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## BUDGET COMMITTEE MEETING

May 17, 2021

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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  
  
NIKKI ALVAREZ-SOWLES, ESQ.  
PASCO COUNTY  
SENATE APPOINTEE

KEN BURKE, CPA  
PINELLAS COUNTY  
HOUSE APPOINTEE  
  
JOHN DEW  
EXECUTIVE DIRECTOR  
  
FIRM OF BOYD AND DURANT  
GENERAL COUNSEL

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

## BUDGET COMMITTEE MEETING

May 17, 2021

Meeting: 10:00 AM – 2:30 PM, Eastern

Location: Clay County Courthouse, All Purpose Room #107  
825 N Orange Ave, Green Cove Springs, FL 32043

WebEx Link: <https://flclerks.webex.com/flclerks/j.php?MTID=mb3bfc511ae2be939460c07502dcab256>

Meeting Code: 160 847 5330, Password: CCOC

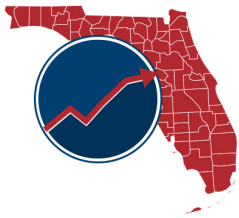
Conference Call: 1-866-469-3239; Access Code: 160 847 5330

- 1) Call to Order and Introduction.....Hon. JD Peacock
- 2) Approve Agenda .....Hon. JD Peacock
- 3) Approve Minutes from April 5, 2021 Meeting .....Marleni Bruner
- 4) Statewide Budget Issues .....Hon. JD Peacock
- 5) Legislative Update.....Hon. Carolyn Timmann
- 6) Pandemic Recovery Plan .....Jason L. Welty
- 7) Reserve Policy Workgroup Update.....Hon. Jeff Smith
- 8) Case Counting Workgroup Update.....Hon. Gary Cooney
- 9) Other Business.....Hon. JD Peacock
  - a) Public Comment
  - b) Next Meeting

Due to COVID-19 restrictions, in person space limited to Budget Committee members and elected clerks only.  
Please RSVP to Marleni Bruner, [mbruner@flccoc.org](mailto:mbruner@flccoc.org), to reserve your in-person spot. Preference will be given to  
Budget Committee members first, then elected clerks.

**Committee Members:** JD Peacock, Chair; Jeffrey Smith, CPA, Vice-Chair; Tom Bexley; Ken Burke, CPA; Stacy Butterfield, CPA; Pam Childers, CPA; Gary Cooney, Esq.; John Crawford; Brenda Forman; Greg Godwin; Tara S. Green; Carla Hand, CPA, CGFO; Bill Kinsaul; Kellie Rhoades, CPA; Tiffany Moore Russell, Esq.; Donald C. Spencer; Cindy Stuart; Carolyn Timmann; and Angela Vick

*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.*



# CCOC

## FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

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### Minutes of April 5, 2021, CCOC Budget Committee Meeting

**Committee Action:** Review and approve with amendments, as necessary.

The Budget Committee of the Clerk of Courts Operation Corporation (CCOC) held a meeting via WebEx on April 5, 2021. An agenda and materials were distributed in advance of the meeting and posted on the CCOC website. Provided below is a summary of staff notes from the meeting. Staff notes document committee action, not to be a complete record of committee discussions. All motions adopted by the committee are in **bold** text. All CCOC staff action items based on committee direction are in red and **bold** text.

#### 1. Agenda Item 1 – Call to Order and Introduction

The meeting was called to order by Clerk JD Peacock, Chair of the Budget Committee. Marleni Bruner, CCOC Senior Budget Manager, called the roll.

Present for the meeting conference call: Clerk JD Peacock, Clerk Jeff Smith, Clerk Ken Burke, Clerk Pam Childers, Clerk Gary Cooney, Clerk Brenda Forman, Clerk Tara Green, Clerk Carla Hand, Clerk Bill Kinsaul, Clerk Tiffany Moore Russell, Clerk Don Spencer, Clerk Carolyn Timmann, Clerk Angela Vick

Absent from meeting conference call: Clerk Tom Bexley, Clerk Stacy Butterfield, Clerk John Crawford, Clerk Greg Godwin, Clerk Kellie Rhoades

#### 2. Agenda Item 2 – Approve Agenda

**A motion was made to adopt the agenda by Clerk Timmann and seconded by Clerk Vick.** Clerk Peacock asked if there were any questions regarding the agenda. There were none. **The agenda was adopted by consent.**

#### 3. Agenda Item 3 – Approve Minutes from March 8, 2021 Meeting

Clerk Peacock asked if anyone had any questions regarding the March 8, 2021, Budget Committee Meeting minutes. There were none. Clerk Peacock then asked if anyone would entertain a motion to approve the minutes.

**Clerk Timmann motioned to adopt the minutes, which Clerk Cooney seconded. The motion was adopted by consent.**

4. Agenda Item 4 – Legal Opinion

Clerk Peacock explained that at the previous meeting, committee members requested a legal opinion from the General Counsel on the clerks' ability to utilize dollars in the current fiscal year from cumulative excess that at the end of this year to aid the clerks with existing budgetary concerns. Clerk Peacock explained that the legal opinion provided by Mr. Rob Boyd and is in the meeting packet. Clerk Peacock opened up the floor for any questions they may have of Mr. Boyd.

Clerk Burke stated that when there is a lack of revenue, the budget is cut. He stated that to him, there is no authority in statute that the budget is cut. Clerk Burke stated that when the revenues are in excess, clerks should have the opportunity to do something with that money. Clerk Burke stated that if the REC is wrong in their estimate, there should be the authority to spend the excess. Clerk Burke asked for clarification.

Mr. Rob Boyd responded that as far as the reduction in funds, it is standard accounting, and they did not look into that as part of the request for this legal opinion. If excess funds were on hand, the legal opinion would be a bit different as submitted. He stated that the challenge in this scenario is that the excess funds are still being estimated. The question was, could the estimated funds be used, but the real question, according to Mr. Boyd, was when those funds could be realized. They are not money in the bank yet. They can be used in the next fiscal year as an actual.

Clerk Burke did not feel that this answered his question as he wanted to know the legal authority was to cut budgets. He stated that he is predicting that the excess estimate will be able to be used, but if clerks are predicated on cutting budgets, they should increase their budgets if the estimate comes in higher.

Clerk Peacock explained that he has taken this issue from an accounting perspective, taking in the timing of state fiscal year and county fiscal year no legal, and how to work from an accounting practice. He did not recall any conversation regarding legal authority when having to make mid-year cuts in the past. He stated that if the money is not there, it is not able to be spent. He explained that the question was whether clerks could spend the estimated excess revenue for the future in the current fiscal year, and the legal opinion stated there was no legal support to do that.

Clerk Peacock asked if Mr. Jason Welty, CCOC Budget and Communications Director, had any comments to add from the staff. Mr. Welty stated that he did not have anything to add and that the legal opinion was in line with what legislative staff discussed with CCOC staff months ago.

Clerk Burke stated that the bottom line was when the REC underestimates the revenue, they limit the clerks, and when the REC overestimates the revenue, then

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clerks have to cut. Clerk Peacock stated that he recognizes there are some incentives built into the system that our legislative team is working to adjust.

