



IMPLEMENTATION OF REVISION 7 TO ARTICLE V OF THE FLORIDA CONSTITUTION

**SUBMITTED TO:
THE FLORIDA LEGISLATURE**

PHASE FOUR FINAL REPORT

SUBMITTED BY:

MGT
of America

May 6, 2003

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INDEMNIFICATION CLAUSE

The analysis contained in this report is our best professional opinion, but it is submitted with the understanding that the Legislature will exercise its independent judgment regarding analysis of the issues and how those issues addressed in this report are ultimately resolved.

EXECUTIVE SUMMARY

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The Florida Legislature contracted with MGT of America, Inc., to conduct research and provide analytical support regarding implementation of Revision 7 to Article V of the Florida Constitution. The project consists of the following four phases:

Phase 1: Description of the Court System Operations

Phase 2: Recommendations to Increase Efficiency/Reduce Costs of Essential Services

Phase 3: Standardized Staffing and Cost Models

Phase 4: Recommendations on Court-Related Revenues

The Phase 3 report was delivered to the Legislature on May 6, 2003. This report contains the Phase 4 results.

Methodology

Phase 4 provided for recommendations on court-related revenue. The major tasks for this report are:

- summarize assessment and collection practices;
- recommend improvements to current practices;
- revise revenue structures to meet requirements; and
- prepare and submit Phase 4 report.

To accomplish these tasks, MGT has completed the following activities:

- analyzed revenue-generating information collected from the sample circuits and counties during the on-site reviews and reviewed statewide information available from the Florida Association of Court Clerks;
- identified and described filing fees and service charges assessed by the Court Clerks as well as fees, penalties, fines, court costs, surcharges, and forfeitures imposed by the courts;
- summarized available data regarding assessments;
- identified the types of assessments waived by the courts and quantified where possible;
- described and quantified dedicated uses of funds by type of assessment;

- compared assessment and collection processes and results among sample circuits and counties as well as processes identified by the Florida Association of Court Clerks;
- determined whether judicial waivers of assessments is a material issue;
- evaluated centralization, regionalization, and privatization alternatives as well as the use of incentives to maximize assessments and collections;
- identified best practices for maximizing collection rates and for performing the processes as efficiently and cost-effectively as possible;
- determined how best practices can be standardized across the state;
- obtained current fee and service charge structures and schedules from all circuits and counties and summarized the information in a usable format. Included identification of the entity authorized to establish each type of fee and charge schedule;
- identified fee and charge structures that are essentially identical across all jurisdictions and those that are clearly unique to a small number of circuits and/or counties;
- analyzed adjusted cost and revenue statewide data to determine the additional revenue required to fund the court system;
- identified alternative structures of fees, fines, court costs, service charges, and the like that can provide the necessary revenue. Considered structures used by other states, impact fees related to the level of court use, redirection of other revenue sources, and similar alternatives;
- evaluated fee and charge structure alternatives and their potential impact on citizens' constitutional right of access to the courts;
- prepared a preliminary draft report presenting the information, data, issues, conclusions, and alternatives developed during Phase 4;
- presented and discussed the preliminary draft report with the Legislative Project Managers;
- revised the preliminary draft as appropriate;
- submitted the revised draft to the Legislature; and
- made presentations regarding project results to the Legislature, as requested.

Recommendations to Improve Current Practices and Revise Revenue Structure to Meet Funding Requirements

Based on our understanding of the Legislature's interest to improve the current practices of Florida's court system and to revise the current revenue structure to meet future funding needs, we have developed recommendations we feel will satisfy these requirements.

The table in the following pages summarizes each of our 29 recommendations, and our suggested priority for implementation consideration. These recommendations will satisfy the MGT determined general fund requirement for FY 2005 of approximately \$68 million and incorporate the following areas:

- CPI adjustments for current fees;
- increases in the Clerk's share of assessments;
- redirection of current county add-on fees; and
- new fees for state attorney and county and municipal ordinances.

The priorities are based on the suggested implementation period, as follows:

- A. Implement before FY 2004–05—essential to complete before beginning of the fiscal year or can be completed relatively quickly and easily.
- B. Implement during FY 2004–05—important to complete as soon as possible but not essential that it be before the beginning of the fiscal year.
- C. Implement after FY 2004–05—less critical than “A” or “B” recommendations.

No.	IMPROVING CURRENT BUSINESS PRACTICES RECOMMENDATIONS	IMPLEM. PRIORITY
2.1-1	MGT recommends that every effort be made to ensure that all appropriate assessments are levied and that collections of these assessments are pursued. Our analysis, based on the Auditor General's 1991 study of assessment practices, indicates that additional assessments could be levied significantly beyond what is currently being assessed. For FY 2005, this amount has been calculated to be approximately \$35 million.	B
2.1-2	Establish a tracking and reporting system to collect statewide information regarding assessments. The assessment of fines and fees and the collection of such fines and fees should be by county. This collection of information should capture the amount of fees that were assessed as well as those waived pursuant to statute. Additionally, this information will provide the Supreme Court with data to determine the effectiveness of trial judges in fulfilling the requirements of the law regarding assessments.	B
2.1-3	Maintain an ongoing database of information regarding assessments. The Clerks of the Circuit Court should be required, in statute, to maintain an ongoing database of information on the cases where assessments were levied or waived and the respective amounts involved in each decision. This information could then be utilized to evaluate assessments on a statewide basis.	B
2.1-4	The Legislature should provide support to the OSCA effort to automate the assessment process. The outcome of establishing programmed assessment charges would be improved record keeping, assessments that reflect legal requirements, and a standardized assessment process.	B
2.1-5	Assessment statutes should be consolidated into a single point of reference to ensure that required assessments are more clearly presented for judges to administer. As noted earlier, the current system does not keep judges from making the appropriate assessments. However, it is still prudent to provide the judges with easily accessible, timely, and accurate information.	B
2.1-6	MGT recommends that waivers of assessments be addressed through legislative action. MGT concludes that waivers of assessments are a material issue. Legislation should be developed to establish, in statute, guidelines that will statutorily restrict the court's flexibility to grant waivers for persons convicted of crimes.	B

No.	IMPROVING CURRENT BUSINESS PRACTICES (Continued) RECOMMENDATIONS	IMPLEM. PRIORITY
2.1-7	Uniform assessment rules and guidelines should be established, in statute, to include more comprehensive and concise guidelines for determining indigency. The task of drafting statute language, monitoring adherence to guidelines, and reporting on assessment success and indigency determinations should be assigned to the Office of State Courts Administrator. A management position should be established initially to oversee program development. Future implementation should include reinstatement of Indigency Examiner positions.	B
2.6-1	MGT recommends that Florida adopt locally administered collection programs statewide. These programs should be administered by the Clerks in the larger counties. In smaller counties, it may be necessary to regionalize. This practice was successful in the State of Texas, as noted earlier in this chapter.	B
2.7-1	Use an automated system to track assessments in all counties and circuits. One major problem with trying to determine the amounts assessed by the courts and the amounts collected by the Clerks is the lack of automated support for this function. Currently, the Clerks are not required to track assessments. However, with the implementation of an accounts receivable system by the counties and circuits, this information would be readily available for future analysis.	B
2.7-2	Mandate that offenders pay assessment and court costs at the time of sentencing or have them enter into a payment plan. Every effort should be made to collect from the defendant at the time of sentencing. Based on information received from other states and several Florida-based operations, the sooner the collection efforts are made, the more the likelihood that the courts will get some or all of the assessed amount.	A
2.7-3	Establish performance measures for in-house collections staff. In order to meet desired collections program results, attainable and measurable goals must be established for all in-house collections staff. Performance measures will give collection staff direction and set expectations for their collection activities. Examples of performance standards could include percentage and dollar amounts of collections recovered and backlog reductions.	B

No.	IMPROVING CURRENT BUSINESS PRACTICES (Continued) RECOMMENDATIONS	IMPLEM. PRIORITY
2.7-4	Develop incentive programs for Clerks and the courts to increase collection efforts. Based on our evaluation of available materials and research conducted on incentives in collections programs, if Clerks are rewarded by their collection efforts, their rate of dollars recovered is significantly increased. At a minimum, the Clerks should be reimbursed for the cost of their collections program, plus incentives; e.g., bonuses, raises, training opportunities. Staff responds positively and production increases when their efforts are recognized and rewarded.	B
2.7-5	Encourage counties to accept payments by telephone and Internet. The payment of fines and fees by the users of the court system should be made as easy as possible. Methods for consideration include prepayment of fines by mail, convenient locations of in-person payments; acceptance of credit cards; use of lockboxes; and acceptance of partial, deferred, and installment payments.	B
2.7-6	Consider increasing assessment fees for Clerks. The amount of funds retained by the Clerks for assessments do not cover costs associated with collection efforts and should be significantly increased. Based on the \$5 to \$10 fee per assessment, there is no motivating factor to increase collection efforts in this area. Many times the assessment is eliminated based on time served or performance of community services. The Clerk's portion of the assessment should be a percentage of the amount collected so there is incentive to pursue large and small dollar assessments. It is important to note here that some BOCCs are billed by fee Clerks for the services they provided in criminal courts. This is usually a flat fee service charge (e.g., \$75) for each day spent in the courtrooms. These service charges help in recovering some of the costs associated with the Clerk's activities in criminal court.	B
2.7-7	Utilize collection agencies for past due accounts that are about to be written off. All counties and circuits should explore the use of collection agencies for past due accounts that are about to be written off. Counties should conduct an analysis to determine whether the use of a collection agency is cost-effective. When use of a collection agency is not feasible or cost-effective for a single county, the county should look into partnering with neighbor counties or circuits.	B

No.	IMPROVING CURRENT BUSINESS PRACTICES (Continued) RECOMMENDATIONS	IMPLEM. PRIORITY
2.7-8	Centralize or regionalize the use of collection agencies. Collection agencies are viable resources to increase the collection of revenues for difficult cases that do not respond to routine collection practices. In many instances, the Clerk's office staff is too busy and uncomfortable in taking on the role of "collection agent." Additionally, in some counties, the number of outstanding "hard to collect" accounts does not support the use of a collection agency. We are recommending that a regionalized or centralized collection agency program be implemented where counties would send in their outstanding accounts, no matter how small. The resulting economies of scale would make this collection agency program worthwhile.	B
2.7-9	Mandate the use of collections programs in counties and circuits. Many counties and circuits spend minimum time trying to collect past due or defaulted accounts. Most of the Clerks' time is spent receiving revenues from filing fees and service charges. All counties should use some type of collection program, whether it is collection courts or dedicated staff to perform collection functions.	B
2.7-10	Have judges participate in collections court whenever possible. As stated earlier in this chapter, judicial participation has been cited as one of the most important factors that contribute to the success of collection courts. Counties that have been successful in collections court stated that the presence of a judge presiding over the proceedings has more of an impact on individuals paying than does the presence of an administrative hearings officer.	B
2.7-11	Mandate that Clerks accept partial payments for assessed fines and fees. The distribution of funds for assessed fines and fees is complicated and made even more so with partial payments. However, by allowing partial payments, the counties may experience additional revenues, since the individuals will not have to have all of the payment at one time. All Clerks should allow installments or deferred payments for assessments.	A
2.7-12	Allow regular customers—e.g., attorneys—to establish escrow accounts for Clerk fees. This is another convenient payment option for regular users of the Clerks' services. Escrow accounts would allow the users to pay for all services received on a monthly basis versus a per-event basis.	A

No.	EXAMINING CURRENT FEE STRUCTURE RECOMMENDATIONS	IMPLEM. PRIORITY
3.3-1	Adjust the amount of fees retained by the Clerks by the Consumer Price Index from the time they were last changed through 2003–2005. This one-time, across-the-board adjustment will bring this portion of the current fee structure up to date. It is estimated that this adjustment will increase fees approximately 60 percent through 2003 or approximately 69.6 percent through 2005. A process should be established to adjust these CPI changes every other year thereafter. Rate adjustments should be submitted to the judiciary committees of both the House and the Senate as part of the approval process.	B
3.3-2	The Legislature should discontinue the current practice of financing non-Court Clerk-related programs through filing fees. Revenues generated for county programs by adding on to the Clerk's filing fees should be discontinued. Counties should pursue revenue through other means to fund non-Court Clerk-related programs.	B
3.3-3	MGT recommends that the Clerks' service charge fees be increased by 25 percent. As with the Clerks' filing fees, service charge fees have not been increased since the mid-1980s also. These service charge fees should be adjusted by the CPI on a regular, recurring basis.	B
3.3-4	Revise the Clerks' fee schedule to include fees for traffic court and local ordinance violations. Filing fees should be implemented to ensure that the users pay for court-related services of the Clerks. Currently, traffic court and court proceedings for violations of local ordinances do not require a filing fee. This revision to the fee schedule will bring in significant revenue to pay for the Clerks' operations.	B
3.5-1	Increase the recommended Clerk fees from a 60 percent to a 90 percent increase to provide additional revenue to offset the general fund requirement. As mentioned in section 3-2 of this chapter, over half of the Clerks' authorized fees have not been updated since the mid-1980s. Fee increases should include CPI adjustments as well as across-the-board increases in service charges. By adjusting the Clerks' fees from 1987 to FY 2003, it would represent an approximate increase of 60 percent, and to FY 2005, a 70 percent increase. We are recommending an additional 20 percent increase in Option 2. This would result in a 90 percent total increase in the Clerks' authorized filing fees.	B

No.	EXAMINING CURRENT FEE STRUCTURE (Continued) RECOMMENDATIONS	IMPLEM. PRIORITY
3.5-2	Establish fee schedules for criminal courts and require state attorneys to pay a filing fee for criminal cases. Filing fees should be implemented to ensure that the users pay for court-related services of the Clerks, including state attorneys. Currently, criminal court case filings do not require a filing fee. This revision to the fee schedule will bring in significant funds to offset the costs of the Clerks' operations. Furthermore, it would establish a practice of all users of the Clerks' office duties paying for those services.	C
3.5-3	Differentiate fee schedule based on type and size of case. Some cases take a considerable amount of effort to process. For those cases that are more difficult, the filing fees should be more than for simple cases. For example, the filing fee for product liability is \$41, regardless of whether it involves a small company or a corporate giant. Processing a product liability case for a small company versus a corporate giant—e.g., Coca-Cola or IBM—would differ in degree of difficulty and duration. The small company's case would take less time, due to available resources compared to a larger company with on-staff attorneys and greater resources to fight the case.	C
3.5-4	Establish a priority system for the disbursement of fees. The Legislature should authorize in statute the prioritization of assessment disbursements to ensure that the Clerks are among the first to receive their share of the distributions. This practice would encourage effective collection by the Clerks as the Clerks would be the initial beneficiary.	C
3.5-5	MGT recommends that Clerks be given the flexibility to address surplus/deficits by permitting Clerks to adjust service charges. Our data have illustrated that there is a significant variation in the revenue by county in the options presented in this section. In order to address the surplus/deficits in each Clerk's office, there needs to be the ability to adjust service charges. Legislation should be developed to allow Clerks to adjust service charges as necessary to ensure that revenues and operational costs are properly balanced. The Clerks should be permitted to maintain fund balances annually of no more than 10 percent of their respective operating costs.	C

1.0 INTRODUCTION

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The Florida Legislature issued a request for proposals to conduct research and to provide analytical and other support to the Legislature regarding the implementation of Revision 7 to Article V of the Florida Constitution. MGT of America, Inc., was the successful bidder and was issued a contract executed by the presiding officers of the Legislature to provide assistance to the Legislature. The project includes five phases; MGT was engaged to complete the first four:

Phase 1: Description of the Court System Operations

Phase 2: Recommendations to Increase Efficiency/Reduce Costs of Essential Services

Phase 3: Standardized Staffing and Cost Models

Phase 4: Recommendations on Court-Related Revenue

This report contains the results of MGT's analysis for Phase 4 of our engagement.

1.1 Project Background

Revision 7 to Article V

Revision 7 to Article V of the Constitution was approved by Florida's voters in 1998. The amendment language relevant to funding is contained in Section 14, which provides that:

- funding for the state courts system, state attorneys' offices, public defenders' offices, and court-appointed counsel are to be provided from state revenues;
- funding for the offices of the clerks of the circuit and county courts performing court-related functions . . . is to be provided by adequate and appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions as required by law. However, if certain fees cannot be levied because doing so would bar access to the courts, the state is required to provide funds to the clerks to cover resulting revenue shortfalls; and
- funding requirements of the county or municipality are to include communications services, existing radio systems, existing

multiagency criminal justice information systems, and the cost of construction or lease, maintenance, utilities, and security of facilities for the trial courts, public defenders' offices, state attorneys' offices, and the offices of the clerks of the circuit and county courts performing court-related functions. Counties are also required to pay reasonable and necessary salaries and costs and expenses of the state courts system to meet local requirements as determined by law.

It is the second of the above provisions that is the focus of this report on revenue.

Chapter 2000-237, Laws of Florida

To implement the provisions of Revision 7, the 2000 Legislature passed CS/SB 1212, which was adopted as Chapter 2000-237, Laws of Florida. Section 1 of the bill describes the state's role in providing financial support to various entities. In describing funding requirements, the bill directs that: the offices of the clerks of the circuit and county courts are to provide court-related functions by charging adequate and appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions.

Phase 4 Directives

Phase 4 provided for recommendations on court-related revenue. The major tasks for this report have included:

- summarize assessment and collection practices;
- recommend improvements to current practices;
- revise revenue structures to meet requirements; and
- prepare and submit phase four report.

