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EXECUTIVE COUNCIL MEETING  
September 10, 2024

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**STACY M. BUTTERFIELD, CPA**  
POLK COUNTY  
EXECUTIVE COUNCIL CHAIR

**LAURA E. ROTH, ESQ**  
VOLUSIA COUNTY  
VICE CHAIR

**TARA GREEN**  
CLAY COUNTY  
SECRETARY/TREASURER

CRYSTAL K. KINZEL  
COLLIER COUNTY  
SENATE APPOINTEE

TODD NEWTON  
GILCHRIST COUNTY

JODY PHILLIPS  
DUVAL COUNTY

TOM BEXLEY  
FLAGLER COUNTY  
HOUSE APPOINTEE

NADIA DAUGHTREY  
DESOTO COUNTY

JOHN DEW  
EXECUTIVE DIRECTOR

BERTILA SOTO  
11TH JUDICIAL CIRCUIT JUDGE  
SUPREME COURT APPOINTEE

MICHELLE R. MILLER  
SAINT LUCIE COUNTY  
TIFFANY MOORE RUSSELL, ESQ  
ORANGE COUNTY

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

## EXECUTIVE COUNCIL MEETING

**September 10, 2024**

**Meeting:** 2:30 PM – 5:00 PM, Eastern

**Location:** Doral Resort, 4400 NW 87<sup>th</sup> Avenue, Miami (DJT Ballroom A)

**Webex Link:** <https://flclerks.webex.com/flclerks/j.php?MTID=mf3797c7ec746d08bc45c99804edfed18>

**Join by phone:** 1-866-469-3239 **Meeting Code:** 2319 530 3745

**Password:** Contact Emily Toner at [etoner@flclerks.com](mailto:etoner@flclerks.com)

Call to Order.....	Hon. Stacy Butterfield
Invocation .....	Hon. Stacy Butterfield
Roll Call.....	Hon. Tara Green
1) Introduction and Agenda Approval .....	Hon. Stacy Butterfield
2) Approve Minutes from 6/17/24 Meeting .....	Hon. Tara Green
3) Treasurer’s Report .....	Hon. Tara Green
a) CFY 2023-24 CCOC Office Budget Update	
4) Committee Reports	
a) Budget Committee .....	Hon. Tiffany Moore Russell
b) PIE Committee.....	Hon. Laura Roth
c) Legislative Committee .....	Hon. Carolyn Timmann
5) Update on Compliance Improvement Services .....	Hon. Laura Roth
6) Update on Guardianship Data Transparency Project.....	Hon. Ken Burke
7) Report on TCBC.....	Hon. Judge Bertila Soto
8) Other Business.....	Hon. Stacy Butterfield



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## DRAFT Minutes of June 17, 2024, Executive Council Meeting

The Executive Council of the Florida Clerks of Court Operations Corporation (CCOC) met in person and via Webex on June 17, 2024, in Orlando FL. 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 2:30 PM. Clerk John Crawford provided the invocation. Secretary/Treasurer Laura Roth called the roll.

Council members present: Chair Stacy Butterfield, Vice-Chair Tiffany Moore Russell, Secretary/Treasurer Laura Roth, Clerk Crystal Kinzel, Clerk Jody Phillips, Clerk Michelle Miller, Clerk JD Peacock, Clerk Tom Bexley, Clerk Todd Newton and Clerk John Crawford. Honorable Judge Soto attended via Webex.

Council members absent: None.

### Agenda Item 1 – Introduction and Agenda Approval

Chair Butterfield stated the agenda was located on the website for review and asked the Council for Agenda approval.

Clerk Newton made a motion to accept the agenda. Clerk Russell seconded the motion. Motion carried.

### Agenda Item 2 – Approve Minutes from 3/18/24 and 5/9/24 Meeting

Clerk Roth presented the March 18<sup>th</sup>, 2024, minutes and the May 9<sup>th</sup>, 2024, minutes to the Executive Council for any objections or actions.

Clerk Kinzel noted on page 9 of the May 9<sup>th</sup>, 2024, minutes that in her opinion there was a conflict for Clerks to sign the budget certification letter. She noted that the certification letter said you were certifying that you were only expending court-related revenues for items referenced in s. 28.35(3)(a), F.S., However, she said that we are also paying for juror expenses out of these revenues when we don't have enough state general revenues provided. Shannon Ramsey-Chessman from the Palm Beach Clerk's office explained that s. 40.29(5), F.S.

requires Clerks to use their court revenues when there are insufficient state general revenues provided for juror expenses. Chair Butterfield asked that the Certification Letter also include the reference to s. 40.29(5), F.S., for juror expenses since they are not references in s. 28.35(3)(a), F.S.

**Clerk Newton made a motion to accept the March 18<sup>th</sup>, 2024 minutes as presented and the May 9<sup>th</sup>, 2024 minutes with the suggested revisions noted on page 9. Clerk Peacock seconded the motion. Motion carried.**

### **Agenda Item 3 – Treasurer’s Report**

#### **Item a) CFY 2022-23 Annual Financial Report**

Clerk Roth presented an overview of CFY 2022-23 CCOC Office Financial Statements audit and Governance letter from the private firm of Law, Redd, Crona & Monroe received on June 10<sup>th</sup>, 2024. The only issue presented in the financial statements report, as found on page 41, was that there was a significant deficiency finding due to the successful fraudulent cyberattack. It was however noted on the next page that the CCOC has taken numerous actions to help prevent such successful attacks in the future. Other than this one fraudulent issue, there were no findings or concerns related to the financial management of the CCOC. The CFY 2022-23 CCOC Office Financial Statements and The Financials Governance Letter can be found on the CCOC Webpage.

#### **Item b) CFY 2023-24 CCOC Office Budget**

Clerk Roth presented an overview of the CCOC CFY 2023-24 Office Budget Report. Currently through the month of May 2024 the CCOC office has expended less than 55% of the approved budget through 67% of the annual year. CCOC continues to stay on track to be within their approved budget authority.

Clerk Miller asked if CCOC was using vacant positions to meet the budget. Mr. Dew responded that this was not the case, as the Budget Director position has only been vacated within the last week. Mr. Dew himself picked up the duties of the Guardianship, but the open positions are on track to be filled by the Deputy Director when he returns.

**Clerk Newton made a motion to accept the CCOC CFY 2023-24 Office Budget report. Clerk Peacock seconded the motion. Motion carried. The motion was opposed by Clerk Kinzel.**

#### **Item c) CCOC Office 2024-25 Proposed Budget**

The 2024-25 Proposed Budget showed a 4% increase, to 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. CCOC office and organization structure will undergo a review and evaluation this year and there may be

suggested changes which would require the CFY 2024/25 budget to be amended during the year. This would require approval by both the Executive Council and Corporation membership.

Clerk Roth pointed out that we may need to be more competitive with our positions moving forward. Clerk Russell agreed and noted that CCOC may want to explore an increase in staffing to help provide additional services to the Clerks in the budgeting process.

Chair Butterfield stated that a workgroup has been put together to address the needs of the CCOC to include a look at current and future staffing.

**Clerk Newton made a motion to accept the CCOC CFY 2024-25 Proposed Budget. Clerk Peacock seconded the motion. Motion carried. The motion was opposed by Clerk Kinzel.**

#### **Item d) Auditor General Audit**

Clerk Roth gave an overview of the Auditor General's Report. Every three years, as required by statute, the Florida Auditor General conducts an Operational Audit of the CCOC. The Auditor General 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 Operational Audit Report of the CCOC conducted in 2020 also did not disclose any findings and recommendations. She thanked Executive Director Dew for his administrative leadership as it is very unusual to have two audits and have no findings.

#### **Agenda Item 4 – Committee and Workgroup Reports**

##### **Item 4a) Budget Committee**

Clerk Russell gave an overview of the May 2024 CCOC Budget Committee meeting. This meeting addressed the budget issue request submission forms, approved the SFY 2024-25 Jury Management Reimbursement Form, set the CFY 2024-25 Base Budget at \$482.6 million, and approved the current year allocation of the “glitch” fix “Back of the Bill” \$8 million appropriation of State General Revenue funds. Since that meeting, the Governor has signed the bill for final approval. Revised budget letters will be sent out regarding the distribution of the \$8 million.

