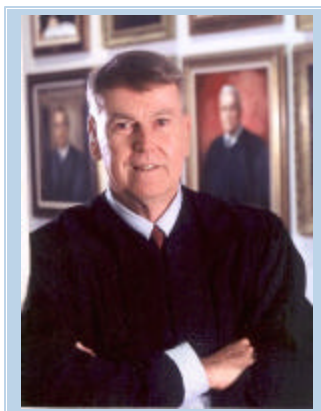


FULL COURT PRESS

A Message from Chief Justice Anstead



Hey, there is some good news. Once again our regular newsletter, Full Court Press, will be going out to judges and staff throughout the state courts system. As you may know, the earlier version of our newsletter fell victim to a previous round of budget cuts. But, the Office of the State Courts Administrator was able to hire a new communications staffer, Jennifer McCord-Hirst, who will coordinate future newsletters for us. This newsletter is critically important to the health of Florida's justice community because it, much like our local newspapers, is the way we communicate with one another.

To see that we get off to a good start, and continue this initiative, there are several favors I would like to ask.

First, due to budget constraints, it is not possible at this time for us to print large numbers of paper copies. Fortunately, today's technology makes it possible for us to produce and distribute the newsletter electronically. I ask that each of the courts redistribute Full Court Press either in electronic or paper copies to judges and all staff. That way we will ensure that the maximum number of people get copies.

Second, we want to include lots of news and information from you in the newsletter. We want the newsletter to be an accurate reflection of what is going on in Florida's justice community statewide, but especially at the local level. Please share with us your successes, awards received, and

articles you publish that may be of statewide interest. Whenever possible, include good photographs so that we can let people put a face to the name in print. Jennifer will be happy to work with you on this.

Lastly, please share with us any ideas you have for material to include in Full Court Press. You in the field often see issues of importance arise before we hear about them in Tallahassee. Sharing insights about looming problems is one reason we have revived this newsletter, to better inform all of our courts.

On a personal note, I want to thank all of you in the justice system for your incredible hard work helping with the legislative process. The preeminent issues facing the courts, implementation of Revision 7 and next year's budget, remain unresolved as of this writing.

(continued on back cover)

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The Legislature Wrestles with Revision 7

By J. William Lockhart, Sixth Judicial Circuit Court Administrator

On July 1, 2004, the date that our courts system will transition to state funding, about 15,000 persons will enter the courthouses of this circuit. On that day, more than 1,820 cases will be disposed of by judges of the circuit. That's 364,000 cases annually.



I cite the statistics of our circuit to make a point – the Sixth Judicial Circuit is a very large and a very complex organization. It is made up of highly sophisticated systems that have evolved over a long period of time. It functions well and it functions efficiently, largely because of the dedication of many professionals who have been committed to public service and public accountability. It has a long history of innovation and adaptation. And, most importantly, it has established a culture of excellence.

The question on the minds of everyone who works with the State Courts System is whether the state legislature will provide adequate resources to ensure that these cases will be processed in an orderly and efficient manner when state funding takes effect.

In an arduous and continuing effort, the Trial Court Budget Commission, chaired by Circuit Judge Susan F. Schaeffer, is considering and recommending to the legislature the minimal resources needed to provide for the essential elements of the judicial process. It is not an easy task to accomplish, for it is filled with a vast array of questions and panoply of complex issues to consider.

In my mind, there is hope that our legislative leaders will see this constitutional mandate as an opportunity to improve the entire State Courts System. Our judicial system, whether administered in urban Pinellas County or rural Liberty County, should be provided with reasonable and necessary resources to ensure that all Florida citizens are given the same services and attention to their disputes.

Within the Sixth Judicial Circuit, there is no doubt in my mind that the tradition of excellence will continue past the date that the state assumes the responsibility for funding the State Courts System. Excellence has a way of surviving, even during stressful times. In other words, our doubts about sufficient funding will be overshadowed by the continuing commitment to a quality judicial process that has been created by the judges and staff of the circuit.

My friend, Mike Bridenback, Trial Court Administrator in the 13th Circuit, has outlined five areas that we may consider as critical in making sure that this commitment continues. I have paraphrased his remarks at a recent conference:

- There will be a need for greater cooperation and coordination among all elements of the State Courts System such that resources are apportioned fairly among all of the judicial circuits.

- The courts, will of necessity, have to examine and employ new business models to reduce costs and perform more effectively. In this regard, our need to employ technology will grow enormously. The technologies we employ today will appear primitive compared with what will necessarily be in place within five years.
- Performance measures will be the norm as accountability becomes the central focus for obtaining resources. As resources diminish, accountability for how we accomplish work will grow.
- Relationships will change. A greater emphasis upon the legislative process will be necessary as the shift moves to the state level. Knowing legislators from Gainesville and Key West will be just as important as knowing a local County Commissioner.
- Adaptability and flexibility will be necessary because of the changes to come. Our current way of doing things will be replaced and then replaced again.

Mike's thoughts go to the heart of the revolutionary change, which will soon affect the State Courts System. So, Mike's thoughts are on point. His keenest insight was to point out that we will have to find new business models for the resolution of disputes. We must adopt and share successful best practices, regardless of where they emerge.

The oncoming shift to state funding will alter the essential nature and context of the courts. This should allow the courts to do something that is not possible in its present reality, that is, to seize Revision 7 and use it to shape something new and better.

This transformation should take advantage of the distributed intelligence of the entire organization and allow for the emergence of new strategies, structures, processes, and practices. We should work for a shared culture of reinvention in creating a new and desirable future.

It could very well be true that Revision 7 is the stimulus that will give birth to a better courts system in Florida. This will not occur, however, unless the State Courts System undertakes an effort to define the essential elements for which it should be held accountable.

The Trial Court Budget Commission has made great strides in this effort. But, beyond the need to define the essential components of a courts system, is the need to think about and debate how we might ensure that the citizens of Florida who participate in the judicial process come away with a feeling that fairness and quality service were the hallmarks of their experience. This goes to the core of what a judicial system is and should be.

It is my fondest hope that the leadership of our state will consider this last thought the most vital.

