

Julian Letton

From: Thomas Genung
Sent: Tuesday, June 29, 2010 2:51 PM
To: Burton Conner; Paul Kanarek; Elizabeth Metzger
Cc: Steve Levin; Corrie Johnson; Marc Traum
Subject: RE: Revised RMFM Program Liaison Meeting Notice
Attachments: Residential Foreclosure Web Posting 7-10.docx

Please see the attached for your review and comment. The text in red is additions and questions. I also moved the start date to the week of August 2, as Judge Midelis indicates the Hatch trial will be over soon, and he will be available.

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To: Thomas Genung; Paul Kanarek; Elizabeth Metzger
Cc: Steve Levin; Corrie Johnson
Subject: RE: Revised RMFM Program Liaison Meeting Notice

Tom,

I assume you will copy the three of us with whatever you are intending to post to the website so we can review it and tweak it as needed before it gets posted. We are now in the "polishing" phase of the project plan, and I assume Paul and Elizabeth agree it is important to avoid tweaking the plan after the info gets posted to the website. I know you previously floated a draft of the plan (part of which would be posted to the website), but I am not sure if anything got revised after you floated it, and I would personally like to see as a separate document whatever will be posted to the website (so there is no confusion among us judges as to what will be disseminated on the website).

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suggestion, I ask him and Elizabeth to chime in. Also, if they feel any other instructions should be given to CourtCall, they will let you know.

Paul and Elizabeth, please chime in and give Tom and I your thoughts. Thanks.
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Cc: Steve Shaw; Rick Collins; Marilyn Garcia
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Tom pointed out to me the prior draft did not include the time of the meeting. It also occurred to me that it might be useful to request a letter advising if anyone attending has a particular issue he or she would like to address. I am attaching a revised notice.

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From: Elizabeth Metzger
Sent: Thursday, July 01, 2010 3:38 PM
To: Thomas Genung
Subject: RE: Revised RMFM Program Liaison Meeting Notice

It seems fine for now.

Elizabeth A. Metzger, Circuit Judge
100 East Ocean Blvd.
Suite A353
Stuart, FL 34994

772-463-3281 (office)
772-463-3283 (fax)
metzgere@circuit19.org

From: Thomas Genung
Sent: Thursday, July 01, 2010 2:41 PM
To: Paul Kanarek; Burton Conner; Elizabeth Metzger
Cc: Steve Levin; Corrie Johnson; Marc Traum
Subject: RE: Revised RMFM Program Liaison Meeting Notice

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Thanks.

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Cc: Steve Levin; Corrie Johnson; Marc Traum
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Paul B. Kanarek
Circuit Judge
2000 16th Avenue, Suite 375
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772-770-5052 Office
772-770-5133 Fax

kanarekp@circuit19.org

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Thanks,
Burton

16TH CIR 01105

2/3/2011

From: Thomas Genung
Sent: Wednesday, June 30, 2010 5:12 PM
To: Elizabeth Metzger; Paul Kanarek; Burton Conner
Cc: Steve Levin; Corrie Johnson; Marc Traum
Subject: RE: Revised RMFM Program Liaison Meeting Notice

Please see the language in red at the bottom of both the Martin and Indian River sections. Please review and share with me any other changes or corrections.

Thank you.

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Sent: Wednesday, June 30, 2010 4:55 PM
To: Thomas Genung; Paul Kanarek; Burton Conner
Cc: Steve Levin; Corrie Johnson; Marc Traum
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To: Paul Kanarek; Burton Conner; Elizabeth Metzger
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Please see below and attached, which contains Judge Conner's changes, and Judge Kanarek's changes as indicated below.

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Cc: Steve Levin; Corrie Johnson; Marc Traum
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Here are my suggestions.

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From: Thomas Genung
Sent: Thursday, July 01, 2010 3:15 PM
To: Paul Kanarek
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Okay, thanks.

From: Paul Kanarek
Sent: Thursday, July 01, 2010 2:46 PM
To: Thomas Genung
Subject: RE: Revised RMFM Program Liaison Meeting Notice

I'm fine with this. As an aside, I don't believe there is any group rate for AFCC. I have been a member of the national organization and the Florida Chapter for many years and I don't think there is a group rate. There is a special rate for judges.

Paul B. Kanarek
Circuit Judge
2000 16th Avenue, Suite 375
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Thank you.

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I was never an English major I just want to convey the idea that if a plaintiff wants their lawyer to appear in person at the hearing they need to contact my office and once this has been set they cannot appear by phone and if what you said makes that clear then I am fine with that.

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I find the following language confusing:

Cases in which counsel for the plaintiff wishes to appear in person may be scheduled by contacting Judge Kanarek's office. Counsel for the plaintiff may not appear by phone at these hearings.

because the sentence immediately above refers to hearings in which plaintiff's counsel wants to attend by phone, so to me it is somewhat ambiguous whether "these hearings" refers to hearings in which plaintiff want to attend by phone or in person.

I would suggest the following change:

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Paul and Elizabeth, what do you think?

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From: Thomas Genung
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Sent: Wednesday, June 30, 2010 5:12 PM
To: Elizabeth Metzger; Paul Kanarek; Burton Conner
Cc: Steve Levin; Corrie Johnson; Marc Traum
Subject: RE: Revised RMFM Program Liaison Meeting Notice

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Sent: Wednesday, June 30, 2010 4:55 PM
To: Thomas Genung; Paul Kanarek; Burton Conner
Cc: Steve Levin; Corrie Johnson; Marc Traum
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Elizabeth A. Metzger, Circuit Judge
100 East Ocean Blvd.
Suite A353
Stuart, FL 34994

772-463-3281 (office)
772-463-3283 (fax)
metzgere@circuit19.org

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Cc: Steve Levin; Corrie Johnson; Marc Traum
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Cc: Steve Levin; Corrie Johnson; Marc Traum
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 Circuit Judge
 2000 16th Avenue, Suite 375
 Vero Beach, FL 32960
 772-770-5052 Office
 772-770-5133 Fax
kanarekp@circuit19.org

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Cc: Steve Levin; Corrie Johnson
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(Thursdays in Martin and Fridays in Indian River beginning the week of August 2)

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Julian Letton

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To: Paul Kanarek; Burton Conner; Elizabeth Metzger
Cc: Steve Levin; Corrie Johnson; Marc Traum
Subject: RE: Revised RMFM Program Liaison Meeting Notice
Attachments: Residential Foreclosure Web Posting 7-10.docx

Judges,

I have eliminated the language referring to the days that you do SJ hearings. The language in red is what remains. Please let me know if we are good to post, or if you would like further tweaking. I would like consensus to the extent we can achieve it.

Thanks.

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16TH CIR 01130

2/3/2011

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From: Thomas Genung
Sent: Friday, October 01, 2010 1:49 PM
To: Ted McFetridge
Subject: RE: Senior Judge Days in the Mortgage Foreclosure and Economic Recovery Program for Trade
Sorry Ted, I do not have the \$

From: Ted McFetridge [mailto:mcfetridget@circuit8.org]
Sent: Friday, October 01, 2010 1:44 PM
To: Benefiel, Matthew; Bridenback, Mike; Callahan, Richard; Dawicke, Barbara ; Elomina, Holly; Thomas Genung; Inskeep, Gay Lynne; Ortman, Carol; Shadburn, Jan; Slayden, Grant; Smith, Walt; Stelma, Joseph; Sudzina, Nick; Trammel, David; Van Bever, Mark; Weinberg, Mark; Wright, Robin; Sondra M. Lanier; slonergan@jud11.flcourts.org
Cc: Wilson@flcourts.org
Subject: Senior Judge Days in the Mortgage Foreclosure and Economic Recovery Program for Trade

We have 25 Senior Judge Days in the Mortgage Foreclosure and Economic Recovery Program. We wish to trade these days for \$8750 contractual dollars in the same Mortgage Foreclosure program.

Any one interested in a swap?

Ted

Julian Letton

From: Elizabeth Metzger
Sent: Thursday, July 01, 2010 1:03 PM
To: Thomas Genung
Subject: Re: Revised RMFM Program Liaison Meeting Notice
Sure.

Sent from my iPhone

On Jul 1, 2010, at 12:44 PM, "Thomas Genung" <GenungT@circuit19.org> wrote:

Can we also do it that way for your cases Judge Metzger, to maintain some consistency?

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Thanks,

Burton

From: Thomas Genung
Sent: Wednesday, June 30, 2010 5:12 PM
To: Elizabeth Metzger; Paul Kanarek; Burton Conner
Cc: Steve Levin; Corrie Johnson; Marc Traum
Subject: RE: Revised RMFM Program Liaison Meeting Notice

Please see the language in red at the bottom of both the Martin and Indian River sections. Please review and share with me any other changes or corrections.

Thank you.

From: Elizabeth Metzger

16TH CIR 01136

Sent: Wednesday, June 30, 2010 4:55 PM
To: Thomas Genung; Paul Kanarek; Burton Conner
Cc: Steve Levin; Corrie Johnson; Marc Traum
Subject: RE: Revised RMFM Program Liaison Meeting Notice

I want to make it clear to the reader that my SJ hearings will be heard Mondays and Fridays 8:30 to 9:30 am (see my web page for available dates). Additionally, the reader needs to know that my SJ hearings will continue to be scheduled via Courtcall if Plaintiff's counsel wishes to appear at the hearing telephonically.) We will simply let CourtCall know that they are fill up the Sr. Judge day before they begin setting on my Monday/Friday docket.)

Elizabeth A. Metzger, Circuit Judge

100 East Ocean Blvd.

Suite A353

Stuart, FL 34994

772-463-3281 (office)

772-463-3283 (fax)

metzgere@circuit19.org

From: Thomas Genung
Sent: Wednesday, June 30, 2010 4:23 PM
To: Paul Kanarek; Burton Conner; Elizabeth Metzger
Cc: Steve Levin; Corrie Johnson; Marc Traum
Subject: RE: Revised RMFM Program Liaison Meeting Notice

Please see below and attached, which contains Judge Conner's changes, and Judge Kanarek's changes as indicated below.

