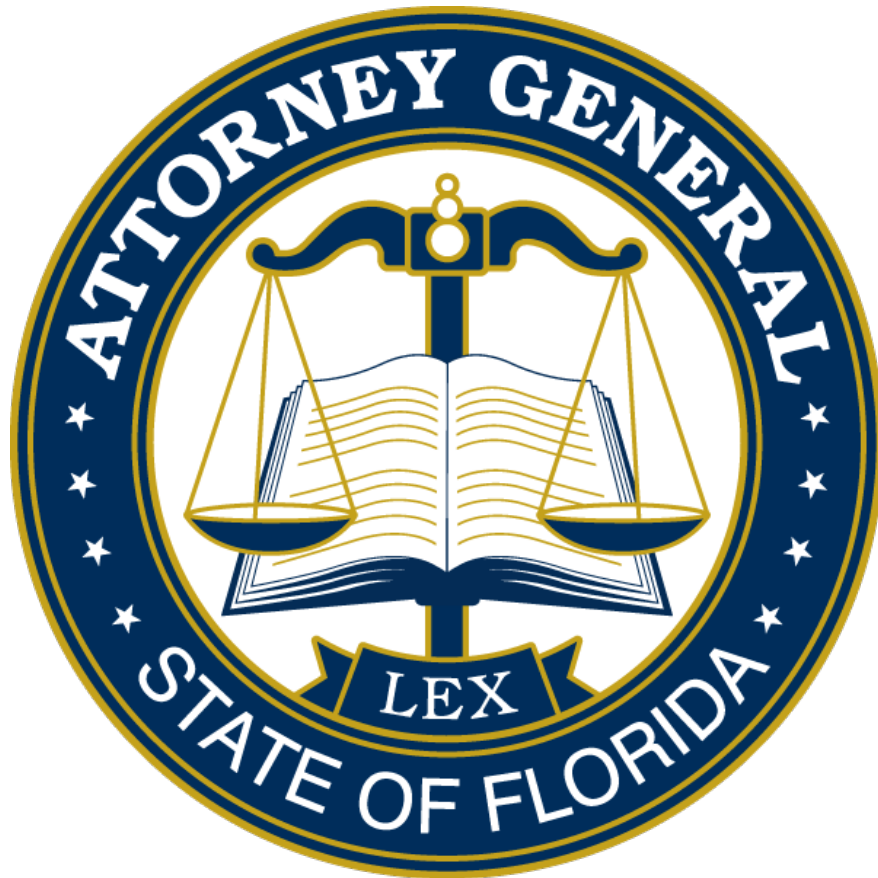


Long Range Program Plan FY 2021-22 through FY 2025-26



**Department of Legal Affairs
Office of the Attorney General**

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Long Range Program Plan

Department of Legal Affairs

September 30, 2020

Chris Spencer, Policy Director
Office of Policy and Budget
Executive Office of the Governor
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Tallahassee, Florida 32399-0001

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House Appropriations Councils
221 Capitol
Tallahassee, Florida 32399-1300

Cindy Kynoch, Staff Director
Senate Appropriations Committee
201 Capitol
Tallahassee, Florida 32399-1300

Dear Directors:

Pursuant to Chapter 216, Florida Statutes, our Long Range Program Plan for the Department of Legal Affairs is submitted in the format prescribed in the budget instructions. The information provided electronically and contained herein is a true and accurate presentation of our mission, goals, objectives and measures for the Fiscal Year 2021-22 through Fiscal Year 2025-26. The internet website address that provides the link to the LRPP located on the Florida Fiscal Portal is <http://floridafiscalportal.state.fl.us/Publications.aspx>.

This submission has been approved by Attorney General Ashley Moody.

Sincerely,

Sarah Nortelus
Deputy Director of Administration

AGENCY MISSION

Florida's Law Firm

Program: Office of the Attorney General

Goals

GOAL #1: To improve the quality of legal services provided on behalf of the state of Florida.

GOAL #2: To improve service delivery to all crime victims.

Program: Office of the Attorney General

Objectives

GOAL #1: To improve the quality of legal services provided on behalf of the state of Florida.

Objective A: Increase client satisfaction.

Objective B: Decrease the state's reliance on costly outside legal counsel.

Objective C: Improve the recruitment and retention of highly skilled Attorneys.

Objective D: Broaden the scope of experience and specialization levels of legal staff.

GOAL #2: To improve service delivery to all crime victims.

Objective A: Increase the efficiency in processing victim compensation claims.

Objective B: Increase the outreach of the Victims of Crime Act grant program.

Program: Office of the Attorney General

Service Outcomes & Performance

Projections Tables

GOAL #1: To improve the quality of legal services provided on behalf of the state of Florida.

Objective A: Increase client satisfaction.
Outcome: Percent increase in client satisfaction.

Baseline/Year 2001	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
90%	98%	98%	98%	98%	98%

Objective B: Decrease the state’s reliance on costly outside legal counsel.

Outcome: Percent of state agencies contracting with the Office of the Attorney General for all outside legal services.

Baseline/Year 2001	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
30%	63%	63%	63%	63%	64%

Outcome: Maintain practice standard of 1,800 hours per year per attorney.

Baseline/Year 2003	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
1600+	1800+	1800+	1800+	1800+	1800+

Objective C: Improve the recruitment and retention of highly skilled Attorneys.

Outcome: Increase average salary of the OAG attorneys to achieve salary level within the 90th percentile of average salaries paid to other executive agency attorneys.

Baseline/Year 2001	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
60th percentile	90th percentile	90th percentile	90th percentile	90th percentile	90th percentile

Objective D: Broaden the scope of experience and specialization levels of legal staff.

Outcome: Of eligible attorneys, percent who have attained AV rating, BV rating, and/or board certification.

Baseline/Year 2001	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
70%	75%	75%	75%	75%	75%

GOAL #2: To improve service delivery to all crime victims.

Objective A: Increase efficiency in processing victim compensation claims.

Outcome: Decrease average turnaround time from receipt of claim to payment.

Baseline/Year 1999	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
19.8 weeks	4.4 weeks	4.4 weeks	4.4 weeks	4.4 weeks	4.4weeks

Objective B: Increase the outreach of VOCA grant program.

Outcome: Increase the number of agencies participating in the VOCA grant program.

Baseline/Year 1999	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
219	241	245	250	250	255

Outcome: Increase number of individuals participating in the Address Confidentiality Program.

Baseline/Year 1999	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
135	815	900	900	1000	1000

Program: Office of the Attorney General

Trends and Conditions Statements

The Attorney General is the Chief Legal Officer for the State of Florida. The Office of the Attorney General is comprised of several units that economically and efficiently provide the highest quality legal services to the State of Florida and its agencies for the benefit of all Floridians.

Specific responsibilities enumerated in Article 4, Section 4 of the Florida Constitution and in Chapter 16, Florida Statutes, have been expanded through the years by the Florida Legislature and by amendment of the Constitution, for the protection of the public's interests. The functions of the Office of the Attorney General range across the legal landscape, from Capital Appeals to Medicaid Fraud and from Consumer Protection to Statewide Prosecution.

ANTITRUST (AND COMPLEX ENFORCEMENT) DIVISION

Antitrust Enforcement Role and Statutory Authority

The Antitrust Division primarily enforces state and federal antitrust laws and works to stop violations that harm competition and adversely impact Floridians. Under Chapter 542, Florida Statutes, the Attorney General has the authority to bring actions against individuals or entities that commit state or federal antitrust violations, including bid-rigging, price-fixing, market or contract allocation, and monopoly-related actions. The Attorney General's efforts, under the statute, have yielded hundreds of millions of dollars in recoveries for various public entities and for Florida's consumers over the past three decades.

The Attorney General has broad authority to institute or intervene in civil proceedings and seek the "full range of relief" afforded by Chapter 542, Florida Statutes, or by federal laws pertaining to antitrust or restraints of trade. Chapter 542, Florida Statutes, also grants the Attorney General certain specific investigative authority, including the power to investigate matters involving alleged restraints of trade and potential unlawful monopolies or conspiracies to monopolize. The latter provisions include the ability to review proposed mergers that may have a potential anti-competitive impact upon the state and its citizens. The statute specifically authorizes the Attorney General to investigate potential violations of state or federal antitrust laws; issue investigative subpoenas to anyone believed to be in possession, custody, or control of any documentation or other information relevant to an antitrust investigation; and bring actions on behalf of the state, public entities, and/or natural persons to recover damages and/or civil penalties, as warranted, as well as obtain the appropriate injunctive or other equitable relief.

Additional Statutory Authority:

Securities Enforcement, Complex Civil Enforcement, and False Claims

The Division has also expanded its efforts to include occasional enforcement of the state securities law (Chapter 517, Florida Statutes), when consent is provided by the Office of Financial Regulation (OFR), and non-Medicaid Fraud enforcement of the False Claims Act (Chapter 68, Florida Statutes). From time to time, as necessary, the Division also pursues civil complex enforcement of the Consumer Protection and Racketeering laws (Chapter 501, Part II and Chapter 895, Florida Statutes).

In 2009, the Legislature amended Chapter 517, Florida Statutes, to give the Attorney General the authority to pursue securities enforcement in conjunction with OFR, the primary enforcing authority of the state's securities laws. With respect to the False Claims Act, in 2013, Chapter 68, Florida Statutes, was amended to add enhanced enforcement tools, such as subpoena power, to more effectively pursue recoveries of taxpayer dollars lost to false claims, and now has a dedicated attorney and one support staff FTE assigned to pursue those claims.

Active and Closed Case Counts and Current Trends

One of the top priorities of the Antitrust Division is to ensure that those responsible for rigging bids on public entity procurement contracts, unlawfully fixing prices, or illegally monopolizing or attempting to monopolize certain markets or industries, be held accountable for the

overcharges or other harm suffered by Florida's public entities and citizens. In its consumer protection and securities enforcement roles, the Division ensures that the State, its governmental entities, and its consumers are properly redressed for any violations caused by individual or corporate misconduct and that the conduct is stopped. In its false-claims enforcement role, the Division's focus is on recovering lost taxpayer dollars due to false claims regarding state agency purchases.

Trends and conditions pertaining to the Division's enforcement efforts are assessed on an annual basis through an analysis of the number of active cases. The number of cases worked by the Division during Fiscal Year 2019-2020 increased slightly to 130 compared to 121 last fiscal year. The number of matters closed by the Division in Fiscal Year 2019-20 increased from 18 in Fiscal Year 2018-19 to 22 this fiscal year.

Recoveries

In Fiscal Year 2019-20, the Antitrust Division recovered \$27,318,541.85 from nine major cases (including one, auto parts, with many related matters) slightly up from the \$26,465,317.93 from five major cases in Fiscal Year 2018-19. It is not unusual for recoveries to fluctuate from year to year, as antitrust cases have are more complicated and often take longer to resolve. This fiscal year the recoveries were about the same as last fiscal year, but it took nearly double the number cases to reach that result.

Recent Developments Affecting the Division

Several recent developments have resulted in a significantly increased need for consistent and effective state antitrust, complex civil, and false claims enforcement. At least six trends or conditions are apparent.

First, in the antitrust area, there has been a dramatic increase over the past several years in the number of proposed mergers, acquisitions, and joint ventures. While not all proposed mergers and acquisitions are reviewed by the Attorney General's Office, those that may have a particularly anticompetitive impact in Florida, and Florida consumers, are closely scrutinized by the Division. These reviews are necessary and in the public interest, but do not typically generate any funding for the Legal Affairs Revolving Trust Fund, since fees and costs are not generally easily compensable.

Second, when there is an economic downturn as was experienced earlier in this decade and now during the COVID-19 crisis, there is a higher likelihood of collusion between competitors to fix prices, rig bids, or otherwise violate antitrust laws to maximize profits or preserve their financial status. It is important that antitrust enforcement agencies do everything possible to stay vigilant and visible in their enforcement efforts. Doing so has not only resulted in significant recoveries for Floridians and Florida governmental entities over the years, but also it has potentially deterred collusive conduct in the first place.

Third, with more opportunity for collusion comes more pressure on enforcement agencies to remain aggressive in enforcement. Over the last few years, both the Federal Trade Commission and the Department of Justice have been criticized for not being more aggressive in their enforcement efforts, which has put even more pressure on the states to stay aggressive in their

collective efforts. As they have done for more than three decades, state attorneys general focus on those cases that most affect their state agencies and consumers, and the Antitrust Division continues to marshal all available resources to fulfill its enforcement mandate for the benefit of Floridians.

The fourth major trend is related to the need of the Division to step in on certain complex consumer protection cases from time to time. For example, a new area recently undertaken is by the Division is construction marketing and defects. The Division just concluded last fiscal year working on its second big construction defect consumer protection case after the OAG received numerous consumer complaints concerning the same entity. These cases have not typically been matters pursued by this agency. In prior administrations, construction defect cases were referred to the Department of Professional and Business Regulation. However, that agency only pursued these matters as licensing cases, not as consumer protection cases.

Likewise, under Florida law, the Office of Financial Regulation is tasked with the primary enforcement of state securities laws. However, a rise in Ponzi schemes and other get-rich quick schemes, together with more sophisticated violations of state securities laws, have made it important for state enforcers to respond by strengthening existing enforcement resources devoted to uncovering unlawful schemes.

While these efforts are important to protect the public, there is no opportunity for the enforcer to collect fees and costs to compensate for the time and resources put into the enforcement activity as the defendant is usually defunct and the focus of recovery is on restitution to victims. This activity places additional burden on resources, as the Antitrust Division is entirely trust-funded and relies on the collection of reasonable fees and costs from its successes to replenish the fund.

To reduce duplication of effort and otherwise preserve its limited resources, the Division often combines resources with other state Attorneys General, certain other state regulators, and the federal enforcement agencies where appropriate. This consolidation of limited resources has allowed the Attorney General's Office to more thoroughly address antitrust, securities, and other complex civil enforcement concerns than would be possible without such a cooperative effort. Despite this collaboration, the sheer complexity and size of cases the Division undertakes can still constitute a significant use of resources and can take years to resolve.

A fifth trend relates to the complexity of cases handled by the Division. Recent federal court decisions, have imposed additional pleading and proof requirements upon plaintiffs to survive dismissal and summary judgment. Certain kinds of damages cases have resulted in complicated settlement allocation and distribution models that can be difficult to achieve and expensive to administer. In some instances, it is becoming too costly to pursue lengthy antitrust cases that are less likely to sufficiently compensate consumers, public agencies and the Division.

Finally, a sixth recent development, that is expected to limit what the Division may accomplish on the antitrust enforcement side, came near the end of the 2016-17 fiscal year. In early 2017, a large contingent of the Antitrust Division was tasked with working with the Consumer Protection multistate team to begin investigating the opioids industry and their marketing practices. This

assignment was necessary given the expected breadth of the investigation and the number of documents that ultimately would need to be reviewed. The opioids epidemic and its impact on Floridians is the number one enforcement priority of the OAG currently and requires an all-hands-on-deck approach. Although, there is the possibility that some of the defendants may settle soon, it is expected that this matter will continue to require significant staffing and financial resources for the foreseeable future.

Division Highlights

The Division's recoveries during Fiscal Year 2019-20 are largely attributable to resolutions in four significant antitrust cases: 1) a bid-rigging case involving several large liquid aluminum sulfate water treatment chemical producers, which concluded during the fiscal year with the last defendant, C & S Chemicals settling for \$210,000; 2) a multistate pharmaceutical pay-for-delay case, Lidoderm, that settled for \$541,953 for Florida; 3) eight auto parts price-fixing cases settling (all filed in one MDL so counted as one case in our case tracking), with one of the companies Denso settling for \$2.125 million and another, Toyoda Gosei Co., settling for \$492,000; and, 4) a market allocation case in which, one of the parties, Florida Cancer, settled for \$20 million to be paid over time.

