \$11,000 lower. In contrast, the minimum pay range increases that would be required for three of the four remaining positions are significant, ranging from \$1,000 to nearly \$19,000, as shown in Exhibit 2-10.

#### **2.2.4 11<sup>th</sup> Circuit – Extra Large**

Miami-Dade County has over the years developed its own significant infrastructure for administration of judicial system personnel. Some positions are funded at a much higher rate than their state counterparts, while others have current pay ranges much lower than their state-level equivalents. Still other positions—specifically in the Public Defender's Office—are considered “contract” positions, and as such do not have pay ranges, as shown in Exhibit 2-11. As with several large stratum counties, salaries for many state positions located in Miami-Dade County include an added competitive area differential.

Positions in the State Attorney's Office that are funded by Miami-Dade County are in all but one case paid at lower pay ranges than their state equivalent classifications. For the pay ranges of these positions to be raised to state level, the state would need to raise minimum pay ranges \$12,000, or 15.1 percent, and maximum pay ranges \$5,000, or 3.3 percent. This information is depicted in Exhibit 2-12.

EXHIBIT 2-10

PINELLAS COUNTY AND STATE COURTS SYSTEM POSITION TITLE AND PAY RANGE COMPARISON WITH DIFFERENCE AND PERCENT DIFFERENCE: TRIAL COURTS

| County                            |             |              | State                        |             |              | Difference    |               | Percent difference |         |
|-----------------------------------|-------------|--------------|------------------------------|-------------|--------------|---------------|---------------|--------------------|---------|
| Position Title                    | Minimum     | Maximum      | Position Title               | Minimum     | Maximum      | Minimum       | Maximum       | Minimum            | Maximum |
| Administrative Assistant I        | \$26,215.20 | \$47,187.36  | Administrative Assistant I   | \$26,215.20 | \$47,187.36  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Administrative Assistant II       | \$28,571.16 | \$51,428.04  | Administrative Assistant II  | \$28,571.16 | \$51,428.04  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Administrative Assistant III      | \$34,032.24 | \$59,556.48  | Administrative Assistant III | \$34,032.24 | \$59,556.48  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Administrative General Master     | \$69,538.68 | \$121,692.72 | Hearing Ofc./Gen. Master     | \$69,538.68 | \$121,692.72 | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Behav. Evals. Program Director    | \$69,538.68 | \$121,692.72 | -                            | -           | -            | -             | -             | -                  | -       |
| Behavioral Evaluator              | \$38,887.56 | \$68,053.20  | -                            | -           | -            | -             | -             | -                  | -       |
| Chief Deputy Court Admin.         | \$73,015.44 | \$127,777.08 | Chief Deputy Court Admin.    | \$73,015.44 | \$127,777.08 | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Clerical Assistant                | \$20,301.84 | \$35,137.56  | Clerical Assistant*          | \$20,301.84 | \$35,137.56  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Court Program Spec I              | \$28,571.16 | \$51,428.04  | Court Program Spec I         | \$28,571.16 | \$51,428.04  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Court Program Spec II             | \$34,032.24 | \$59,556.48  | Court Program Spec II        | \$34,032.24 | \$59,556.48  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Criminal Admin. Coordinator       | \$37,189.68 | \$65,082.00  | -                            | -           | -            | -             | -             | -                  | -       |
| Executive Assistant               | \$32,565.60 | \$56,989.80  | Administrative Assistant II  | \$28,571.16 | \$51,428.04  | (\$3,994.44)  | (\$5,561.76)  | -12.3%             | -9.8%   |
| Field Investigator                | \$32,565.60 | \$56,989.80  | -                            | -           | -            | -             | -             | -                  | -       |
| General Counsel                   | \$76,666.32 | \$134,166.12 | General Counsel              | \$76,666.32 | \$134,166.12 | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| General Master                    | \$69,538.68 | \$121,692.72 | Hearing Ofc./Gen. Master     | \$69,538.68 | \$121,692.72 | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Grants Administrator              | \$38,887.56 | \$68,053.20  | Grants Administrator         | \$38,887.56 | \$68,053.20  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Human Resources Manager           | \$40,702.08 | \$71,228.64  | Personnel Specialist         | \$31,168.68 | \$54,545.16  | (\$9,533.40)  | (\$16,683.48) | -23.4%             | -23.4%  |
| Human Resources Technician        | \$28,571.16 | \$51,428.04  | Personnel Technician         | \$28,571.16 | \$51,428.04  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Judicial Administrative Assistant | \$26,215.20 | \$47,187.36  | Administrative Assistant I   | \$26,215.20 | \$47,187.36  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Law Clerk                         | \$26,208.00 | \$26,208.00  | Legal Secretary*             | \$22,797.60 | \$39,564.36  | (\$3,410.40)  | \$13,356.36   | -13.0%             | 51.0%   |
| Legal Assistant                   | \$26,215.20 | \$47,187.36  | Legal Secretary*             | \$22,797.60 | \$39,564.36  | (\$3,417.60)  | (\$7,623.00)  | -13.0%             | -16.2%  |
| Operations Manager                | \$35,572.44 | \$62,251.80  | Court Program Manager        | \$54,485.28 | \$95,349.24  | \$18,912.84   | \$33,097.44   | 53.2%              | 53.2%   |
| Program Assistant                 | \$23,744.28 | \$41,220.00  | Program Assistant*           | \$23,744.28 | \$41,220.00  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Program Attorney                  | \$42,690.60 | \$74,708.52  | Program Attorney             | \$42,690.60 | \$74,708.52  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Secretary Specialist              | \$21,444.16 | \$37,546.56  | Secretary Specialist*        | \$21,876.96 | \$37,968.36  | \$432.80      | \$421.80      | 2.0%               | 1.1%    |
| Senior Court Program Specialist   | \$38,887.56 | \$68,053.20  | Sr Ct Program Specialist     | \$38,887.56 | \$68,053.20  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Senior Office Specialist          | \$25,120.80 | \$43,961.40  | Admin. Secretary I*          | \$26,215.20 | \$47,187.36  | \$1,094.40    | \$3,225.96    | 4.4%               | 7.3%    |
| Senior Records Specialist         | \$25,120.80 | \$43,961.40  | Admin. Secretary I*          | \$26,215.20 | \$47,187.36  | \$1,094.40    | \$3,225.96    | 4.4%               | 7.3%    |
| Senior Secretary                  | \$23,744.28 | \$41,220.00  | Senior Secretary*            | \$23,744.28 | \$41,220.00  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Sr Deputy Ct Admin.               | \$51,890.76 | \$90,808.80  | Sr Deputy Ct Admin.          | \$51,890.76 | \$90,808.80  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Sr Deputy Ct Admin. - HR          | \$63,073.56 | \$110,378.76 | Sr Deputy Ct Admin.          | \$51,890.76 | \$90,808.80  | (\$11,182.80) | (\$19,569.96) | -17.7%             | -17.7%  |
| Staff Psychologist                | \$57,209.52 | \$100,116.72 | -                            | -           | -            | -             | -             | -                  | -       |
| Trial Court Staff Attorney        | \$40,502.88 | \$70,880.04  | Trial Court Staff Attorney   | \$40,502.88 | \$70,880.04  | \$0.00        | \$0.00        | 0.0%               | 0.0%    |
| Volunteer Coordinator             | \$27,364.56 | \$49,256.16  | -                            | -           | -            | -             | -             | -                  | -       |

Source: 6<sup>th</sup> Circuit Court Administration; Office of State Courts Administrator.

\* This position includes a competitive area differential.

**EXHIBIT 2-11**  
**MIAMI-DADE COUNTY AND STATE COURTS SYSTEM POSITION TITLE AND PAY RANGE COMPARISON WITH**  
**DIFFERENCE AND PERCENT DIFFERENCE: PUBLIC DEFENDER**

| County                              |            |            | State                      |             |              | Difference |         | Percent difference |         |
|-------------------------------------|------------|------------|----------------------------|-------------|--------------|------------|---------|--------------------|---------|
| Position Title                      | Minimum    | Maximum    | Position Title             | Minimum     | Maximum      | Minimum    | Maximum | Minimum            | Maximum |
| Assistant Public Defender - Appeals | no minimum | no maximum | Assistant Public Defender* | \$36,829.32 | \$136,284.00 | -          | -       | -                  | -       |
| Assistant Public Defender           | no minimum | no maximum | Assistant Public Defender* | \$36,829.32 | \$136,284.00 | -          | -       | -                  | -       |

Source: 11<sup>th</sup> Circuit Public Defender's Office; Justice Administrative Commission.

\* This position includes a competitive area differential.

**EXHIBIT 2-12**  
**MIAMI-DADE COUNTY AND STATE COURTS SYSTEM POSITION TITLE AND PAY RANGE COMPARISON WITH**  
**DIFFERENCE AND PERCENT DIFFERENCE: STATE ATTORNEY**

| County                                      |             |             | State                  |             |             | Difference |              | Percent difference |         |
|---------------------------------------------|-------------|-------------|------------------------|-------------|-------------|------------|--------------|--------------------|---------|
| Position Title                              | Minimum     | Maximum     | Position Title         | Minimum     | Maximum     | Minimum    | Maximum      | Minimum            | Maximum |
| Jud. Admin. Clerk 2 (V/W Counselor I)       | \$17,658.00 | \$37,048.56 | V/W Counselor I        | \$21,881.76 | \$38,360.76 | \$4,223.76 | \$1,312.20   | 23.9%              | 3.5%    |
| Jud. Support Spec. 2 (V/W Coun./Leadworker) | \$27,134.40 | \$45,683.28 | V/W Counselor III      | \$28,558.80 | \$49,496.64 | \$1,424.40 | \$3,813.36   | 5.2%               | 8.3%    |
| Jud. Admin. Clerk 2 (Process Server)        | \$17,658.00 | \$37,048.56 | Process Server II      | \$21,881.76 | \$38,360.76 | \$4,223.76 | \$1,312.20   | 23.9%              | 3.5%    |
| Jud. Admin. Driver/Messenger                | \$17,280.00 | \$35,185.44 | Motor Vehicle Operator | \$19,424.28 | \$33,870.00 | \$2,144.28 | (\$1,315.44) | 12.4%              | -3.7%   |

Source: 11<sup>th</sup> Circuit State Attorney's Office; Justice Administrative Commission.

Trial court positions in the 11<sup>th</sup> Circuit are captured in a handful of broad job classifications, often making it difficult to draw connections between the similarly broad state position classifications. Differences in minimum pay ranges are anywhere from a 38 percent decrease to a 31 percent increase. Differences in maximum pay ranges are even greater, ranging from a 39 percent decrease to a 44 percent increase. There are several position classifications that currently do not have state-level equivalents, including due process positions (court interpreters, court reporters), alternative dispute resolution positions (mediators), clinical positions (mental health project coordinator, clinical psychologist), and court administration positions (special projects administrator, special advisor). The 11<sup>th</sup> Circuit is also unusual in that it is the only circuit in the state in which the court administrator in Miami-Dade is not already paid by the state. The salary for the court administrator at present is set by the chief judge of the circuit. In addition, general masters and judicial administration directors currently have their salaries determined by the court administrator.

In order to bring county minimum pay ranges for 11<sup>th</sup> Circuit trial courts positions to the current state level, minimum pay ranges would need to be raised nearly \$28,000, or 2.8 percent. In contrast, maximum pay ranges would decrease by more than \$200,000, or 10.3 percent. Many of the positions shown in Exhibit 2-13 include competitive area differentials.

**EXHIBIT 2-13**  
**MIAMI-DADE COUNTY AND STATE COURTS SYSTEM POSITION TITLE AND PAY RANGE COMPARISON WITH**  
**DIFFERENCE AND PERCENT DIFFERENCE: TRIAL COURTS**

| County                         |             |              | State                            |             |              | Difference    |               | Percent difference |         |
|--------------------------------|-------------|--------------|----------------------------------|-------------|--------------|---------------|---------------|--------------------|---------|
| Position Title                 | Minimum     | Maximum      | Position Title                   | Minimum     | Maximum      | Minimum       | Maximum       | Minimum            | Maximum |
| Admin. Asst. to Gen. Counsel   | \$28,445.28 | \$69,540.00  | Admin. Assistant I*              | \$27,420.36 | \$48,392.52  | (\$1,024.92)  | (\$21,147.48) | -3.6%              | -30.4%  |
| Admin. Asst.-Jud. Admin. Dir.  | \$27,134.40 | \$45,683.28  | Admin. Assistant I*              | \$27,420.36 | \$48,392.52  | \$285.96      | \$2,709.24    | 1.1%               | 5.9%    |
| Court Administrator            | no min.     | no max.      | Trial Court Administrator        | \$76,666.32 | \$134,166.12 | -             | -             | -                  | -       |
| Court Interpreter              | \$27,011.04 | \$63,047.76  | -                                | -           | -            | -             | -             | -                  | -       |
| Court Legal Advisor 1          | \$37,849.92 | \$60,204.72  | Legal Secretary*                 | \$23,580.96 | \$40,347.72  | (\$14,268.96) | (\$19,857.00) | -37.7%             | -33.0%  |
| Court Reporting Pool Coord.    | \$24,710.16 | \$60,691.92  | -                                | -           | -            | -             | -             | -                  | -       |
| Dir. Gov't Liaison & P.R.      | \$56,769.84 | \$88,008.96  | Dir. Community & Intergov't Rel. | \$60,070.08 | \$105,122.64 | \$3,300.24    | \$17,113.68   | 5.8%               | 19.4%   |
| Domestic Violence Coord.       | \$37,849.92 | \$60,204.72  | Court Program Specialist II      | \$34,032.24 | \$59,556.48  | (\$3,817.68)  | (\$648.24)    | -10.1%             | -1.1%   |
| Elec. Rec. Monitor/Transcriber | -           | -            | -                                | -           | -            | -             | -             | -                  | -       |
| General Master                 | no min.     | no max.      | Hearing Officer/Gen. Master      | \$69,538.68 | \$121,692.72 | -             | -             | -                  | -       |
| JA Administrative Assistant 2  | \$27,134.40 | \$66,458.64  | Admin. Assistant I*              | \$27,420.36 | \$48,392.52  | \$285.96      | (\$18,066.12) | 1.1%               | -27.2%  |
| JA Administrative Secretary    | \$23,443.92 | \$41,423.28  | Admin. Secretary I*              | \$27,419.28 | \$48,391.44  | \$3,975.36    | \$6,968.16    | 17.0%              | 16.8%   |
| JA Calendar Administrator      | \$32,556.00 | \$79,397.28  | Case Coordinator II*             | \$32,373.84 | \$55,750.32  | (\$182.16)    | (\$23,646.96) | -0.6%              | -29.8%  |
| JA Clerk 2                     | \$17,658.00 | \$37,048.56  | Clerical Assistant*              | \$20,985.00 | \$35,820.72  | \$3,327.00    | (\$1,227.84)  | 18.8%              | -3.3%   |
| JA Clinical Psychologist 2     | \$49,731.60 | \$81,505.44  | -                                | -           | -            | -             | -             | -                  | -       |
| JA Clinical Social Worker 1    | \$26,020.32 | \$63,510.96  | Court Counselor                  | \$32,565.60 | \$56,989.80  | \$6,545.28    | (\$6,521.16)  | 25.2%              | -10.3%  |
| JA Clinical Social Worker 2    | \$31,198.56 | \$76,094.40  | Court Counselor Supervisor       | \$35,572.44 | \$62,251.80  | \$4,373.88    | (\$13,842.60) | 14.0%              | -18.2%  |
| JA Enforcement Sec. H.O.       | \$56,769.84 | \$88,008.96  | Hearing Officer/Gen. Master      | \$69,538.68 | \$121,692.72 | \$12,768.84   | \$33,683.76   | 22.5%              | 38.3%   |
| JA Ex Parte Clerk              | \$24,511.92 | \$57,153.12  | Legal Secretary*                 | \$23,580.96 | \$40,347.72  | (\$930.96)    | (\$16,805.40) | -3.8%              | -29.4%  |
| JA Information Clerk           | \$19,989.84 | \$45,420.48  | Secretary*                       | \$20,986.08 | \$35,821.80  | \$996.24      | (\$9,598.68)  | 5.0%               | -21.1%  |
| JA Legal Secretary 1           | \$22,481.28 | \$55,186.08  | Legal Secretary*                 | \$23,580.96 | \$40,347.72  | \$1,099.68    | (\$14,838.36) | 4.9%               | -26.9%  |
| JA Legal Secretary 2           | \$27,134.40 | \$66,458.64  | Legal Secretary*                 | \$23,580.96 | \$40,347.72  | (\$3,553.44)  | (\$26,110.92) | -13.1%             | -39.3%  |
| JA Mail Center Clerk           | \$17,658.00 | \$37,048.56  | Clerical Assistant*              | \$20,985.00 | \$35,820.72  | \$3,327.00    | (\$1,227.84)  | 18.8%              | -3.3%   |
| JA Office Support Spec. 2      | \$18,556.80 | \$40,350.48  | Secretary*                       | \$20,986.08 | \$35,821.80  | \$2,429.28    | (\$4,528.68)  | 13.1%              | -11.2%  |
| JA Personnel Specialist        | \$31,198.56 | \$76,094.40  | Personnel Specialist             | \$31,168.68 | \$54,545.16  | (\$29.88)     | (\$21,549.24) | -0.1%              | -28.3%  |
| JA Secretary                   | \$21,660.96 | \$48,141.12  | Secretary*                       | \$20,986.08 | \$35,821.80  | (\$674.88)    | (\$12,319.32) | -3.1%              | -25.6%  |
| JA Special Projects Admin. 2   | \$45,683.28 | \$110,437.68 | -                                | -           | -            | -             | -             | -                  | -       |
| JA Statistical Analyst         | \$37,849.92 | \$60,204.72  | Court Statistician               | \$40,702.08 | \$71,228.64  | \$2,852.16    | \$11,023.92   | 7.5%               | 18.3%   |
| JA Training Specialist         | \$31,198.56 | \$76,094.40  | Court Education Program Coord    | \$34,032.24 | \$59,556.48  | \$2,833.68    | (\$16,537.92) | 9.1%               | -21.7%  |
| Judicial Administration Dir.   | no min.     | no max.      | Chief Deputy Court Admin.        | \$73,015.44 | \$127,777.08 | -             | -             | -                  | -       |
| Judicial Services Coord. 1     | \$28,661.04 | \$69,760.32  | Case Coordinator I*              | \$29,776.32 | \$52,633.20  | \$1,115.28    | (\$17,127.12) | 3.9%               | -24.6%  |
| Judicial Support Admin. 1      | \$24,710.16 | \$60,691.92  | Program Assistant*               | \$24,526.32 | \$42,002.04  | (\$183.84)    | (\$18,689.88) | -0.7%              | -30.8%  |
| Judicial Support Admin. 2      | \$37,849.92 | \$60,204.72  | Assistant Program Coordinator    | \$34,032.24 | \$59,556.48  | (\$3,817.68)  | (\$648.24)    | -10.1%             | -1.1%   |
| Judicial Support Admin. 3      | \$43,408.08 | \$70,070.16  | Program Coordinator              | \$40,702.08 | \$71,228.64  | (\$2,706.00)  | \$1,158.48    | -6.2%              | 1.7%    |
| Judicial Support Spec. 1       | \$20,141.52 | \$45,765.12  | Secretary*                       | \$20,986.08 | \$35,821.80  | \$844.56      | (\$9,943.32)  | 4.2%               | -21.7%  |
| Judicial Support Spec. 2       | \$22,717.68 | \$52,567.20  | Secretary Specialist*            | \$22,660.32 | \$38,751.72  | (\$57.36)     | (\$13,815.48) | -0.3%              | -26.3%  |
| Legal Secretary 1              | \$22,481.28 | \$55,186.08  | Legal Secretary*                 | \$23,580.96 | \$40,347.72  | \$1,099.68    | (\$14,838.36) | 4.9%               | -26.9%  |
| Mediator 1                     | \$28,445.28 | \$69,540.00  | -                                | -           | -            | -             | -             | -                  | -       |
| Mediator 2                     | \$37,849.92 | \$60,204.72  | -                                | -           | -            | -             | -             | -                  | -       |
| Mediator 3                     | \$43,408.08 | \$70,070.16  | -                                | -           | -            | -             | -             | -                  | -       |
| Mental Health Eval. Coord.     | \$37,849.92 | \$60,204.72  | Program Coordinator              | \$40,702.08 | \$71,228.64  | \$2,852.16    | \$11,023.92   | 7.5%               | 18.3%   |
| Mental Health Project Coord.   | -           | -            | -                                | -           | -            | -             | -             | -                  | -       |
| Sr. Judicial Support Admin.    | \$49,731.60 | \$81,505.44  | Deputy Court Administrator       | \$42,690.60 | \$74,708.52  | (\$7,041.00)  | (\$6,796.92)  | -14.2%             | -8.3%   |
| Sr. Media Relations Spec.      | \$37,849.92 | \$60,204.72  | Communications Coordinator       | \$49,419.84 | \$86,484.72  | \$11,569.92   | \$26,280.00   | 30.6%              | 43.7%   |
| Spec. Advisor to Juv. Div.     | -           | -            | -                                | -           | -            | -             | -             | -                  | -       |

Source: 11<sup>th</sup> Circuit Court Administration; Office of State Courts Administrator.

\* This position includes a competitive area differential.

### **2.2.5 Statewide**

For all positions analyzed in the representative circuits, the state would need to increase minimum pay ranges \$9,818.23, or 0.2 percent. In contrast, maximum pay ranges would decrease by more than \$697,000, or 9.1 percent. However, as discussed earlier in this section, these figures include only position classifications and do not account for the actual number of individuals within position classifications.

To produce a rough calculation of salary expenditures that the state would assume should the Legislature choose to fund all such county-funded positions throughout the state, the total number of positions considered for transfer were estimated. This was accomplished by determining a ratio of total positions considered for transfer per dollar using county expenditures for each of the four circuits analyzed in this chapter. Those ratios were then averaged, and the average positions per dollar figure was applied to the remaining 16 circuits, as depicted in Exhibit 2-14.

Next, a rough estimation of an overall average salary was calculated using all available salary data (using all applicable county salaries from selected circuits). The estimated average salary for county-funded state courts system employees is approximately \$41,201. Using this figure, Exhibit 2-15 depicts a rough estimate of total salary costs the state could incur should county-funded positions be transferred to the state.

**EXHIBIT 2-14  
ESTIMATE OF TOTAL POSITIONS CONSIDERED FOR TRANSFER  
FROM COUNTY FUNDING TO STATE FUNDING**

| Circuit                              | County Expenditures FY 1999-00 |                 |              | Total        | Positions<br>considered for<br>transfer* |
|--------------------------------------|--------------------------------|-----------------|--------------|--------------|------------------------------------------|
|                                      | State Attorney                 | Public Defender | Trial Courts |              |                                          |
| Small                                |                                |                 |              |              |                                          |
| 2nd                                  | \$467,270                      | \$2,097,400     | \$2,099,301  | \$4,663,971  | 23.30                                    |
| 3rd                                  | \$323,210                      | \$594,232       | \$1,004,995  | \$1,922,437  | 13.20                                    |
| 8th                                  | \$290,331                      | \$2,024,997     | \$3,537,268  | \$5,852,596  | 40.19                                    |
| 14th                                 | \$434,586                      | \$549,643       | \$828,785    | \$1,813,014  | 12.45                                    |
| 16th                                 | \$220,881                      | \$595,479       | \$2,173,289  | \$2,989,648  | 20.53                                    |
| 19th                                 | \$1,061,991                    | \$2,160,398     | \$419,226    | \$3,641,615  | 25.01                                    |
| Total positions, small stratum       |                                |                 |              |              | 134.67                                   |
| Medium                               |                                |                 |              |              |                                          |
| 1st                                  | \$1,007,684                    | \$2,412,225     | \$6,024,765  | \$9,444,674  | 64.85                                    |
| 5th                                  | \$662,994                      | \$2,020,422     | \$605,897    | \$3,289,312  | 22.59                                    |
| 7th                                  | \$933,885                      | \$1,746,849     | \$5,059,523  | \$7,740,257  | 53.15                                    |
| 10th                                 | \$481,616                      | \$2,148,061     | \$2,720,529  | \$5,350,206  | 36.74                                    |
| 12th                                 | \$662,988                      | \$1,404,677     | \$3,243,059  | \$5,310,724  | 36.47                                    |
| 18th                                 | \$1,326,856                    | \$1,966,263     | \$4,720,910  | \$8,014,029  | 55.03                                    |
| 20th                                 | \$1,998,430                    | \$3,286,871     | \$6,793,875  | \$12,079,175 | 101.50                                   |
| Total positions, medium stratum      |                                |                 |              |              | 370.32                                   |
| Large                                |                                |                 |              |              |                                          |
| 4th                                  | \$1,727,879                    | \$4,329,193     | \$5,546,085  | \$11,603,157 | 79.68                                    |
| 6th                                  | \$1,273,861                    | \$2,363,047     | \$7,994,211  | \$11,631,119 | 89.00                                    |
| 9th                                  | \$895,375                      | \$6,984,380     | \$7,361,096  | \$15,240,851 | 104.65                                   |
| 13th                                 | \$2,621,751                    | \$2,601,326     | \$10,873,430 | \$16,096,508 | 110.53                                   |
| 15th                                 | \$1,242,442                    | \$5,020,563     | \$10,731,721 | \$16,994,727 | 116.70                                   |
| 17th                                 | \$2,986,499                    | \$7,349,226     | \$15,601,148 | \$25,936,873 | 178.10                                   |
| Total positions, large stratum       |                                |                 |              |              | 678.66                                   |
| Extra Large                          |                                |                 |              |              |                                          |
| 11th                                 | \$4,087,567                    | \$16,365,727    | \$41,110,134 | \$61,563,428 | 395.00                                   |
| Total positions, extra large stratum |                                |                 |              |              | 395.00                                   |
| Total positions, statewide           |                                |                 |              |              | 1,578.65                                 |

\* Using average staff per dollar of county expenditures, except in the four selected circuits (2nd, 20th, 6th, and 11th), where actual data is provided.

**EXHIBIT 2-15  
ESTIMATION OF TOTAL SALARY EXPENDITURES FOR COUNTY  
POSITIONS TRANSFERRED TO STATE FUNDING**

|                                 |         |   |                                |          |   |              |
|---------------------------------|---------|---|--------------------------------|----------|---|--------------|
| Estimated<br>Total<br>Positions | 1579.41 | x | Estimated<br>Average<br>Salary | \$41,201 | = | \$65,073,054 |
|---------------------------------|---------|---|--------------------------------|----------|---|--------------|

**2.3 Employee Benefits Issues**

For each representative circuit, a thorough analysis was conducted of the current benefits structure for the counties within each circuit, especially as they compare to current state benefits plans. Each circuit provided a “fringe benefits percentage” for use in calculating estimated benefits costs. This percentage represents a rough estimate of the percentage applied to an employee’s salary to derive estimated benefits costs, and typically includes life insurance, Social Security and Medicare costs, disability, retirement, and other miscellaneous benefits. Percentages for some circuits additionally include health insurance, while other circuits provide a separate fixed health insurance cost. These percentages and related calculations are depicted in Appendices B1 through E4 in detailed charts.

While the level of employee and employer contributions to benefits packages differ from county to county and from the counties to the state, the level of benefits provided is generally comparable. In many counties, employees often contribute little or nothing to their benefits package. County employees transferring to the state could experience an increase in their level of contribution, but the benefits they receive should remain comparable.

All counties within representative circuits participate in the Florida Retirement System (FRS), and it appears that a large majority of court employees should fall under

the regular membership plan, so transfer issues relative to retirement benefits should be limited. Certain employees that may be county-funded at present, including public defender and state attorney investigators, fall under the special risk category, which requires a higher employer contribution rate of 9.41 percent at present. Total costs calculated in Section 2.3 are for benefits transfer only. As the state will become financially responsible for certain functions currently performed by county employees, it is understood that the assumption of these responsibilities will be a costly venture. Hence, subsequent discussions of “cost savings” are more a measure of lesser additional expenditures than actual savings.

### **2.3.1 2<sup>nd</sup> Circuit – Small**

The 2<sup>nd</sup> Circuit comprises six Panhandle counties: Franklin, Gadsden, Jefferson, Leon, Liberty, and Wakulla. At present, only two counties—Leon and Gadsden—provide funding for court employees, and the large majority of county funding is provided by Leon County. One FTE within the Public Defender’s Office is funded by Leon County. The assistant public defender position is funded using Other Personal Services (OPS) monies and the county does not pay any fringe benefits except for county-paid funds related to the Federal Insurance Contributions Act (FICA) for Social Security and Medicare. This position was added as a “workload conflict” position within the office’s juvenile division to handle an increase in the juvenile caseload. The 2<sup>nd</sup> Circuit is unique in that it is the only small circuit with a county-funded position in the public defender’s office.

Exhibit 2-16 depicts the additional benefits costs that would be incurred for transferring the county-funded public defender position to an FTE at the state level. The additional fringe benefits cost of \$9,144 is due to bringing the no-benefits position up to the current state level, which entails adding costs associated with health insurance, life

insurance, dental insurance, disability, and other miscellaneous benefits. This position, as an OPS position, also does not accrue paid leave time. Should the position be transferred to state oversight and funding as an FTE, some additional cost would be associated with providing sick and annual leave benefits. However, the state could instead choose to allow this position to remain as an OPS position, which would result in no added benefits costs.

As shown in Exhibit 2-16, there are no county-funded positions within the 2<sup>nd</sup> Circuit State Attorney's Office. The only small circuit with county-funded assistant state attorneys or related support positions is the 16<sup>th</sup> Circuit (Monroe County), with one FTE.

Using the limited FTEs listed in Exhibit 2-1, Leon and Gadsden counties are currently funding 22.30 FTEs in the 2<sup>nd</sup> Circuit trial courts. These positions represent nearly 25 percent of the total trial courts staff in the circuit. The six FTEs not included in the streamlined total are located in the Guardian ad Litem department (2.5 FTEs) and Teen Court (3.5 FTEs). Exhibit 2-16 depicts the potential additional benefits costs for transferring Leon and Gadsden County trial court employees to state oversight and funding.

**EXHIBIT 2-16**  
**ANALYSIS OF CHANGES IN FRINGE BENEFITS COSTS FOR TRANSFERRING**  
**LEON AND GADSDEN COUNTY EMPLOYEES TO STATE EMPLOYEES**

| Circuit | Entity          | Number of Positions* | Salaries         | County Fringe Benefits | State Fringe Benefits | Difference       | Difference as a % of salaries |
|---------|-----------------|----------------------|------------------|------------------------|-----------------------|------------------|-------------------------------|
| 2       | Public Defender | 1                    | \$40,000         | \$3,060                | \$12,204              | (\$9,144)        | -22.86%                       |
|         | State Attorney  | 0                    | \$0              | \$0                    | \$0                   | \$0              | 0.00%                         |
|         | Trial Courts    | 22.3                 | \$916,562        | \$274,969              | \$274,704             | \$265            | 0.03%                         |
|         | <b>Total</b>    | <b>23.3</b>          | <b>\$956,562</b> | <b>\$278,029</b>       | <b>\$286,908</b>      | <b>(\$8,879)</b> | <b>-0.93%</b>                 |

Source: 2<sup>nd</sup> Circuit Public Defender; 2<sup>nd</sup> Circuit Court Administration.

\* Partial FTEs are not included in benefits calculations.

A transfer of Leon County employees to state oversight and funding shows the potential for total benefits savings of \$265, as shown in Appendix B3 and Exhibit 2-16. The state appears to reap a savings in benefits payments for all employees whose salaries are \$42,272 or higher. Conversely, the state could experience increases in benefits costs for employees with lower salaries. The fixed health insurance rate of \$5,404 per employee for the state represents a higher percentage of the lower-paid employees' salaries. Therefore, the fringe benefits percentage applied to these salaries is higher than the current county-level average of 30 percent. For instance, for an employee with an annual salary of \$20,000, the state health insurance cost of \$5,404 per year represents 27.02 percent of the total salary. When this percentage is combined with the estimated 17 percent for additional state benefits, the total fringe benefits percentage rises to 44.02 percent—14 percent more than the county-level 30 percent.

Gadsden County offers a benefits package comparable to that in Leon County, and also estimates total fringe benefits at 30 percent. Transfer of the two Gadsden County-funded court reporter positions to the state would appear to result in a total benefits savings for the state of \$1,808, as depicted in Appendix B3. The total potential benefits costs associated with a transfer of these 23.3 FTE positions totals \$8,879.

### **2.3.2 20<sup>th</sup> Circuit – Medium**

Five counties in Southwest Florida make up the 20<sup>th</sup> Circuit: Charlotte, Collier, Glades, Hendry, and Lee counties. As previously depicted in Exhibit 2-1, counties in the 20<sup>th</sup> Circuit fund a limited total of 101.50 FTEs. Most of these FTEs are located in the trial courts and are funded by Lee County. However, Charlotte, Collier, and Hendry also contribute funding for judicial system employees. There are currently 13 county-funded FTEs in the Public Defender's Office—seven assistant public defenders and six support staff—representing just over 13 percent of total Public Defender's Office staffing in the

circuit. Lee funds seven positions (four attorneys and three support staff), Collier funds four positions (two attorneys and two support staff), Hendry provides funding for one support staff position, and Charlotte funds one attorney position. Exhibit 2-17 and Appendix C1 depict the potential total additional benefits costs that would result if these positions were transferred to the state.

Both the Collier and Charlotte County positions are funded by the counties through the state Grants & Donations Trust Fund as “workload conflict” positions, and as such are currently on the state benefits plan. Transfer of the remaining county-funded positions through Lee and Hendry counties would result in an overall savings to the state of \$2,694. While the Hendry County secretarial position would require an additional \$328 in fringe benefits costs, the transfer of Lee County positions would result in a savings of \$3,022.

Lee County additionally funds two positions in the 20<sup>th</sup> Circuit State Attorney’s Office—one assistant state attorney and one support staff—for the purpose of prosecuting county ordinances pursuant to Florida Statute 27.34. These positions are considered by statute to be “contract” positions, and may not be considered for transfer to the state.

The county-funded positions within the State Attorney’s Office are currently on the state benefits plan, as depicted in Exhibit 2-17. Hence, there would be no additional benefits costs related to their transfer to the state.

Counties in the 20<sup>th</sup> Circuit fund a limited total of 86.50 FTEs in the trial courts, the highest county-funded FTE percentage of the representative circuits at 73 percent of the total trial courts staff. Of these positions, 47.50 are funded by Lee, 29 by Collier, and 10 by Charlotte. Exhibit 2-17 shows the potential additional fringe benefits cost of a transfer of these county employees to the state.

**EXHIBIT 2-17  
ANALYSIS OF CHANGES IN FRINGE BENEFITS COSTS FOR TRANSFERRING  
CHARLOTTE, COLLIER, HENDRY, AND LEE COUNTY EMPLOYEES TO STATE  
EMPLOYEES**

| Circuit | Entity          | Number of Positions* | Salaries           | County Fringe Benefits | State Fringe Benefits | Difference      | Difference as a % of salaries |
|---------|-----------------|----------------------|--------------------|------------------------|-----------------------|-----------------|-------------------------------|
| 20      | Public Defender | 13                   | \$410,585          | \$142,746              | \$140,052             | \$2,695         | 0.66%                         |
|         | State Attorney  | 2                    | \$62,564           | \$21,444               | \$21,444              | \$0             | 0.00%                         |
|         | Trial Courts    | 86.5                 | \$2,655,059        | \$935,710              | \$905,296             | \$30,415        | 1.15%                         |
|         | <b>Total</b>    | <b>101.5</b>         | <b>\$3,128,208</b> | <b>\$1,099,901</b>     | <b>\$1,066,791</b>    | <b>\$33,109</b> | <b>1.06%</b>                  |

Source: 20<sup>th</sup> Circuit Court Administration; 20<sup>th</sup> Circuit Public Defender; 20<sup>th</sup> Circuit State Attorney; Charlotte, Collier, Hendry, and Lee County Governments.