The Budget Committee and Executive Council approved a funding allocation for the current year non-recurring \$8 million, including \$1.1 million to fund the actual unfunded deficit balance of jury reimbursement funding for State Fiscal Year Quarters Two and Three and allocated the remaining \$6.9 million using the statewide Weighted Workload Measure.

The Budget Committee set the CFY 2024-25 Base Budget at \$482.6 million, which includes the CFY 2023-24 Revenue-Limited Budget of \$474.4 million, the calculated statewide FRS increase of \$164,000, and the current year allocation of the “glitch” fix Back of the Bill \$8

million. Based on the final revenue projections to be determined at the upcoming July REC meeting, the Committee will allocate any additional available funds.

The next Budget Committee meeting will be in Orlando in August 2024.

#### **Item 4b) PIE Committee**

Clerk Roth gave an overview of the June 14, 2024, Performance Improvement and Efficiencies Committee meeting. A quorum was not present; therefore, no action items were completed. An emergency meeting will need to be scheduled so that these action items are completed. Please be on the lookout for this notification.

Clerk Roth then gave an overview on the Payment Plan Workgroup. The payment plan form was approved by the PIE committee on March 15, 2024. The Executive Council held off on voting at the March 18, 2024, meeting to allow the Council and Clerks time to review and understand the form. The follow-up request to the Executive Council is to approve the report form and business rules and have Clerks effective in CFY Fiscal Year 2024/25 start collecting payment plan data. Publicity of Payment Plan training should begin in July, Online training in Summer is to be determined, and Data reporting begins with the October 2024 report due in November.

**Clerk Roth made a motion to accept Payment Plan Form. Clerk Moore-Russell seconded the motion. Motion carried. The motion was opposed by Clerk Kinzel.**

#### **Item 4c) Legislative Committee**

Clerk Timmann discussed the Clerks' priority bill (HB 1077 by Representative Botana and SB 1470 by Senator Hutson) which was signed into law and took effect on May 6<sup>th</sup>, 2024. Clerk Timmann thanked the CCOC Staff and Clerks for all the hard work that was done. The projected annual fiscal impact to Clerks is \$28.8 million. The Clerks are also appropriated \$8 million in current year funding to address the "glitch" fix from last year's Clerk bill and appropriated the continued State funding of \$11.7 million for juror reimbursement expenses. Clerk Timmann noted that the requested additional State funding was not approved for full jury costs reimbursement and funding for the nine new Judges.

The employer portion of FRS costs slightly increased for an estimated impact of approximately \$164,000 to Clerks; the employee portion of FRS costs did not increase.

The Clerks' legislative team will continue to advocate on behalf of all Clerks and will begin establishing next year's legislative priorities in the coming months.

#### **Agenda Item 5 – Review of CCOC**

Clerk Green reported on going forward with a review of the CCOC office structure, staffing needs and pay, role, and goals for the future. The work group is awaiting until the return of

Designate Executive Director Jason Welty to formally begin the process. If anyone would like to be a part of this work group, please contact Clerk Green.

#### **Agenda Item 6 – Update on Guardianship Data Transparency Project**

Clerk Burke gave the Executive Council an overview of the status of the project. The Guardianship Database had a “soft launch” in April of this year, but we have not formally announced that the database has gone public because there are still a few items that are still needed. The FCCC Board of Directors met on May 29<sup>th</sup> and approved a “best practice”. The group is working to have each Clerk’s office capture specific additional guardianship information in their local case management system along with information needed from the Department of Elder Affairs. This database will not only help publicly but also Judicially.

Executive Director Dew spoke on the funding for Clerk’s offices adjustments. A memorandum of agreement for any funding to help the process for revisions of their local case management systems must be signed by each Clerk to receive reimbursement for costs from the State. Also, the work must be completed before reimbursement. The deadline is very tight. He emphasized this will need to be done very quickly and there is not guarantee on the funding. If anyone is interested, he asked that the Clerks or their staff reach out to him this week.

#### **Agenda Item 7 – Report on TCBC**

Judge Soto gave a report from the April 2024 Trial Court Budget Commission meeting. The Commission met and approved the Fiscal Year 2024-25 allocations for new and regular appropriations. New resources include approximately \$2 million in additional recurring due process contractual funds, thirty full-time court reporter positions and ten court interpreter positions to address circuit service delivery models as they shift from stenographic to digital court reporting. An increase in reporting hours and the number of the subsequent transcriptions impact the growing demand for services. There is also a need for funding for an additional 673 Senior Judge days to address an increase caseload in the Civil and Criminal divisions and to supplement judicial vacancies. This also includes twenty case management positions to address the growing workload in the circuits related to increasing filings, natural disasters, and changes to trial court jurisdictional limits. The Commission will meet again on August 8<sup>th</sup> to discuss and approve the Trial Court Funding issues that will be recommended to the Supreme Court for inclusion, in the Judicial Branches’ Fiscal Year 2025-26 Legislative Budget Request.

Chair Butterfield asked for clarification of the 673 Senior Judge days and new Judges. Judge Soto clarified that the 673 Senior Judges days is correct. Nine Judges have been approved. No additional Judges have been determined. They are currently waiting on the Caseload study.

### **Agenda Item 8 – Results of CCOC Election**

Clerk Roth explained the details of the CCOC Election stating every year there are four Executive Council Member positions available for election. On March 29<sup>th</sup>, 2024, the CCOC Secretary informed Clerks of the upcoming election and provided a schedule. Clerks were asked to provide to the CCOC by April 15<sup>th</sup> their interest in running for one of the Council seats.

On April 26<sup>th</sup>, the CCOC distributed ballots to all the Corporation members and notified them to return such ballots to the CPA firm of Thomson Brock Luger & Company by a May 24<sup>th</sup> deadline. The ballots were opened and counted by the firm, Executive Director John Dew, and Budget and Communication Director Griffin Kolchakian on May 31<sup>st</sup>. Executive Director Dew sent the results to all Clerks that afternoon.

The four newly elected Executive Council members will take their “Oath of Office” immediately following the Annual Corporation Meeting on June 17<sup>th</sup>, 2024. These elected members are Clerk Stacy Butterfield, Clerk Tara Green, Clerk Nadia Daughtrey and Clerk Jody Phillips. The new Council will then vote to select a Chair, Vice-Chair, and Secretary/Treasurer.

Current Council members John Crawford and JD Peacock did not seek reelection as they will both be retiring at the end of this year. We provide our sincere appreciation to Clerk Crawford who has served diligently on the Council for the past eighteen years. We will all miss his wisdom and invocations. Also thank you to Clerk JD Peacock who in his eight years of service provided needed leadership during Covid as Chair of the Council and prior to that as Secretary/Treasurer.

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

Chair Butterfield asked the Council members if there are any other items to discuss under other business. There were none.

Chair Butterfield asked if there was anyone in the audience or on Webex that would like to discuss any issues. There were none.

**Clerk Peacock made a motion to adjourn the meeting. Clerk Russell seconded the motion. Motion carried.**

The meeting was adjourned at 3:30 PM.





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## AGENDA ITEM 3

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**DATE:** September 10, 2024  
**SUBJECT:** Treasurer's Report  
**COUNCIL ACTION:** Approval Update on CCOC Budget Office CFY 2023-24 Budget

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### OVERVIEW:

The CCOC office will be within their approved CFY 2023-24 budget authority. Through July, the office has expended approximately 66% of the budget through 83% of the year.

