

COURTSIDE

Baker County Receives \$1.5 Million for New Courthouse

County Officials gathered on December 5 to accept a \$1.572 million state grant to help pay for the expansion and renovation of the Baker County Courthouse. Officials present during the acceptance ceremony on the courthouse steps also viewed a three dimensional model of the proposed renovation which involves adding onto the back side with a connecting glass wall along the west, east and north sides.

Current Structure Unsuited for Court Functions

The design should preserve the architectural integrity of the original 1940's era building, which is slated for renovations including new windows, wiring and heating/cooling system in addition to interior improvements. The existing building is too small for increasing court functions even after several officials moved to other buildings. Also, compliance with American's with Disabilities Act (ADA) regulations would be difficult without adding one or more elevators and new bathrooms to replace one tucked beneath a staircase and another down a flight of stairs. The lack of disabled access along with security concerns, lack of work space and storage space prompted a November, 1996 court order for improvements from Chief Circuit Judge Robert P. Cates.

Traffic Tickets Will Help Pay

The order triggered a sense of urgency with the Commission and helped put the county at the forefront of receiving state financial aid. That prompted Representative George Crady and Senator Charles Williams to push through both the state grant and new legislation to allocate a larger share of speeding ticket fines to local governments for court related costs. The effort will bring \$100,000 for each of the next four years.



On hand for the courthouse check presentation: (front) Commissioner Steve Kennedy, Rep. George Crady, County Judge Joey Williams, Circuit Judge Elzie Sanders, (middle) commissioners Clif Barton, Alex Robinson and Fred Raulerson, (back) Coordinator Josie Davis, Commissioner Tommy Dorman and Clerk Al Fraser.

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Other counties plan for renovations

Other counties in the Eighth Judicial Circuit are also making progress generating funding needed for renovations and improvements. Union County recently approved a \$1.1 million renovation project which includes providing the court with expanded space on the second floor. It will include a new courtroom, hearing room, chambers for circuit and county judges, and space for administration. In Bradford County, the Board of County Commissioners approved plans for immediate repairs to the courthouse, purchase of security equipment, and plans for the courts to occupy the entire second floor by November, 1998. Finally, in Gilchrist County, the commission approved a study of safety hazards in the courthouse to be carried out by the University of Florida.

Hearing Officer Programs: Florida's Efficient Response to Overburdened Family Courts

by Samuel Patterson Stafford, Esquire
and Bruce Helling

Over the last ten to fifteen years, Federal, State, and local governments have attempted to find pragmatic solutions to the current crisis in child support enforcement. With the recent and massive overhauling of the welfare/public assistance system by the Federal, and now State government, child support enforcement has finally achieved new and appropriate stature in the Family Law division of most courts. The ultimate goal, of course, is to ensure that absent parents abide by court orders and make the required payments in a timely manner so that the affected children will not suffer.

The increasingly high volume of cases which come before the courts has placed a significant burden on the court system to address each case within the established time frame. To help ease this burden, a majority of Florida's Judicial Circuits have implemented programs making use of hearing officers to perform Circuit Court duties in order to efficiently address cases in three subject areas: paternity establishment, and both modification and enforcement of existing child support orders.

Some of these programs include the use of judicial hearing officers, general masters, special masters, and child support enforcement hearing officers. Roughly half of the State's Circuits are currently using supplemental officers to handle Family Law Division cases generically called "child support cases."

The hearing officer has the power to conduct hearings, administer oaths, take evidence and testimony from the parties, establish a record and produce a recommended order for the court. They also have the power to recommend civil contempt to control and induce cooperation from the defendants. For each case heard, the hearing officers must present a timely report and recommended order to the circuit's family law judges for their review and adoption. Unless there is good cause to reevaluate the hearing officer's recommendation, the court must promptly issue the recommended order.

In 1989, with approval from the Chief Justice, Eighth Judicial Circuit Chief Judge Chester B. Chance established the Hearing Officer Program for the Eighth Judicial Circuit. Initially, the Eighth Circuit chose to use the hearing officer only for Title IV-D cases. One full-time officer was responsible for hearing cases throughout the Eighth Circuit. The court facilitated contracting with the Florida Department of Health and Rehabilitative Services

to obtain significant (66%) federal funding for the program. Currently, funding comes through the Florida Department of Revenue from the United States Department of Health and Human Services.

