

State of Florida

Division of Administrative Hearings

Sharyn L. Smith
Director and Chief Judge
Ann Cole
Clerk of the Division



The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida
32399-3060

February 1, 1999

TWENTY-FIFTH ANNUAL REPORT

This report is submitted to the Administrative Procedures Committee and to the Administration Commission in compliance with the requirements of Section 120.65(10), Florida Statutes, which provides:

Not later than February 1 of each year, the division shall issue a written report to the Administrative Procedures Committee and the Administration Commission, including at least the following information:

- (a) A summary of the extent and effect of agencies' utilization of administrative law judges, court reporters, and other personnel in proceedings under this chapter.
- (b) Recommendations for change or improvement in the Administrative Procedure Act or any agency's practice or policy with respect thereto.

GENERAL

Appendix 1 indicates that the Division scheduled 30,238 hours of hearing for state, local, and other agencies in FY 1997-98. This represents a 12.60 percent increase over the 26,855 hearing hours scheduled the preceding fiscal year. When coupled with the

decrease in number of cases filed, the trend in DOAH's caseload continues to show that while decreasing in raw number of cases filed, administrative cases continue to increase in length and complexity.

Appendix 1 breaks out by agency the utilization rates of Division resources and demonstrates that, in descending order, nine agencies utilize 85 percent of the Division's docket: the Agency for Health Care Administration, Department of Business and Professional Regulation, Department of Health, Department of Environmental Protection, Department of Children and Family Services, Department of Insurance, Department of Community Affairs, Department of Transportation, and Department of Management Services. Additionally, the Water Management Districts have become a major user of the Division's services, and are reported separately since they are covered by contractual agreements. School districts are also major users and are reported separately as well.

The following agencies have notably increased their hearing requests. The Department of Children and Family Services increased 16.74 percent from 233 cases filed in 1997 to 272 cases filed in 1998. Similarly, the Department of Health filed 328 cases in 1998, up 95 cases or 40.77 percent from the 233 cases filed the previous calendar year. Total referrals from the State's Water Management Districts also increased with 75 cases filed this year compared to 51 cases filed in 1997, which is an

increase of 47.06 percent. The Department of Management Services filed 99 cases in 1998, an increase of 33.78 percent over the 74 cases filed in 1997. Filings by the Ethics Commission in 1998 increased by 54.55 percent over the previous year. The Department of Highway Safety and Motor Vehicles filed a total of 53 cases in 1998, an increase of 47.22 percent over 1997.

UTILIZATION OF PERSONNEL

The Division has 71 established positions comprised of the Chief Judge, Deputy Chief Judge, 1 Executive Assistant, 3 Court Reporters, 33 Administrative Law Judges, 4 Administrative Assistants, 11 Administrative Secretaries, 1 Personnel Officer, 1 Budget Director, 1 Administrative Services Director, 1 Accountant, 1 Fiscal Assistant, 1 Purchasing Agent, 1 Distributed Computer Systems Analyst, 1 Office Automation Specialist, 1 Computer Operator, 1 Division Clerk, 1 Deputy Clerk Supervisor, 3 Deputy Clerks, 2 Staff Assistants, and 1 Senior Clerk.

In-House Court Reporters

The Division continues to employ three full-time court reporters. These reporters covered 56.66 percent of all DOAH Tallahassee hearings in FY 1997-98, which includes all final hearings, motion hearings, and prehearing conferences; .94 percent

of this total corresponds to video-taped hearings. The court reporters produced a total of 21,421 pages of transcription in FY 1997-98. See Appendix 2.

Statistics are collected on the cost avoidance to each state agency for their utilization of the Division's court reporters rather than private sector reporters for Tallahassee hearings. During FY 1997-98, the total cost avoidance to all state agencies utilizing DOAH's reporting services was \$93,600.24. The agencies with the greatest savings were the Constitution Revision Commission (\$22,034.10), Agency for Health Care Administration (\$22,005.64), and Department of Lottery (\$14,236.20). See Appendix 2.

The agencies realizing the greatest court reporting savings were the agencies that utilized the Division's in-house reporters the most. The primary users were the Agency for Health Care Administration (191.25 hours) and Constitution Revision Commission (151.00 hours), as seen in Appendix 2.