**COUNCIL ACTION:** Approve latest CCOC office budget report.

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

### ATTACHMENTS:

1. CCOC Office Budget Report through July 2024 for CFY 2023-24

BAA  
8/16/24

J. [Signature]  
8/18/24

**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	\$78,185.60	\$53,767.75	\$0.00	\$0.00	\$668,350.93	62.72%
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	\$38,508.91	\$35,566.44	\$0.00	\$0.00	\$426,261.95	59.16%
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	\$13,416.95	\$13,819.46	\$0.00	\$0.00	\$134,572.01	83.58%
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	\$7,787.85	\$8,021.48	\$0.00	\$0.00	\$78,112.13	83.58%
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	\$4,628.98	\$4,767.85	\$0.00	\$0.00	\$46,428.67	83.58%
Budget Manager I -	\$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	\$3,152.51	\$0.00	\$0.00	\$0.00	\$29,002.67	68.78%
Data Quality Officer	\$47,085.71	\$3,927.31	\$3,927.31	\$3,927.31	\$3,927.31	\$3,927.31	\$3,927.31	\$3,927.31	\$3,927.31	\$4,320.04	\$4,449.64	\$0.00	\$0.00	\$40,188.16	85.35%
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	\$1,726.97	\$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	\$3,447.58	\$3,551.01	\$0.00	\$0.00	\$30,552.75	81.24%
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	\$4,267.88	\$2,629.02	\$0.00	\$0.00	\$32,090.26	42.79%
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	\$37,163.81	\$16,529.29	\$0.00	\$0.00	\$228,242.12	84.53%
<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	\$1,755.00	\$957.00	\$0.00	\$0.00	\$18,243.40	53.66%
<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	\$5,879.76	\$18,987.97	\$0.00	\$0.00	\$75,309.37	88.39%
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	\$3,660.49	\$3,674.16	\$0.00	\$0.00	\$36,113.80	71.94%
Communications (+ Internet and Phone)	\$5,000.00	\$314.62	\$199.35	\$296.65	\$301.82	\$310.81	\$296.39	\$298.33	\$202.34	\$202.34	\$3,515.95	\$0.00	\$0.00	\$5,938.60	118.77%
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	\$2,016.93	\$11,797.86	\$0.00	\$0.00	\$33,256.97	110.86%
<b>TRAVEL:</b>	\$40,000.00	\$685.81	\$796.53	\$4.00	\$0.00	\$0.00	\$211.35	\$364.85	\$116.98	\$554.01	\$107.00	\$0.00	\$0.00	\$2,840.53	7.10%
<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	\$20,045.00	\$15,872.24	\$0.00	\$0.00	\$221,317.00	77.77%
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	\$5,000.00	\$0.00	\$0.00	\$0.00	\$45,000.00	69.23%
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	\$10,551.00	\$10,480.24	\$0.00	\$0.00	\$146,115.00	71.78%
Audit Services	\$16,000.00	\$0.00	\$0.00	\$0.00	\$15,000.00	\$2,326.00	\$2,990.00	\$0.00	\$0.00	\$4,494.00	\$5,392.00	\$0.00	\$0.00	\$30,202.00	188.76%
<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	\$1,500.00	\$0.00	\$0.00	\$0.00	\$245,533.00	61.82%
<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	\$107,919.37	\$89,691.96	\$0.00	\$0.00	\$1,238,931.82	64.65%

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



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## AGENDA ITEM 4a

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**DATE:** September 10, 2024  
**SUBJECT:** Budget Committee Update  
**COUNCIL ACTION:** Approve the CFY 2024-25 Budget and the Hope Cards Allocation

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### CFY 2024-25 REVENUE-LIMITED BUDGET:

In May, the Budget Committee approved the \$482.6 million Base Budget, which includes the prior year Revenue-Limited Budget of \$474.4 million, the calculated statewide FRS increase of \$164,000, and the \$8 million “glitch” fix allocation. In June, the committee determined that the remaining available funding will be allocated as follows:

- 50% of the remaining available funds will be allocated using weighted cases (statewide)
- 25% of the remaining available funds will be allocated using the MIT living wage distribution as presented to the committee at the June meeting
- 25% of the remaining available funds will be allocated by the committee at the August meeting
- Budget Cap: Clerks may not receive funding above their total budget issue requests amount submitted in June

In July, the Revenue Estimating Conference (REC) set the CFY 2024-25 revenue estimate. This determined the total funding available to build the CFY 2024-25 Revenue-Limited Budget to be **\$518.8 million**, a 9.3% year-over-year increase above the original approved budget.

In August, the Budget Committee deliberated and approved the clerks’ CFY 2024-25 Revenue-Limited Budget of \$518.8 million. During the meeting, a motion passed to use a different allocation method to distribute the funds above the Base Budget. The committee approved the following allocation methodology:

- \$17.8 million allocated using weighted cases (statewide distribution)
- \$13.6 million for a 3% court-side salaries and benefits increase (using the CFY 2023-24 Operational Budget)
- \$4.6 million allocated proportionately using the actual annual jury costs for each clerk based on the SFY 2023-24 Jury Reimbursement data)
- Budget Cap: Clerks may not receive funding above their total budget issue requests amount submitted in June
- Each clerk shall receive at least a 6% year-over-year increase unless a clerk hits the budget cap

**AGENDA ITEM 4a – BUDGET COMMITTEE UPDATE**

<b>CFY 2024-25 Base Budget</b>	CFY 2023-24 Revenue-Limited Budget	\$ 474,436,051	<b>\$ 482,599,912</b>
	FRS Increase	\$ 163,861	
	CFY 2023-24 "Glitch" Fix Allocation	\$ 8,000,000	
<b>Allocation of Available Funding over approved Base Budget</b>	New Judges Approved in 2024 (1 FTE each)	\$ 657,780	<b>\$ 31,592,912</b>
	Weighted Workload Measure Allocation	\$ 17,762,021	
	3% Court-side Salaries & Benefits Increase	\$ 13,610,376	
	Jury Funding Allocation	\$ 4,588,917	
	Adjustments	\$ (437,265)	
<b>CFY 2024-25 Revenue-Limited Budget</b>		<b>\$ 518,781,741</b>	

If approved by the Council, this \$518.8 million Revenue-Limited Budget will be the final approved budget implemented for CFY 2024-25 which will take effect on October 1, 2024.

**HOPE CARDS FUNDING ALLOCATION:**

During Legislative Session this year, SB 86 was signed into law which requires the clerks, consulting with the Attorney General, to develop the Hope Card Program to issue a Hope Card to anyone who has been issued a final order of protection and who requests a card. Beginning October 1, 2024, a person who has been issued a final judgment of an injunction for protection against domestic violence, repeat violence, sexual violence, dating violence, or exploitation of a vulnerable adult may apply for a Hope Card with the clerk where the petition was initially filed. Under the program, the Hope Cards will identify and describe the person who is restrained by an order of protection, identify those protected by the order, provide the phone number for the statewide domestic violence hotline, and be a credit-card sized laminated card or in digital form. The clerk may not assess a fee for the issuance of a Hope Card. Displaying the card is expected to facilitate the law enforcement response to a violation of the order. To implement this program, the FCCC created the Hope Card Workgroup which continues to meet to design and implement these cards and establish guidelines for issuing them.

SB 86 provides the clerks with \$176,000 in nonrecurring General Revenue (GR) funds distributed through the JAC for SFY 2024-25 to implement this act. Since the bill takes effect October 1, 2024, the funding is for nine months (October 2024–June 2025) and will be released and distributed quarterly (three quarters). At the August meeting, the Budget Committee approved a proposed allocation methodology using the 82,066 petitions filed for injunctions for protection in 2022-23 and proportionally distributes the \$176,000 statewide based on these petitions. This is the calculation up for Council approval.

**COUNCIL ACTION:** Approve the CFY 2024-25 Revenue-Limited Budget and the Hope Cards Funding Allocation

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

**ATTACHMENTS:**

- Proposed CFY 2024-25 Revenue-Limited Budget
- Proposed Hope Cards Funding Allocation



