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Executive Director

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The JAC Express

State of Florida

Volume VIII, Issue 3

A Word From JAC's Executive Director



Rip Colvin
JAC Executive
Director

The most recent Justice Administrative Commission (JAC) Meeting was held on May 23, 2017. Included on the agenda were the Executive Director's Report, a Legislative Update, Legal and Court-Appointed Report, JAC Court-Appointed Contracts, and Classification Pay Plans and Salary Benefits Plans for JAC and the Offices of Criminal Conflict and Civil Regional Counsel. Updates on additional key issues are highlighted below.

Florida Budget

Senate President Joe Negron and House Speaker Richard Corcoran began budget negotiations on April 27, 2017 with an initial deal of \$83 billion. *The General Appropriations Act for Fiscal Year 2017-18* was ultimately signed by Governor Scott on June 2, 2017 with several line item vetoes and provides for a total budget of \$82.4 billion. JAC received an appropriation of \$6,423,986, which includes a base budget and funding for a formerly vacant HR position, as well as vital IT infrastructure needs. JAC also received \$86,118,908 in support of State Attorney and Public Defender Due Process, and Criminal Conflict Case Costs (including \$250,000 for Capital Resentencing). Also significant, for the second consecutive year, JAC received \$11,700,000 to fund juror costs, as stipulated in Senate Bill 2506. ([See page 2.](#)) As of June 27, 2017, Governor Scott has acted on all bills from both the 2017 Regular and 2017A Special Sessions.

Online Legal Research Update

During the past year, regular updates have been provided on the draft *Invitation to Negotiate* (ITN) document that was developed to provide reduced rates for online legal research services on behalf of the offices administratively served by JAC.

As previously reported, in November 2016, the Boards of the *Florida Prosecuting Attorneys Association* (FPAA) and the *Florida Public Defender Association* (FPDA) voted to pursue the ITN process for a consolidated online legal research service contract. In December 2016, the JAC authorized staff to pursue this effort. JAC contracted with the Office of the Attorney General to advise and guide us through this process.

The ITN was issued on February 24, 2017 and the negotiation phase concluded on April 28, 2017, with Final and Best Offers from the vendors.

On May 7, 2017, the JAC, on behalf of the FPAA and FPDA, posted a notice of intent to award a contract to LexisNexis, which was determined as the responsible and responsive Respondent to the ITN that will provide the best value to the Offices of Justice Administration.

Currently, JAC is in the process of finalizing contract terms and conditions with LexisNexis, in a contract which should run through June 30, 2020. Meanwhile, it is recommended that any renewals of existing contracts be coordinated to terminate on June 30, 2020, in order to maximize future bargaining opportunities.

Financial Statements

The Justice Administrative Commission hosted the *Fiscal Year 2016-17 Financial Statements*

Workshop for the Offices of State Attorney, Public Defender, Criminal Conflict and Civil Regional Counsel, Capital Collateral Regional Counsel, and the Statewide Guardian ad Litem Program on Thursday, June 8, 2017. As in the past, the Financial Statement PowerPoint Presentation (with links to forms), and all requisite Financial Statement Forms and materials, are electronically provided via [JAC's website](#).

Questions pertaining to the submission of forms and supportive documentation may be directed to David Kosinski at: David.Kosinski@justiceadmin.org.

Questions pertaining to State Property, Leave Liability, and Transfers In/Out may be directed to Lamar Bynum at: Lamar.Bynum@justiceadmin.org.

Questions pertaining to Receivables and Payables may be directed to Nona McCall, Deputy Director of Financial Services at: Nona.McCall@justiceadmin.org.

Finally, questions pertaining to Revolving Funds and general inquiries may be directed to Michael Mauterer, Director of Financial Services at: Michael.Mauterer@justiceadmin.org.

This year, JAC was especially excited to launch new procedures to facilitate the processing of Due To/From and Transfers In/Out financial statement information.

Statewide Travel Management

The Department of Management Services has delayed implementation of the Statewide Travel Management System due to Year-End activities. More information will be shared as we approach late summer or early fall.

Please accept JAC's best wishes for a safe and enjoyable July 4th!

Clerks of the Court & JAC Update



“JAC
supported
the
language
in Senate
Bill
2506.”

