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Happy 4th of July
 from JAC!



THE JAC EXPRESS

State of Florida

Volume IV, Issue 3

A Word From JAC's Executive Director

The most recent Justice Administrative Commission (JAC) meeting was held on June 25, 2014. The agenda included the Executive Director's Report, as well as legislative, court-appointed, and object code updates. The Executive Director's Report detailed developments regarding staff training; employee evaluations and transitions; JAC's Strategic Plan and internal/external surveys; Court-Appointed Due Process Funds; Year End, Financial Statement, and Budget Workshops; and the review of JAC's statutory authority. The agenda also included a legislative update regarding attorneys for children with disabilities, court-appointed counsel, counsel in proceedings for executive clemency, the *General Appropriations Act*, the expansion of public records exemptions, annual ethics training requirements, and the creation of the Agency for State Technology.

Legislation addressing legal representation for children with special needs (House Bill 561) garnered special interest for JAC during this past session based on the significant financial and workforce impact. The bill was signed by Governor Scott on June 25, 2014. Further details on this and other bills of interest are highlighted on pages 2-7.

With the May 2, 2014 close of session, overall state legislators settled on a budget of \$77 billion on April 29th. *The General Appropriations Act* was subsequently approved by the Governor on June 2, 2014.



Rip Colvin
JAC Executive Director

Year End\Financial Statement & Budget Workshops

JAC's annual Year-End Meetings were held May 28-29, 2014. These meetings provided agency administrative staff with information and deadlines for closing out the current fiscal year and beginning the next fiscal year. Topics/subject areas of the meeting included operations and due process accounting, certified forwards, financial statements, budget transfers and amendments, and Human Resources issues – such as salary rate restrictions and payroll processing.

JAC's annual Financial Statement Workshop was held June 17, 2014. These meetings provided agency administrative staff with information and deadlines for completing financial statement forms used by the Department of Financial Services in compiling information that is not otherwise available in the Florida Accounting Information Resource (FLAIR).

In August, JAC will hold its annual Budget Workshops.

These meetings are also 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.

All offices are invited to have staff attend these meetings at JAC. We will also continue to conduct the meetings via WebEx (over the internet) which includes a teleconferencing component. This service has been successfully utilized by the majority of the offices we serve.

Operational Audit

Several agencies within Department 21 – Justice Administration (including SAs, PDs, RCs, and JAC) are undergoing an operational audit by the Auditor General's Office (AG). AG staff's correspondence, both agency specific and statewide, has primarily been directly to circuit offices. The date for release of the audit findings is unknown at this time.

Object Codes

Finally, an update on the standardization of object codes by the Department of Financial Services (DFS) is provided on page 8. 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.

Recent Or Developing Federal Issues — Source: CSPAN

The U.S. House-Senate Conference Committee on Veterans' Health Care met on June 24, 2014 to resolve differences between their bills to improve health care access for veterans and to improve VA accountability. U.S. Rep. Jeff Miller, R-FL, is the Veterans' Affairs Committee Chair.

2014 Florida Legislative Bills of Interest

House Bill 7073 — 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 bill also abolishes the Agency for Enterprise Information Technology, transfers 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 bill, “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 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.

This law will be effective July 1, 2014.

Source: Florida Senate

2014 Florida Legislative Bills of Interest

House Bill 5005 — 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 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. This adjustment is based on the 2013 Actuarial Valuation.

Source: Florida House

Senate Bill 238 — 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.

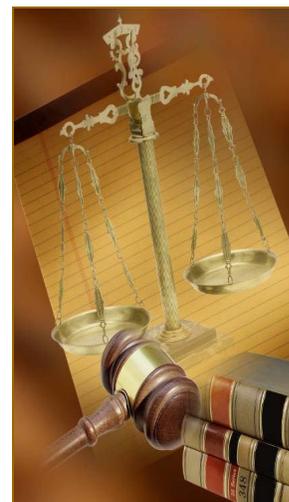
The bill was signed by the Governor on June 20, 2014 (ch. 2014-172, L.O.F.) and will be effective October 1, 2014.

