



REVENUE ENHANCEMENT/NEW FUNDING MODEL
COMMITTEE MEETING
January 24, 2018

Ken Burke, CPA
PINELLAS COUNTY
EXECUTIVE COUNCIL CHAIR
Stacy Butterfield, CPA
POLK COUNTY
VICE-CHAIR
Tara S. Green
CLAY COUNTY
SECRETARY/TREASURER



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RON FICARROTTA
13TH JUDICIAL CIRCUIT JUDGE
SUPREME COURT APPOINTEE

KYLE HUDSON
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PAULA S. O'NEIL, PH.D.
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REVENUE ENHANCEMENT/NEW FUNDING MODEL COMMITTEE MEETING

January 24, 2018

Meeting: 1:00 PM

Florida Hotel & Conference Center, Legacy South 3
1500 Sand Lake Road, Orlando, FL 32809

- 1) Call to Order and Introduction Hon. Tiffany Moore Russell, Esq.
- 2) Discussion of September 20th and October 2nd Meeting John Dew
- 3) Update and Discussion on Revenue Enhancement Recommendations for 2018 Legislature
 - a) Letter and Document sent out by CCOC Chair
 - b) Communication on issues with other tools
- 4) Short and long-term Funding Outlook
 - a) Current County Fiscal Year Funding Shortfall
 - b) Projected Revenues by Revenue Estimating Conference through CFY 22/23
- 5) Presentation and Discussion on Funding Models
 - a) State Budget Process
 - b) Property Appraiser and Tax Collector Budget Process
 - c) Other
- 6) Continue discussion (Brainstorm) of Ideas from September meeting to Help Stabilize Funding (Open discussion on suggestions from Committee members)
 - a) Develop workgroup of Clerk staff
- 7) Timeframe
 - a) 2018 Legislature meets in January
 - b) CCOC Budget Process - Budget Requests due June 2018
 - c) Other
- 8) Other Business Hon. Tiffany Moore Russell, Esq.

Committee Members: Tiffany Moore Russell, Esq., Chair (Orange); Angel Colonnese, Esq. (Manatee); Hunter Conrad, Esq. (Saint Johns); Jess Irby (Alachua); Paula O'Neil, Ph.D. (Pasco); Harvey Ruvin, Esq. (Miami-Dade)

Our Mission: As a governmental organization created by the Legislature, we evaluate Clerks' court-related budgetary needs, and recommend the fair and equitable allocation of resources needed to sustain court operations.



AGENDA ITEM 2

Date: January 24, 2018

Subject: Overview of Previous Meetings of the Revenue Enhancement/Funding Model Committee

Committee Action: Informational

September 20, 2017 Meeting: The Committee had its first meeting to review the previous history of the CCOC Revenue Enhancement Committee, which had not been active since 2014, as well as discuss the scope of the Committee.

The meeting took place in Orlando and members in person were Chair Tiffany Moore Russell; Angel Colonnese; Hunter Conrad; and Jess Irby. John Dew provided a history of the funding of the Clerks since 2004 and the previous recommendations coming from the Committee concerning the need for increased revenues. He also noted that by statute the CCOC is to recommend to the Legislature ways to increase revenues when the Clerks are not being adequately funded. CCOC Chair Burke also asked that the Committee, when it was reestablished, should not only look at making recommendations for funding but should further examine and recommend if there could be a better budget model than the current system.

The Committee concluded that unless otherwise directed by CCOC leadership there was not an expectation that they have a recommendation for the upcoming Legislative session for funding or a revised model due to the session starting only a few weeks away. However, they did want to have a meeting by the end of the calendar year to have CCOC staff go through a variety of budget models in addition to a continued discussion of methods to increase revenues to fund Clerks' offices.

October 2, 2017 Meeting: The Committee met via a phone conference all at 2:30 pm by the call of the Chair due a request from CCOC Chair Burke to provide recommendations to the CCOC Legislative Committee on options to increase funding. The request was made due to the need for immediate solutions to be provided to the Legislature concerning the fiscal impact on Clerks' revenues of Hurricane Irma. All Committee members were present by phone.

Agenda Item 2

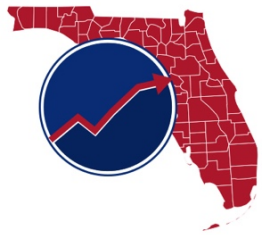
CCOC staff provided an overview of the “Potential Funding Options” report that was developed with the leadership of Committee Chair Russell and her staff along with Clerk’s staff from other counties.

A vote was taken and the report was approved to be sent to the CCOC Legislative Committee for their review. There was an expectation that the Legislative Committee would then send the report to the upcoming October 10th CCOC Executive Council for their review and then provided to the Legislative leadership.

Lead Staff: John Dew, CCOC Executive Director

Links to Material:

1. September 20, 2017. (Click on link below for packet.)
 - a. <http://www.flccoc.org/MeetingMaterials/170920PacketforMeeting.pdf>
2. October 2, 2017 Agenda. (Click on link below for packet.)
 - a. <http://www.flccoc.org/meetingmaterials.php?recordID=MT0408>



AGENDA ITEM 3

Date: January 24, 2018

Subject: Update and Discussion on Revenue Enhancement/Funding Model

Recommendation for 2018 Legislature

Committee Action: Informational

The Revenue Enhancement/Funding Model Committee approved a list of funding options on October 2, 2017 which was forwarded to the CCOC Legislative Committee. The Legislative Committee met on October 6th and took up the recommendations. They approved the list of options and forwarded them to the CCOC Executive Council which met on October 10th.

The Executive Council approved the report and asked CCOC Legislative Chair Carolyn Timmann to work with CCOC staff Jason Harrell to place the options in a report, assure all grammatical issues were resolved, and communicate with FCCC leadership to assure everyone was aware of the recommendations.

On behalf of CCOC Chair Burke, Executive Director John Dew delivered via email the report to Legislative leadership and the Governor on January 17, 2018. The report was provided to Senate President Negron; Speaker Corcoran; House Appropriations Chair Trujillo; Senate Appropriations Chair Bradley; and Governor Scott as well as staff of each.

Within the same time period, CCOC was asked to provide a fiscal impact on SB 1270 concerning removing the suspension of driver's licenses in certain cases among other revisions such as the use of community control. In the analysis on page 3, CCOC staff were able to provide some recommendations directly from page 4 from the "list of options" report to help individuals maintain their driver licenses. The release of the report proved to be timely concerning this issue. This was under the area of providing funding to Clerks for additional Compliance Programs.

Attachments:

1. Funding Continuity Action Plan submitted to Legislature
2. CCOC Staff Analysis of SB 1270

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January 11, 2018

The Honorable Richard Corcoran
Speaker of the Florida House
420 The Capitol
402 South Monroe Street
Tallahassee, FL 32399

Dear Speaker Corcoran,

Section 28.35 (2)(c), Florida Statutes, charges the Clerk of Court Operations Corporation (CCOC) with recommending adjustments to fines and fees to provide adequate funding of the Clerks of the Court of the State of Florida. In compliance with this statutory requirement, the CCOC Executive Council approved the following list of revenue options contained in this communication to address a serious concern of inadequate revenues to support statutory obligations. On behalf of the CCOC, it is our pleasure to submit to you this report for your consideration.

There is a significant gap between the projected revenue available and the needs of the Clerks' offices. Revenue is continuing to decline, while expenses outside the control of Clerks continue to increase. This year's shortfall between Clerks' needs and the available revenues is currently at least \$50 million. This number is expected to increase significantly due to the impacts of Hurricane Irma and other factors outside the control of Clerks. Unfortunately, I must also report that we do not anticipate that the revenues will be there as projected to support our current CFY 2017-18 statewide budget, resulting in an immediate current year budget emergency.

Clerks recognize and appreciate the Legislature's actions over the past several years to provide additional funding to offset some of the budget challenges. We respect the role of the Legislature in the appropriations process and we look forward to working together on a solution.

Accordingly, the CCOC urges the Legislature to address the broken model and provide the necessary funding to support the statutory duties of Florida's Clerks of Court. Please note that we are in no way requesting that all the items listed in this report be provided to Clerks. Rather, the following menu of options represents this body's efforts to assist the Legislature by identifying areas for consideration to provide funding to carry out the statutory responsibilities, while working towards a long-term solution.

We greatly appreciate your review and consideration of these legislative options. **The budget model is broken.** Clerks of the State of Florida stand ready to work with you and to respond with any additional information needed.

Respectfully,



Ken Burke, CPA
Pinellas County Clerk of the Circuit Court & Comptroller
Chair, Florida Clerks of Court Operations Corporation

Cc: Council Members
John Dew, CCOC Executive Director
JoAnne Leznoff, House Appropriations Staff Director



FUNDING CONTINUITY ACTION PLAN

LIST OF OPTIONS

JANUARY 2018



2560-102 BARRINGTON CIRCLE ✦ TALLAHASSEE, FLORIDA 32308 ✦ PHONE 850.386.2223 ✦ FAX 850.386.2224 ✦ WWW.FLCCOC.ORG

BUDGET BACKGROUND

The Clerks' current year (2017-18) approved revenue-limited budget is \$409.4 million. This approved budget represents a reduction of \$12.6 million from the CFY 2016-17 budget. In total, Clerks' budgets have been reduced by \$63 million over the last 5 years. Revenues are not expected to be sufficient to support the already-reduced approved \$409.4 million budget.

For context, the Constitutional amendment placing responsibility for Court and Clerk funding with the State went into effect with the fiscal year beginning 2004-05. This CFY 2017-18 budget now represents the lowest level of funding for Clerks under that model.

CLERKS' BROKEN BUDGET MODEL

Clerks rely heavily on cases such as traffic citations to fund their budgets. Thus, the current budget model depends on the traffic division to fund the criminal division. 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 Clerks' budgets down dramatically. For many services provided by the Clerk, there are no associated fees and the fees that are provided are not commensurate with the work activity in our offices. The misalignment of budget to workload expense is unsustainable and dangerous for the people Clerks serve.

