



EXECUTIVE COUNCIL MEETING
September 29, 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

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EXECUTIVE COUNCIL MEETING September 29, 2020

Meeting time: 2:30 PM – 4:30 PM

Conference Call Line: 415-655-0001; Access code: 172 789 3923

Meeting link: <https://flccoc.webex.com/flccoc/j.php?MTID=mab9d0624f8c85c288809d9512ba0e49d>

Meeting number: 172 789 3923 Password: CCOC

- Call to Order.....Hon. JD Peacock
InvocationHon. John Crawford
Roll Call.....Hon. Tiffany Moore Russell
- 1) Introduction and Agenda ApprovalHon. JD Peacock
2) Approve Minutes from Meetings
on 6/22/20, 6/26/20, 8/24/20Hon. Tiffany Moore Russell
3) Treasurer’s ReportHon. Tiffany Moore Russell
a) Review CCOC Office CFY 2019-20 Budget
b) Contract for Financial Service (QuickBooks)
4) Committee and Workgroup Reports
a) Budget CommitteeHon. JD Peacock
(1) CCOC Peer Groups
(2) Approval of Clerks’ CFY 2020-21 Budget
b) PIE Committee.....Hon. Laura Roth
c) Legislative CommitteeHon. Carolyn Timmann
d) Revenue Enhancement Committee.....Hon. Tiffany Moore Russell
5) Report on TCBC.....Hon. Judge Ficarrotta
6) Report on Compliance Efforts with CISDon Murphy
7) Update on Clerks’ Submitting CCOC Reports.....John Dew
8) Other Business.....Hon. JD Peacock

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
June 22, 2020 9:00 AM EST
EXECUTIVE COUNCIL MEETING**

Via WebEx and Conference call

The June 22nd, 2020 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 9:00 AM. Clerk Crawford began the meeting with an invocation. Clerk Russell called the roll. Council Members present during the meeting were the Honorable Peacock, Clerk Russell, Clerk Smith, Clerk Butterfield, Clerk Crawford, Clerk Newton, Clerk Roth, Clerk Ruvin, Clerk Colonnese and Judge Ficarrota.

INTRODUCTION AND AGENDA APPROVAL

Clerk Peacock began the meeting by thanking everyone for their time and hard work. Clerk Peacock then asked if anyone had any objections to the agenda. Seeing no objections, the agenda was adopted.

APPROVE MINUTES

Clerk Russell motioned to approve the minutes from the April 14, 2020, April 27, 2020, and June 5, 2020 meetings. Clerk Butterfield seconded the motion. Clerk Peacock asked if there were any questions, comments, or corrections, but there were none. The Council approved the motion unanimously.

TREASURER'S REPORT & PROPOSED WORK PLAN

Clerk Russell requested the approval of the CFY 2020-21 Corporation Office Budget Request in the form of a motion. Clerk Russell's motion was seconded by Clerk Colonnese. Clerk Peacock asked Council members if they had questions, which no one did. The Council approved the motion unanimously.

Clerk Russell continued with her next item for approval, renewal of the CCOC office lease. Clerk Russell motioned for approval which was seconded by Clerk Newton. Clerk Peacock asked the Council if they had any questions, which no one did. The Council approved the motion unanimously.

Clerk Russell moved on to her final item for approval, the CIS compliance contract of \$31,250 for a 1-year extension. This extension will be from July 1, 2020 to June 30, 2021. Clerk Russell made a motion for approval, which was seconded by Clerk Ruvin. Seeing no questions Clerk Peacock called for a vote. The Council approved the motion unanimously.

COMMITTEE AND WORKGROUP REPORTS

Clerk Peacock provided a verbal update from the **Budget Committee**. He explained that the Council adopted the Base Budget and the timeline of July 1 for requests over base budget. The next Budget Committee meeting will be mid-July. He said we will have received the additional budget funding requests from Clerks by then, will be receiving a report from the Honorable Gary Cooney on the groupings of similarly situated Clerks. He further mentioned that the Revenue Estimating Conference will be scheduled to meet on July 20th and will be providing us the revenue projections which will impact our draft expenditure budget. There were no questions from the members.

Clerk Green reported for the **PIE Committee**, in addition to the written report in the meeting packet. She reviewed the report included in the packet which included the work of Don Murphy with CIS as well as the Quarter 2 Performance Measures and Action Plans reports that was sent to the legislature and posted to the CCOC website. Doug Isabelle thanked Clerk Green for her many years of leadership to the PIE Committee. Clerk Peacock thanked the PIE Committee for all their hard work through the past years. Clerk Green also thanked Doug for his commitment to the PIE Committee. Clerk Peacock announced that the new PIE Committee Chair will be the Honorable Laura Roth, effective July 1st.

Clerk Peacock then stated that the **Legislative Committee** had nothing to report. He thanked Clerk Timmann for her work on this committee in partnership with FCCC's legislative team.

Clerk Peacock stated the **Revenue Enhancement Committee** also had nothing to report at this time.

Clerk Peacock gave his report regarding the **Electronic Notification Platform Workgroup**. He said they have been monitoring the budget this year. It is moving along seamlessly. There are some growth lessons we are learning along the way. At this point we are waiting to see if the funding for that program continues as the Legislature approved dollars, but we are waiting to see if the Governor approves the funding.

Clerk Peacock asked the Council if they had any questions regarding the committee reports; seeing none the meeting progressed.

REPORT ON TCBC

Judge Ficarrota gave an update from the Trial Court Budget Commission (TCBC), stating their next meeting to be held on June 23rd, 2020. It will be the first meeting since February. They will update the full Commission on the Executive Committee's responses to Covid-19, consider allocation recommendations and give planning for the 21/22 legislative budget request. He said the Commission looks forward to hearing from Clerks at that meeting. He will provide an update of today's CCOC meeting and then have Clerks and or staff present the budget issues they are facing. He said that after tomorrow's meeting, the next TCBC full Committee meeting will be August 6th. Clerk Peacock thanked him for the partnership we have with the Judges throughout the State.

TENTATIVE EC MEETING SCHEDULE FOR CFY 2020-21

John Dew directed everyone to page 44 of the meeting packet for the list of upcoming Executive Council meetings. Dates for July through September will be scheduled as needed. October 5, 2020 is the scheduled start meeting date during Fall Conference, February 23, 2021 the scheduled start meeting date during Winter Conference, and June 21, 2021 the scheduled start meeting date during Summer Conference. These dates are subject to change as it related to COVID-19.

SETTING OF CCOC ANNUAL CORPORATION MEETING

Clerk Peacock stated that due to COVID-19, The CCOC Annual Corporation Meeting will be set for a later date. The anticipated date is for July 24th, 2020; however, CCOC will send out a confirmation with the date and time.

CCOC 2020 EXECUTIVE COUNCIL ELECTION RESULTS

John Dew directed everyone to the election results on page 46 of the meeting packet. He said that despite some areas running unopposed, many Clerks voted. The results are as follows:

Population Group I: Clerk John Crawford
Population Group II: Clerk JD Peacock
Population Group III: Clerk Stacy Butterfield
Population Group IV: Clerk Harvey Ruvin

Clerk Peacock congratulated everyone and mentioned they will not need to be sworn in since they are all reelected. He then asked the Council if they had any questions regarding the results, which no one did.

ELECTION OF CCOC EXECUTIVE COUNCIL LEADERSHIP

Clerk Peacock thanked everyone who worked on the Council and committee. He also thanked CCOC staff. CCOC Staff helps make the process easier for clerk staff by streamlining the process and reports. He mentioned not having a consistent model/revenue stream through the fiscal year has created significant problems. Clerk Peacock turned it over to CCOC General Counsel Joe Boyd to run the election for Chair of the Executive Council.

Clerk Colonnese nominated Clerk Peacock. Clerk Ruvin seconded the nomination. There were no other nominations. The Council approved the nomination unanimously. Clerk Peacock was formally elected as Chair of the Executive Council.

Joe Boyd turned the meeting back to Clerk Peacock who then opened the floor for nominations for Vice Chair of the Executive Council Committee. Clerk Butterfield nominated Clerk Smith. Clerk Newton seconded the nomination. Seeing as there were no other

nominations, the Council approved the nomination unanimously. Clerk Smith was formally elected as Vice Chair of the Executive Council Committee.

Clerk Peacock opened the floor regarding nominations for Secretary/Treasurer of the Executive Council Committee. Clerk Butterfield nominated Clerk Russell. Clerk Crawford seconded the nomination. Seeing as there were no other nominations, the Council approved the nomination unanimously. Clerk Russell was formally elected Secretary/Treasurer of the Executive Council Committee.

Clerk Peacock recognized Judge Ficarrotta as our Supreme Court appointee who indicated that he hopes to remain on the Council. Clerk Peacock also brought up that the House Appointee position is still vacant.

Chair Peacock asked if there were any other Clerks statewide on the call that wanted to discuss any issues. Clerk Vick congratulated the reelected Council members. She then went on to express her gratitude for the Council, committee members and CCOC staff for their hard work. Clerk Peacock agreed with her.

Clerk Burke congratulated the reelected Council members as well. He then went on to express his thanks and gratitude to Judge Ficarrotta for his work and help with the Council. He also wanted to make sure that we had Clerks be able to speak at the TCBC meeting. Clerk Peacock responded to Clerk Burke in agreement.

OTHER BUSINESS

Clerk Peacock addressed the upcoming meetings for the week. Tuesday, June 23rd, 2020 will be the TCBC meeting from 9:00 AM – 11:30 AM. Friday, June 26th, 2020 is the scheduled Emergency Executive Council regarding budget cuts for each county. Clerk Peacock mentioned that decisions are based on estimates and will be updated as actuals come in and then it will be reported back to the Council. He noted that he hoped that our message of revenue shortfall was being heard by the Office of the Governor. The CCOC team and the advocacy team from FCCC are working together to look at guidance from Treasury as well as legal opinions to make sure we understand how any additional dollars provide to the State for the Pandemic could help us in our process. He thanked everyone that was working together in an advocacy mode and we would give a report at the June 26th on the efforts of our advocacy.

Clerk Peacock ended by thanking everyone for their time and effort. He then asked if anyone had any final questions or comments. There were none.

Marleni mentioned that the CCOC update for the Summer Conference will be June 23rd, 2020 from 10:20 AM – Noon. Clerk Peacock encouraged everyone to attend this presentation.

The meeting was adjourned at 10:08 AM.

DRAFT MINUTES
FLORIDA CLERKS OF COURT OPERATIONS CORPORATION
June 26, 2020 1:00 PM EST
EMERGENCY EXECUTIVE COUNCIL MEETING

Via WebEx and Conference call

The June 26, 2020 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 1:00 PM. Clerk Crawford began the meeting with an invocation. Clerk Peacock called the roll. Council Members present during the meeting were the Honorable Peacock, Clerk Smith, Clerk Moore-Russell, Clerk Butterfield, Clerk Crawford, Clerk Newton, Clerk Roth, Clerk Ruvin, Clerk Ficarrota, Clerk Colonnese, John Dew (Executive Director).

INTRODUCTION AND AGENDA APPROVAL

Clerk Peacock began by stating that an emergency Executive Council meeting requires a motion for the meeting and to adopt the agenda. Clerk Newton made the motion to hold the emergency meeting and approve the agenda which was seconded by Clerk Colonnese. Clerk Peacock then asked if anyone had any discussion or objections to the meeting or agenda. Seeing no objections, motion passed unanimously.

PROPOSED BUDGET REDUCTION

Clerk Peacock asked Jason Welty, CCOC Budget and Communications Director, to provide an overview and explanation of the Budget Reduction Revision spreadsheet. Mr. Welty thanked everyone for their presence and feedback upon his release of the budget scenario spreadsheet. He recalled the great historical significance of the COVID-19 pandemic, and its groundbreaking impact on the economy. He spoke about the collections across the state observing a significant decrease, specifying two months collecting only \$21.5 million, the lowest in CCOC budget history. While the June revenues look better, the situation of the pandemic continues to remain fluid, giving no clear guidelines as to what can be expected in the future. Mr. Welty states that we are observing a shortfall of likely \$60 million, come August, providing over a 13% budget shortfall for this county fiscal year.

Clerk Peacock called for questions from Executive Council members. Clerk Roth asked Mr. Welty for clarification regarding the true budget cut that the Clerks will find in their internal offices. The budget cut is absorbed in the last quarter, which would increase Clerk Roth's true budget cut to 42.7%. Clerk Peacock responded, validating Clerk Roth's concern that the fourth quarter cut will dramatically impact the Clerks' budgets. Clerk Peacock recognized the offices that have found ways to cut the budget, to say that those offices will feel less of an impact in the fourth quarter. Mr. Welty explained that this pattern occurred based on each clerk's budget authority number and spending patterns. Clerk Peacock stated that nearly 90% of each clerk's budget is compiled of personnel, and because of that, it is nearly impossible to make a 40% budget cut.

Clerk Butterfield mentioned that the fourth quarter starts on July 1st, and regardless of one clerk's spending habits, the budget cut remains widely dramatic. The budget cut would impact all Clerks' ability to provide services, greatly concentrated in a three-month period.

Clerk Moore-Russell added that certain Clerks have received word from their respective counties that they will obtain financial assistance. Clerk Moore-Russell asked if or how this will be considered in planning the intricacies of the budget itself, upon cuts. Clerk Peacock replied stating that CCOC holds a great responsibility to serve all counties, and before considering the impact of each county's commitment to their Clerks, a decision needs to be made regarding the budget. Clerk Moore-Russell pointed out that it is difficult for her to explain to her County that she is in need of financial help from the county when at the same time as a Surplus Clerk she is sending up excess revenues to the CCOC Trust Fund. Clerk Peacock stated that a conversation regarding county contribution to Clerks must occur with the entire Budget Committee, to help all understand the impact it will have on each county's financial state.

