



EXECUTIVE COUNCIL MEETING

October 1, 2019

JD Peacock, II
OKALOOSA COUNTY
EXECUTIVE COUNCIL CHAIR

Jeffrey R. Smith, CPA, CGMA
INDIAN RIVER COUNTY
VICE-CHAIR

Tiffany Moore Russell, ESQ.
ORANGE COUNTY
SECRETARY/TREASURER



STACY BUTTERFIELD, CPA
POLK COUNTY

JOHN CRAWFORD
NASSAU COUNTY

TODD NEWTON
GILCHRIST COUNTY

LAURA E. ROTH
VOLUSIA COUNTY

HARVEY RUVIN, ESQ.
MIAMI-DADE COUNTY

RON FICARROTTA
13TH JUDICIAL CIRCUIT JUDGE
SUPREME COURT APPOINTEE

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

VACANT
HOUSE APPOINTEE

JOHN DEW
EXECUTIVE DIRECTOR

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GENERAL COUNSEL

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CCOC Executive Council Meeting

October 1, 2019 – 2:30 pm

Location: Tradewinds Island Resort

5500 Gulf Blvd, St Pete Beach, FL 33706 (Banyan and Citrus)

Call in number: 904-512-0115, **Conference Code:** 412463

Call to Order.....Hon. Jeff Smith

InvocationHon. John Crawford

Roll Call.....Hon. Tiffany Russell

1) Introduction and Agenda ApprovalHon. Jeff Smith

2) Approve Minutes from 6/24/19 Council Meeting.....Hon. Tiffany Russell

3) Treasurer's Report.....Hon. Tiffany Russell

a) Review and Approval of the CCOC Office Budget Report
for CFY 2018-19 through August

4) Report from Committee and Workgroup Chairs

a) CCOC Executive CommitteeHon. Jeff Smith

b) Budget Committee.....Hon. Ken Burke

c) PIE CommitteeHon. Tara Green

d) Legislative Committee.....Hon. Carolyn Timmann

e) Revenue Enhancement and Funding CommitteeHon. Tiffany Russell

f) Electronic Notification Platform WorkgroupHon. Tiffany Russell

5) Report on TCBC.....Hon. Judge Ficarrotta

6) Other Business.....Hon. Jeff Smith

Council Members: Chair; Hon. JD Peacock; Vice-Chair; Hon. Jeffrey R. Smith; Secretary/Treasurer; Hon. Tiffany Russell; Hon. Angel Colonnese; Hon. John Crawford; Hon. Stacy Butterfield; Hon. Ronald Ficarrotta; Hon. Todd Newton; Hon. Laura Roth; 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

MONDAY, June 24, 2019 2:00 PM EDT

EXECUTIVE COUNCIL MEETING

**Omni Orlando Resort at ChampionsGate
1500 Masters Boulevard, ChampionsGate, FL 33896
Meeting Room: ChampionsGate Room**

The June 24, 2019 meeting of the Executive Council of the Florida Clerks of Court Operations Corporation (CCOC) was called to order by Executive Council Chair Stacy Butterfield at 2:00 PM (EDT). Clerk John Crawford delivered the Invocation. Chair Butterfield announced the first item on the agenda is the swearing in of CCOC's Senate Appointee, Clerk Angel Colonnese from Manatee County. Clerk Colonnese recited the oath and was congratulated by the Council and audience. Clerk JD Peacock called roll. Council Members present were the Honorable Stacy Butterfield, Honorable Tara Green, Honorable JD Peacock, Honorable John Crawford, Honorable Todd Newton, Honorable Paula O'Neil, Honorable Pat Frank, Honorable Ron Ficarotta, and Honorable Angel Colonnese. The Honorable Harvey Ruvin attended by telephone. Clerk Peacock stated that there was a quorum.

APPROVAL OF AGENDA

Chair Butterfield noted that the agenda has been distributed and has been posted on the CCOC website. Clerk Frank made a motion to approve the agenda. A second was made by Clerk O'Neil. The vote was taken, and the motion carried.

APPROVAL OF MINUTES – FEBRUARY 26, 2019 EXECUTIVE COUNCIL MEETING

Chair Butterfield called upon Clerk Peacock to present the draft minutes that were distributed with the meeting packet. He received no feedback from any of the Council members as to any corrections. He presented the minutes to the Council for approval in the form of a motion. Clerk Newton seconded the motion. Chair Butterfield asked if there was any discussion. Hearing none, the vote was taken, and the minutes were approved.

TREASURER'S REPORT

Clerk Peacock was called on to provide the Treasurer's Report. He noted this is the 8th month of the CCOC office budget year and would represent 67% of the budget year expenditures. However, CCOC's current budget expenditures are at 60% so we are well within the budget for the 8-month period.

He followed with a discussion for the upcoming year's CCOC Office budget. For many years, the CCOC has had a continuation budget, but this year's budget request going into 19-20 anticipates an increase on three specific items. One is the budgeting of \$100,000 towards a data solution for capturing and reporting all the

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different data components that the corporation receives from the Clerks in order to fulfill our role. He explained that CCOC had an IT staff member in the past, but the corporation went in a different direction with that position. We are heading in the direction of a procured solution for the data management. This \$100,000 is designed to fund a procured solution for data management. CCOC's previous tool was not very effective, and the single point of failure was due to a skill set. In conversations with staff members he noted the ideas should provide us first with better data and better reporting out of the data. His goal is to have a simpler solution for those in the Clerks' offices. There is currently too much manual work involved. We want this solution to find data sources that are already available. One of the goals of this procurement is to provide a data solution, use it as a tool for your offices as well as the corporation, and make it easier on the selection of the data.

Also moving forward there is a suggestion to move from an annual-sick leave to a PTO (paid time off leave policy). That is a budget item of about \$45,000 to pay out to employees for excess leave. There is also in this budget request about \$18,000 for a bucket of anticipated salary increases. The corporation has kept salaries for staff flat over the last several years because many Clerks have been doing the same in their offices due to lack of resources. The increases have not yet been defined, but we are going to follow the work of the budget process in the Clerks' offices. That was his report for the upcoming year's budget. Mr. Dew wanted to point out that the \$100,000 and the \$45,000 in the 19/20 budget request are non-recurring expenditures. These will be a one-time cost.

Clerk Green asked if for the data collection solution there had been a scope yet for the RFP. Mr. Dew stated that the scope has not been developed. He has asked Jason Welty to help with that. Clerk Green suggested that as the scope is being developed that CCIS be taken into consideration as an interface for the data as CCIS is being expanded and more data is collected there. Clerk Peacock noted that when talking to staff and defining the procurement, one solution is to use a data source that we have already and factoring those in, so we are not duplicating work on everybody. Clerk Frank wanted to know the priority on the direction for data solution. Clerk Peacock explained that the current database PABS was a single point of failure as to who could manage getting the data in and out. When we lost the staff member, the expertise was lost. He said the key is to find a solution that provides a non-IT expert the ability to get the data out of the system without relying on an IT expert. Clerk Green asked that once an RFP is out and responses are back, what will be the selection process for selecting a vendor. Mr. Dew stated that the same guidelines used in the past by CCOC staff would be used. We would ask the Chair to appoint someone to help us through the process and clerk staff as well. Clerk Peacock stated that there has been discussion of what we need and that first we need to get a budget approved to hire a vendor. That will lend us to suggest a small committee to work with staff to define what is needed and then come back to the Council with the plan now that we have the resources available and well thought out.

Clerk Crawford asked how a PTO policy affected the budget. Clerk Peacock said the cost involved comes from the corporation having followed State rules as far as bringing time over from employees previously working in State agencies and the rules as to what the employees own with those buckets of time. In order to start at a limited level of PTO we would have to pay some of the employees for their previously earned time. Mr. Dew noted

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that later in the meeting Dr. O'Neil would give a report from the workgroup she chaired about PTO. If the Council does not approve PTO, then CCOC would not need the dollars in the budget for paying out employees for their earned time. He continued that CCOC has a liability of employees coming in from the State with a lot of sick leave. Chair Butterfield said that as a reminder that it is a conversion cost, a one-time cost if PTO is approved by the Council. Clerk Frank added that she is in favor of PTO and has incorporated it in her office.

Clerk Peacock made a motion to approve the 19-20 budget for the CCOC as it is described in the packet. Clerk Green seconded the motion. Chair Butterfield asked if there was any further discussion. She pointed out that after the Council approves the budget then it goes to the whole Corporation for approval. The vote was taken, and the motion passed unanimously.

Chair Butterfield asked Clerk Peacock to continue with the CCOC annual workplan. The workplan is found on page 17 in the packet. Clerk Peacock spoke of the highlights and made a motion to approve the workplan for the upcoming year. Clerk Newton seconded the motion. Chair Butterfield asked if there was any discussion. She said that this document can be brought back as this document matches the Clerk environment, they will be working in. Clerk Green asked that it be noted that on the Driver's License reinstatement and on the OPPAGA issue, that CCOC will be working with FCCC on these two. The vote was taken on the workplan with the notes. The motion passed unanimously.

BUDGET COMMITTEE REPORT

Chair Butterfield called upon Clerk Ken Burke to give an update on the CCOC Budget Committee. He thanked her for her leadership with the CCOC. He began by stating that he wanted to keep this report at a high level. He invited any clerk in the room if they had a question about the budget to come see him after the meeting. He is pleased to report that through the clerks' good efforts in collections, we have enough funds to meet everyone's current approved 18/19 budget. In the past, we haven't always been able to say that. Even though enough is not allocated in the budget, there is enough there to fund everyone's budget through the rest of the year. This coming year, on July 18th, even though he is not sure if the date is final, the REC will be meeting, and they will provide the number that will be used for us to calculate our 19-20 budget year number. There is a little bit of favorable news that the Legislature did help clarify things for the REC as far as Clerks' unexpended revenue and revenues above what we anticipated on how those are to be treated. The REC took an overly conservative view on that in the past and the Legislature helped guide them as to what is the correct interpretation. That will be taken into consideration for this upcoming budget year. He pointed out that Budget Committee meetings have been set up. The first one is July 9, 2019. It is going to be in Pinellas County and that meeting will be starting at 10 AM. All are welcome to attend. July 23rd is the next meeting and that it is going to be in Gainesville. The Pinellas meeting will be at the St. Pete College Epi Center. He added that he had a good opportunity to spend a day and half with Marleni and Jason to go over Budget Committee matters. They got into a lot of the nitty gritty of the ten case types, each county's peer groups, a look at super peer groups, and homing in on the information and data so that the committee will have good data especially targeted for the July 23rd meeting. That ended the Budget Committee report. Chair Butterfield thanked him for his work on the Budget Committee. She noted

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that the committee has been working hard. The staff started back in January working on the plan for this year. She commended Clerk Burke for his leadership on the Case Counting and the consistency in the workgroup of Clerk Cooney and Denise Bell. She thanked them and said as we all know it is important because cases are at the core of our business. Clerk Burke said as far as case counting, the good news is that we have made tremendous progress on that. We have looked at counties with over three standard deviations and at some point, we will look at two standard deviations. The numbers change, but they have been working with the counties and all have been cooperative. Chair Butterfield thanked the counties for their cooperation. Before the July 23rd BC meeting, we will also know who is waiting for further amendments with those eleven that are pending.

Clerk Green asked Jason Welty going back to the budgets, if he happened to recall if on page 21 on your comparing year over year for April 2018, Circuit Criminal is up. She asked if he happened to recall by how much? Jason said as a percentage he does not recall but he can find it and will give it to Clerk Green after the meeting. He stated that it is not a very big percentage. It is \$143,000 and Circuit Criminal is usually only a couple of million a month. It was not a big percentage, but it was one that was contributing to us being up 4.3% year over year. She was trying to figure out if maybe it was collection efforts that were getting that number up. Jason continued that Circuit Criminal has had kind of a up and down the first 8 months of the year. There has been a split four months where it has been up and four months where it has been down. So, it is not really showing an upward trend like County Civil or Circuit Civil where it is up every month. It is up and down. Clerk Green asked if it could be correlated with some of these workshops like Alachua just did the settle-up. Jason said yes, and that he has been looking for the patterns and trying to find where things are up and down. He tries to highlight a few of these things in each month's revenue report. Chair Butterfield added if any Clerk has a specific item that they know is causing this, please note that and send it to the CCOC so Jason and Marleni can put that information in the reports. We will know if it is a pattern that is continuing or what is causing the item. Clerk Burke added in Pinellas for the first time they received a paid \$250,000 fine for drug trafficking. Clerk Butterfield stated that would be a note to the CCOC. She again added if you are aware of it, please notate it. Those are the things that Jason and staff are looking for the explanations of what is causing the increases in revenue.

Chair Butterfield asked if there was any other discussion on the Budget Committee report. There were no more questions and she thanked Clerk Burke. Before moving on, Jason Welty made one correction to the memo. It says on agenda item 4a, the amount the clerks collected is \$412 million through April 2019. That is not correct. It is \$282.8 million. The \$412 million is our budget. That is on page 20. Clerk Frank stated that it was correct on page 21.

PIE COMMITTEE

Chair Butterfield asked Clerk Green to give the PIE Committee report. Clerk Green said the first action that we will be looking for is the approval of the 2018 1st quarter Performance report for distribution and posting to the website. She noted forty-seven clerks' offices required action plans. County Criminal was below the 40% standard at 39.41% while Civil Traffic was below the standard of 90 at 83.22%. Clerk Green made a motion to approve the 1st Quarter Performance report for distribution and posting to the CCOC website. Clerk Peacock

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seconded the motion. Chair Butterfield asked if there was any discussion. Hearing none, the vote was taken. The vote was unanimous, and the motion carried.

Clerk Green stated that she would like to allow direction for the PIE Chair to work with the CCOC staff to compile the quarterly actions plans and then post them on the CCOC website and reach out to the Legislature to inform them of the action plan in order to meet the deadline. The Executive Council then would be made aware of the plan being posted. Then it would be reviewed with the Council at the next scheduled meeting. The reason behind that action is because this past legislative session, Senate Bill 7014, which takes effect in July, requires the CCOC to remit the performance measure action plan to the Legislature 45 days from the end of each quarter. That is extremely difficult for staff to do. We are asking for the PIE Chair and staff to meet that deadline and then subsequently provide that information to the Council for review. Clerk Butterfield summarized that it would put us in compliance with the new statutory requirement with this process change and the Council would be ratifying the action at the subsequent Council meeting. She asked if that was in the form of a motion and Clerk Green said yes. Clerk Crawford seconded the motion. She then asked if there was any discussion. Clerk Peacock asked that in effect that posting the report on the website would fulfil requirements. Clerk Green replied that it would. Doug Isabelle said that a link to the website would be sent to the Legislature. There was no other discussion. Vote was taken and the motion carried.

The next action item is the seeking of approval for a contract with Compliance Improvement Services as a vendor to assist the CCOC with revenue compliance training and education. Clerk Green asked Clerk Vick as part of the PIE Committee to work with the CCOC and draft a Request for Proposal for Revenue Compliance education and training services which was released March 15. Resumes were received by April 12. The proposals were reviewed and evaluated. The evaluation was done by Clerk Vick, Clerk Moore Russell, Clerk Peacock and staff from Citrus and Orange Counties and herself. She thanked them for their participation. Once the review was complete, we chose Compliance Improvement Services as the vendor of choice. She made a motion to seek approval to move forward with the contract with the vendor for future compliance training and education. Clerk O'Neil seconded the motion. Chair Butterfield asked if there was any discussion. Clerk Newton asked over what period the 500 hours allowed in the contract was expected to take place? Doug Isabelle said these hours are for an annual contract that will run from July 1 to June 30. Clerk Newton asked if the vendor would be going into all the different counties? Clerk Green stated that it is more of an external support function to assist us with whatever we determine we need as far as whether it is training or evaluating improvements of processes and collections. Maybe looking at systems that we use. She said it is the whole gamut and it is up to us to decide how we need to utilize the vendor to assist us in taking our compliance program to the next level. This vendor will help us collect data from around the state to see what we are doing well and then share that information. It is just an additional resource to assist us. It is just a support function to assist us to keep moving forward. As full disclosure, there was not a lot of responses back. So, we had to go with what we were presented as far as an RFP and what the choices were. She feels that is the role this individual and company is going to assist the CCOC. It is not replacing what clerk staff do in our offices.

Chair Butterfield summarized that this is really is a resource for the CCOC operations and their staff. If we didn't have it contracted, this is having a full-time person on staff dedicated to this item. This is a subject matter

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expert that can focus on entirely the collection efforts. We also know that the Legislature is very focused on our efforts individually in our offices and collectively throughout the whole State on the collection efforts. That money and collecting that money is very important to the Legislature. This is an effort by this Council to provide the resource so that we can follow up and pursue actively helping all clerks throughout the State with giving them the tools and the education so that we can move forward to the best of our abilities to demonstrate to them our commitment and effort in collections.

Clerk Frank said that we have shown to them that we are over the cap that we had last year. We are bringing in excess revenues. Some counties are so small and so unique, they have one road going through them for traffic tickets. They can't do any better than that. No expert is going to change that. She thinks that we need to be frugal on things. We have expanded the staff and every time you do that, and something comes up that is important then you are not going to have the money for it. Chair Butterfield said she appreciated her input. We did have someone and had it in the budget in the past as well. No other discussion occurred. Chair Butterfield called for a vote. The motion passed with one nay by Clerk Frank.

The last item on the PIE Committee report was an update on other projects. The OPPAGA study that is coming, Jason Welty has already reached out to staff to extend a hand and partnership in the data collection with the study. The committee has decided to go ahead and schedule a workshop soon. It is going to be around House Bill 7125 which is the Driver's License reinstatement days as well as talking about collection and compliance going forward. For example, a collection summit is in the future as well. We will look toward that entity to provide us information for the workshop to be able to work that position and move forward with it. We will do that in partnership with the Legislative and Public Affairs Committee from the FCCC.

Clerk Green noted that was the end of her report. Chair Butterfield thanked Clerk Green and asked if there were any questions. Chair Butterfield asked Clerk Green to give an update on the use of the Clerks' framework document. Clerk Green stated that we got requests from the Department of Financial Services to get a copy of the framework to use as a tool when they visit clerks' offices and audit them. Chair Butterfield noted that it shows all the work that has been done by Clerk Green and the clerks and staff in offices on this framework. That framework has been beneficial, and she thinks that this past year we have been successful because of all the previous years' work and the data has been collected and shown. The OPPAGA study is going to find as we move forward and hopefully work with them, they will be using the framework and the document is just incredible. Not only for us collectively throughout the whole state, but in our individual offices. Clerk Green wanted to extend a thank you to two particular people, Clerk Cooney and Denise Bell who were instrumental in pushing it forward and developing it. Clerk Cooney is still currently working on law changes from the last Legislative session to make sure those additional tasks and duties are put in there.

THE LEGISLATIVE COMMITTEE

Chair Butterfield called upon Clerk Timmann to give the Legislative Committee report. She thanked Clerk Butterfield. This report is informational only. She began by setting the stage for the Legislative Committee by saying this year it had three parts. One was to focus on really engaging active clerk and clerk staff participation in every step of the legislative process. That was critically important. As we all saw, there are so many moving

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parts, so many issues that impact all of us. We wanted to do everything possible to make sure that any data or information was available. The other was to closely coordinate with the FCCC Legislative program. They are the lobbying arm and to make sure that all of that again was in tandem. Every time that group went in to talk to a legislator or legislative staff, the CCOC was either at the table with them or had provided the data and background information that was essential to meet the goals for those meetings. The last was to really help improve on the misconceptions and the perceptions mostly from Legislative staff, but also from Legislators. All of that was critically important again to make sure that as those questions came up, we could again provide the data and the information from all this incredibly hard work that everyone is doing. It is very important to have all these bits and pieces. This was active this year to try bringing all those pieces together and make sure everyone had the information that they needed so we could improve those misconceptions and perceptions and talk about the ways that clerks are efficient in all the things clerks are doing. She wanted to give a big shout out to the case counting initiative because it will be so valuable. It is one of those misconceptions that we do everything differently and we all have heard that and that our data is not consistent. We are working so hard to make sure we show that some of those things that appear to be inconsistent are changing. We need to be able to explain that. That has been a big part of everything, and she appreciates Jason Welty and the team for trying to help with that. This year the goal is again to increase visibility. We improved communication and built a partnership with the members and the staff of the Legislature. The Legislative Committee along with the Legislative Analysis workgroup worked on 1,676 general bills filed this year. The Legislative Committee tracked 649 of those bills for potential impact to Clerks' offices for the services we provide for the public. There was a wide variety of duties of those 174 bills passed of the ones we were monitoring. The Legislative Committee tightly tracked 79 bills included reviewing these and the almost 400 different committee stops for the House and Senate bills. Think about those numbers that this team worked on together with amendments and ultimately final passage of those bills. The Legislature directly requested 30 bill analyses from the CCOC, and the Legislative Committee and the analysis workgroup analyzed over 50 bills. So again, we were directly requested to analyze some, but we spotted some others where we might identify potential impact. We went ahead and proactively provided analysis on those proposals. There were 1,630 appropriation projects filed in the House and all of those were reviewed quickly. That is the only way we could do it to see if there was any potential clerk impact on the services we provide to the public. In addition to the formal requests, we cooperated on multiple informal and ad hoc requests for the Legislature whether it was specifically identified to a bill or it might be an issue, or it might be a process or procedure that we went through. We were able to provide all that information with great dialogue back and forth with the Legislative body. The CCOC reviewed committee notes of over 90 committee meetings that heard bills relevant to the clerks. As she mentioned working in partnership with FCCC, we met with members, with staff, with Legislative leadership in the Governor's office to communicate the priorities of the services we provide. These meetings included staff directors from Justice Appropriations, General Government Appropriations, Judiciary, Criminal Justice, and the General Counsel of the Appropriations committee and the Policy Coordinator for our prospective policy areas in the Governor's office. In addition to those formally scheduled meetings, the "Jasons", Jason Harrell with FCCC and Jason Welty with CCOC worked collaboratively throughout this session, exchanging information daily. They would go through our strategy and

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make sure that everything that we were talking about remained relevant and remained accurate. We provided all the information that the Legislative body needed and required. We made sure we were able to provide that. She gives credit to the analysis workgroup. She asked if any of the workgroup were in the audience to please stand up. She thanked the CCOC team and Jason Welty for leading all those efforts in coordination with FCCC. That was her report and she wanted to make sure that everyone understood the substantial work that was done by the CCOC, Jason and all. Chair Butterfield thanked her for leading this committee. As you can see from her report, it is a very active and busy committee. All the important data that is needed to help clerks statewide with their budgets and therefore to run our offices. It is important that this committee is engaged.

REVENUE ENHANCEMENT COMMITTEE

Chair Butterfield called upon Clerk Moore Russell to give the committee report. The committee was tasked to look at a new funding model that the Clerks could live with ten to fifteen years down the road. One of the aspects of the committee was to create a workgroup that was chaired by Kathryn Farynowski from her office with several other staff members from the committee. They worked with CCOC staff this past year looking at different models and getting data from CCOC. The workgroup is prepared to report, but we thought it was appropriate to wait until after this meeting today when we elect new leadership to schedule a meeting with the CCOC Budget Committee, possibly the Legislative Committee from both FCCC and CCOC. The model needs to be shared with legislators. We do have a proposed model to discuss with the small committee first before we bring it back to the entire Council. Chair Butterfield thanked all who had helped to vet this model. Clerk Moore Russell wanted to thank Clerk O'Neil for being valuable member to the committee.

ELECTRONIC NOTIFICATION PLATFORM WORKGROUP

Next Chair Butterfield called upon Clerk Peacock to give his report on the Electronic Notification Platform Workgroup. He stated that there has been significant progress with OSCA and the team who have been working with the vendor that was selected. At last legislative session before the most recent one, there was \$750,000 put in the budget by Senator Brandes to create a text or electronic notification system for participants that must appear in court. There were three clerks on our side and three judges on the Judicial side to work together to get that moving and a vendor was selected. The update is that the Legislature this session continued to fund that process for \$370,000 for this coming year which is about what the contract called for. The most recent update, is that we are probably two to three months away from testing of this platform and then we will have it piloted in three Clerk's counties.

OSCA had an idea of it being more robust. It would notify more than just criminal defendants to include participants in civil cases that must appear. However, we tried to focus on a data source that was already in existence. There was a lot of pressure to use CCIS. The vendor focused on how to use CCIS. They worked closely with the FCCC team in getting the data flow on the product they are providing. We focused on Criminal defendants and participants to start with. At some point in the future, we will use a different data source of the courts probably to do civil cases. There was a very productive call with the vendor showing us a visual of what

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their website would look like and how you would interact with it. The last time they showed us it was just a mock up, but this one was actual live website. We are about three months away from rolling that out in pilot counties. Chair Butterfield asked may be by the end of August. He said more like September. She asked if the pilot counties had been identified. He said that they have not been identified at this time. The system will be able to go live almost instantaneously across the board because it is using a data stream from CCIS. The pilot counties are more of the ones who are going to do the in-depth testing of it. It will be quick to move from testing to a pilot to a statewide system. Chair Butterfield thanked him.

CCOC STAFF LEAVE POLICY

Chair Butterfield called upon Clerk O'Neil to give her report about the CCOC leave policy. Clerk O'Neil thanked the Chair. She started by saying that this was a great group to work with. The group had members from her office, Clay, Lee, Pinellas, Palm Beach and Alachua. The group met twice to discuss what the trend was in other offices. It seems that throughout the State the trend is convergence from the traditional sick and annual leave process to a PTO. There were no signs of it going the opposite way. In looking at that, there was a lot to consider. There are variations of the approach, but that is our recommendation. We looked at leave policies in those areas for the clerks' offices as well as the counties, State agencies and CCOC. By comparing all of that, we do think and would like to recommend a couple of things. First, that the PTO would be a better way to track expenses in the future especially when people might leave with a large amount. There are decisions to be made on how much you are willing to bring over if they are from a State agency or maybe a Clerk's office. It could be a big financial responsibility. Some offices accept hours if they are in the same system, but some do not at all. So, we are recommending that you figure out a way to go to PTO leave policy. Figure out a conversion that you are willing to go with it. Figure out some policies on what you are willing to accept if there is someone coming from another agency. Secondly, more aligned to hire and retain employees. This would make it consistent to what is found in the workforce today. We are recommending that the Council approve conceptually and then work toward the detail. Clerk O'Neil noted that this was a motion to approve the concept of utilizing Paid Time Off policy in place of separate sick and vacation policy. The details to be worked on and brought back to the Council. Clerk Crawford seconded the motion. There was no discussion. The vote was taken, and the motion passed. Chair Butterfield thanked her.

TCBC REPORT

Chair Butterfield asked Judge Ficarrota to give his report on the Trial Court Budget Commission. He noted that there is a TCBC meeting scheduled tomorrow morning. John Dew and Clerk JD Peacock will be attending. He is looking forward to introducing Clerk Peacock to the Judges and members of the TCBC. Our last meeting was through the financial year 18/19 year-end budgeting plan and problem-solving court advisory group recommendation on the 19/20 problem solving Court budget allocation. The commission also discussed the alternative approach to develop the 20/21 Legislative budget request. The commission decided to develop policy-based issues to the support the achievement of specific outcomes of the problems. Under this new approach TCBC is considering LBR initiatives that capture statewide local trends issues and challenges while still

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being guided by our goals and more equalized funding across the State. Going to do this under different themes, Children and families, leadership and accountability, civil case efficiency, court interpreting and other circuits for specific items. It is going to be a new approach to try and get through this legislative budget request to see if we can do well with that. We will be meeting tomorrow at the Doubletree Hilton by Sea World. The purpose for that meeting is to approve the 19/20 allocations and discuss issues to be considered for inclusion of the state court systems legislative budget request. Also, on a side note, he had an opportunity to speak with Clerk Timmann briefly and looks forward to working with her to see if the court and clerks can work together on budget issues. We seem to do better when we do. It is better to cross Duval Street going hand in hand and share our meetings and it shows that we are working together. He continues to look forward working with everyone.

Chair Butterfield thanked Judge Ficarrotta and she hopes that he will be continuing with the Council. He plans on continuing unless the Chief Justice changes his mind. He always enjoys working with the Clerks.

MEETING SCHEDULES FOR 2019-2020

Chair Butterfield asked John Dew to speak on the meeting schedule for 19/20 and she noted it is found on page 66 of the material package. This is informational only. Mr. Dew noted that you will find in your packet the dates that are scheduled for the upcoming year. At this time, we don't know the dates yet for all of the upcoming Council meetings. The Council will need to meet prior to the October 1st scheduled meeting due to their responsibility of approving Clerks' 19/20 budgets prior to the beginning of the county fiscal year. As soon as the Budget Committee meets and gives recommendations, then the Council will obviously move forward and will set that meeting up. After that, October 1st will be the next Council meeting. These are all related to the Association's Fall and Winter training conferences. February 25 will be the next meeting and you will see the location and time. June 22 will be the Summer Conference and that is at Sawgrass.

Those are the dates that we have scheduled and provided. Chair Butterfield thanked him. She again mentioned that sometime in the August-September time frame, it will be necessary to have a council meeting to approve the budget recommendations for the next year.

ELECTION RESULTS

Chair Butterfield called upon Clerk Peacock to give the 2019 Council election results. He wanted to report that the election for the vacancies on the Council for the coming year were done according to the CCOC's Plan of Operations as outlined by our CPA accountant to reconcile the votes and administer the process. He is happy to advise that from Group I, Todd Newton was elected. From Group II, Clerk Jeff Smith was elected. From Group III, Clerk Laura Roth was elected to a two-year term and Clerk Butterfield will be elected to a one-year term and the reason for that is the retirement of Clerk O'Neil. From Group IV, Clerk Moore Russell was elected.

Chair Butterfield thanked all the clerks that submitted their names for this council election. Congratulations to those clerks that will be serving. It is certainly appreciated. And with that she would like to recognize some of our Council members that are going off our Council. We have three that have served over the last term. She began with Clerk Paula O'Neil. She noted that Clerk O'Neil service was greatly appreciated. She presented to Clerk O'Neil a plaque for her service on the CCOC Executive Council from 2013 to 2019. Next was Clerk Frank.

Agenda Item 2

She has served on the Council from 2010-2013 and then 2017-2019. Chair Butterfield thanked her for her service and appreciated all her efforts. Chair Butterfield thanked Clerk Green for her service to the Council and for doing the Clerk's Workload Framework which was a huge undertaking. Clerk Green served on the Council from 2017-2019.

OTHER BUSINESS

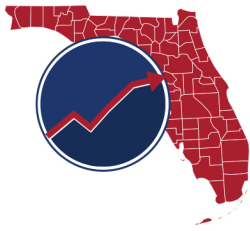
Chair Butterfield asked if there was any other business. Hearing none the meeting was adjourned.

DRAFT

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	Jun	Jul	Aug	Year to Date Expenditures	(%) of Budget Expended
CCOC STAFF:	\$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	\$68,277.11	\$69,898.30	\$68,351.75	\$785,739.87	90.90%
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	\$11,211.92	\$11,211.92	\$11,211.92	\$123,331.12	91.67%
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	\$8,834.92	\$8,834.92	\$8,834.92	\$97,184.12	91.67%
Information Systems Director	\$80,500.00	\$13,312.80	\$7,120.80	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$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	\$6,909.58	\$6,909.58	\$6,909.58	\$75,761.33	91.37%
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	\$3,155.63	\$3,155.63	\$3,155.63	\$34,711.93	91.67%
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	\$3,905.42	\$3,905.42	\$3,409.73	\$42,493.93	90.67%
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	\$3,905.42	\$3,905.42	\$3,905.42	\$42,959.62	91.67%
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	\$5,615.04	\$5,615.04	\$5,615.04	\$61,765.44	91.67%
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	\$3,375.00	\$3,375.00	\$3,375.00	\$35,592.16	87.88%
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	\$3,935.76	\$3,846.45	\$3,584.51	\$44,453.81	88.91%
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	\$17,428.42	\$19,138.92	\$18,350.00	\$207,052.81	108.98%
OPS STAFF:	\$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	\$6,510.38	\$5,528.38	\$2,573.00	\$55,820.51	253.73%
GENERAL EXPENSES:	\$85,159.54	\$5,343.74	\$4,429.76	\$4,716.91	\$3,716.26	\$4,076.50	\$6,539.19	\$6,584.47	\$6,654.22	\$6,949.17	\$12,209.15	\$4,036.66	\$65,256.03	76.63%
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	\$3,442.68	\$3,449.13	\$3,440.83	\$36,871.49	81.65%
Communications (+ Internet and Phone)	\$5,000.00	\$437.56	\$237.97	\$346.52	\$306.63	\$393.10	\$303.41	\$302.05	\$320.50	\$344.62	\$369.91	\$286.43	\$3,648.70	72.97%
Equipment, Supplies and Other	\$35,000.00	\$1,882.68	\$823.05	\$895.42	\$98.40	\$343.84	\$2,911.60	\$2,951.16	\$2,968.31	\$3,161.87	\$8,390.11	\$309.40	\$24,735.84	70.67%
TRAVEL:	\$60,400.00	\$2,834.72	\$666.82	\$940.78	\$1,152.51	\$3,978.89	\$3,243.58	\$3,023.51	\$798.05	\$1,710.22	\$3,520.41	\$3,885.19	\$25,754.68	42.64%
STAFF TRAINING:	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
CONTRACTUAL EXPENSES:	\$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	\$12,850.00	\$11,102.50	\$11,091.63	\$127,541.30	56.54%
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	\$5,760.00	\$860.00	\$1,882.50	\$48,600.00	43.78%
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	\$7,090.00	\$10,242.50	\$9,209.13	\$70,941.30	68.50%
Audit Services	\$11,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,000.00	72.73%
EDUCATION SERVICES	\$354,533.00	\$0.00	\$0.00	\$40,770.00	\$61,770.00	\$0.00	\$0.00	\$0.00	\$101,100.00	\$0.00	\$61,800.00	\$0.00	\$265,440.00	74.87%
TOTALS:	\$1,617,097.00	\$103,142.12	\$107,442.69	\$125,838.33	\$152,697.39	\$102,460.27	\$103,982.89	\$90,740.32	\$188,954.53	\$96,296.88	\$164,058.74	\$89,938.23	\$1,325,552.39	81.97%

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





CCOC

FLORIDA CLERKS OF COURT
OPERATIONS CORPORATION

JD Peacock, II
OKALOOSA COUNTY
EXECUTIVE COUNCIL CHAIR

Jeffrey R. Smith, CPA, CGMA
INDIAN RIVER COUNTY
VICE-CHAIR

Tiffany Moore Russell, Esq.
ORANGE COUNTY
SECRETARY/TREASURER

STACY BUTTERFIELD, CPA
POLK COUNTY

JOHN CRAWFORD
NASSAU COUNTY

TODD NEWTON
GILCHRIST COUNTY

LAURA E. ROTH
VOLUSIA COUNTY

HARVEY RUVIN, ESQ.
MIAMI-DADE COUNTY

RON FICARROTTA
13TH JUDICIAL CIRCUIT JUDGE
SUPREME COURT APPOINTEE

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

VACANT
HOUSE APPOINTEE

JOHN DEW
EXECUTIVE DIRECTOR

JOE BOYD
GENERAL COUNSEL

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

AGENDA ITEM 4a

DATE: October 1, 2019
SUBJECT: CCOC Executive Committee Update
COUNCIL ACTION: Review Executive Committee Decisions for Confirmation

OVERVIEW:

The CCOC Executive Committee met on September 20th at 2:30 via a WebEx meeting (See attachment 1). This was the Executive Committee's first meeting of the newly elected members which include Clerk Peacock, Chair; Clerk Smith, Vice Chair; and Clerk Russell, Secretary/Treasurer.