As revenues decline, there are also many factors outside of the control of the Clerk that are increasing costs currently not considered under this broken budget model. These unfunded variables include:

- Increasing population (more customers to serve)
- Increases in health insurance costs
- Increases to FRS contributions
- Fiscal impact to Clerks from state policy decisions and changes
- Judicial and Administrative Orders (at both State and Local levels)
- Protecting data that could lead to identity theft

Per statute, the CCOC cannot approve budgets that exceed the revenue estimates provided by the Revenue Estimating Conference (REC). The approved budget **MUST** equal the REC projection under the existing funding model regardless of needs or costs. Current available revenues are far below what Clerks indicate is needed to sufficiently fund services provided by our offices. **The budget model is broken.**

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HURRICANE IRMA IMPACT

Unfortunately, like most of our state, Clerks' offices were impacted by Hurricane Irma. In addition to the reductions and shortfall detailed above, the Clerks' Trust Fund is expected to decline further during the year as a result of this massive storm. Below are the results of an initial impact study conducted by the CCOC.

- The CCOC's estimated fiscal impact suggests losses of between \$7-8.6 million in traffic alone for the September through November period, the major revenue source for the current funding model for Clerks.
- CCOC estimates loss of non-traffic related revenues such as reduced filing fees, services charges, and court costs, to the Trust Fund of approximately \$5.7 million for September alone.

This loss of revenue due to Hurricane Irma will further negatively impact Clerks' budgets.

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. For additional information or questions please contact the CCOC.

Redirect Ch. 2008-111 revenue to Clerks from State General Revenue

(Between \$55 and 57 million)

- The revenues collected by the Clerks per Ch. 2008-111, LOF may be redirected to the Clerks of Court Trust Fund and retained locally to offset costs of performing court-related functions.
- Ch. 2008-111 LOF comprises of 73 sections of statutes. These individual statutes can be compiled into four revenue sources: (1) s. 316.193, (2) s. 28.241(1) (d), (3) s. 318.18, F.S. and (4) all other

Amend s. 45.035 (3), F.S. to clarify that Clerks collect \$70 to cover their associated workload each time a sale is reset rather than conflicting interpretations on whether the fee is only allowed once on each case

(Indeterminate Positive)

- Interpretation of the application of the electronic sale fee on foreclosure sales is not well defined. Clarify legislation to confirm that Clerks may charge each time a sale is reset.

Provide Clerks funding for workload associated with domestic violence, repeat violence, dating violence, sexual violence, and stalking cases (\$200 per case– not to be taken away from funding for the DV shelters or FCADV)

(Between \$16 and \$18 million)

- Section 741.30(2) (a), F.S. states that, notwithstanding any other law, the clerk of the court may not assess a fee for filing a petition for protection against repeat violence, sexual violence, or dating violence. However, the clerk of the court may, each quarter, submit to the Office of the State Courts Administrator a certified request for reimbursement for petitions for protection issued by the court under this section at

the rate of \$40 per petition. The request for reimbursement shall be submitted in the form and manner prescribed by the Office of the State Courts Administrator. From this reimbursement, the clerk shall pay the law enforcement agency serving the injunction their requested; however, this fee may not exceed \$20.

- This option would provide authorizing a reimbursement for the Clerk of \$200 per case filed for Clerk. This service charge 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. **It should not reduce funds already allocated to other agencies or shelters within the state who perform related/ancillary duties.** This request is to be funded from State GR.

Circuit Criminal (Felony) Case Cost Reimbursement (CCOC assumes unit cost of \$360 per case)
(Between \$60 and \$67 million)

- State agencies do not pay a filing fee for cases they file or for any copies or other services Clerks perform for them in the course of court-related activities.
- This option provides for reimbursement from the state through an annual appropriation based on estimated filings for the year under budget or using an historical average of past filings. 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. This should include records on appeal. This would also provide transparency and accountability in agency budgets as these costs would be accordingly monitored and allocated.
- 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, circuit criminal collections would be remitted back to General Revenue.

8% Administrative Fee for collecting and remitting court fees on behalf of State GR and State agencies (excluding court TFs) to the State Department of Revenue
(Between \$15 and \$20 million)

- The Florida Department of Revenue (DOR) charges an 8% administrative fee for receiving and disbursing funds on behalf of other state agencies.
- This option provides that the State 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 GR and other state agencies or non-court trust fund recipients not related to the core court system. This would exclude charging an administrative fee on the State Courts TF, State Attorney TF and Public Defender TF.

Civil Indigency Case Cost Reimbursement
(Between \$8 and \$9 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.
- This option suggests the State reimburse Clerks for the lost filing fee revenue to cover adequate Clerk workload costs for services rendered.

Provide funding for additional Compliance Programs**(Indeterminate Positive)**

- Seek authorization and necessary funding for enhanced compliance programs within Clerk's offices to provide individuals with options to ensure successful completion of court ordered obligations with the goal of keeping Floridians working, driving and moving forward with their lives.
- An example of a compliance enforcement mechanism is the establishment of community service programs to assist individuals with meeting court ordered obligations in lieu of court costs and fines. This could include a strategic partnership with the Department of Economic Opportunity Workforce Programs. In addition, this mirrors recommendations by the CCOC Revenue Enhancement Committee in 2010 and suggestions made to the Legislature by the National Center for State Courts in the November 2012 "Study of the Effectiveness of Collections in the Florida Courts."
- Amend s. 28.35, F.S. to specify that the Clerks of Court are charged with the responsibility for collecting all court costs, fines and fees imposed by the courts as authorized in statutes including collection schedules, determinations of community service and other related compliance or collection activities. This would require a fee paid to the Clerks to reimburse for the cost of monitoring these activities. The CCOC will develop procedures and best practices in consultation with the Courts and the Clerks.
- Other compliance enforcement options are available for discussion should policymakers decide this should be a priority.

Provide funding for increased FRS employer contribution costs in conjunction with state agencies on an approved FTE basis**Provide funding for increases in employer contributions to health insurance at the percentage increase provided to state agencies on an approved FTE basis****(Indeterminate pending further study)**

- All state agencies, including those in the court system (judiciary, public defenders, and state attorneys), receive automatic budget authority increases for changes in FRS and health insurance costs. Unlike state agencies, Clerks must absorb these costs.
- State could fund Clerks' increases at a similar amount based on what state agencies receive. This would be allocated to Clerks on an approved FTE basis.

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CCOC BILL ANALYSIS

Bill Number: SB 1270

Subject: Penalties and Fees

Sponsor: Brandes

Committee Reference: Appropriations Subcommittee on Criminal and Civil Justice

Similar/Identical Bill: HB 1095, Plakon

Lead CCOC Staff: Jason Harrell, CCOC Budget and Communications Director

SB 1270 makes various changes to Florida Statutes relating to driver license (DL) suspensions and revocations. Among other things, the bill:

- Revises the indigency application to include the option for community service or payment plan
- Requires clerk staff to check publicly available information when reviewing indigency applications
- Makes changes to the collection agency solicitation process and length of contracts
- Revises the traffic citation to include language about payment plan and community service options
- Eliminates DL suspensions for non-payment of fees, fines, etc. for inability to pay
- Eliminates a DL suspension as a penalty for various misdemeanors

FISCAL SUMMARY

Clerks recognize the potential public policy benefits of the changes contained within this bill; however, this bill creates a fiscal impact for Clerks. This is due to the current budget funding model relying on individuals paying their court obligations and a portion of those funds being used for clerk operations.

The CCOC estimates a REVENUE impact range for this bill to Clerks of between \$27 million and \$55 million. This is based on a range of loss to current revenue collections as more individuals may fail to comply with their court obligations. (Appendix Chart 1)

The impact above also considers a loss of revenue due to an increase in individuals who enter payment plans and community service programs. From 2014-15 through 2016-17, there was a total of over \$18.9 million in assessments reduced statewide because of

community service - \$2.3 million in civil traffic alone. It is anticipated that this would increase further under this bill.

Overall, the sections of the bill (Sections 16 – 24) relating to DL revocation for specified misdemeanor non-driving offenses are not expected to have significant negative impacts to Clerks. While the impact of these sections is indeterminate, it is believed to be less than \$100,000 statewide (Appendix Chart 2).

There is also an indeterminate but potentially significant EXPENDITURE impact to Clerks due increased workload and the need for staff to monitor payment plans and community service programs and to comply with the requirements of this Bill.

DRIVER LICENSE SUSPENSION & COLLECTIONS

The law provides for the suspension of an individual's driver licenses for non-compliance with court obligations. This was established as an important tool for compliance efforts. This bill effectively removes this option from Clerks compliance toolbox for many instances and may severely impact collection efforts. Without the potential for license suspension, it is reasonable to assume that fewer individuals will choose to comply. This could significantly constrain clerks' ability to collect the fines, fees, and court cost that under current law funds their operations. Note, these changes impact collections to all stakeholders and judicial partners, as well as General Revenue.

Clerks have identified compliance efforts in their offices as a method to assist individuals in meeting their court obligations and to maintain their driver licenses. Clerks recognize the benefits of these programs, but are limited in this effort due to current budget reductions.

COMMUNITY SERVICE & PAYMENT PLANS

DL suspension is an important compliance tool, and Clerks recognize the public policy goal of keeping individuals working and driving. In October 2017, Clerks held a statewide Compliance Summit to discuss various programs and best practices from around the state to keep people working, driving, and help them move on with their lives.

A major component of compliance programs currently being used in Clerks offices is a focus on payment plans. If individuals are paying as agreed their license is not suspended. However, this requires dedicated staff to monitor these programs. Staff must vigilantly call and follow up with individuals on these plans to ensure compliance. Without sufficient staff to implement and monitor these payment plans, individuals are still at risk of being suspended.

Community Service programs are also currently utilized in many offices. Again, there are costs and workload associated with implementing and monitoring these programs. The results of these programs so far have been mixed. A large county Clerk's Office conducted a study which showed that for FY 2015, the defendant failed in 82 percent of cases to

complete community service time (Appendix Chart 3). It takes effort and resources for these programs to be successful.

Clerks' budgets have been reduced \$63 million over the last five years. Under the Clerks' current broken budget model, in many cases the resources are not available to dedicate appropriate staff and resources to these programs. Clerks recognize the benefits of these initiatives; however, if implemented without significant additional resources to properly develop and monitor these programs, there may be a negative fiscal impact to Clerks. There may also be an unintended consequence of MORE individuals having their licenses suspended as individuals are encouraged to enter these plans but without sufficient monitoring end up in non-compliance and referred for suspension.

