



TWENTIETH JUDICIAL CIRCUIT OF FLORIDA

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

G. KEITH CARY  
CHIEF JUDGE

RICHARD CALLANAN  
COURT ADMINISTRATOR

December 10, 2009

Honorable Belvin Perry, Jr., Chair  
Trial Court Budget Commission  
Orange County Courthouse  
425 North Orange Avenue, Rm. 2010  
Orlando, FL 32801

**Re: Civil Case Management Project– Funding Proposal for  
20th Circuit Civil/Foreclosure Case Management**

Dear Judge Perry:

I am attaching a summary proposal for a Complex Civil/Foreclosure case management project that we are planning for the 20<sup>th</sup> Circuit and request your advice and assistance on the best way to pursue future funding for the project either as part of a statewide initiative or local pilot possibly with other interested circuits.

As you know, there are a number of reasons why we feel that implementation of a Civil/Foreclosure case management initiative is critical to us right now. Most significantly, the civil and foreclosure crisis has overwhelmed the circuit civil system in the 20<sup>th</sup> circuit. While residential foreclosures are leveling off somewhat, we are still at filing levels of 40,000 foreclosures per year (2008-09) and there are over 31,000 active pending civil and foreclosure cases in Lee County alone as of today. The rate of growth in filings and backlog of contract, construction and other complex civil cases caused by the economic downturn has also grown substantially (non-foreclosure civil filings and backlogged cases over 18 months are up 19.3% over three years). The civil system has had virtually no state or local judicial or case management resources to adequately respond to the crisis over the past three years.

While there is movement toward a statewide foreclosure mediation model, we believe that ADR is only one part of the solution to the civil backlog problem in the local trial courts. The Supreme Court Task Force on Complex Civil Litigation and the resulting complex case civil rule amendments enacted in September, 2009 provide a good framework for implementing an innovative Civil DCM approach. However, without

Honorable Belvin Perry, Jr., Chair  
Trial Court Budget Commission  
Re: Civil Case Management Project -20<sup>th</sup> Circuit  
December 10, 2009  
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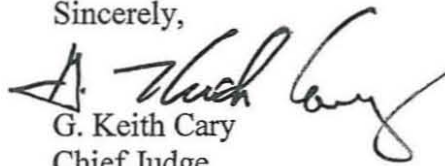
additional case management and magistrate staff resources, it is unlikely that we can make any real progress in reducing the Civil/Foreclosure case backlog or implement the full complex case management initiative envisioned by the Task Force on Complex Civil Litigation.

We have obtained county funding for partial start-up costs for a Civil/Foreclosure case management project for 2009-10, but while this is a project that the counties may fund in the short term, it is not a county funding responsibility, and funding may very likely be cut in the next round of county budget reductions.

I understand the difficulties we face with the 2010-11 budget and variable nature of the State Court Revenue Trust Fund, but would respectfully request that the TCBC Executive Committee or Funding Methodology Committee consider the attached proposal for a circuit pilot or statewide Civil/Foreclosure Case Management funding initiative for 2010-11.

Thank you for your consideration. I look forward to the opportunity to meet with you at your convenience and will be glad to provide any additional information in this regard.

Sincerely,



G. Keith Cary  
Chief Judge

Attachments

cc: Ms. Lisa Goodner, State Courts Administrator  
Honorable Margaret O. Steinbeck, TCBC Representative  
Richard Callanan, Trial Court Administrator

## Civil/Foreclosure Case Management Proposal- 20<sup>th</sup> Circuit

### Background Summary

The 20<sup>th</sup> Circuit Administrative Judges and Civil Judges in Lee and Collier have been working on a pilot program to expand Civil Magistrate and Case Manager staff support and use of successful practices used in Family and Criminal DCM to the civil docket. The Civil DCM program is scheduled to begin implementation with preliminary backlog reduction efforts in December/January and new screening and case management procedures in April 2010.

This pilot project is intended to address the growing volume, complexity and backlog in civil cases resulting from economic downturn by implementing a civil case management model that is consistent with the new complex case litigation rules enacted by the Florida Supreme Court.

