

FY 2008 - 09 Proposed Resource Allocation and Multi-Year Capital Plan

Judicial Administration

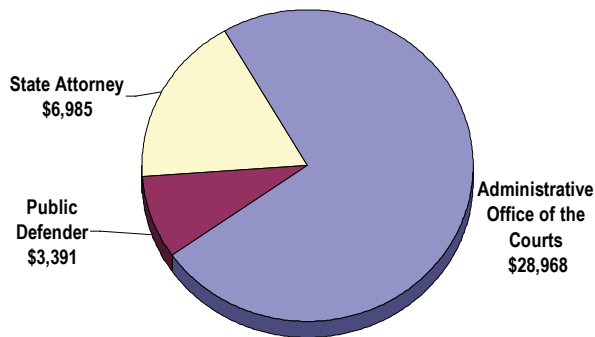
The Judicial Administration function includes the County-funded activities of the State Attorney, Public Defender, and the Administrative Office of the Courts, Eleventh Judicial Circuit.

As part of the Public Safety strategic area, the various entities of the court system strive to attain justice for all residents of Miami-Dade County through the rule of law as an independent branch of government constitutionally entrusted with the fair and just resolution of disputes. In doing so, the Circuit provides equal access to a fair and effective system of justice for all without excess cost, inconvenience, or delay, and with sensitivity to an increasingly diverse society. While preserving the constitutional right to trial by an impartial judge or jury, the Circuit also offers efficient methods of dispute resolution such as mediation. The State Attorney is responsible for prosecuting or defending on behalf of the state all suits, applications, or motions in which the state is a party. The Public Defender represents people charged with crimes or who are in jeopardy of losing their liberty and cannot afford to hire a private attorney, as well as individuals facing involuntary civil commitment because of mental illness or mental retardation. The Administrative Office of the Courts (AOC), which provides support services to the judiciary, includes the following areas: case management, courtroom assignments, court reporting, court technology, interpreter operations, human resources, fiscal and procurement management, facilities management, planning, and security. The entities of the court system interact with the Clerk of Courts, other justice agencies, community-based organizations, and the general public.

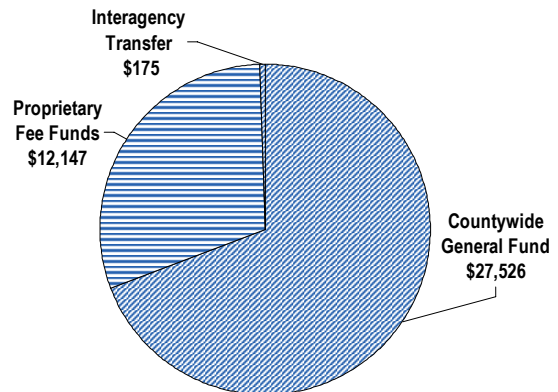
Under Revision 7 to Article V, the State of Florida is required to provide funds to pay for salaries, costs, and expenses of the state court system. This constitutional provision mandates that the State is responsible for funding the following elements on behalf of the State Attorney, Public Defender, and Judiciary: Judges and Judicial Assistants, Law Clerks and legal research services, Magistrates and Hearing Officers, State Attorneys, Assistant State Attorneys and staff, Public Defenders, Assistant Public Defenders and staff, alternative dispute resolution/mediation, case management, foreign and sign language interpreter services, court reporting, expert witnesses, mental health professionals, court administration, and transportation and travel expenses. The State legislation provides that counties pay reasonable and necessary salaries, costs, and expenses of the State court system to meet local requirements and may fund State Attorney and Public Defender efforts toward the prosecution and defense of violations of local ordinances. Pursuant to Florida Statute 29.008, the responsibility rests with the Chief Judge, in conjunction with the State Attorney and the Public Defender, to identify all local requirements within the Circuit. Counties are obligated to fund communications services, existing multi-agency criminal justice information systems, and the construction, maintenance, utilities, and security costs associated with court facilities.

