

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
**APPROPRIATIONS SUBCOMMITTEE ON CRIMINAL AND
CIVIL JUSTICE**
Senator Perry, Chair
Senator Wright, Vice Chair

MEETING DATE: Wednesday, October 13, 2021

TIME: 3:30—6:00 p.m.

PLACE: *Mallory Horne Committee Room, 37 Senate Building*

MEMBERS: Senator Perry, Chair; Senator Wright, Vice Chair; Senators Baxley, Bracy, Gainer, Pizzo, Rodriguez, and Torres

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Presentations on Agencies' Fiscal Year 2022-2023 Legislative Budget Requests: State Court System State Attorney Public Defenders Justice Administrative Commission Offices of Criminal Conflict and Civil Regional Counsels Capital Collateral Regional Counsels Statewide Guardian ad Litem Program Clerks of Court		Presented
Other Related Meeting Documents			

Legislative Budget Request FY 2022-23

**Senate Appropriations Subcommittee on
Criminal and Civil Justice
October 13, 2021**

Judicial Branch

FY 2022-23 Legislative Budget Request

Supreme Court

Issues	General Revenue (Recurring)	General Revenue (Non-Recurring)	Total Request
➤ Supreme Court Fellows Program	591,965		591,965

Judicial Branch

FY 2022-23 Legislative Budget Request

District Courts of Appeal

Issue	General Revenue (Recurring)	General Revenue (Non-Recurring)	Total Request
➤ Appellate Case Management System	610,000	3,899,816	4,509,816

Judicial Branch

FY 2022-23 Legislative Budget Request

Trial Courts

Issues	FTE	General Revenue (Recurring)	General Revenue (Non-Recurring)	Total Request
➤ Pandemic Recovery Plan - Year 2			10,039,982	10,039,982
➤ Technology Support	65	7,732,066	3,131,866	10,863,932
➤ Courthouse Furnishings			3,079,955	3,079,955

Judicial Branch

FY 2022-23 Legislative Budget Request

Office of the State Courts Administrator

Issues	FTE	General Revenue (Recurring)	General Revenue (Non-Recurring)	Total Request
➤ Court Operations Support	2	191,167	10,066	201,233
➤ Problem Solving Court Support	1	142,592	5,033	147,625

Judicial Branch

FY 2022-23 Legislative Budget Request

Branch Issues

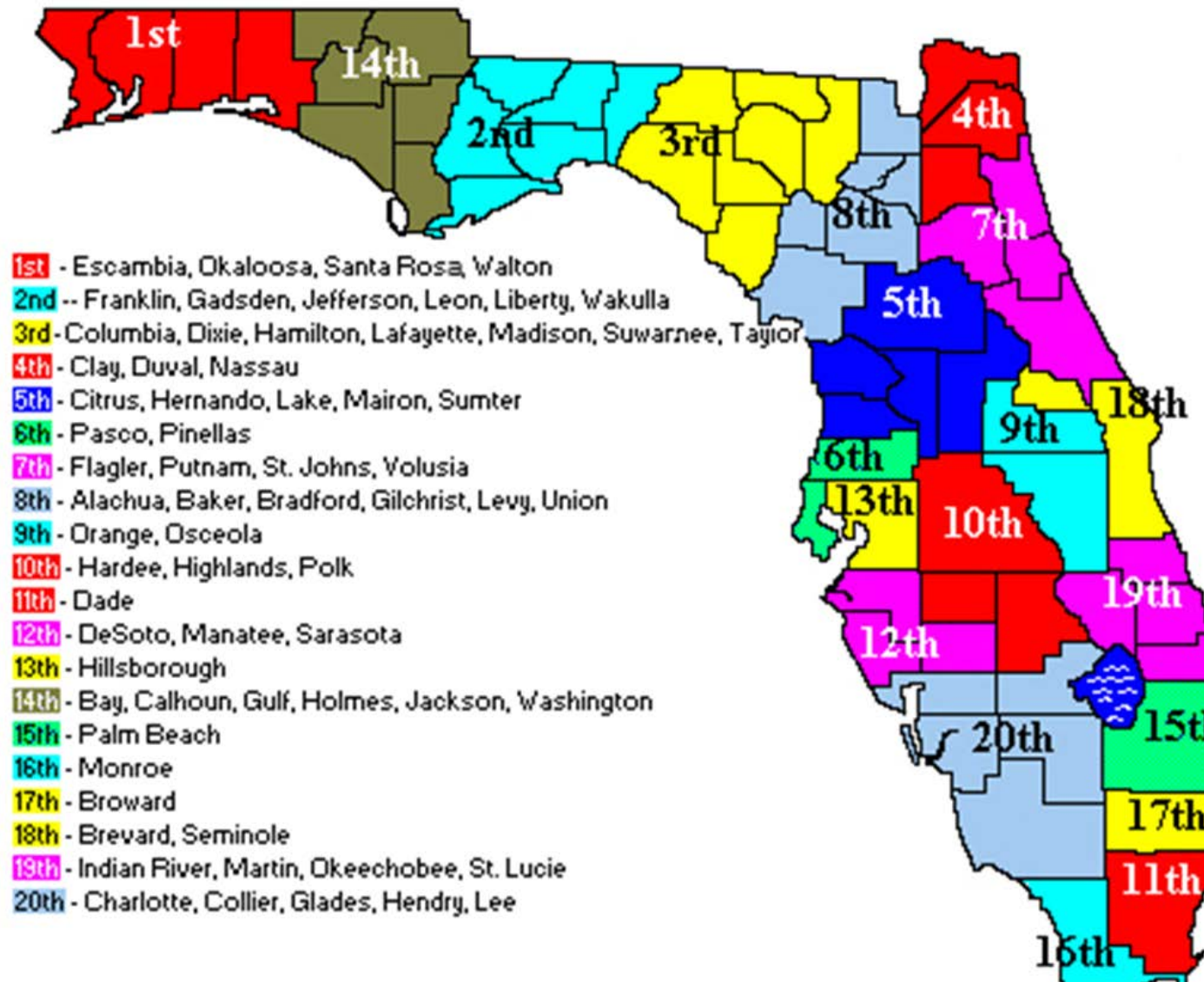
Issues	General Revenue (Recurring)	General Revenue (Non-Recurring)	Total Request
➤ Trial Court Judicial Salaries	21,689,534		21,689,534
➤ Certification of Need for Additional Judges	TBD	TBD	TBD

Questions?

Katie Cunningham
Deputy State Courts Administrator
cunninghamk@flcourts.org
850-488-3733

2021-2022 Budget
Presentation

Florida State Attorney's



Florida Constitution Article 5

SECTION 17. State attorneys.—In each judicial circuit a state attorney shall be elected for a term of four years. Except as otherwise provided in this constitution, **the state attorney shall be the prosecuting officer of all trial courts in that circuit** and shall perform other duties prescribed by general law; provided, however, when authorized by general law, the violations of all municipal ordinances may be prosecuted by municipal prosecutors. A state attorney shall be an elector of the state and reside in the territorial jurisdiction of the circuit; shall be and have been a member of the bar of Florida for the preceding five years; shall devote full time to the duties of the office; and shall not engage in the private practice of law. State attorneys shall appoint such assistant state attorneys as may be authorized by law.

2021 Appropriations of \$504,769,218

Thank you for holding us harmless last year!!

Living in a post-pandemic world

The backlog has come to fruition.

Statewide caseloads show an average increase of 50% more criminal cases than pre-pandemic levels.