Clerk Smith wanted to know if the legislative team has addressed this issue or if they would be working on it in the future. Clerk Peacock stated that as the CCOC Chair, he has had offline conversations about this but has not directed the Legislative Committee chair to take formal action. Clerk Timmann was called on, and she explained that this issue has been brought up repeatedly and will continue to do so regarding if we have to take the loss when it goes under, why do we not have the benefit when it goes over. She also stated that using this legal opinion, we can ask what would have to change so this wouldn't be the case. She stated the legal opinion was nice to have. She also stated that Mr. Welty has had these ongoing conversations as well with legislative staff and will continue to do so.

Clerk Peacock reminded everyone that one of the legislative goals of this year was to obtain a reserve, and once that issue is across the finish line, then the details can be locked down. Other issues like when is the revenue estimate from the REC that locks the clerks in; is it in July or November? Clerk Peacock acknowledged that legal opinion was requested and presented for the Budget Committee. At the next Executive Council meeting, he will share the request and delivery of the legal opinion.

#### 5. Agenda Item 5 – Budget Workplan Update

Clerk Peacock explained that the next agenda item was related to the Budget Workplan. He stated that things had to be fluid due to COVID-19 impacts and legislative action. Actions will be locked in tighter once session ends, and we know some of the things we have to work with. He would like the committee to adopt the things they can control, like the Committee's work on the Base Budget and adjustments from the various topics and statewide issues the committee feels are essential. Clerk Peacock explained that the timeline is from April to May to work on those things as presented in the packet. Clerk Peacock explained that the Base Budget exercise will be adopted at the next meeting in May, but the issues and forms will be approved today. The draft of the base budget will be worked on today and formally adopted in May. Clerk Peacock noted that other issues and dollar amounts relating to individual county statewide issues are due in June via the Budget Issue form, in addition to non-statewide issues a county requests funding for. The budget training will occur in May.

Clerk Peacock stated that in June, budget requests will be reviewed, and decisions will be made as a Committee on which ones should be adopted. He stated that last year, only FRS was adopted. Clerk Peacock then stated that the July REC revenue amount would be released, and a committee-approved expenditure budget would be adopted, and the revenue-limited budget would be applied. Clerk Peacock asked for questions regarding the timeline. Seeing none, he moved to Agenda Item 5, Attachment 2, the budget procedure, which he noted as a strong starting point.

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Clerk Peacock explained that the clerks will start with the committee-approved expenditure budget, not the requested budget or the revenue-limited budget. Clerk Peacock explained that the reason for starting there is because last year, the committee did the work to determine what the appropriate funding level would be. The amount had to be reduced by the estimated revenue, which was not based on operational logic but the funds that are available. Clerk Peacock continued that statewide funding issues as approved by the committee would be applied, examples under #2 that will be discussed in the meeting, followed by an adopted base budget. Clerk Peacock explained that by June 1, requests for additional issues, their response to statewide issues, revenue projections, and clerk certification letters would be collected.

Finally, in #5, 6, & 7, the expenditure budget will be approved, and then in July, it will be balanced to available revenues. Clerk Peacock stated that this was the goal for the budget procedure for this year. He asked if there were any questions. There were none.

Clerk Peacock then moved to Attachment 4, where he explained the template in-depth but mentioned that the same logic would be used as last year. Clerk Peacock identified an error in Column F, "CFY 2021-22 Expenditure Budget (Committee Approved)." It should read, "CFY 2020-21 Expenditure Budget (Committee Approved)." Clerk Timmann asked for clarification on Column E, and Jason Welty explained that it was a formula error. Clerk Peacock stated that he misses working in person to catch these kinds of mistakes. This document is a draft, and that cleanup will be made.

A question came through chat regarding when the spreadsheet was sent out, and Clerk Peacock responded that the spreadsheet is being viewed during this meeting, but the only thing sent out was a pdf contained in the packet. Clerk Smith asked for clarification on Column G on Mr. Welty's sample. Mr. Welty explained that the vacancy issue was from last year, and random numbers were used to show how it would work. Clerk Smith also questioned if the 180-day vacancy issue would be kept in light of COVID-19, and he believed that clerks should respond and then state if they are vacant due to the pandemic.

Clerk Burke asked if Clerk Peacock was asking the committee to make policy decisions today. Clerk Peacock stated that no, he was not looking for a final decision but want ideas and direction to give the counties. If there are any statewide issues that the committee wants to look at to make a formal decision on them later. Clerk Burke stated that he did not know if it was enough time to review the packet coming off a holiday weekend, and he also missed meeting in person. He agreed that it needs to be pointed out that this is a starting point and that there is no pressure that these are final decisions. Clerk Peacock stated that this will not be adopted until the next meeting. Clerk Burke suggested that the next meeting be in person in May. Clerk Peacock explained that he wants to say some may have the vaccine by then if they want and be willing to meet in person.

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Clerk Green suggested considering lifting the 180-day policy due to the reduction a lot of counties took, through attrition or furlough. Clerk Green stated that the backlog of cases coming through are the focus for clerks, along with compliance. Clerk Green explained that constituents should be on the road working and driving. Clerk Peacock agreed.

Clerk Timmann stated that to add to the 180-day issue, budget issues are primary, but trying to hire during closures is very challenging. She explained that in this case, it should be strongly considered because of the budget and difficulty hiring. Clerk Vick agreed, stating that there should be a lot of considerations given to the current environment and situation due to the last year.

Clerk Vick also asked whether the new judges assigned would be the same as if the legislature appropriate funding for additional judges to help with the backlog of cases due to COVID-19 since one is permanent and one is temporary. Clerk Peacock stated that his initial thought is that statewide new judges is for statutorily created new judges. He stated that the Pandemic Recovery Plan, the backlog of cases, is a separate issue and would have a separate funding source. Jason Welty agreed and also stated that as this spreadsheet is built, columns with non-recurring amounts will be added. That way, next year, the one-time funding for pandemic-related items will be removed. Clerk Vick said that it is important to keep everyone on the same page and able to follow as we loop back through what happens next year.

Clerk Moore Russell suggested pausing the 180-day issue. Clerk Peacock stated that he supports removing that as an item. He stated that although it is a state policy, it should not be applied this year. Clerk Miller stated that a total and complete budget should be put in place so that clerks can hire a full staff.

Clerk Peacock explained that the 2021 Budget approved was \$448 M, and the revenue was \$410 M based on the REC projection. The REC creates this number, not calculating what clerks need to operate fully but on revenue projections of certain case types. Clerk Peacock explained that there is no tie to workload, and as this is a zero-sum game, all clerks have to share the same pot of money. Clerk Miller stated that her staff is so skeletal and exhausted. Clerk Peacock stated that he hopes clerks can get there.

Clerk Green asked if a formal motion was wanted. Clerk Peacock stated that it is okay to remove this item if there was full consent, and if any objection were present, there would be a vote. He then asked if there were any other statewide reduction issues. There were none.

Clerk Smith stated that the minimum wage is going to \$10 and should be kept on the spreadsheet for discussion purposes. Clerk Burke explained that TCBC puts a price tag on new duties and requests funding from the legislature. There is a mandate for drive license reinstatement events which is costly, and he explained that he doubts the legislature will fund the clerks for everything they mandate. Clerk Burke explained that

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the clerks should calculate their costs. He specifically mentioned the Data Transparency initiative, the UCR initiative, a bill regarding payment plans, and the costs need to be identified. Plus, regular items such as FRS increase, health insurance increase, then dealing with minimum wage and its effects. Any new duties need to be quantified. The legislature does not remove duties from the clerks. Clerk Peacock stated that some of these costs would be trailing once the mandate is put into effect.

