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CCOC CORPORATION MEETING  
June 17, 2024

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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

## ANNUAL CORPORATION MEETING

**June 17, 2024**

**Meeting:** Immediately following the 2:30 PM Council Meeting  
**Rosen Shingle Creek Resort**

**WebEx Link:** <https://flclerks.webex.com/flclerks/j.php?MTID=m37c7b81b16864a05580b8623cf99f313>

**Meeting Code:** 2316 487 2321; **Password:** CCOC

**Conference Call:** 1-866-469-3239; **Access Code:** 2316 487 2321

- 1) Call to Order, Introduction, and Agenda Approval .....Hon. Stacy Butterfield
- 2) Roll Call.....John Dew
- 3) Agenda Approval .....Hon. Stacy Butterfield
- 4) Approve Minutes from 2023 Meeting .....Hon. Laura Roth
- 5) Treasurer's Report .....Hon. Laura Roth
  - a) CFY 2022-2023 Annual Financial Report
  - b) Report on CCOC Office Budget for CFY 2023-24 through May
  - c) Proposed Corporation Budget for CFY 2024-25
  - d) Auditor General Report
- 6) Report from the Chair .....Hon. Stacy Butterfield
  - a) Past Year's Accomplishments
- 7) Tentative Council Meeting Dates for CFY 2024-25.....John Dew
- 8) Recognition of Non-Returning Council Members.....John Dew
- 9) Other Business.....Hon. Stacy Butterfield
  - a) Public Comment

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### Council Organizational Session for the Swearing in of Council Members

- 1) Swearing in of Newly Elected Council Members.....John Dew
- 2) Election of CCOC Executive Committee Board.....Rob Bradley, General Counsel

*Only Council Members can nominate and vote on election of Executive Committee*

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**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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## CCOC ANNUAL CORPORATION MEETING MINUTES

June 5, 2023

Held immediately following the 2:30 PM Executive Council Meeting  
In person and via WebEx at the Sawgrass Marriott in Ponte Vedra Beach

### CALL TO ORDER, INTRODUCTION AND APPROVAL OF AGENDA

The June 5, 2023, Annual Meeting of the Corporation of the Florida Clerks of Court Operations Corporation (CCOC) was called to order at 4 PM, EDT by the CCOC Executive Council Chair Jeffrey Smith. He asked Clerk John Crawford to provide an invocation.

### ROLL CALL

The roll call was conducted, and 41 Clerks were in person or online. A quorum was present.

### APPROVAL OF THE AGENDA

Chair Smith announced that the agenda had been provided to the Corporation via email link and noted that the agenda had been posted to the CCOC website. There were no amendments, and a motion was made to approve the agenda by Clerk Bexley and seconded by Clerk Moore Russell. The agenda as provided was adopted by the Corporation members.

### APPROVAL OF MINUTES

Chair Smith noted that the minutes were in the meeting packet. Clerk Russell made a motion to approve the minutes and Clerk Butterfield seconded the motion. The minutes were approved unanimously.

### TREASURER'S AND FINANCIAL REPORT

Clerk Peacock noted that the Treasurer's and Financial Report was the same as presented just a few minutes earlier at the Executive Council meeting. He made a motion to approve the report and it was seconded by Clerk Bexley. The motion passed unanimously.

*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.*

## CHAIR'S REPORT

Chair Smith said it has been a successful past year as is evident in the amount of additional dollars we received this session from the Legislature. In addition to our relationship with the Legislature improving, also our relationship between the CCOC and FCCC is much better. He noted that the CCOC Compliance Program moved forward as we have reached out to more than 30 Clerk's offices. Our expectations are not just to receive additional revenues, but also assist our constituents meet their mandated court obligations.

Chair Smith talked about the tremendous work of the CCOC Committees. In particular, the Budget Committee held numerous meetings and created workgroups to meet the many demands on improving the budget process. As an example, he pointed out that one such workgroup was created to develop a formula for determining the allocation of dollars to Clerk offices when a new judge is assigned to their area. The recommendation from the workgroup was approved first by the Budget Committee and then by the Executive Council and gives us the direction moving forward to assure fair funding for all the Clerks that receive a new judge. Additionally, the statutory compliance workgroup, and the cost-of-living workgroup were established.

Chair Smith noted that the PIE Committee approved the Payment Plan Form as required by statute. In fact, he pointed out that we met all of our statutory obligations.

