

**THE ECONOMIC IMPACTS OF  
DELAYS IN CIVIL TRIALS IN FLORIDA'S COURTS  
DUE TO UNDER-FUNDING OF COURT SYSTEM**

Prepared for:

**The Florida Bar**

By:

**The Washington Economics Group, Inc.**

**Interim Report**

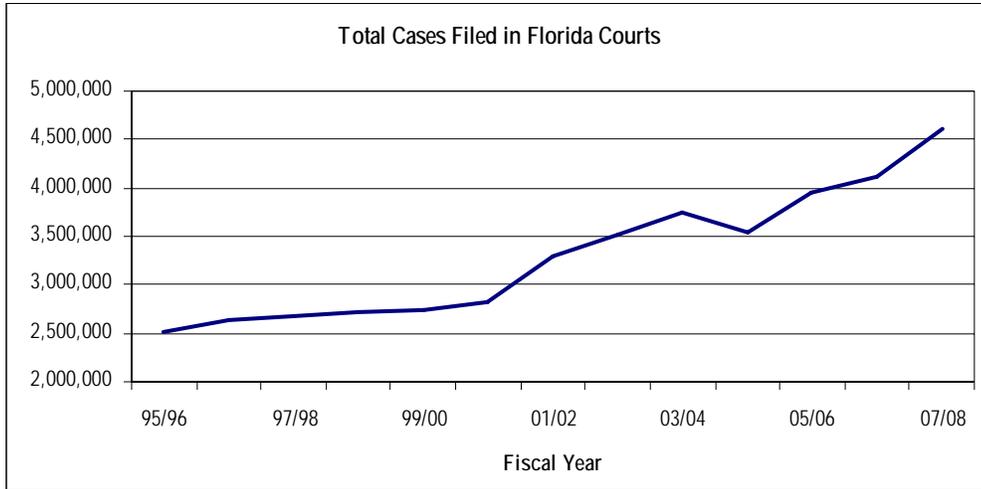
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## I. BACKGROUND

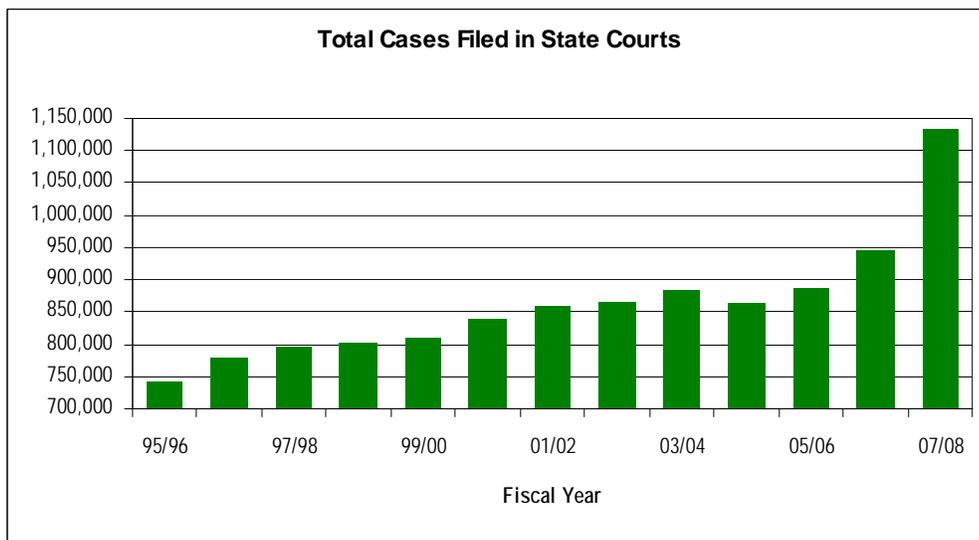
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Over the past decade Florida's system of courts has faced a steadily growing caseload. Each year the number of cases entering the courts has steadily grown, increasing from 2.5 million in FY 1995-1996 to 4.1 million in FY 2005-2006. These increases have been seen in both Florida's county courts and in the state court system.



**Figure 1**  
Source: The Washington Economics Group, Inc.

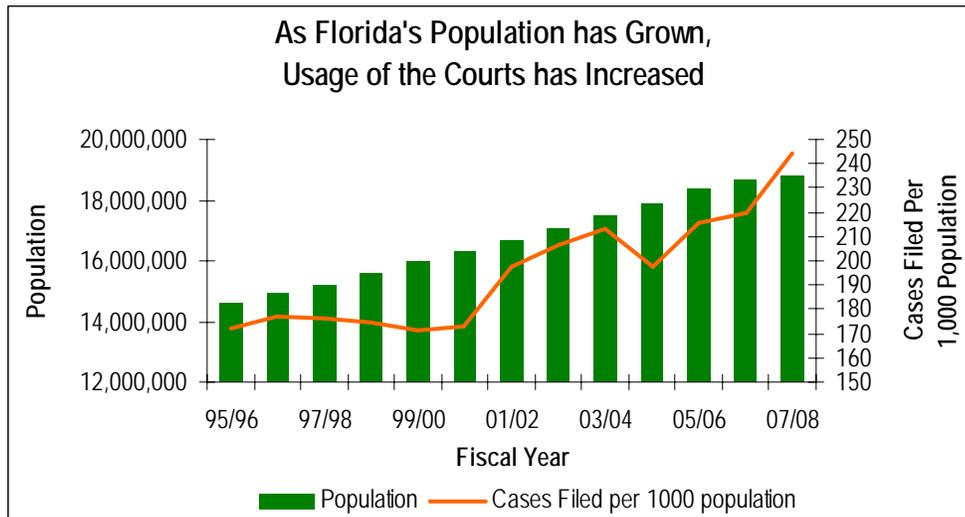
There have been significant increases in cases filed in Florida's state circuit courts as well. Between FY 1995-1996 and FY 2006-2007, cases filed in the state court system increased by 28 percent from 741,000 to 947,000 in the '06-'07 fiscal year.



