REPORT ON THE CRITICAL ANALYSIS IN PLANNING AND PROGRAM DEVELOPMENT STUDY

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Criminal Courts Technical Assistance Project
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Washington, D.C.

REPORT ON TECHNICAL ASSISTANCE IN PLANNING A STATE-WIDE COURT PERSONNEL STUDY FOR THE STATE OF FLORIDA

January, 1974

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w Enforcement Assistance Administration Contract Number: J-LEAA-043-72

This report was prepared in conjunction with the Institute's Criminal Courts Technical Assistance Project, under a contract with the Law Enforcement Assistance Administration of the U.S. Department of Justice.

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I. INTRODUCTION

In 1972, the citizens of Florida adopted a new judicial article to the state constitution. This new article reorganized the Florida court system, primarily by consolidating several trial courts of limited jurisdiction into a single court of limited jurisdiction - the county court - and by vesting greater administrative authority and responsibility in the chief justice and the chief judges of the several judicial circuits.

Since that time, both the judicial branch and the state legislature have been in the process of implementing the new judicial article, making studies as required to accomplish this task. Although considerable progress has been made in implementation, several areas of major concern still remain. One is the determination of how fiscal responsibility should be allocated for the judicial system, which, except for the appellate courts, is financed primarily at the local level at the present time. Yet to be determined are the extent to which the system should be state funded and the timetable to be followed in increasing state fiscal responsibility.

Court personnel (non judicial) constitute a very important aspect of the state funding question, because personnel account for approximately 60 percent of the cost of judicial system operations. Because of its importance, the Florida legislature appointed a joint select committee on judicial personnel to make a thorough study of the subject and to make recommendations concerning administration, classification of employees, funding, etc. to the legislature as a whole.

A Florida grant of $200,000 to undertake the study was awarded by the Bureau of Criminal Justice Planning and Assistance (SPA) on December 18, 1973, and a staff director was appointed by the committee. The staff director, Ms. Susan A. Knudson, with the

approval of the select committee, requested the technical assistance of the Law Enforcement Assistance Administration in planning the study and defining its scope.

Specifically, the consultation objectives included:

1) assistance in determining study content, priorities, and scope;
2) review of, the advice on, the proposed study work plan and schedule
3) assistance in determining staff needs in conducting the study
4) assistance in defining the use and role of outside consultants in the course of the study (as differentiated from the LEAA Technical Assistance Team); and
5) provision of background information on judicial personnel systems and their relationship to other public personnel systems, including identification of problems and situations peculiar to the judiciary and of major policy questions relating to the administration and operation of judicial personnel systems.

This request was forwarded through LEAA channels to the American University Criminal Courts Technical Assistance Project, which secured the services of a team of judicial consultants with specific expertise and experience in the requested areas of assistance. This consulting team consisted of Harry O. Lawson, Colorado State Court Administrator; Bert M. Montague, Administrative Director of the North Carolina courts; Gordon W. Allison, Court Administrator, Maricopa County Superior Court, Phoenix, Arizona; and Robert C. Cassidy, Personnel and Management Officer, Colorado Judicial System. The report and recommendations which follow reflect a field visit to Tallahassee, Florida on December 18 and 19, 1973, and their consultation with the Florida Joint Select Committee on Judicial Personnel, and with Ms. Susan A. Knudson, staff director.

II. ANALYSIS OF EXISTING SITUATION

A. Court Personnel

There are some 4,000 trial court employees (exclusive of judges) in the Florida judicial system. Only 265 of these positions have been authorized by the legislature for funding at the state level, the rest are locally funded. The circuit judges, in consultation with the State Courts Administrator, determined how these 265 positions were to be allocated, including secretaries for 82 of the 162 judges, 16 of the 17 judicial circuit administrators,[1] deputy clerks, and deputy administrators.

No judicial personnel system as such, exists, either at the state level for these 265 positions, plus the employees of the appellate courts and the State Courts Administrator's office; or at the county or circuit level for those positions still locally funded. At the state level, salary determinations for the 265 positions were made by the Conference of Circuit Judges, in conjunction with the State Courts Administrator, but these salary scales had to be approved by the Division of Personnel within the Department of Administration - an executive branch agency. The Division of Personnel must also approve salary scales and increases for appellate court employees.