As noted above, not all cases handled by Antitrust generate monetary recoveries. Some cases are opened and then closed when it is determined that no action is warranted, but a review is required before making that determination. Others are pursued for the primary purpose of either stopping or modifying possible anticompetitive conduct but may not yield significant consumer or state agency restitution. Merger reviews are an example. In these cases, the focus of the review is on whether the proposed merger may have anticompetitive effects in Florida market. Of the 130 active cases worked by the Division in Fiscal Year 2019-20, at least 13 were significant merger reviews, slightly up from the ten major transactions reviewed in Fiscal Year 2018-19. Such reviews, intended to ensure that the proposed mergers will not adversely affect competition, typically do not result in any dollar recoveries, including recoveries for fees and costs. Despite efforts to reduce costs by sharing resources with other states or federal agencies, these reviews can be very resource-intensive and time-consuming.

Similarly, some complex civil matters are pursued with the primary focus on ensuring that an illegitimate operation is put out of business for its unlawful conduct. Obtaining an injunction stopping unlawful conduct is just as important, if not more so, in some cases, than seeking a monetary recovery. These cases include mortgage fraud cases, some securities violations, and construction defect cases. All tend to be extremely complex matters, requiring significant resources, including the hiring of experts, but generally do not result in reimbursement of all fees and costs incurred by the Division, either because there is no money available or any money that is available is for victim restitution.

Staffing Needs

As noted above, as cases become more complex, they take longer to resolve. Additionally, the Division over the last 8 years has taken on securities, false claims, and select complex consumer protection cases in addition to maintaining its workload in antitrust enforcement. As a result, it is anticipated that if this trend continues, which is likely until separate units are established, additional attorney and paralegal FTEs may be needed over the next 3-5 years.

CONSUMER PROTECTION DIVISION

The Consumer Protection Division is the civil enforcement authority for all multi-circuit violations of the Florida Deceptive and Unfair Trade Practices Act (FDUTPA). The Division's attorneys, investigators and support staff protect Florida consumers by pursuing individuals and entities that engage in unfair methods of competition or unconscionable, deceptive and unfair practices in any trade or commerce. The Division also often partners with other state attorneys general, other state agencies, and federal consumer protection enforcement agencies in joint enforcement efforts. In conjunction with its authority under FDUTPA, the Division also has authority to enforce a number of related statutes including the civil provisions of the Racketeer Influenced and Corrupt Organization (RICO) Act, through which the Division, where appropriate, pursues the conduct of "enterprises" engaged in continuing patterns of statutorily enumerated illegal activities, such as fraud, theft and misleading advertising. Additionally, the Attorney General has co-enforcement authority under the Florida False Claims Act to pursue non-Medicaid Fraud - so called "whistleblower" cases. The bulk of False Claims cases typically fall within the purview of the Medicaid Fraud Control Unit, but those dealing with consumer protection issues are handled by the Consumer Protection Division. The Attorney General also has direct enforcement authority of other state laws related to consumer protection and certain federal rules and statutes related to consumer protection.

Deceptive and Unfair Trade Practices

The primary enforcement tool of the Division is Chapter 501, Florida Statutes, the Florida Deceptive and Unfair Trade Practices Act. The Division initiates investigations based on information gathered or consumer complaints alleging unfair or deceptive business practices. Using its subpoena authority and other investigative tools, the Division engages in fact finding prior to bringing an enforcement action. Through its investigations, the Division works to enforce FDUTPA and provide remedies to victimized consumers. The Division may also attempt to assist consumers in resolving disputes prior to or in lieu of an enforcement action. Formal investigations may be resolved through acceptance of an Assurance of Voluntary Compliance, or a lawsuit may be filed in state or federal court.

In the 2019-20 Fiscal Year, the Division opened a total of 115 cases (85 were new investigation cases assigned with an L#, 7 were cases involving enforcement of prior settlements or judgments and were assigned an E#, and 23 were Monitoring cases assigned an M#). The Division closed 116 cases and recovered over \$13 million in restitution, charitable contributions and other consumer relief, and over \$60 million in penalties and fees and costs. As of July 15, 2019, the Division has a total of 247 active L# investigations, with 51 of these cases in litigation, and an additional 12 cases involving litigation regarding subpoenas. In addition, there are currently 53 Enforcement cases, 29 Monitoring cases, and over 40 matters under initial review. The monitoring cases include businesses that typically generate a high volume of consumer complaints, but no potential violation has yet been identified, and prior enforcement cases that have been resolved but the Division continues to monitor follow up reporting or payments being made over time.

Price Gouging

When the Governor declares a state of emergency, the Division enforces the state's price gouging laws and any other violations of the Deceptive and Unfair Trade Practices Act, such as subsequent repair and recovery scams statewide, relating to the emergency. To curb these predatory practices and enforce Florida's price-gouging statute, the office has established a toll-free hotline and smartphone application that is activated and widely publicized following the declaration of a state of emergency. Notices alerting consumers to potential scams and informing them of the resources available are widely distributed.

In the 2019-2020 FY (July 1 2019 – June 30, 2020), the OAG received 148 inquiries relating to the ongoing state of emergency relating to Hurricane Michael that made landfall in 2018, 3,392 inquiries relating to Hurricane Dorian for which a state of emergency was in effect from August 28, 2019 to June 17, 2020 and 4,866 inquiries relating to essential commodities necessary for use during the Covid-19 state of emergency declared on March 9, 2020 and continuing through the end of the fiscal year. In this fiscal year, the Division opened 16 price gouging investigations resulting from Hurricanes Michael (6) and Dorian (10) and opened 26 price gouging investigations relating to the Covid-19 pandemic. The division filed one new litigation case regarding excessive charges for tarping in the aftermath of Hurricane Michael, litigated one new matter relating to enforcement of an investigative subpoena related Hurricane Michael, and filed one new litigation case relating to a marketing scheme arising out of the Covid-19 pandemic.

As of July 1, 2020, the Division has resolved 20 of the 42 new price gouging investigations, obtaining refunds for consumers totaling \$70,315.72. In total, in this fiscal year, the Division has settled 20 price gouging cases with AVC's, including the 18 new cases, resulting in total relief of over \$185,000. Included in the \$185,961.49 is over \$95,000 in consumer restitution, over \$45,000 in investigative costs, and \$45,100 in penalties. In addition, the Division recovered over \$726,680 in refunds and credits for consumers who filed complaints against businesses relating to event and travel cancellations and other issues arising from Covid-19.

Vulnerable Populations

Seniors -- Florida's large and growing elderly population is frequently targeted by fraudsters. The Division works with senior advocate organizations to prevent, identify and prosecute fraudulent scams directed at older victims. In particular, FDUTPA allows the Division to seek additional civil penalties against those who defraud victims 60 and older. Attorney General Moody launched a new Senior Protection Team (SPT) initiative in early March 2019. Through this initiative, the Division has enhanced its intake and tracking process for consumer complaints alleging illegal business practices that disproportionately impact Florida seniors or egregious conduct that has led to significant financial harm to a senior. The Division works closely with law enforcement, the Office of Statewide Prosecution, and local prosecutors to coordinate review and enforcement of SPT issues. The Division also works closely with other state agencies to refer and follow up on SPT complaints and issues. In addition, the Division is participating in numerous outreach events to the senior community and training to other agencies and law enforcement. Since its inception, the Division has received a total 220 SPT consumer complaints. 146 SPT of these were received in FY20 alone. The Division has recovered over \$323,142 for 33 individual complainants. The Division has also opened 21 new investigations of businesses with practices that allegedly adversely impact seniors that resulted in over \$47,738 in financial relief to impacted Florida seniors and \$1,063,750 in civil penalties levied against businesses. The Division implemented a process for referring certain individual complaints to the

Seniors vs. Crime project to assist with resolution. In total, Since December 2019, at least 89 Senior Protection complaints have been referred to Seniors vs. Crime by the OAG to assist the Division in responding to senior complaints.

Military and Veterans -- With more than 90,000 active duty military members and more than 1.5 million veterans residing in Florida, servicemembers and veterans are also frequent targets of fraud. FDUTPA allows the Division to seek additional civil penalties against those who commit fraud or deceptive practices targeted at veterans and active duty military members and their families. In May 2017, the Division launched the Military and Veterans Assistance Program (“MVAP”), a dedicated team who directly serves the military community across the state by helping servicemembers and veterans learn how to protect themselves from scams and file complaints with the MVAP through a specially tailored complaint portal. The MVAP team has also established relationships with other governmental agencies, military leadership, legal aid offices, and veterans’ services offices throughout the state to ensure Florida veterans have every resource available to assist them. The Division entered into a Memorandum of Understanding with the Florida Veterans Legal Helpline, which offers a free statewide legal service for eligible Florida veterans and their families. As part of its mission to educate servicemembers, MVAP has done notable outreach and publishes an annual Military Consumer Protection Resource Guide that provides information related to scams targeting servicemembers, and resources to support our servicemembers and veterans.

This Fiscal Year, MVAP’s investigations have resulted in eleven open/active investigations, which include deceptive retail tactics, moving companies that prey on veterans and servicemembers by claiming a military affiliation, charities scams, and unlawful business practices related to Veterans Affairs benefit applications. Through MVAP’s enforcement efforts, the Division has contributed to shutting down and recovering nearly \$2 million from fraudulent and misleading veterans’ charities. Recovered donations were distributed to reputable veteran charities that used them, this Fiscal Year, to directly assist Florida veterans as well as veterans across the country with transportation, housing, special and adaptive equipment, service animals, and the creation of a smart home for a severely injured veteran. Additionally, in this Fiscal Year, the MVAP team has recovered thousands of dollars in refunds and services for veterans and active duty military members and their families.

Debt Collection

Consumer debt in Florida has reached record highs in recent years. Florida is in the 10th percentile for highest consumer debt value and among the top third for its increasingly indebted residents. Inevitably with debt comes debt collection and the need to protect consumers from harassing, unfair or deceptive debt collection practices. In June 2018, the Division launched the Debt Collection Initiative (“DC”). The goal of the initiative is to eliminate abusive debt collection practices, eliminate anti-competitive practices, insure fair competition to debt collectors who refrain from using abusive debt collection practices, to promote consistent State action to protect consumers against debt collection abuses, and to help educate consumers about their rights under the debt collection statutes. To accomplish this goal, a dedicated team conducts a comprehensive review of consumer complaints involving both in state and out of state debt collectors. The initiative team developed a database to capture complaint metrics and identify trends and patterns to help build enforcement actions. Since inception of DC, the

Division has received 4,551 consumer complaints. In the 2019-2020 Fiscal Year, the Division has received 1201 consumer complaints. DC has opened 14 investigations and established corporate liaisons with 7 of the largest complaint producing companies for escalation and resolutions of consumer complaints. Resolutions include verification of debt, agreeing to cease collection activity, deleting the collection from the consumer's credit report, and agreeing to close and remove account from collector. In this fiscal year, DC has obtained 40 resolutions.

Multistate and Privacy

With every major data breach, millions of consumers' personal identifying information becomes available for misuse by bad actors. Under the Florida Information Protection Act of 2014, the Office of the Attorney General was charged with tracking data breaches and their effect on Florida consumers. The Division enforces the law requiring that businesses report breaches and notify affected consumers and investigates whether the company had taken proper steps to avoid such a breach. Additionally, the Division's Multistate and Privacy Bureau coordinates with other state attorneys general to pursue massive, nationwide investigations against companies alleged to have defrauded consumers across the U.S. In FY19-20, the Division resolved 211 data breach investigations resulting in over \$11 million in payments to the state and additional money for consumer expenses and free credit monitoring. In FY19-20, the Division resolved 1 Multistate investigation resulting in over \$7 million in payments to the state.

Mortgage Servicers

Following the National Mortgage Settlement in 2012 and similar agreements with additional loan servicers, the Division established a Mortgage Servicing Unit in Tampa that reviews consumer complaints to ensure these companies are compliant with the settlements and to assist consumers in obtaining a response and, if appropriate, a resolution from these servicers. Mortgage-related complaints remain a top concern and is the 12th most complained about industry for our Division in the 2019-20 fiscal year. In addition to working with consumers to resolve complaints regarding their mortgage loans, the team also reviews and helps resolve complaints due to disaster relief and helps develop consumer guidance related to changes in mortgage servicing. The Division is also currently engaged in a multistate investigation of one of the largest non-depository mortgage services and is engaged in litigation filed in federal court jointly with the Office of Financial Regulation against a Florida-based mortgage servicer. Thus, the Unit investigates new allegations of loan servicer misconduct, instances of misconduct associated with housing related natural disasters, and scams related to foreclosure relief or "rescue."

Top Consumer Complaints

The ever-changing landscape of fraudulent schemes and technologies that make them possible serve as a constant challenge. The top consumer protection-related complaints received in the 2019 calendar year included telecommunications/robocalls, builders and contractors, timeshare issues, imposter scams, auto dealers, internet-related complaints such as online retailers, moving companies, insurance, auto rentals, and hospital and medical billing. Additional ongoing initiatives in the Division include debt collection, tech support scams, rental car fee disclosures, lending and financial scams, privacy, robocalling, pharmaceutical and health related practices, mortgage-related scams, negative options and other billing issues, corporate records scams, home contractors and movers.

Staffing

Consumer fraud issues continue to require substantial, meaningful investigation as well as negotiation or litigation when founded. As technology grows and allows fraudsters to engage in more frequent and more complex schemes, the Division remains under constant pressure to provide the necessary resources to combat them. The Division continues to be responsive to consumer complaints and works to assist consumers in resolving complaints in ever-growing issues or areas of significant consumer impact. The Division also provides educational materials addressing deceptive practices and scams prevalent in our State. These everyday needs grow exponentially during declared states of emergency when attention must be turned to urgent price gouging matters. Nevertheless, the Division continues to strive for excellence in addressing corporate misconduct and outright scams to continue to obtain the positive outcomes for Floridians, including injunctions against deceptive businesses and fraudsters as well as restitution to consumers.

Education Materials

In FY 2019-20, the Consumer Protection Division has produced pamphlets on the topics of imposter scams, price gouging, and Census imposters in both English and Spanish. In addition, the Division has updated and released yearly consumer protection booklets on the topics of seniors, military members and veterans, hurricane season, and the holiday season. In response to the global health crisis and legislative action related to COVID-19, the Division also crafted a flyer on Coronavirus scams as well as FAQs for consumers to better understand their rights and benefits under state and federal aid packages.

LEMON LAW

Florida's motor vehicle Lemon Law is established in Chapter 681, Florida Statutes. The law allows consumers to receive a replacement motor vehicle or a purchase price refund when their new or demonstrator motor vehicle does not meet certain statutory thresholds. A vehicle is a potential "lemon" if it is subjected to repeated, unsuccessful repairs for the same substantial defect, or is constantly in the shop for the repair of one or more different substantial defects. The Attorney General's Office enforces manufacturer compliance with the Lemon Law. The Office also provides a forum for resolution of disputes between consumers and manufacturers that arise under the Lemon Law and operates a toll-free "Lemon Law Hotline" telephone complaint line. Additionally, the office is statutorily responsible for reviewing and determining whether certification of manufacturer-sponsored informal dispute resolution programs is appropriate, and monitoring the RV Mediation/Arbitration Program, an industry-sponsored dispute resolution program.

