

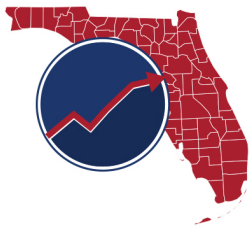


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## EXECUTIVE COUNCIL MEETING

June 24, 2019

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# CCOC

FLORIDA CLERKS OF COURT  
OPERATIONS CORPORATION

**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

HARVEY RUVIN, ESQ.  
MIAMI-DADE COUNTY

VACANT  
HOUSE APPOINTEE

PAT FRANK  
HILLSBOROUGH COUNTY

RON FICARROTTA  
13TH JUDICIAL CIRCUIT JUDGE  
SUPREME COURT APPOINTEE

JOHN DEW  
EXECUTIVE DIRECTOR

TODD NEWTON  
GILCHRIST COUNTY

ANGELINA "ANGEL"  
COLONNESO, ESQ.  
MANATEE COUNTY  
SENATE APPOINTEE

JOE BOYD  
GENERAL COUNSEL

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

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

## CCOC Executive Council Meeting

**June 24 – 2:00 pm**

**Location:** Omni Orlando Resort at ChampionsGate  
1500 Masters Boulevard, ChampionsGate, FL 33896  
(ChampionsGate Room)  
Call in number: 904 512-0115, Code 412463

Call to Order.....	Hon. Stacy Butterfield
Invocation .....	Hon. John Crawford
Swearing in of Senate President Appointee.....	Hon. Stacy Butterfield
Roll Call.....	Hon. JD Peacock
1) Introduction and Agenda Approval .....	Hon. Stacy Butterfield
2) Approve Minutes from 2/26/19 Council Meeting.....	Hon. JD Peacock
3) Treasurer's Report & Proposed Work Plan.....	Hon. JD Peacock
a) Review and Approval of the CCOC Office Budget Report for CFY 18-19 through May	
b) Proposed CFY 19-20 CCOC Office Budget	
4) Report from Committee and Workgroup Chairs	
a) Budget Committee.....	Hon. Ken Burke
b) PIE Committee .....	Hon. Tara Green
c) Legislative Committee.....	Hon. Carolyn Timmann
d) Revenue Enhancement and Funding Committee .....	Hon. Tiffany Moore-Russell
e) Electronic Notification Platform Workgroup .....	Hon. JD Peacock
f) CCOC Staff Leave Policy.....	Hon. Paula O'Neil
5) Report on TCBC.....	Hon. Judge Ficarrotta
6) Review of Tentative Meeting Schedule for CFY 19/20 .....	John Dew
7) CCOC 2019 Council Election Results .....	Hon. JD Peacock
8) Recognition of Outgoing Council Members.....	Hon. Stacy Butterfield
9) Other Business.....	Hon. Stacy Butterfield

**Council Members:** Chair; Hon. Stacy Butterfield, CPA; Vice-Chair; Hon. Tara Green,  
Secretary/Treasurer; Hon. JD Peacock; Hon. Angel Colonnese; Hon. John Crawford; Hon. Pat Frank;  
Hon. Ronald Ficarrotta; Hon. Todd Newton; Hon. Paula O'Neil, Ph.D; and Hon. Harvey Ruvin

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

**DRAFT MINUTES**  
**FLORIDA CLERKS OF COURT OPERATIONS CORPORATION**  
**TUESDAY, February 26, 2019 2:00 PM EST**  
**EXECUTIVE COUNCIL MEETING**  
**Plaza Daytona Beach, 600 N. Atlantic Avenue, Daytona Beach, FL 32118**  
**Meeting Room: Vista Del Mar**

The February 26, 2019 meeting of the Executive Council of the Florida Clerks of Court Operations Corporation (CCOC) was called to order by Executive Council Vice-Chair Tara Green at 2:00 PM (EST). Clerk John Crawford delivered the Invocation. Clerk JD Peacock called roll. Council Members present were the Honorable Tara Green, Honorable JD Peacock, Honorable John Crawford, Honorable Todd Newton, Honorable Paula O'Neil, and Honorable Pat Frank. The Honorable Ron Ficarrota and Honorable Harvey Ruvin attended by telephone. Clerk Stacy Butterfield and Clerk Kyle Hudson were unable to attend. Clerk Peacock stated that there was a quorum. Clerk Green began by letting the audience know that Chair Butterfield was called out of town on a family matter. Clerk Green wished her the best and noted that this was the first meeting she had missed.

Clerk Green had those in attendance introduce themselves. She welcomed everyone to the Executive Council meeting.

**APPROVAL OF AGENDA**

In the approval of the agenda, Clerk Green recommended a few revisions. First, Agenda Item 5 which is a report on the TCBC and Agenda Item 7 the follow-up on CCOC Executive Director' evaluation was moved and would be after the approval of the minutes. Clerk Green asked for a motion to approve the agenda and the revisions. Clerk O'Neil made a motion to approve the agenda. Clerk Newton seconded the motion. The vote was taken, and the motion passed.

**APPROVAL OF MINUTES – OCTOBER 2, 2018 AND DECEMBER 20, 2018 EXECUTIVE COUNCIL MEETINGS**

Clerk Green called upon Clerk Peacock to present the draft minutes that were in the meeting packet. He asked if there were any corrections or concerns. There were none and he made a motion to approve both meetings' minutes. Clerk Crawford seconded the motion. The vote was taken, and the motion carried.

**TRIAL COURT BUDGET COMMISSION**

Clerk Green thanked Judge Ficarrota for attending and asked if he would give his report on the TCBC. He began by saying the last TCBC meeting was February 1, 2019. The Commission received an update on the 2018-2019 budget status and voted on some components to our problem-solving Court funding implementation. Special projects were considered at the meeting for trial court funding such as online dispute resolution pilot project and classification and case study. In addition, the commission directed the Office of State Court Administrator to begin composing a strategic plan for addressing 18-19 year-end spending plan. They received an update on the Article V Revenue Estimating Conference results. The Commission also discussed and went through the Judicial Branch statutory agenda. As the Commission is getting ready for the upcoming session, they were briefed on the policy

revisions for the judicial assistance incentive plan and other operating procedures. The next meeting date has not been set. Also, as you are aware, PK Jamison has left the State Court Administrator's position and has taken a staff position with the Florida Senate. Lisa Goodner Kiel has returned and is the interim State Courts Administrator. She is looking forward to working with the clerks as well. He concluded that he hoped to have a jointly productive Legislative session this year. Clerk Green thanked Judge Ficarrotta and asked if there were any questions. There were no questions.

#### **FOLLOW-UP ON CCOC EXECUTIVE DIRECTOR**

Clerk Green moved to Agenda Item 7, pages 78-79 in the meeting packet. She began by giving some background information on addressing the evaluation of the Executive Director by the CCOC Executive Council. The evaluation was completed in January by members of the CCOC Executive Council and Clerks that led CCOC Committees or Workgroups and given to CCOC's legal counsel, Joe Boyd. An evaluation summary was conducted by the CCOC Executive Council Chair, Clerk Stacy Butterfield with Mr. Dew who is our Executive Director.

Also, as a reminder, in the recent past, Clerk's offices were experiencing budget cuts, and the CCOC hired the consultant firm Evergreen to conduct a classification survey to look at job classifications, pay grades, etc. at the CCOC. This was to make sure the CCOC was competitive with the market. Clerk Green noted that something similar was done on the FCCC side. There were some recommendations on pay classifications which the Council took action on. While efforts were made to increase pay for several CCOC staff to remain competitive, Mr. Dew asked us to not take action for any pay increase for him until such time his performance evaluation was conducted. He also asked that the Council be made aware of his reduction in take-home pay due to increased cost of FRS and no offsetting increases which meant his take-home is lower than it was in 2008. Clerk Green said there have been discussions between Chair Butterfield and Mr. Dew since he has received his evaluation and there is a recommendation from our Chair to provide Mr. Dew a pay increase. The recommendation is to take Mr. Dew's current salary and \$120,128 up to \$135,543. This will bring him in line with the mid-range salary recommendation with similar positions around Tallahassee as well as accommodating increases with FRS. This is what is on the table for Council members to consider.

Clerk O'Neil made the motion and Clerk Frank seconded the suggested increase. Clerk Green asked if there was any discussion. Clerk Frank began by stating that Evergreen is doing a study in her office. She found them to be very thorough. They told us that in some cases we were above and some cases below the pay grade. Evergreen came to a very unbiased conclusion. She relies upon this as a good guide for us. She said Mr. Dew has done an excellent job. He understands the Legislature and has come from areas that Clerks must deal with and this is a very strong asset. Clerk Peacock noted that the amount was not \$135,543, but 134,543. He wanted to make sure that it was noted. Clerk Peacock continued that in the 4 years he has been a Clerk, he has gotten to work with Mr. Dew on the Budget Committee and as Treasurer of the Executive Council. He clearly supports this motion because he sees the work that Mr. Dew does internally for the organization and as well as relationships. He has a strong relationship with the Courts. His team has done good work with the Legislative responses. It is on behalf of that work that is the stature needed to correct some of the concerns for our budgetary concerns. He gives Mr. Dew credit for that and certainly with all the movement in Tallahassee we need to be sure we are competitive and make sure Mr. Dew stays and

does not take on another opportunity. Clerk Green noted that this was a good point and that we also need to poise this position should John decide to move on to the pastures of retirement. Increasing the salary of the Executive Director's position will help CCOC be marketable in Tallahassee.

Clerk O'Neil asked Clerk Peacock how this would affect the CCOC budget. He stated that CCOC is currently under spending this year's budget due to some personnel moves within CCOC. Currently, for the one quarter, CCOC is under budget by \$50,000. Just that first quarter would pay for this increase for the rest of this year and it will be folded into next year's budget as well.

Judge Ficarrotta spoke as the only non-clerk on the Council and he wanted to say that Mr. Dew is well respected by the Courts, by the Supreme Court, and State Court of Appeals. He has had the opportunity to work with him over the last several years. It has been a pleasure. He has seen him work in Tallahassee. His attention to detail and his ability to cultivate and work on relationships is invaluable. He is a credit to the Clerks and to this Clerk's Corporation. Clerk Green thanked him for his comments. She added that she has worked with Mr. Dew on the PIE Committee and now the Executive Council and noted that he is very devoted to the Clerks. She continued that his number one goal is to work with the Clerks to come up with reasonable solutions. She also gave feedback with the evaluation. However, as with anything, in Clerk's office there are opportunities and she did share some opportunities and she knows that Mr. Dew and Chair Butterfield had good discussions about them. She is looking forward for Mr. Dew and his staff developing continued goals to help lead the CCOC office. She appreciates his commitment to the Clerks and it has been proven beneficial.

Clerk Green said the motion on the floor is to increase the Executive Director's salary to \$134,543. For the record, Clerk Green asked if there was any discussion as to the effective date. Mr. Dew said that he believes that at the October Executive Council meeting there was a motion, and it was approved, that any such raise would be effective retroactive back to the beginning of the fiscal year. Clerk Green asked if then this would be retroactive back to that date. Mr. Dew stated that it is his understanding of the motion made at the October Council meeting and that it is reflected in the minutes that were just approved by the Council. Clerk Green just wanted to clarify that for the record it would be retroactive back. Clerk Green repeated the motion. The motion is to approve the salary increase based on the market evaluation, the Evergreen study's recommendation, and Mr. Dew's evaluation to \$134,543 effective retroactively to the date agreed to at the previous Council meeting.

Clerk Green asked Mr. Dew to give the history of his pay. Mr. Dew stated that in 2008, he had declined the 1.5% merit increase that was approved by the Council because Clerks at that time were receiving significant budget cuts and he did not want to receive a raise when others were unable to receive them. He felt that it was not right at the time to take a merit increase. That has been his approach for the last ten years as Clerks continued to see reductions in their budgets. He said he has not taken a merit increase at all since turning down the 2008 offer. He did receive a \$1000 increase that all Senior Management received from the State in 2013 and 2015. Clerk Frank thanked him for refreshing her memory and she commended him for remaining so committed during the difficult economic times. Clerk Green noted for reference that in the packet there is a history of what his current salary is as well as a timeline of either turning down an increase or additional increase.

Clerk Green stated that the motion was on the floor and asked if there were any more questions. Hearing none, the vote was taken. The motion passed unanimously.

### **TREASURER'S REPORT**

Clerk Green asked Clerk Peacock to give the Treasurer's Report. Clerk Peacock had three primary reports to give. First, is the CCOC budget. Currently, the report shows that at 1/3 of the way through the fiscal year, the CCOC has spent a little over 30%. That attributes to a little over \$49,000 of underspending of the budget so far. He took the opportunity to mention that in the budget report there have been a couple of changes made this fiscal year. The change of the IT staff member. The team is changing direction in that role and that freed up some dollars. He wanted to make mention of the staff in the budget report. As part of Mr. Dew's performance, he was graded on the quality of the staff that supports the CCOC. The support team he has put in place is very qualified and doing great work. Mr. Dew consulted with me and other leadership members, we made a change in the role of the Executive Assistant. We felt that Mary Baker performs the role of Office Manager for the CCOC. She manages a lot of the different parts of the process. As Treasurer, he works with her reviewing all the CCOC financials and keeps track of our insurance relationships as well as our contractual ones. With the change in her role, there was a slight salary increase. All this was inside the approved budget. He wanted to mention the staff and how much we appreciate them. It is a testament to Mr. Dew with the staff he has brought in.

The team we bring around us is what makes us. One final comment about the budget, since the change in the IT Director's role, he wanted to note that we are looking into some sort of platform from a data collection-data management software package of some sort. We are looking at something to replace the old data base system called PABS which is not being used. We still have a very manual process of reporting to CCOC. He will bring back this to the Council. It may go out as an ITN to bring people in that can help us to define how we need to do data collection. One of his goals as Treasurer and working with the team is to make sure that anything we put in place focuses putting less effort on Clerks' staff with the reporting piece. As CCOC works on a new and improved solution, a critical goal for him is to make sure it is easy on Clerks' staff to report the information. There are dollars available, but the big push will be in the next fiscal year.

Clerk Peacock made a motion to approve the budget report. There was a second from Clerk O'Neil. Clerk Green asked if there was any discussion. Hearing none, the vote was taken. The motion passed.

Next Clerk Peacock spoke about the financial audit report for the fiscal year 17-18. It was a clean audit and is available for your review in the meeting packet. There were no findings and the health of the organization is good as indicated in the report. The audit was done by Lanigan & Associates.

