

Agenda

Executive Council Meeting

June 12, 2017

Date: June 12, 2017; 3pm CST

Location: Sheraton Bay Point, 4114 Jan Cooley Drive, Panama City Beach, Florida 32408

Meeting Room: St. Andrews Room

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

- Call to Order..... Sharon Bock
- Roll CallCCOC Staff
- Approval of Agenda and Welcome Sharon Bock
- 1) Approval of February 27th Council Minutes Stacy Butterfield
Pages 2-11
- 2) Treasurer’s Report Stacy Butterfield
Pages 12-15
 - a. CFY 16/17 CCOC Office Budget and Expenditures
 - b. Proposed CFY 17/18 CCOC Office Budget
- 3) Report from Committee and Workgroup Chairs
 - a. Executive Committee – *Pages 16-62*
 - b. Budget Committee -- *Pages 63-89*
 - c. Performance Improvement and Efficiency – *Pages 90-96*
 - d. Financial Analysis and Enhancement Workgroup-- *Pages 97-98*
 - e. Legislative – No material in packet
 - f. Funding Technology Workgroup –No material in packet
- 4) Report on Clerks’ Trust Fund John Dew
Pages 99-102
- 5) Update on TCBC Issues.....Ron Ficarrotta
- 6) Other- Tentative Meeting Schedule.....John Dew
Pages 103-107



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.

MINUTES

FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

MONDAY, FEBRUARY 27, 2017 3:00 PM EDT

EXECUTIVE COUNCIL MEETING

Embassy Suites, Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, FL 34646 (Magnolia A)

The February 27, 2017 meeting of the Executive Council of the Florida Clerks of Court Operations Corporation (CCOC) was called to order by Executive Council Chair Sharon Bock at 3:00 PM (EDT). Chair Bock thanked all in the room and on the telephone for attending the Executive Council meeting. Roll call was taken by John Dew, the Executive Director. Council Members present were the Honorable Sharon Bock, Honorable Ken Burke, Honorable Stacy Butterfield, Honorable John Crawford, Honorable Jeff Smith, Honorable Ron Ficarrotta, and Honorable Paula S. O'Neil. Honorable Harvey Ruvin was present via telephone. Mr. Dew stated that there was a quorum.

APPROVAL OF AGENDA

Chair Bock noted that the agenda was posted on the CCOC website. Clerk Smith made a motion to approve the agenda with a second by Clerk O'Neil. Chair Bock asked if there was any discussion, changes or deletions. Hearing none, the vote was taken and passed unanimously.

SWEARING IN OF NEW EXECUTIVE COUNCIL MEMBERS

At the last meeting there were two members, Tim Sanders and Bob Inzer who noted they would be retiring effective January 2017. This leaves two vacancies on the Executive Council. One vacancy was for Group 1 (counties with a population of fewer than 100,000) and one vacancy for Group 2 (counties with populations of between 100,000 and 500,000). There were six Clerks that stated they were willing to serve. The Clerks in a special election chose Clerk Todd Newton for Group 1 and Clerk Tara Green for Group 2. Chair Bock swore them in. After the Clerks repeated the oath, Chair Bock and the audience congratulated them.

APPROVAL OF MINUTES – November 14, 2016

Mr. Dew noted that the materials were posted on the website and that an addendum to the meeting was posted today. Chair Bock asked CCOC Secretary/Treasurer Clerk Butterfield to present the minutes for approval of the previous meeting. Clerk Butterfield noted that the minutes from November 14, 2016 were in the packet. Clerk Butterfield made a motion to approve the minutes as submitted. Clerk Ruvin seconded the motion. The vote was taken and the minutes were approved unanimously.

TREASURER'S REPORT

Clerk Butterfield presented CCOC's Financial Statement Audit for 2016 which was part of the packet. The auditor's opinion was an unmodified opinion. Lanigan & Associates performed the audit and on page 59 in the packet there is a summary. There were no findings listed in the report. Clerk Butterfield made a motion to accept the Financial Statement Audit. Clerk Smith seconded the motion. Chair Bock asked if there were any questions. Hearing none, the vote was taken. The motion passed unanimously.

CCOC's financial report is included for the first four months of the county fiscal year on page 61 of the packet. For the four months, CCOC is at 30.19%. Chair Bock asked if there were any questions about the monthly financial report. Clerk Butterfield made a motion to approve the report. Clerk Newton seconded the motion. Chair Bock asked if there were any questions about the monthly financial report. Clerk Smith asked why contractual amounts increased so much in January. Clerk Butterfield noted that it was because of a payment for the contractual expense of Evergreen's organizational study. There were no more questions and the vote was taken. The motion passed.

Chair Bock then turned to CCOC's Plan of Operations. As Vice-Chair of the CCOC Executive Council, Clerk Burke is the Chair for the plan and he gave an update. He noted that there was not much of an update today. He and Joe Boyd are working on some items to see if there will be any amendments to the plan that will need to be brought forward at the annual meeting in June. An example of an item would be if the Executive Council knows that a Council member is resigning, maybe the election process can take place so there is no gap in coverage. Clerk Burke welcomed any ideas or feedback. Chair Bock encouraged Council members, Clerks and audience to read the Plan of Operations and if you have any ideas, please forward them to Clerk Burke. Voting on changes can only be done at the Annual meeting.

Chair Bock asked Clerk Butterfield to speak about the Peer Group Review Study. Clerk Butterfield noted that every year during the budget process, the Clerks are put into groups in which they are compared for budget review purposes. The statutory requirements states that the counties will be compared as similarly situated counties. In the past about every two years, there has been a consultant review the actual peer groupings. The statutory writings has the similarity in a county's population and cases. Is it new cases, re-opened cases, continuing cases, etc? There are many kinds of cases that can go into it. Population questions such as prison and visitor population have been brought forward, also. The Council hired Bo Shippen from Economist, Inc. to provide a review of the peer groups and offer a recommendation on suggested peer groups. Mr. Shippen is familiar with the peer groups from his work on the last study two years ago. At the December 7th Budget Committee meeting, he talked to the Budget Committee as well as Clerks about the process in the peer group review. After the meeting, a letter from Clerk Butterfield was sent to all Clerks asking for any input on the peer group such as criteria, conditions, anything that they felt the consultant needed to consider. During last summer's deliberations, many Clerks brought up issues with the grouping they were in. There was input received and that was passed on to Mr. Shippen. It is expected at the March 15th Budget Committee meeting that he will have his draft ready for the committee for approval and then the Committee's recommendation will be given to the Council. The report when it comes available will be posted

on the CCOC's website. Chair Bock clarified that if any Clerk wanted to give input, it is important to read the document and be on the phone or attend the Budget Committee meeting on March 15th. There is a short turnaround time to put the budgets together that will be based on the peer groupings that will come out of this study. Chair Bock asked if there were any questions. There were none.

EXECUTIVE COMMITTEE

Chair Bock noted that the Executive Committee membership is the Chair, Vice Chair and Secretary/Treasurer of the Executive Council and that is Clerk Bock, Clerk Burke and Clerk Butterfield. The Executive Committee usually meets to go over internal issues. Mr. Dew passed out the minutes from the last meeting. At the last meeting, it was agreed to have a list of all the contracts, all the vendors, amounts, terms and dates available for the Executive Council. This is similar to what is going on at the FCCC. This puts all the contracts in one place and shows how the CCOC's budget relates to the contracts. Secondly, the committee began to review all the CCOC's current policies and procedures. If possible, this information will be brought to the Executive Council at the Summer Conference. Chair Bock asked if there were any questions. There were none.

BUDGET COMMITTEE

Clerk Butterfield began with an overview of the Budget Committee meeting on December 7, 2016. One item that has already been discussed was the Peer Group study by consultant Bo Shippen. There was an update on the operational budget regarding the forms and setting a submittal deadline. At this time, the forms have been submitted and will be discussed at the March 15th meeting. Another update was given on the Trust Fund. The major outcome was the settle up dollars. If there was a shortfall, which there was, the settle up from the 2016 Trust Fund will happen before we move forward with the monthly disbursements to the funded Clerks. There was also an update on the juror funding.

The November 16th Revenue Estimating Conference (REC) results were also discussed. The REC provided a projection in November that was lower than projection that was used on the LBC document that was approved October 1. Jason Harrell gave an update on the State's fiscal outlook. The Budget Timeline was discussed and voted on at that meeting to try and have the Clerks submit their budgets on May 1st so there would be more time to do the technical reviews, to speak with Clerks about issues, and to have more time before the deliberations.

There was an update on three workgroups: Base Budget Workgroup, Healthcare Workgroup, and the Case Count Workgroup.

Clerk Butterfield wanted to bring to the Council's attention that on January 12th there was presentation to the Senate Appropriations Committee on the budget. A copy of the presentation is in the meeting packet. The REC has met again since November. That meeting was February 16th and as expected, the estimates were down. The total from the

July REC meeting to today is \$13.9 million less from July 2016. The CCOC numbers were not down as much. The good news is that the Clerks' better months are ahead. Also, estimates are just that, estimates, and will be monitored by CCOC staff and Clerk Butterfield.

Clerk Butterfield noted that the next Budget Committee meeting will be March 15th in Tallahassee during the Clerk's Legislative Day. There was coordination with the FCCC to insure that nothing was taken away from this day for Clerks. The meeting will be in a convenient location for Clerks and committee members to be able to attend the meeting as well as meet with their legislator. The committee members were polled and asked if they would attend the meeting as well as visit their legislators and the majority felt they could accomplish that.

Chair Bock thanked Clerk Butterfield and wanted to say how well received her presentation to the Legislature was. She also thanked all the Clerks and the Legislative Committee for clear and concise information that was provided. Clerk Butterfield acknowledged it was a team effort.

Next was the action items that needed approval from the Council. Clerk Butterfield made a motion that the Council confirm the recommendation of the Budget Committee as outlined mainly moving the date of the initial budget up to May 1st. A second was made by Clerk Burke. Chair Bock asked if there was any discussion from the audience or those on the telephone. Hearing none, the vote was taken. Motion passed.

The meeting was turned over to Clerk Burke to talk about case studies. The case count effort is to insure that cases are being counted the same way all over the State of Florida. Sounds simple, but it is not. There are reasons why case counts vary. There are rules that are open to interpretation. Also we should look at subclasses of some of the subcases. For example dependency is a very broad one that can be interpreted many different ways. It is a very high cost case with very little income. We need to make sure the reporting of these numbers for budget purposes are being counted the same by using the same methodology from county to county. Clerk Burke acknowledged Denise Bell and Gary Cooney from Lake County and Jill Lennon from Collier County for their hard work. There has been two WebEx calls in which 54 counties participated. The counties that could not participate were contacted. To date, 45 of the counties have returned their surveys. The next thing is to look at these surveys and then determine what further studies need to be done. For those counties that still look to be outliers, there will be a team of outside Clerks to look and see why those anomalies take place. They will be looking for explanations. Case counts have to be right for the weighted workload measures to work. He thanked all for the cooperation. Clerk Butterfield thanked Clerk Burke and this workgroup. Clerk Burke also thanked Doug Isabelle for his work.

PERFORMANCE IMPROVEMENT AND EFFICIENCY (PIE) COMMITTEE

Chair Bock called upon Clerk Green to give the PIE Committee report. Clerk Green outlined the two reports that will need to be approved and then moved to updates for the ongoing projects. The committee met on January 8, 2017. The meeting served as an update to the various projects as well as the review of the 4th quarter Action Plan Performance report. During the 4th quarter which is July to September 2016, there were 17 or 25% of clerk's offices that met or exceeded performance standards in all areas of performance. Six counties required at least one action plan and collectively required 129 action plans across all performance measures. It is notable that there were 61 less action plans from the previous quarter. Even though there are less action plans than the previous quarter, it may not be indicative of improved performance. It seems that quarter after quarter if improved performance is made in one area, there is a slip in another area. There is a bouncing of resources back and forth. On collections, the number of action plans decreased from 103 to 90, most was in the criminal division. Civil traffic remained unchanged with 31 action plans and that is about 35% of all collection plans required. In relating to timeliness, action plans increased a little from 34 to 36. The Civil Court division went below the statewide standard for the second quarter in a row. All Civil court divisions are showing declining performance from the end of last year.

The second report is the Collection Agent report. Clerks sent approximately \$309 million collectively to all the collection agencies. Over half of that figure was related to criminal cases. The remaining unpaid accounts were \$98 million and were related to traffic and \$74 million was collected during that time. It is important to note that the collections that were received during this time period are not necessarily associated with the accounts during the same time period. That was the end of the second report and Clerk Green made a motion to approve the two reports. Clerk Butterfield seconded. Chair Bock asked if there were any questions. The vote was taken and the two reports were accepted and approved.

Clerk Green continued with a quick update on the projects of the PIE committee. The committee is moving forward with the performance and accountability - PAC framework. This is a cleanup effort of the "Betty Book" to capture the inventory of what Clerks do in their office so a better story can be told about the work they do with their court-related responsibilities. Eventually it will tie cost and revenues to the work the Clerks do. Clerk Green recognized all the individuals that have been working with Doug Isabelle on this project. It is still a work in progress. The nine court-related services, the 35 activities and the 420 tasks from across all the court divisions have been completed. Gary Cooney, Lake County Clerk Senior Chief Deputy, is finishing the work on legal authorities. The committee has a costing project and this methodology is being tested. The counties of Clay, Polk, Hillsborough, Hernando and Citrus are testing the costing methodology. Basically they are looking at the framework and looking at all the different divisions and services that Clerks do and assigning employees to work on those tasks to get a better idea of the costs. Costs are mostly personnel, but also looking at operating cost, and capital costs by service areas. This will help us better know the cost of

different service areas within the Clerk's divisions. Also revenue identification to the services Clerks do is being started by Lake County Clerk staff person Denise Bell. Ultimately, the committee would like to start looking at performances that reflect the services that the Clerks do and maybe take a look at performance measures and enhance them a bit and get something that is a little more meaningful to Clerks in the current environment. We are looking at doing that later this year.

The second update is the weighted subcases or the weighted workload measures. Clerk Green turned the update over to Clerk Barbee who is chairing this workgroup. Clerk Barbee began by saying the purpose of this group was to take the weighted workload measure that the Clerks have been operating on as a tool for the budget committee to use in their tool box to analyze the Clerks' budgets. The problem was not all circuit civil cases are created alike and no probate cases are alike. What the workgroup wanted to do was break that down to a finer detail and go through the subcase types and determine if it could find a weight to the subcase types instead of all circuit civil or for all probate. The workgroup met in Gainesville and the workgroup came up with a number of answers. The group returned to the pilot counties and discussed it with the staff. Upon their return, the workgroup debated for hours what the actual number was that could be assigned to these various case types. In the end, the workgroup came up with a number that they were comfortable with. It is ready to be sent out, but we are waiting for Clerk Burke's case count report to be completed first. If the Clerks are not counting the new cases correctly, the group does not want to send it out and not be counted correctly the subcases. Once the new case types are being counted correctly, then the sub case will be sent out to be filled in. That will give the Budget Committee an extra detail tool as they work through the budget process. Clerk Green noted that these sub case types are SRS and non-SRS. That was the end of Clerk Green and Clerk Barbee's report. Chair Bock thanked them both.

LEGISLATIVE COMMITTEE

Chair Bock asked Clerk Timmann to give the Legislative Committee report. Clerk Timmann began by saying that even though the committee has not met, they have been very busy. She again noted that Clerk Butterfield did an amazing job with the presentation to the Senate. The Legislative Committee has been focusing on improving the way the CCOC and the FCCC are working together on all these legislative components. The committee also has been incorporating finance staff from Clerks' offices into the legislative proposals. There is a plan to have a CCOC legislative committee meeting in March. The meeting will go over more detail planning for moving into session and the fast tracking of all the legislative analyses and amendments as they come to the committee. The committee is making sure they have a good system in place as well as sharing the review sheet. The CCOC has been monitoring several bills of interest providing financial impact upon request. The legislature is really reaching out to us now and sending us a lot of these proposals which increases the CCOC staff work load but it allows us to look at all of proposals and make a good analysis and send them out to Clerks' offices. The proposals may or may not have impacts but there are really good responses going back to the

legislature. She thanked the Vice-Chair Clerk Burke for helping to split the workload of being available when needed in Tallahassee.

Clerk Timmann noted that about 30 bills are being looked at and we will be giving a fiscal analysis to the legislature. A couple are worthy of mentioning, Senate Bill 156 is the PIP reform bill. We are still trying to work through that and getting some sound fiscal numbers for the legislature's consideration. Another is Senate Bill 302 dealing with Driver's license suspensions and trying to come up with different tiers and scenarios for the different driver's behavior on when and how they will pay if their driver's license would not be suspended. Senate Bill 448 is pre arrest diversion and we are still trying to work on that. House Bill 6007 is the red light camera repeal and of course that varies by county. The vast majority of the bills so far have no significant impact, but we still need to respond to the legislature so they are aware that we are analyzing these and getting responses to them. Also the committee is working on jury payments and any other impacts from the juror funding model. The committee will continue to monitor the revenue funding bill for Clerks.

Chair Bock commended the committee for working with staff and working so quickly to get answers back to the legislature. She encouraged the Clerks and staff to come to Tallahassee on March 15th for Clerk's Day. She asked if there were any questions. Clerk Ruvin wanted to alert Clerk Timmann to a bill that was sent to him by Senator Rodriguez dealing with jury compensation. He wanted to send it to Clerk Timmann. He had some concerns. Clerk Timmann noted that the committee has been looking at the fiscal reviews on that. Chair Bock thanked Clerk Timmann.

FUNDING TECHNOLOGY WORKGROUP

Chair Bock called upon Clerk Peacock to speak on the Technology Funding Workgroup. Clerk Peacock began by stating the group is waiting on the business services assessment from the Technology sub-committee. This is the maturity model that has been discussed that allows us to quantify where different Clerks are from a technology standpoint and how that cost may be related. We have data that the group can use to monetize the cost of technology across different agencies. He intends to have a report on the status of some of the numbers that we can talk about if possible at the summer conference. She asked if there were any questions. She thanked Clerk Peacock.

ORGANIZATIONAL STUDY OF CCOC OFFICE

Chair Bock noted that there was an organizational and compensation study being done right now. The first draft has been received and it is being gone through. The final product will be given at the summer conference. She asked if there were any questions on that.

ROLE IN COLLECTIONS EFFORTS

Chair Bock brought forward the next item to talk about the role of Clerks and Judges in the collection efforts statewide. The CCOC Budget Committee recommended that Chair Bock should send a letter to Chief Justice Lebarga asking him to meet with CCOC leadership to discuss the importance of collection efforts statewide and the need to work together. A letter was sent in December. Since that time, there have been many conversations. Judge Ficarrota has helped us navigate to a solution. Chair Bock asked Judge Ficarrota to talk about the solution to this problem. He began by saying that the letter was brought to the attention of all the chief judges of the 20 circuits in Tallahassee at a meeting in December. Since that time, there has been many conversations. He noted that what they are working on right now is educating the judges if there is an issue with this. At the County Judges Conference led by Judge Joe Williams, Baker County, this summer, Lee county Judge Gagliardi is going to present a course dealing with fines, court costs and fees. It will be a good opportunity for the Clerks to have the information they want to share and provide that to Judge Gagliardi to make sure that it is part of the curriculum. Also Scott Bernstein from Miami Dade is a former education chair of our conference. Maybe some type of program can be crafted or included with those already in place, so we can educate the judges about this. Also there will be a new judge's school sometime in March. He will reach out to the Dean of that new school and make sure that there is some type of educational program that they could fit into an existing educational program.

Judge Ficarrota stated that the role of the judge is to assess and the role of the Clerk is to collect. One other suggestion is if we can identify a particular circuit that has an issue with assessment and collections or paring it down to a particular judge in a circuit or a county that there is an issue with, please let him know that and he will be glad to speak directly to the chief judge of that circuit and have him or her speak to that particular judge or arrange a meeting between the clerk of that county and the chief judge of that county to better educate those judges on what the problem is and see if the issue can be resolved. Clerk Burke gave a scenario for Pinellas County. The problem is when there is a violation with the payment plan, instead of working with the Clerks to re-establish a payment plan, the county judges are waiving all these things trying to help the person out. He is working with his judges and feels that the training will help. Clerk Doggett noted that she had talked and worked with Judge Gagliardi to get the payment plan made right away with the defendant. Clerk Timmann gave another example for Martin County. She feels that there is a misunderstanding by the judges not knowing how successful the payment plans are on the front end. Chair Bock thanked Judge Ficarrota.

REPORT ON CLERKS' TRUST FUND

Chair Bock asked John Dew to give the Clerks' Trust Fund report. He thanked the Chair and started his report by stating that the Trust Fund had the dollars necessary for funded Clerks for the month of February. It has also provided all the dollars to Clerks that were due dollars from 15/16 budget year. The situation for the month of March does not look as good. There is \$1.5 million in the Trust Fund as of today and \$1.9 million is needed for the funded Clerks. Another situation now occurs that the methodology used to determine who are the funded Clerks and who are the depository Clerks is based on Clerks' revenue projections from June and their approved budget in October. Now we have new revenue projections from Clerks of \$7.6 million less. We also have new revenue projections from the REC of less revenues. There is a need to go back and look at the methodology and put in the new numbers. Today we are asking that authority be given to the Budget Committee and at their March 15th meeting to look and run the numbers and come up with a methodology to determine the funded and depository Clerks and the amount. Another item discussed was that the State requires a quarterly release. Right now, the Department of Revenue is asking for data to prove that there is enough revenue to do the quarterly release. They are likely going to use the REC numbers and not ours. Clerk Crawford made a motion to give authority to the Budget Committee and at their March 15th meeting to look and run the numbers and come up with a methodology to determine the funded and depository Clerks and the amount. Clerk O'Neil seconded the motion. Chair Bock asked if there were any questions. Hearing none, the vote was taken. The motion passed unanimously. She thanked Mr. Dew.

UPDATE ON TCBC ISSUES

Chair Bock called upon Judge Ficarrota to give his report on the TCBC. She asked if he would also give the detail of TCBC and what it is working on and the correlation to what the CCOC is doing. He began by saying their meetings are very similar to the CCOC meetings. Like the CCOC, they are waiting to see what happens in this legislative session. It is no secret that the courts are gearing up for a tough time in Tallahassee with the budget issues. There are issues such as term limits of judges and with rule making. On the budget front, TCBC met in January and a conference call in February and discussed the updates for the fiscal year as well as the allocation policies and end of year initiatives. They are looking to cover the anticipated shortfall in our budget due to increasing costs in expert witnesses and court interpreting elements. We have supplemented the 17/18 LBR and are seeking additional funding for the third DCA building in Miami and also resources relating to the Supreme Court certification of additional judgeships. The Supreme Court has certified 12 additional judgeships statewide. They have also have recommended an e-certification of six county judgeships. At the trial court level there have been no new judges since 2005. Judge Ficarrota noted that The TCBC is very similar to the CCOC with a legislative team that answers questions from the legislative staff. He ended his report by saying that the TCBC is anxiously awaiting session that starts next week. Chair Bock asked if anyone had a question for Judge Ficarrota. She added that CCOC staff does attend the TCBC meeting and brings back any information and in particular on how and

what CCOC can do like the TCBC in providing information to what they are doing. Judge Ficarrota stated that he gets with John Dew before the meetings. Chair Bock encouraged Clerks to attend the meetings if the meeting is in your county. It provides insight to the Clerks on how the court system works and the issues that they are facing. Judge Ficarrota offered to introduce Clerks if they let him know they are coming.

OTHER BUSINESS

Chair Bock asked if there was any other business to be brought forward to the Executive Council. She thanked everyone for coming today especially Clerks and clerk staff. She also thanked the CCOC staff.

Hearing no other questions the meeting was adjourned at 4:35 PM.

DRAFT

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL	

Agenda Item 2a

Executive Council Meeting

June 12, 2017

Date: June 12, 2017
Subject: CCOC Office Update on CFY 16/17 Budget

Council Action: Approve Financial Report.

Overview: Seven months into the current budget year the CCOC Office has expended just over 50% of its budget authority. The expenditures are slightly below average due to a number of vacant positions the Corporation has had this year. Two of those positions however were filled recently and therefore we will have more cost in the last few months. Also we expect after the Summer Conference to receive a number of bills for payment of Educational Services under the contract we currently have which will increase expenditures in the next few months.

Attachments: CCOC Financial report for the period October 2016-April 2017.



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.