The Florida New Motor Vehicle Arbitration Board

The Florida New Motor Vehicle Arbitration Board, which is administered by the Lemon Law Arbitration Division, conducts arbitration hearings throughout the state to resolve disputes arising between consumers and car and light truck manufacturers, as well as any recreation vehicle manufacturers not participating in the RV Mediation/Arbitration Program. Members of the New Motor Vehicle Arbitration Board are appointed by the Attorney General. Appointments are made annually in June for terms beginning July 1. The Lemon Law Arbitration division screens all consumer claims to determine whether they are eligible for arbitration, and rejects those claims found to be fraudulently filed or outside the scope of the Board's authority. The Division manages the administrative and clerical functions related to running the arbitration program, provides legal advice and yearly training to the Board, and enforces Board decisions. Yearly statistics for disputes submitted to the Board are compiled and reported. It is the goal of the Division to eventually make the screening and administration of arbitration claims an electronic process, including a secure area of the agency's website for electronic filing and uploading/downloading of documents by all parties. This will reduce the amount of paper that must be maintained and copied.

State Certification of Manufacturer-sponsored program

A motor vehicle manufacturer can also sponsor its own informal dispute resolution program. These manufacturer-sponsored informal dispute resolution programs are run through private companies that contract to provide dispute resolution services to the motor vehicle manufacturers. In Florida, there are currently three programs operating: The Better Business Bureau's AUTOLINE, the National Center for Dispute Settlement, and CAP-Motors. These programs are operated pursuant to contracts between the company and the manufacturer. By statute, the program decisionmakers, in rendering their decisions, are to consider "all legal and equitable factors germane to a fair and just decision, including, but not limited to, the warranty; the rights and remedies conferred [under federal law]; the provisions of [the Lemon Law]; and any other equitable considerations appropriate under the circumstances." The manner in which the programs consider and apply these variables varies greatly.

A motor vehicle manufacturer can apply to have its informal dispute resolution program certified

by the State of Florida as substantially complying with applicable federal rules, state statutes and administrative regulations. If a manufacturer-sponsored informal dispute resolution program is certified by the state, then consumers with disputes must first resort to that program before they can file a claim with the state-run Florida New Motor Vehicle Arbitration Board. Responsibility for certification of these programs has been transferred to the Attorney General's office. Currently, the 10 manufacturer programs previously certified by the Department of Agriculture and Consumer Services have been provisionally certified by the Attorney General's office. Those provisional certifications are in effect until September 30, 2020, and will be renewed for an additional six-month period. In addition, there are two manufacturers that have applied for certification. The Division will be developing standards for full certification in order to finalize the status of the provisional certifications and act on the pending applications.

Resale Disclosure

Manufacturers and sellers are required to disclose defects in repurchased "lemons" to consumers before selling them as used vehicles. Manufacturer compliance with these statutory resale notification requirements remains strong. Information from these notices are researched, entered into a database, and transferred to the Attorney General's website for use by consumers as they shop for used motor vehicles. The database is also a starting point for determining whether the subsequent buyers of these vehicles received disclosure notices from the sellers. The Division has continued to monitor, notify and enforce manufacturer practices in this area.

RV Mediation/Arbitration Program

Since 2013, DeMars and Associates has been the administrator of the manufacturer-sponsored RV Mediation/Arbitration Program. Lemon Law claims filed by recreational vehicle owners are filed with that Program, provided that all manufacturer(s) involved with the claim have signed up to participate. If one or more of the manufacturers of an RV involved in a dispute have not signed up with the RV Mediation/Arbitration Program, the dispute is filed with the Attorney General's Office and heard by the Florida New Motor Vehicle Arbitration Board.

Trends and Future Actions

The Division will likely seek to update its existing rules to conform hearing rules to the 2011 statutory amendments, as well as develop guidelines for manufacturer-sponsored program certification. In addition, changes to the way motor vehicles are sold and repaired may necessitate legislative changes so that the arbitration process adapts to these changes. For example, Internet sales of new motor vehicles may necessitate legislative changes to statutory definitions for vehicles "sold in this state."

In addition, the Division's goal of making available online filing and access to case documents by case parties, attorneys and Board Members remains unfulfilled. The Division plans to explore the use of new technology to enable an electronic filing and case management system.

The program has seen a large increase in the number of consumers utilizing the Lemon Law program who speak only Spanish. The Division plans to explore expanding the availability of interpreters to assist consumers and arbitration panels in efficiently conducting proceedings.

Civil Rights

The Office of Civil Rights (the Office or OCR) operates under Section 16.57, Florida Statutes, and the Florida Civil Rights Act, Chapter 760, Florida Statutes. OCR enforces civil rights laws on behalf of the State of Florida. The Attorney General has the authority to file civil actions for damages and injunctive relief in cases where there is a pattern or practice of discrimination or which raises an issue of great public interest. The Office may also file a civil action in cases whenever any person, whether or not acting under color of law, interferes by threats, intimidation, or coercion, or attempts to interfere by threats, intimidation, or coercion, with the exercise or enjoyment by any other person of rights secured by the State Constitution or laws of this state.

OCR remains focused on protecting the citizens of Florida and enforcing the laws under the Florida Fair Housing Act. Specifically, reviews matters concerning all aspects of fair housing discrimination, including discrimination in sales, rentals and policies; and discrimination against persons with disabilities. The Office of Civil Rights works with the Florida Commission on Human Relations (Commission) to enforce the provisions of the Florida Fair Housing Act. It receives housing cases from the Commission where “cause” has been determined and the parties are unable to resolve the case amicably.

The types of cases and projects initiated by OCR are often time consuming and document intensive. The attorneys travel throughout the state to attend hearings, meet with witnesses and to meet with various individuals and organizations. The OCR is currently comprised of two attorney positions, which include the Director, an Assistant Attorney General and three support staff positions (a legal assistant, an administrative assistant and a Senior Investigator).

Examples of recent case settlements include:

Garcia et al v. Blue Heron of Naples Condominium Association, Inc et al. This is a housing discrimination case based on familial status and national origin. The Condominium Association and the property management company allegedly discriminated against the Garcias by publishing Rules and Regulations that showed a preference for families without children; by denying terms, conditions, and privileges, and services and facilities to the Garcias based on their having children and based on their national origin; by coercing, intimidating, threatening, or interfering with the Garcias in the exercise or enjoyment of rights granted or protected under the Florida Fair Housing Act. The Garcias filed a housing discrimination complaint with the U.S. Department of Housing and Urban Development, which was subsequently filed with the Florida Commission on Human Relations on the basis of familial status and national origin discrimination. After a cause finding was issued, OCR was elected to enforce the finding. The OCR filed a fair housing discrimination complaint in Circuit Court and a settlement was reached.

Griffiths and Gould v Lighthouse Resort and Club Association, Inc. et al. This case involved disability discrimination. Ms. Griffiths and Mr. Gould alleged that the Lighthouse Resort and Club Association along with its property manager, discriminated against them, in violation of the Florida Fair Housing Act, by constantly harassing them and imposing arbitrary rules about Ms.

Griffiths' dog even though the Resort had granted Ms. Griffiths a reasonable accommodation from the "no pets" policy and agreed to allow Ms. Griffiths to have and keep her emotional support animal with her during their three consecutive week stay at the Resort. Ms. Griffiths and Mr. Gould filed a housing discrimination complaint with the U.S. Department of Housing and Urban Development, which was subsequently filed with the Florida Commission on Human Relations on the basis of disability discrimination. After a cause finding was issued, OCR was elected to enforce the finding. The OCR filed a fair housing discrimination complaint in Circuit Court and a settlement was reached.

Education and Outreach

OCR's education and outreach continues to focus on Preventing Bias crimes. Each Year, OCR is responsible for creating the Hate Crimes in Florida Report. This report contains data reported by law enforcement agencies and shows the number of hate crimes committed throughout the state. OCR has a Hate Crime Training Program available for law enforcement officers and participates in Hate Crime forums, along with federal, state and local partners. The Office is also a member of the United States Attorney for the Middle District of Florida's Hate Crimes Working Group.

CABINET AFFAIRS

In addition to the duties as the state's chief legal officer, the Attorney General serves as a member of the Florida Cabinet. The Attorney General is also regularly called upon by the Florida Legislature to discuss and provide advice on relevant issues and pending legislation.

The Governor and Cabinet, as a collegial body, conduct Executive Branch business in the following capacities including, but not limited to the: State Board of Executive Clemency; Division of Bond Finance; Department of Veterans' Affairs; Department of Highway Safety & Motor Vehicles; Department of Law Enforcement; Department of Revenue; Administration Commission; Florida Land & Water Adjudicatory Commission; Electrical Power Plant & Transmission Line Siting Board; Board of Trustees of the Internal Improvement Fund; and Financial Services Commission. The Governor, Attorney General and Chief Financial Officer also constitute the State Board of Administration.

The Cabinet Affairs staff advises the Attorney General on all matters pertaining to constitutional and statutory role as a member of the Florida Cabinet. The Cabinet Affairs staff regularly meets with interested parties and private citizens and responds to inquiries from the public relating to factual, policy, and legal issues that come before the Governor and Cabinet.

OPINIONS

Section 16.01(3), Florida Statutes, sets forth the responsibility of the Attorney General to provide legal opinions. The Opinions Division serves to research and draft responses on behalf of the Attorney General. Official written opinions are issued to state and local officials, boards, agencies, and their attorneys, in response to questions of state law regarding their official duties.

Additionally, the Attorney General is authorized, by sections 16.08 and 16.52(1), Florida Statutes, to provide legal advice to state attorneys and to Florida's representatives in Congress.

As a direct means for obtaining legal advice, Attorney General Opinions may serve as an alternative to expensive litigation. Striving to respond in a timely manner in order to preserve the relevancy of the question posed is a primary objective of the Opinions Division. The Division received a significantly increased number of opinions in the first half of calendar 2020, compared to the second half of calendar 2019, notwithstanding the COVID-19 epidemic. This office has adjusted to a remote working environment, and has continued to work to reduce the time frame for responses, utilizing computerized databases, web-based legal research tools, a peer review process, and internal communication. The office's records management system also assists in the retrieval of archival files useful in the completion of current projects.

Attorney General Opinions issued from 1974 onward are available on the Department of Legal Affairs website. Opinions issued prior to 1974 are published in the bound volumes of the Attorney General Annual Report. In many instances, earlier opinions prove relevant to the resolution of an agency's current legal question, thus eliminating the need for an opinion request.

SOLICITOR GENERAL

The primary responsibility of the Office of the Solicitor General (OSG) is to represent the State of Florida in significant litigation affecting the powers, duties, and responsibilities of all branches of state government. The Solicitor General directs, coordinates, and represents the State in cases of statewide importance, including constitutional cases, before the United States Supreme Court, the Florida Supreme Court, the Eleventh Circuit Court of Appeals, and the Florida district courts of appeal. The Solicitor General is also involved, at the trial level, in significant civil litigation cases that have statewide impact. The Solicitor General reviews and prepares amicus curiae briefs in support of State's legal positions in state and federal appellate court cases. Additionally, the OSG advises the Attorney General on legal and policy issues affecting the State.

Many states have established a state-level office of Solicitor General, particularly those that are proactively involved in protecting the interests of their respective states in state and federal courts.

The Office of the Solicitor General was established in 1999, as requested by the Attorney General's Office, and in conjunction with the Florida State University College of Law. The current authority for the office is outlined in the Appointment by the Attorney General to the Solicitor General, and Semester Assignment letters from Dean of the Florida State University College of Law to the Solicitor General. The Solicitor General holds the Richard W. Ervin Eminent Scholar Chair at the College of Law and teaches one course during the Fall and Spring semesters. The Solicitor General's academic position at The Florida State University is subject to the Rules and Regulations of the Florida Board of Education and Florida State University, as well as the Constitution and Laws of the State of Florida.

OSG is in the process of undergoing a major expansion. With the addition of four new attorney positions, the OSG now consists of the Solicitor General, two chief deputy solicitors general (one on the civil side, and one on the criminal side), and a total of six assistant and deputy solicitor general positions, as well as two full-time support staff positions. These new positions reflect OSG's growing portfolio in the area of criminal appellate litigation, as set forth in the Attorney General's appellate litigation policy. The unit draws assistance from other units of the Attorney General's Office, on a case-by-case basis, to maximize the range of legal expertise and minimize budgetary impacts.

Criminal Appellate Division

Overview

The Criminal Appellate Division consists of the five regional Criminal Appeals Bureaus and one statewide Capital Appeals Bureau, which comprise the State's appellate prosecution component of Florida's criminal justice system. Each Bureau is governed by the core mission of the Attorney General's Office, §16.01 (4), (6) Florida Statutes, specially to defend all state statutes under constitutional challenge, to defend the Constitution of the State of Florida and the United States Constitution, to handle state criminal appeals and federal habeas corpus litigation and appeals, and to litigate all extraordinary writs. The Criminal Appellate Division defends all direct criminal appeals and post-conviction appeals in the state appellate courts and defends state judgments and sentences in post-conviction throughout the federal district and appellate courts in all federal habeas corpus litigation; litigates cases involving civil rights actions under §1983 in the state capital cases and litigates extraordinary writs in the United States Supreme Court.

Attorneys in this division are also assigned duties which include: drafting, reviewing and analyzing legislation; providing legal advice to the State Attorneys' Offices and informing and protecting the rights of all victims of crime, as set forth in the Declaration of Rights found in Article I, Section 16, Constitution of Florida.

The Criminal and Capital Appeals Bureaus constitute the state's appellate arm in the criminal justice system. Unlike the limited jurisdiction of the state attorneys' and public defenders' offices statewide, the Attorney General's Criminal Division defends all criminal judgments and sentences imposed by the state trial courts against all challenges filed by the defense, including public defenders' offices, private defense lawyers, the regional conflict counsels' offices, the capital collateral regional counsels' offices and *pro se* defendants. Additionally, attorneys in the criminal bureaus initiate appellate review in cases where adverse rulings occur against the State that emanate from the state trial or appellate courts or federal courts. Not surprisingly, there is a significant difference between the caseloads handled by the various defense entities and the much larger criminal caseloads in this office due to this Division's scope of litigation responsibilities in state and federal courts.

Criminal Appeals

The Criminal Appeals Division is comprised of five statewide bureaus located in proximity to the District Courts of Appeal (DCA) in Tallahassee (1st DCA), Tampa (2nd DCA), Miami (3rd DCA), West Palm Beach (4th DCA) and Daytona (5th DCA). Each bureau is assigned to the state attorneys' offices within the specific districts, and handles all appeals emanating from the counties comprising those districts.

The Criminal Appeals Bureaus' main responsibilities are to defend all judgments and sentences that are appealed to the appellate courts and litigate all state cases that have been filed in the federal district courts and Eleventh Circuit Court of Appeals seeking federal constitutional relief. The Bureaus' cases also include the active sexual predator/Ryce commitment appeals assigned to designated attorneys statewide.

Current resources have enhanced the ability of the attorneys and staff to handle the large number of appeals each year. Criminal appeals are being processed in less time therefore lessening the delays in the completion of the appellate process.

As a result of legislation passed in 2020, it is anticipated that additional cases will be allocated to the Bureaus resulting from the expansion of appellate jurisdiction to include appeals from county courts. The extent of the workload increase is uncertain at this time, and will be monitored in the coming fiscal year.

Capital Appeals

The Capital Appeals Bureau, the only statewide criminal bureau, prosecutes appeals and defends capital murder convictions from each of the state circuit court to the Florida Supreme Court. This Bureau litigates all cases following the completion of the original trial and imposition of a death sentence. Pursuant to Section 16.01(6), Florida Statutes, this Bureau is also co-counsel in all state post-conviction litigation in the state trial courts, and prosecutes all litigation culminating in the executing of a death warrant through the state and federal courts.

