



CFY 2021-22 BUDGET INSTRUCTIONS

October 1, 2021 – September 30, 2022

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Dear Clerks and Clerk Staff,

Thank you for your hard work and continued diligence in the budget development process for the Clerks of Court. Every year, clerks face challenges to support their offices and communities. We continue to use every opportunity to tell the clerks' story.

For the CFY 2021-22 budget development cycle, the Budget Committee developed a Base Budget as a starting point for building a CFY 2021-22 Budget Request. Each clerk is requested to complete the CFY 2021-22 Budget Issue form to describe issues that are above the base budget amount. The total of the Base Budget and each Budget Issue should reflect the total costs needed to perform your statutorily required court-related duties.

Clerks are asked to include issues for FRS increases, Health Insurance increases, new judges (if applicable), and constitutionally required costs to increase minimum wage to \$10. Create an individual issue with supporting information or documentation as needed to reach the costs needed to perform your statutorily required court-related duties.

Once forms are submitted, CCOC staff will perform technical reviews on each submission and compile for the Budget Committee to review and evaluate. CFY 2020-21 Budget Training will be held via WebEx on **Thursday, May 13 at 2 PM**. Please click the following link to register for training:

<https://flclerks.webex.com/flclerks/k2/j.php?MTID=t9b3c28241daa5e4971013b95fec5c66f>

The recorded training will be posted to the CCOC website (<https://flccoc.org/clerks-budget/>) along with all budget forms and instructions. Should you need assistance during the budget process, do not hesitate to contact a CCOC Budget Manager.

Warm Regards,

JD Peacock, II
Okaloosa County Clerk of the Circuit Court & Comptroller
Budget Committee Chair

TABLE OF CONTENTS

I. BUDGET PROCESS OVERVIEW	
A. AUTHORITY	5
B. PURPOSE	6
C. SUBMISSION INSTRUCTIONS	6
D. BUDGET PROCESS TIMELINE	7
II. BUDGET INSTRUCTIONS	
A. GENERAL GUIDELINES.....	9
B. GUIDELINES RELATED TO DATA ENTRY.....	11
C. BUDGET ISSUE FORM INSTRUCTIONS.....	11
III. APPENDICES	
A. SERVICES, ACTIVITIES, AND TASKS	16
B. GENERAL COUNSEL OPINION REGARDING IT FUNDING	31
C. CFY 2020-21 DFS AUDIT FINDINGS	32
D. STATUTORY REFERENCES	43

I. BUDGET PROCESS OVERVIEW

A. AUTHORITY

Section 23 of Chapter 2004-265, Laws of Florida, created the Clerk of Court Operations Corporation (CCOC) to perform various fiscal and budget-related duties, which include provisions in s. 28.35(2)(f), F.S. These provisions outline the duties of the CCOC to include:

(f) Approving the proposed budgets submitted by clerks of the court pursuant to s. 28.36. The corporation must ensure that the total combined budgets of the clerks of the court do not exceed the total estimated revenues from fees, service charges, costs, and fines for court-related functions available for court-related expenditures as determined by the most recent Revenue Estimating Conference, plus the total of unspent budgeted funds for court-related functions carried forward by the clerks of the court from the previous county fiscal year and plus the balance of funds remaining in the Clerks of the Court Trust Fund after the transfer of funds to the General Revenue Fund required pursuant to s. 28.37(3)(b). The corporation may amend any individual clerk of the court budget to ensure compliance with this paragraph and must consider performance measures, workload performance standards, workload measures, and expense data before modifying the budget. As part of this process, the corporation shall:

1. Calculate the minimum amount of revenue necessary for each clerk of the court to efficiently perform the list of court-related functions specified in paragraph (3)(a). The corporation shall apply the workload measures appropriate for determining the individual level of review required to fund the clerk's budget.
2. Prepare a cost comparison of similarly situated clerks of the court, based on county population and numbers of filings, using the standard list of court related functions specified in paragraph (3)(a).
3. Conduct an annual base budget review and an annual budget exercise examining the total budget of each clerk of the court. The review shall examine revenues from all sources, expenses of court-related functions, and expenses of non-court related functions as necessary to determine that court-related revenues are not being used for non-court related purposes. The review and exercise shall identify potential targeted budget reductions in the percentage amount provided in Schedule VIII-B of the state's previous year's legislative budget instructions, as referenced in s. 216.023(3), or an equivalent schedule or instruction as may be adopted by the Legislature.
4. Identify those proposed budgets containing funding for items not included on the standard list of court related functions specified in paragraph (3)(a).
5. Identify those clerks projected to have court related revenues insufficient to fund their anticipated court related expenditures.
6. Use revenue estimates based on the official estimate for funds from fees, service charges, costs, and fines for court-related functions accruing to the clerks of the court made by the Revenue Estimating Conference, as well as any unspent budgeted funds for court-related functions carried forward by the clerks of the court from the previous county fiscal year and the balance of funds remaining in the

Clerks of the Court Trust Fund after the transfer of funds to the General Revenue Fund required pursuant to s. 28.37(3)(b).

7. Identify pay and benefit increases in any proposed clerk budget, including, but not limited to, cost of living increases, merit increases, and bonuses.
8. Identify increases in anticipated expenditures in any clerk budget that exceeds the current year budget by more than 3 percent.
9. Identify the budget of any clerk which exceeds the average budget of similarly situated clerks by more than 10 percent.

The Florida Clerks of the Court are required to follow a budget procedure for the court-related functions they perform pursuant to s. 28.36, F.S. The law requires the proposed budgets to be prepared, summarized, and submitted by the clerk in each county to the Florida Clerks of Court Operations Corporation in the manner and form prescribed by the corporation, which is outlined in the following Budget Instructions.

The proposed budget must provide detailed information on the anticipated revenues available and expenditures necessary for the performance of the court-related functions listed in s. 28.35(3)(a) of the clerk's office for the county fiscal year beginning October 1.

B. PURPOSE

The CCOC budget process is designed to tell the following Clerks' story within and across Clerks' offices:

1. The clerk's funding request by personnel, operating, and capital;
2. Expenditures by court services;
3. The revenues available to support the request; and
4. Other valuable information about the budget request submission.

The budgeting process produces information during the fiscal year to assist Clerks in managing budgets (e.g., actual expenditures, revenues, workloads/outputs, and performance standard achievement levels).

Submitted budgets also assist the CCOC in monitoring the Clerks of the Court Trust Fund to anticipate and respond to Article V budget-related issues, as well as provide budget-related education and training in support of finding cost efficiencies, increasing revenue collections, responding to workload pressures, and maintaining customer performance effectiveness.

C. SUBMISSION INSTRUCTIONS

For CFY 2021-22, the following files will comprise a county's Budget Submission:

1. Budget Issue Request – an Excel file that contains five tabs for budget issues. Should you need to present more than five issues, use a second spreadsheet.

CFY 2021-22 BUDGET INSTRUCTIONS

- a. File name format: CountyName CFY2122 Budget Issue Ver1.xlsx
Example: Lafayette CFY2122 Budget Issue Ver1.xlsx
 - b. If using more than one form:
CountyName CFY2122 Budget Issue Form A Ver1.xlsx
CountyName CFY2122 Budget Issue Form B Ver1.xlsx
 - c. Start with version 1. Change version number if CCOC requests corrections or if you have revised information to provide.
2. Revenue Projection – an Excel file that contains revenue projections for the Fine and Forfeiture Trust Fund as well as Chapter 2008-111, L.O.F. revenues.
 - a. File naming convention: CountyName CFY2122 Revenue Projection Jun VerX
Example: Highlands CFY2122 Revenue Projection Jun Ver1
 - b. See separate instructions for complete the Revenue Projection form.
3. Clerk's Certification Letter – a PDF document that must be signed by the Clerk asserting that statutory guidelines have been followed in requesting funding for CFY 2021-22.
 - a. The fillable PDF should be signed by the elected Clerk only.
 - b. If an electronic signature is used, the actual signature must be visible.
 - c. Select the county name from the drop-down menu.

All forms should be submitted to the CCOC email address, reports@flccoc.org, by the close of business on **June 1, 2021**.

If you have questions or issues with your submission, please contact a CCOC Budget Manager before the deadline via email or by calling our office at (850) 386-2223. Do **NOT** email questions or comments to the submission email address (reports@flccoc.org) as this email is not maintained for correspondence.

All forms can be found on the CCOC website under the Clerk's Budget tab:
<https://flccoc.org/clerks-budget/>

D. BUDGET PROCESS TIMELINE

The budget instructions provided in this document address the budgets for the period of October 1, 2021 through September 30, 2022, which are due to the CCOC by close of business on **June 1, 2021** to reports@flccoc.org.

Below is a timeline for the development, preparation, submission, and eventual approval of the Clerks' CFY 2020-21 proposed budgets. This timeline is meant to act as a guide. Dates and activities are subject to change at the direction of the Budget Committee, the Executive Council, or as the result of legislative action. The CCOC website and statewide emails should be relied upon for the most up-to-date information.

CFY 2021-22 BUDGET INSTRUCTIONS

<u>Date</u>	<u>Activity</u>
January 2021	<ul style="list-style-type: none">• Budget Committee Policy Work
February 2021	<ul style="list-style-type: none">• Budget Committee Policy Work
March 2021	<ul style="list-style-type: none">• Budget Committee Policy Work
April 2021	<ul style="list-style-type: none">• Begin Base Budget Work
May 2021	<ul style="list-style-type: none">• CCOC staff revise budget instructions and forms• Release Budget Issue Form, Revenue Projection Form, and Clerk Certification Letter• Budget Training led by CCOC staff on the budget forms.• Budget Committee finalize Base Budget
June 2021	<ul style="list-style-type: none">• Forms due June 1, 2021• CCOC staff perform technical review of submissions
July 2021	<ul style="list-style-type: none">• Budget Committee review and evaluate submissions• Counties given opportunity to present on their budget issues followed by deliberations by Budget Committee• Budget Committee adopt Expenditure Budget.• REC meets and determines available revenues (mid to late July)
August 2021	<ul style="list-style-type: none">• Budget Committee review, deliberate, and approve Revenue Limited Budget to meet REC projected revenues• Executive Council approves final budget authority• Funded and Depository amounts calculated and sent to DOR.
September 2021	<ul style="list-style-type: none">• Budget Letters sent to each clerk and their finance staff• Workgroup testing of CFY 2021-22 forms and instructions as needed
October 2021	<ul style="list-style-type: none">• CFY 2021-22 Begins• Operational Budget Form development• Revise Operational Budget instructions as needed• Release forms to counties

CFY 2021-22 BUDGET INSTRUCTIONS

November 2021	<ul style="list-style-type: none">• CFY 2021-22 Operational Budget due with a Certification letter• Revised Revenue Projections due• CCOC staff performs technical reviews of Operational Budget submission.
December 2021	<ul style="list-style-type: none">• CCOC staff complete analysis as requested by the Budget Committee or required by statute• CCOC staff calculate CFY 2020-21 Settle-up• CCOC staff finalize CFY 2020-21 Annual Report

II. BUDGET INSTRUCTIONS

A. GENERAL GUIDELINES

The following general guidelines apply to the CFY 2021-22 budget submission:

1. Clerks should submit a budget request that represents the funding needed to perform their statutory duties. A list of statutory references can be found in the Clerk Court Services Framework. A detailed Excel file can be found on our website at <https://flccoc.org/ccoc-reports/#fr>

Also, keep in mind that s. 28.35(3)(a), F.S. restricts the use of CCOC funding to the following:

(3)(a) The list of court-related functions that clerks may fund from filing fees, service charges, costs, and fines is limited to those functions expressly authorized by law or court rule. Those functions include the following: case maintenance; records management; court preparation and attendance; processing the assignment, reopening, and reassignment of cases; processing of appeals; collection and distribution of fines, fees, service charges, and court costs; processing of bond forfeiture payments; data collection and reporting; determinations of indigent status; and paying reasonable administrative support costs to enable the clerk of the court to carry out these court-related functions.

