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## PIE COMMITTEE MEETING

December 1, 2023

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**Stacy M. Butterfield, CPA**  
POLK COUNTY  
EXECUTIVE COUNCIL CHAIR

**Tiffany Moore Russell, ESQ.**  
ORANGE COUNTY  
VICE-CHAIR

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

CRYSTAL K. KINZEL  
COLLIER COUNTY  
SENATE APPOINTEE

TOM BEXLEY  
FLAGLER COUNTY  
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BERTILA SOTO  
11TH JUDICIAL CIRCUIT JUDGE  
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ROB BRADLEY  
BRADLEY, GARRISON & KOMANDO, P.A.  
GENERAL COUNSEL

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

## PERFORMANCE IMPROVEMENT AND EFFICIENCIES COMMITTEE MEETING

**December 1, 2023**

**Meeting:** 10:00 AM – 12:00 PM, Eastern

**WebEx Link:** <https://flclerks.webex.com/flclerks/j.php?MTID=m4c3f7d3f1899499b2b2e0493c0a0d68e>

**Meeting Number:** 2301 584 8072; **Password:** CCOC

**Conference Call:** 1-866-469-3239; **Access Code:** 2301 584 8072

- 1) Call to Order and Approve Agenda.....Hon. Laura Roth
- 2) Approve Minutes from 9/01/23 Meeting .....Marleni Bruner
- 3) CFY 2022-23 Quarter 4 PMAP Report.....Marleni Bruner
- 4) Cases/Subcases Update .....Johnny Petit
- 5) Peer Group Analysis.....Hon. Gary Cooney
- 6) Other Business.....Hon. Laura Roth

**Committee Members:** Laura E. Roth, Esq. (Volusia), Chair, Stacy Butterfield, CPA (Polk), Doug Chorvat, Jr. (Hernando), Gary J. Cooney, Esq. (Lake), Brenda D. Forman (Broward), Tara S. Green (Clay), Crystal K. Kinzel (Collier), Michelle R. Miller (St. Lucie), Matt Reynolds (Putnam), Victoria L. Rogers (Hardee), Clayton O. Rooks (Jackson), Angela Vick (Citrus)

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## Minutes of September 1, 2023, PIE Committee Meeting

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

The Performance Improvement and Efficiencies Committee of the Clerk of Courts Operation Corporation (CCOC) held a meeting via WebEx on 9/1/23. An agenda and materials were distributed and posted on the CCOC website before the meeting. Provided below is a summary of staff notes from the meeting. These staff notes are designed to document committee action, not to be a complete record of committee discussions. All motions adopted by the committee are in **bold** text. All action items based on committee direction are in **red** and **bold** text.

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

The meeting was called to order by Chair Laura Roth. Marleni Bruner, CCOC Performance, Policy, & Education Director, called the roll.

Present for meeting [WebEx]: Chair Roth, Clerk Doug Chorvat, Jr., Clerk Brenda D. Forman, Clerk Tara S. Green, Clerk Crystal K. Kinzel (joined late), Clerk Michelle Miller, Clerk Matt Reynolds, Clerk Clayton O. Rooks, III, Clerk Angela Vick

Absent from the meeting: Clerk Butterfield, Clerk Gary J. Cooney, Clerk Victoria L. Rogers

### 2. Agenda Item 2 – Approve Minutes from 6/9/23 Meeting

The minutes from the 6/9/23 PIE Committee meeting were presented. Clerk Roth mentioned that from the last meeting, there was a request to bring forward a recommendation on the peer group but as Clerk Cooney was unavailable for this meeting it will be moved to the meeting on December 1, 2023. There were no questions, comments, or edits.

**A motion to approve the minutes as presented was made by Clerk Vick and seconded by Clerk Forman. The motion was adopted by consent.**

### 3. Agenda Item 3 – CFY 2022-23 Quarter 3 PMAP Report

Ms. Bruner presented the CFY 2022-23 Quarter 3 Performance Measures and Actions Plans report to the Committee. She highlighted that Quarter 3 was only off by one or two from

Quarter 2 with some categories being higher and some lower. There were 11 counties that did not require any action plans. A slight increase in action plans for Collections while Filing Timeliness remained the same and Docketing and Juror Timeliness saw a slight decrease in action plans.

Clerk Roth asked about the flood of cases that came in and Ms. Bruner pointed out that those came in during Quarter 2. The data showed that the court division where the new case type occurred showed an increase, while other categories decreased so you can see clerks putting their staff time into the new case type. Clerk Roth also pointed out that in Volusia County they are all caught up and finally timely.

Clerk Green stated that we should periodically take a look at what we are measuring and wanted to know if the committee planned to bring that up again. Clerk Roth stated that yes, the committee meant to look at it and some things went off the rails, but that it will be discussed this year. Jason Welty, CCOC Deputy Executive Director, stated that the CCOC hired Nicole Taylor knowing that after the Guardianship project was done, she could work on performance measures as she had done that with the Department of Corrections; however, the CCOC lost her to the e-filing portal. The CCOC will need to restructure some projects to have staff available for this project.

**A motion to approve the CFY 2022-23 Quarter 3 PMAP Report was made by Clerk Chorvat and seconded by Clerk Miller. The motion passed unanimously.**

#### 4. Agenda Item 4 – Case/Subcases Update

My. Welty presented the cases and subcases update. He indicated that the total number of cases was 1% less from June of 2022. The year-over-year decrease is primarily driven by a drop in civil and civil traffic cases. Civil traffic cases fluctuate greatly due to external reasons which lead to this decrease, as well as the 24% drop in circuit civil cases, and the 9% decrease in probate cases.

