

From: Kantor, Marianne </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=MKANTOR>

To: Schreiber, Lee Ann

Fernandez, Susana

Studybaker, Steven

CC:

Date: 5/6/2009 10:47:34 AM

Subject: ?RE: Court clerks

My turn.

I agree with some of what Lee has said except that I would narrow the trials down to no more than one hour. With the rash of 2 hour trials I was starting to have, I now have those on docket sounding because they often involve child support (pay stubs) and equitable distribution (documents valuing assets and debts). I have had binders of exhibits in 2 hour trials. Therefore, I would limit the Clerk to anything more than one hour as required.

I have also found the need of a Clerk in shorter hearings (as mentioned by Steve) for child support issues. When a party shows up without the FLCH and its needed, the Clerk can IM someone in her department and they come down with it. Alternatively, they get an IM with balance owed and last payment.

As for their Minutes being used, I use them ALL of the time in preparing my reports. If I am handling half hour default DOMs, I am usually getting the findings on the record but don't have time to make my own notes on what I said. I regularly refer back to the Minutes for a clarification which saves me a lot of time. If I had to go get a disk or walk over and listen in on the ECR each time I need a minor clarification, that would add more work. The Minutes have served as an incredible checklist for me.

I believe however, this issue will change once we are moved and have our speech recognition software installed in our courtrooms. Then we will be able to create a written record for reference of what we had orally recommended. That still will not replace the need for a Clerk when child support issues arise where we need the FLCH or balance owed but the situation will be better for shorter hearings. Until then, I am not certain that we would do our best work or be as efficient without their assistance.

I can also add that I know when we are informed that there is a crunch and my schedule is such that I know I can get by without a Clerk, I have offered to go without but only on a docket by docket review by me to determine if the issues can be handled without their assistance.

Marianne

20TH CIR 01824

From: Schreiber, Lee Ann
Sent: Wednesday, May 06, 2009 10:46 AM
To: Fernandez, Susana; Kantor, Marianne; Studybaker, Steven
Subject: RE: Court clerks

My 2 cents - I can probably get by without a Clerk on trials or hearings of 2 hour or less (if I can get a brief training from Clerk re how they keep their exhibit lists). At least on short trial and hearings, I'd be willing to try it and see how it goes. The more complicated trials (2 hours or more) I rely on the Clerk to keep track of Exhibits #s and what's admitted and what is not.

In my experience, the attorneys DO rely on the Minutes to prep ROs on simple matters. They usually order the CD of the proceeding to get the findings and ruling.

From: Fernandez, Susana
Sent: Tuesday, May 05, 2009 6:52 PM
To: Kantor, Marianne; Schreiber, Lee Ann; Studybaker, Steven
Subject: RE: Court clerks

I would like to hear your ideas before answering this email. How are they presently assisting you now in the courtroom?

They mentioned on the email below that you take your own notes but that does not serve the same purpose as the clerks minutes which are public in the court file. Do attys. rely on the clerk minutes to prepare the R&R?

What do you think about the whole idea?

From: Kantor, Marianne
Sent: Friday, May 01, 2009 9:32 AM
To: Sauls, Sandi
Cc: Schreiber, Lee Ann; Studybaker, Steven; Aloia, Nancy K; Fernandez, Susana
Subject: RE: Court clerks

Sandi,

20TH CIR 01825

I quickly asked Lee for her thoughts and we have some ideas but believe we need to run this past Nancy and Susana since they are our supervisors. I'm also including Steve in this reply.

I know that with the inundation of foreclosure cases, your team has been stretched. We have tried to let them know in advance when we have scheduled vacations or other time when we are not scheduled to be in court so they don't have to plan for that time. But I understand your request appears to be for a more permanent situation.

We will follow up as soon as we can.

Marianne

From: Sandi Sauls [mailto:ssauls@leeclerk.org]
Sent: Thursday, April 30, 2009 3:55 PM
To: Schreiber, Lee Ann; Kantor, Marianne
Subject: Court clerks

In our efforts to reduce staff we are investigating the necessity of all of the services provided by our office. When I spoke to the Court Clerk team today they suggested that I inquire as to whether the Magistrates need clerks since they take their own notes and have Court Smart as a back-up. What are your thoughts on this?

Thank you,

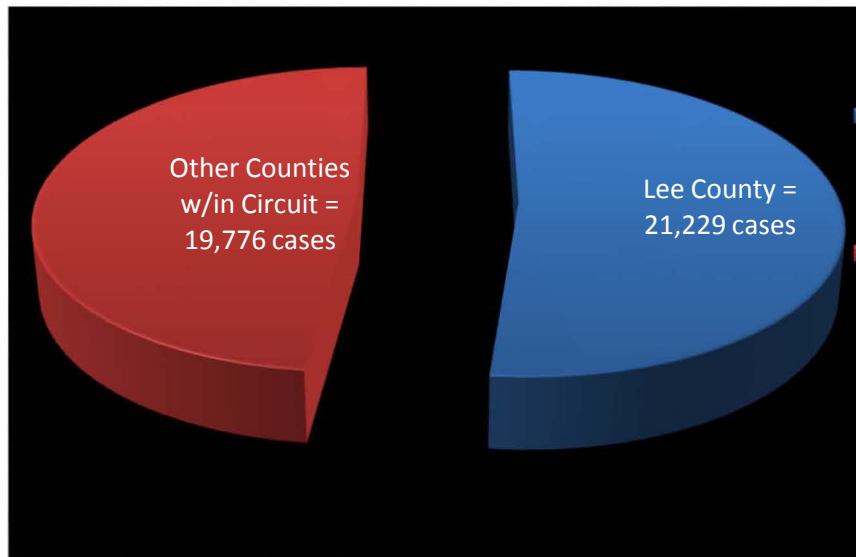
Sandi C. Sauls
Civil Division Manager
P.O. Box 310
Fort Myers, FL 33902
239-533-9188

Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure. {Token}



Twentieth Judicial Circuit , Lee County Foreclosure Reduction Plan

Prepared by : Nancy Aloia, Civil/Family Court Director

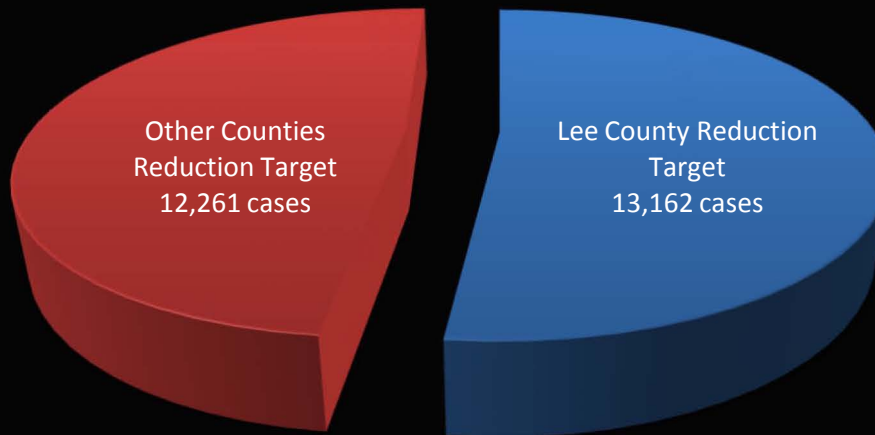


There are 41,005 pending foreclosure cases for the Circuit

As of 5/1/10, Lee County had 21,229 cases or 52% of the total backlog

Foreclosure Reduction plan = 62%

Twentieth Judicial Circuit Foreclosure Backlog Reduction Target (Lee County)



Lee County's foreclosure backlog = 21,229 cases

Lee County is expected to dispose of 13,162 foreclosure cases in order to meet a 62% backlog reduction plan.

This means Lee County must dispose of 1,097 cases per month in addition to maintaining a 100% clearance rate for incoming foreclosure filings.

It is expected that the incoming filings for 2010 will be approximately 1,210 per month.

The 20th Judicial Circuit is expected to meet a 62% backlog reduction.

The Circuit must dispose of 25,423 foreclosure cases to meet the target

Lee County is expected to dispose of 13,162 foreclosure cases to meet the target

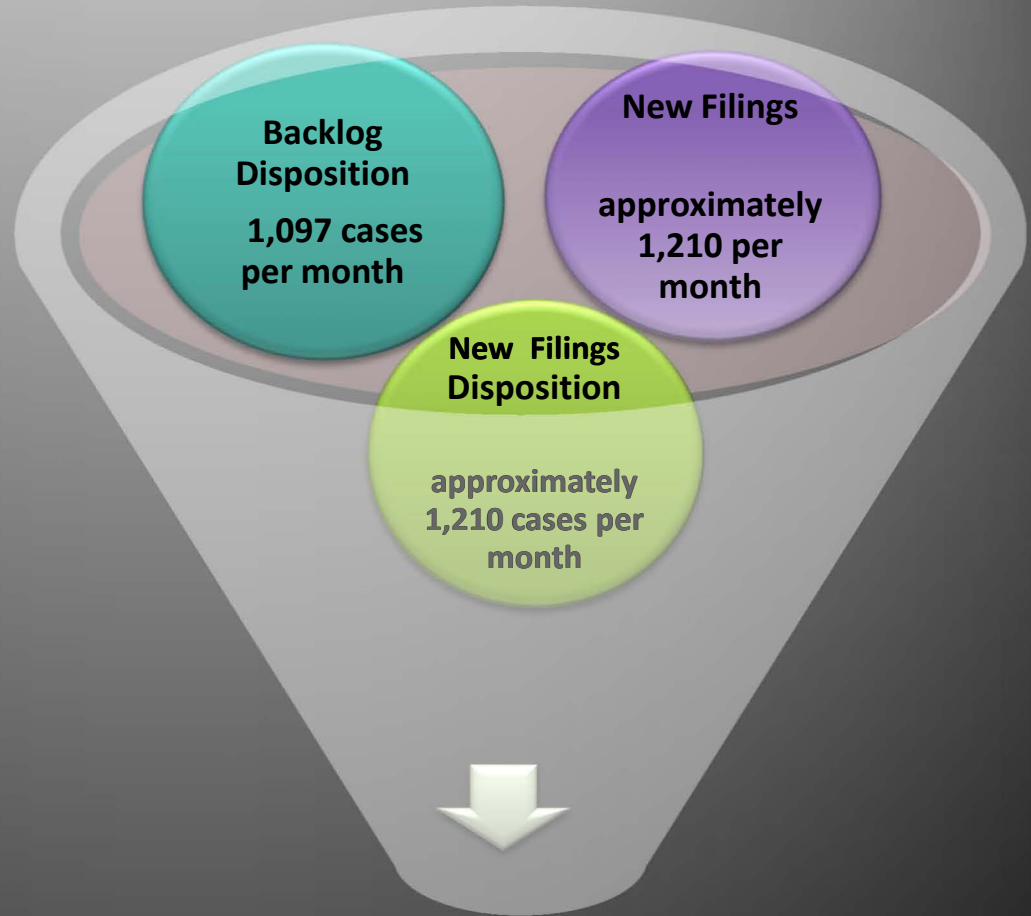
Foreclosure and Economic Relief Plan FY 10/11 Lee County

In order to keep pace with filings, Lee County must maintain a 100% clearance rate so we do not continue to develop a case backlog.

It is expected that approximately 1,210 new foreclosure cases will be filed every month.

Lee County must dispose of 1,097 cases per month to meet the court's 62% targeted reduction plan.