Although the transfer of Charlotte County trial court employees would result in an additional fringe benefits cost of \$9,539, the transfer of all full-time limited county-paid trial court employees in the circuit would result in overall fringe benefits savings of \$30,415. The additional costs that would be incurred through the transfer of Charlotte County employees is due in part to the fact that only one employee examined for transfer has a salary over \$30,000. As discussed in Section 2.3.1, the fixed health insurance cost per employee at the state level is a higher percentage of lower-paid employees' salaries, resulting in a larger fringe benefits percentage and higher fringe benefits costs. The current benefits percentages used by counties in the 20<sup>th</sup> Circuit range from 34 to 36 percent, including health insurance.

The cost of benefits transfer for all county-funded judicial system employees in the 20<sup>th</sup> Circuit shows a significant saving in benefits transfer of more than \$53,000, which is due largely to the inclusion of high-salary technology and probation staff as seen in Appendix C3. Additionally, the cost of benefits transfer for limited employees shows a cost savings of nearly \$30,415. Overall, it appears that the state's obligation for benefits costs through the transfer of 20<sup>th</sup> Circuit employees to the state benefits plan would be approximately \$33,109 less than that of the county.

### **2.3.3 6<sup>th</sup> Circuit – Large**

The 6<sup>th</sup> Circuit is composed of two large counties—Pinellas and Pasco—and is located in West Central Florida. Both counties provide significant funding for judicial system entities. As was shown in Exhibit 2-1, Pinellas and Pasco counties fund a limited total of 89 FTEs, 76 of which are in the trial courts. Pinellas currently funds approximately 82 percent of the total county-funded positions in the circuit. Pasco County funds the only county-paid FTE in the Public Defender’s Office—an assistant public defender position that grew out of a workload conflict in the felony division. The position, though funded by the county, is paid through the state’s Grants & Donations Trust Fund, and therefore is already on the state benefits plan.

Pinellas County funds 12 positions in the State Attorney’s Office as part of the office’s victim/witness coordination function. Due to Pinellas County’s high-cost benefits package, the transfer of these employees to the state benefits plan would result in significant fringe benefits savings to the state, as shown in Exhibit 2-18. The savings to the state would be more than \$3,000 per person for nearly every employee transferred. It appears that the state could realize benefits savings of more than \$39,000 through transfer of Pinellas County employees of the State Attorney’s Office to the state benefits plan.

#### **EXHIBIT 2-18 ANALYSIS OF CHANGES IN FRINGE BENEFITS COSTS FOR TRANSFERRING PINELLAS AND PASCO COUNTY EMPLOYEES TO STATE EMPLOYEES**

| Circuit | Entity          | Number of Positions | Salaries           | County Fringe Benefits | State Fringe Benefits | Difference       | Difference as a % of salaries |
|---------|-----------------|---------------------|--------------------|------------------------|-----------------------|------------------|-------------------------------|
| 6       | Public Defender | 1                   | \$43,514           | \$12,801               | \$12,801              | \$0              | 0.00%                         |
|         | State Attorney  | 12                  | \$354,910          | \$164,455              | \$125,183             | \$39,272         | 11.07%                        |
|         | Trial Courts    | 76                  | \$3,095,950        | \$1,157,879            | \$926,208             | \$231,671        | 7.48%                         |
|         | <b>Total</b>    | <b>89</b>           | <b>\$3,494,374</b> | <b>\$1,335,135</b>     | <b>\$1,064,192</b>    | <b>\$270,943</b> | <b>7.75%</b>                  |

Source: 6<sup>th</sup> Circuit Court Administration; 6<sup>th</sup> Circuit Public Defender; 6<sup>th</sup> Circuit State Attorney; Pinellas and Pasco County Governments.

Both Pinellas and Pasco counties fund positions in the trial courts—61 and 15, respectively. The counties fund an additional 40 positions in areas such as court technology and guardianship services that are not part of the limited total. As shown in Exhibit 2-18 and Appendices D3 and D4, the high-cost county benefits packages and the relatively high salaries of county-paid employees appear to result in significant fringe benefits savings to the state.

Transfer of Pinellas County-funded trial court employees appears to result in a more than \$230,000 benefits cost savings to the state. In such a large circuit, the counties appear to fund more high-salary positions than in smaller circuits and more positions that would otherwise be contracted out. For instance, Pinellas County funds seven positions in its Behavioral Evaluations Office, including two staff psychologists, an investigator, a behavioral evaluator, and a director. This department alone has total salaries of nearly \$384,000, and an average salary of nearly \$55,000. The county additionally funds 14 FTEs in the General Masters/Hearing Officers department, with total salary expenditures of nearly \$676,000. General masters hold seven of those positions, each with a salary of at least \$70,000 before fringe benefits. The total benefits savings shown in Exhibit 2-18 and Appendix D4 are connected to savings associated with transfer of a general master, court reporters, and several court administration staff. The remaining positions examined showed small additional fringe benefits costs, ranging from \$178 to \$420 per person. Transfer of Pasco County-funded court employees would result in benefits savings to the state of \$1,270. While there are several high-salary positions considered for transfer, which could result in benefits savings to the state, Pasco County's benefits are very similar to the state. The Pasco benefits percentage is 19.75 percent to the state's 17 percent, with annual health benefits of \$4,440 to Florida's \$5,404.

**2.3.4 11<sup>th</sup> Circuit – Extra Large**

The 11<sup>th</sup> Circuit is one of five single-county circuits in the state and is the only circuit in the Extra Large stratum. According to the 2000 Census, Miami-Dade County comprised 15 percent of the state's population. In addition to being a tourist hub, the county is likely the most culturally diverse region in Florida, often making the provision of public access to the judicial system in Miami-Dade a difficult venture. The 11<sup>th</sup> Circuit Public Defender's Office currently has 82 county-funded assistant public defenders as a result of a workload conflict. One of these positions is in the appellate division, and the rest work in the circuit's trial courts. Twenty-five of these positions are funded by the county through the State Grants & Donations Trust Fund, and, as such, are currently on the state benefits plan. The remaining 57 positions are funded by the county as contract positions and currently receive no benefits. Miami-Dade County recently has agreed to fund an additional 10 positions through the trust fund, so presumably 10 of those positions would begin receiving state benefits.

The total additional fringe benefits cost to the state for transfer of the 47 county-paid contract assistant public defenders would be just over \$700,000. The transfer of 10 of those positions by county authorization to state benefits through the Grants & Donations Trust Fund could decrease this additional benefits cost by approximately \$62,000 to \$81,000.

Miami-Dade County currently funds 27 positions in the State Attorney's Office. These positions serve a victim/witness coordination function exclusively, and most are victim/witness counselors. In addition, three FTEs are drivers and one FTE is a process server. Exhibit 2-19 depicts the additional fringe benefits cost to the state for transfer of these positions to state funding and oversight. Transfer of these positions to the state would appear to result in additional benefits costs of nearly \$39,000. The benefits

percentage used by Miami-Dade County is 1.75 percent lower than the state percentage, and the county health insurance cost is \$1,000 less per person.

**EXHIBIT 2-19  
ANALYSIS OF CHANGES IN FRINGE BENEFITS COSTS FOR TRANSFERRING  
MIAMI-DADE COUNTY EMPLOYEES TO STATE EMPLOYEES**

| Circuit | Entity          | Number of Positions | Salaries            | County Fringe Benefits | State Fringe Benefits | Difference           | Difference as a % of salaries |
|---------|-----------------|---------------------|---------------------|------------------------|-----------------------|----------------------|-------------------------------|
| 11      | Public Defender | 82                  | \$3,469,961         | \$325,330              | \$1,033,021           | (\$707,691)          | -20.39%                       |
|         | State Attorney  | 27                  | \$588,709           | \$207,228              | \$245,988             | (\$38,760)           | -6.58%                        |
|         | Trial Courts    | 286                 | \$13,392,772        | \$3,520,871            | \$3,822,315           | (\$301,444)          | -2.25%                        |
|         | <b>Total</b>    | <b>395</b>          | <b>\$17,451,441</b> | <b>\$4,053,429</b>     | <b>\$5,101,325</b>    | <b>(\$1,047,896)</b> | <b>-6.00%</b>                 |

Source: 11<sup>th</sup> Circuit Court Administration; 11<sup>th</sup> Circuit Public Defender; 11<sup>th</sup> Circuit State Attorney.

Miami-Dade County funds a limited total of 286 FTEs in the trial courts in a variety of departments, from Human Resources to County Court Mediation. Additionally, this circuit has a significant number of positions working in specialized departments that have cropped up due to the sheer size of the circuit. For instance, while some court interpreting functions are contracted out, the county funds an additional 48 internal court interpreter unit positions. The court also created an in-house court evaluation unit with nine clinical psychologists and two clinical social workers. Similarly, the trial courts have an intake system for domestic violence cases, a court standby program, and a self-help/pro se services unit to deal with the large number of people passing through the courts system. Exhibit 2-19 shows the total additional fringe benefits cost to the state for transfer of Miami-Dade County-funded trial courts employees to state funding and oversight.

Overall, the state would incur additional benefits costs of more than \$1.05 million with a transfer of Miami-Dade County judicial system employees to state funding and oversight. Many of these positions—especially those positions with salaries over \$50,000—show a potential additional fringe benefits cost of more than \$2,000 per

person per year. However, it is important to note that many of these positions could, through a transfer to the State Courts System classification system, incur a decrease in salary, which could also result in a decrease in benefits. As shown in Exhibit 2-19, the cost of benefits transfer of Miami-Dade County judicial system employees to state funding and oversight would be significant.

### **2.3.5 Statewide**

Of the four circuits examined, the state could experience fringe benefits costs for transfer of employees in two circuits, and cost savings for transfer of employees in the other two circuits, depending largely on the current level of county benefits and current salary. The majority of the counties exhibited higher benefits percentages than the state. However, the circuit with the most county-funded employees with potential for transfer—the 11<sup>th</sup> Circuit—had a lower percentage than the state. The circuits in the Extra Large and Small strata showed additional benefits costs to the state, and the circuits in the Medium and Large strata, which include 13 of the 20 circuits in the state, showed potential for significant savings. It is not clear if there is a correlation between circuit size and benefits to the point that one can predict the additional costs or cost savings by circuit size, but it is clear that most circuits will fall somewhere in between the extremes found in this analysis. Up-front costs to the state for benefits transfer would appear to be limited, as noted above.

In order to provide a rough estimate of the total statewide benefits costs the state could incur with transfer of all county-funded courts system positions, the total number of positions statewide estimated in Exhibit 2-14 was multiplied by the state benefits percentage (17 percent). Health insurance costs for the 1579.41 positions (\$5404 per position) were then added to derive a total estimated potential benefits cost to the state, as shown in Exhibit 2-20. Exhibit 2-21 depicts the total estimated benefits cost for

benefits and salaries of county-funded positions transferred to state funding and oversight.

**EXHIBIT 2-20  
ESTIMATION OF TOTAL BENEFITS COSTS FOR COUNTY  
POSITIONS TRANSFERRED TO STATE FUNDING**

|                                |              |   |                           |   |                                        |             |   |              |
|--------------------------------|--------------|---|---------------------------|---|----------------------------------------|-------------|---|--------------|
| Estimated<br>Total<br>Salaries | \$65,073,054 | x | Fringe<br>Benefits<br>17% | + | Health Insurance<br>(\$5404 x 1579.41) | \$9,615,337 | = | \$20,677,756 |
|--------------------------------|--------------|---|---------------------------|---|----------------------------------------|-------------|---|--------------|

There are several related issues raised by consideration of a benefits transfer for county-funded employees, including:

- How can the state minimize disruption in continuation of benefits?
- Will county-funded employees be subject to preexisting conditions clauses of state group insurance plans with waiver of preexisting conditions?
- How should pending insurance claims for county-funded employees on leave of absence be handled?

**EXHIBIT 2-21  
ESTIMATION OF TOTAL SALARIES AND BENEFITS COST FOR COUNTY  
POSITIONS TRANSFERRED TO STATE FUNDING**

|                               |              |   |                                |              |   |              |
|-------------------------------|--------------|---|--------------------------------|--------------|---|--------------|
| Estimated<br>Benefits<br>Cost | \$20,677,756 | + | Estimated<br>Total<br>Salaries | \$65,073,054 | = | \$85,750,810 |
|-------------------------------|--------------|---|--------------------------------|--------------|---|--------------|

Blanket coverage for transferred employees should be provided through implementation language from the first date of state employment, presumably July 1, 2004. Also, the implementing language should include a waiver of preexisting conditions to allow for transfer of county employees with preexisting health conditions. As recommended by OSCA's Article V Personnel Subcommittee, deferral of transfer should be sought for

county-funded employees on a medical leave of absence until they are able to return to work.

## **2.4 Related Personnel and Governance Issues**

Transfer of county-funded judicial system positions to state funding and oversight would appear to be beneficial to both the state and counties on multiple fronts, but the transfer could raise several issues related to governance of the positions, including:

- How would county employees' accrued leave time be transferred, and what leave accrual policies would be implemented?
- How would administration of transferred positions be handled?
- What other structural changes would be necessary?
- What personnel policies would be implemented for transferred employees?

### **2.4.1 Employee Leave**

Transfer of county employees from county personnel regulations to state personnel regulations would appear to have significant benefit to the courts system. Rather than 67 different county personnel plans, all courts employees would have the advantage and convenience of shared regulations. At present, multiple-county circuits can have separate regulations for each county in their circuit in addition to the state regulations. Implementation of one set of personnel rules across the circuit would ameliorate this problem.

Section 4 of the Florida State Courts System Personnel Regulations Manual, "Attendance and Leave," explicitly provides for accrual of leave and sick time by state courts system employees. Based on recommendations from the Article V Personnel Subcommittee, the manual additionally addresses transfer of earned annual and sick leave. Section 4.08 (3C) reads, "An employee who moves from a position on the county

payroll of a state court may be credited with up to 80 hours of documented unused annual leave by the receiving court." Section 4.09 grants transferred employees credit for up to 320 hours of documented unused sick leave. Any unused sick or annual leave in excess of the transferable hours would be payable to employees in accordance with county leave policies. The manual also has defined "eligible service" based on the Subcommittee's recommendation to include time spent on the county payroll of a state court.

Other sections of the manual may require the addition of a grandfather clause to treat transferred county employees fairly. For instance, Section 4.07 (7) would require full-time employees to maintain at least six months of "continuous state service" to become eligible for one eight-hour personal leave day each fiscal year. To accommodate transferred county employees, "continuous state service," could be changed to "continuous service on the state or county payroll of a state court." OSCA's Article V Personnel Subcommittee or a comparable body could also prove helpful in addressing similar issues relative to the State Courts System Personnel Regulations Manual.

Transfer of county employees to the state leave regulations would not appear to require up-front expenditures by the state. However, Florida counties that currently fund judicial system employees who have accumulated more than 80 hours of annual leave or more than 320 hours of sick leave may be required in some instances to make significant pay-outs to these employees.

Transfer of county-funded state attorney and public defender positions should be treated in a similar fashion as trial courts personnel. County-funded employees should be governed by current state personnel regulations, and grandfather clauses should be implemented to treat newly transferred employees fairly.

#### **2.4.2 Administrative Issues**

Though many administrative functions are the same for both county-funded and state-funded judicial system employees, court administrative staff are likely taking additional steps to deal with the very different personnel systems currently in place. Circuits with fewer county-funded staff would have a smaller infrastructure in place to handle special administration of county-funded employees, while circuits like the 20<sup>th</sup>, with positions funded by four different counties, and with county employees comprising 73 percent of the trial courts staff, would have a much more elaborate system for handling administrative functions. These administrative systems would doubtless handle a similar number of employees post-transfer, but the application of standards across a circuit could decrease the need for such a complex system. Transferred positions would be handled the same as existing state-funded positions; however, many payroll processing and human resource functions that are currently being performed by Florida counties in support of the county-funded positions would also have to transfer to the state. Additional staff may be needed at the circuit level to keep up with increased workload in day-to-day human resources and payroll processing functions.

All state employees of the trial courts are considered at-will employees and serve at the pleasure of chief circuit judges, but some county employees presumably have civil service protection. All employees should be notified in writing prior to transfer that they would become at-will employees on the date of transfer. County employees currently on a biweekly pay period should also be notified that the State Courts System functions on a monthly pay period, and by becoming state employees, they will be transferred to the state frequency of pay.

## **2.5 Equipment**

Over the years, many of the counties have purchased equipment that is being used by judicial system entities. This equipment will continue to be needed for the effective functioning of the system after transfer of responsibility from the counties to the state for certain functions performed by these judicial system entities. This section of the report addresses the cost (or value) of this equipment and discusses options for its possible transfer to the state.

Equipment inventory information maintained by the entities includes information about the acquisition cost of each item of equipment. Acquisition cost information, however, is not appropriate for determining how much, if any, the state should reimburse the counties for the equipment that might be transferred. Most of the items (generally automobiles and office furniture and equipment) have been used for several years, are no longer in new condition, and are no longer worth the original acquisition price.

Two broad options exist for estimating the current value of the equipment that might be transferred from the counties to the state for continued use by the judicial system entities:

- Individual appraisal of each item of equipment
- Determination of depreciated value through common accounting procedures.

Since none of the equipment is expected to have a unique value (e.g., a priceless work of art) that would merit the cost of independent appraisal, the depreciation method seems more appropriate for the purpose of estimating the value of equipment to be transferred between government entities.

The common approach to calculating the depreciated value of an item of equipment is to first determine the estimated useful life of the type of equipment under consideration. Although Generally Accepted Accounting Principles (GAAP) for private

industry and Government Accounting Standards Board Statement 34 for public sector entities (as discussed in Florida Comptroller's Memorandum No. 1, 2001-02) permit the equipment owner to estimate useful life of classes of equipment based on their own documented experience, a common approach is to rely on the useful life guidelines promulgated by the Internal Revenue Service. MGT's value estimation methodology is based on estimating the depreciated value of equipment per IRS guidelines.

### **2.5.1 Approach for Estimation of Equipment Value**

Detailed equipment inventory records were obtained and analyzed from four sample entities to represent a cross-section of county size and type of entity. Each of the counties listed below lies within a different circuit stratum, as described in Section 2.1. Included in our sample were:

- Small – Alachua County (8<sup>th</sup> Circuit) Public Defender;
- Medium – Flagler County (7<sup>th</sup> Circuit) Clerk of Court;
- Large – Orange County (9<sup>th</sup> Circuit) State Attorney; and
- Extra Large – Miami-Dade County (11<sup>th</sup> Circuit) Court Administrator.

In the case of Alachua and Orange counties, other counties within their respective circuits may contribute funding to the circuitwide entity analyzed. In contrast, Flagler and Miami-Dade are sole contributors to their respective entities, as the Flagler County Clerk of Court serves only Flagler County, and Miami-Dade is a single-county circuit. For each of these entities, the following three data elements were obtained for each item of county-owned equipment that was assigned for their use:

- description of item sufficient to determine type of equipment;
- acquisition cost; and
- acquisition date.

The cost-estimation model started with this basic inventory information, and the following was added:

- useful life in years, based on guidelines from the Internal Revenue Service (see Exhibit 2-22 for useful life by type of equipment);

- assumed transfer date, when the property might be switched to state control (June 30, 2003, is used since it represents the nearest year-end date following when the inventory records were obtained);
- remaining useful life, which is calculated as the positive difference between useful and age at the assumed transfer date (if the item is already older than the IRS allowance for useful life, no further useful life is assumed);
- percentage of useful life remaining, which is the ratio of remaining life to useful life; and
- estimated value on date of transfer, which is the product of percentage of useful life remaining and acquisition cost

**EXHIBIT 2-22  
USEFUL LIFE IN YEARS FOR SELECTED TYPES OF EQUIPMENT, INTERNAL  
REVENUE SERVICE GUIDELINES**

| Type of Equipment                            | Useful Life<br>in Years |
|----------------------------------------------|-------------------------|
| Office furniture and equipment               | 7                       |
| Computers, typewriters, calculators, copiers | 5                       |
| Automobiles and trucks                       | 5                       |

Source: Internal Revenue Service, Publication 946.

Exhibit 2-23 below illustrates the methodology for a hypothetical piece of equipment—a notebook computer that was purchased in October 2001 for \$1,799. Using the value estimation methodology, this computer would have an estimated value of \$1,174 at the end of the current fiscal year.

**EXHIBIT 2-23**  
**ILLUSTRATION OF ANALYTICAL MODEL TO DETERMINE VALUE OF EQUIPMENT  
ASSIGNED TO JUDICIAL SYSTEM ENTITIES**

| Step Number and Description                           | Procedure                                              | Result                                       |
|-------------------------------------------------------|--------------------------------------------------------|----------------------------------------------|
| 1. Record Description of Equipment                    | Information from county inventory records              | Notebook computer                            |
| 2. Assign Type of Equipment                           | Assign to most appropriate type used in IRS guidelines | Computers, typewriters, calculators, copiers |
| 3. Record Acquisition Cost                            | Information from county inventory records              | \$1,799.00                                   |
| 4. Record Acquisition Date                            | Information from county inventory records              | 10/04/01                                     |
| 5. Select Assumed Transfer Date                       | Select date for illustrative purposes                  | 06/30/03                                     |
| 6. Determine Age in Years at Transfer Date            | Step 5 minus Step 4                                    | 1.74                                         |
| 7. Determine Useful Life in Years per IRS             | Obtain from IRS Useful Life Tables                     | 5.00                                         |
| 8. Determine Remaining Life in Years at Transfer Date | Step 7 minus Step 6                                    | 3.26                                         |
| 9. Estimate Percentage of Life Remaining              | Step 8 divided by Step 7                               | 65%                                          |
| 10. Estimate Value at Transfer Date                   | Step 9 multiplied by Step 3                            | \$1,174.03                                   |

**2.5.2 Description of Equipment Assigned to Judicial System Entities**

The vast majority of county-owned equipment that has been assigned to the judicial system entities, both in terms of number of items and acquisition cost, is computers. In the four sample entities used in our analysis, 56 percent of the items of equipment are computers; 6.5 percent are copiers, typewriters, and related office electronics; 0.5 percent are automobiles and trucks; and 37 percent is office furniture and equipment. In terms of value at time of acquisition, computing and related types of equipment account for 56 percent. Since technology is not set to become a state funding responsibility as a result of Revision 7, computers and related computer equipment are not included in further analyses. Rather, detailed information regarding computer equipment transfer is contained in Appendices F1 through F4. Exhibit 2-24 is a summary of equipment by type and by sample entity.

**EXHIBIT 2-24  
SUMMARY OF EQUIPMENT INVENTORY IN SELECTED  
JUDICIAL SYSTEM ENTITIES**

| Description                                                                   | Judicial System Sample Entity                 |                                            |                               |                                              | Total of Sample Entities |
|-------------------------------------------------------------------------------|-----------------------------------------------|--------------------------------------------|-------------------------------|----------------------------------------------|--------------------------|
|                                                                               | 11th Circuit Court Administrator (Miami-Dade) | 9th Circuit State Attorney (Orange County) | Flagler County Clerk of Court | 8th Circuit Public Defender (Alachua County) |                          |
| <b>Number of Inventoried Items by Type</b>                                    |                                               |                                            |                               |                                              |                          |
| Computers and computer equipment                                              | 1,110                                         | 190                                        | 30                            | 6                                            | 1,336                    |
| Copiers, calculators, typewriters, etc.                                       | 152                                           | 0                                          | 4                             | 0                                            | 156                      |
| Office furniture and equipment                                                | 882                                           | 10                                         | 7                             | 0                                            | 899                      |
| Automobiles and trucks                                                        | 0                                             | 13                                         | 0                             | 0                                            | 13                       |
| Total                                                                         | 2,144                                         | 213                                        | 41                            | 6                                            | 2,404                    |
| Total excluding computer equipment                                            | 1,034                                         | 23                                         | 11                            | 0                                            | 1,068                    |
| <b>Acquisition Cost of Items in Inventory</b>                                 |                                               |                                            |                               |                                              |                          |
| Copiers, calculators, typewriters, etc.                                       | 694,699                                       | 0                                          | 30,406                        | 0                                            | 725,105                  |
| Office furniture and equipment                                                | 1,224,184                                     | 11,363                                     | 28,127                        | 0                                            | 1,263,674                |
| Automobiles and trucks                                                        | 0                                             | 253,841                                    | 0                             | 0                                            | 253,841                  |
| Total                                                                         | \$1,918,883                                   | \$265,203                                  | \$58,533                      | \$0                                          | \$2,242,620              |
| Depreciated Value                                                             | \$188,408                                     | \$64,672                                   | \$9,974                       | \$0                                          | \$263,054                |
| <b>Acquisition Cost of Items in Inventory to Remain County Responsibility</b> |                                               |                                            |                               |                                              |                          |
| Computers and computer equipment                                              | \$2,466,029                                   | \$323,013                                  | \$38,198                      | \$12,575                                     | \$2,839,816              |

Source: Miami-Dade Court Administrator; Orange County, Alachua County, and Flagler County governments.

**2.5.3 Estimation of Equipment Value**

The cost estimation model described in Section 2.5.1 above was applied for each of the four sample judicial system entities, using equipment inventory records supplied by county officials. The results for each of the sample entities are summarized below.

**8<sup>th</sup> Circuit Public Defender (Alachua County).** The Public Defender for the 8<sup>th</sup> Circuit, based in Alachua County, has received more than \$12,575 of equipment from the county (based on acquisition cost), comprised of six items on the equipment inventory—all computing and related equipment. None of these items are of recent vintage, and the average age is over ten years. Since the IRS guidelines for useful life for computing equipment is five years, the cost-estimation model yields no current value for this equipment. However, as counties will retain responsibility for computers and

related equipment as part of Revision 7, there are no items necessary for transfer to the state.

**Flagler County Clerk of Court.** Forty-one items of county-owned equipment are assigned to the Clerk of Court in Flagler County – 30 of which are computers and related equipment. At the time of acquisition, these items had a combined cost of \$96,731, or \$58,533 for items considered for transfer to the state. Over half of this equipment has surpassed the IRS estimated useful life guidelines and has no estimated remaining value. Overall, county-owned equipment in the clerk's office would have an estimated value of \$19,506 on June 30, 2003, or about 20 percent of original acquisition cost. Excluding computers and related equipment, county-owned equipment in the clerk's office would have an estimated value of \$9,974 on June 30, 2003, or 17 percent of original acquisition cost.

**9<sup>th</sup> Circuit State Attorney (Orange County).** The 9<sup>th</sup> Circuit State Attorney is assigned 213 items of equipment owned by Orange County, with a total acquisition cost of \$588,216. However, only 23 of these items are non-computer equipment, with a total acquisition cost of \$265,203. Relatively little of this equipment, however, has been purchased in the past couple of years, and the overall average age of items considered for transfer to the state is 7.57 years. Approximately 48 percent of the items are older than the estimated useful life allowance promulgated by the Internal Revenue Service. If all of the non-computer equipment were to be transferred to the state on June 30, 2003, the estimated current value would be only \$64,672, or about 24 percent of acquisition cost.

**11<sup>th</sup> Circuit Court Administrator (Miami-Dade County).** The Court Administrator for the 11<sup>th</sup> Circuit has the use of 1,034 items of non-computer equipment purchased with county funds. At the time of acquisition, these items had a combined

cost of \$1,918,883. However, the depreciated value of these items is currently \$188,408. With the transfer of county-funded judicial systems to the state, Miami-Dade will save more than \$21.5 million in benefits and salaries. The depreciated value of these items represents less than 1 percent of the total savings to the county as a result of Revision 7 employee transfers.

#### **2.5.4 Options for Transfer of Equipment**

At least four options exist that would provide for continued use by judicial system entities of equipment that was originally purchased by the counties:

- purchase at acquisition cost;
- purchase at estimated remaining value;
- purchase at token price; and
- continued use of county-owned equipment.

Each of these four options is analyzed below.

**Purchase at acquisition cost.** As shown through the analyses described in section 2.4.3, the estimated current value of the equipment assigned to the sample judicial system entities is a small fraction of its original acquisition cost. If an amount of money equal to the original acquisition cost were to be invested in acquisition of equipment, the state and the judicial system entities would be better served by obtaining new equipment. The state would benefit from having a longer life cycle before additional purchases for equipment replacement would need to be required, and the entities would realize greater productivity through use of newer equipment, especially electronic equipment where upgrades continue to come at a rapid rate, and computers, should the state choose to acquire this equipment.

**Purchase at estimated remaining value.** Although the estimated remaining value represents a significantly lower potential cost to the state than paying the original acquisition cost, even these estimates might be too high. One problem lies with the IRS

useful life estimates for computers and electronic equipment. Most businesses budget for a much shorter life cycle for replacement of computers than the five years in the IRS guidelines. Since a majority of the inventory in the sample entities comprises computing and related equipment, the fiscal impact of a more realistic two- to three-year life cycle is significant. However, this concern could be moot, should the state choose not to acquire this equipment. Another factor in potential overpayment for equipment under the estimated remaining value option is the likelihood that the inventory includes items that are assigned but no longer needed. That is, the state would be at risk of buying equipment that is not even being used.

**Purchase at token price.** The estimated remaining value of the inventory in the sample entities is a small fraction of the payroll savings to be realized by their host counties. For example, the remaining value of court administration inventory in Miami-Dade County represents less than 1 percent of the salary and benefit costs of the positions that potentially will become a state responsibility. That is, the payroll savings might offset the equipment costs in a matter of days. If it is important for the state to become owner of all equipment used by its employees in the judicial system entities, the counties should be willing to relinquish any further claim to ownership of used equipment for a token price (e.g., \$1) as part of the transfer of their responsibility to the state.

**Continued use of county-owned equipment.** If formal transfer of title to this equipment is not necessary, the entities could simply continue to use the county-owned equipment as needed. A significant advantage to this option would be the avoidance of the problem of identifying specific items of equipment being used by each position and then determining whether or not it was a position being transferred (in some cases, counties may elect to continue funding positions that will not be assumed by the state).

When replacement of the county-owned equipment becomes necessary, the acquisition of new equipment would become a state responsibility.

**Further consideration.** Some parties contend that the costs of technology will continue to be a county responsibility upon full implementation of Revision 7 to Article V. If this policy were to extend beyond mainframes and networks to individual workstations, the fact that much of the inventory used by the sample entities is computing and related equipment (e.g., printers, network switches) will have a dramatic impact on the total estimated replacement values described above. As shown in Appendices F1 through F4, the value of equipment that is to become a state responsibility could be significantly higher, should the state choose to acquire computers and related equipment.

## **2.6 Conclusion and Recommendations**

### **Employees**

Several options were considered by MGT relative to employees within the courts system who are currently funded by the counties. A description of some of the options considered, as well as reasons for their dismissal, are included below.

*Develop new organizational structure to administer support services.* This option was summarily dismissed because it is not considered a cost-effective choice for Florida's state courts system. Several administrative structures already in existence, including OSCA and JAC, provide some level of support services to the trial courts, state attorneys, and public defenders, including purchasing, accounting, budgeting, information technology, human resources, training, payroll, risk management, and legal representation. Creating a new structure to handle these support services would be unnecessarily costly and would result in a duplication of services already being provided effectively. As recommended in Phase 2 of this project, several of these administrative

functions should continue to be centralized within the respective state-level agency. For instance, the Phase 2 report recommended that planning, budgeting, payroll, purchasing, accounting, and risk management of the trial courts should continue to be centralized in OSCA or a comparable entity within the judicial branch. Similarly, budgeting, payroll, accounting, and risk management of the state attorneys and public defenders should be centralized in JAC. Responsibility for human resources, training, and grants management of all three entities should be maintained primarily at the circuit level.

*Privatize some or all county operations.* While this option was seriously considered as a cost-saving opportunity for the state, it would not appear to be economically or otherwise beneficial at this juncture. The large majority of county positions being considered for transfer are positions providing specialized support to the courts system. Additionally, the positions that would be more feasible to privatize, including interpreters and court reporters, are handled differently circuit by circuit. It would be most practical to allow circuits that have found on-staff interpreters and court reporters to be most cost-effective and efficient to maintain the same level of cost-effectiveness and efficiency after Revision 7 is fully implemented.

*Retain current employees on county payrolls with state management and cost reimbursement.* If the state is assuming responsibility for resources, the state should also have the authority to manage its resources in the most direct manner possible to ensure accountability—in this case, a direct reporting relationship. State oversight with this option would be limited. In addition, both the counties and the state would require administrative staff for this option to function properly. As it stands currently, virtually every county in the state handles its employees differently—different pay periods, different personnel policies, different benefits packages—and this option would maintain

the status quo. State courts employees in different counties providing the same services on behalf of the state would receive varied salaries depending on the particular county they serve. This does not seem to be in the state's best interest.

*Design hybrid system with the state providing trial services and contracting with the counties for support services.* The same rationale for not pursuing this option is contained in the previous option. In fact, this option would likely be even more confusing and difficult to administer with numerous and varied class and compensation plans and benefits.

*Hire new state employees to perform all support services.* While this option would provide the accountability not found in many of the other options, significant state resources would need to be expended unnecessarily to conduct a mass hiring. Should the state decide to hire new employees to perform the duties of the county-funded personnel, the state would be responsible for the entire hiring process. However, county human resources staff logically would assist with a transfer of county-funded personnel, relieving some of the burden from the state staff tasked with carrying out the hiring. Additionally, the state through this option could potentially lose at least part of a highly skilled workforce that has a demonstrated familiarity with their work.

*Transfer those county employees to the state who work full-time or part-time for Article V entities.* The transfer of county-paid employees to state oversight appears to be the most cost-effective and administratively sound method for transitioning employees from county funding of the courts to state funding. To achieve a direct reporting relationship and to achieve a high level of accountability, the administration and funding of employees should be handled by the same body—in this case, the state. The small overall potential percentage increase (0.2 percent) required to bring county employees to the minimum state pay ranges is far outweighed by the utility of having state-paid

employees governed by a state personnel system. In addition, the significant decrease in salary caps (9.1 percent) would appear to offset any up-front expenditure by the state. As discussed in Section 2.3.5, the transfer of county-funded employees to state funding could result in both benefits costs and savings, but it appears that up-front costs to the state for benefits transfer would be limited. County employees transferred to the state should also be transferred to the appropriate state personnel system. To help facilitate the transfer of positions, a state-level committee comprised of trial courts, state attorney, and public defender officials should work together to develop clear and concise state-level position descriptions, review individual positions when necessary to bring county-funded positions in concert with state pay ranges and personnel regulations, to develop additional personnel regulations, when necessary, to adequately address position transfer, and to generally serve as an oversight body for transfer of county-funded positions to state funding and control.

### **Equipment**

As discussed in Section 2.5.4, there are several options available for continued use by judicial system entities of equipment that was originally purchased by the counties. The state has the option to purchase the equipment at the acquisition cost, purchase the equipment at its estimated remaining value, purchase the equipment at a token price, or continue to use the county-owned equipment with no formal transfer of title. State courts system entities across the state should be able to continue to use county-owned equipment as needed after implementation of Revision 7 to Article V. This allows counties and the state to avoid the problem of identifying specific items of equipment being used by each position and determining whether or not it was a position being transferred. When replacement of the county-owned equipment becomes necessary, the acquisition of new equipment would become a state responsibility.

Alternatively, if it is important for the state to become owner of all equipment used by its employees, the state could purchase county-owned equipment at a token price. The payroll savings to be realized by the counties after Revision 7 implementation appears to far outweigh the equipment costs, so counties should be willing to relinquish any claim to ownership of used equipment for a token price as part of the transfer of their responsibility to the state.

