



NEWS

FOR IMMEDIATE RELEASE:
February 25, 2004

CONTACT: Harvey Bennett
Communications Director
850-222-5052

TAXWATCH RECOMMENDS HIGHER LEVEL OF STATE COURTS FUNDING

Under Funding Could Cause Case Backlogs and Hurt Citizens Access

TALLAHASSEE — Florida TaxWatch today recommended the Legislature provide an additional \$35.6 million over Governor Bush's recommendation to adequately fund Florida's court system. The amount includes more money for judges and judicial assistants for a system that handles 31% more cases on average than other states.

The recommendations are part of a special report released today by the independent taxpayer research institute titled "Proper Funding of State Courts System Reforms is Crucial to Rule of Law, Taxpayer Confidence and a Healthy Economy." The report concludes that inadequate funding may result in justice delayed and justice denied.

The Florida TaxWatch research shows that under funding of the courts would have significant consequences, including a likely slowdown in civil and family court cases in some circuits. Florida's citizens and businesses might have to wait months, instead of weeks, for legal due process.

"Under funding in other states has led to civil courts being in session only 4 of 5 days a week, or 3 of 4 weeks a month," said Dominic M. Calabro, President and CEO of Florida TaxWatch at a morning news conference. "This has led to cases not being heard for months on end and a resulting delay in justice," said Calabro. "If prolonged, negative commercial and economic development consequences would follow."

Revision 7 of Florida's Constitutional Article V, passed by voters in 1998, requires the state to assume much of the cost from counties of running the court system here in Florida, beginning July 1st. The Legislature and Governor will decide this session how much to fund this effort.

"Taxpayers gave the Legislature five and a half years to implement the plan to insure that it's properly funded, cost effective, seamless and with the least disruption to their lives and their economic activities," said Calabro.

In addition to replacing fragmented spending with more uniform state funding and providing counties much needed budgetary relief, Revision 7 seeks to provide a more consistent administration of justice statewide so litigants - regardless of their location - receive similar services and judicial outcomes.

The TaxWatch report shows that inadequate funding could lead to a:

- Backlog of civil cases, hampering citizens and business activity
- Reduction or Elimination of Drug Courts by counties receiving decreased state funding
- Reduction in quality of justice, especially in larger counties
- Negative commercial & economic development consequences if under funding is prolonged
- Subversion of Revision 7's intent of a uniform level of judicial service for all Floridians.

The State Court System spend seven years planning, prioritizing and building consensus, which resulted in a \$170 million funding request to implement Revision 7. Governor Bush has recommended the legislature provide \$104.4 million in funding. Florida TaxWatch recommends \$140 million in funding Revision 7.

The State Court System request includes funding for 84 Circuit and County Judges among Florida's 67 counties. The Governor is recommending 40 new judges in total.

"We are at a crossroads to choose between a Minimalist versus Modern Judiciary. Our lawmakers would be wise to err on the side of properly funding the courts," said Calabro.

Specifically, Florida TaxWatch research concluded that more funding was needed for Special Masters and Hearing Officers, professional court administrators, judges and judicial assistants, staff attorneys and law clerks, an integrated statewide court technology system, a resource management system for reporting performance and accountability data, and contingency funding to cover unknown costs likely to result from this first time integration of courts.

"Reduced staffing in our courts system will create case backlogs, limit timely access to court resources and stifle businesses' ability to prosecute crimes that directly hurt commerce," said Barney Barnett, Chairman of Florida TaxWatch.

Florida TaxWatch underscores the need to act responsibly with taxpayer dollars while ensuring that the formal institution where our battles for justice are fought and won, our state courts system, is not impeded nor disrupted when the state assumes its new constitutional funding obligation.

"If we limit the court's ability, through inadequate funding, to carry out its constitutional obligations, businesses and citizens may find themselves in the back of the line awaiting their entitled helping of justice," said Calabro.

"Retailers are one of the victims of drug crimes, which have a big impact on retail theft," said Rick McAllister, President & CEO of the Florida Retail Federation and a TaxWatch member. "We need drug courts to be adequately funded."

To help bridge the budget gap and ensure proper courts funding, Florida TaxWatch offers the state legislature six well-researched sources of approximately \$180-million in non-tax revenue. In addition, we've identified \$30-million worth of cost savings, innovations, and productivity improvements to provide future savings beyond FY 2004-05.

Florida TaxWatch will conduct three civic forums around the state to discuss its research findings with Florida's citizens, civic leaders and businesses. The first forum will be held this Friday at noon in Tallahassee in the Leon County Commission Chambers.

To access the full research report and all TaxWatch research, click on www.floridataxwatch.org

Florida TaxWatch is a private, non-profit, non-partisan research institute supported by homeowners, small businesses, corporations, professional firms, labor unions, associations, individuals and philanthropic foundations -- representing a wide spectrum of Florida's citizens. The organization is dedicated to improving taxpayer value, government accountability and citizen understanding and participation in their state and local government fiscal policies. On the web at www.floridataxwatch.org