Source: Florida House and Senate

Senate Bill 846 — 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 imposes 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

Senate Bill 2510 — 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 takes effect July 1, 2014

2014 Florida Legislative Bills of Interest

House Bill 561 — 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 will be 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*



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2014 Florida Legislative Bills of Interest

House Bill 5303 — 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 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.

Under the terms of this bill, “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 will take effect on July 1, 2014. *Source: Florida House*

Senate Bill 146 — 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

2014 Florida Legislative Bills of Interest

House Bill 1327 and Senate Bill 1628 — Government Accountability — DIED

House Bill 1327 and Senate Bill 1628 would have required certain department heads, the Florida Supreme Court, Florida Clerks of Court Operations Corporation, the *Justice Administrative Commission (JAC)*, *each State Attorney and Public Defender, Criminal Conflict and Civil Regional Counsel, Capital Collateral Counsel, the Guardian Ad Litem Program*, local governmental entities, and governing bodies of charter schools to establish and maintain specified internal controls. Earlier versions of both bills would have created an Office of Inspector General (IG) within the JAC and each agency it supports, while directing the JAC Chair to appoint the IG within these offices. Due to conflicts of interest and cost concerns raised by JAC's Executive Director and judicial agency heads, the Legislature removed these provisions. Ultimately, neither of these bills was successful.

Senate Bill 1110 — Regarding Deferred Compensation — DIED

Senate Bill 1110 died in the Governmental Oversight and Accountability Committee on May 2, 2014. The measure would have required that state employees be automatically enrolled in the Deferred Compensation Program by stipulated dates. Although employees would have been given the opportunity to opt out, under the terms of the bill, each *state agency* — which was broadly defined — would have been required to inform employees of their automatic enrollment, as well as partially match contributions made by participants. *Source: Florida Senate*

Senate Bill 1114 — Regarding Retirement — DIED

An attempt to make changes to the Florida Retirement System for new employees via Senate Bill [1114](#) was not successful during the 2014 Legislative Session. The bill would have made changes to the Florida Retirement System (FRS) for members initially enrolled in the FRS on or after July 1, 2015 by:

- ◆ Mandating that members of the Elected Officers' Class, other than those members of the Judicial Officers Subclass, could only join the Investment Plan;
- ◆ Changing the default for members who did not affirmatively choose a plan from the Pension Plan to the Investment Plan;
- ◆ Closing the Senior Management Service Optional Annuity Program to new members; and
- ◆ Changing the vesting period in the Pension Plan from 8 to 10 years.

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.

Object Codes Update — By Vicki Nichols

The Justice Administrative Commission (JAC) was informed of the Department of Financial Services (DFS) “Object Codes Standardization Project” in the DFS Administrative Directors’ meeting held March 28, 2014. They have proposed “rolling-up” object codes in FLAIR (state accounting system) into more general classifications and standardizing object codes across all agencies. This would radically change the way agencies track expenditures in FLAIR.

As an example, JAC currently tracks court reporting by service type (e.g. appearance fees, deposition transcripts, appeal transcripts, travel, etc.) using separate distinguishing object codes. The proposal made by DFS would have JAC use one overarching object code for “court reporting” in FLAIR. Consequently, JAC’s ability to report expenditure detail to the Commission, Legislature, Florida Prosecuting Attorneys Association, Florida Public Defender Association, and other entities will be greatly impacted if the DFS project is implemented.

With the help of staff in the offices administratively served by JAC, an Impact Statement was presented to DFS on May 16 requesting 35 object codes, mainly related to due process and travel, be retained for use by JAC entities. Subsequently, JAC staff met with DFS staff on June 24, 2014 to discuss our impact statement and requests. DFS agreed to allow JAC to retain a small number (12) of the due process object codes, but none related to travel.

JAC has begun forming a workgroup from the staff in the offices administratively served to work on this issue. So far, seven staff have volunteered to participate in the workgroup representing five Public Defender offices (PD1, PD2, PD11, PD13 & PD15) and one State Attorney office (SA10). The workgroup will assist in formulating a plan for capturing the level of detail needed for future reporting of expenditures and to enable effective decision-making going forward. More information will be forthcoming in the near future on this issue.