The purpose of the meeting included getting prepared for the upcoming October 1st Council meeting, reviewing and approving administrative changes to the CCOC office, and reviewing and approving recommendations from the CCOC Budget Committee (See attachment 2).

COUNCIL ACTION: Review Executive Committee Decisions for Confirmation

ATTACHMENTS:

1. Agenda and packet from Executive Committee's 9/20/19 WebEx meeting
2. Draft summary minutes from 9/20/19 meeting



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DRAFT AGENDA CCOC Executive Committee

DATE: September 20, 2019
TIME: 2:30pm (ET)
LOCATION: WebEx Meeting Information

Meeting link: <https://flccoc.webex.com/flccoc/j.php?MTID=me404204cc08ecaa3677664678259fdb8>

Meeting number: 737 147 821

Join by video system:

Dial 737147821@flccoc.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone:

+1-415-655-0001 US Toll

Access code: 737 147 821-

1. Call to Order.....Chair Peacock
2. Purpose and Responsibilities of the Executive CommitteeJohn Dew
3. Travel Reimbursement Policy.....John Dew
4. Juror Funding Policy.....Jason Welty
5. CCOC Staff Paid Time Leave Policy and Implementation.....Chair Peacock
6. Policy on submitting reports timely and follow-up.....Doug Isabelle
7. Education Committee.....Chair Peacock
8. Other Business

Committee Members: Chairman JD Peacock; Vice-Chair Jeff Smith; and Secretary/Treasurer Tiffany Moore Russell.

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Agenda Item 2

DATE: September 20, 2019
SUBJECT: Purpose of CCOC Executive Committee
COMMITTEE ACTION: Information Only

The CCOC Plan of Operations in section 2.1 provided the establishment of an Executive Committee consisting of the Council officers which include the Chair, Vice-Chair, and Secretary-Treasurer.

The purpose of the Committee is to act on behalf of the Council when decisions need to be made on issues requiring immediate attention or on administrative issues. The Council shall be notified of any action taken by the Executive Committee. All decisions of the Executive Committee shall be provided to the Council at the Council's next meeting for confirmation.

This will be the first meeting of the current Council Officers since the election of these members at the June 2019 Council meeting.

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Agenda Item 3

DATE: September 20, 2019
SUBJECT: State Travel Reimbursement Policy
COMMITTEE ACTION: Direction to CCOC, Clerks, and Staff for travel paid for by court-related revenues.

BACKGROUND: The Department of Financial Services staff in their recent budget reviews of Clerks noted on several occasions the Clerk or staff were incurring expenses of one-night lodging at a rate higher than the 'allowable \$150' with no justification providing that it was the most economical choice. (See Attached Sarasota Review) They stated that under the 2019 State Generals Appropriations Act which became Chapter 2019-116, Section 112, Laws of Florida that state employee travel may not exceed \$150 per day. This section expires July 1, 2020. This same language was in the 2018 General Appropriations Act.

This issue was discussed earlier this year by the Executive Council, but no formal action was taken due to questioning its applicability to Clerks and their employees. It was decided to take no formal action until we knew if the 2019 Act would have a similar requirement.

The current memorandum of agreement which was signed off on in August with the CFO (See attached) requires that the CCOC will "adopt an understanding of allowable expenditures under sections 28.35(3), 28.37(5), 28.24(12) and 29.008, F.S." and the CCOC "will communicate common audit findings to the Clerks' offices during the annual budget training, to assist the Clerks' offices in budgeting for allowable expenditures'.

Historically the CCOC staff have provided training as part of either the annual budget process, the FCCC quarterly conferences, or special regional training sessions. The training has provided information from previous budget review findings from DFS such as how to develop allocations between court and non-court staff. However, we have not done any specific training on limiting lodging costs to \$150. This is due to the Executive Council not yet taken a formal vote on this requirement and this issue not being a finding from DFS until only recently.

MEMO UNSPENT BUDGETED FUNDS

ACTION:

1. The CCOC can adopt the CFO's position that Clerks and their staff are limited to \$150 lodging expense, unless there is justification provided as to why it was the most economical choice. If CCOC were to do this then we would include this requirement in our education to Clerks.
2. The CCOC could hold off accepting the CFO's position until such time we get an opinion from the CCOC General Counsel. Pending receiving the opinion from the General Counsel and making a decision however we would inform Clerks of the language in the 2019 General Appropriations Act, so they are made aware.
3. Other?

Lead Staff: John Dew, CCOC Executive Director

Attachments:

1. Sarasota Budget Review
2. CCOC/CFO Memorandum of Agreement



CHIEF FINANCIAL OFFICER
JIMMY PATRONIS
STATE OF FLORIDA

July 18, 2019

The Honorable Karen Rushing
Clerk of Circuit Court
Sarasota County
2000 Main Street
Sarasota, Florida 34237

Dear Ms. Rushing:

We completed our Article V Clerk of the Circuit Court Expenditure Compliance Audit in accordance with Florida Statutes. Enclosed is a copy of our final report.

We appreciate your advanced preparation for our audit and the courtesy extended to our team. We look forward to working with your office in the future.

Please contact Kim Holland at (850) 413-5700 or kim.holland@myfloridacfo.com if you have any questions.

Sincerely,

[Redacted Signature]
Mark Merry
MM/jp

Enclosure

FLORIDA DEPARTMENT OF FINANCIAL SERVICES
Mark Merry • Assistant Director
Division of Accounting and Auditing
200 East Gaines Street • Tallahassee, Florida 32399-0353 • Tel. 850-413-5510 • Fax. 850-413-5553
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AFFIRMATIVE ACTION • EQUAL OPPORTUNITY EMPLOYER



**JIMMY PATRONIS
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA**

Florida Department of Financial Services

**SARASOTA COUNTY
CLERK OF THE CIRCUIT COURT
COMPLIANCE AUDIT**

**Report No. 2019-40
July 17, 2019**

SUMMARY

The Department of Financial Services (DFS) has completed an audit of the Sarasota County Clerk of the Circuit Court.¹ The auditors sampled court-related administrative and payroll expenditure accounts and transactions to determine whether, in making such expenditures, the Clerk's office complied with applicable State laws.² The sampled Clerk's office administrative and payroll expenditures generally complied with applicable State laws, and funds were expended for allowable court-related costs. However, as further described in the Observations and Recommendations section, we noted:

- In six (6) instances totaling \$39,436, the expenditures had been improperly allocated as court-related costs or were not authorized of record as being a reasonable administrative support cost.
- Financial reporting and recording could be improved.

BACKGROUND

In 2013, the Florida Legislature passed legislation that removed the Clerks of the Circuit Courts from the State appropriations process.³ The 2013 legislation requires that all court-related functions must be funded from filing fees, service charges, costs, and fines retained by the Clerks. That portion of all fines, fees, service charges, and costs collected by the Clerks for the previous month that exceeds one-twelfth (1/12) of a Clerk's total budget must be remitted to the State. Those funds are deposited into the State of Florida's Clerk of Court Trust Fund. For those Clerks who collect less than their approved budgets, the shortage is disbursed from the Clerks of Court Trust Fund. In addition, the DFS' role was changed to providing audits of only the Clerks' court-related expenditures.

The organization that governs the Clerks, the Florida Clerks of Court Operations Corporation (CCOC), was initially formed to review and certify proposed budgets from each Clerk. In 2017, the Florida Legislature passed new legislation⁴ giving the CCOC the duty of approving the proposed budgets submitted by the Clerks of the Circuit Courts as required by State law.⁵ The 2017 legislation provides that the CCOC must ensure that the total combined budgets of the Clerks of the Circuit Courts do not exceed the total estimated revenues available for court-related expenditures as determined by the most recent Revenue Estimating Conference.

¹Section 34.031, Florida Statutes.

²Sections 28.35(3)(a) and 28.37(5), Florida Statutes.

³Chapter 2013-44, Laws of Florida.

⁴Chapter 2017-126, Laws of Florida.

⁵Section 28.36, Florida Statutes.

The Chief Financial Officer has contracted with the CCOC to establish a process for auditing the court-related expenditures of the individual Clerks pursuant to State law.⁶ The audits are conducted by the DFS Bureau of Auditing, Article V section. It is the practice of the Department to conduct these audits every three to five years.

SCOPE

The audit of the Sarasota County Clerk of the Circuit Court's Office covered County Fiscal Year (CFY) 16-17, CFY 17-18, and CFY 18-19 (through January 31, 2019). The audit included both a desk review for analysis and sample selection and an on-site visit for review of supporting documentation.

OBJECTIVES & METHODOLOGIES

The following objectives have been established for the audit of court-related expenditures:

- Evaluate whether court-related expenditures were in compliance with State laws.⁷
- Evaluate whether court-related expenditures were properly authorized, recorded and supported.
- Evaluate whether the Clerk used other funding sources (from the County or any of the 10% of fines from the Modernization Trust Fund (TF)) to subsidize the court-related budget and/or expenditures (prior to July 1, 2017).
- Evaluate whether expenditures were within the budgeted appropriations.
- Evaluate the accuracy and completeness of expenditures reported on the Clerk of Court Expenditure and Collections Report.
- Evaluate whether the Clerk's salary and total payroll costs were within the applicable caps established by the Florida Legislature's Office of Economic and Demographic Research.
- Evaluate the Clerk's methodology for allocating payroll costs between court and non-court related functions.

Our audit included an examination of accounts, records and the sampling of various court-related transactions related to administrative and payroll expenditures.

Table 1 shows the court-related budgeted and actual expenditures for each fiscal year reviewed. Source: CCOC Budget Letter and Expenditure and Collection (EC) reports. CFY 16-17 includes juror expenditures through June 2017. CFY 17-18 and CFY 18-19 (through January 31, 2019) do not include juror expenditures.

Year	Budgeted	Actual
CFY 16-17	\$7,842,774	\$7,420,403
CFY 17-18	\$7,607,974	\$7,244,846
CFY 18-19	\$7,886,214	\$2,168,512 ⁸

The Sarasota County Clerk of the Circuit Court serves a population of 407,260.⁹

The budgeted growth from October 2016 through September 2019 was 0.55%

⁶Section 28.35(2)(e), Florida Statutes.

⁷Sections 28.35(3)(a) and 28.37(5), Florida Statutes.

⁸Actual through January 31, 2019.

⁹The Florida Legislature's Office of Economic and Demographic Research Report Salaries of Elected County Constitutional Officers and School District Officials for Fiscal Year 2018-2019, September 2018.

Table 2 reflects the budgeted and actual full-time equivalent (FTE) positions, who charge either all or a portion of employee time to court-related duties. The budgeted number of FTEs includes vacant positions. The actual number of FTEs includes only filled positions.

Table 2		
Year	Budgeted FTEs	Actual FTEs
CFY 16-17	141.66	150.00
CFY 17-18	140.33	152.00
CFY 18-19	140.55	148.00 ¹⁰

The budgeted FTEs decreased by -0.78% for the period October 2016 through September 2019.

OBSERVATIONS AND RECOMMENDATIONS

Section (s.) 28.35(3)(a), Florida Statutes (F.S.), outlines the list of court-related functions that Clerks may fund from filing fees, service charges, costs, and fines and is limited to those functions expressly authorized by law or court rule. Those functions include the following: case maintenance; records management; court preparation and attendance; processing the assignment, reopening, and reassignment of cases; processing of appeals; collection and distribution of fines, fees, service charges, and court costs; processing of bond forfeiture payments; payment of jurors and witnesses (before July 1, 2017); payment of expenses for meals or lodging provided to jurors (before July 1, 2017); data collection and reporting; processing of jurors (before July 1, 2017); determinations of indigent status; and paying reasonable administrative support costs to enable the Clerk of the court to carry out these court-related functions.

Section 28.35(3)(b), F. S., outlines the list of court-related functions that Clerks may not fund from filing fees, service charges, costs, and fines, which includes:

- Those functions not specified above,
- Functions assigned by administrative orders which are not required for the Clerk to perform the functions above,
- Enhanced levels of service which are not required for the Clerk to perform the functions above, and
- Functions identified as local requirements in law or local optional programs.

During our testing of the Clerk's office administrative expenditures, we noted six (6) instances in which the expenditure, contrary to statutory guidance, had been allocated as a court cost, or was not authorized of record as a reasonable administrative support cost.

Travel Expenditures

As previously stated, s. 28.35(3)(a), F. S., requires that Clerk's office expenditures be reasonable and must support the core functions outlined in statute. Additionally, the Department of Financial Services Reference Guide for State Expenditures requires that travelers provide justification for lodging that exceeds \$150 per night (room rate only). For the below travel expenditures, the Clerk of the Circuit Court Travel Authorization documents did not indicate that the activities were mission-critical. There was also no indication on the travel documentation reviewed that the Clerk's office had considered other means to obtain training such as teleconferencing, webinars, or online training. Additionally, the supporting documentation reviewed did not include justification to support the hotel rates over \$150 per night.

¹⁰Actual through January 31, 2019.

- In CFY 16-17, an employee of the Clerk's office attended the Association of Certified Fraud Examiners (ACFE) national conference in Washington, D.C. to obtain Continuing Professional Education (CPE) credits. The total cost of the trip was \$1,107 of which \$365 was charged to the State. Also, in CFY 17-18, the employee attended the ACFE national conference in New York City to obtain CPE credits. The total charged to the State for this conference was \$1,193. The Clerk's office was unable to demonstrate that the CFE certification was required for the position. Consequently, attendance at the national conferences to obtain CPE credits to maintain the certification cannot be deemed as necessary and essential to performance of the employee's job duties or considered mission-critical travel. There was also no indication that the employee had considered using teleconferencing or other means of obtaining the CPE credits. Also, there was no justification for the hotel rates of \$172 and \$230 per night, respectfully, which were over the \$150 per day limit.
- For the following travel expenditures, there was also no indication that the Clerk's office had considered using teleconferencing or other forms of electronic forms of communication for the training. Also, there was no justification for the hotel rates that exceeded the \$150 daily rate.
 - In CFY 16-17, an expenditure in the amount of \$5,921 of which \$2,802 was allocated to the court for two (2) employees to attend the 2017 Community LIVE Conference held in Las Vegas, NV. The hotel daily room rate was \$209 per night.
 - In CFY 17-18, an expenditure in the amount of \$5,194 of which \$2,848 was allocated to the court for two (2) employees to attend the 2018 Community LIVE Conference held in Nashville, TN. The hotel daily room rate for this conference was \$199 per night.
 - In CFY 18-19, an expenditure in the amount of \$1,834 of which \$1,632 was allocated to the court for one (1) employee to attend the Ontario Systems – Power Up conference in Indianapolis, IN. The hotel rate for this conference was \$204 per night.

Upon inquiry, the Clerk's office noted that attendance at these conferences was necessary to remain up to date on their system capabilities and new products; however, there was no documentation on the travel forms to indicate the travel was mission-critical or to justify the hotel rates in excess of \$150 per night, as required by law.

We recommend the Clerk's office adhere to the statutes and rules governing travel charged to the State, and maintain documentation on file to justify that travel is mission-critical and that other forms of electronic communication were considered. Written justification such as comparison rates for hotels in the area should also be maintained. Since maintaining the CFE certification is not a requirement for the position of the Clerk of Court, we further recommend that the Clerk's office consider other sources of funding for attendance at the ACFE conferences or online and local training options. We also recommend the Clerk's office reimburse the Clerks of Court Trust Fund for the ACFE conference expenditures totaling \$1,558.

Financial Reporting and Recording

As noted on page 3 of this report, s. 28.35(3)(a), F.S., outlines the list of court-related functions that Clerks may fund from filing fees, services charges, costs, and fines and is limited to those functions expressly authorized by law or court rule. The Clerk's office was unable to demonstrate that the following expenditures were reasonable to support the essential functions of the Clerk's office.

- In CFY 18-19, we noted total expenditures of \$42,000 for leadership training sessions of which \$13,860 was allocated to the court. The Clerk's office entered into an agreement with Focused Consulting, LLC for the purpose of creating individual development plans. The Clerk's office stated that the consultant helped the Clerk's office provide a better quality of customer service.
- In CFY 17-18, we noted an expenditure for \$12,500 for an annual subscription to PayScale Insight Subscription & Services, which is the largest aggregator of salary information, of which \$4,125 was allocated to the courts. The Clerk's office informed us that the subscription allows them to access data to ensure that their pay ranges are marketable.

We recommend the Clerk's office allocate as court-related expenditures only those costs considered reasonable administrative support costs to enable the Clerk's office to carry out its court-related functions. Additionally, we recommend the Clerk's office consider utilizing free web-based sites for researching salary ranges or through networking with other Clerk's offices. We also recommend the Clerk's office reimburse the Clerks of Court Trust Fund for the expenditures above for \$17,985.

Section 29.008(1)(f)2, F.S., requires counties to fund the cost of communications services which includes all computer networks, systems and equipment, including computer hardware and software, modems, printers, wiring, network connections, and maintenance.

- In CFY 16-17, we noted an invoice for expenditures totaling \$15,788 of which \$13,419 was allocated to various court-related cost centers. The expenditures were for an archive writer, micro file with film unit, and two Kodak Prostar archive processors.
- In CFY 16-17, we sampled an expenditure in the amount of \$7,616 for support and maintenance for three (3) scanners of which \$6,474 was allocated to various court-related cost centers.

We recommend the Clerk's office ensure that its court-related expenditures are allowable according to Sections (ss.) 29.008 and 28.35(3)(a), F.S. We also recommend the Clerk's office reimburse the Clerks of Court Trust Fund for the expenditures above for \$19,893.



KAREN E. RUSHING
Clerk of the Circuit Court and County Comptroller

2000 Main Street • P.O. Box 3079 • Sarasota, FL 34230-3079 • Phone: 941-861-7400 • www.SarasotaClerk.com

July 24, 2019

Mark Merry
Assistant Director
Division of Accounting & Auditing
Office of Chief Financial Officer Jimmy Patronis
Florida Department of Financial Services
200 East Gaines Street
Tallahassee, FL 32399-0353

Re: Sarasota County Article V Clerk of the Circuit Court Compliance Audit

Dear Mr. Merry,

Our responses to the Observations and Recommendations in Audit Report 2019-40 are outlined below.

Recommendation 1: We recommend the Clerk's office adhere to the statutes and rules governing travel charged to the State, and maintain documentation on file to justify that travel is mission-critical and that other forms of electronic communication were considered. Written justification such as comparison rates for hotels in the area should also be maintained. Since maintaining the CFE certification is not a requirement for the position of the Clerk of Court, we further recommend that the Clerk's office consider other sources of funding for attendance at the ACFE conferences or online and local training options. We also recommend the Clerk's office reimburse the Clerks of Court Trust Fund for the ACFE conference expenditures totaling \$1,558.

Response: The group room rate offered for conferences are hotels either where the conference is being held or close by and decisions to stay at one hotel or another is driven by availability of the facility. Staying at one of the conference sites offered avoids additional travel costs, such as taxi fees, which could quickly exceed any room savings by staying at another hotel. Given that the Clerk of the Circuit Court is responsible for millions of dollars, has large complexed systems and numerous employees handling money along with auditing responsibilities for guardianship matters this office believes excellence in money management and fraud prevention is mission critical. All required yearly audits of the Office begin, performed by external auditors, begin with a conversations regarding potential risks of fraud.

Although it is true having a CFE certification is not a requirement to becoming a Clerk of the Circuit Court it is difficult to argue that it does not benefit the people served by the office or that knowledge and training in this area is not mission critical to the functions of responsibility. We will reimburse \$1,558 to the Clerks of Court Trust Fund.

Recommendation 2: The Clerk's office was unable to demonstrate that the following expenditures were reasonable to support the essential functions of the Clerk's office.

- In CFY 18-19, we noted total expenditures of \$42,000 for leadership training sessions of which \$13,860 was allocated to the court. The Clerk's office entered into an agreement with Focused Consulting, LLC for the purpose of creating individual development plans. The Clerk's office stated that the consultant helped the Clerk's office provide a better quality of customer service.
- In CFY 17-18, we noted an expenditure for \$12,500 for an annual subscription to PayScale Insight Subscription & Services, which is the largest aggregator of salary information, of which \$4,125 was allocated to the courts. The Clerk's office informed us that the subscription allows them to access data to ensure that their pay ranges are marketable.

We recommend the Clerk's office allocate as court-related expenditures only those costs considered reasonable administrative support costs to enable the Clerk's office to carry out its court-related functions.

Additionally, we recommend the Clerk's office consider utilizing free web-based sites for researching salary ranges or through networking with other Clerk's offices. We also recommend the Clerk's office reimburse the Clerks of Court Trust Fund for the expenditures above for \$17,985.

Response: This office places high value on serving the public and in doing so believes it is absolutely mission critical to have leadership development programs so that all employees go the "extra mile" to help the people we serve. Our leadership programs focus on being servants to the people. All employees, new or existing, are continually trained that working for the Clerk requires that they embrace our culture "IMPACT". This acronym stands for I= Integrity M = Make a difference P = Proficiency A= Accountable C= Conscientious T= Trustworthy. I believe that leadership training is essential to performing the functions of the Clerk's office.

PayScale allows us to maintain a classification and compensation program, as required by Florida Statute 110.2035 (1)(b) in addition to providing marketable pay ranges. Given the cost of employee turnover this is one effort to minimize such.

That said we will reimburse \$17,985 to the Clerks of Court Trust Fund, although we do not agree with the recommendation.

Recommendation 3: Section 29.008(1)(f)1, F.S., requires counties to fund the cost of communications services which include wireless communications, cellular telephones, facsimile equipment, all computer networks, systems and equipment, including computer hardware and software, modems, printers, wiring, network connections, and maintenance.

- In CFY 16-17, we noted an invoice for expenditures totaling \$15,788 of which \$13,419 was allocated to various court-related cost centers. The expenditures were for an archive writer, micro file with film unit, and two Kodak Prostar archive processors.
- In CFY 16-17, we sampled an expenditure in the amount of \$7,616 for support and maintenance for three (3) scanners of which \$6,474 was allocated to various court-related cost centers.

We recommend the Clerk's office ensure that its court-related expenditures are allowable according to Sections 29.008 and 28.35(3)(a), F.S. We also recommend the Clerk's office reimburse the Clerks of Court Trust Fund for the expenditures above for \$19,893.

Response: Each year Clerks are given Budget Request Instructions from the Florida Clerks of Court Operations Corporation. Attached to the instructions is a legal opinion about the use of budget money for IT expenses. The scanners referred to are mission critical and are required to file all non-electronically filed documents submitted to the Court. It was believed that the expenses listed above were eligible. We will reimburse \$19,893 to the Clerks of Court Trust Fund. In the future per your recommendation, we will allocate the cost of these expenditures under F.S. 29.008.

Should you have any questions, please feel free to contact the Clerk Finance Officer, Peter Ramsden, at 941-861-5166 and thank you for your service.

Sincerely,



Karen E. Rushing
Clerk of the Circuit Court and County Comptroller

JD Peacock, II
OKALOOSA COUNTY
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AC095

MEMORANDUM OF AGREEMENT

BETWEEN THE FLORIDA DEPARTMENT OF FINANCIAL SERVICES AND THE FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

This Memorandum of Agreement (MOA) is entered into as of the date last signed by and between the Florida Department of Financial Services (DFS) and the Florida Clerks of Court Operations Corporation (CCOC).

Chief Financial Officer Authority

Whereas, section 17.03, Florida Statutes (F.S.), provides that the Chief Financial Officer, using generally accepted auditing procedures for testing or sampling, shall examine, audit, and settle all accounts, claims and demands, whatsoever, against the state, arising under any law or resolution of the Legislature, and issue a warrant directing the payment out of the State Treasury of such amount as he or she allows thereon; and

Whereas, section 28.35(2)(e), F.S., provides that DFS, Bureau of Auditing (Bureau), will conduct an audit of the Clerks of Court (Clerk) by examining court-related expenditures. The Bureau will audit court-related expenditures of state funds to determine compliance with sections 28.35(3), 28.37(5), and 29.008, F.S., and whether the expenditures were properly authorized, recorded, and supported.

Therefore, the parties enter into this MOA to recognize the following:

DFS Responsibilities

1. No later than July 15th of each fiscal year, DFS will provide the CCOC a schedule of the audits to be completed within the fiscal year. Should there be a change in the schedule, DFS will notify and provide the CCOC with a revised schedule.
2. No later than August 1st of each fiscal year, DFS will present to the CCOC an MOA addressing the audit to be conducted in accordance with section 28.35(2)(e), F.S., for execution.
3. When engaging an audit, DFS will provide the CCOC with a copy of the engagement letter.
4. The Bureau will conduct an audit of the Clerk by examining court-related expenditures according to stated objectives.
5. DFS will provide the CCOC with a copy of the final report that includes the Clerk's response to the final report.
6. DFS will meet with the CCOC semiannually to review and discuss the audit findings to date and any other items of importance to either party.

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.

MOA - AC095

Audit Objectives

The following objectives have been established for the audit of court-related expenditures:

1. DFS will evaluate whether the Clerk used other funding sources (from the County or any of the 10% of fines from the Modernization Trust Fund (TF)) to subsidize the court-related budget and/or expenditures (for audit periods prior to July 1, 2017).
2. Evaluate whether expenditures were within the budgeted appropriations.
3. Evaluate the accuracy and completeness of expenditures reported on the Clerk of Court Expenditure and Collections Reports.
4. Evaluate whether court-related expenditures were in compliance with sections 28.35(3), 28.37(5), and 29.008, F. S.
5. Evaluate whether court-related expenditures were properly authorized, recorded, and supported.
6. Evaluate whether the Clerk's salary and total payroll costs were within the applicable caps established by the Florida Legislature's Office of Economic and Demographic Research.
7. Evaluate the Clerk's methodology for allocating payroll costs between court- and non-court-related functions.

CCOC Responsibilities

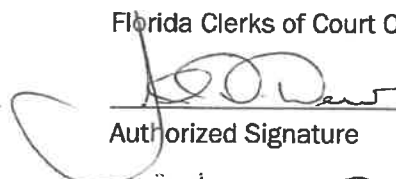
1. The CCOC will adopt an understanding of allowable expenditures under sections 28.35(3), 28.37(5), 28.24(12) and 29.008, F.S.
2. The CCOC will communicate common audit findings to the Clerks' offices during the annual budget training, to assist the Clerks' offices in budgeting for allowable expenditures.

IN WITNESS WHEREOF, the parties agree to the terms and conditions of this Memorandum of Agreement and have duly authorized their respective representatives to sign it on the dates indicated below.

Department of Financial Services

 8/6/19
 Authorized Signature Date
 Ryan West
 Typed or Printed Name
 Chief of Staff
 Title

Florida Clerks of Court Operations Corporation

 7/29/19
 Authorized Signature Date
 John D. Dew
 Typed or Printed Name
 Executive Director
 Title

JD Peacock, II
OKALOOSA COUNTY
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Agenda Item 4

DATE: September 20, 2019
SUBJECT: Juror Funding Policy
COMMITTEE ACTION: Review Budget Committee Recommendation- Approve or not

For the past two budget years the individual Clerks have had the same budget authority each year despite wide ranges in their expenses for juror services. The CCOC for the last two budget cycles has not looked at revising juror budgets even though many of the Clerks requested an increase in their juror budget through the annual budget process.

The Executive Council previously established a policy that if the juror expense incurred by a Clerk's office was more than their CCOC approved juror budget then they would have to reduce their CCOC budget side accordingly. However, after the end of last county fiscal year, we noted that several Clerks spent more than their approved juror budget because they had the revenues provided by JAC but did not decrease their expenditures in the CCOC budget side. The same could occur this year so the Budget Committee is taking up a recommendation to increase 35 Clerk's juror budget authority for CFY 18/19 to the amount of dollars provided them by JAC for this time period.

Also, we are asking the Budget Committee this year to consider revising the Clerk's juror funding budget authority for CFY 19/20 to more closely align the historical amount received from JAC for the last few years. This should help alleviate some of the large discrepancies that have occurred the past few years in the approved juror budget and the actual expenditures.

We will have recommendations of the Budget Committee available for the Executive Committee upon the completion of the meeting which will be held at 11am on September 20th. (Attached are the materials that will be provided to the Budget Committee.)

Committee Options:

1. Approve all the Budget Committee Recommendations on Juror Funding
2. Approve some of the Budget Committee Recommendations on Juror Funding
3. Leave the process as is

MEMO UNSPENT BUDGETED FUNDS

Attachments:

1. Memo concerning 18/19 Juror Budget
2. Comparison of Clerks' juror budgets and JAC distribution for 18/19
3. Memo concerning 19/20 Juror Budget Process
4. Comparison of Clerks' 19/20 Juror Budget Request and historical expenditures and JAC disbursements
5. Draft Juror Funding Management Policy Guidance



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AGENDA ITEM 7a

DATE: September 20, 2019
SUBJECT: CFY 2018-19 Juror Management Budget Authority
COMMITTEE ACTION: Approve CFY 2018-19 Juror Management Budget Authority Adjustment

OVERVIEW:

In July 2016, the Legislature provided clerks with \$11.7 million in recurring General Revenue to cover the costs of juror management. Since the implementation of this funding, the Budget Committee has not adjusted the original authority authorized for clerks' budgets. As a result, some counties have overspent their juror management budget authority, while others have underspent their authority.

Overspending juror management authority is a non-issue if a county has sufficient unspent budget authority on the CCOC revenue side of their budget. However, if a county does not have enough budget authority on the CCOC revenue side, overspending the juror management authority can result in overspending the total aggregate budget.

Staff recommends providing an adjustment to the counties that received additional juror management dollars from the Justice Administrative Commission (JAC) for the CFY 2018-19. Thirty-five counties would receive an adjustment to their juror management budget authority to match the amount disbursed by JAC.

The adjustment would allow those counties the ability to spend the revenue each county received as part of the July-September disbursement, which took place in June 2019.

At the end of the county fiscal year, if a county has expenditures greater than the CFY 2018-19 JAC disbursement, those expenditures should be paid for out of CCOC revenue for CFY 2018-19.

COMMITTEE ACTION:

Motion to revise juror management budget authority for the thirty-five impacted counties and send revised CFY 2018-19 Budget Certification letters.