(b) The list of court-related functions that clerks may **not** fund from filing fees, service charges, costs, and fines includes:

1. Those functions not specified within paragraph (a).
2. Functions assigned by administrative orders which are not required for the clerk to perform the functions in paragraph (a).

3. Enhanced levels of service which are not required for the clerk to perform the functions in paragraph (a).
 4. Functions identified as local requirements in law or local optional programs.
2. See **Appendix A** for the Services, Activities, and Tasks from the Clerks Court Services Framework.
 3. Include **all** budgeted court-related costs/expenditures, even if costs are paid by other entities or other revenue sources. The gross costs should be included in your budget submission.
 4. “Give proper deference to the constitutional and statutory obligations of counties to fund certain needs of the court system.” These needs include court-related personnel services, operating, and capital costs/expenditures such as facilities, maintenance, utilities, security, etc. (See s. 14, Art. V of the State Constitution, s. 29.008(1), F.S., and **Appendix B**)
 5. Court related personnel, operating, and capital costs/expenditures for IT purposes **may** be included if those costs/expenditures are “part of administrative support to perform the court-related functions delegated to the Clerk of Court under s. 28.35(3)(a), FS.” (See **Appendix B**)
 6. Section 28.35(2)(e), F.S., provides that the Department of Financial Services (DFS), Bureau of Auditing, will conduct expenditure audits of individual Clerks of the Circuit Court. These audits include auditing court-related expenditures of State funds to ensure compliance with s. 28.35(3), F.S., and to determine whether the expenditures were properly authorized, recorded, and supported. It is the practice of DFS to conduct these audits every three to five years. The audits result in a written report to the Clerks, with the Clerks providing a response and a corrective action plan to address the reported findings and recommendations.

See **Appendix C** for a CCOC staff summary of the SFY 2020-21 Clerk of the Circuit Courts Audits. Full audit reports with response letters can be found on the DFS website: <https://www.myfloridacfo.com/Division/AA/AuditsReviews/default.htm>.

7. Statutory references for 2020 can be found in **Appendix D** for sections 28.35, 28.36, 28.37, Florida Statutes. Complete statutes can be found online at Online Sunshine, the internet site of the Florida Legislature, <http://www.leg.state.fl.us/Welcome/index.cfm?CFID=102691236&CFTOKEN=8293c31cdf0cc20-73E0D706-5056-B837-1A315DD29360848F>.

CFY 2021-22 BUDGET INSTRUCTIONS

B. GUIDELINES RELATED TO DATA ENTRY

1. Do not drag cells or delete rows as this will override programming built into the form. Any changes to this programming will require that the information be copied to a new form before it can be brought into the CCOC database.
 - a. Copying and pasting generally does not affect text in the spreadsheet; however, formatting issues may remain.
 - b. The CCOC recommends that all information be hand-keyed, especially numerical values, to reduce issues that would prevent your submission from entering our database.
2. Do not link cells in the Budget Issues Form to outside sources such as a database or another Excel file. Data connections can become broken. While data may still be visible, the data cannot be imported into the CCOC database.
 - a. The CCOC recommends performing calculations in another spreadsheet then copying and pasting back into the Original Budget Request form using the “paste special – values” feature.
3. Do not use formulas to calculate amounts for the spreadsheet. While the form will allow you to enter formulas for certain fields, the data cannot be brought into the CCOC database.
 - a. The CCOC recommends performing calculations in another spreadsheet then copying and pasting back into the Original Budget Request form using the “paste special – values” feature.

C. BUDGET ISSUE FORM INSTRUCTIONS

Florida CCOC Budget Issue Form											 <small>CCOC Form Version 1 Created 6/1/20</small>	
County Fiscal Year 2020-2021												
County:			Priority:			Issue Type:						
Contact:			Recurring:			Issue Category:						
E-Mail Address:												
	Case Processing	Revenue Collection and Distribution	Financial Processing	Requests for Records and Reports	Provide Ministerial Pro Se Assistance	Technology Services for External Users	Mandated Reporting Services	Jury Management	Administration	TOTAL		
FTE										0.00		
Personnel										\$0		
Operating										\$0		
Capital										\$0		
TOTAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
ISSUE REQUEST DETAIL <small>Please provide a detailed description of the budget issue including the amounts that are related to Personnel, Operating, or Capital costs, and any FTE impact. Be sure to thoroughly explain the item and provide supporting documents as needed. Description should include the impact to the clerk's office if issue is not funded and impact if reduction is taken. Additional supporting documentation can be submitted with form to reports@flccoc.org</small>												

CFY 2021-22 BUDGET INSTRUCTIONS

The Budget Issue Form is designed for requests in addition to the Base Budget calculation. The form is an Excel spreadsheet with five tabs, which will allow you to enter information for five Budget Issues in one file. You may submit as many spreadsheets as needed. Each issue will be addressed individually, and the total of all your requests will be added to your Base Budget calculation.

To know if you are using the most current form, check the box in the upper right-hand corner. It should read CCOC Form Version 1, Created 4/1/21. If there are revisions to the form, the second line will read “Revised” with a new date.

- The first tab is reserved for FRS increase issues. Every county should complete this tab and provide the required information in addition to the template verbiage supplied. To move to the next line in the text box, use alt+enter function.
- The second tab is reserved for Health Insurance increases. Provide the required information in addition to the template verbiage supplied. To move to the next line in the text box, use alt+enter function.
- The third tab is reserved for counties who were statutorily authorized to receive a new judge. This only applies to the counties outline in the template verbiage. Provide the required information of one FTE at the average FTE cost for your county. To move to the next line in the text box, use alt+enter function.
- The fourth tab can be used to identify personnel that need to be brought up to \$10 per hour as constitutionally required in Florida.
- Should you not wish to include a budget issue for the template issues, you can remove the verbiage and enter your unique issue.
- Should you need a second spreadsheet for more than five budget issues, all template verbiage can be removed.

1) CONTACT INFORMATION

- a) Select your county name from the drop-down in cell C4.
 - i) Information in this cell is carried through to the other tabs in the spreadsheet.
- b) A contact name should be entered in cell C5. Should the CCOC have questions about your budget issue, this is the person that we will contact.
 - i) Information in this cell is carried through to the other tabs in the spreadsheet.
- c) Email Address for the contact person listed in C4 should be entered in cell C6.
 - i) Information in this cell is carried through to the other tabs in the spreadsheet.

2) PRIORITY

- a) Enter a numerical priority rating for your issue in cell G4.
 - i) This number is not carried forward and will have to be manually entered for each Budget Issue you submit.
- b) Since multiple forms may be submitted, it will be imperative that you keep up with your total requests and their priority ranking to prevent skipping numbers or using duplicates.
- c) CCOC staff will organize each issue by priority number for each county to present to the CCOC Budget Committee for their review process.

3) RECURRING

- a) Select Yes or No for whether your Budget Issue is a recurring item in cell G6.
 - i) A recurring impact implies that this will be a part of your Base Budget operations going forward.
 - ii) A non-recurring impact implies that this is for the current fiscal year only and would not be a part of base budget calculations going forward.
 - iii) This item is not carried forward and will have to be manually entered for each Budget Issue you submit.

4) ISSUE TYPE

- a) In cell J4, select the Issue Type that best fits the description of your Budget Issue
 - i) Funding Issue – a Budget Issue that you are requesting funding to support
 - ii) Reduction Issue – a Budget Issue that reduces funding

5) ISSUE CATEGORY

- a) The Budget Committee developed several Issue Categories to give clerks offices a wide variety from which to choose. These Issue Categories will also help classify areas for the Budget Committee to review. Select one of the following categories from cell J6:
 - i) AO/Supreme Court Order – Funding requested to support an Administrative Order or Supreme Court Order that impacts your court-related operations pursuant to s. 28.35(3)(a), F.S.
 - ii) Audit Finding – Funding requested to correct an audit finding from DFS (s. 28.35(2)(e), F.S.) or another auditor.
 - iii) Compliance – Funding requested to support compliance efforts as a means to increase revenues.
 - iv) Continuation Budget – Funding requested to meet the current-year budget authority level
 - v) Cost Shift from County – Funding requested to cover the cost of a court-related service that is currently being funded by the county.
 - vi) Efficiencies – Funding requested for a budget issue that is expected to create or improve office efficiencies
 - vii) IT Funded from CCOC – Funding request for court-related personnel, operating, and capital costs/expenditures for IT purposes may be included if those costs/expenditures are “part of administrative support to perform the court-related functions delegated to the Clerk of Court under s. 28.35(3)(a), FS.” Or if expenditures will not exceed redirected 10% as tracked on the monthly Expenditure and Collection form. (See **Appendix B**)
 - viii) Legislative Mandate – Funding request to comply with a legislative mandate
 - ix) Pay & Benefits – Funding requests related to pay and benefit increases to support court-related functions
 - x) Performance Measures – Funding request to meet performance measure standards or to correct deficiencies
 - xi) Rule Change – Funding request to support court-related functions from a rule change
 - xii) Other – Funding request that does not fall under any of the previous categories.

CFY 2021-22 BUDGET INSTRUCTIONS

- (1) If this option is selected, a text box will appear in cell J9 for you to enter the category name. Please carefully review the listed issue categories before choosing this option

6) BUDGET ISSUE REQUEST

- a) The budget issue request is broken out by FTE (Line 11), Personnel (Line 13), Operating (Line 14), and Capital (Line 15) by the nine Clerk Court Service areas: Case Processing, Revenue Collection and Distribution, Financial Processing, Requests for Records and Reports, Provide Ministerial Pro Se Assistance, Technology Services for External Users, Mandated Reporting Services, Jury Management, and Administration.
 - i) The Clerk Court Services Framework provides a detailed list of the services, activities, and tasks (**Appendix A**), while the downloadable Excel spreadsheet can be found on the CCOC website: <https://flccoc.org/ccoc-reports/#fr>.
- b) FTE amounts on Line 11 can be positive or negative numbers to two decimal points.
- c) Personnel, Operating, and Capital amounts can be entered as a positive or negative number in whole dollars.

7) BUDGET ISSUE REQUEST DETAIL

- a) Please provide a detailed explanation of the budget issue related to personnel, operating, or capital costs and FTE impacts. Include pertinent information that justifies your selection of recurring impact, issue type, and issue category.
 - i) Funding Issue: Thoroughly explain the impacts on court operations, public safety, etc. should the item be funded, as well as repercussions if the item is not funded.
 - ii) Reduction Issue: Thoroughly explain the impacts on court-operations, public safety, etc. should the reduction item be taken.
- b) Any additional supporting documentation can be submitted to reports@flccoc.org.
 - i) Be sure to include your County Name at the beginning on the file name and the issue priority number so that CCOC staff can compile your information correctly and quickly.

