

Supreme Court of Florida

No. AOSC09-43

IN RE: JUDICIAL BRANCH GOVERNANCE STUDY

ADMINISTRATIVE ORDER

The Long-Range Strategic Plan for the Florida Judicial Branch (2009-2015) adopted by this Court identifies five broad issues that must be addressed for the judicial branch to advance its mission and vision. The first of the five issues is entitled, “Strengthening Governance and Independence.” In describing this issue, the plan notes that the judicial branch of Florida has historically maintained a diffuse governance and administrative structure, with reliance on multiple committees for policy development, and on district and circuit chief judges, supported by marshals and court administrators, as the primary administrators of policy implementation. In light of the cumulative effects of a constitutional amendment shifting greater responsibility for funding of the courts from the local to the state level, the growing complexity of issues coming before the courts, and an accompanying need to develop and implement responsive, coherent, and timely court policies, the long-range plan concludes that a need exists to examine the

present governance system of the branch and further strengthen its capacity to support the effective and efficient management of the courts.

The long-range strategic plan also provides several goals and strategies associated with each strategic issue. These goals and strategies describe courses of action necessary to address the respective issues. The first goal of the plan, Goal 1.1, provides that “[t]he judicial branch will be governed in an effective and efficient manner.” The first of three strategies associated with Goal 1.1 is to “[r]eform and strengthen the governance and policy development structures of the judicial branch.” It is therefore appropriate and timely for the judicial branch to undertake a study of its present governance structure.

The Judicial Branch Governance Study Group is hereby established and directed to undertake an in-depth study of the current governance system of the judicial branch of Florida. For purposes of this study, governance is defined as the system of exercising authority to provide direction and to undertake, coordinate, and regulate activities to achieve the vision and mission of the branch. Judicial branch governance encompasses policy-making, budgeting, rulemaking, leadership, decision-making, planning, and intergovernmental relations.

The Judicial Branch Governance Study Group shall submit a final report and recommendations to the Court no later than December 31, 2010. The Study Group

shall submit its reports to the Chief Justice through the State Courts Administrator.

The report should include:

1. An examination of the structure and functions of the present governance system of the Florida Judicial Branch, and an assessment of its efficacy and efficiency;
2. Recommendations of actions or activities that the Study Group concludes would advance improvement in the governance of the judicial branch; and
3. Recommendations of any changes to the present governance system that the Study Group concludes would improve the effective and efficient management of the Florida judicial branch.

The Study Group is authorized to propose recommendations for policy, rule, or statutory changes that are directly related to governance of the judicial branch and that may serve to improve the structure, function, efficacy and efficiency in achieving the vision and mission of the branch.

The following persons are appointed to the Judicial Branch Governance Study Group for terms that expire on December 31, 2010:

Two Supreme Court justices:

The Honorable Jorge Labarga
The Honorable Ricky L. Polston

Two district court of appeal judges:

The Honorable Gerald B. Cope, Jr., Third District Court of Appeal
The Honorable Richard B. Orfinger, Fifth District Court of Appeal

Three circuit court judges:

The Honorable Alice Blackwell, Ninth Judicial Circuit
The Honorable Brian J. Davis, Fourth Judicial Circuit
The Honorable Joseph P. Farina, Eleventh Judicial Circuit

Two county court judges:

The Honorable Peter Marshall, Volusia County
The Honorable Debra Roberts, Pasco County

One representative of The Florida Bar:

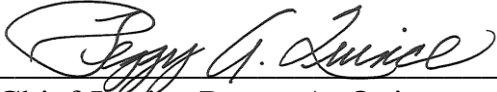
Mr. John G. White, III, West Palm Beach

Justice Ricky Polston shall serve as Chair and Judge Joseph Farina shall serve as Vice Chair of the Study Group. The Office of the State Courts Administrator shall provide the necessary staff support to enable the Study Group to carry out its duties.

As a result of the decline in state financial resources, the Florida State Courts System has sustained significant reductions in operating funds and staff positions over the past few years. During these demanding fiscal times, there is still a need for the important work of the Judicial Branch Governance Study Group to proceed. The Study Group is therefore directed to make every effort to maximize the use of available resources by: utilizing grant funding, when

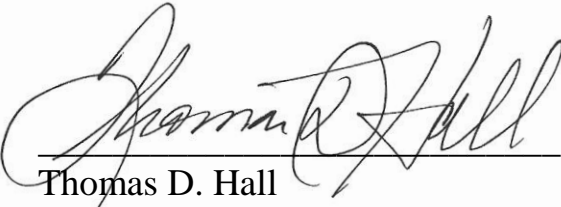
available, in support of the Study Group's work; using discretion in the establishment of subcommittees that require operating funds and staff support; limiting the number of in-person meetings; and utilizing such options as telephone conference calls, videoconferencing, and other electronic meeting options as appropriate.

DONE AND ORDERED at Tallahassee, Florida, on October 19, 2009.



Chief Justice Peggy A. Quince

ATTEST:



Thomas D. Hall
Clerk, Supreme Court