Looking at the year-to-date data, there was a 13% increase from the same period last year, in part due to the tsunami of cases we saw in March of this year. Criminal, civil, and civil traffic cases increased between 5 and 27%; however criminal and civil traffic is still below historical levels (CFY 2018-19).

Civil traffic lags behind historical levels by 4% but is up 7% over last year. Civil skyrocketed but had a weak return. There was the huge increase in March but since then has been weaker than average. Before March, there was an average of 12,300 Circuit Civil cases. After March, that average dropped to 11,300 cases. Notable decreases include:

- Auto Negligence Pre-March: 2,764 per month
- Auto Negligence Post-March: 1,183 per month
- Other Negligence Pre-March: 1,494 per month
- Other Negligence Post-March: 783 per month

Criminal cases are up 5 percent year-over-year but down 13 percent from CFY 2018-19. Mr. Welty also mentioned that the Outputs Report has been modified as of July, so everyone needs to use the most recent form to assist with the updated background programming.

Clerk Roth directed everyone to look at the CFY 2022-23 YTD Cases and trends. She noted that this is the classic story of the clerks. There was a 13% increase in some broad categories, but you are handling the workload with the same staff or less. Some categories increased by 5% to 27%, while the easiest case type that brings in the most money, civil traffic, is down. Therein lies the trap and the difficulty of the clerk funding model.

5. Agenda Item 5 – Modification of Application for Civil Indigent Status

Mr. Welty presented this agenda item. The CCOC is statutorily tasked with creating and amending the Application for Determination of Civil Indigent Status which is then sent to the Supreme Court for their approval and publication. The court in the 19th Circuit asked CCOC to review the form and potentially revise it due to an issue they are facing with appointing a Civil Regional Counsel (CRC) attorney in certain guardianship cases.

Clerk Butler (Indian River), Clerk Miller (Saint Lucie), and Clerk Timmann (Martin) all discussed the reasons for requesting the change such as the payments to attorneys from the Justice Administration Commission (JAC) who were appointed to a ward through the Regional Conflict Council. This also helps if the ward's indigence status changes during the process.

**A motion to approve the Civil Indigent Status application with a box added before “on behalf of the petitioner” and the change to the third box “Other – Ward is non-indigent” was made by Clerk Green and seconded by Clerk Miller. Clerk Timmann wanted a note added to not complete the financial information if the ward is non-indigent. The motion passed unanimously.**

Clerk Roth requested that FCCC Best Practices review to see if any adjustments would be needed to correspond with the change. Cheri Wright, FCCC Best Practices Coordinator, said she would look into it and schedule a meeting if needed.

6. Agenda Item 6 – Driver's License Reinstatement Event Reporting

Ms. Bruner presented on this issue. Clerks are required to hold at least one driver's license reinstatement event each year. Cases are to be tracked for 12 months following the event. CCOC staff is having a hard time getting counties to submit the follow-up form. Counties have reported that they have a hard time tracking cases for that length of time. CCOC staff is recommending that the tracking period be reduced to 3 months.

Clerk Chorvat said he was in favor of the minimum timeframe for tracking. He stated that driver's license reinstatement events take a lot of work. In his county, judges put pressure to recall cases from collections. Clerk Kinzel wanted to show that driver's license reinstatement events are cumbersome and cost more than they generate. She also stated that individuals fail multiple times and get put back on payment plans repeatedly.



Clerk Green agreed but stated that this is a different issue than what is being presented. These events are required by statute. She agreed with the reduction of tracking time to 3 months and wants to look at a different method for tracking the effectiveness of these events. She also agreed that it is problematic to have repeated failures; however, she is a proponent of payment plans as the number one goal is to assist people. She recognized that some people are playing the system, and some are just struggling.

Clerk Miller said she did not want to deviate from allowing clerks to determine how many times to allow someone back on a payment plan. Clerk Chorvat said everyone needed to look at the efficiencies of their office. Clerk Green stated that clerks need to consider what is good policy versus workload.

**A motion to amend the time for a follow-up report from 12 months after an event to 3 months was made by Clerk Chorvat and seconded by Clerk Miller. The motion passed with one nay vote from Clerk Kinzel.**

**A motion was made by Clerk Chorvat and seconded by Clerk Miller that the change will be effective October 1, 2022, and applicable to events held in CFY 2022-23. The motion passed with one nay vote from Clerk Kinzel.**

7. Agenda Item 7 – FCCC/CCOC Joint Compliance Summit Update

Ms. Bruner explained that the FCCC/CCOC Joint Compliance Summit will be on October 4<sup>th</sup> and 5<sup>th</sup> and is a free event with less than 30 spots left. Clerk Roth recommended that clerks attend or send staff.

8. Agenda Item 8 – Payment Plan Workgroup Update

Payment Plan Workgroup has held 4 meetings so far. The workgroup has developed a form to track the monthly number of cases put on a payment plan and the number of payment plans. In one county, when the IT staff went to pull the figures, they realized that one of their policies was not being followed consistently. The workgroup is currently tracking all court divisions; however, much discussion revealed that if this form were to be implemented statewide, there are categories that would likely be eliminated. The workgroup is small and would like to have more counties participating, especially small ones.

