

# Article V Overview

**June 4, 2009**

# Background

- **Article V, Revision 7 re-defined the responsibilities of both the state and counties for funding of the state court system**
  - ▣ **County responsibilities include funding of court technology, local options, and facilities and security**
  - ▣ **Selected court fees are designated as revenues in support of County obligations**
- **Total impact of all justice related agencies to the General Fund is (\$32.5M) in FY09**

# Background

- **Per Florida Statute 29.008, the County is required to increase total expenditures for all defined court-related functions by 1.5% each year. The base year in determining such expenditures is FY05.**
- **If expenditures do not increase per statute, the State may decrease the County's revenue sharing distribution to account for the shortfall.**

# Background

- **The Article V Committee comprised of County staff meets regularly to provide oversight and review of issues related to the legislative mandates. The committee includes representatives from the offices of the County Administrator, County Attorney, Justice & Consumer Services, and Management & Budget.**

# FY09 Revenues

<b>\$2 Recording Fee (Technology)</b>	<b>.9 million</b>
<b>\$65 Criminal Traffic Fee (Local Ops)</b>	<b>1.3 million</b>
<b>\$ 3 Delinquency Fee (Teen Court)</b>	<b>.5 million</b>
<b>\$15 Facilities Fee</b>	<b>\$1.6 million</b>
<b>Grants</b>	<b>.9 million</b>
<b><u>Other Revenue</u></b>	<b><u>1.2 million</u></b>
<b><i>FY09 Total Revenues</i></b>	<b>\$6.4 million</b>

# FY09 Expenditures \*

<b>Court Security</b>	<b>\$12.5 million</b>
<b>Court Facilities</b>	<b>5.5 million</b>
<b>Other Justice Related Costs</b>	<b>1.6 million</b>
<b>CJIS</b>	<b>8.2 million</b>
<b>Radio Systems</b>	<b>.6 million</b>
<b>Communications / Technology</b>	<b>2.1 million</b>
<b>- Unfunded Juvenile Detention (not part of Article V)</b>	<b>6.0 million</b>
<b><i>Subtotal</i></b>	<b><i>36.5 million</i></b>
 <b><u>ADDITIONAL LOCAL OPTIONS</u></b>	
<b>Drug Court</b>	<b>1.2 million</b>
<b>Teen Court / Juvenile Alternatives</b>	<b>.5 million</b>
<b>Legal Aid</b>	<b>.4 million</b>
<b>Law Library</b>	<b>.3 million</b>
<b><i>FY09 Total Expenditures</i></b>	<b><i>\$38.9 million</i></b>

\* Reference Florida Statute 29.008 for definitions of each expenditure category.

# FY09 Revenue vs Expenditure Summary

<b>Total Revenues</b>	<b>\$6.4 million</b>
<b>Total Expenditures</b>	<b>38.9 million</b>

***FY09 Total Projected Impact***  
**(\$32.5 million)**

# \$2 Recording Fee

- **Revenues dedicated to Court Technology for:**
  - ▣ **Judiciary**
  - ▣ **Public Defender**
  - ▣ **State Attorney**
  - ▣ **Consolidated Criminal Justice Information System (CJIS)**
- **\$2 recording fee revenue has decreased dramatically due primarily to real estate market.**
- **Prior to FY08, revenues fully supported all agencies (excluding CJIS).**



# \$2 Recording Fee

- **For FY09 and FY10, General Fund tax support totaling \$2.6M will be necessary to meet technology requests from all agencies (excluding CJIS).**

# \$2 Recording Fee

	<b>FY08 Act.</b>	<b>FY09 Proj.</b>	<b>FY10 Req.</b>
<b>Revenue</b>	<b>1,481,621</b>	<b>904,840</b>	<b>730,660</b>
<b>Expenditures</b>			
--Judiciary	<b>1,374,258</b>	<b>1,345,090</b>	<b>1,330,150</b>
--Public Defender	<b>392,402</b>	<b>430,770</b>	<b>429,680</b>
--State Attorney	<b>235,552</b>	<b>328,460</b>	<b>326,870</b>
<b><i>Total Expenditures</i></b>	<b><i>2,002,212</i></b>	<b><i>2,104,320</i></b>	<b><i>2,086,700</i></b>
<b>Difference</b>	<b>(520,591)</b>	<b>(1,199,480)</b>	<b>(1,356,040)</b>
<b>CJIS</b>	<b>8,359,550</b>	<b>8,208,390</b>	<b>6,342,100</b>

