



EXECUTIVE COUNCIL MEETING
October 2, 2018

Stacy Butterfield, CPA
POLK COUNTY
EXECUTIVE COUNCIL CHAIR

Tara S. Green
CLAY COUNTY
VICE-CHAIR

JD Peacock, II
OKALOOSA COUNTY
SECRETARY/TREASURER



JOHN CRAWFORD
NASSAU COUNTY

PAT FRANK
HILLSBOROUGH COUNTY

TODD NEWTON
GILCHRIST COUNTY

PAULA S. O'NEIL, PH.D.
PASCO COUNTY

HARVEY RUVIN, ESQ.
MIAMI-DADE COUNTY

RON FICARROTTA
13TH JUDICIAL CIRCUIT JUDGE
SUPREME COURT APPOINTEE

KYLE HUDSON
HOLMES COUNTY
SENATE APPOINTEE

VACANT
HOUSE APPOINTEE

JOHN DEW
EXECUTIVE DIRECTOR

JOE BOYD
GENERAL COUNSEL

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CCOC EXECUTIVE COUNCIL MEETING

October 2, 2018- 2pm EST

Hyatt Regency Jacksonville Riverfront

225 E. Coastline Drive, Jacksonville, FL 32202

Meeting Room: River Terrace 3

Conference Call: (904) 512-0115, Code 412463

Call to OrderHon. Stacy Butterfield, CPA, Chair
Invocation.....Hon. John Crawford
Roll CallHon. Tara Green, Vice Chair

- 1) Introduction and Agenda ApprovalHon. Stacy Butterfield, CPA, Chair
- 2) Approve Minutes.....Hon. JD Peacock, Secretary/Treasurer
 - i) June 25, 2018
 - ii) September 11, 2018
- 3) Treasurer's Report.....Hon. JD Peacock, Secretary/Treasurer
 - a) CCOC Office Financials through August 2018
- 4) Report from Committee and Workgroup Chairs
 - a) Budget Committee
 - b) Revenue Enhancement and Funding Committee
 - c) Legislative Committee
 - d) PIE Committee
 - e) Electronic Notification Platform Workgroup
- 5) Report on TCBCHon. Judge Ficarrotta
- 6) Follow-up on CCOC Executive DirectorHon. Tara Green, Vice Chair
 - i) Annual Evaluation
 - ii) Excess Unused Leave Policy
 - iii) Evergreen Organization Study
- 7) Other Business Hon. Stacy Butterfield, CPA, Chair

DRAFT MINUTES

FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

MONDAY, JUNE 25, 2018 2:00 PM EDT

EXECUTIVE COUNCIL MEETING

**West Palm Beach Hilton, 600 Okeechobee Blvd, West Palm Beach, FL 33401
Oceana D Meeting Room**

The June 25, 2018 meeting of the Executive Council of the Florida Clerks of Court Operations Corporation (CCOC) was called to order by Executive Council Chair Ken Burke at 2:00 PM (EDT). Clerk John Crawford delivered the Invocation. Clerk Tara Green called roll. Council Members present were the Honorable Ken Burke, Honorable Stacy Butterfield, Honorable Tara Green, Honorable Sharon Bock, Honorable John Crawford, Honorable Pat Frank, Honorable Todd Newton, Honorable Jeff Smith, Honorable Kyle Hudson and Honorable Paula O'Neil. The Honorable Ron Ficarrota attended by telephone. Clerk Green stated that there was a quorum.

Chair Burke noted how the format would work today. First, there will be the Executive Council meeting. After that meeting is adjourned, the annual Corporation meeting will be convened. After the Corporation meeting is adjourned, there will be the Organizational meeting to swear in the new council members and election of the officers.

Chair Burke asked for the approval of the Executive Council Agenda. Clerk Butterfield made a motion to approve the agenda. Clerk Smith seconded. Seeing there was no discussion, the vote was taken. The motion passed unanimously.

APPROVAL OF MINUTES – FEBRUARY 27, 2018 EXECUTIVE COUNCIL MEETING

Chair Burke presented the minutes that were in the meeting packet. He asked if there were any questions or additions to the minutes. Hearing none, he entertained a motion to approve the minutes. Clerk Green made the motion. Clerk Newton seconded. The vote was taken and the motion carried.

TREASURER'S REPORT

Chair Burke asked Clerk Green to give the Treasurer's Report that was found on pages 13 through 18 in the meeting packet. The first item was the CCOC office 17-18 operating budget update. She noted that the CCOC office was staying within their spending authority through May. Concerning the upcoming budget year, the 18-19 operating budget is recommended to be a continuation budget. There were some adjustments such as positions and salaries based on the Evergreen study, but this is all done within the same budget authority of \$1.6 million. And lastly, the DFS contract which is the funding mechanism of CCOC. Clerk Green made a motion to approve agenda item 3a through 3c and wanted a discussion. Clerk O'Neil seconded the motion. Clerk Green continued that as a Council, it needed to address that last year there was an increase based on what State employees received through the legislative session. The amount was \$1,400 per employee making under \$40,000 and \$1,000 per employee making more than \$40,000. At that time John,

the Executive Director, opted not to take the \$1,000 increase in lieu of a performance evaluation. The Council needs to conduct the performance evaluation, but there have been time constraints. She would like to bring before the Council these discussion points. The Council needs to address the Executive Director's receiving the \$1,000. Secondly, there is a significant amount of accrual hours and the policy behind those hours. And lastly, implement an evaluation of the Executive Director's position. Chair Burke asked for a discussion on this point. Clerk Butterfield inquired that the Executive Director position was not discussed last year. Clerk Green confirmed that it was not. Clerk Butterfield said that is what we are acting on today. Clerk Green stated that a performance evaluation was to be done in the interim. The discussion point is whether to retro back and give the Executive Director the increase, then go forward and conduct the performance evaluation. Chair Burke asked Clerk Green if that was in the form of a motion. Clerk Green said yes that was a motion. Clerk Butterfield seconded the motion.

The second point was that a policy is needed to address what to do with the accrual hours that the Executive Director has at this point. He notified the Executive Committee leadership back in September 2017 that he would have excess unused annual leave at the end of the year if he needed to continue to work the hours necessary to get the job done for the remaining months of the year. He preferred that the Council allow either carryover of this leave or some payout as opposed to the leave being converted over to sick leave. Clerk Green said that whether it is a payout or gifting to an employee, it needs to be addressed in a policy. Clerk Smith asked if this was paid time off. Clerk Green stated that there is no policy. Mr. Dew clarified that there is a policy for CCOC staff, but no policy for the Executive Director. For the CCOC staff if they have hours over, they can be paid out and as Executive Director he can do that. There is no policy that gives the Council the authority to pay him. He knew he would have hours that would be moved to sick leave which he had done the previous year. Clerk Burke asked Clerk Green if the Council could assign her the task of working with John on developing a policy and an evaluation document, would she be the point person to handle both? She agreed. Clerk Butterfield made a motion to do this. Clerk Hudson seconded the motion. Clerk Frank asked what the minimal cost would be? Mr. Dew stated an estimate of over \$9,000 for the more than 150 hours held in abeyance but he would be willing to carry some of the annual leave over as opposed to payment for leave. Chair Burke thanked Clerk Green. Clerk O'Neil asked if Clerk Green then would return to the Council with a recommendation. Chair Burke said yes. He warned that the Council could not give comment to Clerk Green because of the Sunshine Law. If you have concerns, please express them to Mr. Dew. The vote was taken on all the motions and they passed unanimously.

Judge Ficarrotta joined the meeting and Chair Burke asked him to give his report at this time. The Judge noted that the Trial Court Budget Commission has had a series of conference calls since the last legislative session. The TCBC has been working on the reallocation for the post judiciary drug court. They have taken steps to solve the FY 2018-2019 problem of court funding proviso language. They have formed an advisory group to deal with policy considerations related to court appropriation. The TCBC is working on the certified Court interpreters and due process issues. The next meeting is tomorrow in Orlando. They are going to be looking at a status update on the 17-18 budget and the proposed

allocations for 18-19. The TCBC will make further recommendations and updates regarding the problem-solving court issues and identification of potential financial year 2019 budget request. He will get with Mr. Dew and Chair Burke and discuss tomorrow's meeting. Chair Burke thanked him for his service and hoped that he would be reappointed as the judicial representative to the CCOC. He acknowledged that he had asked to be reappointed at least one year and maybe even longer.

BUDGET COMMITTEE REPORT

Chair Burke called upon Clerk Butterfield, Chair of the Budget Committee to give her report. She began by saying that the Budget Committee met on April 24, 2018. At that meeting, there were three action items that the committee approved to bring before the Executive Council for their approval. The first item was to ask for Clerks to submit a costs basis(needs-based) budget to the CCOC by June 1 which they have done but we just need confirmation from the Council on the decision. The committee needed to provide direction to the Clerks, so therefore the decision was made at that time. The second item was that the committee approved a draft timeline for submitting not only the budgets but a projected timeline for the activities of the committee for the rest of the fiscal year plus the Chair's ability to make any amendments. The timeline was posted on the CCOC's website and includes dates for potential budget deliberations which is slated for the week of August 27th. The last item authorized the Chair to finalize the budget forms. The draft forms were reviewed at the Budget Committee meeting. The forms were finalized and distributed to the Clerks with the training schedule. Training was held and completed throughout the month of May. Clerk Butterfield made a motion for the Executive Council to approve the three action items brought forward by the Budget Committee. Clerk Smith seconded the motion. Chair Burke asked if there were any questions. Hearing none, the vote was taken. The motion carried.

Clerk Butterfield had two updates that don't need action by the Council. When the Clerks submitted their budgets on June 1, the request was for \$451.9 million. Also included was the request for Jury dollars of \$13.7 million. The grand total of \$465.6 million. As you are aware, we have funding for \$11.7 million for jury dollars. The Clerks request exceeds the funding amount by nearly \$2 million. She noted that the way our budgets work, if we only have \$11.7 million, the additional dollars would be absorbed in the Clerks' budgets. The \$2 million was added to the \$451.9 million for the grand total submission is still the \$465.6 million, but in the pieces of \$453.9 million and \$11.7 million for jury. The budget submission is \$465.6 million. Chair Burke asked if there were any questions for Clerk Butterfield. Clerk Frank was recognized. She offered an observation that the Clerks are driven by a cap that is unconstitutionally put upon us by the REC, however, we have the revenue capable of funding what our needs are. There were no other questions.

Clerk Butterfield presented an update on the revenue. This year that we are in now based upon the most recent reports, the Clerks will meet the revenue projections for this year to accomplish the \$409 million and likely exceed that. This is good news as we have not been able to say that in many years. The Budget Committee is not planning on convening to recommend any budget cuts for the current county fiscal year of 17/18. The revenue projections moving forward for CFY 18/19 that we have received from each of the Clerk's offices show an increase over the current year based on whether you use a low, medium or high projection.

Clerk Burke asked what the revenue estimates for the low, middle and high projections were. Clerk Butterfield stated that with the carry forward, the low was \$417 million, the middle was \$421 million and the high was \$432 million. The low being the worst-case scenario and the high the best case. The middle is middle of the road and would be the number that we are comfortable with. She noted one caveat that goes back to a recent the survey we sent out to Clerks asking them to identify if they have been keeping any Holland and Knight (H & K) dollars as opposed to sending them to State general revenue as this information is needed to make sure of what are in the numbers that are being projected. The CCOC is using all kinds of modeling to predict those numbers. The numbers that we are trying to get to for the projections should not include the H & K numbers. She noted that when we are making projections, we do not want to be wrong. We need the information from the Clerks' offices to determine that we are using the correct numbers. Chair Burke added that the numbers would be confirmed when all the surveys are in.

Clerk Green asked about the survey results concerning any revenues from H & K dollars collected by Clerks. Clerk Butterfield said the survey was due last Friday, June 22. The survey was asking for two pieces of information. The survey asked for the actuals for the remainder of this year and included going back to September 2017 if the Clerks were retaining those dollars. All Clerks were asked to put the numbers there and the listed five that were included in the Opinion that this Council acknowledged. Clerk Butterfield encouraged Clerks that have not submitted the survey, to do so immediately as the information is needed. This information is very vital. We are already receiving questions about the results of the survey and the amount of money. Chair Burke stated that there were nine counties that have not submitted the survey and he would appreciate it if they would submit the surveys so the CCOC can respond to the legislative inquiries concerning the H & K money.

That was the end of her report. Chair Burke thanked her, all the Budget Committee members and staff.

PIE COMMITTEE

Chair Burke called upon Clerk Green to give her report. The material can be found on pages 24 through 92 in the meeting packet. Clerk Green began by saying that five reports have come through the PIE Committee and need Council approval. The first reports to be approved is the 17-18 Quarter 1 and 2 reports which can be found on pages 24 through 48 and 49 through 71. Some of the highlights of these two reports found a 7% decline in filing cases timely for criminal

division and a 5% decline in docketing for circuit civil. She said that this was important because when you look from quarter to quarter, it is hard to see a decline because there is shifting of resources around. But when you see year after year, there is a significant decline in both of those measures. The second report is the updated PAC Framework. That is now called the Clerk's Court Services Framework. The bottom line is the committee went through the exercises looking at all the legislation that went through and updated the framework to reflect either additional tasks or some duplicate tasks such as new cases.

Many of the new legislative tasks such as risk protection orders (RPOs) had very little to no revenue associated to them. That is where the power of this framework comes in. Now we can start looking at things that come into the Clerks' offices and see additional tasks that cost them and they do not receive revenues. The third report has to do with some of the new legislation. These are the Risk Protection Orders (RPOs) found on page 87. Clerks are required to report back to March 2018 and what you will find is a temporary report that will be sent out to collect data and going forward that information will be automatically included in your outputs. The fourth report has to do with civil indigent reporting. This is the result of a request from the Budget Committee last year. That is found on page 88. The committee approved the first half of this report but not the second. The first part of the reporting that the committee is going to do is counting files and approved indigent applications. She said that this will give us a better count of the indigency numbers across the State. The second half of the report will try to capture the more complex piece which is the dollars associated with the waived fees of indigencies.

The committee decided that was going to be complex and a lot of work for the Clerks' offices so for this report, we are going to be collecting indigent applications and not revenue. The fifth report has to do with contraband. This goes back to July 1, 2016 and the new law that had the \$1,000 filing fee from law enforcement. We decided to do an interim report to collect that information. The workgroup and the committee looked at it and noted it was a lot of work and the report was not being used. Data can easily be collected on an as-needed basis. The committee voted to discontinue the contraband forfeiture report. We are recommending that report be removed. Clerk Green made a motion to approve the four reports and the discontinuing of the contraband report. Clerk Pat Frank seconded the motion. Chair Burke asked if there was any discussion. There were no questions, so the vote was taken. The motion passed unanimously. Chair Burke thanked Clerk Green and all the members of the PIE Committee.

LEGISLATIVE COMMITTEE

Chair Burke asked Mr. Jason Harrell to give the Legislative Committee report. Mr. Harrell stated that there had not been a Legislative Committee meeting so there is no written report in the packet. He noted that the committee was still very active and very involved in the various issues that we are dealing with for the Clerks right now. They continue to work with the FCCC and look to respond to any legislative inquiries for data and budget information. CCOC has been coordinating to get those responses back in. That was the end of the report. Chair Burke asked if there were any questions or comments. He thanked Jason and the Legislative team.

