



PIE COMMITTEE MEETING

February 28, 2022

JD Peacock, II
OKALOOSA COUNTY
EXECUTIVE COUNCIL CHAIR

Jeffrey R. Smith, CPA, CGMA
INDIAN RIVER COUNTY
VICE-CHAIR

Tiffany Moore Russell, Esq.
ORANGE COUNTY
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RON FICARROTTA
13TH JUDICIAL CIRCUIT JUDGE
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COLONNESO, ESQ.**
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PERFORMANCE IMPROVEMENT AND EFFICIENCIES COMMITTEE MEETING

February 28, 2022

Meeting: 11:00 AM – 12:00 PM, Eastern

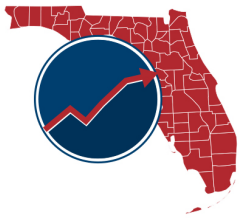
WebEx Link: <https://flclerks.webex.com/flclerks/j.php?MTID=ma4a30c473f869588fca1f89dd80b785b>

Meeting Number: 2311 293 8498; Password: CCOC

Conference Call: 1-866-469-3239; Access Code: 2311 293 8498

- 1) Call to Order and Approve Agenda.....Hon. Laura Roth
- 2) Approve Minutes from 12/03/21 Meeting.....Marleni Bruner
- 3) Update on PIE Workgroups.....Marleni Bruner
- 4) CFY 2021-22 Quarter 1 PMAP Report.....Marleni Bruner
- 5) Cases/Subcases Update.....Jason L. Welty
- 6) Uniform Payment Plan - Updates.....Jason L. Welty
- 7) Other Business.....Hon. Laura Roth

Committee Members: Laura Roth, Chair; Gary J. Cooney, Esq.; Roger D. Eaton; Brenda D. Forman; Tara S. Green; Matt Reynolds; Tiffany Moore Russell, Esq.; Victoria L. Rogers; Clayton O. Rooks, III; Donald Spencer; Carolyn Timmann; and Angela Vick



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Minutes of December 3, 2021, PIE Committee Meeting

Committee Action: Review and approve with amendments as necessary.

The PIE Committee of the Clerk of Courts Operation Corporation (CCOC) held a meeting via WebEx on 12/03/2021. 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. These staff notes are designed to document committee action, not a complete record of committee discussions. All motions adopted by the committee are in **bold text**. All action items based on committee direction are in **red** and bold **text**.

Agenda Item 1 – Call to Order and Approve Agenda

The PIE Committee meeting was called to order by Clerk Laura Roth at 10:00 AM. Marleni Bruner, CCOC Senior Budget Manager, called the roll.

Present for meeting via Web-Ex: Clerk Laura Roth, Clerk Gary J. Cooney, Clerk Tiffany Moore Russell (joined the call after roll call), Clerk Victoria L. Rogers, Clerk Clayton O. Rooks III, Clerk Donald Spencer, Clerk Carolyn Timmann, Clerk Brenda D. Forman, and Clerk Angela Vick.

Absent from the meeting: Clerk Linda Doggett, Clerk Tara S. Green, Clerk Roger D. Eaton, Clerk Matt Reynolds

A motion to approve the agenda was made by Clerk Vick and seconded by Clerk Rogers. The agenda as presented was approved by consent.

Agenda Item 2 – Approve Minutes from 9/24/21 Meeting

Ms. Bruner reported that there was one correction to the minutes to add the attendance of Clerk Vick, who joined the call after the roll call had taken place.

A motion was made to approve the Minutes from 9/24/21 with the stated amendment by Clerk Rogers and seconded by Clerk Rooks. The minutes were adopted as amended by consent.

Agenda Item 3 – Indigent Forms

Jason Welty, CCOC Deputy Executive Director, thanked the Chair, Committee Members, and the FCCC Best Practices Committee for helping to develop the Indigency Forms. The forms were officially received on October 19, 2021, along with the letter from FCCC President Clerk Colonnese (page 12 of meeting packet). Mr. Welty reported that he received a call from the Department of Children's and Families (DCF). He explained that DCF wanted to use information from the form for cases in the foster care system. The requested changes would allow the draw-down of additional federal dollars for the foster care system in Florida. The changes are even more critical because Florida had a waiver that expired on October 1, 2021. Mr. Welty worked with the Deputy Secretary and Deputy Director of Children's Legal Services at DCF and Clerk Cooney to tweak the version from FCCC.