An area concerning the budget of the CCOC office that he also wanted to bring to the attention of the Council was Clerk Peacock stated there was a push last Legislative session to limit travel expenses for state agencies and the judicial branch. There was a discussion between Clerk Peacock and Mr. Dew that CCOC does not have a formal policy limiting travel expenses for Council members and Clerks traveling on behalf of CCOC. He continued that for

the Council's review, discussion and input, a recommendation was made to put in the travel policy a ceiling for lodging expenses. This would be for internal travel of staff and for Council and Committee members. We have since started a conversation and requested that an amendment be put in place limiting lodging to \$150 per day. This number is used by the State and the Courts and that was going to be our recommendation. However, there was research done looking at the cost of hotel stays in Tallahassee especially during Legislative session and it is hard to limit lodging to \$150. The rates were checked. As Treasurer, he thought it was a good idea to have the conversation to do due diligence with the public's dollars, following the trends of the Legislature and the Courts, but there are times when there are no rooms at \$150 in Tallahassee. In the recommendation the cap for lodging is \$150 per day, with the exception the Executive Committee can approve above that.

This is for the discussion of the Council. He asked if it needs to be under \$150 or should it be more, or should we even entertain the idea? He noted that the recommendation is to take the language of \$150 cap per day for lodging and with the ability of the Executive Committee to approve above that. The justification could be during Legislative session. He is not sure if there needs to be a motion. Clerk Green stated that it was at the discretion of the Council. She made additional comments being a Clerk that travels to Tallahassee. She asked the Council members if they had any comments. Clerk O'Neil asked if it would include a resort fee. Clerk Peacock said it would not include fees or parking. Clerk Green stated that she thinks that the Legislature meant traveling outside Tallahassee not traveling to Tallahassee. Clerks travel is to Tallahassee a lot of times. She had asked John prior to this meeting to do a survey and check the pricing of hotel rooms at this time of year when we would be traveling to Tallahassee. The rates were much higher than the \$150. She is supportive of the \$150 and comfortable with the inclusion of the authority to approve the reimbursement if the room is higher. Clerk Frank said that she thinks that this should be made tight and that this is something the Legislature could criticize the Clerks on if we don't to our best to stay within certain limits. However, she said she does not think that there should be any action today. It should go back to the Budget Committee and define the exception and the circumstances so there is a justification for it not just open-ended for a decision to be made by a few people. Clerk Green then stated that the recommendation is to have it returned to the Budget Committee to have parameters put around what would fall within an exception for a \$150 room rate. There was no motion. Clerk Peacock will take the feedback and make the exceptions clearer. There were no further questions from the Council, the audience or those on the phone. That concluded Clerk Peacock's report. Clerk Green thanked him.

## **BUDGET COMMITTEE REPORT**

Clerk Green asked Clerk Burke, CCOC Budget Committee Chair to give his report. He started by saying that the Budget Committee has been quite active. There have been several meetings since the Council last met. There is a workgroup chaired by Clerk Jeff Smith and includes Clerk Hand, Clerk Moore-Russell, and Clerk Childers. They are helping put together an in-depth look at where we are going in this budget cycle. It has been requested by this Council to make recommendations how to go about this year's review of Clerks' budget requests. They have been tasked to make the information as easy as possible, assure we meet our Legislative mandate, and how to best

prepare our statutory requirements by the Budget Committee. He would encourage any Clerk that is interested in the work of the Budget Committee to go to the CCOC website and see the complete packet of the Budget Committee meetings. It includes the minutes from each of the meetings of this workgroup and the minutes from the Budget Committee meetings.

Clerk Frank wanted clarification on how the money Miami Dade is getting appropriated (\$1.5 million) is being paid for when it gets down to a distribution of the Clerks' funding. Clerk Burke stated that that it was outside the funding of the Clerks' Trust Fund. The Budget Committee is looking at any time a clerk has an outside source of funding, whether it be from your county commission or wherever. The Committee wants to know where you have funding coming in even when it is not reflected in the Trust Fund, so we can make sure we are comparing apples to apples as much as we possibly can. It is just not Miami Dade, but the committee would say put that \$1.5 million in your cost base, so we have their cost as the other like counties in their peer group.

Clerk Frank also noted that Clerks will be bringing in excess revenue this year beyond the projection made last July by the REC yet none of those dollars can help benefit the Clerk's budgets. She noted that they are making a decision that will allow them to get dollars that should be going to the Clerks as we have to give it to them in the end. Clerk Burke agreed. Clerk Burke said that is why the bill is being proposed this year and does two things. It puts into statute that the Trust Fund retains the money if there is an excess of money, additional revenue beyond what was estimated by the REC. Secondly, any amount that is unspent from the budget for one year would be retained in the Trust Fund. Clerk Green stated that it is a FCCC goal to get that fixed this year, so the REC would simply project the revenue and the Clerks are not capped at those revenue mechanisms that allow us to keep the money in reserve. Clerk Frank understands that but said that it is only for one year. She said the Legislature can come in next year and change. Clerk Green said that is true, but we would hope not. We hope it is a long sustainable fix.

Clerk Burke said another item that the Budget Committee is looking at is some of the external factors impacting Clerk's revenue. Miami Dade was greatly impacted by the change that the Department of Transportation did with the toll violations. It used to be that if you violated a toll, you would receive a uniform traffic citation and the Clerk had this as part of the revenue structure that the Legislature set up before 2004 to fund the Clerk's operation including criminal operations which produces very little income compared to the cost. The income structure has nothing to do with the Clerk. If you bypass one of the tolling spaces, you will receive a bill by mail based on your tag and if you do not pay then it is sent to a collections firm. The passing of the uniform traffic citation may be good policy, but it was revenue that the Legislature set up for funding of the Clerks for the criminal operation and was intended that this type of revenue would go in to help funding. The Workgroup is looking at the toll violations and any other external factors. Miami Dade made it part of their budget presentation for several years, the ticket mills that accumulated a bundle of tickets and are greatly able to reduce the amount of traffic revenue that comes in. Traffic revenue is a significant source to fund our criminal operations. The high-profile first-degree murder case generates no revenue.

Since 2008, there has been a 40% decline in traffic revenue to what it is today. There has been no alternate source of revenue coming in. The workgroup is examining that, so we can quantify it as close as possible and explain



to policy makers the importance of coming up with a new stream of revenue to replace that. That was the end of his report and asked if there were any questions.

Clerk Frank noted that Governor Scott was of the opinion that every road should be a toll road and the State should step in on that. She does not know what Governor DeSantis is proposing and if he will carry out on that same theory. To be extremely aggressive, should the Clerks be working with DOT and the Governor's office to ensure that some consideration be given. Clerk Burke answered that would be a Budget Committee issue. That would be policy from this Council to decide what they wanted to do. Clerk Burke stated that the Senate President is making a substantial push for roads to be built and funded through tolls. He thinks that the model they have with DOT by a billing process and not issuing citations is an embedded process. Clerk Frank noted that the process has been quite defective this year. Clerks do not have those kinds of problems. People are getting bills for toll violations that are one and two years old because the system is down. She continued that if they are going to ask about our efficiency, let us ask about the DOT's efficiency and let the Clerks handle it. Clerk Green said good points being made. The Clerks handle the billing process for a fee and do what the Legislature intended as a source for the criminal operation and maybe turn that collection over to us and additional compensation going to Clerks. That is a different way of thinking that we should embrace. Clerk Green said that it could be taken for analysis by the PIE Committee. Clerk Green asked if there were any other questions. There were none and she thanked Clerk Burke for his report.

#### **REVENUE ENHANCEMENT COMMITTEE**

Next was the Revenue Enhancement Committee and is chaired by Clerk Moore-Russell. Clerk Moore-Russell stated that this report was for informational purposes only. Kathryn Farynowski from the Orange County Clerk's office is chairing the workgroup and working with CCOC staff. This is a difficult time with it being session and CCOC staff resources are limited, but Kathryn has been working with staff to continue to validate various models and data that we are trying to explore for the committee. The Revenue Enhancement Committee is looking at a future funding model that will be sustainable. The workgroup is validating that model.

Clerk Green asked if she had any idea of the timeframe that we would see a first round of the model? Clerk Moore-Russell said that it really depended on the resources of CCOC and it would probably be after session. She also added that Chair Butterfield had asked if the group was actively engaged with the PIE Committee and the Budget Committee so there was no duplication of resources and that all were on the same page. Clerk Moore-Russell said that has been happening. Clerk Green thanked Clerk Moore Russell and asked if there were any questions for her. There were no additional questions.

#### **THE LEGISLATIVE COMMITTEE**

\*Clerk Green asked Jason Welty to give a brief update to the bill analyses that potentially could affect the clerks' offices. He began by noting that there are about 19 bills that he has sent out for fiscal analysis. These are bills that the House and Senate have requested analyses. He has been getting a lot of good feedback from the various clerks. He said that you will notice at times that he will ask follow-up questions of the clerks for answers when someone

else sparks a question. He thanked all and appreciates the quick response that has been provided. It truly helps when we are asked for things when the bills are moving. We are doing the fiscal side but are closely working with the FCCC on the policy side. When there is something that comes up from the policy issue or question, he makes sure to copy Sara and Jason, as it relates to those policy issues. From a Legislative Committee standpoint, we don't meet very often but we are working through emails and making sure that all the things the Legislature has thrown at us, like 920 statutes at this time, are kept up to date. Clerk Green noted that it has been Clerks' staff that has been instrumental in looking at the bills and giving fiscal analyses. She thanked clerks for allowing staff members to participate. Clerk Green asked if there were any questions. There were none.

## **PIE COMMITTEE**

Since Clerk Green is chairing the Executive Council meeting, she asked CCOC Deputy Executive Director Doug Isabelle to review the highlights of the PIE Committee. He thanked her and noted that the PIE Committee met on February 20, 2019. The materials from that meeting can be found on the CCOC website. He wanted to thank FCCC for hosting the committee meeting as well as the Budget Committee meeting the day before. More detail from the committee meeting will be given at the two CCOC sessions at this conference.

There are three items that are being brought to the attention of the Executive Council. There are two action items and one for information only. Every year CCOC brings their contracts before the Council for the following year. The RFP for Compliance and Education was pulled at the request of the chair. CCOC would like to continue its statutory requirement of providing this training. The RFP was presented at the PIE Committee meeting and asked for their input. The scope of the work is being reviewed and the RFP will be rebid for those services. The committee wanted to bring this to your attention. The second item which will need Council action has two parts. There are a lot of performance measures this year and the group discussed the process of the clerks submitting those performance measures. These are done quarterly and there are issues pertaining to the data quality with several counties that are not submitting on the due date which is typically the 20<sup>th</sup> at the end of the quarter. Approximately 20% of the Clerk's offices run late in providing the performance reports to CCOC. In January, it was even more, close to 30%. This is because there are numerous other reports due along with the performance measures on January 20<sup>th</sup>. He brings this to the Council's attention because every year a bill gets filed with the Legislature for government accountability by the Auditor General. This bill, if passed, would require the CCOC within 45 days of the end of the quarter to provide to the Legislature a corrective action plan from any Clerk that did not meet a performance measure during that quarter. For example, if this were law today, for the quarter ended December 31<sup>st</sup>, a report would have been required to be submitted by February 14<sup>th</sup>. As of today's date of February 26<sup>th</sup> we still have a number of Clerks that have not submitted their performance report forms to us.

The PIE committee discussed some options. The committee directed staff to contact a FCCC district director regarding non-compliance counties and requested the Executive Council to entertain the need for policy regarding reporting data timely and consistently. We are asking the Council to consider the need for a policy regarding timely reporting to the CCOC. Clerk Green said when reviewing all the reports, the committee looks at what report we want

to keep or not, the frequency, the performance standards and going back to the reports to that point, they are statutorily required to present reports in a timely manner. There are times when offices do not get them in on time. The committee wanted to bring back to the Council whether a policy should be established for offices that either consistently do not provide the legislatively required reports to the CCOC or consistently are late in providing those reports. That is what is on the table for the Council. She asked for any discussion.

Clerk O'Neil was not in favor of a policy until the Clerks can have a staffing level that can keep up with the work. There was no other discussion. Mr. Dew suggested that one direction you can give to staff is approval to allow them to work with the Chair to send over reports to the Legislative and meet the deadline but note there are Clerk's offices not included in the report due to our office not receiving them yet. If you want to approve that, it helps us as staff to send the report timely. Clerk Green said that was a good point of clarification. She noted that currently, CCOC holds back on turning over the final report waiting for all counties to respond. Mr. Dew is suggesting that CCOC report timely to the Legislature the report and whoever has their reports in on time have their reports in on time and those that do not have their reports in on time, do not have their reports in on time. Mr. Dew said it understands that some Clerk's offices are not staffed properly, and we could point this out. Clerk O'Neil asked if there were any stats on how late certain Clerk's offices are in submitting the reports. Clerk Green noted that Doug has the information on a normal PIE report. Marleni Bruner, of the CCOC, stated that there were 5 or 6 reports that were 30 days late. Mr. Isabelle said we are still missing a half dozen reports that were due on the 14<sup>th</sup> and here we are on February 26<sup>th</sup>. He acknowledged that yes, they can just put missing. Clerk Crawford asked what we currently do when a county does not report in a timely manner. Mr. Dew said that there was a process in place. Leonard Carper from CCOC sends emails reminding that the reports are due. If there is no response by the third email, he bumps it up to Mr. Dew or Mr. Isabelle. They try to set up a telephone call. If there is still no response, it is bumped up to leadership, to the Chair for assistance. Clerk Crawford asked what the penalty to the Clerk or CCOC is. Clerk Green said nothing yet, but like it was said that each year there is a bill that is proposed for the accountability piece with the time frame. Mr. Dew did note that CCOC gets audited by the Auditor General's office at least every three years and for the last three audits, they have found that a number of Clerks are not reporting timely. So, they write that up and mention the specific Clerk's office in the public report. Clerk Crawford asked if it was the same Clerks over and over. Clerk Green said typically it is the same counties. Mr. Dew said he does appreciate the concept of going to the FCCC District Leadership coming from the PIE Committee. It is a concept that helps Clerks educate Clerks on the importance of providing these reports. It is a good way for Clerks to be talking to Clerks about how this affects all of us and ask what can be done to help. When the Auditor General keeps bringing this up each year as part of the Legislative bill, it is clear that they believe this is a priority and should be addressed.