To complete these tasks, MGT has completed the following activities:

- analyzed revenue-generation information collected from the sample circuits and counties during the on-site reviews and reviewed statewide information available from the Florida Association of State Clerks;
- identified and described filing fees and service charges assessed by the court clerks as well as fees, penalties, fines, court costs, surcharges, and forfeitures imposed by the courts;
- summarized available data regarding assessments;
- identified the types of assessments waived by the courts and quantified where possible;

- described and quantified dedicated uses of funds by type of assessment;
- compared assessment and collection processes and results among sample circuits and counties as well as processes identified by the Florida Association of Court Clerks;
- determined whether judicial waivers of assessments is a material issue;
- evaluated centralization, regionalization, and privatization alternatives as well as the use of incentives to maximize assessments and collections;
- identified best practices for maximizing collection rates and for performing the processes as efficiently and cost-effectively as possible;
- determined how best practices can be standardized across the state;
- obtained current fee and service charge structures and schedules from all circuits and counties and summarized the information in a usable format. Included identification of the entity authorized to establish each type of fee and charge schedule;
- identified fee and charge structures that are essentially identical across all jurisdictions and those that are clearly unique to small number of circuits and/or counties;
- analyzed adjusted cost and revenue statewide data to determine the additional revenue required to fund the court system;
- identified alternative structures of fees, fines, court costs, service charges, and the like that can provide the necessary revenue. Considered structures used by other states, impact fees related to the level of court use, redirection of other revenue sources, and similar alternatives;
- evaluated fee and charge structure alternatives and their potential impact on citizen's constitutional right of access to the courts;
- prepared a preliminary draft report presenting the information, data, issues, conclusions, and alternatives developed during Phase 4;
- presented and discussed the preliminary draft report with the Legislative Project Managers;
- revised the preliminary draft as appropriate;
- submitted the revised draft to the Legislature; and
- made presentations regarding project results to the Legislature, as requested.

2.0 IMPROVING CURRENT BUSINESS PRACTICES

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2.1 Assessment and Collection Practices

This section of the report deals with the assessment and collection practices of Florida's court system.

2.1.1 Assessments

Florida Statutes authorize courts to assess fines and fees to people who have been convicted of crimes. A fine is assessed as a penalty for violating the law. Fees are designed to recover some of the costs of prosecution. The Supreme Court, circuit and county courts, and the Clerks of the Circuit Court are all involved in the assessment of fines and fees. The statutes provide judges with discretion in assessing most of the fines and some of the fees. The statutes do require that judges assess certain specific fees for certain types of crimes. A judge may also be required, under appropriate statutes, to assess several fees for a single conviction. As judges assess fines and fees to those convicted, they must consider procedures that are mandated by statute, case law, and judicial procedure. Anecdotal evidence obtained during MGT's on-site visits and the findings of the 1991 Auditor General's report, "Performance Audit of the Assessment of Required Criminal Fees," strongly suggest that the courts have not been assessing all of the statutorily required fees to persons convicted of crimes.

The extent of fines and fees that are assessed plays an important part in the overall funding needs of the courts. There is consideration of equity in the assessment of fines and fees to ensure that all parties are treated fairly. There is consideration for the costs required in the prosecution of cases within the courts. And, there are related state and local programs that receive funds from the assessment of fines and fees that must be considered. When fees are not assessed, funding for programs must be found elsewhere.

Information on the number of cases that were actually assessed fines and fees and the amount assessed is not available on a statewide basis. The Clerks of the Circuit Court are not required to collect and report these data. Additionally, the amount of fees distributed to the Clerks from criminal assessments are minimal—in most cases \$5 to \$10. Exhibit 2-1 illustrates the distribution of funds to the Clerk's office for selected assessments in county and circuit courts.¹ MGT calculated the average amount retained by the Clerks for felony and misdemeanor violations. For felony and misdemeanor violations, the Clerk retains .83 percent of a paid assessment.

**EXHIBIT 2-1
SCHEDULE OF UNIFORM MINIMUM ASSESSMENTS
IN COUNTY AND CIRCUIT COURTS
LEON COUNTY CLERKS OFFICE**

COURT	VIOLATION	MINIMUM ASSESSMENT	CLERK'S FEE	PERCENTAGE RETAINED BY CLERK
CIRCUIT	Felony Violations - 1st Degree	\$2,584.00	\$10.30	0.40%
CIRCUIT	Felony Violations - 2nd Degree	\$1,534.00	\$10.30	0.67%
CIRCUIT	Felony Violations - 3rd Degree	\$1,009.00	\$10.30	1.02%
COUNTY	Misdemeanor Violations - 1st Degree	\$496.00	\$8.30	1.67%
COUNTY	Misdemeanor Violations - 2nd Degree	\$416.00	\$8.30	2.00%
COUNTY	Misdemeanor Violations w/h Adjudication: Courts Costs Only	\$314.00	\$5.30	1.69%
TOTAL		\$6,353.00	\$52.80	0.83%

In a 1991 audit conducted by the Office of the Auditor General ("Performance Audit of the Assessment of Required Criminal Fees," November 13, 1991), nine representative counties (Baker, Charlotte, Citrus, Dade, Duval, Gadsden, Lee, Orange,

¹ Presentation material to House Select Committee on Article V, Leon County Clerk's Office, March 11, 2003.

and Pinellas) were sampled. Judges in those counties assessed a total of \$55,371,379 during FY 1988–89. The audit found that judges do not assess all fees required by law. Rather, judges assessed all required fees in approximately 34 percent of the on-site reviewed cases. Of the 2,637 sample cases, \$297,334 could have been assessed; however, only about half, or \$144,612, was actually assessed. The study indicated that factors impacting the lack of assessments included the complexity of assessments (ten different sections of the statutes), judicial philosophies, and the “lack of Supreme Court guidance and oversight” (no requirement to report assessments).

For the nine counties sampled, the Auditor General estimated that approximately \$10 million in additional fees could have been assessed for FY 1988–89. Further, the type of court influenced assessments, as all required fees were assessed 60 percent of the time in traffic cases, 31 percent in circuit court cases, and 18 percent of the time in county court cases. Additional review indicated that in cases in which fees were required, judges had assessed at least one of the required fees in approximately 56 percent of the cases. Judges assessed fees at or above the minimum required in only 61 percent of the cases.

Anecdotal evidence gathered in MGT’s research revealed that little has changed in Florida trial court assessment methodologies since the issuance of this report.

In order to estimate the current impact of unassessed fees, MGT calculated the per capita amount of unassessed fees based on the 1988 population of the nine sample counties (the Auditor General’s report was based on FY 1988–89 data), and projected that amount statewide for 2005. Exhibit 2-2 shows this projection. If current assessment practices continue, an estimated \$34.7 million will go unassessed in FY 2005. Although this amount is significant, the Clerk retains an estimated .83 percent of what is collected.

As shown in Exhibit 2-2, the Clerk would retain only \$288,776 of the \$34.7 million if it were assessed and collected.

**EXHIBIT 2-2
ESTIMATED UNASSESSED FEES
FY 2005**

Amount Unassessed in Auditor General's FY 1988 - 1989 Report	1988 Population of 9 Sample Counties	Unassessed Per Capita	2005 Population	Estimated Dollars Unassessed in 2005	Clerk's Portion of Unassessed Dollars (.83%)
\$10,000,000	4,508,034	\$2.22	17,436,441	\$38,678,592	\$321,459

Currently, judges must manually calculate the sentence for a conviction, based on the various charges against the defendant and other mitigating factors in the case. One result of this process is that criminals may not be assessed what they actually owe in terms of dollars. The Office of State Courts Administration (OSCA) has been developing an automated system that will allow judges to input all of the charges and other mitigating factors in a case, and the system will calculate the appropriate sentence, including the appropriate assessment. The usefulness of this system is clear. It would not only help standardize the amounts assessed and ensure that the appropriate amounts are assessed, but would also allow standardized tracking of the assessments. Meanwhile, the lack of such a system is a weak excuse for the court system to not assess criminals what they actually owe.

Collection of Assessments

The Auditor General did not address the issue of collection of assessments in its study; however, that office did address the collection of assessments in a subsequent study ("Performance Audit of the Collection of Fines and Fees," January 6, 1992). Florida Statutes provide that fines and fees are due at the time of assessment, unless

the court prescribes an alternate time period. The collection and enforcement of fees and fines involve the following entities:

- Clerks of the Circuit Court;
- County probation organizations; and
- Florida Department of Corrections.

The Clerk of the Circuit Court is responsible for collecting the assessment and initiating enforcement action of an offender, with no jail time, whose payment of fees and fines are not made within the prescribed time period mandated by the court. Organizations designated by the county are responsible for collection and enforcement actions for offenders who are sentenced to a term of probation, and payment is made a condition of probation. These organizations may include county probation departments or private groups such as the Salvation Army or Goodwill. The Department of Corrections assumes these activities for persons incarcerated in state prison, or when persons are sentenced to probation, and payment of the fees and fines is a condition of probation.

Judges are the final authority to determine the punishment of individuals who default on payments of court-mandated fines and fees. Penalties that may be imposed by judges include jail time, judgement liens on the person's real or personal property, suspension of their driver's license, and the garnishment of wages. For persons who are unable to pay, the judge can order alternatives, including extending probation to allow more time for payment or converting the debt to community service.

In the Auditor General's report, "Performance Audit of the Collection of Fines and Fees," January 6, 1992, it was stated that 75 percent of the 1,524 cases reviewed had paid some or all of the assessment by the court-ordered due date of June 30, 1990. These payments represented a mere 43 percent of the total dollar amount assessed (\$183,161 of \$429,856). Collection rates for county and traffic courts were higher than

for cases assessed by circuit courts. Only 5 percent of the fines and fees assessed by circuit courts had been collected by June 30, 1990 (\$9,803 of \$206,655).

MGT was able to collect data for some counties on collection rates for felony and misdemeanor assessments.

Based on our sample, the percentage of assessed dollars collected for felonies and misdemeanors varied from 21 percent to 69 percent. Exhibit 2-3 shows the results from selected counties.

**EXHIBIT 2-3
PERCENTAGE OF ASSESSED DOLLARS COLLECTED
SELECTED FLORIDA COUNTIES
FY 2001-2002**

County	Percent Assessed Dollars Collected		
	Misdemeanor	Felony	Total
Collier ¹	69%	--	69%
Lee	94%	28%	53%
Leon ²	80%	60%	66%
Orange	99%	28%	33%
Pinellas	42%	12%	21%
Total	70%	26%	34%

¹Collier County data are for calendar year 2001. Collier County did not include felony assessments in its collection program until 2003.

²The numbers noted include only those assessments referred to collections court for collection. These numbers are not the total amount of assessments, as not all assessments are referred to collections court. Only those defendants who elect to make payments on their assessments are referred to collections court.

It is important to note here that the above chart represents the percentage of assessed dollars collected, not the percentage of all dollars that could have been assessed and collected. Information regarding cases that could have been assessed and were not is not available on a statewide basis. Again, the Clerks of the Circuit Court are not required to collect and report these data. Based on MGT's calculations, stated earlier in this chapter, approximately \$34.7 will go unassessed in FY 2005.

Factors impacting the collection of assessments include types of sanctions imposed by judges, procedures used for collection, and the actions taken for nonpayment.

Recommendation 2.1-1:

MGT recommends that every effort be made to ensure that all appropriate assessments are levied and that collections of these assessments are pursued.

Our analysis, based on the Auditor General's 1991 study of assessment practices, indicates that additional assessments could be levied significantly beyond what is currently being assessed. For FY 2005, this amount has been calculated to be approximately \$35 million.

Recommendation 2.1-2:

Establish a tracking and reporting system to collect statewide information regarding assessments.

The assessment of fines and fees and the collection of such fines and fees should be by county. This collection of information should capture the amount of fees that were assessed as well as those waived pursuant to statute. Additionally, this information will provide the Supreme Court with data to determine the effectiveness of trial judges in fulfilling the requirements of the law regarding assessments.

Recommendation 2.1-3:

Maintain an ongoing database of information regarding assessments.

The Clerks of the Circuit Court should be required, in statute, to maintain an ongoing database of information on the cases where assessments were levied or waived and the respective amounts involved in each decision. This information could then be utilized to evaluate assessments on a statewide basis.

Recommendation 2.1-4:

The Legislature should provide support to the OSCA effort to automate the assessment process.

The outcome of establishing programmed assessment charges would be improved record keeping, assessments that reflect legal requirements, and a standardized assessment process.

Recommendation 2.1-5:

Assessment statutes should be consolidated into a single point of reference to ensure that required assessments are more clearly presented for judges to administer.

As noted earlier, the current system does not keep judges from making the appropriate assessments. However, it is still prudent to provide the judges with easily accessible, timely, and accurate information.

2.1.2 Judicial Waivers

Judges are responsible for assessment and enforcement of fees, fines, or costs authorized by the Legislature. Judges also have the authority to waive fees, fines, or costs if it is determined that the person is considered indigent. We have not been made aware of any assessment procedures established that would ensure standard assessments. Judges have not been provided consistent guidelines or proper guidance and oversight by the Supreme Court for assessing fees.² As a result, there is substantial variation in assessments between counties and by type of case.

One of the reasons for waivers is when defendants establish indigency in the court. The Florida Legislature established Indigency Examiner Offices to ensure that people charged with certain crimes who request a public defender do not exceed income and asset guidelines. Funding for Indigency Examiner positions assigned to each of the 20 judicial circuits was eliminated in FY 2000. As prescribed in Florida Statute 27.52, determinations of indigency are made by the court based on a financial affidavit and upon questioning of the defendant. The guidelines that judges are to follow in establishing indigency include federal poverty guidelines, receipt of Aid to Families with Dependent Children, poverty-related veterans' benefits, Supplemental Security Income, and whether there would be any substantial hardship on the family if attorney fees were not waived. Also to be considered is the amount of bail, property ownership, and retention of counsel. Anecdotal evidence during the course of this study indicated that there is variation among judges in the determination of indigency, within circuits and counties and between circuits and counties. Each case is evaluated on the information presented at the time, with consideration for the guidelines established in F.S. 27.52.

²State of Florida, Office of the Auditor General, "Performance Audit of the Assessment of Required Criminal Fees," November 13, 1991.

It was noted above that, for the sampled nine counties in the study by the Auditor General, approximately \$10 million in additional fees could have been assessed for FY 1988–89. As shown in Exhibit 2-2 earlier in this chapter, when this \$10 million is projected to the overall state population and the 20 circuits in 2005 there is a projected total of \$34.7 million in unassessed fees. Based on the collection rates shown in Exhibit 2-3, (34% of \$34.7 million), one finds that an additional \$13.2 million could be collected if all required assessments were made.

The issue of spending for indigent criminal defense is substantial in the United States. Among the nation's 100 most populous counties, an estimated \$1.2 billion was spent in 1999 for indigent criminal defense (U.S. Department of Justice, Bureau of Justice Statistics). This represents an estimated 3 percent of all local criminal justice expenditures used for police, judicial services, and corrections in these 100 counties.

Types of Assessments Waived by Courts

The courts impose assessments of fines and fees to persons convicted of crimes. Fines are designed to be a penalty for persons found guilty of violating the law. Fees are assessed to recover a portion of the cost of prosecution and to support various local and state programs. Assessments are imposed when a person is found guilty of committing various violations. Examples of violations where assessments are imposed are:

- Felonies – includes 1st, 2nd, and 3rd degree violations.
- Misdemeanors – includes 1st and 2nd degree violations and misdemeanors where adjudication is withheld; and
- Traffic.

As shown in Exhibit 2-1 of this chapter, assessments for felony violations range from \$1,000 to \$2,600. Misdemeanor violations range from \$314 to \$496.

In the Auditor General's report, "Performance Audit of the Collection of Fines and Fees Assessed to Convicted Offenders by the State Courts System of Florida," January 6, 1992, several factors affected the collection of assessed fines and fees. In their sample, 74 percent of amounts assessed in county court cases was collected, and 79 percent of the fines and fees assessed in traffic court cases was collected. Only 5 percent of the amount assessed in circuit court cases was collected.

It appears that the type of sanctions imposed by the judges had an effect on the collection of fines and fees. The study showed that the type of sentence affected the payment rate. Offenders released on their own recognizance were more likely to pay their assessment (83%). This group was followed by offenders sentenced to probation without incarceration (58%); then offenders who were incarcerated (less than 25%).

For county and traffic court cases, the amount of fines and fees assessed had an impact on the collection rate. Amounts less than \$100 experienced a collection rate of 85 percent and 92 percent for county and traffic courts, respectively. Collection rates for circuit court cases were low regardless of the amount assessed.

Based on our discussions, analyses, and review of available materials, it appears that the types of assessments waived most often involved felony cases with incarceration where the amount of the assessment exceeded \$1,000. Offenders of misdemeanor cases without incarceration are most likely to pay all or some of the assessed fines and fees.

Recommendation 2.1-6:

MGT recommends that waivers of assessments be addressed through legislative action.

MGT concludes that waivers of assessments are a material issue. Legislation should be developed to establish, in statute, guidelines that will statutorily restrict the court's flexibility to grant waivers for persons convicted of crimes.

Recommendation 2.1-7:

Uniform assessment rules and guidelines should be established, in statute, to include more comprehensive and concise guidelines for determining indigency.

The task of drafting statute language, monitoring adherence to guidelines, and reporting on assessment success and indigency determinations should be assigned to the Office of State Courts Administrator. A management position should be established initially to oversee program development. Future implementation should include reinstatement of Indigency Examiner positions.

2.2 Overview of Collections Operations in Sample Circuits and Counties

Most of the information for this task was collected during Phase I of the project. During MGT's on-site meetings and interviews with key officials in each of the five circuits and four counties, each was asked to provide collection practices information regarding their circuit or county. This information, as well as statewide information from the Florida Association of State Clerks, was collected and reviewed.

The purposes of collection programs are to ensure compliance with orders handed down by the courts, as well as improve the collection of fines, costs, and fees. As a result of our on-site review and numerous anecdotal comments, we have determined that collection practices vary significantly across the sample circuits and counties. Some counties operate collections programs, some utilize collection agencies, and others use collection courts. The courts have the option to pursue the collection of court costs, fines, and fees through judicial enforcement programs or private collection agents, per Section 938.35, Florida Statutes. Without a uniform collections program, there is the potential for unclaimed revenue for counties not actively pursuing collections.

