

Mark VanBever

From: Susan Phillips
Sent: Friday, August 20, 2010 2:07 PM
To: Brevard: Court Admin
Cc: Trish Matarazzo
Subject: Handling LOP calls
Attachments: RESPONDING TO LOP INQUIRIES.docx

Attached you will find a form that will assist you with handling calls regarding the LOP Notice of Hearing that many, many, many people are receiving daily. Thank you all for your input, Judge Johnston was instrumental as well.

**Susan J. Phillips, Family Court Manager
Court Administration - 18th Judicial Circuit
ph 321.637.5673**

RESPONDING TO LOP INQUIRIES

COMPLETE FOLLOWING INFORMATION AND GIVE TO TRISH OR CATHY SO THEY CAN ATTACH TO THEIR COPY OF THE LOP NOTICE

Party Name: _____

Contact #: _____

Case Number: _____

LOP Hearing Date: _____

LOP Hearing Time: _____

FAQ'S

1. What does this notice, LOP mean?

LOP stands for Lack of Prosecution. There are many cases in Brevard County that have become dormant. The Court wishes to remove as many dormant cases from its docket as possible. Any person who wants a case to remain open should read carefully the paperwork they received and comply with its requirements. If no action is taken, the case will be dismissed. If any interested party has further questions, he or she should consult an attorney or appear at the hearing.

2. I sold the property, I do not own it anymore....

If no one appears or offers a reason to keep the lawsuit open, it will be dismissed. If it is not dismissed, even if you do not own the property, a judgment might be entered against you at some time in the future. If you have any further questions, please consult an attorney or appear at the hearing.

3. I paid the property off.....

If no one appears or offers a reason to keep the lawsuit open, it will be dismissed. If it is not dismissed, even if you do not own the property or believe you paid off the mortgage, a judgment still might be entered against you at some time in the future. If you have any further questions, please consult an attorney or appear at the hearing.

4. Even though I currently have no reason not to have the case dismissed, should I attend the hearing in order to be heard in case the other party (i.e. Lender) appears?

If you have any doubts, show up for the hearing.

Additional

Comments: _____

Mark VanBever

From: Susan Phillips
Sent: Thursday, July 29, 2010 9:01 AM
To: Larry Johnston
Cc: Mark VanBever
Subject: RE: Incoming work

Judge,

Thank you for spending so much time gathering the data that led to your findings. At the end of the year, if we do not meet the Legislature's goal, I am confident that it was not for lack of hours of hard work, planning, and commitment to the foreclosure crisis.

You know I am here 100% for you and the team..... Thx

Susan J. Phillips, Family Court Manager
Court Administration - 18th Judicial Circuit
ph 321.637.5673

From: Larry Johnston
Sent: Thursday, July 29, 2010 8:37 AM
To: Charles Holcomb; Susan Phillips
Subject: Incoming work

Charlie and Susan

As Susan knows, while you were away, I spent two days looking over certain statistics. Attached are two reports you might want to print before reading the rest of this email.

I wanted to find out how many calls were coming into the office requesting hearing time. I felt this was the best way to determine if we will passively meet any of the goals the legislature has set for us.

What I did was to examine, starting May 24 when I first gave the calendars to the secretaries to set hearings. Each entry shows when they received the call. I did this examination through July 28 and included all hearings now on our book even though the hearing may be scheduled in November.

Here is a summary:

1. In the approximate 2 month period, this office received 1626 calls for hearings of all types. This represents roughly 800 per month or 400 per judge per month.
2. Of the 1626, 178 were for miscellaneous hearings and 1448 were for final hearings for Summary Judgment.
3. If we disposed of 1448 cases during the 42 work days in that two month period, that would amount to disposing of approximately 30 cases per day or 15 per judge.

If these figures hold true, we will not meet our goals, even if we dismiss the 1846 cases now being LOP'ed.

MY CONCLUSION: We will have to take a more active roll in pursuing case management for the older cases.

Larry
Pencil pusher

Mark VanBever

From: Susan Phillips
Sent: Wednesday, July 14, 2010 3:44 PM
To: Mark VanBever
Subject: FW: Input screen for foreclosure data collection effort

Mark.....

Wow...Laurie's response below is a lot to digest, she makes some good points that I do understand. I'm keeping the email in case we need it for future ammunition.

Susan J. Phillips, Family Court Manager
Court Administration - 18th Judicial Circuit
ph 321.637.5673

From: Laurie Rice [REDACTED]
Sent: Wednesday, July 14, 2010 2:51 PM
To: Susan Phillips
Subject: RE: Input screen for foreclosure data collection effort

OK. My tentative "yes we can help you" depends on how much time it will take to write the query and a few other issues. That being said, I have some questions/concerns.

As I understand it, OSCA will take the data that we submitted last week and populate the FERCTS. As each case is addressed by the court, OSCA anticipates that the judge (JA, court admin staff, volunteer, case manager, etc) will update the FERCTS using the data entry screen you provided below. Each case on the list provided will default to a Case Status of Inactivity or Pending – Other.

Question #1: I'm a little confused by the 3 Options for Case Status. Options 1 and 2 do not include a selection for closed. Also, how is the default of "Inactivity or Pending – Other" going to be changed to one of the selections in whichever Option is approved? Most of all – what is the purpose of this information? If the case is already identified as pending (whether active or inactive) and you will be reporting its disposition if it closes, what will be gained by classifying a case as inactive, active, and then disposed? Since there isn't a definition of active, in my eyes, as soon as an OTSC is issued by the court (say for LOPS), the case becomes active. It just seems like a lot of effort for very little payback.

Question #2: Disposition categories: The 3 disposition categories (Summary/Final Judgment, Trial, and Dismissed) do not account for cases that are on the list that should not be because they were disposed prior to July 1, 2010 (I hate to admit that may happen, but it will). As these cases are identified, they are being referred to us for review and clean-up if necessary. If we determine that the case should have been closed, we will update the case with a disposition date prior to July 1, 2010 – there wouldn't be a disposition by the judge. I recommend adding a disposition category of "Corrected by Clerk".

Concern: Data Reporting Plan>Date of Reopen Event – First, a little history. SRS requires that we report every motion filed after the disposition of the case. If multiple motions are filed on the same day, they are counted as one filing. To determine whether a case is pending or not, we track the disposition of each reopen motion (we're ahead of many counties in this area!) If multiple reopen motions are filed, we consider the case pending until all of the pending motions are disposed. For example, a Final Judgment is entered on May 1, 2010, and the case is reported as

disposed. On May 15, 2010, a motion for contempt is filed. We would charge a reopen fee and reopen the case (reopen pending). On May 17, 2010, a motion to vacate the F/J is filed. We would not charge a reopen fee because the motion for contempt is still pending and the case's status is reopen pending. On May 20, 2010, an order on the motion for contempt is entered. We would associate a disposition to this motion, but we would not change the case status to reopen disposed because the motion to vacate is still pending. If no other motions are filed before we receive an order on the motion to vacate, we would change the case status to reopen disposed upon entry of an order on the motion to vacate.

The criteria for this element is "Report the date that a post-judgment motion is filed and the \$50 fee is paid..." As you may be aware, the \$50 reopen fee has been a fiasco. As often as not, the reopen fee is not paid when the motion is filed. I suggest removing "and the \$50 fee is paid".

Question #3: I may have missed it, but will the FERCTS include new cases filed after June 30, 2010? If so, how does OSCA anticipate that the court will obtain this information (we both know it would have to come from the Clerk). Also, are you to track all reopens or just reopens for cases on the initial list?

Finally, I have a concern about providing this information to you. If I understand correctly, you will be submitting this information bi-weekly. If we were to provide this information to you, we would have to agree to some business rules related to actual date vs the date we update the information. For example, the judge may dispose of a case on the last day of the reporting period, but we don't update the information until the middle of the next reporting period. This would cause problems with your data if there are any validity checks in the FERCTS. For example, let's say the reporting period starts July 1, 2010, through July 9, 2010. The next reporting period is July 10, 2010, through July 23, 2010. The judge disposes of a case on July 8, 2010, but we don't update the case until July 12, 2010. If we provide the information to you, this case could not be included in the report for the period ending July 9, 2010, because we had not yet updated the case. If you include it in the reporting period beginning July 10, 2010, if there is a validity check on disposed date, the record may fail because the disposed date is not in the reporting period. I think there are validity checks in the FERCTS because when we sent the file to OSCA, a few of our cases failed because the reopen date was prior to the original disposition date (OSCA knows what they are doing when it comes to statistical data).

Now, are you sorry you asked???? Please let me know how you want to proceed.

Laurie

From: Susan Phillips [REDACTED]
Sent: Tuesday, July 13, 2010 4:25 PM
To: Laurie Rice
Subject: FW: Input screen for foreclosure data collection effort

Supposedly, this is a model for what we would have to input on each case! What are your thoughts? Seems to me, most of the information can be obtained from your system.

Susan J. Phillips, Family Court Manager
Court Administration - 18th Judicial Circuit
ph 321.637.5673

From: Mark VanBever
Sent: Tuesday, July 13, 2010 3:29 PM
To: Larry Johnston; J. Preston Silvernail; Susan Phillips; Charles Holcomb
Subject: Input screen for foreclosure data collection effort

Someone would have to fill out this screen for all cases that are disposed this fiscal year from cases filed since July 1, 2006.

Foreclosure and Economic Recovery Initiative Case Tracking Form

Case Data | Search

Case Identification

UCN: 602004CA000509XXXXXX

Filing Date: 5

SRS Case Category: Real Prop/Mort Foreclosure (Pre2010)

Disposition/Status

Date Disposed: 7/25/2005

Disposition Type: Summary/Final Judgement

Date Status Change:

Case Status:

Case Closed for Court: Date Case: 6/25/2010

Post-Judgement

Open Date: 10/25/2009

Closed Date: 6/25/2010

Case Comments



Mark VanBever

From: April Copp
Sent: Tuesday, May 25, 2010 9:18 AM
To: Alan Dickey; Wayne Fountain; Sue Block; Donna Roberson
Cc: Mark VanBever; Susan Phillips; Kathy Wright
Subject: Foreclosure Recovery - Tracking OPS Funds

As you are aware, we have been allocated funds to be used effective July 1st (for FY 2010-2011) in order to dispose of the backlog of foreclosure cases. We are permitted to have Senior Judges handle these cases, with appropriate administrative support. Brevard will be utilizing Senior Judges Holcomb and Johnston, and we will be hiring a OPS (temporary) Senior Secretary to assist them with their administrative/clerical needs at the mandate rate of \$11.89/hour.

Brevard's total salary dollars for the administrative support is \$32,361.00. (Seminole's total salary dollars for their administrative support is \$26,090.00.)

Kathy Wright will be closely monitoring this budget for both Brevard and Seminole, and equally as important, she will be monitoring the hours worked for the administrative support, so that the hours do not exceed 1,040 for any one person (an individual's OPS employment cannot exceed 1,040 hours within any 12-month period.....when 1040 hours are reached, a replacement employee must be hired).

Due to this, Sue, please plan on submitting your OPS timesheets to Kathy for final processing prior to each bi-weekly OPS payroll deadline. This way Kathy can monitor both the budget and the hours worked, and then cross-reference expenditures with the OPS payroll register, which Kathy has access to on-line. She will provide each of us with biweekly status reports on both.

Thanks so much.

April Lindsay Copp
Senior Deputy / Human Resource Manager
Eighteenth Judicial Circuit
Office: (321) 637-5674 Fax: (321) 637-5484

The information contained in this e-mail message may be privileged and confidential under Fla. R. Jud. Admin 2.051 (2002) information, and is intended only for the personal and confidential use of the designated recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, please notify me immediately by return e-mail and destroy all copies of the original message. Also, please be advised that Florida has a broad public records law, and all correspondence to me via email may be subject to disclosure. Under Florida records law (SB80 effective 7-01-06), email addresses are public records. Thank you.

Mark VanBever

From: Gary Phillips [REDACTED]
Sent: Tuesday, May 25, 2010 8:59 AM
To: Circuit Personnel Reps
Cc: Trial Court Administrators; Delcynth Schloss; Charlotte Jerrett
Subject: Foreclosure and Economic Recovery - OPS Information
Attachments: 2010 Biweekly Schedule.doc

Good Morning All:

This is to address issues concerning the use of OPS resources for the foreclosure backlog.

Rapid Deployment of Resources and Advertising on People First

A new version of People First will be released in July. Therefore, the system will be taken off line on July 1 for about 3 weeks. Due to this transition, any advertisement you run on People First in June will have a closing date of no later than June 30th. Even if you advertise on June 29th, the system will force a June 30 closing date. Therefore, you need to advertise by mid June in order to have a two week advertising window. Advertisements will not be able to be started back up until at least the last week of July.

General Information Concerning Employing OPS Staff for the Foreclosure Backlog Project

- Each Circuit will have an approved plan and allotment.
- Each circuit utilizing OPS will engage in recruitment and selection activities.
- As candidates are selected, submit OPS Employment Authorization Forms (OSCA Intranet Site, Personnel, Forms Section), and all of the additional forms listed on the bottom of the Authorization Form except Direct Deposit forms, to the Office of Personnel Services. Direct Deposit forms are to be handled just like FTE new hires. Agreement Periods will be six months or the end of the fiscal year, **whichever is sooner**.
- Since there is a specific appropriation for this project, extensions beyond 1040 hours in a calendar year will be automatic and will not need to be requested.
- All OPS employees are paid biweekly. **Attached is a biweekly pay schedule.**
- Payroll processing each biweekly pay period for OPS employees will be complete only upon receipt of the OPS employee's timesheet, also on our Intranet site, signed by the employee and approved by the manager/supervisor and submitted to our office in a timely manner.
- Overtime is not permitted. Should overtime inadvertently occur, the employees in included classes will have to be paid time-and-a-half.
- 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. You may use discretion and flexibility in classification and pay as long as pay is within guidelines and you stay within your allotment. If you have any questions concerning classification and pay, please call me to discuss.

<u>Element</u>	<u>Position</u>	<u>Hourly Rate</u>
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
	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. You will need to add this amount when tracking your budget.

Best of luck with this project. I am available if I can be of any assistance.

