



EXECUTIVE COUNCIL MEETING
April 27, 2020

JD Peacock, II
OKALOOSA COUNTY
EXECUTIVE COUNCIL CHAIR

Jeffrey R. Smith, CPA, CGMA
INDIAN RIVER COUNTY
VICE-CHAIR

Tiffany Moore Russell, ESQ.
ORANGE COUNTY
SECRETARY/TREASURER



STACY BUTTERFIELD, CPA
POLK COUNTY

JOHN CRAWFORD
NASSAU COUNTY

TODD NEWTON
GILCHRIST COUNTY

LAURA E. ROTH
VOLUSIA COUNTY

HARVEY RUVIN, ESQ.
MIAMI-DADE COUNTY

RON FICARROTTA
13TH JUDICIAL CIRCUIT JUDGE
SUPREME COURT APPOINTEE

ANGELINA "ANGEL" COLONNESO, ESQ.
MANATEE COUNTY
SENATE APPOINTEE

VACANT
HOUSE APPOINTEE

JOHN DEW
EXECUTIVE DIRECTOR

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GENERAL COUNSEL

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EXECUTIVE COUNCIL MEETING
April 27, 2020

Meeting time: 3:00 to 4:00 PM

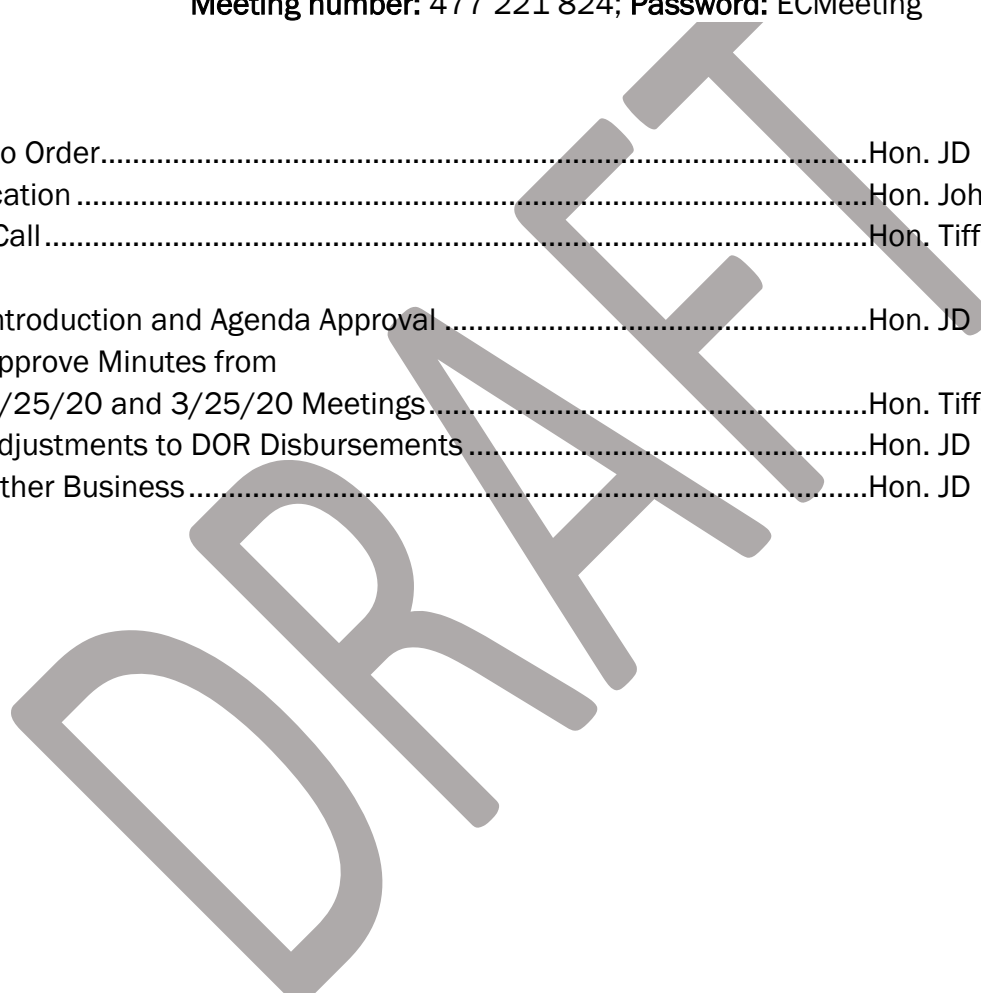
Conference Call Line: 415-655-0001; Access code: 477 221 824

Meeting link: <https://flccoc.webex.com/flccoc/j.php?MTID=m28ca43b8b06461b33b596a0dd5cfe897>

Meeting number: 477 221 824; Password: ECMeeting

- Call to Order.....Hon. JD Peacock
- InvocationHon. John Crawford
- Roll Call.....Hon. Tiffany Russell

- 1) Introduction and Agenda ApprovalHon. JD Peacock
- 2) Approve Minutes from
2/25/20 and 3/25/20 Meetings.....Hon. Tiffany Russell
- 3) Adjustments to DOR Disbursements.....Hon. JD Peacock
- 4) Other Business.....Hon. JD Peacock



DRAFT MINUTES
FLORIDA CLERKS OF COURT OPERATIONS CORPORATION
FEBRUARY 25, 2020 2:30 PM EST
EXECUTIVE COUNCIL MEETING
Via WebEx and Conference call

The February 25th, 2020 meeting of the Executive Council of the Florida Clerks of Court Operations Corporation (CCOC) was called to order by Executive Council Chair JD Peacock at approximately 2:45 PM. Council Members present during the meeting were the Honorable JD Peacock, Honorable Jeff Smith, Honorable Tiffany Moore Russell, Honorable Stacy Butterfield, Honorable Angel Colonnese, Honorable John Crawford, Honorable Ron Ficarrotta, Honorable Todd Newton, and the Honorable Laura Roth. Honorable Ron Ficarrotta and Honorable Harvey Ruvin attended the meeting by telephone. There was a quorum. Chair Peacock welcomed all to the meeting.

APPROVAL OF AGENDA

Chair Peacock asked if there were any changes or additions to the agenda. There were no additions. A motion to approve the agenda was made by Clerk Smith and seconded by Clerk Colonnese. Chair Peacock asked if there was any discussion. Hearing none, the vote was taken, and the agenda was approved unanimously.

WEBEX TRAINING

Chair Peacock asked Marleni Bruner to brief the Council on the use of WebEx for the Council meetings as well as the other CCOC Committee meetings. She talked briefly about some of the most important tools of WebEx and noted that more detail would be given tomorrow during the CCOC's conference presentation. Chair Peacock thanked Ms. Bruner.

APPROVAL OF MINUTES – DECEMBER 10, 2019

Chair Peacock asked CCOC Secretary/Treasurer Clerk Moore Russell to present the minutes of the previous meeting, December 10, 2019. She asked the council if there were any corrections. There were none. Clerk Moore Russell made a motion to approve the minutes as submitted and Clerk Crawford seconded the motion. There was no discussion and the minutes were approved unanimously.

TREASURER'S REPORT

CCOC Secretary/Treasurer Clerk Moore Russell continued by presenting the Treasurer's Report. She noted that the expenditures were sent out to all Council members and currently CCOC is in line with their budget through January 2020. The CCOC is currently operating under budget. She wanted to highlight for transparency the OPS staff is 2/3 above where it needed to be. She asked John to give an update for the record and if anyone had questions. He explained that CCOC has hired an individual to help with the data conversion for the operational budget submitted to CCOC. That data is taken and put into a system. We also have a vacant position and will wait after the Legislative session to fill that position and will be using the person to help with reporting in that process as well. Clerk Moore Russell asked if there were any questions from the Council. Chair Peacock had a question about what OPS means. Mr. Dew stated that the person was part time as other personnel services. Clerk Moore Russell made a motion to accept the Treasurer's Report. Clerk Newton seconded the motion. Chair Peacock asked if there was any discussion. Hearing none, the vote was taken, and the motion passed.

