

## PROPOSED MINUTES

### LOUISIANA CLERKS OF COURT ASSOCIATION BOARD OF DIRECTORS Tuesday, March 7, 2023 1:00 PM Baton Rouge, LA

The Louisiana Clerks of Court Association Board of Directors meeting was held on Tuesday, March 7, 2023, at 1:00 p.m. Robin Hooter, President called the meeting to order.

Jill Sessions called the roll with the following Clerks present:

Robin Hooter, Kim Turlich-Vaughan, Louis Perret, Jeff Skidmore, Jill Sessions, Annette Fontana, Randy Briggs, Chelsey Richard Napoleon, Melissa Henry, Daren Lombard, Susan Racca, Holli Vining, Laura Culpepper, Christy Lee, Shelly Salter, David Dart, and Cherie Lott. Also, present Debbie Hudnall, Connie Desselle, Diane Meaux Broussard, Shane Leblanc, Erin Hebert, Sara Halphen, and Chris Kershaw.

#### **Approval of the Minutes from November 30, 2022 Meeting**

A motion to approve the prior minutes was made by David Dart and seconded by Randy Briggs. No discussion was had. The motion was passed with no opposition.

#### **Financial Reports**

Annette Fontana, Treasurer, presented the Balance Sheet ending January 31, 2023:

<b>Assets</b>		<b>Liabilities and Capital</b>	
Total Current Assets	\$619,133	Total Current Liabilities	\$73,914
Total Property and Equipment	\$9,385	Total Capital	\$574,008
Total Other Assets	\$19,404	Total Liabilities and Capital	\$647,922
Total Assets	\$647,922		

Annette Fontana, Treasurer, presented the Income Statement for seven months ending on January 31, 2023:

<b>Current Month Actual</b>		<b>Current YTD Actual</b>	
Total Revenue	\$77,276	Total Revenue	\$553,017
Total Expenses	\$75,788	Total Expenses	\$560,917
Net Income	\$1,488	Net Income	(\$7,900)

A motion was made by Kim Turlich-Vaughan and seconded by Susan Racca to receive the financial reports for the Association and with no opposition, the motion was passed.

## **Board Reports**

### **LCRAA**

Debbie Hudnall presented the report on behalf of Chairman Rick Arceneaux. The Board met on February 14, 2023, and presented the following financial report:

<b>As of January 31, 2023</b>			
Total Revenue	\$150,793	Total Liabilities	\$14,069
Total Direct Costs	\$39,658	Total Net Income	\$329,718
Total Grants	\$10,000	Total Net Position	\$7,555,612
Total Admin Expenses	\$16,971		
Total Net Income	\$84,164		
Total Assets	\$7,555,612		

Antares provided the statewide portal parish participation statistics: Land Records = 64, Marriage Records = 61, and Civil Records = 57. There are 15 parishes live on the recording software.

There is a contract change order to allow a generation of certified copies of previously recorded documents.

Historical Index Book Search is completed and is active in Iberia Parish.

i3/Software & Services reported that 11 parishes are live with the stand-alone E-filing and 6 others in various stages of implementation. The case management and jury implementation is in progress in Ascension, St. Tammany and Calcasieu and other parishes are scheduled.

The administrative staff reported the remittances for January 2023 are \$113,258 and year to date \$833,483. Amounts have dropped as interest rates have risen and number of recordings are down.

Grant committee reported there are 14 prior grants still in process. Union Parish rescinded their grant request and St. Landry amended their grant from \$25,000 to \$8,682 at Charlie Jagneaux's request. Five grant applications were received for a total of \$314,000. Four applications were approved at a total of \$114,850. The board approved that new applications will require two quotes for services to be performed.

Attorney Sheri Morris stated the trademark was finally approved. The next meeting will be May 9, 2023.

### **Retirement and Relief Fund**

Debbie Hudnall reported a net income of \$38.6 million for the fiscal year as of January 31, 2023. Chris Kershaw gave the GASB 68 audit report and stated the total net liabilities are \$242 million. The report is posted on the Association website for Clerks' auditors.