On January 12, 2016, the U.S. Supreme Court, decided *Hurst v. Florida*, 136 S.Ct. 616 (2016), determining that Florida's sentencing process violated *Ring v. Arizona*, because a jury not a trial judge must determine that a defendant is death eligible under the Sixth Amendment to the U.S. Constitution. As a result of the Florida Supreme Court's opinions on the retroactive application of *Hurst/Ring*, a plethora of litigation has occurred in the trial courts, the Florida Supreme Court and the federal courts as to whether *Hurst v. Florida*, applies to an individual case. Additionally, ancillary issues regarding the impact of the 2016 Legislation modifying the death penalty procedures have created significant litigation regarding the application of the modifications to those inmates whose sentences are final.

Between July 1, 2019 and June 30, 2020, the Capital Appeals Bureau has successfully represented the State in extensive warrant litigation leading to the execution of one convicted murderer by lethal injection. These Capital Appeals Assistant Attorneys General have successfully defended challenges to Florida's revised lethal injection protocol and dealt with extensive public records litigation, §1983 actions, constitutional challenges to the death penalty statutes, litigated competency to be executed claims and an assortment of other unique death penalty related claims in the state and federal courts.

GENERAL CIVIL LITIGATION DIVISION

The General Civil Litigation Division discharges the Attorney General's responsibilities under section 16.01, Florida Statutes, by providing statewide representation on behalf of the state, its agencies, officers, employees, and agents, at the trial and appellate level. The Attorney General also has common law authority to protect the public's interest.

The General Civil Litigation Division handles constitutional challenges to statutes, civil rights, employment discrimination, torts, contract disputes, eminent domain, forfeiture, tax, child support and paternity, ethics, administrative law, prisoner litigation, declaratory judgment, child dependency, charitable trusts, and class action suits. Clients include constitutional agencies from all three branches of state government.

The Division consists of the following bureaus: Administrative Law, Child Support Enforcement, Children's Legal Services, Complex Litigation, Corrections Litigation, Employment Litigation, Ethics, Revenue Litigation, State Programs, Tort Litigation, General Civil - Tampa, General Civil – Ft. Lauderdale and West Palm Beach, and E-Discovery and Litigation Support Center. The Division's goals are to provide quality legal representation on behalf of the State of Florida in civil litigation, and to produce meaningful cost savings to the taxpayers by reducing the state's reliance on private legal services.

The following provides a brief description for each of the Division's bureaus:

Administrative Law Bureau

The Administrative Law Bureau serves as general counsel to professional and business licensing regulatory boards, the Florida Election Commission, the Education Practice Commission, and other regulatory agencies and appointed commissions. The bureau represents state agencies in rule challenges, licensure hearings, bid protests, appellate proceedings, and in all other matters subject to Chapter 120. It also represents the Department of Children and Families in road to independence and transitional benefit hearings and AHCA in Medicaid Program Integrity claims. The bureau also offers litigation support in state and federal cases against such agencies.

Child Support Enforcement Bureau

In cases that establish and enforce child support orders, the Child Support Enforcement Bureau represents the Department of Revenue in 12 of Florida's 67 counties: Broward, DeSoto, Franklin, Gadsden, Hillsborough, Jefferson, Leon, Liberty, Pasco, Pinellas, Sarasota, and Wakulla. The Child Support Enforcement Bureau provides legal services in accordance with Chapters 61, 88, 287, 409 and 742, Florida Statutes, in cases involving children who reside in Florida, as well as the other 49 states, the U.S. territories, and foreign countries. These services include cases referred by the client agency for intrastate and interstate:

- Establishment of Paternity
- Establishment of Support
- Establishment of Paternity and Support
- Enforcement of Child Support Obligations
- Modification of Child Support Obligations

In addition to providing representation at the trial level and in administrative hearings, this bureau also serves as The Department of Revenue's statewide appellate counsel in Florida's five district courts of appeal and the Florida Supreme Court.

Children's Legal Services Bureau

The Children's Legal Services Bureau, established by the Legislature in 1995 as a pilot project, provides legal services to the Department of Children and Families on all matters related to Florida Statutes Chapters 39, 61 and 409, in Broward and Hillsborough Counties. The bureau works closely with the Broward County Sheriff's Office, Hillsborough County Sheriff's Office, and private child welfare agencies such as Eckerd Community Alternatives and ChildNet. The bureau's attorneys have the responsibility of protecting children who have been abused, abandoned or neglected by their parents. This bureau is responsible for all proceedings governed by the above statutes, including the termination of rights for parents who repeatedly or egregiously abuse, abandon, or neglect their children, so as to allow these children to find safe and permanent homes.

Complex Litigation Bureau

The Complex Litigation Bureau handles high-visibility state and federal litigation involving the environment, Native American gaming, tobacco, education, election laws, inverse condemnation, and constitutional challenges to both the Florida Statutes and Florida constitutional amendments. In addition, this bureau provides a legal resource for governmental agencies exercising the power of eminent domain to acquire property for public use, while ensuring that landowners receive fair compensation for their property. This bureau provides legal advice to governmental agencies on the legal requirements for the proper exercise of eminent domain power and provides legal strategies for minimizing the cost of the litigation.

Corrections Litigation Bureau

The Corrections Litigation Bureau represents the State and its employees in matters related to the state correctional and institutional system. The bureau primarily defends against lawsuits filed by prison inmates alleging civil rights violations, typically under the First, Eighth, and Fourteenth Amendments of the United States Constitution.

The bureau's attorneys also defend the constitutionality of state statutes, and handle extraordinary writ petitions, replevin, and negligence actions. This practice encompasses the full range of trial practice, from initial pleadings in federal and state courts, through trial, and through appeals. While most service is rendered to the Department of Corrections, the bureau also handles representation of the Governor, the Florida Commission on Offender Review, the Department of Children and Families, and Baker Act appellate defense.

As a centralized practice, the Corrections Litigation Bureau maintains a working knowledge of inmate litigation history, which allows the OAG to track identical claims in different venues to avoid duplication of effort. Centralization likewise allows the OAG to monitor the legal treatment of correctional issues within the United States district courts of Florida, and throughout the state court system. This bureau also provides legal counseling and education to the Department of Corrections on emerging laws and issues.

Employment Litigation Bureau

The Employment Litigation Bureau defends state agencies in suits brought under any of the various federal and state employment laws. These laws include Title VII of the Civil Rights Act of 1964, Florida's Civil Rights Act, whistle blower retaliation, the Age Discrimination in Employment Act, the Americans with Disabilities Act, and constitutional civil rights challenges such as those brought through 42 U.S.C. § 1983. The bureau has experience in employment and civil rights issues involving public employees.

The bureau handles workplace discrimination (race, sex, national origin, religion, age, disability, etc.), harassment and hostile work environments, and retaliation relating to any of these statutes. Litigation regularly involves the interpretation and application of Florida's limited waiver of sovereign immunity statute, Section 768.28, Florida Statutes; immunity in federal courts under the Eleventh Amendment; and other challenging legal issues of significance to state and local government. The attorneys in the bureau regularly appear in court and are responsible for the full range of a trial practice, from initial pleadings through jury trial and appeals.

Additionally, attorneys in this bureau provide legal advice to the General Counsels and/or senior agency leaders of other state agencies, regarding individual situations that develop, as well as prevention, policies, and discipline. Training is also available, typically for groups of supervisors and managers, regarding current interpretations of employment statutes, parameters of the laws, and areas where managers need to apply additional caution.

Ethics Bureau

Most state and local government employees, as well as elected and appointed officials, are subject to the Florida Commission on Ethics' jurisdiction, and its investigations of violations ranging from erroneous financial disclosure filings to misuse of office. The Ethics Bureau prosecutes complaints before the Commission and the Division of Administrative Hearings. This bureau provides attorneys who serve as the Ethics Commission's prosecutors, or "Advocates." First, the Commission receives and investigates sworn complaints alleging that a public officer or employee has breached the public trust. Then, the Advocate makes a recommendation as to whether the case should go forward. If the Commission finds probable cause, it is the Advocate who conducts the prosecution, through a DOAH administrative hearing under Chapter 120, Florida Statutes. Advocates also handle some appeals and collect civil penalties when a violation has been found. Chapter 112.317(7), Florida Statutes, also requires Advocates to pursue the collection of attorney fees ordered against malicious complainants. The Ethics Bureau also serves as the Office of the Attorney General's Ethics office and advises OAG employees who have questions regarding their duties and obligations.

Tampa, Fort Lauderdale, West Palm Beach - Civil Litigation Bureaus

The Tampa, Fort Lauderdale, and West Palm Beach Civil Litigation Bureaus provide legal services for state agencies, state officials, and judges in the following areas of litigation: corrections, employment, tort, and state programs. In addition, the units defend the presumptive constitutionality of state statutes and handle civil forfeiture and civil RICO actions in conjunction with Statewide Prosecution's criminal cases. Corrections litigation includes claims under 42 U.S.C. § 1983; state and federal constitutions; and writs of mandamus, habeas corpus,

and prohibition. Tort cases include trip and fall cases, automobile accidents, rail corridor accidents, wrongful death cases, and the full range of prisoner tort claims. Employment litigation encompasses Title VII claims (race, color, national origin, sex, religion, and retaliation), the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Family and Medical Leave Act, the Fair Labor Standards Act, Title VI issues, and whistle blower cases. State Programs litigation includes defense of judges, defending against constitutional challenges to statutes, appellate consultation contracts with other units and state agencies, class action litigation, forfeitures; probate, civil rights and constitutional rights claims against state agencies and state officials, quiet title actions, breach of contract, Baker Act appeals, and declaratory judgment actions.

The bureaus also handle most of their own appeals in both Federal and State appellate courts.

Revenue Litigation Bureau

The Revenue Litigation Bureau, pursuant to Sections 16.015 and 20.21(4), Florida Statutes, primarily enforces and defends tax assessments issued by the Department of Revenue. In addition, this bureau represents the Department of Revenue in litigation involving claims for tax refunds, pursuant to Section 215.26, Florida Statutes, and authority delegated from the Chief Financial Officer. This representation is statewide and includes all state and federal jurisdictions. The bureau's representation of the Department of Revenue also includes ad valorem tax cases, in conjunction with county property appraisers and tax collectors. Occasionally, the Revenue Litigation Bureau undertakes the representation of other state agencies in tax-related matters pursuant to a contract between the client agency and the Office of the Attorney General. The bureau also advises the Attorney General on questions involving taxation.

State Programs Litigation Bureau

The State Programs Litigation Bureau is charged with defending a wide variety of actions in both state and federal court, at both the trial and appellate levels. This bureau's clients are state departments and agencies from all three branches of state government, including their individual officials and employees.

Cases routinely handled include suits which challenge the constitutionality of the state's general laws, defense of judges, and defense of state attorneys in lawsuits. The bureau specializes in administrative litigation before the Division of Administrative Hearings, including bid protests, and initiates litigation on behalf of our state clients. In addition, the bureau represents the state in class action civil rights lawsuits that seek to change funding for a program, or a group of individuals, on a statewide basis.

Additionally, within State Programs, a separate Foreclosure Unit has been set up to provide representation for the State of Florida in the large number of foreclosure actions where the State is named as a defendant in order to foreclose any interest created by judgment-liens in the name of the State of Florida. In most cases, the State is not the proper party, so a large part of what the Unit does is provide education (in the form of answers) about who the proper party is depending on the nature of the lien. In those instances where the State is the proper party, the Unit monitors these actions to determine whether there is a surplus of funds after sale of the property.

Tort Litigation Bureau

The Tort Litigation Bureau provides high quality, low cost legal defense to agencies and employees of the State of Florida, primarily in state court tort actions in North Florida. The bureau typically handles suits concerning wrongful death, automobile accidents, premises liability, defamation, and various other negligence claims. The litigation regularly involves the interpretation and application of Florida's limited waiver of sovereign immunity statute, Section 768.28, Florida Statutes, and other challenging legal issues of significance to state and local government, statewide. The attorneys in the bureau regularly appear in court and are responsible for the full range of a trial practice, from initial pleadings through jury trial and appeals.

MEDICAID FRAUD CONTROL UNIT

The Medicaid Fraud Control Unit (MFCU) is responsible for investigating fraud committed upon the Medicaid Program by providers and program administrators. This authority is granted under both federal and state law (Section 1903 of the Social Security Act, Section 42 of the Code of Federal Regulations, and Chapter 409, Florida Statutes).

The MFCU investigates a diverse mix of health care providers, including doctors, dentists, home health care companies, pharmacies, drug manufacturers, laboratories, and more. Some of the most common forms of provider fraud involve billing for services that are not provided, overcharging for services that are provided, or billing for services that are not medically necessary.

The MFCU is also responsible for investigating the physical abuse, neglect, and financial exploitation of patients residing in long-term care facilities such as nursing homes, facilities for the mentally and physically disabled and assisted care living facilities. The MFCU is greatly concerned with the quality of care being provided for Florida's elderly and disabled citizens. Medicaid providers, and others who are arrested by MFCU personnel, are prosecuted by local state attorneys, the Office of Statewide Prosecution, the United States Attorney, or MFCU attorneys. MFCU attorneys can be cross-designated by the Office of Statewide Prosecution as Special Assistant Statewide Prosecutors, local state attorney's offices as Special Assistant State Attorneys or by the United States Attorney's office as Special United States Attorneys. Cases that may not be suitable for arrest and criminal prosecution may be litigated by MFCU attorneys, using the Florida False Claims Act. The MFCU also continued its leadership role in a variety of multi-state false claims investigations.

