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State of Florida

Volume V, Issue 2

A Word From JAC's Executive Director



Rip Colvin
JAC Executive Director

In a surprising move, the Florida House ended its session three days ahead of schedule on Tuesday, April 28, 2015. This means that lawmakers must return to Tallahassee for a Special Legislative Session to pass a budget before July 1. Due to an impasse over Medicaid spending, the Florida Senate and House are still \$4 billion apart on their budgets. JAC is monitoring this critical issue. Meanwhile, the Florida Senate is still in session and continues its work.

The last Justice Administrative Commission (JAC) meeting was held on March 3, 2015 — the first day of the Legislative Session. The agenda included the Executive Director's Report; a review of JAC's statutory authority and requirements, as well as other laws impacting JAC; a legislative update; JAC and GAL Pay Plan Revisions, and a general topic discussion. Updates to the Executive Director's Report are highlighted below.

Grant Agreements
 JAC was notified December 4, 2014, that the Department of Financial Services (DFS) initiated a review of selected grant agreements and related grant management activities of the JAC. Additionally, two offices administratively served by JAC, including the Offices of Public Defender, 13th Judicial Circuit and State Attorney, 10th Judicial Circuit, were reviewed. After two meetings with JAC staff, DFS conducted an exit conference with JAC on March 2, 2015.

The DFS review focused on contract managers' enforcement of contract terms and conditions, review and documentation of deliverables, and written certification for receipt of goods and services. The findings were minimal.

BOMS/STAC Agreements

JAC staff, working with staff from the Offices of the State Attorney, 10th and 20th Judicial Circuits, staff from the Office of the Public Defender, 13th Judicial Circuit, as well as staff from the Attorney General's Office have been meeting over the past couple of months to review the BOMS (Business Office Management System) and STAC (Case Management System) Licensing Agreements and annual Maintenance Contracts between Justice Administration entities and Computer Information and Planning, Inc. (CIP). As mentioned previously, the review has focused on the expected deliverables, as well as other elements typically contained within software contracts, in order to bring these Agreements in line with current best business practices.

Currently, Draft Agreements are near finalization and have been shared with all of the agencies of Justice Administration that use BOMS or STAC. It is anticipated that discussions on the Licensing Agreements and Annual Maintenance Contracts with CIP will begin in the next few weeks.

Object Codes

The Object Codes Standardization Project initiated by the Department of Financial Services requires all state agencies to "roll-up" object codes in the state

accounting system (FLAIR). Please see [page 6](#) for updated developments.

Human Resources

JAC's Human Resources Section conducted a special training session for all JAC employees, covering a range of vital topics. Included on the agenda was: Employee Handbook highlights, JAC's new background check policy; other key policies (e.g., ADA, harassment, EEO, gifts, fraud, Wi-Fi, social media, and confidentiality); and security. Tagged as "JAC Day," employees were able to attend this session on either March 4th or 5th.

JAC is also planning to host a GoToMeeting Training Session on May 12, 2015, at 10:00 a.m. on Financial Disclosures (Form 1) for the agencies we administratively serve. The training will be presented by staff at the Florida Commission on Ethics. Recent changes in the law and common mistakes will also be highlighted.

JAC Surveys

In an effort to provide excellent service delivery, our goal is to ask our stakeholders how we can improve through internal and external surveys and honest dialogue. JAC conducted our fourth Annual Internal Survey April 21-28, 2015 with all but three members of our staff responding.

External surveys were also launched during the last week in April to all agencies, Court-Appointed Attorneys, and vendors served by JAC. We value your views about our services and are dedicated to the pursuit of continued process improvements.

We hope that you, and other members of your team, will take the time to respond to JAC's 2015 [Survey](#) for Agencies Served.

2015 Florida Legislative Bills of Interest

Senate Bill 150 Update — Has Not Moved



*Senate Bill 150
addresses law
school student
loan relief in
Florida.*

*Source:
Florida Senate
and Florida
House*

Senate Bill [150](#), sponsored by Senator Jeremy Ring, creates s. 43.45, F.S., which requires the Justice Administrative Commission (JAC) and the Office of the Attorney General to develop and launch a student loan assistance program on behalf of career Assistant State Attorneys, Assistant Public Defenders, Assistant Attorney Generals, or Assistant Statewide Prosecutors in their repayment of specified student loans. The bill never moved out of the Appropriations Subcommittee on Criminal and Civil Justice. The measure establishes administrative requirements of the program, stipulating that the administering party will be responsible for making payments to eligible attorneys based on their length of service and the availability of funds. Provision is also made for funding in this bill, while requiring JAC and the Office of the Attorney General to develop the actual procedures that will be used to administer the program. An effective date of July 1, 2015 is provided.

