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A Message from Lisa Goodner, State Courts Administrator

As I write this message, the legislative session is already in full swing, convening two months earlier than usual to address the issue of redistricting. The first agenda item is the redrawing of state legislative and congressional district boundaries. The second is the budget. While it is still very early in the process, the good news at this point is that the governor has kept court funding at its current level in his budget recommendations for next year.



The governor's budget proposal also responds to our objective of stabilizing court funding—an issue that branch leaders have been pressing since foreclosure filing fees, which have been the predominant funding stream for the State Courts Revenue Trust Fund, began plummeting in fall 2010. Last year, you may recall that the legislature authorized the judicial branch and the clerks of court to work together to develop recommendations to stabilize revenue streams for the court system's and the clerks' trust funds. After careful analysis and out-of-the-box thinking, the Revenue Stabilization Workgroup, comprising an equal number of judges and clerks, submitted its report and recommendations on November 1 ([this link goes to the report and other "Funding Justice" literature](#)). Although the governor's budget recommendations are different from those put forth by the workgroup, his methodology would help bring stability back to the courts' budget. I want to emphasize that our discussions with the governor and lawmakers have been encouraging these last months and that all three branches are committed to stabilizing the court system's revenue problem.

These productive interactions with the other branches bring to mind another issue I've been musing over lately. This year, we will celebrate OSCA's 40th birthday. In honor of this landmark, this edition of the *Full Court Press* has an article on some of the most consequential changes in Florida's court administration over the last few decades (see p. 14). One of those changes is our heightening focus on intergovernmental relations; connected with that is our growing, branch-wide team effort to work with officials and staff in the other two branches throughout the year on issues that will affect, or are likely to affect, the judicial branch.

But those are just some of the changes you'll read about here. Based on the reflections of seven people who, since the mid-80s, have worked in court administration across the state, the article will probably make you laugh about some of the archaic tools and equipment we used to have to rely on. And it might even make you nostalgic for the days when, rather than shooting our colleagues an email, we actually stepped away from our desks and walked down the hall to talk to them. But it will also make you think about how much the branch has changed. Since 1972, Florida's population has expanded from 8 million to approximately 18.8 million. In response to Florida's growing up, the branch has evolved too, going from 423 judges to 989 and becoming a more cohesive, more unified system structurally, administratively, and budgetarily. But while we've gotten bigger, we've also strived to be better and more efficient, often under quite challenging circumstances. And that is something that should make us all very proud.

Sincerely,
Lisa Goodner

Education and Outreach

Court Interpreters Welcome Continuing Education Opportunities

With its vibrant weave of national, racial, and linguistic backgrounds, Florida is home to one of the most diverse populations in the country. And “Floridians are proud of the state’s cultural diversity,” emphasized the Standing Committee on Fairness and Diversity in its 2008 report, *Perceptions of Fairness in the Florida Court System*. While pointing out that “This diversity adds a richness and texture to the fabric of society,” however, the committee also warned that it “presents an array of challenges to the fair and equal application of the rule of law for all.” ([Take this link to the report.](#))

Language barriers constitute one of these challenges. According to the most recent US Census data, 18.7% of Florida’s household population is foreign born, and 25.8% of Floridians speak a language other than English at home. Recognizing that language barriers can choke a party’s ability to participate effectively in court processes, the judicial branch continues to take steps to ensure that people with limited English proficiency who are involved in criminal, juvenile, and select civil proceedings have access to a pool of skilled court interpreters.

To help judges and trial court administrators gauge the credentials of foreign language interpreters seeking appointment, the supreme court established the Court Interpreter Certification Board in 2006. Chaired by Judge Ronald Ficarotta, Thirteenth Circuit, the board is responsible for certifying, regulating, and disciplining court interpreters, as well as for suspending and revoking certification. For its first project, the board developed and implemented comprehensive certification guidelines; since July 2008, judges have been required, whenever possible, to appoint certified or duly qualified court interpreters for people with limited English proficiency.

To make certain that certified court interpreters serve and perform at the highest professional levels, the board mandates that they meet a series of requirements, one of which is to earn a minimum of 16 hours of continuing interpreter education credits every two years. Through continuing education, interpreters have the opportunity to reinvigorate their knowledge, skills, and abilities. Continuing

education also helps them carry out their duties competently, fairly, and efficiently, and it supports their efforts to reach the pinnacle of personal and professional conduct.

When July 2010 was on the horizon, members of the first “class” of certified court interpreters were getting ready to mark their two-year anniversary, meaning that they would soon have to renew their certification and begin earning their continuing education credits. The board’s Continuing Education Committee, chaired by Trial Court Administrator Gay Inskeep, Sixth Circuit, worked decisively to ensure that continuing education requirements would be in place for them when they reached this milestone.

Continuing education was phased in effective July 1, 2010, and, since then, more than two dozen continuing interpreter education programs have been approved. ([Take this link to the list of approved programs.](#)) These programs, most of them offered by private entities, have helped interpreters deepen their knowledge about a variety of subjects—including

Through continuing education, interpreters have the opportunity to reinvigorate their knowledge, skills, and abilities. Continuing education also helps them carry out their duties competently, fairly, and efficiently, and it supports their efforts to reach the pinnacle of personal and professional conduct.

intellectual property law, firearms, controlled substances, types of motions, physical evidence, autopsies, and interpreting in depositions. In addition, these programs have supported interpreters’ efforts to improve their techniques for sight translation, consecutive and simultaneous interpretation, and note-taking.

Meanwhile, several circuits, appreciating their court interpreters’ need for useful, low-cost training opportunities, have also risen to the challenge: so far, three circuits have developed, and received approval to offer, local continuing interpreter education programs and have made them available for free.

The first circuit to apply for approval for a local program was the Ninth, for its Inside the Courts program. Created, developed, and hosted by Judge W. Michael Miller, Orange County, Inside the Courts was first offered in 1998 and has been presented annually since then. The goal of the program is to give participants a unique perspective on the

inner workings of the court system and a chance to interact with judges in an informal setting. Presentation topics vary a little from year to year, but they generally focus on the criminal and civil courts; the juvenile, probate, mental health, domestic, and traffic divisions; and mediation. Highly interactive, the program uses individual skits, role-playing, and other participatory strategies to facilitate hands-on learning. Inside the Courts takes place over four consecutive Tuesday evenings, with each session two hours long. Court interpreters earn 2.2 credits per session, receiving 8.8 credits if they attend all four.

The Ninth Circuit was also granted approval for a continuing interpreter education program it designed on juvenile delinquency. Offered last May and taught by Ninth Circuit Judge Alicia L. Latimore, the program provided court interpreters with an overview of juvenile delinquency court, including its purpose, the case management flow, the different levels of commitment programs, the drug programs available, pretrial diversion in juvenile cases, the sentencing guideline limits, and the different kinds of hearings. Participants earned 1.6 continuing interpreter education credits for this one hour, 20 minute program.

Court interpreter response to the Ninth's programs was very enthusiastic: participants described the presenters as "very well-informed" and "passionate"; found it "interesting to learn about the inner workings" of the various court processes; appreciated receiving the assorted glossaries and lists of slang words, which they said will help them when they "have to interpret testimony on the stand"; and, in general, found the programs "lively, engaging, fun yet informative." Court interpreters at the Ninth Circuit now have another education program to look forward to: a workshop called Ethics and the Court Interpreter, on the *Code of Professional Conduct*, has just received approval, and it is scheduled for early February. (For more information, contact Julio Semino at ctadjs1@ocnjcc.org or (407) 836-0403.)

In addition, the Nineteenth Circuit received approval for a continuing interpreter education program it created. Trial Court Administrator Tom Genung along with three of his certified court interpreters developed and presented a workshop called the Code of Professional Conduct for Florida Court Interpreters. Among other things, the workshop taught participants how to apply the code to their daily interpreter duties, how to identify violations of the code, and

how to use it to help them address questionable situations. The workshop, which included both large and small group activities, began with a detailed review of the code. Then, through a series of skits, participants had an opportunity to identify and discuss common code violations.

The two-hour program, which awarded participants with 2.5 credits, was offered twice last July, once in Indian River County and once in Martin County, and both workshops were full to capacity. Attendees left satisfied with what they had learned. "I really appreciate your effort and contribution, not only good but enjoyable as well," one participant commented. "They did an excellent and professional job; it was interactive, fun, interesting and I will attend future workshops," noted another. Participants appreciated the "real scenarios" that the presenters enacted, as well as the opportunity to share their concerns and ask questions. (For more information, contact Rosario Valdiviezo at ValdiviezoR@circuit19.org or (772) 462-1947.)