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Jon Breth with ANDCO reported the market returns for 2022 are a negative 12.6%; however, the return for the fiscal year as of January 2023 is 7% return.

The board discussed asset allocation, and it will be further discussed by the investment committee.

Greg Curran reported the actuary report was approved by PRSAC. The minimum required employer contribution is 21.75% and current is 22.25%. The Fund is not eligible to grant a COLA this year. It could be possible to give a COLA next year. The employer contribution can be set up to 3 percent above the required amount. The Board voted to increase the employer contribution rate to 23% to begin July 1, 2023.

**Supplemental**

Jill Sessions presented the financial report as of January 31, 2023:

<b>Balance Sheet</b>		<b>Income Statement (YTD)</b>	
Total Current Assets	\$232,774	Total Revenue	\$142,693
Total Other Assets	\$146,833	Total Expenses	\$141,900
Total Assets	\$379,607	Net Income	\$793
Total Current Liabilities	\$133,250		
Total Capital	\$246,357		
Total Liabilities & Capital	\$379,607		

**Committee Reports**

**Education Committee**

Kim Turlich-Vaughan reported on the February 2023 Institute with total proceeds of \$19,745. There were 268 attendees including 5 sponsors and it was the 2<sup>nd</sup> highest attendance recorded. The next institute will be August 15-18, 2023, at the Marriott in Baton Rouge. Ron Anderson received the highest rate for speakers.

**2023 Conference**

Diane Meaux Broussard reported there are currently 229 attendees, including 23 exhibitors. An agenda was passed out regarding the events planned.

**Executive Director Report**

**ICJIS (Integrated Criminal Justice Information System)**

Debbie Hudnall reported there are two subcommittees that have been formed, Technology and Operation.

Debbie recommended Nancibelle Hardy from Calcasieu to serve on the subcommittee and she is currently gathering the information from all of the clerk's offices for a spreadsheet regarding what software is being used around the state.

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Debbie serves on the operation subcommittee. There was discussion regarding the exchange of information between entities. Representative Bacala will file as on of his bills the legislation to mandate whatever information is needed. The Clerks, District Attorneys, Sheriffs, State Police and Department of Corrections are going to meet to discuss the minimum needed. They briefly met after the first committee meeting and discussed that the Sheriff/Law Enforcement need to give to the DA the arrest date and SID. The DA is to give that information to the Clerks for the Clerks to give to Supreme Court. Then Supreme Court will give it to the State Police. Judge Schlegel made the motion to make it a mandate and Debbie seconded it. There was a discussion regarding using \$10 million in one-time money for the integration for the information

Supreme Court has inquired as to what parishes are e-filing. Supreme Court is asking regarding allowing E-filing for domestic violence cases for protective orders.

### **Judicial Structure Committee**

A Court of Appeal's committee has been appointed and is going to require all judges in Court of Appeals and district courts to keep a time sheet for 8 weeks between August and October for a purpose to determine how many judges are needed.

The Court of Appeal's committee has developed case types that they report. District court committee has not been appointed yet.

### **Legislative**

Representative Muscarello has a bill regarding default judgments and another as to electronic signature of judges.

Another bill has been filed as to the District Attorney having the discretion to prosecute a juvenile as an adult.

A local bill has been filed as to Evangeline Parish being able to have the group insurance paid 100 % when someone retires.

Senator Bernard has a bill regarding as to the election board of supervisors.

### **Legislative Day**

This will be held on May 8, 2023, from 5pm – 8 pm at the Pentagon Barracks. There is a room block available at the Watermark downtown. The cost is \$100.

### **Scholarship Application**

Applications have gone out and are due April 1, 2023.

### **Web Portal - LCRAA**

The web portal has been going well. So far, 32 clerks have used the LCRAA to submit the money and 33 to submit the supplemental.

