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# THE JAC EXPRESS

State of Florida

Volume I, Issue 2

## A Word From JAC's Executive Director



**Rip Colvin, JAC  
Executive Director**

The next Justice Administrative Commission (JAC) Meeting is scheduled for March 9. Included in a very full agenda will be my Executive Director's Report to update Commissioner's on a number of ongoing JAC projects.

First, after several weeks of intense planning and review by the JAC Electronic Document Management System (EDMS) Team, I am pleased to announce that a vendor has been selected to implement JAC's EDMS. Work on this project officially began on February 14. The EDMS Team has been tireless in their professionalism and resolve to accomplish this task, while continuing to do an outstanding job as we move forward. Members on this team include: Wayne Meyer, Michelle Dolce, Mausumi Das, Brian Black, and Andy Snuggs, Team Leader. (See [page 12](#) for additional details.)

Secondly, during committee weeks and as the start of the Legislative Session looms large, it has been vitally important to monitor and track legislative developments. Our Executive Staff is actively engaged with that process.

Third, with the support of Yvonne Enoch and her team, JAC stands ready to assist the agencies we serve in amending their *Legislative Budget Requests* following the release of the the Governor's Budget Recommendations. Like

wise, performance measures for JAC's *Long Range Program Plans* will be modified under my direction. Jessica Kranert and Mike Mauterer will be among the additional contributors to these strategic efforts.

Next, Stephen Presnell, JAC's General Counsel, continues to conduct regular Best Practices meetings to maximize JAC's service delivery to Court-Appointed Counsel and associated Due-Process Providers. Notwithstanding high-profile and escalating case volumes, our Legal Team is given to consistent due-diligence on behalf of the agencies administratively served by the JAC.

Recently, JAC's Human Resources Team has undertaken the fine-tuning and updating of job descriptions and will be facilitating JAC's internal process for employee evaluations. Bobbie Chappell, Program Administrator, has also set up educational sessions and provided personal-

ized estimates for any employee interested in Deferred Compensation Benefits.

Timely responses to Public Records Requests is another significant service provided by JAC. While the receipt of these requests has increased, JAC's Executive, Human Resources, and Legal Staff continue to meet this challenge.

JAC has also implemented focalized cost-savings measures. A key example, — rather than wide-scale printing, we are scanning and electronically transmitting documents whenever practical. Internal printing of documents has also been significantly reduced.

Finally, given the expiration of the current State of Florida's Fuel Card Services Contract with Comdata on March 15, 2011, JAC has contacted the agencies we serve in an effort to facilitate their transition to Wright Express Financial Services — the official new statewide vendor. Wright Express will waive the setup fee and monthly card fees normally associated with new fleet accounts.

Whether providing testimony at a legislative committee meeting or seeking to be responsive to legislative and gubernatorial concerns, I am honored to have the opportunity to represent JAC.

Thank you for joining me in a commitment to service and excellence during these challenging and unparalleled fiscal times.

## Developing Issues

- The redesign of JAC's website is under initial review by JAC's Executive Office. Official release is anticipated soon.
- JAC is working on a competitive EDMS-related development and demonstration grant request for Federal funds.
- The Auditor General is continuing an in-depth operational audit of JAC and the offices we administratively serve.



## Senate Bill 148 — Relating to Prosecution of Juveniles

Senate Bill [148](#), by Senator Chris Smith, concerns the criminal prosecution of juveniles.

The bill provides additional circumstances for the direct filing of charges against certain juveniles. It also provides criteria for determining when a case against a juvenile should be recommended to the court to be transferred for criminal prosecution.

The criteria for consideration of a child's request to an adult court, to

have a criminal case returned to the juvenile justice system, is also delineated. In short, "Any child over whom the adult court has obtained original jurisdiction may request, in writing, a hearing to determine whether the child shall remain in adult court." The adult court shall retain jurisdiction unless the child proves, by a preponderance of evidence, all of the required stipulations provided in the bill. Among those stipulations

is that, "the child has not previously been convicted and sentenced as an adult."

There are several additional provisions contained in this legislation that will impact the manner in which alleged criminal offenses by juveniles will be treated in Florida.

If enacted, this legislation will amend s. 985.55, F.S., and the effective date will be July 1, 2011.