Clerk Green agreed, stating that clerks are constantly asked to do additional duties and rarely get the compensation to perform the duties. Clerks stand at the ready to perform all essential services, but the challenge is that for the judiciary, it is an ask. For clerks, any new fee requires a two-thirds vote or funding for a no-fee case/service.

Clerk Moore Russell asked if Clerk Peacock is proposing that the CCOC would automatically fund clerks for the constitutional minimum wage increase as they go through each stage. Clerk Peacock clarified that these columns are to capture the costs, and then the Budget Committee will decide if they will include the issue in the base budget. Clerk Moore Russell wondered how many clerks are already beyond the \$10 to be competitive would they submit a request on behalf of for funding purposes. Clerk Peacock explained that this would be statutorily required in this column and a different issue for anything beyond that.

Clerk Timmann wanted to go back to the fiscal impact of new mandates and state that responsibilities and costs are all present in the clerks' fiscal analysis that is submitted during session. She stated that it would be interesting to update a final report after session and have that data for the Budget Committee. Clerk Peacock stated he thought it is a great idea.

Clerk Kinsaul stated that he is opposed to bucket amounts for minimum wage and even for reductions. He stated that for offices that are already at \$15 per hour minimum, they wouldn't receive any additional funding for this issue, and money will be taken from them to fund those who are not already at \$15 per hour. He prefers that it be done by cost per case only. Clerk Peacock stated that his points are well taken. He understands but does not know how it would work statewide, as he likes the idea of using case counts for distribution but doesn't know if we are there yet. There will be a time for additional conversation for the Case Counting Workgroup. Clerk Alvarez-Sowles stated that her office is not at \$15 per hour, but the Senate Appropriations Committee released their budget, and they are bringing their minimum wage up to \$13 per hour. She asked if clerks are looking to follow suit with the state. Clerk Peacock stated that it was an interesting thought to consider.

Clerk Peacock asked if anyone had objections to including FRS increases in this spreadsheet. With no objections, it would stay on the list. Clerk Burke stated that these are only to see the figures, but it is not an approval of the issue. He wants to see the impact of this but does not want to approve it today.

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Clerk Peacock then mentioned to the recurring statutory new judges if it is funded. Jason Welty explained that 1 FTE per judge at county average FTE cost is sufficient. Clerk Peacock asked if there was any opposition to keeping that on the spreadsheet. Mr. Welty said the issue is currently to fund the twelve new judges they created last year and an additional four new judges for this year. Clerk Burke asked if the JA was also funded. Mr. Welty said yes, the administrative support for the new judges was also funded. Clerk Burke explained that if clerks are going to have a formula like this, they should include clerk support when the legislature funds a new judge. He explained that CCOC does not receive extra funding from the legislature for new judges. Clerk Peacock agreed it was a great concept but a broader issue to receive an appropriation. Mr. Welty and the CCOC team will make sure to reach out to impacted counties for the issue.

Regarding the \$15 per hour pay wage increase, Clerk Peacock explained that we heard Clerk Kinsaul's comments. He stated that he believed this column should only be what the statutory minimum is, which is \$10 per hour. Compression issues are not considered beyond the constitutional requirement. Clerk Moore Russell requested that it remain as a column so everyone can see the impacts but does not think everyone should pay for the increase of others. Clerk Peacock suggested it be used as an information-gathering tool and can be used next year as part of the legislative request. Mr. Welty explained that based on the Operational Budget, there are only twenty-four positions at less than \$10 per hour statewide. Some of the positions were student positions, and the hours worked could have been miscalculated. He does not expect much in that column.

Clerk Peacock stated that clerks could request as many issues as they would like. Clerk Burke stated that state mandates should be included. Clerk Peacock stated that details about state mandates would be added on another tab. The committee can then decide which ones to fund this year. Clerk Peacock suggested we do sampling for a statewide amount but does not want to add the extra work to clerks. That may be a statewide cost that can be calculated and estimated for each county. Clerk Peacock also states that he anticipates that between FCCC and CCOC, the information at a statewide level may already be there, then apply a formula to allocate it to each county. Clerk Timmann said that we could expand on the final analysis of the bill that passed and apply that to each county. Clerk Green agreed the data is probably there. Clerk Peacock stated that mandates are a potential statewide enhancement but will not be collected at the county level. Mr. Welty agreed that the work could be done but may take some time.

Clerk Kinzel had comments regarding her low level of pay and significantly reduced budget over the years. Clerk Peacock stated that management decisions are up to each clerk, as in his office, he will cut a position to increase the pay of others but recognize the concerns are valid statewide.

## 6. Agenda Item 6 – Budget Forms

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Marleni Bruner explained the budget forms referenced in the meeting packet. Mrs. Bruner explained that forms are done and included in this packet unless there are changes. This includes the Budget Issue form, the Revenue Projection form, and the Clerk Certification letter. Instructions will be updated and available to clerks prior to budget training.

7. Agenda Item 7 – Budget Training

A time and date will be selected by CCOC staff and sent out at a later date.

8. Agenda Item 8 – Other Business

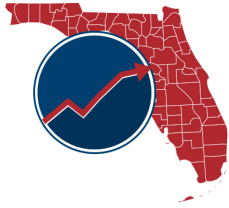
Clerk Vick wanted to thank CCOC staff and clerks that will be coming to the New Clerk Academy next week.

Clerk Peacock stated that the next meeting would be held in person with a WebEx option in May. He would like to have a quorum present if possible. The original date selected was May 13<sup>th</sup> from 2 – 4 PM. Clerk Peacock stated that if there are changes to make an in-person meeting work, everyone will be notified. He noted the Executive Council meeting on June 28<sup>th</sup> at conference. Clerk Peacock explained that if the base budget is constructed by June 1, the clerks are in good shape.

Clerk Peacock recognized retiring employees Kathryn Farynowski and Douglas Isabelle and asked for any farewell comments.

The meeting adjourned at 4:15 PM.

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## AGENDA ITEM 4

**DATE:** May 17, 2021  
**SUBJECT:** Statewide Budget Issues  
**COMMITTEE ACTION:** Discussion

### OVERVIEW:

The Budget Committee recommended, at the April 5, 2021 committee meeting, the clerks submit budget requests for a series of statewide issues. These issues include:

- FRS Contribution Rates
- Health Insurance Increases
- New Judges
- Constitutional increase to minimum wage
- New Legislative Mandates

As part of the Budget Issue form, CCOC staff filled out the issue justification section for the first three tabs: FRS Rate, Health Insurance, and Judges. We ask that you fill in the numbers for each of these issues and provide any additional detail in the issue justification field. Please include any positions that do not currently make \$10 per hour as the fourth tab.

Additionally, the committee requested CCOC staff to include a separate tab for any Legislative Mandates on the base budget spreadsheet that would build to a single column. In reviewing the enrolled bills, no bills create a statewide mandate requiring a calculated column.

Finally, CCOC advocated for additional resources to assist with the backlog of cases due to the pandemic. The CCOC was funded \$6 M for this issue to align with the funding provided to OSCA for temporary judges. This funding begins July 1, 2021, and will run through June 30, 2022. Three-quarters of the funding will reflect in the development of the CFY 2021-22 budget. This funding will NOT be a part of the budget issue request and base budget process. CCOC will collect actual expenditures and provide reimbursement based on the assignment of judges.

The base budget spreadsheet reflects updates from the April 5, 2021 committee meeting.