Finally, the Fifteenth Circuit was granted approval for a continuing interpreter education program it constructed on the Juvenile Delinquency and Dependency Systems. Taught by Fifteenth Circuit Judge Ronald V. Alvarez in October, this one hour, 20 minute course, earning 1.6 credits, had four learning objectives: to help participants develop a thorough understanding of the delinquency and dependency systems as well as of the goals and progression of cases in each system; distinguish among the various



courtesy of the 9th Circuit

The Ninth Circuit's Inside the Courts program introduces participants to the court system and gives them a chance to interact with judges in an informal setting. This highly interactive educational experience gives court interpreters the chance to earn 2.2 credits per session; they receive 8.8 credits if they attend all four sessions.

roles of participants in these two types of cases; understand commonly used terms and acronyms in these proceedings so as to be better equipped to render accurate interpretations; and learn about various services and programs available in the two systems.

Participants described the program as “extremely useful and necessary” and as “well-structured and informative.” They appreciated the way in which the information was presented, characterizing it as “excellent,” and they also called Judge Alvarez “excellent,” both in delivery and in knowledge of the subject. In addition, several expressed appreciation for this gift from their circuit, saying that they were “truly grateful for the opportunity that was provided to us. Thanks!” (For more information, contact Debra Oats at Doats@pbcgov.org or (561) 355-4495.)

Especially pleased with the growing menu of approved court interpreter education programs is Ms Lisa Bell, the senior court operations consultant with OSCA’s Court Services Unit who oversees the Court Interpreters Program. “Because of the large geographic expanse of our state,” she pointed out, “holding workshops in multiple locations throughout Florida affords more interpreters the opportunity to enhance their professional skills and knowledge, and at the same time assists certified interpreters in fulfilling mandatory continuing education requirements.” She reserved special praise for the circuits that are developing their own courses for interpreters: “The fact that several circuits have taken a pro-active stance in this regard is extremely beneficial to interpreters and the court system alike.” She welcomes “prospective continuing education providers—including other circuits that are interested in developing local programs for their court interpreters—to contact our Court Interpreters Program unit at interpreters@flcourts.org or (850) 922-5107.”

Court Interpreting Services: Administrative Order and Benchguide Recently Released

To improve trial court performance and to support the unification of trial court operations into a single statewide system, the supreme court, in a 2008 administrative order, directed the Commission on Trial Court Performance and Accountability to “develop standards of operation and best practices for the



courtesy of the 15th Circuit

Fifteenth Circuit Judge Ronald V. Alvarez is teaching local court interpreters about the juvenile delinquency and dependency systems. The goal of this continuing education session is to give interpreters a thorough understanding of these systems, thereby equipping them to render accurate interpretations in these types of cases.

major elements of the trial court system.” The first two elements on which the commission focused were alternative dispute resolution and court reporting, for which the supreme court approved standards in 2009 and 2010 respectively. Meanwhile, in May 2009, the commission formed a workgroup to address a third trial court element, court interpreting services; the Court Interpreter Workgroup comprised judges, trial court administrators, and court interpreters who were representative of the various programs across Florida.

To compile an overview of court interpreting services across the state, the workgroup began by creating circuit profiles. The next step was to develop standards of operation, best practices, and other recommendations for court interpreting services. Various stakeholder groups reviewed the draft report and offered recommendations; after the draft report was revised and approved by the full commission, *Recommendations for the Provision of Court Interpreting Services in Florida’s Trial Courts* was submitted to the supreme court. ([Follow this link to the report.](#))

On December 21, 2011, the supreme court, in an administrative order, approved specifically those general recommendations, standards of operation, and best practices that “have no significant fiscal impact and can be accomplished within existing resources.” The administrative order calls these policies “a means to ensure the effective, efficient, timely, and uniform provision of court interpreting

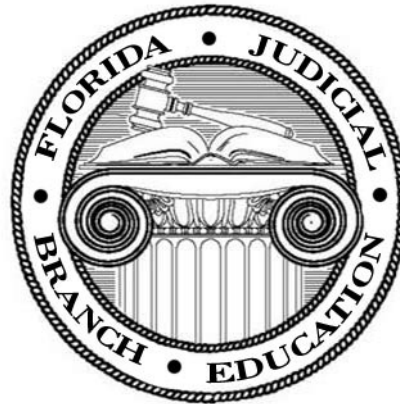
services in Florida's trial courts." As for those policies that were not approved, the administrative order indicates that their adoption is deferred until the fiscal climate is less austere. In the meantime, the supreme court directed the Trial Court Budget Commission to monitor court interpreter budgets to ensure that, as funding becomes available, the trial courts have a chance to seek the resources needed to implement those policies in the future. ([This link goes to the administrative order.](#))

Among the general recommendations that the supreme court did adopt is the commission's suggestion that the Florida Court Education Council develop resource materials on the need for and use of court interpreters. Soon after the report was released, in fact, the council's Publications Committee spearheaded this enterprise, and the end product is its recently published *Florida Benchguide on Court Interpreting*. Considered a useful guide for judicial officers and court staff involved in Florida cases involving spoken language and sign language interpreters, the benchguide addresses existing law and policy; determining the need for, waiving the right to, and appointing a spoken language interpreter; the role of the spoken language interpreter and the Code of Professional Conduct; conducting interpreted proceedings; best practices for working with spoken language interpreters; and interpreters for people who are deaf or hard of hearing. ([Take this link to the benchguide.](#))

Energizing Education Opportunities for Court Personnel

For the last three years, groups of Florida court personnel have been able to apply for funding to support education programs that they developed, tailored to their particular needs, preferences, and cultures. Drawn from the Court Education Trust Fund, this funding assistance is earmarked specifically for "groups of non-judge court personnel." Courts or circuits may apply for it, as may specific groups such as court interpreters, mediators, trial court staff attorneys, court coordinators, family court staff, and judicial assistants.

So far, more than 45 court personnel groups have received trust fund assistance for their education programs. Most of this funding went toward local programs, with focuses on subject areas like effective interpersonal communications and conflict management, creative problem-solving, preventing harassment, professional growth and development, diversity training, ethics and professional conduct, leadership development, and management training. The trust fund has also supported a number of statewide conferences for specific groups of court personnel, among them, civil traffic hearing officers, judicial assistants, public information officers, and case managers. Applications for the 2012/13 fiscal year will be sent out in the first quarter



of 2012, and the hope is that the trust fund will be able to continue underwriting efforts to ensure that court personnel have opportunities for ongoing professional development, education, and training.

The Court Education Trust Fund was created pursuant to section 25.384, Florida Statutes, and is sustained with revenue generated from specified filing fees. The trust fund is administered by the supreme court through the Florida Court Education Council, established in 1978 to coordinate and oversee the creation and maintenance of educational programming and to manage the budget that supports it. Initially, the Court Education Trust Fund could be used to fund education programs only for judges, appellate law clerks, trial court administrators, and OSCA personnel. But the target groups expanded as the result of a 2003 statutory change, which authorized the trust fund to sponsor education and training for "other court personnel as defined and determined by the Florida Court Education Council," as well—hence, the burgeoning of education initiatives for court personnel groups over the last few years.

Efforts to build a strong education program for court personnel began in earnest in 2006, when the council hired a consultant to perform an education needs assessment. The consultant evaluated the training needs of six categories of court staff—general magistrates and hearing officers, trial court staff attorneys and general counsel, judicial assistants, administrative services personnel, family court personnel, and case managers—and made recommendations about these needs and the most effective methods for addressing them. Soon

thereafter, the council established the Florida Court Personnel Committee, chaired by Judge Kathleen Kroll, Fifteenth Circuit, to build a framework for meeting these needs. The committee also developed a process through which court personnel can apply for funding for the education programs they design.

To receive funding, a group has to submit a quite comprehensive application. In addition to general information (the program title, contact information, targeted participants), the application calls for specific details about the program (its length, format, dates), about its intended audience (projected number of participants, their location, the marketing plan), and about requested assistance (for course materials, faculty honoraria, travel expenses). Along

offered in three tracks: the first is "Fundamentals for Court Leads and Seniors" (administrative and management topics); the second is "Communications and Interpersonal Skills, Everyday Ethics for Court Personnel, and Handling Challenging Situations"; and the third track is "Train the Trainer" (designed to train personnel who can then train other personnel to be instructors). Attendance will be limited to 84 attendees, with trial court administrators making the selections for tracks one and two. The committee's goal is to make the institute an annual event, each year with a different theme.

