



EXECUTIVE COMMITTEE MEETING

December 29, 2022



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

NIKKI ALVAREZ-SOWLES, ESQ.
PASCO COUNTY
SENATE APPOINTEE

KEN BURKE, CPA
PINELLAS COUNTY
HOUSE APPOINTEE

RON FICARROTTA
13TH JUDICIAL CIRCUIT JUDGE
SUPREME COURT APPOINTEE

JD PEACOCK, II
OKALOOSA COUNTY

HARVEY RUVIN, ESQ.
MIAMI-DADE COUNTY

JOHN DEW
EXECUTIVE DIRECTOR

TODD NEWTON
GILCHRIST COUNTY

JOHN CRAWFORD
NASSAU COUNTY
STACY BUTTERFIELD, CPA
POLK COUNTY

FIRM OF BOYD AND DURANT
GENERAL COUNSEL

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

EXECUTIVE COMMITTEE MEETING

December 29, 2022

Meeting: 11:00 AM – 12:00 PM

WebEx Link: <https://flclerks.webex.com/flclerks/j.php?MTID=m269f63dbf22569406b8d1baa7c88eaaa>

Meeting Code: 2306 849 9110, **Password:** CCOC

Conference Call: 1-866-469-3239, **Access Code:** 2306 849 9110

Call to Order.....Hon. Jeffrey R. Smith

Roll Call.....Hon. Laura Roth

1) Introduction and Agenda ApprovalHon. Jeffrey R. Smith

2) Review and Approve CCOC Annual Report.....Griffin Kolchakian

3) Other Business.....Hon. Jeffrey R. Smith

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.

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



JOHN DEW
EXECUTIVE DIRECTOR



FIRM OF BOYD AND DURANT
GENERAL COUNSEL

JD PEACOCK, II
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

JOHN CRAWFORD
NASSAU COUNTY

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

AGENDA ITEM 2

DATE: December 29, 2022
SUBJECT: CCOC Annual Report
COMMITTEE ACTION: Approve CCOC Annual Report

OVERVIEW:

Subsection 28.35(2)(h), F.S., requires the CCOC to prepare a report on the operations and activities of the Corporation, detail the budget development for the clerks, and the end-of-year reconciliation of expenditures. The CCOC is required to submit this report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees by January 1 each year. This is the statutory authority for the CCOC Annual Report.

At the December 14 Executive Council meeting, a motion was adopted to allow clerks to provide the CCOC with any proposed edits to the draft CCOC Annual Report through the following week concluding on December 21. The Executive Committee would then review these comments received from clerks. Based on this input, staff created a revised version which is included in the meeting packet and is presented the Executive Committee for final review and approval.

Based on s. 28.35(2)(h), F.S., the purpose of this report is not to provide subjective narrative on legislative initiatives or sufficient funding levels. These items are more appropriately handled by the clerks' legislative team in conjunction with the FCCC. The purpose of this report is to outline the operations and accomplishments of the Corporation throughout the year.

COMMITTEE ACTION: Approve CCOC Annual Report

ATTACHMENTS:

1. CCOC Annual Report

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.



ANNUAL REPORT 2022



Florida Clerks of Court Operations Corporation

TABLE OF CONTENTS

MESSAGE FROM THE CCOC CHAIR	3
Financial Highlights	3
Operating Highlights	3
Looking Ahead	3
THE CLERKS OF COURT OPERATIONS CORPORATION	4
Membership and Duties	4
Structure	5
Standing Committees	5
CFY 2021-22 STATUS UPDATE	6
New Revenue	6
Pandemic Response	6
Reserve Fund	7
Needs-Based Budget	7
BUDGET COMMITTEE	8
CFY 2021-22 Budget Authority	9
Revenue Collection	9
CFY 2022-23 Budget Process	12
PERFORMANCE IMPROVEMENT AND EFFICIENCIES COMMITTEE	13
The Role of the PIE Committee	13
New Cases	16
ANNUAL REINSTATEMENT DAY PROGRAM	17
Operation Green Light	17
Mandatory Reporting	18
LEGISLATIVE COMMITTEE	19
Role of the Legislative Committee	19
Legislation Impacting the Clerks	19
At Your Service 2022 Clerk Legislative Priorities	19
Budget Items Impacting the Clerks	20
CFY 2021-22 BUDGET AUTHORITY AND EXPENDITURES	21
CCOC EXECUTIVE COUNCIL	23

MESSAGE FROM THE CCOC CHAIR

The Clerks of Court Operations Corporation (CCOC) presents the County Fiscal Year (CFY) 2021-22 Annual Report. Florida's citizens expect quick and reliable service as they navigate the justice system, dealing with issues relating to public safety, commerce, and access to justice. Activity in the courts continued to increase providing a rise in court funding for the clerks, including pandemic relief funding in the state budget.

Financial Highlights

The state continued to climb out of the global pandemic during CFY 2021-22. The \$465.2 million budget was over \$40 million higher than the prior year's final spending authority (which was greatly impacted by the pandemic), including the \$444.8 million Revenue-Limited Budget. Actual revenues for the year exceeded the Revenue Estimating Conference (REC) estimate by over \$5 million, a great sign for continued growth. As clerks continue to face historical budget shortfalls each year, positive steps have been taken to begin to address the clerks' true budgetary need moving forward.

Operating Highlights

Clerks continue to work with the judiciary and other court partners to provide innovative and effective court processes. These technological solutions provide access to the courts for citizens and timely case dispositions as clerks continue to improve services while protecting our workforce and community.

Looking Ahead

The Clerks would like to thank the members of the Legislature as well as the Governor's Office as the state works with us on a more stable funding model. We have made positive improvements this past session and look forward to continuing those efforts this coming year. Clerks will continue to strive for excellence in every service our offices provide to our communities.

The Legislature is entrusting the CCOC with the task of completing a statewide guardianship database by July 2023. We have been working diligently on this assignment as both the Clerks and the Legislature understand the importance of the guardianship responsibility.



