

Revenue Estimating Conference
Article V Fees & Transfers
Executive Summary
August 2, 2018

Revenue collections for Article V Fees and Transfers during the 2017-18 fiscal year came in slightly above the estimates adopted by the Revenue Estimating Conference on January 11, 2018 after adjustments for Measures Affecting Revenue. Among the stronger performers, Clerks' total Fines, Fees and Charges came in \$16.9 million (4.3 percent) above estimate. Altogether, Article V revenues achieved 102.6 percent of the forecast for the period.

Actual FY 2017-18 revenue performance was used to adjust the forecast base. As a result, the forecast did not change for seven revenue categories: Traffic Court – Allocated and Other, Family Circuit Court – Base Fee, Appeals, Adjudication/Counterclaim, Mediation/Marriage License/Other, and Clerks of Court – 10% of Fines. Projected collections for Clerks of Court – Other, Circuit Court Base Fees, County Court Claims, Probate, and the Additional Fee for both Circuit and County Courts were increased throughout their forecasts; however, small reductions were made to Removal of Tenant Action and Marriage Dissolution. The categories related to Foreclosure and Clerks of Court – Chapter 2008-111 are discussed separately below.

Of note, the final level of foreclosures filings in FY 2016-17 (55,367) fell decidedly below the annual average (68,605) between FY 1999-00 and FY 2005-06. In recent years, the Conference has adopted forecasts that took into account both the decline in the actual number of homes in foreclosure status and the crowding out of future foreclosures caused by the heightened activity coming out of the collapse of the Housing Boom and the Great Recession. Further, FY 2017-18 actuals were impacted by both temporary court office closings and various private and public mortgage assistance programs available to homeowners who were in the path of Hurricane Irma. While much of the activity that was delayed as a result of Hurricane Irma will be restored over time, the underlying forecast itself was reduced during the January 2018 Conference. Although FY 2017-18 filings were 3,985 filings (or 8.4%) below the January 2018 estimate, the Conference only made a minor change to the forecast for FY 2018-19 and no changes to the rest of the forecast horizon. The following table depicts the changes to forecasted filings:

Foreclosure Filings	January 2018 REC	August 2018 REC	Difference
2018-19	50,288	50,300	12
2019-20	44,400	44,400	--
2020-21	43,800	43,800	--
2021-22	42,600	42,600	--
2022-23	42,000	42,000	--
2023-24	--	42,000	--

The Conference had separate discussions regarding two new issues involving the clerks of court. Pursuant to s. 28.37(3), F.S., certain revenues in excess of those needed to fund the combined authorized budget amount for the clerks of the court during the previous county fiscal year are transferred to General Revenue on January 25th of each year. The forecasted amount of these funds in FY 2018-19 is \$13.8 million. Added to this amount is \$3.6 million from 2008-111 fees which were retained by Hillsborough, Pasco, Lee and Santa Rosa Counties. While these funds will ultimately transfer to General Revenue, the timing and mechanism

will differ from prior years. Transfers to General Revenue in all years after FY 2018-19 simply reflect the 2008-111 fees as calculated on a new schedule that has been added to the conference package.

Cumulatively, the Article V changes result in an increase to the forecast of \$14.6 million in FY 2018-19 and \$21.4 million in FY 2019-20; however, the impact on specific funds varies in both size and direction. For the major funds, the new forecast of direct receipts results in the following changes: the General Revenue Fund was reduced by -\$3.6 million in FY 2018-19 and -\$3.1 million in FY 2019-20; the State Courts Revenue Trust Fund was increased by \$4.2 million in FY 2018-19 and by \$4.7 million in FY 2019-20; the Clerks of Court Trust Fund was reduced by -\$4.0 million in FY 2018-19 and -\$2.0 million in FY 2019-20; and the Clerks' Fine and Forfeiture Funds were increased by \$17.6 million in FY 2018-19 and by \$21.2 million in FY 2019-20. In addition to direct receipts, the General Revenue Fund is impacted by the following transfers:

- Chapter 2018-118, L.O.F. directed that the first \$1.5 million from foreclosure filings between \$50,000 and \$250,000 be transferred to the Miami-Dade County Clerk of Court for FY 2018-19. This amount otherwise would have been deposited into and retained by the General Revenue Fund.
- Pursuant to s. 28.37(3), F.S., certain revenues in excess of those needed to fund the combined authorized budget amount for the clerks of the court during the previous county fiscal year are transferred to General Revenue on January 25th of each year. The forecasted amount of these funds in FY 2018-19 is \$13.8 million.
- Additionally, the transfers to the General Revenue Fund pursuant to s. 28.37(3), F.S. will include \$3.6 million in FY 2018-19 and \$4.8 in FY 2019-20 from 2008-111 fees which were retained by Hillsborough, Pasco, Lee and Santa Rosa Counties.

