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

## PERFORMANCE IMPROVEMENT AND EFFICIENCIES COMMITTEE MEETING

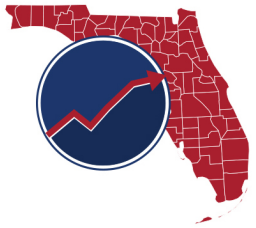
May 23, 2019

Meeting: 11:00 am

Conference Call line: 1-904-512-0115 Code 412463

- 1) Call to Order and Roll Call ..... Hon. Clerk Green
- 2) Approve Agenda..... Douglas Isabelle
- 3) Review and Approve CFY 2018-19 Qt 1 Performance Measure Report..... Douglas Isabelle
- 4) Review and Approve Revenue Compliance Vendor..... Douglas Isabelle
- 5) Other Business (Overview of recent legislation)..... Hon. Clerk Green

**Committee Members:** Hon. Tara Green (Chair), Hon. Linda Doggett, Vice Chair, Hon. Gary Cooney, Esq., Hon. Tiffany Moore-Russell, Esq., Hon. Carolyn Timmann; Hon. Don Spencer, Hon. Angela Vick, and Hon. Roger Eaton



# CCOC

## FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

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## AGENDA ITEM 3

**DATE:** May 23, 2019

**SUBJECT:** CFY 2018 Qt. 1 Performance Report

**COMMITTEE ACTION:** Approve Quarterly Report, and Review Approval Process

### OVERVIEW:

Two items under this agenda item:

Item 1: Qt. 1 Performance Report (see attachment 1)

Section 28.35, Florida Statutes Section 28.35(2)(d), F.S. requires the Corporation to develop measures and performance standards and when it finds a Clerk has not met the performance standards, the Corporation shall identify the nature of each deficiency and any corrective action recommended and taken by the affected Clerk of the Court. The Corporation is also required to notify the Legislature of any Clerk not meeting performance standards and provide a copy of any corrective action plans.

During the 1<sup>st</sup> Quarter (Oct-Dec) of CFY 2018-2019, 47 clerk offices required an action plan related to collections, 15 clerk offices required an action plan for filing cases timely, 12 clerk offices required an action plan for docketing cases timely, and 5 clerk offices required an action plan regarding paying jurors timely.

The number of action plans is only an indication of the Clerks' work priorities and staffing issues during the quarter.

### Quarter 1 Highlights

- Collections (p 6 of report)
  - County criminal slightly below the 40% standard at 39.41%
  - Although above the standard juvenile delinquency and criminal traffic slight slippage for the end last fiscal year.
  - Civil traffic also was lower from the end of last fiscal year and remains well below the 90% standard at 83.22%
- Timeliness (pp 15 and 16 of report)
  - All court divisions above the standards for filing and docketing cases timely.

*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 3 – QUARTERLY REPORT AND REVIEW

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- Filing and docketing circuit civil cases timely has rebounded from the end of last year.
- Although above the docketing standard, family court saw most slippage in performance from the end of last year 92% to 89%.

**COMMITTEE ACTION:** Approve the CFY 2018 Qt. 1 Performance Report for review and final approval of the Executive Council.

### Item 2: 2019 Legislation (see attachment 2)

SB 7014 was signed by the Governor on April 26<sup>th</sup> which takes effect July 1, 2019. It requires the CCOC to remit the Clerk's performance measure action plans to the Legislature 45 days from the end of each quarter. This deadline will require the Clerks' last quarter 2018-19 (July, Aug, Sept) due by November 14<sup>th</sup>.

Meeting this deadline will be a challenge without some changes to the current review and approval process. CCOC requires any action plan be submitted by the 20<sup>th</sup> following the end of the quarter. Add another two to three weeks for late reports and drafting a summary report. Then approve the action plans at the next available PIE Committee meeting and then Executive Council meeting.

If the deadline was required for Qt 1 Report, it would have been due to the Legislature around February 14<sup>th</sup>.

**COMMITTEE ACTION:** Staff recommend that the PIE Committee approve requesting the Executive Council to approve the PIE Chair working with CCOC staff to compile the action plan, post them on the CCOC website and inform the Legislature to meet the deadline. And that the Executive Council be made aware of that the process was followed and the Legislature was informed at their next scheduled meeting.

**LEAD STAFF:** Douglas Isabelle, Deputy Executive Director

### **ATTACHMENTS:**

- 1) CFY 2018-19 Quarter 1 Performance Measure Report
- 2) CS for SB 7014, excerpt



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## Quarterly Performance Measures & Action Plans Report

Section 28.35(2)(d), Florida Statutes

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1<sup>st</sup> Quarter  
County Fiscal Year 2018-19  
(October 1, 2018 through December 31, 2018)

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## Performance Measure & Quarterly Action Plan Background

The Florida Clerks of Court Operations Corporation (CCOC) was created as a public corporation to perform the functions specified in sections 28.35 and 28.36, Florida Statutes. Section 28.35 (2)(d), F.S. requires the CCOC to develop a uniform system of performance measures and applicable standards in consultation with the Legislature. These measures and standards are designed to facilitate an objective determination of the performance of each clerk in fiscal management, operational efficiency, and effective collection of fines, fees, service charges, and court costs. Current performance measures address:

- Collections (one measure each for nine court divisions, reported quarterly)
- Timeliness (two measures for each of ten court divisions, reported quarterly)
- Juror Payment Processing (one measure, reported quarterly)
- Fiscal Management (one measure, reported annually)

When the CCOC finds a Clerk's office has not met the performance standards, the CCOC identifies the nature of each deficiency and any corrective action recommended and taken by the affected Clerk of the Court. The CCOC is required to notify the Legislature of any clerk not meeting performance standards and provide a copy of applicable corrective action plans.

The CCOC monitors the performance of the Clerk's offices through quarterly reports provided by the Clerk's offices, due on the 20<sup>th</sup> of the month following the end of the quarter. The CCOC provides notification of the status of the Clerks' performance standards to the Legislature through these quarterly reports.

The quarterly report for the 1<sup>st</sup> Quarter of CFY 2018-2019 provides information about the performance of the Clerks of Courts on standards relating to collections, timeliness, and juror payment management. The report identifies the Clerk's offices not meeting each performance standard. In addition, the report provides a description of factors that may have contributed to the unmet standard.

For the 1<sup>st</sup> Quarter of CFY 2018-2019, 47 clerk offices required an action plan related to collections, 15 clerk offices required an action plan for filing cases timely, 12 clerk offices required an action plan for docketing cases timely, and 5 clerk offices required an action plan regarding paying jurors timely. The performance measure analysis and required action plans are in the following pages of this report. Three offices (Baker, Hamilton, and Saint Lucie) did not submit a collection's report, one county Hamilton) did not submit a timeliness' report, and seven offices (Bay, Dixie, Hamilton, Madison, Osceola, Taylor, Walton) did not submit a juror's report for this quarter.

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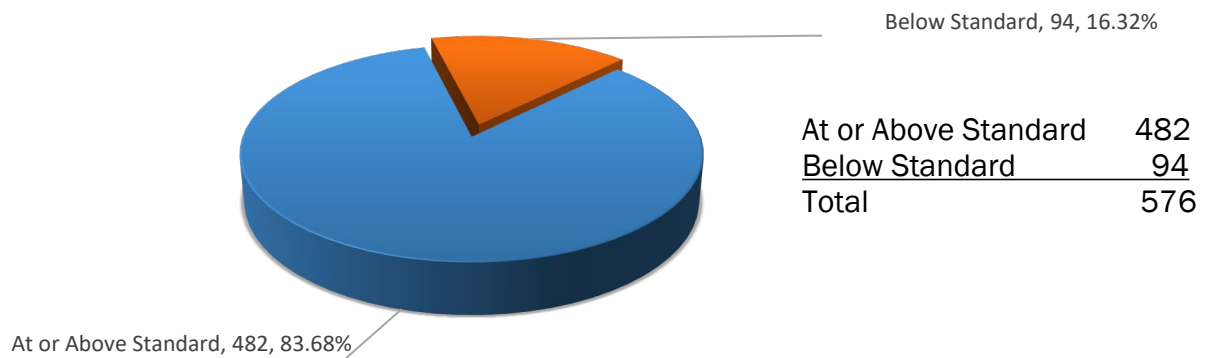
**CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1**


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**List of Performance Measures Reports and Standards**

Court Division	Performance Standard Annual Collection Rate	Timeliness for Filling New Cases	Timeliness for Docketing Cases
Circuit Criminal	9%	80% -2 bus. days	80% -3 bus. days
County Criminal	40%	80% -3 bus. days	80% -3 bus. days
Juvenile Delinquency	9%	80% -2 bus. days	80% -3 bus. days
Criminal Traffic	40%	80% -3 bus. days	80% -3 bus. days
Circuit Civil	90%	80% -2 bus. days	80% -3 bus. days
County Civil	90%	80% -2 bus. days	80% -3 bus. days
Probate	90%	80% -2 bus. days	80% -3 bus. days
Family	75%	80% -3 bus. days	80% -3 bus. days
Civil Traffic	90%	80% -4 bus. days	80% -4 bus. days
Juvenile Dependency	N/A	80% -2 bus. days	80% -3 bus. days

The performance standard for timely juror payment is 100% payment of jurors within 20 days of final jury attendance.

**COLLECTIONS**
**Statewide Performance Summary**
**Collections - Statewide Action Plans Required**

**Collection Performance by Reason Code**

Pursuant to Executive Council direction on October 6, 2015, the “Reason Codes” chosen for not meeting a statewide Collection performance measure were amended to clarify what was under the control of the Clerk’s office and what was not. The new reason codes are:

- “Internal” – Reasons are inter-office and controllable. Internal reasons will require an “Action to Improve” and a detailed explanation of the reason why the standard was not met and an expected duration of time to have this reason resolved.