Lee County must dispose of 2,307 cases every month to meet the foreclosure reduction plan and keep pace with filings



**Lee County Dispositions Needed
2,297 cases per month**

Lee County Plan of Attack

Senior
Judge

- X # of Days to use for 1-year
- High Volume Dockets
- DS with ability to Motion for Summary Judgment same day

Magistrate

- Hear pending and new Motions
- Hold Status Conferences/Case Management Conferences



May 28, 2010

Honorable Howard Forman
Broward County
Chair

Honorable Harvey Ruvin
Dade County
Vice Chairman

Honorable Richard Weiss
Polk County
Secretary/Treasurer

Honorable John Crawford
Nassau County

Honorable Scott Ellis
Brevard County

Honorable Bob Inzer
Leon County

Honorable Buddy Irby
Alachua County

Honorable Tim Sanders
Madison County

Honorable Margaret Steinbeck
Judge

Senate
Honorable Sharon Bock
Palm Beach Clerk

House
Vacant

Joe Boyd
General Counsel

John Dew
Executive Director

2560-102 Barrington Circle
Tallahassee, Florida 32308

The Honorable G. Keith Cary
Twentieth Judicial Circuit
1700 Monroe Street
Ft. Myers, FL 33901

Dear Chief Judge G. Keith Cary:

The Executive Council for the Clerks of Court Operations Corporation (CCOC) is requesting assistance in the allocation of the \$3.6 million nonrecurring appropriation dedicated to the Clerks of Court to assist in addressing the workload associated with the foreclosure and economic recovery initiative. This assistance will be invaluable to the success of the Clerks' ability to assist the courts in clearing the outstanding backlog of foreclosure cases in 10/11.

As already requested by the TCBC, the CCOC Executive Council also ask that you meet with each of the Clerks in your circuit to collaborate on a plan to provide resources to address the foreclosure backlog. While the CCOC has determined an amount to provide in total to Clerks in your circuit, we are still seeking additional information on how to distribute these dollars among the individual Clerks. Based on a methodology approved by the CCOC, the portion of the \$3.6 million appropriation dedicated to be distributed among the Clerks in your circuit is \$263,028.06.

After your collaboration with the Clerks in your circuit we would appreciate any information and/or suggestions you could provide to help the CCOC make a decision to allocate dollars among the Clerks in your circuit. Please provide this information/suggestion either as specific dollar amount dedicated to each county or as percentage of the circuit total.

This information can be emailed to John Dew, CCOC Executive Director at jdew@flccoc.org. Given the short timeframe to implement this initiative, please provide this information to Mr. Dew by close of business on June 5, 2010.

If you have any questions regarding this request, I have directed Mr. Dew to make himself available. In addition to the email address above, you can contact him at (850) 386-2223.

With appreciation,

A handwritten signature in blue ink that reads "Howard Forman".

Howard Forman
Chair of the CCOC Executive Council

CC: John Dew

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No.

1. ACTION REQUESTED/PURPOSE:

Approve transfer from General Fund reserves in the amount of \$292,000 to the Clerk of Courts for personnel costs sufficient to process mass foreclosure sales for one year starting July 1, 2009.

2. FUNDING SOURCE:

Fund: General Fund transfer for clerk personnel costs.

3. WHAT ACTION ACCOMPLISHES:

As of July 1, 2009, the Clerk’s court-related functions will be funded by State Appropriations. The Clerk’s court-related budget for the State fiscal year starting July 1, 2009 is reduced 17.3% or 2.5 million from the FY08-09 original budget. Mass foreclosure calendaring and processing case actions for sales and dispositions have required eight positions in the Clerk’s court-related Civil Division. The Clerk is unable to sustain the personnel costs related to mass foreclosures without this funding assistance. The backlog of foreclosure properties tied up in the Lee County courts are currently more than 24,000 (statistics attached). Mass foreclosure hearings have been conducted since June 2008 which has kept the backlog from climbing (with more than 2000 new foreclosures filed each month). If the mass foreclosure hearings do not continue, the backlog of foreclosures will climb to more than 40,000 by June 2010. The recovery of our economy needs these foreclosed properties to be sold so that they can help increase the tax rolls and are maintained by their new owners. If the processing for mass foreclosure hearings is funded for another year, the backlog will not grow and will actually be reduce the backlog by an estimated 2,400 cases or more. Also, there are a growing number of outside bidders. This means the properties are not going back to the banks and will be back on the market all the sooner – which helps our economy.

4. MANAGEMENT RECOMMENDATION:

5. Departmental Category:

Consent
 Administrative
 Appeals
 Public
 Walk-On

8. Requirement/Purpose: (specify)
 Statute
 Ordinance
 Admin. Code
 Other
 Budget Amendment

6. Meeting Date:

9. Request Initiated:
Commissioner _____
Department _____
Division Clerk of Circuit Court
By: **Charlie Green**

10. Background:

Mass foreclosure dockets are different from foreclosures set on a judge’s regular docket. The five Circuit Civil judges dispose approximately 523 cases a month on their regular civil docket. In June of 2008, the Administrative Office of the Court (AOC) called in two senior judges to begin hearing large numbers of foreclosure cases. These judges hear approximately 175 foreclosure cases on a single docket and hold these mass foreclosure dockets every Friday. Additionally, a volunteer Circuit Judge hears 700 or more cases on a mass hearing docket – with the total of hearing at least 2100 foreclosure cases per month.* In December 2008, additional judge time was given to the foreclosure hearings and we were able to clear over 3300 cases. The Clerk’s Office, in coordination with that effort, added personnel to process these large numbers of foreclosure sales and dispositions. The Clerk is only requesting funding for personnel to process 1326 foreclosure sales on average per month (which is the amount of cases disposed by the mass foreclosure dockets). The processing of the cases disposed by the regular foreclosure dockets (523 cases) will be funded with the Clerk’s court-related State budget.

