



# 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

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

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## Minutes of June 28, 2021, CCOC Executive Council Meeting

Approved by the Executive Council on 8/11/21.

The Executive Council of the Clerk of Courts Operation Corporation (CCOC) held a meeting in-person at the Hilton St. Petersburg Bayfront and via WebEx on June 28, 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, 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.

The June 28, 2021 meeting of the Executive Council of the Florida Clerks of Courts Operations Corporation (CCOC) was called to order by Executive Council Chair JD Peacock at approximately 3:00 PM. He asked John Crawford to provide an invocation. John Crawford requested all to stand for the Invocation. In the invocation he mentioned the recent death of Chair Peacock's mother and also the death of CCOC General Counsel Joe Boyd who gracefully served the Council since its inception in 2003.

### Swearing in of Newly Appointed Council Members

Chair Peacock swore into the Council Nikki Alvarez-Sowles who was appointed recently by the Florida Senate President and Ken Burke who was recently appointed to the Council by the Florida Speaker of the House.

### Roll Call

Secretary/Treasurer Tiffany Moore-Russell called the roll. Council Members present during the meeting were Chair JD Peacock, Vice-Chair Jeff Smith, Secretary/Treasurer Tiffany Moore-Russell, Stacy Butterfield, John Crawford, Todd Newton, Laura Roth, Ronald Ficarrotta, Nikki Alvarez-Sowles, and Ken Burke. Harvey Ruvin was present via the phone. Clerk Moore-Russell announced there was a quorum.

### Agenda Item 1 - Introduction and Agenda Approval

Chair Peacock thanked everyone present and via WebEx for attending today's meeting. Before calling for a motion to approve the minutes, he introduced John Dew, Executive Director of Florida Clerks of Court Operations Corporation, to provide an announcement concerning the CCOC office staffing. Mr. Dew mentioned that long-term employee Doug Isabelle retired at the end of April. Jason Welty was promoted to Deputy Executive Director in May. Mary Baker, Office

Manager, retired in 2020. Due to Covid and staff having to temporarily work from home this position was only recently filled by Elizabeth Jones in May 2021. Morgan Guse who was hired in an OPS position in the Fall of 2020 was hired full-time as a Budget Manager in January 2021. Finally, we filled the Budget and Communications Director's position with Griffin Kolchakian in May. Mr. Dew said he was pleased that the Office is now fully staffed for the first time in nearly two years. He emphasized that the staff are here to help Clerks with any questions or issues they have.

Chair Peacock called for approval of the draft Agenda. Clerk Smith made the motion. Clerk Newton seconded. With no objections, the motion carried.

### **Agenda Item 2 – Approve Minutes from 12/17/20 Executive Council Meeting**

Chair Peacock opened the meeting by requesting an approval of the December 17, 2020, minutes. Clerk Crawford made the motion. Clerk Moore-Russell seconded. There being no objections made, the minutes as presented were adopted.

### **Agenda Item 3 – Annual Evaluation Results of Executive Director**

Chair Peacock thanked the Boyd & Durant law firm for conducting the Annual Evaluation of Executive Director John Dew. He mentioned the results could be found in pages 8 – 10 of the meeting packet. Chair Peacock expressed his thanks to Mr. Dew for his outstanding work and noted that the proper evaluation took place with the Council members weighing in on the Director's past year's work. The Chair stated that, from his perspective, John has always been responsive and looks out for the interest of all the Clerks. Vice-Chair Smith noted that Mr. Dew's evaluation was ranked high and also increased from the previous year. Judge Ficarrotta added that, on behalf of the Courts, that Mr. Dew has always been a pleasure to work with and that is one of the reasons we have such a great relationship.

### **Agenda Item 4 – Treasurer's Report and Proposed Work Plan**

Secretary/Treasurer Moore-Russell presented to the Council the CCOC's office CFY 19/20 Annual Financial Statement. She noted that there were no findings or any deficiencies, so all is well. She pointed out that the independent audit firm that did the statements were present on the phone if there were any questions. There were no questions. She made a motion to have the Council accept the Statement which was seconded by Clerk Smith and approved.

