

STATE OF FLORIDA  
OFFICE OF CRIMINAL CONFLICT  
AND CIVIL REGIONAL COUNSEL  
FOURTH DISTRICT



ANTONY P. RYAN,  
REGIONAL COUNSEL

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*Palm Beach County   Broward County   Indian River County   Martin County   Okeechobee County   St. Lucie County*

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July 29, 2015

*via U.S. Mail and email*

The Honorable Joseph Abruzzo, Chair  
Joint Legislative Auditing Committee  
111 West Madison Street, Room 876  
Tallahassee, FL 32399-1400

Re:    Six Month Status Report  
      Auditor General Report No. 2015-061

Dear Chair Abruzzo:

Please accept this correspondence as this agency's Six Month Status Report relative to Auditor General Report No. 2015-061, which report concerned the Justice Administration Commission ("JAC"); the Offices of the State Attorney for the Third, Fifth, and Sixth, Judicial Circuits; the Offices of the Public Defender for the Third and Sixteenth Judicial Circuits; and for each of the five Offices of Criminal Conflict and Civil Regional Counsel, including this agency, herein after referred to as "RC4." For reference, I have attached RC4's original response -- dated December 5, 2014 -- to this audit. And for simplicity, I will set forth each of the original, individual responses by RC4 (without restating the findings & recommendations) before providing a "Follow-up Action Taken" entry.

*Finding No. 1, relative to "BOMS:"* RC4 accepts the spirit of the recommendations made regarding BOMS, yet would defer to JAC as to the effectiveness of BOMS and as to the extent that its use may be duplicative with FLAIR. Additionally, RC4 understands that JAC has established a workgroup which is reviewing the BOMS licensing agreements and maintenance contracts to bring them into conformity with best business practices, including but not limited to provisions addressing a clearer description of deliverables, business continuity, and disaster recovery. With input from the JAC workgroup, RC4 will endeavor to implement the recommendations regarding the content of the written BOMS agreement.

Follow-up Action Taken:

RC4 relies on the follow-up information provided by the Justice Administrative Commission with respect to this finding. In addition to JAC's follow-up narrative, RC4 adds the following: Mr. Rip Colvin, JAC's Executive Director, directly solicited RC4's feedback on the matters relative to this finding, and RC4 was able to provide commentary and suggestions regarding

same to Mr. Colvin which feedback, in turn, Mr. Colvin incorporated into the negotiation process.

*Finding No. 4, relative to the Annual Physical Inventory of Property:* RC4 concurs with the recommendation and has updated its inventory forms to contain the information required by rule.

Follow-up Action Taken:

RC4 has initiated the use of the updated inventory forms which contain the information required by rule.

*Finding No. 5, relative to Property Records:* RC4 concurs with the recommendation and will update its property records to ensure compliance with Rules 691-72.003 and 691-72.005, F.A.C. (Note: By way of brief explanation, some of the information deemed lacking with this finding was not available to RC4's present administration and could not be readily obtained.)

Follow-up Action Taken:

RC4 has updated its property records to ensure compliance with Rules 691-72.003 and 691-72.005, F.A.C. for purchases made by the current administration.

*Finding No. 6, relative to Education and Employment History of New Employees:* RC4 concurs with the recommendation and will update its procedures to ensure that education and employment verifications are documented, where appropriate. (Note: In the one instance cited here, the verification of the employment history was in fact performed, as the employee's credentials and qualifications were well known to the hiring personnel.)

Follow-up Action Taken:

In the period of time since the audit findings were reported: RC4 has hired four (4) non-attorney staff positions and five (5) Assistant Regional Counsel positions.

With respect to hiring non-attorney staff positions; references listed on the employment applications are checked and verified, and documented in the file.

With respect to hiring attorney positions, RC4 verifies with the Florida Bar the date of admission to the Florida Bar and that an attorney is in good standing with the Florida Bar; applicants are questioned about their employment history and reference checks are performed when necessary and appropriate, and the information reviewed is documented in the file by the interviewing manager and/or agency director.

*Finding No. 7, relative to Contract Provisions:* RC4 concurs with the recommendation and has updated its standard contract forms accordingly. (Note: The two contracts cited as lacking termination and/or renewal provisions pre-dated the contract forms now in use by the current administration. In

addition, the compensation paid to the one attorney referenced was commensurate with the services the attorney rendered and with the compensation paid to other attorneys rendering similar services for this agency.)

Follow-up Action Taken:

RC4 has updated its standard contract forms accordingly and is implementing the use of updated contract forms only.

*Finding No. 9, relative to Travel Authorization and Voucher Forms:* RC4 concurs with the recommendation. (Note: As to the five instances referenced, the travel undertaken was decided upon by the Regional Counsel/Director personally, and therefore no subordinate supervisory signatures were required and were not, therefore, lacking or incomplete.)

Follow-up Action Taken:

RC4 continues to ensure that travel vouchers and travel authorization forms are properly completed, processed, and supported, in accordance with Section 112.061, Florida Statutes.

Note: RC4 *conference travel* is decided upon by the Regional Counsel/Director personally, and therefore no subordinate supervisory signatures are required; The Regional Counsel/Director signature is the “Supervisor” signature and “Agency Head” on the Authorization to Incur Travel Form and the “Supervisor” signature on the Travel Voucher Form.

Should you or committee staff have any questions regarding this Six Month Status Report, or should any further information be required, please do not hesitate to contact me or Ms. Gina Gillette, this agency’s Administrative Director. We here at RC4 strive for the highest quality in our administrative processes and are ever mindful of employing and demonstrating the core principles and best practices of good governance.

Sincerely,

/s/ *AP Ryan*

ANTONY P. RYAN  
Regional Counsel / Director

APR/jmk

cc: Gina Gillette, Administrative Director, RC4