Gary

Gary R. Phillips, SPHR
 Chief of Personnel Services
 Office of the State Courts Administrator
 500 S. Duval Street
 Tallahassee, Florida 32399-1900
 phone: 850-617-4028
 fax: 850-488-3744
 email: [REDACTED]

2010 BIWEEKLY (OPS) PAYROLL SCHEDULE

<u>PAY PERIOD</u>	<u>DEADLINE</u>	<u>PAY DATE</u>
01/08/10 – 01/21/10	01/21/10	01/29/10
01/22/10 – 02/04/10	02/04/10	02/12/10
02/05/10 – 02/18/10	02/18/10	02/26/10
02/19/10 – 03/04/10	03/04/10	03/12/10
03/05/10 – 03/18/10	03/18/10	03/26/10
03/19/10 – 04/01/10	04/01/10	04/09/10
04/02/10 – 04/15/10	04/15/10	04/23/10
04/16/10 – 04/29/10	04/29/10	05/07/10
04/30/10 – 05/13/10	05/13/10	05/21/10
05/14/10 – 05/27/10	05/26/10 Early Submission Date	06/04/10
05/28/10 – 06/10/10	06/10/10	06/18/10
06/11/10 – 06/24/10	06/24/10	07/02/10
06/25/10 – 07/08/10	07/08/10	07/16/10
07/09/10 – 07/22/10	07/22/10	07/30/10
07/23/10 – 08/05/10	08/05/10	08/13/10
08/06/10 – 08/19/10	08/19/10	08/27/10
08/20/10 – 09/02/10	09/01/10 Early Submission Date	09/10/10
09/03/10 – 09/16/10	09/16/10	09/24/10
09/17/10 – 09/30/10	09/30/10	10/08/10
10/01/10 – 10/14/10	10/14/10	10/22/10
10/15/10 – 10/28/10	10/28/10	11/05/10
10/29/10 – 11/11/10	11/10/10 Early Submission Date	11/19/10
11/12/10 – 11/25/10	11/23/10 Early Submission Date	12/03/10
11/26/10 – 12/09/10	12/09/10	12/17/10
12/10/10 – 12/23/10	12/21/10 Early Submission Date	12/30/10
12/24/10 – 01/06/11	01/06/11	01/14/11

Mark VanBever

From: Susan Phillips
Sent: Monday, May 24, 2010 8:00 AM
To: Mark VanBever
Subject: FW: Silvernail memo
Attachments: Silvernai2.doc

JPS asked LVJ to provide the attached. I will make sure the Sr. Judges understand the funding constraints for contract indebtedness and county civil cases.

From: Larry Johnston [REDACTED]
Sent: Sunday, May 23, 2010 7:13 AM
To: Susan Phillips
Subject: Silvernail memo

Hey
I drafted this at the chief's request. I passed it on to Charlie for approval.

Okay with you?

Larry

May 21, 2010

The Honorable Preston Silvernail
2825 Jamieson Way
Viera, FL 3240....

Mortgage Foreclosure Division

Dear Preston:

Pursuant to your request, I am submitting this to help you evaluate the plan Judge Holcomb and I have devised in order to have an orderly and efficient transition of the foreclosures in Brevard County.

As I indicated when I spoke to you, we have four goals:

1. To begin setting Summary Judgment hearings on the new MFD calendar immediately.

To accomplish this goal, we distributed a calendar to each of the JA's on May 21. Each JA is now able to stop putting any more Summary Judgments on his or her judge's calendar. Judge Holcomb and I will begin conducting hearings on July 2.

2. To remove cases already on judges' calendars.

It will not be feasible to fully accomplish this goal until after July 1 when both Judge Holcomb and I are working and able to review our workload and determine how each judge wishes to shed the cases now calendared. We are open to any suggestions the Judges may have to transfer matters already on their dockets to us. In the meantime, JA's are invited to reschedule any and all Motions for Summary Judgment on the new MFD, to the extent they are able to do so if it does not cause undue hardship.

3. To reduce the backlog of stagnant cases.

By specializing in one type of case, more attention can be given to monitoring the Clerk's responsibility to report dormant files and for Judge Holcomb and I to schedule Status Conferences and send out Orders to Show Cause for Lack of Prosecution.

4. To absorb and monitor all remaining foreclosures tasks, whether residential or commercial, and whether in Circuit or County Court.

More will be expected of the MFD than to just do Summary Judgments for the five hours each day we now have in place. It will be a full-time job to handle these and the other types of motions, file review, a high volume of orders to sign, and even an occasional trial. It is contemplated that from two to three hours each day will be spent reviewing files scheduled for the next day. To identify problems and allow the parties to resolve them expeditiously, we will use a cover checklist to verify that the file and paperwork is in order before each hearing.

I hope this helps explain how we envision the new division to operate. Please contact Judge Holcomb or myself if you have any questions.

Very truly yours,

Lawrence V. Johnston

Mark VanBever

From: Mark VanBever
Sent: Thursday, May 13, 2010 7:54 AM
To: Heather Thuotte-Pierson
Cc: Susan Phillips; Wayne Fountain; Donna Roberson; Meri Beth Rood; Jeanne Chipman
Subject: Foreclosure and Economic Recovery Program Allocations
Attachments: ForeclosureandEconomicRecovery_Distribution.xls

Please see attachment.

Brevard: 2.0 FTE Senior Judges. 2 courtrooms max.
Seminole: 1.0 FTE Senior Judge. 1 courtroom max.

Foreclosure and Economic Recovery Program (05/2010)

Circuit 18

General Magistrates				
OPS	Contracted Services	GM/Senior Judge Expense	Senior Judge Days @ \$350 a day	Total
			\$ 260,643.00	\$260,643.00

Case Managers			
OPS	Contracted Services	Expense	Total
			\$0.00

General Magistrate/Senior Judge Admin Support			
OPS	Contracted Services	Expense	Total
\$ 58,451.00			\$58,451.00

Mediation Admin Support			
OPS	Contractual Services	Expense	Total
			\$0.00

Mark VanBever

From: Mark VanBever
Sent: Tuesday, January 12, 2010 3:30 PM
To: Heather Thuotte-Pierson
Cc: Alan Dickey; Wayne Fountain; J. Preston Silvernail; Donna Roberson; Jeanne Chipman; Meri Beth Rood
Subject: Economic Default Recovery Effort
Attachments: Economic Default Recovery Effort.pdf; EconomicDefaultRecoveryEffort_Distribution.xls

The numbers are attached.

Economic Default Recovery Effort

Circuit	Estimated Number of Backlog Cases (FY 2006-07 to FY 2010-11) ¹	Estimated Allocations for FY 2010/11
1	17,739	\$170,994
2	7,134	\$85,993
3	2,356	\$85,993
4	30,144	\$341,988
5	28,511	\$341,988
6	51,993	\$515,448
7	27,851	\$341,988
8	3,404	\$85,993
9	65,989	\$683,976
10	15,992	\$170,994
11	126,197	\$1,385,856
12	37,077	\$341,988
13	55,143	\$687,264
14	6,118	\$85,993
15	86,380	\$1,039,392
16	3,650	\$85,993
17	86,912	\$1,039,392
18	45,850	\$512,982
19	27,532	\$341,988
20	59,091	\$683,976
Total	785,063	\$9,030,179

¹ Estimated Number of Backlog Cases calculated for contract and indebtedness, real property/mortgage foreclosure, and county civil (\$5,001 to \$15,000) cases. Backlog cases were determined by subtracting the number of dispositions from the number of filings. The official trial court statistics were used for fiscal year 2006-07 to 2008-09, annualized data (July to October) were used for fiscal year 2009-10, and certification projections were used for fiscal year 2010-11. The dispositions for fiscal year 2010-11 were based on the filing to disposition ratio in fiscal year 2006-07.

Economic Default Recovery Effort

Circuit 18

General Magistrates				
OPS	Contracted Services	Expense	Senior Judge Days @ \$350 a day	Total
159,376		12,000	252,000	\$423,376.00

Case Managers			
OPS	Contracted Services	Expense	Total
			\$0.00

General Magistrate Admin Support			
OPS	Contracted Services	Expense	Total
78,270		11,336	\$89,606.00

Mediation Admin Support			
OPS	Contractual Services	Expense	Total
			\$0.00

Susan Phillips

From: Dorothy Wilson [REDACTED]
Sent: Wednesday, May 05, 2010 08:40 AM
To: Susan Phillips
Subject: RE: EDR for Foreclosure

Further direction should go out by the end of this week.

*Dorothy P. Wilson
OSCA - Office of Budget Services
500 S. Duval Street
Tallahassee, Florida 32399-1900
(850) 488-3735 / (850) 487-0664 Fax*

From: Susan Phillips [REDACTED]
Sent: Wednesday, May 05, 2010 8:37 AM
To: Dorothy Wilson
Subject: EDR for Foreclosure

Dorothy,
Mark asked that I inquire if you know when we will receive specific information or direction on the use of the funding for processing the foreclosure backlog. We are in the planning stages now so we can be ready with the program soon after July 1. Thanks

Susan J. Phillips
Family Court Manager, 18th Judicial Circuit
ph 321.637.5673

Susan Phillips

From: Larry Johnston [redacted]
Sent: Friday, May 07, 2010 03:11 PM
To: Susan Phillips
Subject: Rough draft
Attachments: MFD Minutes.doc

Here it is.

L

MORTGAGE FORECLOSURE DIVISION
MINUTES FROM 5/6/10

QUESTIONS RAISED:

1. Will the division be funded for residential mortgages only or for commercial mortgages as well?
2. Will the division be funded for County Court foreclosures as well?
(Jurisdiction?)

FACTUAL CONSIDERATIONS:

1. Approximately 140 foreclosure sales are now scheduled each week. Of that number, about 70%, (100 properties) proceed all the way to auction on the date of sale.
2. The Clerk is presently auctioning about the maximum number of sales it can handle on any given day.
3. The Clerk has considered and will add another day of sales (Tuesdays) if an overload develops when the MFD comes to life.
4. There are approximately 5,000 foreclosure cases now pending in Brevard County.

ADMINISTRATIVE DETAILS:

1. All MFD hearings will be held in Viera, visiting judges' chambers, on the third floor, in Judge Atkin's suite. Certain trials, especially commercial foreclosures, may require a courtroom.
2. Cases and files now in Titusville will be handled in Viera as well.
3. Correspondence will be addressed to "Presiding Judge" in order to allow continuity between LVJ and CH. Each judge will sign orders and judgments for the other. To minimize errors and duplication of effort in applying this procedure, each judge will complete a civil work sheet for each case to document rulings, file review and other relevant matters.
4. Motions for Summary Judgment will be scheduled at the rate of 20-30 per hour on residential cases and 5-10 per hour for commercial ones if commercial cases are assigned to the MFD.
5. LVJ and CH have no objection to County Court cases and commercial cases being assigned the MFD.
6. Judicial Assistants will be requested to send a Notice of Rescheduling to all parties for all cases in their division to reset time and place of hearings but not date. Information for the new call-in telephone number will also be provided.

7. The MFD will schedule at least one day every two weeks for motions, hearings and trials other than in the nature of Summary Judgments. If experience demonstrates that more time is needed for these matters, the schedule can be revised to accommodate them.

8. Foreclosure cases will NOT be reassigned by the clerk. They will retain their status with the assigned judge but handled and disposed by the MFD judges.

9. Special attention will be paid to disposing of outstanding cases by the liberal use of Lack of Prosecution (LOP) notices. This will be accomplished in main part by August 30, 2010 to the extent possible. Final disposition of those cases should be accomplished within 90 days of the LOPS Notice. Other lingering cases but not eligible for a LOPS notice will be reviewed and a status conference scheduled to move the case to a rapid conclusion.

SPECIAL REQUESTS:

1. The MFD will require a full-time judicial assistant.

2. The MFD will need a regularly assigned deputy. Rotating, musical chair deputies would not be conducive to an orderly administration of this new and unique division. Backup deputies should have been trained by the primary MFD Deputy **before** being assigned for service in this high volume, fast paced division.

3. Due to the expectation of high volume, for the first 60 days, the MFD will need the assistance of a clerk (on hearing days only) to help organize files and paperwork.

4. LVJ and CH have no objection to County Court cases and commercial cases being assigned the Division.

WORK REMAINING TO BE DONE BEFORE OPERATION OF MFD:

1. LVJ will contact Civil Division Chief Wohn to begin an interface with him.

2. CH will create a Foreclosure worksheet for presiding judges to use to increase uniformity of procedures.

3. LVJ will contact Lee and Orange Counties to determine what they are doing with mediation and "Rocket Dockets."

4. LR will identify and capture all mortgage cases for each judge and provide that information to LVJ and CH.

5. Copies of all civil hearing schedules for each judge from July 1 and thereafter should be provided to LVJ and CH as soon as practicable.

Susan Phillips

From: Mark VanBever
Sent: Friday, May 07, 2010 03:30 PM
To: Susan Phillips
Subject: FW: Foreclosure and Economic Recovery Program Allocations
Attachments: Foreclosure and Economic Recovery Program.pdf;
ForeclosureandEconomicRecovery_Distribution.xls

From: Heather Thuotte-Pierson [REDACTED]
Sent: Friday, May 07, 2010 11:27 AM
To: Trial Court Chief Judges; Trial Court Administrators
Cc: Lisa Goodner; Kristine Slayden; Sharon Buckingham; Charlotte Jerrett; Dorothy Wilson; Arlene Johnson; Patty Harris; Theresa Westerfield; Elizabeth Garber; Greg Youchock; Gary Phillips
Subject: Foreclosure and Economic Recovery Program Allocations

Good morning,

The Legislature appropriated funding for the Foreclosure and Economic Recovery Program in the amount of \$5,955,606 for FY 2010/11 to the trial courts. These non-recurring funds will be used to provide temporary resources in the trial courts to eliminate backlog in the civil areas. We will be sending information on target backlog reduction goals as well as parameters for implementation and clerk involvement in this program after the May 20, 2010 Trial Court Budget Commission meeting.

The amount of funding authority appropriated for this program is less than the amount originally requested, thus the estimated allotment for each circuit also has been adjusted. You will find the estimated allocation by circuit along with estimated backlog cases in the attached PDF file – Foreclosure and Economic Recovery Program. **Considering your adjusted allocation, please indicate, using the attached ForeclosureandEconomicRecovery _ Distribution spreadsheet, how you would like the funds for your circuit distributed – by category and element.** For every element (General Magistrates and/or Senior Judges, Case Managers, General Magistrate/Senior Judge Admin Support and Mediation Admin Support) specify the dollar amount and category in which the funds should be allocated - OPS, contracted services and/or expenses dollars. To allow for maximum flexibility, funds may be expended in one or all of the elements.

As a reminder, the funding methodology developed for this proposal is based on the number of backlogged cases (in the civil areas) in each circuit. A ratio of one General Magistrate, one Case Manager and two Administrative Support positions for every 15,000 backlogged cases was applied to estimate need. One Administrative Support position is dedicated to mediation for the coordination of civil cases covered under this program with the exclusion of residential homestead mortgage foreclosure cases handled through the managed mediation program. The annual salaries used to calculate the allocation amounts were approximately: \$79,688 for General Magistrates, \$39,126 for Case Managers, and \$26,090 for Admin Support.