From: Paul Kanarek

Sent: Wednesday, June 30, 2010 2:32 PM
To: Thomas Genung; Burton Conner; Elizabeth Metzger
Cc: Steve Levin; Corrie Johnson; Marc Traum
Subject: RE: Revised RMFM Program Liaison Meeting Notice

Dear Tom,

Here are my suggestions.

1. I know that we talked about the number of cases that would be set before the Senior Judge but I am not sure that there was any agreement. I think that scheduling 180 phone hearings a day before the Senior Judge will be more than they can handle and more work than the staff will be able to produce. I would suggest 12 every half hour or 144 case per day. Agreed, I think that if we set 12 per ½ hour (72 for the morning), and set 12 per ½ hour from 1:30 pm to 3:30 pm inclusive of the 3:30 time (60 for the afternoon), that should be plenty, and should allow the SR Judges to conclude their day by around 5:00 PM without running over...
2. I suggest that we add CourtCall's phone number in the instructions. Can do.
3. Concerning walk in cases I would suggest the following language. Cases in which counsel for the plaintiff wishes to appear in person may be scheduled by contacting Judge Kanarek's office. Counsel for the plaintiff may not appear by phone at these hearings. Got this as well.
4. Concerning the SLC cases I would suggest first that you make it clear that the court will not hear summary judgment motions during UMC. I think that there need to be some instructions as to what the court will hear at UMC. I have attached a copy of my requirements for UMC. You don't need to use mine but there should be some clear instructions on how you are going to handle these. Judge Metzger may have some simpler instructions. I like the instructions, and ask for direction from Judge Conner.

Paul B. Kanarek

Circuit Judge

2000 16th Avenue, Suite 375

Vero Beach, FL 32960

772-770-5052 Office

772-770-5133 Fax

kanarekp@circuit19.org



Please consider the environment before printing this email.

From: Thomas Genung
Sent: Tuesday, June 29, 2010 2:51 PM
To: Burton Conner; Paul Kanarek; Elizabeth Metzger
Cc: Steve Levin; Corrie Johnson; Marc Traum
Subject: RE: Revised RMFM Program Liaison Meeting Notice

Please see the attached for your review and comment. The text in red is additions and questions. I also moved the start date to the week of August 2, as Judge Midelis indicates the Hatch trial will be over soon, and he will be available.

Thank you.

From: Burton Conner
Sent: Tuesday, June 29, 2010 11:42 AM
To: Thomas Genung; Paul Kanarek; Elizabeth Metzger
Cc: Steve Levin; Corrie Johnson
Subject: RE: Revised RMFM Program Liaison Meeting Notice

Tom,

I assume you will copy the three of us with whatever you are intending to post to the website so we can review it and tweak it as needed before it gets posted.

We are now in the “polishing” phase of the project plan, and I assume Paul and Elizabeth agree it is important to avoid tweaking the plan after the info gets posted to the website. I know you previously floated a draft of the plan (part of which would be posted to the website), but I am not sure if anything got revised after you floated it, and I would personally like to see as a separate document whatever will be posted to the website (so there is no confusion among us judges as to what will be disseminated on the website).

As much detail as practical needs to be given to the attorneys as to how to set hearings to avoid as many phone calls as we can for the JAs and the secretary for the senior judge.

Since there are differences in how the senior judge will work in MC and IRC, as compared to SLC, I would suggest that we give instructions for each county (even if that means we are repeating what is posted for MC and IRC (and I do not recommend lumping the instructions for MC and IRC together...we need to spoon feed the law offices)).

Regarding CourtCall, my recollection is that Paul suggested, and Elizabeth agreed, that CourtCall should be instructed that for any calendar month to fill up the senior judge timeslots first, then the elected judge slots. If I have understood Paul’s suggestion, I ask him and Elizabeth to chime in. Also, if they feel any other instructions should be given to CourtCall, they will let you know.

Paul and Elizabeth, please chime in and give Tom and I your thoughts.
Thanks.

Burton

From: Thomas Genung
Sent: Tuesday, June 29, 2010 11:10 AM
To: Burton Conner; Paul Kanarek; Elizabeth Metzger
Cc: Steve Levin; Corrie Johnson
Subject: RE: Revised RMFM Program Liaison Meeting Notice

16TH CIR 01140

I would like to get the info up on our website by COB tomorrow (that which you have previously approved). I just received Judge Shahood's schedule for the remainder of the calendar year, and Judge Midelis said "put me to work". We may have to include Judge Fennelly in the mix every now and then...

Judge Midelis thinks his trial may finish this week. He is intending on going to the Circuit Judge's Conference, so we may be able to begin the first week of August with him covering all hearings that week, Thursday and Friday for the next two weeks with Fennelly covering Monday through Wednesday... So, I think we can start filling up time beginning August 2.

As for advising CourtCall of the dates in each county, would you like us to do so for all three counties, or Judge Kanarek for Indian River and Judge Metzger for Martin? (Thursdays in Martin and Fridays in Indian River beginning the week of August 2)

Are you good with this plan?

From: Burton Conner
Sent: Tuesday, June 29, 2010 10:52 AM
To: Thomas Genung
Subject: RE: Revised RMFM Program Liaison Meeting Notice

I intend to discuss the FER project at the liaison meeting on July 30. I do not intend to schedule anything earlier than that, and intend to rely on the circuit website to get out the info about the FER project.

Burton

From: Thomas Genung
Sent: Monday, June 28, 2010 6:09 PM

To: Burton Conner

Subject: RE: Revised RMFM Program Liaison Meeting Notice

Are we meeting with the plaintiff firms to advise them about the Foreclosure and Economic Recovery project?

From: Burton Conner

Sent: Tuesday, June 22, 2010 3:49 PM

To: Paul Kanarek; Elizabeth Metzger; Larry Schack; Steve Levin; Thomas Genung

Cc: Steve Shaw; Rick Collins; Marilyn Garcia

Subject: Revised RMFM Program Liaison Meeting Notice

Tom pointed out to me the prior draft did not include the time of the meeting. It also occurred to me that it might be useful to request a letter advising if anyone attending has a particular issue he or she would like to address. I am attaching a revised notice.

Julian Letton

From: Greg Smith [SmithG@flcourts.org]
Sent: Monday, June 21, 2010 2:47 PM
To: Thomas Genung
Subject: RE: SR Judge Question

Sorry to demonstrate my ignorance, but what is a conforming stamp

From: Thomas Genung [mailto:GenungT@circuit19.org]
Sent: Wednesday, June 16, 2010 10:30 AM
To: Greg Smith
Subject: SR Judge Question

Greg,

I hope this email finds you well.

I have a question about conforming stamps for Senior Judges... With the Foreclosure, Economic Recovery project, SR judges will be hearing our cases. Should the conforming stamps indicate Senior Judge, or the level that the SR judge had while commissioned?

Thanks for your help with this.

Thomas A. Genung, Esq.
Trial Court Administrator
19th Judicial Circuit
250 Country Club Dr., Ste. 217
Port St. Lucie, FL 34986
Phone: 772-807-4370
Fax: 772-807-4377
Email: genungt@circuit19.org

Julian Letton

From: Thomas Genung
Sent: Friday, September 10, 2010 5:29 PM
To: Cindy Carlsward
Cc: Jeff Smith
Subject: RE: SRS - FYI

While there may seem to be some duplication, I'm not sure of the report that Vicki is speaking of... I am sure of the report that I have to send by the 10th of each month as part of the residential mortgage foreclosure and economic recovery project which we and you received money for in this year's budget. I also know that you have your own reporting requirements for this project regarding the sales and closing the cases for your purposes.

From: Cindy Carlsward [mailto:CCarlsward@clerk.indian-river.org]
Sent: Friday, September 10, 2010 4:12 PM
To: Thomas Genung
Cc: Jeff Smith
Subject: FW: SRS - FYI

Is this the same report you are doing from the information Gary is sending you? I just want to be sure we are not duplicating efforts.

Thanks
Cindy

From: Teri Bell
Sent: Thursday, September 09, 2010 2:20 PM
To: Cindy Carlsward
Subject: FW: SRS - FYI

From: Linda Bickford
Sent: Monday, August 30, 2010 9:39 AM
To: Teri Bell
Subject: FW: SRS - FYI

From: Vicki Charlton [mailto:charltov@flcourts.org]
Sent: Thursday, August 19, 2010 9:23 AM
To: Linda Bickford
Subject: SRS - FYI

I know you are having difficulty with your circuit civil report, but I wanted to give you a heads up on a new report which OSCA will be compiling using the monthly stats from the SRS reports that you send each month. Starting this month and continuing for each of the next 11 months OSCA will be sending a report with the total number of Real Property Mortgage Foreclosures

from each county to all the Chief Judges in the state. If your SRS and ICCSVP reports each month are not submitted to me before the new report is run, your stats will not be included in those reports. Please try to send the SRS and ICCSVP reports to me as close to the due date (15th) as possible. If you have any questions, please let me know.

Thank you.

VICKI CHARLTON
Office of the State Courts Administrator
500 S. Duval Street
Tallahassee, FL 32399
(850) 922-0365
(850) 414-1342 fax
charltov@flcourts.org

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Julian Letton

From: Thomas Genung
Sent: Monday, June 28, 2010 8:53 AM
To: Larry Schack; Shields McManus
Cc: Steve Levin; Burton Conner
Subject: RE: Training staff for Foreclosure Project

Thank you.

From: Larry Schack
Sent: Saturday, June 26, 2010 12:02 PM
To: Thomas Genung; Shields McManus
Cc: Steve Levin; Burton Conner
Subject: RE: Training staff for Foreclosure Project

Absolutely. I encourage you to get Adriana's input. If I can help, please let me know.

There is still a mountain of paperwork on the desk in the office. I will need to find the time to get there and work on it.