The following sections discuss collection practices in the sample circuits and counties. Circuits and counties employed various methods to track assessments and collections. They include both automated accounts receivable systems and manual, labor-intensive tracking processes. This system of differing approaches, levels of

management attention, and reporting methodologies has led to substantial differences in collection practices and effectiveness.

2.3 Collection Practices in Sample Circuits and Counties

Data about collections practices were gathered for ten Florida counties. Of those, six have collections programs within the Clerk's office (Collier, Lee, Leon, Miami-Dade, Pinellas, and Orange), and four pursue unpaid fees through a collection agency (Flagler, Suwannee, St. Lucie, and Union).

In addition to the nine sample counties that were part of the MGT sample for this report, MGT identified Collier County as having a noteworthy collections program. Therefore, Collier County was included in MGT's analysis of counties demonstrating best collection practices programs.

Exhibit 2-4 shows the characteristics of the collections courts in each of the ten counties listed above.

Collier County

The Collier County collections staff are present at court events where the largest number of misdemeanor cases are being heard; however, it is the county's practice that no defendant will leave the courthouse without either paying the fine or signing a contract to pay any assessed fines or costs. Appendix A includes a sample payment contract agreement from Collier County, and other miscellaneous documents regarding the collections program. If a client does not pay in full, he/she is served with a schedule of payments and court dates at the time the client signs the payment agreement. The client does not have to appear in court unless he/she fails to make a payment. If a client fails to make a payment and fails to appear in court, a warrant is issued for their arrest. A listing of clients with outstanding payments is also checked against the court docket each day to identify any offenders who may owe fines.

Collections court is held once a week at 4:50 p.m. and is usually finished by 5:00 p.m. the same day. Collier County has recently integrated felony assessments into its collections program, at an additional program cost of \$100,000 a year.

Lee County

The Lee County collections program tracks and enforces misdemeanor and felony assessments. Once an assessment has been ordered by the court, it is entered into an automated system, except in the case of civil traffic fines. Defendants are instructed to pay their fines at the time of sentencing. If the defendant fails to pay within a specified period of time, a warrant is issued for their arrest.

Miami-Dade County

Miami-Dade County currently tracks only felony assessments; however, there are plans to add misdemeanor assessments to the collections program. Plans are also in place to hire a collection agency to collect outstanding traffic fines. All felony defendants are required to go to a "Post-Judgement" room after sentencing. Collections staff meet with the defendants in this room to review the options for payments. If a defendant becomes delinquent in payment, they are required to appear in collections court. If they do not appear before the court, a warrant is issued for their arrest.

Miami-Dade is currently in the process of programming standardized reports to identify the amount of monies assessed and collected, but those reports were not available at the time of this study.

Orange County

Orange County has reported success using "collection warrants" as the primary tool in their Clerk's office collections process. The Orange County collections program tracks and enforces misdemeanor and felony assessments through the collections program, and plans are in place to include traffic fines.

**EXHIBIT 2-4
CHARACTERISTICS OF COLLECTIONS COURTS IN SELECTED COUNTIES**

	Type of offenses for which Collections are Pursued through In- House Collections Program			Automated System to Track Assessments	Collections Staff Meets with Defendant at Time of Sentencing	Enforcement Measures		In-House Specialized Collections Staff	Performance Measures for In- House Collections Staff	Judges Preside over Collections Hearings
	Misdemeanor	Felony	Traffic			Initial Letter of Payment Delinquency	Arrest Warrant			
Collier	X	X		X	X		X	X		X
Flagler	NO IN-HOUSE COLLECTIONS PROGRAM									
Lee	X	X		X	X					X
Leon	X	X		X						
Miami-Dade		X		X	X	X	X			X
Orange	X	X		X		X	X	X	X	X
Pinellas	X		X	X	X	X	X			X
St. Lucie	NO IN-HOUSE COLLECTIONS PROGRAM									
Suwannee	NO IN-HOUSE COLLECTIONS PROGRAM									
Union	NO IN-HOUSE COLLECTIONS PROGRAM									

At the time of sentencing, defendants are instructed to meet with collections staff. If the defendant does not pay their fine within the allotted amount of time, they receive a card in the mail that advises them of a late fee and collections court date. If the defendant remains delinquent in their payment, a warrant is issued for their arrest. One judge is responsible for all collections court cases.

Individual collections staff in Orange County are held to performance standards with regard to their collections rates.

Appendix D includes a recent report that discusses the current status of the Orange County collection program.

Pinellas County

Pinellas County has just recently reassumed the function of collections in the Clerk's office. An attempt to outsource collections proved to be ineffective. Officials from Pinellas County cite lack of substantial penalties for nonpayment as a primary reason many of their fees and assessments go uncollected. They currently conduct collections activities for Misdemeanor, Traffic, and Ordinance violations.

A collections representative briefly meets with the defendant in the courtroom and gives them a sheet that advises them of their responsibility to pay. Pinellas County does not allow installments; all fines must be paid at one time, although the defendant may request the Judge to allow payments on an assessment.

If a defendant is delinquent in paying their assessment, a warning letter is sent. If the defendant remains delinquent, a warrant is issued for their arrest. If a defendant remains delinquent on traffic fines, their license is suspended.

Leon County

Leon County enforces collections through a collections court. Collections court is held one week out of every month. Approximately 3,000 civil, criminal, and traffic cases regarding assessments, court costs, and fines are brought before a General Master.

According to a collections court representative, approximately \$2.5 million in revenue was recovered last year. Assessments are not tracked on a year-to-year basis, and only the amounts brought before the collections court are recorded.

Other Sample Circuit Collections Programs

Suwannee and St. Lucie counties turn all collections over to a collection agency. Flagler and Union counties pursue only traffic violations through a collection agency. Flagler County indicated that they do not pursue collections other than traffic because the amount of administrative work the collections process creates does not pay off in terms of the dollars collected. Flagler County noted that their accounting system does not support the ability to track assessments that are owed to the court. Flagler County officials indicated that the criminals do not have the ability to pay.

Revenue Generated by Collections Programs

As noted above, information on the number of cases that were actually assessed fines and fees and the amounts assessed is not available on a statewide basis because the Clerks of the Circuit Court are not required to collect and report these data. Although tracking assessment and collection data are not required on a statewide basis, some counties have taken the initiative to track assessments and collections on their own, in some form or fashion: e.g., Pinellas, Collier, and Leon counties.

MGT gathered information about the amounts of felony and misdemeanor dollars assessed and collected by specified counties that have collections programs. This information is reported in Exhibit 2-5. Out of the five counties reviewed, approximately \$70 million was assessed and approximately \$24 million was collected, for a collection rate of 34 percent. Misdemeanors experienced a 70 percent collection rate, while felonies experienced a 26 percent collection rate.

**EXHIBIT 2-5
FELONY AND MISDEMEANOR ASSESSMENTS AND COLLECTIONS
SELECTED COUNTIES
FY 2001-2002**

County	Dollars Assessed			Dollars Collected			Percent Assessed Dollars Collected		
	Misdemeanor	Felony	Total	Misdemeanor	Felony	Total	Misdemeanor	Felony	Total
Collier ¹	\$3,290,021.89	--	\$3,290,021.89	\$2,281,781.66	--	\$2,281,781.66	69%	--	69%
Lee	\$1,343,231.13	\$2,208,810.29	\$3,552,041.42	\$1,258,929.13	\$611,977.74	\$1,870,906.87	94%	28%	53%
Leon ²	\$540,960.00	\$1,188,230.23	\$1,729,190.23	\$430,858.66	\$709,325.54	\$1,140,184.20	80%	60%	66%
Orange	\$3,488,496.00	\$42,763,404.00	\$46,251,900.00	\$3,453,312.00	\$11,980,320.00	\$15,433,632.00	99%	28%	33%
Pinellas	\$4,650,203.00	\$10,865,857.00	\$15,516,060.00	\$1,960,378.00	\$1,260,851.00	\$3,221,229.00	42%	12%	21%
Total	\$13,312,912.02	\$57,026,301.52	\$70,339,213.54	\$9,385,259.45	\$14,562,474.28	\$23,947,733.73	70%	26%	34%

¹Collier County data are for calendar year 2001

²The numbers noted include only those assessments referred to collections court for collection. These numbers are NOT the total amount of assessments, as not all assessments are referred to collections court. Only those defendants who elect to make payments on their assessments are referred to collections court.

As shown, misdemeanor assessments have a much higher rate of collection than felony. Felony assessments are much higher in dollar value, which may reduce the collection potential. Further, the felony defendant may be in jail and therefore not be able to submit payment. Under the current fee structure, the Clerk receives essentially the same amount of money for pursuing the collection felony and misdemeanor assessments, even though an assessment for a felony conviction is likely to be more difficult to collect than the misdemeanor.

Exhibit 2-6 compares the administrative cost of the collections programs in the selected counties against the felony and misdemeanor assessment dollars collected and the estimated amount the Clerk retains. The cost of collection programs reviewed in this chart ranged from \$50,000 to \$269,000, and the dollars collected ranged from \$1.1 million to \$15 million. This exhibit shows that although the dollars collected are significantly greater than the cost of the program, the Clerk retains only approximately .83 percent of collections. As we have discussed and shown previously in Exhibit 2-1, the amounts of fees distributed to the Clerks from criminal assessments are minimal—in most cases \$5 to \$10 per assessment.

The expense of operating a collections program varies. The expense depends on the type of programs selected and the number of staff dedicated to support the collections function. In the counties reviewed, costs of the programs ranged from \$50,000 to approximately \$269,000.

**EXHIBIT 2-6
COSTS AND RETURNS OF COLLECTIONS PROGRAMS
SELECTED COUNTIES
FY 2001-2002**

County	Cost of Collections Program	Felony and Misdemeanor Dollars Collected	Estimated Amount Retained by Clerk for Felony and Misdemeanor Collections
Collier	\$150,000.00	\$2,281,781.66	\$18,938.78
Dade	\$160,000.00	N/A	--
Lee	\$0.00	\$1,870,906.87	\$15,528.53
Leon	\$119,681.00	\$1,140,184.20	\$9,463.53
Orange	\$269,322.92	\$15,433,632.00	\$128,099.15
Pinellas	\$50,000.00	\$3,221,229.00	\$26,736.20

2.4 Best Practices for Collections Programs

In order to identify best practices for maximizing collection rates and for performing the processes as efficiently and cost-effectively as possible, MGT has researched national best practices for revenue collection programs through collection of reports and phone interviews with the National Center for State Courts. We also contacted several states regarding their collection practices, including New Jersey, California, and Texas regarding fee standardization, methodology for recent fee increases, and revenue collection programs.

Based on our research and review of available materials, MGT has identified the following as best practices for implementing and operating collections programs:

- strong judicial support of collection initiatives;
- a system or process for tracking outstanding and paid fines and assessments;
- payment enforcement on the day fee or assessment is imposed;
- convenient payment methods, such as checks and credit cards;
- use of strong enforcement measures;
- use of substantial penalties for nonpayment;
- specialized collections staff that carry out collections enforcement;
and
- implementation of performance goals for collections staff.

In sections 2.4.2 – 2.4.8, we discuss each of these areas. Section 2.4.1 provides definitions for selected court collections terminology.

2.4.1 Definition of Collections Terminology

Collections Court: A collections court is a specialized court that deals specifically with the enforcement of the collection of court-imposed fees and assessments. A judge or a Master hearings officer will preside over the collections court.

Internal collections program: A formal program that handles the collection of court-imposed fees and assessments. This program may or may not have a collections court.

2.4.2 Strong judicial support of collection initiatives

The National Center for State Courts (NCSC) issued guidance on best practices for collecting court fines and fees based on site visits to 40 courts in 22 states. (This report is included in Appendix A.) The report indicates two primary reasons judges do not consistently enforce and support collection. The first is the perception that criminals do not have the ability to pay. The report cites that “experienced collectors consistently assert that all but a very few defendants have greater resources for meeting their obligations than might be immediately apparent.” The second reason cited in the report is that some judges are of the opinion that “courts should not be in the business of collecting money.”

The findings of the report assert that “judicial commitment to fine collection may be the single most critical factor” in the success of the collections program. Programs that had strong administrative backing—but did not have the support of the court’s judiciary—had significantly less success than those that had the support of the court’s judiciary. In this same regard, NCSC indicated that the frame of mind set forth by the court, in terms of collections, is critical in terms of the ability to enforce. If the “word on the street” is that the jurisdiction does not enforce financial penalties, then it is unlikely that the jurisdiction will be able to collect a high percentage of the dollars assessed. The report also noted the need for consistency among judges in terms of fee assessment and enforcement. Otherwise, defendants may engage in a practice known as “judge shopping,” in which a defendant will try to get a judge who is more lenient in terms in imposing assessments.

2.4.3 System or process for tracking outstanding and paid fines and assessments

The NCSC guidance on the collection of fines and fees indicated that courts that were doing “little or nothing” to collect unpaid fines and assessments typically had a lack

of basic management information, including not knowing the amount of unpaid fines that are outstanding.

In order to follow up with unpaid fines and fees, a system for tracking what has been assessed is essential. The report concludes that “improved technology” is justified by “faster and higher payments.” There are suggested processes for courts that cannot afford to immediately implement automated systems. One practice cited in the report was the use of a weekly or daily “tickler” to remind an employee of the assessments/payments that are past due.

2.4.4 Payment enforcement on the day fee or assessment is imposed

The NCSC report findings indicated that the longer the delay between sentencing and payment, the less likely the defendant will pay. Examples of practices include having a collections representative meet with the defendant immediately following the hearing in which the fee is assessed, and either collecting payment at that time, or setting up a payment schedule. Other examples include varying degrees of strictness in terms of what is required by the defendant on the day the assessment is made.

Anecdotal evidence gathered by MGT suggests that even the strictest standards receive a high rate of compliance when properly executed by the judiciary. One example of a strict standard that receives a high rate of compliance is in Michigan, where effective January 1, 2002, court fines and costs are due at the time they are imposed. Early reports showed near 100 percent compliance with this rule. The practice is based on the reality that it is often difficult to contact or locate a defendant once they have left the courthouse.

2.4.5 Convenient payment methods, such as checks and credit cards

The court and/or collections office should make it as easy as possible for individuals to pay their debts. The NCSC report indicates that each court should seek to “enhance public access.” Such practices include on-line and pay-by-phone options.

2.4.6 Use of substantial and routine enforcement measures

According to the NCSC report, courts should “respond immediately to nonpayment.” Each court must decide what follow-up measures are most cost-effective. The successful collection of unpaid fees depends on a system where defendants know they will consistently be held accountable for what they owe. The following illustrates an example from one of the courts visited during the NCSC study.

The court's policy had been to send a demand letter immediately after a defendant failed to appear or pay as ordered, stating that a late fee would be imposed if the account was not satisfied within 10 days. Court leadership decided to reduce staff time and costs by eliminating the warning letter, although they continued to impose the late fee. The result was an immediate increase in unpaid fines. The court quickly reinstated the warning, and compliance levels rose again to prior levels.

2.4.7 Use of substantial penalties for nonpayment

The use of substantial penalties for nonpayment is an essential tool in eliciting compliance. Such penalties include the suspension or nonrenewal of drivers licenses, late fees, garnishment of wages, garnishment of income tax refunds or lottery winnings, property liens, seizure of bank accounts, vehicle impoundment, credit reporting, service of arrest warrants, and jail.

2.4.8 Specialized collections staff that carry out collections enforcement

Many court employees may not have the knowledge, experience, or comfort level to carry out collections enforcement efficiently and effectively. An important component of a successful collections program is having capable staff to carry out the necessary collection duties. Many courts that have added resources for fine and fee collection have found that the expense is more than compensated by even greater revenue increases.

2.4.9 Implementation of performance goals for collections staff

The NCSC report indicates that the “most successful collections programs have goals for average amounts collected, measured in the numbers of defendants

completing payments and percentage amounts ordered that are collected.” The regular monitoring of these types of performance measures helps to identify problems in the collections process.

2.5 Description of Other State Programs

Texas, California, New Jersey, and Michigan have strong collections programs throughout the state. Of these, New Jersey is the only state that has a centrally administered program. Texas, California, and Michigan all have collections programs that are administered on a county-by-county basis. We found, however, that these three states offer strong support and guidance from the state level.

Dallas County, Texas, was the site for the pilot fine collections programs that are now in 129 courts throughout Texas. The program now serves 12 misdemeanor courts throughout the Dallas county area and has increased county revenue by \$26.5 million in six years. The Texas Office of Court Administration does not have formal guidelines established for courts to use in instituting the collection programs; however, it offers strong informal implementation and sustaining guidance to programs in terms of best practices.

All 58 California counties have internal collections programs that include court collections as well as tax and hospital collections. These collection offices are a function of the county government. Because the trial court system is state administrated, the state receives funds that are collected as a result of the county collections office, minus the collection office costs. When the state funding of California trial courts went into effect in 1998, the state mandated that each county should continue to collect at least a baseline amount that was determined based on what was collected in the past. If the county did not collect that baseline amount, it was required to make up the difference

from county funds. If the county exceeded the baseline amount, it evenly divided the difference with the state and kept the monies. The counties heavily enforce collections using tactics such as wage garnishment, seizing of tax returns, and notification of probation officers. The collection officers have a wide variety of resources at their immediate disposal to ensure payment. Although each county's collection operations are run independently, they all belong to the California Revenue Officers Association and meet regularly to discuss best practices and procedures for addressing common problems.

New Jersey enforces court collections through the state-administrated Comprehensive Enforcement Program (CEP). The program is "financially self-sustaining," and costs approximately \$500,000 a year to run. CEP works by using county probation departments to identify unpaid court assessments. The county refers the cases to CEP, which uses hearing officers to preside. If an individual does not attend their hearing, a warrant is issued for their arrest. Additional penalties are usually assessed for noncompliance. New Jersey collected approximately \$9 million in FY 2001 through the CEP program, and approximately \$30 million in total court assessments.