CCOC Budgetary Report
County Fiscal Year 2016 - 2017
(October 1, 2016 - September 30, 2017)

	Budget Category Amount	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Year to Date Expenditures	(%) of Budget Expended
CCOC STAFF:	\$799,949.00	\$63,996.58	\$64,524.04	\$63,418.48	\$83,570.71	\$61,652.84	\$63,680.87	\$63,752.36	\$444,575.66	55.58%
Executive Director	\$119,128.00	\$9,927.33	\$9,927.33	\$9,927.33	\$9,927.33	\$9,927.33	\$9,927.33	\$9,927.33	\$69,491.31	58.33%
Deputy Executive Director	\$105,019.00	\$8,751.58	\$8,751.58	\$8,751.58	\$8,751.58	\$8,751.58	\$8,751.58	\$8,751.58	\$61,261.06	58.33%
Information Systems Coordinator	\$79,500.00	\$6,625.00	\$6,625.00	\$6,625.00	\$6,625.00	\$6,625.00	\$6,625.00	\$6,625.00	\$46,375.00	58.33%
Budget Director	\$85,000.00	\$7,083.33	\$7,083.33	\$7,083.33	\$7,083.33	\$7,083.33	\$7,083.33	\$7,083.33	\$49,583.31	58.33%
Data Analyst	\$46,100.00	\$3,841.67	\$3,841.67	\$3,841.67	\$3,841.67	\$2,934.35	\$230.75	\$0.00	\$18,531.78	40.20%
Budget Manager I	\$31,377.00	\$2,614.75	\$2,614.75	\$2,614.75	\$2,614.75	\$2,614.75	\$2,614.75	\$4,550.04	\$20,238.64	64.50%
Budget Manager I	\$32,448.00	\$2,704.00	\$2,704.00	\$2,704.00	\$2,704.00	\$1,856.14	\$0.00	\$0.00	\$12,672.14	39.05%
Budget Manager II	\$58,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,055.00	\$4,875.00	\$9,930.00	16.97%
Database Administrator	\$47,250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Executive Assistant/Human Resources	\$34,440.00	\$2,870.00	\$2,870.00	\$2,870.00	\$2,870.00	\$2,870.00	\$2,870.00	\$2,870.00	\$20,090.00	58.33%
Internal Revenue(Corporation Responsibility)	\$50,000.00	\$3,378.33	\$3,387.60	\$3,180.08	\$3,326.41	\$3,240.54	\$3,236.55	\$3,420.83	\$23,150.34	46.30%
Retirement, Benefits, Workers' Comp and Other	\$176,040.00	\$16,200.59	\$16,718.78	\$15,840.72	\$15,826.64	\$15,749.82	\$17,266.38	\$15,649.25	\$113,252.18	64.33%
OPS STAFF:	\$22,000.00	\$1,198.00	\$1,320.00	\$869.00	\$476.50	\$1,061.50	\$968.00	\$1,441.92	\$7,337.92	33.35%
GENERAL EXPENSES:	\$92,781.00	\$6,601.21	\$5,227.79	\$5,456.06	\$4,459.81	\$4,871.18	\$6,895.29	\$4,158.05	\$37,669.19	40.61%
Rent (including Utilities)	\$47,761.00	\$3,387.96	\$3,352.03	\$3,295.91	\$3,581.19	\$3,326.75	\$3,321.06	\$3,355.46	\$23,632.38	49.48%
Communications (+ Internet and Phone)	\$10,000.00	\$433.78	\$275.86	\$257.38	\$323.93	\$429.13	\$543.42	\$428.15	\$2,692.65	26.93%
Equipment, Supplies and Other	\$35,000.00	\$2,779.47	\$1,589.90	\$1,902.77	\$554.49	\$1,113.30	\$3,030.81	\$373.44	\$11,344.18	32.41%
TRAVEL:	\$60,400.00	\$3,130.40	\$3,979.03	\$1,777.58	\$1,087.31	\$1,344.20	\$3,439.39	\$4,419.53	\$19,177.44	31.75%
STAFF TRAINING:	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
CONTRACTUAL EXPENSES:	\$262,454.00	\$3,688.75	\$11,716.25	\$14,258.75	\$22,208.50	\$15,752.50	\$8,962.50	\$17,940.00	\$94,525.25	33.47%
General Counsel	\$111,000.00	\$1,552.50	\$4,445.00	\$7,282.50	\$4,759.00	\$4,907.50	\$3,800.00	\$940.00	\$27,686.50	24.94%
FY 14-15 Survey, Reporting, and Other Services	\$160,454.00	\$2,136.25	\$7,271.25	\$6,976.25	\$17,447.50	\$2,295.00	\$5,162.50	\$17,000.00	\$58,288.75	36.33%
Audit Services	\$11,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,550.00	\$0.00	\$0.00	\$8,550.00	77.73%
EDUCATION SERVICES	\$354,533.00		\$12,590.00	\$73,950.00	\$81,590.00	\$0.00	\$0.00	\$61,180.00	\$209,310.00	59.04%
TOTALS:	\$1,617,097.00	\$0.00	\$78,615.94	\$99,367.11	\$159,729.85	\$153,392.63	\$84,682.22	\$83,925.86	\$612,891.86	50.25%

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

J.D. 5/11/17

WB 5/9/17
AB 5/22/17

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL	

Agenda Item 2b

Executive Council Meeting

June 12, 2017

Date: June 12, 2017
Subject: CCOC Office CFY 17/18 Budget Request

Executive Council Action:

Action Requested. Approve 17/18 Corporation Budget and/or Process for Approval.

Overview:

For the last year three years the CCOC held off making a recommendation for the Corporation Office budget request until after the Clerks submitted their budget requests and the Budget Committee made recommendations to the Council for Clerk budgets. The reason was the Council did not want to recommend a CCOC Office budget that was not in-line with the budget recommendations for the majority of Clerks statewide. The Budget Committee will not be making recommendations to the Executive Council until sometime this summer. Therefore a recommendation for approval of a CCOC Budget held prior to that may not be in-line with the budget recommendations for Clerk budgets. However, the CCOC Plan of Operations requires that the full Corporation membership vote annually on the CCOC budget. The Corporation membership could agree to allow the Executive Council to approve a budget at a later time.

Recommendation:

Present a continuation budget request for review for the Corporation membership but provide that the Executive Council be given the authority to revisit the request after Clerks' budget requests are approved for CFY 17/18.

Attachments/Handouts:

1. Current CCOC Budget for CFY 16/17 and Requested CFY 17/18 Budget. Provided by line item detail.



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.

DRAFT- For Presentation to CCOC Executive Council- June 12, 2017

CCOC Budget County Fiscal Year 2016 - 2017 (October 1, 2016 - September 30, 2017)		CCOC Budget Request County Fiscal Year 2017-18 (October 1, 2017 - September 30, 2018)*	
	Budget Category Amount		Budget Category Amount
CCOC STAFF:	\$ 806,302.00	CCOC STAFF:	\$ 831,436.40
Executive Director	\$119,128.00	Executive Director	\$119,128.00
Deputy Executive Director	\$105,019.00	Deputy Executive Director	\$105,019.00
Information Systems Coordinator	\$79,500.00	IT Services Manager	\$79,500.00
Budget Director	\$85,000.00	Budget and Communications Director	\$85,000.00
Data Analyst	\$46,100.00	Budget Manager II	\$60,255.00
Budget Manager I	\$31,377.00	Budget Manager I	\$36,467.00
Budget Manager I	\$32,448.00	Budget Manager I	\$46,865.00
Database Administrator	\$47,250.00	Data Quality Analyst	\$38,659.92
Executive Assistant/Human Resources	\$34,440.00	Executive Assistant/Human Resources	\$34,502.48
Internal Revenue(Corporation Responsibility)	\$50,000.00	Internal Revenue(Corporation Responsibility)	\$50,000.00
Retirement, Benefits, Workers' Comp and Other	\$176,040.00	Retirement, Benefits, Workers' Comp and Other	\$176,040.00
OPS STAFF:	\$22,000.00	OPS STAFF:	\$22,000.00
GENERAL EXPENSES:	\$86,408.00	GENERAL EXPENSES:	\$93,728.00
Rent (including Utilities)	\$41,408.00	Rent (including Utilities)	\$48,727.60
Communications (+ Internet and Phone)	\$10,000.00	Communications (+ Internet and Phone)	\$10,000.00
Equipment, Supplies and Other	\$35,000.00	Equipment, Supplies and Other	\$35,000.00
TRAVEL:	\$60,400.00	TRAVEL:	\$60,400.00
STAFF TRAINING:	\$5,000.00	STAFF TRAINING:	\$5,000.00
CONTRACTUAL EXPENSES:	\$282,454.00	CONTRACTUAL EXPENSES:	\$249,999.60
General Counsel	\$111,000.00	General Counsel	\$111,000.00
FY 16-17 Survey, Reporting, and Other Services	\$160,454.00	FY 17-18 Survey, Reporting, and Other Services	\$127,999.60
Audit Services	\$11,000.00	Audit Services	\$11,000.00
EDUCATION SERVICES:	\$354,533.00	EDUCATION SERVICES:	\$354,533.00
TOTALS:	\$1,617,097.00	TOTALS:	\$1,617,097.00

* CCOC Executive Council has the authority to move dollars within budget categories but must remain below total approved budget.

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL	

Agenda Item 3a

Executive Council Meeting

June 12, 2017

Date: June 12, 2017
Subject: CCOC Executive Committee Report

Executive Council Action:

Action Requested. Approve CCOC Executive Committee recommendations.

Overview:

The CCOC Executive Committee met via a conference call on April 20, 2017. The meeting was advertised and information posted on the CCOC website. (Attached is the agenda and material provided.) The summary of the minutes (Attached) from the Executive Committee meeting was provided to the Executive Council the next week.

The Committee made several recommendations that are listed below. In addition, they asked staff to provide to them additional information after the meeting concerning the process used in selecting vendors. The updated information is attached.

Recommendation:

1. Organization Study: Provide that the CCOC Executive Director should develop a flexible work schedule for staff. Generally accept the consultant's organizational chart but work with Executive Director on some of the titles. Accept the consultant's pay plan to be more aligned with the State's pay plan. For now however only bring up CCOC employees to the minimum recommended salary range and review at a later time any other increases recommended.
2. Plan of Operation: Have a revised Plan of Operation available for members at the summer conference. (Note: Revised Plan of Operation is attached for the Council Review.)
3. CCOC Contracts: Additional information on the procurement process be provided to the Executive Council at the next meeting. (Attached)
4. CCOC Policies and Procedures: Have CCOC Secretary/Treasurer Clerk Butterfield work with Executive Director John Dew on updating policies and procedures to bring to the Executive Council.
5. New Case Count Business Rules: Approve accepting the new case count business rules to use in the 2017/18 budget process.

Attachments/Handouts:

1. CCOC Executive Committee April 20th Agenda and Materials.
2. April 20th Draft Summary Minutes of Executive Committee Meeting
3. Draft Revised Plan of Operation
4. Follow-up information on CCOC contractual process



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.

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL	

Agenda

Executive Committee Meeting

April 20, 2017

Date: April 20, 2017
Time: Noon to 1pm EST
Location: Conference Call: (904) 512-0115, Code 412463

- Call to Order..... Sharon Bock
- Roll Call CCOC Staff
- Approval of Agenda and Welcome Sharon Bock
- 1) Approval of Minutes from 02/13/17 Executive Committee Meeting Stacy Butterfield
- 2) Discussion of Draft CCOC Organization Study. Sharon Bock
- 3) Discussion of CCOC Plan of Operation..... Ken Burke
- 4) History/Update of all CCOC Contracts Stacy Butterfield
- 5) Discussion on CCOC Policies and Procedures..... Stacy Butterfield
- 6) Discussion and vote to approve New Case Count Business Rules..... Ken Burke
- 7) Other Business Sharon Bock

Executive Committee Members: Sharon Bock, Chair; Ken Burke, Vice-Chair; and Stacy Butterfield, Secretary/Treasurer.



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.

EXECUTIVE COMMITTEE MEETING

February 13, 2017

Summary Minutes of the February 13, 2017 CCOC Executive Committee Meeting

The CCOC February 13th Executive Committee meeting was advertised in advance. The meeting was held at 2:00 PM via a telephone conference call.

CCOC Executive Director John Dew called the roll. Present were Chair Sharon Bock, Vice-Chair Ken Burke, and Secretary/Treasurer Stacy Butterfield. Mr. Dew indicated there was a quorum.

Chair Bock called the meeting to order and thanked those in attendance. Clerk Butterfield moved to approve the minutes from the October 31, 2016 Executive Committee meeting. Clerk Burke seconded the motion. The minutes were approved.

Chair Bock began a discussion of the staff proposed draft agenda for the upcoming February 27th, 2017 Executive Council meeting. Chair Bock asked if there were any additions, deletions, changes, or thoughts on the draft agenda. Several items were discussed.

1. Chair Bock wanted to list separately on the agenda that there would be an update on the CCOC Organizational study. She reported that more time was needed to complete the study. If the revised draft of the study is received before the Council meeting, it will be sent out to the Executive Committee members.
2. Workgroups have updates and need to be inserted under their respect Committee. Mr. Dew will call Committee and Workgroup chairs to make sure they will be ready for an update on their projects.
3. The status of the Peer Group Study by Economists Incorporated will be a separate item on the agenda. Will be Agenda #5.
4. Update on Clerks Role in Collections, Judge Ron Ficarrotta's name will be added with Clerk Bock's to the agenda.
5. CCOC Plan of Operations discussion will be after the Treasurer's Report on the agenda. Clerk Burke will be presenting.

Clerk Butterfield discussed the upcoming dates for the Budget Committee meeting in March. It was decided that an email would be sent to the Budget Committee members to see if March 15 in Tallahassee or the next week in Orlando would be the best timeframe for a meeting. Clerk Butterfield asked Mr. Dew to have Mr. Harrell begin a draft.

Chair Bock discussed having the CCOC staff work with Secretary/Treasurer Clerk Butterfield to provide to the Committee a list of all CCOC contracts, the process used to establish such contracts, and the history of each contract. Mr. Dew said he will provide the information as requested.



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.

The next item for discussion was reviewing CCOC office policies since this has not been done in a number of years. Chair Bock said she wants to bring the policy discussions back to the Executive Committee after the Winter Conference and be ready to present any revisions suggested at the Summer Conference agenda. Clerk Butterfield and Clerk Burke agreed.

Chair Bock asked Clerk Burke to review the CCOC Plan of Operations to determine if there should be updates and revisions. She specifically asked him at the next Executive Council meeting to bring this issue up and ask members if they have any suggested revisions. The CCOC Executive Committee would then meet to review suggestions and make a presentation to the full Corporation members at the Summer Conference of any suggested revisions.

Chair Bock asked the Committee if they had any opinion on if there should be a process for approving CCOC stationary headings changes since staff were seeking to update the current stationary. Clerk Burke and Clerk Butterfield stated that there was no need for formal approval. They were fine with the Executive Director working with the CCOC Chair on these issues to make such decisions as it was an administrative responsibility.

A discussion ensued concerning the upcoming legislative session and the need to assure all Clerks understood what efforts were being made to have sufficient funding. Chair Bock will ask Clerk Timmann to call a CCOC Legislative Committee meeting.

Clerk Burke made a motion to end the Executive Committee meeting. Clerk Butterfield seconded. Vote was taken and the meeting ended at 3:00 PM.

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL	

Agenda Item 2

Executive Committee Meeting

April 20, 2017

Date: April 20, 2017

Subject: Draft CCOC Organizational Study Conducted by Evergreen Solutions

Committee Action: Discussion. Direction to CCOC staff.

Overview/Background: The Committee at the September 9, 2016 meeting approved the release of a RFQ by the CCOC for a vendor to conduct an organizational study of the Corporation Office. At the October 31st Committee meeting it was approved to move forward in our negotiation to hire the consulting firm of Evergreen Solutions. It was noted by Chair Bock at the February 13, 2017 Committee meeting that the firm was still working on the study and would need more time.

Evergreen Solutions completed the study. Provided is the draft for the Committee members to review.

Findings/Conclusion: The major finding was: “Evergreen found the organization to possess a structured compensation and classification system, but one that is outdated and in need of several updates to ensure it accurately reflects the work currently performed by employees. Additionally, Evergreen identified some areas where the organization can improve its allocation of human capital to better meet the needs of its customer base. The major recommendation is: “As a result of the analysis and findings located within this report, Evergreen recommends that CCOC adopt a modified organizational chart, reclassify two current classifications, and adopt a new compensation structure that mirrors that of the State of Florida’s.

Staff Input: While the report does fairly and correctly represent the current situation, and we agree with the majority of the recommendations, there are some recommendations we would like to discuss with the committee prior to any implementation.

Lead Staff: John Dew, CCOC Executive Director

Attachment: 1. Draft “Compensation, Classification, and Organizational Study” from Evergreen Solutions



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.

Compensation, Classification, and Organization Study

1.0 INTRODUCTION

In November of 2016, the Florida Clerks of Court Operations Corporation (CCOC or the Corporation) retained Evergreen Solutions, LLC (Evergreen) to perform compensation, classification, and organization study. This report summarizes the overall findings and recommendations from this study, and is broken down in three major sections, an introduction, the observations from the various analyses, and the resultant recommendation from Evergreen to CCOC.

A study of this nature provides the organization's executive team and key stakeholder's with invaluable information related to the opinions of employees, current market data, the state of internal and external equity, and the effectiveness of how the organization is allocating its human capital.

1.1 Major Findings

Evergreen found the organization to possess a structured compensation and classification system, but one that is outdated and in need of several updates to ensure it accurately reflects the work currently performed by employees. Additionally, Evergreen identified some areas where the organization can improve its allocation of human capital to better meet the needs of its customer base.

1.2 Major Recommendations

As a result of the analysis and findings located within this report, Evergreen recommends that CCOC adopt a modified organizational chart, reclassify two current classifications, and adopt a new compensation structure that mirrors that of the State of Florida's.

2:0 ANALYSIS

2.1 Classification Analysis

The classification analysis utilized in this study consisted of two major components, the first of which was an up to date assessment of all work performed by each incumbent within their respective classification. To capture this information, Evergreen utilized a process involving the individual completion of a Job Assessment Tool (JAT). Each employee was asked to complete an individual JAT survey, where they shared information pertaining to their work in



their own words. These JATs were analyzed and compared to the current classification descriptions, and classifications were individually scored based on employee responses to five compensable factor questions. Each of the compensable factors—Leadership, Working Conditions, Complexity, Decision Making, and Relationships—were given weighted values based on employee responses, resulting in a point factor score for each classification. Each compensable factor has 8 possible points which combine to form a total range of weighted JAT scores. The rank order of classes by JAT scores is used to develop a rank order of classes within the proposed compensation structure. Combined with market data, this information forms the foundation of the combined recommendations. Evergreen additionally reviewed each employee’s JAT submission in order to verify if the current classification titles aligned with the work performed at the present.

The second component of the classification analysis consisted of analyzing the work that is currently not being performed by employees at CCOC due to time constraints and priorities of greater magnitude occupying existing work hours. Each employee was asked to provide a list of tasks that they felt he or she should be performing in order to better serve their customer base, but is unable to due to time constraints. This information was used to inform how employee’s time was spent addressing the core services of the organizations, and where gaps existed in each classification assigned duties and the overall needs of the organization to meet those core service demands.

2.2 Compensation Analysis

Compensation analysis consists of two major sections, an internal assessment of the current conditions of the compensation structure, as well as a market study which consist of a salary survey of relevant peer organizations.

2.2.1 Assessment of Current Conditions

The assessment of current conditions aims to analyze the compensation structures that are currently in place at the Corporation in order to identify the strengths and weaknesses of the existing structure. The analyses found within this section are reflective of the current conditions of the Corporation’s compensation plan and policies, and should be regarded as such. The insights gained from this chapter serve as a foundation for Evergreen’s recommendations to the Corporation.

The Corporation currently utilizes a singular pay plan for its classifications, consisting of seven salary grades. Each grade is an open range, meaning there is a defined minimum and maximum, and no particular regimented salary points between them. This pay plan was adopted and last updated in August of 2009. The Corporation currently possesses two classifications, the Data Quality Analyst and the Deputy Executive Director, which are not formally assigned to pay grades. The current pay plan is displayed in **Exhibit A**:

**EXHIBIT A
CURRENT PAY PLAN**

Classification	Min	Mid	Max
Executive Director	\$99,000.00	\$115,650.00	\$132,300.00
Deputy Executive Director	\$74,250.40	\$96,660.30	\$119,070.20
Director Budget and Communications	\$57,371.40	\$83,189.25	\$109,007.10
Information and Technology Resource Director	\$54,900.00	\$80,100.00	\$105,300.00
Budget Manager I	\$30,170.00	\$43,997.45	\$57,824.90
Budge Manager II	\$34,480.00	\$50,282.80	\$66,085.60
Executive Assistant	\$32,490.00	\$47,115.00	\$61,740.00
Data Quality Analyst	\$44,886.00	\$50,848.00	\$56,810.00
Database Administrator	\$40,948.00	\$59,825.00	\$78,702.00

An analysis of current employee salaries placement into their pay ranges showed that all current incumbents assigned to a pay range possess a salary that appropriately falls within their range minimum and maximum. The overall distribution of salaries within their range shows that three employees at CCOC have achieved salary progression past the midpoint of their respective salary range, while all other employees fall between the minimum and midpoint of their range. This salary distribution can be explained, in part, by the relatively new workforce for the organization, as the majority of current employees were hired within the past four years.

Overall, it is important that CCOC continue to utilize a defined compensation structure such as the one it has in place; however, it is important to ensure all current classifications are added to the structure and the rates are updated to reflect any market changes for these classifications that has occurred over the past seven years.

2.2.2 Market Study

Market comparisons provide the best and most direct methods of determining the relative position of an organization in the market place. Specifically, market comparisons focus on the average of the market and range characteristics. As a result, market data can be used to evaluate overall structure, such as ranges; summarize overall market competitiveness; and capture the current highs and lows of the pay plan at a fixed point in time.

Prior to presenting the analysis, it should be noted that market comparisons are best thought of as a snapshot of current market conditions. In other words, market conditions change, and in some cases change quickly; so while market surveys are useful for making updates to a salary structure, they must be done at regular intervals if the organization wishes to stay current with the marketplace.

The salary survey consisted of all seven classifications currently in use at CCOC, and five peer organizations were identified for salary comparison. The organizations included in the salary survey were the following:

- Florida Office of Policy & Budget
- State Courts Association

- Florida Governor’s Office
- Florida State Government
- Florida State Court Administrator

As discussed in the prior section, some classifications do not possess official grade assignments within CCOC currently, and as a result, a range comparison against the market place was not possible. While market data was still collected for these classifications, no percent differential is shown to indicate the current market position of the organization’s salary range. The survey results are shown in **Exhibit B**:

**EXHIBIT B
PUBLIC SECTOR MARKET RESULTS**

ID	Classification	Survey Minimum		Survey Midpoint		Survey Maximum		Survey Avg Range
		Average	% Diff	Average	% Diff	Average	% Diff	
1	Budget Manager	\$39,139.46	-29.7%	\$55,343.13	-25.8%	\$71,546.80	-23.7%	82.8%
2	Data Quality Analyst	\$41,895.03	-	\$59,558.64	-	\$77,222.25	-	84.3%
3	Executive Assistant	\$35,284.11	-8.6%	\$49,491.90	-5.0%	\$63,699.69	-3.2%	80.5%
4	IT Director	\$64,647.13	-17.8%	\$98,041.46	-22.4%	\$131,435.79	-24.8%	103.3%
5	Budget and Communications Director	\$59,468.08	-3.7%	\$92,220.18	-10.9%	\$124,972.27	-14.6%	110.2%
6	Deputy Executive Director	\$73,357.11	-	\$113,872.37	-	\$154,387.63	-	110.5%
7	Executive Director	\$86,852.59	12.3%	\$129,199.90	-11.7%	\$171,547.22	-29.7%	97.5%
Overall Average			-9.5%		-15.2%		-19.2%	95.6%

In addition to performing a local public sector market survey, Evergreen additionally utilized a salary database from the Economic Resource Institute (ERI) in order to query local private sector salary ranges for these classifications as well. The results of the private sector salary study are shown in **Exhibit C**:

**EXHIBIT C
PRIVATE SECTOR MARKET RESULTS**

ID	Classification	Survey Minimum		Survey Midpoint		Survey Maximum		Survey Avg Range
		Average	% Diff	Average	% Diff	Average	% Diff	
1	Budget Manager	\$38,735.00	-28.4%	\$65,102.00	-48.0%	\$96,066.00	-66.1%	82.8%
2	Data Quality Analyst	\$47,085.00	-	\$82,821.00	-	\$119,968.00	-	84.3%
3	Executive Assistant	\$38,300.00	-17.9%	\$63,767.00	-35.3%	\$94,785.00	-53.5%	80.5%
4	IT Director	\$64,037.00	-16.6%	\$88,401.00	-10.4%	\$116,819.00	-10.9%	103.3%
5	Budget and Communications Director	\$74,517.00	-29.9%	\$102,591.00	-23.3%	\$133,985.00	-22.9%	110.2%
6	Deputy Executive Director	\$86,499.00	-	\$191,298.00	-	\$316,565.00	-	110.5%
7	Executive Director	\$118,264.00	-19.5%	\$253,115.00	118.9%	\$418,046.00	216.0%	97.5%
Overall Average			-22.5%		-47.2%		-73.9%	95.6%

3.0 FINDINGS

3.1 General Findings

In November of 2016, Evergreen staff met individually with all employees of the Corporation to interview them for their thoughts on several topics concerning employment with the organization. The goal of these interviews was to identify the thematic responses amongst employees in order to identify the major perceptual concerns the organization is facing at the present time. The comments and feedback from employees were summarized in two categories, those which were positive remarks or noted as a strength of the organization, and those which expressed concern or cited an existing weakness.

