

Virginia Circuit Clerks Association (VCCA) Meeting
Compensation Board, Oliver Hill Office Building, Richmond, Virginia
January 12, 2006

VCCA Leadership Attendees:

- Linda Timmons, President
- Woody Lookabill, Vice President
- Chip Dicks, FutureLaw, L.L.C.

Compensation Board Staff Attendees:

- Bruce Haynes, Executive Secretary
- Robyn de Socio, Assistant Executive Secretary
- Wade Jewell, Budget & Finance Manager
- Meredith Farrar-Owens, Policy Manager
- Charlene Rollins, Customer Service Manager
- Lisa Carson, Senior Policy Analyst

1. Old Business

Bruce discussed Compensation Board actions resulting from the November 2004 meeting. As requested, a “Compensation Board Overview” document was prepared and disseminated to Clerks. In addition, the Compensation Board Policies and Procedures Manual was updated and made more “user-friendly”. Bruce also stated that the November 2002 response to the Wilder Commission had been placed on the website.

2. New Business – General Information

Considerable discussion took place regarding the relationship between VCCA leadership, Circuit Court Clerks and Compensation Board staff. It was agreed by all that the Clerks and the Compensation Board need to focus on specific issues and how best to work together to accomplish our goals. As incoming president, Woody indicated that he planned to “look forward, not back.” Specific issues of concern discussed included the COIN System (see Item #5) and the Technology Trust Fund (TTF). As an example of these issues, discussion took place regarding a recent exchange of emails between Clerks in which it was suggested that the Compensation Board asked to use TTF money to develop COIN, and that the Compensation Board should provide more training for Clerks on COIN. Bruce pointed out that both of these concerns had been addressed on a number of prior occasions, and that related documentation was made available for review on the Compensation Board website as a result. It was agreed that it would be appropriate for the VCCA leadership, and not Compensation Board staff, to respond to these matters; Linda Timmons agreed to do so in an email to all Clerks.

a. TTF - Chip and Linda stated that Clerks are concerned about the use of Technology Trust Funds. It was clarified that the General Assembly targeted use of the TTF, not the Compensation Board and that no expenditures have been made out of the TTF that were not directed by the General Assembly. Chip addressed the issue of the \$1.5M currently

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in the Appropriation Act that is transferred from the TTF to the Clerks' appropriations to offset general fund budget reductions. Chip informed the group that an amendment was being submitted to eliminate the transfer of TTF and to restore the \$1.5M in general funds.

b. FY05 Customer Service Survey - Charlene stressed the importance of participation in the survey, stating that the more people that respond, the better advised the Compensation Board is of Clerks' issues. The Clerks' response rate was only 58%, the lowest of all constitutional officer groups. Charlene asked the VCCA leadership to encourage participation in the annual survey. The Overall Satisfaction rating of Clerks' was 72% for FY05, also the lowest of all constitutional officer groups. Charlene indicated the need to work together and improve customer service with the Clerks. Charlene also informed the group that customer service had been incorporated into the Compensation Board's Strategic Plan and would continue to be a primary focus of Compensation Board leadership and staff.

c. Staffing Standards - Chip informed the group that the VCCA had received a commitment from both the House and Senate to fund 223 new positions in FY07 and an additional 223 new positions (total 446) in FY08 in Clerks' offices to fully fund the Clerks' staffing standards. Bruce reminded the group that adjustments made to staffing standards reflecting budget reductions and the impact of eliminating consideration of existing hourly wage FTEs from current staffing levels had increased the staffing need for Clerks.

3. Status of the TTF & Secure Remote Access

a. TTF Appropriations and Expenditures - In response to an action item from last year's meeting, Wade reminded the group that annual TTF collections estimates were provided with the budget estimate for FY06. This process will continue with the dissemination of FY07 budget estimates. Wade also explained the appropriation process for TTF. DPB has verbally committed to providing the appropriation as needed as long as cash collections are there to support it. In August 2005, Clerks asked for \$10M out of an available \$10.9M in \$4 money and \$1.5M out \$1.9M in \$1 money. Historically, Clerks have not spent what they've asked for and been budgeted by the Compensation Board. As a result, DPB will limit providing the appropriation until it is actually needed.

b. Request for TTF Information from Vic Mason, Clerk – King George County - Wade discussed a request from Vic Mason regarding data related to the TTF. Vic had requested this data on behalf of the Clerks' Technology Subcommittee as support for their recommendation for use of remaining \$1 Technology Trust Funds. Bruce had initially responded to Vic, pointing out that much of the requested data was already on the Compensation Board's website. Wade shared with the group his recent response to Vic with the additional information that Vic had requested.