I see the emergence of new leadership models as the shift from local control moves to the state level. These models will focus on the ability to anticipate change, the capacity to learn new ways of doing things, and how to build adaptive organizations. Such ideas are found within discoveries in the biological sciences. Learning organizations survive.

Getting Ready for FY2K+ 4

by Peggy Horvath, Chief of Strategic Planning

Organizationally unified since 1972, our court system will soon realize *budgetary* unification, creating the necessity for a higher level of administrative unification, operational coherence, and accountability. As Bill Lockhart's article points out, this will require redefining roles, relationships, and operational structures in a manner that will not only implement the intent of Revision 7, but also meet the Legislature's demand for "good business practices" in the delivery of services. The legislation implementing Revision 7 will not possess miraculous self-executing powers; steps must be taken to ensure that our trial courts will be running smoothly on July 1, 2004 and beyond. The Funding Methodology Subcommittee of the Trial Court Budget Commission (TCBC) has been working with trial court administrators and staff to build a greater understanding of the current delivery of services, the costs of those services, and factors that influence variation among the various circuits. This will allow individual trial courts and the TCBC to identify strategies and steps necessary for the preparation of the FY 2004-05 legislative budget request. Recently, staff from the OSCA Budget Office visited eight circuits to learn how courts purchase and pay for goods and services, prepare and manage contracts, provide personnel support, and oversee budgets. During these site visits, staff spoke with court administrators to learn more about their concerns and preferences. Further, a video teleconference was conducted with the remaining circuits to obtain their views, concerns and recommendations. The information gleaned from the site visits and the videoteleconference is being used to develop different general administration implementation options representing various operational relationships between the OSCA and the trial courts.

Additionally, the trial court administrators are currently working hard on the "due process" elements of Revision 7 – court reporting, court interpreting, and expert witnesses – elements where current per-unit expenditure data varies widely among circuits. The first item of importance will be to differentiate expenditures and operational structures responsible subsequent to July 1, 2004, whether it be public defenders, state attorneys or private counsel. For example, in the past it was not necessary for local budgets to distinguish between interpretations and costs incurred for court proceedings or public defender state budget, this will be an important distinction for all due process elements. Finally, the Funding Methodology Subcommittee will seek to identify where differences in judicial, management, or operational practices may have resulted in potentially unjustifiable variations in per unit expenditures. This analysis will lend itself to the identification of "best practices" to accommodate the new budgetary realities. Examples of "best practices" might include things such as scheduling policies that minimize the time a court interpreter spends "on stand-by," or cost avoidance and technology applications for court reporting that maximize staff efforts or minimize the need for additional staff.

The legislation implementing Revision 7 will not possess miraculous self-executing powers.

OSCA Takes a New Approach in Reporting Trial Court Statistics

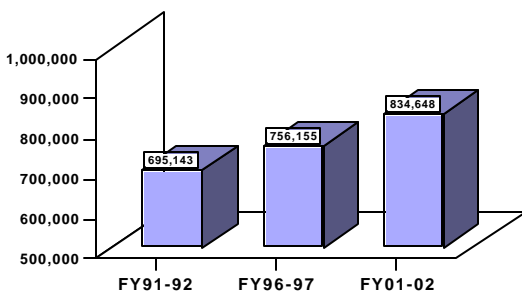
by Sharon E. Buckingham, Senior Court Analyst II, Court Services

Behind the scenes of Florida's Court System is the collection of a highly essential component. This component is court statistics. Statistics provide the guideposts of the work accomplished by the entire court system. Without the collection of court data, the judicial branch would be unable to quantify its caseload and workload.

From the Summary Reporting System and Offender-Based Transaction System to Jimmy Ryce and Jury Management data, trial court statistics are collected, maintained, and utilized not only to represent judicial workload, but also to provide justification for resources and to provide insight for the improved management of cases. Decisions related to Revision 7, performance-based program budgeting, long-range program planning, and the certification of new judgeships are all dependent upon the collection of court data.

For this reason, the Office of the State Courts Administrator (OSCA) has continued to stress the importance of maintaining and reporting timely and accurate court statistics. Recently, the OSCA has set out to accomplish this task using a proactive approach. This approach involves the production and distribution of annual statistical reports both online and in hard-copy.

Circuit Court Filings
FY1991-92 to FY2001-02



In Spring 2002, the OSCA published the *Statistical Reference Guide to Florida's Trial Courts for Fiscal Year 2000-01*, the first comprehensive statistical guide of its kind to be produced by the OSCA in over a decade. This guide (created

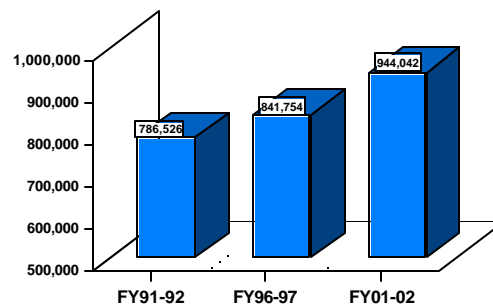
from Summary Reporting System data provided by Florida's sixty-seven clerks of court) furnishes the reader with data for each court division and for each of the twenty judicial circuits and sixty-seven counties. The second issue of the *Statistical Reference Guide to Florida's Trial Courts* for Fiscal Year 2001-02 is scheduled for distribution in early May 2003. Both issues of the *Statistical Reference Guide* may be found online at www.flcourts.org.

Along with the reference guides, web users may also access even more discrete online statistical reports. Users may select various options such as time frame, location, and court division to produce reports on filings, dispositions, and special proceedings for a multitude of trial court case types. Each year, additional reports will be added to the web site.

Also scheduled for May 2003, a newsletter titled, "Trial Court Fact Sheet," will be distributed to State Court Administration Offices around the United States and to other national and state organizations. The newsletter will provide summary statistics similar to those in the two graphs below and direct readers to the Florida State Courts web site for more details.

As the efficient utilization of resources becomes an ever increasing focus of the judicial branch, the collection and maintenance of court data will also become that much more important. Consequently, the OSCA will continue its dedication to reporting easily accessible, consistent, and accurate court statistics.

