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# THE JAC EXPRESS

State of Florida

Volume III, Issue 3

## A Word From JAC's Executive Director



**Rip Colvin**  
**JAC Executive Director**

The most recent Justice Administrative Commission (JAC) meeting was held on May 14, 2013. Included on the agenda was the Executive Director's Report and Evaluation, as well as Court-Appointed/Litigation, Year-End, Human Resources, and significant legislative updates. There were key policy decisions made during the 2013 Legislative Session that will impact JAC. For instance, although JAC will continue to serve 49 agencies, a notable change will be the transfer of the Florida Clerks of Court Operations Corporation to the Department of Revenue and the addition of Capital Collateral Regional Counsel services for the Northern Region. Both measures are now law.

Also, as discussed on page 3, JAC will now be responsible for the contracting and payment of private Court-Appointed Counsel for Capital Collateral and Clemency (Capital Death) proceedings. As a result JAC is now responsible for payment of all Court-Appointed counsel.

An external survey to the agencies administratively served by JAC is still under development.

**BUDGET**

A \$74.4 Billion Budget was passed by the Florida Legislature on April 28, 2013 for Fiscal Year 2013-2014 via the Conference Report on Senate Bill 1500 which

takes effect on July 1, 2013. The Bill (ch. 2013-40, L.O.F.) can be viewed [here](#).

The JAC Budget Office has wrapped up Fiscal Year 2012-2013. The cut-off date for submitting budget transfer requests was Monday June 24, 2013 at 10:00AM.

Information will be forthcoming regarding budget activities such as the FY 2013-2014 Start-Up process, LRPP and LBR Meetings, and other items that are vital to the success of the upcoming budget cycle".

**YEAR END**

Annual Year-End Meetings were conducted by JAC May 29-30th, as well as a Financial Statements Workshop on June 13, 2013 for all agencies served by JAC. WebEx attendance was very strong among agencies again this year for these events.

**HUMAN RESOURCES**

The JAC Pay Plan has been updated and a newly simplified evaluation instrument deployed for current employee evaluations. Commencing with the April 2012—May 2013 cycle, the JAC's evaluation process is in transition. The JAC's goal is to have an evaluation process that is tied more closely to its Strategic Plan. Specifically, it is the agency's goal to have 90% of its personnel performing at a level that exceeds expectations. Accordingly, expectations are now aligned with individualized work duties and are designed to foster growth. Also in progress is the updating of the Employee Handbook which should be completed in the Fall.

Underscoring JAC's continuing focus on training, several JAC employees have recently been trained in Microsoft Office Word 2007 Levels 1 and 2, Excel 2007 Levels 1 and 2, Outlook 2007 Levels 1 and 2, and One Note. Finally, we remain excited about the impending graduation for the first group of JAC participants in the nationally recognized Certified Public Manager Program (CPM), sponsored by Florida State University. Graduation ceremonies for this group have been scheduled for July 23-25, 2013 in Tallahassee and August 20—22 in Clearwater.

## Recent Or Developing Issues

Don't forget...Florida shoppers will be able to enjoy a back to school sales tax holiday from August 2 to August 4. During this three-day period, shoppers will not have to pay the state's 6 percent sales tax on clothes with a price tag of \$75 or less, school supplies worth \$15 or less, computers worth \$750 or less, and various tablets, laptops, and electronic readers.

## 2013 Bill of General Interest Signed into Law

### Senate Bill 1802—Relating to State Employee Health Insurance



Approved by the Governor on May 20, 2013 (ch. 2013-52, L.O.F.), the Conference Committee Amendment for Senate Bill 1802, (May 1, 2013) pertaining to health benefits for state employees, implements the following provisions:

- ◆ “Provides and revises definitions needed for the State Employee Group Health Insurance Program to comply with the requirements for large employers under the *Patient Protection and Affordable Care Act*;
- ◆ Permits Other-Personal-Services (OPS) employees who are expected to work an average of at least 30 or more hours per week, or who have worked an average of at least 30 or more hours per week, to be eligible to participate in the State Employee Group Health Insurance Program beginning January 1, 2014;
- ◆ Requires agency employers of OPS employees to provide specified information to the Department of Management Services (DMS);
- ◆ Revises the amount of the required employer contribution for part-time employees participating in the State Group Insurance Program;
- ◆ Provides for the amount of the state contribution to Health Savings Accounts (HSAs) for the 2013-2014 fiscal year and provides that the state’s contribution for HSAs may be set annually in the General Appropriations Act beginning in the 2014-2015 fiscal year; and
- ◆ Authorizes DMS to adopt emergency rules to modify the eligibility of persons paid with OPS funds to comply with *Federal the Patient Protection and Affordable Care Act* to mitigate the state’s exposure to potential liability under the penalty provisions of that law. The emergency rules must expire by June 30, 2014.”

“Some OPS employees will now be able to participate in the State Employee Group Health Insurance Program beginning January 1, 2014.”

Source: Florida Legislature

## 2013 Florida Legislative Bill of Key Interest

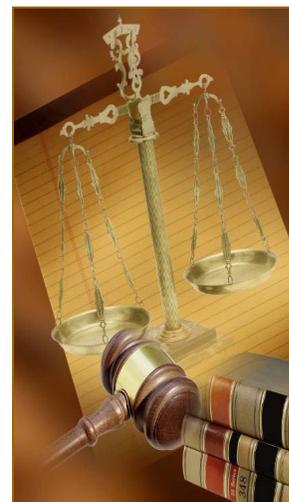
### CS/CS/House Bill 7083 Relating to Death Penalty

**A**pproved by the Governor on June 14, 2013, CS/CS/HB 7083 (ch. 2013-216, L.O.F.) passed the House on April 25, 2013, and the Senate on April 29, 2013. Amending an array of statutes relating to capital cases, an analysis by the Florida House (May 17, 2013) reports that, “The bill does the following:

- ◆ Eliminates the registry attorney “pilot program” and reestablishes the Capital Collateral Regional Counsel (CCRC) in the northern region of the state;
- ◆ Increases the minimum qualifications of registry attorneys;
- ◆ Prohibits registry attorneys from representing more than ten, rather than five, defendants in capital post-conviction litigation at any one time;
- ◆ Requires the Justice Administrative Commission (JAC), rather than the Chief Financial Officer, to be responsible for contracting with and paying registry attorneys;
- ◆ Prohibits registry attorneys and attorneys employed by the state from representing a person charged with a capital offense at trial or on direct appeal or a person sentenced to death in a postconviction proceeding if, in two separate instances, a court, in a capital postconviction proceeding, determined that such attorney provided constitutionally deficient representation and relief was granted as a result;
- ◆ Creates another method in which a death warrant may be issued;
- ◆ Repeals provisions of the Death Penalty Reform Act that were held unconstitutional by the Florida Supreme Court; and
- ◆ Creates reporting requirements that hold courts accountable for delays in the postconviction process.”

As reported by the House, “The bill appropriates \$432,170 in general revenue to reestablish the CCRC in the northern region of the state.” The House analysis further states that these measures “could result in executions occurring more quickly.” Finally, “the bill also requires the JAC, rather than the Department of Corrections to pay for private court-appointed attorney representation in capital death clemency proceedings.”

The effective date of the bill is July 1, 2013.



*Additional bills are featured on JAC's website under "What's New"— Legislative Updates and News. You may [click here](#) to access this list.*

From the Desk of Jennifer Henderson, Senior Human Resources Coordinator

## IMPORTANT INFORMATION

### Regarding the Florida Retirement System



*House Bill  
7011  
died on the  
Senate  
Calendar on  
May 3, 2013.*

**M**onitored closely during the 2013 Legislative Session, House Bill 7011 died on the Senate calendar on May 3, 2013. Proposed by the Florida House Subcommittee on Governmental Operations, the bill would have launched substantive changes to the Florida Retirement System (FRS), with significant impact on newly hired state employees. Had it gained further traction and passed both chambers, the bill would have deployed the following changes:

- ◆ Effective January 1, 2014, the Pension Plan (a defined benefit) would be closed to all new members and all new enrollees would be required to participate in the Investment Plan (a defined contribution plan);
- ◆ Expands the options to Investment Plan members to include a self-directed brokerage account monitored and administered by the State Board of Administration;
- ◆ Closes the Senior Management Optional Annuity Program to all new members on or after January 1, 2014. However, current members could continue participation in this program;
- ◆ Prohibits Elected Officials from joining the Senior Management Service Class on or after January 1, 2014, and subsequently enrolling in the Senior Management Optional Annuity Program; and
- ◆ Eliminates the option for new members who enroll on or after January 1, 2014, from applying for disability benefits.