Jeffrey R. Smith, CPA, CGFO, CGMA
Clerk of Circuit Court and Comptroller, Indian River County
Chair, CCOC Executive Council



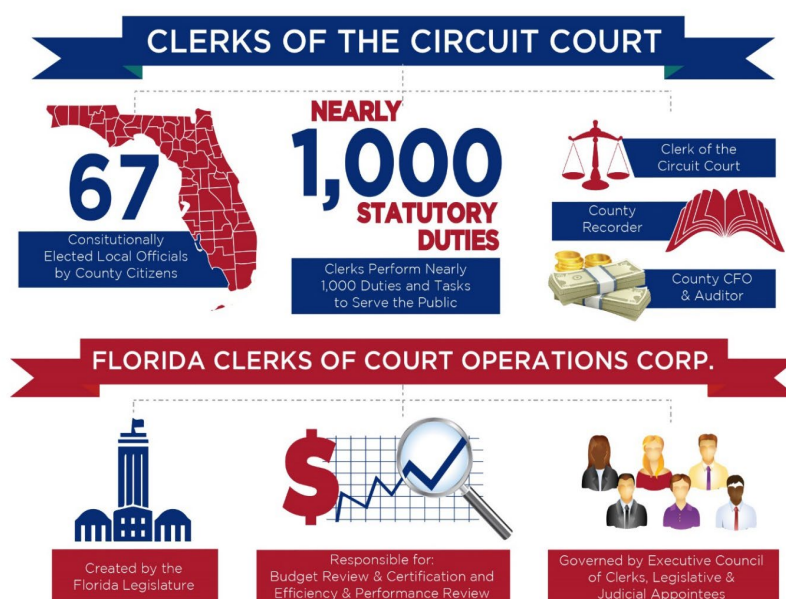
THE CLERKS OF COURT OPERATIONS CORPORATION

Membership and Duties

The Legislature created the Florida Clerks of Court Operations Corporation (CCOC or Corporation) as a public corporation to perform the functions specified in sections 28.35, 28.36, and 28.37, Florida Statutes (F.S.). All 67 clerks of the circuit court are by statute members of the CCOC.

The Corporation members chose eight clerks to represent them based on population groupings. The Chief Justice of the Supreme Court, the Senate President, and the Speaker of the House each appoint one member to the Council as representatives of their organizations. These eleven individuals make up the CCOC Executive Council. Statute and the CCOC Plan of Operations outline the duties of the Council.

CCOC Staff, under the direction of the Executive Director as chosen by the Council, perform the day-to-day administrative, budget, and data-related functions necessary to carry out the Corporation's duties. For more information, visit www.flccoc.org.



Structure

CCOC utilizes workgroups and committees to gather information, make recommendations, and create processes to collect and analyze statutorily required information. Workgroups consist of clerks and staff from multiple clerk offices around the state. Workgroups welcome clerk staff members to take part in any workgroup meeting. Committees are made up of specific clerks as appointed by the Executive Council. Proposals from a workgroup will pass to the relevant committee for discussion and deliberation before passing the recommendation to the Executive Council. The process is open to all. The standing committees active during CFY 2021-22 included:

- Budget Committee
- Performance Improvement and Efficiencies (PIE) Committee
- Legislative Committee

Standing Committees

The Budget Committee reviews, certifies, and approves court-related budgets for all 67 clerks. The Budget Committee also tracks clerk revenues and projections for the Article V Revenue Estimating Conference.

Through the Performance Improvement and Efficiencies (PIE) Committee, the Legislature and CCOC developed a uniform system of performance measures and applicable standards to facilitate an objective determination of each clerk's performance. The performance standards measure fiscal management, operational efficiency, and effective collection of fines, fees, service charges, and court costs. CCOC posts a summary report online and provides it to the Legislature quarterly.

The Legislative Committee monitors legislation that impacts the clerks' court-related operations or funding, completes fiscal analyses of legislative proposals, and responds to the Legislature's requests concerning the budget. The committee also works closely with the Florida Court Clerks & Comptrollers (FCCC), the Legislature, the Governor's Office, and the State Courts.



CFY 2021-22 STATUS UPDATE

As CFY 2021-22 progressed, the state continued to climb out of the COVID-19 global pandemic and its impact. Steady revenues throughout the year led to the actual total amount collected slightly surpassing the initial annual estimate upon which the Budget Committee built the clerks' budget.

New Revenue

Total revenues collected for the year exceeded the Article V Revenue Estimating Conference (REC) \$432.9 million estimate by \$5.4 million, a one percent residual. Civil Traffic revenues collected saw a year-over-year increase of over \$14 million, a substantial driver in the yearly increase. However, Circuit Criminal and County Civil revenues totaled a combined decrease of over \$20 million from the prior fiscal year. The \$432.9 million REC estimate allowed the Budget Committee to increase the clerks' budgets by almost \$35 million over the prior year's final spending authority. It should be noted, however, that the prior year's budget was greatly impacted by the pandemic. The total CFY 2021-22 clerks' court-related budget of \$465.2 million is still about \$7 million less than CFY 2013-14 when the clerks came back out of the State's budget.

Clerks and the CCOC are grateful to the Legislature for their continued partnership and support of the clerks' budgets. Clerks continue to diversify their revenue streams as fines and fees are volatile and vary greatly year to year.

Continued Pandemic Response

As the COVID-19 pandemic continued into this fiscal year, revenues remained stable and similar to pre-pandemic levels. For CFY 2021-22 actual revenues, eight of the twelve months came in above the REC monthly estimates and eight of the twelve months also came in higher than the same month in the prior year. In addition, the Legislature generously appropriated the clerks \$6.25 million of nonrecurring General Revenue for the Clerks' Pandemic Recovery Plan. This funding was effective July 1, 2021, and the Legislature earmarked the funding for clerks to help work through the backlog of cases plaguing the court system as a result of the pandemic. CCOC coordinated this recovery initiative with our partners at the State Courts, who also received corresponding funding.



Reserve Fund

In 2021, SB 838 was signed into law to establish a contingency fund for the clerks. The legislation created Subsection 28.36(3), F.S., which requires the CCOC to establish and manage this reserve within the Clerks of the Court Trust Fund. Subsection 28.36(3)(b), F.S., requires the CCOC to include the balance and use of the reserve funds for each fiscal year as part of this Annual Report. To determine how to address the creation of this reserve, the Budget Committee created the Reserve Policy Workgroup, led by Clerk Jeffrey R. Smith, to develop a governing policy. While building the CFY 2021-22 clerks' budget, the Budget Committee decided to fund the reserve at the statutory threshold of 10% of the cumulative excess which was \$1,218,309. In addition, the committee added an additional \$77,040 to the reserve fund during the budget development process. This brings the reserve fund total as of CFY 2021-22 to \$1,295,349. Funds in reserve were not utilized during CFY 2021-22.

