

**Revenue Estimating Conference  
Article V Fees & Transfers  
July 11, 2012  
Executive Summary**

Overall, FY 2011-12 Article V Fees and Transfers revenue collections were slightly less than in the prior year (FY 2010-11). The Circuit Other, Counterclaim, County Civil, Fines/Fees/Charges and Allocated Traffic revenue categories all had declines for the third consecutive fiscal year. Circuit foreclosure revenues increased 11.3% over the prior year although, when all was said and done, they ended up approximately \$30 million below the amount forecast for the revenue category back in December 2011. Adjudication revenues were up slightly for the third consecutive year, while Circuit Family and Miscellaneous revenues increased slightly from the prior year and Other Traffic decreased. Probate revenues were the same as in the prior year and additional revenue sources were included in the Appellate category for FY 2011-12 negating the value of prior year comparison.

The Conference discussed a number of economic variables having a direct bearing on the new forecast, one of the more significant of which continues to be mortgage foreclosure filings. While the inventory of past due mortgages remains high and consent judgments have become effective between the states and five major mortgage lending institutions effectively eliminating obstacles to processing foreclosures, the foreclosure forecast has been revised in anticipation of a somewhat slower and more steady pace of filings. Some filings contemplated for 2012-13 in the previous forecast are shifted into 2013-14 in the new forecast; correspondingly, Article V revenue resulting from these foreclosures shifts as well. In addition, in the new forecast, revenue among the three foreclosure property value categories has been realigned to better reflect actual results, resulting in a shift in some revenue from GR to the State Courts Revenue Trust Fund.

<b>Foreclosure Filings</b>	<b>Dec 2011 REC</b>	<b>July 2013 REC</b>	<b>Difference</b>
<b>2011-12</b>	<b>209,500</b>	<b>181,330</b>	<b>-28,170</b>
<b>2012-13</b>	<b>265,500</b>	<b>248,000</b>	<b>-17,500</b>
<b>2013-14</b>	<b>200,400</b>	<b>246,000</b>	<b>45,600</b>
<b>2014-15</b>	<b>136,100</b>	<b>136,100</b>	<b>0</b>
<b>2015-16</b>	<b>103,100</b>	<b>103,100</b>	<b>0</b>

Civil economic and contract case filings are projected to continue trending back toward FY 2005-06 levels as the economy continues to slowly improve. Filing fee revenues from these cases is reflected in the Circuit Other and Fines/Fees/Charges revenue categories and will decrease accordingly throughout the forecast period, with Fines/Fees/Charges revenues holding steady in the final year. Traffic related revenues are projected to fall at a lesser rate in FY 2012-13 and then begin to increase slightly in the out years.

As a result of the new forecast and realignment of foreclosure revenues among property value categories, GR decreases \$41.6 million in FY 2012-13 and increases \$8.9 million in FY 2013-14 from the previous forecast. In contrast, revenue increases in the State Courts Revenue Trust Fund by \$16.3 million and \$21.1 million for the same period. Similarly, the Clerks of Court Trust Fund revenues increase by a total of \$6.3 and \$20.9 million from the previous forecast for the two year period.

## ARTICLE V REVENUE ESTIMATING CONFERENCE

7/11/12

### Variables:

1. Probate
2. Circuit Other
3. Circuit Family
4. Circuit Foreclosure
5. Counterclaim
6. Appellate
7. County Civil
8. Fines/Fees/Charges
9. Other Traffic
10. Allocated Traffic
11. Adjudication
12. Miscellaneous

### Funds:

1. **GR** – General Revenue
2. **COCTF** – Clerks of the Court Trust Fund
3. **SCRTF** –State Courts Revenue Trust Fund

