

RULE 2.230. TRIAL COURT BUDGET COMMISSION

(a) Purpose. The purpose of this rule is to establish a Trial Court Budget Commission that will have the responsibility for developing and overseeing the administration of trial court budgets in a manner which ensures equity and fairness in state funding among the 20 judicial circuits.

(b) Responsibilities. The Trial Court Budget Commission is charged with specific responsibility to:

(1) establish budgeting and funding policies and procedures consistent with judicial branch plans and policies, directions from the supreme court, and in consideration of input from the Commission on Trial Court Performance and Accountability and other supreme court committees and from the Florida Conference of Circuit Court Judges and the Florida Conference of County Court Judges;

(2) make recommendations to the supreme court on the trial court component of the annual judicial branch budget request;

(3) advocate for the trial court component of the annual judicial branch budget request and associated statutory changes;

(4) make recommendations to the supreme court on funding allocation formulas and budget implementation and criteria as well as associated accountability mechanisms based on actual legislative appropriations;

(5) monitor trial court expenditure trends and revenue collections to identify unanticipated budget problems and to ensure the efficient use of resources;

(6) recommend statutory and rule changes related to trial court budgets;

(7) develop recommended responses to findings on financial audits and reports from the Supreme Court Inspector General, Auditor General, Office of Program Policy Analysis and Government Accountability, and other governmental entities charged with auditing responsibilities regarding trial court budgeting when appropriate;

(8) recommend to the supreme court trial court budget reductions required by the legislature;

(9) identify potential additional sources of revenue for the trial courts;

(10) recommend to the supreme court legislative pay plan issues for trial court personnel, except the commission shall not make recommendations as to pay or benefits for judges; and

(11) request input from the Commission on Trial Court Performance and Accountability on recommendations from that commission that may impact the trial court budget or require funding.

(c) Operational Procedures. The Trial Court Budget Commission will establish operating procedures necessary to carry out its responsibilities as outlined in subdivision (b), subject to final approval by the supreme court. These procedures shall include:

(1) a method for ensuring input from interested constituencies, including the chief judges and trial court administrators of the trial courts, other members of the trial court judiciary, the Judicial Management Council, the Commission on Trial Court Performance and Accountability, and other judicial branch committees and commissions; and

(2) a method for appeal of the decisions of the Trial Court Budget Commission. Appeals may be made only by a chief judge on behalf of a circuit. Appeals may be heard only by the Trial Court Budget Commission unless the appeal is based on the failure of the commission to adhere to its operating procedures, in which case the appeal may be made to the supreme court.

(d) Action by Supreme Court or Chief Justice on Recommendations of Trial Court Budget Commission. The supreme court or chief justice, as appropriate, may take any or all of the following actions on recommendations made by the Trial Court Budget Commission:

(1) The adoption of the recommendations of the commission made in accordance with the discharge of its responsibilities listed in subdivision (b) in whole.

(2) The adoption of the recommendations in part and referral of specific issues or questions back to the commission for further study or alternative recommendations.

(e) Membership and Organization. The Trial Court Budget Commission will be composed of 21 voting members appointed by the chief justice who will represent the interests of the trial courts generally rather than the individual interests of a particular circuit or division. The respective presidents of the Conference of Circuit Court Judges and the Conference of County Court Judges and the chair of the Commission on Trial Court Performance and Accountability shall serve as ex officio nonvoting members of the Commission. The chief justice will make appointments to ensure that the broad interests of the trial courts are represented by including members who have experience in different divisions, who have expertise in court operations or administrative matters, and who offer geographic, racial, ethnic, and gender diversity.

(1) The membership must include 14 trial court judges and 7 trial court administrators.

(2) The chief justice will appoint 1 member to serve as chair and 1 member to serve as vice chair, each for a 2-year term.

(3) A supreme court justice will be appointed by the chief justice to serve as supreme court liaison.

(4) No circuit will have more than 2 members on the commission.

(5) The original members of the commission will be appointed as follows:

(A) 7 members shall be appointed for a 2-year term;

(B) 7 members shall be appointed for a 4-year term;
and

(C) 7 members shall be appointed for one 6-year term.

All subsequent members will each be appointed for one 6-year term. In the event of a vacancy, the chief justice will appoint a new member to serve for the remainder of the departing member's term.

(6) The commission may establish subcommittees as necessary to satisfactorily carry out its responsibilities. Subcommittees may make recommendations only to the commission as a whole. The chair of the commission may appoint a non-commission member to serve on a subcommittee.

(f) Staff Support and Funding. The Office of the State Courts Administrator will provide primary staff support to the commission. Adequate staffing and resources will be made available to the Office of the State Courts Administrator to ensure the commission is able to fulfill its responsibilities as outlined in the rule. Sufficient resources will also be provided for the commission and its subcommittees to meet and otherwise complete its work.