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# COUNTY FISCAL YEAR 2018-19 ANNUAL REPORT

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## MESSAGE FROM CCOC CHAIR

The Clerks of Court Operations Corporation (CCOC) is pleased to present the County Fiscal Year 2018-19 Annual Report. As an integral part of the justice system, Florida's clerks provide important services that affect public safety, commerce, and access to justice. As the statewide budget office of the 67 elected clerks, the CCOC saw many positive trends for the budgets of the clerks during CFY 2018-19, and it saw the opportunity for additional improvements in the upcoming year.

For the first time in many years, the clerks were projected to have a moderate budget increase due to increased collection of revenues. Clerks, like most governmental agencies, have experienced significant growth in their fixed costs, such as health insurance and retirement. For the past several years, clerks' budgets have been in decline and the projected increase in CFY 2018-19 was a welcome relief to the budget pressure. However, the increased revenue was hampered by a statutory cap that did not consider additional workload faced by the clerks. Thankfully, the Legislature modified current law to provide some relief for the clerks, which took effect for the CFY 2019-20.

Clerks provide services that have a positive impact on all Floridians, with nearly 1,000 statutory duties and responsibilities, including processing domestic violence injunctions, maintaining court and county records, managing the jury process, and issuing marriage licenses. These services are threatened by a lack of revenue and while CFY 2018-19 was a good year, the clerks continue to plan for the future and develop sustainable funding solutions when revenues decline.

Clerks and the CCOC appreciate your leadership during these times. Above all, clerks want to make sure our shared constituents continue to receive the best service possible, and we look forward to partnering with you in the years to come to ensure that happens.

