

MINUTES
FLORIDA CLERKS OF COURT OPERATIONS CORPORATION
TUESDAY, DECEMBER 10, 2019 2:30 PM EST
EXECUTIVE COUNCIL MEETING
Via WebEx and Conference call

The December 10th, 2019 meeting of the Executive Council of the Florida Clerks of Court Operations Corporation (CCOC) was called to order by Executive Council Chair JD Peacock at approximately 2:30 PM. The Invocation was delivered by Clerk John Crawford. Clerk Moore Russell called Roll. Council Members present during the meeting were the Honorable JD Peacock, Honorable Jeff Smith, Honorable Tiffany Moore Russell, Honorable Angel Colonnese, Honorable John Crawford, Honorable Ron Ficarrota, Honorable Todd Newton, Honorable Laura Roth and the Honorable Harvey Ruvin. The Honorable Stacy Butterfield was not present. Chair Peacock thanked the members for attending.

APPROVAL OF AGENDA

Chair Peacock asked if there were any changes or additions to the agenda. There were no additions. A motion to approve the agenda was made by Clerk Ruvin and seconded by Clerk Newton. Chair Peacock asked if there was any discussion. Hearing none, the vote was taken, and the agenda was approved unanimously.

APPROVAL OF MINUTES – SEPTEMBER 30, 2019 and OCTOBER 1, 2019

Chair Peacock asked CCOC Secretary/Treasurer Clerk Moore Russell to present the minutes of the two previous meetings, September 30, 2019 and October 1, 2019. The minutes can be found in the meeting packet starting on page 2. Clerk Moore Russell asked if there were any revisions to the draft minutes as presented. There were none. Clerk Moore Russell made a motion to approve the minutes as submitted and Clerk Colonnese seconded the motion. The minutes were approved unanimously.

TREASURER'S REPORT

Chair Peacock called upon CCOC Secretary/Treasurer Clerk Moore Russell to present the Treasurer's Report. She noted that the CCOC 18-19 Final Budget was on page 16 in the packet. CCOC was under budget with 93.44% of the budget expended. The first month of the 19-20 Budget is found on page 17.

Clerk Moore Russell continued with the extension of the six contracts that are on the first extension of two. The vendors, services provided, and contract amounts are found on page 18 of the packet. Clerk Moore Russell made a motion to approve the contract extensions listed in the report on page 18. Clerk Newton seconded the motion. The floor was opened for discussion. Vice Chair Smith asked if Mr. Dew was ok with the extensions. Mr. Dew said he was. There was no other discussion and the vote was taken. The motion passed.

Next was the discussion of the HR Education and Compliance contract which expires December 31, 2019. The Krizner Group has offered to sign another contract for \$5,700 which is CCOC's current cost. Mr. Dew stated that with the cost and the service CCOC has received over the years, the staff would like to recommend approving the contract. Research was done with two others out-of-county firms. They were much more expensive and were in Jacksonville and Orlando which would include travel expenses. Clerk Moore Russell made a motion to approve the contract with the Krizner Group. Clerk Colonnese seconded the motion.

The floor was opened for any questions. Vice Chair Smith asked if the State offered any HR resources? Mr. Dew said that there was none. There was no other discussion and the vote was taken. The motion passed.

ANNUAL REPORT

Chair Peacock stated that he had read through the CFY 2018-2019 draft report which outlines the budget process and provides an overview of the operations and activities of the CCOC. The Draft Annual Report can be found in the packet on pages 21-37. Mr. Dew added that this is a statutory requirement of the CCOC. Mr. Jason Welty, CCOC's Budget and Communications Director will work with Chair Peacock to finalize the report before January 1, 2020. Chair Peacock asked the Council if they had any questions. Vice Chair Smith asked if Operation Greenlight, which happened after September 2019, was going to be mentioned. Mr. Welty answered yes and said it would be mentioned in the second draft of the report. There were no other questions. Clerk Roth made a motion to approve the 2018-2019 Annual Report and provide authority to the Council Chair to work with staff to finish the draft and prepare it for delivery to the Governor and Legislature by January 1, 2020. Vice Chair Smith seconded the motion. The vote was taken, and the motion passed unanimously.

FUNDING CONTINUITY PLAN

Chair Peacock asked Clerk Timmann, Chair of the CCOC's Legislative Committee to speak about the 2020 Funding Continuity Plan. She began by saying that the plan provides recommendations to

the legislature for providing adequate funding to the Clerks and meets CCOC's statutory obligation to "recommend to the Legislature changes in the amounts of the various court-related fines, fees, service charges, and costs established by law to ensure reasonable and adequate funding of the Clerks of the court in the performance of their court-related functions."

The Revenue Enhancement Committee met on September 11, 2019 to discuss the plan and then recommended the plan to the Legislative Committee. The Legislative Committee met on October 10, 2019 and voted to move the plan to the Executive Council.

Last year there were two recommendations that were adopted by the Legislature and are found on page 41 of the packet. The first was the elimination of the automatic sweep of the Clerks of Court Trust fund. This amount was \$10 million. The second recommendation was the authorization to carry forward unspent budget authority from the previous fiscal year. This amount was \$5.8 million. This year there is a list of seven ways to provide funding to carry out Clerks' statutory responsibilities. The list is found on pages 41-44. Lastly is an Administrative change that would establish a stabilized amount in the Clerks of Court Trust Fund to help protect Clerks when there is an unpredictable assessment and collection of fines, fees, service charges and court costs that are the basis for the statewide budget.

Clerk Timmann asked if there were any questions. Vice Chair Smith asked if the numbers could be defended? Clerk Moore Russell, Chair of the Revenue Enhancement Committee noted that they were best estimates. Chair Peacock added that the data was discussed at the meeting in September.

