



REPRESENTING
ALEX SINK
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA

MONROE COUNTY
CLERK OF CIRCUIT COURT
BUDGET REVIEW

REPORT DATE:
February 18, 2008

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CHIEF FINANCIAL OFFICER

INTRODUCTION

The Department of Financial Services (DFS) has completed a review of the budget certifications made by the Monroe County Clerk of Circuit Court's Office to the Clerks of Court Operations Corporation (CCOC), pursuant to Section 28.35(3)(b), Florida Statutes (F.S.). The scope of our review focused on validating the processes and methodologies utilized in the development of the Clerk's budgets for fiscal years 2005-2006 (FY 05-06) and 2006-2007 (FY 06-07).

The Chief Financial Officer (CFO) has contracted with CCOC to establish a process for review and certification of court-related budgets submitted by the Clerks of Circuit Courts. The CCOC is responsible for calculating the maximum authorized annual budget, identifying budgets exceeding the maximum expenditure amounts for a standard list of court-related functions and identifying budgets that have insufficient revenues to cover court-related expenditures, pursuant to Section 28.36, F.S.

SUMMARY

- The FY 05-06 and FY 06-07 approved budgets were \$3,270,923 and \$3,346,198 respectively.
- Monroe County has a population of 83,219 and had 69.11 and 68.40 Full Time Employees (FTEs) budgeted to support court-related activities for FY 05-06 and FY 06-07 respectively.
- Budgeted revenues and expenditures for FY 05-06 were \$2,717,171 and \$3,270,923 respectively, resulting in a budgeted deficit of \$553,752. Actual revenues and expenditures as reported by the Clerk for FY 05-06 detailed a surplus of \$308,257. The Clerk remitted the FY 05-06 surplus to the Department of Revenue (DOR) on December 28, 2006 for deposit in the General Revenue Fund, pursuant to the provisions of Section 28.37(4), F.S.
- Budgeted revenues and expenditures for FY 06-07 were \$2,910,000 and \$3,346,198 respectively, resulting in a budgeted deficit of \$436,198. Monthly payments from the Clerks of the Court Trust Fund were scheduled to fund the Clerk's projected deficit pursuant to CCOC directive.

- The Clerk has an internal system and reporting procedures for measuring and reporting on all required performance standards.

SCOPE, OBJECTIVES AND METHODOLOGY

Scope

The Scope of our review included an analysis of the development of the Clerk's FY 05-06 and FY 06-07 budgets. Our review was conducted on December 5 – 6, 2007 at the Monroe County Clerk of Circuit Court's Office.

Objectives and Methodology

The budget review was conducted with the following objectives:

- Each Clerk shall develop a budget funded from fees, services charges, court costs and fines, pursuant to Sections 28.35, 28.36 and 28.37, F.S. Clerks must provide detailed information on expenditures necessary for the performance of court-related functions using the court-related codes in the Uniform Accounting System Manual (UASM). The budget shall be submitted annually to CCOC for review and approval. The CCOC budget approval process focuses on the following key components:
 - Overhead Cost Allocation – The Monroe County Clerk's Office applied a 64.59 percent cost allocation rate to the FY 05-06 certified annual budget. A 63.34 percent cost allocation rate was utilized for the FY 06-07 budget.
 - Our review of supporting documentation disclosed that the methodologies used to calculate and distribute overhead costs were reasonable.
 - Distribution of Court-Related FTEs – The Monroe County Clerk's Office budgeted 69.11 of 107.00 and 68.40 of 108.00 FTEs for FY 05-06 and FY 06-07 respectively, to support court-related functions.
 - General Fund Expenditures – The final approved budget for FY 05-06 was \$3,270,923. Major expenditure categories were: Personal Services (\$2,980,945) and Operating Expenses (\$289,978). The final approved budget for FY 06-07 was \$3,346,198. Major expenditure categories were: Personal Services (\$3,156,685) and Operating Expenses (\$189,513).
 - Revenue Forecasting – Budgeted revenues of \$2,717,171 and \$2,910,000 were calculated for FY 05-06 and FY 06-07 respectively, based on prior period data and management's assessment of future operational activities.