The State's costs exceeded savings by \$23,334.05 in FY 1997-98, compared with net savings of \$52,254.72 for FY 1996-97. The coverage of the Constitution Revision Commission (CRC) meetings, which was provided at no cost to that body, accounts for the fact that the cost was greater than savings for this fiscal year. The court reporters spent 151 hours in CRC session meetings, and 593.25 hours were spent producing the transcripts of the CRC

session meetings. This involvement greatly restricted the court reporters' ability to report many of the DOAH Tallahassee hearings that would normally be covered. This is further evidenced by the fact that the percent of DOAH Tallahassee hearings covered by in-house reporters dropped from 65.40 percent in FY 1996-97 to 56.66 percent in FY 1997-98. However, DOAH's service to the CRC allowed the State to enjoy significant savings in court reporting and transcription fees (\$22,034.10 at the contract reporting rates).

HEARING REQUESTS

During calendar year 1998, the Division processed 5,708 hearing requests, slightly under the 6,033 cases filed in 1997. Of the 5,708 cases, 2,347 were Baker Act cases. The remaining 3,361 cases were filed pursuant to Sections 120.535, 120.54, 120.56, and 120.57, Florida Statutes. The Baker Act caseload increased slightly in 1998 with 47 more cases filed when compared to the 2,300 referred in 1997. (See Appendix 3.)

Notable to the decrease in case filings is the number of referrals from the Department of Transportation (DOT). In 1998, DOT referred only 113 cases, a decrease of 50.66 percent when compared to the 229 referrals in 1997. The 58 referrals by the Department of Labor and Employment Security in 1998 also represent a decrease of 23.68 percent when compared to the 76

referrals in 1997. The Department of Revenue filed 94 cases in 1998, a decrease of 25.40 percent under the 126 cases filed in 1997.

In 1998 each Administrative Law Judge handled an average of 196 new cases (slightly down from 216 in 1997), conducted an average of 3,332 final hearings, and wrote an average of 113 recommended or final orders of varying length and complexity (compared to 106 in 1997).

In 1998 the Division held a total of 3,332 final hearings, compared to 3,287 in 1997. The Division closed 5,992 cases, an increase of 28 case closures compared to the 5,964 cases closed in 1997. This is an average of 203 closures per Judge, an increase of 15 percent compared to the 176 average number of closures per Judge the previous year.

OFFICE AUTOMATION

The primary systems applications for the Division are its Case Management System (CMS) and a full-text retrieval and document indexing application (PC DOCS Open). Secondary applications include word processing, electronic mail and on-line legal research via the Florida Legal Resource Center, Westlaw and other Internet resources. In 1998, the Division focused on enhancing its website (www.doah.state.fl.us) to provide public access to its case management and document databases.

OPERATING BUDGET

The Division is 100 percent trust funded. Appendix 4 summarizes the Division's actual and estimated expenditures for FY 1997-98 and FY 1998-99, respectively. Appendix 4 also outlines funds requested in the Division's FY 1999-2000 Legislative Budget Request.

Each year the Division reports to the Legislature and the Governor's Office the total number of hearing hours scheduled by all agencies. Based on this data, the Division's budget is prorated among those agencies utilizing its services, and the Legislature appropriates fund transfers to the Division from those agencies. Hence, the amount each agency transfers to the Division is based on the number of hours it schedules for prehearing conferences, motion hearings, final hearings, and cancelled hearings in a given year. In August 1998, the Division submitted its twelfth report (see Appendix 1). Of the 30,238 hearing hours scheduled with the Division, a total of 23,825 hours were cancelled or continued.

The Division is also authorized to enter into contracts with cities, counties, regional planning councils, water management districts, and other organizations for the provision of Administrative Law Judge services. These organizations, as well as school districts and other educational entities, reimburse the Division for the costs of these services at the current contract rate and in accordance with applicable laws.

RECOMMENDATIONS CONCERNING THE A.P.A.

Chapter 96-159, Laws of Florida, substantially reorganized the Administrative Procedure Act. The Division has no current recommendations concerning this Act.

Respectfully submitted,



SHARYN L. SMITH
Chief Judge

SLS/css

6/30/98

HOURS SCHEDULED REPORT
 FY 1997-98 Apportionment Study - Final Report
 For the Period 07/01/97 through 06/30/98

