

## APPROVED MINUTES

### LOUISIANA CLERKS OF COURT ASSOCIATION BOARD OF DIRECTORS Tuesday, June 20, 2023 1:00 PM Baton Rouge, LA

The Louisiana Clerks of Court Association Board of Directors meeting was held on Tuesday, June 20, 2023, at 1:00 p.m. Robin Hooter, President called the meeting to order.

#### **Invocation and Pledge:**

Louis Perret gave an opening prayer and led the Pledge of Allegiance.

#### **Roll Call:**

Jill Sessions called the roll with the following Clerks present:

Robin Hooter, Kim Turlich-Vaughan, Louis Perret, Jeff Skidmore, Jill Sessions, Annette Fontana, Chelsey Richard Napoleon, Bridget Hanna, Darren Lombard, Susan Racca, Shelly Salter, David Dart, Veronica Koclanes and Cherie Lott. Also, present Debbie Hudnall, Diane Meaux Broussard, Connie Desselle, Rick Arceneaux, Erin Hebert, Shane LeBlanc and Sara Halphen.

#### **Approval of the Minutes from March 7, 2023, and May 16, 2023, Meetings**

A motion to approve the prior minutes was made by Kim Turlich-Vaughan and seconded by Jeff Skidmore. No discussion was had. The motion was passed with no opposition.

#### **Financial Reports**

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

Assets		Liabilities and Capital	
Total Current Assets	\$636,323	Total Current Liabilities	\$19,033
Total Property and Equipment	\$9,385	Total Capital	\$631,604
Total Other Assets	\$4,930	Total Liabilities and Capital	\$650,638
Total Assets	\$650,638		

Annette Fontana, Treasurer, presented the Income Statement for eleven months ending May 31, 2023:

Current Month Actual		Current YTD Actual	
Total Revenue	\$89,966	Total Revenue	\$1,046,503
Total Expenses	\$121,392	Total Expenses	\$996,807
Net Income	(\$31,426)	Net Income	\$49,696

A motion was made by David Dart and seconded by Cherie Lott to receive the financial reports for the Association and with no opposition, the motion was passed.

### **Audit Proposals**

The audit proposal for the Association was presented from Duplantier, Hrapmann, Hogan & Maher for a three-year term at \$8,800 per year.

Audit proposal for the Supplemental board was also presented for a three-year term at \$4,800 per year. Also, the Agreed Upon Procedures for the Supplemental Board was presented at \$2,000.00 for a one-year term.

A motion to approve the audit proposals was made by Kim Turlich-Vaughan and seconded by Cherie Lott. No discussion was had. The motion was passed with no opposition.

### **Budget Proposal for FY 2023-2024 (Exhibit A)**

Chris Kershaw presented the Association Budget. He reported on revenues and expenses for the current annual budget, proposed budget for FYE 2024 and comparison of FYE 2024 vs FYE 2023.

	<b>Current Annual Budget 2022-2023</b>	<b>FYE 2024 Proposed Budget</b>	<b>FYE 2024 vs FYE 2023</b>
Revenues	\$936,000	\$986,600	\$50,600
Expenses	\$1,037,450	\$1,077,950	\$40,500
<b>Net Income (Loss)</b>	<b>(\$101,450)</b>	<b>(\$91,350)</b>	<b>\$10,100</b>

He noted that \$19,000 of the \$50,000 is interest income which is approximately 40% of the revenue increase due to increasing interest rates with LAMP. Retirement increases the reimbursement to the Association of \$1,000 per month (\$12,000 per year) which is 24% of the total budget increase and same with LCRAA at \$1,000 per month. Debbie noted that it has been three years since the last increase in retirement reimbursement. The largest expense increase was staff salary at 5%. She also stated that her contract that ends in December 2024 and allowed for a \$5,000 increase, which is a separate line item. The second largest increase in expenses is in other professional fees (governmental services contract) which has been paid at \$54,000 per year with the proposed increase of an additional \$6,000. The third largest increase is the attorney fees that are currently at \$15,000 with a proposed increase of \$5,000 to a total of \$20,000.

A motion was made by Kim Turlich-Vaughan and seconded by Susan Racca to adopt the proposed budget for fiscal year 2023-2024, and with no opposition, the motion was passed with no opposition.