Needs-Based Budget

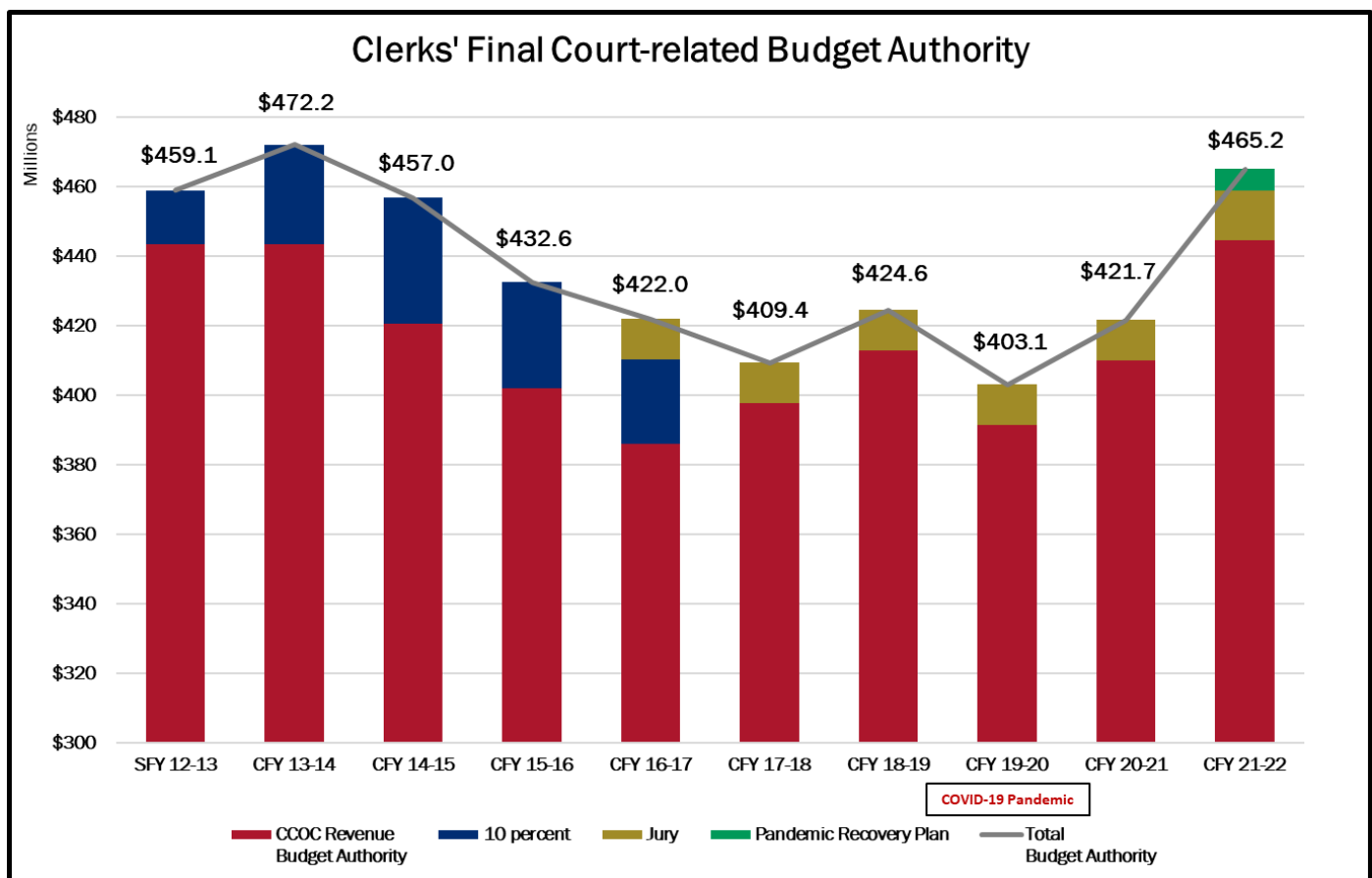
The Needs-Based Budget is an informational tool that reflects the clerks' true court-related budgetary needs. During the budget development process, the Budget Committee established the clerks' CFY 2021-22 Needs-Based Budget of \$495.2 million. However, due to limited available revenues, this is over \$30 million more than the actual clerks' budget of \$465.2 million. This \$30 million funding shortfall is what the clerks' legislative team is actively working to address with our partners in the Legislature. This funding gap is ongoing and will continue to increase as inflation impacts cost of living and staffing (the greatest portion of clerk costs). The Clerks' Pandemic Recovery Plan and carry forward juror funding were important pieces to help close this funding gap and are greatly appreciated. However, fixed costs such as salaries, health insurance, and Florida Retirement System (FRS) contributions continue to grow while clerks are forced to absorb these costs. As personal services constitute over 90 percent of clerk budgets, these increases in fixed costs leave the clerks with no choice but to reduce positions and services to absorb these increased costs. As an example, FRS rates have increased 43%, health insurance rates have increased 60%, and the Labor Consumer Price Index has increased 22% over the last 10 years. The clerks' judicial partners, such as the State Attorney, Public Defender, and the Courts, have these annual increases in fixed costs appropriated in Administered Funds. Furthermore, when cases of our partners decrease, their budgets do not decrease proportionally. However, since the clerks' budget is set based on revenue derived, in part, by associated cases, budgets are decreased regardless of whether there is a proportional decrease in workload, as highlighted by the \$30 million funding gap.



BUDGET COMMITTEE

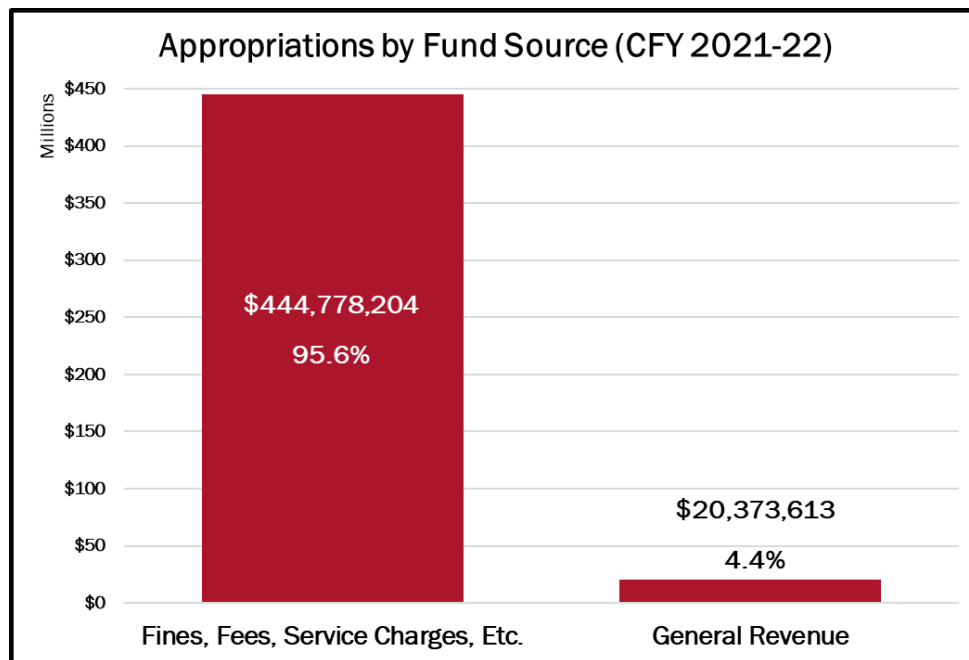
The CCOC Budget Committee reviews submitted budget requests, monitors approved budgets, and analyzes procedures to improve the overall budget process.

The Budget Committee was the most active committee during CFY 2021-22. The committee continued to build upon the budget request process that mirrors the state budgeting process to develop the clerks' CFY 2021-22 court-related budget. The committee used the CFY 2020-21 Revenue-Limited Budget of \$410.0 million as the CFY 2021-22 Base Budget. The committee then added \$8.8 million of approved statewide enhancement issues, considered funding requests submitted by each clerk and added \$11.4 million of these additional funding issues, restored \$2.1 million from a prior year reduction for held harmless counties, and allocated the remaining \$12.5 million using both an across-the-board and weighted cases methodology. During this process, the committee also dedicated an additional \$77,040 to the newly created reserve fund. This brought the final CFY 2021-22 Revenue-Limited Budget to \$444.8 million. In addition to this amount, clerks had \$14.1 million in jury funding and \$6.25 million for the Pandemic Recovery Plan.



