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EXECUTIVE COUNCIL MEETING  
December 13, 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

TODD NEWTON  
GILCHRIST COUNTY

JODY PHILLIPS  
DUVAL COUNTY

TOM BEXLEY  
FLAGLER COUNTY  
HOUSE APPOINTEE

JOHN A. CRAWFORD  
NASSAU COUNTY

JOHN DEW  
EXECUTIVE DIRECTOR

BERTILA SOTO  
11TH JUDICIAL CIRCUIT JUDGE  
SUPREME COURT APPOINTEE

MICHELLE R. MILLER  
SAINT LUCIE COUNTY

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

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

## EXECUTIVE COUNCIL MEETING

**December 13, 2023**

**Meeting: 2:00 PM – 4:00 PM, Eastern**

**WebEx Link:** <https://flclerks.webex.com/flclerks/j.php?MTID=mf796a2c964a337362a56ec9c3a862c53>

**Meeting Code: 2304 665 9585, Password: CCOC**

**Conference Call: 1-866-469-3239; Access Code: 2304 665 9585**

- Call to Order..... Hon. Stacy Butterfield
- Invocation ..... Hon. John Crawford
- Roll Call..... Hon. Laura Roth
- 1) Introduction and Agenda Approval ..... Hon. Stacy Butterfield
- 2) Approve Minutes from 9/5/23 Meeting ..... Hon. Laura Roth
- 3) Treasurer’s Report..... Hon. Laura Roth
  - a) CFY 2022-23 CCOC Office Budget
  - b) CFY 2023-24 CCOC Office Budget
  - c) Cyber Activity Issue
  - d) Auditor General Audit
  - e) Contract Extensions
- 4) CCOC Annual Report..... Griffin Kolchakian
- 5) Committee and Workgroup Reports
  - a) Budget Committee ..... Hon. Tiffany Russell
    - i) Revision to the Operational Budget
  - b) PIE Committee..... Hon. Laura Roth
    - i) Peer Groups
  - c) Legislative Committee ..... Hon. Carolyn Timmann
- 6) Update on Guardianship Data Transparency Project..... Hon. Ken Burke
- 7) Report on TCBC ..... Hon. Judge Soto
- 8) Appointment of Jason Welty as Jefferson County Clerk..... Hon. Stacy Butterfield
- 9) Other Business ..... Hon. Stacy Butterfield

*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 September 5, 2023, Executive Council Meeting

The Executive Council of the Clerks of Court Operations Corporation (CCOC) met in person at the Renaissance Hotel at SeaWorld, Orlando, and via Webex on September 5, 2023. The agenda and materials were distributed and posted to the CCOC website before the meeting.

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

Chair Stacy Butterfield called the meeting to order at 3:30 PM. Secretary/Treasurer Laura Roth called the roll, and Clerk John Crawford provided the invocation.

Council members present in person: Chair Butterfield, Vice-Chair Tiffany Moore Russell, Secretary/Treasurer Laura Roth, Clerk Crystal Kinzel, Clerk Todd Newton, Clerk Jody Phillips, Clerk Tom Bexley, Clerk Michelle Miller, Clerk JD Peacock, and Clerk John Crawford.

Council members absent: None

### Agenda Item 1 – Introduction and Agenda Approval

Chair Butterfield asked the Council to consider agenda item 8, the TCBC update, and agenda item 9a, recognition of Judge Ficarrotta's service, to be heard first.

**Clerk Bexley made a motion to revise the agenda to take up Items 8 and 9a first. Clerk Newton seconded the motion. Motion carried.**

### Agenda Item 9 – Other Business

#### a) Recognize Judge Ficarrotta's Service

Chair Butterfield congratulated Judge Ficarrotta's retirement and thanked him for his nine years of service. Chair Butterfield noted that he was the longest-serving Supreme Court appointee to serve on the Council. She stated that Judge Ficarrotta had been serving the courts in Hillsborough County since 1994. Chair Butterfield said that the clerks and courts have benefited from his service. Judge Ficarrotta said that it was his honor to serve and make friends with the clerks and work with John Dew and CCOC staff. He stated that he wanted to continue to build the great relationships he's made. Clerk Cindy Stuart stated that the 13<sup>th</sup> Circuit was big and there was a lot of responsibility. She said that Judge Ficarrotta put many

people back into the position of driving by reducing their fees and fines during Operation Green Light. Clerk Stewart thanked Judge Ficarrota on behalf of Hillsborough County and this body for his time and support. Judge Ficarrota expressed his appreciation for the clerks.

#### **Agenda Item 8 – TCBC Update**

Chair Butterfield stated that there had been no permanent replacement from the Supreme Court as a representative to the Council. She introduced Judge Mahon to give the TCBC update. Judge Mahon said that the two primary asks during the last session were recurring money for critical due process issues. Included in that was the 20 FTE for the deputy trial court administrators for their growing need for and use of technology in the court systems. Judge Mahon acknowledged that the legislature granted the raise of minimums for critical employees. The legislature also funded temporary resources for senior judge positions, some case workers, and staff attorneys for the third year of the pandemic recovery plan. Judge Mahon said that they have met and talked about the LBR requests that are associated with making temporary solutions from the pandemic permanent, such as critical due processes, more case managers, and interpreters for SFY 2024-25. There was also an ask for more stenographic reporting resources. Judge Mahon stated that many court-reporting schools had closed and there was a struggle to find stenographic reporters. He said that digital court reporters were being used in some areas, but areas like Jacksonville were still heavily reliant on stenographic models. Judge Mahon stated that additional FTE and resources were needed for the hiring of digital court reporters. He spoke of a committee that was created by the Supreme Court to assess a functional level of case management throughout the state. The assessment was made and the discussion for significant FTE has begun. Chair Butterfield thanked Judge Mahon for the report. There were no questions.

#### **Agenda Item 2 – Approve Minutes from June 5, 2023 Meeting**

Clerk Roth asked the Council for any corrections to the minutes of June 5, 2023. Clerk Kinzel requested that item 4a of the minutes be adjusted to state her concerns about the jury budget not being allocated to the clerks for the last couple of years. Her indication was that jury money would run out and operational funds would need to be used. Chair Butterfield asked Clerk CCOC staff to review the recording for clarification.

**Clerk Kinzel made a motion to approve the minutes with a review of the recording for clarification. Clerk Newton and Clerk Miller seconded the motion. Motion carried.**

#### **Agenda Item 3 – CCOC Treasurer Report**

##### **a) CFY 2023-24 Office Budget Update**

Clerk Roth reported that CCOC had expended 70% of the budget in the last ten months and is expected to be well within the budget authority at the end of the fiscal year.

##### **b) CFY 2021-22 CCOC Office Financial Statements**

Clerk Roth announced that a draft of the office financial audit for the CFY 2021-22 is available on the CCOC website. She noted that it was delayed due to QuickBooks system errors, data entry errors, and CCOC system errors that needed correcting. Clerk Roth announced that Dana

Powell, from Law, Redd, Corona, and Munroe was available via phone. Clerk Kinzel asked for more clarification on the QuickBooks data entry issues and if there had been an extension on the due date of the audit. Clerk Kinzel requested information on what CCOC had done internally. CCOC Executive Director, John Dew, informed the Council that there had been staff turnover and that the previous staff had not entered some of the financial information into CCOC's system. He stated that the internal auditor, Bill Sittig, had to go back and correct the previous year's QuickBooks files before the financial audit. Mr. Dew stated that he is training his current staff to prevent future issues. Clerk Kinzel noted that she reviewed the draft of the financial statements and there did not seem to be any irregularities in the audit that was performed. Mr. Dew confirmed that this was again a clean financial report.

**c) CCOC Office Space Contract**

Clerk Roth informed the Council that CCOC would like a three-year extension for the lease of office space with Leger Group. The lease will only increase by 10% and will total \$3,093.75 monthly.

**Clerk Roth made a motion to approve the CCOC lease renewal. Clerk Moore Russell seconded the motion. Motion carried.**

**d) CCOC Contract Amendment – Financial Services**

Clerk Roth brought forth the contract amendment for financial services directly related to the QuickBooks issue. Clerk Roth stated that the internal auditor for CCOC had to spend unplanned time correcting previous staff issues. Clerk Roth added that there was sufficient budget for the \$10,900 increase. Clerk Kinzel asked Mr. Dew which line item would cover the funds. Mr. Dew explained that the CCOC had sufficient funds in several areas such as travel and other services.

**Clerk Roth made a motion to approve the contract amendment for the increase to the Bill Sittig contract. Clerk Newton seconded the motion. Motion carried.**

**Agenda Item 4 – Committee Updates**

**a) Budget Committee**

Clerk Moore Russell announced that the Budget Committee approved the \$458.6 million Base Budget that included the prior year's Revenue-Limited Budget of \$453.2 million and \$5.4 million for the calculated FRS increase. In July, the REC established the projected total revenues establishing the clerks' available budget at \$474.4 million. Clerk Moore Russell stated that it gave the committee \$15.8 million to allocate over the Base Budget to build the clerks' 2023-24 Revenue-Limited Budget. Clerk Moore Russell informed the Council that the Budget Committee met and approved the clerks' 2023-24 Revenue-Limited Budget and were able to distribute the \$15.8 million. \$1.4 million was distributed for a blended FRS rate to cover the estimated rate increase for quarter four and \$14.5 million for a statewide weighted case distribution. Clerk Moore Russell added that the committee wanted to ensure that each clerk receives at least a 3% increase year over year.

Clerk Moore Russell recognized Clerk Gary Cooney and his staff for their assistance in reviewing the case data needed for the weighted workload measure. Clerk Kinzel asked when the provisional budget would be altered. She had questions about the elements related to the budget allocation and cost of living. Clerk Moore Russell informed her that the Budget Committee did not vote on the cost of living, but a workgroup was formed to continue to evaluate. CCOC Budget and Communications Director, Griffin Kolchakian, explained that the weighted workload measure was the final piece and information would be distributed once finalized. Chair Butterfield added that several workgroups were formed to address future elements. Clerk Kinzel was curious why the provided spreadsheet added \$11.7 million for jury when the need was articulated for around \$17 million plus. She wanted to know why that difference should not be included in the overall budget shortfall. Mr. Kolchakian explained that the spreadsheet reflected the actual budget and not the needed budget. He informed the Council that if the additional appropriation were not received, the funds to cover additional costs would come out of each clerk's individual CCOC budget. Clerk Moore Russell reminded the clerks that they had only been appropriated \$11.7 million for jury funds. She informed the Council that a workgroup had been formed to look at the concerns brought by Clerk Kinzel. She added that active workgroups are reviewing jury funding, a surplus distribution, and the Needs-Based Budget. Clerk Nikki Alvarez-Sowles proposed two workgroups, one to review Courthouse locations and one to review a living wage. Clerk Moore Russell encouraged clerks to serve on these workgroups. Clerk Karen Rushing asked if there were any jury allocations for extraordinary circumstances. Clerk Moore Russell acknowledged that there was nothing specific outlined for extraordinary circumstances but invited Clerk Rushing to the next Budget Committee meeting to present on behalf of Sarasota County. Chair Butterfield added that the Legislative Committee will be requesting additional jury dollars for next year.

**Clerk Moore Russell made a motion to approve the provisional budget. Clerk Crawford seconded the motion. Clerk Kinzel voted nay. Motion carried.**

#### **b) PIE Committee**

There are several items to approve for the PIE Committee starting with the Quarter 3 Performance Measures and Action Plans Report. Clerk Roth reported that 11 counties did not require any action plan for collections. She said filing timeliness remained the same and docketing and jury timeliness saw a decrease in action plans. There was a minimal difference from Quarter 2 to Quarter 3 and the report was posted to the CCOC website

**Clerk Roth made a motion to approve the CFY 2022-23 Quarter 3 Performance Measures and Action Plans Report. Clerk Miller seconded the motion. Motion carried.**

Clerk Roth announced that the PIE Committee had revised the form used to determine civil indigent status. The PIE Committee modified the form to ensure that all three options had a checkbox, and the language had a statutory reference. The form now has an additional checkbox that says, "Ward is not indigent." Chair Butterfield asked Clerk Roth if this addresses

the specific issue that was discussed in June. Clerk Roth said that it did address Clerk Carolyn Timmann's issue of the lack of clarity when a ward is involved.

**Clerk Roth made a motion to approve the modifications to the application for civil indigent status. Clerk Miller seconded the motion. Motion carried.**

Clerk Roth discussed reducing the tracking time following a driver's license reinstatement event from 12 months to three months. The PIE Committee approved the reduction effective October 1, 2022, so that it would apply for the current fiscal year. Clerk Kinzel stated that the twelve months helped establish a pattern. Her experience is that 51% of her applicants fail and retry. She does not believe that three months of tracking will establish a pattern. Clerk Kinzel stated that Operation Green Light is more costly than productive. She suggested that the legislature be informed that it is not working. She believes that narrowing the capture time will not allow sight of the negative patterns. Clerk Roth noted that CCOC would send the appropriate communications for the driver's license reinstatement.

**Clerk Roth made a motion to approve the committee's change to the tracking timeframe from 12 months to 3 months. Clerk Newton seconded the motion. Clerk Kinzel voted nay. Motion carried.**

Clerk Roth stated that a Payment Plan Workgroup was created, and they have developed a pilot form to capture basic data related to payment plans. Clerk Roth encouraged everyone to contact CCOC Performance, Policy, and Education Director, Marleni Bruner, to sign up for this workgroup and receive a template, as more members are needed.

Clerk Roth also mentioned that dates for PIE Committee meetings for the rest of 2023 and 2024 had been established and were posted on the CCOC website.