**Board Reports**

**LCRAA**

Rick Arceneaux reported the Board met on May 9, 2023, and presented the following financials:

	Current Month	YTD – 10 months
Total Revenue	\$173,030	\$1,429,124
Total Direct Costs	\$22,338	\$339,627
Total Grants	\$5,158	\$373,004
Total Admin Expenses	\$18,434	\$190,597
Total Net Income	\$127,100	\$525,896

	April 2023
Total Assets	\$7,738,628
Current Liabilities	\$906
Net Income	\$525,896
Total Net Position	\$7,737,722
Total Liabilities & Net Income	\$7,738,628

Budget for the fiscal year 2023-2024 was adopted with a beginning balance of \$6,569,463 with total revenue at \$1,850,000, total direct costs of \$2,975,000, total grants and administrative expenses of \$1,075,000, deficit of revenues over expenses of \$2,200,000 resulting in an ending fund balance of \$4,69,463. Audit proposals were also approved for Financial Audit at \$7,000 per year for 3 years and AUP Audit for \$2,600 for one year.

Antares provided the statewide portal parish participation statistics: Land Records = 64, Marriage Records = 61, and Civil Records = 58. There are 14 recording software that are live and 4 in progress.

There is a contract change order to provide the Statewide Portal Fraud Alert at a cost of \$58,000 and marriage license enhancements at a cost of \$10,500. eClerksLA single sign-on with Clerk Connect is in process.

i3/Software & Services reported that 19 parishes are live with the stand-alone E-filing and 9 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 received for April 2023 were \$137,628 and year to date \$1,197,371. Amounts have increased since the previous months.

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E-filing grants for stand-alone software in the amount of \$27,565 have been paid out of the previously approved \$100,000. The Online Remittance Web Portal has been updated for payment of LCRAA fees with 54 parishes utilizing the portal. The grant committee reported there are 13 prior grants still in process. In the 1<sup>st</sup> quarter, three applications were received a total of \$32,621 and approved for full funding of \$124,652 available.

Attorney Sheri Morris stated the trademark was finally approved. A release/settlement agreement with St. Tammany Parish is being reviewed.

The next meeting was scheduled for the first day of qualifying and has not been rescheduled at this time.

It was asked regarding the marriage license enchantments, and it was answered that it was to include the city or town of issue and an additional information in fields.

The statewide fraud alert potentially will be available in July.

**Retirement and Relief Fund**

Debbie Hudnall reported that there was a new Representative member, Rep. Alonzo Knox, present. Debbie stated the financial status \$682.8 million in investments with \$729 million in assets as of April 2023 with a net income of \$35.7 million.

The board approved the budget for FYE 2024 and included the previously mentioned \$1,000 per month increase. They approved the four different audit reports and a new contract for the actuary. The board adopted the new asset allocation policy with minor changes. The attorneys, Denise Akers and Rebecca Wisbar, are retiring as of June 30, 2023. Three attorneys reached out about the job with two submitting proposals. Sheri Morris was selected by the board as the new attorney for the retirement board.

**Supplemental**

Jill Sessions asked Chris Kershaw to present the financial report as of May 31, 2023:

<b>Balance Sheet</b>		<b>Income Statement (YTD)</b>	
Total Current Assets	\$7,820	Total Revenue	\$1,693,313
Total Other Assets	\$146,832	Total Expenses	\$1,536,650
Total Assets	\$448,552	Net Income	\$156,663
Total Current Liabilities	\$133,250		
Total Capital	\$315,302		
Total Liabilities & Capital	\$448,552		

Debbie reported that 62 parishes are paying the supplemental fees using the portal.

## **Committee Reports**

### **Education Committee**

Kim Turlich-Vaughan gave the report regarding the 69<sup>th</sup> annual Clerk Institute that will be held at the Marriott in Baton Rouge on August 15-18, 2023. The education committee has had several meetings regarding speakers and also time frames for meeting the candidates. There will also be breakout sessions for the vendors for presentations. On Friday, it will be a Soapbox panel instead of the Gumbo panel. A lengthy discussion was held as to the format of meeting the candidates. A recommendation was made by Cherie Lott that the Secretary of State candidates be scheduled for the opening day, if possible. All other candidates will be invited via letter with a deadline to respond about speaking on the Thursday time frame. The amount of time will be for each candidate at 3 minutes with a possible extension if time allows.

### **2023 Conference**

Debbie Hudnall reported that the conference had a historic attendance with 310 attendees, 45 Clerks of Court with 17 spouses, 151 deputy clerks with 6 deputy clerk spouses, 5 retired clerks and 57 vendors/sponsors. The income total was \$160,000 with expenses of \$124,000 for a net income of \$36,000.

### **Scholarship Committee**

The scholarship committee awarded 20 scholarships in the total amount of \$12,300 with several parishes having recipients including Livingston Parish having four and Ascension Parish having two.

