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## EXECUTIVE COUNCIL MEETING

June 5, 2023

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**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

JD PEACOCK, II  
OKALOOSA COUNTY

TODD NEWTON  
GILCHRIST COUNTY

TOM BEXLEY  
FLAGLER COUNTY  
HOUSE APPOINTEE

JODY PHILLIPS  
DUVAL COUNTY

JOHN CRAWFORD  
NASSAU COUNTY

STACY BUTTERFIELD, CPA  
POLK COUNTY

RON FICARROTTA  
13TH JUDICIAL CIRCUIT JUDGE  
SUPREME COURT APPOINTEE

JOHN DEW  
EXECUTIVE DIRECTOR

ROB BRADLEY  
BRADLEY, GARRISON & KOMANDO, P.A.  
GENERAL COUNSEL

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

## EXECUTIVE COUNCIL MEETING

**June 5, 2023**

**Meeting: 2:30 PM, ET**

**Sawgrass Marriott, Champions C Ballroom**

1000 Tournament Players Club Blvd, Ponte Vedra Beach, FL 32082

**WebEx Link:** <https://flclerks.webex.com/flclerks/j.php?MTID=mc00b42da0fb09c6cba9269b720527508>

Meeting Code: 2319 905 4307, Password: CCOC

Conference Call: 1-866-469-3239, Access Code: 2319 905 4307

Call to Order.....Hon. Jeffrey Smith  
Invocation .....Hon. John Crawford  
Roll Call .....Hon. Laura Roth

- 1) Introduction and Agenda Approval .....Hon. Jeffrey Smith
- 2) Approve Minutes from 02/21/23 Meeting.....Hon. Laura Roth
- 3) CCOC Office Treasurer's Report.....Hon. Laura Roth
  - a) CFY 2022-23 Office Budget Update
  - b) Proposed CFY 2023-24 CCOC Office Budget
  - c) Proposed CFY 2023-24 Workplan
  - d) Update on CFY 2021-22 CCOC Office Financial Statements
- 4) Committee Updates
  - a) Budget Committee .....Hon. Tiffany Moore Russell
  - b) PIE Committee.....Hon. Laura Roth
  - c) Legislative Committee .....Hon. Tara Green
- 5) Update on Guardianship Database .....Hon. Ken Burke
- 6) Annual Evaluation of Executive Director .....Hon. Jeffrey Smith
- 7) TCBC Report .....Hon. Judge Ficarrotta
- 8) Response to request for amicus brief .....Rob Bradley
- 9) Results of CCOC Election.....Hon. Laura Roth
- 10) Other Business.....John Dew
  - a) Recognizing those leaving the Executive Council

**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 21, 2023, Executive Council Meeting

The Executive Council of the Clerks of Court Operations Corporation (CCOC) met in person at the Hard Rock Hotel, Daytona Beach, FL, and via WebEx on February 21, 2023. An agenda and materials were distributed and posted to the CCOC website before the meeting.

Chair Jeffrey Smith asked for a moment of silence to honor the memory of Clerk Harvey Ruvin and invited the audience to share their experiences with the late Clerk Ruvin.

### Call to Order, Invocation, and Roll Call

Chair Smith called the meeting to order at 2:30 PM. Secretary/Treasurer Laura Roth called the roll, and Clerk John Crawford provided the invocation.

Council members present in person: Chair Jeffrey Smith, Vice-Chair Tiffany Moore Russell, Secretary/Treasurer Laura Roth, Clerk Nikki Alvarez-Sowles, Clerk Ken Burke, Clerk John Crawford, and Clerk Todd Newton

Council members present via WebEx: Judge Ronald Ficarrotta and Clerk Stacy Butterfield

Council members absent: Clerk JD Peacock (excused), Clerk Harvey Ruvin passed away in late December.

### 1. Agenda Item 1 – Call to Order and Approve Agenda

Chair Smith announced an additional agenda item to be added to Other Business for Clerk Alvarez-Sowles.

Clerk Newton motioned to approve the agenda as indicated, and Clerk Russell seconded the motion. The motion passed unanimously.

### 2. Agenda Item 2 – Approve Minutes from 12/14/2022 & 1/20/2023 meetings

Clerk Roth motioned to approve the minutes from December 14, 2022, and January 20, 2023, meetings, and Clerk Russell seconded the motion. The motion passed unanimously.

**3. Agenda Item 3 – 2023 Executive Council Special Election**

Chair Smith stated that a special election had been held to fill the position of the late Clerk Ruvin. Chair Smith announced that Clerk Jody Philips from Duval County was elected to serve the remainder of Clerk Ruvin's term. Chair Smith swore in Clerk Philips as the newest member of the CCOC Executive Council.

**4. Agenda Item 4 – Treasurer's Report**

Clerk Roth announced that CCOC Executive Council and Corporation set the office budget at \$1,778,928 for CFY 2022-2023. She noted that the expenditure numbers through December 2022 show that CCOC has expended \$326,113, 18.33% of the budget. Clerk Roth noted that the CCOC is operating under budget.

**Clerk Butterfield motioned to approve the Treasurer's Report, and Clerk Newton seconded. The motion passed unanimously.**

**5. Agenda Item 5 – Update on Hiring of CCOC General Counsel**

Chair Smith informed the Council that CCOC's General Counsel, Rob Boyd, had announced that he was stepping down at the December CCOC Executive Council Meeting. A workgroup that consisted of himself, Clerk Russell, Clerk Roth, and Clerk Burke to find alternatives for new counsel was appointed by Chair Smith. The workgroup agreed and voted for Rob Bradley to serve as CCOC's General Counsel. They were seeking approval from the Council to allow staff to negotiate a contract. Chair Smith informed the Council that Mr. Bradley would be available for the Council at any time with a monthly retainer fee of \$5,000.00. Clerk Burke stated that hiring Mr. Bradley would be beneficial because he restricts his practice to various governments and is well aware of clerk issues. Clerk Burke encouraged the Council members to integrate Mr. Bradley into ongoing work with CCOC, adding knowledge and value-added results for our legal counsel. Especially considering we will be paying a retainer of \$5,000 monthly. Clerk Burke added that an escape clause allowed each party to terminate the contract with thirty-day notice. Mr. Bradley had agreed to work with CCOC on every legal matter apart from litigation. Chair Smith invited Council members to address Mr. Bradley with any questions or comments. Mr. Bradley vocalized that he would like a thirty-day rolling engagement window. Chair Smith thanked Mr. Bradley and asked if there was a motion from the Council to approve Mr. Bradley as our General Counsel.

**A motion was made by Clerk Newton to approve Mr. Bradley as the CCOC's new General Counsel and give staff the authority to develop a contract. Clerk Butterfield seconded the motion. The motion passed unanimously.**

**6. Agenda Item 6 – Guardianship Update**

Clerk Burke provided the Guardianship update and informed the Council that the kick-off meeting with Cloud Navigator was successful. He stated that there were many bureaucratic

obstacles we had to jump through related to receiving funding from the State because the Justice Administrative Commission (JAC) was treating the project as a grant rather than a state appropriation. Clerk Burke gave CCOC Executive Director John Dew accolades and stated that he thought Guardianship Project Manager, Nicole Taylor, had much experience with project management. Clerk Burke announced that the agreement with JAC had been finalized. He also informed the Council that an operations workgroup and a technical workgroup were developed for the project. Clerk Burke said a budget situation has been discussed with legislation, and there are plans to get it worked out since we will not be completing the project by this state fiscal year. He also informed everyone that the completion of the project is projected for November 2023.

