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Inside this issue:

2014 Legislative Bills of Interest—Reminder	2
FLAIR Facts and Fiction	7
Perspective	8
The FPDA Conference	9
CPM Graduation	12
Boarding the EDMS Train	18
JAC in Brief	18



THE JAC EXPRESS

State of Florida

Volume IV, Issue 4

A Word From JAC's Executive Director



Rip Colvin
JAC Executive Director

The next Justice Administrative Commission (JAC) meeting will be held on September 30, 2014. As a part of the Executive Director's Report, it is anticipated that the agenda will include an update on the Operational Audit, the OPPAGA Review of Due Process Expenditures for the Civil Commitment of Sexually Violent Predators, Submission of the Long Range Program Plans and Legislative Budget Request, the Object Code Standardization Project, the Caseload Management Network, Due Process Needs, Westlaw, and concerns regarding the existing contractual BOMS agreement.

Financial Statements Process & Budget Workshops

Because financial statement reports are generated after the close of each fiscal year (June 30th), the Financial Statements process is characterized by very close deadlines. This year, the FLAIR closing date for judicial agencies was August 12, 2014. Needed information was received from all agencies served by JAC, allowing JAC to submit Fiscal Year 2013-14 Financial Statements in a timely manner. This has been a very collaborative and deliberative process to get the job done efficiently, accurately, and within mandatory timelines. In August, JAC held its annual

Budget Workshops. These meetings were held independently by agency type. Development or updating Long-Range Program Plans (LRPP) and Legislative Budget Requests (LBR) are the primary focus of these workshops.

Although all offices were invited to have staff attend these meetings at JAC, the option to attend via the internet with teleconferencing features was successfully utilized by the majority of the offices we serve.

The JAC Budget Section has requested that each office submit their LRPP and LBR information to JAC by Monday, September 8, 2014. The LRPP will be uploaded to the Florida Fiscal Portal on Tuesday, September 30th and the LBR will be uploaded on Wednesday, October 15, 2014.

Operational Audit

Several agencies within Department 21 – Justice Administration (including SAs, PDs, RCs, and JAC) are experiencing an operational audit by the Auditor General's Office (AG) during the past several months. AG staff's correspondence, both agency specific and statewide, were primarily directed to circuit offices. The date for release of the

audit findings is unknown at this time.

Object Codes

The FLAIR object code standardization project is in full swing. The Department of Financial Services (DFS) mandated that all state agencies "roll up" the reporting of expenditures in broader classifications by standardizing the object code field in FLAIR. JAC has formed an object codes workgroup and distributed the first draft of the cross-walk, of DFS standard codes to old codes, to the agencies we administratively serve for review. We are pleased to have received excellent feedback and plan Go-ToMeeting work sessions in the upcoming months. More information regarding the standardization of object codes by DFS is provided on page 7.

Finally, on July 24, 2014, JAC was pleased to recognize 16 additional graduates of the nationally acclaimed Certified Public Management Program (CPM), administered through the Askew School of Public Administration at Florida State University. With 27 CPM graduates currently within its ranks, roughly 33% of JAC staff have been officially trained since 2013 as certified public managers and supervisors. There are 11 additional JAC team members progressing through the program and 10 staff who have expressed an interest in this specialized training. Ultimately, within the next two years, approximately 60% of JAC staff will have CPM credentials. The return on this investment is already evident as we collectively pursue a shared sense of commitment to JAC's vision and mission.

Naples Sunset Photo by Rip Colvin

2014 Florida Legislative Bills of Interest

Reminder — Relating to State Technology



*House Bill
7073 addresses
state
technology
consolidation
in Florida.*

*Source:
Florida
Legislature*

House Bill 7073 relating to Information Technology Governance was filed in the House by the Appropriations Committee on February 28, 2014 and passed in the House on March 12, 2014 and by the Senate on May 2, 2014. The Offices of State Attorney, Public Defender, Criminal Conflict and Civil Regional Counsel, and Capital Collateral Regional Counsel are exempt from this measure, which was enrolled by the House on May 7, 2014. The bill was signed by the Governor on June 20, 2014 (ch. 2014-221, L.O.F.).