## **Executive Director Report**

### **Bricksome Condo Update**

The Bricksome building was sold and financed by the Association. It will be paid off in September.

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

ICJIS has hired a consultant to receive better information since they are only at 19% of all of the information. At a prior meeting, Rep. Bacala asked why there wasn't more disposition and Debbie explained that not all clerks receive the date of arrest or SID number, and State police will not accept the disposition if the clerk doesn't provide the date of arrest and SID number. Debbie will be providing a list of parishes for a study.

### **Judicial Structure Committee**

The committee will be meeting Thursday and Annette will be attending. This is the committee regarding a need for fewer or more judges. They want the data from the clerks to help determine that information. Annette will be appointed to the subcommittee to represent the clerks.

### **Legislative Day**

Legislative Day was successful with attendance of 30 Clerks, 22 Senators, 52 Representatives, 1 Statewide official, 6 guests, 62 staff members for a total of 193 attendees. The expenses were a total of \$8,032.

### **Litigation**

Debbie reported there was no new update on the Dr. Slaughter lawsuit except that he has not paid to have all clerks served at this time.

**Legislation**

ACT 18 – Relative to qualifications to election commissioners for active-duty military to serve as commissioners.

ACT 75 – States that after the court charge and notice to parties, outside the presence of the jury, that the jury can suspend deliberation and separate without sequestration.

ACT 79 – Voter registration that the first Tuesday after the first Monday is Louisiana High School Senior Voter Registration Day.

ACT 90 – Expungements of records of several entities regarding certain records.

ACT 119 – This prohibits a retired or resigned elected official from running for the position in the next election.

ACT 235 – Provides for early voting that the board of supervisors can be compensated for additional time.

ACT 236 – Allows for early voting locations at the approval of the Secretary of State

ACT 247 – Relative to examination of public record for a fee schedule, challenge fees and attorney's fees for any custodian for establishing the fee schedule and that it shall be posted.

ACT 272 – Regarding electronic signature of judges

ACT 277 – Clerks providing election commissioners the training for the disabled community

ACT 278 – Regarding the additional information to be handed down in criminal cases

ACT 309 – Protective orders have to be submitted to LPOR by the next calendar day. They postponed it for one year because they would like the information submitted electronically directly.

ACT 326 – Allows for obtaining a court reporter from out of state

ACT 342 – Regarding expungements of first offense marijuana cases. They reduced the fee from \$500 to \$350 with the clerk receiving \$150. There is a new form. Debbie will be asking for the judicial administrator to create the form.

ACT 353 – Commemorative birth certificate of a miscarried child.

ACT 366 – Pay raise for the assessors, 5% this year, then may increase by an amount not to exceed 5% for the term beginning after December 31, 2024.

SR 5 – Protective order procedure and records task force

Louisiana Violent Crime Task Force by Alan Seabaugh – while in committee, they were going to include an amendment that stated Orleans, Caddo and Baton Rouge could submit a name to Speaker of the House and Senate. It was questioned why Clerks needed to be on the committee. On the House floor, the clerks were removed from being included.

SR 43 – For the Law Institute to study e-file and record retention

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Resolution by Tanner Magee regarding statewide e-filing and case management – LCRAA compile the information regarding integrated electronic filing and case management system and to submit information to the Legislature by January 1, 2024. Information will include the following items: the status of implementation of an electronic filing system and the status of implementation of an electronic case management system; the status of implementation of document and image management system by each parish clerk of court; The vendor used for each of the management systems listed for each of the parish clerk of court; The number and percentage of remote electronic filings and physical filings of pleadings converted to electronic pleadings; The capability for electronic signatures by judges and the extent of the use; The cost of the electronic filings and the amount charged to access, view and download images of pleadings as well as land titles, and the amount of funding to complete for integrating for each parish clerk of court.

Debbie and Robin addressed the board regarding the legislative session and to try to come up with a suggestion for a compromise on statewide agreed upon fees for websites. Everyone has already agreed to the \$20 a day rate. The recommendation from the small committee would be for \$20 day rate, \$75 monthly rate, and \$750 annual rate all with a copy rate of \$1 per page. Larger firms could select 3 parishes for the rate of \$1,800 and 5 parishes for \$2,500 and a copy cost of \$1 per page. That may have to be handled through LCRAA which will need work to figure out.

After a discussion regarding the proposed compromise and polling the district members about their district's potential position, a recommendation was made by David Dart to have a Clerks' only meeting on Tuesday afternoon of the August Institute to discuss with everyone.

**District Reports**

**District One**

No report.

**District Two**

No report.

**District Three**

Susan stated they all met and spoke about the conference and campaign opposition.