### 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. **AWCTF** - Audit and Warrant Clearing Trust Fund

**Revenue Forecast by Variable (millions)**

<b>Fiscal Year</b>	<b>Estimate</b>	<b>Probate</b>	<b>Circuit Other</b>	<b>Circuit Family</b>	<b>Circuit Foreclosure</b>	<b>Counter-claim</b>	<b>Appellate</b>	<b>County Civil</b>	<b>Fines/Fees/Charges</b>	<b>Other Traffic</b>	<b>Allocated Traffic</b>	<b>Adjudication</b>	<b>Misc.</b>	<b>TOTAL</b>
2009-10	Actual	7.3	71.1	15.8	340.1	7.2	0.4	24.7	544.2	37.7	43.8	5.0	5.0	1,102.3
2010-11	Actual	6.7	57.5	14.5	153.0	6.1	0.7	23.5	526.4	38.8	39.1	5.4	4.1	876.0
2011-12	Actual	6.7	52.5	14.8	170.3	5.7	2.8	20.2	508.5	38.3	34.7	5.6	4.8	864.7
2012-13	OLD	6.6	44.8	15.8	245.3	5.3	2.8	20.0	500.6	37.1	34.9	5.3	4.6	923.1
2012-13	EDR	6.7	46.4	14.9	212.6	5.5	2.8	19.6	504.1	37.7	34.6	5.6	4.6	895.0
2012-13	EOG	6.7	49.2	14.8	217.9	5.2	2.8	19.7	500.9	38.3	34.6	5.6	4.7	900.5
2012-13	DPT	6.6	44.3	14.8	231.8	5.7	2.8	19.7	508.0	38.0	-	-	4.6	876.3
2012-13	NEW	6.6	46.4	14.8	217.9	5.2	2.8	19.7	508.0	38.0	34.6	5.6	4.6	904.1
2013-14	OLD	6.6	43.5	15.9	185.1	5.2	2.8	20.0	478.3	37.5	35.3	5.3	4.6	840.1
2013-14	EDR	6.7	45.0	15.1	210.4	5.4	2.8	19.3	502.5	38.2	35.0	5.6	4.6	890.7
2013-14	EOG	6.7	47.8	14.9	214.1	5.1	2.8	19.7	490.6	38.7	35.0	5.6	4.7	885.6
2013-14	DPT	6.6	43.0	14.9	250.6	5.7	2.8	19.7	499.0	38.6	-	-	4.6	885.6
2013-14	NEW	6.6	45.0	14.9	214.1	5.1	2.8	19.7	499.0	38.6	35.0	5.6	4.6	891.2
2014-15	OLD	6.7	42.6	16.1	125.7	5.0	2.9	20.0	470.7	38.0	36.0	5.3	4.6	773.6
2014-15	EDR	6.7	43.7	15.3	129.8	5.1	2.9	19.1	492.6	38.7	35.5	5.6	4.6	799.6
2014-15	EOG	6.9	46.8	15.1	125.7	5.0	2.9	19.7	490.5	39.2	35.7	5.6	4.7	797.9
2014-15	DPT	6.7	42.2	15.1	207.5	5.7	2.9	19.7	490.0	39.2	-	-	4.6	833.5
2014-15	NEW	6.7	43.7	15.1	125.7	5.0	2.9	19.7	490.0	39.2	35.5	5.6	4.6	793.7
2015-16	OLD	6.7	42.6	16.3	97.8	4.9	2.9	20.0	470.5	38.6	36.5	5.3	4.6	746.8
2015-16	EDR	6.8	42.3	15.6	79.6	4.9	2.9	18.9	486.4	39.3	36.1	5.6	4.6	742.9
2015-16	EOG	6.9	46.8	15.3	97.8	4.7	3.0	19.7	491.4	39.8	36.2	5.6	4.7	771.9
2015-16	DPT	6.8	42.2	15.2	145.4	5.7	2.9	19.7	490.0	39.8	-	-	4.6	772.2
2015-16	NEW	6.8	42.3	15.3	97.8	4.7	2.9	19.7	490.0	39.8	36.1	5.6	4.6	765.7