Ongoing Inter-Agency State/State& State/Federal Working Groups

NORTHERN REGION –

The Northwest Florida Financial Crimes Working Group – 14 members

- Florida Medicaid Fraud Control Unit (MFCU)
- Federal Bureau of Investigation (FBI)
- Office of the United States Attorney for the Northern District of Florida (USAO)
- State Attorney's Office - First Judicial Circuit
- United States Postal Service - Office of Inspector General (USPS-OIG)
- Florida Department of Law Enforcement (FDLE)
- Florida Department of Financial Services - Division of Investigative & Forensic Services
- Federal Deposit Insurance Corporation (FDIC)
- Escambia County Sheriff's Office
- Santa Rosa County Sheriff's Office
- Okaloosa County Sheriff's Office
- Walton County Sheriff's Office
- Better Business Bureau (BBB)
- Local bank and credit union representatives

Northeast Florida Healthcare Fraud Interagency Task Force - 15 members

- Florida Medicaid Fraud Control Unit (MFCU)
- Federal Bureau of Investigation (FBI)
- Office of the United States Attorney for the Northern District of Florida (USAO)
- US Drug Enforcement Administration (DEA)
- Florida Agency for Health Care Administration (AHCA)
- Florida Department of Health (DOH)
- Florida Department of Law Enforcement (FDLE)
- Florida Department of Financial Services - Division of Investigative & Forensic Services
- Jacksonville Sheriff's Office
- US Department of Homeland Security
- US Department of Health and Human Services - Office of Investigations
- US Food and Drug Administration (FDA)
- US Centers for Disease Control and Prevention (CDC)
- US Department of Veterans Affairs (VA)
- Blue Cross/Blue Shield of Florida (BCBS)

Northern District USAO Tallahassee Economic Crimes Initiative

- United States Attorney's Office for the Northern District of Florida (USAO)
- United States Attorney's Office Middle District of Florida
- Florida Medicaid Fraud Control Unit (MFCU)
- Florida Department of Law Enforcement (FDLE)
- Florida Department of Financial Services (DFS)
- Florida Department of Agriculture (DOA)
- Leon County Sheriff's Office (LCSO)
- Tallahassee Police Department (TPD)

CENTRAL REGION –

TAMPA

Federal Health Task Force – 9 members

- Florida Medicaid Fraud Control Unit (MFCU)
- Federal Bureau of Investigation (FBI)
- Office of the United States Attorney for the Middle District of Florida (USAO)
- US Drug Enforcement Administration (DEA)
- Florida Department of Health (DOH)
- Florida Department of Law Enforcement (FDLE)
- US Department of Health and Human Services - Office of the Inspector General - Office of Investigations
- US Internal Revenue Service (IRS)
- US Food and Drug Administration (FDA)
- Local Law Enforcement as needed

HHS/MFCU Medicare/Medicaid –3 members

- Florida Medicaid Fraud Control Unit (MFCU)
- US Department of Health and Human Services - Office of the Inspector General - Office of Investigations
- Federal Bureau of Investigation (FBI)

Central Florida Interagency Compliance Meeting

- AHCA-MPI and Fraud Prevention
- HHS-OIG
- DEA Drug Diversion
- DOH (HQA, Unlicensed Activity and EFORCSE)
- Lee County SO
- Sarasota County SO
- HHS-OIG
- Other local law enforcement (Pinellas Park PD)

ORLANDO

Volusia County Task Force – 4 members

- Florida Medicaid Fraud Control Unit (MFCU)
- Volusia Bureau of Investigations
- Florida Department of Law Enforcement (FDLE)
- Volusia County Sheriff's Office

HHS/MFCU Medicare/Medicaid –4 members

- Florida Medicaid Fraud Control Unit (MFCU)
- US Department of Health and Human Services - Office of the Inspector General - Office of Investigations
- Federal Bureau of Investigation (FBI)
- Office of the United States Attorney for the Middle District of Florida (USAO)

Central Florida Pharmaceutical Crimes Intelligence Group-11 members

- Florida Medicaid Fraud Control Unit (MFCU)
- Orlando Metro Bureau of Investigation
- Florida Department of Law Enforcement (FDLE)
- Federal Bureau of Investigation (FBI)
- Seminole County Sheriff's Office
- Orange County Sheriff's Office
- Osceola County Sheriff's Office
- Orlando Police Department
- US Drug Enforcement Administration (DEA)
- Florida Department of Health (DOH)
- Florida Agency for Health Care Administration (AHCA)

Division of Victim Services and Criminal Justice Programs

The Division of Victim Services and Criminal Justice Programs is charged with providing services to crime victims and educating the public about crime prevention. Article I, Section 16 of the Florida Constitution establishes the state's inherent responsibility regarding notification and assistance for victims. In addition, legislative intent set forth in §960.01, Florida Statutes, establishes the responsibility of the state to provide assistance to crime victims; §960.05(2), Florida Statutes, establishes the crime victim services office; and §960.21, Florida Statutes, creates the Crimes Compensation Trust Fund to provide funding for services to these crime victims.

Statutory programs administered by the division include

§§960.01 - 960.28, F.S. – Crimes Compensation Act

§§960.001 – 960.003, F.S. – Victim Assistance

§16.54, Florida Statutes - Florida Crime Prevention Training Institute

§402.181, Florida Statutes - State Institutions Claims

§§741.401 -741.4651, F.S. - Address Confidentiality Program

§§812.1701- 812.176, F.S. - Convenience Business Security

§16.556, Florida Statutes - Crime Stoppers Trust Fund

§112.19 Florida Statutes - Law enforcement, correctional, and correctional probation officers; death benefits

Victim Compensation

The Bureau of Victim Compensation administers financial assistance to victims who suffer economic losses; medical and mental health expenses; death/burial expenses; domestic violence, sexual battery, and human trafficking relocation; tangible property losses; and pays for sexual battery forensic examinations. During Fiscal Year 2019-20, the office received 21,199 claims, which is 9.39% less than the previous year. The average processing time from receipt of a claim through initial payment totaled 23 days which is an increase of 6.98%. The bureau also maintains a toll-free information and referral service (1-800-226-6667) using an Automated Call Distribution phone system and maintains designated lines for bilingual callers and treatment providers. A total of 132,701 calls were processed, which does not include calls during the months of March thru June 2020. During that time, employees were processing calls while working from home, in an effort to reduce the risk of exposure to COVID-19.

Victim Advocacy

The Victims of Crime Act (VOCA) grants specialists monitor grant activities to ensure compliance with federal and state laws and regulations. The current ratio is approximately 25 grants per employee. A total of 836,363 victims received services through VOCA-funded private or public organizations or agencies during FY 2019-20. Victim Services Program Specialists also participate in local coalitions, task forces, and councils regarding victim-related issues. Additionally, the program maintains ongoing communications with other state agencies (Departments of Health and Children and Families) and statewide victim organizations (e.g., Florida Council Against Sexual Violence, Florida Coalition Against Domestic Violence, Florida Network of Children's Advocacy Centers, etc.) on matters of mutual concern.

Address Confidentiality Program

Pursuant to §741.401 through §741.465, Florida Statutes, this office administers the Address Confidentiality Program (ACP), which provides a substitute mailing address for relocated victims of stalking and domestic violence and serves as legal agent for the receipt of mail and the service of process. In addition, Bureau staff provides training, and certifies applicant assistants statewide to assist eligible victims in accessing these services. The ACP is also intended to prevent public access to client information through voting records. This year's activities include 1,653 active program participants. The ACP was transferred from Victim Advocacy and Grants Management to Criminal Justice Programs in November 2019.

Criminal Justice Programs

In addition to victim services, crime prevention and associated programs are also a priority of the Attorney General's Office, since they are proven methods of helping to reduce crime and its impact on the Florida's citizenry. Education and training in crime prevention are both essential to reducing Florida's crime rate and rendering assistance to crime victims and is provided by FCPTI. Trends and conditions associated with these training programs are assessed by survey instruments distributed to law enforcement agencies, victim service organizations, and the general public. The training curriculum is established based on the demand for services as indicated in these surveys. A current trend emphasizes a coordinated initiative to train law enforcement officers in conjunction with local school districts, particularly in gang-related violence, pill mills and human trafficking. Numerous practitioner designation programs are offered to include Crime Prevention, Crime Prevention through Environmental Design, Elderly Crime, School Resource Officer, and Victim Services. In addition, this office provides a certification to law enforcement officers in Convenience Store Security. The Attorney General's Office is the primary source of training for crime prevention, victim services, elderly issues, and school resource officers statewide, and is a national and international leader in crime prevention/victims services training. Also, we organize and facilitate the annual National Conference on Preventing Crime, (which was cancelled this year due to COVID-19), and the Human Trafficking Summit. In addition, three programs were transferred from Victim Advocacy and Grant Management to Criminal Justice Programs to manage. Those programs are the Address Confidentiality Program, General Revenue/Special Grants and the Victims' Rights Ceremony.

Florida Crime Prevention Training Institute

During Fiscal Year 2019-20, this office conducted training courses for law enforcement and other public and private sector organizations with 2,831 individuals participating. These trainings included Crime Prevention, Crime Prevention through Environmental Design, Elderly crime, School Resource Officer, and Victim Services. Participation in Florida Crime Prevention Training Institute courses continue to be adversely impacted by the reduced funding for training at the local level and the cancellation of 16 courses and the conference due to COVID-19. Individuals trained by Florida Crime Prevention Training Institute play a vital role, through community education, in reducing crime and victimization statewide. Curriculum development is coordinated with each individual's respective related organizational entity (such as the Florida Association of School Resource Officers, the Florida Bar, the Florida Department of Law Enforcement, and the Florida Department of Education, etc.).

Convenience Business Security

The Convenience Business Security program has been unfunded since 1992 (See §812.1725-§812.176, Florida Statutes). However, the Bureau staff continued to handle the administrative responsibilities of the Act during Fiscal Year 2019-20.

Council on the Social Status of Black Men and Boys

In January 2007, the division was tasked with administering the Council on the Social Status of Black Men and Boys, created by the 2006 Legislature. This nineteen-member council is charged with conducting a systematic study of the adverse conditions affecting black men and boys, including homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, health issues and school performance. The goal of the council is to propose measures to alleviate and correct the underlying causes of these conditions. The council is mandated to issue an annual report to discuss its findings, conclusions, and recommendations to the Governor, the President of the Senate, and the Speaker of the House.

Crime Stoppers

There are twenty-seven Crime Stoppers organizations currently serving sixty-one of Florida's sixty-seven counties. The Crime Stoppers organization works with law enforcement agencies to investigate and solve crimes in order to remove criminals from the communities. The Office of the Attorney General's staff works closely with the Florida Association of Crime Stoppers, Inc., and the recipient organizations regarding the use of funds. The Office of the Attorney General performs annual training and orientation to assist the organizations in understanding statutory and regulatory spending requirements of state funds. In addition, staff conducts monthly reimbursement monitoring of all grant recipients, conducts on-site performance reviews and desk audits. All grant recipients should receive an on-site monitoring visit once every three years, at minimum, regardless of the grant award amount. Success over the past five years of the Crime Stopper program, reflects the unified effort and significant impact the program has had on crime in Florida. These outcomes are made possible through the grant funding \$4,402,152 for Fiscal Year 2019-2020.

Urban League

The Florida Consortium of Urban League Affiliates received a state appropriation of \$2,437,834 to develop and implement a proactive initiative. This initiative addresses and impacts crime in the black community. The program operates in Fort Lauderdale, Jacksonville, Miami, Orlando, St. Petersburg, Tallahassee, West Palm Beach and Tampa through the Derrick Brooks Charities. The Youth Crime Prevention and Intervention Program targets specific proactive strategies and activities to address and impact the problem of juvenile crime. In addition, it fosters collaboration and improves communication among various agencies.

General Revenue Grants

Nine General Revenue Grants were transferred from Victim Advocacy and Grants Management to Criminal Justice Programs in November 2019. The grants receive \$9,493,240.00 of funding. Staff conducts monthly reimbursement monitoring of all grant recipients, conducts on-site performance reviews and desk audits. All grant recipients should receive an on-site monitoring visit once every three years, at minimum, regardless of the grant award amount.

There were also five General Revenue Grants transferred from Administrative Services to Criminal Justice Programs on July 1, 2020. These grants receive \$3,810,000.00 in funding. In addition, staff conducts quarterly reimbursement monitoring of all grant recipients, conducts on-site performance reviews and desk audits. All grant recipients should receive an on-site monitoring visit once every three years, at minimum, regardless of the grant award amount.

Department of Legal Affairs Office of the Attorney General

Performance Measures and Standards

LRPP Exhibit II

LRPP Exhibit II - Performance Measures and Standards

Department: DEPARTMENT OF LEGAL AFFAIRS AND ATTORNEY GENERAL

41100400 Victim Services

Approved Performance Measures for FY 2020-21 (Words)	Approved Prior Standards for FY 2019-20 (Numbers)	Prior Year Actual FY 2019-20 Standard (Numbers)	Approved Standards for FY 2020-21 (Numbers)	Requested FY 2021-22 Standard (Numbers)
Number of victim compensation claims received	21,000	21,199	21,000	21,000
Number of days from application to payment of victim compensation claim	45	23	45	45
Number of victims served through grants	200,000	836,363	200,000	200,000
Number of people attending victims and crime prevention training	3,500	2,831	3,500	3,500

LRPP Exhibit II - Performance Measures and Standards

Department: DEPARTMENT OF LEGAL AFFAIRS AND ATTORNEY GENERAL

41100500 Executive Direction and Support Services

Approved Performance Measures for FY 2020-21 (Words)	Approved Prior Standards for FY 2019-20 (Numbers)	Prior Year Actual FY 2019-20 Standard (Numbers)	Approved Standards for FY 2020-21 (Numbers)	Requested FY 2021-22 Standard (Numbers)
Percent of eligible attorneys, who have attained AV rating, BV rating, and or board certification	50%	30%	50%	50%

LRPP Exhibit II - Performance Measures and Standards

Department: DEPARTMENT OF LEGAL AFFAIRS AND ATTORNEY GENERAL
41100000 Program: Office of Attorney General
41101000 Criminal and Civil Litigation

Approved Performance Measures for FY 2020-21 (Words)	Approved Prior Standards for FY 2019-20 (Numbers)	Prior Year Actual FY 2019-21 Standard (Numbers)	Approved Standards for FY 2020-21 (Numbers)	Requested FY 2021-22 Standard (Numbers)
Number of hearings held before the court- Children's Legal Services	32,000	46,019	32,000	32,000
Number of active ethics cases	120	117	120	120
Number of active child support enforcement cases	65,000	41,401	65,000	50,000
Number of active eminent domain cases	50	5	50	10
Number of active tax cases	800	1,653	800	800
Number of active civil appellate cases	323	955	323	323
Number of active inmate cases	1,651	1,536	1,651	1,651
Number of active state employment cases	113	94	113	113
Number of days for opinion response	50	108	120	120
Number of opinions issued	60	52	60	60
Number of active antitrust cases	62	130	62	62
Number of active consumer protection cases, including consumer and RICO cases	250	455	250	250
Number of active Solicitor General cases	200	220	200	200
Number of active civil rights cases	42	32	42	42
Percent of lemon law cases resolved in less than one year	95%	99%	95%	95%
Number of repurchase disclosure/enforcement cases	1,400	1,797	1,400	1,400
Number of active lemon law cases	450	515	450	450
Number of active Medicaid Fraud cases	900	1,261	850	850
Number of capital cases - Opened Active Cases	200	731	200	200
Number of noncapital cases - Opened Active Cases	19,000	15,846	19,000	19,000
Number of active sexual predator commitment appeals - Opened Active Cases	40	22	30	30

Department of Legal Affairs Office of the Attorney General

Assessment of Performance for Approved Performance Measures

LRPP Exhibit III

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Department of Legal
Program: Office of the Attorney General
Service/Budget Entity: Victim Services/Criminal Justice Programs
Measure: Output – Number of People Attending Training (Crime Prevention, Victims, School Resource Officer, Conference)

Action:

- | | |
|---|--|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input type="checkbox"/> Revision of Measure |
| <input checked="" type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
3,500	2,831	666 under	19%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input type="checkbox"/> Other (Identify) |

Explanation:

External Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem | |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission | |

Explanation:

: Participation in Florida Crime Prevention Training Institute courses were adversely impacted by the cancellation of 16 scheduled courses and the National Crime Prevention conference due to COVID-19. These cancellations resulted in approximately 2,000 individuals that did not attend our programs. We would have easily met our Approved Standard if the courses and conference were held. We are currently rescheduling the cancelled courses for the next fiscal year.

In addition, our School Resource Officer (SRO) courses had reduced attendance due to the fact new state laws and guidelines related to mandatory SRO training changed and created FREE training through the state Law Enforcement Academy's. We cannot provide FREE classes because we are not funded through any state dollars. We are self-sufficient and utilize course tuition for paying costs. This reduced our SRO courses held from 7 to 1.

Management Efforts to Address Differences/Problems (check all that apply):

Training

Technology

Personnel

Other (Identify)

Recommendations:

No change at this time. Staff is exploring options for virtual training classes.

Office of Policy and Budget – July 2020

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Executive Direction / 41100500

Measure: Percent eligible attorneys, who have attained rating, BV rating, and or board certification

Action:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input type="checkbox"/> Revision of Measure |
| <input type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
70%	28%	42% under	40%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|---|--|
| <input checked="" type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input type="checkbox"/> Other (Identify) |

Explanation:

Martindale-Hubbell ratings are based on attorney peer review, and Board Certification is attained through a certification process maintained by the Florida Bar. These accomplishments are strictly voluntary and are not required to practice law in the State of Florida nor for employment with this agency. The variables for this measure, number of eligible attorneys and percentage of those attorneys rated and/or certified, are dependent upon turnover and fluctuate from year-to-year.