The goals of the 20<sup>th</sup> Circuit Civil Case Management initiative are to:

- Immediately address the backlog of civil and foreclosure cases that has resulted from the 479 percent increase in volume of civil litigation caused by the economic downturn over the past three years;
- Identify case management procedures and staff support to properly implement recent Florida Supreme Court rule amendment (Rule 1.201) addressing procedures for management of complex civil litigation;
- Develop differentiated civil case management procedures to improve early case screening and intervention, use of case management procedures and time standards based on case complexity and assistance to civil judges in pretrial management and backlog reduction.

By way of background, the 20<sup>th</sup> Circuit has been particularly hard hit by the economic downturn. The foreclosure crisis has overwhelmed the circuit civil system, and while the rate of growth in residential foreclosures is leveling off, there were 47,786 civil and foreclosure filings in the circuit during 2008-09. Despite expedited foreclosure default dockets and efforts to expand mediation which disposed of 21,602 foreclosure cases in Lee County, there remains a significant backlog of 31,000 civil and foreclosure cases pending disposition.

Further, the rate of growth in filings and backlog of other economic related cases, including contract, construction and other complex civil cases has grown significantly



over the past three years (non-foreclosure civil cases pending over 18 months is up 19.3% in three years). No additional judicial or case management resources have been available through the state budget to adequately respond to this crisis over the past three years.

The 20<sup>th</sup> Circuit Civil DCM program will initially assign a Civil Case Manager and a Civil Magistrate to work as a team with Civil judges in the two largest counties in the circuit (Lee and Collier) to focus on civil backlog reduction, assistance to civil judges in handling complex litigation and expediting foreclosure case resolution through special foreclosure default calendaring and early referral of contested cases to mediation.

Civil Magistrate staff will be funded through county budget for one year as a pilot, but county funding is not expected to be continued and there is a pressing need for state funding to address this problem in the circuit.

Scope of the Initiative:

The Civil DCM procedures are in the process of being finalized with Circuit Civil judges and local Bar Associations in Lee and Collier. A circuitwide Civil Case Management workshop to complete the circuit plans will be held on January 14, 2010. Key components of the program will include:

- **Complex Case Management Procedures** will be established to identify and assist Civil Judges in implementing new Complex civil litigation rules, forms and procedures recently enacted under R. 1.201.  
(See: <http://www.floridasupremecourt.org/decisions/2009/sc08-1141.pdf>)
- **Two new Civil Magistrates will be funded by counties and two Civil Case Managers** will be assigned to Civil through reassignment of duties for existing positions as a pilot. Full staffing need for the circuit is estimated at three (3) Civil Magistrates and five (5) Case Managers for 47,786 total civil filings;
- **Initial focus will be on assistance to civil judges in civil backlog reduction**, use of management reports to identify older problem cases and use of Magistrate to set Case management/Settlement conferences in cases over 18 months;
- **Case Management procedures will be developed for early screening of civil cases and identification of presumptive criteria for complex business/commercial or complex tort cases**, for holding the Initial Case Management Conference within 60 days of first answer in complex cases, and for use of simplified standardized forms for Case Management/Pretrial Conference Orders in standard cases;
- **New Civil Cover sheet implemented on 1/1/2010** and a procedure coordinated with the Clerk for use of a Case Manager to screen presumptive complex cases at



answer, coordinate case management conferences, referral to mediation and improved MIS tracking and information to judges on status of civil cases;

- **Tentative Case Tracks and flexible time standards** will be recommended for time to disposition (Standard- 18 months; Complex cases- 24 months) and for discovery cut-off, mediation and for pretrial conference based on case complexity;
- **Expedited Foreclosure case track** will utilize Case Manager to assist in expedited default docket and early referral of contested residential and commercial foreclosure cases to mediation;

Estimated Staffing Requirements:

Alternative 1: Full Circuitwide Civil/Foreclosure Case Management Staffing Model

The Circuitwide Civil Case management staffing model is Judge –Case Manager team based and estimates a need for one (1) Civil Magistrate, (1) Case Manager per 10,000 - 12,000 civil filings.