A further complication in establishing a uniform personnel system is that circuit court clerks are elected and perform several other tasks in addition to their court responsibilities. These tasks include the recording of deeds, handling of voter registration, etc. The employees of the clerk are hired by him and are directly responsible to him. The clerk determines salary schedules and related benefits to the extent that the county personnel system (if any) permits and with the agreement of the county governing board.

1. Three circuits do not yet have circuit administrators

Unlike many other states, court reporters are not presently regular employees of the courts. Rather, they are considered and paid as independent contractors. There are 96 reporters in the system, who receive an annual retainer of $5,400. Because they are independent contractors, these reporters are not required to be in court at all times, nor are they required to put court business ahead of other contract reporting work, although they usually hire and pay their own deputies when other business causes them to be elsewhere. There is a shortage of reporters in the court system, because the $5,400 retainer is insufficient to attract enough reporters away from other work, even when court transcript fees are added. Further, there are no state standards or requirement for reporters, so the quality varies considerably. The shortage of reporters and the absence of standards have contributed to transcript delay. Remedial legislation, dealing with these problems, will be presented to the upcoming session of the legislature.

Court bailiffs are employed by the county sheriffs, representing a further fragmentation in the hiring and supervision of judicial system personnel. Legislation is also anticipated in the upcoming session concerning pay rates for bailiffs.

B. State's Attorneys and Public Defenders

While the state's Attorneys and Public Defenders are locally elected officials, they and their staffs are state funded; some 1,600 people fall in this category. Again, there is no separate personnel system, and the salary scales for employees of both states attorneys and public defenders are set with the approval of the Personnel Division of the Department of Administration. While these officials are considered, in most jurisdictions, to be part of the executive branch, the State Courts Administrator's office handles the payroll for both offices. Consequently, the legislature tends to consider the states attorneys and the public defenders to be part of the judicial branch.

C. Preliminary Survey

During the summer of 1973, the State Court Administrator's office made a preliminary field survey of court personnel to collect information on the number and categories of employees, variations in salary scales and fringe benefits, and related matters. This survey was made as a preface to the full-scale survey which is presently being undertaken by the Legislative Joint Select Committee on Judicial Personnel.

There are several matters requiring immediate consideration in getting the personnel study underway:

1) Study Content, Scope and Priorities.

   a) What groups of employees should be included in the study? For example, should the employees of the clerks' offices be included, even though clerks are independently elected officials? What about bailiffs who are employed by sheriffs? What about the staffs of the states attorneys and public defenders? Should the study also include the employees of the appellate courts and the State Courts Administrator's office?

   b) Should the study be limited exclusively to personnel or should it also include such matters as court facilities and determination of who should have the responsibility for providing them - the state, the counties, or a combination of the two?

   c) Should a primary objective of the study be the development of a comprehensive, separate personnel system for court employees, or should it be limited to a description of present personnel, their duties and functions, salary scales, fringe benefits, etc.?

d) Once the content and scope are determined, what priorities should be assigned in making the study?

2) Study Methodology and Schedule

a) What kind of data should be collected and how?

b) Should every position be surveyed or only a sample? If the latter, how should it be selected?

c) What kind of a work schedule should be adopted to complete the study within the time and the funds available?

3) Staff Needs.

a) What size staff is required to make the study after scope, content, priorities, and methodology are determined?

b) What should be the assignments and functions of specific staff members?

c) To what extent should the committee be involved in the day-to-day conduct of the study. In other words, how should the role of the committee be defined with respect to staff?

4) Use of Consultants

Is there a proper role for consultants in making this study, and if so, what should that role be and how should it relate to the responsibilities of in house staff?

5) Piece-Meal Legislation

How should the committee and the legislature as a whole handle legislation in the upcoming session which deals with a portion of the court personnel problem, such as court reporters and bailiffs?

6) Involvement of Interested Groups

a) What is the best vehicle for involving interested groups in this study and what groups should be included?

b) What should the extent of this involvement be? Should it be limited to a strictly advisory role? At what points in the study should these groups be consulted?

III. RECOMMENDATIONS

The recommendations submitted below are an outgrowth of discussions between the consultants and the Joint select Committee on Judicial Personnel and with Ms. Susan A. Knudson, staff director for the committee.

A. Study Content, Scope, and Priorities

1) Personnel to be Covered.

All trial court personnel should be included within the scope of the study, including those who are employed by the elected clerks of court and the bailiffs, who are employed by the sheriffs. Appellate court personnel and the employees of the State Courts Administrator should also be covered.