External Factors (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem | |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission | |

Explanation:

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|---|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input type="checkbox"/> Other (Identify) |

Recommendations:

No change requested at this time

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Legal Affairs
Program: Office of the Attorney General
Service/Budget Entity: Criminal and Civil Litigation / 41101000
Measure: Number of Active Civil Rights Cases

Action:

- | | |
|---|--|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input type="checkbox"/> Revision of Measure |
| <input checked="" type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
42	32	10 under	-23%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input type="checkbox"/> Other (Identify) |

Explanation:

N/A

External Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem | |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission | |

Explanation:

As part of the calculation for our performance measures, the Office of Civil Rights includes in its projection, Fair Housing discrimination cases received from the Florida Commission on Human Relations (FCHR). FCHR is currently dealing with a substantial backlog. They only have one attorney reviewing fair housing cases. This has an impact on the number of cases our office receives because complainants have to exhaust their administrative remedies by filing with FCHR and receiving a Reasonable Cause Determination prior to electing our office to represent them in Circuit Court.

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|---|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input type="checkbox"/> Other (Identify) |

Recommendations:

The Office of Civil Rights is addressing the issue directly with FCHR. We are currently looking at ways for our office to help alleviate FCHR's backlog.

Office of Policy and Budget – July 2020

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active sexual predator commitment appeals

Action:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input type="checkbox"/> Revision of Measure |
| <input type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
40	22	18 under	-45%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input checked="" type="checkbox"/> Other (Identify) |

Explanation:

The number of cases opened is limited based on the nature these cases present. The appellate litigation from these civil commitment cases depends upon release dates and whether cause has been shown to support further commitment. Because in years past the litigation has been more robust, the cases that result in an appeal has diminished significantly. Changes are being made to reduce the approved standard to properly reflect the differences in appellate activities in this specialty area.

External Factors (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input type="checkbox"/> Other (Identify) |
| <input checked="" type="checkbox"/> This Program/Service Cannot Fix The Problem | |
| <input type="checkbox"/> Current Laws Are Working Against The Agency Mission | |

Explanation:

There is really nothing the agency can do to modify the external nature of case filings by criminal defendants, conviction of crimes in the trial courts of the state.

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|--|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input checked="" type="checkbox"/> Other (Identify) |

Recommendations:

Efforts employed are to timely address the cases filed and, doing so to meet the demands of the state court deadlines.

Office of Policy and Budget – July 2020

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of noncapital cases

Action:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input type="checkbox"/> Revision of Measure |
| <input type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
19,000	15,846	3,154 under	16%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input type="checkbox"/> Other (Identify) |

Explanation:

External Factors (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input type="checkbox"/> Other (Identify) |
| <input checked="" type="checkbox"/> This Program/Service Cannot Fix The Problem | |
| <input type="checkbox"/> Current Laws Are Working Against The Agency Mission | |

Explanation:

Due to the closure of the state from March 2020 to June 2020, trial and appellate courts are working remotely and the defendants have slowed down the filings. For example, the 90 days allowed for filings of cert. petitions in the USSC has increased to 150 days for filings. These sorts of delays have occurred both in state and federal litigation.

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|--|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input checked="" type="checkbox"/> Other (Identify) |

Recommendations:

Efforts employed are to timely address the cases filed and, doing so to meet the demands of the state court deadlines.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Legal Affairs

Program: Opinions

Service/Budget Entity: _____

Measure: Number of Days for Opinion Response

Action:

- | | |
|---|---|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input checked="" type="checkbox"/> Revision of Measure |
| <input checked="" type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
Number of Days for Opinion Response	108	58 (over)	116%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input checked="" type="checkbox"/> Previous Estimate Incorrect | <input checked="" type="checkbox"/> Other (Identify) |

Explanation:

For FYE 2019-2020, after modifying the measure of counting “opinion requests” to exclude informal requests from citizen and media sources, the Division also determined that a standard of 50 days for the number of days for opinion responses would be appropriate. The current measure includes requests where (1) the office issues a formal or informal legal opinion, (2) the request is accepted and then withdrawn by the requesting party, or (3) a written letter from the office declines to issue an opinion to an authorized requesting party. The standard of 50 days for opinion responses has not been a realistic time period for the issuance of opinion responses given the revised criteria, and does not reflect the typical guidance provided to requesters, which is to expect a response from the office in 90 to 180 days. Accordingly, the Division believes that the appropriate measure for opinion responses would be 120 days.

External Factors (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem | |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission | |

Explanation:

Management Efforts to Address Differences/Problems (check all that apply):

Training

Technology

Personnel

Other (Identify)

Recommendations:

Office of Policy and Budget – June 2020

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Legal Affairs
Program: Opinions
Service/Budget Entity: _____
Measure: Number of Opinions Issued

Action:

- | | |
|---|---|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input checked="" type="checkbox"/> Revision of Measure |
| <input checked="" type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
Number of Opinions Issued	52	8 (under)	13%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input checked="" type="checkbox"/> Previous Estimate Incorrect | <input checked="" type="checkbox"/> Other (Identify) |

Explanation:

For FYE 2019-2020, after modifying the measure of counting “opinion requests” to exclude informal requests from citizen and media sources, the Division also implemented a standard of 60 opinions to be issued by the Division, including requests where (1) the office issues a formal or informal legal opinion, (2) the request is accepted and then withdrawn by the requesting party, or (3) a written letter from the office declines to issue an opinion to an authorized requesting party. The actual number of opinions in FYE 2019-2020, under that measurement, was 52. The Division has concluded that 60 opinions is an appropriate measure for the number of opinions to be issued in FYE 2020-2021 and does not suggest a change in this regard.

External Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input checked="" type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem | |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission | |

Explanation:

The COVID-19 epidemic may have affected the number of opinion requests made to the Division in the first half of calendar 2020, even though that number increased over the last half of calendar 2019.

Management Efforts to Address Differences/Problems (check all that apply):

Training

Technology

Personnel

Other (Identify)

Recommendations:

Office of Policy and Budget – June 2020

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Legal Affairs
Program: Office of the Attorney General
Service/Budget Entity: Criminal and Civil Litigation / 41101000
Measure: Number of Active Ethics Cases

Action:

- | | |
|---|--|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input type="checkbox"/> Revision of Measure |
| <input checked="" type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
120	117	3 under	-2.5%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input type="checkbox"/> Other (Identify) |

Explanation:

N/A

External Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem | |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission | |

Explanation:

This measure is largely dependent upon external factors and will fluctuate year to year.

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|---|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input type="checkbox"/> Other (Identify) |

Recommendations:

No change at this time.

Office of Policy and Budget – July 2020

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Legal Affairs
Program: Office of the Attorney General
Service/Budget Entity: Criminal and Civil Litigation / 41101000
Measure: Number of Active Child Support Enforcement Cases

Action:

- | | |
|---|---|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input checked="" type="checkbox"/> Revision of Measure |
| <input type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
65,000	41,401	23,599 under	36%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input type="checkbox"/> Other (Identify) |

Explanation:

N/A

External Factors (check all that apply):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem | |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission | |

Explanation:

Since the implementation of the Department of Revenue's automated system (CAMS) in 2012, the amount of cases/referrals has decreased. OAG cannot take action on a case without a referral from DOR; OAG processes all referrals that are received from DOR. Additionally, the Department of Revenue has made changes to their procedures and now attempt to resolve a certain amount of their cases administratively in lieu of referring them to OAG for judicial action.

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|---|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input type="checkbox"/> Other (Identify) |

Recommendations:

The OAG's CSE Unit continues to meet regularly with DOR Management to discuss referral numbers and strategies to increase the number of referrals being sent to the OAG. Recommend reducing cases down to 48,000.

LRPP Exhibit III: PERFORMANCE MEASURE ASSESSMENT

Department: Department of Legal Affairs
Program: Office of the Attorney General
Service/Budget Entity: Criminal and Civil Litigation / 41101000
Measure: Number of Active State Employment Cases

Action:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure | <input type="checkbox"/> Revision of Measure |
| <input type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards | |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
113	94	8 under	23%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Personnel Factors | <input type="checkbox"/> Staff Capacity |
| <input type="checkbox"/> Competing Priorities | <input type="checkbox"/> Level of Training |
| <input type="checkbox"/> Previous Estimate Incorrect | <input checked="" type="checkbox"/> Other (Identify) |

Explanation:

Number of cases handled is not a precise measure, and it ignores the significance and importance of individual cases. The precise number is also difficult to ascertain because of the nature of the work this office performs

External Factors (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Resources Unavailable | <input type="checkbox"/> Technological Problems |
| <input type="checkbox"/> Legal/Legislative Change | <input type="checkbox"/> Natural Disaster |
| <input type="checkbox"/> Target Population Change | <input type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem | |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission | |

Explanation:

This measure is largely dependent upon external factors and will fluctuate year to year.

Management Efforts to Address Differences/Problems (check all that apply):

- | | |
|------------------------------------|---|
| <input type="checkbox"/> Training | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Personnel | <input type="checkbox"/> Other (Identify) |

Recommendations:

No action should be taken at this time.

Department of Legal Affairs Office of the Attorney General

Performance Measure Validity and Reliability

LRPP Exhibit IV

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Victim Services / 41100400

Measure: Number of victim compensation claims received

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Victim Services / 41100400

Measure: Number of days from application to payment of victim compensation claim

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Victim Services / 41100400

Measure: Number of victims served through grants

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Victim Services / 41100400

Measure: Number of people attending victims and crime prevention training

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Victim Services / 41100400

Measure: Percent of eligible attorneys, who have attained AV rating, BV rating, and or board certification

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of hearings held before the court – Children’s Legal Services

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active ethics cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active child support enforcement cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active eminent domain cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active tax cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active civil appellate cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active inmate cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active state employment cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of capital cases – briefs/state & federal responses/oral arguments

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of noncapital cases – briefs/state & federal responses/oral arguments

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active sexual predator commitment appeals

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active consumer protection cases including RICO cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active antitrust cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active civil rights cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Percent of lemon law cases resolved in less than one year

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of repurchase disclosure/enforcement cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active lemon law cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active Medicaid Fraud cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of days for opinion response

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of opinions issued

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of the Attorney General

Service/Budget Entity: Criminal and Civil Litigation / 41101000

Measure: Number of active Solicitor General Cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

Reliability:

Office of Policy and Budget – July 2018

Department of Legal Affairs Office of the Attorney General

Associated Activities Contribution to Performance Measures

LRPP Exhibit V

LRPP Exhibit V: Identification of Associated Activity Contributing to Performance

Measure Number	Approved Performance Measures for FY 2020-21		Associated Activities Title
1	Number of victim compensation claims received		Victim Compensation
2	Number of days from application to payment of victim compensation claim		Victim Compensation
3	Number of victims served through grants		Grants - VOCA
4	Number of people attending victims and crime prevention training		Crime Prevention/Training

LRPP Exhibit V: Identification of Associated Activity Contributing to Performance

Measure Number	Approved Performance Measures for FY 2020-21		Associated Activities Title
1	Percent of eligible attorneys, who have attained AV rating, BV rating, and or board certification		Encompasses entire agency

LRPP Exhibit V: Identification of Associated Activity Contributing to Performance Measures

Measure Number	Approved Performance Measures for FY 2020-21	Associated Activities Title
1	Number of hearings held before the court - Children's Legal Services	Children's Legal Services
2	Number of active ethics cases	Commission on Ethics Prosecutions
3	Number of active child support enforcement cases	Child Support Enforcement
4	Number of active eminent domain cases	Eminent Domain
5	Number of active tax cases	Revenue Litigation
6	Number of active civil appellate cases	Civil Litigation Defense of State Agencies
7	Number of active inmate cases	Civil Litigation Defense of State Agencies
8	Number of active state employment cases	Civil Litigation Defense of State Agencies
9	Number of capital cases - opened and continued	Capital Appeals
10	Number of noncapital cases - opened and continued	Non-Capital Criminal Appeals
11	Number of active sexual predator commitment appeals	Sexual Predator Civil Commitment Appeals
12	Number of active consumer protection and RICO cases	RICO - Consumer
13	Number of active antitrust cases	Antitrust
14	Number of active civil rights cases	Civil Rights
15	Percent of lemon law cases resolved in less than one year	Lemon Law
16	Number of repurchase disclosure/enforcement cases	Lemon Law
17	Number of active lemon law cases	Lemon Law
18	Number of active Medicaid Fraud cases	Health Care/Medicaid Fraud
19	Number of days for opinion response	Opinions
20	Number of opinions issued	Opinions
21	Number of active Solicitor General cases	Solicitor General and Complex Litigation

Department of Legal Affairs Office of the Attorney General

Agency-Level Unit Cost Summary

LRPP Exhibit VI

LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL		FISCAL YEAR 2019-20			
SECTION I: BUDGET		OPERATING		FIXED CAPITAL OUTLAY	
TOTAL ALL FUNDS GENERAL APPROPRIATIONS ACT		297,485,998		0	
ADJUSTMENTS TO GENERAL APPROPRIATIONS ACT (Supplementals, Vetoes, Budget Amendments, etc.)		7,293,397		0	
FINAL BUDGET FOR AGENCY		304,779,395		0	
SECTION II: ACTIVITIES * MEASURES		Number of Units	(1) Unit Cost	(2) Expenditures (Allocated)	(3) FCO
Executive Direction, Administrative Support and Information Technology (2)					0
Lemon Law * Number of Active Lemon Law Cases		515	3,699.65	1,905,321	
Child Support Enforcement * Number of final orders obtained representing the Department of Revenue in child support enforcement proceedings.		41,401	210.78	8,726,550	
Antitrust * Number of cases enforcing provisions of the Antitrust Act		130	38,885.95	5,055,173	
Racketeer Influenced And Corrupt Organization (rico)/ Consumer Fraud * Cases enforcing the Racketeer Influenced and Corrupt Act and Unfair and Deceptive Trade Practices Act.		455	29,189.66	13,281,297	
Commission On Ethics Prosecutions * Number of cases prosecuted before the Florida Commission on Ethics		117	2,804.23	328,095	
Medicaid Fraud Control * Number of cases investigated involving Medicaid fraud activities		1,261	16,263.84	20,508,699	
Children's Legal Services * Number of cases representing the Department of Children and Families in juvenile dependency and termination of parental rights proceedings		46,019	228.14	10,498,905	
Civil Rights * Number of cases investigated and prosecuted involving violations of civil rights		32	24,363.72	779,639	
Solicitor General And Complex Litigation * Number of cases		220	9,908.78	2,179,931	
Opinions * Number of Opinions Issued		52	15,034.60	781,799	
Cabinet Support Services * Number of Cabinet Meetings		12	46,463.50	557,562	
Eminent Domain * Cases representing the Department of Transportation and other government agencies in eminent domain proceedings.		5	83,980.60	419,903	
Sexual Predator Civil Commitment Appeals * Number of cases		22	15,642.86	344,143	
Non-capital Criminal Appeals * Number of cases - non-capital appellate litigation		15,846	1,124.09	17,812,327	
Capital Appeals * Number of cases - capital appellate litigation		731	4,783.54	3,496,770	
Administrative Law * Number of cases		298	9,732.81	2,900,376	
Tax Law * Number of cases enforcing, defending and collecting tax assessments		1,653	1,037.10	1,714,332	
Civil Litigation Defense Of State Agencies * Number of cases defending the state and its agents in litigation of appellate, corrections, employment, state programs and tort.		3,442	3,602.77	12,400,740	
Grants-victims Of Crime Advocacy * Number of victims served through grants.		836,363	120.87	101,092,033	
Victim Notification * Number of criminal and capital appellate services provided		17,402	217.69	3,788,162	
Victim Compensation * Number of victim compensation claims recieved		21,199	902.90	19,140,647	
Minority Crime Prevention Programs * Number of crime prevention programs and local funding initiative assisted		4	2,257,618.75	9,030,475	
Grants-crime Stoppers * Number of Crime Stopper agencies assisted		26	182,230.08	4,737,982	
Crime Prevention/Training * Number of people attending training		2,538	308.71	783,500	
Investigation And Prosecution Of Multi-circuit Organized Crime * Annual volume of investigations handled		886	10,287.66	9,114,868	
Prosecution Of Violations Of The Florida Election Code * Number of cases handled.		798	1,987.01	1,585,637	
TOTAL				252,964,866	
SECTION III: RECONCILIATION TO BUDGET					
PASS THROUGHS					
TRANSFER - STATE AGENCIES					
AID TO LOCAL GOVERNMENTS					
PAYMENT OF PENSIONS, BENEFITS AND CLAIMS					
OTHER					
REVERSIONS				51,814,570	
TOTAL BUDGET FOR AGENCY (Total Activities + Pass Throughs + Reversions) - Should equal Section I above. (4)				304,779,436	

SCHEDULE XI/EXHIBIT VI: AGENCY-LEVEL UNIT COST SUMMARY

(1) Some activity unit costs may be overstated due to the allocation of double budgeted items.
(2) Expenditures associated with Executive Direction, Administrative Support and Information Technology have been allocated based on FTE. Other allocation methodologies could result in significantly different unit costs per activity.
(3) Information for FCO depicts amounts for current year appropriations only. Additional information and systems are needed to develop meaningful FCO unit costs.
(4) Final Budget for Agency and Total Budget for Agency may not equal due to rounding.