Clerk Newton commented that court functions are supposed to be funded through the State. He stated that this situation has brought to light how broken the system has been regarding the way courts have been funded. He stated that while there is no solution right now, we must keep working toward a solution. Clerk Peacock replied reminding that court related duties are State functions and commented that it is hard to remain a team-player when there is lack of funding. He mentioned the struggle of stability within the court, in relation to time related situations. He stated that advocating for a financial stability model is incredibly important to move forward. He noted that the communication from the staff of the Governor's Office, the budget office, our legislative partners has been great through this as they are all reaching out and trying to understand. Where we are today however is that we just have not gotten a commitment to resolve the problem. Creating a budget for the following year, utilizing some sort of reserve, and communicating properly needs to the State office will aid the CCOC in moving forward.

Clerk Ruvin acknowledged the challenges occurring due to the global pandemic. He recognized that looking at available revenues, problems have been created out of nowhere. The pressure must now be put on the Governor as we provide statewide services, he stated. Clerks have started making their cuts to make the budget cut percentage, but this cut cannot be done alone. He stated that each day waiting for help from the Governor is another day in which the budget erodes quickly so he needs to decide now.

Chair Smith agreed with the previous statement made by Clerk Newton and understood Clerk Moore Russell's point. He said that all counties must receive, or strive to receive funding from their county government, as Clerks must work hard to make ends meet right now. Clerk Peacock agreed, stating that Clerks must do all they can to get by.

Clerk Crawford stated that he is really grappling and explained that if temporary solutions continue to pop up, they will fall through eventually. This situation is an ongoing situation and will not disappear one day. In making the right decision, Clerks must make long term decisions. Clerk Peacock then asked if any other Council members wanted to weigh in. Then,

he opened the floor to anyone on the call, as there were no Council members wanting to weigh in.

Clerk Green, as FCCC newly elected President and Clay County Clerk, commented that in making cuts to the budget, Clerks are required to cut jobs, and therefore, people, from the staff. As the court and citizens return to normal, dollars are translated to true dollars. She stated her extreme concern with the next quarter, but also the domino effect that will take place going into the next fiscal year.

Clerk Kinsaul, Bay County Clerk, agreed with Clerk Moore Russell's previous comment, and its great impact on the surplus counties. He stated that he has held 12 years of frustration with this budget process. Although his county was prepared for a 9% cut, a 13% cut has shattered his original data findings. He mentioned that a hybrid of the state and county budget processes might be helpful moving forward. To meet this number will require laying off many staff members and going to the county commission will be a hard thing to do in asking them for more money considering we are sending in excess funds to the CCOC Trust Fund.

Clerk Kinzel, Collier County Clerk, agreed with Clerk Kinsaul in the overwhelming frustration as a surplus county. She stated that it is hard to defend the request for more money from her county when there is a healthy flow of revenue. She stated that some months, she might end underfunded, when there is a revenue surplus by nature. Clerk Kinzel stated that the Executive Council must act now and move forward.

Clerk Daughtery, Desoto County Clerk, thanked everyone for their work. She agreed with Clerk Ruvin's comment earlier that we need a response from the Governor's office now. She stated that as we demonstrate that we take this deep of a cut, but continue to somehow do our jobs, the State will believe we are just crying wolf. I don't believe they will hear our message if we keep figuring it out when it is their responsibility to fund us properly.

Clerk Ellspermann, Marion County Clerk, agreed with Clerk Ruvin that the issue needs to be addressed. He stated that he will not go to his county and ask for dollars, as this is a state revenue and not county problem. He stated that he has worked with the budget cuts, and closed offices one day a week to adjust. In doing so, he salvages the salary at stake for the budget. He asked, if a Clerk chooses to do so, will the Council be in support of closing offices? Clerk Peacock responded saying that it is indeed a state responsibility from a funding standpoint, but as each Clerk is individually elected, they must make independent decisions on how to react. Due to that statement, he said he does not see the Council weighing in on the ways in which Clerks adjust operations for budgeting purposes. Moving forward, the CCOC will collect information on how each Clerk reacted to the budget cut to communicate to the Governor and Legislature what has happened independently from county to county. He encouraged that each Clerk creates a way to support their community.

Clerk Ruvin explained that the COVID-19 global pandemic has been the root of these budget cuts. He said that he's gone to his county but has received little to no assistance. He asked if we have considered applying for the CARES Act as a remedy. Clerk Peacock explained that

they have certainly investigated the CARES Act, and far beyond that for funding. He stated that this might not be the proper form now for funding, regarding legal interpretation.

Clerk Baker, Lafayette County Clerk, asked what amount of revenue was sent back to the State. Mr. Welty explained that \$5 million was sent back last year from revenues. Clerk Baker then asked a follow up question regarding the CARES Act, wondering if there is an administrative fee Clerks could receive if they are helping receive and administer CARES Act funds. Clerk Peacock said he was unsure but will make note of the question.

Clerk Chorvat, Hernando County Clerk, stated that this task has been very challenging. He mentioned that it is wrong that the Clerk have not had the ability to have a reserve or set aside for the kind of problems we are facing.

Clerk Alvarez, Pasco County Clerk, stated that COVID-19 has magnified the broken funding model system within the Clerk community. Conflict arises with terms such as funded counties, surplus counties, etc. Clerk Alvarez said that the county is providing funds for the court that the State should be funding. She stated that courts are at a deficit as far as reserves and this is a problem for us.

Clerk Roth stated that the fault is not on the counties, but the needs shown are on the State side. The budget cuts necessary are going to devastate the staffing numbers, which is not something counties want to do. The State is responsible for this budget deficit and suggested that the Council could use an update from the State to see what their plans are. Clerk Peacock states that he is sure that the State understands their financial hardships in this time. He stated they recognize the severity, but he is unsure they can do anything to adjust greatly.

Clerk Peacock concluded that the final estimate of budget deficit is a 13.1% cut to the overall budget.

Clerk Butterfield motioned to implement the budget cuts, as presented on the spreadsheet, and that the Council allows the CCOC to adjust the spreadsheet as needed. Clerk Smith seconded that motion.

Clerk Peacock acknowledged how challenging these decisions are to be made. He called the question to vote.

The motion is adopted by verbal vote.

Clerk Peacock stated that this issue will now be moved back to the responsibility of the Budget Committee. All are welcome to attend the Budget Committee meeting to provide any insight, said Clerk Peacock.

OTHER BUSINESS

There was no other business.

Meeting was adjourned at 2:28PM.

DRAFT MINUTES
FLORIDA CLERKS OF COURT OPERATIONS CORPORATION
August 24, 2020 11:00 AM EST
EMERGENCY EXECUTIVE COUNCIL MEETING

Via WebEx and Conference call

The August 24, 2020 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 11:00 AM. Clerk Crawford began the meeting with an invocation. Clerk Russell called the roll. Council Members present during the meeting were the Honorable Clerk Peacock, Clerk Smith, Clerk Russell, Clerk Butterfield, Clerk Crawford, Clerk Newton, Clerk Roth, Clerk Ruvin, Judge Ficarrota, and Clerk Coloneso.

INTRODUCTION AND AGENDA APPROVAL

Clerk Peacock began by stating that an emergency Executive Council meeting requires a motion for the meeting and to adopt the agenda. Clerk Butterfield made the motion to hold the emergency meeting and adopt the draft agenda. Clerk Coloneso seconded the motion. Clerk Peacock asked if anyone had any objections to the meeting or agenda. Hearing no objections, the Council adopted the agenda by consent.

SPENDING AUTHORITY REVISION

Clerk Peacock asked Jason Welty, CCOC Budget and Communications Director, to provide an overview and explanation of the Spending Authority Revision spreadsheet. Mr. Welty explained the calculations for the spending authority, which were the result of additional revenue collected in June and July, as well as a projected increase in August.

Clerk Peacock called for questions from the Executive Council members. Clerk Smith asked how the additional amount was distributed. Mr. Welty explained that the Budget Committee made a motion at the last meeting to do a pro-rata distribution to all counties. Counties had the opportunity to donate their share of the pro-rata distribution or request additional spending authority. If a county requested additional authority, there was a second pro-rata distribution to the Clerks who requested additional funding.

Clerk Peacock opened the floor to questions from other Clerks on the line or their staff. Clerk Vick asked Mr. Welty to explain where on the spreadsheet you could locate which Clerks had donated and how much. Mr. Welty explained that to get the mathematical equations to work, he removed the donated amounts from Column D titled "Additional Authority \$3,849,576" but could bring that information back up.

Clerk Burke thanked Clerks for donating their additional spending authority. He stated that Clerks do not have a crystal ball to see into the future when moratoriums are lifted on tenet evictions. In his county, he currently sees about 25 percent of what they normally process.

He also stated that he hopes the Executive Council can work with the REC to increase the Clerk's revenue projection should higher revenues start to come in. He stated that the cuts for the upcoming fiscal year are unbearable and he would like to see flexibility and continued conversations.

Clerk Peacock mentioned that he had conversations with the FCCC Legislative team and CCOC leadership on continuing to seek assistance from the Governor's office. Any assistance that would come in the last month of the current fiscal year may have to be rolled into next year to be fully utilized.

Clerk Cooney asked how it was determined that a Clerk's office needed additional assistance, and Mr. Welty explained that Clerks sent him an email stating they needed more assistance than the proposed increase. The spending authority adjustment was done for all Clerks and can be seen in Column F titled, "CFY 2019-20 Spending Authority with adjustment." Clerk Cooney said that he felt some Clerks were in more of a need than others, but with the distribution being made pro-rata, it may have unfairly left them with not as much as others. Clerk Peacock agreed that might have been the case, but there is no time to do any other distribution; however, he would be open to seeing options for the future. Clerk Cooney agreed that there isn't time to adjust now but would also like to see something established for the future.

Clerk Peacock pointed out that at the Budget Committee meeting, he is open to using any tools the committee can come up with and encouraged everyone to tune in tomorrow, August 25, 2020.

Clerk Cooney also asked if the counties that asked for an additional distribution gave a specific amount they needed or if the additional spending authority was just distributed pro-rata. Mr. Welty indicated that only one county gave a specific amount.

Clerk Russell asked for confirmation that the first distribution of the additional funding went to all Clerks and then the total of those who donated their amount was disbursed only to those who asked for additional funding. Mr. Welty confirmed her assessment.

Clerk Peacock called for a motion to adopt the recommended final CFY 19/20 spending authority as found in the meeting packet. **A motion was made by Clerk Jeff Smith and seconded by Clerk Colonnese. With no debate, a vote was taken, and the motion passed unanimously.**

Clerk Peacock notified everyone on the call that they should go ahead and use the spreadsheet in today's packet to update their spending authority. CCOC staff will update appropriate forms and send out revised budget letters.

OTHER BUSINESS

Clerk Peacock again reminded everyone of the upcoming Budget Committee Meeting. It is scheduled for 9 AM to 4 PM on August 25, 2020. The morning will focus on the funding

requests. The afternoon will take those decisions made in the morning and update the reduction spreadsheets. If no agreement can be found, then subsequent meetings will be called.

Clerk Russell asked if Clerks would be giving presentations on their budget requests. Clerk Peacock informed her since there would be reductions taken, he determined that the information provided in their submission would be sufficient for the committee. Clerk Russell just wanted to make sure that all counties felt they had an opportunity to speak. Clerk Peacock assured her that anyone on the call would be given the opportunity to speak.

The next Executive Council meeting is scheduled for September 29, 2020, as part of the FCCC's Virtual Fall Conference. Clerk Peacock hopes that a final budget decision can be made before that meeting.

The meeting was adjourned at 10:30 AM.

DRAFT



CCOC

FLORIDA CLERKS OF COURT
OPERATIONS CORPORATION

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AGENDA ITEM 3a & 3b

DATE: September 29, 2020
SUBJECT: CCOC Treasurer’s Report
COUNCIL ACTION: Accept August CCOC Financial Report and Approve Contract

OVERVIEW:

Each regular CCOC Executive Council Meeting the Treasurer provides the latest financial report on CCOC office expenditures. Also, when there is a consideration of hiring contractual services to help with the administration of the CCOC financial office duties such contracts are usually provided by the CCOC Treasurer.

Item #3a: August 2020 Financial Report

Through 11 months of the county fiscal year the CCOC Office has expended approximately 66% of their budget authority. Last year through 11 months we were at approximately 75% and the year before for 11 months at just over 82%. The reasons for the lower expenditures this year have much to do with the impact of the pandemic. We have had no travel since March during months that are typically the highest for office travel. Also, we have not filled two of the vacant positions during this time and do not plan to until the office begins to return to a more normal workday. While significantly under budget in total, we are over budget in the expense category of “OPS” (Other Personnel Service) due to earlier in the year hiring an individual to help CCOC staff with technology needs of extracting data from our budget forms. Likewise, we are over the budget category of “communications” due to increasing payment for WebEx services earlier in the year as recognized that during the pandemic we would need a more robust WebEx product allowing for more participants (**Attachment 1**).

COUNCIL ACTION: Accept August CCOC Financial Report.

Item #3b: Contract for Financial Services

Due to the retirement of our Office Manager Mary Baker, and the difficulty in finding a suitable replacement during the pandemic, the office financials and payroll process have been handled temporarily by other CCOC staff. However, the current staff recognize they do not

have the proper skills in handling the finances using the QuickBooks software. An option to hiring a fulltime Office Manager for now is to seek the services of someone with QuickBooks skills for approximately 15 hours per month. Due to the emergency nature of needing someone available immediately, we request we do not go through a formal bid process but contract with Brenda Sorensen whose firm has been utilized by our General Counsel’s office for more than a decade. CCOC staff met with Ms. Sorensen and she has the skills to immediately help us assure payroll is paid accurately and timely, as well as our finances reconciled each month accurately and to the required standards.