Once these transfers are taken into account, the forecasted change to the General Revenue Fund is positive \$13.8 million in FY 2018-19 and positive \$1.7 million in FY 2019-20.

ARTICLE V REVENUE ESTIMATING CONFERENCE

August 2, 2018

Funds:

- 1. GR – General Revenue**
- 2. COCTF – Clerks of the Court Trust Fund**
- 3. SCRTF – State Courts Revenue Trust Fund**
- 4. F&FF – Fine and Forfeiture Funds (Clerks-Local)**

Other Funds

- 1. DFSATF – Department of Financial Services Administrative Trust Fund**
- 2. CETF – Court Education Trust Fund**
- 3. PDRTF – Public Defenders Revenue Trust Fund**
- 4. SARTF – State Attorneys Revenue Trust Fund**
- 5. BSCITF – Brain and Spinal Cord Injury Trust Fund**
- 6. ACCTF – Additional Court Costs Trust Fund**
- 7. EMSTF – Emergency Medical Services Trust Fund**
- 8. DVTF – Domestic Violence Trust Fund**
- 9. DHTF – Displaced Homemaker Trust Fund**
- 10. CWTF – Child Welfare Trust Fund**
- 11. GDTFDVR – Grants and Donations Trust Fund of the Division of Vocational Rehabilitation**
- 12. ICDF – Indigent Criminal Defense Trust Fund**

Ch. 2008-111 Forecast Detail

(\$ in millions)

	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
Ch. 2008-111 Fees Grand Total								
OLD	58.9	56.7	56.1	55.3	55.3	55.3	55.3	0.0
EDR	58.9	58.1	57.7	57.2	57.0	56.8	56.8	56.8
EOG	58.9	58.1	57.1	56.1	56.1	56.1	56.1	56.1
CCOC	58.9	58.1	56.0	55.3	55.3	55.3	55.3	55.3
NEW	58.9	58.1	57.7	57.2	57.0	56.8	56.8	56.8
Five Provision Totals								
EDR	38.6	38.0	36.4	35.7	35.7	34.9	34.9	34.9
% Share of Total	65.5%	65.5%	63.1%	62.3%	62.6%	61.4%	61.4%	61.4%
EOG	38.6	38.0	38.8	38.8	38.8	38.8	38.8	38.8
% Share of Total	65.5%	65.5%	67.9%	69.1%	69.1%	69.1%	69.1%	69.1%
CCOC	38.6	38.0	36.7	36.2	36.2	36.2	36.2	36.2
% Share of Total	65.5%	65.5%	65.5%	65.5%	65.5%	65.5%	65.5%	65.5%
NEW	38.6	38.0	37.8	37.5	37.3	37.2	37.2	37.2
% Share of Total	65.5%	65.5%	65.5%	65.5%	65.5%	65.5%	65.5%	65.5%
Retained By Four Counties								
EDR	0.0	2.4	4.7	4.6	4.6	4.5	4.5	4.5
% Share of Five Provisions	#NA	#NA	12.9%	12.9%	12.9%	12.9%	12.9%	12.9%
EOG	0.0	2.4	5.0	5.0	5.0	5.0	5.0	5.0
% Share of Five Provisions	#NA	#NA	12.9%	12.9%	12.9%	12.9%	12.9%	12.9%
CCOC	0.0	2.4	4.7	4.7	4.7	4.7	4.7	4.7
% Share of Five Provisions	#NA	#NA	12.9%	12.9%	12.9%	12.9%	12.9%	12.9%
NEW	0.0	2.4	4.9	4.8	4.8	4.8	4.8	4.8
% Share of Five Provisions	#NA	#NA	12.9%	12.9%	12.9%	12.9%	12.9%	12.9%
Ch. 2008-111 Fees Distributed to GR								
EDR	58.9	55.7	53.0	52.6	52.4	52.3	52.3	52.3
EOG	58.9	55.7	52.1	51.1	51.1	51.1	51.1	51.1
CCOC	58.9	55.7	51.3	51.3	51.3	51.3	51.3	51.3
NEW	58.9	55.7	52.8	52.4	52.2	52.0	52.0	52.0
Adjusted Transfer Amount								
EDR	0.0	0.0	3.6	4.6	4.6	4.5	4.5	4.5
EOG	0.0	0.0	3.7	5.0	5.0	5.0	5.0	5.0
CCOC	0.0	0.0	3.6	4.7	4.7	4.7	4.7	4.7
NEW	#NA	#NA	3.6	4.8	4.8	4.8	4.8	4.8