County Court Filings*
FY1991-92 to FY2001-02



Summit on Family Courts hosted by the Tenth Judicial Circuit

By Linda McNeill, Senior Court Analyst I, Court Improvement

The Tenth Judicial Circuit received special recognition for hosting the largest local Summit on Family Courts on April 24th in Bartow. Hats off to Circuit Judge Robert Doyel and court administration staff for the success of this one-day professional development event that attracted over 450 participants from the local court community. Attendees included: judges, court staff, lawyers, child advocates, representatives from Department of Juvenile Justice, Department of Children and Family Services, law enforcement, school and medical personnel. The conference kicked off with a keynote address from



Chief Justice Harry Lee Anstead who shared personal experiences illustrating how important child professionals were in helping his family navigate “the system” and how the need for a helping hand from a concerned professional is still critical today in assisting families and children. He stressed to the summit participants that their role in a family’s life, however large or small, is important and could make that difference in overcoming obstacles towards success. Chief Justice Anstead extended a personal thank you to all the attendees for their important work on behalf of himself and his family, as well as, for children and families today.

After the plenary, participants were able to choose between six different learning tracks:

- general interest,
- education and school professionals,
- court personnel,
- legal issues,
- interviewing child victims of abuse, and
- insight on parent-child bonding and attachment.



Speakers included the Honorable Charles Davis from the Second District Court of Appeals on “Recent Developments in Family Litigation,” Barry Rigby from the Florida Bar Association on “Ethics and Professionalism Relative to Unbundled Legal Services,” Thomas Knobbe, PhD from Florida State University on “Parent-Child Bonding” and Terry Thomas, Special Agent from Florida Department of Law Enforcement on “Interviewing Child Victims.” Several recent assessments completed by the OSCA Office of Court Improvement were also highlighted

with Christopher Hill, Court Operations Consultant, presenting on “Delinquency Court” and Joanne Snair, Senior Court Analyst II, co-presenting with Judge Robert Doyel the “Preferred Practices in Domestic Violence Court.” Judge Doyel, who chairs the Domestic Violence subcommittee of the Steering Committee of Families and Children in Court, has been a leader in shaping policy in court improvement initiatives involving families and children.

Florida College of Advanced Judicial Studies

by Eydie A. Nash, Staff Attorney, OSCA Legal Affairs and Education

Applications are currently being accepted for courses to be offered at the 2003 Florida College of Advanced Judicial Studies (AJS). This will be the last college held in the fall. The 2004 college will be held in the spring. In order to successfully transition to the spring, the fall 2003 and spring 2004 colleges will each include three days of courses. The college will then return to a five-day schedule in the spring of 2005.

The purpose of AJS is to develop comprehensive, coordinated educational opportunities for those experienced judges preparing for new judicial assignments, as well as for mid-career judges in county, circuit or appellate courts looking for enrichment courses. Florida Court Education Council policy requires county judges who have recently been appointed or elected to circuit court to attend AJS in their first year at the circuit level. Additionally, judges presiding over a capital case in which the death penalty is sought or collateral proceedings brought by a death row inmate, must successfully complete the "Handling Capital Cases" course offered through AJS. Plans include offering the "Handling Capital Cases" course at both the fall 2003 and spring 2004 college. The college also provides enrichment courses for court personnel. The fall 2003 college will include a Trial Court Administrators' Course. Planning includes a General Master's course for the Spring 2004 college.

Enrollment is limited and registration is on a first-come, first-served basis. The course catalog, including the application, is available online at www.flcourts.org. If you have any questions, please call Shenika Brown, Program Coordinator, at (850) 488-8624 or Beverly Brown, Lead Program Coordinator, at (850) 922-5084. The application deadline is June 16, 2003.



Circuit Judge Jennifer Bailey, Dean, Florida College of Advanced Judicial Studies

Employee Recognition Ceremony Tradition Continues; Thirteenth Judicial Circuit Awards "Employee of the Year"

Amidst some somber times with the fighting ending in Iraq and the turmoil associated with the implementation of Article V, the Employee Recognition Ceremony allowed Chief Judge Manuel Menendez and Court Administrator Mike Bridenback to acknowledge some of the accomplishments the staff achieved in 2002. On May 9, 2003, mentors were recognized, along with those employees who received special recognition from their managers for exceptional performance during the past year. In addition to service awards for milestone anniversaries, awards were also presented to individuals throughout court administration, who were nominated by their co-workers. Senior Court Operations Consultant, Rick Melendi, received the Employee of the Year Award as he has consistently exceeded expectations in all work efforts and has exemplified the quality of our visions and values statement.

Thirteenth Circuit Students Query Judges and Attorneys During Law Week

“Have you ever made a mistake and sent a child to live with the wrong parent?” one ten year old boy asked Judge Monica Sierra during the annual courthouse tours. This question was on the heels of another tough inquiry regarding how judges decide which parent a child should live with. State Attorney Mark Ober and Public Defender Julianne Holt responded to a few fact based patterned questions regarding their jobs also. After fielding a few probing questions himself, Chief Judge Manuel Menendez turned the tables by asking the students about the importance of judicial independence, as that was the theme selected by the American Bar Association this year to celebrate Law Week.

The annual Law Week activities include courthouse tours, which are led by the Young Lawyers Division of the Hillsborough County Bar Association. Court administrative staff assist in the tours by coordinating interactive events from April 28 - May 2, 2003. Judges volunteered to talk with the students each day and were joined by representatives from the State Attorney and Public Defender offices. In addition, Juvenile Diversionary Program staff facilitated a mock teen court hearing, capturing the attention of the fifth grade students. Lora Karas, Alternative Sanctions Coordinator, asked the students to raise their hands if they knew anyone who had ever shoplifted. While some were very surprised that more than 90 percent of the hands were raised, she was not, as she announced that petit theft is the number one crime alleged in the cases her program receives.