Clerk Moore-Russell presented the report on the latest spending of the CFY 20/21 CCOC office budget and noted we are well within our expenditure authority. We have only expended 51% of our budget through the month of May 2021. Much of the lower costs are due to limited travel expenses the last year, but this will obviously change in the upcoming year. There were no questions. She made a motion to have the Council accept the latest CCOC Office report which was seconded by Clerk Smith and approved.

Clerk Moore-Russell then presented the proposed CCOC Office budget for CFY 21-22. She said the proposed budget is being increased by approximately \$20,000 from \$1,681,437 to

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\$1,701,878. This is mainly due to the expected increase in travel expenses now that the travel ban is lifted by the State. She mentioned that the budget is also providing for up to a 3% pay increase for select employees based on performance, a slight increase for tuition reimbursement for employees, and dollars for helping hire a technology consultant to help CCOC staff develop better ways of collecting and distributing data from Clerks. Clerk Moore-Russell made a motion to adopt the proposed budget which was seconded by Clerk Butterfield. Discussion ensued on the purpose of hiring a technology consultant. With no other questions a vote was taken, and the motion passed unanimously.

Clerk Moore-Russell asked John Dew to present the CCOC Draft Workplan for CFY 21/22. Mr. Dew provided information on several of the proposed 11 recommendations and the reasons. Clerk Butterfield asked that there be clarity in explaining that the jury management funding issue is the “reimbursement issue” and that the goal of development of a uniform payment plan is actually development of compliance and conformity in the payment plan process. The Council agreed and Clerk Moore-Russell made the motion to accept the plan with the revisions and it was seconded by Clerk Alvarez-Sowles. The Council unanimously approved the workplan.

#### **CIS Contract Extension**

Treasurer Moore-Russell presented a proposal to provide a 6-month contract extension for services from Compliance Improvement Services (CIS). The current contract extension expires on July 1st with the allowance of up to another one-year extension. Clerk Moore-Russell noted that the reason we are presenting a 6-month extension, as opposed to a full year, is in order to have this contract end at the same time as the other CCOC contracts expire. This way we can bid out all the contracts at the same time. She made a motion to approve a 6-month contract extension for CIS. Motion was seconded by Clerk Burke and approved as submitted.

#### **Agenda Item 5 – Committee and Workgroup Reports**

##### **Budget Committee Report**

Chair Peacock provided a high-level overview of the current budget and revenue situation facing the Clerks. He further discussed the upcoming process for development of the CFY 21-22 budget. He asked Jason Welty, CCOC Deputy Executive Director, to provide a more detailed report on the revenue situation through May 2021. Mr. Welty reported that we are \$17.8 million (5.8%) above REC revenue projections for this year. He said he feels confident that we will make our \$410 million dollars revenue projection, and in fact we may end up with a \$7.5 million cumulative excess to help with next year’s budget. Clerk Burke noted that he wanted to go on record to point out that the Clerks have been making tremendous success in their collection efforts by reminding individuals that received stimulus dollars that they had debts to pay. He said that it has been money well spent on the part of the CCOC to dedicate ourselves to enhance compliance activities if we have the money to do so.

##### **PIE Committee Report**

Chair Peacock recognized Laura Roth, Chair of the Performance, Improvement, and Efficiency Committee. Clerk Roth said the Committee recommended that we revise the collections performance measures and standards as found on page 109 of the packet, ask the PIE

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Committee Workgroup to further review the timeliness performance measures, and recommend no changes at this time on the jury payment performance measure and standard. The Committee also made recommendations on revising case weights and finally provided for the Council approval the completed CFY 2019-20 Annual Collection Agents Summary Report. There was discussion concerning the revised case weights for professional guardian files. A motion was made by Clerk Butterfield and seconded by Clerk Smith to approve all of the PIE Committee recommendations. The motion was approved unanimously.