There are several reasons why all judicial system employees should be included in the study:

a) The study must be all-inclusive, if the select committee, the legislature, and the judicial branch are to have a thorough understanding of the types of personnel, personnel problems, and the costs involved in funding present personnel arrangements or in establishing a new, separate judicial personnel system.

b) If a separate system is to be established (as is recommended below as a study objective), then all positions should be surveyed to develop a meaningful classification plan.

c) Meaningful decisions regarding possible changes in status for clerks' office personnel and bailiffs, such as whether to include them in a judicial personnel system and what special provisions should apply, cannot be made if these employees are not included in the study.

d) Appellate and trial court employees, as well as central and local administrative staffs, ought to be part of the same system.

While the states attorneys, public defenders, and their staffs are considered part of the executive branch in many jurisdictions, apparently, in Florida, they are considered quasi-judicial, as evidenced by the fact that the State Courts Administrator handles their payrolls and makes other fiscal disbursements. Since they are so considered, it is logical that they also be included within the scope of the study. Even if these employees are not ultimately included in the same personnel system as court employees (a decision which can be made at the conclusion of the study), they will continue to be state funded. Consequently, proper classification of these employees is a legitimate state concern, as is the relationship of their classifications and pay scales to those of court employees, whether or not in the same personnel system.

2) Study Content.

With respect to personnel, the study should cover the following:

a) number of employees in various categories, their present salary schedules and fringe benefits, such as health insurance, retirement, and paid holidays;
b) job content of each position (duties and responsibilities);
c) qualifications required (education, experience, special skills);
d) hours of work and working condition; and
e) relationship among positions and categories of positions.

At least some understanding of work flow, lines of authority, and administrative organization is necessary to provide a meaningful context for the personnel study. For this reason, these matters should be described and analyzed during the field study to the extent permitted by time and staff constraints.

Judicial and employee attitudes and opinions should be surveyed (again to the extent possible) concerning court administrative and clerical operations, present salaries and fringe benefits, desirability of a new, separate judicial personnel plan, and related matters. Some of this information will be collected in the course of the desk audits (see below), but special questionnaires may be needed and time allotted for field staff interviews on these subjects.

Committee members indicated an interest in surveying court facilities and in determining their adequacy, as well as trying to establish both short-range and long-range needs. Obviously, there is a close relationship between personnel and facilities. Work environment has a pronounced effect on morale and efficiency. The availability and arrangement of space bear both on the number of employees needed and on the number that can be accommodated. Nevertheless, it is recommended that any examination of facilities and facility needs made in the course of this study be extremely limited. Time and staff limits preclude much attention being focused in this area, or other facets of the study will suffer. Further, it takes special skills, expertise, and experience to conduct a meaningful court facilities study. These are skills, expertise, and experience unlikely to be found in the management and personnel specialists needed to staff this study.

If a limited court facilities survey is desired, it is recommended that the committee and its staff adapt a questionnaire used by the Colorado Judicial Department a few years ago.[2] This questionnaire, which would be filled out by the appropriate official (s) in each county, should provide sufficient initial information on facilities for the committee to determine whether this subject shouls be pursued further, and, if so, in whay way and by whom.

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2. Attached as Appendix A.

3) Development of a Judicial System Personnel Plan

It is strongly recommended that a major objective of the study should be the development of a separate judicial system personnel plan. Insofar as possible, the plan should incorporate the features outlined in Section 37-11-7, Colorado Revised Statutes, 1963, as amended, as follows:

> 37-11-7. Personnel-duties-qualifications-compensation-conditions of employment-(1) Prior to January 1, 1970, the supreme court, pursuant to section 5 (3) of article VI, as amended, of the state constitution, shall prescribe by rule a personnel classification plan for all courts of record to be funded by the state, as provided in section 37-11-6.
>
> (2) (a) Such personnel classification and compensation plan shall include:
>
> (b) A basic compensation plan of pay ranges to which classes of positions shall be assigned and may be reassigned;
>
> (c) The qualifications for each position or class of positions, including education, experience, special skills, and legal knowledge;
>
> (d) An outline of the duties to be performed in each position or class of positions;
>
> (e) The classification of all positions based on the required qualifications and the duties to be performed, taking into account where it is applicable, the amount and kinds of judicial business in each court of record subject to the provisions of this section;

(f) The number of full-time and part-time positions, by position title and classification, in each court of record subject to the provisions of this section

(g) The procedures for and the regulations governing the appointment and removal of court personnel; and

(h) The procedures for and regulations governing the promotion or transfer of court personnel.