Senate Bill 1392, by Senator Wilton Simpson, was slightly different as new hires could continue joining the traditional “defined benefit” pension system. However, in the Senate plan those who opted to join the “defined contribution” plan would obtain a reduction from 3 percent to 2 percent in their FRS payments — creating a financial incentive. On Tuesday, April 30, 2013, the Senate version was placed on the Special Order Calendar, substituted for House Bill 7011, and laid on the table. Also on the Special Order Calendar, an amendment to House Bill 7011 was then temporarily postponed on second reading.

This is an issue that may resurface during the 2014 Legislative Session.

## State Contracting Update

### Key Bills Relating to Transparency in State Contracting

**H**ouse Bill 5401 (ch. 2013-054, L.O.F.), *the Transparency Florida Act*, was approved by the Governor on May 20, 2013. The law requires the Chief Financial Officer to establish and maintain a secure website for public viewing of information contained in the contract tracking system. The measure requires “state entities” to post certain information to the contract tracking system and requires that exempt and confidential information be redacted from contracts posted on the system. “State entity means an official, officer, commission, board, authority, council, committee, or department of the executive branch of state government; a state attorney, public defender, criminal conflict and civil regional counsel, capital collateral regional counsel, and the Justice Administrative Commission; the Public Service Commission; and any part of the judicial branch of state government, s. 215.985(14)(h).”

Effective July 1, 2013, the bill expands the contract information that agencies are required to upload onto the Florida Accountability Contract Tracking System (FACTS). The Department of Legal Affairs and the Department of Agriculture and Consumer Services may post their contracts and related documents to their own agency managed websites. *Also, most notably, Justice Administration entities obtained an exemption from posting in FACTS any contract, grant, or purchase order that could reveal attorney work product or strategy, s. 215.985(14)(j), F.S.*

The bill was passed by the House on April 12, 2013. On April 16th, the Senate refused to pass the bill as approved by the House and requested a conference. Subsequently, a Conference Committee was appointed on April 18, 2013 to resolve the differences between the two chambers. On May 1, 2013, the Conference Committee filed an Amendment to House Bill 5401 that contained the following provisions:

- ◆ Requires the creation of a single website through which all other websites required by the Act may be accessed;
- ◆ Creates style and formatting requirements for all websites required by the Act;
- ◆ Requires the creation of a website relating to state employee and officer data;
- ◆ Requires the creation of a website relating to state fiscal planning data;
- ◆ Adds search criteria and informational requirements to the existing state budget website;
- ◆ Expands the posting requirements for the state contract tracking system to include contracts and certain procurement documents of all executive and judicial branch entities; and
- ◆ Creates a task force to develop and recommend a design for consolidating state transparency websites into one website.

*The Transparency Florida Act* also requires each state agency (within 30 days after executing a contract) to post all of the following information and documentation relating to that contract on the contract tracking system:

- ◆ The names of the contracting entities;
- ◆ The procurement method;
- ◆ The contract beginning and end dates;
- ◆ The nature or type of the commodities or services purchased;
- ◆ Applicable contract unit prices and deliverables;
- ◆ Total compensation to be paid or received under the contract;
- ◆ All payments made to the contractor to date;
- ◆ Applicable contract performance measures;
- ◆ Justification for not using competitive solicitation to procure the contract;
- ◆ Electronic copies of the contract and procurement documents that have been appropriately redacted; and
- ◆ Any other information required by the Chief Financial Officer (CFO).