The new law, that includes the Justice Administrative Commission under its oversight umbrella for state agencies, creates the Agency for State Technology (AST) pursuant to s. 20.61, F.S., to establish state technology policies and governance. Under implementing language, the agency will be housed within the Department of Management Services, and led by an executive director appointed by the Governor and confirmed by the Senate. The law also abolished the Agency for Enterprise Information Technology, transferred its functions to the AST, clarifies the IT security duties of the AST and individual agencies, and, as cited by the Florida House Session Summary, “Requires the AST to conduct a feasibility study and provide recommendations for managing state government data (May 2014).”

Pursuant to s. 282.0041(23), F.S., as amended by this law, “State agency means any official, officer, commission, board, authority, council, committee, or department of the executive branch of state government; the **Justice Administrative Commission**; and the Public Service Commission.” This new definition of state agency does not link to the definition in ch. 216, F.S., in an attempt to avoid conflicting interpretations on whether state attorneys, public defenders, criminal conflict and civil regional counsel, and capital collateral regional counsel are to be subject to the authority of the AST. “If these entities are not executive branch entities, they are not subject to the authority of the AST” (March 14, 2014). Therefore, among the agencies exempt from data center consolidation under the terms of this law are:

- ◆ Offices of State Attorney;
- ◆ Offices of Public Defender;
- ◆ Offices of Criminal Conflict and Civil Regional Counsel; and
- ◆ Offices of Capital Collateral Regional Counsel.

This law took effect July 1, 2014.

Source: Florida Senate

2014 Florida Legislative Bills of Interest

Reminder — Relating to Florida Retirement System

House Bill 5005, effective July 1, 2014, was filed by Representative Seth McKeel of the Appropriations Committee on March 26, 2014 and was signed into law by the Governor on June 2, 2014 (ch. 2014-53, L.O.F.). The law revised s. 121.71, F.S., to align the Florida Retirement System employer contribution rates with 2013 actuarial valuations. Related sections of law are addressed by this measure to increase employer contribution rates for the health insurance subsidy from 1.20 to 1.26 percent. This adjustment is based on the 2013 Actuarial Valuation.

Source: Florida House

Reminder— Relating to Spouses and Children of Public Defenders and Criminal Conflict and Civil Regional Counsel

Senate Bill 238, was filed by Senator Arthenia Joyner on October 7, 2013, and was placed on the calendar on February 19, 2014 as a committee substitute. Providing public records exemptions from s. 119.07(1), F.S., and s. 24(a), Article I of the State Constitution — for the names of spouses and children of former or current Public Defenders, Assistant Public Defenders, Criminal Conflict and Civil Regional Counsel, and Assistant Criminal Conflict and Civil Regional Counsel — the bill was passed by the Florida Senate on March 18th, and placed on the Special Order Calendar of the House on April 22nd. The bill was then substituted for House Bill 69, passed by the full House and ordered to be enrolled on April 23.

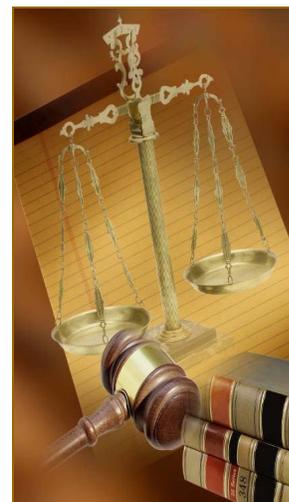
The bill was signed by the Governor on June 20, 2014 (ch. 2014-172, L.O.F.) and will be effective October 1, 2014.

Source: Florida House and Senate

Reminder — Relating to Governmental Ethics

Senate Bill 846, was filed by Senator Jack Latvala on February 5, 2014. The CS/CS/CS/Senate Bill 846 was ultimately signed by the Governor on June 20, 2014 (ch. 2014-183, L.O.F.).

Effective July 1, 2014, the law imposed annual ethics, public records, and open meeting training and certification requirements on elected officials. Specifically, the completion of four hours of training must be certified on annual financial disclosures. *Source: Florida Senate*



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

2014 Florida Legislative Bills of Interest

Reminder — Relating to Court-Appointed Counsel



“Senate Bill 2510 conforms to the *Fiscal Year 2014-15 General Appropriations Act.*”

Initially filed on March 27, 2014 as Proposed Committee Bill 7098 by the Appropriations Committee, “Senate Bill 2510 conforms to the *Fiscal Year 2014-15 General Appropriations Act* by increasing the flat fees for court appointed attorneys representing indigent criminal defendants in certain type of cases” and eliminates the limited registry for private counsel who agree to accept a flat fee. The measure also deploys a Cross-Circuit Conflict Representation Pilot Program in two Offices of the Public Defender and one Office of Criminal Conflict and Civil Regional Counsel. The new law was approved by the Governor on June 2, 2014 (ch. 2014-49, L.O.F.).