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

ATTACHMENTS:

1. CFY 2018-19 Jury Disbursement vs Authority Spreadsheet

Agenda Item 7a - Attachment 1

County	Peer Group	Jury Budget Authority	Jury Reimbursement (From JAC)	Adujusted Jury Budget Authority
Alachua	8	\$ 107,379.00	\$ 185,613.21	\$ 78,234.21
Baker	3	\$ 17,571.00	\$ 29,604.52	\$ 12,033.52
Bay	7	\$ 101,641.00	\$ 162,665.87	\$ 61,024.87
Bradford	3	\$ 20,773.00	\$ 27,708.74	\$ 6,935.74
Broward	12	\$ 774,475.00	\$ 870,363.45	\$ 95,888.45
Clay	7	\$ 64,272.00	\$ 69,328.08	\$ 5,056.08
Columbia	5	\$ 51,948.00	\$ 56,014.66	\$ 4,066.66
Escambia	9	\$ 278,645.00	\$ 289,560.01	\$ 10,915.01
Flagler	6	\$ 56,967.00	\$ 62,899.22	\$ 5,932.22
Franklin	1	\$ 12,889.00	\$ 16,863.35	\$ 3,974.35
Glades	1	\$ 17,914.00	\$ 20,186.95	\$ 2,272.95
Hendry	4	\$ 45,641.00	\$ 55,340.73	\$ 9,699.73
Hernando	7	\$ 129,545.00	\$ 151,745.71	\$ 22,200.71
Holmes	2	\$ 12,775.00	\$ 18,035.84	\$ 5,260.84
Indian River	6	\$ 130,646.00	\$ 177,458.27	\$ 46,812.27
Jackson	4	\$ 13,152.00	\$ 32,539.90	\$ 19,387.90
Jefferson	1	\$ 13,152.00	\$ 33,120.09	\$ 19,968.09
Lake	8	\$ 207,877.00	\$ 224,270.39	\$ 16,393.39
Lee	10	\$ 242,076.00	\$ 262,213.00	\$ 20,137.00
Leon	8	\$ 248,509.00	\$ 266,346.22	\$ 17,837.22
Levy	4	\$ 65,866.00	\$ 68,183.32	\$ 2,317.32
Madison	2	\$ 10,931.00	\$ 14,605.17	\$ 3,674.17
Martin	6	\$ 143,502.00	\$ 143,797.55	\$ 295.55
Nassau	5	\$ 63,328.00	\$ 81,183.09	\$ 17,855.09
Okeechobee	4	\$ 65,215.00	\$ 84,885.47	\$ 19,670.47
Osceola	9	\$ 258,192.00	\$ 310,704.01	\$ 52,512.01
Pasco	10	\$ 216,661.00	\$ 262,156.35	\$ 45,495.35
Sarasota	9	\$ 324,216.00	\$ 356,278.21	\$ 32,062.21
Seminole	9	\$ 203,929.00	\$ 222,253.19	\$ 18,324.19
St. Lucie	9	\$ 277,463.00	\$ 318,599.56	\$ 41,136.56
Sumter	6	\$ 59,867.00	\$ 76,766.32	\$ 16,899.32
Taylor	3	\$ 11,955.00	\$ 14,600.95	\$ 2,645.95
Union	2	\$ 7,724.00	\$ 13,370.90	\$ 5,646.90
Wakulla	3	\$ 33,413.00	\$ 35,374.90	\$ 1,961.90
Walton	5	\$ 58,486.00	\$ 60,470.44	\$ 1,984.44
TOTAL		\$ 4,348,595.00	\$ 5,075,107.63	\$ 726,512.63





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AGENDA ITEM 7b

DATE: September 20, 2019
SUBJECT: CFY 2019-20 Juror Management Budget Authority
COMMITTEE ACTION: Modify CFY 2018-19 Juror Management Budget Authority

OVERVIEW:

In July 2016, the Legislature provided clerks with \$11.7 million in recurring General Revenue to cover the costs of juror management. Since the implementation of this funding, the Budget Committee has not adjusted the original authority authorized for clerks' budgets. As a result, some counties have more juror management budget authority than is necessary to cover their expenditures, while other counties do not have the necessary authority to cover juror management expenditures.

Staff recommends modifying the CFY 2019-20 juror management budget authority to more closely match the historical reimbursement from the Justice Administrative Commission (JAC) by adjusting the budget authority to match the three-year average JAC distribution to each county. The attachment titled, "CFY 2019-20 Juror Budget Authority Recommendation" provides the recommended amount for each county.

At the end of the county fiscal year, if a county has expenditures greater than the CFY 2019-20 JAC disbursement, those expenditures should be paid for out of CCOC revenue.

COMMITTEE ACTION:

Motion to set CFY2019-20 juror management budget authority for the all counties to correspond with the Three-Year Average JAC Disbursement.

Motion to authorize the Juror Management Workgroup to continue to review juror expenditures, provide recommendations to the Budget Committee, and be responsible for oversight of the allocation of funding to ensure maximum use by the clerks.

Motion to modify the Expenditures and Collections (EC) report to include a line for jury expenditures that are not reimbursed by General Revenue.

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

ATTACHMENTS:

1. CFY 2019-20 Juror Budget Authority Recommendation

Agenda Item 7b - Attachment 1

County	Peer Group	CFY1920 Jury Request	Current CFY1819 Budget Authority	Three-Year Average Actual Expenditures 1	Three-Year Average JAC Disbursement2	Diff between JAC 3 Yr Avg & CFY1920 Jury Request
Alachua	8	\$ 180,000	\$ 107,379	\$ 191,121	\$ 188,525	\$ 8,525
Baker	3	\$ 47,493	\$ 17,571	\$ 30,972	\$ 26,928	\$ (20,565)
Bay	7	\$ 222,041	\$ 101,641	\$ 160,875	\$ 162,230	\$ (59,811)
Bradford	3	\$ 23,102	\$ 20,773	\$ 26,738	\$ 29,914	\$ 6,812
Brevard	10	\$ 414,500	\$ 439,788	\$ 448,411	\$ 452,538	\$ 38,038
Broward	12	\$ 880,932	\$ 774,475	\$ 822,031	\$ 782,141	\$ (98,791)
Calhoun	1	\$ 13,862	\$ 8,774	\$ 8,680	\$ 9,365	\$ (4,497)
Charlotte	7	\$ 175,966	\$ 161,461	\$ 150,802	\$ 146,704	\$ (29,262)
Citrus	6	\$ 84,195	\$ 84,195	\$ 72,397	\$ 72,564	\$ (11,631)
Clay	7	\$ 60,213	\$ 64,272	\$ 59,366	\$ 61,390	\$ 1,177
Collier	9	\$ 250,600	\$ 239,456	\$ 235,746	\$ 227,317	\$ (23,283)
Columbia	5	\$ 55,798	\$ 51,948	\$ 55,738	\$ 56,186	\$ 388
DeSoto	3	\$ 50,196	\$ 36,089	\$ 30,129	\$ 29,365	\$ (20,831)
Dixie	2	\$ 22,033	\$ 26,951	\$ 11,528	\$ 12,079	\$ (9,954)
Duval	11	\$ 609,631	\$ 477,242	\$ 455,024	\$ 446,759	\$ (162,872)
Escambia	9	\$ 322,872	\$ 278,645	\$ 293,522	\$ 287,702	\$ (35,170)
Flagler	6	\$ 64,887	\$ 56,967	\$ 60,981	\$ 62,517	\$ (2,370)
Franklin	1	\$ 20,125	\$ 12,889	\$ 14,506	\$ 15,677	\$ (4,448)
Gadsden	4	\$ 62,506	\$ 65,647	\$ 56,306	\$ 55,484	\$ (7,022)
Gilchrist	2	\$ 10,377	\$ 10,873	\$ 7,493	\$ 8,881	\$ (1,496)
Glades	1	\$ 19,856	\$ 17,914	\$ 20,239	\$ 20,024	\$ 168
Gulf	2	\$ 24,572	\$ 20,198	\$ 21,108	\$ 20,250	\$ (4,322)
Hamilton	2	\$ 12,043	\$ 11,585	\$ 14,733	\$ 14,689	\$ 2,646
Hardee	3	\$ 40,870	\$ 40,870	\$ 32,910	\$ 31,562	\$ (9,308)
Hendry	4	\$ 59,000	\$ 45,641	\$ 55,957	\$ 54,385	\$ (4,615)
Hernando	7	\$ 176,116	\$ 129,545	\$ 155,091	\$ 152,909	\$ (23,207)
Highlands	5	\$ 103,255	\$ 101,212	\$ 88,043	\$ 89,067	\$ (14,188)
Hillsborough	11	\$ 600,916	\$ 600,891	\$ 487,175	\$ 488,746	\$ (112,170)
Holmes	2	\$ 25,042	\$ 12,775	\$ 16,531	\$ 16,767	\$ (8,275)
Indian River	6	\$ 169,051	\$ 130,646	\$ 172,206	\$ 165,696	\$ (3,355)
Jackson	4	\$ 44,606	\$ 13,152	\$ 23,883	\$ 25,892	\$ (18,714)
Jefferson	1	\$ 37,534	\$ 13,152	\$ 35,209	\$ 34,276	\$ (3,258)
Lafayette	1	\$ 3,274	\$ 8,890	\$ 4,442	\$ 4,882	\$ 1,608
Lake	8	\$ 257,841	\$ 207,877	\$ 208,372	\$ 213,789	\$ (44,052)
Lee	10	\$ 336,425	\$ 242,076	\$ 259,211	\$ 252,690	\$ (83,735)
Leon	8	\$ 476,871	\$ 248,509	\$ 254,908	\$ 256,540	\$ (220,331)
Levy	4	\$ 70,994	\$ 65,866	\$ 66,940	\$ 66,275	\$ (4,719)
Liberty	1	\$ 13,104	\$ 10,310	\$ 9,897	\$ 10,272	\$ (2,832)



Agenda Item 7b - Attachment 1

County	Peer Group	CFY1920 Jury Request	Current CFY1819 Budget Authority	Three-Year Average Actual Expenditures 1	Three-Year Average JAC Disbursement2	Diff between JAC 3 Yr Avg & CFY1920 Jury Request
Madison	2	\$ 14,240	\$ 10,931	\$ 8,815	\$ 12,335	\$ (1,905)
Manatee	9	\$ 146,218	\$ 146,123	\$ 137,475	\$ 144,133	\$ (2,085)
Marion	8	\$ 213,476	\$ 237,265	\$ 217,539	\$ 215,989	\$ 2,513
Martin	6	\$ 155,819	\$ 143,502	\$ 148,613	\$ 144,915	\$ (10,904)
Miami-Dade	12	\$ 1,132,984	\$ 1,091,506	\$ 1,061,116	\$ 1,052,763	\$ (80,221)
Monroe	6	\$ 192,299	\$ 143,817	\$ 149,109	\$ 134,328	\$ (57,971)
Nassau	5	\$ 78,381	\$ 63,328	\$ 67,804	\$ 68,431	\$ (9,950)
Okaloosa	7	\$ 123,312	\$ 100,598	\$ 98,643	\$ 95,233	\$ (28,079)
Okeechobee	4	\$ 80,761	\$ 65,215	\$ 82,196	\$ 75,392	\$ (5,369)
Orange	11	\$ 716,220	\$ 695,272	\$ 723,014	\$ 708,356	\$ (7,864)
Osceola	9	\$ 364,679	\$ 258,192	\$ 272,006	\$ 273,652	\$ (91,027)
Palm Beach	12	\$ 1,037,662	\$ 818,268	\$ 789,474	\$ 801,396	\$ (236,266)
Pasco	10	\$ 411,212	\$ 216,661	\$ 225,599	\$ 220,656	\$ (190,556)
Pinellas	11	\$ 754,027	\$ 705,759	\$ 625,313	\$ 625,757	\$ (128,270)
Polk	10	\$ 364,015	\$ 360,394	\$ 361,649	\$ 346,679	\$ (17,336)
Putnam	5	\$ 125,070	\$ 125,070	\$ 102,352	\$ 102,395	\$ (22,675)
Saint Johns	7	\$ 89,500	\$ 71,514	\$ 83,238	\$ 78,071	\$ (11,429)
Saint Lucie	9	\$ 316,712	\$ 277,463	\$ 292,890	\$ 289,895	\$ (26,817)
Santa Rosa	7	\$ 127,859	\$ 175,224	\$ 179,894	\$ 163,863	\$ 36,004
Sarasota	9	\$ 411,728	\$ 324,216	\$ 355,472	\$ 349,396	\$ (62,332)
Seminole	9	\$ 213,731	\$ 203,929	\$ 217,245	\$ 211,711	\$ (2,020)
Sumter	6	\$ 80,000	\$ 59,867	\$ 76,717	\$ 75,900	\$ (4,100)
Suwannee	4	\$ 32,818	\$ 32,869	\$ 27,623	\$ 25,887	\$ (6,931)
Taylor	3	\$ 11,421	\$ 11,955	\$ 12,991	\$ 11,749	\$ 328
Union	2	\$ 10,961	\$ 7,724	\$ 8,753	\$ 9,976	\$ (985)
Volusia	10	\$ 275,600	\$ 261,634	\$ 277,588	\$ 276,076	\$ 476
Wakulla	3	\$ 38,334	\$ 33,413	\$ 35,786	\$ 34,231	\$ (4,103)
Walton	5	\$ 70,674	\$ 58,486	\$ 58,104	\$ 58,396	\$ (12,278)
Washington	3	\$ 42,605	\$ 41,655	\$ 40,281	\$ 39,878	\$ (2,727)
TOTAL		\$ 13,675,017	\$ 11,699,995	\$ 11,856,520	\$ 11,700,413	\$ (1,974,604)

Notes:

1. Actual expenditures for Jul-Sep 2019 were calculated based on prior 9 month actuals for CFY 2018-19. This amount was added to the other 12 quarters of data, divided by 13 to get a quarterly average and then multiplied by 4 to produce an annualized figure.
2. Three-Year Avg JAC Funding amount was calculated by aggregating the 13 quarters of actual funding, dividing it by 13 and then multiplying it by 4 to produce an annualized figure.





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AGENDA ITEM 7c

DATE: September 20, 2019
SUBJECT: Juror Management Policy Guidance – Draft Memo

JUROR MANAGEMENT FUNDING OVERVIEW

Beginning in fourth quarter of CFY 2015-16, the legislature began generously providing \$11.7 million of General Revenue funds for the purpose of supplementing the clerks' budgets for juror management costs. Prior to this appropriation, juror management costs were paid out of the clerks' collected revenues. Clerks appreciate this appropriation and in attempt to ensure the dollars are spent appropriately, CCOC sets a jury budget authority for each clerk and tracks the actual expenditures for jury management.

CCOC's Budget Committee provided each clerk with a jury budget authority beginning in CFY 2016-17. The Budget Committee set the authority by doing an average of previous fiscal years jury expenditures. Based on clerk's Original Budget requests in CFY 2017-18, it was anticipated the General Revenue appropriation would not be enough to cover the complete costs of juror management.

During State Fiscal Year 2016-17, clerks did not spend the entire juror management allocation. Initially, CCOC communicated that unexpended dollars would be returned to the Department of Revenue; however, in order to maximize the General Revenue appropriation, CCOC worked with the legislature and the Justice Administrative Commission (JAC) to allow clerks to carry forward the additional dollars to cover costs beyond their original juror management budget authority.

Juror management budget authority was not adjusted for the CFY 2017-18 or CFY 2018-19 budgets. As a result of not adjusting, some clerks have more authority than they typically use, while other clerks have less authority than they typically use. Over the past year, clerks have asked several questions regarding the juror management reimbursement. This memo serves to answer questions relating to juror management funding and alleviate confusion related to this funding.

I. QUARTERLY ESTIMATES

In CFY 2016-17, CCOC contemplated a jury settle-up process that involved clerks sending money back to JAC at the end of the state fiscal year. However, there were other clerks that were not receiving enough funding through the quarterly estimates and it was decided to seek a continuous roll-forward process whereby clerks would carry forward any unexpended funds to the next quarter

JUROR MANAGEMENT POLICY GUIDANCE

and would request additional funds from JAC if they did not receive enough from the quarterly estimate.

CCOC created a jury estimate tool that accompanies the quarterly estimate form. This form provides a “settle-up” calculation each quarter by comparing the JAC disbursement for the most recently completed quarter. For example, the Oct-Dec estimate form provides a settle up for the April-June quarter. This settle up is rolling and is always two quarters behind the current estimate. Over the course of the last year, CCOC received several calls to adjust the cumulative Over/Under calculations because the number provided on the form did not match what the county was expecting.

GUIDANCE

If you disagree with the settle up from the previous quarter and wish to make an adjustment to the request amount, please provide a calculation in Cell F32 of the Estimating Tool Tab and provide justification and documentation in the additional info box on Line 37 of the Estimating Tool tab. CCOC will review the requested adjustments and follow up prior to submitting the estimates to JAC. Because the estimate is provided before the completion of the quarter, there is an expected error rate that is then corrected in the following quarter. The estimate, distribution, and actual expenditures will likely never tie together unless the legislature cuts the funding, at which point CCOC would need to conduct a final reconciliation and make adjustments between clerks.

II. JUROR MANAGEMENT BUDGET AUTHORITY AND EXPENDITURES

Juror management budget authority has not changed since CFY 2016-17; because it has not been adjusted, several clerks have overspent their authority. In CFY 2017-18, 41 clerks overspent their budget authority. For clerks that did not expend all of their CCOC revenue authority, over spending jury budget authority isn't a problem; however, if a clerk expended all of their CCOC revenue authority and overspent their juror management budget authority, they would overspend their aggregate budget authority.

GUIDANCE

1. A clerk should never overspend the aggregate budget authority of CCOC revenue authority and juror management authority.
2. A clerk cannot use excess juror management budget authority to over expend their CCOC revenue budget authority.
3. A clerk may use excess CCOC revenue budget authority and excess CCOC revenue to over expend their juror management budget authority.
 - If juror management expenditures exceed the juror management budget authority, clerks should use CCOC revenue budget authority to balance to the aggregate budget authority.
 - If juror management expenditures exceed the juror management reimbursement by JAC, clerks should use CCOC revenue to cover those expenditures.

JUROR MANAGEMENT POLICY GUIDANCE

III. FUTURE CONSIDERATIONS

The Budget Committee will be considering a change to the budget authority for the CFY 2019-20 budget to more closely align to what clerks have historically received from JAC. This solution should alleviate the disparity many clerks have between their juror management budget authority and their juror management expenditures. The Budget Committee will reevaluate the Juror Management authority on a yearly basis.

The Juror Management workgroup will evaluate recommendations submitted by the CCOC for reviews of quarterly estimates, changes to forms and the juror management distribution process. The workgroup will collaborate with and provide guidance to the CCOC to ensure optimal use of juror funding by the clerks. The CCOC will maintain routine and consistent communication with the workgroup chair to discuss anomalies in distribution requests and any other areas of curiosity and/or concern.

Another future consideration is proposed legislation being considered for the 2020 Legislative Session to revert the juror management funding to a reimbursement model and removing the JAC from the process. CCOC will keep clerks informed of its progress as this bill moves through the legislative process.

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Agenda Item 5

DATE: September 20, 2019
SUBJECT: Paid Leave Time Policy
COMMITTEE ACTION: Approve Paid Leave Time Policy and pay out for transition

The Executive Council at their last meeting approved the CCOC office transitioning to a Paid Time Off (PTO) policy for the staff. Studies show that many organizations, public and private, are doing away with the system of earning separately annual and sick leave. Likewise, many of the Clerk's office and the FCCC have already transitioned to a PTO leave policy. Executive Director John Dew has been working with CCOC Chair JD Peacock on the policy.

The policy, which is attached, would be effective for the upcoming County Fiscal Year. The policy is written so staff would obtain the same leave amount they currently receive each month, but it would not be as a separate sick and separate annual amount but as a combined PTO amount.

The carry-over of unused PTO allowed each year for any employee will be limited to no more than 1,200 hours. Therefore, we recommend that the beginning balance for any of the CCOC employees will start at no more than 1,200 hours when the policy goes into effect. For the current seven employees we have on staff, only one employee (Jason Welty) would have more than 1,200 hours. It is recommended we pay this employee for the hours he has in excess of that number. This employee came into our organization in July 2018 with a beginning leave balance of almost 1,800 hours. Based on the review of the employee's timesheet by our internal auditor and the employee's currently hourly wage he would receive a one-time payout of \$26,920.07 dollars. This is for a payment at 100% of his excess annual leave, and a 50% payout of the excess sick leave beyond the 1,200 hours.

Our new PTO policy recommends that in the future we will accept from new employees coming into the organization no more than 400 hours of sick and annual leave combined unless approved otherwise by the Executive Director with good cause.

Committee Options:

1. Approve the PTO policy and pay out of employee
2. Revise the PTO Policy and approve pay out of employee
3. Not approve the draft Policy at this time

Attachment: Draft PTO policy.

CCOC DRAFT LEAVE POLICY CHANGE - PAID TIME OFF

6.7 PAID TIME OFF

(1) Paid Time Off (PTO) Policy

The purpose of PTO is to provide CCOC employees with a more flexible time off policy than the standard “State” policy and therefore providing a desirable workplace for employees in the Tallahassee area. The amount of earned PTO offered for employees will be comparable to the combination of the State’s annual and sick leave. PTO replaces Annual leave and Sick leave as of 10/1/2019. Current employees will have their sick and annual leave combined to become PTO. All new employees hired after October 1, 2019 will accrue only PTO.

(a) Eligibility

All full-time employees filling established positions shall earn PTO according to the table below which is comparable to the State of Florida’s combined sick and leave amounts:

Years of Service	Monthly
1-4.99 years of service	17.34 hours monthly
5-9.99 years of service	19.50 hours monthly
10-14.99 years of service	21.67 hours monthly
15-19.99 years of service	23.51 hours monthly
More than 20 years	25.05 hours monthly
Senior Management	28.67 hours monthly

- (b) In applying the above table, it shall be determined that the employee has sufficient creditable service before the higher PTO credits are granted. Employees shall be entitled to consider all years of service earned in previous state government, any Florida Clerks of Court and/or FCCC Association staff’s employment for determining eligibility for higher PTO hours. The CCOC shall only accept 400 hours combined annual and sick leave credits if transferring from state government, Clerk’s offices or FCCC to CCOC employment unless approved otherwise by the Executive Director or their designee.
- (c) PTO leave is not available to new employees during the first 30 days of employment. Any time out of the office during the first 30 days will be charged as LWOP or Flex Time can be used with supervisor’s prior approval.
- (d) Use of PTO shall not be authorized prior to the time it is earned and credited to the employee. PTO will be credited on the last working day of the month or in the case of separation, on the last day the employee is on the payroll. The employee shall earn the higher leave credit beginning with the first day of the pay period during which the employee enters into the next “years of service” bracket or is hired into Senior Management.

CCOC DRAFT LEAVE POLICY CHANGE - PAID TIME OFF

- (e) During an approved leave of absence with pay, an employee shall continue to earn PTO.
- (f) Part-Time employees working a fixed percentage or other pay period shall earn PTO for the hours worked that pay period proportionate to the time worked.
- (g) Temporary or Other Personal Services (OPS) employees are not eligible to accrue PTO.
- (h) The maximum amount of PTO which can be accrued and carried forward annually is 1,200 hours. On December 31st of each year any amounts accrued over the maximum will be forfeited. However, under certain justifiable conditions the Executive Director or their designee may grant approval to an employee to retain or be paid for PTO in excess of 1,200 hours. The Executive Council must be notified of any approval to pay for or retain PTO in excess of these numbers. Also, under certain justifiable conditions the Executive Council may grant approval to retain or to be paid for any hours accrued and not used by the Executive Director at the end of the calendar year over the 1,200 hours.

(2) Use of PTO

- (a) PTO may be used at the employee's discretion but there are expectations the employee's supervisor will be given prior notice. The supervisor will have the right to deny request if the absence will adversely affect office operations.
- (b) Unscheduled PTO: In case of an emergency or when PTO is used for an employee's illness or the illness of a family member, the employee is expected to notify their immediate supervisor/director as soon as the employee knows they will be unable to work.
- (c) Upon reasonable notice, the Executive Director or their designee may require an employee to use part of the employee's accrued PTO for vacation purposes at any time this is deemed advisable.
- (d) Senior Management employees are expected to use 80-hours of consecutive leave per fiscal year in addition to other times of leave during the year. Employees with two or more years of service are expected to use 40 hours of consecutive leave no less than one time per year in addition to other times of leave.

(3) Payment for earned PTO Upon Separation from CCOC

- (a) An employee can be paid for unused PTO upon terminal separation from CCOC.
- (b) Upon separation of employment, the maximum PTO payout is 760 hours.
- (c) The CCOC Executive Director or their designee may deny payment of PTO

CCOC DRAFT LEAVE POLICY CHANGE - PAID TIME OFF

payout to employees who fail to give a written two weeks' notice upon resignation of employment (four weeks' notice for Senior Management staff), to employees who are discharged/fired, or to employees who worked less than six months.

- (d) In the event of an employee death, the CCOC will pay to the beneficiary listed on file, 100% of any unused PTO leave up to the allowable payout of 760 hours.
- (e) Employees electing to participate in DROP may request payment for up to 500 hours of accrued annual PTO at the time of entry into DROP. Hours in excess of 500 will be carried forward. However, employees electing payment of this leave are not eligible for any accrued leave payment upon separation from service beyond an additional 260 hours.

(4) Abuse of PTO Leave

- (a) Excessive unplanned use of PTO will be grounds for disciplinary action. An unplanned absence is one that is not pre-arranged at least the day before with the employee's manager or an instance when an employee comes to work but leaves unexpectedly prior to completion of their normal work schedule.

(5) Gift of PTO to Others for Catastrophic Illness, Accident, or Personal Use.

The policy for donation of PTO (Paid Time Off) to assist staff members in time of catastrophic illness, accident, injury, or as a Personal Use gift shall be as follows:

In extraordinary and /or extenuating circumstances, catastrophic illness, accident, injury, or as a gift with the approval of the Executive Director, an employee may receive a voluntary donation(s) or transfer of accrued PTO leave from another staff member pursuant to the following guidelines:

- (a) Providing leave in extraordinary and/or extenuating circumstances, catastrophic illness, accident or injury. Prior to granting approval for donations, the Executive Director shall examine operational and budget considerations and the impact upon each should donations be allowed. If the absent employee is to be replaced during a prolonged absence, budget considerations may dictate that the full or partial payment of two employees for one job is not feasible. The Executive Director shall make the decision of whether an employee's illness or accident qualifies under this policy and how many hours shall be transferred during any pay period.

The decision shall be final, and an employee shall have no right to appeal.

The following criteria for receiving a gift of leave for extraordinary and /or

CCOC DRAFT LEAVE POLICY CHANGE - PAID TIME OFF

extenuating circumstances, catastrophic illness, accident, and injury, must be met:

1. The recipient staff member must have or will have exhausted all their leave credits, including all personal accrued PTO, compensatory, floating holidays, or other paid leave time prior to any transfer being made.
2. The recipient's time must be covered under FMLA.
3. The donating employee must have a balance of at least 60 hours of PTO leave after the transfer.
4. An employee who has filed a notice of termination may not transfer leave.
5. The recipient must have a catastrophic illness, accident, or injury and be out on unplanned leave to qualify for this benefit. Normal or routine medical conditions such as pregnancy, colds, flu, etc., will not qualify as catastrophic illness as regular accruals are sufficient to cover this.
6. The value of any hours donated must be equal to or greater than the hourly wage of the recipient or the HR person may use additional donated hours to make up the difference.
7. The HR person shall maintain a record of donated hours.
8. The HR person shall receive the approval of the Executive Director prior to any transfer to accrued time.

As a gift with the approval of the Executive Director, an employee may receive a voluntary donation(s) or transfer of accrued PTO leave from another staff member pursuant to the following criteria:

- (a) The policy for an individual to gift some of their excess PTO leave to another staff member must meet the following criteria.
 1. The donating employee must have a balance of at least 120 hours of PTO leave after the transfer.
 2. The value of any hours donated must be equal to or greater than the hourly wage of the recipient or the HR person may use additional donated hours to make up the difference.
 3. The HR person shall maintain a record of donated hours.
 4. The HR person shall receive approval of the Executive Director prior to any transfer to accrued time.

****This is voluntary program. No employee shall be pressured to donate time.**

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Agenda Item 6

DATE: September 20, 2019
SUBJECT: Policy on Submitting Reports Timely
COMMITTEE ACTION: Approve Policy

The 2019 Legislature revised s. 28.35 F.S. to require that the CCOC shall submit within 45 days of the end of each quarter the list of Clerks not meeting performance measures and their action plans.

To help assure we meet this strict deadline CCOC staff is submitting a draft policy for the Committee's review that lays out the process for contacting Clerks and their staff if they are late in submitting their report to our office. The current requirement is that Clerks are to submit their performance measure reports and action plans to the CCOC by the 20th day of the month following each quarter.

We believe having a formal policy with timelines will help assure we meet the new statutory time requirement.

Committee Options:

1. Approve the draft policy as.
2. Revise the policy and approve
3. Not approve the Policy at this time

Attachment: Draft PTO policy.



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PROPOSED POLICY – Delinquent Reports

CCOC Procedure for Notifying Clerks Regarding Delinquent Reports

Reports are due to the CCOC by 20th of the month following the end of the reporting period (month/quarter). If the 20th falls on a Saturday or Sunday, reports are due on following Monday.

Step 1: Within 2 business days of delinquency CCOC Staff will send an e-mail to Clerk and staff that typically sends reports to notify them they are late and request a response.

Step 2: If no response is received 2 business days after first notice sent, CCOC Staff will send follow-up e-mail and call. The goal is to obtain an expected submission date.

Step 3: If still no response is received 2 business days after the follow-up email/call, CCOC staff will alert CCOC management. CCOC Management will try to make contact with clerk to obtain an expected submission date.

Step 4: If still no response or expected submission date after 5 business days of the first notification of the missing report, CCOC management will contact FCCC Regional Directors for assistance in obtaining a response.

Step 5: If there is still no response, any required statewide reports published by the CCOC will footnote that specific clerk did not submit a report and are not included in the summary.

DUE DATE EXTENSION

If a clerk's office contacts CCOC staff requesting an extension **prior** to the due date of the requested report, staff will grant the extension on a case-by-case basis and alert CCOC management. Approved extensions will be noted in the CCOC report tracking spreadsheet. Extension requests must be made in writing and include a date when the report is expected to be submitted.

If a clerk's office is **delinquent** and requests an additional extension, CCOC management will review and discuss with Clerk and/or staff on a case-by-case basis before approval.

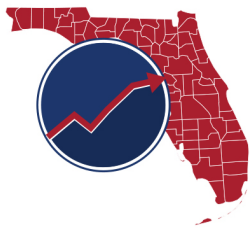
PROPOSED POLICY – DELINQUENT REPORTS

CFY 2019-20 REPORT DUE DATES**Monthly Reports**

- October Due Wednesday, November 20, 2019
- November Due Friday, December 20, 2019
- December Due Monday, January 20, 2020
- January Due Thursday, February 20, 2020
- February Due Friday, March 20, 2020
- March Due Monday, April 20, 2020
- April Due Wednesday, May 20, 2020
- May *Due Monday, June 22, 2020*
- June Due Monday, July 20, 2020
- July Due Thursday, August 20, 2020
- August *Due Monday, September 21, 2020*
- September Due Tuesday, October 20, 2020

Quarterly Reports

- July-September Due Monday, October 21, 2019
- October-December Due Monday, January 20, 2020
- January-March Due Monday, April 20, 2020
- April-June Due Monday, July 20, 2020
- July-September Due Tuesday, October 20, 2020



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FLORIDA CLERKS OF COURT
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EXECUTIVE COUNCIL CHAIR

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VICE-CHAIR

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JOHN DEW
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DRAFT

Summary Minutes – September 20th CCOC Executive Committee Meeting

Chair Peacock at 2:30 pm, via a conference call, asked CCOC Executive Director John Dew to call the role. In attendance were Chair Clerk Peacock, Vice-Chair Clerk Smith, and Secretary/Treasurer Clerk Russell. Mr. Dew announced that all members of the Executive Committee were on the call and a quorum was present.

Chair Peacock welcomed the Committee members and noted that the meeting had been advertised on the CCOC Website and was properly noticed. He said that this was the first meeting of the newly elected Executive Committee and asked Executive Director John Dew to go over the purpose of the Executive Committee. Mr. Dew said that according to the CCOC Plan of Operations the purpose of the Committee is to act on behalf of the Council when "decisions need to be made on issues requiring immediate attention or on administrative issues." Mr. Dew informed the members that as required by the Plan of Operations all decisions of the Committee shall be provided to the Council at the Council's next meeting for confirmation. Chair Peacock thanked Mr. Dew and expressed that while there were administrative issues to be voted on today, he also wanted to have an opportunity to meet with the Executive Committee members prior to the upcoming Council meeting and prepare them for the issues that will be brought before the Council. Especially considering that he would not be able to attend the October 1st Council meeting due to another obligation.

Chair Peacock asked for a motion to approve the draft agenda that was distributed to the members and placed on the CCOC website. Clerk Smith made a motion to approve the agenda as is and it was seconded by Clerk Russell. The agenda was approved.

COMMITTEE ACTION: Approved a policy that provides guidance to Clerks and Staff, when using state related CCOC revenues for travel to limit their daily lodging expense to \$150.00 as required by the State. However, if they are unable to do so, then document the justification explaining why they were unable to stay within that rate. In addition, the CCOC would work with the FCCC to educate Clerks on this policy.

Mr. Dew noted that in SFY 2018-19 the Legislature in their General Appropriations Act required the travel reimbursement be limited to \$150 per day for lodging. The same rate was approved by the Legislature last session for SFY 2019-20.

The Department of Financial Services Reference Guide for State Expenditures requires that travelers provide justification for lodging that exceeds \$150 per night (room rate only). In recent budget reviews of Clerks conducted by DFS they had findings that Clerks and/or their

EXECUTIVE COMMITTEE MEETING MINUTES – SEPTEMBER 20, 2019

staff had instances of paying more than \$150 per day for lodging but there “was no justification for the hotel rates that exceeded the \$150 daily rate.”

After discussion Clerk Russell made a motion to have the CCOC educate Clerks and staff on the statutory and DFS requirement for limiting daily lodging costs to \$150 when using state related funding. This includes the importance of having documentation justifying those occasions when the rate paid was more than \$150. The motion was seconded by Clerk Smith and approved.

COMMITTEE ACTION: Approved the Juror Funding Process and Policy recommended by the Budget Committee. Approved CCOC staff revising the CFY 2018-19 budget letters for the 35 Clerks impacted and require them to send to staff before the close of the current county fiscal year.

CCOC Budget and Communications Director Jason Welty provided an update that the Budget Committee had met earlier in the day and approved the following:

1. Revise the juror management budget authority for the thirty-five impacted counties and send them revised CFY 2018-19 Budget Certification Letters.
2. Set CFY 2019-20 juror management budget authority for all Clerks to correspond with the three-year average JAC disbursement.
3. Authorize the Juror Management Workgroup to continue to review juror expenditures, provide recommendations to the Budget Committee, and be responsible for oversight of the allocation of funding to ensure maximum use by the Clerks.
4. Modify the Expenditures and Collections (EC) report to include a line for juror expenditures that are not reimbursed by General Revenue.
5. Approve the draft “Juror Management Policy Guidance” that stated a Clerk should never overspend the aggregate budget authority of CCOC revenue authority and juror management authority; a Clerk cannot use excess juror management budget authority to over expend their CCOC revenue budget authority; and a Clerk may use excess CCOC revenue budget authority and excess CCOC revenue to over expend their juror management budget authority.