County	Peer Group	CFY 2023-24 Revenue-Limited Budget	FRS Increase	CFY 2023-24 "Glitch" Fix Allocation	CFY 2024-25 Base Budget	New Judges Approved in 2024 (1 FTE per Judge)	Weighted Workload Measure (CFY 2022-23)	ADD Weighted Workload Measure Allocation	ADD 3% Court-side Salaries & Benefits Increase (CFY 2023-24 Operational Budget)	ADD Jury Funding Allocation (Based on SFY 2023-24 Jury Reimb.)	ADD Allocation to Bring Counties to 6% (Unless Capped)	DEDUCT Cap Overage	TOTAL Additional Funding Allocations	CAP TOTAL Budget Requests (Allocation cannot exceed)	Amount over/under CAP	CFY 2024-25 Revenue-Limited Budget	Year-over-year Increase	Increase Over Current Year Budget
Lee	7	\$ 12,492,314	\$ 5,284	\$ 217,805	\$ 12,715,403	\$ 73,087	569,245.5	\$ 509,275	\$ 438,274	\$ 90,820			\$ 1,111,456	\$ 1,119,217	\$ 7,761	\$ 13,826,859	\$ 1,334,545	10.7%
Pinellas	7	\$ 23,958,734	\$ 8,360	\$ 327,336	\$ 24,294,430		742,045.5	\$ 663,871	\$ 779,739	\$ 228,895			\$ 1,672,505	\$ 4,863,660	\$ 3,191,155	\$ 25,966,935	\$ 2,008,201	8.4%
Polk	7	\$ 13,278,182	\$ 5,184	\$ 257,503	\$ 13,540,869		628,540.0	\$ 562,323	\$ 401,928	\$ 197,941			\$ 1,162,192	\$ 3,254,921	\$ 2,092,729	\$ 14,703,061	\$ 1,424,879	10.7%
Volusia	7	\$ 12,454,523	\$ 4,031	\$ 241,722	\$ 12,700,276		568,161.5	\$ 508,306	\$ 352,651	\$ 84,674			\$ 945,631	\$ 1,255,831	\$ 310,200	\$ 13,645,907	\$ 1,191,384	9.6%
Broward	8	\$ 41,479,454	\$ 13,493	\$ 682,665	\$ 42,175,612		1,748,123.0	\$ 1,563,958	\$ 978,854	\$ 299,098			\$ 2,841,910	\$ 4,422,375	\$ 1,580,465	\$ 45,017,522	\$ 3,538,068	8.5%
Duval	8	\$ 21,034,726	\$ 6,692	\$ 456,603	\$ 21,498,021		1,030,510.5	\$ 921,946	\$ 535,908	\$ 188,722			\$ 1,646,576	\$ 5,538,459	\$ 3,891,883	\$ 23,144,597	\$ 2,109,871	10.0%
Hillsborough	8	\$ 32,409,825	\$ 11,229	\$ 640,728	\$ 33,061,782	\$ 146,173	1,733,540.5	\$ 1,550,912	\$ 907,316	\$ 168,187			\$ 2,772,588	\$ 6,295,639	\$ 3,523,051	\$ 35,834,370	\$ 3,424,545	10.6%
Miami-Dade	8	\$ 75,608,322	\$ 26,516	\$ 1,425,119	\$ 77,059,957		3,821,240.0	\$ 3,418,672	\$ 2,213,467	\$ 603,517			\$ 6,235,656	\$ 13,411,511	\$ 7,175,855	\$ 83,295,613	\$ 7,687,291	10.2%
Orange	8	\$ 31,053,783	\$ 9,256	\$ 612,113	\$ 31,675,152	\$ 219,260	1,634,672.5	\$ 1,462,460	\$ 842,785	\$ 209,592			\$ 2,734,097	\$ 11,781,568	\$ 9,047,471	\$ 34,409,249	\$ 3,355,466	10.8%
Palm Beach	8	\$ 32,093,204	\$ 10,519	\$ 488,985	\$ 32,592,708		1,133,560.5	\$ 1,014,140	\$ 890,696	\$ 268,962		\$ (209,134)	\$ 1,964,664	\$ 1,964,664	\$ (0)	\$ 34,557,372	\$ 2,464,168	7.7%
<b>STATEWIDE TOTAL</b>		<b>\$ 474,436,051</b>	<b>\$ 163,861</b>	<b>\$ 8,000,000</b>	<b>\$ 482,599,912</b>	<b>\$ 657,780</b>	<b>19,853,602.5</b>	<b>\$ 17,762,021</b>	<b>\$ 13,610,376</b>	<b>\$ 4,588,917</b>	<b>\$ 9,188</b>	<b>\$ (446,453)</b>	<b>\$ 36,181,829</b>	<b>\$ 88,840,886</b>	<b>\$ 52,659,057</b>	<b>\$ 518,781,741</b>	<b>\$ 44,345,690</b>	<b>9.3%</b>

5

weighted cases

2

7

\$ 35,524,049

\* excludes separation payouts, the elected clerk, and vacancies

(4.6% - 15.2%

Jury Reimbursement Funding:	\$ 11,700,000
<b>TOTAL COURT-RELATED BUDGET:</b>	<b>\$ 530,481,741</b>

### HOPE CARDS ALLOCATION OPTIONS

County	CFY 2022-23 Total Family - Injunctions for Protection	Allocation Proportionate to CFY 22-23 Injunctions for Protection	Quarterly Allocation (3 Quarters)
Alachua	477	\$ 1,023	\$ 341.00
Baker	98	\$ 210	\$ 70.00
Bay	846	\$ 1,814	\$ 604.67
Bradford	103	\$ 221	\$ 73.67
Brevard	2,161	\$ 4,635	\$ 1,545.00
Broward	7,079	\$ 15,181	\$ 5,060.33
Calhoun	80	\$ 172	\$ 57.33
Charlotte	754	\$ 1,617	\$ 539.00
Citrus	736	\$ 1,578	\$ 526.00
Clay	866	\$ 1,857	\$ 619.00
Collier	722	\$ 1,548	\$ 516.00
Columbia	457	\$ 980	\$ 326.67
DeSoto	77	\$ 165	\$ 55.00
Dixie	128	\$ 275	\$ 91.67
Duval	6,582	\$ 14,116	\$ 4,705.33
Escambia	2,231	\$ 4,785	\$ 1,595.00
Flagler	383	\$ 821	\$ 273.67
Franklin	115	\$ 247	\$ 82.33
Gadsden	184	\$ 395	\$ 131.67
Gilchrist	95	\$ 204	\$ 68.00
Glades	52	\$ 112	\$ 37.33
Gulf	103	\$ 221	\$ 73.67
Hamilton	99	\$ 212	\$ 70.67
Hardee	127	\$ 272	\$ 90.67
Hendry	139	\$ 298	\$ 99.33
Hernando	1,073	\$ 2,301	\$ 767.00
Highlands	400	\$ 858	\$ 286.00
Hillsborough	6,859	\$ 14,710	\$ 4,903.33
Holmes	108	\$ 232	\$ 77.33
Indian River	306	\$ 656	\$ 218.67
Jackson	217	\$ 465	\$ 155.00
Jefferson	34	\$ 73	\$ 24.33
Lafayette	18	\$ 39	\$ 13.00
Lake	1,657	\$ 3,554	\$ 1,184.67

County	CFY 2022-23 Total Family - Injunctions for Protection	Allocation Proportionate to CFY 22-23 Injunctions for Protection	Quarterly Allocation (3 Quarters)
Lee	3,054	\$ 6,550	\$ 2,183.33
Leon	1,640	\$ 3,517	\$ 1,172.33
Levy	218	\$ 468	\$ 156.00
Liberty	52	\$ 112	\$ 37.33
Madison	63	\$ 135	\$ 45.00
Manatee	985	\$ 2,112	\$ 704.00
Marion	1,530	\$ 3,281	\$ 1,093.67
Martin	334	\$ 716	\$ 238.67
Miami-Dade	8,069	\$ 17,304	\$ 5,768.00
Monroe	331	\$ 710	\$ 236.67
Nassau	475	\$ 1,019	\$ 339.67
Okaloosa	1,216	\$ 2,608	\$ 869.33
Okeechobee	138	\$ 296	\$ 98.67
Orange	3,737	\$ 8,014	\$ 2,671.33
Osceola	1,840	\$ 3,946	\$ 1,315.33
Palm Beach	2,533	\$ 5,432	\$ 1,810.67
Pasco	2,975	\$ 6,380	\$ 2,126.67
Pinellas	3,857	\$ 8,272	\$ 2,757.33
Polk	4,632	\$ 9,934	\$ 3,311.33
Putnam	606	\$ 1,300	\$ 433.33
Saint Johns	755	\$ 1,619	\$ 539.67
Saint Lucie	904	\$ 1,939	\$ 646.33
Santa Rosa	825	\$ 1,769	\$ 589.67
Sarasota	1,080	\$ 2,316	\$ 772.00
Seminole	1,350	\$ 2,895	\$ 965.00
Sumter	227	\$ 487	\$ 162.33
Suwannee	216	\$ 463	\$ 154.33
Taylor	248	\$ 532	\$ 177.33
Union	41	\$ 88	\$ 29.33
Volusia	1,859	\$ 3,987	\$ 1,329.00
Wakulla	198	\$ 425	\$ 141.67
Walton	529	\$ 1,135	\$ 378.33
Washington	183	\$ 392	\$ 130.67
<b>TOTAL:</b>	<b>82,066</b>	<b>\$ 176,000</b>	<b>\$ 58,666.67</b>





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POLK COUNTY  
EXECUTIVE COUNCIL CHAIR

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ORANGE COUNTY

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

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## AGENDA ITEM 4b

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**DATE:** September 10, 2024  
**SUBJECT:** PIE Committee Update  
**COUNCIL ACTION:** Approve the CFY 2023-24 Quarter 3 PMAP Report and PAC framework/Case Weights Work Group

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### OVERVIEW:

The CCOC Performance Improvement and Efficiencies (PIE) Committee meeting, originally scheduled for September 15, 2024, has been postponed to October 2024. The specific date and time date will be announced shortly.

