



BUDGET COMMITTEE MEETING

May 17, 2023



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

CRYSTAL KINZEL
COLLIER COUNTY
SENATE APPOINTEE

TOM BEXLEY
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13TH JUDICIAL CIRCUIT JUDGE
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JOHN CRAWFORD
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GENERAL COUNSEL

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

BUDGET COMMITTEE MEETING

May 17, 2023

Meeting: 9:00 AM – 1:00 PM, Eastern

Location: Hyatt House Tampa Airport/Westshore – Gathering Meeting Room
5308 Avion Park Drive, Tampa

WebEx Link: <https://flclerks.webex.com/flclerks/j.php?MTID=m2af07e2730d90c06c34142995d94ea37>

Meeting Code: 2316 705 0203; **Password:** CCOC

Conference Call: 1-866-469-3239; **Access Code:** 2316 705 0203

- 1) Call to Order and IntroductionHon. Tiffany Moore Russell
- 2) Approve AgendaHon. Tiffany Moore Russell
- 3) Approve Minutes from 2/9/23Hon. Tiffany Moore Russell
- 4) Revenue Estimating Conference (REC) Results UpdateGriffin Kolchakian
- 5) Revenue and Expenditures UpdateGriffin Kolchakian
- 6) Legislative UpdateJason L. Welty
- 7) Determine Use of Additional Cumulative ExcessHon. Tiffany Moore Russell
- 8) Establish CFY 2023-24 Base BudgetHon. Tiffany Moore Russell
- 9) Approve New Judges Calculation – Funding MethodologyHon. Tiffany Moore Russell
- 10) Approve Jury Management Reimbursement FormHon. Angela Vick
- 11) Workgroups UpdateHon. Tiffany Moore Russell
- 12) Other BusinessHon. Tiffany Moore Russell
- a) Public Comment

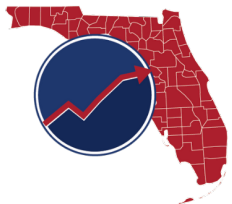
Committee Members: Tiffany Moore Russell, Esq., Chair; Greg Godwin, Vice-Chair; Joseph Abruzzo; Nikki Alvarez-Sowles, Esq.; Tom Bexley; Ken Burke, CPA; Stacy Butterfield, CPA; Pam Childers, CPA; Gary Cooney, Esq.; John Crawford; Nadia K. Daughtrey; Brenda Forman; Tara S. Green; Carla Hand, CPA, CGFO; Bill Kinsaul; Crystal K. Kinzel; Grant Maloy; Brandon J. Patty; Clayton O. Rooks, III; Rachel M. Sadoff; Donald C. Spencer; Cindy Stuart; Carolyn Timmann; and Angela Vick

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.

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Minutes of February 9, 2023, Budget Committee Meeting

Committee Action: Review and approve the minutes with amendments, as necessary.

The Budget Committee of the Clerks of Court Operations Corporation (CCOC) held a meeting on February 9, 2023. 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 to be a full record of committee discussions. All motions adopted by the committee are in **bold text**.

Agenda Item 1 – Call to Order and Introduction

Clerk Tiffany Moore Russell, Chair of the Budget Committee, called the meeting to order at 1:08 PM. The meeting was turned over to Rafael Ali, CCOC Budget Manager I, to conduct roll call. Mr. Ali called the roll.

Present via WebEx: Clerk Tiffany Moore Russell, Clerk Greg Godwin, Clerk Joseph Abruzzo, Clerk Ken Burke, Clerk Stacy Butterfield, Clerk Pam Childers, Clerk John Crawford, Clerk Nadia K. Daughtrey, Clerk Tara S. Green, Clerk Bill Kinsaul, Clerk Crystal Kinzel, Clerk Grant Maloy, Clerk Brandon Patty, Clerk Donald Spencer, Clerk Cindy Stuart, Clerk Carolyn Timmann, Clerk Angela Vick.

Absent from meeting: Clerk Nikki Alvarez-Sowles, Clerk Tom Bexley, Clerk Gary Cooney, Clerk Brenda Forman, Clerk Carla Hand, Clerk Clayton Rooks, II, Clerk Rachel Sadoff.

Agenda Item 2 – Approve Agenda

A motion was made to approve the agenda by Clerk Maloy and seconded by Clerk Vick; the motion was adopted without objection.

Agenda Item 3 – Approve Minutes from 12/5/22 Meeting

Chair Russell presented the minutes of the December 5, 2022, meeting to the committee.

A motion was made to adopt the minutes by Clerk Childers and seconded by Clerk Kinsaul; the motion was adopted without objection.

Agenda Item 4 – Approve the New Judges Calculation – Funding Methodology

Chair Russell called on Mr. Kolchakian to present the funding methodology options for the new judges funding calculation. Mr. Kolchakian stated that this is the funding piece to go with the FTE calculation that was approved at the December Budget Committee meeting. Mr. Kolchakian stated that the first option is the statewide average of salaries and benefits. This would be calculated using the Operational Budget submissions excluding the elected clerk. For CFY 2021-22, this calculation would total \$65,775. The second option would be the salaries and benefits average by county, also calculated using the Operational Budget submissions excluding the elected clerk. Mr. Kolchakian stated that, whichever option the committee approves, this calculation can be updated each year with the current Operational Budget data. The advantage of using the statewide average is that it is simple and uniform when requesting the Legislature's consideration. Mr. Kolchakian stated that this formula will be used to request additional State funding from the Legislature if new judges are certified. The Supreme Court did not certify any new judges for this year.

Clerk Kinzel supports the second option because she believes the statewide average will overfund some offices and underfund others. Clerk Butterfield supports the statewide average because it shows uniformity. Clerk Burke asked if the judiciary allocates the same amount of funding per position for all counties. Mr. Kolchakian stated that the courts presented to the workgroup on how they fund positions associated with new judges but could not recall the exact methodology. Clerk Burke stated that this is not a pressing issue for the committee and that he is okay with tabling it for now. Clerk Burke stated that the more consistent we can be with our request the better. Clerk Kinsaul stated that the reason the CCOC was created is that each clerk is different. Shannon Ramsey-Chessman stated that the courts have a uniform pay plan for all court positions statewide except for monthly stipends in certain counties, including JA positions. Clerk Kinzel stated that Collier County's calculated amount is \$73,000 and the statewide average is \$65,000, so Collier County would receive less funding if the statewide average is used. Clerk Kinzel stated that Collier County is already being subsidized \$500,000 by the county.

A motion was made to implement the average cost by county by Clerk Kinzel and seconded by Clerk Kinsaul; the motion failed.

Chair Russell opened the floor for discussion on the motion. Clerk Butterfield stated that she is leaning towards following the court's model because it would be more consistent. Clerk Green commented that if we factor in AOs in a particular county, it would require an additional position. Clerk Vick agrees with Clerk Burke to table this issue because it's not something that needs to be applied this year. Clerk Timmann stated that the committee needs to consider local AOs because her office is required to have a clerk in every courtroom proceeding. Clerk Stuart asked if it is possible to

have the funding conversation when a new judge is actually certified. Chair Russell stated that the goal is to get this figured out by the time the request for new judges is submitted. Clerk Burke stated that if we do multiple different averages versus doing a statewide average, that could raise a lot of questions from the Legislature. Clerk Burke stated that we are trying to obtain State appropriated funds that we have never received before. He stated that, given that the courts are going to come in with a very simple request, if the clerks submit a very complex funding request, complex usually does not work when asking for additional funding. Clerk Kinzel mentioned to Clerk Burke that his county is under the statewide average amount of \$65,000. Clerk Kinzel stated that it does not need to be complex and that Mr. Kolchakian has already averaged out the cost per county. Clerk Kinzel commented that the clerks that support the statewide average do so because their calculated cost is less than the statewide average. Clerk Patty agreed with what Clerk Burke said about the less complex it is the better because, if we go to the Legislature with a complex proposal, it could get denied. If we submit a simple request, we have a greater chance of getting what we are asking for. Clerk Patty stated that he doesn't think that his county would win with the statewide average amount, but he wants to remain realistic about what will work. Clerk Timmann also commented that a simple request has a greater chance to be approved. Clerk Kinzel stated that going with simplicity will cause half of the clerks to lose and that we won't be able to go back and request additional funding at a later date. Clerk Patty stated that point of view is very short-sighted, and if we can get something, let's get something. He is willing to table this discussion for now.