Criminal cases have increased in both number and severity.

- Felony cases went from 51,273-76,215
- 49% increase
- Misdemeanor cases went from 203,194-312,898
- 54% increase



More work with
less staffing!!!

- Over 450 support staff positions need to be filled!
- Over 270 Assistant State Attorneys need to be hired!

Compression is our biggest problem

- The \$50,000 starting salary has been a wonderful boon to our new attorneys.
- The increase in minimum wage has been a just and needed relief for our lowest paid team members.
- However, this has consumed our funding and we are not able to retain our folks who are excelling!



Florida is losing prosecutors!

December 2017

2078 Assistant State Attorneys

Statewide population 20.96
million

September 2021

1890 Assistant Attorneys

Statewide population estimate
21.6 million

Need increase in workload funding to offset these challenges

Each State Attorney deals with staffing based on his or her needs. This is why you may have seen variance in our LBR requests. What is needed in Miami may be very different from what is wanted in Gainesville which might be different from Melbourne.

Understand
and agree
with long
range
forecasting of
budget needs



- (5) The appropriations for the offices of state attorneys shall be determined by a funding formula based on population and such other factors as may be deemed appropriate in a manner to be determined by this section and the General Appropriations Act.
- Fla. Stat. Ann. § 27.25 (West)

Prior legislatures have planned for growth in the gradual increase of funding for constitutional officers.

Florida Statute § 145.19

We suggest a
formula
generated by
independent
variables.

Population and
Cost of living

Appropriation= Base budget x [Population
Annual Factor x Cost of Living Annual Factor
x Cumulative Annual Factor]

This year,
that would
result in:

3.34% budget increase

\$13,298,537 in
increased workload
funding

Additional responsibilities require even more personnel.

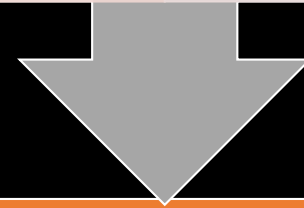
Four Circuits have additional judgeships, and we need to staff them!

7th
Circuit

13th
Circuit

14th
Circuit

20th
Circuit



Last year the courts were appropriated

Courts require more than just judges to function



- Each of these circuits will have new criminal court divisions next year and we will need additional personnel to staff them.



We look forward to working with you this session and serving the people of the State of Florida.

PUBLIC DEFENDER

FY 2022-23

Budget Presentation



PUBLIC DEFENDERS = FRONTLINES OF JUSTICE

APPOINTED TO EVERY TYPE OF CRIMINAL CASE AND CERTAIN CIVIL CASES

- ▶ JUVENILE
- ▶ MISDEMEANOR
- ▶ FELONIES
- ▶ DEATH PENALTY
- ▶ MENTAL HEALTH CASES:
 - ▶ BAKER ACTS
 - ▶ MEDICATION HEARINGS, CONTINUED CIVIL COMMITMENT HEARINGS AT STATE HOSPITALS
- ▶ SEXUALLY VIOLENT PREDATOR/JIMMY RYCE

PUBLIC DEFENDERS ARE ESSENTIAL

- ▶ PERFORM CORE FUNCTIONS THAT ARE MANDATED BY THE CONSTITUTION
- ▶ CRUCIAL FOR PUBLIC SAFETY
- ▶ EQUIVALENT TO FIRST RESPONDERS, LAW ENFORCEMENT
- ▶ EQUAL PARTNERS IN JUSTICE SYSTEM WITH COURTS AND STATE ATTORNEYS

FY 2020-21 STATEWIDE FACTS:

TRIAL LEVEL:

- ▶ STATEWIDE NEW CASES ASSIGNED: 433,519
- ▶ STATEWIDE NEW CLIENTS REPRESENTED: 422,408

Note: attorneys are always carrying cases from one FY to the next; these are new cases on top of cases carried over. The Covid case backlog increased the workload of pending cases and clients.

STATEWIDE BUDGET STRUCTURE

- ▶ 20 INDEPENDENT OFFICES WITH 20 INDIVIDUAL BUDGETS
- ▶ TOTAL FY 2021-22 STATEWIDE BUDGET:
 - ▶ \$256.8 MILLION FOR TRIAL LEVEL
 - ▶ General Revenue: \$ 217.8 million
 - ▶ Trust Fund Authority: \$ 39 million
 - ▶ Use of Authority is dependent on cash availability in each Circuit
 - ▶ \$18.1 MILLION FOR APPELLATE LEVEL
 - ▶ 96% OF GR STATEWIDE BUDGET IS DEDICATED TO SALARIES AND BENEFITS
 - ▶ 3,028 = TOTAL STATEWIDE FTE, 50% of FTE = Attorneys

FPDA PRIORITY BUDGET REQUESTS

- ▶ **COMPETITIVE PAY INCREASE FOR ASSISTANT PUBLIC DEFENDERS**
 - ▶ \$5000 INCREASE PER ATTORNEY
 - ▶ APPROXIMATELY \$7.8 MILLION IN GR
 - ▶ BASED ON FILLED APD POSITIONS FOR TRIAL AND APPELLATE
 - ▶ APPROXIMATELY 1560 FTES FOR ALL 20 CIRCUITS
- ▶ **SUPPORT STAFF COMPRESSION**
 - ▶ \$2,080 PER FTE DUE TO MINIMUM WAGE INCREASE
 - ▶ APPROXIMATELY \$2 MILLION IN GR

JUSTIFICATION FOR BUDGET REQUEST

- ▶ Civil case backlog = Law firms poaching state offices
- ▶ PDO Salaries are not competitive
- ▶ **TURNOVER CRISIS.** Turnover average is 26% statewide, **SOME CIRCUITS HIGHER THAN 50% TURNOVER**
- ▶ Higher pending caseloads due to **INCREASED TURNOVER, BACKLOG**, and **SUSPENSION OF SPEEDY TRIAL**
- ▶ Drop in attorney applications
- ▶ Across the board increase should match other state agencies
A.G. asked for minimum \$10,000 per attorney
- ▶ \$2,080 per FTE compression due to minimum wage increase

QUESTIONS?

PUBLIC DEFENDER FY 2022-23

Budget Presentation





**JUSTICE ADMINISTRATIVE
COMMISSION**



Justice Administrative Commission LBR 2022-23

Alton L. “Rip” Colvin, Jr.
Executive Director

JAC is . . .

- Authorized by s. 43.16, F.S., to maintain “a central state office for administrative services and assistance when possible to and on behalf of the state attorneys and public defenders of Florida, the capital collateral regional counsel of Florida, the criminal conflict and civil regional counsel, and the Guardian Ad Litem Program”
- A liaison between the offices it serves and the Governor’s Office, Department of Financial Services, Department of Management Services, and others