Committee Issues Report on Guardianship Monitoring in Florida

by Judges Mel Grossman, Seventeenth Judicial Circuit and Patricia Thomas, Fifth Judicial Circuit

The population of the nation is aging at an unbelievable and unprecedented rate. During the 20th Century the life span of the average American nearly doubled, and the over 65 population is expected to rise 70% between 2010 and 2030. Florida has the greatest proportion of residents over 65, at 2.7 million or 18.3% of the population. Elders are becoming more isolated from their families, and those living alone are more likely to be poor and in need of social services than elders living in a familial-type relationship. Additionally, adults of any age may be incapacitated due to a developmental disability, mental illness, or other condition. These circumstances will influence public policy considerations for the foreseeable future.

A guardian is a surrogate decision-maker appointed by the court to make personal and/or financial decisions for either (1) an adult with mental or physical disabilities who has been adjudicated incapacitated; or (2) a minor in circumstances where the parents die or become incapacitated or if a child receives an inheritance, proceeds of a lawsuit, or insurance policy exceeding the amount allowed by statute. There are between 30,000 and 40,000 open guardianships in Florida at any given time. Individuals who are the subject of guardianship proceedings are among the most vulnerable members of society. When the court removes an adult's rights to order his or her

(continued on next page)

own affairs, there is an accompanying duty to protect the individual.

The Committee on Guardianship Monitoring recently issued its report ***Guardianship Monitoring in Florida: Fulfilling the Court's Duty to Protect Wards***. The report was developed in response to a directive from the Supreme Court to investigate various models for guardianship monitoring. The project also reflects the State Courts System's ongoing commitment to evaluate and improve court responsiveness to elders and individuals with disabilities.

The role of a guardian is highly complex, involving legal, social, financial, and psychological dimensions. While the overwhelming majority of guardians and attorneys do an admirable job, the committee found it is necessary for courts to actively exercise their oversight responsibility in guardianship matters.

The report recommends minimum standards for guardianship monitoring, identifies the components of an ideal monitoring program, and provides a detailed description of each component. It is sound public policy for guardianship monitoring programs to be adequately funded in every judicial circuit, either by the State of Florida or by local government, the committee concluded. The report recommends flexibility in implementing different models in the circuit courts, depending on caseload and other local requirements. The report also includes suggestions to mitigate the cost of guardianship monitoring through the effective use of technology and other means.

The report is sparking interest from state and national organizations. The Probate Rules Committee of The Florida Bar is evaluating the need for rules of court procedure related to guardianship monitoring, based on recommendations within the report. The National Center on Elder Abuse requested information on the project for possible inclusion in their "Promising Practices." The United States General Accounting Office is working with the United States Senate Select Committee on Aging to study guardianship monitoring and accountability and is reviewing the Florida report for useful information. The committee is pleased to contribute to the growing body of research and discussion on the important issues associated with guardianship matters.

Guardianship Monitoring Committee Members

Judge Mel Grossman, co-chair, circuit court judge, 17th Circuit
Judge Patricia Thomas, co-chair, circuit court judge, 5th Circuit
Ms. Karen Campbell, public guardian, 2nd Circuit
Mr. Clay Craig, attorney
Mr. John DeGroot, Office of the Attorney General
Mr. Joseph George, attorney
Mr. John Grant, attorney
Judge George Greer, circuit court judge, 6th Circuit
Ms. April Hill, attorney
Mr. Steven Holloway, Ph.D., Barry University
Ms. Maria Diaz Lowry, court investigator/monitor, 17th Circuit
Mr. Richard Milstein, attorney
Chief Judge Donald R. Moran, Jr., 4th Circuit
Chief Judge Belvin Perry, Jr., 9th Circuit
Mr. John Pettila, executive director, Office of the Statewide Public Guardian
Mr. Steven E. Quinnell, attorney
Judge Susan Sexton, circuit court judge, 13th Circuit

Jurors Are Valuable Contributors

By W. Douglas Baird, Circuit Judge, Sixth Judicial Circuit

This article was written in lieu of Juror Appreciation Day which several states observe on Law Day, May 2nd.

Generally, life in the United States does not demand a high degree of civic participation. We vote of course, but not in very great numbers. We may occasionally attend a meeting of the city council or school board, when some matter directly affecting us is being considered. Most of us in this representative democracy are blissfully unaware of who represents us in Tallahassee, or even in Washington.

Pundits and social theorists wring their hands and loudly forecast that dire consequences will inevitably result from this public apathy that is almost uniquely American. In spite of their concerns, this apathy probably only mirrors the population's level of contentment with the functioning of its major institutions, governmental and otherwise.

Some lack of public participation is understandable, maybe even desirable. After all, if it's not broke, why fix it – or even pay attention to it. Since the tragic events of Sept. 11, there has been a reawakening of national and civic pride. We have a renewed appreciation for the many benefits that our democratic freedoms have produced, and how easily they can be threatened if we fail to support the institutions that protect them. In spite of this recognition, civic life still demands very little from us as citizens.

In the '60s, President Kennedy suggested that we ask what we could do for our country, but since the demise of the military draft, our country has not asked us for much. Even as our young men and women are fighting and dying overseas, those of us that remain at home are not required to alter our private pursuits or sacrifice our time and attention for the common welfare. Yet there remains one exceptional civic obligation that we are still responsible for fulfilling – jury duty.

While jury service is often considered in less grandiose terms by those who receive their notice, I am consistently inspired by the seriousness and dedication that jurors bring to their duty.

From the standpoint of the dry requirements of the law, jurors are fact-finders. They listen to the testimony, examine the evidence and determine what happened. Then they apply the legal concepts on which they have been instructed, to the facts as they find them, and render a verdict. It's that simple – and that profound. Why? What is so inspiring about the participation of ordinary citizens in the daily parade of conflict that defines our civil and criminal justice system? For me, it is nothing less than the pure essence of the democratic ideal. You might think that is a little over the top, but stay with me on this.

We are accustomed to associating democracy primarily with the election of those who govern us. That is indeed a fundamental element of our government tradition. But popularly elected government is still a step away from the idea of pure democracy; it is something less - it is a representa-

tive democracy. We elect those who enact laws, but we seldom make the laws ourselves. We are left to largely depend upon those elected representatives to shape and define how we interact with the authority of government as a society. The participation of the public in deciding disputes, by jury through our legal system, is not a representative exercise.