Clerk Vick wanted to encourage counties to participate because this data is very interesting. Clerk Roth wondered how to capture the cyclical nature of the failures and successes. Clerk Green stated that this workgroup is just a starting point to figure out how we can track payment plans in a uniform way. There is a lot more we can get out of this data. The group has discussed using CCIS data, which is close but not there yet. Right now the form is tracking performance of payment plans, the default and success rate.

Doug Isabelle stated this is Phase 1 to count things first and to define what is default. Clerk Chorvat stated that the legislature is going to ask for more information. Clerk Roth encouraged others to join the workgroup. Clerk Kinzel stated that there is another element

missing which is the cost of this compliance. To look at the benefit of tracking or the cost to track the turnover to collections. Clerk Chorvat stated there needed to be uniformity and that the mapping to become standard. Clerk Green said it is possible and is a matter of what is put into the workload. Clerk Roth said Business Rules could work from a statewide perspective.

9. Agenda Item 9 - Other Business

PIE Committee will meet via WebEx from 10 AM – 12 PM on the following dates:

- 12/1/2023
- 3/15/2024
- 6/14/2024
- 9/13/2024
- 12/6/2024

Clerk Roth adjourned the meeting at 11:23 AM.

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## AGENDA ITEM 3

**DATE:** December 1, 2023  
**SUBJECT:** CFY 2022-23 Quarter 4 PMAP Report  
**COMMITTEE ACTION:** Approve CFY 2022-23 Quarter 4 PMAP Report

### OVERVIEW:

The CCOC has completed the CFY 2022-23 Quarter 4 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.

### Report Highlights

The Performance Measures and Action Plans 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	54	603	118
Filing – Timeliness	16	670	28
Docketing – Timeliness	9	670	14
Timely Juror Payments	5	67	5

- There were 10 counties that did not require any action plans.
- Action plans for Collections and Juror Timeliness remained the same while Filing and Docketing Timeliness decreased.

**COMMITTEE ACTION:** Approve CFY 2022-23 Quarter 4 PMAP Report

**LEAD STAFF:** Marleni Bruner, CCOC Performance, Policy, and Education Director

**ATTACHMENTS:** None

*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 4

**DATE:** December 1, 2023  
**SUBJECT:** Cases/Subcases Update  
**COMMITTEE ACTION:** Information Only

### OVERVIEW:

Case Type	Sep-19	Sep-21	Sep-22	Sep-23
Criminal	77,301	70,135	71,060	76,133
Civil	100,638	114,210	116,790	119,370
Civil Traffic	246,158	188,423	204,642	208,071
Grand Total	424,097	372,768	392,492	403,574
Cases from Jul-Sep				
Case Type	CFY 2018-19	CFY 2020-21	CFY 2021-22	CFY 2022-23
Criminal	250,303	209,932	227,697	234,967
Civil	327,235	358,061	387,621	365,724
Civil Traffic	707,553	573,789	652,569	653,111
Grand Total	1,285,091	1,141,782	1,267,887	1,253,842
Cases from Oct-Sep				
Case Type	CFY 2018-19	CFY 2020-21	CFY 2021-22	CFY 2022-23
Criminal	1,027,560	834,570	872,670	918,811
Civil	1,302,011	1,534,858	1,416,156	1,677,709
Civil Traffic	2,678,162	2,239,930	2,415,283	2,548,072
Grand Total	5,007,733	4,609,358	4,704,109	5,144,592

- September 2023 Cases
  - The total cases reported were 403,574.
    - This amount is 2.82% above year over year.
    - The year-over-year increase is primarily driven by an increase in criminal cases up by 7.14%.
      - Civil traffic cases were up 1.68%.
      - Civil cases were up 13%.

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## AGENDA ITEM 4 - CASES/SUBCASES UPDATE

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- **CFY 2022-23 Quarter 4 Cases and Trends**
  - The total cases reported were 1,253,842.
    - A 1.11 percent decrease over the same period last year.
  - **Civil Traffic continues to lag historical levels but is slightly up over last year.**
    - There was an .08 percent increase over last year, but a 7.69 percent gap between the current year and the baseline year of CFY 2018-19
  - **Civil is saw a slight decrease in Quarter 4.**
    - There were 14,753 less county civil cases, down 6.34 percent from CFY 2021-22.
  - **Criminal is up year over year but down from historical levels.**
    - Criminal cases are up 3.19% year over year.
    - The criminal divisions in CFY 2022-23 are 6.13 percent below the baseline year of CFY 2018-19.
- **CFY 2022-23 Oct to Sept Cases**
  - The total cases reported were 5,144,592.
    - This amount is 9.36 percent more year over year.
    - The year-over-year increase is primarily driven by increased civil cases, up 18.47 percent from last year.
      - Criminal cases were up 5.29 percent.
      - Civil traffic cases were up 5.5 percent.
  - The total 5,144,592 reported cases represent.
    - A 2.73 percent increase over the 2018-19 baseline
    - 136,859 cases over the 2018-19 baseline
  - **Civil Traffic continues to lag behind historical levels but is up over last year.**
    - There was a 5.5 percent increase over last year, but a 4.85 percent gap between the current year and the baseline year of CFY 2018-19
  - **Civil continues to increase.**
    - There were 191,029 more county civil cases, up 24.02 percent over CFY 2021-22.
    - Civil cases were not up year over year by 18.47%, there were 375,698 cases above the 2018-19 baseline, a 28.86% increase.
  - **Criminal is up year over year but down from historical levels.**
    - Criminal cases are up 5.29 percent year-over-year but down 10.6 percent from CFY 2018-19.

