

MINUTES
FLORIDA CLERKS OF COURT OPERATIONS CORPORATION
THURSDAY, AUGUST 31, 2017 2:00 PM EDT
EXECUTIVE COUNCIL MEETING
TELECONFERENCE

The August 31, 2017 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 approximately 2:00 PM (EDT). The Executive Council Meeting was conducted via WEBEX and the meeting was open to all that called in. The meeting was properly noticed. Roll call was taken by Executive Council Secretary/Treasurer Tara Green. 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, and Honorable Ron Ficarrota. The Honorable Paula S. O'Neil and Honorable Kyle Hudson did not join the meeting. Clerk Green stated that there was a quorum.

The minutes from the June 12th and July 24th Executive Council meetings were presented. Chair Burke asked if there were any additions or corrections to the June 12th minutes. There were none. Clerk Butterfield made a motion to accept the June 12th minutes and seconded by Clerk Crawford. The vote was taken and the motion passed unanimously. Next Chair Burke asked if there were any additions or corrections to the July 24th minutes. Hearing none, Clerk Butterfield made the motion and it was seconded by Clerk Crawford. The vote was taken and the motion passed unanimously.

Chair Burke introduced the draft Agenda for the meeting and asked if there were any additions or corrections. The agenda was approved as submitted.

BUDGET COMMITTEE

Chair Burke called upon Clerk Butterfield, the Chair of the Budget Committee to give her report. Clerk Butterfield thanked the Clerks that participate on the Budget Committee and their staff and the CCOC staff for their dedication. Clerk Butterfield noted that there had been one Budget Committee meeting since the last Council meeting and it was August 23, 2017. Clerk Butterfield brought forward to the Council for action the Committee's recommendations. She began by stating in this next fiscal year, the CCOC is charged with allocating the budgets for the Clerks. Through the budget process, the Clerks submitted their budget needs collectively and their request was \$461 million to run their offices. The revenue available to the CCOC to support the needs-based budget of \$461 million was only \$409.4 million. That amount was determined in statute by the Revenue Estimating Conference (REC). They met on July 31st. There is a gap of over \$51 million on what the Clerks need and what is available to them to operate. Once again, she added as we move into the next year, the Clerks are faced with a reduction not only from their needs, but from the current level they are operating which is \$422 million. The Committee met to go through the process with the change in the law this year and the allocation of resources to operate Clerks' offices. The summary of the recommendations that the Committee made and Clerk Butterfield is moving forward on are found on pages 16 and 17 in the packet. Clerk Butterfield spoke of the Committee's actions as related to the 10% funds which was changed by the passage of Senate Bill 2506 in June of

this year. First, it is expected that all the Clerks were to expend all of their 10% funds by the end of this county fiscal year. The Committee is requiring that if a Clerk has not expended all the funds and is expecting to have any remaining dollars that they submit a spending plan to the CCOC by September 29th. There will be a progress report on that plan from each Clerk to the CCOC during the year as well. For all those who had not expended all their available revenue, they have the potential for the remaining fiscal year to spend the greater of the authority or the revenues that were collected. All Clerks cannot exceed their aggregate. CCOC budget authority which aggregated to the \$442 million, has the potential to recommend internally if one Clerk has the additional authority and another does not, there is an internal process to be able to allocate that other authority to that Clerk. This is the first recommendation and Clerk Butterfield noted that was in the form of a motion. Clerk Crawford seconded the motion. Chair Burke asked if there was any discussion. Hearing none, the vote was taken. The motion passed unanimously.

Clerk Butterfield continued with the second item which has two parts. Each came from the committee separately, but she is combining the part about the methodology that would be used to get from the \$422 million to the \$409 million and the part that the committee acted on the distribution of the \$409 million. She put these two together for the sake of time and made a motion to do an across the board cut of 2.99% to allocate the \$409,399,995 million be implemented. The results of that is in the packet on page 26. Clerk Butterfield made a motion that the Attachment #4 is the aggregate budget authority that is recommended for approval by the Council and Council approve each Clerk's individual allocation on that attachment for the total of \$409,399,995 million for the county fiscal year of 17/18. Clerk Green seconded the motion. Chair Burke asked if there were any questions or discussion. There were no questions and the vote was taken. The motion passed unanimously.

Clerk Butterfield continued with the third item. The Budget Committee is recommending that a workgroup be formed to look at the methodology of things that would be used going forward that would consider other factors from the perspective of having additional dollars in the Clerks' budgets. The workgroup would start working on processes and methodologies that will be brought to the Budget Committee and CCOC to use if the budgets get cut again in the future. Clerk Butterfield made a motion to approve the Budget Committee recommendation to form a workgroup to work on this and she would have the authority to pick the workgroup. The motion was seconded by Clerk Frank. Chair Burke asked if there were any discussion or questions. He encouraged names of staff to be given to Clerk Butterfield to work on the workgroup. Hearing no questions, Chair Burke called for a vote. The vote was taken and the motion passed unanimously. This concluded the Budget Committee report. Chair Burke thanked Clerk Butterfield and the committee.

