

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. **20040237**

1. REQUESTED MOTION:

ACTION REQUESTED:

Adopt resolution supporting full and adequate funding for the State Court System and the Twentieth Judicial Circuit to ensure Justice for all Floridians.

WHY ACTION IS NECESSARY:

To ensure proper funding.

WHAT ACTION ACCOMPLISHES:

Conveys BOCC support for full and adequate funding.

**2. DEPARTMENTAL CATEGORY: 3
COMMISSION DISTRICT: CW**

A3A

3. MEETING DATE:

03-09-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED: _____

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER Commissioner Albion
- B. DEPARTMENT County Commission
- C. DIVISION _____
- BY: *John Albion*

7. BACKGROUND:

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
					OA	OM	Risk	GC	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RESOLUTION # _____

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONER OF LEE COUNTY,
SUPPORTING FULL AND ADEQUATE FUNDING FOR THE STATE COURT SYSTEM AND
THE TWENTIETH JUDICIAL CIRCUIT TO ENSURE JUSTICE FOR ALL FLORIDIANS**

WHEREAS, the voters of Florida passed an amendment to Article V of the Florida Constitution, commonly referred to as Revision 7, that addresses funding for the Judicial Branch of government; and

WHEREAS, currently, over half of the budget for the Twentieth Judicial Circuit comes from County funds; and Revision 7 calls for the State to fund a larger portion of the Courts' operational expenses, beginning July 1, 2004; and

WHEREAS, The Florida Courts receive less than 1% of the total 2003/2004 State budget; and even after the shift to State funding, less than 2% of the State's 2004/2005 budget will be dedicated to the third branch of government; and

WHEREAS, as part of the third branch of government, the Twentieth Judicial Circuit serves the citizens of Lee County; and in particular it:

- Guarantees the freedoms we enjoy daily by upholding the law, protecting our individual rights and liberties, enforcing public order; and providing for a peaceful resolution of disputes;
- Safeguards victims' rights, determines guilt or innocence of the accused, and imposes appropriate punishment;
- Resolves personal, business, and property disputes;
- Protects families, children, the elderly and infirm;
- Facilitates case processing through programs that provide citizens with timely and efficient access to justice and that relieve the impact on the court system and county services resulting from population growth;
- Provides due process services that protect each citizen's right to a fair and impartial trial through such services as court-appointed expert witnesses, interpreters, and court reporters;
- Provides post-adjudication services that ensure compliance with Court ordered sanctions, that reduce recidivism, and, most importantly, that offer offenders a structured program through which they can be restored as a viable member of society; and

WHEREAS, the rights and freedoms of the citizens of Lee County depend upon an impartial and independent judiciary and on the ability of the State's Attorney and the Public Defender to fulfill their vital roles; and

WHEREAS, without adequate funding, the Courts, State Attorneys and Public Defenders will be enable to address all cases brought before the Courts, to serve vital public interests, and to protect our basic freedoms.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY hereby recommend and request that the Florida Legislature fulfill its obligations under Revision 7 and ensure that the Florida State Court System and the offices of the State Attorney and the Public Defender of the Twentieth Judicial Circuit receive full and adequate funding to support the programs identified in Revision 7 (the budget submitted by the Chief Justice of the Florida Supreme Court).

The foregoing Resolution was offered by Commissioner Coy, who moved its adoption. The motion was seconded by Commissioner Janes and, being put to a vote, the vote was as follows:

ROBERT JANES	_____
DOUGLAS ST. CERNY	_____
RAY JUDAH	_____
ANDREW COY	_____
JOHN E. ALBION	_____

DULY ADOPTED this _____ day of March 2004.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By _____
Deputy Clerk

By: _____
Chairman