In conclusion, he wanted to thank the Clerks that voted for him to be on the Council and that he hoped he had represented them well with both honesty and integrity. He noted that he especially appreciated the work done by Executive Director John Dew and all the staff of the CCOC. He thanked Mr. Dew for helping him more fully understand the work of the CCOC and counted him as a friend. He asked that all Clerks, especially the newly elected Clerks, to please consider being a part of the CCOC. And to come with the approach not that you represent your own office, but that you are part of a team to advance an opportunity for all 67 Clerks to be successful and united.

Finally, he thanked all the Clerks and staff that went to Tallahassee during the session to represent and speak on behalf of the Clerks. Together we will continue to be successful.

### **Tentative Council Meeting Dates for CFY 2022-2023**

Mr. Dew reported that the Council is scheduled to meet on September 5<sup>th</sup> in Orlando, March 18<sup>th</sup> in Jacksonville, and June 17<sup>th</sup> in Orlando. However, we may have additional meetings as necessary to take care of Council business.

### **Other Business**

Chair Smith asked if any of the Corporation members present or on the phone had any other business to be addressed. There were no responses. He asked if there was anyone else in the room or on the phone that had any issues to come before the Corporation. There were no responses. The meeting moved from Corporation business to having the newly elected Council members sworn in.

### **Swearing in of Council Members and Election of Executive Board**

Chair Smith swore in the newly elected Council members for the term of July 1, 2023, through June 30, 2025. He swore in Clerk Newton, Clerk Miller, Clerk Roth, and Clerk Moore Russell. Chair Smith asked General Counsel Rob Bradley to handle the election of the CCOC Executive Board. Mr. Bradley asked if there were any nominations from the Council for electing the Chair. Clerk Peacock nominated Clerk Butterfield for Council Chair. Rob Bradley asked if there were any other nominations for Chair of the Executive Council. Being none, Clerk Newton made a motion that nominations be closed which was seconded by Clerk Peacock. This motion was approved. A motion was made by Clerk Crawford and seconded by Clerk Moore Russell to elect Clerk Butterfield as Chair. The motion passed unanimously. Counsel Bradley turned the meeting over to newly elected Chair Butterfield. She thanked the members for their confidence and began the election process for the Vice-Chair and Secretary/Treasurer.

Chair Butterfield asked if there were any nominations for Vice-Chair. Clerk Newton nominated Clerk Moore Russell as Vice-Chair which was seconded by Clerk Crawford. With no other nominations, a motion was made by Clerk Bexley and seconded by Clerk Crawford to elect Clerk Moore Russell as Chair. The motion passed unanimously.

Clerk Butterfield noted the last position to be filled was the Secretary/Treasurer position. Clerk Moore Russell nominated Clerk Roth which was seconded by Clerk Bexley. There were no other nominations. Clerk Bexley made a motion to elect Clerk Roth as Secretary/Treasurer which was seconded by Clerk Moore Russell. The motion passed unanimously.

**The meeting was adjourned at 4:35 PM Eastern Standard Time.**



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## AGENDA ITEM 5

**DATE:** June 17, 2024  
**SUBJECT:** Treasurer's Report  
**COUNCIL ACTION:** Corporation Members Approve Item C. Items (a), (b) and (d) are for informational purposes only.

### OVERVIEW:

Item (a): The 2022/23 Financials have been provided to the CCOC and can be found on the CCOC website at this link: <https://flccoc.org/wp-content/uploads/2024/06/FINAL-Florida-Clerks-of-Court-Operations-Corporation-Financial-Statements-2023.pdf>

Item (b): As seen on the attached CCOC Office Budget Report (**Attachment 1**), currently through the month of May 2024 the office has expended less than 55% of the approved budget through 67% of the annual year. We continue to stay on track to be well within our approved budget authority.

Item (c): We are asking for less than a 4% increase in the CCOC Office Budget. The areas of increase include expected pay raises and expected increases in contractual costs since all current contracts expire at the end of this calendar year and there is an expectation that costs for services will increase. (**Attachment 2**) Note: CCOC office and organization structure will undergo a review and evaluation this year and there may be suggested changes which would require the CFY 24/25 budget to be amended during the year. This would require approval by the Executive Council and Corporation membership.