Section 1. This section creates s. 43.45, F.S., regarding a Student Loan Assistance Program and clarifies the manner in which the Program will be administered. In s. 43.45(1)(a), F.S., “Administering body” is defined to mean:

The Justice Administrative Commission if the eligible career attorney is an Assistant State Attorney or Assistant Public Defender.

The Office of the Attorney General if the eligible career attorney is an Assistant Attorney General or Assistant Statewide Prosecutor.

Section 1 also provides additional definitions and clarifications. “Eligible attorney” means an Assistant State Attorney, Assistant Public Defender, Assistant Attorney General, or Assistant Statewide Prosecutor; and “eligible career attorney” means an eligible attorney who has completed at least three years [*three years and one day*], but not more than 12 years, of continuous service as an eligible attorney. “Eligible student loan” is also defined with language that expressly prohibits loans that are in default. Loans must be issued pursuant to the *Higher Education Act of 1965*, as amended, to help fund law school education. The definition for “Employment Anniversary” is clarified to mean the date that an eligible career attorney begins employment within the context of this bill. The JAC, as one of the administering bodies, is required to implement a student loan assistance program for eligible career Assistant State Attorneys and Assistant Public Defenders. The manner in which the JAC shall administer the program is further detailed, indicating that the eligible career Assistant State Attorney or Assistant Public Defender must submit, to his or her employer, a certification affidavit within 30 days following the applicable employment anniversary. After execution of the certification affidavit by the employer, the employer shall submit the affidavit to JAC within 60 days after the most recent employment anniversary date of the eligible career Assistant State Attorney or Assistant Public Defender. Upon receipt of a certification affidavit from the Office of the State Attorney or Public Defender, the JAC shall make the following maximum payments:

Three thousand dollars if the eligible career Assistant State Attorney or Assistant Public Defender has at least three years, but not more than six years, of continuous service; or

Five thousand dollars if the eligible career Assistant State Attorney or Assistant Public Defender has more than six years, but not more than 12 years, of continuous service.

Payments must cease upon totaling \$44,000 per eligible attorney or upon full satisfaction of the eligible student loan—whichever comes first. If implemented, this section also permits this student loan assistance program to be funded annually based upon an appropriation in the General Appropriations Act. A similar measure, House Bill 45, was filed by Representative Dave Kerner on November 26, 2014. Neither of these bills has gained traction this session.

2015 Florida Legislative Bills of Interest

Senate Bill 1372 Update — Died

Senate Bill [1372](#) relating to government accountability was introduced on February 25, 2015 by Senator Don Gaetz. The bill was placed on third reading on April 27, 2015 and passed unanimously. The measure amends s. 43.16, F.S., by requiring that the Justice Administrative Commission and all of the agencies it administratively serves (Offices of State Attorney, Public Defender, Criminal Conflict and Civil Regional Counsel, Capital Collateral Regional Counsel, and the State-wide Guardian ad Litem Program) establish and maintain robust internal controls as stipulated. A similar measure, House Bill 1063, was filed on February 25th and was placed on the calendar on April 16, 2015. Both bills require control measures that will:

- Prevent and detect fraud, waste, and abuse;
- Promote and encourage compliance with applicable laws, rules, contracts, grant agreements, and best practices;
- Support economic and efficient operations;
- Ensure reliability of records and reports; and
- Safeguard assets.

Section 1 amends s. 11.45(1)(a), F.S., to define and clarify that, “Abuse is behavior that is deficient or improper when compared with behavior that a prudent person would consider reasonable and necessary operational practice given the facts and circumstances. The term includes the misuse of authority, or position for personal gain, or for the benefit of another. This section further adds s. 11.45(1)(e), F.S., to define and clarify that, “Fraud means obtaining something of value through willful misrepresentation, including, but not limited to, the intentional misstatements or omissions of amounts or disclosures in financial statements, theft of an entity’s assets, bribery, or the use of one’s position for personal enrichment through the deliberate misuse or misapplication of an organization’s resources.”