**District Four**

Jill stated they had a meeting with most of the district members and other guest members to meet with Justice Crichton, Judge McCallum and Judge Pitman. There was a discussion about the clerks attending the Judges' institute.

**District Five**

No report.

**District Six**

No report.

**District Seven**

No report.

**District Eight**

No report.

**Other Business**

The Clerks Winter Meetings will be held November 28-30, 2023, in New Orleans.

President Robin Hooter stated this was her last meeting as President and thanked the Board for their service.

**Adjournment**

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

**Respectfully Submitted,**

  
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Jill M. Sessions, Secretary

**Approved:**

  
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Robin Hooter, President

# EXHIBIT A

Louisiana Clerk of Court Association				
Budgets - FYE 2024 and FYE 2023				
	Cur Annual Budget	FYE 2024	FYE 2024	
	2022-2023	Proposed Budget	vs FYE 2023	
<b>REVENUES</b>				
Association Dues @ 1.5%	165,000.00	166,000.00	1,000.00	
Dues - Associate	15,000.00	17,000.00	2,000.00	
Interest Income	900.00	20,000.00	19,100.00	
Int Inc - Bricksome	600.00	0.00	(600.00)	
Insurance Reimbursement	94,500.00	99,600.00	5,100.00	
Retirement Reimbursement	498,000.00	510,000.00	12,000.00	
LCRAA Reimbursement	120,000.00	132,000.00	12,000.00	
Conference Receipts	0.00	0.00	0.00	
Certification Fee Rec.	500.00	500.00	0.00	
Institute Earnings	20,000.00	20,000.00	0.00	
Other Inc - Leg. Day	5,000.00	5,000.00	0.00	
Other Inc - Sponsorship	10,000.00	10,000.00	0.00	
Other Inc - Directory	0.00	0.00	0.00	
Other Inc - W/C Mktg. Fee	6,500.00	6,500.00	0.00	
<b>Total Revenues</b>	<b>936,000.00</b>	<b>986,600.00</b>	<b>50,600.00</b>	
<b>EXPENSES</b>				
Attorney's Fees	15,000.00	20,000.00	5,000.00	
Audit	8,000.00	9,000.00	1,000.00	
Bank Charges	3,000.00	6,000.00	3,000.00	
Board Per Diem	11,000.00	11,000.00	0.00	
Board Secretary Fee	1,250.00	1,250.00	0.00	
Bonds and Insurance	15,000.00	15,000.00	0.00	
Books and Publications	3,000.00	3,500.00	500.00	
Certification	0.00	0.00	0.00	
Conference Expense	0.00	0.00	0.00	
Contingency	4,000.00	3,000.00	(1,000.00)	
Depreciation	4,000.00	4,000.00	0.00	
Directory	0.00	0.00	0.00	
Equipment Rental	15,000.00	14,000.00	(1,000.00)	
Executive Director	242,500.00	247,500.00	5,000.00	
IGO (IACREOT)	5,000.00	4,000.00	(1,000.00)	
Institute	5,000.00	5,000.00	0.00	
Insurance Cont. - ER on RetEE	3,500.00	3,500.00	0.00	
Janitorial	8,000.00	8,000.00	0.00	
Legislative Exp.	5,000.00	4,000.00	(1,000.00)	
Legislative Day	7,000.00	10,000.00	3,000.00	
Maintenance - Computer	15,000.00	15,000.00	0.00	
Meeting Expense	35,000.00	35,000.00	0.00	
Membership Dues	1,000.00	1,000.00	0.00	
Office Equipment	7,500.00	7,500.00	0.00	
Office Supplies	4,000.00	4,500.00	500.00	
Other Office Services	4,500.00	5,000.00	500.00	
Other Professional Fees	54,000.00	60,000.00	6,000.00	
Postage	5,000.00	4,000.00	(1,000.00)	
Rent - Building	10,200.00	10,200.00	0.00	
Scholarship Awards	10,500.00	12,500.00	2,000.00	
Seminar & Travel Exp	1,000.00	1,000.00	0.00	
Staff Salaries & Exp	505,000.00	524,000.00	19,000.00	
Telephone	12,500.00	12,500.00	0.00	
Utilities	6,000.00	6,000.00	0.00	
Website & Mobile App	11,000.00	11,000.00	0.00	
<b>Total Expenses</b>	<b>1,037,450.00</b>	<b>1,077,950.00</b>	<b>40,500.00</b>	
<b>NET INCOME (LOSS)</b>	<b>(\$ 101,450.00)</b>	<b>(\$ 91,350.00)</b>	<b>\$ 10,100.00</b>	