ARTICLE V FEES AND TRANSFERS

(\$ millions)

Fiscal Year	Estimate	Direct GR Receipts	Transfer to GR	Transfer from GR to Miami-Dade Clerk	Total General Revenue
2018-19	OLD	109.2	--	(1.5)	107.7
	EDR	105.0	17.4	(1.5)	120.9
	EOG	104.9	17.5	(1.5)	120.9
	DEPT	#N/A	17.4	#N/A	#N/A
	NEW	105.6	17.4	(1.5)	121.5
2019-20	OLD	103.1	--	--	103.1
	EDR	100.1	4.6	--	104.7
	EOG	98.7	5.0	--	103.7
	DEPT	#N/A	4.7	#N/A	#N/A
	NEW	100.0	4.8	--	104.8
2020-21	OLD	102.6	--	--	102.6
	EDR	98.4	4.6	--	103.0
	EOG	98.2	5.0	--	103.2
	DEPT	#N/A	4.7	#N/A	#N/A
	NEW	99.3	4.8	--	104.1
2021-22	OLD	101.7	--	--	101.7
	EDR	97.5	4.5	--	102.0
	EOG	97.3	5.0	--	102.3
	DEPT	#N/A	4.7	#N/A	#N/A
	NEW	98.2	4.8	--	103.0
2022-23	OLD	101.4	--	--	101.4
	EDR	97.2	4.5	--	101.7
	EOG	97.0	5.0	--	102.0
	DEPT	#N/A	4.7	#N/A	#N/A
	NEW	97.9	4.8	--	102.7
2023-24	OLD	0.0	--	--	0.0
	EDR	97.2	4.5	--	101.7
	EOG	97.0	5.0	--	102.0
	DEPT	#N/A	4.7	#N/A	#N/A
	NEW	97.9	4.8	--	102.7

Notes:

Pursuant to s. 28.37(3), F.S., certain revenues in excess of those needed to fund the combined authorized budget amount for the clerks of the court during the previous county fiscal year are transferred to General Revenue on January 25th of each year. The forecasted amount of these funds in FY 2018-19 is \$13.8 million. Added to this amount is \$3.6 million from 2008-111 fees which were retained by Hillsborough, Pasco, Lee and Santa Rosa Counties. Subsequent years just reflect the 2008-111 fees.

Chapter 2018-118, L.O.F. directed that the first \$1.5 million from foreclosure filings between \$50,000 and \$250,000 be transferred to the Miami-Dade County Clerk of Court for FY 2018-19.

Crosswalk of Data Set History to State Accounts History

GR				
Fiscal Year	Data Set	Timing Adjustments	Other Adjustments	State Accounts
2013-14	173.3	0.4	0.0	173.7
2014-15	151.4	(0.3)	0.0	151.1
2015-16	139.1	(0.3)	0.0	138.8
2016-17	126.4	0.1	0.0	126.6
2017-18	104.4	(0.4)	0.0	104.0

SCRTF				
Fiscal Year	Data Set	Timing Adjustments	Other Adjustments	State Accounts
2013-14	84.7	0.0	0.0	84.7
2014-15	79.3	(0.0)	0.0	79.3
2015-16	75.8	(0.3)	0.0	75.5
2016-17	74.3	(0.4)	0.0	73.9
2017-18	75.4	(0.4)	0.0	75.0