#### **Legislative Committee Report**

Jason Welty presented a report from the CCOC Legislative Committee. He noted that, due to the good work of the Committee, the Clerks, and the relationship we have with the courts, the association, and others we had a successful legislative session. He noted we are now able to establish a reserve in our CCOC Trust Fund in case of emergencies or funding shortages, received \$6.25 million nonrecurring General Revenue in state fiscal year 21-22 to help with backlogged cases (Pandemic Recovery Plan), received General Revenue of \$11.7 million for juror management expenses and \$2.4 million carryover from the current year as well as now going to a juror payment reimbursement. Also, we are allowed to continue to retain a portion of cumulative excess at the end of each year.

Mr. Welty further presented to the Council a proposed funding proposal for the Pandemic Recovery Plan to distribute the dollars to Clerks which was earlier approved by the CCOC Budget Committee. Clerk Butterfield made a motion to approve the Pandemic Recovery Plan as presented. Clerk Roth seconded the motion which was approved unanimously.

#### **Electronic Notification Platform Workgroup**

Chair Peacock said the program is working well, and the Legislature reappropriated \$370,000 for the continuing year. There have been over 21,000 users of the system and we expect over 30,000 users by the end of the year. The next phase of the development will include tracking and reminders on civil cases and potentially traffic cases as well.

#### **Agenda Item 6 – TCBC Report**

Judge Ficarrotta said that he appreciates how the Clerks and Courts worked together this past session and this helped us all come out well. The TCBC met in May following the session to approve the allocation for the existing resources and plan for new resources in SFY 21/22. The TCBC also looked at how to distribute their Pandemic Recovery dollars for SFY 21/22. He said their next in-person meeting would be in October. On behalf of Judges, he said he appreciated the Clerks and their staff.

#### **Agenda Item 7 – Review of Tentative EC Meeting Schedule for CFY 21-22**

John Dew stated that the CCOC Plan of Operations in Section 1.5 requires that at the Annual Corporation meeting the Council shall establish a schedule of all regular meetings for the coming year. The CCOC has attempted to schedule all Council meetings to coincide with the FCCC training schedule to make it more accessible and convenient for Clerks and their staff to attend these meetings. The tentative dates for future Council meetings are October 11th,

2021 in Ponte Vedra; March 8th, 2022 in Panama City Beach; and June 6th, 2022 in Orlando. Chair Peacock said that we could also potentially have a WebEx meeting the second week of August 2021 dependent on when the Budget Committee makes their budget recommendations.

#### **Agenda Item 8 – CCOC 2021 Council Election Results**

Mr. Dew announced the names of the four members elected to the Executive Council. The four individuals re-elected to the Council were Clerk Todd Newton, Clerk Jeffery Smith, Clerk Laura Roth, and Clerk Tiffany Moore Russell. Mr. Dew thanked the other Clerks that placed their name on the ballot. Because the re-elected members were sworn-in previously to the Council, they did not need be sworn in again.

#### **Agenda Item 9 – Swearing in of Newly Elected Council Members**

#### **Agenda Item 10 – Election of CCOC Executive Council Leadership**

Attorney Rob Boyd presided over nominations for CCOC Executive Council Leadership. He asked if there were any nominations for the Chair of the Council. Clerk Burke nominated JD Peacock be selected as Chair and the motion was seconded by Clerk Crawford. During discussion it was asked that Clerk Peacock consider not serving the next year as the Budget Committee Chair, as having both duties is considerable work. Clerk Peacock agreed that he would appoint someone else to chair the Committee. The motion included however that he continues as Budget Chair at least through the current budget cycle which would be complete by September 30th, 2021. A vote was taken, and Clerk Peacock was unanimously elected as Chair of the Executive Council. Clerk Burke made a motion to nominate Clerk Smith as Vice-Chair and Clerk Moore-Russell as Secretary/Treasurer. The motion was seconded by Clerk Ruvin. Both were elected unanimously.

#### **Agenda Item 11 – Other Business**

**ANNUAL MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF FINANCIAL SERVICES**  
John Dew presented the proposed MOA for 21-22. He explained that the MOA provides that the Department will now be examining actions taken by the Clerks' offices to correct observations noted in previous reports. He stated that he and his staff would inform Clerks when DFS staff would be visiting their offices.

**There being no further business to discuss, Chairman JD Peacock adjourned the meeting at 4:56 p.m.**

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