The proposed contract (**Attachment 2**) would allow services to begin upon the signature of Ms. Sorensen and the CCOC Chair and such contract could be no more than \$17,100 annually.

COUNCIL ACTION: Approve contract for vendor to help CCOC office with financial services.

LEAD STAFF: John Dew, CCOC Executive Director

ATTACHMENTS:

1. August Financial Report
2. Draft Contract for Financial Services

**CCOC Budgetary Report
County Fiscal Year 2019 - 2020
(October 1, 2019 - September 30, 2020)**

	Budget Category Amount	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Year to Date Expenditures	(%) of Budget Expended
CCOC STAFF:	\$874,441.46	\$64,521.55	\$64,662.43	\$64,411.31	\$69,072.36	\$65,418.51	\$63,423.84	\$65,885.77	\$59,397.93	\$61,126.78	\$61,445.97	\$61,916.91	\$701,283.36	80.20%
Executive Director	\$134,543.00	\$11,211.92	\$11,211.92	\$11,211.92	\$11,211.92	\$11,211.92	\$11,211.92	\$11,772.51	\$11,772.51	\$11,772.51	\$11,772.51	\$11,772.51	\$126,134.07	93.75%
Deputy Executive Director	\$106,019.00	\$8,834.92	\$8,834.92	\$8,834.92	\$9,276.66	\$9,276.66	\$9,276.66	\$9,276.66	\$9,276.66	\$9,276.66	\$9,276.66	\$9,276.66	\$100,718.04	95.00%
Budget & Communications Director	\$82,915.00	\$6,909.58	\$6,909.58	\$6,909.58	\$7,255.06	\$7,255.06	\$7,255.06	\$7,255.06	\$7,255.06	\$7,255.06	\$7,255.06	\$7,255.06	\$78,769.22	95.00%
Budget Manager I	\$37,867.60	\$3,155.63	\$3,155.63	\$3,155.63	\$3,281.86	\$3,281.86	\$3,281.86	\$3,281.86	\$3,281.86	\$3,281.86	\$3,281.86	\$3,281.86	\$35,721.77	94.33%
Budget Manager I	\$46,865.00	\$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%
Budget Manager I	\$46,865.00	\$3,905.42	\$3,905.42	\$3,905.42	\$4,061.63	\$4,061.63	\$4,061.63	\$4,061.63	\$4,061.63	\$4,061.63	\$4,061.63	\$4,061.63	\$44,209.30	94.33%
Sr. Budget Manager	\$67,380.48	\$5,615.04	\$5,615.04	\$5,615.04	\$5,839.64	\$5,839.64	\$5,839.64	\$5,839.64	\$5,839.64	\$5,839.64	\$5,839.64	\$5,839.64	\$63,562.24	94.33%
Executive Assistant/Human Resources	\$40,500.00	\$3,375.00	\$3,375.00	\$3,375.00	\$3,476.25	\$3,476.25	\$3,476.25	\$3,476.25	\$3,955.50	\$1,123.36	\$641.92	\$598.46	\$30,349.24	74.94%
Internal Revenue(Corporation Responsibility)	\$55,000.00	\$3,302.37	\$3,358.66	\$3,127.54	\$3,666.26	\$3,643.66	\$3,677.38	\$3,303.22	\$3,412.20	\$3,224.12	\$3,201.06	\$3,238.24	\$37,154.71	67.55%
Retirement, Benefits, Workers' Comp and Other	\$256,486.48	\$18,211.67	\$18,296.26	\$18,276.26	\$21,003.08	\$17,371.83	\$15,343.44	\$17,618.94	\$10,542.87	\$15,291.94	\$16,115.63	\$16,592.85	\$184,664.77	72.00%
OPS STAFF:	\$22,000.00	\$2,328.00	\$3,041.25	\$5,037.75	\$3,206.00	\$5,125.00	\$5,185.00	\$455.00	\$830.00	\$1,204.00	\$1,384.00	\$1,913.33	\$29,709.33	135.04%
GENERAL EXPENSES:	\$85,159.54	\$8,922.47	\$7,176.40	\$4,876.97	\$5,963.19	\$5,677.56	\$4,701.73	\$10,306.30	\$4,398.29	\$4,407.22	\$7,674.97	\$9,242.18	\$73,347.28	86.13%
Rent (including Utilities)	\$45,159.54	\$3,480.90	\$3,393.62	\$3,492.28	\$3,382.15	\$3,368.44	\$3,390.32	\$3,385.19	\$3,311.55	\$3,443.17	\$3,473.12	\$3,513.55	\$37,634.29	83.34%
Communications (+ Internet and Phone)	\$5,000.00	\$342.43	\$306.44	\$287.75	\$309.61	\$289.02	\$300.51	\$2,075.48	\$282.20	\$275.68	\$271.14	\$453.45	\$5,193.71	103.87%
Equipment, Supplies and Other	\$35,000.00	\$5,099.14	\$3,476.34	\$1,096.94	\$2,271.43	\$2,020.10	\$1,010.90	\$4,845.63	\$804.54	\$688.37	\$3,930.71	\$5,275.18	\$30,519.28	87.20%
TRAVEL:	\$60,400.00	\$4,661.09	\$729.54	\$990.52	\$1,438.60	\$2,811.08	\$2,531.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$13,161.83	21.79%
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:	\$330,563.00	\$16,837.50	\$13,665.00	\$19,640.00	\$10,042.50	\$22,671.00	\$10,541.00	\$12,538.50	\$11,596.50	\$13,747.50	\$8,135.00	\$11,063.75	\$150,478.25	45.52%
General Counsel	\$111,000.00	\$3,507.50	\$440.00	\$1,080.00	\$170.00	\$5,588.50	\$1,836.00	\$2,486.00	\$3,464.00	\$4,340.00	\$1,580.00	\$2,930.00	\$27,422.00	24.70%
FY 18-19 Survey, Reporting, and Other Services	\$203,563.00	\$13,330.00	\$13,225.00	\$12,560.00	\$9,872.50	\$9,082.50	\$8,705.00	\$8,152.50	\$8,132.50	\$9,407.50	\$6,555.00	\$8,133.75	\$107,156.25	52.64%
Audit Services	\$16,000.00	\$0.00	\$0.00	\$6,000.00	\$0.00	\$8,000.00	\$0.00	\$1,900.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15,900.00	99.38%
EDUCATION SERVICES	\$354,533.00	\$0.00	\$0.00	\$0.00	\$71,900.00	\$50,000.00	\$0.00	\$0.00	\$51,100.00	\$0.00	\$0.00	\$0.00	\$173,000.00	48.80%
TOTALS:	\$1,732,097.00	\$97,270.61	\$89,274.62	\$94,956.55	\$161,622.65	\$151,703.15	\$86,382.57	\$89,185.57	\$127,322.72	\$80,485.50	\$78,639.94	\$84,136.17	\$1,140,980.05	65.87%

*CCOC Staff has the authority to spend beyond category amounts as long as they stay within the Annual Budget Authority.

J.D.
9/10/2020

WR
09/10/2020

PROFESSIONAL SERVICES AGREEMENT

This Agreement made this 29th day of September, 2020, between the Florida Clerks of Court Operations Corporation (hereinafter the "Corporation"), having its principal place of business at 2560-102 Barrington Circle, Tallahassee, Florida 32308 and Brenda Sorensen, EA, 264 N Cherry Street, Monticello, Florida 32344 (hereinafter "Vendor").

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

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

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

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

WHEREAS, due to Covid-19 and the retirement of the CCOC Office Manager it is our best short-term interest to hire out under contract immediately the services of a Vendor readily familiar with the CCOC operations, having extensive QuickBooks Payroll experience and experienced in reconciling finances to bank statements; and

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

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

SECTION 1: SERVICES

- 1.1 The Corporation hereby retains Vendor to furnish certain services, information and items as provided below, but reserves the right to select additional contractors.
- 1.2 Services that may be provided by Vendor to the Corporation pursuant to this Agreement and hereinafter defined shall include specific areas of:
 - A. QuickBooks Payroll services and monthly reconciliation to bank statements.
- 1.4 Services to be provided by Vendor as delineated and hereinafter defined shall be provided as desired and to the extent determined by the Corporation, as directed.
- 1.5 Services can be provided by Vendor at their place of business as the CCOC will setup the capability for connection to the CCOC server.

SECTION 2: DEFINITION AND SCOPE OF SERVICES

Services provided by Vendor pursuant to this Agreement shall be as defined below within the scope and tasks as established.

- 2.1 Provide monthly reconciliation of bank statements and provide these to the CCOC Executive Director for review.
- 2.2 Enter into QuickBooks financial information monthly on all CCOC payments.
- 2.3 Using QuickBooks software enter and ensure all payroll related payments.
- 2.4 Working with CCOC Executive Director and CPA, ensure on a monthly basis all payroll related expenses such as worker's compensation, insurance, retirement, federal payroll taxes, etc... are tabulated and paid.

SECTION 3: COSTS

3.1 Rate of Payment

The Corporation's performance and obligation to pay under this contract is contingent upon an annual appropriation by the State of Florida Legislature. Payment for production labor by the Corporation to the Vendor shall be based on the hourly production rate of \$95 per hour. Total contract costs not to exceed \$17,100. Said rates encompass all employee related expenses such as federal taxes, insurances, retirement, and other federal and/or state required costs and Vendor's overhead related expenses.

3.2 Direct Costs

The Corporation shall reimburse the Vendor for direct costs incurred by Vendor in providing services under this Agreement. Such costs shall include postage, telephone, travel/per diem (subject to state policy and Section 112.061, F.S.), and material/supplies.

3.3 Invoices

The Vendor shall invoice the Corporation upon acceptance of a deliverable by the Corporation, or where appropriate, by the fifteenth of each calendar month for the costs for services rendered by Vendor hereunder for the previous calendar month. Such invoice shall identify the services performed, the dates of such service, Vendor's employee(s) performing service, production labor rate for the applicable employee, and hours worked in rendering such service. Direct expense reimbursements, included on invoice shall be supported by appropriate documentation. Invoices are to be provided to the CCOC Executive Director by the 15 of the following month that the work was conducted. Invoices received more than thirty (30) days past the due date are subject to a reduction of payment by 2% per month for each month it is past due. The Corporation shall pay such invoices within thirty (30) days of receipt subject to availability of funds.

All invoices of Vendor shall be subject to approval of the Executive Director and Corporation Secretary/Treasurer. The Corporation shall pay such invoices within thirty (30) days of receipt, subject to availability of funds.

Upon termination of the contract, the Corporation shall provide payment to the Vendor for approved costs incurred up to the date of termination

SECTION 4: TERM OF AGREEMENT

4.1 Term

This Agreement shall be effective upon the later of the dates signed by the parties and continuing until the Agreement is terminated or canceled under provisions of the Agreement, but no later than September 29, 2021.

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

4.2 Termination Limitations

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

4.3 Termination

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

4.4 Mutual Rescission

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

4.5 Cancellation

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

4.6 Cancellation Without Notice

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

- (a) Fraud or Dishonesty: The Corporation or the Vendor commits an act of fraud or dishonesty pursuant to the provisions of this Agreement;

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

SECTION 5: RESPONSIBILITIES OF VENDOR

- 5.1 Vendor fully understands and agrees that there shall be no reimbursement of funds by the Corporation for any obligation or expenditure made prior to the execution of this Agreement.
- 5.2 All direction for services shall be either verbally or in writing by the Executive Director or the Executive Director's designee.
- 5.3 All services described in the Agreement shall be performed by and/or under the direct supervision of Brenda Sorensen, (telephone number 850-342-1040), or another person of similar experience designated by Vendor and approved, in writing, by the Corporation's Contract Manager. For the purposes of this Agreement, such approved person shall be considered the Vendor.
- 5.4 All notes and work product associated with this Agreement shall be open for review by the Corporation's Contract Manager during Vendor's normal working hours.
- 5.5 Vendor shall be responsible for all work performed under the terms of this Agreement. It is agreed that none of the services performed under this Agreement shall be subcontracted to any individual or firm without the prior written consent of the Corporation's Contract Manager. It is understood that these subcontractors shall only work in their area of expertise. The Corporation reserves the right to require the Vendor to remove a subcontractor if, during the term of this Agreement, any work performance of the subcontractor deemed unsatisfactory by the Corporation.
- 5.6 Vendor shall retain financial records, supporting documentation, statistical, and all other records pertinent to this Agreement for a period of three (3) years after final payment is made, except that such records shall be further retained until final resolution of any matters resulting from any litigation, claim, or audit that started prior to the expiration of the retention period. The retention period commences from the date of the submission of the final expenditure report. The records and documents shall be made available to the Corporation upon request. Vendor agrees that all records referenced in this paragraph, and any other records relative to this Agreement, shall be maintained by the Vendor at a location within the state of Florida.
- 5.7 All records of the Vendor with respect to this Agreement shall be public record and shall be treated in the same manner as other public records are treated under general law.

SECTION 6: MISCELLANEOUS

- 6.1 Confidentiality

Expect as provided above, the Vendor recognizes and acknowledges that the functions the Corporation performs may provide access to matters, which are, by Florida Statute, confidential (hereinafter referred to as

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

6.2 Relationship of Parties

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

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

6.3 Assurances

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

6.4 Conflict of Interest

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

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

6.5 Discrimination

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

6.6 Entire Agreement

This Agreement contains the entire understanding of the parties relating to the Services and supersedes all previous verbal and written Agreements relating to the Services.