Collection programs vary by type of court in Michigan; however, the Michigan State Court Administrative office has issued a very concise policy about how each step of the process should be handled throughout the different courts. This policy and other documentation regarding Michigan collections is included in Appendix B. Effective January 1, 2002, court fines and costs are due at the time they are imposed. Early reports show near 100 percent compliance. As of a 1998 report, the Michigan trial courts collect over \$100 million annually in fines, fees, and assessments.

Exhibit 2-7 summarizes collection practices in the states of California, Michigan, New Jersey, and Texas.

**EXHIBIT 2-7
DESCRIPTION OF OTHER STATES' COLLECTION PROGRAMS**

California	• Locally administered collection programs. • All collection programs are housed within the county government and perform other collection functions such as tax collections. • Strong state-level guidance on collections best practices. • State mandates each county to collect a specific "baseline" amount each year. • Counties heavily enforce collections through such means as wage garnishment and seizure of state income tax refunds.
Michigan	• Locally administered collection programs. • State court administration office issues formal written guidance for the structure of collection programs and for collection practices. • Fines are due the day they are assessed. • \$100 million collected annually in court assessments.
New Jersey	• Centrally administered collections program. • Masters hearing officers used to preside over collections court. • \$30 million collected annually in court assessments.
Texas	• Locally administered collections programs. • State court administration office assists counties with program implementation.

2.6 Applying Best Practices to Florida

Florida can use the national and state best practices outlined in sections 2.3 – 2.5 above and the appendices as a model for implementing more standardized and aggressive collections practices. Research has shown that by implementing some of these practices, the state will generate additional revenue that will assist in the funding of trial court administration. California, Texas, and Michigan serve as models of states that have allowed the counties to retain the function of administering the collections programs. California and Michigan are especially similar to Florida in that their trial court systems are state funded.

In Exhibit 2-8, MGT has made a statewide projection of the collections revenues of Collier, Leon, Orange, and Pinellas Counties. These counties have implemented many or all of the collection best practices identified by MGT.

**EXHIBIT 2-8
PROJECTED COLLECTIONS BASED ON IMPLEMENTATION OF BEST PRACTICES
FY 2001-2002 AND FY 2004-2005**

County	2001 Population	FY 2001-2002 collections	FY 2001-2002 Clerk's Portion of Collections	2001 Per Capita Collections	2005 Population	Projected FY 2004-2005 collections	Clerk's Portion of Collections (.83%)
Collier ¹	264,475	\$2,281,782	\$18,939	\$8.63	301,725	\$2,603,159	\$21,606
Leon ²	244,208	\$1,140,184	\$9,464	\$4.67	258,906	\$4,296,467	\$35,661
Orange	930,034	\$15,433,632	\$128,099	\$16.59	1,019,276	\$3,533,462	\$29,328
Pinellas	929,208	\$3,221,229	\$26,736	\$3.47	953,719	\$8,891,789	\$73,802
<i>Total</i>	<i>2,367,925</i>	<i>\$22,076,827</i>	<i>\$183,238</i>	<i>\$9.32</i>	<i>2,533,626</i>	<i>\$19,324,877</i>	<i>\$160,396</i>
State Projection	16,330,601	\$152,254,759	\$1,263,715	\$9.32	17,436,441	\$162,564,815	\$1,349,288

Source Population Data: Florida Demographic Estimating Conference Database, updated 8/2002.

Source Financial Data: Provided by respective counties.

¹Collier County data are for calendar year 2001.

²The numbers noted include only those assessments referred to collections court for collection. These numbers are NOT the total amount of assessments, as not all assessments are referred to collections court. Only those defendants who elect to make payments on their assessments are referred to collections court.

MGT estimates that over \$162 million in fines and assessments could be collected statewide in FY 2005 if collections best practices are implemented. The portion of those collections retained by the Clerks would be approximately \$1.3 million.

This amount could be increased if the Clerks were allowed to retain a larger portion of collections. Exhibit 2-9 demonstrates amounts that could be retained by the Clerks at varying percentages of the \$162 million.

**EXHIBIT 2-9
PROJECTED AMOUNTS RETAINED BY CLERKS
BASED ON IMPLEMENTATION OF BEST PRACTICES
FY 2004-2005**

Projected Average Collections	\$162,564,815
Clerk Current Retainage (.83%)	\$1,349,288
If Clerk Retains 10%	\$16,256,481
If Clerk Retains 15%	\$24,384,722
If Clerk Retains 20%	\$32,512,963

Recommendation 2.6-1:

MGT recommends that Florida adopt locally administered collection programs statewide.

These programs should be administered by the Clerks in the larger counties. In smaller counties, it may be necessary to regionalize. This practice was successful in the State of Texas, as noted earlier in this chapter.

2.7 Opportunities for Improvement

MGT is recommending that the following collection practices be used in Florida. Generally, there is no one model collection process. The best collection programs utilize a mixture of collection strategies. Collection programs must be tailored to meet each court's needs, which includes the court's philosophy and legal restraints. Additionally, judicial commitment to the collections program is crucial. It may be the single most

critical factor. Most successful collections programs reported the backing of a majority of the court's judges.³

Costs for operating a collections program also must be considered. Projected revenues must be compared to the total dollar cost of collecting fines and fees to determine if such a collection program is cost-effective.

Many courts lack adequate management information systems to assist with the tracking and reporting of collection activities. Until such systems are implemented, detailed information regarding fine collection programs will remain unavailable and difficult to retrieve.

Recommendation 2.7-1:

Use an automated system to track assessments in all counties and circuits.

One major problem with trying to determine the amounts assessed by the courts and the amounts collected by the Clerks is the lack of automated support for this function. Currently, the Clerks are not required to track assessments. However, with the implementation of an accounts receivable system by the counties and circuits, this information would be readily available for future analysis.

Recommendation 2.7-2:

Mandate that offenders pay assessment and court costs at the time of sentencing or have them enter into a payment plan.

Every effort should be made to collect from the defendant at the time of sentencing. Based on information received from other states and several Florida-based operations, the sooner the collection efforts are made, the more the likelihood that the courts will get some or all of the assessed amount.

Recommendation 2.7-3:

Establish performance measures for in-house collections staff.

In order to meet desired collections program results, attainable and measurable goals must be established for all in-house collections staff. Performance measures will give collection staff direction and set expectations for their collection activities. Examples of performance standards could include percentage and dollar amounts of collections recovered and backlog reductions.

³ NCSC, "Current Practices In Collecting Fines and Fees In State Courts," 1994.

Recommendation 2.7-4:

Develop incentive programs for Clerks and the courts to increase collection efforts.

Based on our evaluation of available materials and research conducted on incentives in collections programs, if Clerks are rewarded by their collection efforts, their rate of dollars recovered is significantly increased. At a minimum, the Clerks should be reimbursed for the cost of their collections program, plus incentives; e.g., bonuses, raises, training opportunities. Staff responds positively and production increases when their efforts are recognized and rewarded.

Recommendation 2.7-5:

Encourage counties to accept payments by telephone and Internet.

The payment of fines and fees by the users of the court system should be made as easy as possible. Methods for consideration include prepayment of fines by mail, convenient locations of in-person payments; acceptance of credit cards; use of lockboxes; and acceptance of partial, deferred, and installment payments.

Recommendation 2.7-6:

Consider increasing assessment fees for Clerks.

The amount of funds retained by the Clerks for assessments do not cover costs associated with collection efforts and should be significantly increased. Based on the \$5 to \$10 fee per assessment, there is no motivating factor to increase collection efforts in this area. Many times the assessment is eliminated based on time served or performance of community services.

The Clerk's portion of the assessment should be a percentage of the amount collected so there is incentive to pursue large and small dollar assessments. It is important to note here that some BOCCs are billed by fee Clerks for the services they provided in criminal courts. This is usually a flat fee service charge (e.g., \$75) for each day spent in the courtrooms. These service charges help in recovering some of the costs associated with the Clerk's activities in criminal court.

Recommendation 2.7-7:

Utilize collection agencies for past due accounts that are about to be written off.

All counties and circuits should explore the use of collection agencies for past due accounts that are about to be written off. Counties should conduct an analysis to determine whether the use of a collection agency is cost-effective. When use of a collection agency is not feasible or cost-effective for a single county, the county should look into partnering with neighbor counties or circuits.

Recommendation 2.7-8:

Centralize or regionalize the use of collection agencies.

Collection agencies are viable resources to increase the collection of revenues for difficult cases that do not respond to routine collection practices. In many instances, the

Clerk's office staff is too busy and uncomfortable in taking on the role of "collection agent."

Additionally, in some counties, the number of outstanding "hard to collect" accounts does not support the use of a collection agency. We are recommending that a regionalized or centralized collection agency program be implemented where counties would send in their outstanding accounts, no matter how small. The resulting economies of scale would make this collection agency program worthwhile.

Recommendation 2.7-9:

Mandate the use of collections programs in counties and circuits.

Many counties and circuits spend minimum time trying to collect past due or defaulted accounts. Most of the Clerks' time is spent receiving revenues from filing fees and service charges. All counties should use some type of collection program, whether it is collection courts or dedicated staff to perform collection functions.

Recommendation 2.7-10:

Have judges participate in collections court whenever possible.

As stated earlier in this chapter, judicial participation has been cited as one of the most important factors that contribute to the success of collection courts. Counties that have been successful in collections court stated that the presence of a judge presiding over the proceedings has more of an impact on individuals paying than does the presence of an administrative hearings officer.

Recommendation 2.7-11:

Mandate that Clerks accept partial payments for assessed fines and fees.

The distribution of funds for assessed fines and fees is complicated and made even more so with partial payments. However, by allowing partial payments, the counties may experience additional revenues, since the individuals will not have to have all of the payment at one time. All Clerks should allow installments or deferred payments for assessments.

Recommendation 2.7-12:

Allow regular customers—e.g., attorneys—to establish escrow accounts for Clerk fees.

This is another convenient payment option for regular users of the Clerks' services. Escrow accounts would allow the users to pay for all services received on a monthly basis versus a per-event basis.

3.0 EXAMINING CURRENT FEE STRUCTURE

3.0 EXAMINING CURRENT FEE STRUCTURE

3.1 Overview of Revenue Generated by Clerk of Court Operations

This chapter of the report explores alternatives regarding the generation of additional revenues to cover the cost of the court system operations.

As stated earlier in Chapter 1.0 of this report, funding for the Clerks' offices element of the court system is to be provided by adequate and appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions, as required by law. Exhibit 3-1 shows FY 2000 statewide data regarding the costs of the Clerk of Court Administration, revenue retained by the Clerk's office and the FY 2002 deficit. The deficit must be covered in order to make the administration of the Clerk's office self-supporting. In this report we have projected each of the revenue and cost forward to FY 2005.

**EXHIBIT 3-1
COMPARISON OF FY 2000 REVENUE AND COSTS
CLERK OF COURT ADMINISTRATION**

FY 2000 County Judicial System Expenditures	Clerk Court-Related Fees and Service Charges Retained for FY 2000	Total Operational Surplus/(Deficit)
\$310,269,429	\$118,572,026	(\$191,697,403)

Source: Created by MGT using data from Phase 2 report and FACC October 2000 report "Review of the Clerks of Circuit Court, Court-Related Expenditures and Revenues," September 30, 2000.

It is important to note here that in Exhibit 3-1 above, FY 2000 County Judicial System Expenditures of \$310,269,429 minus revenues retained by the Clerks resulted in an operational deficit of \$191,697,403. These figures differ from the estimates produced by FACC in their May 2002 report. They showed a cost of \$354.2 million and with revenue adjustments, an operational deficit of \$264.4 million. These differences are due to the use of different methodologies to arrive at the resulting operational surplus/deficit; e.g.,

inclusion of information technology costs, in-kind services. MGT's methodology is explained below.

The operational deficit is the difference between the \$310,269,429 in operational costs for FY 2000 and the \$118,572,026 in revenue retained by the Clerks during FY 2000. The operational cost of \$310,269,429 for FY 2000 does not include expenses for information technology. Information technology costs are considered a county expense as set forth in our Phase 1 report. In order to make the Clerks self-supporting, an amount of \$191,697,403 would have been required in order to fill this budget gap for FY 2000. It is assumed that the budget gap will grow with time. As noted, the data shown in Exhibit 3-1 have been projected forward into FY 2004–2005. The resulting data are then used to estimate base revenue needs in FY 2004–2005.

Exhibit 3-2 itemizes the sources of Clerk revenue received by the Clerks of court. Most Clerk revenue comes from filing fees (39.8%) and service charges (44.7%).

**EXHIBIT 3-2
SOURCES OF REVENUE
CLERK OF COURT ADMINISTRATION**

Sources of Revenue	FY 2000 Revenue	Percent of Total Revenue
Filing Fees	\$47,174,426	39.8%
Service Charges	\$53,009,987	44.7%
Other Revenue	\$2,445,507	2.1%
Court Grants	\$15,354,418	12.9%
Optional Revenue	\$587,708	0.5%
Total Revenue*	\$118,572,026	100.0%

Source: Created by MGT using data obtained from FACC in April 2003.

Both cost and revenue projections have been made to ensure that the appropriate gap is identified for FY 2004–2005, the year of implementation of Revision 7 requirements. The projections have been made based on the Consumer Price Index (CPI). The 2003 CPI was calculated using the Bureau of Labor Statistics Inflation Calculator. The 2004 and 2005 numbers are based on CPI projections made by the

U.S. Congressional Budget Office. Exhibit 3-3 identifies the projected costs for the Clerks of the Court.

**EXHIBIT 3-3
CLERKS OF THE COURT COST PROJECTIONS**

Fiscal Year	Inflation¹	Projected Cost
2000	2.85%	\$310,269,429
2001	1.58%	\$319,112,108
2002	1.78%	\$324,154,079
2003	2.30%	\$329,924,022
2004	2.20%	\$337,512,275
2005	2.50%	\$344,937,545

¹2000, 2001 and 2002 numbers from U.S. Bureau of Labor Statistics; 2003, 2004, and 2005 projections made by U.S. Congressional Budget Office.

The projected cost for the operation of the Clerks of the Court for FY 2005 is \$344,937,545.

The projected retained revenue, indexed for inflation, and absence of changes to assessments, collection methods, or fee increases, is indicated in Exhibit 3-4.

**EXHIBIT 3-4
CLERKS OF THE COURT FEE/CHARGE PROJECTIONS**

Fiscal Year	Inflation¹	Projected Fees/Charges
2000	2.85%	\$118,572,026
2001	1.58%	\$121,951,328
2002	1.78%	\$123,878,159
2003	2.30%	\$126,083,191
2004	2.20%	\$128,983,104
2005	2.50%	\$131,820,732

¹2001 and 2002 numbers from U.S. Bureau of Labor Statistics; 2003, 2004, and 2005 projections made by U.S. Congressional Budget Office.

The projected fees and service charges for the Clerks for FY 2005 total \$131,820,733. Of the total projected fees and service charges for 2005, approximately 45 percent, or \$58,933,085, is for service charges, and 55 percent or \$72,887,648 is for fees. Again, these initial projections assume that no changes are made to the level of fees and charges, collection methods, or assessment practices.

As a result, the identified budget gap for FY 2005 totals \$213,116,812. Below, Exhibit 3-5 illustrates the projected gap for FY 2005.

**EXHIBIT 3-5
BUDGET GAP PROJECTIONS FOR THE CLERKS**

Fiscal Year	Costs	Fees/Charges	Projected Budget Gap
2000	\$310,269,429	\$118,572,026	\$191,697,404
2001	\$319,112,108	\$121,951,328	\$197,160,780
2002	\$324,154,079	\$123,878,159	\$200,275,920
2003	\$329,924,022	\$126,083,191	\$203,840,831
2004	\$337,512,275	\$128,983,104	\$208,529,171
2005	\$344,937,545	\$131,820,732	\$213,116,812

Source: 2001 and 2002 numbers from U.S. Bureau of Labor Statistics; 2003, 2004, and 2005 projections made by U.S. Congressional Budget Office.

3.2 Fees and Charges

This section examines the authorized fees and service charges collected and retained by the Clerk of Court. Counties may assess additional fees (add-ons) in association with a service (e.g., Law Library fee).

3.2.1 Current Fee Structures

According to a recent Florida Association of Court Clerks report, "Recommended Fee Schedule to Fund Court-Related Services of the Clerks of Circuit Court," September 30, 2000, over half of authorized fees have not been updated since the mid-1980s. Legal research done on the 135 fees and service charges revealed the following:

- 66 percent of the fees and service charges have not been increased in over 15 years;
- 17 were last increased prior to 1980; and
- civil and probate filing fees have not been increased since 1987.

Exhibit 3-6 shows the current authorized fee schedule for the Clerks as well as the authorization history.¹ Add-ons to filing fees vary by county. Exhibits 3-7 and 3-8 show add-ons by county for specified types of county and circuit civil court cases.² Add-ons by

^{1,2} Data obtained from the Florida Association of Court Clerks and Comptrollers, 2003.

county were not available for all types of cases; e.g., probate, traffic. Appendix C contains the fee schedules for the 49 Florida counties that provided this information to MGT directly or via the Clerk of the Court Web site.