Additional information is also needed again from the circuits as to how economic recovery resources will be deployed circuit-wide. Court leadership would like to be able to share this information with the clerks so they can plan accordingly, since they were appropriated \$3.6 million to support our initiative. Please provide:


-The amount of **magistrate/senior judge FTE's** that will be assigned in each county based on the expected workload from the backlogged cases. *Note: Single county circuits can ignore this question.*

-If you have multiple **magistrate/senior judge FTE's** in the proposal, what is the maximum number of courtrooms that will be scheduled at any one time **in each county**?

As usual we are under a tight timeframe. Please respond by **Wednesday, May 12th C.O.B.**

Please let me know if you have any questions or concerns.

Thanks,
Heather

Heather Thuotte-Pierson
Office of the State Courts Administrator
Court Statistics Consultant
(850) 410-3376


**Foreclosure and Economic Recovery
Fiscal Year 2010/11 Proposed Allocation**

Circuit	Estimated Number of Backlog Cases (FY 2006-07 to FY 2010-11) ¹	FY 2010/11 Proposed Allocation
1	17,739	\$106,365
2	7,134	\$106,365
3	2,356	\$64,261
4	30,144	\$212,729
5	28,511	\$212,729
6	51,993	\$317,752
7	27,851	\$212,729
8	3,404	\$106,365
9	65,989	\$425,457
10	15,992	\$106,365
11	126,197	\$862,053
12	37,077	\$212,729
13	55,143	\$427,504
14	6,118	\$106,365
15	86,380	\$646,540
16	3,650	\$106,365
17	86,912	\$646,540
18	45,850	\$319,094
19	27,532	\$212,729
20	59,091	\$425,458
Total	785,063	\$5,836,494
2% Expense Contingency		\$119,112
Economic Recovery Funding Authority		\$5,955,606

¹ Estimated Number of Backlog Cases calculated for contract and indebtedness, real property/mortgage foreclosure, and county civil (\$5,001 to \$15,000) cases. Backlog cases were determined by subtracting the number of dispositions from the number of filings. The official trial court statistics were used for fiscal year 2006-07 to 2008-09, annualized data (July to October) were used for fiscal year 2009-10, and certification

² Estimates that 42% of backlog cases can be processed with resources funded through the Foreclosure and Economic Recovery Proposal

Foreclosure and Economic Recovery Program (05/2010)

Circuit _____

General Magistrates				
OPS	Contracted Services	GM/Senior Judge Expense	Senior Judge Days @ \$350 a day	Total
				\$0.00

Case Managers			
OPS	Contracted Services	Expense	Total
			\$0.00

General Magistrate/Senior Judge Admin Support			
OPS	Contracted Services	Expense	Total
			\$0.00

Mediation Admin Support			
OPS	Contractual Services	Expense	Total
			\$0.00

Susan Phillips

From: Larry Johnston [REDACTED]
Sent: Thursday, May 13, 2010 07:08 AM
To: Susan Phillips
Subject: Disregard the previous

Hey
At 2:00 a.m. I realized the error of my mathematics in my earlier estimate. 5 times 5 times 2 is not 70, it is 50.

Anyway.

Charlie and I will adjust the hearing schedule to meet your goal of 100 per week per judge or better for July.

Final details after Tuesday.

Larry

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

From: Larry Johnston [REDACTED]
To: [REDACTED]
Sent: Wed, May 12, 2010 7:10 pm
Subject: Re: work

Hey

Charlie and I discussed each setting 5 hours of hearings per day for each of the five days of the week for most of July. Each hour we will permit JA's to set a maximum of 15 cases per hour.

Here is how that plays out: 2 judges times 5 hours times 5 days a week equals 70 hours of hearing time per week.

That means each of the 7 judges will get 10 hours of hearing time (2 days) per week from us.

If we set 15 cases per hour, each judge will get a reduction of 150 cases off their docket every week.

How does that sound?

Our long-term plan is to set as many as 30 per hour but we will not do that until we get our own JA.

Specific schedule will follow our Tuesday meeting.

Larry
Ever loyal

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

From: Susan Phillips <[REDACTED]>

To: [REDACTED]

Sent: Wed, May 12, 2010 5:20 pm

Subject: Re: work

Sounds great....remember, blocks for 100 cases per judge per month....or more? Hopefully I will have the green light by Tuesday. Good brainstorming with you this a.m.

Sent from my Verizon Wireless Phone

----- Reply message

From: "Larry Johnston" <[REDACTED]>
Date: Wed, May 12, 2010 4:54 PM
Subject: work
To: "[REDACTED]"

<[REDACTED]>

Charlie is signed on to the idea of giving you a list of dates and times for the JA's to use. He and I are meeting Tuesday the 18th to have a July schedule ready for you shortly thereafter.

Think this will be good.

Can sign the travel sheet Tuesday.

L

-----Original Message-----
From: Susan Phillips <[REDACTED]>
To: Larry Johnston <[REDACTED]>
Sent: Wed, May 12, 2010 4:15 pm
Subject: RE: work

>
Sorry about the travel....I remembered after you left! Seems I have been remiss since March! It's attached for your signature....sorry, it's your stamp.

From: Larry Johnston <[REDACTED]>
Sent: Wednesday, May 12, 2010 4:09 PM
To: Susan Phillips
Subject: Re: work

Hey

We will work it into our thinking.

Standby. I have a telephone meeting with Charlie within the hour.

We forgot to get me to sign my travel sheet.

L

-----Original Message-----
From: Susan Phillips <[REDACTED]>
To: Larry Johnston <[REDACTED]>
Sent: Wed, May 12, 2010 2:02 pm
Subject: work

For one or two weeks in August, I am going to need a senior judge for felony work. Logic suggests that the plumbers work out their foreclosure division schedule so one of them can fill the assignment? &

nbsp;How do we determine who gets assigned senior judge work....rotation? Straws?

Susan J. Phillips

Family Court Manager, 18th Judicial Circuit

ph 321.637.5673

Susan Phillips

From: Mark VanBever
Sent: Thursday, May 13, 2010 07:54 AM
To: Heather Thuotte-Pierson
Cc: Susan Phillips; Wayne Fountain; Donna Roberson; Meri Beth Rood; Jeanne Chipman
Subject: Foreclosure and Economic Recovery Program Allocations
Attachments: ForeclosureandEconomicRecovery_Distribution.xls

Please see attachment.

Brevard: 2.0 FTE Senior Judges. 2 courtrooms max.
Seminole: 1.0 FTE Senior Judge. 1 courtroom max.

Foreclosure and Economic Recovery Program (05/2010)

Circuit 18

General Magistrates				
OPS	Contracted Services	GM/Senior Judge Expense	Senior Judge Days @ \$350 a day	Total
			\$ 260,643.00	\$260,643.00

Case Managers			
OPS	Contracted Services	Expense	Total
			\$0.00

General Magistrate/Senior Judge Admin Support			
OPS	Contracted Services	Expense	Total
\$ 58,451.00			\$58,451.00

Mediation Admin Support			
OPS	Contractual Services	Expense	Total
			\$0.00

Susan Phillips

From: Larry Johnston [REDACTED]
Sent: Wednesday, May 19, 2010 02:34 PM
To: Susan Phillips
Subject: MFD

Susan:

Will need 210 copies of the schedule sheets with holes punched in them. 30 will go into each of the 7 books.

Cover letter or email:

To: JA's

Dear Ladies:

Commencing immediately you may begin scheduling any and all Motions for Summary Judgment in Foreclosure before the special judges in our new Mortgage Foreclosure Division.

Until a Judicial Assistant comes on board on July 1, we ask that you continue to schedule hearings just as you normally would do but for the MFD judges.

I have created a special calendar for you to use. Please go over it carefully and if you have any questions, contact Judge Johnston (698-9049) or me.

Here are some things you need to know.

1. Litigants should be instructed to report to the 3rd floor, Visiting Judges's Chambers?????, MFD Chambers ????
2. Telephone conference appearances should call (321) XXX-XXXX and ask for Division A or B as designated on your Calendar.
3. The first column of the Schedule is for you to fill in the date when the hearing was placed on the calendar. This is **not** for the date of the hearing.
4. Please do not set anything for now other than Motions for Summary Judgment. If you have other type motions requested, please contact Judge Johnston or me for a special setting date. This is an evolving division that does not yet have either a judge or a secretary so I hope you will have patience with us as we work out the kinds.
5. Your responsibility to schedule hearings will cease on or about July 1 when a Judicial Assistant takes over for the Division.
6. We are also working on a plan to have Summary Judgments now on your calendar rescheduled or absorbed by the new MFD. If you have any ideas, please share them.

Very truly yours,

Susan the Master

Susan.....you can add anything else you think appropriate.

L

Susan Phillips

From: Mark VanBever
Sent: Friday, May 21, 2010 03:00 PM
To: Alan Dickey; Wayne Fountain; Susan Phillips; Deborah Haataja-Deratany; Robert Wohn; Jeanne Chipman; Meri Beth Rood
Subject: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11
Attachments: ForeclosureandEconomicRecovery_FundingPlans_Updated05212010.pdf; Foreclosure and Economic Recovery Responses from Circuits_May 2010_v2.pdf; 62% Estimated RPMF Backlog.pdf

From: Kristine Slayden [mailto:kristine.slayden@tcba.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 [redacted] 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, asking to use the funds to handle contracts and indebtedness cases, and county civil cases valued from \$5,001 to \$15,000.
- 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 to ensure that 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 [REDACTED] 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.

<u>Element</u>	<u>Position</u>	<u>Maximum rate</u>
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
	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)

Foreclosure and Economic Recovery Funding Proposal FY 2010/11 Circuit Allocations

Circuit	General Magistrate/Senior Judge				Case Management			General Magistrate/Senior Judge Administrative Support			Mediation Administrative Support			Total	
	GM OPS	GM Contracted Services	GM/Senior Judge Expense	Senior Judge Days	OPS	Contracted Services	Expenses	OPS	Contracted Services	Expenses	OPS	Contracted Services	Expenses		
1			\$5,200	\$32,200	\$63,179		\$5,786							\$106,365	
2			\$2,426	\$21,180	\$40,142		\$4,800	\$34,217		\$3,600				\$106,365	
3					\$38,171			\$26,090						\$64,261	
4				\$172,729				\$40,000						\$212,729	
5				\$44,100				\$140,430		\$113	\$28,086			\$212,729	
6			\$6,514	\$82,950	\$117,378		\$3,000	\$104,360		\$3,550				\$317,752	
7			\$3,351	\$91,000	\$117,378		\$1,000							\$212,729	
8		\$37,035	\$2,500	\$17,500	\$39,126		\$5,204		\$5,000					\$106,365	
9				\$246,750	\$178,707									\$425,457	
10				\$18,200	\$42,119		\$8,980	\$28,086		\$8,980				\$106,365	
11	\$82,481		\$2,597	\$171,500	\$457,782		\$20,925	\$120,568		\$6,200				\$862,053	
12			\$1,411	\$94,500	\$114,000		\$2,818							\$212,729	
13			\$2,500	\$195,000	\$168,477		\$5,355	\$56,172						\$427,504	
14			\$5,000	\$32,430	\$36,115		\$2,500	\$27,820		\$2,500				\$106,365	
15			\$10,000	\$140,000	\$313,008		\$17,000	\$161,475		\$5,057				\$646,540	
16		\$14,400	\$12,725	\$49,700				\$27,989		\$1,551				\$106,365	
17				\$87,500	\$547,549		\$11,491							\$646,540	
18				\$260,643				\$58,451						\$319,094	
19			\$12,000	\$84,000	\$84,238		\$4,405	\$28,086						\$212,729	
20	\$135,470			\$153,300	\$39,126			\$71,472			\$26,090			\$425,458	
Sub Total	\$217,951	\$51,435	\$66,224	\$1,995,182	\$2,396,495	\$0	\$93,264	\$925,216	\$5,000	\$31,551	\$54,176	\$0	\$0	\$5,836,494	
														2% Expense Contingency	\$119,112
														Executive Direction	\$44,394
														Grand Total	\$6,000,000

18TH CIR 00138

Foreclosure and Economic Recovery Funding Proposal In-Courtroom Resources Only

Circuit	County	Target Backlog Reduction	General Magistrate OPS	General Magistrate Contracted Services	Senior Judge Days	Estimated General Magistrate FTE	Senior Judge		Maximum Courtrooms
							Estimated FTE	Estimated Days	
1	Escambia						0.09	24	1
	Okaloosa						0.12	32	1
	Santa Rosa						0.05	12	1
	Walton						0.09	24	1
	Total	8,035	\$0	\$0	\$32,200	0.00	0.35	92	4
2	Franklin						0.04	10	1
	Gadsden						0.04	10	1
	Jefferson						0.04	10	1
	Leon						0.04	10	1
	Liberty						0.04	10	1
	Wakulla						0.04	10	1
	Total	2,719	\$0	\$0	\$21,180	0.00	0.24	60	6
3	Columbia								
	Dixie								
	Hamilton								
	Lafayette								
	Madison								
	Suwannee								
	Taylor								
	Total	822	\$0	\$0	\$0	0.00	0.00	0	0
4	Clay						0.63	165	1
	Duval						0.84	218	2
	Nassau						0.42	110	1
	Total	13,344	\$0	\$0	\$172,729	0.00	1.89	493	4

18TH CIR 00139

Foreclosure and Economic Recovery Funding Proposal In-Courtroom Resources Only

Circuit	County	Target Backlog Reduction	General Magistrate OPS	General Magistrate Contracted Services	Senior Judge Days	Estimated General Magistrate FTE	Senior Judge		Maximum Courtrooms
							Estimated FTE	Estimated Days	
5	Citrus						0.10	25	1
	Hernando						0.10	25	1
	Lake						0.19	51	1
	Marion						0.10	25	1
	Sumter						0.00	0	0
	Total		12,357	\$0	\$0	\$44,100	0.00	0.49	126
6	Pasco						0.46	118	2
	Pinellas						0.46	119	2
	Total		\$0	\$0	\$82,950	0.00	0.92	237	4
7	Flagler						0.25	65	1
	Putnam						0.25	65	1
	St. Johns						0.25	65	1
	Volusia						0.25	65	1
	Total		13,383	\$0	\$0	\$91,000	0.00	1.00	260
8	Alachua					0.00	0.19	50	1
	Baker					0.10	0.00	0	1
	Bradford					0.10	0.00	0	1
	Gilchrist					0.10	0.00	0	1
	Levy					0.10	0.00	0	1
	Union					0.10	0.00	0	1
	Total		1,597	\$0	\$37,035	\$17,500	0.50	0.19	50
9	Orange						2.00	470	2
	Osceola						1.00	235	1
	Total		\$0	\$0	\$246,750	0.00	3.00	705	3