**Figure 2**  
Source: The Washington Economics Group, Inc.

Two trends have driven this increase in workload for Florida’s courts, the first is Florida’s population growth. For many decades Florida has been one of the fastest growing states in the United States. Between 1995 and 2007, Florida’s population increased by 4.1 million people or 28 percent from 14.6 million to 18.7 million residents.

Secondly, Florida’s citizens have made greater use of their courts. In FY 1995-1996 there were 172.3 court cases filed per 1,000 residents. By FY 2006-2007 this had increased to 219.8 cases being filed per 1,000 residents, as is illustrated in Figure 3 below.



**Figure 3**  
Source: The Washington Economics Group, Inc.

In the past few years demands on Florida’s courts have grown at a rate much faster than the resources available to Florida’s Courts. Prior to July 1, 2004, much of the funding for Florida’s courts was provided by county governments. On that date, Revision 7 of the Florida Constitution became effective. This revision shifted the responsibility for the funding of most operating expenses of the state court system, state attorneys, public defenders, and the Justice Administrative Commission from county government to state government. Historical budget information for Florida’s state courts clearly shows that state funding has not kept pace with the demands that Florida’s citizens are making on the court system. Table 1 sets forth information on state court system funding. In nominal terms the per case funding for Florida’s state courts peaked in FY 2006-2007 at \$1,250.35 per case. In real terms (adjusting for the increase in the general level of prices of goods and services purchased by government) the state funding for Florida’s courts peaked much earlier in FY 2004-2005 at \$1,153.78 per case filed. Thus when adjustments are made for inflation and growing caseloads, Florida’s state courts have steadily lost resources for the last four fiscal years.

**Table 1. State of Florida Justice System Funding and Caseload**

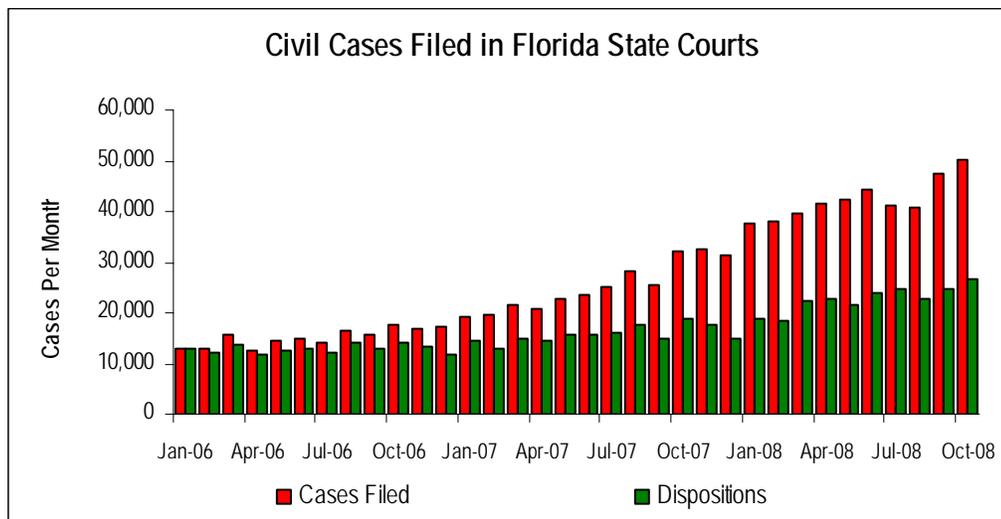
<i>Category</i>	<i>Fiscal Year</i>					
	<i>2003-04</i>	<i>2004-05 (1)</i>	<i>2005-06</i>	<i>2006-07</i>	<i>2007-08</i>	<i>2008-09</i>
<b>State Court System Funding</b>						
State Courts System	\$269,815,184	\$391,608,311	\$405,406,944	\$450,390,384	\$477,980,209	\$438,269,619
Other Court Related Functions (2):	\$488,503,257	\$644,724,081	\$667,795,635	\$733,133,182	\$767,662,513	\$744,193,050
<b>Total Funding:</b>	<b>\$758,318,441</b>	<b>\$1,036,332,392</b>	<b>\$1,073,202,579</b>	<b>\$1,183,523,566</b>	<b>\$1,245,642,722</b>	<b>\$1,182,462,669</b>
Total Cases Filed In State Courts (3)	886,082	863,662	887,990	946,555	1,135,087	<i>1,135,087</i>
Funding Per Case Filed (nominal dollars):	\$855.81	\$1,199.93	\$1,208.58	\$1,250.35	\$1,097.40	\$1,041.74
Funding Per Case Filed (real dollars:2003-04=100) (4):	\$855.81	\$1,153.78	\$1,117.40	\$1,111.56	\$938.06	\$856.23

Source: Florida State Courts Annual Reports Various Years

- Notes: 1. Revision 7 to the Florida state Constitution took effect on July 1, 2004 transferring many court funding responsibilities to the state.  
2. Other Court Related Functions includes: Justice Administration Executive Direction, Statewide Guardian Ad Litem Program, State Attorneys, Public Defenders, Capital Collateral Regional Counsel, Criminal Conflict and Regional Counsels.  
3. Total Cases filed in FY-2008-2009 estimated at the same level as FY-2007-2008  
4. Deflated at 4% per annum to adjust for inflation in the prices of goods and services purchased by government.