**COMMITTEE ACTION:** Information Only

**LEAD STAFF:** Johnny Petit, CCOC Actuarial Performance Analyst  
Marleni Bruner, CCOC Performance, Policy, and Education Director

**ATTACHMENTS:**

1. Historical Case Types
2. Historical Total Cases

	CFY1819			CFY1920			CFY2021			CFY2122			CFY2223		
County	Civil	Civil Traffic	Criminal	Civil	Civil Traffic	Criminal	Civil	Civil Traffic	Criminal	Civil	Civil Traffic	Criminal	Civil	Civil Traffic	Criminal
Alachua	12,548	25,252	11,691	10,489	26,304	11,445	11,419	31,560	10,615	12,030	30,632	9,926	14,375	24,279	9,413
Baker	1,335	2,212	1,544	1,203	1,575	1,404	1,065	1,789	1,368	1,116	1,669	1,476	1,147	2,255	1,663
Bay	13,006	18,076	22,771	10,352	17,211	19,961	9,300	17,969	19,701	9,241	18,584	19,978	9,899	19,066	19,442
Bradford	1,483	7,594	2,350	1,231	7,527	2,179	1,174	7,184	2,014	1,230	7,844	1,725	1,238	9,308	1,886
Brevard	28,593	42,778	29,392	28,655	38,475	26,170	28,532	42,168	25,865	28,978	40,082	25,344	29,303	39,802	25,451
Broward	142,975	251,742	69,645	157,219	156,683	46,566	201,618	158,461	46,090	154,894	182,969	46,185	180,519	212,274	53,735
Calhoun	739	552	625	617	507	890	590	971	692	621	2,136	891	622	2,405	796
Charlotte	9,839	10,499	8,971	9,201	9,549	7,771	10,598	10,853	9,655	10,555	12,713	9,084	11,703	13,340	10,438
Citrus	7,868	9,578	5,417	6,921	10,518	5,166	7,947	12,665	5,911	8,029	14,227	5,880	8,345	16,601	5,853
Clay	9,511	26,552	7,934	8,854	25,614	8,023	10,227	24,151	6,373	10,335	24,288	6,591	10,493	27,173	6,933
Collier	18,478	35,620	11,429	17,167	33,226	9,759	17,438	35,728	10,988	16,886	41,463	11,702	17,540	37,626	11,592
Columbia	4,430	7,419	3,746	3,754	7,246	3,678	3,666	8,288	3,845	3,870	9,154	4,372	4,154	5,797	3,745
DeSoto	1,341	3,422	2,084	1,225	3,014	2,045	1,341	3,296	2,073	1,387	2,771	1,923	1,541	4,294	2,158
Dixie	755	1,669	1,033	688	1,407	924	809	1,408	1,019	815	1,403	820	763	1,789	1,097
Duval	68,106	108,091	63,626	65,518	98,004	52,372	84,358	144,325	53,850	77,572	124,224	56,538	85,267	108,083	54,864
Escambia	17,357	28,278	23,278	15,323	18,564	16,510	19,339	18,034	15,917	18,734	20,471	15,331	19,285	18,095	15,723
Flagler	6,001	8,574	4,367	6,140	6,335	3,982	5,114	6,052	4,152	5,133	6,880	4,522	5,410	7,609	4,858
Franklin	618	817	992	614	710	1,056	497	645	1,055	587	720	1,249	615	1,245	1,307
Gadsden	2,709	5,456	1,971	2,236	5,071	1,807	2,169	8,153	1,848	2,182	6,789	1,811	2,535	4,845	1,712
Gilchrist	751	1,589	787	597	1,979	928	696	1,543	835	648	1,717	868	700	1,376	857
Glades	368	6,221	919	324	3,578	791	416	4,424	687	435	3,101	767	439	3,005	644
Gulf	816	391	1,005	713	471	1,027	652	445	921	706	454	1,024	675	690	1,067
Hamilton	687	2,777	1,742	638	2,037	1,055	625	2,442	926	640	3,175	1,023	617	2,323	980
Hardee	967	3,654	2,003	841	2,954	1,656	919	3,373	1,674	1,018	3,396	1,423	1,041	5,339	1,549
Hendry	1,673	5,445	2,582	1,255	4,200	2,624	1,488	4,444	2,202	1,723	2,345	2,135	1,640	4,229	2,204
Hernando	11,976	14,591	7,704	10,814	11,822	7,138	11,636	12,377	6,264	11,568	12,609	6,127	12,241	15,043	7,112
Highlands	4,721	5,939	4,236	3,743	5,154	3,726	4,284	5,499	3,712	4,783	6,075	3,520	5,050	5,854	4,281
Hillsborough	115,180	135,964	66,982	120,395	95,097	52,423	179,888	92,552	54,370	147,370	110,332	57,760	194,005	106,871	61,844
Holmes	846	2,224	1,230	694	1,970	1,283	753	2,290	1,433	796	1,665	1,386	897	1,242	1,184
Indian River	6,766	14,838	6,300	6,033	10,695	5,743	6,754	11,219	5,513	6,728	10,255	5,245	6,973	11,715	5,949
Jackson	2,434	5,973	1,988	2,350	5,753	1,839	2,051	6,852	1,815	2,081	5,226	1,765	2,399	5,232	1,941
Jefferson	444	3,086	814	454	2,408	588	452	2,522	628	450	3,236	726	441	3,284	698
Lafayette	304	513	296	288	253	218	309	178	222	255	476	315	230	625	205
Lake	16,157	31,062	13,738	14,521	25,078	12,207	16,405	27,288	12,671	16,673	29,128	13,361	18,211	30,847	13,647
Lee	40,643	91,828	31,387	41,623	46,723	25,789	46,641	33,622	24,331	42,633	34,097	27,784	51,810	44,745	28,287
Leon	16,673	24,167	12,634	14,068	15,480	9,285	15,056	18,124	9,165	16,563	22,544	10,135	17,187	22,675	9,762
Levy	2,020	3,982	3,021	1,824	4,594	2,463	1,993	5,174	2,574	1,936	6,201	2,846	2,107	5,266	2,564
Liberty	316	1,246	512	298	1,058	442	300	1,373	392	312	1,363	445	306	1,023	343