6.7 Severability

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

6.8 Captions

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

6.9 Counterparts

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

6.10 Governing Law

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

6.11 Notice

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

CORPORATION

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

Vendor

Brenda Sorensen EA
264 N Cherry Street
Monticello, Florida 32344

6.12 Pronouns/Gender

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

6.13 Equitable Remedies

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

6.14 Litigation Expenses

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

6.15 Waiver

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

6.16 Assignments

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

6.17 Public Announcements

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

6.18 Arbitration

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

6.19 No Minimum Level of Work

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

6.20 Fraud Policy

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

6.21 Background/Objective

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

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

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

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

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

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

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

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

Definitions and Examples of Fraud, Waste, Abuse and Corruption

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

- Forgery or alteration of a check, bank draft, any other financial document, or computer records;
- Falsification or misrepresentation of reports to management and external agencies, including time sheets, official travel claims for reimbursement, or other expense reimbursement reports;
- Knowingly authorizing or receiving payment for time not worked;
- Misappropriation of funds, securities, supplies, or other assets;
- Impropriety in the handling or reporting of money or financial transactions;
- Engaging in unauthorized activities that result in a conflict of interest;
- Disclosing confidential or proprietary information to unauthorized individuals;
- Removal of agency property, records, or other assets from the premises without supervisory approval;
- Unauthorized use or destruction of agency property, records, or other agency assets; and
- Taking and using information or providing the information that would lead to identity theft.
- Theft of cash or fixed assets;
- Failure to account for monies collected;
- Knowingly providing false information on job applications and requests for funding;

6.22 Investigate

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

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

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

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

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

6.23 Actions

Employees, consultants, vendors, contractors, outside agency, or a person doing business with the agency or in any other relationship with the agency to the extent that the CCOC resources are involved or impacted is determined to have participated in fraudulent, unethical, or dishonest acts will be subject to disciplinary action in accordance with personnel policies and rules. Criminal, civil, and/or other administrative actions may also be taken against employees who are found to have participated in unlawful acts. Criminal action falls within the sole purview of local, state, or federal law enforcement, as well as prosecuting and judicial authorities. In those instances where disciplinary and/or other administrative action is warranted, the Human Resources Section, or other appropriate office, shall be consulted prior to taking such actions.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto as of the Effective Date of September 29, 2020.

**Florida Court Clerk of Court
Operations Corporation**

Brenda Sorensen, CPA

Signature

Signature

JD Peacock
Chair

Brenda Sorensen, EA

Date

Date

Witness

Witness



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

HARVEY RUVIN, ESQ.
MIAMI-DADE COUNTY

VACANT
HOUSE APPOINTEE

JOHN CRAWFORD
NASSAU COUNTY

RON FICARROTTA
13TH JUDICIAL CIRCUIT JUDGE
SUPREME COURT APPOINTEE

JOHN DEW
EXECUTIVE DIRECTOR

TODD NEWTON
GILCHRIST COUNTY

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

JOE BOYD
GENERAL COUNSEL

LAURA E. ROTH
VOLUSIA COUNTY

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

AGENDA ITEM 4a

DATE: September 29, 2020
SUBJECT: Budget Committee Report
COUNCIL ACTION: Approve Peer Groups and CFY 2020-21 Budget Authority

OVERVIEW:

The Executive Council of the Clerks of Court Operations Corporation charges the Budget Committee to develop recommendations for the clerks' court-related budgets. Beginning in January 2020, the committee set out to develop an equitable and fair process to meet the needs of the clerks.

Budget Development

As part of the process, the Budget Committee created a base budget for each clerk, removing nonrecurring dollars from the CFY 2019-20 budget. Additionally, the base budget eliminated positions that were vacant over 180 days and included a three-percent salary increase. By creating a base budget, clerks were no longer required to create a new Original Budget but could submit individualized budget requests to fill the gap between the base budget and what clerks wanted for CFY 2020-21. By streamlining the request process, the committee saved a considerable amount of time during the budgeting process.

Similarly Situated Clerks

In addition to streamlining the budget process, the Budget Committee reexamined the current grouping of Similarly Situated Clerks (SSC), commonly referred to as Peer Groups. Florida law requires CCOC to prepare a cost comparison of similarly situated clerks of the court, based upon population and the number of filings (s. 28.35(2)(f)(2), F.S.) Lead by Clerk Cooney, the committee reviewed the peer groups and the recommendation to modify those groups from the 12 groups used during the past three budget cycles. The committee adopted Clerk Cooney's recommendations and submits to the council a recommendation to use eight peer groups for the upcoming CFY 2020-21 fiscal year (**Attachment 1**).

COUNCIL ACTION: Accept the Budget Committee recommendations on the Similarly Situated Counties.

Budget Requests

Clerks submitted 132 budget requests in addition to the statewide three-percent salary increase, bringing the total CFY 2020-21 budget request to \$455.9 million, which is a \$9.1 million or 2.04 percent increase over the previous year's Operating Budget. During the budget

deliberation, the committee elected to table all new funding requests, except those requests to fund the legislatively required increases to the Florida Retirement System (FRS), which totaled \$5.4 million. After removing all non-FRS related requests, the statewide budget request was \$448.4 million, an increase of \$1.6 million, or 1.21 percent, over current year's Operating Budget.

Budget Reduction Exercise

Finally, the Budget Committee had the arduous task of making budget reductions for the upcoming year. Last year, the revenue portion of the clerks' budget was \$431 million, with an additional \$15.8 million in carry-forward trust fund authority. Before the effects of the COVID-19 pandemic, clerks were on pace to not only meet their revenue projections but would have likely produced excess revenue for the state's General Revenue Fund. The Article V Revenue Estimating Conference (REC) expected clerks to collect and retain \$173.1 million for the months of September-January. Clerks collected \$177.5 million through January, which was about 2.5 percent greater than the projection; however, beginning in February, revenue collections stalled significantly. With the continued threat of COVID-19 cases, there is a significant drag on the economy; because of this economic strain, the REC projected the revenue portion of the clerks' budgets to total \$410 million. To achieve the necessary 8.24 percent reduction from the previous fiscal year, the committee developed criteria to select the reductions.

Generally, the committee adopted a two-step reduction process. The first step was to take an across the board reduction. The second step was to apply a reduction using a statewide weighted-cases methodology. Additional details about the calculation process include:

- 1) Removing the Juror Management budget authority from the calculation of the reduction
- 2) Approving the budget requests relating to FRS for all counties
- 3) Applying a "hold harmless" principle to the Fiscally Constrained Counties
 - a. The hold harmless principle included removing the three-percent salary adjustment in the base-budget calculation for the fiscally constrained counties
 - b. Eliminating all budget reductions for fiscally constrained counties
 - c. Capping the fiscally constrained counties CFY 2020-21 budget authority to their operating budget authority from CFY 2019-20 (no year-over-year budget increases)
- 4) Using a 60/40 percentage split between the Across-the-Board reduction (60 percent) and the Statewide Weighted-Case Distribution reduction (40 percent) for the non-fiscally constrained counties
- 5) Adding the Juror Management budget authority back to each county after the calculation of the reduction

After much deliberation and consideration of the needs of the Clerks, the committee recommends providing budget authority for CFY 2020-21, as outlined in the **Attachment 2**.

Funded and Depository Counties

The CCOC will calculate the Funded or Depository designation after the budgets are approved using the revenue estimates submitted in July, comparing them to the approved budgets for each county. CCOC will finalize and remit to the Department of Revenue (DOR) for monthly distribution. This process can take up to 2 months to finalize with DOR.

Statutorily Required Considerations

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

Please reference the attached reports for more information (**Attachments 3-5**).

COUNCIL ACTION: Accept the proposed CFY 2020-21 Revenue-Based Budget Authority.

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

ATTACHMENTS:

1. Report on Peer Group Analysis
2. CFY 2020-21 Recommended Revenue-Based Budget Authority
3. CFY 2020-21 Pay Benefit Increases
4. CFY 2020-21 Three Percent Over Operation Budget
5. CFY 2019-20 Ten percent Over PG

Report on Peer Group Analysis

Pursuant to Paragraph 28.35(2)(f), Florida Statutes, approving the proposed budgets submitted by clerks of the court is one of the duties of the Florida Clerks of Court Operations Corporation. As part of that approval process, Sub-paragraph 28.35(2)(f)2. requires the Corporation to “[p]repare a cost comparison of similarly situated clerks of the court, based upon *county population and numbers of filings*, using the standard list of court related functions specified in paragraph (3)(a).” (emphasis added) Based upon this requirement, this analysis utilized the following information:

1. The University of Florida BEBR estimates of population for each county as of April 1, 2019;
2. The total cases reported by each county for the 2018-2019 fiscal year; and,
3. The total weighted cases reported by each county for the fiscal 2018-2019 fiscal year.

This analysis kept in mind the rule from the currently adopted peer group study that no county should be in a peer group with a county with more than twice its population. Likewise, this rule was applied to both total weighted case numbers and total case numbers. This analysis discarded the notion that counties with case count numbers more than two standard deviations higher than their population peer group should be moved to a different peer group to eliminate the deviation, choosing instead to have the case count workgroup determine the reason for the deviation in preparation for budget decisions.

Sixteen different permutations of population, total weighted case count, and total case count numbers were analyzed using the above information and basic rules. Those permutations were:

1. Total population;
2. Total population, without inmates;
3. Total weighted cases, with civil traffic cases keeping the currently assigned weight of 3;
4. Total weighted cases, with civil traffic cases being given a weight of 2;
5. Total weighted cases, with civil traffic cases being given a weight of 1.5;
6. Total weighted cases, with civil traffic cases being given a weight of 1;
7. Total weighted cases, without civil traffic cases;

8. Total cases;
9. Total cases, without traffic;
10. Total weighted cases, with civil traffic cases keeping the currently assigned weight of 3, per person total population;
11. Total weighted cases, with civil traffic cases being given a weight of 2, per person total population;
12. Total weighted cases, with civil traffic cases being given a weight of 1.5, per person total population;
13. Total weighted cases, with civil traffic cases being given a weight of 1, per person total population;
14. Total weighted cases, without civil traffic cases, per person total population;
15. Total cases per person total population; and,
16. Total cases, without traffic, per person total population.

The initial analysis yielded the following:

1. Total population - 9 peer groups with Miami-Dade being the 9th;
2. Total population, without inmates - 9 peer groups with Miami-Dade being the 9th;
3. Total weighted cases, with civil traffic cases keeping the currently assigned weight of 3 - 9 peer groups with Miami-Dade being the 9th;
4. Total weighted cases, with civil traffic cases being given a weight of 2 - 9 peer groups with just Broward and Miami-Dade being the 9th;
5. Total weighted cases, with civil traffic cases being given a weight of 1.5 - 9 peer groups with Miami-Dade being the 9th;
6. Total weighted cases, with civil traffic cases being given a weight of 1 - 9 peer groups with Miami-Dade being the 9th;
7. Total weighted cases, without civil traffic cases - 9 peer groups with Miami-Dade being the 9th;
8. Total cases - 10 peer groups with just Orange and Broward being the 9th and with Miami-Dade being the 10th;

9. Total cases, without traffic - 9 peer groups with Miami-Dade being the 9th;
10. Total weighted cases, with civil traffic cases keeping the currently assigned weight of 3, per person total population - 3 peer groups with Madison being the 3rd;
11. Total weighted cases, with civil traffic cases being given a weight of 2, per person total population - 2 peer groups;
12. Total weighted cases, with civil traffic cases being given a weight of 1.5, per person total population - 2 peer groups;
13. Total weighted cases, with civil traffic cases being given a weight of 1, per person total population - 2 peer groups;
14. Total weighted cases, without civil traffic cases, per person total population - 2 peer groups;
15. Total cases per person total population - 3 peer groups with just Monroe, Glades and Madison being the 3rd; and,
16. Total cases, without traffic, per person total population - 2 peer groups.

While the analysis of the various case counting methods per person of total population produced some very interesting information, it did not produce a list which resembles those past CCOC lists of similarly situated counties as required by Sub-paragraph 28.35(2)(f)2. Therefore, the balance of this report will focus on the eight permutations which yielded at least nine (9) peer groups, while utilizing some of the knowledge gained in these other permutations.

CCOC is required by Sub-paragraph 28.35(2)(f)2. to prepare a cost comparison of similarly situated clerks, and by Sub-paragraph 28.35(2)(f)9. to “identify the budget of any clerk which exceeds the average budget of similarly situated clerks by more than 10 percent.” While it could be argued that no county is similarly situated to Miami-Dade, the caseload per population studies placed Miami-Dade in various places along the number of cases or number of weighted cases per population continuum. Therefore, Miami-Dade is capable of being compared and could be placed in a multi-county peer group. If placed in a multi-county peer group, Miami-Dade will be identified as a county with a budget which exceeds the average budget of the counties in the peer group by more than 10 percent. Likewise, if Miami-Dade is excluded from the large county peer group, Broward will be identified as a county with a budget which exceeds the average budget of the counties in the peer group by more than 10 percent.

An analysis of case counts, costs, and budgets requires statistical calculations. Many times, the first step in those statistical calculations is a determination of standard deviation. Generally, after this determination is made, a reviewer looks for those data points which are at least two standard deviations from the mean. With this being the case, it can be argued that peer

groups with only one, two, or three members should not be used, as no meaningful standard deviation analysis will occur with data from so few members. Although internally the CCOC budget committee compares all counties, the Legislature apparently envisioned some type of peer group system.