Chair Peacock asked if there were any more questions. Hearing none, Clerk Moore Russell made a motion to approve the 2020 Funding Continuity Plan. Clerk Smith seconded the motion. The vote was taken, and the motion passed.

19/20 BUDGET UPDATE

Jason Welty stated that the new numbers are in and October was a strong revenue month. The settle-up numbers were received yesterday after the \$5.4 million. He also stated there would be no huge settle-ups. Chair Peacock asked the Council, Clerks and staff if there were any questions. There were none.

20/21 CLERKS' BUDGET PROCESS DISCUSSION

Chair Peacock outlined the upcoming Budget Committee meetings that would begin in January 2020. He asked if there were any questions from the Council, Clerks or staff. There were none. He

continued by saying that he values that input from the staff at Clerks' offices and values the independence in the complex work environment.

PIE COMMITTEE

There are two items in the PIE report that are being reported by Doug Isabelle. Clerk Green was unable to attend the Executive Council meeting. The 4th Quarter Performance Measures and Action Plan report is found on page 45 of the packet. Mr. Isabelle highlighted the Collections and Timeliness Performances. The Collections had two highlights. First, all court divisions are meeting collection performance standards except for civil traffic and county criminal. Civil traffic court division is under the 90% standard at 84%. The county criminal court division slipped from the previous quarter and was slightly below the 40% standard at 39.7%. Forty-six Clerks needed action plans. The Timeliness had three highlights. First, overall, all court divisions were above the 80% standard for filing cases timely. Eleven Clerk offices required action plans for not filing cases timely. This was down from 13 last quarter. Secondly, overall, court divisions were above the 80% standard for docketing cases timely. Six Clerk offices required action plans which was down from ten the previous quarter. Lastly, staffing and need for cross-training continued to be the most cited reasons for not meeting both timeliness standards.

The PIE Chair worked with the CCOC staff to compile the information for the 4th quarter and the report has been posted on the CCOC website and we have met the 45-day statutory deadline. Clerk Crawford made a motion to ratify the report. Clerk Ruvin seconded the motion. Chair Peacock asked if there were any questions. Vice Chair Smith asked if all Clerks reported timely. Mr. Dew explained that the CCOC approved steps and procedures so timely reporting is done by the Clerks which were followed. There were no other questions and the vote was taken. The motion passed.

Mr. Isabelle reported on Operation Greenlight that was held in October 2019. At the time of this meeting, all 64 Clerks that participated reported their dollar amounts. A total of \$27 million was collected.

EXECUTIVE COMMITTEE STAFF PTO RECOMMENDATION FOLLOW-UP

At the October 1st Executive Council meeting there were questions on the amount of carry-over leave that was being allowed in the Paid Time Off (PTO) transition policy and the Council wanted staff to review this further and bring the issue back at the next Council meeting. The CCOC Chair worked with CCOC staff on this issue and would like to explain the reason for the amount of carry-over allowed in the PTO policy. Vice Chair Smith made the motion to confirm the amount of carry-over in

the PTO policy that was recommended by the Executive Committee. Secretary- Treasurer Moore Russell seconded the motion. Chair Peacock asked if there were any questions. Hearing none the vote was called. The motion passed.

TCBC REPORT

Chair Peacock called upon Judge Ficarrota to give the TCBC report. He stated that the TCBC met by conference call on November 13. Topics included court advisors, child support moratorium and \$300,000 for use by the Chief Judges. He added that there would be another conference call on December 18, 2019.

UPDATE ON CCOC OFFICE CONTRACT EFFORTS FOR DATABASE SERVICE

Clerk Chorvat met with the CCOC staff to discuss options for a future improved database system that would collect the data received from Clerks and provide easier access to the data. The project will be worked on during the next year.

LEGISLATIVE REPORT ON STUDY OF CLERKS' COURT RELATED OPERATIONS

The OPPAGA report was delivered to the Legislature in November 2019. Clerk Green's Committee with the FCCC is reviewing the report and will make recommendations on any issues they want to respond to. CCOC will wait on the work of that committee. The question was asked what should CCOC do? CCOC will wait until the FCCC is finished and then let Clerk Green bring this to the CCOC Budget Committee.

eNOTIFY UPDATE

Chair Peacock, Clerk Crawford and Clerk Moore Russell have been the representatives to the eNotify group. The project is up and running. Currently, there is the wait for the palm cards. There have been some technical tweaks, but those have been worked out. eNotify has not been rolled out statewide as of this date.

SIMILARLY SITUATED CLERKS STUDY

Originally CCOC staff worked with Legislative staff in the development of the "peer groups". The Executive Council then approved to have an outside consultant review the current peer grouping and provide recommendations every two years. The most recent study done by a consultant was provided in 2017. Last year the Executive Council approved delaying the bid process to seek a consultant until after the Clerks' CFY 19/20 budget was approved.

There has been interest in having Clerks and their staff, in addition to CCOC staff, review the current peer groupings and make recommendations for revisions to the Budget Committee for review for the 20/21 budget year. This would eliminate the cost of hiring an outside consultant. Clerk Cooney would lead this group. Clerk Roth noted that all Clerks need to have input on this. They would send their ideas to the Budget Committee. It would be the Budget Committee that would give them direction.

Clerk Crawford made a motion to approve a workgroup led by Clerk Cooney consisting of Clerk staff and CCOC staff. The Budget Committee will define the work to the group. Recommendations would be brought back to the Budget Committee for approval and then to the Executive Council for review and approval. Clerk Newton seconded the motion. Chair Peacock opened the floor for discussion. There was no discussion and the vote was taken. The motion passed.

Before the meeting adjourned, Chair Peacock called on Council members to express concerns and bring items forward. There was no further discussion and the meeting adjourned at 3:52 PM.