III. APPENDICES

A. SERVICES, ACTIVITIES, AND TASKS16

B. GENERAL COUNSEL OPINION REGARDING IT FUNDING31

C. CFY 2020-21 DFS AUDIT FINDINGS32

D. STATUTORY REFERENCES.....42

Clerk Court Services Framework

Service	Activity	Task
Case Processing		
	Create and maintain court case record	<p>Timestamp, verify, index party names and demographic information, add charges/cause of action, docket and image new cases filed in paper</p> <p>Verify, index party names and demographic information, add charges/cause of action, and docket new cases filed through the ePortal</p> <p>Create administrative case for maintenance of search warrants, as necessary</p> <p>Verify case type and venue</p> <p>Search name index and identify companion case(s)</p> <p>Process and maintain judicial assignments.</p> <p>Create and maintain attorney information and relate to respective cases/parties; review for attorney/judicial conflict assignment</p> <p>Process statements of claim - Small Claims</p> <p>Process posting of motor vehicle repair bonds</p> <p>Enter data elements into Case Maintenance System required to satisfy reporting requirements established by statute.</p> <p>Send Lis Pendens to Recording</p> <p>Send certified copy of Foreign Judgment to Official Records to be recorded; after recording prepare and send Notice to Judgment Debtor.</p> <p>Create bar codes, labels and jacket for paper documents</p> <p>Prepare and/or issue initial and subsequent summons and subpoenas</p> <p>Process and issue notice of action</p> <p>Timestamp, verify, docket, and image subsequently filed paper documents</p> <p>Verify and docket documents subsequently filed through the ePortal or return to the Portal Correction Queue</p> <p>Protect confidential information in court records; publish order determining confidentiality as necessary</p> <p>Process counter/cross claims and 3rd party complaints</p> <p>Schedule court event and prepare and provide notices to all parties, parents or guardians, attorneys and/or bondsman</p> <p>Administer oaths, acknowledgments and affidavits</p> <p>Accept and/or approve civil bonds</p> <p>Maintain small claims trial calendar and docket court minutes</p> <p>Reschedule court dates</p> <p>Process statements of claim - Probate</p> <p>Review case activity for appropriate entry of default upon motion</p> <p>Prepare and/or process dismissal notices/dockets for lack of prosecution/service</p> <p>Prepare small claims summary procedure judgment</p> <p>Prepare and/or process, and issue civil writs (e.g., garnishment, replevin, attachment, distress, execution, etc.)</p> <p>Process 20 year old unsatisfied writs of executions from Sheriff</p> <p>Process and implement requirements set forth in administrative orders</p> <p>Review, accept, process and present appropriate motions and proposed orders for judicial review</p> <p>Conform and provide copies</p> <p>Prepare satisfactions of liens/judgments</p> <p>Maintain original documents as required by Rule or Statute Link to "approved" list</p> <p>Provide copies of applicable final judgments to Child Support Depository</p>

Clerk Court Services Framework

Service	Activity	Task
		Process case transfers to other counties
		Serve examining committee reports via electronic or U.S. mail on petitioner and alleged incapacitated's attorney. Docket certificate of such service.
		Process guardianship orders for payment of expert examinations/testimony
		Process guardianship orders for payment of examining committee and court appointed attorney
		Provide copies of incapacity and appointment of guardian to interested parties
		Process professional guardian files, including maintenance of guardianship bonds, continuing education, and fingerprints
		Prepare notice to guardians re: Inventory Due and dates for guardianship report
		Audit appointed guardians inventory of the ward's assets
		Review guardian's annual plan for the ward's care
		Audit guardian's annual accounting of the ward's receivables and expenditures; request additional info and issue subpoenas etc.
		Prepare Clerk Report for annual guardianship report
		Prepare orders regarding guardianship report
		Review and prepare guardianship status reports/orders to court
		Process petitions for guardian's fees; alert judge of extraordinary entries and draft proposed order
		Process guardianship petitions for attorney's fees, alert judge of extraordinary
		Complete checklist upon receipt of closing document
		Process order of discharge to estate and guardianship case
		Process order for registry of court deposit/disbursements
		Process judicial sale orders, to include service to all parties
		Process cancellations and resets of judicial sales
		Calendar, monitor, and perform judicial sales (electronic or courthouse steps)
		Compute and collect good faith deposit and remainder bid amount on judicial sales
		Prepare and/or process, and serve certificate of sale or no sale
		Compute and collect documentary stamps, and/or prepare Certificate of Title, and send to be recorded in Official Records
		Disburse proceeds, determine amount of surplus funds
		Process drivers license suspensions for statutory reasons
		Prepare and process drivers license clearances and/or reinstatements
		Add Victim/Witness names and addresses, as appropriate, in local Case Maintenance System
		Process, docket and image Affidavit for Statutory Election; review for eligibility and grant or deny
		Determine eligibility for clerk's dismissal of certain traffic infractions
		Determine eligibility for clerk's dismissal of certain medical marijuana infractions
		Accept and track posted bond (Surety, Property, ROR or Cash)
		Retrieve, docket and image defendant motor vehicle history from DHSMV
		Prepare, issue, sign and seal capiases for all State Attorney initiated cases; Certify and distribute copies for sheriff's service.
		Process original/amended charging documents filed by State Attorney
		Process Affidavit of Defense or Admission and Waiver of Appearance for hearings
		Process/Post bond in lieu of appearance - (Civil traffic hearings only)
		Process Order to Set, Modify or Reduce Bond; Add/Update bond data
		Process, docket and image Affidavit Electing Traffic School and completion

Clerk Court Services Framework

Service	Activity	Task
		Withdraw warrants remaining unserved after applicable timeframe
		Maintain on site, as space allows, non-evidentiary paper documents which require retention, or send to records storage facility for safekeeping
		Monitor data integrity and quality of business process results for precision and timeliness; implement corrective action as needed.
		Process case/charge dispositions/closures
		Send final orders, dismissals, and Public Defender Liens to Recording
		Reprogram the CMS to store 60 +/- data elements for each criminal case
		Collect, bi-weekly, 60 +/- data elements for each criminal case
		Report to FDLE, monthly, 60 +/- data elements for each criminal case
		Aid in the creation of a misdemeanor prearrest diversion program
		Create a database separate from the court record in which to store the personal identifying information of prearrest diversion program participants
		Receive, electronically, from the "program operator" personal identifying information of prearrest diversion program participants
		Maintain as confidential the personal identifying information of prearrest diversion program participants
		Maintain the personal identifying information of prearrest diversion program participants in a statewide database
		Collect and deposit any fee received for the receipt and maintenance of the personal identifying information into the fine and forfeiture fund established under Section 142.01
		Pay for the receipt and maintenance of the personal identifying information out of the fine and forfeiture fund established under Section 142.01
		Digitize and transmit scoresheets to DOC at least monthly
		Digitize and transmit scoresheets and uniform judgments and sentences to DOC
		Capture and use the "unique identifier" of a defendant for that defendant's court case(s)
		Aid in the creation of a juvenile circuit misdemeanor civil citation or prearrest diversion program
		Collect the clerk's portion of any program fee received
		Mail, by first class mail, copies of summons and complaint to defendant's residence and business address as provided by plaintiff
		Note the mailing of the summons and complaint in the docket
		Create a certificate of the fact and date of mailing the summons and complaint
		File the certificate of mailing in the court file
		Audit guardianship reports
		Advise the court of audit results
		Disclose confidential information to DCF or law enforcement
		Receive information regarding Section 744.368 investigations
		Maintain the confidentiality of information regarding Section 744.368
		Receive petitions for RPOs from law enforcement agency or officer
		Forward petition to court or make court aware of petition
		Receive copy of notice of hearing from court
		Forward, on or before the next business day, a copy of Notice of Hearing and Petition to Sheriff or other law enforcement agency for service on respondent
		Attend all hearings on RPO's (necessary to certify and deliver copies at hearing)

Clerk Court Services Framework

Service	Activity	Task
		Furnish a copy of the notice of hearing, the petition, and temporary ex parte RPO or RPO to the sheriff of the county where the respondent resides or can be found
		Furnish a physical description and location of the respondent to the sheriff of the county where the respondent resides or can be found
		Transmit to the sheriff, at the sheriff's request, a facsimile copy of a temporary ex parte RPO or RPO which has been certified
		Certify copies of all orders issued
		Deliver certified copies to all parties at the time of the entry of the order
		Obtain signatures on the original order from all parties acknowledging the receipt of the certified copies
		Note on the original order that "service was effected" if a party fails or refuses to acknowledge receipt of a certified copy of an order
		Mail, to the last known address, certified copies of the order to any party to whom delivery of a certified copy at the hearing on the order was not possible
		Prepare and file a written certification of all service under F.S. 790.401(5)(b) specifying the time, date, and method of service
		Notify the sheriff of all service pursuant to F.S. 790.401(5)(b)
		Receive requests to vacate from respondents
		Forward requests to vacate to court or make court aware of requests to vacate
		Receive copy of notice of hearing from court
		Serve a copy of the notice of hearing and the request to vacate on the petitioner
		Notify the law enforcement agency holding surrendered items of any order to vacating the RPO
		Notify petitioner at least 30 days in advance of the impending end of the RPO
		Receive motions from petitioners to extend RPO's
		Forward motions to extend RPO's to court or make court aware of such motions
		Receive copy of order setting hearing
		Serve a copy of the order setting hearing and the motion to extend on the respondent or furnish a copy of the order setting hearing and the motion for extension to the sheriff of the county where the respondent resides or can be
		Issue warrants for items not surrendered under an RPO
		Receive the original receipt for items surrendered under an RPO
		Receive sworn statements of non-compliance with RPO surrender orders
		Forward sworn statements of non-compliance to court or make court aware of
		Issue warrants in response to court findings of probable cause of non-compliance with RPO's
		Provide confirmation to law enforcement of vacation or expiration of RPO's
		Enter, within 24 hours, any RPO or temporary ex parte RPO into "the uniform case reporting system"
		Forward, within 24 hours, a copy of any RPO or temporary ex parte RPO to the appropriate law enforcement agency specified in the RPO
		Forward, within 3 business days, all available identifying information of the respondent to any RPO along with the date of issuance of the RPO or temporary ex parte RPO to the Department of Agriculture and Consumer Services
		Forward, on the day of any order to vacate any RPO, a copy of the order vacating the RPO or temporary ex parte RPO to the Department of Agriculture and Consumer Services and the appropriate law enforcement agency specify in the order to

Clerk Court Services Framework

Service	Activity	Task
		Receive from OSCA the master copy of the RPO petition and order forms, instructions, and informational brochures
		Within 90 days after receiving from OSCA the master copy of the RPO petition and order forms, instructions, and informational brochures, make same available
		Notify the appropriate district school superintendent of the name and address of any student the court refers to mental health services
	Create and maintain child support/alimony depository record	
		Input and maintain personal and financial information into state-wide depository system, including amount of support due, schedule of payments ordered, payments received; maintain account balances
		Update system with supplemental orders/judgments, adjust balances as ordered
		Perform balance adjustments relative to financial intercepts relative to workers compensation, lottery proceeds, unemployment benefits, etc.
		Track emancipation of dependents and adjust obligation accordingly
		Receipt Payments, (purge, over counter, lockbox) and reconcile daily balances
		Respond to customers inquiries regarding payments, balances, and enforcement options
		Process request for driver license suspension for non-payment of support, including preparation of notice of delinquency, processing motion to contest, and sending suspension notice to DHSMV if applicable.
		Track unpaid balance of any arrearage due, prepare applicable Notice of Delinquency, process Motion to Contest Delinquency, and prepare applicable Final Judgment of Delinquency; send to Official Records for recording.
		Provide payoff statement as requested; Prepare and send Satisfaction of Judgment to Official Records for recording upon full payment
		Prepare Income Deduction Orders upon request
		Perform audits on depository accounts
		Process arrest orders for non-payment of support; Prepare Writ of Bodily Attachment; coordinate hearings within 24 hours of arrest
		Reconcile and prepare reports
		Prepare Title IV-D invoice and submit to DOR monthly
		Prepare and participate with annual audit (IV-D, DOR)
		Evaluate and prepare Indirect Cost Calculation
		Establish, maintain, and monitor Random Moment Sampling for federal reimbursement IV-D cost allocation
	Determine indigent status	
		Provide and review application for determination of indigency; document indigent status in case maintenance system
		Assess and waive filing fees, if indigent, for tracking purposes; establish payment plan for costs, etc.
		Time stamp Application for Criminal Indigent Status to Appoint Public Defender and verify for completeness.
		Review state motor vehicle title records and property records in the county of residence to determine disqualifying factors for assignment of Public Defender

