

**Revenue Estimating Conference  
Article V Fees & Transfers  
Executive Summary  
November 18, 2020**

Revenue collections for Article V Fees and Transfers during the four-month period following the last Revenue Estimating Conference held on July 20, 2020, were mostly below the estimates adopted for fiscal year 2020-21. County Court was a combined -9.5% below estimate; Circuit Court Other was 9.6% above estimate; Family Court was 2.2% above estimate; Traffic Court was -12.7% below estimate; and the miscellaneous collection of Other was -13.9% below estimate. Foreclosure Filings are treated separately and were close to the activity level forecasted by the prior conference, but below on revenues. The net shortfall across the judicial system (County Court, Circuit Court, Family Court and Traffic Court) lead to a combined loss of -\$26.7 million. This loss was largely induced by the continued impact of the worldwide pandemic on court operations.

Actual year-to-date revenue performance was used to adjust the forecast base. The forecast was further adjusted to incorporate the court's most recent reopening plan and other factors related to the pandemic. As a result, the forecast did not change for five revenue categories: Family Court Base Fees; Family Court Marriage Dissolution; Circuit Court Probate; Appeals; and Counterclaims. County Court Claims above \$15,000; Removal of Tenant Action; Circuit Court Base Fees; and Circuit Court Additional Fees were increased throughout their forecasts. Reductions were made to the forecast for County Court Claims \$2,500 to \$15,000; County Court Additional Fees; and Violations/Red Light Ticket/Unlawful Speed. The change relative to prior forecast was mixed for Traffic Court Allocated Civil Penalties; Mediation/Marriage License/Other; Chapter 2008-111 Fees, 10% of Fines to the Clerks of Court, and Other Revenue to the Clerks; however, the forecasts within these categories were reduced in the near term.

There are three revenue categories related to the number of foreclosure filings (County Court Foreclosure, Foreclosure Base Fee, and Foreclosure Variable Fee). The filings in the first quarter of FY 2020-21 were affected by both the temporary court office closings and the moratoriums on foreclosures issued at both the state and federal level. A significant portion of the activity that was delayed is forecasted to return during FY 2020-21 and FY 2021-22. In addition, the Conference took into account the expected number of added homes in foreclosure status. The Conference decreased the estimate for foreclosure filings in FY 2020-21 by -9,281 filings and increased the estimate for foreclosure filings in FY 2021-22 by 13,452 for a net increase of 4,170 filings in the first two years of the forecast. The table below shows the annual changes to forecasted filings:

Foreclosure Filings	July 2020 REC	November 2020 REC	Difference
<b>2020-21</b>	57,695	48,413	-9,281
<b>2021-22</b>	50,368	63,819	13,452
<b>2022-23</b>	48,756	50,988	2,232
<b>2023-24</b>	47,884	47,777	-107
<b>2024-24</b>	47,029	46,331	-698
<b>2025-26</b>	47,867	47,004	-864

The Conference also discussed several issues involving the clerks of court. Most importantly, state law (s. 28.37(3)(b)2, F.S.) requires that not less than 50% of the cumulative excess of all fines, fees and charges be transferred to General Revenue no later than February 1, 2021 and February 1, 2022. Based on the new forecast, no dollars are expected to be transferred by the February 1, 2021 deadline and \$5.9 million is expected to be transferred by the February 1, 2022 deadline.

Cumulatively, the Article V revisions resulted in negative changes to the overall forecast for FY 2020-21 and increases to the estimates for all years thereafter. 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 -\$13.4 million in FY 2020-21 and increased by \$6.9 million in FY 2021-22. In addition to the direct receipts, the prior forecast projected no transfer from the Clerks in FY 2021-22 while the new forecast includes a transfer of \$5.9 million during FY 2021-22. Combining the two sources of revenue, the net change relative to the July forecast for FY 2021-22 is an increase of \$12.8 million.
- The State Courts Revenue Trust Fund was increased by \$0.2 million in FY 2020-21 and by \$5.7 million in FY 2021-22.
- The Clerks of Court Trust Fund was unchanged in both FY 2020-21 and FY 2021-22.
- The Clerks' Fine and Forfeiture Funds was decreased by -\$8.3 million in FY 2020-21 and by -\$3.5 million in FY 2021-22.