Staffing Model Estimates (1 Magistrate/ 1 Case Manager per 10,000-12,000 filings)

- Lee County: 2008-09 Filing Volume- 30,209 Circuit Civil (25, 230 Foreclosure)  
(2) Civil Magistrate  
(2) Civil Case Manager (JD level preferred)  
(2) Administrative Assistant
- Collier County: 2008-09 Filing Volume – 10,849 Circuit Civil ( 8,358 Foreclosure)  
(1) Civil Magistrate  
(1) Civil Case Manager (JD level preferred)  
(1) Administrative Assistant
- Charlotte/Hendry/Glades Counties: 2008-09 Filing Volume – 6,728 Circuit Civil ( 5,489 Foreclosure)  
(1) Civil/Foreclosure Case Manager

Alternative 2: Minimum Funding Model for 2 County Pilot

This alternative funds pilot staffing in the two largest counties (Lee and Collier) in the five county circuit. Staffing model estimates are based on one Magistrate/Case Manager

and Administrative Assistant team per 10,000- 12,000 civil filings/ 8 Circuit Civil Judges.

- Lee County: 2008-09 Filing Volume- 30,209 Circuit Civil (25, 230 Foreclosure)
  - (2) Civil Magistrates
  - (2) Civil Case Manager (JD level preferred)
  - (2) Administrative Assistant
  
- Collier County: 2008-09 Filing Volume – 10,849 Circuit Civil ( 8,358 Foreclosure)
  - (1) Civil Magistrate
  - (1) Case Manager (JD level preferred)
  - (1) Administrative Assistant

Recommended job descriptions, qualifications and salary classifications for Civil Case Manager and Civil Magistrate are attached.

12/10/09

**Twentieth Judicial Circuit  
ADMINISTRATIVE OFFICE OF THE COURTS  
Position Description**

**Job Title:** Civil Case Manager  
**Department:** Administrative Office of the Courts (Lee County)  
**Dept Head:** Civil/Family Court Director  
**FLSA Status:** Exempt  
**Prepared By:** Civil/Family Court Director  
**Prepared Date:** 10/29/2009  
**Funding:** State

**SUMMARY**

This is a professional position assigned to oversee the circuit civil caseload. The Civil Case Manager will perform a variety of case management duties to improve case processing standards and eliminate existing case backlog and prevent reoccurrence. Under the direction of the Family/Civil Court Director, this position will be responsible for assisting with the development of a civil case management system, analyzing caseload data, writing statistical reports and implementing strategies to promptly and efficiently dispose of civil cases. This position will use differentiated case management (DCM) time-standards and principles to guide the development of this project. The Trial Court Law Clerk/Civil Case Manager will also be responsible for researching and writing legal memoranda, drafting opinions and orders in all types of circuit court matters, including complex civil litigation and complex legal issues. This position will work in conjunction with the Civil Court Magistrate to classify DCM case tracks, review complex case assignments and schedule court events. Work is performed under the general supervision of the Chief Judge, Court Administrator, Administrative Judge, Civil Judges and Civil/Family Court Director.

The core function of this position include: 1) Assist with program development and implementation 2) Case management 3) Legal research and writing.

**Assist Program Development and Implementation**

- Assist with the development of the civil case management project
- Implement plan to improve case processing for civil cases
- Develop differentiated case tracks and criteria
- Analyze caseload data and prepare statistical program reports
- Assist with development of local performance measures

**Case Management**

- Establish court deadlines and progress cases using DCM guiding principles
- Develop strategies to resolve case backlog and prevent reoccurrence
- Work closely with civil court judges to actively manage cases
- Review court files and joint stipulations for complex cases
- Prepare cases for conferences, review hearings and judicial review
- Prepare case management reports
- Analyze, review and monitor a high-volume caseload

**Legal Research and Writing**

- Prepare reports, draft orders, review briefs and research substantive and procedural issues
- Research the application and interpretation of the Florida Rules of Civil Procedure and Rules of Judicial Administration
- Perform research on particular questions of law as presented by Civil Court Judges
- Conduct legislative research and tracking of legislation applicable to the court as it pertains to civil cases
- Perform research on particular questions of law as presented by judges sitting in the civil division of the Court
- Review pre-trial or post-trial motions, or any other matter as requested
- Conduct legal research, and make recommendations to judges, and submit proposed orders



**Twentieth Judicial Circuit  
ADMINISTRATIVE OFFICE OF THE COURTS  
Position Description**

**Other**

- Attend meetings, training, and educational seminars as required
- Other duties as assigned

**QUALIFICATIONS**

To perform this position successfully, an individual must be able to perform the essential duties and responsibilities satisfactorily. The requirements listed in this document are representative of the knowledge, skills, and abilities required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**Knowledge of:**