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c. FY05 TTF Progress Report – Copies of the report were supplied to attendees. Wade informed the group that the FY05 TTF Progress Report had been posted on the Compensation Board's website. The TTF Progress Report contains a great deal of data, and addresses not only fiscal data, but provides a complete summary of Clerks' efforts to automate their land records and to provide Secure Remote Access. Wade directed the group to the Progress Survey action items in the Report and reminded the group of Lisa's commitment to the Clerks for TTF budgeting and progress survey questions, issues, etc. As a component of FY06 action items, Lisa will be following up with Clerks to ensure that TTF expenditures are made timely and in accordance with their approved TTF budgets.

d. TTF \$1 Fund - Wade reminded the VCCA leadership that there remained approximately \$475,000 in \$1 Technology Trust Funds, and that the Compensation Board was waiting on the VCCA Technology Subcommittee to make recommendations for its use. Linda indicated she would get the process moving forward as quickly as possible.

4. Staffing Standards Status Report

Wade reminded the group that the VCCA Staffing Standards Subcommittee, in conjunction with the Compensation Board, had developed a workplan for revising Clerks' staffing standards. The workplan calls for presentation of revised weights and a formula for staffing Clerks' offices at the July 2006 Compensation Board meeting. Just prior to the VCCA leadership meeting, Ashby Pritchett of the Staffing Standards Subcommittee sent an email to subcommittee members, Wade and Charlotte Luck (Sr. Budget Analyst with the Compensation Board) with revised timesheets for each measured activity (to include financial management and IT activities). The forms will be discussed and voted on at the January 30 subcommittee meeting. Following the meeting, the timesheets will be forwarded to study participants in accordance with the workplan.

5. COIN Update

Charlene discussed the current status of COIN for both reimbursement processing and the on-line budget request system. She acknowledged that there were still some outstanding issues to be resolved with the implementation of the final components of COIN. Linda mentioned that Clerks had commented that the phones at the Compensation Board were busy and voice mail was full. Charlene stated she and the rest of her staff and the IT group was aware of the issues and was working to get them all resolved as quickly as possible. Additional staff resources would be used to help take messages, answer phones, etc. as necessary.

Charlene responded to a specific question from Linda regarding COIN that the "System was not currently designed to ensure that all screens were completed"; however, Charlene indicated that the overall plan is to prevent Constitutional Officers from unintentionally

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certifying their budget until the entire process has been completed. Charlene stated that staff was working on the “flow” issue as well.

Charlene also mentioned that COIN budget request training had been conducted in December and early January. The Compensation Board would keep Constitutional Officers informed of the System status.

6. General Training Needs

Charlene reviewed recent past and future training opportunities. The New Officer Training was held in early December. Lawful Employment training will be offered in March in two locations, Richmond and Roanoke.

Linda inquired into New Deputy Training opportunities. Charlene stated that she is waiting to hear back from Association leadership regarding their preferred time frame of May or June. Once Charlene gets some tentative dates, she can move forward with setting up the training.

7. Year End Notifications

Charlene informed the group that e-mail reminders would be sent out on or about May 1 with a year-end timeline.

8. General Assembly Budget/Legislative Issues

a. Clerks Audit Language - Chip discussed his recommendation that current language in the Appropriation Act be revised to delay by an additional year the date at which Clerks would be penalized for not addressing the APA’s reports on Clerks’ internal control issues, compliance with applicable laws and other financial matters (from July 1, 2004 to July 1, 2005). In addition, Chip will request that funding be provided to the Compensation Board to fund resources of financial expertise to Clerks that have “true” financial issues/problems. Bruce suggested that perhaps the only chance of amending the current language would be for a one-year delay in implementation and submission of a detailed corrective action plan by the Supreme Court of Virginia. Bruce indicated that the existing budget language would be seen by the General Assembly as successful, as the number of Clerks with such issues has gone from approximately 50 to only 18. Chip said he would support changing the date by one year and requiring the APA to submit their report to the respective House and Senate Committees. He would then ask for funding to provide assistance to these Clerks. Chip indicated that he would send his recommended amendment to Bruce for review.

b. Career Development Program Update/Language - Per Chip, the VCCA wants to defer the program. Bruce recommended that the VCCA get a proposal from the National Center for State Courts (NCSC) to complete the Clerks’ Career Development Program and present it to the Compensation Board for approval. Bruce reminded the group that

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the Appropriation Act currently provides a mechanism for funding this approach through the NCSC. The work would have to be completed and billed prior to June 30th. The Governor's Budget Bill establishes the authority to implement the Clerks' CDP (subject to General Assembly appropriation). Bruce recommended moving forward since the opportunity currently exists, rather than taking a chance for future changes. Chip and Bruce agreed to work together to come up with appropriate language.

c. Compensation Board Membership: Senator Devolites-Davis Bill - The group discussed SB432 that would add two members to the Compensation Board, one appointee by each of the House of Delegates and the Senate of Virginia. In addition, the bill proposes that the gubernatorial appointee (Chairman) is required to be a former constitutional officer who may serve for up to six years. Chip stated that this proposed change is different from what was initially suggested by the Clerks - removing the Auditor of Public Accounts from the Board. The VCCA is in support of SB432. Bruce stated that the remaining four Constitutional Officer Associations oppose the bill.

9. Other Items

Everyone present at the meeting agreed on the need for open communication between the VCCA and the Compensation Board.

There being no more issues brought up for discussion, the meeting was adjourned.