18TH CIR 00140

Foreclosure and Economic Recovery Funding Proposal In-Courtroom Resources Only

Circuit	County	Target Backlog Reduction	General Magistrate OPS	General Magistrate Contracted Services	Senior Judge Days	Estimated General Magistrate FTE	Senior Judge		Maximum Courtrooms
							Estimated FTE	Estimated Days	
10	Hardee						0.00	0	0
	Highlands						0.00	0	0
	Polk						0.20	52	1
	Total	8,047	\$0	\$0	\$18,200	0.00	0.20	52	1
11	Dade	54,532	\$82,481	\$0	\$171,500	1.00	2.00	490	3.5
12	Desoto						0.00	0	0
	Manatee						0.52	135	2
	Sarasota						0.52	135	2
	Total	15,845	\$0	\$0	\$94,500	0.00	1.04	270	4
13	Hillsborough	23,672	\$0	\$0	\$195,000	0.00	2.14	557	2
14	Bay						0.36	92	1
	Calhoun						0.00	0	0
	Gulf						0.00	0	0
	Holmes						0.00	0	0
	Jackson						0.00	0	0
	Washington						0.00	0	0
	Total	2,873	\$0	\$0	\$32,430	0.00	0.36	92	1
15	Palm Beach	39,309	\$0	\$0	\$140,000	0.00	1.54	400	2
16	Monroe	1,656	\$0	\$14,400	\$49,700	0.18	0.55	142	3
17	Broward	35,659	\$0	\$0	\$87,500	0.00	0.96	250	2
18	Brevard						1.91	496	2
	Seminole						0.95	248	1
	Total	19,252	\$0	\$0	\$260,643	0.00	2.86	744	3

18TH CIR 00141

Foreclosure and Economic Recovery Funding Proposal In-Courtroom Resources Only

Circuit	County	Target Backlog Reduction	General Magistrate OPS	General Magistrate Contracted Services	Senior Judge Days	Estimated General Magistrate FTE	Senior Judge		Maximum Courtrooms
							Estimated FTE	Estimated Days	
19	Indian River						0.18	48	1
	Martin						0.18	48	1
	Okeechobee						0.00	0	0
	St. Lucie						0.55	144	1
	Total	12,844	\$0	\$0	\$84,000	0.00	0.91	240	3
20	Charlotte					0.00	0.15	40	1
	Collier					0.20	0.62	162	1
	Glades					0.00	0.15	38	1
	Hendry					0.00	0.07	18	1
	Lee					1.50	0.69	180	2
	Total	25,423	\$135,470	\$0	\$153,300	1.70	1.68	438	6
State Total		347,165	\$217,951	\$51,435	\$1,995,182	3.38	22.33	5,698	66

Note: Information provided for Maximum Courtrooms in circuits 13 and 14 represent Hearing Rooms. All totals may not be exact due to rounding.

18TH CIR 00142

Target Backlog Reduction
Foreclosure and Economic Recovery Funding
Backlog Cases
FY 2006/07 through Estimated FY 2010/11

Circuit	Estimated Real Property/ Mortgage Foreclosure Backlog Cases	62% of Estimated Real Property/ Mortgage Foreclosure Backlog Cases
1	12,960	8,035
2	4,385	2,719
3	1,325	822
4	21,523	13,344
5	19,931	12,357
6	39,394	24,424
7	21,585	13,383
8	2,575	1,597
9	50,600	31,372
10	12,979	8,047
11	87,955	54,532
12	25,557	15,845
13	38,180	23,672
14	4,634	2,873
15	63,402	39,309
16	2,671	1,656
17	57,514	35,659
18	31,052	19,252
19	20,717	12,844
20	41,005	25,423
Total	559,945	347,165

Susan Phillips

From: April Copp
Sent: Tuesday, May 25, 2010 09:18 AM
To: Alan Dickey; Wayne Fountain; Sue Block; Donna Roberson
Cc: Mark VanBever; Susan Phillips; Kathy Wright
Subject: Foreclosure Recovery - Tracking OPS Funds

As you are aware, we have been allocated funds to be used effective July 1st (for FY 2010-2011) in order to dispose of the backlog of foreclosure cases. We are permitted to have Senior Judges handle these cases, with appropriate administrative support. Brevard will be utilizing Senior Judges Holcomb and Johnston, and we will be hiring a OPS (temporary) Senior Secretary to assist them with their administrative/clerical needs at the mandate rate of \$11.89/hour.

Brevard's total salary dollars for the administrative support is \$32,361.00. (Seminole's total salary dollars for their administrative support is \$26,090.00.)

Kathy Wright will be closely monitoring this budget for both Brevard and Seminole, and equally as important, she will be monitoring the hours worked for the administrative support, so that the hours do not exceed 1,040 for any one person (an individual's OPS employment cannot exceed 1,040 hours within any 12-month period.....when 1040 hours are reached, a replacement employee must be hired).

Due to this, Sue, please plan on submitting your OPS timesheets to Kathy for final processing prior to each bi-weekly OPS payroll deadline. This way Kathy can monitor both the budget and the hours worked, and then cross-reference expenditures with the OPS payroll register, which Kathy has access to on-line. She will provide each of us with biweekly status reports on both.

Thanks so much.

April Lindsay Copp
Senior Deputy / Human Resource Manager
Eighteenth Judicial Circuit
Office: (321) 637-5674 Fax: (321) 637-5484

The information contained in this e-mail message may be privileged and confidential under Fla. R. Jud. Admin 2.051 (2002) information, and is intended only for the personal and confidential use of the designated recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, please notify me immediately by return e-mail and destroy all copies of the original message. Also, please be advised that Florida has a broad public records law, and all correspondence to me via email may be subject to disclosure. Under Florida records law (SB80 effective 7-01-06), email addresses are public records. Thank you.

Susan Phillips

From: Jeanne Chipman
Sent: Tuesday, May 25, 2010 04:33 PM
To: Kathy Wright; Susan Phillips
Subject: FW: Foreclosure and Economic Recovery - OPS Information
Attachments: 2010 Biweekly Schedule.doc

From: Mark VanBever
Sent: Tuesday, May 25, 2010 9:04 AM
To: April Copp; Sue Block; Wayne Fountain; Donna Roberson; Meri Beth Rood; Jeanne Chipman
Subject: FW: Foreclosure and Economic Recovery - OPS Information

From: Gary Phillips [REDACTED]
Sent: Tuesday, May 25, 2010 8:59 AM
To: Circuit Personnel Reps
Cc: Trial Court Administrators; Delcynth Schloss; Charlotte Jerrett
Subject: Foreclosure and Economic Recovery - OPS Information

Good Morning All:

This is to address issues concerning the use of OPS resources for the foreclosure backlog.

Rapid Deployment of Resources and Advertising on People First

A new version of People First will be released in July. Therefore, the system will be taken off line on July 1 for about 3 weeks. Due to this transition, any advertisement you run on People First in June will have a closing date of no later than June 30th. Even if you advertise on June 29th, the system will force a June 30 closing date. Therefore, you need to advertise by mid June in order to have a two week advertising window. Advertisements will not be able to be started back up until at least the last week of July.

General Information Concerning Employing OPS Staff for the Foreclosure Backlog Project

- Each Circuit will have an approved plan and allotment.
- Each circuit utilizing OPS will engage in recruitment and selection activities.
- As candidates are selected, submit OPS Employment Authorization Forms (OSCA Intranet Site, Personnel, Forms Section), and all of the additional forms listed on the bottom of the Authorization Form except Direct Deposit forms, to the Office of Personnel Services. Direct Deposit forms are to be handled just like FTE new hires. Agreement Periods will be six months or the end of the fiscal year, **whichever is sooner**.
- Since there is a specific appropriation for this project, extensions beyond 1040 hours in a calendar year will be automatic and will not need to be requested.
- All OPS employees are paid biweekly. **Attached is a biweekly pay schedule.**
- Payroll processing each biweekly pay period for OPS employees will be complete only upon receipt of the OPS employee's timesheet, also on our Intranet site, signed by the employee and approved by the manager/supervisor and submitted to our office in a timely manner.
- Overtime is not permitted. Should overtime inadvertently occur, the employees in included classes will have to be paid time-and-a-half.

- 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. You may use discretion and flexibility in classification and pay as long as pay is within guidelines and you stay within your allotment. If you have any questions concerning classification and pay, please call me to discuss.

<u>Element</u>	<u>Position</u>	<u>Hourly Rate</u>
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
	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. You will need to add this amount when tracking your budget.

Best of luck with this project. I am available if I can be of any assistance.

Gary

Gary R. Phillips, SPHR
 Chief of Personnel Services
 Office of the State Courts Administrator
 500 S. Duval Street
 Tallahassee, Florida 32399-1900
 phone: 850-617-4028
 fax: 850-488-3744
 email: [REDACTED]

2010 BIWEEKLY (OPS) PAYROLL SCHEDULE

<u>PAY PERIOD</u>	<u>DEADLINE</u>	<u>PAY DATE</u>
01/08/10 – 01/21/10	01/21/10	01/29/10
01/22/10 – 02/04/10	02/04/10	02/12/10
02/05/10 – 02/18/10	02/18/10	02/26/10
02/19/10 – 03/04/10	03/04/10	03/12/10
03/05/10 – 03/18/10	03/18/10	03/26/10
03/19/10 – 04/01/10	04/01/10	04/09/10
04/02/10 – 04/15/10	04/15/10	04/23/10
04/16/10 – 04/29/10	04/29/10	05/07/10
04/30/10 – 05/13/10	05/13/10	05/21/10
05/14/10 – 05/27/10	05/26/10 Early Submission Date	06/04/10
05/28/10 – 06/10/10	06/10/10	06/18/10
06/11/10 – 06/24/10	06/24/10	07/02/10
06/25/10 – 07/08/10	07/08/10	07/16/10
07/09/10 – 07/22/10	07/22/10	07/30/10
07/23/10 – 08/05/10	08/05/10	08/13/10
08/06/10 – 08/19/10	08/19/10	08/27/10
08/20/10 – 09/02/10	09/01/10 Early Submission Date	09/10/10
09/03/10 – 09/16/10	09/16/10	09/24/10
09/17/10 – 09/30/10	09/30/10	10/08/10
10/01/10 – 10/14/10	10/14/10	10/22/10
10/15/10 – 10/28/10	10/28/10	11/05/10
10/29/10 – 11/11/10	11/10/10 Early Submission Date	11/19/10
11/12/10 – 11/25/10	11/23/10 Early Submission Date	12/03/10
11/26/10 – 12/09/10	12/09/10	12/17/10
12/10/10 – 12/23/10	12/21/10 Early Submission Date	12/30/10
12/24/10 – 01/06/11	01/06/11	01/14/11

Susan Phillips

From: Mark VanBever
Sent: Friday, May 28, 2010 09:14 AM
To: Susan Phillips; Wayne Fountain; Alan Dickey
Subject: FW: Foreclosure and Economic Recovery Non-recurring Funding
Attachments: Foreclosure and Economic Recovery In Courtroom Resources Responses from Circuits_May 27 2010 (2).pdf; Foreclosure and Economic Recovery Funding Plans Updated after 05212010.pdf

Please read carefully.

From: Kristine Slayden [REDACTED]
Sent: Fri 5/28/2010 9:09 AM
To: Trial Court Chief Judges
Cc: Trial Court Administrators; Lisa Goodner; Judge Margaret O. Steinbeck; Charlotte Jerrett; Dorothy Wilson; Theresa Westerfield; Arlene Johnson; Heather Thuotte-Pierson
Subject: Foreclosure and Economic Recovery Non-recurring Funding

Chief Judges -

Attached are the final versions of the Foreclosure and Economic Recovery Funding Circuit Allocations chart and the In-courtroom Resources chart. As mentioned in my email last Friday, the Trial Court Budget Commission anticipates that the chief judge in each circuit will work with their clerks to ensure the clerks use their separate appropriation (see excerpt of CS/HB 5401 below) to adequately support the court's plan. These plans (clerk's and court's) 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.

The Clerks of Court Operations Corporation (CCOC) Executive Council met on May 25, 2010 to discuss their Finance and Budget (F&B) Committee's recommendation on the methodology for distribution of their foreclosure Appropriation. They discussed the language in CS/HB 5401 and were aware that the TCBC had asked the chief judges to work with the clerks on the plan.

The CCOC F&B Committee's recommendation distributed the \$3.6 million appropriation in the following manner: Part 1 distributes \$1.8 million based on the number of cases as referenced by the TCBC reimbursed at the average per case rate; and Part 2 distributes the remaining \$1.8 million based on Court determined percentage allocation of court appropriations for foreclosures to each of the Judicial Circuits. Since the CCOC F&B methodology does not allocate by county, there was discussion about an appropriate allocation in multi-county jurisdictions. It was decided that the clerks in multi-county jurisdictions should coordinate with each other, and all clerks, in every circuit, should meet with their chief judges to make sure that the county allocations and the clerks' plans match the plan of the chief judges in each circuit.

The clerks stated their understanding that the funding will be available on July 1st and they recognized the urgency to get the resources in place as soon as possible. They discussed the goal of the appropriation to clear the foreclosure backlog and agreed that they would hire resources to assist the courts in achieving that goal. Their chair, Mr. Forman, offered to send a letter any chief judge, if contact was needed. They also passed a motion to develop a simple tracking system to make sure that they were able to track the money spent on this initiative. They plan to present a more formal plan for the tracking system at their next meeting on June 29, 2010.

Please contact the clerks in your circuit as soon as possible about your plan to fund this initiative. Legislative staff have requested that the clerks' and courts' spending plans be submitted at the same time so that they can ensure that the two plans work together in support of the goal.

The Trial Court Budget Commission plans to discuss this matter again at their June 4th meeting. Please let me know any update on the status of the communication with your clerks before the meeting, if at all possible. Thank you for your help. Kris

CS/HB 5401 Enrolled - The sum of \$3,600,000 of non-recurring funds from the Clerks of Court Trust Fund is appropriated to the Clerks of Court Operations Corporation to be distributed to the clerks of court where the state court system has distributed the increased resources provided in the 2010-11 General Appropriations Act for workload associated with foreclosure and economic recovery. The corporation shall submit a budget amendment pursuant to chapter 216, Florida Statutes, to distribute the funding among the clerks of court.