Clerk Court Services Framework

Service	Activity	Task
		Review and complete the Clerk's Determination Certification as indigent or not indigent; Notify public defender of the assignment if applicable and assess mandatory Public Defender application fee.
		Prepare for and attend court
		Create and update court calendar, obtain and prepare case files including companion/related cases
		Prepare and/or distribute court docket
		Provide copies of all court calendars to Judges, State Attorney, Public Defender, Private Attorneys, Booking, Department of Juvenile Justice, Department of Children/Families, State Probation, County Probation and Bailiffs
		Prepare lists for prisoner transfers from jail
		Attend court sessions, hearings and trials
		Accept, secure and file recording of non-criminal traffic hearing made by party
		Review Written Pleas of Not Guilty and Waiver of Arraignment and continue case to next applicable court event, reading of the charges
		Prepare form and process oral motions/orders to determine confidentiality
		Administer oaths
		Process hearing continuances/resets
		Create next court event for all continuances; Provide notice to defendant, parent or guardian, attorney of record and bondsman (if applicable)
		Empanel jury
		Swear/poll jury
		Accept, label, log and maintain chain of custody of exhibits/evidence
		Read verdict
		Prepare and/or process final judgment/orders
		Deliver evidence to vault for storage
		Prepare and process (out of county) judge reassignment case - (Due to judicial absence, disqualification or recusal reason)
		Prepare and docket court minutes
		Complete, Process and Distribute court minutes/case dispositions
		Process case after court decision
		Prepare final judgment/orders for injunctions for protection and child pick up
		Prepare service packet for injunctions for protection/child pick up orders and forward to law enforcement for service
		Publish Grand Jury Indictment
		Process Deferred Prosecution Agreement; Dispose court event; Dispose case in local Case Maintenance System; Provide copies to defendant, attorney of record, booking (if incarcerated) and bondman (if applicable)
		Process restitution order; Add restitution assessment, if applicable
		Prepare, process and distribute bond forfeiture notices and documents
		Process court ordered DL suspensions
		Prepare, process and distribute court ordered Failure to Appear Capias and Order to Take into Custody; prepare and process withdrawal as appropriate
		Prepare and certify Judgments Assessing Costs, and send for recording in Official Records
		Prepare and e-Serve clearance forms to DHSMV at Court Assist regarding financial obligation payoffs not filed on UTC
		Process disposition orders/court minutes; Serve parties with copies

Clerk Court Services Framework

Service	Activity	Task
		Prepare and send Satisfaction of Judgment for recording upon full payment
		Provide, process and distribute applicable forms (e.g. Dispositions, PD Applications, Plea Forms, Notice of Fines and Costs)
		Process and respond to bond remission motions
		Process bond remission orders to finance
		Prepare, record, process and disburse certified copies of Financial Obligations Converted to Judgment Lien, Disposition Orders and Department of Corrections Judgment and Sentencing Commitment Packets; Add sentence data in local Case Maintenance System
		Prepare, docket, image and provide booking with Jail/DOC/DJJ Commitment
		Prepare, docket, image and process court ordered Vehicle Impound/Immobilization Notice for DUI's; Check DHSMV for lien holder data on vehicles owned by defendant; Provide copy of form to defendant, Probation Officer, Attorney of Record and lien holder (if applicable)
		Apply and track all statutory financial assessments; enter minimum mandatory court assessment if not ordered by Court; Notify defendant, Probation (if necessary) and attorney of record of all assessment adjustments.
		Process Order Adjudicating Defendant; Provide certified copies of the Order, Arrest Report, Information and Psychological Evaluations to the Forensic Program Coordinator(s), State Attorney, Attorney of Record, and the local Sheriff's Office; add or update data in FDLE MECOM
		Add evidence data in local Case Maintenance System; Prepare evidence for storage and transfer to custody of Evidence Management Dept.
		Monitor Community Service Hours
		Prepare and/or review check requests for financial processing
		Review and apply cash bonds to all unpaid court fees, court costs, and criminal penalties or prepare check request to return deposit
		Link civil contraband forfeiture and criminal case to apply contraband surplus
		Send final orders and dismissals to Recording
		Process Reopened Cases
		Receive reopening petition/motion and update status in case maintenance system
		Review case for type of reopen and time frame to determine assessment of fee and assess as appropriate
		Prepare, docket, image and e-File Modification/Probation Orders and Subsequent Commitment documents (including verification form with DOC)
		Process request for traffic hearing up to 180 days post disposition (including those filed as counts within criminal case)
		Reinstitute case processing activities/tasks as applicable
		Seal/Expunge
		Provide forms and ministerial support for Sealing and/or Expunging Cases; Ensure all court ordered assessments relative to case are paid in full.
		Process Petition to Seal/Expunge, Affidavit, Certificate of Eligibility and Order to Seal/Expunge; Cashier mandatory service fee

Clerk Court Services Framework

Service	Activity	Task
		Remove or seal case and images upon receipt of Order to Expunge/Seal; Provide certified copies to all parties listed in the Order or by Rule
		Prepare Record for Appealed Cases
		File and time stamp Notice of Appeal, send to be recorded if applicable
		Provide certified copy of Notice of Appeal and Notice of Appeal Transmittal Form to DCA or Supreme Court (Circuit Court to DCA or Circuit Court to Supreme Court)
		Provide a certified copy of Notice of Appeal to Circuit Court (County Court to Circuit), and, if applicable, the petition in 9.030(c)(2) and (3) cases
		Determine and ensure compliance with timelines
		File, process, and comply with documents/orders filed from the appellate courts
		Select and number documents, prepare index, prepare cost estimate, collect deposit (unless determined indigent)
		Prepare record on appeal, redact, and transmit index and record to appellate court
		Compile a redacted trial transcript and/or an unredacted trial transcript into a single PDF file that is text searchable and paginated to correspond with the master trial index pursuant to Appellant Court AO
		Prepare supplemental records
		Review case filings for exempt or confidential data and ensure all images are scanned accurately; Update confidential docket descriptions (if necessary)
		Copy exhibits; Provide physical evidence only (when required) to DCA
		File, send for recording if applicable, and distribute copies of mandates
		Perform Records Management/Retention
		Maintain, catalog, and archive documents and files in environmentally controlled facility, regardless of media (e.g. films, CD's, tapes, computer media)
		Transport documents and files to and from offsite storage/courthouse
		Prepare files and convert to non-paper format
		Verify, process, and destroy paper files/documents following conversion
		Sanitize/redact historical case file/images
		Microfilm, microfiche and/or image filings
		Review case files to identify eligible cases for destruction (Confirm case is closed; Confirm payment received in full or judgment recorded; Ensure case does not contain an active process; Confirm no case activity for various term limits set forth in retention rules)
		Prepare form for destruction
		Destroy eligible cases
		Administratively dismiss and dispose civil traffic UTC's with outstanding suspensions after 7 years; Notify the Department of Highway Safety and Motor
		Perform Evidence Management/Retention
		Ensure evidence rooms contain layered security with climatic controlled equipment and a fire suppression system
		Receive and inventory evidence from court clerk and catalog
		Place into secure evidence vault
		Mark confidential evidence appropriately to prevent inadvertent release
		Maintain a dual verification chain of custody process
		Enter or update all evidence with storage location in the evidence tracking system
		Perform periodic inventory of physical evidence
		Review Department of Corrections website for date of death of defendant sentenced to Life/Death

Clerk Court Services Framework

Service	Activity	Task
		Review and maintain evidence retention requirements
		Prepare, process and provide Notice of Intention to Dispose of or Destroy for all introducing/interested parties in the case
		Prepare, process, and provide all required forms, motions, and proposed orders for release/return/disposition of evidence
		Process return of original documents at the direction of the court
		Prepare and process Petition to Transfer Evidence and an Evidence Chain of Custody form for criminal convictions involving firearms, weapons, obscene materials, narcotics or medication, etc. to transfer custody to Sheriff's Dept.
		Conduct CCIS security check prior to returning firearm to individual pursuant to the Gun Control Act
		Return weapons, electric weapons or devices, or arms to any person acquitted of offenses within 60 days from and after the acquittal or dismissal upon filing of motion and issuance of court order; prepare forms and secure signatures; If defendant fails to retrieve item must be transferred to Sheriff
		Review and arrange for disposal of biohazard evidence with the local fire department; contact specialized vendor and pay destruction fees
		Prepare and process Petition to Sell Unclaimed Evidence (Auction)
		Store and/or destroy DNA evidence pursuant to guidelines
		Prepare and submit an order for the destruction of gambling machines, apparatuses or devices must be destroyed in the presence of the Clerk or an assigned deputy clerk (except money inside those items); Requires a court order
		Dispose of evidence timely and lawfully
		Generate report for audit/tracking inventory
		Conduct biohazard training
Revenue Collection and Distribution		
		Establish and maintain assessment, collection, and distribution schedules
		Monitor and perform review of legislation, supreme court orders, judicial admin orders, county or local ordinances for fee and distribution changes
		Obtain, review, and reconcile the FCCC annual Distribution Schedule of Court-Related Filing Fees, Service Charges, Costs, and Fines, including a Fee Schedule for Recording
		Evaluate and update in Case Maintenance System, website, handouts, forms for any fees/distributions changes (including meetings with stakeholders)
		Assess and Collect, and Distribute Fines, Fees, Court Costs, and Service Charges
		Create system of accounts receivable and receipt payments received via mail, over counter, telephone, on-line payments, from 3rd party vendors (Amscot, Western Union, ePortal, myfloridacounty, collection agencies, appointments, etc.)
		Perform electronic interface processing, daily balancing, and accounting for payment files from all external payment sources (ePortal, collection agency, credit
		Perform manual daily balancing and accounting from all external payment sources (ePortal, collection, credit card)
		Perform daily cashier balancing and prepare deposits
		Establish and ensure compliance with payment plans
		Determine payment plan structure; establish payment plan by enrolling payor
		Maintain payment plans; negotiate and restructure payment plans as appropriate
		Review established plans for non-compliance, communicate non-compliance for further action if applicable

Clerk Court Services Framework

Service	Activity	Task
		Perform collection efforts for noncompliance; notify DHSMV of suspension by suspending license in case maintenance system, or otherwise; refer case to collections
		Respond to customer inquiries and reinstate or establish renegotiated plans if applicable
	Pursue collection of delinquent debts	
		Develop criteria, maintain interface, and integrate with Collection Agency
		Collect, Reconcile, Adjust, and Distribute Funds
		Perform Collection Monitoring and Reporting
		Recall cases from collection agency as applicable
		Perform periodic reassignments between agencies as applicable
		Diligently pursue payment of non-sufficient funds checks, credit/debit charge backs, up to and including forwarding to SAO for prosecution
		Enforce, satisfy, compromise, settle, subordinate, release or otherwise dispose of any debts or liens
	Process DL Suspensions as statutorily allowed	
Financial Processing		
	Establish fine and forfeiture fund	
		Establish a fine and forfeiture fund for the county
		Pay into, and dispense from, the fine and forfeiture fund all appropriate money.
	Reconcile financial transactions	
		Review, approve, and process accounts payable transactions including refunds, overpayments, and restitution payments
		Perform balancing and reconciliation of accounts to financial ledgers
		Perform Daily/Monthly bank reconciliation including positive pay, transfers between locations, ACH wires, etc.
		Analyze, reconcile, and prepare timely electronic remittances as required to State of Florida Department of Revenue for appropriate distribution
		Analyze, reconcile and prepare timely remittances for distribution to County, Municipalities, and other agencies
		Prepare and/or post periodic billings for any activity for which payment is not made at the time of service
		Maintain Escrow Accounts
		Set Up, Manage and Reconcile Escrow Accounts
		Accept deposits and withdraw funds for applicable amounts due
		Perform periodic reconciliation of accounts
	Process Bonds	
		Conduct periodic reconciliation of cash bonds against GL accounts
		Track and Process estreated/forfeited bonds for transfer to clerk revenue
		Process bond forfeiture to judgment
		Prepare paperwork for notification to bond company, surety company, Department of Insurance, Department of Financial Services, for judgment on unpaid bond
	Process Abandoned/Unclaimed property	
		Maintain a retention system for money deposited into the registry of the court
		Compile for, and provide to, the administrative judge a list of all money, and the person entitled thereto, which has remained unclaimed for the required statutory period.

