



LEGISLATIVE COMMITTEE MEETING
SEPTEMBER 26, 2018

Stacy Butterfield, CPA
POLK COUNTY
EXECUTIVE COUNCIL CHAIR

Tara S. Green
CLAY COUNTY
VICE-CHAIR

JD Peacock, II
OKALOOSA COUNTY
SECRETARY/TREASURER



JOHN CRAWFORD
NASSAU COUNTY

PAT FRANK
HILLSBOROUGH COUNTY

TODD NEWTON
GILCHRIST COUNTY

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

HARVEY RUVIN, ESQ.
MIAMI-DADE COUNTY

RON FICARROTTA
13TH JUDICIAL CIRCUIT JUDGE
SUPREME COURT APPOINTEE

KYLE HUDSON
HOLMES COUNTY
SENATE APPOINTEE

VACANT
HOUSE APPOINTEE

JOHN DEW
EXECUTIVE DIRECTOR

JOE BOYD
GENERAL COUNSEL

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

CCOC LEGISLATIVE COMMITTEE MEETING

September 26, 2018

1:00 PM – 2:30 PM

Conference Call Line: 1-904-512-0115, Conference Code 135888

The Duties of the Corporation shall include: "Recommending to the Legislature changes in the amounts of the various court-related fines, fees, service charges, and costs established by law to ensure reasonable and adequate funding of the clerks of the court in the performance of their court-related functions." Ch. 28.35 (2) (c), F.S.

Call to orderHon. Carolyn Timmann
Roll CallJason Welty

- 1) Introduction and Agenda ApprovalHon. Carolyn Timmann
- 2) Approve Minutes of December 19, 2017 Meeting.....Jason Welty
- 3) Revenue Enhancement Committee Funding Continuity Plan.....Hon. Tiffany Moore Russell
- 4) Jury Funding OptionJason Welty
- 5) Update on Florida Fiscal Outlook.....Jason Welty
- 6) Other Business.....Hon. Carolyn Timmann

Committee Members: Carolyn Timmann (Martin), Chair; Barry Baker (Suwannee); Hunter Conrad, Esq. (Saint Johns); Gary Cooney, Esq. (Lake); Tara Green (Clay); Crystal Kinzel (Collier); Kevin Madok (Monroe); Gwen Marshall (Leon); Paula O'Neil, Ph.D (Pasco); Laura Roth, Esq. (Volusia); Harvey Ruvin, Esq. (Miami-Dade)

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

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AGENDA ITEM 2

Minutes of December 19, 2017 Legislative Committee Meeting

Committee Action: Review and approve with amendments as necessary.

The Legislative Committee of the Clerks of Court Operations Corporation (CCOC) held a meeting via conference call on December 19, 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 3:00 PM EDT. CCOC staff member Jason Harrell called the roll. Members in attendance included: Chair Timmann, Clerk Butterfield, Clerk Doggett, Clerk Eaton, Clerk Fussell, Clerk Green, Clerk Maloy, Clerk O'Neil, Clerk Peacock, Clerk Moore Russell, Clerk Spencer, Clerk Thurmond, Clerk Vick, Clerk Washington

A quorum was in attendance.

2. Agenda Item 1 – Approve the Agenda

Motion was made by Clerk Butterfield and seconded by Clerk Spencer. Motion passed unanimously.

3. Agenda Item 2 – Approve the Minutes of October 6, 2017 Meeting

The minutes of the October 6th meeting were presented. No questions or comments were made.

A motion was made by Clerk Spencer to approve the minutes and seconded by Clerk Washington. Motion passed unanimously.

4. Agenda Item 3 – Consideration of Legislative Proposal Workgroup Report

Chair Timmann gave an overview of the report then turned the floor to Clerk Eaton to report.

Clerk Eaton reviewed the activities of the workgroup. A conference call was held on October 5th, 2017, followed by an in-person meeting on October 18th in Orlando, then a final in-

MINUTES FROM DECEMBER 19, 2018 MEETING

person meeting in Port-Charlotte on November 16th. The draft report was circulated as part of the meeting packet.