Clerk Frank asked specifically what reports the Clerks are not submitting. Mr. Isabelle stated that there are several performance reports that are due to the CCOC. They are Outputs Timeliness, Collections report, and Jury report. She stated that many of the Clerks have not met standards because of funding. She continued that you can set all the standards you want, but if the people are not there to do it, it's not going to work. Clerk Green noted that a lot of Clerks are not meeting standards and are trying to shift their resources to cover the workload. But this is the

reporting of this information to the CCOC. She continued that this is a report that CCOC provides. It is part of the quarterly Performance Measures and Action Plan. It is timeliness of cases filed, filing new cases, outputs, docketing, etc. that goes to the CCOC so they can put it into the statewide report which they post on the website and provide to the Legislature. Clerk Green continued that reporting of the standards are two-fold. One is so we can meet our statutory duties in reporting this information to the Legislature. But also, we can see internally how we are performing and where we have issues and we can add that into a Legislative agenda to say we are not even meeting our own standards because the Clerks do not have enough people. We have seen over the last couple of years, Clerks go up in one area and down in another. That is the importance of the reporting of this information.

She noted it was a FCCC District Director that made the recommendation to the PIE Committee on how to try and rectify how we can get the reporting done consistently and timely from all the offices. The PIE Committee wanted to bring this back to the Executive Council to get a policy around that. We have talked today about a policy being considered and Clerk O'Neil said no until we have resources available or the other is to consider letting CCOC submit their report to the Legislature timely and not wait for the reports to come in from the Clerks. Clerk Green noted that the staff does make an effort to reach out to Clerks' offices to say we have not received your report and offer help. Clerk Green asked do we want a policy or not. If we want some sort of policy, we give direction to the CCOC staff. Clerk Frank suggested that we submit the CCOC's collection of data and have an appendage to it even if it's just one line. The Clerk writes something to explain why it was not done. Just a short synopsis of why it was not done. Clerk Green asked if this was in the form of a motion? She summarized the policy as letting the CCOC submit their reports timely on their behalf and if Clerks cannot submit timely, give them the opportunity to give a small comment as to why they could not submit in a timely manner. Clerk Frank said yes. Clerk Green said that there is a motion on the table. Clerk O'Neil seconded the motion. Clerk Green opened the floor for discussion. Clerk O'Neil said that instead of using the term "missing" use "did not receive report by deadline" and at the appendage if clerks wanted to explain the challenges. The motion was amended and accepted by Clerk Frank. Clerk Green asked if there was any more discussion. Clerk Crawford asked Mr. Dew what will be the feedback from the Legislature to you? Mr. Dew stated that part of this issue came up in the PIE Committee because they were frustrated from not getting complete data. He is not sure how much feedback he will get back from the Legislature. The bill they have out there is for the third year, so he expects it will pass this session. Certainly, we have a statutory deadline to submit a report on collections. Clerk Newton noted that his office had been on time consistently. However, as he has started losing staff, he is starting to see issues. He can empathize with counties that are struggling because he missed the deadline recently. He struggles with this issue and understands where some counties are. Clerk Green asked him if he finds it beneficial to be able to explain like Clerk O'Neil has added to the motion, that I am unable to provide this report in this timeframe because I am down two staff members. He thinks that it is beneficial, but he is questioning how this reflects on counties that can respond. Clerk Green said that was a good question. There were no more questions and the vote was taken. The motion carried.

Mr. Isabelle continued now that the reports are to us, CCOC has typically done the quarterly reports with pie charts, trend lines, etc. and because of how the data comes in, you will see some of the issues that we will be

discussing at one of our sessions. The report becomes very time consuming to put together and put closure on and he is not sure how much it is read by the Clerks, Legislature, and Public. It has been suggested by the PIE Committee that we need to make the report more concise in order to meet a deadline change if the bill passes. The Committee agreed the report should be short and just contain a cover letter, the list of Clerks not meeting performance standards, and their action plans, instead of putting together a summary with a bunch of pie charts, etc. It will strictly be a report and if they have any questions, we will answer them later. Clerk Green stated that the motion on the table is to allow the CCOC to limit the quarterly performance reports to just provide a cover letter with all the supporting data that already exists in the report today and not be required to do all the pie charts, summaries, etc. that we feel are not being used. It would start October 1<sup>st</sup> of this year. We will finish up this year with the normal quarterly reports and then begin the next fiscal year. Clerk O'Neil asked if you could just say, just number of counties that were on time. She asked if you have to list who was not on time. Clerk Green stated that currently we do not call out the counties. Mr. Isabelle said if we follow this process then there would be an "appendix like" format with all the data and if a county is missing, it is missing. We would say here is the report and action plans, if you have any questions, we are here to answer them. Mr. Dew said that the law says, when the Corporation finds that a clerk has not met the workload performance standards, the corporation shall identify the nature of each deficiency and any corrective action recommended and taken by the affected clerk. Clerk Green said that Clerks provide that to the CCOC and we would provide that information in data form in addition to a summary form. Clerk Peacock made the motion. Clerk Crawford seconded the motion. She asked if there was any discussion and there was none. The vote was taken, and motion passed. Clerk Green thanked Mr. Isabelle.

#### **ELECTRONIC NOTIFICATION PLATFORM WORKGROUP**

Clerk Green asked Clerk Peacock who is heading up this workgroup to give his report. He started by saying the cone of silence for the ITN from OSCA has been lifted while we have been sitting here. The reason it has been finally lifted, is we had a meeting of the advisory committee which was made up of three clerks and three judges. The clerks were Clerk Moore Russell, Clerk Crawford and himself. They met at the Supreme Court to have a presentation from the vendor who best fit the technical review to provide the services. At the end of that presentation, the committee gave direction to OSCA to narrow what they put out. In the ITN, they asked for a e-notification system that would do both criminal and civil notifications for court events which would require a string of data coming from the clerks either all 67 or one CCIS plus 20 judicial calendaring systems from the different circuits. The recommendation through the conversation with the vendor, narrowed that focus down to just criminal in the beginning. The direction to OSCA was to enter negotiations with the successful vendor and do a phased approach. Phase 1 would have one task to study what we have with a single string of data from CCIS and only notifying criminal case events with four clerks being in a test or pilot. At the end of that task, then we would have enough information for the vendor to tell us how they would design the system to do it. That would be the only task we will be contracting with the first phase. Based on the conversation with this vendor, they felt they could get this done in six to eight weeks which would put us in the back end of the legislative session. This would give us the ability to provide a report to Senator Brandes's committee on the work that had been done and the path forward for this project. OSCA entered into negotiations with SGS out of Jacksonville. As we have been sitting here, Steve Hall of OSCA said that they negotiated with SGS

for the one phase/task. They are now in the 72 hours of review before they sign the contract. Since the cone has been lifted, he has sent the package to Doris with all the technical specs of things, so she can get it out to all our technology team. We have not been able to provide the specs until now. He is expecting to discuss this on the Friday Tech call related to how OSCA put together the technical capacity of as well as the cost. The vendor's bid was about \$550,000 for a full-on project. We cut down that bid to one phase/task and can explain to Senator Brandes what we anticipate the designed system to be and what it would do. Clerk Green asked if this was going to be scoped out by pilot counties or is this rolling out to all counties. Clerk Peacock responded that the focus will be on the four pilot counties to do the testing. He continued that we are not to the point of using it yet. The first phase of the contract is working with stakeholders to figure out how the platform is going to get the data stream out from a single source and then the design that they will have to do to make it work. They are going to tell us what we will need to move forward and build the platform. We are not contracting with them to build it yet. That will be after Legislative session and probably outside the window to do the financing which will be a one-time thing. So really, we have effectively hired a consultant to document how to build it. Clerk Green asked if there were any questions for Clerk Peacock. There were none and she thanked him for that report.

#### **REVIEW OF THE CCOC PAY and CLASSIFICATION POLICIES**

This item was brought up at the October Executive council meeting. Clerk O'Neil was asked to chair this workgroup. Clerk Green asked Clerk O'Neil to give an update. She noted that there are four HR Administrators from clerk's offices that are helping with the workgroup. They are Karen Jaye from Clerk Doggett's office, Lisa Turner from Clerk Bock's office, Deena Faulkner from Clerk Green's office and Terry Ponder from her office. She thanked the clerks. She noted that the group is hoping to meet in two weeks. She asked for further direction. We are not looking at the pay, we are just looking at the benefits. Clerk Green said yes that the group was only looking at the benefit policies. That was the original task. She asked if there were any questions for Clerk O'Neil. There were no questions and she thanked Clerk O'Neil.

#### **FCCC/CCOC LEADERSHIP MEETING**

Clerk Green asked Mr. Chris Hart of the FCCC to speak. She noted that Chair Bock and Chair Butterfield were not in attendance at today's meeting and would like Mr. Hart and Mr. Dew to give a summary of the FCCC/CCOC Leadership meetings that have been taking place. Mr. Hart began by saying the monthly meeting that takes place between the FCCC and the CCOC is reaping some real benefits. The groups have not historically had the best of relationships between entities and that is just not something that should be sustained. There is a symbiotic relationship and is important that the groups work together, and these meetings do this. Both Clerk Bock of the FCCC and Clerk Butterfield of the CCOC are committed to these meetings. In the meetings, Jason Harrell, John Dew, Doug Isabelle and Jason Welty are there. The idea behind the meetings is to allow each organization to put forward some of the agenda items that need a little more clarification from the other organization. Sometimes there is a discussion on things that might impact both organizations. The meetings last about an hour. John, Doug and Jason come to the FCCC office and Clerk Bock and Clerk Butterfield call in. By them coming to the office, it allows your professional team to build on a working relationship. John thanked Mr. Hart and agreed that this has been very beneficial to the organizations. He noted that he and Mr. Hart are in contact weekly. It is beneficial to have both

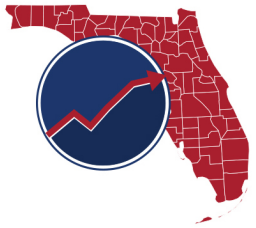
leaderships sit down and go through the issues that affect the Clerks from the FCCC side and the CCOC side. On page 79 of the packet, it gives the agenda and the issues discussed. The next meeting is March 26, 2019. He appreciates that the entities are working well together. Clerk Green asked if there were any questions. She thanked them both for the report.

#### **OTHER BUSINESS**

Clerk Green noted that she had an item to add. She wanted to add the review and approval of the 17-18 Annual Agency Collections Report. This is one of the reports that was just being discussed that we provide to our legislators. The report needs to be approved by the Executive Council. It is located in the back of the packet. Clerk O'Neil made the motion and Clerk Peacock seconded. There was no discussion and the vote was taken. The motion passed unanimously.

Clerk Green asked if there was any other business to be brought before the Executive Council. There was none. Clerk Ruvn made a motion to adjourn the meeting. It was seconded. The meeting ended at approximately 3:45 PM EST.

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## AGENDA ITEM 3

**DATE:** June 24, 2019  
**SUBJECT:** Corporation Treasurer's Report  
**COUNCIL ACTION:** Accept and Approve Finance Report, 19-20 Proposed Budget, and Workplan

### OVERVIEW:

Each Council meeting the CCOC Treasurer provides an update of the current fiscal year budget. Prior to the Annual Corporation meeting the Treasurer also provides the next fiscal year's budget request in consultation with the CCOC Executive Director and Work Plan. Section 4-1(B) of the CCOC Plan of Operations notes that "the Corporation, at its annual meeting shall adopt an annual operating budget and program work plan for each fiscal year as presented by the Executive Director and recommended by the Council".

- a. CFY 18/19 Financial Report- Through 8 months of the fiscal year the CCOC has expended approximately 60% of our budget authority. We will stay within the approved budget authority of \$1.6 million.
- b. CFY 19/20 Budget Request- The Corporation Budget (\$1,617,097) has not increased in nearly 10 years and is operating on less budget authority than it had in the 09/10 budget (\$1,730,586). For the first time in 10 years we are seeking a budget increase. However, most of these dollars are for a one-time non-recurring cost. The budget request is for \$1,732,097. We are requesting a one-time expense of approximately \$100,000 to hire a consultant related to the establishment of a stable database as our current PABS database is not usable. We also are requesting dollars for any payout if the Council approves the Corporation office of moving to a PTO policy. This would be less than \$45,000 and be a one-time non-recurring cost. Finally, we ask that the Council agree to having approximately \$18,000 in the budget if during the year the Council approves any cost of living, merit increases, or salaries bumps to bring some staff pay up to the salaries recommended by the Evergreen Study.
- c. CFY 19/20 CCOC Workplan. Priorities for CFY 19/20 for the CCOC office are found on the next page.



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## AGENDA ITEM 3 – CORPORATION TREASURER'S REPORT

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These priorities are subject to change contingent on the Executive Council leadership and direction, legislative actions, and other factors.

- A. If requested, be prepared to provide data and historical information to OPPAGA and their vendor for the legislatively required review of the Clerk of Court processes.
- B. Per new legislative requirement, work with Clerks to provide data to the CCOC that conduct a reinstatement of a driver's license program to have this data as part of the CCOC's annual report.
- C. Continue to implement as possible CCOC Office Organizational Restructure, staffing plan, and salaries based on Evergreen Study.
- D. Develop a long-range 5-year strategy plan for the Corporation Office.
- E. Review and implementation of revised Office Policies and Procedures.
- F. Continue to work with Clerks on verifying and documenting Clerk's case-related workload.
- G. Per legislative requirement, continue to coordinate with OSCA for the operation, maintenance, and enhancement of an information technology platform to electronically transmit alert reminders and information to individuals involved with the state court system.
- H. Continue working with State and Clerks on Juror funding program. Seek a more streamlined and less complicated process. Both for the budget side and the allocation method.
- I. Continue to work on funding options for Clerks to help assure long-term stable funding.
- J. Continue to work with FCCC leadership in seeking joint solutions to help resolve Clerk's issues and working with the Legislature.
- K. Continue to provide professional support to the Clerks, Legislature, and other entities seeking information related to Clerk's budgets and performance.
- L. Staffing various CCOC Committees and Executive Council.
- M. Continue improvement of CCOC Website, social media forms, and branding.