**Growth Rates by Variable (percent)**

<b>Fiscal Year</b>	<b>Estimate</b>	<b>Probate</b>	<b>Circuit Other</b>	<b>Circuit Family</b>	<b>Circuit Foreclosure</b>	<b>Counter-claim</b>	<b>Appellate</b>	<b>County Civil</b>	<b>Fines/Fees/Charges</b>	<b>Other Traffic</b>	<b>Allocated Traffic</b>	<b>Adjudication</b>	<b>Misc.</b>	<b>TOTAL</b>
2012-13	OLD	-1.49%	-14.67%	6.76%	44.04%	-7.02%	0.00%	-0.99%	-1.55%	-3.13%	0.58%	-5.36%	-4.17%	6.75%
2012-13	EDR	0.00%	-11.62%	0.68%	24.84%	-3.51%	0.00%	-2.97%	-0.87%	-1.57%	-0.29%	0.00%	-4.17%	3.50%
2012-13	EOG	0.00%	-6.29%	0.00%	27.95%	-8.77%	0.00%	-2.48%	-1.49%	0.00%	-0.29%	0.00%	-2.08%	4.14%
2012-13	DPT	-1.49%	-15.62%	0.00%	36.11%	0.00%	0.00%	-2.48%	-0.10%	-0.78%	-	-	-4.17%	1.34%
2012-13	NEW	-1.49%	-11.62%	0.00%	27.95%	-8.77%	0.00%	-2.48%	-0.10%	-0.78%	-0.29%	0.00%	-4.17%	4.56%
2013-14	OLD	0.00%	-2.90%	0.63%	-24.54%	-1.89%	0.00%	0.00%	-4.45%	1.08%	1.15%	0.00%	0.00%	-8.99%
2013-14	EDR	0.00%	-3.02%	1.34%	-1.03%	-1.82%	0.00%	-1.53%	-0.32%	1.33%	1.16%	0.00%	0.00%	-0.48%
2013-14	EOG	0.00%	-2.85%	0.68%	-1.74%	-1.92%	0.00%	0.00%	-2.06%	1.04%	1.16%	0.00%	0.00%	-1.65%
2013-14	DPT	0.00%	-2.93%	0.68%	8.11%	0.00%	0.00%	0.00%	-1.77%	1.58%	-	-	0.00%	1.06%
2013-14	NEW	0.00%	-3.02%	0.68%	-1.74%	-1.92%	0.00%	0.00%	-1.77%	1.58%	1.16%	0.00%	0.00%	-1.43%
2014-15	OLD	1.52%	-2.07%	1.26%	-32.09%	-3.85%	3.57%	0.00%	-1.59%	1.33%	1.98%	0.00%	0.00%	-7.92%
2014-15	EDR	0.00%	-2.89%	1.32%	-38.31%	-5.56%	3.57%	-1.04%	-1.97%	1.31%	1.43%	0.00%	0.00%	-10.23%
2014-15	EOG	2.99%	-2.09%	1.34%	-41.29%	-1.96%	3.57%	0.00%	-0.02%	1.29%	2.00%	0.00%	0.00%	-9.90%
2014-15	DPT	1.52%	-1.86%	1.34%	-17.20%	0.00%	3.57%	0.00%	-1.80%	1.55%	-	-	0.00%	-5.88%
2014-15	NEW	1.52%	-2.89%	1.34%	-41.29%	-1.96%	3.57%	0.00%	-1.80%	1.55%	1.43%	0.00%	0.00%	-10.94%
2015-16	OLD	0.00%	0.00%	1.24%	-22.20%	-2.00%	0.00%	0.00%	-0.04%	1.58%	1.39%	0.00%	0.00%	-3.46%
2015-16	EDR	1.49%	-3.20%	1.96%	-38.67%	-3.92%	0.00%	-1.05%	-1.26%	1.55%	1.69%	0.00%	0.00%	-7.09%
2015-16	EOG	0.00%	0.00%	1.32%	-22.20%	-6.00%	3.45%	0.00%	0.18%	1.53%	1.40%	0.00%	0.00%	-3.26%
2015-16	DPT	1.49%	0.00%	0.66%	-29.93%	0.00%	0.00%	0.00%	0.00%	1.53%	-	-	0.00%	-7.35%
2015-16	NEW	1.49%	-3.20%	1.32%	-22.20%	-6.00%	0.00%	0.00%	0.00%	1.53%	1.69%	0.00%	0.00%	-3.53%