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## AGENDA ITEM 4 – STATEWIDE BUDGET ISSUES

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**COMMITTEE ACTION:** Discussion

**LEAD STAFF:** Griffin Kolchakian, Budget and Communications Director  
Jason L. Welty, Deputy Executive Director

**ATTACHMENTS:**

1. Base Budget Template 5-17-21
2. CFFY 2021-22 Budget Issue Form

Calculation Line								
CURRENT			POTENTIAL STATEWIDE ENHANCEMENT ISSUES				CFY 2021-22 BASE BUDGET	
County	Peer Group	CFY 2020-21 Expenditure Budget (Committee Approved on 9/2/2020)	ADD FRS Increase <u>CURRENT NUMBERS IN THIS COLUMN ARE ESTIMATES ONLY - EACH CLERK SHOULD CALCULATE THEIR OWN INCREASE</u>	ADD Health Insurance Increase	ADD New Judges 15 Judges Created in 2020 and 2021	ADD Minimum Wage - \$10 (INFORMATIONAL)	CFY 2021-22 Base Budget	Base Budget Increase Percentage
Calhoun	1	\$423,037	\$3,395				\$426,432	0.80%
Lafayette	1	\$292,156	\$2,239	\$4,388			\$298,783	2.27%
Liberty	1	\$288,357	\$3,338	\$2,518		\$5,000	\$294,213	2.03%
Union	1	\$457,872	\$0				\$457,872	0.00%
Baker	2	\$663,029	\$7,096				\$670,125	1.07%
Dixie	2	\$460,671	\$3,674				\$464,345	0.80%
Franklin	2	\$620,259	\$5,446				\$625,705	0.88%
Gilchrist	2	\$512,702	\$3,803				\$516,505	0.74%
Glades	2	\$498,452	\$3,371				\$501,823	0.68%
Gulf	2	\$460,067	\$3,917				\$463,984	0.85%
Hamilton	2	\$496,714	\$4,455				\$501,169	0.90%
Holmes	2	\$552,802	\$4,753				\$557,555	0.86%
Jefferson	2	\$466,416	\$4,241				\$470,657	0.91%
Taylor	2	\$525,751	\$3,527				\$529,278	0.67%
Washington	2	\$741,009	\$5,944				\$746,953	0.80%
Bradford	3	\$680,789	\$7,429				\$688,218	1.09%
DeSoto	3	\$762,973	\$4,848				\$767,821	0.64%
Gadsden	3	\$1,230,451	\$10,385				\$1,240,836	0.84%
Hardee	3	\$852,932	\$5,838				\$858,770	0.68%
Hendry	3	\$1,197,173	\$7,193				\$1,204,366	0.60%
Jackson	3	\$1,040,209	\$7,643				\$1,047,852	0.73%
Levy	3	\$1,017,692	\$7,855				\$1,025,547	0.77%
Madison	3	\$524,791	\$3,867				\$528,658	0.74%
Okeechobee	3	\$1,195,690	\$6,988				\$1,202,678	0.58%
Suwannee	3	\$1,088,604	\$9,548				\$1,098,152	0.88%
Wakulla	3	\$644,175	\$4,906				\$649,081	0.76%

Calculation Line						
CURRENT		Budget Request Additional Issues				
County	Peer Group	County Budget Request Issues	County Budget Request Issues	Request Total	CFY 2021-22 Base Budget	Budget Request Increase
Calhoun	1			\$0	\$426,432	0.80%
Lafayette	1	\$50,000	\$50,000	\$100,000	\$398,783	36.50%
Liberty	1	\$5,000		\$5,000	\$299,213	3.76%
Union	1			\$0	\$457,872	0.00%
Baker	2			\$0	\$670,125	1.07%
Dixie	2			\$0	\$464,345	0.80%
Franklin	2			\$0	\$625,705	0.88%
Gilchrist	2			\$0	\$516,505	0.74%
Glades	2			\$0	\$501,823	0.68%
Gulf	2			\$0	\$463,984	0.85%
Hamilton	2			\$0	\$501,169	0.90%
Holmes	2			\$0	\$557,555	0.86%
Jefferson	2			\$0	\$470,657	0.91%
Taylor	2			\$0	\$529,278	0.67%
Washington	2			\$0	\$746,953	0.80%
Bradford	3			\$0	\$688,218	1.09%
DeSoto	3			\$0	\$767,821	0.64%
Gadsden	3			\$0	\$1,240,836	0.84%
Hardee	3			\$0	\$858,770	0.68%
Hendry	3			\$0	\$1,204,366	0.60%
Jackson	3			\$0	\$1,047,852	0.73%
Levy	3			\$0	\$1,025,547	0.77%
Madison	3			\$0	\$528,658	0.74%
Okeechobee	3			\$0	\$1,202,678	0.58%
Suwannee	3			\$0	\$1,098,152	0.88%
Wakulla	3			\$0	\$649,081	0.76%



CURRENT			POTENTIAL STATEWIDE ENHANCEMENT ISSUES				CFY 2021-22 BASE BUDGET	
County	Peer Group	CFY 2020-21 Expenditure Budget (Committee Approved on 9/2/2020)	ADD FRS Increase <u>CURRENT NUMBERS IN THIS COLUMN ARE ESTIMATES ONLY - EACH CLERK SHOULD CALCULATE THEIR OWN INCREASE</u>	ADD Health Insurance Increase	ADD New Judges 15 Judges Created in 2020 and 2021	ADD Minimum Wage - \$10 (INFORMATIONAL)	CFY 2021-22 Base Budget	Base Budget Increase Percentage
Citrus	4	\$3,016,536	\$23,995		\$51,425		\$3,091,956	2.50%
Columbia	4	\$1,431,276	\$9,784				\$1,441,060	0.68%
Flagler	4	\$1,845,142	\$11,860				\$1,857,002	0.64%
Highlands	4	\$1,823,314	\$15,724				\$1,839,038	0.86%
Indian River	4	\$3,051,433	\$19,566				\$3,070,999	0.64%
Nassau	4	\$1,584,482	\$10,038				\$1,594,520	0.63%
Putnam	4	\$1,995,899	\$17,703				\$2,013,602	0.89%
Sumter	4	\$1,902,267	\$15,172				\$1,917,439	0.80%
Walton	4	\$1,659,220	\$12,369				\$1,671,589	0.75%
Alachua	5	\$5,969,088	\$37,868				\$6,006,956	0.63%
Charlotte	5	\$3,586,752	\$21,780				\$3,608,532	0.61%
Clay	5	\$3,723,844	\$28,212				\$3,752,056	0.76%
Hernando	5	\$3,440,662	\$19,738				\$3,460,400	0.57%
Martin	5	\$3,631,959	\$19,337				\$3,651,296	0.53%
Monroe	5	\$3,566,977	\$23,417				\$3,590,394	0.66%
Okaloosa	5	\$3,675,742	\$24,176				\$3,699,918	0.66%
Saint Johns	5	\$3,588,624	\$24,580		\$61,260		\$3,674,464	2.39%
Santa Rosa	5	\$3,199,438	\$19,977				\$3,219,415	0.62%