	CFY1819			CFY1920			CFY2021			CFY2122			CFY2223		
County	Civil	Civil Traffic	Criminal	Civil	Civil Traffic	Criminal	Civil	Civil Traffic	Criminal	Civil	Civil Traffic	Criminal	Civil	Civil Traffic	Criminal
Madison	910	12,097	1,160	771	8,149	931	773	7,690	1,061	855	7,982	975	842	7,078	1,116
Manatee	17,258	26,854	16,117	15,831	25,100	13,848	19,232	27,601	13,129	17,543	34,598	12,760	18,585	31,372	13,722
Marion	21,024	16,525	16,185	16,101	16,080	16,928	18,546	15,430	15,121	18,903	14,319	15,418	20,971	17,053	16,158
Martin	6,682	19,948	7,548	6,020	18,251	6,609	6,848	14,131	6,506	6,746	16,238	6,738	6,999	17,132	7,414
Miami-Dade	211,792	675,711	123,616	185,539	457,806	85,637	266,777	510,080	95,566	266,583	582,636	104,575	365,053	589,338	113,650
Monroe	4,107	20,090	9,687	3,287	18,892	8,170	3,626	24,142	9,939	3,660	23,285	11,256	3,623	26,057	11,551
Nassau	3,419	8,057	5,008	3,660	6,946	4,022	3,516	6,353	3,489	3,383	6,872	3,511	3,717	6,840	4,049
Okaloosa	10,027	14,936	13,457	8,994	14,550	12,781	9,237	13,594	13,194	8,968	13,061	12,371	9,709	14,026	12,310
Okeechobee	1,875	5,140	2,805	1,564	2,922	2,458	1,753	3,055	2,542	1,821	2,972	2,776	2,038	3,288	2,735
Orange	98,647	236,918	56,972	105,241	203,289	47,918	131,027	238,935	47,832	111,895	254,966	44,943	135,760	323,181	48,185
Osceola	20,006	56,832	15,703	18,481	51,873	12,488	21,627	56,082	11,736	21,726	56,193	10,987	24,164	60,784	14,066
Palm Beach	82,713	173,533	75,318	72,015	129,268	58,442	81,617	163,732	56,931	75,524	161,517	62,429	77,169	174,073	64,834
Pasco	28,859	32,062	28,479	25,856	24,640	21,157	29,186	27,196	19,182	28,862	28,036	18,524	31,474	27,439	18,909
Pinellas	53,049	78,252	58,146	47,500	63,731	46,871	51,684	66,840	44,385	49,755	74,992	49,738	52,715	72,775	49,781
Polk	41,090	78,256	39,151	35,273	55,274	33,620	38,700	58,544	32,213	40,154	70,052	33,957	47,052	74,406	36,154
Putnam	3,762	4,613	4,904	3,538	3,374	4,410	3,740	3,073	3,972	4,018	3,995	4,293	4,433	7,154	4,590
Saint Johns	8,932	17,907	10,210	8,008	14,713	9,255	10,267	15,966	9,247	10,513	18,616	11,464	14,156	22,904	12,108
Saint Lucie	16,860	36,782	12,905	14,579	32,653	12,148	17,033	28,799	12,363	16,944	32,665	12,037	17,980	34,856	13,241
Santa Rosa	7,068	20,476	8,483	6,227	17,526	6,973	7,389	16,849	6,931	6,687	18,379	7,982	7,072	22,299	8,533
Sarasota	22,663	48,154	18,299	20,262	36,945	15,209	23,226	40,104	15,120	22,239	49,972	18,187	25,647	46,490	19,413
Seminole	21,037	67,747	17,617	19,590	49,575	11,741	25,551	58,872	14,320	21,367	58,150	14,847	24,183	58,700	16,257
Sumter	3,504	12,940	5,048	3,561	10,743	4,585	4,113	9,054	4,545	4,370	11,129	4,699	4,727	11,504	5,279
Suwannee	2,124	3,805	2,552	1,906	3,971	2,118	1,997	4,833	2,638	1,832	3,536	2,165	1,936	3,846	2,319
Taylor	984	3,414	1,389	801	2,244	1,369	973	2,914	1,403	997	2,592	1,415	1,136	1,888	1,346
Union	639	524	452	479	405	381	524	516	447	559	759	460	544	680	401
Volusia	35,245	48,189	36,666	36,280	39,145	31,785	41,208	44,899	30,502	42,526	49,647	30,416	47,313	54,069	30,049
Wakulla	1,408	2,816	1,616	1,271	2,753	1,338	1,377	3,667	1,350	1,395	3,387	1,575	1,955	2,557	1,646
Walton	3,661	4,166	3,838	3,285	4,142	4,186	3,633	4,424	4,495	3,525	5,315	6,957	3,809	5,777	9,966
Washington	1,232	1,747	1,483	1,036	1,855	1,183	1,159	3,114	1,045	1,293	3,008	1,212	1,224	3,236	1,245
<b>TOTALS:</b>	1,302,011	2,678,162	1,027,560	1,235,836	2,025,659	831,494	1,534,858	2,239,930	834,570	1,416,156	2,415,283	872,670	1,677,709	2,548,072	918,811