Senate Bill 2506 (*Chapter No. 2017-126, Laws of Florida*) was initially filed by the Senate Appropriations Committee on March 30, 2017, and was later passed, unanimously, by the Florida Senate on April 12, 2017. The bill was then referred to the Florida House, where it was amended and also passed unanimously. Differences in the Senate and House bills were resolved in conference and the legislation was ultimately signed into law on June 16, 2017.

Through provisions in this law, § 40.29, F.S., was amended and now requires JAC to provide funds to the clerks of court for certain jury-related cost — meals or lodging and eligible personnel and jury management expenses. The new law also requires the clerks of court and the Florida Clerks of Court Operations Corporation to submit quarterly estimates of indicated expenses to the JAC and details the procedures for distributing the funds to the clerks. The clerks must cover juror costs that exceed the \$11.7 million funding provided in the *General Appropriations Act for Fiscal Year 2017-18*.

A similar measure, House Bill 7051, filed by Representative Cord Byrd and the Civil Justice and Claims Subcommittee on March 8, 2017, also contained provisions related to jury management which would have negatively impacted operations at JAC. The bill was placed on the Special Order Calendar by the House on April 25, 2017 and passed by a vote of 80 to 33 on April 26, 2017. However, the bill was indefinitely postponed and withdrawn from consideration by the Senate on May 5 and died on May 8, 2017.

JAC supported the language in Senate Bill 2506, but had concerns with the language in House Bill 7051.

Senate Bill 2506 took effect upon becoming law.

*Submitted by Greg Cowan, MPA and
Lydia Mount, MPA*

*Sources: The Florida Senate and House
of Representatives*



Government Accountability & Travel Update

House Bill 479, an Act Relating to Government Accountability, was introduced on January 24, 2017 by Representative Larry Metz and died on May 8, 2017. The bill sought to amend § 43.16, F.S., by requiring that the Justice Administrative Commission (JAC) 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 Statewide Guardian ad Litem Program) establish and maintain robust internal controls, as stipulated. An identical measure, Senate Bill 880, was filed on February 10, 2017 by Senator Kelli Stargel and CS\SB 880, as amended, was passed unanimously by the Appropriations Committee on April 25, 2017. Like House Bill 479, this measure was indefinitely postponed, withdrawn from consideration, and ultimately died on May 8, 2017.

Both House and Senate bills were designed to:

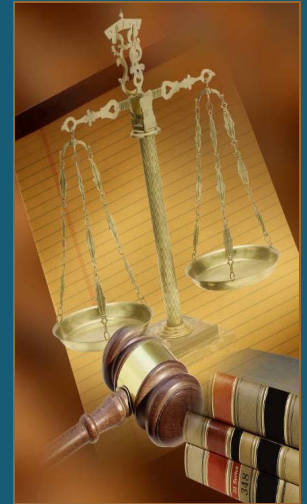
- Prevent and detect fraud, waste, and abuse as defined by § 11.45(1), F.S.;
- Promote and encourage compliance with applicable laws, rules, contracts, grant agreements, and best practices;
- Support economical and efficient operations;
- Ensure reliability of financial records and reports; and
- Safeguard assets.

The engrossed text for House Bill 479 and CS\SB 880 also sought to amend language for § 112.061 (6), F.S., as it pertains to per diem and travel expenses of public officers, employees, and authorized persons. The provision stated, “Actual expenses for lodging associated with the attendance of an employee of a state agency or the judicial branch at a meeting, conference, or convention organized or sponsored in whole or in part by a state agency or the judicial branch may not exceed \$150 per day. However, an employee may expend his or her own funds for any lodging expenses that exceed \$150 per day.” The bills also imposed a requirement that, “All agencies and the judicial branch must report public officer and employee travel information in the statewide travel management system...on a monthly basis and required the executive and judicial branches to use the statewide travel management system for travel authorization and reimbursement. The amended language, in both bills, clarified that, “A meeting does not include travel activities for conducting an audit, examination, inspection, or investigation or travel activities related to litigation or an emergency response.”

Although both bills died during the 2017 Legislative Session, proviso within Senate Bill 2500, the *General Appropriations Act for Fiscal Year 2017-18*, (Chapter No. 2017-70, *Laws of Florida*) and provisions within the *Implementing Act for Fiscal Year 2017-18* (Senate Bill 2502, Sections 57 and 58) address the same travel expense limitations contained in House Bill 479 and CS\880.