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)

Foreclosure and Economic Recovery Funding Proposal In-Courtroom Resources Only (as of May 27, 2010)

Circuit	County	62% of Estimated Real Property/ Mortgage Foreclosure Backlog Cases	General Magistrates			Senior Judge		Maximum Courtrooms
			OPS Funding	Contracted Services Funding	Estimated FTE	Total Funding	Estimated Days	
1	Escambia						28	1
	Okaloosa						36	1
	Santa Rosa						14	1
	Walton						28	1
	Total	8,035	\$0	\$0	0.00	\$37,100	106	4
2	Franklin						5	1
	Gadsden						5	1
	Jefferson						0	0
	Leon						45	1
	Liberty						0	0
	Wakulla						5	1
	Total	2,719	\$0	\$0	0.00	\$21,180	60	4
3	Columbia							
	Dixie							
	Hamilton							
	Lafayette							
	Madison							
	Suwannee							
	Taylor							
	Total	822	\$0	\$0	0.00	\$0	0	0
4	Clay						165	1
	Duval						218	2
	Nassau						110	1
	Total	13,344	\$0	\$0	0.00	\$172,729	493	4

18TH CIR 00150

Foreclosure and Economic Recovery Funding Proposal In-Courtroom Resources Only (as of May 27, 2010)

Circuit	County	62% of Estimated Real Property/ Mortgage Foreclosure Backlog Cases	General Magistrates			Senior Judge		Maximum Courtrooms
			OPS Funding	Contracted Services Funding	Estimated FTE	Total Funding	Estimated Days	
5	Citrus						41	1
	Hernando						41	1
	Lake						41	1
	Marion						41	1
	Sumter						41	1
	Total		12,357	\$0	\$0	0.00	\$72,100	206
6	Pasco						118	2
	Pinellas						119	2
	Total		\$0	\$0	0.00	\$82,950	237	4
7	Flagler						65	1
	Putnam						65	1
	St. Johns						65	1
	Volusia						65	1
	Total		13,383	\$0	\$0	0.00	\$91,000	260
8	Alachua				0.00		50	1
	Baker				0.09		0	1
	Bradford				0.09		0	1
	Gilchrist				0.09		0	1
	Levy				0.09		0	1
	Union				0.09		0	1
	Total		1,597	\$0	\$37,035	0.45	\$17,500	50
9	Orange						470	2
	Osceola						235	1
	Total		\$0	\$0	0.00	\$246,750	705	3

18TH CIR 00151

**Foreclosure and Economic Recovery Funding Proposal
In-Courtroom Resources Only (as of May 27, 2010)**

Circuit	County	62% of Estimated Real Property/ Mortgage Foreclosure Backlog Cases	General Magistrates			Senior Judge		Maximum Courtrooms
			OPS Funding	Contracted Services Funding	Estimated FTE	Total Funding	Estimated Days	
10	Hardee						0	0
	Highlands						0	0
	Polk						52	1
	Total	8,047	\$0	\$0	0.00	\$18,200	52	1
11	Dade	54,532	\$82,481	\$0	1.00	\$171,500	490	3.5
12	Desoto						0	0
	Manatee						135	2
	Sarasota						135	2
	Total	15,845	\$0	\$0	0.00	\$94,500	270	4
13	Hillsborough	23,672	\$0	\$0	0.00	\$195,000	557	2
14	Bay						92	1
	Calhoun						0	0
	Gulf						0	0
	Holmes						0	0
	Jackson						0	0
	Washington						0	0
	Total	2,873	\$0	\$0	0.00	\$32,430	92	1
15	Palm Beach	39,309	\$0	\$0	0.00	\$176,400	504	2
16	Monroe	1,656	\$0	\$14,400	0.18	\$49,700	142	3
17	Broward	35,659	\$0	\$0	0.00	\$87,500	250	2
18	Brevard						496	2
	Seminole						248	1
	Total	19,252	\$0	\$0	0.00	\$260,643	744	3

18TH CIR 00152

Foreclosure and Economic Recovery Funding Proposal In-Courtroom Resources Only (as of May 27, 2010)

Circuit	County	62% of Estimated Real Property/ Mortgage Foreclosure Backlog Cases	General Magistrates			Senior Judge		Maximum Courtrooms
			OPS Funding	Contracted Services Funding	Estimated FTE	Total Funding	Estimated Days	
19	Indian River						48	1
	Martin						48	1
	Okeechobee						0	0
	St. Lucie						144	1
	Total	12,844	\$0	\$0	0.00	\$84,000	240	3
20	Charlotte				0.00		40	1
	Collier				0.20		162	1
	Glades				0.00		38	1
	Hendry				0.00		18	1
	Lee				1.50		180	2
	Total	25,423	\$135,470	\$0	1.70	\$153,300	438	6
State Total		347,165	\$217,951	\$51,435	3.33	\$2,064,482	5,896	65

Notes:

1. Totals may not be exact due to rounding.
2. Information provided for Maximum Courtrooms in circuits 13 and 14 represent Hearing Rooms.
3. Circuit 15 held \$113,080 in reserve and will reassess the progress with their plan three to four months after implementation. The circuit will then either increase aspects of their plan or return any excess funds for use by other

18TH CIR 00153

Foreclosure and Economic Recovery Funding Proposal Updated after May 21, 2010 FY 2010/11 Circuit Allocations

Circuit	General Magistrate/Senior Judge				Case Management			General Magistrate/Senior Judge Administrative Support			Mediation Administrative Support			Total	
	GM OPS	GM Contracted Services	GM/Senior Judge Expense	Senior Judge Days	OPS	Contracted Services	Expenses	OPS	Contracted Services	Expenses	OPS	Contracted Services	Expenses		
1			\$2,700	\$37,100	\$63,179		\$3,386							\$106,365	
2			\$2,426	\$21,180	\$40,142		\$4,800	\$34,217		\$3,600				\$106,365	
3					\$38,171			\$26,090						\$64,261	
4				\$172,729				\$40,000						\$212,729	
5				\$72,100				\$140,430		\$199				\$212,729	
6			\$6,514	\$82,950	\$221,738		\$6,550							\$317,752	
7			\$3,351	\$91,000	\$117,378		\$1,000							\$212,729	
8		\$37,035	\$2,500	\$17,500	\$39,126		\$5,204		\$5,000					\$106,365	
9				\$246,750	\$178,707									\$425,457	
10				\$18,200	\$38,871		\$11,336	\$26,623		\$11,335				\$106,365	
11	\$82,481		\$2,597	\$171,500	\$457,782	\$4,860	\$16,065	\$120,568		\$6,200				\$862,053	
12			\$2,000	\$94,500	\$116,229									\$212,729	
13			\$2,500	\$195,000	\$168,477		\$5,355	\$56,172						\$427,504	
14			\$5,000	\$32,430	\$36,115		\$2,500	\$27,820		\$2,500				\$106,365	
15			\$10,000	\$250,604	\$272,103		\$20,000	\$83,833		\$10,000				\$646,540	
16		\$14,400	\$12,725	\$49,700				\$27,989		\$1,551				\$106,365	
17				\$87,500	\$505,378		\$53,662							\$646,540	
18				\$260,643				\$58,451						\$319,094	
19			\$12,000	\$84,000	\$84,238		\$4,405	\$28,086						\$212,729	
20	\$135,470			\$153,300	\$39,126			\$97,562						\$425,458	
Sub Total	\$217,951	\$51,435	\$64,313	\$2,138,686	\$2,416,760	\$4,860	\$134,263	\$767,841	\$5,000	\$35,385	\$0	\$0	\$0	\$5,836,494	
														2% Expense Contingency	\$119,112
														Executive Direction	\$44,394
														Grand Total	\$6,000,000

no change

updated

18TH CIR 00154

Susan Phillips

From: Mark VanBever
Sent: Friday, May 28, 2010 06:48 PM
To: J. Preston Silvernail; Alan Dickey
Cc: Wayne Fountain; Susan Phillips
Subject: RE: Foreclosures

I believe we should recommend that the clerk's funds in the 18th Circuit should be allocated 63% to Brevard and 37% to Seminole. The percentages are based on the number of judges in each county. We used those percentages to allocate our circuit allotment.

From: J. Preston Silvernail
Sent: Fri 5/28/2010 5:48 PM
To: Mark VanBever; Alan Dickey
Subject: Fwd: Foreclosures

Sent from my iPhone. Pres

Begin forwarded message:

From: "John Dew" <[REDACTED]>
To: "[REDACTED]" <[REDACTED]>, [REDACTED]
<[REDACTED]>, [REDACTED]
<[REDACTED]>
Cc: "Kristine Slayden" <[REDACTED]>
Subject: Foreclosures

Good Afternoon Judge Silvernail.

Please find attached a request from Clerk Howard Forman, Chair of the Clerk of Court Operations Corporation, for your assistance. The Corporation is responsible for determining the amount of resources to provide to Clerks for the purpose of helping move backlogged foreclosure cases. Please call me at (850) 386-2223 if you have any questions.

Thank you in advance.

John Dew
CCOC Executive Director

Susan Phillips

From: Mary White
Sent: Tuesday, June 01, 2010 10:50 AM
To: Meri Beth Rood; Susan Phillips
Cc: J. Preston Silvernail
Subject: FW: Foreclosures
Attachments: LtrToChiefCircuitJudge12018.pdf

Judge would like you both to please review the attachment since Mark is out of the office. Thanks.

Mary White
Judicial Assistant to
Chief Judge J. Preston Silvernail
Eighteenth Judicial Circuit
(Tel:) (321) 617-7262
(Fax:) (321) 617-7264

From: John Dew [mailto:john.dew@ccoc.org]
Sent: Friday, May 28, 2010 5:25 PM
To: J. Preston Silvernail; Mary White; Mark VanBever
Cc: Kristine Slayden
Subject: Foreclosures

Good Afternoon Judge Silvernail.

Please find attached a request from Clerk Howard Forman, Chair of the Clerk of Court Operations Corporation, for your assistance. The Corporation is responsible for determining the amount of resources to provide to Clerks for the purpose of helping move backlogged foreclosure cases. Please call me at (850) 386-2223 if you have any questions.

Thank you in advance.

John Dew

CCOC Executive Director

FLORIDA CCOC

Clerks of Court
Operations Corporation



May 28, 2010

Honorable Howard Forman
Broward County
Chair

Honorable Harvey Rubin
Dade County
Vice Chairman

Honorable Richard Welss
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 J. Preston Silvernail
Eighteenth Judicial Circuit
2825 Judge Fran Jamieson Way
Viera, FL 32940-8006

Dear Chief Judge J. Preston Silvernail:

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 \$198,229.95.

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

18TH CIR 00157

Susan Phillips

From: Meghan Mackey
Sent: Thursday, June 03, 2010 12:10 PM
To: Susan Phillips
Subject: coversheets
Attachments: HolcombMFDCoversheet.xls; JohnstonMFDCoversheet.xls

Judge Holcomb had me add a line regarding mediation to his. I left it in when editing to make Judge Johnston's copy; I can always take it off if he wants. ☺

*~ Meghan Mackey
Judicial Assistant to
Judge Judith Atkin*

MFD COVERSHEET

Short Case Style:

Case Number:

Date of File Review:

Person Reviewing File:

Type Of Property: Residential Condominium Commercial Other

Owner Occupied: Yes No Vacant: Yes No

Complaint Verified: (Residential Only): Yes No

Case Mediated? Yes No

Pleadings:

Reestablishment Of Note Pled? Yes No

Reestablishment Count Dismissed? Yes No

Answer Filed? Yes No

If Answer Filed, By Which Defendants:

Affirmative Defenses Filed: Yes No

If Filed, Sufficient To Defeat SJ? Yes No

Defendants Not Personally Served:

Service By Publication Proper? Yes No

Defendants Proper? Yes No

Counterclaim or Cross Claim? Yes No

Notice of Bankruptcy Filed? Yes No

Federal Lien Filed? Yes No

Documents Filed:

Original Note: Yes No

Proper Assignment(s)/Allonge(s) note? Yes No N/A

Original Mortgage: Yes No

Affidavit Amount Due: Yes No

Affidavit Of Attorneys Fees: Yes No

Corroborating Affidavit of Attorneys Fees: Yes No

Notice of Hearing To All Defendants: Yes No

Final Judgment Proper Form: Yes No

Comments:

MFD COVERSHEET

Short Case Style:

Case Number:

Type Of Property: Residential Condominium Commercial Other

Complaint Verified: (Residential Only): Yes No

Case Mediated? Yes No

Pleadings:

Reestablishment Of Note Pled? Yes No

Answer Filed? Yes No

If Answer Filed, By Which Defendants:

Affirmative Defenses Filed: Yes No

If Filed, Sufficient To Defeat SJ? Yes No

Service By Publication Proper? Yes No

Counterclaim or Cross Claim? Yes No

Documents Filed:

Original Note: Yes No

Proper Assignment(s)/Allonge(s) note? Yes No N/A

Affidavit Amount Due: Yes No

Affidavit Of Attorneys Fees: Yes No

Corroborating Affidavit of Attorneys Fees: Yes No

Final Judgment Proper Form: Yes No

Comments:

Person Reviewing File:

Susan Phillips

From: Susan Phillips
Sent: Tuesday, June 08, 2010 08:56 AM
To: [REDACTED]
Cc: April Copp
Subject: FW: OPS Positions for Foreclosure Backlog/Economic Recovery
Attachments: Econ foreclosure positions.xls

Gary,
Any questions, feel free to call. Thanks!

Susan Phillips
Family Court Manager - 18th Circuit
321.637.5673

From: "Gary Phillips" [REDACTED]
Subj: OPS Positions for Foreclosure Backlog/Economic Recovery
Date: Mon Jun 7, 2010 7:05 am
Size: 1K
To: "Personnel Reps" [REDACTED]
cc: "Trial Court Administrators"
[REDACTED] "Terri Williams"
[REDACTED]; "David Pepper" [REDACTED]

Good morning all,

As you know, each circuit submitted a plan for how you will use temporary funding to tackle the backlog of foreclosure of real property cases. You might be using Senior Judges, contracting, using OPS magistrates, case managers and secretaries; or some combination of resources for this purpose.

This message pertains to OPS resources only (magistrates, case managers and secretaries). Attached is a spreadsheet that I need for you to fill out and return to my office as soon as possible by listing the OPS resources you intend to use for this project. This information is necessary so we can assign position numbers to OPS resources that you intend to use, and so we can get the resources set up in People First. The sooner you supply our office with this information, the sooner we can provide position numbers for your upcoming OPS hires.

If you have any questions, feel free to give me a call or e-mail.

Thanks,
Gary

Gary R. Phillips, SPHR
Chief of Personnel Services
Office of the State Courts Administrator 500 S. Duval Street Tallahassee, Florida 32399-1900
phone: 850-617-4028
fax: 850-488-3744
email: [REDACTED]

ECONOMIC RECOVERY/FORECLOSURE BACKLOG OPS RESOURCES			
CIRCUIT	FTE	CLASS CODE	CLASS TITLE
18	2	2004	Senior Secretary

Susan Phillips

From: Laurie Rice [REDACTED]
Sent: Wednesday, June 09, 2010 09:45 AM
To: Susan Phillips
Subject: RE: Foreclosure backlog

Susan: First of all, do the judges know you are calling them "seniors"? What does that make us????

