

MINUTES

FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

TUESDAY, FEBRUARY 27, 2018 2:30 PM EST

EXECUTIVE COUNCIL MEETING

**Sanibel Harbour Marriott Resort & Spa, 17260 Harbour Point Drive, Ft. Myers, FL 33908
Everglades B Meeting Room**

The February 27, 2018 meeting of the Executive Council of the Florida Clerks of Court Operations Corporation (CCOC) was called to order by Executive Council Chair Ken Burke at 2:30 PM (EST). Chair Burke thanked all for attending and asked Mr. John Dew to call roll. Council Members present were the Honorable Ken Burke, Honorable Stacy Butterfield, Honorable Tara Green, Honorable Sharon Bock, Honorable John Crawford, Honorable Pat Frank, Honorable Todd Newton, Honorable Jeff Smith, and Honorable Paula O'Neil. The Honorable Ron Ficarrota attended by telephone. The Honorable Kyle Hudson was unable to attend. Mr. Dew stated that there was a quorum. Chair Burke asked the audience to introduce themselves. After the audience introduction, Chair Burke asked Judge Ficarrota to give his report on the Trial Court Budget Commission.

TRIAL COURT BUDGET COMMISSION

Judge Ficarrota began by stating that the TCBC met last December 2017 by conference call. The Commission reviewed the budget status and allocation policies and procedures. They also re-appropriated some senior judge days and adjusted some media allocations for the Sixth Circuit. The next meeting will be a conference call on March 21st and will be a post-session wrap up. Live meetings should take place shortly thereafter to prepare for the upcoming session. He urged that we need to stick together to resolve our issues for everybody's best interest. This concluded his update. Chair Burke thanked him for his report.

APPROVAL OF MINUTES – DECEMBER 18, 2017 EXECUTIVE COUNCIL MEETING

Chair Burke presented the minutes that were in the meeting packet. He asked if there were any questions or additions to the minutes. Hearing none, he would entertain a motion to approve the minutes. Clerk Crawford made the motion. Clerk Bock seconded. The vote was taken and the motion passed.

Since attendance dwindles at the end of a meeting, Chair Burke wanted to publicly thank Mr. Jason Harrell for his work on the new CCOC website. Chair Burke noted that the website was much friendlier and is now easier to find information. If any Clerk has trouble finding information or have any suggestions on the website, please contact Jason. He will give a presentation at the end of the meeting.

TREASURER'S REPORT

Chair Burke asked Clerk Green to give the Treasurer's Report and is found on pages 10 to 51 in the meeting packet. The first item of two to be addressed is the Annual Financial Audit from Lanigan & Associates. The summary is on page 49 of the packet. The whole document is there for review. The second item is the CCOC Budget Report. CCOC has expended about 28.5% of their budget for 1/3 of the year. Clerk Green made a motion to approve the Annual Financial

Audit. Clerk Smith seconded the motion. Clerk Burke pointed out that audit was an unmodified opinion which is the highest level of opinion that can be received. It was a clean audit. He thanked Mr. Dew and his staff. Chair Burke asked if there were any questions. Hearing none, the vote was taken. The motion passed. Clerk Green next made a motion to approve the CCOC Budget Report. Clerk Crawford seconded the motion. Chair Burke asked if there were any questions or discussion. Hearing none, the vote was taken. The motion passed unanimously.

BUDGET COMMITTEE REPORT

Chair Burke called upon Clerk Butterfield, Chair of the Budget Committee to give her report. The material is found on pages 116 through 122. Chair Burke noted that there is a tremendous amount of information and data to what is happening with the Clerks statewide. The material outlines the financial situation of Clerks and trends for monthly collection activity. November is the lowest and March and April being the highest collection activity. The CCOC session at the Conference will touch more on this. He thanked Clerk Butterfield for being the Budget Chair.

Clerk Butterfield began by noting that the Budget Committee last met on December 12, 2017. The focus was to close out county fiscal year 2016-2017. The committee discussed some of the revenue projections for the current fiscal year and the projected shortfall due to Hurricane Irma. The Executive Council met on December 18th and approved all the action items of the Budget Committee. At that time, the settle-up had not been completed. The Council gave the Budget Committee Chair the authority to work with staff and Clerks to finalize the settle-up calculations. Those numbers are found on page 116 of the packet. The final net settle-up was \$8,637,608.29 with \$2,026,864.58 due from the Trust Fund and \$10,664,472.87 due to Trust Fund. She thanked the Clerks and their staff for working so diligently with the CCOC to complete the settle-up. This year's settle-up was complicated because of the mid-year change with the 10% and the redirect from Senate Bill 2506. Next year everything should be simpler as far as the settle-up calculations. Clerk Butterfield asked if there were any questions.