Senate Bill 2500 also states that quarterly reports must be submitted on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by the State Attorneys, Public Defenders, Capital Collateral Regional Counsels, Criminal Conflict and Civil Regional Counsels, executive directors, senior management employees, and division or program directors. Each quarterly report must include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization as required by SB 2502, Section 57 (*Chapter No. 2017-71, Laws of Florida*) and (f) total travel cost. The report is to be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor. **The first report is due on July 15, 2017, for the period of April 1, 2017, through June 30, 2017, and quarterly thereafter.**

Sources: *The Florida Senate and House of Representatives*



“Although House Bill 479 and SB 880 died during the 2017 Legislative Session, similar travel provisions were addressed by provisions within SB 2500 and SB 2502.”



Justifiable Use of Force Update



The Florida Senate and House of Representatives took up “Stand Your Ground” bills again this year.

Senate Bill 1052 (*Chapter No. 2017-077, Laws of Florida*), was initially filed by Senator David Simmons on February 20, 2017 and amends s. 776.013, F.S., regarding the justifiable use of force. Under the provisions of this bill, “A person who is attacked or threatened with the use of force in a dwelling, residence, or vehicle in which the person has a right to be has no duty to retreat and has the right to stand his or her ground by using or threatening to use force, including deadly force.” Additional specified restrictions and conditions apply. The bill was enrolled, as amended on May 5, 2017 and signed into law by Governor Scott on June 9, 2017. The bill took effect on July 1, 2017.

An identical measure, House Bill 677 was filed on February 7, 2017 by Representative Cord Byrd. CS\HB 677 was passed by the House Criminal Justice Subcommittee on March 28, 2017, and was taken up and amended by the Judiciary Committee on April 24, 2017. Senate Bill 1052 was ultimately substituted for House Bill 677.

By way of background, during the 2016 Legislative Session, Senate Bill 344, regarding the justifiable use or threatened use of defensive force, was filed on September 23, 2015 by Senator Rob Bradley and referred to the Criminal Justice, Appropriations Subcommittee on Criminal and Civil Justice, and Rules Committees.

As amended under Senate Bill 344 in 2016, § 776.013, F.S., provided that, “A person who is in his or her dwelling, residence, or vehicle has no duty to retreat and has the right to use or threaten to use force if he or she reasonably believes that using or threatening to use such force is necessary to prevent imminent death or great bodily harm or the commission of a forcible felony.” Ultimately, Senate Bill 344 was passed by the Senate and referred to the House Judiciary Committee, where it died on March 11, 2016.

Senate Bill 1052 and House Bill 677 were among the bills tracked by JAC during this past Legislative Session. *Sources: The Florida Senate and House of Representatives*

State Employees were impacted by the 2017 Legislative Session

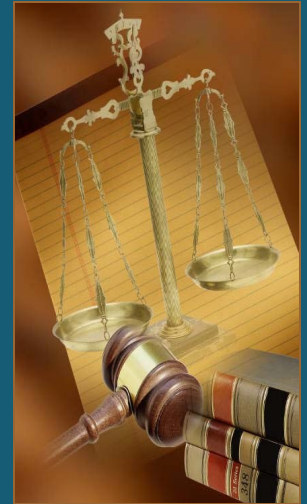
Effective October 1, 2017 – FTE (not OPS) employees whose base rate is \$40,000 or less will receive a \$1,400 salary increase. Employees whose base rate is \$40,001 will get a \$1,000 salary increase. “However, in no instance may an employee’s base rate of pay be increased to an annual amount less than \$41,400.” These are *not* bonuses.

Effective October 1, 2017 – The annual salaries for elected State Attorneys and Public Defenders will increase from \$154,140 to \$169,554 and the annual salaries for Regional Counsels will increase from \$105,000 to \$115,000.

Additionally, state employees can anticipate changes to health insurance plans, although the specifics will not be known for more than a year.

Finally, employees initially reemployed on or after July 1, 2017 who were members of the Investment Plan, but left state employment and took a distribution (and were therefore considered retired), will be re-enrolled as a renewed member in the Investment Plan upon return to state employment.

*Courtesy of Carolyn Horwich, Esq.
Director, Human Resources*



***“Non-OPS
State
employees may
expect a salary
increase
effective
October 1,
2017.”***

**Human
RESOURCES**



*Ethics
training
is
serious
business
in
Florida.*

State Constitutional Officer Ethics Training Requirement Reminder

State constitutional officers must complete a minimum of four hours of ethics training each year pursuant to s. 112.3142, F.S. For your convenience, the Florida Commission on Ethics maintains updated links to video and audio presentations on different ethics topics, such as the Code of Ethics, Post-Public Service Restrictions, Ethics Laws, Financial Disclosures Laws, Gift Laws and others at:

<http://www.ethics.state.fl.us/Training/Training.aspx>.