FY 2008-09 Proposed Budget

Expenditures by Activity
(dollars in thousands)

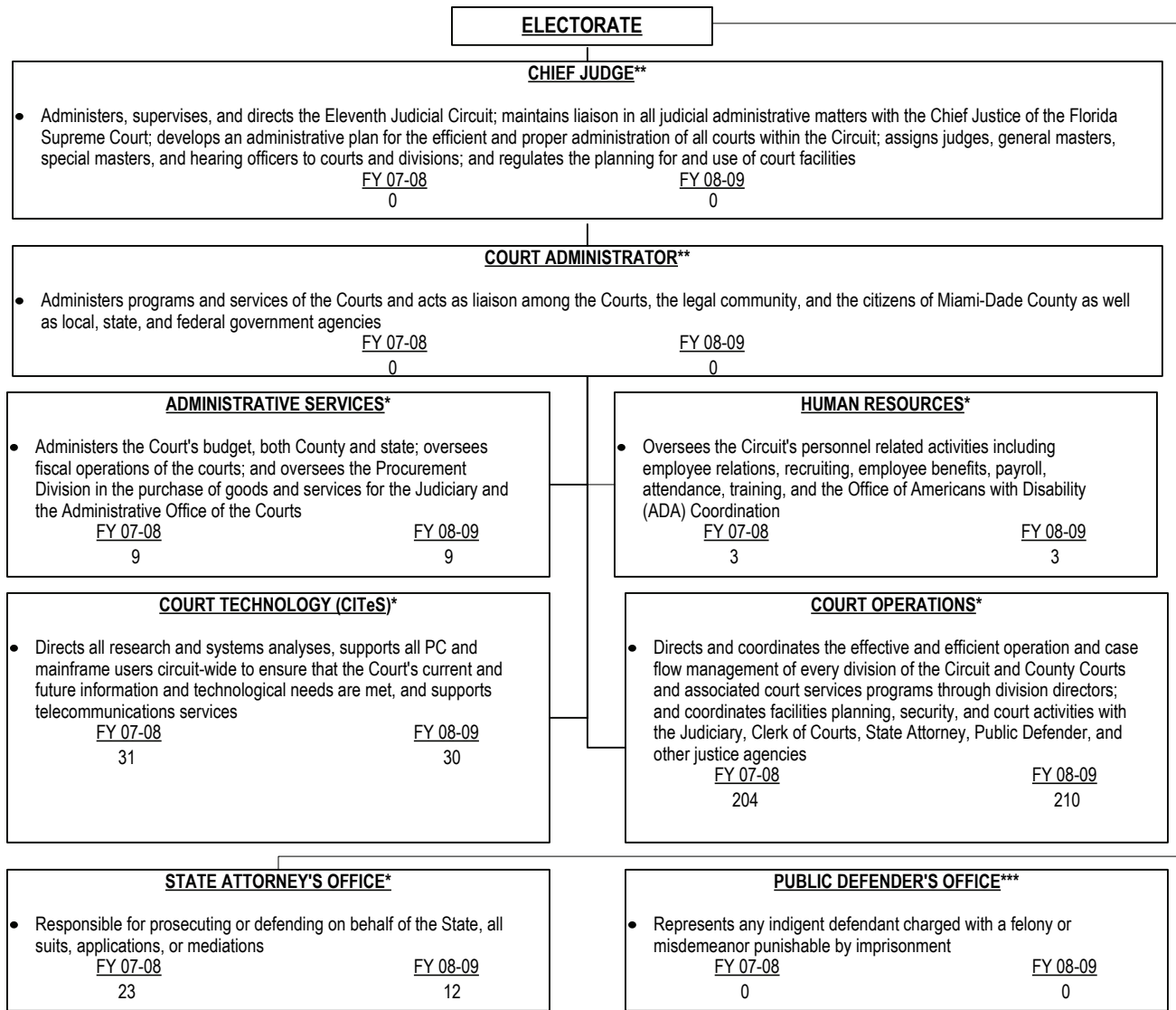


Revenues by Source
(dollars in thousands)