CURRENT		Budget Request Additional Issues				
County	Peer Group	County Budget Request Issues	County Budget Request Issues	Request Total	CFY 2021-22 Base Budget	Budget Request Increase
Citrus	4			\$0	\$3,091,956	2.50%
Columbia	4			\$0	\$1,441,060	0.68%
Flagler	4			\$0	\$1,857,002	0.64%
Highlands	4			\$0	\$1,839,038	0.86%
Indian River	4			\$0	\$3,070,999	0.64%
Nassau	4			\$0	\$1,594,520	0.63%
Putnam	4			\$0	\$2,013,602	0.89%
Sumter	4			\$0	\$1,917,439	0.80%
Walton	4			\$0	\$1,671,589	0.75%
Alachua	5			\$0	\$6,006,956	0.63%
Charlotte	5			\$0	\$3,608,532	0.61%
Clay	5			\$0	\$3,752,056	0.76%
Hernando	5			\$0	\$3,460,400	0.57%
Martin	5			\$0	\$3,651,296	0.53%
Monroe	5			\$0	\$3,590,394	0.66%
Okaloosa	5			\$0	\$3,699,918	0.66%
Saint Johns	5			\$0	\$3,674,464	2.39%
Santa Rosa	5			\$0	\$3,219,415	0.62%

CURRENT			POTENTIAL STATEWIDE ENHANCEMENT ISSUES				CFY 2021-22 BASE BUDGET	
County	Peer Group	CFY 2020-21 Expenditure Budget (Committee Approved on 9/2/2020)	ADD FRS Increase <u>CURRENT NUMBERS IN THIS COLUMN ARE ESTIMATES ONLY - EACH CLERK SHOULD CALCULATE THEIR OWN INCREASE</u>	ADD Health Insurance Increase	ADD New Judges 15 Judges Created in 2020 and 2021	ADD Minimum Wage - \$10 (INFORMATIONAL)	CFY 2021-22 Base Budget	Base Budget Increase Percentage
Bay	6	\$3,697,036	\$23,212		\$119,110		\$3,839,358	3.85%
Brevard	6	\$11,575,607	\$67,912				\$11,643,519	0.59%
Collier	6	\$6,604,814	\$36,442				\$6,641,256	0.55%
Escambia	6	\$7,003,363	\$37,933		\$52,600		\$7,093,896	1.29%
Lake	6	\$6,256,001	\$40,858				\$6,296,859	0.65%
Leon	6	\$6,019,139	\$66,204				\$6,085,343	1.10%
Manatee	6	\$6,029,043	\$33,930				\$6,062,973	0.56%
Marion	6	\$6,699,240	\$37,310				\$6,736,550	0.56%
Osceola	6	\$7,444,219	\$47,216				\$7,491,435	0.63%
Pasco	6	\$11,939,169	\$80,800				\$12,019,969	0.68%
Saint Lucie	6	\$6,826,679	\$31,455				\$6,858,134	0.46%
Sarasota	6	\$8,322,251	\$48,017				\$8,370,268	0.58%
Seminole	6	\$8,976,091	\$51,188				\$9,027,279	0.57%
Duval	7	\$19,581,352	\$252,116				\$19,833,468	1.29%
Lee	7	\$11,701,006	\$63,105		\$65,670		\$11,829,781	1.10%
Pinellas	7	\$23,266,824	\$122,153				\$23,388,977	0.53%
Polk	7	\$12,500,543	\$66,971				\$12,567,514	0.54%
Volusia	7	\$11,762,046	\$64,312				\$11,826,358	0.55%
Broward	8	\$39,379,598	\$219,726				\$39,599,324	0.56%
Hillsborough	8	\$30,169,607	\$157,238		\$389,160		\$30,716,005	1.81%
Miami-Dade	8	\$72,170,831	\$390,983				\$72,561,814	0.54%
Orange	8	\$29,213,120	\$167,860		\$199,380		\$29,580,360	1.26%
Palm Beach	8	\$30,873,796	\$166,032				\$31,039,828	0.54%
STATEWIDE TOTAL		\$448,398,803	\$2,763,967	\$6,906	\$938,605	\$5,000	\$452,108,281	0.83%

CURRENT		Budget Request Additional Issues				
County	Peer Group	County Budget Request Issues	County Budget Request Issues	Request Total	CFY 2021-22 Base Budget	Budget Request Increase
Bay	6			\$0	\$3,839,358	3.85%
Brevard	6			\$0	\$11,643,519	0.59%
Collier	6			\$0	\$6,641,256	0.55%
Escambia	6			\$0	\$7,093,896	1.29%
Lake	6			\$0	\$6,296,859	0.65%
Leon	6			\$0	\$6,085,343	1.10%
Manatee	6			\$0	\$6,062,973	0.56%
Marion	6			\$0	\$6,736,550	0.56%
Osceola	6			\$0	\$7,491,435	0.63%
Pasco	6			\$0	\$12,019,969	0.68%
Saint Lucie	6			\$0	\$6,858,134	0.46%
Sarasota	6			\$0	\$8,370,268	0.58%
Seminole	6			\$0	\$9,027,279	0.57%
Duval	7			\$0	\$19,833,468	1.29%
Lee	7			\$0	\$11,829,781	1.10%
Pinellas	7			\$0	\$23,388,977	0.53%
Polk	7			\$0	\$12,567,514	0.54%
Volusia	7			\$0	\$11,826,358	0.55%
Broward	8			\$0	\$39,599,324	0.56%
Hillsborough	8			\$0	\$30,716,005	1.81%
Miami-Dade	8			\$0	\$72,561,814	0.54%
Orange	8			\$0	\$29,580,360	1.26%
Palm Beach	8			\$0	\$31,039,828	0.54%
STATEWIDE TOTAL		\$55,000	\$50,000	\$105,000	\$452,213,281	

**Florida CCOC Budget Issue Form**  
**County Fiscal Year 2021-2022**



CCOC Form Version 1  
 Created 4/1/2021

<b>County:</b>	<input type="text"/>	<b>Priority:</b>	<input type="text"/>	<b>Issue Type:</b>	<input type="text" value="Funding Issue"/>
<b>Contact:</b>	<input type="text"/>				
<b>E-Mail Address:</b>	<input type="text"/>	<b>Recurring:</b>	<input type="text"/>	<b>Issue Category:</b>	<input type="text" value="Pay &amp; Benefits"/>

	Case Processing	Revenue Collection and Distribution	Financial Processing	Requests for Records and	Provide Ministerial Pro Se Assistance	Technology Services for External Users	Mandated Reporting Services	Jury Management	Administration	TOTAL
<b>FTE</b>										0.00
<b>Personnel</b>										\$0
<b>Operating</b>										\$0
<b>Capital</b>										\$0
<b>TOTAL</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**ISSUE REQUEST DETAIL**

Please provide a **detailed** description of the budget issue including the amounts that are related to Personnel, Operating, or Capital costs, and any FTE impact. Be sure to **thoroughly** explain the item and provide supporting documents as needed. Description should include the impact to the clerk's office if issue is not funded and impact if reduction is taken. Additional supporting documentation with county name in file name, can be submitted with form to [reports@flccoc.org](mailto:reports@flccoc.org).