### **c) Legislative Committee**

Committee Vice Chair Tara Green stated that CCOC must prepare a budget request that provides the amount necessary for reimbursement of the Baker Act, Marchman Act, and Sexually Violent Predators petitions and orders. The CCOC Legislative Committee plans to meet and discuss additional funding issues with the FCCC Legislative Committee and the CCOC Legislative Committee. Clerk Green believes this will help with solutions for unforeseen events in accounting. She noted that Volusia and Clay were experiencing an expensive venue change.

### **Agenda Item 5 – Guardianship Database**

Clerk Ken Burke informed the Council that the Guardianship Database was going extremely well. He added that most technology projects are not typically on time, but this project will meet its deadline. Clerk Burke noted that the most recent activity involved user testing that involved judges, magistrates, clerks, and clerk staff. He said that the feedback was positive and had a few modifications. Clerk Burke thanked all the clerks who reviewed the data. He mentioned that there had been a problem with case status due to the way Guardianship

travels through the path of the clerk's office. Clerk Burke asked each clerk's office to go through the checklist to ensure the data was accurate. He announced to the Council that the Guardianship Database would go live in November. Clerk Burke spoke of how the OPPG was not cooperative at first, but the new director is enthusiastic and has worked well. He mentioned that the IT departments have become more sophisticated, and the website has improved. Clerk Burke noted that Ms. Nicole Taylor had done a magnificent job as a project manager. Mr. Dew mentioned that an amendment was needed to the Canopy contract for an additional \$15,000 since help was needed after Ms. Taylor left the CCOC. Mr. Dew added that Cloud Navigator's one-year contract needed renewal because they still had deliverables. He asked the Council to approve the contracts that Clerk Burke had already signed. Clerk Burke thanked CCOC's Deputy Executive Director, Jason Welty, for working with legislative staff to ensure there was reappropriation for the following year. Chair Butterfield encouraged the Council to review a webinar that had been recorded on the implementation of the Guardianship Database.

**Clerk Peacock made a motion to approve the amended contracts. Clerk Miller seconded. Motion carried.**

**Agenda Item 6 – Follow-up on CCOC Office Workplan – Succession Plan**

Clerk Crawford spoke of how the timeliness issue of a succession plan was critical for the CCOC. Mr. Dew has worked for the state for forty years and announced he was looking at retirement from the CCOC in October 2024. He stated that he had a great experience and realized how lucky he was to work with so many friends. Mr. Dew made the recommendation for the CCOC Deputy Executive Director, Mr. Welty, to be considered for the CCOC Designate Executive Director. He noted that Mr. Welty had been with the organization for five years and had been the Deputy Executive Director for two years. Mr. Dew expressed the benefits of Mr. Welty training with him on the administrative aspects of the position.

Clerk Roth spoke of her support for Mr. Welty but asked who would replace his role as Deputy Executive Director. He said he and Mr. Welty would discuss the need to fill the position in the future. Clerk Kinzel agreed that a succession plan was necessary. She suggested that it would be a fair opportunity to look at the market and explore it in conjunction with the succession plan. Clerk Kinzel said that there could be clerks with the background and more years of service who would be willing to take the position. Clerk Peacock stated that when he served as Chair of the Council for three years, he worked closely with Mr. Welty and believes the learning curve he's already mastered puts him ahead of any candidates. He feels another year in training will only put him further ahead and does not want to second guess Mr. Dew's opinion. Clerk Kinzel stated that it was uncomfortable to have staff present during these discussions. She said that she was not meaning to insult Mr. Welty, but she had concerns from a fiscal perspective. Clerk Newton agreed with Clerk Peacock that having a highly capable person in the office, one who sees the day-to-day operations, is beneficial and thought it would be unwise to go in a different direction. Bringing someone from the outside may create issues down the road.



Clerk Crawford commented that he appreciates Clerk Kinzel's comments. He feels Mr. Welty had the experience and the ability to face off with the legislature, which was important. He also stated that while the CCOC was taking a chance, Mr. Welty was also taking a chance. He wished both Mr. Dew and Mr. Welty well.

**Clerk Crawford made a motion to adopt the recommendation of Executive Director, John Dew, to name Jason Welty, as the CCOC Designate Executive Director. Clerk Newton seconded the motion. Clerk Kinzel voted nay. Motion carried.**

Clerk Moore Russell suggested there be a study done regarding the sufficient staffing at CCOC, along with the budget. Chair Butterfield agreed that Mr. Dew and Mr. Welty have the opportunity to develop the budget and added the charge of reviewing staffing. Chair Butterfield thanked the Council for their input and concerns.

She invited Mr. Welty to speak. Mr. Welty thanked Mr. Dew for the recommendation and the Council for approving him as the Designate Executive Director. He said he was honored to have their faith and trust. He noted that both he and Mr. Dew were looking at staffing and organization structure for the future CCOC team. Chair Butterfield thanked Mr. Dew for his mentorship and succession planning which allowed for a year of training.

#### **Agenda Item 7 – Judicial Circuit Assessment Workgroup**

Chair Butterfield announced that the Supreme Court put together a workgroup to review circuit assessments of whether the judicial circuits should be combined. She said the Chief Justice asked the workgroup to look at the criteria outlined in Rule 2.241. The workgroup was to hear from all the potential stakeholders. The workgroup met in July and is required to have a report submitted to the Supreme Court by December 1, 2023. Chair Butterfield stated that one public hearing had already been held and another one would take place in October. She said the workgroup would allow anyone to speak on behalf of their entity or individuals. Chair Butterfield stated that the workgroup was receptive to written letters as well. She informed the Council that there is a subcommittee looking at the potential impact of the CCOC. She said she would be reaching out to CCOC staff when the time was appropriate.

#### **Agenda Item 9 – Other Business, continued**

##### **b) Other Business**

Chair Butterfield stated that she would like to continue with regular leadership meetings with CCOC Chair, FCCC President, and CCOC Executive Director. Chair Butterfield announced that the first meeting had been in July, and she plans to continue those regularly. Clerk Miller asked about a letter that Clerk Ken Burke sent. Chair Butterfield stated that the issue had been resolved.

**Chair Butterfield made a motion to adjourn. Clerk Newton and Clerk Miller seconded. The meeting was adjourned at 4:53 PM.**



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### AGENDA ITEM 3a

**DATE:** December 13, 2023  
**SUBJECT:** CFY 2022-23 CCOC Office Budget – Reconciled  
**COUNCIL ACTION:** Accept reconciled budget; increase accounting contract

#### OVERVIEW:

The CCOC has completed the reconciled budget for CFY 2022-23 (Attachment 1) and is ready to provide our information to our Audit Firm for them to start their review of our financial statements. For the year, the CCOC spent just over 92% of the budget and continues to keep expenses within our budget authority.

To ensure CFY 2022-23 closed out timely, and to prevent a similar situation as occurred with the CFY 2021-22 budget, Mr. Dew requested that the accounting vendor, Bill Sittig, work nights and weekends to promptly close out the year. The extra hours will increase the cost of the contract amount for the current calendar year. The CCOC is requesting the council to approve increasing the maximum contract payment amount to Mr. Sittig for these expenses. There are sufficient dollars in the CFY 2023-24 budget to handle the increase. The final bill is pending; however, the CCOC anticipates increasing Mr. Sittig's contract by an additional \$17,000.

**COUNCIL ACTION:** Accept the reconciled CFY 2022-23 Office Budget and allow for the increase in payment to Bill Sittig.

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

#### ATTACHMENTS:

1. CFY 2022-23 CCOC Office Budget – Reconciled

**CCOC Budgetary Report**  
**County Fiscal Year 2022 - 2023**  
**(October 1, 2022 - September 30, 2023)**

	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	\$75,178.19	\$74,069.60	\$75,301.94	\$76,300.58	\$76,617.33	\$126,578.15	\$76,874.47	\$80,501.63	\$88,255.92	\$979,903.39	89.73%
Total Salaries	\$686,234.14	\$53,794.71	\$51,863.21	\$61,119.21	\$61,775.71	\$62,031.09	\$51,492.15	\$51,456.65	\$51,661.15	\$51,479.65	\$54,226.08	\$55,468.58	\$55,468.58	\$631,836.77	92.07%
Executive Director	\$153,336.63	\$12,778.05	\$12,778.05	\$12,778.05	\$12,778.05	\$12,778.05	\$12,778.05	\$12,778.05	\$12,778.05	\$12,778.05	\$13,416.95	\$13,416.95	\$13,416.95	\$155,253.30	101.25%
Deputy Executive Director	\$107,064.98	\$8,922.09	\$8,922.09	\$8,922.09	\$8,922.09	\$8,922.09	\$8,922.09	\$8,922.09	\$8,922.09	\$8,922.09	\$9,368.19	\$9,368.19	\$9,368.19	\$108,403.38	101.25%
Budget & Communications Director	\$89,003.91	\$7,417.00	\$7,417.00	\$7,417.00	\$7,417.00	\$7,417.00	\$7,417.00	\$7,417.00	\$7,417.00	\$7,417.00	\$7,787.85	\$7,787.85	\$7,787.85	\$90,116.55	101.25%
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	\$4,408.55	\$4,408.55	\$4,408.55	\$4,628.98	\$4,628.98	\$4,628.98	\$53,583.89	101.25%
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	\$3,345.82	\$3,345.82	\$3,345.82	\$3,513.11	\$3,513.11	\$3,513.11	\$40,651.71	101.22%
Data Quality Officer	\$44,843.53	\$3,740.29	\$3,740.29	\$3,740.29	\$3,740.29	\$3,740.29	\$3,740.29	\$3,740.29	\$3,740.29	\$3,740.29	\$3,927.31	\$3,927.31	\$3,927.31	\$45,444.54	101.34%
Project Manager	\$84,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$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	\$6,591.96	\$6,591.96	\$6,591.96	\$6,921.56	\$6,921.56	\$6,921.56	\$80,092.32	101.25%
Executive Assistant/Human Resources	\$35,616.66	\$2,897.95	\$2,897.95	\$2,897.95	\$2,897.95	\$3,071.83	\$2,984.89	\$2,984.89	\$2,984.89	\$2,984.89	\$3,134.13	\$3,134.13	\$3,134.13	\$36,005.58	100.52%
Internal Revenue(Corporation Responsibility)	\$76,000.00	\$4,292.01	\$4,202.79	\$4,130.66	\$4,582.42	\$4,208.63	\$4,270.39	\$3,742.35	\$3,737.29	\$6,503.29	\$3,933.48	\$4,016.30	\$3,951.58	\$51,571.21	68.76%
Retirement, Benefits, Workers' Comp and Other	\$221,331.00	\$16,837.04	\$24,343.29	\$26,116.64	\$20,492.06	\$19,585.38	\$20,842.90	\$22,369.58	\$22,691.39	\$69,866.21	\$20,242.91	\$23,787.25	\$31,608.26	\$318,800.91	144.04%
<b>OPS STAFF:</b>	\$34,000.00	\$3,693.00	\$1,761.50	\$1,017.50	\$1,674.00	\$1,765.50	\$1,303.50	\$1,268.00	\$1,472.50	\$1,291.00	\$1,528.00	\$2,770.50	\$2,024.00	\$21,559.00	63.41%
<b>GENERAL EXPENSES:</b>	\$65,200.00	\$4,194.38	\$3,791.95	\$9,179.14	\$4,099.20	\$3,636.89	\$5,013.16	\$4,944.02	\$6,061.42	\$7,034.09	\$10,634.82	\$3,881.80	\$6,334.46	\$68,805.33	80.76%
Rent (Including Utilities)	\$45,200.00	\$3,370.15	\$3,353.52	\$3,354.88	\$3,392.76	\$2,812.50	\$3,747.68	\$3,285.49	\$3,427.67	\$3,361.96	\$3,429.43	\$3,439.22	\$3,432.33	\$40,417.59	89.42%
Communications (+ Internet and Phone)	\$5,000.00	\$173.95	\$278.30	\$382.97	\$281.39	\$279.81	\$280.60	\$191.85	\$386.74	\$278.36	\$274.45	\$274.45	\$274.46	\$3,357.37	67.15%
Equipment, Supplies and Other	\$35,000.00	\$650.28	\$160.13	\$5,441.29	\$425.11	\$544.48	\$984.88	\$1,456.68	\$2,247.01	\$3,393.77	\$6,930.94	\$168.13	\$2,627.67	\$25,030.37	71.52%
<b>TRAVEL:</b>	\$60,400.00	\$412.33	\$760.71	\$485.83	\$3,068.76	\$632.55	\$0.00	\$642.96	\$2,121.08	\$1,762.55	\$445.38	\$2,255.44	\$1,932.59	\$14,720.28	24.37%
<b>STAFF TRAINING:</b>	\$10,000.00	\$0.00	\$0.00	\$0.00	\$3,578.34	\$0.00	\$0.00	\$0.00	\$2,448.44	\$0.00	\$0.00	\$0.00	\$0.00	\$6,028.78	60.27%
<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	\$17,662.50	\$18,966.25	\$21,159.75	\$24,595.50	\$22,062.75	\$27,288.00	\$211,408.97	72.01%
General Counsel	\$74,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$6,000.00	\$5,000.00	\$5,000.00	\$35,000.00	47.30%
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	\$12,662.50	\$13,966.25	\$16,159.75	\$19,595.50	\$17,062.75	\$17,463.00	\$171,583.97	84.29%
Audit Services	\$16,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,400.00	\$3,400.00	21.25%
<b>EDUCATION SERVICES</b>	\$397,200.00	\$0.00	\$74,833.00	\$18,000.00	\$0.00	\$0.00	\$73,333.00	\$1,960.00	\$16,500.00	\$159,033.00	\$0.00	\$3,000.00	\$67,333.00	\$413,992.00	104.23%
<b>TOTALS:</b>	\$1,862,928.14	\$92,502.08	\$169,156.45	\$119,341.60	\$100,459.99	\$93,120.04	\$176,273.71	\$102,798.06	\$124,187.02	\$316,858.54	\$114,078.17	\$114,472.12	\$193,167.97	\$1,716,415.75	92.14%

\*CCOC Staff has the authority to spend beyond category amounts as long as they stay within the total Annual Budget Authority.