### **3.0 *ESTIMATED COSTS OF A STREAMLINED JUDICIAL SYSTEM***

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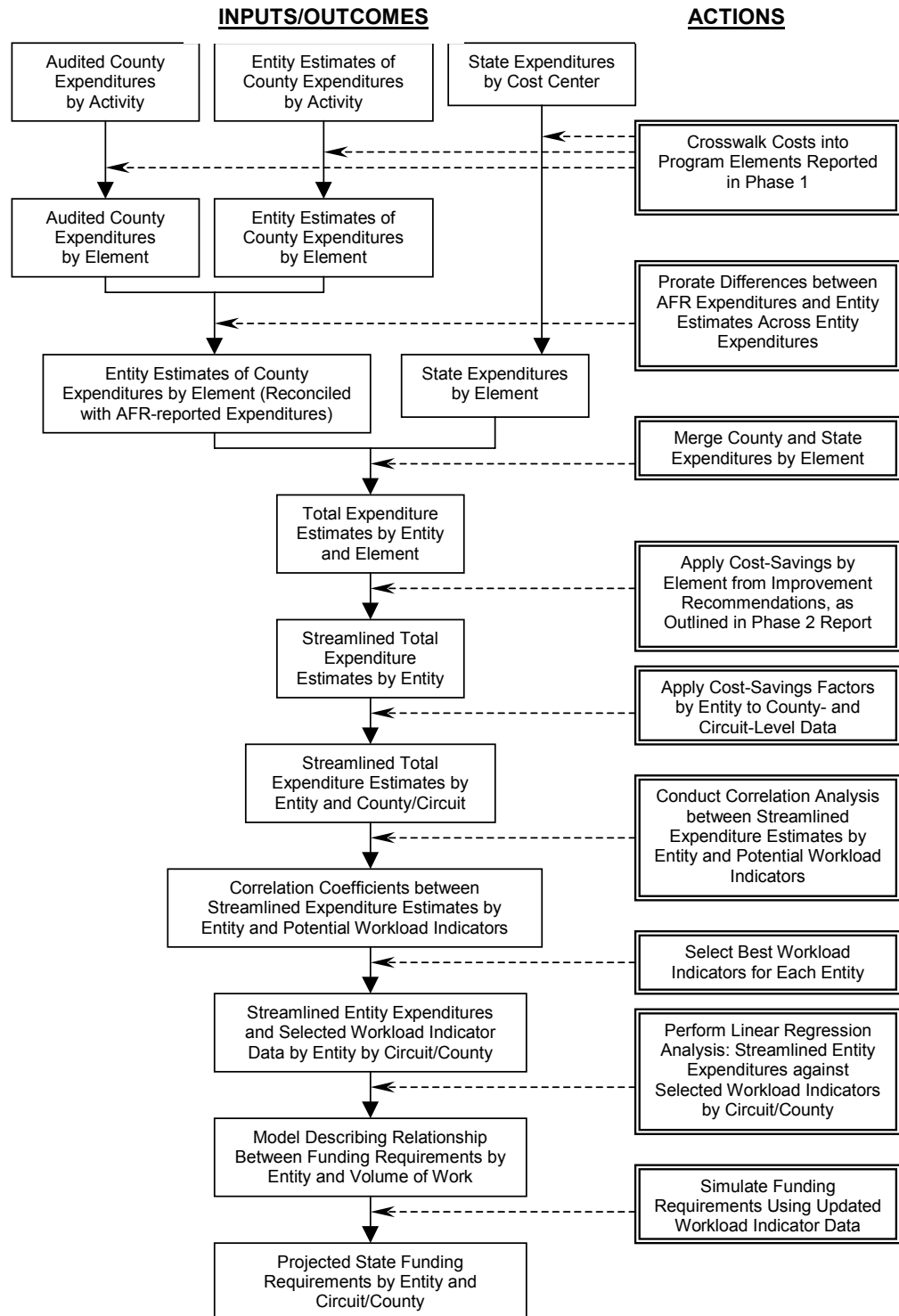
### **3.0 ESTIMATED COSTS OF A STREAMLINED JUDICIAL SYSTEM**

This chapter describes the steps that were employed to derive estimates of total state funding requirements under the reorganized judicial system. These estimates are utilized in Chapters 4.0 and 5.0 to produce costing models and simulate state responsibilities by circuit and county under the new system.

#### **3.1 Overview of Model Development Process**

Figure 3-1 depicts the process utilized to generate the cost estimates according to inputs, actions, and outcomes implicated in the model. This process involved adjustments to reconcile estimates of entity costs with audited figures supplied by the State Comptroller, the translation of expenditure data to the defined MGT elements, and the application of estimated cost-savings (from the Phase 2 Report) to those elements. The model generates statewide estimates of funding requirements for each of the judicial system entities (state attorney, public defender, trial courts, and clerks of court). These models represent the best possible predictors of funding and staffing requirements given the current availability of data and dependence on as yet undetermined legislative prerogatives. To this end, the estimations of costs at the conclusion of this chapter are divided by level of constitutional or statutory requirement, based upon the analysis presented in Phase 1 of this study.

**FIGURE 3-1  
FLOWCHART OF STREAMLINED COST ESTIMATION**



### **3.2 County Funding Crosswalks to MGT Elements**

County expenditure data for the judicial system are recorded according to the activities defined by the State Comptroller. In order to quantify the savings factors reported in our MGT Phase 2 Report, these expenditures needed to be organized according to the MGT elements for which those savings were defined. Thus, a crosswalk was developed that matched each activity with an associated MGT element. Expenditures were then organized by MGT element, and the corresponding savings factors were applied. This allowed for the development of estimations for the streamlined costs that would result if the cost-savings strategies from the Phase 2 Report were implemented. Streamlined costs were subsequently compared with workload indicator data to construct a model of future costs in this system.

Exhibit 3-1 presents a crosswalk from the county expenditures reported in the Annual Financial Report (AFR) to the MGT Elements. These figures represent the sum of county expenditures across each of the four entities within the state judicial system. The expenditures published in the AFR are considered the most accurate accounts of county court-related expenditures, as these are the only audited figures available for this analysis. In the exhibit, the MGT elements are listed in the leftmost column, while corresponding expenditure levels by AFR activity are recorded adjacently.

Since it is implicit for the costing models that expenditures are divided between the four entities (state attorney, public defender, trial courts, and clerks of the court), we must determine the distribution of funds between these entities. The AFR does not break out expenditures by entity, however, so the estimates of expenditures generated by an Intergovernmental Relations survey of the entities themselves (henceforth referred to as “Entity Estimates”) were utilized for this purpose.

**EXHIBIT 3-1  
CROSSWALK OF COUNTY EXPENDITURES\*  
BY AFR ACTIVITY TO MGT ELEMENTS**

| <b>MGT ELEMENT</b>                                 | <b>RELATED AFR ACTIVITY</b>               | <b>COSTS<br/>PER<br/>AFR</b> | <b>TOTAL<br/>COSTS BY<br/>ELEMENT</b> |
|----------------------------------------------------|-------------------------------------------|------------------------------|---------------------------------------|
| State Attorneys & State Attorney's Office Admin.   | State Attorney Administration             | \$19,542,055                 | <b>\$19,542,055</b>                   |
| Public Defenders & Public Defender's Office Admin. | Public Defender Administration            | \$21,419,691                 |                                       |
|                                                    | Appeals                                   | \$3,009,841                  | <b>\$24,429,532</b>                   |
| Court-appointed Counsel                            | Public Defender Conflicts                 | \$36,621,349                 | <b>\$36,621,349</b>                   |
| Witnesses/Evaluators                               | Clinical Evaluations                      | \$4,386,676                  |                                       |
|                                                    | Expert Witness Fees                       | \$4,095,083                  |                                       |
|                                                    | Custody Investigation/Guardian ad Litem** | \$1,270,756                  | <b>\$9,752,515</b>                    |
| Indigency Examiners                                | N/A                                       | -                            | -                                     |
| Judicial Qualifications Commission                 | N/A                                       | -                            | -                                     |
| Courthouse Facilities (DCAs & Supreme Court)       | N/A                                       | -                            | -                                     |
| Jury Management                                    | Jury Management                           | \$3,409,150                  | <b>\$3,409,150</b>                    |
| Judges                                             | N/A                                       | -                            | -                                     |
| Judicial Support                                   | Judicial Support                          | \$11,425,710                 | <b>\$11,425,710</b>                   |
| Court Reporters                                    | Court Reporter Services                   | \$18,239,560                 | <b>\$18,239,560</b>                   |
| Court Interpreters                                 | Court Interpreters                        | \$4,087,049                  | <b>\$4,087,049</b>                    |
| Court-based Mediation & Arbitration                | Alternative Dispute Resolution            | \$8,041,599                  | <b>\$8,041,599</b>                    |
| Case Management                                    | Court Administration (Est. @ 36%)         | \$16,665,579                 |                                       |
|                                                    | Drug Courts                               | \$3,861,302                  |                                       |
|                                                    | Domestic Violence Crt/Pro se Services     | 4,353,593                    | <b>\$24,880,474</b>                   |
| Court Administration                               | Court Administration (Est. @ 64%)         | 29,627,695                   | <b>\$29,627,695</b>                   |
| Legal Support                                      | Trial Court Law Clerks/Legal Support      | \$529,670                    | <b>\$529,670</b>                      |
| Masters/Hearing Officers                           | Masters/Hearing Officers                  | \$6,453,940                  | <b>\$6,453,940</b>                    |
| Clerk of Court Administration                      | Clerk of Court Administration             | \$308,478,742                | <b>\$308,478,742</b>                  |
| Information Systems/Technology                     | Information Systems                       | -                            | -                                     |
| Guardianship Services                              | Attorneys' Fees/Public Guardian           | \$2,978,493                  |                                       |
|                                                    | Custody Investigation/Guardian ad Litem** | \$2,270,929                  | <b>\$5,249,422</b>                    |
| Other Programs and Services                        | Pre-trial Release                         | \$6,317,705                  |                                       |
|                                                    | Community Service Programs                | \$1,296,741                  |                                       |
|                                                    | Misdemeanor Probation                     | \$8,981,886                  | <b>\$16,596,332</b>                   |
| Victim Services                                    | Court-based Victim Services               | \$2,008,341                  | <b>\$2,008,341</b>                    |
| Witness/Evaluator Coordination/Management          | Witness Coordination/Management           | \$5,151,210                  | <b>\$5,151,210</b>                    |
| Public Law Library                                 | Public Law Library                        | \$6,923,406                  | <b>\$6,923,406</b>                    |
| <b>TOTAL, ALL ELEMENTS</b>                         | <b>TOTAL, ALL ACTIVITIES</b>              | <b>\$541,447,751</b>         | <b>\$541,447,751</b>                  |

\*As published by the State Comptroller in the FY2000 Annual Financial Report.

\*\*Expenditures relating to Custody Investigation/Guardian ad Litem split between MGT Elements.

The crosswalk from the Entity Estimates of expenditures by AFR activity to expenditures by MGT Element is depicted in Exhibit 3-2. It should be noted that the totals for this analysis differ from the AFR-reported total by about \$1.2 million, or approximately 0.2% of total expenditures. However, funding levels for specific elements vary considerably between the Entity Estimates and the AFR-reported values. The impact of this is that the calculations of potential savings derived from the estimated distributions of funding are characterized by a greater degree of uncertainty.

Expenditures for additional activities recorded in the AFR, such as Courthouse Facilities and Courthouse Security, have not been included in analyses for this study, as they will continue to be funded by the counties under Revision 7. Expenditures for Information Systems/Technology (IT) are also excluded from this chapter based upon the same assumption.

**EXHIBIT 3-2  
CROSSWALK OF COUNTY FUNDS BY ENTITY  
CONVERSION OF EXPENDITURES BY ACTIVITY TO MGT ELEMENTS  
ACCORDING TO ENTITY-ESTIMATED FUNDING LEVELS**

| <b>MGT ELEMENT</b>                                 | <b>RELATED AFR ACTIVITY</b>    | <b>CLERK OF COURT*</b> | <b>STATE ATTORNEY</b> | <b>PUBLIC DEFENDER</b> | <b>TRIAL COURTS</b> | <b>TOTAL COSTS BY ELEMENT</b> |
|----------------------------------------------------|--------------------------------|------------------------|-----------------------|------------------------|---------------------|-------------------------------|
| State Attorneys & State Attorney's Office Admin.   | State Attorney Administration  | -                      | \$19,830,881          | \$20                   | -                   | \$19,830,901                  |
| Public Defenders & Public Defender's Office Admin. | Public Defender Administration | -                      | -                     | \$22,028,608           | -                   |                               |
|                                                    | Appeals                        | -                      | -                     | \$1,313,348            | -                   |                               |
|                                                    | <i>Subtotal</i>                | -                      | -                     | \$23,341,956           | -                   | \$23,341,956                  |
| Court-appointed Counsel                            | Public Defender Conflicts      | -                      | -                     | \$38,468,821           | -                   | \$38,468,821                  |
| Witnesses/Evaluators                               | Clinical Evaluations           | -                      | \$258,107             | \$1,670,794            | \$7,741,037         |                               |
|                                                    | Expert Witness Fees            | -                      | \$666,442             | \$1,338,882            | \$4,227,269         |                               |
|                                                    | <i>Subtotal</i>                | -                      | \$924,549             | \$3,009,676            | \$11,968,306        | \$15,902,531                  |
| Indigency Examiners                                | N/A                            | -                      | -                     | -                      | -                   | -                             |
| Judicial Qualifications Commission                 | N/A                            | -                      | -                     | -                      | -                   | -                             |
| Courthouse Facilities (DCAs & Supreme Court)       | N/A                            | -                      | -                     | -                      | -                   | -                             |
| Jury Management                                    | Jury Management                | \$2,815,372            | -                     | -                      | \$1,472,798         | \$4,288,170                   |
| Judges                                             | N/A                            | -                      | -                     | -                      | -                   | -                             |
| Judicial Support                                   | Judicial Support               | -                      | \$22,993              | \$138,094              | \$5,604,872         | \$5,765,959                   |
| Court Reporters                                    | Court Reporter Services        | -                      | \$1,637,533           | \$6,374,832            | \$22,265,958        | \$30,278,323                  |

**EXHIBIT 3-2 (Continued)**  
**CROSSWALK OF COUNTY FUNDS BY ENTITY**  
**CONVERSION OF EXPENDITURES BY ACTIVITY TO MGT ELEMENTS**  
**ACCORDING TO ENTITY-ESTIMATED FUNDING LEVELS**

| <b>MGT ELEMENT</b>                  | <b>RELATED AFR ACTIVITY</b>             | <b>CLERK OF COURT*</b> | <b>STATE ATTORNEY</b> | <b>PUBLIC DEFENDER</b> | <b>TRIAL COURTS</b> | <b>TOTAL COSTS BY ELEMENT</b> |
|-------------------------------------|-----------------------------------------|------------------------|-----------------------|------------------------|---------------------|-------------------------------|
| Court Interpreters                  | Court Interpreters                      | -                      | \$84,185              | \$156,327              | \$5,234,301         | <b>\$5,474,813</b>            |
| Court-based Mediation & Arbitration | Alternative Dispute Resolution          | -                      | -                     | -                      | \$8,489,727         | <b>\$8,489,727</b>            |
| Case Management                     | Court Administration (Est. @ 36%)       | -                      | \$18,075              | 29,395                 | 20,959,012          |                               |
|                                     | Drug Courts                             | -                      | \$7,564               | \$155,707              | \$2,205,240         |                               |
|                                     | Domestic Violence Crt/Pro se Services   | -                      | \$47,383              | -                      | \$8,911,962         |                               |
|                                     | <i>Subtotal</i>                         | -                      | \$73,022              | 185,102                | 32,076,214          | <b>\$32,334,338</b>           |
| Court Administration                | Court Administration (Est. @ 64%)       | -                      | 32,132                | 52,258                 | 37,260,466          | <b>37,344,856.3</b>           |
| Legal Support                       | Trial Court Law Clerks/Legal Support    | -                      | -                     | -                      | \$1,921,632         | <b>\$1,921,632</b>            |
| Masters/Hearing Officers            | Masters/Hearing Officers                | -                      | -                     | -                      | \$9,402,451         | <b>\$9,402,451</b>            |
| Clerk of Court Administration       | Clerk of Court Administration           | \$285,325,569          | \$6,941               | \$407,637              | -                   | <b>\$285,740,147</b>          |
| Information Systems/Technology      | Information Systems                     | -                      | -                     | -                      | -                   | -                             |
| Guardianship Services               | Attorneys' Fees/Public Guardian         | -                      | -                     | \$1,679                | \$3,115,732         |                               |
|                                     | Custody Investigation/Guardian ad Litem | -                      | -                     | -                      | \$5,438,431         |                               |
|                                     | <i>Subtotal</i>                         | -                      | -                     | \$1,679                | \$8,554,163         | <b>\$8,555,842</b>            |

**EXHIBIT 3-2 (Continued)**  
**CROSSWALK OF COUNTY FUNDS BY ENTITY**  
**CONVERSION OF EXPENDITURES BY ACTIVITY TO MGT ELEMENTS**  
**ACCORDING TO ENTITY-ESTIMATED FUNDING LEVELS**

| <b>MGT ELEMENT</b>                        | <b>RELATED AFR ACTIVITY</b>     | <b>CLERK OF COURT*</b> | <b>STATE ATTORNEY</b> | <b>PUBLIC DEFENDER</b> | <b>TRIAL COURTS</b>  | <b>TOTAL COSTS BY ELEMENT</b> |
|-------------------------------------------|---------------------------------|------------------------|-----------------------|------------------------|----------------------|-------------------------------|
| Other Programs and Services               | Pre-trial Release               | -                      | -                     | \$6,188                | \$4,159,621          |                               |
|                                           | Community Service Programs      | -                      | -                     | \$121                  | \$2,040,595          |                               |
|                                           | Misdemeanor Probation           | -                      | \$72,963              | -                      | -                    |                               |
|                                           | <i>Subtotal</i>                 | -                      | \$72,963              | \$6,309                | \$6,200,216          | <b>\$6,279,488</b>            |
| Victim Services                           | Court-based Victim Services     | -                      | \$54,411              | -                      | \$408,733            | <b>\$463,144</b>              |
| Witness/Evaluator Coordination/Management | Witness Coordination/Management | -                      | \$5,058,561           | \$427,121              | \$3,240,199          | <b>\$8,725,881</b>            |
| Public Law Library                        | Public Law Library              | -                      | -                     | -                      | \$2,275,097          | <b>\$2,275,097</b>            |
| <b>TOTAL, ALL ELEMENTS</b>                | <b>TOTAL, ALL ACTIVITIES</b>    | <b>\$288,140,941</b>   | <b>\$27,798,171</b>   | <b>\$72,569,832</b>    | <b>\$156,375,133</b> | <b>\$544,884,077</b>          |

\*Brevard and Jefferson clerk of court funds only available as totals and were therefore distributed across AFR activities according to statewide averages.

### **3.3 Conversion to AFR-Reported County Funding Levels**

Since the AFR-reported expenditures for the aggregated sums of all entities are considered the most reliable, but expenditures are needed separately for the four entities, it was necessary to reconcile the AFR-reported figures with the Entity Estimates. To accomplish this, the differences between the AFR-reported expenditures by element and the sum of Entity Estimates by element were prorated across the individual entity expenditures to achieve a more accurate approximation of funding at the desired level of detail. Through this process, the sums of expenditures by entity and element reconcile with the AFR-reported totals for each element. The availability of expenditures by individual entity allows for a more accurate application of the cost-savings factors for use in the costing models.

Exhibit 3-3 presents the pro-ration of funds from the entity-estimated expenditures by element to match with the AFR-reported totals. The ratios of the AFR total and the sum of Entity Estimates were calculated for each element, and then this ratio was multiplied across the figures for each of entities. This generated estimates by entity and element that sum to an amount equivalent to that reported in the AFR.

#### **EXHIBIT 3-3 PRO-RATION PROCEDURE TO BALANCE AFR COUNTY EXPENDITURES WITH ENTITY ESTIMATES, BY MGT ELEMENT**

| <b>ELEMENTS BY ORIGINAL<br/>ESTIMATES AND REVISED COST</b> | <b>ENTITY ESTIMATES</b>    |                           |                            |                         |                                        | <b>ANNUAL<br/>FINANCIAL<br/>REPORTS</b> | <b>ENTITY<br/>ESTIMATES<br/>LESS AFR</b> |
|------------------------------------------------------------|----------------------------|---------------------------|----------------------------|-------------------------|----------------------------------------|-----------------------------------------|------------------------------------------|
|                                                            | <b>CLERKS OF<br/>COURT</b> | <b>STATE<br/>ATTORNEY</b> | <b>PUBLIC<br/>DEFENDER</b> | <b>TRIAL<br/>COURTS</b> | <b>SUM OF<br/>ENTITY<br/>ESTIMATES</b> |                                         |                                          |
| State Attorneys & SA Office Admin.                         |                            |                           |                            |                         |                                        |                                         |                                          |
| Original Estimate                                          | -                          | 19,830,881                | 20                         | -                       | 19,830,901                             | 19,542,055                              | 288,846                                  |
| Revised Total based on AFR                                 | -                          | 19,542,035                | 20                         | -                       | 19,542,055                             | 19,542,055                              | -                                        |
| Public Defenders & PD Office Admin.                        |                            |                           |                            |                         |                                        |                                         |                                          |
| Original Estimate                                          | -                          | -                         | 23,341,956                 | -                       | 23,341,956                             | 24,429,532                              | (1,087,576)                              |
| Revised Total based on AFR                                 | -                          | -                         | 24,429,532                 | -                       | 24,429,532                             | 24,429,532                              | -                                        |
| Court-appointed Counsel                                    |                            |                           |                            |                         |                                        |                                         |                                          |
| Original Estimate                                          | -                          | -                         | 38,468,821                 | -                       | 38,468,821                             | 36,621,349                              | 1,847,472                                |
| Revised Total based on AFR                                 | -                          | -                         | 36,621,349                 | -                       | 36,621,349                             | 36,621,349                              | -                                        |
| Witnesses/Evaluators                                       |                            |                           |                            |                         |                                        |                                         |                                          |
| Original Estimate                                          | -                          | 924,549                   | 3,009,676                  | 11,968,306              | 15,902,531                             | 9,752,515                               | 6,150,016                                |
| Revised Total based on AFR                                 | -                          | 566,996                   | 1,845,738                  | 7,339,780               | 9,752,515                              | 9,752,515                               | -                                        |

**EXHIBIT 3-3 (Continued)**  
**PRO-RATION PROCEDURE TO BALANCE AFR COUNTY EXPENDITURES**  
**WITH ENTITY ESTIMATES, BY MGT ELEMENT**

| ELEMENTS BY ORIGINAL<br>ESTIMATES AND REVISED COST | ENTITY ESTIMATES   |                   |                    |                 |                               | ANNUAL<br>FINANCIAL<br>REPORTS | ENTITY<br>ESTIMATES<br>LESS AFR |
|----------------------------------------------------|--------------------|-------------------|--------------------|-----------------|-------------------------------|--------------------------------|---------------------------------|
|                                                    | CLERKS OF<br>COURT | STATE<br>ATTORNEY | PUBLIC<br>DEFENDER | TRIAL<br>COURTS | SUM OF<br>ENTITY<br>ESTIMATES |                                |                                 |
| Indigency Examiners                                |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | -                 | -                  | -               | -                             | -                              | -                               |
| Revised Total based on AFR                         | -                  | -                 | -                  | -               | -                             | -                              | -                               |
| Judicial Qualifications Commission                 |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | -                 | -                  | -               | -                             | -                              | -                               |
| Revised Total based on AFR                         | -                  | -                 | -                  | -               | -                             | -                              | -                               |
| Courthouse Facilities (DCAs & S.Ct.)               |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | -                 | -                  | -               | -                             | -                              | -                               |
| Revised Total based on AFR                         | -                  | -                 | -                  | -               | -                             | -                              | -                               |
| Jury Management                                    |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | 2,815,372          | -                 | -                  | 1,472,798       | 4,288,170                     | 3,409,150                      | 879,020                         |
| Revised Total based on AFR                         | 2,238,257          | -                 | -                  | 1,170,893       | 3,409,150                     | 3,409,150                      | -                               |
| Judges                                             |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | -                 | -                  | -               | -                             | -                              | -                               |
| Revised Total based on AFR                         | -                  | -                 | -                  | -               | -                             | -                              | -                               |
| Judicial Support                                   |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | 22,993            | 138,094            | 5,604,872       | 5,765,959                     | 11,425,710                     | (5,659,751)                     |
| Revised Total based on AFR                         | -                  | 45,562            | 273,644            | 11,106,503      | 11,425,710                    | 11,425,710                     | -                               |
| Court Reporters                                    |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | 1,637,533         | 6,374,832          | 22,265,958      | 30,278,323                    | 18,239,560                     | 12,038,763                      |
| Revised Total based on AFR                         | -                  | 986,444           | 3,840,177          | 13,412,938      | 18,239,560                    | 18,239,560                     | -                               |
| Court Interpreters                                 |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | 84,185            | 156,327            | 5,234,301       | 5,474,813                     | 4,087,049                      | 1,387,764                       |
| Revised Total based on AFR                         | -                  | 62,846            | 116,701            | 3,907,502       | 4,087,049                     | 4,087,049                      | -                               |
| Court-based Mediation & Arbitration                |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | -                 | -                  | 8,489,727       | 8,489,727                     | 8,041,599                      | 448,128                         |
| Revised Total based on AFR                         | -                  | -                 | -                  | 8,041,599       | 8,041,599                     | 8,041,599                      | -                               |
| Case Management                                    |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | 73,022            | 185,102            | 32,076,214      | 32,334,338                    | 24,880,474                     | 7,453,864                       |
| Revised Total based on AFR                         | -                  | 56,188            | 142,431            | 24,681,854      | 24,880,474                    | 24,880,474                     | -                               |
| Court Administration                               |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | 32,132            | 52,258             | 37,260,466      | 37,344,856                    | 29,627,695                     | 7,717,161                       |
| Revised Total based on AFR                         | -                  | 25,492            | 41,459             | 29,560,744      | 29,627,695                    | 29,627,695                     | -                               |
| Legal Support                                      |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | -                 | -                  | 1,921,632       | 1,921,632                     | 529,670                        | 1,391,962                       |
| Revised Total based on AFR                         | -                  | -                 | -                  | 529,670         | 529,670                       | 529,670                        | -                               |
| Masters/Hearing Officers                           |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | -                 | -                  | 9,402,451       | 9,402,451                     | 6,453,940                      | 2,948,511                       |
| Revised Total based on AFR                         | -                  | -                 | -                  | 6,453,940       | 6,453,940                     | 6,453,940                      | -                               |
| Clerk of Court Administration                      |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | 285,325,569        | 6,941             | 407,637            | -               | 285,740,147                   | 308,478,742                    | (22,738,595)                    |
| Revised Total based on AFR                         | 308,031,173        | 7,493             | 440,076            | -               | 308,478,742                   | 308,478,742                    | -                               |
| Information Systems/Technology                     |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | -                 | -                  | -               | -                             | -                              | -                               |
| Revised Total based on AFR                         | -                  | -                 | -                  | -               | -                             | -                              | -                               |
| Guardianship Services                              |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | -                 | 1,679              | 8,554,163       | 8,555,842                     | 5,249,422                      | 3,306,420                       |
| Revised Total based on AFR                         | -                  | -                 | 1,030              | 5,248,392       | 5,249,422                     | 5,249,422                      | -                               |
| Other Programs and Services                        |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | 72,963            | 6,309              | 6,200,216       | 6,279,488                     | 16,596,332                     | (10,316,844)                    |
| Revised Total based on AFR                         | -                  | 192,837           | 16,674             | 16,386,821      | 16,596,332                    | 16,596,332                     | -                               |
| Victim Services                                    |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | 54,411            | -                  | 408,733         | 463,144                       | 2,008,341                      | (1,545,197)                     |
| Revised Total based on AFR                         | -                  | 235,944           | -                  | 1,772,397       | 2,008,341                     | 2,008,341                      | -                               |
| Witness/Evaluator Coord./Mgmt.                     |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | 5,058,561         | 427,121            | 3,240,199       | 8,725,881                     | 5,151,210                      | 3,574,671                       |
| Revised Total based on AFR                         | -                  | 2,986,255         | 252,145            | 1,912,809       | 5,151,210                     | 5,151,210                      | -                               |
| Public Law Library                                 |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | -                  | -                 | -                  | 2,275,097       | 2,275,097                     | 6,923,406                      | (4,648,309)                     |
| Revised Total based on AFR                         | -                  | -                 | -                  | 6,923,406       | 6,923,406                     | 6,923,406                      | -                               |
| <b>TOTAL, ALL ELEMENTS</b>                         |                    |                   |                    |                 |                               |                                |                                 |
| Original Estimate                                  | 288,140,941        | 27,798,171        | 72,569,832         | 156,375,133     | 544,884,077                   | 541,447,751                    | 3,436,326                       |
| Revised Total based on AFR                         | 310,269,429        | 24,708,094        | 68,020,978         | 138,449,249     | 541,447,751                   | 541,447,751                    | -                               |

### **3.4 State Funding Crosswalks to MGT Elements**

State expenditures for the state attorney, public defender, and trial courts also needed to be translated to the MGT elements in order to apply the cost savings from Phase 2 of this study. These three additional crosswalks allow for the development of total funding figures for each of the judicial system entities according to the defined elements. The state does not currently supply any clerks of court funds, so an equivalent crosswalk is not necessary for this particular entity.

Expenditures for the state attorney are translated into the MGT elements in Exhibit 3-4. Whereas other data sets in this analysis were representative of FY 2000, these funds represent FY 2001-02 expenditure levels and are derived from the Long-Range Program Plan. This necessitated an adjustment of these figures so that they matched total expenditure levels for 2000. This operation is performed for the statewide totals in Exhibit 3-5. Similar adjustments were made for circuit-level expenditures to arrive at estimates of FY 2000 funding levels for use in the comparisons to workload indicators in Chapter 4.0.

It should be noted that funds for Child Support Enforcement Services have been excluded from this analysis. Since these programs are funded in only two of the 20 circuits (10-Hardee/Highlands/Polk and 11-Miami-Dade) this cannot be considered as part of the state's base funding allotment. Such programs would be funded at the discretion of the Legislature as a matter of public policy, and thus would not be included in the general funding model.

**EXHIBIT 3-4  
CROSSWALK OF STATE FUNDS FROM COST CENTERS TO MGT ELEMENTS  
STATE ATTORNEY**

| MGT ELEMENT                                        | RELATED COST CENTER                       | EXPENDITURES         |                      |
|----------------------------------------------------|-------------------------------------------|----------------------|----------------------|
|                                                    |                                           | BY COST CENTER       | BY MGT ELEMENT       |
| State Attorneys & State Attorney's Office Admin.   | Felony Prosecution                        | \$135,586,208        |                      |
|                                                    | Misdemeanor Prosecution                   | \$56,838,730         |                      |
|                                                    | Juvenile Prosecution                      | \$23,018,823         |                      |
|                                                    | Baker Act Services                        | \$771,633            |                      |
|                                                    | Sexual Predator Civil Commitment Services | \$2,773,046          |                      |
|                                                    | Child Welfare Services                    | \$3,139,853          |                      |
|                                                    | Criminal Investigative Services           | \$24,002,150         |                      |
|                                                    | Post Conviction Relief Services           | \$2,362,042          |                      |
|                                                    | <i>Subtotal</i>                           | \$248,492,485        | <b>\$248,492,485</b> |
| Public Defenders & Public Defender's Office Admin. | N/A                                       | -                    | -                    |
| Court-appointed Counsel                            | N/A                                       | -                    | -                    |
| Witnesses/Evaluators                               | Witness Services                          | \$1,709,514          | <b>\$1,709,514</b>   |
| Indigency Examiners                                | N/A                                       | -                    | -                    |
| Judicial Qualifications Commission                 | N/A                                       | -                    | -                    |
| Courthouse Facilities (DCAs & Supreme Court)       | N/A                                       | -                    | -                    |
| Jury Management                                    | N/A                                       | -                    | -                    |
| Judges                                             | N/A                                       | -                    | -                    |
| Judicial Support                                   | N/A                                       | -                    | -                    |
| Court Reporters                                    | N/A                                       | -                    | -                    |
| Court Interpreters                                 | N/A                                       | -                    | -                    |
| Court-based Mediation & Arbitration                | N/A                                       | -                    | -                    |
| Case Management                                    | Drug Court Referrals                      | \$2,060,365          | <b>\$2,060,365</b>   |
| Court Administration                               | N/A                                       | -                    | -                    |
| Legal Support                                      | N/A                                       | -                    | -                    |
| Masters/Hearing Officers                           | N/A                                       | -                    | -                    |
| Clerk of Court Administration                      | N/A                                       | -                    | -                    |
| Information Systems/Technology                     | N/A                                       | -                    | -                    |
| Guardianship Services                              | N/A                                       | -                    | -                    |
| Other Programs and Services                        | Worthless Check Diversion                 | \$3,057,453          |                      |
|                                                    | Domestic Violence Diversion               | \$1,307,924          |                      |
|                                                    | Pre-Trial Intervention                    | \$1,002,565          |                      |
|                                                    | Truancy Intervention                      | \$1,336,601          |                      |
|                                                    | Citizen Dispute Mediation                 | \$196,991            |                      |
|                                                    | <i>Subtotal</i>                           | \$6,901,534          | <b>\$6,901,534</b>   |
| Victim Services                                    | Victim Services                           | \$4,834,269          | <b>\$4,834,269</b>   |
| Witness/Evaluator Coordination/Management          | N/A                                       | -                    | -                    |
| Public Law Library                                 | N/A                                       | -                    | -                    |
| <b>TOTAL, ALL ELEMENTS</b>                         | <b>TOTAL, ALL COST CENTERS</b>            | <b>\$263,998,167</b> | <b>\$263,998,167</b> |

**EXHIBIT 3-5  
ESTIMATION OF FY2000 FUNDING LEVELS FOR THE STATE ATTORNEY  
BASED ON FY2002 DISTRIBUTION OF EXPENDITURES**

| <b>MGT Element</b>                   | <b>FY 2002<br/>ACTUAL<br/>EXPENDITURES</b> | <b>FY 2002<br/>EXPENDITURE<br/>DISTRIBUTION</b> | <b>FY 2000<br/>ESTIMATED<br/>EXPENDITURES*</b> |
|--------------------------------------|--------------------------------------------|-------------------------------------------------|------------------------------------------------|
| Constitutionally Required            |                                            |                                                 |                                                |
| State Attorneys & SA Office Admin.   | \$248,492,485                              | 94.1%                                           | \$241,869,089                                  |
| Public Defenders & PD Office Admin.  |                                            |                                                 |                                                |
| Court-Appointed Counsel              |                                            |                                                 |                                                |
| Witnesses/Evaluators                 |                                            |                                                 |                                                |
| Indigency Examiners                  |                                            |                                                 |                                                |
| Judicial Qualifications Commission   |                                            |                                                 |                                                |
| Courthouse Facilities (DCA/Sup. Ct.) |                                            |                                                 |                                                |
| Jury Management                      |                                            |                                                 |                                                |
| Judges                               |                                            |                                                 |                                                |
| Court Reporters                      |                                            |                                                 |                                                |
| Court Interpreters                   |                                            |                                                 |                                                |
| Court Administration                 |                                            |                                                 |                                                |
| Clerk of Court Administration        |                                            |                                                 |                                                |
| Information Systems/Technology       |                                            |                                                 |                                                |
| subtotal                             | \$248,492,485                              | 94.1%                                           | \$241,869,089                                  |
| Constitutionally Authorized          |                                            |                                                 |                                                |
| Masters/Hearing Officers             |                                            |                                                 |                                                |
| subtotal                             |                                            |                                                 |                                                |
| Statutorily Mandated                 |                                            |                                                 |                                                |
| Judicial Support                     |                                            |                                                 |                                                |
| Court-based Mediation/Arbitration    |                                            |                                                 |                                                |
| Case Management                      | \$2,060,365                                | 0.8%                                            | \$2,038,146                                    |
| Guardianship Services                |                                            |                                                 |                                                |
| Other Programs & Services            | \$6,901,534                                | 2.6%                                            | \$6,672,625                                    |
| Victim Services                      | \$4,834,269                                | 1.8%                                            | \$4,779,051                                    |
| Witness/Evaluator Coord./Mgmt.       | \$1,709,514                                | 0.6%                                            | \$1,669,111                                    |
| subtotal                             | \$15,505,682                               | 5.9%                                            | \$15,158,932                                   |
| Statutorily Authorized               |                                            |                                                 |                                                |
| Public Law Library                   |                                            |                                                 |                                                |
| subtotal                             |                                            |                                                 |                                                |
| No Statutory Authority Identified    |                                            |                                                 |                                                |
| Legal Support                        |                                            |                                                 |                                                |
| subtotal                             |                                            |                                                 |                                                |
| Total                                | \$263,998,167                              | 100.0%                                          | \$257,028,021                                  |

\*Based on actual total expenditures for FY 2000.

The crosswalk of state funding from cost centers to MGT elements for the public defender is presented in Exhibit 3-6. While the state attorney's funds were distributed across several elements, public defender expenditures are isolated to a single element, Public Defenders and Public Defenders' Office Administration.