For jurors it's personal, and the fact that we as a society consent to place the fate of each other's lives and property in the hands of randomly selected ordinary citizens says something about us. What does it say? Primarily, it says that we trust our fellow citizens enough to give them the power of decision over the affairs of others. This is the genius of democracy - the acceptance, the leap of faith in the extraordinary concept that giving each citizen a personal stake in his or her government will improve the government for all. It also says something about us that the pool of citizens that are invited to participate in this very democratic process has continued to expand.

Initially, only property owners could participate. Then registered voters were included, followed by women, minorities and ultimately - licensed drivers. Now there's a scary thought. But it only serves to reinforce the confidence we place in the intelligence and judgment of ordinary citizens. We don't require a college degree. We don't demand some external manifestation of success or wealth. We impose no restriction by race, or gender, or religious affiliation. It is pure democracy, or as pure as we can make it, and the results justify our belief in the concept.

Day after day, in cases novel and routine, groups of ordinary people come together briefly to pass judgment on the affairs of others. They are a diverse group indeed and strangers to each other, but they consistently display a dedication to their task and wisdom in their verdicts that is truly - inspiring.

We don't regularly celebrate the service of jurors with parades and holidays. We don't pay them much, and we often demand long hours of effort over days and weeks. That lack of recognition only serves to demonstrate how routinely we take their required public service for granted. But this public service has its own intangible rewards, as almost any juror will tell you, and that seems to be more than enough. So when your neighbor or co-worker is called for jury service, be sure to thank him or her. They will be serving you, and satisfying a unique obligation to continue a tradition that defines the Constitutional promise of justice for all of us.

Day after day, in cases novel and routine, groups of ordinary people come together briefly to pass judgment on the affairs of others. They are a diverse group indeed and strangers to each other, but they consistently display a dedication to their task and wisdom in their verdicts that is truly - inspiring.

Meet the Supreme Court Justices and DCA & Circuit Court Chief Judges (effective July 1, 2003)

Supreme Court



Chief Justice Harry Lee Anstead



Justice
Raoul G. Cantero, III



Justice
R. Fred Lewis



Justice
Barbara J. Pariente



Justice
Peggy A. Quince



Justice
Charles T. Wells



Justice
Kenneth B. Bell

District Courts of Appeal



1st DCA Chief Judge
James R. Wolf



2nd DCA Chief Judge
Chris W. Altenbernd



3rd DCA Chief Judge
Alan R. Shwartz



4th DCA Chief Judge
Gary M. Farmer



5th DCA Chief Judge
Thomas D. Sawaya

Circuit Courts

First Circuit,
Chief Judge Kim A. Skievaski



Third Circuit,
Chief Judge Julian E. Collins



Fifth Circuit,
Chief Judge Victor J. Musleh



Seventh Circuit,
Chief Judge Julianne Piggotte



Second Circuit,
Chief Judge Charles A. Francis



Fourth Circuit,
Chief Judge Donald R. Moran, Jr.



Sixth Circuit,
Chief Judge David A. Demers



Eighth Circuit,
Chief Judge Stan R. Morris



**Ninth Circuit,
Chief Judge Belvin Perry, Jr.**



**Eleventh Circuit,
Chief Judge Joseph P. Farina**



**Thirteenth Circuit,
Chief Judge Manuel Menedez, Jr.**



**Fifteenth Circuit,
Chief Judge Edward H. Fine**



**Seventeenth Circuit,
Chief Judge Dale Ross**



**Nineteenth Circuit,
Chief Judge Cynthia G. Angelos**



**Tenth Circuit,
Chief Judge Ronald A. Herring**



**Twelfth Circuit,
Chief Judge Robert B. Bennett, Jr.**



**Fourteenth Circuit,
Chief Judge Judy Markham Pittman**



**Sixteenth Circuit,
Chief Judge Richard G. Payne**



**Eighteenth Circuit,
Chief Judge James E. C. Perry**



**Twentieth Circuit,
Chief Judge Hugh D. Hayes**



Tangible Accomplishments and Remaining Vulnerabilities Emergency Preparedness in the Florida State Courts

By Greg Cowan, *Court Operations Consultant, Court Services*

Based on directions provided by both Chief Justice Charles T. Wells and Chief Justice Harry Lee Anstead, judges, administrators, and staff in each of the appellate and trial courts are developing emergency preparedness plans for their courts. The development of these plans has followed upon the guidance provided by the Florida Supreme Court Work Group on Emergency Preparedness chaired by Mr. J. William Lockhart, Circuit Court Administrator in the Sixth Judicial Circuit.

Supporting these efforts are staff from the General Services and Court Services sections of the Office of the State Courts Administrator. Specific support being provided includes:

1. Conducting two statewide training sessions;
2. Educating court personnel on the basic process for responding to emergencies;
3. Developing and disseminating eight detailed fill-in-the-blank templates;
4. Establishing and updating a list of emergency coordinating officers;
5. Utilizing both the Internet and Intranet as a means to disseminate information; and
6. Securing consultants to provide technical assistance as requested by appellate and trial court personnel.

Utilizing this support, a number of courts have already completed their plans, and a majority of courts have indicated they will have their plans completed by June 30, 2003.

While significant progress has been made in the preparedness of our courts and the Florida State Courts System appears to be in the forefront on these issues among state court systems in the country, vulnerabilities to our judges, staff, visitors, facilities, records, and infrastructure remain. Among other items requiring further attention are improving our records retention and retrieval, developing and providing training for chief judges, and developing a strategy to follow-up with any court after an emergency event to assess the effectiveness of their plan.

While the completion of plans in each appellate and trial court will represent a real, tangible accomplishment, the plans do not represent finished or static products and do not represent the end of the process. Rather, the plans represent the completion of the first step in the continuing process of emergency preparedness.

As was stated by Mr. Lockhart in the final report of the Work Group on Emergency Preparedness, "Preparing for threats and emergencies is an ongoing and living requirement..."