### **ATTACHMENTS:**

- 1. CFY 18-19 Financial Report
- 2. CCOC CFY 19-20 Budget Request

**CCOC Budgetary Report**  
**County Fiscal Year 2018 - 2019**  
**(October 1, 2018 - September 30, 2019)**

	Budget Category Amount	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Year to Date Expenditures	(%) of Budget Expended
<b>CCOC STAFF:</b>	\$864,441.46	\$81,695.35	\$86,254.59	\$62,971.05	\$66,029.87	\$66,267.38	\$79,877.37	\$68,666.09	\$67,451.01	\$579,212.71	67.00%
Executive Director	\$134,543.00	\$10,010.67	\$10,010.67	\$10,010.67	\$10,010.67	\$10,010.67	\$17,218.17	\$11,211.92	\$11,211.92	\$89,695.36	66.67%
Deputy Executive Director	\$106,019.00	\$8,834.92	\$8,834.92	\$8,834.92	\$8,834.92	\$8,834.92	\$8,834.92	\$8,834.92	\$8,834.92	\$70,679.36	66.67%
Information Systems Director	\$80,500.00	\$13,312.80	\$7,120.80	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20,433.60	25.38%
Budget & Communications Director	\$82,915.00	\$6,708.33	\$6,708.33	\$6,708.33	\$7,269.28	\$6,909.58	\$6,909.58	\$6,909.58	\$6,909.58	\$55,032.59	66.37%
Budget Manager I	\$37,867.60	\$3,155.63	\$3,155.63	\$3,155.63	\$3,155.63	\$3,155.63	\$3,155.63	\$3,155.63	\$3,155.63	\$25,245.04	66.67%
Budget Manager I	\$46,865.00	\$3,935.42	\$3,905.42	\$3,905.42	\$3,905.42	\$3,905.42	\$3,905.42	\$3,905.42	\$3,905.42	\$31,273.36	66.73%
Budget Manager I	\$46,865.00	\$3,905.42	\$3,905.42	\$3,905.42	\$3,905.42	\$3,905.42	\$3,905.42	\$3,905.42	\$3,905.42	\$31,243.36	66.67%
Sr.Budget Manager	\$67,380.48	\$5,615.04	\$5,615.04	\$5,615.04	\$5,615.04	\$5,615.04	\$5,615.04	\$5,615.04	\$5,615.04	\$44,920.32	66.67%
Executive Assistant/Human Resources	\$40,500.00	\$2,991.79	\$2,991.79	\$2,991.79	\$2,991.79	\$3,375.00	\$3,375.00	\$3,375.00	\$3,375.00	\$25,467.16	62.88%
Internal Revenue(Corporation Responsibility)	\$50,000.00	\$4,402.87	\$4,835.13	\$3,819.71	\$3,801.57	\$4,013.62	\$4,233.25	\$4,226.68	\$3,754.26	\$33,087.09	66.17%
Retirement, Benefits, Workers' Comp and Other	\$190,000.00	\$18,822.46	\$29,171.44	\$14,024.12	\$16,540.13	\$16,542.08	\$22,724.94	\$17,526.48	\$16,783.82	\$152,135.47	80.07%
<b>OPS STAFF:</b>	\$22,000.00	\$936.25	\$4,076.25	\$6,408.75	\$5,931.25	\$10,130.00	\$5,811.25	\$3,786.25	\$4,128.75	\$41,208.75	187.31%
<b>GENERAL EXPENSES:</b>	\$85,159.54	\$5,343.74	\$4,429.76	\$4,716.91	\$3,716.26	\$4,076.50	\$6,539.19	\$6,584.47	\$6,628.22	\$42,035.05	49.36%
Rent (including Utilities)	\$45,159.54	\$3,023.50	\$3,368.74	\$3,474.97	\$3,311.23	\$3,339.56	\$3,324.18	\$3,331.26	\$3,365.41	\$26,538.85	58.77%
Communications (+ Internet and Phone)	\$5,000.00	\$437.56	\$237.97	\$346.52	\$306.63	\$393.10	\$303.41	\$302.05	\$320.50	\$2,647.74	52.95%
Equipment, Supplies and Other	\$35,000.00	\$1,882.68	\$823.05	\$895.42	\$98.40	\$343.84	\$2,911.60	\$2,951.16	\$2,942.31	\$12,848.46	36.71%
<b>TRAVEL:</b>	\$60,400.00	\$2,834.72	\$666.82	\$940.78	\$1,152.51	\$3,978.89	\$3,243.58	\$3,023.51	\$683.08	\$16,523.89	27.36%
<b>STAFF TRAINING:</b>	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
<b>CONTRACTUAL EXPENSES:</b>	\$225,563.00	\$12,332.06	\$12,015.27	\$10,030.84	\$14,097.50	\$18,007.50	\$8,511.50	\$8,680.00	\$8,822.50	\$92,497.17	41.01%
General Counsel	\$111,000.00	\$6,177.50	\$7,015.00	\$6,182.50	\$6,662.50	\$5,020.00	\$3,387.50	\$2,565.00	\$3,087.50	\$40,097.50	36.12%
FY 18-19 Survey, Reporting, and Other Services	\$103,563.00	\$6,154.56	\$5,000.27	\$3,848.34	\$7,435.00	\$4,987.50	\$5,124.00	\$6,115.00	\$5,735.00	\$44,399.67	42.87%
Audit Services	\$11,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,000.00	\$0.00	\$0.00	\$0.00	\$8,000.00	72.73%
<b>EDUCATION SERVICES</b>	\$354,533.00	\$0.00	\$0.00	\$40,770.00	\$61,770.00	\$0.00	\$0.00	\$0.00	\$101,100.00	\$203,640.00	57.44%
<b>TOTALS:</b>	<b>\$1,617,097.00</b>	<b>\$103,142.12</b>	<b>\$107,442.69</b>	<b>\$125,838.33</b>	<b>\$152,697.39</b>	<b>\$102,460.27</b>	<b>\$103,982.89</b>	<b>\$90,740.32</b>	<b>\$188,813.56</b>	<b>\$975,117.57</b>	<b>60.30%</b>

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

*J. De*  
6/12/19

*WP*  
6/12/19

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## CCOC Budget County Fiscal Year 2018-2019 (October 1, 2018 - September 30, 2019)

	Budget Category Amount
<b>CCOC STAFF:</b>	\$864,441.46
Executive Director	\$120,128.00
Deputy Executive Director	\$106,019.00
*IT Services Manager	\$80,500.00
Budget and Communications Director	\$82,915.00
Budget Manager II	\$67,380.48
Budget Manager I	\$37,867.50
Budget Manager I	\$46,865.00
Budget Manager I	\$46,865.00
Executive Assistant/Human Resources	\$35,901.48
Internal Revenue(Corporation Responsibility)	\$50,000.00
Retirement, Benefits, Workers' Comp and Other	\$190,000.00
<b>OPS STAFF:</b>	\$22,000.00
<b>GENERAL EXPENSES:</b>	\$85,159.54
Rent (including Utilities)	\$45,159.54
Communications (+ Internet and Phone)	\$5,000.00
Equipment, Supplies and Other	\$35,000.00
<b>TRAVEL:</b>	\$60,400.00
<b>STAFF TRAINING:</b>	\$5,000.00
<b>CONTRACTUAL EXPENSES:</b>	\$225,563.00
General Counsel	\$111,000.00
FY 19-20 Survey, Reporting, and Other Services	\$103,563.00
Audit Services	\$11,000.00
<b>EDUCATION SERVICES:</b>	\$354,533.00
<b>TOTALS:</b>	<b>\$1,617,097.00</b>

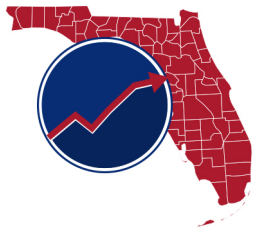
## CCOC Budget Request County Fiscal Year 2019-2020 (October 1, 2019 - September 30, 2020)

	Budget Category Amount
<b>CCOC STAFF:</b>	\$ 874,441.46
Executive Director	\$134,543.00
Deputy Executive Director	\$106,019.00
Budget and Communications Director	\$82,915.00
Senior Budget Manager	\$67,380.48
Budget Manager I	\$37,867.50
Budget Manager I	\$46,865.00
Budget Manager I	\$46,865.00
Human Resources/Finances/Assistant	\$40,500.00
Internal Revenue(Corporation Responsibility)	\$55,000.00
Retirement, Benefits, Workers' Comp and Other**	\$256,486.48
<b>OPS STAFF:</b>	\$22,000.00
<b>GENERAL EXPENSES:</b>	\$85,159.54
Rent (including Utilities)	\$45,159.54
Communications (+ Internet and Phone)	\$5,000.00
Equipment, Supplies and Other	\$35,000.00
<b>TRAVEL:</b>	\$60,400.00
<b>STAFF TRAINING:</b>	\$5,000.00
<b>CONTRACTUAL EXPENSES:</b>	\$330,563.00
General Counsel	\$111,000.00
***FY 17-18 Survey, Reporting, and Other Services	\$203,563.00
Audit Services	\$16,000.00
<b>EDUCATION SERVICES:</b>	\$354,533.00
<b>TOTALS:</b>	<b>\$1,732,097.00</b>

\*IT Services Manager Position was deleted during FY 18/19 . This position will not appear on the 19-20 Budget.

\*\* We have included dollars for pay out if Council approves transition to PTO process. Also 3% merit or COL for employees if approved by Council at a later date.

\*\*\* We expect to hire a technology consultant group to help develop a data base for Clerks to more easily submit data and CCOC/Clerks access such data. \$100,000 non-recurring



# CCOC

FLORIDA CLERKS OF COURT  
OPERATIONS CORPORATION

**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

HARVEY RUVIN, ESQ.  
MIAMI-DADE COUNTY

VACANT  
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PASCO COUNTY

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## AGENDA ITEM 4(a)

**DATE:** June 24, 2019  
**SUBJECT:** Budget Committee Update  
**COUNCIL ACTION:** For Informational Purposes Only

### OVERVIEW:

1. Current year revenue – Clerks collected \$412.9 million through April 2019, which is \$10 million over current revenue estimate forecast. With four months remaining in the fiscal year, the revenue picture is positive and, collectively, it seems the clerks will bring in enough revenue to meet the authorized budgets.
2. CFY 2019-20 budget request is \$465.5 million – The request is \$40.9 million or 9.6 percent greater than last year's operational budget of \$424.6 million. Technical reviews are complete and CCOC started the analysis of the current year budget and next year's request.
3. Article V Revenue Estimating Conference will meet in mid- to late-July. Currently, CCOC revenue projections are very strong and continue to trend upward. Revenue estimates could be over \$420 million, which is almost a 2 percent increase over the current estimate.
4. Case counting workgroup continues to work with counties to ensure accurate reporting of data.

**COUNCIL ACTION:** For informational purposes only

**LEAD STAFF:** Jason L. Welty, CCOC Budget and Communications Director

### **ATTACHMENTS:**

1. April Revenue Report

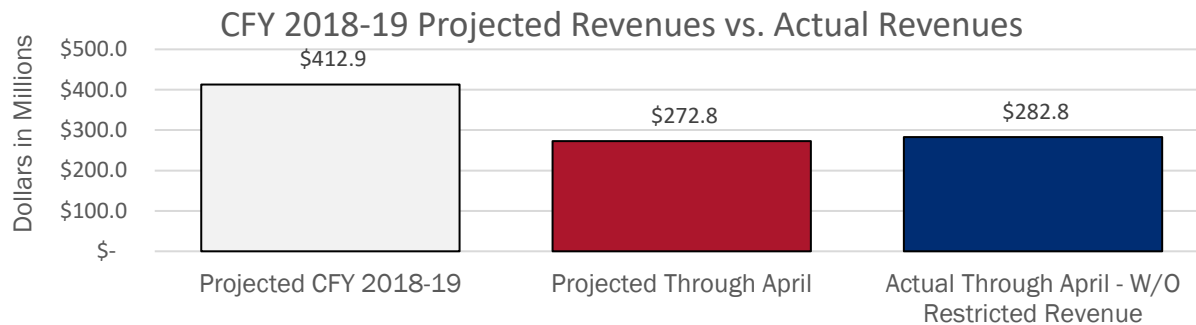




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## MONTHLY REVENUE REPORT April 2019

The August Article V Revenue Estimating Conference projected the clerks to collect a total statewide revenue of **\$412.9 million** for CFY 2018-19. April 2019 is the eighth month of the twelve months used for the CFY 2018-19 budget revenue.



- Total revenues reported for April 2019 were **\$38,088,253.86**
  - This is approximately **\$2.9 million, or 8.3 percent** above the REC monthly projection and does not include restricted Ch. 2008-111, L.O.F., revenues.
- Through the first eight months, the REC expected clerks to collect approximately **\$272.8 million**. Actual revenues are **\$282.8 million**, which is **\$10 million above** expectations or **3.67 percent** above the eight-month projection.

### Compared to March 2019

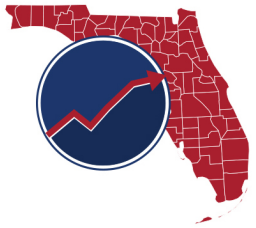
- Revenues were down **\$1.5 million or 3.85 percent**, compared to last month.
  - The average drop between March and April over the last three years is 14.1 percent.
- The Criminal Traffic court division was down **\$543,940.56**, compared to last month.

### Compared to April 2018

- Revenues were up **\$1.6 million, or 4.35 percent**, year-over-year.
- Court divisions with April year-over-year increases include:
  - County Civil – \$896,010.88
  - Civil Traffic – \$240,435.65
  - Circuit Criminal – \$143,895.89

### Year to Date

- The County Civil court division is up over **\$12 million**



## AGENDA ITEM 4b

**DATE:** June 24, 2019  
**SUBJECT:** Performance Improvement & Efficiency Committee (PIE) Report  
**COMMITTEE ACTION:** Approve Three Recommendations

### OVERVIEW:

The Performance Improvement & Efficiency Committee (PIE) met via conference call on May 23<sup>rd</sup>. The Committee is moving three recommendations to the Executive Council for final approval.

**(1) COUNCIL ACTION:** Approve the CFY 2018 Qt. 1 Performance Reports for distribution and posting on the CCOC website. (See attached 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 (att.1)

- 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.
  - 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%.

Staffing the lack thereof and cross training continues to be the most cited reason for not meeting timeliness performance standards. (pp 10 and 11 of report)

**(2) COUNCIL ACTION:** Direct the PIE Chair, to work with CCOC staff to compile the quarterly action plans, post them on the CCOC website, and inform the Legislature to meet the deadline. And that the Executive Council would be made aware that the process was followed, and the Legislature was informed at their next scheduled meeting. (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>.

**(3) COUNCIL ACTION:** Approve contracting with Compliance Improvement Services (CIS) as the vendor to assist the CCOC with revenue compliance training and education. (See Attachment 3)

At the direction of Clerk Green, a work group, led by Clerk Vick drafted a request for proposal for revenue compliance education and training services which 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 Russell, 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 confirmed 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.