FRS Issue

This issue requests funding for the increase to the required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System (FRS) as the result of the passage of SB 7018 (2021). The amount is calculated as follows:

Florida CCOC Budget Issue Form  
County Fiscal Year 2021-2022



CCOC Form Version 1  
Created 4/1/2021

County: 0  
Contact: 0  
E-Mail Address: 0

Priority:  
Recurring:

Issue Type: Funding Issue  
Issue Category: Pay & Benefits

	Case Processing	Revenue Collection and Distribution	Financial Processing	Requests for Records and	Provide Ministerial Pro Se Assistance	Technology Services for External Users	Mandated Reporting Services	Jury Management	Administration	TOTAL
FTE										0.00
Personnel										\$0
Operating										\$0
Capital										\$0
TOTAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

#### ISSUE REQUEST DETAIL

Please provide a **detailed** description of the budget issue including the amounts that are related to Personnel, Operating, or Capital costs, and any FTE impact. Be sure to **thoroughly** explain the item and provide supporting documents as needed. Description should include the impact to the clerk's office if issue is not funded and impact if reduction is taken. Additional supporting documentation with county name in file name, can be submitted with form to [reports@flccoc.org](mailto:reports@flccoc.org).

Health Insurance Issue

This issue requests funding for the annual increases to health insurance expenditures. Amounts are calculated as follows:



**Florida CCOC Budget Issue Form**  
**County Fiscal Year 2021-2022**



CCOC Form Version 1  
 Created 4/1/2021

<b>County:</b> 0	<b>Priority:</b>	<b>Issue Type:</b> Funding Issue
<b>Contact:</b> 0		
<b>E-Mail Address:</b> 0	<b>Recurring:</b>	<b>Issue Category:</b> Legislative Mandate

	Case Processing	Revenue Collection and Distribution	Financial Processing	Requests for Records and	Provide Ministerial Pro Se Assistance	Technology Services for External Users	Mandated Reporting Services	Jury Management	Administration	TOTAL
<b>FTE</b>										0.00
<b>Personnel</b>										\$0
<b>Operating</b>										\$0
<b>Capital</b>										\$0
<b>TOTAL</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**ISSUE REQUEST DETAIL**

Please provide a **detailed** description of the budget issue including the amounts that are related to Personnel, Operating, or Capital costs, and any FTE impact. Be sure to **thoroughly** explain the item and provide supporting documents as needed. Description should include the impact to the clerk's office if issue is not funded and impact if reduction is taken. Additional supporting documentation with county name in file name, can be submitted with form to [reports@flccoc.org](mailto:reports@flccoc.org).

New Judge Issue

In 2020, the Legislature created ten new judgeships in HB 5301 (2020) and funded them through the General Appropriations Act (GAA). During the budget development process, the Budget Committee considered the new judgeships and prepared to increase budgets based on the new judges. Before the committee finalized the CFY 2020-21 budget, the Governor vetoed the funding for the new judges; however, he did allow the new positions to become law, Ch. 2020-112, L.O.F. There are four new circuit judgeships (First, Ninth (x2), and Fourteenth), and six new county judgeships (four in Hillsborough, and one in both Lee and Orange).

In 2021, the Legislature created five new judgeships in addition to the ten created in 2020. The Legislature passed HB 5301 (2021), although the Governor has not signed it into law. There is one new circuit judgeship (Fourteenth) and four new county judgeships (Citrus, Hillsborough (x2), and Saint Johns). As part of the budget process, the Legislature funded all 15 new judgeships; however, like the bill creating the newest judgeships, the Governor has not signed the GAA, and the funding is subject to line-item veto.

Section 28.36(4), F.S., specifically gives the CCOC authority to increase clerks' budgets based on new judges. Consistent with the policy created by the Budget Committee at the July 9, 2019 budget workshop, [County name] requests one new FTE per judge at the average salary and benefits for the county as calculated below:

**Florida CCOC Budget Issue Form**  
**County Fiscal Year 2021-2022**



CCOC Form Version 1  
 Created 4/1/2021

County:	<input type="text" value="0"/>	Priority:	<input type="text" value=""/>	Issue Type:	<input type="text" value=""/>
Contact:	<input type="text" value="0"/>				
E-Mail Address:	<input type="text" value="0"/>	Recurring:	<input type="text" value=""/>	Issue Category:	<input type="text" value=""/>

	Case Processing	Revenue Collection and Distribution	Financial Processing	Requests for Records and	Provide Ministerial Pro Se Assistance	Technology Services for External Users	Mandated Reporting Services	Jury Management	Administration	TOTAL
<b>FTE</b>										0.00
<b>Personnel</b>										\$0
<b>Operating</b>										\$0
<b>Capital</b>										\$0
<b>TOTAL</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**ISSUE REQUEST DETAIL**

Please provide a **detailed** description of the budget issue including the amounts that are related to Personnel, Operating, or Capital costs, and any FTE impact. Be sure to **thoroughly** explain the item and provide supporting documents as needed. Description should include the impact to the clerk's office if issue is not funded and impact if reduction is taken. Additional supporting documentation with county name in file name, can be submitted with form to [reports@flccoc.org](mailto:reports@flccoc.org).

**Florida CCOC Budget Issue Form**  
**County Fiscal Year 2021-2022**



CCOC Form Version 1  
 Created 4/1/2021

County:   
 Contact:   
 E-Mail Address:

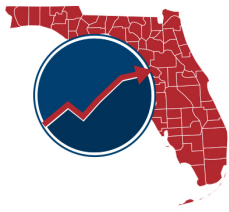
Priority:   
 Recurring:

Issue Type:   
 Issue Category:

	Case Processing	Revenue Collection and Distribution	Financial Processing	Requests for Records and	Provide Ministerial Pro Se Assistance	Technology Services for External Users	Mandated Reporting Services	Jury Management	Administration	TOTAL
<b>FTE</b>										0.00
<b>Personnel</b>										\$0
<b>Operating</b>										\$0
<b>Capital</b>										\$0
<b>TOTAL</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**ISSUE REQUEST DETAIL**

Please provide a **detailed** description of the budget issue including the amounts that are related to Personnel, Operating, or Capital costs, and any FTE impact. Be sure to **thoroughly** explain the item and provide supporting documents as needed. Description should include the impact to the clerk's office if issue is not funded and impact if reduction is taken. Additional supporting documentation with county name in file name, can be submitted with form to [reports@flccoc.org](mailto:reports@flccoc.org).



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OKALOOSA COUNTY  
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VICE-CHAIR

Tiffany Moore Russell, Esq.  
ORANGE COUNTY  
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NASSAU COUNTY

TODD NEWTON  
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HARVEY RUVIN, ESQ.  
MIAMI-DADE COUNTY

RON FICARROTTA  
13TH JUDICIAL CIRCUIT JUDGE  
SUPREME COURT APPOINTEE

NIKKI ALVAREZ-SOWLES, ESQ.  
PASCO COUNTY  
SENATE APPOINTEE

KEN BURKE, CPA  
PINELLAS COUNTY  
HOUSE APPOINTEE

JOHN DEW  
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FIRM OF BOYD AND DURANT  
GENERAL COUNSEL

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

## AGENDA ITEM 5

**DATE:** May 17, 2021  
**SUBJECT:** Legislative Update  
**COMMITTEE ACTION:** Discussion

### OVERVIEW:

The 2021 Legislative Session was unique; the Session began with an expected budget cut, upwards of \$3 billion, and ended with a budget of about \$6 billion more than last year.