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TABLE OF ORGANIZATION



* Positions fully funded from County fees, fines and service charges

** Positions fully funded by the State of Florida

*** Positions partially funded from County reimbursements;

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FINANCIAL SUMMARY

(dollars in thousands)	Actual FY 06-07	Budget FY 07-08	Proposed FY 08-09
Revenue Summary			
General Fund Countywide	9,274	6,099	27,526
Carryover	4,939	5,668	1,738
Court Fees	9,346	8,331	8,304
Court Standby Revenue	219	244	250
Interest Income	51	35	32
Process Server Fees	85	86	203
Program Income	1,252	1,096	1,430
Recording Fee for Court Technology	3,720	3,685	190
Transfer from Non Court-Related Clerk Fees	10,621	10,922	0
Interagency Transfers	188	175	175
Total Revenues	39,695	36,341	39,848
Operating Expenditures Summary			
Salary	11,459	12,265	12,893
Fringe Benefits	4,315	4,701	4,650
Other Operating	15,888	18,766	21,051
Capital	822	609	750
Total Operating Expenditures	32,484	36,341	39,344
Non-Operating Expenditures Summary			
Reserve	0	0	504
Total Non-Operating Expenditures	0	0	504

(dollars in thousands)	Total Funding		Total Positions	
Expenditure By Program	Budget FY 07-08	Proposed FY 08-09	Budget FY 07-08	Proposed FY 08-09
Strategic Area: Public Safety				
Administrative Office of the Courts	26,810	28,968	247	252
Public Defender	3,000	3,391	0	0
State Attorney	6,531	6,985	23	12
Total Operating Expenditures	36,341	39,344	270	264

CAPITAL BUDGET SUMMARY

(dollars in thousands)	PRIOR	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14	FUTURE	TOTAL
Revenue									
Building Better Communities GOB Program	462	1,700	14,639	8,599	0	50	150	86,500	112,100
Capital Asset Acquisition Bond 2002 Proceeds	220	0	0	0	0	0	0	0	220
Capital Outlay Reserve	5,950	900	623	0	0	0	0	0	7,473
Civil Filing Fee Revenue	4,835	0	0	0	0	0	0	0	4,835
Criminal Justice Bond Interest	260	0	0	0	0	0	0	0	260
Criminal Justice Bond Proceeds	10,685	0	0	0	0	0	0	0	10,685
Future Capital Asset Acquisition Bond	0	0	73,000	0	0	0	0	0	73,000
Special Revenue Backed Financing	88,174	0	0	0	0	0	0	0	88,174
Total:	110,586	2,600	88,262	8,599	0	50	150	86,500	296,747
Expenditures									
Strategic Area: Public Safety									
Court Facilities	12,252	21,474	68,421	72,268	34,009	50	150	86,500	295,124
Public Defender Facilities	0	750	873	0	0	0	0	0	1,623
Total:	12,252	22,224	69,294	72,268	34,009	50	150	86,500	296,747

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Budget Enhancements or Reductions and Additional Comments