Payment plans and community service are likely effective initiatives to increase compliance and prevent suspensions but it would require Clerks to receive funding or a fee for administering these programs.

Suggestions for helping individuals maintain driver licenses **(Indeterminate Positive Fiscal Impact)**

The following recommendation is included in the CCOC Funding Continuity Action Plan submitted to the Legislature under Section 28.35 (2)(c), Florida Statutes:

- Seek authorization and necessary funding for enhanced compliance programs within Clerk's offices to provide individuals with options to ensure successful completion of court ordered obligations with the goal of keeping Floridians working, driving, and moving forward with their lives.
- An example of a compliance enforcement mechanism is the establishment of community service programs to assist individuals with meeting court ordered obligations in lieu of court costs and fines. This could include a strategic partnership with the Department of Economic Opportunity Workforce Programs. In addition, this mirrors recommendations by the CCOC Revenue Enhancement Committee in 2010 and suggestions made to the Legislature by the National Center for State Courts in the November 2012 "Study of the Effectiveness of Collections in the Florida Courts."
- Amend s. 28.35, F.S. to specify that the Clerks of Court are charged with the responsibility for collecting all court costs, fines and fees imposed by the courts as authorized in statutes including collection schedules, determinations of community service and other related compliance or collection activities. This would require a fee paid to the Clerks to reimburse for the cost of monitoring these activities. The CCOC will develop procedures and best practices in consultation with the Courts and the Clerks.
- Other compliance enforcement options are available for discussion should policymakers decide this should be a priority.

IMPACT ON EXPENDITURES

There may also be a workload impact for Clerks due to monitoring of community service and higher volume of traffic court hearings. More offenders may seek court dates to have monetary penalties converted to community service. This could result in more court hearings and more work for clerks with no additional budget. This will likely require additional Full-Time Equivalent positions (FTEs) in many Clerks Offices.

The bill also adds new language in Section 5 which states that an individual that meets the criteria for non-suspension must provide the Clerks with documentation every 90 days. This will likely require additional staff and resources for many Clerks to monitor individuals who have qualified and then must submit this documentation or begin paying, or be notified for suspension. This policy could be a resource issue that under current conditions has the potential to create major administrative challenges for Clerks.

SECTION BY SECTION ANALYSIS

Section 1: Requires a new section to the Clerks' indigence form, where the person applying under s. 27.52, F.S., must list all elections or refusals to fulfill court ordered financial obligations by doing community service and provides new duties to Clerk in determining indigency.

This will require that the CCOC revise the indigent forms to include this language and coordinate with the Court for approval. The revision and approval of the new form will have an impact on workload for CCOC staff, but is expected to be absorbed within existing resources.

This section also includes new language that adds that the duty of the Clerk in determining indigency now includes the ability to compare to readily ascertainable or publicly available information. Previously, the Clerks role in indigency determination was only ministerial. This adds an additional duty for Clerks. The bill also states that a Clerk may refer any application that they believe to be fraudulent to the court for review.

Section 2: States that a payment plan monthly payment amount may not exceed 2% of the annual net income divided by 12 or \$25 per month (whichever is greater); and requires contracts with collection firms can only last three (3) years, with a max of two (2) 1-yr extensions. Must solicit competitive bids.

The \$25 language will ensure a minimum amount is being paid towards outstanding obligations. Feedback from Clerks has consistently indicated that the longer timeframe for collection, the less likely for full payment. If this decreases the length of payment plans it is possible Clerks may benefit and increase the chance of compliance.

It is noted that without a current financial affidavit to know what 2% of the annual income is, it is not clear how Clerks will determine the amount of the payment plan. The longer the payment plan goes, the less likely payment is fulfilled.

This requirement for competitive bids for contracts could have a workload impact for Clerks offices to go through the bid process more often. The workload impact will vary by county and therefore is indeterminate; however, a large county Clerk indicated that this requirement will negatively impact collections. They stated that when they go through the bid process they must put their collections on hold until the process is complete and those accounts can be reassigned to the new vendor. This process can be cumbersome, and they believe will grind their collection process to a halt during this time. Also, the competitive bid process could be more burdensome and less productive for the smallest counties since their volume of business would be of less interest to private collection vendors.

Section 3: States that the Clerk may refer a fraudulent application to the court. This is positive language for Clerks and codifies current practice in law.

Section 4: States that the Uniform Traffic Citation (UTC) must be revised to include language regarding payment plans and community service. Clerks will not incur any cost relating to revision of the UTC, so that will have no fiscal impact; however, adding this language to the UTC will likely reduce revenue to Clerks with the potential surge of fines being satisfied by community service and payment plans. These programs must also be monitored which requires additional resources and staff, as previously mentioned.

An additional concern is that the citation would tell people that they can perform community service if they can demonstrate a financial hardship, but it is not clear in what form – court, affidavit, etc. The indigent application review process also increases Clerk workload, as can the community service monitoring and compliance reviews.

In total, this will have an indeterminate, but potentially significant, negative impact on clerks' revenue. (Impacts included in range estimate found in **Appendix Chart 1**). Please note the previous comments and suggestions regarding payment plans and community service programs.

Section 5: Revises s. 318.15, F.S., to provide that a DL may not be suspended solely for failure to pay IF the person demonstrates that he/she is unable to pay. According to the bill, unable to pay means the person will provide documentation to the clerk showing that:

- The person receives reemployment assistance or unemployment compensation under Ch. 443; person is disabled and incapable of self-support or receives Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) benefits;
- person receives temporary cash assistance under Ch. 414;
- person is making payments under bankruptcy plan under Ch. 11, 12 or 13 of the US Bankruptcy Code;
- person is on a payment plan(s) that exceed a reasonable payment plan; or person is determined indigent by filing an application under s. 27.52, F.S. or s. 57.082, F.S.

Sections 5 and 12 (which includes similar language) will likely have a significant negative fiscal impact. This removes Clerks' biggest tool to collect, and due to the current funding model for Clerks, will cause revenues to suffer tremendously. A reasonable assumption is that if there is no impact to the individual's ability to drive for non-compliance, then there is no incentive to pay their fines. If there is no down side to not paying fines, individuals will simply not pay. Word will spread quickly that not paying has no negative impact.

There is an expenditure impact as well. This language will likely lead to an increase in the filing of applications by individuals claiming indigent status. These cases are very work-intensive and costly for Clerks. Clerks are ministerial and have no connection with most of the programs or items provided as qualifications for indigence in the bill. Since Clerks are ministerial in this process, it is unclear how Clerks would know whether the documentation submitted qualifies under the state and federal laws listed. The bill is unclear on how parameters will be established as to how old "documentation" is. An individual could have collected reemployment assistance two years prior, but now has a job; whether that is acceptable to disallow their DL from being suspended is unclear.

A new section, s. 318.15(5), F.S., is added that states a defendant must provide the Clerk with updated documentation every 90 days and if that doesn't occur, then the Clerk starts the 30-day process for DL suspension. This requirement is more workload for Clerks and new "time standards" that need to get added to the Clerk's case management systems to track the timing.

Section 6: Revises s. 318.18(8), F.S., to provide that the court must inquire at the time of ordering a civil penalty whether a person can pay the fine. This will have a significant negative impact on Clerks by increasing payment plans and applications for indigence status. If the court is required to ask, "Can you pay?" the answer will most likely be, "No." This will require the Clerk to expend significant resources in making these determinations. It will also result in an increase of payment plans that push collections farther into the future and make them less likely to be fulfilled. (These impacts are captured in the scenario impacts in **Appendix Chart 1**)

Section 7: Revises s. 322.055, F.S., persons who commit drug offenses and get their DL suspended/revoked. Revocation period is now six (6) months, not 1 year. No fiscal impact.

Section 8: Revises s. 322.056, F.S., persons found guilty of drug offenses. Removes alcohol and tobacco offenses. Revocation period six (6) months instead of a year. No fiscal impact.

Section 9: Repeals s. 322.057, F.S., alcohol offenses and revocation/suspension. Minimal indeterminate fiscal impact.

Section 10: Revises s. 322.09, F.S., application of minors, responsibility for negligence, to delete subparagraph (3). Minimal indeterminate fiscal impact.

Section 11: Repeals s. 322.091, F.S., attendance requirements for minors. Minimal indeterminate fiscal impact.

Section 12: Revises s. 322.245, F.S., suspension of DLs, to add subparagraph (6), same as Section 5 above, except to also state that the section does not apply to failure to pay child support in non-IV cases.

Significant negative fiscal impact. See comments and fiscal impact estimates relating to this language in Section 5.

Section 13: Repeals s. 322.251(7), F.S., suspension relating to Failure to Appear in Passing Worthless Bank Checks cases. Minimal indeterminate fiscal impact.

Section 14: Adds subparagraph (8) to s. 322.271, F.S., authority to modify revocation, suspension, etc., to allow the Department of Highway Safety & Motor Vehicles (DHSMV) to reinstate, and the restricted DL will be valid until the 7-yr suspension period ends or the debt is paid. Minimal indeterminate fiscal impact.

Section 15: Revises s. 322.34, F.S., Driving While License Suspended or Revoked, to delete attendance requirements for minors. Minimal indeterminate fiscal impact.

Section 16: Revises s. 562.11, F.S., alcoholic beverages, deletes DL suspension. Minimal indeterminate fiscal impact.

Section 17: Repeals s. 562.111(3), F.S. suspension requirement for possession of alcohol by persons under 21. Minimal indeterminate fiscal impact.

Section 18: Revises s. 569.11, F.S., tobacco offenses, to delete suspension requirement. Deletes language regarding 3rd or subsequent violation. Subparagraph (5) changes the court “must” to “may” regarding issuance/withholding of DL for 30 days. Minimal indeterminate fiscal impact.

Section 19: Revises s. 790.22, F.S., BB guns, etc. by minors, removes license suspension requirement. Minimal indeterminate fiscal impact.

Section 20: Revises s. 806.13, F.S., criminal mischief, to remove DL suspension requirement. Minimal indeterminate fiscal impact.

Section 21: Repeals s. 812.0155, F.S., suspension of DL following an adjudication of guilt for theft. Minimal indeterminate fiscal impact.

