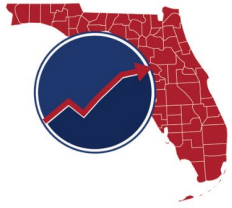


Jeffrey R. Smith, CPA, CGMA
INDIAN RIVER COUNTY
EXECUTIVE COUNCIL CHAIR

Tiffany Moore Russell, ESQ.
ORANGE COUNTY
VICE-CHAIR

Laura E. Roth, ESQ.
VOLUSIA COUNTY
SECRETARY/TREASURER



CCOC
**FLORIDA CLERKS OF COURT
OPERATIONS CORPORATION**

JOHN DEW
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FIRM OF BOYD AND DURANT
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OKALOOSA COUNTY

HARVEY RUVIN, ESQ.
MIAMI-DADE COUNTY

TODD NEWTON
GILCHRIST COUNTY

STACY BUTTERFIELD, CPA
POLK COUNTY

RON FICARROTTA
13TH JUDICIAL CIRCUIT JUDGE
SUPREME COURT APPOINTEE

KEN BURKE, CPA
PINELLAS COUNTY
HOUSE APPOINTEE

NIKKI ALVAREZ-SOWLES, ESQ.
PASCO COUNTY
SENATE APPOINTEE

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Minutes of September 21, 2022, Executive Council Meeting

Approved by the Executive Council at their meeting on November 1, 2022.

The Executive Council of the Clerks of Court Operations Corporation (CCOC) held a meeting via WebEx on September 21, 2022. An agenda and materials were distributed in advance of the meeting and posted on the CCOC website.

Call to Order, Invocation, and Roll Call

The meeting was called to order by Chair Jeff Smith at 2:00 PM. Clerk John Crawford lead the invocation. Clerk Roth called the roll.

Present for meeting (WebEx): Chair Jeff Smith, Vice-Chair Tiffany Moore Russell, Secretary/Treasurer Laura Roth, Clerk Stacy Butterfield, Clerk John Crawford, Clerk Harvey Ruvin, Clerk JD Peacock, Clerk Nikki Alvarez-Sowles, and Clerk Ken Burke.

Absent from meeting (conference call): Clerk Todd Newton and Judge Ron Ficarrotta

Agenda Item 1 – Approve Agenda

A motion was made to approve the agenda by Clerk Ruvin and seconded by Clerk Roth. The motion was adopted unanimously.

Agenda Item 2 – Approve Minutes from June 6, 2022 Clerk Alvarez-Sowles made a motion to approve the June 6, 2022 minutes. Clerk Ruvin seconded. The motion was adopted with no opposition.

Agenda Item 3 – Accept Treasurer’s Report

Clerk Roth reported that in June 2021 the Council approved a Fiscal Year 2021-2022 CCOC office budget of \$1,701,878. Through 10 months of the fiscal year through July of 2022, the CCOC has expended less than 75% of the budget. The CCOC is expected to be well within the overall approved budget authority at the end of the year; however, they will overspend in the subcategory for educational services. This is due to the Council increasing the amount of dollars authorized to pay FCCC for contractual educational services in December 2021.

No approval was needed for the Treasurer’s Report and there were no questions.

Our Mission: As a governmental organization created by the Legislature, we evaluate Clerks’ court-related budgetary needs, and recommend the fair and equitable allocation of resources needed to sustain court operations.

Agenda Item 4 – Approve CFY 2022-23 Revenue-Limited Budget

Clerk Russell explained the proposed Revenue-Limited Budget for CFY 2022-23 for the 67 Clerks as approved by the Budget Committee. Clerk Russell highlighted that, in April, the Committee approved the \$448.3 million Base Budget, which includes the prior year Revenue-Limited Budget of \$444.8 million and \$3.5 million for calculated FRS increases. In July, the State’s Revenue Estimating Conference established the available revenue for CFY 2022-23 at \$453.2 million. The Committee had about \$4.9 million of remaining available revenue to allocate on top of the approved Base Budget. To distribute this \$4.9 million, the Committee voted to fund one additional FTE for the new judge in Lake County. The remaining \$4.9 million was allocated proportionally across the board for all 67 Clerks.

Clerk Russell moved for the approval of the Revenue-Limited Budget in the amount of \$453.2 million. Clerk Butterfield seconded the motion.

Clerk Smith opened the floor for Council members to discuss. Clerk Peacock said it was his understanding that during the Budget Committee meeting weighted cases and weighted workload measures were not used in the final determination of how to distribute the \$4.9 million and that it was just a straight across-the-board distribution. Clerk Russell confirmed. Clerk Peacock was concerned with just giving an across-the-board distribution to Clerks for the \$4.9 million. He felt that while this is only approximately 1% of the Clerk’s statewide budget, we should have at least compared Clerks using our case data. He said that weighted workload measure should be applied in distributing the \$4.9 million.