The committee is also considering ways to "expand the reach" of the institute. One possibility is that if a court personnel group designs an education program that builds on the institute's theme, it will receive funding priority. The committee's hope is that attendees will be inspired by their experience at the institute and will return to their circuits and either teach a course on that theme or suggest a similar course that would be of local benefit.

Given the fiscal climate, members of Florida Court Personnel Committee

Members of Florida Court Personnel Committee believe that this two-pronged approach to providing educational opportunities for court employees—the funding assistance for court personnel groups plus the coordination of an annual institute—will enable the greatest possible number of court employees across the state to have access to the education and training opportunities they need to perform the challenging work of the courts and to meet the demands placed on them.

with the proposal form, applicants are required to fill out a Curriculum Development Form in which they explain the need for the topic (how it was selected), suggested faculty, and suggested delivery methods/learning activities; at this stage, applicants also have to identify the learning objectives. To help applicants complete the application, the Florida Court Personnel Committee composed a *Guide to Completing Your Florida Court Personnel Education Proposal*. Not surprising in this period of budget austerity, funding is limited, so the process is competitive; this coming year, for instance, the committee will accept only one application per circuit. ([Take this link for information about the funding and application process.](#))

Coming up, the Florida Court Personnel Committee will significantly augment its educational programming efforts with its launch of the Florida Court Personnel Institute. Scheduled for February 16 – 17 in Tampa, the institute is being likened to an Advanced Judicial College for court personnel in that several different tracks will be offered simultaneously. The theme of this year's institute is communications and interpersonal skills, and education will be

believe that this two-pronged approach to providing educational opportunities for court employees—the funding assistance for court personnel groups plus the coordination of an annual institute—will enable the greatest possible number of court employees across the state to have access to the education and training opportunities they need to perform the challenging work of the courts and to meet the demands placed on them.

Mediation Week Around Florida

The late Governor Lawton Chiles signed Florida's first Mediation Day proclamation in June 1996. In October of the following year, Mediation Day broadened to become Mediation Week, and, each October since then, Florida's governors have signed Mediation Week proclamations saluting the state's leadership role "in recognizing and promoting mediation as an alternative to litigation."

These proclamations have spotlighted some of the many benefits that mediation begets: for instance, mediation helps administrative agencies, courts, and court-sponsored programs resolve disputes effectively and efficiently; it empowers individuals and businesses to design their own solutions to conflict; taught and practiced in schools throughout the state, it serves both to resolve individual disputes and to model a more peaceful society; and, by assisting in the resolution of neighborhood and community conflicts, it fortifies relationships among Floridians.

On September 19, Governor Scott issued a proclamation declaring October 16 – 22, 2011, Mediation Week in Florida. ([Take this link to the governor's proclamation.](#)) Many courts around the state coordinated activities in celebration of Mediation Week, and what follows is an encapsulation of some of those happenings.

In the Second Circuit, in Leon County, Leonard Helfand, staff attorney with OSCA's Dispute Resolution Center, coordinated a rich, half-day program for 25 area public school students: 15 elementary school students who are studying conflict resolution skills and 10 high school students who are studying government. First, the students visited the supreme court, where Justice Ricky Polston talked to them about the importance of mediation to the American justice system. After a tour of the Dispute Resolution Center, the students were taken across the street, to the Capitol Complex, to visit with staff from the lieutenant governor's office, and then to the Department of Education, to meet with the chancellor of Florida's public schools, Pam Stewart. Officials in both offices talked to the students about the benefits of mediation, and the elementary school students

entertained their hosts with a skit they'd prepared—a revision of the folktale of the three little pigs and the big bad wolf: in this retelling, as a result of utilizing conflict resolution skills, the historic antagonists are able to forge a firm friendship.

In the afternoon, Mr. Helfand, along with Stephanie McHardy, administrative assistant with the Dispute Resolution Center as well as a county mediator and primary county mediator trainer, addressed members of the pre-law society at Florida A and M University. To the approximately 50 pre-law students in attendance, Mr. Helfand and Ms McHardy talked about a wide variety of mediation-related topics, among them, the purpose of mediation and other forms of alternative dispute resolution, trends in mediation, restorative justice, community mediation, the Dispute Resolution Center, court versus non-court mediation, and careers in mediation. The interaction was animated, with students asking a lot of questions, and several expressed an interest in becoming volunteer county mediators.

The Fifth Circuit also marked Mediation Week. There, the Citrus County Board of County Commissioners honored area mediators with a certificate of appreciation.

In the Twelfth Circuit, mediators received Mediation Week proclamations from the Sarasota and Manatee Boards of County Commissioners. And inside and outside the Sarasota, Bradenton, and Venice courthouses, mediators displayed banners and signs to draw attention to Mediation Week. In addition, the circuit hosted a continuing mediator education session on diversity and domestic violence issues as well as an outreach landlord/tenant presentation. Meanwhile, throughout the week, various web



A volunteer mediator conducts a mock mediation for the benefit of judges and mediators attending the Fifteenth Circuit's Mediation Week training activity.

courtesy of 15th Circuit



BC Schwartz

In the supreme court courtroom, Justice Ricky Polston talks to 25 area public school students about the importance of mediation to the American justice system.

newsletters and newspapers gave press coverage to the Twelfth Circuit’s mediation programs.

The Fifteenth Circuit held a luncheon that included a training component for the volunteer county court mediators; several county court judges attended as well. The training included two mock mediations during which various mediator ethics violations were enacted; mediators then identified and examined the violations and considered their implications. Discussion was lively, and everyone—both the volunteer mediators as well as the judges who attended—found the event simultaneously educational and enjoyable.

Finally, mediators in Eighteenth Circuit’s Brevard County sent every high school social studies department in the county a CD about mediation—a teaching tool for educators to use when introducing students to mediation. The CD covers the benefits of mediation and the types of cases for which Florida’s courts utilize it. The CD was created by a local high school student who did an internship in the office of one of the court program’s contract

family mediators. In addition, one of the mediators gave a presentation about mediation to a local fifth grade class and involved students in an engaging role play.

Court Improvement Dependency Court News

Since its inception in 2008, the statewide, multidisciplinary Dependency Court Improvement Panel, chaired by Judge Jeri B. Cohen, Eleventh Circuit, has been working vigorously to improve courtroom practice and decision-making in dependency cases. Required by the court system’s federal dependency grants, the panel was established by former Chief Justice Quince to address deficiencies discovered during Florida’s second federal Child and Families Services Review. Although the Department of Children and Families (DCF) is responsible for addressing most of the shortcomings the review found, the court system recognized the need to take concurrent action and developed a work plan



Fifteen elementary students who are studying conflict resolution skills in the Florida State University Schools, Second Circuit, were inspired to create this colorful, peace-promoting “quilt.”

to improve the dependency division of family court. The Dependency Court Improvement Panel has been overseeing the plan's action steps and has completed most of the projects enumerated in the plan.

Among its many projects, the panel, with the help of OSCA's Office of Court Improvement staff, developed a model shelter hearing benchcard, family time (visitation) protocols, stability practices, safety tools, materials supporting efforts to involve children in their court hearings, and judicial checklists for physical, mental, and dental health. Moreover, panel members continue to serve as faculty for regional training programs and judicial education programs. The culmination of the panel's work is its revision of the *Dependency Benchbook*, published in spring 2011. Based on state-of-the-art science and child welfare knowledge, the benchbook identifies promising and science-informed practices devised to support the efforts of judges and magistrates who address the safety, permanency, and well-being of children involved in Florida's court system. (For the benchbook, [take this link and scroll down to Dependency.](#))

After developing this abundance of resources, the panel shifted its focus from theory to practice: with the support of Chief Justice Canady, it established "model courts" in 17 of Florida's judicial circuits, each with a team of broad-based child welfare stakeholders. Through this nexus of model courts, the panel has been working to ensure the implementation, throughout the state, of the best practices enumerated in the benchbook.

This initiative was inaugurated in January 2011 with a three-day Model Courts Kickoff. Justice Pariente welcomed branch-based and community-based partners committed to establishing a model dependency court in their circuits. A significant focus of this event was to help the attendees—46 judges and magistrates and 130 community partners—learn how to build and to work together in teams. To sustain the momentum, each model court judge and magistrate was assigned an OSCA liaison who corresponds monthly with his/her judges/magistrates, promotes and assists in the implementation of the

benchbook practices, assesses the current practices and training needs of each circuit, and serves as a link to technical assistance.