Once a foreclosure case is ready for judgment, the various functions performed by the clerk equate to over 1 hour per case. These duties include calendaring the hearing; court attendance; processing the judgment (setting sale date, distributing copies to all parties, and scanning, docketing and recording judgment); publishing Notice of Sale; conducting sale; maintaining bid sheet; invoicing; creating and processing Certificate of Sale (with attached Affidavit of Publication); creating, docketing, recording and distributing Certificate of Title; creating and processing Certificate of Disbursement; collection and disbursement of sale proceeds; notifying Surplus Trustees; and repeating many of these same functions for the rescheduled cases.

*2100 cases set for foreclosure hearings produce an average of 1849 foreclosure sales per month to process due to things like redemptions.

11. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P. W. Director
					Analyst	Risk	Grants	Mgr.	

12. Commission Action:

- Approved**
- Deferred**
- Denied**
- Other**



TWENTIETH JUDICIAL CIRCUIT OF FLORIDA

ADMINISTRATIVE OFFICE OF THE COURTS
LEE COUNTY JUSTICE CENTER
1700 MONROE STREET
FORT MYERS, FLORIDA 33901
TEL. (239) 533-1700
FAX (239) 533-1701

G. KEITH CARY
CHIEF JUDGE

RICHARD CALLANAN
COURT ADMINISTRATOR

Memorandum

To: 20th Judicial Circuit Clerks of Court

From: G. Keith Cary, Chief Judge

Date: June 4, 2010

Re: Foreclosure Backlog Program Allotments to the Clerks of the 20th Circuit

Dear 20th Judicial Circuit Clerks of Courts,

As you will see in the attached letter, the Florida Clerk of Courts Operations Corporation (CCOC) has asked for my input as Chief Judge on the most appropriate county allocation of the \$263,028 Foreclosure Backlog Program allotment to the Clerks of the 20th Circuit.

A major impact on the Clerks will be the additional court time required by added Senior Judge days for expedited default dockets and contested foreclosure trial dockets. Backlogged foreclosure cases may also be set for trial/conference dockets with Senior Judges or Magistrates to expedite these cases and move them directly to trial or default dockets. A summary of the 20th Circuit Foreclosure Backlog staffing plan for the Circuit for July 1, 2010 – June 30, 2011 is outlined below.

- Lee County is adding 180 Senior Judge days for expedited dockets; 20 Magistrate days per month in Lee will also handle foreclosure motions related to the new homestead mediation and handle foreclosure trial/conference dockets to expedite cases. Total new foreclosure hearing days approximately 420 per year/35 per month.
- Collier County is adding 162 Senior Judge days and 4 Magistrate days per month. Total foreclosure hearing time 210 per year/17.5 per month.
- Charlotte is adding 40 Senior Judge days and devoting 0.50 judge to foreclosures for a total foreclosure hearing time of 150 days/12/5 per month.

20th Judicial Clerks of Courts

Re: Foreclosure Backlog Program Allotments to the Clerks of the 20th Circuit

June 4, 2010

Page 2

- Hendry is adding 18 Senior Judge days and has approximately 0.10 judge FTE need for foreclosure volume for a total approximate foreclosure hearing time of 66 days per year/5.5 per month.
- Glades adding 38 Senior Judge Days and has approximately 0.05 judges assigned for total hearing time of 50 days per year/4.0 per month.

I would ask each of you to advise me on your opinion as to the best method to allocate the \$263,000 Clerk Foreclosure backlog reduction budget by county. Our county court allocations are based on the prorated percentage of foreclosure caseload for each county. If funded at this level, the prorated county allocations would be approximately:

Lee – 50%
Collier – 25%
Charlotte – 13%
Hendry – 6%
Glades – 6%

I would ask that you review the Foreclosure Backlog Plans, meet with your respective Circuit Administrative Judges and let me know your input on the best method of prorating the allocation of these Clerk funds by county. If the above prorated allocations look reasonable, I will forward those recommendations to the CCOC as requested. The CCOC has requested a response by June 10, 2010, so kindly let me know your input as soon as possible and no later than June 9, 2010.

Thank you for your assistance in this regard.

Attachment

cc: Honorable John S. Carlin, Administrative Judge
Honorable Cynthia A. Pivacek, Administrative Judge
Honorable Keith R. Kyle, Administrative Judge
Honorable James D. Sloan, Administrative Judge
Honorable Jack Lundy, Administrative Judge
Richard Callanan, Trial Court Administrator

20TH CIR 01837

Honorable Howard Forman
Broward County
Chair

Honorable Harvey Ruvin
Dade County
Vice Chairman

Honorable Richard Weiss
Polk County
Secretary/Treasurer

Honorable John Crawford
Nassau County

Honorable Scott Ellis
Brevard County

Honorable Bob Inzer
Leon County

Honorable Buddy Irby
Alachua County

Honorable Tim Sanders
Madison County

Honorable
Margaret Steinbeck
Judge

Senate
Honorable Sharon Bock
Palm Beach Clerk

House
Vacant

Joe Boyd
General Counsel

John Dew
Executive Director

2560-102 Barrington Circle
Tallahassee, Florida 32308

May 28, 2010

The Honorable G. Keith Cary
Twentieth Judicial Circuit
1700 Monroe Street
Ft. Myers, FL 33901

Dear Chief Judge G. Keith Cary:

The Executive Council for the Clerks of Court Operations Corporation (CCOC) is requesting assistance in the allocation of the \$3.6 million nonrecurring appropriation dedicated to the Clerks of Court to assist in addressing the workload associated with the foreclosure and economic recovery initiative. This assistance will be invaluable to the success of the Clerks' ability to assist the courts in clearing the outstanding backlog of foreclosure cases in 10/11.

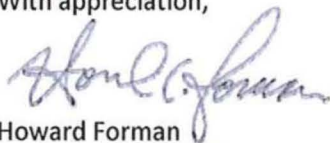
As already requested by the TCBC, the CCOC Executive Council also ask that you meet with each of the Clerks in your circuit to collaborate on a plan to provide resources to address the foreclosure backlog. While the CCOC has determined an amount to provide in total to Clerks in your circuit, we are still seeking additional information on how to distribute these dollars among the individual Clerks. Based on a methodology approved by the CCOC, the portion of the \$3.6 million appropriation dedicated to be distributed among the Clerks in your circuit is \$263,028.06.