Overview of Trial Court Assessment Project

by *Christina Blakeslee, IRM Consultant, Information Support Services*

During Fiscal Year 2000-2001, funding was allocated to perform a statewide assessment to determine the needs of the judges and to develop a strategic technology plan for the courts. In order to accomplish this project, certain tasks were performed by the Trial Court Technology Committee (TCTC), under the direction of the Chairman, Judge Charles A. Francis.

The first phase of the Trial Court Assessment project was to hold Joint Application Development (JAD) sessions. These JAD sessions were held to determine the informational needs and requirements of the trial courts in each of the court divisions and systems (criminal, civil, juvenile, probate, traffic, family, drug court, jury, and witness). Participants included representation from judges, court administrators, state attorneys, public defenders, clerks, law enforcement, case managers, other applicable state agencies, and any agency with interest in entering or retrieving data and information.

Another process utilized was for the Information System Services Division of OSCA to perform an infrastructure survey that details the entire hardware, software, networking and courtroom infrastructure for all 67 counties.

The final step in the assessment was to create a strategic plan that documents initiatives, strategies and milestones, in addition to budgetary estimates for achieving long-term goals and visions through a series of incremental steps providing quick wins, accountability, and constantly improving functionality and benefit.

The outcome of this project was a Functional Requirements and Data Elements document, and an Integration and Interoperability Document which outlines the standards for technology in the judicial information environment. The final document was the Judicial Information Strategic Plan. These documents were approved by the Trial Court Technology Committee and the Florida Courts Technology Commission on October 25, 2002.

On April 8, 2003, an administrative order was issued by the Supreme Court mandating the following actions:

1. Each circuit court and clerk of the court that undertakes to develop new data systems and/or upgrades to existing hardware and software for the storage and maintenance of trial court data and records must adhere to the Functional Requirements Document, Technical Standards, and the Strategic Plan as approved by the Florida Courts Technology Commission.

2. Before a system that maintains trial court data and records may be implemented by a circuit court or clerk of court, whether it is vendor created or internally created, the specifications must be submitted for approval to the Florida Courts Technology Commission to ensure that the system meets the criteria set forth in the Functional Requirements Document, Technical Standards, and Strategic Plan.

3. In order to maintain standardization within the circuits, each judicial circuit must develop a strategic plan for local implementation that is consistent with the statewide Strategic Plan. The circuit strategic plan must identify future technology initiatives in the circuit and must be submitted by October 1, 2003, to the Florida Courts Technology Commission for approval.

4. By October 1st of each subsequent year, each judicial circuit shall develop an annual operational plan that must be presented to the Florida Courts Technology Commission for approval. This operational plan will outline the tasks to be accomplished during the upcoming fiscal year and the estimated cost to achieve the tasks. To the extent that there are revenues associated with any such initiative, the revenues should also be identified.

DIVISION UPDATE

FAMILY...traveling around the County to better serve you!

The Family Division of the Eleventh Judicial Circuit is on a roll... On February 28, 2003, Administrative Judge Joel Brown, his bailiff Robert Morcate along with members from the AOC, including a court interpreter, security personnel, and staff from the Clerk's Office rolled into the parking lot of the Caleb Center where court was held inside Miami-Dade County's Government on the Go bus. It was the first-time a court service was "driven" right to the people of Miami-Dade County.



This "trial run" provided sixteen uncontested divorces whose paperwork and case had been handled by Family Court's Self Help Project. According to Self Help paralegal Juan Camenate, "this is the future! Besides being able to provide the community with information, we are able to provide a real service."

Preparations for an undertaking such as this took nearly two months and were a collaborative effort between the Self Help Unit and the Clerk's Office.

Judicial Automated Calendaring System a Success

In 1999, the 12th Judicial Circuit Court partnered with Infocom System Services to develop the Judicial Automated Calendaring System (JACS) that allowed attorneys to schedule hearings of one hour or less without contacting the Court directly. The 12th Judicial Circuit Court had pioneered a similar system in Circuit Civil during the early 1990s. Using IVR and Internet technology, this new application provides attorneys with available hearing dates and times (customized for each judge), judicial requirements regarding setting hearings, and scheduling confirmations via fax or email. Judicial Assistants set up Judge's calendars and can block designated days and times from being scheduled (i.e., if a judge is going to a conference or on vacation) but are now freed from handling those phone calls.

The 12th Circuit has recently upgraded JACS to allow calendars to be set up and maintained with a high degree of flexibility for a Judge, hearing officer or mediator.

Below are the different options attorneys have using JACS on the Web:



- Schedule an In-Person hearing
- Schedule a telephone hearing
- Print a confirmation page immediately upon completion of the scheduling event
- Cancel a hearing
- Re-schedule a hearing
- List previously scheduled hearings
- Display a list of available hearing dates
- View and print Judges requirements
- Change Courts
- Access Docket Reports

For illustration, during the two months of October and November 2002, approximately 10,000 hearings were scheduled with over half scheduled via the Internet.

The web-based system also has a security feature that requires the user to provide a login and password and has 24/7 access. The 12th Judicial Circuit Court also provides 24/7 access to JACS on the phone for those attorneys who do not have access to the Internet. The phone numbers to access JACS are (941) 951-JACS for Manatee County only and (941) 861-JACS for Sarasota County and all other locations.

Judicial Administration

by Carol Lee Ortman, Seventeenth Judicial Circuit Court Administrator

Early in the 2003 Regular Legislative Session, it became apparent that there was some confusion and lack of understanding of the purpose of judicial administration, the respective roles of state court administration, trial court administration, and the clerk of court. As a result, many trial court judges and administrators worked diligently to clarify issues and ensure that the judicial branch retained the ability and authority to manage its internal operations.

Judicial administration is not just what judges and administrators do in an administrative context, rather it is those administrative systems and skills that allow the branch to adjudicate without external pressure. Contrary to testimony offered by an attorney during a meeting of the House Select Committee on Article V, the clerks of court are not the administrative arm of the court.