Clerk Butterfield said that when the committee was looking at all the options to determine how to distribute the \$4.9 million, they had some concern with using the case weights to make a distribution even though a lot of effort has been put into assuring the numbers were correct. She said that we are making great progress every year in getting better data. However, when we only have an approximately 1% increase above our Base Budget, we still will not have sufficient funding. She asked what the determined Needs-Based Budget was for the 67 Clerks. Chair Smith responded that it is \$481.2 million which means no one is getting nearly what their need is. The budget up for approval is almost \$28 million short of our requests.

Clerk Roth said she agrees with Clerk Peacock that we should use the information we have from weighted cases to help distribute dollars. However, because the amount of \$4.9 million is such a small percentage of the budget, she will agree to approve this year’s Budget Committee recommendation. Clerk Roth also said it seemed like a significant amount of work for Clerks to come and present to the committee when we just provide such a small portion of the budget and that maybe in the future, we should consider not requiring these presentations if there are so few funds. Clerk Russell responded that the presentations were necessary from a records perspective to have the information for us to take to the Legislature to seek additional funding.

Clerk Cooney said he did not believe the Budget Committee should use case weighting information this year because the numbers were still being vetted. Clerk Peacock said we

have been working on the mechanics of a weighted case measures for several years now and has yet to hear a material weakness that would prohibit applying 1% of the budget using weighted cases. If we wait to get perfect, we will never apply weighted case measures because they will never be perfect. He said he would be voting against the proposed budget based on us not using case data in our distribution.

Clerk Kinzel said she has issues with the current budget process and how it is applied. She noted that she continues to be a donor county. She stated that Clerks should be looking at meeting performance measures, collections, and cost-of-living issues when distributing dollars. Clerk Russell provided clarification on the budget development process and suggested that the Budget Committee might want to consider addressing the Clerks' budget statutes during upcoming meetings.

Clerk Smith called for the vote to approve the \$453.2 million Revenue-Limited Budget. The motion passed with Clerk Peacock voting nay.

Agenda Item 5 – Other Business

Budget Committee Appointments

Clerk Russell announced that Clerk Kinzel and Clerk Sadoff were joining the Budget Committee and Clerk Smith would no longer be Vice-Chair as he is serving as Chair of the CCOC. Clerk Godwin will now be serving as Vice Chair.

Guardianship Project Update

Clerk Burke gave an update on the Guardianship Program and the progress. He noted that we have been very busy since the Governor signed the bill. He noted that we have met with Legislative Staff, Staff of the Department of Elderly Affairs, Staff of the Justice Administrative Commission, and FCCC Staff. We also will be reaching out to several members of the Judiciary to help us.

This is a very important issue, and it was clear how important it is when we met with Legislative Staff. John Dew, CCOC Executive Director, is doing a great job as leading this project in this office and Clerk Peacock is doing a great job heading up a Technical Workgroup and working with our Consultant we hired at our last meeting. We also have an Operations Workgroup that met for the first time this week. Mr. Dew has also hired a project manager just over a week ago and she has a very impressive resume. He thanked Chair Smith for appointing him to be responsible for this project. Chair Smith said he appreciated all the hard work from Mr. Dew and his staff, Clerk Burke, Clerk Peacock, and the workgroups.

PIE Committee

Clerk Roth mentioned an email that was sent out to all Clerks on September 1st, 2022 from the CCOC that gave a recap of the decisions from the PIE Committee which were adopted by the Council at our last meeting. Some of these new rules go into effect on October 1st so she suggested the Clerks go back and look at these.

Legislative Committee

Clerk Timmann announced that she had stepped down from the position of CCOC Legislative Chair as she is now serving as the FCCC President, and that Clerk Butterfield will now be the Chair of the Legislative Committee.

Mr. Dew said he wanted to thank Clerk Russell and her staff as well as CCOC staff Griffin Kolchakian, CCOC Budget and Communication Director, and Rafael Ali-Lozano, CCOC Budget Manager I, for the great work they did to make this process run so well.

Chair Smith said he wanted to state that as a Clerk, when he was not on the Council and not working with the CCOC, things looked a lot different when you are on the sidelines as compared to being in the heat of the battle. He said he wanted to commend the CCOC staff for all they do for Clerks, for looking out for us Clerks, standing up for the Clerks and for the work they actually do. What they do behind the scenes is very important and means a lot and he wanted to thank the staff on behalf of himself and the rest of the Council.

Clerk Butterfield made the motion to adjourn. There were no objections, and the meeting was adjourned at 2:47 PM.