SECTION III - PASS THROUGH ACTIVITY ISSUE CODES SELECTED:
TRANSFER-STATE AGENCIES ACTIVITY ISSUE CODES SELECTED:
1-8:
AID TO LOCAL GOVERNMENTS ACTIVITY ISSUE CODES SELECTED:
1-8:

AUDIT #1: THE FOLLOWING STATEWIDE ACTIVITIES (ACT0010 THROUGH ACT0490) HAVE AN OUTPUT STANDARD
(RECORD TYPE 5) AND SHOULD NOT:

*** NO ACTIVITIES FOUND ***

AUDIT #2: THE FCO ACTIVITY (ACT0210) CONTAINS EXPENDITURES IN AN OPERATING CATEGORY AND SHOULD NOT:
(NOTE: THIS ACTIVITY IS ROLLED INTO EXECUTIVE DIRECTION, ADMINISTRATIVE SUPPORT AND INFORMATION
TECHNOLOGY)

*** NO OPERATING CATEGORIES FOUND ***

AUDIT #3: THE ACTIVITIES LISTED IN AUDIT #3 DO NOT HAVE AN ASSOCIATED OUTPUT STANDARD. IN ADDITION, THE
ACTIVITIES WERE NOT IDENTIFIED AS A TRANSFER-STATE AGENCIES, AS AID TO LOCAL GOVERNMENTS, OR A PAYMENT OF
PENSIONS, BENEFITS AND CLAIMS (ACT0430). ACTIVITIES LISTED HERE SHOULD REPRESENT TRANSFERS/PASS THROUGH
THAT ARE NOT REPRESENTED BY THOSE ABOVE OR ADMINISTRATIVE COSTS THAT ARE UNIQUE TO THE AGENCY AND
ARE NOT APPROPRIATE TO BE ALLOCATED TO ALL OTHER ACTIVITIES.

*** NO ACTIVITIES FOUND ***

AUDIT #4: TOTALS FROM SECTION I AND SECTIONS II + III:

DEPARTMENT: 41	EXPENDITURES	FCO
FINAL BUDGET FOR AGENCY (SECTION I):	304,779,395	
TOTAL BUDGET FOR AGENCY (SECTIONS II + III):	304,779,436	

DIFFERENCE:	41-	
(MAY NOT EQUAL DUE TO ROUNDING)	=====	=====

Glossary of Terms and Acronyms

Attorney General Opinions: Section 16.01, F.S. provides that the Attorney General shall provide official opinions and legal advice on questions of law from designated public officials.

Antitrust: Refers to laws and regulations designed to protect trade and commerce from unfair business practices which adversely impact the citizens of the state.

Cabinet: In 1998 the Constitutional Revision Commission proposed a rewrite of Article IV, Section IV of the Florida Constitution that reduced the Florida Cabinet from six elected officials to three. Effective January 7, 2003, the Florida Cabinet consists of the Attorney General, the Chief Financial Officer and the Commissioner of Agriculture. The Cabinet offices of Secretary of State and Commissioner of Education became appointed offices and their respective agencies became the responsibility of the Governor. The revised constitution also created a new State Board of Education with seven members appointed by the Governor to oversee the Department of Education. The Cabinet offices of Treasurer and Comptroller were merged into the new position of Chief Financial Officer who serves as agency head for the newly created Department of Financial Services.

Child Support Enforcement: Refers to the Child Support Enforcement Division of the Florida Department of Revenue charged with the administration of the child support enforcement program, Title IV-D of the Social Security Act, 42 U.S.C. ss. 651 et seq.

Children's Legal Services: A division within the Attorney General's Office.

Eminent Domain: The power of the government to take private property for a public purpose, with the payment of full compensation for the property taken.

False Claims Act: s. 68.081 - 68.09, F.S. The purpose of the Act is to deter persons from knowingly causing or assisting in causing state government to pay claims that are false.

Florida Civil Rights Act: Refers to Ch. 760, Florida Statutes. The Act's general purposes are to secure for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap, or marital status and thereby to protect their interest in personal dignity, to make available to the state their full productive capacities, to secure the state against domestic strife and unrest, to preserve the public safety, health, and general welfare, and to promote the interests, rights, and privileges of individuals within the state.

Florida Crimes Compensation Act: Pursuant to Ch. 960, F. S., provides that innocent victims of crime who, as a result of the crime, suffer physical, financial, mental or emotional hardship may be eligible to receive aid, care, and support from the state.

Florida Deceptive and Unfair Trade Practices Act: s. 501.201 - 501.213, F.S. Purpose of the Act is to protect the consuming public and legitimate businesses from those who engage in unfair

methods, or unconscionable, deceptive or unfair acts or practices in the conduct of any trade or commerce.

Government in the Sunshine Law: Commonly referred to as the Sunshine Law, provides a right of access to governmental proceedings at both the state and local levels. See s. 286.011, F.S. and Article I, s. 24, Florida Constitution.

Hate Crimes: Incidents of criminal acts that evidence of prejudice based on race, religion, ethnicity, color, ancestry, sexual orientation, or national origin. (see s.877.19, F.S.)

Lemon Law: Refers to the provisions of ch. 681, F.S., providing remedies to a consumer whose new motor vehicle (referred to as a “lemon”) has defects which cannot be brought into conformity with the warranty provided.

Lemon Law Arbitration Program: A unit within the Attorney General’s Office.

New Motor Vehicle Arbitration Board: Pursuant to s. 681.1095, the board is established within the Department of Legal Affairs and appointed by the Attorney General to arbitrate disputes between consumers and automobile manufacturers and/or dealers.

Price Gouging: Refers to practices prohibited in s. 501.160, F.S., during a declared state of emergency. Practices include the “unconscionable” increase in sale price or rental cost of goods, services, dwelling units, and other specified commodities during a declared state of emergency. The increase is generally deemed “unconscionable” if the amount charged represents a gross disparity between the increased price and that which was charged during the 30 days immediately prior to the declaration of a state of emergency.

Public Records Law: Refers to state policy that all state, county and municipal records shall be open for personal inspection by any person in accordance with ch. 119, F.S.

Pyramid Scheme: A sales or marketing plan whereby a person makes an investment in excess of \$100 and acquires the opportunity to receive a benefit, not based on quantity of goods or services sold, but by inducing additional persons to participate and invest in the same sales or marketing plan.

Qui Tam: A lawsuit brought by a private citizen, popularly called a “whistle blower”, against a person or company who is believed to have violated the law in the performance of a contract with the government or in violation of a government regulation, when there is statute which provide for a penalty for such violations.

Racketeering Activity: Means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit a series of crimes as enumerated in s.895.02, F.S.

Solicitor General: Office created in conjunction with the Florida State University College of Law. The Solicitor General represents and advises the Attorney General on complex constitutional issues before the Florida Supreme Court and the United States Supreme Court.

Statewide Prosecutor: The position of Statewide Prosecutor is created in Article IV, Section 4(c), Florida Constitution. The Statewide Prosecutor is appointed by the Attorney General and has jurisdiction to prosecute violations of criminal laws occurring or having occurred in two or more judicial circuits.

Sovereign Immunity: Refers to the doctrine, originated in common law that prohibits suits against the government without the government's consent.

Victims of Crime Advocacy: Victims grant program. Funds are awarded by the United States Department of Justice to the Office of the Attorney General, as the agency designated to administer the grants to local victim services programs.

Acronyms

AAG	Assistant Attorney General
ACP	Address Confidentiality Program
AHCA	Agency for Health Care Administration
APD	Adult Protective Division
CLS	Children's Legal Services
DCF	Department of Children and Families
DEA	Drug Enforcement Agency
DOH	Department of Health
DRTs	Diversion Response Teams
FCHR	Florida Commission on Human Relations
FCIC	Florida Crime Information Center
FDLE	Florida Department of Law Enforcement
FDUTPA	Florida Deceptive & Unfair Trade Practices Act
F.S.	Florida Statutes
FTE	Full Time Equivalent
FY	Fiscal Year
HIDTA	High Intensity Drug Trafficking Area
HUD	Department of Housing and Urban Development
ICAC	Internet Crimes Against Children
L.O.F.	Laws of Florida
MFCU	Medicaid Fraud Control Unit
OAG	Office of the Attorney General
OCR	Office of Civil Rights
OFR	Office of Financial Regulation
OSG	Office of the Solicitor General
OSWP	Office of Statewide Prosecutor
PANE	Patient Abuse, Neglect and Exploitation
RICO	Racketeer Influenced and Corrupt Organization
RV	Recreational Vehicle
SRO	School Resource Officer
SWGJ	Statewide Grand Jury
VOCA	Victims of Crime Act

Long Range Program Plan FY 2021-22 through FY 2025-26



**Department of Legal Affairs
Office of Statewide Prosecution**

**PL 01 The Capital
Tallahassee, Florida 32399-1050**

MISSION

To investigate and prosecute multi-circuit organized crime and to assist other law enforcement officials in their efforts against organized criminal activity.

Program: Office of Statewide Prosecution

Goals

Goal #1: Coordinate effectively with multi-jurisdictional enforcement efforts

Goal #2: Effectively prosecute multi-circuit crime

Office of Statewide Prosecution

Mission

The Office of Statewide Prosecution is charged by Section 16.56, Florida Statutes, with the responsibility of investigating and prosecuting multi-circuit criminal activity and assisting state and local law enforcement in their efforts to combat organized crime. Organized criminal activities that cross judicial circuit boundaries exist in many forms and victimize many citizens of Florida. The Office utilizes the police prosecutor team approach with many statewide and local law enforcement agencies in order to systematically attack organized crime. In addition to proactive enforcement, the Office also utilizes educational and legislative approaches in the prevention of organized criminal activity based on the premise that crime can be effectively addressed through proactive enforcement, education, and environmental or programmatic design.

Planning/Accountability

Each year, the Office adopts, as priorities, the investigation and prosecution of certain types of criminal activity, striving for a strong and positive impact against sophisticated and organized groups that either victimize many Florida's citizens or attack Florida's public programs. While caseload numbers are certainly one measurement of performance, equally important are the results achieved within those caseload numbers. They are measured by disposition and sentencing data. Results are also measured by the number of legislative or policy changes that are proposed and adopted to curtail or prevent future similar activity.

Trends and conditions are assessed by scanning relevant written materials, including detailed crime rate analysis and studies on crime in changing economic conditions. They are also assessed by participating in training opportunities, and engaging in discussions with law enforcement, members of the Legislature, and executive agencies.

Priorities

The priorities of the Office are human trafficking, crimes against seniors, prescription drug/opioid trafficking, criminal gangs and violent crime, fraud and theft, and illicit narcotics/synthetic drug trafficking. This office is also preparing an effort to tackle internet fraud, cybercrime, and organized theft. The goal of the Office is to dismantle criminal organizations through effective prosecution, as well as any other legal efforts, when appropriate.

Major Prosecutorial Efforts

One of the primary focuses of this office, since January 2011, has been working against prescription drug abuse. Many cases were filed against dozens of defendants, including pill shoppers, their drug dealing sponsors, unscrupulous doctors, and pain clinic/pill mill owners. The majority of these cases are charged using Florida's RICO and drug trafficking statutes. This effort has taken place with unprecedented cooperation, not just with local and state law enforcement, but also with federal authorities. This effort continues and has contributed to reported reductions in the level of abuse of highly addictive prescription drugs.

The Office of Statewide Prosecution continues its commitment to investigate and prosecute criminal gangs using Florida's RICO laws. This focus will continue throughout the state in the years ahead. This effort continues to result in significant dispositions involving long term prison sentences.

Another major effort for the Office of Statewide Prosecution continues to be fighting fraud and theft. Our fraud efforts continue to focus on large scale criminal frauds. However, we intend on expanding our efforts into the growing problem with crimes against seniors, cybercrime, contractor fraud, and consumer frauds. The Office of Statewide Prosecution has further focused upon the effort of combating Organized Retail Theft. Because organized retail theft is a \$30 billion industry nationally and creates a significant financial burden upon both businesses and consumers, resources will continue to be utilized in combating this type of criminal activity.

Finally, Human Trafficking is a significant focus of The Office of Statewide Prosecution. Efforts are being made throughout the state, along with our law enforcement partners, to locate and prosecute those criminals who are preying on the weak, whether it be children or adults, forced into sexual activities or labor through coercion or otherwise. To this end, the Office of Statewide Prosecution has continued to utilize the laws passed during the last several legislative sessions and will continue to identify ways in which the laws could be altered further, through legislative action, to better assist in the arrest and prosecution of these perpetrators.

Of course, these efforts will not eliminate the work that the Office of Statewide Prosecution does in fighting traditional drug trafficking (cocaine, heroin, marijuana, etc.), internet crime, as well as the continuing and growing problems of synthetic drugs and identity theft.

Department of Legal Affairs
Office of Statewide Prosecution

**Performance
Measures and
Standards**

LRPP Exhibit II

LRPP Exhibit II - Performance Measures and Standards

Department: DEPARTMENT OF LEGAL AFFAIRS AND ATTORNEY GENERAL

41200000 Program: Office of Statewide Prosecution

41200100 Prosecution of Multi-Circuit Organized Crime

Approved Performance Measures for FY 2019-20 (Words)	Approved Prior Standards for FY 2019-20 (Numbers)	Prior Year Actual FY 2019-20 Standard (Numbers)	Approved Standards for FY 2020-21 (Numbers)	Requested FY 2021-22 Standard (Numbers)
Conviction rate for defendants who reached final disposition	90%	99%	90%	90%
Of the defendants who reached disposition, the number of those convicted	350	418	350	350
Total number of requests for assistance	300	367	300	300
Total number of active cases	800	886	800	800
Total number of defendants charged	400	368	400	400

Department of Legal Affairs
Office of Statewide Prosecution

Performance Measure
Validity and
Reliability

LRPP Exhibit IV

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of Statewide Prosecution

Service/Budget Entity: Statewide Prosecution / 41200100

Measure: Conviction rate for defendants who reached final disposition

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Search of OSP case management system of cases disposed of, and comparing dismissals with convictions.