**OTHER PROJECTS FOR INFORMATION**

The Committee also directed CCOC staff to reach out to OPPAGA and help with their study that is directed by SB 2500. And the Committee agreed for the PIE Chair to move forward to schedule a workshop to address HB 7125 Driver's License Reinstatement days in anticipation of being signed by the Governor.

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

**ATTACHMENTS:**

1. CFY 2018-19 Quarter 1 Performance Measure Report
2. CS for SB 7014, excerpt
3. Draft Revenue Compliance Education and Training Contract





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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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POLK COUNTY  
EXECUTIVE COUNCIL CHAIR

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CLAY COUNTY  
VICE-CHAIR

JD Peacock, II  
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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.

### List of Performance Measures Reports and Standards

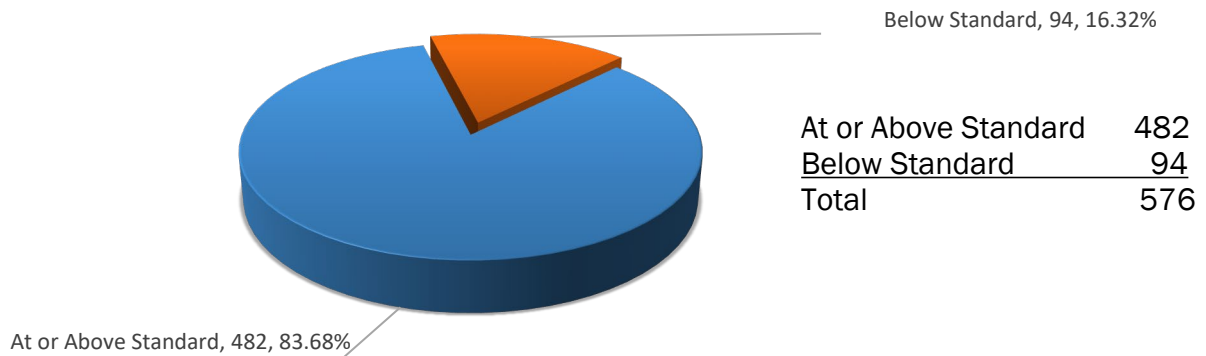
Court Division	Performance Standard Annual Collection Rate	Timeliness for Filling New Cases	Timeliness for Docketing Cases
Circuit Criminal	9%	80% -2 bus. days	80% -3 bus. days
County Criminal	40%	80% -3 bus. days	80% -3 bus. days
Juvenile Delinquency	9%	80% -2 bus. days	80% -3 bus. days
Criminal Traffic	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:

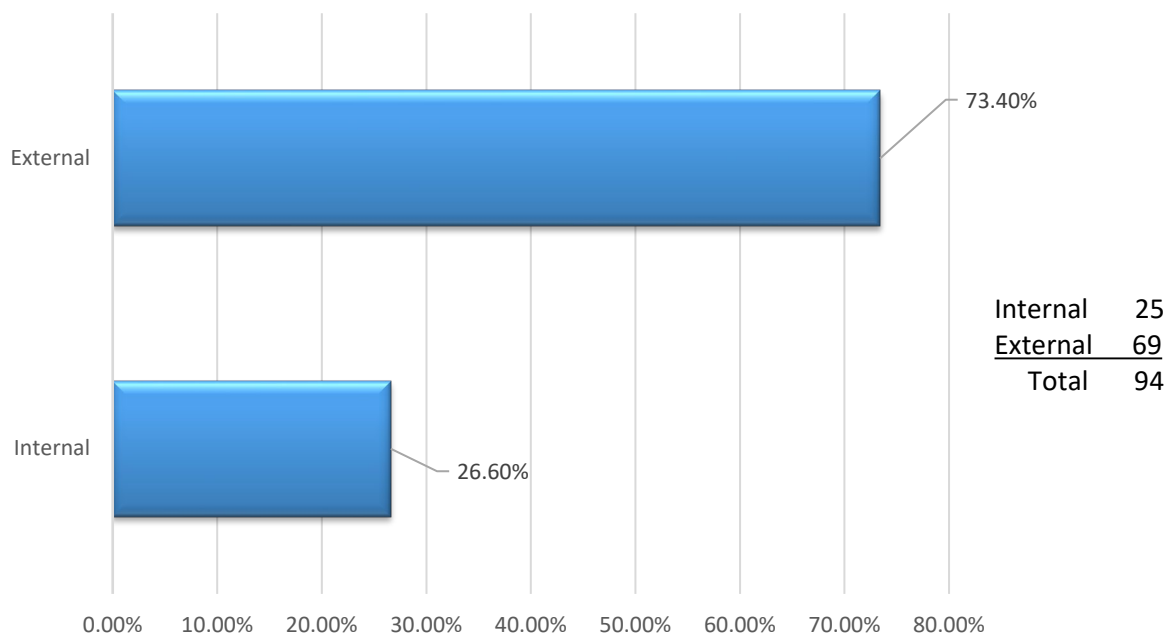
- “Internal” – Reasons are inter-office and controllable. Internal reasons will require an “Action to Improve” and a detailed explanation of the reason why the standard was not met and an expected duration of time to have this reason resolved.

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

- “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.

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

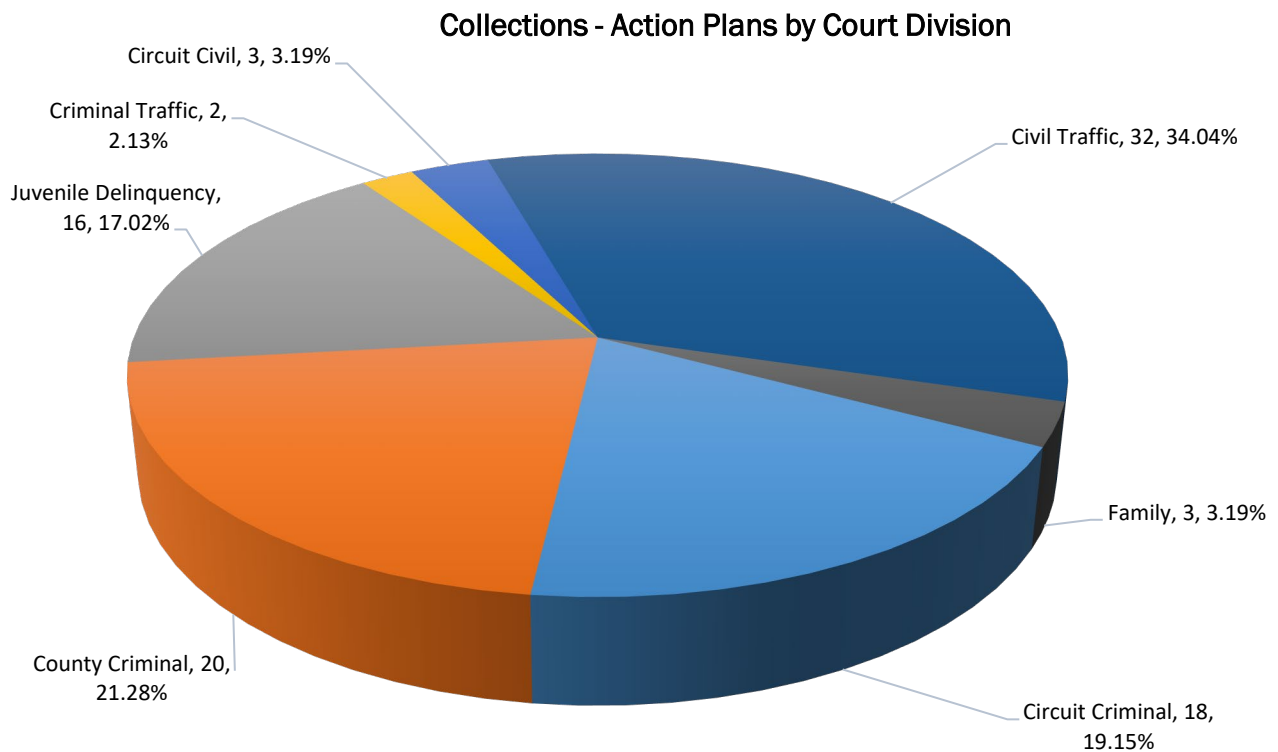
	County	Division	Plan to Improve
7		Juvenile Delinquency	Continue collection efforts.
8	Duval	Civil Traffic	In the process of and RFP for collection services.
9	Glades	County Criminal	Assessment was added late.
10	Hernando	Juvenile Delinquency	Typically, restitution is paid first as a requirement of the 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.

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

	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.



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

**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%

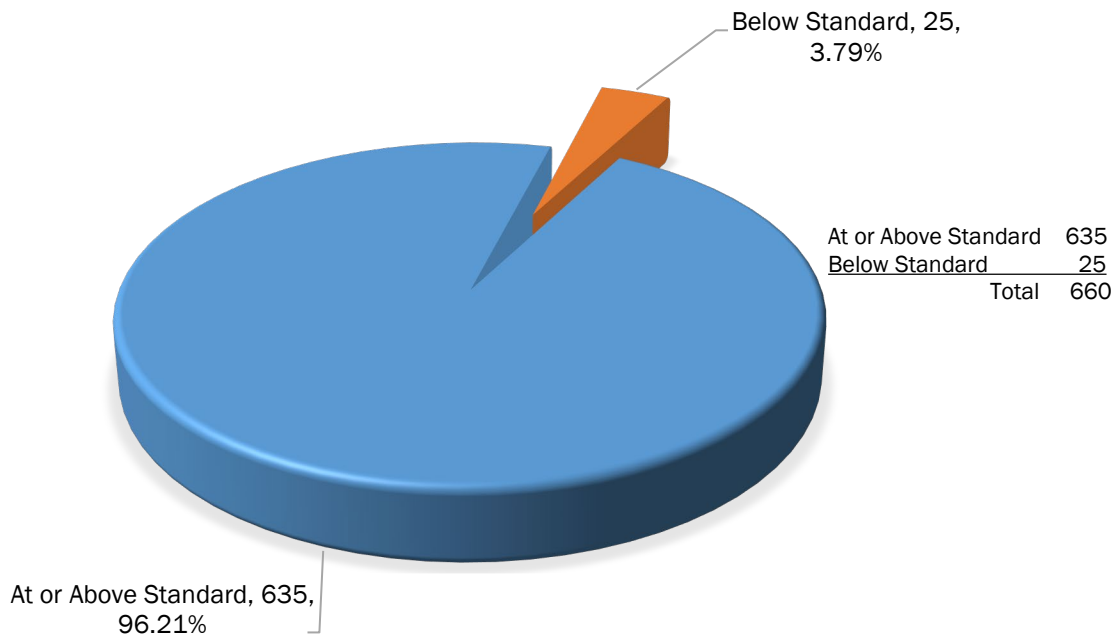
Of the 20 counties who did not meet the circuit criminal collection standard, 12 would have met the standard had drug trafficking assessments not be included as part of circuit criminal assessments. Drug trafficking assessments accounted for over 39.18% of total assessments for these counties in Quarter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

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



**TIMELINESS****Statewide Performance Summary****Timeliness 1 – Filing New Cases Timely**

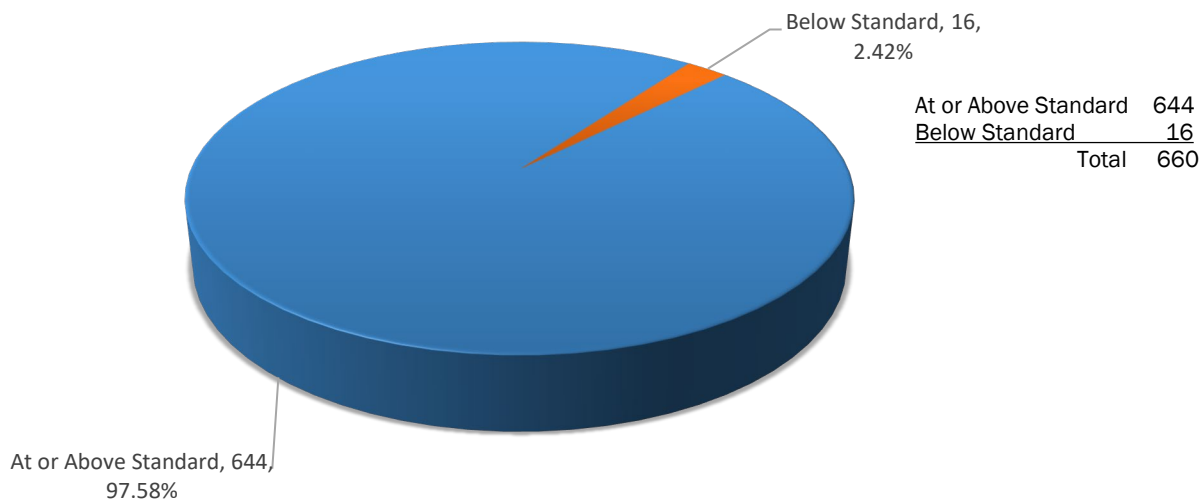
Of the 25 action plans required for not filing new cases timely (Timeliness 1), 16 were in the control of the Clerk; all 16 of those action plans cited staffing as their reason for not meeting the standard. For external reasons, 6 action plans cited staffing and the remaining 3 cited Systems/Conversions.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

**TIMELINESS 1 - STATEWIDE ACTION PLANS**

### 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:

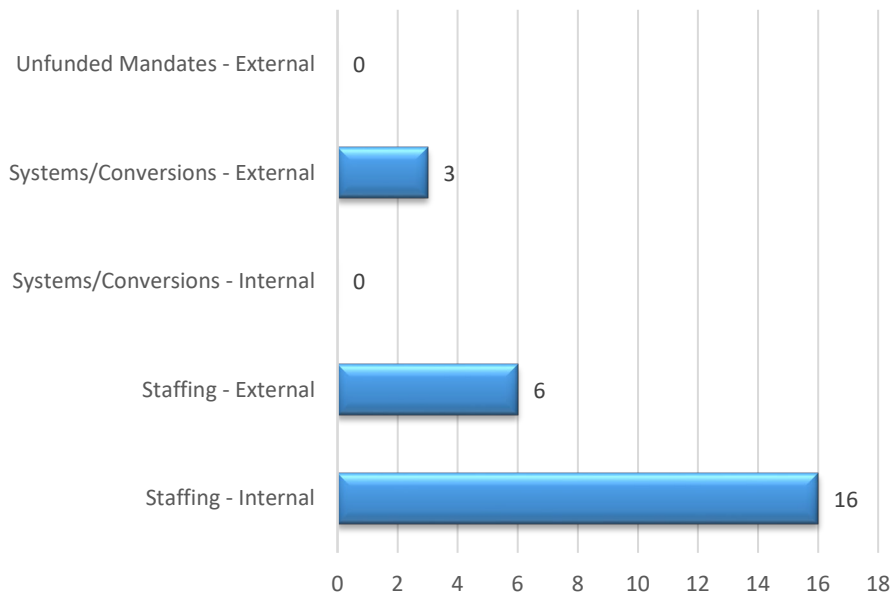
- “Staffing - Internal”: Reason is inter-office and controllable. Internal Staffing reasons will require an “Action to Improve” and a detailed explanation of the reason why the standard was not met and an expected duration of time to have this reason resolved.
- “Staffing External”: Staffing factors 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.