AGENCY	PREHEARING CONFERENCE	MOTION HEARING	CANCELLED/ CONTINUED HEARING	FINAL HEARING	TOTAL HOURS	% OF TOTAL HOURS	PRORATED AMOUNT OF 1999-00 LBR
AHCA	9.25	50.00	6,372.00	800.75	7,232.00	27.58515%	\$2,224,087
AGR	0.00	3.50	146.50	80.75	230.75	0.88015%	\$70,963
CMP	0.00	16.25	628.25	79.25	723.75	2.76061%	\$222,578
DBPR	3.00	34.25	3,455.75	629.25	4,122.25	15.72358%	\$1,267,733
DCF	3.75	21.75	1,126.00	485.50	1,637.00	6.24404%	\$503,433
CIT	0.00	0.00	4.00	0.00	4.00	0.01526%	\$1,230
DCA	0.00	20.00	795.00	157.50	972.50	3.70943%	\$299,077
COR	0.00	1.50	24.00	13.50	39.00	0.14876%	\$11,994
DOE	0.25	9.00	372.50	46.75	428.50	1.63444%	\$131,778
DEP	8.50	34.75	1,855.50	467.75	2,366.50	9.02659%	\$727,780
ETH	0.00	1.50	66.00	38.00	105.50	0.40241%	\$32,445
GOV	0.50	4.50	38.00	17.50	60.50	0.23077%	\$18,606
DOH	2.25	26.00	1,931.00	511.50	2,470.75	9.42423%	\$759,840
HSM	3.00	14.25	429.00	97.75	544.00	2.07499%	\$167,299
INS	4.00	29.00	1,361.25	233.00	1,627.25	6.20685%	\$500,435
JUV	3.00	2.25	11.00	40.00	56.25	0.21456%	\$17,299
LES	2.25	4.75	262.00	84.00	353.00	1.34645%	\$108,560
DLE	0.00	3.25	361.00	105.75	470.00	1.79273%	\$144,541
LOT	3.00	7.50	6.50	56.75	73.75	0.28131%	\$22,681
DMS	1.00	29.50	559.00	260.75	850.25	3.24312%	\$261,481
PSC	1.00	3.25	38.00	98.75	141.00	0.53782%	\$43,362
REV	0.00	11.25	452.50	78.75	542.50	2.06927%	\$166,837
DOS	0.00	0.50	133.00	64.75	198.25	0.75619%	\$60,969
DOT	0.50	7.00	854.00	102.25	963.75	3.67605%	\$296,386
VET	0.00	0.00	4.00	0.00	4.00	0.01526%	\$1,230
TOTAL	45.25	335.50	21,285.75	4,550.50	26,217.00	100.00000%	\$8,062,624

NOTE: Hearing hours scheduled in contract cases (water management districts, regional planning councils, cities, counties, etc.), NICA cases, school district/educational entity cases, and other miscellaneous cases are reported separately.

KEY TO AGENCY TITLE ABBREVIATIONS

<u>Abbreviated Agency Title</u>	<u>Full Agency Title</u>
AHCA	Agency for Health Care Administration
AGR	Department of Agriculture & Consumer Services
CMP	Department of Banking & Finance/Comptroller
DBPR	Department of Business and Professional Regulation
DCF	Department of Children and Families
CIT	Department of Citrus
DCA	Department of Community Affairs
COR	Department of Corrections
DOE	Department of Education
DEP	Department of Environmental Protection
ETH	Ethics Commission
GOV	Executive Office of the Governor
DOH	Department of Health
HSM	Department of Highway Safety & Motor Vehicles
INS	Department of Insurance and Treasurer
JUV	Department of Juvenile Justice
LES	Department of Labor and Employment Security
DLE	Department of Law Enforcement
LOT	Department of the Lottery
DMS	Department of Management Services
PSC	Public Service Commission
REV	Department of Revenue
DOS	Department of State
DOT	Department of Transportation
VET	Department of Veterans Affairs

06/30/98 HOURS SCHEDULED BY CONTRACT/EDUCATIONAL/OTHER AGENCIES									
FY 1997-98 Final Report									
For the Period 07/01/97 through 06/30/98									
<u>AGENCY</u>	<u>PREHEARING</u>	<u>MOTION</u>	<u>CANCELLED/</u>	<u>FINAL</u>	<u>TOTAL</u>	<u>% OF</u>	<u>HOURS</u>	<u>ALL</u>	<u>AGENCIES</u>
	<u>CONFERENCE</u>	<u>HEARING</u>	<u>CONTINUED</u>	<u>HEARING</u>	<u>HOURS</u>				
CONTRACT	1.00	18.50	402.25	293.75	715.50	2.36625%			
EPP	3.00	1.25	0.00	153.00	157.25	0.52005%			
NICA	1.00	9.50	161.00	46.00	217.50	0.71930%			
OTHER	0.25	0.00	21.00	4.50	25.75	0.08516%			
SCHBDS	9.50	73.50	1,955.00	866.75	2,904.75	9.60637%			
TOTAL	14.75	102.75	2,539.25	1,364.00	4,020.75	13.29712%			