Item (d): Every three years, as required by statute, the Florida Auditor General (OAG) conducts an Operational Audit of the CCOC. The OAG began their audit in December 2023 and concluded their fieldwork in March 2024.

The audit report did not disclose any findings nor recommendations regarding the CCOC process and administrative activities. The previous OAG Operational Audit Report of the CCOC conducted in 2020 also did not disclose any findings and recommendations.

*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.*

**SUMMARY:** The CCOC continues to follow statutory requirements and oversight of the office. CCOC management is pleased that again we did not receive negative comments from the Office of the Auditor General. (**Attachment 3**)

**COUNCIL ACTION:** Approve latest CCOC office budget report and approve recommended CCOC office CFY 24/25 budget.

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

**ATTACHMENTS:**

1. CCOC Office Budget Report for CFY 23-24
2. Proposed Office Budget for CFY 24-25
3. Florida Auditor General Operational Audit Report of the CCOC

BAU  
6/7/24  
J. Saw  
6/4/24  
JED 6/10/2024

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>	\$1,065,545.89	\$76,796.93	\$71,746.29	\$67,039.54	\$63,869.22	\$61,748.84	\$71,070.72	\$59,656.51	\$64,469.53	\$0.00	\$0.00	\$0.00	\$0.00	\$536,397.58	50.34%
Total Salaries	\$720,545.89	\$53,808.08	\$48,359.09	\$46,311.54	\$44,230.89	\$39,885.33	\$39,232.83	\$39,840.67	\$40,518.17	\$0.00	\$0.00	\$0.00	\$0.00	\$352,186.60	48.88%
Executive Director	\$161,003.47	\$13,416.95	\$13,416.95	\$13,416.95	\$13,416.95	\$13,416.95	\$13,416.95	\$13,416.95	\$13,416.95	\$0.00	\$0.00	\$0.00	\$0.00	\$107,335.60	66.67%
Deputy Executive Director	\$112,418.23	\$9,368.19	\$3,459.20	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12,827.39	11.41%
Budget & Communications Director	\$93,454.11	\$7,787.85	\$7,787.85	\$7,787.85	\$7,787.85	\$7,787.85	\$7,787.85	\$7,787.85	\$7,787.85	\$0.00	\$0.00	\$0.00	\$0.00	\$62,302.80	66.67%
Actuarial and Performance Analyst	\$55,547.75	\$4,628.98	\$4,628.98	\$4,628.98	\$4,628.98	\$4,628.98	\$4,628.98	\$4,628.98	\$4,628.98	\$0.00	\$0.00	\$0.00	\$0.00	\$37,031.84	66.67%
Budget Manager I - Data Quality Officer	\$42,168.30	\$3,513.11	\$3,513.11	\$3,513.11	\$3,513.11	\$0.00	\$2,722.72	\$4,537.50	\$4,537.50	\$0.00	\$0.00	\$0.00	\$0.00	\$25,850.16	61.30%
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	\$6,921.56	\$6,921.56	\$6,921.56	\$6,921.56	\$1,728.97	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$36,334.77	43.75%
Executive Assistant/Human Resources	\$37,609.60	\$3,134.13	\$3,134.13	\$3,134.13	\$3,134.13	\$1,735.68	\$2,386.80	\$3,447.58	\$3,447.58	\$0.00	\$0.00	\$0.00	\$0.00	\$23,554.16	62.63%
Internal Revenue(Corporation Responsibility)	\$75,000.00	\$3,656.17	\$2,749.55	\$2,596.17	\$3,396.62	\$2,931.85	\$3,932.14	\$2,939.54	\$2,991.32	\$0.00	\$0.00	\$0.00	\$0.00	\$25,193.36	33.59%
Retirement, Benefits and Other	\$270,000.00	\$20,442.68	\$22,207.65	\$21,113.48	\$17,142.71	\$20,398.66	\$30,541.00	\$18,970.80	\$23,732.04	\$0.00	\$0.00	\$0.00	\$0.00	\$174,549.02	64.65%
<b>OPS STAFF:</b>	\$34,000.00	\$1,110.00	\$1,570.00	\$2,981.65	\$901.00	\$1,467.00	\$2,635.25	\$2,094.50	\$2,772.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15,531.40	45.68%
<b>GENERAL EXPENSES:</b>	\$85,200.00	\$5,093.72	\$9,398.02	\$3,972.91	\$5,020.78	\$4,318.44	\$13,920.01	\$4,880.34	\$3,837.42	\$0.00	\$0.00	\$0.00	\$0.00	\$50,441.64	59.20%
Rent (including Utilities)	\$50,200.00	\$3,622.31	\$3,591.06	\$3,584.80	\$3,604.04	\$3,598.47	\$3,579.71	\$3,563.68	\$3,635.08	\$0.00	\$0.00	\$0.00	\$0.00	\$28,779.15	57.33%
Communications (+ Internet and Phone)	\$5,000.00	\$314.62	\$199.35	\$296.65	\$301.82	\$310.81	\$296.39	\$298.33	\$202.34	\$0.00	\$0.00	\$0.00	\$0.00	\$2,220.31	44.41%
Equipment, Supplies and Other	\$30,000.00	\$1,156.79	\$5,607.61	\$91.46	\$1,114.92	\$409.16	\$10,043.91	\$1,018.33	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$19,442.18	64.81%
<b>TRAVEL:</b>	\$40,000.00	\$685.81	\$796.53	\$4.00	\$0.00	\$0.00	\$211.35	\$364.85	\$116.98	\$0.00	\$0.00	\$0.00	\$0.00	\$2,179.52	5.45%
<b>STAFF TRAINING:</b>	\$10,000.00	\$1,520.00	\$0.00	\$0.00	\$5,817.59	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,337.59	73.38%
<b>CONTRACTUAL EXPENSES:</b>	\$284,563.00	\$18,365.00	\$20,480.79	\$20,628.75	\$35,597.75	\$20,917.00	\$18,707.00	\$20,849.25	\$29,854.22	\$0.00	\$0.00	\$0.00	\$0.00	\$165,399.76	65.15%
General Counsel	\$65,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40,000.00	61.54%
FY 23-24 Survey, Reporting, and Other Services	\$203,563.00	\$13,365.00	\$15,480.79	\$15,628.75	\$15,597.75	\$13,591.00	\$10,717.00	\$15,849.25	\$24,854.22	\$0.00	\$0.00	\$0.00	\$0.00	\$125,083.76	61.45%
Audit Services	\$16,000.00	\$0.00	\$0.00	\$0.00	\$15,000.00	\$2,326.00	\$2,990.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20,316.00	126.98%
<b>EDUCATION SERVICES</b>	\$397,200.00	\$36,000.00	\$24,000.00	\$16,500.00	\$0.00	\$100,700.00	\$66,833.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$244,033.00	61.44%
<b>TOTALS:</b>	\$1,916,508.89	\$139,571.46	\$127,991.63	\$111,126.85	\$111,206.34	\$189,151.28	\$173,377.33	\$87,845.45	\$101,050.15	\$0.00	\$0.00	\$0.00	\$0.00	\$1,041,320.49	54.33%