- “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.

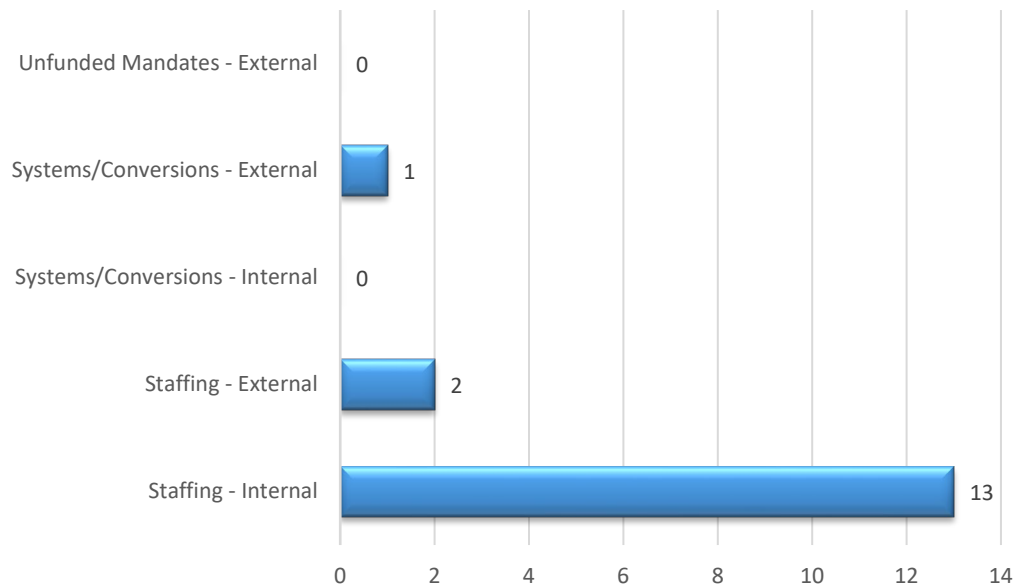
#### Timeliness 1 - Action Plans by Reason Code



### 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

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

	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

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

**Timeliness 2 – Cases Docketed Timely**

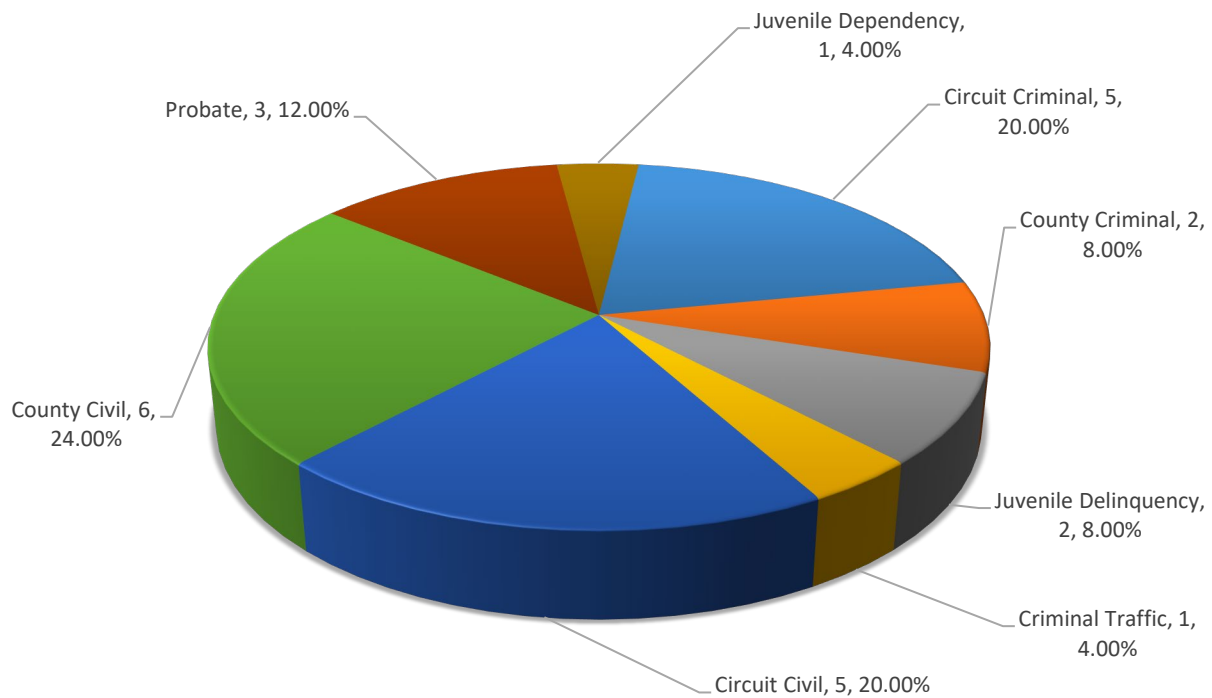
The following are the action plans for internal reasons for counties missing a statewide performance measure as submitted by the Clerks:

	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

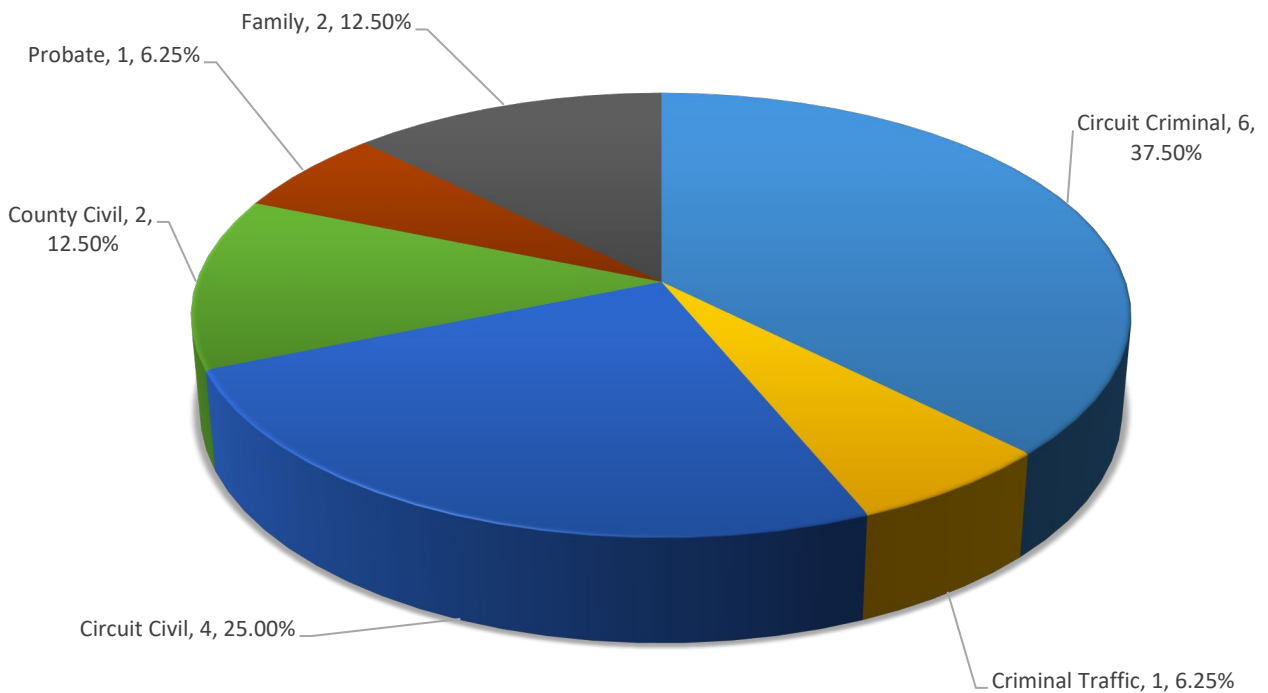
**Statewide Performance by Court Division****Timeliness 1 – Filing New Cases**

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**

**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**



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

## 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.

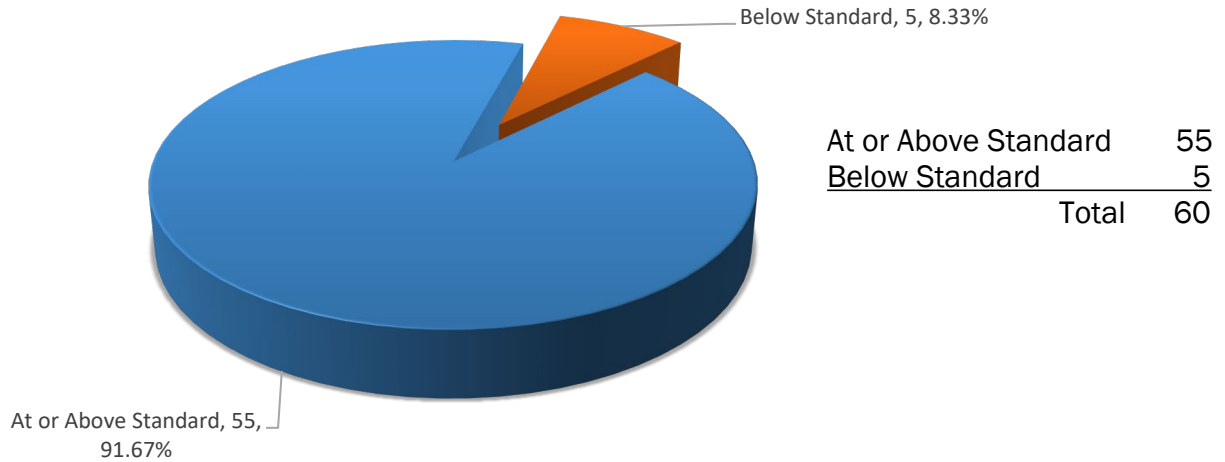
Time 1 Quarter 1 CFY 2018-19						
Court Division	CFY 2017-18 Year End	CFY 2018-19 1st Quarter	CFY 2018-19 2nd Quarter	CFY 2018-19 3rd Quarter	CFY 2018-19 4th Quarter	Standard
Circuit Criminal	94.27%	94.10%				80.00%
County Criminal	95.76%	96.32%				80.00%
Juvenile Delinquency	95.28%	95.13%				80.00%
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%

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

**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%

**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



Agenda Item 4(b) - Attachment 1

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											0
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.



Appendix B Descriptions of External Factors for Not Meeting Performance Standards CFY 2018-19 Quarter 1				
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

Quarter 1 Timeliness 1 - Filing New Cases; External Reasons Provided				
	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.

Quarter 1 Timeliness 2 - Cases Docketed; External Reasons Provided				
	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

## **PROFESSIONAL SERVICES AGREEMENT**

This Agreement made this \_\_\_\_ day of July \_\_\_\_, 2019, between the Florida Clerks of Court Operations Corporation (hereinafter the "Corporation"), having its principal place of business at 2560-102 Barrington Circle, Tallahassee, Florida 32308 and Compliance Improvement Services, Inc. (hereinafter "Vendor"), 4436 Waterscape Lane, Fort Myers, Florida 33966.

WHEREAS, the Legislature created the Florida Clerks of Court Operations Corporation in Section 28.35, F.S.; and

WHEREAS, the Corporation is charged under Section 28.35, F.S., and other relevant Florida Statutes with certain duties and responsibilities which include budget planning, budget review, and the development and certification of a uniform system of performance measures, and

WHEREAS, the Corporation has determined that in order to meet its statutory obligations, certain professional services will be required; and

WHEREAS, the Corporation has determined that the Vendor has the experience of financial and accounting services to meet the Corporation's needs and requirements in a timely and professional manner; and

WHEREAS, the Corporation wishes to contract with Vendor, on a non-exclusive basis, for certain services as hereafter defined and the Vendor is willing to enter into such an Agreement to provide such services to the Corporation. Therefore,

IN CONSIDERATION of the aforementioned representations, it is hereby agreed as follows:

### **SECTION 1: SERVICES**

- 1.1 The Corporation hereby retains Vendor to furnish certain services, information and items as provided below, but reserves the right to select additional contractors.
- 1.2 Services that may be provided by Vendor to the Corporation pursuant to this Agreement and hereinafter defined shall include specific areas of:
  - a. Revenue Compliance Education and Training Services
- 1.3 Services to be provided by Vendor as delineated and hereinafter defined shall be provided as desired and to the extent determined by the Executive Director, as directed.

### **SECTION 2: DEFINITION AND SCOPE OF SERVICES**

- 2.1 Development of a project plan for a Statewide revenue compliance program including such items as timelines, surveys, and CCOC directed documents and reports.
- 2.2 Regular communication with Clerks of Court and staff on Revenue Compliance Improvement - calls, training tips, news on compliance, directed site visits. Communication and update to be provided to the Executive Director at a bi-weekly minimum.

- 2.3 Attendance at workgroups and conferences as jointly agreed upon by the Contract Manager.
- 2.4 Review/audit current collections and best practices as directed for Clerk's offices and implementation of same to include training and tool review
- 2.5 Periodic reports shall be provided to the Executive Director, John Dew and Contract Manager, (Doug Isabelle) of the CCOC as directed to include information on progress of implementation of revenue compliance programs within clerk's offices, percentage increase with new programs or procedures, etc.

### **SECTION 3: COSTS**

#### **3.1 Rate of Payment**

The Corporation's performance and obligation to pay under this contract is contingent upon an annual appropriation by the State of Florida Legislature. Payment for production labor by the Corporation to the Vendor shall be based on a blended hourly rate of \$62.50 per hour for a maximum of 500 hours. The Vendor's fee estimate is a "not to exceed" commitment of \$31,250.

Said rates encompass all employee related expenses such as federal taxes, insurances, retirement, and other federal and/or state required costs and Vendor's overhead related expenses. If any additional work is required or requested that exceeds the fee estimate, this work will only be performed if agreed to by both Vendor and Corporation in writing.

#### **3.2 Direct Costs**

The Corporation shall reimburse the Vendor for direct costs incurred by Vendor in providing services under this Agreement. Such costs shall include postage, telephone, travel/per diem (subject to state policy and Section 112.061, F.S.), and material/supplies. Reimbursement for travel expenses for the term of the contract will not exceed \$6,000 unless agreed to by the Executive Director.