Recognizing that periodic gatherings would provide model courts participants with an opportunity to discuss their challenges and share strategies for getting everyone "on board," the panel convened a Model Courts All-Sites Meeting in early September. Members of all 17 model courts circuits were present—altogether, 47 judges and magistrates and 148 stakeholders (among the stakeholders were 35 representatives from the DCF, 20 guardians ad litem, nine members of the Seminole Tribe of Florida, and 24 community-based care providers).

The first day's events, designed for judges and magistrates, focused primarily on problem-solving: participants identified their most pressing concerns—among them, building stakeholder buy-in and overcoming the lack of resources—and then brainstormed together, coming up with creative ways to address these concerns. Also on the agenda were Judge Lynn Tepper, Sixth Circuit, and Dr. Mimi Graham,

director of the Florida State University Center for Prevention & Early Intervention Policy, who gave an enlightening presentation on family time (visitation). On the second day, when the stakeholders joined the meeting, six judges gave brief presentations on the most common model courts concerns: visitation, concurrent planning, children in court, crossover coordination, independent living court, and child safety. Presentations were followed with a breakout session, during which attendees further discussed the issues and continued to work together to find solutions.

This Model Courts All-Sites Meeting segued seamlessly into the DCF's 2011 Dependency Summit, which started soon after the meeting came to a close and offered a host of topics that invited meeting participants to continue the conversations they had already begun. The theme of this year's summit was Pathway to Independence: Family Accountability – Community Strength; 86 judges and magistrates were present, sponsored by the Dependency Court Improvement grant, and twelve of the summit workshops were offered by judges/magistrates.



The judges and magistrates in attendance were pleased that Secretary of the DCF David E. Wilkins, who was present throughout the two-day summit, attended the professional breakout session for judges. This was an opportunity to ask him questions and to continue the dialog that the branch and secretary began during an hour-long webinar in August featuring Secretary Wilkins; Mary Cagle, the DCF director of children's legal services; and Judge Edward Nickinson, First Circuit. Questions mostly focused on the DCF's new strategic plan and the direction in which Secretary Wilkins hopes to take the department.

Two months after Florida's dependency summit, a national summit, co-sponsored by the US Department of Health and Human Services and the US Department of Education, was held in Washington, DC. This year's theme was Child Welfare, Education and the Courts: A Collaboration to Strengthen Educational Successes of Children and Youth in Foster Care. Teams of representatives from all 50 states and several US territories were in attendance. Most teams included representatives from the state courts and from the child welfare and education agencies; Florida's comprised Judge Katherine Essrig, Thirteenth Circuit, and Ms Sandy Neidert, senior court operations consultant with OSCA's Office of Court Improvement; three representatives from the DCF; and two representatives from the Department of Education. Interspersed among the many elucidating workshops were four opportunities for the members of each state's team to meet—with the goal of developing a statewide action plan. The action plan that the Florida team designed focuses on three strategies: data and information sharing; performance measures, specifically around enrollment and school stability; and cross-training. The summit made the members of the Florida team more palpably aware of the need to "go the extra mile to keep foster children in the same school, if that's what's best for them," Ms Neidert emphasized.

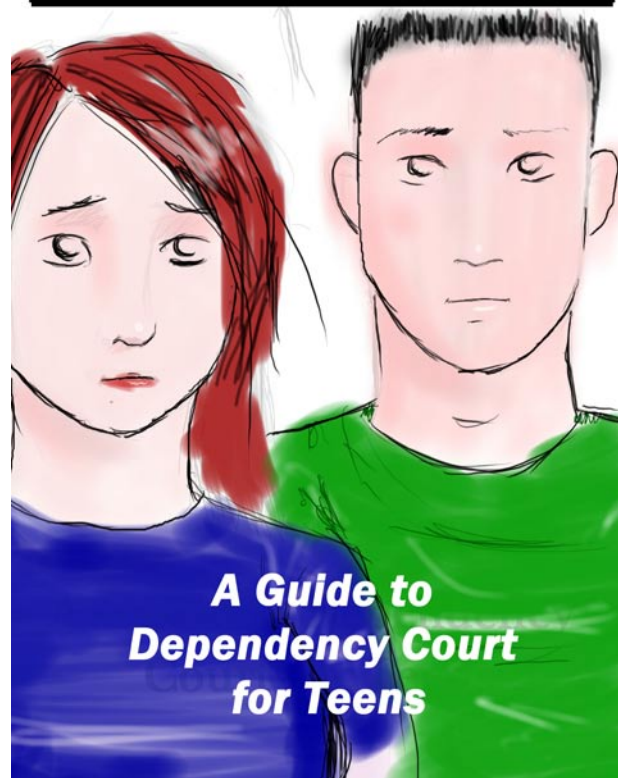
Florida's team members met in December to talk further about the plan; the plan will also be discussed at future education group meetings hosted by the DCF.

This theme of keeping foster children in their schools also informs a graphic novel-styled court guide that Office of Court Improvement staff recently produced to help teenagers understand and get involved in the dependency process. Scripted by OSCA senior attorney Kathleen Tailer and charmingly illustrated by Michael Starling, a local 18-year-old college student, *My Future Depends on It!* will be available both in hard copy and online this spring, and it will be distributed with other youth guides to case managers, child protective investigators, and guardians ad litem to give to teenagers when a new dependency case is opened. By law, children are parties to a dependency case, and OSCA's goal is to help them understand their case and have a voice in the dependency process.

Finally, on September 30, President Obama signed the Child and Family Services Improvement and Innovation Act, which reauthorized all three of OSCA's court improvement grants through 2016. Staff are currently working on applications for the three

grants. The grant requires the construction of a two-year strategic plan and the reauthorization of the Dependency Court Improvement Panel; Judge Cohen will chair the panel, and Judge Essrig will be the vice-chair. Thanks to these grants, Florida's courts will be able to continue developing innovative strategies for improving the dependency division of family court and for involving the entire family in dependency court processes.

My Future Depends On It!



Pictured here is the cover of *My Future Depends on It!*, a graphic novel-styled court guide designed to help teenagers understand and get involved in the dependency process. It is being provided to case managers, child protective investigators, and guardians ad litem to give to teens when a new dependency case is opened.

Technology

Technical Assistance Grant Support Efforts to Modernize Court Technology

Until fairly recently, each of Florida's 67 counties was responsible for most of the costs of running its local court system—resulting in often significant disparities in funding and services from one county to another. Many of these inequities began to diminish in July 2004, with the implementation of Revision 7 to Article V of the Florida State Constitution, which directs the state to fund the 13 “core functions” of the state courts. Defined by the legislature, these 13 functions are judges and their judicial assistants, court administration and their staff, case management, court interpreters, court reporters, general magistrates and child support hearing officers, staff attorneys, experts and witness expenses, and psychological evaluations. However, certain necessities—specifically, court security, court facilities, and court technology and communications—are still provided for by local governments.

Because court technology is supported by local funding, case management information systems throughout the state have developed over the years without any overarching principles or strategies, resulting in a considerable number of separate systems across the branch. In fact, the Florida Courts Technology Commission estimates that more than 1,300 systems abound—some developed by OSCA, some by professional associations like the Florida Association of Court Clerks and Comptrollers, and some by outside vendors. Not surprisingly, branch leaders have become increasingly mindful of the need for state-level initiatives to address the differences in case management information systems and to integrate the various systems for the benefit of the court system and court-related agencies.

Toward that end, the branch has been firmly engaged in a technology modernization effort that includes the development of a statewide case management system that will interface with a statewide electronic filing solution for the trial and appellate courts and enable all of Florida's courts to operate electronically. The branch envisions a time in the near future when

three discrete systems—the Trial Court Integrated Management Solution (TIMS), electronic filing (e-filing), and the Florida Appellate Courts Technology Solution project (eFACTS)—will work together to constitute a comprehensive electronic courts structure.

With the branch moving closer toward making this vision a reality, State Courts Administrator Lisa Goodner acknowledged the need to establish “a strategic framework before we progress much further in our planning and implementation efforts.” Specifically, she noted, the courts would benefit from “an informed and objective analysis of our strategic options and our funding needs.” Budget

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constraints have limited the funding available to perform such tasks, so OSCA applied for—and was recently awarded—a technical assistance grant from the State Justice Institute. With the grant money, OSCA has contracted with the National Center for State Courts to develop a high-level implementation and funding strategy that involves an assessment of the features of TIMS, e-filing, and eFACTS as well as a calculation of the costs associated with developing and maintaining each system.