**7. Agenda Item 7 – Annual Evaluation of Executive Director**

Chair Smith extended the evaluation of CCOC Executive Director Mr. Dew since several members had not yet completed the evaluation. He said he would like to allow the Council members a few more weeks to send their evaluations to CCOC's current General Counsel, Rob Boyd.

**8. Agenda Item 8 - Committee Updates**

**a) Budget Committee**

Clerk Russell noted that the Budget Committee met in December and February, and the next scheduled meeting is potentially set for April. She highlighted that the Budget Committee had created a Statutory Compliance Review Workgroup to review applicable statutes and examine compliance with laws. She noted that the committee had established using the reserve fund at the statutory required 10%. Clerk Russell informed the Council that the FTE calculation portion of the new judge's future requests methodology had been approved. She explained that during the annual budget process, each clerk submits their budget requests to the CCOC for any items they want to be funded over their current budget amount. The submission includes the Budget Issues Form, Revenue Projection Form, and Clerk Certification Letter. These forms included in the meeting packet are similar to last year's.

Clerk Russell said she would like approval of these forms from the Council today as these forms are due statutorily to the Council by June 1<sup>st</sup>. Clerk Kinzel stated that even though she lost the vote at the Budget Committee meeting, she still wanted to put on the record that she believes it is a statutory requirement that the budget request submitted by a Clerk must be balanced to their individual revenues.

**Clerk Russell motioned to approve all three forms submitted in the packet, seconded by Clerk Burke. The motion passed unanimously.**

**b) PIE Committee**

Clerk Roth reported that the CFY 2022-23 Quarter 1 Performance Measures and Action Plan report is in progress and will be reviewed at the March PIE Committee Meeting. She noted

that the information could be viewed on the CCOC website. Clerk Roth announced a scheduled PIE Committee meeting for June 2, 2023, from 10:00 AM to 12:00 PM. Clerk Roth asked for Council approval of the CFY 2021- 22 Annual Collection Agent Report posted to the CCOC website.

Clerk Newton asked if all the counties were reported as having a collection agent. CCOC's Performance, Policy, and Education Director, Mrs. Marleni Bruner, said that one county did not have a collection agent, but all other 66 counties were included in the report. Clerk Newton noted that Section 3 did not show all other counties. Clerk Roth said she would make sure the corrections were made before submitting the report to the Legislature.

**Clerk Roth motioned to approve the CFY 2021- 22 Annual Collection Agent Report with corrections, seconded by Clerk Newton. The motion passed unanimously.**

Clerk Roth asked CCOC's Deputy Executive Director, Jason L. Welty, to explain why Clerks are requested to provide the CCOC data related to jurisdiction thresholds. A change in county civil cases effective January 1, 2023, requires county civil courts to hear cases between \$30,001.00 and \$50,000.00. Mr. Welty explained that the REC relies on this data because it has more granular data than the Office of the State Courts Administrator (OSCA) and the Office of Economic & Demographic Research (EDR). Mr. Welty said this was not a breakdown of the \$30,000.00 to \$50,000.00, it was a look at small claims from January 2020 when small claims were between \$5,000.00 and \$8,000.00. The CCOC started tracking both categories. Collecting this data is important for revenue projections because claims under \$2,500.00 are not projected by the REC. He stated that the Clerks kept most of the filing fee, as opposed to the claims above \$2,500, where the fee is split between state General Revenue (GR) and state court revenue trust fund and the Clerks. Mr. Welty said that the trend line could give the Clerks the ammunition to show the REC that Clerks had claims outside of their projection. It gives Clerks the extra data point to show increases in small claims projections. Mr. Welty stated that the REC has taken CCOC's numbers for the clerk's side of the equation for revenue projections, which boosted revenue. He said the current fiscal year's revenue was projected at \$440 million to \$456 million. Mr. Welty stated that splitting cases was more work for clerks to send in information, but it was important for revenue projections. Chair Smith thanked Mr. Welty for the report and appreciated his hard work ensuring the REC had the best information.

**c) Legislative Committee**

Clerk Green, CCOC Legislative Committee Chair, made two personal points before giving her committee update. Clerk Green spoke about her memory of the late Clerk Ruvin. She remembered him as a warm and welcoming individual she would never forget. Clerk Green congratulated Rob Bradley on his new General Counsel role. She said that Mr. Bradley and his wife, Senator Jennifer Bradley, were tremendous attributes to her community in Clay County.

Clerk Green stated that statutorily the Council must make recommendations to the Legislature to ensure clerks are adequately funded. She noted that she is presenting a memorandum from the Committee with recommendations and is seeking the Council's approval. The report



highlights and educates the services of the clerks. It also defines reasonable and adequate budgets.

Clerk Green said the first recommendation is to distribute state General Revenue to the Clerks. The second recommendation is for the Legislature to review trust fund distributions, and finally, recommend increasing filing fees and service charges. Clerk Green stated that the recommendations for trust fund distributions and for a rise in filing fees and service charges did not include any specific recommendation regarding how specifically the Legislature should do this.

Clerk Kinzel stated that the ten-year projection graph in the report may not give the complete history of how Clerks have been funded over the last 20 years. She also requested to change the word "absorb" in the memorandum accompanying the report because she did not feel that Clerks could absorb reductions in funding. Clerk Newton suggested changing the memorandum to state that Clerk's services must be adjusted and not absorbed. Clerk Green agreed to make changes with Mr. Welty in the memo and report to show that Clerks must sacrifice personnel when dealing with the increased cost of healthcare and FRS. Clerk Alvarez-Sowles suggested using the word "reduced" in place of absorb.

**A motion was made by Clerk Butterfield to allow Clerk Green to work with Mr. Welty to find a word that would adequately describe the situation and approve the report to be presented to the Legislature. Clerk Crawford seconded the motion. The motion passed unanimously.**

#### **9. Agenda Item 9 – TCBC Report**

Judge Ron Ficarrotta congratulated the CCOC for bringing on Mr. Bradley as General Counsel stating that Mr. Bradley knows the Clerks and the Courts well. He also noted that Boyd's firm did much over the years for the CCOC and did a great job. Judge Ficarrotta announced the next TCBC Meeting will be on February 23, 2023. It will be a virtual meeting to determine any preferred strategy for developing SFY 2024-25 legislative budget request. In addition, Judge Ficarrotta announced that the TCBC would meet virtually in March to update the state court's revenue trust fund projections and determine if our year-end spending plans are appropriate. He also informed the Council that an in-person meeting in Tampa is scheduled for June 2023 for SFY 2023-24 allocations and SFY 2024-25 LBR meeting. Chair Smith thanked Judge Ficarrotta for participating in the Council and the update.