The next item for discussion was the Revenue Estimating Conference (REC). The REC met January 11, 2018. The REC is made up of representatives from the House, Senate and Governor's office. The CCOC staff (Jason, Doug and John) prepare material for and attend the meeting, but have no vote. CCOC staff took their projections to the meeting for the Trust Fund not only for the immediate year, but also for the out years. We worked together based on the submittals (revenue projections, etc.) from the Clerks. The REC is on the State fiscal year and the Clerks are on a County fiscal year. Once the REC settles on the results, they then convert the amounts to the County fiscal year.

The REC met in July 2017 and set the Clerks' budgets for the current fiscal year. The budget number was \$409.4 million. The \$409.4 million was made up of the jury money, the 10% money, the Trust Fund money and a carry forward projection of \$4 million. Clerk Butterfield moved forward to the January 2018 meeting with the REC re-projecting their numbers. CCOC's projection was that the projected revenues will slightly fall below the \$409.4 million level. However, the REC voting members had other numbers that showed that the Clerks were not going to have a shortfall. Hurricane Irma had significantly impacted all Clerks' offices. CCOC knew that this would affect Clerks' offices longer than just the

month of September and that is what has happened. The Governor's office and EDR were very optimistic with their estimate for our Trust Fund. The estimate that came out showed a slight increase from the July estimates.

In July, CCOC's estimate was \$397.7 million taking out the \$11.7 million and the \$4 million carry forward. In January, the REC projected their official estimate would be \$398.2 million, slightly up by \$500,000. One thing to note is the \$398.2 million now included not the \$4 million in carry forward, but \$8 million. CCOC had the final carry forward number. If you subtract the additional \$4 million, the recurring money projection showed us down \$3.6 million from the July estimate. Clerk Butterfield stated that seemed to make a little more sense because we knew that the recurring money was going to be down because of Hurricane Irma. She asked if there were any questions. Chair Burke noted that if REC is in error and if there is not enough money in the Trust Fund at the end of the year, there is no liability on the REC. That means that budgets would have to be adjusted to accommodate the incorrect projection. The REC is projecting good income in March and April to meet what will be needed as projected by the REC. Clerk Frank asked if the REC had received the Holland & Knight figures from the Clerks' collections that the Clerks are entitled to include. Chair Burke said that the REC received the Holland & Knight opinion. The REC was also sent the opinions provided by Clerk Frank as informational purposes. There were no other questions.

Clerk Butterfield continued with asking what will the new projection look like. On page 118 is the revenue update through December. It is to be remembered that the Clerks' fiscal year even though it begins October 1, the revenue from September through August is what supports the budget for the current year. The chart shows the monthly totals of revenue collections. To meet the \$409.4 million number or \$397 million in the local Trust Fund, the Clerks must collect locally \$32.8 million monthly. September had \$27.2 million collected locally. The major impact from the hurricane was in traffic tickets that were not written and will never be written. The tickets written in one month are paid in the next. There was \$32.2 million in October, \$30.9 million in November and \$30.3 million in December which amounts to \$120.6 million for four months out of the twelve months. The grand total needed is \$131.2 million based on the \$32.8 million per month for the four months. There was a shortage of \$10.6 million cumulatively.

Clerk Butterfield noted two things, one is that it does not consider the carry forward amount to help offset that and it also says for the remaining eight months of the year, the Clerks not only have to collect \$32.8 million per month but they must do better than that in some months. On page 122, there is a graph that shows for the last four years by month the revenue collections locally. Collections are high in the month of March. People are getting their tax refunds and are coming to pay off their balances due. March is historically a good month, but more needs to be collected in March. Another thing that you can see from the chart is 13-14 is the top line and 16-17 is the bottom line, the lines are falling. Each year is below the other's year line. The chart looks basically like the same roller coaster with a minor change in the last two years. The picture is we were cumulative \$10.6 million short at the end of December. Once the Legislature closes their session, Clerks will not have any opportunity to get more money if any additional money is needed. The document beginning on page 119, was provided to the House and Senate Appropriations staff with CCOC's projecting methods and collections for the remainder of the year. This was based on a couple of methodologies. The staff was