*Again, as stated above, the Transparency Florida Act provides exemptions from posting of contract and procurement documents that could reveal attorney work products or strategies.*

Another key bill regarding procurement transparency that gained traction during this past Legislative Session was House Bill 1309. **House Bill 1309, was approved by the Governor on June 7, 2013 (ch. 2013-154, L.O.F.).** The law, relating to procurement of commodities and contractual services by state agencies, clarifies public records responsibilities of contractors; revises and deploys additional requirements for contract and grant agreements; launches the mandatory auditing of executed contracts by the CFO; and imposes stipulated provisions upon state and federal funded agreements. Additionally, the bill:

- ◆ Requires grant managers responsible for agreements in excess of \$100,000 annually to become a *certified contract managers*; and
- ◆ Requires that every contract of more than \$100,000 must have a *certified contract manager*.



*Key bills were introduced during the 2013 Legislative Session regarding procurement transparency.*

## FLAIR Facts & Fiction –Electronic Funds Transfer (EFT)/ Direct Deposit

Below are two FLAIR vendor file records for Office Depot. When paying Office Depot in FLAIR choosing one of these records will produce a paper warrant (check) and choosing the other will produce an EFT/direct deposit to Office Depot's bank account. Why is that and how can we know how to choose the one that will produce the EFT/Direct Deposit?

```

VSII          STATEWIDE VENDOR INQUIRY BY NUMBER    06/14/2013  15:10:38      Screen A
VENDOR ID: F 592663954 W9 NAME: OFFICE DEPOT INC          W9: Y
                                                W9 UPDATE: 05/29/2012
SEQ VENDOR NAME          SHORT NAME
PURCHASING ADDRESS      REMITTANCE ADDRESS      PIN
-----
039 OFFICE DEPOT INC      OFFICE DEPOT            0010
    PO BOX 633301         PO BOX 633301
    CINCINNATI           OH 45263-3301          CINCINNATI           OH 45263-3301

    PHONE: (111) 111-1111      LAST UPDATED: 05/29/2012
    REQ OLO: 210000            LAST USED: 06/14/2013
    VEI: F                     CONFIDENTIAL: N
    FOREIGN: N                 PAYEE: N
    LEVY:                       STATUS: A
    MC: A                      INACT CODE:
    EFT: N

SEL  VENDOR ID:          ZIP:          PAYEE:          TYPE          SEL
     NAME:              PAYEES ONLY: VENDORS ONLY:
Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10--PF11--PF12---
CONT      MINI  MAIN  RFRSH TOP      FWD
  
```

The FLAIR Vendor File Inquiry screen is full of codes and information for each vendor. To determine if a particular vendor record (sequence) will produce an EFT/direct deposit payment, look for the EFT indicator field. It is found in the lower left of the screen. This field will display one of two values either N (EFT not set up) or Y (EFT is set up). The EFT indicator may change from sequence to sequence for any vendor. Please look for the EFT indicator on screens A and B below.

One of the screens/sequences shows Y and one shows N in the EFT field. Only one will produce an EFT/direct deposit payment. Why is that? They are obviously the same company. The PO Boxes are different; however, the address does not determine whether a vendor record produces an EFT or a paper warrant. ***It's the Vendor Name field that determines EFT vs paper warrant.***

## FLAIR Facts & Fiction –Electronic Funds Transfer (EFT)/ Direct Deposit Continued

```

VS11                STATEWIDE VENDOR INQUIRY BY NUMBER    06/14/2013  15:13:40
VENDOR ID: F 592663954 W9 NAME: OFFICE DEPOT INC                W9: Y
                                                                W9 UPDATE: 05/29/2012
SEQ VENDOR NAME          SHORT NAME
PURCHASING ADDRESS      REMITTANCE ADDRESS      PIN
-----
040 OFFICE DEPOT         OFFICE DEPOT            0011
    PO BOX 633204       PO BOX 633204
    CINCINNATI          CINCINNATI              OH 45263-3204
                                OH 45263-3204

    PHONE: (111) 111-1111    LAST UPDATED: 05/29/2012
    REQ OLO: 210000          LAST USED: 06/04/2013
    VEI: F                    CONFIDENTIAL: N
    FOREIGN: N               PAYEE: N
    LEVY:                     STATUS: A
    MC: A                     INACT CODE:
    EFT: Y

SEL  VENDOR ID:          ZIP:          PAYEE:          TYPE          SEL
      NAME:              PAYEES ONLY: VENDORS ONLY:
Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10--PF11--PF12---
CONT          MINI MAIN RFRSH TOP          FWD
  