(3) (a) The supreme court shall also prescribe by rule:

(b) The amount, terms, and conditions of sick leave and vacation time for court personnel, including annual allowance and accumulation thereof; and

(c) Hours of work and other conditions of employment.

(4) To the end that all state employees are treated generally in a similar manner, the supreme court, in promulgating rules as set forth in this section, shall take into consideration the compensation and classification plans, vacation and sick leave provisions, and other conditions of employment applicable to employees of the executive and legislative departments.

There are several reasons why it is desirable for the judicial branch to have its own personnel system. These were expressed very well in a recent study setting forth recommendations for the Utah court system:

The creation of a separate judicial personnel system is simply a basic recognition of the separation of powers concept in our form of government. The judiciary should be treated in the same fashion as the executive and legislative branches in its ability to select and retain qualified personnel. The separation of powers concept in Utah State Government has not always been adhered to. For example, Section 1 of House Bill 22 passed by the 1972 Budget Session

(amending Section 67-13-12 of the Utah Code) provides that by July 1, 1973, the State Director of Personnel, an executive employee, shall prepare and administer a position classification plan for all positions in the executive and judicial branch of state government. Interestingly, employees of the Legislature are exempt from the authority of the Personnel Director to devise and administer such a plan.

The power to control the qualifications and salaries of employees is tantamount to the ability to control an organization. Expecially if a personnel office in exercising its statutory prerogatives begins to make what amount to "line" as opposed to "staff" decisions on who can be hired, when, and at what salary.

There are many positions in the judiciary which are not comparable to those in the executive branch. There is, for example, nothing in the executive branch directly comparable to a court administrator, court clerk or bailiff. Requiring that these judicial positions be comparable, in qualification and/or pay, to positions in the executive branch complicates the ability of the court to secure the kind of people needed for jobs that are unique to the judiciary.

By merging judicial and executive personnel systems, legislative intent in appropriating funds to the courts may be frustrated. The interposition of executive branch employees with authority to make judgements on court personnel matters can be quite critical when it is realized that over 75 percent of all funds appropriated for courts are for salaries and wages. (See U.C.S., Page 5.15.)

Continuing the practice of using the same personnel or "merit system" for judicial personnel as that developed for executive employees is contrary to the concept of the administrative independence of the judiciary. It inevitably results in the courts being treated as departments of the executive branch in administrative

affairs. It is important that one branch of government not become excessively dependent on another for essential administrative support, of which personnel is a large part.

The protections presumably afforded court employees under a state merit system designed for executive employees may be illusory because ultimately the sanctions that can be brought to bear for any violations of merit rules apply only to employers subject to executive powers. Employee rights and protections are important and should be contained in express personnel rules and regulations. But these should be promulgated by the judiciary for its own employees. Reasonableness and general comparability in salaries can be maintained by legislative approval of the judicial compensation plan if this is considered appropriate. This would be similar to the current practice in Colorado and the Federal courts.

A separate judicial personnel system, if properly created and administered, will not jeopardize reasonably uniform salaries for the same type of work (subject of course to reasonable latitude for employees that have no parallel in the executive branch), adherence to merit principles, and adequate protection for employees of the court. Furthermore, a judicial personnel system would eliminiate the present differences among employees of various courts where the employees of some courts are subject to executive control while others are not.[3]

A separate judicial personnel system assumes full state funding of positions, or, at least, funding to a much greater extent than is now provided. The decision as to whether the state should assume all or a greater portion of personnel costs should be reserved by the committee until cost estimates can be developed and other ramifications and problems analyzed, such as conversion to the state system of fringe benefits. If a separate judicial personnel system is adopted, it is mandatory that the system be so designed

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3. Utah Courts Tomorrow, Report and Recommendations of the Unified Court Advisory Committee, Utah Legislative Council, September, 1972, pp. 43-44

that judicial employees are treated equitably with those of the other two branches.

There are a few subsidiary problems that must be dealt with in the development of a separate judicial personnel system, not the least of which is whether clerk's office employees and bailiffs should be included, and, if so, on what basis. In this regard, North Carolina's experience might be of help as a guide. In that state, there are elected court clerks and their employees are still selected by the clerks, even though the court system is state funded, and administrative responsibilities for the system are placed in the Administrative Director of the Courts by the North Carolina constitution. In North Carolina, the clerk's office employees must meet the qualification standards set by the Administrative Director, and he also sets the salary scales for the positions. These procedures have been acceptable to the clerks, and the system is working satisfactorily.