ELECTION PROCESS

Clerk Moore Russell continued with the CCOC election process. Each year CCOC is required to conduct an election for members of our Executive Council. The four members who have a term ending in June are Clerk John Crawford, Clerk JD Peacock, Clerk Stacy Butterfield and Clerk Harvey Ruvin. Clerks in each of the four population groups, including those clerks whose terms are expiring can submit their intent to run for the position by April 15, 2020. The newly elected Council members will start their term July 1, 2020 after being sworn in at the summer conference on June 22, 2020. For the record Clerk Newton, Clerk Roth, Clerk Smith and herself are not part of this election process. In the packet, there is a timeline. She asked for the Council's approval of the election schedule. March 31, 2020, the notification of the election will be sent to all the Clerks about the upcoming election. April 15, 2020 is the deadline to submit your interest to serve. May 13, 2020 ballots will be distributed to all Clerks. June 4, 2020, we will ask for the receipt of those ballots. June 12, 2020, the ballots will be opened by Bill Sittig, CPA. June 22, 2020 those positions will be sworn in. Clerk Moore Russell asked if anyone had any questions about the upcoming election timeline and the CPA firm we want to use. Clerk Moore Russell made a motion to approve the election schedule for 2020 and the selection of the CPA firm. The motion was seconded by Clerk Colonnese. Chair Peacock asked if there was any discussion. Hearing none, he called for a vote. The motion passed.

CCOC FINANCIAL AUDIT

Clerk Moore Russell asked John Dew to introduce the CPA firm of Law, Reed, Crona and Munroe who did the annual financial audit of the CCOC office. This was their first year conducting the audit for CFY 18/19 and they did a great job. Richard Law was on the phone to answer any questions about this audit. Clerk Moore Russell then presented the audit to the Council. Chair Peacock added that the audit can be found in your packet. He asked the Council if there were any questions. Clerk Smith wanted to point out that the audit was done well and there were no difficulties with CCOC financial management of the office. Clerk Smith also wanted to commend the staff on a job well done.

Chair Peacock wanted to follow up on the audit as well to say everything went well. He asked if Clerks or Clerk staff had questions. There were no questions. A motion was made to accept and adopt the audit by Clerk Moore Russell and seconded by Clerk Smith. Chair Peacock asked if there was any further discussion. Hearing none, the vote was taken. The motion passed unanimously. Chair Peacock thanked Clerk Moore Russell and the team from the new audit firm. He appreciated their hard work.

ANNUAL EXECUTIVE DIRECTOR EVALUATION

Chair Peacock explained that each year, the Council does an evaluation individually on the Executive Director and then the CCOC's attorney, Mr. Boyd and his team gathers the input from the Council members and puts the findings into a document that is presented to the Chair. The Chair then will provide the findings to the Council. Chair Peacock wanted to touch on some of the highlights. The letter from Mr. Boyd will go out to all the Council members soon. It provides comments as well as a rating system in areas of; communication, relationship with Clerks, fiscal and leadership skills, management of employees, and knowledge of the job. Of the twelve members of the Council, nine members did an evaluation. Of the possible 405 points, Mr. Dew received 381 or an average of 94.07. Chair Peacock was pleased and highlighted that Mr. Dew held well organized meetings and agenda materials were always provided. He pointed out one thing that could be done better was getting the materials out sooner. However, Chair Peacock took the blame for the issue as many times there were meetings of the Budget Committee just days before the Council meeting that delayed important materials going out sooner to the Council. He will try and help get the materials out sooner this year. Mr. Dew's rating increased slightly over last year. Chair Peacock thanked him for his service and commended the CCOC staff for their support of John. Chair Peacock opened the floor for any comments from the Council. Clerk Smith spoke that John Dew worked well with Clerks and that he was always available. Judge Ficarrota wanted the Clerks to know that John is a great ambassador and fighter for the Clerks. He expressed what a pleasure it is working with John. Clerk Moore Russell noted how efficient and timely John has been for the Council. Clerk Butterfield commented that John has been very diligent in scheduling meetings for the Chairs of

the CCOC Council and the FCCC and making sure the meetings happen. Clerk Crawford thanked him also for his steadfast support of the Council and Clerks through these many years. John Dew thanked the CCOC staff for doing such incredible things and noted he looked forward to eventually helping the Clerks receive a stable funding source in the next few years.

EXECUTIVE COMMITTEE

Chair Peacock stated that there has not been an Executive Committee meeting since the last Executive Council meeting. He followed with a comment about the joint leadership call yesterday between CCOC leadership and staff and FCCC leadership and staff. There were several items discussed. One being the e-notify project. FCCC President Butterfield asked if there were any statistical numbers from this project. Chair Peacock stated that they reached out to our partners, OSCA. There were 1146 public users of the e-notify system and of those 1109 notification emails have been sent and 925 notification texts have been sent. People are using them in 52 counties. The top five counties are Orange, Pasco, Okaloosa, Polk and Duval. The Chair mentioned that he has not received any calls to say that it is broke, or it is hard, or staff is spending too much time with it. The overall solidness of it means it is working well and is very minimal work for staff to use it. The measurement of the system was getting people to use it. Getting it started in this legislative session was a good message to Senator Brandis and the Legislature who funded this project. As we go forward, we will start working on additional measurements.

Chair Peacock continued that the Leadership also talked about the OPPAGA study and his desire to follow the lead of the FCCC committee that Clerk Green is leading that evaluated that study. So far, the Corporation has not gotten any further requests regarding their findings. He asked if anyone had any questions. There were none.

BUDGET COMMITTEE

Chair Peacock stated that the committee had a great start for the FY 20-21 Budget process. The committee laid out an agenda on meeting dates and have changed it up a bit. One of his goals for this year is to assure all the meetings are open and accessible. Now all meetings and deliberations are going to use WebEx. He mentioned that meetings would alternate, one in person and one via WebEx. The in-person meetings will be where the committee will be making decisions. The meetings via WebEx will be workshops where the committee will be seeking input from staff. The meetings will be driven by staff making recommendations on how to do things and the committee will set policies. There has been an in-person meeting and a WebEx meeting. The Committee has set some policies. We are trying to streamline the Budget Request process this year to make it easier on everyone. Instead of being a full-on budget form this year, we will save that for the operational budget down the way and we will develop a base budget

based on what we know from your current budget. Then we will ask Clerks to turn in a request for the delta between that base budget and what is needed for next year. The committee has been working on criteria, evaluation, and priorities and how we would take those requests. The next in-person meeting will be held at the end of March. It will be at the end of the legislative session and we should know the impacts at that point. Clerk Smith asked if there would be some results from the REC. Chair Peacock stated that there might be some estimates but the actual numbers to build the revenue side of the budget are in July. Chair Peacock opened the floor to any questions regarding the Budget Committee.

Clerk Roth asked for clarification if the base budget must come before the Council. Chair Peacock said that the committee adopted the concept of the base budget at the January meeting. The concept is that everyone is operating today from their operational budget. That is the starting point of a base budget. Then there will be adjustments made. One was the \$10 million cumulative excess that was factored into the budget for the current year. That is a non-recurring thing. Legislation said that was a onetime \$10 million and this next year we are going to split the cumulative excess with the Legislature. We are forecasting that to be \$1 or \$2 million. That is a difference of \$8 million. That was nonrecurring and that was deducted from everyone's base budget. The committee voted to add a 3% salary adjustment across the board. That is part of the base budget that you start with. There were some nonrecurring requests for some special funding from last year. If it was recurring, then it stayed in your base budget. If it was not recurring it was taken out. When the Legislature decides on adding new judges, then that will be an automatic thing of adding in the personnel number to the county using the average personnel costs. The last thing we added to the draft base budget, we were removing personnel that had been vacant for 180 days. That becomes the starting point for us to apply the priorities that the Budget Committee applies to your base budget. Clerk Roth asked if that would be in the 20-21 budget cycle. Chair Peacock said that it would be 20-21 budgets and that there would be more at the CCOC training tomorrow. He asked if there were any more questions from the council or audience had any questions. There were none.