- General legal principles, statutes, case law, court rules, and procedures
- Legal publications and legal research tools and the ability to use them efficiently
- Legal principles, statutory and case law, court rules and procedures
- Differentiated case management principles and techniques
- Code of Judicial Conduct
- Florida State Courts System

**Skills:**

- Manual legal research
- Computerized legal research, including Westlaw and/or Lexis-Nexis
- Legal writing and drafting

**Ability to:**

- Reason logically and analytically
- Grasp, comprehend, and analyze complex legal issues and complicated factual details
- Analyze caseload data, prepare statistical reports and summarize significance
- Prepare legal reports and documents
- Exercise discretion, confidentiality, impartiality, and honesty in handling matters before the Court
- Communicate ideas and concepts effectively verbally and in writing
- Work effectively with others
- Conduct legal research manually & via the Internet
- Efficiently utilize various computer software programs including but not limited to Microsoft Word, & Outlook
- Perform exacting work, attentive to issues in matters before the court
- Digest and communicate ideas and concepts orally and in writing
- Exercise discretion, confidentiality, impartiality, and honesty in handling matters before the court
- Maintain organization and meet deadlines

**SUPERVISORY RESPONSIBILITIES**

None

**EDUCATION and/or EXPERIENCE**

Juris doctorate degree from an accredited law school.

**LANGUAGE SKILLS**

Ability to read, analyze, and interpret legal documents, professional journals, technical procedures, or governmental regulations. Ability to write reports, legal memoranda, business correspondence, and procedure manuals. Ability to prepare and analyze statistical reports. Ability to effectively present information and respond to questions from groups of managers, judges, and the general public.

**MATHEMATICAL SKILLS**

Ability to accurately add, subtract, multiply and divide in all units of measure, using whole numbers, common fractions and decimals. Ability to compute rate, ratio and percent and to draw and interpret bar graphs. Ability to apply concepts such as fractions, percentages, ratios and proportions to practical situations.

**Twentieth Judicial Circuit  
ADMINISTRATIVE OFFICE OF THE COURTS  
Position Description**

**REASONING ABILITY**

Must be able to apply common sense understanding to carry out instructions furnished in written, verbal, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations. Must be able to evaluate problems, isolate key issues, research and develop alternative solutions and to present management with recommendations that include, at a minimum, the advantages, the disadvantages, and the cost and staff impact of recommendations.

**CERTIFICATES, LICENSES, REGISTRATIONS:**

Must be a member in good standing with the Florida Bar.

A valid Class "E" Florida Driver's License, w/acceptable-driving record, is required.

**PHYSICAL DEMANDS**

While performing the duties of this job, the employee is regularly required to sit and talk or hear. The employee frequently is required to stand. The employee is occasionally required to walk. The employee must occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision, and ability to adjust focus. Ability to drive an automobile.

**WORK ENVIRONMENT**

The noise level in the work environment is usually moderate.

**EQUIPMENT UTILIZED**

Automobile, personal computer, printer, scanner, telephone, copier, fax, shredder

This position description in no way states or implies that these are the only duties to be performed by the employee(s) incumbent in this position. Employee(s) will be required to follow any other job-related instructions and to perform any other job-related duties requested by any person authorized to give instructions or assignments.

This position description has excluded the marginal functions of the position that are incidental to the performance of essential job duties. All duties and responsibilities are essential job functions and requirements and are subject to possible modification to reasonably accommodate individuals with disabilities. To perform this job successfully, the employee will possess the skills, aptitudes, and abilities to perform each duty proficiently. Some requirements may exclude individuals who pose a direct threat or significant risk to the health or safety of themselves or others. The requirements listed in this document are the minimum levels of knowledge, skills and abilities.

Employees of the State Courts System, which includes Court Administration employees, are at-will employees. This document does not create an employment contract, implied or otherwise, and may be revised or rescinded at any time, due to operational necessity, at the sole discretion of the Court Administrator and/or Chief Judge.