Having said the above, it is my recommendation that we adopt eight (8) peer groups. Further, it appears the similarly situated counties should be based upon either population or case counts in order to be consistent with Sub-paragraph 28.35(2)(f)2. For budgeting purposes, pure case counts without workload weighting are not very helpful. Whether a peer group is based upon population or weighted workloads, questions will always be asked about the other measure; therefore, either method seems appropriate for CCOC purposes. Based upon the current case weighting and the guidelines mentioned above:

- 1) No less than four (4) counties per peer group;
- 2) No county in a population peer group with a county with more than twice its population; and
- 3) No county in a weighted case peer group with a county with more than twice its total weighted cases

the possible peer groups by population and by weighted case count would be:

County	April 1, 2019 Pop Estimate	Peer County	Total Weighted Cases with Civil Traffic as a 3	Peer County	Total Weighted Cases with Civil Traffic as a 1.5	Peer
Lafayette	8,482	1 Lafayette	5,507	1 Lafayette	4,738	1
Liberty	8,772	1 Union	8,586	1 Liberty	7,317	1
Franklin	12,273	1 Liberty	9,186	1 Union	7,800	1
Gulf	13,082	1 Calhoun	10,772	1 Calhoun**	9,944	1
Glades	13,121	1 Franklin	12,698	2 Franklin	11,473	2
Calhoun	14,067	1 Gulf	12,757	2 Gulf	12,171	2
Hamilton	14,600	1 Gilchrist	14,654	2 Gilchrist	12,271	2
Jefferson	14,776	1 Dixie	16,741	2 Jefferson	12,486	2
Union	15,505	1 Jefferson	17,115	2 Dixie	14,238	2
Dixie	16,610	1 Holmes	20,580	2 Holmes	17,244	2
Gilchrist	17,766	2 Washington	22,542	2 Glades	17,335	2
Madison	19,570	2 Hamilton	24,398	2 Washington	19,922	2
Holmes	20,049	2 Baker	25,238	2 Hamilton	20,233	2
Taylor	22,458	2 Taylor	25,398	3 Taylor	20,277	2
Washington	25,387	2 Glades	26,666	3 Baker	21,920	2

Hardee	27,385	2	Wakulla	27,934	3	Wakulla	23,710	3
Baker	28,249	2	Hardee	30,526	3	Hardee	25,045	3
Bradford	28,682	2	Desoto	33,541	3	Desoto	28,408	3
Wakulla	32,976	2	Suwannee	42,157	3	Madison	31,834	3
DeSoto	36,065	3	Hendry	44,250	3	Hendry	36,083	3
Hendry	40,120	3	Levy	45,522	3	Bradford	36,383	3
Levy	41,330	3	Okeechobee	45,603	3	Suwannee	36,450	3
Okeechobee	41,808	3	Jackson	45,771	3	Jackson	36,812	3
Suwannee	45,423	3	Gadsden	46,527	3	Okeechobee	37,893	3
Gadsden	46,277	3	Bradford	47,774	3	Gadsden	38,343	3
Jackson	46,969	3	Madison	49,979	3	Levy	39,549	3
Walton	70,071	3	Walton	58,846	4	Walton	52,599	4
Columbia	70,492	3	Putnam	70,331	4	Putnam	63,412	4
Putnam	73,268	4	Columbia	74,711	4	Columbia	63,583	4
Monroe	76,212	4	Highlands	75,368	4	Nassau	65,779	4
Nassau	85,070	4	Nassau	77,864	4	Highlands	66,460	4
Highlands	103,434	4	Sumter	91,642	4	Sumter	72,232	4
Flagler	110,635	4	Flagler	92,466	4	Flagler	79,605	4
Sumter	128,633	4	Citrus	107,821	4	Citrus	93,454	4
Citrus	147,744	5	Indian River	123,846	5	Indian River	101,589	4
Indian River	154,939	5	Monroe	138,917	5	Monroe	108,782	5
Martin	158,598	5	Martin	147,327	5	Martin	117,405	5
Bay	167,283	5	Charlotte	149,071	5	Santa Rosa	129,173	5
Santa Rosa	179,054	5	Santa Rosa	159,887	5	Charlotte	133,323	5
Charlotte	181,770	5	Hernando	165,928	5	St. Johns	143,586	5
Hernando	188,358	5	St. Johns	170,446	5	Hernando	144,042	5
Okaloosa	201,514	5	Clay	189,078	5	Clay	149,250	5
Clay	215,246	5	Okaloosa	194,619	5	Okaloosa	172,215	5
St. Johns	254,412	5	Alachua	225,952	5	Alachua	188,074	5
Alachua	267,306	5	Leon	255,498	6	Leon	219,248	6
Leon	296,499	6	Marion	271,465	6	Collier	228,946	6
St. Lucie	309,359	6	Lake	278,993	6	Lake	232,396	6
Escambia	321,134	6	Bay	281,970	6	St. Lucie	241,052	6
Lake	357,247	6	Collier	282,376	6	Manatee	246,414	6
Marion	360,421	6	Manatee	286,695	6	Marion	246,678	6
Osceola	370,552	6	St. Lucie	296,225	6	Bay	254,856	6
Collier	376,706	6	Escambia	344,732	6	Escambia	302,315	6
Manatee	387,414	6	Sarasota	378,660	6	Sarasota	306,429	6
Sarasota	426,275	6	Osceola	395,422	6	Osceola	310,174	6
Seminole	471,735	6	Pasco	446,297	6	Seminole	346,311	6
Pasco	527,122	6	Seminole	447,931	6	Pasco	398,204	6
Volusia	538,763	6	Brevard	480,874	6	Brevard	416,707	6
Brevard	594,469	7	Volusia	597,369	7	Volusia	525,086	7
Polk	690,606	7	Lee	712,365	7	Lee	574,623	7

Lee	735,148	7	Polk	737,383	7	Polk	619,999	7
Duval	970,672	7	Pinellas	922,770	7	Pinellas	805,392	7
Pinellas	978,045	7	Duval	1,145,182	7	Duval	983,046	7
Orange	1,386,080	8	Palm Beach	1,473,888	8	Palm Beach	1,213,589	8
Hillsborough	1,444,870	8	Hillsborough	1,525,781	8	Hillsborough	1,321,835	8
Palm Beach	1,447,857	8	Orange	1,679,194	8	Orange	1,323,817	8
Broward	1,919,644	8	Broward	2,073,974	8	Broward	1,696,361	8
Miami-Dade*	2,812,130	8	Miami-Dade*	4,104,416	8	Miami-Dade*	3,090,850	8

*Miami-Dade has been placed into Group 8 to comply with the statutory analysis requirements.

**Calhoun was kept in Group 1 although they have slightly more than double Lafayette’s total weighted cases if traffic cases receive a 1.5 weight from the PIE committee. Placing Calhoun in Group 1 will allow a somewhat more meaningful statistical analysis of Group 1, if such an analysis is deemed necessary.

Of these, I would recommend using the Total Weighted Cases with Traffic Cases Weighted 1.5.

STATEWIDE TOTALS		\$410,000,000	\$11,700,000	\$421,700,000	-8.56%	-8.24%	-\$36,812,672
County	Peer Group	TOTAL CFY2021 Revenue-Based Budget Calculation	CFY2021 Jury Budget Authority (State GAA)	Aggregate CFY2021 Budget	Total Percent change from CFY 2021 Budget Request	Total Percent change from CFY 1920 Revenue Budget	Total Revenue-Based Reduction
Calhoun	1	\$423,037	\$8,508	\$431,545	0.00%	-1.28%	(\$5,480)
Lafayette	1	\$292,156	\$6,121	\$298,277	0.00%	-2.24%	(\$6,688)
Liberty	1	\$288,357	\$9,964	\$298,321	0.00%	0.00%	\$0
Union	1	\$457,872	\$8,252	\$466,124	0.00%	-2.02%	(\$9,458)
Baker	2	\$663,029	\$35,091	\$698,120	0.00%	0.00%	\$0
Dixie	2	\$460,671	\$11,336	\$472,007	0.00%	-0.98%	(\$4,570)
Franklin	2	\$620,259	\$14,000	\$634,259	0.00%	0.00%	\$0
Gilchrist	2	\$512,702	\$7,958	\$520,660	0.00%	0.00%	\$0
Glades	2	\$498,452	\$20,146	\$518,598	0.00%	-1.20%	(\$6,045)
Gulf	2	\$460,067	\$20,602	\$480,669	0.00%	-2.24%	(\$10,532)
Hamilton	2	\$496,714	\$12,928	\$509,642	0.00%	-0.44%	(\$2,205)
Holmes	2	\$552,802	\$17,037	\$569,839	0.00%	-1.11%	(\$6,204)
Jefferson	2	\$466,416	\$39,724	\$506,140	0.00%	-1.17%	(\$5,504)
Taylor	2	\$525,751	\$11,979	\$537,730	0.00%	-0.11%	(\$561)
Washington	2	\$741,009	\$38,209	\$779,218	0.00%	-1.81%	(\$13,640)



STATEWIDE TOTALS		\$410,000,000	\$11,700,000	\$421,700,000	-8.56%	-8.24%	-\$36,812,672
County	Peer Group	TOTAL CFY2021 Revenue-Based Budget Calculation	CFY2021 Jury Budget Authority (State GAA)	Aggregate CFY2021 Budget	Total Percent change from CFY 2021 Budget Request	Total Percent change from CFY 1920 Revenue Budget	Total Revenue-Based Reduction
Bradford	3	\$680,789	\$21,725	\$702,514	0.00%	0.00%	\$0
DeSoto	3	\$762,973	\$33,258	\$796,231	0.00%	0.00%	\$0
Gadsden	3	\$1,230,451	\$51,146	\$1,281,597	0.00%	-1.08%	(\$13,481)
Hardee	3	\$852,932	\$37,662	\$890,594	0.00%	-1.20%	(\$10,320)
Hendry	3	\$1,197,173	\$58,253	\$1,255,426	0.00%	0.00%	\$0
Jackson	3	\$1,040,209	\$30,427	\$1,070,636	0.00%	-1.15%	(\$12,112)
Levy	3	\$1,017,692	\$60,562	\$1,078,254	0.00%	-1.28%	(\$13,162)
Madison	3	\$524,791	\$9,621	\$534,412	0.00%	-2.24%	(\$12,014)
Okeechobee	3	\$1,195,690	\$89,747	\$1,285,437	0.00%	-4.42%	(\$55,315)
Suwannee	3	\$1,088,604	\$27,131	\$1,115,735	0.00%	-0.87%	(\$9,577)
Wakulla	3	\$644,175	\$36,361	\$680,536	0.00%	0.00%	\$0
Citrus	4	\$2,712,182	\$71,752	\$2,783,934	-10.09%	-8.92%	(\$265,589)
Columbia	4	\$1,431,276	\$54,990	\$1,486,266	0.00%	-5.21%	(\$78,737)
Flagler	4	\$1,680,006	\$61,285	\$1,741,291	-8.95%	-7.87%	(\$143,425)
Highlands	4	\$1,823,314	\$77,778	\$1,901,092	0.00%	-2.61%	(\$48,917)
Indian River	4	\$2,754,925	\$175,535	\$2,930,460	-9.72%	-8.66%	(\$261,040)
Nassau	4	\$1,439,667	\$70,087	\$1,509,754	-9.14%	-7.88%	(\$123,162)
Putnam	4	\$1,995,899	\$95,990	\$2,091,889	0.00%	0.13%	\$2,620
Sumter	4	\$1,725,333	\$73,628	\$1,798,961	-9.30%	-7.47%	(\$139,302)
Walton	4	\$1,497,855	\$56,372	\$1,554,227	-9.73%	-8.25%	(\$134,693)
Alachua	5	\$5,388,520	\$194,506	\$5,583,026	-9.73%	-11.68%	(\$712,487)
Charlotte	5	\$3,263,255	\$139,134	\$3,402,389	-9.02%	-8.46%	(\$301,712)
Clay	5	\$3,368,613	\$57,905	\$3,426,518	-9.54%	-8.35%	(\$306,984)
Hernando	5	\$3,138,208	\$151,493	\$3,289,701	-8.79%	-8.12%	(\$277,228)
Martin	5	\$3,270,896	\$146,682	\$3,417,578	-9.94%	-9.18%	(\$330,623)
Monroe	5	\$3,209,897	\$141,324	\$3,351,221	-10.01%	-12.80%	(\$471,107)
Okaloosa	5	\$3,358,182	\$98,991	\$3,457,173	-8.64%	-8.86%	(\$326,605)
Saint Johns	5	\$3,256,170	\$79,264	\$3,335,434	-9.26%	-8.69%	(\$309,779)
Santa Rosa	5	\$2,904,913	\$166,552	\$3,071,465	-9.21%	-8.30%	(\$262,915)