COMMENDATIONS

- Employees stated that CCOC was a positive working environment and a good place to work.
- All employees commended the organization's flexibility to meet its customer's needs as well as the flexibility for work-life balance needs that arise.
- Employees were generally very positive about their benefits package and cited it as a draw for employment with the organization.
- Employee stated they enjoyed the work they do and appreciated their coworker's efforts.

CONCERNS

- Employees expressed concerns about some job titles in the organization, as they seemed to not fit the current work performed by the position.
- Lack of pay progression was one of the major concerns brought forward by employees.
- Several employees stated that they felt the compensation was low relative to the local market for similar work.
- All employees expressed the concern the workload is currently such that they are unable to meet all of the tasks required of them.
- Additionally, a large portion of employees expressed interest in additional staff to address workload issues.
- A few employees stated there has been a turnover issue with some positions in recent years.



3.2 Classification Findings

The findings from the classification analysis can be summarized in four primary categories: the state of internal equity, the current division of duties, the appropriateness of classification assignments as well as the relevance of job titles, and the duties the organization is unable to perform currently.

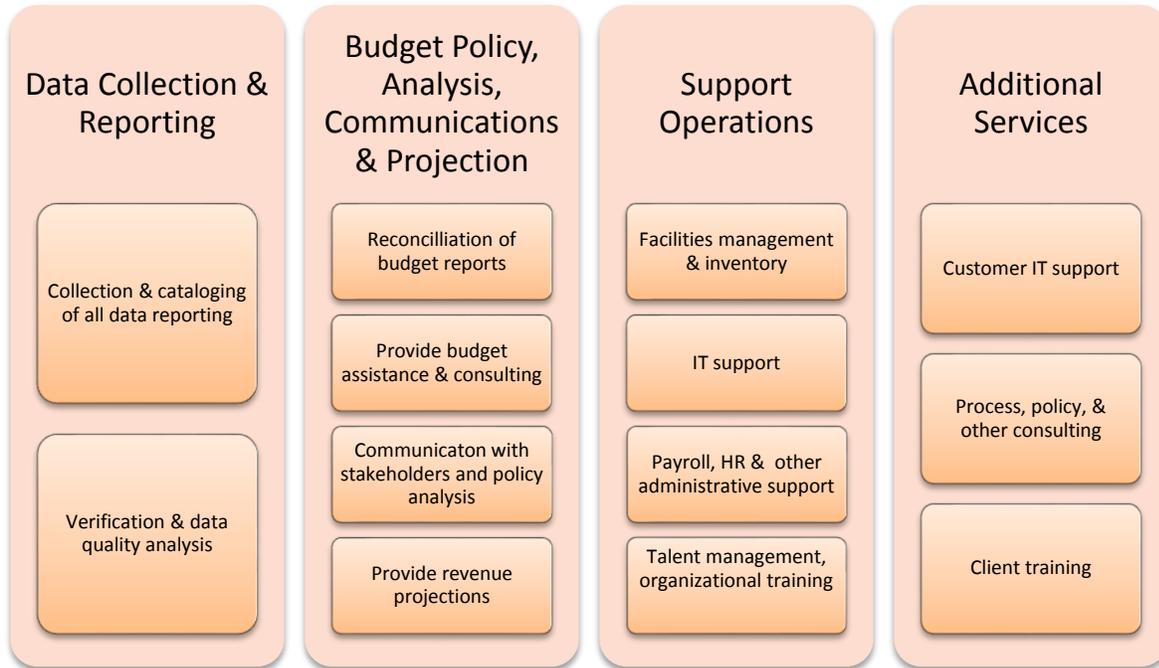
3.2.1 Internal Equity

The Corporation's classifications all underwent JAT analysis to determine if the current compensation hierarchy of classifications was internally equitable. Based on this analysis, it was found that there were no hierarchy issues within the organization, and no re-ordering of grade order was needed at this time amongst the existing classifications.

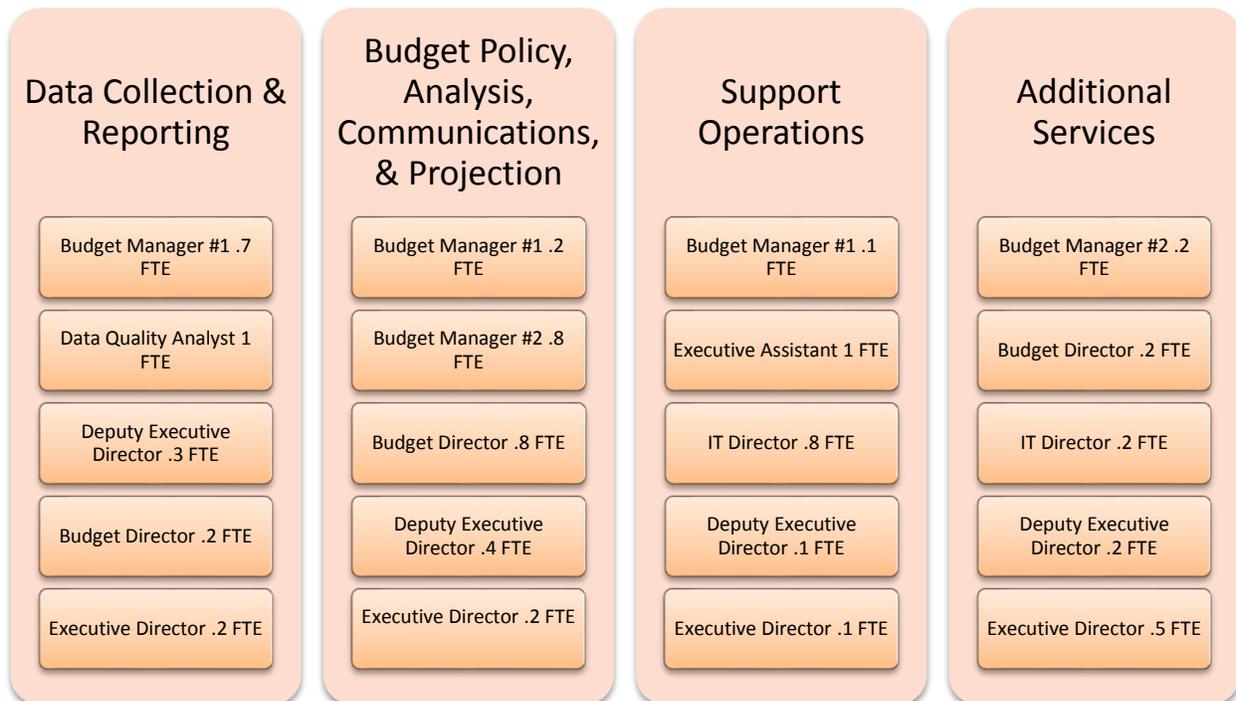
3.2.2 Division of Duties

One of the primary sections of the JAT consists of employee citing the list of essential job functions that they currently perform, offering whether or not each task is considered a priority task, and assigning their estimate of the percent of their total time each function requires of them. Based on this information provided by each employee, Evergreen was able to categorize the type of work performed at the Corporation into four primary categories: Data Collection and reporting; budget policy, analysis, communications, and projection; Support Operations; and any additional services provided by CCOC employees to their customer base. Once the core services were defined, each of the major functions performed at CCOC was categorized. **Exhibit D** displays the four core services, with the major functions associated with each function listed below. CCOC utilizes a variety of contracts for internal and external services. The major contracts include clerk training, general counsel services, and budget prioritization and policy management. The internal elements of these contracts are part of "Additional Services." **Exhibit E** shows a breakdown of how each classification currently performs work under this model, indicating by percentage of full-time equivalent (FTE) where their time is dedicated towards each respective service category.

**EXHIBIT D
CORE SERVICES & FUNCTIONS**



**EXHIBIT E
FTE BREAKDOWN BY SERVICE**



Based on the results of the JAT the resulting total FTE count dedicated to each category is as follows:

- Data Collection & Reporting: 2.4 FTE
- Budget Policy, Analysis, Communications & Projection: 2.4 FTE
- Support Operations: 2.1 FTE
- Additional Services: 1.3 FTE

The approximate total of 8.2 FTEs does not include the Database Administrator vacancy. When examining the additional database-related or technical work included in the job description as well as what is waiting to be addressed in the future, the workload translates into at least another .7 FTE.

3.2.3 Job titles and reclassification

Upon reviewing both the tasks associated with each classification, and how employee's time was spent on the major service categories. Classifications in the organization were generally well assigned and titles were largely appropriate to the work required of the individuals assigned to each role; however, one classification was identified as having a title that did not best fit the work required of it, which was that of the Budget Manager.

3.2.4 Unmet tasks and functions

Each employee of the organization was asked to provide a list of tasks and functions that are within statutory requirement, but they are unable to meet due to time constraints and other limiting factors such as division of labor or staffing levels. After reviewing the documentation provided by employees, Evergreen grouped the responses in several main categories, ordered from top to bottom by the level of agreement in the opinion of the staff from highest to lowest.

- Data quality assurance
- Additional interaction with the Clerks throughout the state
- Creation and maintenance of additional databases
- Proactive research and solutions to existing and forthcoming customer challenges
- Increased interaction with the legislature

3.3 Compensation Findings

While the organization does possess a defined compensation plan, the plan has become out of date both in terms of structural relevance to the organization, as well as in terms of the actual salary ranges offered by the organization for its classifications. It is important for the organization to have a procedure in place for more frequently updating its compensation and classification structures, especially as it grows to meet the changing needs of its customer base.

The public market results reflected that while the organization is currently behind market across the board, this is primarily due to the Budget Manager classifications' market differential. It is important to note that the market comparison for this classification was done

with the understanding that the work performed in this classification did not align with its current title, and therefore salary data utilized for comparison was relevant to a classification of Budget Analyst instead.

4.0 RECOMMENDATIONS

4.1 General Recommendations

Based on the observations and findings summarized from the employee interviews, Evergreen recommends that the Corporation explore ways of further enhancing its organizational flexibility with regards to employee works hours. Several employees stated that the seasonal nature and uneven workloads that organically occur with the nature of the services they provide, and as such, Evergreen recommends the organization further embraces flexible work weeks and work schedules. This will serve two purposes, the first is ensuring staff is able to extend themselves to meet specific deadlines for projects and deliverables, and also this can serve as a recruitment and retention aid for high quality staff.

Due to the size the organization and tenure of the leadership of the organization, it is increasingly paramount that the organization begins the process of succession planning by identifying individuals and developing processes to transition the organization to new leadership when the time comes. An effective succession plan can help ensure a smooth organizational transition to new leadership and help prevent lapses in the quality of services.

A secondary concern in the study related to the possibility of moving additional positions to the State of Florida's Senior Management Service (SMS) classification. According to legislative staff, the current position of the Florida Legislature is to maintain current levels. As a result, Evergreen recommends that CCOC maintain the current positions within the SMS classification, but not increase the total number.

4.2 Classification Recommendations

While it was found that the organization is generally appropriately classified, the JAT analysis did find that the Budget Manager classification was inappropriately titled relative to the type of work currently performed by the incumbents. As a result, Evergreen recommends that the Corporation adopt a new title of Budget Analyst, as it more effectively captures the core of the work required of these positions.

Along with a necessary title change to ensure classifications align with work performed, Evergreen was informed that the current IT director would be departing shortly after the study concluded, and the position was to be adjusted for any new incumbent. Based on the type of work the organization anticipates of an incoming replacement, Evergreen recommends this position be retitled to IT Services Manager.

In addition to the title changes, Evergreen noted that considerable level of concern expressed by employees that the current workload and delineation of work is such that several key tasks are not addressed at the present. Based on the breakdown of tasks provided by each

employee in the JAT, **Exhibit D** was developed in order to understand how the organization is allocating its employees to providing its core services. These breakdowns of where employees spend their time, in conjunction with the key service areas employees feel are neglected, either in whole or in part, Evergreen has identified some areas where the organization can shift its personnel allocation to better address these gaps.

The Corporation currently has one unoccupied classification that it has been attempting to recruit for, that of the database administrator. Rather than proceeding to fill this position as it was utilized previously, Evergreen recommends that Corporation hire an individual into a hybrid role with the purpose of focusing on database design, database management, data quality integrity, and assurance, and also providing programming support to the Information Technology Manager. This shift in focus for this position would both enable an increase in the quality and efficiency in the reports the organization produces, it would enable both the Deputy Executive Director and Executive Director to shift focus more towards interacting with both the Clerks and the legislature.

Based on the above recommendations, the adjusted organization chart is shown in **Exhibit F**.

**EXHIBIT F
PROPOSED ORGANIZATIONAL CHART**



4.3 Compensation Recommendations

As discussed in the compensation findings section, the organization currently does not possess an up to date structure both in terms of its current classifications' assignments to it, as well as the salary ranges offered. Furthermore, if the organization were to implement the previous recommendation that addresses the future of the IT Director classification, a modification to the current compensation structure is also necessary. Lastly, it is important to note that the Corporation has expressed considerable concern with maintaining proximity and competitiveness with the State of Florida's compensation rates.

Therefore, Evergreen recommends that the Corporation adopt a modified version of the State of Florida's compensation structure, and align its classifications at similar pay levels to the state. The resulting pay plan of alignment with the State of Florida's compensation structure is shown in **Exhibit G**. The exhibit lists each classification, the pay band that classifications fall under within the State's broad band system, the State's specific pay grade under the umbrella of the broadband system, as well as a unique grade number for CCOC itself. Lastly, the proposed range minimum, midpoint, and maximum are also displayed.

EXHIBIT G PROPOSED PAY PLAN

Classification	Pay Band	Pay Grade	CCOC Grade	Minimum	Midpoint	Maximum
Executive Assistant	6	21	1	\$34,501.48	\$48,241.27	\$61,981.06
Budget Analyst	8	22	2	\$36,467.60	\$51,304.15	\$66,140.69
Data Quality Analyst	6	23	3	\$38,659.92	\$54,742.36	\$70,824.79
Database Analyst	1	24	4	\$40,948.18	\$58,298.95	\$75,649.72
IT Manager	21	530	5	\$45,173.44	\$73,349.49	\$101,525.53
Budget and Communications Director	21	540	6	\$52,917.80	\$88,327.80	\$123,737.79
Deputy Executive Director	24	940	7	\$64,558.52	\$108,452.62	\$152,346.72
Executive Director	25	950	8	\$77,470.12	\$125,790.35	\$174,110.58

By adopting this structure, the organization ensures it is offering competitive salaries its employees relative to the State Government, which represents the largest employer in the local area and possesses proximity to the organization in both location but also operational interaction. Additionally, this mirroring of the State's structure also allows the organization to have an entity to benchmark its classifications against, both in the present and in the future as it continues to grow and change to best provide services that meet its customers' needs. If the organization desired to implement this structure at the present time, the minimum estimated salary cost associated with ensuring all employee salaries fall within their proposed range is **\$9,171.**) This amount would ensure all employee salaries were brought up to at least the minimum of the proposed salary ranges.

Although ensuring that all employees make the minimum of the market appropriate range addresses earning potential, it does not place an employee's individual salary at the market rate. When considering market appropriateness at the incumbent level, most CCOC staff should be paid at the 25th percentile and leadership should be closer to the 50th percentile. The reoccurring cost for this option would be approximately **\$44,903.** The cost for vacancies

are not included in this calculation. If the Database Administrator position is included in this adjustment and the candidate possesses full competency, then the additional cost should be less than **\$6,970**.

Any organization's compensation and classification system will need periodic maintenance. The recommendations provided in this section were developed based on conditions at the time the study was conducted. Without proper upkeep of the system, the potential for recruitment and retention issues may increase as the compensation and classification system becomes dated and less competitive.

As such, Evergreen recommends that the organization additionally maintain pay plan movement with the State, to ensure that the rates offered for each classification continues to be relevant and market competitive. This process entails that CCOC leadership or their designee monitors changes in the state plan and increases. Based on these changes, CCOC leadership should adopt similar pay plan adjustments. If CCOC is permitted to adopt a more market responsive approach, then market surveys should be conducted annually and the pay plan adjusted, accordingly.

When the organization adds new classifications or finds that it needs to alter current ones to better serve its customers, a job description should be drafted for the expected work of the new or altered classification, and a comparison against the State classification system should be performed. In this comparison, a State classification should be identified by way of comparing like duties and requirements, and this classification would then serve as the benchmark the CCOC ties its salary range to. All comparisons should be performed by the individual who is assigned to the Corporation's Human Resources function, and be approved by the Executive Director.

Even with periodic movement and maintenance of the system, it is important that the organization conduct a comprehensive compensation and classification study every five years to ensure that the needs of the organization have not outgrown its compensation and classification structure.

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR		Joe Boyd GENERAL COUNSEL

Agenda Item 3

Executive Committee Meeting

April 20, 2017

Date: April 20, 2017
Subject: Discussion on CCOC Plan of Operation

Committee Action: Review and discuss CCOC Plan of Operation.

Overview/Background: Florida statutes requires that the CCOC adopt a Plan of Operation. It provides no further detail other than stating “The duties of the corporation shall include the following: (a) Adopting a plan of operation.”

The Plan as currently written provides that the “Corporation Plan of Operation shall be adopted by the members and may be amended by a majority vote of the Corporation members at the annual meeting of the Corporation pursuant to provisions herein.” The next Corporation meeting is scheduled for June 12th after the 3pm Executive Council meeting.

The Plan has been revised a number of times over the last 14 years with the most recent changes approved by the Corporation at their June 11, 2013 meeting. Chair Bock has noted it might be a good time to review the Plan to see if there should be any revisions due to changes in the law, clarifying responsibilities of the CCOC, as well as to be more efficient by adopting specific procedures.

Staff Input: There have been law changes since 2013. Additionally there have been recommendations approved by the Council for process changes that could be incorporated into the Plan as well as recognition that the Plan could provide direction in how to handle certain circumstances.

Lead Staff: John Dew, CCOC Executive Director

Attachment: 1. CCOC Plan of Operation as last approved by the EC on 6/11/13



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.

**PLAN OF OPERATION
of
FLORIDA CLERKS OF COURT OPERATIONS CORPORATION**

**ARTICLE I
GENERAL PROVISIONS**

Section 1-1: Name

The name of the Corporation shall be the Florida Clerks of Court Operations Corporation.

Section 1-2: Establishment

The Florida Clerks of Court Operations Corporation, hereinafter known as “Corporation”, is established under Section 28.35, Florida Statutes, as amended from time to time. The statutory duties assigned to the Corporation shall be performed by the Executive Council. Any future reference to the Executive Council in this document shall be referred to as the “Council”.

Section 1-3: Legal Structure

A. The Corporation is established as a public corporation organized to perform those functions specified in statute and delineated herein.

B. Membership in the Corporation shall be the Clerks of the Circuit Court who shall hold their position and authority in an ex officio capacity.

C. Corporation Plan of Operation shall be adopted by the members and may be amended by a majority vote of the Corporation members at the annual meeting of the Corporation held pursuant to provisions herein. Plan of Operation may not contradict the statutory purpose, construction, operation, or scope of duties/authority of the Corporation.

Section 1-4: Corporation Powers and Duties

The duties of the Corporation shall include:

A. The functions assigned to the Corporation, as defined in s. 28.35, and s.28.36, Florida Statutes.

B. Adopting a Plan of Operation.

C. Conducting the election of an Executive Council.

D. Recommending to the Legislature changes in the amounts of the various court-related service charges, fines, fees and costs established by law to ensure reasonable and adequate funding of the Clerks of Court in the performance of their court-related functions.

- E. Performing the functions specified in sections 28.35 and 28.36, Florida Statutes.
- F. Developing and certifying a uniform system of workload measures and clerk workload performance standards as set forth in law and defined by the membership of the Corporation.
- G. Reviewing, certifying and recommending proposed budgets using the methodology set forth in law.
- H. Submitting its proposed budget and the information described in Section 28.35(2)(f), Florida Statute, along with proposed budgets for each Clerk of Court, to the Legislative Budget Commission.
- I. Developing and conducting Clerk education programs.
- J. Submitting an audited annual financial statement to the Auditor General and such other entities as may be designated by law.
- K. Hiring staff and paying other expenses, as necessary, to perform the responsibilities and duties of the Corporation as described by law.

Section 1-5: Corporation Meetings

Meetings of the Corporation shall be governed by the following provisions:

- A. The Corporation shall hold an annual business meeting each year and such other meetings as deemed necessary by the call of the Council or upon the petition to the Council by twenty-two (22) or more members of the Corporation. At the annual business meeting the Council shall establish a schedule of all regular meetings for the coming year. In the name of efficiency and economy, the Corporation will try to coordinate its meetings with the meetings of the Florida Court Clerks & Comptrollers.
- B. Notice of the Corporation's annual meeting shall be given thirty (30) days prior to the meeting date. The agenda shall advise the members, in detail, the substance and nature of each agenda item and will be provided seven (7) days prior to the annual meeting. For other meetings of the Corporation, as provided in Section 1-5 A, notices shall be provided a minimum of seven (7) days prior to such meetings with agenda provisions as previously noted.
- C. All meetings of the Council and the annual meeting of the Corporation shall be open to the public pursuant to Florida law.
- D. Proceedings of Corporation meetings shall be governed by the most current edition of "Robert's Rules of Order" with detailed minutes of all proceedings taken and maintained by the

Secretary/Treasurer. Said minutes, upon approval of the Corporation, shall be placed on and maintained by the Corporation on the Corporation's website for public access.

ARTICLE II COUNCIL

Section 2-1: Duties and Responsibilities

Except as otherwise specifically provided by law, the Council shall perform on behalf of the Corporation, those duties and responsibilities assigned by statute and the plan of operation to the Corporation. Such duties and responsibilities shall be administered in accordance with the Plan of Operation approved by the Corporation and as such may be subsequently amended as provided in Section 1-3 C. The Council shall develop for its own internal use, administrative, personnel, and purchasing policies for the Corporation Office.

The Council shall have standing committees to help more efficiently carry out statutory duties. Ad hoc committees may be established as determined necessary by the Chairman. Summary minutes of all proceedings of meetings of the standing committees shall be taken and maintained by CCOC staff and placed and maintained on the Corporation website for public access. Minutes are not required to be taken at the ad hoc committee meetings.

Standing committees shall include:

Finance and Budget Committee: The primary duties of the Budget and Finance Committee shall be to: Develop budget forms and instructions for Clerks; Inform and educate Clerks on the budget process; Request Clerks to submit a budget; Develop budgetary evaluation criteria; Review Clerks proposed budgets consistent with the evaluation criteria; Recommend to the Council a proposed budget for all Clerks and; Recommend such amendments to existing or proposed budgets as may be required. The Committee shall also be responsible for presenting the budget before the Legislature, Governor or their staff as needed. The Committee shall identify Legislative problems and solutions and recommend them to the CCOC Legislative Committee.

Performance Improvement and Efficiency Committee: The Committee shall work with Corporation members to help carry out statutory duties of developing workload measures and clerk workload performance standards as well as seeking methods to develop where feasible further efficiencies in Clerks' court-related duties.

Legislative Committee: The Committee shall act on behalf of the Council as requested to provide recommendations to the Legislature as required by statute and the Plan of Operations. The Committee shall further review Legislative priorities, committee hearings, bills, and other issues as they relate to Clerks and CCOC activities.

Clerk Education Program Committee: The Committee shall work with Corporation members to help carry out statutory duties of developing and conducting clerk education programs.

Revenue Enhancement Committee: The Committee shall work with the Council to recommend to the Legislature changes in the various amounts of court-related fines, fees, service fees, and costs.

Executive Committee: The Committee shall consist of the Council Officers as established in Section 3-1. The purpose of the Committee is to act on behalf of the Council when decisions need to be made on issues requiring immediate attention or on administrative issues. The Council shall be notified of any action taken by the Executive Committee within one work day of the action. All decisions of the Executive Committee shall be provided to the Council at the Council's next meeting for confirmation.

Section 2-2: Membership

The Council shall be composed of eight Clerks elected by the Corporation members. Two Clerks shall be from each of the following four population categories and shall serve for a term of two years.

Group A: Less than 100,000 citizens

Group B: 100,000 but fewer than 500,000

Group C: 500,000 but fewer than 1 million

Group D: 1 million or more

The Executive Council shall consist of staggered two (2) year terms, commencing by 2012. The Executive Council, by resolution, shall establish the process, the terms and division within Groups to implement the staggered terms, including initially the use of some terms of one (1) year and thereafter two (2) year terms.

The Council shall also include, as ex officio members, a designee of the President of the Senate and a designee of the Speaker of the House of Representatives. The Chief Justice of the Supreme Court shall designate one additional member to represent the State courts system.