CONTRACT: Water Management Districts, Regional Planning Councils, Cities, Counties, etc.
EPP: Cases filed by DEP, pursuant to Chapter 403, Florida Statutes.
NICA: Florida Birth-Related Neurological Injury Compensation Association
OTHER: Noncontract entities such as Pinellas County Construction Licensing Board
SCHBDS: School boards and other educational entities

1997-98

4th Qtr

KEY TO AGENCY TITLE ABBREVIATIONS

Abbreviated Agency Title	Full Agency Title
AGR	Department of Agriculture and Consumer Services
AHCA	Agency for Health Care Administration
CFS	Department of Children and Family Services
CMP	Department of Banking and Finance/Comptroller
CONTRACT	Contract Entities
COR	Department of Corrections
CRC	Constitution Revision Commission
DBPR	Department of Business and Professional Regulation
DCA	Department of Community Affairs
DEP	Department of Environmental Protection
DLE	Department of Law Enforcement
DMS	Department of Management Services
DOE	Department of Education
DOH	Department of Health
DOS	Department of State
DOT	Department of Transportation
ETH	Commission on Ethics
GFC	Florida Game and Fresh Water Fish Commission
GOV	Executive Office of the Governor
HSM	Department of Highway Safety and Motor Vehicles
INS	Department of Insurance and Treasurer
JUV	Department of Juvenile Justice
LES	Department of Labor and Employment Security
LOT	Department of Lottery
MISC	Miscellaneous - Hearings done at Contract Rate
NICA	Florida Neurological Injury Compensation Association
REV	Department of Revenue
SCHBDS	School Boards

SUMMARY OF COURT REPORTER COSTS AND SAVINGS
 1997-98
 4th Qtr

COSTS OF THE PROGRAM

ADMINISTRATIVE TRUST FUND

Recurring Salaries & Benefits Expenditures	\$160,269.97	
Recurring Expenses	<u>\$8,057.93</u>	
Subtotal, Recurring Expenditures		\$168,327.90
Nonrecurring OPS Expenditures	\$6,747.68	
Nonrecurring OCO Expenditures	<u>\$0.00</u>	
Subtotal, Nonrecurring Expenditures		<u>\$6,747.68</u>
TOTAL COSTS		\$175,075.58

SAVINGS TO THE STATE

Cost Avoidance for the State	\$93,600.24	
Revenue Collected from Private Parties	<u>\$58,141.29</u>	
TOTAL SAVINGS	\$151,741.53	

RESULT

Savings to the State	\$151,741.53	
Costs of the Program	<u>\$175,075.58</u>	
SAVINGS BEYOND COSTS OF THE PROGRAM		-S23,334.05

SUMMARY OF COURT REPORTER ACTIVITY

FY 1997-98
4th Qtr

AGENCY	HEARING HOURS	PRODUCTION HOURS	CERTIFIED COPIES	REVENUE COLLECTED
AGR	5.00	1.00	1.00	\$0.00
AHCA	191.25	751.00	37.00	\$15,891.49
CFS	5.00	5.50	2.00	\$132.75
CMP	32.25	124.00	18.00	\$3,902.25
CONTRACT	0.00	0.00	0.00	\$0.00
COR	1.50	6.50	2.00	\$171.00
CRC	151.00	593.25	11.00	\$0.00
DBPR	26.75	59.00	9.00	\$836.91
DCA	2.00	0.25	0.00	\$0.00
DEP	63.75	274.50	22.00	\$5,507.75
DLE	12.00	44.75	3.00	\$154.85
DMS	11.25	13.25	3.00	\$437.75
DOE	1.50	0.00	0.00	\$0.00
DOH	11.25	25.00	4.00	\$452.25
DOS	0.00	0.00	0.00	\$0.00
DOT	15.00	58.00	5.00	\$1,996.50
ETH	3.50	22.50	2.00	\$306.75
GFC	0.00	0.00	0.00	\$0.00
GOV	0.00	0.00	0.00	\$0.00
HSM	50.25	176.00	3.00	\$8,729.00
INS	41.25	141.25	15.00	\$4,178.39
JUV	0.00	0.00	0.00	\$0.00
LES	3.75	11.75	2.00	\$252.75
LOT	52.75	228.75	3.00	\$12,609.00
MISC	8.00	17.00	2.00	\$580.15
NICA	0.00	0.00	0.00	\$0.00
REV	22.75	106.50	15.00	\$1,571.25
SCHBDS	8.25	35.00	3.00	\$430.50