CFY 2021-22 Budget Authority

The clerks' total court-related budget authority for CFY 2021-22 was \$465.2 million, over ninety-five percent of which comes from revenue from fines, fees, service charges, and court costs. The clerks' budget authority also included \$20.4 million of General Revenue appropriated by the Legislature, including \$14.1 million for Juror Management and \$6.25 million for the Clerks' Pandemic Recovery Plan.



Revenue Collection

The clerks of court collect revenue for their budgets and many other entities within the justice system as well as other entities unconnected to the judiciary. The REC met in July 2021 to set the projected annual revenues at \$432.9 million. This forecast turned out to be a fairly accurate estimate as actual revenues totaled \$438.3 million, a cumulative excess of \$5.4 million. Fifty percent of this cumulative excess total (\$2.7 million) will be sent to the State's General Revenue Fund.

Much like the Department of Revenue, clerks collect money for other entities established by the Legislature. During CFY 2021-22, the clerks collected \$803.5 million, of which \$100.4 million went to state trust funds. Both of these totals are up from the previous year's totals of \$765.6 million collected, of which \$91.9 million went to state trust funds. During CFY 2021-22, revenue collected by the clerks went to 38 different state trust funds.

DURING 2021-22 FISCAL YEAR, 46% OF REVENUES COLLECTED BY CLERKS WERE DISTRIBUTED ELSEWHERE

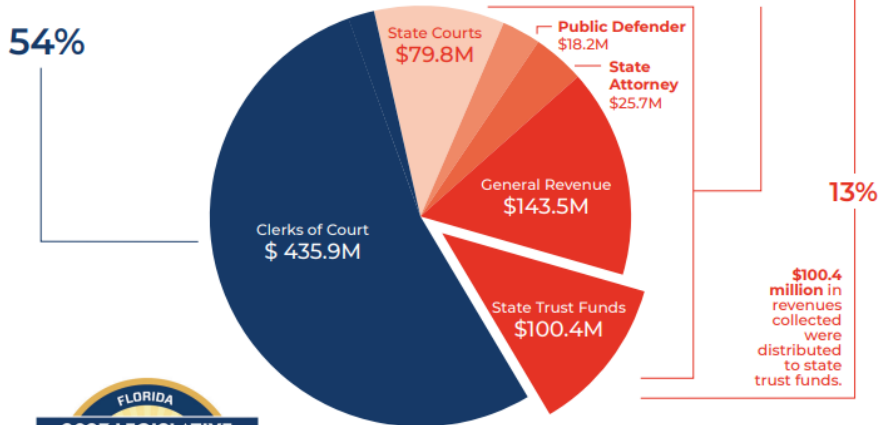
REVENUES KEPT OR DISTRIBUTED TO CLERK OPERATIONS

In State Fiscal Year 2021-22, Clerks collected \$803.5 million in statutorily mandated fines and fees, of which they only retained \$435.9 million to provide services to the Floridians who depend on the timely resolution of their cases.

REVENUES DISTRIBUTED ELSEWHERE

\$367.6 million out of the \$803.5 million collected by Florida's Clerks of Court were distributed elsewhere.

54%



FLORIDA
COURT CLERKS &
COMPTROLLERS

Learn more. Visit

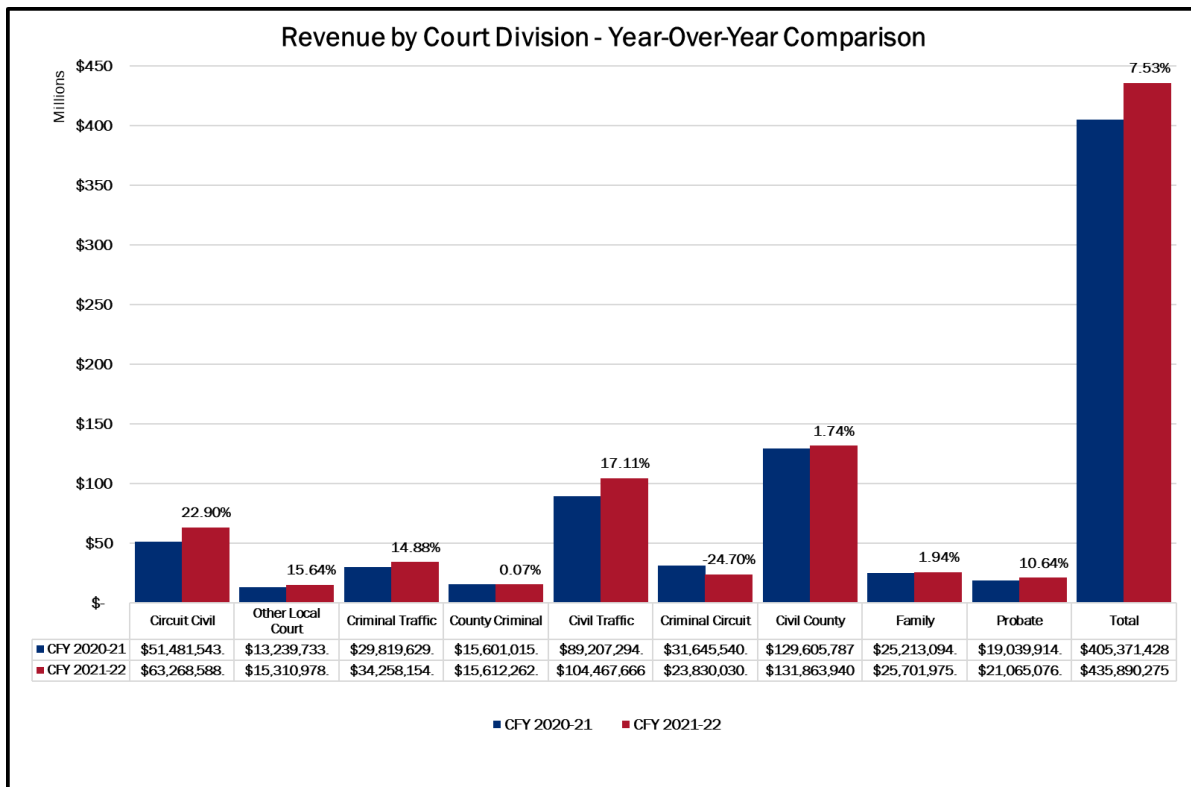
www.FLClerks.com/Page/2023LegislativePriorities