#### **10. Agenda Item 10 – Other Business**

Chair Smith called on Clerk Alvarez-Sowles to present her issue to the Council. Clerk Alvarez-Sowles said she is providing information for the CCOC General Counsel's consideration regarding her office's request for support from CCOC through an amicus curiae brief. She provided information on the results of the trial in her circuit in January. The issue involves laws applicable to Multiagency CJIS and Annex Courthouse Local Requirements. She noted that, in her opinion, the trial court ruling will have a negative statewide impact on all clerk's offices. Therefore, she is seeking CCOC's support in filing an amicus curiae brief to support the position she is taking in the case to support clerks' budgets.

Clerk Alvarez-Sowles responded to several questions asked by Council members and Clerks. First, she asked that when the General Counsel looks at this issue, he recognize that the CCOC is the entity responsible for budgets and this legal issue will impact our budgets and also to consider that if the FCCC joins in the brief that the CCOC could join in with the FCCC in the amicus brief.

Chair Smith thanked Clerk Alvarez-Sowles. He noted that once we have our General Counsel on contract, we can ask him to look at this issue to see if the CCOC's statutory authority provides guidance on if this is one of the organization's roles.

Clerk Burke announced that this would be his last meeting as a member of the CCOC Executive Council, and he has enjoyed his time as the Speaker's designee. The new Speaker selected Clerk Tom Bexley of Flagler County to be his designee. Chair Smith expressed gratitude to Clerk Burke for the years he has served, not only as the Speaker's designee but also having been elected multiple times by his fellow Clerks. He noted that Clerk Burke will be genuinely missed.

**Chair Smith adjourned the meeting at 3:59 PM.**





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## AGENDA ITEM 3

**DATE:** June 5, 2023  
**SUBJECT:** Treasurer's Report  
**COUNCIL ACTION:** Accept CFY 2022-23 Budget Update and Revision; Approve Proposed CFY 2023-24 Office Budget, Approve CFY 2023-24 Work Plan; Update on CFY 2021-22 Financial Statements

### OVERVIEW:

Each Executive Council meeting the CCOC Treasurer provides an update on the CCOC Office expenditures compared to the approved budget and if necessary, makes revisions. The Treasurer also presents to the Council a recommended budget for the upcoming fiscal year which will then be reviewed by the Corporation members at their Annual Meeting which is scheduled to follow this meeting. The Treasurer also provides the Council with a Work Plan for the next fiscal year which is reviewed by Corporation members at the Annual Meeting. Once provided, the Treasurer is responsible for reporting on the Corporation's Annual Financial Statements to the Council.

### STATUS:

- a. CFY 2022-23 Office Budget – Through six months of the CFY the office has expended just over 40% of the annual budget. We expect to under-expend in our overall budget for the year. Because the Legislature provided to State employees a 5% increase in salaries, we are asking that the Council also allow CCOC employees to receive this amount as well. The increase would be effective July 1, 2023, to match again what the State is doing and would be an increase in the CCOC Staff category of approximately \$11,000. We will still be well within our budget authority at the end of the year. (**Attachment 1**)
- b. CFY 2023-24 Office Budget – Requesting the budget authority for an increase of approximately 2.9%. We expect increases in FRS, health insurance, and rent as well as an increase in salaries. We are offsetting some of these increases by decreasing budget authority in several categories. Our total increase amount would be less than \$54,000 for the year (**Attachment 2**).
- c. The CFY 2023-24 Work Plan is attached for review (**Attachment 3**).
- d. CCOC Office Financial Statements for the year ending September 30, 2022, are not yet complete. During the last fiscal year, we experienced turnover in our Office Manager position. This person is also CCOC's bookkeeper, and the position took some time to fill.

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## AGENDA ITEM 3 – TREASURER’S REPORT

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CCOC contracted with an experienced bookkeeper to handle duties during the vacancy, and she paid the bills for several months. It was only after her time with us ended that we discovered the “shortcuts” taken in the processing of our bills and invoices. It has taken quite a bit of time to sort it all out and get the books ready for the auditors. All bank accounts, invoices and vendor payments have now been fully reconciled by our staff. We expect the financial statements to be ready in a few weeks.

### **COUNCIL ACTION:**

1. Accept CFY 2022-23 Budget Update and Revision.
2. Approve Proposed CFY 2023-24 Office Budget.
3. Approve CFY 2023-24 Work Plan.
4. Informational Only – Update on CFY 2021-22 Financial Statements

**LEAD STAFF:** John Dew, CCOC Executive Director

### **ATTACHMENTS:**

1. CFY 2022-23 CCOC Office Budget Update
2. Proposed CFY 2023-24 CCOC Office Budget
3. Proposed CFY 2023-24 CCOC Office Work Plan

<b>CCOC Budgetary Report</b> <b>County Fiscal Year 2022 - 2023</b> <b>(October 1, 2022 - September 30, 2023)</b>															
	Budget Category Amount	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Year to Date Expenditures	(%) of Budget Expended
<b>CCOC STAFF:</b>	\$982,565.14	\$71,230.76	\$78,647.79	\$80,349.03	\$75,176.19	\$74,069.60	\$75,119.74	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$454,593.11	46.27%
Total Salaries	\$686,234.14	\$53,794.71	\$51,863.21	\$51,119.21	\$51,775.71	\$52,031.09	\$51,760.59	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$312,344.52	45.52%
Executive Director	\$153,336.63	\$12,778.05	\$12,778.05	\$12,778.05	\$12,778.05	\$12,778.05	\$12,778.05							\$76,668.30	50.00%
Deputy Executive Director	\$107,064.98	\$8,922.09	\$8,922.09	\$8,922.09	\$8,922.09	\$8,922.09	\$8,922.09							\$53,532.54	50.00%
Budget & Communications Director	\$89,003.91	\$7,417.00	\$7,417.00	\$7,417.00	\$7,417.00	\$7,417.00	\$7,417.00							\$44,502.00	50.00%
Actuarial and Performance Analyst	\$52,902.61	\$4,408.55	\$4,408.55	\$4,408.55	\$4,408.55	\$4,408.55	\$4,408.55							\$26,451.30	50.00%
Budget Manager I - Rafael	\$40,160.28	\$3,345.82	\$3,345.82	\$3,345.82	\$3,345.82	\$3,345.82	\$3,345.82							\$20,074.92	49.99%
Data Quality Officer	\$44,843.53	\$3,740.29	\$3,740.29	\$3,740.29	\$3,740.29	\$3,740.29	\$3,740.29							\$22,441.74	50.04%
Project Manager	\$84,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00							\$0.00	0.00%
Prf Policy and Education Director	\$79,103.54	\$6,591.96	\$6,591.96	\$6,591.96	\$6,591.96	\$6,591.96	\$6,591.96							\$39,551.76	50.00%
Executive Assistant/Human Resources	\$35,818.66	\$2,897.95	\$2,897.95	\$2,897.95	\$2,897.95	\$3,071.83	\$3,071.83							\$17,735.46	49.51%
Internal Revenue(Corporation Responsibility)	\$75,000.00	\$4,292.01	\$4,202.79	\$4,130.68	\$4,582.42	\$4,208.63	\$4,270.39							\$25,666.92	34.25%
Retirement, Benefits, Workers' Comp and Other	\$221,331.00	\$16,837.04	\$24,343.29	\$26,116.64	\$20,492.06	\$19,585.38	\$20,573.76							\$127,948.17	57.81%
<b>OPS STAFF:</b>	\$34,000.00	\$3,693.00	\$1,761.50	\$1,017.50	\$1,674.00	\$1,755.50	\$1,485.00							\$11,386.50	33.49%
<b>GENERAL EXPENSES:</b>	\$85,200.00	\$4,194.38	\$3,791.95	\$9,179.14	\$4,099.20	\$4,046.74	\$4,210.72	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$29,522.13	34.65%
Rent (including Utilities)	\$45,200.00	\$3,370.15	\$3,353.52	\$3,354.88	\$3,392.76	\$3,222.35	\$3,337.83							\$20,031.49	44.32%
Communications (+ Internet and Phone)	\$5,000.00	\$173.95	\$278.30	\$382.97	\$281.33	\$279.91	\$280.60							\$1,677.06	33.54%
Equipment, Supplies and Other	\$35,000.00	\$650.28	\$160.13	\$5,441.29	\$425.11	\$544.48	\$592.29							\$7,813.58	22.32%
<b>TRAVEL:</b>	\$60,400.00	\$412.33	\$760.71	\$485.93	\$3,068.76	\$832.55	\$0.00							\$5,560.28	9.21%
<b>STAFF TRAINING:</b>	\$10,000.00	\$0.00	\$0.00	\$0.00	\$3,578.34	\$0.00	\$0.00							\$3,578.34	35.78%
<b>CONTRACTUAL EXPENSES:</b>	\$293,563.00	\$12,971.61	\$9,361.50	\$10,310.00	\$12,863.50	\$12,825.50	\$21,322.11	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$79,654.22	27.13%
General Counsel	\$74,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,000.00							\$5,000.00	6.76%
FY 22-23 Survey, Reporting, and Other Services	\$203,563.00	\$12,971.61	\$9,361.50	\$10,310.00	\$12,863.50	\$12,825.50	\$16,322.11						\$0.00	\$74,654.22	36.67%
Audit Services	\$16,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00							\$0.00	0.00%
<b>EDUCATION SERVICES</b>	\$397,200.00	\$0.00	\$74,833.00	\$18,000.00	\$0.00	\$0.00	\$73,333.00							\$166,166.00	41.83%
<b>TOTALS:</b>	\$1,862,928.14	\$92,502.08	\$169,166.45	\$119,341.60	\$100,459.99	\$93,529.89	\$175,470.57	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$750,460.58	40.28%