Section 2-3: Election of Council

At the annual meeting, the currently sitting Council members shall conduct the meeting then the incoming board members will be sworn, shall elect officers for a one (1) year term, and shall set the schedule for meetings of the Council and the Corporation for the coming year. If at any time during the one year an officer's position becomes vacant, the Council at their next meeting shall select a Council member to fill the vacant position.

Council members, other than designees of the President of the Senate, the Speaker of the House of Representatives and Chief Justice of the Supreme Court, assuming office at the annual meeting, shall be elected pursuant to the following:

A. Counties comprising population categories delineated herein shall be based on individual county population estimates for the year in which the election is held as published by the Bureau of Economic and Business Research, University of Florida.

B. On or before April 1 of each year, the Secretary/Treasurer shall provide written notice to all Clerks of the Court of the upcoming election. Notification of the election shall include an election schedule as well as notice to Clerks of the Court to submit to the Council Secretary/Treasurer by April 15 their intent to be a candidate for election to the Council.

C. By May 15 of each year, the Secretary/Treasurer shall prepare an election ballot which shall contain the names of all Clerks of Court divided into appropriate population categories of their respective counties, but excluding those in mid-term on the Council. The names of those Clerks of Court who have expressed their intent to be a declared a candidate for Council election shall be so indicated on the ballot. The ballot shall be distributed to all Clerks of Court in such a manner as to provide documentation of proper delivery and to ensure receipt by the Clerks of Court a minimum of fifteen (15) days prior to the ballot return deadline.

D. All ballots shall be returned to the specific address of a Certified Public Accountant (CPA) selected by the Council by the designated date for the official opening and counting of the ballots. All ballots must be received in a sealed envelope or may be faxed directly to the CPA. The CPA shall maintain custody of all ballots in a sealed condition until the designated date and time for opening and counting. The Council, with the assistance of the CPA, and in order to comply with Chapter 119, F.S., may establish electronic voting.

E. On the date and at the time and location noticed for the official opening and counting of the ballots, the designated CPA shall open and count all ballots and shall certify the official results of the election. Electronic votes shall be counted and certified, as established above. The designated CPA shall serve notice of certification to the Council and, the Corporation Members.

F. Special elections as may be necessary and called pursuant to Section 2-4 shall be conducted within the requirements and framework of the above provisions including applicable schedule timelines. Special elections may be held to fill a vacated term on the Council for the remaining term of the vacated office.

G. If a candidate is unopposed, then no ballot process/election process shall be required.

Section 2-4: Council Meetings

A. The Council shall meet in accordance with the annually published schedule of meetings. Other meetings may be called by the Chair and/or by petition of a minimum of three (3) Council members.

B. Notice of the Council meetings shall be given seven (7) days prior to the meeting date to the Council and members of the Corporation and said notice shall include the agenda which shall advise the Council and Corporation members in detail the substance and nature of each agenda item. For other meetings of the Council, as provided herein, notices shall be provided a minimum of seven (7) days of such meetings with agenda provisions as previously noted. The seven (7)

day notice can be waived by seven (7) members of the Council at the commencement of the meeting.

C. In any Council meetings all reasonable efforts shall be made to have telephone access available to all members. Council members should attend personally but may attend and vote electronically.

D. All meetings of the Council shall be open to the public governed pursuant to Florida law.

Section 2-5: Member Attendance and Participation

Attendance and participation of Council members shall be governed by the following provisions:

A. A vacancy in office is declared when a member has three consecutive unexcused absences from meetings of the Council; dies while in office; or no longer holds the office which would entitle him or her to be a member of the Council. An excusal shall be granted by the Chair.

B. Upon such a vacancy occurring, the Secretary/Treasurer or the Chair shall provide written notification to the Council.

C. Upon such notification by the Secretary/Treasurer or the Chair, the Council shall notify the Corporation members of the vacancy.

D. If such occurs, and the remaining time on the term is less than six (6) months, the vacancy will be left open until the next regular election. If the term remaining is more than six (6) months, the Council shall direct the Secretary/Treasurer or Chair to conduct a special election pursuant to Section 2-3 to fill the unexpired term.

E. The attendance by a member's designated representative at any regular and/or special meeting of the Council and/or Committee of the Council does not constitute official attendance by that member and such representative shall not be permitted to cast a vote on behalf of the represented member.

Section 2-6: Quorum

A quorum shall consist of at least five (5) members of the Council being physically present. After a quorum is established other members can participate and vote by phone. However, in an emergency situation, subject to the call of the Chair, a meeting of the Council can be held by phone and a quorum be present if at least 5 members call in.

ARTICLE III COUNCIL OFFICERS

Section 3-1: Executive Officers

The Executive Officers shall be the Chair, Vice Chair, and Secretary/Treasurer. Said officers shall be elected by majority vote of the Council at the first meeting of the Council at the beginning of each new Council year with each officer serving a one (1) year term and may serve successive terms. All officers of the Council are also officers of the Corporation.

A. Chair: The Chair shall preside at all meetings of the Corporation and the Council and shall serve as the Council's Executive Officer. If the Chair and the Vice Chair will not be present for a meeting, the Chair may designate another officer or member to preside in the Chair's absence. The Chair shall have authority to appoint regular or special committees as deemed necessary, appoint committee members, and appoint the chair and vice chairs of each committee.

B. Vice Chair: The Vice Chair shall exercise all the powers and duties of the Chair during the Chair's absence or inability to act and shall perform such other duties as may be assigned by the Council or Chair.

C: Secretary/Treasurer: The Secretary/Treasurer shall oversee the keeping of a true up-to-date record of all proceedings of the Council and the Corporation and shall be chief financial agent of the Corporation. As chief financial agent, he or she shall oversee the financial matters of the Corporation, shall be the Chair of any audit committee, and shall propose the annual budget of the Corporation.

Section 3-2: Other Officers

The ex-officio non-voting Officers of the Council shall be an Executive Director, and a General Counsel. Said officials shall be appointed by the Council based on the professional requirements of the applicable position and subject to such other provisions herein.

A. Executive Director: The Executive Director shall serve as the program coordinator for the functions of the Council. Employment and/or contracting for position shall be pursuant to Section 4-2 and the Corporation's Annual Budget, pursuant to Section 4-1 B. The Executive Director is a managerial and policy making employee who serves at the pleasure of the Council without civil service protection. A performance evaluation shall be conducted annually of the Executive Director. The Chairman shall request from each Council member an evaluation that shall be submitted directly to the CCOC General Counsel. The General Counsel shall provide a compilation of the evaluations to the Chairman and Executive Director. The Chairman shall go over the evaluations with the Director. The Chairman will provide the compilation of the evaluations to the Council members.

The Executive Director has responsibility to effect or recommend personnel, budget, expenditure, or policy decisions in his or her area of responsibility. The Executive Director, and such other senior managers qualified by law and approved by the Council, shall be included in the Senior Management Services Class of the Florida Retirement System. The Executive Director shall be responsible for the day to day operations of the Corporation as well as act as a liaison between the Corporation and the Florida Court Clerks & Comptrollers.

B. General Counsel: The General Counsel shall provide legal services in accordance with the policy directives of the Council relative to the operations and the statutory duties and responsibilities of the Corporation.

ARTICLE IV ADMINISTRATION

Section 4-1: Financial Administration

A. Fiscal Year: The Corporation's fiscal and program year shall commence beginning October 1 and end on September 30.

B. Budget and Program Administration: The Corporation, at its annual meeting shall adopt an annual operating budget and program work plan for each fiscal year as presented by the Executive Director and recommended by the Council. Each budget and work plan shall be structured as to provide a detailed delineation of projected revenues and proposed expenditures by classification and program objective. The program work plan shall clearly outline the annual objectives of the Council relative to duties and responsibilities. The work plan will provide an anticipated schedule for completion of those objectives.

Each quarter, unless otherwise requested by the Corporation and/or the Council, the Secretary/ Treasurer shall report to the Corporation and the Council as to the status of the budget and make such recommendations for required modifications.

C. Accounting and Financial Reporting: The financial reporting system for funds received by the Florida Clerk of Court Operations Corporation to execute its statutory responsibilities and the associated annual audit shall be in accordance with the following provisions:

(1) The Council shall maintain a financial reporting system that records, establishes accountability for and provides controls over all funds received in accordance with Generally Accepted Accounting Principles and applicable state law.

(2) The Council shall cause to be made each year an independent audit of the preceding year's financial statements and records associated with the financial reporting system provided herein by a Certified Public Accountant (CPA) in accordance with Generally Accepted Governmental Auditing Standards issued by the Comptroller's Office of the United States of America.

The Council shall timely submit the resulting annual audit report, management letter and Council response to the Auditor General, the Corporation members and such other entities that may be designated by law.

D. Administration of Procurement and Contracting: The Council shall develop and adopt policies and guidelines for procurement and contracting in accordance with law.

Section 4-2: Personnel Administration

Each year, as an element of the Corporation's annual budget and work plan, the Council shall submit to the Corporation for consideration, a staffing plan for the next fiscal year. Said plan shall delineate for each position the position title; position classification; and compensation.

Section 4-3: Program/Policy Coordination

For efficiency and economic benefit to the public, the Chair of the Corporation and its Executive Director shall meet with the President of the Florida Association of Court Clerks, Inc., and its Executive Director regularly to coordinate efforts related to economic budget and legislative issues.

ARTICLE V OPERATIONS

Pursuant to the functions of the Corporation as provided by statute and performed by the Council, and pursuant to the Plan of Operation, the following specific provisions shall govern the Council in the administration of such functions.

Section 5-1: Plan of Operation

The Council shall submit to the Corporation each year during its annual business meeting such changes and modifications as deemed necessary.

Section 5-2: Legislative Recommendations

The Council shall develop such legislative changes it deems appropriate for recommendation to the Florida Legislature. Such recommendations shall be coordinated with the Legislative Committee of the Florida Association of Court Clerks, Inc., for the purpose of obtaining input regarding Legislative initiatives. The proposed changes shall be agendaed for consideration at the next scheduled regular meeting of the Council prior to November 30 of each year.

Section 5-3: Research and Analytical Services

The Corporation may contract to provide ongoing research and analytical evaluation relative to the budgetary requirements, performance measures, and applicable performance standards on the Clerks of the Court, including review and monitoring of expenditures, fines, fees, service charges, and court costs as provided by law. Said contract may provide for the development and implementation of an on-line electronic statewide reporting system utilizing the Comprehensive Case Information System (CCIS).

Section 5-4: Clerk of Court Education Programs

The Corporation, pursuant to Clerk of Court education function assigned to the Corporation may contract for developing and conducting said education programs. Programs administered pursuant to such contract(s) may be based on the following requirement classifications and within the general provisions as herein provided.

A. Certification Training – The contract may provide for the development, implementation, and administration of a program of training and education as required by s. 145.051, F.S., and delineated in Administrative Order of the Florida Supreme Court, dated November 18, 1996.

B. Budgetary Training – The contract may provide for the development, implementation, and administration of training requirements deemed necessary by the Council for the effective on-going implementation and administration of the Clerk of Court budgetary and reporting process.

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL	

Agenda Item 4

Executive Committee Meeting

April 20, 2017

Date: April 20, 2017
Subject: CCOC Contracts

Committee Action: Review and discuss CCOC Contracts.

Overview/Background: The CCOC over the years has used contracts to hire certain services as opposed to hiring staff. As an example, while one of the duties of the CCOC as outlined is s. 28.35(2)(g), F.S. is ‘developing and conducting clerk education programs’, the majority of that responsibility is contracted out.

The CCOC goes through a formal process prior to entering into any contact with a vendor. This process can include the RFP, ITN, RFQ, process. No contracts are approved without a vote of the CCOC Executive Committee or Council. All meetings of the Committee and Council are advertised to assure transparency and accountability.

The Executive Council approved allowing the CCOC to provide one year extensions to the contracts for up to two additional years if the vendor is meeting the obligations of the contract fully and agrees to no increase in the contract amount during the extension.

This year we currently have 8 contracts. (Attached is a spreadsheet showing the list of vendors, the services provided, the starting year, the contract amount/cap, billing type, years contracted with the vendor, and amount paid for the first three months of calendar year 2017.)

Staff Input: The use of contracts, as well as task assignments within the contracts, allow CCOC staff to better utilize services when and if needed. Historically we have stayed under budget for a number of these type of contracts such as for IT support and assistance with budgeting process. Other contracts are for deliverables which are usually fully funded. We suggest the continued use of contractual services unless at some point the cost of contractual services is significantly more expensive than staffing the functions.

Lead Staff: John Dew, CCOC Executive Director

Attachment: 1. List of 2017 CCOC Contracts and details.



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.

Florida Clerks of Court Operations - Contracts 2017

2017 Ongoing yearly contracts	Services Provided	Starting Year	Extension	Contract or Cap amount	Billing type	Years Contracted with vendor	1st Qtr 2017 Payments
Krizner	Training, HR Audit	January, 2017		\$ 5,700.00	Qtrly	Since 2013	\$ 1,425.00
Epyon, Inc	IT support	January, 2016	2017 - 1st	\$80/hr cap at \$17,000.00	Monthly	Since 2014	\$ 340.00
Florida Court Clerks & Comptrollers	Education Services; conferences, New Clerk Academy	January, 2016	2017 - 1st	\$ 286,900.00	Deliverables fi	2003	\$ 50,000.00
Glenn Robertson & Assoc	Assistance with Budgeting process	January, 2016	2017 - 1st	\$125/hr cap at \$80,000	Monthly	2003	\$ 7,625.00
Lanigan & Associates	External Audit, Council Elections	January, 2016	2017 - 1st	\$130/hr \$8000 cap; \$500 Elections	Upon deliverable	2008	\$ 550.00
Bill Sittig	Internal Auditor	January, 2016	2017 - 1st	\$85/hr cap at \$22,500.00	Monthly	2013	\$ 6,630.00

Special Contracts

Evergreen Solutions	Organizational Study	November, 2016		\$ 14,700.00	Deliverable -- Half mid point/half when accepted	2016	\$ 7,350.00
Economists, Inc	Peer Group Study	November, 2016		\$ 17,000.00	Deliverable -- full amount paid	2016	

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL	

Agenda Item 5

Executive Committee Meeting

April 20, 2017

Date: April 20, 2017
Subject: CCOC Contracts

Committee Action: Review and discuss CCOC Policies and Procedures.

Overview/Background: The CCOC historically has developed policies and procedures comparable to the State of Florida agencies or Florida Judicial Branch. In addition, the CCOC in response to audit recommendations has developed policies and procedures. The CCOC currently has 10 policies/procedures.

Most of the current policies and procedures were adopted by the Council more than 3 years ago and should be reviewed to be updated as necessary. It is also beneficial to look at the current policies and procedures to determine if there may be additional ones needed due to a changing work environment. We have had recommendations from our HR contractor to develop some additional procedures.

Staff Input: We recommend that the current policies and procedures be reviewed and updated as necessary. It has been 3 years since the last revisions and we have suggested revisions that we believe should be considered. For example, while we do have a travel and reimbursement limit for CCOC staff and contractors we have not developed a maximum limit for Clerks and their staff conducting official CCOC business. Also as mentioned, our HR contractor noted the need for additional policies to deal with recent workplace cultural issues.

Lead Staff: John Dew, CCOC Executive Director

Attachment: 1. List of 2017 CCOC Contracts and details. Within the attachment is a hyper-link to each of the individual procedures/policies.



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.

Florida Clerks of Court Operations Corporation
OPERATION POLICIES

POLICY No.	Policy Description	Date Approved	Changes	Purpose	Link
1	Cellular Telephone Usage	11/14/2013		Provide the Florida Clerks of Court Operations Corporation (CCOC) an official use policy for the use of cellular telephones. This policy will provide internal control over cellular telephone usage and expenditures provide authorized users of cellular telephones with the responsibilities and guidelines for purchase and use of the equipment and direct the CCOC Executive Director or chosen designee on prompt corrective action where unauthorized use has been detected.	http://www.flccoc.org/attachments/ECAApprovedCellPhonePolicyNovember142013.pdf
2	Credit card Authorization, Use & Reimbursement	11/14/2013		Provide an efficient method of purchasing and paying for goods and services not exceeding \$700 per purchase. Ensure purchasing card purchases are made in accordance with the Corporation policies and procedures. Provide a convenient method for making small purchases, consolidating payments, and capturing spending information. Allow for the use of the Corporation's tax exempt status when purchasing office supplies and services (including, but not limited to travel and meeting expenses) necessary to conduct Corporation business. Provide for disciplinary action if the purchasing cards are misused.	http://www.flccoc.org/attachments/ECAApprovedCreditCardPolicyNovember142013.pdf
3	Transfer from one bank account to another bank account	11/14/2013		Establish procedures for the approval and initiation of required transfers between Corporation bank accounts. The CCOC FSA account receives transfers from the CCOC operating account.	http://www.flccoc.org/attachments/ECAApprovedTransferbetweenbankaccountsPolicyNovember142013.pdf
4	Policy against Fraudulent, Unethical and Other Dishonest Acts	11/14/2013		To guard against fraudulent, unethical, and dishonest acts and identify responsibilities for preventing, detecting, reporting and investigating such.	http://www.flccoc.org/attachments/CCOC%20Fraud%20Policy%20for%20Council%20Members%202012.pdf
5	Pick-up and processing daily incoming mail	11/14/2013		Establish procedures for the pick-up, opening, and logging of incoming mail for the Corporation.	http://www.flccoc.org/attachments/ECAApprovedMailPolicyNovember142013.pdf

6	Fixed and Sensitive assets	11/14/2013		Establish procedures for the recording, tracking and auditing of fixed and sensitive assets.	http://www.flccoc.org/attachments/ECAApprovedPropertyInventoryPolicyNovember142013.pdf
7	Direct Pay Authorization & Processing	11/14/2013		Establish procedures for the payment of goods and services through an electronic program offered by the Corporation's commercial bank called Direct pay.	http://www.flccoc.org/attachments/ECAApprovedDirectPayPolicyNovember142013.pdf
8	Purchases, Authorizations, Receiving & Direct Pay Process	11/14/2013		Establish procedures for the purchase of goods and services and establish the authority to process payments by the Executive Director for the Corporation.	http://www.flccoc.org/attachments/ECAApprovedPurchasingAuthorizationProcessNovember142013.pdf
9	Travel Policy & Procedures	11/14/2013		To establish regulations and procedures for the Clerks of Court Operations Corporation (CCOC), employees and authorized persons where authorized travel is necessary and reimbursement is requested.	http://www.flccoc.org/attachments/ECAApprovedTravelPolicyNovember142013.pdf
10	Classification and Pay Procedures	9/29/2010		These rules were adopted by the Executive Council of the CCOC effective July 1, 2009, and amended subsequently, as general guidelines in administering the Classification and Pay Plan applicable to employees filling authorized and established positions in the CCOC office. It is intended to provide a uniform method of recruitment, hiring, advancement, position salary classification, administration, benefits, and other related activities.	http://www.flccoc.org/MeetingMaterials/090625AmendPayClassPlan.pdf

Executive Committee Meeting

April 20, 2017

Summary Minutes of the April 20, 2017 CCOC Executive Committee Meeting

The CCOC April 20th Executive Committee meeting was advertised in advance. The meeting was held at 12:00 PM via a telephone conference call.

CCOC Executive Assistant Mary Baker called the roll. Present were Chair Sharon Bock, Vice-Chair Ken Burke, and Secretary/Treasurer Stacy Butterfield. Mr. Dew indicated there was a quorum.

Chair Bock called the meeting to order and thanked those in attendance. Clerk Ken Burke moved to approve the draft agenda and Clerk Stacy Butterfield seconded the motion. The agenda as provided and advertised was approved. Clerk Butterfield moved to approve the minutes from the February 13, 2017 Executive Committee meeting. Clerk Burke seconded the motion. The minutes were approved with no revisions.

Chair Bock began a discussion on the Organizational Study conducted by Evergreen Solutions, Inc. She said the goal of today's meeting is to will discuss and where feasible make recommendations to take to the Executive Council at the June 12, 2017 meeting. She called upon Nicole Fingerhut, Deputy Legal Counsel for Palm Beach County to discuss her assessment of the study since she had been working with the vendor and CCOC on the project. Ms. Fingerhut noted three areas for discussion:

1. Reclassification of job titles. Budget Managers to Budget Analysts, IT Director to IT Services Manager, and Database Administrator to Database Analyst. Also the reclassified Database Analysis would have the position moved from under the supervision of the IT Director to the Budget and Communications Director.
2. Pay grade align with the State. Bring salaries to the minimum percentile and where possible bring some salaries to the mid-point.
3. Pay policy philosophy to be determined.

Mr. John Dew, Executive Director followed with his thoughts on the study. He noted that he agrees with most of the recommendations. He appreciated that the feedback from staff. The following are thoughts relayed by staff:

1. CCOC had a good working environment.
2. They enjoyed the work they do.
3. They have an appreciation of their co-worker's efforts.

Mr. Dew commented he disagreed with revising the Budget Manager titles to Analyst and cited the reason. The Executive Committee said that they could examine that issue further.



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.

Chair Bock began the discussion for the recommendations to be presented to the Executive Council. The discussion format followed the study's general recommendations. Clerk Butterfield made a motion to accept the recommendations. Clerk Burke seconded. Vote was taken and the motion passed. Below is the Executive Committee's recommendations to the Executive Council:

1. General recommendations (4.1) The Committee embraced the general recommendations found on page 9 of the study concerning having the CCOC further embrace flexible work weeks and work schedules for its employees. The Committee noted the Executive Director should develop a flexible work schedule for staff.
2. Organizational Chart (4.2) The Committee generally accepted the organizational chart found on page 10 of the study which renamed the IT Director's position to IT Services Manager; renamed the Database Administrator's position to Database Analyst and moved that position under the Budget and Communication's Director; and renamed the Budget Manager's position to Budget Analyst. Chair Bock noted that the Council in working with the Executive Director could revise these as agreed upon at any time.
3. Compensation (4.3) The Committee accepted the general pay plan. They agreed, as the report provides, that the pay for CCOC employees should align with the State's and in particular Tallahassee's market. The eventual goal is to pay the CCOC employees a wage that will prevent the employees from being trained in a skill only to be hired away by others due to better pay. However the ultimate goal of this happening depended on the dollars being available. The Committee recommended that for now those staff below the minimum recommended salary ranges in the report at least be brought up to the minimum. Any other increases would have to be reviewed at another time with the consultant report being a starting point for such a review.

Chair Bock asked Clerk Burke to comment on the Corporation Plan of Operation since it has not been reviewed by the Council since 2013. Clerk Burke noted that he had not had a chance to work on this, but he would have a review with edits for the annual meeting in June.

Chair Bock continued by asking Clerk Butterfield to address the CCOC contracts. The spreadsheet in the packet showing the CCOC contracts and associated information concerning the contracts was discussed. Information included on the spreadsheet were the eight current entities CCOC is contracting with; the services provided; the starting year and extension; the contract or cap amount; the billing type; the number of years under contract; and how much has been paid for the first quarter of the current calendar year. The Committee asked the additional information be provided on the procurement process for each of the contracts and once this information is added that the Committee would then provide this information to the full CCOC Executive Council in June. Clerk Burke made a motion to present this to the Executive Council. Clerk Butterfield seconded. Motion passed.

The next item discussed were CCOC's Policies. Clerk Burke made a motion for Clerk Butterfield to review the policies with Mr. Dew to determine if they needed to be updated and brought back to the full Council at the June meeting. For example, the Committee discussed the need to include in the CCOC travel policy a set limit amount for reimbursement for Clerks and non-CCOC staff staying overnight in a hotel. Currently the

CCOC does set a limit for CCOC staff that is similar to the State's policy. Clerk Butterfield seconded the motion. Motion passed.

Clerk Burke followed with a discussion on the New Case Count Business Rules. He noted that there were many hours put into the final copy. He thanked those that had worked on this. He made a motion to accept the Business Rules. Clerk Butterfield seconded. The motion passed.

There was no other business. Clerk Butterfield made a motion to end the meeting. Clerk Burke seconded. The motion passed and the meeting ended at 1:25 PM.

Draft

PLAN OF OPERATION

FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

ARTICLE I GENERAL PROVISIONS

Section 1-1: Name

The name of the Corporation shall be the Florida Clerks of Court Operations Corporation.

Section 1-2: Establishment

The Florida Clerks of Court Operations Corporation, hereinafter known as “Corporation”, is established under Section 28.35, Florida Statutes, as amended from time to time. The statutory duties assigned to the Corporation shall be performed by the Executive Council. Any future reference to the Executive Council in this document shall be referred to as the “Council”.

Section 1-3: Legal Structure

A. The Corporation is established as a public corporation organized to perform those functions specified in statute and delineated herein.

B. Membership in the Corporation shall be the Clerks of the Circuit Court who shall hold their position and authority in an ex officio capacity.