Another problem of some significance is whether or not the staffs of the states attorneys and public defenders should be included in a separate judicial system personnel system. Cost is not an issue in this matter, because these positions are already state funded. If it is decided that they should not be included, consideration should be given to placing them in the executive Branch personnel system, and the State Courts Administrator's office probably should no longer be involved in handling their payrolls and other disbursements.

4) Study Priorities

First priority should be given to the survey of all court personnel and the related facets discussed above, along with the development of a classification plan for judicial personnel. If the decision is made to create a separate judicial personnel system, the other ingredients of this system should be outlined, such as

job content and responsibilities; how he apportions time among tasks; supervisory responsibilities, if any; both his actual work experience and qualifications and what he considers necessary for his position; and appropriate comments on all of these by his supervisor. This questionnaire serves as the basis for determining which employees and positions should be included in the desk audit.

The desk audit is necessary for several reasons: 1) verification of the information on the questionnaire; 2) to get a better understanding of court operations; 3) to clarify information, as some employees are inarticulate; 4) to minimize the efforts by some employees to overstate the importance of their positions and responsibilities; and 5) to give employees a feeling of direct involvement and input in the study.

If a preliminary survey of facilities is to be included in the study, then it is recommended that an additional quesionnaire be used, such as the one used in Colorado and attached to this report as Appendix A.

This time schedule set forth in the work plan is a realistic one, but should be adjusted to take into account the delay in getting the study underway.

c. Staff Needs

1) Size of Staff and Functions. The consultants generally concur with the recommendations concerning staff size and functions contained in the proposed work plan discussed above and set out here for convenient reference.[5]

> Upon the review of court personnel studies conducted in other states and upon consideration of the project period involved, it is recommended that seven individuals be employed as full-time staff in support of this effort. A project director should be selected, and two management analysts and four personnel specialists or individuals with combinations of those skills. This number would provide for the division of

staff into two teams to be augmented on a weekly basis by one court system practitioner (court administrator or clerk, preferably) to provide voluntary, increased manpower during the field work component of the study and to secure the participation and commitment from court employees themselves. Additional involvement should be secured from the staff of permanent committees such as Ways and Means, Appropriations, Criminal Justice, Judiciary, etc., primarily for liaison and consultative functions.

These recommendations should be followed, however, only if the proposals outlined below, concerning the use of consultants, are followed. If it is determined that consultants should play a larger role in the conduct of the study than that recommended, then the number of staff members should be adjusted downward accordingly.

2) Committee - Staff Relationships

All staff members should be appointed by the staff director with the approval of the committee. So as to make its approval of staff meaningful, committee members should be supplied with copies of resumes of prospective employees. The committee chairman, or a member or members designated by him, might also briefly interview recommended candidates.

While the day-to-day operations of the study should be the responsibility of the staff director, the committee is the policy-making body. In carrying out this responsibility, the committee, initially, should determine the scope and content of the study, staff size, use of consultants, etc. Eventually, the committee, of course, will decide whether to establish a personnel system, the employees to be included and the conditions for their inclusion, extent of state funding, and related matters. In carrying out her responsibilities for the day-to-day operation of the study, the staff director should keep the committee currently informed on progress and problems and refer any policy decisions which may arise in the course of the study.

D. Use of Consultants

It is recommended that the study be conducted primarily by in-house staff, and that only very limited use be made of outside consultants. There are several reasons for this recommendation, the most important of which are:

1) The committee can exercise greater policy control over the study with in-house staff than it could if it were to turn the study, or a major portion thereof, over to outside consultants.

2) Outside consultants would have no responsibility for carrying out their recommendations. Consequently, the committee could be left with an excellent study, but with recommendations difficult or impractical to implement.

3) In-house staff can more easily design a study schedule to meet committee needs than can outside consultants, whose schedule is often dictated, in part, by other commitments.

4) In-house staff will become knowledgeable concerning court personnel, court operations, and the court environment, in general. This knowledge and experience can be a valuable asset to this committee or to other legislative committees examining judicial system operations and problems. Should a separate judicial personnel system be established, staff members would have the knowledge and experience to be able to participate in its implementation and operation.

Even though in-house staff has the major study responsibilities, there is an appropriate role for consultants in a limited way. Consultants with special expertise in personnel could be employed to assist the staff in designing the personnel survey questionnaire and in determining the size and composition of the sample for the desk audits. In addition, outside consultants could be used to train staff in conducting desk audits and could also assist in analyzing the survey results and in designing a classification plan. It is

It is recommended that consideration be given to using outside consultants on a limited basis in this way.