PIE COMMITTEE

Chair Peacock called upon Clerk Tara Green to give the PIE Committee report. Clerk Green began by saying the PIE Committee met on February 5th, 2020. She has three items to bring before the Council for approval and four to five other items will be provided as information. The first one she is seeking action on is approval of the 18-19 Annual Collection Agent Report compiled by CCOC staff. This is a required report by statute. Couple of things to note. Clerks reported they had a combined 111 collection contracts for the fiscal year. That tells us that offices have multiple collection agencies. There was a decline in collections, 12.1%. Most of that was due to Civil Traffic cases dropping. There was a slight decline with collections from year over year. There was a slight increase in Criminal collections just a little less than

1%. Those are some of the highlights and the report was provided in the packet. Clerk Green asked if anyone has questions. There were no questions. A motion to approve the report was made by Clerk Butterfield and seconded by Clerk Newton. Chair Peacock asked if there was any further discussion. There was no discussion and vote was taken. The motion passed.

The second item that needed action was the Guidelines for Noncomplying Cases. Clerk Green stated that this applies to the driver's license reinstatement days that came out of legislation last year. If the Clerks had a reinstatement day they were required to report the following types of cases: cases paid in full; cases put on a payment plan; driver license reinstatements; driver licenses made eligible for reinstatement; and cases that fail to comply with a payment plan and subsequently result in driver license suspension. One of the things that was found after producing the original report was trying to interpret what does fail to comply with a payment plan mean? This was brought to the PIE Committee and it was recommended that we put together a clerk-staff workgroup that would apply to cases on payment plans and community service cases. This would be a consistent way of reporting. Those guidelines are in the packet and are brought to the Council for approval. Chair Peacock asked if there were any questions. Clerk Smith asked if this was an encouragement or a requirement. Clerk Green answered that it was a "may". Clerk Smith made a motion to adopt the guidelines. Clerk Butterfield seconded the motion. Clerk Green said that this is going to be impacting the policy of what is reported for CCOC as a requirement of reporting. What constitutes a Driver's License Reinstatement Day event? Clerks have been very supportive of initiatives to reduce the number of suspended licenses. The question on the table is for the purpose of reporting, what is going to constitute a "Driver's License Reinstatement Day" as an event. This is going to warrant further discussion from the FCCC and the Clerks. She just wanted to bring this in front of the Council. Chair Peacock asked if there were any more questions or discussion. Hearing none, he called for the vote. The motion passed unanimously.

The third item that needs action is the funding increase to the CCOC Compliance, Education and Training contract. In June 2019, the Council approved the contract to support staff to CIS (Compliant Improvement Services). The initial contract was for \$31,250. The contract was for one year and then potentially two one-year extensions. She wanted to point out a couple of things as it relates to this contract. The purpose of this contract was for CIS to assist staff with compliance, education, finding tools, working with Clerks' offices that were looking to enhance their compliance program and to be able to be out in the Clerk's offices to support clerk staff in implementing these programs. She continued that what we found out immediately after contracting with CIS was the services were needed in multiple places earlier in the process not later in the process. She mentioned this because we held our Compliance Summit this year. In order to launch the Summit, Doug Isabelle could not have done it without CIS' help. There were 150 that attended, and a lot of work went into it. In addition to that during the budget process, we were able

to provide additional resources for Clerks who asked for FTEs to support their compliance program. Clerks have been wanting to improve their compliance programs, but not having the resources. With the funds available through the budget process, many offices got resources, a total of 14 FTEs. Immediately the services of CIS were called upon to support those individuals and those offices that were looking to take their compliance programs to the next level. That was a body of work outside of the normal support to staff and current counties. CIS has done a lot of research, produced a lot of materials that Clerks use in their offices. There is a Compliance Corner on the CCOC website. Please visit it is full of information. That is part of the contract as well.

In addition, there was a request for some additional time to be spent with members of the New Clerk Academy to talk about compliance and resources that are out there. CIS was able to assist Doug to be able to meet that need. Clerk Green took the time to explain that the reason there is a request for additional funding is because the utilization rate of the CIS services was much higher than anticipated during the original contract. She noted that the PIE Committee did recommend that the vendor be funded for an additional 350 hours. The cost of that is an additional \$21,875 for the remainder of the contract. Clerk Green noted that it is important to note that we did a formal RFP and a review and of the two vendors if we had gone with the other vendor and if we were to cap the contract at the \$53,125, we would have only gotten about 350 hours from the other vendor. Whereas, this vendor we got over 800 hours. The PIE Committee approved the request to bring to the Council and asks for the \$21,875 to increase the CIS Compliance Education and Training contract. The contract language will state that it will not exceed the \$53,125.

Chair Peacock stated that he knew that there were some questions about contract monitoring during the committee meeting. The driver of this contract adjustment made midyear was the utilization. It was the reception and utilization from the Clerks on the use of this idea and concept which was brand new when the RFP was sent out. The utilization and reaction of the Clerks is what drove this as opposed to the vendor driving the increase. He knew there was concern and he was concerned when a contract is adjusted to amend it upwards midyear. He had questions during the committee meeting, but he felt like it was a logical reason. It is a contract that ends after this term and we can go back out and peddle the procurement again at that point. Clerk Green agreed. She added in addition we did not anticipate the utilization of this vendor. This contractor has visited over 10 sites with 5 in the pipeline. He is working with clerk staff and writing out a report as to the findings; what they are doing well, what you can implement, where you can take your compliance to the next level. It is a working document that is left with the Clerk to work with. That was what the initial contract was for, but all these other needs came up that were priorities. Chair Peacock stated that from a budget perspective and what it cost the Clerks and from the committee that was one of the highest priorities was compliance and collection.

Chair Peacock opened the floor for questions from the Council. Clerk Moore Russell stated that she was one of the ones on the call that raised concerns about the process. She noted again that she is always hesitant when there is an increase in a contract or an above and beyond of what we were told was going to be the guidelines for the RFP. She told John that anytime we are going to procure with someone on the county level you must come back to the board and ask for addendum. There should have been a separate contract for the compliance conference and those other things outside of what was initially bid on. This is a Sunshine organization and we need to be fully transparent with that and it is why she did not vote for it and she will not vote for it today. Clerk Green said she agreed with Clerk Moore Russell and she noted that it is a lesson learned. She continued in preview of a summit that reflected around compliance and around FTEs that were coming in and the implementation of compliance programs in defense of staff, I believe that they felt like that was in the scope of the contract. Clerk Green ask staff to speak to that because it was a decision made by staff and CCOC as it being part of the contract. John started by saying that he appreciated the comments and he noted that he had mentioned that we always want to be transparent and accountable. He said that one thing that has been done is that we do look at the contract and what it says on a regular basis. For example, when you read each thing that the vendor has done it is part of the contract. Attendance at workgroups and conferences was jointly agreed to with the contract manager. So, having that compliance contract was certainly in the realm of this. He continued what we did not know was the number of Clerks that would be interested in using the service. We did not know that the Budget Committee was going to be given dollars to 14 Clerks to staff the FTEs which then drew upon this vendor to give services. Doug came to me and said a number of Clerk's offices were requesting the vendor's services. He saw the lack of hours available in the contract and Doug came to me and asked if we could honor the Clerk's requests for services. We saw this happening so we talked to Clerk Green and Chair Peacock so they could see what was going on knowing that we must come to the Council and revise the contract before the end of the year. John said we have not overspent the total of the contract, but we will if the vendor were to continue providing the services to Clerks he has been for the last few months. The PIE Committee approved an increase to the vendor for the rest of the year to continue the services to the Clerks but the Council has the final decision. John said the Council could say that this is enough, and no more money would be spent. But there are Clerks that are asking for the services that Doug can't provide alone and we do have the dollars to increase the contract.