C. Corporation Plan of Operation shall be adopted by the members and may be amended by a majority vote of the Corporation members at the annual meeting of the Corporation held pursuant to provisions herein. Plan of Operation may not contradict the statutory purpose, construction, operation, or scope of duties/authority of the Corporation.

Section 1-4: Corporation Powers and Duties

The duties of the Corporation shall include:

A. The functions assigned to the Corporation, as defined in s. [27.52](#), 28.35, and s. ~~28.36~~, [28.47](#), [57.082](#), and [318.18](#) -Florida Statutes.

B. Adopting a Plan of Operation.

C. Conducting the election of an Executive Council.

D. Recommending to the Legislature changes in the amounts of the various court-related service charges, fines, fees and costs established by law to ensure reasonable and adequate funding of the Clerks of Court in the performance of their court-related functions.

- E. Performing the functions specified in sections 28.35 and 28.36, Florida Statutes.
- F. Developing and certifying a uniform system of workload measures and clerk workload performance standards as set forth in law and defined by the membership of the Corporation.
- G. Reviewing, certifying and recommending proposed budgets using the methodology set forth in law.
- H. Submitting its proposed budget and the information described in 28.35(2)(f), F.S., along with proposed budgets for each Clerk of Court, to the Legislative Budget Commission.
- I. Developing and conducting Clerk education programs.
- J. Submitting an audited annual financial statement to the Auditor General and such other entities as may be if required designated by law.
- K. Hiring staff and paying other expenses, as necessary, to perform the responsibilities and duties of the Corporation as described by law.

Section 1-5: Corporation Meetings

Meetings of the Corporation shall be governed by the following provisions:

- A. The Corporation shall hold an annual business meeting each year and such other meetings as deemed necessary by the call of the Council or upon the petition to the Council by twenty-two (22) or more members of the Corporation. At the annual business meeting the Council shall ~~establish a~~ recommend a tentative schedule of all regular meetings for the coming year. In the name of efficiency and economy, the Corporation will try to coordinate its meetings with the meetings of the Florida Court Clerks & Comptrollers.
- B. Notice of the Corporation's annual meeting shall be given thirty (30) days prior to the meeting date. The agenda shall advise the members, ~~in detail~~, the substance and nature of each agenda item and will be provided seven (7) days prior to the annual meeting. For other meetings of the Corporation, as provided in Section 1-5 A, notices shall be provided a minimum of seven (7) days prior to such meetings with agenda provisions as previously noted.
- C. All meetings of the Council and the annual meeting of the Corporation shall be open to the public pursuant to Florida law.
- D. Proceedings of Corporation meetings shall be governed by the most current edition of "Robert's Rules of Order" with detailed minutes of all proceedings taken and maintained by the Secretary/Treasurer. Said minutes, upon approval of the Corporation, shall be placed on and maintained by the Corporation on the Corporation's website for public access.

ARTICLE II COUNCIL

Section 2-1: Duties and Responsibilities

The Council shall perform on behalf of the Corporation, those duties and responsibilities assigned by statute and the plan of operation to the Corporation. Such duties and responsibilities shall be administered in accordance with the Plan of Operation approved by the Corporation and as such may be subsequently amended as provided in Section 1-3 C. The Council shall develop for its own internal use, administrative, personnel, and purchasing policies for the Corporation Office.

The Council shall have standing committees to help more efficiently carry out statutory duties. Ad hoc committees may be established as determined necessary by the Chairman. Summary minutes of all proceedings of meetings of the standing committees shall be taken and maintained by CCOC staff and placed and maintained on the Corporation website for public access. Minutes are not required to be taken at the ad hoc committee meetings. Standing committees shall include:

~~Finance and Budget~~ Committee: The primary duties of the Budget ~~and Finance~~ Committee shall be to: Develop budget forms and instructions for Clerks; Inform and educate Clerks on the budget process; Request Clerks to submit a budget; Develop budgetary evaluation criteria; Review Clerks proposed budgets consistent with the evaluation criteria; Recommend to the Council a proposed budget for all Clerks and; Recommend such amendments to existing or proposed budgets as may be required. The Committee shall also be responsible for presenting the budget before the Legislature, Governor or their staff as needed. The Committee shall identify Legislative problems and solutions and recommend them to the CCOC Legislative Committee.

Performance Improvement and Efficiency Committee: The Committee shall work with Corporation members to help carry out statutory duties of developing workload measures and clerk workload performance standards as well as seeking methods to develop where feasible further efficiencies in Clerks' court-related duties.

Legislative Committee: The Committee shall act on behalf of the Council as requested to provide recommendations to the Legislature as required by statute and the Plan of Operations. The Committee shall further review Legislative priorities, committee hearings, bills, and other issues as they relate to Clerks and CCOC activities.

Clerk Education Program Committee: The Committee shall work with Corporation members to help carry out statutory duties of developing and conducting clerk education programs.

Revenue Enhancement Committee: The Committee shall work with the Council to recommend to the Legislature changes in the various amounts of court-related fines, fees, service fees, and costs.

Executive Committee: The Committee shall consist of the Council Officers as established in Section 3-1. The purpose of the Committee is to act on behalf of the Council when decisions need to be made on issues requiring immediate attention or on administrative issues. The Council shall be notified of any action taken by the Executive Committee ~~within one work day of the action.~~ All decisions of the Executive Committee shall be provided to the Council at the Council's next meeting for confirmation.

Section 2-2: Membership

The Council shall be composed of eight Clerks elected by the Corporation members within their population group. Two Clerks shall be from each of the following four population categories and shall serve for a term of two years.

Group A: Less than 100,000 citizens

Group B: 100,000 but fewer than 500,000

Group C: 500,000 but fewer than 1 million

Group D: 1 million or more

The Executive Council shall consist of staggered two (2) year terms, ~~commencing by 2012.~~ The Executive Council, ~~by resolution,~~ shall establish the process, the terms and division within Groups to implement the staggered terms, ~~including initially the use of some terms of one (1) year and thereafter two (2) year terms.~~

The Council shall also include, as ex officio members, a designee of the President of the Senate, ~~and a designee of the Speaker of the House of Representatives,~~ and a designee of the. The Chief Justice of the Supreme Court ~~shall designate one additional member to represent the State courts system.~~

Section 2-3: Election of Council

At the annual meeting, the currently sitting Council members shall conduct the meeting then the incoming board members will be sworn in. ~~shall elect officers for a one (1) year term, and shall set the schedule for meetings of the Council and the Corporation for the coming year. If at any time during during the year an officer's position becomes vacant the Council at their next meeting shall select a Council member to fill the vacant position.~~

Council members, other than designees of the President of the Senate, the Speaker of the House of Representatives and Chief Justice of the Supreme Court, assuming office at the annual meeting, shall be elected pursuant to the following:

A. Counties comprising population categories delineated herein shall be based on individual county population estimates for the year in which the election is held as published by the Bureau of Economic and Business Research, University of Florida.

B. On or before April 1 of each year, the Secretary/Treasurer shall provide written notice to all Clerks of the Court of the upcoming election. Notification of the election shall include an election schedule as well as notice to Clerks of the Court to submit to the Council Secretary/Treasurer by April 15 their intent to be a candidate for election to the Council.

C. By May 15 of each year, the Secretary/Treasurer shall prepare an election ballot which shall contain the names of all Clerks of Court divided into appropriate population categories of their respective counties. The names of those Clerks of Court who have expressed their intent to be a declared candidate for Council election shall be so indicated on the ballot. The ballot shall be distributed to all Clerks of Court in such a manner as to provide documentation of proper delivery and to ensure receipt by the Clerks of Court a minimum of fifteen (15) days prior to the ballot return deadline. The ballot package shall be clearly marked as an official ballot and shall include an envelope with the proper return address.

D. All ballots shall be returned to the specific address of a Certified Public Accountant (CPA) selected by the Council by the designated date for the official opening and counting of the ballots. ~~All ballots must be received in the envelope provided and shall be sealed. The CPA shall maintain custody of all ballots in a sealed condition until the designated date and time for opening and counting. The Council, with the assistance of the CPA, and in order to comply with Chapter 119, F.S., may establish electronic voting.~~

E. On the date and at the time and location noticed for the official opening and counting of the ballots, the designated CPA shall open and count all ballots and shall certify the official results of the election. Electronic votes shall be counted and certified, as established above. The designated CPA shall serve notice of certification to the Council and, the Corporation Members.

F. Special elections as may be necessary and called pursuant to Section 2-4 shall be conducted within the requirements and framework of the above provisions including applicable schedule timelines. Special elections may be held to fill a vacated term on the Council for the remaining term of the vacated office.

G. If a candidate is unopposed, then no ballot process/election process shall be required.

Section 2-4: Council Meetings

A. The Council shall meet in accordance with the annually published schedule of meetings. Other meetings may be called by the Chair and/or by petition of a minimum of three (3) Council members.

B. Notice of the Council meetings shall be given seven (7) days prior to the meeting date to the Council and members of the Corporation and said notice shall include the agenda which shall

advise the Council and Corporation members ~~in detail~~ the substance and nature of each agenda item. For other meetings of the Council, as provided herein, notices shall be provided a minimum of seven (7) days of such meetings with agenda provisions as previously noted. The seven (7) day notice can be waived by seven (7) members of the Council at the commencement of the meeting.

C. In any Council meetings all reasonable efforts shall be made to have telephone access available to all members. Council members should attend personally but may attend and vote electronically.

D. All meetings of the Council shall be open to the public governed pursuant to Florida law.

Section 2-5: Member Attendance and Participation

Attendance and participation of Council members shall be governed by the following provisions:

A. A vacancy in office is declared when a member has three consecutive unexcused absences from meetings of the Council; dies while in office; or no longer holds the office which would entitle him or her to be a member of the Council. An excusal shall be granted by the Chair.

B. Upon such a vacancy ~~occurring~~ **becoming imminent**, the Secretary/Treasurer or the Chair shall provide written notification to the Council.

C. Upon such notification by the Secretary/Treasurer or the Chair, the Council shall notify the Corporation members of the vacancy.

D. If such occurs, and the remaining time on the term is less than six (6) months, the vacancy will be left open until the next regular election. If the term remaining is more than six (6) months, the Council shall direct the Secretary/Treasurer or Chair to conduct a special election pursuant to Section 2-3 to fill the unexpired term. **The timeframe for such process pursuant to Sections 2-3 may be shortened such that the process is concluded within 30 days total.**

E. The attendance by a member's designated representative at any regular and/or special meeting of the Council and/or Committee of the Council does not constitute official attendance by that member and such representative shall not be permitted to cast a vote on behalf of the represented member.

Section 2-6: Quorum

Executive Council: A quorum shall consist of at least five (5) members of the Council being physically present. After a quorum is established other members can participate and vote by phone. However, in an emergency situation, subject to the call of the Chair, a meeting of the Council can be held by phone and a quorum be present if at least 5 members call in.

Corporation Annual Meeting: After provided proper notice as outlined under Section 1-5, a quorum will consist of those Corporation members present in person and by phone.

ARTICLE III COUNCIL OFFICERS

Section 3-1: Executive Officers

The Executive Officers shall be the Chair, Vice Chair, and Secretary/Treasurer. Said officers shall be elected by majority vote of the Council at the first meeting of the Council at the beginning of each new Council year with each officer serving a one (1) year, and shall develop a schedule for meetings of the Council and Corporation for the coming year. ~~term and,~~ Executive Officers may serve successive terms. All officers of the Council are also officers of the Corporation. If at any time during the one year an officer's position becomes vacant, the Council at their next meeting shall select a Council member to fill the vacant position.

A. Chair: The Chair shall preside at all meetings of the Corporation and the Council and shall serve as the Council's Executive Officer. If the Chair and the Vice Chair will not be present for a meeting, the Chair may designate another officer or member to preside in the Chair's absence. The Chair shall have authority to appoint regular or special committees as deemed necessary, appoint committee members, and appoint the chair and vice chairs of each committee.

B. Vice Chair: The Vice Chair shall exercise all the powers and duties of the Chair during the Chair's absence or inability to act and shall perform such other duties as may be assigned by the Council or Chair.

C. Secretary/Treasurer: The Secretary/Treasurer shall oversee the keeping of a true up-to-date record of all proceedings of the Council and the Corporation and shall be chief financial agent of the Corporation. As chief financial agent, he or she shall oversee the financial matters of the Corporation, shall be the Chair of any audit committee, and shall propose the annual budget of the Corporation.

Section 3-2: Other Officers

The ex-officio non-voting Officers of the Council shall be an Executive Director, and a General Counsel. Said officials shall be appointed by the Council based on the professional requirements of the applicable position and subject to such other provisions herein.

A. Executive Director: The Executive Director shall serve as the ~~program coordinator~~ Administrator for the functions of the Council. Employment and/or contracting for position shall be pursuant to Section 4-2 and the Corporation's Annual Budget, pursuant to Section 4-1 B. The Executive Director is a managerial and policy making employee who serves at the pleasure of the Council without civil service protection. A performance evaluation shall be conducted annually of the Executive Director by July 1st. ~~The Chairman~~ shall request from each Council

member an evaluation that shall be submitted directly to the ~~CCOC General Counsel~~ Chair. ~~The General Counsel shall provide a compilation of the evaluations to the Chairman and Executive Director.~~ The Chairman shall go over the evaluations with the Director. The Chairman will provide the compilation of the evaluations to the Council members.

The Executive Director has responsibility to effect or recommend personnel, budget, expenditure, or policy decisions in his or her area of responsibility. The Executive Director shall be included in the Senior Management Services Class of the Florida Retirement System. The Executive Director shall be responsible for the day to day operations of the Corporation as well as act as a liaison between the Corporation and the Florida Court Clerks & Comptroller's.

B. General Counsel: The General Counsel shall provide legal services in accordance with the policy directives of the Council relative to the operations and the statutory duties and responsibilities of the Corporation.

ARTICLE IV ADMINISTRATION

Section 4-1: Financial Administration

A. Fiscal Year: The Corporation's fiscal and program year shall commence beginning October 1 and end on September 30.

B. Budget and Program Administration: The Corporation, at its annual meeting shall adopt an annual operating budget and program work plan for each fiscal year as presented by the Executive Director and recommended by the Council. Each budget and work plan shall be structured as to provide a detailed delineation of projected revenues and proposed expenditures by classification ~~and program objective. The program work plan shall clearly outline the annual objectives of the Council relative to duties and responsibilities. The work plan will provide an anticipated schedule for completion of those objectives.~~

Each quarter, unless otherwise requested by the Corporation and/or the Council, the Secretary/ Treasurer shall report to the Corporation and the Council as to the status of the budget and make such recommendations for required modifications.

C. Accounting and Financial Reporting: The financial reporting system for funds received by the Florida Clerk of Court Operations Corporation to execute its statutory responsibilities and the associated annual audit shall be in accordance with the following provisions:

(1) The Council shall maintain a financial reporting system that records, establishes accountability for and provides controls over all funds received in accordance with Generally Accepted Accounting Principles and applicable state law.

(2) The Council shall cause to be made each year an independent audit of the preceding year's financial statements and records associated with the financial reporting system provided herein

by a Certified Public Accountant (CPA) in accordance with Generally Accepted Governmental Auditing Standards issued by the Comptroller's Office of the United States of America.

The Council shall timely submit the resulting annual audit report, management letter and Council response to ~~the Auditor General~~, the Corporation members and such other entities that may be designated by law.

D. Administration of Procurement and Contracting: The Council shall develop and adopt policies and guidelines for procurement and contracting in accordance with law.

Section 4-2: Personnel Administration

Each year, as an element of the Corporation's annual budget and work plan, the Council shall submit to the Corporation for consideration, a staffing plan for the next fiscal year. Said plan shall delineate for each position the position title; position classification; and compensation.

Section 4-3: Program/Policy Coordination

~~For efficiency and economic benefit to the public, the Chair of the Corporation and its Executive Director shall meet with the President of the Florida Association of Court Clerks, Inc., and its Executive Director regularly to coordinate efforts related to economic budget and legislative issues.~~

ARTICLE V OPERATIONS

Pursuant to the functions of the Corporation as provided by statute and performed by the Council, and pursuant to the Plan of Operation, the following specific provisions shall govern the Council in the administration of such functions.

Section 5-1: Plan of Operation

The Council shall submit to the Corporation each year during its annual business meeting such changes and modifications as deemed necessary.

Section 5-2: Legislative Recommendations

The Council shall develop such legislative changes it deems appropriate for recommendation to the Florida Legislature. Such recommendations shall be coordinated with the Legislative Committee of the Florida Association of Court Clerks, Inc., for the purpose of obtaining input

regarding Legislative initiatives. The proposed changes shall be agendaed for consideration at the next scheduled regular meeting of the Council prior to November 30 of each year.

Section 5-3: Research and Analytical Services

The Corporation may contract to provide ongoing research and analytical evaluation relative to the budgetary requirements, performance measures, and applicable performance standards on the Clerks of the Court, including review and monitoring of expenditures, fines, fees, service charges, and court costs as provided by law. ~~Said contract may provide for the development and implementation of an on-line electronic statewide reporting system utilizing the Comprehensive Case Information System (CCIS).~~

Section 5-4: Clerk of Court Education Programs

The Corporation, pursuant to Clerk of Court education function assigned to the Corporation may contract for developing and conducting said education programs. Programs administered pursuant to such contract(s) may be based on the following requirement classifications and within the general provisions as herein provided.

A. Certification Training – The contract may provide for the development, implementation, and administration of a program of training and education as required by s. 145.051, F.S., and delineated in Administrative Order of the Florida Supreme Court, dated November 18, 1996.

B. Budgetary Training – The contract may provide for the development, implementation, and administration of training requirements deemed necessary by the Council for the effective on-going implementation and administration of the Clerk of Court budgetary and reporting process.

C. Notification- Any contracts entered into by the Corporation for educational training of Clerks and staff shall include in the contract and training announcements, publication, and materials that funding for such training is paid for by the Corporation.

<i>Contract Year</i>	<i>Contract</i>	<i>Contracts with Extensions and Deliverables</i>	<i>Purpose</i>	<i>Budgeted Amount</i>	<i>Type of Solicitation</i>	<i>Number of vendors sent solicitation by Email</i>	<i>Number of Vendors that responded</i>	<i>Date Approved by CCOC Leadership</i>
Calendar Year 2016	FCCC	Contract Year	Clerk Education	\$ 286,900.00	ITN	6	1	December 2015
	Bill Sittig, CPA	Contract Year	Internal Auditing services	\$ 22,500.00	RFQ	21	3	December 2015
	Glenn Robertson and Associates	Contract Year	Budgeting services	\$ 80,000.00	RFQ	11	1	December 2015
	Lanigan and Associates	Contract Year	Annual Audit	\$ 8,000.00	RFQ	21	2	December 2015
	Krizner Group	Contract Year	HR services	\$ 5,700.00	Sole Source	1	1	December 2016
	Epyon	Contract Year	IT services	\$ 17,000.00	RFQ	20	2	December 2015
	North Highland	Deliverable	Cost Study(North Highland)	\$ 30,000.00	Sole Source	N/A	N/A	November 2015
	Economists Inc	Deliverable	Peer Group Study	\$ 17,000.00	Sole Source	N/A	N/A	October 2016
	Evergreen Solutions	Deliverable	CCOC Organizational Study	\$ 14,700.00	RFQ	3	1	November 2016

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR	Ken Burke, CPA Pinellas County VICE-CHAIR	Stacy Butterfield, CPA Polk County SECRETARY/TREASURER
John Crawford Nassau County	Harvey Ruvin Dade County	Vacant Population Group I
Ron Ficarotta 13th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Vacant Population Group II
	Jeffrey R. Smith, CPA Indian River County	John Dew EXECUTIVE DIRECTOR
	Paula S. O'Neil, Ph.D Pasco County HOUSE APPOINTEE	Joe Boyd GENERAL COUNSEL

Agenda Item 3b

Executive Council Meeting

June 12, 2017

Date: June 12, 2017

Subject: Agenda Item 3b: Budget Committee Report

Overview:

Since the last Council Meeting on February 27, 2017, the Budget Committee met on March 15, April 5, and held a workshop on May 12, 2017. The following is a summary of the meetings with action items as well as a draft summary of the workshop. Each meeting agenda and the summary minutes are included as attachments. The complete meeting packet can be found by clicking on the CCOC website at www.flccoc.org, clicking on "meetings and minutes," and then clicking on "Budget Committee," and choosing the date of the meeting.

The budget committee worked diligently on preparing for the CFY 2017-18 budget submission process and related impacts. They also continued work started on revising the Peer Groups based on the consultant's recommendation as well as discussion and consideration other issues relating to CFY 2016-17 budgets and timeline. The committee had workgroups revise the case counting business rules, case weights, as well as the budget forms. Below is a summary of the Budget Committee action items for the Council's consideration.

Council Action: Confirm or Revise the recommendations from the Budget Committee on the action items provided below.

Summary of Budget Committee Actions:

- Clerk Moore-Russell made a motion to accept the study with 12 peer groups as is with no further study by the consultant. Seconded by Clerk Smith. Vote was taken and the motion passed. Clerk Burke was the only nay vote.
- Clerk Brock made a motion to approve the budget forms as presented. Second by Clerk Moore-Russell. There was no discussion. Vote was taken and the motion passed.
- Clerk Burke made a motion to have a small workgroup define what a courthouse is and as a budget committee gather for that information per county. Chair will pick the workgroup. Clerk Crawford seconded the motion. Vote was taken and motion passed. **Workgroup subsequently suspended.**
- Clerk Timmann made a motion that the budget committee will provide and ask for the costing of administrative orders that are additional impact above the normal operations. An inventory list and template will be provided by a workgroup. Second was by Clerk Smith. Vote was taken and the motion passed. **Workgroup subsequently suspended.**
- Clerk Smith made a motion that when performing the weighted workload benchmark comparisons among clerks, costs related to FRS or other retirement pension, total health insurance, OPEB, and other benefits would be pulled out first. Seconded by Clerk Brock. Vote was taken and passed.



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.

Attachments:

1. Summary March 15 Meeting
2. Summary April 12 Meeting
3. Summary May 12 Workshop
4. Final – “Analysis of Similarly-Situated County Clerks of Court for the Florida Clerks of Court Operations Corporation 2016”

Lead Staff:

Jason Harrell, CCOC Budget and Communications Director

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL	

Agenda Item 2

Budget Committee Meeting

April 5, 2017

Date: April 5, 2017

Subject: Summary of March 15th Meeting & Update on Action Items

Committee Action: Review and approve with amendments as necessary.

The Budget Committee of the Clerks of Court Operations Corporation (CCOC) held a meeting in Tallahassee on March 15, 2017. An agenda and materials were distributed in advance of the meeting and posted on the CCOC website. Provided below is a summary of staff notes from the meeting. These staff notes are designed simply to document committee action, not to be a full record of committee discussions. All motions adopted by the committee are in **bold** text. All action items based on committee direction are in **red** and bold text.

1. Call to Order and Introduction

The meeting was called to order at approximately 10:30 AM EDT. Members in attendance included: Clerk Butterfield, Chair; Clerk Smith, Vice-Chair; Clerk Bexley; Clerk Bock; Clerk Burke; Clerk Childers; Clerk Connell; Clerk Crawford; Clerk Moore Russell; Clerk Peacock; Clerk Thurmond; Clerk Timmann; and Clerk Vick.

2. Motion to adjust agenda to hear presentation by Bo Shippen on the Peer Group Review Study (Agenda Item 3) and budget timeline (Agenda Item 8).

A motion was made and seconded to amend the meeting agenda. Motion passed unanimously.

3. Review Summary of December 7th Meeting and Update on Action Items

A motion was made and seconded to approve the minutes from the December 7th meeting. Motion passed unanimously.

4. Presentation on Peer Group Review Study by Bo Shippen, Economists, Inc.

Chair Butterfield announced that a vote would not be taken so that everyone on the Committee had a chance to review the report with their office staff. Mr. Shippen presented his findings and recommended Peer Groups. Questions were asked by committee staff and Clerks listening by phone.

Action Item: CCOC staff was asked to run an analysis using CFY 2016-2017's weighted workload measure that was used during the budget deliberation process, to compare the Current Peer Groups to the Proposed Peer Groups. This was done and sent as a Memo from Chair Butterfield to all Clerks on March 28th.



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.

A decision was made to discuss and vote on this item at the next Budget Committee meeting

5. Discussion of Budget Timeline & Process

Discussion took place regarding when the next meeting would take place to make final decisions. Waiting on the case counting project to complete with revised business rules. Some committee members stressed their desire for information on what would be used during budget deliberations upfront so they could take that into consideration while developing their budgets.

A decision was made to schedule the next Budget Committee meeting in Orlando, FL on April 5th starting at 10 AM. The budget submission date was changed to May 15th.

Action Item: CCOC staff was directed to draft items that have been used for budget evaluations in the past which was sent as a memo from Chair Butterfield to Committee members on March 24th. Committee members were encouraged to come up with their own ideas and submit to CCOC staff or bring to April 5th meeting.

A motion was made to adjourn and was seconded.