Rather, they perform their constitutional function independent of the judiciary and separate from the administrative direction of the court. Reliance on entities external to the judicial branch for administrative support threatens the constitutional plan for an independent judiciary. Our courts must have the capacity to manage their affairs, including executive direction, operations management, and general administration.

Along with the questions about the purpose of judicial administration, the branch also fielded questions about the respective roles of the OSCA and trial court administration. As one legislator put it to TCBC Chair Judge Susan Schaeffer, "Which would you rather have?" Fortunately, we were able to successfully explain that both perform a unique function and both are necessary.

Just as a lawyer in the courtroom may not recognize the role that trial court administration plays in ensuring that judges can devote their full atten-

tion to adjudicative responsibilities, many judges do not realize the important role of OSCA and trial court administration in ensuring the smooth functioning of the court system.

OSCA directly supports the chief judges and court administrators' ability to manage local court operations by providing an array of analytical, logistical, technical assistance, and operational support services. Principle among these are preparation and management of the state courts budget; finance and accounting, procurement, personnel and Florida Retirement System expertise; strategic and long-range planning; data collection, statistical analysis, and reporting on the caseloads of state courts; policy research and recommendations; general counsel and legal support; and continuing judicial education programs.

Reliance on entities external to the judicial branch for administrative support threatens the constitutional plan for an independent judiciary.

Trial court administration is critical to the chief judges' ability to perform their constitutional responsibilities related to the administrative supervision of their respective courts, permitting the court to improve the efficiency of court operations and allows judges to focus their time and attention on adjudicatory activities, rather than administrative responsibilities.

In addition to providing traditional administrative services (budgeting, planning, personnel, contracting, purchasing, mail processing), trial court administration provides goal setting and leadership in coordination with administrative judges; analyzing court operations and case management strategies; conducting research and measuring court performance; formulating and implementing management policies; coordinating relationships with the local bar, government agencies, community service providers, and the public; and generally, exercising administrative control of all non-adjudicative court activities.

Florida Recognizes National Drug Court Month

by Jennifer Grandal, Senior Court Analyst, Court Improvement

In recognition and celebration of April as “National Drug Court Month,” 36 drug court programs from ten judicial circuits throughout Florida participated in the Fourth Annual Statewide Drug Court Graduation on Wednesday, May 7, 2003. Governor Jeb Bush and Chief Justice Harry Lee Anstead addressed graduates from Florida’s drug court programs around the state via the State Courts Video-Conferencing Network from this year’s host site, Pensacola.

During the event, graduates of Florida drug courts—those who have completed treatment and counseling—were recognized. Pensacola hosted the opening ceremonies for this year’s graduation, with drug courts participating in the statewide event via the Video-Conferencing Network from Fort Lauderdale, Fort Myers, Fort Pierce, Labelle, Marianna, Miami, Moore Haven, Naples, Ocala, Punta Gorda, Rockledge, Sanford, Tampa, and West Palm Beach.

Governor Bush and Chief Justice Anstead have adopted a joint proclamation recognizing “National Drug Court Month” and the importance of these very successful programs in not only breaking the cycle of both drug addiction and crime, but also helping criminal offenders become productive members of our society. It also recognizes the profound impact of everyone involved with these programs, from judges, state attorneys and public defenders, to treatment professionals, law enforcement, researchers and educators, and community leaders.

Florida was a pioneer in the development of treatment-based drug courts, starting in the late 1980’s with the first program in Miami-Dade County. With 82 drug courts in operation and 12 programs currently in the planning stages, Florida is recognized as a national leader in the drug court movement. In 2001, the Florida State Courts System and the Governor’s Office received the National Association of Drug Court Professional’s award for outstanding recognition of “National Drug Court Month.”

Fiscal Year 2002 - 03 Administrative Deadlines

May 23	Last day to submit requests for budget transfers to Budget Office
June 13	Last day to submit purchase requisitions/purchase orders to Purchasing
June 25	Last day to pay invoices in this fiscal year
July 3	Attendance & Leave for June must be completed and sent to Personnel Office
July 8	Financial Statement work papers due to Finance & Accounting
July 8	Last day to submit Certified Forward request to Finance & Accounting

Merge Creates Office of Court Improvement

By John Couch and Dacia Roberts, Court Analysts, Court Improvement

In September 2002, OSCA staff of the Family Court Initiative and the Children's Court Improvement Program merged to become the Office of Court Improvement (OCI). The primary focus of this new unit is to provide the tools necessary for judges, support staff, and other court personnel to implement meaningful court reform for children and families. OCI was created to institutionalize a uniform approach for conducting court process improvement projects that emphasizes a commitment to public interest, data-based strategies for enhanced performance, judicial leadership in the initiative and continuous improvement of the various branch processes. OCI looks at the mission of a particular division and reviews the applicable statutes and rules as a beginning point. OCI relies upon research to measure both the progress and success for an established system of practice and helps create the foundation for effective and efficient case management. Current projects include:

- Unified family court implementation activities
- Reassessment of dependency court processing
- Dependency court permanency project
- Delinquency assessment project
- Domestic violence assessment project
- Child support process improvement plan
- Guardian ad Litem transition
- Develop statewide standards for juvenile drug court cases
- Representation issues for children and families
- Implementation of statewide automated case management system

Accompanying the creation of this unit was the formation of a reconstituted committee. The Steering Committee on Families and Children in the Court is an advisory body to the Supreme Court that builds upon the work of the Family Courts Steering Committee and the Children's Court Improvement Committee. The Office of Court Improvement works with this committee to accomplish its charges.

Justice Barbara Pariente Visits Judicial Circuits

By Patricia Badland, Chief of Office of Court Improvement

Justice Barbara Pariente is visiting every judicial circuit to meet with judges and court support staff whose charge is to implement the Florida Supreme Court opinion of May 2001, *In Re: 794 So.2d 518 (Fla. 2001)*. This mandate from the high court challenges, and indeed expects, our judges to strive for standards of excellence in the day-to-day judicial case processing of filings that involve family matters, such as divorce, child support, child protection, juvenile delinquency and domestic violence. When appointed by Chief Justice Harry Lee Anstead to chair the Supreme Court Steering Committee on Families and Children in the Courts, she pledged to learn first-hand the extent to which the trial courts have succeeded in creating "a fully integrated, comprehensive approach to handling all cases involving children and families." This model approach to assisting families that come to the courts is known as the Unified Family Court (UFC), designed to:

(continued on next page)

- Ensure that the needs and best interests of children are the primary consideration of any family court.
- Empower parties to make their own decisions with the courts facilitating the process chosen by the parties.
- Consolidate and coordinate cases involving inter-related family law issues to avoid conflicting decisions, minimize inconvenience and confusion to the families, and maximize the use of court and community resources.