I'll need to discuss this with Scott as providing two court clerks full time may be problematic for us. Our expected funding will allow for 3-3.5 FTE's – dedicating 2 of those positions (even if only for 60 days) solely to court clerks will keep us from getting the paper generated from the initial push docketed, scanned, etc., and may not allow us to add a sale date to each week. I'll let you know as soon as possible.

Laurie

From: Susan Phillips [REDACTED]
Sent: Wednesday, June 09, 2010 9:18 AM
To: Laurie Rice
Subject: RE: Foreclosure backlog

Laurie,

When you met with the Judges, that was the plan to have one senior here at a time. However, our funding is such that we can have two seniors full-time for one year. Coincidentally, Judge Johnston was in my office when your email came in. He confirmed that both Judges will need a clerk for the first 60 days. The reason is because of the sheer volume of cases they expect to process during that timeframe. After 60 days, at a maximum only one clerk will be needed, and possibly none depending on how the division is running by then. They expect the workload in this division to definitely be on the front end.

Does this help? Sorry for the breakdown in communication on this subject.....S

Susan J. Phillips, Family Court Manager
Court Administration - 18th Judicial Circuit
ph 321.637.5673

From: Laurie Rice [REDACTED]
Sent: Wednesday, June 09, 2010 9:04 AM
To: Susan Phillips
Subject: Foreclosure backlog

Susan: Brenda just informed me that Judges Holcomb and Johnston will both be here for the first 70 days. I must have completely misunderstood when I met with them – my understanding was that only one would be here at a time. Do both judges expect a court clerk?

Laurie

Susan Phillips

From: Susan Phillips
Sent: Thursday, June 10, 2010 08:21 AM
To: Lola Merrick; Deborah Ryan; Theresa Goddard; Mellisa Dix; Christa Sullivan; Chris Trammell; Lori Todd
Subject: IMPORTANT INFO-Foreclosure Scheduling

Ladies,

I would like to thank you so much for your patience and cooperation in scheduling your cases for the new Mortgage Foreclosure Division. We are very pleased with the progress.

Now that things are falling into place, we are able to add and clarify one new hearing time option for you.

Accordingly, you may set "other" type of motions (besides summary judgment) in any time slot on your calendar as long as:

- a. There are **no summary judgments** in the same 1 hour slot and*
- b. It is impossible to fill the time slot with a summary judgment because the hearing you wish to set is within the 30-day window.*

Please indicate on your calendar where "other" type hearings are set, otherwise it will be assumed they are summary judgment hearings.

Additionally, please review your calendars and include a contact phone number for the plaintiff for any type of foreclosure hearing you set.

Thanks again.....if you have any questions or concerns, please feel free to call.

Susan J. Phillips, Family Court Manager
Court Administration - 18th Judicial Circuit
ph 321.637.5673

Susan Phillips

From: Mark VanBever
Sent: Thursday, June 10, 2010 11:47 AM
To: Wayne Fountain; Alan Dickey; Susan Phillips; Laurie Rice (Brevard Clerk of Courts)
Subject: FW: Foreclosure and Economic Recovery Funding - Reporting Issues

From: Kristine Slayden [mailto:kristine.slayden@flcourts.gov]
Sent: Thu 6/10/2010 10:42 AM
To: Trial Court Administrators
Cc: Lisa Goodner; P.J. Stockdale; Arlene Johnson; Randy Long; 'John Dew'
Subject: Foreclosure and Economic Recovery Funding - Reporting Issues

Trial Court Administrators - On June 4, 2010, the Trial Court Budget Commission (TCBC) discussed the monitoring of the Foreclosure and Economic Recovery Funding Initiative. As reported in an earlier email from me, the TCBC voted at their May meeting that the focus for this project will be on Real Property/Mortgage Foreclosure cases and adopted as the primary goal of the Foreclosure and Economic Recovery Funding Initiative:

- ❖ 62% of all Real Property/Mortgage Foreclosure cases pending (non-disposed and reopened) will be disposed in FY2010-11

In order to monitor the success of this initiative, the following statistics will be calculated:

- Clearance rates
- The number of cases disposed
- The percent of backlogged cases
- The average age of target cases

To calculate the above statistics, you will need to track the foreclosure cases throughout the year. As a starting point, you will need information on the cases pending in your circuit at the beginning of this initiative. The following information will need to be requested from the clerks of court:

1. Circuit,
2. County,
3. Uniform Case Number,
4. The date the case was initiated,
5. The applicable SRS case type of the case
6. The date the case was reopened, if applicable
7. The date the case was originally disposed (for reopened cases only)
8. The SRS disposition category (for reopened cases only)

We met with the FACC yesterday and are planning to send out a letter to all 67 clerks of court asking them to send this data to the OSCA. **Please allow us to contact the clerks for this data so that the request can be uniform across the state and the timeframe will be consistent.** Once we get the data from the clerks (we are hoping to get it by July 9, 2010), we will format it in a reporting worksheet and send it out to you to track the cases, along with detailed instructions.

One issue that came up during the meeting yesterday was the issue of reopened cases not being reported as closed due to the SRS reporting requirements. We believe that the list of open cases that the clerks will provide may include some cases that are actually closed. Our instructions will request that you review the list to identify those cases that need to be removed due to the fact that they are already closed. Information from the JIS should allow your case manager to determine the status of the cases. Please let us know if the staff person that will be tracking the cases doesn't have access to JIS and we will make sure they get it.

In addition, the OSCA will include in its audit schedule additional time to audit this data to ensure that the data reported is accurate. The Court Statistics and Workload Committee of the Trial Court Performance and Accountability Commission will oversee the data collection instruments and reporting elements.

Please contact me if you have any questions or concerns about this reporting. Thanks. 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)

Susan Phillips

From: Laurie Rice [mailto:Laurie.Rice@avaadclerk.us]
Sent: Friday, June 11, 2010 08:19 AM
To: Susan Phillips
Subject: RE: Foreclosure backlog

Susan: We haven't received a firm commitment, but, based on the information provided to the CCOC by Judge Silvernail and agreement with the split by both Scott and Ms. Morse, it appears we're looking at approximately \$125,000. I spoke with Scott and he will commit to providing a court clerk for each judge for 60 days.

Laurie

From: Susan Phillips [mailto:Susan.Phillips@courts18.org]
Sent: Friday, June 11, 2010 8:12 AM
To: Laurie Rice
Subject: RE: Foreclosure backlog

Laurie.....have you heard anything about the exact funding you will get?

Susan J. Phillips, Family Court Manager
Court Administration - 18th Judicial Circuit
ph 321.637.5673

From: Laurie Rice [mailto:Laurie.Rice@avaadclerk.us]
Sent: Wednesday, June 09, 2010 9:45 AM
To: Susan Phillips
Subject: RE: Foreclosure backlog

Susan: First of all, do the judges know you are calling them "seniors"? What does that make us????

I'll need to discuss this with Scott as providing two court clerks full time may be problematic for us. Our expected funding will allow for 3-3.5 FTE's - dedicating 2 of those positions (even if only for 60 days) solely to court clerks will keep us from getting the paper generated from the initial push docketed, scanned, etc., and may not allow us to add a sale date to each week. I'll let you know as soon as possible.

Laurie

From: Susan Phillips [mailto:Susan.Phillips@courts18.org]
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To: Laurie Rice
Subject: RE: Foreclosure backlog

Laurie,
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possibly none depending on how the division is running by then. They expect the workload in this division to definitely be on the front end.

Does this help? Sorry for the breakdown in communication on this subject.....S

Susan J. Phillips, Family Court Manager
Court Administration - 18th Judicial Circuit
ph 321.637.5673

From: Laurie Rice <mailto:Laurie.Rice@brevardclerk.us>
Sent: Wednesday, June 09, 2010 9:04 AM
To: Susan Phillips
Subject: Foreclosure backlog

Susan: Brenda just informed me that Judges Holcomb and Johnston will both be here for the first 70 days. I must have completely misunderstood when I met with them – my understanding was that only one would be here at a time. Do both judges expect a court clerk?

Laurie

Susan Phillips

From: Mark VanBever
Sent: Sunday, June 13, 2010 02:26 PM
To: Wayne Fountain; Alan Dickey; J. Preston Silvernail; Jeanne Chipman; Meri Beth Rood; Susan Phillips
Subject: FW: Advisory Bulletin 10-042
Attachments: 10bull42.doc; Joint Letter to Clerks.pdf

From: Kristine Slayden <mailto:kristine@clerkscourts.org>
Sent: Fri 6/11/2010 4:37 PM
To: Trial Court Chief Judges; Trial Court Administrators
Cc: Arlene Johnson; P.J. Stockdale; Lisa Goodner
Subject: FW: Advisory Bulletin 10-042

Chief Judges/Trial Court Administrators – Please note the attached joint letter from Lisa Goodner and Ken Kent, Executive Director of the FACC, sent to the 67 Clerks of Court today regarding the need for case information to support the Foreclosure and Economic Recovery Funding Initiative.

In addition, OSCA is working on developing a case tracking mechanism for court administration and will be in contact with you in the next couple of weeks. Have a great weekend! 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)

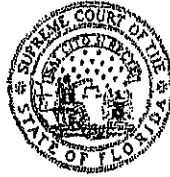
From: Randy Long <mailto:randy@clerkscourts.org>
Sent: Friday, June 11, 2010 3:49 PM
To: Kristine Slayden; Lisa Goodner
Cc: Fred Baggett; Ken Kent
Subject: FW: Advisory Bulletin 10-042

For your files. Have a great weekend.

From: Janice Thompson <mailto:janice@clerkscourts.org>
Sent: Friday, June 11, 2010 3:45 PM
To: 'Sean Hudson'
Cc: 'Vicki Laurienzo'; Randy Long
Subject: Advisory Bulletin 10-042

Please see Advisory Bulletin 10-042 and attachment.

Peggy A. Quince
Chief Justice



Elisabeth H. Goodner
State Courts Administrator

Office of the State Courts Administrator

Phone: (850) 922-5081 Fax: (850) 488-0156

E-mail: osca@flcourts.org

June 11, 2010

Clerks of Court

Dear Clerk:

As you know, this year the Florida Legislature authorized \$9.6 million to be spent by the State Courts System (\$6.0 million) and the Clerks of Court (\$3.6 million) dedicated to the elimination of the backlog of real property/mortgage foreclosure cases. The intent of this legislation is to reduce the backlog of non-disposed and reopened cases that are clogging the courts and slowing down the foreclosure process across the state. We believe this project can have a positive impact for the State of Florida as a whole.

The Trial Court Budget Commission has set a target of moving 62% of all non-disposed and reopened, or pending, real property/mortgage foreclosure cases as of July 1, 2010 to disposition by June 30, 2011.

In order to develop a solid baseline for measuring this objective, the Office of the State Courts Administrator (OSCA) is asking that each Clerk of Court provide a list of all real property/mortgage foreclosure cases that are non-disposed, reopened or pending as of close of business June 30, 2010. (Please see attachment for details.) OSCA will compile these county case lists into a foreclosure and economic recovery case tracking mechanism which will be provided to court administration in each of the 20 circuits.

The Florida Association of Court Clerks and Comptrollers (FACC) has developed a standard query to produce this information for those counties using the FACC case maintenance system. Please contact the FACC Service Center 850-414-2210 or Support@faccfla.com by June 15, 2010 for information on obtaining and using this query.

We ask that those Clerks of Court who do not use the FACC case maintenance system to contact Arlene Johnson, arlene.johnson@flcourts.org or 850-922-5103 by June 23, 2010 to provide a point of contact within your office to assist us with this data request.

Foreclosure and Economic Recover Initiative
Page Two
June 11, 2010

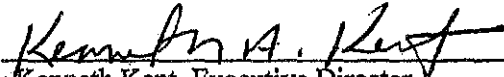
The intent of this initial case list is to provide a foundation for court administration to target cases and track results. We understand that there are issues with the reopen and pending case designations and we believe that it is best to initially identify more candidate cases than less. During the initiative period, court administration staff will be working closely with Clerk's staff to refine the case list and identify those cases that may appear open but should be closed or cases that otherwise do not meet the criteria for this initiative. Approaching the issue in this fashion will allow the initiative to move forward quickly while still providing the Courts and Clerks with quality information at the end of the initiative to serve as a basis for quantifying their achievement.

We believe that, if we work together, we can demonstrate to the Florida Legislature our success with this initiative.

Sincerely,



Lisa Goodner, State Courts Administrator
Office of the State Courts Administrator



Kenneth Kent, Executive Director
Florida Association of Court Clerks &
Comptrollers

LG:pjs

Attachment

Attachment A

Foreclosure and Economic Recovery Initiative Data Collection Plan

Clerk of Court Data Request:

In order to ensure that each circuit has a complete list of pending real property/mortgage foreclosure cases as of July 1, 2010, OSCA will work with Clerks of Court and the FACC to develop a list of all cases, non-disposed or reopened; i.e. pending, as of June 30, 2010. Circuit court administrations are currently identifying the resources needed to implement this initiative. The list of pending cases will serve to focus and direct the Courts' efforts to move these cases and provide a method for tracking progress. It is critical that this case list be available for distribution by OSCA to trial court administrators no later than close of business July 9, 2010 so that work can begin as soon as possible.

To ensure accurate tracking, the initial case list data file should contain the following information and will be submitted to OSCA as a standard ASCII text file in pipe delimited format.

1. Uniform Case Number
2. The date the case was initiated
3. The applicable SRS case type of the case
4. The date the case was reopened, if applicable
5. The date the case was originally disposed (for reopened cases only)
6. The SRS disposition category (for reopened cases only)

It is understood that there are issues with identifying cases classified as reopened and/or pending due to the differences among the Clerks of Court in how these terms are defined or implemented in their various systems. Since the intent of the initiative is to identify conclusively those languishing cases that can legitimately be moved through to disposition and sale, it is better to extract more rather than fewer records at this point. However, to keep things manageable, we ask that each county exercise due care in their extraction.

OSCA will divide the cases by circuit and county and initially populate the Foreclosure and Economic Recovery Case Tracking System workbooks for each circuit. OSCA will transmit the data collection workbooks to each trial court administrator. Cases transferred into the program after July 1, 2010 will have to be entered manually by court administration staff. Court administration will provide an updated copy of these tracking workbooks to OSCA at least bi-weekly for monitoring, analysis and reporting.

Data files may be emailed to P.J. Stockdale at ~~stockdale@flcourts.org~~ with the subject line "Foreclosure and Economic Recovery Initiative Initial Case Data List." Please contact Mr. Stockdale by email or by phone (850-410-1523) if you have any questions concerning this data submission.