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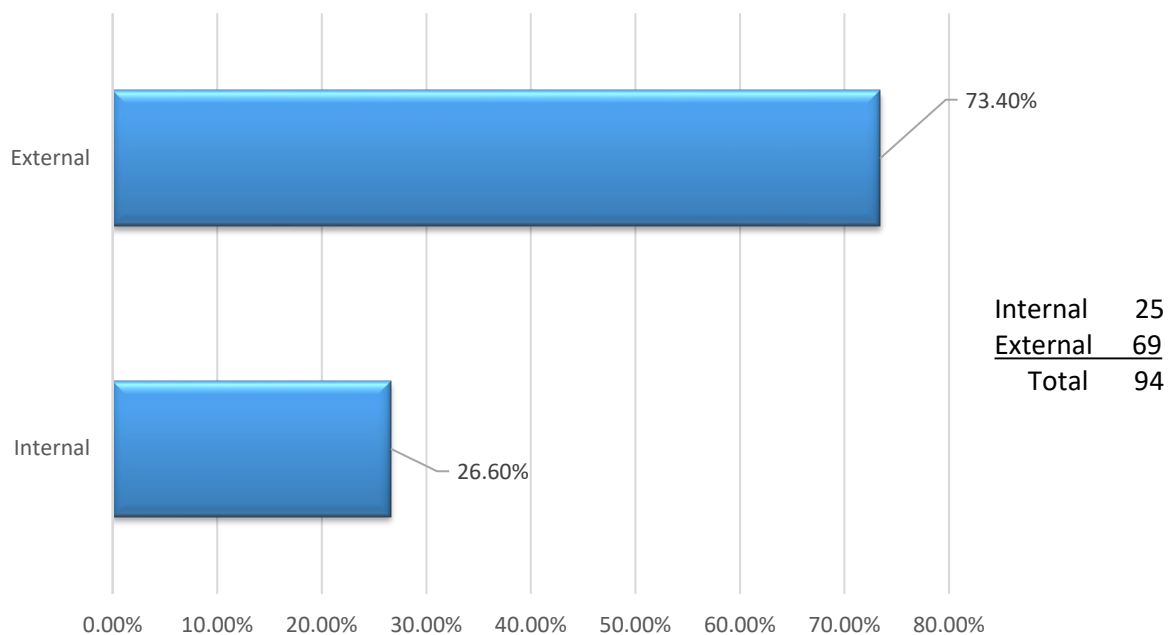
**CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1**


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- “External” – Factors outside of office management and/or process control. External Reasons will not require an Action to Improve but must have a detailed explanation of the external reason why the Collection Performance Standard was not met.

Of the 94 action plans where the collection standard was not met, 25 (26.60%) were classified as within the control of the Clerk. A list of the 25 action plans for 16 counties is found below. The remaining 69 (73.40%) action plans were outside the control of the Clerks’ offices. A list of these external reasons is found in Appendix B.

**Collections - Action Plans by Reason Code**



**Internal – Action Plans**

	County	Division	Plan to Improve
1	Brevard	County Criminal	The standard was not met despite pursuit of all collection efforts within control of the Clerk.
2		Juvenile Delinquency	The standard was not met despite pursuit of all collection efforts within control of the Clerk.
3		Circuit Civil	Adjustments to assessments
4		Civil Traffic	The standard was not met despite pursuit of all collection efforts within control of the clerk.
5	Charlotte	Civil Traffic	In Dec 2017 we acquired two new Collection Agents.
6	Columbia	County Criminal	Continue collection efforts.



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CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1

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	County	Division	Plan to Improve
7		Juvenile Delinquency	Continue collection efforts.
8	Duval	Civil Traffic	In the process of and RFP for collection services.
9	Glades	County Criminal	Assessment was added late.
10	Hernando	Juvenile Delinquency	Typically, restitution is paid first as a requirement of the court. This makes collections difficult in this area. We typically experience a lower than average collection rate during the Christmas season. We expect collections to improve in coming quarters.
11	Jackson	Family	When a citation is not paid, we D6s and send the citation to collection agency.
12	Jefferson	Family	There are several cases with large assessments that have been sent to our collection agent, but we have not collected any revenue on them to date. We will need to write them off as uncollectable.
13	Lake	Circuit Criminal	Lack of enough staffing due to continued budget cuts reduces ability to aggressively pursue delinquent accounts.
14		County Criminal	Lack of enough staffing due to continued budget cuts reduces ability to aggressively pursue delinquent accounts.
15	Lee	Civil Traffic	Make more payment types available on the web.
16	Levy	Family	a lot of payment plans
17	Madison	County Criminal	Area being monitored and reviewed. Best practices for Collections in place. Have added additional external collection agents.
18		Civil Traffic	Area being monitored and reviewed. Best Practices for Collections are in place. Additional external collection agents added.
19	Marion	County Criminal	Unable to create an action plan to improve. We are following procedures set by the Best Practices Committee and FSS 28.246(4) for creating payment plans.
20	Pasco	Civil Traffic	Staffing vacancies impacted the ability to send infraction cases to collection agencies. Positions have been filled and training is underway to eliminate this issue.
21	Pinellas	Circuit Criminal	Continue to improve on methods for better collections efforts.
22		County Criminal	Continue working with staff on procedures and processed to improve collection efforts.
23		Juvenile Delinquency	Continue to move forward with different methods of collecting.

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CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1

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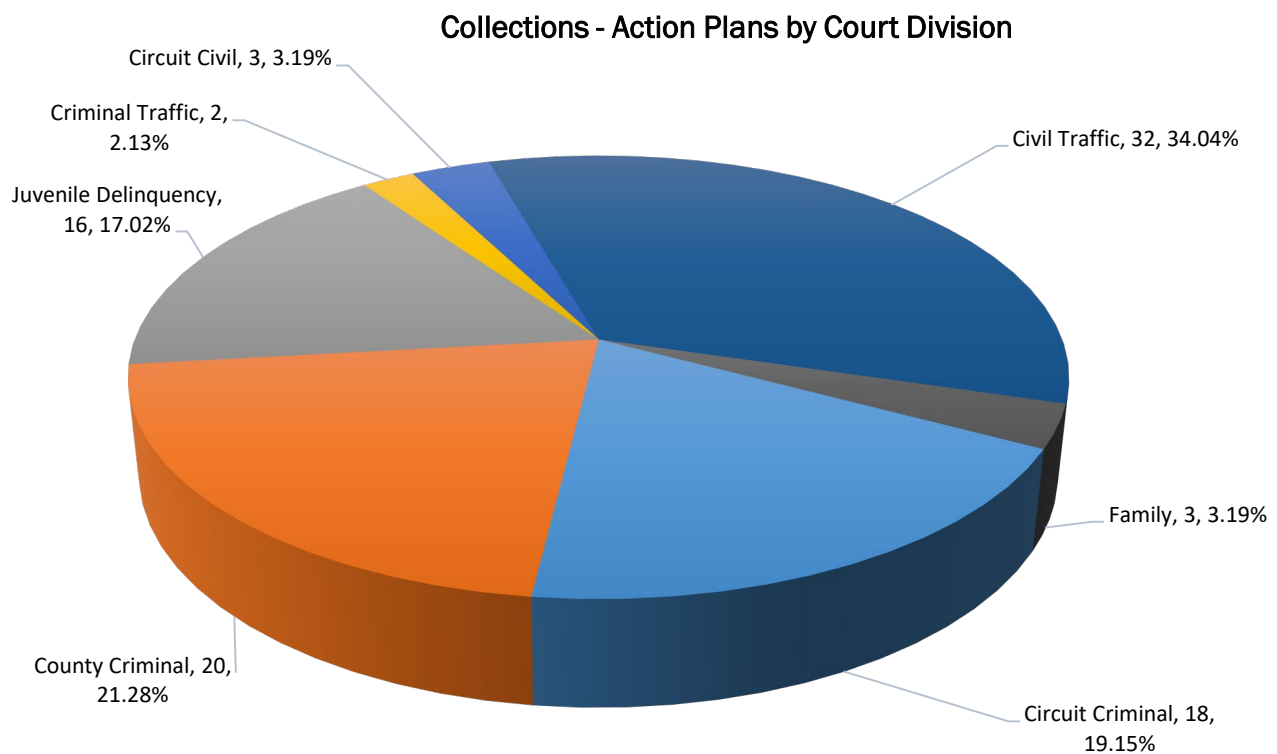


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	County	Division	Plan to Improve
24	Sarasota	County Criminal	Intensified management of payment plans, and enhanced efforts of collection agencies expected to increase collection rates in 2019.
25		Civil Traffic	Ongoing initiatives with more customer contact in the first 45 days after filing of a citation are expected to help improve collection rates over the 5-quarter period.

### Statewide Performance by Court Division

As shown below, the civil traffic court division continues to exceed (34.34%) all other court divisions for not meeting collection standards. Criminal court division cases, as a whole (59.57%) continue to be a challenge to collect.



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CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1

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### Historic Collection Rates

The table below shows that from the end of CFY 2017-18 through the 1<sup>st</sup> quarter of CFY 2018-19 County criminal remained below the performance standard. After adjusting the drug trafficking mandatory assessments and collections; the statewide circuit criminal court division collection rate increased from 9.55% to 15.51%. Civil traffic performance is well below the 90% performance standard.

Court Division	CFY 2017-18 Year End	CFY 2018-19 1st Quarter	CFY 2018-19 2nd Quarter	CFY 2018-19 3rd Quarter	CFY 2018-19 4th Quarter	Standard
Circuit Criminal	9.31%	9.55%				9%
Circuit Criminal (No Trafficking)	15.67%	15.51%				NA
County Criminal	39.89%	39.41%				40%
Juvenile Delinquency	14.82%	12.85%				9%
Criminal Traffic	61.71%	60.82%				40%
Circuit Civil	99.28%	99.14%				90%
County Civil	99.72%	99.80%				90%
Civil Traffic	84.17%	83.22%				90%
Probate	99.35%	99.50%				90%
Family	96.46%	97.09%				75%

Of the 20 counties who did not meet the circuit criminal collection standard, 12 would have met the standard had drug trafficking assessments not be included as part of circuit criminal assessments. Drug trafficking assessments accounted for over 39.18% of total assessments for these counties in Quarter 1.

The following counties did not submit a Collection's report: Baker, Hamilton, and Saint-Lucie.

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CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1

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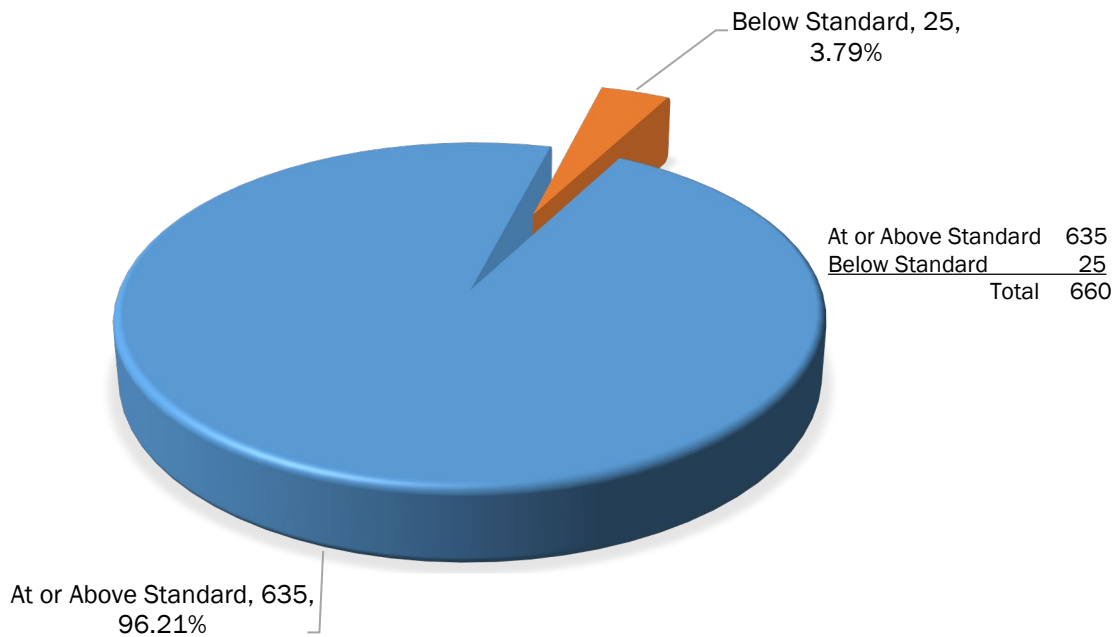
## TIMELINESS