As of April 28, 2015, the bills are dead.

Source: *Florida Senate*

House Bill 549 — Regarding Membership Associations

House Bill [549](#) was filed on February 2, 2015 by Representative Manny Diaz. The bill defines a membership association and requires its membership to file an annual report with the Legislature. For those who were monitoring this bill, it is significant to note that the Justice Administrative Commission was removed from this measure through a committee substitute on March 23, 2015.

Source: *Florida House*



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.

2015 Florida Legislative Bills of Interest

Senate Bill 7020 — Relating to Corrections — Died



Intended as a corrections reform measure, Senate Bill [7020](#) was filed by Senator Greg Evers on January 26, 2015 and assigned to the Criminal Justice, Appropriations Subcommittee on Criminal and Civil Justice, and the Appropriations Committees. Included among several major components, the bill created the Florida Corrections Commission within the Justice Administrative Commission (JAC), and would have required JAC to provide administrative services to the Corrections Commission.

A strike-all amendment by the House changed the bill substantially, removing the creation of an independent oversight commission and an appropriation of \$1.3 million. As of April 29, 2015 the bill is dead.

Source: Florida Senate

Senate Bill 7020, the Corrections reform bill, is dead.

Source: Florida Senate and Florida House



2015 Florida Legislative Bills of Interest

Senate Bill 1540 — Costs Regarding the Dismissal of Criminal Charges

Senate Bill [1540](#), sponsored by Senator Greg Evers, was filed on February 26, 2015 and referred to the Criminal Justice Committee. It has not moved. Senate Bill 1540 creates s. 939.061, F.S., to address costs that are associated with the dismissal of criminal charges, by allowing criminal defendants, who prevail under immunity provisions as stipulated in s. 776.032, F.S., to be awarded indicated costs and attorney fees

Creating a direct policy impact to JAC, Senate Bill 1540 requires JAC to both audit and approve reimbursement requests that are associated with the dismissal of criminal charges through successful immunity claims, pursuant to s. 776.032, F.S.

The bill details a procedure for submitting reimbursement requests and requires reimbursements to be paid from the operating trust fund of the State Attorney who prosecuted the case, while limiting the amount of the award.

The bill gained no traction during this Legislative Session.

Source: *Florida Senate*



House Bill 4003 — Regarding the Death Penalty — Has Not Moved

House Bill [4003](#), sponsored by Representative Michelle Rehwinkel Vasilinda, was filed on November 21, 2014 and was referred to the Criminal Justice and Justice Appropriations Subcommittees, and the Judiciary Committee on December 19, 2014. The bill never moved out of the Criminal Justice Subcommittee.

Amending ss. 775.082, 27.51, and 27.511, F.S., the bill deletes various provisions regarding the death penalty for capital felonies, as well as provisions concerning “the effect” of a declaration by a court of last resort that the death penalty in a capital felony is unconstitutional. Additionally, the bill deletes provisions regarding capital collateral representation and, among other things, prohibits a death sentence on behalf of a mentally retarded defendant. Specifically, ss. 27.7001, 27.7002, 27.701, 27.702, 27.703, 27.704, 27.7045, 27.705, 27.706, 27.707, 27.708, 27.7081, 27.7091, 27.710, 27.711, and 27.715, F.S., are all repealed by this bill. The measure also addresses proceedings when an individual under a death sentence appears to be insane or pregnant and amends s. 119.071, F.S., by deleting a public records exemption for capital collateral proceedings. The effective date for this bill is July 1, 2015.

Source: *The Florida House*

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.

FLAIR Facts & Fiction — By Vicki Nichols, CPM

FLAIR Standardization of Object Codes Project



The Object Codes Standardization Project initiated by the Department of Financial Services (DFS) last year requires all state agencies to “roll-up” object codes in FLAIR (state accounting system) into more general classifications and to standardize object codes across all agencies.

For months, an Object Codes Workgroup comprised of staff from JAC and 14 offices within Justice Administration have been working to crosswalk the object code structure from old to new. A series of GoToMeeting sessions have been hosted over several months by JAC with attendees from 14 offices within Justice Administration to discuss these code changes and to determine the best codes to use for future payments. The Workgroup completed its work in January. The crosswalk was distributed to all Justice Administration offices in February. As offices have begun reviewing the crosswalk, a dialogue between various offices, the BOMS steering committees, and JAC has been ongoing so that a clearer understanding of the new codes, and their future use, could be communicated.