#### **3.3 Invoices**

The Vendor shall invoice the Corporation upon acceptance of a deliverable by the Corporation. Invoices are to be provided to the CCOC Executive Director by the 15<sup>th</sup> of the month following the month that the work was conducted. Invoices received more than thirty (30) days past the due date are subject to a reduction of payment by 2% per month for each month it is past due. The Corporation shall pay such invoices within thirty (30) days of receipt subject to availability of funds.

### **SECTION 4: TERM OF AGREEMENT**

#### **4.1 Term**

This Agreement shall be effective upon the later of the dates signed by the parties and continuing until the Agreement is terminated or canceled under provisions of the Agreement, but no later than the issuance date of the financial statements.

On or before end of the term of this Agreement and any extension thereof, the Corporation shall review the performance of the previous term and, in its sole discretion, shall have the option to extend this Agreement an additional year, for up to two (2) additional years, not to exceed a total of three (3) years.

#### 4.2 Termination Limitations

This Agreement shall only be terminated or canceled as provided under the provisions herein.

#### 4.3 Termination

Either party may terminate this Agreement for convenience upon providing fifteen (15) days Termination Notice to the other party in writing.

#### 4.4 Mutual Rescission

The parties may mutually agree in writing to terminate this Agreement without further notice.

#### 4.5 Cancellation

If either the Corporation or the Vendor violates its obligations under this Agreement, the other party may cancel this Agreement by sending a Cancellation Notice describing the noncompliance to the other party. Upon receiving the Cancellation Notice, the noncompliant party shall have ten (10) business days from the date of such notice to cure any such noncompliance. If such noncompliance is not cured within the required ten (10) business days, the other party shall have the right to cancel this Agreement as of the eleventh day after the date of the Cancellation Notice.

#### 4.6 Cancellation Without Notice

Notwithstanding other provisions herein, either party may cancel this Agreement without notice to the other upon the other earliest to occur of the following events:

- (a) Fraud or Dishonesty: The Corporation or the Vendor commits an act of fraud or dishonesty pursuant to the provisions of this Agreement;
- (b) Failure to Perform: The Corporation or the Vendor fails to perform pursuant to the provisions of this Agreement;
- (c) Felony Conviction: The Corporation or the Vendor is convicted of a felony.

### SECTION 5: RESPONSIBILITIES OF VENDOR

- 5.1 Vendor fully understands and agrees that there shall be no reimbursement of funds by the Corporation for any obligation or expenditure made prior to the execution of this Agreement and any fully executed Change Order.
- 5.2 All direction for services shall be prescribed either verbally or in writing by the Executive Director or the Executive Director's designee. Compensation for such services shall be negotiated prior to the

performance of services by Vendor, unless certified as a valid public emergency pursuant to Florida law.

- 5.3 All services described in the Agreement shall be performed by and/or under the direct supervision of Don Murphy, Principal & Senior Consultant, or another person of similar experience designated by Vendor and approved, in writing, by the Corporation's Contract Manager (Doug Isabelle). For the purposes of this Agreement, such approved person shall be considered the Vendor's Contract Manager.
- 5.4 To the extent required by law, the Vendor shall maintain, during the life of this Agreement, Workers' Compensation insurance for all its employees connected with any work related to this Agreement. Such insurance coverage shall comply fully with the Florida Workers' Compensation law.
- 5.5 All notes and work product associated with this Agreement shall be open for review by the Corporation's Contract Manager during Vendor's normal working hours.
- 5.6 Vendor shall be responsible for all work performed under the terms of this Agreement. It is agreed that none of the services performed under this Agreement shall be subcontracted to any individual or firm without the prior written consent of the Corporation's Contract Manager. It is understood that these subcontractors shall only work in their area of expertise. The Corporation reserves the right to require the Vendor to remove a subcontractor if, during the term of this Agreement, any work performance of the subcontractor is deemed unsatisfactory by the Corporation.
- 5.7 Vendor shall retain financial records, supporting documentation, statistical, and all other records pertinent to this Agreement for a period of three (3) years after final payment is made, except that such records shall be further retained until final resolution of any matters resulting from any litigation, claim, or audit that started prior to the expiration of the retention period. The retention period commences from the date of the submission of the final expenditure report. The records and documents shall be made available to the Corporation upon request. Vendor agrees that all records referenced in this paragraph, and any other records relative to this Agreement, shall be maintained by the Vendor at a location within the state of Florida.
- 5.8 All records of the Vendor with respect to this Agreement shall be public record and shall be treated in the same manner as other public records are treated under general law.

## **SECTION 6: MISCELLANEOUS**

### **6.1 Confidentiality**

Expect as provided above, the Vendor recognizes and acknowledges that the functions the Corporation performs may provide access to matters, which are, by Florida Statute, confidential (hereinafter referred to as "Confidential Information") and that any unauthorized disclosure of same would cause irreparable damage. Vendor agrees that, except as directed by the Corporation, it will not at any time during or after the term of the Agreement disclose any Confidential Information to any person whatsoever. Accordingly, the Corporation may seek and obtain injunctive relief against the breach or threatened breach of the foregoing undertakings, in addition to any other legal remedies available by law, which may be available. The Vendor hereby recognizes that disclosure of Confidential Information would be a breach of this Agreement however; any information made public by Florida law shall be exempt from this provision.

## 6.2 Relationship of Parties

Notwithstanding any other provisions contained herein, it is expressly agreed that the Vendor is an independent contractor in the performance of each part of this Agreement. As such, the Vendor is solely liable for all acts and omissions of itself, its officers, its employees, its agents and subcontractors, for all labor and expenses in the performance of services, unless otherwise specified in this Agreement. It is expressly agreed that the Vendor, its officers, employees, agents, and subcontractors shall act in an independent capacity and not as officers, employees, or agents of the Corporation in the performance of services under this Agreement.

It is further expressly agreed that this Agreement shall not be construed as a partnership or joint venture between the Corporation and the Vendor. Vender shall have no authority to bind the Corporation for the performance of any contract or otherwise obligate the Corporation, except as specifically set forth in this Agreement.

## 6.3 Assurances

The Corporation and Vendor represent and warrant that all representations, warranties, recitals, statements and information provided under this Agreement are true, correct and accurate as of the date of this Agreement.

## 6.4 Conflict of Interest

The Vendor covenants that it presently has no interest and shall not acquire any interest which would conflict in any manner or degree with the performance of the services required.

This Agreement is not intended nor, shall it be construed as granting any rights, privileges, or interest in any third party without mutual written Agreement of the parties hereto.

## 6.5 Discrimination

No person, on the grounds of race, creed, color, national origin, age, sex, or disability shall be excluded from participation in, be denied the proceeds or benefits of, or be otherwise subjected to discrimination in performance of this Agreement.

## 6.6 Entire Agreement

This Agreement contains the entire understanding of the parties relating to the Services and supersedes all previous verbal and written Agreements relating to the Services. An engagement letter will be provided prior to the commencement of fieldwork as required by generally accepted auditing standards.

## 6.7 Severability

If a provision of this Agreement is rendered invalid the remaining provisions shall remain in full force and effect.

## 6.8 Captions

The headings and captions of this Agreement are inserted for convenience of reference and do not define, limit or describe the scope or intent of this Agreement or any section, paragraph, or provision.

## 6.9 Counterparts

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

## 6.10 Governing Law

This Agreement shall be governed by the laws of the State of Florida and venue shall be Leon County, Florida.

## 6.11 Notice

All communications shall be in writing. Notices shall be delivered by Certified or Registered Mail - Return Receipt Requested - or by hand to the address set forth below for each party to this Agreement. Notice shall be deemed given on the date of receipt, as evidenced in the case of Certified or Registered Mail by Return Receipt.

### **CORPORATION**

John Dew  
Executive Director  
Clerks of Court Operations Corporation  
2560-102 Barrington Circle  
Tallahassee, Florida 32308

### **VENDOR**

Don Murphy  
Principal & Senior Consultant  
4436 Waterscape Lane  
Fort Myers, Florida 33966

## 6.12 Pronouns/Gender

Pronouns and nouns shall refer to the masculine, feminine, singular or plural, as the context shall require.

## 6.13 Equitable Remedies

The parties hereby acknowledge that damages at law may be an inadequate remedy to the parties. In addition to other rights, which may be available, the parties shall have the right of specific performance, injunction or other equitable remedy in the event of a breach or threatened breach of this Agreement by the other party.

## 6.14 Litigation Expenses

In the event of litigation or arbitration arising out of this Agreement, the prevailing party shall be entitled to recover its reasonable and necessary attorneys' fees and costs.

## 6.15 Waiver

Waiver of any breach of this Agreement shall not constitute a waiver of any other breach. All remedies under this Agreement are in addition to equitable remedies and remedies provided by law and are cumulative. Failure to enforce any provision of this Agreement shall not constitute a waiver or create an estoppel from enforcing such provision.



#### 6.16 Assignments

All assignments of rights hereunder by the Corporation and the Vendor shall be void.

#### 6.17 Public Announcements

All public announcements of the relationship of the Corporation and Association under this Agreement shall be subject to the prior written approval of the Corporation.

#### 6.18 Arbitration

Any controversy or claim arising out of or relating to this Agreement, or breach thereof, that cannot be otherwise resolved, shall be settled by arbitration in accordance with the Arbitration Rules of the American Arbitration Association ("Rules of the AAA"), as amended and in effect on the date of service of the demand for arbitration. Any award by the arbitrator shall specify which party is to be deemed the prevailing party. The AAA's and arbitrator's expenses and fees, together with other arbitration expenses including reasonable attorney's fees of the prevailing party, shall be paid for by the non-prevailing party or reimbursed to the prevailing party if advanced by the prevailing party. Judgment, upon the award rendered by the arbitrators, may be vacated or enforced by a court of competent jurisdiction in Leon County, Florida. Each party shall have the right of discovery as set forth in the Florida Rules of Civil Procedure.

#### 6.19 No Minimum Level of Work

No minimum level of work is guaranteed as a result of this Agreement. This Agreement is not intended to be a sole source contract or an exclusive contract.

#### 6.20 Fraud Policy

Pursuant to F.S. 112.311, the Corporation and the Vendor acknowledge the following Fraud Policy of the Corporation exists to guard against fraudulent, unethical, and dishonest acts and identify responsibilities for preventing, detecting, reporting, and investigating such. Sections 6.21-6.23 below outline the Fraud Policy and Procedures of the Corporation (therein "CCOC").

#### 6.21 Background/Objective

The CCOC recognizes the importance of protecting the organization, its operations, its employees and its assets against financial risks, operational breaches and unethical activities. Therefore, it is incumbent upon CCOC's Executive Director to institute and clearly communicate the fraud prevention policy to employees, both internal and external customers, vendors and partners.

The CCOC is committed to the highest standards of moral and ethical behavior. Breaches of these standards, especially through acts involving fraudulent, unethical, and other dishonest behavior, are not only costly, but they erode the public's trust and confidence in the integrity of the agency. By issuing this formal policy statement, the CCOC hereby reaffirms its longstanding duty and responsibility to aggressively combat such behavior.

The CCOC recognizes a zero-tolerance policy regarding fraud and corruption. All matters raised by any source will be taken seriously and properly investigated. This policy covers all CCOC employees and Council Members. Additionally, this policy covers consultants, vendors, contractors, outside agency, or a person doing business with the agency or in any other relationship with the agency to the extent that the CCOC resources are involved or impacted.

An employee who, in good faith, reports wrongful activity meeting the provisions of s. [112.3187](#), F.S. (Whistle-blower's Act), is protected against retaliation for making such a report. The law also provides for the individual's identity to remain confidential. Regardless as to whether or not the provisions of the Whistle-blower's Act are met, it is a violation of this policy for anyone to retaliate against an employee for reporting, in good faith, allegations of wrongdoing, or participating in the investigation of such.

The CCOC's policy is to promote consistent, legal, and ethical organizational behavior by:

- assigning responsibility for reporting fraud, theft, waste or abuse;
- institute preventive measures designed to deter these activities or make them easier to detect;
- providing guidelines for reporting and investigating suspected fraudulent behavior;
- requiring each employee to attend fraud awareness training;

Failure to comply with this policy subjects an employee (including management) to disciplinary action, including immediate termination. Failure to comply by a consultant, vendor, contractor, outside agency, or a person doing business with the agency or in any other relationship with the agency could result in cancellation of the business or other relationship between the entity and the CCOC.

For purposes of this policy only the term ***fraud*** or ***fraudulent*** includes theft, waste, and abuse as defined below. The term ***employee*** also includes employees in management positions. The term ***management*** includes council members, managers, assistant managers, supervisors and any other employee who has authority to sign another employee's performance evaluation and/or timesheet.

## Definitions and Examples of Fraud, Waste, Abuse and Corruption

***Fraud*** is defined as an intentional deception designed to obtain a benefit or advantage or to cause some benefit that is due to be denied. Fraud generally involves a willful or deliberate act or omission with the intention of obtaining an unauthorized benefit, service, property, or something of value by deception, misrepresentation, or other unethical or unlawful means. Fraud can be committed through many methods, including mail, wire, telephone, and the Internet. Fraudulent, unethical, and other dishonest acts may include, but are not limited to, the following:

- Forgery or alteration of a check, bank draft, any other financial document, or computer records;
- Falsification or misrepresentation of reports to management and external agencies, including time sheets, official travel claims for reimbursement, or other expense reimbursement reports;
- Knowingly authorizing or receiving payment for time not worked;

- Misappropriation of funds, securities, supplies, or other assets;
- Impropriety in the handling or reporting of money or financial transactions;
- Engaging in unauthorized activities that result in a conflict of interest;
- Disclosing confidential or proprietary information to unauthorized individuals;
- Removal of agency property, records, or other assets from the premises without supervisory approval;
- Unauthorized use or destruction of agency property, records, or other agency assets; and
- Taking and using information or providing the information that would lead to identity theft.
- Theft of cash or fixed assets;
- Failure to account for monies collected;
- Knowingly providing false information on job applications and requests for funding.

#### 6.22 Investigate

Upon reviewing allegations of fraudulent, unethical, or dishonest acts, if the Executive Director determines an investigation is warranted, he/she shall appoint a qualified individual or entity to investigate the reported activity after consulting with the General Counsel. In those instances where the investigation by the Executive Director-Appointee indicates potential criminal activity, the investigation shall immediately be turned over to the Florida Department of Law Enforcement and the State Attorney's Office.