**EXHIBIT 3-6  
CROSSWALK OF STATE FUNDS FROM COST CENTERS TO MGT ELEMENTS  
PUBLIC DEFENDER**

| MGT ELEMENT                                        | RELATED COST CENTER             | EXPENDITURES       |                      |
|----------------------------------------------------|---------------------------------|--------------------|----------------------|
|                                                    |                                 | BY COST CENTER     | BY MGT ELEMENT       |
| State Attorneys & State Attorney's Office Admin.   | N/A                             | -                  | -                    |
| Public Defenders & Public Defender's Office Admin. | Civil Investigative Services    | \$247,029.78       |                      |
|                                                    | Criminal Investigative Services | \$12,351,483       |                      |
|                                                    | Criminal Trial Indigent Defense | \$108,504,015      |                      |
|                                                    | Civil Trial Indigent Defense    | \$2,223,268        |                      |
|                                                    | Client Services Programs        | \$189,017          |                      |
|                                                    | <i>Subtotal</i>                 | \$123,514,812      | <b>\$123,514,812</b> |
| Court-appointed Counsel                            | N/A                             | -                  | -                    |
| Witnesses/Evaluators                               | N/A                             | -                  | -                    |
| Indigency Examiners                                | N/A                             | -                  | -                    |
| Judicial Qualifications Commission                 | N/A                             | -                  | -                    |
| Courthouse Facilities (DCAs & Supreme Court)       | N/A                             | -                  | -                    |
| Jury Management                                    | N/A                             | -                  | -                    |
| Judges                                             | N/A                             | -                  | -                    |
| Judicial Support                                   | N/A                             | -                  | -                    |
| Court Reporters                                    | N/A                             | -                  | -                    |
| Court Interpreters                                 | N/A                             | -                  | -                    |
| Court-based Mediation & Arbitration                | N/A                             | -                  | -                    |
| Case Management                                    | N/A                             | -                  | -                    |
| Court Administration                               | N/A                             | -                  | -                    |
| Legal Support                                      | N/A                             | -                  | -                    |
| Masters/Hearing Officers                           | N/A                             | -                  | -                    |
| Clerk of Court Administration                      | N/A                             | -                  | -                    |
| Information Systems/Technology                     | N/A                             | -                  | -                    |
| Guardianship Services                              | N/A                             | -                  | -                    |
| Other Programs and Services                        | N/A                             | -                  | -                    |
| Victim Services                                    | N/A                             | -                  | -                    |
| Witness/Evaluator Coordination/Management          | N/A                             | -                  | -                    |
| Public Law Library                                 | N/A                             | -                  | -                    |
| <b>TOTAL, ALL ELEMENTS</b>                         | <b>TOTAL, ALL COST CENTERS</b>  | <b>123,514,812</b> | <b>\$123,514,812</b> |

Exhibit 3-7 depicts the crosswalk of state expenditures for the trial courts from cost centers to MGT elements. Among the entities, expenditures for trial courts are distributed across the widest variety of elements.

**EXHIBIT 3-7  
CROSSWALK OF STATE FUNDS FROM COST CENTERS TO MGT ELEMENTS  
TRIAL COURTS**

| MGT ELEMENT                                        | RELATED COST CENTER                  | EXPENDITURES         |                      |
|----------------------------------------------------|--------------------------------------|----------------------|----------------------|
|                                                    |                                      | BY COST CENTER       | BY MGT ELEMENT       |
| State Attorneys & State Attorney's Office Admin.   | N/A                                  | -                    | -                    |
| Public Defenders & Public Defender's Office Admin. | N/A                                  | -                    | -                    |
| Court-appointed Counsel                            | N/A                                  | -                    | -                    |
| Witnesses/Evaluators                               | N/A                                  | -                    | -                    |
| Indigency Examiners                                | 230 - Indigency Examiners            | \$909,056            | <b>\$909,056</b>     |
| Judicial Qualifications Commission                 | N/A                                  | -                    | -                    |
| Courthouse Facilities (DCAs & Supreme Court)       | N/A                                  | -                    | -                    |
| Jury Management                                    | N/A                                  | -                    | -                    |
| Judges                                             | 110 - Judges and Judicial Assistants | \$140,172,078        | <b>\$140,378,547</b> |
|                                                    | 630 - Retired Judges                 | \$206,469            |                      |
|                                                    | <i>Subtotal</i>                      | <b>\$140,378,547</b> |                      |
| Judicial Support                                   | N/A                                  | -                    | -                    |
| Court Reporters                                    | 637 - Court Reporters                | \$3,525,850          | <b>\$3,525,850</b>   |
| Court Interpreters                                 | N/A                                  | -                    | -                    |
| Court-based Mediation & Arbitration                | N/A                                  | -                    | -                    |
| Case Management                                    | 217 - Drug Court Improvement GR      | \$454,197            | <b>\$990,961</b>     |
|                                                    | 221 - Self Help Program/Pro Se       | \$176,668            |                      |
|                                                    | 222 - Dependency Drug Court Demo     | \$141,580            |                      |
|                                                    | 223 - Domestic Violence              | \$218,516            |                      |
|                                                    | <i>Subtotal</i>                      | <b>\$990,961</b>     |                      |
| Court Administration                               | 210 - TCA                            | \$5,499,508          | <b>\$5,499,508</b>   |
| Legal Support                                      | 258 - Law Clerks                     | \$7,549,956          | <b>\$7,549,956</b>   |
| Masters/Hearing Officers                           | 121 - Civil Traffic Infractions      | \$694,999            | <b>\$694,999</b>     |
| Clerk of Court Administration                      | N/A                                  | -                    | -                    |
| Information Systems/Technology                     | 284 - TCA ISS                        | \$2,258,721          | <b>\$2,258,721</b>   |
| Guardianship Services                              | 253 - Guardian ad Litem              | \$7,042,001          | <b>\$7,305,087</b>   |
|                                                    | 256 - Public Guardianship            | \$177,902            |                      |
|                                                    | 224 - Guardian Mon. Enhancement      | \$85,184             |                      |
|                                                    | <i>Subtotal</i>                      | <b>\$7,305,087</b>   |                      |
| Other Programs and Services                        | 008 - Truancy Program                | \$200,000            | <b>\$1,302,056</b>   |
|                                                    | 220 - Juvenile Alternative Sanctions | \$1,102,056          |                      |
|                                                    | <i>Subtotal</i>                      | <b>\$1,302,056</b>   |                      |
| Victim Services                                    | N/A                                  | -                    | -                    |
| Witness/Evaluator                                  | N/A                                  | -                    | -                    |
| Coordination/Management                            | N/A                                  | -                    | -                    |
| Public Law Library                                 | N/A                                  | -                    | -                    |
| <b>TOTAL, ALL ELEMENTS</b>                         | <b>TOTAL, ALL COST CENTERS</b>       | <b>170,414,740</b>   | <b>\$170,414,740</b> |

### **3.5 Application of Cost-Savings to Program Elements**

Reorganization of the entity expenditures according to the MGT Elements allows for the merging of county and state funds, as well as for the application of the cost-savings that are realizable in a streamlined judicial system (as outlined in the Phase 2 Report). The midpoint of the potential range of cost-savings that were identified for each of the elements is utilized. Using these streamlined figures will provide a better estimate of actual state funding responsibilities in developing the costing models, provided these cost-saving recommendations are implemented.

In Exhibit 3-8, the cost-savings factors are applied to the expenditures by element for the clerks of court. Adjusted for the savings factors, streamlined expenditures amount to about \$299 million for this entity, as a whole, after the estimated \$10.9 million in potential savings is applied. The majority of these savings are derived from the 3.5% savings factor applied to the Clerk of Court Administration element. As such, the total savings for the entity amount to about 3.51%. This proportionate reduction is applied to each of the county-level expenditures for the clerks of the court that are used in the correlation and regression analysis presented in Chapter 4.0.

The variability in the distribution of funds across elements may impact the actual level of savings that each county could realize. However, the use of this aggregated cost-savings factor should not represent a considerable source of error in the models, as most of the funding and associated savings are isolated to several specific elements within each entity. The associated error is particularly insubstantial in instances where the overwhelming majority of funds fall within a single element, as is the case in the distribution of funds for the clerks of court.

**EXHIBIT 3-8  
DERIVATION OF STREAMLINED ENTITY COSTS BASED ON POTENTIAL COST-  
SAVINGS OUTLINED IN PHASE 2: CLERKS OF COURT**

| Program Element                          | FY2000 Crosswalked Costs |          |                    | Cost Reduction Opportunities |                   | FY 2000 Streamlined Costs |
|------------------------------------------|--------------------------|----------|--------------------|------------------------------|-------------------|---------------------------|
|                                          | County                   | State    | Total              | Savings Factor*              | Amount Saved      |                           |
| <b>Constitutionally Required</b>         |                          |          |                    |                              |                   |                           |
| State Attorneys & SA Office Admin.       | -                        | -        | -                  |                              | -                 | -                         |
| Public Defenders & PD Office Admin       | -                        | -        | -                  |                              | -                 | -                         |
| Court-Appointed Counsel                  | -                        | -        | -                  | 10.0%                        | -                 | -                         |
| Witnesses/Evaluators                     | -                        | -        | -                  | 3.5%                         | -                 | -                         |
| Indigency Examiners                      | -                        | -        | -                  |                              | -                 | -                         |
| Judicial Qualifications Commission       | -                        | -        | -                  |                              | -                 | -                         |
| Courthouse Facilities (DCA/Sup. Ct.)     | -                        | -        | -                  |                              | -                 | -                         |
| Jury Management                          | 2,238,257                | -        | 2,238,257          | 4.5%                         | 100,722           | 2,137,535                 |
| Judges                                   | -                        | -        | -                  |                              | -                 | -                         |
| Court Reporters                          | -                        | -        | -                  | 20.0%                        | -                 | -                         |
| Court Interpreters                       | -                        | -        | -                  | 3.5%                         | -                 | -                         |
| Court Administration                     | -                        | -        | -                  | 12.5%                        | -                 | -                         |
| Clerk of Court Administration            | 308,031,173              | -        | 308,031,173        | 3.5%                         | 10,781,091        | 297,250,082               |
| Information Systems/Technology**         | -                        | -        | -                  |                              | -                 | -                         |
| <i>subtotal</i>                          | 310,269,429              | -        | 310,269,429        |                              | 10,881,813        | 299,387,617               |
| <b>Constitutionally Authorized</b>       |                          |          |                    |                              |                   |                           |
| Masters/Hearing Officers                 | -                        | -        | -                  | 1.5%                         | -                 | -                         |
| <i>subtotal</i>                          | -                        | -        | -                  |                              | -                 | -                         |
| <b>Statutorily Mandated</b>              |                          |          |                    |                              |                   |                           |
| Judicial Support                         | -                        | -        | -                  |                              | -                 | -                         |
| Court-based Mediation/Arbitration        | -                        | -        | -                  | 10.0%                        | -                 | -                         |
| Case Management                          | -                        | -        | -                  | 17.5%                        | -                 | -                         |
| Guardianship Services                    | -                        | -        | -                  |                              | -                 | -                         |
| Other Programs & Services                | -                        | -        | -                  |                              | -                 | -                         |
| Victim Services                          | -                        | -        | -                  |                              | -                 | -                         |
| Witness/Evaluator Coord./Mgmt.           | -                        | -        | -                  |                              | -                 | -                         |
| <i>subtotal</i>                          | -                        | -        | -                  |                              | -                 | -                         |
| <b>Statutorily Authorized</b>            |                          |          |                    |                              |                   |                           |
| Public Law Library                       | -                        | -        | -                  |                              | -                 | -                         |
| <i>subtotal</i>                          | -                        | -        | -                  |                              | -                 | -                         |
| <b>No Statutory Authority Identified</b> |                          |          |                    |                              |                   |                           |
| Legal Support                            | -                        | -        | -                  |                              | -                 | -                         |
| <i>subtotal</i>                          | -                        | -        | -                  |                              | -                 | -                         |
| <b>Total</b>                             | <b>310,269,429</b>       | <b>-</b> | <b>310,269,429</b> |                              | <b>10,881,813</b> | <b>299,387,617</b>        |

\* Savings factors for Cost Reduction Opportunities are at midpoint of range in Phase 2 Report.

\*\* This derivation excludes county expenditures for Information Systems/Technology.

The derivation of streamlined costs for the state attorney is depicted in Exhibit 3-9. Total expenditures for this entity, after the application of cost-savings, amount to about \$281 million. Savings amount to just over \$603,000 for this entity, in total. This represents a reduction of about 0.2% for the state attorney. Two elements, Court Reporters and Case Management, collectively represent 96% of these total estimated savings.

**EXHIBIT 3-9  
DERIVATION OF STREAMLINED ENTITY COSTS BASED ON POTENTIAL COST-  
SAVINGS OUTLINED IN PHASE 2: STATE ATTORNEY**

| Program Element                          | FY2000 Crosswalked Costs |                    |                    | Cost Reduction Opportunities |                | FY 2000 Streamlined Costs |
|------------------------------------------|--------------------------|--------------------|--------------------|------------------------------|----------------|---------------------------|
|                                          | County                   | State              | Total              | Savings Factor*              | Amount Saved   |                           |
| <b>Constitutionally Required</b>         |                          |                    |                    |                              |                |                           |
| State Attorneys & SA Office Admin.       | 19,542,035               | 241,869,089        | 261,411,124        |                              | -              | 261,411,124               |
| Public Defenders & PD Office Admin       | -                        | -                  | -                  |                              | -              | -                         |
| Court-Appointed Counsel                  | -                        | -                  | -                  | 10.0%                        | -              | -                         |
| Witnesses/Evaluators                     | 583,947                  | -                  | 583,947            | 3.5%                         | 20,438         | 563,508                   |
| Indigency Examiners                      | -                        | -                  | -                  |                              | -              | -                         |
| Judicial Qualifications Commission       | -                        | -                  | -                  |                              | -              | -                         |
| Courthouse Facilities (DCA/Sup. Ct.)     | -                        | -                  | -                  |                              | -              | -                         |
| Jury Management                          | -                        | -                  | -                  | 4.5%                         | -              | -                         |
| Judges                                   | -                        | -                  | -                  |                              | -              | -                         |
| Court Reporters                          | 1,054,584                | -                  | 1,054,584          | 20.0%                        | 210,917        | 843,667                   |
| Court Interpreters                       | 62,846                   | -                  | 62,846             | 3.5%                         | 2,200          | 60,646                    |
| Court Administration                     | 25,492                   | -                  | 25,492             | 12.5%                        | 3,187          | 22,306                    |
| Clerk of Court Administration            | 7,493                    | -                  | 7,493              | 3.5%                         | 262            | 7,231                     |
| Information Systems/Technology**         | -                        | -                  | -                  |                              | -              | -                         |
| <i>subtotal</i>                          | 21,276,397               | 241,869,089        | 263,145,486        |                              | 237,003        | 262,908,483               |
| <b>Constitutionally Authorized</b>       |                          |                    |                    |                              |                |                           |
| Masters/Hearing Officers                 | -                        | -                  | -                  | 1.5%                         | -              | -                         |
| <i>subtotal</i>                          | -                        | -                  | -                  |                              | -              | -                         |
| <b>Statutorily Mandated</b>              |                          |                    |                    |                              |                |                           |
| Judicial Support                         | 45,562                   | -                  | 45,562             |                              | -              | 45,562                    |
| Court-based Mediation/Arbitration        | -                        | -                  | -                  | 10.0%                        | -              | -                         |
| Case Management                          | 56,188                   | 2,038,146          | 2,094,334          | 17.5%                        | 366,508        | 1,727,826                 |
| Guardianship Services                    | -                        | -                  | -                  |                              | -              | -                         |
| Other Programs & Services                | 192,837                  | 6,672,625          | 6,865,462          |                              | -              | 6,865,462                 |
| Victim Services                          | 235,944                  | 4,779,051          | 5,014,994          |                              | -              | 5,014,994                 |
| Witness/Evaluator Coord./Mgmt.           | 3,019,841                | 1,669,111          | 4,688,952          |                              | -              | 4,688,952                 |
| <i>subtotal</i>                          | 3,550,372                | 15,158,932         | 18,709,305         |                              | 366,508        | 18,342,796                |
| <b>Statutorily Authorized</b>            |                          |                    |                    |                              |                |                           |
| Public Law Library                       | -                        | -                  | -                  |                              | -              | -                         |
| <i>subtotal</i>                          | -                        | -                  | -                  |                              | -              | -                         |
| <b>No Statutory Authority Identified</b> |                          |                    |                    |                              |                |                           |
| Legal Support                            | -                        | -                  | -                  |                              | -              | -                         |
| <i>subtotal</i>                          | -                        | -                  | -                  |                              | -              | -                         |
| <b>Total</b>                             | <b>24,826,769</b>        | <b>257,028,021</b> | <b>281,854,791</b> |                              | <b>603,512</b> | <b>281,251,279</b>        |

\* Savings factors for Cost Reduction Opportunities are at midpoint of range in Phase 2 Report.

\*\* This derivation excludes county expenditures for Information Systems/Technology.

Streamlined costs by element for the public defender are presented in Exhibit 3-

10. Total expenditures for this entity amount to \$186 million after \$4.3 million in cost-savings are applied, a reduction of 2.3 percent of total expenditures. About 84% of these cost-savings are realized within the Court-Appointed Counsel element.

**EXHIBIT 3-10  
DERIVATION OF STREAMLINED ENTITY COSTS BASED ON POTENTIAL COST-  
SAVINGS OUTLINED IN PHASE 2: PUBLIC DEFENDER**

| Program Element                          | FY2000 Crosswalked Costs |                    |                    | Cost Reduction Opportunities |                  | FY 2000 Streamlined Costs |
|------------------------------------------|--------------------------|--------------------|--------------------|------------------------------|------------------|---------------------------|
|                                          | County                   | State              | Total              | Savings Factor*              | Amount Saved     |                           |
| <b>Constitutionally Required</b>         |                          |                    |                    |                              |                  |                           |
| State Attorneys & SA Office Admin.       | 20                       | -                  | 20                 |                              | -                | 20                        |
| Public Defenders & PD Office Admin       | 24,429,532               | 123,514,812        | 147,944,344        |                              | -                | 147,944,344               |
| Court-Appointed Counsel                  | 36,621,349               | -                  | 36,621,349         | 10.0%                        | 3,662,135        | 32,959,214                |
| Witnesses/Evaluators                     | 1,845,738                | -                  | 1,845,738          | 3.5%                         | 64,601           | 1,781,137                 |
| Indigency Examiners                      | -                        | -                  | -                  |                              | -                | -                         |
| Judicial Qualifications Commission       | -                        | -                  | -                  |                              | -                | -                         |
| Courthouse Facilities (DCA/Sup. Ct.)     | -                        | -                  | -                  |                              | -                | -                         |
| Jury Management                          | -                        | -                  | -                  | 4.5%                         | -                | -                         |
| Judges                                   | -                        | -                  | -                  |                              | -                | -                         |
| Court Reporters                          | 3,840,177                | -                  | 3,840,177          | 20.0%                        | 768,035          | 3,072,142                 |
| Court Interpreters                       | 116,701                  | -                  | 116,701            | 3.5%                         | 4,085            | 112,616                   |
| Court Administration                     | 41,459                   | -                  | 41,459             | 12.5%                        | 5,182            | 36,277                    |
| Clerk of Court Administration            | 440,076                  | -                  | 440,076            | 3.5%                         | 15,403           | 424,673                   |
| Information Systems/Technology**         | -                        | -                  | -                  |                              | -                | -                         |
| <i>subtotal</i>                          | 67,335,052               | 123,514,812        | 190,849,864        |                              | 4,519,441        | 186,330,424               |
| <b>Constitutionally Authorized</b>       |                          |                    |                    |                              |                  |                           |
| Masters/Hearing Officers                 | -                        | -                  | -                  | 1.5%                         | -                | -                         |
| <i>subtotal</i>                          | -                        | -                  | -                  |                              | -                | -                         |
| <b>Statutorily Mandated</b>              |                          |                    |                    |                              |                  |                           |
| Judicial Support                         | 273,644                  | -                  | 273,644            |                              | -                | 273,644                   |
| Court-based Mediation/Arbitration        | -                        | -                  | -                  | 10.0%                        | -                | -                         |
| Case Management                          | 142,431                  | -                  | 142,431            | 17.5%                        | 24,926           | 117,506                   |
| Guardianship Services                    | 1,030                    | -                  | 1,030              |                              | -                | 1,030                     |
| Other Programs & Services                | 16,674                   | -                  | 16,674             |                              | -                | 16,674                    |
| Victim Services                          | -                        | -                  | -                  |                              | -                | -                         |
| Witness/Evaluator Coord./Mgmt.           | 252,145                  | -                  | 252,145            |                              | -                | 252,145                   |
| <i>subtotal</i>                          | 685,926                  | -                  | 685,926            |                              | 24,926           | 661,000                   |
| <b>Statutorily Authorized</b>            |                          |                    |                    |                              |                  |                           |
| Public Law Library                       | -                        | -                  | -                  |                              | -                | -                         |
| <i>subtotal</i>                          | -                        | -                  | -                  |                              | -                | -                         |
| <b>No Statutory Authority Identified</b> |                          |                    |                    |                              |                  |                           |
| Legal Support                            | -                        | -                  | -                  |                              | -                | -                         |
| <i>subtotal</i>                          | -                        | -                  | -                  |                              | -                | -                         |
| <b>Total</b>                             | <b>68,020,978</b>        | <b>123,514,812</b> | <b>191,535,790</b> |                              | <b>4,544,366</b> | <b>186,991,424</b>        |

\* Savings factors for Cost Reduction Opportunities are at midpoint of range in Phase 2 Report.

\*\* This derivation excludes county expenditures for Information Systems/Technology.

The trial courts have the widest distribution of funds across the MGT Elements. The derivation of streamlined expenditures for this entity is depicted in Exhibit 3-11. Total expenditures are estimated at \$296 million after the application of over \$13.8 million in potential cost-savings. These savings amount to a 4.5% reduction in total costs for this entity. About \$12.4 million (90%) of these savings fall within three elements: Court Reporters, Court Administration, and Case Management.

**EXHIBIT 3-11  
DERIVATION OF STREAMLINED ENTITY COSTS BASED ON POTENTIAL COST-  
SAVINGS OUTLINED IN PHASE 2: TRIAL COURTS**

| Program Element                          | FY2000 Crosswalked Costs |                    |                    | Cost Reduction Opportunities |                   | FY 2000 Streamlined Costs |
|------------------------------------------|--------------------------|--------------------|--------------------|------------------------------|-------------------|---------------------------|
|                                          | County                   | State              | Total              | Savings Factor*              | Amount Saved      |                           |
| <b>Constitutionally Required</b>         |                          |                    |                    |                              |                   |                           |
| State Attorneys & SA Office Admin.       | -                        | -                  | -                  |                              | -                 | -                         |
| Public Defenders & PD Office Admin       | -                        | -                  | -                  |                              | -                 | -                         |
| Court-Appointed Counsel                  | -                        | -                  | -                  | 10.0%                        | -                 | -                         |
| Witnesses/Evaluators                     | 7,559,200                | -                  | 7,559,200          | 3.5%                         | 264,572           | 7,294,628                 |
| Indigency Examiners                      | -                        | 909,056            | 909,056            |                              | -                 | 909,056                   |
| Judicial Qualifications Commission       | -                        | -                  | -                  |                              | -                 | -                         |
| Courthouse Facilities (DCA/Sup. Ct.)     | -                        | -                  | -                  |                              | -                 | -                         |
| Jury Management                          | 1,170,893                | -                  | 1,170,893          | 4.5%                         | 52,690            | 1,118,203                 |
| Judges**                                 | -                        | 140,378,547        | 140,378,547        |                              | -                 | 140,378,547               |
| Court Reporters                          | 14,339,448               | 3,525,850          | 17,865,298         | 20.0%                        | 3,573,060         | 14,292,238                |
| Court Interpreters                       | 3,907,502                | -                  | 3,907,502          | 3.5%                         | 136,763           | 3,770,740                 |
| Court Administration                     | 29,560,744               | 5,499,508          | 35,060,252         | 12.5%                        | 4,382,531         | 30,677,720                |
| Clerk of Court Administration            | -                        | -                  | -                  | 3.5%                         | -                 | -                         |
| Information Systems/Technology***        | -                        | 2,258,721          | 2,258,721          |                              | -                 | 2,258,721                 |
| <i>subtotal</i>                          | 56,537,787               | 152,571,681        | 209,109,469        |                              | 8,409,616         | 200,699,853               |
| <b>Constitutionally Authorized</b>       |                          |                    |                    |                              |                   |                           |
| Masters/Hearing Officers                 | 6,453,940                | 694,999            | 7,148,939          | 1.5%                         | 107,234           | 7,041,705                 |
| <i>subtotal</i>                          | 6,453,940                | 694,999            | 7,148,939          |                              | 107,234           | 7,041,705                 |
| <b>Statutorily Mandated</b>              |                          |                    |                    |                              |                   |                           |
| Judicial Support <sup>1</sup>            | 11,106,503               | -                  | 11,106,503         |                              | -                 | 11,106,503                |
| Court-based Mediation/Arbitration        | 8,041,599                | -                  | 8,041,599          | 10.0%                        | 804,160           | 7,237,439                 |
| Case Management                          | 24,681,854               | 990,961            | 25,672,815         | 17.5%                        | 4,492,743         | 21,180,072                |
| Guardianship Services                    | 5,248,392                | 7,305,087          | 12,553,479         |                              | -                 | 12,553,479                |
| Other Programs & Services                | 16,386,821               | 1,302,056          | 17,688,876         |                              | -                 | 17,688,876                |
| Victim Services                          | 1,772,397                | -                  | 1,772,397          |                              | -                 | 1,772,397                 |
| Witness/Evaluator Coord./Mgmt.           | 1,934,322                | -                  | 1,934,322          |                              | -                 | 1,934,322                 |
| <i>subtotal</i>                          | 69,171,888               | 9,598,103          | 78,769,991         |                              | 5,296,902         | 73,473,089                |
| <b>Statutorily Authorized</b>            |                          |                    |                    |                              |                   |                           |
| Public Law Library                       | 6,923,406                | -                  | 6,923,406          |                              | -                 | 6,923,406                 |
| <i>subtotal</i>                          | 6,923,406                | -                  | 6,923,406          |                              | -                 | 6,923,406                 |
| <b>No Statutory Authority Identified</b> |                          |                    |                    |                              |                   |                           |
| Legal Support                            | 529,670                  | 7,549,956          | 8,079,626          |                              | -                 | 8,079,626                 |
| <i>subtotal</i>                          | 529,670                  | 7,549,956          | 8,079,626          |                              | -                 | 8,079,626                 |
| <b>Total</b>                             | <b>139,616,691</b>       | <b>170,414,740</b> | <b>310,031,431</b> |                              | <b>13,813,752</b> | <b>296,217,679</b>        |

\* Savings factors for Cost Reduction Opportunities are at midpoint of range in Phase 2 Report.

\*\* Costs associated with Judicial Assistants funded by the state are included within "Judges."

\*\*\* This derivation excludes county expenditures for Information Systems/Technology.

### **3.6 Summary**

The process described in this chapter integrated county funding data with state funding data for each entity and allowed for the application of the cost-savings factors associated with each MGT element, as identified in the Phase 2 Report. Several minor estimations and adjustments were necessary to achieve compatible data sets that should help to yield more precise estimations of costs in the judicial system.

Exhibit 3-12 summarizes the impact of the application of the cost-savings factors to the statewide entity funding levels.

**EXHIBIT 3-12  
ESTIMATED STATEWIDE COST SAVINGS BY ENTITY  
BASED ON FY 1999-00 DATA**

| ENTITY          | ACTUAL<br>EXPENDITURES | SAVINGS      |         | ADJUSTED<br>EXPENDITURES |
|-----------------|------------------------|--------------|---------|--------------------------|
|                 |                        | DOLLARS      | PERCENT |                          |
| State Attorney  | \$281,854,791          | \$603,512    | 0.2%    | \$281,251,279            |
| Public Defender | \$191,535,790          | \$4,544,366  | 2.4%    | \$186,991,424            |
| Trial Courts    | \$310,031,431          | \$13,813,752 | 4.5%    | \$296,217,679            |
| Clerk of Courts | \$310,269,429          | \$10,881,813 | 3.5%    | \$299,387,617            |
| Grand Total     | \$1,093,691,441        | \$29,843,443 | 2.7%    | \$1,063,847,998          |

These estimates of cost-savings actually represent the midpoint of a range of potential savings that were identified in the Phase 2 report. As such, the actual savings realized through the applications of associated cost-savings measures could have more or less impact than that which is outlined above. Furthermore, these savings are derived for statewide aggregates; thus, proportional applications of these savings may over- or underestimate the potential savings in particular circuits or counties within the state system.

The cost-savings factors that were derived in this chapter are subsequently applied to county- and circuit-level data in Chapter 4.0. The adjusted circuit- and county-level expenditure data are compared to various workload indicators, and ultimately regressed against the best predictor, to generate a series costing models for the entities within this system.

## ***4.0 PROTOTYPE STAFFING AND COSTING MODELS***

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## **4.0 PROTOTYPE STAFFING AND COSTING MODELS**

This chapter describes the development of costing and staffing models for the four entities of the state judicial system. The methodology used to develop these models is briefly discussed in Section 4.1, and individual steps involved in the process are examined more thoroughly in subsequent sections. The end products of the analysis are models of costs and staffing for each entity based on selected workload indicators and estimates of funding requirements by entity and by county/circuit.

### **4.1 Methodology**

The goal of the process was to develop workable models, based on available workload data, to use in estimating funding and staffing requirements for entities that comprise the state judicial system. The methodologies associated with each type of model are outlined in the subsections that follow.

#### **4.1.1 Approach to Costing Model**

The costing models are designed to estimate future expenditure requirements as workloads change over time. The models are benchmarked against the current entity streamlined cost estimates derived in Chapter 3.0, which account for adoption of the improvement recommendations that were presented in our Phase 2 report on a statewide basis.

Since circuit- or county-level entity data were needed to conduct the comparisons between costs and workload indicators, these potential statewide savings have to be allocated across pertinent circuit- or county-level units. For the state attorney, public defender, and trial courts, data were broken down by circuit to reflect the structural make-up of these entities; while the clerk of court data were divided on a county-level

basis. Once divided by circuit or county, the weighted average of the savings factors across all elements was applied to each entity. Thus, the estimates of total funding levels for each entity, divided by circuit or county, reflect the cost savings outlined in Chapter 3.0.

The next step in the process involved determining the correlation between the circuit- or county-level entity cost data and various indicators of workload. As specified in Chapter 1.0, several different broad categories of workload measures were evaluated for their effectiveness in explaining cost variations across the circuits and counties.

These categories of workload indicators relate to the numbers of:

- judges,
- filings,
- dispositions, and
- population.

Each of these potential indicators was compared to expenditure levels across each circuit or county to determine the best predictors of costs relative to each entity. Once the best predictors were selected for each entity, linear regression models were developed to arrive at fixed and variable costs associated with the selected workload indicators. These costing models were subsequently used to develop both statewide and circuit/county cost estimates by entity.

#### **4.1.2 Approach to Staffing Model**

The staffing model follows a process similar to the cost model. Full-time equivalent (FTE) staffing data for the state attorney, public defender, and trial courts were obtained for a sample of 9 of the 20 circuits. The 9 circuits were:

- 2<sup>nd</sup> Circuit: Franklin, Gadsden, Jefferson, Leon, Liberty, and Wakulla counties
- 3<sup>rd</sup> Circuit: Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, and Taylor counties
- 6<sup>th</sup> Circuit: Pasco and Pinellas counties

|                           |                                                               |
|---------------------------|---------------------------------------------------------------|
| 7 <sup>th</sup> Circuit:  | Flagler, Putnam, St. Johns, and Volusia counties              |
| 8 <sup>th</sup> Circuit:  | Alachua, Baker, Bradford, Gilchrist, Levy, and Union counties |
| 9 <sup>th</sup> Circuit:  | Orange and Osceola counties                                   |
| 11 <sup>th</sup> Circuit: | Miami-Dade County                                             |
| 19 <sup>th</sup> Circuit: | Indian River, Martin, Okeechobee, and St. Lucie counties      |
| 20 <sup>th</sup> Circuit: | Charlotte, Collier, Glades, Hendry, and Lee counties          |

The clerks' staffing data were available for all of Florida's counties, so complete analyses were possible for this entity.

The same percentage savings factors associated with the costs of each entity were applied to raw county staffing levels for FY 2000. These adjusted figures for circuit- or county-level staff were regressed against the workload indicators selected for the costing models. This resulted in approximations of the number of FTEs required per unit of work.

#### **4.2 Conversion to Circuit- and County-Level Cost Data**

As described, the savings applied to statewide expenditure levels must be distributed across appropriate circuits or counties for comparative analysis with the selected workload indicators. Exhibit 4-1 reiterates the total savings by entity and the resultant "adjusted expenditures" that were earlier identified in Exhibit 3-11.

**EXHIBIT 4-1  
ESTIMATED STATEWIDE COST SAVINGS BY ENTITY  
BASED ON FY 1999-00 DATA**

| ENTITY          | ACTUAL<br>EXPENDITURES | SAVINGS      |         | ADJUSTED<br>EXPENDITURES |
|-----------------|------------------------|--------------|---------|--------------------------|
|                 |                        | DOLLARS      | PERCENT |                          |
| State Attorney  | \$281,854,791          | \$603,512    | 0.2%    | \$281,251,279            |
| Public Defender | \$191,535,790          | \$4,544,366  | 2.4%    | \$186,991,424            |
| Trial Courts    | \$310,031,431          | \$13,813,752 | 4.5%    | \$296,217,679            |
| Clerk of Courts | \$310,269,429          | \$10,881,813 | 3.5%    | \$299,387,617            |

The percentage savings factors for each entity were applied across respective circuit- or county-level expenditure data to arrive at a data set that could be used in comparisons against circuit or county workload indicator data. Exhibits 4-2 through 4-5 depict the resulting values for each entity, by circuit or county, according to the appropriate level of analysis. It should be noted that the 4<sup>th</sup> Circuit reported no county-level expenditures for the public defender. As a result, this circuit is excluded from the development of the public defender cost model in subsequent sections of this chapter.

