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**HOUSE OF REPRESENTATIVES
COMMITTEE ON
CRIMINAL JUSTICE APPROPRIATIONS
TRUST FUND RE-CREATION ANALYSIS**

BILL #: HB 1855 (PCB CJA 02-15)

RELATING TO: Mediation and Arbitration Trust Fund

SPONSOR(S): Committee on Criminal Justice Appropriations and Representative Ball

TIED BILL(S):

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) CRIMINAL JUSTICE APPROPRIATIONS YEAS 11 NAYS 0
 - (2)
 - (3)
 - (4)
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I. SUMMARY:

This legislation re-creates the Mediation and Arbitration Trust Fund, FLAIR number 222213, without modification. The Mediation and Arbitration Trust Fund is administered by the State Courts System.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

1. MAJOR STATUTES THAT CONTROL THE TRUST FUND:

Section 44.106, F.S., provides that the Supreme Court shall set standards for mediators and arbitrators, charge fees for certification, and appoint personnel as necessary to assist.

Section 44.108, F.S. creates the trust fund, provides for a service charge of no more than \$5 on circuit court proceedings, \$5 on county court proceedings, and \$45 on a petition for a modification of final judgment of dissolution, and provides that \$1 from each of the charges be transferred to the Supreme Court for deposit in the State Courts Mediation and Arbitration Trust Fund.

2. BRIEF DESCRIPTION OF THE FUND'S USES OR PURPOSES:

The receipts of the Mediation and Arbitration Trust Fund are expended on establishing minimum standards and procedures for qualifications, certification, professional conduct, discipline, and training for mediators and arbitrators.

For the 2001-2002 fiscal year, the Legislature appropriated \$2,262,032; however, \$1,500,000 of this amount is from a non-recurring fund shift adopted during special session C. Recurring appropriations are \$762,032.

3. MAJOR SOURCES OF REVENUE FOR THE FUND:

The primary sources of revenue for the Mediation and Arbitration Trust Fund are service charges on court proceedings and from fees charged to applicants for certification and renewal of certification. Total receipts from these charges and fees in the 2000-2001 fiscal year were \$492,045. Agency estimates for receipts from these charges and fees for the 2001-2002 fiscal year and the 2002-2003 fiscal year are both \$375,000.

B. EFFECT OF PROPOSED CHANGES:

This bill re-creates the trust fund without modification.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

IV. COMMENTS:

None.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VI. SIGNATURES:

COMMITTEE ON CRIMINAL JUSTICE APPROPRIATIONS:

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