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Minutes of June 14, 2021, CCOC Budget Committee Meeting

Approved by the Budget Committee at the meeting held on July 16, 2021.

The Budget Committee of the Clerk of Courts Operation Corporation (CCOC) held a meeting via WebEx on June 14, 2021. CCOC distributed an agenda and materials in advance of the meeting and posted on the CCOC website. Supplied below is a summary of staff notes from the meeting. Staff notes document committee action and are 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.

Agenda Item 1 – Call to Order and Introduction

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

Present via WebEx: Clerk JD Peacock, Clerk Jeff Smith, Clerk Ken Burke, Clerk Stacy Butterfield, Clerk Pam Childers, Clerk Gary Cooney, Clerk John Crawford, Clerk Brenda Forman, Clerk Tara Green, Clerk Carla Hand, Clerk Bill Kinsaul, Clerk Tiffany Moore Russell, Clerk Don Spencer, Clerk Cindy Stuart, Clerk Carolyn Timmann

Absent from conference call: Clerk Tom Bexley (excused), Clerk Greg Godwin, Clerk Kellie Rhoades, Clerk Angela Vick

Agenda Item 2 – Approve Agenda

Clerk Peacock asked if there were any objections to adopting the agenda. **Hearing none, the committee adopted the agenda by consent.**

Agenda Item 3 – Approve Minutes from the Meeting on May 17, 2021

Clerk Peacock asked if there were any corrections to the minutes as presented. **Hearing no objections, the committee adopted the minutes by consent.**

Agenda Item 4 – Pandemic Recovery Plan

Jason Welty, CCOC Deputy Executive Director reviewed the Weighted Workload Measure Distribution spreadsheet that was developed to allocate the \$6.2 million state appropriation including the source of the data for each column. The spreadsheet is pages 13-25 of the meeting packet. Mr. Welty also explained a spreadsheet that helped to build the source data for some columns of the Weighted Workload Measure Distribution spreadsheet.

Individual county weighted workload measure (green columns) and a statewide weighted workload measure was calculated (blue columns of the spreadsheet). CCOC tied their numbers to the same method that the Office of the State Courts Administrator (OSCA) used to calculate the backlog of cases. The CCOC uses ten court divisions while OSCA used seven; CCOC staff was able to group our divisions similarly to run the calculations.

Clerk Cooney raised concerns and felt that we were mixing apples and oranges, along with mixing cases that have not been reviewed and verified. Mr. Welty clarified that the second spreadsheet showed took CCOC collected case counts and compared them to CCOC assigned case weights to achieve a weighted workload by court division and tie our divisions to what OSCA used for their court divisions. Clerk Cooney requested non-SRS cases to be removed to better align with OSCA numbers.

Clerk Burke explained the reason behind the direction given to CCOC staff, stating that an independent body is coming up with the numbers, the courts are telling us what the backlog is that using their numbers is a good way to define the backlog. He agreed that they may not be the best numbers, but that there was a calculation and since CCOC does not have a definition for backlog, this was something that could be adopted and worked with relatively easily as opposed to asking a workgroup to work on this issue to develop a better way to allocate the money.

Clerk Peacock stated that a quick review did not reveal to him that the non-SRS cases would be material to the overall calculation but cautioned that he would give Mr. Welty time to update his calculations. Clerk Cooney state that he thought the number would be significant in domestic relation cases. Clerk Cooney just wants to apply apples to apples in how OSCA has counted cases to how CCOC counts cases.

Clerk Smith stated that he agreed with Clerk Burke because if the CCOC used the data from OSCA we have something to hang our hat on, and secondly, he disagrees with taking out non-SRS cases because that is workload for ever county.

Clerk Cooney responded we should take out non-SRS cases because it was not included in the OSCA numbers as they only use SRS cases in their calculation of the backlog. Clerk Peacock stated that we are trying to find a distribution methodology for the state appropriation that can be done across all the counties using weighted cases. He further inquired if Clerk Cooney had a problem using the CFY 2019-20 case counts

and if there would be a material difference using non-SRS case types versus only using SRS case types. Clerk Cooney responded that the Case Counting Workgroup already knows there are anomalies and that a lot of corrections have been made but their work is still not done. He believed that the case counts, and weights could be substantial for some counties, especially small counties. He felt that CCOC should not use non-SRS cases and felt that the money could be divided by the percentage of backlog cases to the total dollar.