The Quarter 3 PMAP report has been posted on the CCOC website ahead of the statutory deadline of August 15, 2024, and can be accessed via this link posted on the CCOC website: <https://flccoc.org/ccoc-reports/#pr>.

At the emergency meeting on June 26, 2024, Clerk Roth underscored the critical need for a standing workgroup focused on the regular review and update of the PAC framework. The workgroup's primary objective will be to develop a comprehensive work plan and establish a schedule that ensures the PAC framework remains current and aligned with evolving statutes. Clerk Green has been appointed to lead this workgroup, and the members will collaborate to create a detailed, structured plan for ongoing updates and improvements.

### COUNCIL ACTION:

1. Approve the CFY 2023-24 Quarter 3 PMAP Report
2. Approve The PAC Framework Workgroup

**LEAD STAFF:** Johnny Petit, CCOC Actuarial Performance Analyst



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GENERAL COUNSEL

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## AGENDA ITEM 5

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**DATE:** September 10, 2024  
**SUBJECT:** Update on Compliance Improvement Services  
**COUNCIL ACTION:** Information Only

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### OVERVIEW:

Clerks of the court are responsible for collecting fines, fees, court costs, and service charges. While some of these collections pay for support of their court-related responsibilities, another portion provides revenue for the State and other entities.

The CCOC, understands the importance of helping Clerks meet their statutory duties and at the same time assist the State and constituents. Therefore, they have provided a free service through a contract with Compliance Improvement Services for the last several years.

Each year, we try to provide an update to the Council on the progress made and the Clerk's offices that have received such training.

Clerk Roth has been a champion for the program and can provide an update, along with Don Murphy who conducts the training statewide.

This year, the contract with Mr. Murphy will end and the CCOC must rebid for compliance services.

**COUNCIL ACTION:** Information Only

**ATTACHMENT:** A. Presentation of Compliance Services Provided by CIS.

# WHAT'S NEXT?

Compliance Best Practices  
making a revenue and  
customer service difference!





## Activities

Onsite & Virtual Visits

Workshop Training for Small Counties

Compliance Training Material

Workgroup for Best Practices

Workgroups for Payment Plan Reporting

Compliance Best Practice Training

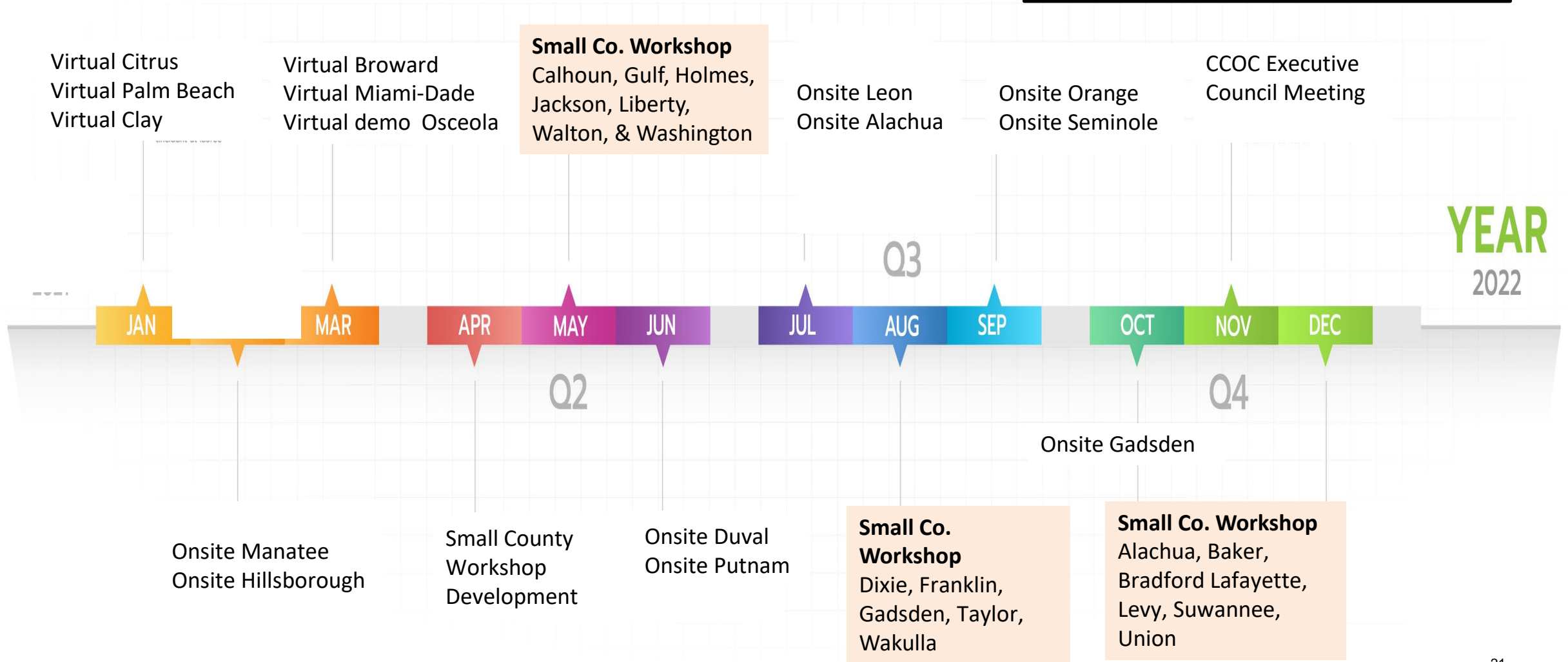
Compliance Summit Events

Compliance CPR Training Program

# CIS Field Summary- 2022



34 counties  
9 onsite 6 virtual 3 workshops



# WORKGROUP SCOPE

In 2023, CIS partnered with CCOC, FCCC, and Clerk content experts on revising the current compliance services best practice guidelines checklist so that this document would properly map to best practice revisions.

These guidelines were last updated in December of 2015. Included in this review were updates to the Compliance Best Practice checklist so that this document would properly map to best practice revisions.



The logo for the Florida Court Clerks & Comptrollers Best Practices program. It features a blue and gold color scheme. On the left is a gold scroll with the text "We the People" and a map of Florida. In the center, the text "FLORIDA COURT CLERKS & COMPTROLLERS" is written in blue, with "BEST PRACTICES" in a larger, bold blue font below it. On the right is a gold circular seal with "ANNUAL PROGRAM" at the top, "BEST PRACTICES" in the center, and "Acceptance" and "EXCELLENCE" on banners. The entire logo is set against a light blue background with horizontal gold and blue stripes.

**COMPLIANCE SERVICES (COLLECTIONS)**  
Revised: May 6, 2024

*Final updates to the Best Practices for Compliance Services was submitted on May 6<sup>th</sup> 2024, which included revisions the Compliance Best Practices checklist*



## **Payment Plan Workgroup Update**

The PIE committee approved the payment plan report on March 15, 2024

The Executive Council approved the payment plan report on June 17, 2024

Payment Plan report to begin collecting October data for delivery in November.

CIS served on the workgroup defining the report and plan for release.