**EXHIBIT 4-2  
ESTIMATED COST SAVINGS BY CIRCUIT  
STATE ATTORNEY, BASED ON FY 1999-00 DATA**

| REGION     | ACTUAL<br>EXPENDITURES | SAVINGS |           | ADJUSTED<br>EXPENDITURES |
|------------|------------------------|---------|-----------|--------------------------|
|            |                        | PERCENT | DOLLARS   |                          |
| Circuit 1  | \$10,925,340           | 0.21%   | \$23,394  | \$10,901,947             |
| Circuit 2  | \$6,910,491            | 0.21%   | \$14,797  | \$6,895,694              |
| Circuit 3  | \$3,901,783            | 0.21%   | \$8,355   | \$3,893,429              |
| Circuit 4  | \$19,559,323           | 0.21%   | \$41,881  | \$19,517,442             |
| Circuit 5  | \$10,736,063           | 0.21%   | \$22,988  | \$10,713,075             |
| Circuit 6  | \$22,186,367           | 0.21%   | \$47,506  | \$22,138,861             |
| Circuit 7  | \$12,052,173           | 0.21%   | \$25,806  | \$12,026,367             |
| Circuit 8  | \$7,705,044            | 0.21%   | \$16,498  | \$7,688,546              |
| Circuit 9  | \$15,814,360           | 0.21%   | \$33,862  | \$15,780,498             |
| Circuit 10 | \$9,320,933            | 0.21%   | \$19,958  | \$9,300,975              |
| Circuit 11 | \$43,867,774           | 0.21%   | \$93,930  | \$43,773,844             |
| Circuit 12 | \$9,347,548            | 0.21%   | \$20,015  | \$9,327,532              |
| Circuit 13 | \$18,637,065           | 0.21%   | \$39,906  | \$18,597,159             |
| Circuit 14 | \$5,267,527            | 0.21%   | \$11,279  | \$5,256,248              |
| Circuit 15 | \$18,502,360           | 0.21%   | \$39,618  | \$18,462,743             |
| Circuit 16 | \$4,330,456            | 0.21%   | \$9,272   | \$4,321,183              |
| Circuit 17 | \$25,661,192           | 0.21%   | \$54,946  | \$25,606,245             |
| Circuit 18 | \$14,677,278           | 0.21%   | \$31,427  | \$14,645,851             |
| Circuit 19 | \$8,349,281            | 0.21%   | \$17,878  | \$8,331,403              |
| Circuit 20 | \$13,983,758           | 0.21%   | \$29,942  | \$13,953,815             |
| TOTAL      | \$281,736,115          | 0.21%   | \$603,258 | \$281,132,858            |

**EXHIBIT 4-3  
ESTIMATED COST SAVINGS BY CIRCUIT  
PUBLIC DEFENDER, BASED ON FY 1999-00 DATA**

| REGION     | ACTUAL<br>EXPENDITURES | SAVINGS |             | ADJUSTED<br>EXPENDITURES |
|------------|------------------------|---------|-------------|--------------------------|
|            |                        | PERCENT | DOLLARS     |                          |
| Circuit 1  | \$7,864,853            | 2.37%   | \$186,601   | \$7,678,252              |
| Circuit 2  | \$6,167,550            | 2.37%   | \$146,331   | \$6,021,219              |
| Circuit 3  | \$2,438,217            | 2.37%   | \$57,849    | \$2,380,368              |
| Circuit 4* | \$11,963,806           | 2.37%   | \$283,853   | \$11,679,954             |
| Circuit 5  | \$6,062,169            | 2.37%   | \$143,831   | \$5,918,338              |
| Circuit 6  | \$12,533,478           | 2.37%   | \$297,369   | \$12,236,109             |
| Circuit 7  | \$7,066,410            | 2.37%   | \$167,657   | \$6,898,753              |
| Circuit 8  | \$5,399,195            | 2.37%   | \$128,101   | \$5,271,094              |
| Circuit 9  | \$13,536,561           | 2.37%   | \$321,168   | \$13,215,393             |
| Circuit 10 | \$7,157,509            | 2.37%   | \$169,819   | \$6,987,690              |
| Circuit 11 | \$35,848,458           | 2.37%   | \$850,538   | \$34,997,920             |
| Circuit 12 | \$6,063,144            | 2.37%   | \$143,854   | \$5,919,290              |
| Circuit 13 | \$11,894,701           | 2.37%   | \$282,213   | \$11,612,488             |
| Circuit 14 | \$3,300,891            | 2.37%   | \$78,317    | \$3,222,574              |
| Circuit 15 | \$13,971,032           | 2.37%   | \$331,476   | \$13,639,557             |
| Circuit 16 | \$2,631,394            | 2.37%   | \$62,432    | \$2,568,961              |
| Circuit 17 | \$18,009,752           | 2.37%   | \$427,298   | \$17,582,454             |
| Circuit 18 | \$6,581,637            | 2.37%   | \$156,156   | \$6,425,481              |
| Circuit 19 | \$5,518,306            | 2.37%   | \$130,927   | \$5,387,379              |
| Circuit 20 | \$7,526,728            | 2.37%   | \$178,579   | \$7,348,149              |
| TOTAL      | \$191,535,790          | 2.37%   | \$4,544,366 | \$186,991,424            |

\*Expenditures represent only state-funding for the 4<sup>th</sup> Circuit.

**EXHIBIT 4-4  
ESTIMATED COST SAVINGS BY CIRCUIT  
TRIAL COURTS, BASED ON FY 1999-00 DATA**

| REGION     | ACTUAL<br>EXPENDITURES | SAVINGS |              | ADJUSTED<br>EXPENDITURES |
|------------|------------------------|---------|--------------|--------------------------|
|            |                        | PERCENT | DOLLARS      |                          |
| Circuit 1  | \$12,739,111           | 4.46%   | \$567,604    | \$12,171,508             |
| Circuit 2  | \$7,536,123            | 4.46%   | \$335,779    | \$7,200,344              |
| Circuit 3  | \$3,980,500            | 4.46%   | \$177,355    | \$3,803,145              |
| Circuit 4  | \$15,906,629           | 4.46%   | \$708,735    | \$15,197,893             |
| Circuit 5  | \$7,246,127            | 4.46%   | \$322,858    | \$6,923,269              |
| Circuit 6  | \$19,835,827           | 4.46%   | \$883,805    | \$18,952,022             |
| Circuit 7  | \$12,800,614           | 4.46%   | \$570,344    | \$12,230,270             |
| Circuit 8  | \$8,352,383            | 4.46%   | \$372,149    | \$7,980,235              |
| Circuit 9  | \$18,521,165           | 4.46%   | \$825,229    | \$17,695,937             |
| Circuit 10 | \$9,177,070            | 4.46%   | \$408,893    | \$8,768,177              |
| Circuit 11 | \$67,520,316           | 4.46%   | \$3,008,433  | \$64,511,882             |
| Circuit 12 | \$9,219,262            | 4.46%   | \$410,773    | \$8,808,489              |
| Circuit 13 | \$21,634,737           | 4.46%   | \$963,957    | \$20,670,780             |
| Circuit 14 | \$4,849,217            | 4.46%   | \$216,062    | \$4,633,156              |
| Circuit 15 | \$21,371,032           | 4.46%   | \$952,207    | \$20,418,825             |
| Circuit 16 | \$4,317,194            | 4.46%   | \$192,357    | \$4,124,837              |
| Circuit 17 | \$31,933,089           | 4.46%   | \$1,422,810  | \$30,510,279             |
| Circuit 18 | \$12,345,701           | 4.46%   | \$550,075    | \$11,795,626             |
| Circuit 19 | \$5,376,278            | 4.46%   | \$239,545    | \$5,136,733              |
| Circuit 20 | \$14,201,615           | 4.46%   | \$632,767    | \$13,568,848             |
| TOTAL      | \$308,863,989          | 4.46%   | \$13,761,736 | \$295,102,254            |

**EXHIBIT 4-5  
ESTIMATED COST SAVINGS BY COUNTY  
CLERKS OF COURT, BASED ON FY 1999-00 DATA**

| REGION       | ACTUAL<br>EXPENDITURES | SAVINGS      |                     | ADJUSTED<br>EXPENDITURES |
|--------------|------------------------|--------------|---------------------|--------------------------|
|              |                        | PERCENT      | DOLLARS             |                          |
| Alachua      | \$4,855,989            | 3.51%        | \$170,310           | \$4,685,679              |
| Baker        | \$362,911              | 3.51%        | \$12,728            | \$350,183                |
| Bay          | \$2,621,502            | 3.51%        | \$91,942            | \$2,529,560              |
| Bradford     | \$410,191              | 3.51%        | \$14,386            | \$395,805                |
| Brevard      | \$11,074,388           | 3.51%        | \$388,402           | \$10,685,986             |
| Broward      | \$26,437,647           | 3.51%        | \$927,225           | \$25,510,422             |
| Calhoun      | \$278,472              | 3.51%        | \$9,767             | \$268,705                |
| Charlotte    | \$2,491,637            | 3.51%        | \$87,387            | \$2,404,250              |
| Citrus       | \$1,354,353            | 3.51%        | \$47,500            | \$1,306,853              |
| Clay         | \$2,448,833            | 3.51%        | \$85,886            | \$2,362,948              |
| Collier      | \$4,563,672            | 3.51%        | \$160,058           | \$4,403,614              |
| Columbia     | \$930,700              | 3.51%        | \$32,642            | \$898,058                |
| DeSoto       | \$500,919              | 3.51%        | \$17,568            | \$483,350                |
| Dixie        | \$274,012              | 3.51%        | \$9,610             | \$264,401                |
| Duval        | \$11,292,927           | 3.51%        | \$396,067           | \$10,896,860             |
| Escambia     | \$5,862,981            | 3.51%        | \$205,627           | \$5,657,353              |
| Flagler      | \$609,739              | 3.51%        | \$21,385            | \$588,354                |
| Franklin     | \$416,121              | 3.51%        | \$14,594            | \$401,527                |
| Gadsden      | \$916,626              | 3.51%        | \$32,148            | \$884,478                |
| Gilchrist    | \$352,077              | 3.51%        | \$12,348            | \$339,729                |
| Glades       | \$335,725              | 3.51%        | \$11,775            | \$323,950                |
| Gulf         | \$340,843              | 3.51%        | \$11,954            | \$328,889                |
| Hamilton     | \$469,062              | 3.51%        | \$16,451            | \$452,611                |
| Hardee       | \$828,430              | 3.51%        | \$29,055            | \$799,376                |
| Hendry       | \$561,145              | 3.51%        | \$19,681            | \$541,464                |
| Hernando     | \$2,078,521            | 3.51%        | \$72,898            | \$2,005,623              |
| Highlands    | \$1,570,438            | 3.51%        | \$55,079            | \$1,515,359              |
| Hillsborough | \$21,226,579           | 3.51%        | \$744,462           | \$20,482,117             |
| Holmes       | \$289,166              | 3.51%        | \$10,142            | \$279,025                |
| Indian River | \$2,476,235            | 3.51%        | \$86,847            | \$2,389,388              |
| Jackson      | \$612,968              | 3.51%        | \$21,498            | \$591,470                |
| Jefferson    | \$418,572              | 3.51%        | \$14,680            | \$403,892                |
| Lafayette    | \$110,931              | 3.51%        | \$3,891             | \$107,041                |
| Lake         | \$3,665,619            | 3.51%        | \$128,561           | \$3,537,058              |
| Lee          | \$5,009,305            | 3.51%        | \$175,687           | \$4,833,618              |
| Leon         | \$6,027,954            | 3.51%        | \$211,413           | \$5,816,541              |
| Levy         | \$616,092              | 3.51%        | \$21,608            | \$594,484                |
| Liberty      | \$200,817              | 3.51%        | \$7,043             | \$193,774                |
| Madison      | \$299,490              | 3.51%        | \$10,504            | \$288,986                |
| Manatee      | \$4,377,556            | 3.51%        | \$153,530           | \$4,224,026              |
| Marion       | \$3,798,230            | 3.51%        | \$133,212           | \$3,665,018              |
| Martin       | \$3,025,443            | 3.51%        | \$106,109           | \$2,919,334              |
| Miami-Dade   | \$50,008,096           | 3.51%        | \$1,753,891         | \$48,254,205             |
| Monroe       | \$2,492,001            | 3.51%        | \$87,400            | \$2,404,601              |
| Nassau       | \$1,421,856            | 3.51%        | \$49,868            | \$1,371,989              |
| Okaloosa     | \$2,823,995            | 3.51%        | \$99,044            | \$2,724,951              |
| Okeechobee   | \$837,162              | 3.51%        | \$29,361            | \$807,801                |
| Orange       | \$16,648,481           | 3.51%        | \$583,898           | \$16,064,583             |
| Osceola      | \$4,112,875            | 3.51%        | \$144,247           | \$3,968,627              |
| Palm Beach   | \$24,610,347           | 3.51%        | \$863,138           | \$23,747,209             |
| Pasco        | \$6,828,140            | 3.51%        | \$239,477           | \$6,588,662              |
| Pinellas     | \$18,957,826           | 3.51%        | \$664,891           | \$18,292,934             |
| Polk         | \$8,694,239            | 3.51%        | \$304,926           | \$8,389,314              |
| Putnam       | \$1,611,867            | 3.51%        | \$56,532            | \$1,555,335              |
| Santa Rosa   | \$1,906,633            | 3.51%        | \$66,870            | \$1,839,764              |
| Sarasota     | \$6,111,925            | 3.51%        | \$214,358           | \$5,897,567              |
| Seminole     | \$6,296,073            | 3.51%        | \$220,817           | \$6,075,256              |
| St. Johns    | \$2,584,527            | 3.51%        | \$90,645            | \$2,493,882              |
| St. Lucie    | \$4,745,856            | 3.51%        | \$166,447           | \$4,579,408              |
| Sumter       | \$1,031,246            | 3.51%        | \$36,168            | \$995,078                |
| Suwannee     | \$673,151              | 3.51%        | \$23,609            | \$649,542                |
| Taylor       | \$399,378              | 3.51%        | \$14,007            | \$385,371                |
| Union        | \$293,792              | 3.51%        | \$10,304            | \$283,488                |
| Volusia      | \$9,036,591            | 3.51%        | \$316,933           | \$8,719,658              |
| Wakulla      | \$385,910              | 3.51%        | \$13,535            | \$372,376                |
| Walton       | \$1,072,270            | 3.51%        | \$37,607            | \$1,034,663              |
| Washington   | \$290,375              | 3.51%        | \$10,184            | \$280,191                |
| <b>TOTAL</b> | <b>\$310,269,429</b>   | <b>3.51%</b> | <b>\$10,881,813</b> | <b>\$299,387,617</b>     |

### **4.3 Selection of Workload Indicators**

As discussed, the overall intent of the analysis is to develop and validate standardized staffing and costing models that will produce a realistic estimate of the statewide funding requirements of an efficiently operated state judicial system, based on readily available and predictable workload indicator data. A number of indicators that meet these criteria have been selected for analysis, focusing on their correlation with entity cost data. Those indicators demonstrating a combination of high correlation and a strong face validity basis are then used in the statistical models to estimate costs in the system. The indicators that were evaluated are:

- Population
  - Total population
  - Indigent population
- Judges
  - Total judges
  - Circuit judges
  - County judges
- Dispositions
  - Total dispositions
  - County dispositions
  - Circuit dispositions
  - Criminal dispositions
- Filings
  - Total filings
  - County filings
  - Circuit filings
  - Criminal filings

Correlation between two variables implies that the variables behave in a similar manner. That is, an increase (decrease) in one variable implies that a comparable increase (decrease) can be expected in the other. Positive correlation between variables can range from 0.0 to 1.0, where a correlation of 1.0 implies that a change in one variable is associated with an *identical proportional change* in the other. Thus, the

closer a correlation is to 1.0, the greater the relationship between the variables in question. For example, the correlation between miles driven by an automobile and the gasoline consumed by that automobile would be very close to 1.0, as a fixed amount of gas will be used for every mile driven. This is termed a “linear relationship.” Similarly, in the development of the costing models, we attempt to determine whether a linear relationship exists between various workload indicators and costs across the judicial system. Workload indicators that exhibit a high degree of correlation (close to 1.0) with the costs associated with a particular entity can be used to construct a model that predicts costs for that entity.

Utilizing the circuit or county expenditure data generated in the previous analyses, the level of correlation between entity costs and selected circuit or county workload indicators can be determined. Exhibit 4-6 presents the correlation between these indicators and total entity adjusted costs. The 4<sup>th</sup> Circuit is excluded from the public defender analysis, as they submitted no data.

**EXHIBIT 4-6  
CORRELATION COEFFICIENTS BETWEEN ADJUSTED COSTS AND  
SELECTED WORKLOAD INDICATORS, BY ENTITY**

| <b>WORKLOAD<br/>INDICATOR</b> | <b>STATE<br/>ATTORNEY</b> | <b>PUBLIC<br/>DEFENDER</b> | <b>TRIAL<br/>COURTS</b> | <b>CLERKS<br/>OF COURT</b> |
|-------------------------------|---------------------------|----------------------------|-------------------------|----------------------------|
| Total Population              | 0.977                     | 0.940                      | 0.924                   | 0.982                      |
| Indigent Population           | 0.593                     | 0.528                      | 0.561                   | na                         |
| Total Judges                  | 0.987                     | 0.979                      | 0.965                   | na                         |
| Circuit Judges                | 0.980                     | 0.961                      | 0.942                   | na                         |
| County Judges                 | 0.966                     | 0.980                      | 0.977                   | na                         |
| Total Dispositions            | 0.925                     | 0.914                      | 0.889                   | 0.937                      |
| County Dispositions           | na                        | na                         | na                      | 0.909                      |
| Circuit Dispositions          | na                        | na                         | na                      | 0.983                      |
| Criminal Dispositions         | 0.942                     | 0.957                      | 0.877                   | 0.942                      |
| Total Filings                 | 0.980                     | 0.977                      | 0.960                   | 0.981                      |
| County Filings                | na                        | na                         | na                      | 0.976                      |
| Circuit Filings               | na                        | na                         | na                      | 0.981                      |
| Criminal Filings              | 0.985                     | 0.976                      | 0.959                   | 0.981                      |

Extremely high correlation is observed between the costs associated with the entities and most of these workload indicators. This is not surprising, since many of these variables are driven by common factors. For the state attorney, public defender, and trial courts, the number of judges seems to hold the strongest relationship. Though the number of county judges or circuit judges has a marginally higher correlation than the total number of judges per circuit in some instances, there is no clear logical explanation for this. Since this margin is statistically insignificant, use of either total or county judges would be justifiable. Since county judges only preside over a limited subset of cases within the system, it is logical to assume that some components of workload might be missed if these figures are used, exclusively. Thus, total judges logically represents the preferable choice of indicators.

Generally, a reason that helps explain the high correlation between the number of judges and spending by state attorneys, public defenders, and trial courts is that judges tend to function as “gatekeepers” for the flow of activity through the judicial system. To a considerable degree, an increase in the number of judges in a jurisdiction would increase the workload in each of the three entities.

The total number of judges funded within each circuit is widely accepted throughout the state as a valid measure of workload. These numbers are loosely based on the “Delphi” model and further negotiated by state policy-makers to suit the needs of various jurisdictions. The incorporation of the Delphi model in this process is the result of a study completed by the Office of Program Policy and Analysis (OPPAGA), at the request of the 1997 Florida Legislature. In its report, OPPAGA recommended the development of a weighted caseload system, and the Legislature appropriated funds the following year for OSCA to enter into a contract with the National Center for State Courts (NCSC) to create a model for Florida’s judicial system. Both OPPAGA and OSCA

agreed that the Delphi model is the best means of determining the number of judges, specifically based on levels of workload. Furthermore, in its publication *Assessing the Need for Judges and Court Supporter Staff*, the NCSC indicated that “the weighted caseload technique [utilized by the Delphi model] is the *best* method for measuring case complexity and determining the need for judges.” Based on the high correlation and the credibility of the entire process used to determine the number of judges, we believe that this figure is the preferred predictor in cost models for the state attorney, public defender, and trial courts.

Unfortunately, the number of judges cannot be used as the workload indicator for the Clerks of the Court. The actual number of judges serving a county cannot be specified because of shared responsibilities across counties within circuits. Circuit judges in multi-county circuits (15 of the 20 circuits) do not serve a particular county. Rather, all circuit judges serve all counties in a circuit to some degree and therefore would affect the workload of clerks in varying degrees. Since the number of judges cannot be determined on a county-level basis, this variable cannot be used as a workload indicator for an entity that is organized in this manner. Logically speaking, a case can be filed regardless of whether the judge is able to hear it, so the “gatekeeper” effect may not have bearing in this respect, although their workload beyond the filing date may be somewhat dependent upon the number of judges. So this variable might not represent the best choice, regardless.

It should be noted that the numbers of filings varies in its definition across the counties in the state. As each county has its own practices relative to how these figures are calculated, the magnitude of workload associated with a particular number of filings could vary somewhat between jurisdictions. However, the high correlation between filings and clerk expenditures suggests this concern is not particularly substantial. While

the use of these figures appears justifiable at the current degree of consistency, it would be advisable to develop standardized practices across the state for how these figures are tabulated to develop a more accurate measure of workload within this entity.

Though population surfaces as the indicator with the highest correlation, this variable is too generic to account for any systematic or societal changes that might affect the clerks' workload. Therefore, the most logical driver of costs is the number of filings, since the clerks' responsibilities generally relate to administrative functions associated with each filing. Though circuit-level dispositions and filings have slightly higher correlation, the difference is not substantial enough to justify the use of a more specific variable.

For purposes of consistency, these same workload indicators are used in the staffing model. Exhibit 4-7 presents the correlation coefficients for the circuit- and county-level staffing figures and the selected workload indicators. This analysis demonstrates that the use of judges for the state attorney, public defender, and trial courts is justified, as well as the use of total filings for the clerks of the court. It is further apparent from the models developed in Section 4.4 that correlation between variables is sufficiently high to justify the use of like indicators for both staffing and costs.

**EXHIBIT 4-7  
CORRELATION COEFFICIENTS BETWEEN ADJUSTED STAFFING LEVELS  
AND SELECTED WORKLOAD INDICATORS, BY ENTITY**

| <b>WORKLOAD<br/>INDICATOR</b> | <b>STATE<br/>ATTORNEY</b> | <b>PUBLIC<br/>DEFENDER</b> | <b>TRIAL<br/>COURTS</b> | <b>CLERKS<br/>OF COURT</b> |
|-------------------------------|---------------------------|----------------------------|-------------------------|----------------------------|
| Total Population              | 0.986                     | 0.969                      | 0.933                   | 0.984                      |
| Indigent Population           | 0.774                     | 0.807                      | 0.816                   | na                         |
| Total Judges                  | 0.986                     | 0.992                      | 0.965                   | na                         |
| Circuit Judges                | 0.988                     | 0.981                      | 0.939                   | na                         |
| County Judges                 | 0.956                     | 0.987                      | 0.991                   | na                         |
| Total Dispositions            | 0.972                     | 0.983                      | 0.974                   | 0.947                      |
| County Dispositions           | na                        | na                         | na                      | 0.918                      |
| Circuit Dispositions          | na                        | na                         | na                      | 0.992                      |
| Criminal Dispositions         | 0.977                     | 0.975                      | 0.951                   | 0.954                      |
| Total Filings                 | 0.971                     | 0.986                      | 0.980                   | 0.983                      |
| County Filings                | na                        | na                         | na                      | 0.977                      |
| Circuit Filings               | na                        | na                         | na                      | 0.991                      |
| Criminal Filings              | 0.978                     | 0.989                      | 0.970                   | 0.985                      |

#### **4.4 Statistical Models**

The costing and staffing models presented in this section are based on linear regressions of entity costs against the selected workload indicators identified in Section 4.3. Graphic depictions of each regression model are presented along with a brief explanation of results and related implications.

The development of linear regression models entails the calculation of a line that “best fits” the relationship between two variables. The best-fitting line is associated with the least amount of error between the line’s predicted values and each of the actual observations of data that are available. The statistic that measures the accuracy of the regression line in predicting these values is the  $R^2$ , which can range in value from 0.0 to 1.0. Regression lines with  $R^2$  statistics that fall above 0.6 are generally thought of as

viable predictive models. The  $R^2$  value can be expressed as the percentage of variation accounted for by the model.

It is likely that there is some minimum threshold of expenditures (fixed costs) to coordinate each entity's expenditures, but this floor cannot be determined accurately without several observations close to this level. Thus, a limitation associated with these linear regression models is that they could potentially predict costs below this floor level of expenditures for some of the smaller circuits.

#### **4.4.1 Costing Models**

The costing models seek to establish a ratio of dollars for a judicial system entity per unit of work (i.e., judges or filings) in each circuit. As can be inferred from the correlation analyses, the models achieve a remarkably tight fit with the data scatter plots for each of the entities.

**Cost of Living Differentials.** In order to account for cost of living differences across the circuits, expenditure levels were adjusted by the 2002 Florida Price Level Index (FPLI), which is used to determine cost differentials across counties throughout Florida. This index is generated annually by the University of Florida Bureau of Economic and Business Research for the Florida Education Finance Program (FEFP). The FPLI is calculated on a county-level basis, so county populations were utilized to approximate weighted average index values for the judicial circuits for use in the state attorney, public defender, and trial courts models. Exhibits 4-8 and 4-9 depict the conversion of streamlined expenditures to FPLI-adjusted levels for use in the cost regression models. Use of these figures helps to negate the impact of cost differentials across jurisdictions, allowing for a more accurate prediction of costs based on workload. The FPLI factors are re-entered into the system after construction of the regression

models (in the funding simulations located in Chapter 5.0) to properly account for cost differentials in determining appropriate state funding levels.

**EXHIBIT 4-8  
FLORIDA PRICE LEVEL INDEX FUNDING ADJUSTMENTS  
FOR USE IN DEVELOPING LINEAR REGRESSION MODELS  
STATE ATTORNEY, PUBLIC DEFENDERS, AND TRIAL COURTS**

| Circuit | FY 00 Streamlined Expenditures |                    |                 | 2002<br>FPLI<br>Index | FPLI Adjusted Expenditures |                    |                 |
|---------|--------------------------------|--------------------|-----------------|-----------------------|----------------------------|--------------------|-----------------|
|         | State<br>Attorney              | Public<br>Defender | Trial<br>Courts |                       | State<br>Attorney          | Public<br>Defender | Trial<br>Courts |
| 1       | \$10,902,488                   | \$7,678,252        | \$12,177,322    | 92.04                 | \$11,845,273               | \$8,342,223        | \$13,230,347    |
| 2       | \$6,896,037                    | \$6,021,219        | \$7,203,783     | 94.80                 | \$7,274,650                | \$6,351,802        | \$7,599,292     |
| 3       | \$3,893,622                    | \$2,380,368        | \$3,804,962     | 90.55                 | \$4,299,863                | \$2,628,724        | \$4,201,952     |
| 4       | \$19,518,412                   | \$11,679,954       | \$15,205,153    | 94.82                 | \$20,584,159               | \$12,317,705       | \$16,035,388    |
| 5       | \$10,713,607                   | \$5,918,338        | \$6,926,576     | 92.87                 | \$11,536,011               | \$6,372,645        | \$7,458,278     |
| 6       | \$22,139,961                   | \$12,236,109       | \$18,961,075    | 100.20                | \$22,096,528               | \$12,212,105       | \$18,923,878    |
| 7       | \$12,026,964                   | \$6,898,753        | \$12,236,112    | 94.69                 | \$12,700,780               | \$7,285,258        | \$12,921,645    |
| 8       | \$7,688,928                    | \$5,271,094        | \$7,984,047     | 92.86                 | \$8,280,491                | \$5,676,636        | \$8,598,315     |
| 9       | \$15,781,282                   | \$13,215,393       | \$17,704,390    | 96.61                 | \$16,335,050               | \$13,679,123       | \$18,325,640    |
| 10      | \$9,301,437                    | \$6,987,690        | \$8,772,365     | 94.45                 | \$9,848,357                | \$7,398,563        | \$9,288,176     |
| 11      | \$43,776,019                   | \$34,997,920       | \$64,542,699    | 109.24                | \$40,073,250               | \$32,037,642       | \$59,083,393    |
| 12      | \$9,327,996                    | \$5,919,290        | \$8,812,696     | 98.44                 | \$9,475,484                | \$6,012,882        | \$8,952,037     |
| 13      | \$18,598,083                   | \$11,612,488       | \$20,680,654    | 99.53                 | \$18,685,907               | \$11,667,325       | \$20,778,312    |
| 14      | \$5,256,509                    | \$3,222,574        | \$4,635,369     | 90.78                 | \$5,790,089                | \$3,549,693        | \$5,105,898     |
| 15      | \$18,463,660                   | \$13,639,557       | \$20,428,579    | 106.95                | \$17,263,824               | \$12,753,209       | \$19,101,055    |
| 16      | \$4,321,398                    | \$2,568,961        | \$4,126,807     | 113.56                | \$3,805,388                | \$2,262,206        | \$3,634,032     |
| 17      | \$25,607,518                   | \$17,582,454       | \$30,524,853    | 107.96                | \$23,719,449               | \$16,286,081       | \$28,274,225    |
| 18      | \$14,646,578                   | \$6,425,481        | \$11,801,261    | 95.88                 | \$15,275,877               | \$6,701,555        | \$12,308,308    |
| 19      | \$8,331,817                    | \$5,387,379        | \$5,139,186     | 96.46                 | \$8,637,739                | \$5,585,189        | \$5,327,883     |
| 20      | \$13,954,509                   | \$7,348,149        | \$13,575,330    | 98.36                 | \$14,187,024               | \$7,470,587        | \$13,801,528    |
| TOTAL   | \$281,146,825                  | \$186,991,424      | \$295,243,219   | 100.05                | \$281,715,192              | \$186,591,153      | \$292,949,582   |

Note: FPLI Index values for circuits are derived from the weighted average of county indices according to respective populations. As a result, sums of the FPLI adjusted expenditure levels slightly diverge from original expenditure levels due to rounding errors.

**EXHIBIT 4-9  
FLORIDA PRICE LEVEL INDEX FUNDING ADJUSTMENTS  
FOR USE IN DEVELOPING LINEAR REGRESSION MODELS  
CLERKS OF THE COURT**

| <b>Circuit</b> | <b>Streamlined Expenditures</b> | <b>2002 FPLI Index</b> | <b>FPLI Adjusted Expenditures</b> | <i>(Continued from Left)</i><br><b>Circuit</b> | <b>Streamlined Expenditures</b> | <b>2002 FPLI Index</b> | <b>FPLI Adjusted Expenditures</b> |
|----------------|---------------------------------|------------------------|-----------------------------------|------------------------------------------------|---------------------------------|------------------------|-----------------------------------|
| Alachua        | \$4,685,679                     | 93.61                  | \$5,005,533                       | Lee                                            | \$4,833,618                     | 97.38                  | \$4,963,666                       |
| Baker          | \$350,183                       | 91.79                  | \$381,504                         | Leon                                           | \$5,816,541                     | 95.56                  | \$6,086,794                       |
| Bay            | \$2,529,560                     | 91.83                  | \$2,754,612                       | Levy                                           | \$594,484                       | 91.69                  | \$648,363                         |
| Bradford       | \$395,805                       | 91.63                  | \$431,960                         | Liberty                                        | \$193,774                       | 91.60                  | \$211,544                         |
| Brevard        | \$10,685,986                    | 95.39                  | \$11,202,417                      | Madison                                        | \$288,986                       | 91.51                  | \$315,797                         |
| Broward        | \$25,510,422                    | 107.96                 | \$23,629,513                      | Manatee                                        | \$4,224,026                     | 97.31                  | \$4,340,793                       |
| Calhoun        | \$268,705                       | 88.34                  | \$304,171                         | Marion                                         | \$3,665,018                     | 93.14                  | \$3,934,956                       |
| Charlotte      | \$2,404,250                     | 93.50                  | \$2,571,391                       | Martin                                         | \$2,919,334                     | 98.60                  | \$2,960,785                       |
| Citrus         | \$1,306,853                     | 90.90                  | \$1,437,682                       | Miami-Dade                                     | \$48,254,205                    | 109.24                 | \$44,172,652                      |
| Clay           | \$2,362,948                     | 92.86                  | \$2,544,634                       | Monroe                                         | \$2,404,601                     | 113.56                 | \$2,117,472                       |
| Collier        | \$4,403,614                     | 103.10                 | \$4,271,207                       | Nassau                                         | \$1,371,989                     | 93.30                  | \$1,470,513                       |
| Columbia       | \$898,058                       | 89.38                  | \$1,004,764                       | Okaloosa                                       | \$2,724,951                     | 92.64                  | \$2,941,442                       |
| DeSoto         | \$483,350                       | 96.03                  | \$503,333                         | Okeechobee                                     | \$807,801                       | 95.53                  | \$845,600                         |
| Dixie          | \$264,401                       | 91.44                  | \$289,153                         | Orange                                         | \$16,064,583                    | 96.71                  | \$16,611,088                      |
| Duval          | \$10,896,860                    | 95.29                  | \$11,435,471                      | Osceola                                        | \$3,968,627                     | 96.09                  | \$4,130,115                       |
| Escambia       | \$5,657,353                     | 92.24                  | \$6,133,297                       | Palm Beach                                     | \$23,747,209                    | 106.95                 | \$22,204,029                      |
| Flagler        | \$588,354                       | 94.50                  | \$622,597                         | Pasco                                          | \$6,588,662                     | 95.51                  | \$6,898,400                       |
| Franklin       | \$401,527                       | 95.01                  | \$422,615                         | Pinellas                                       | \$18,292,934                    | 101.95                 | \$17,943,045                      |
| Gadsden        | \$884,478                       | 91.97                  | \$961,703                         | Polk                                           | \$8,389,314                     | 94.85                  | \$8,844,822                       |
| Gilchrist      | \$339,729                       | 90.26                  | \$376,389                         | Putnam                                         | \$1,555,335                     | 90.67                  | \$1,715,380                       |
| Glades         | \$323,950                       | 95.83                  | \$338,047                         | Santa Rosa                                     | \$1,839,764                     | 91.21                  | \$2,017,063                       |
| Gulf           | \$328,889                       | 91.61                  | \$359,010                         | Sarasota                                       | \$5,897,567                     | 99.60                  | \$5,921,252                       |
| Hamilton       | \$452,611                       | 88.32                  | \$512,467                         | Seminole                                       | \$6,075,256                     | 96.52                  | \$6,294,298                       |
| Hardee         | \$799,376                       | 92.41                  | \$865,031                         | St. Johns                                      | \$2,493,882                     | 95.76                  | \$2,604,305                       |
| Hendry         | \$541,464                       | 97.16                  | \$557,291                         | St. Lucie                                      | \$4,579,408                     | 95.72                  | \$4,784,171                       |
| Hernando       | \$2,005,623                     | 91.74                  | \$2,186,203                       | Sumter                                         | \$995,078                       | 91.72                  | \$1,084,909                       |
| Highlands      | \$1,515,359                     | 92.84                  | \$1,632,227                       | Suwannee                                       | \$649,542                       | 91.23                  | \$711,983                         |
| Hillsborough   | \$20,482,117                    | 99.53                  | \$20,578,838                      | Taylor                                         | \$385,371                       | 92.75                  | \$415,494                         |
| Holmes         | \$279,025                       | 89.10                  | \$313,159                         | Union                                          | \$283,488                       | 90.55                  | \$313,074                         |
| Indian River   | \$2,389,388                     | 95.61                  | \$2,499,098                       | Volusia                                        | \$8,719,658                     | 95.06                  | \$9,172,794                       |
| Jackson        | \$591,470                       | 89.30                  | \$662,341                         | Wakulla                                        | \$372,376                       | 93.85                  | \$396,778                         |
| Jefferson      | \$403,892                       | 93.71                  | \$431,002                         | Walton                                         | \$1,034,663                     | 90.49                  | \$1,143,400                       |
| Lafayette      | \$107,041                       | 90.53                  | \$118,238                         | Washington                                     | \$280,191                       | 89.19                  | \$314,150                         |
| Lake           | \$3,537,058                     | 94.64                  | \$3,737,381                       | <b>TOTAL</b>                                   | <b>\$109,075,378</b>            | <b>100.05</b>          | <b>\$111,074,279</b>              |

Note: FPLI Index values for circuits are derived from the weighted average of county indices according to respective populations. As a result, sums of the FPLI adjusted expenditure levels slightly diverge from original expenditure levels due to rounding errors.

**Statistical Outliers.** As part of our continuing effort to ensure that the costing and staffing models are as reliable as possible, we conducted additional review of circuits that appeared to be statistical outliers in our analyses. In particular, the largest circuit (the 11th) and the smallest circuit (the 16th) each seem to have a much larger current resource base than predicted by the models.

For the 11th circuit, which is Miami-Dade County, a significant part of the funding in excess of the model-predicted amounts can be attributed to county support. Overall,

Miami-Dade County spends twice as much per judge in the 11th circuit as the statewide average for certain entities. In the case of the office of the 11th circuit state attorney, the county funding for child support enforcement services almost single-handedly explains the difference between actual and model-predicted amounts. Due to the uniqueness of this arrangement, we eliminated funding for child support enforcement from this entity's cost model. Wholesale increases to funding for each circuit across the state cannot be justified to account for the unique programs and practices within one specific circuit. As such, the 11<sup>th</sup> Circuit must be excluded from the development of this model.

The difference in local funding per judge for the 11<sup>th</sup> Circuit within the trial courts entity is displayed in Exhibit 4-10 below. However, for this particular entity, no unique circumstance comes close to fully explaining the apparent \$21 million difference in actual (state plus local funding) and costs predicted by the model, based on expenditure patterns throughout the rest of the state.