Mr. Welty further explained the revisions: adding frequency for each income type, adding a line for gross income, and adding a line for "Other" under assets. In addition, a line for social security income was added on the Dependency and Termination of Parental Rights cases form. Also, changes were made in how a person's liabilities and debt is requested. One version is to lump all liabilities on one line; the other is a more detailed version. Clerk Vick suggested making the form one page long.

A motion was made by Clerk Vick to adopt the consolidated version of liabilities and debts (as seen on page 13 of the packet), which was seconded by Clerk Cooney.

Clerk Kinzel explained the necessity for the breakdown. She explained having the detail was better than a single line item.

After debate and discussion, Clerk Vick withdrew her original motion with agreement from Clerk Cooney.

Clerk Cooney motioned to adopt the revised form with the expanded language on debt and liabilities and adjust the form to fit on one page, as Mr. Welty presented. Clerk Vick seconded the new motion.

Clerk Roth asked committee members for further comments, discussion, or debate on the motion. Clerk Timmann stated that her office was recently sued over whether the form was clear on the asset and liability of a motor vehicle. Different divisions were interpreting it differently. Clerk Timmann stated it is on how you look at the asset and liability component of the motor vehicle. Clerk Timmann's staff denied one, and the individual sued; however, the individual had a hearing, and the Judge granted it, but the individual still sued in Federal Court, and that litigation is ongoing. The point of the question is how you determine the outstanding liability of a motor vehicle and if the clerk's office has to do the math to determine if there is an asset in that motor vehicle.

Clerk Cooney mentioned that they had a case that went all the way to the Florida Supreme Court where an individual claimed that the clerk's office took all of his liabilities and netted it against all of his assets. The Supreme Court ruled that is not what they do. On the vehicle issue, it is an exclusion. The individual can have a car

excluded from being considered an asset provided the car does not exceed \$5,000 in value. He believes these forms cover all the issues.

Clerk Roth asked what the relevance of the various incomes was in relation to the rest of the form. Clerk Cooney responded that it is statutorily required to be on the form, but it is not used in determining assets or liabilities. He also stated that “deductions by law” was vague statutory language that should be cleaned up.

Clerk Roth also pointed out that for the lines related to loan balances (vehicle, boat, etc.), there should be a total column added for the net value of the asset when compared to the loan balance.

No further discussion, comments, or concerns. **The motion was amended to add a totals column next to Assets for all forms. The motion was unanimously adopted.**

Clerk Roth asked Mr. Welty whether the petitions included with the Indigent Forms required discussion. Mr. Welty stated that they did need discussion from the Committee. This issue came up between when the FCCC sent the forms to the CCOC and when the review began.

According to statute, the applicant can seek the court’s review on the clerk’s determination of the applicant’s indigent status. By process, the applicant would have to petition the court to review. Clerk Cooney put together three separate petition forms for each one of the applications if a person wants to petition the court to overturn the clerk’s ruling on whether they are indigent. Mr. Welty suggested that clerks could make the petition forms available to applicants. The petitions are similar, but the thought is that it would be good to create a standardized petition for use across the state. Mr. Welty suggested that the PIE committee send the Petition Forms to the FCCC Best Practice committee to review the forms.

Clerk Cooney further explained that he was hearing from offices across the state that the applicant would ask what they could do when someone was denied indigent status. The response was you can petition the court. Then the follow-up question asked is how. He is not a proponent of doing work for petitioners or providing a legal opinion. However, this is a basic form in this case, with the only difference being the caption, title, and statute references.

Clerk Roth asked if this was the appropriate venue or forum to approve forms such as this one. Concerning the indigent forms, the CCOC is statutorily required to submit those to the Supreme Court for approval. Mr. Welty responded that we have not in the past, but if this committee sent it to the FCCC’s Best Practice Committee, that might be the better place for review.

A motion was made by Clerk Cooney, seconded by Clerk Vick, to send the petition forms to the FCCC Best Practice Committee for review and consideration. Hearing no objections, the motion was adopted unanimously.

Mr. Welty informed committee members that the next step with the indigent forms will be to present to the Executive Council meeting on December 16, 2021, and have the Executive Council take a look and approve it from the CCOC. From there, the CCOC will work with the Florida Bar, Public Defenders, the State Attorneys to get their input before the CCOC sends them to the Supreme Court for final approval.

Agenda Item 4 – Performance Measures Workgroup

Mr. Welty stated that it was determined that several issues would be sent to a Workgroup at the last PIE committee meeting. The first workgroup is the Collections standards for Circuit Criminal and Civil Traffic and the timeliness standards for all court divisions, both in filing and docking. The second workgroup will review the current measures and possibly create new performance measures.