# BEYOND THE BLUEPRINT

2023 Compliance Summit

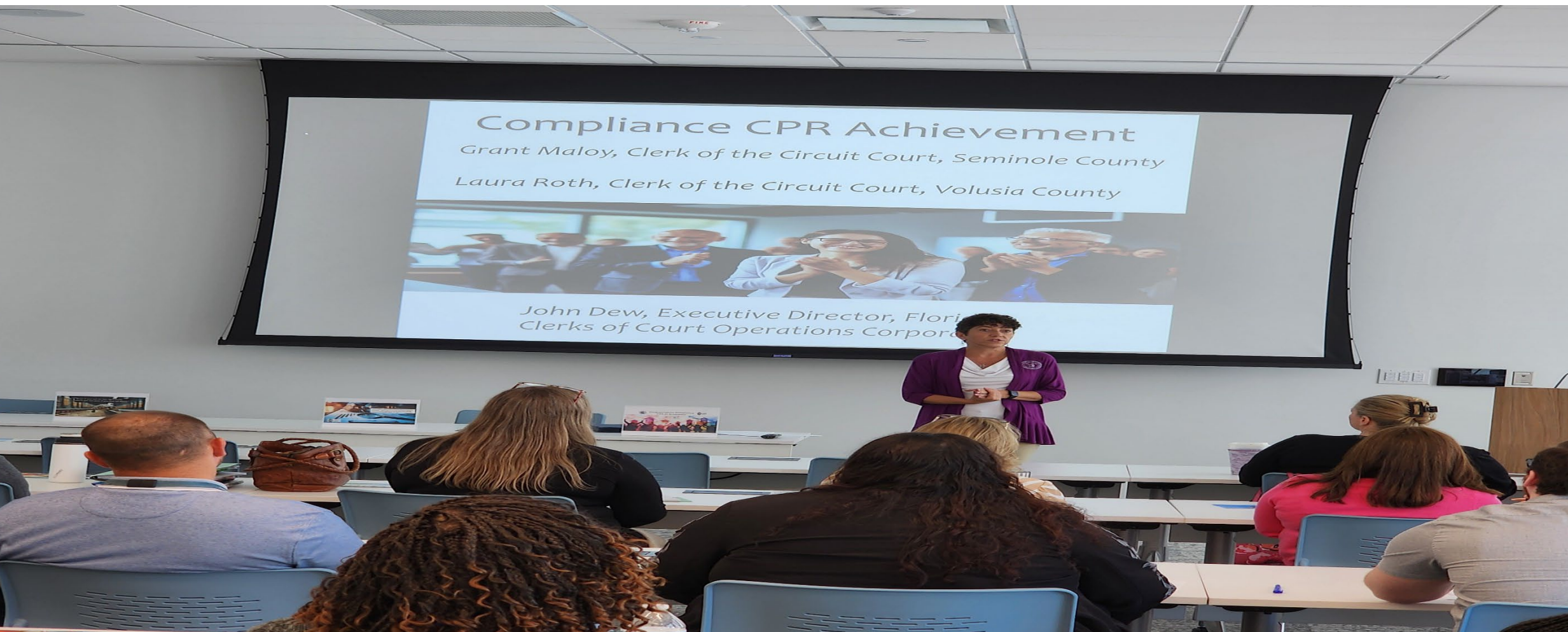


This Compliance Summit, “Beyond the Blueprint”, held October 4<sup>th</sup> and 5<sup>th</sup>, 2023 brought together eighty- five attendees representing thirty-five registered counties. Summit participants were clear on the need for more opportunities to share experiences and the need to provide new users training focused on compliance best practices.





“Teach a person to fish and they eat for a lifetime.”



*Compliance CPR 24 is a comprehensive improvement training plan designed to raise performance in communication with customers, implementing best practice techniques, and enhancing data availability for better compliance decision making.*



84 Trainees/22 Counties for 7 on-site communication training sessions

Averaged 74 participants for 4 virtual sessions

22 participated in live final ceremony, 28 online in hybrid event

50 trainees successfully completed program

# CPR Training Feedback

*“The program was a great learning experience for my colleagues and me. I thought the content was easy to understand, interesting, and relevant to my day-to-day work.”*

*“My overall experience was excellent. I have learned so much about reflective listening and meeting the customer's needs. I also gained valuable information about collecting past-due payments.”*

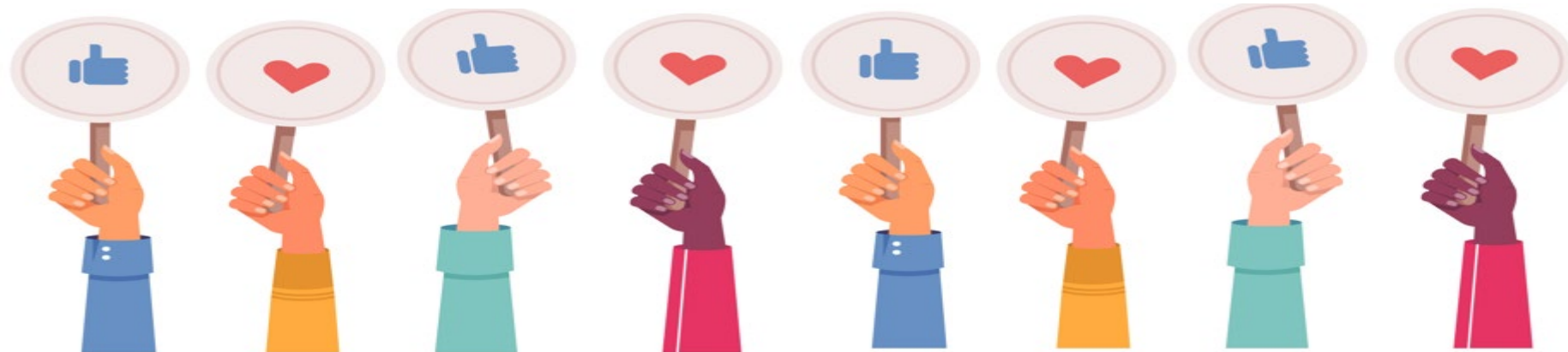
*“It was a great opportunity to meet clerks from other offices and learn of their procedures for handling the same issues we deal with.”*

*“The Compliance CPR training was very informative. The classroom setting was helpful to talk with other counties to get insight on different ideas for the payment plans. The zoom webinar was also great, so we did not have to travel each time. Very good set up combining both, to get more time to review more topics. Overall, very satisfied.”*

*“I really enjoyed the program. Some of my favorite experiences were viewing other Clerk's offices and being hosted. I have made multiple connections with various individuals to reach out to and network in the future.”*

*“This was a great training to get you to think bigger and better. Sometimes we become narrowly focused and do not see the opportunities available.”*

*“I enjoyed working with partners from other counties to hear about processes they've implemented. Doug and Don consistently provide high quality training and are obviously enthusiastic about what they do, which translates to a great experience for the trainees. We got a lot of good new ideas and some reminders and will be working on the objectives we set in this training.”*



# Inventory of Services-Best Practices Checklist

How do I get better?



**FLORIDA COURT CLERKS & COMPTROLLERS**

**BEST PRACTICES**

**COMPLIANCE SERVICES (COLLECTIONS) CHECKLIST**

Revised: May 6, 2024

# Compliance Action Plan

Use Best Practice Checklist

Identify Opportunities

Make something of it



## Process

Notification delivery reporting

## Purpose

Track progress of delivered notices

## Technique

Delivery date to customer payment response by date.

## Tool

Compliance Service Reporting software

## Goal

Adjust noticing deliveries to type and frequency for improved response.

# Making Compliance Connections

Statutory Alignment

Best Practice Review

Inventory of Services

Compliance Action Planning

Milestone Measurement



# Why are we doing this?

To recover court ordered payments

To build efficiencies into the process

To satisfy legislative responsibilities

To provide excellent customer service that promotes clear instruction, timely assistance, and debt recovery.



WHAT'S  
NEXT?



Focus to Best Practices  
14 Counties Requested Funding

22 Counties involved with Compliance CPR  
Leveraging learning to Best Practice Project Plans

Educational Posts focused on current trends

Compliance CPR Training Phase 2

Monitoring Reporting Progress for  
Payment Plans to understand workload by  
county and by case type

Webinars on current compliance trends



*“Even if you are on the right track,  
you’ll get run over if you just sit there.”*

Will Rogers





## REQUIRED CLERK STATUTORY DUTY

Florida Statute 938.30 (9) *The clerk of the court **shall** enforce, satisfy, compromise, settle, subordinate, release, or otherwise dispose of any debts or liens imposed and collected under this section in the same manner as prescribed in s. 938.29(3).*

[BACK](#)



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GENERAL COUNSEL

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## AGENDA ITEM 6

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**DATE:** September 10, 2024  
**SUBJECT:** Update on Guardianship Data Transparency Project  
**COUNCIL ACTION:** Information Only

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### OVERVIEW:

The Guardianship Database has been successfully developed and launched. However, we are still working with Clerks to update their local case management systems and capture more specific information that is needed. The additional information needed will identify professional guardians, if they are limited or plenary, and if the case is active or inactive.