After your collaboration with the Clerks in your circuit we would appreciate any information and/or suggestions you could provide to help the CCOC make a decision to allocate dollars among the Clerks in your circuit. Please provide this information/suggestion either as specific dollar amount dedicated to each county or as percentage of the circuit total.

This information can be emailed to John Dew, CCOC Executive Director at jdew@flccoc.org. Given the short timeframe to implement this initiative, please provide this information to Mr. Dew by close of business on June 5, 2010.

If you have any questions regarding this request, I have directed Mr. Dew to make himself available. In addition to the email address above, you can contact him at (850) 386-2223.

With appreciation,



Howard Forman
Chair of the CCOC Executive Council

CC: John Dew

To: Callanan, Richard; Aloia, Nancy K; Embury, Jon; Mann, Sheila; Middlebrook, Mark
Cc: Melvin, Lisa
Subject: RE: Economic Default Recovery - Revised Allocations(NEED THIS BY MAY11)

From: Callanan, Richard
Sent: Monday, May 10, 2010 10:08 AM
To: Aloia, Nancy K; Embury, Jon; Mann, Sheila; Middlebrook, Mark
Cc: Melvin, Lisa
Subject: FW: Economic Default Recovery - Revised Allocations(NEED THIS BY MAY11)
Importance: High

Dear All

This Civil/Foreclosure budget reallocation needs to be completed and returned to me by 5/11 COB.

It requires you to adjust your budget allocations to the new total. You can move allocations between categories, but once submitted, we will not be able to revise. IF you have any questions at all or want to discuss options, give me a call.

From: Kiesel, Lisa
Sent: Friday, May 07, 2010 3:30 PM
To: Aloia, Nancy K; Middlebrook, Mark; Embury, Jon; Mann, Sheila
Cc: Callanan, Richard; Melvin, Lisa
Subject: Economic Default Recovery - Revised Allocations
Importance: High

Dear All,

The new allocations for the Economic Default Recovery Program have been received. Unexpectedly, we have been given the opportunity to adjust our distribution by department and category. So this is the opportunity to switch between Sr Judge days and staff. The below table outlines the original request, new allocation, and reduction required for each county. Please review and submit your revisions to Lisa Melvin. Not unexpectedly, the due date for this is Wednesday next week (5/12).

Salary
 Estimate 79,688 39,126 26,090 26,090
 for 1 FTE

	Magistrate FTE \$	Case Manager FTE \$	Admin Asst FTE \$	Mediation FTE \$	Sr Judge Days \$ (\$350/day)	Total Cost of Original Submission	Actual Allocation	Reduction Required

Lee	2(1) 79,688 \$159,376	2(1) 39,126 \$78,252	1(0) 0 \$26,090	1 \$26,090	194 \$67,900	\$357,708	212,804 \$212,729	(\$144,979)
Collier	1(0.20) 16,147 \$79,688	1(0) 0 \$39,126	1 33,353 \$26,090	0	60(162) 56,950 \$21,000	\$165,904	106,450 \$106,365	(\$59,540)
Charlotte	0.5(0) 0 \$40,046	1 \$39,126	0	0	24(40) 14,000 \$8,400	\$87,534	53,164 \$53,182	(\$34,352)
Hendry	0	0	1 \$26,090	0	(18)36 12,600 \$6,300	\$32,390	38,690 \$26,591	(\$5,799)
Glades	0	0	1(0) 0 \$26,090		41 \$14,350	\$40,440	14,350 \$26,591	(\$13,849)
Total	3.5(1.5) (95,835) \$279,072	4 (2) (78,252) \$156,504	4(2) (59,443) \$104,360	1 \$26,090	337(473) (165,550) \$117,950	\$683,976	(425,458) \$425,458	(\$258,518)

<< File: Foreclosure and Economic Recovery Program.pdf >>

Thanks,

Lisa Kiesel, Chief Deputy Court Administrator
 Twentieth Judicial Circuit
 Administrative Office of the Courts
 1700 Monroe Street
 Fort Myers, FL 33901
 Office (239) 533-1711
 Fax (239) 533-1701

Our mission is to provide professional services to support the judiciary in their efforts to protect rights and liberties, uphold and interpret the law, and provide for the peaceful resolution of disputes.

From: Sloan, James D </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JDS5227>

To: Mann, Sheila

CC: Greider, Christine

Date: 5/26/2010 2:03:56 PM

Subject: ?Re: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

We needed to be alerted at the first inkling of a problem so that we could have started on a Plan B instead of having to scramble at the last minute.

Sent using BlackBerry

-----Original Message-----

From: Mann, Sheila

To: Sloan, James D ; Greider, Christine

Sent: Wed May 26 14:59:17 2010 Subject: RE: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

I agree, and it is not just us who is getting "torpedoed", I think that's why Rick was trying to work something out before getting word to us.

-----Original Message-----

From: Sloan, James D

Sent: Wednesday, May 26, 2010 2:54 PM

To: Mann, Sheila; Greider, Christine

Subject: Re: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

Our plan was to use Senior Judge days for complex civil cases. That plan is now "torpedoed". You are telling us that we can only use them for foreclosures. That's completely different than what was initially represented. We should have known about this before today!

Sent using BlackBerry

-----Original Message-----

From: Mann, Sheila

To: Greider, Christine

CC: Sloan, James D ; Lundy, Jack

Sent: Wed May 26 14:13:57 2010

Subject: RE: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

Judge Greider,

I apologize for the confusion. Although the email below was dated the 21st of May, I received it from Rick today. He had been working behind the scenes trying to get an exception to the guidelines, to no avail.