From: Thomas Genung
Sent: Friday, June 25, 2010 8:05 PM
To: Larry Schack; Shields McManus
Cc: Steve Levin; Burton Conner
Subject: Training staff for Foreclosure Project

Judge Schack and Judge McManus,

Both Adriana and Christie have offered to assist in training the two case managers and secretary that we expect will start on 7/1. They have both been a great help with defining duties and responsibilities. I apologize for not seeking your approval before they provided their insights. I am now seeking your authorization for your judicial assistants to assist in training of the new foreclosure staff at the SLW Courthouse. I appreciate any assistance that they may be able to provide, as they have the experience sorting and preparing the mailings and sj packets, as well as fielding the multitude of phone calls and setting hearings. Clearly, the success of the Mortgage Foreclosure and Economic Recovery project is dependent upon well trained and effective staff to support the Senior Judges.

Thank you for your consideration.

Julian Letton

From: Thomas Genung
Sent: Monday, June 28, 2010 9:04 AM
To: Shields McManus; Larry Schack
Cc: Steve Levin; Burton Conner
Subject: RE: Training staff for Foreclosure Project

Thank you.

From: Shields McManus
Sent: Monday, June 28, 2010 9:02 AM
To: Thomas Genung; Larry Schack
Cc: Steve Levin; Burton Conner
Subject: RE: Training staff for Foreclosure Project

I authorize Christie Ooley to train staff and otherwise assist as needed.

From: Thomas Genung
Sent: Friday, June 25, 2010 8:05 PM
To: Larry Schack; Shields McManus
Cc: Steve Levin; Burton Conner
Subject: Training staff for Foreclosure Project

Judge Schack and Judge McManus,

Both Adriana and Christie have offered to assist in training the two case managers and secretary that we expect will start on 7/1. They have both been a great help with defining duties and responsibilities. I apologize for not seeking your approval before they provided their insights. I am now seeking your authorization for your judicial assistants to assist in training of the new foreclosure staff at the SLW Courthouse. I appreciate any assistance that they may be able to provide, as they have the experience sorting and preparing the mailings and sj packets, as well as fielding the multitude of phone calls and setting hearings. Clearly, the success of the Mortgage Foreclosure and Economic Recovery project is dependent upon well trained and effective staff to support the Senior Judges.

Thank you for your consideration.

Julian Letton

From: Steve Levin
Sent: Thursday, June 10, 2010 3:34 PM
To: Larry Schack
Subject: Re:

Hopefully we are dispensing justice properly and efficiently but certainly a good question to always think about. Speak with you later.

From: Larry Schack
To: Steve Levin
Sent: Thu Jun 10 15:04:34 2010
Subject:

I'm sorry if I overlooked it, but is consideration of justice and equity somewhere in here, or is the sole focus counting the number of pieces of chocolate Lucy and Ethel can wrap on the production line?

From: Thomas Genung
Sent: Thursday, June 10, 2010 11:13 AM
To: Steve Levin; Burton Conner; Paul Kanarek; Elizabeth Metzger; Larry Schack; William Roby
Cc: Kay Desoiza; Lynn Atkinson; Georgianna Shepke; Janet Cason; Adriana James; Maggie Molina; Marc Traum
Subject: FW: Foreclosure and Economic Recovery Funding - Reporting Issues

FYI

From: Kristine Slayden [mailto:slaydenk@flcourts.org]
Sent: Thursday, June 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)

Julian Letton

From: Thomas Genung
Sent: Wednesday, June 30, 2010 5:33 PM
To: Joseph Smith; Marsha Ewing; Barton, Jeffrey (jeffreymbarton@yahoo.com)
Cc: Carin Smith; 'Helen Staggs'; Jeff Smith; Steve Levin; Burton Conner; Paul Kanarek; Elizabeth Metzger; Marc Traum
Subject: Residential Mortgage Foreclosure and Economic Recovery Project
Importance: High

Joe, Marsha and Jeff,

We have staff starting on July 1 and 2 for this project, and expect to begin hearing these cases in all three counties the first week of August. There are a number of questions that I'm sure we all have, so I would like your thoughts on how we can best address the questions. We could do a group meeting, which certainly has its benefits, or I could come to you and discuss any challenges or opportunities that may be involved.

July 12, 13, 14 Judge Fennelly will be hearing cases that were scheduled for Judge Schack in July, and moved to those dates at the SLW Courthouse.

July 19, 20, 21 Judge Shahood will be hearing cases that were scheduled for Judge Schack in July, and moved to some of these dates at SLW Courthouse. In addition, on the 20th, Judge Shahood will hear other residential mortgage foreclosure motions.

On Mondays, Tuesdays and Wednesdays, a Senior Judge will hear St Lucie County Residential Mortgage Foreclosure cases at the SLW Courthouse.

On Thursdays, a Senior Judge will hear Martin County Residential Mortgage Foreclosure Summary Judgment cases at the Martin County Courthouse.

On Fridays, a Senior Judge will hear Indian River County Residential Mortgage Foreclosure Summary Judgment cases at the Indian River County Courthouse.

One of the more important questions our judges have, is will our staff be able to verify that the original note or mortgage was filed by searching CCIS or your respective electronic document systems?

Please let me know whether you prefer a group meeting or individual meetings, and what dates and times may work best for you over the course of the next week or so.

Thank you for your consideration.

16TH CIR 01150

2/3/2011

Thomas A. Genung, Esq.
Trial Court Administrator
19th Judicial Circuit
250 Country Club Dr., Ste. 217
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Julian Letton

From: Thomas Genung
Sent: Friday, June 11, 2010 11:57 AM
To: Burton Conner; Paul Kanarek; Elizabeth Metzger; William Roby
Cc: Steve Levin; Marc Traum
Subject: RE: Verified Complaint: Supreme Court Order Denying Rehearing and Revised Opinion

Thank you. Very important points that we need to refine. LOP = Lack of Prosecution, LOS = Lack of Service.

From: Burton Conner
Sent: Friday, June 11, 2010 11:51 AM
To: Thomas Genung; Paul Kanarek; Elizabeth Metzger; William Roby
Cc: Steve Levin; Marc Traum
Subject: RE: Verified Complaint: Supreme Court Order Denying Rehearing and Revised Opinion

I have left the JA's out of this reply as I think we judges need to decide some things first. I apologize for the red font, but as you see below, I have inserted my comments to Tom's email and those comments are easier to read in red, I think.

Seems that just as I was sending a reply all response to Elizabeth's earlier email, Tom sent the email below which seems to answers some of the questions I was raising. (BTW: I do agree the JA's may have the best perspective on how to handle setting the hearings they are currently scheduling)

I still think we need to make a policy decision on the issue of once a case is sent to a senior judge, should the case stay with a senior judge or can it float between the elected judge and the senior judge?

Also, Elizabeth and Paul, FYI, I have done a training with Judges Shahood and Midelis about the MAO, and I intend to do the same with the new secretary and case managers when they come on board. I have also asked Tom, as a member of the TCBC to express a concern that in implementing the Foreclosure and Economic Recovery Funding Program, judges should not lose sight of the RMFM Program. Both programs are compatible with each other and will prove to be effective case management tools, and pushing a case through the system should not compromise sending the case early on to mediation

I have additional comments to Tom's points, as indicated below:

From: Thomas Genung
Sent: Friday, June 11, 2010 11:13 AM
To: Burton Conner; Paul Kanarek; Elizabeth Metzger; William Roby
Cc: Steve Levin; Lynn Atkinson; Georgianna Shepke; Kay Desoiza; Marc Traum
Subject: RE: Verified Complaint: Supreme Court Order Denying Rehearing and Revised Opinion

Judges,

Judge Shahood is available the week of 7/12, and 7/19 -21. There is a half day from the St. Lucie docket from this week that is being reset to July 14. There are 4 days already scheduled for St. Lucie in July that will be moved to the time period that Judge Shahood is available. Yesterday Marc and I met with Adriana, Christie and Victoria for a couple of hours to discuss what they have done, scheduling of hearings, etc... It was a very productive and enlightening 2 hours.

Here is what is on the table:

- All foreclosure packets for IRC, MC and SLC should be sent to the SLW Courthouse at least 10 days in advance of the hearing.
- The secretary and case managers will process the mail and prepare the packets for hearing.
- Case managers (to the extent the documents are imaged) will check the clerks' computer systems to make sure that the case is ready for the hearing requested.

If SJ hearings are currently being scheduled through CourtCall...does the attorney have to get clearance from the Case Manager before scheduling a SJ hearing...or does the CM simply prepare a checklist memo to the judge what the perceived deficiencies are?

- The packets for each day or docket of hearings in IRC or MC will be sent by our courier or by staff to the location in advance of the hearings.
- Hearings for summary judgments and other matters which are set through CourtCall should continue to be set this way, unless you feel this would not be effective.
- Special sets should be set by the Judges JA in IRC and MC, for matters that these judges will continue to hear.

Special set hearings are one thing. However, there is also the hearings on Short Hearing Calendar/UMC. How do we want to handle SHC/UMC in each county? My thought is that it may be best to let the Senior Judge hand SHC/UMCs on the dates he

is in that county...but I am not sure what the volume of SHC/UMCs are for each county.

If we decide that once the senior judge handles the case, it stay with him...do we make an exception for SHC/UMCs?

- Special sets for SLC will be set by the secretary.
- In SLC, the SR Judge will be present and hold hearings 3 days per week. The suggested range for non-special set matters would be 20 to 40 per hour. That is a pretty big range...can we narrow that more? How did we come up with that range? Ideally, if we can clear 100 cases a day that would be outstanding. The SR Judge may also need some office time on each one of those days, so your guidance here is greatly appreciated.
- In IRC, the SR Judge will be present and hold hearings 1 day per week. (Same issues as above)
- In MC, the SR Judge will be present and hold hearings 1 day per week. (Same issues as above)
- My feeling is that we should not overlap the days that our SR Judges are hearing these cases, ie. M-W in SLC, Th in IRC and Fri in MC, and they probably should not hear these cases in IRC on the same day that Judge Kanarek is hearing them, and likewise in MC with Judge Metzger (just concerned about overtaxing clerk resources) . We need to decide which would be the best mix of days for each county. The reason I do not want to overlap the SR Judge days is so if needed, one or the other can hear foreclosure or other trial matters that need to be heard, and the other can hear all economic recovery cases in the three counties for that period of time. We have a limited number of SR Judges, and since all Circuits will be doing the same, the availability of SR Judges from other jurisdictions may be limited or non-existent.