*John 12/06/23*

*(JTB) 12/06/2023*

*DEL 12/7/2023*



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GENERAL COUNSEL

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

### AGENDA ITEM 3b

**DATE:** December 13, 2023  
**SUBJECT:** CFY 2023-24 CCOC Office Budget  
**COUNCIL ACTION:** Information Only

#### OVERVIEW:

Attached is the CFY 2023-24 CCOC Office Budget report for the first month of the fiscal year.

**COUNCIL ACTION:** Accept the CFY 2023-24 CCOC Office Budget Report.

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

#### ATTACHMENTS:

1. CFY 2023-24 Budgetary Report

**CCOC Budgetary Report**  
**County Fiscal Year 2023 - 2024**  
**(October 1, 2023 - September 30, 2024)**

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>	<b>\$1,065,545.89</b>	<b>\$77,358.93</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$77,358.93</b>	<b>7.26%</b>
Total Salaries	\$720,545.89	\$53,808.08	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$53,808.08	7.47%
Executive Director	\$161,003.47	\$13,416.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$13,416.85	8.33%
Deputy Executive Director	\$112,418.23	\$9,368.19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,368.19	8.33%
Budget & Communications Director	\$93,454.11	\$7,787.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,787.85	8.33%
Actuarial and Performance Analyst	\$55,547.75	\$4,628.98	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,628.98	8.33%
Budget Manager I - Rafael	\$42,168.30	\$3,513.11	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,513.11	8.33%
Data Quality Officer	\$47,085.71	\$3,927.31	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,927.31	8.34%
Project Manager	\$88,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Prf Policy and Education Director	\$83,058.72	\$6,921.56	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,921.56	8.33%
Executive Assistant/Human Resources	\$37,609.60	\$3,134.13	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,134.13	8.33%
Internal Revenue(Corporation Responsibility)	\$75,000.00	\$3,656.17	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,656.17	4.87%
Retirement, Benefits and Other	\$270,000.00	\$21,004.68	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$21,004.68	7.78%
<b>OPS STAFF:</b>	<b>\$34,000.00</b>	<b>\$1,110.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,110.00</b>	<b>3.26%</b>
<b>GENERAL EXPENSES:</b>	<b>\$85,200.00</b>	<b>\$4,569.82</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$4,569.82</b>	<b>5.36%</b>
Rent (Including Utilities)	\$50,200.00	\$3,537.70	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,537.70	7.05%
Communications (+ Internet and Phone)	\$5,000.00	\$220.87	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$220.87	4.42%
Equipment, Supplies and Other	\$30,000.00	\$811.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$811.25	2.70%
<b>TRAVEL:</b>	<b>\$40,000.00</b>	<b>\$685.81</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$685.81</b>	<b>1.71%</b>
<b>STAFF TRAINING:</b>	<b>\$10,000.00</b>	<b>\$1,520.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,520.00</b>	<b>15.20%</b>
<b>CONTRACTUAL EXPENSES:</b>	<b>\$284,563.00</b>	<b>\$9,496.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$9,496.00</b>	<b>3.34%</b>
General Counsel	\$65,000.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,000.00	7.69%
FY 22-23 Survey, Reporting, and Other Services	\$203,563.00	\$4,496.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,496.00	2.21%
Audit Services	\$16,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
<b>EDUCATION SERVICES</b>	<b>\$397,200.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0.00%</b>
<b>TOTALS:</b>	<b>\$1,916,508.89</b>	<b>\$94,740.56</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$94,740.56</b>	<b>4.94%</b>

\*CCOC Staff has the authority to spend beyond category amounts as long as they stay within the total Annual Budget Authority.

*JRD 12/06/23*

*WR 12/06/2023*

*LER 12/7/2023*



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### AGENDA ITEM 3c

**DATE:** December 13, 2023  
**SUBJECT:** Cyber Activity Issue  
**COUNCIL ACTION:** Information Only

#### OVERVIEW:

On the 25<sup>th</sup> of August, the CCOC received an email containing a request to update their direct deposit information for our vendor Cloud Navigator as they were switching banks. Our office manager forwarded the email to our bank as the bank is the only one that has that authority. The bank sent an email to John Dew asking to verify the information. The email from the bank appears to have been captured by someone outside our office and was responded to that the request from Cloud Navigator was legitimate. In a review of John Dew's email, we could not find that the bank email came into his email box or had documentation that John Dew had sent an email back. It appears that whoever got into our system found and replied to the bank's email and deleted them both from our server on the same day our office manager sent over the Cloud Navigator email. No phone call was made from the bank to our office to confirm the request to revise the direct deposit request.

Our office submitted through our bank portal three payments to Cloud Navigator for completed contract work on September 21, 2023. These payments were for \$6,000, \$17,411.71, and \$280,000. On Friday, October 13<sup>th</sup>, we were notified by our bank that Cloud Navigator had closed their account. We communicated with our vendor Cloud Navigator and were told they had not closed their account, nor had they requested to update their direct deposit information back in August.

On Monday, September 16<sup>th</sup>, Mr. Dew contacted Cloud Navigator staff, and then separately spoke with Chair Butterfield and Secretary/Treasurer Roth. That same day, Mr. Dew filled out an FBI IC3 Complaint Form indicating that through fraudulent cyber activity, the CCOC had been scammed. Mr. Dew also contacted the bank to see if they could get the funds returned. Mr. Dew spoke with an agent from FDLE on September 19<sup>th</sup>, who said they would open an investigation. This investigation is ongoing and in the latest conversation with the agent that took place on November 28<sup>th</sup>, he said the State Attorney has provided them with a subpoena that has been delivered to our bank seeking detailed information on the transactions. Mr. Dew also contacted our insurance agent and found that our current insurance does not cover such events. Mr. Dew is investigating the cost of insurance that would cover the cost of future fraudulent activities.

In the meantime, the CCOC has strengthened its process for making payments through the bank, including two-factor authentication (2FA), requiring verbal approval from a vendor for any such

*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.*

revisions to bank accounts, and training staff to look for phishing emails. Likewise, the CCOC IT vendor set up additional barriers to prohibit phishing attempts.

Mr. Dew has contacted some Clerks who have had similar fraudulent activities in their office to seek advice on how to prevent this in the future. CCOC staff will be attending the Clerks' Cybersecurity Workshop to be held on December 12<sup>th</sup>.

The CCOC looks forward to the FDLE report being complete so we can work with our bank to determine what reconciliation can be made considering that this was fraudulent activity that could have been prevented with a phone call. Mr. Dew will keep the Council leadership informed of any progress.

**COUNCIL ACTION:** Information Only

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

**ATTACHMENTS:** None



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### AGENDA ITEM 3d

**DATE:** December 13, 2023  
**SUBJECT:** Auditor General Audit  
**COUNCIL ACTION:** Information Only

#### OVERVIEW:

Every three years, by statute, the Office of the Auditor General (OAG) is required to audit the Clerk of Court Operations Corporation (CCOC). The last audit was conducted in 2020. On November 20, 2023, OAG staff came to the CCOC office for an Entrance Conference with CCOC staff and Chair Butterfield. OAG staff noted that they would be looking at CFY 2022-23 for their audit period and that the fieldwork should last 3 to 4 months. That same day they provided us with a letter stating the audit objectives, the CCOC management's responsibility during the audit, the standards their office is required to follow, and the process for the conclusion of the audit (Attachment 1).

The audit fieldwork process started in late November as the OAG staff requested CCOC staff to provide documents to be reviewed, a sample email is included (Attachment 2). CCOC staff will keep the CCOC Secretary/Treasurer informed of the progress of the audit and will provide the Council updates.

**COUNCIL ACTION:** Information Only

**LEAD STAFF:** John Dew, Executive Director  
Andrea Rice, Office Manager

#### ATTACHMENTS:

1. OAG Engagement Letter
2. Sample Email





Sherrill F. Norman, CPA  
Auditor General

# AUDITOR GENERAL STATE OF FLORIDA

Claude Denson Pepper Building, Suite G74  
111 West Madison Street  
Tallahassee, Florida 32399-1450



Phone: (850) 412-2722  
Fax: (850) 488-6975

November 20, 2023

Honorable Stacy Butterfield, CPA  
Chair, Executive Committee  
Florida Clerks of Court Operations Corporation  
2560-102 Barrington Circle  
Tallahassee, Florida 32308

Dear Ms. Butterfield:

Pursuant to Section 11.45(2)(f), Florida Statutes, we will perform an operational audit of the Florida Clerks of Court Operations Corporation (CCOC). The purpose of this letter is to establish an understanding of CCOC management's and our responsibilities, and other matters, related to our audit.

The objectives of our audit are, for selected operating units, programs, activities, functions, and classes of transactions, to obtain an understanding and evaluate management's performance in establishing and maintaining internal controls, including controls designed to prevent and detect fraud, waste, and abuse and in administering assigned responsibilities in accordance with applicable laws, rules, regulations, contracts, grant agreements, and other guidelines. Our audit will examine controls that are designed and placed in operation to promote and encourage the achievement of management's control objectives in the categories of compliance, economic and efficient operations, reliability of financial records and reports, and the safeguarding of assets, including identifying weaknesses in those controls.

CCOC management is responsible for administering its assigned responsibilities in accordance with applicable laws, rules, regulations, contracts, grant agreements, and other guidelines. CCOC management is also responsible for establishing and maintaining effective internal controls to help ensure that specific entity goals and objectives are met; resources are safeguarded and efficiently, economically, effectively, and equitably used; and management and financial information is reliable and properly reported. Further, pursuant to various provisions of Florida law, including but not limited to, Section 11.47(1), Florida Statutes, CCOC management is responsible for entering into CCOC records sufficient information for proper audit or examination and for making the same available to us on demand.

We are responsible for conducting the audit in accordance with Section 11.45, Florida Statutes, and generally accepted government auditing standards (i.e., *Government Auditing Standards*) issued by the Comptroller General of the United States. These standards require that we plan and perform the audit to obtain reasonable rather than absolute assurance about whether the CCOC complied with applicable laws, rules, regulations, contracts, grant agreements, and other guidelines. The reasonable and efficient conduct of the audit requires that our access to CCOC records and personnel not be restricted. Under generally accepted government auditing standards, the absence of such access may result in a limitation in the scope of our examination,

Honorable Stacy Butterfield, CPA  
November 20, 2023  
Page -2-

and any such limitation, together with its impact on the audit, must be disclosed in our audit report. We respectfully request that you communicate with all affected personnel that all records necessary to complete the audit should be timely furnished to our audit staff as requested.

Generally accepted government auditing standards also require that we be alert to situations or transactions that could be indicative of waste or abuse, which involves behavior that is deficient or improper when compared with behavior that a prudent person would consider reasonable and necessary business practice given the facts and circumstances. The determination of waste or abuse is subjective, and, under generally accepted government auditing standards, we are not expected to provide reasonable assurance of detecting waste or abuse. However, if we become aware of indications of waste or abuse, we will apply procedures to ascertain whether waste or abuse has occurred and its effect on the audit objectives and results of the audit.

During the course of our audit field work, it is necessary for our staff to be granted access to certain records or files containing information that is exempt from public disclosure (e.g. employee social security numbers on employment records and employee travel vouchers, bank account numbers, debit, charge, and credit card account numbers on disbursement vouchers). Access to this information is requested pursuant to Sections 11.47 and 119.07(6), Florida Statutes. When the record is available electronically, we request that the information be made available in that format. To maintain your security over these records, please identify the contact person through whom we should address specific requests for access and the location(s) where the authorized auditors may review the records within your established security systems. Your suggestions for preserving the confidentiality of these records, and any other CCOC records that staff members may request access to, will be appreciated.

Additionally, we request Internet access from our laptop computers for the purpose of establishing a virtual private network (VPN) connection to the Auditor General network. To establish this connection, please e-mail Dylan Hunter at [dylanhunter@aud.state.fl.us](mailto:dylanhunter@aud.state.fl.us) with the following information:

1. Physical location at which the VPN connection is to be made.
2. Name and phone number of your Information Resources technical contact.
3. Written permission from an appropriate manager or supervisor at your designated location for staff members to use your network in this manner (e-mail is sufficient).

At the conclusion of the audit, pursuant to Section 11.45(4), Florida Statutes, we will discuss with appropriate CCOC management and those charged with governance the results of our audit and submit an official list of our preliminary and tentative findings that may be included in an audit report. Following the Auditor General's receipt and review of CCOC's written statement of explanation or rebuttal concerning all of the findings, including corrective action to be taken to preclude a recurrence of all findings, a final report will be prepared and issued. The audit report when final will be a public record.

Pursuant to Section 11.45(4)(c), Florida Statutes, our audit working papers and notes are not a public record. We will retain our supporting working papers for five years after the issuance of the audit report. We will make such working papers available to applicable Federal agencies or the Comptroller General of the United States as part of a quality review, to resolve audit findings, or to carry out oversight responsibilities.

An entrance conference was held on November 20, 2023, at 2:30 PM, at which time we discussed the logistics of the audit. Gina Bailey will supervise the audit, and the Audit Team Leader will be Dylan Hunter.

Honorable Stacy Butterfield, CPA  
November 20, 2023  
Page -3-

We look forward to working with you and your staff and appreciate your patience as we use remote audit techniques. Should you at any time have concerns relative to the conduct or progress of this audit, please contact me at (850) 412-2767 or Gina at (813) 940-4172. Please sign and date below to indicate your acknowledgement of, and agreement with, the arrangements for our audit, including our respective responsibilities as outlined in this engagement letter, and return the signed/dated copy to us. Thank you for your assistance.