## JAC Related Trust Funds

The re-creation of trust funds within the Justice Administrative Commission (JAC) without modification is addressed by Senate Proposed Bills (SPB) [7014](#), [7016](#), and [7018](#). This remedy is needed as the Florida Constitution requires the termination of all state trust funds within four years of their inception, unless they are exempt by the Constitution or Florida law.

Accordingly, SPB 7014 repeals provisions in s. 27.367(2), F.S., that would terminate the State Attorneys Trust Fund within the JAC. Funds credited to this trust fund are derived from traffic fines and

prosecution related fees assessed to individuals found guilty of criminal violations. The Bill Analysis and Fiscal Impact Statements provided by the Florida Senate reports that, "The Legislature has appropriated \$33.2 million from this fund for the current year."

Similarly, SPB 7016 repeals s. 27.61(2), F.S., that would terminate the Public Defenders Revenue Trust Fund within the JAC on July 1, 2012. Funds credited to this fund are attributed to fees from traffic tickets and defense judgments for persons receiving the services of a public defender. The Legislature has appropriated \$4.8 million from

this fund for the current year.

The third measure, Senate Bill 7018, repeals s. 27.5111(2), F.S., that would terminate the Indigent Civil Defense Trust Fund within the JAC. Funds credited to this trust fund accrue from fees associated with services provided by the Regional Conflict Counsel, stemming from the representation of indigent parents in dependency cases. The Florida Senate reports that the Legislature has appropriated \$871,975 from this trust fund for the current year.

Upon enactment, each of these bills would become effective on July 1, 2011.

*On February 8, the  
Senate Judiciary  
Committee  
recommended  
substitute language  
for Senate Bill 170.*

## Senate Bill 170 — Electronic Filing of Court Documents

As previously reported, Senate Bill 170 was filed by Senator Mike Bennett, R-21, on December 1. This is an update.

The bill, which involves the electronic filing of court documents and provides legislative intent, imposes requirements that each State Attorney and Public Defender implement a system by which the State Attorney and Public Defender can electronically file court documents with the Clerk of the Court.

Specifically, the bill requires that the Florida Prosecuting Attorneys Association and the Florida Public Defender Association report to the President of the Senate and the

Speaker of the House of Representatives by March 1, 2012 on the progress made in implementing the electronic filing system.

On February 8, the Judiciary Committee recommended a substitute [bill](#) that was summarily passed out of committee. The substitute language makes clear that, "It is the expectation of the Legislature that the electronic filing and receipt of court documents will reduce costs for the Office of the Public Defender, the Clerk of the Court, and the judiciary; will increase timeliness in the processing of cases; and will provide the judiciary and the Clerk of the Court with case-related information to

allow for improved judicial case management." Collaboration between the State Attorney, Public Defender, and Clerk of the Court within each circuit is also addressed.

Additionally, the bill clarifies that, "The term *court documents* includes, but is not limited to, pleadings, motions, briefs, and their respective attachments, orders, judgments, opinions, decrees, and transcripts.

The bill creates ss. 27.341 and 27.5112, F.S., and would become effective upon becoming a law.

## Senate Bill 146 — Relating to Public Employment

Introduced by Senator Chris Smith, Senate Bill [146](#) makes changes to Florida's laws relating to the restoration of civil rights, restrictions on the employment of ex-offenders, negligent hiring, and the sealing and expunging of criminal records. As reported by the Florida Senate, "The bill:

- Provides that restoration of civil rights cannot be required as a condition of eligibility for public employment or to obtain a license, permit, or certificate;
- Requires state agencies and regulatory boards to submit to the Governor, and certain legislative officers, a report that

outlines current disqualifying policies on the employment, or licensure, of ex-offenders and possible alternatives that are compatible with protecting public safety;

- Requires an employer to review and consider the results of a criminal history background investigation and take certain steps consistent with the findings of the investigation in order to satisfy a statutory presumption against civil liability for negligent hiring;
- Provides that an ex-offender may lawfully

deny, or fail to acknowledge, any arrests or subsequent dispositions covered by a sealed or expunged record; and that a person cannot be liable for perjury for doing so on an employment application;

- Permits the subject of an expunged record to receive the contents of that record without a court order; and
- Allows for a second sealing of a criminal record.

This bill substantially amends ss. 112.011, 768.096, 943.0585, and 943.059, F.S.