Earlier, the Senate passed the bill on April 3rd, requesting that the House pass their bill or agree to resolve differences through the budget conference process. Subsequently, the House passed the bill on April 11th, but did not agree to the bill as passed by the Senate. The bill was then taken up by the Conference Committee on House Justice Appropriations/Senate Criminal and Civil Justice Appropriations with final agreement reached on April 23rd. Among the issues in play were:

- ◆ Delete the requirement that an attorney who wants to be included on a registry must certify that he or she will accept the flat fees in s. 27.5304, F.S., as full payment for any case except RICO and capital cases;
- ◆ Delete authorization for the chief judge to establish limited registries of attorneys willing to waive compensation above the flat fees;
- ◆ Allow JAC to establish the format for registries; and
- ◆ Create a Cross-Circuit Conflict Representation Pilot Program including Public Defender Offices in the 10th and 13th Judicial Circuits and the Offices of Criminal Conflict and Civil Regional Counsel in the 5th Region.

The law also implements the following new flat fees for fiscal year 2014-15:

◆ Capital/1st Degree Murder (Lead Counsel)	\$25,000
◆ Capital/1st Degree Murder (Co-Counsel)	\$25,000
◆ Capital/1st Degree Murder (Non-Death)	\$9,000
◆ Capital Sexual Battery	\$4,000
◆ Capital Appeals	\$9,000
◆ Felony Life	\$5,000
◆ Felony Life (RICO)	\$9,000
◆ Felony/Punishable by Life (RICO)	\$6,000
◆ Felony/1st Degree (RICO)	\$5,000

The law took effect July 1, 2014.

2014 Florida Legislative Bills of Interest

Reminder — Relating to Attorneys for Dependent Children with Disabilities

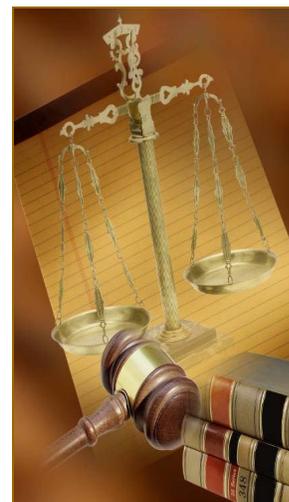
Sponsored by Representative Erick Fresen and initially filed on January 10, 2014, Committee Substitute to Committee Substitute for House Bill 561 conforms to the *Fiscal Year 2014-15 General Appropriations Act* and creates s. 39.01305, F.S., providing legal services for dependent children who are disabled, or being considered for placement in skilled nursing facilities.

On April 24th, the amended bill was passed by the House and received by the Senate, where it was withdrawn from the Children, Families, and Elder Affairs Committee, as well as the Judiciary and Appropriations Committees, on April 29th. The measure was then placed on the calendar on second reading and substituted for Senate Bill 972, a similar bill, following conference proceedings. On April 30th, House Bill 561 passed unanimously in the Senate. Subsequently, it was signed by the Governor on June 25, 2014 (ch. 2014-227, L.O.F.) and became effective July 1, 2014. Significant provisions of the law stipulate the following:

- ◆ A court order appointing an attorney, for a dependent child, under this section must be in writing;
- ◆ The appointment of the attorney continues in effect until the attorney is allowed to withdraw, is discharged by the court, or until the case is dismissed;
- ◆ An attorney who is appointed under this section to represent the child shall provide the complete range of legal services;
- ◆ With permission of the court, the attorney may arrange for separate counsel to handle an appellate proceeding;
- ◆ Except if the attorney has agreed to provide pro bono services, the appointed attorney must be adequately compensated; and
- ◆ The appointed attorney must be provided with access to funding for expert witnesses, depositions, and other costs of litigation.