State Trust Fund	Distribution
Additional Court Costs TF	\$8,494,185
Alcoholic Beverage & Tobacco Refunds	\$2,947
Audit & Warrant Clearing TF	\$24,725
Brain & Spinal Cord Injury Program TF	\$8,440,847
Child Welfare Training TF	\$1,582,906
Court Education TF	\$3,740,946
Crime Stoppers TF	\$3,604,454
Crimes Compensation TF	\$13,455,383
Dept Of Financial Services Admin TF	\$2,001,076
DFS Operating TF	\$114,772
DLA Revolving TF	\$13,491
DOE Grants and Donations TF	\$1,166,744
Domestic Violence TF	\$9,207,560
Emergency Medical Services TF	\$15,740,863
Epilepsy Services TF	\$296,326
FDLE Operating TF	\$1945,893
FL Coastal Protection TF	\$17,229
Forfeiture And Investigative Support TF	\$117,377
FWC Operating TF	\$54,917
General Inspection TF	\$3,980
Grants & Donations TF	\$377,264
Inland Protection TF	\$764
Insurance Regulatory TF	\$2,535
Internal Improvement TF	\$483
JAC Grants and Donations TF	\$2,495
Juvenile Welfare Training TF	\$1,206,873
Law Enforcement Radio System TF	\$3,957,339
Marine Resources Conservation TF	\$680,948
Motor Vehicle License Clearing TF	\$18,685,772
Nongame Wildlife TF	\$1,267,847
Operations And Maintenance TF	\$292,886
Planning And Evaluation TF	\$1,114,723
Projects, Contracts & Grants TF	\$94,670
Rape Crisis Program TF	\$2,447,716
Solid Waste Management TF	\$401,132
State Game TF	\$52,723
State Transportation TF	\$2,560
SWP Grants & Donations TF	\$193,178
Total	\$100,447,528

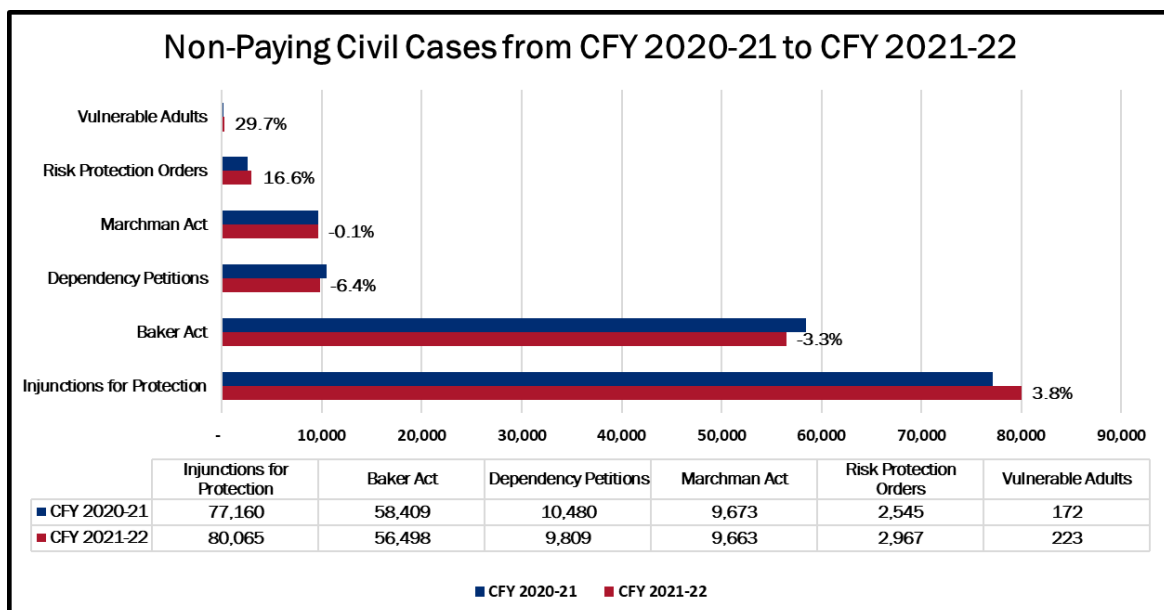
** Data provided by Florida Clerks of Court Operations Corporation (CCOC)

As noted above, the clerks experienced increases in revenues collected. However, these increases were not uniform across the court divisions. The circuit civil court division saw the most significant percentage increase among the court divisions year-over-year. The civil traffic division increased 17 percent and over \$15 million in CFY 2021-22. These two court divisions were the main drivers in the over seven percent year-over-year increase from CFY 2020-21 to 2021-22, totaling \$30.5 million. The only court division that experienced a decrease in revenue collection year-over-year is the circuit criminal court division. This was almost a 25 percent decrease which totaled \$7.8 million for the year.

For the portion of collected revenues that the clerks can retain, the chart below highlights the percentage increase or decrease by court division.



Certain case types that clerks work do not have a fee associated with them. However, these case types serve a vital public policy, and the clerks complete the work with no supporting revenue source to offset the cost. The year-over-year increase in no-fee cases during CFY 2021-22 was 0.5 percent. The no-fee case type Vulnerable Adults had the greatest percentage increase year-over-year at almost 30 percent. Injunctions for protection had the highest case total of 80,065 for the year.



CFY 2022-23 Budget Process

Florida law requires CCOC to approve a balanced budget. For CFY 2022-23, the revenue available includes the \$441 million revenue projection established at the most recent Revenue Estimating Conference (REC), plus the \$1.4 million balance of the clerks' share of the Cumulative Excess funds remaining in the Clerks of the Court Trust Fund after the transfer to General Revenue and the statutorily required amount to the reserve fund, plus the \$9.8 million of Unspent Budgeted Funds carried forward from the previous fiscal year, plus the \$1 million of additional actual Cumulative Excess over the CFY 2020-21 REC estimate. Therefore, the total available budget authority for CFY 2022-23 is \$453.2 million.

To allocate this funding, the Budget Committee established a Base Budget of \$448.3 million, which includes the CFY 2021-22 Revenue-Limited Budget of \$444.8 million and \$3.5 million for the calculated FRS increase. During the budget deliberation process, the Budget Committee considered the funding issues submitted by each clerk. The committee then added \$57,685 for an FTE for the new judge established in Lake County and allocated the remaining \$4.9 million via an across-the-board distribution. This set the approved CFY 2022-23 Revenue-Limited Budget at \$453.2 million.

In addition to this amount, the clerks were also appropriated \$20.2 million in State General Revenue, including \$14 million for jury management reimbursement funding and \$6.25 million for year two of the Clerks' Pandemic Recovery Plan. Therefore, the clerks total CFY 2022-23 court-related budget is \$473.4 million.

PERFORMANCE IMPROVEMENT AND EFFICIENCIES COMMITTEE

The Performance, Improvement, and Efficiencies (PIE) Committee aims to review and recommend performance measure changes and reporting needs for the CCOC.