As far as legislative items of interest to the clerks, and specifically budget-related items, they include:

- Establishment of a Reserve to use during emergencies and funding shortages\*
- \$6.25 million nonrecurring General Revenue for temporary staffing to help with backlogged cases\*
- \$14.1 million for juror management expenses\*
  - Legislature provided \$2.4 additional funding for SFY 2021-22\*
  - No cuts to the recurring \$11.7 million\*
  - Juror Management converts to a reimbursement model\*
  - Fifteen new judges – Five Circuit Judges and Ten County Judges\*
- The FRS Contribution Rate was a smaller increase in comparison to CFY 2020-21.
- Retained a portion of future cumulative excess revenue\*
- No new statewide initiatives with a significant fiscal impact
- No reduction in revenue funding sources

There were a handful of issues that failed to gain traction this Session, but CCOC may include as part of its legislative plan for the 2022 Session:

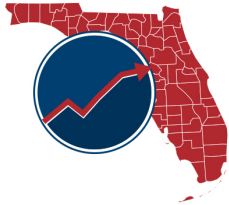
- Reimbursement for Injunctions for Protection
- State funding for new clerk positions corresponding with new judges
- Examining revenue shifts and the continued diversification of revenue streams

**COMMITTEE ACTION:** Discussion

**LEAD STAFF:** Jason L. Welty, Deputy Executive Director

\* - Subject to approval by the Governor

*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.*



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## AGENDA ITEM 6

**DATE:** May 17, 2021  
**SUBJECT:** Pandemic Recovery Plan  
**COMMITTEE ACTION:** Discussion

### OVERVIEW:

The Legislature provided \$6.25 million nonrecurring General Revenue for the Clerks of Court Pandemic Recovery Plan. Special thanks go to Senator Perry for sponsoring our issue in the Senate and to all the advocates who worked tirelessly to secure the requested funding.

Since this funding is nonrecurring General Revenue and if signed by the Governor, it will start funding positions in July. Therefore, CCOC recommends the Budget Committee consider developing a spending plan to put into action as soon as possible.

In addition to the revenue provided to the clerks, the Legislature also provided \$9.5 million to the State Court System to provide senior judge hours and magistrates and other court support positions. The Trial Court Budget Commission (TCBC) is working on their allocation formula and presented it at their May 12 meeting. CCOC will work with the Office of the State Courts Administrator (OSCA) and the TCBC to finalize clerk spending plans.

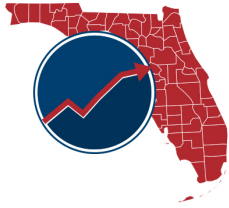
As part of the advocacy for this issue, CCOC referenced the revenue provided to the courts and how the clerks would support the new magistrates and senior judges as they began working cases to address the backlog. As we learn more information about the deployment of the new judicial resources, CCOC will bring back information to the Budget Committee for action.

**Staff recommends the committee discuss how to manage the resources as judicial hours shift between counties and circuits.**

**COMMITTEE ACTION:** Discussion

**LEAD STAFF:** Jason L. Welty, Deputy Executive Director  
Griffin Kolchakian, Budget and Communications Director

**ATTACHMENTS:** None



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## AGENDA ITEM 7

**DATE:** May 17, 2021  
**SUBJECT:** Reserve Policy Workgroup  
**COMMITTEE ACTION:** Information Only

### OVERVIEW:

The Reserve Policy Workgroup, led by Clerk Jeff Smith, met on May 13 to discuss developing policies for the Contingency fund established in SB 838 (2021).

The reserve policy intends to describe and document the purpose, goals, and mechanics for maintaining and using operating reserve funds. To accomplish these goals, the operating reserve policy needs to address four areas:

- Purpose of building and maintaining reserves
- Definitions of the reserves, intended use, and calculation of target amounts
- Assignment of authority for making use of the reserve fund
- Responsibilities for reporting reserve fund amounts and use of reserve funds

The workgroup reviewed the statutory language, some example policies from other entities and will provide CCOC staff with direction for crafting the CCOC Reserve Policy. The workgroup will provide a draft policy at the next budget committee meeting.

**COMMITTEE ACTION:** Information Only

**LEAD STAFF:** Jason L. Welty, Deputy Executive Director  
Marleni Bruner, Senior Budget Manager

### **ATTACHMENTS:**

1. Excerpt CS/CS/SB 838



2021838er

General Revenue Fund required pursuant to s. 28.37(4)(b) ~~s.~~  
~~28.37(3)(b)~~ which has been allocated to each respective clerk of  
the court by the Florida Clerks of Court Operations Corporation.  
For the purposes of this paragraph, the term "unspent budgeted  
funds for court-related functions" means undisbursed funds  
included in the clerk of the courts' budget for court related  
functions established pursuant to s. 28.35 and this section. The  
anticipated expenditures must be itemized as required by the  
corporation.

(3)(a) The Florida Clerks of Court Operations Corporation  
shall establish and manage a **reserve** for contingencies within the  
Clerks of the Court Trust Fund which must consist of an amount  
not to exceed 16 percent of the total budget authority for the  
clerks of court during the current county fiscal year, to be  
carried forward at the end of the fiscal year. Funds to be held  
in **reserve** include transfers of cumulative excess, as provided in  
s. 28.37(4)(b), from the Clerks of the Court Trust Fund and may  
also include revenues provided by law or moneys appropriated by  
the Legislature.

(b) The corporation shall provide a reporting of the  
balance and use of these funds during each county fiscal year as  
part of the corporation's annual report submitted under s.  
28.35(2)(h).

(c) The corporation may use the **reserve** to ensure the  
clerks of court can perform the court-related functions as  
provided in s. 28.35(3)(a). Moneys in the Clerks of the Court  
Trust Fund which are held in **reserve** may be used by the  
corporation under the following circumstances:

1. To offset a current deficit between the revenue

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523 available and the original budget authority. A deficit is deemed  
524 to occur when the revenue available to the clerks of court falls  
525 below the original revenue projection for that county fiscal  
526 year.

527 2. To provide funding for an emergency, as defined in s.  
528 252.34(4). The emergency must have been declared by the  
529 Governor, pursuant to s. 252.36, or otherwise declared by law.

530 3. To provide funds in the development of the total  
531 aggregate budget of the clerks of court to ensure that a minimum  
532 continuation budget is met. For purposes of this subparagraph, a  
533 minimum continuation budget is the budget approved for the  
534 current county fiscal year or some lesser amount adopted by the  
535 corporation.

536 (d) To use the **reserve**, the corporation must request a  
537 budget amendment pursuant to s. 216.292.

538 (5)~~(4)~~ The corporation may approve increases or decreases  
539 to the previously authorized budgets approved for ~~individual~~  
540 clerks of the court pursuant to s. 28.35 for court-related  
541 functions, if:

542 (a) The additional budget authority is necessary to pay the  
543 cost of performing new or additional functions required by  
544 changes in law or court rule; or

545 (b) The additional budget authority is necessary to pay the  
546 cost of supporting increases in the number of judges or  
547 magistrates authorized by the Legislature or increases in the  
548 use of hearing officers and senior judges assigned by the  
549 courts.

550 Section 7. Effective upon this act becoming a law, section  
551 28.37, Florida Statutes, is amended to read:

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28.37 Fines, fees, service charges, and costs remitted to the state.—

(1) Pursuant to s. 14(b), Art. V of the State Constitution, selected salaries, costs, and expenses of the state courts system and court-related functions shall be funded from a portion of the revenues derived from statutory fines, fees, service charges, and court costs collected by the clerks of the court and from adequate and appropriate supplemental funding from state revenues as appropriated by the Legislature.

(2) As used in this section, the term:

(a) "Cumulative excess" means revenues derived from fines, fees, service charges, and court costs collected by the clerks of the court which are greater than the original revenue projection.