A motion was made to table this discussion until we get additional information by Clerk Burke and seconded by Clerk Butterfield; the motion was adopted with Clerk Kinsaul voting nay.

Agenda Item 5 – Revenue and Expenditures Update

Chair Russell called on Mr. Kolchakian to give the revenue and expenditures update. Through the first four months of the fiscal year, clerks collected just under \$140 million which is \$2.1 million under the year-to-date REC projection. Through the first three months of the fiscal year, clerks' expenditures totaled \$95.5 million. Mr. Kolchakian stated that the REC is meeting on Monday, February 20th to project updated revenues leading up to legislative session.

Agenda Item 6 – Approve Updated Funding Issues Request Forms

Chair Russell called on Mr. Kolchakian to present the updated Funding Issues Request Forms. Mr. Kolchakian stated that during the annual budget development process, each clerk submits their budget requests to the CCOC for any item they would like funded over their current CCOC budget. This submission includes three forms: the Budget Issues Request spreadsheet, the Revenue Projections spreadsheet, and the Certification Letter. These forms are included in the meeting packet for review. Mr. Kolchakian stated that the only changes to the Budget Issues Request spreadsheet from last year's form include combining the 'Efficiencies' and 'Performance Measures'

issue categories and streamlining the issues detail request box. The Revenue Projections spreadsheet and the Certification Letter are the same as last year. These are the forms that are statutory due on June 1st. Clerk Kinzel made the recommendation to add language to the Certification Letter that the budget being submitted is a balanced budget.

A motion was made to add wording that the budgets that are submitted must be a balanced budget by Clerk Kinzel; the motion failed to get a second.

A motion was made to approve the Funding Issues Request Forms as presented by Clerk Vick and seconded by Clerk Maloy; the motion was adopted with Clerk Kinzel voting nay.

Agenda Item 7 – Establish Reserve Fund Calculation for CFY 2023-24

Chair Russell called on Mr. Kolchakian to present the reserve fund calculation for CFY 2023-24. Mr. Kolchakian stated that, in 2021, the Legislature established the clerks' reserve fund. That year, the Reserve Fund Workgroup led by Clerk Smith created the Reserve Fund Policy which is included in the meeting packet. During the past two years, the committee funded the reserve at the statutorily-required minimum of 10% of the clerk's share of the Cumulative Excess, but the committee has the ability to increase this amount if it chooses to do so.

A motion was made to approve the 10% calculation for the reserve fund by Clerk Maloy and seconded by Clerk Vick; the motion was adopted without objection.

Clerk Vick commented that she is not sure if the jury funding discussion belongs in Agenda Item 7 or Agenda Item 8. Mr. Kolchakian believes the issues are separate, and jury can be addressed in Other Business.

Agenda Item 8 – Additional Cumulative Excess Budget Discussion

Chair Russell stated that, to build this year's budget, the committee used the projected Cumulative Excess as estimated by the REC since the fiscal year was still ongoing. However, we actually collected \$1.1 million more than the estimated clerks' share of the Cumulative Excess. Once the statutorily-required 10% goes into the reserve fund, that leaves just over \$1 million of additional Cumulative Excess funds available. Chair Russell stated that there are two options on how the committee can handle these funds. The first option is to roll the \$1 million into the available CFY 2023-24 budget total; this is what the committee did last year with these funds. The second option is to roll the \$1 million into the clerks' reserve fund. Chair Russell stated that any decision that is made today can be revisited in the future, if needed. Clerk Vick raised the jury reimbursement funding issue, including the potential shortfall as well as the legislative request to increase the \$11.7 million recurring appropriation. Clerk Vick asked if we could table this discussion until we see what the impact of the projected jury funding shortfall will have on the clerks' Revenue-Limited Budget. Clerk Daughtrey asked if it

would be difficult to distribute the \$1 million quickly if the Legislature does not provide additional jury funding. Mr. Kolchakian stated that last year the committee chose to use the \$1 million of the same funding to build this year's Revenue-Limited Budget, so in a way that \$1 million is helping us handle these potential overages this year. We have the opportunity to do the same thing we did last year with this \$1 million to address any potential shortfalls we may face next fiscal year. Mr. Kolchakian mentioned that there is a way to distribute that \$1 million across the 67 counties this year, if needed; however, that would mean that we would have two years of additional Cumulative Excess dollars in the same year. If the REC comes back and projects that we have the same amount of revenue or less as we do in the current fiscal year, then we would not have this funding available to help alleviate a shortfall next fiscal year. Clerk Patty asked if there was a deadline for deciding how to use this funding. Chair Russell answered that we could address this issue at the committee meeting in April. Clerk Karnes stated that it could be beneficial to notify the chief judge of the potential shortfall in jury funding so they can factor that into possible jury trials for the rest of the fiscal year. Clerk Vick stated that this should be tabled to see where we are at the end of April and then revisit this issue at that time.

A motion was made to table this issue until the April committee meeting by Clerk Vick and seconded by Clerk Daughtrey; the motion was adopted without objection.

Agenda Item 9 – Establish 2023 Budget Committee Workgroup

Chair Russell stated that, prior to this meeting, committee members had the opportunity to request the creation of a workgroup to address any budget issue or topic by filling out the blank form sent out prior to the meeting. Only one form was submitted. Included in the meeting packet is the proposed Statutory Compliance Review Workgroup that will review sections 28.35, 28.36 and 28.37, Florida Statutes, to evaluate the CCOC and the Budget Committee's compliance with these sections of law. Chair Russell stated that this workgroup is being created to address this issue that has been raised by Clerk Kinzel at previous committee meetings as well as to ensure that the work of the CCOC and the Budget Committee complies with statute. The workgroup will provide a verbal report upon its conclusion and will provide a standard educational baseline for all current and future committee members. The workgroup does not seek to change any statutes. If approved today, Clerk Abruzzo will serve as the chair of this workgroup. Clerk Kinzel asked if clerks will have the opportunity to serve on this workgroup. Chair Russell answered that, to comply with Florida's Sunshine Law limitations, the workgroup should be chaired by one elected clerk and any staff that would like to participate. Clerk Kinzel stated that she would like to join the workgroup since she brought the issue forward.

A motion was made to establish the Statutory Compliance Review Workgroup by Clerk Timmann and seconded by Clerk Kinzel; Clerk Kinzel later withdrew her second. Clerk Vick then seconded the motion; the motion was adopted with Clerk Kinzel voting nay.