Sincerely,



Derek Noonan, CPA  
Audit Manager

Acknowledged and agreed on behalf of the CCOC.

  
Stacy Butterfield, Chair, CCOC Executive Committee

11/21/2023  
Date

c: CCOC Executive Committee  
John Dew, CCOC Executive Director

---

**From:** DYLAN HUNTER <DYLANHUNTER@AUD.STATE.FL.US>  
**Sent:** Thursday, November 30, 2023 2:42 PM  
**To:** Andrea Rice  
**Cc:** John Dew  
**Subject:** Documents Request

Good Afternoon,

We have a few requests for documentation. I understand that you may be working with limited staff. We understand if it takes time to get back with us on our requests but we would appreciate anything that you could piecemeal. Could you please provide the following documentation?

1. Internal and external audit reports that occurred during the audit period of 10/1/22 – 9/30/23
2. The policy and procedures for the CCOC that were active during the audit period
3. The budget for the 22-23 fiscal year
4. Did the CCOC established and managed a reserve for contingencies within the Clerks of the Court Trust Fund (F.S.28.36(3)(a))? If so, please provide documentation evidencing such. If not, why?
5. Did the CCOC provided a reporting of the balance and use of these funds during each county fiscal year as part of the corporation's annual report submitted under s. 28.35(2)(h)? If so, please provide documentation evidencing such. If not, why?
6. Did the CCOC used the reserve to ensure the clerks of court can perform the court-related functions as provided in s. 28.35(3)(a)? If so, please provide documentation evidencing such. If not, why?
7. To use the reserve, did the CCOC requested a budget amendment pursuant to s. 216.292? If so, please provide documentation evidencing such. If not, why?

I will send another email or two in the coming days with a few more request on different subject matters.

Thank you in advance for your assistance.

**Dylan Hunter**  
**Senior Auditor**  
**State Of Florida Auditor General**  
**850-412-2767**

**\*In the event your response contains information that may be considered sensitive or confidential pursuant to Federal or State law, please do not send that information via e-mail. Please contact me to make alternative arrangements to provide the information.**



**Stacy M. Butterfield, CPA**  
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GENERAL COUNSEL

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

### AGENDA ITEM 3e

**DATE:** December 13, 2023  
**SUBJECT:** Contract Extensions  
**COUNCIL ACTION:** Approve contract extensions.

#### OVERVIEW:

Section 28.35, (4), F.S., authorizes the CCOC to pay expenses as necessary to perform the official duties and responsibilities of the corporation.

The CCOC contracts are provided on a one-year basis with the option to extend the contract for one year twice, provided there is adequate funding and performance. Six of the below contracts will be seeking their second and final one-year extension. One contract, Krizner Group, will be seeking their first one-year extension. CCOC staff has evaluated the performance of the vendors below and recommends to the Council that they be given a one-year contract extension for the calendar year 2024. The vendors have agreed to extend their services at the same rate as provided in 2023. The contract extension forms are attached to this memo. The original contracts for 2022 and 2023 for Krizner approved by the Executive Council can be found on the CCOC website: <https://flccoc.org/contractual-services/>

Vendor	Services Provided	Extension	Contract rate/deliverables
Bill Sittig	Financial & Accounting	#2	\$99/hr not to exceed \$26,100 Annually
Law, Redd, Crona & Monroe	Annual Financial Audit	#2	\$150/hr not to exceed \$15,900 Annually
Understory, LLC	Website Hosting & Management	#2	Not to exceed \$16,000 Annually
eGroup Tech, Inc.	IT Managed Services	#2	\$3,166/mo not to exceed \$38,000 Annually
Tallahassee Cleaning Solutions	Janitorial	#2	\$205 mo and one deep cleaning not to exceed \$2,710 Annually
FCCC	Clerk and Staff Education	#2	Not to exceed \$397,200 Annually

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

AGENDA ITEM 3e – CONTRACT EXTENSIONS

Vendor	Services Provided	Extension	Contract rate/deliverables
CIS	Compliance Training	#2	*Not to exceed \$73,500 annually for services and \$6,000 annually for travel.
Krizner Group	Core HR Services	#1	\$5,700 annually.

\*For the second year’s extension, the Council approved an increase of \$14,000 due to the vendor’s involvement in staffing and planning the 2023 Compliance Summit. At this Summit, attendees expressed an interest in receiving additional training. CIS is offering to take on that additional responsibility at the annual rate of \$73,500.

**COUNCIL ACTION:** Approve contract extensions.

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

**ATTACHMENTS:**

1. Bill Sittig – financial & accounting service contract extension
2. Law, Redd, Crona & Monroe – audit service contract extension
3. Understory, LLC – website hosting and management service contract extension
4. eGroup Tech – IT managed service contract extension
5. Tallahassee Cleaning Solutions – janitorial service contract extension
6. FCCC – Educational Services
7. Compliance Improvement Services – compliance training
8. Krizner Group – core HR Services



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### Extension of Contract For 2024

The initial contract between the CCOC and Bill Sittig, CPA was dated January 31, 2022, for financial and accounting services. Mr. Sittig has an option to be given an extension for calendar year 2024 that will expire December 31, 2024. Upon favorable evaluation, Mr. Bill Sittig has agreed to a one-year extension as offered by the CCOC Executive Director John Dew. The extension was approved by the Executive Council on December 13, 2023.

#### Professional Services Agreement

- 1) The parties agree to extend this contract for an additional one-year period, which will begin January 1, 2024 and will end on December 31, 2024.
- 2) All other terms and conditions of this original contract remain unchanged.
- 3) This document, including the attached original contract is the entire agreement between the parties.
- 4) The original and one of more copies of this Agreement may be executed by one or more of the parties hereto. In such event, all such executed copies shall have the same force and effect as the executed original, and all such counterparts, taken together shall have the effect of a fully executed original.

IN WITNESS WHEREOF, this Extension of Contract has been executed by the parties hereto as of the effective date of January 1, 2024.

Florida Clerks of Court Operations Corporation

Bill Sittig, CPA

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

John Dew, Executive Director

Bill Sittig (owner)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: \_\_\_\_\_

Witness: \_\_\_\_\_



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### Extension of Contract For 2024

The initial contract between the CCOC and Law, Redd, Crona, & Monroe, P.A. was dated January 4, 2022, for Audit Services of the CCOC Office. Ms. Powell, Audit Partner, has an option to be given an extension for calendar year 2024 that will expire December 31, 2024. Upon favorable evaluation, Ms. Powell has agreed to a one-year extension as offered by the CCOC Executive Director John Dew. The extension was approved by the Executive Council on December 13, 2023.

#### Professional Services Agreement

- 1) The parties agree to extend this contract for an additional one-year period, which will begin on January 1, 2024 and will end on December 31, 2024..
- 2) All other terms and conditions of this contract remain unchanged.
- 3) This document, including the attached original contract is the entire agreement between the parties.
- 4) The original and one of more copies of this Agreement may be executed by one or more of the parties hereto. In such event, all such executed copies shall have the same force and effect as the executed original, and all such counterparts, taken together shall have the effect of a fully executed original.

IN WITNESS WHEREOF, this Extension of Contract has been executed by the parties hereto as of the effective date of January 1, 2024.

Florida Clerks of Court Operations Corporation

Law, Redd, Crona & Munroe, P.A.

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

John Dew, Executive Director

Dana Powell (Audit Partner)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: \_\_\_\_\_

Witness: \_\_\_\_\_





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### Extension of Contract For 2024

The initial contract between the CCOC and UnderStory, LLC was dated January 4, 2022, for design, development, maintenance and hosting of the Corporation’s website. Mr. Thomas (Owner), has an option to be given an extension for calendar year 2024 that will expire December 31, 2024. Upon favorable evaluation, Mr. Thomas has agreed to a one-year extension as offered by the CCOC Executive Director John Dew. The extension was approved by the Executive Council on December 13, 2023.

#### Professional Services Agreement

- 1) The parties agree to extend this contract for an additional one-year period, which will begin January 1, 2024 and will end on December 31, 2024.
- 2) All other terms and conditions of this contract remain unchanged.
- 3) This document, including the attached original contract is the entire agreement between the parties.
- 4) The original and one of more copies of this Agreement may be executed by one or more of the parties hereto. In such event, all such executed copies shall have the same force and effect as the executed original, and all such counterparts, taken together shall have the effect of a fully executed original.

IN WITNESS WHEREOF, this Extension of Contract has been executed by the parties hereto as of the effective date of January 1, 2024.

Florida Clerks of Court Operations Corporation

UnderStory, LLC

Signature: \_\_\_\_\_

John Dew, Executive Director

Date: \_\_\_\_\_

Witness: \_\_\_\_\_

Signature: \_\_\_\_\_

Eric Thomas (Owner)

Date: \_\_\_\_\_

Witness: \_\_\_\_\_



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### Extension of Contract For 2024

The initial contract between the CCOC and eGroupTech, Inc was dated January 4, 2022, for IT Managed services from eGroupTech for calendar year 2022. eGroupTech, Inc. has an option to be given an extension for calendar year 2024 that will expire December 31, 2024. Upon favorable evaluation eGroupTech, Inc. has agreed to a one-year extension for 2024 as offered by the CCOC Executive Director, John Dew. The CCOC Executive Council on December 13, 2023 agrees to have a one year extension that begins on January 1, 2024 through December 31, 2024.

#### Professional Services Agreement

- 1) The parties agree to extend this contract for an additional one-year period, which will begin on January 1, 2024 and will end on December 31, 2024.
- 2) *All other terms and conditions of this contract remain unchanged.*
- 3) This document, including the attached original contract is the entire agreement between the parties.
- 4) The original and one of more copies of this Agreement may be executed by one or more of the parties hereto. In such event, all such executed copies shall have the same force and effect as the executed original, and all of such counterparts, taken together shall have the effect of a fully executed original.

IN WITNESS WHEREOF, this Extension of Contract has been executed by the parties hereto as of the effective date of January 1, 2024.

Florida Clerks of Court Operations Corporation

eGroupTech, Inc.

Signature: \_\_\_\_\_  
John D. Dew, Executive Director  
Date: \_\_\_\_\_  
Witness: \_\_\_\_\_

Signature: \_\_\_\_\_  
Kenneth Baker (owner)  
Date: \_\_\_\_\_  
Witness: \_\_\_\_\_



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### Extension of Contract For 2024

The initial contract between the CCOC and Tallahassee Cleaning Services was dated January 4, 2022, for bi-weekly cleaning services of the CCOC Office. Mr. Clayton, business owner, has an option to be given an extension for calendar year 2024 that will expire December 31, 2024. Upon favorable evaluation, Mr. Clayton has agreed to a one-year extension as offered by the CCOC Executive Director John Dew. The extension was approved by the Executive Council on December 13, 2023.

#### Professional Services Agreement

- 1) The parties agree to extend this contract for an additional one-year period, which will begin January 1, 2024 and will end on December 31, 2024.
- 2) All other terms and conditions of this contract remain unchanged.
- 3) This document, including the attached original contract is the entire agreement between the parties.
- 4) The original and one of more copies of this Agreement may be executed by one or more of the parties hereto. In such event, all such executed copies shall have the same force and effect as the executed original, and all such counterparts, taken together shall have the effect of a fully executed original.

IN WITNESS WHEREOF, this Extension of Contract has been executed by the parties hereto as of the effective date of January 1, 2024.

Florida Clerks of Court Operations Corporation

Tallahassee Cleaning Services

Signature: \_\_\_\_\_

John Dew, Executive Director

Date: \_\_\_\_\_

Witness: \_\_\_\_\_

Signature: \_\_\_\_\_

Colby Clayton (owner)

Date: \_\_\_\_\_

Witness: \_\_\_\_\_



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### Extension of Contract For 2024

The initial contract between the CCOC and FCCC was dated January 14, 2022, for educational services. Mr. Hart (CEO) has an option to be given an extension for calendar year 2024 that will expire December 31, 2024. Upon favorable evaluation, Mr. Hart has agreed to a one-year extension as offered by the CCOC Executive Director John Dew. The extension was approved by the Executive Council on December 13, 2023.

#### Professional Services Agreement

- 1) The parties agree to extend this contract for an additional one-year period, which will begin on January 1, 2024 and will end on December 31, 2024.
- 2) All other terms and conditions of this contract remain unchanged.
- 3) This document, including the attached original contract is the entire agreement between the parties.
- 4) The original and one of more copies of this Agreement may be executed by one or more of the parties hereto. In such event, all such executed copies shall have the same force and effect as the executed original, and all such counterparts, taken together shall have the effect of a fully executed original.

IN WITNESS WHEREOF, this Extension of Contract has been executed by the parties hereto as of the effective date of January 1, 2024.

Florida Clerks of Court Operations Corporation

FCCC

Signature: \_\_\_\_\_  
John Dew, Executive Director  
Date: \_\_\_\_\_  
Witness: \_\_\_\_\_

Signature: \_\_\_\_\_  
Chris Hart (CEO)  
Date: \_\_\_\_\_  
Witness: \_\_\_\_\_



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### Extension of Contract For 2024

The initial contract between the CCOC and Compliance Improvement Services, Inc. was dated January 4, 2022, for helping Clerks and staff with compliance efforts. Mr. Don Murphy, Owner, has an option to be given an extension for calendar year 2024 that will expire December 31, 2024. Upon favorable evaluation, Mr. Murphy has agreed to a one-year extension as offered by the CCOC Executive Director John Dew. The extension would keep the same \$14,000 annual increase over the first contract extension that was approved by the Executive Council in December 2022.