During the investigation, the Constitutional rights of all persons are to be observed. The accused will be afforded the opportunity to respond to the allegations or matters being investigated. The rights of the accused will be safeguarded throughout the investigation.

Pursuant to this policy, all employees are to cooperate fully with those performing an investigation. An employee who does not fully cooperate with an authorized investigation may be disciplined, up to and including termination of employment. An employee may be required to answer any questions that are within the scope of the employee's employment, whether such questions are asked in an investigation conducted by the Executive Director Appointee or Human Resources.

The investigation shall be completed expeditiously and in accordance with established procedures. The results of the investigation conducted by the Executive Director Appointee shall be communicated, either orally or in writing, to the Executive Director.

Allegations or matters of conduct deemed outside the scope of this policy, such as supervisory or personnel-related issues, may be referred to the respective area of management or the Human Resources Section for review and appropriate action.

#### 6.23 Actions

Employees, consultants, vendors, contractors, outside agency, or a person doing business with the agency or in any other relationship with the agency to the extent that the CCOC resources are involved or impacted is determined to have participated in fraudulent, unethical, or dishonest

acts will be subject to disciplinary action in accordance with personnel policies and rules. Criminal, civil, and/or other administrative actions may also be taken against employees who are found to have participated in unlawful acts. Criminal action falls within the sole purview of local, state, or federal law enforcement, as well as prosecuting and judicial authorities. In those instances where disciplinary and/or other administrative action is warranted, the Human Resources Section, or other appropriate office, shall be consulted prior to taking such actions.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto as of the Effective Date of July \_\_\_\_\_, 2019.

**Florida Court Clerk of Court  
Operations Corporation**

**Compliance Improvement Services**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Stacy Butterfield  
Chair

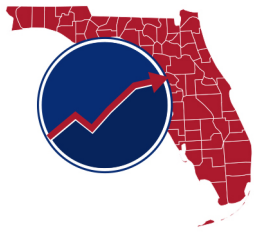
Don Murphy  
Principal & Senior Consultant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness



# CCOC

FLORIDA CLERKS OF COURT  
OPERATIONS CORPORATION

**Stacy Butterfield, CPA**  
POLK COUNTY  
EXECUTIVE COUNCIL CHAIR

**Tara S. Green**  
CLAY COUNTY  
VICE-CHAIR

**JD Peacock, II**  
OKALOOSA COUNTY  
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TODD NEWTON  
GILCHRIST COUNTY

KYLE HUDSON  
HOLMES COUNTY  
SENATE APPOINTEE

JOE BOYD  
GENERAL COUNSEL

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

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

## AGENDA ITEM 4(c)

**DATE:** June 24, 2019  
**SUBJECT:** CCOC Legislative Committee Wrap-up  
**COUNCIL ACTION:** Informational Purposes Only

### OVERVIEW:

The goal of the Legislative Committee is to increase visibility, improve communication and build stronger partnerships between the members and staff of the legislature. To that end, the Legislative Committee, along with the Legislative Analysis Workgroup had a busy 2019 Legislative Session. There were 1,676 general bills filed in the legislature; the Legislative Committee tracked 649 bills this session covering a wide variety of clerk-related duties and 174 of those bills passed. The Legislative Committee tracked almost half of the 174 bills that ultimately passed this session. The tracking of these 79 bills included reviewing the bills at almost 400 committee stops for both House and Senate bills, together with amendments, floor debate, and final passage.

The legislature requested 30 bill analyses from the Clerks of Court Operations Corporation (CCOC), and the Legislative Committee along with the Legislative Analysis Workgroup formally analyzed over 50 bills. In addition to the 1,676 general bills filed, there were 1,630 appropriations projects filed in the House of Representatives that were monitored for a fiscal impact on the clerks.

In addition to the formal request for analyses, the Committee and Workgroup cooperated on multiple informal and ad hoc requests for the legislature. Additionally, the Legislative Committee teamed up with the Legislative Committee of the Florida Court Clerks and Comptrollers (FCCC) to assist in the passage of clerk related priorities for the clerks' budget process. CCOC attended or reviewed committee notes of over 90 committee meetings that heard bills relevant to the clerks.

CCOC worked in partnership with FCCC to meet with members, staff, legislative leadership, and the Governor's office to communicate the priorities of the clerks. These meetings included the staff directors of the Justice Appropriation Committees, the General Government Appropriations Committees, the Judiciary Committee, the Criminal Justice Committee, the General Counsel of the Appropriations Committee and the policy coordinators in the Governor's office. In addition to the formally scheduled meetings, CCOC and FCCC worked collaboratively throughout the 61-day session to exchange information

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## AGENDA ITEM 4(c) - LEGISLATIVE COMMITTEE

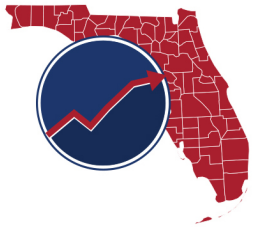
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daily to ensure our strategy remained relevant through the uncertainty that is common during Session. Finally, CCOC participated in all of FCCC's regularly scheduled and emergency legislative updates.

**COUNCIL ACTION:** Informational purposes only

**LEAD STAFF:** Jason L. Welty, CCOC Budget and Communications Director

**ATTACHMENTS:** None



## AGENDA ITEM 4(d)

**DATE:** June 24, 2019  
**SUBJECT:** Update from Revenue Enhancement and Funding Committee  
**COUNCIL ACTION:** Receive update from Committee Chair Tiffany Moore Russell

### OVERVIEW:

The Revenue Enhancement Committee is currently working on a model for a long-term funding solution for the Clerks' court-related budgets. Clerk Moore Russell, as Chair of the Committee, established a workgroup led by Orange County Clerk staff Kathryn Farynowski to develop and validate a model using CCOC data to analyze multiple approaches to funding for sustainability. The progress has been slowed due to CCOC resource constraints. However, at this point it appears the data to be used to test a model is valid and therefore the workgroup is ready to set up a meeting with the Committee and present the model.

It is expected a Committee meeting will be held in late July or early August. Also, because of the coordination needed with the other CCOC Committees on this project there will be an effort to include the Committee Chairs from the Legislative, PIE, and Budget Committees for the upcoming meeting. There will also be an effort to reach out and invite FCCC leadership as well.

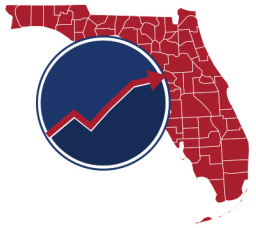
The Legislature starts their 2020 Session early this year in January. This means that they will begin their process of Interim Legislative Committee meetings in mid-September and complete these meetings in mid-December. Any proposals for legislative involvement to resolve an issue should be communicated with the Legislative during the Interim Committee Weeks if possible.

**COUNCIL ACTION:** Information purposes only

**LEAD STAFF:** John Dew, CCOC Executive Director

**ATTACHMENTS:** None





# CCOC

## FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

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### AGENDA ITEM 4(f)

**DATE:** June 24, 2019  
**SUBJECT:** Report from CCOC Office Leave Policy Workgroup  
**COUNCIL ACTION:** Receive recommendations from Workgroup Chair Paula O'Neil

### OVERVIEW:

The CCOC Executive Council asked Clerk Paula O'Neil to work with CCOC Executive Director John Dew to examine the policy on CCOC staff leave. The policy has not been reviewed since 2009. A workgroup of human resource and leadership staff from several Clerk's offices was set up and included representation from Pasco, Clay, Lee, Pinellas, Palm Beach, and Alachua. The Workgroup met on March 13<sup>th</sup> and April 11<sup>th</sup>. Each Clerk's representative provided an overview of their current leave policy, history of any recent revisions, and the pros and cons of their policy. John Dew also provided an overview of current leave policies of several representative entities in Tallahassee including the CCOC, offices from State Agencies, State Judicial Branch, Legislature, and FCCC.

The general conclusion of the work group was twofold. First, the use of a Paid Time Off (PTO) policy would work better than the current policy of providing a separate leave balances for annual, sick, and personal. Several the Clerks' offices represented in the workgroup had recently gone through a transition to PTO. PTO appeals more to today's employees and allows flexibility in the use of their leave. It also lowers the liability to employers. Employees under PTO tend to use more of their time during the year, so payout would be less than years later when the employee may have a higher salary. Several of the Clerk's offices that were on the work group, and the FCCC have a PTO leave policy. While the State does not offer PTO, most private sector entities do offer PTO.

Secondly, it was understood by the workgroup that the leave policy should be more aligned with those entities with whom you are competing with to hire and retain employees. Not trying to match leave policies of entities outside of the area.

The Workgroup approved recommending to the Council that the future CCOC leave policy be revised to a PTO leave process. Because Mr. Dew was still gathering data on the amount of leave offered to different entities' employees in Tallahassee for comparative purposes, it was decided that those type of details could be best worked out by the Executive Council and leadership after the June 24<sup>th</sup> Council meeting. The draft policy could be brought back at a later meeting for approval.

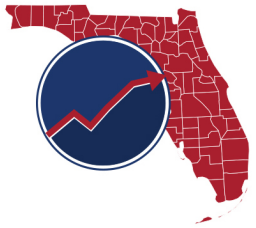


**RECOMMENDATION:** Any approved, revised CCOC employee leave policy should have the employees under a Paid Time Off (PTO) accumulation and use of leave process and not the separate accumulation and use of annual and sick leave process. Details of PTO hours for employees and any other revisions related to the PTO transition should be worked out after the June 24<sup>th</sup> Council meeting and brought back at a later meeting for approval.

**COUNCIL ACTION:** Approve workgroup recommendation

**LEAD STAFF:** John Dew, CCOC Executive Director

**ATTACHMENTS:** None



# CCOC

FLORIDA CLERKS OF COURT  
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## AGENDA ITEM 6

**DATE:** June 24, 2019  
**SUBJECT:** Tentative Council Meeting Dates and Workplan for SFY 19-20  
**COUNCIL ACTION:** For information purposes

### OVERVIEW:

Tentative Council Meeting Dates: The CCOC Plan of Operation in Section 1.5 requires that at the annual Corporation meeting the Council shall establish a schedule of all regular meetings for the coming year. Historically, the CCOC has attempted to arrange all Council meetings with the FCCC training schedule to make it more convenient for Clerks and staff to attend meetings. Therefore, the Council usually provides a list of tentative meeting dates based on the FCCC calendar.

We contacted the FCCC and they provided us a tentative calendar to help us coordinate meetings. Below are the potential meeting dates which could be subject to change.

August-September 2019 - The Council will determine what dates to meet during this time to receive recommendations from the Budget Committee to approve Clerk's budgets.

October 1st, 2019 - Executive Council Meeting. Location: Tradewinds, St. Pete Beach. The meeting would take place a day prior to the 2019 Fall Conference.

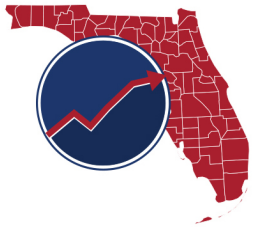
February 25th, 2019 - Executive Council Meeting. Location: Wyndham Lake Buena Vista, Disney Springs, Orlando. The meeting would take place a day prior to the 2020 Winter Conference.

June 22, 2020 - Executive Council Meeting. Location: Sawgrass Marriott, Ponte Vedra. The meeting would take place a day prior to the 2020 Summer Conference.

**COUNCIL ACTION:** For informational purposes only

**LEAD STAFF:** John Dew, CCOC Executive Director

**ATTACHMENTS:** None



## AGENDA ITEM 7

**DATE:** June 24, 2019  
**SUBJECT:** CCOC 2019 Council Election Results  
**COUNCIL ACTION:** For Information Purposes

### OVERVIEW:

Each year Clerks elect four Clerk members to the Executive Council. One from each of the four population groups. This year they would choose five because of two vacancies in one of the population groupings.

Ballots were provided to the Clerks on May 13th. The due date for returning the ballots to the CPA firm of Bill Sittig was May 31st. Bill Sittig counted the ballots on Friday, June 14th and the Clerks were informed of the results on Monday, June 17<sup>th</sup>. (Certification Attached.)

Selected from the population group of fewer than a population of 100,000 was Clerk Todd Newton, Clerk Jeff Smith was chosen from the population group of 100,000 to 500,000. Clerk Laura Roth and Clerk Stacy Butterfield were chosen from the population group of 500,001 to 1,000,000. Clerk Roth will serve for a two-year term as she received the most votes and Clerk Butterfield will serve a one-year term. Clerk Tiffany Moore Russell was chosen from the population group of more than 1,000,000.

The new Council members will be sworn in immediately following the June 24th Corporation meeting.

**COUNCIL ACTION:** Informational purposes only

**LEAD STAFF:** John Dew, CCOC Executive Director

### **ATTACHMENT:**

1. CPA Certification of the results of the regular 2019 Election

**BILL SITTIG CPA, LLC**  
**CERTIFIED PUBLIC ACCOUNTANTS & ADVISORS**  
**1695-7 Metropolitan Circle**  
**Tallahassee, Florida 32308**  
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William P. Sittig, CPA/PFS\*  
Lou Ann Cartright  
Mark Bigley

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June 17, 2019

**Members of the Florida Clerks of Court Operations Corporation**  
**President of the Florida Senate**  
**Speaker of the Florida House of Representatives**  
**State of Florida Chief Financial Officer**

In accordance with the Plan of Operations for the Florida Clerks of Court Operations Corporation, we are providing this written notification to serve as notice of our certification of the election results for the most recent election of the Executive Council.

The voting procedures outlined in the Plan of Operations were followed as per the prescribed method. Our firm controlled the receipt and counting of the ballots. The ballot counting was completed by my assistant and me on June 14, 2019. The tally of ballots resulted in a tie for the second vacancy in Group 3 between Clerk Linda Doggett, Lee County and Clerk Stacy Butterfield, Polk County. I received an e-mail today from Clerk Doggett wishing to concede the election for the second vacancy in Group 3. As a result, the following members have been elected to the Executive Council:

Group 1

Todd Newton, Gilchrist County

Group 2

Jeff Smith, Indian River County

Group3 (2 vacancies)

Laura Roth, Volusia County (elected to a 2 year term)

Stacy Butterfield, Polk County (elected to a 1 year term)

Group 4

Tiffany Moore Russell, Orange County

Feel free to contact me with any questions.

Respectfully Submitted,



W. P. Sittig, CPA

\*PFS is the AICPA's Personal Financial Specialist certification for members who have fulfilled established requirements and by demonstrating necessary qualifications for advisors.

Members

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