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



## DRAFT 2023-2024 CCOC Budget

<b>CCOC Budget County Fiscal Year 2023-2024 (October 1, 2023 - September 30, 2024)</b>
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	Budget Category Amount
<b>CCOC STAFF:*</b>	\$1,065,545.89

Executive Director	\$161,003.47
Deputy Executive Director	\$112,418.23
Budget and Communications Director	\$93,454.11
Performance, Policy, and Education Director	\$83,058.72
Actuarial and Performance Analyst	\$55,547.75
Budget Manager I	\$42,168.30
Data Quality Officer	\$47,085.71
Project Manager*	\$88,200.00
Office Manager	\$37,609.60
Internal Revenue(Corporation Responsibility)	\$75,000.00
Retirement, Benefits, Workers' Comp and Other	\$270,000.00

<b>OPS STAFF:</b>	\$34,000.00
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<b>GENERAL EXPENSES:</b>	\$85,200.00
Rent (including Utilities)	\$50,200.00
Communications (+ Internet and Phone)	\$5,000.00
Equipment, Supplies and Other	\$30,000.00

<b>TRAVEL:</b>	\$40,000.00
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<b>STAFF TRAINING:</b>	\$10,000.00
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<b>CONTRACTUAL EXPENSES:</b>	\$284,563.00
General Counsel	\$65,000.00
FY 20-21 Survey, Reporting, and Other Services	\$203,563.00
Audit Services	\$16,000.00