Chair Peacock believed that this is a great exercise and from time to time we need to make sure that we recognize our contract management skills. It was all done up front. He asked for any other comments. At this point, the Chair noted that the recommendation is to adopt the amended contract for an increase of \$21, 875. Clerk Smith made the motion. Clerk Butterfield seconded the motion. Chair Peacock asked if there was any further discussion. Clerk Smith stated that the vendor came to his office and he overlooked

their total system and told us we were really on spot, but he gave us some good advice on how to improve. He echoed Clerk Moore Russell's comments and stated that this is a lesson well learned. He made the motion because he thought the service was valuable. Clerk Colonnese asked if this were not approved today, where would we be? Chair Peacock stated that we would be close to running out the dollar amount that was approved and at that point the service would stop until the next year when we decide to continue that contract. She felt the Clerks would need to keep continuing with their compliance measures since they are new. Chair Peacock said that his conclusion was it is a brand-new contract and a new concept. We thought we had the number that we thought that would do it. Now, the usage of that has been greater than we thought. While we are going to increase the contract for the rest of the contract year, we are going to have an opportunity to now take those lessons learned and do another procurement and effectively check this contractor or get another that can do the same process. We certainly need the service. Clerk Butterfield stated that our options here are to not approve this and we are done because we used all of the money for that service for this year. Another option would be to go out midyear for another RFP and define the scope to continue this service. It may not be the most effective and efficient option at this point. She asked if this was that discussed at all by the committee? Clerk Moore Russell said that we could look at a cost sharing model. Chair Peacock followed up that he was not opposed to that, although it would require more conversation than a decision today on that kind of concept. Clerk Green added to answer Clerk Butterfield's question, it was talked about in the committee. Clerk Green continued that the discussion in the committee was to continue the existing services for continuity and because of all the work that was in the pipeline. The committee will be up for another RFP to look at the services. The services might change by June of this year. This was a way to bridge the gap based on where we were with the contract and get us to the end of the year. There were no further comments, Chair Peacock called the vote. Clerk Moore Russell voted nay. It is shown in the minutes that there was one nay vote. The motion was adopted.

Clerk Green continued with some informational points that came out of the PIE Committee. One is the 19-20 Performance Report that is reviewed and approved by the PIE Chair in order to meet timing guidelines for reporting purposes. That was done. A couple of highlights were that 46 Clerks offices had action plans as it related to Collections. A slight decrease in collections compared to the end of last year. County Criminal particularly slipped 39% compared to the 40% standard. Civil Traffic experienced a slight increase compared to last year and remains 85% which is below the 90% standard. There were some action plans particularly statewide Criminal, Civil and Traffic courts experienced a decline in filing cases timely. Most of the reasons that were received from the action plans was out of the hands of clerks such as CMS conversions, system changes, that could be affecting some of these numbers. Circuit Civil continues to decline from 88% at the end of last year to 85% of this quarter. With the increase in personnel

in the budget cycle next year, she suspected that the number will rise and start meeting the standard again. There were also some holidays in that time period. The second informational point was the amended Outputs report form. This has to do with Chapter 219.58 HB 337 where the threshold of filing Circuit Civil cases shifted from Circuit Civil to County Civil under \$30,000. This was effective January 1st. The Outputs form had to be amended and this was related to the small claims that went from \$8,000 to \$5,000. We wanted to track the impact of this shifting of cases through the Outputs form. Marleni was instrumental in developing the report and Clerk Green asked her if she wanted to comment. She noted that it would be gone over tomorrow in the CCOC session. Thirdly, there was much discussion around performance measures and standards. As we know year over year that it has been a priority of the PIE Committee to look at those standards. With the body of work that has been in front of us in past years between weighted workload measures, sub case types, PAC Framework, Compliance, it was never something that we could give it the focus that it needed. This year the committee agreed that it would be a primary focus of the committee. Performance standards are going to be looked at by the committee. The committee asked that the PIE Chair organize a workgroup and assign a chair to report back to the PIE Committee with recommendations. Then we can come in front of the Executive Council for recommendations. Some highlights we talked about around performance measures were things as it related to payment plans and compliance. Do we want to track and monitor our performance as it relates to compliance initiatives? Another one is through standardization efforts. Do we want to track where Clerks utilize standard docket codes and make data measures? Documents that are e-filed have been brought up. There is an AO that is effective in May that includes all documents including judges have to be e-filed. That maybe a measure that we might want to look at. The workgroup is going to come up with some meaningful relevant standards. They will look at not only the current ones to determine if we want to keep the current ones and are, they still relevant. But do we get rid of some and or do we add some? Do we amend the current ones we have? This is a large body of work that will happen over the next year.

A fourth point was that she asked Doug to put together a year in review. The 18-19 year in review is in your packet. It was very interesting to look at year over year how the number of cases change and certain type of information changes. She would like to know if it is meaningful and would want this to continue. Another item that came up after the packet came out, was the concern that there are times that we do not get a report or reports from counties for multiple reasons. For example, Clay County pushed the deadline on a collection timeliness because they were going through a CMS conversion. They just didn't have the data. Do we not report or do we report "0" with the idea that we would follow up with the corrected report the next quarter? The PIE Committee decided to have a policy where Clerks' offices consider that staff recommendation for unforeseen delay regarding reporting to allow for a Clerks office to submit a report of "0"s with the idea that once the issue is corrected they would properly report the next quarter. This would

allow a Clerk's office to submit reports timely. She does not know if this policy needs to be brought to Executive Council or that is something the PIE Committee can just adopt.

Chair Peacock added that this lends itself to follow up conversation. It is a bigger reporting mechanism than just reporting to the PIE. He talked to FCCC President Clerk Butterfield in the Leadership meeting. It was an idea that actual came out of a Budget Committee conversation and comment from Clerk Smith. We have the CCOC staff that are willing to go out and help Clerks that are having issues. He talked about having more of a concept of having mutual aid kind of agreement more than a best practice. The key to that is knowing what is going on, having that conversation. He says if reporting the "0" then the local clerk is aware that there is an issue, they are working on it once the numbers are updated. Staff would not continue to follow up with emails. Marleni commented that in reporting "0" it creates the green boxes that pop up on the form that says ok now you are out of error and explain why. Then in the explanation they would say, what the issue was. There would be the opportunity to provide explanations for why they could not get the report in. This would not be for the situations where the staff is out sick, and we don't have it. It is for the unforeseen. The committee had a lot of discussion particularly the terminology of unforeseen. Chair Peacock said that we can probably take it as a consent for being a good idea. He asked if there were any concerns with the PIE Committee saying that is a proper way to go if you having some sort of local issue and to report "0"s on their report? But when it kicks up an error or warning flag that you put in a narrative as to what your situation is so that staff knows that and can follow up later. Clerk Smith stated that he would defer to our Counsel to advise us to whether we need to take a formal action on this. Chair Peacock said the question is a recommendation from the PIE Committee and does that need to be formalized at the Council level for something administratively. Joe Boyd, CCOC General Counsel stated not at this stage and continued the minutes will reflect the discussion and we do not have to have a vote. Chair Peacock thought that the PIE Committee had direction to put that out there as an advisory to report "0"s if you have a specific issue that is limiting your ability to file. Staff will know that there is an issue and they will be able to circle back and follow up later. Clerk Smith also asked Mr. Boyd if we need a Council confirmation that the PIE submitted the report to the Legislature by the due date? Mr. Boyd stated the report will be submitted as part of the quarterly. He added you can take it as an exception. Clerk Smith noted that he was fine with that. Clerk Green stated that concluded her report. The Chair thanked Clerk Green, the members of the PIE Committee and staff. Clerk Green thanked the Clerks' staff. She stated that this was a committee driven by staff in the Clerks' offices. They are the experts. She also thanked the Clerks that were on the committee. Since Clerk Green is going to become the FCCC president, Chair Peacock is going to let her decide about the chairmanship of the PIE Committee.