Sincerely,

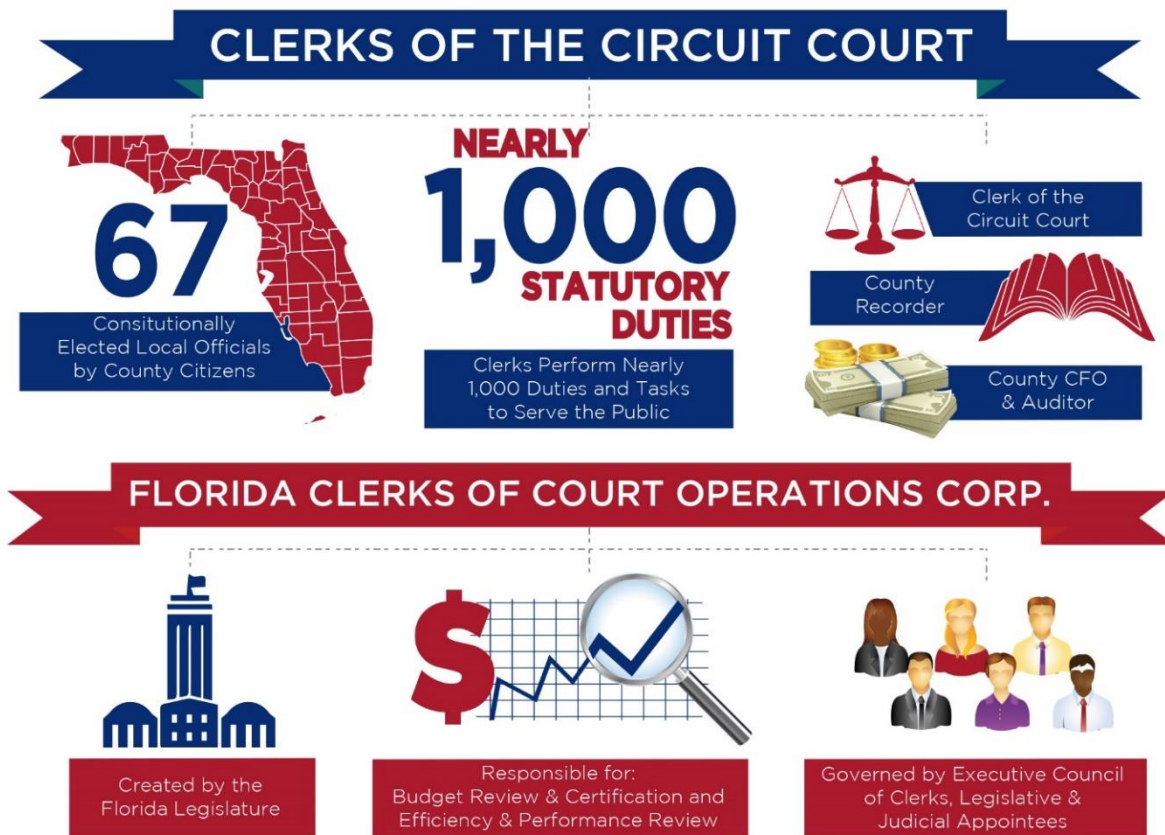
JD Peacock II

Clerk and Comptroller, Okaloosa County

Chair, Clerks of Court Operations Corporation Executive Committee

# INTRODUCTION

The Legislature created the Florida Clerks of Court Operations Corporation (CCOC or the Corporation) as a public corporation to perform the functions specified in sections 28.35, 28.36 and 28.37, Florida Statutes. All 67 clerks of the circuit court are by statute members of the CCOC. The Corporation members chose eight clerks to represent them based on population groupings. The Speaker of the House, the Senate President, and the Chief Justice of the Supreme Court Justice each appoint one member to the Council as representatives of their organizations. The eleven individuals are members of the CCOC Executive Council whose duties are outlined in statute and according to the Plan of Operations approved by the members. CCOC Staff, under the direction of the Executive Director as chosen by the Council, performs the day-to-day administrative, budget, and data-related functions necessary to carry out the duties of the Corporation. For more information, visit [www.flccoc.org](http://www.flccoc.org).



CCOC utilizes workgroups and committees to gather information, make recommendations, and create processes to collect and analyze all the statutorily required information. Workgroups consist of clerks and staff from various clerk offices around the state. Members of clerk staff are invited to take part in any workgroup meeting. Committees are made up of specific clerks as appointed by the Executive Council. Proposals from a workgroup will pass to the relevant committee to be discussed and voted on before being given to the Executive

Council as a recommendation. The process is open to all participants. The CFY 2018-19 committees include:

- Budget Committee
- Performance Improvement and Efficiency (PIE) Committee
- Revenue Enhancement Committee
- Legislative Committee

The Executive Council, working with the Budget Committee, handles reviewing, certifying, and approving budgets for all 67 clerks. The Budget Committee also tracks clerk revenues and makes projections for the Article V Revenue Estimating Conference.

Through the Performance Improvement and Efficiency (PIE) Committee, the CCOC developed a uniform system of performance measures and applicable standards. The CCOC monitors these performance measures on a quarterly basis. 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.

The Legislative Committee monitors legislation, completes fiscal analyses of legislative proposals, and responds to requests from the Legislature concerning the budget.

The Revenue Enhancement Committee makes recommendations on short-term funding solutions, such as adjustments to the fines, fees, and court costs to ensure there is adequate funding for court-related services.