REVENUE ENHANCEMENT COMMITTEE

Chair Burke asked Clerk Moore-Russell to give her report. Clerk Moore-Russell began by reviewing the history of the committee. She stated that the Council wanted to find a long-term funding solution for the Clerks and the committee was re-established in September 2017. There was a short-term goal to present recommended solutions to the CCOC in 2018. The long-term goal will be to develop a case-based funding model to work in case types that have costs associated with them. The committee will be working closely with the PIE Committee. Currently, Kathryn Farynowski from Clerk Russell-Moore's office has agreed to chair the workgroup. She has been to Tallahassee to work with CCOC staff to start thinking through what an appropriate model would be, what data is available, and what the timeline is for managing the budget cycle. Clerk Moore-Russell said the proposed methodology has been emailed to her committee and they are planning on having a meeting mid-July to start thinking through the concept methodology before staff moves forward to work out different models. Clerk Russell-Moore asked if the Clerks have any staff that are interested in working on the workgroup to please speak with Kathryn or her. We are looking for staff who are interested in looking at the methodology from a funding perspective. The workgroup will be running models to bring forward to the committee. As we talk to the Legislature about cases that we do not receive filing fees, the Legislature will ask how much the case cost. She will be reporting back when the workgroup has met and the committee has flushed out the methodology. She asked if there were any questions. Chair Burke noted this information is in the packet on pages 93 to 117. He thanked her for her leadership of the committee.

ELECTRONIC NOTIFICATION PLATFORM WORKGROUP

Chair Burke gave a preview of a bill that was passed close to the end of the legislative session. The Electronic Notification Platform is cooperatively being worked on by CCOC and OSCA. Chair Burke asked Clerk Peacock to be the chair of this workgroup. Clerk Peacock began by explaining the legislation and the approach of the workgroup. This is funding that the Clerks did not yet ask for and involves a lot of work. It was language on a back of a bill with proviso language and Senator Brandes was instrumental in getting these dollars. It is \$750,000 with CCOC working with OSCA to create a text or electronic notification for participants in the court system. This is based on a model that Senator Brandes or his staff saw from a study out of New York. The idea was to reduce the failure to appear in court. It was felt that if defendants were getting notification electronically by text or emails, they would be reminded to go to court. The study proved successful for that small pilot group study in New York.

The proviso language requires that OSCA work with CCOC to do a competitive procurement for this process. It was very vague language in a paragraph. CCOC has been trying to come up with a plan to work on that. Along with Clerk Peacock, Clerk Moore-Russell and Clerk Crawford are on the team from the Clerk side. OSCA selected 3 judges, Judge Nobles of the 1st District, Judge Perkins of the 7th District, and Judge Bidwill of the 17th District as the advisory team on the judicial side. John Dew is working on our staff side and Steven Hall on the court side. There was an initial meeting with State Court Administrator PK Jameson and Judge Nobles on May 31st to try and figure out what was going to be done. The three Clerks met by conference call to get a perspective on what they were going to get out of this soon

thereafter. There was an advisory group meeting/conference call on June 15th with judges, staff members and clerks to lay out a process with this information. At this point, we have worked out a timeline on possibly getting a bid out. It is not known if CCOC or OSCA will be doing the procurement.

The Clerks see this is more comprehensive than just texting people when their court date is. It has so many different options, reminder for payment plans, reminders to the different parties not just the defendants for different activities of the court. It could very well be bigger than the initial scope of the dollars. It is probably going to be expensive. We are looking at it comprehensively as to what it can be in the future. He noted he is not sure what OSCA sees at this point other than the initial message was to reduce FTAs. Getting test reminders electronically is the way of the world at this point.

From a timeline standpoint, we are identifying what the deliverables might possibly be. At the June 15th meeting, the responses to the Clerk surveys that already have some type of notification process were reviewed. He thanked those who responded to what the individual offices were doing from a texting notification. We discussed examples from several of the counties and one of the circuits that do that and what event we are notifying them about. Clerk Peacock said he can see two sides of the issue. One is you must have a data set of who is specifically to be notified. On the other side is the delivery of that message. There has been a representative of a company that has done business with the State through mass Emergency Management notifications and they think that they have a solution that could tag along on top of their state contract. However, that is a mass notification to everybody and anybody, but what we are talking about is taking data of everybody's system and notifying specific individuals about specific events. Therein lies the difficulty of how we get that piece of data to reach them.

The delivery of the notification is not that hard. It is the collection of the data that needs to be pulled out of one of our systems whether it be CCIS or individual. Clerk Peacock stated that is the status of this project. The next big step is setting up a meeting with Senator Brandes. Clerk Hudson wanted the group to look at the push back part of the text messaging to know the time the text went out, etc. Chair Burke agreed that there are a lot of moving parts to this. There are so many rules on judicial procedures on mailing people. He thinks what he has seen so far that this is additional work for the clerks. It is not saying that you don't have to mail the notice, but is saying that text messaging is in addition. The amount of \$750,000 statewide to make this happen and the work involved needs to be looked also. He hopes that we will talk to Senator Brandes about how quickly the Florida Bar and the court system revises the rules. There needs to be a corresponding relief for the clerk not to have to mail out notices if we are going to notify with a more effective means of texting. Doubling the work is not solving a problem.

Clerk Peacock stated that clerks have found ways to do things individually, this is requiring a statewide solution. How do you get such a comprehensive thing out of a small amount of dollars? Chair Burke agreed. The clerks are not relieved from mailing, this is additional work. They want the clerks to move to new technology, but the rules do not allow clerks to do that. He hopes that the Legislature would work with the court system to change the rules from mailing notices to

text messages. It would save the clerks money. Clerk Moore Russell voiced a concern about getting the data elements to text messages. How do you get cell phone numbers?

Clerk Butterfield noted that a lot of clerks do not capture a cell phone number. It is not in the case maintenance system. Changes to the system must be done and can be done, but where do you get that number. Clerk Peacock stated that even though you get the cell phone number, the FCCC does not allow the clerks to just start texting them. The people will have to opt in. It will take a Legislative to change that. This is not as simple as it appears. Clerk Frank was recognized. She added that the easiest way would be to categorize the cases where texting would be used. The party would be informed that they would have to submit their cell phone number or text message address. It would be pledged that the information would not be used other than court proceedings – no marketing, advertising, no third-party investors, etc. Clerk Newton spoke that the cell numbers of the clients keep changing. Keeping up with that will be a problem. Clerk Peacock feels these concerns need to be brought to Senator Brandes. Chair Burke asked if there were any other questions, hearing none, he thanked Clerk Peacock for his leadership on this. He also thanked Clerks Crawford and Moore Russell.

TENATIVE MEETING SCHEDULE

Chair Burke noted that the CCOC Executive Council proposed meeting schedule for the next year is found on pages 130-133. As CCOC policy, the dates are aligned with FCCC meetings. The locations are whatever the FCCC has chosen. There were no questions.

ANNUAL REVIEW OF THE EXECUTIVE DIRECTOR

Chair Burke thanked Clerk Green for heading this up. He apologized that the evaluation did not get completed this year.

CCOC PLAN OF OPERATIONS - REVIEW

Chair Burke stated that from pages 134 to 144 is the CCOC Plan of Operations as amended from the May 9th Corporate meeting. It is presented here for informational purposes only.

CCOC COUNCIL ELECTION RESULTS

Chair Burke continued with the election results. In Group I, Clerk John Crawford was elected. In Group II, Clerk JD Peacock was chosen. In Group III, Clerk Paula O'Neil was selected. In Group IV, Harvey Ruvin was elected. Chair Burke offered his congratulations to all. He continued that Clerk Todd Newton is representing Group I for another year. In Group II, Clerk Tara Green has another year of her term. Clerk Stacy Butterfield will serve Group III for another year. Clerk Pat Frank continues to serve Group IV. Clerk O'Neil was the House Appointee, now that will be a vacant position. Clerk Hudson is the Senate Appointee. Judge Ficarrota serves as the Judicial appointee. He continued by thanking Clerk Jeff Smith for his service to the CCOC Executive Council. Clerk Bock was then recognized for her service. She was Council Chair, Vice-Chair, Secretary-Treasurer

and served the Executive Council for many years. She did not run for re-election, so she could focus on being FCCC president for this year. He thanked her for her tremendous service to the CCOC.

Clerk Butterfield asked to be recognized. She thanked Chair Burke for his many years on the Executive Council serving as Secretary Treasurer, Vice-Chair and Chair.

The Council meeting was adjourned at 2:56 PM.

DRAFT

DRAFT MINUTES

FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

TUESDAY, SEPTEMBER 11, 2018 10:00 AM EDT

EXECUTIVE COUNCIL MEETING

Conference Call

The September 11, 2018 meeting of the Executive Council of the Florida Clerks of Court Operations Corporation (CCOC) was called to order by Executive Council Chair Stacy Butterfield at 10:00 AM (EDT). John Dew, CCOC's Executive Director, called roll. Council Members attending by phone were the Honorable Stacy Butterfield, Honorable Tara Green, Honorable JD Peacock, Honorable John Crawford, Honorable Pat Frank, Honorable Todd Newton, Honorable Harvey Ruvlin, Honorable Paula O'Neil and Honorable Ron Ficarrotta. Clerk Kyle Hudson was not present. Mr. Dew stated that there was a quorum.

Chair Butterfield asked for a motion to approve today's agenda. Clerk Newton made the motion. Seconded by Clerk O'Neil. There was no discussion on the motion. The vote was taken, and the motion passed unanimously.

Clerk Butterfield called on Clerk Ken Burke, the Budget Committee Chair, to discuss the CFY 18-19 Clerks' Budget Request, the allocations of the resources available to the Clerks and the recommendations by the Budget Committee. Clerk Burke began by acknowledging the work of the CCOC staff, the Budget Committee members and the Clerks' staffs throughout the State that participate in this budget request review process. This process demands a tremendous amount of effort and work.

The Budget Committee met and had much conversation on how to approach the budget for the 18-19 fiscal year. There was unanimous feeling that we did want to do a deep dive into all 67 Clerk's budgets and find out why anomalies exist, why some might have higher costs than others, and making sure all elements when comparing budgets are as similar as possible. He noted that there are different practices in the court systems throughout the State and differences within Clerks offices from county to county also. With the short timeframe this year, the Committee knew that those items could not be addressed for this budget time. It was decided an across the board approach be taken and that is what is being recommended to the Council. The Budget Committee has made great progress over the years, but not to the finish line yet. Clerk Green and the CCOC Performance and Improvement Committee has done extensive work to look into the cost of each of the case types. At the same time, the Budget Committee has made a commitment to this budget process and therefore has committed to start in probably January to begin conducting an extensive budget review process for CFY 19-20. Clerk Burke said he will come up with a plan and coordinate with the CCOC staff.

The Budget Committee is submitting a budget approval by individual Clerks which is located in the meeting packet. It is CCOC's obligation to look at any county which exceeds the 10% and that has been done. The committee is now suggesting the budget which was submitted with what the REC has determined can be spent. Clerk Burke asked that a

member of the Executive Council make a motion to approve the across the board approach and the budget numbers which are a part of the proposal which is included in the packet. Clerk Crawford made the motion to accept the recommendations of the CCOC Budget Committee as found in the Council meeting packet. Clerk Ruvin seconded the motion. Chair Butterfield opened the floor for discussion.

At this point Chair Butterfield noted that she has not analyzed in depth the Revenue Estimating Conference's (REC) revenue projection for next year. The REC projected total revenues for us and we included the State general revenue jury funding that brings our statewide budget authority to \$424.6 million. A specific Clerk may not make their individual revenue projections and the Budget Committee will work with them. She hopes this does not occur much, but if it does the Council will work with them and CCOC will be monitoring revenues as part of their role. Clerk O'Neil asked if evaluating a Clerk's revenue projections to actuals would be part of Clerk Burke's committee analysis for CFY 19-20. Chair Butterfield said yes. The line was opened for those listening to ask any questions. There were no questions. The vote was taken, and the motion carried.

Clerk Burke asked if he could speak more about the budget. Chair Butterfield said that would be fine. Clerk Burke began by stating that as part of the REC process this year there was the issue that we as Clerks anticipate that our revenues will exceed what the REC estimated. Based on today's numbers and best estimate the amount will be around \$14 million. We are bringing in more in Clerk revenues than was anticipated this year by the REC. The REC's position is that excess money is General Revenue to the State. He is speaking as part of the Budget Committee and believes any excess revenue should be projected into the Clerk's Trust Fund as far as availability of money for the Clerks to use for their constitutional duties in the following year. He continued that it seems punitive that if the Clerks do not make the REC revenue projections that the State does not provide any remedy to fulfill their budgets and forces the CCOC to cut the budgets of each Clerk.

If the Clerks exceeds the numbers, the State gets to benefit from the General Revenue. He believes that this is a conflict of interest for the folks around the REC table who have a stake increasing general revenue as much as possible. To under project what the Clerks collect gives them more general revenue. He thinks that is problematic and a conflict of interest that the REC has. He would like for the CCOC to take a position and make a motion. The motion would say that it is CCOC's position that any revenues over budget authority revenues should be retained by the Trust Fund for the use by Clerks the following year to do their constitutional responsibilities. Clerk Crawford made this in the form of a motion. Clerk Frank seconded the motion. Chair Butterfield opened it up for discussion. Clerk O'Neil asked for a legal opinion before a motion like that can be made. Mr. Dew stated that Joe Boyd was present and that he had been asked that question earlier. Mr. Boyd acknowledged that this had been looked at before. Regarding the ability to retain those funds it is his position it is proper and that there is a legal basis for it.

Clerk Butterfield thanked Mr. Boyd. Clerk Burke asked to be recognized. As part of this motion, this would be handed off to the CCOC Legislative Committee and the FCCC association to provide clarifying language in statutes to make sure the interpretation is more clearly defined. Chair Butterfield asked if there was any more discussion. Clerk

Bexley wanted to make a comment that this was a reoccurring theme from Clerks all over the State to limit the REC. He will work with Clerk Timmann as the Legislative session approaches and make some proactive changes. He noted that it is being heard and is being addressed. Hearing no more discussion, the vote was taken. The motion passed unanimously.

Chair Butterfield asked Clerk Burke if he had anything else. He acknowledged he did. There is the issue we have each year of unexpended expenditures. He explained with the uncertainty of the budget, income and other factors, this is an issue with Clerks. Each dollar that is allocated cannot be spent by the end of a fiscal year. There is always an amount that has been approved as expenditure and until that settle-up happens we do not know that amount. This year the estimated unexpended amount is approximately \$6 million. In the past, the REC has recognized that this is part of the allocation that we can budget to Clerks. This year they have taken a different position. They have recognized that they have no authority to sweep this money. It will stay in the Trust Fund but the CCOC has no ability to allocate that as part of the 18-19 budget. Clerk Burke stated that this not like past practices. He would like to suggest a second motion to the Executive Council that CCOC take a position that any unexpended expenditures for one year should be carried forward in the Trust Fund to be used for Clerks constitutional responsibilities. Clerk Crawford made the motion. Clerk Peacock seconded the motion.

Chair Butterfield stated that if you watched the REC meeting their staff admitted the statute was not clear and it would be beneficial for the CCOC to address it with the Legislature. She asked Mr. Welty if that was correct and he stated yes, they expressed that exact sentiment. Chair Butterfield asked the Council if they had any questions. This would follow the same process of turning this over to Clerk Timmann who will work with both CCOC Legislative Committee and FCCC. With the amount of funding that we have this year, even though it is more, it is still less than what is needed to cover the statutory duties of Clerks and being able to keep these funds would help. The unexpended amount should be available to Clerks it is a reasonable expectation. Hearing no more discussion, the vote was taken. The motion passed. Clerk Burke recognized Chair Butterfield's leadership and dedication to the CCOC on behalf of all Clerks to help provide a fair budget allocation process.

Chair Butterfield asked Clerk Burke to talk about the next item, Gadsden County. He noted that the Gadsden issue came about due to less revenues being available locally than projected. There was a request for an additional \$198,000 to be provided to Gadsden County from the CCOC Trust Fund for the month of September. Clerk Burke stated that this was not an expenditure issue. No one changed or authorized expenditures for the current year budget based on the Gadsden solution. This was only a cash flow problem. Broward, while is offering up less dollars coming to them from the Clerks' Trust Fund does not give up any of their expenditure cap. They are able to do this because they had more local revenues come in than projected and don't need the Trust Fund dollars for the last month. Again, the solution did not affect anyone's expenditure cap.