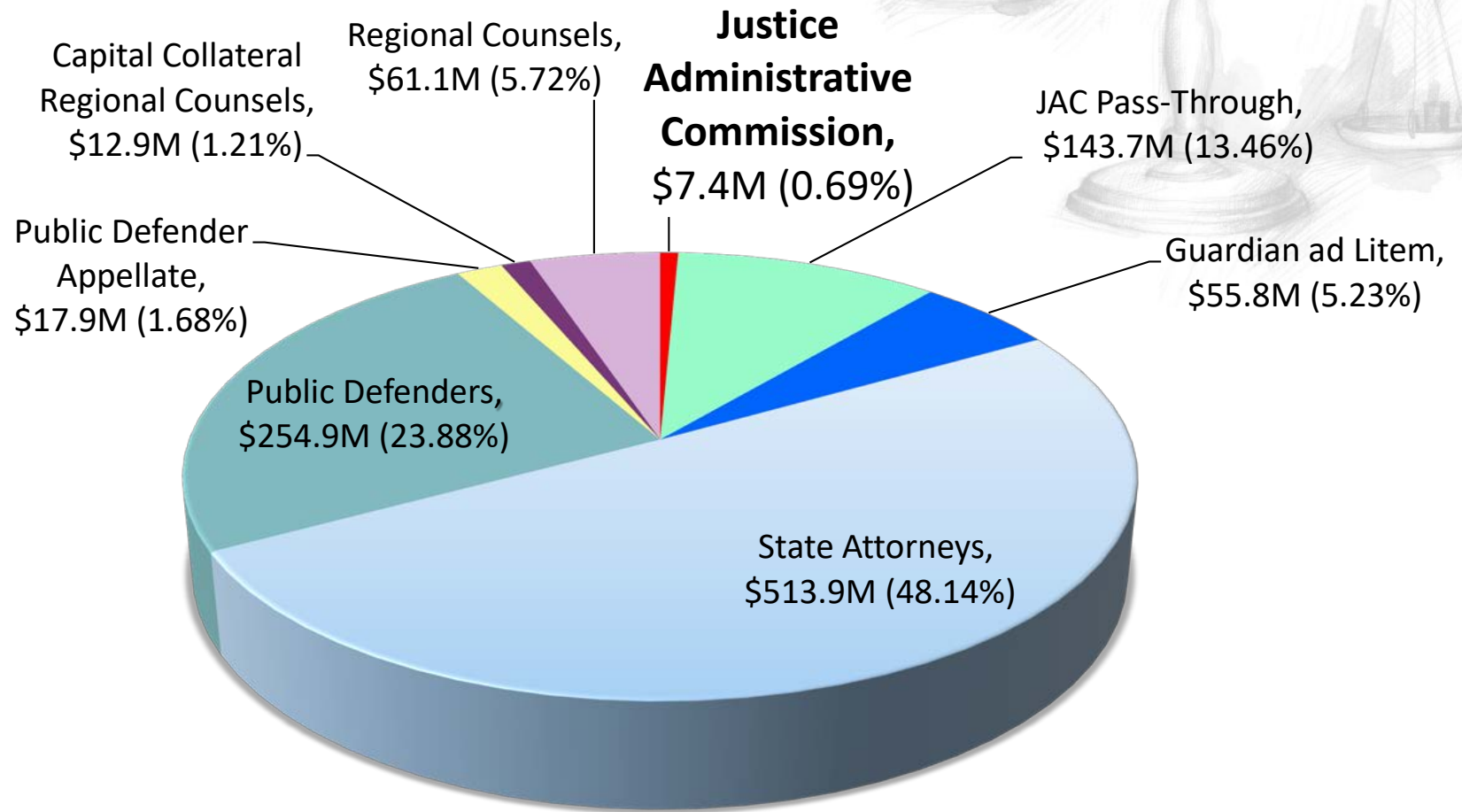
Justice Administrative Commission (JAC)

- **JAC's Vision:** To be the model of exemplary state government.
- **JAC's Mission:** To support the entities we serve and Florida's judicial system with fiscal controls, best practices, and exemplary service.
- **JAC's Core Values:** We take great pride in exemplary service, adaptability, honesty, integrity, and diversity, as well as respectful and ethical conduct.
- **JAC's Core Competencies:** Administrative Service, Communication and Collaboration, Prompt-Payment, Fiscal Accountability, and Continuous Improvement and Innovation.



Justice Administration

Base Budget 2021-22 \$1.07 Billion



Amounts above reflect millions of dollars.



JAC Accomplishments – Fiscal Year 2020-21

- Processed 287,000+ accounting transactions and 53,500+ court-appointed attorney and due process vendor invoices
- Percent of invoices processed within prompt payment requirements = 97.98%, our best performance ever (Legislative performance standard is 95%)
- Processed more than 47,800+ payroll and human resources transactions

JAC accomplishes

all this and more with
88 staff!



LBR Issues for 2022-23

	LBR Issue	General Revenue	Recurring General Revenue	Non- Recurring General Revenue	Salary Rate	FTEs
1	Recruitment and Retention for JAC Employees	\$ 268,000	\$ 268,000	\$ -	226,000	
2	Florida PALM Agency Implementation	376,774	369,038	7,736	220,000	4
3	Staffing Increase for Legal Section	144,142	142,208	1,934	95,000	1
4	Staffing Increase for Executive Section	105,719	103,785	1,934	65,000	1
5	IT Issues - Risk Assessment	60,000		60,000		
6	IT Issues - IT Critical Needs (Internet Bandwidth)	18,000	18,000	-		
7	Price Level Increases - Building Rent	21,000	21,000			
	Total Legislative Budget Request	\$ 993,636	\$ 922,032	\$ 71,604	606,000	6
	JAC Executive Direction & Support FY 2021-2022	\$ 7,390,562			4,599,089	88
	Percentage Increase	13.4%				
	Total Funds Administered Under Justice Administration	\$ 1.07 billion				
	Percentage of Increase to Total Funds Administered	0.09%				



Questions

Alton L. “Rip” Colvin, Jr.

Executive Director

rip.colvin@justiceadmin.org

(850) 488-2415

JAC Website: www.justiceadmin.org



Offices of Criminal Conflict and Civil Regional Counsel

FY 22/23 budget

October 2021



Candice K. Brower

Regional Counsel, First DCA Region



*Offices of Criminal Conflict
& Civil Regional Counsel*

What Types Cases Are Assigned to Our Offices?

Criminal Cases

Felony Cases

Circuit Criminal Appeals

Misdemeanor Cases

Criminal Traffic Cases

County Criminal Appeals

Chapter 316 Cases Punishable by Imprisonment

Ancillary Municipal Ordinances

Juvenile Delinquency and Juvenile Re-Sentencing cases

Primary Municipal Ordinances by Contract

3.850 Post Conviction Motions

3.800 Correction, Modification or Reduction Motions

...all of this, along with Death Penalty Cases,
and Death Penalty Re-sentencing



What Types Cases Are Assigned to Our Offices?...cont.

Civil Cases

Chapter 39 Dependency Cases

Chapter 39 Termination of Parental Rights Cases

Chapter 744 Guardianship Cases

Chapter 393 Developmental Disability Guardianships

Chapter 397 Involuntary Commitment Cases (Marchman Acts)