The Role of the PIE Committee

The PIE Committee has three critical purposes:

"P" – Performance: Florida Statutes require the CCOC to develop a statewide set of performance measures. The current performance measures include standards in four categories:

- Revenue collections
- Timeliness of cases filed and docketed
- Timeliness of juror payments
- Fiscal management

The PIE Committee created the Future and Wholistic Review Workgroup to review all CCOC performance measures and standards. No recommendations have been made by this workgroup and no changes made to current CCOC Performance Measures or Standards for CFY 2021-22.

"I" – Improvement: This function includes follow-up on the clerks' current action plans when clerks fail to meet the performance measures and determine whether the steps taken will improve future performance. The CCOC also develops Business Rules to ensure consistency in recording performance and output data.

1. Revised Indigency Business Rules (Approved by the Executive Council on August 8, 2022) – **Effective October 1, 2022 for CFY 2022-23.**
 - a. Changes made to incorporate the reference to collecting juvenile dependency data, which clerks began submitting at the start of CFY 2019-20.
 - b. Changes made to incorporate non-substantive formatting and grammatical changes.
 - c. The revised version of the Indigency Business Rules can be found on the CCOC website: <https://flccoc.org/clerks-budget/forms/#business-rules>.
2. Revised the New Case Counting Business Rules (Approved by the Executive Council on August 8, 2022) – **Effective October 1, 2022 for CFY 2022-23.** Highlighted changes include:



General

- For consistency among the court types, the “Do NOT Include” sections have been moved from General Reporting Rules to Counting Cases.

Circuit Criminal

- The option to report Capital Murder, Non-Capital Murder, and Sexual Offenses subcase categories separately from All Other Felonies has been eliminated. Accordingly, the All Other Felonies subcase type has been renamed Felony Cases.
- The rules for Appeal (AP) cases have been updated to incorporate the change in the jurisdiction of appeals of county court decisions to district rather than circuit courts, pursuant to Ch. 2020-61, Laws of Florida.

County Criminal

- Clarifies that cases transferred to County Criminal from Circuit Criminal, based on downgraded charges, are not to be included if the case was sentenced in Circuit Court and is only being transferred to County Court for supervision.

Circuit and County Criminal

- Clarification added that arrests on Civil or Family pick up orders should not be counted as a new criminal case.

Circuit Civil

- The rules for Appeal (AP) cases have been updated to incorporate the change in the jurisdiction of appeals of county court decisions to district rather than circuit courts, pursuant to Ch. 2020-61, Laws of Florida.
- The Out of State Commission for Foreign Subpoenas subcase type has been removed from reporting.

County Civil

- The subcase types have been updated to reflect the current jurisdictional ranges, including the addition of a new subcase type to capture the increase to \$50,000 effective January 1, 2023.
- The Registry Deposits Without an Underlying Case subcase type has been removed from reporting.

Family Law

- The definition of the UIFSA IV-D/UIFSA NON-IV-D subcase type was clarified to make clear that those cases which only count as Reopens for SRS are not to be reported in this section.
- The descriptions for the Non-SRS subcase types, found in section 2.b., were expanded for clarity. Item 2.b.v. was removed. The Appendix was updated accordingly.

The revised version of the New Case Counting Business Rules can be found on the CCOC website: <https://flccoc.org/clerks-budget/forms/#business-rules>.

Along with Business Rules, the CCOC has developed case weights that demonstrate the workload for each case type. Cases are weighted between 1 and 10, with 10 being the greatest workload. Guardianship cases are weighted a 10 while Wills on Deposit are examples of cases weighted a 1.

1. Revised Case Weights (Approved by the Executive Council on August 8, 2022) – **Effective October 1, 2022 for CFY 2022-23.**

- a. Due to legislative action, the subcase type “Civil (\$30,001 - \$50,000) (SRS)” was added under County Civil (see the Outputs form). This subcase type requires a case weight. **The PIE Committee recommended a weight of 5 for “Civil (\$30,001 - \$50,000) (SRS)” which was adopted by the Executive Council.**

"E" – Efficiencies: This function of the PIE Committee includes identifying best practices for court-related services and developing effective means to communicate, educate, and share these practices among the clerks' offices.

During the 2021 Legislative Session, the clerks requested, the Legislature passed, and the Governor approved the clerks' plan to create a uniform statewide payment plan form. The legislation required the CCOC to create the payment plan form by October 1, 2021, and all clerks to begin using it by January 1, 2022. Subsections (2) and (3) of s. 28.42, F.S., were created to read:

28.42 Manual of filing fees, charges, costs, and fines; payment plan form.—

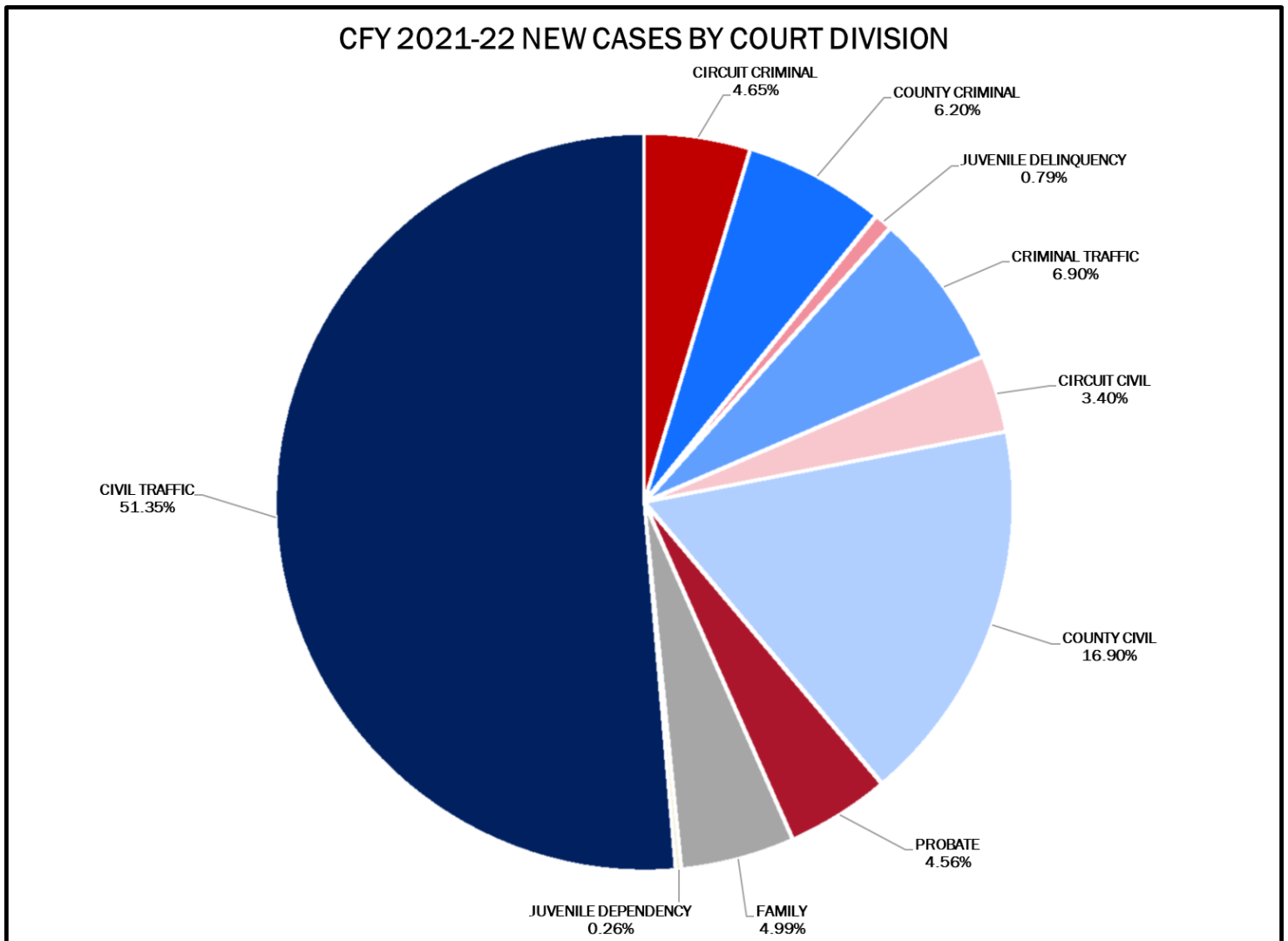
(2) By October 1, 2021, the clerks of court, through the Florida Clerks of Court Operations Corporation, shall develop a uniform payment plan form for use by persons seeking to establish a payment plan in accordance with s. 28.246(4). The form must inform the person of the minimum payment due each month, the term of the plan, acceptable payment methods, and the circumstances under which a case may be sent to collections for nonpayment.

