



SIX-MONTH STATUS REPORT

Auditor General Report No. 2011-031

Honorable Richard Weiss
Polk County
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Senate

Honorable Pat Frank
Hillsborough County

House

Honorable Lydia Gardner
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Recommendation 1: *CCOC should monitor projected and actual revenues deposited into the Trust Fund during the fiscal year. When a determination is made that a deficit will occur, CCOC should notify the Chief Justice to initiate a proposed plan to eliminate the deficit. CCOC should also consult with the Justice Administrative Commission's Executive Director and the Department of Financial Services' Division Director of Finance and Accounting regarding the prioritization of its financial obligations when funds are insufficient in the Trust Fund to fully fund the appropriation releases and the services charges, when due.*

The CCOC has monitored projected and actual revenues for the Trust Fund for the last few years as indicated in our response to the Auditor General. We will continue to do so to identify if and when a deficit might occur. Since the release of the audit we notified the Legislature of the potential deficit for SFY 10/11 and they appropriated approximately \$40 million dollars to resolve most of the deficit. This was the same process used in SFY 09/10 and the Legislature during that year also helped resolve the deficit issue. The State Court System, Justice Administrative Commission, and the Department of Financial Services were informed of the situation during the process.

Recommendation 2: *CCOC should continue its efforts to reconcile reported remittance balances to DOR in a timely manner and, in so doing, increase accountability of the Clerks and the accuracy of the reported data.*

As reported to the Auditor General's Office and contained in the report the CCOC has, and will continue to reconcile the reported remittance balances from Clerks to what is received by DOR. The reconciliation is done within only a few days from the point the CCOC office has the information from DOR to compare to the reports we receive from the Clerks.

Recommendation 3: *CCOC should require the employees to repay the \$15,289 in unallowable leave payments.*

The CCOC through its Executive Council disagreed with the Auditor General's recommendation due to the unique circumstances where the CCOC employees were unable to take their allowable leave time accumulated from the previous years due to legislation passed in 2009 moving the CCOC into the state budget process and becoming a state agency effective July 1, 2009. The CCOC General Counsel further ruled that the decision by the Executive Council was both legal and within the rights of the CCOC to do so.

Recommendation 4: *CCOC, in consultation with the Clerks, should continue its efforts to ensure that Clerks submit performance measure reports within the timeframes established.*

As noted in our response to the Auditor General we agreed and will continue to work with Clerks to assure the reports provided are done so within the timeframes established. Most Clerks are meeting the established timeframes.

Recommendation 5: *CCOC and the 21 Clerks identified should take steps to address the problem of insufficient computer capabilities to ensure the accuracy and completeness of all performance measure data. CCOC should also formalize its procedures for review of performance measure data. Where significant data fluctuations are noted, the follow-up process should be fully documented and require obtaining explanations in a timely manner and, where appropriate, the filing of amended reports.*

As mentioned in our response to the Auditor General the CCOC office already created a system to address accuracy and completeness of performance measure data. Since that response we have included additional mechanisms to ensure the accuracy and completeness of the data. The CCOC office is continually seeking methods to improve in this area. Likewise Clerks are improving their systems to ensure accuracy and completeness.

Recommendation 6: *CCOC should enhance its procedures to ensure the timely submission of corrective action plans, when appropriate, and a timely review of such plans by CCOC staff with appropriate follow-up to ensure the plans address the problems that prevented the achievement of the performance standards. Furthermore, CCOC should post the data to its Website on a timely basis and promptly inform the Legislature and the Florida Supreme Court as to its availability. The Legislature should consider amending Section 28.35(2)(d), Florida Statutes, to require quarterly notification of Clerks not meeting performance standards and submission of corrective action plans, and the dates on which these quarterly reports must be provided.*

CCOC does have procedures in place to ensure the quarterly corrective action plans are submitted timely. Most Clerks submit their corrective action plans within the guidelines established. If not, CCOC staff contact them in a timely manner and work toward receiving the plans. Once the corrective action plans are received a report is provided first to the CCOC Performance and Improvement Committee for their review and questions. The report is then moved forward to the CCOC Executive Council for review and approval. Once approved by the Council the reports are placed on our public website. We contact the Legislative Appropriation Staff and Supreme Court staff that follow this issue and let them know the information is placed on the CCOC website for their review. This is usually done on a quarterly basis. In addition, we create an annual performance measures report that we place on our CCOC website and provide to the Supreme Court and the Legislative Appropriation Staff.

Sincerely,



Richard Weiss,
Chairman, CCOC

Cc: CCOC Executive Council
John Dew, Executive Director
Joe Boyd, General Counsel