Clerk Burke asked Mr. Welty if he had explained that correctly. Mr. Welty stated that Clerk Burke had explained it perfectly. Clerk Burke asked for a motion to be made to approve what the Budget Committee and the CCOC Executive Committee has already approved as stated in Agenda item #2 in the packet. Chair Butterfield wanted to make sure everyone was aware that because of the time sensitive nature of this because it was a cash flow emergency, the Executive Committee of the CCOC met and approved it upon the recommendation of the Budget Committee. This is coming to the Council as a ratification of the motion. Clerk Peacock made the motion as clarified by Chair Butterfield. It was seconded by Clerk Frank. Chair Butterfield asked for any discussion. Hearing none, the vote was taken. The motion passed.

Chair Butterfield asked if there was any other business that needed to come before the Council. She reminded all that the next Council meeting was October 2 at 2:00PM in Jacksonville.

The motion to adjourn was made by Clerk Ruvin. A second was made by Clerk Peacock. Motion passed and the meeting was adjourned.

DRAFT



AGENDA ITEM #3

DATE: October 2, 2018
SUBJECT: CCOC Treasurer's Report
COMMITTEE ACTION: Approve CCOC Treasure's Report

OVERVIEW: At each regularly scheduled meeting of the CCOC Executive Council, the Treasurer provides the status of the CCOC office budget.

Through 11 months of the year we have expended approximately 82% of our budget. We project that through the full County Fiscal Year we will expend slightly more than we did in CFY 16/17 but still remain within our budget authority.

While we will stay within our full budget authority of \$1,617,097 we expended more in our personnel category than expected. This was mainly due to for the first time in many months having all staff positions filled, having two individuals working in the same position for a short time period for training and transition purposes, and having an unexpected payout of leave for an individual leaving.

COMMITTEE ACTION: Approve Treasurer's Report.

LEAD STAFF: John Dew

ATTACHMENTS: CCOC Financial Report through August 2018

CCOC Budgetary Report
County Fiscal Year 2017 - 2018
(October 1, 2017 - September 30, 2018)

Budget Category	Amount	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Year to Date Expenditures	(%) of Budget Expended
CCOC STAFF:	\$799,949.00	\$70,270.88	\$68,692.85	\$62,233.74	\$62,064.90	\$67,154.25	\$88,208.59	\$71,489.75	\$71,674.48	\$72,601.62	\$89,025.24	\$76,389.12	\$601,005.42	100.13%
Executive Director	\$120,128.00	\$9,927.33	\$9,927.33	\$9,927.33	\$9,927.33	\$9,927.33	\$9,927.33	\$9,927.33	\$9,927.33	\$9,927.33	\$10,760.64	\$10,010.67	\$110,117.28	91.67%
Deputy Executive Director	\$108,019.00	\$8,834.92	\$8,834.92	\$8,834.92	\$8,834.92	\$8,834.92	\$8,834.92	\$8,834.92	\$8,834.92	\$8,834.92	\$8,834.92	\$8,834.92	\$97,164.12	91.67%
Information Systems Director	\$80,500.00	\$6,708.33	\$6,708.33	\$6,708.33	\$6,708.33	\$6,708.33	\$6,708.33	\$6,708.33	\$6,708.33	\$6,708.33	\$6,708.33	\$6,708.33	\$73,791.63	91.67%
Budget & Communications Director	\$86,000.00	\$7,166.67	\$7,166.67	\$7,166.67	\$7,166.67	\$7,166.67	\$7,166.67	\$7,166.67	\$7,166.67	\$7,166.67	\$19,839.60	\$6,708.33	\$91,047.96	105.87%
Budget Manager I	\$37,867.60	\$3,155.63	\$3,155.63	\$3,155.63	\$3,155.63	\$3,155.63	\$3,155.63	\$3,155.63	\$3,155.63	\$3,155.63	\$3,155.63	\$3,155.63	\$34,711.93	91.67%
Budget Manager I	\$45,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,316.79	\$3,791.67	\$3,791.67	\$3,791.67	\$3,791.67	\$3,791.67	\$23,275.14	51.15%
Budget Manager I	\$48,685.00	\$3,875.00	\$3,875.00	\$1,073.28	\$0.00	\$4,316.79	\$3,791.67	\$3,791.67	\$3,791.67	\$4,019.17	\$3,850.42	\$3,890.42	\$36,315.09	77.79%
Sr Budget Manager	\$67,380.48	\$5,250.63	\$5,104.58	\$5,104.58	\$5,104.58	\$5,104.58	\$5,104.58	\$5,104.58	\$5,104.58	\$5,615.04	\$5,615.04	\$5,615.04	\$58,338.47	86.58%
Database Administrator	\$47,250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Executive Assistant/Human Resources	\$35,901.48	\$2,991.79	\$2,991.79	\$2,991.79	\$2,991.79	\$2,991.79	\$2,991.79	\$2,991.79	\$2,991.79	\$2,991.79	\$2,991.79	\$2,991.79	\$32,909.69	91.67%
Internal Revenue(Corporation Responsibility)	\$50,000.00	\$3,699.68	\$3,665.60	\$3,466.45	\$3,281.13	\$3,603.58	\$3,902.29	\$3,880.36	\$3,918.26	\$4,025.63	\$5,053.48	\$3,872.79	\$42,369.45	84.78%
Retirement, Benefits, Workers' Comp and Other	\$176,040.00	\$18,660.50	\$17,243.00	\$13,804.76	\$14,894.52	\$15,344.63	\$33,308.59	\$16,136.80	\$15,773.17	\$16,565.44	\$18,383.72	\$20,809.53	\$200,924.66	114.14%
OPS STAFF:	\$22,000.00	\$1,919.50	\$1,699.50	\$1,430.00	\$264.00	\$162.50	\$250.00	\$487.50	\$472.92	\$1,747.50	\$1,770.00	\$812.50	\$11,015.92	50.07%
GENERAL EXPENSES:	\$92,761.00	\$4,231.06	\$10,003.79	\$6,697.92	\$5,423.46	\$4,622.73	\$7,543.83	\$5,500.70	\$6,650.24	\$4,645.53	\$10,137.29	\$4,130.09	\$60,586.66	75.02%
Rent (including Utilities)	\$47,761.00	\$3,473.46	\$3,342.06	\$3,512.12	\$3,361.45	\$3,345.81	\$3,355.02	\$3,332.13	\$3,375.54	\$3,413.86	\$3,432.03	\$3,420.71	\$37,364.19	78.23%
Communications (+ Internet and Phone)	\$10,000.00	\$535.06	\$310.22	\$360.40	\$287.05	\$287.51	\$258.59	\$358.58	\$281.23	\$655.16	\$257.34	\$398.05	\$3,989.19	39.89%
Equipment, Supplies and Other	\$35,000.00	\$222.54	\$6,351.51	\$2,825.40	\$1,774.98	\$989.41	\$3,930.22	\$1,809.99	\$2,983.47	\$576.51	\$6,447.92	\$311.33	\$28,233.28	80.67%
TRAVEL:	\$60,400.00	\$6,073.79	\$3,151.21	\$2,740.33	\$559.93	\$504.01	\$3,894.28	\$1,828.60	\$1,476.30	\$3,589.23	\$2,111.96	\$1,520.16	\$27,449.80	45.45%
STAFF TRAINING:	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$420.00	\$0.00	\$0.00	\$0.00	\$0.00	\$420.00	8.40%
CONTRACTUAL EXPENSES:	\$282,454.00	\$7,681.25	\$14,343.75	\$15,342.50	\$16,612.50	\$19,270.00	\$15,596.27	\$8,567.50	\$20,036.80	\$9,822.06	\$10,044.34	\$5,412.73	\$142,729.70	50.53%
General Counsel	\$111,000.00	\$3,467.50	\$6,277.50	\$5,942.50	\$5,842.50	\$2,732.50	\$12,497.50	\$6,857.50	\$8,332.50	\$5,205.00	\$3,850.00	\$1,490.00	\$63,525.00	57.23%
FY 14-15 Survey, Reporting, and Other Services	\$160,454.00	\$4,213.75	\$8,065.25	\$9,400.00	\$2,770.00	\$16,537.50	\$3,098.77	\$1,710.00	\$11,704.30	\$3,117.06	\$6,164.34	\$3,922.73	\$70,704.70	44.07%
Audit Services	\$11,000.00	\$0.00	\$0.00	\$0.00	\$8,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$500.00	\$0.00	\$0.00	\$8,500.00	77.27%
EDUCATION SERVICES	\$354,533.00	\$0.00	\$20,500.00	\$82,180.00	\$0.00	\$50,000.00	\$0.00	\$60,590.00	\$0.00	\$0.00	\$81,770.00	\$0.00	\$275,040.00	77.58%
TOTALS:	\$1,617,097.00	\$90,178.48	\$118,391.10	\$170,624.48	\$84,924.81	\$141,713.49	\$116,492.97	\$148,884.05	\$100,310.74	\$92,605.94	\$174,858.83	\$88,264.60	\$1,327,247.50	82.08%

*CCOC has the authority to revise category amounts due to established Legislative Budget Authority.



Digitally signed by JD FWB
 DN: cn=JD FWB, o=Clerk of the
 Circuit Court & Comptroller, ou,
 email=jdfwb@okaloosaclerk.com, c=US
 Date: 2018.09.17 08:51:37 -0500

JD 9/17/18





AGENDA ITEM 4a

DATE: October 2, 2018
SUBJECT: Budget Committee Report
COUNCIL ACTION: Approve Budget Related Items and Information

OVERVIEW: The Budget Committee met on Tuesday, August 21, 2018, and approved the CFY 2018-19 Clerks' Budget. The Executive Council subsequently approved the CFY 2018-19 Clerks' Budget on September 11, 2018. The Budget Committee is providing one informational item for the Council and three items for Council approval.

Based on the Clerks' revenue projection and the approved CFY 2018-19 Clerks' Budget, CCOC calculated the Funded/Depository counties and distributed the Budget Certification Letters to the Clerks on September 21, 2018. The list of counties and the calculations used to create the list is Attachment 1 to this memo.

At the August 21, 2018 meeting, the Budget Committee discussed the assorted options to allocate the new revenue projection that was adopted by the Revenue Estimating Conference on August 2, 2018. One of the options discussed was the idea of a full budget review. This option was not selected because of the length of time required to conduct a full review; however, the committee members expressed interest in conducting a full budget review for the CFY 2019-20 budget year.

The Budget Committee also discussed the need to collect expenditure data at a more detailed level. This will help answer questions from the legislature as they are used to the ability to pull this type of data for state agencies. Clerk Vick was selected to head this workgroup. The workgroup met via conference call on September 23, 2018. The group discussed different options but decided that Clerk Vick and her staff would work with CCOC staff to make sure the data collected would be what was requested and useful for analysis.

Finally, the Budget Committee discussed the analysis of Similarly-Situated County Clerks of Court for the Florida Clerks of Court Operations Corporation 2016 report. As part of this process, CCOC undertakes a review of the peer groups every two years. The report reviews the "peer groups" to assure fairness in comparing "similarly situated clerks" due to changes in population, cases, and other relevant factors. The Budget Committee voted to utilize the 2016 report for the next two budget cycles instead of recommissioning a study for FY 2019-20.

COUNCIL ACTION: Approve moving forward with a process to gather additional expenditure data detail from Clerks.

Approve the process for full budget review for CFY 2019-20.

Approve delaying for 1-year the study of the Similarly-Situated County Clerks of Court.

LEAD STAFF: Jason Welty, CCOC Budget and Communications Director

ATTACHMENTS:

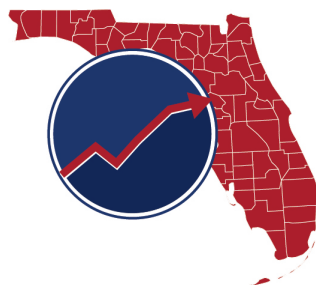
1. Funded and Depository Calculation

County	Peer Group	CFY 18-19 Budget Authority (Minus Jury)	CFY 18-19 TOTAL REVENUE	Budget Authority Minus Revenue Projections (Annual Amount to be distributed)	Category
Alachua	8	\$5,634,478	\$3,582,000	(\$2,052,478)	Funded
Baker	3	\$609,318	\$449,581	(\$159,737)	Funded
Bay	7	\$3,390,963	\$3,998,606	\$607,643	Depository
Bradford	3	\$643,534	\$801,400	\$157,866	Depository
Brevard	10	\$11,115,588	\$8,350,000	(\$2,765,588)	Funded
Broward	12	\$36,705,664	\$35,206,863	(\$1,498,801)	Funded
Calhoun	1	\$406,693	\$168,600	(\$238,093)	Funded
Charlotte	7	\$3,284,698	\$3,105,368	(\$179,330)	Funded
Citrus	6	\$2,191,658	\$2,184,118	(\$7,540)	Funded
Clay	7	\$3,171,152	\$3,072,500	(\$98,652)	Funded
Collier	9	\$6,187,449	\$6,223,259	\$35,810	Depository
Columbia	5	\$1,408,086	\$1,359,996	(\$48,090)	Funded
DeSoto	3	\$727,070	\$482,350	(\$244,720)	Funded
Dixie	2	\$441,673	\$255,525	(\$186,148)	Funded
Duval	11	\$17,588,394	\$17,264,280	(\$324,114)	Funded
Escambia	9	\$6,244,314	\$6,400,000	\$155,686	Depository
Flagler	6	\$1,595,211	\$1,409,143	(\$186,068)	Funded
Franklin	1	\$592,227	\$182,520	(\$409,707)	Funded
Gadsden	4	\$1,059,586	\$768,972	(\$290,614)	Funded
Gilchrist	2	\$489,197	\$190,896	(\$298,301)	Funded
Glades	1	\$482,017	\$400,374	(\$81,643)	Funded
Gulf	2	\$448,173	\$215,807	(\$232,366)	Funded
Hamilton	2	\$432,807	\$324,050	(\$108,757)	Funded
Hardee	3	\$770,566	\$527,329	(\$243,237)	Funded
Hendry	4	\$987,157	\$950,800	(\$36,357)	Funded
Hernando	7	\$3,209,853	\$3,939,153	\$729,300	Depository
Highlands	5	\$1,686,635	\$1,551,815	(\$134,820)	Funded
Hillsborough	11	\$28,055,057	\$27,277,100	(\$777,957)	Funded
Holmes	2	\$567,484	\$509,308	(\$58,176)	Funded
Indian River	6	\$2,839,503	\$2,916,432	\$76,929	Depository
Jackson	4	\$995,231	\$860,000	(\$135,231)	Funded
Jefferson	1	\$399,371	\$357,072	(\$42,299)	Funded
Lafayette	1	\$270,644	\$98,950	(\$171,694)	Funded
Lake	8	\$5,407,078	\$5,600,800	\$193,722	Depository
Lee	10	\$10,911,289	\$11,974,098	\$1,062,809	Depository
Leon	8	\$5,472,079	\$5,329,998	(\$142,081)	Funded
Levy	4	\$870,756	\$483,700	(\$387,056)	Funded
Liberty	1	\$275,350	\$123,803	(\$151,547)	Funded
Madison	2	\$510,301	\$524,928	\$14,627	Depository
Manatee	9	\$5,738,374	\$5,025,781	(\$712,593)	Funded
Marion	8	\$6,033,563	\$5,631,657	(\$401,906)	Funded
Martin	6	\$3,196,230	\$3,388,278	\$192,048	Depository
Miami-Dade	12	\$67,696,403	\$64,901,300	(\$2,795,103)	Funded
Monroe	6	\$3,282,275	\$2,363,064	(\$919,211)	Funded
Nassau	5	\$1,430,675	\$1,366,693	(\$63,982)	Funded
Okaloosa	7	\$3,402,079	\$3,786,407	\$384,328	Depository
Okeechobee	4	\$1,187,722	\$774,305	(\$413,417)	Funded
Orange	11	\$27,006,971	\$32,900,000	\$5,893,029	Depository
Osceola	9	\$6,535,519	\$8,117,000	\$1,581,481	Depository
Palm Beach	12	\$28,822,358	\$27,380,363	(\$1,441,995)	Funded