## Statewide Performance Summary

## Timeliness 1 – Filing New Cases Timely

Of the 25 action plans required for not filing new cases timely (Timeliness 1), 16 were in the control of the Clerk; all 16 of those action plans cited staffing as their reason for not meeting the standard. For external reasons, 6 action plans cited staffing and the remaining 3 cited Systems/Conversions. (See Appendix B for more details)

## TIMELINESS 1 - STATEWIDE ACTION PLANS



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CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1

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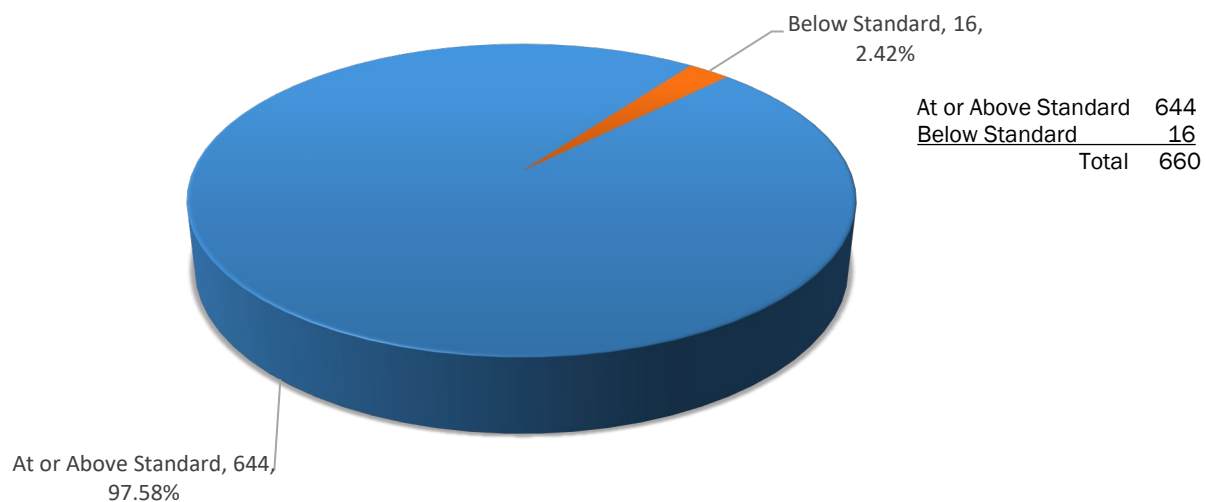


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### Timeliness 2 – Cases Docketed Timely

Of the 16 action plans required for not docketing cases timely (Timeliness 2), 13 were in the Clerk’s control to correct; All 13 action plans cited staffing as their reason for not meeting the standard. For external reasons, 2 cited staffing and the remaining 1 cited systems/Conversions. (See Appendix B for more details)

### Timeliness 2 - Statewide Action Plans



### Timeliness Performance by Reason Codes

Pursuant to Executive Council direction on October 6, 2015, the “Reason Codes” chosen for not meeting a statewide Timeliness (filing cases timely and entering dockets timely) performance measures were amended to clarify what was under the control of the Clerk’s office to correct and what was not. The reason codes are:

- “Staffing - Internal”: Reason is inter-office and controllable. Internal Staffing reasons will require an “Action to Improve” and a detailed explanation of the reason why the standard was not met and an expected duration of time to have this reason resolved.
- “Staffing External”: Staffing factors outside of office management and/or process control. External Staffing Reasons will not require an Action to Improve but must have a detailed explanation of the external reason why the Timeliness Performance Standard was not met.
- “Systems/Conversions - Internal”: Reason is inter-office and controllable. Internal System reasons will require an “Action to Improve” including all factors noted above.

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**CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1**

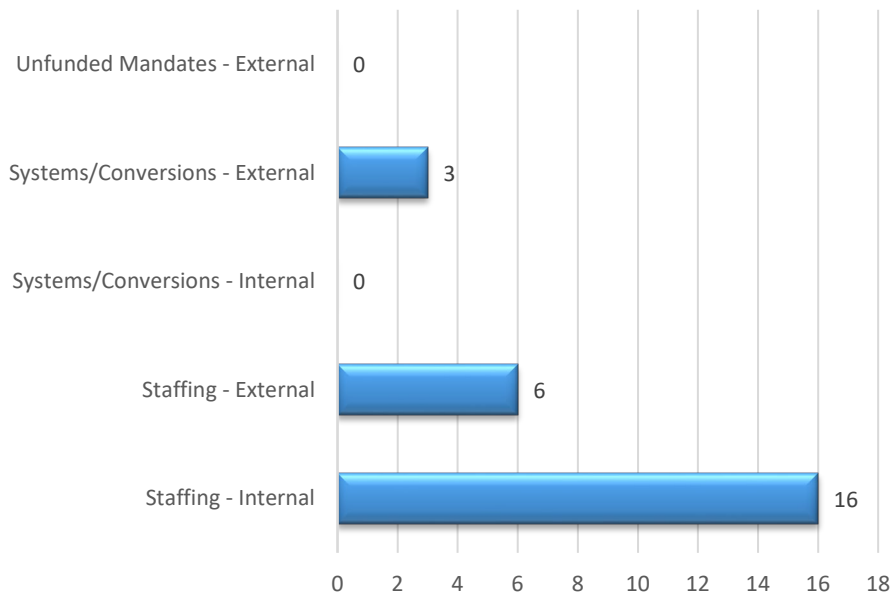

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- “Systems – Conversions - External”: System/Conversion is outside of office management and/or process control. External Systems/Conversion reasons will not require an Action to Improve but must have a detailed explanation of the external reason why the Timeliness Performance Standard was not met.
- “Unfunded Mandates - External”: Federal, State and/or local mandates outside of office management and/or process control. Unfunded Mandate reason(s) will not require an Action to Improve but must have a detailed explanation of the external reason why the Timeliness Performance Standard was not met.

### Timeliness 1 – Filing New Cases Timely

There were 25 action plans for not filing cases timely of which 16 were for Staffing – Internal, 6 were related to Staffing – External, and 3 for Systems/Conversions – External.

#### Timeliness 1 - Action Plans by Reason Code



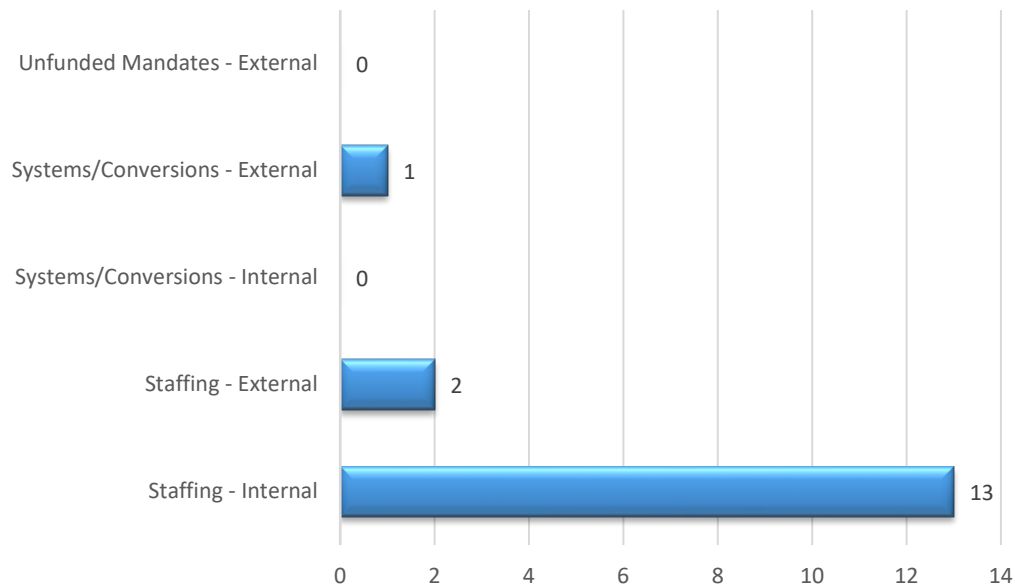
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**CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1**


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**Timeliness 2 (Docket Entries) – Performance by Reason Code**

There were 16 action plans for not docketing cases timely of which 13 action plans were for Staffing – Internal, 2 for Staffing – External, and 1 for System Conversions – External.

**Timeliness 2 - Action Plans by Reason Code**

**Internal Action Plans  
Timeliness 1 – Filing New Cases Timely**

The following are the action plans for internal reasons for counties missing a statewide performance measure as submitted by the Clerks:

	County	Division	Reason Code	Action Plan to Improve
1	Bradford	Juvenile Delinquency	Staffing - Internal	Training
2	Broward	Probate	Staffing - Internal	Budget permitting, overtime will be utilized to improve timeliness
3	Columbia	Juvenile Delinquency	Staffing - Internal	Training for back-up in juvenile division
4	Dixie	Circuit Civil	Staffing - Internal	training underway
5		County Civil	Staffing - Internal	training underway



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CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1

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	County	Division	Reason Code	Action Plan to Improve
6	Highlands	Circuit Criminal	Staffing - Internal	Felony Clerk out on FMLA; just returned to work.
7	Hillsborough	Circuit Criminal	Staffing - Internal	Cross training of staff.
8		County Criminal	Staffing - Internal	Cross training of staff.
9	Lake	Probate	Staffing - Internal	Lack of staffing to keep workload current when regular staff members are out of the office.
10	Pasco	Circuit Civil	Staffing - Internal	Budget deficiencies
11		County Civil	Staffing - Internal	Budget deficiencies
12	Polk	Circuit Civil	Staffing - Internal	In the process of hiring competent staff to build new cases.
13		County Civil	Staffing - Internal	In the process of hiring competent staff to build new cases.
14	Santa Rosa	Circuit Criminal	Staffing - Internal	Staff member was out sick, member has returned, performance will improve.
15	Taylor	County Civil	Staffing - Internal	staff training
16		Juvenile Dependency	Staffing - Internal	staff training

The following county did not submit a Timeliness report: Hamilton

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CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1

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**Timeliness 2 – Cases Docketed Timely**

The following are the action plans for internal reasons for counties missing a statewide performance measure as submitted by the Clerks:

	County	Division	Reason Code	Action Plan to Improve
1	Broward	Circuit Civil	Staffing - Internal	Budget permitting, overtime will be utilized to improve timeliness
2		Probate	Staffing - Internal	Budget permitting, overtime will be utilized to improve timeliness
3		Family	Staffing - Internal	Budget permitting, overtime will be utilized to improve timeliness
4	Miami-Dade	Family	Staffing - Internal	Standard was not met due to 2 employees being on extended leave
5	Dixie	County Civil	Staffing - Internal	training
6	Highlands	Circuit Criminal	Staffing - Internal	Felony Clerk out on FMLA, just returned to work.
7	Holmes	Circuit Criminal	Staffing - Internal	Workload and Understaffed. Hire Part time person
8	Nassau	Circuit Criminal	Staffing - Internal	Train staff to cover more areas
9	Pasco	Circuit Civil	Staffing - Internal	Budget deficiencies
10	Polk	Circuit Civil	Staffing - Internal	In the process of hiring competent staff to build new cases
11		County Civil	Staffing - Internal	In the process of hiring competent staff to build new cases
12	Putnam	Circuit Criminal	Staffing - Internal	Due to budget cuts, this area lost an FTE completely and another transferred out. They are shifting people around to pinch points - daily - and increasing cross-training. If the turnover/reductions continue, we will continue to miss timeliness measures.
13	Wakulla	Circuit Criminal	Staffing - Internal	Doing what we can with sources available.