LEGISLATIVE COMMITTEE REPORT

Chair Peacock called upon Clerk Timmann to give the Legislative Report. She thanked the Chair. She began by saying that there have been regular Legislative updates, and everybody has been watching the Legislative action this year very closely. She would be giving a high-level summary on where we are on those pieces of legislation that are of the most interest here to the CCOC. First, this would be impossible without the full cooperation and collaboration now between the FCCC and CCOC. It has really made a difference and has produced much improved products and given better analyses. Staff of the Clerks' offices have volunteered their time. A lot of this happens in the middle of the night. With how quickly these things start to move, we either receive request from the Legislature or we identify areas that might have a fiscal impact whether that is an amendment or actual bill. We immediately step up and reach out to Clerk's offices for that full analyses. It has been a phenomenal process. We have had a lot of information coming to us, trying to put together statewide fiscal impacts for the bills that are moving. This includes individual amendments to bills as those move forward. There are also a few additional bills that will be going out this week because a few pieces of legislation just started moving. We will make sure to get those out to Clerks' offices if in fact they are moving, and they are identified as having a potential impact. In our priority legislation the first one SB 590 and HB 967 is the jury bill. This is a true efficiency, workload, and accuracy bill. We are excited about this passing. It looks like it is moving along very well. What it does is simplify the payments, the processing for jury related expenditures. The bill does away with those quarterly advances or pre-reimbursements that we are doing now. It makes the process a true reimbursement for those actual costs. This does not alter the level of review of all those requests. There is still that absolute due diligence from the part of the CCOC and JAC. It will do away with the juror quarterly estimate form. That is reduction of at least four reports per year It will reduce the confusion of the complex settle-up process on those quarterly estimates. HB 967 is the House bill that is ready to be heard on the house floor. It has gone through everything. SB 590 still has one committee stop scheduled with Full Appropriations before it is on the Senate floor. Senator Gayle Harrell was concerned about slowing down any payments to the Clerks. Clerk Timmann was very appreciative that she was concerned about that. HB 591 and SB 790 that is our overall glitch in efficiency bill that clarifies and bifurcates the service charge statutes 28.24 to make sure that those charges are for county functions and those are separate from the Court related functions and the distribution of those fees is appropriate and in accordance with those functional roles. The bill also clarifies the distribution of appellate fees from the county courts to the circuit courts. That is a big issue this year. We want to make sure that all of that is clarified and that the distribution follows the changes in that law. That was inadvertently left out in 2019. This should resolve the ambiguity rising from the changes in previous house bill 3337. Also, HB 591 is ready to be heard on the House floor as was our jury bill. SB

790 is not scheduled for its final committee stop and that should be next week in Full Appropriations. Other bills to be mentioned were HB 903 and SB 1328. Those are the bills related to fines and fees, payment plans, and driver license suspension. All she can say here is that everyone is fully engaged in this issue. All are working in tandem to make sure that whatever is done, keeps those things in mind and in the start of session we estimated the impact of the original bill was between \$20 and \$49 million. Now that has been narrowed down at least with significant work by everyone here and their advocacy to reduce that impact to \$10 million. We continue to look at that. That is a very significant impact. The main point here is that we are all excited about the new innovations that we are coming up with compliance programs. We really want to have the opportunity to make those work and help everyone out there. We don't want people to have their licenses suspended. We are going to stay very closely engaged in this issue. HB 903 was up at 3:30 today. Jason Welty is there covering the meeting. He will give an update as soon as possible. SB 1328 is not yet scheduled for its third and final committee stop and the full Senate Appropriation committee. Her main point is let's continue all these great initiatives that we have on compliance and be able to talk about that and share that information and be a real resource on helping people be in compliance, so no one is put in this situation. That concluded her report. Chair Peacock thanked her and asked the Council if there were any questions. There were none.

Chair Peacock noted that from the perspective on the CCOC side, he and Jason Harrell work real close together on different things. Jason Welty is always clarifying things for staff and we really have a great relationship now with the different House and Senate staff. When they need information, they can get it quickly. We are in a great position based on all the work we have done in the past few years of having data collection points. Now we are not having to reach out with a survey in order to get that data. All that work has been done. There is value and trust between the staff members now. When they reach out, we will get them the number that they need.

REVENUE ENHANCEMENT AND FUNDING COMMITTEE

There was nothing to report.

ELECTRONIC NOTIFICATION PLATFORM WORKGROUP

Already was discussed earlier in the meeting.

TCBC REPORT

The Chair asked Judge Ficarrota for the TCBC report. Since his last update in December the TCBC has met three times. Twice by phone conference on December 18 and January 31. Last week, there was an

in-person meeting in Tallahassee on February 17, 2020. On the calls the commission discussed the problem-solving court advisory groups recommendations for allocating non-recurring funds. The commission also approved a request regarding the return of chief judge rate distribution dollars and the consideration of a policy to address anticipated future requests. The TCBC directed staff of OSCA to initiate the steps for a trial court year end spending plan. The results of that exercise will be presented at our next meeting in March. On February 17, when we met in person in Tallahassee, we were appreciative that several Clerk representatives were able to join us at our meeting. The commission discussed the budget issues, the legislative session update, and alternative trial support hearing officer allocation methodology. There were further discussions on the allocation of non-recurring funds for our problem-solving courts. The next meeting will be a conference call on March 25 at noon. He will send those materials to you Chair Peacock and Mr. Dew. That concluded his report. He apologized for not being there in Orlando in person, but he is the duty judge this week in Hillsborough county. Chair Peacock thanked him.

OTHER BUSINESS

Chair Peacock opened the floor to any Council member. There were no questions. He opened the floor up to Clerks and staff members. He encouraged all if they needed anything to call upon the Council or CCOC staff for assistance.

The Chair thanked everybody for coming. Meeting was adjourned at 4:14 pm

DRAFT MINUTES
FLORIDA CLERKS OF COURT OPERATIONS CORPORATION
MARCH 25, 2020 3:00 PM EDT
EXECUTIVE COUNCIL MEETING
Via WebEx and Conference call

The March 25th, 2020 meeting of the Executive Council of the Florida Clerks of Court Operations Corporation (CCOC) was called to order by Executive Council Chair Clerk JD Peacock at approximately 3:00 PM. Council Members present during the meeting were the Honorable JD Peacock, Honorable Jeff Smith, Honorable Tiffany Moore Russell, Honorable Stacy Butterfield, Honorable Angel Coloneso, Honorable John Crawford, Honorable Ron Ficarrotta, Honorable Todd Newton, Honorable Laura Roth and the Honorable Harvey Ruvin. There was a quorum. Invocation was given by Clerk John Crawford. Chair Peacock welcomed all to the meeting.

APPROVAL OF AGENDA

CCOC's Plan of Operations calls for the Council to approve the calling of an emergency meeting. At this point Chair Peacock requested a motion to approve the setting and conducting of this emergency meeting. Clerk Coloneso made the motion. Clerk Smith seconded the motion. The Chair asked if there was any debate on the motion. Hearing none, he called the vote. The motion passed.