- Revision 7 to Article V of the Florida Constitution, effective July, 1, 2004, eliminated General Fund support for court-related functions; certain obligations (such as the maintenance of facilities, security, telecommunications, and existing multi-agency criminal justice information systems) remain with the County; the FY 2008-09 Proposed Resource Allocation Plan includes funding of more than \$40 million in General Fund revenues to support court-related expenditures in the General Services Administration, Enterprise Technology Services Department, and the Court Systems budgets
- The FY 2008-09 Proposed Resource Allocation Plan includes \$2.336 million for local requirement court programs to support the following court activities: County Mediation, Family Court Services/Supervised Visitation, Dependency Drug Court Program, Mental Health Coordination, Unified Family Court, Adult Drug courts, and Domestic Violence Fatality Review Team; the County will also compensate the AOC for executive direction regarding County-funded activities in the Court
- The FY 2008-09 Proposed Resource Allocation Plan includes \$2.592 million in self-funded local requirement court programs such as Process Servers (\$107,000), Self-Help (\$1.49 million), and Drive Legal (\$995,000)
- The FY 2008-09 Proposed Resource Allocation Plan includes funding for six foreign language interpreters (\$299,000) and funding for traffic hearing sessions (\$710,000) to ensure that traffic cases are heard and disposed in a timely manner
- The FY 2008-09 Proposed Resource Allocation Plan includes funding for the Early Representation Unit, a local requirement court program administered by the Public Defender's Office (PDO); the program assists in obtaining a timely release of defendants from jail thereby reducing the County's cost for housing prisoners (\$1 million)
- The FY 2008-09 Proposed Resource Allocation Plan includes continued funding for the State Attorney's Office (SAO) Mobile Operations Victim Emergency Services (MOVES) program (\$381,000); this program was initially intended to be operated using County employees, however, it was determined that operating with State employees would be more efficient; therefore, six positions are reduced from the County's Table of Organization; the MOVES program has been certified as a local requirement; additionally, funding for the Civil Citation Program is provided (\$46,000)
- The FY 2008-09 Proposed Resource Allocation Plan includes \$28,000 for the PDO and \$139,000 for the SAO to defend and prosecute local ordinance violations; the County remains responsible for courier functions of the PDO and SAO and therefore will continue to provide the vehicles required for this activity
- The FY 2008-09 Proposed Resource Allocation Plan includes funding for the Children and Special Needs Center, which is administered by the SAO and which coordinates multi-jurisdictional interviewing and assessment of children and the mentally impaired who are victims of sexual abuse (\$441,000); the intergovernmental agreement between the County and the State of Florida will be continued as it relates to the appropriation of funds by the BCC
- The FY 2008-09 Proposed Resource Allocation Plan includes funding from the Miami-Dade Police Department (MDPD) (\$175,000), the Miami-Dade Chiefs Association (\$250,000), interest (\$2,000), and carryover (\$108,000) to operate the County Court Standby Program; this program coordinates witness appearances in court through subpoena management, thereby reducing police overtime in various police departments, including MDPD, and improving case scheduling in the court system
- In order to carry out the functions funded by the County, separate intergovernmental continuation agreements will be executed administratively between the County and the PDO, the SAO, and the Administrative Office of the Courts subject to appropriation of funds by the Board of County Commissioners (BCC)
- The FY 2008-09 Proposed Resource Allocation Plan includes funding of \$873,000 for the Law Library; this operation is funded by fees and charges (\$243,000), 25 percent of the criminal court cost \$65 surcharge (\$450,000), Florida Bar Association fees and or donations (\$85,000), and carryover and interest earnings (\$95,000)