Clerk Russell motioned to approve the recommendations from the Budget Committee on the juror funding process and policies. Clerk Smith seconded the motion. Motion passed.

COMMITTEE ACTION: Approved the CCOC Office Paid Time Off (PTO) policy. Approved pay out to a CCOC employee so they are within the allowable PTO starting balance.

Chair Peacock noted that at the last CCOC Council meeting the members approved the CCOC Office Staff going from a separate annual and sick leave policy to a PTO. Studies show that many organizations, public and private, are doing away with the system of earning separately annual and sick leave. Chair Peacock said he worked with the CCOC Executive Director in drafting the current PTO policy and it is clearer and more concise than the previous policy. It also allows the office to be more competitive in today’s market with the younger workforce. Mr. Dew stated that the policy takes the monthly amount of total sick

EXECUTIVE COMMITTEE MEETING MINUTES – SEPTEMBER 20, 2019

and annual leave earned by each employee currently and combines these for the PTO monthly amounts to be earned, so no current employee is harmed. It also limits the amount of leave the CCOC office will accept when a new employee is hired. This helps limit the liability to the office.

Chair Peacock noted that in order to have all employees stay within the starting PTO balance allowed, one employee would need to be paid for their unused sick and annual leave balance prior to October 1, 2019. Mr. Dew stated that we have the dollars in the budget for the payout amount and that the employee agreed to the amount paid.

After discussion, Clerk Smith made a motion to approve the PTO policy and pay out employee Jason Welty for the excess leave that would not be allowed by the policy to be carried over to CFY 2019-20. The amount approved for payout is \$26,920.07 and was calculated by paying for 100% of excess annual leave and 50% of excess sick leave. Clerk Russell seconded the motion. The motion was approved.

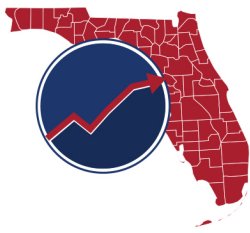
COMMITTEE ACTION: Approve CCOC policy on submitting reports timely.

CCOC Deputy Executive Director Doug Isabelle explained that the Legislature last session revised s. 28.35(2)(d), F.S. to require the corporation to notify the Legislature no later than 45 days after the end of each quarter of any clerk not meeting workload performance standards and provide a copy of their corrective action plan. The 45-day requirement was added to the statute. Mr. Isabelle presented the proposed CCOC policy that provided a timeline and responsibility of helping assure Clerks submitted their reports timely.

Chair Peacock addressed agenda item 7 by stating that the CCOC Plan of Operations requires an Education Committee. However, it was his preference to have the CCOC Executive Committee act as the Education Committee if needed. At this time, he expressed that the relationship with the FCCC, who was contracted by the CCOC to provide Clerk education, was working well and there were no issues.

Mr. Dew provided the Committee with the draft Council agenda for the September 30th and October 1st upcoming Executive Council meetings and asked if there were any suggested revisions. There were no revisions and Mr. Dew said he would send these out today to the members.

With no further business before the Committee the meeting was adjourned at 3:17 pm.



CCOC

FLORIDA CLERKS OF COURT
OPERATIONS CORPORATION

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AGENDA ITEM 4b

DATE: October 1, 2019
SUBJECT: CCOC Budget Committee Update
COUNCIL ACTION: Review Statutorily Required Reports

OVERVIEW:

Pursuant to s. 28.35, F.S., the Clerks of Court Operations Corporation (CCOC) is responsible for identifying specific elements within the Clerk's Original Budget Requests. Specifically, CCOC must identify:

1. Any pay and benefit increases, including, but not limited to, cost of living increases, merit increases, and bonuses.
2. Any increases in anticipated expenditures in any clerk budget that exceeds the current year budget by more than 3 percent.
3. The budget of any clerk which exceeds the average budget of similarly situated clerks by more than 10 percent.
4. Those clerks projected to have court-related revenues insufficient to fund their anticipated court-related expenditures (Funded or Depository designation).

The CCOC will calculate the Funded or Depository designation after the budgets are approved using the revenue estimates submitted in May comparing them to the approved budgets for each county. Once the determination is finalized, the amounts will be remitted to the Department of Revenue (DOR) for monthly distribution. This process can take up to 2 months to finalize.

The Budget Committee reviewed these items at the September 20 Budget Committee meeting and presents them to the Executive Council for review.

COUNCIL ACTION: Review Statutorily Required Reports

ATTACHMENTS:

1. Pay and Benefit Increases
2. Three Percent over Operational Budget
3. Ten Percent over Peer Group Average
4. Draft summary minutes from 9/20/19 meeting

CFY 2019-20 Original Budget Request

Pay and Benefit Increases

County	Peer Group	Cost of Living Increases	Merit Increases	Bonuses	Other Pay Increases	Other Benefit Increases	TOTAL
Alachua	8	\$113,642	\$0	\$0	\$19,124	\$0	\$132,766
Baker	3	\$14,082	\$2,000	\$0	\$0	\$0	\$16,082
Bay	7	\$71,322	\$0	\$0	\$0	\$0	\$71,322
Bradford	3	\$0	\$54,761	\$0	\$0	\$0	\$54,761
Brevard	10	\$152,478	\$0	\$0	\$0	\$0	\$152,478
Broward	12	\$775,000	\$0	\$0	\$0	\$0	\$775,000
Calhoun	1	\$6,809	\$5,543	\$0	\$0	\$0	\$12,352
Charlotte	7	\$68,595	\$21,193	\$0	\$0	(\$1,117)	\$88,671
Citrus	6	\$0	\$40,433	\$0	(\$31,316)	\$196	\$9,313
Clay	7	\$70,924	\$0	\$0	\$1,713	\$851	\$73,488
Collier	9	\$108,043	\$0	\$0	\$0	\$923	\$108,966
Columbia	5	\$28,336	\$0	\$0	\$0	\$0	\$28,336
DeSoto	3	\$0	\$0	\$0	\$17,965	\$0	\$17,965
Dixie	2	\$16,078	\$0	\$0	\$0	\$0	\$16,078
Duval	11	\$520,401	\$0	\$0	\$0	\$5,880	\$526,281
Escambia	9	\$129,669	\$0	\$0	\$0	\$1,440	\$131,109
Flagler	6	\$25,758	\$1,116	\$0	(\$10,014)	(\$777)	\$16,083
Franklin	1	\$12,734	\$0	\$0	\$0	\$0	\$12,734
Gadsden	4	\$24,872	\$0	\$0	\$0	\$0	\$24,872
Gilchrist	2	\$0	\$0	\$3,550	\$5,817	\$0	\$9,367
Glades	1	\$0	\$0	\$0	\$4,925	\$12,228	\$17,153
Gulf	2	\$11,024	\$0	\$0	\$0	\$0	\$11,024
Hamilton	2	\$0	\$0	\$0	\$14,218	\$0	\$14,218
Hardee	3	\$12,990	\$0	\$0	\$0	\$0	\$12,990
Hendry	4	\$23,891	\$0	\$0	\$0	\$1,878	\$25,769
Hernando	7	\$0	\$65,434	\$0	\$0	\$0	\$65,434
Highlands	5	\$41,899	\$0	\$0	\$0	\$0	\$41,899
Hillsborough	11	\$0	\$287,809	\$0	\$0	\$15,116	\$302,926
Holmes	2	\$12,635	\$11,186	\$0	\$6,946	\$0	\$30,767
Indian River	6	\$38,618	\$3,232	\$0	(\$22,078)	(\$2,717)	\$17,055
Jackson	4	\$8,711	\$23,782	\$0	\$25,000	\$0	\$57,493
Jefferson	1	\$0	\$0	\$0	\$0	\$0	\$0
Lafayette	1	\$0	\$0	\$0	\$0	\$0	\$0
Lake	8	\$0	\$110,647	\$0	\$412,600	\$0	\$523,247
Lee	10	\$243,559	\$203,737	\$0	(\$155,106)	\$3,318	\$295,508
Leon	8	\$120,188	\$0	\$0	\$40,068	\$0	\$160,256
Levy	4	\$19,165	\$0	\$0	\$0	\$0	\$19,165
Liberty	1	\$4,990	\$0	\$0	\$0	\$0	\$4,990



CFY 2019-20 Original Budget Request

Pay and Benefit Increases

County	Peer Group	Cost of Living Increases	Merit Increases	Bonuses	Other Pay Increases	Other Benefit Increases	TOTAL
Madison	2	\$3,852	\$0	\$0	\$1,200	\$0	\$5,052
Manatee	9	\$146,277	\$8,958	\$0	\$0	(\$1,048)	\$154,186
Marion	8	\$124,312	\$0	\$0	\$0	\$0	\$124,312
Martin	6	\$79,959	\$31,465	\$0	(\$5,974)	\$0	\$105,450
Miami-Dade	12	\$0	\$0	\$0	\$1,112,997	\$14,216	\$1,127,212
Monroe	6	\$95,412	\$0	\$0	\$33,406	\$0	\$128,818
Nassau	5	\$26,705	\$0	\$3,076	\$0	\$0	\$29,781
Okaloosa	7	\$39,094	\$0	\$3,685	\$0	(\$310)	\$42,469
Okeechobee	4	\$27,995	\$0	\$0	\$0	\$0	\$27,995
Orange	11	\$0	\$561,074	\$0	\$1,106,784	\$2,502	\$1,670,359
Osceola	9	\$187,471	\$0	\$0	\$0	\$0	\$187,471
Palm Beach	12	\$0	\$555,339	\$0	\$0	\$0	\$555,339
Pasco	10	\$0	\$376,831	\$0	\$0	\$0	\$376,831
Pinellas	11	\$434,218	\$0	\$0	\$133,571	\$55,687	\$623,475
Polk	10	\$293,969	\$0	\$0	\$4,277	\$796	\$299,042
Putnam	5	\$45,813	\$45,000	\$0	\$45,813	\$0	\$136,626
Saint Johns	7	\$87,855	\$55,600	\$0	\$0	\$0	\$143,455
Saint Lucie	9	\$109,507	\$0	\$0	\$0	\$0	\$109,507
Santa Rosa	7	\$0	\$0	\$0	\$1,363,035	\$0	\$1,363,035
Sarasota	9	\$0	\$124,210	\$0	(\$32,942)	\$4,264	\$95,532
Seminole	9	\$75,214	\$0	\$0	\$0	\$90	\$75,304
Sumter	6	\$8,070	\$0	\$0	\$21,268	\$0	\$29,339
Suwannee	4	\$8,070	\$0	\$0	\$21,268	\$0	\$29,338
Taylor	3	\$0	\$0	\$0	\$0	\$62	\$62
Union	2	\$8,611	\$0	\$0	\$0	\$0	\$8,611
Volusia	10	\$329,123	\$17,418	\$0	\$448,610	\$1	\$795,152
Wakulla	3	\$15,367	\$0	\$0	\$0	\$29,622	\$44,990
Walton	5	\$0	\$4,700	\$0	\$0	\$0	\$4,700
Washington	3	\$13,568	\$9,010	\$0	\$0	\$0	\$22,578
GRAND TOTAL		\$4,836,877	\$2,620,478	\$10,310	\$4,583,173	\$143,100	\$12,193,939

Notes:

1. Negative amounts in Other Pay Increases and Other Benefit Increases are related to pay reductions through various pay actions and adjustments.
2. Other Pay Increases and Other Benefit Increases may include increases from the addition of new positions and not increases to current benefit levels.
3. Five counties did not include any pay or benefit increases: Glades, Hamilton, Jefferson, Lafayette, and Santa Rosa.



CFY 2019-20 Original Budget Request
Total Request - Net By Peer Group

County	Peer Group	CFY1819 Operational Budget	CFY1920 Original Request	Difference	Percent over Operational	CFY1819 Net FTE	CFY1920 Net FTE	Difference	Percent Over Operational
Calhoun	1	\$415,467	\$495,108	\$79,641	19.17%	5.45	6.24	0.79	14.50%
Franklin	1	\$605,116	\$637,515	\$32,399	5.35%	10.47	10.47	0.00	0.00%
Glades	1	\$499,931	\$537,704	\$37,773	7.56%	7.81	7.61	(0.20)	-2.56%
Jefferson	1	\$412,523	\$506,910	\$94,387	22.88%	7.00	6.80	(0.20)	-2.86%
Lafayette	1	\$279,534	\$300,808	\$21,274	7.61%	4.02	4.04	0.02	0.50%
Liberty	1	\$285,660	\$301,909	\$16,249	5.69%	5.03	5.03	0.00	0.00%
Dixie	2	\$468,624	\$485,593	\$16,969	3.62%	7.39	7.39	0.00	0.00%
Gilchrist	2	\$500,070	\$524,993	\$24,923	4.98%	7.93	8.43	0.50	6.31%
Gulf	2	\$468,371	\$546,027	\$77,656	16.58%	7.28	7.35	0.07	0.96%
Hamilton	2	\$444,392	\$538,515	\$94,123	21.18%	6.85	7.85	1.00	14.60%
Holmes	2	\$580,259	\$581,299	\$1,040	0.18%	9.07	8.35	(0.72)	-7.94%
Madison	2	\$521,232	\$548,573	\$27,341	5.25%	9.38	9.53	0.15	1.60%
Union	2	\$420,511	\$472,635	\$52,124	12.40%	6.40	6.80	0.40	6.25%
Baker	3	\$626,889	\$706,526	\$79,637	12.70%	9.40	9.90	0.50	5.32%
Bradford	3	\$664,307	\$700,812	\$36,505	5.50%	11.82	9.84	(1.98)	-16.75%
DeSoto	3	\$763,159	\$810,147	\$46,988	6.16%	9.85	10.60	0.75	7.61%
Hardee	3	\$811,436	\$907,451	\$96,015	11.83%	11.70	11.70	0.00	0.00%
Taylor	3	\$508,868	\$588,000	\$79,132	15.55%	9.02	10.30	1.28	14.19%
Wakulla	3	\$643,499	\$736,096	\$92,597	14.39%	9.72	9.63	(0.09)	-0.93%
Washington	3	\$587,555	\$792,571	\$205,016	34.89%	9.19	10.75	1.56	16.97%
Gadsden	4	\$1,125,233	\$1,444,466	\$319,233	28.37%	17.72	21.36	3.64	20.54%
Hendry	4	\$1,032,798	\$1,272,177	\$239,379	23.18%	20.83	19.83	(1.00)	-4.80%
Jackson	4	\$1,008,383	\$1,087,299	\$78,916	7.83%	16.20	16.25	0.05	0.31%
Levy	4	\$936,622	\$1,090,596	\$153,974	16.44%	13.88	16.91	3.03	21.83%
Okeechobee	4	\$1,252,937	\$1,340,611	\$87,674	7.00%	22.57	21.77	(0.80)	-3.54%
Suwannee	4	\$1,027,087	\$1,138,306	\$111,219	10.83%	16.00	16.73	0.73	4.56%
Columbia	5	\$1,460,034	\$1,520,459	\$60,425	4.14%	25.04	25.04	0.00	0.00%
Highlands	5	\$1,787,847	\$1,935,604	\$147,757	8.26%	27.06	27.09	0.03	0.11%
Nassau	5	\$1,494,003	\$1,619,240	\$125,237	8.38%	23.47	25.36	1.89	8.05%
Putnam	5	\$1,862,725	\$2,105,781	\$243,056	13.05%	26.74	28.10	1.36	5.09%
Walton	5	\$1,570,969	\$1,932,638	\$361,669	23.02%	28.70	29.10	0.40	1.39%
Citrus	6	\$2,275,853	\$2,980,243	\$704,390	30.95%	51.38	54.48	3.10	6.03%
Flagler	6	\$1,652,178	\$1,876,164	\$223,986	13.56%	22.69	27.13	4.44	19.57%
Indian River	6	\$2,970,149	\$3,171,193	\$201,044	6.77%	47.65	50.58	2.93	6.15%
Martin	6	\$3,339,732	\$3,857,218	\$517,486	15.49%	49.79	54.94	5.15	10.34%
Monroe	6	\$3,426,092	\$3,650,562	\$224,470	6.55%	50.13	47.47	(2.66)	-5.31%
Sumter	6	\$1,707,264	\$2,291,906	\$584,642	34.24%	27.00	34.00	7.00	25.93%
Bay	7	\$3,492,604	\$3,940,375	\$447,771	12.82%	55.90	55.96	0.06	0.11%
Charlotte	7	\$3,446,159	\$3,550,119	\$103,960	3.02%	50.66	50.66	0.00	0.00%
Clay	7	\$3,235,424	\$3,807,049	\$571,625	17.67%	49.39	51.20	1.81	3.66%
Hernando	7	\$3,339,398	\$3,857,923	\$518,525	15.53%	60.39	61.53	1.14	1.89%
Okaloosa	7	\$3,502,677	\$3,716,764	\$214,087	6.11%	46.91	51.51	4.60	9.81%
Saint Johns	7	\$3,476,251	\$3,638,954	\$162,703	4.68%	48.09	51.64	3.55	7.38%
Santa Rosa	7	\$3,005,356	\$4,368,391	\$1,363,035	45.35%	54.82	66.57	11.75	21.43%



CFY 2019-20 Original Budget Request

Total Request - Net By Peer Group

County	Peer Group	CFY1819 Operational Budget	CFY1920 Original Request	Difference	Percent over Operational	CFY1819 Net FTE	CFY1920 Net FTE	Difference	Percent Over Operational
Alachua	8	\$5,741,857	\$5,996,309	\$254,452	4.43%	85.19	85.81	0.62	0.73%
Lake	8	\$5,614,955	\$6,882,313	\$1,267,358	22.57%	89.44	104.44	15.00	16.77%
Leon	8	\$5,720,588	\$6,246,089	\$525,501	9.19%	95.93	99.13	3.20	3.34%
Marion	8	\$6,270,828	\$6,820,554	\$549,726	8.77%	117.74	120.74	3.00	2.55%
Collier	9	\$6,426,905	\$6,893,808	\$466,903	7.26%	82.18	83.23	1.05	1.28%
Escambia	9	\$6,522,959	\$7,286,672	\$763,713	11.71%	109.41	115.61	6.20	5.67%
Manatee	9	\$5,884,497	\$6,102,298	\$217,801	3.70%	89.37	94.88	5.51	6.17%
Osceola	9	\$6,793,711	\$8,066,849	\$1,273,138	18.74%	101.14	110.02	8.88	8.78%
Saint Lucie	9	\$6,723,358	\$7,193,546	\$470,188	6.99%	95.30	95.30	0.00	0.00%
Sarasota	9	\$7,886,214	\$8,770,151	\$883,937	11.21%	131.78	131.80	0.02	0.02%
Seminole	9	\$8,528,860	\$9,068,119	\$539,259	6.32%	131.79	133.79	2.00	1.52%
Brevard	10	\$11,555,376	\$11,822,815	\$267,439	2.31%	205.36	208.28	2.92	1.42%
Lee	10	\$11,153,365	\$12,134,128	\$980,763	8.79%	161.75	168.25	6.50	4.02%
Pasco	10	\$10,651,391	\$11,200,820	\$549,429	5.16%	198.99	196.41	(2.58)	-1.30%
Polk	10	\$11,933,786	\$12,625,912	\$692,126	5.80%	227.48	229.96	2.48	1.09%
Volusia	10	\$10,807,267	\$11,877,436	\$1,070,169	9.90%	201.30	202.91	1.61	0.80%
Duval	11	\$18,065,636	\$23,792,479	\$5,726,843	31.70%	277.05	352.50	75.45	27.23%
Hillsborough	11	\$28,655,948	\$30,930,750	\$2,274,802	7.94%	423.55	427.20	3.65	0.86%
Orange	11	\$27,702,243	\$29,544,458	\$1,842,215	6.65%	383.50	378.25	(5.25)	-1.37%
Pinellas	11	\$22,108,570	\$25,146,248	\$3,037,678	13.74%	298.88	339.88	41.00	13.72%
Broward	12	\$37,480,139	\$40,727,675	\$3,247,536	8.66%	722.50	750.50	28.00	3.88%
Miami-Dade	12	\$68,787,909	\$75,274,148	\$6,486,239	9.43%	851.87	911.63	59.76	7.02%
Palm Beach	12	\$29,640,626	\$31,218,761	\$1,578,135	5.32%	441.31	427.14	(14.17)	-3.21%
STATEWIDE TOTAL		\$424,592,166	\$468,535,568	\$43,943,402	10.35%	6540.60	6841.48	300.88	4.60%

Notes:

- Counties highlighted in blue in the "Percent Over Operational" column are requesting more than 3% over CFY 2018-19 Operational Budget.
- The following **two** counties did not request an increase greater than 3%: Brevard and Holmes.
- The following **eleven** counties requested a reduction in FTE: Bradford, Glades, Hendry, Holmes, Jefferson, Monroe, Okeechobee, Orange, Palm Beach, Pasco, and Wakulla.
- The following **seven** counties did not request any changes in FTE: Charlotte, Columbia, Dixie, Franklin, Hardee, Liberty, and Saint Lucie.



CFY 2019-20 Original Budget Request

Total Request - By Peer Group

County	Peer Group	CFY1920 Original Request	Peer Group Average	Amount Over Peer Group Average	% Over Peer Group Average
Calhoun	1	\$495,108	\$463,325.67	\$31,782.33	6.86%
Franklin	1	\$637,515		\$174,189.33	37.60%
Glades	1	\$537,704		\$74,378.33	16.05%
Jefferson	1	\$506,910		\$43,584.33	9.41%
Lafayette	1	\$300,808		(\$162,517.67)	-35.08%
Liberty	1	\$301,909		(\$161,416.67)	-34.84%
Dixie	2	\$485,593	\$528,233.57	(\$42,640.57)	-8.07%
Gilchrist	2	\$524,993		(\$3,240.57)	-0.61%
Gulf	2	\$546,027		\$17,793.43	3.37%
Hamilton	2	\$538,515		\$10,281.43	1.95%
Holmes	2	\$581,299		\$53,065.43	10.05%
Madison	2	\$548,573		\$20,339.43	3.85%
Union	2	\$472,635		(\$55,598.57)	-10.53%
Baker	3	\$706,526	\$748,800.43	(\$42,274.43)	-5.65%
Bradford	3	\$700,812		(\$47,988.43)	-6.41%
DeSoto	3	\$810,147		\$61,346.57	8.19%
Hardee	3	\$907,451		\$158,650.57	21.19%
Taylor	3	\$588,000		(\$160,800.43)	-21.47%
Wakulla	3	\$736,096		(\$12,704.43)	-1.70%
Washington	3	\$792,571		\$43,770.57	5.85%
Gadsden	4	\$1,444,466	\$1,228,909.17	\$215,556.83	17.54%
Hendry	4	\$1,272,177		\$43,267.83	3.52%
Jackson	4	\$1,087,299		(\$141,610.17)	-11.52%
Levy	4	\$1,090,596		(\$138,313.17)	-11.25%
Okeechobee	4	\$1,340,611		\$111,701.83	9.09%
Suwannee	4	\$1,138,306		(\$90,603.17)	-7.37%
Columbia	5	\$1,520,459	\$1,822,744.40	(\$302,285.40)	-16.58%
Highlands	5	\$1,935,604		\$112,859.60	6.19%
Nassau	5	\$1,619,240		(\$203,504.40)	-11.16%
Putnam	5	\$2,105,781		\$283,036.60	15.53%
Walton	5	\$1,932,638		\$109,893.60	6.03%
Citrus	6	\$2,980,243	\$2,971,214.33	\$9,028.67	0.30%
Flagler	6	\$1,876,164		(\$1,095,050.33)	-36.86%
Indian River	6	\$3,171,193		\$199,978.67	6.73%
Martin	6	\$3,857,218		\$886,003.67	29.82%
Monroe	6	\$3,650,562		\$679,347.67	22.86%
Sumter	6	\$2,291,906		(\$679,308.33)	-22.86%



CFY 2019-20 Original Budget Request

Total Request - By Peer Group

County	Peer Group	CFY1920 Original Request	Peer Group Average	Amount Over Peer Group Average	% Over Peer Group Average
Bay	7	\$3,940,375	\$3,839,939.29	\$100,435.71	2.62%
Charlotte	7	\$3,550,119		(\$289,820.29)	-7.55%
Clay	7	\$3,807,049		(\$32,890.29)	-0.86%
Hernando	7	\$3,857,923		\$17,983.71	0.47%
Okaloosa	7	\$3,716,764		(\$123,175.29)	-3.21%
Saint Johns	7	\$3,638,954		(\$200,985.29)	-5.23%
Santa Rosa	7	\$4,368,391		\$528,451.71	13.76%
Alachua	8	\$5,996,309	\$6,486,316.25	(\$490,007.25)	-7.55%
Lake	8	\$6,882,313		\$395,996.75	6.11%
Leon	8	\$6,246,089		(\$240,227.25)	-3.70%
Marion	8	\$6,820,554		\$334,237.75	5.15%
Collier	9	\$6,893,808	\$7,625,920.43	(\$732,112.43)	-9.60%
Escambia	9	\$7,286,672		(\$339,248.43)	-4.45%
Manatee	9	\$6,102,298		(\$1,523,622.43)	-19.98%
Osceola	9	\$8,066,849		\$440,928.57	5.78%
Saint Lucie	9	\$7,193,546		(\$432,374.43)	-5.67%
Sarasota	9	\$8,770,151		\$1,144,230.57	15.00%
Seminole	9	\$9,068,119		\$1,442,198.57	18.91%
Brevard	10	\$11,822,815	\$11,932,222.20	(\$109,407.20)	-0.92%
Lee	10	\$12,134,128		\$201,905.80	1.69%
Pasco	10	\$11,200,820		(\$731,402.20)	-6.13%
Polk	10	\$12,625,912		\$693,689.80	5.81%
Volusia	10	\$11,877,436		(\$54,786.20)	-0.46%
Duval	11	\$23,792,479	\$27,353,483.75	(\$3,561,004.75)	-13.02%
Hillsborough	11	\$30,930,750		\$3,577,266.25	13.08%
Orange	11	\$29,544,458		\$2,190,974.25	8.01%
Pinellas	11	\$25,146,248		(\$2,207,235.75)	-8.07%
Broward	12	\$40,727,675	\$49,073,528.00	(\$8,345,853.00)	-17.01%
Miami-Dade	12	\$75,274,148		\$26,200,620.00	53.39%
Palm Beach	12	\$31,218,761		(\$17,854,767.00)	-36.38%
GRAND TOTAL		\$468,535,568			

Notes:

1. The following 13 counties are 10% higher than their Peer Group Average for CFY 2019-20 Original Budget Request: Franklin, Glades, Holmes, Hardee, Gadsden, Putnam, Martin, Monroe, Santa Rosa, Sarasota, Seminole, Hillsborough, and Miami-Dade.





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FLORIDA CLERKS OF COURT
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Minutes of September 20th CCOC Budget Committee Meeting

Committee Action: Review and approve with amendments as necessary.

The Budget Committee of the Clerks of Court Operation Corporation (CCOC) held a meeting via WebEx on September 20, 2019. An agenda and materials were distributed in advance of the meeting and posted on the CCOC website. Provided below is a summary of staff notes from the meeting. These staff notes are designed to document committee action, not to be a full record of committee discussions. All motions adopted by the committee are in **bold text**. All action items based on committee direction are in **red** and bold **text**.

1. Agenda Item 1 – Call to Order and Introduction

The workshop was called to order by Clerk Ken Burke, Chair of the Budget Committee. Jason Welty, CCOC Director of Budget & Communications called the roll. Prior to the meeting, Clerk Butterfield, Clerk Bock, and Clerk Green notified CCOC staff that they had conflicts and would not be able to join the call.

Present for meeting conference call: Clerk Burke, Clerk Smith, Clerk Bexley, Clerk Childers, Clerk Connell, Clerk Cooney, Clerk Crawford, Clerk Hand, Clerk Kinsaul, Clerk Moore Russell, Clerk Spencer, Clerk Timmann, and Clerk Vick

Absent from conference call: Clerk Butterfield, Clerk Bock, Clerk Godwin, and Clerk Green

2. Agenda Item 1 – Agenda

A motion was made to approve the agenda by Clerk Vick and seconded by Clerk Spencer. Without objection the motion was approved.

3. Agenda Item 2 – Approval of Minutes

The minutes from the July 23, 2019 meeting were presented for approval. **Motion to approve the minutes was made by Clerk Moore Russell, seconded by Clerk Timmann. With no discussion the motion was approved unanimously.**

4. Agenda Item 3 – REC Update

MEETING MINUTES – SEPTEMBER 20, 2019

Jason Welty, CCOC Budget and Communications Director, gave an update on the Revenue Estimating Conference meeting from August 7, 2019. They have projected \$431 million for the clerk's CFY 2019-20 budget. This is a \$17.1 million increase over the current fiscal year. EDR and OPB projected an increase in revenue that was less than the CCOC projection and did not project sustained growth. The REC projection is part of the meeting packet on pages 7 through 15.

Clerk Burke thanked Jason and Marleni for their work with the REC and preparing the packet for today's meeting and the workshop to be held on Tuesday, September 24. He also asked for questions regarding the REC update and none were mentioned.

5. Agenda Item 4 – Revision to Distribution Calculation

Clerk Burke asked Jason to explain the next agenda item which is a motion to adjust the previously approved calculation for distribution of the increased funds.

An estimate of what the budget would be was at the July 23, 2019 meeting. The revised estimate is located in the packet starting on page 16. The official REC estimate is approximately \$431 million, the cumulative excess is estimated at \$10 million, and the unspent budgeted funds is projected at \$5.8 million. This gives the Budget Committee approximately \$446.8 million to allocate for clerk's budgets. This is a net increase of \$33.9 million.

These figures were applied to the committee's three step process previously agreed upon, which includes a 3% increase across the board over current fiscal year, an additional amount is acquiring a new judge, and an allocation based on weighted case counts (page 17 of the packet).

The first step, 3% across the board, totals \$12.3 million. The second step for the four counties receiving a new judge is \$240K, and approximately 50% of the balance was allocated for the weighted workload allocation which was \$10.6 million. That leaves a balance of \$10.6 million for specific funding requests unless the budgets are capped at the amount requested in the Original Budget submission which would then allow \$11.5 million to be allocated for special funding requests.

Clerk Burke then addresses the committee regarding the significant increase. For a long time, the clerks were decreasing while other justice partners were receiving increases. This increase makes headway towards bringing back those reductions and still less than the amount clerks had 10 years ago.

Clerks were required to submit a needs-based budget. Clerks were also given the chance to amend their Original Budget requests. After the first three steps, there are still some clerks who will have an amount greater than their Original Budget submission.

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A motion was made by Clerk Moore Russell to accept the calculations of the first three steps but cap the budgets to not exceed the Original Budget submission, which was seconded by Clerk Childers.

There was much discussion on this issue. Clerk Cooney did not agree with the cap and said that if the CCOC was going to use weighted workloads then those counties were entitled to the amount the calculation suggested they needed. He felt the individual clerks that would be impacted should have the opportunity to come back and say whether or not they needed the additional amount over their Original Budget Submission.

Clerk Hand agreed that the Clerks that would be capped should be contacted. Clerk Peacock appreciated the sentiments but was concerned that there would be a disconnect between what was submitted as a needs-based budget and what was allocated. He was ok with allocation over what was submitted if there was a process by which the requests were justified.

Clerk Smith agreed with Clerk Peacock because it is an accountability issue. Clerk Cooney thought that if we were going to go ahead with the motion that we have cut off clerks from the opportunity to submit a funding request because it was due weeks ago.

Clerk Burke asked if Clerk Moore Russell would be willing to amend her motion and she was not. She felt that clerks have been asked to give us a needs-based budget and we need to be honest with our process. Clerk Connell agreed with Clerk Moore Russell and doesn't think it is good policy to give a budget that is more than what a clerk has said they needed. Clerk Childers also agreed with the motion and that after this year the process could be addressed as needed.

Clerk Vick spoke regarding items that have cropped up after the budget was submitted. She wanted no prohibition against those from coming before the budget committee if there are funds available. Clerk Moore Russell indicated that there had been ample opportunity to submit a request revised budget or a request for additional funding and Clerk Burke agreed.

Clerk Spencer thought that capping would give money available for incentives or for collections.

Clerk Burke identified all the ways clerks were given the opportunity to change their Original Budget Submission or submit a funding request. Clerk Vick thanked him for making everyone aware that ample opportunity was given. Clerk Hand indicated that knowing this new information she no longer had an objection.

A vote was taken and with only 1 nay, the motion passed.

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6. Agenda Item 5 – Budget Allocations

Jason Welty reviewed the spreadsheets that were included in the packet, which begin on page 18. These spreadsheets are the total of the allocation of the first three steps, prior to Specific Funding Requests.

Clerk Cooney mentioned that the Case Counting Workgroup is still working on verifying numbers and the allocation could change before Tuesday's meeting. Jason responded that the latest numbers that CCOC staff is using is from the Case Counting Workgroup.

Clerk Spencer wanted to know how the 3% across the board was developed and Clerk Burke responded that it was a decision of the Budget Committee at a meeting that Clerk Spencer was unable to attend and would send him the minutes.

7. Agenda Item 6 – CCOC and Statutory Requirements

Clerk Burke indicated that there is no requirement for action from the Budget Committee on these reports but the CCOC is statutorily required to report the information. The Budget Committee is not in statute, but the Executive Council is and these reports will be passed on to them for their acknowledgement.

Jason Welty identified the required reports from information submitted on Original Budget Submission as follows (page 21 – 26 of the packet):

- Identify pay and benefit increases, including, but not limited to, cost of living increases, merit increases, and bonuses.
- Identify increases in anticipated expenditures in any clerk budget that exceeds the current year budget by more than 3 percent.
- Identify the budget of any clerk which exceeds the average budget of similarly situated clerks by more than 10 percent.
- Identify those clerks projected to have court-related revenues insufficient to fund their anticipated court-related expenditures (Funded or Depository designation).