TOTALS 720.00 2694.75 162.00 \$58,141.29

MONTHLY NETWORK OF COURT REPORTER ACTIVITY
FISCAL YEAR 1997-98

MONTH/ YEAR	# TALLA HEARINGS	# DAYS OF HEARING	# DAYS BY DOAH REP	# DAYS BY OUTSIDE REP	# DAYS NOT REQ CT REP	# TR ORDERED FROM DOAH REPORTERS	# TR NOT ORDERED FROM DOAH REPORTERS	# TR ORDERED/ NOT ORDERED FROM OUTSIDE REPORTERS
Jul-97	19	20	20	0	0	11	8	0
Aug-97	18	22	19	2	2	10	5	4
Sep-97	26	61	35	25	0	6	8	4
Oct-97	21	32	12	19	1	10	7	9
Nov-97	19	41	9	32	0	5	3	13
Dec-97	15	24	10	14	0	4	1	14
Jan-98	23	31	14	16	1	6	2	10
Feb-98	16	17	5	12	0	4	0	15
Mar-98	19	22	18	3	1	11	4	12
Apr-98	17	33	25	6	2	4	4	4
May-98	17	17	11	5	1	6	3	10
Jun-98	212	323	183	132	8	75	42	95
TOTALS								

PERCENT BY DOAH	PERCENT OUTSIDE REPORTERS	PERCENT NOT REPORTED	PERCENT ORDERED FROM DOAH REPORTERS	PERCENT NOT ORDERED	PERCENT ORDERED/ NOT ORDERED FROM OUTSIDE REPORTERS
56.66%	40.87%	2.48%	35.30%	19.81%	44.81%

MONTH	# TALLA HEARINGS	# DAYS OF HEARING	# DAYS BY DOAH REP	# DAYS BY OUTSIDE REP	# DAYS NOT REQ CT REP	# TR ORDERED FROM DOAH REPORTERS	# TR NOT ORDERED FROM DOAH REPORTERS	# TR ORDERED/ NOT ORDERED FROM OUTSIDE REPORTERS
Jul-96	1	0	0	0	0	0	0	0
Aug-96	0	0	0	0	0	0	0	0
Sep-96	0	0	0	0	0	0	0	0
Oct-96	0	0	0	0	0	0	0	0
Nov-96	0	0	0	0	0	0	0	0
Dec-96	0	0	0	0	0	0	0	0
Jan-97	0	0	0	0	0	0	0	0
Feb-97	0	0	0	0	0	0	0	0
Mar-97	0	0	0	0	0	0	0	0
Apr-97	0	0	0	0	0	0	0	0
May-97	1	0	0	0	0	0	0	0
Jun-97	0	0	0	0	0	0	0	0
TOTALS								

PERCENT OF TOTAL BY VIDEO	PERCENT VIDEOS ORDERED
0.94%	0.00%

NOTE THAT DOAH WAS EQUIPPED WITH VIDEO TAPING FACILITIES IN JANUARY 1997
HEARING TOTALS INCLUDE FINAL HEARINGS, MOTION HEARINGS, AND PREHEARING CONFERENCES

COURT REPORTER UTILIZATION

TOTAL PAGES FILED
FY 1997-98

MONTH	REPORTER 1	REPORTER 2	REPORTER 3	TOTAL
97 JULY				
30-Jun	282	580	0	822
7-Jul	78	47	0	125
14-Jul	118	138	0	314
21-Jul	0	0	170	170
28-Jul	208	178	70	454
TOTAL	664	921	300	1,885
97 AUGUST				
4-Aug	0	80	135	195
11-Aug	0	0	0	0
18-Aug	0	200	40	240
25-Aug	42	25	170	237
TOTAL	42	285	345	672
97 SEPTEMBER				
1-Sep	110	87	325	522
8-Sep	70	0	0	70
15-Sep	0	135	0	135
22-Sep	178	190	90	458
TOTAL	358	412	415	1,185
97 OCTOBER				
29-Sep	89	88	100	277
6-Oct	223	375	300	898
13-Oct	49	200	80	329
20-Oct	0	145	80	225
27-Oct	58	0	80	138
TOTAL	420	808	540	1,868
97 NOVEMBER				
3-Nov	417	385	475	1,277
10-Nov	180	50	97	317
17-Nov	474	298	278	1,050
24-Nov	0	0	0	0
TOTAL	1,051	743	850	2,644
97 DECEMBER				
1-Dec	228	290	100	588
8-Dec	188	385	446	1,017
15-Dec	501	0	120	621
22-Dec	397	0	500	897
29-Dec	0	530	0	530
TOTAL	1,312	1,175	1,166	3,653
98 JANUARY				
5-Jan	157	0	0	157
12-Jan	0	0	0	0
19-Jan	138	325	90	553
26-Jan	327	0	270	597
TOTAL	622	325	360	1,307
98 FEBRUARY				
2-Feb	213	254	250	727
9-Feb	0	81	90	171
16-Feb	85	0	0	85
23-Feb	0	0	300	300
TOTAL	298	335	550	1,223
98 MARCH				
2-Mar	0	100	0	100
9-Mar	393	165	300	858
16-Mar	0	81	0	81
23-Mar	367	0	50	417
TOTAL	760	346	350	1,456
98 APRIL				
30-Mar	243	175	320	738
6-Apr	0	0	0	0
13-Apr	0	0	0	0
20-Apr	0	0	110	110
27-Apr	124	0	125	259
TOTAL	367	175	565	1,107
98 MAY				
4-May	287	327	308	922
11-May	73	90	3	133
18-May	125	0	141	266
25-May	132	0	35	167
TOTAL	617	387	484	1,488
98 JUNE				
1-Jun	178	194	130	500
8-Jun	470	209	325	1,004
15-Jun	34	185	330	759
22-Jun	0	225	385	610
TOTAL	680	1,023	1,170	2,873
GRAND TOTALS	7,191	8,935	7,295	21,421

