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GENERAL COUNSEL

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

Minutes of February 28, 2022, PIE Committee Meeting

Approved by the PIE Committee at their meeting on 06/21/22.

The PIE Committee of the Clerk of Courts Operation Corporation (CCOC) held a meeting via WebEx on February 28, 2022. 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 Performance, Policy, & Education Director, called the roll.

Present for meeting via Web-Ex: Clerk Laura Roth, Clerk Gary J. Cooney, Clerk Brenda Forman, Clerk Matt Reynolds, Clerk Victoria L. Rogers, Clerk Clayton O. Rooks III, and Clerk Donald Spencer

Joined after roll call: Clerk Roger D. Eaton, Clerk Carolyn Timmann, and Clerk Angela Vick

Absent from the meeting: Clerk Tara S. Green, Clerk Tiffany Moore Russell,

A motion to adopt the agenda was made by Clerk Cooney and seconded by Clerk Rooks. With no dissent, the agenda was approved.

Agenda Item 2 – Approve Minutes from 12/03/21 Meeting

Clerk Roth acknowledged that the minutes were provided in the packet on page 3 and asked if there were any amendments to the minutes as presented. There were none.

A motion was made to approve the 12/3/21 meeting minutes by Clerk Cooney and seconded by Clerk Forman. With no dissent, the agenda was approved.

Agenda Item 3 – Update on PIE Workgroups

A PIE Committee Workgroup introductory meeting was held on January 27, 2022, via WebEx. Ms. Bruner reviewed the members of the workgroups (Agenda Item 3, Attachment 1 in the meeting packet). Tanya Green from Saint Lucie was added to the Case Weights and Framework Workgroup and that information was not included in the packet. She also requested Clerk Cooney to provide information on any members of the Case Weights and Framework Workgroup that previously servers as the CCOC does not want to leave anyone out, but wanted to give an opportunity to add new members.

She outlined that the Collection and Timeliness Workgroup is in the beginning stages of organizing a meeting and will be meeting soon. Meeting information will be made public and posted to the CCOC website. Ms. Bruner stated that Jason Welty, CCOC Deputy Executive Director, has sent out an email to his workgroup where they are having philosophical discussions via email but when they meet via WebEx the information will be publicly posted.

Clerk Roth thanked everyone who has joined the workgroups and noted that their efforts could potentially impacts clerks in a big and needed way. She also stated that if anyone missed out on joining, they could be added.

Agenda Item 4 – 4) CFY 2021-22 Quarter 1 PMAP Report

Ms. Bruner provided a report on the CFY 2021-22 Quarter 1 Performance Measures and Action Plans (PMAP) Report, which has been completed and published on the CCOC website: <https://flccoc.org/ccoc-reports/#pr>.

Ms. Bruner noted that there were a several counties who were late with their submissions which caused issues for CCOC staff. The CCOC is statutorily required to submit the report within 45 days of the end of the quarter; however, CCOC reports are due on the 20th which cuts their time in half to complete the report. Also, there were some errors on the submissions which also delayed completing the report. She also noted that the PIE Committee previously approved the CCOC to submit the report and note any missing counties, the CCOC would prefer to have everyone's information up front.

Clerk Roth pointed out that 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.

Ms. Bruner also pointed out that this report takes into account the updated performance measure standards and the trends did not shift significantly. She did a comparison and the changes from last year to this year at this time were in line.

Agenda Item 5 – Cases/Subcases Update

Mr. Welty presented the Cases/Subcases update from the Senate Office Building as this is a busy time during the legislative process and thanked our legislative partners who are on the call. Mr. Welty reported that this is a new feature of the PIE Committee meetings. The report can be found on page 12 of the meeting packet. He noted that Civil Traffic continues to lag from historical levels; however, it is the second biggest driver of CCOC revenues. County Civil is strong but slowing. This is one of the areas with the biggest drop off in cases and revenues. Circuit Civil cases have also continued to decline. Criminal case types are steady but slightly increased. Going forward, he would like to do more trends for the committee to review.