On January 19, 2021, the PIE committee changed the various standards. Some committee members felt that a couple of the recommended changes needed to go to a workgroup. This included adjusting the Civil Traffic standard for Collections to 85% from 90%. Also, it included reducing the Circuit Criminal Collections standard from 9% to 8%. The workgroup for these two issues will be kicked off in January 2022 to discuss those issues surrounding the current collections standards. Mr. Welty also asked the Committee members if they had anyone in their office who would be an asset to this workgroup to let Ms. Bruner know in the next couple of weeks to establish workgroup members. The CCOC would like to keep these workgroups as mostly staff so that we can work on these issues and bring back something to the committee to review and decide upon.

The second workgroup will be reviewing all of the current measures again, which was last done in 2020. This workgroup will also look to introduce new measures for consideration. Mr. Welty indicated that the Performance Measures have not changed much since 2004. However, clerks received new duties from the Legislature that should be tracked to show how well clerks are executing those public policy goals that the Legislature set forward. The second workgroup will kick off a little later. If someone in your office would love to get into the data and be an asset to this workgroup, please forward their names to Mr. Welty and Ms. Bruner.

Clerk Roth asked Mr. Welty if people were already in place for these two workgroups or if that was still ongoing. Mr. Welty reported that a few people have volunteered for the workgroups after the last meeting; however, more are welcome. Clerk Roth reiterated the point that Mr. Welty made about finding people interested in the two workgroups discussed instead of assigning people to the workgroups who may not necessarily have time to devote.

Agenda Item 5 – Other Business

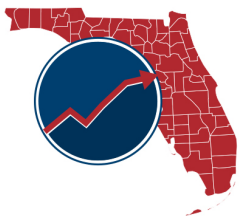
Clerk Roth wanted to thank Mr. Welty and Ms. Bruner for getting the final form on the uniform payment plan done. She reminded all that the Legislature required the CCOC to adopt a payment plan form by October 1, 2021. The elements of that form were adopted in time to satisfy the statute, but it wasn't put into an actual tweakable usable template yet, and we were due to begin using it by January 1, 2022. Clerk Roth stated that the committee worked over the last few days and got that out statewide late last night. Clerk Roth asked all Committee members to please check their inbox, and make sure to provide it to staff because it is the new payment plan form that should be used statewide come January.

Ms. Bruner stated that the forms are posted on the CCOC website. The link is in the email Mr. Welty sent. It is a word document that is editable so counties can use their seal and include clerk office information. Also, it can be edited for items that apply to each office. Clerk Roth stated that if items don't apply to your office, you can remove them from the form. If a county wants a fillable PDF form, they can send it to Ms. Bruner for help once the county makes its edits. If any other assistance is needed, please call CCOC staff.

Mr. Welty also wanted to recognize Miami-Dade County, which assisted with the Spanish translation for counties that need a form in Spanish. It will be coming soon.

Ms. Bruner requested committee members look at their 2022 calendars for February and let her know of any blackout dates. She will send a doodle poll for potential dates for the next committee meeting.

Clerk Roth adjourned the meeting at 11:14 AM.



CCOC

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AGENDA ITEM 3

DATE: February 28, 2022
SUBJECT: Update on PIE Workgroups
COMMITTEE ACTION: Information Only

OVERVIEW: A PIE Committee Workgroup Introductory meeting was held via WebEx on January 27, 2022. A recording on the meeting can be found online (<https://youtu.be/gqOmTGc3xYQ>). Jason Welty, CCOC Deputy Executive Director, and Marleni Bruner, CCOC Performance, Policy, and Education Director, led the discussion regarding the three PIE Committee workgroups:

1. Review Collection and Timeliness Workgroup
2. Future and Wholistic Review Workgroup
3. Case Weights & Framework

Review Collection and Timeliness Workgroup – The PIE Committee recommended sending the standards for Circuit Criminal and Civil Traffic to a workgroup for review along with the Timeliness standards for all court divisions for both filing and docketing. The CCOC Staff brought forward a recommendation back in January of 2021 and has data for the workgroup to review. The workgroup will bring a recommendation back to the PIE Committee for adoption and referral to the Executive Council. Marleni Bruner will lead the workgroup and meet as quickly as possible. A series of WebEx meetings will be established in 1-hour increments to mitigate how much time will need to be devoted to the workgroup.

Future and Wholistic Review Workgroup – This workgroup will review current performance measures and standards to see if there are any that should be eliminated, if new ones should be created, or if there is another mechanism for tracking performance and evaluating performance success. Jason Welty will lead this workgroup and begin meeting later in the Spring. The majority of the interactions will be via email to share responses to prompts. Philosophical questions will be considered. If this was the beginning of performance measures and standards, what would be included? What can clerks measure? What should clerks measure? How do we measure? What does it tell us?