provided a low, medium and high produced by the different methodologies. As you can see from the chart at the \$409 million with the low projection, the best positive projection would be \$3.4 million short this year. The medium projection was \$3.9 million. And the high being the worst-case scenario, would be \$8.8 million short. These were the projections that were given to the House and Senate to ask for a backfill for this fiscal year. Once the session ends there are no mechanisms. The only option after session would be that CCOC would have to convene and reduce budgets.

Chair Burke noted that last September was maybe the lowest revenue month in the history of us collecting revenue data as in came in at only \$27 million. The prior year was \$34 million for the month of September. That is over a \$7 million difference. It is going to be hard to make this deficit up, but that is what the REC is expecting. Clerk Frank asked if staff estimated what the collection would be if the Holland & Knight and other opinions were followed on an annualized basis? Clerk Butterfield responded that the annualized amount was \$59 million currently. That amount is all the 2008-111 not just the revenue per the Holland and Knight opinion. The Holland and Knight opinion amount is about \$35 to \$37 million. Clerk Frank said her staff had \$55 to \$56 million for all. Clerk Frank wanted to point out that they do have the answer, but we just have to get the Legislature to recognize it that those dollars could be used by the Clerks to help resolve the insufficient funding situation. She continued that the Clerks must face that there is a society that is more sympathetic to people who are poor and are affected by the large amount they have to pay. There is legislation where they are trying not to suspend driver's licenses, reinstating the indigent fees, they are recognizing that we have a problem. But they are not getting the solution. We have a society telling the Legislature one thing and they are working toward that direction, which means there will be less revenue for the Clerks, but no resolution to the Clerks' funding problem. There is a resolution for this year and a couple years to come, but we must get the REC to read the Constitution and the opinions again. She cannot see the Clerks still having these losses, they are down to the bone now. Staff is being cut and there are going to be mistakes made. Clerks will not be performing at a level they need to be performing at and this is going to give people an opportunity to say the Clerks are not doing their jobs. If the Clerks do not do something this is one institution that is going to fail. This frightens her. She stated that she is not going backwards, but is moving forward. Clerks have to do this collectively.

Chair Burke agreed with her. He said insufficient funding does not just currently mean they are going to make mistakes in the future, but we are making mistakes now. It is because of the heavy workload. He calls it single points of failure. His county cannot afford quality control processes. Everyone tries not to make mistakes but they do. You cannot have 200 people doing the work that 350 people should be doing. He said that if you look at the trend of legislation, we do are known for doing good work as the Legislature continues to add more duties for the Clerks. The bills this year whether it is the vulnerable adult bill or the data collection bill or the community service bill, or the gun injunction bill, all most except for the community service bill have no funding. Chair Burke stated that Clerks cannot do that. He noted that this will be discussed outside CCOC and that is Proposal 55 of the Constitution Revision Commission (CRC). Thank you to Tiffany Moore Russell for asking a Commissioner to propose this through the CRC. It was successfully advocated and has passed through two committees and hopefully will be placed on the ballot. It provides for all these things. If the

Legislature is not going to provide for the Clerks on all these non-filing cases, that Clerks should have that as a due process costs and it is the responsibility of the State to fund. It is through the PIE Committee to position the Clerks for when that proposal passes that there is data that CCOC can pass to the Legislature on the costs of these cases. He told Clerk Frank that he believes that we are working in the direction of a permanent fix. Clerk Smith asked if the Clerks could start withholding the Holland & Knight funds. Chair Burke stated that Holland & Knight is the official position of the CCOC. However, it states that the Association is responsible for the distribution schedule. The distribution schedule has not been revised to reflect the Holland & Knight opinion. Some Clerks continue to follow the distribution schedule and some Clerks are following the Holland & Knight opinion and revised the distribution schedule within their office and segregate those monies.