# \$65 Criminal Traffic Fee

- **Revenues support four specific programs:**
  - ▣ **Juvenile Alternatives (25% of revenue)**
  - ▣ **Legal Aid (25%)**
  - ▣ **Court Innovations (25%)**
  - ▣ **Law Library (25%)**
- **The revenues from this fee have declined slightly since 2006.**
- **Revenues that are not expended lapse to “carryover” and can be used in future years to support court innovations.**

# \$65 Criminal Traffic Fee

- In FY10, approximately \$332,700 in carryover funding from prior years will support Court Innovations. Another \$310,970 in FY09 revenues (primarily from Juvenile Alternatives) will lapse into carryover available in FY10.
- There is no General Fund tax support for Court Innovations because of this carryover. The FY09 carryover totaled \$623,875.
- The net change to carryover will be approximately (\$21,730) for FY10.

# \$65 Criminal Traffic Fee

- **Juvenile Alternatives**

- ▣ A \$3 fee on delinquency cases dedicated to support Teen Court was instituted in FY08. Assessing this fee precludes the use of the \$65 Criminal Traffic Fee to support Teen Court. As a result, the 25% dedicated to Juvenile Alternatives is currently unassigned and will lapse into carryover.
- ▣ Of the \$310,970 expected to lapse in FY10, approximately \$308,250 is designated for Juvenile Alternatives. The remaining \$2,720 is from the Law Library.

# \$65 Criminal Traffic Fee

	<b>FY08 Act.</b>	<b>FY09 Proj.</b>	<b>FY10 Req.</b>
<b>Revenue</b>	<b>1,326,190</b>	<b>1,274,910</b>	<b>1,233,000</b>
<b>Expenditures</b>			
--Legal Aid (JCS)	<b>346,980</b>	<b>356,000</b>	<b>356,000</b>
--Juvenile Alts.*	<b>0</b>	<b>0</b>	<b>0</b>
--Court Innovations	<b>285,220</b>	<b>287,790</b>	<b>266,900</b>
--Law Library	<b>318,260</b>	<b>302,440</b>	<b>305,530</b>
<b><i>Total Expenditures</i></b>	<b><i>950,460</i></b>	<b><i>946,230</i></b>	<b><i>925,230</i></b>
<b>Difference</b>	<b>375,730</b>	<b>328,680</b>	<b>310,970</b>

\* Revenue unassigned to specific expenditure (see slide 13).

# \$15 Facilities Fee

- **A \$15 facilities surcharge on certain court cases supports facilities and security for the courthouses.**
- **The revenues from this fee have declined slightly since 2006.**
- **Recent legislation will allow the County to double this fee and double the revenues.**
- **In FY09, the County anticipates spending \$18.0M for facilities. Of this amount, \$5.5M represents maintenance costs and \$12.5M represents security costs.**

# \$15 Facilities Fee

	<b>FY08 Act.</b>	<b>FY09 Proj.</b>	<b>FY10 Req.</b>
<b>Revenue</b>	<b>2,061,710</b>	<b>1,663,330</b>	<b>3,131,460 *</b>
<b>Expenditures</b>			
--Security	14,583,820	12,500,150	11,036,000
--Facilities	5,489,960	5,500,000	5,500,000
<b><i>Total Expenditures</i></b>	<b>20,073,780</b>	<b>18,000,150</b>	<b>16,536,000</b>
<b>Difference</b>	<b>(18,012,070)</b>	<b>(16,336,820)</b>	<b>(13,404,540)</b>

\* Assumes increase of facility fee to \$30 as allowable per recent legislation.  
Increase may be enacted by adoption of ordinance by BCC.