As a result of conference, “Appointment and compensation of a private attorney is pursuant to the provisions of ss. 27.40 and 27.5304, F.S., except the JAC, in consultation with the Guardian ad Litem Office (GAL) shall develop the registry of attorneys for appointment of compensated counsel for children with special needs. The JAC shall provide the registry to the chief judge of each circuit for inclusion in the circuit’s registry and GAL shall establish the minimum educational, experience, and training criteria. The flat fee shall not exceed \$1,000 per child per year.”

Source: *The Florida House*



Additional bills we tracked are featured on JAC’s website under “What’s New” — Legislative Updates and News. You may click [here](#) to access this list.

2014 Florida Legislative Bills of Interest

Reminder — Relating to Executive Clemency



“House Bill 5303 conforms to the *Fiscal Year 2014-15 General Appropriations Act.*”

House Bill 5303 was filed on March 19 by Representative Charles McBurney of the Justice Appropriations Committee on March 19, 2014 and was passed by the House on April 3, 2014. Ultimately, the bill, that conforms to the *2014-2015 General Appropriations Act*, was signed into law by the Governor on June 2, 2014 (ch. 2014-59, L.O.F.). Making major changes to clemency proceedings, the law deletes provisions that formerly allowed the trial court to appoint a public defender, Office of Criminal Conflict and Civil Regional Counsel, or private court-appointed counsel for relief and representation of a defendant in executive clemency cases.

New provisions were created pursuant to s. 940.031, F.S., that “authorize the Board of Executive Clemency to appoint private counsel to represent a person sentenced to death in an executive clemency proceeding” and provide for compensation in such cases from funds appropriated to the Parole Commission. Compensation by the Board may not exceed \$10,000 for attorney fees and related costs.

Under the terms of this law, “The provision of counsel for executive clemency does not create a statutory right to counsel in such proceedings” (*2014 Florida House Session Summary, May 2014.*)

The Senate passed their version of the bill (Senate Bill 2508), also on April 3rd, making it necessary for differences to be resolved through conference proceedings. This new law took effect on July 1, 2014. *Source: Florida House*

Reminder — Relating to Student Loans — DIED

Senate Bill 146 was filed on September 5, 2013 by Senators Jeremy Ring and co-sponsor Jack Latvala but never moved out of the assigned committees. The measure would have established a loan repayment program to be administered by the Justice Administrative Commission and the Office of the Attorney General for eligible career assistant state attorneys, assistant public defenders, assistant attorney general, or assistant statewide prosecutors. A similar bill, House Bill 77, was filed by Representative James Waldman on September 25th, but likewise received no traction during the 2014 Legislative Session.

Source: Florida Senate

FLAIR Facts & Fiction — By Vicki Nichols

FLAIR Standardization of Object Codes Project

The Object Code is a key data element in FLAIR data entry and FLAIR reporting. The object code “tells” FLAIR from which appropriation category the expenditure should be paid. Below is an example of a FLAIR screen showing the object code 493002 (Florida Bar Dues) being used in a transaction. In this example, the bar dues will be paid from JAC’s category 040000-Expenses.

In addition, the object code defines more precisely the type of expenditure (or revenue) being recorded in FLAIR.

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51S2  TR 51 - UNENCUMBERED DISBURSEMENTS - SINGLE INPUT  08/08/2014  15:36:05
L1 L2 L3 L4 L5  EO VR OBJECT  CF  PPI  DESCRIPTION          SUB-VENDOR-ID
21 30 00 00 000 B2 05 493002          bar dues
....AMOUNT.... VENDOR-ID          TRN-DT    G VOUCH-NO LINE BI OTHER-DOC  B
250.00          f590614712071          08042014    V
INVOICE  AB  ..QUANTITY.. CK-NO  CK-DT    PID BF-ORG    BF-EO BF-OB/CF BF-CAT/YR
123456789
CAT  YR  GL    EGL EOB  ECAT    EP  GRANT          GY CNTRT CY  OCA  AU
040000 00  71100
GF SF FID    BE    IBI  EF    STATE-PROGRAM    PROJECT ID
10 1  000069 21300800 00          1602000000 000000
BPIN    COUNT    ...UNITS.... ...TIME...
NEXT: L1-L5 21 30 00 00 000 EO B2  VR    OBJECT 493002 PPI    TYPE    SEL
Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10--PF11--PF12---
CONT          MINI  MAIN  RFRSH          CAN

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In recent months, the Department of Financial Services has begun an object code standardization project. This project will require changes to many object codes currently used by all JAC offices and all state agencies. The use of the new object codes will not occur for many months.