County	CFY1819	CFY1920	CFY2021	CFY2122	CFY2223	% Change from Prior Year
Alachua	49,491	48,238	53,594	52,588	48,067	-9%
Baker	5,091	4,182	4,222	4,261	5,065	19%
Bay	53,853	47,524	46,970	47,803	48,407	1%
Bradford	11,427	10,937	10,372	10,799	12,432	15%
Brevard	100,763	93,300	96,565	94,404	94,556	0%
Broward	464,362	360,468	406,169	384,048	446,528	16%
Calhoun	1,916	2,014	2,253	3,648	3,823	5%
Charlotte	29,309	26,521	31,106	32,352	35,481	10%
Citrus	22,863	22,605	26,523	28,136	30,799	9%
Clay	43,997	42,491	40,751	41,214	44,599	8%
Collier	65,527	60,152	64,154	70,051	66,758	-5%
Columbia	15,595	14,678	15,799	17,396	13,696	-21%
DeSoto	6,847	6,284	6,710	6,081	7,993	31%
Dixie	3,457	3,019	3,236	3,038	3,649	20%
Duval	239,823	215,894	282,533	258,334	248,214	-4%
Escambia	68,913	50,397	53,290	54,536	53,103	-3%
Flagler	18,942	16,457	15,318	16,535	17,877	8%
Franklin	2,427	2,380	2,197	2,556	3,167	24%
Gadsden	10,136	9,114	12,170	10,782	9,092	-16%
Gilchrist	3,127	3,504	3,074	3,233	2,933	-9%
Glades	7,508	4,693	5,527	4,303	4,088	-5%
Gulf	2,212	2,211	2,018	2,184	2,432	11%
Hamilton	5,206	3,730	3,993	4,838	3,920	-19%
Hardee	6,624	5,451	5,966	5,837	7,929	36%
Hendry	9,700	8,079	8,134	6,203	8,073	30%
Hernando	34,271	29,774	30,277	30,304	34,396	14%
Highlands	14,896	12,623	13,495	14,378	15,185	6%
Hillsborough	318,126	267,915	326,810	315,462	362,720	15%
Holmes	4,300	3,947	4,476	3,847	3,323	-14%
Indian River	27,904	22,471	23,486	22,228	24,637	11%
Jackson	10,395	9,942	10,718	9,072	9,572	6%
Jefferson	4,344	3,450	3,602	4,412	4,423	0%
Lafayette	1,113	759	709	1,046	1,060	1%
Lake	60,957	51,806	56,364	59,162	62,705	6%
Lee	163,858	114,135	104,594	104,514	124,842	19%
Leon	53,474	38,833	42,345	49,242	49,624	1%
Levy	9,023	8,881	9,741	10,983	9,937	-10%
Liberty	2,074	1,798	2,065	2,120	1,672	-21%

County	CFY1819	CFY1920	CFY2021	CFY2122	CFY2223	% Change from Prior Year
Madison	14,167	9,851	9,524	9,812	9,036	-8%
Manatee	60,229	54,779	59,962	64,901	63,679	-2%
Marion	53,734	49,109	49,097	48,640	54,182	11%
Martin	34,178	30,880	27,485	29,722	31,545	6%
Miami-Dade	1,011,119	728,982	872,423	953,794	1,068,041	12%
Monroe	33,884	30,349	37,707	38,201	41,231	8%
Nassau	16,484	14,628	13,358	13,766	14,606	6%
Okaloosa	38,420	36,325	36,025	34,400	36,045	5%
Okeechobee	9,820	6,944	7,350	7,569	8,061	7%
Orange	392,537	356,448	417,794	411,804	507,126	23%
Osceola	92,541	82,842	89,445	88,906	99,014	11%
Palm Beach	331,564	259,725	302,280	299,470	316,076	6%
Pasco	89,400	71,653	75,564	75,422	77,822	3%
Pinellas	189,447	158,102	162,909	174,485	175,271	0%
Polk	158,497	124,167	129,457	144,163	157,612	9%
Putnam	13,279	11,322	10,785	12,306	16,177	31%
Saint Johns	37,049	31,976	35,480	40,593	49,168	21%
Saint Lucie	66,547	59,380	58,195	61,646	66,077	7%
Santa Rosa	36,027	30,726	31,169	33,048	37,904	15%
Sarasota	89,116	72,416	78,450	90,398	91,550	1%
Seminole	106,401	80,906	98,743	94,364	99,140	5%
Sumter	21,492	18,889	17,712	20,198	21,510	6%
Suwannee	8,481	7,995	9,468	7,533	8,101	8%
Taylor	5,787	4,414	5,290	5,004	4,370	-13%
Union	1,615	1,265	1,487	1,778	1,625	-9%
Volusia	120,100	107,210	116,609	122,589	131,431	7%
Wakulla	5,840	5,362	6,394	6,357	6,158	-3%
Walton	11,665	11,613	12,552	15,797	19,552	24%
Washington	4,462	4,074	5,318	5,513	5,705	3%
<b>TOTALS</b>	5,007,733	4,092,989	4,609,358	4,704,109	5,144,592	9%