E. Piece-Meal Legislation

The committee should attempt to have the legislature table any bills dealing with court personnel until the study is completed. This is necessary if a fragmented approach is to be avoided. An emergency may arise, such as the shortage of court reporters, which may require more immediate action. If this occurs, the committee should assure itself that the proposed legislation is not inconsistent with the expected findings and recommendations of the study. The committee, with the assisstance of staff, should screen all proposed legislation concerning court personnel to determine if an emergency exists requiring prompt attention and whether the proposed legislation would interfere with the objectives of the study.

F. Involvement of Interested Groups

It is not likely that the study results will be either practical or acceptable without the involvement of the many diverse groups having an interest in court personnel. It is recommended, therefore, that an advisory committee be appointed representing, at least, the following groups: Supreme Court, Department of Administration, intermediate appellate courts, circuit courts, county courts, court clerks, public defenders, states attorneys, State Courts Administrator, and the senate and house appropriations committee.

These representatives should be invited to all committee meetings and receive all reports and other material. Both the committee and the staff should consult with the advisory committee on the conduct of the study, study progress, and proposed recommendations. The members of the advisory committee should be asked to keep in constant contact with their respective constituencies, so that the committee and staff can be kept current on the views of interested and concerned groups.

IV. Conclusion

The foregoing discussion is intended to assist the Joint Select Committee on Judicial Personnel and its staff director in defining, designing, and carrying out this very important study assignment. The observations, suggestions, and recommendations submitted are a product of careful consideration of similar efforts and problems in other jurisdictions, as well as the specific needs of the Florida judicial system.

The committee's assignment involves one of the most extensive examinations and surveys of court personnel and court-related personnel undertaken in any jurisdiction. The situation is further complicated by the mix of funding responsibility between state and local resources and by the mix in responsibility for personnel recruiting, hiring, supervision, discipline, promotion, and removal, as well as in setting salary scales and determining fringe benefits. The study scope and content contemplated by the committee and carried out by the staff, however, should set the proper context for dealing with judicial personnel problems and relationships, not only in the immediate future, but for many years to come.

APPENDIX A

SPACE UTILIZATION AND REQUIREMENTS

This questionnaire is to be completed by each court, each probation service, and each detention facility. Please respond to all questions applicable and return with the operating budget.*

Date Completed:

Location:

I. General Information

A. Complete as appropriate

	Calendar Year					
	1965	1966	1967	1968	1969	1970*
Number of cases filed						
Number of probation cases in district						
Juvenile						
Adult						
Number of juveniles detained						
Population of						
County						
District						
Number of people (FTE)						
Judges						
Staff						
Total						

* Use for population entry only; preliminary census data should be used.

II. Administrative, Probation, and Clerical Space Utilization

A. What is the total square feet of space currently used by administrative, probation, and clerical employees _____?

B. List below the administrative, probation, and clerical employees, including division personnel, occupying private offices:

Position Title	Square feet of office

*IMPORTANT The square feet figures requested are net or assignable square feet only.

C. Of the above space occupied, _____ square feet are rented at an annual cost of $ _____.

D. Approximately how many square feet are occupied by:

	Files*	Exhibits	Docket, Judgment Order Books, etc.	Total
In the clerk's office				
In the vault				
In separate storage				
Other				
Total				

* If open-shelf filing is used, measure in cubic feet and indicate.

III. Judicial Space Utilization
(Judges, Referees, Attorneys only)

A. List below each courtroom used:

1. District Court	Square Feet	Dimensions	Avg. Number of Hours Used Per Day

Total _____

2. County Court	Square Feet	Dimensions	Avg. Number of Hours Used Per Day

Total _____

B. List below each judge and chambers:

1. District Court	Square Feet	Dimensions	Used for Hearings Yes	Used for Hearings No

Total _____

2. County Court	Square Feet	Dimensions	Used for Hearings Yes	Used for Hearings No

Total _____

C. List below hearing rooms:

Room No.	Square Feet	Dimensions	Avg. Number of Hours Used Per Day

Total _____

D. Are private rooms available for the use of plaintiff attorney and defense attorney?

Yes _____ No _____

1. If yes, list:

Room No.	Square Feet	Dimensions

Total _____

IV. Jury Space Utilized

A. List jury rooms (including restroom):

Room No.	Square Feet	Restroom Available	
		Yes	No

Total _____

B. If the court has housing for sequestered juries, describe briefly:

C. Does the court have a jury assembly area?

Yes _____ No _____

1. If yes, how many square feet are used? _____

2. If yes:

The average number of jurors using the space is _____.
The maximum number of jurors using the space is _____.