County	Peer Group	CFY 18-19 Budget Authority (Minus Jury)	CFY 18-19 TOTAL REVENUE	Budget Authority Minus Revenue Projections (Annual Amount to be distributed)	Category
Pasco	10	\$10,434,730	\$7,642,223	(\$2,792,507)	Funded
Pinellas	11	\$21,402,811	\$20,585,244	(\$817,567)	Funded
Polk	10	\$11,573,392	\$12,789,000	\$1,215,608	Depository
Putnam	5	\$1,737,655	\$847,500	(\$890,155)	Funded
Saint Johns	7	\$3,404,737	\$3,016,000	(\$388,737)	Funded
Saint Lucie	9	\$6,445,895	\$5,952,000	(\$493,895)	Funded
Santa Rosa	7	\$2,830,132	\$3,420,531	\$590,399	Depository
Sarasota	9	\$7,561,998	\$7,096,946	(\$465,052)	Funded
Seminole	9	\$8,324,931	\$8,356,548	\$31,617	Depository
Sumter	6	\$1,647,397	\$2,138,000	\$490,603	Depository
Suwannee	4	\$994,218	\$908,580	(\$85,638)	Funded
Taylor	3	\$496,913	\$464,345	(\$32,568)	Funded
Union	2	\$412,787	\$121,877	(\$290,910)	Funded
Volusia	10	\$10,545,633	\$8,028,530	(\$2,517,103)	Funded
Wakulla	3	\$610,086	\$541,248	(\$68,838)	Funded
Walton	5	\$1,512,483	\$1,408,658	(\$103,825)	Funded
Washington	3	\$545,900	\$396,420	(\$149,480)	Funded
TOTAL		\$ 412,892,171	\$ 398,769,992	(\$27,535,684)	50 Funded
				\$13,413,505	17 Depository
				(\$14,122,179)	

Notes

1. Used CCOC developed revenue estimate for Union County.
2. Budget authority rounded up to the whole dollar from amounts released in Executive Council meeting materials.
3. Revised Flagler's revenue estimate on 9/24/18. Amount included estimated revenue from jury.



CCOC
**FLORIDA CLERKS OF COURT
OPERATIONS CORPORATION**



AGENDA ITEM 4c

DATE: October 2, 2018
SUBJECT: Legislative Committee Report
COUNCIL ACTION: Approve Funding Continuity Plan and Juror Payment Process

OVERVIEW: The Legislative Committee met by conference call on Wednesday, September 26, 2018, to consider a report from the Revenue Enhancement Committee with various recommendations that would meet the CCOC statutory obligation to “recommend to the Legislature changes in the amounts of the various court-related fines, fees, service charges, and costs established by law to ensure reasonable and adequate funding of the clerks of the court in the performance of their court-related functions.” The recommendations are found in the attached report.

The Legislative Committee also adopted recommendations to modify the current juror payment process as part of the upcoming legislative agenda. The Committee recommended removing JAC from the process and let CCOC handle the distribution of funds. Additionally, the recommendation would change the process from an estimate/advance model to a reimbursement model. Finally, the Committee recommended a glitch fix to specifically authorize Clerks to pay for excess expenditure over provided funding for the juror process from CCOC funds found in section 28.35(3)(a), F.S.

COMMITTEE ACTION: Consideration of the recommendations found in the report from the Revenue Enhancement/New Clerk Funding Model Committee

Consideration of the recommended changes to the Juror Payment Process

LEAD STAFF: Jason Welty, CCOC Budget and Communications Director

ATTACHMENTS:

1. Funding Continuity Report from Revenue Enhancement/New Clerk Funding Model Committee
2. Recommendations for streamlining the Juror Payment Process



THE SERVICE OF THE CLERKS OF COURT

Clerks provide critical public safety and commerce services to the citizens of Florida. As an integral part of the justice system, Clerks are responsible for maintaining records and providing those records timely to the Court for the administration of justice. However, revenues for providing these services are not adequate to be able to meet the needs of the citizens they serve. As an example, the current budget model depends on the traffic division to fund the criminal division, which puts public safety at risk as the number of traffic citations decrease across the state.

In recent years, there has been a substantial decrease in the number of traffic citations issued. The population is up, economy is up, and the number of drivers is up, but traffic citations are down. This trend is driving revenues that fund the Clerks' public safety related services down dramatically. The misalignment of budget to workload is unsustainable and dangerous for the people Clerks serve.

An effective and efficient criminal justice system is of the utmost concern to Clerks. Clerks have had to contend with increasing requests for information from various stakeholders and the public. As a partner in the criminal justice system, the Clerks serve judges, law enforcement, state attorneys, and public defenders and must provide timely and accurate data. The possibility of a criminal defendant being released inadvertently poses a significant risk to public safety; therefore, inadequate funding hinders the ability of Clerks to continue to ensure the reliability and accuracy of the data.

There are also many factors outside of the control of the Clerks that are increasing costs. These unfunded variables include:

- Fiscal impact to Clerks from state policy decisions and changes
- Judicial and Administrative Orders (at both the State and Local levels)
- Protecting data that could lead to identity theft or potential harm to victims
- Increases in health insurance costs
- Increases in statutorily-mandated FRS contributions

Pursuant to s 28.35, F.S., the Florida Clerks of Court Operations Corporation (CCOC) cannot approve budgets that exceed the revenue estimates provided by the Revenue Estimating Conference (REC) regardless of needs or costs. Current available revenues are far below what Clerks indicate is needed to sufficiently fund services for the public. **The budget model**

is broken. The Clerks' CFY 2018-19 approved revenue-limited budget is \$424.6 million; however, the approved budget is \$37.3 million less than the Clerks' budget request, which continues to put public safety at risk and threatens to slow down commerce in Florida's economy.

LIST OF OPTIONS

The following menu of options represents this body's efforts to assist the Legislature by identifying ways to provide adequate funding to carry out Clerks' extensive statutory responsibilities.

Funding for Public Safety Services with No Fees

Provide funding for injunctions for protection for the five types of interpersonal violence: domestic, dating, repeat, and sexual violence, and stalking.

(\$16.5 million)

- Injunctions for protection from violence are critically important to ensuring public safety. As such, many clerks operate 24/7 staffing to ensure these injunctions are timely processed. Without these services, victims of violence may suffer additional victimization.
- Currently, Clerks perform these services at no-cost to the petitioners and the Clerks support this good public policy. These services include assisting those individuals requesting injunctions, which is time consuming and labor intensive.
- This option assumes the legislature would provide a \$195 filing fee per case from general revenue. This filing fee does not include law enforcement agency costs.
 - It should also be noted that this reimbursement should be additional funding for this activity on a statewide basis. **Revenue for this option should not reduce funds already allocated to other agencies or shelters within the state who perform related/ancillary duties.**

Provide funding for Baker Act and Marchman Act

(\$11.5 million)

- The Baker Act and Marchman Act are designed to protect the public and individuals that are displaying behavior that will cause serious bodily harm to oneself or others and individuals that have lost self-control with respect to substance abuse. It is important to provide timely service to petitioners so that individuals subject to the Baker Act or Marchman Act do not cause harm to themselves or others.
- Currently, Clerks perform these services at no-cost to the petitioners and the Clerks support this good public policy. Clerks must efficiently process involuntary admissions for the Baker Act and Marchman Act to uphold that public safety.
- This option assumes the legislature would provide a \$195 filing fee per case from general revenue. This filing fee does not include law enforcement agency costs.
 - It should also be noted that this reimbursement should be additional funding for this activity on a statewide basis. **Revenue for this option should not reduce funds already allocated to other agencies or receiving facilities within the state who perform related duties.**

Criminal Case Cost Reimbursement**(Between \$53 million and \$74 million)**

- State agencies do not pay a filing fee for cases they file or for any copies or other services Clerks perform in the course of court-related activities. The Clerks services to these agencies is labor intensive and extremely vital to ensuring justice.
- This option provides for reimbursement from the state through an annual general revenue appropriation based on estimated filings for the year. Agencies would also be required to pay for copies and other services at the statutory rates set for all other customers in s. 28.24, F.S., including records on appeal.
- Responsibility for collecting amounts owed on these cases will remain with the Clerks. Performance standards currently in place, as well as certifications of minimal collections efforts by Clerks, are to be maintained and monitored for compliance.
- Under this option, criminal collections would be remitted back to general revenue.

Civil Indigency Case Cost Reimbursement**(\$11.2 million)**

- Applicants who file civil cases, particularly dissolutions of marriage, and are determined to be indigent are not required to pay the statutory filing fees associated with the various case types being filed. The Clerks believe that every person deserves access to the court system and those without means to pay should not be denied access. However, the Clerks must have staff available and, without adequate funding, these cases could suffer as a consequence.
- This option assumes the legislature would provide reimbursement of the statutory filing fee that is waived in these cases (\$135-\$195 per case) from general revenue for the Clerks to provide assistance to those that need access to the judiciary and will allow the Clerks to provide those services timely and equitably.

Administrative Changes**Eliminate the automatic sweep of the Clerks of Court Trust Fund.****(Variable based on Collections – estimated \$13.8 million in current fiscal year)**

- The Clerks' FY 2017-18 collections were greater than the amount projected by the Revenue Estimating Conference (REC). However, the July Article V Revenue Estimating Conference sets the Clerks' budget for the next fiscal year, so there is currently no means for recognition during a fiscal year of any increased collections to assist Clerks with the workload that is associated with the increase in revenue-generating activity. Additional revenue collected by the Clerks accumulates in the Clerks of Court Trust Fund and could be automatically swept by the Department of Revenue on January 25.
 - Based on the Clerks' budget request of approximately \$460 million for FY 2017-18, the Clerks could have utilized this funding to fund important public safety issues, such as increased compliance with statutory reporting of mental health records in FDLE's MECOM database.

Allow unexpended budget authority to be carried forward as a non-recurring revenue source for calculating Clerks' budgets.**(Variable – Between \$4 and \$6 million)**

- Each year, the Clerks expend between 97 – 98 percent of their budget authority, which is consistent with most public and private organizations.
 - In years with declining revenues, the REC allowed the Clerks to carryforward any unexpended dollar amounts to be included in the calculation for the following year’s budget.
 - During the 2018 Article V Revenue Estimating Conference, the REC did not allow the carry-forward of this unexpended budget authority.
- Authorizing this unexpended carry-forward amount to be included as a nonrecurring source of funding would allow the Clerks to pay for necessary nonrecurring public safety projects.

Allow Clerks to have additional budget authority during the county fiscal year when the REC projects a higher revenue during the county fiscal year.

(Variable by year)

- Revenues collected by the clerks are difficult to project as there are numerous factors which impact collections, such as the strength or weakness of the economy, hurricanes, and the actions by various stakeholders in the justice system.
- Current statutes appear to indicate the Clerks’ approved budget authority is based on the REC’s “most recent” revenue projection. The REC re-projects Article V Revenues several times throughout the fiscal year to refine their initial projections based on the trends that are occurring.
 - During the July 2018 REC meeting, CCOC staff indicated that they had the right to increase the current county fiscal year budget authority since the revenue was increasing based on the REC’s most recent projection, which occurred in January 2018. However, REC staff indicated the statutes were not clear on this issue and therefore they were not of the same opinion.
- This option would allow the Clerks the ability to adjust their budgets for issues that were funded by the Legislature, such as additional Senior Judges or additional specialty courts such as the Veterans Courts and Mental Health Courts that were not part of the Clerks’ original budgets.

Require a reserve in the Clerks of Court Trust Fund.

(No Additional Revenue)

- The Clerks have very little protection from the unpredictable assessment and collection of the fines, fees, service charges, and court costs that make-up the basis for the statewide budget.
- This option would require the Clerks to maintain a reserve in the Clerks of Court Trust Fund to insulate the Clerks’ budgets from the unpredictable nature of collections.

Create an 8 percent Administrative Fee for collecting and remitting court fees.

(\$10.8 million)

- The Clerks collect revenue for the State on various fines and fees and distribute these revenues to various entities. However, the Clerks do not receive an adequate administrative fee for handling the collection of these fines and fees. The Florida Department of Revenue (DOR) charges an 8 percent administrative fee for receiving and distributing funds on behalf of other state agencies.

- This option would require the State to reimburse Clerks for handling all fines, fees, service charges and court costs collected for the state court system and remitted to the DOR. The recommendation is to only collect this fee from funds remitted to the State general revenue. This option would exclude charging an administrative fee on the trust funds associated with the State Courts, State Attorneys, and Public Defenders.

Amend s. 45.035 (1), F.S. to clarify that Clerks collect \$70 to cover their associated workload each time a foreclosure sale is scheduled rather than only collecting the fee when the initial sale is scheduled.

(Survey Results)

- In order to prepare a foreclosure sale, Clerks must verify the judgment, mail copy to all parties, verify the publisher's affidavits, and review the sale to ensure there is nothing which would halt the sale, such as a bankruptcy, emergency orders, or redemptions. Foreclosure sales are sometimes delayed or reset for different dates. Every time a sale is reset, the Clerk must redo work that was done for the initial sale date.
- This option would clarify the law and allow Clerks to provide the smooth transition of property in a foreclosure sale.

Redirection of Fines, Fees, Service Charges, and Court Costs Changes

Redirect certain fines and fees to the Clerks.

(\$52.8 million)

- In 2008, the Legislature increased fines, fees, service charges, and court costs, making changes to 73 sections of statute. These individual statutes can be compiled into four revenue sources: (1) driving under the influence, s. 316.193 F.S., (2) Filing fees for trial and appellate proceedings, s. 28.241(1) (d) F.S., (3) Amount of Penalties (noncriminal and criminal traffic infractions), s. 318.18, F.S., and (4) all other. These revenues are currently directed to general revenue.
- This option would allow for the redirection of some or all of those fines, fees, service charges, and court costs.

Require service charge on cash bonds.

(Survey Results)

- Currently, the Clerks collect an \$8.50 service charge on surety bonds, but do not collect the service charge on a cash bond.
- This option would allow the Clerks to treat all bonds equally for performing identical services relating to the administration of bonds.

Funding for New Policies

Risk Protection Orders

(Indeterminate Positive)

- During the 2018 session, the legislature created the Risk Protection Order Act to prevent individuals who are at a high risk of harming themselves or others from accessing firearms or ammunition by allowing law enforcement officers to obtain a court order temporarily restricting a person's access to firearms or ammunition.
 - Similar to injunctions for protection against violence, the Clerks support this public policy, but without a stable funding source the Clerks will not be able to timely perform the tasks set forth in the new legislation. There is a very real possibility of a negative impact to public safety if the Clerks are unable to process these petitions by the law enforcement community in a timely and efficient manner.

Injunction for protection for vulnerable adults

(Indeterminate Positive)

- During the 2018 session, the legislature created a cause of action for an injunction prohibiting exploitation of a vulnerable adult. The new law requires Clerks to assist petitioners in filling out the forms and sets a sliding-scale fee for filing a petition. The law also allows Clerks to request a reimbursement for the processing of petitions, but only if funding is made available in the General Appropriations Act (GAA).
 - Funding has not been made available for similar injunctions and was not appropriated in the 2018 GAA.
 - Many of the petitioners are indigent and, while the law set a sliding-scale fee, that fee is waived for indigent petitioners.
 - Similar to injunctions for protection against violence, the Clerks support this public policy, but without a stable funding source the Clerks will not be able to timely perform the tasks set forth in the new legislation.