## Revenue Distribution by Fund

Fiscal Year	Estimate	GR	COCTF	SCRTF	DFSATF	CETF	PDRTF	SARTF	BSCITF	ACCTF	EMSTF	DVTF	DHTF	CWTF	AWCTF	TOTAL
2009-10	Actual	188.6	454.5	412.9	1.0	3.7	4.0	7.9	8.3	6.4	7.1	4.4	1.0	0.4	2.0	1,102.3
2010-11	Actual	163.1	446.7	223.9	0.7	3.0	4.0	8.1	7.6	5.1	6.5	4.2	1.0	0.4	1.8	876.0
2011-12	Actual	160.2	429.2	235.9	0.6	3.2	4.0	8.0	6.8	4.1	5.8	4.0	0.9	0.4	1.6	864.7
2012-13	OLD	366.7	423.6	93.5	0.6	2.9	3.9	7.8	6.8	4.3	5.8	4.2	1.0	0.4	1.6	923.1
2012-13	EDR	315.7	426.0	114.0	0.6	3.1	4.0	8.0	6.8	4.1	5.8	4.0	0.9	0.4	1.6	895.0
2012-13	EOG	328.1	420.9	112.1	0.7	3.1	4.1	8.1	6.7	4.1	5.8	4.0	0.9	0.4	1.6	900.5
2012-13	DPT	311.2	430.0	114.0	0.7	3.0	4.0	8.0	0.1	-	-	4.0	0.9	0.4	-	876.3
2012-13	NEW	325.1	429.9	109.8	0.6	3.1	4.0	8.0	6.8	4.1	5.8	4.0	0.9	0.4	1.6	904.1
2013-14	OLD	312.3	401.1	87.1	0.5	2.9	3.9	7.9	6.8	4.4	5.9	4.3	1.0	0.4	1.6	840.1
2013-14	EDR	312.3	425.5	113.1	0.6	3.0	4.1	8.1	6.9	4.2	5.9	4.1	0.9	0.4	1.6	890.7
2013-14	EOG	327.3	410.6	108.1	0.7	3.0	4.1	8.2	6.8	4.1	5.8	4.0	0.9	0.4	1.6	885.6
2013-14	DPT	324.9	422.1	117.2	0.7	3.0	4.1	8.2	0.1	-	-	4.0	0.9	0.4	-	885.6
2013-14	NEW	321.2	422.0	108.2	0.6	3.0	4.1	8.2	6.9	4.2	5.9	4.0	0.9	0.4	1.6	891.2
2014-15	OLD	257.4	393.3	83.0	0.4	2.8	4.0	8.0	7.0	4.4	6.0	4.3	1.0	0.4	1.6	773.7
2014-15	EDR	246.3	415.3	98.0	0.5	3.0	4.1	8.2	7.0	4.2	6.0	4.1	0.9	0.4	1.6	799.6
2014-15	EOG	252.5	410.1	95.0	0.6	3.0	4.2	8.3	6.9	4.2	6.0	4.1	0.9	0.4	1.7	797.9
2014-15	DPT	289.6	412.9	109.4	0.7	3.0	4.1	8.3	0.1	-	-	4.1	0.9	0.4	-	833.5
2014-15	NEW	246.9	412.7	94.0	0.5	3.0	4.1	8.3	7.0	4.2	6.0	4.1	0.9	0.4	1.6	793.7
2015-16	OLD	231.8	392.9	81.6	0.4	2.8	4.1	8.1	7.1	4.5	6.1	4.4	1.0	0.4	1.6	746.8
2015-16	EDR	205.1	408.9	88.5	0.4	2.9	4.2	8.3	7.1	4.3	6.0	4.2	0.9	0.4	1.7	742.9
2015-16	EOG	228.9	411.0	91.4	0.5	3.0	4.2	8.4	7.0	4.3	6.1	4.1	0.9	0.4	1.7	771.9
2015-16	DPT	239.3	412.7	98.5	0.6	3.0	4.2	8.4	0.1	-	-	4.1	0.9	0.4	-	772.2
2015-16	NEW	223.0	412.6	89.4	0.5	3.0	4.2	8.4	7.1	4.3	6.0	4.2	0.9	0.4	1.7	765.7

Notes: It is assumed that funds in excess of those needed to fund approved clerk of court budgets for each state fiscal year are transferred to GR on June 25, pursuant to the requirement in Section 15, Chapter 2009-61, L.O.F. For Fiscal Year 2012-13, this amount is \$ -. When the transfer is positive, it is included in the COCTF for the purposes of the Article V Revenue Estimating Conference and identified for transfer to GR in the GR Revenue Estimating Conference table entitled Article V Fees and Transfers.