**EXHIBIT 4-10  
STATE AND COUNTY TRIAL COURTS FUNDING PER UNIT OF WORK:  
11<sup>th</sup> CIRCUIT COMPARED TO BALANCE OF STATE**

| <b>Circuit</b>    | <b>State Funds</b>   | <b># of Judges</b> | <b>State \$ per Judge</b> | <b>County Funds</b>  | <b># of Judges</b> | <b>County \$ per Judge</b> |
|-------------------|----------------------|--------------------|---------------------------|----------------------|--------------------|----------------------------|
| 1                 | \$6,714,346          | 30                 | \$223,812                 | \$6,024,765          | 30                 | \$200,826                  |
| 2                 | \$5,436,821          | 23                 | \$236,384                 | \$2,099,301          | 23                 | \$91,274                   |
| 3                 | \$2,975,505          | 13                 | \$228,885                 | \$1,004,995          | 13                 | \$77,307                   |
| 4                 | \$10,360,544         | 47                 | \$220,437                 | \$5,546,085          | 47                 | \$118,002                  |
| 5                 | \$6,640,230          | 30                 | \$221,341                 | \$605,897            | 30                 | \$20,197                   |
| 6                 | \$11,841,616         | 55                 | \$215,302                 | \$7,994,211          | 55                 | \$145,349                  |
| 7                 | \$7,741,090          | 36                 | \$215,030                 | \$5,059,523          | 36                 | \$140,542                  |
| 8                 | \$4,815,115          | 21                 | \$229,291                 | \$3,537,268          | 21                 | \$168,441                  |
| 9                 | \$11,160,069         | 52                 | \$214,617                 | \$7,361,096          | 52                 | \$141,560                  |
| 10                | \$6,456,541          | 29                 | \$222,639                 | \$2,720,529          | 29                 | \$93,811                   |
| <b>11</b>         | <b>\$26,410,182</b>  | <b>112</b>         | <b>\$235,805</b>          | <b>\$41,110,134</b>  | <b>112</b>         | <b>\$367,055</b>           |
| 12                | \$5,976,203          | 26                 | \$229,854                 | \$3,243,059          | 26                 | \$124,733                  |
| 13                | \$10,761,307         | 49                 | \$219,619                 | \$10,873,430         | 49                 | \$221,907                  |
| 14                | \$4,020,432          | 17                 | \$236,496                 | \$828,785            | 17                 | \$48,752                   |
| 15                | \$10,639,311         | 49                 | \$217,129                 | \$10,731,721         | 49                 | \$219,015                  |
| 16                | \$2,143,905          | 8                  | \$267,988                 | \$2,173,289          | 8                  | \$271,661                  |
| 17                | \$16,331,941         | 74                 | \$220,702                 | \$15,601,148         | 74                 | \$210,826                  |
| 18                | \$7,624,790          | 34                 | \$224,259                 | \$4,720,910          | 34                 | \$138,850                  |
| 19                | \$4,957,052          | 23                 | \$215,524                 | \$419,226            | 23                 | \$18,227                   |
| 20                | \$7,407,740          | 34                 | \$217,875                 | \$6,793,875          | 34                 | \$199,820                  |
| <b>Totals</b>     | <b>\$170,414,740</b> | <b>762</b>         | <b>\$223,641</b>          | <b>\$138,449,249</b> | <b>762</b>         | <b>\$181,692</b>           |
| <b>Excl. 11th</b> | <b>\$144,004,558</b> | <b>650</b>         | <b>\$221,545</b>          | <b>\$97,339,116</b>  | <b>650</b>         | <b>\$149,752</b>           |

As seen in Exhibit 4-11, we determined the dollar impact of differences in expenditure rates per judge between the 11th circuit and the statewide average for each of several functional areas within the trial courts entity. The function accounting for the largest dollar amount (\$5.5 million) was “court administration,” an area where no obvious reason exists for the 11th circuit to differ significantly from other circuits. The next largest disproportionate value in terms of local funding, “public guardian,” is a program designed to serve low-income individuals who have been adjudicated as incapacitated but have no qualified person willing to serve as a guardian, and accounts for \$2.3 million of the total difference. Local funding for this program is optional. The third largest area, “court interpreters” with \$1.6 million, also represents a function where the circuit has unique needs due to the higher than average proportion of non-English speaking

population. As a result of these variations, we determined that data for the 11th circuit trial court should be excluded from the regression analysis used to establish the costing model since its overall funding is so different from the other 19 circuits. However, since it is reasonable to expect Miami-Dade to conduct general operations at cost levels comparable to the remaining circuits, the funding simulations presented in Chapter 5.0 entail a base rate for this circuit that is on par with other circuits. Additional funding needs should be addressed through specific requests and appropriations by the legislature upon adequate demonstration of need by any given circuit.

**EXHIBIT 4-11**  
**ANALYSIS OF 11<sup>th</sup> CIRCUIT TRIAL COURTS COUNTY FUNDING**  
**VARIATION FROM AVERAGE FUNDING LEVELS FOR BALANCE OF STATE**

| Account                              | % Distribution  |                       | Amt. Over<br>State Avg.<br>Distribution | \$ per Judge    |                       | Amt. Over<br>State Avg.<br>Funding Rate |
|--------------------------------------|-----------------|-----------------------|-----------------------------------------|-----------------|-----------------------|-----------------------------------------|
|                                      | 11th<br>Circuit | Balance<br>of Florida |                                         | 11th<br>Circuit | Balance<br>of Florida |                                         |
| Court Administration                 | 44.6%           | 34.5%                 | \$2,572,947                             | \$101,580       | \$52,526              | \$5,494,022                             |
| Public Guardian                      | 9.4%            | 0.3%                  | \$2,310,110                             | \$21,318        | \$462                 | \$2,335,811                             |
| Court Interpreters                   | 7.8%            | 2.1%                  | \$1,452,653                             | \$17,812        | \$3,235               | \$1,632,579                             |
| Masters/Hearing Officers             | 8.4%            | 3.3%                  | \$1,276,984                             | \$19,029        | \$5,096               | \$1,560,402                             |
| Judicial Support                     | 10.6%           | 8.8%                  | \$442,143                               | \$24,052        | \$13,434              | \$1,189,218                             |
| Domestic Violence Court              | 5.1%            | 2.2%                  | \$743,935                               | \$11,659        | \$3,353               | \$930,375                               |
| Traffic Court Hearing Officers       | 2.1%            | 0.4%                  | \$430,857                               | \$4,857         | \$675                 | \$468,382                               |
| Custody Investigations               | 1.9%            | 0.8%                  | \$277,485                               | \$4,296         | \$1,215               | \$345,044                               |
| Trial Court Law Clerks/Legal Support | 0.9%            | 0.3%                  | \$142,609                               | \$1,982         | \$473                 | \$168,936                               |
| <b>SUM TOTAL</b>                     | -               | -                     | <b>\$9,649,720</b>                      | -               | -                     | <b>\$14,124,769</b>                     |

For the 16th circuit, which is Monroe County, the causes of the differences between actual and model-predicted funding are more complex. The 16th circuit reportedly has benefited from provisions in the funding practices of the various entities that recognize:

- Small size
- High incidence of cases per capita
- High proportion of criminal cases
- Higher cost of living
- Travel time

In Exhibit 4-12, several of these factors are isolated to help explain why the costing model, which is based on operations throughout the state, predicts several

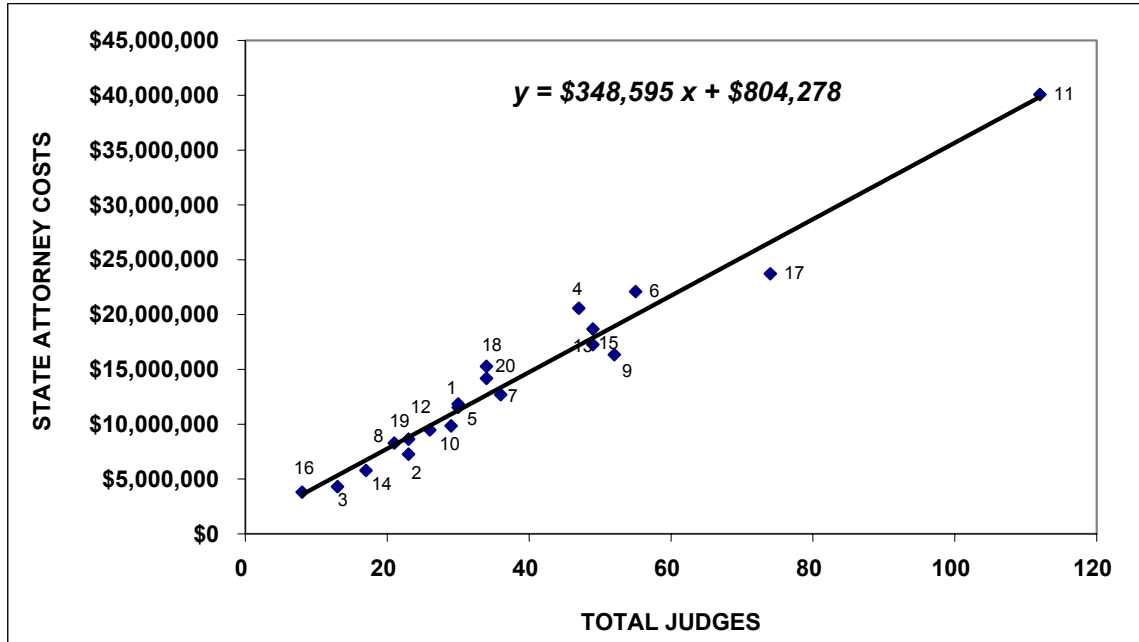
hundred thousand dollars less in state funding across all entities than the circuit's current levels. As observed in the exhibit, after the differentials in workload and cost of living are accounted for, the circuit remains more than 30 percent higher than the state averages for costs per judge for the state attorney and public defender. These differentials can most likely be attributed to a combination of several factors, such as higher travel expenses, assorted impacts of transients (tourists) to this area, and various difficulties relating to administration of the system over an atypical geographical area. Since these costs are unique to this area, however, the circuit would be responsible for documenting the necessity for additional funding needs.

**EXHIBIT 4-12  
ANALYSIS OF COST AND WORKLOAD DIFFERENTIALS  
16<sup>TH</sup> CIRCUIT VERSUS BALANCE OF STATE**

| <b>Measure</b>                                | <b>16th Circuit</b> | <b>State Average</b> | <b>% Difference</b> |
|-----------------------------------------------|---------------------|----------------------|---------------------|
| Filings per Capita                            |                     |                      |                     |
| Civil                                         | 0.100               | 0.072                | 140%                |
| Criminal                                      | 0.115               | 0.068                | 169%                |
| Other                                         | 0.030               | 0.027                | 111%                |
| Total                                         | 0.245               | 0.167                | 147%                |
| State-Funded Positions per 100,000 Population |                     |                      |                     |
| Judges                                        | 9.8                 | 4.5                  | 217%                |
| Office of State Attorney                      | 81.2                | 32.2                 | 252%                |
| Office of Public Defender                     | 48.0                | 14.2                 | 339%                |
| State Appropriations per Capita               |                     |                      |                     |
| Trial Courts                                  | \$26                | \$10                 | 259%                |
| Office of State Attorney                      | \$51                | \$15                 | 330%                |
| Office of Public Defender                     | \$25                | \$7                  | 340%                |
| State-Funded Positions per 100,000 Filings    |                     |                      |                     |
| Judges                                        | 40.1                | 27.2                 | 147%                |
| Office of State Attorney                      | 330.8               | 192.7                | 172%                |
| Office of Public Defender                     | 195.5               | 84.8                 | 230%                |
| State Appropriations per 1,000 Filings        |                     |                      |                     |
| Trial Courts                                  | \$107               | \$61                 | 176%                |
| Office of State Attorney                      | \$206               | \$92                 | 224%                |
| Office of Public Defender                     | \$102               | \$44                 | 231%                |
| State-Funded Positions per Judge              |                     |                      |                     |
| Office of State Attorney                      | 8.25                | 7.07                 | 117%                |
| Office of Public Defender                     | 4.88                | 3.12                 | 156%                |
| State Appropriations per Judge                |                     |                      |                     |
| Trial Courts                                  | \$267,988           | \$223,641            | 120%                |
| Office of State Attorney                      | \$513,697           | \$337,307            | 152%                |
| Office of Public Defender                     | \$254,489           | \$162,093            | 157%                |
| Price-Level Adjusted Appropriations per Judge |                     |                      |                     |
| Trial Courts                                  | \$235,988           | \$223,641            | 106%                |
| Office of State Attorney                      | \$452,357           | \$337,307            | 134%                |
| Office of Public Defender                     | \$224,101           | \$162,093            | 138%                |

**State Attorney Costs.** Exhibit 4-13 presents the costing model developed through the regression of state attorney adjusted expenditures against the number of judicial seats in each circuit. The model estimates that each judge is associated with about \$349,000 in state attorney costs, and generates an R<sup>2</sup> statistic of 0.964.

**EXHIBIT 4-13  
REGRESSION ANALYSIS OF CIRCUIT-LEVEL COSTS  
ADJUSTED STATE ATTORNEY COSTS VS. TOTAL NUMBER OF JUDGES**



The model demonstrates a consistent and linear relationship between state attorney costs and the number of judges in a particular circuit. Whenever the estimate of streamlined cost exceeds the model's estimates, three options for action exist:

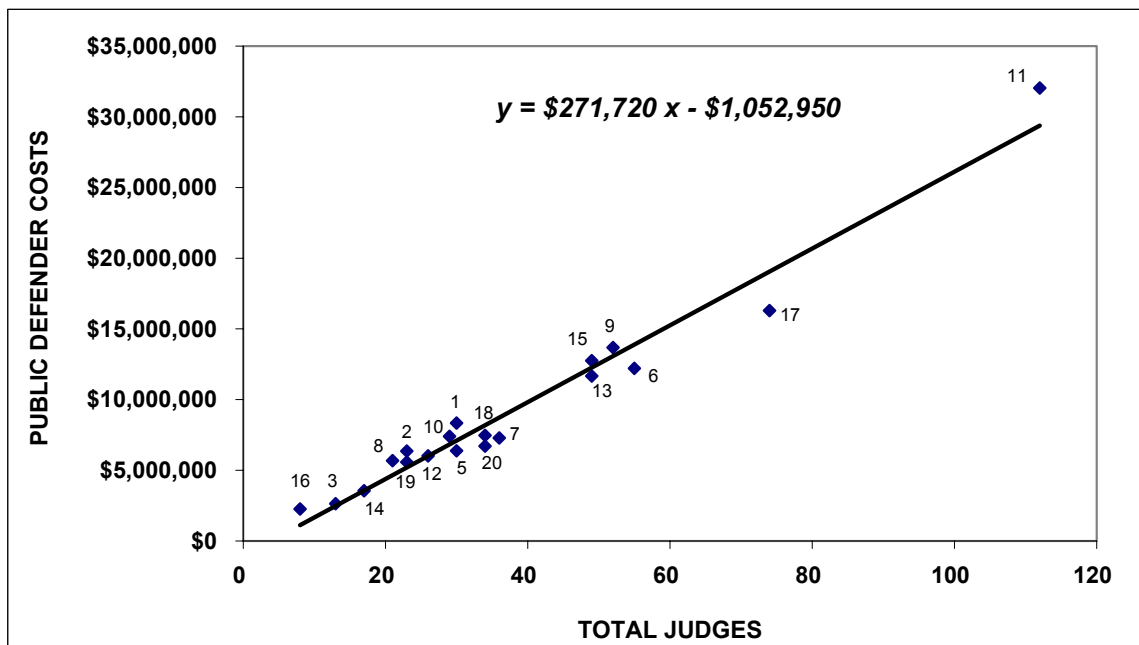
- The difference in cost might become the responsibility of counties to supplement.
- Additional state funding allowances might be made based on certain demographic or other exogenous variables that drive costs higher in certain circuits (e.g., cost of living variations). These excess funding needs should be specifically identified by circuits, upon which supplemental state funds could be allocated for the specific purposes of covering justifiable cost differences.
- The entity would need to reduce expenditure levels to reflect the lower funding rate.

It should be noted that the model's application is generally limited to the range of judges within the current universe, with a marginal capability for extrapolation.

Observations towards the outer ranges of the workload variable might yield suspect funding levels. This issue is discussed further in subsequent portions of this report.

**Public Defender Costs.** The cost model for the public defender produces an equally sound fit, as depicted in Exhibit 4-14. This regression model estimates that approximately \$272,000 is required to fund the public defender function for every judicial seat, and yielded an  $R^2$  of 0.964. The 4<sup>th</sup> Circuit is excluded from the analysis due to a lack of county funding data. As with the state attorney funds, the overall model produces a very close estimation of actual costs in the system.

**EXHIBIT 4-14**  
**REGRESSION ANALYSIS OF CIRCUIT-LEVEL COSTS**  
**ADJUSTED PUBLIC DEFENDER COSTS VS. TOTAL NUMBER OF JUDGES**

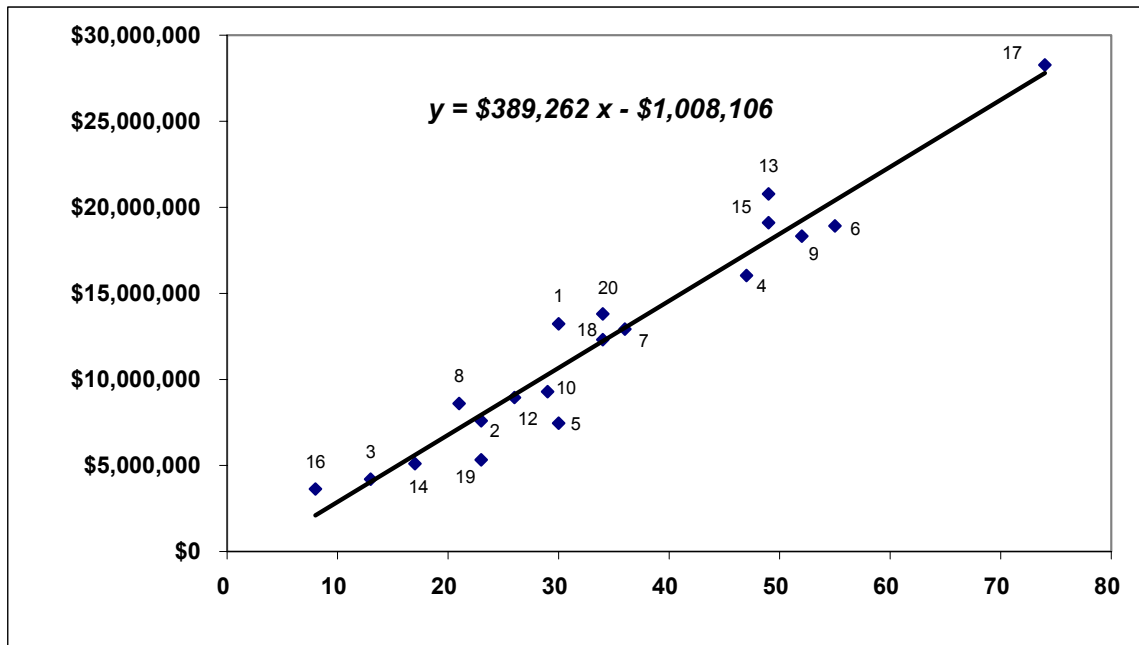


Note: Excludes 4<sup>th</sup> Circuit (Clay, Duval, Nassau) from analysis.

**Trial Courts Costs.** The linear cost model for the trial courts also produced a remarkably reliable equation (Exhibit 4-15). The model estimates that \$389,000 is necessary to fund the trial court activities associated with each judicial position, with an

$R^2$  of 0.943. The 11<sup>th</sup> Circuit skewed the results of the regression, necessitating its exclusion from the model. Also, it appears that a floor may exist relative to costs in this entity. Many of the circuits at the lower end of the cost-spectrum appear to spend between \$3 to \$5 million, so this might represent some minimum standard for provision of these services. As discussed earlier, the 11th Circuit was excluded in the development of this model.

**EXHIBIT 4-15**  
**REGRESSION ANALYSIS OF CIRCUIT-LEVEL COSTS**  
**ADJUSTED TRIAL COURTS COSTS VS. TOTAL NUMBER OF JUDGES**

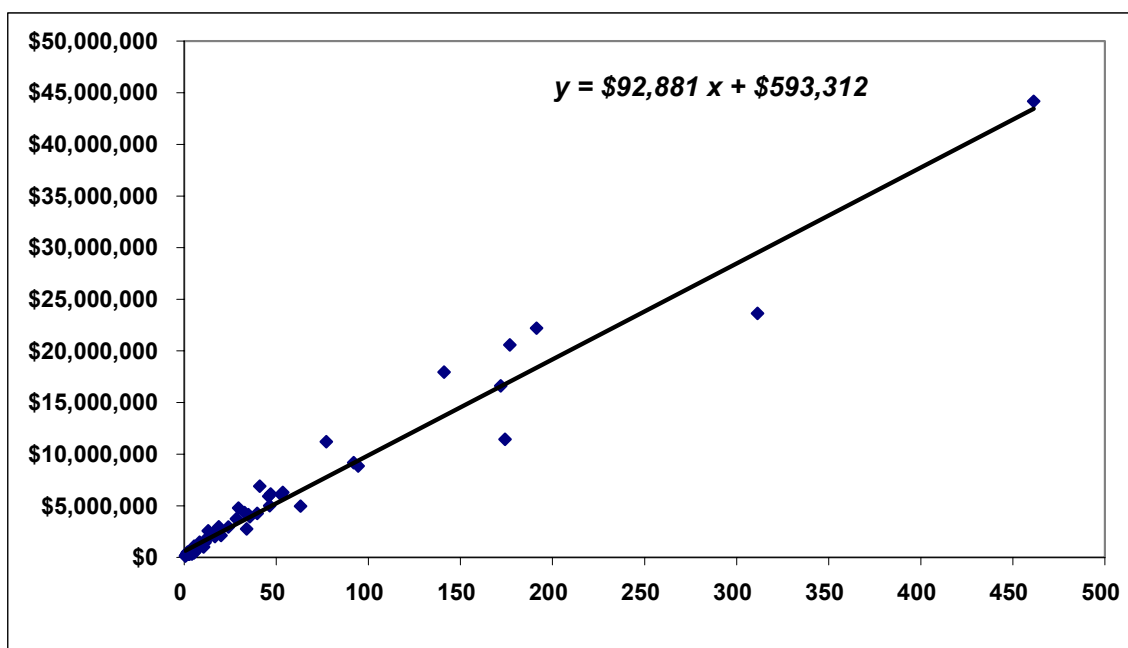


Note: Excludes 11<sup>th</sup> Circuit (Miami-Dade) from analysis.

**Clerk of the Court Costs.** As referenced, since the clerks of the court are organized on a county-level (rather than circuit-level) basis, the number of judges could not be used as the workload indicator for this particular entity. The indicator with the highest correlation and face validity was determined to be the total number of filings per county. The regression model that gauges costs associated with the clerks of the court

versus total court filings is depicted in Exhibit 4-16. Organization according to county allowed for 67 distinct observations, and the resulting regression equation achieved the best fit among the four entities. The model suggests that the clerks of the court require approximately \$93,000 per 1,000 filings, plus some level of fixed costs, to fund their activities. The  $R^2$  value for this model equated to 0.959. Several counties fall some degree above or below the regression line, but the model achieves an acceptable result, on the whole. The data problems for Duval County relative to the public defender cast some doubt as to the comparability of its cost figures for this model, as well.

**EXHIBIT 4-16**  
**REGRESSION ANALYSIS OF COUNTY-LEVEL COSTS**  
**ADJUSTED CLERKS OF COURT COSTS VS. TOTAL COURT FILINGS**



#### **4.4.2 Staffing Models**

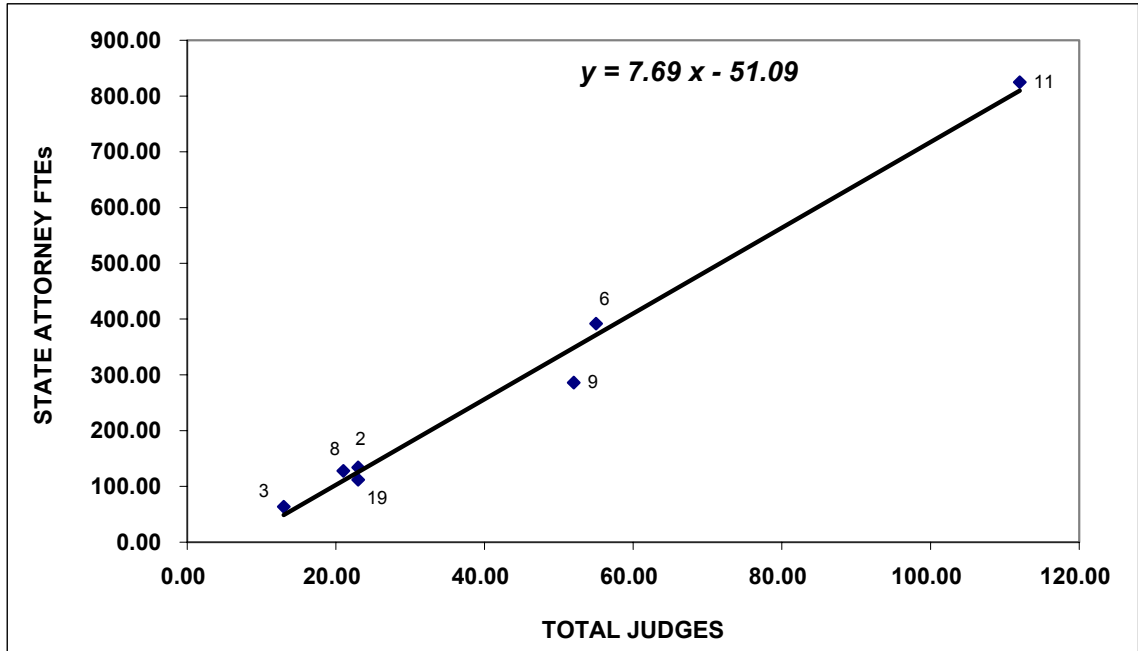
The ensuing staffing models yield ratios of full-time equivalent (FTE) staff to the selected workload indicators. As specified, the same indicators are used to generate the staffing ratios as were used to determine respective entity costs. For the models used

for the state attorney, public defender, and trial courts, data for a sample of nine circuits were analyzed. The exceptional fit of the models to this sample of circuits validates its applicability to the system as a whole. Although an analysis of all 20 circuits would be preferable, the models yield close enough fits to generate statistically significant relationships.

In addition to the regression models, tabulations of staff by selected areas are also reported. These data are based on the entities' organizational charts and further clarify the precise FTE levels by function for the entities. These ratios could serve as the basis for basic staffing composition in allocating resources.

**State Attorney Staffing.** Analyses relating to the state attorney staffing levels are depicted in Exhibit 4-17. The model estimates that approximately 7.7 state attorney FTEs are required to support each judicial seat. Several circuits fall slight distances above or below the line, but the model seems to fit the overall trend of the data. The  $R^2$  for this model was determined to be 0.988; a remarkably good fit, considering the limited number of observations. The large negative fixed component coupled with relatively high coefficient suggests a small minimum threshold with steep increase in staffing needs.

**EXHIBIT 4-17  
REGRESSION ANALYSIS OF CIRCUIT-LEVEL STAFFING  
ADJUSTED STATE ATTORNEY FTEs VS. TOTAL NUMBER OF JUDGES**



To augment the aggregate staffing model for State Attorney positions, we further analyzed the distribution of positions within the typical State Attorney office. Based on our analysis of organizational charts for the sample circuits, we assigned each position into one of the following seven categories:

- Elected state attorney
- Senior administrator
- Assistant state attorney
- Investigator
- Victim/witness coordinator
- Administrative support
- Technology support

For each of these seven categories, we then determined the typical number of positions per judge (the workload variable used in the aggregate staffing model). As seen in Exhibit 4-18, the new positions generated for a state attorney's office by the staffing model would likely be established in only four of the seven categories. The other

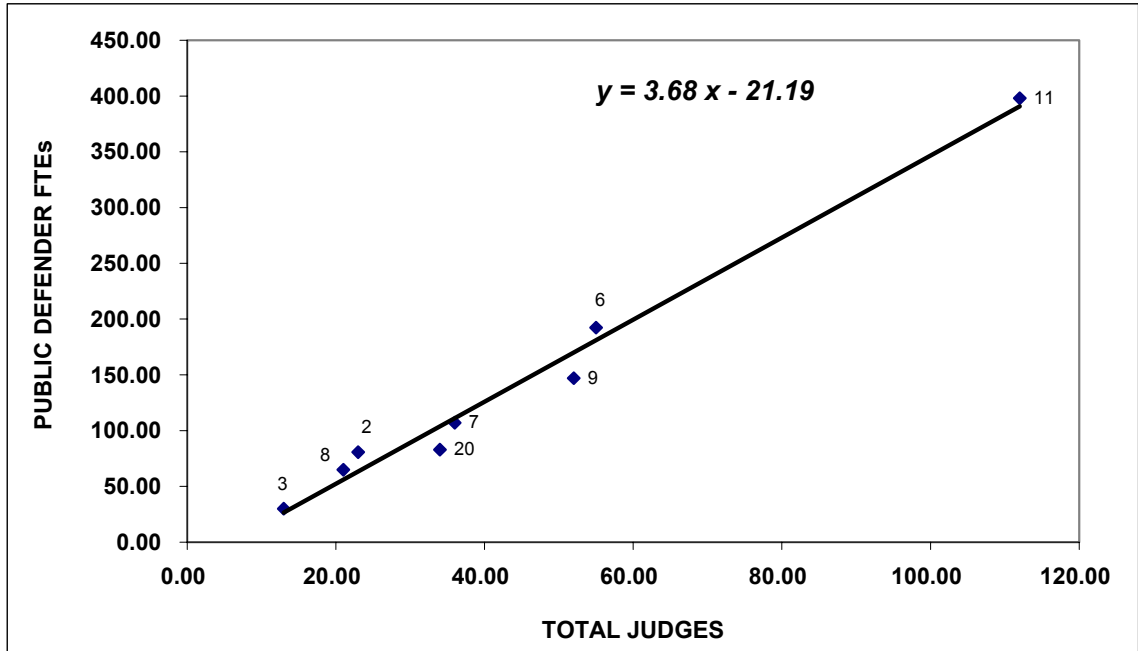
three categories, which are comprised of senior management and technology support positions, are expected to remained at fixed levels and not expand with the number of judges.

**EXHIBIT 4-18**  
**FTEs PER JUDGE BY STAFF CLASSIFICATION:**  
**STATE ATTORNEY**

| Circuit             | Staff by Area          |                       |                |                 |                |                          |             | Totals      |          |
|---------------------|------------------------|-----------------------|----------------|-----------------|----------------|--------------------------|-------------|-------------|----------|
|                     | Elected State Attorney | Asst. State Attorneys | Invest-igators | Victim/ Witness | Admin. Support | Executive/ Senior Admin. | Info. Tech. | Total Staff | Excl. IT |
| 2nd Circuit         | 0.04                   | 2.04                  | 0.48           | 0.39            | 1.83           | 0.09                     | 0.09        | 4.96        | 4.87     |
| 3rd Circuit         | 0.08                   | 1.85                  | 0.31           | 0.31            | 2.19           | 0.15                     | 0.08        | 4.96        | 4.88     |
| 6th Circuit         | 0.02                   | 2.60                  | 0.51           | 0.13            | 3.84           | 0.04                     | 0.69        | 7.82        | 7.13     |
| 7th Circuit         | n/a                    | n/a                   | n/a            | n/a             | n/a            | n/a                      | n/a         | n/a         | n/a      |
| 8th Circuit         | 0.05                   | 2.43                  | 0.38           | 0.38            | 2.76           | 0.10                     | 0.14        | 6.24        | 6.10     |
| 9th Circuit         | 0.02                   | 2.21                  | 0.29           | 0.25            | 2.65           | 0.08                     | 0.25        | 5.75        | 5.50     |
| 11th Circuit        | 0.01                   | 2.91                  | 0.33           | 0.34            | 3.72           | 0.05                     | 0.02        | 7.38        | 7.36     |
| 19th Circuit        | 0.04                   | 2.22                  | 0.30           | 0.57            | 2.65           | 0.04                     | 0.04        | 5.87        | 5.83     |
| 20th Circuit        | n/a                    | n/a                   | n/a            | n/a             | n/a            | n/a                      | n/a         | n/a         | n/a      |
| Total Staff by Type | 0.03                   | 2.53                  | 0.37           | 0.31            | 3.19           | 0.06                     | 0.20        | 6.70        | 6.50     |
| Median              | 0.04                   | 2.22                  | 0.33           | 0.34            | 2.65           | 0.08                     | 0.09        | 5.87        | 5.83     |
| Assigned FTEs       |                        | 2.25                  | 0.33           | 0.33            | 2.67           |                          |             |             | 5.58     |

**Public Defender Staffing.** The public defender shows a similar relationship with the number of judges (Exhibit 4-19), though it appears fewer public defender FTEs than state attorney FTEs are required per judge. The model predicts that approximately 3.7 FTEs per judge are required for this particular entity, beyond some fixed level, yielding an R<sup>2</sup> value of 0.984. On a relative scale, this is consistent with the costing models, which suggested that the public defender requires somewhat fewer resources than the state attorney.

**EXHIBIT 4-19  
REGRESSION ANALYSIS OF CIRCUIT-LEVEL STAFFING  
ADJUSTED PUBLIC DEFENDER FTEs VS. TOTAL NUMBER OF JUDGES**



To augment the aggregate staffing model for Public Defender positions, we further analyzed the distribution of positions within the typical Public Defender office. Based on our analysis of organizational charts for the sample circuits, we assigned each position into one of the following six categories:

- Elected public defender
- Senior administrator
- Assistant public defender
- Investigator
- Administrative support
- Technology support

For each of these six categories, we then determined the typical number of positions per judge (the workload variable used in the aggregate staffing model). As seen in Exhibit 4-20, the new positions generated for a public defender's office by the staffing model would be established in only three of the six categories. The other three

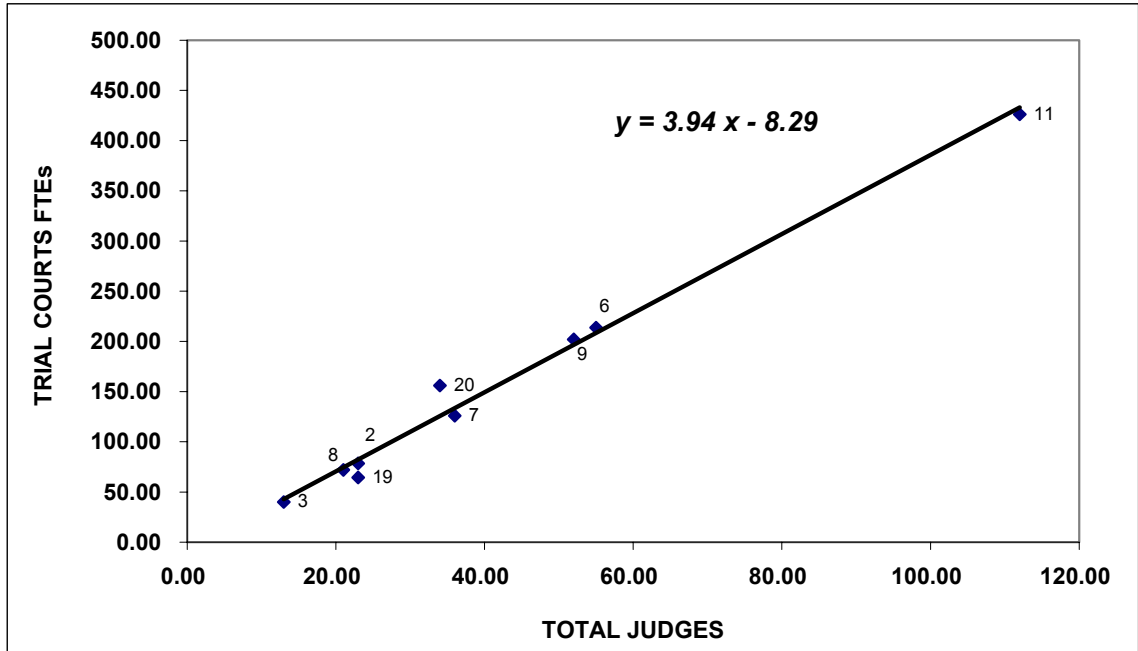
categories, which are comprised of senior management and technology support positions, are expected to remain at fixed levels and not expand with the number of judges.