Criminal Justice Data Transparency Initiative

(Indeterminate Positive)

- During the 2018 session, the legislature created a uniform criminal justice data collection process to promote criminal justice data transparency.
 - The Clerks maintain many of the data elements required by the new law; however, there are costs associated with gathering and sending this information to the central data collection agency that were not funded in the legislation.
 - The Clerks support this public policy, but without a stable funding source the Clerks will not be able to timely perform the tasks set forth in the new legislation or ensure the accuracy of data that is collected.



AGENDA ITEM 4c Attachment 2

DATE: October 2, 2018
SUBJECT: Juror Payment Process
COUNCIL ACTION: Approve Recommendations for Efficiencies to the Juror Payment Process

OVERVIEW: The juror payment process is set in statute in s. 40.29(5), F.S., and requires the Clerks to make quarterly estimates of expenditures. The Justice Administrative Commission (JAC) provides an advance from general revenue to the Clerks and then reconciles those estimates during the next quarter’s distribution. Collectively, if the Clerks request more funding than is available for the quarter, the CCOC then prorates the request to meet the disbursement available.

The juror payment process is cumbersome. In an effort to streamline the process, the Legislative Committee recommended 4 concepts for consideration by the Council

1. Eliminating JAC from the process and letting CCOC handle the distribution of funds.
2. Changing the process from an estimate/advance model to a reimbursement model.
3. Adding clarifying language into s. 28.35(3)(a), F.S., giving Clerks explicit authority to pay for juror costs from the Fine and Forfeiture Fund that exceed the general revenue appropriation in the General Appropriations Act
4. Changing the funding from the state fiscal year to the county fiscal year.

These changes would be incorporated into the Clerks’ legislative agenda and would advocated jointly by CCOC and FCCC.

COMMITTEE ACTION: Approve Legislative Committee recommendations to create efficiencies to the juror payment process.

LEAD STAFF: Jason Welty, CCOC Budget and Communications Director



AGENDA ITEM 4d

DATE: October 2, 2018

SUBJECT: Performance Improvement & Efficiency (PIE) Committee Report

COUNCIL ACTION: Approve CFY 2017-18 Quarter 3 Performance Measures & Action Plans Report

OVERVIEW:

Section 28.35(2)(d), F.S., requires the CCOC to develop a uniform system of performance measures and standards to facilitate an objective determination of the performance of each clerk. When a Clerk’s office has not met the performance standards, the CCOC identifies the nature of each deficiency and any corrective action recommended and taken by the affected Clerk of the Court. The CCOC is required to notify the Legislature of any clerk not meeting performance standards and provide a copy of applicable corrective action plans. Attached is a summary report of the action plans for CFY 2017-18 Quarter 3 (April - June).

Quarter 3 Report Highlights

- 45 clerk offices required an action plan for collections during this period.
 - Statewide, the circuit criminal court was slightly below (8.45%) below the 9% annual standard; however, when adjusted to mandatory drug trafficking assessments the overall standard was 16.45%. Eleven of seventeen clerk offices who did not meet the standard for this quarter would have met the standard had drug trafficking assessments not been included as part of the circuit criminal assessments.
 - Statewide, the county criminal court division met the 40% standard for two consecutive quarters.
 - Civil traffic court performance continues to decrease and is well below the 90% standard (83.42%).
- 16 clerk offices required an action plan for not filing cases timely for at least one court division, and 13 offices required an action plan for not docketing cases timely for at least one court division during this period.
 - Statewide all court divisions except circuit civil met the 80% standard for filing cases timely. The circuit civil court division was as 69.79%. There were 17,906 new cases that were not filed timely during this period. This was an 82% increase from the prior quarter.

- Statewide all court divisions are docketing timely; however, there has been some slippage in performance for the circuit civil court division from 92% at the beginning of the year to 86% during this period.

Staffing, or the lack thereof, and the need for cross training continues to be the predominant reason for not meeting performance standards.

COUNCIL ACTION: Approve CFY 2017-18 Quarter 3 (April - June) Performance Measures & Action Plans Report for dissemination to the Legislature.

Other Ongoing PIE Workgroup Projects

The PIE workgroups continue to work on projects to be responsive to CCOC's Budget, Legislative, and Funding Committees. October 24 and 25 is the next scheduled meeting of the leadership team. Ongoing projects include:

- Updating the Clerk's Court Related Services Framework;
- Developing methodology for estimating revenue loss due to indigency;
- Compiling data to improve performance measures;
- Developing costing methodologies for cases with NO fees.

COUNCIL ACTION: None, informational purposes only.

LEAD STAFF: Douglas Isabelle, Deputy Executive Director

ATTACHMENTS:

1. CFY 2017-18 Quarter 3 Performance Measures & Action Plans Report



Quarterly Performance Measures & Action Plans Report

Section 28.35(2)(d), Florida Statutes

3rd Quarter
County Fiscal Year 2017-18
(April 1, 2018 through June 30, 2018)

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Collections, Timeliness 1, Timeliness 2	

Performance Measure & Quarterly Action Plan Background

The Florida Clerks of Court Operations Corporation (CCOC) was created as a public corporation to perform the functions specified in sections 28.35 and 28.36, Florida Statutes. Section 28.35 (2)(d), F.S. requires the CCOC to develop a uniform system of performance measures and applicable standards in consultation with the Legislature. These measures and standards are designed to facilitate an objective determination of the performance of each clerk in fiscal management, operational efficiency, and effective collection of fines, fees, service charges, and court costs. Current performance measures address:

- Collections (one measure each for nine court divisions, reported quarterly)
- Timeliness (two measures for each of ten court divisions, reported quarterly)
- Juror Payment Processing (one measure, reported quarterly)
- Fiscal Management (one measure, reported annually)

When the CCOC finds a Clerk's office has not met the performance standards, the CCOC identifies the nature of each deficiency and any corrective action recommended and taken by the affected Clerk of the Court. The CCOC is required to notify the Legislature of any clerk not meeting performance standards and provide a copy of applicable corrective action plans.

The CCOC monitors the performance of the Clerk's offices through quarterly reports provided by the Clerk's offices, due on the 20th of the month following the end of the quarter. The CCOC provides notification of the status of the Clerks' performance standards to the Legislature through these quarterly reports.

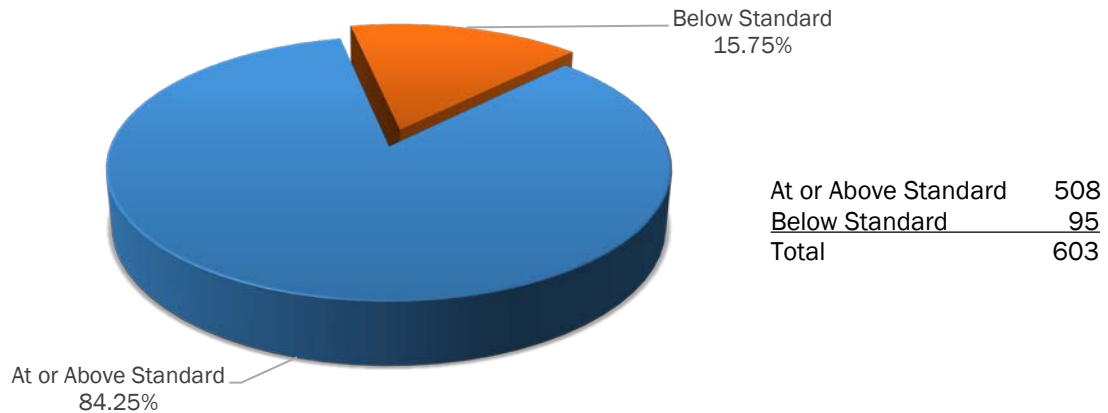
The quarterly report for the 3rd Quarter of CFY 2017-2018 provides information about the performance of the Clerks of Courts on standards relating to collections, timeliness, and juror payment management. The report identifies the Clerk's offices not meeting each performance standard. In addition, the report provides a description of factors that may have contributed to the unmet standard.

For the 3rd Quarter of CFY 2017-2018, 45 clerk offices required an action plan related to collections, 16 clerk offices required an action plan for filing cases timely, 13 clerk offices required an action plan for docketing cases timely, and 7 clerk offices required an action plan regarding paying jurors timely. The performance measure analysis and required action plans are in the following pages of this report. One office did not submit a collections report for this quarter.

COLLECTIONS

Statewide Performance Summary

Collections - Statewide Action Plans Required



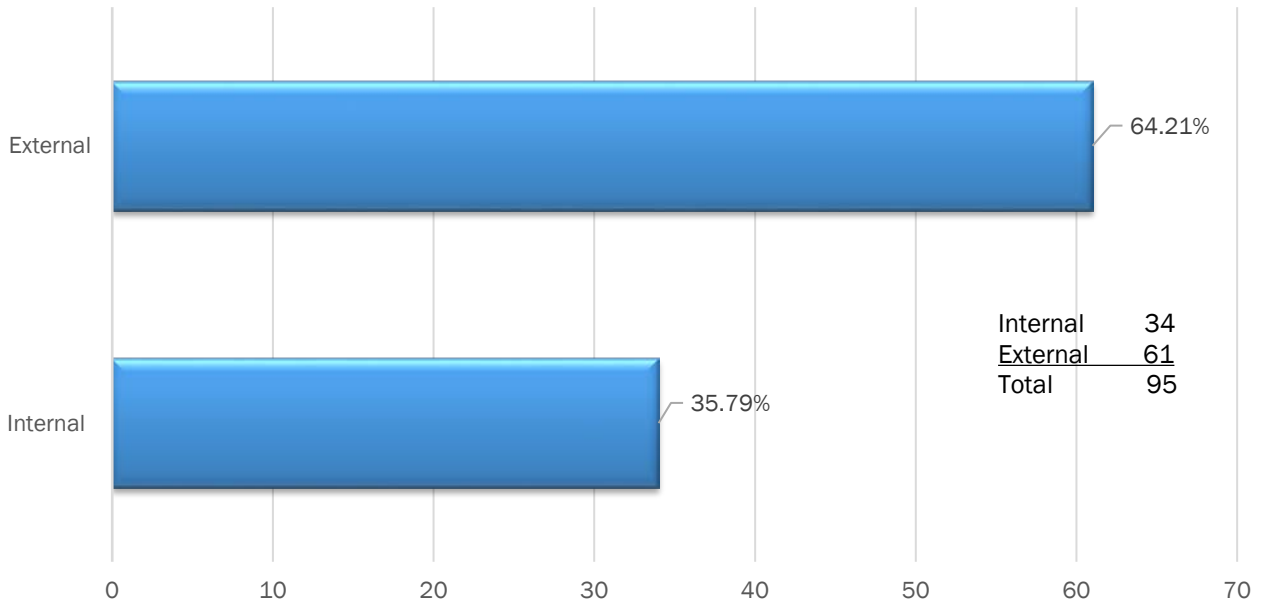
Collection Performance by Reason Code

Pursuant to Executive Council direction on October 6, 2015, the “Reason Codes” chosen for not meeting a statewide Collection performance measure were amended to clarify what was under the control of the Clerk’s office and what was not. The new reason codes are:

- “Internal” – Reasons are inter-office and controllable. Internal reasons will require an “Action to Improve” and a detailed explanation of the reason why the standard was not met and an expected duration of time to have this reason resolved.
- “External” – Factors outside of office management and/or process control. External Reasons will not require an Action to Improve but must have a detailed explanation of the external reason why the Collection Performance Standard was not met.

Of the 95 action plans where the collection standard was not met, 34 (35.79%) were classified as within the control of the Clerk. A list of the 34 action plans for 15 counties is found below. The remaining 61 (64.21%) action plans were outside the control of the Clerks’ offices. A list of these external reasons is found in Appendix B.

Collections - Action Plans by Reason Code



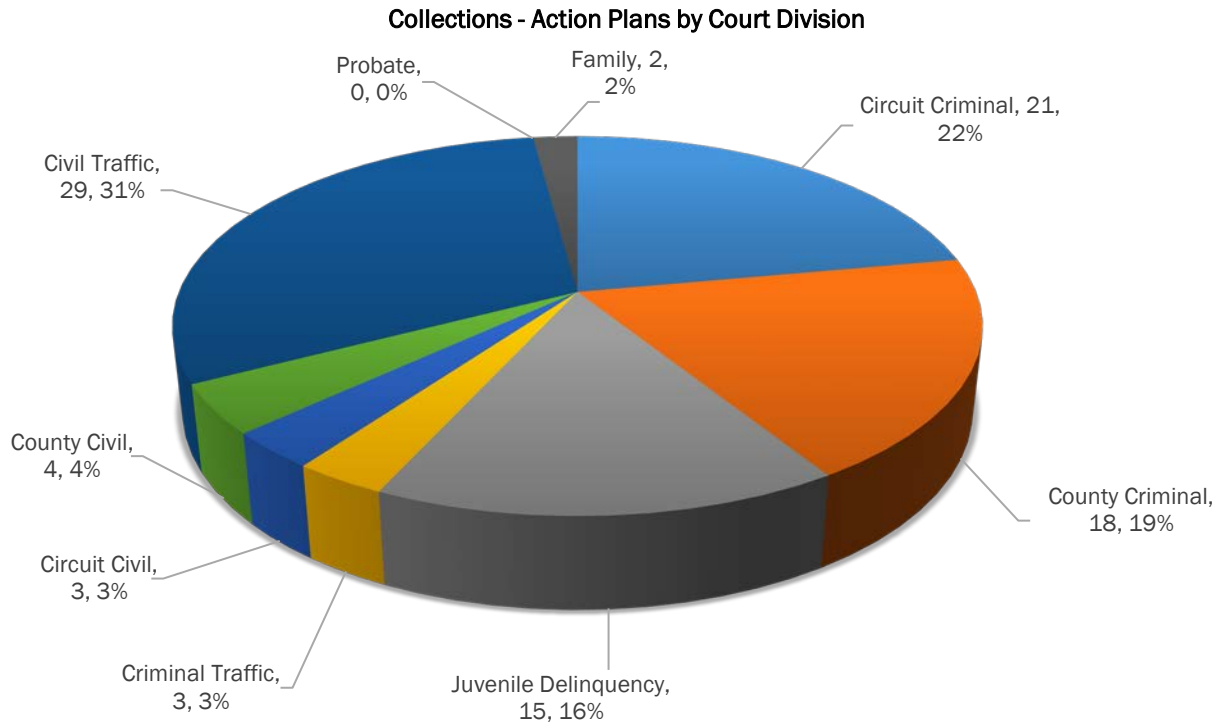
Internal - Action Plans

	County	Division	Plan to Improve
1	Bay	Circuit Criminal	Adjustments made to Assessments
2		County Civil	Adjustments made to Assessments
3	Bradford	Circuit Criminal	Will provide additional training on assessing cases.
4		County Criminal	More assessment training
5		Circuit Civil	Employee added new assessment to original date
6		County Civil	Will provide additional training.
7		Family	Will provide additional training for new employee
8	Brevard	Juvenile Delinquency	The Standard was not met despite pursuit of all collection efforts within the control of the Clerk. 9-1-18 Standards to be met.
9		Circuit Civil	Adjustments made to assessments/increased volume of payment plans in Circuit Civil.
10		County Civil	Adjustments made to assessments
11		Civil Traffic	All efforts have been made by the Clerk office to Collect.
12	Charlotte	Civil Traffic	Past due fines/fees for this quarter have been turned over to Collections
13	DeSoto	Circuit Criminal	Continue collection efforts.
14		County Criminal	Continue collection efforts
15		Juvenile Delinquency	Continue Collections Efforts
16		Criminal Traffic	Continue collection efforts.
17		Civil Traffic	Continue collection efforts.
18		Family	Continue collection efforts.

