

Revenue Estimating Conference
Article V Fees & Transfers
Executive Summary
December 19, 2019

Revenue collections for Article V Fees and Transfers during the four-month period following the Revenue Estimating Conference held on August 7, 2019, were close to the estimates adopted for the 2019-20 fiscal year in most areas. County Court was a combined 0.3% above estimate; Circuit Court Other was 2.9% above estimate; Family Court was 0.7% above estimate; and Traffic Court was 3.5% above estimate. Foreclosure Filings are treated separately and were -11.1% below the activity level forecasted by the prior conference.

Actual year-to-date revenue performance was used to adjust the forecast base. As a result, the forecast did not change for six revenue categories: County Court Claims \$2,500 to \$15,000, County Court Foreclosure, Removal of Tenant Action, Family Court Base Fee, Appeals, and Counterclaims. Projected collections for Traffic Court Allocated Civil Penalties, Violations/Red Light Ticket/Unlawful Speed, Family Court Marriage Dissolution and Chapter 2008-111 Fees were increased throughout their forecasts; however, reductions were made to forecast for Foreclosure Base Fee, Foreclosure Variable Fee, and Mediation/Marriage License/Other. The County Court Claims above \$15,000, County Court Additional Fee, Circuit Court Base Fees, Circuit Court Probate, Circuit Court Additional Fee, 10% of Fines to the Clerks of Court, and Other Revenue to the Clerks (s.142.01(2), F.S.) categories had mixed adjustments to their respective forecasts. The categories related to Foreclosure and Clerks of Court – Chapter 2008-111 are also discussed separately below.

In this regard, the final level of foreclosure filings in the last two years has been affected by both temporary court office closings and various private and public mortgage assistance programs available to homeowners who were in the path of hurricanes. Much of the activity that was delayed as a result of Hurricanes Irma and Michael returned during FY 2018-19. The Conference adopted a new foreclosure forecast that takes into account both the closing out of these adjustments and the decline in the actual number of homes in foreclosure status. The Conference reduced the estimate for foreclosure filings in FY 2019-20 by 4,982 filings. Further, it appears that foreclosure activity is nearing the end of the abnormal speed-up caused by the collapse of the housing market and the beginning of the recession in 2007. The new forecast of foreclosure filings places the start of a slow return to more typical levels in FY 2020-21. The following table shows the changes to forecasted filings:

Foreclosure Filings	February 2019 REC	August 2019 REC	Difference
2019-20	46,656	41,674	-4,982
2020-21	49,900	44,628	-5,272
2021-22	50,401	45,045	-5,356
2022-23	50,901	45,462	-5,439
2023-24	51,401	45,878	-5,523
2024-25	51,901	46,295	-5,606

The Conference also discussed several issues involving the clerks of court. Pursuant to s. 28.37(3)(b)1., F.S., the cumulative surplus of all fines, fees and charges in excess of \$10 million is to be transferred to General Revenue no later than February 1, 2020. The forecasted amount of these funds is \$5.9 million. Added to this amount is \$3.4 million from the 2008-111 fees that were retained by Hillsborough, Lee and Santa Rosa Counties from October 2018 through June 2019. Further, pursuant to s. 28.37(3)(b)2., F.S., not less than

50% the cumulative excess of all fines, fees and charges is to be transferred to General Revenue no later than February 1, 2021. The forecasted amount of these funds is \$1.1 million.

Cumulatively, the Article V revisions result in negative changes to the overall forecast, with all years showing reductions to the prior forecasts except for FY 2024-25. The impact on specific funds, however, varies in both size and direction. For the major funds, the new forecast results in the following near-term changes:

- Direct receipts into the General Revenue Fund were decreased by -\$3.6 million in FY 2019-20 and by -\$3.4 million in FY 2020-21. In addition to the direct receipts, the General Revenue Fund is expected to receive a net transfer of \$9.3 million in FY 2019-20 rather than the prior projection of \$10.3 million and a net transfer of \$1.1 million in FY 2020-21 rather than the prior projection that contained no transfer. Altogether, the combined change over the August forecast is a decrease of -\$4.7 million in FY 2019-20 and -\$2.3 million in FY 2020-21.
- The State Courts Revenue Trust Fund was increased by \$0.9 million in FY 2019-20 and by \$0.4 million in FY 2020-21.
- The Clerks of Court Trust Fund was unchanged in both FY 2019-20 and FY 2020-21.
- The Clerks' Fine and Forfeiture Funds was increased by \$0.1 million in FY 2019-20 and by \$0.5 million in FY 2020-21.