In addition to the GoToMeeting Sessions, grave concerns were raised by the representatives of the FPAA and FPDA regarding the proposed “Go Live” dates for state agencies that were communicated from DFS. Additionally, a concern was conveyed regarding the Substitute W9 registration requirements for information and evidence payments that DFS had indicated as a requirement when using the new codes. As a result of these concerns, a meeting was held with Christina Smith, Division Director, Division of Accounting and Auditing, at DFS to express JAC’s concerns. In attendance were representatives from SA10, SA11, and PD13, as well as Rip Colvin and JAC staff who presented the following:

1. Requested that JAC would delay the “Go Live” date for switching to the new codes to July 1, 2015, and DFS agreed.
2. Asked DFS to remove the substitute W9 requirement for information and evidence payments, and DFS agreed.

Several GoToMeeting Sessions to train office staff in using the new object codes and the crosswalk are planned for June prior to switching to the new object codes on July 1, 2015. Look for information about those sessions in May. Questions regarding object codes may be directed to Vicki Nichols at JAC at Vicki.Nichols@justiceadmin.org.

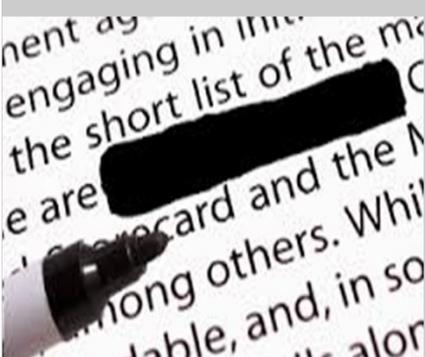
“The go-live date for Justice Administration will be July 1, 2015.”

Vicki Nichols



Public Records 101 — By Veronica Vasquez

As developments in technology continue to expand the use of digital correspondence, law firms, government agencies, and corporations receive a plethora of confidential and sensitive information. As such, pursuant to Article I, s. 24, Fla. Const., every person has a constitutional right to access public records unless a statutory exemption exists which prohibits disclosure of such information.



The records custodian must determine whether the requested record contains information that requires redaction. The very word, *redaction*, can make anyone flinch. Although redaction in a digital world can mean less information on paper, it can result in an increasing flow of information uploaded online. For example, problems can arise with the redaction of confidential information in electronic documents when attempting

to improperly hide confidential information with a colored rectangle; highlighting the information in black; or being unaware of hidden document metadata.

When redacting, please consider using Adobe Acrobat Professional or other redaction software to effectively, permanently and safely redact confidential information and metadata from electronic documents. Furthermore, if the requested record contains confidential information, then the records custodian must state in writing the basis for the redaction of such information by providing the citation that preserves its confidentiality. Please be cautious, what is considered confidential and sensitive today will continue to change throughout the years as access to information in a digital world continues to expand.

For a complete list of statutory exemptions, please refer to the Appendices and the Index in the *2015 Government-in-the-Sunshine Manual* for more information on what the law preserves confidential and exempt. Please note the *2015 Sunshine Manual* is now available on Kindle. If you do not own a Kindle device you may consider downloading the free Kindle app for your electronic device (PC, Mac, iPad, iPhone or iPod Touch). You may also consider downloading a PDF version of the *2015 Sunshine Manual* on Attorney General Bondi's website at <http://www.myfloridalegal.com/sun.nsf/sunmanual>.

If you are interested in submitting a Public Records Request to JAC, please contact:

Veronica Vasquez, Operations and Management Consultant
Office of the Executive Director
Justice Administrative Commission

The following communication options are available to you:

Phone (850) 488-2415, Extension 224

E-Mail Via Public Record Request or Veronica.Vasquez@justiceadmin.org
(For agencies served by JAC)