	County	Division	Plan to Improve
19	Hernando	Juvenile Delinquency	Reviewing this for possible training issues. Restitution is typically paid first since the case will be reopened and individuals returned to court if they don't, then court costs.
20		Civil Traffic	Close to standard. We will continue to work to get the files to the collection agent as timely as possible to help boost this percentage.
21	Highlands	Circuit Criminal	9% not reached due to high prison sentences. We are sending more older cases to collections.
22	Jefferson	County Civil	The lower collection rate for this quarter is due to two small claim assessments that we have not collected any money on. We have sent them to our collection agent.
23	Lake	Circuit Criminal	Lack of sufficient staffing due to continued budget cuts reduces ability to aggressively pursue delinquent accounts. Note - without Drug Trafficking assessments, rate would have been 10.02%
24		County Criminal	Lack of sufficient staffing due to continued budget cuts reduces ability to aggressively pursue delinquent accounts.
25		Juvenile Delinquency	Lack of sufficient staffing due to continued budget cuts reduces ability to aggressively pursue delinquent accounts.
26	Madison	Circuit Criminal	Consideration to the amount of trafficking monies assessed in the initial quarter.
27		County Criminal	Area being monitored and reviewed. Best Practices for Collections in place. Does not seem to be trend with other quarters of report.
28		Civil Traffic	Area continues to be monitored/attempts have been made to improve collection rate over the years to no avail. Best Practices followed.
29	Marion	County Criminal	Unable to create an action plan to improve. We are following procedures set by the Best Practices Committee and FSS 28.246(4) for creating payment plans.
30	Pasco	Civil Traffic	Staffing vacancies impacted the ability to send infraction cases to collection agencies. Positions have been filled and training is underway to eliminate this issue.
31	Pinellas	County Criminal	Continuing to work with staff on our collection methods to improve our process.
32	Sarasota	County Criminal	Intensified management of payment plans, and enhanced efforts of collection agencies expected to increase collection rates in 2018.
33		Civil Traffic	Recently implemented process to send two reminder letters to defendants within 40 days of citation being filed to prompt payment or entry into a payment plan. Expected to improve collection rates in 2018.
34	Taylor	Circuit Criminal	One large assessment of \$52,500 that is not collectable

Statewide Performance by Court Division

As shown below, the civil traffic court division continues to exceed (26.09%) all other court divisions for not meeting collection standards. Criminal court division cases, as a whole (61.96%) continue to be a challenge to collect.



Historic Collection Rates

The table below shows that from the end of CFY 2016-17 through the 3rd quarter of CFY 2017-18. Circuit criminal fell below the performance standard this quarter. After adjusting the drug trafficking mandatory assessments and collections; the statewide circuit criminal court division collection rate increased from 8.45% to 16.45%. Although slightly lower, county criminal achieved the 40% standard for the last two quarters. Civil traffic performance continues to decrease and is well below the 90% standard.

Court Division	CFY 2016-17 Year End	CFY 2017-18 1st Quarter	CFY 2017-18 2nd Quarter	CFY 2017-18 3rd Quarter	CFY 2017-18 4th Quarter	Standard
Circuit Criminal	8.25%	9.95%	10.31%	8.45%		9%
Circuit Criminal (No Trafficking)	16.25%	16.14%	15.49%	16.45%		NA
County Criminal	39.97%	39.85%	40.16%	40.00%		40%
Juvenile Delinquency	13.88%	11.67%	13.18%	18.41%		9%
Criminal Traffic	61.91%	62.41%	62.43%	60.84%		40%
Circuit Civil	99.26%	99.25%	99.31%	99.28%		90%
County Civil	99.69%	99.58%	99.73%	99.81%		90%
Civil Traffic	84.57%	84.26%	85.41%	83.42%		90%
Probate	99.47%	99.41%	99.45%	99.36%		90%
Family	96.86%	96.96%	94.99%	97.05%		75%
	67.10%	67.04%	67.22%	67.40%		

Of the 17 counties who did not meet the circuit criminal collection standard, 11 would have met the standard had drug trafficking assessments not be included as part of circuit criminal assessments. Drug trafficking assessments accounted for over 49.11% of total assessments for these counties in Quarter 3.

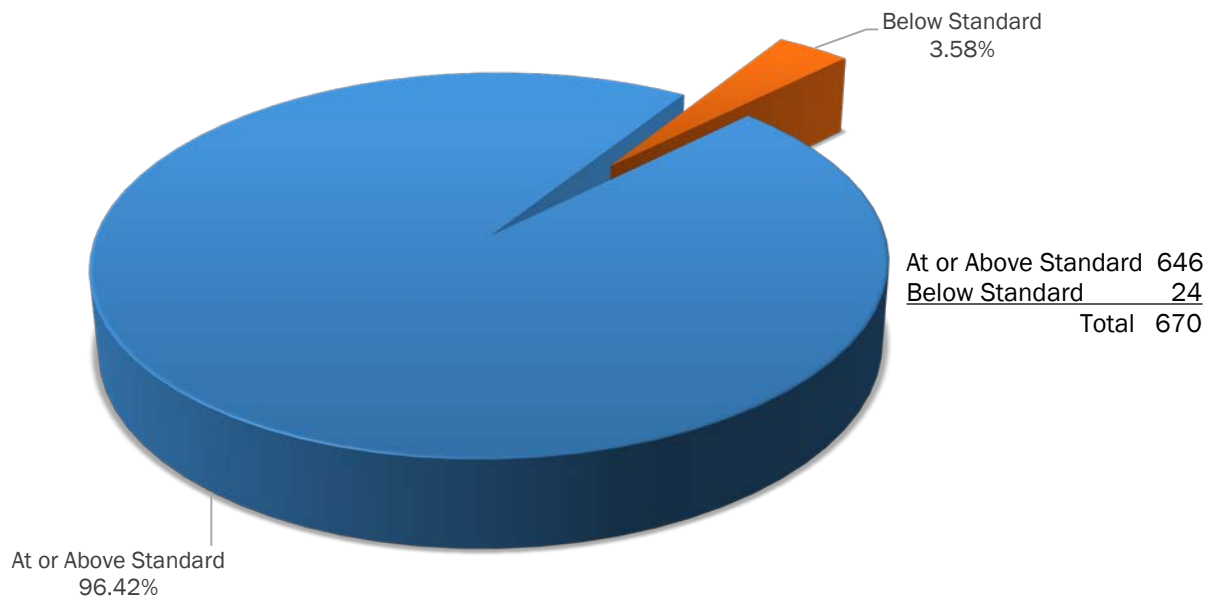
TIMELINESS

Statewide Performance Summary

Timeliness 1 – Filing New Cases Timely

Of the 24 action plans required for not filing new cases timely (Timeliness 1), 16 were in their control of the Clerk; 14 of those action plans cited internal staffing and the 2 action plans cited Systems/Conversions – Internal. For external reasons, 6 of the 8 action plans cited staffing and the remaining 2 cited Systems/Conversions - External as their reasons for not meeting the standard. (See Appendix B for more details)

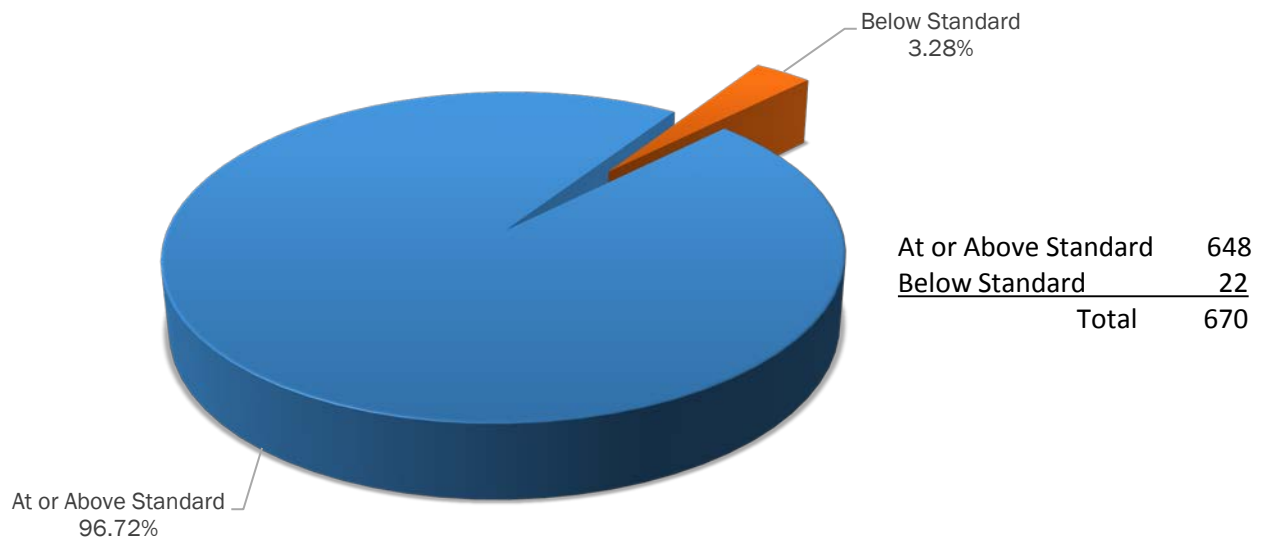
Timeliness 1 - Statewide Action Plans



Timeliness 2 – Cases Docketed Timely

Of the 22 action plans required for not docketing cases timely (Timeliness 2), 21 were in the Clerk’s control to correct; 19 cited internal staffing and the other 2 action plans cited Systems/Conversations – Internal as their reason for not meeting the standard. The 1 action plan for external reasons cited staffing as their reasons for not meeting the standard. (See Appendix B for more details)

Timeliness 2 - Statewide Action Plans



Timeliness Performance by Reason Codes

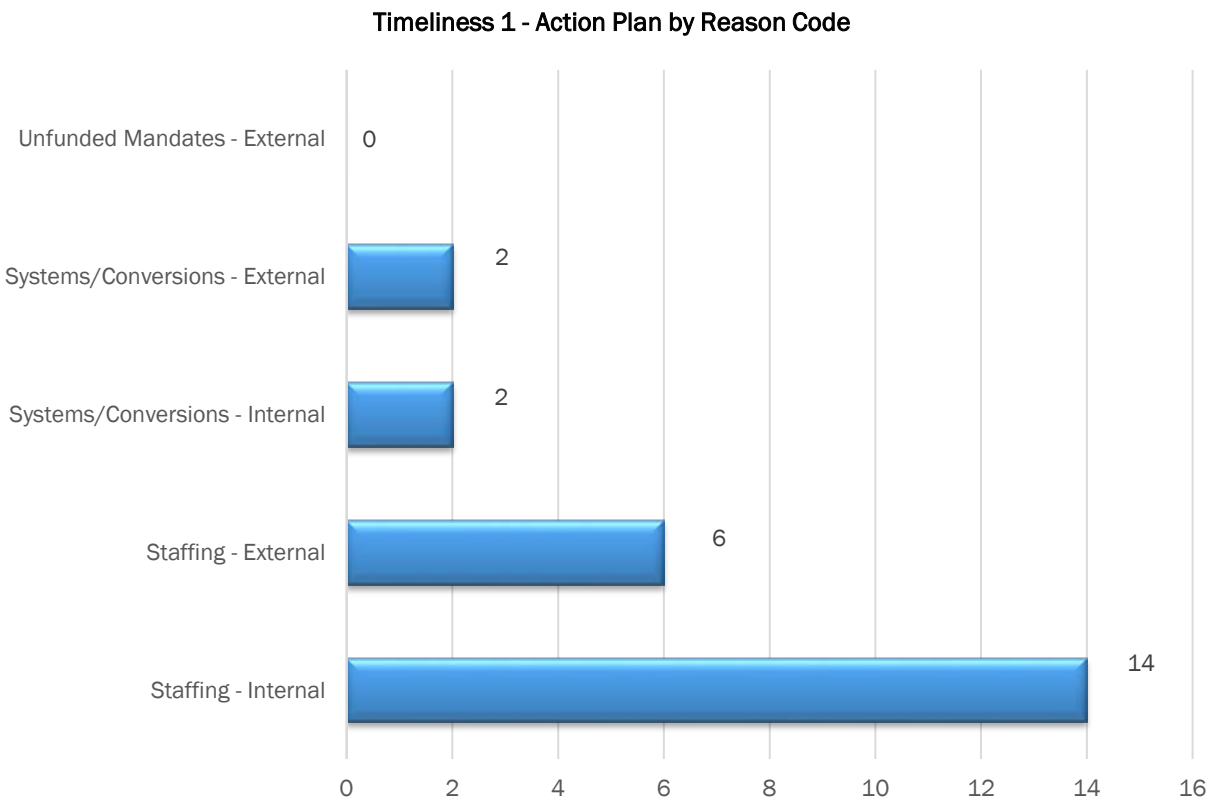
Pursuant to Executive Council direction on October 6, 2015, the “Reason Codes” chosen for not meeting a statewide Timeliness (filing cases timely and entering dockets timely) performance measures were amended to clarify what was under the control of the Clerk’s office to correct and what was not. The reason codes are:

- “Staffing - Internal”: Reason is inter-office and controllable. Internal Staffing reasons will require an “Action to Improve” and a detailed explanation of the reason why the standard was not met and an expected duration of time to have this reason resolved.
- “Staffing External”: Staffing factors outside of office management and/or process control. External Staffing Reasons will not require an Action to Improve but must have a detailed explanation of the external reason why the Timeliness Performance Standard was not met.
- “Systems/Conversions - Internal”: Reason is inter-office and controllable. Internal System reasons will require an “Action to Improve” including all factors noted above.

- “Systems – Conversions - External”: System/Conversion is outside of office management and/or process control. External Systems/Conversion reasons will not require an Action to Improve but must have a detailed explanation of the external reason why the Timeliness Performance Standard was not met.
- “Unfunded Mandates - External”: Federal, State and/or local mandates outside of office management and/or process control. Unfunded Mandate reason(s) will not require an Action to Improve but must have a detailed explanation of the external reason why the Timeliness Performance Standard was not met.

Timeliness 1 – Filing New Cases Timely

There were 24 action plans for not filing cases timely of which 14 were for Staffing – Internal, 6 were related to Staffing – External, 2 for Systems/Conversions – Internal, 2 for Systems/Conversions – External, and none for Unfunded Mandates.



Timeliness 2 (Docket Entries) – Performance by Reason Code

There were 22 action plans for not docketing cases timely of which 19 action plans were for Staffing – Internal, 2 for System Conversions – Internal, and 1 for Staffing – External.



Internal Action Plans Timeliness 1 – Filing New Cases Timely

The following are the action plans for internal reasons for counties missing a statewide performance measure as submitted by the Clerks:

	County	Division	Reason Code	Action Plan to Improve
1	Broward	Circuit Civil	Staffing - Internal	As the budget permits, fill vacant positions and use overtime to meet standard.
2		Probate	Staffing - Internal	Budget permitting, overtime will be utilized to improve timeliness.
3		Family	Staffing - Internal	As the budget permits, fill vacant positions and use overtime to meet standard.
4	Citrus	Circuit Civil	Staffing - Internal	Staff turnover and new staff in training, as they gain knowledge speed will increase.
5		County Civil	Staffing - Internal	Staff turnover and new staff in training, as they gain knowledge speed will increase.
6	Columbia	County Criminal	Staffing - Internal	Intake Clerk in this department was out on leave this quarter a little more than normal.