**EXHIBIT 3-6
CLERKS' CURRENT AUTHORIZED FEE SCHEDULE**

Required Services	Authorized Fee	Authority	Fee Last Changed
1. Case Processing Services			
Case Maintenance (per case)			
Civil:			
Claim less than \$100	\$10.00	FS 34.041 (1)(a)	1987
Claim \$100 - \$2500	\$25.00	FS 34.041 (1)(b)	1987
Claim greater than \$2500	\$40.00	FS 34.041 (1)(c)	1987
Removal of tenant	\$35.00	FS 28.241	1987
Writs of garnishment, replevin, attachment or distress	\$35.00	FS 34.041 & 28.241	1987
Injunction for protection	\$30.00	FS 741.30 (2)(a)	1998
IV-D non assistance	66% of \$40.00	FS 409.2564	1987
Dependency Petitions	\$40.00	FS 28.241	1987
Children in need of services (CINS)	\$40.00	FS 28.241	1987
Families in need of services (FINS)	\$40.00	FS 28.241	1987
Truancy Petitions	\$40.00	FS 28.241	1987
Dissolution of marriage	\$41.00	FS 28.241	1987
Simplified dissolution	\$41.00	FS 28.241	1987
Other Domestic Relations (name changes, adoptions, paternity)	\$41.00	FS 28.241	1987
Child Support	\$41.00	FS 28.241	1987
Professional malpractice	\$41.00	FS 28.241	1987
Product liability	\$41.00	FS 28.241	1987
Eminent domain	\$41.00	FS 28.241	1987
Each additional defendant over 5	\$2.00 per def.	FS 28.241	1987
Severance Granted	\$10.00	FS 28.241 (1)	1987
Medical extensions	\$25.00	FS 766.104 (2)	1985
Application for Voluntary Binding Arbitration	\$40.00	FS 28.241	1987
Negligence	\$41.00	FS 28.241	1987
Condominium	\$41.00	FS 28.241	1987
Mortgage foreclosure	\$40.00	FS 28.241	1987
Contract & Indebtedness	\$41.00	FS 28.241	1987
Motor Vehicle Repair	\$7.20	FS 28.24 (5)	1994
Other Civil	\$41.00	FS 28.241	1987
Appeals from County Court	\$50.00	FS 28.241 (3)	1987
Appeals from Circuit Court	\$75.00	FS 28.241 (3)	1987
Criminal:			
Capital Felony	\$50.00	FS 28.241 (2)	1987
Other Felony	\$40.00	FS 28.241 (2)	1987
Juvenile Delinquency	\$40.00	FS 28.241 (2)	1987

EXHIBIT 3-6 (Continued)
CLERKS' CURRENT AUTHORIZED FEE SCHEDULE

Required Services	Authorized Fee	Authority	Fee Last Changed
Probate:			
Estate	\$20.00	FS 28.2401	1987
Petition to admit foreign will	\$30.00	FS 28.2401(c)	1987
Caveat or Notice of Trust	\$15.00	FS 28.2401(b)	1987
Disposition of personal property	\$20.00	FS 28.2401	1987
Summary administration	\$35.00	FS 28.2401	1987
Family administration	\$45.00	FS 28.2401	1987
Formal administration	\$75.00	FS 28.2401	1987
V.A. Guardianship	\$25.00	FS 28.2401	1987
Guardianship, person only	\$25.00	FS 28.2401	1987
Guardianship, person and property	\$75.00	FS 28.2401	1987
Petition to determine incapacity	\$25.00	FS 28.2401	1987
Trust	\$40.00	FS 28.2401	1987
Deposit of Will	\$4.00	FS 28.24 (11)	1994
Traffic:			
Infraction	.5% of fine	FS 318.21 (2)(f)	1974
D-6	\$4.00	FS 28.24 (11)	1994
License reinstatement	\$25.00	FS 318.15 (2)	1996
Miscellaneous activities:			
Court attendance (per Clerk)	\$75.00 per day	FS 28.24 (1)	1994
Court Minutes	\$5.00 per page	FS 28.24 (2)	1994
Expunge and Seal	\$25.00	FS 28.24 (30)	1994
Oaths, Acknowledgement & Affidavits	\$2.00	FS 28.24 (21)	1994
Accept and approve bond	\$5.00	FS 28.24 (24)	1994
Clerk's satisfactions	\$4.00	FS 28.24 (11)	1994
Writ of garnishment \$100 deposit into registry	\$2.00	FS 77.28	1985
Enforcement/Execution of Foreign Judgement	\$25.00	FS 55.505 (3)	1984
Non Judicial sale of vessel	.5% of deposit	FS 328.17 (c)	1978
Process defensive driving school elections/completions	\$4.00	FS 28.24 (11)	1994
Process Failure to complete driving school	\$10.00	FS 318.15 (1)(b)	1996
Accept proof of license	\$5.00	FS 318.18 (2)(b)(2)	1987
Accept proof of registration	\$5.00	FS 318.18 (2)(b)(1)	1987
	\$5.00	FS 318.18 (2)(b)(3)	1987
Accept proof of correction of vehicle defect	\$5.00	FS 318.18 (2)(c)	1987
Accept proof of compliance re handicapped parking permit	\$5.00	FS 318.18 (6)	1994
Process failure to comply within 30 days and suspend	\$4.00	FS 28.24 (11)	1994
Process nolo plea elections	\$4.00	FS 28.24 (11)	1994
Enforce lien on sale of motor vehicle	\$10.00	FS 713.585 (4)	1987
Issue summons, subpoenas	\$4.00/1.00	FS 28.24 (21)	1994

EXHIBIT 3-6 (Continued)
CLERKS' CURRENT AUTHORIZED FEE SCHEDULE

Required Services	Authorized Fee	Authority	Fee Last Changed
Service of process, including issuing capias, warrants and summons	\$4.00	FS 28.24 (11)	1994
Prepare judgment liens	\$4.00	FS 28.24 (11)	1994
Prepare satisfactions of judgment liens	\$4.00	FS 28.24 (11)	1994
Vehicle Impoundment (DUI)	\$4.00	FS 28.24 (11)	1994
Prepare ability to pay analysis for court	\$5.00	Admin. Order	
Handle & process professional guardian	\$5.00	FS 744.3135	1989
Prepare appeal index	\$2.00 per instrument	FS 28.24 (4)	1994
Prepare volumes	\$4.00	FS 28.24 (11)	1994
Bind volumes	\$2.00	FS 28.24 (4)	1994
Prepare Clerk's certificate	\$4.00	FS 28.24 (11)	1994
Collections Court	\$15.00/\$5.00	Admin. Order	
2. Financial Processing Services			
Civil:			
Eminent Domain Deposit	\$100.00	FS 28.24 (13)	1985
Unclaimed proceeds from abandoned property sale	5% or \$25.00	FS 28.24 (13)	1994
Criminal:			
Collect & disburse probation & restitution payments	\$2.00	FS 28.24 (31)	1987
Probate:			
Audit guardian accounts:			
Inventory property exceeds \$25,000	\$50.00	FS 744.365 (6)	1989
Annual - \$25,000 or less	\$10.00	FS 744.3678 (4)	1989
Annual - \$25,001 to \$100,000	\$50.00	FS 744.3678 (4)	1989
Annual - \$100,000 to \$500,000	\$100.00	FS 744.3678 (4)	1989
Annual - more than \$500,000	\$150.00	FS 744.3678 (4)	1989
Traffic:			
Pedestrian Infractions	\$3.00 - \$30.00	FS 318.18 (11)(a)	1987
Non-moving traffic infractions	\$6.00 - \$30.00	FS 318.18 (11)(a)	1987
Moving traffic infractions	\$10.00 - \$30.00	FS 318.18 (11)(a)	1987
Adjudication withheld re: FS 316.1001 (\$30;\$25)	\$5.00	FS 318.18 (7)	1987
Miscellaneous Activities:			
Process Non sufficient fund checks	graduated	FS 832.07	1975
Deposit of court registry funds \$1.00 - \$500.00	2%	FS 28.24 (13)(a)1	1994
Deposit of court registry funds greater than \$500.00	1%	FS 28.24 (13)(a)2	1994
Invest deposit of registry funds	10% earned	FS 28.24 (13)	1994
Collect and disburse fees, fines, costs and trust funds			
Dept. of Education (possess tobacco by minor)	20% of fine	FS 569.11	1997

EXHIBIT 3-6 (Continued)
CLERKS' CURRENT AUTHORIZED FEE SCHEDULE

Required Services	Authorized Fee	Authority	Fee Last Changed
Florida Crime Compensation (\$50.00)	\$1.00	FS 938.03	1977
Local Criminal Justice Trust (\$50)	\$3.00	FS 938.05,27.3455	1985
Local Criminal Justice Trust (\$200)	\$5.00	FS 938.05,27.3455	1985
Crimestoppers Program (\$20.00)	\$3.00	FS 938.03	1977
County Alcohol or Other Drug Abuse Trust (\$15)	\$1.00	FS 938.13 (1)(b)	1988
Boating Under the Influence	5% of fine	FS 327.35 (9)	
General Revenue Fund (\$7.00)	\$1.00	FS 28.241	1987
Family Mediation Fund	\$5.00	FS 44.108	1989
Teen Court	5%	FS 938.19	1996
Juvenile Assessment Center (\$3.00)	5%	FS 938.17 (3)(b)	1996
3. Information and Reporting Services			
Information:			
Copies (per page)	\$1.00	FS 28.24 (8)(a)	1994
Copies (larger than 14 by 8 1/2)	\$5.00	FS 28.24 (8)(b)	1977
Microfilm Copies			
16 mm 100' microfilm roll	\$25.00	FS 28.24 (9)(a)	1977
35 mm 100' microfilm roll	\$35.00	FS 28.24 (9)(b)	1977
Microfiche, per fiche	\$2.00	FS 28.24 (9)(c)	1977
Copies other than photographic	\$4.00	FS 28.24 (10)	1994
Duplicating recorded records	varies	FS 119.07 (1)(a)	
Certifications	\$1.00	FS 28.24 (5)	1994
Exemplified Certificates	\$4.00	FS 28.24 (19)	1978
Verifying any instrument for certification	\$2.00	FS 28.24 (6)	1994
Records Searches	\$1.00	FS 28.24 (25)	1994
DUI letter	\$4.00	FS 28.24 (11)	1994
Affidavit of No Estate	\$4.00	FS 28.24 (11)	1994
Drivers License transcripts to public:			
Drivers history record for past 3 years	\$2.10	FS 322.20 (11)(a)1	1997
Drivers history record for past 7 years	\$3.10	FS 322.20 (11)(a)2	1997
Reports:			
Monthly Bureau of Vital Statistics Reports	\$3.00	FS 382.023	1987
Monthly Record of unsatisfied judgements to DHSMV	\$1.00 + \$1.00	FS 28.24 (8)&(5)	1977
4. Jury and Witness Processing Services			
Draw jury venire and jury pool	\$5.00	FS 28.24 (22)	1994
Copies of venire	\$1.00	FS 28.24 (8)	1994
Summon jurors	\$4.00	FS 28.24 (11)	1994
Jury management report to OSCA	\$5.00 per page	FS 28.24 (7)	1977
Witness report to State Comptroller	\$5.00 per page	FS 28.24 (7)	1977

EXHIBIT 3-6 (Continued)
CLERKS' CURRENT AUTHORIZED FEE SCHEDULE

Required Services	Authorized Fee	Authority	Fee Last Changed
5. Child Support Depository			
Collection of non IV-D payments	4% of payment	FS 61.181(2)	1973
Collection of IV-D payments	Fed. Reimb.	FS 61.1826 (4)(f)	1998
Issue Delinquency notice	\$5.00	FS 61.14(6)	1987
Enter & record Final Judgement	\$5.00	FS 61.14(6)(e)	1987
Issue payoff statement	\$5.00	FS 61.14(6)(f)1	1987
Prepare & record satisfaction of judgement	\$4.00	FS 28.24 (11)	1994
Issue notice of drivers license suspension	\$10.00	FS 322.245	1984
Issue certificate of compliance	\$4.00	FS 28.24 (11)	1994
Issue certificate of arrears	\$4.00	FS 28.24 (11)	1994

Source: FACC Review of Clerks of Circuit Court Court-Related Expenditures and Revenues, September 30, 2000.

3.2.2 Similar and Unique Fee Structures

Although Clerk filing fees are uniform and authorized by statutes, county add-on fees are not, and directly contribute to the uniqueness of fee structures throughout the state. The Florida Association of Court Clerks provided to MGT the following exhibits, Exhibit 3-7 and Exhibit 3-8, for use in comparing civil fees throughout the state.

Exhibit 3-7 shows the Clerks' filing fees and additional fees, by county, for county civil court small and eviction claims. As illustrated by the exhibit, the fees vary by county for the same service. For example, the fee to file a small claims court action for a claim less than \$100 goes from a low of \$23.50 in Calhoun County to a high of \$98.50 in Sarasota County. The same type of variation is true for evictions, from a low of \$35 in Liberty County to a high of \$168 in Alachua County.

Exhibit 3-8, starting on page 3-33, shows the Clerks' filing fees and additional fees, by county, for circuit civil filing fees. Although the total circuit civil filing fees vary by county, the Clerks' portion is a standard \$40 fee per filing.

EXHIBIT 3-7
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003¹

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation ²	Legal Aid	Docket Fee	Other
Alachua										
Claims less than \$100	\$26.50	\$10.00	\$7.00	\$2.50		\$2.00	\$5.00			
Claims \$100-2500	\$56.00	\$25.00	\$7.00	\$2.50	\$1.50	\$15.00	\$5.00			
Claims \$2500-5000	\$186.00	\$40.00	\$7.00	\$2.50	\$10.00	\$121.50	\$5.00			
Claims \$5000-15,000	\$200.00	\$40.00	\$8.00	\$2.50	\$10.00	\$121.50	\$5.00	\$13.00		
Evictions	\$168.00	\$35.00	\$7.00	\$2.50	\$10.00	\$95.50	\$5.00	\$13.00		
Baker										
Claims less than \$100	\$44.50	\$10.00	\$7.00	\$2.50	\$4.00	\$14.00		\$5.00	\$2.00	
Claims \$100-2500	\$58.50	\$25.00	\$7.00	\$2.50	\$4.00	\$14.00		\$5.00	\$1.00	
Claims \$2500-5000	\$72.50	\$40.00	\$7.00	\$2.50	\$4.00	\$14.00		\$5.00	\$2.00	
Claims \$5000-15,000	\$85.50	\$40.00	\$7.00	\$2.50	\$4.00	\$14.00		\$5.00	\$2.00	
Evictions	\$68.50	\$35.00	\$7.00	\$2.50	\$4.00	\$14.00		\$5.00	\$1.00	
Bay										
Claims less than \$100	\$28.50	\$10.00	\$7.00	\$2.50	\$2.00	\$7.00				
Claims \$100-2500	\$43.50	\$25.00	\$7.00	\$2.50	\$2.00	\$7.00				
Claims \$2500-5000	\$58.50	\$40.00	\$7.00	\$2.50	\$2.00	\$7.00				
Claims \$5000-15,000	\$79.50	\$40.00	\$8.00	\$2.50	\$2.00	\$27.00				
Evictions	\$53.50	\$35.00	\$7.00	\$2.50	\$2.00	\$7.00				

¹ Provided by the Florida Association of Court Clerks, March 2003.

² In general, the statutes provide for a \$1.00 fee to be assessed for the State Arbitration and Mediation Trust Fund. The remaining amounts are assessed and retained at the county level for county mediation programs.

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003³

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Bradford										
Claims less than \$100	\$27.50	\$10.00	\$7.00	\$2.50	\$1.50	\$1.50	\$5.00			
Claims \$100-2500	\$49.50	\$25.00	\$7.00	\$2.50	\$5.00	\$5.00	\$5.00			
Claims \$2500-5000	\$64.50	\$40.00	\$7.00	\$2.50	\$5.00	\$5.00	\$5.00			
Claims \$5000-15,000	\$64.50	\$40.00	\$7.00	\$2.50	\$5.00	\$5.00	\$5.00			
Evictions	\$54.50	\$35.00	\$7.00	\$2.50	\$5.00	\$5.00				
Brevard										
Claims less than \$100	\$32.50	\$10.00	\$7.00	\$2.50	\$1.50			\$7.00	\$.50 ⁴	\$4.00 ⁵
Claims \$100-1000	\$94.00	\$25.00	\$7.00	\$2.50	\$2.50			\$7.00	\$16.50	\$33.50
Claims 1000-1500	\$95.00	\$25.00	\$7.00	\$2.50	\$4.00	\$1.00		\$7.00	\$7.50	\$41.00
Claims 1500-2500	\$105.00	\$25.00	\$7.00	\$2.50	\$11.00	\$1.00		\$7.00	\$.50	\$51.00
Claims \$2500-5000	\$154.50	\$40.00	\$7.00	\$2.50	\$11.00	\$1.00		\$7.00	\$28.50	\$57.50
Claims \$5000-15,000	\$200.00	\$40.00	\$7.00	\$2.50	\$16.00	\$1.50		\$7.00	\$33.50	\$92.50
Evictions	\$130.00	\$35.00	\$7.00	\$2.50	\$5.00	\$1.00		\$7.00	\$.50	\$72.00
Broward										
Claims less than \$100	\$55.00	\$10.00	\$7.00	\$2.50		\$17.00	\$5.00	\$8.00		\$5.50 ⁶
Claims \$100-\$500	\$55.00	\$25.00	\$7.00	\$2.50		\$7.50	\$5.00	\$8.00		
Claims \$500-2500	\$125.00	\$25.00	\$7.00	\$2.50		\$27.00	\$5.00	\$8.00		\$50.50 ⁷

³ Provided by the Florida Association of Court Clerks, March 2003.

⁴ Pursuant to county ordinances, the docket fee in Brevard County is retained by the Clerk to reimburse for services related to the distribution of the fees.

⁵ All "Other" category is allocated to "court services". Pursuant to County Ordinance 90-33, the funds are sent to the BOCC to fund the courts.

⁶ In addition to \$60.00 for "other," \$12.00 is retained by the Clerk.

⁷ The fees in this column are to fund information systems pursuant to Broward County Ordinance 10-81(1).