Chair Peacock stated that the main purpose of this meeting is to give CCOC staff the tools that he will need in the next few weeks to communicate the potential impacts from a revenue standpoint for the corporation. We know that we are facing a significant revenue impact not only to the Clerks, but to the entire court system. We are just one component of a much larger impact on both State and Federal governments. Therefore, we want to make sure that CCOC staff have the immediate tools they need to start trying to communicate the potential and actual revenue declines.

EXECUTIVE COMMITTEE REPORT

The Executive Committee of Clerk Peacock, Clerk Smith and Clerk Moore Russell met on March 16, 2020 at 10:00 AM. The main purpose of that meeting was to discuss the staff members cost of living increase and the merit increases as related to the approval of the Executive Council back in June of

2019. He reported that John assured all his staff had performance evaluations for the previous year. Staff were provided a cost of living increase and some merit as well. The Executive Committee discussed the Executive Director's compensation package in relation to cost of living and merit basis. The committee came up with the intention to provide John with a 2% cost of living and 3% merit increase. The committee recommended that it be retroactive to October 1, 2019 just like the rest of the staff. However, John has voluntarily decided that he would like to start these increases in April as opposed to retroactive from October. He wants to make sure we stay within the total allowed pay compensation approved by the Council at our June 2019 meeting. The Chair asked if there were any questions. Clerk Moore Russell moved the approval of the Executive Committee's recommendation. Clerk Ruvin seconded the motion. The Chair asked if there was any discussion. There were none and the vote was taken. The motion passed.

REVENUE REPORTING

The Chair moved to the main purpose of the meeting which was to get John, Jason, and staff the tools needed related to data collection on current revenue. He stated that we know that there is going to be a significant impact due to the Pandemic and we need CCOC staff to know as quickly as possible what those impacts are going to be so that they can be communicating to the stake holders outside of the CCOC. He asked Jason Welty to give a quick report on the revenue reporting and the request he has from a staff perspective on what he needs for us to give him.

Jason thanked the Chair and everyone for being on the call today. He added that we are in a new world and he appreciated everybody calling in and listening. He began by saying that this call is about CCOC's responsibility and to make sure that we are looking at the revenues and projecting those revenues both for the current fiscal year as well as the next in order that we have a budget that is sustainable. He sent out a form a few minutes ago that is in a draft version of what we are looking at. He continued that yesterday he had an hour conversation with Jesse Atkinson, who is the legislative analyst with the Legislature's Office of Economic and Demographic Research (EDR) that does the Article V revenue estimates. These make the bulk of our budget. The revenue amounts from fines, fees and service charges, court costs make up the bulk of the Clerk's budget on a year to year basis. One of the things that Jason asked him was if we are going to see an update on those Article V revenues. As of right now, EDR is not preparing to do an Article V revenue estimate before late July or early August. This is the normal time that we would expect those Article V revenues to be estimated. Jason continued that EDR is an arm of the Legislature. If the Legislature comes back and says we need to relook at the revenue estimates from a statewide perspective, the state's Chief Financial Officer will call upon EDR

to come back earlier than normal to do a projection and estimate of all state revenues. He followed that one of the biggest components of the State budget is General Revenue and it makes up \$33 billion of the \$93 billion budget the State has. The biggest component of General Revenue is from sales tax. If EDR starts going back and looking at the various components of what the State budget is going to be, there is a possibility that EDR is going to come back and look at the Article V revenues and that is where we will fall in.

Jason explained that one of the things that he would like the Council to approve is being able to see updated and more real time information from a revenue perspective. He would like to see what the Clerks' revenues look like in the current month rather than waiting. Right now, he sees the Clerks' revenues when CCOC receives the Expenditure and Collection (EC) report. We get the revenues from the prior month 20 days after the close of the month. Jason said he would like to be able update the revenues a couple different times in the month. Then he could see how much the revenues are looking in each month. He gave an example of getting ready to go into the month of April and he is looking at what your current revenues are coming in. He assumes Civil Traffic is going to decrease. Civil Traffic makes up about a quarter of the budget, \$112 to \$115 million of our revenue, on an annual basis. If Civil Traffic is reduced in the current month by 30%, he can then use that information if REC comes in and says we need to do a reprojection of the current year forecast. He can say from what we know from the beginning to the end of March, our Civil Traffic revenue is down 30%, down 40%, down 50%. Similarly, because jury trials have been closed off for two weeks and probably will be extended for another two weeks, we know that jury trials are not coming in. Criminal trials and Civil trials both on the county and circuit level are not going to be assessed and we are not going to get any revenues. We know that those two areas are probably going to suffer from a lack of assessment, lack of collection.

He asked the Council to approve a bi-weekly report that would be an ad hoc report that CCOC does not currently collect and we would then start collecting real time revenue data twice a month. The report would be basically every two weeks, the second and the fourth Friday of the month. He would ask that all the clerks submit a report that will show their revenues by court division so that he can take a look and say ok we know that last year in circuit criminal they collected \$50,000 and in the second week you collected \$10,000 by the end of the fourth week, you have only collected \$40,000. That is a 25% reduction between last year and this year. He can then CCOC staff look at those revenues and say in all of our criminal divisions, we have taken a 25% reduction. In our civil divisions we have taken a 10% reduction and in our civil traffic we have taken a 50% reduction. He can then start to build a projection based upon what reductions that he is seeing in the various court divisions. Jason has said EDR is not prepared to call a meeting to project or to do anything currently, In the event that the Legislature calls for the EDR to start looking at those things, he would like CCOC to be prepared to

have good revenue estimates so that we can go in and say we are looking at a \$50 million, \$70 million, \$80 million, \$100 million reduction over the course of the next six months of our fiscal year. The Legislature has about a \$4 billion rainy day fund. When it comes time for the Legislature, in coordination with Jason Harrell and the FCCC team, we will be able to make sure that the clerks are in a good position and that we have good data that the Legislature trusts and we can say we are part of the court process. If the Legislature is going to provide some relief to the courts, state attorneys, public defenders, we want to be at the table and be able to show our impacts and provide the projections of what they will be in the future. This is a going to be a statewide phenomenon. Everyone is going to see some sort of reduction. When the REC starts looking at these things and providing the information in a more real time rather than waiting on the EC report. Jason said that we will be in a better position to make those arguments and be successful. Chair Peacock thanked Jason.

Chair Peacock continued that this is a simple interim week's revenue report. He thinks that it will be simple for Clerks' finance teams to get the report to CCOC. He asked if there were any Council members who had questions for Jason related to the provision of this report and the times indicated. It will be for the duration of the pressing event. Clerk Smith asked Jason what he really wanted was a monthly report broken down in two-week intervals. Jason replied that one of the things that he did not want to do is make it too burdensome on the Clerks. He would like them to give him the total amount so he can do revenue projections based upon that. Jason knows that these reports take time and Clerks do different things within your accounting systems in order to pull those things together. He thought that maybe by rolling it up that it would be easier for the clerks while still giving him data to work. Clerk Smith asked if the clerks could do an EC report every two weeks. Jason said that he could take that data and work with it if that is easier for your staff. Clerk Smith said that he was \$68,000 short than they were last year in March. He said that they could do the EC Report and get it to Jason bi-weekly. Clerk Moore Russell asked Jason when he wanted to receive the report. Jason noted that in the document that he sent out he put the dates and it would be every two weeks. For April, the dates would be April 10 and then May reporting would be May 15 and then May 29. June should be June 12 and June 26. Then in July, it would be July 10 and July 31. It would be the second and fourth Fridays of every month. Jason continued that it would probably be the revenues through that Thursday before it is due. Mike Murphy of Orange County stated that the revenues are not posted that day. It must be reconciled to the bank. Thursday revenue would not be available on Friday. He added that it takes several days for revenue to post. Clerk Butterfield asked if she could make a suggestion. She asked Jason if he reached out to finance staff, there is a core team that will work on this with you and discuss these kinds of issues. And if not, her recommendation would be that we craft some sort of motion that would allow some sort of process to let them work on it and come up with something. She supports

what Jason is trying to do. She does not want to try to get the details worked out on this phone call. The Chair agreed and he wanted to follow up the Vice Chair's recommendation for a bi-weekly EC report. When we were talking, we were trying to get a report that was less effort. The Chair stated that if the Council thought the amount of effort to double up on the EC report every two weeks and if that would be a better solution, we might talk about that. But what Jason had was the timing of trying to understand at a tighter cycle when the revenue was coming in. Clerk Moore Russell wanted to know if we could find a happy median. She agreed with Clerk Butterfield. She can make a motion today that we agree with Jason that he needs real time data, but Council directs Jason to get with finance staff to figure out what is the best method for them to get him that information and by what means that CCOC would receive that. She thinks everyone will have a different opinion on how to get that, but we agree principally that he should get real time data, so we know what revenue is coming in.