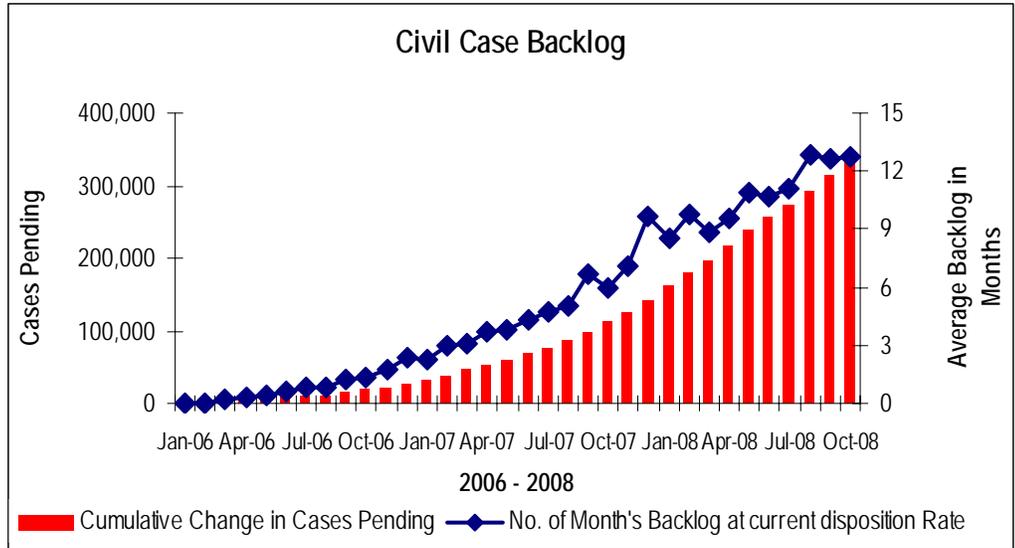
The funding challenge of the past few years has been exacerbated by rapid growth in the number of cases entering the system. In the past two fiscal years ('06/'07 and '07/'08) total cases filed in Florida's State Courts have increased by 12.2 percent per annum. When the number of cases in the court system exceeds the manpower and financial resources available, the courts are forced to slow, or suspend the processing of civil cases. This is due to federal and state laws relating to due process and speedy trials that require criminal and family court cases be heard by the courts within specified timeframes.

Data from Florida's state courts show that the number of civil cases being filed in Florida's courts has exceeded the ability of the courts to hear and resolve these cases, and as a result civil case backlogs have grown dramatically. Figure 4 below shows that over the past two years the number of civil cases filed have steadily increased each month and further that although the number of cases disposed of each month has increased slightly, dispositions have not kept pace with the rate of increase in cases filed with the courts.



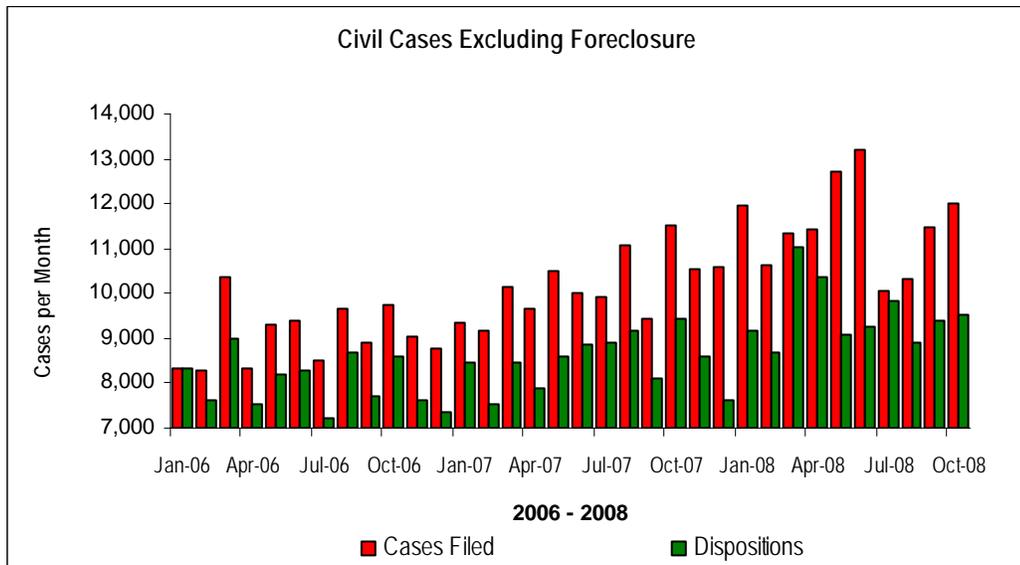
**Figure 4**  
Source: The Washington Economics Group, Inc.

Figures 5 and 6 on the next page show the change in civil case backlogs over the past three years, along with an estimate of the average case backlog in months. The data on these two charts shows that for most of 2006 civil case dispositions kept pace with new case filings and that there was little change in estimated case backlogs. In 2007 and 2008, the situation deteriorated, and as of October 2008, we estimate the backlog of civil cases in Florida's state courts is approximately 338,000 cases. At the current rate of civil case disposition, it would take almost thirteen months for the current civil case backlog to be eliminated, assuming no additional cases are filed with the courts for the next thirteen months.