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003⁸

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Broward (Continued)										
Claims \$2500-5000	\$174.50	\$40.00	\$7.00	\$2.50		\$42.50	\$5.00	\$8.00		\$69.50
Claims \$5000-15,000	\$200.00	\$40.00	\$8.00	\$2.50	\$5.50	\$96.50	\$5.00	\$8.00	\$1.00 ⁹	\$33.50 ¹⁰
Evictions	\$150.00	\$35.00	\$7.00	\$2.50	\$5.50	\$38.50	\$5.00	\$8.00		\$48.50
Calhoun										
Claims less than \$100	\$23.50	\$10.00	\$7.00	\$2.50			\$1.00	\$3.00		
Claims \$100-2500	\$38.50	\$25.00	\$7.00	\$2.50			\$1.00	\$3.00		
Claims \$2500-5000	\$53.50	\$40.00	\$7.00	\$2.50			\$1.00	\$3.00		
Claims \$5000-15,000	\$53.50	\$40.00	\$7.00	\$2.50			\$1.00	\$3.00		
Evictions	\$48.50	\$35.00	\$7.00	\$2.50			\$1.00	\$3.00		
Charlotte										
Claims less than \$100	\$54.50	\$10.00	\$7.00	\$2.50	\$4.00	\$5.00		\$12.00		\$14.00 ¹¹
Claims \$100-2500	\$69.50	\$25.00	\$7.00	\$2.50	\$4.00	\$5.00		\$12.00		\$14.00
Claims \$2500-5000	\$84.50	\$40.00	\$7.00	\$2.50	\$4.00	\$5.00		\$12.00		\$14.00
Claims \$5000-15,000	\$92.50	\$40.00	\$7.00	\$2.50	\$4.00	\$5.00	\$5.00	\$12.00		\$17.00
Evictions	\$87.50	\$35.00	\$7.00	\$2.50	\$4.00	\$5.00	\$5.00	\$12.00		\$17.00
Citrus										
Claims less than \$100	\$29.00	\$10.00	\$7.00	\$2.50	\$5.00		\$3.50	\$1.00		
Claims \$100-2500	\$45.00	\$25.00	\$7.00	\$2.50	\$5.00		\$3.50	\$2.00		
Claims \$2500-5000	\$66.00	\$40.00	\$7.00	\$2.50	\$10.00		\$3.50	\$3.00		

⁸ Provided by the Florida Association of Court Clerks, March 2003.

⁹ Docket fee authorized pursuant to s. 50.071(1), F.S.

¹⁰ Thirty one dollars of this fee is for information systems; the remaining \$2.50 is allotted for court trustee pursuant to administrative order II-92-C-8A.

¹¹ This fee is composed of \$9.00, deposited into the county filing fee trust fund, and \$5.00 for Support Enforcement Administrator retained by the Clerk.

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003¹²

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Citrus (Continued)										
Claims \$5000-15,000	\$166.00	\$40.00	\$7.00	\$2.50	\$10.00	\$100.00	\$3.50	\$3.00		
Evictions	\$161.00	\$35.00	\$7.00	\$2.50	\$10.00	\$100.00	\$3.50	\$3.00		
Clay										
Claims less than \$100	\$53.50	\$10.00	\$7.00	\$2.50	\$2.00	\$2.00	\$5.00	\$25.00		
Claims \$100-2500	\$74.50	\$25.00	\$7.00	\$2.50	\$2.00	\$8.00	\$5.00	\$25.00		
Claims \$2500-5000	\$89.50	\$40.00	\$7.00	\$2.50	\$2.00	\$8.00	\$5.00	\$25.00		
Claims \$5000-15,000	\$91.50	\$40.00	\$8.00	\$2.50	\$3.00	\$8.00	\$5.00	\$25.00		
Evictions	\$76.50	\$35.00	\$7.00	\$2.50	\$2.00		\$5.00	\$25.00		
Collier										
Claims less than \$100	\$40.50	\$10.00	\$7.00	\$2.50	\$5.00		\$5.00	\$10.00		\$1.00 ¹³
Claims \$100-2500	\$55.50	\$25.00	\$7.00	\$2.50	\$5.00		\$5.00	\$10.00		\$1.00
Claims \$2500-5000	\$70.50	\$40.00	\$7.00	\$2.50	\$5.00		\$5.00	\$10.00		\$1.00 ¹⁴
Claims \$5000-15,000	\$91.50	\$40.00	\$8.00	\$2.50	\$10.00		\$5.00	\$10.00		\$16.00
Evictions	\$80.50	\$35.00	\$7.00	\$2.50	\$5.00		\$5.00	\$10.00		\$16.00
Columbia										
Claims less than \$100	\$27.50	\$10.00	\$8.00 ¹⁵	\$2.50		\$2.00	\$5.00 ¹⁶			
Claims \$100-2500	\$55.50	\$25.00	\$8.00	\$2.50		\$15.00	\$5.00			
Claims \$2500-5000	\$92.50	\$40.00	\$8.00	\$2.50		\$32.00	\$5.00			\$5.00 ¹⁷

¹² Provided by the Florida Association of Court Clerks, March 2003.

¹³ The \$1.00 "other" fee is for court reporter, ordinance 74-18.

¹⁴ The \$16.00 "other" fee is comprised of \$15.00 for Public Guardianship, County ordinance 2000-06, and the \$1.00 for court reporter, ordinance 74-18.

¹⁵ The Clerk retains \$1, pursuant to ch. 28, F.S., sends \$7 to the state for the General Revenue fund.

¹⁶ By ordinance, the \$5.00 mediation fee is made up of \$1 for the state, \$3.00 for the county, and \$1 for the Clerk.

¹⁷ This \$5.00 "other" fee is, by ordinance, retained by the Clerk.

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003¹⁸

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Columbia (Continued)										
Claims \$5000-15,000	\$92.50	\$40.00	\$8.00	\$2.50		\$32.00	\$5.00			\$5.00
Evictions	\$82.50	\$35.00	\$8.00	\$2.50		\$32.00	\$5.00			
Dade										
Claims less than \$100	\$28.00	\$10.00	\$7.00	\$2.50	\$ 2.25		\$5.00	\$1.25		
Claims \$100-1500	\$58.00	\$25.00	\$7.00	\$2.50	\$13.00	\$2.75	\$5.00	\$2.75		
Claims \$1500-\$2500	\$101.00	\$25.00	\$7.00	\$2.50	\$13.00	\$19.75	\$5.00	\$2.75		\$26.00 ¹⁹
Claims \$2500-5000	\$155.00	\$40.00	\$7.00	\$2.50	\$13.50	\$18.25	\$5.00	\$14.75		\$54.00 ²⁰
Claims \$5000-15,000	\$205.00	\$40.00	\$8.00	\$2.50	\$13.50	\$46.25	\$5.00	\$14.75	\$1.00	\$74.00 ²¹
Evictions	\$140.00	\$35.00	\$7.00	\$2.50	\$13.50	\$23.75	\$5.00	\$14.75		\$38.50 ²²
Desoto										
Claims less than \$100	\$33.50	\$10.00	\$7.00	\$2.50	\$7.00	\$7.00				
Claims \$100-2500	\$53.50	\$25.00	\$7.00	\$2.50	\$7.00	\$12.00				
Claims \$2500-5000	\$73.50	\$40.00	\$7.00	\$2.50	\$7.00	\$17.00				
Claims \$5000-15,000	\$74.50	\$40.00	\$8.00	\$2.50	\$7.00	\$17.00				
Evictions	\$48.50	\$35.00	\$7.00	\$2.50	\$2.00	\$2.00				
Dixie										
Claims less than \$100	\$38.00	\$10.00	\$7.00	\$2.50	\$11.50	\$2.00	\$5.00			
Claims \$100-2500	\$66.00	\$25.00	\$7.00	\$2.50	\$11.50	\$15.00	\$5.00			
Claims \$2500-5000	\$98.00	\$40.00	\$7.00	\$2.50	\$11.50	\$32.00	\$5.00			
Claims \$5000-15,000	\$98.00	\$40.00	\$7.00	\$2.50	\$11.50	\$32.00	\$5.00			
Evictions	\$93.00	\$35.00	\$7.00	\$2.50	\$11.50	\$32.00	\$5.00			

¹⁸ Provided by the Florida Association of Court Clerks, March 2003.

¹⁹ Incremental fee" authorized by County ordinance 93-55, bonded and used for court facilities, distributed to the BOCC.

²⁰ This fee is made up of \$33.00 Incremental fee and \$21.00 authorized by ordinance 2000-173 to be used for new construction and technology. This portion is also bonded.

²¹ This fee is composed of \$42.00 incremental fee and \$32.00 for new construction and technology.

²² This fee is composed of \$32.50 incremental fee and \$6.00 for new construction and technology.

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003²³

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Duval										
Claims less than \$100	\$40.50	\$10.00 ²⁴	\$7.00	\$2.50	\$10.00	\$5.00	\$5.00	\$1.00		
Claims \$100-2500	\$55.50	\$25.00	\$7.00	\$2.50	\$10.00	\$5.00	\$5.00	\$1.00		
Claims \$2500-5000	\$70.50	\$40.00	\$7.00	\$2.50	\$10.00	\$5.00	\$5.00	\$1.00		
Claims \$5000-15,000	\$71.50	\$40.00	\$7.00	\$2.50	\$10.00	\$5.00	\$5.00	\$2.00		
Evictions	\$65.50	\$35.00	\$7.00	\$2.50	\$10.00	\$5.00	\$5.00	\$1.00		
Escambia										
Claims less than \$100	\$37.50	\$10.00	\$7.00	\$2.50	\$4.00	\$5.00	\$5.00	\$4.00		
Claims \$100-2500	\$74.50	\$25.00	\$7.00	\$2.50	\$13.00	\$12.00	\$5.00	\$10.00		
Claims \$2500-5000	\$97.50	\$40.00	\$7.00	\$2.50	\$13.00	\$20.00	\$5.00	\$10.00		
Claims \$5000-15,000	\$97.50	\$40.00	\$7.00	\$2.50	\$13.00	\$20.00	\$5.00	\$10.00		
Evictions	\$84.50	\$35.00	\$7.00	\$2.50	\$13.00	\$12.00	\$5.00	\$10.00		
Flagler										
Claims less than \$100	\$42.50	\$10.00	\$7.00	\$2.50						
Claims \$100-2500	\$67.50	\$25.00	\$7.00	\$2.50						
Claims \$2500-5000	\$142.50	\$40.00	\$7.00	\$2.50						
Claims \$5000-15,000	\$148.50	\$40.00	\$7.00	\$2.50						
Evictions	\$142.50	\$35.00	\$7.00	\$2.50						

²³ Provided by the Florida Association of Court Clerks, March 2003.

²⁴ Clerk retains all but \$2.00 of this base amount. The \$2.00 is used for an additional library allocation.

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003²⁵

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Franklin										
Claims less than \$100	\$24.50	\$10.00	\$7.00	\$2.50				\$5.00		
Claims \$100-2500	\$39.50	\$25.00	\$7.00	\$2.50				\$5.00		
Claims \$2500-5000	\$54.50	\$40.00	\$7.00	\$2.50				\$5.00		
Claims \$5000-15,000	\$55.50	\$40.00	\$7.00	\$2.50				\$5.00		
Evictions	\$49.50	\$35.00	\$7.00	\$2.50				\$5.00		
Gadsden										
Claims less than \$100	\$27.50	\$10.00	\$7.00	\$2.50			\$3.00	\$5.00		
Claims \$100-2500	\$44.50	\$25.00	\$7.00	\$2.50			\$5.00	\$5.00		
Claims \$2500-5000	\$52.00	\$25.00	\$7.00	\$2.50	\$7.50		\$5.00	\$5.00		
Claims \$5000-15,000	\$67.00	\$40.00	\$7.00	\$2.50	\$7.50		\$5.00	\$5.00		
Evictions	\$54.50	\$35.00	\$7.00	\$2.50			\$5.00	\$5.00		
Gilchrist										
Claims less than \$100	\$42.50	\$10.00	\$7.00	\$2.50	\$11.50	\$11.50				
Claims \$100-2500	\$57.50	\$25.00	\$7.00	\$2.50	\$11.50	\$11.50				
Claims \$2500-5000	\$72.50	\$40.00	\$7.00	\$2.50	\$11.50	\$11.50				
Claims \$5000-15,000	\$83.50	\$40.00	\$8.00	\$2.50	\$16.50	\$16.50				
Evictions	\$67.50	\$35.00	\$7.00	\$2.50	\$11.50	\$11.50				

²⁵ Provided by the Florida Association of Court Clerks, March 2003.

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003²⁶

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Glades										
Claims less than \$100	\$20.50	\$10.00	\$8.00	\$2.50						
Claims \$100-2500	\$35.50	\$25.00	\$8.00	\$2.50						
Claims \$2500-5000	\$50.50	\$40.00	\$8.00	\$2.50						
Claims \$5000-15,000	\$50.50	\$40.00	\$8.00	\$2.50						
Evictions	\$45.50	\$35.00	\$8.00	\$2.50						
Gulf										
Claims less than \$100	\$24.50	\$10.00	\$7.00	\$2.50		\$5.00				
Claims \$100-2500	\$39.50	\$25.00	\$7.00	\$2.50		\$5.00				
Claims \$2500-5000	\$39.50	\$25.00	\$7.00	\$2.50		\$5.00				
Claims \$5000-15,000	\$54.50	\$40.00	\$7.00	\$2.50		\$5.00				
Evictions	\$49.50	\$35.00	\$7.00	\$2.50		\$5.00				
Hamilton										
Claims less than \$100	\$26.50	\$10.00	\$7.00	\$2.50		\$2.00	\$5.00			
Claims \$100-2500	\$54.50	\$25.00	\$7.00	\$2.50		\$15.00	\$5.00			
Claims \$2500-5000	\$86.50	\$40.00	\$7.00	\$2.50		\$32.00	\$5.00			
Claims \$5000-15,000	\$86.50	\$40.00	\$7.00	\$2.50		\$32.00	\$5.00			
Evictions	\$81.50	\$35.00	\$7.00	\$2.50		\$32.00	\$5.00			

Provided by the Florida Association of Court Clerks, March 2003.

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EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003²⁷

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Hardee										
Claims less than \$100	\$29.50	\$10.00	\$7.00	\$2.50	\$4.50	\$5.50				
Claims \$100-2500	\$57.50	\$25.00	\$7.00	\$2.50	\$6.00	\$17.00				
Claims \$2500-5000	\$75.50	\$40.00	\$7.00	\$2.50	\$9.00	\$17.00				
Claims \$5000-15,000	\$76.50	\$40.00	\$7.00	\$2.50	\$9.00	\$18.00				
Evictions	\$71.50	\$35.00	\$7.00	\$2.50	\$9.00	\$18.00				
Hendry										
Claims less than \$100	\$23.50	\$10.00	\$8.00	\$2.50	\$3.00					
Claims \$100-2500	\$38.50	\$25.00	\$8.00	\$2.50	\$3.00					
Claims \$2500-5000	\$53.50	\$40.00	\$8.00	\$2.50	\$3.00					
Claims \$5000-15,000	\$53.50	\$40.00	\$8.00	\$2.50	\$3.00					
Evictions	\$48.50	\$35.00	\$8.00	\$2.50	\$3.00					
Hernando										
Claims less than \$100	\$31.50	\$10.00	\$7.00	\$2.50	\$1.00	\$10.00		\$1.00		
Claims \$100-1000	\$47.50	\$25.00	\$7.00	\$2.50	\$1.00	\$10.00		\$2.00		
Claims \$1000-2500	\$48.50	\$25.00	\$7.00	\$2.50	\$1.00	\$10.00		\$3.00		
Claims \$2500-5000	\$63.50	\$40.00	\$7.00	\$2.50	\$1.00	\$10.00		\$3.00		
Claims \$5000-15,000	\$64.50	\$40.00	\$8.00	\$2.50	\$1.00	\$10.00		\$3.00		
Evictions	\$56.50	\$35.00	\$7.00	\$2.50	\$1.00	\$10.00		\$1.00		

Provided by the Florida Association of Court Clerks, March 2003.

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EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003²⁸

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Highlands										
Claims less than \$100	\$42.50	\$10.00	\$7.00	\$2.50	\$10.00	\$10.00	\$3.00			
Claims \$100-2500	\$87.50	\$25.00	\$7.00	\$2.50	\$20.00	\$10.00	\$3.00	\$20.00		
Claims \$2500-5000	\$102.50	\$40.00	\$7.00	\$2.50	\$20.00	\$10.00	\$3.00	\$20.00		
Claims \$5000-15,000	\$102.50	\$40.00	\$7.00	\$2.50	\$20.00	\$10.00	\$3.00	\$20.00		
Evictions	\$102.50	\$40.00	\$7.00	\$2.50	\$20.00	\$10.00	\$3.00	\$20.00		
Hillsborough										
Claims less than \$100	\$76.50	\$10.00	\$7.00	\$2.50	\$3.00	\$17.50	\$13.00	\$7.50		\$16.00 ²⁹
Claims \$100-2500	\$94.00	\$25.00	\$7.00	\$2.50	\$3.00	\$17.50	\$13.00	\$10.00		\$16.00
Claims \$2500-5000	\$129.00	\$40.00	\$7.00	\$2.50	\$3.00	\$32.50	\$13.00	\$15.00		\$16.00
Claims \$5000-15,000	\$175.00	\$40.00	\$15.00 ³⁰	\$2.50	\$3.00	\$65.50	\$13.00	\$20.00		\$16.00
Evictions	\$124.00	\$35.00	\$7.00	\$2.50	\$3.00	\$32.50	\$13.00	\$15.00		\$16.00
Holmes										
Claims less than \$100	\$35.50	\$10.00	\$8.00 ³¹	\$2.50		\$15.00				
Claims \$100-2500	\$50.50	\$25.00	\$8.00	\$2.50		\$15.00				
Claims \$2500-5000	\$50.50	\$25.00	\$8.00	\$2.50		\$15.00				
Claims \$5000-15,000	\$65.50	\$40.00	\$8.00	\$2.50		\$15.00				
Evictions	\$60.50	\$35.00	\$8.00	\$2.50		\$15.00				

²⁸ Provided by the Florida Association of Court Clerks, March 2003.

