

**Revenue Estimating Conference**  
**Article V Fees & Transfers**  
**December 5, 2011**  
**Executive Summary**

Overall, Article V Fees and Transfers revenue collections were less than expected for the three-month period since the previous forecast was adopted. Only in one revenue category, Adjudication, did revenues increase enough to warrant a very slight upward revision to the forecast. However, for most of the other revenue categories, the decline in revenue receipts over the period produced small reductions from the previous forecast.

The Conference discussed a number of economic variables that have direct bearing on the new forecast, one of the more significant ones relates to foreclosure filings. The number of foreclosure case filings has continued to trend upwards since the last conference and exceeded the 15,000 per month mark in October 2011 for the first time since filings dropped significantly back in October 2010. However, the trend has been at a slightly lower pace than projected in September, and the previous forecast included a further spike in filings in the final months of FY 2011-12. Accordingly, the foreclosure filings forecast was adjusted, shifting some filings from FY 2011-12 into FY 2012-13. In addition, the mixture of filings among the three property value categories was changed: increasing the number of filings in the lowest value (and the lowest fee) category for FY 2011-12 and 2012-13; and decreasing the number of filings in the highest value (and highest fee) category from FY 2011-12 through 2014-15. These actions resulted in a decrease in circuit foreclosure filing revenues in the new forecast for FY 2011-12 through FY 2014-15.

Other circuit and county civil court case filings and traffic fine revenues were also lower over the three-month period than projected in the previous forecast. As a result, the revenues from these sources were reduced in the new forecast as well.

Overall, for FY 2011-12 and 2012-13, the forecast for the State Courts Revenue Trust Fund is reduced by \$12.6 and \$10.7 million, the Clerks of Court Trust Fund by \$4.5 and \$5.3 million and the General Revenue Fund by \$7.3 and \$3.1 million respectively.

## **ARTICLE V REVENUE ESTIMATING CONFERENCE**

**12/5/11**

### **2012 Session Law Changes (See Revenue Distribution & GR Transfer Tables)**

#### **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	<b>Actual</b>	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	<b>Actual</b>	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	OLD	6.6	53.3	15.8	208.8	5.8	2.7	22.4	505.6	37.8	36.8	5.2	4.7	905.5
2011-12	EDR	6.6	47.9	15.4	204.9	5.7	2.7	20.2	501.6	37.1	34.9	5.3	4.7	887.0
2011-12	EOG	6.5	50.6	15.8	200.3	5.7	2.7	20.4	498.4	37.2	34.9	5.3	4.8	882.6
2011-12	DPT	6.6	47.7	15.5	173.7	5.8	2.8	21.7	502.0	37.0	-	-	4.8	817.8
2011-12	NEW	6.6	47.7	15.8	200.3	5.7	2.7	20.4	498.4	37.1	34.9	5.3	4.7	879.7
2012-13	OLD	6.6	50.1	15.8	250.6	5.4	2.8	21.9	505.9	37.8	36.8	5.2	4.6	943.5
2012-13	EDR	6.6	45.0	15.4	245.9	5.3	2.8	19.7	501.9	37.1	34.9	5.3	4.6	924.5
2012-13	EOG	6.5	47.6	15.8	245.3	5.2	2.7	20.0	500.6	37.2	34.9	5.3	4.7	925.8
2012-13	DPT	6.6	44.8	15.5	274.7	5.4	2.8	21.9	507.9	36.6	-	-	4.8	921.0
2012-13	NEW	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
2013-14	OLD	6.6	48.6	15.9	193.8	5.3	2.8	21.9	484.3	38.2	37.2	5.2	4.6	864.5
2013-14	EDR	6.6	43.7	15.5	190.2	5.2	2.8	19.7	480.3	37.5	35.3	5.3	4.6	846.7
2013-14	EOG	6.5	46.1	15.9	185.1	5.1	2.8	20.0	478.3	37.6	35.3	5.3	4.7	842.6
2013-14	DPT	6.6	43.5	15.6	234.5	5.3	2.8	22.1	488.0	36.6	-	-	4.8	859.8
2013-14	NEW	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
2014-15	OLD	6.7	47.1	16.1	131.6	5.1	2.9	21.9	476.5	38.6	37.9	5.2	4.6	794.2
2014-15	EDR	6.7	42.8	15.7	129.1	5.0	2.9	19.7	472.5	38.0	36.0	5.3	4.6	778.3
2014-15	EOG	6.7	44.8	16.1	125.7	5.0	2.8	20.0	470.7	38.1	36.0	5.3	4.7	775.8
2014-15	DPT	6.7	42.6	15.8	130.1	5.1	2.9	22.5	479.7	36.6	-	-	4.8	746.7
2014-15	NEW	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
2015-16	OLD	-	-	-	-	-	-	-	-	-	-	-	-	0.0
2015-16	EDR	6.7	42.2	16.0	97.8	4.9	2.9	19.7	469.0	38.6	36.5	5.3	4.6	744.2
2015-16	EOG	6.7	43.9	16.3	125.7	4.9	2.9	20.0	470.5	38.6	36.7	5.3	4.7	776.1
2015-16	DPT	6.8	42.6	15.9	70.3	5.0	2.9	23.0	479.7	36.6	-	-	4.8	687.6
2015-16	NEW	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