A motion was made by Clerk Cooney and seconded by Clerk Smith that the Budget Committee acknowledge the reports as submitted by staff and send to the Executive Council.

Clerk Smith asked if the Committee had a duty to investigate the reasons for the outliers and Clerk Burke indicated that statutorily they were required to identify, but that in the future the Committee should certainly do follow up. He also indicated that there may be adjustments needed in January when final numbers are in. **Clerk Burk asked that Jason take note of the items that need to be addressed post October 1.**

A vote was taken and with no objections the motion was approved.

MEETING MINUTES – SEPTEMBER 20, 2019

8. Agenda Item 7 - CFY 2018-19 Juror Management Budget Authority

Clerk Burke asked Clerk Vick to present the next agenda item regarding Jury Management. Clerk Vick indicated that at the Gainesville meeting Jason brought to her attention some improvements that could be made to Jury Budget Authority, the distribution of jury funds, and to be sure there is a clear process for all clerks going forward. We want to make sure that the \$11.7 million appropriated from State General Revenue is distributed equitably to all clerks and that if there is money on the table that it is used by clerks who need it.

There were no questions regarding the material that was presented.

Jason explained agenda item 7a – Jury Management Budget Authority adjustment, which would adjust 35 clerk's current year budget authority so that they can expend the dollars they have already received from JAC (page 28). A new letter would be sent to each county. No dollars over the \$11.7 million that is appropriated will be spent.

A motion was made by Clerk Vick, seconded by Clerk Kinsaul with no opposition the motion was approved.

Agenda Item 7b is the modification to the CFY 2019-20 Jury Budget Authority which the recommendation is based on a three-year historical average. It does not anticipate issues that may arise from sudden excess jury trials (pages 30-31). The second part would be to allow the Workgroup to continue their work, and the third issue would be to allow a line for jury expenditures to be added back to the EC form. Clerk Vick identified these three items as the mechanics of the management of jury funding.

Clerk Vick made a motion to adjust the CFY 2019-20 Jury Management Budget Authority as outlined in the staff recommendation, allow the Workgroup to continue their oversight of the Jury Management Funding process, and to approve changes to the EC for regarding jury. This motion was seconded by Clerk Smith. With no objections, the motion was approved.

Agenda Item 7c – Jury Management Policy Guidelines is a draft memo that will be sent out to all clerks regarding jury management funding policy. Clerk Vick indicated that the jury funding could not be used for CCOC expenses and that if jury management expenditures exceed jury management funding, then the CCOC funding must be used.

Clerk Vick made a motion to approve the memo as outlined in the packet and submit to the Executive Council with a second by Clerk Childers. With no objections the motion was approved.

9. Agenda Item 8 - Approval Criteria for Funding Requests

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Clerk Burke asked for CCOC staff to provide an update on this item and reminded the Committee that any monies not allocated through this process would be distributed back to all clerks.

Marleni Bruner reviewed the logistics of the meeting, the scheduling process, and the request that counties submit their supporting documentation or presentation items to CCOC staff so that it can be included in the packet. Several committee members will be online attending the meeting via WebEx and several will be presenting their Funding Requests via WebEx.

Clerk Cooney asked about the lack of available slots and no time allotted to making decisions. Jason Welty mentioned that there is a WebEx for Thursday the 26th for making decisions on the requests heard on Tuesday. The Budget Committee agreed to move the meeting to 9 AM to have some discussions on philosophical concepts.

Clerk Burke wanted a criteria sheet for the members to review while going through presentations. Jason reminded the committee that he sent the requests as he had them out to the committee members so they could begin looking at the requests and start getting ideas about the questions they may have. He also described a Weighted Workload Benchmark Budget that he was working on for the committee.

Clerk Burke declined the spreadsheet and wanted to know with each funding request, what the problem is being solved with the additional funds. Will it enhance revenue to the trust fund? Does it solve technology issues that would provide efficiencies? Enhance collection efforts?

Clerk Cooney suggested basic questions to ask each clerk. Clerk Burke asked if he would work with CCOC staff to develop those questions and provide as part of the packet. Jason provided a rundown of the major asks that have been submitted such as personnel and FTE, IT, collections/compliance, restore county-supplemented funding, etc.

Clerk Burke wanted to wait until hearing from all presenters before making decisions on where the priorities for funding should be topically.

Clerk Crawford reviewed various requests and questions the legality of CCOC funding and its use for some of the requests. He asked to have Joe Boyd, CCOC General Council, to review the legality of the requests, regarding what the county must pay for and what the clerk court-related can pay for. While there is money available to restore some deficits, he does not want to come in conflict with the legislature to make we get this right. John Dew, CCOC Executive Director, has had a meeting with Joe Boyd already and is currently reviewing the requests and will have that information at Tuesday's meeting.

Clerk Kinsaul wanted to know if the Weighted Workload Benchmark Budget would have the breakdown of the cost per case and was told by Jason Welty that it did. He

MEETING MINUTES – SEPTEMBER 20, 2019

felt that the legislature focuses on our expenditures as well as revenues. With so many requests for personnel and FTE he thought that how a county fell in their peer group would be an important criterion. He also wanted to know if the budget committee would set a reserve.

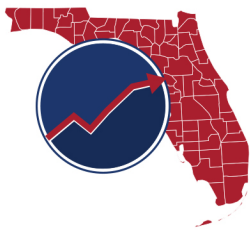
Clerk Burke indicated that the current year has already decided that anything unallocated would be distributed to all clerks. He also felt that the legislative team at CCOC and FCCC would need to weigh in on the issue of a reserve and getting that through the legislative budget process. Clerk Kinsaul didn't want to fund a lot of FTE's and the revenue comes in under and then cuts are being made.

Clerk Timmann wanted to make a comment to Clerk Crawford's point and requested that CCOC staff reach out to clerks who may have submitted a questionable Funding Request so that they can be prepared when they come before the Budget Committee on Tuesday, as they may have their own legal opinion.

Mike Murphy from Orange County indicated that Clerk Moore Russell wanted to know if the request was a part of their Original Budget Submission or if it was a unique issue. Clerk Burke requested that be added to the question list.

Clerk Kinsaul asked if the Child Support Reimbursement could be looked at if it is a county funding and be reviewed by Joe Boyd.

Clerk Burke asked for any comments, questions, from the public. Hearing none, Clerk Burke adjourned the meeting.



CCOC

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AGENDA ITEM 4c

DATE: October 1, 2019
SUBJECT: CCOC PIE Committee Report
COUNCIL ACTION: Review Performance Measure Report, Approve OGL Report Form, and Provide Direction.

OVERVIEW:

Several items are being reported in this PIE report and seeking Council direction.

Item 1: Section 28.35, F.S. requires the CCOC to report when it finds a Clerk has not met the performance standards. (See attachment 1 & 2)

Qtr 2 and Qtr 3 Report Highlights

Collections Performance

- Collectively, all court divisions are meeting the collection performance standards except civil traffic. County criminal court division has met the 40% standard for two consecutive quarters. Civil traffic remains well below the 90% standard and at the end of Quarter 3 performance stands at 83.87%. Forty-four clerk offices required an action plan related to collections for both Quarter 2 and 3.

Timeliness Performance

- Collectively, all court divisions are well above the 80% standard for filing cases timely. Circuit civil court division has rebounded from a low of 83% in Quarter 2 to 92% at the end of Quarter 3. Sixteen clerk offices required an action plan to not filing cases timely in quarter 2 compared to thirteen in Quarter 3.
- Collectively, all court divisions are well above the 80% standard for docketing cases timely. Ten clerk offices required action plans for not docketing cases timely for both Quarter 2 and 3.

Staffing continues to be the most cited reason for not meeting timeliness measures. Lastly, the Clerks are providing better explanations for their failure to not meet standards and steps they are taking to improve.

Senate Bill 7014, which takes effect in July, requires the CCOC to remit the performance measure action plans to the Legislature 45 days from the end of the each quarter. In recognition of this requirement and the difficulty this puts on staff to meet the deadline, the Council approved the PIE Chair to work with the CCOC staff to compile the quarterly action plans and then post them on the

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.

AGENDA ITEM 4c – PIE COMMITTEE REPORT

CCOC website (<https://flccoc.org/ccoc-reports/#pr>) and notify the Legislature of the action plans. The Council then would be made aware of the plan being posted at their next scheduled meeting.

The PIE Chair has worked with CCOC staff to compile the information for both quarterly performance measures report and they have been posted on the website.

COUNCIL ACTION: Review and ratify CFY 2018-19 Quarter's 2 and 3 Performance Measures & Action Plans Reports.

Item 2: Operation Green Light Report Form (See attachment 3)

Chapter 2019-167 LOF (HB 7125 - Driver License Reinstatement Days) requires the reporting of certain information pertaining to these event(s) including number of drivers' licenses reinstated, the number of cases put on payment plans, revenues collected for the Clerk's Trust Fund, local governmental entities, and state entities including state general revenue, and expenditures. The CCOC is required to compile this data and report the information as part of its annual report as required by s. 28.35.

COUNCIL ACTION: Approve the CCOC's Driver's License Reinstatement Event Report form

Item 3: Amending Reporting Forms

- Chapter 2019-58 LOF—HB 337 amended the threshold for filing circuit civil cases essentially shifting from circuit civil to county civil under \$30,000, effective January 1, 2020. As such, there is a need to amend the CCOC outputs form for reporting these cases for county civil. We anticipate a need for the Clerks to make some modification changes to their case management systems and would like to provide significant lead time. (See attachment 4)
- Clerks currently report the number of indigent applications filed and approved for circuit civil, county civil, probate, and family court divisions; however, the indigent applications for dependency court division were inadvertently omitted when the report form was last amended. CCOC staff have been asked by legislative staff for this data. (See attachment 5)

COUNCIL ACTION: Approve CCOC staff to work with the PIE Committee Chair to vet the draft version of these forms and provide necessary guidance to Clerk staff.

LEAD STAFF: Douglas Isabelle, Deputy Executive Director

ATTACHMENTS:

1. CFY 2018-19 Quarter 2 Performance Measures & Action Plans Report
2. CFY 2018-19 Quarter 3 Performance Measures & Action Plans Report
3. Operation Green Light Report Form
4. Outputs Report Form County Civil example
5. Civil Indigent Case Report Form example



Quarterly Performance Measures & Action Plans Report

Section 28.35(2)(d), Florida Statutes

2nd Quarter
County Fiscal Year 2018-19
(January 1, 2019 through March 31, 2019)

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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 20th 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 2nd 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 2nd Quarter of CFY 2018-2019, 44 clerk offices required an action plan related to collections, 16 clerk offices required an action plan for filing cases timely, 10 clerk offices required an action plan for docketing cases timely, and one clerk office required an action plan regarding paying jurors timely. The performance measure analysis and required action plans are in the following pages of this report. Four offices (DeSoto, Gadsden, Dixie, and Lee) did not submit a collection's report one office (Dixie) did not submit a juror's report for this quarter.

List of Performance Measures Reports and Standards

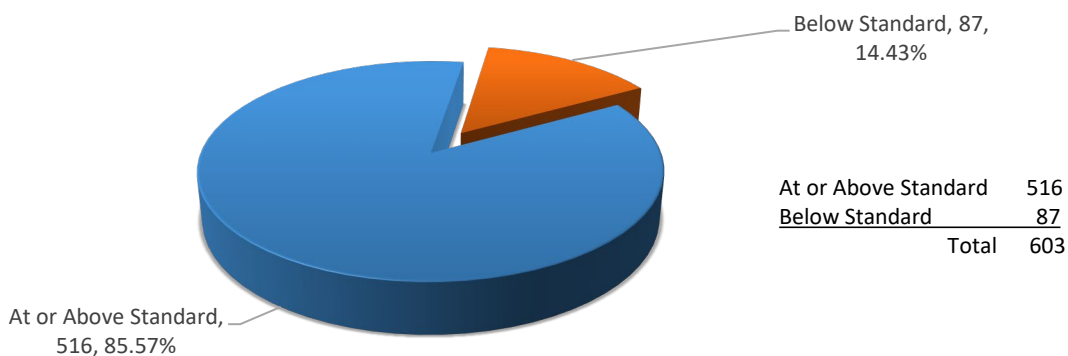
Court Division	Performance Standard Annual Collection Rate	Timeliness for Filling New Cases	Timeliness for Docketing Cases
Circuit Criminal	9%	80% -2 bus. days	80% -3 bus. days
County Criminal	40%	80% -3 bus. days	80% -3 bus. days
Juvenile Delinquency	9%	80% -2 bus. days	80% -3 bus. days
Criminal Traffic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



Collection Performance by Reason Code

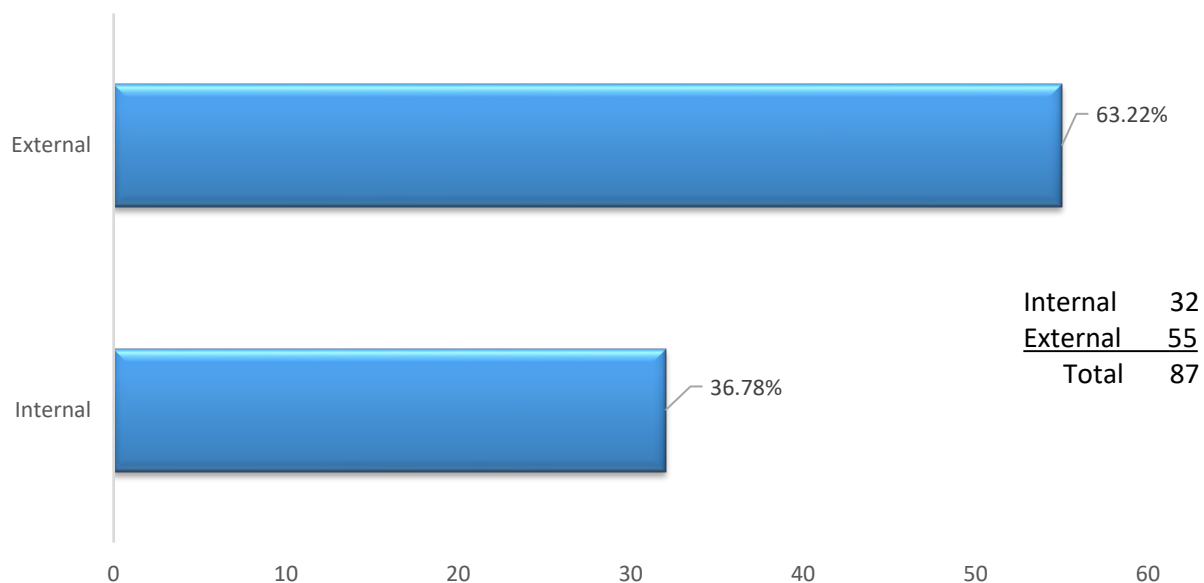
Pursuant to Executive Council direction on October 6, 2015, the “Reason Codes” chosen for not meeting a statewide Collection performance measure were amended to clarify what was under the control of the Clerk’s office and what was not. The new reason codes are:

- “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.

- “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 87 action plans where the collection standard was not met, 32 (36.78%) were classified as within the control of the Clerk. A list of the 32 action plans for 14 counties is found below. The remaining 55 (63.22%) 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

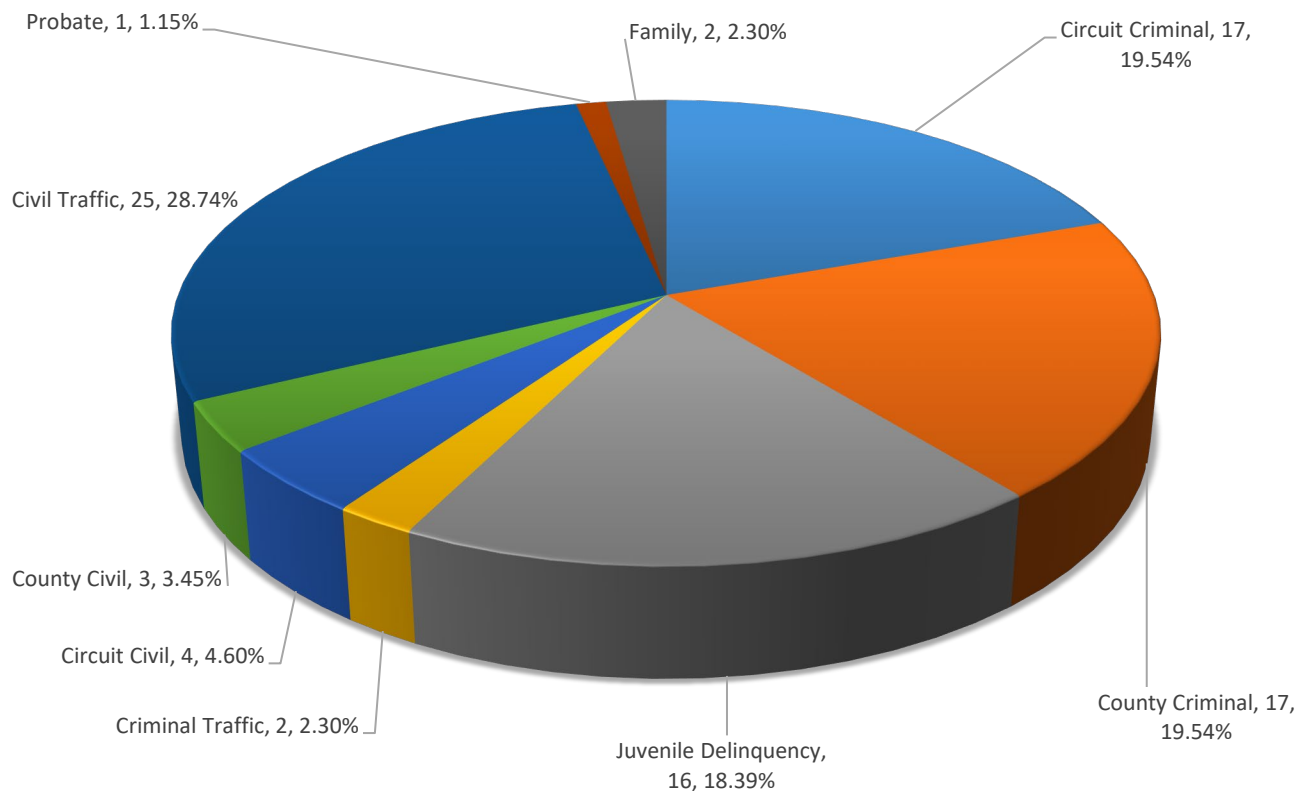
	County	Division	Plan to Improve
1	Bay	Juvenile Delinquency	Adjustments were made
2		Criminal Traffic	Adjustments were made
3		County Civil	Adjustments were made
4		Probate	Adjustments were made
5	Brevard	Juvenile Delinquency	We are working with a new Collection Agency hoping to see a difference within the next Qtr.
6		Circuit Civil	Adjustments made to assessments/increase volume of payment plan in Circuit Civil
7		Civil Traffic	The standard was not met despite pursuit of all collection efforts within control of the clerk.
8	Clay	Circuit Criminal	Defendants are incarcerated for the majority of the cases. The due date is set for the defendant's expected release date. We do not pursue collections until that time.

	County	Division	Plan to Improve
9	Glades	Circuit Criminal	Assessment was added late.
10		County Civil	Indigent Prisoner's Filing Fee assessed late
11	Hamilton	Civil Traffic	We have changed collection agencies and are getting better results with the new agency. We also have a new more pro-active traffic clerk that is working to increase our collections.
12	Hillsborough	Circuit Criminal	Preparing to reinstitute transmissions to Collection Agencies.
13	Jefferson	County Criminal	We are going to pull the detail behind this control groups cases to determine why this groups collection have under-performed.
14	Lake	Circuit Criminal	Lack of enough staffing due to continued budget cuts reduces ability to aggressively pursue delinquent accounts.
15		County Criminal	Lack of enough staffing due to continued budget cuts reduces ability to aggressively pursue delinquent accounts.
16		Juvenile Delinquency	\$52,500 Mandatory Drug Assessments included.
17	Levy	County Criminal	judge doesn't do payment plans enter judgements
18		Criminal Traffic	judge doesn't do payment plans enter judgements
19		Family	payment plans
20	Madison	County Criminal	Best Practices for Collections in place. Have two external collection agents. Need further review of cases to determine any issues on our end and/or is this truly an external issue.
21		Civil Traffic	Best Practices for Collections is place; have two external collection agents in place. Need to review cases further to determine any issues on our end and/or determine if this is an external issue.
22	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.
23	Pasco	Civil Traffic	Historical case collection effort project has impacted the assessments for the quarter. The workflow procedure has been updated to eliminate this impact to the report going forward.
24	Pinellas	Circuit Criminal	Continue to improve on methods for better collections efforts.
25		County Criminal	Continue working with staff on procedures and processed to improve collection efforts and ensure mapping in the CSM is verified.
26		Juvenile Delinquency	Continue to move forward with different methods of collecting.
27		Circuit Civil	Court order for refund of Doc Stamps
28		County Civil	Refund of Electronic Sale Service charges and Doc Stamps per court order.
29		Family	Indigent fee scheduled misapplied, correction and not back dated to the correct transaction date. QTR 4 & 5 - User Error. Indigence was misapplied, correction was done incorrectly.
30	Sarasota	County Criminal	Continued intensified management of payment plans and enhanced efforts of collection agencies expected to increase collection rates in 2019.
31		Civil Traffic	Ongoing initiatives with more customer contact in the first 45 days after filing of a citation are expected to continue to improve collection rates over the 5-quarter period.
32	Union	Juvenile Delinquency	New Judge is implementing a compliance docket to assist in Collections.

Statewide Performance by Court Division

As shown below, the civil traffic court division continues to exceed (28.74%) all other court divisions for not meeting collection standards. Criminal court division cases, as a whole (59.68%) continue to be a challenge to collect.

Collections - Action Plans by Division



Historic Collection Rates

The table below shows that from the end of CFY 2017-18 all court divisions exceeded the collection standards except civil traffic. After adjusting the drug trafficking mandatory assessments and collections; the statewide circuit criminal court division collection rate increased from 9.28% to 15.63%. Civil traffic performance is well below the 90% performance standard standing at 82.81% at the end of the quarter.

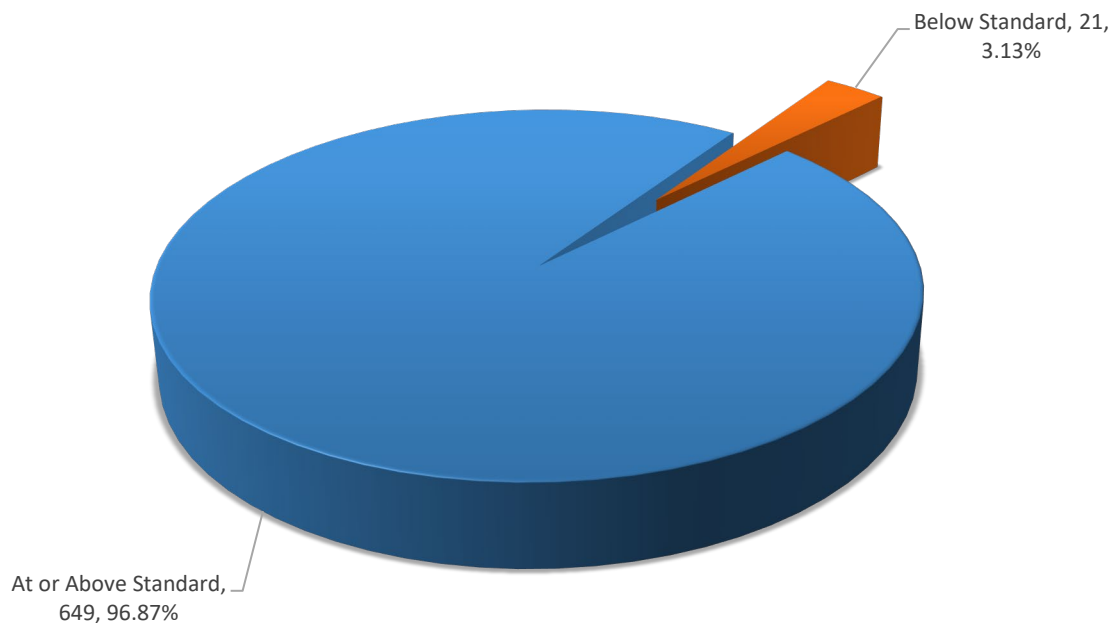
Court Division	CFY 2017-18 Year End	CFY 2018-19 1st Quarter	CFY 2018-19 2nd Quarter	CFY 2018-19 3rd Quarter	CFY 2018-19 4th Quarter	Standard
Circuit Criminal	9.31%	9.55%	9.28%			9%
Circuit Criminal (No Trafficking)	15.67%	15.51%	15.63%			NA
County Criminal	39.89%	39.41%	40.89%			40%
Juvenile Delinquency	14.82%	12.85%	14.90%			9%
Criminal Traffic	61.71%	60.82%	62.09%			40%
Circuit Civil	99.28%	99.14%	99.33%			90%
County Civil	99.72%	99.80%	99.86%			90%
Civil Traffic	84.17%	83.22%	82.81%			90%
Probate	99.35%	99.50%	99.29%			90%
Family	96.46%	97.09%	97.18%			75%

Of the 18 counties who did not meet the circuit criminal collection standard, 15 would have met the standard had drug trafficking assessments not be included as part of circuit criminal assessments. Drug trafficking assessments accounted for over 42.46% of total assessments for these counties in Quarter 2.

The following counties did not submit a Collection's report: Desoto, Dixie, Gadsden, and Lee

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

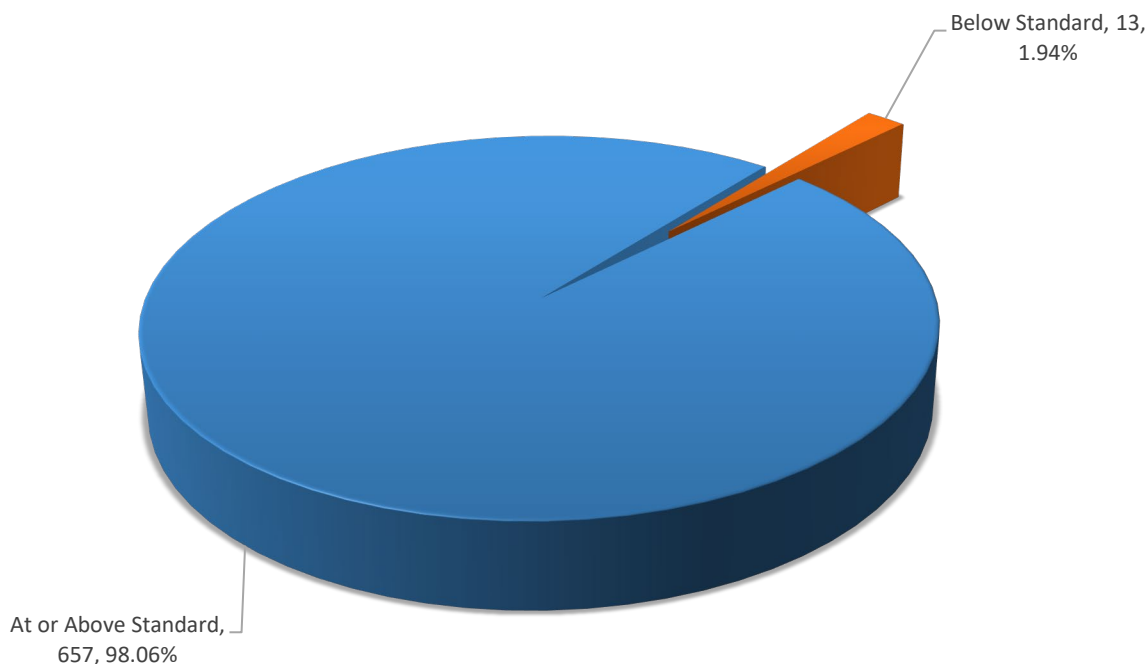
Of the 21 action plans required for not filing new cases timely (Timeliness 1), 17 were in the control of the Clerk; all 17 of those action plans cited staffing as their reason for not meeting the standard. For external reasons, 3 action plans cited staffing and the remaining 1 cited Systems/Conversions. (See Appendix B for more details)

Timeliness 1 - Statewide Action Plans

Timeliness 2 – Cases Docketed Timely

Of the 13 action plans required for not docketing cases timely (Timeliness 2), 10 were in the Clerk’s control to correct; All 10 action plans cited staffing as their reason for not meeting the standard. For external reasons, all 3 cited staffing. (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:

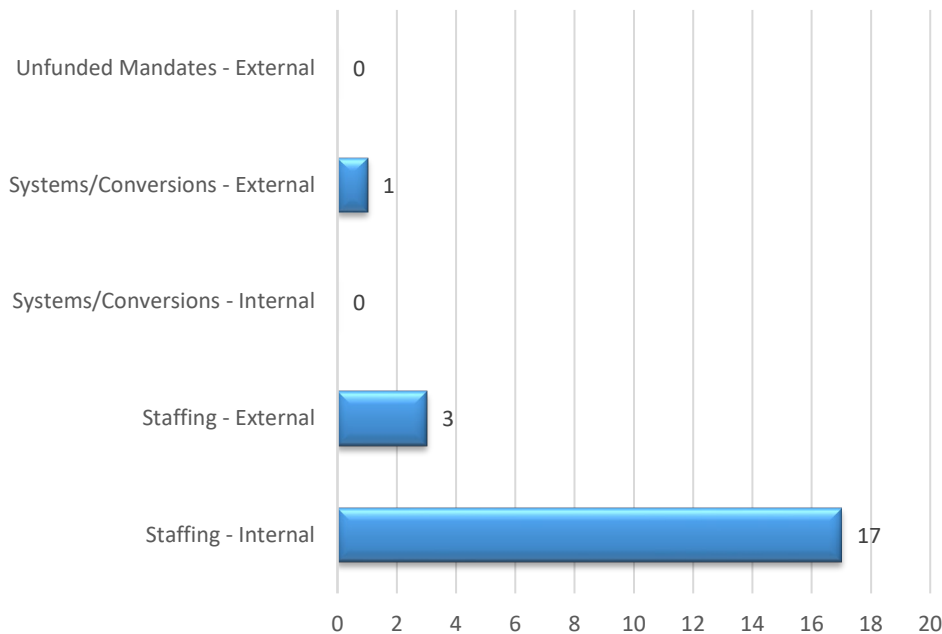
- “Staffing - Internal”: Reason is inter-office and controllable. Internal Staffing reasons will require an “Action to Improve” and a detailed explanation of the reason why the standard was not met and an expected duration of time to have this reason resolved.
- “Staffing External”: Staffing factors 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 21 action plans for not filing cases timely of which 17 were for Staffing – Internal, 3 were related to Staffing – External, and 1 for Systems/Conversions – External.

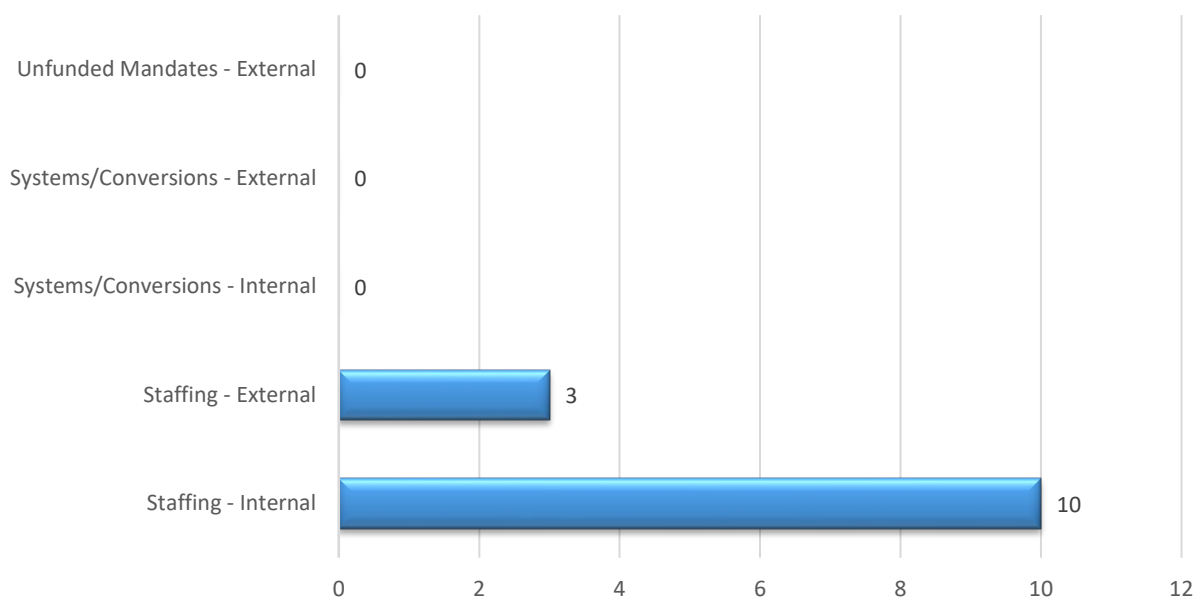
Timeliness 1 - Action Plans by Reason Code



Timeliness 2 (Docket Entries) – Performance by Reason Code

There were 13 action plans for not docketing cases timely of which 10 action plans were for Staffing – Internal and 3 for Staffing – 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	Brevard	Probate	Staffing - Internal	Continued Cross Training
2	Broward	Probate	Staffing - Internal	Budget permitting, overtime will be utilized to improve timeliness
3	Miami-Dade	Circuit Civil	Staffing - Internal	Standard was not met due to 2 employees leaving the unit (unplanned vacancies) and 2 other unit employees being out on extended leave
4	Dixie	County Civil	Staffing - Internal	training underway
5	Hillsborough	Circuit Criminal	Staffing - Internal	Cross training of staff.
6	Lake	Probate	Staffing - Internal	Cross training of staff.
7	Lee	Circuit Criminal	Staffing - Internal	Training opportunity
8		Criminal Traffic	Staffing - Internal	Staff training/transitions in progress

	County	Division	Reason Code	Action Plan to Improve
9	Madison	County Civil	Staffing - Internal	This should be a temporary trend as we had management change and a new staff member in this division; training needed.
10	Palm Beach	Circuit Civil	Staffing - Internal	Allocating additional resources and cross training staff to ensure compliance of the timeliness standard.
11	Pasco	County Civil	Staffing - Internal	Budget deficiencies
12	Polk	Circuit Civil	Staffing - Internal	In the process of hiring competent staff to build new cases.
13	Putnam	Probate	Staffing - Internal	Staff fully cross trained. We will attempt to improve the coordination of discretionary time off. It will be difficult, at times, with only 3.7 FTEs covering county civil, circuit civil and probate.
14	Suwannee	Criminal Traffic	Staffing - Internal	New employee in this position. Will continue training and standard should be met by next quarter.
15	Volusia	County Criminal	Staffing - Internal	Request assistance from other areas.
16		Criminal Traffic	Staffing - Internal	Request assistance from other areas.
17		Civil Traffic	Staffing - Internal	Request assistance from other areas.