I agree with Tom that it is best to have only one senior judge working on any day of the week, and it is probably best if we can consistently keep a judge working the same day each week in an individual week. Does that present logistical scheduling problems for Elizabeth or Paul?

- I am not sure if SLC will be able to continue providing a thumb drive with all of the imaged documents for each case, especially given the huge increase in cases to be scheduled weekly, so it will be important to discuss how we can do this with or without paper files, or the thumb drive. Similar issue for IRC and MC.

Elizabeth and Paul, regarding SJ hearings...if the CM does a prep review...can the

judge fly without the file? Also, can't the judge fly without the file for SHC/UMC hearings? If that is the case, it would seem we only need to make sure the file or imaging is available to the judge for specially set hearing. (However, I can tell you Jimmy is balking a little at having to use a computer in the courtroom...I am not sure if CourtSupport can train him enough to be comfortable.)

- I will be working with the Clerks to produce reports for LOP and LOS. I am sorry Tom...you told me before, but I forgot: what is "LOP" and "LOS?" My feeling is that we will be able to clear perhaps at least 1000 cases of the 12,400 cases we need to clear by doing this.
- For the SLC cases, and pursuant to our discussion with Adriana, Victoria and Christie yesterday, we feel that 2.5 of the 3 days need to be scheduled for the CourtCall cases, and .5 days need to be reserved per week for special sets. Again, we need to build in time for the SR Judge to do whatever office work he may need to do.
- Please send your comments, suggestions, Divine Revelations, anything to help make this work. Like the meandering river, our course over the next year will be fluid, subject to modification as required.

Thank you all for your consideration and understanding.

From: Burton Conner
Sent: Friday, June 11, 2010 10:28 AM
To: Paul Kanarek; Elizabeth Metzger; William Roby
Cc: Steve Levin; Thomas Genung; Lynn Atkinson; Georgianna Shepke
Subject: RE: Verified Complaint: Supreme Court Order Denying Rehearing and Revised Opinion

OK. Everyone seems to agree to meet on Tuesday from 12:15 to 1:15. Tom, please make the arrangements either for video conferencing or telephone conferencing.

Regarding senior judges doing foreclosures, let me tell you what I think I understand the situation will be: As of July 1, a senior judge will spend 3 days a week in SLC, 1 day in MC and 1 day in IR. There will be a secretary to assist the senior judge and two case managers. None of the staff can be hired until July 1, and there will need to be some training time for them.

During July, the senior judge time will not be "full time" so to speak because Judges

Shahood and Midelis already have some previous commitments.

The logistical problem is this as I understand it: in all three counties hearings are already scheduled several months out. Since word got out about the senior judge resource coming available July 1, we have been engaging in a holding pattern as far a scheduling hearings in the future. The lawyers are getting antsy about when they will get hearings. So we need to figure out a plan to get us over the hump as far as scheduling hearings until probably mid-July when hopefully the new secretary and case managers will be ready to rock-n-roll.

Paul, Elizabeth, Bill and Tom, if you have ideas, it may be helpful to share them in emails prior to Tuesday so that we can maximize our ability to reach consensus and come to a decision by the end of the meeting.

I am going to ask this to begin the discussion: is it feasible to simply tell the lawyers we are unable to commit to scheduling anything, except for legitimate emergencies, until staff becomes available on July 19?

Thanks for your input and have a Great Weekend!

Burton

From: Paul Kanarek
Sent: Friday, June 11, 2010 9:43 AM
To: Elizabeth Metzger; Burton Conner; William Roby
Cc: Steve Levin; Thomas Genung; Lynn Atkinson; Georgianna Shepke
Subject: RE: Verified Complaint: Supreme Court Order Denying Rehearing and Revised Opinion

That is fine with me. Just send the info about the conference call.

Paul B. Kanarek
Circuit Judge
2000 16th Avenue, Suite 375
Vero Beach, FL 32960
772-770-5052 Office
772-770-5133 Fax
kanarekp@circuit19.org

 Please consider the environment before printing this email.

From: Elizabeth Metzger
Sent: Friday, June 11, 2010 9:05 AM
To: Burton Conner; Paul Kanarek; William Roby
Cc: Steve Levin; Thomas Genung; Lynn Atkinson
Subject: RE: Verified Complaint: Supreme Court Order Denying Rehearing and Revised Opinion

Tuesday is fine.

EAM

Elizabeth A. Metzger, Circuit Judge
100 East Ocean Blvd.
Suite A353
Stuart, FL 34994

772-463-3281 (office)
772-463-3283 (fax)
metzgere@circuit19.org

From: Burton Conner
Sent: Thursday, June 10, 2010 5:45 PM
To: Paul Kanarek; Elizabeth Metzger; William Roby
Cc: Steve Levin; Thomas Genung; Lynn Atkinson
Subject: RE: Verified Complaint: Supreme Court Order Denying Rehearing and Revised Opinion

I would like to do a conference call meeting on Tuesday from 12:15-1:15. Steve would like to attend, but he has a major sentencing hearing Monday morning (which makes a noon meeting difficult for him) and he will not be available after Wednesday. Unfortunately, on Wednesday I have to be in Tampa for our once a year face-to-face meeting of the ADR Rules and Policy Committee (and I have a couple of reports to make at the meeting and we generally work through lunch). Steve could be available after lunch on Monday if that works better, but I can't. However, I am not really handling a foreclosure docket and I will not be doing civil next year, so I don't know that I really need to be at the meeting. You could also meet Wednesday over the lunch hour without me.

Please let me know ASAP if you are available for a conference call on Tuesday over the lunch hour or Monday afternoon or Wednesday over the lunch hour. The meeting definitely needs to occur next week, so if we can't do it Monday, Tuesday or Wednesday, Steve said to do it without him.

Thanks,

Burton

From: Paul Kanarek
Sent: Thursday, June 10, 2010 4:47 PM
To: Burton Conner; Elizabeth Metzger; Larry Schack; William Roby
Cc: Steve Levin; Thomas Genung; Shields McManus
Subject: RE: Verified Complaint: Supreme Court Order Denying Rehearing and Revised Opinion

Dear Burton,

I agree that we should adopt the current Supreme Court form and put it on our web site. I believe that we currently have an Administrative Order that adopts a form of Final Judgment in Foreclosure case and this Administrative Order should be revoked/cancelled/deleted or whatever you do with an old administrative order.

On the issue of the order cancelling the sale although I am not a fan of that requirement and the fact that the Supreme Court approved a form does not mean it is a requirement, the practical effect of Larry requiring this has caused me to get a substantial number of new orders for me to sign, cancelling sales. If we are going to do this then I suggest that we put in CAPITAL LETTERS IN THE FINAL JUDGMENT THAT THE SALE WILL NOT BE CANCELLED WITHOUT ORDER OF COURT. This puts everyone on notice that if there is no order the sale should go forward.

Finally, we need to get together to finalize how all of this paperwork is going to go once the senior judges start helping. I would like to try to meet next week if at all possible. I have run out of dates scheduling Summary Judgment hearings and need to give out dates from October through the end of the year. Because CourtCall is scheduling my hearings and hopefully those for the senior judge I am going to instruct them that they should fill up the senior judges calendar before they start on mine.

aul B. Kanarek

kanarekp@circuit19.org

From: Burton Conner
Sent: Tuesday, June 08, 2010 11:23 AM
To: Paul Kanarek; Elizabeth Metzger; Larry Schack; William Roby
Cc: Steve Levin; Thomas Genung; Shields McManus

16TH CIR 01158

2/3/2011

Subject: FW: Verified Complaint: Supreme Court Order Denying Rehearing and Revised Opinion

Fellow Civil Judges,

As you can see from the attachments, the Supreme Court last week issued an opinion to make it clear that its prior order adopting rule and form changes was intended to be effective immediately. Apparently, plaintiff firms were balking and not complying with the verification requirement for complaints, and the S.Ct. is now firmly saying "We meant what we said."

Along those lines, I think the Supreme Court is making it clear again that they intend for sales to be canceled only by a motion being filed, and the majority again reiterates that the practice of allowing sales to be canceled by plaintiffs not attending or giving notice to the Clerk should be discontinued (two justices dissented on this point). I know that several of us feel differently, but I would suggest that we follow the directives of the Supreme Court on that issue.

I would also suggest that we post the approved form final judgment on our website and put language on the webpage stating that the 19th Circuit is insisting on compliance with use of the approved form.

I want to give my fellow judges a chance to weigh in before I ask CourtSupport to make those changes on our website.

Please give me your thoughts.

Burton

From: Tom Bateman [mailto:TBateman@lawfla.com]
Sent: Thursday, June 03, 2010 12:27 PM
To: Tom Bateman
Subject: Verified Complaint: Supreme Court Order Denying Rehearing and Revised Opinion

FYI

In short, rehearing has been denied. The FSC said: "In light of the revised opinion, Ben-Ezra and Katz, P.A.'s Motion for Rehearing and Shapiro and Fishman, LLP's Motion for Rehearing or Clarification are hereby denied."

And, the amendment to Rule 1.110 requiring mortgage foreclosure complaints to be verified is effective immediately. The FSC said again, "The amendments shall become effective immediately upon the

16TH CIR 01159

2/3/2011

release of this opinion."

The Supreme Court issued an order denying rehearing and two revised opinions in the mortgage foreclosure cases (SC09-1460 and SC09-1579) today. The only changes in the opinions are two nonsubstantive clerical corrections: correcting the number of form 1.924 in the appendix and correcting a cross-reference in item 3 of Form 1.996(a). I am attaching the opinions for your information.

 cid:XKNFRLGKPGHN.logo.gif

Thomas H. Bateman III
Messer, Caparello & Self, P.A.
2618 Centennial Place
Tallahassee, FL 32308

Direct Phone: (850) 553-3453
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Julian Letton

From: Burton Conner
Sent: Tuesday, August 03, 2010 8:38 AM
To: trent@trentsteele.com
Subject: Senior Judges Handling Foreclosures

Trent,

Let me clarify something. Senior Judge Jame Midelis and Senior Judge George Shahood will be sharing the SLC foreclosure docket, which will be conducted at SL West on Mon, Tues and Weds each week. Senior Judge Midelis will be conducting a foreclosure docket of just summary judgment hearings in IRC on Friday. Senior Judge Shahood will be conducting a foreclosure docket of just summary judgment hearing in MC on Thursdays. Judge Kanarek will continue to have a smaller SJ docket and will handle all other foreclosure hearings in IRC. Judge Metzger will continue to have a small SJ docket and will handle all other foreclosure hearings in MC.