Validity:

Search can be re-created if needed to show validity

Reliability:

As reliable as user entry allows

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of Statewide Prosecution

Service/Budget Entity: Statewide Prosecution / 41200100

Measure: Of the defendants who reach disposition, the number of those convicted

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Search of OSP case management system of cases disposed of, and eliminating dismissals.

Validity:

Search can be re-created if needed to show validity

Reliability:

As reliable as user entry allows

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of Statewide Prosecution

Service/Budget Entity: Statewide Prosecution / 41200100

Measure: Total number of requests for assistance

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Search of OSP case management system of new cases received.

Validity:

Search can be re-created if needed to show validity

Reliability:

As reliable as user entry allows

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of Statewide Prosecution

Service/Budget Entity: Statewide Prosecution / 41200100

Measure: Total number of active cases

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Search of OSP case management system of cases received during FY as well as those received prior to FY, but remaining open into the current FY.

Validity:

Search can be re-created if needed to show validity

Reliability:

As reliable as user entry allows

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Office of Statewide Prosecution

Service/Budget Entity: Statewide Prosecution / 41200100

Measure: Total number of defendants charged

Action (check one): N/A

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Search of OSP case management system of cases filed/defendants charged during FY.

Validity:

Search can be re-created if needed to show validity

Reliability:

As reliable as user entry allows

Office of Policy and Budget – July 2018

**Department of Legal Affairs
Office of Statewide Prosecution**

**Associated Activities
Contributing to Performance
Measures**

LRPP Exhibit V

LRPP Exhibit V: Identification of Associated Activity Contributing to Performance

Measure Number	Approved Performance Measures for FY 2019-20		Associated Activities Title
1	Conviction rate for defendants who reached final disposition		Investigation and Prosecution of Multi-Circuit Organized Crime
2	Of the defendants who reached disposition, the number of those convicted		Investigation and Prosecution of Multi-Circuit Organized Crime
3	Total Number of requests for assistance		Investigation and Prosecution of Multi-Circuit Organized Crime
4	Total number of active cases		Investigation and Prosecution of Multi-Circuit Organized Crime
5	Total number of defendants charged		Investigation and Prosecution of Multi-Circuit Organized Crime

Department of Legal Affairs Office of Statewide Prosecution

**Agency-Level Unit Cost
Summary is included
in the Office of the
Attorney General's**

LRPP Exhibit VI

Glossary of Terms and Acronyms

**Glossary of Terms and Acronyms
are included in the Department of Legal
Affairs Office of the Attorney General's
LRPP.**

Long-Range Program Plan

Fiscal Years 2021-2022 through 2025-26

FLORIDA ELECTIONS COMMISSION



2020

MISSION STATEMENT

**“Ensuring Transparency in
Florida’s Elections”**

*The Florida Elections Commission
is charged with enforcing
Chapters 104 and 106
effectively and efficiently.*

AGENCY GOAL

Goal #1: Maintain a high level of agency productivity.

AGENCY OBJECTIVES

- Goal #1:** Maintain a high level of agency productivity.
- Objective A:** Maintain a high percentage of cases closed in a 12-month period.
- Objective B:** Maintain a high percentage of cases in which the Commission finds a violation after it finds probable cause.

AGENCY SERVICE OUTCOMES AND PERFORMANCE PROJECTION TABLES

Goal #1: Maintain a high level of agency productivity.

Objective A: Maintain a high percentage of cases closed in a 12-month period.

Outcome: Percent of cases that are closed within a year (12 months) of the date opened.

Baseline/Year 2010	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
80%	80%	80%	80%	80%	80%

Objective B: Maintain a high percentage of cases in which the Commission finds a violation after it finds probable cause.

Outcome: Of cases where the Commission has found probable cause, percent of cases where a violation is found.

Baseline/Year 2010	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
90%	90%	90%	90%	90%	90%

FLORIDA ELECTIONS COMMISSION

TRENDS AND CONDITIONS STATEMENTS

Introduction

The Florida Elections Commission (FEC or Commission) was created in 1973 and is charged with enforcing Chapters 104 and 106, Florida Statutes.¹

The Commission is composed of nine members appointed by the governor to four-year terms. With the exception of the Chair, the Governor appoints each member from lists of names provided to him by the President of the Senate, the Speaker of the House of Representatives, and the minority leaders of both chambers. The Chair of the Commission is appointed by the Governor and serves for a maximum of four years with his or her term running concurrently with the term of the appointing Governor. The members of the Commission may serve no more than two terms.

The Commission acts as the agency head and appoints an Executive Director to employ and supervise all agency staff and oversee the day-to-day operations of the agency. The Commission's staff includes the Executive Director, a Chief of Staff, a General Counsel, two Associate General Counsels, an Investigations Manager, five Investigators, an Agency Clerk, a Deputy Agency Clerk, and two administrative support staff (15 FTE).

The Commission is administratively housed within the Department of Legal Affairs, Office of the Attorney General. However, the Commission is a separate budget entity. It is not subject to the control, supervision, or direction of the Department of Legal Affairs or the Attorney General in the performance of its duties.

Primary Responsibilities

Pursuant to Section 106.25, Florida Statutes, FEC has jurisdiction to investigate and determine violations of Chapters 104 (corrupt practices) and 106 (campaign finance), but only upon receipt of a sworn complaint or a referral from the Division of Elections. The Executive Director reviews every sworn complaint and referral filed with the Commission and makes a determination as to its legal sufficiency. Commission staff investigates all legally sufficient complaints and makes a recommendation to the Commission as to whether there is probable cause to believe Florida's election laws were violated. If the Commission finds probable cause, an FEC attorney prosecutes the case in an administrative hearing, either before the Division of Administrative Hearings or before the Commission.

One significant category of cases over which the Commission has jurisdiction is "auto-fine"

¹ Section 105.071, F.S., which prescribes limitations on political activities of judicial candidates, also charges FEC with enforcement. However, FEC's general jurisdiction statute in s. 106.25, F.S., only references Chapters 104 and 106; it is silent on the Chapter 105 provision. In 2010, the Commission found that it did not have jurisdiction over a case alleging a violation of Section 105.071, Florida Statutes, and complaints making such allegations have been dismissed as legally insufficient since that time. Over several years, FEC has proposed legislation to address this ambiguity, but it has not passed.

cases. Chapter 106, Florida Statutes, prescribes a reporting structure for candidates and political entities. The statutes provide for the automatic, non-discretionary imposition of fines by filing officers for late-filed campaign treasurer's reports. The statutes also allow candidates and political entities to dispute or "appeal" the automatic fines based on "unusual circumstances" surrounding the failure to file. Commission staff prepares auto-fine appeals for presentation to the Commission, presenting the underlying facts, as well as the circumstances claimed by the appellant to have caused the late filing. The Commission decides in each case whether to uphold, reduce or waive the fine imposed.

Pursuant to Section 106.265(3), Florida Statutes, the Commission is also responsible for collecting the civil penalties imposed in its cases. The collection process involves reducing FEC Final Orders to judgments in circuit court and recording judgment liens against debtors' real property. In some cases, FEC seeks wage garnishment or other statutorily authorized means of debt collection. All fines and settlement proceeds collected by FEC are deposited into the State's General Revenue Fund.

Priorities and Policies

The Commission's mission is to ensure transparency in Florida's elections. The agency fulfills its mission by maintaining a consistently high level of productivity (*i.e.*, agency goal). Productivity is demonstrated by the successful investigation and prosecution of cases in the shortest amount of time possible (*i.e.*, agency objectives).

Efficiency: Cases Closed within 12 Months

The outcome measure used to gauge the Commission's success with respect to **efficiency** is the number of cases it closes in a timely manner. Specifically, it is the Commission's objective to close at least 80% of its cases within 12 months.

For FY 19/20, the Commission closed 83% of its cases within one year, a 10% improvement over its FY 18/19 percentage. This performance measure was impacted by several factors, the most significant of which was the volume of referrals received from the Division of Elections and improvements in the agency's service-of-process procedures.

Historically, the number of referrals and complaints filed with the Commission escalates in correlation with election cycles. The escalation is even more exaggerated following more substantial election years, *e.g.*, Statewide and Presidential races. In FY17/18, the Commission opened a total of 352 cases, 780 in FY 18/19 and 335 in FY 19/20. The number of referrals from the Division of Elections alone, has reflected the same trend; FY 17/18 (162), FY18/19 (450), FY19/20 (234).

Internal procedures including enhanced tracking and staffing resources have been directed towards completing service of process in a timelier manner. As of July 1, 2020, the agency is completing service of process within an average of 3 weeks. This is a reduction of 8 weeks from July 1, 2019.

The agency also recommends dismissal in cases where service appears futile.

Effectiveness: Percentage of Cases Successfully Resolved

The Commission's performance with respect to **effectiveness** is reflected in the number of cases it successfully resolves. Specifically, this outcome measure tracks the number of "Legally Sufficient" complaints which are either successfully prosecuted (*i.e.*, a violation is found) following a determination of probable cause or in which a settlement agreement is executed before or after probable cause is considered. This performance measure tracks the ability of Commission staff to effectively prosecute or settle cases and, thereby, demonstrates its effectiveness in enforcing the election laws.

Over the past three fiscal years, the Commission has successfully prosecuted 98% of its cases, as measured by this outcome measure.²

Typically, the Commission meets quarterly. Due to health safety protocols and measures taken by State and Local authorities to address the COVID-19 pandemic, both the third and fourth meetings of the fiscal year were held via teleconference. Due to concerns over confidentiality, only a select set of cases were presented to the Commission during those telephonic meetings, including pre-probable cause consent orders and certain motions. Cases in which confidentiality could not be maintained were postponed. The Commission did not consider post-probable cause cases and therefore did not have third and fourth -quarter data applicable to this measure.

Impact Statement

At this time, the Florida Elections Commission is neither creating new programs nor requesting additional staff. The Commission believes that the service it provides the public in enforcing Florida's election laws is an important one, because free and fair elections are a cornerstone of our democracy. Any reduction in resources would impair the Commission's ability to ensure fair elections, meaningful campaign regulation and effective election law enforcement for the citizens of Florida.

² *FY 17/18: 98%; FY 18/19 98%; FY 19/20 98% Standard is 90%.*

LRPP Exhibit II - Performance Measures and Standards

Department: Department of Legal Affairs	Department No.: 41100000
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Program: Florida Elections Commission	Code: 41400000
Service/Budget Entity: Campaign Finance and Election Fraud Enforcement	Code: 41300100

NOTE: Approved primary service outcomes must be listed first.

Approved Performance Measures for FY 2019-20 (Words)	Approved Prior Year Standard FY 2019-20 (Numbers)	Prior Year Actual FY 2019-20 (Numbers)	Approved Standards for FY 2020-21 (Numbers)	Requested FY 2021-22 (Standard Numbers)
Percentage of cases that are closed within 12 months.	80%	83%	80%	80%
Percentage of cases the commission closes in which it finds violations or offenses.	90%	98%	90%	90%
Ratio of active cases to attorneys.	115:1	266:1	115:1	115:1

Office of Policy and Budget

LRPP EXHIBIT IV: Performance Measure Validity and Reliability

Department: Department of Legal Affairs

Program: Florida Elections Commission

Service/Budget Entity: 41300100

Measure: N/A

Action (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

Data Sources and Methodology:

Validity:

N/A

Reliability:

Office of Policy and Budget

LRPP Exhibit V: Identification of Associated Activity Contributing to Performance Measures

Measure Number	Approved Performance Measures for FY 2020-21 (Words)		Associated Activities Title
1	Percentage of cases that are closed within 12 months.		Campaign Finance and Election Fraud Enforcement.
2	Percentage of cases the Commission closes in which it finds violations or offenses.		Campaign Finance and Election Fraud Enforcement.
3	Ratio of active cases to attorneys.		Campaign Finance and Election Fraud Enforcement.
4			
5			

Office of Policy and Budget

Exhibit VI

Agency-Level Unit Cost Summary

This exhibit is included with the Department of Legal Affairs's LRPP

Glossary of Terms

Auto-fine: Automatic, non-discretionary fine imposed by a filing officer for a late-filed campaign treasurer's report.

Appeal: Notice filed by a candidate, chairman of a political committee, or treasurer of an electioneering communication organization disputing an auto-fine and documenting the underlying facts and circumstances that resulted in the late filing of a campaign treasurer's report.

Campaign Financing Act: Chapter 106, Florida Statutes, regulates campaign financing for all candidates, including judicial candidates, political committees, electioneering communication organizations, and political parties. It does not regulate campaign financing for candidates for federal office or candidates for a political party executive committee.

Campaign Treasurer's Reports: Reports filed on designated due dates by or on behalf of a candidate or political committee that detail all contributions received and expenditures made during a specified time period.

Civil Penalties: Fines not to exceed \$1,000 that are imposed by the Commission or, by the Division of Administrative Hearings pursuant to 106.25(5), Florida Statutes, for violations of Chapters 104 and 106, and Section 105.071, Florida Statutes. All collected civil penalties are deposited in the General Revenue Fund.

Complaint: An original signed and notarized document alleging violations of the Florida Election Code.

Corrupt Practices Act: Chapter 104, Florida Statutes, makes unlawful a variety of acts that subvert the elective process, *e.g.*, false swearing, fraud in connection with casting a vote, corruptly influencing voting, illegal voting, and acts by officials who violate provisions of the election code.

Division of Administrative Hearings (DOAH): An entity that provides independent administrative law judges to conduct hearings pursuant to Sections 120.69 and 120.57(1), Florida Statutes.

Final Order: A written, administrative decision which results from a proceeding and has been filed with the agency clerk. Final orders represent final agency actions which are affirmative, negative, injunctive, or declaratory in form.

Florida Elections Commission: Referred to as the Commission or FEC, the Florida Elections Commission is the entity created for the purpose of enforcing Chapters 104 and 106, and Section 105.071, Florida Statutes. The Commission is administratively housed in the Department of Legal Affairs, Office of the Attorney General.

Judgment: A final order from a Florida state court or from a United States District Court, which contains conclusive and customary language establishing that judicial labor is at an end and the order is truly dispositive and final. FEC administrative final orders must be reduced to judgment before they can be enforced against a Respondent who has not complied with the terms of a Final Order.

Judgment Lien on Real Property: A judgment, order, or decree becomes a lien on real property in any county when a certified copy of it is recorded in the official records or judgment lien record of the county, whichever is maintained at the time of recordation, provided that the judgment, order, or decree contains the address of the person who has a lien as a result of such judgment, order, or decree or a separate affidavit is recorded simultaneously with the judgment, order, or decree stating the address of the person who has a lien as a result of such judgment, order, or decree.

Legally Sufficient: A sworn and notarized complaint that meets specific criteria as specified in Rule 2B-1.0025, Florida Administrative Code.

Probable Cause: A reasonable ground of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged.

Respondent: The individual against whom an official complaint is filed.

Settlement Agreement: A consent order executed between the Respondent and the Commission in which the Respondent is not required to admit a violation of law within the jurisdiction of the Commission. All settlement proceeds are deposited in the General Revenue Fund.

Unusual Circumstances: Uncommon, rare, or sudden events over which the actor has no control, and which directly result in the failure to act according to the filing requirements. To excuse a late filed report, unusual circumstances must occur within a time period that would clearly prevent the person legally responsible for filing the report from doing so in a timely manner.

Acronyms

Commission	Florida Elections Commission
FEC	Florida Elections Commission
FTE	Full Time Equivalent
FY	Fiscal Year