Chapter 415 Adult Protective Services Cases

Chapter 743 Removal Minor Nonage Disability Cases

Chapter 743 Removal Minor Nonage Disability Cases

Chapter 392 Tuberculosis Control Cases

Chapter 984 Children and Families in Need of Services Cases

Chapter 63 Adoption Proceedings

Chapter 390 Parental Notice of Abortion Act Cases

“Jimmy Ryce” Act cases

Baker Acts

Court Monitors

Appeal Cases Related to All Above Civil Matters



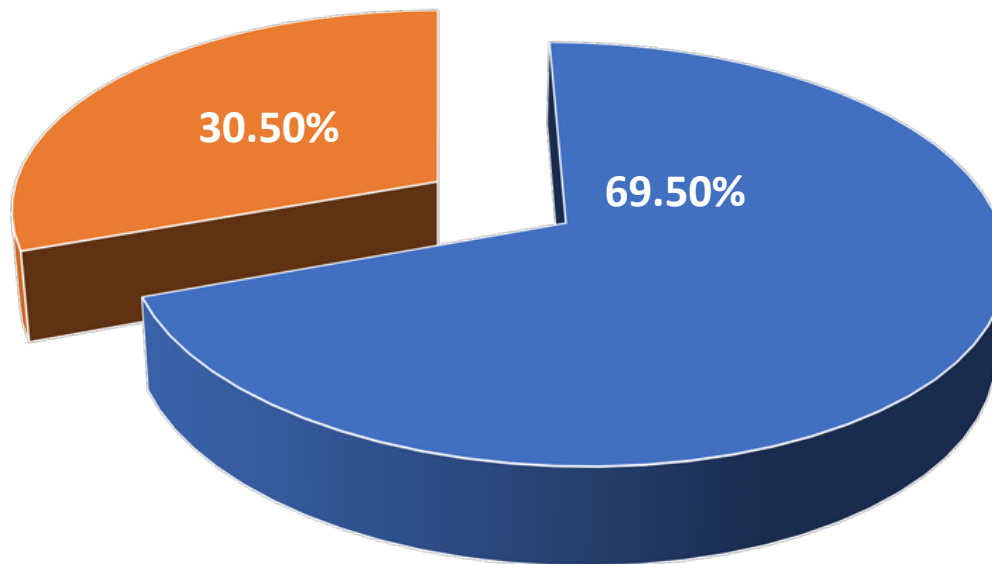
ESTIMATED SAVINGS TO THE STATE OF FLORIDA

\$399,744,082.76



Regional Counsels were appointed to **61,163** cases in 2018

Calendar Year 2018



■ Criminal ■ Civil



*Offices of Criminal Conflict
& Civil Regional Counsel*

Combined Priorities for Fiscal Year 2022 - 2023

1. Restore The Salary Cap Difference
2. Senior Management Services Retirement for Attorney Supervisors
3. Include Regional Counsels in
Judicially Related Office Pay adjustments.



#1, Close Regional Counsel Salary Cap

- PD's, SA's and RC's have salary cap set in law.
- PD's and SA's make the same.
- Regional Counsels have historically been approximately 30% less than JRO counterparts. A wide but somewhat workable gap.

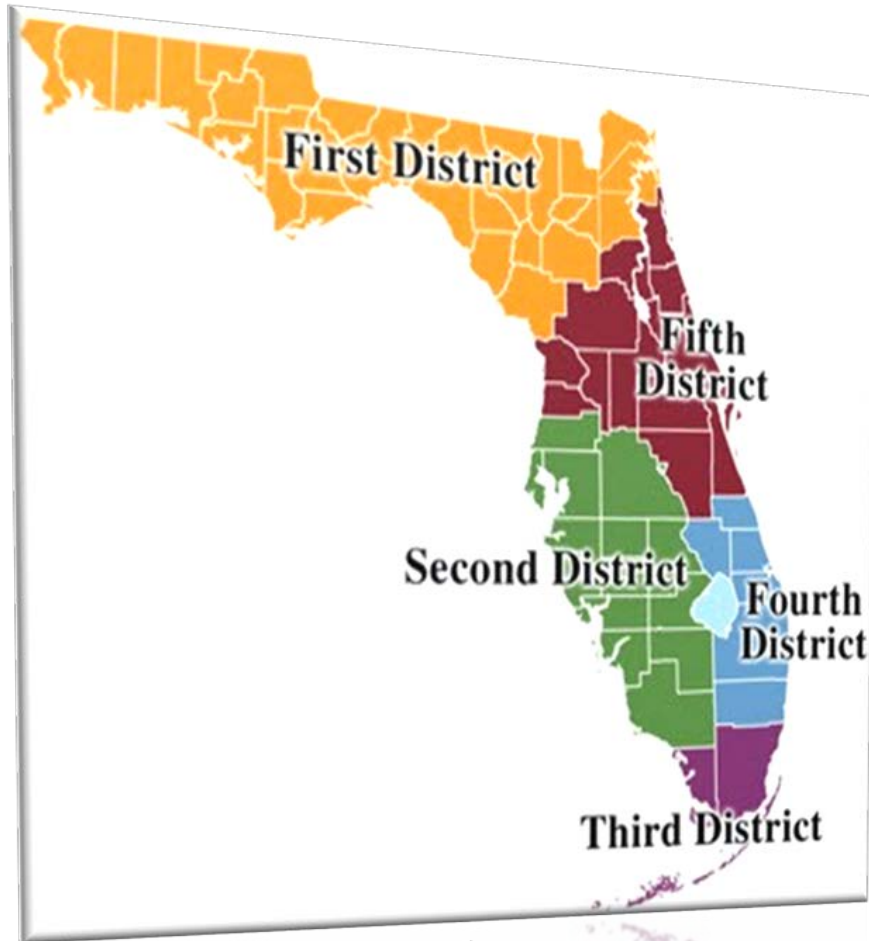
Last year a 10% raise to the salary caps of the PD's and SA's further widened the gap to 38%. Closing to gap back to 30% is needed to keep up with historical disparity without worsening the problem yearly.

- Total Request: \$80,835 recurring S&B



#2, Attorney Supervisor, SMS Retirement

Regional Counsels oversee entire budget entities in state government



45 Offices, Statewide

- Senior Management Service retirement is provided for positions that are “policymaking or managerial in nature”*.
- Offices provide services that are similar to other judicially related offices that participate in SMS
- Approx. \$500,000** recurring

*s. 110.502, F.S.

**number subject to slight fluctuation



Offices of Criminal Conflict
& Civil Regional Counsel

#3, Inclusion in JRO attorney pay adjustments

Same job, same duties...

tax-payer funded competition between JRO's is
created and morale is negatively affected when not included in pay
adjustments





“Continue to invest in this legislative success. \$400 million saved and counting...”

Thank You



Offices of Criminal Conflict
& Civil Regional Counsel



LEGISLATIVE PRIORITIES 2022- 2023

Office of Criminal Conflict and Civil Regional Counsel Second District Court of Appeal

***Ita M. Neymotin, Esq., LL.M., M.P.A., LSS Black Belt
Regional Counsel, Second District Court of Appeal***

Regional Counsels provide legal representation for indigent people with substantial cost savings. The Justice Administrative Commission has estimated that to date, the Regional Counsels have saved the State of Florida close to \$349,000,000 compared to private registry counsel.

- 1- COVID-19 backlog workload - \$1,234,408**
- 2- A Cross Jurisdictional Death Penalty Program Budget Proposal - providing death penalty litigation across the State of Florida at reduced costs, as compared with private registry counsel - \$1,397,041**
- 3- Secure swipe card access - \$30,000**

- 1- Regional Counsel 2 is requesting 5 criminal attorney positions, 5 dependency attorney positions, and 3 forensic social worker positions to clear the caseload backlog of more than 1000 cases which have accumulated since March 2020; and continue to accumulate. The courts were slowed due to the pandemic response, with hearings and cases being delayed. This request is for funds to hire staff to process and handle to completion these cases.
- 2- Regional Counsel 2 is proposing a Cross Jurisdictional Death Penalty Program to take cases in central (Ocala/Orlando) and north (Tallahassee) Florida Judicial Circuits 2, 5, and 9 to show how it will provide death penalty litigation at reduced costs, when compared with private registry counsel; while still ensuring client representation is adequate and is not diminished in effectiveness.
- 3- Regional Counsel 2 has an obligation to keep employees and clients safe, to secure our premises and to safeguard information. All of our buildings are privately leased and do not have county provided security as the Public Defender and State Attorney offices do in county provided buildings. Swipe card access is superior to standard metallic key access for ease of use and access control. This is a request for the swipe card access upgrade.