The following county did not submit a Timeliness report: Hamilton

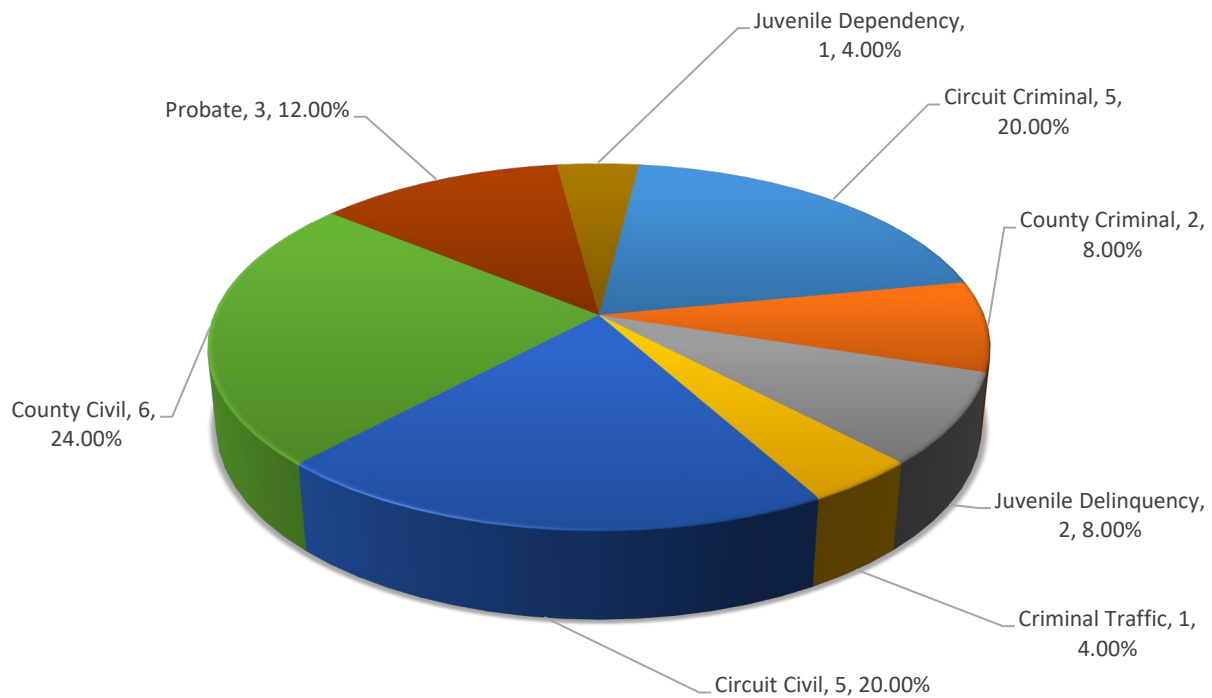
## CFY 2018-19 PERFORMANCE MEASURES &amp; ACTION PLANS REPORT – QUARTER 1

## Statewide Performance by Court Division

## Timeliness 1 – Filing New Cases

As shown below, 60% of action plans for Timeliness 1 (Filing new cases) were in the civil court divisions, accounting for 15 of the 25 action plans.

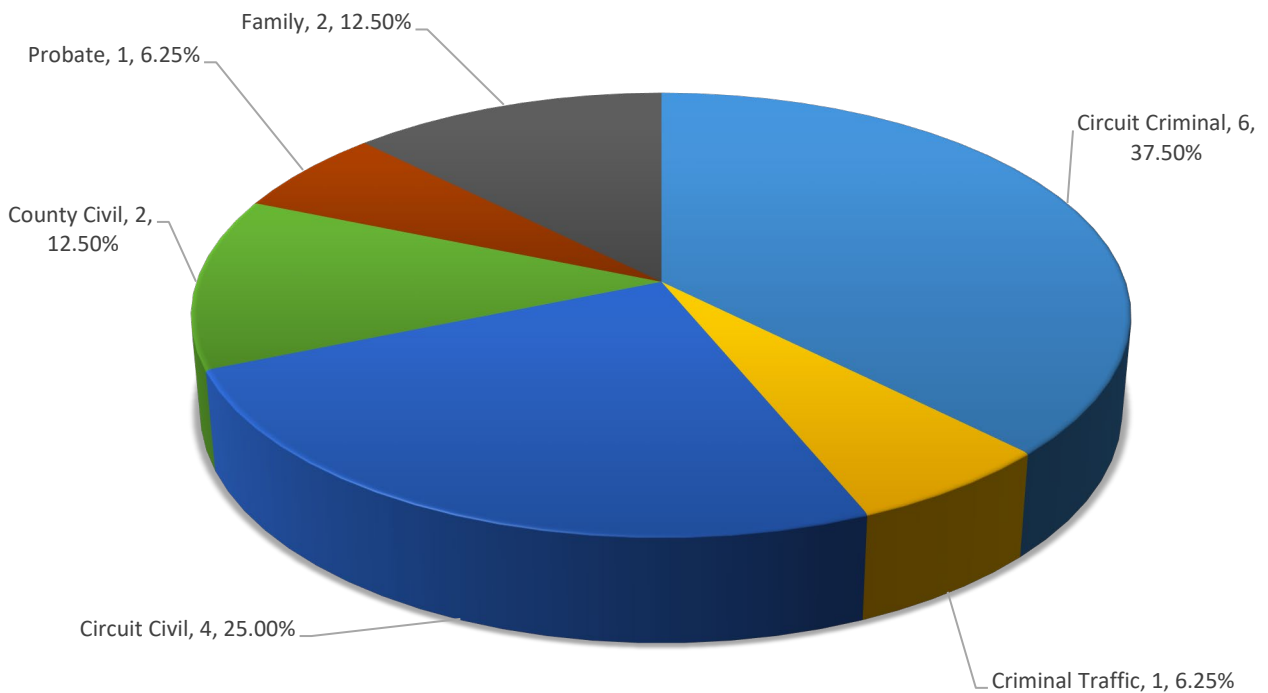
## Timeliness 1 - Action Plans By Court Division



## CFY 2018-19 PERFORMANCE MEASURES &amp; ACTION PLANS REPORT – QUARTER 1

**Timeliness 2 – Cases Docketed Timely**

As shown below, 62.50% of action plans for docketing cases timely were in the civil court divisions, accounting for 10 of the 16 action plans.

**Timeliness 2 - Action Plans by Court Division**

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CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1

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### Historic Timeliness Rates

#### Timeliness 1 – Filing New Cases Timely

For Timeliness 1 (Filing New Cases), all court divisions are meeting the 80% standard. All the criminal court divisions decreased except for criminal traffic while among the civil court divisions only probate and family court divisions decreased from the end of last year to the first quarter.

Time 1 Quarter 1 CFY 2018-19						
Court Division	CFY 2017-18 Year End	CFY 2018-19 1st Quarter	CFY 2018-19 2nd Quarter	CFY 2018-19 3rd Quarter	CFY 2018-19 4th Quarter	Standard
Circuit Criminal	94.27%	94.10%				80.00%
County Criminal	95.76%	96.32%				80.00%
Juvenile Delinquency	95.28%	95.13%				80.00%
Criminal Traffic	95.28%	97.26%				80.00%
Circuit Civil	81.79%	94.40%				80.00%
County Civil	91.11%	92.41%				80.00%
Civil Traffic	97.00%	98.65%				80.00%
Probate	93.96%	93.62%				80.00%
Family	96.68%	96.52%				80.00%
Juvenile Dependency	94.64%	97.99%				80.00%

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CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1

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### Timeliness 2 - Cases Docketed Timely

For Timeliness 2 (cases docketed timely), all court divisions are meeting the standard for entering dockets timely. There was a slight increase in the circuit criminal divisions while county criminal, juvenile delinquency, and criminal traffic court divisions all decreased. There was an improvement in the circuit civil, county civil, and probate court divisions, while civil traffic, family, and juvenile delinquency court divisions slipped slightly.

Time 2 Quarter 1 CFY 2018-19						
Court Division	CFY 2017-18 Year End	CFY 2018-19 1st Quarter	CFY 2018-19 2nd Quarter	CFY 2018-19 3rd Quarter	CFY 2018-19 4th Quarter	Standard
Circuit Criminal	93.58%	93.87%				80.00%
County Criminal	94.81%	94.54%				80.00%
Juvenile Delinquency	95.83%	94.82%				80.00%
Criminal Traffic	95.71%	95.58%				80.00%
Circuit Civil	89.16%	91.76%				80.00%
County Civil	94.56%	95.19%				80.00%
Civil Traffic	98.44%	98.32%				80.00%
Probate	93.76%	93.86%				80.00%
Family	92.58%	89.59%				80.00%
Juvenile Dependency	95.19%	94.99%				80.00%

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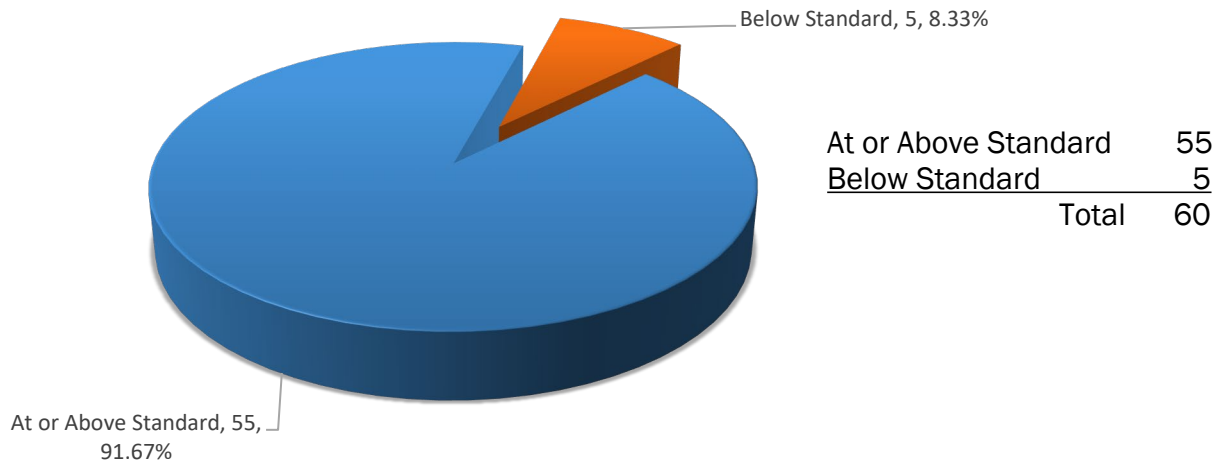
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CFY 2018-19 PERFORMANCE MEASURES & ACTION PLANS REPORT – QUARTER 1

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**JURY PAYMENT****Statewide Action Plans****Jury Payment - Statewide Action Plans****Jury Payment Action Plans by Reason Code**

The performance standard for timely juror payment is 100% payment of jurors within 20 days of final jury attendance. Five clerk offices did not meet the standard. Two of these offices cited procedure related reasons, two other offices cited staffing, and the remaining one office cited systems related reasons for not meeting the performance standard.