<b>EDUCATION SERVICES:</b>	\$397,200.00
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<b>TOTALS:</b>	<b>\$1,916,508.89</b>
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<b>CCOC Budget Request County Fiscal Year 2024-2025 (October 1, 2024 - September 30, 2025)</b>
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	Budget Category Amount
<b>CCOC STAFF:**</b>	\$1,114,060.87

Executive Director	\$165,833.57
Deputy Executive Director	\$115,790.78
Budget and Communications Director	\$96,257.73
Performance, Policy, and Education Director	\$90,760.00
Actuarial and Performance Analyst	\$57,214.18
Budget Manager II	\$57,766.00
Data Quality Officer	\$53,348.11
Project Manager*	\$88,200.00
Office Manager	\$43,890.50
Internal Revenue(Corporation Responsibility)	\$75,000.00
Retirement, Benefits, Workers' Comp & Other***	\$270,000.00

<b>OPS STAFF:</b>	\$34,000.00
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<b>GENERAL EXPENSES:</b>	\$85,200.00
Rent (including Utilities)	\$50,200.00
Communications (+ Internet and Phone)	\$5,000.00
Equipment, Supplies and Other	\$30,000.00

<b>TRAVEL:</b>	\$40,000.00
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<b>STAFF TRAINING:</b>	\$10,000.00
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<b>CONTRACTUAL EXPENSES:</b>	\$288,563.00
General Counsel	\$65,000.00
FY 21-22 Survey, Reporting, and Other Services	\$203,563.00
Audit Services	\$20,000.00

<b>EDUCATION SERVICES:****</b>	\$425,000.00
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<b>TOTALS:*****</b>	<b>\$1,996,823.87</b>
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\* The Executive Council last year approved adding the additional position of Project Manager to the CCOC Budget during the budget year in case the funds were not provided by GR. We may or may not need an additional position to continue to manage the Guardianship Database. However, we should discuss this issue and consider seeking and consider seeking funding from the Legislature in the 2025 Session.

\*\* Included in the individual FTE salary is a 3% raise based on what was provided to State workers effective July 1, 2024 and the promised 3% increase for newly hired employees after their 6 month probation period.

\*\*\*Increases in health insurance, FRS, and other.

\*\*\*\*Expect Cost of Educational Services to increase as we will be negotiating a new contract for Calendar Year 2025.

**STATE OF FLORIDA AUDITOR GENERAL**

**Operational Audit**

**FLORIDA CLERKS OF COURT  
OPERATIONS CORPORATION**



Sherrill F. Norman, CPA  
Auditor General

## Florida Clerks of Court Operations Corporation

During the period October 2022 through September 2023, John Dew served as the Executive Director, and the following individuals served on the Florida Clerks of Court Operations Corporation Executive Council:

### Executive Council Members

Honorable Stacy Butterfield, CPA, Chair	Polk County Clerk of Courts
Honorable Tiffany Moore Russel, Vice Chair	Orange County Clerk of Courts
Honorable Laura E. Roth, Esq., Secretary/Treasurer	Volusia County Clerk of Courts
Honorable Todd Newton	Gilchrist County Clerk of Courts
Honorable John Crawford	Nassau County Clerk of Courts
Honorable Michelle Miller	Saint Lucie County Clerk of Courts
Honorable JD Peacock, II	Okaloosa County Clerk of Courts
Honorable Jody Phillips from 2-21-23 <sup>a</sup>	Duval County Clerk of Courts
Honorable Harvey Ruvin through 12-31-22 <sup>a</sup>	Miami-Dade County Clerk of Courts

### Other Designated Executive Council Members

Honorable Bertila Soto from 12-13-23 <sup>b</sup>	Chief Justice Designee
Honorable Ronald Ficarrota through 8-29-23 <sup>b</sup>	Chief Justice Designee
Honorable Crystal Kinzel	Senate President Designee
Honorable Tom Bexley	House Speaker Designee

<sup>a</sup> Member passed away 12-31-22, and the position remained vacant through 02-20-23. Honorable Jody Phillips was elected on 02-21-2023.

<sup>b</sup> Seat was vacant 8-30-2023 through 12-12-2023.

The team leader was Dylan Hunter and the audit was supervised by Gina Bailey, CPA.