A cross-walk of old to new object codes is being developed by JAC staff in conjunction with staff from the Offices of Public Defender, State Attorney, and Capitol Collateral Regional Counsel. This project will occur over many months. Communications and GotoMeeting sessions will be scheduled to allow time for everyone to understand the changes.

Look for information on this project to be ongoing during the 2014-15 fiscal year. Please direct any questions on this subject to Vicki Nichols at JAC.



“In recent months, the Department of Financial Services has begun an Object Code Standardization Project.”

Perspective

*On July 29th, Rip snapped this photo and said,
“It’s all good from up here!” Can you find JAC?*



Follow the arrow...

The FPDA Conference in Miami July 29-August 1, 2014



JAC's Executive Director, Rip Colvin, and General Counsel, Cris Martinez, are shown above at the FPDA Conference. The photo is courtesy of Yvonne Enoch.

Loretta Darity, former Budget Chief for Justice Appropriations Subcommittee, Florida House of Representatives, is featured below presenting at the FPDA Conference in Miami.



Photo is courtesy of Yvonne Enoch

The FPDA Conference in Miami July 29-August 1, 2014



JAC's Abram Dale and Yvonne Enoch are shown in the top photo and FPDA's Executive Director, Sheldon Gusky, is featured in the bottom photo. Photos are courtesy of Yvonne Enoch.



*JAC was proud to add 16 CPM Graduates to its ranks
on July 24, 2014*

Congratulations to JAC's 2014 CPM graduates:

Rip Colvin

Abram Dale

Carolyn Horwich

Rinesha Jackson

Jaime Johnson

Velicia Johnson

Dina Kamen

Jessica Kranert

Christian Lake

Cris Martinez

Wayne Meyer

Robert Smith

Christie Stanton

Cynthia Sutton

Therese Usherwood

Cheryl Williams

Of Florida's approximately 4,800 CPM graduates, 420 graduated from this nationally recognized program this summer. Under the auspices of the Askew School of Public Administration, the rigorous program that includes 32 days of formal training, as well as integrated projects and exams, is administered by the Florida Center for Public Management at Florida State University and typically takes about two years to complete.

CPM Graduation July 24, 2014

What Inspiring Leadership from JAC's Executive Director, Rip Colvin, and General Counsel, Cris Martinez!

Rip Colvin, CPA, CPM is flanked by Dr. Daniel Vicker and Ben Green, Director of the Florida Center for Public Management.



Cris Martinez, J.D. CPM



Photos are courtesy of the Center for Public Management



CPM Graduation July 24, 2014

All Together Now...



Photo is courtesy of the Center for Public Management

CPM Graduation July 24, 2014



JAC's Vicki Nichols (2nd left), Yvonne Enoch (2nd right), and Christian Merricks (far right) helped to serve refreshments after the CPM graduation.

Photos are courtesy of Christian Merricks



CPM Graduation July 24, 2014



*Christian Merricks, 2013 CPM Graduate
Photo is courtesy of Christian Merricks*

CPM Graduation July 24, 2014



*Yvonne Enoch and Vicki Nichols were 2013 CPM Graduates.
Photo is courtesy of Christian Merricks*



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BOARDING THE EDMS TRAIN

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

Focus has been placed on archiving completed voucher packets in Laserfiche. A voucher packet consists of the voucher schedule, batch sheet or invoice/voucher cover, and warrant/EFT statement. When all three items are in the voucher schedule folder, they are archived by fiscal year. The archiving backlog has been completed!

Recently, Revenue Accounting was asked to come up with a way for the circuits to send their revenue accounting documentation electronically. They have developed a draft of this new process that will be presented to management prior to finalization and approval. It will allow the circuits to email their revenue accounting documentation to JAC in the same manner as they do for their batch sheets. Once approved by management, development will begin.

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.”

WE'RE ON THE WEB

WWW.JUSTICEADMIN.ORG

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

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“Even if you are on the right track, you’ll get run over if you just sit there.”

~Will Rogers~

JAC in Brief

The Justice Administrative Commission administratively serves 20 Offices of State Attorney, 20 Offices of Public Defender, 3 Offices of Capital Collateral Regional Counsel, 5 Offices of Criminal Conflict and Civil Regional Counsel, and the Statewide Guardian ad Litem Program; 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.*