FLAIR Facts & Fiction — By Vicki Nichols

“Cracking the Codes”

The secret to success when dealing with FLAIR is “cracking the codes” or better stated, understanding the codes. FLAIR codes are a language unto themselves. It is very much like learning a foreign language when attempting to understand the FLAIR codes. It takes time.



FLAIR has object codes, general ledger codes, organization codes, transaction codes, category codes, budget entity codes, and many, many more.

When the Legislature appropriates funding to agencies and the entities within each agency, that funding is “translated” into numeric codes in FLAIR. For example, the Justice Administrative Commission is appropriated a certain dollar amount in expenses and a certain amount in contracted services each year from the General Revenue Fund. In addition, JAC is appropriated a certain amount in expenses in the Grants and Donations Trust Fund. Each of these appropriations has a unique 29-digit account code. The account codes are as follows for each of the examples mentioned:

FLAIR 29-Digit Account Code	Description
21 10 1 000069 21300800 00 040000 00	Justice Administrative Commission Expenses (General Revenue)
21 10 1 000069 21300800 00 100777 00	Justice Administrative Commission Contracted Services (General Revenue)
21 20 2 339040 21300800 00 040000 00	Justice Administrative Commission Expenses (Grants and Donations Trust Fund)

When broken down into its elements, the FLAIR 29-digit account code defines the type of fund & appropriation.

29-Digit Code	21	10	1	000069	21300800	00	040000	00
Abbrev	L1	GF	SF	FID	BE	IBI	CAT	YR
Code Description	Level 1- Identifies the agency; all entities within JAC are assigned 21	GAAFR Fund - Governmental Accounting, Auditing & Financial Reporting (identifier) 10=General Fund	State Fund Type/ Financial operations of the state to be maintained via SFs. 1= General Revenue	Fund Identifier- uniquely identifies a fund within a SF. 1 st 3 digits assigned by the legislature; 2 nd three by DFS & agency	Budget Entity- established by the legislature to identify individual programs within each agency 21300800 =JAC	Internal Budget Indicator- used to further break-down the BE. Not used by JAC or any entities within JAC; always 00 for JAC	Category or Appropriation Category- Sub-defines approp. made to a BE 040000= expenses	Year- Always 00 for JAC. Used to identify funding year for multi-year approp.

Each office under the umbrella of Justice Administration is a separate “program” in legislative terms and therefore each has their own 29-digit account codes.

The 29-digit account code, in conjunction with the FLAIR organization code and object code, are the major elements of most accounting transactions in FLAIR. These codes ensure that budget, expenditure, and revenue transactions are recorded to the proper funds.

Kudos to JAC Staff

Points of Interest — JAC's Newsletter for Attorneys and Due Process Providers

JAC staff recently completed and published JAC's first newsletter for attorneys and due process providers, titled *Points of Interest*. *Points of Interest* was posted on JAC's website on June 2, 2014. Since *Points of Interest* was posted, JAC has received several positive comments from attorneys and due process provider such as, "Thank you — what a great idea!" and "Excellent idea."

Thanks to all members of JAC staff that participated in creating and publishing *Points of Interest*. If anyone has suggestions, articles, or ideas for the next issue of *Points of Interest* (to be published in December 2014), please contact Christian Lake or Cris Martinez.

Christian Lake, J.D.
Assistant General Counsel





**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

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.

We recently upgraded Quickfields which is the program that processes scanned documents. This upgrade came about because a circuit is now submitting their batch sheets via the web, and we receive them as a PDF document. The previous version of Quickfields was not able to read this document type, and would cause all kinds of havoc. The new version, however, can read PDF documents and convert them into TIFF type documents during the scan processing session. As a result of this new efficiency, the Mailroom is no longer having to check their incoming folders for PDF's. However, they will continue to conduct quality reviews of each document as they always have. This is producing major savings in their time.

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:

Lydia R. Mount, Editor
Executive Office
Justice Administrative
Commission

Phone: (850) 488-2415
Ext. 224

Or

Lydia.Mount@justiceadmin.org

*One can choose to go back toward safety or forward
toward growth. Growth must be chosen again and
again; fear must be overcome again and again.*

~Abraham Maslow~

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.*