

## **Unit costing model raises concerns for the future of the Clerk's office**

The close of the 2010 Legislative session ended with the Legislature agreeing not to cut the Clerk's budget— In other words, they would be operating on a continuation budget.

But a new funding model was put into place, and it is a unit cost approach to budgeting.

The problem with the current model is that all units of work are not counted—therefore, Clerks may be forced to address the shortfalls. Currently, only a newly-filed case is counted, where as pending cases are not counted. The Legislature has also expressed an interest in carrying this model out to other units of government.

Unit costing attempts to provide financial resources for "units"—you receive compensation for each unit— but the model only describes the units as newly filed cases. This approach does not recognize that much of the work associated with a case goes on after the new case is filed, such as court events, evidence collection and storage, and other activities associated with the ongoing case.

Since the number of new case units goes up and down each month, the funding would also fluctuate each month—still not taking into account all the existing cases that staff are continuing to work on. In essence, the Legislature has adopted a model that will not fund the Clerk's office in a manner that is needed to address all the pending cases already in the system.

Just to give you an idea of how this type of unit costing model would affect a county like Sarasota, where an extraordinary increase in foreclosure cases has challenged us significantly, the financial impact of the unit cost method will be a loss of approximately 1 million dollars of the current courts budget. A budget which has already been cut 20 percent. Why, you may ask, would this happen with the unit cost model ? Because "new" foreclosure filings are dropping, even though there is a tremendous backlog. And unit costs now are based upon solely "new" filings.

The irony is that no Clerks received additional revenues to handle the unprecedented increase in case load over these past few years (foreclosures), yet now, under the current model, those same Clerks will lose a necessary portion of their operating budget because some of the unfunded, unexpected, extraordinary increases (foreclosures) are slowing down.

Clerks statewide are concerned and will be exploring how to develop a model that addresses the actual work levels.

As difficulties develop that impede us from carrying out our statutory duties, we will communicate directly with the Court, the Bar and the community. Until then, we will work diligently to carry out our duties with the resources that we have available.