Clerk Butterfield reminded the group that it is almost March and budgets are due to the CCOC on June 1st. She asked the Council in the form of a motion to authorize the Budget Committee to develop and implement the 2018-2019 budget startups including the forms, the timeline, and the spending. If the approval is given today, then the Budget Committee can meet and move forward with next year's budget. The motion was seconded by Clerk Smith. The information is on page 118. There was no discussion and the vote was taken. The motion passed. Chair Burke thanked Clerk Butterfield and asked if there were any questions for her. Clerk Frank asked if it reflected our budget needs. Chair Burke said that the Clerks' budget is needs-based. Clerk Butterfield pointed out that any time there are numbers put forward as our revenue, the needs-based budget is presented. And the \$409 million was down from \$422 million last year. The needs-based budget was \$60 million more. That was put on all the documents.

LEGISLATIVE COMMITTEE

Chair Burke commended the Clerks who were called upon to provide data for the Legislative Committee. The CCOC and the Association have been working cooperatively in gathering data, reviewing data and not duplicating efforts. Clerk Rushing and Fred Baggett have been appreciative of the data that CCOC has provided on the bills analyses. Chair Burke noted that it is impressive how many of these bills have been reviewed this year. It takes time to research the bills. The information about the bills is in the packet and are there for you to review. Clerk Timmann thanked Chair Burke. She began by noting that the Legislative Committee met on December 19, 2017. The main purpose of that meeting was to look at the Legislative Workgroup report. Clerk Eaton headed up a workgroup to look at Senate Bill 2506 that passed last session. The Legislative Committee voted to form this group led by Clerk Eaton. Staff from different counties helped in this. The workgroup worked in coordination with Jason Harrell and Marleni Bruner of the CCOC. They met and came up with a very comprehensive report. The workgroup went through the bill to determine if there were areas that needed clarification or improvements and how to go about addressing those and what are the benefits of doing so. There is a memo in the packet that gives the background of the work done by the group. During the implementation many finance staff and Clerks throughout different counties identified some technical issues where there could be some improvement or where it created some issues in their offices. Clerk Timmann asked Jason Harrell to discuss the high points and the areas that were identified. Mr. Harrell thanked the Clerk staff that assisted with the report. He began with the first issue

which was how SB 2506 laid out the language for the jury management. The Clerks got \$11.7 million in the budget, but the language for the implementation was in SB 2506. The workgroup noticed that one of the things that SB 2506 did was change the language relating to the jury cost more than reimbursement which was causing some issues in the terms of financial responsibilities for the Clerks' offices. Also, the workgroup wanted to understand better if the role of the JAC was necessary and wanted to review that entire process and see if there was any way we could improve upon that. The Workgroup's recommendations are in the summary section. On page 56, the first recommendation is to remove the JAC from the jury management process and place this responsibility with the CCOC with appropriate accountability including the reporting of the justification for cost and true up process to the Legislature as appropriate. It was also recommended that appropriations reflect the county fiscal year that would help the accounting staff at CCOC. The second recommendation is to amend the Statute to address the inability of Clerks to pay for jury expenses in excess of reimbursement. Draft language was offered on how this would be done. The third recommendation was if policy makers were not interested in going down that path, then add back the language that was struck because the workgroup felt it was functioning as it was previously. Chair Burke asked if there were any questions on the three recommendations on that single issue.

Mr. Harrell proceeded with Issue #2. As SB 2506 was being implemented, we were recalculating all funded depository challenges relating to the Department of Revenue Budget Authority process to get the dollars released from the CCOC Trust Fund. The Clerk funding is in the General Appropriation in a reserve category. This requires going through a very long bureaucratic process. Chair Burke noted that therefore there is a delay in Clerks getting their funding money. It is not CCOC, but it is this bureaucratic process that goes through six different people for approval. It is being recommended that this stop. Mr. Harrell continued that the recommendation is to request that the appropriation be released 100% at the beginning of the state fiscal year like other Trust Funds are. The group laid out ways that the Legislature could go about this. The second recommendation was to request the proviso language that has us in the reserve category be changed to the quarterly release plan. That would release 50% in the first and third quarters. This would help if we cannot get the 100%. This would get us through the settle-up without the problems we have been having with the bureaucratic process.

