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Minutes of January 22, 2021, CCOC Legislative Committee Meeting

Approved by the Legislative Committee on August 12, 2021.

The Legislative Committee of the Clerk of Courts Operation Corporation (CCOC) held a meeting via WebEx on January 22, 2021. CCOC distributed an agenda and materials in advance of the meeting and posted them 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 blue and **bold** text.

Agenda Item 1 – Call to Order and Introduction

Clerk Carolyn Timmann, Chair of the Legislative Committee, called the meeting to order. Jason L. Welty, Legislative and Communications Director, called the roll.

Present via WebEx: Honorable Carolyn Timmann, Chair; Honorable Joseph Abruzzo; Honorable Barry Baker; Honorable Doug Chorvat, Jr.; Honorable Gary J. Cooney, Esq.; Honorable Tara S. Green; Honorable Crystal Kinzel; Honorable Kevin Madok; Honorable Gwendolyn Marshall; Honorable Laura Roth, Esq.; Honorable Harvey Ruvin, Esq.; Honorable Donald Spencer; and Honorable Angela Vick

Absent from conference call: Honorable Tom Bexley (excused)

Agenda Item 2 – Approve Agenda

Clerk Vick motioned to adopt the agenda, and Clerk Baker seconded the motion. The committee adopted the agenda without objection.

Agenda Item 3 – Approve Minutes from the Meeting on October 10, 2019.

Clerk Vick motioned to adopt the minutes, and Clerk Green seconded the motion. The committee adopted the minutes without objection.

Agenda Item 4 – CCOC Legislative Budget Request

Chair Timmann introduced the agenda item to develop a 2021 CCOC Legislative Budget Request to present to the Executive Council. She recognized it would be a tight and challenging budget year, given the impact of the global pandemic. She asked Jason L. Welty to discuss potential ideas. Mr. Welty explained that the idea of having a budget request would be separate and apart from the FCCC policy agenda. The first idea was to explore an option to mimic the State Courts’ request for additional funding to alleviate the backlog of cases due to the pandemic.

After technical difficulties, Chair Timmann called on Jason L. Welty to outline additional ideas. Mr. Welty restated the idea to copy the State Courts System of additional legislative appropriations for the backlog of cases. The second idea was reimbursement for statutorily required Florida Retirement System (FRS) increases in the current year. The next issue is related to the previous FRS issue and would request future FRS costs instead of those costs taken out of clerk revenue. The fourth idea would be revenue replacement to maintain the clerks’ budgets.

As part of the discussion about the assorted options, Clerk Green provided a synopsis of the Trial Court Budget Commission (TCBC) meeting. Clerk Spencer encouraged clerks to prepare to live within the current revenue stream and work with the courts to manage the process. Clerk Roth supported the effort of asking for additional funding because it is a different approach than previously attempted. Clerk Cooney weighed in with an idea to amend the FRS statutes to allow clerks to bring back “Senior Clerks” without damaging the retirement of those individuals. Finally, Clerk Vick asked about the specifics of the budget requests.

Mr. Welty explained a final idea to request reimbursement for petitions for protection, which is already statutorily authorized at \$40 per petition.

Clerk Green spoke in favor of considering the reimbursement for petitions for protection. Clerk Roth asked if these ideas were mutually exclusive or put multiple issues in for consideration. Chair Timmann expressed support for multiple issues. Clerk Moore Russell advocated for the FRS issues because, as FRS rates increase, clerks effectively reduce the budget as more dollars go to the same personnel. Clerk Kinzel raised a point from a local delegation meeting that asking for increases in FRS might lead to increased costs to the employees, raising the current 3 percent employee contribution to a higher amount.

The committee provided direction to CCOC staff to begin moving forward with the ideas relating to the pandemic recovery plan and the \$40 reimbursement for petitions for protection.

Agenda Item 5 – Juror Management Funding

Chair Timmann called upon Clerk Vick to discuss another idea for the committee to consider for the Legislative Budget Request. Clerk Vick presented ideas relating to juror management funds. She provided three potential options for excess juror management funds, including:

1. Ask the Legislature to revert the funds and appropriate them for the same purpose
2. Ask JAC and the Legislature to allow clerks to use these funds for technology
3. Ask the Legislature to revert the funds and allow for the use of other court-related duties

Clerk Butterfield brought up the idea that once the courts get to their definition of Phase IV, jury trials are likely to expand significantly. Additionally, she mentioned pending legislation that would increase the juror per diem, putting additional strain on recurring General Revenue the Legislature provides to the clerks for that purpose. Clerk Roth reiterated the need for extra jury funding because they were going from one day of summoning jurors to five days per week in her county.

Clerk Vick moved to recommend the Legislature revert any remaining juror management funds at the end of the state fiscal year and appropriate them for the same purpose for the next state fiscal year, in addition to the recurring General Revenue provided for juror management. Clerk Ruvin seconded. The committee adopted the motion without objection.

Agenda Item 6 and 7 – Bill Analysis Process and Priority Legislation

Chair Timmann then asked Mr. Welty to cover the bill analysis process and the priority legislation. First, Mr. Welty provided an overview of the process and a few tips for drafting fiscal analyses. He also covered the CCOC process of prioritizing and tracking legislation. Finally, Mr. Welty covered several of the current priority bills.

Agenda Item 8 – Other Business

Chair Timmann allowed public comments and questions. There were none. There was no other business presented before the committee.

The meeting adjourned at 4:25 PM.