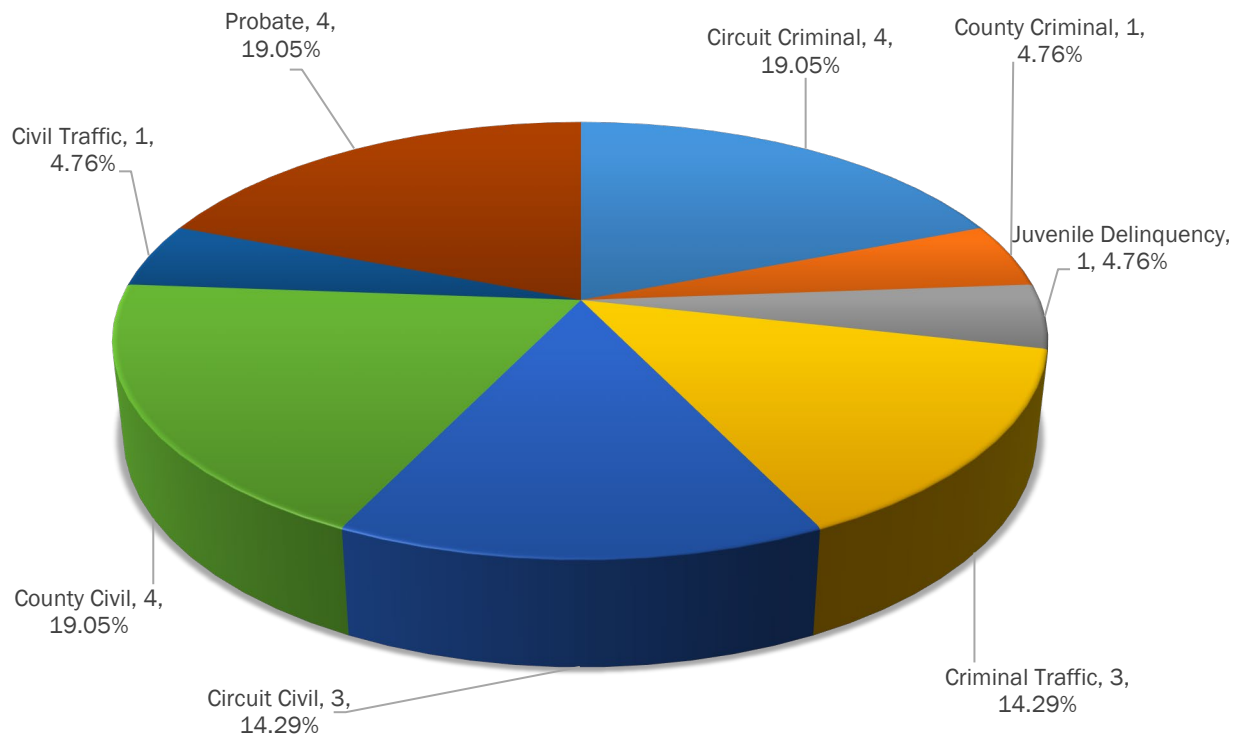
Timeliness 2 – Cases Docketed Timely

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	Probate	Staffing - Internal	Budget permitting, overtime will be utilized to improve timeliness
2	Miami-Dade	Probate	Staffing - Internal	Standard was not met due to 2 vacancies in the unit
3		Family	Staffing - Internal	Standard was not met due to 1 employee still being on extended leave
4	Dixie	Circuit Criminal	Staffing - Internal	training underway
5	Holmes	Juvenile Delinquency	Staffing - Internal	Workload. Recently hired a part-time employee to assist with workload
6	Levy	County Civil	Staffing - Internal	need more help
7	Pasco	Circuit Civil	Staffing - Internal	Budget deficiencies
8	Putnam	Juvenile Delinquency	Staffing - Internal	We will attempt to further improve coordination of time off. However, we have less than 1 FTE in this area. Turnover and headcount reductions have made cross training much less productive.
9	Suwannee	Criminal Traffic	Staffing - Internal	New employee in this position. Will continue training and standard should be met by next quarter.
10	Wakulla	Circuit Criminal	Staffing - Internal	With budget cuts, not enough staff to handle work load.

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

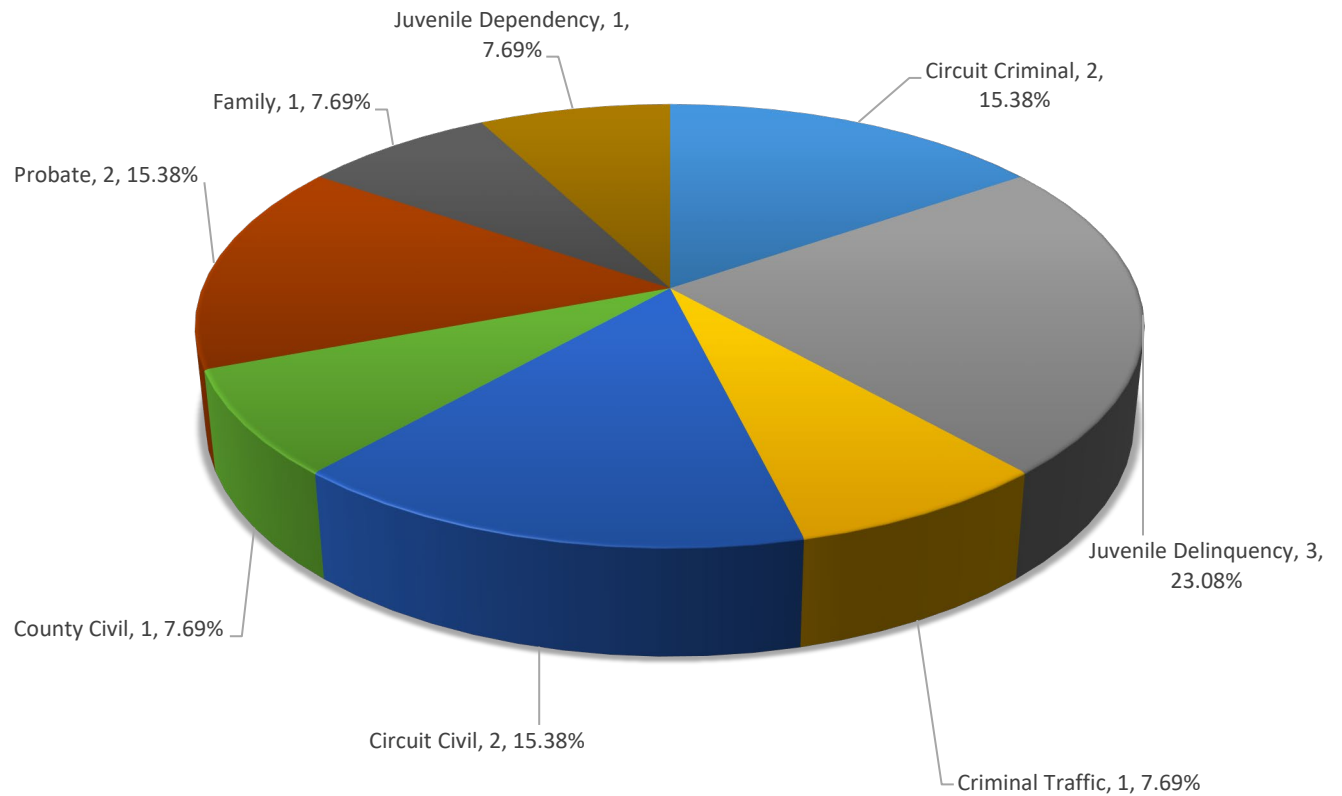
As shown below, 57.14% of action plans for Timeliness 1 (Filing new cases) were in the civil court divisions, accounting for 12 of the 21 action plans.

Timeliness 1 - Action Plans by Court Division

Timeliness 2 – Cases Docketed Timely

As shown below, 53.85% of action plans for docketing cases timely were in the civil court divisions, accounting for 7 of the 13 action plans.

Timeliness 2 - Action Plans by Court Division



Historic Timeliness Rates

Timeliness 1 – Filing New Cases Timely

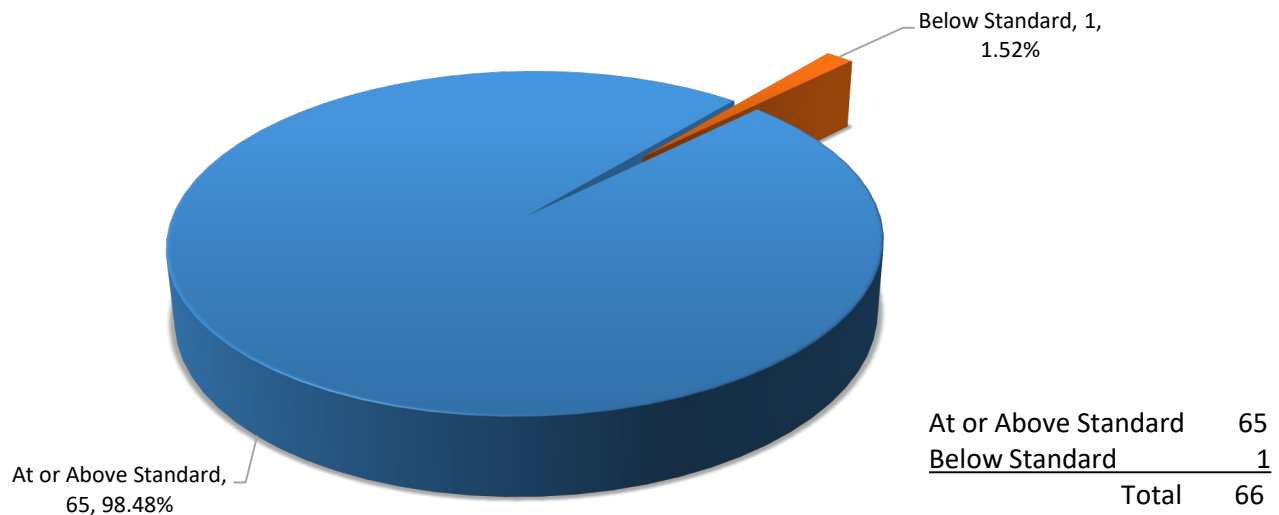
For Timeliness 1 (Filing New Cases), all court divisions are achieving the 80% performance standard. Five court divisions saw a slight increase compared to the previous quarter. Among the five court divisions that decreased, one court division (Circuit Civil) saw the steepest decline from 94.40% to 83.68%. Several large counties accounted for the decrease.

Time 1 Quarter 2 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%	94.79%			80.00%
County Criminal	95.76%	96.32%	95.22%			80.00%
Juvenile Delinquency	95.28%	95.13%	96.12%			80.00%
Criminal Traffic	95.28%	97.26%	95.78%			80.00%
Circuit Civil	81.79%	94.40%	83.68%			80.00%
County Civil	91.11%	92.41%	92.05%			80.00%
Civil Traffic	97.00%	98.65%	98.09%			80.00%
Probate	93.96%	93.62%	93.82%			80.00%
Family	96.68%	96.52%	97.13%			80.00%
Juvenile Dependency	94.64%	97.99%	98.48%			80.00%

Timeliness 2 - Cases Docketed Timely

For Timeliness 2 (cases docketed timely), all court divisions are meeting the standard for entering dockets timely. Family court division saw the most improvement from the previous quarter going from 89.59% to 93.41%.

Time 2 Quarter 2 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%	94.22%			80.00%
County Criminal	94.81%	94.54%	94.14%			80.00%
Juvenile Delinquency	95.83%	94.82%	95.25%			80.00%
Criminal Traffic	95.71%	95.58%	94.07%			80.00%
Circuit Civil	89.16%	91.76%	95.08%			80.00%
County Civil	94.56%	95.19%	95.62%			80.00%
Civil Traffic	98.44%	98.32%	98.74%			80.00%
Probate	93.76%	93.86%	92.48%			80.00%
Family	92.58%	89.59%	93.41%			80.00%
Juvenile Dependency	95.19%	94.99%	94.98%			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. One clerk office did not meet the standard and cited systems related reasons for not meeting the performance standard.

Jury Payment Action Plans

	County	Reason	Action Plan to Improve
1	Brevard	Systems	Vendor Issue not resolved prior to issue of checks

The following counties did not submit a Juror Timeliness report: Dixie

Appendix A
Collections Performance by Division
CFY 2018-19 Quarter 2

County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Total
Alachua			External							1
Baker		External					External			2
Bay	External	External	Internal	Internal		Internal	External	Internal		7
Bradford	External		External							2
Brevard			Internal		Internal		Internal			3
Broward		External	External				External			3
Calhoun			External				External			2
Charlotte										0
Citrus										0
Clay	Internal									1
Collier										0
Columbia										0
Miami-Dade		External					External			2
DeSoto										0
Dixie										0
Duval	External	External					External			3
Escambia										0
Flagler										0
Franklin							External			1
Gadsden										0
Gilchrist										0
Glades	Internal					Internal				2
Gulf										0
Hamilton							Internal			1
Hardee										0
Hendry			External							1
Hernando	External									1
Highlands	External	External								2
Hillsborough	Internal		External				External			3
Holmes			External				External			2
Indian River										0
Jackson										0
Jefferson		Internal								1
Lafayette										0
Lake	Internal	Internal	Internal							3
Lee										0
Leon					External					1
Levy		Internal		Internal			External		Internal	4
Liberty					External					1
Madison		Internal					Internal			2
Manatee										0
Marion		Internal								1
Martin	External									1
Monroe										0
Nassau										0
Okaloosa							External			1
Okeechobee										0
Orange		External					External			2
Osceola	External		External				External			3
Palm Beach	External	External	External							3
Pasco							Internal			1
Pinellas	Internal	Internal	Internal		Internal	Internal			Internal	6
Polk	External						External			2
Putnam		External	External				External			3
Santa Rosa							External			1
Sarasota		Internal					Internal			2
Seminole							External			1
Saint Johns	External									1



Appendix A
Collections Performance by Division
CFY 2018-19 Quarter 2

County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Total
Saint Lucie										0
Sumter										0
Suwannee	External									1
Taylor			External				External			2
Union			Internal				External			2
Volusia		External								1
Wakulla										0
Walton										0
Washington	External						External			2
Statewide	17	17	16	2	4	3	25	1	2	87
Internal Reasons	5	7	5	2	2	3	5	1	2	32
External Reasons	12	10	11	0	2	0	20	0	0	55



Appendix A
Timeliness 1 - Filing New Cases by Division
CFY 2018-19 Quarter 2

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								Staffing - Internal			1
Broward								Staffing - Internal			1
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											0
Highlands	Staffing - External		Staffing - External								2
Hillsborough											0
Holmes	Staffing - Internal										1
Indian River											0
Jackson											0
Jefferson											0
Lafayette											0
Lake											0
Lee								Staffing - Internal			1
Leon	Staffing - Internal			Staffing - Internal							2
Levy											0
Liberty											0
Madison											0
Manatee						Staffing - Internal					1
Marion											0
Martin											0
Miami-Dade											0
Monroe											0
Nassau						Systems/C onversions - External					1
Okaloosa											0
Okeechobee											0
Orange											0
Osceola											0



Appendix A
Timeliness 1 - Filing New Cases by Division
CFY 2018-19 Quarter 2

County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Juvenile Dependency	Total
Palm Beach					Staffing - Internal						1
Pasco						Staffing - Internal					1
Pinellas											0
Polk					Staffing - Internal						1
Putnam								Staffing - Internal			1
Saint Johns											0
Saint Lucie											0
Santa Rosa											0
Sarasota											0
Seminole											0
Sumter											0
Suwannee				Staffing - Internal							1
Taylor											0
Union											0
Volusia		Staffing - Internal		Staffing - Internal			Staffing - Internal				3
Wakulla											0
Walton											0
Washington											0
Statewide	4	1	1	3	3	4	1	4	0	0	21
Internal Reasons	2	1	0	3	3	3	1	4	0	0	17
External Reasons	2	0	1	0	0	1	0	0	0	0	4



Appendix A
Timeliness 2 - Cases Docketed by Division
CFY 2018-19 Quarter 2

County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Juvenile Dependency	Total
Alachua											
Baker											0
Bay											0
Bradford											0
Brevard											0
Broward								Staffing - Internal			1
Calhoun											0
Charlotte											0
Citrus											0
Clay											0
Collier											0
Columbia											0
DeSoto								Staffing - Internal	Staffing - Internal		2
Dixie											0
Duval	Staffing - Internal										1
Escambia											0
Flagler											0
Franklin											0
Gadsden											0
Gilchrist											0
Glades											0
Gulf											0
Hamilton											0
Hardee											0
Hendry											0
Hernando											0
Highlands			Staffing - External		Staffing - External					Staffing - External	3
Hillsborough											0
Holmes											0
Indian River			Staffing - Internal								1
Jackson											0
Jefferson											0
Lafayette											0
Lake											0
Lee											0
Leon											0
Levy											0
Liberty						Staffing - Internal					1
Madison											0
Manatee											0
Marion											0
Martin											0
Miami-Dade											0
Monroe											0
Nassau											0
Okaloosa											0
Okeechobee											0
Orange											0
Osceola											0
Palm Beach											0
Pasco					Staffing - Internal						1
Pinellas											0
Polk											0



Appendix A
Timeliness 2 - Cases Docketed by Division
CFY 2018-19 Quarter 2

County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Juvenile Dependency	Total
Putnam			Staffing - Internal								1
Saint Johns											0
Saint Lucie											0
Santa Rosa											0
Sarasota											0
Seminole											0
Sumter											0
Suwannee				Staffing - Internal							1
Taylor											0
Union											0
Volusia											0
Wakulla	Staffing - Internal										1
Walton											0
Washington											0
Statewide	2	0	3	1	2	1	0	2	1	1	13
Internal Reasons	2	0	2	1	1	1	0	2	1	0	10
External Reasons	0	0	1	0	1	0	0	0	0	1	3



Appendix B
CFY 2018-19 Quarter 2
Collections

	County	Division	Reason Code	Action Plan to Improve
1	Alachua	Juvenile Delinquency	External	This group does not have jobs and parents do not have the money.
2	Baker	County Criminal	External	The court places the defendants on probation and our office sets up payment plans and suspends the defendants DL for non-payment.
3		Civil Traffic	External	Our office forwards the late citations to Tallahassee weekly to suspended def DL and also forward all late citations to the collection agency once a month.
4	Bay	Circuit Criminal	External	Bay County uses all means possible to collect
5		County Criminal	External	Bay county uses all means possible to collect
6		Civil Traffic	External	Bay County uses all means possible to collect
7	Bradford	Circuit Criminal	External	People are not paying the assessments they have been charged. The Clerks Office does not currently perform collection efforts on these assessments.
8		Juvenile Delinquency	External	People are not paying the assessments they have been charged. The Clerks Office does not currently perform collection efforts on these assessments.
9	Broward	County Criminal	External	Continuing high volume of indigent defendants impact collection efforts.
10		Juvenile Delinquency	External	Broward continues to work with other governmental agencies and judiciary to improve collections of court ordered assessments.
11		Civil Traffic	External	Increases in the number of indigent defendants impact collections.
12	Calhoun	Juvenile Delinquency	External	Juveniles less than 16 years of age, limited job opportunities.
13		Civil Traffic	External	Impact of Hurricane Michael
14	Miami-Dade	County Criminal	External	Due to our current economic conditions, many defendants are indigent or transient making collections efforts more difficult.
15		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.
16	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.
17		County Criminal	External	In the process of an RFP for collection services.
18		Civil Traffic	External	In the process of and RFP for collection services.
19	Franklin	Civil Traffic	External	We continue to D6 licenses and contract with 2 collection agencies. We do offer payment plans and extend the time as needed to receive full payments. We believe the 90% standard is too high. We use all methods at our disposal to collect.
20	Hendry	Juvenile Delinquency	External	Community Service is usually chosen over making a payment
21	Hernando	Circuit Criminal	External	We continue to offer payment plans and work with the defendants to pay what is owed. Many are incarcerated or indigent. We will look at our collection agent numbers and see if these can be improved.
22	Highlands	Circuit Criminal	External	Due to longer prison/jail sentences, unable to collect when in custody. Our felony Judge has agreed to reduce all \$\$ to judgement/lien at time of disposition, thereby allowing us to send more to collections.
23		County Criminal	External	Sending more to Penn Credit Collections and County Judge uses Salvation Army as his partial payment collection agency.
24	Hillsborough	Juvenile Delinquency	External	No collection methods available.
25		Civil Traffic	External	Continued transmissions to Collections Agencies
26	Holmes	Juvenile Delinquency	External	Non-Payments, continuing to use our collections dept. by sending our due diligent letters and judgements.
27		Civil Traffic	External	Non-Payments, continuing to use our collections dept. by sending our due diligent letters and judgements.
28	Leon	Circuit Civil	External	Leon County uses all methods of collections available to them for collecting on these cases. License suspension and submission to Collection Agency are two methods used. Results of Collection Agency are outside of the 5 quarter accounting and are not credited to our collection rate. Leon County will continue to monitor this.
29	Levy		External	not paying
30	Liberty	Circuit Civil	External	Lien placed on inmate trust account.
31	Martin	Circuit Criminal	External	Two trafficking cases (\$368,580) are included in this assessment window. Incarcerations of 12 & 15 years; cases have gone to collections. Excluding these trafficking cases, collection rate would be 20.5%.
32	Okaloosa	Civil Traffic	External	Funding shortfalls have hampered our ability to collect.
33	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.
34		Civil Traffic	External	Orange has a lot of out of state/out of country visitors who don't pay. Also, there is a general disregard for paying traffic cases. People don't seem to care if they have a DL suspension or not.
35	Osceola	Circuit Criminal	External	Many of the Defendants with an outstanding balance are incarcerated.
36		Juvenile Delinquency	External	A high percentage of our cases are satisfying fines and cost by performing community service.
37		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.
38	Palm Beach	Circuit Criminal	External	Over \$1.4 million dollars in drug trafficking assessments resulting in prison time have negatively impacted our ability to meet the 9% standard.



Appendix B
CFY 2018-19 Quarter 2
Collections

	County	Division	Reason Code	Action Plan to Improve
39		County Criminal	External	Defendant's placed on probation by the Court are not ordered to establish payment plans. Most judges do not want to place an additional financial burden on a defendant to establish a payment plan considering that the defendant must pay cost of probation monthly.
40		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.
41	Polk	Circuit Criminal	External	Defendants are incarcerated and large drug trafficking fines are not being paid. When drug trafficking is excluded we meet the standard.
42		Civil Traffic	External	Violators not paying civil traffic citations timely
43	Putnam	County Criminal	External	Driven by high incarceration rates and poor economics. Our judge dramatically decreased the use of supervised probation several years ago. To try and offset the subsequent loss in collections, we implemented a deferred payment plan using IVR nearly 2 years ago. It has not come close to replacing the lost collections.
44		Juvenile Delinquency	External	The judge will not enforce compliance due, in part, to potential negative consequences for minor involved.
45		Civil Traffic	External	Partial payment plans and other collection efforts in place cannot offset local economic factors (low wages, high unemployment, high level of transfer payments). This quarterly rate is our highest in years...almost assuredly driven by income tax returns. We are assuming reversion to the prior downward trend in the next one or two quarters: all below target.
46	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.
47	Seminole	Civil Traffic	External	Get Additional Funding
48	Saint Johns	Circuit Criminal	External	There were some large fine assessments during this time frame that is causing the collection rate to not meet the standard.
49	Suwannee	Circuit Criminal	External	\$263,668.00 of assessments were mandatory drug trafficking fines. Our collection rate would be 9.30% without these assessments.
50	Taylor	Juvenile Delinquency	External	Juveniles do not pay and are not brought back to court
51		Civil Traffic	External	We are sending to collections and doing all we know to do
52	Union	Civil Traffic	External	All unpaid citations have been D-6'd and sent to Collections
53	Volusia	County Criminal	External	Increase in the number of late paying cases that we are sending to collections
54	Washington	Circuit Criminal	External	Incarceration, we have set up payment plans
55		Civil Traffic	External	Driver License Suspended and sent to collection agency
32		54		

The following counties did not submit a Collections report: DeSoto and Gadsden



Appendix B
CFY 2018-19 Quarter 2
Timeliness 1 - Filing New Cases

	County	Division	Reason Code	Action Plan to Improve
1	Dixie	Circuit Criminal	Staffing - External	unknown
2	Hernando	Circuit Criminal	Staffing - External	Shortage of Staffing/Training due to Statewide Budget Constraints
4		Juvenile Delinquency	Staffing - External	Shortage of Staffing/Training due to Statewide Budget Constraints
5	Nassau	County Civil	Systems/Conversions - External	Rejected efilings resubmitted under the same filing date and number
	3	4		



Appendix B
CFY 2018-19 Quarter 2
Timeliness 2 - Cases Docketed

	County	Division	Reason Code	Action Plan to Improve
1	Hernando	Juvenile Delinquency	Staffing - External	Shortage of Staffing/Training due to Statewide Budget Constraints
2		Circuit Civil	Staffing - External	Shortage of Staffing/Training due to Statewide Budget Constraints
3		Juvenile Dependency	Staffing - External	Shortage of Staffing/Training due to Statewide Budget Constraints
	1	3		





Quarterly Performance Measures & Action Plans Report

Section 28.35(2)(d), Florida Statutes

3rd Quarter
County Fiscal Year 2018-19
(April 1, 2019 through June 30, 2019)

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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 20th 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 3rd 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 3rd Quarter of CFY 2018-2019, 44 clerk offices required an action plan related to collections, 13 clerk offices required an action plan for filing cases timely, 10 clerk offices required an action plan for docketing cases timely, and six 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. one office (Dixie) did not submit a collection's report for this quarter.

List of Performance Measures Reports and Standards

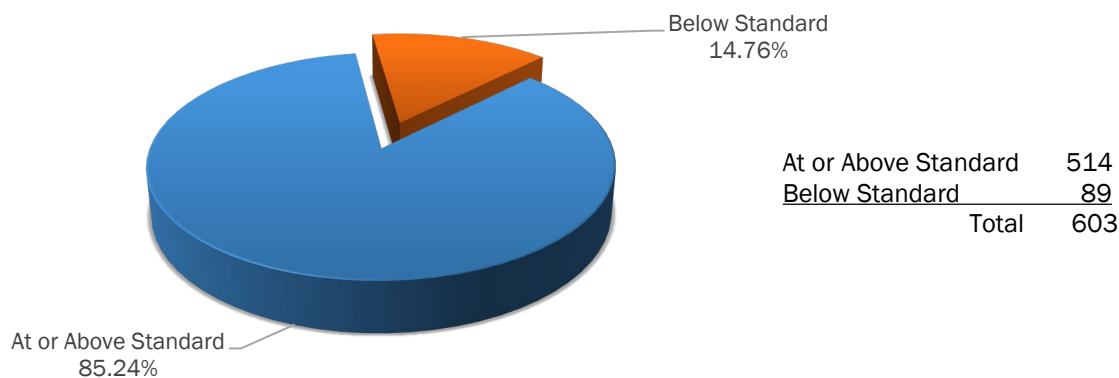
Court Division	Performance Standard Annual Collection Rate	Timeliness for Filing New Cases	Timeliness for Docketing Cases
Circuit Criminal	9%	80% -2 bus. days	80% -3 bus. days
County Criminal	40%	80% -3 bus. days	80% -3 bus. days
Juvenile Delinquency	9%	80% -2 bus. days	80% -3 bus. days
Criminal Traffic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



Collection Performance by Reason Code

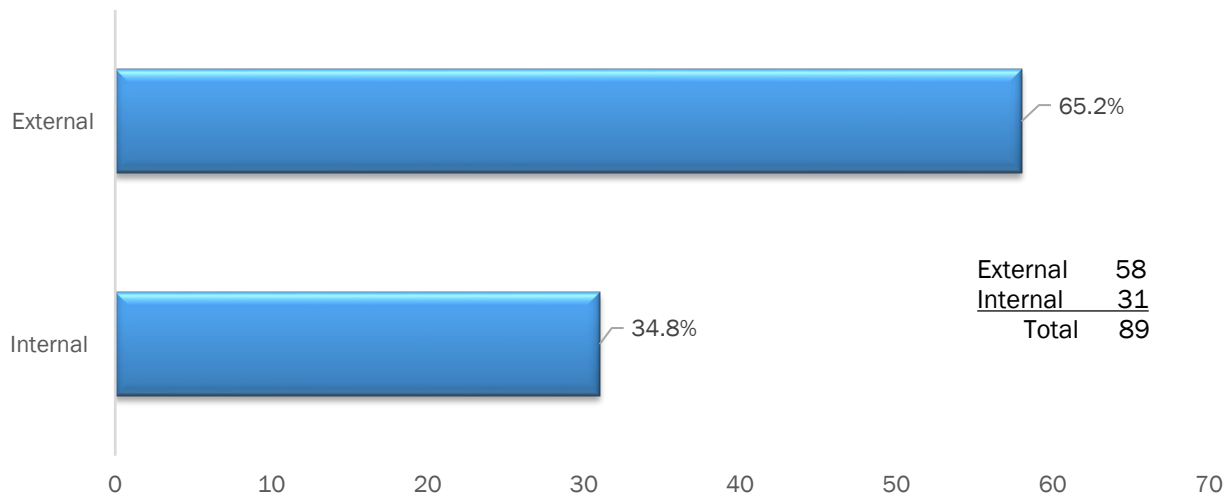
Pursuant to Executive Council direction on October 6, 2015, the “Reason Codes” chosen for not meeting a statewide Collection performance measure were amended to clarify what was under the control of the Clerk’s office and what was not. The new reason codes are:

- “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.

- “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 89 action plans where the collection standard was not met, 31 (34.8%) were classified as within the control of the Clerk. A list of the 31 action plans for 18 counties is found below. The remaining 58 (65.2%) 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	Baker	Circuit Civil	Clerk was supposed to transfer case, instead changed the case number to a more current case number. We are in the process of calling the Association to see how we fix this. County Civil case to Circuit Civil
2		County Civil	Clerk was supposed to transfer case, instead changed the case number to a more current case number. We are in the process of calling the Association to see how we fix this. County Civil case to Circuit Civil
3	Bay	Circuit Criminal	Bay County uses all means possible to collect
4		Circuit Civil	adjustments were made
5		County Civil	Adjustments were made
6		Civil Traffic	Bay County uses all means possible to collect
7	Brevard	Circuit Civil	Adjustments made to assessments/increase volume of payment plan in Circuit Civil
8		Civil Traffic	The standard was not met despite pursuit of all collection efforts within control of the clerk.