²⁹ Local county ordinance 96-13 authorizes \$14.00 to be retained by the Clerk and \$2.00 to the BOCC for court technology.

³⁰ The \$15.00 fee is made up of \$7 authorized by s. 34.041, F.S., and \$8 from s. 28.241, F.S. Fourteen dollars of the fee is sent to the State General Revenue fund; \$1.00 is retained by the Clerk.

³¹ Clerk retains \$1.00, 28.241, F.S.

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003³²

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Indian River										
Claims less than \$100	\$33.50	\$10.00	\$7.00	\$2.50	\$6.00	\$3.00	\$5.00			
Claims \$100-1000	\$50.50	\$25.00	\$7.00	\$2.50	\$6.00	\$5.00	\$5.00			
Claims \$1000-1500	\$55.50	\$25.00	\$7.00	\$2.50	\$6.00	\$10.00	\$5.00			
Claims \$1500-2500	\$58.00	\$25.00	\$7.00	\$2.50	\$6.00	\$12.50	\$5.00			
Claims \$2500-5000	\$60.50	\$25.00	\$7.00	\$2.50	\$6.00	\$15.00	\$5.00			
Claims \$5000-15,000	\$75.50	\$40.00	\$7.00	\$2.50	\$6.00	\$15.00	\$5.00			
Evictions	\$70.50	\$35.00	\$7.00	\$2.50	\$6.00	\$15.00	\$5.00			
Jackson										
Claims less than \$100	\$25.50	\$10.00	\$7.00	\$2.50		\$1.00	\$5.00			
Claims \$100-2500	\$40.50	\$25.00	\$7.00	\$2.50		\$1.00	\$5.00			
Claims \$2500-5000	\$55.50	\$25.00	\$7.00	\$2.50		\$1.00	\$5.00			
Claims \$5000-15,000	\$56.50	\$40.00	\$7.00	\$2.50		\$1.00	\$5.00			
Evictions	\$50.50	\$35.00	\$7.00	\$2.50		\$1.00	\$5.00			
Jefferson										
Claims less than \$100	\$20.50	\$10.00	\$7.00	\$2.50	\$1.00					
Claims \$100-2500	\$35.50	\$25.00	\$7.00	\$2.50	\$1.00					
Claims \$2500-5000	\$35.50	\$25.00	\$7.00	\$2.50	\$1.00					
Claims \$5000-15,000	\$60.50	\$40.00	\$8.00	\$2.50	\$5.00			\$5.00		
Evictions	\$54.50	\$35.00	\$7.00	\$2.50	\$5.00			\$5.00		

Provided by the Florida Association of Court Clerks, March 2003.

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EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003³³

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Lafayette										
Claims less than \$100	\$24.50	\$10.00	\$7.00	\$2.50						\$5.00 ³⁴
Claims \$100-2500	\$39.50	\$25.00	\$7.00	\$2.50						\$5.00
Claims \$2500-5000	\$39.50	\$25.00	\$7.00	\$2.50						\$5.00
Claims \$5000-15,000	\$54.50	\$40.00	\$7.00	\$2.50						\$5.00
Evictions	\$74.50	\$25.00	\$7.00	\$2.50						\$40.00 ³⁵
Lake										
Claims less than \$100	\$51.50	\$10.00	\$7.00	\$2.50	\$6.00	\$25.00		\$1.00		
Claims \$100-2500	\$77.25	\$25.00	\$7.00	\$2.50	\$12.75	\$25.00		\$5.00		
Claims \$2500-5000	\$106.50	\$40.00	\$7.00	\$2.50	\$19.50	\$25.00		\$12.50		
Claims \$5000-15,000	\$106.50	\$40.00	\$7.00	\$2.50	\$19.50	\$25.00		\$12.50		
Evictions	\$93.75	\$35.00	\$7.00	\$2.50	\$16.75	\$25.00		\$7.50		
Lee										
Claims less than \$100	\$26.50	\$10.00	\$7.00	\$2.50				\$7.00		
Claims \$100-2500	\$41.50	\$25.00	\$7.00	\$2.50				\$7.00		
Claims \$2500-5000	\$59.50	\$40.00	\$7.00	\$2.50	\$3.00			\$7.00		
Claims \$5000-15,000	\$83.50	\$40.00	\$8.00	\$2.50	\$6.00		\$5.00	\$16.00		\$6.00 ³⁶
Evictions	\$62.50	\$35.00	\$7.00	\$2.50	\$3.00		\$5.00	\$5.00		\$5.00 ³⁷

³³ Provided by the Florida Association of Court Clerks, March 2003.

³⁴ The \$5.00 fee is assessed by county ordinance as a service charge retained by the Clerk.

³⁵ \$5.00 Clerk service charge and additional \$35 filing fee. This category is charged at the middle small claims level with an additional \$35 fee for the type action.

³⁶ Lee County ordinance 96-10 authorizes for this level filing \$5.00 for a public guardian program and \$1.00 for court reporter.

³⁷ Lee County ordinance 96-10 authorizes \$5.00 for a public guardian program.

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003³⁸

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Leon										
Claims less than \$100	\$29.50	\$10.00	\$7.00	\$2.50	\$1.00	\$1.00	\$3.00	\$5.00		
Claims \$100-2500	\$53.50	\$25.00	\$7.00	\$2.50	\$3.00	\$6.00	\$5.00	\$5.00		
Claims \$2500-5000	\$93.50	\$40.00	\$7.00	\$2.50	\$5.00	\$24.00	\$5.00	\$10.00		
Claims \$5000-15,000	\$93.50	\$40.00	\$7.00	\$2.50	\$5.00	\$24.00	\$5.00	\$10.00		
Evictions	\$88.50	\$35.00	\$7.00	\$2.50	\$5.00	\$24.00	\$5.00	\$10.00		
Levy										
Claims less than \$100	\$27.00	\$10.00	\$7.00	\$2.50	\$2.50	\$5.00				
Claims \$100-2500	\$47.00	\$25.00	\$7.00	\$2.50	\$2.50	\$10.00				
Claims \$2500-5000	\$72.00	\$40.00	\$7.00	\$2.50	\$2.50	\$20.00				
Claims \$5000-15,000	\$72.00	\$40.00	\$7.00	\$2.50	\$2.50	\$20.00				
Evictions	\$62.00	\$35.00	\$7.00	\$2.50	\$2.50	\$15.00				
Liberty										
Claims less than \$100	\$19.50	\$10.00	\$7.00	\$2.50						
Claims \$100-2500	\$34.50	\$25.00	\$7.00	\$2.50						
Claims \$2500-5000	\$34.50	\$25.00	\$7.00	\$2.50						
Claims \$5000-15,000	\$54.50	\$40.00	\$7.00	\$2.50				\$5.00		
Evictions	\$35.00	\$35.00								

Provided by the Florida Association of Court Clerks, March 2003.

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EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003³⁹

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Madison										
Claims less than \$100	\$24.50	\$10.00	\$7.00	\$2.50			\$5.00			
Claims \$100-2500	\$39.50	\$25.00	\$7.00	\$2.50			\$5.00			
Claims \$2500-5000	\$54.50	\$40.00	\$7.00	\$2.50			\$5.00			
Claims \$5000-15,000	\$55.50	\$40.00	\$8.00	\$2.50			\$5.00			
Evictions	\$49.50	\$35.00	\$7.00	\$2.50			\$5.00			

Manatee

Claims less than \$100	\$53.00	\$10.00	\$7.00	\$2.50	\$8.00	\$20.50	\$5.00			
Claims \$100-2500	\$86.50	\$25.00	\$7.00	\$2.50	\$8.00	\$35.50	\$5.00	\$3.50		
Claims \$2500-5000	\$113.50	\$40.00	\$7.00	\$2.50	\$15.00	\$40.50	\$5.00	\$3.50		
Claims \$5000-15,000	\$123.50	\$40.00	\$8.00	\$2.50	\$20.00	\$40.50	\$5.00	\$7.50		
Evictions	\$98.00	\$35.00	\$7.00	\$2.50	\$8.00	\$40.50	\$5.00			

Marion

Claims less than \$100	\$64.50	\$10.00	\$7.00	\$2.50	\$15.00	\$25.00		\$5.00		
Claims \$100-2500	\$84.50	\$25.00	\$7.00	\$2.50	\$15.00	\$25.00	\$5.00	\$5.00		
Claims \$2500-5000	\$99.50	\$40.00	\$7.00	\$2.50	\$15.00	\$25.00	\$5.00	\$5.00		
Claims \$5000-15,000	\$94.50	\$40.00	\$7.00	\$2.50	\$15.00	\$25.00		\$5.00		
Evictions	\$89.50	\$35.00	\$7.00	\$2.50	\$15.00	\$25.00		\$5.00		

Provided by the Florida Association of Court Clerks, March 2003.

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EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003⁴⁰

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Martin										
Claims less than \$100	\$53.50	\$10.00	\$7.00	\$2.50	\$20.00	\$4.00	\$5.00	\$5.00		
Claims \$100-2500	\$77.50	\$25.00	\$7.00	\$2.50	\$20.00	\$13.00	\$5.00	\$5.00		
Claims \$2500-5000	\$200.00	\$40.00	\$7.00	\$2.50	\$20.00	\$120.50	\$5.00	\$5.00		
Claims \$5000-15,000	\$200.00	\$40.00	\$7.00	\$2.50	\$20.00	\$120.50	\$5.00	\$5.00		
Evictions	\$94.50	\$35.00	\$7.00	\$2.50	\$20.00	\$20.00	\$5.00	\$5.00		
Monroe										
Claims less than \$100	\$24.50	\$10.00	\$7.00	\$2.50		\$2.00		\$3.00		
Claims \$100-999	\$41.50	\$25.00	\$7.00	\$2.50		\$4.00		\$3.00		
Claims \$1000-2499	\$43.50	\$25.00	\$7.00	\$2.50		\$6.00		\$3.00		
Claims \$2500-5000	\$75.50	\$40.00	\$7.00	\$2.50	\$15.00	\$8.00		\$3.00		
Claims \$5000-15,000	\$75.50	\$40.00	\$7.00	\$2.50	\$15.00	\$8.00		\$3.00		
Evictions	\$70.50	\$35.00	\$7.00	\$2.50	\$15.00	\$8.00		\$3.00		
Nassau										
Claims less than \$100	\$55.50	\$10.00	\$7.00	\$2.50	\$6.00	\$10.00	\$5.00	\$15.00		
Claims \$100-2500	\$70.50	\$25.00	\$7.00	\$2.50	\$6.00	\$10.00	\$5.00	\$15.00		
Claims \$2500-5000	\$85.50	\$40.00	\$7.00	\$2.50	\$6.00	\$10.00	\$5.00	\$15.00		
Claims \$5000-15,000	\$85.50	\$40.00	\$7.00	\$2.50	\$6.00	\$10.00	\$5.00	\$15.00		
Evictions	\$85.50	\$35.00	\$7.00	\$2.50	\$6.00	\$20.00		\$15.00		

Provided by the Florida Association of Court Clerks, March 2003.

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EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003⁴¹

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Okaloosa										
Claims less than \$100	\$31.00	\$10.00	\$7.00	\$2.50	\$4.00	\$7.50				
Claims \$100-2500	\$53.50	\$25.00	\$7.00	\$2.50	\$4.00	\$15.00				
Claims \$2500-5000	\$82.00	\$40.00	\$7.00	\$2.50	\$10.00	\$22.50				
Claims \$5000-15,000	\$90.50	\$40.00	\$7.00	\$2.50	\$12.50	\$27.50				
Evictions	\$63.50	\$35.00	\$7.00	\$2.50	\$4.00	\$15.00				
Okeechobee										
Claims less than \$100	\$41.50	\$10.00	\$7.00	\$2.50	\$10.00	\$7.00	\$5.00			
Claims \$100-2500	\$56.50	\$25.00	\$7.00	\$2.50	\$10.00	\$7.00	\$5.00			
Claims \$2500-5000	\$71.50	\$40.00	\$7.00	\$2.50	\$10.00	\$7.00	\$5.00			
Claims \$5000-15,000	\$89.50	\$40.00	\$7.00	\$2.50	\$10.00	\$20.00	\$5.00	\$5.00		
Evictions	\$74.50	\$35.00	\$7.00	\$2.50	\$10.00	\$10.00	\$5.00	\$5.00		
Orange										
Claims less than \$100	\$79.00	\$10.00	\$7.00	\$2.50	\$5.00	\$13.00	\$5.00	\$7.50		\$29.00 ⁴²
Claims \$100-2500	\$94.00	\$25.00	\$7.00	\$2.50	\$5.00	\$13.00	\$5.00	\$7.50		\$29.00
Claims \$2500-5000	\$109.00	\$40.00	\$7.00	\$2.50	\$5.00	\$13.00	\$5.00	\$7.50		\$29.00
Claims \$5000-15,000	\$110.00	\$40.00	\$8.00	\$2.50	\$5.00	\$13.00	\$5.00	\$7.50		\$29.00
Evictions	\$104.00	\$35.00	\$7.00	\$2.50	\$5.00	\$13.00	\$5.00	\$7.50		\$29.00

⁴¹ Provided by the Florida Association of Court Clerks, March 2003.

⁴² Pursuant to County ordinance 79-19, the \$29.00 is split accordingly: \$2.00 Citizen's Dispute (pd to Orange Co Bar Association), \$2.00 Medical Examiner (pd to county), \$25.00 court services (retained by Clerk).

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003⁴³

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Osceola										
Claims less than \$100	\$59.50	\$10.00	\$7.00	\$2.50	\$6.00	\$22.00	\$5.00	\$7.00		
Claims \$100-2500	\$74.50	\$25.00	\$7.00	\$2.50	\$6.00	\$22.00	\$5.00	\$7.00		
Claims \$2500-5000	\$74.50	\$25.00	\$7.00	\$2.50	\$6.00	\$22.00	\$5.00	\$7.00		
Claims \$5000-15,000	\$89.50	\$40.00	\$7.00	\$2.50	\$6.00	\$22.00	\$5.00	\$7.00		
Evictions	\$84.50	\$35.00	\$7.00	\$2.50	\$6.00	\$22.00	\$5.00	\$7.00		
Palm Beach										
Claims less than \$100	\$45.00	\$10.00	\$7.00	\$2.50	\$6.50	\$18.00		\$1.00		
Claims \$100-2500	\$85.00	\$25.00	\$7.00	\$2.50	\$6.50	\$41.00		\$3.00		
Claims \$2500-5000	\$200.00	\$40.00	\$8.00	\$2.50	\$11.50	\$118.00	\$5.00	\$15.00		
Claims \$5000-15,000	\$200.00	\$40.00	\$8.00	\$2.50	\$11.50	\$118.00	\$5.00	\$15.00		
Evictions	\$98.00	\$35.00	\$7.00	\$2.50	\$6.50	\$38.00	\$5.00	\$4.00		
Pasco										
Claims less than \$100	\$63.50	\$10.00	\$7.00	\$2.50	\$15.00	\$9.00	\$5.00	\$15.00		
Claims \$100-2500	\$78.50	\$25.00	\$7.00	\$2.50	\$15.00	\$9.00	\$5.00	\$15.00		
Claims \$2500-5000	\$93.50	\$40.00	\$7.00	\$2.50	\$15.00	\$9.00	\$5.00	\$15.00		
Claims \$5000-15,000	\$93.50	\$40.00	\$7.00	\$2.50	\$15.00	\$9.00	\$5.00	\$15.00		
Evictions	\$93.50	\$35.00	\$7.00	\$2.50	\$15.00	\$14.00	\$5.00	\$15.00		

⁴³ Provided by the Florida Association of Court Clerks, March 2003.

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003⁴⁴

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Pinellas										
Claims less than \$100	\$86.50	\$10.00	\$7.00	\$2.50	\$20.00	\$30.00	\$5.00		\$12.00	
Claims \$100-2500	\$101.50	\$25.00	\$7.00	\$2.50	\$20.00	\$30.00	\$5.00		\$12.00	
Claims \$2500-5000	\$116.50	\$40.00	\$7.00	\$2.50	\$20.00	\$30.00	\$5.00		\$12.00	
Claims \$5000-15,000	\$131.50	\$40.00	\$7.00	\$2.50	\$25.00	\$40.00	\$5.00		\$12.00	
Evictions	\$126.50	\$35.00	\$7.00	\$2.50	\$25.00	\$40.00	\$5.00		\$12.00	
Polk										
Claims less than \$100	\$38.50	\$10.00	\$7.00	\$2.50	\$2.50	\$7.00	\$5.00	\$4.00		
Claims \$100-2500	\$72.50	\$25.00	\$7.00	\$2.50	\$4.50	\$21.00	\$5.00	\$7.50		
Claims \$2500-5000	\$95.00	\$40.00	\$7.00	\$2.50	\$7.50	\$21.00	\$5.00	\$12.00		
Claims \$5000-15,000	\$95.00	\$40.00	\$7.00	\$2.50	\$7.50	\$21.00	\$5.00	\$12.00		
Evictions	\$90.00	\$35.00	\$7.00	\$2.50	\$7.50	\$21.00	\$5.00	\$12.00		
Putnam										
Claims less than \$100	\$36.50	\$10.00	\$7.00	\$2.50	\$2.00					\$15.00 ⁴⁵
Claims \$100-1499	\$52.50	\$25.00	\$7.00	\$2.50	\$3.00					\$15.00
Claims \$1500-2500	\$56.50	\$25.00	\$7.00	\$2.50	\$7.00					\$15.00
Claims \$2500-5000	\$71.50	\$40.00	\$7.00	\$2.50	\$7.00					\$15.00
Claims \$5000-15,000	\$72.50	\$40.00	\$8.00	\$2.50	\$7.00					\$15.00
Evictions	\$61.50	\$35.00	\$7.00	\$2.50	\$2.00					\$15.00

⁴⁴ Provided by the Florida Association of Court Clerks, March 2003.