Clerk Court Services Framework

Service	Activity	Task
		Remit money to the Chief Financial Officer as directed by the court.
		Maintain a retention system for money not in the registry of the court, but which otherwise comes into the possession of the clerk.
		Compile and publish, at the clerk’s expense, a list of all money, and any defendant connected therewith, which has remained unclaimed since January 1 of the previous year.
		Process any written claims for unclaimed money.
		Pay any money into the fine and forfeiture fund of the clerk’s county which goes unclaimed by September 1.
		Deposit into the registry of the court all funds received from a guardian upon the appropriate termination of a guardianship where no recipient entitled thereto can be located
		Provide notice in an appropriate manner, depending upon the value of the funds, a notice which will put interested persons on notice of the availability of the funds
		Deposit with the Chief Financial Officer all funds going unclaimed for the statutory period following the notice
		Furnish to Department of Legal Affairs as required all estates being administered in which no person appears to be entitled to property
		Report and remit any surplus remaining with the clerk one year after a sale pursuant to Chapter 45
	Manage funds deposited into the Court Registry	
		Create, manage and monitor accounts for registry deposits
		Calculate and disburse payments and any applicable interest per court order
		Periodically reconcile accounts with GL
Requests for Records and Reports		
	Satisfy customer copy and record requests	Receive and review requests for records
		Determine whether the requested records are confidential or expunged, and whether customer has the right to review or know of the record
	Acknowledge and respond to customer inquiries	
	Conduct records search, compile data, provide results to customer as necessary	
	Retrieve archival records from offsite storage locations, as needed	
	Review and apply proactive/View on Request (VOR) redactions	
	Process requests for certification and exemplification (other examples of types of record requests and charges for same)	
	Compute, assess, and collect statutory fees	
	Provide records	
	Prepare and manage custom reports/bulk data requests	Review and respond to request to determine parameters and applicable systems/data fields
		Write report request with specific data fields
		Conduct staff/department review of report to insure accuracy/review anomalies
		Provide report to customer/post on website
		Update report programmatically or as needed
		Compute, assess, and collect fee
	Provide Ministerial Pro Se Assistance	
	Assist self-represented (pro se) litigants with filings including, but not limited to, Domestic, Repeat,	
	Interface with protective shelters	

Clerk Court Services Framework

Service	Activity	Task
		Provide ministerial assistance in filling out forms for filing
		Coordinate service of documents
		Update website and form packets with approved Supreme Court and other forms as necessary
		Provide information/referrals for applicable agencies outside of Clerk's office
		Assist petitioners filing an initial petition for injunction against exploitation of a vulnerable adult
		Assist petitioners filing a petition alleging a violation of an injunction against exploitation of a vulnerable adult
		Provide simplified forms relating to exploitation of a vulnerable adult
		Provide privacy for the petitioner
		Provide petitioner with two certified copies of the petition without charge
		Practice law by informing the petitioner of the necessary steps for service of process and enforcement
		Provide petitioner with certified copies of an order of injunction (no mention is made of whether to charge)
		Practice law by informing the petitioner of "the service of process and
		Receive training in the effective assistance of petitioners
		Produce a brochure to include information about the exploitation of vulnerable adults and the effect of providing false information to the court
		Provide the informational brochure to petitioners, local senior centers, local aging and disability resource centers, or appropriate state or federal agencies
		Provide a copy of all petitions and orders filed under Section 825.1035 to the "adult protective services program" (this appears to be the program under the aegis of DCF mentioned in Chapter 415)
		Submit a quarterly reimbursement request to OSCA for \$40 for each petition processed
		Pay law enforcement \$20 out of each \$40 received for each injunction served
		Track the amount of filing fees and service charges waived by Section 825.1035 for purposes of having those charges assessed against guilty respondents
		Furnish a copy of the petition, the financial affidavit, the notice of hearing, and any temporary injunction to the sheriff or a law enforcement agency of the county in which the respondent resides or can be found
		Transmit to the sheriff, at the sheriff's request, a facsimile copy of an injunction which has been certified
		Furnish a copy of the petition, the financial affidavit, the notice of hearing, and any temporary injunction to the sheriff or a law enforcement agency of the county in which the vulnerable adult resides or can be found
		Transmit to the sheriff, at the sheriff's request, a facsimile copy of an injunction which has been certified
		Certify copies of all orders issued
		Attend all hearings on injunctions (necessary to certify and deliver copies at
		Deliver certified copies to all parties at the time of the entry of the order
		Obtain signatures on the original order from all parties acknowledging the receipt of the certified copies
		Note on the original petition that "service was effected" if a party fails or refuses to acknowledge receipt of a certified copy of an order

Clerk Court Services Framework

Service	Activity	Task
		Mail, to the last known mailing address, certified copies of the order to any party to whom delivery of a certified copy at the hearing on the order was not possible
		Serve certified copies of the order on depositories or financial institutions as provided in Section 655.0201
		Notify the sheriff of all service pursuant to F.S. 825.1035(10)(a)4.
		Prepare and file a written certification of all service under F.S. 825.1035(10)(a)4. specifying the time, date, and method of service
		Serve, by mail, any subsequent petitions "for an injunction seeking an extension of time" on any respondent who was previously served with a temporary injunction and failed to appear a the initial hearing on the temporary injunction.
		Forward, within 24 hours, to the sheriff with jurisdiction over the residence of the petitioner , any orders issuing, changing, continuing, extending, or vacating an injunction
		Notify, within 24 hours of an injunction being terminated or rendered ineffective by ruling of the court, the sheriff receiving original notification under F.S. 825.1035(10)(b)1. (the sheriff with jurisdiction over the residence of the
		Collect any assessment or fine for enforcing a Section 825.1035 injunction
		Transfer monthly any assessment or fine collected for enforcing a Section 825.1035 injunction to DOR for deposit in the Domestic Violence Trust Fund
		Assist a petitioner in preparing an affidavit alleging a violation of an injunction for protection against the exploitation of a vulnerable adult when the person who violated the injunction has not been arrested or direct the petitioner to a chief judge designated office for injunction violations
		Immediately forward any Section 825.1036(1) affidavit received to the state attorney and to "the court or judge as the chief judge determines to be the recipient of affidavits of violation."
		If a Section 825.1036(1) affidavit alleges that a crime has been committed, forward the affidavit to the "appropriate law enforcement agency for investigation"
		Technology Services for External Users
	Provide and maintain Online Electronic Access	Receive applications for access to remote applications and/or subscription
		Assign login and password; reset password and unlock accounts as needed
		Perform table management; link specific users' participant IDs as needed
		Manage/update access roles as changed by governing authorities
		Test/troubleshoot problems
		Maintain interface, logins/passwords for bulk data purchasers via FTP/bulk sharing network
		Monitor ongoing eligibility for access
		Maintain the eFiling Portal
	Add law firm and associate firm administrators	
	Add/edit/associate/disassociate docket codes, court types/sub-types, case types, fee codes, fee schedules, party types, and work queues	
	Triage/troubleshoot issues for customers	
	Monitor e-filing workflow between local system and statewide Portal	

Clerk Court Services Framework

Service	Activity	Task
		Manage corrective action/abandoned filing queues
		Perform Release Management (e.g. testing new releases prior to implementation)
	Maintain data and image integration with Judicial Viewer application	
		Maintain user access
		Maintain interface between Case Maintenance System and viewer
		Provide training to judicial/clerk staff
		Test/troubleshoot problems
	Establish and maintain Clerk website	
		Build/maintain website to provide access to reports, information, and case data
		Manage content, including court calendars; contact information for departments and divisions including Supreme Court Self Help; FAQs; fees and charges
		Establish/maintain links and interfaces with new applications or collegial entities
Mandated Reporting Services		
	Compile and submit state and local reports and data extracts	
		Determine parameters and applicable systems/data fields in accordance with respective Interface Control Document
		Write report request with specific data fields
		Conduct staff/department review of report to ensure accuracy/review anomalies
		Update report programmatically or as needed
		Create and maintain auditable detail records
		E-mail or electronically upload data to recipient agency
		Maintain interface with agency for proper reporting of data
Jury Management		
	Establish and manage jury pools	
		Create, manage, and update annual jury list from DHSMV for petit and grand jury
		Evaluate scheduled trial data; determine appropriate number of jurors needed; produce venire; prepare and mail summonses
		Review excusal requests and questions for qualified juror participation; reschedule requests
		Coordinate and verify jurors for check-in, including transport/parking/DL verification, pending qualification and swearing in for voir dire
		Coordinate meals, lodging and parking, if applicable; reconcile invoices and payment of vendors after trials
		Determine eligibility and pay jurors for services performed, transfer of payment for donations, provide information for donations and school/work excusals
		Research and void/reissue juror payments
		Purge the jury list periodically for convicted felons, deceased, and mentally incapacitated persons
		Furnish to, and/or maintain for, the Division of Elections, a list of those persons adjudicated mentally incapacitated or those persons who have had their voting rights restored based upon a determination of mental incapacity, and those persons who have returned signed jury notices during the preceding months indicating a change of address
		Prepare and Submit Jury Service Management Report to OSCA
	Support enforcement of Failure to Appear for Jury Duty	
		Validate and document potential juror failures to appear
		Issue and mail notice to appear for court

Clerk Court Services Framework

Service	Activity	Task
		Attend court proceedings, maintain court minutes, and process resulting order including any applicable fine
	Request funds and reconcile jury cost reimbursement	
		Prepare and submit quarterly jury management cost estimate to CCOC/JAC jury management
		Track and reconcile expenditures for juror reimbursement advance
		Participate in DFS audit of juror revenue/expense
Administration		
	Human Resources Support	
		Conduct Training sessions for Management and staff
		Benefits
		Recruitment
		Provide public outreach
	Financial Support	
		Budget Development
		Audits
		Purchasing and Procurement
	Legal Support	
		Interpreting laws, rules, legislative changes
		Preparation and review of contracts
		Represent the Clerk before the Court
		Acts as liaison with Judiciary, constitutionals, and other entities
		Ensure compliance with State & Federal Regulations, Rules of Courts, Florida Statutes and Rules of Procedures and how they pertain to each area
	Facilities Support	
		Emergency Management
		Records Storage
		Perform annual clerk fixed assets inventory

Appendix B. General Counsel Opinion Regarding IT Funding

From: [Joe Boyd](#)
To: [John Dew](#)
Subject: Use of State Funds on IT
Date: Wednesday, August 31, 2011 1:13:19 AM

John, the following represents our opinion as General Counsel of the Clerks of Court Operations Corporation. We conclude that a Clerk of Court may use state funds for Information Technology ("IT") needs, as more fully described below. It is not an unbridled authorization but may be done within the statutory parameters.

ANALYSIS

Clerks are authorized under Section 28.35, FS, to spend state appropriations on functions authorized by law or court rule. These include twelve functions described in that statute. They are also authorized in the same section to spend state funds for reasonable administrative support to enable the Clerk to perform these functions. It is this grant of authority that permits Clerks to use state funds for certain, limited IT needs.

Section 28.35(3)(b), FS, prohibits the use of state funds for any use not specified in section (a) discussed above. However, section (a) does provide Clerks authority to use state funds for reasonable administrative support, and therefore such practice is not prohibited, provided it fits the parameter of Section 28.35(3)(a), FS. Further, if the Legislature wished to prohibit any use of state funds whatsoever for IT needs by a Clerk, the Legislature could have done so simply by barring such use in Section 28.35(3)(b), FS.

However, a Clerk must give proper deference to the constitutional and statutory obligations of counties to fund certain needs of the court system, including Clerks of Court when performing court related functions. Pursuant to Section 7, Article V, Florida Constitution, and Section 29.008, FS, counties are to fund a series of needs of the court system.

These needs include certain defined "communications services". Subsection (f) defines that phrase to include a series of nouns such as writings, sounds, and images. It then, in sub-subsection (1), discusses telephone and other similar resources.