For clarification: I forwarded this so everyone had a copy of the outline as to how the funds must be used. The

20TH CIR 01841

adjustments to the plan refer to the circuitwide plan as to how the funds would be distributed within the circuit and what the funds would be used for (Sr. Judge days, magistrates or case manager and assistants). That plan was developed by the Chief Judge and Rick and we were allotted a fixed amount of money. It is this plan to which the email below is referring. After the OPS money was reduced during the legislative session the Chief Judge and Rick needed to make adjustments to how the money would be allocated (how much money each county received and how much would be used for Sr. Judge days, magistrates etc). Luckily, Hendry/Glades came out of it unscathed- we didn't lose any of our Sr. Judge days or adm asst time.

The internal plan as to what cases will go to Sr. Judges or magistrates etc is what will need to be addressed. Judge Sloan indicated to me a couple of weeks ago that he was working on a plan and would be getting with you. It is that plan that will need to comply with the guidelines for using the money.

In September Rick plans to submit a request to the TCBC asking to use the money for civil backlog in addition to foreclosure backlog- based on demonstration (presumably) that the circuit has made great progress in dealing with foreclosures. If granted, whatever plan we come up with now could be amended.

Again, I apologize for the confusion. Most of this occurred while I was out of the office. Even when I am in the office, my inclusion on these emails is sporadic..I forward the information as it becomes available, sometimes forgetting that it is new information for the judges as well.as Judge Sloan can attest we sometimes get emails asking for plans that we didn't even know we were supposed to be considering (i.e. Civil DCM) because we hadn't been included in the earlier discussions.

Sheila

From: Greider, Christine
Sent: Wednesday, May 26, 2010 1:10 PM
To: Mann, Sheila
Cc: Sloan, James D
Subject: RE: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

How are we to respond to a request that had a deadline of yesterday?

From: Mann, Sheila

20TH CIR 01842

To: Sloan, James D; Greider, Christine; Lundy, Jack

Cc: Gutshall, Tilena; Hendrickx, Jo-Ann; Brantley, Kelly

Subject: FW: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

Please see below.

From: Kristine Slayden [mailto:slaydenk@flcourts.org]

Sent: Friday, May 21, 2010 2:42 PM

To: Trial Court Chief Judges; Trial Court Administrators

Cc: Trial Court Budget Commission; Lisa Goodner; Charlotte Jerrett; Dorothy Wilson; Gary Phillips; Theresa Westerfield; Heather Thuotte-Pierson; Kristine Slayden; Sharon Bosley; Sharon Buckingham

Subject: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

Chief Judges/Trial Court Administrators - The Trial Court Budget Commission met yesterday and approved the following 5 issues for the implementation of the Foreclosure and Economic Recovery Funding for FY 2010/11. Any adjustments to your circuit's plan based on these decisions need to be emailed to Dorothy Wilson at burked@flcourts.org by COB Tuesday, May 25th. Please refer to the bottom of this email for further submission instructions.

Please note that the allocations will be provided to the Chief Justice and the Legislature for final approval.

Issue 1: FY 2010/11 Funding Allocations Approved

- 1) Approved the FY 2010/11 circuit allocations for the Foreclosure and Economic Recovery Funding, with an adjustment to the contracted services category for case management and administrative support for the 10th, 12th, and 15th circuits (due to restrictions with using contractual dollars). The revised allocation chart is attached.
- 2) Approved effective date for the implementation of the circuits' plans so resources can be deployed on July 1, 2010, using existing FY 2009/10 funds for advertising if necessary.

Issue 2: Types of Cases and Disposition Goals Approved

- 1) Approved real property/mortgage foreclosure cases as the focus of this initiative. If a circuit has cleared all real property/mortgage foreclosure cases from backlog, the circuit may request in writing to the TCBC Chair, with a copy to the TCBC Budget Management Committee Chair, and to the State Courts Administrator, as 2011 CIR 01848

2) Approved a targeted goal for the disposition of backlog cases of 62%, which corresponds to the reduction in funding (\$9.6 million proposal reduced down to \$6.0 million appropriation is a 38% reduction).

The attached chart indicates the targeted backlog reduction for the estimated Real Property/Mortgage Foreclosure backlog cases for each circuit. The actual number of backlog cases will need to be produced at the beginning of the initiative for tracking purposes.

Issue 3: Budget Policy Considerations Approved

a) In order to comply with legislative intent, any expenditure of any type utilizing this funding is strictly limited to direct support of the backlog reduction of the approved case types listed in Issue 2.

b) In order to ensure that senior judges who are assigned to the Foreclosure and Economic Recovery initiative are paid with the appropriate funds, the current senior judge application will be modified to allow circuits to specify from which funding source the senior judge should be paid. The Trial Court Administrators are responsible for ensuring that the information is reported properly.

c) Expenditures from the Expense category are limited to intra-circuit travel for staff, intra- and inter-circuit travel for Senior Judges, consumable office supplies, postage, copying, printing and reproduction. To maximize the Expense allotment, circuits are encouraged to use existing resources or surplus furnishings for any office furniture needs for OPS staff and/or Senior Judges. Subscriptions and the like are not allowable expenditures for this funding, neither are computers or other communication devices as those items are a county funding responsibility.

d) A contingency for the Expense category was approved in the original proposal and factored into the appropriated amount. In order to access these contingency funds, a circuit must have exhausted its Foreclosure and Economic Recovery Expense allotment. Requests for additional Expense are to be made in writing to the TCBC Chair, with a copy to the TCBC Budget Management Committee Chair, and to the State Courts Administrator. The request must provide a complete, detailed explanation of how Expense funding came to be exhausted, what steps were taken to alleviate the impending shortfall, the amount requested and how that amount was calculated.

Issue 4: Funding/Plan Monitoring Approved

a. The Budget Management Committee (BMC) will monitor expenditures on a monthly basis. 2011-01-01 11:44 resources are

only being used for the purpose of backlog reduction for the approved case types. In addition, the BMC will monitor case event data to ensure that expenditures correlate with the TCBC approved activities.

b. The Supreme Court Inspector General will also be reviewing the Foreclosure and Economic Recovery initiative for potential inclusion in the branch's FY 2010/11 audit plan.