The workgroup report discussed the following topics:

1. Review Jury Management Distribution Process
2. Issues and Challenges Relating to Department of Revenue (DOR) Budget Authority Process revealed during implementation of SB 2506
3. Technical Issues relating to the statutorily-required 1/12th calculation and “Funded” and “Depository” designations of clerks
4. SB 2506 Shifted 10% Funds from Public Modernization Trust Fund to Fine and Forfeiture Trust Fund
5. Inconsistency in SB2506 language

Jason Harrell reviewed the workgroup’s recommendations for each issue. Clerk Vick wanted some changes to the recommendation regarding jury (Issue #1) and will work with CCOC staff to make changes. Clerk Doggett requested clarification on JAC’s role in the process and Clerk Timmann explained they are pass through funds. The CCOC determines the reimbursement amount. There was no discussion on Issue #2. Several Clerks had questions on Issue #3 and would like to see the issue discussed further. There was also no discussion on Issues 4 & 5.

The next step is to move the report to the Executive Council for their approval to use the report to work on these issues.

Motion was made by Clerk Green to move the report to the Executive Council but retain flexibility to adjust the report as needed. Any significant changes would need to be brought back before the Legislative Committee. A second was given by Clerk Vick and the motion passed unanimously.

5. Agenda Item 4 – CCOC Communication Tools

Jason Harrell review materials and infographics that are available for use. Clerk Timmann thanked the CCOC for their work.

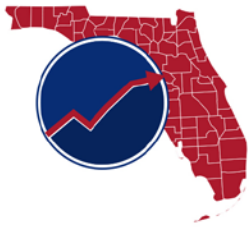
6. Agenda Item 5 – Other Business

Clerk Burke was on the line and wanted to thank the workgroup and the Committee for their work. Clerk Timmann indicated that there may be one more meeting before session. There may be more requests at the last minute to have clerks in person during Committee Weeks. The plan is to set a schedule for session. A survey will be sent out to obtain committee members’ availability.

A motion to adjourn was made by Clerk Butterfield, seconded by Clerk Doggett, and passed unanimously.

Lead Staff: Marleni Bruner, Budget Manager II

Attachments: None



AGENDA ITEM 3

DATE: September 26, 2018
SUBJECT: Recommendations from the Revenue Enhancement / New Clerk Funding Model Committee
COMMITTEE ACTION: Consideration of the Recommendations found in the report from the Revenue Enhancement/New Clerk Funding Model Committee

OVERVIEW: The Revenue Enhancement/New Clerk Funding Model Committee met by conference call on Tuesday September 11, 2018, to consider a report with various recommendations that would meet the CCOC statutory obligation to “recommend to the Legislature changes in the amounts of the various court-related fines, fees, service charges, and costs established by law to ensure reasonable and adequate funding of the clerks of the court in the performance of their court-related functions.” The recommendations are found in the attached report. Chair Tiffany Moore Russell will present the recommendations in the report to the Legislative Committee for consideration.

If adopted, the Report would be sent to the CCOC Executive Council for their consideration at the October 2nd meeting.

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

LEAD STAFF: Jason Welty, CCOC Budget and Communications Director

ATTACHMENTS:

1. Report from Revenue Enhancement/New Clerk Funding Model Committee



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

THE SERVICE OF THE CLERKS OF COURT

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

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

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

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

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

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

FUNDING CONTINUITY ACTION PLAN

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

LIST OF OPTIONS

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

Funding for Public Safety Services with No Fees

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

(\$16.5 million)

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

Provide funding for Baker Act and Marchman Act

(\$11.5 million)

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

FUNDING CONTINUITY ACTION PLAN

Criminal Case Cost Reimbursement

(Between \$53 million and \$74 million)

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

Civil Indigency Case Cost Reimbursement

(\$11.2 million)

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

Administrative Changes

Eliminate the automatic sweep of the Clerks of Court Trust Fund.

(Variable based on Collections – estimated \$13.8 million in current fiscal year)

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

Allow unexpended budget authority to be carried forward as a non-recurring revenue source for calculating Clerks' budgets.

(Variable – Between \$4 and \$6 million)

FUNDING CONTINUITY ACTION PLAN

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

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

(Variable by year)

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

Require a reserve in the Clerks of Court Trust Fund.

(No Additional Revenue)

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

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

(\$10.8 million)

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

FUNDING CONTINUITY ACTION PLAN

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

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

(Survey Results)

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

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

Redirect certain fines and fees to the Clerks.

(\$52.8 million)

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

Require service charge on cash bonds.

(Survey Results)

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

Funding for New Policies

Risk Protection Orders

(Indeterminate Positive)

FUNDING CONTINUITY ACTION PLAN

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

Injunction for protection for vulnerable adults

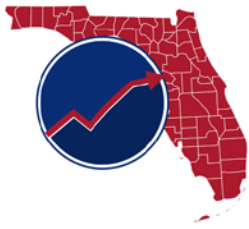
(Indeterminate Positive)

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

Criminal Justice Data Transparency Initiative

(Indeterminate Positive)

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



AGENDA ITEM 4

DATE: September 26, 2018
SUBJECT: Recommendations for Juror Payment Process Changes
COMMITTEE ACTION: Consideration of the Options provided for changes to the Jury Payment Process.