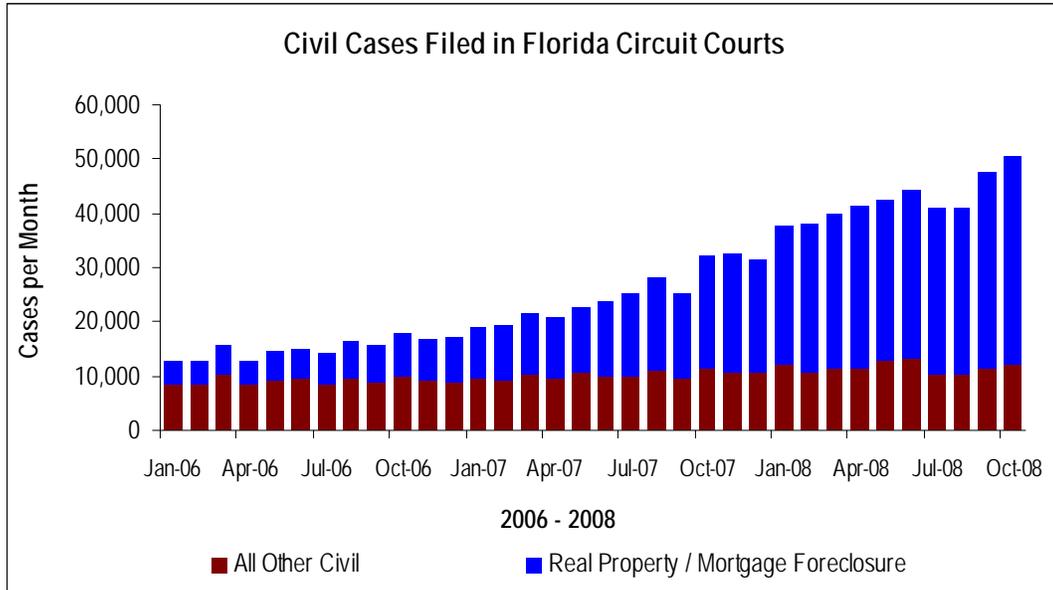


**Figure 5**  
Source: The Washington Economics Group, Inc.

Over the past two years the greatest increase in Civil Cases filed has been in Real Property/Mortgage Foreclosure cases, largely as a consequence of the sub-prime mortgage crisis. Figure 7 on the next page shows the Florida State civil case filings for the last three years split between Real Property/Mortgage Foreclosure and all other civil cases. This clearly shows how the dramatic increase in Foreclosure cases has driven the increase in overall number of civil cases filed.



**Figure 6**  
Source: The Washington Economics Group, Inc.



**Figure 7**  
 Source: The Washington Economics Group, Inc.

As the number of Real Property/Mortgage Foreclosure case filings has increased it has created backlogs throughout the entire court system. These backlogs and delays create additional work for Judges, Court Administrators, Attorneys, Clerks of the Courts, and Florida’s citizens who seek justice through the court system.

In the following section, the financial and other burdens associated with delays in the court system are identified, and their impacts on Florida’s economy are quantified.

## **II. THE ECONOMIC IMPACTS OF DELAYS IN THE DISPOSITION OF CIVIL COURT CASES**

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When the processing of Circuit Civil cases is delayed by crowded court calendars additional burdens and costs are imposed on all participants. These costs include, but are not limited to:

- Additional demands that are placed on the Clerks of Court and other court administrators as they manage additional cases and the associated case files as these cases move through the justice system.
- Additional burdens that are placed on Judges and their support staff to hear cases quickly while ensuring that fair and impartial justice is provided to all Floridians
- Attorneys and their support staff are forced to undertake additional efforts to identify the location of files, determine the status of cases in the legal system, and to remain current on these cases.
- Finally, Floridians must wait for justice, sometimes incurring significant financial and other costs during the waiting period.

In addition to the costs and burdens that can be identified, there are costs and burdens that can't be quantified, but are none the less real.

- Adverse impacts on Florida's business climate
- Additional costs imposed on businesses and others as they seek speedy resolution of issues without having to resort to the courts for justice.
- Opportunities forgone as businesses and individuals deal with the uncertainty of having to wait for the court system to hear their case and render a decision.

In order to analyze the costs associated with court delays civil cases were broken into two categories, Real Property/Mortgage Foreclosure, and all other civil cases. Foreclosure cases were analyzed separately as these cases are similar, and the costs of delays can be quickly identified. In contrast other civil cases involve a wide range of issues, and in many cases the economic impacts associated with these cases must be analyzed individually.

Appendix I contains detailed information and calculations of the direct economic impacts associated with the current backlog of Real Property/Mortgage Foreclosure cases, and other types of civil cases in Florida's courts.

Our analysis of the backlog of Real Property/Mortgage Foreclosure cases has identified the following added expenses associated with this backlog. Each year Florida's citizens incur:

- \$1.0 billion of added legal and other case related expenses due to delays in the disposition of these cases.
- \$4.6 billion of interest income foregone annually by financial institutions and other mortgage investors while they wait for case disposition.
- \$4.3 billion of declines in property value (over and above the declines in property values due to general market conditions) resulting from properties being vacant and not properly maintained during the foreclosure process.

In total, the backlog of Real Property/Mortgage Foreclosure cases directly results in \$9.9 billion of added costs and lost property values each year for Florida's citizens.

Data from the Office of the State Courts Administrator shows that as of October 2008 all other types of civil cases (excluding Real Property/Mortgage Foreclosure) had an average delay of 5.5 months due to court-related delays. On an annual basis, we estimate that the additional legal costs associated with these delays exceed \$184 million. Thus, the aggregate of all quantifiable costs associated with court-related delays in civil case due process results in direct economic impacts approaching \$10.1 billion annually.

These added costs set forth in the preceding paragraphs generate significant quantifiable economic impacts. These impacts, estimated by utilizing a professionally accepted and widely used methodology, adversely impact employment, the generation of labor income, economic output and public revenues throughout the state of Florida. Therefore, the economic outcomes expected associated with these delays in due process will result in significant adverse economic development impacts throughout the state.

The Minnesota IMPLAN Group, Inc. (MIG) provides the software and basic data needed to formulate the economic multiplier model developed for this analysis. MIG has been providing economic multiplier models for regional economic impact analysis since 1985<sup>1</sup>. **Models developed using IMPLAN software are widely used by private sector, academic economists, and by federal, state and local government agencies.** The Washington Economics Group, Inc. (WEG) IMPLAN model for Florida is based on the latest input-output tables as well as income and employment data for Florida from the U.S. Department of Commerce.

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<sup>1</sup>Information on the IMPLAN Group models and the company history can be found at [www.implan.com](http://www.implan.com).