Other Trust Funds				
Fiscal Year	Data Set	Timing Adjustments	Other Adjustments	State Accounts
2013-14	37.6	(0.2)	0.0	37.4
2014-15	35.9	(0.0)	0.0	35.9
2015-16	33.5	0.6	0.0	34.1
2016-17	31.9	0.1	0.0	32.0
2017-18	30.6	(1.0)	0.0	29.6

Article V REC
August 2, 2018
Local Government Fines/Fees/Charges Schedule for Clerks
(Millions)

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL
SFY18/19	34.8	33.3	37.1	33.3	33.0	32.1	30.4	36.1	36.2	36.9	34.8	34.1	412.1
SFY19/20	35.1	33.6	37.4	33.5	33.3	32.3	30.7	36.4	36.5	37.2	35.1	34.4	415.3
SFY20/21	35.2	33.7	37.5	33.6	33.4	32.4	30.8	36.5	36.6	37.3	35.2	34.5	416.6
SFY21/22	35.3	33.8	37.6	33.7	33.5	32.5	30.8	36.6	36.7	37.4	35.3	34.6	417.7
SFY22/23	35.4	33.8	37.7	33.8	33.5	32.6	30.9	36.7	36.8	37.5	35.4	34.7	418.9
SFY23/24	35.5	33.9	37.8	33.9	33.6	32.7	31.0	36.8	36.9	37.6	35.5	34.8	420.0

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
LFY 18/19	33.3	33.0	32.1	30.4	36.1	36.2	36.9	34.8	34.1	35.1	33.6	37.4	412.9
LFY 19/20	33.5	33.3	32.3	30.7	36.4	36.5	37.2	35.1	34.4	35.2	33.7	37.5	415.6
LFY 20/21	33.6	33.4	32.4	30.8	36.5	36.6	37.3	35.2	34.5	35.3	33.8	37.6	416.9
LFY 21/22	33.7	33.5	32.5	30.8	36.6	36.7	37.4	35.3	34.6	35.4	33.8	37.7	418.0
LFY 22/23	33.8	33.5	32.6	30.9	36.7	36.8	37.5	35.4	34.7	35.5	33.9	37.8	419.1
LFY 23/24	33.9	33.6	32.7	31.0	36.8	36.9	37.6	35.5	34.8	35.6	34.0	37.9	420.2

Adopted Monthly Foreclosure Filings

August 2, 2018

Article V REC

FY	2018-19												TOTAL	Claim Value Categories		
Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	< \$50,000	\$50,000 - \$250,000	> \$250,000	
FY 2018-19 Mo. Filings	4,192	4,192	4,192	4,192	4,192	4,192	4,192	4,192	4,192	4,192	4,192	4,192	50,300	22.9%	56.6%	20.5%
FY	2019-20												TOTAL	Claim Value Categories		
Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	< \$50,000	\$50,000 - \$250,000	> \$250,000	
FY 2019-20 Mo. Filings	3,700	3,700	3,700	3,700	3,700	3,700	3,700	3,700	3,700	3,700	3,700	3,700	44,400	22.9%	56.6%	20.5%
FY	2020-21												TOTAL	Claim Value Categories		
Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	< \$50,000	\$50,000 - \$250,000	> \$250,000	
FY 2020-21 Mo. Filings	3,650	3,650	3,650	3,650	3,650	3,650	3,650	3,650	3,650	3,650	3,650	3,650	43,800	22.9%	56.6%	20.5%
FY	2021-22												TOTAL	Claim Value Categories		
Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	< \$50,000	\$50,000 - \$250,000	> \$250,000	
FY 2021-22 Mo. Filings	3,550	3,550	3,550	3,550	3,550	3,550	3,550	3,550	3,550	3,550	3,550	3,550	42,600	22.9%	56.6%	20.5%
FY	2022-23												TOTAL	Claim Value Categories		
Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	< \$50,000	\$50,000 - \$250,000	> \$250,000	
FY 2022-23 Mo. Filings	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	42,000	22.9%	56.6%	20.5%
FY	2023-24												TOTAL	Claim Value Categories		
Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	< \$50,000	\$50,000 - \$250,000	> \$250,000	
FY 2023-24 Mo. Filings	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	42,000	22.9%	56.6%	20.5%