At www.circuit19.org there is a tab on the home page with information about the new procedures implementing the Foreclosure and Economic Recovery Project mandated by the legislature. As we implement the program, there will be adjustments, so I would suggest that you recommend to your committee that they frequently monitor the webpage for updates on the procedure.

Hope this helps.
Burton

Julian Letton

From: Steve Shaw
Sent: Thursday, July 22, 2010 4:29 PM
To: Marilyn Garcia
Cc: Rick Collins
Subject: Spreadsheets for Foreclosure
Attachments: FW: Cir19: Foreclosure and Economic Recovery Case Tracking System; ECONRECOV: FERCTS workbook for Indian River County

Marilyn

Please install the attached spreadsheets as indicated in the instructions using Office 2007. I would like to install it stand-alone first, test it, then install on a network drive for foreclosure staff to use after additional testing has been done. You will need to use the three spreadsheets in one e-mail and the fourth spreadsheet in the other e-mail. Also, please look at the explanation of why this application has issues work with Office 2010. Could the Office 2007 Calendar Control be added to Office 2010?

If you have any questions, please let me know.

Thank you.

Steve

Stephen L. Shaw, Court Technology Officer
State of Florida Court System
Nineteenth Judicial Circuit Court
Court Administration - Suite 217
250 NW Country Club Dr.
Port Saint Lucie, FL 34986

772-807-4395 Office
772-807-4377 Fax
shaws@circuit19.org

Julian Letton

From: Beverly Brown [BrownB@flcourts.org]

Sent: Tuesday, April 27, 2010 4:04 PM

To: Philip Yacucci

Subject: April 23 Memo From Judge Flower

Memo from Judge Gary Flower

Any comments, questions, suggestions should be made directly to Judge Flower.

(Forwarding Judge Flower's memo this week because Judge Anne Kaylor is unavailable.)

Friday, April 23, 2010

Dear Brothers and Sisters:

We are now seven days away from the end of the legislative session and your legislative team has been working late into the night this week on our mission. As of today, the House and Senate Conferees have allocated the money in our silo; and on issues that could not reach a resolution, "bumped" them up to leadership. Regarding the courts, regarding the economic recovery plan (monies and staff for the case load increase due to foreclosure and credit issues) the House and Senate could not agree on the amount (the House offer is \$4,500,000 and the Senate offer is \$9,641,588) and that issue, along with the cost of an innocence commission (\$200,000.00), were bumped. The courts were thus far spared deep cuts to their operations and will be fully funded for the next year, which includes funding for traffic magistrates and additional remuneration for sitting as circuit court judges. Regarding our salaries, where the Senate's budget does not have a pay cut, the House budget still has a 3% reduction. This issue has been automatically bumped to leadership, and we, along with our branch partners, are working very hard with leadership on this important issue. I hope to have an answer on it by the end of the weekend or maybe this weekend. It appears that the momentum on changes to the state pension system have slowed down, however, the Senate's budget still has a one-quarter of one percent contribution by employees to the system, the House's budget does not. Remember, nothing is final until sine die.

As I have written in the past all of the conferences are working together on the salary and benefits issues and besides myself members of both the District Courts of Appeals and Circuit Judges' Conferences will be here in Tallahassee throughout the weekend and into next week. We are also privy to the guidance and wisdom of Al Cardenas and Steven Shiver our legislative counsel as well as former representative Peter Dunbar, legislative counsel for the Circuit Judges' Conference.

I would like to remind everyone to please turn in their time sheets for work done while sitting as a circuit judge. While many of the circuits have exhausted their allotment, as well as the pool has been exhausted, if we wish to maintain this budgetary item we must keep accurate records of the time we sit even if there are no further funds to pay us. I will be asking Carroll Kelly to complete her report and forward it to me so we can prepare for the 2011 session.

I want to thank your DCA vice presidents as well as your circuit representatives for participating in my weekly Monday night legislative update meetings. I have scheduled the meetings on both Monday and Wednesday nights, and as additionally needed, so that they may be fully informed on the issues and the status of our mission. I also want to thank Judge Chuck Tinlin and Judge Cory Ciklin as well as Judge Lou Schiff and the education committee for their yeomans efforts to bring our education meeting to fruition. Additionally Judge Anne Kaylor has not only worked hard at assuring that you receive my communications, she has developed an electronic link to her home computer so that if

something occurs on our issues this weekend we can communicate with you.

I also want to thank Judge Peggy Gehl for her dedicated service as one of our representatives on the Judicial Qualifications Commission (JQC). Due to Peggy's retirement, her position became available for appointment. I have received many requests to serve on the JQC from our membership. I have also received many e-mails and phone calls on behalf of candidates. After prayerful consideration of all the candidates, I have appointed Judge James Ruth to fill Peggy's seat for the remainder of her term. Judge Ruth has been a member of our conference for nineteen years, and additionally serves his county as a Colonel in the Florida National Guard, where he was the state's General Counsel for the Department of Military Affairs. In addition, his role made him responsible for the legal affairs of over twelve thousand service members and civil employees. Judge Ruth brings the experience, diversity, and work ethic needed to represent all of us well on the committee. Please welcome me in congratulating Judge Ruth on his appointment.

There are many others who have worked tirelessly to further our goals, and while there is not time to thank everyone personally; but please join me in thanking Bar President Jessie Diner, and Bar lobbyist Steve Metz. Their kind assistance and diligence have been invaluable assets to the judiciary.

Finally, below you will find a letter that I placed in a hand-out to the legislature. The tenor of the letter reflects one of the positions that we have taken here in Tallahassee, in our quest to educate the legislature on the importance of the county courts to the overall economic recovery of our great state, and thus, our legislative agenda.

Respectfully,
Gary P Flower

Letter to the Legislature:

It is my great honor to serve as President of the Conference of County Court Judges. The Judges of the sixty seven county courts of Florida enjoy the enormous privilege of serving approximately 85% of the litigants who have contact with the courts of our great state. Their responsibility is great and they preside with a servant's heart, and with the knowledge that their demeanor, decisions, and work ethic typifies their dedication to the "Peoples Court".

Currently, Florida courts handle an average of four million cases a year, and the number continues to rise. Recessing economics traditionally result in an increased number of civil disputes, foreclosures, and bankruptcies. Therefore, it is imperative to our state's economic recovery that our courts be fully funded so they can continue to have the tools and resources they need to remain efficient.

Reductions to the court's budget can impede the constitutional obligations to serve the state's citizens, businesses, and professional communities.

By maintaining a well-funded court system, you, as our partners in the orderly administration of state government, will be providing Florida's courts with the tools and resources we need to quickly and efficiently process the growing caseload resulting from the continuing recession. This will help ensure that despite the economic downturn, our courts remain highly functional, and help lead the state's overall economic recovery.

For this to happen, Florida's courts don't require many additional resources, other than a small portion of the additional revenue generated by the court system itself as a result of the increased workload.

"If you're not part of the solution you're part of the problem." It is our hope, that in the interest of

ensuring a rapid economic recovery in Florida, lawmakers will maintain a well-funded judiciary by preserving the State Courts Revenue Trust. With our state in an economic crisis and our citizens suffering, Florida's judiciary is part of the solution. We trust that you will continue to "make it so."

Respectfully,
Gary P. Flower

Julian Letton

From: Anne Kaylor [akaylor@jud10.flcourts.org]
Sent: Thursday, April 08, 2010 4:12 PM
To: Kathleen Roberts
Subject: Weekly Update from Judge Flower - April 9, 2010
Attachments: 4-1-10_Weekly_Review.pdf

Memo From Judge Gary Flower
 April 9, 2010

Questions, comments or replies go to Judge Flower at gflower@coj.net

Thank you
 Anne Kaylor
 Polk County Judge
 Web Administrator

Dear Brothers and Sisters,

Last week saw the passing of both the Senate and House budgets. Despite the budgets being approximately 2.2 billion dollars apart, the senate budget at 69 billion and the house budget at 67 billion, to date the house and senate budgets hold the courts harmless except for a few small cuts in a few different areas. The house budget leaves enough money in the trust fund to fully fund the courts until midway into the 2012-2013 budget. The Senate budget leaves enough in our trust funds to fully fund the courts until the 2011-2012 budget. The next step will be both chambers naming their conferees either the end of this week or the beginning of next week and then both chambers will conference on the budgets. This is always the most interesting part of the session, and as I have warned, things move very rapidly. We, along with the circuit conferences, have boots on the ground and will be here daily working the issues that affect our mission. I would like to extend my gratitude to Vicky Del Pino who traveled to Tallahassee this week and had some key meetings with important legislators to continue to support our goals. Things will begin to move very quickly as we get into the last 30 days of this session. I have maintained my weekly tele-conferences with your DCA Vice Presidents and circuit representatives, as well as our executive committee. They are updated on everything happening here and are a good source of information for each of you in between these emails.

With regard to judicial compensation, the house has a 3% state employee agency cut. The house budget also includes legislators in the 3% reduction. The result would be that the agency head (in our case the Chief Justice) would be required to reduce the branch's expenditures by 8.8 million dollars. Due to the house moving most of the judicial salaries into trust (in my opinion just kicking the can down the road until better economic times), the budget would simply reduce the spending authority of the Branch's trust fund by the 8.8 million dollars. It would not return the 8.8 million dollars to general revenue (GR). Today our colleague, John Futch, came to Tallahassee for the day, at my request, to meet with speaker Larry Cretul. John and the speaker go way back and his meeting was centered around our mission: pay and benefits issues for the judges. Everyone should know that John did a great job in his meeting with Speaker Cretul and staff. His experience and grasp of our issues made it a great meeting.