**Jury Payment Action Plans**

	County	Reason	Action Plan to Improve
1	Brevard	Procedural	Will pay closer attention to the Holiday Scheduling
2	Gilchrist	Staffing - Training	Staff has been trained. Issue corrected.
3	Indian River	Systems	problem processing a payroll for first week in Dec which backed up payroll for w/e 12/14. missed by 3 days
4	Nassau	Procedural	Staff is properly trained on the procedure.
5	Sarasota	Staffing - Training	Some payments. Paid late due to court clerk error. Will be trained on accuracy

The following counties did not submit a Juror's report: Bay, Dixie, Hamilton, Madison, Osceola, Taylor, Walton.





Appendix A Collections Performance by Division CFY 2018-19 Quarter 1										
County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Total
Alachua			External							1
Baker										0
Bay	External	External					External			3
Bradford		External								1
Brevard		Internal	Internal		Internal		Internal			4
Broward	External		External				External			3
Calhoun							External			1
Charlotte							Internal			1
Citrus										0
Clay										0
Collier										0
Columbia		Internal	Internal							2
DeSoto										0
Dixie	External	External	External				External			4
Duval	External	External	External				Internal			4
Escambia	External		External				External			3
Flagler										0
Franklin							External			1
Gadsden							External			1
Gilchrist	External						External			2
Glades		Internal		External						2
Gulf										0
Hamilton										0
Hardee										0
Hendry			External				External			2
Hernando			Internal							1
Highlands	External	External					External			3
Hillsborough							External			1
Holmes	External				External		External			3
Indian River										0
Jackson	External		External				External		Internal	4
Jefferson									Internal	1
Lafayette										0
Lake	Internal	Internal								2
Lee							Internal			1
Leon										0
Levy		External					External		Internal	3
Liberty										0
Madison		Internal					Internal			2
Manatee										0
Marion		Internal								1
Martin										0
Miami-Dade		External					External			2
Monroe										0
Nassau							External			1
Okaloosa							External			1
Okeechobee							External			1
Orange		External	External				External			3
Osceola	External						External			2
Palm Beach	External	External	External							3
Pasco		External					Internal			2
Pinellas	Internal	Internal	Internal							3
Polk	External						External			2
Putnam										0
Saint Johns		External								1
Saint Lucie										0
Santa Rosa							External			1
Sarasota	External	Internal					Internal			3
Seminole							External			1
Sumter										0
Suwannee										0
Taylor	External		External				External			3
Union	External		External		External					3
Volusia		External	External							2
Wakulla				External						1
Walton										0
Washington	External						External			2
Statewide	18	20	16	2	3	0	32	0	3	94
Internal Reasons	2	8	4	0	1	0	7	0	3	25
External Reasons	16	12	12	2	2	0	25	0	0	69



Appendix A Timeliness 1 - Filing New Cases by Division CFY 2018-19 Quarter 1											
County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Juvenile Dependency	Total
Alachua											0
Baker											0
Bay											0
Bradford			Staffing - Internal								1
Brevard											0
Broward								Staffing - Internal			1
Calhoun											0
Charlotte											0
Citrus											0
Clay											0
Collier											0
Columbia			Staffing - Internal								1
DeSoto											0
Dixie											0
Duval	Staffing - External			Staffing - External	Staffing - Internal	Staffing - Internal					4
Escambia					Staffing - External						1
Flagler											0
Franklin											0
Gadsden											0
Gilchrist											0
Glades											0
Gulf											0
Hamilton											0
Hardee											0
Hendry											0
Hernando		Staffing - External			Staffing - External						2
Highlands	Systems/Conversions - External										1
Hillsborough	Staffing - Internal										1
Holmes	Staffing - Internal	Staffing - Internal				Staffing - External					3
Indian River											0
Jackson											0
Jefferson											0
Lafayette											0
Lake											0
Lee								Staffing - Internal			1
Leon											0
Levy											0
Liberty											0
Madison											0
Manatee											0
Marion											0
Martin											0
Miami-Dade											0
Monroe						Systems/Conversions - External		Systems/Conversions - External			2
Nassau											0
Okaloosa											0
Okeechobee											0
Orange											0
Osceola											0
Palm Beach											0
Pasco					Staffing - Internal	Staffing - Internal					2
Pinellas											0
Polk					Staffing - Internal	Staffing - Internal					2
Putnam											0
Saint Johns	Staffing - Internal										1
Saint Lucie											0
Santa Rosa											0
Sarasota											0
Seminole											0
Sumter											0
Suwannee											0
Taylor						Staffing - Internal				Staffing - Internal	2
Union											0
Volusia											0
Wakulla											0
Walton											0
Washington											0
Statewide	5	2	2	1	5	6	0	3	0	1	25
Internal Reasons	3	1	2	0	3	4	0	2	0	1	16
External Reasons	2	1	0	1	2	2	0	1	0	0	9



Appendix A Timeliness 2 - Cases Docketed by Division CFY 2017-18 Quarter 4											
County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Juvenile Dependency	Total
Alachua											
Baker											0
Bay											0
Bradford											0
Brevard											0
Broward					Staffing - Internal			Staffing - Internal	Staffing - Internal		3
Calhoun											0
Charlotte											0
Citrus											0
Clay											0
Collier											0
Columbia											0
DeSoto									Staffing - Internal		1
Dixie											0
Duval	Staffing - External					Staffing - Internal					2
Escambia											0
Flagler											0
Franklin											0
Gadsden											0
Gilchrist											0
Glades											0
Gulf											0
Hamilton											0
Hardee											0
Hendry											0
Hernando				Staffing - External							1
Highlands											0
Hillsborough	Staffing - Internal										1
Holmes											0
Indian River	Staffing - Internal										1
Jackson											0
Jefferson											0
Lafayette											0
Lake											0
Lee											0
Leon											0
Levy											0
Liberty											0
Madison											0
Manatee											0
Marion											0
Martin											0
Miami-Dade											0
Monroe											0
Nassau	Staffing - Internal										1
Okaloosa											0
Okeechobee											0
Orange					Systems/Conversions - External						1
Osceola											0
Palm Beach											0
Pasco					Staffing - Internal						1
Pinellas											0
Polk					Staffing - Internal	Staffing - Internal					2
Putnam	Staffing - Internal										1
Saint Johns											0
Saint Lucie											0
Santa Rosa											0
Sarasota											0
Seminole											0
Sumter											0
Suwannee											0
Taylor											0
Union											0
Volusia											0
Wakulla	Staffing - Internal										1
Walton											0
Washington											0
Statewide	6	0	0	1	4	2	0	1	2	0	16
Internal Reasons	5	0	0	0	3	2	0	1	2	0	13
External Reasons	1	0	0	1	1	0	0	0	0	0	3