Issue 5: Clerk Assistance Approved

Information on in-courtroom resources (general magistrates and senior judges) that will be assigned in each county and the maximum number of courtrooms that will be scheduled at any one time in each county will be shared with clerks once it has been finalized (see attached chart - please update this information, if needed). The chief judge in each circuit should work with their clerks to ensure the clerks appropriately support their plan. These plans need to be shared with the Office of the State Courts Administrator so that the legislature can be informed of the collaborative work on this issue. In addition, the TCBC approved the requirement that the clerks of court provide data support for this initiative.

Two other issues on performance measurement and FY 2011/12 Legislative Budget Request were postponed until the June 4th TCBC meeting.

Directions:

If the decisions above require you to modify your plan allocations, please make the adjustments and notify Dorothy Wilson of the specific changes to the allocation categories by email at burked@flcourts.org by COB, Tuesday, May 25, 2010. If no changes are needed, please indicate that in an email to Dorothy. In addition, if any changes in your allocations require a revision to the in courtroom resources, please provide that information also.

Listed below are the job classes and hourly rates for OPS positions that were used in the original proposal for the Foreclosure and Economic Recovery Funding. The TCBC approved the circuit allocations with direction to the circuits that they hire within these guidelines.

Element Position Maximum rate

Magistrates: Magistrate \$35.48 hourly

Case Management: Court Program Specialist II \$17.36 hourly

Court Program Specialist I \$14.58 hourly

Court Program Specialist I \$15.40 hourly w/ CAD - Hillsborough and Pinellas

20TH CIR 01845

Court Program Specialist I \$15.40 hourly w/ CAD - Broward, Dade, Monroe, Palm Beach

Admin. Support: Senior Secretary \$11.89 hourly

Senior Secretary \$12.10 hourly w/ CAD - Hillsborough and Pinellas

Senior Secretary \$12.48 hourly w/ CAD - Broward, Dade, Monroe, Palm Beach

This amount does not include the 7.65% FICA that needs to be added to the hourly rate.

Lastly, some circuits have already developed plans and position descriptions for the implementation of this initiative. You may want to check with our colleagues if you need some assistance in developing your own plan.

Please let me know if you have any questions. Kris

Kris Slayden

Research and Data

Office of the State Courts Administrator

Florida Supreme Court

500 S. Duval Street

Tallahassee, Florida 32399

850-922-5106 (wk)

850-556-2335 (cell)

850-414-1342 (fax)

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

This footnote also confirms that this email message has been swept by Symantec Mail Security for the presence of computer viruses.

www.symantec.com

From: Sloan, James D </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JDS5227>

To: Mann, Sheila

CC:

Date: 6/2/2010 3:26:30 PM

Subject: ?RE: foreclosures

I will get to back with you tomorrow. I want to discuss this further with Judge Greider and she has gone for the day.

Judge Sloan

From: Mann, Sheila

Sent: Wednesday, June 02, 2010 4:10 PM

To: Sloan, James D

Subject: foreclosures

Judge Sloan,

I must submit a plan to Rick Callanan for the foreclosure reduction plan. As I understand it, the Lucky Firm has filed notices for hearing on 40-50 cases (for 1 hour). I spoke with Jo-Ann and she indicated that they will not take an hour each (per Judge Greider). Also, the magistrate from Collier does a full day of foreclosure hearings a month. Based on our discussion this morning and this information:

Does it seem to you that the Sr. Judge time requirement then would be 2-3 days a month for trials (at least in the first month or so) and 1 day for hearings in Hendry?

Additionally, I contacted Judge Lundy's office and there would be a need for Sr. Judge time $\frac{1}{2}$ day a month for Glades.

Jo-Ann indicated that taking the foreclosures away from the Collier Magistrate would make it difficult for her to find enough civil/family work for both Ed Larsen and the Collier Magistrate to do and that the Collier position would then be unnecessary. If this is the case I think we would need to check with Mark regarding the temporary suspension of the magistrate loan with the commitment to be continued support if needed at the end of the OPS funding period.

Please let me know your thoughts so that I can inform Rick.

Thank you,
Sheila

From: Sloan, James D </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JDS5227>

To: Greider, Christine

CC:

Date: 6/7/2010 11:52:02 AM

Subject: ?FW: Foreclosure Backlog Program Allotments to the Clerks of the 20th - Memo from Chief Judge Cary

Please review the attached letter from Judge Cary. Once again, we are under the gun for a response. I will try and catch up with you sometime tomorrow as our answer is due by Wednesday.

Jim

> _____

>From: Callanan, Richard

>Sent: Friday, June 04, 2010 2:26 PM

>To: Green, Charlie; Scott, Barbara T.; Butler, Barbara; Flint, Joe; Brock, Dwight; Carlin, John S.; Pivacek, Cynthia; Kyle, Keith; Sloan, James D; Lundy, Jack

>Cc: Bennett, Laura; Churchill, Marie; Barbiretti, Sue; 'abischel@hendryclerk.org'; 'sbrown@gladesclerk.com'; Atkins, Joanne; Jordan, Jacqueline; Gutshall, Tilena; Brantley, Kelly; Kellum, Susan G; Harkey, Sandra D

>Subject: Foreclosure Backlog Program Allotments to the Clerks of the 20th - Memo from Chief Judge Cary

>Importance: High

>

>Good Afternoon,

>

>On behalf of Chief Judge Cary, please find attached a memo from him along with an attachment from the Florida Clerk of Courts Operations Corporation (CCOC). Please review and respond to Chief Judge Cary on or before June 9, 2010.

>

>Thank you for your prompt attention to this matter and have a nice weekend.