**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>
2011-12	OLD	-1.49%	-7.30%	8.97%	36.47%	-4.92%	285.71%	-4.68%	-3.95%	-2.58%	-5.88%	-3.70%	14.63%	3.37%
2011-12	EDR	-1.49%	-16.70%	6.21%	33.92%	-6.56%	285.71%	-14.04%	-4.71%	-4.38%	-10.74%	-1.85%	14.63%	1.26%
2011-12	EOG	-2.99%	-12.00%	8.97%	30.92%	-6.56%	285.71%	-13.19%	-5.32%	-4.12%	-10.74%	-1.85%	17.07%	0.75%
2011-12	DPT	-1.49%	-17.04%	6.90%	13.53%	-4.92%	300.00%	-7.66%	-4.64%	-4.64%	-	-	17.07%	-6.64%
2011-12	NEW	-1.49%	-17.04%	8.97%	30.92%	-6.56%	285.71%	-13.19%	-5.32%	-4.38%	-10.74%	-1.85%	14.63%	0.42%
2012-13	OLD	0.00%	-6.00%	0.00%	20.02%	-6.90%	3.70%	-2.23%	0.06%	0.00%	0.00%	0.00%	-2.13%	4.20%
2012-13	EDR	0.00%	-6.05%	0.00%	20.01%	-7.02%	3.70%	-2.48%	0.06%	0.00%	0.00%	0.00%	-2.13%	4.23%
2012-13	EOG	0.00%	-5.93%	0.00%	22.47%	-8.77%	0.00%	-1.96%	0.44%	0.00%	0.00%	0.00%	-2.08%	4.89%
2012-13	DPT	0.00%	-6.08%	0.00%	58.15%	-6.90%	0.00%	0.92%	1.18%	-1.08%	-	-	0.00%	12.62%
2012-13	NEW	0.00%	-6.08%	0.00%	22.47%	-7.02%	3.70%	-1.96%	0.44%	0.00%	0.00%	0.00%	-2.13%	4.93%
2013-14	OLD	0.00%	-2.99%	0.63%	-22.67%	-1.85%	0.00%	0.00%	-4.27%	1.06%	1.09%	0.00%	0.00%	-8.37%
2013-14	EDR	0.00%	-2.89%	0.65%	-22.65%	-1.89%	0.00%	0.00%	-4.30%	1.08%	1.15%	0.00%	0.00%	-8.42%
2013-14	EOG	0.00%	-3.15%	0.63%	-24.54%	-1.92%	3.70%	0.00%	-4.45%	1.08%	1.15%	0.00%	0.00%	-8.99%
2013-14	DPT	0.00%	-2.90%	0.65%	-14.63%	-1.85%	0.00%	0.91%	-3.92%	0.00%	-	-	0.00%	-6.64%
2013-14	NEW	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%
2014-15	OLD	1.52%	-3.09%	1.26%	-32.09%	-3.77%	3.57%	0.00%	-1.61%	1.05%	1.88%	0.00%	0.00%	-8.13%
2014-15	EDR	1.52%	-2.06%	1.29%	-32.12%	-3.85%	3.57%	0.00%	-1.62%	1.33%	1.98%	0.00%	0.00%	-8.08%
2014-15	EOG	3.08%	-2.82%	1.26%	-32.09%	-1.96%	0.00%	0.00%	-1.59%	1.33%	1.98%	0.00%	0.00%	-7.93%
2014-15	DPT	1.52%	-2.07%	1.28%	-44.52%	-3.77%	3.57%	1.81%	-1.70%	0.00%	-	-	0.00%	-13.15%
2014-15	NEW	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%
2015-16	OLD	-	-	-	-	-	-	-	-	-	-	-	-	-
2015-16	EDR	0.00%	-1.40%	1.91%	-24.24%	-2.00%	0.00%	0.00%	-0.74%	1.58%	1.39%	0.00%	0.00%	-4.38%
2015-16	EOG	0.00%	-2.01%	1.24%	0.00%	-2.00%	3.57%	0.00%	-0.04%	1.31%	1.94%	0.00%	0.00%	0.04%
2015-16	DPT	1.49%	0.00%	0.63%	-45.96%	-1.96%	0.00%	2.22%	0.00%	0.00%	-	-	0.00%	-7.91%
2015-16	NEW	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%