(b) "Original revenue projection" means the official estimate, as determined by the Revenue Estimating Conference, of revenues from fines, fees, service charges, and court costs available for court-related functions for the county fiscal year covered by the projection.

(3) ~~The Beginning November 1, 2013, that~~ portion of all fines, fees, service charges, and costs collected by the clerks of the court for the previous month which is in excess of one-twelfth of the clerks' total budget for the performance of court-related functions must ~~shall~~ be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund. Such collections do not include funding received for the operation of the Title IV-D child support collections and disbursement program. The clerk of the court shall remit the revenues collected during the previous month due to the state on

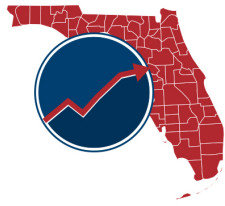
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or before the 10th day of each month.

(4) (a) ~~(3) (a)~~ Each year, no later than January 25, for the previous county fiscal year, the clerks of court, in consultation with the Florida Clerks of Court Operations Corporation, shall remit to the Department of Revenue for deposit in the Clerks of the Court Trust Fund the cumulative excess of all fines, fees, service charges, and court costs retained by the clerks of the court, plus any funds received by the clerks of the court from the Clerks of the Court Trust Fund under s. 28.36(4) ~~s. 28.36(3)~~, which exceed the amount needed to meet their authorized budget amounts established under s. 28.35.

(b) No later than February 1, 2022, and each February 1 thereafter, the Department of Revenue shall transfer 50 percent of the cumulative excess of the original revenue projection from the Clerks of the Court Trust Fund to the General Revenue Fund. The remaining 50 percent in the Clerks of the Court Trust Fund may be used in the development of the total combined budgets of the clerks of the court as provided in s. 28.35(2)(f)6. However, a minimum of 10 percent of the clerk-retained portion of the cumulative excess amount must be held in **reserve** until such funds reach an amount equal to at least 16 percent of the total budget authority from the current county fiscal year, as provided in s. 28.36(3)(a)

~~1. No later than February 1, 2020, the Department of Revenue shall transfer from the Clerks of the Court Trust Fund to the General Revenue Fund the sum of the cumulative excess of all fines, fees, service charges, and costs submitted by the clerks of court pursuant to subsection (2) and the cumulative excess of all fines, fees, service charges, and costs remitted~~



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## AGENDA ITEM 8

**DATE:** May 17, 2021  
**SUBJECT:** Case Counting Workgroup Report  
**COMMITTEE ACTION:** Information Only

### OVERVIEW:

Over the past several years, the PIE Committee and the Budget Committee have been working jointly to properly weight and count cases. As part of that effort, workgroups have been created to aid in the proper counting of cases. One of those workgroups produces, and modifies as necessary, business rules for counting cases. Another of the workgroups analyzes case count data and reviews case count reports to verify that the business rules have been properly applied to the sub-case type being reviewed.

In 2019, the case count analysis group reviewed the CFY 2017-18 case count data for all reported sub-case types for which the counts were three standard deviations from the statewide norm when comparing number of cases reported to population. During that review, it was determined that the business rules should be clarified to better describe how to count cases. The business rules workgroup made those clarifications in 2020, and those clarifications were to apply retroactively to CFY 2019-20 case reports.

This year the case count workgroup analyzed the case count data for CFY 2019-20 and determined those sub-case types for which the counts were two standard deviations from the statewide norm. As you might imagine, this yielded many more counties and sub-case types to be reviewed. In all, fifty-nine counties had a least one sub-case type to be reviewed.

The case count workgroup has requested extra data from those fifty-nine counties and has received additional data from most of them. If, upon review of the extra data, the workgroup finds a misapplication of the business rules, the workgroup aids the county in question and asks for an amended report.

The workgroup would like to thank those counties who have responded. It is anticipated that the workgroup will be comfortable with the numbers initially reported or amended in time for budget deliberations.

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## AGENDA ITEM 8 - CASE COUNTING WORKGROUP REPORT

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**COMMITTEE ACTION:** Information Only

**LEAD STAFF:** Marleni Bruner, Senior Budget Manager

**ATTACHMENTS:** None



**Quarterly Clerk Jury Management Reimbursement Request**  
**State Fiscal Year 2021-2022**



County:

Contact:

E-Mail Address:

Reporting Qtr:

Version #:

Jury Management Budget Authority:

CCOC Form Version 1  
 Created 05/05/2021  
**\$71,752.00**

Clerk Personnel Cost		Jul - Sep SFY Q1 (CFY Q4 PY)	Oct - Dec SFY Q2 (CFY Q1)	Jan - Mar SFY Q3 (CFY Q2)	Apr - Jun SFY Q4 (CFY Q3)	Total Expenditures by Area During State Fiscal Year
Includes Managers/Supervisors, Deputies, and all others in all phases of the jury management process.		\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 40,000.00
Clerk Operational Cost *						
Include cost of Summons procedures. *Do not include costs of Juror Mgmt software or Juror parking.	Postage	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00
	Printing	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00
	Supplies	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00
	Other (Include Specific Description ON row 48, Below)	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00
	Operating Cost Total:	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 16,000.00
Juror Per Diem						
Petit Juror Payment (per day)						
	\$15.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 6,000.00
	\$30.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 12,000.00
	Other (Include Specific Description ON row 48, Below)	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00
	Pettit Juror Payment Total:	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00	\$ 22,000.00
Grand Juror Payment (per day)						
	\$15.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 6,000.00
	\$30.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 12,000.00
	Other (Include Specific Description ON row 48, Below)	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00
	Grand Juror Payment Total:	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00	\$ 22,000.00
Juror Meals/Lodging						
	Meals	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00
	Lodging	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00
	Meals and Lodging Total:	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 8,000.00
Juror Cost Total:		\$ 13,000.00	\$ 13,000.00	\$ 13,000.00	\$ 13,000.00	\$ 52,000.00
Total Reimbursable Jury Management Cost:		\$ 27,000.00	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00	\$ 108,000.00
Jury Funding	Cash Position as of June 30, 2021	Jul - Sep SFY Q1 (CFY Q4 PY)	Oct - Dec SFY Q2 (CFY Q1)	Jan - Mar SFY Q3 (CFY Q2)	Apr - Jun SFY Q4 (CFY Q3)	Jury Management Funding During State Fiscal Year
Jury Management Funding - Quarterly REIMBURSEMENT REQUEST from JAC:	\$ 10,000.00	\$ 17,000.00	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00	\$ 108,000.00
Jury Management Funding - Quarterly ACTUAL DISBURSEMENT from JAC:	\$ 10,000.00	\$ 12,000.00	\$ 10,000.00	\$ 20,000.00	\$ 20,000.00	\$ 72,000.00
Amount necessary to cover Juror Management expenditures from CCOC Funds:						\$ (36,000.00)
REMAINING Jury Management Budget Authority after Quarter's Expenditures:		\$44,752.00	\$17,752.00	-\$9,248.00	-\$36,248.00	

Specific Descriptions of "OTHER" reported above					
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Please provide **justification** and **calculations** for any changes made to **1)** prior period actual amounts; **2)** any applicable information deemed necessary to support reasonableness of the above expenditure amounts; **3)** and/or disagreements with form calculations in the area below.

Additional Information	
Jul - Sep SFY Q1 (CFY Q4 PY)	
Oct - Dec SFY Q2 (CFY Q1)	
Jan - Mar SFY Q3 (CFY Q2)	
Apr - Jun SFY Q4 (CFY Q3)	