STATEWIDE TOTALS		\$410,000,000	\$11,700,000	\$421,700,000	-8.56%	-8.24%	-\$36,812,672
County	Peer Group	TOTAL CFY2021 Revenue-Based Budget Calculation	CFY2021 Jury Budget Authority (State GAA)	Aggregate CFY2021 Budget	Total Percent change from CFY 2021 Budget Request	Total Percent change from CFY 1920 Revenue Budget	Total Revenue-Based Reduction
Bay	6	\$3,437,112	\$175,554	\$3,612,666	-7.03%	-6.17%	(\$226,196)
Brevard	6	\$10,485,055	\$418,041	\$10,903,096	-9.42%	-8.52%	(\$977,112)
Collier	6	\$5,958,891	\$241,522	\$6,200,413	-9.78%	-8.72%	(\$569,417)
Escambia	6	\$6,399,841	\$285,844	\$6,685,685	-8.62%	-7.61%	(\$527,051)
Lake	6	\$5,662,266	\$210,560	\$5,872,826	-9.49%	-8.38%	(\$517,898)
Leon	6	\$5,464,578	\$245,082	\$5,709,660	-9.21%	-7.80%	(\$462,407)
Manatee	6	\$5,474,546	\$132,169	\$5,606,715	-9.20%	-8.51%	(\$509,335)
Marion	6	\$6,068,963	\$212,143	\$6,281,106	-9.41%	-8.41%	(\$557,276)
Osceola	6	\$6,760,921	\$279,419	\$7,040,340	-9.18%	-7.73%	(\$566,772)
Pasco	6	\$10,766,297	\$238,183	\$11,004,480	-9.82%	-8.46%	(\$995,556)
Saint Lucie	6	\$6,162,040	\$286,925	\$6,448,965	-9.74%	-9.45%	(\$642,845)
Sarasota	6	\$7,549,352	\$345,007	\$7,894,359	-9.29%	-8.25%	(\$678,884)
Seminole	6	\$8,135,019	\$229,680	\$8,364,699	-9.37%	-8.61%	(\$766,401)
Duval	7	\$17,962,793	\$447,095	\$18,409,888	-8.27%	-7.82%	(\$1,524,910)
Lee	7	\$10,708,892	\$265,965	\$10,974,857	-8.48%	-9.63%	(\$1,141,547)
Pinellas	7	\$21,039,506	\$596,029	\$21,635,535	-9.57%	-9.13%	(\$2,112,991)
Polk	7	\$11,472,659	\$350,062	\$11,822,721	-8.22%	-7.04%	(\$868,248)
Volusia	7	\$10,757,055	\$279,691	\$11,036,746	-8.54%	-7.69%	(\$896,225)
Broward	8	\$35,887,933	\$852,355	\$36,740,288	-8.87%	-10.96%	(\$4,419,521)
Hillsborough	8	\$27,528,201	\$455,779	\$27,983,980	-8.76%	-7.88%	(\$2,354,661)
Miami-Dade	8	\$65,681,042	\$1,086,987	\$66,768,029	-8.99%	-8.20%	(\$5,864,673)
Orange	8	\$26,657,769	\$679,256	\$27,337,025	-8.75%	-8.19%	(\$2,377,434)
Palm Beach	8	\$28,065,385	\$755,636	\$28,821,021	-9.10%	-8.38%	(\$2,566,759)
STATEWIDE TOTAL		\$410,000,000	\$11,700,000	\$421,700,000	-8.56%	-8.24%	-\$36,812,672



CFY 2020-21 Original Budget Request Pay and Benefit Increases*				
County	Peer Group	Original Three-Percent Salary Adjustment to the Base Budget (January 21, 2020)	Modified Three-Percent Salary Adjustment to the Base Budget (August, 25, 2020)	Approved Request Before Reductions
Calhoun	1	\$8,806		\$0
Lafayette	1	\$5,242		\$0
Liberty	1	\$6,862		\$0
Union	1	\$11,185		\$0
Baker	2	\$15,681		\$0
Dixie	2	\$8,964		\$0
Franklin	2	\$15,072		\$0
Gilchrist	2	\$11,318		\$0
Glades	2	\$9,443		\$0
Gulf	2	\$11,266		\$0
Hamilton	2	\$10,920		\$0
Holmes	2	\$10,735		\$0
Jefferson	2	\$11,455		\$0
Taylor	2	\$10,397		\$0
Washington	2	\$16,024		\$0
Bradford	3	\$18,597		\$0
DeSoto	3	\$14,788		\$0
Gadsden	3	\$28,743		\$0
Hardee	3	\$15,793		\$0
Hendry	3	\$23,090		\$0
Jackson	3	\$22,339		\$0
Levy	3	\$22,017		\$0
Madison	3	\$11,481		\$0
Okeechobee	3	\$26,620		\$0
Suwannee	3	\$26,280		\$0
Wakulla	3	\$13,162		\$0



CFY 2020-21 Original Budget Request Pay and Benefit Increases*				
County	Peer Group	Original Three-Percent Salary Adjustment to the Base Budget (January 21, 2020)	Modified Three-Percent Salary Adjustment to the Base Budget (August, 25, 2020)	Approved Request Before Reductions
Citrus	4	\$66,445	\$66,445	\$66,445
Columbia	4	\$32,105		\$0
Flagler	4	\$39,715	\$39,715	\$39,715
Highlands	4	\$46,195		\$0
Indian River	4	\$63,846	\$63,846	\$63,846
Nassau	4	\$34,324	\$34,324	\$34,324
Putnam	4	\$51,665		\$0
Sumter	4	\$49,915	\$49,915	\$49,915
Walton	4	\$41,468	\$41,468	\$41,468
Alachua	5	\$125,926	\$125,926	\$125,926
Charlotte	5	\$66,636	\$66,636	\$66,636
Clay	5	\$84,160	\$84,160	\$84,160
Hernando	5	\$67,084	\$67,084	\$67,084
Martin	5	\$66,856	\$66,856	\$66,856
Monroe	5	\$74,724	\$74,724	\$74,724
Okaloosa	5	\$73,423	\$73,423	\$73,423
Saint Johns	5	\$69,884	\$69,884	\$69,884
Santa Rosa	5	\$69,508	\$69,508	\$69,508
Bay	6	\$77,961	\$77,961	\$77,961
Brevard	6	\$241,972	\$241,972	\$241,972
Collier	6	\$124,614	\$124,614	\$124,614
Escambia	6	\$140,188	\$140,188	\$140,188



CFY 2020-21 Original Budget Request Pay and Benefit Increases*				
County	Peer Group	Original Three-Percent Salary Adjustment to the Base Budget (January 21, 2020)	Modified Three-Percent Salary Adjustment to the Base Budget (August, 25, 2020)	Approved Request Before Reductions
Lake	6	\$133,667	\$133,667	\$133,667
Leon	6	\$125,299	\$125,299	\$125,299
Manatee	6	\$120,279	\$120,279	\$120,279
Marion	6	\$142,941	\$142,941	\$142,941
Osceola	6	\$154,311	\$154,311	\$154,311
Pasco	6	\$242,102	\$242,102	\$242,102
Saint Lucie	6	\$115,801	\$115,801	\$115,801
Sarasota	6	\$176,654	\$176,654	\$176,654
Seminole	6	\$171,148	\$171,148	\$171,148
Duval	7	\$383,829	\$383,829	\$383,829
Lee	7	\$241,586	\$241,586	\$241,586
Pinellas	7	\$425,497	\$425,497	\$425,497
Polk	7	\$247,167	\$247,167	\$247,167
Volusia	7	\$234,575	\$234,575	\$234,575
Broward	8	\$809,511	\$809,511	\$809,511
Hillsborough	8	\$574,885	\$574,885	\$574,885
Miami-Dade	8	\$1,394,985	\$1,394,985	\$1,394,985
Orange	8	\$575,340	\$575,340	\$575,340
Palm Beach	8	\$605,353	\$605,353	\$605,353
GRAND TOTAL		\$8,969,824	\$8,453,579	\$8,453,579

Notes:

Before the outbreak of COVID-19, the Budget Committee established a base budget for each clerk. Included in the base budget was a three-percent salary adjustment for all employees. However, with a loss of projected revenue, and the requirement to ensure clerks' budgets do not exceed the revenue projections, clerks decreased their budgets by 8.24 percent. The year-over-year reduction eliminates the pay increases contemplated by the Budget Committee in January 2020.



CFY 2020-21 Original Budget Request Total Budget Request

County	Peer Group	CFY1920 Operational Budget	CFY2021 Original Request	Difference	Percent over Operational
Calhoun	1	\$428,517	\$468,413	\$39,896	9.31%
Lafayette	1	\$298,844	\$297,398	(\$1,446)	-0.48%
Liberty	1	\$288,357	\$316,931	\$28,574	9.91%
Union	1	\$467,330	\$469,057	\$1,727	0.37%
Baker	2	\$663,029	\$800,240	\$137,211	20.69%
Dixie	2	\$465,241	\$553,171	\$87,930	18.90%
Franklin	2	\$620,259	\$671,769	\$51,510	8.30%
Gilchrist	2	\$512,702	\$551,531	\$38,829	7.57%
Glades	2	\$504,497	\$523,400	\$18,903	3.75%
Gulf	2	\$470,599	\$471,333	\$734	0.16%
Hamilton	2	\$498,919	\$541,709	\$42,790	8.58%
Holmes	2	\$559,006	\$563,537	\$4,531	0.81%
Jefferson	2	\$471,920	\$477,871	\$5,951	1.26%
Taylor	2	\$526,312	\$536,148	\$9,836	1.87%
Washington	2	\$754,649	\$753,783	(\$866)	-0.11%
Bradford	3	\$680,789	\$760,583	\$79,794	11.72%
DeSoto	3	\$762,973	\$811,985	\$49,012	6.42%
Gadsden	3	\$1,243,932	\$1,259,194	\$15,262	1.23%
Hardee	3	\$863,252	\$868,725	\$5,473	0.63%
Hendry	3	\$1,197,173	\$1,241,839	\$44,666	3.73%
Jackson	3	\$1,052,321	\$1,062,548	\$10,227	0.97%
Levy	3	\$1,030,854	\$1,039,709	\$8,855	0.86%
Madison	3	\$536,805	\$622,362	\$85,557	15.94%
Okeechobee	3	\$1,251,005	\$1,222,310	(\$28,695)	-2.29%
Suwannee	3	\$1,098,181	\$1,118,384	\$20,203	1.84%
Wakulla	3	\$644,175	\$651,141	\$6,966	1.08%

CFY 2020-21 Original Budget Request Total Budget Request

County	Peer Group	CFY1920 Operational Budget	CFY2021 Original Request	Difference	Percent over Operational
Citrus	4	\$2,977,771	\$3,103,065	\$125,294	4.21%
Columbia	4	\$1,510,013	\$1,463,381	(\$46,632)	-3.09%
Flagler	4	\$1,823,431	\$1,845,142	\$21,711	1.19%
Highlands	4	\$1,872,231	\$2,010,553	\$138,322	7.39%
Indian River	4	\$3,015,965	\$3,051,433	\$35,468	1.18%
Nassau	4	\$1,562,829	\$1,639,355	\$76,526	4.90%
Putnam	4	\$1,993,279	\$2,103,170	\$109,891	5.51%
Sumter	4	\$1,864,635	\$1,902,267	\$37,632	2.02%
Walton	4	\$1,632,548	\$1,818,554	\$186,006	11.39%
Alachua	5	\$6,101,007	\$6,000,288	(\$100,719)	-1.65%
Charlotte	5	\$3,564,967	\$3,740,769	\$175,802	4.93%
Clay	5	\$3,675,597	\$3,864,244	\$188,647	5.13%
Hernando	5	\$3,415,436	\$3,440,662	\$25,226	0.74%
Martin	5	\$3,601,519	\$3,631,959	\$30,440	0.85%
Monroe	5	\$3,681,004	\$4,191,977	\$510,973	13.88%
Okaloosa	5	\$3,684,787	\$3,917,396	\$232,609	6.31%
Saint Johns	5	\$3,565,949	\$3,556,024	(\$9,925)	-0.28%
Santa Rosa	5	\$3,167,828	\$3,199,438	\$31,610	1.00%

CFY 2020-21 Original Budget Request Total Budget Request

County	Peer Group	CFY1920 Operational Budget	CFY2021 Original Request	Difference	Percent over Operational
Bay	6	\$3,663,308	\$3,697,036	\$33,728	0.92%
Brevard	6	\$11,462,167	\$11,575,607	\$113,440	0.99%
Collier	6	\$6,528,308	\$6,750,214	\$221,906	3.40%
Escambia	6	\$6,926,892	\$7,096,461	\$169,569	2.45%
Lake	6	\$6,180,164	\$6,612,915	\$432,751	7.00%
Leon	6	\$5,926,985	\$6,019,139	\$92,154	1.55%
Manatee	6	\$5,983,881	\$6,079,402	\$95,521	1.60%
Marion	6	\$6,626,239	\$7,042,247	\$416,008	6.28%
Osceola	6	\$7,327,693	\$7,444,219	\$116,526	1.59%
Pasco	6	\$11,761,853	\$13,516,126	\$1,754,273	14.91%
Saint Lucie	6	\$6,804,885	\$6,828,451	\$23,566	0.35%
Sarasota	6	\$8,228,236	\$8,322,251	\$94,015	1.14%
Seminole	6	\$8,901,420	\$9,174,790	\$273,370	3.07%
Duval	7	\$19,487,703	\$19,581,352	\$93,649	0.48%
Lee	7	\$11,850,439	\$12,127,006	\$276,567	2.33%
Pinellas	7	\$23,152,497	\$23,636,824	\$484,327	2.09%
Polk	7	\$12,340,907	\$12,726,561	\$385,654	3.13%
Volusia	7	\$11,653,280	\$11,762,046	\$108,766	0.93%
Broward	8	\$40,307,454	\$39,379,598	(\$927,856)	-2.30%
Hillsborough	8	\$29,882,862	\$30,639,351	\$756,489	2.53%
Miami-Dade	8	\$71,545,715	\$72,170,831	\$625,116	0.87%
Orange	8	\$29,035,203	\$29,724,061	\$688,858	2.37%
Palm Beach	8	\$30,632,144	\$30,873,796	\$241,652	0.79%
STATEWIDE TOTAL		\$446,812,672	\$455,915,032	\$9,102,360	2.04%

Notes:

1. In the "Percent Over Operational" column, counties highlighted in blue requested more than 3 percent over CFY 2019-20 Operational Budget.
2. The total budget request includes the three-percent salary increase included in CCOC's calculated budget for each clerk. The committee reduced these salary increases through the budget process.