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- The FY 2008-09 Proposed Resource Allocation Plan includes funding of \$3.938 million for the Legal Aid program; the funding is comprised of General Fund support (\$1.675 million), Florida Bar Association contributions (\$603,000), community-based organization contributions (\$55,000), a Victims of Crime Act grant (\$81,000), a Miami Beach Domestic Violence grant (\$119,000), court costs (\$450,000), carryover (\$188,000), and miscellaneous revenues (\$767,000)
- The FY 2008-09 Proposed Resource Allocation Plan includes \$176.954 million for construction of a new Children's Courthouse and is comprised of financing proceeds (\$161.174 million), Criminal Justice Bond Program proceeds and interest earnings (\$10.945 million), and civil filing fee revenue (\$4.835 million); completion of the facility is expected in FY 2011-12
- The Non-Departmental General Fund section of the FY 2008-09 Proposed Resource Allocation Plan includes \$2.028 million in funding for the Guardianship Program; the Guardianship Program of Dade County, Inc. provides guardianship assistance for destitute adults who are charged or detained in Miami-Dade County and are appointed a Guardian by the Court; the Program currently has a service cap of 990 wards; this funding level has been held constant since FY 2005-06; the Program management has continually reprioritized resources to absorb inflationary costs and maintain an available service cap of 990 wards
- The FY 2008-09 Proposed Resource Allocation Plan includes funding from the Capital Outlay Reserve to provide court facility repairs and renovations (\$900,000), construct Courtrooms at the Joseph Caleb Justice Center (\$5.73 million, including \$3 million from BBC and \$2.73 million of prior year COR contribution), expand the Coral Gables Courthouse (\$1.44 million total project cost), reconfigure available space on the eighth floor of the Richard E. Gerstein Justice building (\$1 million total project cost), and for PDO to continue rewiring the Public Defender's Building to enhance its infrastructure (\$1.623 million total project cost)
- The FY 2008-09 Proposed Resource Allocation Plan includes funding from the Building Better Communities (BBC) Bond Program to purchase and rehabilitate a New Mental Health Facility (\$22.1 million); and to construct and improve new and existing courtrooms and administration facilities (\$87 million)
- *As a result of property tax relief initiatives, the following reductions are included in the Proposed Resource Allocation Plan: the AOC reduced its operating and facility maintenance budget by \$1.515 million including the reduction of funds for work orders and service tickets (\$335,000), elimination of funding for various not constitutionally required items (\$480,000), one position for technology support (\$103,000), increased attrition (\$64,000), various other operating expenses (\$205,000), and the elimination of a \$50 bi-weekly pay supplement for AOC employees (\$328,000); the SAO reduced its operating budget \$159,000 by eliminating the Misdemeanor Domestic Violence Early Intervention program, five positions are eliminated; and the General Fund support to Legal Aide is reduced by \$93,000 in FY 2008-09; three vacant positions are eliminated in Legal Aid*
- The FY 2008-09 Proposed Resource Allocation Plan does not include funding for the Criminal Conflict and Civil Regional Counsel Office; the County Attorney's Office has advised that the County is not required to provide funding to the Regional Counsel Office based on Article V of the Florida Constitution
- The development of the FY 2008-09 Proposed Resource Allocation Plan has been very demanding; we appreciate the collaborative efforts of Chief Judge Joseph P. Farina, Katherine Fernandez-Rundle, State Attorney, and Bennett Brummer, Public Defender

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Department Operational Unmet Needs

Description	Startup Costs/ Non Recurring Costs	Recurring Costs	Positions
Hire five full time interpreters to staff calendars of pro se and/or indigents needing this service	\$0	\$187	5
Hire one Judicial Administration Court Security Specialist to support the General Magistrates	\$0	\$48	1
Hire one Electronics Records Specialist to provide additional technical support for the judiciary and court	\$0	\$71	1
Hire four Paralegals to alleviate the increasing public demand for quicker dispositions	\$0	\$164	4
Hire one Judicial Support Administrator 2 as a Parenting Facilitator to assist with a variety of duties associated with child-related issues in high conflict family cases	\$0	\$53	1
Hire one Capital Inventory Clerk to maintain departmental property records and to assist with capital inventory	\$0	\$47	1
Hire one Judicial Administration Court Security Specialist to provide security and safety for judicial officers and all participants during juvenile dependency and Marchman Act proceedings	\$0	\$47	1
Hire one Statistical Analyst to review data regarding suspicious child deaths	\$0	\$55	1
Hire one Judicial Support Administrator 1 to provide administrative oversight in the purchasing area	\$0	\$54	1
Provide additional funding to support the Early Representation Unit in the Public Defender's Office to expedite disposition of cases	\$0	\$400	0
Total	\$0	\$1,126	16