Case Weights & Framework – Work of this standing workgroup will continue to be led by Clerk Cooney (Lake County) and his staff. In previous years, volunteers have been needed to review case counts and audit trails, that data of which have been used in the budget process. Case

AGENDA ITEM 3 – UPDATE ON PIE WORKGROUPS

weighting has been reviewed for Civil Traffic; however, the remaining case weights may need a scheduled date for review. Staff with legal or legislative experience may be interested in assisting with updating the Framework on an annual basis.

All WebEx meetings will be posted on the CCOC website for anyone to attend. Attached is a list of the membership for each workgroup, including the counties where each staff member serves.

COMMITTEE ACTION: Information Only

LEAD STAFF: Marleni Bruner, CCOC Performance, Policy, and Education Director

ATTACHMENTS:

1. PIE Committee Workgroup – Members



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

CFY 2021-22 PIE Committee Workgroups

Review Collection and Timeliness Workgroup (Marleni Bruner)

1. Melissa Geist, Director of Court Operations (Orange)
2. Joyce Boudoin, Assistant Administrator (Orange)
3. Angela Gary-Austin, Court Business Analyst III (Hillsborough)
4. Dian Diaz, Chief Operating Officer (Broward)
5. Elizabeth Maxwell, Performance Management Coordinator (Saint Lucie)
6. Laura Thrift, Business Analyst (Citrus)
7. Raymond Milum, Director of Recording and Clerk's Accounting (Collier)
8. Beth Yeatman, Lead State Reporting Specialist (Pinellas)

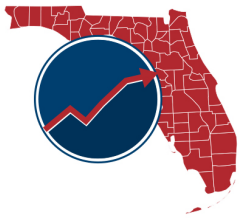
Future and Wholistic Review Workgroup – (Jason Welty)

1. Jessica Padilla, Director of Data Analytics and Quality (Orange)
2. Tami Colmorgen, Deputy Director of Courts (Manatee)
3. Robert Rocamora, Court Business Analyst III (Hillsborough)
4. Jill Lennon, Director of Courts (Collier)
5. Louis Tomeo, Criminal Court Services (Palm Beach)
6. Cheri Vancura, Chief Deputy of Operations (Martin)
7. Dian Diaz, Chief Operating Officer (Broward)
8. Stephanie Pellecchia, Reporting Specialist (Saint Lucie)
9. Kathy Davis, Business Analyst Administrator (Citrus)
10. Shantay Daniels, State Reporting Specialist 2 (Pinellas)
11. Julie McClain, Family Law Supervisor (Putnam)

Case Weights & Framework – (Clerk Cooney, Lake County)

1. Robert Rocamora, Court Business Analyst III (Hillsborough)
2. Jill Lennon, Director of Courts (Collier)
3. Tyler Winik, Director of Organizational Development & Public Affairs (Brevard)
4. Catalina Murphy, Analytics Manager (Orange)
5. Dawn Braddy, Assistant Operations Director (Orange)
6. Lynn Hawley, Reporting Specialist/Trainer (Saint Lucie)
7. Carla Cribb, Chief Deputy, Courts Administration (Nassau)
8. Kathy Davis, Business Analyst Administrator (Citrus)
9. Thomas Dune, Budget Administrator (Pinellas)

Updated 1/28/22



AGENDA ITEM 4

DATE: February 28, 2022
SUBJECT: CFY 2021-22 Quarter 1 PMAP Report
COMMITTEE ACTION: Information Only

OVERVIEW: Section 28.35 (2)(d), F.S., requires the CCOC to develop a uniform system of performance measures and applicable standards in consultation with the Legislature. Current performance measures address:

- Collections (one measure each for nine court divisions, reported quarterly)
- Timeliness (two measures for each of ten court divisions, reported quarterly)
- Juror Payment Processing (one measure, reported quarterly)

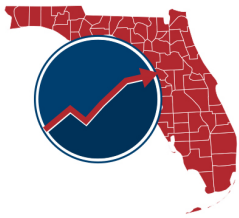
The CFY 2021-22 Quarter 1 Performance Measures and Action Plans Report has been completed and published on the CCOC website: <https://flccoc.org/ccoc-reports/#pr>. There were 55 clerk offices that required an action plan related to collections, 14 clerk offices required an action plan for not filing cases timely, and 8 clerk offices required an action plan for not docketing cases timely. Two counties were missing action plans for at least one court division in Collections and one county was missing an action plan for Time 1.

