



# THE JAC EXPRESS

COMMISSIONERS

State of Florida

Volume IV, Issue 2

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## A Word From JAC's Executive Director

The most recent Justice Administrative Commission (JAC) meeting was held on March 4, 2014 — also the first day of the regular Legislative Session. In addition to the Executive Director's Report, JAC's agenda included a legislative update regarding the civil commitment of sexually violent predators; the format of limited registries; attorneys for children with disabilities; and the consolidation of state agency data centers. JAC's salary schedule and purchasing card revisions were also discussed during this meeting. The date for the next commission meeting has not been finalized at this time.



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

developments were actively monitored by JAC staff during the 2014 Legislative Session. Coverage of select bills is featured in this publication and on JAC's website.

Legislation addressing legal representation for children with special needs (House Bill 561 and Senate Bill 792) has garnered special interest for JAC during this session based on the significant financial and workforce impact. The bills were taken up by both chambers during conference proceedings in an effort to resolve differences. Further details are highlighted on page 5.

With the May 2, 2014 close of session in sight as scheduled, overall state legislators settled on a budget of \$77 billion on April 29th. Lawmakers are required to wait 72 hours before voting on a completed budget. Final elements of Florida's budget process entail the following steps:

- ◆ Each chamber passes an

appropriations bill;

- ◆ The differences between the two bills are resolved in conference by members from both chambers;
- ◆ The conference process produces the Conference Report (General Appropriations Act); and
- ◆ Upon adoption by both chambers, the Governor has line-item veto authority.

Leading budget negotiations this year were Senate Appropriations Chairman Joe Negron, R-Stuart, and House Appropriations Chairman Seth McKeel, R-Lakeland. I was pleased to continue to work with James Viggiano and Robert Friedman, the new Capital Collateral Regional Counsels for the Middle and Northern Regions respectively, and all JAC stakeholders, during this Legislative Session.

Finally, a breaking development that is likely to have significant impact on JAC is the standardization of object codes by the Department of Financial Services (DFS). JAC staff attended an initial briefing by the DFS regarding these changes on April 10, 2014. Subsequently, JAC has conducted two WebEx workshops to discuss the impact of object code changes on the agencies we administratively serve. It is anticipated that DFS will be ready to deploy a finalized list of statewide object codes by May 31, 2014.



March 4th Refreshments compliments of JAC's Shellie Shelton

Then, on March 5, 2014, I made a presentation before the Senate's Criminal and Civil Justice Appropriations Committee regarding JAC's portion of the Governor's budget recommendations. Ongoing budgetary and other legislative

## Recent Or Developing Federal Issues — Source: CSPAN and FFIS

U.S. Representative Ander Crenshaw (R-FL), Financial Services and General Government Subcommittee Chair, presided over a meeting on April 29th in which Treasury Secretary Jack Lew discussed the Fiscal Year 2015 Treasury Department Budget. On April 17, 2014, the Bureau of Justice Assistance provided guidance to states on how to apply for the Edward Byrne Memorial Justice Assistance Grant Program. Click [here](#) for details.

## 2014 Florida Legislative Bills of Interest

### Senate Bill 928 — Relating to State Technology



*Senate Bill 928  
and  
House Bill  
7073 both  
address state  
technology  
consolidation.*

*Source:  
Florida  
Legislature*

Senate Bill 928 (formerly PCB 7024) was filed by the Governmental Oversight and Accountability Committee on February 7, 2014 and voted favorably with committee substitutes by both the Appropriations Subcommittee on General Government and the Appropriations Committees. After having been temporarily postponed and retained on the Senate Calendar, the measure was placed on the Special Order Calendar for May 1, 2014.

The bill (April 7, 2014), which 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 bill also abolishes the Agency for Enterprise Information Technology and transfers its functions to the AST.

As indicated in a recent legislative analysis by the Appropriations Committee, “The bill creates a new definition for state agency to mean any official, officer, commission, board, authority, council, committee, or department of the executive branch of state government, and 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 bill are:

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

Similarly, House Bill 7073 relating to Information Technology Governance was filed in the House by the Appropriations Committee on February 12, 2014 and passed in the House on March 12, 2014. The Offices of State Attorney, Public Defender, Criminal Conflict and Civil Regional Counsel, and Capital Collateral Regional Counsel are also exempt from this measure, which was referred to the Senate where it is ultimately expected to pass.