Clerk Abruzzo informed the committee that he has no problem with having a co-chair. Clerk Kinzel stated that she does not think there is an issue to have two clerks on the workgroup because it is a fact-finding workgroup and a decision is not being made. Clerk Timmann stated that there is an issue with two clerks on the workgroup if the workgroup develops recommendations. Clerk Green asked if this workgroup is clarifying if a particular county is following statute. Chair Russell stated that this workgroup is looking at the Budget Committee and the CCOC, not if an individual county is in compliance. Clerk Green asked what the output or result of the workgroup is going to be. Chair Russell stated that the workgroup will look at the CCOC and the Budget Committee and their compliance with the identified statutes. Clerk Kinzel asked if this workgroup could be advertised as a subcommittee and allow for multiple clerks to participate. Clerk Kinzel stated that she appreciates that Clerk Abruzzo is willing to let her be co-chair but feels that, since she is the clerk that brought the issue forward, it seems like the committee is attempting to exclude her from the workgroup. Clerk Vick agreed that this should be in the form of a workgroup and that, since there could be a recommendation that comes from the workgroup, it is better to stay clear of any Sunshine violations. Chair Russell stated that, as chair of the Budget Committee, she tries to be as fair and inclusive as possible. If clerks have staff that want to participate in the workgroup, please email Mr. Kolchakian.

Chair Russell recognized Clerk Patty to give his recommendation on a potential workgroup. Clerk Patty stated that, to build on the conversation we had at the August committee meeting, the more revenue that we bring in the greater the overall budget we have available to then distribute to the 67 counties. Clerk Patty stated that he is proposing to develop a Compliance Allocation Workgroup that would identify clerk-driven revenue enhancement opportunities. Clerk Patty stated that the clerks that are meeting compliance standards can be rewarded and that a plan can be developed for clerks not meeting standards to help them meet standards moving forward.

Clerk Kinzel asked Mr. Kolchakian if there was a reason why an expenditures column header on the Settle-Up spreadsheet was not changed. Mr. Kolchakian stated that the spreadsheet for this year was already sent out, but we have added it as a recommendation for next year. Clerk Kinsaul agreed that relabeling the column would be a good idea.

Clerk Daughtrey asked where this workgroup will go once it has its recommendation. Chair Russell stated that the workgroup will go back to the Budget Committee. Clerk Patty hopes that this workgroup could develop a proposal for the committee and that the goal is for counties to become balanced counties and maybe even keep some of the additional revenue collected as an incentive. Clerk Patty stated that, when we go to the Legislature, it is important that we can show that we are doing everything possible to ensure that we are collecting the most revenue possible. Clerk Maloy commented that it becomes very complex when you start seeing all the little issues that may come up with compliance. Last year, the Compliance Workgroup developed an updated checklist as well as a proposal of what clerks could do to remain compliant and, if you aren't meeting those requirements, the CCOC could help you get there. Clerk

Green stated that there should be required compliance items that need to be done as well as optional items that can be done based on county resources. Clerk Green stated that we should focus on our statutory ability to negotiate fines. Clerk Green commented that this issue needs a lot more discussion because it is very complicated.

Agenda Item 10 – Other Business

Chair Russell called on Mr. Kolchakian to provide the CFY 2021-22 settle-up calculation update. Mr. Kolchakian stated that the CFY 2021-22 settle-up calculation has been finalized and that 58 counties owed money to the Trust Fund and eight counties were owed funds. CCOC staff has provided this information to DOR to prepare the budget amendment. There is also almost \$15 million in Unspent Budgeted Funds that will be used to build the CFY 2023-24 budget.

Mr. Kolchakian also provided an update on available jury reimbursement funding. Quarter two juror expenditures totaled \$3.5 million, which means clerks have spent 53% of the jury funding so far this fiscal year and that we are likely to run out of funding.

Clerk Kinzel stated that there are counties that did not make the revenue that they initially projected, and they continue to spend budget and now they are getting more money from the Trust Fund. These are issues we must continue to investigate. Clerk Kinzel requested that the column title for total expenditures on the settle-up spreadsheet be changed. Chair Russell asked that CCOC staff make this change and resend out the final spreadsheet.

Chair Russell announced that there is an Executive Council Meeting February 21st in Daytona Beach. Chair Russell also announced the dates and locations for the next Budget Committee meetings, including April 24th at 10:00 AM in the Tampa area, May 25th at 1:30 PM (virtual), and August 3rd at 9:00 AM in Orlando. Chair Russell announced that the first day of Legislative Session is March 7th.

Chair Russell requested that Clerk Cooney provide an update on weighted cases on behalf of the Case Counting Workgroup at the April Budget Committee meeting.

Meeting adjourned at 3:06 PM.



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AGENDA ITEM 4

DATE: May 17, 2023
SUBJECT: February Revenue Estimating Conference Results
COMMITTEE ACTION: Information Only

OVERVIEW:

The Article V Revenue Estimating Conference (REC or Conference) met on February 20, 2023, in Tallahassee. The Conference consists of representatives from the Florida Senate, the House of Representatives, the Executive Office of the Governor (EOG), and the Office of Economic and Demographic Research (EDR). In addition, state entities affected by the Conference participate in the discussion and present projections, such as the Office of the State Courts Administrator (OSCA) and the Clerks of Court Operations Corporation (CCOC). However, these entities do not have a vote on final numbers. Jason L. Welty from CCOC represented the clerks at the Conference.

RESULTS:

The Conference estimated \$458.6 million of collected revenue available for the clerks' CFY 2022-23 budget, a \$17.6 million increase over the previous estimate. The Conference estimate for CFY 2023-24 was \$458.8 million, a \$16.2 million increase over the previous estimate. This is a substantial increase in projected revenues based on continued increases in Traffic as well as additional fines and court costs that are increasing. Also, recognition of the clerks' increased collections efforts was a main driver of the substantial increased revenue projections.

This revenue estimate does not directly affect the CCOC budget amounts since the CFY 2022-23 Revenue-Limited Budget was built on the July REC estimate pursuant to statute. However, this estimate provides an updated look at where our revenues are trending. The CFY 2023-24 Revenue-Limited Budget will be built on estimates from the REC Conference this summer.

COMMITTEE ACTION: Information Only

ATTACHMENTS:

1. REC Article V Results for the Clerks

Article V REC

2/20/2023

**Local Government Fines/Fees/Charges Schedule for Clerks
(Millions)**

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL
SFY22/23	39.6	35.3	39.7	36.4	36.6	33.2	34.3	40.8	40.9	41.6	39.3	38.5	456.0
SFY23/24	38.8	37.1	41.3	37.1	36.8	35.7	33.9	40.2	40.3	41.1	38.7	38.0	459.0
SFY24/25	38.7	37.0	41.2	37.0	36.7	35.6	33.8	40.2	40.2	41.0	38.7	37.9	458.1
SFY25/26	38.8	37.1	41.3	37.1	36.8	35.7	33.9	40.2	40.3	41.1	38.8	38.0	459.1
SFY26/27	39.1	37.4	41.6	37.4	37.1	36.0	34.2	40.6	40.6	41.4	39.1	38.3	462.7
SFY27/28	39.4	37.7	42.0	37.7	37.3	36.3	34.4	40.9	40.9	41.7	39.4	38.6	466.2

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
LFY 22/23	36.4	36.6	33.2	34.3	40.8	40.9	41.6	39.3	38.5	38.8	37.1	41.3	458.6
LFY 23/24	37.1	36.8	35.7	33.9	40.2	40.3	41.1	38.7	38.0	38.7	37.0	41.2	458.8
LFY 24/25	37.0	36.7	35.6	33.8	40.2	40.2	41.0	38.7	37.9	38.8	37.1	41.3	458.4
LFY 25/26	37.1	36.8	35.7	33.9	40.2	40.3	41.1	38.8	38.0	39.1	37.4	41.6	460.0
LFY 26/27	37.4	37.1	36.0	34.2	40.6	40.6	41.4	39.1	38.3	39.4	37.7	42.0	463.6
LFY 27/28	37.7	37.3	36.3	34.4	40.9	40.9	41.7	39.4	38.6	39.4	37.7	42.0	466.2