In sub-subsection (2), it describes the term "communication services" to include all computer networks, systems, and equipment, including hardware and software, modems, printers, wiring, network connections, maintenance, support staff.....for an integrated computer system. It then describes the anticipated uniform statewide reporting of court related information and it's intent that such a system be operating by 2006. It then limits the counties' obligation to acquire computer resources if they are not in conformance with the state criteria. The conclusion can be easily reached that this definition is focused on the uniform reporting system of the state court system and the counties' obligations to support that system.

IT matters falling under this provision would be the obligation of the county. Nothing herein prevents a Clerk from using state funds for IT purposes as reasonable administrative support to enable the Clerk to carry out the specified court related functions in Section 28.35(3)(a), FS.

Rules of statutory construction and review of limited legislative history were included in this analysis.

CONCLUSION

A Clerk of Court may use state appropriated funds for IT purposes if it is part of administrative support to perform the court related functions delegated to the Clerk of Court under section 28.35(3)(a), FS.

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The following is a summary of the Florida Department of Financial Services (DFS) Article V Clerk of the Circuit Court Expenditure Compliance Audit.

SFY 2020-21

1. Leon – Report #[2020-53](#) (August 10, 2020)

Audit Findings:

- Four instances in which expenditures, contrary to statutory guidance, had been allocated to court cost or was not a reasonable administrative support cost.
 - Meals, beverages, food costs
 - CFY 2018-19: \$85 in drinks and snacks for the Investment Oversight Committee meeting.
 - CFY 2018-19: Two expenditures of \$1,034 and \$5,003 for coffee-related services (machine, coffee, creamer, sugar, stirrers); no documentation for allocation of costs between the courthouse, finance breakroom, and juror room
 - Classification and Compensation Study
 - CFY 2018-19: \$17,800 of which \$13,538 was allocated to the court
- Lack of use of the Uniform Accounting System Manual (UASM) Account Codes
 - Clerk's office only uses two expenditure account codes with an unclear methodology for the reconciliation of expenditures to the submitted budget documents that use all UAS codes.
- Accounting records do not agree with expenditure and collection reports
 - CFY 2016-17: general ledger expenditures exceeded the amount reported to the CCOC by \$340,506.
 - CFY 2017-18: the amount reported to the CCOC exceeded the general ledger by \$2,919.
 - CFY 2018-19: general ledger expenditures exceeded the amount reported to the CCOC by \$147,134
- Internal Controls
 - Allowances for education on personnel action forms inconsistent with payroll journals
 - Three out of twenty payroll expenditures sampled indicated that salary allowances paid for education that did not agree with the authorized amount documented on the employees' Personnel Action Forms.
 - Bank Reconciliations

DFS ARTICLE V FINDINGS – SUMMARY

- CFY 16-17: An expenditure write-off in the amount of \$13,062 for unknown differences resulting from bank reconciliations over a six (6) month period.
 - Two of three months tested, bank reconciliations did not include documentation indicating the individual who prepared the reconciliations, who reviewed and approved them, or the date the preparation and review was completed.
- Clerical Errors
 - CFY 2016-17: expenditure in the amount of \$800 for reimbursement to an individual wrongfully arrested. The Clerk's office did not follow the established operating procedures to withdraw the corresponding writ of attachment when a child support payment was received.
 - CFY 2017-18: expenditure adjustment in the amount of \$160 was posted. The cashier posted a receipt for \$206, \$46 paid by credit card and \$160 was posted as cash. However, the cashier did not collect the cash and her cash drawer was short. The cashier attempted to contact the customer with no success. The Clerk's office posted an adjusting entry to reconcile the cash balance.

Auditor Recommendations:

- Ensure that court-related expenditures are allowable per s. 28.35(3)(a), F.S.
- Consider utilizing free web-based sites for researching salary ranges or through networking with other Clerk's offices.
- Reimburse the Clerks of Courts Trust Fund for the unallowable expenditures totaling \$19,650.
- Record all expenditures in the general ledger using the expenditure account codes provided in the UASM in a manner that properly allocates the expenditure to the cost center benefited.
- Implement procedures to reconcile and support the balances in the CCOC EC report on a monthly basis and to retain these documents for audit purposes.
- Implement a formal process to document authorized changes to salaries and wages to help prevent the risk of an erroneous payroll change occurring without being detected.
- Include documentation of the individual who prepared and reviewed them as well as documentation indicating the date prepared and reviewed.
- Investigate the differences between the book balance and the bank statement balance for the unreconciled bank statements.
- Prepare reconciliations in a timely manner in the future, and that all reconciliations and bank statements be kept on file for audit purposes.
- Ensure that adequate controls for cash handling, recording, and disbursements are in place and followed in order to detect and to prevent clerical errors.

Clerk Responses:

- Clerk agreed with findings and took steps in the current fiscal year to implement improvements in the referenced areas.

DFS ARTICLE V FINDINGS – SUMMARY

2. Hardee – Report #[2020-54](#) (August 31, 2020)Audit Findings:

- Internal Controls
 - No purchasing policy or P-Card policy
- Clerk's Salary exceeded salary cap according to the formula outlined in s. 145.051, F.S.
 - CFY 2017-18: Clerk salary exceeded by \$603, in part due to cell phone allowance.
 - CFY 2018-19: Clerk salary exceeded by \$628, in part due to cell phone allowance.
- County Funding
 - CFY 2017-18: Two expenditures totaling \$455 for computer software
 - CFY 2017-18: Purchase of security camera monitor and supplies totaling \$478 with \$239 charged to the state.
 - Cell phone allowances charged to the state totaling \$6,890.
- Allocation Methodology
 - The Clerk's office does not have a clear methodology for allocating payroll and administrative expenditures for employees who work on both court and non-court-related functions.

Auditor Recommendations:

- Establish a written purchasing policy that incorporates the requirements and guidelines for P-Card purchases to ensure appropriate use of state funds.
- Adhere to the salary cap as stated in s. 145.051, F.S.
- Reimburse the Clerks of the Court Trust Fund for unallowable expenditures totaling \$6,890.
- Establish a method for sampling employees' time and effort between court-related and non-court related activities to ensure the allocation of payroll and administrative expenditures reflects an accurate appropriation of State funds.

Clerk Responses:

- Clerk concurred with findings and agreed to remit funds back to the trust fund. Clerk amended procedures and implemented training for the future.

3. Holmes – Report #[2020-55](#) (August 7, 2020)Audit Findings:

- Allocation Methodology
 - The Clerk's office does not have a clear methodology for allocating payroll and administrative expenditures for employees who work on both court and non-court-related functions.
- Internal Controls
 - No purchasing policy or P-Card policy

DFS ARTICLE V FINDINGS – SUMMARY

- Five instances in which the expenditure did not show proof of authorization verifying that the items were approved for purchase.
- Three instances in which the documentation did not show evidence that the goods or services received agreed with goods or services requested.
- Travel reimbursement vouchers
 - CFY 2018-19: One instance where no documented evidence of review of Travel Reimbursement Forms by a secondary person prior to payment.
- Bank Reconciliations
 - Bank reconciliations should include documentation of the individuals who prepare and review the reconciliations as well as the dates of each.

Auditor Recommendations:

- Establish a method for sampling employees' time and effort between court-related and non-court related activities to ensure the allocation of payroll and administrative expenditures reflects an accurate appropriation of State funds.
- Establish a written purchasing policy that incorporates the requirements and guidelines for P-Card purchases to ensure appropriate use of state funds
- Document that all purchases are authorized, and to have a separate individual verify and document that all goods and services received match the goods or services ordered.
- All travel reimbursements are carefully reviewed by a secondary person prior to payment to ensure all travel is in accordance with State laws.
- Bank reconciliations should include documentation of the individual who prepared and reviewed them as well as documentation indicating the date prepared and reviewed.

Clerk Responses:

- Clerk concurred with findings. Due to COVID-19 restrictions, a time study would not be implemented, but upon return to normal operations, will look into options. Regarding internal controls, amendments to policies and procedures have been implemented as addressed in recommendations.

4. Suwannee – Report #[2020-56](#) (September 17, 2020)

Audit Findings:

- Unallowable Expenditures
 - Bottle water for employees for audit period totaled \$1,568.
- County Funding
 - CFY 2017-18: Purchased fax option for copier allocating \$627 to the State.
 - CFY 2018-19: Computer software totaling \$1,472 allocated to the State.
 - CFY 2018-19: Leased copiers allocating \$8,212 to the state.

DFS ARTICLE V FINDINGS – SUMMARY

- Reconciliation of EC to general ledger not present
- Allocation Methodology
 - The Clerk's office does not have a clear methodology for allocating payroll and administrative expenditures for employees who work on both court and non-court-related functions.

Auditor Recommendations:

- Reimburse the trust fund \$11,879 for unallowable expenditures.
- Ensure that court-related expenditures are allowable and reasonable according to ss. 28.35(3)(a) and 29.008(1)(f)1, F.S.
- Implement procedures to reconcile and support the balances in the CCOC EC report on a monthly basis and retain these documents for audit purposes.
- Establish a method for sampling employees' time and effort between court-related and non-court related activities to ensure the allocation of payroll and administrative expenditures reflects an accurate appropriation of State funds.

Clerk Responses:

- Clerk disagreed with recommendation to reimburse \$1,568 for water cooler because it is accessible to court employees and the general public conducting court-related activities.
- Clerk disagreed with recommendation to reimburse \$637 to state for fax machine due to it being overwhelming used for court operations.
- Agreed to reimburse the trust fund for \$1,472 for software expenditures.
- Clerk disagreed with recommendation to reimburse \$8,212 to state for copiers due to them being overwhelming used for court operations but will seek county funding in the future.
- Clerk partially agreed with finding related to monthly reconciliations of EC to general ledger. Reconciliations are completed but a hard copy is not kept with the reports. For the future, supporting reconciliation documentation will be kept with original reports.
- Clerk partially agreed with finding related to a lack of allocation methodology. Performing an annual time stud may prove inefficient for the limited size of the staff and the effort it would require.

5. Seminole – Report #[2020-57](#) (October 5, 2020)

Audit Findings:

- Lack of use of the Uniform Accounting System Manual (UASM) Account Codes
 - County uses "Business Units" that vary from the expenditure account codes provided in the UASM.
 - Office is in the process of implementing a new process which will allow the use of UASM codes.
- Allocation Methodology

DFS ARTICLE V FINDINGS – SUMMARY

- The Clerk's office does not have a clear methodology for allocating payroll and administrative expenditures for employees who work on both court and non-court-related functions.

Auditor Recommendations:

- Continue plan to establish an accounting system capable of accommodating the use of the UASM codes.
- Establish a method for sampling employees' time and effort between court-related and non-court related activities to ensure the allocation of payroll and administrative expenditures reflects an accurate appropriation of State funds.

Clerk Responses:

- Will continue to work on the implementation of an accounting reporting system capable of reporting under the UASM codes.
- Recently conducted a six-week time study of court employees with shared time. Also implemented allocations based on case counts and other performance measures. For administrative shared employees, will continue to use an allocation ratio between court FTE and non-court FTE.

6. Hendry – Report #[2020-58](#) (October 13, 2020)Audit Findings:

- Unallowable reimbursement for meals covered by a conference.
- Allocation Methodology
 - The Clerk's office does not have a clear methodology for allocating payroll and administrative expenditures for employees who work on both court and non-court-related functions.

Auditor Recommendations:

- Ensure travel reimbursements are in accordance with s. 112.061, F.S.
- Establish a method for sampling employees' time and effort between court-related and non-court related activities to ensure the allocation of payroll and administrative expenditures reflects an accurate appropriation of State funds.

Clerk Responses:

- Clerk concurred with audit findings. The payment for meals covered by a conference was an oversight due to a new staff member processing reimbursement. The clerk will also implement a methodology for allocation spreadsheet located on the CCOC website.

7. Charlotte – Report #[2020-59](#) (October 22, 2020)Audit Findings:

- Five instances in which expenditures, contrary to statutory guidance, had been allocated to court cost that was related to communication services.