Regarding pension issues, as it stands now the Senate budget has a contribution of 1/4 of 1% for all state employees to the state pension plan. On the house side the most onerous bill regarding pensions has been withdrawn; however, there are a few pension bills still floating around.

The Senior Judges' "Glitch Bill" has had a bit of a set back. We were able to convince the sponsor that an exclusion of the judges would not affect the integrity of his bill as passed, and that the unintended consequences of the bill will negatively affect the economic recovery plan of the branch/foreclosure mitigation. On the eve of an amendment being place on another senate bill, the department of revenue stepped in and advised the president of the senate that an actuarial study was necessary due to a 1.99% affect that the bill had on the retirement system and any future affect it will have. We are still working this issue hard and have a few alternatives that might help us if not this year next year.

Last week the house passed its bill doing away with the contribution of \$5.00 per year for retirees toward their state health insurance premiums. This issue had some strange voting patterns on Friday and was interesting to watch. Stay tuned on this issue. Additionally, the issue surrounding the withdrawal of funding for our life insurance at two times salary has passed, but with the insured's ability to purchase the amount of coverage up to the amount previously subsidized by the employee.

I will be attaching a copy of the weekly review as put out by OSCA to my e-mails. The chief judges in each jurisdiction should be forwarding this document to you, but in an abundance of caution, I will make it an attachment. This document will allow you to see the bills of interest to us and the branch, and to track any bills that you are interested in by clicking on the icon on the section under tracked bills by subject area.

On conference business, Judge Tinlin and Judge Ciklin have been hard at it getting the preparations ready for the summer education meeting. Also Judge Schiff and his education committee have been making all the arrangements for what is going to be a great educational opportunity for all of us. I would ask if you run into them you give them a hardy thanks.

We have recently had a resignation by a member of the JQC. If you are interested in being considered for the appointment, please forward a one (1) page letter to me on why you wish the appointment. This position will be by appointment for the remainder of the term of our representative. If you have any questions or concerns please contact me and I will be happy to address them with you. I ask that if you are interested you submit your letter no later than April 16th. I will be appointing a committee to review the applications and make recommendations to me.

Finally, I have heard from many of you regarding the numerous issues we face as a branch. There seems to be a feeling among a few of our members that we are not recognized as a co-equal branch of government, and thus, are singled out for pay and benefits issues or do not garner the respect we deserve. I would agree in part. However, as long as we do not have a dedicated source of funding for our branch that we control (like the clerks used to have), as long as we are prohibited from being politically active (as we are by rule), and as long as the number of legislators who are court room attorneys are as under-represented as they are, we will continue to struggle. That is a plain truth, as hard as it is to swallow. To my knowledge we have not been singled out as a group for any negative treatment. I have spent the last 30 years in some form of another either lobbying the legislature or watching from the front row, often mystified by the process, and have never heard a legislator say that a pay or benefit issue was directed at the branch. I have heard the terms activist, I have heard them speak about those who come to the bench never being in private practice (thus never having to run their own business), but neither I nor anyone who has been around Tallahassee has ever heard of our branch being "dinged" for a judicial ruling a legislator did not like. Let there be no mistake that the conferences teamed with the branch representatives and supported by the bar and the business community, have stressed the critical role of the judiciary to the overall well-being of this great state. We often speak of how the branch and individual judges play a major role in the social and economic health of the state. We deal with good people at their worst and bad people at their best. We deal with complex business problems as well as shade tree mechanics who have not been paid for their labor. We have been doing it better, faster, and without the resources that we as a group should have allocated to us (according to studies done by the very government of which we are a part). We stress these truths daily in our meetings with staff and with key legislators. They get it, but we as a branch have got to free ourselves from being treated like another branch's agency, for budgetary purposes, or it will be this way forever. We all know the result of this: less qualified people seeking a career on the bench because the pay and benefits will not attract the best and the brightest as we now have, who, despite a "servant's heart," have to feed their family like all other Floridians. Look to our "broken" school system as a foreshadowing of "things to come," if we do not engineer a way to stop it ourselves.

Thanks to all of you who keep the faith, and allow those who come before us to know they are getting the best and the brightest at their best, no matter what the pay and benefits may be.

Respectfully,
Gary P. Flower,
President

Julian Letton

From: Marc Traum
Sent: Monday, May 10, 2010 3:48 PM
To: Burton Conner
Subject: Civil Case Management documents
Attachments: Order Scheduling Case Management Conference 3-5-10.doc; Standing Initial Case Management Order 2-10-10.doc; Circuit Civil Case Management Committee - Standing Order in Civil Cases 4 19 10(ro).doc; 20thCircuit FINAL022810Civil CMGuidelines 022810 (4).doc

Dear Judge Connor:

Attached, please find documents from the 20th Circuit regarding their civil case management program. Please let me know if you find their program guidelines and accompanying orders acceptable to be used as a basis for our developing program and/or any ideas for improving the materials to better suit our situation.

Sincerely,

Marc

****Please note my new email address below****

Marc Traum
Administrative Services Manager
State of Florida Court System
Nineteenth Judicial Circuit Court
250 NW Country Club Drive
Suite 217
Port St. Lucie, FL 34986

772-807-4382 Office
772-807-4377 Fax
traumm@circuit19.org

Julian Letton

From: Shinholser, Olin [OShinholser@Jud10.FLCourts.org]
Sent: Sunday, July 18, 2010 4:23 PM
To: Shinholser, Olin
Subject: Conference of Circuit Judges civil justice committee meeting

Chiefs,
Please pass on to your circuit judges.

The civil justice committee will be meeting at or about noon on July 27 (see conference agenda for final details) in Salon G-J of the Marco Island Marriot.

Among the agenda items will be civil jury instruction updates and civil mortgage foreclosures. As to foreclosures be prepared to discuss: your circuit's long and short term plans; plans for use of economic recovery dollars and what to do when the money is gone; how the civil division is being impacted and typical availability of senior judges; and should the conference be doing anything.

Please let me know if you want anything else added to the agenda.

**Olin W. Shinholser, Circuit Judge
Highlands County Courthouse, Suite 333
430 South Commerce Avenue
Sebring, Florida 33870
863-402-6901 (Phone)
863-402-6918 (Fax)**

Julian Letton

From: Charlotte Jerrett [jerrettc@flcourts.org]
Sent: Thursday, May 13, 2010 10:53 AM
To: Trial Court Administrators
Cc: Heather Thuotte-Pierson; Kristine Slayden; Dorothy Wilson
Subject: Economic Recovery Foreclosure Funds

Hi All,

The question has arisen about whether or not these funds can be run through the county budget so that FTE's can be established and benefits can be paid to employees. The intent of the legislature is that we administer these funds with temporary resources. Since we have to file a budget amendment for approval of this plan, I do not believe we would be successful with the strategy of contracting with the county and using these resources to pay for employees with benefits. In order to contract with the county, we would need a G/A category to make the payments and stipulate conditions for reporting. If you are planning on proceeding in this manner, please let me know as the TCBC will need to address this issue during their conference call and we will need to include the new G/A category in our budget amendment request.

If you want to discuss this issue further, please give me a call directly. I don't want us to submit a plan that can't be administered or isn't workable. Thanks for your help.

C.

Charlotte Jerrett
Administrative Services Division
Office of the State Courts Administrator
(850) 488-9922
(850) 488-3744 fax

Julian Letton

From: Thomas Genung
Sent: Thursday, March 11, 2010 10:41 AM
To: Burton Conner; Steve Levin
Cc: Kay Desoiza
Subject: Economic Recovery Funds Information Request from OSCA (NEED YOUR FEEDBACK ASAP)
Importance: High
Attachments: EconomicDefaultRecoveryEffort_Distribution 19th Circuit.xls; Backlog cases 06-11 (by county).xlsx

Judge Conner and Judge Levin,

OSCA sent the following, and my suggested response is in blue: (I have attached our original table showing the dollar distribution, wherein we indicated contract dollars for 1 GM (1FTE equivalent), 190 SR judge days, contract dollars for 2.5 case managers, contract dollars for 3 Admin support (2 for GM and SR judge and 1 for mediation), and expense. The other table attached shows filings by county, dispositions by county.

Good Afternoon,

Due to discussions this week between court leadership and the clerks regarding the Economic Recovery Funding Proposal, OSCA staff have been asked to quickly gather some additional information from the circuits as to how our 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.

We have attached the approved LBR request for each circuit (by element and category) and also a table representing the estimated FTE equivalent of the funding request per circuit. We apologize for the short turnaround, but we will need each circuit's response by close of business this Friday, March 12th.

-Using the information contained in the FTE equivalent table, 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.* We have requested contractual funding equivalent to one magistrate, and funding for 190 SR judge days (approximately 4 days a week for 47.5 weeks equivalent to .73 FTE). Due to the backlog of cases as distributed throughout the circuit the needs are as follows:

St. Lucie County: Magistrate 3 days a week (0.6 FTE), SR judge 3 days a week (0.55 FTE based upon 0.73 FTE total)

Martin County: Magistrate 1 day a week (0.2 FTE), SR judge 1 day every other week (0.09FTE based upon 0.73 FTE total)

Indian River County: Magistrate 1 day a week (0.2 FTE), SR judge 1 day every other week (0.09 FTE based upon 0.73 FTE total)

Okeechobee: Magistrate 0 days a week (0.0 FTE), SR judge 0 days a week

-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**?

Thank you.

Please let me know if you are in agreement with this breakdown above at your earliest convenience. Thanks.

Thomas A. Genung, Esq.
Trial Court Administrator
19th Judicial Circuit
250 Country Club Dr., Ste. 217
Port St. Lucie, FL 34986
Phone: 772-807-4370
Fax: 772-807-4377
Email: genungt@circuit19.org

Julian Letton

From: Burton Conner
Sent: Thursday, July 01, 2010 9:18 PM
To: Bailey, Jennifer; Judge Terrell; Lee Haworth
Subject: For What It's Worth
Attachments: SJ Checklist 19th Cir 6-29-10.docx

Hi,

I think it was in the course of perusing some of the materials Jennifer has put together for teaching foreclosure law that I came across a checklist to be submitted by plaintiff's counsel when submitting a summary judgment packet. I have revamped the checklist for our case managers to use in prepping summary judgment packets for our senior judges as they roll into high gear with our Economic Recovery funds from the legislature. As you will see, I included provisions for monitoring compliance with our MAO. I am attaching what I have prepared in case you may find it useful for your circuit. If there are glitches... please let me know.