J.D. 5/13/23

WRB 05/03/2023

SEIR 5/15/23

**DRAFT 2023-2024 CCOC Budget****CCOC Budget County Fiscal Year 2022-2023  
(October 1, 2022 - September 30, 2023)**

	Budget Category Amount
<b>CCOC STAFF:*</b>	\$982,565.14
Executive Director	\$153,336.63
Deputy Executive Director	\$107,064.98
Budget and Communications Director	\$89,003.91
Senior Budget Manager	\$79,103.54
Budget Manager I	\$52,902.61
Budget Manager I	\$40,160.28
Budget Manager I	\$44,843.53
Project Manager*	\$84,000.00
Office Manager	\$35,818.66
Internal Revenue(Corporation Responsibility)	\$75,000.00
Retirement, Benefits, Workers' Comp and Other	\$221,331.00
<b>OPS STAFF:</b>	\$34,000.00
<b>GENERAL EXPENSES:</b>	\$85,200.00
Rent (including Utilities)	\$45,200.00
Communications (+ Internet and Phone)	\$5,000.00
Equipment, Supplies and Other	\$35,000.00
<b>TRAVEL:</b>	\$60,400.00
<b>STAFF TRAINING:</b>	\$10,000.00
<b>CONTRACTUAL EXPENSES:</b>	\$293,563.00
General Counsel	\$74,000.00
FY 20-21 Survey, Reporting, and Other Services	\$203,563.00
Audit Services	\$16,000.00
<b>EDUCATION SERVICES:</b>	\$397,200.00
<b>TOTALS:*</b>	<b>\$1,862,928.14</b>

**CCOC Budget Request County Fiscal Year 2023-2024  
(October 1, 2023 - September 30, 2024)**

	Budget Category Amount
<b>CCOC STAFF:**</b>	\$1,065,545.89
Executive Director	\$161,003.47
Deputy Executive Director	\$112,418.23
Budget and Communications Director	\$93,454.11
Performance, Policy, and Education Director	\$83,058.72
Actuarial and Performance Analyst	\$55,547.75
Budget Manager I	\$42,168.30
Data Quality Officer	\$47,085.71
Project Manager	\$88,200.00
Office Manager	\$37,609.60
Internal Revenue(Corporation Responsibility)	\$75,000.00
Retirement, Benefits, Workers' Comp & Other***	\$270,000.00
<b>OPS STAFF:</b>	\$34,000.00
<b>GENERAL EXPENSES:****</b>	\$85,200.00
Rent (including Utilities)	\$50,200.00
Communications (+ Internet and Phone)	\$5,000.00
Equipment, Supplies and Other	\$30,000.00
<b>TRAVEL</b>	\$40,000.00
<b>STAFF TRAINING:</b>	\$10,000.00
<b>CONTRACTUAL EXPENSES:</b>	\$284,563.00
General Counsel	\$65,000.00
FY 21-22 Survey, Reporting, and Other Services	\$203,563.00
Audit Services	\$16,000.00
<b>EDUCATION SERVICES:***</b>	\$397,200.00
<b>TOTALS:****</b>	<b>\$1,916,508.89</b>

\* The Executive Council this year approved adding the additional position of Project Manager to the CCOC Budget during the budget year in case the funds were not provided by GR. This increased the previously approved budget from \$1,778,928.14 to \$1,862,928.14.

\*\* Included in the individual FTE salary is a 5% raise based on what was provided to State workers effective July 1, 2023.

\*\*\*Increases in health insurance, FRS, and set aside 2% for salary for potential pay increases.

\*\*\*\*Expect Rent & Utilities to increase. Slight decrease in Equipment, Supplies and Other.



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**PROPOSED**  
**CFY 2023-24 CCOC WORK PLAN**

The Plan of Operations for the Florida Clerks of Court Operations Corporation (CCOC) requires the Corporation to adopt a program work plan for each fiscal year as presented by the Executive Director and recommended by the Council.

CCOC's Mission, Vision, and Guiding Principles supply strategic direction to the Executive Director in formulating the work plan. These values are:

**Our Mission:** To provide world-class service in Budget Administration, Performance Enhancement, Financial Analysis, Legislative Review, and Technical Strategies for all 67 Clerks of Court.

