



EXECUTIVE COUNCIL MEETING

April 14, 2020

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

EXECUTIVE COUNCIL MEETING April 14, 2020

Meeting time: 3:00 to 4:00 PM

Conference Call Line: 415-655-0001; Access code: 479 588 553

Meeting link:

<https://flccoc.webex.com/flccoc/j.php?MTID=m03d5a1ef5b258944785a17f76d4e79b7>

Meeting number: 479 588 553; Password: ECMeeting

Call to Order.....Hon. JD Peacock

InvocationHon. John Crawford

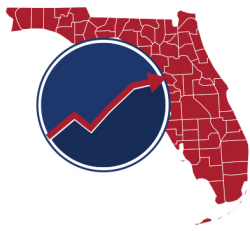
Roll CallHon. Tiffany Russell

1) Update on Clerks' Revenue Situation.....Hon. JD Peacock

2) Update on Research and CommunicationsJason Welty

3) CCOC Guidance MemoHon. JD Peacock

4) Other Business.....Hon. JD Peacock



CCOC

FLORIDA CLERKS OF COURT
OPERATIONS CORPORATION

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AGENDA ITEM 3

DATE: April 14, 2020
SUBJECT: CCOC Guidance Memo
COUNCIL ACTION: Recommend approval of CCOC Guidance Memo

OVERVIEW:

The CARES Act provides funding to states and local governments in response to COVID-19. As such, the Executive Council should provide guidance to all clerks on the availability of funds, as well as actions to take to receive funds.

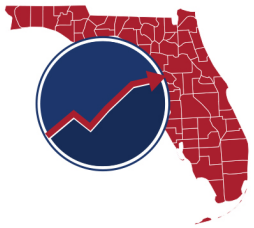
At this point, the U.S. Department of Treasury has not provided guidance, therefore, the recommendations from the Executive Council are preparatory in nature; have a plan, track expenditures, etc. CCOC would like the Council to formally adopt these recommendations to help keep all clerks on the same page and working together through this time of crisis.

COUNCIL ACTION: CCOC staff request approval of CCOC Guidance Memo

LEAD STAFF: John Dew, Executive Director
Jason Welty, Budget and Communications Director

ATTACHMENTS:

1. CCOC Guidance Memo



CCOC

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MEMO

DATE: April 14, 2020
TO: All Clerks
FROM: CCOC Executive Council
SUBJECT: CCOC Guidance

CCOC is committed to making sure we do everything within our power to assist the clerks as we see these unprecedented drops in revenue. As you know, we asked you last week to submit a survey about your revenue projections and a timeline of when you would be unable to make payroll. We are compiling those surveys and trying to tailor our assistance to all clerks.

CARES ACT

CCOC staff and the CCOC Executive Council are closely following the implementation of the CARES Act and we are providing this guidance memo today to assist you. CCOC staff believe the most direct route of federal funding from the CARES Act is the funding in the Coronavirus Relief Fund (CRF), which provides \$150 billion to state and local governments.

The Department of the Treasury's Inspector General has oversight and monitoring responsibility of the CRF. As of today, the Department of Treasury has not provided any interim rules or guidance memorandum on the implementation of the Coronavirus Relief Fund. The Act distributes the funding based on population and Florida should expect to receive approximately \$8.3 billion. What is unclear is how the Department of Treasury will disburse this funding or how clerks may be able to take advantage of these dollars. However, what we do know is what was in the CARES Act, which states,

USE OF FUNDS. — A State, Tribal government, and unit of local government shall use the funds provided under a payment made under this section to cover only those costs of the State, Tribal government, or unit of local government that—

1. are necessary expenditures incurred due to the public health emergency with respect to Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of the date of enactment [March 27, 2020] of this section for the State or government; and
3. were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

Given these criteria, CCOC staff believes clerks may not use the Coronavirus Relief Fund payments to directly account for revenue shortfalls. However, staff believes these funds may be able to take care of expenditures that you otherwise wouldn't have encountered.

COURT-RELATED EXPENDITURES

To potentially take advantage of the Coronavirus Relief Fund, clerks should begin tracking their expenditures relating to the Coronavirus. Clerks should track direct expenditures, such as the purchase of hardware (laptops) or software, such as VPN licenses, other telecommuting licenses (Zoom, Microsoft Teams, etc.). Clerks should also track personnel-related expenditures impacted by the Coronavirus. Clerks should track the salaries and benefits paid to a person in quarantine, a person requesting Family First Coronavirus Relief Act (FFCRA) leave to take care of a family member or child, or a person over 65 years old ordered to stay home by executive order who cannot work from home. These expenditures could potentially fall under the definition of not accounted for in the approved budget and necessary expenditures, but the Council recommends all clerks begin segregating their expenditures in the event they the Department of Treasury approves these types of reimbursements. Other potential expenditures would be any additional cleaning supplies, personal protective equipment (PPE), contact shields (plexiglass partitions for customer service stations), or any increases in the janitorial costs. The bottom line, clerks should track any expenditure that has a tie-in with the Coronavirus in an attempt to maximize the use of the Coronavirus Relief Fund.

Additionally, the CARES Act provides a FEMA Disaster Relief Fund that provides \$45 billion additional funds to FEMA's support activities covered by the agency's Disaster Relief Fund, including reimbursements to states and local governments under emergency and major disaster declarations. Like the guidance for tracking expenditures for the Coronavirus Relief Fund, the CCOC Executive Council recommends clerks segregate expenditures related to expenses incurred that are related to state and local disaster declarations.

The CCOC Executive Council expects all clerks to prepare for the worst while hoping for the best. We recognize the assistance provided in the CARES Act is not ideal as it does not simply replace lost revenue, and there could be an extended period before the Legislature holds a special session to administer these funds. Therefore, the CCOC Executive Council provides the following guidance related to your court funded administration:

1. Continue to track and complete all CCOC reports timely. Report urgent funding concerns to CCOC staff soon as you are able.
2. Clerks should suspend any new staff hires unless the position is critical to your court operations.
3. Clerks should minimize routine operational expenditures as much as possible.
4. Clerks should begin planning for what they will do in the event there is no statewide assistance.

CCOC Staff continues to work closely with our partners during this crisis. Jason Welty is in close contact with the members of the revenue estimating conference as well as the various

MEMO – CCOC GUIDANCE

78 legislative and governor staff responsible for court impacts. The council authorized the CCOC
79 staff in consultation with the Council Chair to promptly relay information to clerks as verified
80 information is available.

81
82 County Fiscal Year 2019-20 budgetary amendments and temporary cashflow solutions will
83 be presented to the council for discussion before possible adoption by the council. The
84 council intends to implement solutions that will provide sufficient cash flow to clerks to fund
85 court operations for the next 90 days and/or until a funding solution is put in place for the
86 remainder of this county fiscal year.