	County	Division	Reason Code	Action Plan to Improve
7	Miami-Dade	Circuit Civil	Staffing - Internal	Unable to meet standard due to reduced staff as a result of budget cuts.
8	Hardee	Criminal Traffic	Systems/Conversions - Internal	CLERICUS report is incorrect. Instructed by CCOC to leave blank until correction can be made.
9		County Civil	Systems/Conversions - Internal	CLERICUS report is incorrect. Instructed by CCOC to leave blank until correction can be made.
10	Highlands	Circuit Criminal	Staffing - Internal	Has been an increase in charges per case. Will reduce time on other duties to input new cases.
11	Lake	Probate	Staffing - Internal	Lack of staffing to keep workload current when regular staff members are out of the office.
12	Orange	Circuit Civil	Staffing - Internal	Due to turnover and case load challenges; we will consistently monitor progress and productivity, adjust resources as necessary.
13		County Civil	Staffing - Internal	Due to turnover and case load challenges; we will consistently monitor progress and productivity, adjust resources as necessary.
14	Putnam	Circuit Criminal	Staffing - Internal	New cases/reopens/back-log high. Filled 2 opens; a net burden for at least 6 months. Shifting resources and retraining as possible. Hiring and retention issues driven by uncompetitive pay rates and benefits in tight labor market. No end in sight.
15		County Criminal	Staffing - Internal	New case/reopens high here as well as in Felony. Shifting resources and retraining as possible. Turnover continues. Uncompetitive in tight labor market; cannot increase pay rates or value of benefits with declining budget.
16		Juvenile Delinquency	Staffing - Internal	Adjusting to new judge requirements.

Timeliness 2 – Cases Docketed Timely

The following are the action plans for internal reasons for counties missing a statewide performance measure as submitted by the Clerks:

	County	Division	Reason Code	Action Plan to Improve
1	Baker	Juvenile Delinquency	Staffing - Internal	Training New Employee Hired
2	Broward	Probate	Staffing - Internal	Budget permitting, overtime will be utilized to improve timeliness.
3		Family	Staffing - Internal	Budget permitting, overtime will be utilized to improve timeliness.
4	Citrus	Circuit Civil	Staffing - Internal	Staff turnover and new staff in training, as they gain knowledge speed will increase.

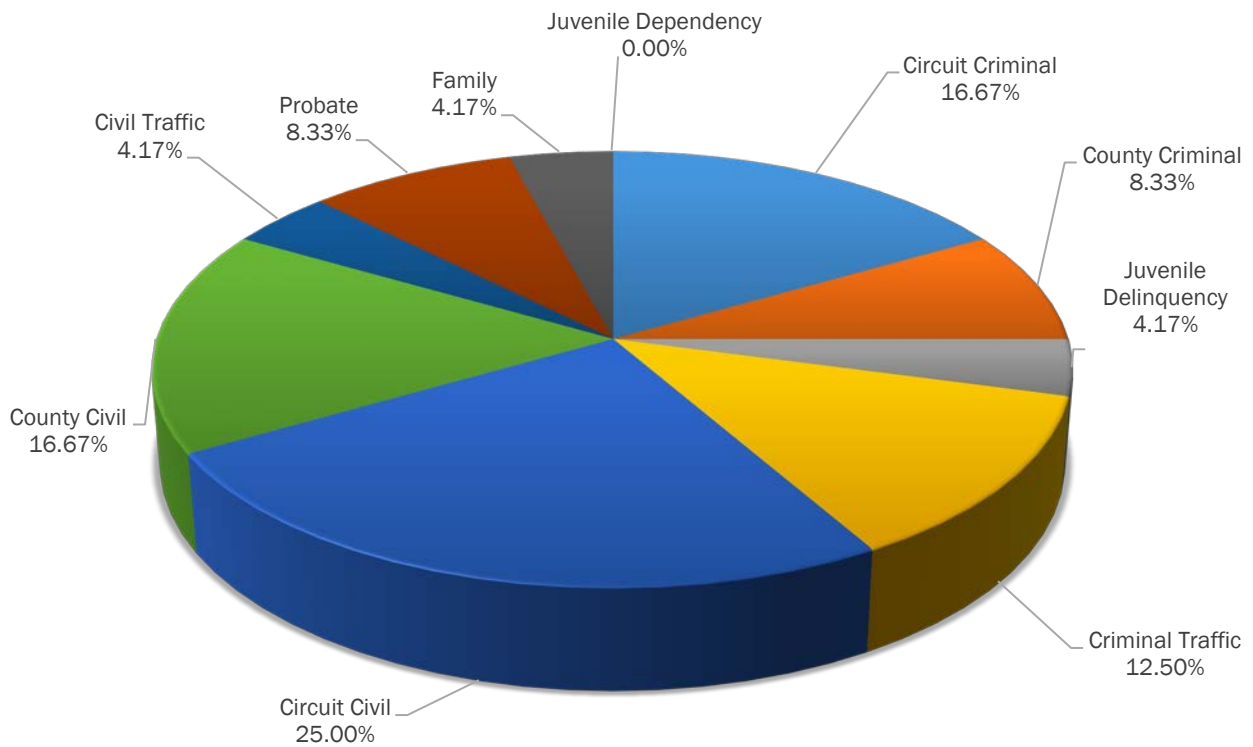
5	Clay	Criminal Traffic	Staffing - Internal	Discussions with Supervisor to assist in prioritizing workload.
6	Miami-Dade	Circuit Civil	Staffing - Internal	Unable to meet standard due to reduced staff as a result of budget cuts.
7		Family	Staffing - Internal	Unable to meet standard due to reduced staff as a result of budget cuts.
8	Hillsborough	Circuit Criminal	Staffing - Internal	Actively recruiting to fill vacant positions when budgetary restraints allow.
9	Holmes	Circuit Criminal	Staffing - Internal	Workload and understaffed.
10		Criminal Traffic	Staffing - Internal	Workload and understaffed.
11	Monroe	Juvenile Delinquency	Systems/Conversions - Internal	Our E-Portal has been down.
12		Circuit Civil	Systems/Conversions - Internal	Our E-Portal Has been down.
13	Okeechobee	County Criminal	Staffing - Internal	Short staffed.
14		Criminal Traffic	Staffing - Internal	Short staffed.
15	Orange	Circuit Civil	Staffing - Internal	Due to turnover and case load challenges; we will consistently monitor progress and productivity, adjust staffing as necessary.
16		County Civil	Staffing - Internal	Due to turnover and case load challenges; we will consistently monitor progress and productivity, adjust resources as necessary.
17	Putnam	Circuit Criminal	Staffing - Internal	New cases/reopens/back-log high. Filled 2 opens; a net burden for at least 6 months. Shifting resources and retraining as possible. Hiring and retention issues driven by noncompetitive pay rates and benefits in tight labor market. No end in sight.
18		County Criminal	Staffing - Internal	New case/reopens high as in Felony. Turnover continues; cannot compete in tight labor market; cannot increase pay rates or value of benefits with declining budget; shifting resources and retraining as possible. The latter is placing undue pressure on experienced employees. Loss of those employees will significantly impact overall performance.
19		Juvenile Delinquency	Staffing - Internal	Training/Learning Curve
20		Criminal Traffic	Staffing - Internal	New case/reopens high here as well as in Felony. Shifting resources and retraining as possible. Turnover continues. Uncompetitive in tight labor market; cannot increase pay rates or value of benefits with declining budget.
21	Wakulla	Circuit Criminal	Staffing - Internal	We are doing what we can with the resources we have been given.

Statewide Performance by Court Division

Timeliness 1 – Filing New Cases

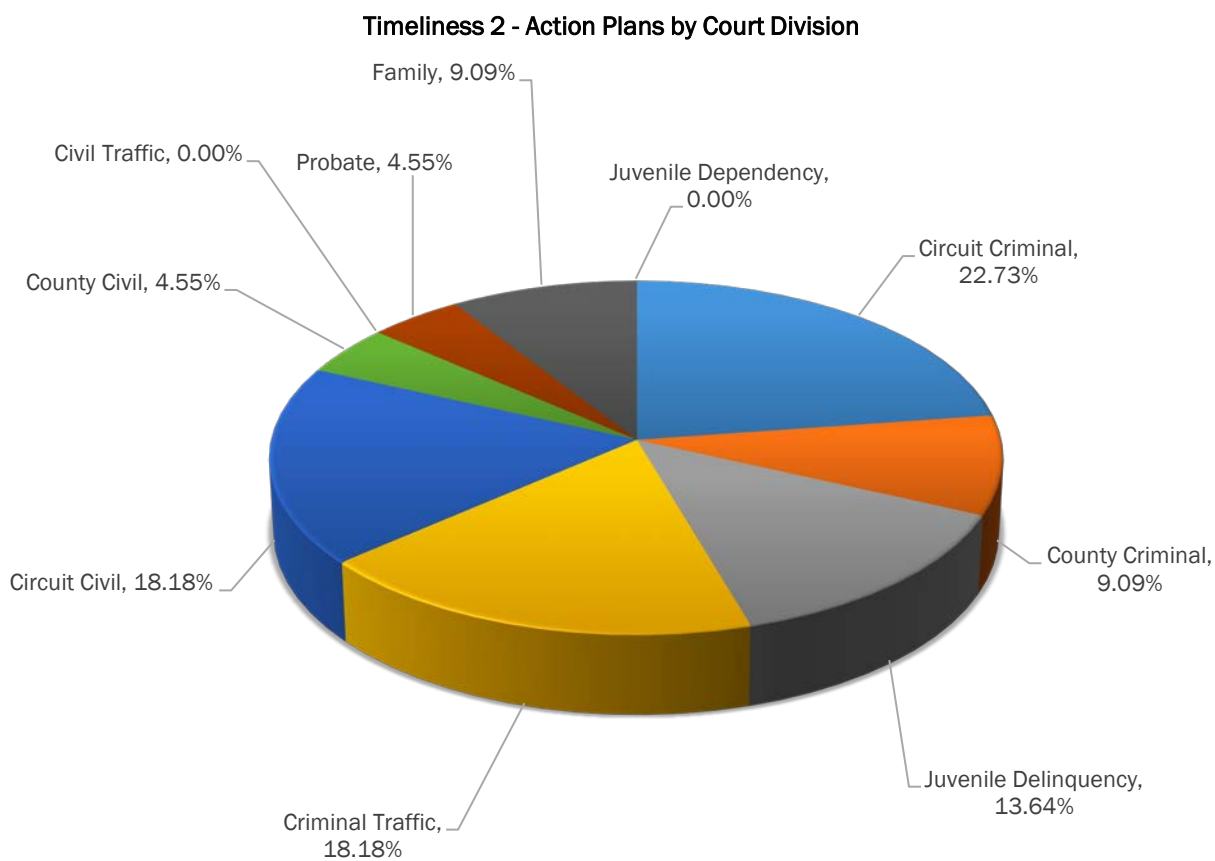
As shown below, 41.67% of action plans for Timeliness 1 (Filing new cases) were in the criminal court divisions, accounting for 10 of the 24 action plans. Circuit Criminal alone accounted for 16.67% of the actions plans for not filing cases timely.

Timeliness 1 - Action Plans by Court Division



Timeliness 2 – Cases Docketed Timely

As shown below, 63.64% of action plans for docketing cases timely were in the criminal court divisions, accounting for 14 of the 22 action plans.



Historic Timeliness Rates

Timeliness 1 – Filing New Cases Timely

For Timeliness 1 (Filing New Cases), all court divisions are meeting the 80% standard except for circuit civil which was below the 80% performance standard at 69.79%. Circuit Civil decreased 17.6 percentage points from the prior quarter. This is the first time this court division did not meet the performance standard statewide. Fifty-one clerk offices had at least one case not filed timely. A total of 17,906 cases were not filed timely which represents an 82% increase compared to the 9,865 cases that were not filed timely in Quarter 2. Criminal Traffic also slipped almost 3 percentage points from the prior quarter and County Civil remained relatively flat. The remaining court divisions showed some improvement from the Quarter 2.

Time 1 Quarter 3 CFY 2017-18						
Court Division	CFY 2016-17 Year End	CFY 2017-18 1st Quarter	CFY 2017-18 2nd Quarter	CFY 2017-18 3rd Quarter	CFY 2017-18 4th Quarter	Standard
Circuit Criminal	94.46%	85.79%	87.50%	95.04%		80.00%
County Criminal	95.48%	88.97%	89.10%	96.00%		80.00%
Juvenile Delinquency	95.30%	86.24%	86.11%	93.41%		80.00%
Criminal Traffic	92.97%	89.55%	91.95%	89.03%		80.00%
Circuit Civil	84.79%	94.65%	87.39%	69.79%		80.00%
County Civil	94.68%	86.82%	87.06%	87.46%		80.00%
Civil Traffic	96.11%	97.79%	97.79%	92.89%		80.00%
Probate	92.89%	85.41%	86.80%	93.67%		80.00%
Family	96.04%	90.09%	89.53%	95.21%		80.00%
Juvenile Dependency	95.99%	89.16%	89.55%	98.53%		80.00%

Timeliness 2 - Cases Docketed Timely

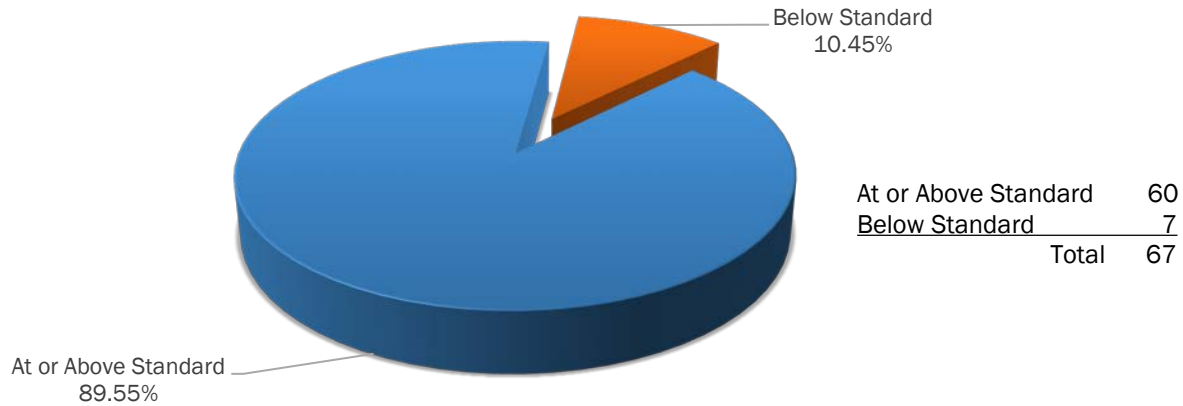
For Timeliness 2, all court divisions are meeting the standard for entering dockets timely. However; except for Criminal Traffic most the other criminal court divisions experienced a decrease in performance from Quarter 2. Circuit Civil continues to decrease while the other civil court divisions had mixed results.

Time 2 Quarter 3 CFY 2017-18						
Court Division	CFY 2016-17 Year End	CFY 2017-18 1st Quarter	CFY 2017-18 2nd Quarter	CFY 2017-18 3rd Quarter	CFY 2017-18 4th Quarter	Standard
Circuit Criminal	94.71%	93.39%	94.70%	93.51%		80.00%
County Criminal	94.86%	94.80%	94.91%	94.75%		80.00%
Juvenile Delinquency	96.52%	96.14%	96.15%	94.99%		80.00%
Criminal Traffic	95.52%	95.34%	95.63%	95.87%		80.00%
Circuit Civil	94.51%	92.16%	89.45%	85.63%		80.00%
County Civil	95.37%	97.01%	95.12%	93.60%		80.00%
Civil Traffic	97.56%	94.82%	98.32%	98.59%		80.00%
Probate	94.97%	90.80%	90.77%	94.76%		80.00%
Family	93.09%	94.32%	94.97%	92.90%		80.00%
Juvenile Dependency	93.49%	98.35%	95.08%	95.72%		80.00%

JURY PAYMENT

Statewide Action Plans

Jury Payment - Statewide Action Plans



Jury Payment Action Plans by Reason Code

The performance standard for timely juror payment is 100% payment of jurors within 20 days of final jury attendance. Seven clerk offices did not meet the standard. Three of these offices cited procedure related reasons and four offices cited staffing related reasons for not meeting the performance standard.