**Our Vision:** "Excellence in Clerks of Court Budget Administration."

**Our Guiding Principles:**

To be the **Source** for valid, accurate, complete performance and financial reports  
To **Collaborate** with justice partners to meet our mutual needs  
To **Protect** the integrity of performance and financial information  
To be **Proactive** in leveraging current technology and in advancing new technology

**CCOC Work Plan:** The Executive Director presents the following priorities to the Executive Council and the Corporation members for CFY 2023-24. These priorities are contingent on the Executive Council's leadership and direction, legislative actions, and other factors. As part of the CFY 2023-24 Work Plan, CCOC staff will:

1. Upon completing the development of a guardianship database, help train system users, continue to evaluate the data quality, and work with the legislature on any requested data revisions. Also, develop regular reports as required.
2. Review the CCOC office staffing, responsibilities, and organizational chart to determine if there are more efficient ways to operate and provide services to the Corporation. Ensure the CCOC Office continues to attract and retain exceptional employees. Additionally, develop a transition plan for the potential retirement of the current CCOC 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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CFY 2023-24 CCOC WORK PLAN – DRAFT

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3. Continue providing professional support to the clerks, Legislature, and other entities seeking information on the clerks' budgets and performance.
4. Continue to develop policy and budgetary recommendations to the Legislature to diversify and increase clerk revenue streams and continue working toward stable, consistent funding solutions.
5. Collaborate with the Florida Court Clerks & Comptrollers (FCCC) leadership team seeking joint solutions to help resolve clerks' issues and working with the Legislature.
6. Provide workload relief to clerks by streamlining reporting requirements while collecting necessary data to fulfill statutory duties and measure performance.
  - a. Continue to develop and expand instructions and Business Rules for all CCOC forms and reports.
  - b. Develop a strategic solution for data collection, analysis, and reporting needs.
  - c. Evaluate the efficacy of the current reports.
  - d. Explore discontinuing reports that no longer have value and reducing the frequency of submissions.
  - e. Continue efforts to improve how clerks send reports to CCOC.
  - f. Explore using the Clerks' Comprehensive Case Information System (CCIS) to reduce the number of manual entries clerks must make when reporting outputs.
  - g. Work with FCCC to develop and expand evidence-based Best Practices.
7. Continue collaborating with clerks to verify and document the clerks' workload.
  - a. Review case weights and performance measures.
  - b. Recommend changes in case weights and performance measures to the Performance Improvement and Efficiencies (PIE) Committee.
  - c. Evaluate the Peer Groups and provide recommendations for changes.
8. Implement legislative changes to:
  - a. Submit funding requests to the Legislature to reimburse costs related to additional trial court judgeships, if certified, and involuntary commitment fees.
  - b. Modify the monthly excess revenue collection process into a quarterly process.
9. Continue to expand on internal and external communications. Update the CCOC website as a depository of pertinent budget and performance information. Increase social media engagement, including raising awareness of upcoming events (including OGL events) and clerks' initiatives, such as eNotify, and educating the public on the importance of an adequately funded clerk system.
10. Continue reviewing all current CCOC Policies and Procedures to align with statutes and assist the clerk's policy development in providing standardization.
11. Increase training opportunities and resources for clerks and staff.





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## AGENDA ITEM 4a

**DATE:** June 5, 2023  
**SUBJECT:** Budget Committee Update  
**COUNCIL ACTION:** Approve New Judges Funding Calculation, Approve Jury Reimbursement Form, & Consider Request for General Counsel

### OVERVIEW:

The Budget Committee has met twice so far this year. The committee has been busy developing the clerks' CFY 2023-24 budget. So far this year, the committee:

- February:
  - Established the Reserve Fund calculation at 10%
  - Approved the budget requests submission forms
  - Established the Statutory Compliance Review Workgroup
- May:
  - Voted to roll the additional actual Cumulative Excess into the CFY 2023-24 budget
  - Established the Base Budget of \$458.6 million (the CFY 2022-23 Revenue-Limited Budget of \$453.2 million plus the FRS increase of \$5.4 million)
  - Approved the SFY 2023-24 Jury Management Reimbursement Form
  - Established the Surplus Revenue Collections Distribution Workgroup
- June:
  - Budget Issue Requests were due on June 1
  - Committee meeting to review and determine potential allocation methodologies

### Next Steps:

- The REC will meet in July or August to establish the total available funding for the clerks' CFY 2023-24 Revenue-Limited Budget
  - Based on current revenue projections, this budget will be over \$45 million higher than the current year's budget; however, this number will potentially change
- The committee will then review the issue requests and determine how to allocate the funding over the Base Budget

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**NEW JUDGES CALCULATION:**

In December, the Council approved the New Judges FTE calculation as proposed by the Budget Committee's New Judges Funding Workgroup. In May, the Budget Committee approved a statewide funding methodology to apply to each calculated FTE when a new judge is certified. This methodology identifies a statewide salary and benefits average using the most recent Operational Budget data excluding the elected clerks (using CFY 2021-22 data, this amount would be \$65,775 for each new calculated FTE). The committee also approved including the State's Competitive Area Differential (CAD) salary additive for the applicable counties. As a reminder, this calculation is used to request State funding from the Legislature. This funding methodology is up for Council approval.

**JURY REIMBURSEMENT FORM:**

The proposed SFY 2023-24 Jury Management Reimbursement Form (**Attachment 1**) is the same form that is used in the current 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.

**STATUTORY COMPLIANCE REVIEW WORKGROUP:**

The committee also established the newly created Statutory Compliance Review Workgroup chaired by Clerk Abruzzo to review sections 28.35, 28.36, and 28.37, Florida Statutes, to consider CCOC and Budget Committee compliance with these statutes. The workgroup concluded its work and provided the Budget Committee with its final observations (**Attachment 2**) identifying subsections of statute for further consideration by the committee, including potential legal questions. Based on these final observations, the committee recommends that the Council consider having the CCOC General Counsel review those identified observations.

**COUNCIL ACTION:**

1. Approve New Judges Funding Calculation
2. Approve Jury Reimbursement Form
3. Consider Request for General Counsel

**LEAD STAFF:** Griffin Kolchakian, Budget and Communications Director

**ATTACHMENTS:**

1. SFY 2023-24 Jury Management Reimbursement Form
2. Statutory Compliance Review Workgroup Observations

Agenda Item 4a - Attachment 1  
**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:			

Clerk Personnel Cost	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
Include Managers/Supervisors, Deputies, and all others in all phases of the jury management process.					\$ -
<b>Clerk Operational Cost</b>					
Include cost of Summons procedures. Postage					\$ -
Do not include costs of Juror Management Printing					\$ -
software or Juror parking. Supplies					\$ -
Other (Include Specific Description on row 48, Below)					\$ -
<b>Operating Cost Total:</b>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Juror Per Diem</b>					
<b>Petit Juror Payment (per day)</b>					
\$15.00					\$ -
\$30.00					\$ -
Other (Include Specific Description on row 48, Below)					\$ -
<b>Petit Juror Payment Total:</b>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Grand Juror Payment (per day)</b>					
\$15.00					\$ -
\$30.00					\$ -
Other (Include Specific Description on row 48, Below)					\$ -
<b>Grand Juror Payment Total:</b>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Juror Meals/Lodging</b>					
<b>Meals</b>					\$ -
<b>Lodging</b>					\$ -
<b>Meals and Lodging Total:</b>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Juror Cost Total:</b>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Reimbursable Jury Management Cost:</b>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Jury Funding</b>					
<b>JURY REIMBURSEMENT REQUESTED</b> from JAC:	\$ -	\$ -	\$ -	\$ -	\$ -
<b>JURY REIMBURSEMENT ACTUALLY RECEIVED</b> 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 <b>justification, calculations, and/or any applicable information</b> 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.



### 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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## AGENDA ITEM 4b

**DATE:** June 5, 2023  
**SUBJECT:** PIE Committee Update  
**COUNCIL ACTION:** Informational Only

### OVERVIEW:

The PIE Committee met on June 2, 2023. Meetings for the remainder of the calendar year have also been scheduled for 10 AM – 12 PM on September 1 and December 1.