The third issue is the technical issue relating to the statutory-required 1/12 calculation and the Funded and Depository. Everyone has a 1/12 calculation that is sent to CCOC, we also have the Funded and Depository calculation. The group felt there was conflict and confusion with that. The issue was reviewed thoroughly. The workgroup determined they were not able to make a recommendation. It was requiring them to step outside the scope of the workgroup. It may need to be sent to another workgroup. Mr. Harrell asked if there were any questions. Clerk Smith noted that there was a recommendation of changing the date to the 20th. Mr. Harrell thanked him for pointing that out and said that yes there was one small technical change. Another issue found that SB 2506 shifted the 10% from the Public Modernization Trust Fund to Fine and Forfeiture Trust Fund. The group thought at first that there might be an issue there, but determined that it worked itself out. The workgroup did not make any recommendation on that issue.

The last issue dealt with some inconsistencies in SB 2506 by amending subparagraph 28.241(1)(c)1. This allows Clerks to retain fees for circuit civil crossclaims, counterclaims, counterpetitions, and third-party complaints, but did not amend paragraph 34.041(1)(c), Florida Statute to allow clerks to retain these same fees in county civil cases. The workgroup recommended that section 34.041(1)(c), Florida Statute be amended for consistency and clarity. Mr. Harrell finished his portion of the report.

Clerk Timmann stated that the Committee was encouraged after the last session. The comments from the Legislative staff noted that there might be some room for improvement in Senate Bill 2506. This was one of the reasons for the formation of this workgroup to try and look at this if those statutes opened in this session, but they did not. Legislative staff is now aware of these issues. They will be given the final report. They have expressed interest in working with us and fixing if possible, but it will not happen this session. There is a slight chance that something might open in conference in proviso language. The Workgroup will be watching for it. Part of this motion includes allowing the Workgroup to move forward and work on this just in case there is an opportunity in conference. She will continue to keep working with staff to come up with plans moving forward for next session or if something comes up administratively particularly with the DOR. FCCC knows about it and that is why the motion includes this session and moving forward for 2019 session. A motion to approve the recommendation of issues 1-5 was made by Clerk Crawford and seconded by Clerk Bock. Clerk Eaton stated that he would rather not work on the issue with DOR trying to solve this administratively without a statutory change. Chair Burke asked Clerk Roth if she would work with the group on this. She accepted. The motion had been made and seconded. The vote was taken and passed unanimously. Chair Burke wanted to make sure the minutes reflected a thank you to Clerk Eaton for his work and that Clerk Roth would be helping with the DOR issue.

Clerk Timmann continued with the Legislative Committee report. The CCOC received 22 formal requests for fiscal impact analyses from the Legislature. Those do not include those that were identified independently by finance staff and Clerks' offices or the CCOC staff. A workgroup of Clerk financial staff was utilized to help analyze these bills as was done in the previous year. She thanked the staff who had participated. All the analyses were completed and provided to the Legislature in a timely fashion. The process begins with the request from the Legislature. Jason and the CCOC team send it out to the various Clerks who have volunteered to help. The drafts come back and CCOC staff puts it in a final form. Clerk Timmann looks at the bill and writes her comments and edits. It is then sent over to the FCCC so that team can look at it. If a policy impact is identified, we make sure FCCC is focused on that. This has gone very well and she feels that we have gained some recognition from the Legislature as being able to reply quickly, accurately and in the form, they can really use. Bills with the most fiscal impact for this year include SB 1270, HB 1095 (Driver's License penalties by Senator Brandes), SB 1562 and HB 359 (Elder Abuse), and SB 90 (Texting while driving). They also received requests for feedback on amendments which is another important thing. Clerk Timmann wanted to recognize Clerk Frank and Chair Burke for referencing this issue. She stated as we really started looking at these bills and the fiscal impact of the bills and amendments, it really showed the message that unfortunately our funding model conflicts with good policy decisions by

the Legislature. She believes that it was more evident this session than any other time. There was the Driver's License suspension, how do you deal with civil citations, how do we help vulnerable people, how do you allow people that cannot afford anything to be able to offset their court fines and fees with community service, how do you handle the increased attention on mental health issues. These are good policy implications for our State, but they do conflict directly with our funding model.