Appendix B Descriptions of External Factors for Not Meeting Performance Standards CFY 2018-19 Quarter 1				
Collections				
	County	Division	Reason Code	Description
1	Alachua	Juvenile Delinquency	External	This group does not have jobs and parents do not have the money.
2	Bay	Circuit Criminal	External	Bay County uses all means possible to collect
3		County Criminal	External	Bay County uses all means possible to collect
4		Civil Traffic	External	Bay County uses all means possible to collect
5	Bradford	County Criminal	External	People are not paying the assessments they have been charged. The Clerks Office does not currently perform collection efforts on these assessments.
6	Broward	Circuit Criminal	External	Continuing high volume of indigent defendants impact collection efforts.
7		Juvenile Delinquency	External	Broward continues to work with other governmental agencies and judiciary to improve collections of court ordered assessments.
8		Civil Traffic	External	Increases in the number of indigent defendants impact collections.
9	Calhoun	Civil Traffic	External	Hurricane Michael
10	Dixie	Circuit Criminal	External	We are suspending licenses, etc.
11		County Criminal	External	We are suspending licenses, etc.
12		Juvenile Delinquency	External	We are suspending licenses, etc.
13		Civil Traffic	External	We are suspending licenses, etc.
14	Duval	Circuit Criminal	External	In the process of an RFP for collection services. In addition, additional case types were added for online payments on 12/12/18 including circuit criminal.
15		County Criminal	External	In the process of an RFP for collection services.
16			External	In the process of an RFP for collection services.
17	Escambia	Circuit Criminal	External	The local economy, incarcerated defendants, and the overall ability to pay greatly affect the collection rate. Escambia now offers expanded payment options such as online payments and is handing out court cards to defendants after their court appearance detailing their payment options. Escambia is also working with outside collections agencies in an effort to improve the criminal collections rate.
18		Juvenile Delinquency	External	The local economy and ability to pay affect the collection rate.
19		Civil Traffic	External	The local economy and ability to pay greatly impact the collection rate. Escambia now offers expanded payment options such as online payments. Escambia is also working with outside collections agencies in an effort to improve the criminal collections rate.
20	Franklin	Civil Traffic	External	Franklin County is using all methods at our disposal to collect fees.
21	Gadsden	Civil Traffic	External	We are a small office with a small staff.
22	Gilchrist	Circuit Criminal	External	Trafficking assessment coupled with incarceration makes this quarters goal unattainable
23		Civil Traffic	External	switched collections company to try to improve collection rates
24	Glades	Criminal Traffic	External	Delinquent cases are sent to collections..
25	Hendry	Juvenile Delinquency	External	Community Service is usually chosen over making a payment
26		Civil Traffic	External	Judge increases time/decreases amount
27	Highlands	Circuit Criminal	External	Will be referring more outstanding balances to collection agency. However if I subtract drug trafficking (\$186602) from \$523983 then we do meet the 9% rate for this Qtr.
28		County Criminal	External	Referring more past due cases to Penn Collection Agency
29		Civil Traffic	External	Normally our 1st Qt rate falls in the 50% range. 10/1/17 to 12/31/17 was the 1st Qt after Hurricane Irma. Highlands County was hit hard and has not recovered from it (as shown by each quarter collection rate).
30	Hillsborough	Civil Traffic	External	Continued transmissions to Collections Agencies
31	Holmes	Circuit Criminal	External	Non-Payments, continuing to use our collections dept. by sending our due diligent letters and judgements.
32		Circuit Civil	External	Non-Payments, continuing to use our collections dept. by sending our due diligent letters and judgements.
33		Civil Traffic	External	Non-Payments, continuing to use our collections dept. by sending our due diligent letters and judgements.
34	Jackson	Circuit Criminal	External	These individuals have been sentenced to prison. We do record liens and refer to a collection agency.
35		Juvenile Delinquency	External	We will continue to work with the Juvenile PO's to assist in these collections. We are also sending letters notifying violators that driving privileges will be suspended.
36		Civil Traffic	External	When a citation is not paid, we D6s and send the citation to collection agency.
37	Levy	County Criminal	External	most jmts
38		Civil Traffic	External	no payments
39	Miami-Dade	County Criminal	External	Due to our current economic conditions, many defendants are indigent or transient making collections efforts more difficult.
40		Civil Traffic	External	We have a significant number of payment plans which extend the time required for full collection. Additionally, a significant number of citations go to court which also delays collection times.
41	Nassau	Civil Traffic	External	Continue to send cases to the collections agency
42	Okaloosa	Civil Traffic	External	Funding shortfalls have hampered our ability to collect.
43	Okeechobee	Civil Traffic	External	Cases will be sent to collections.
44	Orange	County Criminal	External	Most criminal defendants are on payment plans which extend well beyond 5 quarters, so this standard is not met for this case type.
45		Juvenile Delinquency	External	Juveniles do not pay amounts due and we do not send to collection agencies.
46		External	External	Civil Traffic
47	Osceola	Circuit Criminal	External	Many of the Defendants with an outstanding balance are incarcerated.
48		Civil Traffic	External	We have a high percentage of tourist from out of state/out of country who do not pay. We have developed and implemented text and email reminders.
49	Palm Beach	Circuit Criminal	External	No actions necessary. Over \$1.7 million in fines and fees for drug trafficking charges were assessed during this reporting period. Defendants sentenced to prison cannot pay such high fines. As you can see, the amount collected is consistent with past reports, however the high assessments caused us to not meet the performance standard.
50		County Criminal	External	Defendant's provided too much time to pay without being ordered onto a Clerk payment plan. Defendants on probation are not ordered to establish payment plans. Failure to pay as a condition does not have negative impact on successful completion of probation. Since meeting with the judges, we have seen an increase in payment plans. We expect the collection rate to increase as payment plan activity increases.
51		Juvenile Delinquency	External	Defendants placed on probation are not ordered to establish payment plans. Failure to pay as a condition of probation is usually converted to community service.
52	Pasco	County Criminal	External	There has been a spike in county and municipal ordinances and no means of enforcing payment.
53	Polk	Circuit Criminal	External	The amount of fines/court costs assessed by the court in Quarter three is lower than the fines/court costs assessed in quarter two. The reason for this change could be waived assessments.
54		Civil Traffic	External	Violators not paying civil traffic citations timely
55	Santa Rosa	Civil Traffic	External	Partial payment agreements can go up to 18 months which is outside the reporting time frame. Civil citation issued along with a criminal citation is held until the disposition of the civil citation.
56	Sarasota	Circuit Criminal	External	54% of the Circuit Criminal assessments (\$739K) were from Drug Trafficking cases with high fine amounts. Collection rates on those cases was only 0.01%.
57	Seminole	Civil Traffic	External	Get Additional Funding
58	Saint Johns	County Criminal	External	Collections efforts have become more aggressive to get more fees paid.



<b>Appendix B</b> <b>Descriptions of External Factors for Not Meeting Performance Standards</b> <b>CFY 2018-19 Quarter 1</b>				
Collections				
	County	Division	Reason Code	Description
59	Taylor	Circuit Criminal	External	We have been allow defendants to pay online with credit card in an effort to make it easier for them to pay
60		Juvenile Delinquency	External	Juveniles do not pay and are not brought back to court.
61		Civil Traffic	External	We are sending to collections and doing all we know to do.
62	Union	Circuit Criminal	External	Drug Trafficking Conviction
63		Juvenile Delinquency	External	One defendant has 3 cases and another defendant has 2 out of a total of 6 cases. Both of the defendants live with grandparents on fixed incomes. Pursuing Collections.
64		Circuit Civil	External	Inmate Cases
65	Volusia	County Criminal	External	Increase in the number of late paying cases
66		Juvenile Delinquency	External	Increase in the number of late paying cases that we are sending to collections.
67	Wakulla	Criminal Traffic	External	Less cases assessed less money collected
68	Washington	Circuit Criminal	External	Incarceration, we have set up payment plans
69		Civil Traffic	External	Driver License Suspended and sent to collection agency

<b>Quarter 1</b> <b>Timeliness 1 - Filing New Cases; External Reasons Provided</b>				
	County	Division	Reason Code	Description
1	Dixie	Circuit Criminal	Staffing - External	unknown
2		Criminal Traffic	Staffing - External	unknown
3	Duval	Circuit Civil	Staffing - External	This was caused because clerk staff had to set e-filings to pending due to errors. We will continue to provide feedback to those who's e-files contain errors.
4	Hendry	County Criminal	Staffing - External	Short-staffed, No OT allowed
5		Circuit Civil	Staffing - External	Short-staffed, No OT allowed
6	Hernando	Circuit Criminal	Systems/Conversions - External	The true case timeliness percent is 90.29%. DUI's are captured under CT on the sub-case report distorting this % timeliness.
7	Hillsborough	County Civil	Staffing - External	Significant increase in new case filings. Limited number of staff to process. Cross training initiated to reduce filing time.
8	Monroe	Circuit Civil	Systems/Conversions - External	Our E Portal was down.
9		Probate	Systems/Conversions - External	Our E Portal was down.

<b>Quarter 1</b> <b>Timeliness 2 - Cases Docketed; External Reasons Provided</b>				
	County	Division	Reason Code	Description
1	Dixie	Circuit Criminal	Staffing - External	unknown
2	Hendry	Criminal Traffic	Staffing - External	Short-staffed, No OT allowed
3	Orange	Circuit Civil	Systems/Conversions - External	Technical difficulties began with the ePortal on 09.20.2018 and were resolved on 10.04.2018 with the fix being implemented. Turnover challenges also caused in impact in processing timely.

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291 11.47 Penalties; failure to make a proper audit or  
292 examination; making a false report; failure to produce documents  
293 or information.—

294 (3) Any person who willfully fails or refuses to provide  
295 access to an employee, officer, or agent of an entity subject to  
296 an audit or to furnish or produce any book, record, paper,  
297 document, data, or sufficient information necessary to a proper  
298 audit or examination which the Auditor General or the Office of  
299 Program Policy Analysis and Government Accountability is by law  
300 authorized to perform commits ~~shall be guilty of~~ a misdemeanor  
301 of the first degree, punishable as provided in s. 775.082 or s.  
302 775.083.

303 Section 4. Paragraph (d) of subsection (2) of section  
304 28.35, Florida Statutes, is amended to read:

305 **28.35 Florida Clerks of Court Operations Corporation.—**

306 (2) The duties of the corporation shall include the  
307 following:

308 (d) Developing and certifying a uniform system of workload  
309 measures and applicable workload standards for court-related  
310 functions as developed by the corporation and clerk workload  
311 performance in meeting the workload performance standards. These  
312 workload measures and workload performance standards shall be  
313 designed to facilitate an objective determination of the  
314 performance of each clerk in accordance with minimum standards  
315 for fiscal management, operational efficiency, and effective  
316 collection of fines, fees, service charges, and court costs. The  
317 corporation shall develop the workload measures and workload  
318 performance standards in consultation with the Legislature. When  
319 the corporation finds a clerk has not met the workload

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performance standards, the corporation shall identify the nature of each deficiency and any corrective action recommended and taken by the affected clerk of the court. For quarterly periods ending on the last day of March, June, September, and December of each year, the corporation shall notify the Legislature of any clerk not meeting workload performance standards and provide a copy of any corrective action plans. Such notifications must be submitted no later than 45 days after the end of the preceding quarterly period. As used in this subsection, the term:

1. "Workload measures" means the measurement of the activities and frequency of the work required for the clerk to adequately perform the court-related duties of the office as defined by the membership of the Florida Clerks of Court Operations Corporation.

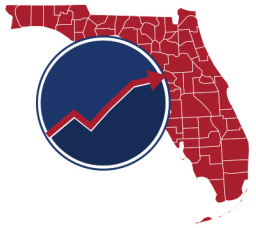
2. "Workload performance standards" means the standards developed to measure the timeliness and effectiveness of the activities that are accomplished by the clerk in the performance of the court-related duties of the office as defined by the membership of the Florida Clerks of Court Operations Corporation.

Section 5. Present subsections (6) and (7) of section 43.16, Florida Statutes, are renumbered as subsections (7) and (8), respectively, and a new subsection (6) is added to that section, to read:

43.16 Justice Administrative Commission; membership, powers and duties.—

(6) The commission, each state attorney, each public defender, the criminal conflict and civil regional counsel, the





## AGENDA ITEM 4

**DATE:** May 23, 2019

**SUBJECT:** Revenue Compliance Training and Education Vendor

**COMMITTEE ACTION:** Approve Vendor

### OVERVIEW:

At the February 20, 2019 Committee meeting the members approved moving forward to select a vendor that would assist the CCOC with among other tasks educating and providing technical assistance to Clerk offices pertaining to revenue compliance and collections.

At the direction of Clerk Green, a work group, led by Clerk Vick drafted a request for proposal that was released on March 15<sup>th</sup> with response due date of April 12<sup>th</sup>. Proposals were then reviewed and evaluated. The evaluation team consisted of Clerk Green, Clerk Vick, Clerk Moore-Russel, Clerk Peacock, staff from Citrus and Orange Counties, and CCOC staff. The workgroup met telephonically on April 23<sup>rd</sup> to discuss their evaluations and select a vendor.

The members selected Compliance Improvement Services (CIS). CIS is a Florida-based firm and the work group believed that it was the best firm to meet the requirements laid out in the RFP. There was discussion on funding and how the work would be carried out. CIS proposed a total of 500 hours at \$62.50 per/hr. for a total of \$31,250. John Dew validated that there was money in the budget to fund the hours that CIS proposed in the RFP and that the contract will be written with deliverables and tasks as a means of controlling costs. Additionally, CCOC may extend contracts based on performance and available funds.