Ita M. Neymotin, Regional Counsel Second District **CROSS JURISDICTIONAL DEATH PENALTY PROGRAM (CJDPP)** **FACTS SHEET**

❖ **PURPOSE:** Regional Counsel, Second District is proposing a Cross Jurisdictional Death Penalty Program to take cases in central (Ocala/Orlando) and north (Tallahassee) Florida Judicial Circuits 2, 5, and 9 to demonstrate how RC2 can provide death penalty litigation at reduced costs and save taxpayer's dollars when compared with private registry counsel; while still ensuring client representation is adequate and is not diminished in effectiveness for indigent clients.

❖ **PRIVATE REGISTRY EXCEEDS FUNDS APPROPRIATED:** The Private Attorney Registry has exceeded legislative appropriations for the last several years with annual budgetary over spending between 15 and 17 million dollars.

❖ **RETURN ON INVESTMENT/TAXPAYERS SAVINGS** The Return on Investment (ROI) in comparing Private Registry cases against Regional Counsel Second District cases has shown a savings ratio ranging from 3:1 to 10:1, according to the Death Penalty Cost Analysis created by Regional Counsel. Indigent Representation under The proposed Cross Jurisdictional Death Penalty Program will cost to taxpayers between 3 to 10 times less than the amount of taxpayer money spent by Registry Attorney's in death penalty cases.

❖ **CITED SOLUTION BY THE OFFICE OF PROGRAM POLICY ANALYSIS AND GOVERNMENT ACCOUNTABILITY (OPPAGA):** OPPAGA completed a study on due process expenditures for the state of Florida dated December 2019 and cited Regional Counsel Second District's Cross Jurisdictional Death Penalty Program as a possible solution to the rising expenses of death penalty private registry attorney's due process costs (page 16).

❖ **DIVERSITY:** Through community partnerships, Regional Counsel, Second District's Cross Jurisdictional Death Penalty Program will provide educational opportunities for attorneys, paralegals, mitigation specialists, and investigators of diverse ethnic and national origins to become death penalty certified attorneys and staff, which will increase diversity in the legal representation of death penalty cases. As the first person to be admitted into The Florida Bar from the Country of Kazakhstan, I can honestly say that diversity is crucial to an organization as well as to our communities in general.

❖ **SUPPORT OF PROGRAM:** Law schools, as well as colleges have pledged their support for the Cross Jurisdictional Death Penalty Program. The Henry Latimer Center for Professionalism has agreed to help put together a professionalism curriculum for the new attorneys involved in this program.

❖ **WORLDWIDE JOURNAL PUBLICATION:** The Cross Jurisdictional Death Penalty Program was published worldwide in *The Empirical Economics Letters* journal article "Minimizing the 'Price' of the Death Penalty in Florida" written by Ms. Ita M. Neymotin, Regional Counsel, Second District and Dr. Florence Neymotin, Huizenga College of Business, Nova Southeastern University, USA.

❖ **THE FLORIDA BAR PUBLICATIONS:** The Florida Bar conducted an interview with Regional Counsel Second District and then published two articles regarding the benefits of the Cross Jurisdictional Death Penalty Program: "Pilot Program Suggested For Death Penalty Conflict Cases" and "Professionalism: Helping To Overcome Unjust Sentencing And Discrimination In Death Penalty Litigation".

❖ **AWARDS:** In 2021, Ms. Ita M. Neymotin, Regional Counsel, Second District was awarded the most prestigious award from Florida Gulf Coast University, the Alumni of Distinction Award, partly for the research and proposed creation of the Cross Jurisdictional Death Penalty Program. Ms. Neymotin holds a Juris Doctorate and an LL.M. in Business from Capital University and a Master in Public Administration from Florida Gulf Coast University. Further, she also holds a Lean Six Sigma Black Belt Certification and won "Best Use of Data" at the 29th Annual Florida Sterling Conference Team Showcase in June 2021.

❖ **TV SHOW FEATURE:** The TV Show "Law & Sarasota" hosted by Senior Chief Judge Lee E. Haworth aired a 30 minute segment on the Cross Jurisdictional Death Penalty Program with Ms. Ita M. Neymotin, Regional Counsel, Second District and Mark Brewer, Circuit Chief of Sarasota.

CAPITAL COLLATERAL REGIONAL COUNSELS **2022-2023 LEGISLATIVE BUDGET REQUEST**

Florida Statute 27.702 requires the Capital Collateral Regional Councils (CCRCs) to represent death sentenced inmates in the state and federal courts, including the United States Supreme Court, until relief is granted or the sentence of execution is carried out.

There are three offices, North, Middle and South and cases are assigned by the Florida Supreme Court after the direct appeal and are based on the jurisdictions of the Federal District Courts. All CCRC attorneys must have expertise in the highly complex area of Federal Habeas Corpus and are required by Rule 3.112(k) Florida Rules of Criminal Procedure to have extensive experience in capital case litigation before becoming a lead attorney.

The total General Revenue budget request for all three CCRC offices combined for the 2022-2023 fiscal year is \$254,398 broken down by agency as follows:

CCRC-North

- **\$34,000** Competitive Pay Adjustment
- **\$12,700** Information Technology

CCRC- Middle

- **\$72,000** Competitive Pay Adjustment
- **\$52,554** Information Technology

CCRC-South

- **\$73,000** Competitive Pay Adjustment
- **\$10,144** Information Technology

Over the past two fiscal years, the CCRCs have experienced a **40% turnover rate**. Nine (9) lead lawyers, with a combined 118 years of experience and fourteen (14) second chair lawyers, with a combined 59 years of experience, have moved to other government agencies, gone into private practice, or retired. The loss of staff at this critical juncture when the CCRCs expect a substantial increase in caseload is particularly devastating.

In order to recruit and retain staff for the expected increase in caseload, compete with similarly situated government agencies and continue to meet legislative performance measures, the CCRCs are requesting a \$ 5,000 competitive pay adjustment for every attorney with less than three (3) years' experience and \$ 3,000 for every attorney with more than three (3) years' experience.

For the 2022-2023 fiscal year, the total competitive pay adjustment requested is **\$179,000 for all three agencies combined**, with the amount requested by each agency delineated above. The pay adjustment is requested in order to recruit and retain experienced attorneys who must comply with the skill requirements set by the Florida Supreme Court.



**GUARDIAN
AD LITEM**

LEGISLATIVE BUDGET REQUEST

Fiscal Year 2022-2023



REPRESENTING FLORIDA'S CHILDREN ADVOCATING FOR BEST INTERESTS

Under federal law states are required to ensure appointment of a guardian ad litem who will represent and protect the rights and best interests of the child. (45 C.F.R. § 1340.14(g) (2004))



In Florida - § 39.822(1), F.S.:

A guardian ad litem shall be appointed by the court at the earliest possible time to represent the child in any child abuse, abandonment, or neglect judicial proceeding, whether civil or criminal.



REPRESENTING FLORIDA'S CHILDREN ADVOCATING FOR BEST INTERESTS

As the child's representative, Guardians ad Litem:

- Investigate and examine the facts of the case
- Protect the child's rights
- Advocate for the child's best interests
- Give the child a voice in the proceeding
- Make reports and recommendations to the court
- Monitor the progress of the case
- Promote permanency for children

Florida Statutes require appointment of a Guardian ad Litem in every dependency proceeding. § 39.822, Florida Statutes.