Clerk Roth noted that locally they felt their change was due to the jurisdictional change because circuit civil went drastically down while county civil went drastically up. She felt it was interesting that it might not be the case statewide. Mr. Welty also stated that some of the issues have to do with foreclosures statewide and the lack of the bounce back from the moratorium on foreclosures. Clerk Roth pointed out that there are very few paying case types left at all and the fee-paying case types are down and the non-paying case types are up significantly.

Clerk Kinzel would like to see this case information by county for her own statistical analysis. **Mr. Welty emailed the information to Clerk Kinzel following the meeting.**

Agenda Item 6 – Uniform Payment Plan – Updates

Mr. Welty explained the edits to the Uniform Payment Plan on page 17 of the meeting packet. 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. Clerk Roth stated that she agreed the forms used locally just needed to be substantially the same

as what is approved by the CCOC as the form had a lot of options for what was available locally.

Clerk Maloy stated that he is not intimately familiar with the form but that his staff requested that they be able to put the case number on the first page of the form and wanted to know if they could do that or if they needed approval. He was told that he would be able to make that change locally as it kept the remainder of the form substantially the same.

A motion was made by Clerk Cooney to adopt the changes to the Uniform Payment Plan and the motion was seconded by Clerk Forman. With no nay votes, the motion passed.

Agenda Item 7 – Other Business

Griffin Kolchakian, CCOC Budget and Communications Director was called upon to present on the request of the PIE Committee to review a draft concept of the Compliance Checklist Survey from the Budget Committee Compliance Workgroup. Clerk Maloy is the chair of the workgroup for the Budget Committee and led the explanation. He stated that the workgroup was created to see if compliance efforts should be a component of the budget development process. Clerk Maloy stated that the summary of direction would be forwarded to the PIE Committee. Some of the discussion of the workgroup included should the minimums be enhanced, should technology be included. He stated there was conversation that there should be some assurances that everyone was doing the minimum mandatory elements of compliance efforts to reduce any infighting over budgets. The workgroup also discussed added a weighted measurement to the compliance checklist. Further suggestions included contacting Don Murphy with CIS (a contract service provided by CCOC) for assistance or creating a collective for smaller counties to have access to compliance assistance.

Clerk Roth thought it was a great explanation and asked Mr. Kolchakian what they wanted from the PIE Committee today. Mr. Kolchakian responded that the PIE Committee provide input, if there was anything they had problems with or if there was anything missing that could be added. This survey is intended to be sent out to each county on behalf of the Budget Committee statewide one time and it will give a clear picture of the status of everyone's compliance efforts.

Clerk Forman asked for information on what more the workgroup plans to condense, and changes were made. Mr. Kolchakian responded that the workgroup was at the beginning and took a previously used checklist as their starting point. Clerk Roth asked if this was the exact Compliance Best Practice from FCCC and Mr. Kolchakian responded that it was not exactly the same, but it was very similar. It is a checklist that Don Murphy and his team use when they go into a county and review their compliance efforts. John Dew, CCOC Executive Director, pointed out that this is from the Budget Committee and the last time it was sent out only 29 clerks responded. The Budget Committee is in the early stage of developing the upcoming budget and

implementation of the Best Practice Checklist in the budget process would not be used in the CFY 2022-23 budget cycle.

Clerk Kinzel responded that felt there should be equity in this process because some clerks received funding to enhance their compliance efforts while others did not. She stated that some counties are not holding jury trails while her circuit has done them throughout the pandemic. She also felt it would be difficult to set a parameter for dollars. Clerk Roth noted that there were a lot of factors involved and a lot of things being considered with several workgroups. Clerk Kinzel responded that she would like to be a part of the workgroups and would like notice on meetings. Clerk Roth also stated that may be convergence of the Budget and PIE Committees and their workgroups.

Mr. Dew also stated that it is early, and we are also waiting on legislative session to end. Mr. Kolchakian stated that the process was at the beginning stages and that a recommendation, if any, would be brought before the Budget Committee as a whole before any final decisions were made. Mr. Dew added that any action by the Budget Committee would be taken before the Executive Council for final approval. Clerk Maloy asked the PIE Committee to send any ideas they may have.

Mr. Welty pointed out that there was a workgroup email issue and that CCOC staff would correct the item. There was no further comment or other business to address.

Clerk Roth adjourned the meeting at 11:50 PM.