## 2014 Florida Legislative Bills of Interest

### House Bill 5005 — Relating to Florida Retirement System

**H**ouse Bill 5005, effective July 1, 2014, was filed by Representative Seth McKeel of the Appropriations Committee on March 26, 2014 and was passed by the Florida House on April 3rd and sent to the Senate. The bill revises 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. In the Senate, House Bill 5005 was substituted for Senate Bill 2506 and passed as amended on April 3, 2014. Differences between the bills were taken up in conference and action is pending on a final bill. *Source: Florida House*

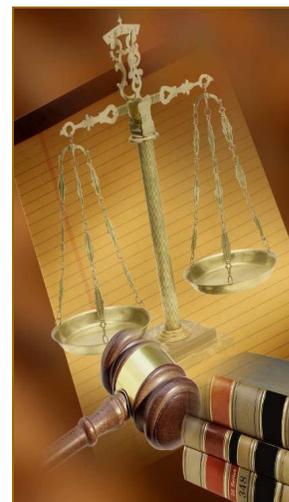
### House Bill 7181 — Relating to Florida Retirement Plans

**H**ouse Bill 7173 (formerly PCB SAC2) was filed by Representative Jim Boyd of the State Affairs Committee on April 4, 2014 and combined with House Bill 7179, regarding local government pension reform, on April 22. Engrossed and amended on April 24th, **the combined vehicle is House Bill 7181**. Effective July 1, 2015, the measure increases the terms for vesting in the Florida Retirement System (FRS) Pension Plan, as well as eligibility for disability benefits, from eight years to ten years. Members initially covered by the Elected Officers' Class or Senior Management Service Class and new members, who fail to select a plan after a specified date, will automatically be enrolled in the Investment Plan. Benefits for current members and retirees will not be impacted if the bill becomes law. As of April 30th, the bill awaits consideration in the Senate. *Source: Florida House*

### Senate Bill 238 — Relating to Spouses and Children of Public Defenders and Criminal Conflict and Civil Regional Counsel

**S**enate 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. If signed by the Governor, the bill will be effective October 1, 2014.

*Source: Florida House and Senate*



*Additional bills we are tracking 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

### Senate Bill 1110 — Regarding Deferred Compensation



Senate Bill 1110 (formerly PCB 7038), requiring that state employees be automatically enrolled in the Deferred Compensation Program by stipulated dates, was filed on February 19, 2014 by the Community Affairs Committee and referred to the Governmental Oversight and Accountability, and Appropriations Committees on February 26th. Although employees would be allowed to opt out, under the terms of the bill, each *state agency* — which is broadly defined — would be required to inform employees of their automatic enrollment, as well as partially match contributions made by participants. State agencies would also be required to inform employees of the tax implications associated with this program. As of April 30th, the bill has not moved.

### Senate Bill 1114 — Regarding Retirement

Changes to the Florida Retirement System for new employees have been introduced this year via Committee Substitute to Committee Substitute for Senate Bill [1114](#) (formerly PCB 7046). According to the Florida Senate, “The bill makes the following changes to the Florida Retirement System (FRS), for members initially enrolled in the FRS on or after July 1, 2015:

- ◆ Mandates that members of the Elected Officers’ Class, other than those members of the Judicial Officers Subclass, may only join the Investment Plan;
- ◆ Changes the default for members who do not affirmatively choose a plan from the Pension Plan to the Investment Plan;
- ◆ Closes the Senior Management Service Optional Annuity Program to new members;
- ◆ Changes the vesting period in the Pension Plan from 8 to 10 years; and
- ◆ Changes the out of service disability retirement vesting period from eight to 10 years.

The bill was placed on the April 30th Special Order Calendar in the Senate, read a second time, amendments adopted, and engrossed text filed. See the link above for further details.