**COMMITTEE ACTION:** Approve Compliance Improvement Services (CIS) as the vendor to assist the CCOC with revenue compliance training and education and that this firm be recommended to the Executive Council for entering into a contract for services.

**LEAD STAFF:** Douglas Isabelle, Deputy Executive Director

### **ATTACHMENTS:**

1. CIS Proposal



# Response to CCOC RFP

## Clerk and Staff Revenue Collections Education, Training, and Compliance Services



Compliance Improvement Services, Inc.  
4436 Waterscape Lane  
Fort Myers, Florida 33966

(239) 470-3956  
[dmurphy@complianceimprovement.com](mailto:dmurphy@complianceimprovement.com)



## 1.0 About Compliance Improvement Services

Recovering court fines and costs has changed. The emphasis has turned from collecting to connecting with citizen participants while turning clerk team focus towards ongoing efforts in payment plans as a better measure of compliance success.

I've spent much of the past 10 years studying compliance best practice techniques while introducing them in my work as a Court Director for the Volusia County Clerk of Court. I've continued those efforts as Chief Officer of Courts in Lee County and in my role with CIS.

During that time, I've also been involved in Clerk collections workgroups, spoke about Collections Best Practices in Florida and Georgia, and completed National Court research in felony court collections at the National Center for State Courts.

Compliance opportunities continue to evolve. Thank you for considering my potential to work with Florida Clerks on compliance improvement.



Don Murphy, PMP

Principal, Compliance Improvement Services, Inc.

*Compliance Improvement Services (CIS) provides experienced consulting and training services to assist Clerks in improving compliance using best practice standards adopted by Florida Clerks and by the National Center for State Courts. At CIS our focus is on helping our customers help their customers.*

*Don Murphy, the Principal & Senior Consultant for CIS brings both industry specific experience and educational background supporting the need of the Clerks of Court Operation Corporation (CCOC), to improve revenue compliance service for the 67 Clerks in Florida.*

*Don's experience includes:*

- *25+ years managing and directing court operations for Clerks in Florida*
- *15 years as a certified project manager with Project Management Institute (PMP)*
- *Fellow with the Institute of Court Management at the National Center for State Courts*
- *Speaker for Compliance Improvement at Clerk Conferences in Florida & Georgia*
- *CCOC Conference Speaker at CCOC/FCCC Compliance Summit on Best Practices*
- *Sub-Committee planning member for Operation Greenlight & Compliance Summit*
- *Published Research on Felony Collections with the National Center for State Courts*
- *Bachelor of Science in Business Administration from the University of Florida*

## 2.0 CCOC Scope of Services

CIS will work side by side with Clerks and Clerk teams at directed Clerk sites to understand user needs to achieve CCOC and Clerks Offices compliance goals. CIS duties include consulting and project management services along with training to improve compliance. The Conceptual Phase provides a glimpse into potential opportunities that address current compliance improvement challenges.

### 2.1 PROJECT PLAN DEVELOPMENT-CONCEPTUAL PHASE

#### 1. Improved Creation, Notifications, and Reporting of Payment Plans

Today's payments for criminal and civil traffic matters are routinely satisfied by time-based payments as part of a payment plan. The proper initialization and monitoring of payment plans encourage better citizen participation and often times lead to improved compliance.

- a) Day 1 payment plan review and enrollment right outside courtroom
- b) Simplified plan that captures primary contact information and payment terms
- c) Options for online self-enrollment
- d) Notifications using email and text messaging before plan due dates
- e) Payment plan reporting tracking compliance service and citizen progress

#### Project Benefits

- Simplifies plan enrollment processing time
- Creates multiple options to satisfy payment obligations- both in line and on line
- Provides payment plan workload reporting for Clerks
- Improves compliance through focus on participation

#### 2. Restoration of Voting Rights for Felons- Felony Fine Compliance Program

All convicted felons have the right to register to vote if they have completed their sentence which includes fine and fee obligations

- a) Consideration of proof of sentence satisfaction including fine compliance, that allows participants to enroll as a restored voting rights citizen without issue.
- b) Participants make a payment to outstanding felony debt. If compliance obligation is not satisfied, enrollment must be made in a payment plan to the Clerks' office.
- c) By paying off the debt, or making a payment and enrolling in approved payment plan voting restoration participants would receive a compliance form for eligibility in the voting enrollment process.

#### Project Benefits

- Provides universal method to view and communicate sentencing status
- Assists restoration of voting rights and coordination with local election offices
- Increases felony payment plan compliance
- Provides community and citizen benefit



### CIS Experience

- 15 years of experience as a project management professional in courts
- 25+ years of experience managing Clerk operations in Florida
- Ground level experience in establishing Compliance Program in Volusia
- Multiple experiences in state-wide projects with Clerks in Compliance

## **2.2 COMPLIANCE IMPROVEMENT COMMUNICATION PLAN**

Regular communication with 67 Clerks of Court on Revenue Compliance Improvement- calls, training tips, news on compliance, directed site visits. Includes participation with Clerks. Below are options for communication initiatives:

### **Set general standard process improvement activities**

- Embracing Best Practices (see attachment 2)- includes audit program initiation
- Publicize goals and status of compliance through survey creation, delivery, and review

### **Set communication plan for informing progress and teaching compliance improvement**

- Working with CCOC to build program that supports compliance improvement
- Provide updates as directed to Council and Committee members
- Publish updates as directed to Clerks on compliance news in Florida and in national courts.
- Post relevant articles and compliance information to CCOC website as directed

### CIS Experience

- Served as Project Manager for Volusia Clerk's Office in 10-agency CJIS project
- Participated in planning committee for Clerks Operation Greenlight Campaign
- Met with judiciary, and court agency leadership on court priorities
- Participated in planning committee for Compliance Summit Conference

## **2.3 WORKGROUPS & CONFERENCES**

As jointly agreed, available to participate in workshops and conferences to support compliance improvement initiatives.

### CIS Experience

- Speaker at Summit with CCOC & FCCC- "Blueprint to Compliance Improvement"
- Speaker at Georgia Council of Court Administrators on Compliance Best Practices
- Host of National State Courts Taskforce on Fines, Fees, and Bail Practices at National Association of Court Management Annual Conference- 2018

## 2.4 REVIEW & AUDIT COMPLIANCE BEST PRACTICE

Review and audit of current collections aligned with compliance best practices as directed for Clerks offices which would include training, and tool review.

### Needs Analysis- Site Review

- Step by step walk through of local compliance effort
  - Confirm what's working- best practice acknowledgement
  - Listen for needs and improvement opportunities
- Provide projected date on Needs Analysis Report Delivery
- Include follow-up options for improvements proposal

### Summary and Recommendations

- Recaps local findings and matches to best practices
- Points out opportunities for compliance improvement
- Provides a recommended action plan of improved outcomes

### Needs Analysis Findings Follow-up

- Meeting with decision makers and compliance team
- Review positive points of current operation
- Point out opportunities
- Provides Follow-up Action Proposal

### CIS Experience

- Delivered best practice approach with Florida Clerks at conferences and workshops
- Implemented operational updates mapped to Clerk best practices
  - Payment Plans- Volusia County
  - Notifications-Volusia County
  - Day 1 payments after court-Volusia & Lee County

## 2.5 CCOC STATUS REPORTING

Periodic progress reporting provided to the Executive Director of CCOC tracking project status, revenue compliance participation, and compliance procedural effectiveness as directed

- Provide regular status updates on agreed to compliance projects
- Track compliance program effectiveness results through reviews and audits
- Highlights implementation of new programs and procedures

### CIS Experience

- Certified Project Management Professional (PMP) with Project Management Institute
- National Center for State Courts Fellow of the Institute for Court Management

## 2.6 COMPLIANCE IMPROVEMENT SERVICES LITIGATION (5.3.6)

Compliance Improvement Services has not been involved in any litigation or grievances.

## 3.0 Professional References - (4.3)

Name	Title	Organization	Phone	Email
Linda Doggett	Clerk & Comptroller	Lee County Clerk of Court	(239) 533-2555	ldoggett@leeclerk.org
Kristi Wagstaff	Collections Enforcement Manager	Polk County Clerk of Court	(863) 534-4422	kristiwagstaff@polk-county.net
Rex Arnold	President	Alliance Renewable Technologies	(407) 230-2914	rarnold@courtalliance.com
Ken Kent	Interim Finance Director	Leon County Clerk of Court	(850) 606-4126	<u><a href="mailto:KAKent@leoncountyfl.gov">KAKent@leoncountyfl.gov</a></u>



**ATTACHMENT 1  
FEE SCHEDULE  
AND RATES**

**Provide hourly rate for the services outlined in this RFQ for Clerk Revenue Education, Training & Compliance Services.**

<b>Service Description</b>	<b>Hourly Rate</b>
<b>Needs Analysis &amp; Project Scope Development</b>	<b>\$62.50</b>
<b>Compliance Project Management</b>	<b>\$62.50</b>
<b>Compliance Reporting Review</b>	<b>\$62.50</b>
<b>Training Services &amp; Conference Assistance</b>	<b>\$62.50</b>

\*Total estimated costs are subject to specific scope needs defined during negotiations. All Clerk and Conference site travel expenses including registration paid by CCOC.

Needs Analysis & Project Scope Development = 200 hours  
 Compliance Project Management = 150 hours  
 Compliance Reporting Review = 50 hours  
 Training Services & Conference Assistance = 100 hours  
**\*Estimated Service Hours for Compliance Improvement = 500 hours**  
 \*additional hours available subject to negotiation during contract review

<b>*Total Estimated Services Cost of 500 hours</b>	<b>\$ 31,250</b>
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**\* Travel Services subject to plan for projects and on-site services**

Mileage at 44.5 cents per mile

Meals \$36 per day (Breakfast-6/Lunch-11/Dinner-19) as plan requires

Overnight lodging \$150 per night

The quote for compliance services provided by Compliance Improvement Services, Inc. is available for work performed during 2019.

Dated this 25<sup>th</sup> day of March, 2019.