FCCC send out Advisor Bulletin # 24-053 on June 4, 2024, with the recommendations on how to include new party and docket codes to your CMS that would be pulled by CCIS. (See attached Advisory and recommendations on what party and docket codes to add.)

The CCOC provided funding for several Clerks to make these revisions. As of August 21<sup>st</sup>, we have at least 45 Clerks that we know have had their CMS updated to collect the new party and docket codes. However, only approximately fifteen Clerk offices have started to input data from their guardianship case files using these new party and docket codes.

Clerk Burke communicated with over fifty Clerks on September 3<sup>rd</sup> emphasizing the importance of getting specific information entered into their CMS for the Guardianship Database Project to be successful. Clerks are responding to the message and working to enter the new party and docket codes in their system.

We expect much progress to be made in the next few weeks.

**COUNCIL ACTION:** Information Only

### ATTACHMENTS:

- A. FCCC Advisory # 24-053
- B. Best Practices from FCCC Best Practices Committee



## **FCCC ADVISORY**

**Guardianship Database Project Update**

**No. 24-053**

**DATE:** June 4, 2024

**CONTACT:** Melissa Bennefield

**PAGE:** 1 of 2

**PHONE:** (850) 577-4510

**EMAIL:** [mbennefield@flclerks.com](mailto:mbennefield@flclerks.com)

**CATEGORY:** Clerk Administration, CCIS,  
Courts

The Florida Legislature enacted [744.2112 F.S.](#), which took effect on July 1, 2022, providing for and requiring transparency of professional guardians where the court has appointed them as either a limited or plenary guardian of an incapacitated individual. Additionally, the statute requires, in part, the Florida Clerks of Court Operations Corporation (CCOC) and the Clerks of Court to establish a statewide database.

The CCOC Guardianship Information Transparency Operations Workgroup was formed and is working together with CCOC, the Comprehensive Case Information System (CCIS), and the database developer, Cloud Navigator, to find the best way for all Clerks' offices across the state to report the necessary information to CCIS. The workgroup has developed a Guardianship Best Practices document (attached) for all Clerks to use when reporting guardianship information. This CCOC best practice was presented during the FCCC Board of Directors meeting held on May 29, 2024, and was unanimously adopted.

The recommendations in the best practice include new party and docket codes being added to CCIS to facilitate the level of detailed reporting the project requires. To accommodate these changes, CCIS is updating the CCIS ICD and both development packages, CCIS Lite and Volusia Contract, where necessary. Clerks' offices will be required to update local mapping tables to support the use of the new party and docket codes in each of their local Case Maintenance Systems (CMS), as well as make any needed updates to the services managing the transmission of these codes to CCIS.

FCCC and Clerks may obtain potential funding from CCOC to offset the costs of making the changes to CCIS and CMSs required to support this project. However, there is a short timeline to gather information and cost estimates related to this project. The potential available funds must be encumbered by June 30, 2024.

**To further funding discussions and secure funding, FCCC must understand the associated costs for each vendor to make these changes. FCCC has requested assistance from FCCC CMS Workgroup members under the oversight of the FCCC Strategic Technology Committee to help quantify and provide cost estimates for each CMS system by Monday, June 10, 2024.**

If you have any additional questions regarding the information provided, please contact the Service Center at (850) 414-2210 or [support@flclerks.com](mailto:support@flclerks.com).

**Date:** April 11, 2024

**TO:** FCCC Guardianship Best Practices Committee

**FROM:** CCOC Guardianship Transparency Operations Workgroup

**RE: Request for new best practice:** Guardianship information and transparency – Status of statutorily required reports and submissions under this chapter.

**Relevant Legislation/Administrative Orders:** Florida Statute 744.2112(1) (d)

The guardianship information and transparency legislation came to the forefront due to inexcusable and exploitative acts by professional guardians in multiple counties throughout the State of Florida. There have been several workgroups providing insight, concerns, and recommendations over the course of the last few years.

Florida Legislation enacted **744.2112 FS**, which took effect on July 1, 2020. This statute provides for and requires transparency of professional guardians and guardianship cases where professional guardians have been court appointed guardians of an incapacitated individual; additionally this statute requires, in part, The Florida Clerks of Court Operations Corporation (CCOC) and the clerks of court to establish a statewide database; this database is required to provide fifteen elements.

The Guardianship Information Transparency Operations Workgroup (workgroup) has worked together with CCOC, the Comprehensive Case Information System (CCIS) and the database developers, Cloud Navigator to find the best way for all sixty-seven counties clerk's offices across the State of Florida, to report the necessary information to (CCIS) in order to meet each requirement.

The workgroup has been able to establish a business practice for nine of the fifteen required elements by utilizing the data and information from the clerk's offices case maintenance system (CMS).

The specific elements captured by information already available to clerk's and their CMS's from information found in the petition and other orders as part of the normal function and flow of the guardianship process, are as follows:

- The location of the guardians office
- The name of the petitioner
- The name of the ward
- The name of the professional guardian
- Legal counsel for all parties (petitioner, ward, guardian)
- Demographic information for the ward
- The name of the judge assigned to each professional guardianship case
- The circuit in which the case is brought
- The ward's county of residence

The workgroup came to the determination that we can capture three of the remaining elements by having CCIS create eight additional "codes" to correspond with clerk's CMS newly created party name/types. CMS party name/type will be associated to the correct CCIS "code" allowing the following three elements to report to the database properly.

Element 1: Identifying Professional guardianship cases and eliminating the incorrect reporting of Non-Professional guardianship cases

Element 2: Identifying whether the guardianship is Limited or Plenary

Element 3: Identifying whether the guardianship case is truly Active or Terminated

- Work group decided to utilize the party name/type function within the CMS.
  - Party types are identified as:
    - PGLA – Professional Guardian Limited \_ Active
    - PGLI – Professional Guardian Limited \_ Inactive
    - PGPA – Professional Guardian Plenary \_ Active
    - PGPI – Professional Guardian Plenary \_ Inactive
    - TGLA – Temporary Professional Guardian Limited \_ Active
    - TGLI – Temporary Professional Guardian Limited \_ Inactive
    - TGPA – Temporary Professional Guardian Plenary \_ Active
    - TGPI – Temporary Professional Guardian Plenary \_ Inactive
  - **(Element 1)** Clerk staff will use one of the above ACTIVE party types when adding the professional guardian from the Order Appointing. Doing so, will identify and only report cases that have a professional guardian associated as a party to the case.

- **(Element 2)** By utilizing these party types, the database will capture whether the guardianship is LIMITED or PLENARY.
- **(Element 3)** Once the professional guardian is discharged and the guardianship case has come to a close, whether the ward reached the age of majority, restored to full capacity, or has passed away clerk staff will again, utilize the party name/type function to update the professional guardian as an INACTIVE party name/type. Doing so, will remove that professional guardian’s case from reporting to the database because the case has concluded.

One of the last elements to be captured is the Status of Statutorily required reports and submissions, **Florida Statute 744.2112(1) (d)**. The workgroup has determined the use of “non-imaged” events, also known as docket entries, as the best way to capture the status of statutorily required reports and submissions under this chapter; however, there are several theories as to how best to determine which pleadings or documents should “trigger” the status, transmitted to CCIS and the database. It should be noted, the status of each report will be displayed at the case level, and not cumulatively by professional guardian.

CCIS will create ten (10) additional “codes” to correspond with clerk’s CMS newly created docket events specific to statutorily required reports. Based on the current CCIS 3.0 ICD v1 1.16 the last numeric used for event codes is 205, each clerk’s event and description in their individual CMS will be unique; however, the CMS event will be associated to the correct CCIS “code” allowing the information to report to the database properly.

1. CCIS code 206 = CMS non-imaged event 1234 = Prof. Guardian Plan Non-Compliant
2. CCIS code 207 = CMS non-imaged event 1235 = Prof. Guardian Plan Compliant
3. CCIS code 208 = CMS non-imaged event 1236 = Prof. Guardian Acct. Non-Compliant
4. CCIS code 209 = CMS non-imaged event 1237 = Prof. Guardian Acct. Compliant
5. CCIS code 210 = CMS non-imaged event 1238 = Temp. Prof. Guardian Plan Non-Compliant
6. CCIS code 211 = CMS non-imaged event 1239= Temp. Prof. Guardian Plan Compliant
7. CCIS code 212 = CMS non-imaged event 1240 =Temp. Prof. Guardian Acct. Non-Compliant
8. CCIS code 213 = CMS non-imaged event 1241 = Temp. Prof. Guardian Acct. Compliant
9. CCIS code 214 = CMS non-imaged event 1242 = Prof. Guardian Plans Waived\*
10. CCIS code 215 = CMS non-imaged event 1243 = Prof. Guardian Acct. Waived\*

Two other option would be to create only two generic CCIS codes and two CMS event codes nonspecific to the exact report required and eliminating the capture or reporting of waived reports.

