

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT  
JANUARY TERM, A.D. 2009  
FEBRUARY 26, 2009

OFFICE OF CRIMINAL  
CONFLICT, ETC.,  
Appellant(s)/Petitioner(s),

CASE NO.: 3D08-2537/3D08-2272

vs.

PUBLIC DEFENDER,  
ELEVENTH JUDICIAL CIRCUIT  
Appellee(s)/Respondent(s).

LOWER  
TRIBUNAL NO. 08-01

The parties are invited (but not directed) to file and serve, on or before March 16, 2009, a short supplemental memorandum addressing the following questions:

1. Publicly-available information compiled by the Office of the State Courts Administrator from the General Appropriations Act and supplemental Public Defender appropriations through the Judicial Administrative Commission (JAC) for Florida budget years FY 2004/05 through FY 2008/09 indicates that statewide, the offices of the Public Defender aggregate budgets increased from \$182,677,274 to \$207,966,159 over that period (a 14% increase), while their aggregate "full time equivalent" (FTE) headcount increased from 2,705.25 to 2,755.25 (a 2% increase). Please provide record references, if any, to the comparable budget amounts

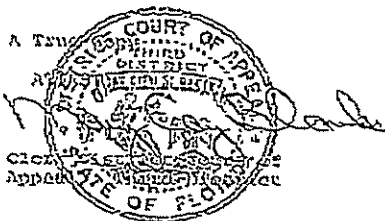
(inclusive of any JAC amounts allocated to the Public Defender) and FTE figures for the Public Defender, Eleventh Judicial Circuit (PD-11).

2. In the event that these comparable budget amounts and FTE figures for PD-11 were not a part of the record below, please indicate whether this Court may take judicial notice of such data under sections 90.202 and 90.204, Florida Statutes (2008).

3. Please provide the information described in paragraph 2 and indicate the publicly-available source(s) of the comparable budget and FTE information for PD-11.

4. If, for PD-11, during the budget years FY 2004/05 to FY 2008/09, the percentage increase in budget exceeds the percentage increase in FTEs for the same budget years, please address any such disparity.

SHEPHERD, CORTIÑAS and SALTER, JJ., concur.



CC:

Arthur I. Jacobs  
Nancy C. Wear  
Richard L. Polin  
Carlos J. Martinez  
Arthur I. Jacobs  
Penny H. Brill  
Robert A. Young  
Chief Judge Joseph P. Farina  
Judge Stanford Blake  
ag

Scott Makar  
Joseph P. George, Jr.  
Linda Kelly Kearson  
Stephen Presnell  
Parker D. Thompson  
Mercedes Busto