The training is required to include:

- Article II, Section 8 of the Florida Constitution
- Part III, Chapter 112, Florida Statutes (Code of Ethics)
- Public Records
- Public Meetings (Sunshine Law)

The Ethics Commission encourages newly elected officers to complete their initial training soon after they assume office. Officers should certify their compliance annually on the Ethics Commission's Full and Public Disclosure of Financial Interests form (Form 6, Part F - Training). If you have any questions concerning this requirement, please contact the Florida Commission on Ethics at (850) 488-7864 or www.ethics.state.fl.us.

By Ana Cristina "Cris" Martinez, J.D.
General Counsel
Justice Administrative Commission

“JAC Cares”

JAC employees have donated

681 Units of Blood

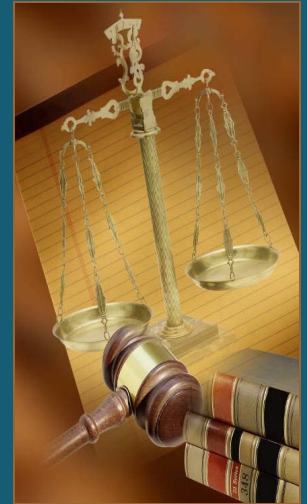
since March 16, 2010.



Click [here](#) to see how you can help.

(Source: oneblood of Tallahassee)

~Courtesy of Susie Kalous, JAC~



*JAC
employees
continue
to be
regular
blood
donors.*

Emergency Management Best Practices

by Greg Cowan and Wayne Meyer



“You want to exchange business cards prior to an emergency, not afterwards.”
Greg Cowan

Justice Administrative Commission (JAC) staff have been collaborating with staff at the Division of Emergency Management. As part of this collaboration, JAC staff are now receiving both *Daily Incident Reports* and *Morning Situation Reports* directly from the State Emergency Response Team (SERT). The information in these reports will help JAC staff stay informed during an emergency event, and the information in these reports will be shared to help the entities served by the JAC also stay informed.

This collaboration is part of the efforts associated with the previously distributed Justice Administrative Commission (JAC) Statewide Emergency Management Policies and Procedures. These policies and procedures are designed to assist the JAC and the entities served by the JAC in the event of an emergency with statewide implications.

It is recommended each of the entities served by the JAC also reach out to build and strengthen collaborative relationships with local emergency management entities and key stakeholders. These entities may vary locally but may include local emergency management directors, county sheriffs or other law enforcement, local courts, local clerks, and local fire/rescue professionals.

The goal is to build relationships that could be useful before, during, and after an emergency event. Calling for help or assistance or delivering help and assistance to someone who knows you, and you know, has proven to be more successful than making cold calls in the immediate aftermath of an event. That is, you want to exchange business cards prior to an emergency, not afterwards. This is one of the Key Elements of Court Emergency Planning and was stressed by the Florida Supreme Court Workgroup on Emergency Preparedness.

~Continued on next page~

Emergency Management Best Practices Continued

Finally, if, as a result of a storm, a Justice Administration office does suffer property damage that is covered by the state's property insurance policy, Wade Short, Operations Review Specialist from DFS, offers these reminders.

- **Storm-related Interior Damage:** In order for this to be covered by the Policy, the rain (or snow, sand, or dust) must first have penetrated the structure through an exterior opening caused by wind or hail damage. For example, if rainwater were to damage the ceiling under a poorly sealed roof, then any claim for this would not be covered by the Policy. In contrast, the same ceiling damage would be covered had the water first entered through an area of wind damaged (i.e., torn or missing) roofing shingles.
- **Prompt Reporting of Losses:** For any major loss (i.e., over \$50,000), plus any loss involving a reasonable opportunity for subrogation/recovery, that means within 24 hours of the occurrence. For everything else, please have them turned in within seven days. Conversely, soliciting estimates before you report the loss – thereby reducing DRM's chances of controlling the claim – is not the correct procedure. Any loss where late reporting leads to increased costs is subject to potential penalties.