(3) By January 1, 2022, each clerk of court shall use the uniform payment plan form developed pursuant to subsection (2) when establishing payment plans.

The CCOC developed a workgroup to review payment plan forms from counties across the state to incorporate as many elements as possible. After the original form was developed, it was modified to grant authority for counties to make changes that reflect services available in their offices. A second, simplified version of the form was also adopted to allow clerks to have maximum flexibility in their offices. The forms can be found on the CCOC website: <https://flccoc.org/other-information/#upp>.

New Cases

The PIE Committee continues to collect case data which is used in a variety of ways. The Legislative Committee uses case data to analyze the workload or fiscal impact of bills during session. The PIE Committee uses case data to analyze trends in the judiciary. The Budget Committee uses case data to apply to the weighted workload measurement and determines how to apply that data budgetarily. CCOC shares its case data with outside entities such as the Revenue Estimating Conference and the Office of the State Courts Administrator for making projection trends for new revenue. Finally, case data is available to the public interested in the services clerks provide. Individuals, advocacy organizations, and media outlets request information regarding the clerks' case data as well. The pie chart below shows the new cases for CFY 2021-22.



ANNUAL REINSTATEMENT DAYS PROGRAM

Clerks of court have a statutory duty to ensure compliance with court orders, including payment of fines and fees, on behalf of the state. Consequences to individuals for not complying with court orders can be significant, including license suspension. It is essential to note that clerks only start the suspension process when an individual takes no action to comply with the court's order. Clerks take payment plans on most case types and work with individuals to maintain their licenses. However, if a person fails to pay, one of the tools in the clerk's tool belt to ensure compliance is the suspension of a person's driver's license.

Operation Green Light



In 2019, to reduce the number of Floridians with suspended licenses, the Legislature created an Annual Reinstatement Days Program. The CCOC partners with the Florida Court Clerks & Comptrollers (FCCC) to publicize the events that are held statewide. This program is open to individuals who lost their driver license due to:

- Driving without a valid driver license;
- Driving with a suspended driver license;
- Failing to make a payment on penalties in collection;
- Failing to appear in court for a traffic violation; or
- Failing to comply with any provision of Chapter 318 or 322, F.S.

In CFY 2021-22, events were held in October 2021 (one county), February 2022 (two counties), March 2022 (34 counties), April 2022 (22 counties) and May 2022 (one county).

Mandatory Reporting

As required in s. 322.75, F.S., clerks that participated in the Driver License Reinstatement Days reported the following information from their events to the CCOC.

PROGRAM PERFORMANCE (ss. 322.75(7), F.S.)	
1. Number of Cases Paid in Full	9,590
2. Number of Cases Placed on a Payment Plan	18,769
3. Number of Cases Given Community Service	17
4. Number of Cases Pulled from Collection Agency	19,617
5. Number of DL Reinstatements	1,324
6. Number of DL Reinstatements Made Eligible	10,425
7. Number of Cases Failing to Comply ¹	N/A

The CCOC developed guidelines for how to count and report cases that failed to comply which was adopted by the PIE Committee on February 5, 2020. Cases placed on a payment plan are tracked for a 12-month period starting with the date of the event. For events held in October 2021, the cases were tracked until October 2022. The information related to the cases that failed to comply with the terms of their payment plan (program performance #7 above) was updated and sent to the CCOC. That revised amount is reflected in the amount reported. For events held in 2022, the cases that failed to comply will be updated in 2023.

¹ Not all failures have been reported at this time.

LEGISLATIVE COMMITTEE

The Legislative Committee aims to review legislative priorities, committee hearings, bills, etc., as they relate to clerk and CCOC activities.

Role of the Legislative Committee

The Legislative Committee's goal is to increase visibility, improve communication, and build stronger partnerships between the legislature's members and staff. The Legislative Committee accomplishes this mission through communication, legislative analyses, and strategic coordination with the Florida Court Clerks & Comptrollers (FCCC).

Legislation Impacting the Clerks

The 2022 Legislative Session was another **banner successful** year for clerks. It is common for new legislative proposals to take two or three years to pass the Legislature. Educating staff and members is a lengthy process, especially for matters as complex as the clerks' issues. However, the clerks' legislative priorities passed on their first attempt in 2022 which continues building the foundation for clerks to solve the yearly funding dilemma.

At Your Service Next Steps 2022 Clerk Legislative Priorities

The Corporation actively supported SB 552 by Senator Boyd and HB 397 by Representative Clemons. The bill changes laws affecting the clerks of court by:

- Modifying the standard terms of a payment plan for an individual who owes money to a clerk to establish a \$25 minimum monthly payment and to limit the down payment to the lesser of 10 percent of the amount owed or \$100.
- Directing the Clerks of Court Operations Corporation to ask the Legislature for increased funding related to increases in trial court judicial positions.
- Allowing the clerks to review property records to verify an application for civil indigent status.
- Allowing the clerks of court to ask for Legislative funding for filings related to mental health and substance abuse that the clerks must currently file at no charge.
- Requiring the Department of Highway Safety and Motor Vehicles to coordinate with the clerks of court on a system for reinstatement of driver licenses upon payment of court-related obligations.

Additionally, CCOC and FCCC supported HB 1349 by Representative Cheaney and SB 1710 by Senator Bradley relating to Guardianship Data Transparency. The bill requires CCOC to create a



guardianship database for use in judicial guardianship proceedings. The database must be interoperable with individual courts' computer systems and be operational on or after July 1, 2023. The bill authorizes only members of the judiciary, their staff, and court personnel and clerks of court personnel authorized by a judge, to access the database.