Lead Staff: Marleni Bruner, Budget Manager II

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL	

Agenda Item 2

Budget Committee Workshop Meeting

May 12, 2017

Date: May 12, 2017

Subject: Summary of April 5th Meeting & Update on Action Items

Committee Action: Review and approve with amendments as necessary.

The Budget Committee of the Clerks of Court Operations Corporation (CCOC) held a meeting in Orlando on April 5, 2017. An agenda and materials were distributed in advance of the meeting and posted on the CCOC website. Provided below is a summary of staff notes from the meeting. These staff notes are designed simply to document committee action, not to be a full record of committee discussions. All motions adopted by the committee are in **bold** text. All action items based on committee direction are in **red** and bold text.

1. Call to Order and Introduction

The meeting was called to order at approximately 10:00 AM EDT. Members in attendance included: Clerk Butterfield, Chair; Clerk Smith, Vice-Chair; Clerk Bexley; Clerk Brock; Clerk Burke; Clerk Connell; Clerk Crawford; Clerk Hudson; Clerk Moore Russell; Clerk Peacock; Clerk Timmann; and Clerk Vick.

Mr. Harrell reviewed the March 15th Meeting and the two action items.

A motion was made by Clerk Brock and seconded by Clerk Moore-Russell to approve the minutes from the March 15th meeting. Motion passed unanimously.

2. Clerk Burke's report on case counts and the business rules was added to the agenda. Due to Clerk Butterfield being delayed, Clerk Burke proceeded with his update on case counts and the business rules. He handed out a letter to the committee that was sent to Clerks and their staff by CCOC staff during the meeting. He noted that a draft of the business rules was sent to Clerks and staff. The goal of the letter and revised business rules is to get everyone on the same level of case counting. Business rules have been revised by Denise, Gary, and Jill. These rules were not approved at time of the meeting. After several questions and discussion points, Clerk Burke noted that it is consistency that is needed in case counting. He closed by stating that the workgroup was trying to get this done as quickly as possible. CCOC will be reimbursing travel if needed for the group that audits cases. Clerk Butterfield noted that clerks will need to go back to October 1 to fill in data for this current year. It will be needed for budget process. Responses from clerks needed by April 7th.
3. Clerk Butterfield called on Clerk Tara Green to give an update on weighted cases. This will be important when discussing item #4 on the Agenda, CFY 2017-18 Budget Criteria and Process. She stated that they are waiting for the case count and sub case counts to come out, then there will be a finalization of weighted cases. Denise Bell said the primary issue is non-SRS case types. SRS has



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.

already been done by the workgroup. Clerk Butterfield called upon Doug Isabelle to talk about continuing cases. There is work still needed to be done on continuing cases in the process because the first step was getting new cases revised.

4. Discussion of Agenda Item 3 - Peer Group Review Study

Clerk Butterfield began by going over some points to get a recommendation on the Peer Groups Study with a vote by the committee. Mr. Bo Shippen, the consultant, was on the telephone to help clarify questions. At the last meeting, the committee asked staff and the Chair to go back in time to the budget process for last year and use the new peer groups with last year's budget criteria and see how things would have looked back then. Results are found in the packet on pages 6-9.

The next part of the process included an email that went out to all clerks and staff asking for feedback on the peer group study and the results of the exercise of using the new peer groups in last year's budget criteria. Chair Butterfield thanked all for the feedback. The feedback reviewed and commented on by the Consultant as needed. Chair Butterfield summarized the feedback which begins on page 26 of the meeting packet. The consultant's comments are on page 30. There was one minor change from the study in last meeting's packet, that changed footnote #5 on page #19. This was for clarification of gross budget over net budget. The recommended groups are on page 22 and 23.

Chair Butterfield opened the floor for discussion and feedback. Questions were asked and answered by Mr. Bo Shippen. Members of the committee and audience had lengthy discussion on the benefits and drawbacks of moving from 6 Peer Groups to 12 Peer Groups.

Chair Butterfield made a motion to table this agenda item and moved to the next agenda item on criteria that the committee will use for making budget decisions. There was a consensus to table the discussion and move to the next agenda item.

5. Discussion of Agenda Item 4 - CFY 2017-18 Budget Criteria and Process

Chair Butterfield began by noting the mechanics of the process found on pages 33 through 40 in the packet. It was decided at the last meeting to have the budget submittals on May 15th. Between now and May 15th CCOC staff will host trainings on the budget forms and submittal. Budget deliberations will be July 19-21, 2017. Clerks can amend budgets and resubmit until July 1, 2017. Chair Butterfield asked if there were any questions about the process.

The discussion moved to the budget criteria. The reality is that there are not enough resources to fund a needs-based budget. Last year the needs-based budget was \$459 million and the resources to support that was \$422 million. Moving into the CFY 2017-18 budget, a needs-based budget will not have the resources available. The committee will be allocating those limited resources. There was a consensus that clerks still submit a needs-based budget. There was much discussion on the criteria that will be used at the Budget Deliberations.

Clerk Smith made a motion that when performing the weighted workload benchmark comparisons among clerks, costs related to FRS or other retirement pension, total health

insurance, OPEB, and other benefits would be pulled out first. Seconded by Clerk Brock. Vote was taken and passed.

The meeting broke for lunch and resumed at 12:45 PM.

Discussion on Agenda item 4 continued.

Chair Butterfield asked if the committee was going to give direction on salary increases, as a decision was needed at the meeting because training would begin soon. Options were:

1. Add salary increases if clerk sees it as a “need.”
2. Give specific directions to include salary increases of a certain percentage.
3. Do not include any salary increases. The committee will either leave it out or put a total in for needs based budget only.
4. Add salary increase in the form of a dollar amount per FTE.

Chair Butterfield asked if there were any other options. Option 4 was added above. Discussion continued.

Clerk Burke made a motion to leave salary increases out of clerk’s request for consideration weighted workload benchmark comparison, but have the numbers available as an addendum. Clerk Smith seconded. Vote was taken and motion passed. Clerk Peacock was the only nay vote.

Chair Butterfield asked for any more criteria that needed to be added.

Clerk Burke made a motion to have a small workgroup define what a courthouse is and as a budget committee gather for that information per county. Chair will pick the workgroup. Clerk Crawford seconded the motion. Vote was taken and motion passed.

Clerk Burke entered a discussion on cost definitions to administrative orders and cost drivers. There was discussion on how it would be recognized in the clerks’ budgets.

Clerk Timmann made a motion that the budget committee will provide and ask for the costing of administrative orders that are additional impact above the normal operations. An inventory list and template will be provided by a workgroup. Second was by Clerk Smith. Vote was taken and the motion passed.

More discussion was initiated by judges, specialty court and magistrates as being full and part time. After input from members of the budget committee, Chair Butterfield decided that the information the workgroup would gather would be part of a separate form and that there was enough information found in the budget form. Other additional details can be in a form of a question at the deliberations.

6. Return to discussion and vote on Agenda Item 3 – Peer Group Study

Clerks gave their ideas and opinions on the study. There was a concern about the number of peer groups. Mr. Bo Shippen was brought into the discussion. He believes that the 12 peer groups are the best model in six years.

Clerk Burke made a motion to accept the consultant's study of 12 peer groups and ask the consultant to come up with a composite number of work groups using population, case counts, etc. A Second was made. After much discussion, Clerk Burke withdrew his motion.

Clerk Moore-Russell made a motion to accept the study with 12 peer groups as is with no further study by the consultant. Seconded by Clerk Smith. Vote was taken and the motion passed with Clerk Burke as the only nay vote.

7. Agenda Item 5 – Other Business

Budget Forms – Chair Butterfield worked with CCOC staff and a workgroup on the budget forms which were included as an addendum to the meeting.

Clerk Brock made a motion to approve the forms as presented. Second by Clerk Moore-Russell. There was no discussion. Vote was taken and the motion passed.

Budget deliberations will be in Orlando on July 19-21, 2017. Location options to be sent to John Dew.

Chair Butterfield asked that the committee do their homework by developing questions for the deliberations.

Action Item: Questions will be submitted to CCOC staff and brought forward at the next meeting. Meeting can be done by conference call is appropriate.

Possible phone meeting will be needed in May and definite in-person meeting in June. A Doodle poll will be sent out for the week of June 19th. May will be the week of May 29.

Chair Butterfield asked if there was any other business. Hearing none, Clerk Moore-Russell made a motion to adjourn the meeting. Clerk Burke seconded the motion. Motion passed.

Lead Staff: Marleni Bruner, Budget Manager II

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR	Ken Burke, CPA Pinellas County VICE-CHAIR	Stacy Butterfield, CPA Polk County SECRETARY/TREASURER		
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL

Memo

Budget Committee

June 5, 2017

Date: June 5, 2017
Subject: Summary of May 12th Workshop and Update on Action Items

The Budget Committee of the Clerks of Court Operations Corporation (CCOC) held a meeting in Orlando on April 12, 2017. An agenda and materials were distributed in advance of the meeting and posted on the CCOC website. Provided below is a summary of staff notes from the meeting. These staff notes are designed simply to document committee action, not to be a full record of committee discussions. All action items based on committee direction are in **red** and bold text.

1. Agenda Item 1: Call to Order and Introduction

The meeting was called to order at approximately 10:00 AM EDT. Members in attendance included: Clerk Butterfield, Chair; Clerk Smith, Vice-Chair; Clerk Bexley; Clerk Brock; Clerk Burke; Clerk Childers; Clerk Moore Russell; Clerk Peacock.

2. Agenda Item 2: Review Summary of April 5th Meeting and Update on Action Items

Marleni Bruner reviewed the April 5th minutes and corrections were discussed. As this was a workshop, no votes were taken and corrections will be made for the next meeting.

3. Agenda Items 3: Overview of 2017 Legislative Actions Impacting Clerks' Budgets

Jason Harrell, CCOC Budget and Communications Director reviewed Agenda Item 3 regarding Legislative Actions from the 2017 legislative session and gave an overview of those actions and their potential impacts to Clerks and Clerk's budgets. Areas of concerns expressed by Clerks and staff included how the 10% funds would now be included in the COC TF, the effective date and how that would impact revenues, how any new revenues from SB 2506 would be reported, and how Legislative actions effected the budget request forms.

Various scenarios were discussed with varying potential monetary impacts for current County Fiscal Year 2016-17 as well as next fiscal year were identified with a lengthy discussion from the budget committee members and those in attendance. All legislative actions are pending Governor approval.

Clerk Moore-Russell asked that the Committee develop policy decisions for how to address these impacts specifically the 10% amounts.

Clerk staff requested more time to complete budgets and deadline was returned to statutory submission date of June 1.



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.

Direction: CCOC staff was directed to send a Memo from Chair Butterfield directing Clerks to submit a needs-based budget by June 1 and to keep revenue projections in line with current law. When the Governor acts on pending legislation, the CCOC in conjunction with the Budget Committee will develop a process for re-projections and will notify Clerks and their staff at that time.

4. Agenda Item 4: Discussion of CFY 2016-17 Budget

John Dew, CCOC Executive Director reviewed the Memo for this agenda item and the Memo from Clerk Butterfield dated May 5, 2017. Chair Butterfield reviewed that data that was collected from counties regarding 10% carryforward and potential balance amounts. It was discussed that maximizing 10% funds could be a method of solving the deficit projected for the current fiscal year.

Chair Butterfield's staff in Polk County performed an analysis on the information collected and presented that at the meeting. There were different options discussed for how to use those 10% funds in the current year.

1. Leave alone for current fiscal year, but any extra 10% dollars be sent to the Trust Fund for CFY 2017-18 to help fill gaps due to budget reductions from the State.
2. Reduce individual Clerk's budgets by the positive amounts then remainder to the Trust Fund.
3. In order a Clerk to keep their 10% funds they would be required to submit a plan for the money showing contracts, detailed encumbrances, etc. justifying the need.

Clerk Burke expressed his belief that the goal be to get to everyone using their 10% dollars, so that all 10% funds balance are zero and anything brought in during a fiscal year is used in that fiscal year.

5. Agenda Item 5: Discussion of CFY 2017-18 Budget Process and Issues

Discussions on CFY 2016-17 impacts led right into how to handle potential reductions for CFY 2017-18. Clerk Burke began the discussion by suggesting that to keep things simpler – given the ongoing reductions and quick turnaround to the next Legislative Session – an across the board method be used to applying any potential reductions. Budgets would start at their current approved amount and be reduced accordingly. This would be done in a manner to also ensure all statutory requirements are met by CCOC staff. Budget deliberations currently set for three days would most likely be reduced to two days.

Clerk Peacock suggested taking a percentage based cut by Peer Group and within the Peer Group utilize the Weighted Workload Measure to justify the level of reductions. Clerk Smith explained his displeasure with the Peer Groups in general and would like to see that removed from statute. Clerk Bexley would like to see an equitable distribution for any required reductions. Clerk Butterfield reiterated that items such as health insurance, OPEB, etc. will be removed before any comparisons will be done so many differences between counties will be accounted for.

Information from the counties on their CFY 2017-18 budgets would still be collected for statutorily required analytical reports. Counties are required to submit a needs-based budget. At the next budget committee meeting, the requirements for deciding reductions for CFY 2017-18 will be discussed and voted on.

6. Agenda Item 6: Discussion of Suspending Various Projects and Data Gathering Due to Ongoing Budget Reductions

Due to many Clerks having to reduce staff as a response to budget reductions, ongoing projects and surveys increase the workload on their currently over-worked staff. Clerk Moore-Russell suggested that the committee know how the results will be used before asking counties to collect the information. Clerk Peacock expressed concern regarding the self-reporting of data and would like to see automated data collections by each county so that information can be gathered in a timely manner.

Various projects were discussed for their usefulness to the process. The New Case counting project and Weighted Sub-Cases projects are near completion and are instrumental to developing the weighted workload measure and therefore should continue their work. The PAC framework project is also critical to helping tell the Clerks' story and provides the Governor's Office and the Legislature the information they need to make decisions on the Clerk's budgets and is asked to continue their work. The supplemental form project that was requested at the April 5th meeting was suspended, along with the Health Care and Base Budget projects.

The meeting was adjourned with the next meeting date contingent upon action by the Governor on pending legislation.

Lead Staff: Marleni Bruner, Budget Analyst II

**Analysis of Similarly-Situated County Clerks of Court
for the Florida Clerks of Court Operations Corporation
2016**

Benjamin S. Shippen, Ph.D.

March 15, 2017

Economists
INCORPORATED

Executive Summary

The CCOC contracted Economists Incorporated to “undertake research to identify which of the 67 counties are similarly-situated for use during the State’s 2017/2018 Fiscal Years budget cycles.” Our recommendations for adjusting the existing peer groups for consideration and use by the Florida Legislature during the 2017/2018 budget cycle are set forth below.

This year for the first time, we began by soliciting comments from county clerks’ offices across Florida to determine which factors they considered most important when being placed with similarly-situated peers. With this information, we used a statistical model to analyze expenditures as a function of 1) new and continuing cases for the 10 case divisions (Circuit Criminal, County Criminal, Juvenile Delinquency, etc.), 2) county population, 3) Florida Price Index, and 4) Geographic population density. Although the statistical modeling process was similar to the 2012 and 2014 peer group reports, the inclusion of the Florida Price Index and the geographical population density was in direct response to the comments we received.

Along with the statistical model changes, we decided that new guidelines, or “rules” should be added to the peer group process. A frequent comment was that the past studies had too many counties in some of the peer groups for all the counties to be similarly-situated. As a result, we added a population rule to the statistical analysis so that counties in the same group can’t be larger than the two times the smallest county in that group. We also added a z-score rule so that the each county’s expenditure amount would be no more than 2.0 standard deviations in absolute value compared to their peer group average. The addition of these rules ensured a higher level of similarity among counties within the same peer group than there was in the 2012 and 2014 reports.

We recommend that the number of peer groups increase from 6 in 2012 or 7 in 2015 to 12 similarly-situated peer groups this year. Although this is a large change compared to the previous recommendations, we think it is necessary to provide commonality between counties in the same peer group in budgets, caseloads, and populations. The recommended peer groups average 5.6 counties per group, and no group has fewer than 3 or more than 7 counties.

Finally, we recommend that Dade county stay in a peer group 12 with two other counties, based on this year's statistical model and the rules-based approach.

I. Objective

The Florida Clerks of Court Operations Corporation (CCOC) was legislatively established in 2003 under Section 28.35 of the Florida Statutes. The mission of the CCOC is to evaluate the budgetary needs of the Clerks of Court in the 67 counties within the State of Florida and to recommend to the Florida Legislature the allocation of funding for each Clerk's court-related functions and operations. Per section 28.35(2)(f)2 of Florida Statutes, the corporation shall "prepare a cost comparison of similarly-situated clerks of the court, based on county population and numbers of filings, using the standard list of court-related functions..."¹

The CCOC contracted with Economists Incorporated to "undertake research to identify which of the 67 counties are similarly-situated for use during the State's 2017/2018 Fiscal Years budget cycles." This report summarizes our analysis of the 67 County Clerks budgets and provides recommendations for adjusting the existing peer group divisions for consideration and use by the Florida Legislature during the 2017/2018 budget cycle.

II. Qualifications of Economists Incorporated

Economists Incorporated (EI) is a national leader in economic consulting. The firm is headquartered in Washington D.C., with additional offices in Tallahassee, Florida and San Francisco, California. EI's consulting practices include data analyses for litigation, regulatory compliance and risk assessment within various areas, including antitrust, government consulting, labor and employment, and intellectual property.

Dr. Benjamin S. Shippen is the author of this report and was a lead author of the peer group reports submitted to the CCOC in 2012 and 2014.² He is based in the Tallahassee office.

III. Review of the Recommendations of the 2012 and 2014 Peer Group reports

The 2012 and 2014 peer group reports analyzed the population statistics, caseload, and expenditure data for each county with a linear regression model to estimate their predicted costs. Peer groups were identified based on similar predicted costs among the different case types and total population. The peer groups recommended in 2012 based on the 2011/2012 fiscal year data are shown in Table 1.

¹ See http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0000-0099/0028/Sections/0028.35.html (accessed on March 05, 2017).

² Other authors in 2012 and 2014 were Charles Mullin, Nels Pearsall, and Julie Frizell.

Table 1 Recommended Peer Groups in 2012 and 2014 Reports					
Group 1	Group 2	Group 3	Group 4	Group 5	Group 6
Liberty	Taylor	Monroe	Alachua	Pasco	Pinellas
Lafayette	Washington	Putnam	Osceola	Volusia	Orange
Franklin	Baker	Highlands	Leon	Brevard	Hillsborough
Glades	Hardee	Indian River	St. Lucie	Polk	Palm Beach
Jefferson	Bradford	Citrus	Lake	Lee	Broward
Calhoun	Wakulla	Martin	Escambia	Duval	Dade*
Hamilton	Desoto	Santa Rosa	Collier		
Union	Hendry	Charlotte	Manatee		
Gulf	Okeechobee	Bay	Marion		
Dixie	Levy	Hernando	Sarasota		
Gilchrist	Suwannee	Okaloosa	Seminole		
Madison	Gadsden	Clay			
Holmes	Jackson	St. Johns			
	Walton				
	Columbia				
	Nassau				
	Flagler				
	Sumter				

*Dade was recommended to be in a peer group 7 by itself in the 2014 report

There were six recommended peer groups in 2012, ranging in size from 6 to 18 counties in each peer group. The recommendation in 2012 had increased the number of proposed groups from five evenly sized groups in the previous study. It also recommended moving some counties between peer groups based on their predicted costs.

The 2014 report used a similar approach to analyze the cost of the county clerks with 2013/2014 fiscal year data. That analysis recommended keeping the same proposed groups of counties as 2012 with one exception: that Dade county be moved to a group of its own (Group 7). The reason for this proposed change was the fact that the Dade county population is more than 45% greater than the population of Broward, the next largest county in Florida. As a result, Dade has substantially more cases and a larger budget than any other county that could be considered a comparator.

In preparation for both 2012 and 2014 reports, discussions were held with the CCOC and members of the Clerk's Finance and Budget Committee to review the modeling process. During the 2014 meetings

there was consensus among the CCOC staff and committee members that prison populations should also be considered in the model as well as a measure of the cost-of-living differences between different counties. As a result of these meetings, the 2014 model included the number of inmates in each county, and the average per-capita income for each county as a measure of the cost-of-living.

IV. Changes to the 2016 Peer Group report

At the conclusion of the 2014 peer group report, some of the clerks suggested that other factors could have been considered in the analysis. As a result, we sought input from clerks regarding factors they thought should be included in the analysis before the 2016 peer group modeling process.

We reviewed comments from clerks across Florida and some common themes were evident. For example, many clerks recommended a better measure of the cost of living differences between the counties. We had included a measure of income in the 2014 report, but we considered how we could more accurately address this point. Another frequent recommendation was to consider the geographical size of counties so that differences in the distances traveled for business could be included. Several clerks recommended that we specifically control for differences in caseload and the different composition of the caseload between clerk offices. Other comments also highlighted a concern by some clerks that counties had been recommended for peer groups in the past that were generally too different from their county's basic characteristics, such as overall population or the total number of cases.

Based on these suggestions, for this report we have added new factors to the regression model to estimate similarly-situated peer groups. To better control for cost-of-living differences we added the Florida Price Index by county from the Bureau of Economic and Business Research (BEBR) at the University of Florida.³ This variable has the potential to better control for cost-of-living differences than the average income per-capita because it is a direct measure of the cost of hiring comparable personnel. A measure of population density per mile (also from the BEBR) has also been added to the model to better control for geographic differences between counties and the potential difficulty servicing remote areas in large rural counties.

Another issue raised following the 2014 report was the lack of similarity between many counties in the same peer group. More specifically, some of the clerk committees and the CCOC have cited the differences between counties within the same 2014 peer group. With some of the peer groups

³ More information about the Florida price index can be found at <https://floridapolytechnic.org/wp-content/uploads/2015fpli.pdf> (accessed on March 05, 2017).

numbering as many as 18 counties, there is often large variation between the total number of cases and the populations of the smallest and largest counties.

After reviewing the clerk comments and speaking with members of the CCOC staff, we have come to the conclusion that new guidelines, or “rules” should be added to the process in conjunction with the regression analysis to ensure that there is a higher level of similarity among counties within the same peer group.

V. Review of the 2014 - 2016 Data using 2014 Peer Groups

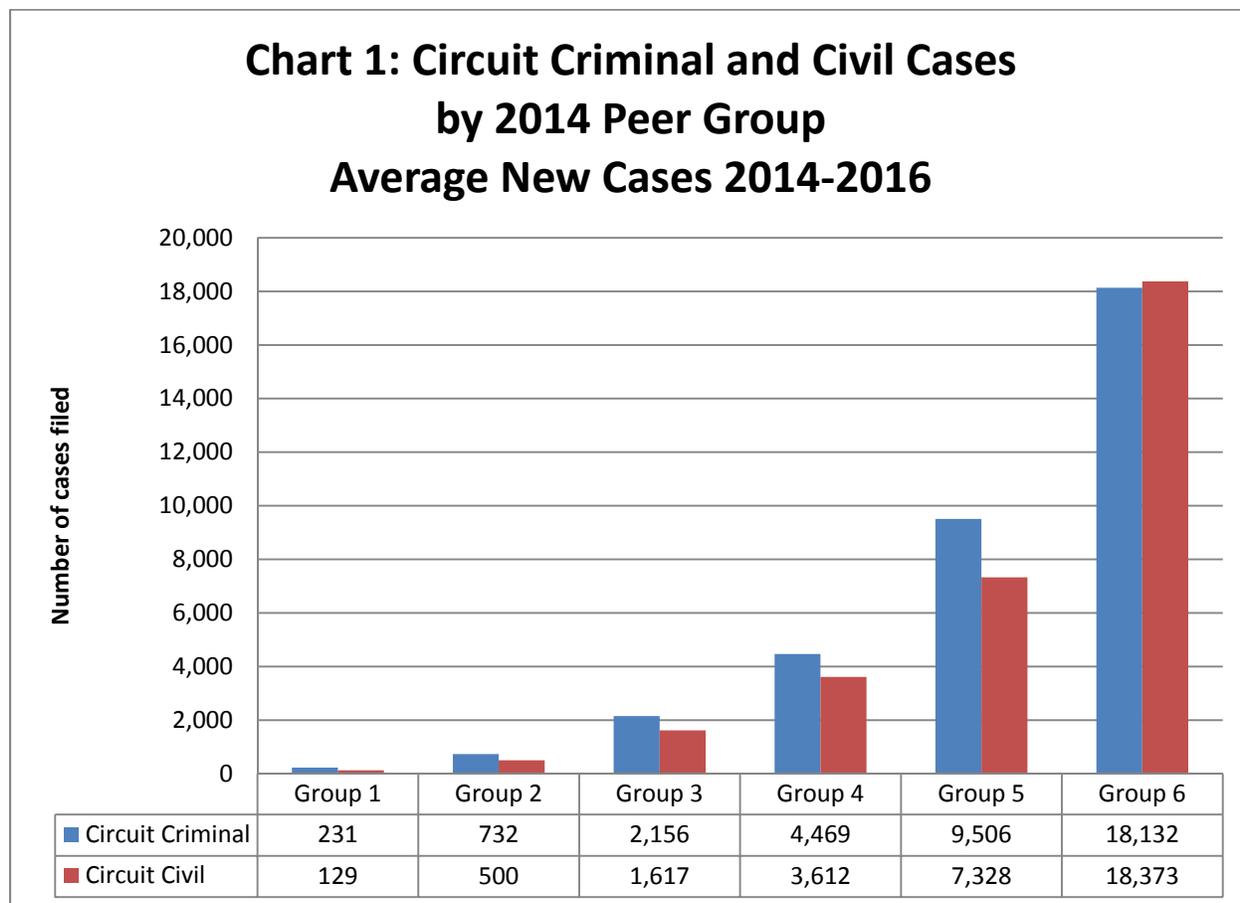
Table 2 below summarizes the average population and the average number of cases for selected case types for each of the 2014 peer groups using the 2014 - 2016 data. Chart 1 shows the average number of Circuit Criminal and Circuit Civil cases for 2014-2016 by peer group. Chart 2 graphs the percent distribution of case type on average from 2014-2016 by peer group.