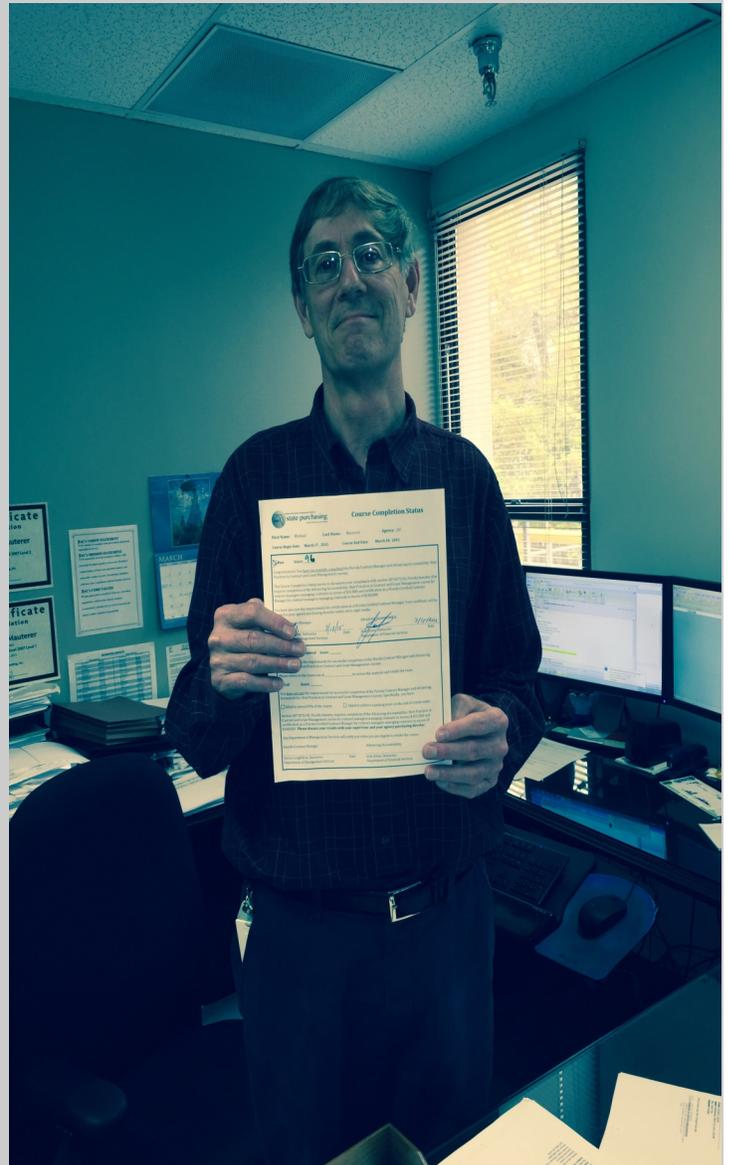
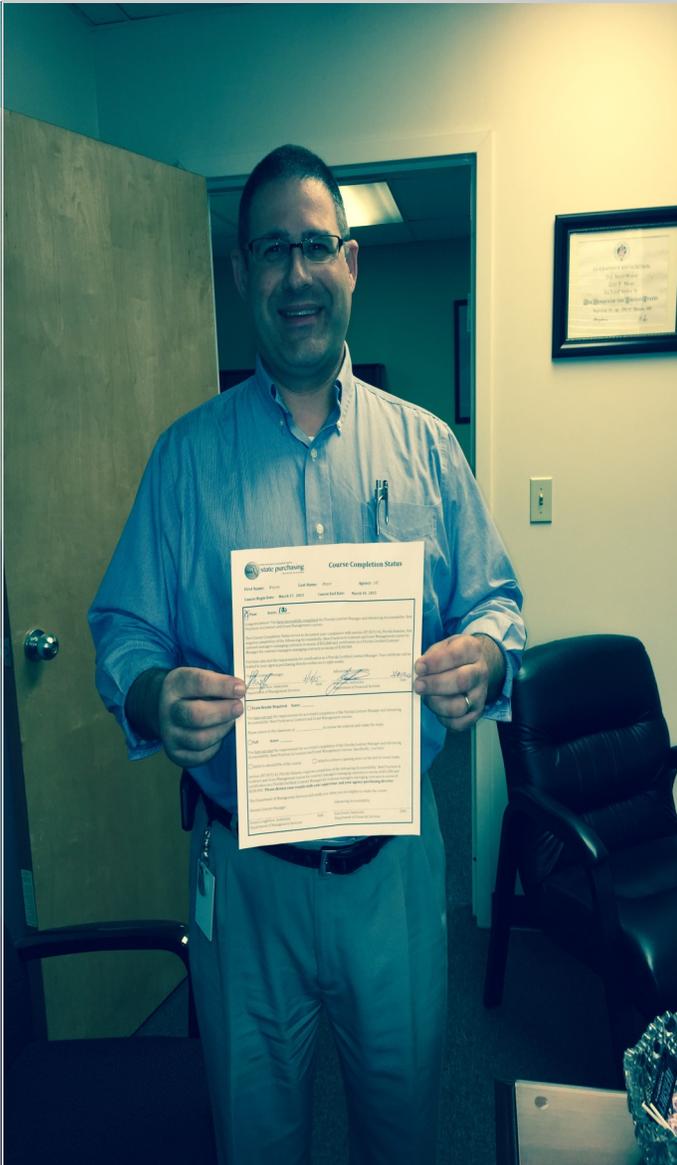
Facsimile (850) 488-9857