Please address inquiries regarding this report to Derek Noonan, CPA, Audit Manager, by e-mail at [dereknolan@aud.state.fl.us](mailto:dereknolan@aud.state.fl.us) or by telephone at (850) 412-2881.

This report and other reports prepared by the Auditor General are available at:

[FLAuditor.gov](http://FLAuditor.gov)

Printed copies of our reports may be requested by contacting us at:

**State of Florida Auditor General**

**Claude Pepper Building, Suite G74 · 111 West Madison Street · Tallahassee, FL 32399-1450 · (850) 412-2722**

# FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

## SUMMARY

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This operational audit of the Florida Clerks of Court Operations Corporation (CCOC) focused on selected CCOC processes and administrative activities. Our audit did not disclose any findings and recommendations regarding the CCOC processes and administrative activities included within the scope of our audit that must be reported in writing.

## BACKGROUND

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Pursuant to State Law,<sup>1</sup> the Florida Clerks of Court Operations Corporation (CCOC) was created as a public corporation organized to perform specified functions. All clerks of the circuit court (clerks) are members of the corporation and hold their positions and authority in an ex officio capacity.

The Executive Council of the CCOC is composed of eight clerks elected by the members for a term of 2 years with two clerks from counties with a population of fewer than 100,000, two clerks from counties with a population of at least 100,000 but fewer than 500,000, two clerks from counties with a population of at least 500,000 but fewer than 1 million, and two clerks from counties with a population of 1 million or more. In addition, the Executive Council includes, as ex officio members, a designee of the President of the Senate and a designee of the Speaker of the House of Representatives. The Chief Justice of the Supreme Court also designates one additional member to represent the State Courts System.

State law<sup>2</sup> prescribes the CCOC duties, which include:

- Adopting a plan of operation including a detailed budget.
- Conducting the election of the Executive Council.
- Recommending to the Legislature changes in the amounts of the various court-related fines, fees, service charges, and costs established by law to ensure reasonable and adequate funding of the clerks in the performance of their court-related functions.
- Developing a formula, if the number of judges increased pursuant to State law,<sup>3</sup> to estimate the total cost associated with clerk support for circuit and county judges Statewide, and making recommendations to the Legislature for additional needed funding using the formula.
- Developing and certifying a uniform system of workload measures and applicable workload standards for court-related functions and clerk workload performance in meeting the workload performance standards. The CCOC must develop the workload measures and workload performance standards in consultation with the Legislature, notify the Legislature of any clerk not meeting the workload performance standards, and provide the Legislature a copy of any corrective action plans.
- Contracting with the Department of Financial Services (DFS) for the DFS to audit the court-related expenditures of individual clerks.

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<sup>1</sup> Sections 28.35 and 28.36, Florida Statutes.

<sup>2</sup> Section 28.35(2), Florida Statutes.

<sup>3</sup> Sections 28.35(2)(c)2.a., 26.031, and 34.022, Florida Statutes.

- Reviewing, certifying, and recommending proposed budgets submitted by clerks pursuant to State law.<sup>4</sup> As part of this process, the CCOC is required, among other things, to:
  - Calculate the minimum amount of revenue necessary for each clerk to efficiently perform the list of court-related functions specified in State law.<sup>5</sup>
  - Prepare a cost comparison of similarly situated clerks of the court, based on county population and numbers of filings, using the standard list of court-related functions.
  - Identify those clerks projected to have court-related revenues insufficient to fund court-related expenditures.
  - Identify the budget of any clerk which exceeds the average budget of similarly situated clerks by more than 10 percent.
- Developing and conducting clerk education programs.

Pursuant to State law,<sup>6</sup> the CCOC entered into a contract with the State Chief Financial Officer for the audit of the court-related expenditures of the individual clerks. The contract is funded by fees collected by the clerks pursuant to State law,<sup>7</sup> and made available to the CCOC for the performance of its duties and responsibilities as set forth in State law.

## **AUDIT RESULTS**

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Our audit did not disclose any findings that must be reported in writing regarding management's performance related to the selected CCOC processes and administrative procedures. As such, we are not making any recommendations.

## **OBJECTIVES, SCOPE, AND METHODOLOGY**

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The Auditor General conducts operational audits of governmental entities to provide the Legislature, Florida's citizens, public entity management, and other stakeholders unbiased, timely, and relevant information for use in promoting government accountability and stewardship and improving government operations. State law<sup>8</sup> provides that, at least every 3 years, the Auditor General shall conduct an operational audit of the Florida Clerks of Court Operations Corporation (CCOC).