D. If no jury assembly area is available, describe briefly the method of handling jurors.

V. Law Library

A. The court uses:

_____ its own library

_____ the library of another court

_____ the county library

_____ the Bar Association library

_____ other (identify)

B. The above arrangement is satisfactory ____ or unsatisfactory ____.

C. If the court has its own library:

1. The number of volumes is approximately _____.

2. The library occupies _____ square feet.

3. On the basis of current volumes, the library is adequate _____ or inadequate _____.

A. If the library is inadequate:

_____ more volumes are required. (Identify by sets or series)

_____ additional square feet would be required for the added volumes.

VI. Utilities

A. The space is heated satisfactorily _____ unsatisfactorily _____
Explain:

B. Is the space air conditioned?*

	Yes	No	Individual units	Central
Hearing rooms				
Judges' chambers				
Courtrooms				
Clerk and admn. offices				
Jury rooms				
Jury assembly rooms				
Probation				

* Indicate refrigerated or evaporated by using R or E above as appropriate under "Individual Units" and "Central".

C. Does overhead lighting require additional desk or other lights? Yes _____ No _____. Differentiate by B above: explain if necessary.

VII. General Level of Adequacy

The following items require a rating of the following aspects of the space occupied. Please rate as objectively as possible.

A. The arrangement of the space generally is: good _____ acceptable _____ poor _____.

B. Ceiling heights in courtrooms are: adequate____ inadequate____

C. The location of the judges' chambers in relation to the courtroom is: good _____ acceptable _____ poor _____.

D. The traffic patterns among courtroom and offices are: good _____ acceptable _____ poor _____.

E. Use the attached paper to plot the space used and indicate the occupants of offices. Shade areas covered with carpeting. Not required for juvenile detention. A copy of a current floor plan may be substituted.

VIII. Fixed Equipment and Furnishings

A. Are facilities for the courtroom personnel stationary? Yes _____ No _____. Explain if necessary.

B. Is the bench built-in? Yes _____ No _____.

C. Are jury box chairs fastened to floor or moveable?
Yes _____ No _____.

D. List below each courtroom and provide data on public address systems.

Courtroom	System Available		Built-in	Portable
	Yes	No		
District Court				
County Court				

E. Indicate adequacy of acoustics and explain problems, if any.

E. Indicate window covering by area:

District	Shades	Drapes	Blinds	None
Courtrooms (each)				
Chambers (each)				
Clerk's office (each)				
Probation (each)				
Hearing rooms (each)				
Jury rooms (each)				
Jury Dorm Facilities				

E. Continued

County	Shades	Drapes	Blinds	None
Courtrooms (each)				
Chambers (each)				
Jury rooms (each)				
Clerk's office				
Hearing rooms (each)				

IX. Improvements and Future Requirements

This section is concerned with changes to the existing facilities or the construction of new facilities.

A. List in detail and attach to this questionnaire any structural changes requested of the county since July 1, 1969. Show date of the request, and an indication as to whether the request has been or will be honored within one year after the request was made. Include any changes the county has planned or executed, but which were not specifically requested. Also include estimated cost if possible.

B. Assuming the additional space requirements per person (excluding judges) is an average of 100 square feet, with 12 square feet required by each file cabinet, project additional clerical and administrative space requirements as follows:

	1971-72	1972-73	1973-74	1974-75	1975-76	Total
Personnel						
Filing space						
Conference (@ 300 sq. ft.)						
Other (specify)						
Total						

C. Assuming that judicial requirements increase, apply the following space requirements for the years indicated:

	1971-72	1972-73	1973-74	1974-75	1975-76	Total
Chambers (excluding hearing room) (@250 sq. ft.)						
Courtroom (@ 1800 sq. ft.)						
Conference/ hearing room (@ 300 sq. ft.)						
Total						

D. Project jury space requirements according to the standards indicated:

	1971-72	1972-73	1973-74	1974-75	1975-76	Total
Jury Comm. (@ 170 sq. ft.)						
Clerks (@ 100 sq. ft.)						
Assembly area (@ 10 sq. ft. per juror)						
Jury rooms (@ 340 sq. ft.)						
Restrooms (@ 50 sq. ft.)						
Total						