Section 22: Repeals s. 832.09, F.S., suspension of DL after warrant or capias is issued in Passing Worthless Bank Checks case. Minimal indeterminate fiscal impact.

Section 23: Added s. 847.0141(3)(a), F.S. to remove DL suspension requirement for sexting violations. Minimal fiscal impact.

Section 24: Revises s. 877.112, F.S. nicotine products and dispensers, to remove DL suspension requirement. Minimal indeterminate fiscal impact.

Section 25: Revises s. 938.30, F.S., to note that the judge may convert financial obligations to community service hours after examining a person under oath and determining inability to pay OR by reliance on info provided under s. 27.52(1)(a)6, F.S.

Potentially significant negative impact. See comments and impact estimates for other community services language. (Fiscal impact estimates captured in **Appendix Chart 1**)

Section 26: Revises s. 1003.27, F.S., regarding school attendance, to remove DL suspension. Minimal indeterminate fiscal impact.

Section 27: Revises s. 318.14(10)(a), F.S., to remove reference to repealed s. 322.091, F.S.

Section 28: Revises s. 322.05, F.S., same as Section 26 above.

Section 29: Revises s. 322.27, F.S., to renumber.

Section 30: Revises s. 1003.01(9), F.S., same as #26 above.

Section 31: States that the effective date for Section 4 is when current UTC inventory is depleted.

Section 32: States October 1, 2018 as effective date of the bill.

APPENDIX

This fiscal estimate chart is based on feedback from Clerks and CCOC data. This considers total impact on revenues due to increases to community service, payment plans, indigence applications, and prohibiting suspension of DL solely for inability to pay.

Chart 1: Fiscal Impact Scenarios

CFY 2016-2017	Total Collected	*Percentage to Clerks		**Bill Impact -20%	**Bill Impact -30%	**Bill Impact -40%
Criminal Traffic	\$ 63,750,014	50%	\$ 31,875,007	\$ 6,375,001	\$ 9,562,502	\$12,750,003
Civil Traffic	\$ 350,379,057	30%	\$ 105,113,717	\$21,022,743	\$31,534,115	\$42,045,487
TOTAL	\$ 414,129,071		\$ 136,988,724	\$ 27,397,744	\$ 41,096,617	\$ 54,795,490
Source: CCOC Performance Report						
* Percentage estimated on collected fees and fines that go to the Clerks of Court Trust Fund						
** Bill Impact percentages are estimated						

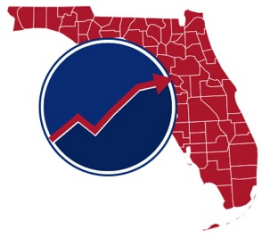
Chart 2: Estimated Fiscal Impact for Sections 16-24; Prohibiting DL Suspension for Certain Non-Driving Offenses

CFY 2015-2016	Total Collected	*Percentage to Clerks		**Bill Impact -10%	**Bill Impact -15%	**Bill Impact -20%	**Bill Impact -30%
Delinquency	\$ 1,043,109	1%	\$ 10,431	\$ 1,043	\$ 1,565	\$ 2,086	\$ 3,129
		2%	\$ 20,862	\$ 2,086	\$ 3,129	\$ 4,172	\$ 6,259
		3%	\$ 31,293	\$ 3,129	\$ 4,694	\$ 6,259	\$ 9,388
Source: CCOC Performance Report							
* Percentage estimated on collected fees and fines that go to the Clerks of Court Trust Fund							
** Bill Impact percentages are estimated							

Court Division	Worthless Check Cases	Court Costs per Case	Total Assessed	*Percentage Collected by Clerks	**Bill Impact -10%	**Bill Impact -15%	**Bill Impact -20%	**Bill Impact -30%
Circuit	736	\$ 200	\$ 147,200	12%	\$ 17,664	\$ 1,766	\$ 2,650	\$ 3,533
County	2,954	\$ 50	\$ 147,700	35%	\$ 51,695	\$ 5,170	\$ 7,754	\$ 10,339
TOTAL	3,690		\$ 294,900		\$ 69,359	\$ 6,936	\$ 10,404	\$ 13,872
Source: Summary Reporting System report for January - December 2015								
* Percentage estimated on collected fees and fines that go to the Clerks of Court Trust Fund								
** Bill Impact percentages are estimated								

Chart 3: Community Service Study

CY 2015 Defendant Ordered to Complete Community Service -Each Court Type												
								Other (paid, paying monetarily or still have more time to complete c/s)				
COURT TYPE	# of defendants ordered	Average Amount Assessed	Average time frame (in days)	Success	%	Failed	%	Paid in full	%	partial c/s & partial payment	%	still have time to complete c/s
MM	882	\$449.77	365	67	8%	721	82%	64	7%	26	3%	4
												<1%



AGENDA ITEM 4

Date: January 24, 2018

Subject: Update on Revenues for CFY 17/18

Committee Action: Informational

Item 4a: The revenues collected by Clerks from the months of September 2017 through August 2018 are used to fund the Clerk's court-related budgets for CFY 17/18. CCOC has received reports from Clerks for the revenues they have collected from September through November. Based on the revenues collected for that three-month period, compared to what was projected, revenues are down by approximately \$8.1 million. This is largely due to the impact of Hurricane Irma.

Item 4b: The Article V Revenue Estimating Conference (REC) met on January 11, 2018, in Tallahassee. The Revenue Estimating Conference consists of representatives from the House, Senate, Governor's Office, and Office of Economic and Demographic Research (EDR). State entities that are impacted by the conference participate but do not have a vote on final numbers. Staff member Jason Harrell from the CCOC represented the Clerks at the Conference. The CCOC submitted a revenue estimate that was approximately 9.7 million below the July forecast, mainly due to impacts from Hurricane Irma and overall negative trends in recurring funds. CCOC's estimates were based on the Clerks' reprojections and CCOC data.

CCOC TF: \$361.6 M
10% Fines: \$18.3 M
Total: \$379.9 M
Unexpended: \$8.1 M
Total: \$388 M

The Governor's Office and EDR were much more optimistic in their estimates, suggesting that the impacts of the hurricane were mainly in one month and would be made up in the rest of the months during the year. EDR's forecast would have shown a net increase in our revenues for the fiscal year. CCOC did put on record that the hurricane did have a significant impact on revenues and that the overall trend for our Trust Fund is still negative, in our view. After discussion, the Conference adopted the Governor's Office estimates for the Trust Fund. Below are the net results when converted to CFY:

July: \$397.7M
Jan.: \$398.2M

UP 500K up from July.

However, it is important to keep in mind that the unexpended revenues coming forth to the Trust Fund from CFY 16/17 increased from \$4M to \$8.1M.

If you pull out the unexpended revenues from CFY 16/17 and look at only the current and projected recurring revenues you would find that there is a trend showing less revenues coming in than as projected in July 2017 compared to January 2018.

July: \$393.7M
Jan: \$ 390.1M

DOWN 3.6 million from July

Recurring revenue to recurring revenue is still trending downward. The extra \$4 million in carry forward from settle-up covered the estimated decline adopted by the Conference and then some.

The net result is our approved number that was used to build our approved budget of \$397.7 M is now \$398.2 M – essentially flat. However, Clerks and CCOC still believe that there is an impact to revenues from the hurricane. Through November, CCOC shows that we are approximately \$8.1 million off our revenue goal. We will continue to closely monitor revenues as we get actuals in, and provide that information to policymakers. At this time, there are no changes to the CFY 2017-18 budget. We will keep you informed of any changes.

Attachment: CCOC November 2017 Monthly Revenue Report

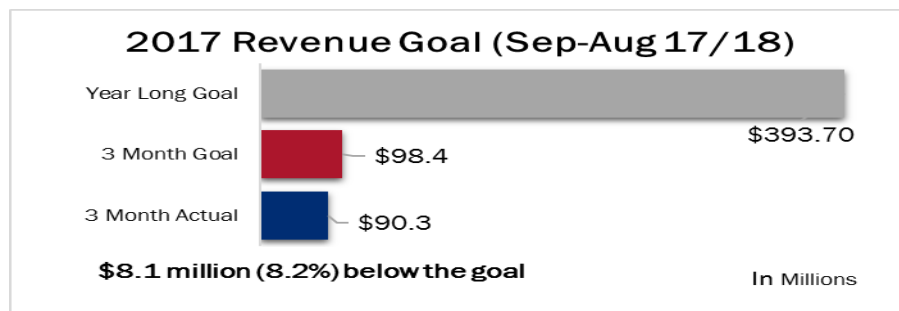


FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

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MONTHLY REVENUE REPORT NOVEMBER 2017

The July Article V Revenue Estimating Conference projected for CFY 2017-18 a total statewide of **\$397.7 million** revenue, (\$393.7 million revenue; \$4 million carryforward). To meet this Clerks need to average approximately **\$32.8 million** per month in revenues statewide. November 2017 is the third month of the twelve months used for the CFY 2017-18 budget revenue.



- Total revenues reported for November 2017 are **\$30,969,930.94**.
 - This is approximately **\$ 1.9 million, or 5.7%**, below the Clerks' monthly average goal.
- Through the first three months, revenues are expected to be approximately **\$98.4 million**. Though three months, actual revenues are **\$90.3 million**. Revenues are **\$8.1 million** or 8.2% below the three-month goal.

Compared to October 2017

- Revenues were down **\$1.2 million, or 3.7 %**, over the month from October 2017.
- The greatest change over the month was found in the category of the Filing Fees.

Compared to October 2016

- Revenues were up **\$2.9 million, or 10.4 %**, over the year from October 2016.
- When new revenues from SB 2506 and the redirected 10% fines are excluded, revenues were essentially flat - only up **approximately \$500,000** over the year from October 2016.

After rebounding slightly in October, Revenues decreased again in November. Revenues have not yet met the goal for any month thus far in the CFY. Through three months of the CFY, revenues are **\$8.1 below** expectations. Revenues will need to be above our monthly goal (\$32.8 million) by nearly \$1 million per month for the rest of the CFY to meet the \$393.7 million goal.