Don Murphy  
Principal & Senior Consultant

## ATTACHMENT 2-Clerk of Court Recommended Compliance Best Practices

- I. **Work with the judiciary**
  - a. Clerks should request that the judiciary communicate to the defendants and litigants that payment plans will be enforced.
  - b. Clerks should encourage judicial involvement in collections efforts to ensure that effective enforcement efforts result in maximizing collections.
- II. **Solicit input from all parties potentially involved in collections**
- III. **Create flexible payment plans**
  - a. Clerks should create payment plan schedules based on defendants' circumstances.
  - b. Clerks should determine whether to charge a \$25.00 fee to set up the payment plan or to charge a \$5.00 per month partial payment fee per FS 28.24(26).
- IV. **Determine appropriate enforcement tools**
  - a. Defendants making regular payments should not be required to appear in court.
  - b. Clerks should consider various enforcement tools, including but not limited to recording all criminal judgments and judgments relating to costs and fines in Official Records to create liens; late letters/postcards; automated phone reminders to defendants; collection agencies; online and IVR payment systems; address verification software; application forms to gather financial and employment data; garnishments; and driver license suspensions under FS 322.245.
- V. **Modify payment plans**
  - a. Clerks should exercise discretion in payment amounts and extensions of time periods for payment.
  - b. Written procedures should address who may approve adjustments and whether supervisory approval is necessary.
  - c. Clerks should create procedures that allow for periodic review to consider modifications to the payment plan program.
- VI. **Use an accounts receivable system** - Reporting capabilities should allow for date ranges to be selected and include:
  - a. Collection rate - (Percentage of money collected)
  - b. Compliance rate - (Percentage of cases paying pursuant to pay plan)
  - c. Outstanding amounts due
  - d. Collection rates from specific types of cases (Felony, Misdemeanor, Criminal Traffic, and Juvenile)
- VII. **Improve collection goals & measure achievements**
  - a. Establish a location for entering into a payment plan as close as possible to the courtroom.
  - b. Prepare written instructions for individuals entering into the payment plan that are simple to understand and describe the process for notifying Clerks when a payment cannot be made and a modification to the payment plan is needed.
  - c. Evaluate the cost and benefits of each of the collection tools (collection agencies, suspension of driver's license, collection letters, phone calls, collection court, etc.) and emphasize those that have the greatest net benefit.
  - d. Draft legislative proposals to improve collections efforts, i.e., more Clerk involvement in community service options, orders imposing liens on prisoner accounts, using liens in addition to civil judgments, more Clerk authority to negotiate, motor vehicle registration suspension, having payment of costs and fines as a condition of parole, etc.



## Attachment 3- Professional Resume

Don K. Murphy-4436 Waterscape Lane, Fort Myers, FL 33966  
239-470-3956 | [dmurphy@complianceimprovement.com](mailto:dmurphy@complianceimprovement.com)

### Objective

To improve organizational decision making through court consulting, strategic planning, and project management.

### Professional Certifications

National Center for State Courts certification

Institute for Court Management Fellows Program - May 2015

Project Management Professional Certification

PMP- Project Management Institute (PMI)- December 2003

### Experience

Principal & Senior Consultant- Compliance Improvement Services Inc. | Mar. 2018-

- Owner of Compliance Services business dedicated in providing improved compliance and customer service for Clerks and Courts. Focused on consulting, project management, and training.

Chief Officer of Courts | Lee County Clerk of Court | Aug. 2014-Jan. 2018

- Served as Executive Court Officer for the Clerk for all court departments to over 160 employees. Implemented court improvement projects and provided oversight to court budget.

Director of Court Operations | Volusia County Clerk of Court | Oct.06-Aug. 14

- Directed the court operational activities of all court departments for the Clerk for a staff of over 200 employees. Experienced in workflow analysis, budget planning, and implementation of business improvement projects.

County Applications Manager | Volusia County | Feb 03-Oct. 06

- Responsible for planning, coordinating, and overseeing system design, procurement, installation, and maintenance of enterprise financial, and criminal justice applications.

Senior Project Manager| Creative Data Solutions | Sept. 95- Jan. 03

- Managed multiple inter-agency system technology implementations including software deployment, legacy system conversions, and re-engineering for State and Local government clients.

### Skills & Abilities

#### Project management

- Criminal Justice Information System (CJIS) Project- Volusia County, Florida
- Criminal Case Management System Project- Sarasota County, Florida
- Child Support State Software Implementation- Orange County Florida
- Criminal Case Management System Project- Alachua County, Florida

#### Communication

- Speaker-Optimizing Compliance Tools- Florida Clerks of Court Operations-Nov. 2017
- Panelist- Irma Impact -Florida Court Clerks and Comptrollers Conference- Oct. 2017
- Speaker-Innovative Court Fee Collections -Georgia Court Administrators- Sept. 2016

### Publications

"Why Crime Doesn't Pay" National Center for State Courts Fellows Program- 2015

<http://www.ncsc.org/Education-and-Careers/ICM-Fellows/ICM-Fellows-Papers>

### Education

B.S. Business Administration | University of Florida

SECTION 6 - GENERAL GOVERNMENT

FROM LEGISLATIVE LOBBYIST  
REGISTRATION TRUST FUND . . . . .

149,248

From the funds in Specific Appropriation 2754, the Office of Program Policy Analysis and Government Accountability is directed to contract with an independent third party consulting firm to conduct a review of inmate health care services in order to compare the cost-effectiveness of alternative methods of delivering the services. The review must consider at least the following options: (a) full insourcing of inmate health services, (b) insourcing of outpatient health services provided within state operated correctional facilities, and outsourcing inpatient services, and (c) continuation of full outsourcing with modified contract terms imposing appropriate cost controls. The evaluation must compare costs in each model, identify implementation considerations, and project transition timelines. For options a) and b), the report must provide: a detailed breakout of DOC staffing needs and explanations for staffing levels, including calculations used for staffing estimates. For option c) the report must evaluate various financing arrangements including cost-based reimbursement, contracted fee schedule, and a risk-based contract. The final report shall be submitted to the chair of the Senate Appropriations Committee and the chair of the House of Representatives Appropriations Committee by November 15, 2019.

From the funds in Specific Appropriation 2754, the Office of Program Policy Analysis and Government Accountability is directed to contract with an independent third party consulting firm to conduct a review of the processes used to determine capital outlay facilities space needs of state universities and Florida colleges pursuant to s. 1013.31, Florida Statutes. The review shall evaluate whether state-level processes and those used by individual institutions are consistent with the institution's overall mission, and support state-level goals. The review shall examine space and utilization factors to determine whether they accurately reflect deficits or surpluses of each type of space and result in the most efficient and effective use of space. The review shall also assess the extent to which each institution efficiently and effectively utilizes its current space. The final report shall present the consultant's findings and make specific recommendations to improve the processes used to identify capital outlay projects for state funding, identify any changes or alternatives to ensure that current space and utilization factors represent optimum space requirements, and describe how each institution could use its current space more efficiently and effectively. The final report shall be submitted to the chair of the Senate Appropriations Committee and the chair of the House of Representatives Appropriations Committee by November 15, 2019.

From the funds in Specific Appropriation 2754, the Office of Program Policy Analysis and Government Accountability is directed to contract with an independent third party consulting firm to assist with a review of the Clerk of Court processes including collection and compilation of empirical evidence based on observation of a random sample of clerks' offices employees; comparison of clerks' office work patterns to propose efficiency and productivity standards; and assessment and comparison of organizational arrangements and deployment of personnel resources among all clerks' offices. Sample groups must include a broad number of large and small counties and include entities from all areas of the state. The analysis shall be submitted to the chair of the Senate Appropriations Committee and the chair of the House of Representatives Appropriations Committee by November 15, 2019.

2755	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	331,942	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		2,191
	FROM LEGISLATIVE LOBBYIST		
	REGISTRATION TRUST FUND . . . . .		273
TOTAL:	LEGISLATIVE SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	50,177,554	
	FROM TRUST FUNDS . . . . .		2,331,870
	TOTAL ALL FUNDS . . . . .		52,509,424

ENROLLED

CS/HB 7125, Engrossed 1

2019 Legislature

1226 to read:

1227 322.75 Driver License Reinstatement Days.—

1228 (1) Each clerk of court shall establish a Driver License  
1229 Reinstatement Days program for reinstating suspended driver  
1230 licenses. Participants may include, but are not limited to, the  
1231 Department of Highway Safety and Motor Vehicles, the state  
1232 attorney's office, the public defender's office, the circuit and  
1233 county courts, the clerk of court, and any interested community  
1234 organization.

1235 (2) The clerk of court, in consultation with other  
1236 participants, shall select 1 or more days annually for an event  
1237 at which a person may have his or her driver license reinstated.  
1238 The clerk may work with the Florida Association of Court Clerks  
1239 and Comptrollers to promote such program, develop  
1240 communications, and coordinate the event. A person must pay the  
1241 full license reinstatement fee; however, the clerk may reduce or  
1242 waive other fees and costs, except those imposed by the court,  
1243 to facilitate reinstatement.

1244 (3) The clerk of court is encouraged to schedule at least  
1245 one event on a weekend or with hours after 5 p.m. on a weekday.

1246 (4) (a) A person is eligible for reinstatement under the  
1247 program if his or her license was suspended due to:

- 1248 1. Driving without a valid driver license;  
1249 2. Driving with a suspended driver license;  
1250 3. Failing to make a payment on penalties in collection;

ENROLLED

CS/HB 7125, Engrossed 1

2019 Legislature

1251 4. Failing to appear in court for a traffic violation; or  
1252 5. Failing to comply with any provision of chapter 318 or  
1253 this chapter.

1254 (b) Notwithstanding paragraphs (5) (a)-(c), a person is  
1255 eligible for reinstatement under the program if the period of  
1256 suspension or revocation has elapsed, the person has completed  
1257 any required course or program as described in paragraph (5) (c),  
1258 and the person is otherwise eligible for reinstatement.

1259 (5) A person is not eligible for reinstatement under the  
1260 program if his or her driver license is suspended or revoked due  
1261 to:

1262 (a) The person's failure to fulfill a court-ordered child  
1263 support obligation;

1264 (b) A violation of s. 316.193;

1265 (c) The person's failure to complete a driver training  
1266 program, driver improvement course, or alcohol or substance  
1267 abuse education or evaluation program required under s. 316.192,  
1268 s. 316.193, s. 322.2616, s. 322.271, or s. 322.264;

1269 (d) A traffic-related felony; or

1270 (e) The person being designated as a habitual traffic  
1271 offender under s. 322.264.

1272 (6) The clerk of court and the Department of Highway  
1273 Safety and Motor Vehicles shall verify any information necessary  
1274 for reinstatement of a driver license under the program.

1275 (7) The clerk of court must collect and report to the

ENROLLED

CS/HB 7125, Engrossed 1

2019 Legislature

Florida Clerks of Court Operations Corporation all of the  
following:

(a) Number of cases paid in full.

(b) Number of cases put on a payment plan.

(c) Number of driver license reinstatements.

(d) Number of driver licenses made eligible for  
reinstatement.

(e) Amount of fees and costs collected, reported by the  
entity receiving the funds. The Florida Clerks of Court  
Operations Corporation must report the aggregate funds received  
by the clerks of court, the local governmental entities, and  
state entities, including the General Revenue Fund.

(f) The personnel, operating, security, and other  
expenditures incurred by the clerk of court.

(g) The number of cases that fail to comply with a payment  
plan and subsequently result in driver license suspension.

(8) The Florida Clerks of Court Operations Corporation  
shall report the information collected in subsection (7) in its  
annual report required by s. 28.35.

Section 14. Subsection (2) of section 394.917, Florida  
 Statutes, is amended to read:

394.917 Determination; commitment procedure; mistrials;  
 housing; counsel and costs in indigent appellate cases.—

(2) If the court or jury determines that the person is a  
 sexually violent predator, upon the expiration of the