Burton

Julian Letton

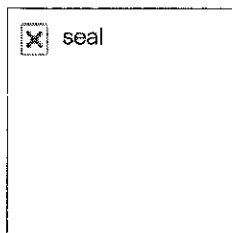
From: Rose M Blaha [BlahaR@Stlucieclerk.com]
Sent: Friday, July 02, 2010 5:13 PM
To: 'P.J. Stockdale'
Cc: Thomas Genung; Joseph Smith; Carin Smith; Robin Burk
Subject: Foreclosure and Economic Recovery Initiative Initial Case Data List
Attachments: OSCA Data Collection Foreclosure_final_II.txt

Good Afternoon Mr. Stockdale,

Attached is the initial case data list as requested for St. Lucie County, 19th Judicial Circuit. The list includes all pending mortgage foreclosure cases as of June 30, 2010. If you have any questions or need further information, please contact me.

Have a great 4th of July!

Rose



ROSE BLAHA, COURT OPERATIONS DIRECTOR
CLERK FINANCE
JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
ST. LUCIE COUNTY, FLORIDA
PHONE: 772-462-1977
FAX: 772-462-6889
WWW.STLUCIECLERK.COM

Please Note: Florida has very broad public records laws. Most written communications to or from County officials regarding County business are public records available to the public and media upon request. It is the policy of St. Lucie County that all County records shall be open for personal inspection, examination and / or copying. Your e-mail communications will be subject to public disclosure unless an exemption applies to the communication. If you received this email in error, please notify the sender by reply e-mail and delete all materials from all computers.

Julian Letton

From: Heather Thuotte-Pierson [piersonh@flcourts.org]

Sent: Tuesday, May 11, 2010 1:01 PM

To: Trial Court Administrators

Subject: Foreclosure and Economic Recovery Program

Just as a reminder, when you are calculating how much of your funds you plan to allocate to the OPS category, you will need to factor in the 7.65% for FICA.

Thanks,
Heather

Heather Thuotte-Pierson
Office of the State Courts Administrator
Court Statistics Consultant
(850) 410-3376
piersonh@flcourts.org

Julian Letton

From: Heather Thuotte-Pierson [piersonh@flcourts.org]
Sent: Friday, May 07, 2010 1:17 PM
To: Trial Court Administrators
Subject: Foreclosure and Economic Recovery Program Allocations
Attachments: Supplemental Foreclosure Economic Proposal.pdf
TCAs-

Your original allocation amount and distribution of resources is attached for additional information.

Thanks,
Heather

From: Heather Thuotte-Pierson
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
piersonh@flcourts.org

Julian Letton

From: Kristine Slayden [slaydenk@flcourts.org]
Sent: Friday, May 21, 2010 2:42 PM
To: Trial Court Chief Judges; Trial Court Administrators
Cc: Trial Court Budget Commission; Lisa Goodner; Charlotte Jerrett; Dorothy Wilson; Gary Phillips; Theresa Westerfield; Heather Thuotte-Pierson; Kristine Slayden; Sharon Bosley; Sharon Buckingham
Subject: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11
Attachments: ForeclosureandEconomicRecovery_FundingPlans_Updated05212010.pdf; Foreclosure and Economic Recovery Responses from Circuits_May 2010_v2.pdf; 62% Estimated RPFM Backlog.pdf

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

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

Issue 1: FY 2010/11 Funding Allocations Approved

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

Issue 2: Types of Cases and Disposition Goals Approved

- 1) Approved real property/mortgage foreclosure cases as the focus of this initiative. If a circuit has cleared all real property/mortgage foreclosure cases from backlog, the circuit may request in writing to the TCBC Chair, with a copy to the TCBC Budget Management Committee Chair, and to the State Courts Administrator, 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 burked@flcourts.org by COB, Tuesday, May 25, 2010. If no changes are needed, please indicate that in an email to Dorothy. In addition, if any changes in your allocations require a revision to the in courtroom resources, please provide that information

also.

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

<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
Monroe, Palm Beach	Court Program Specialist I	\$15.40 hourly w/ CAD – Broward, Dade,
Admin. Support:	Senior Secretary	\$11.89 hourly
Pinellas	Senior Secretary	\$12.10 hourly w/ CAD – Hillsborough and
	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)

Julian Letton

From: Heather Thuotte-Pierson [pieronh@flcourts.org]
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
Attachments: Foreclosure and Economic Recovery Program.pdf;
 ForeclosureandEconomicRecovery_Distribution.xls

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
piersonh@flcourts.org

Julian Letton

From: Marilyn Garcia
Sent: Thursday, October 14, 2010 5:53 PM
To: fercts@frcourts.org
Cc: Steve Shaw
Subject: Foreclosure and Economic Recovery Report - 2010/08
Attachments: 19_43Martin_FERCTS.xls; 19_56StLucie_FERCTS.xls; 19_31IndianRiver_FERCTS.xls

Julian Letton

From: Kristine Slayden [slaydenk@flcourts.org]
Sent: Monday, November 01, 2010 2:49 PM
To: Trial Court Chief Judges; Trial Court Administrators
Cc: Lisa Goodner; Blan Teagle; Laura Rush; Charlotte Jerrett; Dorothy Wilson; Arlene Johnson; P.J. Stockdale; Greg Youchock
Subject: Foreclosure and Economic Recovery Status Report - First Quarter of Fiscal Year 2010-11
Attachments: First Quarter of FY 2010-11 Status Report_v2.pdf

Chief Judges/Trial Court Administrators: Attached is the Foreclosure and Economic Recovery Status Report – First Quarter of Fiscal Year 2010-11. 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)

Julian Letton

From: Steve Shaw
Sent: Tuesday, September 14, 2010 1:57 PM
To: FERCTS@flcourts.org
Cc: Thomas Genung; Steve Shaw
Subject: Foreclosure and Economic Recovery Report - 2010/09
Attachments: 19_31IndianRiver_FERCTS.xls; 19_56StLucie_FERCTS.xls; 19_43Martin_FERCTS.xls

To whom it may concern,

Please see the attached spreadsheet. For any questions, please contact me by e-mail or cell phone at 772-528-2158.

Thank you.

Steve

Stephen L. Shaw, Court Technology Officer
State of Florida Court System
Nineteenth Judicial Circuit Court
Court Administration - Suite 217
250 NW Country Club Dr.
Port Saint Lucie, FL 34986

772-807-4395 Office
772-518-2158 Cell
772-807-4377 Fax
shaws@circuit19.org

Julian Letton

From: Thomas Genung
Sent: Thursday, May 20, 2010 1:53 PM
To: Steve Levin; Burton Conner; Paul Kanarek; Elizabeth Metzger; William Roby; Marc Traum
Subject: Foreclosure economic recovery

The TCBC voted to limit the use of these resources to the backlog of foreclosure cases. In doing so I sought clarification about our plan to use these resources to cover all of our foreclosure cases, which was said to be exactly what was contemplated. The vote was also to address 62 percent of the backlogged cases, which for us is about 13,000 cases.

Sent from my iPhone

Julian Letton

From: Burton Conner
Sent: Sunday, August 01, 2010 1:58 PM
To: trent@trentsteele.com
Subject: Foreclosure Bench Book
Attachments: Foreclosure Bench Book.doc

Trent,
Attached is the benchbook by Judge Bailey. Hope this helps. It is formatted in one of the most recent versions of Word. If you have problems opening it, let me know.

Burton

Julian Letton

From: Burton Conner
Sent: Friday, June 25, 2010 8:45 AM
To: Thomas Genung
Cc: Corrie Johnson; Lynn Atkinson
Subject: Foreclosure Bench Book
Attachments: Foreclosure Bench Book.doc

Tom,

Attached is the Foreclosure Bench Book. Are you intending to put together a training notebook for the case managers, or do you want me to do that?

Corrie,

I am putting together a notebook for the training on the MAO. I will include the benchbook materials. I will have Lynn let you know when she puts it in the interoffice mail.

Thanks,
Burton

Julian Letton

From: Thomas Genung
Sent: Tuesday, June 01, 2010 4:31 PM
To: Barton, Jeffrey (jeffreykbarton@yahoo.com); Joseph Smith; Marsha Ewing
Cc: Jeff Smith; Carin Smith; Steve Levin; Kay Desoiza
Subject: Foreclosure Funding Meeting
Importance: High
Attachments: LtrToChiefCircuitJudge12019.pdf

Jeff, Joe and Marsha,

Please see the email below from John Dew, and the attached letter. Judge Levin and I would like to meet with you on Thursday, June 3rd at around 4:30 PM at the Ft. Pierce Courthouse to discuss how the court intends to utilize its resources, and how you all may be utilizing the resources being apportioned to the clerks of this circuit. As you can see in the attached letter, our deadline to respond to John is short.

If you are unable to attend personally, kindly send a designee.

Thank you for your consideration.

Thomas A. Genung, Esq.
Trial Court Administrator
19th Judicial Circuit
250 Country Club Dr., Ste. 217
Port St. Lucie, FL 34986
Phone: 772-807-4370
Fax: 772-807-4377
Email: genungt@circuit19.org

From: John Dew [mailto:JohnDew@flccoc.org]
Sent: Friday, May 28, 2010 5:27 PM
To: Steve Levin; Kay Desoiza; Thomas Genung
Cc: Kristine Slayden
Subject: Foreclosures

Good Afternoon Judge Levin.