Following is a link to the Property page of Risk Management that includes a link to the policy, as well as claim forms and contact information:

<http://www.myfloridacfo.com/Division/Risk/Property/Default.htm>

If you have any questions or concerns regarding these emergency management issues, please contact Greg Cowan or Wayne Meyer with the JAC at (850) 488-2415.



“Any loss where late reporting leads to increased costs is subject to potential penalties.”

Wade Short



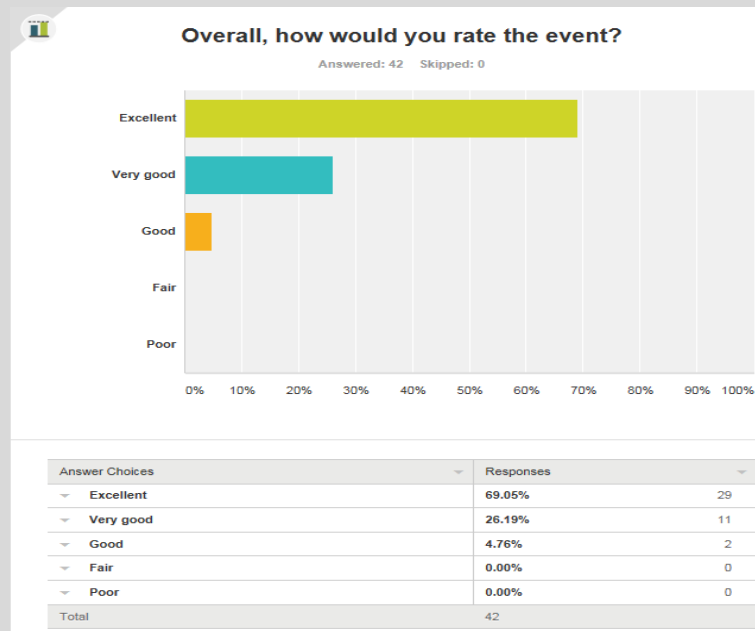
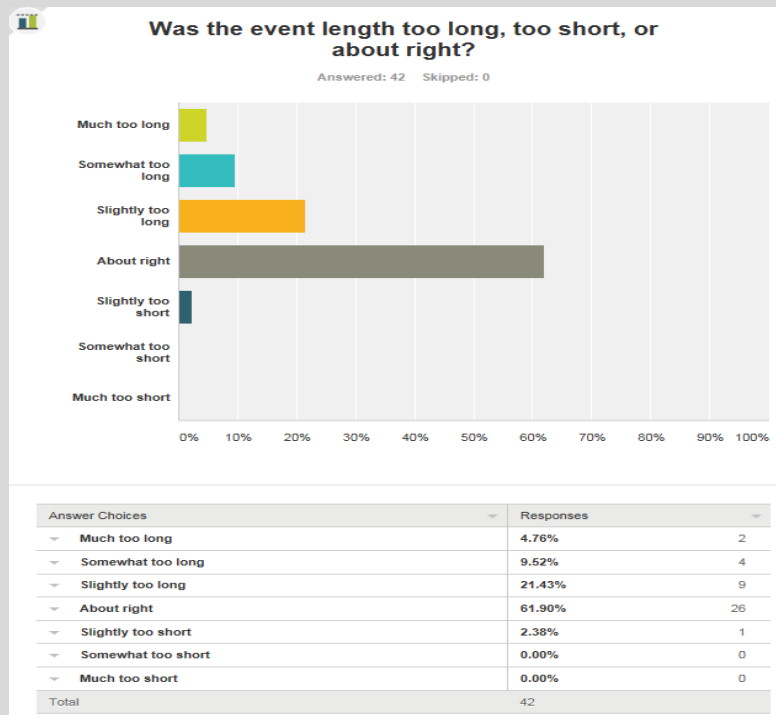
*Of the 42
respondents
to the Post
Connect and
Collaborate
Survey:*

*80.95% were Promoters
16.67% were Passives
2.38% were Detractors*

JAC 's 2017 Connect and Collaborate Conference

Survey Results By Lydia Mount, MPA

JAC was delighted to sponsor "Connect and Collaborate II" May 15-18, 2017 in Altamonte Springs, Florida on behalf of the agencies we serve. A survey was conducted following the conference to assess how we did. We received responses from 42 conference attendees and the results from two of the questions are shown below:



JAC Staff Attended the 25th Annual Sterling Conference in Orlando May 30 - June 2, 2017

*Photos
are
Courtesy of
Michelle Dolce.*



*Ongoing
training is vital
to
organizational
excellence.
Members of
JAC's staff
attended and
came away
from the 2017
Florida
Sterling
Conference
with valuable
training.*

Rip Colvin, JAC's Executive Director, attended the 2017 FGFOA Annual Conference in Hollywood, Florida.