EC Revenue Category Trend SFY 2010 - SFY 2018

SFY 2009-10 Collections by Category

Category	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09	Dec-09	Jan-10	Feb-10	Mar-10	Apr-10	May-10	Jun-10	YTD Total
Fines	\$ 8,076,363.78	\$ 7,676,832.02	\$ 8,059,604.69	\$ 7,909,638.71	\$ 6,718,314.19	\$ 7,414,863.45	\$ 7,189,498.80	\$ 9,129,736.34	\$ 9,497,148.88	\$ 7,969,418.04	\$ 7,451,591.12	\$ 7,178,979.89	\$ 94,271,989.91
Forfeitures	\$ 1,363,117.36	\$ 656,205.25	\$ 1,402,295.39	\$ 745,885.78	\$ 640,473.96	\$ 887,368.66	\$ 648,423.88	\$ 529,673.91	\$ 966,893.97	\$ 1,404,709.42	\$ 854,348.81	\$ 1,844,121.59	\$ 11,943,517.98
Filing Fees	\$ 17,010,432.45	\$ 15,458,955.04	\$ 15,903,316.95	\$ 16,116,845.39	\$ 12,729,361.94	\$ 16,104,600.08	\$ 13,235,274.09	\$ 14,750,178.31	\$ 15,513,797.50	\$ 12,732,441.18	\$ 13,492,277.80	\$ 13,492,277.80	\$ 177,035,541.49
Service Charges	\$ 6,422,681.11	\$ 6,138,807.07	\$ 7,803,362.50	\$ 7,079,308.32	\$ 6,390,361.15	\$ 6,391,905.26	\$ 7,078,426.88	\$ 7,937,494.24	\$ 8,795,525.10	\$ 7,918,842.57	\$ 7,385,923.97	\$ 7,370,772.65	\$ 86,713,410.82
Interest Earned	\$ 26,211.03	\$ 54,283.69	\$ 17,033.02	\$ 45,668.24	\$ 109,922.28	\$ 85,127.50	\$ 134,953.35	\$ 184,103.17	\$ 72,951.77	\$ 106,892.51	\$ 150,012.81	\$ 459,405.30	\$ 1,446,564.67
Court Costs	\$ 8,393,746.46	\$ 8,040,676.17	\$ 7,968,748.74	\$ 8,199,460.58	\$ 7,103,985.00	\$ 7,706,145.88	\$ 7,773,611.98	\$ 9,817,062.70	\$ 10,048,922.00	\$ 8,453,184.30	\$ 7,697,531.34	\$ 7,973,566.13	\$ 99,176,641.28
Total	\$ 41,292,552.19	\$ 38,025,759.24	\$ 41,154,361.29	\$ 40,096,807.02	\$ 33,692,418.52	\$ 38,590,010.83	\$ 36,060,188.98	\$ 42,348,248.67	\$ 44,895,239.22	\$ 39,884,227.90	\$ 36,228,728.93	\$ 38,319,123.36	\$ 470,587,666.15

SFY 2010-11 Collections by Category

Category	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11	Mar-11	Apr-11	May-11	Jun-11	YTD Total
Fines	\$ 7,264,210.76	\$ 7,347,380.03	\$ 7,597,108.90	\$ 7,222,814.35	\$ 7,113,664.64	\$ 6,902,424.59	\$ 7,303,065.96	\$ 8,413,542.30	\$ 9,018,565.50	\$ 7,301,214.64	\$ 7,538,617.07	\$ 7,197,974.31	\$ 90,220,583.05
Forfeitures	\$ 671,957.68	\$ 570,830.22	\$ 1,744,290.36	\$ 674,892.17	\$ 492,770.66	\$ 865,217.43	\$ 1,068,446.79	\$ 785,537.87	\$ 950,242.00	\$ 362,731.20	\$ 946,879.18	\$ 1,166,506.63	\$ 11,166,506.63
Filing Fees	\$ 13,949,991.51	\$ 14,681,294.49	\$ 14,323,529.86	\$ 13,045,602.31	\$ 11,547,503.21	\$ 11,482,621.22	\$ 11,661,117.89	\$ 11,100,735.15	\$ 12,799,479.13	\$ 10,685,110.30	\$ 11,185,002.72	\$ 12,259,795.92	\$ 148,721,783.71
Service Charges	\$ 7,100,376.89	\$ 8,980,225.71	\$ 7,516,032.28	\$ 6,380,233.37	\$ 5,652,671.23	\$ 5,337,335.20	\$ 6,139,736.18	\$ 6,623,593.73	\$ 6,903,597.83	\$ 6,203,810.38	\$ 6,202,306.38	\$ 6,349,884.22	\$ 79,389,803.40
Interest Earned	\$ 89,135.85	\$ 87,793.54	\$ 91,457.27	\$ 71,241.46	\$ 71,675.61	\$ 151,350.91	\$ 195,002.95	\$ 63,884.56	\$ 85,231.76	\$ 78,657.55	\$ 63,661.86	\$ 65,889.98	\$ 1,114,983.30
Court Costs	\$ 7,920,005.39	\$ 7,927,358.04	\$ 7,825,296.55	\$ 7,770,166.92	\$ 7,436,949.02	\$ 7,325,683.45	\$ 7,704,291.89	\$ 9,287,704.64	\$ 9,264,724.85	\$ 7,665,640.42	\$ 7,743,235.27	\$ 7,938,216.42	\$ 95,809,272.86
Total	\$ 36,995,678.08	\$ 39,594,882.03	\$ 39,097,715.22	\$ 35,164,950.58	\$ 32,315,234.37	\$ 32,064,632.80	\$ 34,071,661.66	\$ 36,274,998.25	\$ 40,104,310.14	\$ 32,884,675.29	\$ 33,095,554.50	\$ 34,758,640.03	\$ 426,422,932.94

SFY 2011-12 Collections by Category

Category	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	YTD Total
Fines	\$ 6,510,409.38	\$ 7,336,560.17	\$ 7,261,710.54	\$ 6,825,176.53	\$ 6,402,698.30	\$ 6,461,691.37	\$ 6,799,013.56	\$ 8,462,461.52	\$ 8,119,553.97	\$ 6,984,322.09	\$ 6,950,069.15	\$ 6,482,029.28	\$ 84,595,695.86
Forfeitures	\$ 640,723.86	\$ 1,866,735.63	\$ 2,051,334.45	\$ 1,011,722.92	\$ 804,734.37	\$ 895,682.17	\$ 747,922.60	\$ 453,295.24	\$ 594,020.70	\$ 774,741.92	\$ 634,970.31	\$ 1,724.11	\$ 10,477,608.28
Filing Fees	\$ 10,878,042.06	\$ 12,765,668.50	\$ 12,069,817.37	\$ 11,752,644.00	\$ 11,555,924.52	\$ 12,672,037.72	\$ 12,307,785.92	\$ 12,464,443.76	\$ 12,643,646.12	\$ 12,060,579.13	\$ 12,159,377.43	\$ 12,060,860.84	\$ 145,390,827.37
Service Charges	\$ 6,668,792.30	\$ 6,367,842.54	\$ 6,649,657.91	\$ 6,093,949.32	\$ 5,969,895.32	\$ 5,536,257.06	\$ 6,891,161.21	\$ 7,622,231.73	\$ 7,239,252.31	\$ 6,969,152.63	\$ 7,296,880.08	\$ 7,051,169.59	\$ 80,356,242.00
Interest Earned	\$ 62,580.02	\$ 55,889.63	\$ 135,361.45	\$ 61,959.09	\$ 50,396.14	\$ 33,177.72	\$ 77,691.18	\$ 37,750.13	\$ 67,350.07	\$ 38,217.06	\$ 40,384.56	\$ 50,512.07	\$ 737,409.12
Court Costs	\$ 7,139,830.74	\$ 7,804,096.04	\$ 7,621,898.45	\$ 7,369,059.29	\$ 7,003,962.86	\$ 6,969,612.41	\$ 7,415,191.22	\$ 9,743,882.15	\$ 8,970,488.69	\$ 7,931,656.67	\$ 7,835,529.82	\$ 7,581,539.82	\$ 93,386,748.16
Total	\$ 31,900,378.36	\$ 36,196,792.51	\$ 35,789,780.17	\$ 33,114,511.15	\$ 31,787,611.51	\$ 32,568,598.45	\$ 34,238,765.69	\$ 38,810,064.53	\$ 37,634,311.86	\$ 34,758,669.50	\$ 34,917,211.35	\$ 33,227,835.71	\$ 414,944,530.79

SFY 2012-13 Collections by Category

Category	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	YTD Total
Fines	\$ 6,436,405.90	\$ 6,798,122.81	\$ 6,499,559.58	\$ 6,577,304.84	\$ 5,785,162.51	\$ 5,683,315.90	\$ 6,343,065.44	\$ 7,261,744.03	\$ 7,418,276.84	\$ 7,109,373.22	\$ 6,724,227.66	\$ 6,098,182.29	\$ 78,734,741.02
Forfeitures	\$ 786,392.41	\$ 452,477.85	\$ 1,146,903.72	\$ 546,295.96	\$ 926,388.29	\$ 626,219.67	\$ 688,638.59	\$ 548,348.78	\$ 900,069.60	\$ 471,577.33	\$ 778,783.59	\$ 534,650.59	\$ 8,406,746.38
Filing Fees	\$ 11,972,423.94	\$ 13,093,740.41	\$ 11,052,617.55	\$ 12,520,445.46	\$ 10,433,283.31	\$ 10,452,934.06	\$ 12,176,981.05	\$ 10,783,615.48	\$ 11,180,932.53	\$ 9,059,274.93	\$ 10,761,111.03	\$ 13,529,117.73	\$ 137,016,477.48
Service Charges	\$ 6,955,184.20	\$ 7,413,172.03	\$ 7,622,757.99	\$ 8,920,933.08	\$ 8,440,817.36	\$ 6,648,743.73	\$ 9,081,265.99	\$ 9,370,535.10	\$ 10,000,080.34	\$ 9,932,152.03	\$ 9,424,785.44	\$ 11,422,532.03	\$ 105,232,959.32
Interest Earned	\$ 42,788.39	\$ 43,809.06	\$ 76,684.63	\$ 36,631.50	\$ 39,089.44	\$ 42,099.57	\$ 39,933.93	\$ 50,642.92	\$ 63,251.08	\$ 36,716.73	\$ 52,015.30	\$ 30,466.20	\$ 554,128.75
Court Costs	\$ 7,408,784.85	\$ 7,489,938.27	\$ 6,531,432.47	\$ 7,714,664.01	\$ 7,062,328.26	\$ 6,793,930.79	\$ 7,711,611.83	\$ 9,349,464.87	\$ 9,239,527.77	\$ 8,817,205.42	\$ 8,088,999.60	\$ 7,213,311.91	\$ 93,421,200.05
\$80 Filing Fee	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	\$ 50.00
Total	\$ 33,601,979.69	\$ 35,291,260.43	\$ 32,929,955.94	\$ 36,316,274.85	\$ 32,687,069.17	\$ 30,247,243.72	\$ 36,041,496.83	\$ 37,364,351.18	\$ 38,802,138.16	\$ 35,426,299.66	\$ 35,829,922.62	\$ 38,828,260.75	\$ 423,366,253.00