## House Bill 463 – Relating to Public Employment

House Bill [463](#), by Representative Mia Jones, "Provides that a public employer may not use an application that inquires about the applicant's arrests or convictions, or inquire into (or consider the criminal record or criminal

history of) an applicant for employment until the applicant has been selected for an interview. Exceptions are provided.

Additionally, the bill stipulates that an employer may notify appli-

cants of policies concerning disqualification from employment based on specific criminal history.

Upon enactment, the bill will take effect on July 1, 2011.

## Public Records Legislation

House Bill [409](#), by Representative Keith Perry, would expand the exemptions from public records requirements to include photographs, videotapes, or images of any part of the body of a victim of a sexual offense. As framed, the bill establishes treatment of criminal intelligence information and criminal investigative information described above. It is the intent of the Legislature to reduce the trauma, sorrow, humiliation, or emotional injury to victims and their families through this measure.

The bill also provides for the related review and repeal of the exemption; and a statement of public necessity. Upon enactment, the bill

would become effective on July 1, 2011.

Senate Bill [568](#), amends s. 744.1076, F.S., regarding public record exemptions for specified court records involving court monitors in guardianship cases. The measure provides that, "Orders appointing nonemergency court monitors are exempt rather than confidential and exempt." The bill further stipulates that, "only court orders finding no probable cause are confidential and exempt; and removes the scheduled repeal of the exemption. If enacted, this bill will take effect October 1, 2011.

Also in regard to public records exemptions, Senate Bill [570](#),

amends s. 787.03, F.S., relating to information provided to a sheriff or state attorney, in the interest of obtaining immunity from prosecution for the offense of interference with custody. As provided, "The address and telephone number of the person and the minor, or incompetent person, which are contained in the report made to a sheriff or state attorney are to remain confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution."

Upon enactment, the bill will take effect on October 1, 2011.



## FLAIR Report — By Vicki Nichols

The Department of Financial Services (DFS) recently implemented some significant changes to the statewide vendor file in the Florida Accounting Information Resource (FLAIR) system.

The statewide vendor file contains approximately 250,000 vendor records used by all state agencies when processing payments to companies and individuals providing goods and services to the State of Florida. When processing payments, JAC, like other agencies, wants to ensure that the FLAIR system contains the most accurate and up-to-date vendor record for each payment.

On February 7 and 8, JAC conducted an on-line training of the FLAIR statewide vendor file focusing on the new features and information available for determining the appropriate vendor record to use in a payment transaction. Staff in all offices under the JAC umbrella were invited to join the conference call and on line “WebEx” session. It is estimated that 50 or more people participated in the training. Highlights of the

statewide vendor file training are noted below:

- A new “indicator” allows for determining which vendor record will produce a payment via direct deposit/electronic funds transfer to the vendor’s bank account; eliminating the need to mail a paper warrant to the vendor.
- A new type of vendor has been created called a “Payee” which will be used primarily for making payments to ordinary witnesses; this designation distinguishes witnesses from vendors providing goods and services.
- DFS will be validating vendor identification numbers/tax payer identification numbers contained on the vendor file with the Internal Revenue Service validation system to ensure the appropriate vendor number is indicated on the statewide vendor file.
- A vendor record may be marked “confidential” when necessary to prevent anyone,

other than authorized users, from viewing that record. (Confidential vendors are those described in ch. 119, F.S.)

Another topic discussed during the training was the W-9 indicator displayed on the vendor file and future changes to that field. (A W-9 is the Federal form: Request for Taxpayer Identification.) JAC has learned that changes to the W-9 indicator will be implemented over the next several months, and that DFS will be providing an on-line W-9 registration system for vendors. As soon as the changes are known JAC will provide information and training as necessary.

The PowerPoint presentation used during the training is available on the JAC website at the following address: <http://www.justiceadmin.com/jac/default.aspx>.

Vicki Nichols is the contact person for FLAIR information related to the statewide vendor file and FLAIR in general. Should you have questions, she can be reached at [nicholvs@justiceadmin.org](mailto:nicholvs@justiceadmin.org).