Trial Court Integrated Management Solution Update

A complex, multi-year initiative, TIMS refers to the infrastructure that the court system is developing to capture and report case and court activity information statewide. This infrastructure will enable the automation of two major needs of the trial courts: case processing and performance monitoring—functions that include case intake, document management, case management/tracking, case scheduling, court proceedings, and resource management (though it will likely take years to build the technological features necessary to capture all this information).

TIMS will be remarkably useful, both for those within the court system and for many outside it. Most immediately, on the local level, TIMS will assist judges, court staff, court administrators, clerks, and

others on the front line by providing them with the information they need to process cases efficiently and effectively. More globally, as the “backbone” of a statewide integrated data system, TIMS will elicit uniform and comparable data from across the state that will be used to inform the policy decisions of the supreme court for the management of the entire court system. The branch will also be able to share these data with state officials and policy makers, expediting their access to state-level reporting information.

Conceived as an integrative project, TIMS is profiting from a well-orchestrated collaboration of the Commission on Trial Court Performance and Accountability, the Florida Courts Technology Commission, the Court Statistics Workload Committee, the Steering Committee on Families and Children in the Court, and a broad spectrum of project partners and subject matter experts. TIMS is also integrative in that every effort will be made to assimilate the existing case maintenance/management systems already in use in courts across the state—that is, TIMS will build upon current court



and clerk resources, both technological and staffing, thereby minimizing the need for new resources or new funding sources.

The project is unfolding in three phases. Phase One, which is spearheaded by the Commission on Trial Court Performance and Accountability and began last summer, involves the ponderous task of identifying the standardized case information needed for processing cases, managing resources, and monitoring performance at both the local and statewide reporting levels. To determine the information needed, the commission established six workgroups, one for each of the following court divisions: criminal, civil, family, probate, civil traffic, and problem-solving courts. The Probate Workgroup, which was the first to submit its recommendations,

developed a conceptual data model framework that will ultimately serve as the foundation of the TIMS system. Meanwhile, the recently-launched Phase Two, directed by the Florida Courts Technology Commission, involves the development of technical and functional standards for the system; the commission will also perform a technical assessment to determine the most feasible technological approach to the system. Phase Three will focus on implementation planning. The Commission on Trial Court Performance and Accountability is currently drafting a comprehensive report and recommendations, which it aims to present to the supreme court by July 1.

TIMS project team members acknowledge that TIMS is an extremely challenging and forward-looking enterprise that will improve case management, enhance the court system’s ability to manage and account for its resources, and facilitate a more complete and accurate reporting of court performance. While they recognize that limited aspects of the system should be ready for implementation within a few years, they also caution that the more ambitious goals might not be implementable for 10 to 15 years (pending funding, of course). Thanks to the State Justice Institute grant, consultants from the National Center for State Courts will soon begin to work on a cost benefit analysis as well as an implementation and a funding strategy for TIMS. [\(For more on TIMS, follow this link.\)](#)

Electronic Filing Update

One of the foundational components of a fully-realized electronic courts structure, e-filing refers to the electronic delivery of court records and supporting documents from lawyers and litigants to the clerks of court. Another feature of e-filing is electronic access: lawyers are able to view and retrieve court documents for their cases from any computer with online access. E-filing holds out the promise of reducing costs for the courts and the clerks; improving case processing and case management; and enhancing attorneys’ and litigants’ courtroom experience and their secure access to the courts, without significantly increasing their costs to use the courts. Eventually, when TIMS is implemented, e-filing will work with the statewide case management system, providing it with access to all e-filed documents.

The Florida State Courts System has been working on automating the process for filing court documents for years now. The legislature buttressed these efforts in 2008, when it mandated a transition to the e-filing of court records and asked the supreme

court to develop e-filing standards (the supreme court adopted standards in July 2009). Among the standards is a conceptual model of an electronic filing portal: a statewide access point for the secure electronic transmission of court records to and from all Florida courts. The standards mandate that the portal “be developed to maintain interfaces with other existing statewide information systems.”

The portal went live in January 2011. As of the first of 2012, clerks in 42 counties are able to accept documents electronically through the statewide ePortal (primarily, at this point, for the five civil divisions); five others counties have a local e-filing system that is linked to the portal and will eventually migrate. Also as of the first of this year, the portal had 6,155 registered users, and nearly 35,000 documents had been electronically submitted. As more counties ready themselves to accept e-filings, the pace at which electronic documents are submitted will become increasingly breathless.

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In fact, a recent development is likely to hasten the stride considerably: in October, as directed by the supreme court, the Florida Courts Technology Commission proposed a plan for a phased-in implementation of mandatory e-filing by attorneys. Based on assurances by the Florida Association of Court Clerks and Comptrollers that all clerks will be prepared to accept e-filings through the portal in the civil divisions by July 1, 2012, and in the criminal divisions by December 31, 2012, the commission presented the supreme court with the following schedule: “E-filing by attorneys in each division of the trial courts in each county shall be mandatory, effective no later than nine months from the date the clerk, with the approval of the chief judge, begins to accept e-filings for that division through the statewide e-Portal.” In short, if the supreme court accepts this

schedule, mandatory e-filing will become effective for all civil divisions by April 1, 2013; for all criminal divisions, it will be in effect by September 30, 2013.

The plan also addresses e-filing in the appellate courts: by July 1, 2012, all appellate court clerks must be ready to accept e-filings from attorneys, and by October 1, 2012, attorneys will be required to e-file appellate court documents. Finally, by December 31, 2012, all clerks are expected to be able to organize and transmit all records electronically—a requirement that applies to records at any level in Florida’s courts.

The migration toward e-filing has not been without interesting challenges, and, admittedly, some obstacles still remain. Nonetheless, the attorneys and the clerks of the circuit court who have already started e-filing almost

universally agree that accessing and filing court documents electronically is easy, reliable, efficient, convenient, time-saving, and cost-effective. ([For more information on e-filing, follow this link.](#))

Electronic Florida Appellate Courts Technology Solution Update

For several years now, Florida’s appellate courts have been preparing for the certainty of e-filing through the portal. However, because e-filing is just one of a cluster of automated court processes that the judicial branch has been striving to implement, the appellate courts have kept their sights trained on the bigger picture, developing software applications that will support the coherent integration of e-filing with other automated court processes—e.g., case management, document management, and workflow management. The eFACTS project, which OSCA’s Information System Services Unit is developing and the supreme court and the Second DCA are piloting, is being designed with all these goals in mind.

Based in the Microsoft web application platform SharePoint, eFACTS boasts an array of enhanced and new efficiencies for users. Among them, eFACTS will capture electronic documents as well as paper documents that have been scanned, storing them in a secure environment; it will expedite the logical organization of these documents and will automatically

input the data into a new case management system; and it will enable users to locate, retrieve, and work on the documents they need, when they need them. Due to SharePoint's cutting-edge collaboration tools, eFACTS will also let multiple users view and modify the same documents simultaneously and will keep track of the different versions created by different users. Other eFACTS features include interactive and consolidated court conference and oral argument calendars, electronic judicial voting, and full-text searches. With eFACTS, judges and justices will also be able to use their mobile tablet devices to review cases easily and securely and to vote remotely. And, of course, eFACTS will eventually support electronic filing via the statewide e-filing portal: parties will use the portal to e-file their documents, and clerks of court will use it to transmit electronically the trial court records for these appellate court cases.



The project is divided into two phases. Phase I, which began in June 2010, involves an overlay on the Second DCA's and the supreme court's current case management systems. In April 2011, eFACTS entered the implementation stage of the first phase: the pilot courts have been user-acceptance testing in preparation for deploying this version of the application for production use. And in Phase II, the case management systems will be replaced, and the portal will begin accepting appellate court electronic filings from attorneys.

As noted above, the Florida Courts Technology Commission included the appellate courts in its proposal for a phased-in implementation of mandatory e-filing: by July 1, 2012, all appellate court clerks must be ready to accept e-filings from attorneys, and by October 1, 2012, attorneys will be required to e-file appellate court documents. Finally, by December 1, 2012, all clerks are expected to be able to organize and transmit all records electronically—a requirement that applies to records at any level in Florida's courts. Working diligently to meet these deadlines, the FACC and OSCA eFACTS developers anticipate that on March 15 of this year, the Appellate Courts eFiling Portal will be ready for testing, and the pilot courts will begin processing certain DCA and supreme court filings by attorneys (excluded, at that point, are notices of appeal filed by attorneys to the trial courts, which will require different coding and additional work with the circuits and counties); in

mid-May, testing of the portal and eFACTS will begin for processing all DCA and supreme court filings by attorneys.