The department (DPT) forecast does not include "Allocated Traffic" and "Adjudication" revenues which are deposited into GR and three other trust funds.

**ARTICLE V FEES AND TRANSFERS**  
(millions)

<b>Fiscal Year</b>	<b>Estimate</b>	<b>Direct GR Receipts</b>	<b>Transfer to GR</b>	<b>Total General Revenue</b>
2012-13	OLD	366.7	0.0	366.7
2012-13	EDR	315.7	15.4	331.1
2012-13	EOG	328.1	0.0	328.1
2012-13	DPT	311.2	0.0	311.2
2012-13	NEW	325.1	19.0	344.1
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2013-14	OLD	312.3	0.0	312.3
2013-14	EDR	312.3	0.0	312.3
2013-14	EOG	327.3	0.0	327.3
2013-14	DPT	324.9	0.0	324.9
2013-14	NEW	321.2	-	321.2
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2014-15	OLD	257.4	0.0	257.4
2014-15	EDR	246.3	0.0	246.3
2014-15	EOG	252.5	0.0	252.5
2014-15	DPT	289.6	0.0	289.6
2014-15	NEW	246.9	-	246.9
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2015-16	OLD	231.8	0.0	231.8
2015-16	EDR	205.1	0.0	205.1
2015-16	EOG	228.9	0.0	228.9
2015-16	DPT	239.3	0.0	239.3
2015-16	NEW	223.0	-	223.0

**Notes:**

*It is assumed that funds in excess of those needed to fund approved clerk of court budgets for each state fiscal year are transferred to GR on June 25, pursuant to the requirement in Section 15, Chapter 2009-61, L.O.F. For Fiscal Year 2012-13, this amount is \$\_. When the transfer is positive, it is included in the COCTF in the Article V Revenue Estimating Conference forecast, but separately identified as a transfer in this table for the GR Revenue Estimating Conference.*

*The department (DPT) forecast does not include "Allocated Traffic" and "Adjudication" revenues which are deposited into GR.*

**REC Adopted Forecast Monthly Foreclosure Filings 7/11/12**

**Adopted REC Forecast (Thousands)**

FY	FY 2012-13															
Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL	< 50,000	50,000 - 250,000	> 250,000
FY 2012-13 Mo. Filings	18.0	18.5	19.0	19.5	20.0	21.0	22.0	22.0	22.0	22.0	22.0	22.0	248.000	31.000	170.128	46.872
<b>\$ Value Categories - &lt; 50,000 - 12.5%, 50,000 - 250,000 - 68.6%, &gt; 250,000 - 18.9%</b>																

FY	FY 2013-14															
Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL	< 50,000	50,000 - 250,000	> 250,000
FY 2013-14 Mo. Filings	22.0	22.0	21.0	21.0	21.0	21.0	21.0	20.0	20.0	20.0	19.0	18.0	246.000	26.568	177.120	42.312
<b>\$ Value Categories - &lt; 50,000 - 10.8%, 50,000 - 250,000 - 72.0%, &gt; 250,000 - 17.2%</b>																

FY	FY 2014-15															
Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL	< 50,000	50,000 - 250,000	> 250,000
FY 2014-15 Mo. Filings	14.2	13.0	12.0	11.0	11.0	10.8	10.5	10.5	10.5	10.9	10.9	10.9	136.100	14.699	97.992	23.409
<b>\$ Value Categories - &lt; 50,000 - 10.8%, 50,000 - 250,000 - 72.0%, &gt; 250,000 - 17.2%</b>																

FY	FY 2015-16															
Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL	< 50,000	50,000 - 250,000	> 250,000
FY 2015-16 Mo. Filings	8.6	8.6	8.6	8.6	8.6	8.6	8.6	8.6	8.6	8.6	8.6	8.5	103.100	11.135	74.232	17.733
<b>\$ Value Categories - &lt; 50,000 - 10.8%, 50,000 - 250,000 - 72.0%, &gt; 250,000 - 17.2%</b>																