Five circuits have been visited by Justice Pariente thus far. She has met with judges in metropolitan areas such as Ft. Lauderdale, Clearwater and West Palm Beach as well as medium and rural community settings in Fort Pierce and Lake City. While judges in larger geographical locales report that they are rich in the availability of community resources, the sheer volume of cases and number of colleagues on the bench result in great challenges for coordinating and conferring on cases. Early identification of the same family in various court divisions continues to elude key staff due to technology and communication barriers. Smaller size judicial circuits may enjoy tight-knit working relationships on the bench, but be at a loss for linking families to needy services due to economic realities in rural areas of the state.

During her round table discussions with court support staff, Justice Pariente has made it a point to inquire as to the background and education of these professionals. She has been most impressed with the diversity in expertise and commitment of public servants who take pride in the opportunity to help families navigate the court system. Her travels have also included tours of supervised visitation centers and personal discussions with girls at a juvenile detention center.

Although these different court systems vary widely in availability of court support staff, access to community resources, and caseload filings, they share key themes that are testimony to the possibilities that much has been -- and can be done -- in developing meaningful court reforms that result in "fair, timely, efficient and cost-effective" resolution of family disputes.

Circuit Judge Wins Award for His Love of Family Law

Published on April 16, 2003, in the Ocala Star Banner

In nearly 25 years on the bench, Raymond T. McNeal has dealt with everything from murders to misdemeanors.

But his current role as a family law judge is the one Circuit Judge McNeal enjoys the most.

“The reason I love family law is, every day we get the opportunity to help somebody,” McNeal said.

For his efforts to help victims of domestic violence, McNeal recently won the Governor’s Peace at Home Award. McNeal received the award from Lt. Gov. Toni Jennings in a Tallahassee ceremony.



“It’s a very special, special award,” said Judy Wilson, director of the Ocala Rape Crisis/ Domestic Violence Center, a past winner of the award and one of the people who nominated McNeal.

McNeal works to understand the reasoning behind domestic abuse, Wilson said. “Victims and abusers don’t have to explain how they feel, because he knows the dynamics of how they feel.”

That’s important to stop abuse, McNeal said.

“It’s a very difficult area of the law,” he said. “People’s behavior is complicated.”

Domestic violence cases can be particularly complicated by social expectations, financial needs and emotional attachments, McNeal said.

“For every reason we can find for a person to leave an abuse situation, there are 10 more for them to remain,” he said.

Understanding that reasoning requires more effort than less complicated areas of the law, McNeal said. An effective family law judge needs to understand some matters of child development, psychology and other areas, he added.

“The legal system likes the clarity and the well-defined lines, but human relationships don’t work that way,” he said.

McNeal has worked with a committee of court personnel to tie together related issues such as domestic violence, child dependency and divorce proceedings under the umbrella of a unified family court system.

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“We need to empower families to resolve their own problems, but we can’t do it unless we work together,” he said.

The unified approach brings together prosecutors, law enforcement, judges, caseworkers and others to address families’ needs. Those who nominated him for the Peace at Home award cited McNeal’s efforts in their nominating letters.

“The participants can network and coordinate their efforts in protecting children from domestic violence,” wrote David Silverstein, managing attorney for the Department of Children and Families District 13.

A coordinated approach can lead to better answers, McNeal said.

“We’re looking for solutions . . . where parents are empowered to fix their own problems,” McNeal said. “The answers in a lot of these cases are not in Tallahassee. The answers are right here in our own community.”

McNeal also has worked to improve training for law enforcement and lawyers on domestic violence. That too has made a difference, Wilson said.

McNeal is quick to deflect praise of his work to others.

“I’ve gotten credit for work done by my committee,” he said. “I just happened to be in charge of a lot of good, talented people at the right time,” he said.

He hopes to see the unified family court model statewide in the future.

“I would like to look back,” he said, “and see that Florida has a fully operational family court system, fully staffed and able to serve the people of Florida.”

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But I can confidently tell you that your hard work locally took the issue of Revision 7, which was little understood beforehand, and turned it into the subject of thorough and informed discussion among legislators and the public. The collapse of state budget talks in the waning days of the session brought down virtually all pending major legislation, including a very thoughtfully crafted Revision 7 agreement forged by Sen. Rod Smith, Sen. Alex Villalobos, and Rep. Holly Benson. But as we face the coming special session or sessions, we have well informed lawmakers and staff who can help us meet the deadline of July 1, 2004, for moving many court costs from local to state government pursuant to the constitutional mandate.

Thank you to everyone who continues to contribute to the justice system's legislative efforts, and thank you to everyone who will help us make Full Court Press a vehicle for communicating among ourselves in the Third Branch. You provide the people of Florida and your local communities with the most effective and efficient justice system in the country.

May

- 15-16 Steering Committee on Families & Children in the Courts Meeting, Tallahassee
- 21-22 Trial Court Administrators Revision 7 Workgroup Meeting, Tallahassee
- 22-23 Court Interpreter Spanish Language Skill Building Workshop, Ft. Myers
- 26 Memorial Day - Court Holiday

June

- 12-13 Court Interpreter Oral Qualifications Exam, Ft. Myers
- 14 Trial Court Budget Commission Meeting, Orlando
- 14-18 Florida Conference of Circuit Judges Business Meeting, Orlando
- 25 Florida Courts Technology Commission Meeting, Orlando
- 25-28 The Florida Bar Annual Meeting, Orlando World Center Marriott, Orlando
- 26 Florida Court Education Council Meeting, Orlando

**Courtside
Events**

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