With TIMS, e-filing, and eFACTS under development, the Florida State Courts System is clearly on the path to becoming totally electronic. Thanks to the technical assistance grant from the State Justice Institute and the consultants from the National Center for State Courts, the branch is now cultivating an implementation and funding strategy for this technology modernization. As State Courts Administrator Lisa Goodner has emphasized, the benefits of this modernization effort are undeniable: "The implementation of electronic courts (e-courts) will reduce costs for the judiciary, will increase timeliness in the processing of cases, and will provide the judiciary with case-related information to allow for improved judicial case management."



Reflections...

Musings on Court Administration Past and Present as OSCA Celebrates its 40th Birthday

Forty years ago, more than two-thirds of Florida voters approved reforms to Article V of the state constitution that sought to bring greater consistency and uniformity to the judicial branch. The ultimate goal of these reforms was to ensure that litigants receive similar treatment under Florida law, regardless of where they live. The 1972 constitutional revision had seismic effects on the judicial branch: outcomes included the reorganization of Florida's 16 different types of trial courts into a two-tier system of 20 circuit and 67 county courts; the institution of a series of

requirements designed to ensure that judges would be qualified and impartial; and the requirement that all judges' salaries be paid by the state, rather than by local governments. Because it simplified and consolidated the structure of the trial courts, creating uniform jurisdictions with clean geographic divisions, this Article V rewrite is generally celebrated for instigating the process of unifying and shaping what we now know as the Florida State Courts System.

Less known, perhaps, is that these reforms also defined clear lines of administrative authority and responsibility in the judicial branch. Specifically, the Article V revision designated the chief justice as the chief administrative officer of the entire court system, and it created the position of chief judge, making the chief judge responsible for the administrative supervision of his or her court.

Even in 1972, in a Florida that was, in many ways, far simpler and more rustic than it is today, the compass of the branch's administrative responsibilities was prodigious, far too sweeping to be accomplished by a single sitting member of the state's highest court. So, to serve the chief justice in carrying out these responsibilities, the supreme court established the position of the state courts administrator. The initial focus of the state courts administrator's office was handling administrative matters for the appellate courts and developing a uniform case reporting system to glean information about activities of the judiciary. Eventually, the duties of the Office of the State Courts Administrator (OSCA) grew to include budgetary, intergovernmental, statistical, technological, educational, programmatic, and legal responsibilities related to the operations of, as well as ministerial duties for, the state courts.

For many years, the DCAs and trial courts have also had professional court administrators: each of the 20 circuits has a trial court administrator (TCA) who assists the chief judge in his or her role as the administrative supervisor of the circuit and county courts, and each of the five DCAs has a marshal, a constitutional officer under Article V who assists the chief judge in implementing administrative policy. Because court administrators and their staff attend to the effectiveness and efficiency of court operations, judges are able to concentrate on adjudicatory, rather than administrative, tasks.

This year, OSCA turns 40 years old. To mark this milestone, this article looks back at some of the more pronounced and interesting changes that have transformed court administration in Florida over the years. The article is based on the reflections of seven people who, since the mid-80s, have held court administrative positions in various courts in the state (they will be introduced later in the story). Taken together, their anecdotes and musings create a colorful, richly-textured panorama of court administration past and present.

The Courts Grow Up

Within the last 30 years, three transformations have been so profound and far-reaching that all seven interviewees discussed them at length. One of the first everyone mentioned was how dramatically the court system has grown in nearly three decades. When the interviewees first began their work with the branch, courts did not yet have court interpreters, trial court law clerks, staff attorneys, case managers, or hearing officers, for instance. And although some neighborhoods had citizen dispute settlement centers, court-based mediation hadn't yet transformed the court system. No one gave much thought to emergency management or strategic planning or performance and accountability in those days. –Or to specialized dockets: teen court, drug court, mental health court, veterans court, elder court, and business court weren't on the radar yet. Most everything about the branch was less

In the mid-80s, for instance, all of OSCA—which employed around 60 people then—had only four telephone lines; calls came in to a receptionist, who operated the switchboard and routed the calls to the appropriate person. A big old clunky rotary phone sat on everyone's desk. If someone needed to make a call, he or she would have to watch the lights on the phone to see when a line became available.

copious back then. For instance, in the mid-80s, the state had just more than half the current number of judges—but the faces of justice were not particularly diverse: most judges were white, middle-aged males (the racial and ethnic bias study, the gender bias study, and the ADA-inspired court facilities survey had not been conceived yet).

Over time, Florida's population burgeoned and diversified, and its communities became more interdependent. Accordingly, court workloads

increased, as did the complexity of the social and legal issues that came before the courts; simultaneously, people's expectations of the courts were heightening significantly. These were among the factors that propelled the need for professional court management, emphasized the interviewees. Administrative demands were becoming increasingly rarified and specialized, making it impossible for just a few people to continue doing all the administrative work of a court. For instance, in the 80s, to be a capable TCA, one had to be a jack of all trades who could, on his or her own, perform most all the circuit's administrative functions—e.g., finance and accounting, budgeting, personnel, technology, facilities management. But as the work of the courts

Circuits used to have access to local grant money, which made it possible for courts to be highly pioneering. Grant money supported breakthroughs like the pretrial release program, management information systems technology, neighborhood justice centers, and some specialized court dockets. "What was innovative back then is standard now," commented Tom Long.

became increasingly complex, court administrators had to hire people with specific expertise in these fields. One TCA remembers that, in 1985, his circuit had 14 circuit and eight county judges, and he and his office staff of three were able to complete the various administrative duties; now, for a population that's almost doubled, the circuit has 28 circuit and 12 county court judges, and it takes 138 court staff to perform all the circuit's administrative responsibilities. The level of professionalism of every aspect of court administration, from court interpreters to law clerks, has changed dramatically, a former TCA noted: "Court administration has undergone a real growing up," she reflected.

Technological Revolutions

Contemplating the technological changes they'd witnessed over the years, interviewees chuckled over the primitive tools they used to have to rely on to do their jobs. In the mid-80s, for instance, all of OSCA—which employed around 60 people then—had only four telephone lines; calls came in to a receptionist, who operated the switchboard and routed the calls to the appropriate person. A big old clunky rotary phone sat on everyone's desk. If someone needed to make a call, he or she would have to watch the lights on the phone to see when a

line became available. And when calls came in while people were away from their desks, they'd return to find a passel of "while you were out" messages stuck to their door; everyone had a spindle on his/her desk for stashing these message slips. Also, for every long distance call people made—and, when offices eventually got fax machines, for every fax people sent—they had to fill out a log book, listing the date, the phone (or fax) number, and the reason for the call—"a time-consuming, antiquated system," everyone agreed.

The phones weren't the only dinosaurs in court administrative offices. Most offices had only one copier for everyone who worked there. OSCA had what was described as "a single, humongous 3M copier that had already made over a million copies in 1988." As one interviewee recalled, if she had a big copy job, she had to reserve time on the machine.

Naturally, very few people had computers back then—and those who had them usually had to share them; and what computers were able to do was rather limited. The sorts of tasks that we hardly think about anymore because they are now automated—like tracking bills, checking case citations, administering attendance and leave, advertising jobs, doing instant criminal background checks—were often painfully laborious manual processes that took huge chunks of time to accomplish. And of course it goes without saying that email wasn't even in gestation back then, prompting everyone to remark on the ease with which we now can access information and communicate with one another. But, as one interviewee pointed out, because she could never get instant information, data, or responses to her questions in those days, the pace of work, of life, was necessarily slower and more measured. Nonetheless, all the interviewees agreed that they can do many aspects of their jobs far more easily now, given the colossal advances in the equipment and tools that are available.

Revision 7

The third matter that all seven interviewees mentioned was Revision 7 and the changes that followed in its wake. Passed by voters in 1998 and implemented in 2004, Revision 7 brought about budgetary unification in Florida's courts. Since the 1972 Article V overhaul, the state had been funding the salaries of judges and their assistants, but the counties were paying most of the other costs of running the court system, which often meant substantial discrepancies in funding and

services between one county and another. Revision 7 was designed to relieve local governments of the increasing costs of subsidizing the trial courts and to ensure equity in court funding for each county—thereby providing all Floridians with access to the same essential trial court services, regardless of where in the state they reside.