**EXHIBIT 4-20**  
**FTEs PER JUDGE BY STAFF CLASSIFICATION:**  
**PUBLIC DEFENDER**

| Circuit             | Staff by Area           |                        |               |                |                         |             | Totals    |          |
|---------------------|-------------------------|------------------------|---------------|----------------|-------------------------|-------------|-----------|----------|
|                     | Elected Public Defender | Asst. Public Defenders | Investigators | Admin. Support | Executive/Senior Admin. | Info. Tech. | All Staff | Excl. IT |
| 2nd Circuit         | 0.04                    | 1.57                   | 0.48          | 1.38           | 0.04                    | 0.00        | 3.51      | 3.51     |
| 3rd Circuit         | 0.08                    | 1.38                   | 0.23          | 0.54           | 0.08                    | 0.00        | 2.31      | 2.31     |
| 6th Circuit         | 0.02                    | 1.65                   | 0.31          | 1.50           | 0.02                    | 0.04        | 3.53      | 3.50     |
| 7th Circuit         | 0.03                    | 1.50                   | 0.22          | 1.14           | 0.08                    | 0.00        | 2.97      | 2.97     |
| 8th Circuit         | 0.05                    | 1.48                   | 0.33          | 1.14           | 0.10                    | 0.10        | 3.19      | 3.10     |
| 9th Circuit         | 0.02                    | 1.71                   | 0.19          | 0.87           | 0.04                    | 0.04        | 2.87      | 2.83     |
| 11th Circuit        | 0.01                    | 1.81                   | 0.23          | 1.48           | 0.02                    | 0.07        | 3.63      | 3.55     |
| 19th Circuit        | 0.04                    | 1.15                   | 0.04          | 1.19           | 0.09                    | 0.00        | 2.51      | 2.51     |
| 20th Circuit        | 0.03                    | 1.57                   | 0.12          | 0.69           | 0.03                    | 0.15        | 2.59      | 2.44     |
| Total Staff by Type | 0.02                    | 1.63                   | 0.24          | 1.21           | 0.04                    | 0.05        | 3.20      | 3.15     |
| Median              | 0.03                    | 1.57                   | 0.23          | 1.14           | 0.04                    | 0.04        | 3.08      | 3.03     |
| Assigned FTEs       |                         | 1.50                   | 0.25          | 1.25           |                         |             |           | 3.00     |

**Trial Courts Staffing.** The model for the trial courts, which also used the total number of judges as the workload indicator, indicated that about 3.9 FTEs were required per judge to support this entity's operations. Yielding an  $R^2$  of 0.987, this again represents a remarkably close approximation in statistical terms. The consistency with previous results and the degree of linearity suggested by the  $R^2$ , as shown in Exhibit 4-21, indicates that the results should be applicable to the circuits that were not included in the analysis. The 20<sup>th</sup> circuit appears to be the only outlier of any significance, falling slightly above its predicted staffing level.

**EXHIBIT 4-21  
REGRESSION ANALYSIS OF CIRCUIT-LEVEL STAFFING  
ADJUSTED TRIAL COURTS FTEs VS. TOTAL NUMBER OF JUDGES**



We also analyzed current staffing levels within the trial court administrators' offices for the sample circuits on a functional basis using the following categories:

- Judicial Assistants
- Senior management
- Masters and hearing officers
- Legal support/library
- Court reporters
- Mediation/ADR
- Technology
- Internal support
- Court interpreter
- Court division staff
- Special programs

As seen in Exhibit 4-22, the numbers of positions by category per judge varied significantly across the sample circuits. Based on our interviews in these circuits, we found that staffing decisions are often made to address a perceived shortcoming in the overall judicial system within that circuit. That is, the chief judge of the circuit may

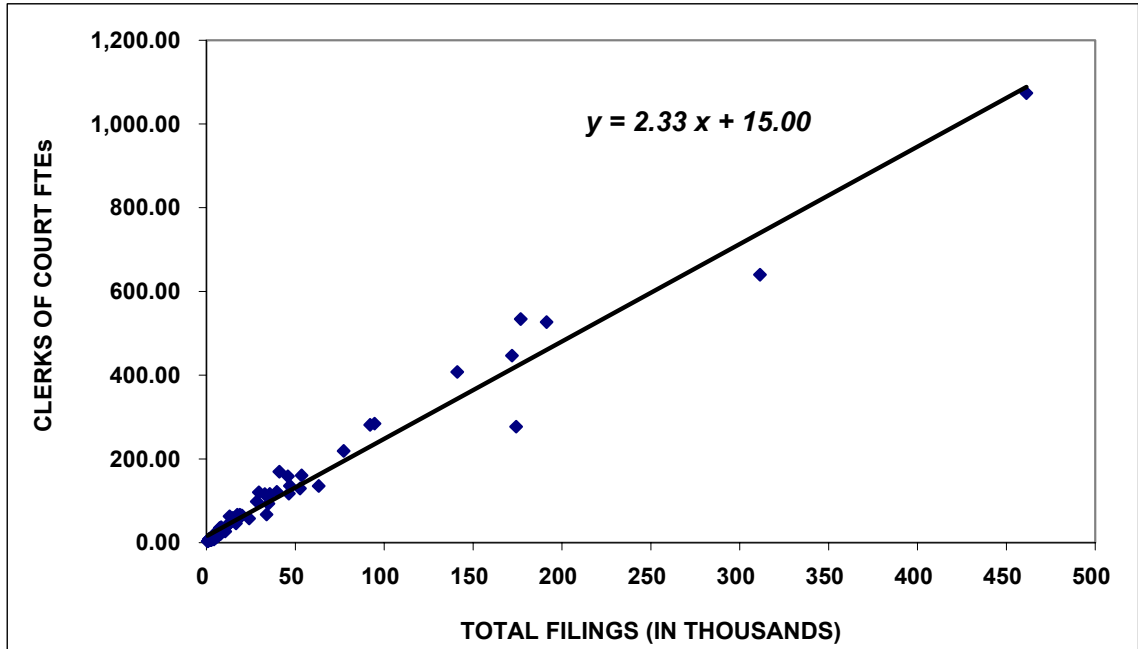
determine that the state attorney, the public defender, the clerks of court or even social service agencies are not able to address a need appropriately. If so, he or she will seek the needed resources to supplement the court administrator's staff and assign the new positions to address the need. This "filling the gap" strategy for staffing contributes to the significant variances in the ratios of staff by category per judge across the circuits. For this reason, we believe that the staffing model for trial courts should be expressed only at the aggregate level.

**EXHIBIT 4-22  
FTEs PER JUDGE BY STAFF CLASSIFICATION:  
TRIAL COURTS**

| Circuit             | Staff by Area   |                                 |                            |                        |             |                      |                  | Totals |          |
|---------------------|-----------------|---------------------------------|----------------------------|------------------------|-------------|----------------------|------------------|--------|----------|
|                     | Judicial Assts. | Senior Mgmt. & Internal Support | Masters & Hearing Officers | Legal Support/ Library | Info. Tech. | Court Division Staff | Special Programs | Total  | Excl. IT |
| 2nd Circuit*        | 1.00            | 0.46                            | 0.17                       | 0.22                   | 0.09        | 0.39                 | 1.17             | 3.50   | 2.41     |
| 3rd Circuit         | 1.15            | 0.23                            | 0.08                       | 0.15                   | 0.08        | 0.35                 | 1.12             | 3.15   | 1.92     |
| 6th Circuit         | 1.00            | 0.40                            | 0.31                       | 0.46                   | 0.23        | 0.51                 | 1.21             | 4.11   | 2.89     |
| 7th Circuit         | 1.00            | 0.22                            | 0.13                       | 0.22                   | 0.11        | 0.43                 | 1.50             | 3.61   | 2.50     |
| 8th Circuit         | 1.00            | 0.57                            | 0.37                       | 0.24                   | 0.14        | 0.38                 | 0.87             | 3.57   | 2.43     |
| 9th Circuit**       | 1.13            | 0.46                            | 0.27                       | 0.29                   | 0.33        | 0.75                 | 0.98             | 4.21   | 2.75     |
| 11th Circuit        | 1.00            | 0.36                            | 0.24                       | 0.27                   | 0.30        | 1.00                 | 0.93             | 4.11   | 2.80     |
| 19th Circuit        | 1.00            | 0.26                            | 0.17                       | 0.26                   | 0.04        | 0.50                 | 0.61             | 2.85   | 1.80     |
| 20th Circuit        | 1.00            | 0.88                            | 0.12                       | 0.31                   | 0.24        | 1.07                 | 1.21             | 4.82   | 3.59     |
| Total Staff by Type | 1.02            | 0.42                            | 0.23                       | 0.29                   | 0.22        | 0.72                 | 1.06             | 3.96   | 2.71     |
| Median              | 1.00            | 0.41                            | 0.20                       | 0.26                   | 0.18        | 0.50                 | 1.09             | 3.79   | 2.61     |
| Assigned FTEs       | 1.00            | 0.50                            | 0.25                       | 0.25                   | 0.25        | 0.50                 | 1.00             | 3.75   | 2.50     |

**Clerk of Court Staffing.** As in the costing models, the clerks of court were analyzed on a county-level basis, and against a different workload indicator, the total number of filings (Exhibit 4-23). Both the workload indicator and clerk staffing data were available for each of the counties. The  $R^2$  statistic for this regression model was calculated as 0.967, and it indicates that a staffing level of approximately 2.4 FTEs per 1,000 filings are required to support this entity, beyond some minimum fixed level. As discussed, it is difficult to determine the precise level of fixed expenses, as we do not have any observations with a workload value of zero.

**EXHIBIT 4-23**  
**REGRESSION ANALYSIS OF COUNTY-LEVEL STAFFING**  
**ADJUSTED CLERKS OF COURT FTEs VS. TOTAL NUMBER OF FILINGS**



Under Revision 7 to Article V, the staff in the offices of the clerks of court are to remain county positions. Although the state may be called upon to assist in financing the clerk of courts offices should fee revenue be insufficient, these state dollars would not be used to create “state” positions. For this reason, no staffing model was developed for clerks of court.

#### **4.4.3 Summary of Results**

Summaries of the costing and staffing models are presented in Exhibits 4-24 and 4-25. The values for the  $R^2$  statistics indicate a very high degree of fit, as each of the costing and staffing models exceeds 0.9. In the next section of this report, these models are used in conjunction with workload indicator data to generate estimates of funding requirements by circuit or county within each entity. These estimated costs are then

compared with actual costs to determine the potential of the model in predicting funding levels for each observation.

**EXHIBIT 4-24  
SUMMARY OF COSTING MODELS  
JUDICIAL SYSTEM ENTITIES, BASED ON FY 2000 DATA**

| ENTITY          | PREDICTOR VARIABLE             | LINEAR MODEL                    |                           |                             |
|-----------------|--------------------------------|---------------------------------|---------------------------|-----------------------------|
|                 |                                | COEFFICIENT<br>(Costs per Unit) | CONSTANT<br>(Fixed Costs) | R <sup>2</sup><br>Statistic |
| State Attorney  | Total Number of <b>Judges</b>  | \$348,595                       | \$804,278                 | 0.964                       |
| Public Defender | Total Number of <b>Judges</b>  | \$271,720                       | (\$1,052,950)             | 0.964                       |
| Trial Courts    | Total Number of <b>Judges</b>  | \$389,262                       | (\$1,008,106)             | 0.943                       |
| Clerk of Courts | 1,000s of Total <b>Filings</b> | \$92,881                        | \$593,312                 | 0.959                       |

**EXHIBIT 4-25  
SUMMARY OF STAFFING MODELS  
JUDICIAL SYSTEM ENTITIES, BASED ON FY 2000 DATA**

| ENTITY          | PREDICTOR VARIABLE             | LINEAR MODEL                   |                          |                             |
|-----------------|--------------------------------|--------------------------------|--------------------------|-----------------------------|
|                 |                                | COEFFICIENT<br>(FTEs per Unit) | CONSTANT<br>(Fixed FTEs) | R <sup>2</sup><br>Statistic |
| State Attorney  | Total Number of <b>Judges</b>  | 7.69                           | (51.09)                  | 0.972                       |
| Public Defender | Total Number of <b>Judges</b>  | 3.68                           | (21.19)                  | 0.984                       |
| Trial Courts    | Total Number of <b>Judges</b>  | 3.94                           | (8.29)                   | 0.932                       |
| Clerk of Courts | 1,000s of Total <b>Filings</b> | 2.33                           | 15.00                    | 0.967                       |

**5.0 STATEWIDE COST  
ESTIMATES,  
CONCLUSIONS, AND  
RECOMMENDATIONS**

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## **5.0 STATEWIDE COST ESTIMATES, CONCLUSIONS, AND RECOMMENDATIONS**

Simulated funding requirements for circuits and counties are developed in this chapter using the regression models created in Chapter 4.0. A summary of findings and related recommendations stemming from this study are included at the conclusion of the chapter.

### **5.1 Funding Simulations Based on FY 2000 Indicators**

These simulations of funding requirements are conducted to demonstrate the differences between current funding levels and funding levels under a linear model's guidance. Some significant proportional differences exist between predicted funding rates and current expenditure levels. These differences emerge for a variety of reasons, but, for the most part, are a general result of a conversion from an independent, somewhat arbitrary system of funding to a unified linear model. The estimations for FY 2000 funding requirements for each of the four judicial system entities follow. The actual number of judicial seats by circuit are utilized to estimate funding requirements for the state attorney, public defender, and trial courts, while the total number of filings by county are utilized to predict clerk costs.

The actual state and county funds are depicted alongside the model predicted funding level for each entity. The models' predictions are then adjusted by the 2002 Florida Price Level Index (FPLI), which is generated by the University of Florida Bureau of Economic and Business Research for the Florida Education Finance Program to account for cost of living differentials in counties throughout Florida. The resulting values are then compared to original state funding requirements to determine the changes in state funding responsibilities for each relevant jurisdiction within each entity.

Thus, the financial impact of the implementation of Article 5, Revision 7 is presented for the state as well as each local jurisdiction.

**Clerks of the Court Funding Simulation.** Exhibit 5-1 presents streamlined expenditures compared to the funding model estimates for the clerks of court by county based on the model:

$$\text{Clerks of the Court Funding} = \$593,312 \text{ (Fixed)} + \$92,881 \text{ per 1,000 Filings}$$

Minor differences in total costs are apparent between the actual costs and model-predicted expenditures as a result of the use of streamlined expenditures in developing the models. Additionally, the predicted state funding requirement varies somewhat from the county funding levels. This is not surprising given the wide variety of political and socioeconomic climates in which these clerks' budgets are derived. It is ultimately the state's responsibility to provide a funding environment that will support only what is necessary for the clerks to function at an effective level, with additional programs being implemented at the discretion (and under the fiscal responsibility) of the counties.

It should also be noted that the funding requirements for the clerks of court will be offset through the collection of various fees associated with the functions of this entity. Phase 4 of this study outlines potential strategies to maximize the realizable portion of these fees to help offset this considerable burden.

**EXHIBIT 5-1  
SIMULATION OF STATE FUNDING REQUIREMENTS BY COUNTY:  
CLERKS OF THE COURT**

| County       | Actual Current Funding |       |               | Indicator<br>Number of Filings | Model-<br>Estimated<br>Funding<br>Level* | 2002<br>FPLI<br>Index | FEFP<br>Adjusted<br>Funding<br>Level | Change in<br>Funding |         |
|--------------|------------------------|-------|---------------|--------------------------------|------------------------------------------|-----------------------|--------------------------------------|----------------------|---------|
|              | County                 | State | TOTAL         |                                |                                          |                       |                                      | Dollars              | Percent |
| Alachua      | \$4,855,989            | \$0   | \$4,855,989   | 46,390                         | \$4,902,054                              | 93.61                 | \$4,588,813                          | \$4,588,813          | n/a     |
| Baker        | \$362,911              | \$0   | \$362,911     | 3,298                          | \$899,633                                | 91.79                 | \$825,773                            | \$825,773            | n/a     |
| Bay          | \$2,621,502            | \$0   | \$2,621,502   | 33,857                         | \$3,737,979                              | 91.83                 | \$3,432,586                          | \$3,432,586          | n/a     |
| Bradford     | \$410,191              | \$0   | \$410,191     | 5,281                          | \$1,083,816                              | 91.63                 | \$993,100                            | \$993,100            | n/a     |
| Brevard      | \$11,074,388           | \$0   | \$11,074,388  | 77,181                         | \$7,761,949                              | 95.39                 | \$7,404,123                          | \$7,404,123          | n/a     |
| Broward      | \$26,437,647           | \$0   | \$26,437,647  | 311,353                        | \$29,512,042                             | 107.96                | \$31,861,201                         | \$31,861,201         | n/a     |
| Calhoun      | \$278,472              | \$0   | \$278,472     | 2,266                          | \$803,780                                | 88.34                 | \$710,059                            | \$710,059            | n/a     |
| Charlotte    | \$2,491,637            | \$0   | \$2,491,637   | 12,995                         | \$1,800,299                              | 93.50                 | \$1,683,279                          | \$1,683,279          | n/a     |
| Citrus       | \$1,354,353            | \$0   | \$1,354,353   | 11,318                         | \$1,644,537                              | 90.90                 | \$1,494,885                          | \$1,494,885          | n/a     |
| Clay         | \$2,448,833            | \$0   | \$2,448,833   | 17,400                         | \$2,209,439                              | 92.86                 | \$2,051,685                          | \$2,051,685          | n/a     |
| Collier      | \$4,563,672            | \$0   | \$4,563,672   | 39,584                         | \$4,269,907                              | 103.10                | \$4,402,275                          | \$4,402,275          | n/a     |
| Columbia     | \$930,700              | \$0   | \$930,700     | 10,492                         | \$1,567,818                              | 89.38                 | \$1,401,316                          | \$1,401,316          | n/a     |
| DeSoto       | \$500,919              | \$0   | \$500,919     | 4,335                          | \$995,950                                | 96.03                 | \$956,411                            | \$956,411            | n/a     |
| Dixie        | \$274,012              | \$0   | \$274,012     | 1,222                          | \$706,812                                | 91.44                 | \$646,309                            | \$646,309            | n/a     |
| Duval        | \$11,292,927           | \$0   | \$11,292,927  | 174,185                        | \$16,771,762                             | 95.29                 | \$15,981,812                         | \$15,981,812         | n/a     |
| Escambia     | \$5,862,981            | \$0   | \$5,862,981   | 46,954                         | \$4,954,439                              | 92.24                 | \$4,569,975                          | \$4,569,975          | n/a     |
| Flagler      | \$609,739              | \$0   | \$609,739     | 6,026                          | \$1,153,012                              | 94.50                 | \$1,089,596                          | \$1,089,596          | n/a     |
| Franklin     | \$416,121              | \$0   | \$416,121     | 2,219                          | \$799,415                                | 95.01                 | \$759,524                            | \$759,524            | n/a     |
| Gadsden      | \$916,626              | \$0   | \$916,626     | 7,804                          | \$1,318,154                              | 91.97                 | \$1,212,306                          | \$1,212,306          | n/a     |
| Gilchrist    | \$352,077              | \$0   | \$352,077     | 1,430                          | \$726,132                                | 90.26                 | \$655,406                            | \$655,406            | n/a     |
| Glades       | \$335,725              | \$0   | \$335,725     | 2,346                          | \$811,210                                | 95.83                 | \$777,383                            | \$777,383            | n/a     |
| Gulf         | \$340,843              | \$0   | \$340,843     | 1,987                          | \$777,866                                | 91.61                 | \$712,603                            | \$712,603            | n/a     |
| Hamilton     | \$469,062              | \$0   | \$469,062     | 1,751                          | \$755,946                                | 88.32                 | \$667,652                            | \$667,652            | n/a     |
| Hardee       | \$828,430              | \$0   | \$828,430     | 4,365                          | \$998,737                                | 92.41                 | \$922,933                            | \$922,933            | n/a     |
| Hendry       | \$561,145              | \$0   | \$561,145     | 5,462                          | \$1,100,627                              | 97.16                 | \$1,069,369                          | \$1,069,369          | n/a     |
| Hernando     | \$2,078,521            | \$0   | \$2,078,521   | 14,786                         | \$1,966,648                              | 91.74                 | \$1,804,203                          | \$1,804,203          | n/a     |
| Highlands    | \$1,570,438            | \$0   | \$1,570,438   | 11,105                         | \$1,624,754                              | 92.84                 | \$1,508,421                          | \$1,508,421          | n/a     |
| Hillsborough | \$21,226,579           | \$0   | \$21,226,579  | 176,782                        | \$17,012,974                             | 99.53                 | \$16,933,013                         | \$16,933,013         | n/a     |
| Holmes       | \$289,166              | \$0   | \$289,166     | 2,693                          | \$843,440                                | 89.10                 | \$751,505                            | \$751,505            | n/a     |
| Indian River | \$2,476,235            | \$0   | \$2,476,235   | 16,633                         | \$2,138,199                              | 95.61                 | \$2,044,332                          | \$2,044,332          | n/a     |
| Jackson      | \$612,968              | \$0   | \$612,968     | 6,360                          | \$1,184,034                              | 89.30                 | \$1,057,343                          | \$1,057,343          | n/a     |
| Jefferson    | \$418,572              | \$0   | \$418,572     | 2,840                          | \$857,094                                | 93.71                 | \$803,182                            | \$803,182            | n/a     |
| Lafayette    | \$110,931              | \$0   | \$110,931     | 596                            | \$648,669                                | 90.53                 | \$587,240                            | \$587,240            | n/a     |
| Lake         | \$3,665,619            | \$0   | \$3,665,619   | 28,297                         | \$3,221,561                              | 94.64                 | \$3,048,886                          | \$3,048,886          | n/a     |
| Lee          | \$5,009,305            | \$0   | \$5,009,305   | 63,125                         | \$6,456,415                              | 97.38                 | \$6,287,257                          | \$6,287,257          | n/a     |
| Leon         | \$6,027,954            | \$0   | \$6,027,954   | 52,625                         | \$5,481,167                              | 95.56                 | \$5,237,803                          | \$5,237,803          | n/a     |
| Levy         | \$616,092              | \$0   | \$616,092     | 5,798                          | \$1,131,835                              | 91.69                 | \$1,037,780                          | \$1,037,780          | n/a     |
| Liberty      | \$200,817              | \$0   | \$200,817     | 938                            | \$680,434                                | 91.60                 | \$623,278                            | \$623,278            | n/a     |
| Madison      | \$299,490              | \$0   | \$299,490     | 4,187                          | \$982,204                                | 91.51                 | \$898,815                            | \$898,815            | n/a     |
| Manatee      | \$4,377,556            | \$0   | \$4,377,556   | 32,776                         | \$3,637,575                              | 97.31                 | \$3,539,724                          | \$3,539,724          | n/a     |
| Marion       | \$3,798,230            | \$0   | \$3,798,230   | 35,627                         | \$3,902,378                              | 93.14                 | \$3,634,675                          | \$3,634,675          | n/a     |
| Martin       | \$3,025,443            | \$0   | \$3,025,443   | 18,783                         | \$2,337,893                              | 98.60                 | \$2,305,162                          | \$2,305,162          | n/a     |
| Miami-Dade   | \$50,008,096           | \$0   | \$50,008,096  | 461,287                        | \$43,438,039                             | 109.24                | \$47,451,714                         | \$47,451,714         | n/a     |
| Monroe       | \$2,492,001            | \$0   | \$2,492,001   | 19,951                         | \$2,446,378                              | 113.56                | \$2,778,107                          | \$2,778,107          | n/a     |
| Nassau       | \$1,421,856            | \$0   | \$1,421,856   | 8,288                          | \$1,363,108                              | 93.30                 | \$1,271,780                          | \$1,271,780          | n/a     |
| Okaloosa     | \$2,823,995            | \$0   | \$2,823,995   | 24,019                         | \$2,824,217                              | 92.64                 | \$2,616,355                          | \$2,616,355          | n/a     |
| Okeechobee   | \$837,162              | \$0   | \$837,162     | 5,375                          | \$1,092,547                              | 95.53                 | \$1,043,710                          | \$1,043,710          | n/a     |
| Orange       | \$16,648,481           | \$0   | \$16,648,481  | 171,864                        | \$16,556,186                             | 96.71                 | \$16,011,487                         | \$16,011,487         | n/a     |
| Osceola      | \$4,112,875            | \$0   | \$4,112,875   | 34,823                         | \$3,827,702                              | 96.09                 | \$3,678,039                          | \$3,678,039          | n/a     |
| Palm Beach   | \$24,610,347           | \$0   | \$24,610,347  | 191,329                        | \$18,364,112                             | 106.95                | \$19,640,417                         | \$19,640,417         | n/a     |
| Pasco        | \$6,828,140            | \$0   | \$6,828,140   | 40,985                         | \$4,400,034                              | 95.51                 | \$4,202,472                          | \$4,202,472          | n/a     |
| Pinellas     | \$18,957,826           | \$0   | \$18,957,826  | 141,102                        | \$13,698,985                             | 101.95                | \$13,966,115                         | \$13,966,115         | n/a     |
| Polk         | \$8,694,239            | \$0   | \$8,694,239   | 94,511                         | \$9,371,574                              | 94.85                 | \$8,888,938                          | \$8,888,938          | n/a     |
| Putnam       | \$1,611,867            | \$0   | \$1,611,867   | 12,023                         | \$1,710,018                              | 90.67                 | \$1,550,474                          | \$1,550,474          | n/a     |
| Santa Rosa   | \$1,906,633            | \$0   | \$1,906,633   | 16,616                         | \$2,136,620                              | 91.21                 | \$1,948,811                          | \$1,948,811          | n/a     |
| Sarasota     | \$6,111,925            | \$0   | \$6,111,925   | 45,819                         | \$4,849,020                              | 99.60                 | \$4,829,623                          | \$4,829,623          | n/a     |
| Seminole     | \$6,296,073            | \$0   | \$6,296,073   | 53,582                         | \$5,570,054                              | 96.52                 | \$5,376,216                          | \$5,376,216          | n/a     |
| St. Johns    | \$2,584,527            | \$0   | \$2,584,527   | 19,360                         | \$2,391,485                              | 95.76                 | \$2,290,086                          | \$2,290,086          | n/a     |
| St. Lucie    | \$4,745,856            | \$0   | \$4,745,856   | 29,480                         | \$3,331,439                              | 95.72                 | \$3,188,854                          | \$3,188,854          | n/a     |
| Sumter       | \$1,031,246            | \$0   | \$1,031,246   | 5,420                          | \$1,096,726                              | 91.72                 | \$1,005,917                          | \$1,005,917          | n/a     |
| Suwannee     | \$673,151              | \$0   | \$673,151     | 5,819                          | \$1,133,786                              | 91.23                 | \$1,034,353                          | \$1,034,353          | n/a     |
| Taylor       | \$399,378              | \$0   | \$399,378     | 3,658                          | \$933,070                                | 92.75                 | \$865,423                            | \$865,423            | n/a     |
| Union        | \$293,792              | \$0   | \$293,792     | 1,480                          | \$730,776                                | 90.55                 | \$661,717                            | \$661,717            | n/a     |
| Volusia      | \$9,036,591            | \$0   | \$9,036,591   | 92,017                         | \$9,139,929                              | 95.06                 | \$8,688,416                          | \$8,688,416          | n/a     |
| Wakulla      | \$385,910              | \$0   | \$385,910     | 3,083                          | \$879,664                                | 93.85                 | \$825,564                            | \$825,564            | n/a     |
| Walton       | \$1,072,270            | \$0   | \$1,072,270   | 7,455                          | \$1,285,739                              | 90.49                 | \$1,163,465                          | \$1,163,465          | n/a     |
| Washington   | \$290,375              | \$0   | \$290,375     | 2,908                          | \$863,410                                | 89.19                 | \$770,075                            | \$770,075            | n/a     |
| TOTAL        | \$310,269,429          | \$0   | \$310,269,429 | 2,797,706                      | \$299,605,207                            | 100.05                | \$298,721,123                        | \$298,721,123        | n/a     |

\*Based funding rate of \$593,312 plus \$92,881 per 1,000 filings.

**State Attorney Funding Simulation.** The state attorney's funding requirements by circuit are depicted in Exhibit 5-2, based on the model:

$$\text{State Attorney Funding} = \$804,278 \text{ (Fixed)} + \$348,595 \text{ per Judge}$$

Little variation is observed between actual costs and the model's predictions for this entity. The total increase in state funding across all circuits amounts to \$24.8 million or about 9.7 percent over actual state expenditures. Four of the twenty circuits are expected to draw fewer funds from the state than they had under the current funding system, with the majority of circuits receiving considerable state funding increases. The 18<sup>th</sup> Circuit faces the largest proportional decrease, with state funds being reduced by a little over 9 percent.

**EXHIBIT 5-2  
SIMULATION OF STATE FUNDING REQUIREMENTS BY CIRCUIT:  
STATE ATTORNEY**

| Circuit | Actual Current Funding |               |               | Indicator<br>Number of Judges | Model-<br>Estimated<br>Funding<br>Level* | 2002<br>FPLI<br>Index | FEFP<br>Adjusted<br>Funding<br>Level | Change in<br>State Funding |         |
|---------|------------------------|---------------|---------------|-------------------------------|------------------------------------------|-----------------------|--------------------------------------|----------------------------|---------|
|         | County                 | State         | TOTAL         |                               |                                          |                       |                                      | Dollars                    | Percent |
| 1       | \$1,007,684            | \$9,917,656   | \$10,925,340  | 30                            | \$11,262,138                             | 92.04                 | \$10,365,766                         | \$448,109                  | 4.5%    |
| 2       | \$467,270              | \$6,443,222   | \$6,910,491   | 23                            | \$8,821,970                              | 94.80                 | \$8,362,826                          | \$1,919,605                | 29.9%   |
| 3       | \$323,210              | \$3,578,573   | \$3,901,783   | 13                            | \$5,336,017                              | 90.55                 | \$4,831,883                          | \$1,253,310                | 35.1%   |
| 4       | \$1,727,879            | \$17,831,444  | \$19,559,323  | 47                            | \$17,188,258                             | 94.82                 | \$16,298,333                         | (\$1,533,111)              | -8.6%   |
| 5       | \$662,994              | \$10,073,069  | \$10,736,063  | 30                            | \$11,262,138                             | 92.87                 | \$10,459,258                         | \$386,189                  | 3.8%    |
| 6       | \$1,273,861            | \$20,912,506  | \$22,186,367  | 55                            | \$19,977,020                             | 100.20                | \$20,016,287                         | (\$896,219)                | -4.3%   |
| 7       | \$933,885              | \$11,118,288  | \$12,052,173  | 36                            | \$13,353,709                             | 94.69                 | \$12,645,254                         | \$1,526,966                | 13.8%   |
| 8       | \$290,331              | \$7,414,713   | \$7,705,044   | 21                            | \$8,124,780                              | 92.86                 | \$7,544,341                          | \$129,628                  | 1.8%    |
| 9       | \$895,375              | \$14,918,985  | \$15,814,360  | 52                            | \$18,931,234                             | 96.61                 | \$18,289,455                         | \$3,370,470                | 22.6%   |
| 10      | \$481,616              | \$8,839,317   | \$9,320,933   | 29                            | \$10,913,542                             | 94.45                 | \$10,307,468                         | \$1,468,151                | 16.6%   |
| 11      | \$4,087,567            | \$39,780,207  | \$43,867,774  | 112                           | \$39,846,953                             | 109.24                | \$43,528,812                         | \$3,748,604                | 9.4%    |
| 12      | \$662,988              | \$8,684,560   | \$9,347,548   | 26                            | \$9,867,756                              | 98.44                 | \$9,714,163                          | \$1,029,603                | 11.9%   |
| 13      | \$2,621,751            | \$16,015,314  | \$18,637,065  | 49                            | \$17,885,448                             | 99.53                 | \$17,801,387                         | \$1,786,073                | 11.2%   |
| 14      | \$434,586              | \$4,832,941   | \$5,267,527   | 17                            | \$6,730,399                              | 90.78                 | \$6,110,165                          | \$1,277,224                | 26.5%   |
| 15      | \$1,242,442            | \$17,259,918  | \$18,502,360  | 49                            | \$17,885,448                             | 106.95                | \$19,128,487                         | \$1,868,569                | 10.8%   |
| 16      | \$220,881              | \$4,109,575   | \$4,330,456   | 8                             | \$3,593,041                              | 113.56                | \$4,080,257                          | (\$29,318)                 | -0.7%   |
| 17      | \$2,986,499            | \$22,674,693  | \$25,661,192  | 74                            | \$26,600,331                             | 107.96                | \$28,717,718                         | \$6,043,025                | 26.7%   |
| 18      | \$1,326,856            | \$13,350,422  | \$14,677,278  | 34                            | \$12,656,519                             | 95.88                 | \$12,135,126                         | (\$1,215,296)              | -9.1%   |
| 19      | \$1,061,991            | \$7,287,290   | \$8,349,281   | 23                            | \$8,821,970                              | 96.46                 | \$8,509,524                          | \$1,222,234                | 16.8%   |
| 20      | \$1,998,430            | \$11,985,328  | \$13,983,758  | 34                            | \$12,656,519                             | 98.36                 | \$12,449,087                         | \$463,759                  | 3.9%    |
| TOTAL   | \$24,708,094           | \$257,028,021 | \$281,736,115 | 762                           | \$281,715,192                            | 100.05                | \$281,848,314                        | \$24,820,293               | 9.7%    |

\*Based on funding rate of \$804,278 plus \$348,595 per judge.

**Public Defender Funding Simulation.** The development of the costing model for the public defender required the exclusion of the 4<sup>th</sup> Circuit, as no county funding data were reported. Exhibit 5-3 depicts the predicted state funding requirements by circuit for this entity based on the model:

$$\text{Public Defender Funding} = (\$1,052,950) \text{ (Fixed)} + \$271,720 \text{ per Judge}$$

Again, several circuits reflect substantial funding shifts between their current levels and the model's predictions. The 16<sup>th</sup> Circuit is the only jurisdiction that is predicted to lose state funding under this model. As explained previously, some accommodations might be necessary to supplement certain circuits or counties for extenuating circumstances. Excluding these, the state's net funding increase amounts to about \$62.6 million to cover all of the state attorneys' pertinent costs.