GIC = Guardian in Compliance

GNC = Guardian NOT in Compliance



Utilizing events specific to the required report and their status of compliant, non-compliant, or waived will help maintain the integrity and transparency as the legislation intended this statute to provide. There is some debate related to the waiving of required reports statuses. Some believe the database should reflect the guardian as in compliance when the court waives a required report. While others feel the database should reflect the absolute status of the required reports, whether compliant, non-compliant, or waived.

By maintaining transparency and an accurate account of the statutorily required reports, will help provide insight to the judiciary as related to possible patterns of the professional guardian's behavior. Additionally, where a professional guardian has several reports waived, there is a lack of accountability and checks and balances. Lastly, in the unfortunate situation where there might be an investigation into possible fraudulent or exploitative activities, there would be no way to identify how many instances the professional guardian obtained orders waiving the reporting requirements.

#### **Best practices scenario 1 – Required report(s) is delinquent:**

Once the triggering document (*Notice of Delinquency – Annual Accounting*) is processed and updated to a particular case, the processing clerk will enter into the CMS the newly created corresponding “non-imaged” event code 1236 = Prof. Guardian Acct. Non-Compliant, with edit comments, notating the professional guardian's name. This event code will report to CCIS, and then to the database as *non-compliant* for this required report

Once the guardian files the delinquent accounting **and** the clerk's office auditor has issued a *Comply RTC*, the processing clerk will then enter into the CMS the newly created corresponding “non-imaged” event code 1237 = Prof. Guardian Acct. Compliant. This event code will report to CCIS, and then to the database removing the non-compliant status of the accounting, thus showing the guardian is in a *compliant status* as to the annual accounting.

*(In Brevard County, the court does not enter an order approving an accounting if the clerk's auditor has issued a Non-Comply Report to Court (RTC). (There are always exceptions to every rule, for example: if the plan is a non-comply solely because of the date on the physician's statement; the court will issue an order approving the annual plan.) However, our standard business practice is no approval until the non-comply has been rectified, especially for accountings.)*

#### **Best practices scenario 1a – Required report(s) is delinquent:**

Once the triggering document (*Notice of Delinquency – Annual Accounting*) is processed and updated to a particular case, the processing clerk will enter into the CMS the newly created corresponding “non-imaged” event code related to GNC = Guardian NOT in Compliance, with edit comments, notating the professional guardian’s name. This event code will report to CCIS, and then to the database as *non-compliant*.

Once the guardian files the delinquent accounting **and** the clerk’s office auditor has issued a *Comply RTC*, the processing clerk will then enter into the CMS the newly created corresponding “non-imaged” event code related to GIC = Guardian in Compliance. This event code will report to CCIS, and then to the database removing the non-compliant status, thus showing the guardian is in a *compliant status*.

*(In Brevard County, the court does not enter an order approving an accounting if the clerk’s auditor has issued a Non-Comply Report to Court (RTC). (There are always exceptions to every rule, for example: if the plan is a non-comply solely because of the date on the physician’s statement; the court will issue an order approving the annual plan.) However, our standard business practice is no approval until the non-comply has been rectified, especially for accountings.)*

### **Best practices scenario 2 – Required report(s) is not delinquent, but not in compliance according to the auditor’s findings:**

The required annual accounting is not delinquent. However, based upon the clerk’s office auditor review, the annual accounting is not in compliance.

The auditor submits a Non Comply RTC explaining the deficiencies and requests the professional guardian to file an amended accounting for additional review and ultimately approval. Once the Non Comply RTC is processed, the processing clerk will enter into the CMS the newly created corresponding “non-imaged” event code 1236 = Prof. Guardian Acct. Non-Compliant, with edit comments, notating the professional guardian’s name. This event code will report to CCIS, and then to the database as *non-compliant* for the accounting.

Once the guardian files their amended annual accounting and the clerk’s office auditor issues a *Comply RTC*, the processing clerk will then enter into the CMS the newly created corresponding “non-imaged” event code 1237 = Prof. Guardian Acct. Compliant. This event code will report to CCIS, and then to the database removing the guardian from *non-compliant* status and placing the guardian in a *compliant status*.

In the event the amended accounting is still not in compliance, the auditor issues a No Opinion RTC, for final determination by the judge. Once the judge issues an order approving said accounting, the processing clerk will then enter into the CMS the newly created corresponding “non-imaged” event code 1237 = Prof. Guardian Acct. Compliant. This event code will report to CCIS, and then to the database removing the guardian from *non-compliant* status and placing the guardian in a *compliant status*.

**Best practices scenario 2a – Required report(s) is not delinquent, but not in compliance according to the auditor’s findings:**

The required annual accounting is not delinquent. However, based upon the clerk’s office auditor review, the annual accounting is not in compliance.

The auditor submits a Non Comply RTC explaining the deficiencies and requests the professional guardian to file an amended accounting for additional review and ultimately approval. Once the Non Comply RTC is processed, the processing clerk will enter into the CMS the newly created corresponding “non-imaged” event code related to GNC = Guardian NOT in Compliance, with edit comments, notating the professional guardian’s name. This event code will report to CCIS, and then to the database as *non-compliant*.

Once the guardian files their amended annual accounting and the clerk’s office auditor issues a Comply RTC, the processing clerk will then enter into the CMS the newly created corresponding “non-imaged” event code related to GIC = Guardian in Compliance. This event code will report to CCIS, and then to the database removing the guardian from *non-compliant* status and placing the guardian in a *compliant status*.

In the event the amended accounting is still not in compliance, the auditor issues a No Opinion RTC, for final determination by the judge, the compliance status remains as non-compliant. Once the judge issues an order approving said accounting, the processing clerk will then enter into the CMS the newly created corresponding “non-imaged” event code related to GIC = Guardian in Compliance. This event code will report to CCIS, and then to the database removing the guardian from *non-compliant* status and placing the guardian in a *compliant status*.

**Best practices scenario 3 – The court has waived one required report; however, the other required report is still due, pursuant to statute:**

The court has waived the annual plan; however, the annual accountings are still required pursuant to the Florida statute. The clerk processing the order Waiving the Requirement to file the Annual Plans will enter into the CMS the newly created corresponding “non-imaged” event code 1242 = Prof. Guardian Plans Waived. This event code will report to CCIS, and then to the database showing the court has waived this requirement. Once the accounting has been received and audited by the clerk’s auditor and issued a Comply RTC, the processing clerk will then enter into the CMS the newly created corresponding “non-imaged” event code 1237 = Prof. Guardian Acct. Compliant. This event code will report to CCIS, and then to the database showing the guardian in a *compliant status*.

**Best practices scenario 3a – The court has waived one required report; however, the other required report is still due, pursuant to statute:**

The court has waived the annual plan; however, the annual accountings are still required pursuant to the Florida statute. The clerk processing the order Waiving the Requirement to file the Annual Plans, will **not** update the case to reflect as such, rather, the clerk will update the case, once the accounting has been received and audited by the clerk’s auditor. If the accounting is issued a Comply RTC, the processing clerk will then enter into the CMS the newly created corresponding “non-imaged” event code related to GIC = Guardian in Compliance. If the accounting is issued a Non-Comply RTC, the processing clerk will then enter into the CMS the newly created corresponding “non-imaged” event code related to GNC = Guardian NOT in Compliance. Depending on which event is entered; the case will report to CCIS, and then to the database showing the guardian in either a generic *compliant status* or a *generic non-compliant status*.

**The workgroup requests the assistance and review of the Guardianship Best Practices committee, in helping to develop the best and most useful methods to capture the status of professional guardian’s compliance with the statutorily required reports under Ch. 744, fs., or any other ideas best practices based on the above information.**

Lisa Ross, CCOC – Guardianship Transparency Operational Workgroup, Chair

Brevard County

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April 08, 2024

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