## CFY 2018-19 STATUS UPDATE

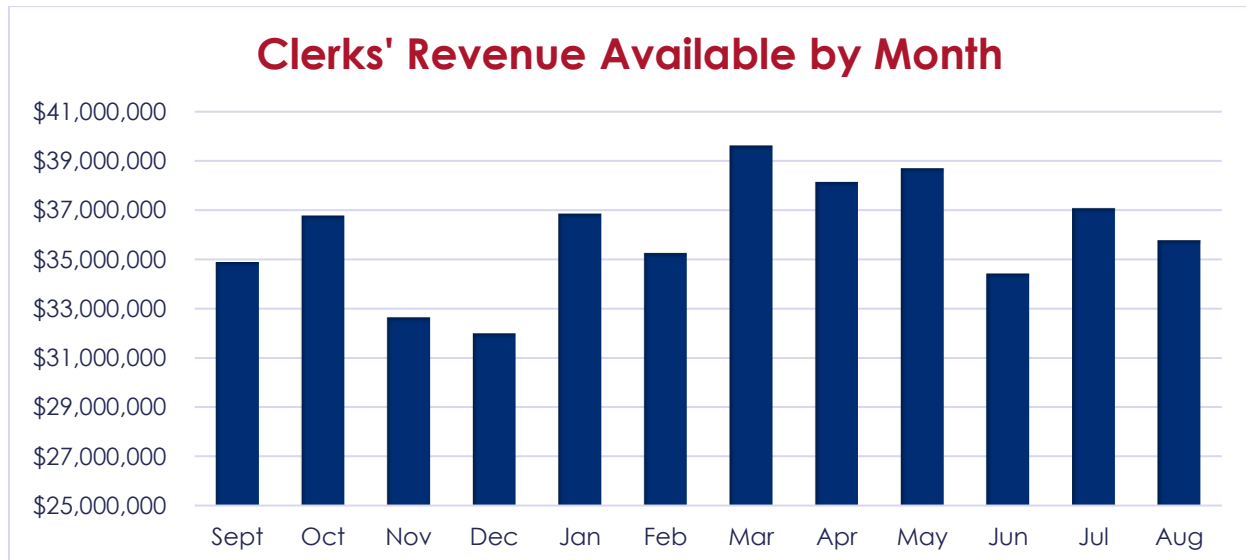
County Fiscal Year 2018-19 proved to be a good year for clerks and the Clerks of Court Operations Corporation, but it was also filled with challenges.

An essential function of the CCOC is to monitor and make projections of the available revenue that will be available for the clerks. The downward trend of revenues that began in 2010 was a combination of revenues that never materialized, a decrease of the foreclosure backlog, and the continued deterioration of the number of civil traffic cases. However, the funding the Legislature provided in Ch. 2017-126, L.O.F., (SB 2506) helped diversify the clerks' revenue streams and as a result, the new revenue helped stop the budget reductions for the clerks.

The Article V Revenue Estimating Conference (REC) recognized the increased revenue trend that began in CFY 2017-18. As a result, the REC projection grew from \$397.7 million in CFY 2017-18 to \$412.9 million in CFY 2018-19. However, as part of its projection, the REC did not recognize any unexpended dollars as part of the forecast, which had previously been included as part of the budget. This unexpected hurdle was overcome throughout the year as revenues continued to be strong in CFY 2018-19 and CCOC was able to budget the full \$412.9 million for court-related functions.

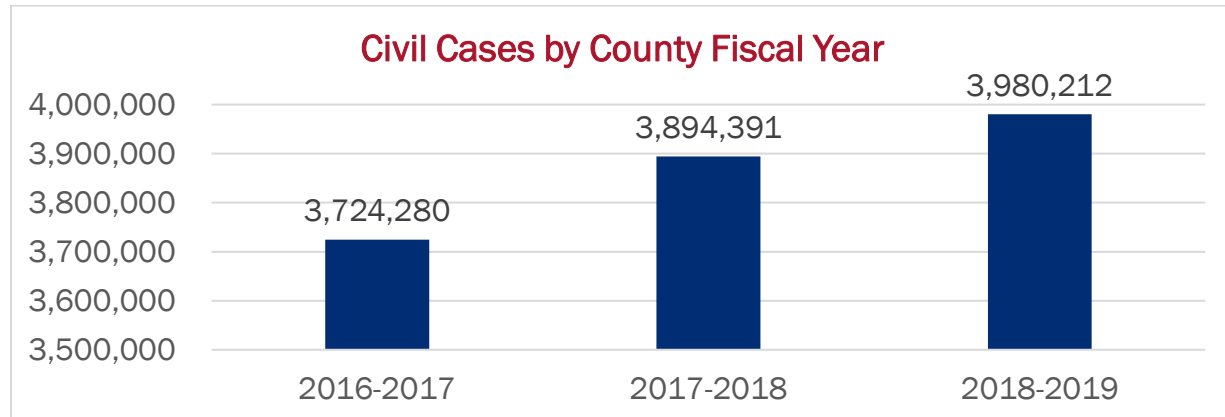
Hurricane Michael devastated the Florida Panhandle in October 2018, and many North Florida counties continue to recover from its powerful effects. At the beginning of the fiscal year, there was significant concern that impact would hamper the clerk's ability to collect the necessary revenue to cover their court-related duties. However, as the southern part of the state was recovering from Hurricane Irma from the previous year, revenues came in strong throughout CFY 2018-19.