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

The juror payment process is cumbersome. In an effort to streamline the process, two legislative options were developed for the Committee's consideration.

Option 1 – Remove JAC from the process and let CCOC handle the distribution of funds. Additionally, this option would change the process from an estimate/advance model and change it to a reimbursement model.

Option 2 – Remove the juror payment process from the General Appropriations Act and allow the Clerks to keep the revenue from s. 28.241(1)(a)2.d., F.S., which is the \$700 in filing fees for circuit civil action relating to real property or mortgage foreclosure. In state fiscal year 2017-18, this fee amounted to \$12.1 million.

In addition to the options to streamline the process, there are two options that were considered last year by this committee to allow the Clerks to pay for juror expenditures from the Fine and Forfeiture Fund. These options are more technical in nature and do not alter the current process.

COMMITTEE ACTION: Consideration of the Options provided for changes to the Jury Payment Process.

LEAD STAFF: Jason Welty, CCOC Budget and Communications Director

AGENDA ITEM 4

ATTACHMENTS:

1. Draft Legislation Reimbursement Model
2. Draft Legislation Revenue Swap
3. DRAFT Legislation Section 28.35(3)(a) Bill Option 1
4. DRAFT Legislation Section 28.35(3)(a) Bill Option 2

BILL

ORIGINAL

YEAR

1 A bill to be entitled

2
3 An act relating to funding for the payment and processing
4 of jurors and juror related expenses; repealing paragraph
5 40.29(5), Florida Statutes; amending 40.32, Florida
6 Statutes requiring the Clerks of Court Operations
7 Corporation to provide funding to the Clerks of Court for
8 jurors and juror related expenses; providing an effective
9 date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Section 40.29(5) is repealed. I'VE INCLUDED THE
14 TEXT SO THAT EVERYONE CAN SEE WHAT THIS SECTION WAS BEFORE WE
15 DELETE IT. SINCE WE'RE DELETING IT, THE ONLY PART OF THE BILL
16 WILL BE THE FIRST LINE INCLUDED ABOVE. ~~40.29(5) The Justice~~
17 ~~Administrative Commission shall provide funds to the clerks of~~
18 ~~the court to compensate jurors, to pay for meals or lodging~~
19 ~~provided to jurors, and to pay for jury-related personnel costs~~
20 ~~as provided in this section. Each clerk of the court shall~~
21 ~~forward to the Justice Administrative Commission a quarterly~~
22 ~~estimate of funds necessary to compensate jurors and pay for~~
23 ~~meals or lodging provided to jurors during the upcoming quarter.~~
24 ~~The Florida Clerks of Court Operations Corporation shall forward~~
25 ~~to the Justice Administrative Commission a quarterly estimate of~~
26 ~~the amount necessary to reimburse each clerk of the court for~~

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~~its personnel and other costs related to jury management. Upon receipt of such estimates, the Justice Administrative Commission shall determine the amount deemed necessary for payment to the clerks of the court during the upcoming quarter and submit a request for payment to the Chief Financial Officer. If the Justice Administrative Commission believes that the amount appropriated by the Legislature is insufficient to meet such costs during the remaining part of the state fiscal year, the commission may apportion the funds appropriated in the General Appropriations Act for those purposes among the several counties, basing the apportionment upon the amount expended for such purposes in each county during the prior fiscal year, in which case, the Chief Financial Officer shall issue the appropriate apportioned amount by warrant to each county. The clerks of the court are responsible for any compensation to jurors, for payments for meals or lodging provided to jurors, and for jury-related personnel costs that exceed the funding provided in the General Appropriations Act for these purposes.~~

Section 2. 40.32 Clerks to disburse money; payments to jurors and witnesses.—

(1) All moneys drawn from the treasury under the provisions of this chapter by the clerk of the court shall be disbursed by the clerk of the court as far as needed in payment of witnesses, except for expert witnesses paid under a contract or other

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professional services agreement pursuant to ss. 29.004, 29.005, 29.006, and 29.007, for the legal compensation for service during the quarterly fiscal period for which the moneys were drawn and for no other purposes.