### **Item 1 – Case Counting Workgroup Update**

Over the past several years, the PIE and Budget committees worked jointly to properly weigh and count cases. The PIE Committee created workgroups to aid this process. One of those workgroups produces and modifies, as necessary, business rules for counting cases. Another of the workgroups analyzes case count data and reviews case count reports to verify that the business rules have been properly applied to the sub-case type being reviewed. The Case Counting Workgroup is currently reviewing the case count reports and working with counties to identify anomalies. This information will be available for the Budget Committee to apply a Weighted Workload Measure (WWM) as part of the budget deliberation process.

### **Item 2 – Payment Plan Workgroup**

CCOC and FCCC will host a two-day Compliance Summit in the late fall/winter of 2023. The location and date are still in the planning process. The summit will be entitled “Beyond the Blueprint.” Sessions will include topics such as building blocks for compliance improvement, recognizing obstacles and how to overcome them, payment options, creating and tracking payment plans, negotiating debt, and much more. A Payment Plan Workgroup was created under the direction of Chair Roth to discuss and recommend implementation for compliance improvements, share experiences regarding challenges and opportunities of payments plans, discuss technology solutions and limitations faced by counties in the workgroup, and present these findings at the Summit. CCOC staff will schedule the workgroup meetings and CIS staff will moderate and lead the workgroup discussions.

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**Item 3 – Performance Measures and Action Plans (PMAP) Report**

CCOC staff completed the CFY 2022-23 Quarter 1 and 2 Performance Measures and Action Plans (PMAP) report, posted it to the CCOC website (<https://flccoc.org/ccoc-reports/#pr>), and submitted it to the legislature by the required statutory deadline.

Q2 Report Highlights

The PMAP report identifies the counties not meeting workload performance standards for specific measures.

Performance Standards	Counties Requiring an Action Plan	Potential Action Plans	Total Action Plans
Collections	50	603	105
Filing – Timeliness	17	670	28
Docketing – Timeliness	14	670	25
Timely Juror Payments	6	67	6

**Item 4 – Quarterly 318.18(13), F.S. Report**

CCOC completed the CFY 2022-23 Quarter 1 and 2 318.18(13), F.S. Report, posted it to the CCOC website (<https://flccoc.org/ccoc-reports/#q318>), and submitted it to the legislature by the required statutory deadline.

**COUNCIL ACTION:** Informational Only

**LEAD STAFF:** Jason L. Welty, CCOC Deputy Executive Director  
Marleni Bruner, Performance, Policy, & Education Director

**ATTACHMENTS:** None





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## AGENDA ITEM 4c

**DATE:** June 5, 2023  
**SUBJECT:** Legislative Committee Update  
**COUNCIL ACTION:** Informational 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 and 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" language to carry forward the CCOC Guardianship unexpended funds from the current SFY into the next SFY was approved; CCOC is diligently working on building the system, which is projected to be available in the upcoming fiscal year.
- The 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, 2023.

The Legislative Committee will meet this summer to discuss Legislative Budget Request items for submission to the Governor and the Legislature.

**COUNCIL ACTION:** Informational Only

**LEAD STAFF:** Jason L. Welty, Deputy Executive Director

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## AGENDA ITEM 5

**DATE:** June 5, 2023  
**SUBJECT:** Update on Guardianship Database  
**COUNCIL ACTION:** Informational Only

### UPDATE:

Since the last update provided to the Council in February:

- The partnership with the vendor, Cloud Navigator, has been positive and productive.
- Project activities and deliverables have adhered to the schedule.
- All deliverables have been submitted in a timely manner and each thoroughly reviewed by CCOC for quality.
- Subject Matter Experts have continued to play a vital role and we appreciate their continued participation and support.
- Legislative staff meetings occurred at the beginning of Session and again in March to keep them informed of our progress and that we anticipate the project will be completed before the end of this calendar year. Additionally, we discussed reverting and reappropriating unused funding for the project, which they supported, and we did receive.
- We have continued to work with the Justice Administrative Commission to receive general revenue funding for the project – and we received the first reimbursement for costs in April.
- A working prototype of the Florida Guardianship Transparency Database (FLGTD) system was delivered at the end of March – and underwent internal testing by CCOC throughout the month of April.
- In early May, User Acceptance Testing allowed a select group of “testers” – Judges, Judicial Assistants, Clerks, and Clerks’ staff – a subset of users working in the areas of technology, guardianship case management, and audits in addition to CCOC staff.
- The CCOC and vendor received 15 years of guardianship data from Elder Affairs’ Office of Public & Professional Guardians, which is now populated in the system along with Substantiated Disciplinary Histories.
- The Association has continued to be excellent partners in this endeavor – providing data for testing, and 23 years of data for the final system.
- Data interfacing and conversion testing will be in process at the time of this update.
- CCOC Project Manager, Nicole Taylor, will set up at a table at different times throughout the Summer Conference this week to provide demos of the new system for those who would like to see it.

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## AGENDA ITEM 5 – UPDATE ON GUARDIANSHIP DATABASE

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In conclusion, we want to emphasize that the partnership with Cloud Navigator has proven to be a positive and productive one; and we would like to thank them for their dedication and hard work on this project. Additionally, we would like to thank Mike Rankin with the Association for his continued support of this project and the use of CCIS data as well as members of the work groups and other subject matter experts who have provided invaluable assistance whenever called upon.

**COUNCIL ACTION:** Informational Only

**LEAD:** The Honorable Ken Burke, Pinellas County Clerk  
John Dew, CCOC Executive Director  
Nicole Taylor, CCOC Business Analyst & Project Manager

**ATTACHMENTS:** None



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## AGENDA ITEM 6

**DATE:** June 5, 2023  
**SUBJECT:** Annual Evaluation of Executive Director  
**COUNCIL ACTION:** Informational Only

### OVERVIEW:

The CCOC Plan of Operations under Section 3-2(A) requires that a “performance evaluation shall be conducted annually of the Executive Director by July 1. The Chair shall request from each Council member an evaluation that shall be submitted directly to the Chair. The Chair shall go over the evaluations with the Director. The Chair will provide the compilation of the evaluations to the Council members.”

Previous General Counsel Rob Boyd provided Chair Smith with the evaluation compilation of the evaluations on May 17<sup>th</sup>, 2023.

**COUNCIL ACTION:** Informational Only

**LEAD STAFF:** John Dew, CCOC Executive Director

### ATTACHMENT:

1. Letter to Chair Smith from previous General Counsel Rob Boyd

**To:** Jeffrey R. Smith, Chairperson of Executive Council  
**From:** J. Robert Boyd, Jr., General Counsel  
**Subject:** 2022 Performance Review of Executive Director John Dew  
**Date:** May 17, 2023

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**ISSUE:** An annual review of performance of the Executive Director of CCOC was conducted by the Executive Council.

**CONCLUSION:** Below is the methodology, the ratings, and a summary of the performance review of the Executive Director.

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### **PREFACE**

The members of the Executive Council for 2022 were asked to provide an evaluation of the Executive Director for that year.