As the program grew and collections increased, it became apparent that the Circuit would also benefit from referring non Title IV-D cases to the hearing officer program, as well. In addition, a part-time hearing officer was added in July, 1995 to provide even greater assistance to the bench. With Administrative Order 1.880(B), Chief Judge Elzie S. Sanders reaffirmed a full-time hearing officer to manage and address cases arising in Alachua County, while



Samuel P. Stafford
Alachua County
Child Support
Enforcement Officer

appointing a part-time hearing officer to be responsible for cases arising in Baker, Bradford, Gilchrist, Levy, and Union Counties.

Since its inception in 1989, the Hearing Officer Program has addressed more than 65,000 cases for the Eighth Judicial Circuit, and consistently increased collections.

Since its inception in 1989, the Hearing Officer Program has addressed more than 65,000 cases for the Eighth Judicial Circuit, and consistently increased collections. In a typical week, the full-time hearing officer may dispose of nearly 200 cases in Alachua County alone, with an additional 120 generally heard in the five remaining counties. The program has dramatically increased the total child support collections in the Eighth Circuit. In Alachua County alone, collections for FY 1995-96 exceeded \$15 million, more than double the total collections in FY 1989-90. This represents an average annual growth of more than 13% which, if sustained, will hopefully realize annual collections of \$25 million in Alachua County by the year 2000. The program has also been instrumental in reducing recidivism in the Eighth Judicial Circuit, and increasing the community's perception that the Court is responsive to the needs of families and children.

Furthermore, the Hearing Officer Program has dramatically reduced the establishment, modification, and enforcement caseload of the circuit bench in the six counties of the Eighth Judicial Circuit. While each judicial circuit and county must examine its own needs and determine which solutions are best to meet those needs, the experience of the Eighth Judicial Circuit Hearing Officer Program can be used as a positive example of how one geographically and socially/economically diverse circuit has rapidly moved forward to efficiently address major issues in community service and judicial administration. ■

Alternative Dispute Resolution

County Mediation welcomes new director

Effective January 15, the County Mediation Program welcomes Robin Davis as the new director and sadly says goodbye to Jean Sperbeck. Jean's dedication and commitment to the program over the past five years have been instrumental in the continued growth and success of county mediation in the Eighth Judicial Circuit. With this reorganization, county mediation is under the same directorship as family, dependency, and circuit mediation.

1998 will bring more contract family mediators

The total number of cases mediated by the Family Mediation Program circuit-wide in 1997 was 506, an increase of 30% over the 390 cases mediated in 1996. The circuit-wide settlement rate for program mediations was 79%. The addition of contract mediators in Alachua county will give the program capacity to grow further in 1998.

Dependency Mediation researches long-range satisfaction and compliance of parents

In its second year, the Dependency Mediation Program has continued to provide an effective alternative within the dependency process. Dependency mediations, unlike most mediations, bring together a large number of parties, including parents, their attorneys, the Department of Children and Families, Guardians ad Litem, assistant state attorneys, and others. In post-mediation surveys, parents have expressed a greater understanding of the dependency process and satisfaction with their ability to participate in the process. The Program is currently engaged in researching the long-range satisfaction and compliance of the parents. For more information regarding alternative dispute resolution, contact **Robin Davis** at **(352)491-4417** or e-mail at **rkd@ctadmin.co.alachua.fl.us** ■

Teen Court Welcomes New Coordinator

Stephen A. Giunta began working as the Alachua County Coordinator of Teen Court on November 15th. He was selected because of his extensive experience working with troubled families. He is a certified Guardian ad Litem, approved instructor for the court's mandated course for divorcing parents, and a certified family mediator. Steve comes to Teen Court having practiced as a family therapist specializing in families with adolescent children in both the Vero Beach and Ocala areas and is nearly finished with his doctorate in Counseling Education at the University of Florida.