“As technology continues to develop, what constitutes a ‘public record’ will continue to take on increasingly different forms.”

Veronica Vasquez

JAC's Wayne Meyer and Michael Mauterer both passed the Florida Certified Contract Manager Test with flying colors! Congratulations to both of them for successfully completing this specialized training.



Photos are courtesy of Lydia Mount

Kudos to JAC Staff

JAC Congratulations

JAC extends congratulations to the following staff who transferred into new positions during March-April 2015:

Name	New Position	Transfer Date	New Section
• Cheryl Williams	Professional Accountant I	March 23	Operations
• David Kosinski	Professional Accountant I	March 30	Financial Services
• Emily Sanderson	Auditor	April 13	Court-Appointed
• Shawna Senko	Auditor	April 13	Legal
• Joseph Walker	Professional Accountant I	April 29	Accounting



Well Deserved Recognition

April 28, 2015 — *Thank you to the 81 members of JAC's staff who took the time to take our internal survey. The survey was lengthy, but purposeful, as it was linked to our Strategic Plan and many of our specific objectives. Your participation and feedback was very important.*

*Lydia Mount, JAC
Executive Office*

April 22, 2015 — *“Lydia, when I was so very sick and had never been through a Financial Fiscal Year-End, I called you and you helped me. You truly listened to me and calmed my fears. I will never, ever, forget your kindness and professionalism.”*

Renata Annati, SA17

April 15, 2015 — *I am pleased with the prompt, precise service I have received from the JAC representatives I have had the pleasure to speak with. The information provided is done with professional courtesy and without long delays. Again, thank you for your assistance in guiding me through the process.*

*Rockhard Investigations, Inc.
Miami, Florida*

April 9, 2015 — *I just finished with a hearing with Judge McGrady, Chief Judge in the Sixth Circuit, he commented, “It is such a pleasure to speak to your operator, she is always so pleasant and upbeat. It is so nice to speak to a person and not have to deal with a phone tree.”*

*Sharon L. Ray
Assistant General Counsel, JAC*

March 25, 2015 — *“Christian, Vicki, and all the rest (can some of you hear Gilligan's Island?), thanks for putting on the Quarterly Festivities today! It was a very nice spread!”*

Rip Colvin, JAC Executive Director

*Elaine Watson's retirement celebration was held on April 29, 2015.
What a lovely JAC spread!*



The photos are courtesy of Lydia Mount

Elaine Watson's Retirement Celebration
Elaine, shown with her family in the top photo, served JAC for 27 years.



The photos are courtesy of Lydia Mount



**State of Florida
Justice Administrative
Commission**

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

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Or

Lydia.Mount@justiceadmin.org

BOARDING THE EDMS TRAIN

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

The Revenue Accounting Section has “gone-live” with the new transmittal form submission via e-mail and imported into Laserfiche. Some internal “fixes” to the Revenue Accounting Workflow are being made to address the receipt of duplicate documents. We are also exploring ways to decrease the amount of printing by the Revenue Accounting Section.

Due-process vendor online billing is still under development. JAC’s IT Section is working closely with Court-Appointed staff to ensure the requirements for the new system are being met. Progress has been made and we are still targeting the end of May 2015 to deploy due-process vendor online billing.

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.”*

*“Many of the problems in life are because of two reasons:
We act without thinking or we keep thinking without acting.”*

~Unknown~

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.*