Chart 1 – Clerks' Revenue Available by Month



Filing fees in both the circuit and the county civil cases drove most of the revenue growth in CFY 2018-19. The strong case filings that began in CFY 2017-18 continued throughout CFY 2018-19. Circuit civil filings were up by five percent and county civil filings were up over nine percent and because of the increased filings, the revenue for filing fees outpaced the original projections.

**Chart 2 – Civil Cases by County Fiscal Year**



However, clerks also saw an increase in workload from new case types created in 2018, Risk Protection Orders (RPOs) and Vulnerable Adults. These services have either no filing fee associated with them or often are filed on behalf of indigent defendants. Additionally, there were almost 56,000 approved applications for civil indigency. These cases produce little to no revenue and often have a very high workload.

**Table 1 – CFY 2018-19 Civil Indigence Application Filings and Approvals by Court Division**

CFY 2018-19 Civil Indigence Application Filings and Approvals by Court Division		
Applications	YTD Total	% of TOTAL
Circuit Civil	2,605	4.06%
County Civil	5,242	8.16%
Probate	4,250	6.62%
Family	52,141	81.17%
<b>Approved Applications</b>	<b>64,238</b>	<b>100.00%</b>
Circuit Civil	2,066	3.70%
County Civil	4,730	8.46%
Probate	3,463	6.20%
Family	45,633	81.64%
<b>Approved Total</b>	<b>55,892</b>	<b>100.00%</b>

Despite some of these challenges, heading into CFY 2019-20 the clerks' budget and the CCOC are well positioned to meet the revenue estimates for CFY 2019-20. The clerks' current year (CFY 2019-20) approved revenue-limited budget is \$458.5 million. This approved budget represents an increase of \$33.9 million from the CFY 2018-19 budget.

## CCOC TRAINING

CCOC provides various education and training opportunities to clerks and their staff on the ever-changing statutes, issues affecting clerks, and the required reporting forms. CCOC ensures continued access through detailed instructions, videos, and posted material on its website. In CFY 2018-19, CCOC provided detailed training in person and via electronic delivery.

### Budget Training

During CFY 2018-19, the CCOC led Statewide Budget Training on the CFY 2019-20 Original Budget Request. Trainings were held:

- April 5th in Charlotte County
- April 11th in Orange County
- April 15th in Jackson County

The training covered a review of the budget timeline, a data toolbox developed by CCOC Staff, Revenue Estimating Form, Budget Form and instructions, and the Budget Certification Letter.

### Conference Training

The CCOC has a contract with Florida Court Clerks and Comptrollers (FCCC) to provide educational opportunities to clerks and clerk staff statewide at the seasonal conferences. The Winter Conference was held February 27 – March 1, 2019. CCOC staff led sessions on:

- Completing the Original Budget Request and the Operational Budget
- How to use Clerk Services Framework in Budgeting
- Collections Quarterly Performance Form
- Outputs Report with a focus on Timeliness and the Jury Measures
- Expenditure and Collection Report

At the Summer Conference, held June 25-27, 2019, CCOC provided updates from the CCOC PIE, Legislative, and Budget Committees. Additionally, CCOC provided information relating to additional training opportunities, new materials available via the CCOC website, and need-to-know information for CFY 2017-18 closeout. CCOC staff participated and led panel discussions to gather information from clerks on how external factors impact their workload and how clerks have adapted to these various external factors.