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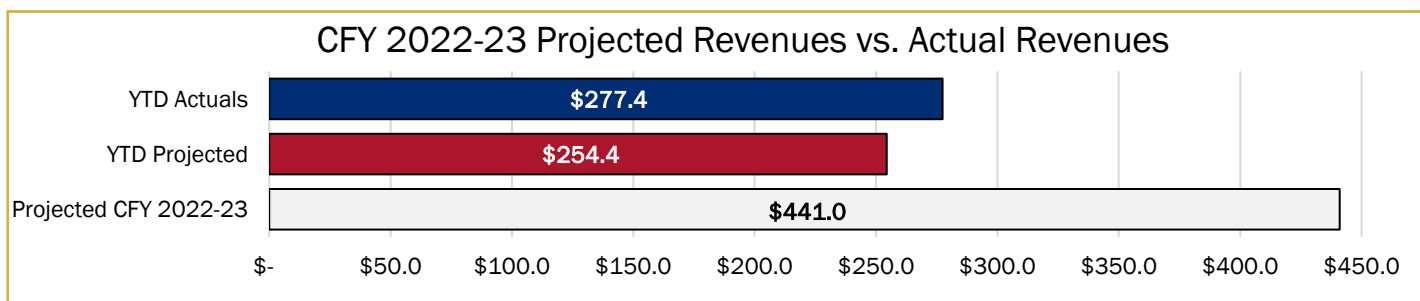
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REVENUE UPDATE – Through March 2023

The July Article V Revenue Estimating Conference (REC) projected the clerks to collect a total statewide revenue of **\$441.0 million** for CFY 2022-23.

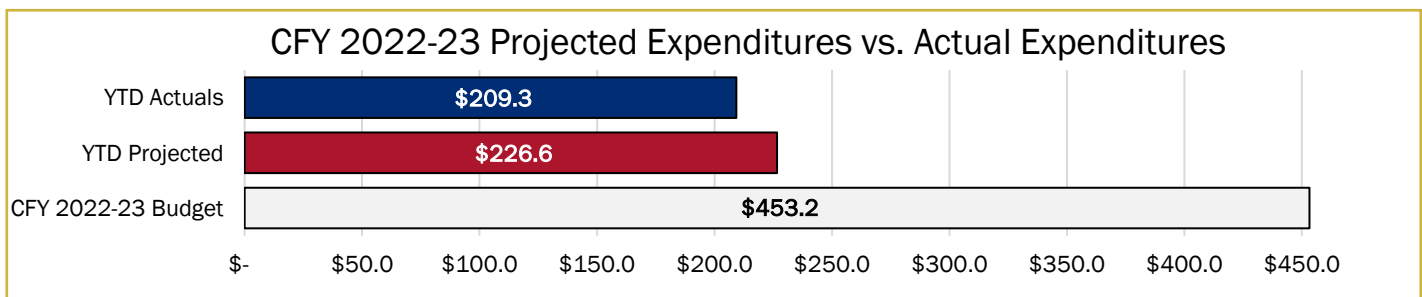


Total revenues reported for March 2023 were **\$64.4 million**

- This amount is about **\$25.0 million, or 63.5 percent, above** the REC monthly projection
- Through the first **seven** months of the CFY, the REC expected clerks to collect **\$254.4 million**; the actual revenue is **\$277.4 million**, which is **\$23.0 million, or 9.0 percent, above** YTD expectations
 - September, October, December, and March actuals came in above the REC monthly estimate
 - November, January, and February actuals came in below the REC monthly estimate

EXPENDITURES UPDATE – Through March 2023

The Budget Committee and Executive Council approved the **\$453.2 million** budget for CFY 2022-23.



Total expenditures reported for March 2023 were **\$39.5 million**

- This amount is about **\$1.7 million, or 4.5 percent, above** the monthly average projection
- Actual YTD expenditures are **\$17.3 million, or 7.6 percent, below** the **six-month** average

* Note: expenditures may be much higher because some offices report on a cash and not accrual basis as well as some annual contracts are paid later in the fiscal year

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AGENDA ITEM 6

DATE: May 17, 2023
SUBJECT: Legislative Update
COMMITTEE ACTION: Information Only

OVERVIEW:

The 2023 Legislative Session concluded on May 5. The clerks continued to build on legislative successes over the past few years. The Legislature approved the State Fiscal Year (SFY) 2023-24 budget as well as the clerks' priority legislation, both of which are pending the Governor's signature.

Legislative items of interest to the clerks, and specifically budget-related items, include:

- The clerks' priority bill (HB 977 by Representative Botana and SB 1130 by Senator Hutson) was passed by the Legislature and is pending the Governor's signature
 - This legislation includes redirects of specified revenue from state General Revenue to the clerks projected to total \$24.1 million in CFY 2023-24
- Continued State funding for juror management reimbursement expenses
 - No cuts to the recurring \$11.7 million; increased funding was not approved
- The "Back of the Bill" Guardianship language to carry forward the unexpended funds from the current SFY into next SFY; CCOC is diligently working on building the system which is projected to be available in the upcoming fiscal year
- Employer portion of FRS costs increased via legislation for an estimated impact of approximately \$5.4 million to the clerks
- Continued State funding for eNotify
 - No cuts to the recurring \$370,000
- Hotel reimbursement increased from \$175 to \$225 beginning on July 1

COMMITTEE ACTION: Information Only

LEAD STAFF: Jason L. Welty, Deputy Executive Director

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.



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AGENDA ITEM 7

DATE: May 17, 2023
SUBJECT: Additional Cumulative Excess Budget Overview
COMMITTEE ACTION: Approve Utilization of Additional Cumulative Excess Funds

OVERVIEW:

One of the components used to build the CFY 2022-23 available budget amount was the REC estimate for the clerks' share of the CFY 2021-22 Cumulative Excess of \$1,600,000. Since the fiscal year is still ongoing when the budget is built, an estimate is used to determine the available Cumulative Excess instead of actuals. Once CFY 2021-22 concluded and the settle-up process was completed to validate actual revenues, the total clerks' share of the Cumulative Excess was \$2,719,382. This amount was \$1,119,382 higher than the original estimate. Once the statutorily required 10 percent of this amount was put into reserve, this left an additional \$1,007,444 of available budget.

The statutory authority for these funds is found in s. 28.37(4)(b), F.S., which provides that, by February 1 each year, the Department of Revenue shall transfer 50 percent of the Cumulative Excess of the original revenue projection from the Clerks of the Court Trust Fund to the General Revenue Fund. The remaining 50 percent in the Trust Fund may be used in the development of the clerks' budget. This subsection also requires a minimum of 10 percent of the clerk-retained portion of the Cumulative Excess amount be held in reserve.

The Chair proposes two options to utilize this \$1,007,444 of additional Cumulative Excess funding:

1. To build the CFY 2023-24 budget (where the committee would determine how to allocate these funds during the upcoming budget development process); or
2. To roll this funding into the clerks' reserve fund.