## JAC Retirement WebEx Seminar — By Bobbie Chappell

The Justice Administrative Commission (JAC) will be hosting a WebEx Seminar on February 16, 2011, from 10:00 a.m. to 12:00 p.m., to discuss important retirement topics. This will include the presentation of the FRS New Hire Video, information for new hires and terminating employees, as well as a question and answer session. The following topics are included in this training:

- New Hire Video Presentation
- 5 Month Choice Period
- New Employee Resources
- FRS Re-employment Guidelines
  1. Pension Plan
  2. Investment Plan
- Types of Positions Eligible for Re-employment

- Suspension of Benefits After Re-employment
- FRS New Employee Certification Form
- Terminating Employees and Eligibility for Retirement Benefits
  1. Pension Plan
  2. Investment Plan
- Renewed Membership – Impact on the Employee and Employer
- Violation of Re-employment Restrictions
  1. Implications to the Employee and Employer
  2. SBA Regulation
- Senior Management Positions
  1. Compulsory versus Designated

2. Requirements for Designating SMS positions

To join the online meeting (also from mobile devices):

1. Go to <https://suncom.webex.com/suncom/j.php?ED=153366677&UID=1204401662&PW=NOWQwZTFkMmYw&RT=MIMxMQ%3D%3D>

2. If requested, enter your name and email address.

3. If a password is required, enter the meeting password: 021611

4. Click “Join”

To join the teleconference only, call the toll-free number: 1-888-808-6959. JAC is pleased to make this seminar available.

JAC WEBEX.COM  
invites you to attend  
this online meeting.

**Topic: Retirement**

**Date: Wednesday,**

**February 16, 2011**

**Time: 10:00 am, EST**

**Meeting Number:**

**597 226 069**

**Meeting Password:**

**021611.**

## A Focus on Federal Issues

A brief summary of recent activities by Florida's two U.S. senators and information on the *Workforce Investment Act for Civic Justice Corps Grants* are provided below.

### Congress

U.S. House and Senate Leadership are working on the method of funding for the remainder of Fiscal Year 2011, as the current Continuing Resolution expires on March 4.

### U.S. Senator Bill Nelson

U.S. Senator Bill Nelson, D-FL, announced that, "In light of last week's court decision in Florida, in which a judge ruled the individual mandate provision in the *Affordable Care Act* unconstitutional and struck down the whole law, he filed a resolution calling on the Supreme Court to decide quickly on the constitutionality of the law." Added Senator Nelson, "Lower courts have issued conflicting decisions, and the legal wrangling is causing confusion about the implementation process. A timely ruling from the Supreme Court would help resolve much of the uncertainty surrounding the law."

Senator Nelson is also an original cosponsor of the *Caring for Camp Lejeune Veterans Act*. This legislation provides medical care and services to veterans and family members who were stationed at Camp Lejeune Marine Corps Base, North Carolina while the water there was contaminated by volatile organic compounds, including known human carcinogens. Flor-

ida is home to the second largest population of affected veterans and dependents, and more than 14,000 Floridians who lived at Camp Lejeune have signed up for a corps health registry.

### U.S. Senator Marco Rubio

U.S. Senator Marco Rubio, R-FL, announced on February 7 that he is an original co-sponsor of legislation introduced by U.S. Senator Rand Paul, R-KY, that will increase accountability and transparency in the Federal regulatory process. Senator Rubio reports that, "The *Regulations from the Executive In Need of Scrutiny Act of 2011*" (or REINS Act), will result in better drafted and detailed legislation, an improved regulatory process, and will ultimately promote a Legislative Branch accountable to the American people." Senator Rubio has also joined with 10 fellow Republican Senators in sending a [letter](#) to House Speaker John Boehner, R-Ohio, urging House Republican Leadership to make spending cuts of no less than \$100 billion for Fiscal Year 2011.

### Workforce Investment Act

The Department of Labor's Employment and Training Administration (ETA) announces the availability of approximately \$20 million in grant funds authorized by the *Workforce Investment Act for Civic Justice Corps Grants* to serve juvenile offenders ages 18 to 24 who have been involved with the juvenile justice system within 12 months before entry into the program. Civic Justice Corps

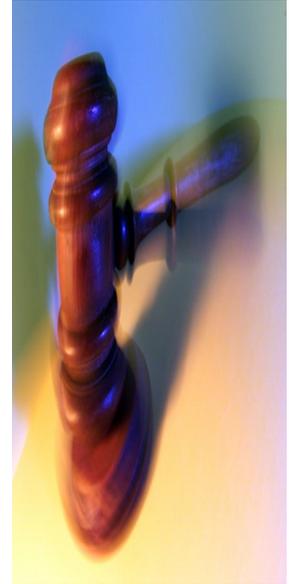
projects funded through this grant announcement will provide young offenders the opportunity to give something back to their communities through community service to make up for past transgressions. Such projects hold promise for reducing the recidivism rate of juvenile offenders by improving their vocational and educational skills and long-term prospects in the labor market and by increasing their attachment to their community and their sense of community responsibility.