Jury Payment Action Plans

County	Reason	Action Plan to Improve
Baker	Procedural	The Courts had us summons a jury and then did selections and had them return 2-3 weeks later
Bay	Procedural	Double check
Charlotte	Staffing	Compliance Training
Escambia	Staffing	Staff to observe payment codes prior to issuing checks.
Monroe	Staffing	In process of training additional clerks in the jury system
Pinellas	Other (Explain)	Civil Trials for one location wiped out for the month of June which affected the # of Juror timely payments.
Sarasota	Other (Explain)	Unexpected death with staff as well as staff shortages during major trials

Appendix A
Collections Performance by Division
CFY 2017-18 Quarter 3

County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Total
Alachua			External							1
Baker		External					External			2
Bay	Internal					Internal				2
Bradford	Internal	Internal			Internal	Internal			Internal	5
Brevard			Internal		Internal	Internal	Internal			4
Broward	External	External	External				External			4
Calhoun		External								1
Charlotte		External					Internal			2
Citrus										0
Clay										0
Collier	External									1
Columbia	External						External			2
Miami-Dade		External		External			External			3
DeSoto	Internal	Internal	Internal	Internal			Internal		Internal	6
Dixie										0
Duval	External	External	External				External			4
Escambia			External				External			2
Flagler										0
Franklin	External			External						2
Gadsden										0
Gilchrist	External									1
Glades										0
Gulf										0
Hamilton							External			1
Hardee										0
Hendry	External						External			2
Hernando	External		Internal				Internal			3
Highlands	Internal	External								2
Hillsborough	External						External			2
Holmes							External			1
Indian River										0
Jackson							External			1
Jefferson						Internal				1
Lafayette										0
Lake	Internal	Internal	Internal							3
Lee										0
Leon							External			1
Levy										0
Liberty										0
Madison	Internal	Internal					Internal			3
Manatee										0
Marion		Internal								1
Martin										0
Monroe			External							1
Nassau										0
Okaloosa							External			1
Okeechobee							External			1
Orange	External	External	External				External			4
Osceola			External				External			2
Palm Beach		External	External							2
Pasco							Internal			1
Pinellas		Internal								1
Polk	External						External			2
Putnam	External	External	External				External			4
Santa Rosa							External			1
Sarasota	External	Internal					Internal			3
Seminole										0
Saint Johns										0
Saint Lucie										0
Sumter										0
Suwannee										0
Taylor	Internal		External							2
Union					External		External			2
Volusia	External	External	External							3
Wakulla							External			1
Walton										0
Washington							External			1
Statewide	21	18	15	3	3	4	29	0	2	95
Internal Reasons	7	7	4	1	2	4	7	0	2	34
External Reasons	14	11	11	2	1	0	22	0	0	61

Appendix A
Timeliness 1 - Filing New Cases by Division
CFY 2017-18 Quarter 3

County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Juvenile Dependency	Total
Alachua											0
Baker											0
Bay											0
Bradford											0
Brevard											0
Broward					Staffing - Internal			Staffing - Internal	Staffing - Internal		3
Calhoun											0
Charlotte											0
Citrus	Staffing - External				Staffing - Internal	Staffing - Internal					3
Clay											0
Collier											0
Columbia		Staffing - Internal									1
DeSoto											0
Dixie	Staffing - External	Staffing - External									2
Duval											0
Escambia											0
Flagler											0
Franklin											0
Gadsden											0
Gilchrist											0
Glades											0
Gulf											0
Hamilton											0
Hardee				Systems/Conversions - Internal			Systems/Conversions - Internal				2
Hendry					Staffing - External						1
Hernando				Systems/Conversions - External							1
Highlands	Staffing - Internal										1
Hillsborough						Staffing - External					1
Holmes											0
Indian River											0
Jackson											0
Jefferson											0
Lafayette											0
Lake								Staffing - Internal			1
Lee											0
Leon											0
Levy											0
Liberty											0
Madison						Systems/Conversions - External					1
Manatee				Staffing - External							1
Marion											0
Martin											0
Miami-Dade					Staffing - Internal						1
Monroe											0
Nassau											0
Okaloosa											0
Okeechobee					Staffing - External						1
Orange					Staffing - Internal	Staffing - Internal					2
Osceola											0
Palm Beach											0
Pasco											0
Pinellas											0
Polk											0
Putnam	Staffing - Internal	Staffing - Internal	Staffing - Internal								3
Saint Johns											0
Saint Lucie											0
Santa Rosa											0
Sarasota											0
Seminole											0
Sumter											0
Suwannee											0
Taylor											0
Union											0
Volusia											0
Wakulla											0
Walton											0
Washington											0
Statewide	4	3	1	3	6	4	1	2	1	0	25
Internal Reasons	2	2	1	1	4	2	1	2	1	0	16
External Reasons	2	1	0	2	2	2	0	0	0	0	9

Appendix A
Timeliness 2 - Cases Docketed by Division
CFY 2017-18 Quarter 3

County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Juvenile Dependency	Total
Alachua											0
Baker			Staffing - Internal								1
Bay											0
Bradford											0
Brevard											0
Broward								Staffing - Internal	Staffing - Internal		2
Calhoun											0
Charlotte											0
Citrus					Staffing - Internal						1
Clay				Staffing - Internal							1
Collier											0
Columbia											0
DeSoto											0
Dixie	Staffing - External										1
Duval											0
Escambia											0
Flagler											0
Franklin											0
Gadsden											0
Gilchrist											0
Glades											0
Gulf											0
Hamilton											0
Hardee											0
Hendry											0
Hernando											0
Highlands											0
Hillsborough	Staffing - Internal										1
Holmes	Staffing - Internal			Staffing - Internal							2
Indian River											0
Jackson											0
Jefferson											0
Lafayette											0
Lake											0
Lee											0
Leon											0
Levy											0
Liberty											0
Madison											0
Manatee											0
Marion											0
Martin											0
Miami-Dade					Staffing - Internal				Staffing - Internal		2
Monroe			Systems/Conversions - Internal		Systems/Conversions - Internal						2
Nassau											0
Okaloosa											0
Okeechobee		Staffing - Internal		Staffing - Internal							2
Orange					Staffing - Internal	Staffing - Internal					2
Osceola											0
Palm Beach											0
Pasco											0
Pinellas											0
Polk											0
Putnam	Staffing - Internal	Staffing - Internal	Staffing - Internal	Staffing - Internal							4
Saint Johns											0
Saint Lucie											0
Santa Rosa											0
Sarasota											0
Seminole											0
Sumter											0
Suwannee											0
Taylor											0
Union											0
Volusia											0
Wakulla	Staffing - Internal										1
Walton											0
Washington											0
Statewide	5	2	3	4	4	1	0	1	2	0	22
Internal Reasons	4	2	3	4	4	1	0	1	2	0	21
External Reasons	1	0	0	0	0	0	0	0	0	0	1

Appendix B
Descriptions of External Factors for Not Meeting Performance Standards
CFY 2017-18 Quarter 3

	County	Division	Reason Code	Description
				Collections
1	Alachua	Juvenile Delinquency	External	This group does not have jobs and parents do not have the money. Added a new additional assessment which is very high.
2	Baker	County Criminal	External	The court places the defendants on probation and our office sets up payment plans and suspend the defendants DL for non payment. We are open for any suggestions.
3		Civil Traffic	External	We D6 their DL weekly and forward all unpaid citations to the collections agency. We are open for any suggestions.
4	Broward	Circuit Criminal	External	Increases in the number of indigent defendants.
5		County Criminal	External	Increases in the number of indigent defendants.
6		Juvenile Delinquency	External	Work with other governmental agencies and judiciary to improve collections of court ordered assessments.
7		Civil Traffic	External	Increases in the number of indigent defendants.
8	Calhoun	County Criminal	External	\$9456.00 of this money has been reduced to a civil judgment. We are working on collecting this money through the payment plan.
9	Charlotte	County Criminal	External	Hired additional Collection Agents in December 2017. Increase in collections should be realized in the next 6 months.
10	Collier	Circuit Criminal	External	\$8,091,995 of the total assessed relates to drug cases. These individuals are all incarcerated and are not paying any of their assessments.
11	Columbia	Circuit Criminal	External	Drug trafficking assessments are the reason this measure is not met.
12		Civil Traffic	External	We will continue to exhaust all collection efforts.
13	Miami-Dade	County Criminal	External	Due to our current economic conditions, many defendants are indigent or transient making collections efforts more difficult.
14		Criminal Traffic	External	We have a significant number of payment plans which extend the time required for full collection. Additionally, a significant number of citations go to court which also delays collection times.
15		Civil Traffic	External	We have a significant number of payment plans which extend the time required for full collection. Additionally, a significant number of citations go to court which also delays collection times.
16	Duval	Circuit Criminal	External	Reviewing collection agency performance and other on-line payment options.
17		County Criminal	External	Reviewing collection agency performance and other on-line payment options.
18		Juvenile Delinquency	External	Reviewing collection agency performance and other on-line payment options.
19		Civil Traffic	External	Reviewing collection agency performance and other options to pay as well as enforcing 30 days to pay.
20	Escambia	Juvenile Delinquency	External	Escambia was \$709.89 short from meeting the 9% performance measure standard. The local economy and ability to pay affect the collection rate. Escambia staff are discussing online pay for these cases, but added confidentiality requirements poses additional hurdles.
21		Civil Traffic	External	The local economy and ability to pay greatly impact the collection rate. Online payment is available for citizens. Escambia is currently negotiating with third-party collection agencies.
22	Franklin	Circuit Criminal	External	Franklin County is using all methods at our disposal to collect fees.
23		Criminal Traffic	External	Franklin County is using all methods at our disposal to collect fees.
24	Gilchrist	Circuit Criminal	External	Trafficking assessment coupled with Incarceration makes this quarters goal unattainable.
25	Hamilton	Civil Traffic	External	We have changed collection agencies and are getting better results with the new agency.
26	Hendry	Circuit Criminal	External	Not Provided.
27		Civil Traffic	External	Not Provided.
28	Hernando	Circuit Criminal	External	Not Provided.
29	Highlands	County Criminal	External	Still working with Salvation Army and Penn Credit to get online payments set up.
30	Hillsborough	Circuit Criminal	External	Adjudication of 4 Drug Trafficking cases.
31		Civil Traffic	External	Continued transmissions to Collection Agencies.
32	Holmes	Civil Traffic	External	Non-payment....currently sending letters from our inhouse collections department.
33	Jackson	Civil Traffic	External	When a citation is not paid, we D6s and send the citation to collection agency.
34	Leon	Civil Traffic	External	Leon County is within 99% of the performance standard and is actively working to meet the standard by using collection tools including on-line payment options, payment plans, DL suspensions for non-payment, and referral to collection agencies.
35	Monroe	Juvenile Delinquency	External	Not provided
36	Okaloosa	Civil Traffic	External	Due to unsustainable court funding, our ability to prioritize collections in this case type are constrained.
37	Okeechobee	Civil Traffic	External	Cases will be sent to collections.
38	Orange	Circuit Criminal	External	The majority of customers are on payment plans which extend long beyond 5 quarters.
39		County Criminal	External	We have never met this standard. The majority of our customers are on payment plans that extend beyond the 5 quarters of this report.
40		Juvenile Delinquency	External	juveniles do not pay amounts due and if they are on a payment plan, the plans extend beyond 5 quarters. Also, juvenile dollars are so immaterial, it is not worth pursuing.
41		Civil Traffic	External	a lot of out of state/out of country visitors who don't pay and a general disregard for paying traffic cases. People don't care if they have a DL suspension or not.
42	Osceola	Juvenile Delinquency	External	Community Service is usually chosen over making payments. On all other cases we will explore the option with Probation to have them refer termed cases with costs to the Clerk.
43		Civil Traffic	External	We have a high percentage of tourist from out of state/out of country who don't pay. We will continue to exhaust all collection efforts to improve this measure by incorporating text message reminders.
44	Palm Beach	County Criminal	External	Defendant's provided too much time to pay without being ordered onto a Clerk payment plan. Defendants on probation are not ordered to establish payment plans. Failure to pay as a condition does not have negative impact on successful completion of probation. Since meeting with the judges, we have seen an increase in payment plans. We expect the collection rate to increase as payment plan activity increases.
45		Juvenile Delinquency	External	Defendants placed on probation are not ordered to establish payment plans. Failure to pay as a condition of probation is usually converted to community service.
46	Polk	Circuit Criminal	External	Customers are not paying.
47		Civil Traffic	External	Customers not paying.
48	Putnam	Circuit Criminal	External	High incarceration rates and minimal to negative income/assets make collections on these cases virtually impossible.
49		County Criminal	External	High incarceration rates and poor economy/demographics. Judge not ordering supervised probation and does not require participation in our partial payment plan.
50		Juvenile Delinquency	External	Judge will not enforce compliance due, in part, to potential negative consequences for minor involved.

Appendix B
Descriptions of External Factors for Not Meeting Performance Standards
CFY 2017-18 Quarter 3

County	Division	Reason Code	Description	
Collections				
51	Civil Traffic	External	Partial payment plans and other collection efforts in place cannot offset local economic factors (low wages, high unemployment, high level of transfer payments).	
52	Santa Rosa	Civil Traffic	External	Partial payment agreements can go up to 18 months which is outside the reporting time frame. Civil citation issued along with a criminal citation is held until the disposition of the civil citation.
53	Sarasota	Circuit Criminal	External	51% of the Circuit Criminal collections (\$583K) were from Drug Trafficking cases with high fine amounts. Collection rate on those cases was only 0.01%.
54	Taylor	Juvenile Delinquency	External	Juveniles that do not pay
55	Union	Circuit Civil	External	7 inmate cases. Orders placing liens on inmate accounts in place.
56		Civil Traffic	External	All unpaid citations D-6'd and referred to collections.
57	Volusia	Circuit Criminal	External	Increase in the number of late pay cases we are sending to collections.
58		County Criminal	External	Increase in the number of late pay cases we are sending to collections
59		Juvenile Delinquency	External	Increase in the number of late pay cases we are sending to collections.
60	Wakulla	Civil Traffic	External	Citizens are forgetting to pay and being D-6, some doing community service others are sent to collections.
61	Washington	Civil Traffic	External	We have D-6 their Driver's License and sent them to the collection agency.
	35	61		

Timeliness 1 - Filing New Cases				
County	Division	Reason Code	Action Plan to Improve	
1	Citrus	Circuit Criminal	Staffing - External	Criminal processing staff covering court proceedings due to personnel turnover and budget constraints in hiring additional staff.
2	Dixie	Circuit Criminal	Staffing - External	Try to increase budget.
3	Hendry	Circuit Civil	Staffing - External	Short-staffed, no OT allowed; never replaced laid off positions.
4	Hernando	Criminal Traffic	Systems/Conversions - External	Corrected % is 99.18% - sub-case type report pulls DUI's from Felony, yet the report uses total # of CT cases ONLY which distorts this % and makes it lower than it is. Report form (or timeliness report) should be
5	Hillsborough	County Civil	Staffing - External	Significant increase in the filing of cases with limited number of staff to process due to budget constraints.
6	Madison	County Civil	Systems/Conversions - External	8 Non-Reportable Evictions, so if include those (63+8 = 71) which is 86%.
7	Manatee	Criminal Traffic	Staffing - External	Significant increase in number of circuit criminal cases filed and bumped down to crim traffic using original file date of felony case places filing date outside of standard.
8	Okeechobee	Circuit Civil	Staffing - External	E-Portal corrections being resubmitted after the initial 2 days
	8	8		

Timeliness 2 - Cases Docketed				
County	Division	Reason Code	Action Plan to Improve	
1	Dixie	Circuit Criminal	Staffing - External	Try to increase budget