The Fall Conference was held October 2-4, 2019, and the CCOC related training focused on several legislative initiatives. Clerk JD Peacock II, CCOC Executive Council Chair, presented the ongoing work with the Office of State Court Administrator (OSCA) to implement eNotify, a text-based notification system funded by the Legislature to help people remember court dates. Clerk Tara Green, Chair of the PIE Committee, provided an update regarding the statutorily required Driver's License Reinstatement Days and the materials that would be available for clerks and clerk staff. CCOC staff provided a training on the statutorily required Driver's License Reinstatement Days reporting form and provided a preview of the 2019 CCOC and FCCC Joint Compliance Summit.



## Compliance Training

The CCOC and FCCC Joint Summit, “Compliance 20: Mission to Drive” was held October 21-22, 2019. This two-day summit brought together community partners, leaders in the compliance business, and various clerk staff to discuss and collaborate on the best practices as adopted by clerks and those currently being used nationwide. The guest speaker was Rozanne Anderson, Chief Compliance Officer from Ontario Systems. A session was led by staff from the Office of the Attorney General and interactive discussions were held in addition to other presentations. Palm Beach County presented on their National Association of Counties’ Award-Winning Three-Part Compliance Program. A successful three-part program consists of Prevention, Mediation, and Restoration as the key components.



In addition to the Compliance Summit, CCOC created an online portal which is available to all clerks to help improve their efforts on compliance. The Compliance Corner <https://flccoc.org/compliance-corner/> is a one-stop website dedicated to bringing national best practices and information to the clerks to improve on their efforts to collect all of the obligations owed. CCOC has a contract with Compliance Improvement Services, Inc (CIS) to continually research, develop, and assist counties with their collections training, education, and execution. CIS staff and CCOC staff led a discussion on the survey results of clerks’ office and their collection practices.

# CFY 2018-19 BUDGET DEVELOPMENT

On December 12, 2017, the Budget Committee developed and adopted a timeline for CFY 2018-19 Budget Process. The timeline was:

## APRIL

- Budget Committee Meeting
- Original Budget Form development - CCOC

## MAY

- Release forms to counties
- Regional budget training

## JUNE

- Statutory deadline of June 1<sup>st</sup> for budget submissions to CCOC
- Complete technical reviews
- Begin analysis as requested by the Budget Committee and required by statute

## JULY

- Potential Budget Committee meeting to determine budget deliberation criteria, methodology, etc.
- REC meets and determines available revenues (mid to late July)

## AUGUST

- Budget Deliberations – August 21, 2018
- Budget Committee determines and approves each county's budget authority

On August 21, 2018, the Budget Committee provided four methodologies for allocating the additional revenue that was expected for CFY 2018-19. The options discussed were:

- Allocate a proportionate share to each peer group and provide an equal share among peer groups.
- Provide an incremental FTE allocation
- Create individual allocations
- Provide an across the board allocation

After years of sustaining budget reductions, the Budget Committee felt an across the board allocation of the new funding was the best method and provided each clerk with their CFY 2018-19 budget with a 3.82 percent increase over the CFY 2017-18 budget. The Executive Council accepted and approved the individual and statewide budget recommendation at their September 11, 2018 meeting. The CFY 2018-19 budget of \$424.6 million was an increase of \$15.2 million from the CFY 2017-18 approved budget of \$409.4 million. However, the CFY 2018-19 budget was only \$2.6 million more than the CFY 2016-17 budget of \$422 million.

## CCOC BUDGET COMMITTEE

The CCOC Budget Committee consists of 17 clerks and is responsible for developing the budget deliberation process and making recommendations to the Executive Council for the budget allocations based on the revenue-limited model. This process is necessary for the CCOC to calculate the minimum required amount of revenue for each clerk to efficiently perform specified court-related functions and apply workload measures appropriate for determining the individual level of revenue required to fund each clerk's budget.

The CCOC Budget Committee met several times during the year to develop a fair and equitable process for making budget decisions. During CFY 2018-19, the Budget Committee met on:

- December 12, 2018
- January 9, 2019
- February 19, 2019
- July 9, 2019
- July 23, 2019
- September 20, 2019
- September 24, 2019
- September 26, 2019

Some of the key issues addressed this year by the Budget Committee included:

- Monitoring of Revenues and the Clerks of the Court Trust Fund
- Continuing to Improve Clerk Budget Process
- Approval of New Budget Forms and Statewide Budget Form Training
- Development of The Budget Process for the CFY 2018-19
- Case Counting Audits
- Expenditure Reporting
- Juror Management Funding Guidelines

CCOC provides analytic assistance to the Budget Committee and provides regular updates to the committee on the revenue received versus the expected revenue.