Table 2: Average Population and Average Number of New Cases Filed from 2014-2016; by Case Type and 2014 Peer Group							
Peer Group	Average Population	Circuit Criminal	Circuit Civil	County Criminal	County Civil	Civil Traffic	Other
Group 1	14,726	231	129	307	132	2,901	594
Group 2	49,449	732	500	973	535	6,872	2,044
Group 3	154,028	2,156	1,617	3,472	2,039	19,793	6,500
Group 4	336,054	4,469	3,612	5,979	5,513	49,518	13,875
Group 5	638,896	9,506	7,328	16,334	11,309	76,466	29,549
Group 6	1,366,801	18,132	18,373	27,395	38,258	237,632	62,479

As can be seen in Table 2, the average county population in each group often doubles or triples when comparing adjacent groups. This pattern continues to hold true when comparing the average number of cases by type. Similarly, the average new caseload by county dramatically increases across groups for all types of cases.

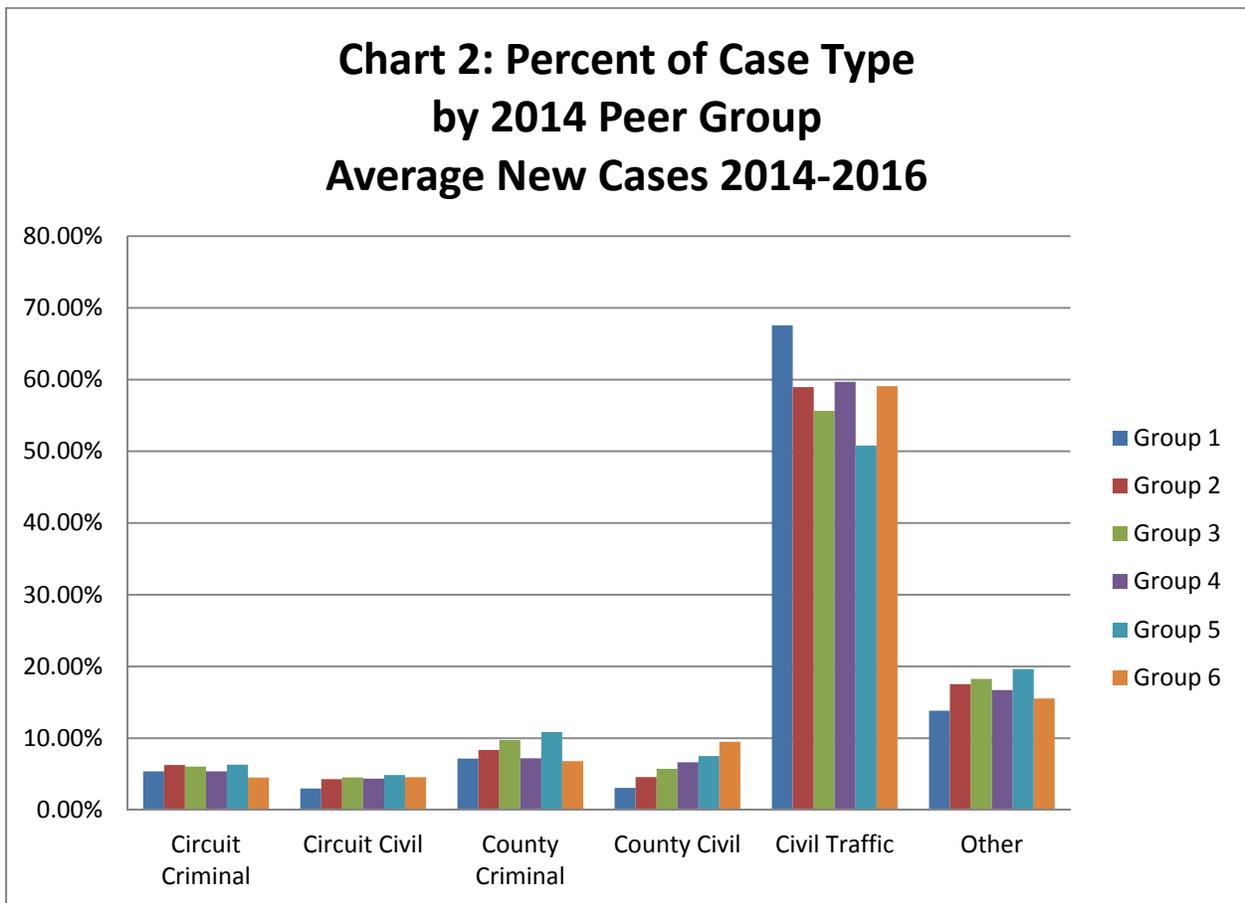
The group differences shown in Table 1 are depicted graphically in Chart 1 below. This chart shows the average number of cases in 2014 -2016 by peer group for Circuit Criminal and Circuit Civil, which are two of the most costly to process relative to the other case types, making them particularly important to the

analysis. The rate of increase from peer group to peer group is striking. Group 2 has about three times as many of these cases as group 1; group 3 has again about three times as many cases on average as group 2. The rate of increase “slows” to a doubling in groups 4, 5, and 6. With the average number of cases more than doubling from one peer group to the next and the large number of counties in each peer group, it is possible that there is a wide range in the number of cases between the smallest and largest counties in a group. This amount of potential dispersion between the caseloads of different counties in the same peer group may lead to peer groups where the costs are not similar.



While the total number of cases increases quickly from group to group, the case type *distribution* from group to group appears remarkably similar in Chart 2. Peer group 1, which consists of the counties with the smallest populations has a caseload that is about the same, proportionally, to the caseload for peer group 6 which has the counties with the largest populations. This pattern is confirmed across the middle peer groups too. The percent of circuit criminal cases, for example, is just below 5% for all of the groups. By the same token, if we look at civil traffic the average percent of cases is over 50% for each of the groups. The proportion of these cases is slightly more for the smaller peer groups than the larger ones, but the trend is the same.

If the cost of processing a case is roughly the same by type across counties, then the model will accurately predict the cost of processing the different mix of caseload by county. Chart 2 indicates that based on this logic the regression analysis will precisely estimate the budget for each county.



Model for 2016 Peer Groups

We re-estimated final model from the 2014 report using 2016 data to evaluate the previous groupings and test alternative classifications. Data provided the CCOC, as well as county-specific information from the Bureau of Economic and Business Research (BEBR) at the University of Florida was tested to determine if we could make improvements to the model.

Section 28.35 of the Florida Statutes mandates that the comparison of similarly situated counties be made using county population and the number of filings.⁴ The regression analysis, therefore, models

⁴ See http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0000-0099/0028/Sections/0028.35.html (accessed on March 05, 2017).

each county's actual expenditures⁵ in 2016 as a function of 1) new and continuing cases in 2016 for the 10 case divisions; 2) 2016 county populations; 3) geographic population density by county; and 4) the 2015 Florida Price Index (the most recent available at the time of this report).⁶ The specific independent variables and regression results are listed in Appendix A at the end of the report.

With the results of the regression model, we sorted the counties by population, actual expenditures, and predicted expenditures to determine which counties were the most similar based on a statistical framework. In addition to the regression model, however, we included rules to ensure that clerks' offices within the same peer group would be more similar when compared to the population and average expenditure of their peer group.

The first rule restricts the peer groups to counties that are less than twice the size of the smallest county in the peer group. This rule prevents small population counties from being included with larger population counties where the cost may be systematically different. As was previously shown in Table 2, the average population between groups was at least twice the size of the next smallest group, and for some comparisons more than three times the size of the next smallest group. This suggests potentially large variations in population and caseloads within these large peer groups that could lead to somewhat dissimilar counties within these factors being included in the same peer group. This rule is designed to alleviate this possible problem.

The second rule limits the difference between each county's average expenditure and the peer group's average expenditures to less than two standard deviations in absolute value (this is also known as the Z-score). In statistics, a two standard deviation difference or larger (in absolute value) is usually considered to be statistically significantly different than the average value. The purpose of this rule is to ensure that the expenditures between counties within the same peer group are not significantly different than the average of the group.

It is possible to reduce the level of dispersion even further than two standard deviations to 1.5 standard deviations or even to one standard deviation, but there may be good reasons to allow for variability up to the two standard deviation level. There are many reasons why the reported county expenditure may not accurately reflect the actual total cost of running the clerk's office. For example, if some of the clerks

⁵ Requested gross budget and requested net budget were also analyzed as dependent variables. The predicted county results with these variables when evaluated with the actual expenditures and county populations did not change the 2016 proposed peer groups.

⁶ The ten divisions are Circuit Criminal, County Criminal, Probate, Family, Juvenile Dependency, Juvenile Delinquency, Criminal Traffic, Civil Traffic, Circuit Civil, and County Civil.

are able to finance some of their activities from fees while other clerks are not then the reported expenditures may be different. Furthermore, if a portion of the clerks have shifted some of their costs to county tax dollars then their reported expenditures will be less than comparable clerks who are unable to do so. Most clerks have reported that they are closely tied to their county's health programs which are likely to vary from county to county affecting their employment cost relative to their peers. Any differences in the cost of operating the clerks' offices will add to the variation in the expenditures reported by the clerks. A two standard deviation boundary recognizes that there will be expenditure differences between otherwise similarly-situated counties that the model cannot fully control.

VI. 2016 Recommended Peer Groups

The results of the model with the implementation of these rules are shown in Table 3 below. The impact of the new model and rules is to increase the number of recommended peer groups from 6 peer groups in 2012 and 2014, to 12 peer groups in 2016. These peer groups average 5.6 counties per group, but no group has fewer than 3 or more than 7 counties.

The effects of the rules discussed above can be seen in the last two columns of Table 3. The column "Population Ratio to Smallest County in Peer Group" shows how much larger each county is relative to the smallest county in the peer group. This ratio is less than 100% for all of the proposed peer groups. The z-score (number of standard deviations) of the average expenditure of each county to the mean of the peer group is displayed in the last column of Table 3. Most counties are within 1.5 standard deviations of the mean for their peer group, and all 67 counties have a z-score of less than 2 in absolute value. Statistical significance is usually measured around 2 standard deviations from the mean.

The advantage of increasing the number of peer groups is that the counties within each peer group are objectively more homogeneous by population and caseload than they have been in the past. In 2012 and 2014 with only 6 peer groups, the largest group contained 18 counties and only two groups had less than 10 counties. The proposed approach of increasing the number of peer groups allows for comparisons that are far more similar between the largest and smallest counties in each peer group. This also addresses a common concern from clerks regarding the need to be in peer groups where they are more similar with their peers in terms of annual expenditures. Table 3 shows that many of the new peer groups have population differences of less than 50% between the largest and smallest county in the group. The z-score of expenditures is often less than 1.5 in absolute value across all of the counties within a peer group. No peer group violates either the population or the two standard deviation rule.

Lastly based on the model and the rules in this analysis, we recommend that Dade county be part of peer group 12 with Palm Beach and Broward counties. Dade county remains the largest county in Florida in both population and caseload, but with the new approach of adding rules to the peer group recommendation process Dade county has good comparators.

Table 3: Proposed 2016 Peer Groups; by County

County	Proposed 2016 Peer Group	2012 and 2014 Peer Group	2016 Population	Population Ratio to Smallest County in Peer Group	Z-score of the Average Expenditure to Peer Group
Lafayette	1	1	8,621	0.00%	1.26
Liberty	1	1	8,736	1.33%	0.93
Franklin	1	1	11,916	38.22%	-1.85
Glades	1	1	13,047	51.34%	-0.18
Jefferson	1	1	14,498	68.17%	0.14
Calhoun	1	1	14,580	69.12%	-0.30
Hamilton	2	1	14,665	0.00%	0.84
Union	2	1	15,887	8.33%	0.15
Gulf	2	1	16,628	13.39%	0.02
Dixie	2	1	16,773	14.37%	-1.60
Gilchrist	2	1	16,848	14.89%	-1.32
Madison	2	1	19,238	31.18%	0.67
Holmes	2	1	20,003	36.40%	1.23
Taylor	3	2	22,478	0.00%	1.07
Washington	3	2	24,888	10.72%	0.91
Baker	3	2	26,965	19.96%	0.84
Bradford	3	2	27,440	22.07%	0.37
Hardee	3	2	27,637	22.95%	-1.79
Wakulla	3	2	31,599	40.58%	-0.63
Desoto	3	2	35,141	56.34%	-0.76
Hendry	4	2	38,370	0.00%	-0.17
Levy	4	2	40,553	5.69%	0.39
Okeechobee	4	2	40,806	6.35%	0.07
Suwannee	4	2	44,349	15.58%	-0.71
Gadsden	4	2	48,486	26.36%	-1.40
Jackson	4	2	50,345	31.21%	1.83
Walton	5	2	62,943	0.00%	0.29
Columbia	5	2	68,566	8.93%	1.30
Putnam	5	3	72,972	15.93%	-1.61
Nassau	5	2	77,841	23.67%	0.58
Highlands	5	3	101,531	61.31%	-0.56

Table 3: Proposed 2016 Peer Groups; by County

County	Proposed 2016 Peer Group	2012 and 2014 Peer Group	2016 Population	Population Ratio to Smallest County in Peer Group	Z-score of the Average Expenditure to Peer Group
Monroe	6	3	76,047	0.00%	-0.83
Flagler	6	2	103,095	35.57%	1.29
Sumter	6	2	118,577	55.93%	1.29
Citrus	6	3	143,054	88.11%	0.20
Indian River	6	3	146,410	92.53%	-0.84
Martin	6	3	150,870	98.39%	-1.12
Santa Rosa	7	3	167,009	0.00%	1.36
Charlotte	7	3	170,450	2.06%	-0.88
Bay	7	3	176,016	5.39%	-0.52
Hernando	7	3	179,503	7.48%	1.23
Okaloosa	7	3	192,925	15.52%	-1.33
Clay	7	3	205,321	22.94%	0.71
St. Johns	7	3	220,257	31.88%	-0.56
Alachua	8	4	257,062	0.00%	1.33
Leon	8	4	287,671	11.91%	-0.03
Lake	8	4	323,985	26.03%	0.18
Marion	8	4	345,749	34.50%	-1.48
St. Lucie	9	4	292,826	0.00%	-0.35
Escambia	9	4	309,986	5.86%	0.69
Osceola	9	4	322,862	10.26%	-0.36
Collier	9	4	350,202	19.59%	1.12
Manatee	9	4	357,591	22.12%	1.39
Sarasota	9	4	399,538	36.44%	-1.34
Seminole	9	4	449,124	53.38%	-1.14
Pasco	10	5	495,868	0.00%	-0.13
Volusia	10	5	517,411	4.34%	1.29
Brevard	10	5	568,919	14.73%	-1.57
Polk	10	5	646,989	30.48%	-0.42
Lee	10	5	680,539	37.24%	0.82
Duval	11	5	923,647	0.00%	1.59
Pinellas	11	6	954,569	3.35%	0.10
Orange	11	6	1,280,387	38.62%	-1.01
Hillsborough	11	6	1,352,797	46.46%	-0.67
Palm Beach	12	6	1,391,741	0.00%	0.96
Broward	12	6	1,854,513	33.25%	0.42
Dade	12	6	2,700,794	94.06%	-1.38

Appendix A:

Table 1A displays the linear regression results below. The F-Value (a measure of joint significance of variables in the model) is statistically significant and large indicating that the variables in the model together explain differences in expenditures. The R-Square (a measure of the amount of variance controlled for by the model) is approaching 100% which indicates that very little of the variance between the expenditures by county is left unexplained. Several of these variables are likely to overlap in variance (for example, the number of cases with the population of a county), but this multicollinearity does not affect the fit of the model or the predicted values of the clerk expenditures.

Table 1A: Linear Regression of Expenditures by County Clerks, Fiscal Year 2016

The REG Procedure

Model: MODEL1

Dependent Variable: Actual Expenditures

Number of Observations Read 67
 Number of Observations Used 67

Analysis of Variance

Source	DF	Sum of Squares	Mean Square	F Value	Pr > F
Model	12	6.889781E15	5.741484E14	2116.81	<.0001
Error	54	1.464661E13	2.712334E11		
Corrected Total	66	6.904427E15			

Root MSE 520801 R-Square 0.9979
 Dependent Mean 5865498 Adj R-Sq 0.9974
 Coeff Var 8.87905

Parameter Estimates

Variable	DF	Parameter Estimate	Standard Error	t Value	Pr > t
Intercept	1	484400	2280339	0.21	0.8326
CircuitCriminal	1	29.40359	16.94816	1.73	0.0885
CircuitCivil	1	220.69976	31.75946	6.95	<.0001
Family	1	-99.48521	19.64878	-5.06	<.0001
Probate	1	-101.46661	36.70413	-2.76	0.0078
CountyCriminal	1	125.26886	17.15977	7.30	<.0001
CountyCivil	1	-12.43189	13.92868	-0.89	0.3761
CriminalTraffic	1	-121.28656	17.17294	-7.06	<.0001
CivilTraffic	1	11.27100	1.36225	8.27	<.0001
JuvenileDependency	1	376.11731	138.21991	2.72	0.0087
Pop2016	1	11.26995	1.89824	5.94	<.0001
Density	1	64.03295	220.73571	0.29	0.7729
FPI	1	-5505.30778	24336	-0.23	0.8219

Notes: The case categories reflect the new cases filed and the continuing cases for 2016. Juvenile delinquency is the omitted category. Actual2016 is the actual reported expenditure by county. Pop2016 is the 2016 county population estimate. Density is the population density by non-zero mile by county. FPI is the 2015 Florida price index (the most recent year available).

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL	

Agenda Item 3c

Executive Council Meeting

June 12, 2017

Date: June 12, 2017

Subject: Performance Improvement & Efficiency (PIE) Committee Status Report

Committee Action: None required.

The PIE Committee and workgroup continues moving forward on the development of the Performance Accountability Clerk (PAC) Framework. The first version of this “Framework” was prepared in 2004 by the Clerks to provide State Government with a full view of what Clerks do and how they do it since funding would be primarily a state requirement in the future.

Since the early 1980’s, State law requires each state agency to produce a similar “framework”. It is used to help the Governor and Legislature understand what services are provided by state government. It has been used since the early 1980’s in the state budgeting process.

The Clerks of Court Operations Corporation (CCOC) began updating the “Framework” in 2016 using five work groups comprised of Clerks’ staff and CCOC staff. The latest 2017 version is the result of a consensus among the work groups involved in the process. The Framework is a highly credible foundation for supporting the CCOC budget system and process when used to interconnect a wide variety of data that explains many aspects of Clerk operations, service delivery responsibilities, costs, revenues, production processes, workloads, performance standards, and achievements.

PAC Framework Components (see attachment)

Three high-level Clerks’ PROGRAMS: Criminal Courts, Civil Courts, and Civil Traffic Court

Nine SERVICES provided to 1 or more “programs”:

1. Case Processing
2. Revenue Collection & Distribution
3. Financial processing
4. Public Information & Reporting
5. Ministerial Pro Se Assistance
6. Technology for External Users
7. Mandatory Reporting
8. Jury Management
9. Administration

Thirty-Five work activities involved in providing each service.

400+ tasks in accomplishing each activity.



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.

PAC Framework Utility

- 1) Tells the Basic Clerk's Story related to what Clerks do and how they do it.
- 2) Provides how an expanded Clerks' story can be told by interconnecting Clerks' data and information with the framework's components. (such as legal authority, related personnel, operation, and capital costs, identification of customer groups that receive Clerk services, performance results, etc.)
- 3) Provides Clerks' with information to request budget support within the CCOC budgeting process from the State.
- 4) Provides a mechanism for managing budgets and performance within each Clerk's office.
- 5) Provides the CCOC with monitoring capacities and to be proactive if Clerk service related costs, revenues and performance are not within approved budget parameters during the fiscal year and adjust accordingly.

PAC Framework Utility to Budget Committee

- 1) Allows the review of additional information in the budgeting process that focuses on customer services, their costs, workloads, their outputs, their outcomes and their ability to be supported by current revenue streams.
- 2) Helps to fairly compare similarly situated Clerk's use of resources to produce outputs and achieve outcomes.
- 3) Allows Clerks to request funding based on "issues" that can be tied to their impacts on the ability to produce outputs and outcomes critical to Clerk customers.
- 4) With "business rules" that relate to credibly costing services, the Budget Committee can better assess and compare Clerk requests and enhance capacities to make fair and defensible budget recommendations to the Council and the Legislature.

The 2017/18 budget instructions and form begin the introduction of service focused budgeting. (see attachment)

Tentative Schedule for Enhancing the PAC Framework and Budget Support System (July 2017-June 2018)

- Interconnect revenue sources to the PAC Framework's 9 services.
- Create a credible PAC service costing methodology to show revenue requirements.
- Develop output/outcome measures and Business Rules for PAC services.
- Develop clerk budget request examples that show the utility of the integrated PAC system.
- Develop PAC system automation to support Clerks' budget request development and their financial and performance measurement monitoring during the fiscal year.

Attachments:

- 1) PAC Highlights
- 2) 17/18 Budget excerpt

Collections Training

The State Revenue Estimating Conference revenue estimates for the Clerk's Trust Fund continues to decline. At the REC's last meeting in December, it projected 2017-2018 revenues at \$362.9 m. (see attached).

Because of the importance of revenues for Clerk's budgets, the Chair of the PIE Committee directed CCOC staff to schedule a 2-day "collection summit" later this year. Details on the location, dates, times and collection topics will be forthcoming. A work group of Clerk staff will be formed to assist the CCOC with scheduling and the agenda. If Clerk staff have any suggestions for collection topics and/or would like to participate please contact CCOC staff.