ISSUE 1: TRUST FUND AUTHORITY



- The Guardian ad Litem Program can represent every child using federal Title IV-E funding – without general revenue.
- The Guardian ad Litem Program is requesting Grants and Donations Trust Fund spending authority of \$4,397,042 and 67.50 FTEs.





ISSUE 2: ENHANCE VOLUNTEER RETENTION



- The Guardian ad Litem Program is seeking \$60,000 in the expense category for the purpose of enhancing volunteer retention through Certified Public Manager (“CPM”) training.
- Invest in retention as well as recruiting.
- Give each circuit Guardian ad Litem Program at least one person with CPM training.



Legislative Budget Request
Fiscal Year 2022-2023

Dennis W. Moore, Interim Director

Florida Statewide
Guardian ad Litem Office

P.O. Box 10628
Tallahassee, FL 32302
(850) 922.7213

GuardianadLitem.org

Guardian ad Litem – Heartfelt Child Advocacy



Clerks of Court Operations Corporation

Legislative Budget Request

October 13, 2021

Jason L. Welty
Deputy Executive Director

INTRODUCTION

The Florida Legislature created the Florida Clerks of Court Operations Corporation (CCOC) in 2003.

CCOC performs the statutory responsibility of approving the court-related budgets for all 67 Clerks of Court – s. 28.35, F.S.



QUICK BACKGROUND

CLERKS BUDGET: Not in the GAA

- Fines, fees, court costs, service charges, plus Legislative appropriations
 - Article V Revenue Estimating Conference (REC) projection
 - Juror Management (s. 40.29, F.S.)
 - Included in the GAA
 - \$11.7 million recurring General Revenue



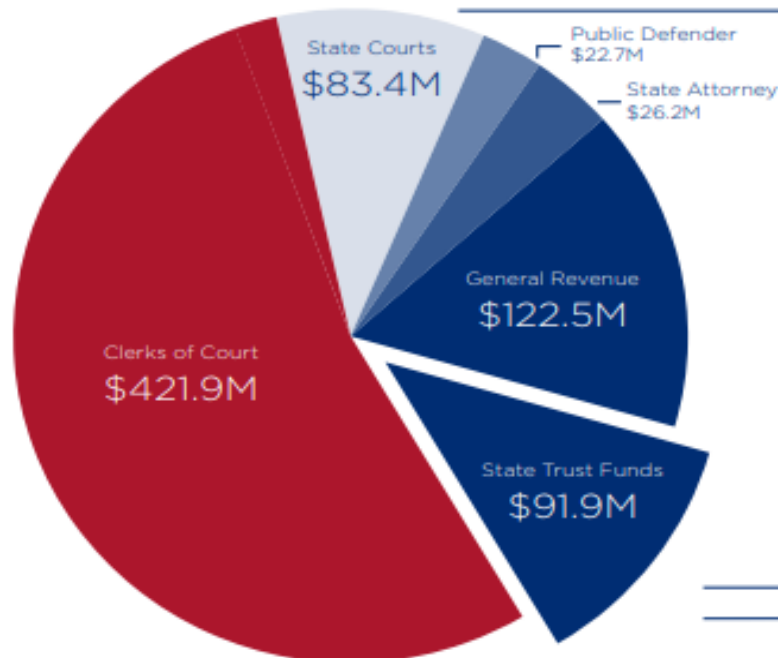
CCOC
FLORIDA CLERKS OF COURT
OPERATIONS CORPORATION

DURING 2020-21 FISCAL YEAR, 45% OF REVENUES COLLECTED BY CLERKS WERE DISTRIBUTED ELSEWHERE

REVENUES DISTRIBUTED TO CLERK OPERATIONS

In State Fiscal Year 2020-21, Clerks collected \$765.6 million in statutorily mandated fines and fees, of which they only retained \$421.9 million to provide services to the Floridians who depend on the timely resolution of their cases

55%



REVENUES DISTRIBUTED ELSEWHERE

\$343.7 million out of the \$765.6 million collected by Florida's Clerks of Court are distributed elsewhere

45%

12%

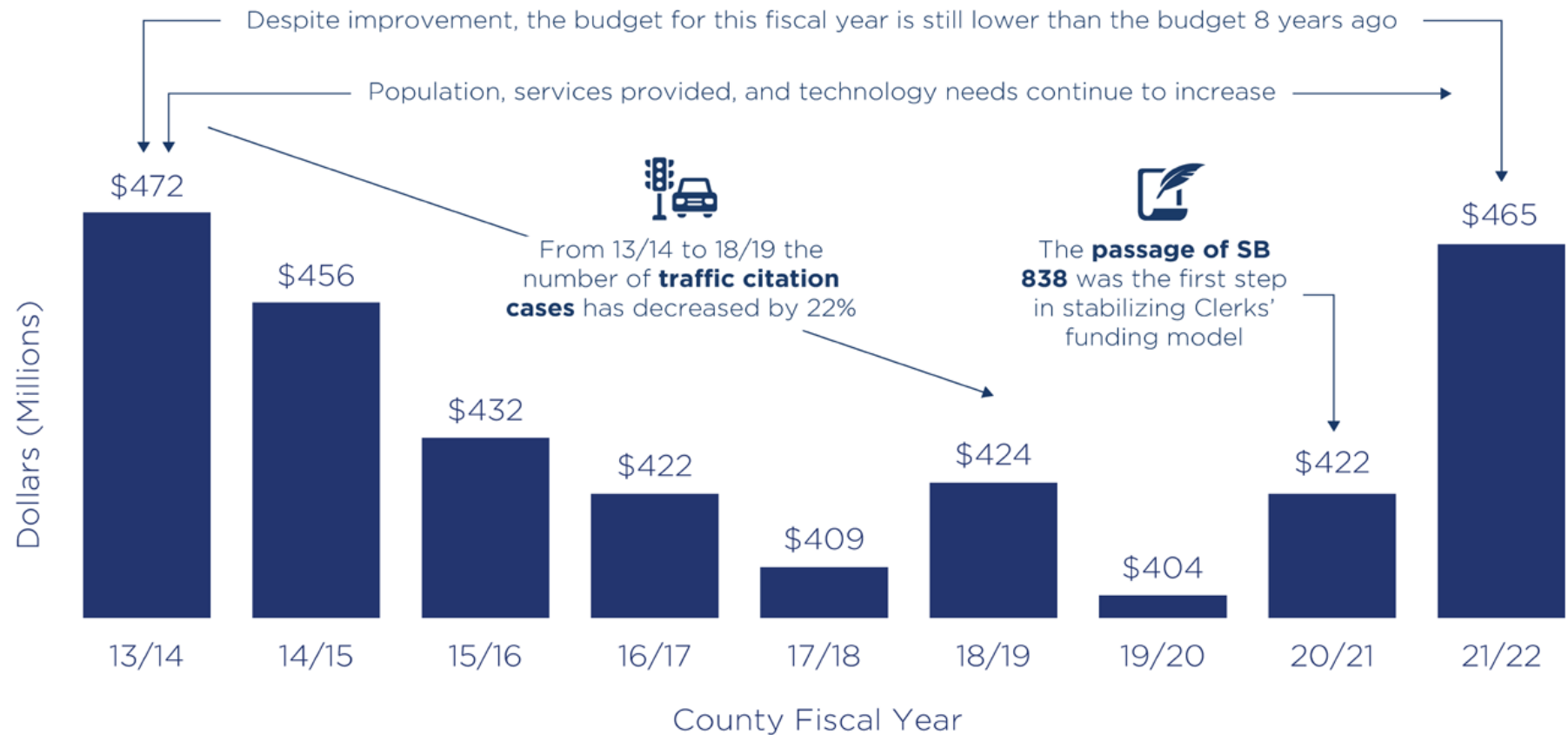
\$91.9 million in revenues collected were distributed to state trust funds.