History - Trial Court Law Clerk/Civil CM 10/29/09

**Twentieth Judicial Circuit  
ADMINISTRATIVE OFFICE OF THE COURTS  
Position Description**

**Job Title:** Magistrate  
**Department:** Administrative Office of the Courts (Lee County)  
**Dept Head:** Civil/Family Court Director  
**FLSA Status:** Exempt  
**Prepared By:** Civil/Family Court Director  
**Prepared Date:** 10/19/2009  
**Pay grade:** 33

**SUMMARY**

This is a professional and responsible quasi-judicial position assigned to circuit civil matters. The Magistrate will perform a variety of judicial duties including deciding the merits of a case, hearing and evaluating evidence and witness credibility, analyzing laws and rules, making findings of fact and conclusions of law, and issuing oral or written decisions to resolve cases. This position requires legal conduct appropriate to the Florida Rules of Judicial Administration and research activities at the trial court level. The Magistrate is responsible for conducting case management conferences and pre-trial conferences as well as presiding over hearings that involve considerable interpretation and judgment in the analysis of legal issues in civil litigation. This position is responsible for progressing civil cases in the court system according to differentiated case management time-standards. Work is performed under the general supervision of the Chief Judge, Court Administrator, Administrative Judge, Civil Judges and Civil/Family Court Director.

The core functions of this position include: 1) Presiding over civil court matters referred by the Judge, 2) Conduct legal research and writing, 3) Utilizing differentiated case management standards to guide case progression, and 4) Other duties as assigned.

**Preside Over Civil Court Matters Referred by the Judge**

- Conduct hearings on matters referred by the court
- Conduct case management conferences and pre-trial conferences
- Decide the merits of a case
- Hear and evaluate evidence and witness credibility
- Interpret and make judgment on legal issues
- Issue oral and written decisions
- Prepare written reports that include findings of fact, recommendations and conclusion of law

**Conduct Legal Research and Writing**

- Prepare reports, draft orders, review briefs and research substantive and procedural issues
- Research the application and interpretation of the Florida Rules of Civil Procedure and Rules of Judicial Administration
- Perform research on particular questions of law as presented by Civil Court Judges
- Conduct legislative research and tracking of legislation applicable to the court as it pertains to civil cases
- Perform research on particular questions of law as presented by judges sitting in the civil division of the Court
- Review pre-trial or post-trial motions, or any other matter as requested
- Conduct legal research, and make recommendations to judges, and submit proposed orders

**Use Differentiated Case Management Standards to Progress Cases**

- Work closely with civil court judges to actively manage cases
- Review court files and joint stipulations for complex cases
- Establish court deadlines and progress cases using DCM guiding principles
- Conduct conferences and review hearings
- Review and monitor civil court caseload

**Other**

- Attend meetings, training, and educational seminars as required
- Compile basic statistical reports



**Twentieth Judicial Circuit**  
**ADMINISTRATIVE OFFICE OF THE COURTS**  
**Position Description**

**QUALIFICATIONS**

To perform this position successfully, an individual must be able to perform the essential duties and responsibilities satisfactorily. The requirements listed in this document are representative of the knowledge, skills, and abilities required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. A full-time magistrate cannot have a law practice while employed with the Administrative Office of the Courts. Part-time or on-call magistrate positions cannot maintain a law practice in the same area of law in which they perform magistrate functions or in any area of law which would create any appearance of impropriety or any potential conflict of interest.

**Knowledge of:**

- General legal principles, statutes, case law, court rules, and procedures
- Legal publications and legal research tools and the ability to use them efficiently
- Legal principles, statutory and case law, court rules and procedures
- Differentiated case management principles
- Code of Judicial Conduct
- Florida State Courts System

**Skills:**

- Manual legal research
- Computerized legal research, including Westlaw and/or Lexis-Nexis
- Legal writing and drafting

**Ability to:**

- Reason logically and analytically
- Grasp, comprehend, and analyze complex legal issues and complicated factual details
- Effectively conduct hearings and prepare appropriate reports
- Conduct court hearings and prepare report and recommendations
- Exercise discretion, confidentiality, impartiality, and honesty in handling matters before the Court
- Communicate ideas and concepts effectively verbally and in writing
- Work effectively with others
- Conduct legal research manually & via the Internet
- Efficiently utilize various computer software programs including but not limited to Microsoft Word, & Outlook
- Perform exacting work, attentive to issues in matters before the court
- Digest and communicate ideas and concepts orally and in writing
- Exercise discretion, confidentiality, impartiality, and honesty in handling matters before the court
- Maintain organization and meet deadlines

**SUPERVISORY RESPONSIBILITIES**

None

**EDUCATION and/or EXPERIENCE**

Juris doctorate degree from an accredited law school. Five years experience in the practice of law.