- Our review determined that the Clerk’s FY 05-06 and FY 06-07 budgets were prepared pursuant to CCOC instructions and submitted in accordance with the provisions of Section 28.36, F.S.
- Expenditures during the review period were limited to court-related functions as specified in Section 28.35(4)(a) F.S.
- Revenues for fees, services charges, court costs and funding for court-related functions for FY 05-06 were assessed pursuant to the provisions of Chapter 28, F.S. The Clerk’s budget for FY 06-07 was based on projected revenues from the same sources, pursuant to Section 28.36, F.S.
- Clerks are required to maintain a partial fee payment system, pursuant to Section 28.246, F.S. The Monroe County Clerk’s Office is currently utilizing an internal database system to account for partial fee payments. The Clerk is contracting with an external collection agency to assist with collecting delinquent accounts. However, all collection efforts are currently handled within the Clerk’s office.
- The Monroe County Clerk of Court was designated a “recipient” office for FY 05-06 by CCOC based upon a budgeted deficit of \$553,752. Monthly payments from the Clerks of the Court Trust Fund were scheduled to fund the Clerk’s projected deficit pursuant to CCOC directive. The Clerk’s office submitted a Budget Amendment Request (BAR) in May 2006 to resolve an anticipated revenue shortfall in the amount of \$251,309 due to Hurricane Wilma. The BAR was approved by the CCOC and additional payments were remitted to the Clerk’s office. The Clerk reported a FY 05-06 surplus of \$308,257 based on actual revenues and expenditures of \$3,579,180 and \$3,270,923 respectively. The Clerk remitted the FY 05-06 surplus to DOR on December 28, 2006 for deposit in the General Revenue Fund, pursuant to the provisions of Section 28.37(4), F.S.
- The Monroe County Clerk of Court was designated a “recipient” office for FY 06-07 by CCOC based upon a budgeted deficit of \$436,198. Budgeted revenues and expenditures for FY 06-07 were \$2,910,000 and \$3,346,198 respectively. The Clerk reported a FY 06-07 surplus of \$767,463 based on actual revenues and expenditures of \$4,113,661 and \$3,346,198 respectively. Our review concluded the Monroe County Clerk’s Office was not required to remit monthly payments to DOR.
- The following performance measures were adopted by CCOC, pursuant to Section 28.35, F.S., FY 05-06 and FY 06-07:
 - Outputs – The outputs consist of the number of civil cases filed and the number of criminal defendants handled, by Court Divisions, as identified by the Clerk’s Office. The Clerk reported 40,885 new cases filed and 8,112 defendants for FY 05-06. The Clerk reported 43,551 new cases filed and 8,457 defendants for FY 06-07.

- Outcome Measures – Timeliness and Collection Rate:
 - Timeliness – New cases opened within a designated number of business days after the initial filing. The Clerk has the ability to collect data and report timeliness measures on new cases. The Clerk reported meeting or exceeding 17 of 20 performance standards to CCOC for FY 05-06. The Clerk reported meeting or exceeding 18 of 20 performance standards to CCOC for FY 06-07.
 - Collection Rate – The collection rate is calculated by dividing collections by the adjusted assessments. The Clerk reported meeting or exceeding 7 of 9 collections performance standards to CCOC for FY 05-06. The Clerk reported meeting or exceeding 8 of 9 collections performance standards to CCOC for FY 06-07.
- Fiscal Management Measures – Fiscal Management Standards
 - Status Report – The Clerk reported meeting or exceeding 9 of 9 fiscal management standards to CCOC for FY 05-06.

FINDINGS AND RECOMMENDATIONS

Finding:

Based upon our review, we found the Clerk’s budgeting practices, expenditure and revenue methodologies for State funds to be efficient and accurate. We concluded the Monroe County Clerk’s Office is currently able to report on all required performance standards.

REVIEW TEAM

Burton Marshall, *Chief, Bureau of Local Government*
 Priscilla Bailey-Brown, *Financial Administrator*
 Mark Gressel, *Professional Accountant Specialist*
 Bob Johnson, *Professional Accountant Specialist*
 Angie Lawson, *Professional Accountant Specialist*
 Jessica Robinson, *Professional Accountant Specialist*

APPENDIX

Appendix A



REPRESENTING
ALEX SINK
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA

August 29, 2007

The Honorable Danny L. Kolhage
Clerk of Circuit Court
Monroe County
500 Whitehead Street
Key West, Florida 33040

Dear Mr. Kolhage:

The Department of Financial Services (DFS) has scheduled a review of your budget processes in accordance with Section 28.35, Florida Statutes. The dates mutually selected for this review are December 5 – 7, 2007. Our review will encompass the following objectives: Analyze the methodologies used to develop both the current and prior fiscal years Clerks of Court Operations Corporation (CCOC) certified budget; review expenditures to ensure compliance with Florida Statutes; analyze projected and year-to-date revenues; and review methods used to collect and report data regarding performance measures.