### *Methodology*

Economic models that explicitly account for inter-industry linkages (supply relationships), the generation of labor and capital income and the spending of household income have been used since the 1960's to estimate the contribution that a particular business or industry makes to the general economy. These "input-output" models recognize that, as an industry experiences an increase in the demand for its products or services, it in turn needs more goods and services from its suppliers and must increase its purchases from other industries in the economy. The effect on regional production resulting from successive rounds of inter-industry linkages is referred to as the *indirect effect*. The resulting increases in regional production also lead to expansions in employment and labor income, and the increases in labor income lead to increases in consumer spending, further expanding sales and production throughout the regional economy. The latter economic impacts are referred to as the *induced effects*. The successive waves of production, spending and more production result in *economic multiplier effects*, where the final or total increase in regional production, income and employment, respectively, is larger than the initial (or "direct") increase in production, income and employment. The total quantitative economic contribution of these activities, therefore, is comprised of a *direct effect*, an *indirect effect* and an *induced effect*.

### III. THE ADVERSE ECONOMIC IMPACTS RESULTING FROM OBSERVABLE COSTS ASSOCIATED WITH DELAYS IN CIVIL CASE DUE PROCESS IN FLORIDA

The added expenditures required as a result of delays associated with civil court case due process in Florida are generating economic impacts that extend beyond those *directly* related to the delays in the legal process. These “spillover” or multiplier impacts are the result of each business activity’s supply relationships with other firms operating within the state, the proportion of business GDP (Value Added<sup>2</sup>) that accrues to Florida households in the form of labor and capital income, and the propensity of these households to spend income on goods produced within the state.

The *direct* impact of these delays is comprised of all added expenditures for labor and materials required by the delays, foregone interest and declines in real property and other asset values resulting from the delays. Utilizing the *direct* economic impacts discussed above, *indirect* and *induced* economic impacts of these delays were calculated using an extended *input-output* model of the Florida economy. These comprehensive *direct*, *indirect* and *induced* economic impacts are summarized in Table 2 below.

<i>Impact on:</i>	<i>Direct</i>	<i>Indirect &amp; Induced</i>	<i>Total Impact</i>
Employment (Jobs)	56,138	64,081	120,219
Labor Income (\$ Billions)	3.041	2.549	5.590
Florida GDP (Value Added -\$ Billions)	5.573	4.257	9.830
Federal, State & Local Tax Revenues (\$ Billions)	-----	-----	2.199
Total Economic Impact (\$ Billions)	10.088	7.279	17.367
Source: The Washington Economics Group, Inc.			

**The total recurring (annual) adverse economic impacts are very significant brakes on economic growth and a threat to the well-being of Florida. An estimated 120,219 permanent jobs for Florida’s residents are adversely impacted by civil case delays resulting from inadequate funding for Florida’s courts. The analysis that follows presents specific categories of the economic impacts presented in Table 2, starting with adverse employment impacts.**

<sup>2</sup>“Value added” refers to the difference between business revenues and the cost of non-labor and non-capital inputs used to produce goods and/or services.

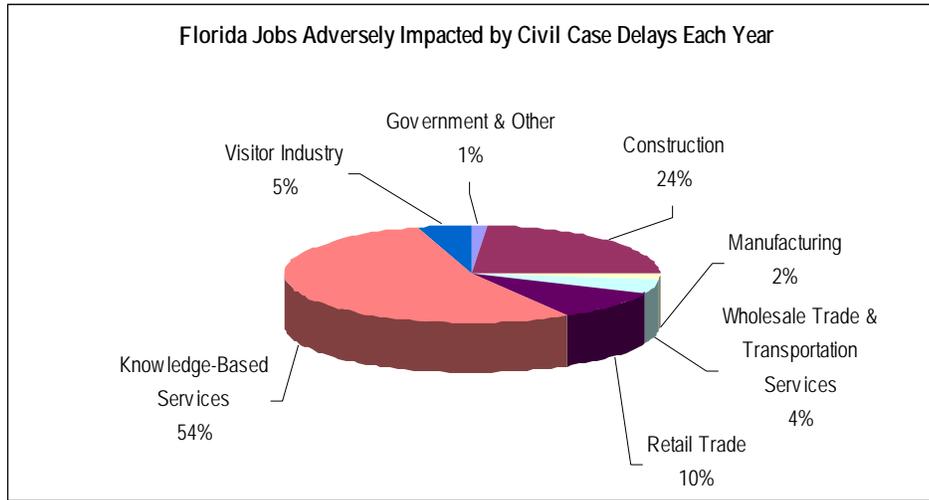
**A. *Employment Impacts: Civil Case Delays Adversely Impact 120,219 Permanent Jobs of Florida Residents***

An estimated 120,219 permanent jobs held by Florida residents have been adversely impacted *directly* or *indirectly* by delays in Florida’s courts. These delays in due process are *directly* responsible for the loss of 56,138 jobs in the in the Knowledge-Based Services, Construction and related support sectors. However, the *indirect* and *induced* job impacts reach deeply into all sectors of the Florida economy. This dramatically demonstrates the close supply inter-relationships that the Knowledge-Based Services, Construction and related support sectors have with all of the other sectors of the state’s economy. An additional 31,289 Florida jobs are adversely impacted via *indirect* economic effects (mostly suppliers). Lastly, induced spending effects arising from these delays adversely impact 32,792 Florida jobs in all sectors of the local economy. **Therefore, the total number of Florida jobs adversely impacted by these delays is estimated at 120,219 – resulting in a significant reduction in employment opportunities throughout the state of Florida.**

The number of jobs in each economic sector adversely impacted by civil case court delays is summarized in Table 3. Of the 120,219 jobs adversely impacted, 54 percent are in the Knowledge-Based Services sector, 24 percent are in Construction Services sector and 10 percent are in the Retail Trade sector. The remaining 12 percent are distributed among other sectors of the Florida economy. **The Knowledge-Based Services sector of the Florida economy is emphasized for growth by economic development entities as it is a key generator of high-wage occupations in emerging sectors of the state’s economy.**

<b>Table 3. Florida Jobs Adversely Impacted by Civil Case Delays</b>	
<i>Industry</i>	<i>Florida Jobs Adversely Impacted</i>
Knowledge-Based Services	64,276
Construction	28,518
Retail Trade	12,340
Visitor Industry	5,802
Wholesale Trade & Transportation Services	5,335
Manufacturing	2,346
Government & Other	1,601
<b>Total All Industries</b>	<b>120,219</b>
<b>Source:</b> The Washington Economics Group, Inc.	