#### Professional Services Agreement

- 1) The parties agree to extend this contract for an additional one-year period, which will begin January 1, 2024 and will end on December 31, 2024.
- 2) All other terms and conditions of this contract remain unchanged, with the exception of increasing the maximum total contract to \$73,500 annually.
- 3) This document, including the attached original contract is the entire agreement between the parties.
- 4) The original and one of more copies of this Agreement may be executed by one or more of the parties hereto. In such event, all such executed copies shall have the same force and effect as the executed original, and all such counterparts, taken together shall have the effect of a fully executed original.

IN WITNESS WHEREOF, this Extension of Contract has been executed by the parties hereto as of the effective date of January 1, 2024.

Florida Clerks of Court Operations Corporation

Compliance Improvement Services

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

John Dew, Executive Director

Don Murphy (owner)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: \_\_\_\_\_

Witness: \_\_\_\_\_

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### Extension of Contract For 2024

The initial contract between the CCOC and Krizner Group, for core HR services was approved by the Council at the December 14, 2022 meeting and became effective on January 1, 2023. The Krizner Group has an option to be given an extension for calendar year 2024 that will expire December 31, 2024. Upon favorable evaluation, Ms. Chastain has agreed to a one-year extension as offered by the CCOC Executive Director John Dew. The extension was approved by the Executive Council on December 13, 2023.

#### Professional Services Agreement

- 1) The parties agree to extend this contract for an additional one-year period, which will be effective January 1, 2024 through December 31, 2024.
- 2) All other terms and conditions of this contract remain unchanged.
- 3) This document, including the attached original contract is the entire agreement between the parties.
- 4) The original and one of more copies of this Agreement may be executed by one or more of the parties hereto. In such event, all such executed copies shall have the same force and effect as the executed original, and all such counterparts, taken together shall have the effect of a fully executed original.

IN WITNESS WHEREOF, this Extension of Contract has been executed by the parties hereto as of the effective date of January 1, 2024.

Florida Clerks of Court Operations Corporation

The Krizner Group

Signature: \_\_\_\_\_

John Dew, Executive Director

Date: \_\_\_\_\_

Witness: \_\_\_\_\_

Signature: \_\_\_\_\_

Joyce Chastain

Date: \_\_\_\_\_

Witness: \_\_\_\_\_



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11TH JUDICIAL CIRCUIT JUDGE  
SUPREME COURT APPOINTEE

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## AGENDA ITEM 4

**DATE:** December 13, 2023  
**SUBJECT:** CCOC Annual Report  
**COUNCIL ACTION:** Approve the CCOC Annual Report

### OVERVIEW:

Subsection 28.35(2)(h), F.S., requires the CCOC to prepare and submit a report on its operations and activities as well as details on the clerks' budget development process and the end-of-year reconciliation. This report is due annually by January 1 and is required to be sent to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees.

In 2021, s. 28.36(3), F.S., was created to establish a contingency fund for the clerks. This subsection also requires the CCOC to include the balance and use of this reserve fund for each fiscal year as part of this Annual Report. A breakdown of the clerks' reserve fund is now included in the CCOC Annual Report (see page #7).

**COUNCIL ACTION:** Approve the CCOC Annual Report

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

### ATTACHMENTS:

1. 2023 CCOC Annual Report



# ANNUAL REPORT 2023



**Florida Clerks of Court Operations Corporation**



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# MESSAGE FROM THE CCOC CHAIR

The Clerks of Court Operations Corporation (CCOC) presents the County Fiscal Year (CFY) 2022-23 Annual Report. Clerks provide a wide range of critical public services and information relied on by our community, law enforcement, state agencies, and the judiciary. As Florida's population is rapidly growing the demand on Clerks to provide efficient and reliable services is also increasing. Recent legislative changes have helped; however, Clerks continue to face challenges in providing the expected service.

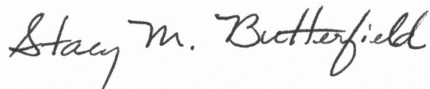
## Highlights

The clerks' total court-related budget for CFY 2022-23 was \$473.4 million, just under a two percent year-over-year increase. Actual revenues for the year exceeded the Revenue Estimating Conference (REC) estimate by over \$28 million, mainly caused by tort reform legislation passed in March. Revenues continue to increase and reflect maintained growth. However, Clerks continue to face challenges. Budgets are basically the same as a decade ago while costs have dramatically increased, especially labor and technology costs. These challenges impact the Clerks' ability to provide critical services to Florida. We look forward to the opportunity to continue the partnership with the Legislature and the Governor's Office to bring forward solutions to address the challenges.

In the 2022 session, the Legislature passed HB 1349 entrusting the CCOC with the task of implementing a statewide guardianship database. The CCOC has been working diligently to implement this important initiative of the Legislature as an additional tool to help protect the most vulnerable citizens of the state.

## Looking Ahead

Clerks strive to provide excellent service. We recognize and respect the challenging role of the Legislature and Governor as they make decisions for our State. We look forward to the opportunity to continue the partnership with the Legislature and Governor to find solutions to address the challenges impacting Clerks' ability to provide critical services to our communities statewide.



Stacy M. Butterfield, CPA  
 Clerk of Court and Comptroller, Polk County  
 Chair, CCOC Executive Council



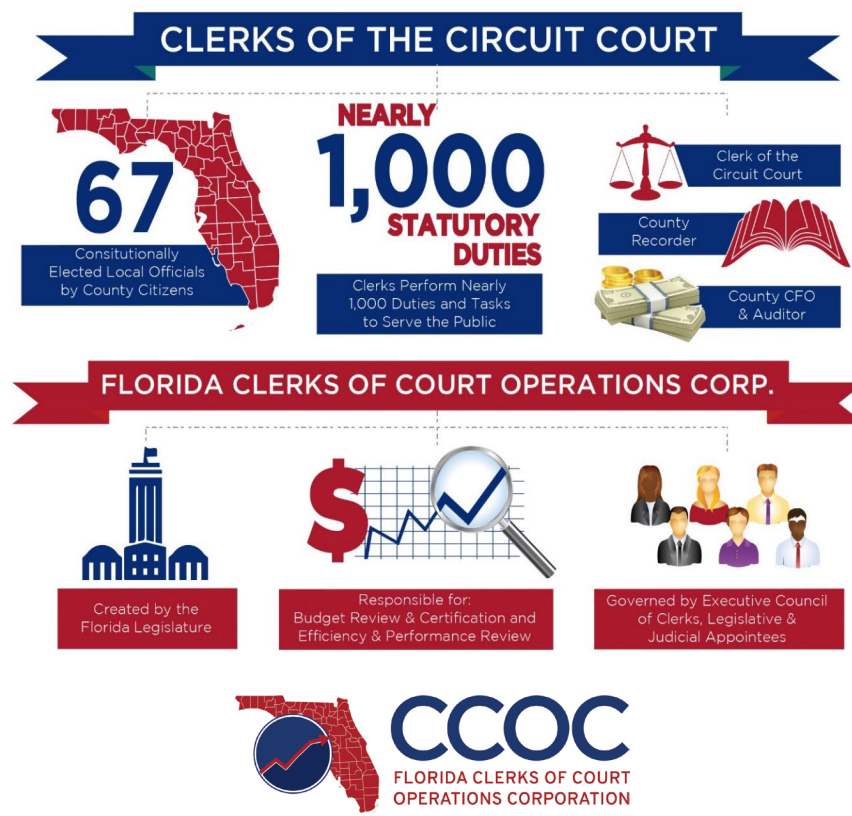
# THE CLERKS OF COURT OPERATIONS CORPORATION

## Membership and Duties

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

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

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



## Structure

CCOC utilizes workgroups and committees to gather information, make recommendations, and create processes to collect and analyze statutorily required information. Workgroups consist of clerks and staff from multiple clerk offices around the state. Workgroups welcome clerk staff members to take part in any workgroup meeting. Committees are made up of specific clerks as appointed by the Executive Council. Proposals from a workgroup will be passed to the relevant committee for discussion and deliberation before passing the recommendation to the Executive Council. The process is open to all. The standing committees active during CFY 2022-23 included:

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

## Standing Committees

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

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

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



# CFY 2022-23 STATUS UPDATE

In CFY 2022-23, revenues collected by the clerks continued to increase, exceeding the prior year total by \$30.7 million and the REC estimate for the year by \$28.1 million. A huge driver of this increase was the impact from the tort reform legislation which led to historic revenues collected in March. Revenues collected have increased each year since the Covid-19 pandemic, which has also led to the clerks' court-related budget increasing each year as well.

## New Revenue

Total revenues collected for the year exceeded the Article V Revenue Estimating Conference (REC) \$440.1 million estimate by over \$28 million, a 6.4 percent residual. County civil revenues collected saw a year-over-year increase of over \$20 million, a substantial driver in the yearly increase. However, circuit criminal, county criminal, and probate revenues totaled a combined decrease of \$3.2 million from the prior fiscal year. The \$440.1 million REC estimate allowed the Budget Committee to increase the clerks' budgets by \$12.7 million over the prior year's budget authority, a 2.7 percent year-over-year increase. For CFY 2022-23 actual revenues, nine of the twelve months came in above the REC monthly estimates. Clerks and the CCOC are grateful to the Legislature for their continued partnership and support of the clerks' budgets as we attempt to diversify, increase, and stabilize volatile revenue streams that vary greatly from year to year.

## Tort Reform Legislation

In March, the Legislature passed HB 837 which was then signed into law by the Governor which took effect immediately. This bill contained new legal restrictions for certain civil lawsuits and revamped attorney fees, the timeframe for filing negligence lawsuits, and "bad faith" cases against insurers. Due to anticipation of this law becoming effective, there was an unprecedented surge in civil filings across the state. This influx of filings led to a substantial temporary increase in case volume, including a historic month of revenues totaling almost \$65 million, the highest month ever.

## Continued Pandemic Response

As response efforts to the COVID-19 pandemic continued into this fiscal year, the Legislature appropriated the clerks \$6.25 million of nonrecurring General Revenue for year two of the Clerks' Pandemic Recovery Plan. This funding was effective July 1, 2022, and assisted clerks working



through the backlog of cases plaguing the court system as a result of the pandemic. CCOC coordinated this recovery initiative with our partners at the State Courts, who received corresponding funding.

### **Reserve Fund**

In 2021, SB 838 was signed into law to establish a contingency fund for the clerks. The legislation created s. 28.36(3), F.S., which requires the CCOC to establish and manage this reserve within the Clerks of the Court Trust Fund. Subsection 28.36(3)(b), F.S., requires the CCOC to include the balance and use of the reserve funds as part of this Annual Report. While building the CFY 2022-23 clerks' budget, the Budget Committee decided to fund the reserve at the statutory threshold of 10% of the Cumulative Excess which totaled \$273,309. This brings the reserve fund total as of CFY 2022-23 to \$1.6 million. Funds in reserve were not utilized during CFY 2022-23.

### **Needs-Based Budget**

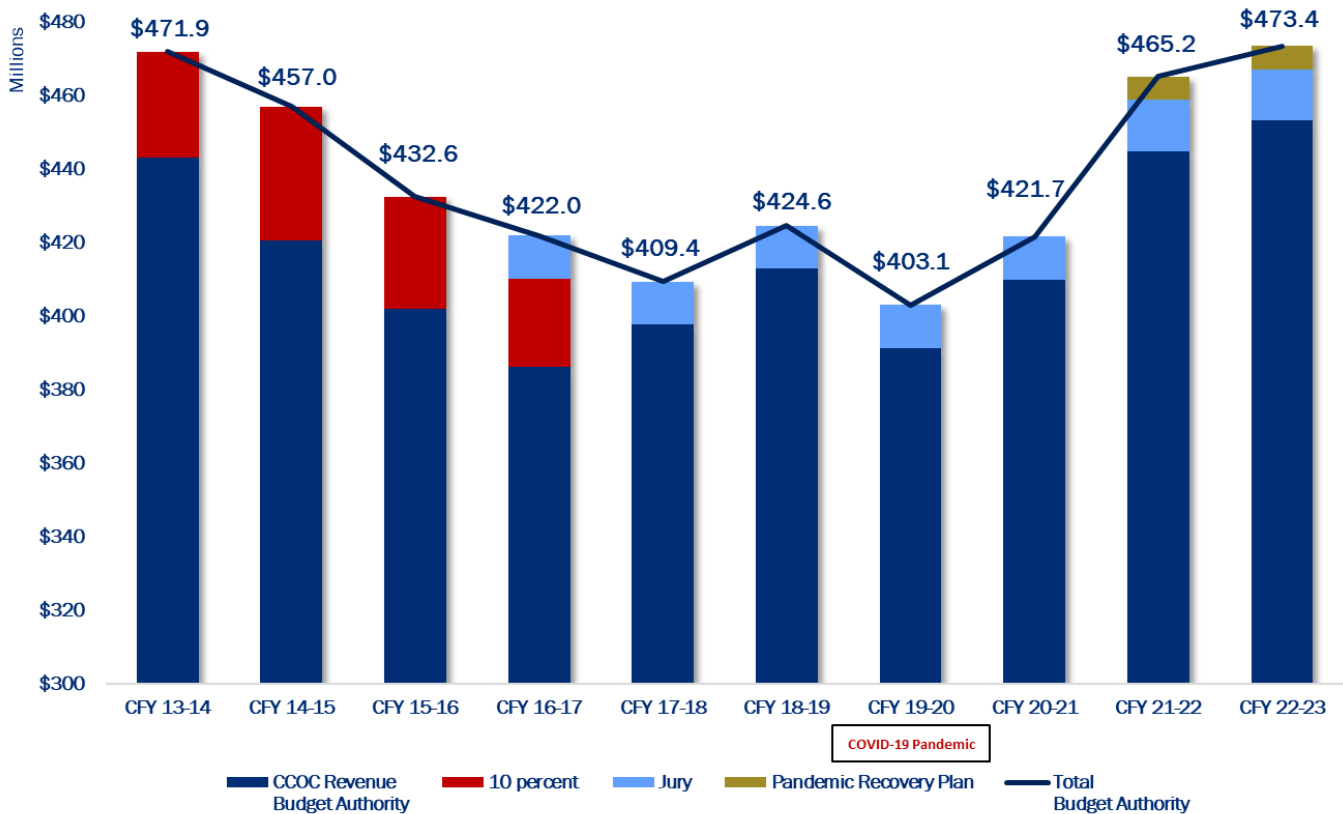
Current law does not define 'reasonable and adequate' funding. CCOC defines 'reasonable and adequate' funding as the amount approved by the CCOC Budget Committee during the budget request process and labels it as the "Needs-Based Budget." During the budget development process, the committee established the clerks' CFY 2022-23 Needs-Based Budget of \$501.4 million. However, due to limited available revenues, this is almost \$28 million more than the actual clerks' budget of \$473.4 million. In addition, \$8.5 million of this funding is non-recurring. Therefore, the total year-over-year funding gap is \$36.5 million. This funding shortfall is what the clerks' legislative team is actively working to address with our partners in the Legislature. This funding gap is ongoing and will continue to increase as inflation impacts cost-of-living and staffing (the greatest portion of clerk costs). In addition, fixed costs such as salaries, health insurance, and Florida Retirement System (FRS) contributions continue to grow while clerks are forced to absorb these costs. As personnel services constitute over 90 percent of clerk budgets, these increases in fixed costs leave the clerks with no choice but to reduce positions and services to absorb these costs. The clerks' judicial partners, such as State Attorneys, Public Defenders, and the Courts, have these annual increases in fixed costs appropriated in Administered Funds. Furthermore, when cases decrease, our partners' budgets do not decrease proportionally. However, since the clerks' budget is set based on revenue derived from associated cases, it is decreased regardless of whether there is a proportional decrease in workload, as highlighted by the \$36.5 million funding gap.