SFY 2013-14 Collections by Category

Category	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	YTD Total
Fines	\$ 6,547,543.87	\$ 6,321,659.55	\$ 6,289,565.23	\$ 6,684,311.62	\$ 5,704,377.56	\$ 5,957,160.89	\$ 6,319,999.65	\$ 7,386,828.55	\$ 7,356,253.98	\$ 6,864,559.96	\$ 6,474,860.23	\$ 6,367,535.68	\$ 78,274,656.77
Forfeitures	\$ 332,005.64	\$ 849,677.47	\$ 1,423,757.33	\$ 367,740.33	\$ 340,713.98	\$ 877,668.46	\$ 461,550.50	\$ 334,125.12	\$ 578,696.30	\$ 636,925.13	\$ 454,474.16	\$ 632,662.50	\$ 7,289,996.96
Filing Fees	\$ 10,999,704.22	\$ 10,595,366.12	\$ 9,674,821.35	\$ 11,012,758.47	\$ 8,592,322.28	\$ 8,988,443.66	\$ 9,838,466.62	\$ 9,192,152.35	\$ 10,654,729.57	\$ 10,654,729.57	\$ 10,485,085.28	\$ 10,579,370.05	\$ 120,667,126.95
Service Charges	\$ 8,668,792.80	\$ 8,519,337.64	\$ 8,087,383.33	\$ 8,642,850.31	\$ 7,585,581.51	\$ 6,815,683.54	\$ 8,350,812.25	\$ 8,658,167.68	\$ 8,560,507.84	\$ 8,094,900.56	\$ 8,232,634.55	\$ 7,974,059.52	\$ 98,190,711.53
Interest Earned	\$ 30,350.94	\$ 38,473.53	\$ 63,496.23	\$ 37,141.59	\$ 38,544.29	\$ 30,848.28	\$ 34,829.54	\$ 70,178.61	\$ 41,346.83	\$ 37,726.47	\$ 39,150.34	\$ 507,834.05	\$ 507,834.05
Court Costs	\$ 7,682,100.64	\$ 7,276,501.32	\$ 7,043,634.03	\$ 7,296,479.73	\$ 6,300,987.59	\$ 6,908,013.26	\$ 7,027,941.76	\$ 8,906,495.47	\$ 8,350,256.95	\$ 7,517,583.08	\$ 7,086,401.23	\$ 6,984,661.69	\$ 88,381,056.75
\$80 Filing Fee	\$ 2,907,732.67	\$ 2,831,732.96	\$ 2,678,792.15	\$ 2,974,918.80	\$ 2,504,510.32	\$ 2,579,241.67	\$ 2,733,752.84	\$ 2,589,056.44	\$ 2,946,915.00	\$ 2,959,866.84	\$ 2,783,081.58	\$ 2,862,128.74	\$ 33,351,730.01
Total	\$ 37,168,230.78	\$ 36,432,748.59	\$ 35,261,449.65	\$ 37,016,200.85	\$ 31,067,037.53	\$ 32,157,059.76	\$ 34,767,353.16	\$ 37,137,004.22	\$ 37,891,883.88	\$ 36,774,312.54	\$ 35,554,263.50	\$ 35,435,568.52	\$ 426,663,112.98

SFY 2014-15 Collections by Category

Category	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	YTD Total
Fines	\$ 6,250,736.51	\$ 6,046,020.26	\$ 6,216,709.05	\$ 6,270,169.12	\$ 5,182,246.42	\$ 5,997,306.37	\$ 6,146,486.35	\$ 7,238,268.87	\$ 7,363,327.40	\$ 7,016,448.60	\$ 5,832,638.85	\$ 6,236,172.53	\$ 75,796,530.33
Forfeitures	\$ 782,618.65	\$ 947,113.16	\$ 1,157,243.69	\$ 420,958.71	\$ 740,245.38	\$ 910,414.46	\$ 527,527.42	\$ 337,776.29	\$ 428,229.81	\$ 510,959.81	\$ 703,661.11	\$ 749,521.68	\$ 8,216,270.17
Filing Fees	\$ 10,719,879.66	\$ 10,739,870.66	\$ 9,877,307.94	\$ 10,626,545.02	\$ 8,533,715.15	\$ 9,826,426.04	\$ 9,551,821.47	\$ 9,665,239.71	\$ 10,526,647.64	\$ 10,771,962.89	\$ 9,994,787.58	\$ 10,864,224.19	\$ 121,698,427.90
Service Charges	\$ 8,100,489.94	\$ 7,784,593.47	\$ 8,160,221.48	\$ 7,859,230.35	\$ 5,871,374.08	\$ 6,822,709.57	\$ 7,465,277.89	\$ 7,752,988.76	\$ 7,866,427.68	\$ 7,688,605.91	\$ 6,966,950.21	\$ 7,148,234.34	\$ 89,487,103.68
Interest Earned	\$ 41,545.04	\$ 37,681.05	\$ 13,907.24	\$ 41,035.35	\$ 36,849.86	\$ 49,910.56	\$ 58,292.10	\$ 55,198.95	\$ 51,562.61	\$ 51,562.61	\$ 56,533.57	\$ 548,396.19	\$ 548,396.19
Court Costs	\$ 6,861,914.52	\$ 6,572,937.12	\$ 6,767,303.24	\$ 6,790,849.84	\$ 5,413,764.39	\$ 6,387,738.98	\$ 6,200,318.86	\$ 8,046,630.71	\$ 7,719,439.96	\$ 7,278,158.91	\$ 5,988,345.30	\$ 6,571,129.03	\$ 80,598,530.91
\$80 Filing Fee	\$ 2,753,901.47	\$ 2,584,318.79	\$ 2,501,119.87	\$ 2,670,588.25	\$ 2,203,077.35	\$ 2,454,588.24	\$ 2,364,159.90	\$ 2,500,757.14	\$ 2,805,923.56	\$ 2,708,196.39	\$ 2,501,107.03	\$ 2,741,455.43	\$ 30,762,193.42
Total	\$ 35,511,085.79	\$ 34,712,534.51	\$ 34,693,812.51	\$ 34,679,376.64	\$ 27,980,121.52	\$ 32,427,033.52	\$ 32,287,502.45	\$ 35,599,953.58	\$ 36,765,195.00	\$ 36,044,513.62	\$ 32,039,052.69	\$ 34,367,270.77	\$ 407,107,452.60

SFY 2015-16 Collections by Category

Category	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Y
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EC Revenue Category Trend SFY 2010 - SFY 2018

SFY 2016-17 Collections by Category

Category	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	YTD Total
Fines	\$ 5,394,459.13	\$ 5,805,402.39	\$ 5,773,816.79	\$ 5,234,281.66	\$ 5,276,106.85	\$ 5,132,859.72	\$ 5,412,001.35	\$ 5,979,000.95	\$ 7,116,257.25	\$ 5,595,492.99	\$ 5,998,589.33	\$ 5,738,467.96	\$ 68,456,736.37
Forfeitures	\$ 863,091.27	\$ 541,799.29	\$ 2,555,245.35	\$ 888,118.96	\$ 576,100.62	\$ 796,870.80	\$ 1,019,644.40	\$ 782,821.75	\$ 8,691.16	\$ 574,684.47	\$ 546,528.00	\$ 773,353.16	\$ 9,926,949.23
Filing Fees	\$ 9,158,365.16	\$ 10,404,886.63	\$ 9,559,829.39	\$ 9,232,947.47	\$ 9,079,992.89	\$ 9,386,395.70	\$ 9,872,170.29	\$ 9,255,305.51	\$ 10,865,494.84	\$ 9,553,585.79	\$ 10,720,642.25	\$ 11,198,099.82	\$ 118,287,715.74
Service Charges	\$ 5,898,292.63	\$ 6,253,340.00	\$ 6,568,460.98	\$ 5,098,814.46	\$ 5,122,669.08	\$ 4,844,568.77	\$ 6,344,659.05	\$ 6,047,025.57	\$ 7,023,204.80	\$ 5,518,057.58	\$ 6,101,515.93	\$ 5,952,995.91	\$ 70,773,604.76
Interest Earned	\$ 52,444.33	\$ 83,794.75	\$ 65,373.89	\$ 59,024.47	\$ 64,360.45	\$ 79,165.00	\$ 76,782.17	\$ 74,703.48	\$ 103,314.22	\$ 92,624.91	\$ 133,709.93	\$ 93,930.10	\$ 979,227.70
Court Costs	\$ 5,630,971.71	\$ 6,076,328.40	\$ 5,745,072.60	\$ 5,387,949.22	\$ 5,289,945.38	\$ 5,292,123.67	\$ 5,539,717.31	\$ 6,462,516.10	\$ 7,789,547.10	\$ 5,859,137.15	\$ 6,078,115.75	\$ 5,970,100.81	\$ 71,121,525.20
\$80 Filing Fee	\$ 2,476,713.73	\$ 2,752,919.72	\$ 2,481,845.60	\$ 2,419,856.57	\$ 2,353,407.91	\$ 2,449,729.11	\$ 2,550,730.34	\$ 2,455,498.26	\$ 3,087,872.70	\$ 2,610,033.54	\$ 2,907,820.22	\$ 3,011,752.03	\$ 31,558,179.73
Re-Open Fees	\$ 286,394.77	\$ 315,447.32	\$ 275,424.21	\$ 252,041.11	\$ 246,482.73	\$ 230,848.85	\$ 253,267.54	\$ 234,588.25	\$ 270,577.36	\$ 235,710.45	\$ 240,872.32	\$ 234,123.45	\$ 3,075,778.36
SB2506 Appeals						Data Tracked Starting June 16, 2017 with Passage and Signing of Senate Bill 2506 (SB2506)							
SB2505 Adjudic						Data Tracked Starting June 16, 2017 with Passage and Signing of Senate Bill 2506 (SB2506)							
SB2506 CClaim G						Data Tracked Starting June 16, 2017 with Passage and Signing of Senate Bill 2506 (SB2506)							
SB2506 CClaim F						Data Tracked Starting June 16, 2017 with Passage and Signing of Senate Bill 2506 (SB2506)							
10% Redirected						Data Tracked Starting June 16, 2017 with Passage and Signing of Senate Bill 2506 (SB2506)							
Total	\$ 29,760,732.73	\$ 32,233,918.50	\$ 33,025,068.81	\$ 28,573,033.92	\$ 28,009,065.91	\$ 28,212,561.62	\$ 31,068,972.45	\$ 31,291,459.87	\$ 36,264,959.43	\$ 30,039,326.88	\$ 32,727,793.73	\$ 34,083,404.05	\$ 375,290,297.90