DFS ARTICLE V FINDINGS – SUMMARY

- CFY 2017-18: purchased Xerox copier totaling \$3,278.
- CFY 2017-18: software maintenance fee for Pioneer totaling \$10,000.
- CFY 2017-18: purchased multifunction printer allocating \$6,787 to the State.
- CFY 2017-18: Pioneer Benchmark annual software maintenance allocating \$29,092 to the State
- CFY 2018-19: purchased laptop charging \$841 to the state

Auditor Recommendations:

- Ensure that communication services costs are allowable per s. 29.008, F.S.

Clerk Responses:

- Clerk concurred with findings and going forward will indicate on invoices if court-related expenditures are being paid from county or State funds.

8. Bay – Report #[2020-60](#) (December 15, 2020)

Audit Findings:

- One instance in which an unallowable expenditure was allocated as a court cost.
 - CFY 2018-19: \$93 of Wall Street Journal subscription allocated to the State
- County Funding
 - CFY 2018-19: Carpet cleaning for \$125 allocated to the State.
 - CFY 2019-20: folding table totaling \$217
 - CFY 2018-19: Relocation of Juvenile Department totaling \$603 to the State.
 - Two instances of retirement gifts exceeding the \$100 threshold set in s. 110.1243(3), F.S.
- Payroll Authorization and time sheets
 - Unable to locate five timesheets and documentation of approval
 - Leave payout overstated by \$942.
- Allocation Methodology
 - The Clerk's office does not have a clear methodology for allocating payroll and administrative expenditures for employees who work on both court and non-court-related functions.

Auditor Recommendations:

- Ensure that court-related expenditures are allowable according to ss. 28.35(3)(a) and 29.008, F.S.
- Ensure retirement gifts do not exceed limit according to s. 110.1245(3), F.S.
- Maintain all time sheets and documentation of approval. Establish controls in place to prevent over/under are corrected/collected quickly.
- Establish a method for sampling employees' time and effort between court-related and non-court related activities to ensure the allocation of payroll and administrative expenditures reflects an accurate appropriation of State funds.

Clerk Responses:

- Clerk concurs with the finding and will implement best practices as outlined.

DFS ARTICLE V FINDINGS – SUMMARY

9. Broward – Report #[2021-61](#) (March 1, 2021)Audit Findings:

- Four instances in which expenditures, contrary to statutory guidance, had been allocated to court cost or was not a reasonable admirative support cost.
 - CFY 2017-18: table sponsorship for scholarship and awards gala totaling \$1,250 to the State.
 - CFY 2018-19 table sponsorship for gala dinner totaling \$1,300 to the State
 - CFY 2019-20: mass marriage ceremony setup totaling \$1,000 to the State.
 - CFY 2019-20: compensation study totaling \$16,240 to the State.
- One instance in which expenditures, contrary to statutory guidance, had been allocated to court cost that was related to communication services.
 - CFY 2019-20: contract to develop and implement Evidence Management System software totaling \$56,250 to the State.

Auditor Recommendations:

- Ensure that its court-related expenditures are allowable according to ss. 28.35(3)(a) and 29.008, F.S.

Clerk Responses:

- Clerk acknowledges and agrees to pay back \$3,550 of expenditures for unallowable costs.
- Clerk believes there is justification of \$16,240 expenditure for compensation study as an in-house study would have resulted one additional FTE at \$40,000; therefore, outsourcing was more economical.
- Clerk agreed to reimburse \$56,250 for unallowable expenditures according to s. 29.008, F.S.

10. Escambia – Report #[2021-62](#) (March 15, 2021)Audit Findings:

- County funding per s. 29.008(1)(a), F.S.
 - CFY 2019-20: purchased 172 chairs for jury totaling \$21,116.
- Allocation Methodology
 - The Clerk's office does not have a clear methodology for allocating payroll and administrative expenditures for employees who work on both court and non-court-related functions.
 - Ten instances of administrative expenditure allocations not in accordance with employee FTE allocation totaling \$3,366.

Auditor Recommendations:

- Ensure that court-related expenditures are allowable per s. 29.008(1)(a), F.S.
- Establish a method for sampling employees' time and effort between court-related and non-court related activities to ensure the allocation of payroll and administrative expenditures reflects an accurate appropriation of State funds.

DFS ARTICLE V FINDINGS – SUMMARY

Clerk Responses:

- Clerk acknowledges unallowable expenditure as an oversight due to reduced staff and inability to hire and retain competent professional staff.
- Clerk noted that department managers evaluate employees for split percentages based on objective measures and subjective evaluation of items not easily tracked. Clerk will continue to review allocation methods.

11. Jackson – Report #[2021-63](#) (April 15, 2021)Audit Findings:

- Lack of use of the Uniform Accounting System Manual (UASM) Account Codes
 - Expenditures posted to the general ledger and identified by account titles then monthly spreadsheet is used to allocate expenditures to the account codes provided in the UASM.
- One instance in which an unallowable expenditure was allocated as a court cost.
 - CFY 2018-19: marriage license envelopes totaling \$336
- One instance in which expenditures, contrary to statutory guidance, had been allocated to court cost that was related to communication services.
 - CFY 2019-20 labor for fax line installation totaling \$200
- Allocation Methodology
 - The Clerk's office does not have a clear methodology for allocating payroll and administrative expenditures for employees who work on both court and non-court-related functions.

Auditor Recommendations:

- Record payroll and administrative expenditures in the general ledger using UASM codes to properly allocate expenditures to the benefitted cost center.
- Ensure that court-related expenditures are allowable per s. 28.35(3)(a), F.S.
- Ensure court-related expenditures are allowable according to s. 29.008, F.S.
- Establish a method for sampling employees' time and effort between court-related and non-court related activities to ensure the allocation of payroll and administrative expenditures reflects an accurate appropriation of State funds.

Clerk Responses:

- Clerk agrees with findings related to unallowable expenditures and agrees to repayment of \$536 to the trust fund.
- Clerk noted they would review accounting system to develop a plan to properly record allocated expenditures on the general ledger.
- Agrees to update documentation related to allocation of court and non-court related employees.

12. Glades – Report #[2021-64](#) (April 21, 2021)Audit Findings:

DFS ARTICLE V FINDINGS – SUMMARY

- Lack of use of the Uniform Accounting System Manual (UASM) Account Codes
 - Expenditures posted to three consolidated cost centers and account codes vary from UASM.
- Allocation Methodology
 - The Clerk's office does not have a clear methodology for allocating payroll and administrative expenditures for employees who work on both court and non-court-related functions.

Auditor Recommendations:

- Record administrative expenditures in the general ledger using UASM codes to properly allocate expenditures to the benefitted cost center.
- Establish a method for sampling employees' time and effort between court-related and non-court related activities to ensure the allocation of payroll and administrative expenditures reflects an accurate appropriation of State funds.

Clerk Responses:

- Clerk noted a planned update to accounting software and will look into setting up expenditure account code cost centers according to the UASM.
- Implementing a method of sampling employee's time to appropriate court and non-court related time accurately.

Select Year: 2020 ▼ Go

The 2020 Florida Statutes

[Title V](#)

JUDICIAL BRANCH

[Chapter 28](#)

CLERKS OF THE CIRCUIT COURTS

[View Entire Chapter](#)

28.35 Florida Clerks of Court Operations Corporation.—

(1)(a) The Florida Clerks of Court Operations Corporation is created as a public corporation organized to perform the functions specified in this section and s. [28.36](#). All clerks of the circuit court shall be members of the corporation and hold their position and authority in an ex officio capacity. The functions assigned to the corporation shall be performed by an executive council pursuant to the plan of operation approved by the members.

(b)1. The executive council shall be composed of eight clerks of the court elected by the clerks of the courts for a term of 2 years, with two clerks from counties with a population of fewer than 100,000, two clerks from counties with a population of at least 100,000 but fewer than 500,000, two clerks from counties with a population of at least 500,000 but fewer than 1 million, and two clerks from counties with a population of 1 million or more. The executive council shall also include, as ex officio members, a designee of the President of the Senate and a designee of the Speaker of the House of Representatives. The Chief Justice of the Supreme Court shall designate one additional member to represent the state courts system.

2. Members of the executive council of the corporation are subject to ss. [112.313\(1\)-\(8\)](#), (10), (12), and (15); [112.3135](#); and [112.3143\(2\)](#). For purposes of applying ss. [112.313\(1\)-\(8\)](#), (10), (12), and (15); [112.3135](#); and [112.3143\(2\)](#) to activities of executive council members, members shall be considered public officers and the corporation shall be considered the members' agency.

(c) The corporation shall be considered a political subdivision of the state and shall be exempt from the corporate income tax. The corporation is not subject to chapter 120.

(d) The functions assigned to the corporation under this section and ss. [28.36](#) and [28.37](#) are considered to be for a valid public purpose.

(2) The duties of the corporation shall include the following:

- (a) Adopting a plan of operation including a detailed budget for the corporation.
- (b) Conducting the election of an executive council as required in paragraph (1)(b).
- (c) Recommending to the Legislature changes in the amounts of the various court-related fines, fees, service charges, and costs established by law to ensure reasonable and adequate funding of the clerks of the court in the performance of their court-related functions.
- (d) Developing and certifying a uniform system of workload measures and applicable workload standards for court-related functions as developed by the corporation and clerk workload performance in meeting the workload performance standards. These workload measures and workload performance standards shall be designed to facilitate an objective determination of the performance of each clerk in accordance with minimum standards for fiscal management, operational efficiency, and effective collection of fines, fees, service charges, and court costs. The corporation shall develop the workload measures and workload performance standards in consultation with the Legislature. When the corporation finds a clerk has not met the workload performance standards, the corporation shall identify the nature of each deficiency and any corrective action recommended and taken by the affected clerk of the court. For quarterly periods ending on the last day of March, June, September, and December of each year, the corporation shall notify the Legislature of any clerk not meeting workload performance standards and

provide a copy of any corrective action plans. Such notifications must be submitted no later than 45 days after the end of the preceding quarterly period. As used in this subsection, the term:

1. “Workload measures” means the measurement of the activities and frequency of the work required for the clerk to adequately perform the court-related duties of the office as defined by the membership of the Florida Clerks of Court Operations Corporation.

2. “Workload performance standards” means the standards developed to measure the timeliness and effectiveness of the activities that are accomplished by the clerk in the performance of the court-related duties of the office as defined by the membership of the Florida Clerks of Court Operations Corporation.

(e) Entering into a contract with the Department of Financial Services for the department to audit the court-related expenditures of individual clerks pursuant to s. 17.03.

(f) Approving the proposed budgets submitted by clerks of the court pursuant to s. 28.36. The corporation must ensure that the total combined budgets of the clerks of the court do not exceed the total estimated revenues from fees, service charges, costs, and fines for court-related functions available for court-related expenditures as determined by the most recent Revenue Estimating Conference, plus the total of unspent budgeted funds for court-related functions carried forward by the clerks of the court from the previous county fiscal year and plus the balance of funds remaining in the Clerks of the Court Trust Fund after the transfer of funds to the General Revenue Fund required pursuant to s. 28.37(3)(b). The corporation may amend any individual clerk of the court budget to ensure compliance with this paragraph and must consider performance measures, workload performance standards, workload measures, and expense data before modifying the budget. As part of this process, the corporation shall:

1. Calculate the minimum amount of revenue necessary for each clerk of the court to efficiently perform the list of court-related functions specified in paragraph (3)(a). The corporation shall apply the workload measures appropriate for determining the individual level of review required to fund the clerk’s budget.

2. Prepare a cost comparison of similarly situated clerks of the court, based on county population and numbers of filings, using the standard list of court-related functions specified in paragraph (3)(a).

3. Conduct an annual base budget review and an annual budget exercise examining the total budget of each clerk of the court. The review shall examine revenues from all sources, expenses of court-related functions, and expenses of noncourt-related functions as necessary to determine that court-related revenues are not being used for noncourt-related purposes. The review and exercise shall identify potential targeted budget reductions in the percentage amount provided in Schedule VIII-B of the state’s previous year’s legislative budget instructions, as referenced in s. 216.023(3), or an equivalent schedule or instruction as may be adopted by the Legislature.