Clerk Timmann believes that message has gotten through clearly this year through the fiscal analyses. The partnership between the FCCC and the CCOC has helped tremendously. Now the allocations have been made by the Legislature and they are moving into conference with the session almost over. An added note is that the Legislature has another challenge before them that they were not anticipating on the funding and budget side. They are looking at another \$400 million for school safety issues and another \$100 million for corporate tax issues. That creates a big gap. Clerk Timmann wanted everyone to know this as the Legislature moves into conference. The Legislature is very aware of the Clerks' estimated shortfalls. She noted that there will be a continued coordination of our efforts as the budget conference approaches. Discussions could start now since the allocations are out. In recognizing that, Jason is coordinating a Quick Response Team which includes coordination with the FCCC as well. Clerk staff will be on call 24/7 as the conference approaches. If the Legislature is going to end on time, there is about a week to vote on the budgets. That was the end of her report and Chair Burke asked if there were any questions. There were none. Chair Burke thanked her.

PIE COMMITTEE

Chair Burke asked Clerk Green to give an overview of what the PIE Committee is trying to accomplish. She started by inviting Clerks and staff to the CCOC training session tomorrow at 10:20 AM to get an in-depth look. She noted several years ago using the concept of the Betty Book, the PAC Framework was developed. This was an inventory of the work Clerks do and the services that they offer. The group looked at the costs in their offices and how do we prove their need. This framework is the foundation to identifying the work that the Clerks do and is based on rules, administrative orders, and staff tasks. It took a while to fill this out. There were nine service areas that goes with activities and tasks. The framework identified the work so we could start identifying the people associated with the work. And people are the core of our costs. By being able to identify the costs, one of the first things that we did was to look at where we could get by with some of the services. About 56% to 58% of the Clerk's work is case processing. All the rest of the work we do is in these eight other service areas. That was eye opening legislatively by saying cases are down your work should be down. That idea was nipped by not all our work resides in case processing. It is not all new case volume. That will be discussed later with continuing cases and why that is important. Chair Burke stated that there are six counties working with Clerk Green to do the beta testing of how we are going to do this and try to figure out the methodology. It has been an intense effort by these counties to participate in this. He recognized Clay County and Clerk Green, Citrus County and Clerk Vick, Hernando County and Clerk Barbee, Brevard County and Clerk Ellis, Polk County and Clerk Butterfield and Palm Beach County and Clerk Bock for participating.

Clerk Green invited Clerk Barbee to give an additional update on the project he has been working on. He has been working with two Workgroups that were instrumental with service costing. The reason why service costing is so important is because it got us a step closer to identifying what it costs to oversee a felony case from beginning to end. This is the path of how to tell the Legislators what a Clerk needs to cover a felony case. All this work that has been done, gets us to that number of “xyz”. This puts us ahead of the game, we have done our homework, and can offer up that information to try and problem solve the funding model which is an input over to Clerk Moore-Russell’s committee.

Clerk Green recognized Clerk’s staff Noreen Mack, Tyler Winik, Kim Stenger, Linda Warren, Doug Bakke, Robert Rocamora, Kathryn Farynowsky, Gary Cooney, Denise Bell, Shannon Ramsey, Kathy Davis, Louis Tomeo and from her staff Connie, Rick and Tracie. This is the core group that has worked countless hours with Doug and CCOC staff. We need to get more counties involved and onboard. She is looking for volunteers. Orange and Lee County have started. The more counties we have involved in this process the truer the costs we will have. We will be able to comfortably say to Legislators - this is the cost. Chair Burke asked if there was a scaled-down version to get some of the counties with populations under 100,000 to participate. He asked if you are a small county and want to participate, talk with Clerk Green while you are here at the conference. Clerk Green noted that the service costing could go in several directions. It could give input to Legislation and into budgets. That was an overview on service costing. She then asked Clerk Barbee to touch on the specifics of the two pilot programs he was working on.

Clerk Barbee began with the Statewide Subcase Weight Project. There were 77 subcase types where each is given a weight and Doug has done the math once the policy was written. He has introduced a way to say this type of case costs this much money. We took that to another step and started to look at all the cases that were not receiving money. We took two different divisions, probate and family. In Clerk Barbee’s county, mental health is combined in probate. So, he knew how many FTE’s are assigned to those cases. He has four FTE’s working on those cases. He asked how many are working on Baker Act cases and how much time is that taking them based on that weighted workload. How many were working on guardianship, probate? And based on the numbers he could “flush-out” and see how many of these cases are paying for themselves and which case types are costing money.