SFY 2017-18 Collections by Category

Category	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	YTD Total
Fines	\$ 5,323,417.33	\$ 5,690,725.79	\$ 4,754,847.00	\$ 5,569,214.58	\$ 5,506,769.33	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 26,844,974.03
Forfeitures	\$ 721,263.86	\$ 1,452,563.86	\$ 2,270,708.61	\$ 419,622.28	\$ 520,716.19	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,384,874.80
Filing Fees	\$ 10,033,598.87	\$ 11,195,104.24	\$ 7,227,705.59	\$ 10,777,036.70	\$ 9,948,706.88	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 49,182,152.28
Service Charges	\$ 5,466,073.12	\$ 6,133,772.18	\$ 4,002,110.41	\$ 4,473,038.62	\$ 4,654,466.89	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 24,729,461.22
Interest Earned	\$ 111,810.93	\$ 120,196.14	\$ 156,724.74	\$ 109,127.11	\$ 110,527.78	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 608,386.70
Court Costs	\$ 5,478,790.69	\$ 6,076,333.38	\$ 4,864,773.64	\$ 5,615,753.28	\$ 5,347,834.23	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 27,383,485.22
\$80 Filing Fee	\$ 2,607,760.06	\$ 2,925,615.99	\$ 1,799,279.27	\$ 2,689,017.10	\$ 2,449,707.15	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,471,379.57
Re-Open Fees	\$ 216,764.41	\$ 231,835.61	\$ 173,492.53	\$ 245,869.09	\$ 199,203.49	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,067,165.13
SB2506 Appeals	\$ 34,412.94	\$ 29,881.89	\$ 30,884.66	\$ 26,390.29	\$ 32,320.49	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 153,890.27
SB2505 Adjudic	\$ 262,023.63	\$ 300,283.86	\$ 240,689.70	\$ 274,007.37	\$ 249,306.87	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,326,311.43
SB2506 CClaim G	\$ 399,935.00	\$ 434,570.81	\$ 303,091.35	\$ 470,032.50	\$ 447,729.79	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,055,359.45
SB2506 CClaim F	\$ 51,583.22	\$ 36,285.00	\$ 24,445.10	\$ 31,680.00	\$ 37,985.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 181,978.32
10% Redirected	\$ 1,537,047.15	\$ 1,662,492.54	\$ 1,302,692.61	\$ 1,490,919.54	\$ 1,464,656.85	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,457,808.69
Total	\$ 32,244,481.21	\$ 36,289,661.29	\$ 27,151,445.21	\$ 32,191,708.46	\$ 30,969,930.94	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 158,847,227.11

SFY 2018-19 Collections by Category

Category	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	YTD Total
Fines	\$ -	\$ -	\$ -										\$ -
Forfeitures	\$ -	\$ -	\$ -										\$ -
Filing Fees	\$ -	\$ -	\$ -										\$ -
Service Charges	\$ -	\$ -	\$ -										\$ -
Interest Earned	\$ -	\$ -	\$ -										\$ -
Court Costs	\$ -	\$ -	\$ -										\$ -
\$80 Filing Fee	\$ -	\$ -	\$ -										\$ -
Re-Open Fees	\$ -	\$ -	\$ -										\$ -
SB2506 Appeals	\$ -	\$ -	\$ -										\$ -
SB2505 Adjudic	\$ -	\$ -	\$ -										\$ -
SB2506 CClaim G	\$ -	\$ -	\$ -										\$ -
SB2506 CClaim F	\$ -	\$ -	\$ -										\$ -
10% Redirected	\$ -	\$ -	\$ -										\$ -
Total	\$ -	\$ -	\$ -										\$ -

- Notes:**
1. Monthly Totals are based on data reported in Monthly Revenue & Expenditure Reports submitted to the FLCIOC by each Clerk
 2. Totals from previous County Fiscal Years (October through September) will remain unchanged to represent the End of Fiscal Year as a snapshot.
 3. Monthly data in the current County Fiscal Year is affected by updates to previous months as most recent EC report is received during the County Fiscal Year.
 4. Data reported for November is from monthly EC reports submitted by 65 of 67 clerks offices.
 5. Reports were not received from Dixie and Union counties at the time this report was generated.



AGENDA ITEM 5

Date: January 24, 2018

Subject: Discussion and Presentation on Budget Models

Committee Action: Informational

While the amount of revenues allowed to be collected and kept by Clerks to operate their court-related duties has continued to decrease each year, this has many stating that the budget model is broken. Therefore, the Committee has been asked to look at the current CCOC budget model and determine if there are other budget models that could be adopted that would help assure sufficient and stable funding.

It was agreed upon at the September Committee meeting that the CCOC staff would provide an overview of the state budget model, the tax collectors budget model, and the property appraiser's budget model and compare this to our CCOC budget model.

CCOC staff are familiar with the State Budget Model having worked directly with the Legislature, the Governor's Office of Planning and Budget, and the State Court System. CCOC staff further interviewed staff at the Department of Revenue responsible for overseeing the budget process for the property appraisers and tax collectors.

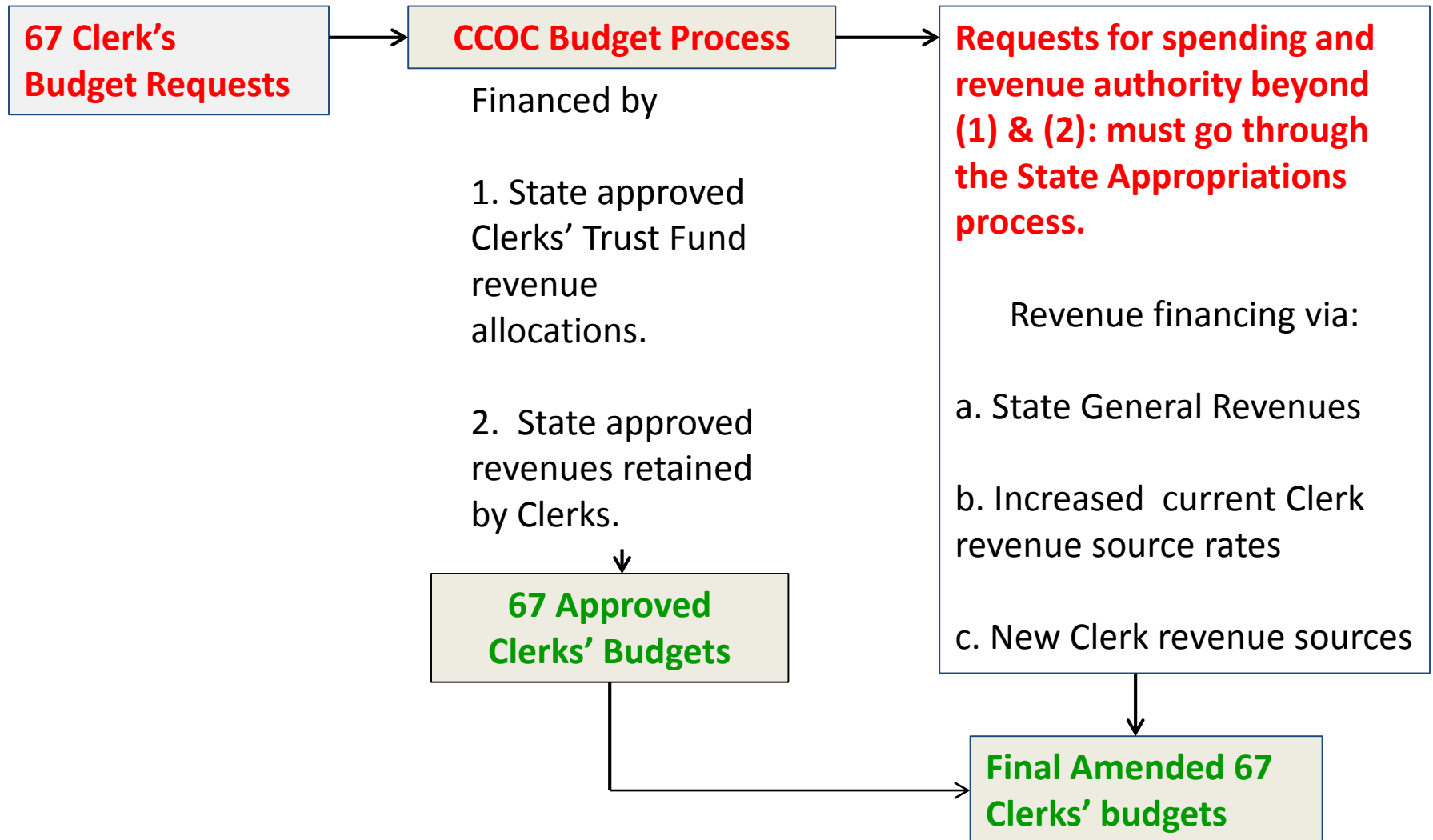
Attached is a PowerPoint that we will present and provide additional information and answer questions as needed.