Chair Peacock framed it this way. If we were to adopt a motion that will allow Jason to work with a clerk finance staff members who have helped him in the past come up with a tighter timeline of reporting that sounds like the best way to proceed at this point. It will give him the flexibility to get that information. Clerk Moore Russell stated that was her motion. Clerk Smith seconded the motion. Chair Peacock asked the other Council members if they had any questions. Clerk Butterfield suggested that we could have one clerk work with Jason and that team? The Chair agreed and stated that he has worked on creating a workgroup with it chaired by Council Vice-Chair. He was going to reach out to Clerk Smith to lead that workgroup as a sub-committee of the Budget Committee to work with Jason. Clerk Smith agreed to chair the workgroup. Chair Peacock thanked Clerk Smith. There were no other questions or comments. He called for a vote on the motion. The motioned was adopted.

Clerk Moore Russell wanted Jason to be aware that there is the modeling system that Kathryn on her staff built. She stated that she was available to talk to him. Should this be extended longer, it allows us to see what it will look like based on that modeling if we lose certain data. We will still have to work with certain case types. Jason thanked her and noted that he had Johnny in the CCOC office working on that right now. He is having him run a few different scenarios to see what revenues might look like based on some general ideas of what he thought in terms of if we have a 50% reduction in Civil Traffic, a 10% reduction in civil cases and a 30% reduction in criminal cases. He will not hesitate to call Kathryn. He thinks that model is going to come in handy when it comes to what these revenues might look like.

The Chair then wanted to open the floor to Council members to talk about other revenue related issues. He wanted to start by ideas that he has been thinking about. In his county and he is sure in others that he has suspended any new hiring processes at this point. As Clerk of Okaloosa County his number one priority is keeping his staff employed until the other side of this. We can provide the

services that are going to be required. Unlike in the past when we would shut the front doors, no work comes in. Today, it doesn't matter if we shut the front door or not. There is still work coming in. Each individually, all 67 clerks are doing different things to support their community in one way or another. He knows that some circuits have administrative orders to allow them to deal with compliance timelines on payments and other things. His county does not have an administrative order for that. Therefore, his only ability to get relief to people with compliance status is to try and get them on to a payment plan which then gives him the ability to work on some compliance timelines.

He stated to the Council that what he really wanted to do was to give them a quick brief. He does not think that we need to get into all different details of things that are going on. There will be time to talk about that. He knows that we are all trying our best to figure how to keep our staff either working from home or working at a distance. He thinks that our goal would be to help our community get through this.

CASE REPORTING

Chair Peacock asked staff if they needed to do an increased timing of case reporting. He wanted to make sure everyone understood the importance of us getting that data timely for case reporting and subcase counts. While there is a slight difference in timing when case reporting tells us future revenues, it is important that he ask if there were any questions on case reporting.

Judge Ficarrotta stated that he was on the line and wanted to respond to Chair Peacock's question regarding the courts and the status of what we are dealing with. He noted that they are in a similar boat to the clerks. They received an updated administrative order from the Chief Justice yesterday. It stated to continue to suspend jury trials up until April 20, waiving deadlines, tolling speedy trials and all those things. The Chief Justice also sent out a video message and he hoped that the chief judges shared with the Clerks. If not, he would be glad to share it with John Dew. There was a Trial Court Budget Commission Executive Committee call yesterday. They are trying to resolve issues and trying to get some money out to their circuit for their technology needs for Zoom licenses and things like that. Chair Peacock thanked him. He asked the Council if they had any questions. Judge Ficarrotta said if there was any help, he could do from the courtside to please let him know.

CFY 2020-21 BUDGET PROCESS

Next Chair Peacock wanted to give a quick brief on the CFY 2020-21 Budget process. That has completely changed at this point. He continued that we don't even know yet what this CFY 2019-20

budget year will end up. The Budget Committee meeting that was scheduled for today was postponed. He is hoping to report back to the Council on an updated timeline once we know something concrete. There is a statutory deadline related to June 1 for budget submissions for next year. He has asked John Dew to reach out to our General Counsel, Joe Boyd, to see what kind of ability we might have to push that date considering the emergency declarations throughout the State. John said that he did reach out and asked if Joe Boyd was on the line. He was on the line, but the feedback made it impossible to hear him. John stated that Mr. Boyd believed we do have the ability to move beyond the statutory deadline if we have to and so we are still talking about that and working through it. Because of the declaration of emergency, we should be able to move it back if we need to and not meet that statutory date. Chair Peacock said there will be changes and we need to know that we have that flexibility.

He asked the Council if they had any questions about the CFY 2020-21 process. The Vice Chair noted that having John check out the pushback was a good idea. He thanked Chair Peacock for doing that. Clerk Crawford said that there was talk about the federal government trying to help the nation stay afloat especially economically. He asked if anyone was talking to the Governor's office about talking to the federal government. He noted that due process needs to continue. We are still America and the courts are an essential service. The courts must go on and the clerks have got to be there to make that happen. We may have to step away from our model long enough to make sure we have adequate funding. Chair Peacock noted that Jason had been tracking some developments out of the Governor's office. The Governor's office is looking to try and get a handle on some of components of the different operations of the State. Our trust fund didn't really fit in to what they are working on now. He continued that we talked on a staff call earlier to make sure that any contact with the Governor's office or Legislative staff who are working through this potential impact that we will have significant impact from a dramatic revenue decline. There is a recognition that this will go far and wide. John, Doug, and Jason know to be looking for any opportunity to have a conversation on what that impact will be. His concern would be to make sure that the system remains whole through the crisis before we start tweaking the complex components of how things are funded from a revenue standpoint. That was his thought initially. He asked the Council members if they had any further comments on the topic.

Chair Peacock opened the floor to Council members to bring up anything that they feel is a concern or from a Council perspective that the Council needs to hear from you. Clerk Roth asked for plans going forward. She knows that there is no denying there is going to be a sharp decline in revenues. She asked when the Council duties will be as far as reconvening to decide what to do as the situation becomes a reality. She is only a couple of payrolls deep. Would we be having further meetings to discuss alternative measures where we might be able to hold revenues to pay our own

budgets. Where do we go from here? Chair Peacock said from his perspective he feels that whole system is shell shocked at the moment with administrative processes. In his county the commission is just getting past the initial what is closed, what is open conversations. They haven't gotten to administrative conversations about how we keep payroll going and how we keep different administrative functions afloat. From his perspective, working with staff and working with the Executive Committee, when there is something significant to report certainly you will be hearing things come out via email. But if we have decision points that need to be discussed and everyone can get on the phone, the Council will meet regularly. He does not know right now when the next meeting will be because he does not know if there is anything further to tell you other than to get Council's feedback to staff. One of the biggest concerns that he has is the unknown. There is a lot of unknown right now that we need to get answers for. He concluded that when we have information to provide answers that is when we are going to be thinking about having these emergency Council meetings to get input and updates and make decisions.