# BUDGET COMMITTEE

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

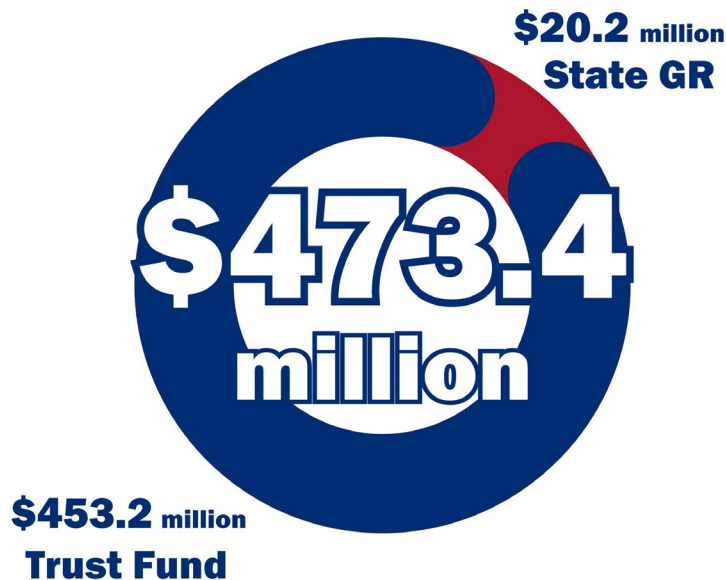
The Budget Committee was very active during CFY 2022-23. The committee continued to build upon the budget request process that mirrors the state budgeting process to develop the clerks' CFY 2022-23 court-related budget. The committee used the CFY 2021-22 Revenue-Limited Budget of \$444.8 million plus \$3.5 million for the calculated FRS increase as the CFY 2022-23 Base Budget totaling \$448.3 million. The committee then considered funding requests submitted by each clerk and added \$57,685 for an FTE for the new judge established in Lake County and allocated the remaining \$4.9 million via an across-the-board distribution. This established the CFY 2022-23 Revenue-Limited Budget at \$453.2 million. In addition to this amount, the clerks were appropriated \$20.2 million in State General Revenue, including \$14 million in jury management reimbursement funding and \$6.25 million for year two of the clerks' Pandemic Recovery Plan. Therefore, the clerks' total CFY 2022-23 court-related budget was \$473.4 million.

Clerks' Court-related Budget Authority



## CFY 2022-23 Budget Authority

The clerks' total court-related budget authority for CFY 2022-23 was \$473.4 million, over 95 percent of which comes from revenue from fines, fees, service charges, and court costs. This was \$8.2 million (1.8 percent) higher than the previous year's budget. The clerks' budget authority also included \$20.2 million of General Revenue (GR) appropriated by the Legislature, including \$14 million for Juror Management and \$6.25 million for year two of the Clerks' Pandemic Recovery Plan. Of this GR funding, \$8.5 million was non-recurring.



## Revenue Collection

The clerks of court collect revenue for their budgets and many other entities within the justice system as well as other entities unconnected to the judiciary. The REC met in July 2022 to set the projected annual revenues at \$441.0 million. Actual revenues collected exceeded this estimate by over \$28 million. Fifty percent of this cumulative excess total (\$14.0 million) will be sent to the State's General Revenue Fund.

Like the Department of Revenue, clerks collect money for other entities established by the Legislature. During CFY 2022-23, the clerks collected \$860.2 million, of which \$102.6 million went to state trust funds. Both of these totals are up from the previous year's totals of \$803.5 million collected, of which \$100.4 million went to state trust funds. During CFY 2022-23, revenue collected by the clerks went to 39 different state trust funds.

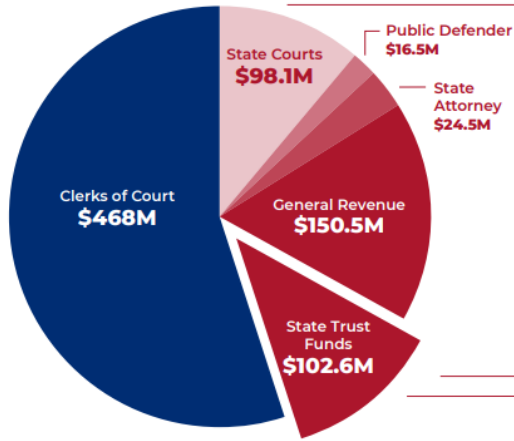


# DURING 2022-23 FISCAL YEAR, 45% OF REVENUES COLLECTED BY CLERKS WERE DISTRIBUTED ELSEWHERE

## REVENUES KEPT OR DISTRIBUTED TO CLERK OPERATIONS

In State Fiscal Year 2022-23, Clerks collected \$860.2 million in statutorily mandated fines and fees, of which they only retained \$468 million to provide services to the Floridians who depend on the timely resolution of their cases.

54.4%



## REVENUES DISTRIBUTED ELSEWHERE

\$392.2 million out of the \$860.2 million collected by Florida's Clerks of Court were distributed elsewhere.

45.6%

13%

\$102.6 million in revenues collected were distributed to state trust funds.

State Trust Fund	Distribution
Additional Court Costs TF	\$8,805,560.63
Alcoholic Beverage & Tobacco Refunds	\$3,607.76
Audit & Warrant Clearing TF	\$13,901.77
Brain & Spinal Cord Injury Program TF	\$8,464,122.61
Child Welfare Training TF	\$1,566,145.35
Court Education TF	\$4,806,441.98
Crime Stoppers TF	\$3,450,812.43
Crimes Compensation TF	\$12,783,773.66
Dept of Financial Services Admin TF	\$2,622,480.75
DFS Operating TF	\$82,637.55
DLA Revolving TF	\$145.00
DOE Grants and Donations TF	\$1,224,396.21
Domestic Violence TF	\$9,028,194.90
Emergency Medical Services TF	\$15,769,855.89
Epilepsy Services TF	\$288,282.85
FDLE Operating TF	\$1,803,004.69
FL Coastal Protection TF	\$2,882.50
Forfeiture and Investigative Support TF	\$176,213.73
FWC Operating TF	\$64,375.90
General Inspection TF	\$6,434.54
Grants & Donations TF	\$360,330.74
Inland Protection TF	\$2,363.07
Insurance Regulatory TF	\$440.00
Internal Improvement TF	\$14.32
JAC Grants and Donations TF	\$111,759.23
Juvenile Welfare Training TF	\$1,229,530.17
Law Enforcement Radio System TF	\$4,022,516.23
Marine Resources Conservation TF	\$852,594.51
Motor Vehicle License Clearing TF	\$19,495,907.36
Nongame Wildlife TF	\$1,351,390.58
Operations and Maintenance TF	\$325,492.36
Planning and Evaluation TF	\$1,100,793.40
Projects, Contracts & Grants TF	\$100,614.76
Rape Crisis Program TF	\$2,319,813.19
Solid Waste Management TF	\$33,816.73
State Game TF	\$63,734.03
State Transportation TF	\$92,944.19
SWAP Grants & Donations TF	\$235,307.51
Water Quality Assurance TF	\$691.93
<b>Total</b>	<b>\$102,663,325</b>



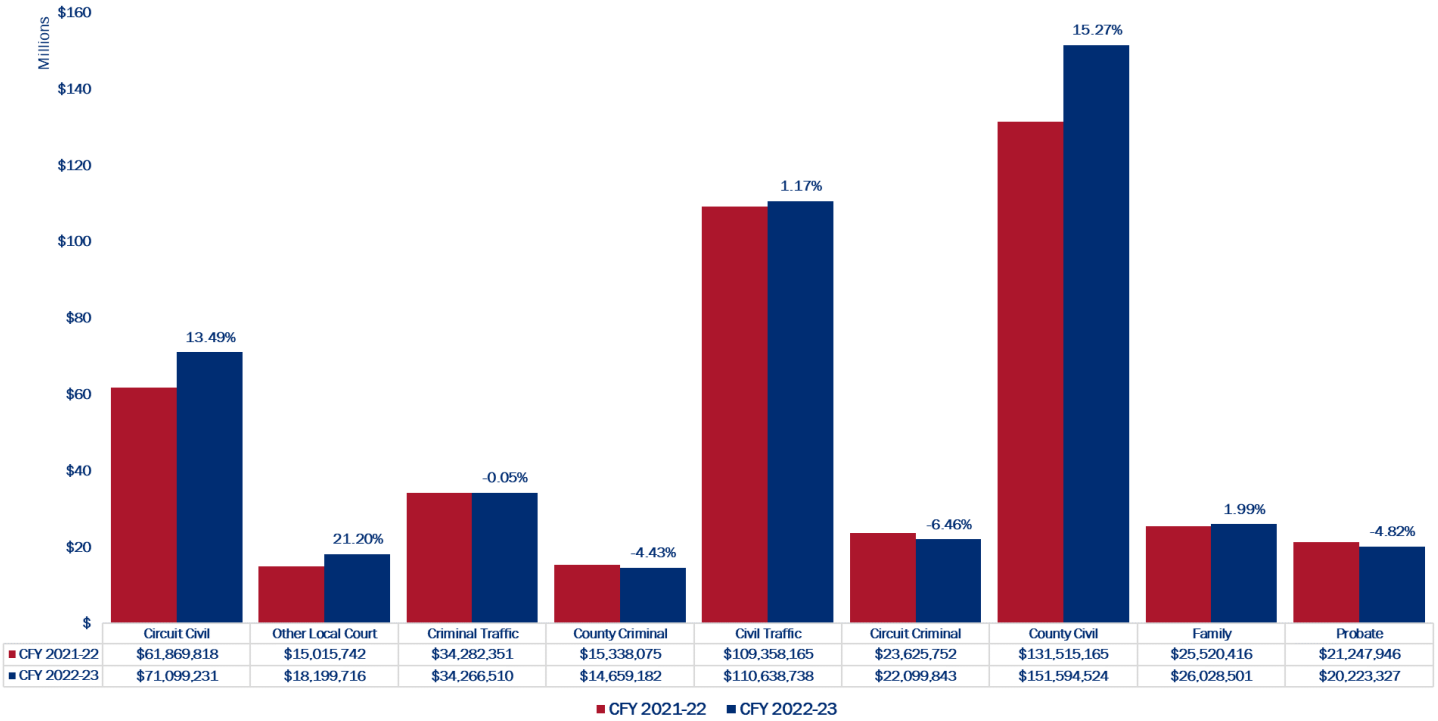
\*\* Data provided by Florida Clerks of Court Operations Corporation (CCOC)

As noted above, the clerks experienced increases in revenues collected. However, these increases were not uniform across court divisions. County civil and circuit civil saw the most significant increases among court divisions year-over-year, totaling over \$29 million. These two court divisions were the main drivers in the seven percent year-over-year increase. Circuit criminal, county criminal, and probate revenues each experienced a decrease from the prior fiscal year, totaling a combined \$3.2 million decrease.

For the portion of collected revenues that the clerks can retain, the chart below highlights the percentage increase or decrease by court division. Other Local Court saw the greatest percentage increase year-over-year (21.2 percent), and County Civil had the largest amount increase year-over-year (\$20.1 million).