Budget Comparison to the Peer Group Average

County	Peer Groups	CFY 2019-20 Budget W/O JURY	Percent Above or Below PG Average
Calhoun	1	\$ 428,517	15.58%
Lafayette	1	\$ 298,844	-19.40%
Liberty	1	\$ 288,357	-22.23%
Union	1	\$ 467,330	26.05%
Peer Group 1 Average		\$ 370,762	
Baker	2	\$ 663,029	20.61%
Dixie	2	\$ 465,241	-15.37%
Franklin	2	\$ 620,259	12.83%
Gilchrist	2	\$ 512,702	-6.74%
Glades	2	\$ 504,497	-8.23%
Gulf	2	\$ 470,599	-14.40%
Hamilton	2	\$ 498,919	-9.24%
Holmes	2	\$ 559,006	1.69%
Jefferson	2	\$ 471,920	-14.16%
Taylor	2	\$ 526,312	-4.26%
Washington	2	\$ 754,649	37.27%
Peer Group 2 Average		\$ 549,739	
Bradford	3	\$ 680,789	-27.73%
DeSoto	3	\$ 762,973	-19.00%
Gadsden	3	\$ 1,243,932	32.06%
Hardee	3	\$ 863,252	-8.35%
Hendry	3	\$ 1,197,173	27.10%
Jackson	3	\$ 1,052,321	11.72%
Levy	3	\$ 1,030,854	9.44%
Madison	3	\$ 536,805	-43.01%
Okeechobee	3	\$ 1,251,005	32.81%
Suwannee	3	\$ 1,098,181	16.59%
Wakulla	3	\$ 644,175	-31.61%
Peer Group 3 Average		\$ 941,951	
Citrus	4	\$ 2,977,771	46.83%
Columbia	4	\$ 1,510,013	-25.54%
Flagler	4	\$ 1,823,431	-10.09%
Highlands	4	\$ 1,872,231	-7.68%
Indian River	4	\$ 3,015,965	48.71%
Nassau	4	\$ 1,562,829	-22.94%
Putnam	4	\$ 1,993,279	-1.72%
Sumter	4	\$ 1,864,635	-8.06%
Walton	4	\$ 1,632,548	-19.50%
Peer Group 4 Average		\$ 2,028,078	



Budget Comparison to the Peer Group Average

County	Peer Groups	CFY 2019-20 Budget W/O JURY	Percent Above or Below PG Average
Alachua	5	\$ 6,101,007	59.35%
Charlotte	5	\$ 3,564,967	-6.89%
Clay	5	\$ 3,675,597	-4.00%
Hernando	5	\$ 3,415,436	-10.79%
Martin	5	\$ 3,601,519	-5.93%
Monroe	5	\$ 3,681,004	-3.86%
Okaloosa	5	\$ 3,684,787	-3.76%
Saint Johns	5	\$ 3,565,949	-6.86%
Santa Rosa	5	\$ 3,167,828	-17.26%
Peer Group 5 Average		\$ 3,828,677	
Bay	6	\$ 3,663,308	-50.56%
Brevard	6	\$ 11,462,167	54.70%
Collier	6	\$ 6,528,308	-11.89%
Escambia	6	\$ 6,926,892	-6.51%
Lake	6	\$ 6,180,164	-16.59%
Leon	6	\$ 5,926,985	-20.01%
Manatee	6	\$ 5,983,881	-19.24%
Marion	6	\$ 6,626,239	-10.57%
Osceola	6	\$ 7,327,693	-1.10%
Pasco	6	\$ 11,761,853	58.74%
Saint Lucie	6	\$ 6,804,885	-8.16%
Sarasota	6	\$ 8,228,236	11.05%
Seminole	6	\$ 8,901,420	20.14%
Peer Group 6 Average		\$ 7,409,387	
Duval	7	\$ 19,487,703	24.15%
Lee	7	\$ 11,850,439	-24.50%
Pinellas	7	\$ 23,152,497	47.50%
Polk	7	\$ 12,340,907	-21.38%
Volusia	7	\$ 11,653,280	-25.76%
Peer Group 7 Average		\$ 15,696,965	
Broward	8	\$ 40,307,454	0.07%
Hillsborough	8	\$ 29,882,862	-25.81%
Miami-Dade	8	\$ 71,545,715	77.62%
Orange	8	\$ 29,035,203	-27.92%
Palm Beach	8	\$ 30,632,144	-23.95%
Peer Group 8 Average		\$ 40,280,676	

Grand Total **\$ 446,812,672**

Section 28.35(2)(f)9. F.S., requires CCOC to identify the budget of any clerk which exceeds the average budget of similarly situated clerks by more than 10 percent.





CCOC

FLORIDA CLERKS OF COURT
OPERATIONS CORPORATION

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HOUSE APPOINTEE

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AGENDA ITEM 4b

DATE: September 29, 2020
SUBJECT: PIE Committee Report
COUNCIL ACTION: Certify Performance Report

OVERVIEW:

On August 20, the PIE Committee met via WebEx. The committee is bringing two items to the Council’s attention.

Item #1:

Chapter 2019-15, which took effect July 2019, requires the CCOC to remit the performance measure action plans to the Legislature 45 days from the end of 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, post them on the CCOC website, then notify the Legislature to meet the required deadline. The Council then would be notified of the plan being posted to the CCOC website at their next scheduled meeting.

The PIE Chair has worked with CCOC staff to compile the information for the CFY 2019-20 Quarter 3 Performance Report, and it was sent to the Legislature to meet the August 14 deadline. A copy of the report is on the CCOC website and can be obtained by clicking on the link <https://flccoc.org/ccoc-reports/#pr>.

CFY 2019-20 Quarter 3 Performance Report Highlights

Collections

As shown in Table 1, except for civil traffic, all court division statewide met their respective standards. There was a slight reduction across the criminal court division from the previous quarter. Civil traffic continues to be a challenge meeting the 90% standard, which currently stands at 84.5%.

There were 48 clerk offices that required an action plan related to collections for one or more court divisions. Most of the action plans were related to civil traffic, followed by circuit criminal. Clerks cited external factors that were out of the control of the Clerk as the reason for not meeting standards.

TABLE 1 – Collections Performance by Court Division

Court Division	CFY 2018-19 Year End	CFY 2019-20 1st Quarter	CFY 2019-20 2nd Quarter	CFY 2019-20 3rd Quarter	CFY 2019-20 4th Quarter	Standard
Circuit Criminal	9.38%	8.00%	9.85%	9.02%		9%
Circuit Criminal (No Trafficking)	16.44%	13.88%	19.03%	16.67%		NA
County Criminal	40.25%	39.59%	41.43%	40.26%		40%
Juvenile Delinquency	15.76%	15.78%	16.56%	17.99%		9%
Criminal Traffic	61.09%	60.04%	62.91%	61.04%		40%
Circuit Civil	99.28%	99.27%	99.38%	99.31%		90%
County Civil	99.81%	99.83%	99.81%	99.73%		90%
Civil Traffic	84.55%	85.01%	83.98%	84.54%		90%
Probate	99.35%	99.27%	99.27%	99.28%		90%
Family	96.99%	96.96%	96.90%	97.01%		75%

Filing Cases Timely

As shown in Table 2, all court divisions met their respective standards for filing cases timely. For many court divisions, the improvements were significant compared to the prior quarter. For example, civil traffic increased by over seven percentage points from 91.65% in Quarter 2 to 99.2% in Quarter 3. Additionally, while county civil saw a reduction between Quarter 1 and Quarter 2, it now increased five percentage points from the previous quarter to 93.46%. This improvement could be attributed to a significant reduction in new cases filed during this time period due to modified operations during COVID-19.

Only eight clerk offices required an action plan for not filing cases timely for one or more court divisions. This is a reduction of 3 offices from the prior quarter. Lack of staffing and the need for cross-training was cited by those offices that did not meet the standard.

TABLE 2 Filing Cases Timely

Court Division	CFY 2018-19 Year End	CFY 2019-20 1st Quarter	CFY 2019-20 2nd Quarter	CFY 2019-20 3rd Quarter	CFY 2019-20 4th Quarter	Standard
Circuit Criminal	94.67%	88.25%	92.46%	96.55%		80.00%
County Criminal	96.10%	89.32%	92.83%	93.93%		80.00%
Juvenile Delinquency	95.67%	88.32%	92.66%	96.17%		80.00%
Criminal Traffic	96.15%	91.46%	94.02%	96.15%		80.00%
Circuit Civil	88.72%	85.10%	90.82%	93.40%		80.00%
County Civil	93.95%	93.10%	88.56%	93.46%		80.00%
Civil Traffic	98.49%	95.37%	91.65%	99.20%		80.00%
Probate	93.62%	88.69%	94.78%	96.19%		80.00%
Family	96.29%	93.22%	93.22%	97.47%		80.00%
Juvenile Dependency	98.17%	92.78%	96.15%	98.57%		80.00%

Docketing Cases Timely

As shown in Table 3, all court divisions met their respective standards for docketing cases timely. Juvenile Delinquency and Dependency court divisions saw the most improvement from the previous quarter.

Only six counties required an action plan for not docketing cases timely, which was a reduction of 2 counties from the previous quarter. The reduction in the case volume during this time-period could contribute to sustaining performance.

TABLE 3 Docketing Cases Timely

Court Division	CFY 2018-19 Year End	CFY 2019-20 1st Quarter	CFY 2019-20 2nd Quarter	CFY 2019-20 3rd Quarter	CFY 2019-20 4th Quarter	Standard
Circuit Criminal	94.70%	93.31%	94.90%	96.35%		80.00%
County Criminal	94.32%	95.01%	95.47%	94.65%		80.00%
Juvenile Delinquency	95.96%	92.65%	94.01%	97.04%		80.00%
Criminal Traffic	95.02%	95.85%	95.77%	95.24%		80.00%
Circuit Civil	94.93%	91.46%	96.75%	96.72%		80.00%
County Civil	96.17%	94.68%	95.80%	95.99%		80.00%
Civil Traffic	98.39%	98.00%	98.16%	97.15%		80.00%
Probate	93.66%	94.90%	95.32%	95.86%		80.00%
Family	92.89%	92.42%	92.69%	96.95%		80.00%
Juvenile Dependency	95.85%	93.97%	95.85%	97.79%		80.00%

Paying Jurors Timely

Lastly, due to COVID-19, there were 37 counties that did not issue jury summons. While 29 counties issued summons, only five counties issued payments, all of which were timely.

COUNCIL ACTION: Certify Task Completed.

Item #2:

The PIE Committee and clerk staff have been working on counting cases consistently and accurately across all 67 counties for many years. In 2016, the Budget Committee directed the PIE Committee to develop case weights for all the court case types filed in a Clerks office that more accurately reflected the work involved across the various sub-case types, which would assist the Budget Committee in comparing Clerk’s budgets as required by Florida Statutes. Clerk Barbee chaired a clerk staff workgroup representing ten counties and over a span of 7 months, developed subcase weights for 91 subcase types, including cases unable to categorize.

Also, in 2016 the Budget Committee, at the direction of Clerk Burke, asked that case counting data be revisited. Chaired by Clerk Cooney, a clerk staff workgroup from several counties worked to audit case counting records. The workgroup brought forward a recommendation to revise the Case Counting Business Rules, which was adopted at the PIE Committee meeting on February 5, 2020.

After auditing the case counts for CFY 2017-18, the Case Counting Workgroup recommended changes to several case types; however, ONLY the Civil Traffic was taken up by the PIE Committee at this time. The PIE Committee met on August 20, 2020, where they approved the workgroup recommendation of Civil Traffic weight of 1.5 from the current 3. The Budget Committee used this adjusted case weight as part of the peer grouping calculations and during the 2020-21 budget review process.

The remaining case weight recommendations will be vetted by the PIE Committee with a goal to be completed during CFY 2020-21. Meeting materials can be found on our website: <https://flccoc.org/committees/performance-improvement-and-efficiencies-committee/>.

COUNCIL ACTION: Codify the PIE Committee action.

LEAD STAFF: Douglas Isabelle, Deputy Executive Director

ATTACHMENTS: None



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AGENDA ITEM 6

DATE: September 29, 2020
SUBJECT: Compliance Efforts with CIS
COUNCIL ACTION: Information Only

OVERVIEW:

This is an update of CCOC’s revenue compliance contract with Compliance Improvement Services, Inc. Despite the pandemic, CCOC continues to actively provide compliance education services and assistance. Mr. Don Murphy will provide a short presentation on these activities and the presentation is included in your packet. He is available to answer any of your questions.

The CCOC website Compliance Corner page has been updated with links to the CIS page for various services such a continually updated blog, podcast, e-learning portal, and a spotlight page for what clerks are doing well in their offices regarding compliance.