Jobs adversely impacted by civil case court delays are found in a wide variety of industries and represent a broad spectrum of occupations as shown in Figure 8 below.



**Figure 8**  
Source: The Washington Economics Group, Inc.

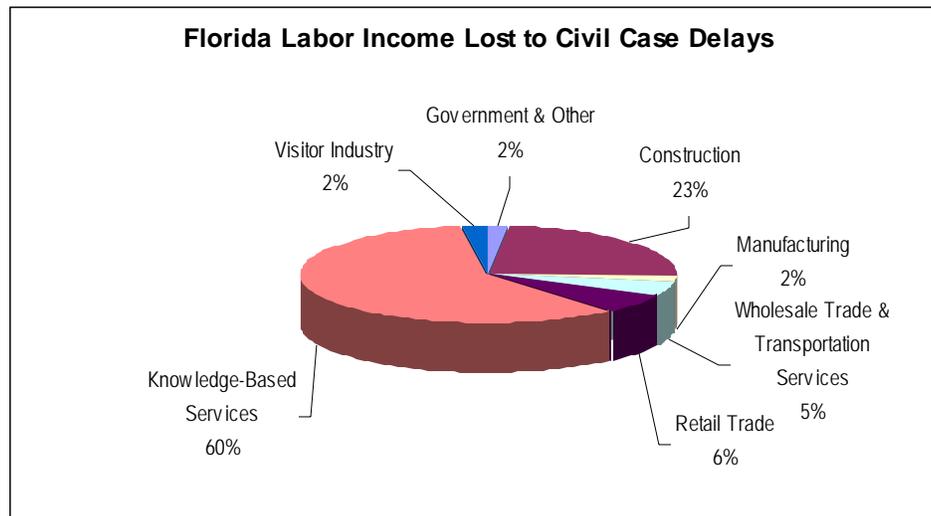
**B. Adverse Impacts to Labor Income: Civil Case Court Delays Put almost \$6 Billion of Labor Income at Risk Each Year**

Delays in Civil Court cases have also resulted in significant adverse impacts in Labor Income for Florida’s workers. Many of the jobs are in sectors that pay above-average wages for the state as is quantified in Table 4. In addition to the \$3.041 billion of Labor Income lost *directly as a result of civil court case delays*, \$1.338 billion of Labor Income is adversely impacted by *indirect* economic activities resulting from civil court case delays, and an additional \$1.211 billion of Labor Income is adversely impacted by *induced* economic activities resulting from these delays. **In summary, these delays are estimated to adversely impact \$5.590 billion in Labor Income for Florida’s workers each year.**

<b>Industry</b>	<b>Total Impact</b>
Knowledge-Based Services	3,295,998
Construction	1,311,891
Retail Trade	356,533
Wholesale Trade & Transportation Services	276,215
Visitor Industry	129,420
Manufacturing	122,319
Government & Other	97,648
<b>Total All Industries</b>	<b>\$5,590,022</b>

Source: The Washington Economics Group, Inc.

Of the \$5.6 billion of Labor Income adversely impacted by civil case court delays, \$3.3 billion or 60 percent is in the Knowledge-Based Services sector, \$1.3 billion or 23 percent of Labor Income is adversely impacted in the Construction sector, and \$0.4 billion or 6 percent of Labor Income is adversely impacted in the Retail Trade sector. The remaining 11 percent is adversely impacted in the Wholesale Trade and Transportation Services sector and in a range of other occupations.



**Figure 9**  
Source: The Washington Economics Group, Inc.

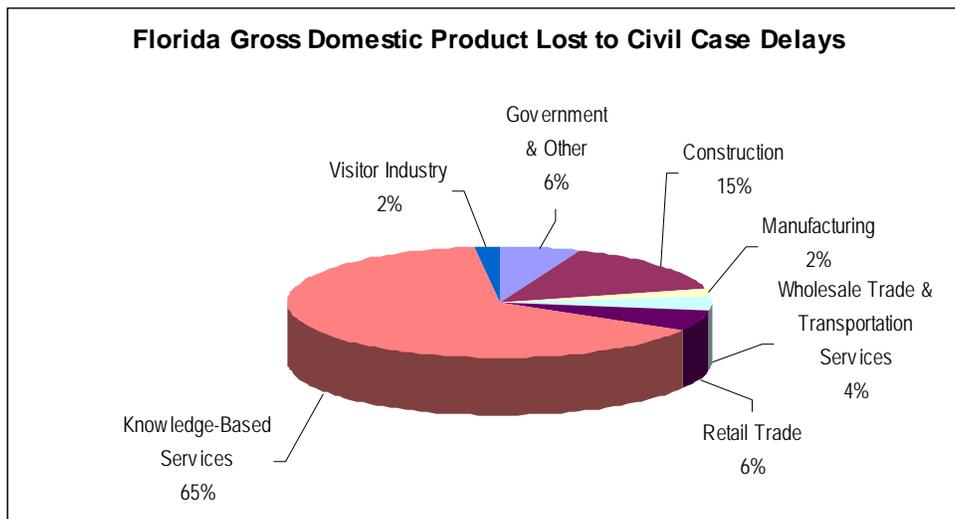
**C. *The Recurring Adverse Impacts on Florida’s Gross State Product: A significant Drag on Economic Activity from Court Delays in Civil Cases***