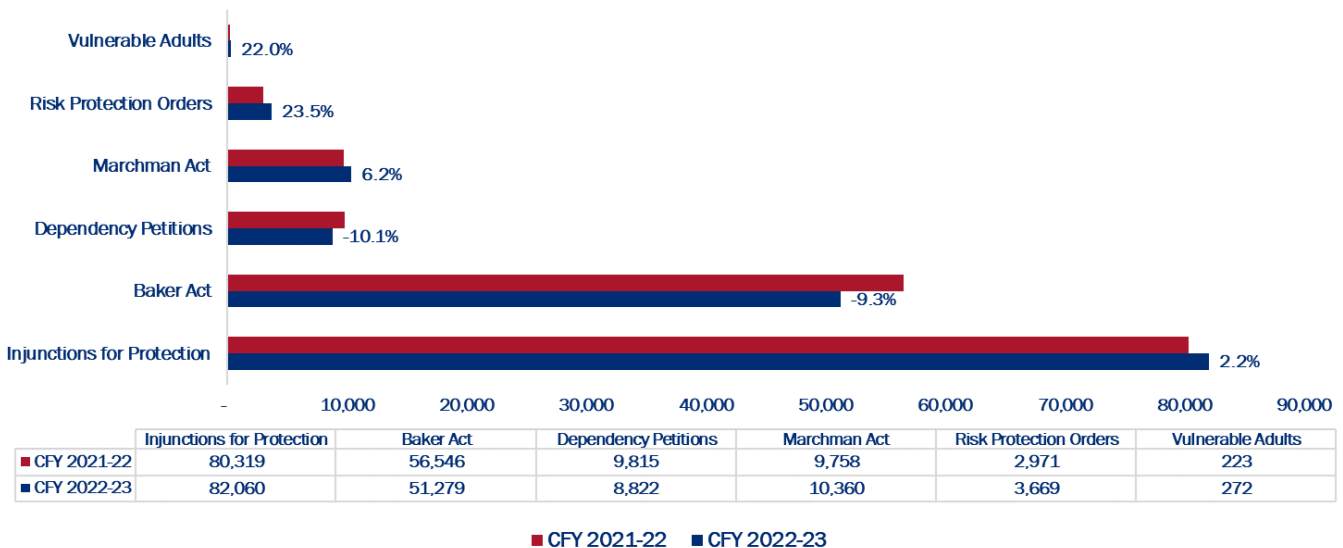


### Revenue by Court Division



Clerks work on certain case types that do not have a fee associated with them; however, these case types serve a vital public purpose. Clerks complete the work with no supporting revenue source to offset the cost. No-fee cases slightly decreased year-over-year during CFY 2022-23 by just under two percent. Risk protection orders had the greatest percentage increase year-over-year at almost 24 percent. Injunctions for protection had the highest case total of 82,060 for the year.

### Non-Paying Civil Cases

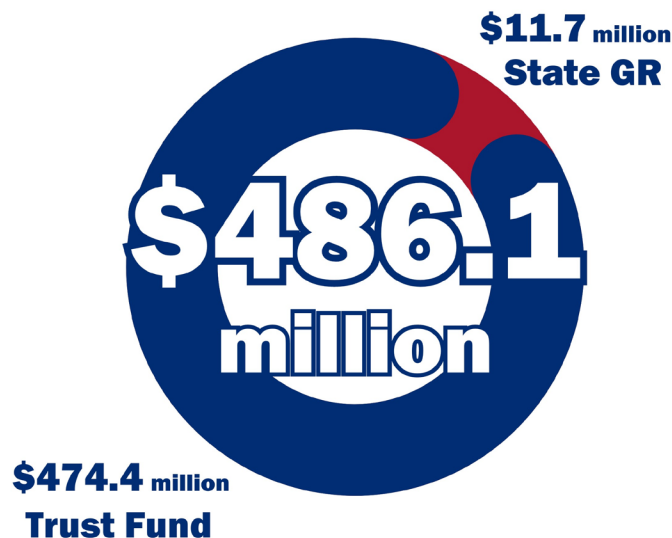


## CFY 2023-24 Budget Process

Florida law requires CCOC to approve a balanced budget. For CFY 2023-24, the revenue available includes the total of the \$458.5 million revenue projection established at the most recent Revenue Estimating Conference (REC), the \$1.0 million clerks' share of additional actual Cumulative Excess over the CFY 2021-22 REC estimate, and the \$15.0 million of Unspent Budgeted Funds carried forward from the previous fiscal year. Therefore, the total available budget authority for CFY 2023-24 is \$474.4 million.

To allocate this funding, the Budget Committee established a Base Budget of \$458.6 million, which includes the CFY 2022-23 Revenue-Limited Budget of \$453.2 million and \$5.4 million for the calculated FRS increase. During the budget deliberation process, the Budget Committee considered the funding issues submitted by each clerk. The committee then added \$1.4 million for a blended FRS rate to cover the estimated rate increase for Quarter Four of CFY 2023-24 (July - September 2024), \$14.5 million via a weighted cases allocation using the Weighted Workload Measure (statewide distribution), and a requirement that each clerk shall receive no less than a three percent year-over-year increase. This set the approved CFY 2022-23 Revenue-Limited Budget at \$474.4 million which the CCOC Executive Council approved in September.

In addition to this amount, clerks were also appropriated \$11.7 million in State General Revenue for jury management reimbursement funding. Therefore, the clerks' total CFY 2023-24 court-related budget is \$486.1 million. This is a \$12.7 million, or 2.7 percent, year-over-year increase.



# PERFORMANCE IMPROVEMENT AND EFFICIENCIES COMMITTEE

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

## The Role of the PIE Committee

The PIE Committee has three critical purposes:

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

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

The PIE Committee created the Future and Wholistic Review Workgroup to review all CCOC performance measures and standards. The workgroup has had high-level philosophical discussions regarding what areas of the office show workload beside case counts, what can be counted and what can it tell us, and how analytics can be used for management purposes. No recommendations have been made by this workgroup and no changes have been made to current CCOC Performance Measures or Standards for CFY 2022-23.

The Payment Plan Workgroup was created to investigate the workload from the increased use of payment plans to help customers to meet their legal financial obligations. The workgroup has developed a payment plan tracking form that is being used by pilot counties to track the number of payment plans by court division. The workgroup is planning to collect information through CFY 2023-24 before a recommendation is brought before the PIE Committee.

The Timeliness Workgroup was created to review the current timeliness standards for filing and docketing cases timely. A draft form was created to see how many cases were filed or docketed timely starting with the same day through 4 or more days. The workgroup determined that based on the data collected from the participating counties the current timeliness measures were adequate and did not recommend any changes for CFY 2022-23.

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

After the adoption of the Case Counting Business Rules, Effective October 1, 2022, for CFY 2022-23, the CCOC held a Case Counting Workshop. The goal of this statewide workshop was to provide training on the changes and to ensure clerks and their staff were confident in the application of the Case Counting Business Rules. The workshop also included sessions on IT considerations for implementing the required changes, case weights, a review of CCOC forms related to case counting, and an open forum for attendees to provide feedback for future revisions to the Case Counting Business Rules.

Along with Business Rules, the CCOC has developed case weights that demonstrate the workload for each case type. Cases are weighted between 1 and 10, with 10 being the greatest workload. Guardianship cases are weighted a 10 while Wills on Deposit are examples of cases weighted a 1. The case weight for a new case type was approved by the Executive Council and effective October 1, 2022, for CFY 2022-23.

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

In CFY 2022-23, the CCOC worked with the FCCC on the revision of Best Practices related to Compliance. The revisions are still in progress; however, they will provide clerk offices with guidance for ensuring all measures are taken to encourage compliance with court-related financial obligations.

The CCOC also held a Regional Small County Compliance Workshop in Charlotte County. This was a continuation of regional training that begun during CFY 2021-22. The workshop helped counties to clarify their purpose in creating a compliance program, discussed challenges and potential setbacks, and reviewed best practices in areas such as negotiation. Other topics discussed included outsourcing compliance, metrics for tracking performance, and improving customer service.

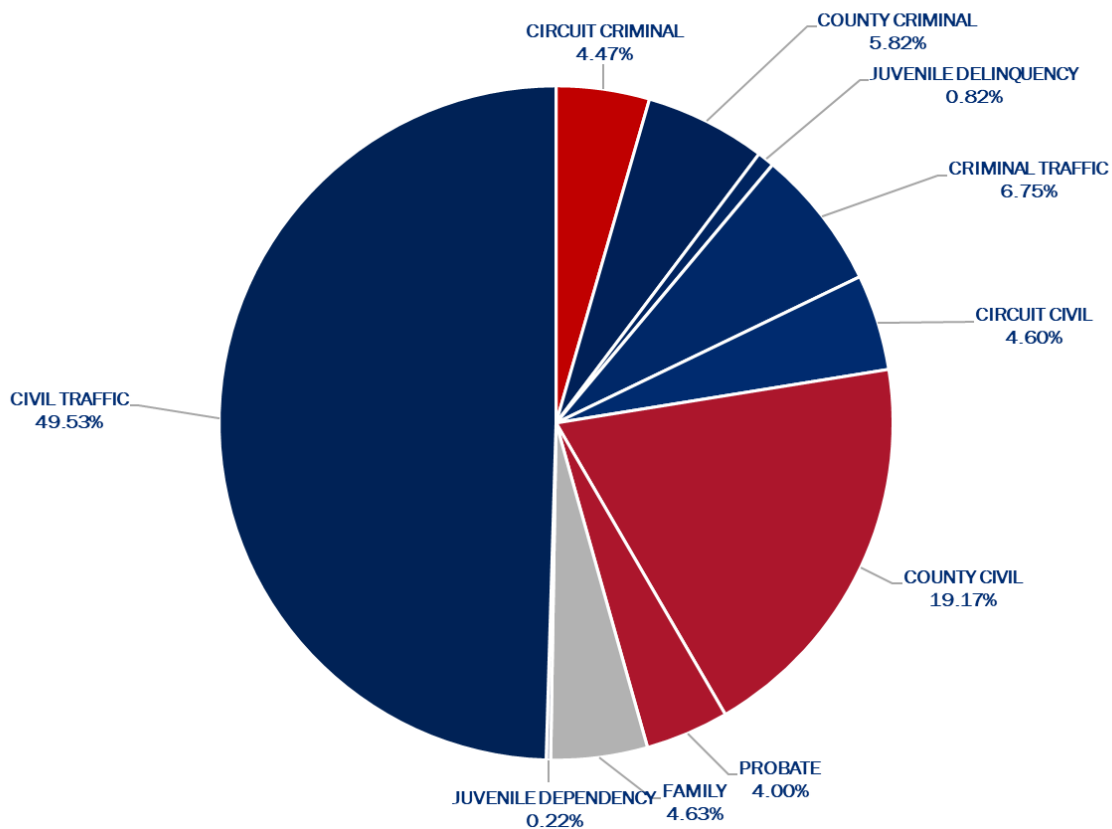


The PIE Committee also created the Clerk’s Court Services Framework that outlines all the statutory duties of Florida’s Clerks of Court. The document organizes these duties into nine service areas, which are then broken down into over 50 activities and over 400 tasks by ten court divisions. The Framework is scheduled for review in CFY 2023-24 to include the legislative changes since 2018.

**New Cases**

The PIE Committee continues to collect case data which is used in a variety of ways. The Legislative Committee uses case data to analyze the workload or fiscal impact of bills during Session. The PIE Committee uses case data to analyze trends in the judiciary and identify workload. The Budget Committee uses case data in the weighted workload measure and determines how to apply that data budgetarily. CCOC shares its case data with outside entities such as the Revenue Estimating Conference and the Office of the State Courts Administrator for making projection trends for new revenue. Finally, case data is available to the public interested in the services clerks provide. Individuals, advocacy organizations, and media outlets request information regarding the clerks’ case data as well. The pie chart below shows the new cases for CFY 2022-23.

**CFY 2022-23 NEW CASES BY COURT DIVISION**



# ANNUAL REINSTATEMENT DAYS PROGRAM

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

## Operation Green Light



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

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

In CFY 2022-23, events were held in October 2022 (one county), February 2023 (one county), March 2023 (57 counties), April 2023 (two counties) and September 2023 (one county).

## Mandatory Reporting

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

PROGRAM PERFORMANCE (s. 322.75(7), F.S.)	
1. Number of Cases Paid in Full	18,093
2. Number of Cases Placed on a Payment Plan	22,073
3. Number of Cases Given Community Service	5
4. Number of Cases Pulled from Collection Agency	29,649
5. Number of DL Reinstatements	2,679
6. Number of DL Reinstatements Made Eligible	12,522
7. Number of Cases Failing to Comply <sup>1</sup>	4,770

The CCOC developed guidelines for how to count and report cases that failed to comply were revised by the PIE Committee and adopted by the Executive Council on September 5, 2023, retroactive for CFY 2022-23. Cases placed on a payment plan are now tracked for 3 months after the date of the event. For events held in March 2023, the cases were tracked until June 2023. The information related to the cases that failed to comply with the terms of their payment plan (program performance #7 above) was updated and reflected in the amount reported. This change will allow for timelier reporting and for events held in the fiscal year to be included in the annual report.

<sup>1</sup> Counties are finalizing their figures due to the tracking change, so the reported figures could change.



# LEGISLATIVE COMMITTEE

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

## Role of the Legislative Committee

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

## Legislation Impacting the Clerks

The leadup to the 2023 Session was unique in that there were several pauses in normal committee activities for a few Special Sessions and inaugural activities. Once those items were completed, the Legislature pushed ahead rapidly and took on multiple high-profile and contentious issues. During the session, the Corporation and Legislative Committee supported clerks and the FCCC legislative team in promoting and advancing the 2023 priorities. Clerks were very visible and were in Tallahassee often to stand in dedicated support of the statewide priorities. For the third consecutive year, the clerks' main priority bill was passed unanimously in all committees and by both Chambers.