Some initial collections topics:

- In-house collection programs;
- Best Practices in collections;
- Maximizing use of collection agencies;
- Negotiating and settling debt per s. 938.30(9), F.S.; and
- On-line and call-center payment systems

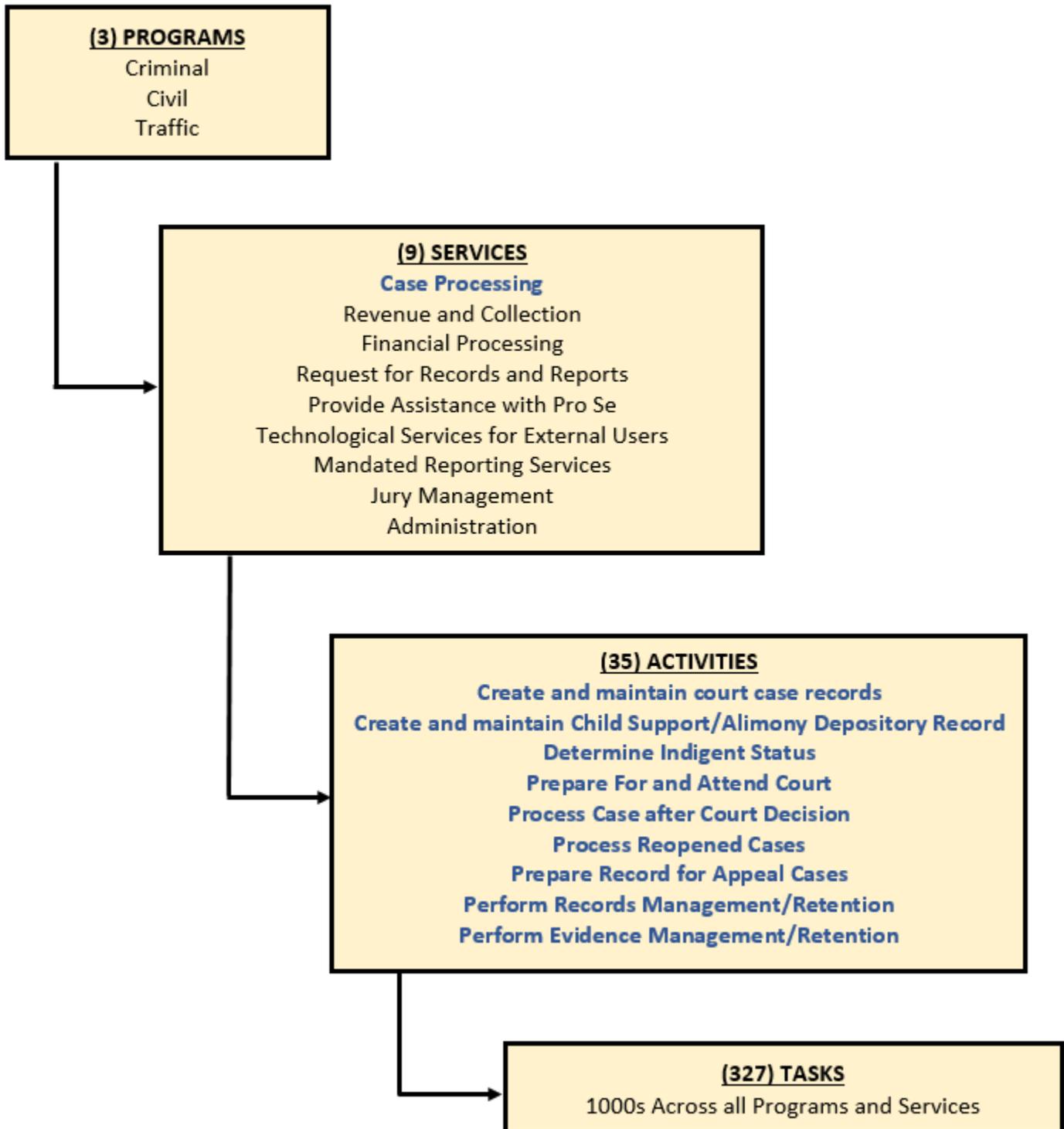
Attachment:

- State REC Revenue Estimates

Lead Staff: Douglas Isabelle, Deputy Executive Director

PAC Framework

Inventory of Court-Related Duties of the Clerk

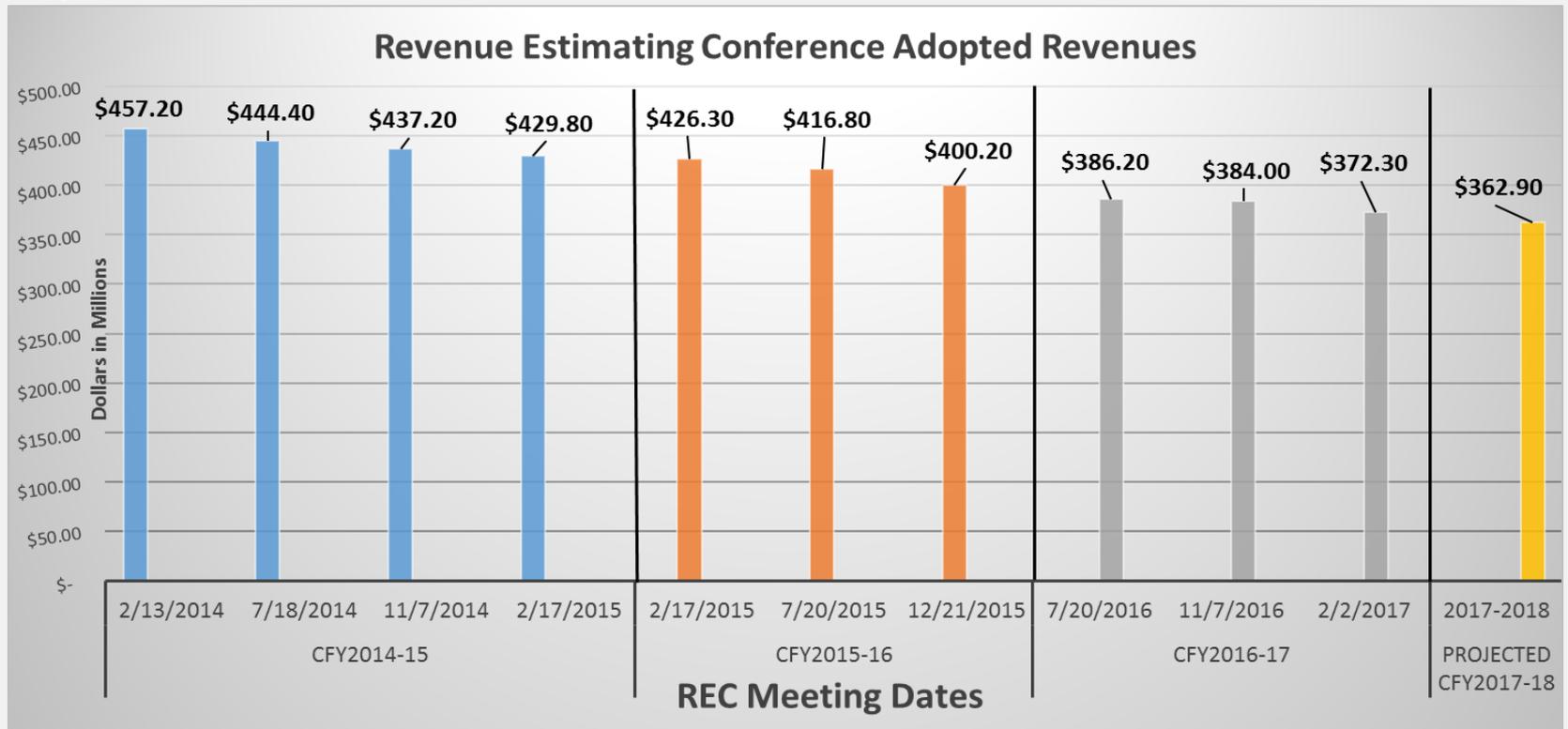


PERFORMANCE AND ACCOUNTABILITY OF CLERKS FRAMEWORK												
Service	Activity	Task	Criminal				Traffic	Civil				Authority
			Circuit	County	Juvenile Delinquency	Criminal Traffic	Civil Traffic	Circuit	County	Probate	Family	Juvenile Dependency
Case Processing			Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	
TASKS Case Processing → All Programs = 909												
79	→	Create and maintain court case record										F.S. 28.13, 28.211, 28.22205, 34.031, and Fla. Sm. Cl.R. 7.040
80	→	Create and maintain child support/affirmity depository record										F.S. 61.181
98												
99												
100	→	Determine indigent status										F.S. 28.52, 57.082, and 57.085
106												
107												
108	→	Prepare for and attend court										F.S. 28.212; 34.031
128												
129												
130	→	Process case after court decision										F.S. 28.211 and 28.23
157												
158												
159	→	Process Reopened Cases										F.S. 28.241
165												
166												
170												
171	→	Prepare Record for Appealed Cases										F.S. 28.241 and Fla. R. App. P. 3.200(d)
185												
186	→	Perform Records Management/Retention										F.S. 28.30
197												
198												
199	→	Perform Evidence Management/Retention										F.S. 28.213 and Fla. R. Civ. P. 1.450(b)
222												

PERFORMANCE AND ACCOUNTABILITY OF CLERKS FRAMEWORK												
Service	Activity	Task	Criminal				Traffic	Civil				Authority
			Circuit	County	Juvenile Delinquency	Criminal Traffic	Civil Traffic	Circuit	County	Probate	Family	Juvenile Dependency
Case Processing			Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	
TASKS Circuit Criminal → All Services = 201												
223		Revenue Collection and Distribution										
254		Financial Processing										
303		Requests for Records and Reports										
325		Provide Ministerial Pro Se Assistance										F.S. 28.215
334		Technology Services for External Users										
368		Mandated Reporting Services										
379		Jury Management										
404		Administration										

State Revenue Estimating Conference Continues to Project Decline for Clerk Trust Fund

➤ \$94 m. decline since 2014 or over 20%



Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL	

Agenda Item 3d

Executive Council Meeting

June 12, 2017

Date: June 12, 2017

Subject: Financial Analysis and Enhancement Work Group Report

Committee Action: None required.

At its October 13, 2016 meeting the Budget Committee directed Clerk Burke to revisit the new case counting rules for clarifying and updating the rules to ensure accurate counts of the various case types and sub-cases handled by Clerks statewide.

As the workload of Clerks is directly related to the case types and sub-case types, it was important to have a workgroup of clerk staff review and recommend a weight for each case types and sub-case types being counted by the case count work group. Therefore, a PIE Committee case weighting workgroup consisting of staff members from 10 counties was formed for this purpose with Clerk Barbee directing the initiative. Over a span of 7 months, the case weighting workgroup met in person 4 times and participated in several other telephone conferences.

Weights were based upon the initial effort of establishing the case type or sub-case type in question, the life span of the case, and the work over the life span of the case. The case weighting workgroup also considered the various methods of disposition within a case type or sub-case type. For example, while a long-term felony case may generate more work than a regular dissolution, some felonies are handled by nolo prosequi, some are handled by plea agreements and some to trial. Likewise, some dissolutions are straight forward with parties agreeing to all matters including custody, some have initial battles over property, but agree on custody and support issues, and some have battles over issues of child custody and alimony for years.

Before the initial meetings, the workgroup members consulted with staff from their offices regarding workloads and offered suggested weights for various sub-case types. During the meetings and conferences referenced above, the various suggested weights were first discussed by individual case type or sub-case type and the work group determined an initial weight. Those individual case types and sub-case types were then discussed in comparison to other case types and sub-case types within same court division (e.g. circuit criminal, county criminal, juvenile delinquency, criminal traffic, circuit civil, county civil, probate, family, juvenile dependency, and civil traffic).

Finally, the weighted case types and sub-case types were compared to all other case types and sub-case types by placing them in weight order and determining whether the workload of a case type or sub-case type compared correctly to the workload of other case types or sub-case types of



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.

the same weight. After this process, case types and sub-case types received their initial proposed weights.

While the case weight workgroup was determining weighting recommendations, the case counting workgroup was considering the various case types and sub-case types to be counted. As part of this process, new case types and sub-case types were added. Those case types and sub-case types were analyzed using the process described above and given weights. Also, as some counties indicated that they might not be able to provide data at the sub-case type level for capital murder, non-capital murder and sexual offenses, the case weighting workgroup reevaluated the felony category to determine a default weight for felonies. This reevaluation was completed using the same three-step process described above.

Some counties also indicated that they could not report their data by sub-case type. This possible inability resulted in the creation of a “Case Unable to be Categorized” category by the case county workgroup. The case weighting workgroup chose not to provide a general weight for those cases. The workgroup felt all counties should be able to report in accordance with the new case counting rules which provide the basis for the weighting categories. In the instance of a county not providing the data in accordance with the case counting rules, the Finance and Budgeting Committee should determine the necessary weights to give that county’s cases.

On June 1, 2017, the final list of sub-cases with weights was forwarded to the Chair of the Budget and Finance Committee.

Lead Staff: Douglas Isabelle, Deputy Executive Director

Attachments: None

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL	

Agenda Item 4

Executive Council Meeting

June 12, 2017

Date: June 12, 2017
Subject: Update on CCOC Trust Fund

Council Action:

Allow CCOC Budget Chair to continue to implement process to distribute limited TF dollars if necessary.

Overview:

Current Situation for CFY 16/17

The expected receipt of dollars from “Depository” Clerks and the expected need of dollars for “Funded” Clerks is based on a combination of the revenue each Clerk projected in January 2017 from their submittal of their Operational Budgets to the CCOC and the Revenue Estimating Conference February projection in comparison to their approved budget authority. Because of less revenue projected than previously, this resulted in more Clerks being considered as funded and less as depository and the need for more dollars from the TF. Currently the TF is to provide \$3.9 million monthly to 50 Clerks and receive \$1.4 million monthly from 17 Clerks. Therefore there are not sufficient dollars in the TF each month. (See Attached List.)

Potential Situation

Funded Clerks did not receive funding in May due to not having sufficient revenues in the TF. As of June 5th there is approximately \$2.7 million in the TF. However, the 2017 Legislature did agree to provide \$7 million to the TF to help offset some of the shortfall. The availability of these dollars are pending based on approval from the Governor’s office. Unless revenues come in better than projected for the next several months there may not be enough dollars in the TF by the end of the county fiscal year to provide to the funded Clerks despite receiving \$7 million from the State.

Recommendation:

Continue to allow the CCOC Budget Chair to work with CCOC staff to use a methodology to allocate the limited TF resources when there are not sufficient dollars to provide the full amount to each Clerk.

Attachments: A: Current List and Dollars Associated with Depository and Funded Clerks



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.

CFY 2016-17 Funded Amount Based on REC Projections

	County	Annual Funded Amount	Monthly Funded Amount (April-Sept)*
1	Alachua	\$ 1,891,070	\$ 197,456
2	Baker	\$ 82,109	\$ 7,611
3	Brevard	\$ 2,878,796	\$ 271,500
4	Broward	\$ 2,897,229	\$ 482,872
5	Calhoun	\$ 259,504	\$ 22,628
6	Charlotte	\$ 81,578	\$ 12,463
7	Citrus	\$ 73,887	\$ 9,966
8	Clay	\$ 7,966	\$ 1,328
9	Desoto	\$ 99,604	\$ 9,348
10	Dixie	\$ 144,035	\$ 12,542
11	Duval	\$ 1,308,207	\$ 121,638
12	Escambia	\$ 820,616	\$ 78,157
13	Flagler	\$ 307,829	\$ 26,104
14	Franklin	\$ 370,625	\$ 32,056
15	Gadsden	\$ 181,332	\$ 16,659
16	Gilchrist	\$ 307,818	\$ 26,872
17	Glades	\$ 95,281	\$ 8,507
18	Gulf	\$ 237,536	\$ 19,662
19	Hamilton	\$ 72,482	\$ 7,964
20	Hardee	\$ 258,382	\$ 22,371
21	Highlands	\$ 292,812	\$ 39,521
22	Hillsborough	\$ 1,553,816	\$ 176,273
23	Holmes	\$ 47,800	\$ 4,665
24	Jackson	\$ 164,139	\$ 15,107
25	Jefferson	\$ 12,176	\$ 1,666
26	Lafayette	\$ 164,851	\$ 14,813
27	Lake	\$ 158,544	\$ 26,424
28	Leon	\$ 571,441	\$ 94,718
29	Levy	\$ 348,525	\$ 29,966
30	Liberty	\$ 170,306	\$ 14,180
31	Manatee	\$ 952,332	\$ 120,280
32	Miami-Dade	\$ 5,483,350	\$ 618,013
33	Monroe	\$ 1,081,933	\$ 140,628
34	Nassau	\$ 68,200	\$ 8,165
35	Okeechobee	\$ 185,559	\$ 16,832
36	Palm Beach	\$ 1,557,034	\$ 179,360
37	Pasco	\$ 3,574,188	\$ 398,112
38	Polk	\$ 688,055	\$ 66,396

CFY 2016-17 Funded Amount Based on REC Projections

	County	Annual Funded Amount	Monthly Funded Amount (April-Sept)*
39	Putnam	\$ 951,885	\$ 91,616
40	Sarasota	\$ 675,130	\$ 91,289
41	St. Johns	\$ 471,018	\$ 52,535
42	St. Lucie	\$ 507,211	\$ 67,558
43	Sumter	\$ 107,882	\$ 11,682
44	Suwannee	\$ 189,234	\$ 17,250
45	Taylor	\$ 81,725	\$ 7,578
46	Union	\$ 253,918	\$ 20,928
47	Volusia	\$ 1,793,190	\$ 164,759
48	Wakulla	\$ 134,741	\$ 12,095
49	Walton	\$ 104,940	\$ 12,522
50	Washington	\$ 190,872	\$ 20,560
	Total:	\$ 34,912,693	\$ 3,923,190

Prepared by CCOC Staff on 4/6/2017

* Monthly Funded Amount calculated by taking the Annual Funded Amount minus funds sent from the Trust Fund to date, with the remainder divided by the remaining 6 months of the CFY.

CFY 2016-17 Depository Amount Based on REC Projections

	County	Annual Depository Amount	Monthly Depository Amount (April-Sept)*
1	Bay	\$ 398,565	\$ 57,725
2	Bradford	\$ 313,427	\$ 30,279
3	Collier	\$ 105,723	\$ 10,844
4	Columbia	\$ 88,651	\$ 14,285
5	Hendry	\$ 55,833	\$ 9,306
6	Hernando	\$ 570,938	\$ 60,015
7	Indian River	\$ 83,828	\$ 7,564
8	Lee	\$ 1,910,020	\$ 235,154
9	Madison	\$ 394,138	\$ 47,476
10	Marion	\$ 255,373	\$ 38,931
11	Martin	\$ 415,930	\$ 56,736
12	Okaloosa	\$ 522,172	\$ 80,803
13	Orange	\$ 4,137,072	\$ 479,696
14	Osceola	\$ 1,452,202	\$ 184,809
15	Pinellas	\$ 28,564	\$ 4,761
16	Santa Rosa	\$ 303,281	\$ 8,611
17	Seminole	\$ 619,066	\$ 103,178
	Total:	\$ 11,654,783	\$ 1,430,173

Prepared by CCOC Staff on 04/6/2017

* Monthly Depository Amount calculated by taking the Annual Depository Amount minus funds sent to the Trust Fund to date, with the remainder divided by the remaining 6 months of the CFY.

Sharon R. Bock, Esq. Palm Beach County EXECUTIVE COUNCIL CHAIR		Ken Burke, CPA Pinellas County VICE-CHAIR		Stacy Butterfield, CPA Polk County SECRETARY/TREASURER	
John Crawford Nassau County	Tara Green Clay County	Todd Newton Gilchrist County	Harvey Ruvin Miami-Dade County	Jeffrey R. Smith, CPA Indian River County	
Ron Ficarrotta 13 th Judicial Circuit Judge SUPREME COURT APPOINTEE	Kyle Hudson Holmes County SENATE APPOINTEE	Paula S. O'Neil Ph.D Pasco County HOUSE APPOINTEE	John Dew EXECUTIVE DIRECTOR	Joe Boyd GENERAL COUNSEL	

Agenda Item 6

Executive Council Meeting

June 12, 2017

Date: June 12, 2017

Subject: Other Business: Tentative meeting schedule for 17-18

Council Action:

Review Calendar of tentative meeting dates.

Overview:

The CCOC Plan of Operation in Section 1.5 requires that at the annual Corporation meeting the Council shall establish a schedule of all regular meetings for the coming year. Historically, the CCOC has attempted to arrange all Council meetings with the FCCC training schedule in order to make it more convenient for Clerks and staff to attend meetings. However in many instances the FCCC training calendar has not been set for the full upcoming year when we have the annual Corporation meeting. Therefore, the Council usually provides a list of tentative meeting dates.

We contacted the FCCC and they provided us a tentative calendar on June 5th. (Attached.) Below are the potential meeting dates which could be subject to change.

July-August, 2017- Dependent on the approval of SB 2506 the Council will need to determine which dates to meet to determine the CFY 17/18 Clerks' budgets.

October 9th or 10th, 2017- Executive Council Meeting. Location: Wyndham Grand at Bonnet Creek, Orlando. The meeting would take place prior to the 2017 Fall Conference.

February ?, 2018- Executive Council Meeting. Location and date TBD. This would be in association with the FCCC Winter Conference which has not been scheduled yet.

June 25th or 26th, 2018- Executive Council Meeting. Hilton, West Palm Beach. The meeting would take place prior to the 2018 Summer Conference.

Attachments: Draft FCCC 2017-18 Calendar of Events.



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.



2017-18 CALENDAR OF EVENTS

July

July 13	Summer Series: Human Resource Management (Part 1)	WebEx – 11 a.m.-12:15 p.m.
July 17	FDLE CJJIS Council	Jacksonville, 9 a.m.
July 18-21	FDLE CJIS Symposium	Jacksonville
July 18	2017 Court Op Statewide Partners Regional Workshop #1 2017 Clerk to the Board Regional Workshop #1	TBD
July 19	2017 Court Op Statewide Partners Regional Workshop #2 2017 Clerk to the Board Regional Workshop #2	TBD
July 20	Summer Series: Human Resource Management (Part 2)	WebEx – 11 a.m.-12:15 p.m.
July 26	FCCC Executive Committee	WebEx – 10 a.m.

August

August 2-3	Florida Courts Technology Commission	Tallahassee
August 8	2017 Court Op Statewide Partners Regional Workshop #3 2017 Clerk to the Board Regional Workshop #3	TBD
August 9	2017 Court Op Statewide Partners Regional Workshop #4 2017 Clerk to the Board Regional Workshop #4	TBD
August 10	2017 A & C Report WebEx CLERICUS, Creative Solutions, CourtView	WebEx – 10-11 a.m.
August 10	2017 Court Op Statewide Partners Regional Workshop #5 2017 Clerk to the Board Regional Workshop #5	Plantation on Crystal River Crystal River, FL 34429
August 16	FCCC Board of Directors (In-Person)	TBD
August 21-24	New Clerk Academy Module #4 <i>Auditing, Reporting & Technology</i>	Marriott Hollywood Beach Hollywood, FL
August 23	2017 A & C Report WebEx Makeup Session	WebEx – 10-11 a.m.
August 24-25	Florida Trust Summer Seminar	Marriott Hollywood Beach Hollywood, FL

August 31 August Monthly Update WebEx – 10 a.m.

September

September (TBD) Florida Local Government Investment Trust Seminar TBD
Jacksonville

September 6 2017 Technology Regional Workshop #1 Sheraton Bay Point
2017 Records Management/Admin Regional Workshop #1

September 8 2017 Technology Regional Workshop #2 TBD
2017 Records Management/Admin Regional Workshop #2

September 12 2017 Technology Regional Workshop #3 TBD
2017 Records Management/Admin Regional Workshop #3

September 13 2017 Technology Regional Workshop #4 TBD
2017 Records Management/Admin Regional Workshop #4

September 14 2017 Technology Regional Workshop #5 TBD
2017 Records Management/Admin Regional Workshop #5

September 20 FCCC Executive Committee WebEx – 10 a.m.

September 28 September Monthly Update WebEx – 10 a.m.

October

October 9 FCCC Board of Directors (In-Person) Orlando

October 11-13 2017 Fall Conference Wyndham Grand Resort
Ethics, Executive, Records, Technology Bonnet Creek
Orlando, FL 32821

October 25-26 Florida Courts Technology Commission Howey-in-the-Hills

October *Monthly Update will not be held in October due to Fall Conference*

November

November 9 FCCC Executive Committee WebEx – 10 a.m.

November 30 November Monthly Update WebEx – 10 a.m.

December

December 4-7 New Clerk Academy Module #5 Celebration/Orlando
Civil Court Area/Pinellas

December 7 FCCC Executive Committee WebEx – 10 a.m.

December *Monthly Update will not be held in December due to Holidays*

2018 CALENDAR OF EVENTS

January

January 9	2018 Legislative Session Begins	
January 11	FCCC Board of Directors (In-Person)	TBD
January 12	Legislative Update	WebEx – 9:30 a.m.
January 17	CJJIS Council Meeting	Tallahassee, 9 a.m.
January 19	Legislative Update	WebEx – 9:30 a.m.
January 26	January Monthly Update/Legislative Update	WebEx – 9:30 a.m.

February

February	2018 Winter Conference (Date/Site TBD)	TBD
February	FCCC Board of Directors (In-Person) (Will be held in conjunctions with 2018 Winter Conference)	TBD
February 2	Legislative Update	WebEx – 9:30 a.m.
February 9	Legislative Update	WebEx – 9:30 a.m.
February 16	Legislative Update	WebEx – 9:30 a.m.
February 23	Legislative Update	WebEx – 9:30 a.m.
February	<i>Monthly Update will not be held in February due to Winter Conference</i>	

March

March 2	Legislative Update	WebEx – 9:30 a.m.
March 9	2018 Legislative Session Ends	
March 9	Legislative Update	WebEx – 9:30 a.m.
March 12-15	New Clerk Academy Module #6 <i>Criminal Court</i>	TBD
March 22	FCCC Executive Committee	WebEx – 10 a.m.
March 28	March Monthly Update	WebEx – 10 a.m.

April

April 11	FCCC Board of Directors (In-Person)	TBD
April 26	April Monthly Update	WebEx – 10 a.m.

May

May 3	FCCC Executive Committee	WebEx – 10 a.m.
May 7-10	New Clerk Academy Module #7 <i>Records and Information Management</i>	Plantation on Crystal River Crystal River, FL 34429
May 19-22	GFOA 2018 Annual Conference	Convention Center Los Angeles, CA
May 24	May Monthly Update	WebEx – 10 a.m.

June

June 13-16	Florida Bar Annual Convention	Hilton Orlando Bonnet Creek Orlando
June 16-20	FGFOA 2018 Annual Conference	Marriott World Center Orlando
June 26-28	2018 Summer Conference <i>Executive, Courts, Technology, HR/Admin</i>	Hilton West Palm Beach West Palm Beach, FL, 33401



FCCC Clerk trainings



FCCC Clerk meetings



Clerk associated meetings and events