**Stacy M. Butterfield, CPA**  
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EXECUTIVE COUNCIL CHAIR

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**FLORIDA CLERKS OF COURT**  
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## AGENDA ITEM 5

**DATE:** December 1, 2023  
**SUBJECT:** Peer Group Analysis  
**COMMITTEE ACTION:** Discuss Peer Group Analysis

### OVERVIEW:

Changes to similarly situated clerks, more commonly known as Peer Groups, were last adopted by the CCOC Executive Council on September 29, 2020. Clerk Cooney has provided a revised analysis that includes two options. Option one organizes Peer Groups by the University of Florida BEBR population estimates as of April 1, 2022. The second option organizes Peer Groups by weighted cases for CFY 2021-22.

The following guidelines were also considered:

1. No less than four (4) counties per peer group;
2. No county in a population peer group with a county with more than twice its population; and
3. No county in a weighted case peer group with a county with more than twice its total weighted cases

**COMMITTEE ACTION:** Discuss Peer Group Analysis

**LEAD STAFF:** Clerk Gary L. Cooney, Lake County  
Marleni Bruner, CCOC Performance, Policy, and Education Director

### ATTACHMENTS:

1. Report on Peer Group Analysis

## Report on Peer Group Analysis

Pursuant to Paragraph 28.35(2)(f), Florida Statutes, approving the proposed budgets submitted by clerks of the court is one of the duties of the Florida Clerks of Court Operations Corporation. As part of that approval process, Sub-paragraph 28.35(2)(f)2. requires the Corporation to “[p]repare a cost comparison of similarly situated clerks of the court, based upon *county population and numbers of filings*, using the standard list of court related functions specified in paragraph (3)(a).” (emphasis added) Based upon this requirement, this analysis utilized the following information:

1. The University of Florida BEBR estimates of population for each county as of April 1, 2022;
2. The total weighted cases reported by each county for the fiscal 2021-2022 fiscal year.

This analysis kept in mind the rule from the currently adopted peer group study that no county should be in a peer group with a county with more than twice its population. Likewise, this rule was applied to total weighted case numbers.

An analysis of case counts, costs, and budgets requires statistical calculations. Many times, the first step in those statistical calculations is the determination of the standard deviation. Generally, after this determination is made, a reviewer looks for those data points which are at least two standard deviations from the mean. With this being the case, it can be argued that peer groups with only one, two, or three members should not be used, as no meaningful standard deviation analysis will occur with data from so few members. Although internally the CCOC budget committee compares all counties, the Legislature apparently envisioned some type of peer group system for budget comparison purposes.

CCOC is required by Sub-paragraph 28.35(2)(f)2. to prepare a cost comparison of similarly situated clerks, and by Sub-paragraph 28.35(2)(f)9. to “identify the budget of any clerk which exceeds the average budget of similarly situated clerks by more than 10 percent.” While it could be argued that no county is similarly situated to Miami-Dade, the caseload per population studies placed Miami-Dade in various places along the number of cases or number of weighted cases per population continuum. Therefore, Miami-Dade is capable of being compared and could be placed in a multi-county peer group. If placed in a multi-county peer group, Miami-Dade will be identified as a county with a budget which exceeds the average budget of the counties in the peer group by more than 10 percent. Likewise, on the small county end of the scale, Lafayette’s small weighted case numbers also deserve some special consideration.

The evaluations of possible peer groups by total population and by weighted case count each yielded eight peer groups with slight variations. In order to provide meaningful peer groups for statistical purposes it is necessary to combine the rules for initially determining peer groups with rules for creating statistically meaningful peer groups. For example, if the peer groups are created using total population, and the rule of no county shall be in a peer group with another

county which is more than twice its population is applied, eight peer groups would be created, but the eighth peer group would consist of only Broward and Miami-Dade. No helpful statistical analysis could be made by simply comparing these two counties to each other. Similarly, if peer groups are created using weighted case count numbers, and the rule of no county shall be in a peer group with another county which has more than twice its case count numbers is applied, nine peer groups would be created, but the first peer group would consist of only Lafayette, Liberty, and Union counties, and the last peer group would only consist of Miami-Dade. Once again, no helpful statistical analysis could be made by simply comparing the smallest three counties to each other and Miami-Dade to itself. Therefore, depending on which numbers are being used, adjustments to at least one end of the scale will be necessary.