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

Julian Letton

From: Larry Schack
Sent: Wednesday, May 19, 2010 12:27 PM
To: Burton Conner
Cc: Kay Desoiza; Georgianna Shepke; Adriana James; Janet Cason; Lynn Atkinson; Paul Kanarek; Steve Levin; Thomas Genung; Elizabeth Metzger
Subject: Foreclosure Program Allocations

I don't think the meeting is necessary if the details can be worked out by Judge Levin and Tom Genung. I suggest in the interim that something like the following be put on the web page to minimize the calls to the JAs:

Effective July 1, 2010, due to funding made available to the 19th Circuit, [residential??] foreclosures in St. Lucie, Martin and Indian River Counties will be handled by senior judges. Hearings already scheduled will remain as set unless you are notified to the contrary. Further information will be posted on this page as soon as available. Please do not call the judges' offices regarding the scheduling of foreclosure hearings for July 1st and thereafter. The Chief Judge and Court Administrator are working out the details of how the new resources are going to be applied to the foreclosure dockets, and as soon as those plans are finalized, additional information will be posted.

A posting similar to this regarding St. Lucie is currently listed on my procedures page.

Larry Schack

From: Burton Conner
Sent: Wednesday, May 19, 2010 11:55 AM
To: Paul Kanarek; Steve Levin; Thomas Genung; Larry Schack; Elizabeth Metzger
Cc: Kay Desoiza; Georgianna Shepke; Adriana James; Janet Cason; Lynn Atkinson
Subject: RE: Foreclosure and Economic Recovery Program Allocations

Fellow Civil Judges:

Unfortunately, I am on vacation from May 26 to June 7. If the consensus is that we should have a meeting of the civil judges to discuss shifting foreclosures to a senior judge, I will set it up. Depending on how others feel, an hour telephone meeting during lunch time may not work. Perhaps a meeting at 5:15 would be better...let's see what the consensus is. We also need to decide if we want the JA's participating in the meeting.

I need clarification from Steve and Tom as to whether the senior judges will do all foreclosures or just residential foreclosures.

My understanding is that the case managers and clerical staff will not begin work before July 1. Obviously, they will need some quick training on job

responsibilities and it will take a few days for them to become familiar with the dockets and docket management.

Tom and his staff need to look at what is currently scheduled for July, and plot the dates in July for where the senior judge will be. If something is scheduled and the senior judge will not be there to handle it, the parties will have to be notified that the hearing is canceled and must be rescheduled (and they should call back after July 12, I would suggest, to get a new hearing date).

It will be best for the senior judge schedule for July, Aug and Sept to be posted to the circuit website and procedures posted regarding matters having to be rescheduled.

I know my JA is already getting calls about the transition because the word is out that change is coming (all the circuits are beginning to see this, since this is a state-wide phenomenon). I have told Lynn to advise the attorneys that the Chief Judge and Court Administrator are working out the details of how the new resources are going to be applied to the foreclosure dockets, and as soon as those plans are finalized, something will be posted to the website. I would suggest the other JA's take the same approach.

Similar to the situation already existing in SLC (I do the emergency hearings to stop foreclosure sales and postpone writs of possession since the foreclosure judge is here just a few days each month), I think the same thing will have to happen in Martin and Indian River County (that is, the civil judge will have to do the emergency hearings to stop sales and postpone writs of possession...and only those hearings).

So fellow judges, do we need a meeting or not? If so, lunch time or 5:15? Do we want the JA's to attend?

Thanks for your input,
Burton

Julian Letton

From: Steve Shaw
Sent: Wednesday, July 28, 2010 12:15 PM
To: Tanya Green
Subject: FW: Cir19: Foreclosure and Economic Recovery Case Tracking System
Attachments: 19_56StLucie_FERCTS.xls; FERCTS_Installation_Guide.pdf; FERCTS_Users_Guide.pdf
 Hi Tanya,

The attachments are what I was speaking with you about yesterday. The User Guide will explain how the application populates the spreadsheet, but if it is possible, I would like to see if I can get periodic updates from your database that we can insert into the spreadsheet instead of having to manually enter new cases or updates. The spreadsheet attached gives a good example of the data structure. Also, I understand from the User Guide, the current spreadsheet information includes all non-disposed, re-opened, and pending cases as of close of business June 30, 2010. How can we get more recent updates?

Thank you for letting me know what is possible.

Steve

From: Thomas Genung
Sent: Tuesday, July 20, 2010 10:55 AM
To: Steve Shaw
Subject: FW: Cir19: Foreclosure and Economic Recovery Case Tracking System

From: P.J. Stockdale [mailto:stockdap@flcourts.org]
Sent: Tuesday, July 20, 2010 10:43 AM
To: Thomas Genung
Subject: Cir19: Foreclosure and Economic Recovery Case Tracking System

Tom,

Please find attached the Foreclosure and Economic Recovery Case Tracking System (FERCTS) workbook for each county in your circuit. These workbooks have been pre-loaded with all non-disposed, reopened and pending cases as of June 30, 2010 as provided by the Clerks of Court for that county. We apologize for the delay in completing these workbooks for you. Since the Foreclosure Initiative began July 1, 2010, please update these workbooks to include all initiative activity beginning on July 1, 2010. Please email a copy of these workbooks to the OSCA on the 10th of each month. **Since we are late getting this to you and there is probably a lot of work being done initially, we are going to skip the first reporting cycle and ask that you provide your first submission on September 10, 2010.** Please see the attached FERCTS Users Guide for more information.

Since this tracking application is based upon VBA macros, there are a few steps that need to be taken to get it installed and running. I've attached a set of installations instructions to this email. However, each circuit has established different security procedures that could affect installation. You may want to have one of your IT people set the application up to ensure it works properly.

Please have your IT folks give me a call, if needed, and I'll go through it with them. **Please note that if you only see a spreadsheet and not a data entry screen, the application may not have installed properly.**

Please do not hesitate to contact Court Services, Kris Slayden (slaydenk@flcourts.org), or PJ Stockdale (stockdap@flcourts.org) if you have any questions or if we can be of any assistance.

Thanks
PJ

PJ Stockdale
Senior Court Statistics Consultant
OSCA - Court Services
Supreme Court Building Annex
500 S Duval St
Tallahassee FL 32301-1900
(ph) 850.410.1523
(fax) 850.414.1342

From: Holly Elomina
Sent: Monday, December 13, 2010 3:10 PM
To: Gerald Land
Subject: FW: Foreclosure and Economic Recovery-July and August/2010
Attachments: 16_44Monroe_FERCTS.xls

1 of 4

Holly Elomina
Trial Court Administrator
(305) 295-3644

From: Holly Elomina
Sent: Friday, September 10, 2010 1:06 PM
To: 'FERCTS@flcourts.org'
Subject: Foreclosure and Economic Recovery-July and August/2010

Please find attached workbook for the 16th Judicial Circuit for July and August, 2010. If you have any questions, please do not hesitate to contact me.

Holly Elomina
Trial Court Administrator
16th Judicial Circuit
302 Fleming Street
Key West, FL 33040
(305) 295-3644
(305) 292-3435 Fax

16TH CIR 01195

From: holly.elomina@keyscourts.net
Sent: Monday, December 13, 2010 3:11 PM
To: Gerald Land
Subject: FW: ECONRECOV: FERCTS workbook submisison for October 10, 2010
Attachments: 16_44Monroe_FERCTS.xls

2 of 4

Holly Elomina
Trial Court Administrator
(305) 295-3644

From: holly.elomina@keyscourts.net [mailto:holly.elomina@keyscourts.net]
Sent: Wednesday, October 13, 2010 10:11 AM
To: 'P.J. Stockdale'
Subject: RE: ECONRECOV: FERCTS workbook submisison for October 10, 2010

PJ,

I have been in and out of the office for three days as my husband had surgery yesterday. Please find the attached workbook through September 30, 2010.

Holly Elomina
Trial Court Administrator
(305) 295-3644

From: P.J. Stockdale [mailto:stockdap@flcourts.org]
Sent: Wednesday, October 13, 2010 10:08 AM
To: Holly Elomina
Subject: ECONRECOV: FERCTS workbook submisison for October 10, 2010

Holly,

This is a follow up on the October submission of the Foreclosure and Economic Recovery Case Tracking System workbooks for your circuit. As of today, we have not received these workbooks for October 2010.

Not to put too fine a point on it but, because of the widespread attention this project is getting in the press, we will need to release the info from these workbooks this month. I would like to encourage you to submit these workbooks as soon as possible. It takes several days to process the data for a circuit and we would like to have the opportunity to produce the status charts and

16TH CIR 01196

send them back to you and your chief judge for review before we release them. However, if time runs out, I'm afraid that we will have to release the numbers regardless.

If there is anything Court Services can do to help, please give us a call.

PJ

PJ Stockdale
Senior Court Statistics Consultant
OSCA - Court Services
Supreme Court Building Annex
500 S Duval St
Tallahassee FL 32301-1900
(ph) 850.410.1523
(fax) 850.414.1342

16TH CIR 01197

From: Holly Elomina
Sent: Monday, December 13, 2010 3:12 PM
To: Gerald Land
Subject: FW: Foreclosure and Economic Recovery Report-October, 2010
Attachments: 16_44Monroe_FERCTS.xls

3 of 4

Holly Elomina
Trial Court Administrator
(305) 295-3644

From: Holly Elomina
Sent: Tuesday, November 02, 2010 4:20 PM
To: 'FERCTS@flcourts.org'
Subject: Foreclosure and Economic Recovery Report-October, 2010

Please see attached workbook for the 16th Judicial Circuit updated as of October 31, 2010. If you need any additional information, please do not hesitate to contact me.

Holly Elomina
Trial Court Administrator
16th Judicial Circuit
302 Fleming Street
Key West, FL 33040
(305) 295-3644
(305) 292-3435 Fax

From: Holly Elomina
Sent: Monday, December 13, 2010 3:12 PM
To: Gerald Land
Subject: FW: Foreclosure and Economic Recovery Report--November 2010
Attachments: 16_44Monroe_FERCTS.xls

4 of 4

Holly Elomina
Trial Court Administrator
(305) 295-3644

From: Holly Elomina
Sent: Friday, December 10, 2010 1:59 PM
To: 'FERCTS@flcourts.org'
Subject: Foreclosure and Economic Recovery Report--November 2010

Good afternoon,

Please find attached workbook for the 16th Judicial Circuit through November 30, 2010. If you need any additional information, please do not hesitate to contact me.

Holly Elomina
Trial Court Administrator
16th Judicial Circuit
302 Fleming Street
Key West, FL 33040
(305) 295-3644
(305) 292-3435 Fax