State Trust Fund	Distribution
Additional Court Costs TF	\$7,601,630
Agricultural Law Enforcement	\$5,897
Alcoholic Beverage and Tobacco TR	\$635
Brains & Spinal Cord Injury Program TF	\$7,306,893
Child Welfare Training TF	\$1,421,192
Court Education TF	\$3,917,174
Crime Stoppers TF	\$3,868,122
Crimes Compensations TF	\$15,435,653
DFS Admin TF	\$2,110,899
DLA Revolving TF	\$11,197
DOE Grants and Donations TF	\$1,023,241
Domestic Violence TF	\$8,653,329
Emergency Medical Services TF	\$13,258,751
Epilepsy Services TF	\$260,836
FDLE Operating TF	\$2,199,574
FL Coastal Protection TF	\$3,360
Forfeiture and Investigative Support TF	\$83,282
FWC Operating TF	\$42,394
Grants & Donations TF	\$322,548
Inland Protection TF	\$314
Insurance Regulatory TF DOI	\$1,730
Internal Improvement TF	\$60
JAC Grants and Donations TF	\$231
Juvenile Welfare Training TF	\$1,079,566
Law Enforcement Radio System TF	\$3,460,222
Marine Resource Conservation TF	\$578,934
Motor Vehicle License Clearing TF	\$14,187,118
Nongame Wildlife TF	\$1,124,799
Operations and Maintenance TF	\$265,655
Planning and Evaluation TF	\$1,017,732
Projects, Contracts, and Grants TF	\$49,245
Rape Crisis Program TF	\$2,292,841
Solid Waste Management TF	\$41,335
State Game TF	\$56,097
State Transportation TF	\$3,100
SWP Grants & Donations TF	\$134,550
Total	\$91,883,253

Last session, the Florida Legislature took the first steps in fixing the system that funds Clerk services.

Florida's Clerks of Court and Comptrollers **continue to face a serious budget challenge.**



PANDEMIC-RELATED BUDGET REDUCTION

CFY 2019-20 CCOC approved budget: \$458.5 million

- Reduced to \$404 million (\$54 million; over 12 percent)
 - Taken in 4th quarter; 50% reduction to 4th quarter expenditures
 - Operations impacted: Furloughs, layoffs, closures, delays

CFY 2020-21 CCOC approved budget: \$421.7 million

- Reduced over \$36 million (approximately 8 percent) from CFY 2019-20 approved budget



PANDEMIC RECOVERY PLAN

2021 Legislative Session

- Clerks' Pandemic Recovery Plan
 - Used the Courts' Pandemic Recovery Plan as a guide
 - Chair Perry sponsored LFIR 1993
 - \$6.25 million NR General Revenue approved

2022 Legislative Session Request

- Pandemic Recovery Plan – Phase II
 - \$6.25 million NR General Revenue
 - CCOC will continue working with the Courts to direct the resources



JUROR MANAGEMENT

2021 Legislative Session

- Juror Management – \$11.7 million recurring GR
 - Reverted \$2.4 million due to the suspension of jury trials
 - Appropriated for the same purpose in SFY 2021-22

2022 Legislative Session Request

- Request the same language for SFY 2022-23
 - Amount TBD



CCOC
FLORIDA CLERKS OF COURT
OPERATIONS CORPORATION

REIMBURSEMENT - PROTECTIVE INJUNCTIONS

Current law allows for the reimbursement for protective injunctions

- Protective injunctions include, Domestic Violence, Dating Violence, Sexual Violence, Repeat Violence, and Stalking
- Many clerks have staff on-call 24/7 to process these cases
 - \$40 reimbursement per petition, subject to appropriation

2022 Legislative Session Request

- Request \$3.2 million appropriated to OSCA to reimburse clerks for these cases



CCOC
FLORIDA CLERKS OF COURT
OPERATIONS CORPORATION



Questions?

CourtSmart Tag Report

Room: SB 37

Case No.:

Type:

Caption: Appropriations Subcommittee on Criminal and Civil Justice

Judge:

Started: 10/13/2021 3:32:31 PM

Ends: 10/13/2021 5:07:49 PM

Length: 01:35:19

3:32:29 PM	Sen. Perry (Chair)
3:33:40 PM	Tab 1 - Presentations on Agencies' Fiscal Year 2022-2023 Legislative Budget Requests
3:33:55 PM	Katie Cunningham, Deputy State Courts Administrator, Office of the State Courts Administrator
3:38:02 PM	Sen. Perry
3:38:05 PM	Clay Roberts, Judge, First District Court of Appeal
3:39:14 PM	Sen. Perry
3:39:15 PM	C. Roberts
3:39:23 PM	Sen. Perry
3:39:23 PM	Mark Mahon, Chief Judge, Fourth Judicial Circuit
3:42:08 PM	Sen. Perry
3:42:12 PM	M. Mahon
3:42:14 PM	Sen. Perry
3:42:23 PM	M. Mahon
3:43:46 PM	Sen. Perry
3:43:49 PM	M. Mahon
3:44:00 PM	K. Cunningham
3:48:23 PM	Sen. Perry
3:48:26 PM	Sen. Baxley
3:49:00 PM	K. Cunningham
3:49:00 PM	Sen. Perry
3:49:01 PM	K. Cunningham
3:49:47 PM	Sen. Perry
3:49:51 PM	Sen. Wright
3:50:02 PM	Sen. Wright
3:50:02 PM	K. Cunningham
3:50:04 PM	Sen. Wright
3:50:06 PM	Sen. Gainer
3:50:07 PM	K. Cunningham
3:50:08 PM	Sen. Perry
3:50:11 PM	Sen. Gainer
3:50:29 PM	K. Cunningham
3:52:18 PM	Sen. Perry
3:52:21 PM	Sen. Gainer
3:52:23 PM	Sen. Perry
3:52:25 PM	Sen. Gainer
3:53:05 PM	Sen. Perry
3:53:12 PM	K. Cunningham
3:53:12 PM	Sen. Perry
3:53:40 PM	K. Cunningham
3:53:48 PM	Jack Campbell, State Attorney, Second Judicial Circuit
4:01:34 PM	Sen. Perry
4:01:43 PM	Sen. Torres
4:01:59 PM	J. Campbell
4:02:00 PM	Sen. Perry
4:02:02 PM	J. Campbell
4:03:03 PM	Sen. Torres
4:03:04 PM	J. Campbell
4:03:05 PM	Sen. Perry
4:03:09 PM	Sen. Gainer
4:03:18 PM	J. Campbell
4:04:20 PM	Sen. Gainer
4:04:35 PM	J. Campbell