His Workgroup did that with guardianship, probate, mental health as well as family law which in Hernando the DCIs are combined. He found that 54% of the staff were spending their time in and out of court. That is a huge chunk without any revenues. In Clay County, their divorces are not paying for themselves. Nothing in family law is paying for itself in Clay County. That is the methodology we used and it gives you a nice picture of “Wow” this is what it costs in Hernando County or whatever county and you have zero revenue to replace that. That is a big part of telling the story to the Legislature. It is very powerful for them to see all that money being spent out of the Clerks budgets and getting zero revenue. The whole concept is that the money that the Clerks bring in is supposed to pay for the Court system. And it doesn't work and they must see it. Clerk Barbee asked if there were any questions. Clerk Green noted that a unit cost can be used for multiple reasons. Clerk Doggett asked if he used actual dollars. He said yes. He used what the CCOC gives him. This is how much in his own budget that he allocates to probate and guardianship plus benefits down to the dollar.

Clerk Green stated that there was a chart in the packet that showed different scenarios on the current budget and the proposed budget. If you go through the Framework and use it as an operational audit tool you are going to discover that there are a lot of things in the Framework that you do not do. Why? There are not enough people to do them all. To do what I am statutorily obligated to do, I may need one or two. You can load those numbers to probate or whatever and build up to needs-based budget.

Clerk Green continued with page 125 of the summary. On item number 4, continuing cases, a memo had been sent out about this. You can see that it is important to show continuing cases added to new cases. They are still considered workload with the continuing cases. It is important to capture this information. On page 126 is number 5, Civil Indigent where we are looking at what it costs us to be able to assist and help people with these cases. We continue to find ways to have a direct correlation of revenue. Chair Burke asked if these were annual figures and Clerk Green said that this was for 10 months. It was annualized out. Clerk Green invited everyone to come to the CCOC training session and there would be more in-depth discussion.

Clerk Green moved on to the Collection Agent Report that needs the Executive Council's approval. That is provided on page 158 and 169. She reminded everyone that this report is not tied to the current year. There is no correlation between what was spent and what was collected in any given year. Last year there was a \$17.5 million decrease in accounts sent to collection agencies. This is reflective of case filing. But it is still a 5% decrease. \$11.6 million decrease in court cases and \$2 million in civil traffic cases. Overall, collections have decreased \$3.4 million which is about 3.6%. Most of which the \$3 million was criminal cases. This is a report that is required to be posted. Given this, Clerk Green made a motion to approve the report and post it to the website. Clerk Crawford seconded the motion. Chair Burke asked if there were any questions. Hearing none the vote was taken. The motion carries unanimously. Clerk Green recognized Jason Harrell and Doug Isabelle for their work and support they give the Clerks and their staff.

ANNUAL REPORT

Chair Burke noted that just for informational purposes the Annual Report is in the packet. The report has already been approved. It is found on page 168 to 190 in the packet. The report is a requirement under Statute for the CCOC. He thanked Clerk Bock for allowing her staff to help in the preparation of this document.

CCOC ELECTION

The CCOC election process is on page 191 to 193. Chair Burke noted that last year at the summer conference, we approved the change to our Plan of Operations where within your population group, Clerks will vote for their representatives for this Council. That was a change that you instituted. He wanted to make sure everyone understands that for this election process. That is why we are reviewing this now so everyone is reminded of the revised voting process that was approved last year. When you receive a ballot with just your population group that is why you are receiving it. That is all you vote for is in your own population group. Clerk Green went over the timeframe found on page 192. She noted that there is a rundown of the policy behind the election of the council which Chair Burke just touched on. On the back half of that is the Executive Council election schedule stating that by March 31st the Secretary-Treasurer

will send out written notifications. April 15th will be the deadline to receive interests. May 13th ballots are out and May 31st ballots are due in. On June 8 the ballots are opened. On June 25th elected Clerks are sworn in. Clerk Green made a motion to approve the schedule she just reviewed. The motion was seconded by Clerk Crawford. Chair Burke asked if there was any discussion. Hearing none the vote was taken. The motion passed.

CCOC WEBSITE

Jason Harrell introduced the CCOC's new website. This is a part of the new branding of CCOC. He went through and discussed several pages of the new website. When you come to the website you will be able to understand what the CCOC does. It is easy to navigate and find information. Jason went through how to find the information under Executive Council and the committees. If anyone has any questions give Jason a call. Chair Burke thanked Jason.

Chair Burke asked if there were public comments and/or any questions. He thanked the Council and staff. The meeting was adjourned at 3:58 PM.