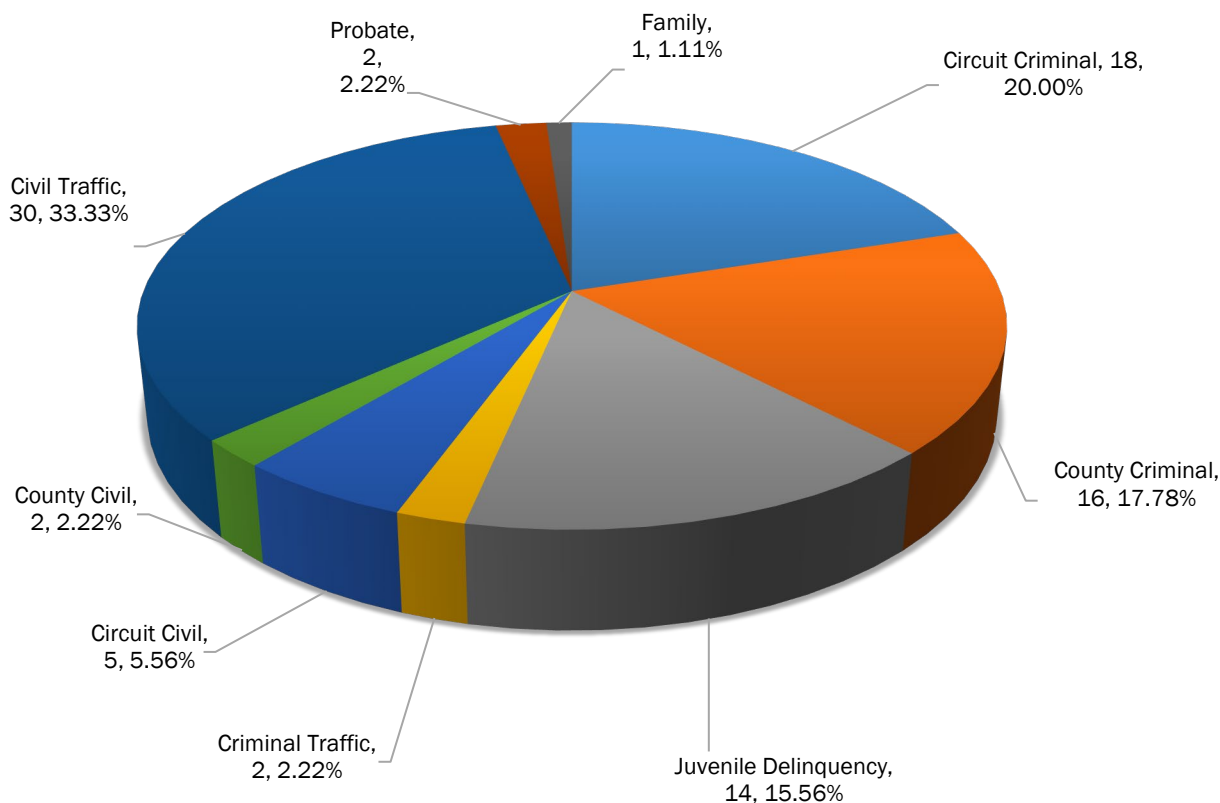
	County	Division	Plan to Improve
9	Clay	Civil Traffic	Several cases were identified that the license had not been suspended. The license was suspended on these identified cases.
10	Columbia	County Criminal	Continue Collection Efforts
11		Civil Traffic	Continue Collection Efforts - Seeing an increase in requests for payment extensions.
12	Gadsden	Juvenile Delinquency	We are working to improve collection rates.
13	Hamilton	Circuit Civil	We are reviewing cause of not meeting performance measure and will work to improve in the future
14	Hillsborough	Circuit Criminal	Preparing to reinstitute transmissions to Collection Agencies.
15	Lafayette	Civil Traffic	We will work to increase collection efforts internally when processing civil traffic cases.
16	Lake	County Criminal	Lack of sufficient staffing due to continued budget cuts reduces ability to aggressively pursue delinquent accounts.
17	Levy	County Criminal	judge doesn't do payment plans enter judgements
18		Criminal Traffic	judge doesn't do payment plans enters judgements
19		Family	payment plans
20	Madison	Circuit Criminal	Large drug trafficking fines assessed in first quarter. Also, in process of transitioning to new collection agent due last quarter; no monies were being sent to external collection agents.
21		Civil Traffic	Best Practices for Collections is place; in transition with external collection agents - no monies being sent to external agents during this quarter
22	Pasco	Civil Traffic	Historical case collection effort project has impacted the assessments for the quarter. The workflow procedure has been updated to eliminate this impact to the report going forward.
23	Pinellas	County Criminal	Continue working with staff on procedures and processed to improve collection efforts. Continuing to verify mapping in the CSM.
24		Juvenile Delinquency	Continue to move forward with different methods of collecting.
25		Circuit Civil	Court order for refund of Doc Stamps
26		Probate	For RPE 6/30/2018, indigence was reversed on case 18-5019-GD, however adjustment was done in the 2nd quarter of 2019 and not properly backdating the transaction (\$400.00 change).
27	Sarasota	County Criminal	Strong oversight of payment plans, and implementation of revenue management services of Rev and new collection agency contracts expected to increase collections. Partnering with Probation and Courts to enhance collection efforts during Probation periods.
28		Civil Traffic	Ongoing initiatives with more customer contact in the first 45 days after filing of a citation are expected to continue

	County	Division	Plan to Improve
			to improve collection rates over the 5-quarter period as well as intensified management of existing payment plans.
29	Sumter	Circuit Criminal	Drug trafficking assessment. Without this assessment it would have been 10.67%. Payments are still on schedule but less fines imposed.
30	Union	Juvenile Delinquency	We have established a compliance docket, should be seeing an increase in collections.
31	Washington	Juvenile Delinquency	In the process of setting up payment plans

Statewide Performance by Court Division

As shown below, the civil traffic court division continues to exceed (33.33%) all other court divisions for not meeting collection standards. Criminal court division cases, as a whole (55.56%) continue to be a challenge to collect.

Collections - Action Plans by Court Division



Historic Collection Rates

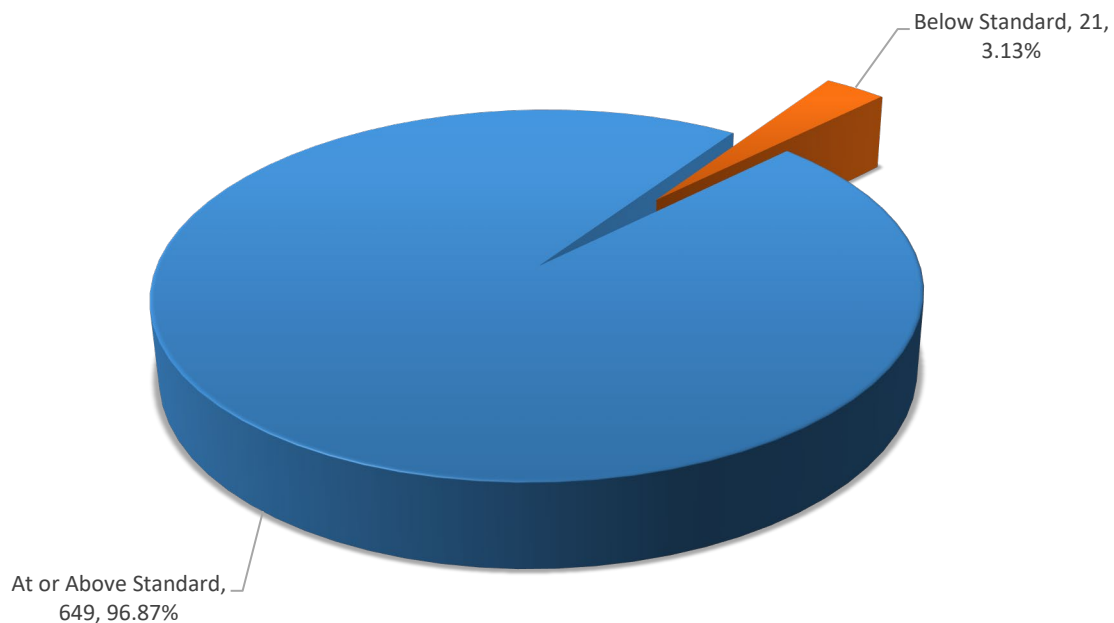
The table below shows that from the 2nd quarter CFY 2018-2019 all court divisions exceeded the collection standards except civil traffic. After adjusting the drug trafficking mandatory assessments and collections; the statewide circuit criminal court division collection rate increased from 9.10% to 16.34%. Civil traffic performance is well below the 90% performance standard standing at 83.87% at the end of the quarter.

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%	9.28%	9.10%		9%
Circuit Criminal (No Trafficking)	15.67%	15.51%	15.63%	16.34%		NA
County Criminal	39.89%	39.41%	40.89%	40.83%		40%
Juvenile Delinquency	14.82%	12.85%	14.90%	17.35%		9%
Criminal Traffic	61.71%	60.82%	62.09%	60.70%		40%
Circuit Civil	99.28%	99.14%	99.33%	99.40%		90%
County Civil	99.72%	99.80%	99.86%	99.78%		90%
Civil Traffic	84.17%	83.22%	82.81%	83.87%		90%
Probate	99.35%	99.50%	99.29%	99.29%		90%
Family	96.46%	97.09%	97.18%	96.84%		75%

Of the 21 counties who did not meet the circuit criminal collection standard, 15 would have met the standard had drug trafficking assessments not be included as part of circuit criminal assessments. Drug trafficking assessments accounted for over 45.20% of total assessments for these counties in Quarter 3.

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

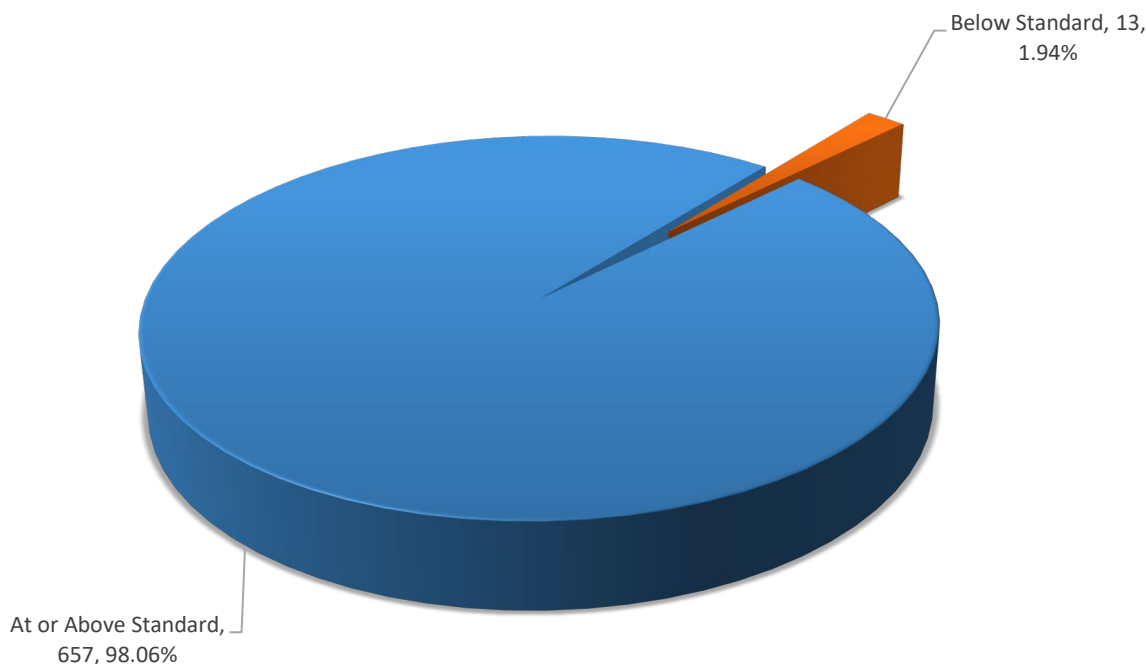
Of the 21 action plans required for not filing new cases timely (Timeliness 1), 11 were in the control of the Clerk; all 11 of these action plans cited staffing as their reason for not meeting the standard. For external reasons, all 10 action plans cited staffing. (See Appendix B for more details)

Timeliness 1 - Statewide Action Plans

Timeliness 2 – Cases Docketed Timely

Of the 13 action plans required for not docketing cases timely (Timeliness 2), 10 were in the Clerk’s control to correct; All 10 action plans cited staffing as their reason for not meeting the standard. For external reasons, all 3 cited staffing. (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:

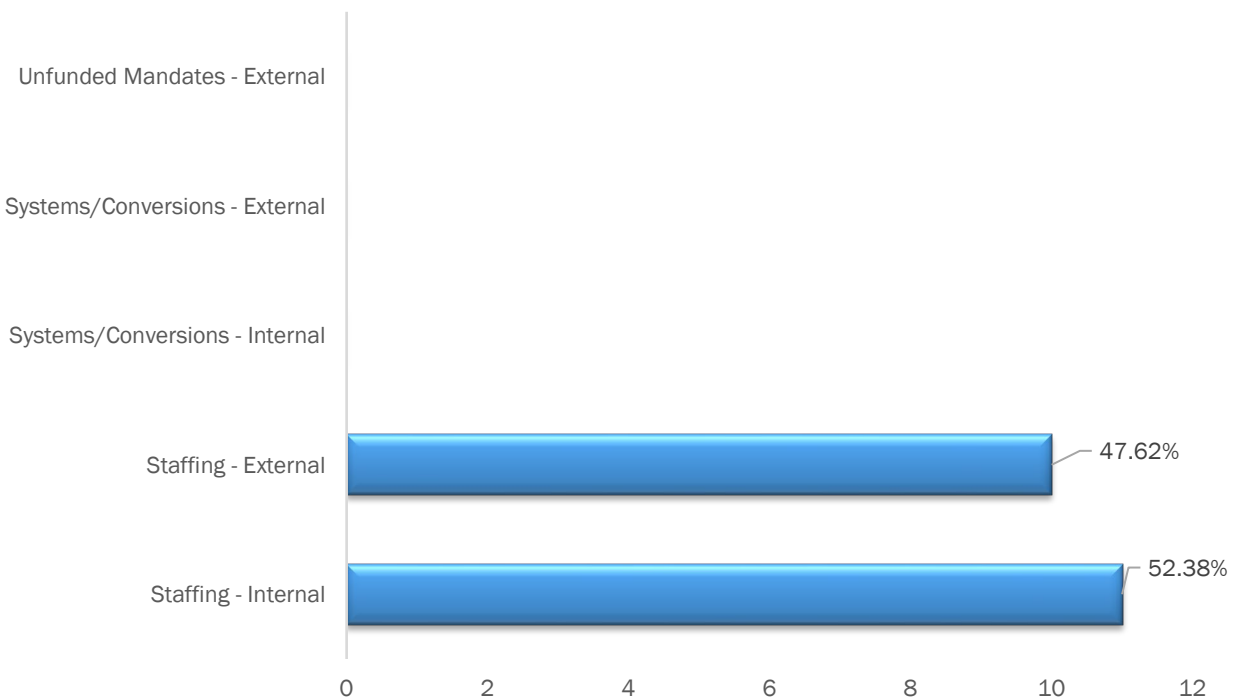
- “Staffing - Internal”: Reason is inter-office and controllable. Internal Staffing reasons will require an “Action to Improve” and a detailed explanation of the reason why the standard was not met and an expected duration of time to have this reason resolved.
- “Staffing External”: Staffing factors 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 21 action plans for not filing cases timely of which 11 were for Staffing – Internal and 10 were related to Staffing – External.

Timeliness 1 - Action Plan by Reason Code

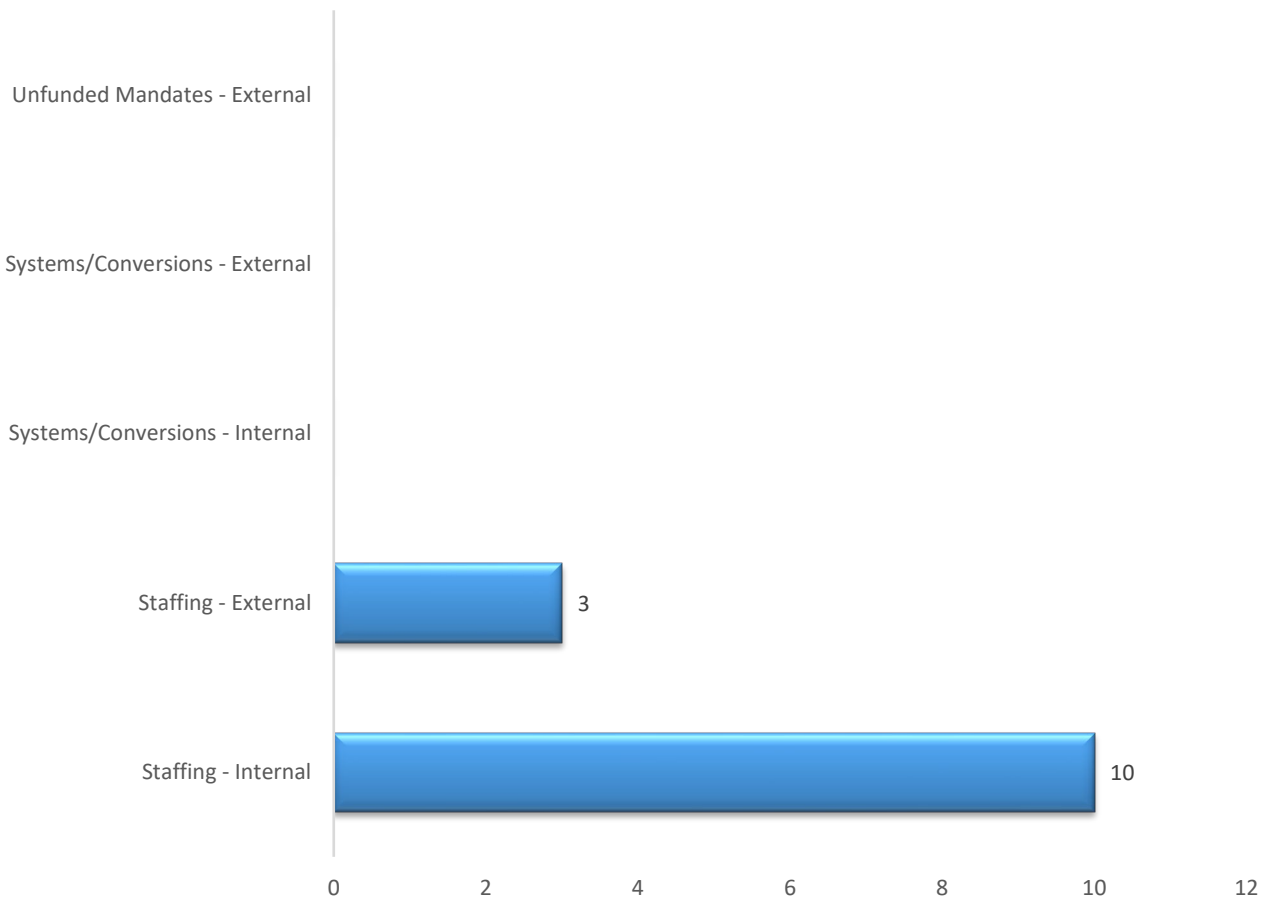


Timeliness 2 (Docket Entries)

Performance by Reason Code

There were 13 action plans for not docketing cases timely of which 10 action plans were for Staffing – Internal and 3 for Staffing – 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	Brevard	Probate	Staffing - Internal	Furloughs & Staffing Issues
2	Broward	Circuit Civil	Staffing - Internal	Budget permitting overtime will be utilized to improve timeliness
3		Probate	Staffing - Internal	Budget permitting overtime will be utilized to improve timeliness
4	Hillsborough	Circuit Criminal	Staffing - Internal	Cross training of staff.
5		County Criminal	Staffing - Internal	Cross training of staff.
6	Lake	Probate	Staffing - Internal	Lack of staffing to keep workload current when regular staff members are out of the office.
7	Lee	Circuit Criminal	Staffing - Internal	Training Opportunity
8		Criminal Traffic	Staffing - Internal	Staff training/transitions in progress
9	Levy	Criminal Traffic	Staffing - Internal	NO BUDGET
10	Madison	County Civil	Staffing - Internal	Continues to be staffing issue - training in progress
11	Putnam	Circuit Civil	Staffing - Internal	< 1 FTE assigned, on leave for 2 weeks out of 13 this quarter, cannot offset absent resource.

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:

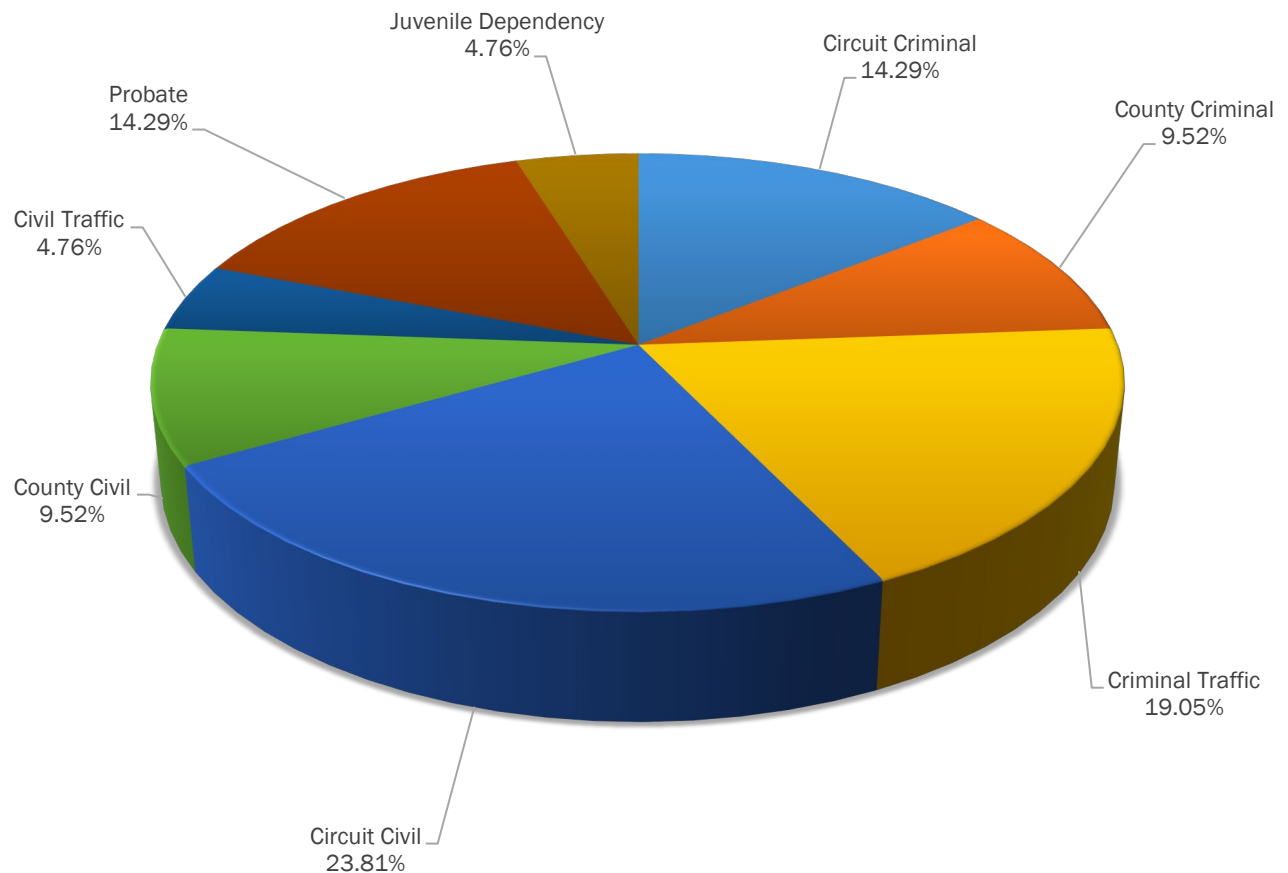
	County	Division	Reason Code	Action Plan to Improve
1	Baker	County Criminal	Staffing - Internal	Cross-trained additional clerks to assist with e-filing and assisting Circuit transfers to County Court
2	Broward	Probate	Staffing - Internal	Budget permitting overtime will be utilized to improve timeless
3	Hernando	Juvenile Delinquency	Staffing - Internal	Continued training of new employee, moving the family law specialist as the primary trainer and improving knowledge base/growing knowledge base in the department.
4	Hillsborough	County Criminal	Staffing - Internal	Cross training of staff
5	Lee	County Criminal	Staffing - Internal	Staff training/transitions in progress
6	Levy	County Civil	Staffing - Internal	NO BUDGET
7		Probate	Staffing - Internal	NO BUDGET
8		Family	Staffing - Internal	NO BUDGET
9	Monroe	Juvenile Delinquency	Staffing - Internal	Short staff due to illness
10	Nassau	Circuit Criminal	Staffing - Internal	Train staff to cover more areas

Statewide Performance by Court Division

Timeliness 1 – Filing New Cases

As shown below, 57.14% of action plans for Timeliness 1 (Filing new cases) were in the civil court divisions, accounting for 12 of the 21 action plans.

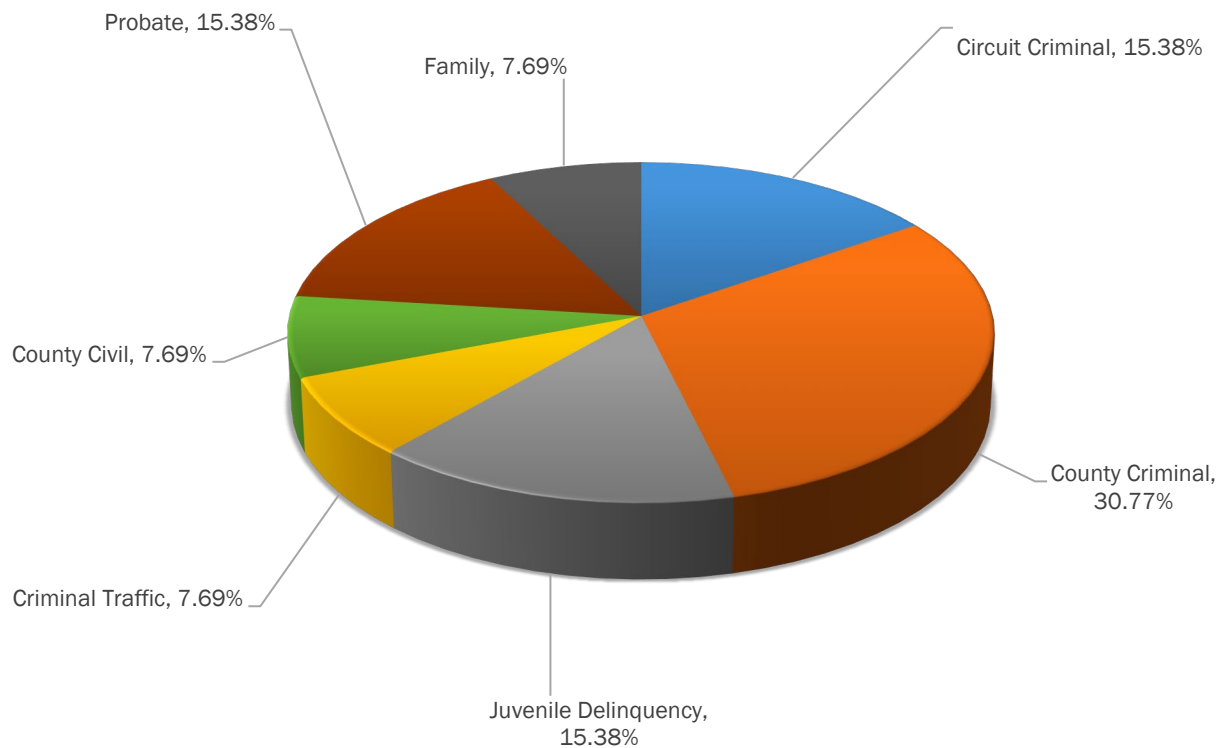
Timeliness 1 - Action Plans by Court Division



Timeliness 2 – Cases Docketed Timely

As shown below, 69.23% of action plans for docketing cases timely were in the criminal court divisions, accounting for 9 of the 13 action plans.

Timeliness 2 - Action Plans by Court Division



Historic Timeliness Rates

Timeliness 1 – Filing New Cases Timely

For Timeliness 1 (Filing New Cases), all court divisions are achieving the 80% performance standard. Five court divisions saw a slight decrease compared to the previous quarter. Among the five court divisions that increased, one court division (Circuit Civil) saw the steepest increase from 83.68% to 92.06% which can be attributed to one large county.

Time 1 Quarter 2 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%	94.79%	94.57%		80.00%
County Criminal	95.76%	96.32%	95.22%	95.92%		80.00%
Juvenile Delinquency	95.28%	95.13%	96.12%	95.39%		80.00%
Criminal Traffic	95.28%	97.26%	95.78%	96.26%		80.00%
Circuit Civil	81.79%	94.40%	83.68%	92.06%		80.00%
County Civil	91.11%	92.41%	92.05%	96.70%		80.00%
Civil Traffic	97.00%	98.65%	98.09%	98.17%		80.00%
Probate	93.96%	93.62%	93.82%	93.49%		80.00%
Family	96.68%	96.52%	97.13%	96.31%		80.00%
Juvenile Dependency	94.64%	97.99%	98.48%	98.35%		80.00%

Timeliness 2 - Cases Docketed Timely

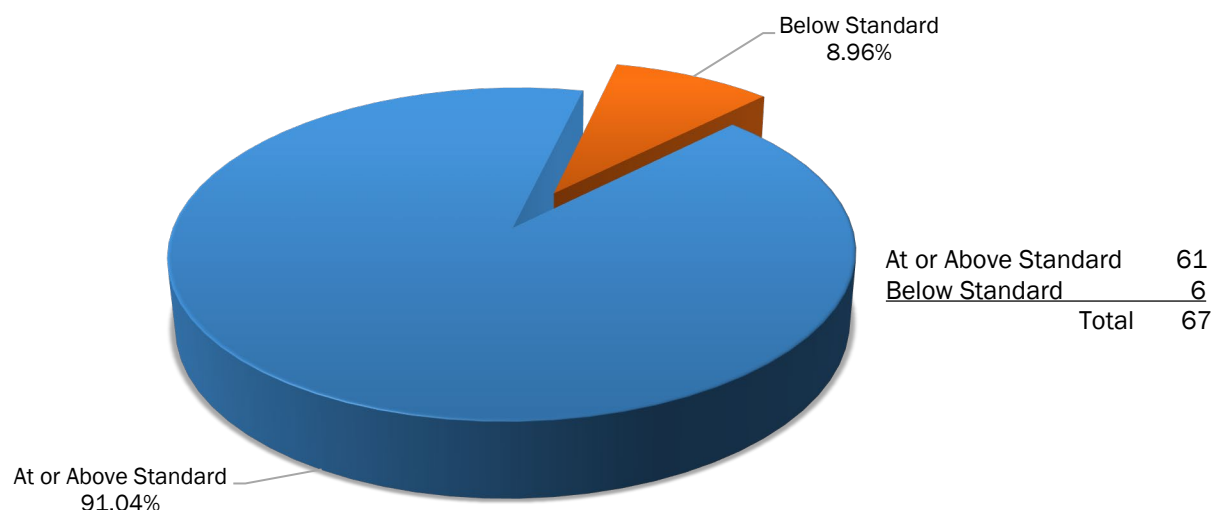
For Timeliness 2 (cases docketed timely), all court divisions are meeting the standard for entering dockets timely. Seven court divisions improved while three court divisions decreased slightly in performance.

Time 2 Quarter 2 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%	94.22%	95.21%		80.00%
County Criminal	94.81%	94.54%	94.14%	93.68%		80.00%
Juvenile Delinquency	95.83%	94.82%	95.25%	96.87%		80.00%
Criminal Traffic	95.71%	95.58%	94.07%	94.59%		80.00%
Circuit Civil	89.16%	91.76%	95.08%	97.47%		80.00%
County Civil	94.56%	95.19%	95.62%	97.05%		80.00%
Civil Traffic	98.44%	98.32%	98.74%	98.39%		80.00%
Probate	93.76%	93.86%	92.48%	93.87%		80.00%
Family	92.58%	89.59%	93.41%	95.52%		80.00%
Juvenile Dependency	95.19%	94.99%	94.98%	96.31%		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. Six clerk offices did not meet the standard and cited staffing-training, staffing – workload, and systems related reasons for not meeting the performance standard.

Jury Payment Action Plans

	County	Reason	Action Plan to Improve
1	Baker	Staffing - Training	We have a new jury system and update the training as we go due to employees having other duties assigned to them
2	Bay	Staffing - Workload	Software issue
3	Brevard	Systems	Vendor Issue not resolved prior to issue of checks
4	Dixie	Staffing - Training	I will delegate the duty
5	Pinellas	Other (Explain)	One location all cases were settled prior to going to trial.
6	Sarasota	Staffing - Training	Payments were paid late due to a jury clerk error. Will be trained on accuracy.