**Florida GDP (Value Added) adversely impacted by civil case court delays is another measure of the economic development costs arising from inadequate funding of Florida’s court system.** Florida GDP is the portion of business revenues that is available to pay compensation to workers, capital income and indirect business taxes<sup>3</sup>. It is also the principal source of household income and a key measure of adverse impact on Florida’s economy caused by the costs of civil case court delays. Civil case court delays will adversely impact \$5.573 billion of Florida GDP *directly*, while \$2.006 billion of state GDP is adversely impacted by *indirect* activities, and \$2.252 billion of Florida GDP is adversely impacted by *induced* economic activities. In total, civil case court delays adversely impact \$9.8 billion in Florida GDP annually. Table 5 in the next page summarizes the Florida GDP adversely impacted in each sector of the state’s economy by the civil case court delays each year. **The largest adverse impacts in Florida GDP occur in the Knowledge-Based Services and in the Construction sectors where 80 percent of the adverse impacts to Florida GDP occur each year.**

<sup>3</sup> Florida GDP (value added) also includes compensation to government workers.

<b>Table 5. Florida GDP Adversely Impacted by Civil Case Court Delays</b> (\$ in thousands)	
<b>Industry</b>	<b>Total Impact</b>
Knowledge-Based Services	6,348,829
Construction	1,504,356
Government & Other	592,883
Retail Trade	573,640
Wholesale Trade & Transportation	428,706
Visitor Industry	198,357
Manufacturing	183,501
<b>Total All Industries</b>	<b>\$9,830,272</b>

**Source:** The Washington Economics Group, Inc.

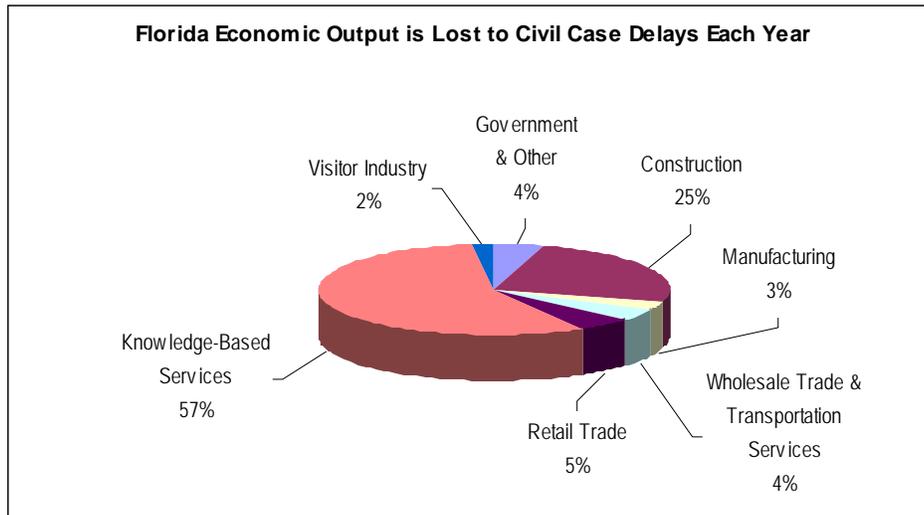


**Figure 10**  
Source: The Washington Economics Group, Inc.

**D. The Total Annual Adverse Economic Impacts Arising from Civil Case Court Delays is a Significant \$17.4 Billion Each Year**

A final and comprehensive measure of the total adverse economic impact of civil case court delays on the Florida economy is *Gross Economic Output*, representing the sum of gross revenues (receipts) of private firms plus the value of government services (valued at cost). The total adverse economic impact of the civil case court delays on the Florida economy is estimated at almost **\$17.4 billion annually**. Of this total, \$10.1 billion is generated *directly* by the added costs of civil case court delays, while an additional \$7.3 billion is generated by *indirect* and *induced* activities related to case delays (see Table 2). Table 6 shows the industry distribution of the \$17.4 billion in total adverse economic impact.

<b>Table 6. Florida Economic Output Lost to Civil Case Court Delays each year (\$ in thousands)</b>	
<i>Industry</i>	<i>Total Impact</i>
Knowledge-Based Services	9,778,371
Construction	4,314,988
Retail Trade	872,366
Government & Other	776,700
Wholesale Trade & Transportation Services	690,086
Manufacturing	572,335
Visitor Industry	361,748
<b>Total All Industries</b>	<b>\$17,366,595</b>
Source: The Washington Economics Group, Inc.	



**Figure 11**  
Source: The Washington Economics Group, Inc.

***Court Delays on Civil Cases Adversely Impact Public Revenues: Almost \$2.1 billion in Public-Sector Revenues are Foregone Each Year***

In addition to the various adverse economic impacts presented, the court system delays resulting from inadequate funding result in significant declines in fiscal revenues for federal, state, and local governments as shown in Table 7 in the next page. Each year, almost \$2.1 billion of fiscal revenues are lost to civil case court delays. Of this total, almost \$1.6 billion, or 72 percent, of these revenue losses are allocated to the federal government, with the remaining \$0.5 billion, or 28 percent, of lost tax revenues being allocated to state and local governments throughout Florida.