COMMITTEE ACTION: Approve Utilization of Additional Cumulative Excess Funds

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



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AGENDA ITEM 8

DATE: May 17, 2023

SUBJECT: CFY 2023-24 Base Budget

COMMITTEE ACTION: Approve the CFY 2023-24 Base Budget & Establish Available Revenue

OVERVIEW:

Base Budget:

Last year, to build the CFY 2022-23 Revenue-Limited Budget, the Budget Committee used the prior year approved Revenue-Limited Budget of \$444.8 million and added the \$3.5 million calculated FRS increase, which provided a \$448.3 million approved Base Budget. Utilizing each county's current budget amount as a baseline provides a starting place based on the funding level each county is currently operating at.

Based on this, the Chair proposes to use the current year Revenue-Limited Budget of \$453.2 million as the CFY 2023-24 Base Budget, the starting place for the committee to build the CFY 2023-24 Revenue-Limited Budget.

Available Revenue:

Based on current REC revenue projections, the total available funding to build the clerks' CFY 2023-24 budget is either \$474.7 million or \$481.2 million, a substantial year-over-year increase of \$21.5 million or \$28 million respectively. This would give the committee \$21.5 million or \$28 million of additional funding to allocate on top of the proposed \$453.2 million Base Budget, if approved. The use of Cumulative Excess funds needs to be determined by the committee.

COMMITTEE ACTION: Approve the CFY 2023-24 Base Budget & Establish Available Revenue

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

ATTACHMENTS:

1. Proposed CFY 2023-24 Base Budget Calculation
2. CFY 2023-24 Projected Available Revenue Summary

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.

County	Peer Group	CFY 2022-23 Revenue-Limited Budget	CFY 2023-24 Proposed Base Budget	Difference
Calhoun	1	\$ 459,015	\$ 459,015	\$ -
Lafayette	1	\$ 315,037	\$ 315,037	\$ -
Liberty	1	\$ 322,497	\$ 322,497	\$ -
Union	1	\$ 498,165	\$ 498,165	\$ -
Baker	2	\$ 725,439	\$ 725,439	\$ -
Dixie	2	\$ 501,450	\$ 501,450	\$ -
Franklin	2	\$ 674,135	\$ 674,135	\$ -
Gilchrist	2	\$ 557,818	\$ 557,818	\$ -
Glades	2	\$ 579,028	\$ 579,028	\$ -
Gulf	2	\$ 502,570	\$ 502,570	\$ -
Hamilton	2	\$ 609,839	\$ 609,839	\$ -
Holmes	2	\$ 604,124	\$ 604,124	\$ -
Jefferson	2	\$ 513,902	\$ 513,902	\$ -
Taylor	2	\$ 574,286	\$ 574,286	\$ -
Washington	2	\$ 805,838	\$ 805,838	\$ -
Bradford	3	\$ 873,912	\$ 873,912	\$ -
DeSoto	3	\$ 823,615	\$ 823,615	\$ -
Gadsden	3	\$ 1,365,042	\$ 1,365,042	\$ -
Hardee	3	\$ 924,370	\$ 924,370	\$ -
Hendry	3	\$ 1,306,755	\$ 1,306,755	\$ -
Jackson	3	\$ 1,128,978	\$ 1,128,978	\$ -
Levy	3	\$ 1,148,148	\$ 1,148,148	\$ -
Madison	3	\$ 568,909	\$ 568,909	\$ -
Okeechobee	3	\$ 1,298,780	\$ 1,298,780	\$ -
Suwannee	3	\$ 1,199,403	\$ 1,199,403	\$ -
Wakulla	3	\$ 704,723	\$ 704,723	\$ -
Citrus	4	\$ 3,063,819	\$ 3,063,819	\$ -
Columbia	4	\$ 1,557,902	\$ 1,557,902	\$ -
Flagler	4	\$ 1,857,621	\$ 1,857,621	\$ -
Highlands	4	\$ 2,009,733	\$ 2,009,733	\$ -
Indian River	4	\$ 3,029,670	\$ 3,029,670	\$ -
Nassau	4	\$ 1,593,029	\$ 1,593,029	\$ -
Putnam	4	\$ 2,193,536	\$ 2,193,536	\$ -
Sumter	4	\$ 1,941,030	\$ 1,941,030	\$ -
Walton	4	\$ 1,687,871	\$ 1,687,871	\$ -
Alachua	5	\$ 5,924,259	\$ 5,924,259	\$ -
Charlotte	5	\$ 3,607,349	\$ 3,607,349	\$ -
Clay	5	\$ 3,737,553	\$ 3,737,553	\$ -
Hernando	5	\$ 3,487,927	\$ 3,487,927	\$ -
Martin	5	\$ 3,572,365	\$ 3,572,365	\$ -
Monroe	5	\$ 3,577,729	\$ 3,577,729	\$ -
Okaloosa	5	\$ 3,716,895	\$ 3,716,895	\$ -
Saint Johns	5	\$ 3,655,585	\$ 3,655,585	\$ -
Santa Rosa	5	\$ 3,243,589	\$ 3,243,589	\$ -
Bay	6	\$ 3,941,758	\$ 3,941,758	\$ -
Brevard	6	\$ 11,517,992	\$ 11,517,992	\$ -
Collier	6	\$ 6,549,607	\$ 6,549,607	\$ -

County	Peer Group	CFY 2022-23 Revenue-Limited Budget	CFY 2023-24 Proposed Base Budget	Difference
Escambia	6	\$ 7,108,406	\$ 7,108,406	\$ -
Lake	6	\$ 6,312,466	\$ 6,312,466	\$ -
Leon	6	\$ 6,023,069	\$ 6,023,069	\$ -
Manatee	6	\$ 6,050,341	\$ 6,050,341	\$ -
Marion	6	\$ 6,684,670	\$ 6,684,670	\$ -
Osceola	6	\$ 7,898,791	\$ 7,898,791	\$ -
Pasco	6	\$ 11,837,845	\$ 11,837,845	\$ -
Saint Lucie	6	\$ 6,804,946	\$ 6,804,946	\$ -
Sarasota	6	\$ 8,275,601	\$ 8,275,601	\$ -
Seminole	6	\$ 9,024,814	\$ 9,024,814	\$ -
Duval	7	\$ 19,939,648	\$ 19,939,648	\$ -
Lee	7	\$ 11,903,367	\$ 11,903,367	\$ -
Pinellas	7	\$ 23,037,307	\$ 23,037,307	\$ -
Polk	7	\$ 12,626,653	\$ 12,626,653	\$ -
Volusia	7	\$ 11,847,283	\$ 11,847,283	\$ -
Broward	8	\$ 39,664,380	\$ 39,664,380	\$ -
Hillsborough	8	\$ 30,825,591	\$ 30,825,591	\$ -
Miami-Dade	8	\$ 71,990,695	\$ 71,990,695	\$ -
Orange	8	\$ 29,521,041	\$ 29,521,041	\$ -
Palm Beach	8	\$ 30,780,285	\$ 30,780,285	\$ -
STATEWIDE TOTAL		\$ 453,209,797	\$ 453,209,797	\$ -

New Revenue Summary

OPTION #1:

REC Revenue Estimate (CFY 2023-24) <u>[Feb 2023]</u>	\$ 458,761,821
Additional Cumulative Excess (CFY 2021-22)	\$ 1,007,444
Unspent Budgeted Funds (CFY 2021-22)	\$ 14,955,360
	<u>\$ 474,724,625</u>
 Revenue-Limited Budget (CFY 2022-23)	 \$ 453,209,797
 <i>Net Budget Increase</i>	 \$ 21,514,828 4.7%

Pros: Efficient & streamlined process with only one Cumulative Excess amount addressed once a year moving forward; Building the budget on actuals instead of estimates; Mirrors how we already handle the Unspent Budgeted Funds; Great year to do this methodology change since we have an ample projected increase in year-over-year budget