ADVISORY BULLETIN

Florida Association of Court Clerks/Comptrollers

REF: Foreclosure Cases

DATE: June 11, 2010

NO: 10-042

FILE NO. F02-008-100611-03 TELEPHONE: (850) 921-0808

CONTACT: K. Kent

PAGE 1 OF 1

The Clerks and Courts have been asked to establish a process to monitor an initiative on Real Property/Mortgage Foreclosure cases with the goal of the elimination of 62% of all Real Property/Mortgage Foreclosure cases pending as of June 30, 2010 (non-disposed and reopened).

The Office of the State Courts Administrator (OSCA) plans to monitor the success of this initiative by calculating the following statistics:

- Clearance rates
- The number of cases disposed
- The percent of backlogged cases
- The average age of target cases

In order to calculate these statistics, OSCA and FACC are working together with the Clerks to provide timely and consistent data for monitoring and reporting purposes, as outlined in the attached letter from Lisa Goodner, State Courts Administrator, Office of the State Courts Administrator and Kenneth A. Kent, Executive Director, Florida Association of Court Clerks & Comptrollers.

Should you have any questions regarding this alert, please feel free to contact Ken Kent at (850) 921-0808 or ken.kent@flacc.com

ADVISORY BULLETIN

Florida Association of Court Clerks/Comptrollers

REF: Foreclosure Cases

DATE: June 11, 2010

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PAGE 1 OF 1

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Should you have any questions regarding this alert, please feel free to contact Ken Kent at (850) 921-0808 or kenkent@flacc.com

Susan Phillips

From: Susan Phillips
Sent: Thursday, June 17, 2010 12:28 PM
To: Brevard: All Judges; Valerie Brown; Jennifer Taylor; Brice Corder; Kurt Erlenbach
Cc: Brevard: All JAs; Brevard: All Receptionists; Barbara Opperman; Joanne Slusher; Debbie Lansing; Dora Wiley; Maddy Fielding; Brenda Anderson (Brevard Clerk of Courts); Misty Price (Brevard Clerk of Courts); Brevard: Court Admin; Larry Johnston; Charles Holcomb; Brevard: Court Technology
Subject: Mortgage Foreclosure Division

The Chief asked that I provide everyone with updates on our new Mortgage Foreclosure Division (MFD) that begins July 1. This program has been funded by the Legislature for 1 year only.

-The two MFD Judges, Holcomb and Johnston will reside and work in the 3rd floor visiting judges suite that is shared with Judge Atkin.

-An offer was extended yesterday to Trish Matarazzo (former temp J.A.) to fill the temporary position of Senior Secretary, she will start July 1.

-Phone number: 637-5470 Fax number: 637-5642

-3rd floor receptionist Valerie O'Coin will provide telephone assistance to the MFD.

-A slot has been designated in the mail room at the Moore Justice Center, and they will be on the courier route.

If you have any questions, feel free to give me a call! Thanks....

Susan J. Phillips, Family Court Manager
Court Administration - 18th Judicial Circuit
ph 321.637.5673

Susan Phillips

From: Susan Phillips
Sent: Friday, June 18, 2010 08:24 AM
To: Susan Phillips
Subject: FW: RE: Foreclosure and Economic Recovery Funding - Reporting Issues
Attachments: RE: Foreclosure and Economic Recovery Funding - Reporting Issues

Susan J. Phillips, Family Court Manager
Court Administration - 18th Judicial Circuit
ph 321.637.5673

Susan Phillips

Subject: RE: Foreclosure and Economic Recovery Funding - Reporting Issues
Start: Fri 6/18/2010 08:30 AM
End: Fri 6/18/2010 09:00 AM
Recurrence: (none)
Organizer: Susan Phillips

From: Laurie Rice [mailto:laurie.rice@brevardclerk.com]
Sent: Thursday, June 10, 2010 12:44 PM
To: Mark VanBever
Cc: Susan Phillips; Chris Dugan (Brevard Clerk of Courts); Cindy Rabe (Brevard Clerk of Courts)
Subject: RE: Foreclosure and Economic Recovery Funding - Reporting Issues

Mark: Thank you for the heads up.

As stated in the email, SRS reporting requirements do not include reporting of reopen dispositions. However, in Brevard County, we close each of our reopens. So, we should be able to provide only those cases that are pending (original or reopen). Please note, however, that since we track each motion that is filed after the case is disposed, one case may have multiple reopen records. The case status will remain reopen pending until all pending reopen motions have been disposed.

It appears that this data will only be requested once to get a baseline on the backlog. Any actions the senior judges take on cases filed after this list is generated will not be reflected. Depending on what you require, we may be able to help with the tracking. For example, if you are to track only activity on these cases that is taken by a senior judge, we would not be able to tell you whether a senior judge or the assigned judge disposed a case – only that the case was disposed.

Laurie

From: Mark VanBever [mailto:Mark.VanBever@brevardclerk.com]
Sent: Thursday, June 10, 2010 11:47 AM
To: Wayne Fountain; Alan Dickey; Susan Phillips; Laurie Rice
Subject: FW: Foreclosure and Economic Recovery Funding - Reporting Issues

From: Kristine Slayden kslayden@tcadms.org
Sent: Thu. 6/10/2010 10:42 AM
To: Trial Court Administrators
Cc: Lisa Goodner; P.J. Stockdale; Arlene Johnson; Randy Long; 'John Dew'
Subject: Foreclosure and Economic Recovery Funding - Reporting Issues

Trial Court Administrators - On June 4, 2010, the Trial Court Budget Commission (TCBC) discussed the monitoring of the Foreclosure and Economic Recovery Funding Initiative. As reported in an earlier email from me, the TCBC voted at their May meeting that the focus for this project will be on Real Property/Mortgage Foreclosure cases and adopted as the primary goal of the Foreclosure and Economic Recovery Funding Initiative:

v 62% of all Real Property/Mortgage Foreclosure cases pending (non-disposed and reopened) will be disposed in FY2010-11

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1. Circuit,
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Please contact me if you have any questions or concerns about this reporting. Thanks. 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)



RE: Foreclosure
and Economic R...

Susan Phillips

From: April Copp
Sent: Monday, June 21, 2010 07:49 AM
To: Susan Phillips; Kathy Wright; Sue Block; Wayne Fountain
Cc: Mark VanBever
Subject: FW: foreclosure position codes for circuits.xls
Attachments: foreclosure position codes for circuits.xls

FYI

April

From: Gary Phillips [\[REDACTED\]](mailto:gphillips@scs.courts.fl.gov)
Sent: Friday, June 18, 2010 8:27 AM
To: Personnel Reps
Cc: Trial Court Administrators; David Pepper; Terri Williams
Subject: foreclosure position codes for circuits.xls

Good morning all,

Attached are the position codes for the foreclosure OPS positions, by circuit. We have issued position numbers for several circuits and will complete that process in the next couple of days.

Thanks,
Gary

Gary R. Phillips, SPHR
Chief of Personnel Services
Office of the State Courts Administrator
500 S. Duval Street
Tallahassee, Florida 32399-1900
phone: 850-617-4028
fax: 850-488-3744
email: [\[REDACTED\]](mailto:gphillips@scs.courts.fl.gov)

OPS Foreclosure Backlog Position Codes

Title	FLAIR Org	FLAIR Account Code
Foreclosure Backlog - First Circuit	22200100375	222020570012230010000030000
Foreclosure Backlog - Second Circuit	22200200375	222020570012230010000030000
Foreclosure Backlog - Third Circuit	22200300375	222020570012230010000030000
Foreclosure Backlog - Fourth Circuit	22200400375	222020570012230010000030000
Foreclosure Backlog - Fifth Circuit	22200500375	222020570012230010000030000
Foreclosure Backlog - Sixth Circuit	22200600375	222020570012230010000030000
Foreclosure Backlog - Seventh Circuit	22200700375	222020570012230010000030000
Foreclosure Backlog - Eighth Circuit	22200800375	222020570012230010000030000
Foreclosure Backlog - Ninth Circuit	22200900375	222020570012230010000030000
Foreclosure Backlog - Tenth Circuit	22201000375	222020570012230010000030000
Foreclosure Backlog - Eleventh Circuit	22201100375	222020570012230010000030000
Foreclosure Backlog - Twelfth Circuit	22201200375	222020570012230010000030000
Foreclosure Backlog - Thirteenth Circuit	22201300375	222020570012230010000030000
Foreclosure Backlog - Fourteenth Circuit	22201400375	222020570012230010000030000
Foreclosure Backlog - Fifteenth Circuit	22201500375	222020570012230010000030000
Foreclosure Backlog - Sixteenth Circuit	22201600375	222020570012230010000030000
Foreclosure Backlog - Seventeenth Circuit	22201700375	222020570012230010000030000
Foreclosure Backlog - Eighteenth Circuit	22201800375	222020570012230010000030000
Foreclosure Backlog - Nineteenth Circuit	22201900375	222020570012230010000030000
Foreclosure Backlog - Twentieth Circuit	22202000375	222020570012230010000030000

Susan Phillips

From: Diana Spivey [mailto:diana.spivey@brevardclerk.us]
Sent: Monday, June 21, 2010 01:30 PM
To: Susan Phillips; Larry Johnston
Cc: Laurie Rice (Brevard Clerk of Courts)
Subject: RE: Amended 836
Attachments: Law 837 Motion & Notice of Hearing of Dismissal of Case for Post Judgmental Relief 6-2010.doc; Law 836 Motion & Notice of Hearing to Dismiss Case for LOP 6-2010.doc

Judge Johnston:

Attached is a rough draft of both Law 836 and Law 837 which Laurie mentioned in a previous e-mail. I have structured these forms in Word 2007. If you have any issues with them, please let me know. Please note, I have not obtained final approval from Laurie; she should be back in the office tomorrow morning.

Diana Spivey
Administrative Assistant
Brevard County Clerk's Office

From: Susan Phillips [mailto:susan.phillips@court.brevard.us]
Sent: Monday, June 21, 2010 1:23 PM
To: Diana Spivey
Subject: FW: Amended 836

Diana.....can you?

Susan J. Phillips, Family Court Manager
Court Administration - 18th Judicial Circuit
ph 321.637.5673

From: Larry Johnston
Sent: Monday, June 21, 2010 1:22 PM
To: Susan Phillips
Subject: RE: Amended 836

Thank you. Could Diana send me what she has so I can keep working on it?

T

From: Susan Phillips
Sent: Monday, June 21, 2010 1:20 PM
To: Larry Johnston
Subject: RE: Amended 836

Good news! Diana Spivey made changes to form 836 and 837 and formatted to a Word document so we can edit. They are on Laurie's desk for approval.....she said you would receive them probably in the morning ☺

Susan J. Phillips, Family Court Manager
Court Administration - 18th Judicial Circuit
ph 321.637.5673

IN THE EIGHTEENTH JUDICIAL CIRCUIT, IN AND
FOR BREVARD COUNTY, FLORIDA

CASE NO: _____

Plaintiff

vs

Defendant

_____ /

**Motion & Notice of Hearing of Dismissal of Request for Post Judgmental Relief
(Pursuant to Rule 1.420(e) Fla. R. Civ. P.)**

	HEARING INFORMATION
DATE	
TIME	
LOCATION	
JUDGE	

The Clerk of the Circuit and County Courts finds that it does not appear from filings of pleadings, order of Court, or otherwise for a period of one year that this action is being prosecuted. Therefore, the Clerk has scheduled this matter before the court and will request that the court dismiss the matter unless good cause is shown why the action should not be dismissed for lack of prosecution.

Pursuant to Rule 1.420(e) Fla. R. Civ. P., good cause must be shown why this action should not be dismissed for lack of prosecution at least five days before the scheduled hearing. The showing of good cause must be in writing and filed in this action.

If a showing of good cause is filed as provided, a hearing on the matter will be held on the date and time indicated above. If no showing of good cause is filed within the time specified, the Court will dismiss this action for lack of prosecution.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy hereof has been furnished to:

- Plaintiff/Petitioner by hand delivery courier U.S. mail fax
 copy in the court file pursuant to Rule 1.080(b) Fla. R. Civ. P., because his/her address is unknown.

Defendant/Respondent by hand delivery courier U.S. mail fax
 copy in the court file pursuant to Rule 1.080(b) Fla. R. Civ. P., because his/her address is unknown.

Plaintiff/Petitioner Attorney _____

By hand delivery courier U.S. mail fax

Defendant/Respondent Attorney _____

By hand delivery courier U.S. mail fax

Brevard County Clerk of Court

Deputy Clerk: _____

Date: _____

If you are a person with disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration at 2825 Judge Fran Jamieson Way, 3rd. Floor, Melbourne, FL 32940, 321-633-2171, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice impaired, call 1-800-955-8771. For other information, please call 321-637-5413.

IN THE EIGHTEENTH JUDICIAL CIRCUIT, IN AND FOR BREVARD COUNTY, FLORIDA

CASE NO: _____

Plaintiff

vs

Defendant

_____ /

**Motion & Notice of Hearing To Dismiss Case For Lack of Prosecution
(Pursuant to Rule 1.420(e) Fla. R. Civ. P.)**

	HEARING INFORMATION
DATE	
TIME	
LOCATION	
JUDGE	

PLEASE TAKE NOTICE that it appears on the face of the record that no activity by filing of pleadings, order of the court, or otherwise has occurred for a period of 10 months immediately preceding service of this notice, and no stay has been issued or approved by the court. Pursuant to rule 1.420(e), if no such record activity occurs within 60 days following the service of this notice, and if no stay is issued or approved during such 60-day period, this action may be dismissed by the court on its own motion or on the motion of any interested person, whether a party to the action or not, after reasonable notice to the parties, unless a party shows good cause in writing at least 5 days before the hearing on the motion why the action should remain pending.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy hereof has been furnished to:

- Plaintiff/Petitioner by hand delivery courier U.S. mail fax
 copy in the court file pursuant to Rule 1.080(b) Fla. R. Civ. P., because his/her address is unknown.
- Defendant/Respondent by hand delivery courier U.S. mail fax
 copy in the court file pursuant to Rule 1.080(b) Fla. R. Civ. P., because his/her address is unknown.

CASE NO: _____

Plaintiff/Petitioner Attorney _____

By hand delivery courier U.S. mail fax

Defendant/Respondent Attorney _____

By hand delivery courier U.S. mail fax

Brevard County Clerk of Court

Deputy Clerk: _____

Date: _____

If you are a person with disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration at 2825 Judge Fran Jamieson Way, 3rd. Floor, Melbourne, FL 32940, 321-633-2171, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice impaired, call 1-800-955-8771. For other information, please call 321-637-5413.

Susan Phillips

From: David McCormick [mailto:david.mccormick@bcso.us]
Sent: Monday, June 21, 2010 02:18 PM
To: Susan Phillips
Cc: Mark VanBever; David McCormick; Robert Cullen
Subject: Foreclosure Courts

Ms. Susan Phillips:

Good Afternoon Susan,

In a June 10, 2010 communication, with Mr. VanBever he referred to you as the contact person for questions concerning the newly funded foreclosure courts. I do have some questions and would like to meet with you this week to discuss this topic in detail. I have listed some of the information that I am requesting and would like to discuss with you.