ARTICLE V REVENUE ESTIMATING CONFERENCE
12/19/2019

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. **ICDTF** – 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	2023-25
Ch. 2008-111 Fees Grand Total									
OLD	58.9	58.1	61.2	61.6	62.1	62.2	62.3	62.4	62.2
EDR	58.9	58.1	61.2	62.3	62.2	62.3	62.3	62.5	62.7
EOG	58.9	58.1	61.2	62.0	62.5	62.6	62.7	62.8	62.6
CCOC	58.9	58.1	61.2	62.2	62.0	62.1	62.1	62.0	62.0
NEW	58.9	58.1	61.2	62.3	62.2	62.3	62.3	62.5	62.7
Retained By Counties									
OLD	0.0	2.5	4.4	0.0	0.0	0.0	0.0	0.0	0.0
EDR	0.0	2.5	4.4	0.3	0.0	0.0	0.0	0.0	0.0
EOG	0.0	2.5	4.4	0.3	0.0	0.0	0.0	0.0	0.0
CCOC	0.0	2.5	4.4	0.3	0.0	0.0	0.0	0.0	0.0
NEW	0.0	2.5	4.4	0.3	0.0	0.0	0.0	0.0	0.0
Ch. 2008-111 Fees Distributed to GR									
OLD	58.9	55.7	56.8	61.6	62.1	62.2	62.3	62.4	62.2
EDR	58.9	55.7	56.8	61.9	62.2	62.3	62.3	62.5	62.7
EOG	58.9	55.7	56.8	61.6	62.5	62.6	62.7	62.8	62.6
CCOC	58.9	55.7	56.8	61.9	62.0	62.1	62.1	62.0	62.0
NEW	58.9	55.7	56.8	61.9	62.2	62.3	62.3	62.5	62.7
Adjusted Transfer Amount									
OLD		3.9	3.0	0.0	0.0	0.0	0.0	0.0	0.0
EDR		3.9	3.4	0.0	0.0	0.0	0.0	0.0	0.0
EOG		3.9	3.4	0.0	0.0	0.0	0.0	0.0	0.0
CCOC		3.9	3.4	0.0	0.0	0.0	0.0	0.0	0.0
NEW		3.9	3.4	0.0	0.0	0.0	0.0	0.0	0.0

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
2019-20	OLD	109.1	10.3	--	119.4
	EDR	106.2	9.3	--	115.5
	EOG	106.2	9.3	--	115.5
	DEPT	#N/A	9.3	#N/A	#N/A
	NEW	105.5	9.3	--	114.8
2020-21	OLD	109.4	0.0	--	109.4
	EDR	106.3	0.8	--	107.1
	EOG	108.0	1.2	--	109.2
	DEPT	#N/A	1.3	#N/A	#N/A
	NEW	106.0	1.1	--	107.1
2021-22	OLD	109.7	0.0	--	109.7
	EDR	106.6	0.0	--	106.6
	EOG	108.3	0.0	--	108.3
	DEPT	#N/A	0.0	#N/A	#N/A
	NEW	106.2	0.0	--	106.2
2022-23	OLD	109.4	0.0	--	109.4
	EDR	106.7	0.0	--	106.7
	EOG	108.5	0.0	--	108.5
	DEPT	#N/A	0.0	#N/A	#N/A
	NEW	105.9	0.0	--	105.9
2023-24	OLD	108.7	0.0	--	108.7
	EDR	106.9	0.0	--	106.9
	EOG	108.7	0.0	--	108.7
	DEPT	#N/A	0.0	#N/A	#N/A
	NEW	105.2	0.0	--	105.2
2024-25	OLD	108.7	0.0	--	108.7
	EDR	107.3	0.0	--	107.3
	EOG	108.7	0.0	--	108.7
	DEPT	#N/A	0.0	#N/A	#N/A
	NEW	105.6	0.0	--	105.6

Notes:

Pursuant to s. 28.37(3)(b)1., F.S., the cumulative excess of all fines, fees and charges in excess of \$10 million is to be transferred to General Revenue no later than February 1, 2020. The forecasted amount of these funds is \$5.9 million. Added to this amount is \$3.4 million from 2008-111 fees which were retained by Hillsborough, Lee and Santa Rosa Counties.