E. Of the _____ square foot total required in B., C., D. above:

_____ is available in existing space

_____ will require removal of other offices from courthouse

_____ will require construction or space rental

Total

APPENDIX B

FLORIDA HOUSE OF REPRESENTATIVES

TALLAHASSEE

December 19, 1973

SUMMARY
PROPOSED WORK PLAN FOR JUDICIAL PERSONNEL STUDY

STAFF

In general, the proposed plan would include periodic consultation by a technical assistance committee composed of court system practitioners having experience in uniform court personnel systems in other states, to monitor the project at critical stages. In addition, it is recommended that the committee contract with one or two consultants having background in the development of state court system personnel programs to assist in the development of a position questionnaire to be completed by each employee in the system; training in-house personnel; initial supervision of staff conducted desk audits and determination of sample size for such audits; the design of a classification rating system; the comparison of tentative court system classifications with those of the executive and legislature to assure comparability; and the development of appropriate personnel rules and regulations.

Upon the review of court personnel studies conducted in other states and upon consideration of the project period involved, it is recommended that seven individuals be employed as full-time staff in support of this effort. A project director should be selected, and two management analysts and four personnel specialists or individuals with combinations of those skills. This number would provide for the division of staff into two teams to be augmented on a weekly basis by one court system practitioner (court administrator or clerk, preferably) to provide voluntary, increased manpower during the field work component of the study and to secure the participation and commitment from court employees themselves. Additional involvement should be secured from the staff of permanent committees such as Ways and Means, Appropriations, Criminal Justice, Judiciary, etc., primarily for liaison and consultative functions.

SCHEDULE FOR PROJECT TASKS

DECEMBER

1. The technical assistance committee should meet with the Select Committee or a sub-committee of the Select Committee to discuss the work plan as proposed and to give an insight to the Committee as to the problems which may be encountered.

2. The project director should organize the office and employ the staff.

3. The Committee should discuss and make determinations as to the policy questions raised in the main body of the report.

4. Consultants should be selected.

JANUARY

1. With the assistance of the consultant, an appropriate position questionnaire should be developed and distributed in one to three selected areas.

2. Upon review of the returned questionnaires, with the assistance of the consultant, a percentage sample for the desk audit should be determined and a two day training session should be conducted for the in-house staff.

3. The consultant will then supervise the initial desk audits in the selected areas, evaluate the performance of the staff, provide further training if necessary and determine from the test run projections of time to complete an audit of the system.

4. Based on that projection, work schedules and travel itineraries should be developed.

FEBRUARY-JUNE

1. The staff should complete its field work; draft reports based on field examinations of administrative practices, formulate recommendations for more uniform and more efficient administrative practices, and develop background information to determine the approximate number and types of employees required in each court based on workload.

2. Organizational structures should be developed from the review of position questionnaires and compared with those obtained from appropriate officials in the field.

JUNE-AUGUST

1. With consultant assistance, the staff should develop classification rating schedules, benchmark positions which provide appropriate linkages to the executive and legislative personnel systems, and assist the Office of the State Courts Administrator in the development of personnel rules.

2. A standard classification plan should be developed during this period.

SEPTEMBER

1. The draft classification plan should be submitted to the court system practitioners who assisted in the field work for suggestions, modifications if necessary, and general approval.

2. The refined draft should then be submitted to the Select Committee for its approval.

3. The Advisory Committee approval of the proposed classification plan should also be secured.

4. The approved classification plan should be disseminated to court system employees allowing thirty days for appeal as to the classification and associated pay grades included in the plan.

5. A review board for the resultant appeals should be established which includes a sub-committee of the Select Committee and members of the Advisory Committee to hear and make determinations as to the appeals.

6. Simultaneously, the staff should complete the process of placing court system employees into classes and steps.

OCTOBER-DECEMBER

1. The completed listing of court personnel by name, class, and step should be distributed with the allowance of a ninety day appeal period. Court employee requests for hearings should be made to the staff with subsequent circuit-wide meetings to review such appeals.

2. Assuming that the Supreme Court has developed a set of personnel rules and regulations for the new court personnel system, it would be appropriate for court representatives to attend such circuit-wide meetings to review any appeals as to the personnel rules.

JANUARY-JUNE

Legislative process and transition phase will require the retention of a small staff.

END