Cons: CFY 2023-24 total available budget would be \$6.5 million less since funds would be deferred

OPTION #2:

REC Revenue Estimate (CFY 2023-24) <u>[Feb 2023]</u>	\$ 458,761,821
REC Cumulative Excess Estimate - Clerks' Share of 50% (CFY 2022-23) <u>[Feb 2023]</u>	\$ 7,250,000
Statutorily Required Amount to Reserve (10%)	\$ (725,000)
Additional Cumulative Excess (CFY 2021-22)	\$ 1,007,444
Unspent Budgeted Funds (CFY 2021-22)	\$ 14,955,360
	<u>\$ 481,249,625</u>
 Revenue-Limited Budget (CFY 2022-23)	 \$ 453,209,797
 <i>Net Budget Increase</i>	 \$ 28,039,828 6.2%

Pros: CFY 2023-24 total available budget would be \$6.5 million higher since funds would not be deferred

Cons: Less efficient process with multiple Cumulative Excess amounts to be addressed multiple times a year; Building the budget on estimates instead of actuals - if actuals come in below estimates, all 67 budgets would potentially have to be reduced during the fiscal year; Would have \$6.5 million less to build the following year's budget



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AGENDA ITEM 9

DATE: May 17, 2023
SUBJECT: New Judges Calculation Funding Methodology
COMMITTEE ACTION: Approve New Judges Calculation Funding Methodology

OVERVIEW:

Legislation signed into law during the 2022 Legislative Session amended s. 28.35(2)(c), F.S., to require the CCOC to “develop a formula to be used to estimate the total cost associated with clerk support for circuit and county judges statewide” and to “make a recommendation for consideration by the Legislature on any need for additional funding” using the established formula in the event that the number of judges is increased by the Legislature. Therefore, the Budget Committee created the New Judges Funding Workgroup chaired by Clerk Abruzzo to establish this calculation for the committee’s review.

At the December 5th Budget Committee meeting, the committee approved the workgroup’s proposed FTE calculation. However, the committee still needs to determine the amount of funding for each calculated FTE. Therefore, the following funding methodologies are proposed for committee consideration:

- Statewide salary and benefits average.
 - Using the CFY 2021-22 Operational Budget data excluding the elected clerk, this amount would be \$65,775 for each new calculated FTE statewide.
- Salary and benefits average by individual county.
 - Using the CFY 2021-22 Operational Budget data excluding the elected clerk, these totals range from \$49,778 to \$80,141. This breakout is included in the meeting packet.

The Supreme Court is certifying no new judges for next year.

COMMITTEE ACTION: Approve New Judges Calculation Funding Methodology

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

ATTACHMENTS:

1. Salary and Benefits Average by County Spreadsheet

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.

County	Court FTE (excluding Clerk)	Court Salary & Benefits (excluding Clerk)	Court Cost per FTE
Alachua	82.06	5,525,951	67,340
Baker	12.00	605,858	50,488
Bay	56.52	3,438,804	60,842
Bradford	15.76	820,529	52,064
Brevard	195.21	10,913,040	55,904
Broward	669.50	35,636,198	53,228
Calhoun	5.53	344,255	62,252
Charlotte	53.86	3,641,382	67,608
Citrus	59.62	3,596,943	60,331
Clay	55.69	3,978,090	71,433
Collier	87.75	6,482,819	73,878
Columbia	22.98	1,338,467	58,245
DeSoto	11.95	725,974	60,751
Dixie	7.97	403,827	50,668
Duval	285.38	18,162,264	63,642
Escambia	116.44	7,084,246	60,840
Flagler	28.61	1,913,826	66,894
Franklin	10.03	588,985	58,722
Gadsden	24.06	1,428,912	59,390
Gilchrist	9.48	471,896	49,778
Glades	8.07	461,467	57,183
Gulf	7.80	463,513	59,425
Hamilton	8.50	485,168	57,079
Hardee	12.05	801,398	66,506
Hendry	19.39	1,133,912	58,479
Hernando	60.58	3,726,712	61,517
Highlands	33.42	2,194,903	65,676
Hillsborough	440.97	30,171,190	68,420
Holmes	9.08	476,420	52,469
Indian River	51.72	3,227,961	62,412
Jackson	19.10	1,046,225	54,776
Jefferson	6.50	397,440	61,145
Lafayette	2.74	173,291	63,245
Lake	105.25	6,071,293	57,684
Lee	164.70	11,864,411	72,036
Leon	94.96	5,754,701	60,601
Levy	16.43	1,017,795	61,947
Liberty	4.89	309,653	63,324
Madison	8.90	450,802	50,652

County	Court FTE (excluding Clerk)	Court Salary & Benefits (excluding Clerk)	Court Cost per FTE
Manatee	93.27	5,807,029	62,260
Marion	113.43	6,698,646	59,055
Martin	50.53	3,155,180	62,442
Miami-Dade	844.63	67,689,395	80,141
Monroe	49.22	3,723,983	75,660
Nassau	26.85	1,632,318	60,794
Okaloosa	51.86	3,549,135	68,437
Okeechobee	23.44	1,196,660	51,052
Orange	374.50	27,607,755	73,719
Osceola	122.35	7,620,635	62,286
Palm Beach	427.35	29,507,240	69,047
Pasco	205.55	13,277,547	64,595
Pinellas	314.38	22,478,362	71,501
Polk	216.88	12,023,278	55,437
Putnam	32.47	2,099,658	64,665
Saint Johns	56.33	3,738,136	66,361
Saint Lucie	99.68	6,077,556	60,971
Santa Rosa	55.41	3,430,155	61,905
Sarasota	116.37	7,929,946	68,144
Seminole	131.90	8,981,676	68,095
Sumter	35.25	2,297,793	65,186
Suwannee	20.73	1,258,884	60,728
Taylor	9.12	565,881	62,048
Union	7.29	413,476	56,718
Volusia	185.16	10,752,279	58,070
Wakulla	10.61	693,442	65,357
Walton	26.05	1,742,408	66,887
Washington	11.78	693,837	58,900
	6,597.84	433,972,810	65,775

Column AM on 21-22
Operational Budget

Column AU on 21-22
Operational Budget

Column AU/AM on
21-22 Operational
Budget



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AGENDA ITEM 10

DATE: May 17, 2023
SUBJECT: Jury Management Reimbursement Form
COMMITTEE ACTION: Approve SFY 2023-24 Jury Management Reimbursement Form

OVERVIEW:

In 2021, the Legislature changed the juror management funding process to a reimbursement model, replacing the previous advance-and-reconciliation process. To identify and track quarterly reimbursement costs, each clerk must submit a request for reimbursement within 10 days after each quarter concludes detailing actual jury-related costs. CCOC reviews the submissions and forwards the total request to the Justice Administrative Commission (JAC). The JAC ensures that funds are available and submits a payment request to the Chief Financial Officer (CFO) who then disburses a payment to the clerk's office directly. The move to a reimbursement process allowed the CCOC to eliminate a quarterly form previously required for submission; clerks no longer use the quarterly Jury Estimate form.

The proposed Jury Management Reimbursement Form is the same form that was used in the previous fiscal year. Once approved, this updated form will be available on the CCOC website. The first quarterly due date for July through September will be October 10, 2023. For SFY 2023-24, the clerks are appropriated \$11.7 million of State General Revenue dollars for jury costs reimbursement.