# CCOC PERFORMANCE IMPROVEMENT AND EFFICIENCIES (PIE) COMMITTEE

The Performance Improvement and Efficiency (PIE) Committee has three critical purposes for the CCOC:

- “P” – Performance: Florida Statutes requires the CCOC to develop a statewide set of performance measures. The current performance measures are:
  1. Revenue collections
  2. Timeliness of cases filed and docketed
  3. Timeliness of juror payments and
  4. Fiscal management.

The role of the Committee is to review these measures and decide their relevance to the clerks’ court-related services; amend them when applicable; and set standards to measure performance. The PIE Committee discussed these measures and standards this year and made no changes. However, it is anticipated that new measures and standards will be developed in CFY 2019-20.

- “I” – Improvement: This function includes follow up on clerk’s current action plans when standards are not met to determine whether the steps taken will improve future performance. It is anticipated that with new measures and standards this may also result in additional action plans.
- “E” – Efficiency: This function of the PIE Committee includes identifying best practices for court-related services and developing effective means to communicate and share these practices among the clerk’s offices.

The CCOC PIE Committee has several workgroups that met throughout the year. Some of the significant issues addressed this year by the CCOC PIE Committee and workgroups include:

- Court Services Framework – Updates from the 2019 Legislative Session
- Performance Measures
  - Development of new standards
  - Monitoring current standards
- Weighted Cases and Subcases
- Statewide Compliance Initiative
- Driver License Reinstatement Days (Operation Green Light)
  - Training on statutory reporting requirements
- Exploration of using the Comprehensive Case Information System (CCIS) for CCOC reporting
- Creation of a Compliance portal

## CCOC REVENUE ENHANCEMENT COMMITTEE

Section 28.35 (2)(c), Florida Statutes, charges the Clerks of Court Operations Corporation (CCOC) with recommending adjustments to fines and fees to provide adequate funding to the Clerks of the Court. The CCOC established the Revenue Enhancement Committee to meet this statutory charge. The Revenue Enhancement Committee developed a Funding Continuity Plan to address the revenue shortfall faced by the clerks.

The CCOC Revenue Enhancement Committee met by conference call on Wednesday, September 11, 2019, to consider the 2020 Funding Continuity Plan. The Revenue Enhancement Committee recommended the plan for approval by the Legislative Committee and Executive Council.

The Plan provides various recommendations to the legislature for providing adequate funding to the clerks and would meet the CCOC statutory obligation to “recommend to the Legislature changes in the amounts of the various court-related fines, fees, service charges, and costs established by law to ensure reasonable and adequate funding of the clerks of the court in the performance of their court-related functions.”

## LEGISLATIVE COMMITTEE AND 2019 LEGISLATIVE SESSION

The goal of the Legislative Committee is to increase visibility, improve communication and build stronger partnerships between the members and staff of the legislature. To that end, the Legislative Committee, along with the Legislative Analysis Workgroup had a busy 2019 Legislative Session. There were 1,676 general bills filed in the legislature with 174 of those bills passing. The Legislative Committee tracked 649 bills covering a wide variety of clerk-related duties. Of the 174 general bills that passed during the 2019 Legislative Session, the Legislative Committee tracked 79 bills.

The legislature requested 30 bill analyses from the Clerks of Court Operations Corporation (CCOC), and the Legislative Committee along with the Legislative Analysis Workgroup formally analyzed over 50 bills. In addition to the formal request for analyses, the Legislative Committee and the Legislative Analysis Workgroup also collaborated on multiple informal and ad hoc requests for information and provided valuable information to multiple committees of the legislature. While many of the bills tracked made minor modifications, a few bills had significant impact. Below is an outline of a few of the bills with the most impact on the clerks from the 2019 session.