(Source: Senate Analysis)

*Several pension related bills have been filed during the 2014 Legislative Session. However, as of April 30th, there was no final agreement on a pension overhaul.*

## 2014 Florida Legislative Bills of Interest

### House Bill 561 and Senate Bill 972 — Relating to Attorneys for Dependent Children with Disabilities

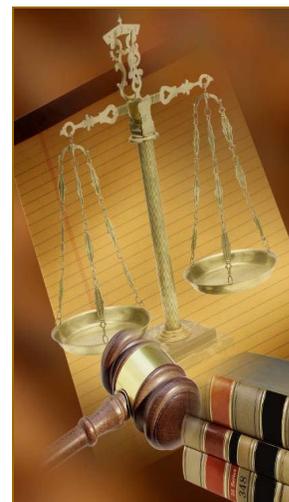
Sponsored by Representative Erick Fresen and initially filed on January 10, 2014 Committee Substitute to Committee Substitute for House Bill 561 creates s. 39.01305, F.S., providing legal services for dependent children who are disabled, or being considered for placement in skilled nursing facilities.

On April 24th, the 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 bill was then placed on the calendar on second reading and substituted for Senate Bill 972, a similar bill, following conference proceedings. On April 30th, Senate Bill 561 was read a third time and was passed unanimously in the Senate. Significant provisions of the bill 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.”

Now on its way to the Governor, if signed into law the bill will take effect July 1, 2014.



*Additional bills we are tracking 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

### Senate Bill 2510 — Relating to Court-Appointed Counsel



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

Initially filed on March 27, 2014 as Proposed Committee Bill 7098 by the Appropriations Committee, Senate Bill 2510 eliminates the limited registry for private counsel who agree to accept a flat fee. The measure deploys a Cross-Circuit Conflict Representation Pilot Program in stipulated Offices of the Public Defender and Criminal Conflict and Civil Regional Counsel, while increasing the statutory caps for certain flat fees in criminal cases. 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.

The House passed the bill on April 11th, but did not agree to the bill as passed by the Senate. Subsequently, the bill was taken up by the Conference Committee on House Justice Appropriations/Senate Criminal And Civil Justice Appropriations with final agreement reached on April 23rd. 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;
- ◆ Create a Cross-Circuit Conflict Representation Pilot Program including Public Defender Offices in 6th, 9th, 10th, and 13th Judicial Circuits and the Offices of Criminal Conflict and Civil Regional Counsel in the 2nd and 5th Regions;
- ◆ Increase trial level fee caps from \$2,500 to \$6,000 for a noncapital, nonlife felony; and from \$15,000 to \$25,000 for a capital case; and
- ◆ Increase fee cap for appellate representation from \$2,000 to \$9,000.

### House Bill 1327 and Senate Bill 1628 — Regarding Government Accountability

House Bill 1327 requires certain department heads, the Supreme Court, Florida Clerks of Court Operations Corporation, Justice Administrative Commission, each State Attorney and Public Defender, Criminal Conflict and Civil Regional Counsel, Capital Collateral Counsel, Guardian ad Litem Program, local governmental entities, and governing bodies of charter schools to establish and maintain certain internal controls. On April 29th, the measure was on second reading in the House.

## 2014 Florida Legislative Bills of Interest

### House Bill 5303 — Relating to Executive Clemency

**H**ouse Bill 5303 (formerly PCB JUAS3) was filed on March 19 by Representative Charles McBurney of the Justice Appropriations Committee on March 19, 2014 and passed by the Florida House on April 3, 2014. Making major changes to clemency proceedings, the bill 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 are 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.

The Senate subsequently passed their version of the bill (Senate Bill 2508), also on April 3rd, making it necessary for differences to be resolved through conference proceedings. It appears that the bill has been agreed to in conference.

The bill would be effective on July 1, 2014.

### Senate Bill 146 — to Student Loans

**S**enate Bill 146 was filed on September 5, 2013 by Senators Jeremy Ring and co-sponsor Jack Latvala; and, as of April 30th, has not moved out of the Education, Judiciary, and Appropriations Committees, and the Appropriations Subcommittee on Criminal and Civil Justice. Effective July 1, 2014, the measure establishes 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 has received no traction during this session.