Due to COVID-19, there were five counties that did not issue jury summons. While 62 counties issued summons, 61 counties issued payments, of which, 6 counties failed to meet the timeliness standard.

COMMITTEE ACTION: Information Only

LEAD STAFF: Marleni Bruner, CCOC Performance, Policy, and Education Director

ATTACHMENTS: None



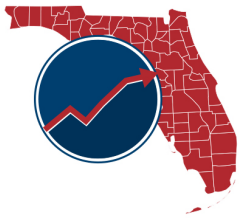
AGENDA ITEM 5

DATE: February 28, 2022
SUBJECT: Cases/Subcases Update
COMMITTEE ACTION: Information Only

- **December 2021 Cases**
 - The total cases reported were 335,403
 - This amount is 18,151 or 5 percent, below last December
- **January 2022 Cases**
 - The total cases reported were 362,546
 - This amount is 8,833, or 2 percent, above last January
- **CFY 2021-22 YTD Cases**
 - The total cases reported were 1,430,339
 - This amount is 20,692 or 2 percent, above the cases for CFY 2020-21
- **Trends**
 - **Civil Traffic Continues to lag historical levels**
 - 187k cases in January 2022 is 7 percent up over last year; however, it is down 17 percent compared to 225k average in January 2019/2020
 - **County Civil is strong but slowing**
 - January county civil cases are up 6 percent over December
 - Last year county civil averaged 66k cases, this year it is 60k cases
 - Year to date county civil cases are down 13 percent from last year
 - **Circuit Civil continues to decline**
 - Circuit civil cases declined 17 percent since last year
 - **Criminal is steady but slightly up**
 - Felony is down 3 percent, misdemeanor is up 6 percent, delinquency is up 17 percent

COMMITTEE ACTION: Information Only

LEAD STAFF: Jason L. Welty, Deputy Executive Director



AGENDA ITEM 6

DATE: February 28, 2022
SUBJECT: Uniform Payment Plan - Updates
COMMITTEE ACTION: Deliberate Recommended Changes

OVERVIEW: The PIE Committee approved the Uniform Payment Plan before the statutory deadline of October 1, 2021. Additionally, CCOC provided a form template for counties to use before the January 1, 2022 deadline. This form was designed to help standardize payment plans across the state and provide uniformity among clerks to serve constituents across county lines.

Several counties contacted CCOC to ask about customizing the form. The form should be customized for the various policies in your office. For example, suppose your office charges the \$25 partial payment setup fee instead of the \$5 per month service charge. In that case, you should modify the form to remove the references to the \$5 fee. Additionally, if a county does not currently have text, email, or voice reminders, the form can be modified to include a disclaimer, "If these services become available," in the section about text notifications.

To make it clear that clerks may modify the Uniform Payment Plan, CCOC staff recommends adding the following statement to the form:

The Uniform Payment Plan may be customized by clerks to address local practices, such as the one-time Partial Payment Setup Fee vs. monthly payment plan fee, and other issues as long as the resulting Uniform Payment Plan, as customized, remains substantially similar to this form.

Additionally, in Section 6 – Failure to Comply, the form uses “willfully” relating to the failure to comply with the payment plan terms. Relating to failure to comply, current law does not use the term willfully and should be removed from the form.

COMMITTEE ACTION: Deliberate Recommended Changes

LEAD STAFF: Jason L. Welty, Deputy Executive Director

ATTACHMENTS:

1. Uniform Payment Plan – February Updates

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Here

Clerk Name Here
Clerk of the Circuit Court & Comptroller
_____ County

Payment Plan Application

Section 1				ACKNOWLEDGEMENT OF TERMS AND FAILURE TO COMPLY CONSEQUENCES (s. 28.246(4), F.S.)			
Initial		I attest/confirm/swear that the information provided on this application is true and accurate to the best of my knowledge. I will abide by the terms of the payment plan and understand failure to do so may result in the suspension of my driver's license for failure to pay a financial obligation and potentially my case(s) being referred to a collection agency and additional collection fees assessed.					
		I understand that court-imposed financial obligations are penalties from my sentence and pursuant to F.S. 938.30, I am required to pay for all fines, fees, and costs incurred from my case proceeding(s).					
		I wish to enroll in a payment plan per s. 28.246(4)(B), F.S.					
Applicant Signature						Date	
Section 2				GENERAL INFORMATION (s. 28.246(4)(b), F.S.)			
First Name			Middle Name		Last Name		
Street Address							
City				State		Zip Code	
Date of Birth			Driver License or State ID Number				
PAYMENT NOTIFICATIONS Data and message rates may apply.							
I consent to payment notifications by email <input type="checkbox"/> Yes <input type="checkbox"/> No				Email Address			
I consent to automated notifications by phone <input type="checkbox"/> Yes <input type="checkbox"/> No				I consent to payment notifications by text message <input type="checkbox"/> Yes <input type="checkbox"/> No			
Phone Number				Cell Phone			