- What is the funding amount and funding source for the foreclosure courts.
- Who is the funding recipient?
- Is there any discretionary funding that can be used for court deputies?
- What are the specific time frame the Court(s) will be in Session?

Additionally, since this proposal directly impacts the Sheriff's Office budget process through personnel allocations, I am interested in:

- how this plan was formulated and presented to the Legislature;
- if a member of the Sheriff's Office or County Government was notified, or participated in completion, of this plan;
- if a consideration was made on how to fund court deputies for the project;
- and if a member of the Sheriff's Office or County Government was not involved, how I can ensure that we are given consideration as stakeholders in future plans to expand the Courts?

Thanks,

David McCormick
617-7252

Susan Phillips

From: Mark VanBever
Sent: Tuesday, June 22, 2010 01:18 PM
To: Susan Phillips; Wayne Fountain; Wendy Whitsett
Subject: FW: Learning Opportunity for Senior Judges Assigned to Hear Foreclosure Cases

From: Melissa Henderson [mailto:Melissa.Henderson@tca.state.fl.us]
Sent: Tuesday, June 22, 2010 1:15 PM
To: Trial Court Administrators
Subject: Learning Opportunity for Senior Judges Assigned to Hear Foreclosure Cases

The following email was sent to Senior Judges today via email and will be mailed tomorrow to the Senior Judges that we do not have email addresses for.

Please let me know if you have any questions.

Melissa Henderson
Court Education Division
Office of the State Courts Administrator
500 South Duval Street
Tallahassee, FL 32399-1900
phone: 850/922-5086
fax: 850/922-9185
email: [mailto:Melissa.Henderson@tca.state.fl.us]

From: Melissa Henderson
Sent: Tuesday, June 22, 2010 1:14 PM
Subject: Learning Opportunity for Senior Judges Assigned to Hear Foreclosure Cases

Learning Opportunity for Senior Judges Assigned to Hear Foreclosure Cases

(This email is being sent to all Senior Judges approved for Circuit & County bench work, with a courtesy copy to JA's, and TCA's.)

Greetings:

As you know the Florida Legislature has recently allocated funds for the use of senior judges to help alleviate the backlog of foreclosure cases that are clogging court dockets throughout the state.

As a result, some senior judges may soon find themselves sitting on potentially large numbers of foreclosure cases with varying levels of complexity. In an effort to assist these judges in this important endeavor, we are pleased to announce that a comprehensive foreclosure course will be part of the agenda at the upcoming education program of the Florida Conference of Circuit Judges, to be held in late July at the Marco Island Marriott in Marco Island, Florida.

“The Nuts and Bolts of Foreclosure” is scheduled for Tuesday, July 27, 2010, from 3:00 – 4:30 p.m. The course will be taught by Judge Jennifer Bailey of the 11th Judicial Circuit and carries a maximum of 1.5 hours of CJE credit. After completing the course, participants should be able to:

- List the basic requirements for the entry of a summary judgment in a mortgage foreclosure case.
- Identify affirmative defenses which would preclude the entry of summary judgment in a mortgage foreclosure case.
- Recognize the challenges and ethical issues that arise when dealing with attorneys and pro se litigants in mortgage foreclosure cases.

If you are a senior judge, **who is scheduled to begin hearing foreclosure cases**, don't miss this important opportunity to brush up on current foreclosure law and procedures. In order to take advantage of this learning opportunity, you must register for the conference, at:

www.flcircuitconference.com
(Password is FCCJ2010 and is case sensitive)

Please carefully read the information previously sent to you either by email or by regular mail for instructions and more information on registering for the conference. *Please note that you should plan to attend the entire conference in order to be reimbursed; this notice is merely to advise you of one of the course offerings which may be particularly important to you.*

The conference registration deadline is July 15, 2010. The discounted on-line registration fee is \$140.00, of which \$112.00 is reimbursable. Anyone who misses this deadline can still attend and register at the conference registration desk. The non-discounted registration fee is \$165.00, of which \$112.00 is reimbursable.

We are aware that currently there are no more rooms available at the conference hotel. However, a state government rate is available at the Hilton on Marco Island for \$108/night plus tax for a total of \$118.80 per night, which is actually less expensive than the Marco Marriott. Following is the link to make a reservation for that hotel:

https://secure.hilton.com/en/hi/res/choose_dates.jhtml;jsessionid=P2A3LSL0XN0F0CSGBIVMVCQ?requestid=217287

We hope you are able to attend this important educational offering and look forward to seeing you there.

Martha Martin
Chief of Court Education

Susan Phillips

From: Terri Williams [mailto:williams@hca.com]
Sent: Tuesday, June 22, 2010 03:58 PM
To: Susan Phillips; April Copp
Cc: David Pepper; Gary Phillips
Subject: OPS Position Numbers - Foreclosure
Attachments: Econ foreclosure positionsC18.xls

Hi Susan,
Attached are position numbers for the Foreclosure/Backlog Economic Recovery OPS positions.

Thanks,

=====
Terri J. Williams, HRM CPM
Personnel Management Analyst
850-488-3695

I Will Lift Up Mine Eyes Unto The Hills...

ECONOMIC RECOVERY/FORECLOSURE BACKLOG OPS RESOURCES				
CIRCUIT	FTE	CLASS CODE	CLASS TITLE	POS NUM
18				
	1	2004	Senior Secretary	22092189
	1	2004	Senior Secretary	22092190
Total	2			

Susan Phillips

From: Diana Spivey ~~Diana.Spivey@brevardclerk.net~~
Sent: Wednesday, June 23, 2010 01:55 PM
To: Susan Phillips
Cc: Laurie Rice (Brevard Clerk of Courts)
Subject: Law 836
Attachments: LOP Motion & Notice of Hearing to Dismiss 1420e-836.pdf

Susan – as you requested, I have attached the Motion and Notice of Hearing to Dismiss Case for Lack of Prosecution form for your review and to be forwarded on to Judge Johnston.

Please advise via e-mail changes, suggestions, etc.,

Thanks,

Diana Spivey
Extension 49283

IN THE CIRCUIT AND COUNTY COURT, EIGHTEENTH JUDICIAL CIRCUIT, BREVARD COUNTY, FLORIDA
MOTION AND NOTICE OF HEARING TO DISMISS CASE FOR LACK OF PROSECUTION
 (Pursuant to Rule 1.420(e) Fla. R. Civ. P.)

PLAINTIFF

CASE NUMBER

05 - - - - XXXX-XX

DEFENDANT

CLOCK IN

HEARING INFORMATION

DATE	
TIME	
LOCATION	
JUDGE	

PLEASE TAKE NOTICE that it appears on the face of the record that no activity by filing of pleadings, order of the court, or otherwise has occurred for a period of 10 months immediately preceding service of this notice, and no stay has been issued or approved by the court. Pursuant to rule 1.420(e), if no such record activity occurs within 60 days following the service of this notice, and if no stay is issued or approved during such 60-day period, this action may be dismissed by the court on its own motion or on the motion of any interested person, whether a party to the action or not, after reasonable notice to the parties, unless a party shows good cause in writing at least 5 days before the hearing on the motion why the action should remain pending.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy hereof has been furnished to the parties by U.S. mail or a copy in the court file pursuant to Rule 1.080(b) Fla. R. Civ. P. for those parties whose address is unknown this _____ day of _____, 2010.

SCOTT ELLIS, Clerk of Courts, Brevard County, Florida

By: _____
 Deputy Clerk

REQUEST FOR ACCOMMODATIONS BY PERSONS WITH DISABILITIES:

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration at The Moore Justice Center, 2825 Judge Jamieson Way, 3rd Floor, Viera, FL 32940-8006, (321)633-2171 ext. 2, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

CLERK OF COURTS	BY _____ DC	DATE
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Susan Phillips

From: Mark VanBever
Sent: Tuesday, July 13, 2010 02:15 PM
To: Susan Phillips
Subject: FW: CSWC: Court Statistics and Workload Committee (CSWC) DecisionNeeded

From: J. Preston Silvernail
Sent: Tuesday, July 13, 2010 2:13 PM
To: Mark VanBever
Subject: FW: CSWC: Court Statistics and Workload Committee (CSWC) DecisionNeeded

From: Bridenback, Mike [REDACTED]
Sent: Tuesday, July 13, 2010 2:13 PM
To: Grant Slayden; Barbara Dawicke; Debbie Burch; Ellen Masters; Jonathan Sjoström; Judge Ilona M. Holmes; J. Preston Silvernail; Judge Peter F. Marshall; Judge Shelley J. Kravitz; Keith Cary; LindaGrubbs; Proctor, Martin; Mary White; Philip G. Schlissel; Susan Kellum; Wells, Tracy; Lapierre, Valerie; William L. Wright
Cc: Arlene Johnson; Dusty Going (JA); Linda Maina (JA); Lorraine Gauss; Marion Barclay (Asst); P.J. Stockdale; Patricia Cantrell (Asst); Paula Watkins; slaydenk@flcourts.org
Subject: RE: CSWC: Court Statistics and Workload Committee (CSWC) DecisionNeeded

I would support Grant's idea of adding mediation/settlement negotiations to Option 1.

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800
bridenml@fljud13.org
www.fljud13.org



From: Grant Slayden [REDACTED]
Sent: Tuesday, July 13, 2010 12:52 PM
To: Barbara Dawicke; Debbie Burch; Ellen Masters; Jonathan Sjoström; Judge Ilona M. Holmes; Judge J. Preston Silvernail; Judge Peter F. Marshall; Judge Shelley J. Kravitz; Keith Cary; LindaGrubbs; Proctor, Martin; Mary White; Bridenback, Mike; Phillip G. Schlissel; Susan Kellum; Wells, Tracy; Lapierre, Valerie; William L. Wright
Cc: Arlene Johnson; Dusty Going (JA); Linda Maina (JA); Lorraine Gauss; Marion Barclay (Asst); P.J. Stockdale; Patricia Cantrell (Asst); Paula Watkins; slaydenk@flcourts.org
Subject: RE: CSWC: Court Statistics and Workload Committee (CSWC) DecisionNeeded

ALCON:
My response is as follows:
1. Yes. The workload is justified because we have to (a) manage this program statewide; and (b) report results to the Florida Legislature. In our circuit the mortgage foreclosure program Administrative Assistant I will collect and report these data under supervision of our Director of Research and Data. We will have some difficulty getting data from two smaller counties, but will manage to do so.

2. Yes. This will simplify things.
 3. Yes. Ditto.
 4. Option 1, however, I think we might want to consider collecting the case status "Inactivity or Pending - Mediation/Settlement negotiations" from Option 2. This will help us track and manage the efficiency of foreclosure mediation program managers and the frequency of cases assigned to mediation.
 5. Yes.
 6. Yes.
- Thank you,
Grant Slayden

Trial Court Administrator
2d Judicial Circuit of Florida
Leon County Courthouse, Rm. 225L
301 South Monroe Street
Tallahassee, Florida 32301-1861
W: 850.577.4420
F: 850.487.7947

>>> "Masters, Ellen" <[REDACTED]@flcourts.org> 12.7.10 4:17 PM >>>

I will vote to approve #s 2, 3, 5, and 6. Further, if we undertake the work, the detail outlined in option 2 under #4 seems appropriate. As to #1, I am not comfortable making a determination as to whether the workload is justified based on the information we have. Do we have any data concerning the susceptibility of overload as to data collecting in these cases (whether it is by the court or the clerk) or as to monitoring (which would certainly involve additional duties for the court)? Perhaps the fact that we are raising this question means we need to respond to the TCBC in such a way that we reveal our work on the development of the case management system but share our concern that implementing this system may cause overload. And if we have overload, the system will not function properly.

From: Bridenback, Mike <[REDACTED]@flcourts.org>

Sent: Monday, July 12, 2010 2:40 PM

To: Barbara Dawicke; Keith Cary; Debbie Burch; Dusty Going (JA); Grant Slayden; Masters, Ellen; Judge Ilona M. Holmes; Judge J. Preston Silvernail; Judge Jonathan Sjostrom; Judge Peter F. Marshall; Judge Shelley J. Kravitz; William L. Wright; Grubbs, Linda; Linda Maina (JA); Lorraine Gauss (JA); Marion Barclay (Asst); Proctor, Martin; Mary White; Patricia Cantrell (Asst); Paula Watkins; Philip G. Schlissel; Susan Kellum; Wells, Tracy; Lapierre, Valerie

Cc: slaydenk@flcourts.org; P.J. Stockdale; Arlene Johnson

Subject: CSWC: Court Statistics and Workload Committee (CSWC) Decision Needed

Importance: High

Members,

Our committee has received another emergency issue to address that requires it be handled by email instead of a scheduled conference call. Judge Masters has asked me to chair this issue for her. Attached is a discussion of the Data Collection Plan for the Foreclosure and Economic Recover Initiative. As many of you are aware, the Legislature allotted the courts \$6 million to provide extra resources to alleviate much of the real property foreclosure backlog. While basic statistics and initiative targets will be computed via SRS, the TCBC has also determined that additional case activity data is necessary to summarize the initiative for the Legislature. The TCBC has requested that the CSWC review and approve this aspect of the project.

The attached discussions describes the proposed data collection plan and presents several decisions for the members. Please review the attached materials and provide a vote to Arlene Johnson or other committee staff (Kris Slayden, [REDACTED], PJ Stockdale, [REDACTED]) on decisions one through six no later than close of business on Thursday 7/14. The data collection workbooks are scheduled to be sent to the TCAs on Monday 7/19.

Additionally, if there are any areas of this plan that you feel bear further discussion or can be further improved, please provide your comments to the members and staff as soon as possible so that these issues may be fully considered.

Please feel free to contact myself or committee staff if you have questions or need additional information.

Michael L. Bridenbach
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800
bridenmi@fjud13.org
www.fjud13.org



Susan Phillips

From: Mark VanBever
Sent: Tuesday, July 13, 2010 03:29 PM
To: Larry Johnston; J. Preston Silvernail; Susan Phillips; Charles Holcomb
Subject: Input screen for foreclosure data collection effort

Someone would have to fill out this screen for all cases that are disposed this fiscal year from cases filed since July 1, 2006.

Foreclosure and Economic Recovery Initiative Case Tracking Form

Case Data | Search |


Case Identification


UCN:

Filing Date:

SRS Case Category:

Disposition/Status

Date Disposed 

Disposition Type 

Date Status Change 

Case Status 

Case Closed for Court Date Case

Post-Judgement

Open Date  Closed Date 

Case Comments