4:06:29 PM	Sen. Gainer
4:06:30 PM	J. Campbell
4:06:35 PM	Sen. Perry
4:06:37 PM	J. Campbell
4:06:38 PM	Sen. Perry
4:06:45 PM	Stacy Scott, Public Defender, Eighth Judicial Circuit
4:13:49 PM	Sen. Perry
4:13:52 PM	Sen. Torres
4:15:16 PM	S. Scott
4:15:49 PM	Sen. Perry
4:15:54 PM	Sen. Gainer
4:16:09 PM	S. Scott
4:16:10 PM	Sen. Gainer
4:16:11 PM	S. Scott
4:17:38 PM	Sen. Gainer
4:17:40 PM	S. Scott
4:17:43 PM	Sen. Perry
4:17:55 PM	Rip Colvin, Executive Director, Justice Administrative Commission
4:24:01 PM	Sen. Perry
4:24:03 PM	R. Colvin
4:24:03 PM	Sen. Perry
4:24:12 PM	Candice Brower, Regional Counsel, First DCA Region, Offices of Criminal Conflict and Civil Regional
Counsels	
4:24:14 PM	Sen. Perry
4:24:23 PM	C. Brower
4:32:30 PM	Sen. Perry
4:32:35 PM	Ita M. Neymotin, Regional Counsel, Second DCA Region, Offices of Criminal Conflict and Civil Regional
Counsels	
4:32:47 PM	Sen. Perry
4:33:00 PM	I. Neymotin
4:40:36 PM	Sen. Perry
4:40:39 PM	Sen. Baxley
4:40:48 PM	Sen. Perry
4:40:49 PM	I. Neymotin
4:43:24 PM	Sen. Baxley
4:44:01 PM	I. Neymotin
4:44:12 PM	Sen. Perry
4:44:13 PM	I. Neymotin
4:44:55 PM	Sen. Baxley
4:45:18 PM	I. Neymotin
4:45:18 PM	Sen. Baxley
4:45:22 PM	Sen. Perry
4:45:24 PM	Sen. Torres
4:45:28 PM	I. Neymotin
4:45:29 PM	Sen. Torres
4:46:33 PM	Sen. Perry
4:47:00 PM	I. Neymotin
4:47:01 PM	Sen. Perry
4:47:19 PM	I. Neymotin
4:47:20 PM	Sen. Perry
4:47:24 PM	I. Neymotin
4:47:26 PM	Sen. Perry
4:47:35 PM	Neal Dupree, Capital Collateral Regional Counsel, Southern Region
4:52:20 PM	Sen. Perry
4:52:48 PM	Dennis Moore, Interim Director, Statewide Guardian ad Litem Office
4:57:08 PM	Sen. Perry
4:57:10 PM	D. Moore
4:57:13 PM	Sen. Perry
4:57:25 PM	Jason Welty, Deputy Executive Director, Florida Clerks of Court Operations Corporation
5:07:16 PM	Sen. Perry

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐

For

☐

Against

☒

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

State Employee

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) ([flsenate.gov](#))

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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10-13-21

Meeting Date

Criminal & Civil Just. Approps

Committee

Budget

Bill Number or Topic

Amendment Barcode (if applicable)

Name Jason Welty

Phone 850-386-2223

Address 2560 Barrington Circle

Email j.welty@flccoc.org

Street

Tallahassee

FL

32308

City

State

Zip

Speaking: ☐ For ☐ Against ☒ Information OR Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:
Fl. Clerks of Court
operations Corporation

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

10/13/21

Meeting Date

GAL LBR

Bill Number or Topic

Sub. Com. Civil Frim Just

Committee

Amendment Barcode (if applicable)

Name

Statewide GAL Office

Phone

(813) 922-7213

Address

111 W. Madison Ste 614

Email

dennis.mazz@gal.fl.gov

Street

Tallahassee FL 32399

City

State

Zip

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

OCT 14, 2021

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

STACY SCOTT, Public Defender

Phone

352 338 7386

Address

151 SW 2nd Ave

Email

Street

Gainesville FL

City

State

Zip

Speaking:

☐

For

☐

Against

☒

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

10/13/21

Meeting Date

Counts LABR

Bill Number or Topic

Senate CJ Approps

Committee

Amendment Barcode (if applicable)

Name

Katie Cunningham

Phone

850-488-3733

Address

Supreme Court Building

Street

Email

Cunningham@flcourts.org

Tallahassee

City

FL

State

Zip

Speaking:

☐

For

☐

Against

☒

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

State Courts

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

10/13/21

Meeting Date

Senate CJ Approps

Committee

Courts LBR

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Judge Clay Roberts

Phone

850-488-3733

Address

Street

Email

City

State

Zip

Speaking:

☐

For

☐

Against

☒

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

10/13/21

Meeting Date

Courts LBR

Bill Number or Topic

Senate CJ Approps

Committee

Amendment Barcode (if applicable)

Name

Chief Judge Mark Mahon

Phone

850-488-3733

Address

Street

Email

City

State

Zip

Speaking:

☐

For

☐

Against

☒

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

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Senate professional staff conducting the meeting

CCRC Budget

Bill Number or Topic

Amendment Barcode (if applicable)

Committee

Name

NEAL DUPRE

Phone

954-713-1284

Address

1105 E. 6th St H701

Email

DUPRE@CCRC-FLA.Senate.gov

Street

FORT LAUD., FLA

State

33301

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

CCRC-SOUTH

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

13 OCT 21

Meeting Date

APP. SUBC. FOR CRIM & CIV Justice

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name Ita M. Neymotin

Phone 1 239 963 8174

Address 2101 McGregor St

Street

Email Ineymotin@FLRC2.ORG

Fort Myers

City

FL

State

33901

Zip

Speaking: ☐ For ☐ Against ☒ Information OR Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

OFFICE OF CRIMINAL CONFLICT AND
CIVIL REGIONAL COUNSEL 2nd DIST.

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) ([flsenate.gov](#))

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

Meeting Date

Bill Number or Topic

Amendment Barcode (if applicable)

10-13-21
Sen. Criminal + Civil Justice
Appropriations Sub

Name Alton "Rip" Colvin

Phone 850-408-2415

Address 227 N. Brorough St., Ste 2100
Street

Email rip.colvin@justreadmings.org

Tallahassee FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☒ Information OR Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Justice Administrative Commission

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Jack Campbell

Phone

Address

State Attorney Office

Email

Street

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)



THE FLORIDA SENATE

SENATOR JASON W.B. PIZZO

DISTRICT OFFICE:

5582 NE 4th Court
Suite 7B
Miami, FL 33137
Phone: 305.795.1205
pizzo.jason@flsenate.gov

SENATE OFFICE:

405 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399
Phone: 850.487.5038

STAFF:

Teri Cariota
Senior Legislative Aide
cariota.teri@flsenate.gov

Kayla Francis
District Legislative Aide
francis.kayla@flsenate.gov

COMMITTEE MEMBERSHIP:

Criminal Justice, *Chair*

Appropriations

Commerce & Tourism

Appropriations
Subcommittee on
Criminal & Civil Justice

Joint Committee on
Public Counsel Oversight

WILTON SIMPSON
President of the Senate

AARON BEAN
President Pro Tempore

October 12, 2021

The Honorable Chair Perry
406, Senate Office Building
404 S. Monroe Street
Tallahassee, FL 32399

Chair Perry,

My father's health has rapidly deteriorated and it's important for me to visit with him. For this reason, I am asking to be excused from the Appropriations Subcommittee on Criminal and Civil Justice Meeting taking place on October 13, 2021.

I appreciate your understanding during this difficult time.

Thank you,


Jason

cc: Marti Harkness, Staff Director



SENATE APPROPRIATIONS
RECEIVED
2021 OCT 12 AM 9:17
SENT TO: CHAIRMAN
STAFF