**DAFR (Domestic Abuse Fatality Review Panel)**

A Resolution was passed in 2021, forming the DAFR panel, and Bridget Hanna appointed Jill Sessions as the clerk's representative. At the first meeting, Sara Halphen was appointed as subject expert on the panel. Debbie stated the panel has asked for a memorandum of understanding. Debbie asked Sara to explain the basics of the clerk involvement in DAFR. The MOU will be further discussed at the Clerks Only meeting at the convention.

**Litigation**

Dr. Slaughter lawsuit regarding the judges, LASERS and the Clerks of Court. The Association is not being sued but was served with the papers. Attorney Sheri Morris is handling that matter.

**District Reports**

**District One**

Melissa state the members have not met since the last meeting. She reported that Johnny Crain, Gary Stanga and herself attended an RPEC meeting where Kyle Ardoin was invited to speak and that he stated that we don't want voters handling paper at the precinct. Other discussions were about the matter in Orleans regarding the recall and cleaning up voter rolls.

There was a Republican tea party meeting held in Abita Springs that had the same presentation regarding voter corruption and the system being easily hacked.

Darren Lombard stated his district met in Baton Rouge and discussed Kyle Ardoin and the voting machines. They are working with their state legislators on what they can do to help with the paper versus non-paper ballots.

Annette brought up language with issues in criminal protective orders regarding the expiration date. There has been a question as to there not being an Order to Dissolve at the time of sentencing. The question has been raised to LPOR and there was no clarification. It is noted that LPOR is no longer sending the monthly report for verifying active cases.

The district has no recommendation at this time as to the fees for the online subscriptions.

**District Three**

Susan Racca reported that they met and discussed the conference. Diane has all the planning handled.

They discussed a recommendation regarding the online subscription fee, and they stated they all wanted to keep it how it is, except one that would go with whatever is decided. They want to keep the current subscriptions.

**District Four**

Holli Vining stated they had a well-attended meeting. They discussed elections, billing, paying employees and an E-filing timeline. They agreed that they could all be E-filing by the end of the year.

As to the recommendation to the board for online uniform pricing, the small offices don't want to lose money and the large offices don't want to charge more. They agreed to keep their current subscription pricing and maybe have tiered pricing for LCRAA.

**District Five**

Laura Culpepper reported her district met with 6 of the 8 parishes represented. They discussed the online subscription fees and they agreed that they don't want to lose their online subscriptions. Two of the parishes don't have online access. Other parishes just began online access within the last 6-8 months and are pleased with the new revenue. 10-15% of their revenue is online copies.

**District Six**

Christy Lee reported that everyone from their district met. They discussed COTT issues, jury subpoenas with qualifications, issues with felony convictions and legislation regarding elections. There was a mention of maybe an amendment being offered where there isn't a possibility of paper ballots.

She does not have a new recommendation regarding the online subscription fees.

**District Seven**

Shelly Salter reported the district met at the institute and discussed the number of filings. She stated there were two gentlemen that came by her office from MoeBiz regarding back scanning.

As to the recommendation regarding the online subscription fees, everyone in their district is pretty close to charging the same price. Their suggestion is to set uniform fees by district or region.

**District Eight**

David Dart stated they met at the institute with almost everyone present including Debbie Hudnall. They discussed issues with COTT. There were two points for consideration raised by David:

1. Is there a need for criminal minutes, since other states have gotten rid of them?
2. Uniform sheriff service costs to help with advance deposits. If the sheriffs would agree to uniformity of one fee that would include the mileage and flat fee.


**Other Business**

Debbie discussed with Sherri Hadskey the jury updates. Some vendors do not charge for the update to the jury list and other vendors do charge their clerk. The question is posed as to how often to update the list. At the end of the discussion, it was decided that Debbie would let Sherri know to send it quarterly and each clerk can handle it as they would like with their office and software provider.

**Adjournment**

There being no further business, David Dart moved that the meeting be adjourned. Motion seconded by Randy Briggs. Meeting adjourned.

Respectfully Submitted,

  
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Jill M. Sessions, Secretary

Approved:

  
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Robin Hooter, President