Applicant Initials _____

1

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Clerk Name Here
Clerk of the Circuit Court & Comptroller
_____ County

Payment Plan Application

Section 3

FINANCIAL INFORMATION

How much can you afford to pay per month? \$ _____

How much can you afford to pay as a down payment? \$ _____

My net annual income pay is \$ _____ (select only one) ☐ weekly ☐ monthly ☐ annually

Total net annual income pay consists of total salary and wages, minus deductions required by law, including court-ordered support payments. – s. 27.52(1), F.S.

My income sources are:

1. Social Security benefits \$ _____ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly ☐ yearly
2. Unemployment compensation \$ _____ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly ☐ yearly
3. Reemployment Assistance \$ _____ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly ☐ yearly
4. Union funds \$ _____ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly ☐ yearly
5. Retirement/pensions \$ _____ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly ☐ yearly
6. Trusts or gifts \$ _____ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly ☐ yearly
7. Veterans' benefit \$ _____ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly ☐ yearly
8. Worker's compensation \$ _____ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly ☐ yearly
9. Rental income \$ _____ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly ☐ yearly
10. Dividends or interest \$ _____ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly ☐ yearly
11. Support from family members \$ _____ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly ☐ yearly
12. Other income not on the list \$ _____ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly ☐ yearly

I have the following assets:

1. Cash \$ _____
2. Homestead real estate \$ _____ Loan balance \$ _____
3. Non-homestead real estate \$ _____ Loan balance \$ _____
4. Car/Motor Vehicle \$ _____ Loan balance \$ _____
5. Boats/other tangible property \$ _____ Loan balance \$ _____
6. Money market accounts \$ _____
7. Bank/Savings account(s) \$ _____
8. Stocks/bonds/Certificates of Deposit \$ _____
9. I DO ☐ / DO NOT ☐ (select only one) expect to receive more assets soon. The asset(s) and value(s) are _____.

My total liabilities/debt is: \$ _____

Applicant Initials _____

Seal
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Here

Clerk Name Here
Clerk of the Circuit Court & Comptroller
_____ County

Payment Plan Application

Section 4 ACCEPTABLE PAYMENT METHODS (s. 28.42(2), F.S.)	
Payments can be made as follows: <ul style="list-style-type: none"> • Online: [Website Here] • By phone: [Phone Number Here] • By money order or cashier's check. Please include your payment plan number/name and mail to: [Address Here] • In person: [Address Here] • Other payment method not currently listed 	
Section 5 PAYMENT PLAN TERMS (s. 28.42(2), F.S.)	
Initial	I understand that court-imposed financial obligations and civil penalties are penalties from my sentence or set by applicable law and I am required to pay for all fines, fees, and costs incurred from my case proceeding(s).
	I understand and agree to pay a [one-time \$25 or \$5 per month] administrative fee to establish a payment plan – (s. 28.24(27)(b) or s. 28.24(27)(c), F.S.). <ul style="list-style-type: none"> • If I fail to complete my payment plan and the clerk creates a new payment plan for me, I understand the clerk will assess an additional [\$25 or \$5] administrative fee each time a new payment agreement is established. • I further understand that [Credit Card Vendor Name Here] charges a fee of [Credit Card Service Charge Here] per payment when making payments by credit card.
	I understand that it is my responsibility to make timely payments pursuant to the plan, regardless of e-notification reminders. <ul style="list-style-type: none"> • Payment is due no later than 11:59 PM [Time Zone Here] on the date given.
	I will timely update my address, cell phone number, email address and any other contact information with the Clerk's Office so that I may receive notifications. <ul style="list-style-type: none"> • Failing to update my contact information may prevent me from receiving payment plan notifications.
	I will notify the Clerk's office immediately with a request to modify my original payment plan if my financial situation changes.
Section 6 FAILURE TO COMPLY	
Initial	Willfully Failing to pay as agreed may result in the Florida Highway Safety and Motor Vehicles (FLHSMV) issuing an order suspending my driver license and my privilege to drive 20 days after the date the order of suspension is mailed (ss. 318.15 or 322.245, F.S.). <ul style="list-style-type: none"> • FLHSMV will send notification of suspension to the address they have on file.
	If I fail to establish a new payment plan, my license will remain suspended. If my case(s) remains unpaid after 90 days, my case(s) will be referred to a collection agency (s. 28.246(6), F.S.). <ul style="list-style-type: none"> • The collection agency may add a [Percentage Amount Here] percent fee to my outstanding balance, and I may need to pay the new balance through the collection agency.