These grants will be awarded through a competitive process. ETA intends to fund a minimum of 13 grants at various amounts. Applicants may submit only one proposal of up to \$1.5 million to cover a 30-month period of performance that includes up to four months of planning and a minimum of 26 months of operation. The complete announcement and any subsequent amendments, in connection with this solicitation, is described in further detail on ETA's Web site at:

[http://www.doleta.gov/grants/find\\_grants.cfm](http://www.doleta.gov/grants/find_grants.cfm) or on <http://www.grants.gov>.

The Web sites provide application information, eligibility requirements, review and selection procedures, and other program requirements governing this solicitation. The closing date for receipt of applications is March 15, 2011.

*This article is courtesy of information from the Offices of U.S. Senators Bill Nelson and Marco Rubio, and the U.S. Department of Labor.*



## President Releases FY 2012 Budget

President Obama released the Fiscal Year (FY) 2012 budget on February 14. The president's budget may be viewed at: <http://www.whitehouse.gov/omb/budget>.

National totals for major discretionary and mandatory funding is

reflected. States will be able to determine specific FY 2012 funding *estimates* for major programs based on the proposed budget.

Highlights for Justice-related programs are available [here](#).





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**WE'RE ON THE WEB**  
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# BOARDING THE EDMS TRAIN

The Justice Administrative Commission (JAC) has entered into a contract with Brandt Information Systems to produce a phased implementation of an Electronic Document Management System (EDMS). In accordance with s. 287.056(3), F.S., JAC only considered quotes from qualified state term contractors awarded either a Department of Management Services (DMS) Consultant Services – IT Contract, or DMS Consultant Services – Management Consulting Contract.

The purpose of this project is to develop an EDMS that will provide the JAC with the ability to scan and index, or import and index, various documents, have quality control verification on the scanned images, have basic routing capabilities for workflow approval, as well as the ability to store the document images/

contents and the associated metadata in a secure and easily searchable repository. The indexing functionality needs to provide the ability to relate multiple sets of metadata to a single image in order to enable more detailed search capabilities (e.g., if the image is a voucher that contains multiple vendors, a search by vendor should find all of the vouchers that contain the searched for vendor).

Brandt Information Systems, who will work on site at JAC's location, must provide a transfer of knowledge to JAC by May 16, 2011 to facilitate system maintenance and further customization or modification of the system, and a user manual and training to appointed JAC staff by June 10, 2011. The ultimate timeline for this initial EDMS project phase will not extend beyond June 30, 2011. *Courtesy of EDMS Team*



**The EDMS Mission**  
*“Excellent service delivery enhanced by an efficient Electronic Document Management System, which meets the requirements of Florida law.”*

*“We are not here merely to make a living. We are here to enrich the world.”*

Abraham Lincoln

Submitted By Amber Moore, JAC

## JAC in Brief

The Justice Administrative Commission administratively serves the Offices of State Attorneys, Public Defenders, Capital Collateral Regional Counsels, the Statewide Guardian ad Litem Program, Criminal Conflict and Civil Regional Counsels, and the Clerks of Court Operations Corporation; and, provides compliance and financial review of the court-appointed attorney due process costs.

The membership of the Justice Administrative Commission consists of two State Attorneys, appointed by the President of the Florida Prosecuting Attorneys Association and two Public Defenders, appointed by the President of the Florida Public Defender Association. Although members may be reappointed, each term spans a period of two years (s. 43.16, F.S., 2010).

**Vision:** *Our vision is to be a model of exemplary state government and provide unparalleled services.*

**Mission:** *The mission of the Justice Administrative Commission is to be responsible stewards of taxpayer dollars, while providing the highest quality service to the 49 judicial entities we serve, by ensuring compliance with Florida Statutes and Generally Accepted Accounting Principles.*