### **METHODOLOGY AND REPORTING**

Ten (10) of the eleven (11) members of the Executive Council who served during 2022 were tasked with rating the performance of the Executive Director, John Dew (“Dew”), of the CCOC<sup>1</sup>. The rating document provided for comments as well as a point rating in the following nine (9) areas: Communications, Relationship with Clerks, Fiscal Management, Planning and Organization, Decision Making, Meetings, Professional and Leadership Skills, Management of Employees, and Knowledge of Job. Point ratings were on a scale of 1-5, with 5 as the highest.

Six (6) individuals responded to the Chairperson’s request for completion of the Performance Evaluation. The evaluation input was solicited on February 8, 2023, with a turn around time, if possible, of February 15, 2023. After receiving only two (2) responses by February 15<sup>th</sup>, a reminder was sent on February 17, 2023, and the Chairperson gave the Executive Council members two (2) more weeks to submit their responses.

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<sup>1</sup> Honorable Harvey Ruvin, Esq., the 11<sup>th</sup> member of the Executive Council passed away in 2022.

## DISCUSSION

Of the 270 possible points on the ratings given, Dew rated 259 points. Averaging the points awarded, Dew demonstrated a high rating of 95.93%. The average of each criterion is as follows (possible 5 points in each area):

Communications – 4.67	Relationship with Clerks – 4.67
Fiscal Management – 4.83	Planning and Organization – 4.83
Decision Making – 4.83	Meetings – 4.83
Professional and Leadership Skills – 4.83	Management of Employees – 4.83
Knowledge of Job – 4.83	

The comments contained in the assessment(s) from the Council members describe Dew as a “High level professional”, a “Great Asset for the Corporation” and as “respected for his professionalism and integrity”. Dew received several remarks commending his professionalism, his attendance and preparation for meetings, and his thorough knowledge of the job. More than one evaluation received noted Dew’s efforts towards the Guardianship Project, saying that Dew “deserves credit for the tremendous effort he put into the Guardianship Project” while another pointed out that Dew made the Clerks’ guardianship efforts a priority, “which will further strengthen [the Clerks’] good standing with [the Clerks’] legislative partners.” Although Dew received less than perfect ratings in all areas, the overall ratings were consistently high and of those written comments contained in the assessment(s) received, there were not any negative comments or comments critical of Dew as Executive Director. Although the ratings received for Dew for 2021 were also consistently high, the ratings received this year are higher by comparison.

The individual reviews, and all working papers are being sent with this email. As you know, pursuant to Section 3-2A of the Plan of Operation, you will need to address the evaluation with Dew. If you have any questions please let me know.





**Jeffrey R. Smith, CPA, CGMA**  
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## AGENDA ITEM 8

**DATE:** June 5, 2023  
**SUBJECT:** Request of CCOC General Counsel to consider CCOC filing an amicus brief.  
**COUNCIL ACTION:** Informational Only

### OVERVIEW:

At the February 21 Executive Council meeting, Clerk Alvarez-Sowles requested that the CCOC consider filing an amicus curie brief in a lawsuit her office is involved with. The issue concerns how to interpret various laws applicable to Multiagency CJIS and Annex Courthouse Local Requirement and how this would impact a Clerk's court-related budget. The Council agreed that once the new General Counsel was placed on contract, he would review the CCOC statutes to see if it would be a role of the CCOC to join in a lawsuit by filing an amicus brief.

A contract was executed with Mr. Bradley on March 1, 2023. On March 31 General Counsel Bradley provided to Executive Director Dew the following conclusion: "The Corporation does not have the authority to file an amicus brief in support of a local Clerk's position on a matter of statutory interpretation. That being said, it is entirely appropriate for the Corporation to offer professional support and expert testimony in a litigation involving the 67 Clerks if said support includes matters of data and /or current operations."

Mr. Dew immediately informed Clerk Alvarez-Sowles and Chair Smith of the correspondence from General Counsel Bradley. Chair Smith directed Mr. Dew to have the item placed on the Council's meeting agenda.

**COUNCIL ACTION:** Informational Only

**LEAD STAFF:** Rob Bradley, CCOC General Counsel  
John Dew, CCOC Executive Director

### ATTACHMENTS:

1. Correspondence from General Counsel Bradley

**From:** [John Dew](#)  
**To:** [Jeff Smith](#)  
**Cc:** [Jason L. Welty](#); [Rob Bradley](#); [Andrea Rice](#)  
**Subject:** FW: General Counsel Bradley's Draft Opinion  
**Date:** Friday, March 31, 2023 4:14:00 PM  
**Attachments:** [image001.png](#)

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Good Afternoon Jeff.

Please see below the opinion from Rob Bradley. Per his recommendation the CCOC does not have the authority to file an amicus brief to support a local Clerk's position on a matter of statutory interpretation. However, he noted that it is appropriate for the Corporation to offer professional support and expert testimony in a litigation involving the 67 Clerks if said support includes matters of data and/or current operations.

Please let me know how you want to proceed in providing this information to the Council. I spoke with Clerk Alvarez-Sowles yesterday and made her aware of the possible position that would be forthcoming from our General Counsel based on a draft he sent me earlier in the week.

Thanks, and enjoy the weekend!



**JOHN DEW**  
EXECUTIVE DIRECTOR  
PHONE 850.386.2223 | CELL 850.656.1393  
JDEW@FLCCOC.ORG

**WWW.FLCCOC.ORG**    /FLCCOC

---

**From:** Rob Bradley <rob@claylawyers.com>  
**Sent:** Friday, March 31, 2023 3:47 PM  
**To:** John Dew <jdew@flccoc.org>  
**Cc:** Jason L. Welty <jwelty@flccoc.org>  
**Subject:**

## BACKGROUND:

On February 9, 2023, a trial court entered a judgment adverse to Pasco County Clerk & Comptroller Nikki

Alvarez-Sowles in *Nikki Alvarez-Sowles, Clerk & Comptroller, Pasco County, Florida v. Pasco County, Florida, a political subdivision of the State of Florida*, Case No. 2021-CA-2635 (Fla. 6th Cir. Ct. Feb. 9, 2023). The court interpreted certain state statutes in a manner that would have a negative financial effect on the operations of the Pasco County Clerk's Office if the judgment were upheld on appeal.

Clerk Alvarez-Sowles correctly surmises that, if the trial court's interpretation of said statutes were applied to the operations of other Florida counties, there could be a negative effect on the revenues of other clerks' offices.

Clerk Alvarez-Sowles appealed the judgment to the Second District Court of Appeal. Clerk Alvarez now asks the Florida Clerks of Court Operations Corporation (the "Corporation") to file an amicus curiae brief in support of her position.

## ISSUE:

Does the Corporation have the authority under Florida law to file an amicus brief in support of a local Clerk's position on a matter of statutory interpretation?

## ANALYSIS:

Section 28.35(2) of the Florida Statutes sets forth specific duties for the Corporation. These duties are ministerial in nature. None of the duties involve advocacy on behalf of the 67 Florida clerks with regard to judicial interpretation of relevant statutes or legislative matters, other than those specific legislative matters that are ministerial in nature and specified in 28.35(2)(c), 28.35(2)(d), 28.35(2)(h) and 28.35(2)(i) of the Florida Statutes.