Interviewees remarked that Revision 7 significantly helped foster the **system** aspect of the Florida State Court System—and helped court personnel begin seeing themselves as part of that system. As several pointed out, we're still not fully unified—but all agreed that we're considerably more unified now than we were before the passage of this constitutional amendment. Because of this unification, the branch is better able to speak with a clear and consistent voice and can develop statewide policies in a more thoughtful and deliberate manner. This unification also has made it possible to embark on a range of ambitious statewide projects, like the construction of an electronic courts structure.

Other Changes

In addition to the three major metamorphosing issues discussed above, each interviewee also had observations about other, less dramatic changes they'd noticed over the years.

Nick Sudzina, who has been the TCA with the Tenth Circuit since 1985, talked about the significant changes in the jobs of everyone in the court system, both judges and court personnel. When he first began working in the courts, judges actually did some of the administrative work, like case management, themselves—"but that was before the courts had to deal with this amount and scope and complexity of litigation," he explained. He also described some of the ways TCA responsibilities have evolved over time: "This workplace is always changing, so the job of TCA has to keep changing with it. Now, TCAs need a background in areas like judicial administration, court management, managerial skills, and communications." Also different now is "the increasing presence of the news media; they seem to be watching government closely, especially the courts because of the funding dilemma." This reminded him of an aspect of his job that has not changed: "Funding is always a challenge," he conceded. Another unchanging feature is that his job is "always rewarding: I learn something new each day. The job is always challenging, but it's always a pleasure to come to work."

Like job responsibilities, court programs have also changed considerably. Susan Leseman has been with OSCA since 1985, first as a program attorney for what is now called the Court Education Section and then as the chief of Court Education; she is now

The state has undergone many changes since Debbie Howells first began working for the courts, when "Florida was still wild and woolly and rough and loosely-populated." And the court system has grown to accommodate those changes. She called attention to two in particular: the branch's increasing focus on intergovernmental relations and the growing cooperation between the court system and the clerks, who have recently been working together on projects like funding stabilization, e-filing, and the e-portal.

the managing attorney for OSCA's Publications Unit. Over the years, she's seen great changes in the court education programs—which recently began including programs for court personnel too: "The education programs have grown to meet the complexities of the jobs that judges and court personnel do," she explained. For example, in the early 80s, the agenda for the circuit judges program had a criminal and a civil track; now, the program also offers tracks for juvenile, family, probate/guardianship, and general interest, such as evidence. In addition, new programs had to be developed to meet the expanding educational needs of judges, so now there's a pre-bench program, a program for new appellate judges, the Advanced Judicial Studies program, and distance learning programs. "We also have moved from chalkboards to overhead projectors to Powerpoint to LCD projectors to web-based programs—a huge technological leap that better facilitates learning," she added. Because her unit coordinated and staffed most of the programs, she often had to travel, and she remembers when the per diem allowances were a mere \$3 for breakfast, \$6 for lunch, and \$12 for dinner; the mileage reimbursement was only 21 cents per mile. "You always lost money when you travelled," she observed.

Although state money has almost always been constrained, circuits were often able to find other sources of funding for cutting-edge programs. Tom Long was the TCA at the Sixteenth Circuit from 1984 – 1989 and then at the Second Circuit from 1989 – 1999; following that, he became the OSCA general services manager until he retired last summer. For

him, a big difference between his early days in court administration and now is that circuits used to have access to local grant money, which made it possible for courts to be highly pioneering. Grant money supported breakthroughs like the pretrial release program, management information systems technology, neighborhood justice centers, and some specialized court dockets. "What was innovative back then is standard now," he commented. But now it's much harder to get grant money, "So the progressive, innovative circuits are finding it hard to fund good concepts." As a result, "Innovation is more likely to come out of court committees; it's more likely to originate in Tallahassee, not at the circuit level."

However, some of these Tallahassee-based innovations have definitely been momentous. Debbie Howells, who has been with OSCA since 1988, is the executive assistant for State Courts Administrator Lisa Goodner. The state has undergone many changes since she first began working for the courts, when "Florida was still wild and woolly and rough and loosely-populated." And the court system has grown to accommodate those changes. She called attention to two in particular: the branch's increasing focus on intergovernmental relations and the growing cooperation between the court system and the clerks,

Theresa Westerfield emphasized the "high level of professionalism I now see in every element of the court system," gesturing toward court interpreters as an example. When she was trial court administrator, if a party needed a spoken language court interpreter, "you just grabbed whoever you could grab because there were no court interpreters."

who have recently been working together on projects like funding stabilization, e-filing, and the e-portal. But she also emphasized that some things haven't changed. For example, in all these years, "Florida's court system continues to be a trailblazer, a leader, nationally." Florida was a trailblazer with mediation, she remarked, and it was also "the first state to engage in a study about the economic impact on the state's economy of an under-funded court system." So, even with all its changes, "Florida continues to be resourceful and creative."

David Pepper also brought up the court system's relatively new emphasis on intergovernmental relations. Dr. Pepper, who has had several positions

with OSCA's Personnel Services since 1987 (personnel manager, the chief of Personnel Services, and court operations consultant), called attention to the amount of time and energy that now goes into addressing legislative affairs as they affect the judicial branch. Years ago, "The court system generally got the resources it needed," and only the state courts administrator and his deputies played a role in tracking legislation and meeting with lawmakers and their staff. "But with so much competition now for limited state resources, the courts have had to get more involved in the process," he explained: now, the justices, chief judges, the two budget commissions, and other judicial leaders participate; OSCA has an Office of Intergovernmental and Community Affairs; and most all of OSCA is involved in what has truly become a "team effort." Another significant change he noted is that "various employee relations issues are in the forefront now"—like sensitivity to diversity, sexual harassment, and ADA compliance.

Broadly speaking, all the interviewees expounded on the court system's growing professionalism, in one way or another—and Theresa Westerfield addressed it very emphatically. Ms Westerfield was with the Sixteenth Circuit from 1988 – 2005, first as the first director of the Pretrial Release Program and then as the TCA; then she moved to Tallahassee, first serving as the OSCA budget administrator and now as the chief of Personnel Services. She emphasized the "high level of professionalism I now see in every element of the court system," gesturing toward court interpreters as an example. When she was TCA, if a party needed a spoken language court interpreter, "you just grabbed whoever you could grab because there were no court interpreters." Also, back then, she recalled, "Court reporters were like judicial assistants in that they were assigned to a judge, not a courtroom," and they got paid by the transcript page—"The more they did, the more they earned," she explained.

"Then, in about 1995, they became court employees, and that was a big deal; it really changed their relationship with the court," she reflected. Today's standards are truly high, she stressed—especially when compared to some past informalities: when she was in Key West, for example, "Lawyers didn't even have to wear socks to court," she playfully quipped (of course, she did add that that was probably only true in Key West).

Court facilities have also become more formal and more professionally outfitted over time. Glen Rubin was the OSCA purchasing director from 1984 – 1995 and has been the marshal with the Fourth DCA since then. He remembers when it was perfectly

acceptable to smoke in the supreme court building—and when brass spittoons were among the items in the property inventory. He was there when the first woman was appointed to the supreme court in 1985: like the other justices, Justice Rosemary Barkett had her chambers on the top floor. But that floor only had a men’s room; in those days, women—judicial assistants and some of the law clerks—had to go downstairs for a restroom. Building personnel quickly “had to figure out how to get a bathroom for Justice Barkett.” But one of the most significant changes over the years was the adoption of security features for the building. At first, “The building had no metal detectors or scanners: anyone could walk in.” There were only two security guards, one at the front entrance and one at a side entrance; the rest of the entrances—and there were many—were unsecured. (Back then, he added, to be a security guard, “The only requirements were a sixth grade education and the ability to follow directions.”) This conspicuous security lack wasn’t addressed until a rather controversial supreme court decision led to death threats against some of the justices.

Glen Rubin remembers when it was perfectly acceptable to smoke in the supreme court building—and when brass spittoons were among the items in the property inventory.