Applicant Initials _____

Seal
Goes
Here

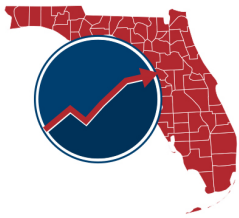
Clerk Name Here
Clerk of the Circuit Court & Comptroller
_____ County

Payment Plan Application

	A failure to pay timely, which results in any criminal fine assessed by the court not being paid by the date established by the court, may result in the arrest of the defendant for failure to pay the fine.
	Criminal cases may be subject to a non-refundable lien fee of \$22.00
Section 7	COMPLETED BY CLERK'S OFFICE (s. 28.42(2), F.S.)
<i>Reasonableness disclosure:</i> The clerk shall establish all terms of a payment plan, and the court may review the reasonableness of the payment plan amount. A monthly payment amount, calculated based upon all fees and all anticipated fees, service charges, court costs, and fines, is presumed to correspond to the person's ability to pay if the amount does not exceed 2 percent of the person's annual net income, as defined in s. 27.52(1), F.S. divided by twelve.	
Case(s) #	Payment Plan #:
Payment Calculation	
Beginning Balance of Fines, Filing Fees, Service Charges, and Court Costs Due	\$
Partial Payment Setup Fee or monthly fee	\$ {\$25.00 or \$5.00 monthly} x number of months
Total Amount Due	\$
Payment Schedule	
Amount Paid Today	\$
Balance for Payment Plan	\$
On the ____ day of each [month, week, every other week, etc.], beginning [Date Here], until balance paid in full.	\$_____ a [month, week, every other week, etc.] (Monthly payment is considered reasonable if it does not exceed two percent of annual net income divided by 12)
The total amount due is to be paid within _____ months.	

The Uniform Payment Plan may be customized by clerks to address local practices, such as the one-time Partial Payment Setup Fee vs. monthly payment plan fee, and other issues as long as the resulting Uniform Payment Plan, as customized, remains substantially similar to this form.

Applicant Initials _____



CCOC

FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

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AGENDA ITEM 7

DATE: February 28, 2022
SUBJECT: Review Draft Concept of Compliance Checklist/Survey
COMMITTEE ACTION: Provide Feedback

OVERVIEW: The newly established Compliance Workgroup, chaired by Clerk Grant Maloy, is a Budget Committee workgroup created to review compliance efforts statewide. In order to gather and compile statewide compliance data, the workgroup is planning to send out a checklist/survey in the near future. As an initial starting place, the workgroup considered and updated the best practices checklist that the FCCC Best Practices Workgroup created, which is included in the meeting packet. The workgroup is also interested in adding information regarding enhancements to the survey, including auto payment plans, texting features, etc.

The Compliance Workgroup is requesting the PIE Committee to review this draft compliance checklist and provide any recommendations to improve the checklist/survey and ensure that it encompasses all information relating to compliance. Once data is collected from all 67 counties, the workgroup will review and potentially propose recommendations to increase and/or improve compliance efforts.

COMMITTEE ACTION: Provide Feedback

LEAD STAFF: Griffin Kolchakian, Budget and Communications Director
Rafael Ali-Lozano, Budget Manager I

ATTACHMENTS:

1. Draft Concept of Compliance Best Practices Checklist/Survey

Best practice Checklist-Compliance Services

Fundamental Mandatory Elements

1	Enforce, <input checked="" type="checkbox"/> satisfy, <input checked="" type="checkbox"/> compromise, <input type="checkbox"/> settle, <input type="checkbox"/> subordinate, <input checked="" type="checkbox"/> release, or <input checked="" type="checkbox"/> dispose of debts and liens as required by s. 938.30(9), F.S.	
2	Impose statutory fees for payments as required by s. 28.24(26), F.S.	
3	Distribute funds in the tiers required by s. 28.246(5), F.S., after distributing funds as required by s. 27.52(1)(c), F.S.	
4	Comply with all bond forfeiture requirements noted in s. 903.26, s. 903.27, s. 903.28, and s. 142.01, F.S.	
5	Collect administrative costs for compliance per s. 938.30(12), F.S., for postage per s. 28.24(27), F.S., for copying per s. 28.24(5)(a), F.S., and for service fees per s. 318.15(1)(b), F.S., s. 318.18(8)(a), F.S., and s. 322.245(2), F.S.	
6	Establish a payment program to accept partial payments for court related fees, service charges, costs, and fines as required by s. 28.246(4), F.S.	
7	Apply cash bonds to financial obligations as required by s. 903.286, F.S.	
8	Send cases to collections that are delinquent after 90 days per s. 28.246(6), F.S.	
9	Hold Driver License Reinstatement Days event annually per s. 322.75, F.S.	
10	Complete the collections performance report as required s. 28.35, F.S.	
Total		