We conducted this operational audit from December 2023 through March 2024 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our conclusions based on our audit objectives.

This operational audit of the CCOC focused on selected CCOC processes and administrative activities. The overall objectives of the audit were to:

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<sup>4</sup> Section 28.36, Florida Statutes, provides the budget procedure for the court-related functions of the clerks.

<sup>5</sup> Section 28.35(3)(a), Florida Statutes, provides the standard list of court-related functions clerks may fund from filing fees, service charges, costs, and fines.

<sup>6</sup> Section 28.35(2)(e), Florida Statutes.

<sup>7</sup> Sections 28.2401(3), 28.241(1)(a), and 34.041(1)(b), Florida Statutes.

<sup>8</sup> Section 11.45(2)(f), Florida Statutes.

- 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.
- Examine internal controls 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 records and reports, and safeguarding of assets, and identify weaknesses in those controls.
- Identify statutory and fiscal changes that may be recommended to the Legislature pursuant to Section 11.45(7)(h), Florida Statutes.

This audit was designed to identify, for those programs, activities, or functions included within the scope of the audit, weaknesses in management’s internal controls significant to our audit objectives, instances of noncompliance with applicable governing laws, rules, or contracts and instances of inefficient or ineffective operational policies, procedures, or practices. The focus of this audit was to identify problems so that they may be corrected in such a way as to improve government accountability and efficiency and the stewardship of management. Professional judgment has been used in determining significance and audit risk and in selecting the particular transactions, legal compliance matters, records, and controls considered.

As described in more detail below, for those programs, activities, and functions included within the scope of our audit, our audit work included, but was not limited to, communicating to management and those charged with governance the scope, objectives, timing, overall methodology, and reporting of our audit; obtaining an understanding of the program, activity, or function; identifying and evaluating internal controls significant to our audit objectives; exercising professional judgment in considering significance and audit risk in the design and execution of the research, interviews, tests, analyses, and other procedures included in the audit methodology; obtaining reasonable assurance of the overall sufficiency and appropriateness of the evidence gathered in support of our audit findings and conclusions; and reporting on the results of the audit as required by governing laws and auditing standards.

Our audit included the selection and examination of transactions, and records, as well as events and conditions, occurring during the audit period October 2022 through September 2023, and selected CCOC actions taken prior and subsequent thereto. Unless otherwise indicated in this report, these records and transactions were not selected with the intent of statistically projecting the results, although we have presented for perspective, where practicable, information concerning relevant population value or size and quantifications relative to the items selected for examination.

An audit by its nature does not include a review of all records and actions of management, staff, and vendors, and as a consequence, cannot be relied upon to identify all instances of noncompliance, fraud, waste, abuse, or inefficiency.

In conducting our audit, we: Reviewed applicable laws, contracts, and CCOC policies and procedures, and other guidelines, and interviewed CCOC personnel to obtain an understanding of and evaluate selected processes and administrative activities.