The bill requires the CCOC to upload certain professional guardian information from the database to a publicly accessible webpage. Personal identifying information of wards may not be posted to the webpage. The webpage must also contain monthly reports of deidentified, aggregate statistical data generated by the CCOC. The bill also requires the Office of Program Policy Analysis and Government Accountability to report annually on trends in guardianships in this state and conduct a comparative analysis of guardianship laws in other states during Fiscal Years 2024-2027.

Finally, the bill requires the Office of Public and Professional Guardians, within the Department of Elder Affairs, to publish professional guardian registration profiles online on or before July 1, 2023. The profiles must be publicly accessible and searchable. The Legislature appropriated \$2.4 million in nonrecurring funds to CCOC for the Guardianship Data Transparency project.

Budget Items Impacting the Clerks

In addition to the success of the legislative priorities, clerks had several budget priorities. CCOC and FCCC successfully advocated for:

- \$6.25 million nonrecurring General Revenue for temporary staffing to help with backlogged cases
- \$14.0 million for juror management expenses
 - Legislature provided \$2.3 million additional funding for SFY 2022-23
 - No cuts to the recurring \$11.7 million
- No new statewide initiatives with a significant fiscal impact
- No reduction in revenue funding sources

The \$8.55 million of nonrecurring General Revenue funding will help the clerks get through the backlog of cases built up during the closure of the courts. Additionally, the clerks produced cumulative excess of over \$5.4 million, half of which was available for the development of the CFY 2022-23 budget, due to the successful advocacy to retain the cumulative excess for future years.



CFY 2021-22 BUDGET AUTHORITY AND EXPENDITURES

County	CFY 2021-22 Court-Related Budget Authority	CFY 2021-22 Court-Related Expenditures
Alachua	\$5,812,319	\$5,630,845
Baker	\$707,152	\$668,474
Bay	\$3,866,025	\$3,866,025
Bradford	\$854,135	\$772,661
Brevard	\$11,310,285	\$11,310,285
Broward	\$38,928,487	\$37,462,791
Calhoun	\$448,334	\$428,784
Charlotte	\$3,537,405	\$3,537,405
Citrus	\$2,995,549	\$2,995,549
Clay	\$3,656,087	\$3,656,087
Collier	\$6,428,666	\$6,427,534
Columbia	\$1,527,140	\$1,487,503
DeSoto	\$805,964	\$805,960
Dixie	\$489,054	\$489,054
Duval	\$19,581,816	\$19,513,929
Escambia	\$6,977,883	\$5,813,489
Flagler	\$1,818,120	\$1,630,953
Franklin	\$658,287	\$658,287
Gadsden	\$1,334,828	\$1,334,828
Gilchrist	\$545,457	\$491,210
Glades	\$566,489	\$490,600
Gulf	\$490,361	\$451,859
Hamilton	\$596,303	\$580,429
Hardee	\$906,252	\$737,275
Hendry	\$1,281,071	\$1,217,674
Hernando	\$3,417,201	\$2,733,266
Highlands	\$1,963,861	\$1,944,611
Hillsborough	\$30,288,553	\$29,964,626
Holmes	\$589,080	\$581,729
Indian River	\$2,968,481	\$2,967,001
Jackson	\$1,104,348	\$943,424
Jefferson	\$501,826	\$461,636
Lafayette	\$307,140	\$307,140
Lake	\$6,136,866	\$5,713,876

County	CFY 2021-22 Court-Related Budget Authority	CFY 2021-22 Court-Related Expenditures
Lee	\$11,689,883	\$11,689,883
Leon	\$5,905,602	\$5,176,368
Levy	\$1,122,633	\$1,090,155
Liberty	\$312,333	\$312,333
Madison	\$556,502	\$516,628
Manatee	\$5,938,958	\$5,502,922
Marion	\$6,558,206	\$6,054,366
Martin	\$3,504,902	\$3,361,481
Miami-Dade	\$70,739,517	\$70,480,228
Monroe	\$3,508,532	\$3,508,532
Nassau	\$1,563,243	\$1,307,411
Okaloosa	\$3,639,385	\$3,639,385
Okeechobee	\$1,273,503	\$1,215,460
Orange	\$28,984,523	\$28,957,047
Osceola	\$7,748,730	\$6,552,255
Palm Beach	\$30,237,171	\$27,673,563
Pasco	\$11,604,036	\$11,604,036
Pinellas	\$22,646,675	\$22,500,269
Polk	\$12,397,921	\$12,208,805
Putnam	\$2,147,549	\$2,130,556
Saint Johns	\$3,582,299	\$3,582,299
Saint Lucie	\$6,684,411	\$6,072,289
Santa Rosa	\$3,178,098	\$3,178,098
Sarasota	\$8,122,696	\$7,429,739
Seminole	\$8,861,209	\$8,800,725
Sumter	\$1,897,084	\$1,897,084
Suwannee	\$1,172,095	\$1,167,868
Taylor	\$562,835	\$562,292
Union	\$485,497	\$466,254
Volusia	\$11,626,073	\$10,426,673
Wakulla	\$688,701	\$688,701
Walton	\$1,649,782	\$1,649,782
Washington	\$786,795	\$786,795
TOTAL	\$444,778,204	\$430,267,081

Note: Expenditure data could potentially change as the settle-up process is finalized.

CCOC EXECUTIVE COUNCIL

The CCOC Executive Council is composed of eight clerks of the court elected by their fellow clerks for a term of two years and representatives from the House, Senate, and Judicial branches as ex officio members. At a minimum, the Council meets quarterly to discuss and make decisions regarding CCOC business and budgetary matters.

The Chair of the Executive Council establishes each CCOC Committee's Chair described in the Plan of Operation.



Honorable Jeffrey R. Smith, CPA, CGFO, CGMA

Chair
Indian River County
Clerk & Comptroller



Honorable Tiffany Moore Russell, Esq.

Vice-Chair
Orange County Clerk



Honorable Laura E. Roth, Esq.

Secretary/Treasurer
Volusia County Clerk



Honorable Stacy Butterfield, CPA

Polk County Clerk & Comptroller



Honorable John Crawford

Nassau County Clerk & Comptroller



Honorable Todd Newton

Gilchrist County Clerk & Comptroller



Honorable JD Peacock, II
Okaloosa County Clerk &
Comptroller



Honorable Ronald Ficarrotta
13th Judicial Circuit
Judge
Chief Justice of the
Supreme Court
Appointee



Honorable Harvey Ruvin, Esq.
Miami-Dade County
Clerk



Honorable Ken Burke, CPA
Pinellas County Clerk &
Comptroller
Florida House of
Representatives
Appointee



Honorable Nikki Alvarez-Sowles, Esq.
Pasco County Clerk &
Comptroller
Florida Senate
Appointee