In this impressive vista of changes that the interviewees shared—some of the memories humorous, some astonishing, some instructive, some nostalgia-provoking—one other point came up again and again. Over the last few decades, the court system has definitely become more open, more transparent, more accessible—think about cameras in the courtroom, for instance, and about the astronomic amount of information available on each court’s website. Paradoxically, however, it has also become, to an extent, more closed off, less personal, and less intimate, they remarked. While praising the ease and speed of communication, they also bemoaned the disintegration of social contact, of connections, of warmth. That reality seemed to give everyone pause for thought....

Florida 1972/Florida Today:

- Florida is one of the fastest growing states in the nation, expanding from a population of 8 million in 1972 to 18.8 million in 2010.
- In response to the stunning growth in residents, tourists, businesses, and caseloads over the years, the court system has had to expand. From 1972 to 2012, district court of appeal judgeships increased from 20 to 61 judges (Florida had only four DCAs in 1972). During the same time-frame, the number of trial court judges more than doubled, with circuit court judgeships increasing from 261 to 599, and with county court judgeships increasing from 135 to 322. Florida’s highest court has had seven justices since 1940.
- According to the *Eighteenth Annual Report of the Judicial Council of Florida* (Feb. 1973), in fiscal year 1971/1972, Florida’s judges disposed of just under 400,000 cases. These days, Florida’s judges dispose of over 4.5 million cases a year. (Please keep in mind that the methods for capturing statistical data have become increasingly more reliable over time. In addition, the kind of filings data the court system collects has changed over the years. Therefore, these numbers are not precisely comparable.)

Turning Points

Awards and Honors

Judge John M. Alexander, Seventh Circuit, was honored with an Excellence in Child Welfare Award from the Florida Department of Children and Families. This award recognizes him for his advocacy on behalf of children and families and for his efforts to encourage collaboration among stakeholders to improve the dependency court process.

Judge Ronald Alvarez, Fifteenth Circuit, was presented with the William E. Gladstone Award. This award, first given to Judge Gladstone in 1998, is bestowed annually on a judge or magistrate who demonstrates a "lifelong advocacy for the dignity of children." Honorees are selected by the group of previous award recipients.

Mr. Mike Bridenback, trial court administrator for the Thirteenth Circuit, was honored with the Sharon Press Excellence in Alternative Dispute Resolution Award at the Dispute Resolution Center's 19th annual conference. The award was bestowed upon him for his "visionary leadership, professional integrity, and unwavering devotion to the field of alternative dispute resolution."

The Family Law Inn of Court of Tampa was recognized by the US Supreme Court at an annual event celebrating the accomplishments of several giants in the legal professions whose achievements epitomize the ideals of the American Inns of Court. Judge Caroline Tesche, Thirteenth Circuit, is president of this Inn of Court—one of three in Tampa that have achieved Platinum Level success.

Judge Lee Haworth, Twelfth Circuit, was named one of the 2011 Public Officials of the Year by *Governing*, a national monthly magazine out of Washington, DC, that covers state and local government in the US. The magazine, which has honored state and local government officials for outstanding accomplishments since 1994, recognized Judge Haworth for his successful efforts to combat the flood of foreclosures in his circuit.

Ms Kimberly Ann Koch, court operations consultant with OSCA's Dispute Resolution Center and the DRC conference coordinator from 1997 – 2009, was honored at the center's 19th annual conference with a plaque. Given on behalf of her "friends at the DRC and those involved in alternative dispute resolution across the state," the plaque recognizes Ms Koch for her "dedication to making past conferences an enormous success."

Judge Lawrence M. Lefler, Thirteenth Circuit, a captain in the Army Reserve, was awarded the Meritorious Service Medal by LTC Patrick N. Leduc, Commander 154th Trial Defense Service, for his service in the US Army Reserve.

Judge S. Sue Robbins, Fifth Circuit, was presented with the William E. Gladstone Award. This award, first given to Judge Gladstone in 1998, is bestowed annually on a judge or magistrate who demonstrates a "lifelong advocacy for the dignity of children." Honorees are selected by the group of previous award recipients.

Ms Shelia Sims, senior deputy court administrator and ADA coordinator for the First Judicial Circuit, was honored with the Joe Oldmixon Award for Outstanding Service to People with Disabilities. Conferred by the Disability Resource Center of the Council for Independent Living, this award recognizes Ms Sims for her efforts to improve the accessibility of the court system in Escambia, Santa Rosa, Okaloosa, and Walton Counties and to ensure that court users with disabilities receive the accommodations necessary to realize equal access to the courts.

On January 26, at the 2012 Pro Bono Service Awards Ceremony at the Florida Supreme Court, the following attorneys were commended for their exemplary commitment to meeting the legal needs of the poor, the disadvantaged, and the most vulnerable of Florida's citizens:

Rosemary E. Armstrong, Tampa, was honored with the Tobias Simon Pro Bono Service Award;

Judge James M. Barton II, Thirteenth Circuit, was saluted with the Distinguished Judicial Service Award;

Fisher, Butts, Sechrest, Warner & Palmer, PA, Gainesville, was lauded with the Law Firm Commendation;

The Saint Lucie County Bar Association was awarded the Voluntary Bar Association Pro Bono Service Award;

Timothy Allen Moran, Oviedo, was distinguished with the Young Lawyers Division Pro Bono Service Award;

And the following attorneys were commended with The Florida Bar President's Pro Bono Service Award:

Edmund T. Baxa Jr., Orlando
Steven G. Cripps, West Palm Beach
Elizabeth Geary Daugherty, Ft. Lauderdale
Sandra H. Day, Spring Hill
Michael Patrick Dickey, Panama City
Daniel John Endrizal III, Ft. Myers
Arthur Don Ginsburg, Sarasota
Leslie Smith Haswell, Gainesville
Charles Patterson Hoskin, Pensacola
Myriam Irizarry, Clearwater
Suzanne M. Judas, Jacksonville

James Anthony Kowalski Jr., St. Augustine
Wendy S. Loquasto, Tallahassee
Melissa Lea Mackiewicz, Baltimore, MD
Leenette Wilhelmina McMillan-Fredriksson, Mayo
Adrian J. "Stan" Musial Jr., Tampa
Norman L. Paxton Jr., Ft. Pierce
James F. Pollack, Miami
James Lawrence Torres, Indialantic
Deborah Lynn Wells, Bartow
Thomas Edward Woods, Tavernier

In Memoriam

Retired Judge Jack Block served on the bench in Miami-Dade County from 1984 – 1996.

Retired Judge Gilbert Goshorn Jr. served on the bench in the Eighteenth Judicial Circuit from 1980 – 1989 and in the Fifth DCA from 1989 – 1999.

Judge Julio Jimenez served on the bench in the Eleventh Judicial Circuit from 2003 – 2012.

Retired Judge John Justice served on the bench in Sarasota County from 1948 – 1957 and in the Twelfth Judicial Circuit from 1957 – 1972.

Retired Judge William H. Maness served on the bench in the Fourth Judicial Circuit from 1957 – 1963.

Retired Judge Gillis E. Powell Sr. served on the bench in the First Judicial Circuit from 1971 – 1977.

Retired Judge E. Thom Rumberger served on the bench in the Eighteenth Judicial Circuit from 1967 – 1970.

February

- 2 - 3 Faculty Training Specialty Course, Tampa, FL
- 13 Florida Innocence Commission Meeting, Tallahassee, FL
- 16 - 17 Florida Court Personnel Institute, Tampa, FL
- 16 - 17 Court Interpreters Program, Orientation Workshop, Orlando, FL
- 18 Court Interpreters Program, Written Examination, Orlando, FL
- 19 - 23 Justice Teaching Institute, Florida Supreme Court, Tallahassee, FL

March

- 9 Legislative Session Ends, Sine Die
- 11 Florida Court Education Council Meeting, Orlando, FL
- 11 - 16 Florida Judicial College, Phase II, Orlando, FL
- 30 - 31 Florida Association of Family & Conciliation Courts Annual Training Conference, Tampa, FL

April

- 11 - 13 New Appellate Judges Program, Tampa, FL
- 16 - 17 Steering Committee on Families and Children in the Court, Ft. Lauderdale, FL
- 24 - 27 Dispute Resolution Center County Mediation Training, Melbourne, FL
- 26 Judicial Campaign Conduct Forums: Ft. Lauderdale, Ft. Myers, Ft. Walton Beach, Jacksonville, Miami, & Orlando
- 27 Judicial Campaign Conduct Forums: Gainesville, Key West, Tallahassee, Tampa, & West Palm Beach

ON
THE
HORIZON



Under the direction of
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 State Courts Administrator Elisabeth H. Goodner
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