Pursuant to s. 28.37(3)(b)2., F.S., not less than 50% the cumulative excess of all fines, fees and charges is to be transferred to General Revenue no later than February 1, 2021. The forecasted amount of these funds is \$1.1 million.

Crosswalk of Data Set History to State Accounts History

GR

Fiscal Year	Data Set	Timing Adjustments	Other Adjustments	State Accounts
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
2018-19	110.6	(0.5)	23.2	133.4

SCRTF

Fiscal Year	Data Set	Timing Adjustments	Other Adjustments	State Accounts
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
2018-19	84.1	(1.3)	0.0	82.7

Other Trust Funds

Fiscal Year	Data Set	Timing Adjustments	Other Adjustments	State Accounts
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
2018-19	30.9	(1.1)	0.0	29.7

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 amount of these funds in FY 2018-19 was \$20.9 million. Added to this amount was \$3.9 million from 2008-11 fees which were retained by Hillsborough, Lee and Santa Rosa Counties.

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.

Article V REC

12/19/2019

Local Government Fines/Fees/Charges Schedule for Clerks
(Millions)

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL
SFY19/20	34.1	37.1	35.8	35.4	38.5	32.8	34.7	33.8	40.0	38.0	36.4	33.9	430.4
SFY20/21	36.3	34.7	38.7	34.7	34.4	33.4	31.7	37.7	37.7	38.5	36.3	35.6	429.8
SFY21/22	36.2	34.7	38.6	34.6	34.4	33.4	31.7	37.6	37.7	38.4	36.2	35.5	429.0
SFY22/23	36.2	34.6	38.5	34.6	34.3	33.3	31.6	37.5	37.6	38.3	36.1	35.5	428.2
SFY23/24	36.2	34.6	38.5	34.6	34.3	33.3	31.6	37.5	37.6	38.3	36.1	35.5	428.1
SFY24/25	36.2	34.6	38.5	34.6	34.3	33.3	31.6	37.5	37.6	38.3	36.1	35.5	428.1

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
LFY 19/20	35.4	38.5	32.8	34.7	33.8	40.0	38.0	36.4	33.9	36.3	34.7	38.7	433.2
LFY 20/21	34.7	34.4	33.4	31.7	37.7	37.7	38.5	36.3	35.6	36.2	34.7	38.6	429.6
LFY 21/22	34.6	34.4	33.4	31.7	37.6	37.7	38.4	36.2	35.5	36.2	34.6	38.5	428.8
LFY 22/23	34.6	34.3	33.3	31.6	37.5	37.6	38.3	36.1	35.5	36.2	34.6	38.5	428.1
LFY 23/24	34.6	34.3	33.3	31.6	37.5	37.6	38.3	36.1	35.5	36.2	34.6	38.5	428.1
LFY 24/25	34.6	34.3	33.3	31.6	37.5	37.6	38.3	36.1	35.5	36.2	34.6	38.5	428.1

Adopted Monthly Foreclosure Filings

12/19/2019

Article V REC

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	3,595	3,751	3,965	3,109	4,099	2,968	3,297	3,047	3,252	3,658	3,438	3,495	41,674	27.5%	52.5%	20.0%

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	4,443	4,195	4,203	3,505	3,671	3,155	3,506	3,238	3,456	3,889	3,654	3,713	44,628	27.5%	52.5%	20.0%

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	4,484	4,234	4,242	3,537	3,706	3,184	3,539	3,269	3,489	3,925	3,688	3,748	45,045	27.5%	52.5%	20.0%

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	4,526	4,273	4,282	3,570	3,740	3,214	3,572	3,299	3,521	3,962	3,722	3,783	45,462	27.5%	52.5%	20.0%

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	4,568	4,312	4,321	3,602	3,774	3,243	3,604	3,329	3,553	3,998	3,756	3,818	45,878	27.5%	52.5%	20.0%

FY	2024-25												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 2024-25 Mo. Filings	4,609	4,351	4,360	3,635	3,808	3,273	3,637	3,359	3,585	4,034	3,790	3,852	46,295	27.5%	52.5%	20.0%