- Examined CCOC records to determine whether the CCOC had developed an anti-fraud policy to provide guidance to employees for communicating known or suspected fraud to appropriate individuals.
- Reviewed CCOC procedures related to identifying potential conflicts of interest. For all the CCOC executive council members, we reviewed the Department of State, Division of Corporations, records; statements of financial interests; and CCOC records to identify any relationships that represented a potential conflict of interest with vendors used by the CCOC.
- Examined CCOC records to determine whether the CCOC established and managed a reserve for contingencies within the Clerks of the Court Trust Fund pursuant to Sections 28.36(3)(a) and 28.37(4)(b), Florida Statutes. Specifically, we determined whether the CCOC:
  - Reported the balance and use of the reserve for contingency funds in the CCOC's annual report in accordance with Section 28.36(3)(b), Florida Statutes.
  - Used reserves maintained in the Clerks of the Court Trust Fund, as provided in Section 28.36(c), Florida Statutes, for purposes delineated in Section 28.35(3)(a), Florida Statutes.
  - Considered the cumulative excess of all fines, fees, service charges, and court costs retained by the clerks for development of the combined clerks' budgets in accordance with Section 28.37 (4)(b), Florida Statutes.
- Examined CCOC records to determine whether, pursuant to Section 28.42(2), Florida Statutes, the clerks, through the CCOC, had developed a uniform payment plan form for use by individuals wishing to establish a payment plan for unpaid court fees.
- Examined CCOC records to determine whether the clerks submitted a request for reimbursement for juror compensation pursuant to Section 40.29(5), Florida Statutes. Specifically, from the population of 268 jury reimbursement forms submitted by the 67 counties, during our audit period of October 2022 through September 2023, tested 30 reimbursements to determine whether the requests were timely submitted.
- Determined whether the number of judges had increased, pursuant to Sections 26.031 and 34.022, Florida Statutes, and examined CCOC records to determine whether the CCOC had developed a formula to be used to estimate the total cost associated with clerk support for circuit and county judges Statewide pursuant to Section 28.35(2)(c) 2.a., Florida Statutes.
- Examined CCOC records to determine whether the CCOC complied with Section 28.35(2)(d), Florida Statutes, by developing a uniform system of workload measures and performance standards in consultation with the Legislature and appropriately monitoring the clerks. Specifically, we:
  - Evaluated the Workload Performance Measure Form reporting instructions to determine whether the measures and standards were designed to facilitate an objective determination of each clerk's performance.
  - Examined the annual fiscal management reports submitted by 15 of the 67 clerks for the county fiscal year ended September 30, 2023, to determine whether the reports were timely filed.
  - Examined CCOC records to determine whether the CCOC notified the Legislature of clerks not meeting workload performance measures and provided the Legislature with corrective action plans for those clerks.

- Evaluated the effectiveness of CCOC procedures related to identifying potential conflicts of interest. Specifically, we:
  - Obtained and reviewed the 2022 calendar year Full and Public Disclosure of Financial Interest forms (Form 6) filed by the Executive Council members and management.
  - Searched the Florida Department of State, Division of Corporations records using Executive Council member and management names.
  - Compared business interests identified in the Form 6 disclosures and Division of Corporations records to CCOC vendor activities to determine whether conflicts of interest existed during the audit period.
- Communicated on an interim basis with applicable officials to ensure the timely resolution of issues involving controls and noncompliance.
- Performed various other auditing procedures, including analytical procedures, as necessary, to accomplish the objectives of the audit.
- Obtained management's views concerning the conclusions in this audit report, prepared a summary of management's comments, and provided a copy of the summary to management to verify that the comments were accurately represented. In addition, we included the summary of management's response in this report under the heading **MANAGEMENT'S RESPONSE**.

## **AUTHORITY**

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Section 11.45, Florida Statutes, requires that the Auditor General conduct at least every 3 years an operational audit of the accounts and records of the Florida Clerks of Court Operations Corporation. Pursuant to the provisions of Section 11.45, Florida Statutes, I have directed that this report be prepared to present the results of our operational audit.



Sherrill F. Norman, CPA  
Auditor General

## **MANAGEMENT'S RESPONSE**

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CCOC management concurred with the audit results.





**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  
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## AGENDA ITEM 7

**DATE:** June 17, 2024  
**SUBJECT:** Tentative Council Meeting Dates for CFY 2024-25  
**CORPORATION ACTION:** Informational only

### OVERVIEW:

The CCOC Plan of Operation in Section 1.5 requires that at the annual corporation meeting the Council shall establish a schedule of all regular meetings for the coming year. Historically, the CCOC has attempted to arrange all Council meetings with the FCCC training schedule to make it more convenient for Clerks and staff to attend meetings. Therefore, the Council usually provides a list of tentative meeting dates based on the FCCC calendar.

CCOC contacted FCCC and they provided us with a tentative calendar to help us coordinate the quarterly EC meetings. The following three dates are set for the potential meetings. However, dependent upon the call of the CCOC Council leadership there may be additional meetings.

September 8<sup>th</sup>, 2024 – FCCC Fall Conference, Doral Resort, Miami. Potentially afternoon meeting.

February 25<sup>th</sup>, 2025 – FCCC Winter Conference, The Florida Hotel, Orlando. Potentially afternoon meeting.

June 16<sup>th</sup>, 2025 – FCCC Summer Conference; Omni ChampionsGate, Orlando. Executive Council and Annual Corporation Meeting. Potentially afternoon meeting.

**CORPORATION ACTION:** Informational only

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

**ATTACHMENTS:** None

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