```

Screen B

An EFT/ direct deposit list is maintained by the Department of Financial Services (DFS) which is a separate list from the FLAIR Vendor File. If the name for the vendor on the FLAIR Vendor File list is in any way different (even one character ) from the name on the FLAIR EFT/direct deposit list, the sequence with the non-matching name will produce a paper warrant (check). When setting up a vendor on the FLAIR Vendor File, the EFT list name is generally not known. So a vendor could be set up inadvertently with a non-matching name on the FLAIR Vendor File.

The only way to ensure that an EFT/direct deposit occurs on a particular sequence is by manually checking the name on the Vendor File periodically for possible EFT and make any changes to the Vendor File name so that the EFT will occur for that sequence. This is a completely manual process. In addition, if a name change is needed, a form must be sent to DFS to have that name changed.

Looking back at the Screens A & B, notice that the EFT indicator on screen B (sequence 040) shows Y, therefore, when this sequence is used in a FLAIR transaction, an EFT/direct deposit will occur. If, however, the sequence shown on screen B is used (sequence 039) a paper warrant (check) will occur. The name on Screen A shows INC as part of the name. The addition of INC is the reason the EFT will not occur on sequence 039.

Any questions about EFT may be directed to Vicki Nichols.



**State of Florida  
Justice Administrative  
Commission**

Post Office Box 1654 (32302)  
227 North Bronough Street,  
Suite 2100  
Tallahassee, Florida 32301

PHONE (850) 488-2415

TOLL FREE (866) 355-7902

FAX (850) 488-8944

TOLL FREE FAX (866) 355-7906

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**[WWW.JUSTICEADMIN.ORG](http://WWW.JUSTICEADMIN.ORG)**

For comments, suggestions,  
and/or submissions for the  
next bi-monthly newsletter,  
please contact:

*Lydia R. Mount, Editor*  
Executive Office  
Justice Administrative  
Commission

Phone: (850) 488-2415  
Ext. 224

Or

[Lydia.Mount@justiceadmin.org](mailto:Lydia.Mount@justiceadmin.org)

## BOARDING THE EDMS TRAIN

The Justice Administrative Commission (JAC) continues the phased implementation of an Electronic Document Management System (EDMS). 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. This is an update.

IT staff met with the Revenue Accounting staff to determine how Revenue Accounting will utilize Laserfiche, and the group came to a consensus. Currently, Revenue Accounting does everything by paper. Therefore, one change being made to their process is the development of a database so they can keep track of their data electronically. The database will enable them to find information on individual checks quickly, instead of searching through transmittal forms stored in a book or in a filing cabinet. From this database, scan sheets will be generated. So, checks and deposits will be scanned into Laserfiche which will serve as an electronic filing cabinet for this section.

IT is almost finished developing the database for Revenue Accounting to be able to record their transactions. The development for Laserfiche is also almost completed. Currently, database developments for Revenue Accounting and Laserfiche are in the "testing" stage. After Revenue Accounting has completed testing procedures and is satisfied, the two systems will move to production, and Revenue Accounting will receive training in Laserfiche.

*Courtesy of Michelle Dolce*



### The EDMS Mission

*"Excellent service  
delivery enhanced by  
an efficient  
Electronic Document  
Management  
System, which meets  
the requirements of  
Florida law."*

*"All labor that uplifts humanity has dignity and importance and should be undertaken with painstaking excellence!"*

*Dr. Martin Luther King, Jr. ✝*

## JAC in Brief

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

**Vision:** *To be a model of exemplary state government and provide unparalleled services.*

**Mission:** *To be responsible stewards of taxpayer dollars, while providing the highest quality service to the 49 judicial related entities, private court appointed counsel, and associated vendors we serve, by ensuring compliance with laws, rules, regulations, and best business practices.*

**Values:** *We take great pride in excellence in service, innovation, adaptability, collaboration, honesty, integrity, accountability, and diversity, as well as respectful and ethical conduct, and fiscal responsibility.*