Attachment: PowerPoint on Budget Models

Reviewing State Budget & Financing Models

*And making comparisons to
the State approved
Clerks' Budget and Financing Model*

The Clerks' Model



Budget & Financing Challenges for Clerks

1. Budget Model limits Clerks to approved state revenue sources

State Judicial Fees
State Fines
Clerk Service Charges
Clerk Court Costs

With rates set in law.

Challenge: Clerk revenues are vulnerable to downturns resulting in annual budget cut pressures and annual requests for supplemental funding from Legislature.

2. Supplemental funding requires approval by the State of Florida to: change rates, add new revenue sources, get state General Revenues.

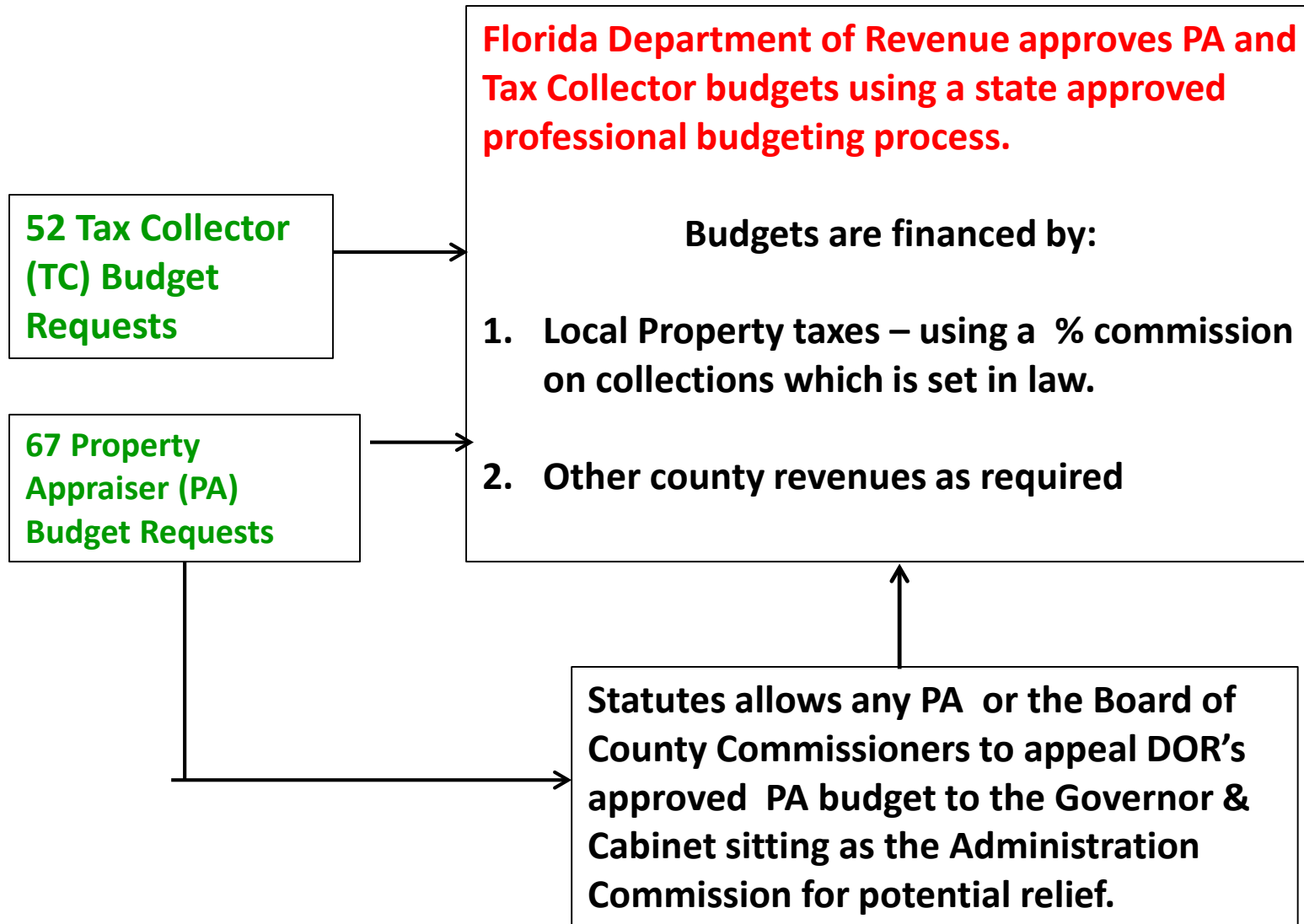
Challenge: The Governor and Legislature typically expect detailed and extensive explanations of requests.

3. Supplemental requests typically involve political as well as professional considerations.

Challenge: There is substantial competition to get limited State General Revenues: e.g. Public Schools and Judicial / Law Enforcement.

There will be political concerns about any increases to fees and taxes.

The Property Appraisers' and Tax Collectors' Budget Model



Key Points about the PA / TC DOR Model

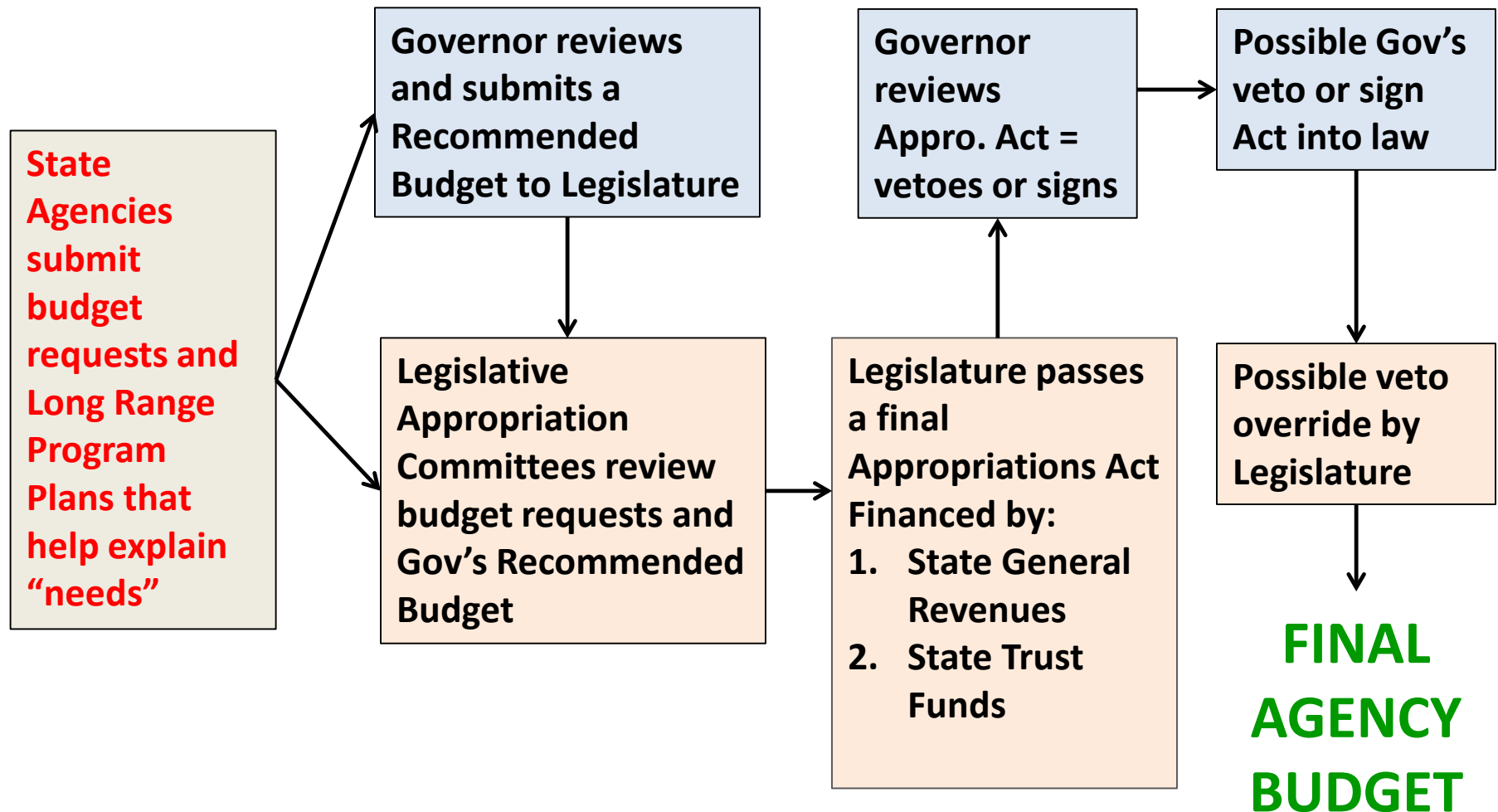
- 1. PA and TC budgets are financed with property tax commissions....not state revenue sources = no state budget competition.**
- 2. DOR staff work with PAs and TCs to understand their operations and line item budget needs, provide budget instruction training and ultimately approve PA/TC line item budgets**
- 3. County governments must fund DOR approved budgets for PAs.**
- 4. PAs and TCs are given budget manage flexibility but require DOR approval to move money across line item budget categories.**

Thoughts about the PA / TC DOR Model applied to Clerks

- Requires detailed line item budgeting for each office.
- DOR could not approve Clerks' supplemental state revenue needs (changes in rates, new revenue sources or State General Revenues). Only the Gov/Leg. can approve these.
- If DOR assists Clerks in their request to the Governor and Legislature for supplemental revenues, they would be a credible proponent in the political/professional process.
- The potential exists for Clerks to have a "Governor and Cabinet appeal" authority if there is a dispute related to any DOR "Approved Budget" for Clerks (individually or collectively)

The State of Florida

Appropriations Process Budget Model



Key Points

1. Clerks can go through the Appropriations process for just a **“Supplemental Budget Request” approval**OR..... for a **“Full Budget Request” approval** (like a state agency).
2. The **“Full Budget” choice** typically requires following Legislative Budget Request (LBR) and Long Range Program Plan (LRPP) Instructions which are detailed and complex. Requests can be lengthy.....revenues could be from any state sources.
3. Being in a supplemental or full budget Appropriations process involves **serious professional & political competition** with Public Schools, the Judicial System and many others for limited State funds.....could be by individual Clerk competition or by group.
4. **Significant approved budget controls** are typical during the fiscal year.