(2) The Florida Clerks of Court Operation Corporation, upon receiving general revenue funds, shall provide funds to the clerks of the court to compensate jurors, to pay for meals or lodging provided to jurors, and to pay for jury-related personnel costs as provided in the General Appropriations Act. The clerks of the court shall submit a request for reimbursement to the Florida Clerks of Court Operation Corporation quarterly attesting to its actual costs to compensate jurors, to pay for meals or lodging provided to jurors, and to pay for jury-related personnel costs. The Florida Clerks of Court Operation Corporation shall review the request for reimbursement to ensure the costs are reasonable and directly related to jury management. The clerks of the court are responsible for any compensation to jurors, for payments for meals or lodging provided to jurors, and for jury-related personnel costs that exceed the funding provided in the General Appropriations Act for these purposes. ~~The payment of jurors and the payment of expenses for meals and lodging for jurors under the provisions of this chapter are court related functions that the clerk of the court shall fund from filing fees, service charges, court costs, and fines.~~

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77 (3) Jurors and witnesses shall be paid by the clerk of the
78 court in cash, by check, or by warrant within 20 days after
79 completion of jury service or completion of service as a
80 witness.

81 (a) If the clerk of the court pays a juror or witness by
82 cash, the juror or witness shall sign the payroll in the
83 presence of the clerk, a deputy clerk, or some other person
84 designated by the clerk.

85 (b) If the clerk pays a juror or witness by warrant, he or
86 she shall endorse on the payroll opposite the juror's or
87 witness's name the words "Paid by warrant," giving the number
88 and date of the warrant.

89
90 Section 3. This act shall take effect July 1, 2019.

BILL

ORIGINAL

YEAR

1 A bill to be entitled

2
3 An act relating to filing fees; providing an effective
4 date.

5
6 Be It Enacted by the Legislature of the State of Florida:

7
8 Section 1. Sub-sub-subparagrah(II) of section
9 28.241(1)(a)2d is amended to read.

10 (II) Nine hundred dollars in all cases in which the value
11 of the claim is more than \$50,000 but less than \$250,000 and in
12 which there are not more than five defendants. The party shall
13 pay an additional filing fee of up to \$2.50 for each defendant
14 in excess of five. ~~Of the first \$705 in filing fees, \$700 must~~
15 ~~be remitted by the clerk to the Department of Revenue for~~
16 ~~deposit into the General Revenue Fund, except that the first~~
17 ~~\$1.5 million in such filing fees remitted to the Department of~~
18 ~~Revenue and deposited into the General Revenue Fund in fiscal~~
19 ~~year 2018-2019 shall be distributed to the Miami-Dade County~~
20 ~~Clerk of Court; Of the \$900 filing fees, \$4 must be remitted to~~
21 the Department of Revenue for deposit into the Administrative
22 Trust Fund within the Department of Financial Services and used
23 to fund the contract with the Florida Clerks of Court Operations
24 Corporation created in s. 28.35; and \$1 must be remitted to the
25 Department of Revenue for deposit into the Administrative Trust
26 Fund within the Department of Financial Services to fund audits

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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BILL

ORIGINAL

YEAR

27 | of individual clerks' court-related expenditures conducted by
28 | the Department of Financial Services; or
29 | Section 2. Subsection (5) of section 40.29 Florida Statutes
30 | is repealed.
31 | Section 3. This act shall take effect October 1, 2019.

A bill to be entitled

An act relating to funding for the payment and processing of jurors and juror related expenses; amending subparagraph 28.35(3)(a), Florida Statutes; allowing clerks to fund the payment of jurors, juror related expenses, and the processing of jurors from filing fees, service charges, costs, and fines; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subparagraph (3)(a) of section 28.35, Florida Statutes, is amended to read:

28.35 Florida Clerks of Court Operations Corporation.—

(3)(a) The list of court-related functions that clerks may fund from filing fees, service charges, costs, and fines is limited to those functions expressly authorized by law or court rule. Those functions include the following: case maintenance; records management; court preparation and attendance; processing the assignment, reopening, and reassignment of cases; processing of appeals; collection and distribution of fines, fees, service charges, and court costs; processing of bond forfeiture payments; payment of jurors; payment of expenses for meals or lodging provided to jurors; data collection and reporting; processing of jurors; determinations of indigent status; and paying reasonable administrative support costs to enable the clerk of the court to carry out these court-related functions.

Section 2. This act shall take effect upon becoming a law.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underlined are additions.

A bill to be entitled

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Section 2. This act shall take effect upon becoming a law.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underlined are additions.