Having said the above, it is my recommendation that we continue to use eight (8) peer groups. Further, it appears the similarly situated counties should be based upon either population or case counts in order to be consistent with Sub-paragraph 28.35(2)(f)2. For budgeting purposes, pure case counts without workload weighting are not very helpful. Whether a peer group is based upon population or weighted workloads, questions will always be asked about the other measure; therefore, either method seems appropriate for CCOC purposes. Based upon the current case weighting and a hybrid of the guidelines mentioned above:

- 1) No less than four (4) counties per peer group;
- 2) No county in a population peer group with a county with more than twice its population; and
- 3) No county in a weighted case peer group with a county with more than twice its total weighted cases

the possible peer groups by population and by weighted case count would be:

County	April 1, 2022 Peer Population Estimate		County	Total Weighted Cases 2021/22	Peer
Lafayette	7,808	1	Lafayette	4,538.0	1
Liberty	7,831	1	Liberty	7,148.5	1
Glades	12,273	1	Union	7,861.5	1
Franklin	12,729	1	Gulf**	11,107.0	1
Hamilton	13,395	1	Glades	11,559.5	2
Calhoun	13,740	1	Franklin	12,254.0	2
Jefferson	14,923	1	Gilchrist	12,406.5	2
Union	15,550	1	Jefferson	12,499.0	2
Gulf	15,938	2	Dixie	12,763.5	2
Dixie	16,988	2	Calhoun	13,234.0	2

Madison	18,438	2	Hamilton	15,370.5	2
Gilchrist	18,841	2	Holmes	16,678.5	2
Holmes	19,784	2	Taylor	19,523.0	2
Taylor	21,375	2	Baker	19,595.5	2
Washington	25,461	2	Washington	20,364.0	2
Hardee	25,544	2	Hardee	20,386.0	2
Bradford	27,013	2	Wakulla	23,389.5	3
Baker	27,881	2	Madison	24,042.0	3
DeSoto	34,748	3	Desoto	26,500.5	3
Wakulla	35,169	3	Hendry	28,223.5	3
Okeechobee	39,385	3	Suwannee	30,781.0	3
Hendry	40,633	3	Bradford	30,987.0	3
Gadsden	43,967	3	Jackson	32,334.0	3
Levy	44,288	3	Okeechobee	34,476.0	3
Suwannee	44,688	3	Gadsden	35,454.5	3
Jackson	48,395	3	Levy	39,743.5	3
Columbia	71,525	4	Nassau	53,930.0	4
Putnam	74,249	4	Putnam	59,943.5	4
Walton	79,544	4	Highlands	61,752.5	4
Monroe	83,961	4	Columbia	65,278.0	4
Nassau	95,809	4	Walton	70,373.5	4
Highlands	103,102	4	Flagler	71,591.0	4
Flagler	124,202	4	Sumter	72,197.5	4
Sumter	141,420	4	Indian River	87,914.5	4
Citrus	158,009	5	Citrus	102,654.5	4
Martin	161,655	5	Martin	104,015.0	4
Indian River	165,559	5	Santa Rosa	119,938.5	5
Bay	184,002	5	Monroe	121,354.5	5
Charlotte	196,742	5	Hernando	128,656.5	5
Santa Rosa	196,834	5	Charlotte	140,392.5	5
Hernando	199,207	5	Clay	142,202.0	5
Okaloosa	215,751	5	Okaloosa	154,122.5	5
Clay	225,553	5	Saint Johns	160,469.0	5
Alachua	287,872	5	Alachua	185,378.0	5
St. Johns	296,919	5	Bay	194,563.0	5
Leon	299,130	5	Leon	205,593.0	5
Escambia	329,583	6	Saint Lucie	230,593.5	5
St. Lucie	350,518	6	Collier	230,847.5	5
Collier	390,912	6	Lake	230,984.0	5
Marion	391,983	6	Marion	239,539.5	5
Lake	403,857	6	Manatee	240,170.0	6
Manatee	421,768	6	Escambia	246,362.5	6
Osceola	424,946	6	Osceola	291,815.5	6
Sarasota	452,378	6	Sarasota	304,616.0	6

Seminole	484,054	6	Seminole	313,164.0	6
Volusia	572,815	6	Pasco	333,213.0	6
Pasco	592,669	6	Brevard	388,680.0	6
Brevard	627,544	6	Lee	483,019.5	7
Polk	770,019	7	Volusia	536,057.5	7
Lee	802,178	7	Polk	571,055.0	7
Pinellas	972,852	7	Pinellas	725,922.0	7
Duval	1,033,533	7	Duval	1,012,593.0	8
Orange	1,481,321	7	Palm Beach	1,084,405.5	8
Palm Beach*	1,518,152	8	Orange	1,357,461.0	8
Hillsborough*	1,520,529	8	Hillsborough	1,420,920.0	8
Broward	1,969,099	8	Broward	1,513,921.5	8
Miami-Dade	2,757,592	8	Miami-Dade***	3,160,436.0	8

\*Palm Beach and Hillsborough have been placed into Group 8 to comply with the statutory analysis requirements.

\*\*Gulf was kept in Group 1 although they have slightly more than double Lafayette's total weighted cases. Placing Gulf in Group 1 will allow a somewhat more meaningful statistical analysis of Group 1, if such an analysis is deemed necessary.

\*\*\*Miami-Dade was placed into Group 8 to comply with the statutory analysis requirements.

I believe using either peer group method will satisfy the statutory requirements. Further, in an effort to be thorough, both might be used. Regardless of the choice, the analysis of case counts will continue to use population compared to weighted cases across all counties, not just within peer groups.