HB 337 – Courts – Ch. 2019-058, L.O.F., amended the budget process for the clerks by diversifying the revenue streams for the clerks. In addition to the revenues from fines, fees, court costs, and service charges, the legislature provided the clerks with the ability to carry forward unspent budgeted funds and cumulative excess revenues. Additionally, the bill modifies the jurisdiction for circuit and county civil courts.

HB 7125 – Administration of Justice – Ch. 2019-167, L.O.F., is a 190-page criminal justice reform package. A few of the provisions of the bill that impact clerks include:

- Modifying suspension of driver licenses
- Creation of an Annual Drivers License Reinstatement Days Program
- Changes to the sealing and expungement process
- Increasing the threshold for felony theft
- Modifications to the Criminal Justice Data Transparency program

HB 107 – Wireless Communications While Driving – Ch. 2019-044, L.O.F., creates a new offense of using a wireless communications device in a handheld manner in a designated school crossing, school zone, or work zone area. Additionally, the bill makes using a wireless communications device a primary offense, allowing law enforcement to stop individuals who are texting while driving.

### **Operation Green Light**

Clerks of Court have a statutory duty to ensure compliance with court orders, including payment of fines and fees, on behalf of the state. Consequences to individuals for not complying with court orders can be significant, including license suspension. However, it is important to note that a license is only suspended when an individual takes no action to comply.

In order to reduce the number of suspended licenses, the Legislature created an Annual Reinstatement Days Program. From October 12-19, 2019 clerks around the state held events to provide customers with an opportunity to pay overdue court-ordered obligations, while saving in additional fees. Operation Green Light helped customers save money and get back on the road. Since the event took place in CFY 2019-20, the results will be reported in next year's Annual Report. Clerks are taking aggressive action through both CCOC and their association, Florida Court Clerks & Comptrollers (FCCC), to promulgate best practices, seek additional technology resources to assist with easy and convenient payments, as well as looking for opportunities to gain better economies of scale for compliance activities for smaller operations.

### **Office of Program Policy Analysis and Government Accountability Review of Clerks**

As part of the General Appropriations Act, the legislature directed the Office of Program Policy Analysis and Government Accountability (OPPAGA) to review the Clerk of Court processes to propose efficiency and productivity standards; assess and compare organizational arrangements and deployment of personnel resources among all clerks' offices. The CCOC Legislative Committee and CCOC staff assisted in this review and OPPAGA published the report on November 15, 2019.

## APPENDIX ONE – BUDGET AUTHORITY AND EXPENDITURES

County Name	CFY 2018-19 Court-Related Budget Authority	CFY 2018-19 Court-Related Expenditures
Alachua	\$5,634,478	\$5,449,990.58
Baker	\$609,318	\$565,871.02
Bay	\$3,390,963	\$3,390,963
Bradford	\$643,534	\$536,757.87
Brevard	\$11,115,588	\$11,115,588
Broward	\$36,705,664	\$36,514,586.61
Calhoun	\$406,693	\$406,693
Charlotte	\$3,284,698	\$3,284,698
Citrus	\$2,191,658	\$2,191,658
Clay	\$3,171,152	\$3,171,152
Collier	\$6,187,449	\$5,514,929.52
Columbia	\$1,408,086	\$1,254,068.13
Desoto	\$727,070	\$726,998.47
Dixie	\$441,673	\$425,274.34
Duval	\$17,588,394	\$17,586,297
Escambia	\$6,244,314	\$5,728,246.65
Flagler	\$1,595,211	\$1,529,055.41
Franklin	\$592,227	\$592,227
Gadsden	\$1,059,586	\$1,059,586
Gilchrist	\$489,197	\$484,485.98
Glades	\$482,017	\$416,240.17
Gulf	\$448,173	\$425,864.77
Hamilton	\$432,807	\$432,807
Hardee	\$770,566	\$770,566
Hendry	\$987,157	\$978,977.83
Hernando	\$3,209,853	\$3,099,356.27
Highlands	\$1,686,635	\$1,685,104.88
Hillsborough	\$28,055,057	\$27,119,839
Holmes	\$567,484	\$514,570.89
Indian River	\$2,839,503	\$2,790,448.32
Jackson	\$995,231	\$800,113.68
Jefferson	\$399,371	\$377,299.34
Lafayette	\$270,644	\$270,644

