**Minutes of June 17, 2024, Executive Council Meeting**

**(Approved at September 10, 2024 Council Meeting)**

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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 18th , 2024, minutes and the May 9th, 2024, minutes to the Executive Council for any objections or actions.

Clerk Kinzel noted on page 9 of the May 9th, 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 18th, 2024 minutes as presented and the May 9th, 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 10th, 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 6th, 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 appropriatedthe 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 Burkegave 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 29th 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 8th 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 29th, 2024, the CCOC Secretary informed Clerks of the upcoming election and provided a schedule. Clerks were asked to provide to the CCOC by April 15th their interest in running for one of the Council seats.

On April 26th, 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 24th deadline. The ballots were opened and counted by the firm, Executive Director John Dew, and Budget and Communication Director Griffin Kolchakian on May 31st. 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 17th, 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.