COMMITTEE ACTION: Approve SFY 2023-24 Jury Management Reimbursement Form

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

ATTACHMENTS:

1. SFY 2023-24 Jury Management Reimbursement Form

Quarterly Clerk Jury Management Reimbursement Request
State Fiscal Year 2023-24



CCOC Form Version 1
 Created 3/13/2023

County:		Reporting Qtr:	
Contact:		Version #:	
E-Mail Address:			

	Jul - Sep SFY Q1 (CFY Q4 PY)	Oct - Dec SFY Q2 (CFY Q1)	Jan - Mar SFY Q3 (CFY Q2)	Apr - Jun SFY Q4 (CFY Q3)	Total Expenditures by Area During State Fiscal Year
Clerk Personnel Cost					
Include Managers/Supervisors, Deputies, and all others in all phases of the jury management process.					\$ -
Clerk Operational Cost					
Include cost of Summons procedures.					\$ -
Do not include costs of Juror Management software or Juror parking.					\$ -
Postage					\$ -
Printing					\$ -
Supplies					\$ -
Other (Include Specific Description on row 48, Below)					\$ -
Operating Cost Total:	\$ -	\$ -	\$ -	\$ -	\$ -
Juror Per Diem					
Petit Juror Payment (per day)					
\$15.00					\$ -
\$30.00					\$ -
Other (Include Specific Description on row 48, Below)					\$ -
Petit Juror Payment Total:	\$ -	\$ -	\$ -	\$ -	\$ -
Grand Juror Payment (per day)					
\$15.00					\$ -
\$30.00					\$ -
Other (Include Specific Description on row 48, Below)					\$ -
Grand Juror Payment Total:	\$ -	\$ -	\$ -	\$ -	\$ -
Juror Meals/Lodging					
Meals					\$ -
Lodging					\$ -
Meals and Lodging Total:	\$ -	\$ -	\$ -	\$ -	\$ -
Juror Cost Total:	\$ -	\$ -	\$ -	\$ -	\$ -
Total Reimbursable Jury Management Cost:	\$ -	\$ -	\$ -	\$ -	\$ -
Jury Funding					
JURY REIMBURSEMENT REQUESTED from JAC:	\$ -	\$ -	\$ -	\$ -	\$ -
JURY REIMBURSEMENT ACTUALLY RECEIVED from JAC: (Amount received for the quarter requested)					\$ -
Amount necessary to cover Jury Management expenditures from CCOC Funds:					\$ -

Specific Descriptions of "OTHER" reported above on rows 15, 22, and/or 27:				
Please provide justification, calculations, and/or any applicable information deemed necessary to support reasonableness of the above expenditure amounts in the area below.				
Additional Information				
Jul - Sep SFY Q1 (CFY Q4 PY)				
Oct - Dec SFY Q2 (CFY Q1)				
Jan - Mar SFY Q3 (CFY Q2)				
Apr - Jun SFY Q4 (CFY Q3)				

1. This form should be completed and returned to reports@flccoc.org (in Excel format) by the **10th** of the month following the end of the quarter for which reimbursement is being requested.
 2. Pay attention to the amounts entered on row 41. The cell for the quarter for which reimbursement is being requested should be blank. The cells for all prior quarters for which reimbursement has already been received should have the amount of that quarter's reimbursement.



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POLK COUNTY

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AGENDA ITEM 11

DATE: May 17, 2023
SUBJECT: Workgroups Update
COMMITTEE ACTION: Information Only & Approve New Workgroup Requested

OVERVIEW:

Statutory Compliance Review Workgroup: This year, the Budget Committee established the new Statutory Compliance Review Workgroup, chaired by Clerk Abruzzo, to address an issue that has been raised at recent committee meetings. This workgroup is tasked with reviewing sections 28.35, 28.36, and 28.37, Florida Statutes, and evaluating the CCOC and the Budget Committee's compliance with these sections, including reviewing the annual allocation of clerk budget. The workgroup met on March 24, March 29, April 11, and May 4. The workgroup identified four subsections of statute to be raised for further consideration by the committee.

Case Counting Workgroup: This ongoing workgroup chaired by Clerk Cooney analyzes and verifies the case data to determine those sub-case types for which the counts are multiple standard deviations from the statewide norm. Once the workgroup verifies this case data, the data can then be plugged into the Weighted Workload Measure for the committee to implement into the budget development process. The workgroup expects to have the case data analyzed in the near future and provide verified case counts to the Budget Committee in time for its use in the CFY 2023-24 budget allocation process.

Surplus Revenue Collections Distribution Workgroup: This is a proposed workgroup by Clerk Patty that seeks to create an optional compliance grant-like program that would be implemented in budget allocations each year. The workgroup seeks to implement a budgetary mechanism to support clerks in meeting collection goals and to encourage increased collections efforts as well as to ultimately increase the statewide total revenues collected by the clerks thus increasing the total amount of budget available for the committee to allocate. The creation of this new workgroup is up for committee approval.

COMMITTEE ACTION: Information Only & Approve New Workgroup Requested

ATTACHMENTS:

1. Statutory Compliance Review Workgroup Observations
2. Proposed Surplus Revenue Collections Distribution Workgroup Request Form



Statutory Compliance Review Workgroup Observations

At the direction of the Budget Committee, the Statutory Compliance Review Workgroup reviewed sections 28.35, 28.36, and 28.37, Florida Statutes, to consider CCOC and Budget Committee compliance with these statutes. Based on this review, the workgroup has identified the following subsections of statute to be raised for further consideration by the Budget Committee:

[s. 28.35\(2\)\(f\)7., F.S.](#), Identify pay and benefit increases in any proposed clerk budget, including, but not limited to, cost of living increases, merit increases, and bonuses.

- Potentially identify year-over-year pay and benefit increases for all clerks' offices that were actually approved, not just projected to be given as detailed on the Operational Budget.

The workgroup identified the following statutory language that could be addressed by the Budget Committee:

- [s. 28.35\(3\)\(b\)2., F.S.](#), Functions assigned by administrative orders which are not required for the clerk to perform the functions in paragraph (a).
 - Court-related functions that cannot be funded from court-related revenue – potentially identify specific administrative orders referenced here.
- [s. 28.35\(3\)\(b\)3., F.S.](#), Enhanced levels of service which are not required for the clerk to perform the functions in paragraph (a).
 - Court-related functions that cannot be funded from court-related revenue – potentially identify specific enhanced levels of service that cannot be funded from the court-related budget.
- Workgroup idea: Potentially establish related guidance/best practices.

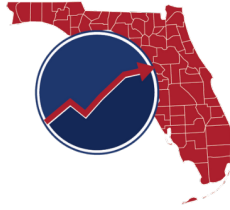
[s. 28.36\(2\)\(b\), F.S.](#), The proposed budget must be balanced such that the total of the estimated revenues available equals or exceeds the total of the anticipated expenditures.

- Determining a 'balanced budget' – workgroup discussion on whether this applies to the clerks' statewide budget or to individual clerk's proposed budgets.
- Workgroup discussions included the following:
 - Clerks are required to use the latest Revenue Estimating Conference (REC) estimate to build the budget; the REC only estimates the clerks' budget on a **statewide level**, not by individual county.
 - The components listed in this section mirror the components listed in s. 28.35(2)(f), F.S., which also states "The corporation must ensure that the **total combined budgets** of the clerks of the court do not exceed the total estimated revenues..."
 - Legislative intent pointing to a **statewide interpretation** laid out in [SB 2506 Bill Analysis \(2017\)](#) which states "These budgets must be **balanced** in such a way that **aggregate** estimated revenues equals or exceeds the total anticipated expenditures."
 - If interpreted by individual county, what would the proposed budgets be balanced to?