*Steve Giunta,
Teen Court
Coordinator*

Teen Court provides services to more than 350 juveniles and their families per year while the program's one year recidivism rate is a remarkable seven percent. Steve commented that, "There is always room for improvements and Teen Court will always be in willing need of suggestions and advice." Two of his immediate goals are to decrease the time between referral and the completion of sentence and to increase an awareness of appropriate court decorum while continuing to insure that our teenage volunteers have rewarding experiences.

For more information about the program or if you would like to volunteer, contact **Steve** at **374-3689** or e-mail at **sag@ctadmin.co.alachua.fl.us**. ■

Guardian ad Litem

A message from Mag McGauley

The last few months have been exceptionally busy for the Guardian ad Litem Program. Thanks to additional State funding and a VOCA (Victims of Crime Act) grant, we have added an additional part-time attorney to the staff and a case coordinator for criminal cases. We are so pleased to be able to continue to improve the quality of our program with additional legal services and expansion into the criminal court arena.

The program staff actively planned and participated in a Dependency Court Improvement Summit. The staff, along with over 50 other participants, including judges, court administrators, clerks, attorneys and supervisors from the Department of Children and Families spent an entire day at Poe Springs in October. The goal was to identify problems in the dependency court process and to brainstorm resolutions. Dependency Court Judge Larry Turner headed the event, which was considered by many to be a success. The group will meet again in February to determine whether established goals are being met.

On a happy holiday note, almost 1,000 Christmas gifts were donated to the abused and neglected children that the volunteers in our Program represent. They covered our conference room and many offices awaiting their Christmas deliveries. Gifts were donated by many caring individuals so that these children could enjoy the season, and of course, being able to deliver the gifts to the children brings as much joy to the staff and volunteers as it does to the children. ■

Appointments and Awards

Vicki Johnson, Managing Court Reporter, was appointed to serve as chief test examiner for the first CRA test to be given in the Clearwater/Tampa in May, 1998. She was also appointed to serve on a committee of three to create the certification test for stenographic court reporters.

Robin Davis, Mediation Director for the Eighth Judicial Circuit, agreed to serve on the newly created Committee on Mediation and Domestic Violence headed by the Office of the State Courts Administrator.

Wanda Foulkrod, Eighth Judicial Circuit Program Coordinator, was selected to be a member of Florida's Workgroup on Statewide Court Interpreter Testing and Training. The workgroup was formed in October, 1997 by nominations received from various circuits throughout the State of Florida.

New Law Changes Jury Selection in Florida

The new year brings changes in the way a jury is impaneled in Florida. As of January 1, 1998, any citizen holding a Florida driver's license can be called for jury duty. This new procedure is expected to create a larger jury pool compared to the previous method of using the list of registered voters in Florida. With the inception of the new law, any registered driver can be called for jury duty as long as they have not been convicted of a felony.

Jail Population

According to Alachua County Jail Population Manager, **Christina Lee**, the population in the Alachua County Jail has consistently decreased in the last four months. In September, the facility was operating at 93.4% of its operational capacity and in December, that figure decreased to 86%.

Court Technology

The technology fair is scheduled for March 12 at the Radisson Hotel in Gainesville. It is Sponsored by the Eighth Judicial Circuit Bar Association with assistance from the Eighth Judicial Circuit Court Staff. The purpose is to display and interact with cutting edge technology which benefits the operation of the criminal justice system. The target audience includes attorneys, judges, employees of the court, clerks of court, law enforcement personnel, and other elected officials. For more information, contact **Arlene Huszar** at (352)955-2260 or **Patrick Callahan** at (352)374-3648.

New Employees

The Court Administrator's Office welcomes the following new employees:

Evelyn Sapp: Traffic Judicial Hearing Officer;

Beth Hawk: Staff Assistant / Traffic JHO;

Stephen Giunta: Coordinator for Alachua County Teen Court;

Allyson Carrel: Juvenile Dependency Mediation Program Assistant;

Ayleen Smith: Family Court Administrative Assistant;

Stephanie Pleasant: Staff Assistant / JHO

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