*Source: Florida Senate*



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

## Organization (Org) Codes — By Human Resources and Financial Services

**W**hat is an Organization (Org) Code? In FLAIR accounting terms it is a combination of numeric values that define organizational structures within an agency (e.g. 21 30 00 00 705). The Organization Code is an essential element in FLAIR accounting to ensure that accounting activities are recorded to the correct budgets. Because so many entities fall under the Justice Administrative Commission (JAC) umbrella, there are many Organization Codes needed in FLAIR to define each office's budget(s).

Some time long, long, ago and far away, Organization Codes on JAC's employee payroll records became detached from the Organization Codes used by FLAIR accounting. This detachment has caused issues when recording the payroll charges in FLAIR (accounting). Every month, JAC staff use a process for "pulling in" and recording payroll costs to the correct accounting Organization Codes. It would be much more efficient to have the same Organization Code on payroll and accounting transactions. By matching up the Organization Codes, the transfer of information between JAC and the Department of Financial Services will flow more effectively. Also, it will greatly reduce, if not eliminate, the need to manually "crosswalk" payroll totals between People First and FLAIR accounting.

Many offices have noticed this detachment; the Organization Codes on the payroll reports don't match the Organization Codes on the accounting reports. To respond to those of you who have noticed the disconnect, JAC recently initiated a pilot project in an effort to match up the Organization Codes used for payroll and accounting purposes. As of this writing, two circuits have had their Organization Codes reconciled, and a third is being worked on. The cleanup process follows these steps:

The circuit determines the desired accounting Organization and Organizational titles they want to use for their OPS and salary payments, and the appropriate fund type (trust fund or general revenue). Generally, the Organization and fund needed are found on the Account Code list provided by Vicki Nichols.

JAC will then complete a mass upload template provided by the Department of Management Services (DMS).

JAC will schedule and submit the upload template to DMS which will run with a specified payroll. Please note, the Organization Code clean up will not affect your rate in any way.

Early results have been very positive. As the cleanup is labor intensive for JAC Payroll staff, we prefer to work with one circuit at a time as we approach the end of the fiscal year. However, starting with Fiscal Year 2014-15, we will look to update multiple circuits with each monthly payroll. If you would like to get on the list for the Organization Code cleanup, or have questions, please contact Jamie directly at [Jamie.Johnson@justiceadmin.org](mailto:Jamie.Johnson@justiceadmin.org).

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Vicki Nichols will help guide JAC through the object code conversion process.



*Vicki Nichols is the Financial Services Administrator at JAC.*

## A very special photo indeed!



Janet Laing, mother of Jessica Kranert, is shown above being presented an award by the late Governor Reubin Askew in 1978 (the year Jessica was born) at the former Florida Department of Labor. Mrs. Laing worked for 28 years in Unemployment Compensation Tax Collection with the Department of Labor before this function was transferred to the Department of Revenue, where she transferred and later retired after 32 years of service with the state of Florida. Thank you for sharing this photograph with us Jessica.

*Complements of Jessica Kranert*

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## JAC Active Shooter Training — By Barbara Siplin

On Friday, April 4, 2014, JAC staff—along with staff from other agencies housed in the City Centre Building—attended an Active Shooter training course conducted by a staff member of the U.S. Marshal's Office. This training provided useful information on how to survive an active shooting event.

For those of you that did not have the opportunity to attend or if you would like to revisit similar aspects of Friday's training, please view the YouTube video RUN.HIDE.FIGHT. Surviving an Active Shooter Event (City of Houston) (2012) <http://www.youtube.com/watch?v=5VcSwejU2D0>.





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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.

Currently, we are continuing our efforts to include more sections of JAC into Laserfiche. Next in line is Human Resources. We will also be looking into expanding the automation of Revenue Accounting by allowing the circuits to electronically submit their documents to this section. However, before we can begin these efforts we must complete the archiving process. This effort is three quarters of the way completed, and hopefully will be finished before the new fiscal year.

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

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*Failures to heroic minds are the stepping stones to  
success.*

*~Thomas Chandler Haliburton~*

## 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.*