PIE COMMITTEE

Clerk Green was asked to give the PIE Committee report. She noted that there were two items of business that she needs approval from the Council today. First as an update, on August 14th the PIE Committee met via conference call to provide updates on the work that the hard-working PAC Framework workgroup had been doing over the last year as it related to the closing inventory of the programs. Clerk Green continued that services, activities and tasks are all encompassed within the Framework. The Framework is a description of services and activities driven by legal authority

that Clerks provide and an identification of the customers that Clerks provide these services. The Framework was updated with the changes from the 2017 Legislative session. This will be done every year to have a current and accurate document. Sub workgroups were created with staff from offices around the State to start working on specific deliverables that will further enhance the Framework and that are service-based. These focuses include automation, query component, identification of revenue streams for services, re-evaluating and enhancing performance measures, and identifying service cost based on the Clerk's duties. The PIE Committee unanimously approved the updated Framework and she is asking the Council's approval in a form of a motion. Clerk Newton seconded the motion. Chair Burke asked if there were any questions. Hearing none, the motion was voted on. The motion passed unanimously.

Clerk Green continued with the second item as it related to state collection initiatives. A few years ago, a collections summit was held for the Clerks by the CCOC and good information was shared and subsequently implemented in several offices. Now several offices have devoted in-house collection programs. Clerk Green noted that it is hard these days to keep these intact. The goal even in the funding environment is to strive to leverage all the tools that are provided to Clerks. To do that, the committee felt that education through a Collection conference is the right way to go. Currently, topics are being defined and she would like to seek approval from the Executive Council to move forward with scheduling a conference for all Clerks' offices in late fall. Clerk Green put that in the form of a motion. Chair Burke asked how long would the conference be. Clerk Green stated a day and a half to two-day conference. Chair Burke asked if it was possible to have the conference in different regions of the State instead of a conference at one site so Clerks would be closer or is there synergy for all the Clerks to be in one room. Clerk Green said that there was synergy with getting all the counties together to hear all the different stories about what works and what the challenges are, how to overcome them and share innovative ideas and suggestions. She is open to whatever will work best for the majority. Her recommendation for this summit is to keep it centralized and focus. And then for the next one, look at a regional workshop to enhance what is already put into place. Chair Burke asked if adding a day to the Winter Conference would be an option. Clerk Green noted that they would look into that. Clerk Frank wanted to look at the summit as what gives the Clerks the most value. The Clerks get more money out of creating efficiencies. If the Clerks are saving a dollar with efficiencies, then they are keeping that dollar. If they save a dollar through collections, they do not keep that dollar. Her suggestion is an efficiency summit. Clerk Green said that she would be glad to take this suggestion as an action item for the PIE Committee to look at having a different summit that looks at efficiencies. Chair Burke agreed that this was a good idea.

Clerk Green made a motion to add a collection summit. Clerk Crawford seconded the motion. Chair Burke asked if there were any questions for Clerk Green. Hearing none, the vote was taken. The motion passed unanimously. This concluded her report and Chair Burke thanked her and her committee for their work.

Next, Chair Burke asked Clerk Timmann to speak about the revenue distribution. She summarized the previous meeting by noting, the FCCC is statutorily assigned to develop and circulate the distribution charts. They revised the chart after the legal analysis that was provided through the CCOC. Today the FCCC voted to delay the implementation of that revised distribution chart until October 1. That will give additional time to meet with the Legislature and the

Governor's office. Chair Burke asked if anyone had any questions. There were none. He thanked Clerk Timmann for being on the call.

The next item on the agenda is the Outputs Report which was being amended. Chair Burke asked Denise Bell to speak of the changes. She noted that the original plan for the sub-case types included Circuit Criminal being broken out into sub-case levels. But some vendor groups were having trouble doing that by the initial timeline. The rules for Circuit Criminal were minimized by reporting all felonies in one category. She noted that the group is poised to break those all out by sub-case as well. The first section of the Outputs Report has been expanded to have capital murder, non-capital murder, sexual offenses and other felony cases. Clerk Butterfield moved to approve the amending of the Outputs Report. Clerk Newton seconded the motion. Chair Burke asked if there were any questions. There were none and the vote was taken. The motion passed unanimously. Chair Burke thanked Denise Bell and Gary Cooney for their work and Clerk Kelly for allowing them to work on these state initiatives.

OTHER BUSINESS

Chair Burke asked Judge Ficarrota to give an update on the TCBC. Chair Burke congratulated the Judge for being named Jurist of the Year by American Board of Trial Advocates. Judge Ficarrota thanked Chair Burke. He began by stating that the TCBC is in a similar situation as the Clerks and are gearing up for a tough Legislative session. The TCBC is dealing with a lot of issues like the Clerks. They continue to work with and strengthen their working relationship with the Clerks' offices. Chair Burke thanked him and asked if there were any questions. Clerk Green asked him with the upcoming Collections Summit, she would like to know if he had any thoughts that he might have about items to consider. He stated that he is a big believer in the Judicial and Clerks working together on the issues. He felt that the summit was a great idea and noted that if he could do anything from his end on collections, let him know and he will take it to the Court. Chair Burke thanked him for his work.

Chair Burke asked if there was any other business. Hearing none the meeting was adjourned.