Historically, advocacy on behalf of the 67 Clerks is handled by the Florida Court Clerks & Comptrollers (the “Association”). In fact, the Association has offered amicus briefs in previous court cases. The Corporation has never filed an amicus brief in a litigation since the Corporation was formed in 2003.

## CONCLUSION:

The Corporation does not have the authority to file an amicus brief in support of a local Clerk’s position on a matter of statutory interpretation. That being said, it is entirely appropriate for the Corporation to offer professional support and expert testimony in a litigation involving the 67 Clerks if said support includes matters of data and/or current operations.



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## AGENDA ITEM 9

**DATE:** June 5, 2023  
**SUBJECT:** CCOC 2023 Executive Council Election  
**COUNCIL ACTION:** Informational Only

### OVERVIEW:

Each year Clerks elect four Clerk members to the Executive Council. One from each of the four population groups.

Ballots were provided to the Clerks on April 28, 2023 (Attachment 1 and 2). The due date for returning the ballots to the CPA firm of Bill Sittig was May 17, 2023. The ballots were opened and tabulated on Monday, May 22, and the Corporation members were emailed the results that afternoon (Attachment 3).

### Election Results

Group 1 Fewer than 100,000 – Todd Newton, Gilchrist County  
Group 2 100,000- 500,000 – Michelle Miller, St. Lucie County  
Group 3 500,001- 1,000,000 – Laura Roth, Volusia County  
Group 4 1,000,001 and Over – Tiffany Moore Russell, Orange County

**COUNCIL ACTION:** Informational Only

**LEAD STAFF:** John Dew, CCOC Executive Director

### ATTACHMENTS:

1. 2023 Ballot Instructions
2. 2023 Election Ballot
3. 2023 Election Results

*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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PASCO COUNTY  
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## **2023 - ELECTION BALLOT INSTRUCTIONS** **FLORIDA CLERKS OF COURT OPERATIONS CORPORATION**

Pursuant to s. 28.35(1)(b)(1), F.S., the Clerks of Court shall elect eight (8) members, two (2) from each of the four (4) population groups, to serve on the Executive Council of the Clerks of Court Operations Corporation. The Corporation Plan of Operations has these terms being staggered so 4 seats become available each year. The following Clerks whose terms go through June 30, 2024 are: Honorable John Crawford, Honorable JD Peacock, Honorable Stacy Butterfield, and Honorable Jody Phillips.

However, there will be four slots available for Clerks seeking to be elected to the Council for the July 1, 2023 through June 30, 2025 two year term. The four slots that will be available are currently filled by: Honorable Todd Newton; Honorable Jeffrey Smith, Honorable Laura Roth, and Honorable Tiffany Moore Russell. These four Clerks whose terms end June 30, 2023, can have their names placed on the ballot if they chose to run again for the Council.

To assist in the voting process, Clerks have been requested to indicate their willingness to serve on the Executive Council of the Corporation. Those whose names are listed on the ballot form within each population group have expressed a willingness to serve if elected. We also have a space within each population group for a write-in candidate.

Please vote for one (1) individual in population groupings I, II, III and IV. (Note: Please do not elect more than one person in each of the population grouping as that will invalidate your form.)

The Ballot must be returned by email or by U.S. Mail. The emails must be sent, or letters postmarked by 11:59 pm on May 17th, 2023 to Mr. Bill Sittig, C.P.A. The email address is [billsittig@tallahasseeaccountant.net](mailto:billsittig@tallahasseeaccountant.net) and the address is 1695-7 Metropolitan Circle, Tallahassee, Florida 32308. The ballots will be publicly counted by Mr. Sittig on May 22nd, 2023.





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## CCOC COUNCIL MEMBERS 2023 ELECTION BALLOT

Vote for an individual in population groups I, II, III, and IV for a total of four (4) individuals to serve on the Executive Council of the Florida Clerks of Court Operations Corporation, effective July 1, 2023. Fill in the box located to the **left** of the name of the person for whom you wish to vote. Names listed are Clerks who have indicated a willingness to serve on the Council. **Your ballot must be emailed or postmarked no later than 11:59 PM May 17, 2023.**

Clerks already elected to the Council in 2022 are not on the list as their term of office continues till June 30, 2024. These Clerks are John Crawford, JD Peacock, Stacy Butterfield, and Jody Phillips.

### Group I: Fewer than 100,000

- ☐ Gilchrist                      Todd Newton  
☐ Write-in Candidate \_\_\_\_\_

### Group II: 100,000- 500,000

- ☐ Osceola                      Kelvin Soto  
☐ St. Lucie                      Michelle Miller  
☐ Write-in Candidate \_\_\_\_\_

### Group III: 500,001- 1,000,000

- ☐ Pasco                      Nikki Alvarez-Sowles  
☐ Volusia                      Laura Roth  
☐ Write-in Candidate \_\_\_\_\_

### Group IV: 1,000,001 and Over

- ☐ Orange                      Tiffany Moore Russell  
☐ Write-in Candidate \_\_\_\_\_

**RETURN BALLOT TO BILL SITTIG, C.P.A. EITHER BY EMAIL or U.S. MAIL  
no later than 11:59 PM May 17, 2023.**

EMAIL: [billsittig@tallahasseeaccountant.net](mailto:billsittig@tallahasseeaccountant.net)

U.S. MAIL:

BILL SITTIG, C.P.A.  
BILL SITTIG CPA, LLC  
1695-7 METROPOLITAN CIRCLE  
TALLAHASSEE, FLORIDA 32308

**YOUR BALLOT MUST BE EMAILED or POSTMARKED BY 11:59 PM May 17, 2023.**

**BILL SITTIG CPA, LLC**  
**CERTIFIED PUBLIC ACCOUNTANTS & ADVISORS**  
**1695-7 Metropolitan Circle**  
**Tallahassee, Florida 32308**  
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William P. Sittig, CPA/PFS\*  
Lou Ann Cartright  
Lauren Sittig  
Michele Lorch

Telephone (850) 386-2639  
Facsimile (850) 386-2637

May 22, 2023

**Members of the Florida Clerks of Court Operations Corporation**  
**President of the Florida Senate**  
**Speaker of the Florida House of Representatives**

In accordance with the Plan of Operations for the Florida Clerks of Court Operations Corporation, we are providing this written notification to serve as notice of our certification of the election results for the most recent election of the Executive Council.

The voting procedures outlined in the Plan of Operations were followed as per the prescribed method. Our firm controlled the receipt and counting of the ballots. We will continue to maintain an electronic copy of all ballots submitted for this election. The ballot counting was completed on this date with the following individuals in attendance:

John Dew, Executive Director CCOC  
Jason Welty, Deputy Executive Director CCOC  
Bill Sittig, CPA, - Internal Auditor for CCOC

The ballots were tallied and as a result, the following members have been elected to the Executive Council:

Group 1 – Todd Newton, Gilchrist County  
Group 2 – Michelle Miller, St. Lucie County  
Group 3 – Laura Roth, Volusia County  
Group 4 – Tiffany Moore Russell, Orange County

Feel free to contact me with any questions.

Respectfully Submitted,



W. P. Sittig, CPA

\*PFS is the AICPA's Personal Financial Specialist certification for members who have fulfilled established requirements and by demonstrating necessary qualifications for advisors.

Members

Florida Institute of Certified Public Accountants • American Institute of Certified Public Accountants