County Name	CFY 2018-19 Court-Related Budget Authority	CFY 2018-19 Court-Related Expenditures
Lake	\$5,407,078	\$5,169,068
Lee	\$10,911,289	\$10,911,289
Leon	\$5,472,079	\$5,412,818.21
Levy	\$870,756	\$830,094.44
Liberty	\$275,350	\$275,350
Madison	\$510,301	\$510,301
Manatee	\$5,738,374	\$5,326,478.61
Marion	\$6,033,563	\$5,849,670.89
Martin	\$3,196,230	\$3,156,781.39
Dade	\$67,696,403	\$67,696,400
Monroe	\$3,282,275	\$3,149,053.89
Nassau	\$1,430,675	\$1,293,315.82
Okaloosa	\$3,402,079	\$3,401,808.80
Okeechobee	\$1,187,722	\$1,028,112.91
Orange	\$27,006,971	\$26,961,866.44
Osceola	\$6,535,519	\$6,535,519
Palm Beach	\$28,822,358	\$28,150,136.41
Pasco	\$10,434,730	\$10,434,730
Pinellas	\$21,402,811	\$21,100,540.71
Polk	\$11,573,392	\$11,213,125.28
Putnam	\$1,737,655	\$1,737,655
Santa Rosa	\$2,830,132	\$2,830,132
Sarasota	\$7,561,998	\$7,561,998
Seminole	\$8,324,931	\$8,318,721.08
St. Johns	\$3,404,737	\$3,239,794.35
St. Lucie	\$6,445,895	\$6,368,230.47
Sumter	\$1,647,397	\$1,647,397
Suwannee	\$994,218	\$994,218
Taylor	\$496,913	\$496,874.05
Union	\$412,787	\$412,787
Volusia	\$10,545,633	\$10,328,878.17
Wakulla	\$610,086	\$610,086
Walton	\$1,512,483	\$1,512,483
Washington	\$545,900	\$545,900
<b>TOTALS</b>	<b>\$412,892,171.00</b>	<b>\$406,222,573.65</b>



## APPENDIX TWO – CCOC EXECUTIVE COUNCIL

The CCOC Executive Council is composed of eight Clerks of the Court elected by their fellow clerks for a term of two years as well as representatives from the House, Senate, and Judicial branches as ex officio members. At a minimum, the Council meets quarterly to discuss and make decisions regarding CCOC business and budgetary matters.

The Chair of the Executive Council establishes the Chairs of each CCOC Committee as described in the Plan of Operation.



[Honorable JD Peacock, II](#)  
Executive Committee Chair  
Okaloosa County



[Honorable Jeffrey R. Smith,](#)  
[CPA, CGFO, CGMA](#) Executive  
Committee Vice-Chair  
Indian River County



[Honorable Tiffany Moore](#)  
[Russell, Esq.](#)  
Executive Committee  
Secretary/Treasurer  
Orange County



[Honorable](#)  
[Stacy Butterfield, CPA](#)  
Polk County Clerk &  
Comptroller



[Honorable John Crawford](#)  
Nassau County Clerk &  
Comptroller



[Honorable Todd Newton](#)  
Gilchrist County Clerk &  
Comptroller



[Honorable Laura E. Roth](#)

Volusia County Clerk &  
Comptroller



[Honorable  
Ronald Ficarrotta](#)

13th Judicial Circuit Judge  
Chief Justice of the Supreme  
Court Appointee



**VACANT**

Florida House of  
Representatives Appointee



[Honorable Harvey Ruvin,  
Esq.](#)

Miami-Dade County Clerk



[Honorable Angelina "Angel"  
Colonneso, Esq.](#)

Manatee County Clerk &  
Comptroller  
Florida Senate Appointee