Clerk Peacock explained that if the percentage were applied without taking into account case weights, then the smaller counties would receive a smaller portion compared to what they would receive using weighted cases.

Clerk Butterfield asked if the CFY 2019-20 case counts were still being reviewed would the CFY 2018-19 case counts be a more comfortable number. Clerk Cooney responded that those were never reviewed and would not recommend using those numbers.

Clerk Peacock asked Clerk Cooney if he had a timeline for when the data review would be finalized and ready. Clerk Cooney stated that the hiccup receiving the data from the CCOC stalled their work, his office has reviewed over seven hundred emails related to the data and clarifying the counts and was initially told to plan for the August Budget Committee Meeting. The workgroup has found issues that they did not expect and is waiting for information from some counties, including the largest in the state.

Clerk Burke pointed out that the appropriation is effective July 1, 2021 and needed to be spent by June 30, 2022. Clerk Peacock stated that a quarter of the funding would overlap the current fiscal year. He further stated that the Executive Council would have to adopt the distribution if a methodology was adopted during the current Budget Committee meeting.

Clerk Burke also mentioned that when seeking this funding that the ask was for an immediate need and not anticipated that it would be put off. Further discussion took place from several committee members regarding the timing of the distribution and how best to get funds to counties that they can plan and prepare. Clerk Burke expressed his opinion that one of the choices be selected at the meeting so that counties would know how much funding they will receive and can plan.

Clerk Moore Russell motioned to adopt the calculation using the statewide without non-SRS cases to disburse \$6.2 million received for the Pandemic Recovery Plan. Clerk Childers seconded the motion. Clerk Peacock asked for questions and debate.

Questions were raised on how funds would be tracked and recorded when received during the Quarter 4 of County Fiscal Year 2020-21 but in Quarter 1 of the State Fiscal Year 2021-22. Mr. Welty explained that this funding is received outside of the current county fiscal year, and it will be treated like the jury funding with any unexpended rolled to the next fiscal year. He further explained that if the funds were unexpended by June 30, 2022, then the CCOC would need to determine how to recoup the funds and

redistribute. Some counties expressed concern with receiving the funding before they will have the opportunity to spend it and impacts that may have on their budget authority. It was also expressed that the funding would nonrecurring. **The motion was amended to include distribution timeframe. Motion is to apply the distribution of the \$6.2 million using the statewide weighted cases using statewide case numbers minus non-SRS cases, to go into effect upon adoption by the Executive Council that would begin in CFY 2020-21 and carry into CFY 2021-22. The committee adopted the motion unanimously.**

Clerk Peacock stated that the appropriation will be released in quarterly amounts from the state. CCOC staff and several clerks did not feel the CFY 2020-21 budgets needed to be amended. Clerk Stuart and Clerk Butterfield requested a letter regarding the revenue source that could be presented to their auditors regarding the funding.

Agenda Item 4 – Other Business

There was no new business brought before the Budget Committee.

Clerk Stuart requested more information on the July Budget Committee meetings. Clerk Peacock and Marleni Bruner explained that the Budget Committee will meet over two days; on the first day clerks will have the opportunity to present their budget requests. Each clerk will have 5 minutes; however, there is not a clock, and everyone will be allowed as much or as little time as they need. Many counties accepted the CCOC estimates for FRS and Health Insurance and/or New Judges and did not put in any additional requests so they would not need to present. Only counties who are requesting amounts over those in the Base Budget. CCOC will send out a sign-up list to see how many counties plan to present. Presenters would be in-person or WebEx. Hotel and meeting information is on the CCOC website and more information will be send via email.

The second day, the committee will make decisions on the requests above the base budget. This meeting will set the Approved Expenditure Budget. The location of this meeting will be in St. Petersburg at the EpiCenter, St. Petersburg College.

Clerk Smith reported that the Reserve Policy Workgroup has met and will be providing a recommendation at the July Budget Committee meeting.

Clerk Peacock thanked the CCOC staff and FCCC meeting management staff that has made remote meetings so efficient.

The meeting adjourned at 2:22 PM.