KEY:
REPORTER 1 - JULIE DOHERTY
REPORTER 2 - KRISTEN BENTLEY
REPORTER 3 - MONA WHIDDON

Division of Administrative Hearings
ANALYSIS OF AGENCY REQUEST FOR
ADMINISTRATIVE LAW JUDGES FOR CALENDAR YEAR 1998

AGENCY	Jan-June	Jul-Dec	TOTAL
Department of Agriculture and Consumer Services			
Department of Agriculture and Consumer Services	20	10	30
Produce disputes	4	13	17
Agency Total	24	23	47
Department of Children and Family Services			
Department of Children and Family Services	7	3	10
Alcoholic, Drug Abuse and Mental Health	1	0	1
Developmental Services	4	5	9
Disabled or elderly adult abuse or neglect	74	82	156
Exemption 435.07, position of special trust	29	16	45
Exonomic Self-Sufficiency	1	0	1
Family Safety and Preservation Programs	25	23	48
Northeast Florida State Hospital	0	2	2
Non-Baker Act Total	141	131	272
Contract Hearings			
City of Clearwater	3	1	4
City of Tallahassee	3	4	7
County of Monroe	2	1	3
County of Pinellas	0	1	1
Pinellas County Sheriff's Civil Service Board	7	1	8
Agency Total	15	8	23
Office of Comptroller			
Department of Banking and Finance	20	18	38
Division of Securities	6	5	11
Agency Total	26	23	49
Department of Corrections			
Department of Corrections	15	12	27
Agency Total	15	12	27
Department of Community Affairs			
Department of Community Affairs	46	31	77
Florida Housing Finance Agency	2	7	9
Agency Total	48	38	86
Department of Environmental Protection			
Department of Environmental Protection	121	82	203
Marine Fisheries Commission	1	0	1
Agency Total	122	82	204

Division of Administrative Hearings
ANALYSIS OF AGENCY REQUEST FOR
ADMINISTRATIVE LAW JUDGES FOR CALENDAR YEAR 1998

AGENCY	Jan-June	Jul-Dec	TOTAL
Department of Health			
Department of Health	6	1	7
Bureau of Emergency Medical Service	1	1	2
Division of Administration	1	0	1
Division of Family Services	0	5	5
Environmental Health	33	12	45
Midwifery Council	0	1	1
MQA/Board of Chiropractic	22	7	29
MQA/Board of Clinical and Social Work, etc.	1	1	2
MQA/Board of Dentistry	14	8	22
MQA/Board of Massage	9	1	10
MQA/Board of Medicine	45	36	81
MQA/Board of Nursing	26	11	37
MQA/Board of Nursing Home Administrators	2	2	4
MQA/Board of Optometry	1	16	17
MQA/Board of Orthotists and Prosthetists	2	5	7
MQA/Board of Osteopathic Medicine	4	4	8
MQA/Board of Pharmacy	18	2	20
MQA/Board of Physical Therapy Practice	3	3	6
MQA/Board of Psychology	3	1	4
MQA/Board of Speech-Language Pathology, etc.	0	1	1
MQA/Clinical Laboratory Personnel	5	1	6
MQA/Council on Medical Physicists	8	0	8
MQA/Hearing Aid Specialist	3	2	5
Agency Total	207	121	328
Department of Juvenile Justice			
Department of Juvenile Justice	4	2	6
Agency Total	4	2	6
Department of Law Enforcement			
Department of Law Enforcement	0	1	1
Criminal Justice Standards and Training	14	31	45
Agency Total	14	32	46
Department of Management Services			
Department of Management Services	2	7	9
Convicted Vendor List	1	0	1
Division of Retirement	5	8	13
Division of State Employees Insurance	0	3	3
Human Relations Commission	43	30	73
Agency Total	51	48	99