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CCOC BUDGET COMMITTEE

NEW WORKGROUP REQUEST

General Workgroup Information			
Workgroup Name:	Surplus Revenue Collections Distribution Workgroup		
Chair:			
Workgroup Members			
Proposed Members <i>List skill sets or characteristics rather than specific people.</i>	County	Telephone	E-mail
Collections			
Best Practices			
CIS			
Industry Partners			
Workgroup Scope Details			
Purpose <i>Describe the business need this Workgroup addresses in the context of the budget</i>			
<p>Fiscal Year revenue surpluses in recent history have been distributed evenly to clerks versus being leveraged to target increasing the overall court-related budget via higher collection rates. For example, the CCOC budget committee had over \$5m in surplus to distribute in 2022. The money was divided evenly to all clerks though the funding could have been invested in increasing revenue via enhanced compliance. This would potentially increase the overall court-related budget thereby giving all clerks a larger court-related budget.</p>			
Scope <i>List what the Workgroup will and will not address</i>			
<p>The workgroup will address surplus revenue and develop a program to distribute funding via a grant model which supports clerks in meeting collection goals. The workgroup will not delve into specific collection standards, benchmarks or best practices (Though best practices may be used by clerks as a tool to identify collection effort gaps).</p>			

<p>Objectives <i>Describe the measurable outcomes of Workgroup (e.g., an allocation methodology or funding calculation)</i></p> <p>The potential outcome is a new approach of allocating surplus dollars to clerk collection efforts. For those clerks already meeting standards, they would receive the first allocation of surplus dollars in recognition of their success. Funds left over will then be allocated by the Budget Committee to clerks who present a plan of action to meet collection standards. These funds would be awarded as a grant to help fund collection efforts. Continued funding of the collection efforts would be contingent on demonstrable progress toward meeting the collection goals.</p>
<p>Deliverables</p> <p>A plan of action to allocate any surplus dollars to clerks who are meeting or who present a compliance/collection proposal at the August meeting. Plan will include potential “clerk-driven” revenue opportunities (e.g. indigency checks, increased collection efforts in various court areas) and lay-out how surplus dollars could be allocated to clerks who are or will make the effort.</p>
<p>Milestones <i>Propose start and end dates for Workgroup Phases and other major milestones. Final recommendations due no later than April 2023</i></p> <p>Workgroup would commence as soon as possible and present a plan for consideration at the May Budget committee meeting. If approved, the Budget Committee would then announce the opportunity to clerks who can decide if they would like to participate and develop their own plan to enhance collections.</p>
<p>Benefits to the CCOC Budget <i>Describe how the deliverables will/can be used in the budget deliberation process and/or methodology</i></p> <p>Two-fold benefits: 1) By funding collection efforts with the surplus dollars, CCOC will likely see an increased state-wide budget thanks to higher collection rates. 2) Provide clerks clarity and guidance about how surplus dollars will be allocated vs how open-ended the “issue requests” process is handled currently.</p>
<p>Notes</p> <p>Only 25 clerk offices are hitting 60% collection performance. A 1% increase statewide would see additional revenue increases as show below:</p> <ul style="list-style-type: none"> • Criminal Traffic: \$53,549,213.18 collected of \$79,428,814.31 assessed (67.4%) Clerks keep the majority of these fines. A 1% increase would bring clerks an additional \$780k. • County Criminal: \$25,198,776.09 collected of \$58,486,618.22 assessed (43.1%) Similar to Circuit Criminal below (clerks keep a super-majority of the fine money and about a quarter of the court costs). A 1% increase would bring clerks an additional \$500k. • Juvenile Delinquency: \$632,881.58 collected of \$3,484,304.84 assessed (18.2%) Would recommend not addressing this, not worth it. • Circuit Criminal: \$24,096,929.21 collected of \$228,928,289.96 assessed (10.5%) Generally, clerks keep a super-majority of the revenue generated in Circuit Criminal (clerks keep all of the fine money and about half of the court costs). A 0.5% increase would bring clerks an additional \$1.1 million. <p>[CFY 2020-21 data]</p>

EXCESS COURT REVENUES FROM MARCH 2023 IMPACT ON FY 2024 BUDGET

- HB 837, Florida Tort Reform, Caused a Large Increase in March Civil Case filings
- Ten Largest Counties Accounted for Most of the Increase
- Led to an Unbudgeted Increase in Overtime for March – could continue into May
- No Relief Possible for FY 2023

	March 2023	Average FY23	Increase in	Overtime	No. of
County	Case Filings	Case Filings	Revenues	Spent	Emp OT
Miami-Dade	73,862	21,782	\$6,792,213	\$32,385	63
Hillsborough	53,824	11,038	\$4,063,301	\$15,000	91
Orange	19,833	7,912	\$1,594,000	\$14,000	37
Duval	11,500	4,466	\$1,300,000	\$4,397	8
Palm Beach	10,597	3,829	\$784,365	\$10,000	15
Pinellas	7,717	1,960	\$1,300,000	366.5 Hours	13
Lee	5,541	1,883	\$660,660	\$0	0
Polk	4,416	1,853	\$496,884	\$8,035	14

EXCESS COURT REVENUES FROM MARCH 2023 IMPACT ON FY 2024 BUDGET

- Cost of These Cases Will Continue into FY 2024
- Large Increase in March Revenues will Lead to Large FY 2023 Excess Fees
- Proposing to Allocate \$3 million of the Excess Fees to the FY 2024 Budget based on the Percentage of March 2023 Civil Case Filings.
- (Chart Below is for Illustration Only, CCOC would Calculate Final Amounts.)

	Increase in	March 2023	Percent	Increase in
County	Revenues	Case Filings	of Total	Budget
Miami-Dade	\$6,792,213	73,862	26.50%	\$795,000
Hillsborough	\$4,063,301	53,824	20.33%	\$609,900
Orange	\$1,594,000	19,833	8.04%	\$241,200
Duval	\$1,300,000	11,500	4.20%	\$126,000
Palm Beach	\$784,365	10,597	3.86%	\$115,800
Pinellas	\$1,300,000	7,717	2.85%	\$85,500
Lee	\$660,660	5,541	1.97%	\$59,100
Polk	\$496,884	4,416	1.79%	\$53,700

FRS Rate Increases Calculation (2023)

	Salary Cost Alloc. Court Amount	2022 Rates	2023 Rates	FRS Increase	
Reg.	263,809,078.06	11.91%	13.57%	4,379,230.70	1.66%
SMS <small>(Includes Sp. Risk)</small>	13,949,529.34	31.57%	34.52%	411,511.12	2.95%
DROP	20,691,691.74	18.60%	21.13%	523,499.80	2.53%
Elected Clerk	5,348,683.23	57.00%	58.68%	89,857.88	1.68%
	303,798,982.37			5,404,099.49	

* data from CFY 22-23
Operational Budgets

				s. 121.052, F.S.	
		s. 121.71, F.S.		s. 121.071, F.S.	s. 121.74, F.S.
<u>2023</u>	Rate	UAL	HIS	Admin.	TOTAL
Regular Class	6.73	4.78	2.00	0.06	13.57
SMS	8.56	23.90	2.00	0.06	34.52
DROP	8.49	10.64	2.00	0	21.13
Elected Clerk	12.39	44.23	2.00	0.06	58.68

2022	Rate	UAL	HIS	Admin.	TOTAL
Regular Class	5.96	4.23	1.66	0.06	11.91
SMS	7.70	22.15	1.66	0.06	31.57
DROP	7.79	9.15	1.66	0	18.60
Elected Clerk	11.30	43.98	1.66	0.06	57.00