Chair Peacock asked John Dew if he had any further comments. John noted that while there are many unknowns, he would appreciate Clerks and their staff calling him just to communicate on what the financial situation in their offices look like. It's important to keep each other aware of concerns and communication is key during this time. John also mentioned that what is happening now is clearly the situation that shows why we need a funding model that provides stability. Stability means having a system which allows a reserve set aside for such situations and/or the ability to go to the State to receive funding automatically when situations occur outside the control of the Clerks. There will be more meetings of the Council on an emergency basis as we get information from each of the Clerks. CCOC staff are here to try identifying where the problems are that need to be resolved and how to resolve them. Once we get the data in on the revenue, we will have a much better picture and be able to explain it.

The Chair asked Jason if he knew of any upcoming joint meetings of any of the stakeholders that are going to start talking about this? Jason said at this time there was nothing in the works but he knows that he will be in contact with the Governor's office as well as the Appropriations staff that are over our area of the budget and give them a heads up that this is what we are seeing and that is where this real time revenue information is going to come in handy. He continued that if there is a 30% decrease in our Civil Traffic revenue over the next 6 months and that is going to be a \$20-\$30 million hit. It is going to be a hit to Clerks, but it is going to be a hit to State general revenue, State Courts, Public Defenders, State Attorneys, and FDLE among others. It is going to be a hit to everybody. Those are conversations that he has not started simply because he does not have any

actual data. When he starts getting some real time information those are the conversations that he intends on having on the Clerks' behalf.

Chair Peacock noted that he and John had talked about the current status of the Trust Fund. At what point do we not have the trust fund dollars to disperse dollars to the funded clerks and at what point will we get into the mechanics of adjustments and who is funded and who is not. John said that is the question that he quickly asked of Jason. Because while our Trust fund looks healthy right now, there are some twists and turns as to money being taken out and when it is sent to Clerks as well as the State. Jason has done some research on that and John asked him if he could provide some information.

Jason stated that there is currently over \$24 million in the Trust Fund, but by the end of this week if DOR is processing the vouchers for the \$15.8 million in payments that are from last year's cumulative excess and unspent budgeted funds, those funds should be going out to the Clerks this week. That is going to take our \$24 million down to \$12 million. He took a look at it last night, if we got \$0 in terms of the next seven months in 1/12th dollars, we would run out of funds at month 5. We would have 5 months of 1/12th money available to go to the funded counties and we would end the fiscal year at about \$4 million in the hole. That is the worst-case scenario. We do know that some counties even with a large revenue reduction, there will be some that will produce some 1/12th. Chair Peacock said that did not take into context that a lot of us will not get even close to making the 1/12th and what that impact is as well. The Chair continued that the Trust Fund impacts are the most immediate decisions that the Council would have to make related to some sort of adjustment to that. He asked Clerk Roth if that helped. She said yes thank you. She would appreciate the ongoing conversation.

The Chair asked if there were any other questions. There were none. He opened the floor to any Clerks that were on the call. Clerk Frank began by stating that we have a terrible situation here. We don't know if we are going to be able to control the growth of the virus in Florida. All the national news says that Florida is the one that is going to be next, because there has not been much testing. She can attest to that to be true in her area. Given all of that, remember that June to November is hurricane season. Just imagine if we get a burst of hurricanes, one of things that we can do now that would allow us to do things other than have people come down to the Court house. Is there anything we could do that would allow more people to work offsite and keep the process going? There are still some obstacles that occur where people are obligated to come into the Court house to do things. Is there anything that we need to change with the Legislature to make that applicable. If it has to be only applicable in terms of time of emergency, let it be that. Chair Peacock thanked her for her comments. He noted that he is using some tools that he put in place to figure out how to do remote

marriage license application processing. That was a big hurdle and that is one of those things you must do in person.

He opened the floor to Clerk staff or any of the public that was on the phone if they wish to give the Council feedback for the future. He also stated that they can also send an email to staff, himself or any Council member. Clerk Maloy noted that he was looking at his numbers and traffic has dropped about 90%. He thinks that it is going to be a bigger impact. He then asked if the first reports are supposed to be this Friday? Chair Peacock asked Jason when were we trying to get the first reports together? Jason stated that he was going to have the first reports due on April 10. Clerk Maloy also said that he agreed with John that we need to look at other funding models. Clerk Ellspermann wanted to comment that as Judge Ficarrota communicates with OSCA and the Chief Justice, we all need to be aware of what is pending April 1st is the amount of staff that is going to be lost within our court systems for those that qualify under the new Federal guidelines of FMLA if the schools are closed. Secondly, there is a new Governor's order that just came out that once it is posted everybody will see it, but it also directs the Surgeon General of Florida to recommend anybody 65 and older to stay at home. He cautioned everybody as they move forward with the technology issues to work with the Court whether anybody is going to have enough people to handle the workload. Judge Ficarrota said he was still on the line and said thank you. Chair Peacock agreed with the Clerk and said that some Clerks run their offices like a business and when the revenue does not come in then we don't have the funding to pay staff.

Brent Holliday wanted to make a comment. He said that on the Friday technology call, they will be sharing things that they are doing at each of our jurisdictions. In Seminole, they have been talking very seriously how to do the marriage licenses all online. He believes that everything is close to being able to do that. Chair Peacock agreed that the Friday technology calls are the place for understanding the technology uses and innovations across the State. He encouraged if Clerks did not have somebody on that call, he recommends that someone be put on that call each Friday. It is a great resource and a great place to learn what other Clerks are doing and how we are reacting.

Clerk Timmann noted that others are experiencing what they are here even with remote work, we have this dynamic CJIS issue that everyone tapping in to CJIS information had to be with a government computer. She continued that Clerks do not have laptops sitting around for all of their staff and we do not have extra VPN licenses. What might be helpful is if someone asked the technology group to take a good look at what things can really be done remotely. It was found there is hardly anything that people can do remotely because of the limits that we have on laptops and VPNs. Chair Peacock said one of the things that he had to deal with was even if we have employees at home who have their own setups, to be able to VPN we are going to be in conflict with their kids who are trying to do school work

at the same time. Clerk Timmann wanted to make sure she brought up the CJIS issue with Judge Ficarrota. She wanted to make sure he was aware of that. Chair Peacock said that Clerks still have an obligation to follow the law and follow the rules in place. The reason they are there is for good things to serve the community and the State. We want to make sure we have the normalcy of our written laws. He thanked Clerk Timmann for bringing this to the Council's attention. Judge Ficarrota stated that he got it.

The Chair asked if any of the Council members had any other questions or comments. There were none. Chair Peacock said that the Clerks have benefit of your representatives on this council in the council members and to please let them know your feelings so they can make a better decision as we move forward. He noted that he did not know when the next meeting will be, but certainly know that there will be one. He wanted to leave the meeting with the world as he sees it. There are very few things that we know for certain. Considering this, there are some things that we can be consistent on. He is consistently letting his staff know that it is his priority to make sure that we have them here to do the job until the other end of this. He wants them to feel that there is a consistent commitment from him. He certainly feels that the court system is essential, and he will echo Clerk Crawford's sentiments on that. It is an essential function of government to be able to seek regress. Therefore, the Clerk's role is essential and the team that we have put together to get the work done is essential. He has made the commitment to his staff that he is going to do everything in his power to make sure that they are in a role and employed through this to the other side.

He thanked the Council members and the CCOC staff that are working right there with us. He thanked all the Clerks' staff that support the work that the CCOC team do to make decisions and get information that we can communicate the message and concerns of the Council.

With no other comments, the meeting was adjourned at 4:22 PM.