Division of Administrative Hearings
ANALYSIS OF AGENCY REQUEST FOR
ADMINISTRATIVE LAW JUDGES FOR CALENDAR YEAR 1998

AGENCY	Jan-June	Jul-Dec	TOTAL
Department of Education			
Department of Education	5	5	10
Alachua County School Board	3	0	3
Baker County School Board	0	1	1
Bay County School Board	1	2	3
Board of Nonpublic Career Education	0	1	1
Brevard County School Board	4	1	5
Broward County School Board	10	18	28
Citrus County School Board	1	0	1
Clay County School Board	0	2	2
Collier County School Board	1	3	4
Duval County School Board	5	6	11
Education Practices Commission	29	21	50
Escambia County School Board	1	5	6
Exceptional Education cases	2	3	5
Flagler County School Board	1	1	2
Florida International University	0	1	1
Florida State University	0	1	1
Glades County School Board	0	1	1
Hernando County School Board	0	1	1
Hillsborough Community College	1	0	1
Hillsborough County School Board	0	5	5
Independent, Postsecondary, Vocational, Technical	0	1	1
Indian River County School Board	5	3	8
Jefferson County School Board	0	1	1
Lee County School Board	0	3	3
Leon County School Board	0	2	2
Levy County School Board	2	0	2
Manatee County School Board	0	2	2
Manatee Jr. College	1	0	1
Martin County School Board	0	1	1
Miami-Dade County School Board	15	16	31
Monroe County School Board	3	0	3
Orange County School Board	1	3	4
Osceola County School Board	0	2	2
Palm Beach County School Board	18	12	30
Pasco County School Board	2	0	2
Pinellas County School Board	9	3	12
Polk County School Board	2	1	3
Putnam County School Board	0	1	1
Sarasota County School Board	0	1	1
Seminole County School Board	3	5	8
St Lucie County School Board	1	2	3
Suwannee County School Board	0	2	2
University of Florida	1	0	1
University of South Florida	1	0	1
Volusia County School Board	0	4	4
Agency Total	128	143	271
Department of State			
Division of Licensing	26	11	37
Division of Licensing, licensure denial	4	1	5
Florida Elections Commission	6	3	9
Agency Total	36	15	51

Division of Administrative Hearings
ANALYSIS OF AGENCY REQUEST FOR
ADMINISTRATIVE LAW JUDGES FOR CALENDAR YEAR 1998

AGENCY	Jan-June	Jul-Dec	TOTAL
Department of Transportation			
Department of Transportation	28	33	61
Commission for the Transportation Disadvantaged	2	0	2
Sign disputes	11	39	50
Agency Total	41	72	113
Department of Business and Professional Regulation			
Department of Business and Professional Regulation	6	6	12
Barber's Board	2	1	3
Board of Accountancy	7	1	8
Board of Architecture	0	1	1
Board of Auctioneers	1	1	2
Board of Cosmetology	4	9	13
Board of Employee Leasing	2	0	2
Board of Funeral Directors	3	0	3
Board of Land Surveyors	1	3	4
Board of Landscape Architects	3	0	3
Board of Pilot Commissioners	1	1	2
Board of Professional Engineers	10	17	27
Board of Talent Agencies	0	1	1
Board of Veterinary Medicine	2	6	8
Building Code Administrators and Inspectors	5	4	9
Community Association of Managers	2	4	6
Construction Industry Licensing Board	27	69	96
Division of Alcoholic Beverages and Tobacco	126	70	196
Division of Hotels and Restaurants	3	11	14
Division of Pari-Mutuel Wagering	12	14	26
Division of Real Estate	115	109	224
Electrical Contractors	0	6	6
Florida Real Estate Appraisal Board	6	6	12
Florida Real Estate Commission	1	6	7
Land Sales, Condominiums, and Mobile Homes	9	10	19
Agency Total	348	356	704
Ethics Commission			
Ethics Commission	10	7	17
Agency Total	10	7	17
Florida Inland Navigation District			
Florida Inland Navigation District	1	0	1
Agency Total	1	0	1
Game and Fresh Water Fish Commission			
Game and Fresh Water Fish Commission	2	3	5
Agency Total	2	3	5
Office of the Governor			
Office of the Governor	1	0	1
Florida Land and Water Adjudicatory Commission	6	3	9
Agency Total	7	3	10