Appendix A
Collections Performance by Division
CFY 2018-19 Quarter 3

County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Total
Alachua			External							1
Baker					Internal	Internal				2
Bay	Internal				Internal	Internal	Internal			4
Bradford		External								1
Brevard					Internal		Internal	Internal		3
Broward			External				External			2
Calhoun	External	External					External			3
Charlotte										0
Citrus	External		External							2
Clay							Internal			1
Collier	External									1
Columbia		Internal					Internal			2
Miami-Dade		External					External			2
DeSoto										0
Dixie	External	External	External				External			4
Duval	External	External					External			3
Escambia										0
Flagler										0
Franklin	External	External					External			3
Gadsden			Internal				External			2
Gilchrist										0
Glades										0
Gulf										0
Hamilton					Internal		External			2
Hardee										0
Hendry			External							1
Hernando	External									1
Highlands	External	External								2
Hillsborough	Internal						External			2
Holmes	External						External			2
Indian River										0
Jackson										0
Jefferson										0
Lafayette							Internal			1
Lake		Internal								1
Lee										0
Leon		External					External			2
Levy		Internal	External	Internal			External		Internal	5
Liberty										0
Madison	Internal						Internal			2
Manatee										0
Marion										0
Martin										0
Monroe										0
Nassau							External			1



Appendix A
Collections Performance by Division
CFY 2018-19 Quarter 3

County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Total
Okaloosa							External			1
Okeechobee										0
Orange		External	External				External			3
Osceola	External						External			2
Palm Beach	External	External	External							3
Pasco							Internal			1
Pinellas		Internal	Internal		Internal			Internal		4
Polk	External						External			2
Putnam		External	External				External			3
Santa Rosa							External			1
Sarasota		Internal					Internal			2
Seminole							External			1
Saint Johns										0
Saint Lucie										0
Sumter	Internal									1
Suwannee										0
Taylor	External						External			2
Union			Internal							1
Volusia			External							1
Wakulla				External						1
Walton										0
Washington	External		Internal				External			3
Statewide	18	16	14	2	5	2	30	2	1	90
Internal Reasons	4	5	4	1	5	2	8	2	1	32
External Reasons	14	11	10	1	0	0	22	0	0	58



Appendix A
Timeliness 1 - Filing New Cases by Division
CFY 2018-19 Quarter 3

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								Staffing - Internal			1
Broward					Staffing - Internal			Staffing - Internal			2
Calhoun											0
Charlotte											0
Citrus											0
Clay											0
Collier											0
Columbia											0
DeSoto											0
Dixie											0
Duval	Staffing - External			Staffing - External	Staffing - External	Staffing - External					4
Escambia											0
Flagler											0
Franklin											0
Gadsden											0
Gilchrist											0
Glades											0
Gulf											0
Hamilton											0
Hardee											0
Hendry											0
Hernando		Staffing - External		Staffing - External	Staffing - External					Staffing - External	4
Highlands											0
Hillsborough											0
Holmes	Staffing - Internal	Staffing - Internal									2
Indian River											0
Jackson											0
Jefferson											0
Lafayette											0
Lake											0
Lee								Staffing - Internal			1
Leon	Staffing - Internal			Staffing - Internal							2
Levy											0
Liberty				Staffing - Internal							1
Madison											0
Manatee						Staffing - Internal					1
Marion											0
Martin											0
Miami-Dade											0
Monroe											0
Nassau											0



Appendix A
Timeliness 1 - Filing New Cases by Division
CFY 2018-19 Quarter 3

County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Juvenile Dependency	Total
Okaloosa											0
Okeechobee											0
Orange											0
Osceola											0
Palm Beach											0
Pasco					Staffing - External						1
Pinellas											0
Polk											0
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							Staffing - External				1
Wakulla											0
Walton											0
Washington											0
Statewide	3	2	0	4	5	2	1	3	0	1	21
Internal Reasons	2	1	0	2	2	1	0	3	0	0	11
External Reasons	1	1	0	2	3	1	1	0	0	1	10



Appendix A
Timeliness 2 - Cases Docketed by Division
CFY 2018-19 Quarter 3

County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Juvenile Dependency	Total
Alachua											
Baker		Staffing - Internal									1
Bay											0
Bradford											0
Brevard											0
Broward								Staffing - Internal			1
Calhoun											0
Charlotte											0
Citrus											0
Clay											0
Collier											0
Columbia											0
DeSoto											0
Dixie											0
Duval	Staffing - External										1
Escambia											0
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			Staffing - Internal								1
Hillsborough											0
Holmes		Staffing - Internal									1
Indian River											0
Jackson											0
Jefferson											0
Lafayette											0
Lake											0
Lee											0
Leon		Staffing - Internal									1
Levy											0
Liberty						Staffing - Internal		Staffing - Internal	Staffing - Internal		3
Madison											0
Manatee											0
Marion											0
Martin											0
Miami-Dade											0
Monroe			Staffing - Internal								1
Nassau	Staffing - Internal										1



Appendix A
Timeliness 2 - Cases Docketed by Division
CFY 2018-19 Quarter 3

County	Circuit Criminal	County Criminal	Juvenile Delinquency	Criminal Traffic	Circuit Civil	County Civil	Civil Traffic	Probate	Family	Juvenile Dependency	Total
Okaloosa											0
Okeechobee											0
Orange											0
Osceola											0
Palm Beach											0
Pasco											0
Pinellas											0
Polk											0
Putnam											0
Saint Johns											0
Saint Lucie											0
Santa Rosa											0
Sarasota											0
Seminole											0
Sumter											0
Suwannee											0
Taylor											0
Union											0
Volusia											0
Wakulla											0
Walton											0
Washington											0
Statewide	2	4	2	1	0	1	0	2	1	0	13
Internal Reasons	1	3	2	0	0	1	0	2	1	0	10
External Reasons	1	1	0	1	0	0	0	0	0	0	3



Appendix B
CFY 2018-19 Quarter 3
Collections

	County	Division	Reason Code	Action Plan to Improve
1	Alachua	Juvenile Delinquency	External	This group does not have jobs and parents do not have the money.
2	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.
3	Broward	Juvenile Delinquency	External	Broward continues to work with other governmental agencies and judiciary to improve collections of court ordered assessments.
4		Civil Traffic	External	Increases in the number of indigent defendants impact collections.
5	Calhoun	Circuit Criminal	External	Once released from prison will be put on a payment plan.
6		County Criminal	External	working with the cases that have been reduced to civil judgments by placing them on payment plans.
7		Civil Traffic	External	Impact of Hurricane Michael
8	Citrus	Circuit Criminal	External	Reporting period included 531,165.00 assessed on Trafficking cases in which the defendants are incarcerated with no ability to pay costs/fines.
9		Juvenile Delinquency	External	Send to Collectiona and DMV suspension at age 18 per case law, return is minimal.
10	Collier	Circuit Criminal	External	\$2 million of assessments are related to Drug Trafficking cases (87% of this quarter) and collections efforts are affected.
11	Miami-Dade	County Criminal	External	Due to our current economic conditions, many defendants are indigent or transient making collections efforts more difficult.
12		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.
13	Dixie	Circuit Criminal	External	We are suspending licenses, etc
14		County Criminal	External	We are suspending licenses, etc
15		Juvenile Delinquency	External	We are suspending licenses, etc
16		Civil Traffic	External	We are suspending licenses, etc
17	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.
18		County Criminal	External	In the process of an RFP for collection services.
19		Civil Traffic	External	In the process of an RFP for collection services.
20	Franklin	Circuit Criminal	External	Due to economic conditions and Hurricane Michael, customers haven't been paying.
21		County Criminal	External	Due to economic conditions and Hurricane Michael, customers haven't been paying.
22		Civil Traffic	External	We continue to D6 licenses and contract with 2 collection agencies. We do offer payment plans and extend the time as needed to receive full payments. We believe the 90% standard is too high. We use all methods at our disposal to collect.
23	Gadsden	Civil Traffic	External	We are a small office with a small staff. We will continue to attempt to meet the standard using the resources we have at our disposal.
24	Hamilton	Civil Traffic	External	Payments still slow to be paid. We have changed collection agencies and also, as previously stated, we have a very pro-active traffic clerk that is diligently working to increase our collection rate. However even with all the current changes we will never reach 90% in civil traffic collections. The performance measure standard is too high.



Appendix B
CFY 2018-19 Quarter 3
Collections

	County	Division	Reason Code	Action Plan to Improve
25	Hendry	Juvenile Delinquency	External	Community Service is usually chosen over making a payment
26	Hernando	Circuit Criminal	External	We are continuing to offer payment plans and to work with defendants to pay what is owed. We are also continuing to work with our collection agents to see if these collections can be improved. We are hopeful as our collection rate has improved this quarter.
27	Highlands	Circuit Criminal	External	Continuing to send cases to collections.
28		County Criminal	External	Continuing to send cases to collections.
29	Hillsborough	Civil Traffic	External	Continued transmissions to Collections Agencies
30	Holmes	Circuit Criminal	External	Non-Payments, continuing to use our collections dept. by sending our due diligent letters and judgements.
31		Civil Traffic	External	Non-Payments, continuing to use our collections dept. by sending our due diligent letters and judgements.
32	Leon	County Criminal	External	Leon County uses all methods of collections available to them for collecting on these cases. License suspension and submission to Collection Agency are two methods used. Results of Collection Agency are outside of the 5 quarter accounting and are not credited to our collection rate. <u>Leon County will continue to monitor this.</u>
33		Civil Traffic	External	Leon County is within 99% of the performance standard and is actively working to meet the standard by using collection tools including on-line payment options, payment plans, DL suspensions for non-payment, <u>and referral to collection agencies.</u>
34	Levy	Juvenile Delinquency	External	not paying
35		Civil Traffic	External	no one paying
36	Nassau	Civil Traffic	External	Continue to send cases to the collections agency
37	Okaloosa	Civil Traffic	External	Funding shortfalls have hampered our ability to collect.
38	Orange	County Criminal	External	most criminal defendants are on payment plans which extend well <u>beyond 5 quarters, so this standard is not met for this case type.</u>
39		Juvenile Delinquency	External	juveniles do not pay amounts due and we do not send to collection agencies.
40		Civil Traffic	External	Orange has a lot of out of state/out of country visitors who don't pay. Also, there is a general disregard for paying traffic cases. People don't seem to care if they have a DL suspension or not
41	Osceola	Circuit Criminal	External	Many of the Defendnats with an outstanding balance are incarcerated.
42		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.
43	Palm Beach	Circuit Criminal	External	Approximately \$2 million in drug trafficking assessmets resulting in prison time have negatively impacted our ability to meet the 9% standard.
44		County Criminal	External	Defendant's placed on probation by the Court are not ordered to establish payment plans. Most judges do not want to place an additional financial burden on a defendant to establish a payment plan considering that the defendant must pay cost of probation monthly.
45		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.



Appendix B
CFY 2018-19 Quarter 3
Collections

	County	Division	Reason Code	Action Plan to Improve
46	Polk	Circuit Criminal	External	Defendants are incarcerated and large drug trafficking fines are not being paid. When drug trafficking is excluded we meet the standard.
47		Civil Traffic	External	Violators not paying civil traffic citations timely
48	Putnam	County Criminal	External	We began pushing deferred payments plans using IVR two years ago. We hoped to collect/offset some of the losses we incurred when the primary judge in this area nearly eliminated supervised probation; stopped assessing fines; converted unpaid court costs to civil liens at the end of probation; and waived court costs and fines if the guilty party spent one or more days incarcerated
49		Juvenile Delinquency	External	The judge will not enforce compliance due, in part, to potential negative consequences for minor involved.
50		Civil Traffic	External	Partial payment plans and other collection efforts in place cannot offset local economic factors. This quarterly rate is our second highest in years...driven largely by payments related to income tax returns. We are expecting reversion to the prior downward trend in the next quarter; all below target.
51	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.
52	Seminole	Civil Traffic	External	Get Additional Funding
53	Taylor	Circuit Criminal	External	We continue to work collections
54		Civil Traffic	External	We are sending to collections and doing all we know to do
55	Volusia	Juvenile Delinquency	External	Increase in the number of late paying cases that we are sending to collections.
56	Wakulla	Criminal Traffic	External	Fewer cases assessed, less funds collected. More people opting for school discount.
57	Washington	Circuit Criminal	External	Incarceration, we have set up payment plans
58		Civil Traffic	External	Driver License Suspended and sent to collection agency
	32	58		



Appendix B
CFY 2018-19 Quarter 3
Timeliness 1 - Filing New Cases

	County	Division	Reason Code	Action Plan to Improve
1	Dixie	Circuit Criminal	Staffing - External	Too many cases and court dates to keep up
2		Criminal Traffic	Staffing - External	Too many cases and court dates to keep up
3		Circuit Civil	Staffing - External	Too many cases and court dates to keep up
4		County Civil	Staffing - External	Too many cases and court dates to keep up
5	Hendry	County Criminal	Staffing - External	Short-staffed. New staff turnover, still in training. Also cross-training.
6		Criminal Traffic	Staffing - External	Short-staffed. New staff turnover, still in training. Also cross-training.
7		Circuit Civil	Staffing - External	Short-staffed. New staff turnover, still in training. Also cross-training.
8		Juvenile Dependency	Staffing - External	Short-staffed. New staff turnover, still in training. Also cross-training.
9	Pasco	Circuit Civil	Staffing - External	Budget deficiencies
10	Volusia	Civil Traffic	Staffing - External	Request assistance from other areas.
	4	10		



Appendix B
CFY 2018-19 Quarter 3
Timeliness 2 - Cases Docketed

	County	Division	Reason Code	Action Plan to Improve
1	Dixie	Circuit Criminal	Staffing - External	unknown
2	Hendry	County Criminal	Staffing - External	Short-staffed. New staff turnover, still in training. Also cross-training.
3		Criminal Traffic	Staffing - External	Short-staffed. New staff turnover, still in training. Also cross-training.
	2	3		



Clerk of Court Driver's License Reinstatement Event Report
County Fiscal Year 2019-2020


County:
 Contact:
 E-Mail Address:

Event Date(s):
 Version:

CCOC Form Version 1
 Created 08/07/2019

A. ENTITY RECEIVING FUNDS (s. 322.75(7)(e), F.S.)		REVENUES
CLERK	Clerk Revenue (fines, fees, service charges, court costs, late fees, interest, etc.)	\$ -
TOTAL - CLERK		\$ -
LOCAL	BOCC	\$ -
	Municipalities	\$ -
	School	\$ -
	Sheriff	\$ -
	Constituents (Restitution)	\$ -
	Other1 <input type="text"/>	\$ -
	Other2 <input type="text"/>	\$ -
	Other3 <input type="text"/>	\$ -
TOTAL - LOCAL		\$ -
STATE	State of Florida - General Revenue	\$ -
	State Attorney Trust Fund	\$ -
	Indigent Criminal Defense Trust Fund	\$ -
	State Courts Revenue Trust Fund	\$ -
	State of Florida - All Other Trust Funds	\$ -
TOTAL - STATE		\$ -
TOTAL REVENUES COLLECTED		\$ -
B. EXPENDITURES (s. 322.75(7)(f), F.S.)		EXPENDITURES
PERSONNEL	Overtime	\$ -
	Other Personnel Expenditures	\$ -
TOTAL - PERSONNEL		\$ -
OPERATING	Marketing	\$ -
	Other Operating Expenditures	\$ -
TOTAL - OPERATING		\$ -
SECURITY	Private Security Expenditure	\$ -
	Local Law Enforcement Cost IF Reimbursed	\$ -
TOTAL - SECURITY		\$ -
OTHER EXPENDITURES		
	Other1 <input type="text"/>	\$ -
	Other2 <input type="text"/>	\$ -
	Other3 <input type="text"/>	\$ -
TOTAL - OTHER		\$ -
TOTAL EXPENDITURES		\$ -

C. OTHER INFORMATION	
Did your event include extended hours on a weekday?	<input type="text"/>
Did your event include hours on the weekend?	<input type="text"/>
How many days was the event held?	<input type="text"/>
How many hours did it take to plan, research, and coordinate the event?	<input type="text"/>

D. PROGRAM PERFORMANCE (s. 322.75(7), F.S.)	
1. Number of Cases Paid In Full	0
2. Number of Cases Placed on a Payment Plan	0
3. Number of Cases Given Community Service	0
4. Number of Cases Pulled from Collection Agency	0
5. Number of DL Reinstatements	0
6. Number of DL Reinstatements Made Eligible	0

E. ADDITIONAL COMMENTS
<input type="text"/>

NOTES:

- Forms should be completed and returned to reports@flccoc.org (in Excel format) by October 31, 2019.
- If you have initial data that you can submit to CCOC by Friday, October 18, 2019.
- If your event will not be held until after October 31, 2019 please submit your data as soon as possible but not later than December 15, 2019.

County of Court Monthly Outputs Report - SubCases
County Fiscal Year 2019-2020



County:

Contact:

E-Mail Address:

Report Month:

Version #:

CCOC Form Version 1
 Created 09/13/19

NEW CASES														COMMENTS
A6 County Civil														
	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	YTD Total	County Civil
Small Claims (up to \$5,000) (SRS)													-	
Civil (\$5,001 - \$15,000) (SRS)													-	
Replevins (SRS)													-	
Evictions (SRS)													-	
Other County Civil (Non-Monetary) (SRS)													-	
Registry Deposits without an Underlying Case (Non-SRS)													-	
Foreign Judgments (Non-SRS)													-	
Applications for Voluntary Binding Arbitration (Non-SRS)													-	
Cases unable to be categorized													-	
Total County Civil =	-	-	-	-	-	-	-	-	-	-	-	-	-	

Clerk of Court Monthly Civil Indigence Tracking Report
County Fiscal Year 2019-2020



CCOC Form Version 1
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County:

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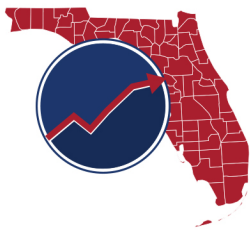
Month:

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Number of Civil Indigence Applications	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	YTD Total
Circuit Civil													0
County Civil													0
Probate													0
Family													0
Juvenile Dependency													0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0

Number of Applications Approved	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	YTD Total
Circuit Civil													0
County Civil													0
Probate													0
Family													0
Juvenile Dependency													0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0

Comments/Additional Notes:	
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CCOC

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AGENDA ITEM 4e

DATE: October 1, 2019
SUBJECT: CCOC Revenue Enhancement Committee Report
COUNCIL ACTION: Information Only

OVERVIEW:

The Revenue Committee had a workshop meeting in Orlando on August 13th and a WebEx meeting on September 11th (See attachment 1 and 2). The two projects being worked on by the Committee were the Funding Continuity Plan and the concept of a different "funding model" than what the CCOC currently has for the Clerks.

Proposed Funding Model

A presentation was made at the August 13th of the proposed funding model. Leadership of both the CCOC and FCCC were there along with the Revenue Committee members. Because it was a workshop no votes were taken. However, it appeared that leadership of both organizations, while appreciating all the work done to develop a different funding model, was no longer necessary at this time due to the recent success of the Clerks' legislative team. It was discussed that it would not be beneficial at this time to change course. At the September 11th the meeting (See Attachment 3 for draft summary minutes), the Committee voted to end their work on the Funding Model and turn over the finished product to the CCOC staff for them to use as a viable statewide tool for helping show the costs for Clerks doing court-related duties.

Funding Continuity Plan

The CCOC is required under s. 28.35(2)(c), F.S. as one of their duties to recommend to the Legislature changes in the amounts of the various court-related fines, fees, service charges, and costs established by law to ensure reasonable and adequate funding of the clerks of the court in the performance of their court-related functions. For the last two years the Council has approved a "funding continuity plan" which provides a menu of options for the Legislature to increase revenues to the Clerks because they are not adequately funded. At the September 11th meeting the Committee approved a Plan and moved it forward to the CCOC Legislative Committee to be reviewed and approved by that Committee prior to submittal to the Council (See attachment 4 for Funding Continuity Plan).

COUNCIL ACTION: Information Only

ATTACHMENTS:

1. Agenda from Committee's August 13th Workgroup meeting
2. Agenda from Committee's September 11th WebEx meeting
3. Draft minutes from September 11th WebEx meeting
4. Revenue Committee Funding Continuity Plan

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



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DRAFT AGENDA Revenue Enhancement/Funding Model Committee (Workshop Meeting)

DATE: August 13, 2019

TIME: 1pm (ET) to 5pm

LOCATION: Orange County Courthouse Annex, Building A, Room A. Orlando, FL 32801

1. Discuss purpose of Revenue Enhancement/Funding Model Committee.
 - a. Plan of Operations- Purpose
 - b. Perspective from Chair
2. Funding Continuity Plan- update from last year's Plan and CFY 19/20 future direction.
3. Update on Funding Model- progress overview and CFY 19/20 future direction.
4. Timeframe
 - a. Legislature Committee meetings start in September and Session begins in January.
 - b. CCOC and FCCC Legislative Committee deadlines.
 - c. CCOC Executive Council expected to meet in September and October.
5. Next Steps
 - a. Interaction and coordination with CCOC Committees, Clerks, Legislative Staff, and others.
 - b. What products are expected and when.
6. Other Business

Committee Members: Tiffany Moore Russell, Orange County, Chair; Angel Colonnese, Manatee; Victoria Rogers, Hardee; Jess Irby, Alachua; Clay Rooks, Jackson; Tara Green, Clay; and Kevin Madok, Monroe.



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DRAFT AGENDA Revenue Enhancement/Funding Model Committee Meeting

DATE: September 11, 2019

TIME: 11am (ET)

LOCATION: WebEx Meeting Information

Meeting link: <https://flccoc.webex.com/flccoc/j.php?MTID=mce432f27e08940becb645e79020fc77e>

Meeting number: 739 239 981

Join by phone:

+1-415-655-0001 US Toll

Access code: 739 239 981

1. Call to Order.....Chair Russell
2. Update on Funding Model- project work complete.....John Dew
3. Funding Continuity Plan.....Jason Welty
4. Next Steps.....Chair Russell
5. Other Business

Committee Members: Tiffany Moore Russell, Orange County, Chair; Angel Colonnese, Manatee; Victoria Rogers, Hardee; Jess Irby, Alachua; Clay Rooks, Jackson; Tara Green, Clay; and Kevin Madok, Monroe.

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Revenue Enhancement Summary Minutes- September 11, 2019

Chair Russell at 11am on September 11, 2019 asked CCOC Executive Director John Dew to call the roll for the WebEx meeting of the Revenue Enhancement Committee meeting. Present on the call were Honorable Tiffany Russell (Chair); Honorable Angel Colonnese; Honorable Victoria Rogers; Honorable Jess Irby; Honorable Clay Rooks; Honorable Tara Green; and Honorable Kevin Madok. CCOC staff John Dew; Jason Welty; Marleni Brunner; and Johnny Petit were present in the CCOC office. Mr. Dew announced that there was a quorum with all Committee members on the call.

Chair Russell called the meeting to order, welcomed everyone, and asked John Dew to give a report on agenda item two. Mr. Dew provided an historical overview of the work done by the Committee on the long-term funding model. The work began in 2017 and the project is completed. He mentioned that at the Revenue Committee Workshop held in August those that attended, including leadership of both the CCOC and FCCC, appreciated the work done on the model. Mr. Dew mentioned by name his appreciation of the hard work of Orange County Clerk employee Kathryn Farynowski, CCOC staff Johnny Petit and Doug Isabelle. He furthered thanked the CCOC leadership and the Committee members for their involvement. This was a nearly two-year project with lots of number crunching and data extraction. Mr. Dew noted that the overall objectives of the model was to have a case-related; cost-based funding process; be able to calculate what the required level of funding should be to perform the Clerk's statutory duties to meet court partner expectations; would not determine where the money comes from or how funded; and could be a sustainable model that is easy to communicate and a methodology that has integrity.

However, those attending the August workshop felt that because of the recent success of the Clerk's legislative team that they should not change course this year and therefore use the model in place of the current legislative direction. But the model was seen as an exceptional and valid tool for the CCOC staff to show the cost of cases, the potential impact of legislative policy changes, and a statewide tool for helping show the cost for Clerks doing court-related duties. Mr. Dew agreed that the creation of the model, which will be continually updated with data from the Clerks, will be a successful tool for the CCOC to validate costs.

Clerk Rogers made a motion that the Committee should end their work on the Funding Model and turn over the finished product to the CCOC staff to be used as a tool to better provide Clerks' costs information and be regularly updated. Clerk Green seconded the

Revenue Enhancement Summary Minutes- September 11, 2019

motion. Discussion ensued and there were no comments other than CCOC Chair Peacock thanking the Committee members and staff for the hard work done on this model for the last two years. The motion was approved unanimously.

Chair Russell called on CCOC Budget and Communications Director Jason Welty to provide a report on agenda item three. Mr. Welty went through the "Funding Continuity Plan" page by page and item by item. Upon completion, Chair Russell asked if there were any questions from the Committee members or those on the phone. Clerk Frank from Hillsborough County asked Mr. Welty if he has brought these issues to the legislative staff yet. He replied he has not because these would first need to be approved by the Revenue Enhancement Committee and eventually the CCOC Executive Council. Clerk Colonnese made a motion to approve the draft plan as provided. Clerk Green seconded the motion. After a short discussion the motion was approved unanimously.

Chair Russell then spoke on agenda item four which were the next steps for the Committee. She said that the Funding Continuity Plan would be forwarded to the CCOC Legislative Committee for their review and once approved by that Committee it would be provided to the CCOC Executive Council for a vote. Legislative Committee Chair Timmann noted that she would be getting with Mr. Welty and setting up a committee meeting to review the plan. She thanked Chair Russell and the Committee for the good work product.

With no other business coming before the Committee the meeting was adjourned at 11:25am.



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CLERKS OF COURT FUNDING MODEL

The funding for the Clerks of Court is governed by the Florida Constitution and state statute. It is critical to maintain adequately funded Clerks in order to maintain Florida's judicial system. Specifically, the Constitution states:

ARTICLE V, 14(b), Florida Constitution

All funding for the offices of the clerks of the circuit and county courts performing court-related functions, except as otherwise provided in this subsection and subsection (c), shall be provided by adequate and appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions as required by general law. Selected salaries, costs, and expenses of the state courts system may be funded from appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions, as provided by general law. Where the requirements of either the United States Constitution or the Constitution of the State of Florida preclude the imposition of filing fees for judicial proceedings and service charges and costs for performing court-related functions sufficient to fund the court-related functions of the offices of the clerks of the circuit and county courts, the state shall provide, as determined by the Legislature, adequate and appropriate supplemental funding from state revenues appropriated by general law.

To ensure Clerks are adequately funded, the Legislature authorizes the Clerks to retain revenue from statutorily created fines, fees, court costs, penalties, service charges, and forfeitures. Additionally, the Legislature provides General Revenue funds to cover the costs of juror management functions for the Clerks. These revenues form the basis of the Clerk's yearly budget and the Legislature tasked the Florida Clerks of Court Operations Corporation (CCOC) with setting Clerks' budgets and tracking revenues. Additionally, the Legislature tasked the CCOC with the responsibility of recommending to the Legislature changes in the amounts of the various court-related fines, fees, service charges, and costs established by law to ensure reasonable and adequate funding of the Clerks of the Court in the performance of their court-related functions.

FUNDING CONTINUITY ACTION PLAN

FUNDING CONTINUITY PLAN

To meet its statutory duty, the CCOC created a Revenue Enhancement Committee in its Plan of Operations to review all of the court-related fines, fees, service charges, and costs established by law. The Revenue Enhancement Committee is responsible for developing the Funding Continuity Plan to make recommendations to the Legislature. This plan provides a menu of options recommended by the Clerks to ensure reasonable and adequate funding of the Clerks of Court.

THE SERVICE OF THE CLERKS OF COURT

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

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

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

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

- The fiscal impact to Clerks from state policy decisions and changes
- Judicial and Administrative Orders (at both the State and Local levels)
- Increases in health insurance costs and in statutorily-mandated FRS contributions

The current revenue-based funding model does not take into account fixed costs of operating the Clerks' offices, which makes the Funding Continuity Plan a valuable tool for the Clerks when working with our partners in the Legislature.

FUNDING CONTINUITY ACTION PLAN

LEGISLATIVE ACCOMPLISHMENTS

Prior to 2019, the CCOC could not approve budgets that exceeded the revenue estimates provided by the Revenue Estimating Conference (REC) regardless of needs or costs. The Legislature adopted two changes recommended in the 2019 Funding Continuity Plan during the 2019 Legislative Session. These changes will help diversify the revenue available to the Clerks when building their budgets.

The first recommendation adopted by the Legislature was the elimination of the automatic sweep of the Clerks of Court Trust Fund. The Legislature provided additional authority to use revenues that exceeded the official revenue estimates provided by the REC in the following fiscal year. Revenue received by the Clerks is not static from year to year; an upswing in one year may turn to a downswing in the next depending on the number of traffic citations or civil case filings. These swings make stable and predictable budgeting for the Clerks an impossibility. The elimination of the automatic sweep of the trust fund will allow Clerks to use revenues that are collected in one year to help offset any downturns in the following year.

The second recommendation adopted by the Legislature from the 2019 Funding Continuity Plan was authorization to carry forward unspent budget authority from the previous fiscal year. Each year, the Clerks expend between 97 – 98 percent of their budget authority, which is consistent with most public entities. Authorizing this unexpended carry-forward amount to be included as a source of funding will allow the Clerks to pay for necessary projects and stabilize funding from one year to the next.

LIST OF OPTIONS

Currently, available revenues are below what Clerks indicate is needed to sufficiently fund services for the public. **The Clerks' CFY 2019-20 approved revenue-limited budget is \$458.5 million; however, the approved budget is \$10 million less than the Clerks' budget request, which continues to put public safety at risk and threatens to slow down commerce in Florida's economy.**

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

FUNDING CONTINUITY ACTION PLAN

Funding for Public Safety Services with No Fees

1. Risk Protection Orders

(\$370,000)

During the 2018 session, the Legislature created the Risk Protection Order Act to prevent individuals who are at a substantial risk of harming themselves or others from accessing firearms or ammunition by allowing law enforcement officers to obtain a court order temporarily restricting a person's access to firearms or ammunition.

- This option assumes the Legislature would provide a \$195 filing fee per case from general revenue. This filing fee does not include law enforcement agency costs.
- Clerks support this public policy, but without a stable funding source, the Clerks will not be able to timely perform the tasks set forth in the new legislation. In counties where law enforcement is substantially using this new petition, Clerks have had to pull staff away from other duties in order to ensure these petitions are being timely filed and staffed before a judge. There is a very real possibility of a negative impact on public safety if the Clerks are unable to process these petitions by the law enforcement community in a timely and efficient manner.

2. Injunctions for protection for the five types of interpersonal violence: domestic, dating, repeat, sexual violence, and stalking.

(\$16.1 million)

Injunctions for protection from violence are critically important to ensuring public safety. As such, many Clerks operate 24/7 staffing to ensure these injunctions are timely processed. Without these services, victims of violence may suffer additional victimization.

- Currently, Clerks perform these services at no cost to the petitioners and the Clerks support this good public policy. These services include assisting those individuals requesting injunctions, which is time-consuming and labor-intensive.
- This option assumes the Legislature would provide a \$195 filing fee per case from general revenue. This filing fee does not include law enforcement agency costs.
 - It should also be noted that this reimbursement should be additional funding for this activity on a statewide basis. Revenue for this option should not reduce funds already allocated to other agencies or shelters within the state who perform related/ancillary duties.

3. Baker Act and Marchman Act

(\$11.6 million)

The Baker Act and Marchman Act are designed to protect the public and individuals that are displaying behavior that will cause serious bodily harm to oneself or others and individuals that have lost self-control with respect to substance abuse. It is important to provide timely service to petitioners so that individuals subject to the Baker Act or Marchman Act do not cause harm to themselves or others.

- Currently, Clerks perform these services at no cost to the petitioners and the Clerks support this good public policy. Clerks must efficiently process involuntary admissions for the Baker Act and Marchman Act to uphold public safety.

FUNDING CONTINUITY ACTION PLAN

- This option assumes the Legislature would provide a \$195 filing fee per case from general revenue. This filing fee does not include law enforcement agency costs.
 - It should also be noted that this reimbursement should be additional funding for this activity on a statewide basis. **Revenue for this option should not reduce funds already allocated to other agencies or receiving facilities within the state who perform related duties.**

4. Injunction for protection for vulnerable adults

(Indeterminate Positive)

During the 2018 session, the Legislature created a cause of action for an injunction prohibiting exploitation of a vulnerable adult. The law requires Clerks to assist petitioners in filling out the forms and sets a sliding-scale fee for filing a petition. The law also allows Clerks to request a reimbursement for the processing of petitions, but only if funding is made available in the General Appropriations Act (GAA).

- Funding has not been made available for similar injunctions and was not appropriated in the 2018 or 2019 GAA.
- Many of the petitioners are indigent and, while the law set a sliding-scale fee, that fee is waived for indigent petitioners.
- Similar to injunctions for protection against violence, the Clerks support this public policy, but without a stable funding source, the Clerks will not be able to timely perform the tasks set forth in the new legislation.

5. Civil Indigency Case Cost Reimbursement

(\$10.8 million)

Applicants who file civil cases, particularly dissolutions of marriage, and are determined to be indigent are not required to pay the statutory filing fees associated with the various case types being filed. The Clerks believe that every person deserves access to the court system and those without means to pay should not be denied access. However, the Clerks must have staff available and, without adequate funding, these cases could suffer consequently.

- This option assumes the Legislature would provide reimbursement of the statutory filing fee that is waived in these cases (\$135-\$195 per case) from general revenue for the Clerks to aid those that need access to the judiciary and will allow the Clerks to provide those services timely and equitably.

6. Criminal Justice Data Transparency Initiative

(Indeterminate Positive)

During the 2018 session, the Legislature created a uniform criminal justice data collection process to promote criminal justice data transparency.

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

FUNDING CONTINUITY ACTION PLAN

7. Criminal Case Cost Reimbursement**(Between \$XX million and \$XX million)**

State agencies do not pay a filing fee for cases they file or for any copies or other services Clerks perform for court-related activities. The Clerks services to these agencies is labor intensive and extremely vital to ensuring justice.

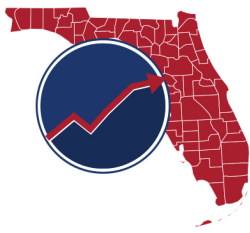
- This option provides for reimbursement from the state through an annual general revenue appropriation based on estimated filings for the year. If not provided as part of the appropriation above, agencies would also be required to pay for copies and other services at the statutory rates set for all other customers in s. 28.24, F.S., including records on appeal.
- Responsibility for collecting amounts owed on these cases will remain with the Clerks. Performance standards currently in place, as well as certifications of minimal collections efforts by Clerks, are to be maintained and monitored for compliance.
- Under this option, criminal collections would be remitted back to general revenue.

Administrative Changes**1. Establish a Clerk of Court Revenue Stabilization fund within the Clerks of Court Trust Fund.**

The Clerks have very little protection from the unpredictable assessment and collection of the fines, fees, service charges, and court costs that make-up the basis for the statewide budget.

- This option would require the Clerks to maintain a stabilization amount in the Clerks of Court Trust Fund to insulate the Clerks' budgets from the unpredictable nature of collections.

The establishment of a stabilization amount would come from revenue collected by the Clerks.



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AGENDA ITEM 4f

DATE: October 1, 2019
SUBJECT: Update from Electronic Notification Platform Workgroup
COUNCIL ACTION: Information Only

OVERVIEW:

The Advisory Group on eNotify which consist of three judges and three Clerks had a WebEx meeting on August 14th at noon. The purpose of the meeting was to have a presentation of the platform for eNotify, discuss how the platform should be branded, discussion on having a pilot of a few counties before rolling it out to all counties, and discussion concerning the full rollout.

Representing the CCOC on the Advisory Group are Clerks Peacock, Russell, and Crawford. Each of these Clerks also volunteered their counties to be the pilot counties. The branding of the platform would include noting the work of OSCA, CCOC, and the FCCC. Also, there would be a statement noting the Legislature funded this project. Roll out in the pilot counties is expected to start in October and continue through the end of the calendar year. All counties would then expect to be part of the program in January.

This week there is expected to be a meeting of CCOC, OSCA, FCCC staff to discuss the communications involved in rolling out the platform in the pilot counties.

COUNCIL ACTION: Information Only

ATTACHMENTS: None