>

>

>

>Richard Callanan

>Trial Court Administrator

>20th Judicial Circuit

>239-533-1712

>



TWENTIETH JUDICIAL CIRCUIT OF FLORIDA

ADMINISTRATIVE OFFICE OF THE COURTS
LEE COUNTY JUSTICE CENTER
1700 MONROE STREET
FORT MYERS, FLORIDA 33901
TEL. (239) 533-1700
FAX (239) 533-1701

G. KEITH CARY
CHIEF JUDGE

RICHARD CALLANAN
COURT ADMINISTRATOR

Memorandum

To: 20th Judicial Circuit Clerks of Court

From: G. Keith Cary, Chief Judge

Date: June 4, 2010

Re: Foreclosure Backlog Program Allotments to the Clerks of the 20th Circuit

Dear 20th Judicial Circuit Clerks of Courts,

As you will see in the attached letter, the Florida Clerk of Courts Operations Corporation (CCOC) has asked for my input as Chief Judge on the most appropriate county allocation of the \$263,028 Foreclosure Backlog Program allotment to the Clerks of the 20th Circuit.

A major impact on the Clerks will be the additional court time required by added Senior Judge days for expedited default dockets and contested foreclosure trial dockets. Backlogged foreclosure cases may also be set for trial/conference dockets with Senior Judges or Magistrates to expedite these cases and move them directly to trial or default dockets. A summary of the 20th Circuit Foreclosure Backlog staffing plan for the Circuit for July 1, 2010 – June 30, 2011 is outlined below.

- Lee County is adding 180 Senior Judge days for expedited dockets; 20 Magistrate days per month in Lee will also handle foreclosure motions related to the new homestead mediation and handle foreclosure trial/conference dockets to expedite cases. Total new foreclosure hearing days approximately 420 per year/35 per month.
- Collier County is adding 162 Senior Judge days and 4 Magistrate days per month. Total foreclosure hearing time 210 per year/17.5 per month.
- Charlotte is adding 40 Senior Judge days and devoting 0.50 judge to foreclosures for a total foreclosure hearing time of 150 days/12/5 per month.

20th Judicial Clerks of Courts

Re: Foreclosure Backlog Program Allotments to the Clerks of the 20th Circuit

June 4, 2010

Page 2

- Hendry is adding 18 Senior Judge days and has approximately 0.10 judge FTE need for foreclosure volume for a total approximate foreclosure hearing time of 66 days per year/5.5 per month.
- Glades adding 38 Senior Judge Days and has approximately 0.05 judges assigned for total hearing time of 50 days per year/4.0 per month.

I would ask each of you to advise me on your opinion as to the best method to allocate the \$263,000 Clerk Foreclosure backlog reduction budget by county. Our county court allocations are based on the prorated percentage of foreclosure caseload for each county. If funded at this level, the prorated county allocations would be approximately:

Lee – 50%
Collier – 25%
Charlotte – 13%
Hendry – 6%
Glades – 6%

I would ask that you review the Foreclosure Backlog Plans, meet with your respective Circuit Administrative Judges and let me know your input on the best method of prorating the allocation of these Clerk funds by county. If the above prorated allocations look reasonable, I will forward those recommendations to the CCOC as requested. The CCOC has requested a response by June 10, 2010, so kindly let me know your input as soon as possible and no later than June 9, 2010.

Thank you for your assistance in this regard.

Attachment

cc: Honorable John S. Carlin, Administrative Judge
Honorable Cynthia A. Pivacek, Administrative Judge
Honorable Keith R. Kyle, Administrative Judge
Honorable James D. Sloan, Administrative Judge
Honorable Jack Lundy, Administrative Judge
Richard Callanan, Trial Court Administrator

Page 3

11_16_2010

20TH CIR 01851



Honorable Howard Forman
Broward County
Chair

Honorable Harvey Ruvin
Dade County
Vice Chairman

Honorable Richard Weiss
Polk County
Secretary/Treasurer

Honorable John Crawford
Nassau County

Honorable Scott Ellis
Brevard County

Honorable Bob Inzer
Leon County

Honorable Buddy Irby
Alachua County

Honorable Tim Sanders
Madison County

Honorable
Margaret Steinbeck
Judge

Senate
Honorable Sharon Bock
Palm Beach Clerk

House
Vacant

Joe Boyd
General Counsel

John Dew
Executive Director

2560-102 Barrington Circle
Tallahassee, Florida 32308

May 28, 2010

The Honorable G. Keith Cary
Twentieth Judicial Circuit
1700 Monroe Street
Ft. Myers, FL 33901

Dear Chief Judge G. Keith Cary:

The Executive Council for the Clerks of Court Operations Corporation (CCOC) is requesting assistance in the allocation of the \$3.6 million nonrecurring appropriation dedicated to the Clerks of Court to assist in addressing the workload associated with the foreclosure and economic recovery initiative. This assistance will be invaluable to the success of the Clerks' ability to assist the courts in clearing the outstanding backlog of foreclosure cases in 10/11.

As already requested by the TCBC, the CCOC Executive Council also ask that you meet with each of the Clerks in your circuit to collaborate on a plan to provide resources to address the foreclosure backlog. While the CCOC has determined an amount to provide in total to Clerks in your circuit, we are still seeking additional information on how to distribute these dollars among the individual Clerks. Based on a methodology approved by the CCOC, the portion of the \$3.6 million appropriation dedicated to be distributed among the Clerks in your circuit is \$263,028.06.

After your collaboration with the Clerks in your circuit we would appreciate any information and/or suggestions you could provide to help the CCOC make a decision to allocate dollars among the Clerks in your circuit. Please provide this information/suggestion either as specific dollar amount dedicated to each county or as percentage of the circuit total.

This information can be emailed to John Dew, CCOC Executive Director at jdew@flccoc.org. Given the short timeframe to implement this initiative, please provide this information to Mr. Dew by close of business on June 5, 2010.

If you have any questions regarding this request, I have directed Mr. Dew to make himself available. In addition to the email address above, you can contact him at (850) 386-2223.

With appreciation,

Howard Forman
Chair of the CCOC Executive Council

CC: John Dew