Division of Administrative Hearings
ANALYSIS OF AGENCY REQUEST FOR
ADMINISTRATIVE LAW JUDGES FOR CALENDAR YEAR 1998

AGENCY	Jan-June	Jul-Dec	TOTAL
Hamilton County			
Hamilton County	1	0	1
Agency Total	1	0	1
Agency for Health Care Administration			
Agency for Health Care Administration	3	5	8
Audit Quality Control Services	36	22	58
Certificate of Need cases	66	45	111
Exemption 400.512, home health	1	2	3
Health Care Board	1	0	1
Hospital Cost Containment Board	3	0	3
Medicaid Program Integrity	45	20	65
Office of Licensure and Certification	105	103	208
Agency Total	260	197	457
Department of Highway Safety and Motor Vehicles			
Department of Highway Safety and Motor Vehicles	34	19	53
Agency Total	34	19	53
Department of Insurance and Treasurer			
Department of Insurance and Treasurer	89	93	182
Neurological Injury Compensation Association	13	21	34
Rate, automobile and casualty disputes	0	9	9
Agency Total	102	123	225
Department of Labor and Employment Security			
Department of Labor and Employment Security	1	1	2
Division of Blind Services	2	1	3
Division of Jobs and Benefits	4	0	4
Division of Vocational Rehabilitation	8	8	16
Division of Workers Compensation	12	17	29
Minority Business Advocacy and Assistance	0	4	4
Agency Total	27	31	58
Medical Arbitration			
Medical Arbitration	8	3	11
Agency Total	8	3	11
Orlando Urban Area, Metropolitan Planning Organization			
Orlando Urban Area, Metropolitan Planning Organiza	0	1	1
Agency Total	0	1	1
Pinellas County Construction Licensing Board			
Pinellas County Construction Licensing Board	9	8	17
Agency Total	9	8	17
Parole and Probation Commission			
Parole and Probation Commission	1	0	1
Agency Total	1	0	1
Public Service Commission			
Public Service Commission	4	2	6
Agency Total	4	2	6

Division of Administrative Hearings
ANALYSIS OF AGENCY REQUEST FOR
ADMINISTRATIVE LAW JUDGES FOR CALENDAR YEAR 1998

AGENCY	Jan-June	Jul-Dec	TOTAL
Department of Revenue			
Department of Revenue	56	38	94
Agency Total	56	38	94
State Board of Administration			
State Board of Administration	0	1	1
Agency Total	0	1	1
Sumter County			
Sumter County	1	0	1
Agency Total	1	0	1
Shands Healthcare			
Shands Healthcare	0	1	1
Agency Total	0	1	1
Water Management District			
Water Management District	7	0	7
Northwest Florida Water Management District	1	0	1
South Florida Water Management District	11	8	19
Southwest Florida Water Management District	6	22	28
St. Johns River Water Management District	14	6	20
Agency Total	39	36	75
NON BAKER ACT TOTAL	1,782	1,579	3,361
Baker Acts			
Apalachee Center for Human Services	47	18	65
Atlantic Shores State Hospital	209	191	400
Florida State Hospital	246	214	460
G. Pierce Woods Memorial Hospital	169	223	392
Mental Health Institute	4	3	7
Northeast Florida State Hospital	396	354	750
Northpointe Hospital	3	3	6
Peace River Center	3	0	3
Pinellas Emergency Mental Health Services	1	0	1
Sarasota Palms Hospital	24	19	43
The Manors Hospital	54	17	71
Veterans Administration Medical Center	95	42	137
West Florida Community Care Center	4	10	14
Baker Act Total	1,255	1,094	2,349

DOAH GRAND TOTAL 5,708

SUMMARY
Division of Administrative Hearings
Actual and Estimated Expenditures
and Legislative Budget Request

<u>Appropriation Category</u>	<u>Actual Expenditures FY 1997-98</u>	<u>Estimated Expenditures FY 1998-99</u>	<u>Requested FY 1999-00</u>
Salaries and Benefits	\$4,915,171	\$5,534,287	\$6,500,317
Other Personal Services	246,372	225,742	401,242
Expenses	914,381	750,935	1,008,714
Operating Capital Outlay	96,546	118,263	137,866
Special Categories			
Risk Mgmt. Ins.	64,062	14,485	14,485
Employee Health Ins.	25,811	0	0
TR/Citrus Adv. TF	<u>41,129</u>	<u>0</u>	<u>0</u>
Total	<u>\$6,303,472</u>	<u>\$6,643,712</u>	<u>\$8,062,624</u>
Positions	66	71	81