**LANGUAGE SKILLS**

Ability to read, analyze, and interpret legal documents, professional journals, technical procedures, or governmental regulations. Ability to write reports, legal memoranda, business correspondence, and procedure manuals. Ability to effectively present information and respond to questions from groups of managers, judges, and the general public.

**MATHEMATICAL SKILLS**

Ability to accurately add, subtract, multiply and divide in all units of measure, using whole numbers, common fractions and decimals. Ability to compute rate, ratio and percent and to draw and interpret bar graphs. Ability to apply concepts such as fractions, percentages, ratios and proportions to practical situations.

**REASONING ABILITY**

Must be able to apply common sense understanding to carry out instructions furnished in written, verbal, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations. Must be able to evaluate problems, isolate key issues, research and develop alternative solutions and to present management with recommendations that include, at a minimum, the advantages, the disadvantages, and the cost and staff impact of recommendations.

**Twentieth Judicial Circuit  
ADMINISTRATIVE OFFICE OF THE COURTS  
Position Description**

**CERTIFICATES, LICENSES, REGISTRATIONS:**

A valid Class "E" Florida Driver's License, w/acceptable-driving record, is required.  
Must be a member in good standing of the Florida Bar Association.

**PHYSICAL DEMANDS**

While performing the duties of this job, the employee is regularly required to sit and talk or hear. The employee frequently is required to stand. The employee is occasionally required to walk. The employee must occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision, and ability to adjust focus. Ability to drive an automobile.

**WORK ENVIRONMENT**

The noise level in the work environment is usually moderate.

**EQUIPMENT UTILIZED**

Automobile, personal computer, printer, scanner, telephone, copier, fax, and shredder.

This position description in no way states or implies that these are the only duties to be performed by the employee(s) incumbent in this position. Employee(s) will be required to follow any other job-related instructions and to perform any other job-related duties requested by any person authorized to give instructions or assignments.

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History – New (Civil Magistrate)



TWENTIETH JUDICIAL CIRCUIT OF FLORIDA

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

G. KEITH CARY  
CHIEF JUDGE

RICHARD CALLANAN  
COURT ADMINISTRATOR

## Memorandum

To: 20<sup>th</sup> Judicial Circuit Clerks of Court

From: G. Keith Cary, Chief Judge

Date: June 4, 2010

Re: Foreclosure Backlog Program Allotments to the Clerks of the 20<sup>th</sup> Circuit

Dear 20<sup>th</sup> Judicial Circuit Clerks of Courts,

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

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

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



20<sup>th</sup> Judicial Clerks of Courts  
Re: Foreclosure Backlog Program Allotments to the Clerks of the 20<sup>th</sup> Circuit  
June 4, 2010  
Page 2

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

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

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

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

Thank you for your assistance in this regard.

Attachment

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

202 GR1  
Sent 5/28/10



Honorable Howard Forman  
Broward County  
Chair

Honorable Harvey Ruvin  
Dade County  
Vice Chairman

Honorable Richard Weiss  
Polk County  
Secretary/Treasurer

Honorable John Crawford  
Nassau County

Honorable Scott Ellis  
Brevard County

Honorable Bob Inzer  
Leon County

Honorable Buddy Irby  
Alachua County

Honorable Tim Sanders  
Madison County

Honorable Margaret Steinbeck  
Judge

Senate  
Honorable Sharon Bock  
Palm Beach Clerk

House  
Vacant

Joe Boyd  
General Counsel

John Dew  
Executive Director

2560-102 Barrington Circle  
Tallahassee, Florida 32308

May 28, 2010

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

Dear Chief Judge G. Keith Cary:

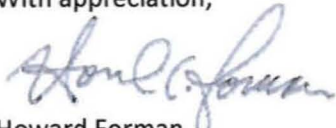
The Executive Council for the Clerks of Court Operations Corporation (CCOC) is requesting assistance in the allocation of the \$3.6 million nonrecurring appropriation dedicated to the Clerks of Court to assist in addressing the workload associated with the foreclosure and economic recovery initiative.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

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

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

This information can be emailed to John Dew, CCOC Executive Director at [jdew@flccoc.org](mailto: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 additional 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