## The 2023 Clerk Legislative Priorities

The Governor signed CS/HB 977 on June 22, 2023. This landmark legislation will provide an estimated \$15.7 million in new recurring revenues for clerks' court-related services. Of note, this marks the first new, recurring redirects of revenues since the 2017 Session. The Legislature also passed a \$117 billion budget, formally called the General Appropriations Act (GAA). The budget included the annual \$11.7 million for clerk jury management. No additional supplemental funding was provided for clerks as the Legislature's focus for funding was on the clerk bill. Clerks also had to engage in numerous other issues and legislation throughout the Session. Below is an overview of some of those activities and results.

## Budget Items Impacting the Clerks

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

- Continued State funding for juror management reimbursement expenses
  - No cuts to the recurring \$11.7 million; increased funding was not approved

- The “Back of the Bill” Guardianship language to carry forward the unexpended funds from the current SFY into the next SFY; CCOC is diligently working on building the system, which is projected to be available in the upcoming fiscal year
- Employer portion of FRS costs increased via legislation for an estimated impact of approximately \$5.4 million to the clerks
- Continued State funding for eNotify
  - No cuts to the recurring \$370,000
- Hotel reimbursement increased from \$175 to \$225 beginning on July 1
- No new statewide initiatives with a significant fiscal impact
- No reduction in revenue funding sources

# FLORIDA GUARDIANSHIP DATA TRANSPARENCY INITIATIVE

*The Legislature has tasked the clerks with establishing a guardianship database to help protect vulnerable citizens statewide.*

## Guardianship Overview

The 2022 Florida Legislature passed HB 1349, creating s. 744.2112, F.S., which requires the CCOC and the clerks of court to establish a statewide database of guardian and guardianship case information to facilitate improving court oversight of guardianship cases. The law required that the database would not be operational for end users until after July 1, 2023. The CCOC, with assistance from a vendor, has developed the database. During the last few months, the CCOC has worked with clerks and their staff to validate the guardianship data in their local case management systems. It is expected the database will be available for the judiciary and the public within the first few months of 2024.



## CFY 2022-23 BUDGET AUTHORITY AND EXPENDITURES

County	CFY 2022-23 Revenue-Limited Budget Authority	CFY 2022-23 Expenditures
Alachua	\$5,924,259	\$5,810,279
Baker	\$725,439	\$646,607
Bay	\$3,941,758	\$3,941,758
Bradford	\$873,912	\$759,345
Brevard	\$11,517,992	\$11,517,992
Broward	\$39,664,380	\$37,861,358
Calhoun	\$459,015	\$450,475
Charlotte	\$3,607,349	\$3,378,779
Citrus	\$3,063,819	\$3,063,819
Clay	\$3,737,553	\$3,737,553
Collier	\$6,549,607	\$6,548,376
Columbia	\$1,557,902	\$1,474,001
DeSoto	\$823,615	\$813,352
Dixie	\$501,450	\$450,500
Duval	\$19,939,648	\$19,872,562
Escambia	\$7,108,406	\$5,763,786
Flagler	\$1,857,621	\$1,648,292
Franklin	\$674,135	\$659,782
Gadsden	\$1,365,042	\$1,365,042
Gilchrist	\$557,818	\$551,247
Glades	\$579,028	\$529,038
Gulf	\$502,570	\$450,069
Hamilton	\$609,839	\$578,275
Hardee	\$924,370	\$746,404
Hendry	\$1,306,755	\$1,265,808
Hernando	\$3,487,927	\$2,968,131
Highlands	\$2,009,733	\$2,009,733
Hillsborough	\$30,825,591	\$30,825,591
Holmes	\$604,124	\$594,088
Indian River	\$3,029,670	\$2,993,273
Jackson	\$1,128,978	\$861,931
Jefferson	\$513,902	\$468,694
Lafayette	\$315,037	\$315,037
Lake	\$6,312,466	\$5,867,052

County	CFY 2022-23 Revenue-Limited Budget Authority	CFY 2022-23 Expenditures
Lee	\$11,903,367	\$11,903,367
Leon	\$6,023,069	\$5,612,331
Levy	\$1,148,148	\$1,120,232
Liberty	\$322,497	\$322,497
Madison	\$568,909	\$551,713
Manatee	\$6,050,341	\$5,910,818
Marion	\$6,684,670	\$6,138,306
Martin	\$3,572,365	\$3,572,106
Miami-Dade	\$71,990,695	\$71,855,712
Monroe	\$3,577,729	\$3,577,729
Nassau	\$1,593,029	\$1,502,881
Okaloosa	\$3,716,895	\$3,716,895
Okeechobee	\$1,298,780	\$1,291,240
Orange	\$29,521,041	\$29,517,993
Osceola	\$7,898,791	\$7,524,112
Palm Beach	\$30,780,285	\$28,925,098
Pasco	\$11,837,845	\$11,837,845
Pinellas	\$23,037,307	\$23,037,307
Polk	\$12,626,653	\$12,531,173
Putnam	\$2,193,536	\$2,193,536
Saint Johns	\$3,655,585	\$3,655,585
Saint Lucie	\$6,804,946	\$6,804,946
Santa Rosa	\$3,243,589	\$3,243,589
Sarasota	\$8,275,601	\$7,707,684
Seminole	\$9,024,814	\$8,823,385
Sumter	\$1,941,030	\$1,941,030
Suwannee	\$1,199,403	\$1,199,403
Taylor	\$574,286	\$574,003
Union	\$498,165	\$490,172
Volusia	\$11,847,283	\$11,828,706
Wakulla	\$704,723	\$704,723
Walton	\$1,687,871	\$1,687,871
Washington	\$805,838	\$805,838
<b>TOTAL</b>	<b>\$453,209,797</b>	<b>\$442,897,855</b>

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

## CCOC EXECUTIVE COUNCIL

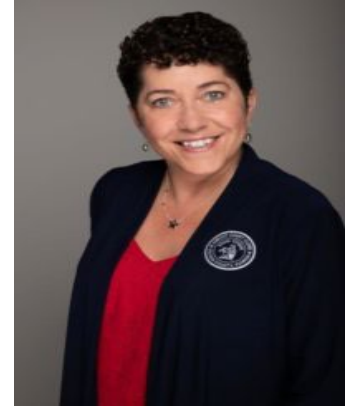
The CCOC Executive Council is composed of eight clerks of the court elected by their fellow clerks for a term of two years and representatives from the House, Senate, and Judicial branches as ex officio members. At a minimum, the Council meets quarterly to discuss and make decisions regarding CCOC business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



[Honorable Stacy Butterfield, CPA](#)  
Chair  
Polk County Clerk &  
Comptroller



[Honorable Tiffany Moore Russell, Esq.](#)  
Vice-Chair  
Orange County Clerk



[Honorable Laura E. Roth, Esq.](#)  
Secretary/Treasurer  
Volusia County Clerk



[Honorable Todd Newton](#)  
Gilchrist County Clerk &  
Comptroller



[Honorable John Crawford](#)  
Nassau County Clerk &  
Comptroller



[Honorable Michelle R. Miller](#)  
Saint Lucie County Clerk  
& Comptroller



Honorable JD Peacock, II  
Okaloosa County Clerk & Comptroller



Honorable Jody Philips  
Duval County Clerk



Honorable Bertila Soto  
11<sup>th</sup> Judicial Circuit Judge  
Supreme Court Appointee



Honorable Crystal K. Kinzel  
Collier County Clerk & Comptroller



Honorable Tom Bexley  
Flagler County Clerk & Comptroller



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

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ORANGE COUNTY  
VICE-CHAIR

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11TH JUDICIAL CIRCUIT JUDGE  
SUPREME COURT APPOINTEE

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SAINT LUCIE COUNTY

ROB BRADLEY  
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GENERAL COUNSEL

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## AGENDA ITEM 5a

**DATE:** December 13, 2023  
**SUBJECT:** Budget Committee Update  
**COUNCIL ACTION:** Information Only

### OVERVIEW:

In October, the CCOC Budget Committee met to approve the committee calendar and workplan for the upcoming year, including the budget development process. The committee will continue to build upon the successes of the recent past to establish the clerks' CFY 2024-25 budget.

The committee has four active workgroups reviewing specific budgetary components, including:

- The Jury Management Workgroup
- The Surplus Revenue Collections Distribution Workgroup
- The Needs-Based Budget Workgroup
- The Living Wage Analysis Workgroup

CCOC staff are currently finalizing the settle-up process for CFY 2022-23 and will make outreach as needed. As a friendly reminder, if you owe money to the Trust Fund, the settle-up payment uses a different DOR remittance line than the standard excess revenue payments.

Lastly, information for the Operational Budget submissions will be sent out in the near future. Clerks and staff will be provided with ample time to complete this form.

**COUNCIL ACTION:** Information Only

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





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## AGENDA ITEM 5b

**DATE:** December 13, 2023  
**SUBJECT:** PIE Committee Update  
**COUNCIL ACTION:** Approve the CFY 2022-23 Quarter 4 PMAP Report

### OVERVIEW:

The CCOC Performance Improvement and Efficiencies (PIE) Committee on December 1, 2023, via WebEx. Meeting materials were posted to the CCOC website: <https://flccoc.org/committees/performance-improvement-and-efficiencies-committee/>.

1. CFY 2022-23 Quarter 4 Performance Measures and Action Plans (PMAP) Report - The PIE Committee reviewed and approved the Quarter 4 PMAP Report, which has been posted to the CCOC website: <https://flccoc.org/ccoc-reports/#pr>. It is now moved to the Executive Council for their approval.
2. Cases/Subcases Update - The Quarter 4 and end-of-year cases and subcases report was also presented by Johnny Petit, CCOC Actuarial Performance Analyst.
3. Peer Group Analysis - Clerk Cooney presented two options for updates to the current Peer Groups. The PIE Committee directed CCOC staff to send the Peer Group information to all clerks and their staff for comments or inquiries (Attachment 1). CCOC staff will include a comparison of the current Peer Groups to the proposed ones (Attachment 2). Responses will be gathered and then presented at the PIE Committee meeting on March 15, 2024. Should a new Peer Group be adopted at that meeting, it would then move to the Executive Council meeting on March 18, 2024.

The email regarding the Peer Group Analysis will be sent following the Executive Council meeting with comments or inquiries due to Marleni Bruner by **Friday, February 23, 2024**.

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

**LEAD STAFF:** Marleni Bruner, Performance, Policy, & Education Director

### ATTACHMENTS:

1. Peer Group Analysis
2. Peer Group Comparison to Analysis

*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.*

## 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.

County	Peer Group Effective 10/1/20	PG Option 1 Population as of 4/1/22	PG Option 2 Weighted Cases CFY 2021-22
Calhoun	1	1	2
Lafayette	1	1	1
Liberty	1	1	1
Union	1	1	1
Baker	2	2	2
Dixie	2	2	2
Franklin	2	1	2
Gilchrist	2	2	2
Glades	2	1	2
Gulf	2	2	1
Hamilton	2	1	2
Holmes	2	2	2
Jefferson	2	1	2
Taylor	2	2	2
Washington	2	2	2
Bradford	3	2	3
DeSoto	3	3	3
Gadsden	3	3	3
Hardee	3	2	2
Hendry	3	3	3
Jackson	3	3	3
Levy	3	3	3
Madison	3	2	3
Okeechobee	3	3	3
Suwannee	3	3	3
Wakulla	3	3	3
Citrus	4	5	4
Columbia	4	4	4
Flagler	4	4	4
Highlands	4	4	4
Indian River	4	5	4
Nassau	4	4	4
Putnam	4	4	4
Sumter	4	4	4
Walton	4	4	4



County	Peer Group Effective 10/1/20	PG Option 1 Population as of 4/1/22	PG Option 2 Weighted Cases CFY 2021-22
Alachua	5	5	5
Charlotte	5	5	5
Clay	5	5	5
Hernando	5	5	5
Martin	5	5	4
Monroe	5	4	5
Okaloosa	5	5	5
Saint Johns	5	5	5
Santa Rosa	5	5	5
Bay	6	5	5
Brevard	6	6	6
Collier	6	6	5
Escambia	6	6	6
Lake	6	6	5
Leon	6	5	5
Manatee	6	6	6
Marion	6	6	5
Osceola	6	6	6
Pasco	6	6	6
Saint Lucie	6	6	5
Sarasota	6	6	6
Seminole	6	6	6
Duval	7	7	8
Lee	7	7	7
Pinellas	7	7	7
Polk	7	7	7
Volusia	7	6	7
Broward	8	8	8
Hillsborough	8	8	8
Miami-Dade	8	8	8
Orange	8	7	8
Palm Beach	8	8	8

**NOTES**

1. The current Peer Groups were adopted by the Budget Committee on 7/8/20 and by the Executive Council on 9/29/20, and effective 10/1/20.
2. The CCOC moved the review and adoption of the Peer Groups to the PIE Committee as it more appropriately fits this committee.
3. Clerk Cooney presented both options equally and did not list one option as preferential over the other.





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## AGENDA ITEM 8

**DATE:** December 13, 2023  
**SUBJECT:** Appointment of Jason L. Welty as Jefferson County Clerk  
**COUNCIL ACTION:** Information Only

### OVERVIEW:

On September 20, 2023, Governor DeSantis signed Executive Order 23-185, suspending Kirk Reams from office as the Jefferson Clerk of Court. The next day, J.C. O'Steen was appointed interim Clerk. Several Clerks, the FCCC, and CCOC staff all helped Mr. O'Steen in his new role. Clerk staff from Palm Beach and Martin Counties graciously were allowed by their Clerk to work with Mr. O'Steen to help the office operate for numerous days.

Effective November 13, 2023, Governor DeSantis appointed Jason L. Welty as the Clerk of Jefferson County to relieve Mr. O'Steen of his interim assignment. Mr. Welty, while no longer working for the CCOC as the Deputy Executive Director, has committed his return to the CCOC as soon as a new Jefferson County Clerk is elected.

**COUNCIL ACTION:** Information Only

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

**ATTACHMENTS:** None