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 stop 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 1although 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.