

LOUISIANA CLERKS OF COURT ASSOCIATION

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APPROVED MINUTES
CLERKS ONLY MEETING
TUESDAY, MARCH 12, 2019
10:00 AM
BATON ROUGE, LA

The Louisiana Clerks of Court Clerk's Only meeting was held on March 12, 2019 at 10:00 a.m. in Baton Rouge, Louisiana. President Steve Andrews called the meeting to order. An opening prayer was given by Randy Briggs and Bridget Hanna led the Pledge of Allegiance.

Secretary Annette Fontana called the roll with the following present:

Bridget Hanna, Darlene Landry, Connie Couvillon, Brian Lestage, Jill Sessions, Lynn Jones, II, Susan Racca, Clyde Ray Webber, Jr., Jeremy Evans, Doug Welborn, David Dart, Randy Deshotel, Randy Briggs, Amy Patin, Richard Arceneaux, Louis Perret, Annette Fontana, Steve Andrews, Linda Cook, Jason Harris, Arthur Morrell, Louise Bond, Kim-Turlich-Vaughan, Robin Hooter, Tammy Foster, Lance Marino, Mildred Cyprian, Shane Leblanc, Charles Jagneaux, Dodi Eubanks, Jeff Skidmore, Johnny Crain, Jr., Holli Vining, Mark J. Graffeo and Felicia Ann Hendl.

Also present: Debbie Hudnall and Greg Brown.

President Steve Andrews welcomed everyone to Baton Rouge.

Approval of the November 27, 2018, Clerks Only Minutes

Motion to approve the prior minutes was made by Kim Turlich-Vaughan and seconded by David Dart. No discussion was had. The motion passed without opposition.

Financial Reports **Association**

Randy Deshotel, Treasure reported on the audit report Statement of Financial Position for the Association with assets totaling of \$662,086 ending June 30, 2018 and total liabilities of \$6,470. He reported as of January 31, 2019 current total assets of \$760,193, total current liabilities of \$88,690 and total capital of \$671,503. The Association saw a net increase of \$15,887 for the seven months ending January 31, 2019.

Retirement

Treasurer Randy Deshotel reported on the audit report Statement of Financial Position for the Retirement and Relief Fund ending June 30, 2018. Total Assets are \$629,535,473, Total Liabilities of \$1,097,822 Net Position was \$628,437,651 with a met position of \$628,437,651. He then presented the financial statements for the month

ended December 31, 2018 with Total Assets of \$580,883,918 with a net decrease of (\$23,647,116).

Insurance

Randy presented the balance sheet for month ending January 31, 2019. Total assets of \$8,638,600. Total liabilities and reserves of \$7,532,663. Net Income for the month of January 2019 is \$83,838.

A Motion to receive the Financial Reports was made by Jeff Skidmore and seconded by Tammy Foster. All voted in favor to receive the Financial Reports.

Board Reports

LACCRMA

Mark Graffeo reported the financial audit report was delivered at the last meeting and everything came out fine. Mark reported 1.8 million dollars in total assets with net assets being 1.2 million. Claims expense total was \$251,000 with \$131,000 in claims paid, the remaining \$120,000 increases reserves. Claim reserves total is \$607,000. Mark reported that there have been no new claims since the last meeting.

Mark discussed being cited in his audit for not having an Employee Dishonesty Policy. He advised that Hunt secured a policy for him through Traveler's Insurance for about \$300 to \$400 per year.

LCRAA

Chairman Rick Arceneaux advised that the last LCRAA meeting was February 12, 2019. He reported that the design phase is complete for the Recording Software is on track for a June 2019 completion date. He reported that there are 57 participating parishes with 14 also having civil and probate available. He advised that the grant program was going well.

Rick gave the financial report ending January 31, 2019. Total assets of \$3,798,429. Total liabilities were \$12,500.00 with net income of \$49,636.

Insurance

Debbie reported that she is excited about how well the insurance program is running especially considering when she became Executive Director it was nearly bankrupt. She reported currently there is almost 8 million dollars in reserves. She advised that Gallagher would be here for the conference.

Debbie also reported that effective April 1, 2019, Clerk's will be allowed to pay disability insurance for themselves if they are currently providing disability insurance for their employees. Clerks would need to notify Gallagher before April 1, 2019 if they would like to enroll.

Retirement

Debbie provided a handout with the net pension liability for each parish to include on their financial statement. She advised that this amount has increased in part due to the decrease in the required return rate from 7% to 6.75%. The Actuary recommended the reduction.