To minimize disruptions to your daily operations, we request you have the following available upon our arrival:

1. Current organization chart.
2. Internal documentation of methodologies used to allocate FTEs to court-related activities.
3. Payroll subsidiary ledger for the most recent pay date and current annual salary listing by employee.
4. Listing of General Ledger codes (500-700 range) used in conjunction with the chart of accounts.
5. General Ledger report of court-related revenues and expenditures for FY 05-06 and FY 06-07.
6. Revenue and Expenditure Tracking Reports submitted to CCOC for FY 05-06 and FY 06-07.
7. Copies of monthly transmittals to the Department of Revenue for revenues remitted, pursuant to Sections 28.241(1)(a), 28.37(2) and 28.37(4), Florida Statutes.
8. Report detailing outstanding balance for each partial payment account.

FLORIDA DEPARTMENT OF FINANCIAL SERVICES
Burton S. Marshall, CPA • Chief
Division of Accounting and Auditing • Bureau of Local Government
200 E. Gaines St. • Tallahassee, FL 32399-0354 • Tel. 850-413-5588 • Fax 850-413-5548 • SC 293-5588
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Appendix A (continued)

The Honorable Danny L. Kolhage

August 29, 2007

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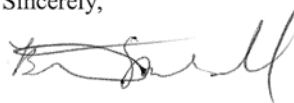
9. Contract, outstanding balance of accounts assigned, and supporting records for remittances by collection agency for FY 05-06 and FY 06-07, if applicable.
10. Submissions of timeliness and collections performance measure data and any related supporting documentation to CCOC for FY 05-06 and FY 06-07.
11. Any internal documentation used to complete a Budget Amendment Request(s) approved by CCOC, if applicable.
12. Annual Financial Report and Audit Report for FY 05-06.

Please have the requested information available for fiscal years 2005-2006 and 2006-2007, as our review will cover both periods. Mr. Mark Gressel, Ms. Priscilla Bailey-Brown and Ms. Angie Lawson will represent DFS during this review.

We ask that you provide workspace for DFS and a lead from your staff to assist in the review. It is not our intent to disrupt your operations. You may contact us to reschedule if, for any reason, the dates selected cannot be accommodated. Please use Ms. Priscilla Bailey-Brown as our primary point of contact at (850) 413-5592 or priscilla.bailey-brown@fldfs.com.

Thank you for your advanced preparation. We look forward to working with you and your staff.

Sincerely,



Burton S. Marshall

BSM:cc

Appendix B



**CLERK OF THE CIRCUIT COURT
MONROE COUNTY**

BRANCH OFFICE
MARATHON SUB COURTHOUSE
3117 OVERSEAS HIGHWAY
MARATHON, FLORIDA 33050
TEL. (305) 289-6027
FAX (305) 289-1745

MONROE COUNTY COURTHOUSE
500 WHITEHEAD STREET, SUITE 101
KEY WEST, FLORIDA 33040
TEL. (305) 292-3550
FAX (305) 295-3663

BRANCH OFFICE
PLANTATION KEY
GOVERNMENT CENTER
88820 OVERSEAS HIGHWAY
PLANTATION KEY, FLORIDA 33070
TEL. (305) 852-7145
FAX (305) 852-7146

February 8, 2008

Ms. Priscilla Bailey-Brown
Florida Department of Financial Services
200 E. Gaines Street
Tallahassee, FL 32399-0354

Dear Ms. Bailey-Brown:

I have reviewed the draft of our budget review report for years 2006 and 2007, and accept its conclusions.

I appreciate the efforts of your audit team to minimize any disruption of our office in accomplishing its tasks.

Please do not hesitate to contact Marva Green of my staff if you need any additional assistance. Her direct number is 305-295-3139.

Sincerely,

Danny L. Kolhage
Clerk of the Court
Monroe County, Florida