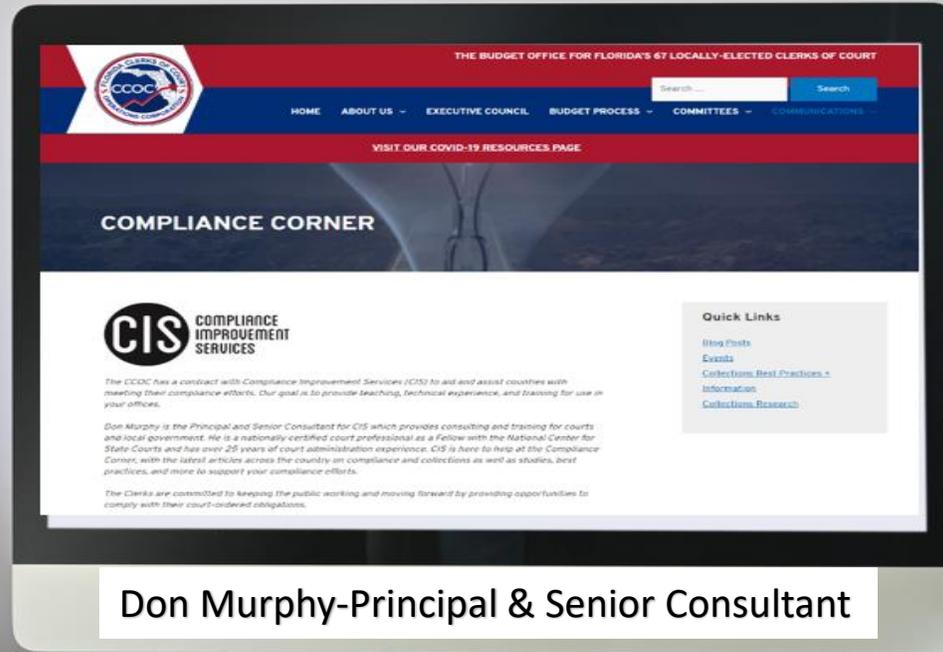
COUNCIL ACTION: Information Only

LEAD STAFF: Douglas Isabelle, Deputy Executive Director

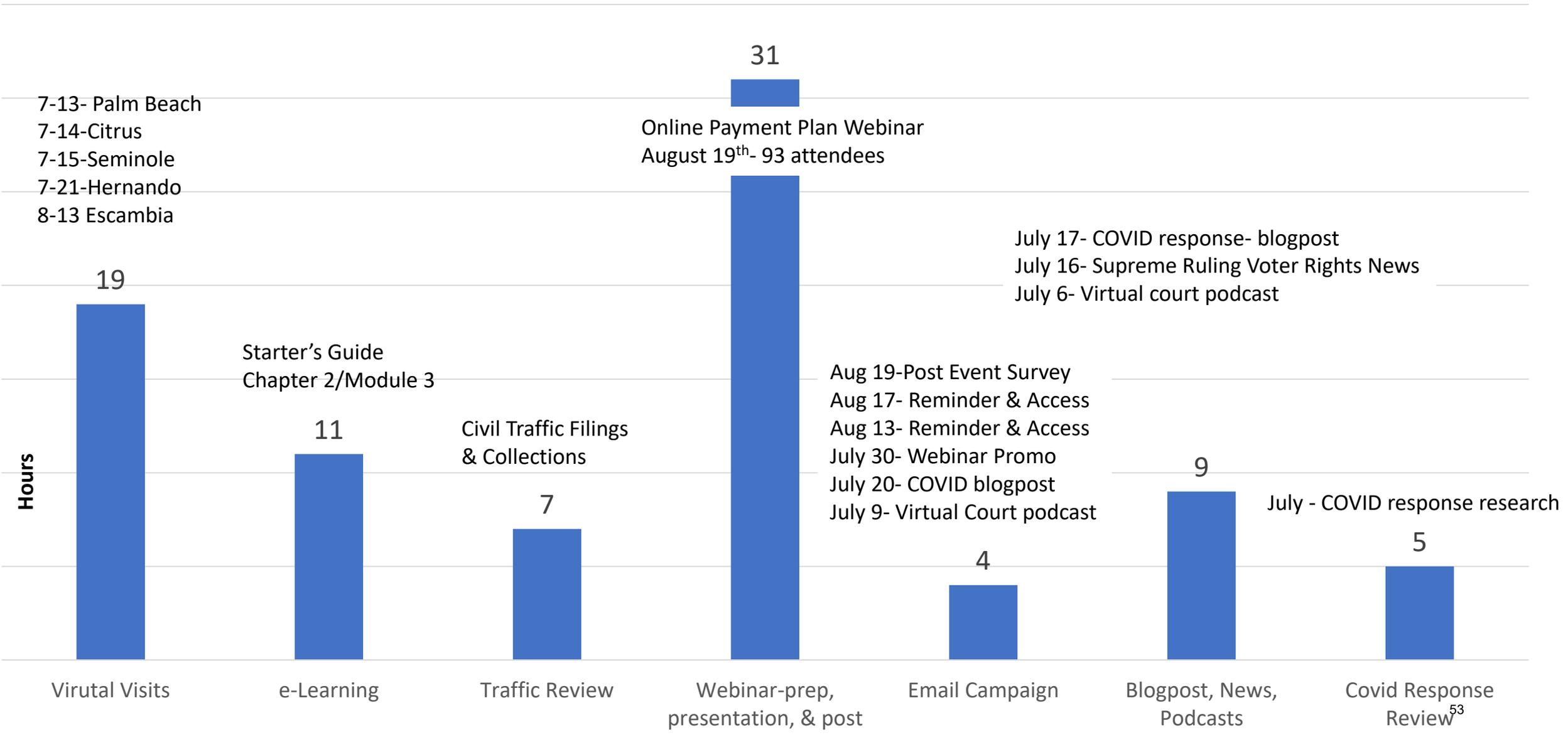
ATTACHMENTS:

- 1) CIS Compliance Presentation

Compliance Improvement Services Update



CIS Service Hours by Category- July & August 2020



7-13- Palm Beach
 7-14-Citrus
 7-15-Seminole
 7-21-Hernando
 8-13 Escambia

31
 Online Payment Plan Webinar
 August 19th- 93 attendees

July 17- COVID response- blogpost
 July 16- Supreme Ruling Voter Rights News
 July 6- Virtual court podcast

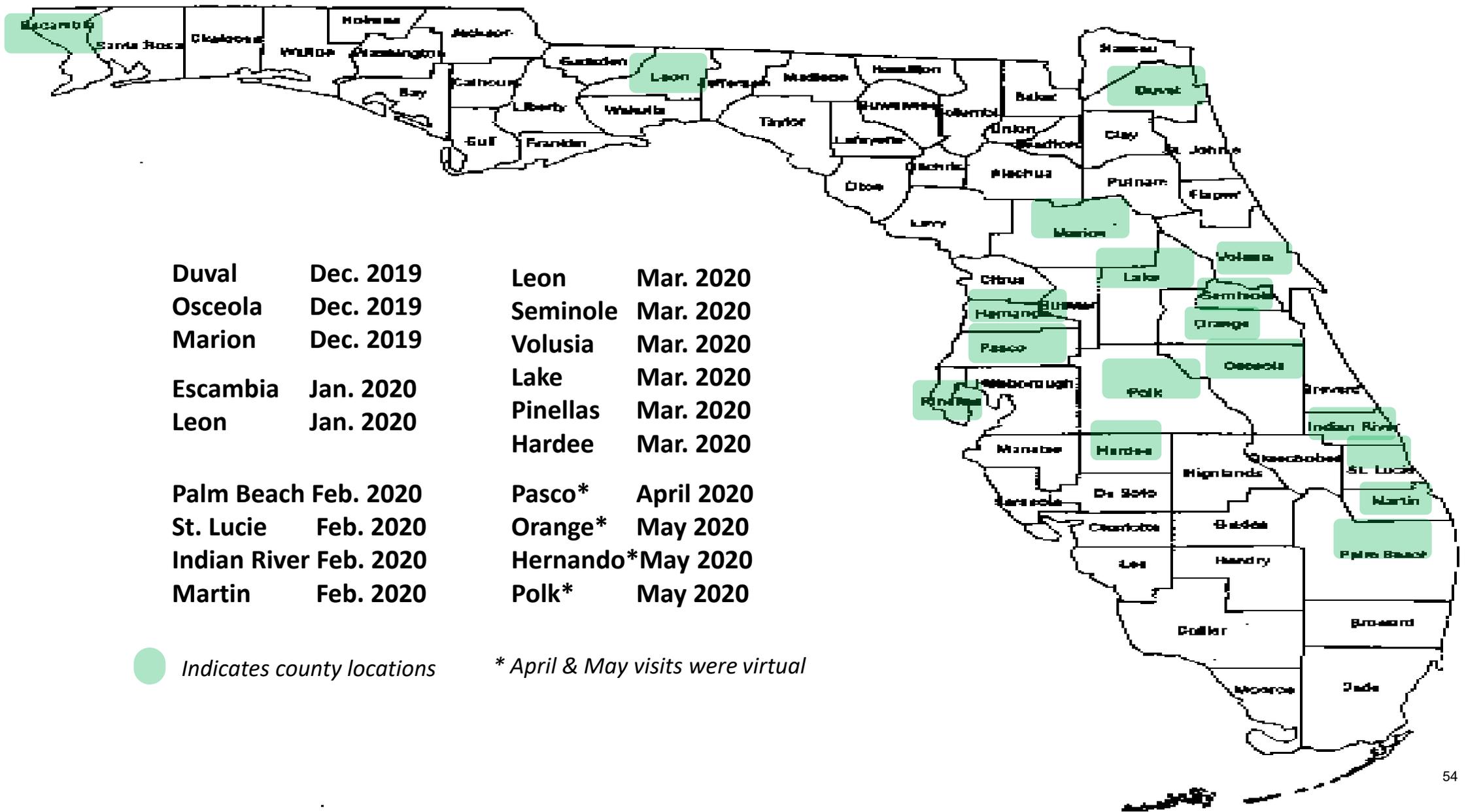
Starter's Guide
 Chapter 2/Module 3

Civil Traffic Filings
 & Collections

Aug 19-Post Event Survey
 Aug 17- Reminder & Access
 Aug 13- Reminder & Access
 July 30- Webinar Promo
 July 20- COVID blogpost
 July 9- Virtual Court podcast

July - COVID response research

• Compliance Service On-Site & Virtual Meetings



Duval	Dec. 2019	Leon	Mar. 2020
Osceola	Dec. 2019	Seminole	Mar. 2020
Marion	Dec. 2019	Volusia	Mar. 2020
Escambia	Jan. 2020	Lake	Mar. 2020
Leon	Jan. 2020	Pinellas	Mar. 2020
		Hardee	Mar. 2020
Palm Beach	Feb. 2020	Pasco*	April 2020
St. Lucie	Feb. 2020	Orange*	May 2020
Indian River	Feb. 2020	Hernando*	May 2020
Martin	Feb. 2020	Polk*	May 2020

 *Indicates county locations*

** April & May visits were virtual*

BEST PRACTICE CHECKLIST-COMPLIANCE SERVICES



Optional Elements

Best

Compliance Enforcement Elements

Better

Fundamental Practice Elements

Good

Mandatory Elements

Compliance Best Practice Review



Best Practice Characteristics	Good	Better	Best
Dedicated Compliance Staff	✓	✓	✓
Day of Sentencing Payment Plan Enrollment	✓	✓	✓
Notifications generated for late payments	✓	✓	✓
Collection Agent Enrollment for past due payment plans	✓	✓	✓
Statistical Reporting tracking payment plans, participation, total dollar, monthly averages	✓	✓	✓
Payment Plan Management Software- tracks all plans, initiates notifications, reports plan results		✓	✓
Call Center dedicated to payment plan calls for upcoming or late payments, and payment collection		✓	✓
Notifications generated in advance of payment due dates		✓	✓
Thank you notifications delivered upon receipt of plan payments		✓	✓
Community Service offering to citizens for those unable to make payment contributions		✓	✓
Compliance team review of services on at least an annual basis to make improvements		✓	✓
Negotiation staff available to work with citizens to satisfy payment obligations			✓
Call Center IVR available to send out automated calls for payments due on plans			✓
Online payment plan enrollment available to create and track plan involvement for citizen and County			✓
Electronic notifications through email and text messages for payments due on plans			✓

Educational Services

Virtual Visits



*Best Practice Review
Online Payment Plans
Virtual Court Experiences
Negotiation Practices*

e-Learning



Online e-Learning experience in Compliance Service. Available online anytime. Prevention, Mediation, Restoration, and Analytics in Compliance.

Remote Updates



Compliance news, blogposts, podcasts, and spotlighted events in compliance service electronically delivered to compliance practitioners.



THANK
YOU!



COMPLIANCE
IMPROVEMENT
SERVICES

*An Educational Resource provided by the Florida
Clerks of Court Operations Corporation*

Don Murphy
Principal & Senior Consultant
Compliance Improvement Services
(239) 470-3956
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AGENDA ITEM 7

DATE: September 29, 2020
SUBJECT: Update on Clerks' Submitting CCOC Reports
COUNCIL ACTION: Information Only

OVERVIEW:

In the past, the CCOC office has received audit criticisms that some Clerks were not meeting our deadline for submitting reports. In numerous cases we did follow-up emails, calls with Clerks, and documented the reasons the reports were late. To memorialize our actions and efforts to receive reports timely, the Council adopted a "CCOC procedure for notifying Clerks Regarding Delinquent Reports" at the October 1, 2019 meeting (**Attachment 1**).

CCOC requires Clerks submit numerous reports. The monthly reports include the following: Expenditure & Collection (EC), Outputs, Civil Indigence, and Chapter 2008-111. The quarterly reports include the following: Timeliness, Collections, Jurors Payments, Juror Estimates, Juror Actuals, and Section 318.18(13), Florida Statutes.

UPDATE

The policy approved by the Council in October 2019 has been followed by CCOC staff and leadership. Through the past year, despite budget reductions and COVID-19, we have seen improvement in receiving reports timely from Clerks from previous years. We have also documented the reasons for reports not being submitted timely. Reasons such as upgrading to case maintenance systems, sick or loss of staff, and hurricanes are a few examples. Last month we had all reports submitted within just a few days of the due date. We will continue to follow the process of quickly notifying Clerks when reports are delinquent and work with them to get such reports in timely.

COUNCIL ACTION: Information Only

LEAD STAFF: John Dew, CCOC Executive Director

ATTACHMENTS:

1. CCOC Notifying Clerks Regarding Delinquent Reports



FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

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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.

Approved by CCOC Executive Council on October 1, 2019

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