**Revenue Distribution by Fund (2012 Session Law Changes Highlighted)**

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	OLD	158.1	422.0	260.3	0.5	3.0	3.9	7.8	6.8	4.3	5.8	4.2	1.0	0.4	1.6	879.7
2011-12	EDR															
2011-12	EOG															
2011-12	DPT															
2011-12	NEW	158.1	422.0	260.3	0.5	3.0	3.9	7.8	6.8	4.3	5.8	4.2	1.0	0.4	1.6	879.7
2012-13	OLD	161.5	423.6	298.7	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															
2012-13	EOG															
2012-13	DPT															
2012-13	NEW	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
2013-14	OLD	156.1	401.1	243.3	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															
2013-14	EOG															
2013-14	DPT															
2013-14	NEW	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
2014-15	OLD	151.2	393.3	189.2	0.4	2.8	4.0	8.0	7.0	4.4	6.0	4.3	1.0	0.4	1.6	773.6
2014-15	EDR															
2014-15	EOG															
2014-15	DPT															
2014-15	NEW	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	773.6
2015-16	OLD	149.2	392.9	164.2	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															
2015-16	EOG															
2015-16	DPT															
2015-16	NEW	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

*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 2011-12, this amount is \$ 0. 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)**  
**(2012 Session Law Changes Highlighted)**

Fiscal Year	Estimate	Direct GR Receipts	Transfer to GR	Total General Revenue
2011-12	OLD	158.1	0.0	158.1
2011-12	EDR			0.0
2011-12	EOG			0.0
2011-12	DPT			0.0
2011-12	NEW	158.1	0.0	158.1
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2012-13	OLD	161.5	0.0	161.5
2012-13	EDR			0.0
2012-13	EOG			0.0
2012-13	DPT			0.0
2012-13	NEW	366.7	0.0	366.7
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2013-14	OLD	156.1	0.0	156.1
2013-14	EDR			0.0
2013-14	EOG			0.0
2013-14	DPT			0.0
2013-14	NEW	312.3	0.0	312.3
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2014-15	OLD	151.2	0.0	151.2
2014-15	EDR			0.0
2014-15	EOG			0.0
2014-15	DPT			0.0
2014-15	NEW	257.4	0.0	257.4
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2015-16	OLD	149.2	-	149.2
2015-16	EDR			0.0
2015-16	EOG			0.0
2015-16	DPT			0.0
2015-16	NEW	231.8	0.0	231.8

**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 2011-12, this amount is \$0. 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.*