Opening Session on June 26, 2017

JAC Departures, Arrivals, and Transitions



JAC extends best wishes to *Amber Moore* who has accepted a position with the Department of Management Services (DMS). Her last day at JAC in the Human Resources Section will be July 13, 2017 and she will start with DMS as a Project Manager with the Division of State Group Insurance on July 14, 2017. She will work with contracts, procurement, and state benefits related issues. Amber has been a treasured member of the JAC Team since March 15, 2010. She will be deeply missed.

Kelsey Leckinger transitioned from the Court-Appointed Section and has been overlapping with Amber since June 19, 2017.

Kale Stafford will be transitioning from the Court-Appointed Section to Human Resources on July 17, 2017 to fill the vacant position. Congratulations Kale!

Trent Gibson started with JAC as an OPS employee in the Human Resources Section on June 20, 2017. Welcome Trent!

Jared Grigas started with the Court Appointed Section as an intern on May 8, 2017.

Matt Martin started with the Accounting Section on May 22, 2017.

Finally, JAC also bids farewell to *Sharon Ray*. Sharon has served JAC as an Assistant General Counsel since October 12, 2009. Her prior dependency experience has assisted JAC Legal in developing and implementing procedures for Children with Special Needs appointments and serving as JAC's point person for these important representations. During her tenure, she has represented JAC in approximately 4,599 court-appointed attorney and due process service provider fee hearings. Her legal acumen, congeniality, and thoughtfulness will be sincerely missed. Sharon is retiring on July 14, 2017. We hope her retirement years are enjoyable, relaxing, safe, healthy, and filled with many more travel adventures. We wish you the best, Sharon!

Sharon's position has been filled by *Alicia Davis*, who will start with JAC on July 17, 2017.

Courtesy of Carolyn Horwich, Esq.

Director, Human Resources

and

Cris Martinez

JAC General Counsel

Well Deserved Recognition

June 29, 2017 — *“Thank you again to Christian Merricks, Shellie Shelton, Vicki Nichols, Sharon Ray, TaCorria Richardson, Elnora Brown, Terrence Joyce, Wayne Meyer, Jeanette Ottley, Lydia Mount, and Velicia Johnson for your special contributions to the Birthday and Anniversary Celebration for April, May, and June!”*

Rip Colvin
Executive Director, JAC



June 6, 2017 — Thank you to Jenny Sutton, Therese Usherwood, Susie Kalous, and Sandy Brooks for helping to chop, chip, and dice treats for our visitors on Tuesday, May 23 and Wednesday May 24 (Commission and Year-End Meetings).

Shellie Shelton, JAC



May 24, 2017 — Comment received about JAC’s Connect and Collaborate Conference: *“Everything was wonderful.”*

Leslie A. Steil
SA19

May 23, 2017 — *“I just wanted to let you know the new system is far superior to the old. Thank you for changing the way we submit invoices. You have made it easier.”*

Vendor from Venice, Florida

First Phase of JAC's Office Renovations



This photo was taken on May 15, 2017 by Wayne Meyer, JAC's Director of Operations.



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Justice Administrative
Commission**

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WE'RE ON THE WEB

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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. 223

Lydia.Mount@justiceadmin.org

(No names appear with photos.)

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 project for batch sheets to be submitted directly from BOMS to JAC is still in progress. CIP has asked that JAC provide them with an internal tracking number. So, JAC is working on a solution and approach to provide BOMS with this information.

The EDMS development for the Human Resources Section is progressing. They are still working on getting the active personnel files into Laserfiche. As of June 2017, they are on the letter "M". Remember, they started from the letter "Z"; so, they have finished scanning 13 letters.

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."*

"If you do what you always did, you will get what you always got."

~Anonymous~

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.).

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

JAC's Mission: *To support the entities we serve and Florida's judicial system with fiscal controls, best practices, and exemplary service.*

JAC's Values: *We take great pride in exemplary service, adaptability, honesty, integrity, and diversity, as well as respectful and ethical conduct.*