4. Identify those proposed budgets containing funding for items not included on the standard list of court-related functions specified in paragraph (3)(a).

5. Identify those clerks projected to have court-related revenues insufficient to fund their anticipated court-related expenditures.

6. Use revenue estimates based on the official estimate for funds from fees, service charges, costs, and fines for court-related functions accruing to the clerks of the court made by the Revenue Estimating Conference, as well as any unspent budgeted funds for court-related functions carried forward by the clerks of the court from the previous county fiscal year and the balance of funds remaining in the Clerks of the Court Trust Fund after the transfer of funds to the General Revenue Fund required pursuant to s. 28.37(3)(b).

7. Identify pay and benefit increases in any proposed clerk budget, including, but not limited to, cost of living increases, merit increases, and bonuses.

8. Identify increases in anticipated expenditures in any clerk budget that exceeds the current year budget by more than 3 percent.

9. Identify the budget of any clerk which exceeds the average budget of similarly situated clerks by more than 10 percent.

For the purposes of this paragraph, the term “unspent budgeted funds for court-related functions” means undisbursed funds included in the clerks of the courts budgets for court-related functions established pursuant to

this section and s. [28.36](#).

(g) Developing and conducting clerk education programs.

(h) Preparing and submitting a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees by January 1 of each year on the operations and activities of the corporation and detailing the budget development for the clerks of the court and the end-of-year reconciliation of actual expenditures versus projected expenditures for each clerk of court.

(3)(a) The list of court-related functions that clerks may fund from filing fees, service charges, costs, and fines is limited to those functions expressly authorized by law or court rule. Those functions include the following: case maintenance; records management; court preparation and attendance; processing the assignment, reopening, and reassignment of cases; processing of appeals; collection and distribution of fines, fees, service charges, and court costs; processing of bond forfeiture payments; data collection and reporting; determinations of indigent status; and paying reasonable administrative support costs to enable the clerk of the court to carry out these court-related functions.

(b) The list of court-related functions that clerks may not fund from filing fees, service charges, costs, and fines includes:

1. Those functions not specified within paragraph (a).
2. Functions assigned by administrative orders which are not required for the clerk to perform the functions in paragraph (a).
3. Enhanced levels of service which are not required for the clerk to perform the functions in paragraph (a).
4. Functions identified as local requirements in law or local optional programs.

(4) The corporation shall be funded pursuant to a contract with the Chief Financial Officer. Funds shall be provided to the Chief Financial Officer for such purpose as appropriated by general law. Such funds shall be available to the corporation for the performance of the duties and responsibilities set forth in this section. The corporation shall participate in the Florida Retirement System for its eligible employees as provided in chapter 121. The corporation may hire staff and pay other expenses from such funds as necessary to perform the official duties and responsibilities of the corporation as described in this section.

(5) Certified public accountants conducting audits of counties pursuant to s. [218.39](#) shall report, as part of the audit, whether the clerks of the courts have complied with the requirements of this section and s. [28.36](#). In addition, each clerk of court shall forward a copy of the financial audit to the Florida Clerks of Court Operations Corporation. The Auditor General shall develop a compliance supplement for the audit of compliance with the budgets and applicable workload performance standards certified by the corporation.

History.—s. 36, ch. 2003-402; s. 23, ch. 2004-265; s. 2, ch. 2005-2; s. 2, ch. 2006-312; s. 9, ch. 2008-111; s. 3, ch. 2009-204; s. 3, ch. 2011-52; s. 6, ch. 2013-44; s. 1, ch. 2014-183; s. 3, ch. 2017-126; s. 4, ch. 2019-15; s. 2, ch. 2019-58; s. 8, ch. 2020-2.



Select Year: 2020 ▼ Go

The 2020 Florida Statutes

[Title V](#)

JUDICIAL BRANCH

[Chapter 28](#)

CLERKS OF THE CIRCUIT COURTS

[View Entire Chapter](#)

28.36 Budget procedure.—There is established a budget procedure for the court-related functions of the clerks of the court.

(1) Only those functions listed in s. [28.35\(3\)\(a\)](#) may be funded from fees, service charges, costs, and fines retained by the clerks of the court.

(2) Each proposed budget shall further conform to the following requirements:

(a) On or before June 1, the proposed budget shall be prepared, summarized, and submitted by the clerk in each county to the Florida Clerks of Court Operations Corporation in the manner and form prescribed by the corporation. The proposed budget must provide detailed information on the anticipated revenues available and expenditures necessary for the performance of the court-related functions listed in s. [28.35\(3\)\(a\)](#) of the clerk's office for the county fiscal year beginning October 1.

(b) The proposed budget must be balanced such that the total of the estimated revenues available equals or exceeds the total of the anticipated expenditures. Such revenues include revenue projected to be received from fees, service charges, costs, and fines for court-related functions during the fiscal period covered by the budget, plus the total of unspent budgeted funds for court-related functions carried forward by the clerk of the court from the previous county fiscal year and plus the portion of the balance of funds remaining in the Clerks of the Court Trust Fund after the transfer of funds to the General Revenue Fund required pursuant to s. [28.37\(3\)\(b\)](#) which has been allocated to each respective clerk of the court by the Florida Clerks of Court Operations Corporation. For the purposes of this paragraph, the term "unspent budgeted funds for court-related functions" means undisbursed funds included in the clerk of the courts' budget for court related functions established pursuant to s. [28.35](#) and this section. The anticipated expenditures must be itemized as required by the corporation.

(3) If a clerk of the court estimates that available funds plus projected revenues from fines, fees, service charges, and costs for court-related services are insufficient to meet the anticipated expenditures for the standard list of court-related functions in s. [28.35\(3\)\(a\)](#) performed by his or her office, the clerk must report the revenue deficit to the corporation in the manner and form prescribed by the corporation. The corporation shall verify that the proposed budget is limited to the standard list of court-related functions in s. [28.35\(3\)\(a\)](#). If the corporation verifies that a revenue deficit is projected, the corporation shall certify a revenue deficit and notify the Department of Revenue that the clerk is authorized to retain revenues, in an amount necessary to fully fund the projected revenue deficit, which he or she would otherwise be required to remit to the Department of Revenue for deposit into the department's Clerks of the Court Trust Fund pursuant to s. [28.37](#). If a revenue deficit is projected for that clerk after retaining all of the projected collections from the court-related fines, fees, service charges, and costs, the corporation shall certify the amount of the revenue deficit to the Executive Office of the Governor and request release authority for funds from the department's Clerks of the Court Trust Fund. Notwithstanding s. [216.192](#) relating to the release of funds, the Executive Office of the Governor may approve the release of funds in accordance with the notice, review, and objection procedures set forth in s. [216.177](#) and shall provide notice to the Department of Revenue and the Chief Financial Officer. The Department of Revenue shall request monthly distributions from the Chief Financial Officer in equal amounts to each clerk certified to have a revenue deficit, in accordance with the releases approved by the Governor.

(4) The corporation may approve increases or decreases to the previously authorized budgets approved for individual clerks of the court pursuant to s. [28.35](#) for court-related functions, if:

(a) The additional budget authority is necessary to pay the cost of performing new or additional functions required by changes in law or court rule; or

(b) The additional budget authority is necessary to pay the cost of supporting increases in the number of judges or magistrates authorized by the Legislature.

History.—s. 37, ch. 2003-402; s. 24, ch. 2004-265; s. 3, ch. 2005-2; s. 11, ch. 2005-236; s. 10, ch. 2008-111; s. 4, ch. 2009-204; s. 14, ch. 2010-162; s. 2, ch. 2011-4; s. 7, ch. 2013-44; s. 4, ch. 2017-126; s. 3, ch. 2019-58; s. 9, ch. 2020-2.

Select Year: 2020 ▼ Go

The 2020 Florida Statutes

[Title V](#)

JUDICIAL BRANCH

[Chapter 28](#)

CLERKS OF THE CIRCUIT COURTS

[View Entire Chapter](#)

28.37 Fines, fees, service charges, and costs remitted to the state.—

(1) Pursuant to s. 14(b), Art. V of the State Constitution, selected salaries, costs, and expenses of the state courts system and court-related functions shall be funded from a portion of the revenues derived from statutory fines, fees, service charges, and costs collected by the clerks of the court.

(2) Beginning November 1, 2013, that portion of all fines, fees, service charges, and costs collected by the clerks of the court for the previous month which is in excess of one-twelfth of the clerks' total budget for the performance of court-related functions shall be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund. Such collections do not include funding received for the operation of the Title IV-D child support collections and disbursement program. The clerk of the court shall remit the revenues collected during the previous month due to the state on or before the 10th day of each month.

(3)(a) Each year, no later than January 25, for the previous county fiscal year, the clerks of court, in consultation with the Florida Clerks of Court Operations Corporation, shall remit to the Department of Revenue for deposit in the Clerks of the Court Trust Fund the cumulative excess of all fines, fees, service charges, and costs retained by the clerks of the court, plus any funds received by the clerks of the court from the Clerks of the Court Trust Fund under s. [28.36](#)(3), which exceed the amount needed to meet their authorized budget amounts established under s. [28.35](#).

(b)1. No later than February 1, 2020, the Department of Revenue shall transfer from the Clerks of the Court Trust Fund to the General Revenue Fund the sum of the cumulative excess of all fines, fees, service charges, and costs submitted by the clerks of court pursuant to subsection (2) and the cumulative excess of all fines, fees, service charges, and costs remitted by the clerks of court pursuant to paragraph (a) in excess of \$10 million.

2. No later than February 1, 2021, the Department of Revenue shall transfer from the Clerks of the Court Trust Fund to the General Revenue Fund not less than 50 percent of the sum of the cumulative excess of all fines, fees, service charges, and costs submitted by the clerks of court pursuant to subsection (2) and the cumulative excess of all fines, fees, service charges, and costs remitted by the clerks of court pursuant to paragraph (a); provided however, the balance remaining in the Clerks of Courts Trust Fund after such transfer may not be more than \$20 million.

3. No later than February 1, 2022, the Department of Revenue shall transfer from the Clerks of the Court Trust Fund to the General Revenue Fund not less than 50 percent of the sum of the cumulative excess of all fines, fees, service charges, and costs submitted by the clerks of court pursuant to subsection (2) and the cumulative excess of all fines, fees, service charges, and costs remitted by the clerks of court pursuant to paragraph (a); provided however, the balance remaining in the Clerks of Courts Trust Fund after such transfer may not be more than \$20 million.

4. No later than February 1, 2023, and each February 1 thereafter, the Department of Revenue shall transfer from the Clerks of the Court Trust Fund to the General Revenue Fund the cumulative excess of all fines, fees, service charges, and costs submitted by the clerks of court pursuant to subsection (2) and the cumulative excess of all fines, fees, service charges, and costs remitted by the clerks of court pursuant to paragraph (a).

(4) The Department of Revenue shall collect any funds that the Florida Clerks of Court Operations Corporation determines upon investigation were due but not remitted to the Department of Revenue. The corporation shall

notify the clerk of the court and the Department of Revenue of the amount due to the Department of Revenue. The clerk of the court shall remit the amount due no later than the 10th day of the month following the month in which notice is provided by the corporation to the clerk of the court.

(5) Ten percent of all court-related fines collected by the clerk, except for penalties or fines distributed to counties or municipalities under s. 316.0083(1)(b)3. or s. 318.18(15)(a), shall be deposited into the fine and forfeiture fund to be used exclusively for clerk court-related functions, as provided in s. 28.35(3)(a).

History.—s. 38, ch. 2003-402; s. 25, ch. 2004-265; s. 12, ch. 2005-236; s. 5, ch. 2009-204; s. 5, ch. 2012-100; s. 8, ch. 2013-44; s. 5, ch. 2017-126; s. 4, ch. 2019-58.