Compliance Enforcement Mandatory Elements

1	Record court-ordered criminal judgments and sentences to ensure that a lien is created under s. 938.30(6), F.S. for the entire 20-year period per s. 938.30(8), F.S.	
2	Suspend driver licenses for non-compliance under s. 322.245(5), F.S., and s. 318.15, F.S.	
3	Contract with collection firms as required by s. 28.246(6), F.S.	
4	For cases sent to a collection firm when new costs and fines have been imposed: <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/>Amend amounts with collection firm so that all court costs and fines on a case are combined, <u>or</u> b. <input type="checkbox"/>Retract and resend after 90-day time period so that all court costs and fines on a case are combined. 	
Total		

Optional Practice Elements

1	Communicate with all parties involved in collections, for example: <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/>Defendants, in court or as soon as practical pursuant to statute after sentencing, to provide information, information sheets, etc. b. <input checked="" type="checkbox"/>DOC, concerning its statutory requirement under s. 948.09(6), F.S., since that statute provides for different distribution than s. 28.246(5), F.S. c. <input type="checkbox"/>Judiciary d. <input checked="" type="checkbox"/>Probation 	
2	Maintain, follow, and update written procedures pertaining to compliance services.	
3	Use application/affidavit forms to obtain defendant's financial information, current contact information, and obtain permission for electronic communication in order to establish and maintain payment plan.	

	<p>a. <input checked="" type="checkbox"/> Establish default payment amounts as a starting point, but work with defendants and their individual circumstances.</p> <p>b. <input checked="" type="checkbox"/> Establish a policy for payment plans which addresses reinstatement of a payment plan in default as well as guidelines for modifying or extending the plan and/or due dates.</p>	
4	Share information on community service options under s. 938.30(2), F.S., provide information forms, ensure monitoring, and work with the judiciary for reconversion if defendants fail to submit timely proof of completion.	
5	Use postcards, late notices, letters, IVR (interactive voice response) systems, or other electronic communications to provide defendants with payment reminders and/or consequences for default.	
6	Use the DOC website, Offender Search, to track defendants' release so the office can notify defendants about compliance.	
7	Negotiate with collection agent for their best collection rate.	
8	Regularly evaluate the effectiveness of compliance practices.	
9	<p>When creating payment plans with multiple cases:</p> <p>a. <input checked="" type="checkbox"/> Create one plan per case, <u>or</u></p> <p>b. <input type="checkbox"/> Multiple cases per plan.</p>	
Total		

Optional Enhanced Elements

1	<p>For those who selected Mandatory #1, indicate the balances the office settles:</p> <p>a. <input checked="" type="checkbox"/> interest on liens</p> <p>b. <input type="checkbox"/> large balance fines</p> <p>c. <input type="checkbox"/> older cases</p> <p>d. <input type="checkbox"/> other _____</p>	
2	<p>Utilize an automated system to:</p> <p>a. <input checked="" type="checkbox"/> create payment plans</p> <p>b. <input checked="" type="checkbox"/> track due dates</p> <p>c. <input checked="" type="checkbox"/> create then send notifications, and</p> <p>d. <input type="checkbox"/> report payment plan workload</p>	
3	<p>Indicate if your office utilizes online:</p> <p>a. <input type="checkbox"/> payment plan applications</p> <p>b. <input checked="" type="checkbox"/> payment portals</p>	
4	<input checked="" type="checkbox"/> Send NSF to State Attorney for prosecution s. 832.07(1)(a), F.S.	
5	<p><input type="checkbox"/> Track payment plan workload including plans initiated by case type by date range demonstrating:</p> <ul style="list-style-type: none"> · Volume · plan amounts initiated · payment amounts collected by case type and date range · payment plan failure actions initiated · payment plans closed 	
6	<input checked="" type="checkbox"/> Seek CCOC assistance as needed.	
7	Other _____	
Total		