**EXHIBIT 5-3  
SIMULATION OF STATE FUNDING REQUIREMENTS BY CIRCUIT:  
PUBLIC DEFENDER**

| Circuit | Actual Current Funding |               |               | Indicator<br>Number<br>of Judges | Model-<br>Estimated<br>Funding<br>Level* | 2002<br>FPLI<br>Index | FEFP<br>Adjusted<br>Funding<br>Level | Change in<br>State Funding |         |
|---------|------------------------|---------------|---------------|----------------------------------|------------------------------------------|-----------------------|--------------------------------------|----------------------------|---------|
|         | County                 | State         | TOTAL         |                                  |                                          |                       |                                      | Dollars                    | Percent |
| 1       | \$2,412,225            | \$5,452,628   | \$7,864,853   | 30                               | \$7,098,637                              | 92.04                 | \$6,533,645                          | \$1,081,017                | 20.3%   |
| 2       | \$2,097,400            | \$4,070,150   | \$6,167,550   | 23                               | \$5,196,600                              | 94.80                 | \$4,926,141                          | \$855,991                  | 21.5%   |
| 3       | \$594,232              | \$1,843,985   | \$2,438,217   | 13                               | \$2,479,405                              | 90.55                 | \$2,245,157                          | \$401,172                  | 22.3%   |
| 4**     | \$4,329,193            | \$7,634,613   | \$11,963,806  | 47                               | \$11,717,870                             | 94.82                 | \$11,111,176                         | \$3,476,563                | 46.6%   |
| 5       | \$2,020,422            | \$4,041,747   | \$6,062,169   | 30                               | \$7,098,637                              | 92.87                 | \$6,592,575                          | \$2,550,828                | 64.6%   |
| 6       | \$2,363,047            | \$10,170,431  | \$12,533,478  | 55                               | \$13,891,627                             | 100.20                | \$13,918,932                         | \$3,748,501                | 37.8%   |
| 7       | \$1,746,849            | \$5,319,561   | \$7,066,410   | 36                               | \$8,728,955                              | 94.69                 | \$8,265,857                          | \$2,946,296                | 56.7%   |
| 8       | \$2,024,997            | \$3,374,198   | \$5,399,195   | 21                               | \$4,653,161                              | 92.86                 | \$4,320,737                          | \$946,539                  | 28.7%   |
| 9       | \$6,984,380            | \$6,552,181   | \$13,536,561  | 52                               | \$13,076,468                             | 96.61                 | \$12,633,168                         | \$6,080,987                | 95.1%   |
| 10      | \$2,148,061            | \$5,009,448   | \$7,157,509   | 29                               | \$6,826,918                              | 94.45                 | \$6,447,791                          | \$1,438,343                | 29.4%   |
| 11      | \$16,365,727           | \$19,482,731  | \$35,848,458  | 112                              | \$29,379,642                             | 109.24                | \$32,094,321                         | \$12,611,589               | 66.3%   |
| 12      | \$1,404,677            | \$4,658,467   | \$6,063,144   | 26                               | \$6,011,759                              | 98.44                 | \$5,918,185                          | \$1,259,718                | 27.7%   |
| 13      | \$2,601,326            | \$9,293,375   | \$11,894,701  | 49                               | \$12,261,309                             | 99.53                 | \$12,203,681                         | \$2,910,306                | 32.1%   |
| 14      | \$549,643              | \$2,751,248   | \$3,300,891   | 17                               | \$3,566,283                              | 90.78                 | \$3,237,636                          | \$486,388                  | 18.1%   |
| 15      | \$5,020,563            | \$8,950,469   | \$13,971,032  | 49                               | \$12,261,309                             | 106.95                | \$13,113,470                         | \$4,163,001                | 47.6%   |
| 16      | \$595,479              | \$2,035,915   | \$2,631,394   | 8                                | \$1,120,807                              | 113.56                | \$1,272,788                          | (\$763,127)                | -38.4%  |
| 17      | \$7,349,226            | \$10,660,526  | \$18,009,752  | 74                               | \$19,054,298                             | 107.96                | \$20,571,020                         | \$9,910,494                | 95.2%   |
| 18      | \$1,966,263            | \$4,615,374   | \$6,581,637   | 34                               | \$8,185,516                              | 95.88                 | \$7,848,309                          | \$3,232,935                | 71.7%   |
| 19      | \$2,160,398            | \$3,357,908   | \$5,518,306   | 23                               | \$5,196,600                              | 96.46                 | \$5,012,553                          | \$1,654,645                | 50.5%   |
| 20      | \$3,286,871            | \$4,239,857   | \$7,526,728   | 34                               | \$8,185,516                              | 98.36                 | \$8,051,361                          | \$3,811,504                | 92.1%   |
| TOTAL   | \$68,020,978           | \$123,514,812 | \$191,535,790 | 762                              | \$185,991,318                            | 100.05                | \$186,079,206                        | \$62,564,394               | 33.5%   |

\*Based on funding rate of \$271,720 per judge less \$1,052,950.

\*\*County funding data for the 4<sup>th</sup> circuit approximated using statewide average costs in certain areas. This circuit was excluded in the development of the funding model due to apparent data errors.

**Trial Courts Funding Simulation.** Exhibit 5-4 presents a comparison of the costing model's predictions and the actual funding levels for the trial courts by circuit. These funding levels are based on the model:

$$\text{Trial Courts Funding} = (\$1,008,106) \text{ (Fixed)} + \$389,262 \text{ per Judge}$$

Total state funding requirements under this model would increase by over \$106 million across all circuits. The average proportional increase in state funding amounts to 36 percent, with no circuits receiving less than current state funding allotments.

**EXHIBIT 5-4  
SIMULATION OF STATE FUNDING REQUIREMENTS BY CIRCUIT:  
TRIAL COURTS**

| Circuit | Actual Current Funding |               |               | Indicator<br>Number<br>of Judges | Model-<br>Estimated<br>Funding<br>Level* | 2002<br>FPLI<br>Index | FEFP<br>Adjusted<br>Funding<br>Level | Change in<br>State Funding |         |
|---------|------------------------|---------------|---------------|----------------------------------|------------------------------------------|-----------------------|--------------------------------------|----------------------------|---------|
|         | County                 | State         | TOTAL         |                                  |                                          |                       |                                      | Dollars                    | Percent |
| 1       | \$6,024,765            | \$6,714,346   | \$12,739,111  | 30                               | \$10,669,750                             | 92.04                 | \$9,820,527                          | \$3,106,181                | 48.4%   |
| 2       | \$2,099,301            | \$5,436,821   | \$7,536,123   | 23                               | \$7,944,917                              | 94.80                 | \$7,531,419                          | \$2,094,598                | 40.3%   |
| 3       | \$1,004,995            | \$2,975,505   | \$3,980,500   | 13                               | \$4,052,298                              | 90.55                 | \$3,669,447                          | \$693,942                  | 24.4%   |
| 4       | \$5,546,085            | \$10,360,544  | \$15,906,629  | 47                               | \$17,287,201                             | 94.82                 | \$16,392,154                         | \$6,031,610                | 60.9%   |
| 5       | \$605,897              | \$6,640,230   | \$7,246,127   | 30                               | \$10,669,750                             | 92.87                 | \$9,909,102                          | \$3,268,871                | 51.5%   |
| 6       | \$7,994,211            | \$11,841,616  | \$19,835,827  | 55                               | \$20,401,295                             | 100.20                | \$20,441,397                         | \$8,599,781                | 76.0%   |
| 7       | \$5,059,523            | \$7,741,090   | \$12,800,614  | 36                               | \$13,005,321                             | 94.69                 | \$12,315,348                         | \$4,574,258                | 61.8%   |
| 8       | \$3,537,268            | \$4,815,115   | \$8,352,383   | 21                               | \$7,166,393                              | 92.86                 | \$6,654,422                          | \$1,839,307                | 40.0%   |
| 9       | \$7,361,096            | \$11,160,069  | \$18,521,165  | 52                               | \$19,233,510                             | 96.61                 | \$18,581,483                         | \$7,421,414                | 69.6%   |
| 10      | \$2,720,529            | \$6,456,541   | \$9,177,070   | 29                               | \$10,280,488                             | 94.45                 | \$9,709,570                          | \$3,253,029                | 52.7%   |
| 11**    | \$41,110,134           | \$26,410,182  | \$67,520,316  | 112                              | \$42,589,220                             | 109.24                | \$46,524,464                         | \$20,114,282               | 79.7%   |
| 12      | \$3,243,059            | \$5,976,203   | \$9,219,262   | 26                               | \$9,112,702                              | 98.44                 | \$8,970,861                          | \$2,994,658                | 52.4%   |
| 13      | \$10,873,430           | \$10,761,307  | \$21,634,737  | 49                               | \$18,065,724                             | 99.53                 | \$17,980,816                         | \$7,219,509                | 70.2%   |
| 14      | \$828,785              | \$4,020,432   | \$4,849,217   | 17                               | \$5,609,346                              | 90.78                 | \$5,092,422                          | \$1,071,990                | 27.9%   |
| 15      | \$10,731,721           | \$10,639,311  | \$21,371,032  | 49                               | \$18,065,724                             | 106.95                | \$19,321,292                         | \$8,681,982                | 85.4%   |
| 16      | \$2,173,289            | \$2,143,905   | \$4,317,194   | 8                                | \$2,105,989                              | 113.56                | \$2,391,561                          | \$247,657                  | 12.1%   |
| 17      | \$15,601,148           | \$16,331,941  | \$31,933,089  | 74                               | \$27,797,270                             | 107.96                | \$30,009,933                         | \$13,677,993               | 87.6%   |
| 18      | \$4,720,910            | \$7,624,790   | \$12,345,701  | 34                               | \$12,226,797                             | 95.88                 | \$11,723,107                         | \$4,098,317                | 56.2%   |
| 19      | \$419,226              | \$4,957,052   | \$5,376,278   | 23                               | \$7,944,917                              | 96.46                 | \$7,663,532                          | \$2,706,481                | 57.1%   |
| 20      | \$6,793,875            | \$7,407,740   | \$14,201,615  | 34                               | \$12,226,797                             | 98.36                 | \$12,026,408                         | \$4,618,668                | 65.2%   |
| TOTAL   | \$138,449,249          | \$170,414,740 | \$308,863,989 | 762                              | \$276,455,409                            | 100.05                | \$276,586,045                        | \$106,171,305              | 36.0%   |

\*Based on funding rate of \$389,262 per judge less \$1,008,106.

\*\*11th Circuit excluded from the regression used to derive the funding model.

Exhibit 5-5 presents a summary of current funding, model estimations, and the change in the state's funding requirements for each entity. The total change in state funding amounts to \$492 million across all entities. However, nearly \$299 million is attributable to the clerks of court, an entity for which some portion of the costs will be absorbed through fee collections. This issue is explored further in the Phase 4 report for this study. Less the clerks funding requirements, the model predicts increases in total

state funding for the judicial system of about \$194 million, a 35 percent increase over current levels.

**EXHIBIT 5-5  
SUMMARY OF CHANGES IN FUNDING REQUIREMENTS**

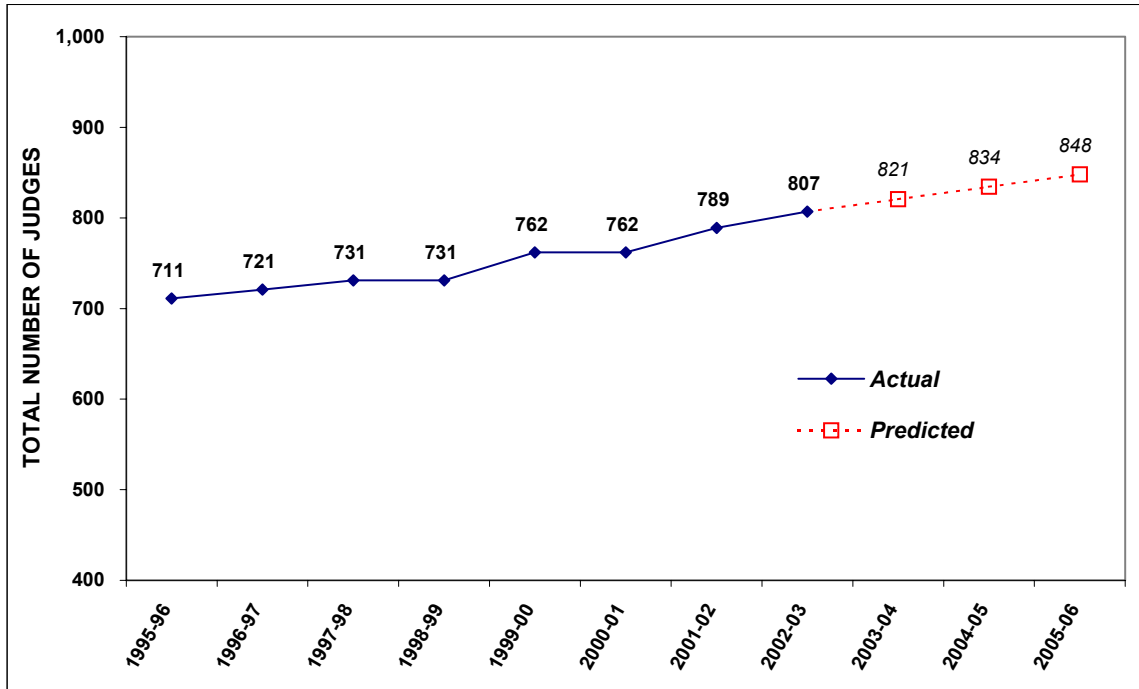
| Entity           | Total Funding Requirements |                      |                        |                        | Change in Total State Requirements |              |
|------------------|----------------------------|----------------------|------------------------|------------------------|------------------------------------|--------------|
|                  | Actual Funding             |                      |                        | Model Estimate         | Dollars                            | Percent      |
|                  | State                      | County               | Total                  |                        |                                    |              |
| Clerks of Court* | \$0                        | \$310,269,429        | \$310,269,429          | \$298,721,123          | \$298,721,123                      | n/a          |
| State Attorney   | \$257,028,021              | \$24,708,094         | \$281,736,115          | \$281,848,314          | \$24,820,293                       | 9.7%         |
| Public Defender  | \$123,514,812              | \$68,020,978         | \$191,535,790          | \$186,079,206          | \$62,564,394                       | 50.7%        |
| Trial Courts     | \$170,414,740              | \$138,449,249        | \$308,863,989          | \$276,586,045          | \$106,171,305                      | 62.3%        |
| <b>TOTAL</b>     | <b>\$550,957,573</b>       | <b>\$541,447,751</b> | <b>\$1,092,405,324</b> | <b>\$1,043,234,688</b> | <b>\$492,277,115</b>               | <b>89.3%</b> |

\*Phase 4 report describes the potential for fee increases that support much of this requirement for state funding.

## **5.2 Funding Simulations Based on Projected Workload Data**

In this section, we estimate costs within the various entities of the judicial system based on projections of workload data. Specifically, the workload variable that is used for these projections is the total number of judges. The first step in this process requires us to project the number of judges over the period of time we wish to forecast. These projections through 2005-06 are depicted below in Exhibit 5-6. The number of judges in years 2003-04 through 2005-06 is a projection based on the average annual increase in judges from 1995-96 through 2002-03. A linear trend is quite evident in the historical data, which suggests a reasonable degree of certainty as to these projections.

**EXHIBIT 5-6  
PROJECTION OF TOTAL NUMBER OF JUDGES AS WORKLOAD INDICATOR  
THROUGH 2005-06, BASED ON FY 1996 THROUGH FY 2003 TREND**



Subsequently, we examine the entity data at appropriate jurisdictional levels to estimate costs based on the change in workload indicated in the analysis of the number of judges. In Exhibits 5-7 through 5-9, respectively, the 1999-00 model-predicted expenditures for the state attorney, public defender, and trial courts are grown at a rate equivalent to the escalation in the number of judges to project costs through 2005-06. Thus, the 11.3 percent increase in the number of judges observed in Exhibit 5-6 is translated to each of these entities. Total increases in state funding requirements amount to:

- State Attorney – \$31.8 million
- Public Defender – \$21.0 million
- Trial Courts – \$31.3 million

This sums to about \$84 million across these three entities. While trends in filings data are not available for developing similar projections for the clerks of the court, if

proportionate increases are observed in this entity, it would amount to some portion of additional \$34 million in state funding, depending on the amount of additional fees collected.

**EXHIBIT 5-7  
SIMULATION OF STATE FUNDING REQUIREMENTS BY CIRCUIT:  
BASED ON PROJECTION OF JUDGES, STATE ATTORNEY\***

| Circuit       | Entity Funding Projection by Year |                      |                      |                      |                      |                      |                      |
|---------------|-----------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
|               | 1999-00                           | 2000-01              | 2001-02              | 2002-03              | 2003-04              | 2004-05              | 2005-06              |
| 1             | \$10,365,766                      | \$10,365,766         | \$10,733,057         | \$10,977,917         | \$11,164,478         | \$11,351,038         | \$11,537,599         |
| 2             | \$8,362,826                       | \$8,362,826          | \$8,659,147          | \$8,856,694          | \$9,007,206          | \$9,157,718          | \$9,308,230          |
| 3             | \$4,831,883                       | \$4,831,883          | \$5,003,092          | \$5,117,231          | \$5,204,194          | \$5,291,157          | \$5,378,120          |
| 4             | \$16,298,333                      | \$16,298,333         | \$16,875,833         | \$17,260,833         | \$17,554,167         | \$17,847,500         | \$18,140,833         |
| 5             | \$10,459,258                      | \$10,459,258         | \$10,829,862         | \$11,076,931         | \$11,265,174         | \$11,453,417         | \$11,641,660         |
| 6             | \$20,016,287                      | \$20,016,287         | \$20,725,526         | \$21,198,352         | \$21,558,600         | \$21,918,848         | \$22,279,096         |
| 7             | \$12,645,254                      | \$12,645,254         | \$13,093,314         | \$13,392,021         | \$13,619,607         | \$13,847,193         | \$14,074,780         |
| 8             | \$7,544,341                       | \$7,544,341          | \$7,811,660          | \$7,989,873          | \$8,125,654          | \$8,261,435          | \$8,397,216          |
| 9             | \$18,289,455                      | \$18,289,455         | \$18,937,506         | \$19,369,540         | \$19,698,710         | \$20,027,879         | \$20,357,048         |
| 10            | \$10,307,468                      | \$10,307,468         | \$10,672,693         | \$10,916,177         | \$11,101,688         | \$11,287,199         | \$11,472,710         |
| 11            | \$43,528,812                      | \$43,528,812         | \$45,071,171         | \$46,099,411         | \$46,882,831         | \$47,666,252         | \$48,449,673         |
| 12            | \$9,714,163                       | \$9,714,163          | \$10,058,365         | \$10,287,834         | \$10,462,667         | \$10,637,500         | \$10,812,333         |
| 13            | \$17,801,387                      | \$17,801,387         | \$18,432,145         | \$18,852,650         | \$19,173,035         | \$19,493,420         | \$19,813,805         |
| 14            | \$6,110,165                       | \$6,110,165          | \$6,326,667          | \$6,471,002          | \$6,580,971          | \$6,690,940          | \$6,800,910          |
| 15            | \$19,128,487                      | \$19,128,487         | \$19,806,268         | \$20,258,122         | \$20,602,392         | \$20,946,662         | \$21,290,931         |
| 16            | \$4,080,257                       | \$4,080,257          | \$4,224,833          | \$4,321,217          | \$4,394,653          | \$4,468,088          | \$4,541,523          |
| 17            | \$28,717,718                      | \$28,717,718         | \$29,735,275         | \$30,413,646         | \$30,930,500         | \$31,447,354         | \$31,964,209         |
| 18            | \$12,135,126                      | \$12,135,126         | \$12,565,111         | \$12,851,768         | \$13,070,173         | \$13,288,578         | \$13,506,983         |
| 19            | \$8,509,524                       | \$8,509,524          | \$8,811,042          | \$9,012,055          | \$9,165,207          | \$9,318,359          | \$9,471,511          |
| 20            | \$12,449,087                      | \$12,449,087         | \$12,890,196         | \$13,184,269         | \$13,408,325         | \$13,632,380         | \$13,856,436         |
| <b>TOTAL</b>  | <b>\$281,295,597</b>              | <b>\$281,295,597</b> | <b>\$291,262,764</b> | <b>\$297,907,542</b> | <b>\$302,970,230</b> | <b>\$308,032,918</b> | <b>\$313,095,606</b> |
| Annual % Chg. | -                                 | 0.0%                 | 3.5%                 | 2.3%                 | 1.7%                 | 1.7%                 | 1.6%                 |
| Cumul. % Chg. | -                                 | 0.0%                 | 3.5%                 | 5.9%                 | 7.7%                 | 9.5%                 | 11.3%                |

\*Based on funding rate of \$804,278 plus \$385,084 per judge.

**EXHIBIT 5-8  
SIMULATION OF STATE FUNDING REQUIREMENTS BY CIRCUIT:  
BASED ON PROJECTION OF JUDGES, PUBLIC DEFENDER\***

| Circuit       | Entity Funding Projection by Year |                      |                      |                      |                      |                      |                      |
|---------------|-----------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
|               | 1999-00                           | 2000-01              | 2001-02              | 2002-03              | 2003-04              | 2004-05              | 2005-06              |
| 1             | \$6,533,645                       | \$6,533,645          | \$6,765,153          | \$6,919,491          | \$7,037,082          | \$7,154,672          | \$7,272,263          |
| 2             | \$4,926,141                       | \$4,926,141          | \$5,100,689          | \$5,217,054          | \$5,305,714          | \$5,394,373          | \$5,483,033          |
| 3             | \$2,245,157                       | \$2,245,157          | \$2,324,709          | \$2,377,745          | \$2,418,152          | \$2,458,560          | \$2,498,968          |
| 4**           | \$11,111,176                      | \$11,111,176         | \$11,504,879         | \$11,767,347         | \$11,967,324         | \$12,167,300         | \$12,367,276         |
| 5             | \$6,592,575                       | \$6,592,575          | \$6,826,170          | \$6,981,900          | \$7,100,551          | \$7,219,203          | \$7,337,854          |
| 6             | \$13,918,932                      | \$13,918,932         | \$14,412,123         | \$14,740,916         | \$14,991,426         | \$15,241,935         | \$15,492,445         |
| 7             | \$8,265,857                       | \$8,265,857          | \$8,558,742          | \$8,753,998          | \$8,902,765          | \$9,051,532          | \$9,200,299          |
| 8             | \$4,320,737                       | \$4,320,737          | \$4,473,834          | \$4,575,899          | \$4,653,662          | \$4,731,426          | \$4,809,189          |
| 9             | \$12,633,168                      | \$12,633,168         | \$13,080,800         | \$13,379,221         | \$13,606,590         | \$13,833,958         | \$14,061,327         |
| 10            | \$6,447,791                       | \$6,447,791          | \$6,676,256          | \$6,828,566          | \$6,944,612          | \$7,060,657          | \$7,176,703          |
| 11            | \$32,094,321                      | \$32,094,321         | \$33,231,521         | \$33,989,655         | \$34,567,280         | \$35,144,906         | \$35,722,531         |
| 12            | \$5,918,185                       | \$5,918,185          | \$6,127,884          | \$6,267,684          | \$6,374,198          | \$6,480,712          | \$6,587,226          |
| 13            | \$12,203,681                      | \$12,203,681         | \$12,636,095         | \$12,924,371         | \$13,144,010         | \$13,363,648         | \$13,583,287         |
| 14            | \$3,237,636                       | \$3,237,636          | \$3,352,355          | \$3,428,835          | \$3,487,105          | \$3,545,375          | \$3,603,645          |
| 15            | \$13,113,470                      | \$13,113,470         | \$13,578,121         | \$13,887,888         | \$14,123,901         | \$14,359,914         | \$14,595,927         |
| 16            | \$1,272,788                       | \$1,272,788          | \$1,317,887          | \$1,347,953          | \$1,370,860          | \$1,393,768          | \$1,416,675          |
| 17            | \$20,571,020                      | \$20,571,020         | \$21,299,915         | \$21,785,845         | \$22,156,077         | \$22,526,309         | \$22,896,541         |
| 18            | \$7,848,309                       | \$7,848,309          | \$8,126,398          | \$8,311,791          | \$8,453,043          | \$8,594,295          | \$8,735,547          |
| 19            | \$5,012,553                       | \$5,012,553          | \$5,190,163          | \$5,308,570          | \$5,398,785          | \$5,488,999          | \$5,579,214          |
| 20            | \$8,051,361                       | \$8,051,361          | \$8,336,645          | \$8,526,835          | \$8,671,741          | \$8,816,647          | \$8,961,554          |
| <b>TOTAL</b>  | <b>\$186,318,501</b>              | <b>\$186,318,501</b> | <b>\$192,920,338</b> | <b>\$197,321,562</b> | <b>\$200,674,876</b> | <b>\$204,028,190</b> | <b>\$207,381,504</b> |
| % Change      | -                                 | 0.0%                 | 3.5%                 | 2.3%                 | 1.7%                 | 1.7%                 | 1.6%                 |
| Cumul. % Chg. | -                                 | 0.0%                 | 3.5%                 | 5.9%                 | 7.7%                 | 9.5%                 | 11.3%                |

\*Based on funding rate of \$271,720 per judge, less \$1,052,950.

\*\*County funding data for the 4<sup>th</sup> circuit approximated using statewide average costs in certain areas.

**EXHIBIT 5-9  
SIMULATION OF STATE FUNDING REQUIREMENTS BY CIRCUIT:  
BASED ON PROJECTION OF JUDGES, TRIAL COURTS\***

| Circuit       | Entity Funding Projection by Year |                      |                      |                      |                      |                      |                      |
|---------------|-----------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
|               | 1999-00                           | 2000-01              | 2001-02              | 2002-03              | 2003-04              | 2004-05              | 2005-06              |
| 1             | \$9,820,527                       | \$9,820,527          | \$10,168,498         | \$10,400,479         | \$10,577,227         | \$10,753,974         | \$10,930,722         |
| 2             | \$7,531,419                       | \$7,531,419          | \$7,798,281          | \$7,976,188          | \$8,111,737          | \$8,247,285          | \$8,382,834          |
| 3             | \$3,669,447                       | \$3,669,447          | \$3,799,467          | \$3,886,147          | \$3,952,189          | \$4,018,230          | \$4,084,272          |
| 4             | \$16,392,154                      | \$16,392,154         | \$16,972,978         | \$17,360,194         | \$17,655,216         | \$17,950,238         | \$18,245,260         |
| 5             | \$9,909,102                       | \$9,909,102          | \$10,260,212         | \$10,494,285         | \$10,672,626         | \$10,850,968         | \$11,029,309         |
| 6             | \$20,441,397                      | \$20,441,397         | \$21,165,698         | \$21,648,566         | \$22,016,465         | \$22,384,364         | \$22,752,263         |
| 7             | \$12,315,348                      | \$12,315,348         | \$12,751,719         | \$13,042,633         | \$13,264,281         | \$13,485,930         | \$13,707,578         |
| 8             | \$6,654,422                       | \$6,654,422          | \$6,890,209          | \$7,047,400          | \$7,167,164          | \$7,286,929          | \$7,406,693          |
| 9             | \$18,581,483                      | \$18,581,483         | \$19,239,882         | \$19,678,815         | \$20,013,239         | \$20,347,664         | \$20,682,089         |
| 10            | \$9,709,570                       | \$9,709,570          | \$10,053,609         | \$10,282,969         | \$10,457,720         | \$10,632,470         | \$10,807,221         |
| 11**          | \$46,524,464                      | \$46,524,464         | \$48,172,969         | \$49,271,972         | \$50,109,308         | \$50,946,643         | \$51,783,979         |
| 12            | \$8,970,861                       | \$8,970,861          | \$9,288,726          | \$9,500,636          | \$9,662,092          | \$9,823,547          | \$9,985,002          |
| 13            | \$17,980,816                      | \$17,980,816         | \$18,617,931         | \$19,042,675         | \$19,366,289         | \$19,689,903         | \$20,013,517         |
| 14            | \$5,092,422                       | \$5,092,422          | \$5,272,862          | \$5,393,156          | \$5,484,808          | \$5,576,460          | \$5,668,112          |
| 15            | \$19,321,292                      | \$19,321,292         | \$20,005,905         | \$20,462,314         | \$20,810,053         | \$21,157,793         | \$21,505,533         |
| 16            | \$2,391,561                       | \$2,391,561          | \$2,476,302          | \$2,532,795          | \$2,575,838          | \$2,618,881          | \$2,661,923          |
| 17            | \$30,009,933                      | \$30,009,933         | \$31,073,277         | \$31,782,173         | \$32,322,285         | \$32,862,396         | \$33,402,507         |
| 18            | \$11,723,107                      | \$11,723,107         | \$12,138,493         | \$12,415,417         | \$12,626,406         | \$12,837,396         | \$13,048,385         |
| 19            | \$7,663,532                       | \$7,663,532          | \$7,935,075          | \$8,116,103          | \$8,254,030          | \$8,391,956          | \$8,529,882          |
| 20            | \$12,026,408                      | \$12,026,408         | \$12,452,541         | \$12,736,629         | \$12,953,077         | \$13,169,525         | \$13,385,974         |
| <b>TOTAL</b>  | <b>\$276,729,265</b>              | <b>\$276,729,265</b> | <b>\$286,534,632</b> | <b>\$293,071,544</b> | <b>\$298,052,048</b> | <b>\$303,032,553</b> | <b>\$308,013,057</b> |
| % Change      | -                                 | 0.0%                 | 3.5%                 | 2.3%                 | 1.7%                 | 1.7%                 | 1.6%                 |
| Cumul. % Chg. | -                                 | 0.0%                 | 3.5%                 | 5.9%                 | 7.7%                 | 9.5%                 | 11.3%                |

\*Based on funding rate of \$389,262 per judge, less \$1,008,106.

\*\*11th Circuit excluded from the regression used to derive the funding model as a result of disproportionate local funding.

### **5.3 Conclusions and Recommendations**

As discussed in Chapter 1.0, one of the primary purposes of Phase 3 was to develop costing and staffing models for the four judicial system entities. At the current stage of implementation of Revision 7, the models' predictions may not be entirely accurate because various policies that will affect funding requirements are still under development (e.g., the definition of essential elements). Once these policy issues are resolved, the analyses described in chapters 3.0, 4.0 and 5.0 in this report can be replicated toward the goal of developing costing and staffing models for adoption.

In Chapter 5.0, significant differences were reported between current costs and model-predicted funding levels. At least three four factors help to explain these differences, including:

- Current funding levels are a result of a long and complex history of state and local decision-making in the budget process. Some circuits have been more effective than others in garnering political support for funding requests, especially at the county level. Also, no-loss funding provisions at the state level tend to distort desired relationships between funding levels and workload during periods of limited revenue and disparate growth rates across the circuits.
- The circuits vary from one another in the operation of discretionary programs and activities. Thus, a statewide costing model that is based on a uniform workload measure will tend to “underestimate” the requirements of a circuit (or county) that currently has relatively more discretionary programs and “overestimate” the requirements of jurisdictions with no or relatively few such programs or activities. Replication of the analyses described in this report after essential elements are defined and cost adjustments are made should show smaller under- or overestimates. Additionally, circuits will still be able to petition for county support for discretionary services.
- The costing model does not have a provision for unique local circumstances. Some of the underestimates may be the result of higher costs of living in certain circuits/counties not being captured. As discussed earlier, circuits/counties could request funding beyond the model-predicted rate to offset higher costs.
- Data sources for both cost and workload information are currently undergoing refinements. Some of the differences between current reported costs and model-predicted requirements might be due to

inconsistent reporting across circuits and counties. Replication of the current analyses with refined data sets can be expected to lead to a modified statistical relationship between costs and unit of workload and, ultimately, to smaller potential shifts in funding levels across circuits.

Overall, the models described in this report provide a strong basis for predicting future funding requirements—both overall and by jurisdiction—for the four judicial system entities. Future replications of the analyses conducted during Phase 3 with data that have been refined and that more clearly reflect legislative direction can be expected to lead to even stronger models for estimation of resource requirements.

The models' predictions of total shifts in state funding requirements, as summarized in Exhibit 5-5, were as follows:

| <b>Entity</b>       | <b>State Funding Requirement</b> | <b>Increase Over Current</b> |
|---------------------|----------------------------------|------------------------------|
| Clerks of the Court | \$298.7 million                  | \$298.7 million              |
| State Attorney      | \$281.8 million                  | \$24.8 million               |
| Public Defender     | \$186.1 million                  | \$62.6 million               |
| Trial Courts        | \$276.6 million                  | \$106.2 million              |
| GRAND TOTAL         | \$1,043.2 million                | \$492.3 million              |

However, much of the Clerks funding could be recovered through various fee collections revenue that will also be assumed by the state, as detailed in Phase 4 of this study. Assuming fee collections generate enough money to fund the entire Clerks entity, the state's additional responsibilities under Article V, Revision 7 would be increased by about \$193.6 million.

Finally, projections based on the trend in the total number of judges indicate an additional \$84 million in costs by 2005-06 for the state attorney, public defender, and trial

courts entities. A proportionate increase of \$34 million in clerks costs could accompany these escalations, though some portion of this would be offset by additional fee revenues from increase workload.

As observed in several of the preceding exhibits, immediate adoption of the costing models as the basis for appropriations by entity and by circuit would lead to significant shifts in state funding, including reductions in state support for some circuits. The majority of the appropriation shifts would be due to the state assuming a greater role in funding of the judicial system. Some shifts, however, appear to be based on use of the number of judges as the primary indicator of funding requirements rather than additional factors that have been considered in the past. Special care will need to be given to ensuring that any reductions in appropriations for an entity in a circuit do not inadvertently limit access to the courts.

In some cases, previous funding decisions may have been based on local conditions that are not entirely reflected by the number of judges. For instance, circuits with a high percentage of non-English speaking residents may have received additional funding for court interpreters. Similarly, circuits that have unique circumstances, such as distance between courthouses) may also have received supplemental funding in the past. If the Legislature elects to base its funding process on the costing models described here, provision will be needed for any entity that is adversely affected to make its case why special appropriations beyond the model-predicted amounts are needed.

Even though the costing models indicate a significant increase in state appropriations, county funding for programs in some circuits is not always captured by the state costing models. Leaders of the judicial system entities in these circuits, however, will still have the opportunity to seek county funding for programs and services not covered by the state costing models.

Analyses of staffing levels can be utilized to provide guidance for ratios of various types of staff for the entities. However, the cost models represent the more definitive tool, as circuits will need to allocate resources differently according to the particular needs of their jurisdiction. The most useful aspect of these analyses involves the determination of total staffing requirements based on the number of judges.

### **5.3.1 Recommendations Regarding Transitions Strategies**

Recommendations stemming from the analyses encompassed within this study are detailed below. The following recommendations relate to transition strategies for employees and equipment:

**Recommendation #1:** All appropriate county-funded state courts system positions should be transferred to state funding and oversight. Positions identified by the Legislature as performing functions that will remain county-funded after implementation of Revision 7 to Article V of the Constitution should not be transferred to state funding or oversight. To help facilitate the transfer of positions, a state-level committee comprised of trial courts, state attorney, and public defender officials should work together to develop clear and concise state-level position descriptions, review individual positions when necessary to bring county-funded positions in concert with state pay ranges and personnel regulations, to develop additional personnel regulations, when necessary, to adequately address position transfer, and to generally serve as an oversight body for transfer of county-funded positions to state funding and control.

**Recommendation #2:** County-funded state courts system positions transferred to state funding and oversight should be transferred to state fringe benefits. While in some counties this option may require expenditures in excess of what counties are currently paying, many counties currently maintain higher fringe benefits than the state.

**Recommendation #3:** Blanket benefits coverage for transferred employees should be provided through implementation language from the first date of state employment, presumably July 1, 2004. Implementing language should also include a waiver of preexisting conditions to allow for transfer of county employees with preexisting health conditions. As recommended by OSCA's Article V Personnel Subcommittee, deferral of transfer should be sought for county-funded employees on a medical leave of absence until they are able to return to work.

**Recommendation #4:** County-funded state courts system positions transferred to state funding and oversight should be transferred to state personnel regulations.

**Recommendation #5:** County-funded state courts system positions transferred to state funding and oversight should be notified in writing prior to transfer that they will become at-will employees on the date of transfer. County employees currently on a biweekly pay period should also be notified prior to transfer that the state courts system functions on a monthly pay period, and by becoming state employees, they will be transferred to the state frequency of pay.

**Recommendation #6:** State courts system entities across the state should be able to continue to use county-owned equipment as needed after implementation of Revision 7 to Article V. This allows counties and the state to avoid the problem of identifying specific items of equipment being used by each position and determining whether or not it was a position being transferred. When replacement of the county-owned equipment becomes necessary, the acquisition of new equipment would become a state responsibility. Alternatively, if it is important for the state to become owner of all equipment used by its employees, the state could purchase county-owned equipment at a token price. The payroll savings to be realized by the counties after Revision 7 implementation appears to far outweigh the equipment costs, so counties should be

willing to relinquish any claim to ownership of used equipment for a token price as part of the transfer of their responsibility to the state.

### **5.3.2 Recommendations for Costing and Staffing Models**

Relative to the costing and staffing models, the following recommendations should be considered:

**Recommendation #7:** Refine data collection processes within judicial system to include comprehensive and accurate information relating to expenditures by activity and workload indicators for various entities. Pertinent workload indicators would include filings, disposals, referrals, and numbers of judges.

**Recommendation #8:** Workload indicators should be forecasted to the extent funding requirements need to be predicted. Trends in workload indicators could be used to derive simple linear regressions to project future workloads. These forecasted values can be inserted into the respective costing and staffing models to predict future state funding and staffing requirements.

**Recommendation #9:** Circuits and counties should be funded at the levels suggested by models, based on the levels of resources necessary to provide essential services. This represents funding for essential activities, exclusively, and therefore could result in significant variance from current total funding levels.

**Recommendation #10:** Staffing ratios should be based on the analyses of the sample circuits. The figures should serve as guidance to the circuits, but strict adherence should not be required. As each jurisdiction has unique needs and concerns relative to serving its citizenry, the circuits should be allowed some autonomy in allocating resources to where they are needed.

**Recommendation #11:** Provision will be needed for any entity that is adversely affected to make its case why special appropriations beyond the model-predicted

amounts are needed. Adjustments to base-funding levels would have to be justified by particular entities within circuits or counties in order to receive supplemental state funds. Any funded activities would have to be deemed essential to the operation of the overall system. Otherwise, optional programs and activities would be the funding responsibilities of the circuits and counties and would be instituted at their discretion.