As of June 30, 2018, Debbie advised that we have 2,200 active and 1,360 retired members. She compared 2009 wherein we had 2,300 active members. Total payroll for Clerks throughout the State is 92.7 million. The Retirement Fund is 81.22% funded, with the requirement to be fully funded by 2029. The required employer rate is 18.75%, however it is recommended to maintain the current rate of 19.00%.

Supplemental

Debbie presented the audited financial statements for the Supplemental Fund for the year ended June 30, 2018 with Total Assets of \$221,181, Total Liabilities of \$126,750 with a net position of \$94,431. There was an increase in both total revenues and expenses for a change in net position of \$21,550. She noted that the number of suits filed went down for the year, causing a reduction in the fund balance. We have 14 or 15 parishes that pay the cap, so it is the recommendation of the Supplemental Board to increase the cap from \$4,500 to \$4,600 and Orleans Criminal Court from \$975 to \$1,000. It is recommended that cost per suit will increase from \$17.50 to \$18.00 effective July 2019. Debbie advised that even with that increase there would still be a deficit of approximately \$26,000. Holli Vining made a motion to accept the changes, Tammy Foster seconded. All voted in favor.

Committee Reports

Education Committee

Debbie reported that the Clerk's Institute would be August 20-23, 2019. There will be a committee meeting on April 3, 2019 to plan the institute. She advised that there will be a class on campaign finance.

Judicial Council

David Dart reported there had been two meetings of the Judicial Council including one on February 6, 2019 which discussed court cost. Court cost increases or any fee must first go before the Judicial Council before it goes to the Legislature.

He additionally reported that the Price of Justice sub-committee met. The State was awarded \$500,000 "Price of Justice Grant" to administer justice and they appointed a committee which would look at the ability to pay court costs and debtors prison for failure to pay. Orleans Parish is currently in litigation and has stopped collecting fines and fees temporarily. The committee is looking at other options to paying fines and fees.

They are also looking at funding for the Court System and discussed passing some sort of tax. One of the members discussed an apportionment from the State. David will report further as the committee continues its work.

Scholarship

Brian Lestage reported on the Scholarship fund. He reported that an email went out regarding the April 1, 2019 scholarship deadline and encouraged the Clerks to have their deputies participate. Currently there is \$15,940 in the fund 70% can be allocated for scholarships. Brian encouraged the Clerks to get the information to their Deputies.

Executive Director Report

Legislative Day

Legislative Day will be May 21, 2019 and the Association will be sending an invoice to all Clerks.

Litigation

No updates on litigation.

Retiree Name List

Debbie Hudnall provided the current list of retirees receiving a benefit from the Retirement Fund as required by law.

Other

Debbie also discussed that the LCRAA Board awarded the contract to Tyler Technologies for E-Filing. Tyler Technologies currently does business with three parishes. She reported that at first this would not be tied to case management, but it is the goal of LCRAA to have it included, starting with Civil and then Criminal. Debbie discussed that the filer would pay \$7.00 for the submission.

Legislation

Debbie discussed that the legislative session begins on April 8, 2019 and that the legislators can only file 5 bills in addition to the fiscal bills. She discussed HB9 that has been filed by representative Marino on expungements addressing charging one fee per arrest not additional fees per charge. Debbie advised that Clerk's should only be charging one fee per arrest regardless of the charges.

Debbie also discussed a hybrid retirement bill by Representative Ivy that the Clerks are watching because the Clerks want to stay with their defined benefit plan.

She mentioned a bill out of Lake Charles where a city court wants to raise their jurisdictional limits.

HB36 by Stephansky requires the Clerk to tell an individual that files a protective order that they can file criminal charges and requires the Judge to do so.

SB14 by Senator Peacock wants term limits on the retirement boards' members.

Senator Peterson filed a bill to remove Orleans from paying the ad valorem tax to the retirement systems. Clerks receives \$942,000 from this system.

Other Comments

Debbie discussed the conference and the Clerks' dinner. She announced that there was an education class this afternoon and the night's event was the talent show. The statewide elected officials will be attending the opening session.

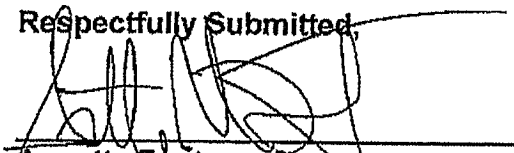
Clyde Ray Webber, Jr. announced that he would be retiring and was getting married in two weeks.

Adjournment

There was a motion to adjourn by David Dart. Motion seconded by Rick Arceneaux.
MOTION CARRIED.

MEETING ADJOURNED.

Respectfully Submitted,


Annette Fontana, Secretary

APPROVED:


Steve Andrews, President