**Table 7. Recurring Adverse Fiscal Impacts Attributable to the Civil Case Court Delays**  
(\$ in thousands)

<b>Taxes Paid By</b>	<b>Federal Taxes</b>	<b>State/Local Taxes</b>	<b>Total Taxes</b>
Labor	\$ 582,978	\$ 10,722	\$ 593,700
Capital	26,022	-----	26,022
Households	591,384	36,166	627,550
Corporations	323,947	118,493	442,440
Indirect Business Taxes	51,062	458,386	509,448
<b>Total:</b>	<b>\$1,575,393</b>	<b>\$623,767</b>	<b>\$2,199,160</b>

**Source:** The Washington Economics Group, Inc.

**APPENDIX I:**

<b>Calculation of the Direct Impacts Associated with Real Property / Mortgage Foreclosure Case Backlogs</b>		
<b>Item</b>	<b>Description</b>	<b>Value</b>
1	Estimated number of R.P. / Mortgage Foreclosure cases in Florida's Courts <sup>1</sup>	286,349
2	Estimated Average Case Delay in months <sup>2</sup>	16.77
3	Estimated Average loan size, and estimated property value <sup>3</sup>	\$218,851
4	Estimated Average loan interest rate <sup>3</sup>	7.39%
5	<b>Estimated decline in Real Property Market Values</b>	
	- Percentage Decline in Market Value due to market conditions <sup>4</sup>	32.23%
	- Percentage Decline in Market Value due to property in Foreclosure	20.00%
	Total Decline in Value of Foreclosed Properties	52.23%
6	Avg. Foreclosure Cases Disposed of each month (Jan'06 - Oct'08) <sup>2</sup>	8,136
7	Legal and other Costs associated with Case Delays:	
	- Expenses of Attorney and Staff to remain current on each case <sup>5</sup>	\$125.00
	- Monthly Average Cost of additional Depositions and other case related activities <sup>5</sup>	\$166.67
	<b>Monthly Direct Impact Calculations - Foreclosure Cases</b>	
A.	<b>Additional Legal and other Case Related Expenses (per case)</b>	
	- Attorney and Staff Legal Expenses	\$125.00
	- Monthly Average of Depositions and other case related activities	<u>\$166.67</u>
	Total Monthly Legal and case related expenses:	\$291.67
	Times, Estimated cases filed but not disposed of by courts	286,349
	Equals, Additional Legal and other Case related Expenses - Monthly	\$83,518,458
	Equals, Additional Legal and other Case related Expenses - Annual	\$1,002,221,500
B.	<b>Foregone Interest Income</b>	
	Average Loan Size	\$218,851
	Times, Average Interest Rate	7.39%
	Times, Estimated cases filed but not disposed of by courts	286,349
	Equals Foregone Interest Income - Monthly	\$385,699,752
	Equals Foregone Interest Income - Annual	\$4,628,397,022

C.	<b>Declines in Property Value due to delays in the Foreclosure Process:</b>		
	Estimated Property Value at commencement of Foreclosure		\$218,851
	Decline in value due to market conditions (per property)*	32.23%	\$70,535.68
	- Decline in value due to foreclosure process (per property)	20.00%	\$43,770.20
	Total decline in property values (per property)		\$114,305.88
	Average Number of Foreclosure cases disposed of by courts each month		8,136
	Total reduction in property value of foreclosed properties - Monthly		\$356,114,347
	Total reduction in property value of foreclosed properties - Annually		\$4,273,372,166
D.	<b>Estimated Annual Direct Impact of Foreclosure Case Delays:</b>		
	- Additional legal and other case related expenses:		\$1,002,221,500
	- Foregone Interest Income:		\$4,628,397,022
	- Declines in foreclosed property value due to delays in foreclosure process:		\$4,273,372,166
<b>Total estimated annual direct impact of foreclosure case delays:</b>			<b>\$9,903,990,688</b>
<p>*This is excluded from the analysis as it is not driven by the legal process, rather by market conditions.</p> <p>Sources: <sup>1</sup>Office of the State Courts Administrator. <sup>2</sup>Calculated by WEG, based on OSCA data. <sup>3</sup>FED of New York data on Sub-Prime and "Alt-A" mortgage loans for Oct 2008. <sup>4</sup>Case-Schiller Home Prices Indices (Avg. of data for Miami and Tampa). <sup>5</sup>Discussions with The Florida Bar – 1hr@\$125/hour. <sup>5</sup>Based on discussions with The Florida Bar. Assumes one additional deposition or other case-related activity every 6 months at an average cost of \$1,000.</p>			

<b>Calculation of the Direct Impacts Associated with Civil Court Case Delays - Excludes Foreclosure</b>		
<b>Item</b>	<b>Description</b>	<b>Value</b>
1	Estimated number of cases (excl. Foreclosure) in Florida's Courts <sup>1</sup>	52,575
2	Estimated Average Case Delay in months <sup>2</sup>	5.53
3	Avg. number of non-foreclosure civil cases disposed of each mo. (1/06 - 10/08) <sup>2</sup>	8,618
7	Legal and other Costs associated with Case Delays:	
	- Expenses of Attorney and Staff to remain current on each case <sup>5</sup>	\$125.00
	- Monthly Average Cost of additional Depositions and other case-related activities <sup>5</sup>	\$166.67
	<b>Direct Impact Calculations - Civil Cases excl. Foreclosure</b>	
A.	<b>Additional Legal and other Case Related Expenses (per case)</b>	
	Attorney and Staff Legal Expenses	\$125.00
	Monthly Average of Depositions and other case related activities	<u>\$166.67</u>
	Total Monthly Legal and case related expenses:	\$291.67
	Times, Estimated cases filed but not disposed of by courts	52,575
	Equals, Additional Legal and other Case related Expenses - Monthly	\$15,334,375
	Equals, Additional Legal and other Case related Expenses - Annual	\$184,012,500
Sources: <sup>1</sup> Office of the State Courts Administrator. <sup>2</sup> Calculated by WEG, based on OSCA data. <sup>5</sup> Discussions with The Florida Bar – 1hr@\$125/hour. <sup>5</sup> Based on discussions with The Florida Bar. Assumes one additional deposition or other case-related activity every 6 months at an average cost of \$1,000.		