⁴⁵ Automation fee \$15.00 pursuant to county ordinance 86-41 and retained by the county for county MIS.

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003⁴⁶

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
St. Johns										
Claims less than \$100	\$29.50	\$10.00	\$7.00	\$2.50		\$10.00				
Claims \$100-2500	\$44.50	\$25.00	\$7.00	\$2.50		\$10.00				
Claims \$2500-5000	\$64.50	\$40.00	\$7.00	\$2.50	\$5.00	\$10.00				
Claims \$5000-15,000	\$100.50	\$40.00	\$8.00	\$2.50	\$10.00	\$20.00		\$20.00		
Evictions	\$54.50	\$35.00	\$7.00	\$2.50		\$10.00				
St. Lucie										
Claims less than \$100	\$37.50	\$10.00	\$7.00	\$2.50	\$6.00	\$2.00	\$5.00	\$5.00		
Claims \$100-2500	\$57.50	\$25.00	\$7.00	\$2.50	\$6.00	\$7.00	\$5.00	\$5.00		
Claims \$2500-5000	\$81.50	\$40.00	\$7.00	\$2.50	\$10.00	\$12.00	\$5.00	\$5.00		
Claims \$5000-15,000	\$140.50	\$40.00	\$8.00	\$2.50	\$30.00	\$45.00	\$5.00	\$10.00		
Evictions	\$73.50	\$35.00	\$7.00	\$2.50	\$15.00	\$4.00	\$5.00	\$5.00		
Santa Rosa										
Claims less than \$100	\$44.50	\$10.00	\$7.00	\$2.50	\$5.00	\$5.00	\$5.00		\$10.00	
Claims \$100-2500	\$71.50	\$25.00	\$7.00	\$2.50	\$10.00	\$12.00	\$5.00		\$10.00	
Claims \$2500-5000	\$89.50	\$40.00	\$7.00	\$2.50	\$10.00	\$15.00	\$5.00		\$10.00	
Claims \$5000-15,000	\$95.50	\$40.00	\$8.00	\$2.50	\$10.00	\$20.00	\$5.00		\$10.00	
Evictions	\$81.50	\$35.00	\$7.00	\$2.50	\$10.00	\$12.00	\$5.00		\$10.00	

Provided by the Florida Association of Court Clerks, March 2003.

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EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003⁴⁷

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Sarasota										
Claims less than \$100	\$98.50	\$10.00	\$7.00	\$2.50	\$5.00	\$50.50	\$5.00	\$3.50		\$15.00 ⁴⁸
Claims \$100-2500	\$150.50	\$25.00	\$7.00	\$2.50	\$27.00	\$65.50	\$5.00	\$3.50		
Claims \$2500-5000	\$170.50	\$40.00	\$7.00	\$2.50	\$27.00	\$70.50	\$5.00	\$3.50		
Claims \$5000-15,000	\$171.50	\$40.00	\$8.00	\$2.50	\$27.00	\$70.50	\$5.00	\$3.50		\$15.00
Evictions	\$165.50	\$35.00	\$7.00	\$2.50	\$27.00	\$70.50	\$5.00	\$3.50		
Seminole										
Claims less than \$100	\$69.50	\$10.00	\$7.00	\$2.50	\$9.00	\$20.00	\$5.00	\$16.00		
Claims \$100-2500	\$84.50	\$25.00	\$7.00	\$2.50	\$9.00	\$20.00	\$5.00	\$16.00		
Claims \$2500-5000	\$99.50	\$40.00	\$7.00	\$2.50	\$9.00	\$20.00	\$5.00	\$16.00		
Claims \$5000-15,000	\$100.50	\$40.00	\$8.00	\$2.50	\$9.00	\$20.00	\$5.00	\$16.00		
Evictions	\$94.50	\$35.00	\$7.00	\$2.50	\$9.00	\$20.00	\$5.00	\$16.00		
Sumter										
Claims less than \$100	\$56.00	\$10.00	\$7.00	\$2.50	\$29.50			\$7.00		
Claims \$100-2500	\$71.00	\$25.00	\$7.00	\$2.50	\$29.50			\$7.00		
Claims \$2500-5000	\$86.00	\$40.00	\$7.00	\$2.50	\$29.50			\$7.00		
Claims \$5000-15,000	\$86.00	\$40.00	\$7.00	\$2.50	\$29.50			\$7.00		
Evictions	\$81.00	\$35.00	\$7.00	\$2.50	\$29.50			\$7.00		

Provided by the Florida Association of Court Clerks, March 2003.

The \$15.00 is assessed as an equipment fee and goes to the BOCC pursuant to local ordinance.

⁴⁷
⁴⁸

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003⁴⁹

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Suwannee										
Claims less than \$100	\$47.00	\$10.00	\$7.00	\$2.50		\$15.00	\$4.00			\$8.50 ⁵⁰
Claims \$100-2500	\$75.00	\$25.00	\$7.00	\$2.50		\$15.00	\$4.00		\$11.00	\$10.50 ⁵¹
Claims \$2500-5000	\$75.00	\$25.00	\$7.00	\$2.50		\$15.00	\$4.00		\$11.00	\$10.50
Claims \$5000-15,000	\$98.00	\$40.00	\$7.00	\$2.50		\$15.00	\$4.00		\$11.00	\$18.50 ⁵²
Evictions	\$107.50	\$35.00	\$7.00	\$2.50		\$15.00	\$4.00		\$11.00	\$33.00 ⁵³
Taylor										
Claims less than \$100	\$24.50	\$10.00	\$7.00	\$2.50			\$5.00			
Claims \$100-2500	\$39.50	\$25.00	\$7.00	\$2.50			\$5.00			
Claims \$2500-5000	\$54.50	\$40.00	\$7.00	\$2.50			\$5.00			
Claims \$5000-15,000	\$55.50	\$40.00	\$8.00	\$2.50			\$5.00			
Evictions	\$49.50	\$35.00	\$7.00	\$2.50			\$5.00			
Union										
Claims less than \$100	\$45.50	\$10.00	\$7.00	\$2.50	\$20.00		\$5.00			\$1.00
Claims \$100-2500	\$60.50	\$25.00	\$7.00	\$2.50	\$20.00		\$5.00			\$1.00
Claims \$2500-5000	\$75.50	\$40.00	\$7.00	\$2.50	\$20.00		\$5.00			\$1.00
Claims \$5000-15,000	\$75.50	\$40.00	\$7.00	\$2.50	\$20.00		\$5.00			\$1.00
Evictions	\$69.50	\$34.00	\$7.00	\$2.50	\$20.00		\$5.00			\$1.00

⁴⁹ Provided by the Florida Association of Court Clerks, March 2003.

⁵⁰ This \$8.50 fee is composed of \$2.50 for Public Records Modernization Trust Fund and \$6.00 for recording, authorized pursuant to s 28.24, F.S.

⁵¹ The \$13.00 fee is split: \$10.50 recording fee, \$2.50 Public Records Modernization Trust Fund, pursuant to 28.24, F.S.

⁵² The \$18.50 fee is split: \$16.00 recording fee, \$2.50 Public Records Modernization Trust Fund, pursuant to 28.24, F.S.

⁵³ The \$33.00 fee is split: \$30.50 recording fee, \$2.50 Public Records Modernization Trust Fund, pursuant to 28.24, F.S.

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003⁵⁴

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Volusia										
Claims less than \$100	\$40.50	\$10.00	\$7.00	\$2.50	\$18.00		\$3.00			
Claims \$100-2500	\$65.50	\$25.00	\$7.00	\$2.50	\$18.00	\$10.00	\$3.00			
Claims \$2500-5000	\$137.50	\$40.00	\$7.00	\$2.50	\$18.00	\$25.00		\$20.00		\$25.00
Claims \$5000-15,000	\$143.50	\$41.00	\$7.00	\$2.50	\$18.00	\$25.00		\$25.00		\$25.00
Evictions	\$140.50	\$35.00	\$7.00	\$2.50	\$18.00	\$25.00	\$3.00	\$25.00		\$25.00
Wakulla										
Claims less than \$100	\$48.50	\$10.00	\$7.00	\$2.50	\$1.00		\$3.00	\$5.00		\$20.00 ⁵⁵
Claims \$100-2500	\$65.50	\$25.00	\$7.00	\$2.50	\$5.00		\$3.00	\$5.00		\$20.00
Claims \$2500-5000	\$82.50	\$40.00	\$7.00	\$2.50	\$5.00		\$3.00	\$5.00		\$20.00
Claims \$5000-15,000	\$79.50	\$40.00	\$7.00	\$2.50	\$5.00			\$5.00		\$20.00
Evictions	\$77.50	\$35.00	\$7.00	\$2.50	\$5.00		\$3.00	\$5.00		\$20.00
Walton										
Claims less than \$100	\$29.50	\$10.00	\$7.00	\$2.50		\$10.00				
Claims \$100-2500	\$54.50	\$25.00	\$7.00	\$2.50		\$20.00				
Claims \$2500-5000	\$79.50	\$40.00	\$7.00	\$2.50		\$30.00				
Claims \$5000-15,000	\$89.50	\$40.00	\$7.00	\$2.50		\$40.00				
Evictions	\$64.50	\$35.00	\$7.00	\$2.50		\$20.00				

⁵⁴ Provided by the Florida Association of Court Clerks, March 2003.

⁵⁵ Excess service fee" as established in county ordinance 90-24. Money is distributed to the BOCC to be used to provide and maintain court facilities.

EXHIBIT 3-7 (Continued)
CLERK'S FEE SCHEDULE BY COUNTY
COUNTY CIVIL SMALL CLAIMS AND EVICTIONS
FILING FEES AND OTHER FEES
MARCH 2003⁵⁶

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Washington										
Claims less than \$100	\$25.50	\$10.00	\$8.00	\$2.50		\$5.00				
Claims \$100-2500	\$40.50	\$25.00	\$8.00	\$2.50		\$5.00				
Claims \$2500-5000	\$55.50	\$40.00	\$8.00	\$2.50		\$5.00				
Claims \$5000-15,000	\$55.50	\$40.00	\$8.00	\$2.50		\$5.00				
Evictions	\$50.50	\$35.00	\$8.00	\$2.50		\$5.00				

⁵⁶ Provided by the Florida Association of Court Clerks, March 2003.

EXHIBIT 3-8*
CIRCUIT CIVIL FILING FEES
OCTOBER 2002

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation ¹	Legal Aid	Docket Fee ²	Other
Alachua	\$200.00	\$40.00	\$8.00	\$2.50	\$10.00	\$121.50	\$5.00	\$13.00		
Baker	\$90.50	\$40.00	\$8.00	\$2.50	\$4.00	\$14.00	\$5.00	\$5.00	\$12.00	
Bay	\$96.50	\$40.00	\$8.00	\$2.50	\$6.00	\$35.00	\$5.00			
Bradford	\$68.50	\$40.00	\$8.00	\$2.50	\$5.00	\$8.00	\$5.00			
Brevard	\$200.00	\$40.00	\$8.00	\$2.50	\$16.00	\$1.50		\$7.00		\$125.00 ³
Broward	\$200.00	\$40.00	\$8.00	\$2.50	\$5.50	\$96.50	\$5.00	\$8.00	\$1.00	\$33.50 ⁴
Calhoun	\$54.50	\$40.00	\$7.00	\$2.50			\$1.00	\$3.00		
Charlotte	\$111.50	\$40.00	\$8.00	\$2.50	\$4.00	\$5.00	\$5.00	\$12.00		\$35.00 ⁵
Citrus	\$169.50	\$40.00	\$8.00	\$2.50	\$10.00	\$100.00	\$2.00	\$7.00		
Clay	\$91.50	\$40.00	\$8.00	\$2.50	\$3.00	\$8.00	\$5.00	\$25.00	\$1.00	
Collier	\$91.50	\$40.00	\$8.00	\$2.50	\$10.00		\$5.00	\$10.00		\$16.00 ⁶
Columbia	\$92.50	\$40.00	\$8.00	\$2.50	\$5.00	\$32.00	\$5.00 ⁷			
Dade	\$215.00	\$40.00	\$8.00	\$2.50	\$17.25	\$39.50	\$5.00	\$13.75	\$1.00	\$88.00 ⁸
Desoto	\$74.50	\$40.00	\$8.00	\$2.50	\$7.00	\$17.00				
Dixie	\$104.00	\$40.00	\$8.00	\$2.50	\$16.50	\$32.00	\$5.00			
Duval	\$92.50	\$40.00	\$8.00	\$2.50	\$15.00	\$25.00	\$5.00	\$1.00	\$1.00	
Escambia	\$93.50	\$40.00	\$8.00	\$2.50	\$13.00	\$20.00		\$10.00		

*Source: Florida Association of Court Clerks, March 2003.

¹ Includes monies directed to the State Mediation and Arbitration Trust Fund

² Authorized pursuant to s. 50.071, F. S.

³ \$32.50 retained by the Clerk, \$92.50 for court services retained by BOCC

⁴ \$31.00 to the BOCC to be used for Clerk's automation, \$2.50 to the BOCC for the Broward Support Enforcement Division

⁵ \$30.00 filing fee trust fund retained by the Clerk, \$5.00 support enforcement administrator

⁶ \$15.00 for Public Guardian, \$1.00 Court Reporter

⁷ \$1.00 retained by the Clerk

⁸ \$10.00 Public Guardian, \$44.00 new court house and other projects (bonded), \$34.00 county technical fund for court related technology.

EXHIBIT 3-8 (Continued)
CIRCUIT CIVIL FILING FEES
OCTOBER 2002

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Flagler	\$160.50	\$40.00	\$8.00	\$2.50	\$20.00 ⁹	\$25.00 ¹⁰	\$5.00 ¹¹	\$35.00 ¹²		\$25.00 ¹³
Franklin	\$55.50	\$40.00	\$8.00	\$2.50				\$5.00		
Gadsden	\$68.00	\$40.00	\$8.00	\$2.50	\$7.50		\$5.00	\$5.00		
Gilchrist	\$88.50	\$40.00	\$8.00	\$2.50	\$16.50	\$16.50	\$4.00			\$1.00 ¹⁴
Glades	\$50.50	\$40.00	\$8.00	\$2.50						
Gulf	\$58.00	\$40.00	\$8.00	\$2.50		\$7.50				
Hamilton	\$87.50	\$40.00	\$8.00	\$2.50		\$32.00	\$5.00			
Hardee	\$87.50	\$40.00	\$8.00	\$2.50	\$9.00	\$27.50			\$0.50 ¹⁵	
Hendry	\$53.50	\$40.00	\$8.00	\$2.50	\$3.00					
Hernando	\$92.50	\$40.00	\$8.00	\$2.50	\$10.00	\$25.00		\$7.00		
Highlands	\$100.50	\$40.00	\$8.00	\$2.50	\$20.00	\$10.00		\$20.00		
Hillsborough	\$205.00	\$40.00	\$8.00	\$2.50	\$5.00	\$59.50	\$50.00	\$20.00		\$20.00 ¹⁶
Holmes	\$70.50	\$40.00	\$8.00	\$2.50	\$20.00					
Indian River	\$95.50	\$40.00	\$8.00	\$2.50	\$20.00	\$20.00	\$5.00			
Jackson	\$61.50	\$40.00	\$7.00	\$2.50	\$1.00	\$10.00			\$1.00	
Jefferson	\$60.50	\$40.00	\$8.00	\$2.50	\$5.00			\$5.00		
Lafayette	\$53.50	\$40.00	\$8.00	\$2.50			\$3.00			
Lake	\$117.50	\$40.00	\$8.00	\$2.50	\$27.00	\$25.00		\$15.00		

⁹ \$2.00 retained by the Clerk

¹⁰ \$2.50 retained by the Clerk

¹¹ \$10.00 retained by the state for Court Administration; \$0.50 retained by the Clerk

¹² \$3.50 retained by the Clerk

¹³ \$22.50 for court services, \$2.50 retained by the Clerk

¹⁴ \$1.00 retained by the Clerk

¹⁵ \$ 0.50 retained by the Clerk

¹⁶ \$14.00 retained by the Clerk, \$6.00 retained by the county for the Court Technology Trust Fund

EXHIBIT 3-8 (Continued)
CIRCUIT CIVIL FILING FEES
OCTOBER 2002

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Lee	\$83.50	\$40.00	\$8.00	\$2.50	\$6.00		\$5.00	\$16.00		\$6.00 ¹⁷
Leon	\$97.50	\$40.00	\$8.00	\$2.50	\$5.00	\$27.00	\$4.00	\$10.00		\$1.00 ¹⁸
Levy	\$78.00	\$40.00	\$8.00	\$2.50	\$2.50	\$20.00	\$5.00			
Liberty	\$55.50	\$40.00	\$8.00	\$2.50				\$5.00		
Madison	\$55.50	\$40.00	\$8.00	\$2.50			\$5.00			
Manatee	\$123.50	\$40.00	\$8.00	\$2.50	\$20.00	\$40.50	\$5.00	\$7.50		
Marion	\$105.50	\$40.00	\$8.00	\$2.50	\$15.00	\$25.00		\$5.00		\$10.00 ¹⁹
Martin	\$200.00	\$40.00	\$8.00	\$2.50	\$20.00	\$114.50	\$5.00	\$10.00		
Monroe	\$91.00	\$40.00	\$8.00	\$2.50	\$15.00	\$15.00	\$5.00	\$5.50		
Nassau	\$99.00	\$40.00	\$8.00	\$2.50	\$8.50	\$20.00	\$5.00	\$15.00		
Okaloosa	\$90.50	\$40.00	\$8.00	\$2.50	\$12.50	\$27.50				
Okeechobee	\$95.50	\$40.00	\$8.00	\$2.50	\$10.00	\$20.00	\$5.00	\$10.00		
Orange	\$141.75	\$40.00	\$8.00	\$2.50	\$5.00	\$13.00	\$5.00	\$15.00		\$53.25 ²⁰
Osceola	\$119.50	\$40.00	\$8.00	\$2.50	\$12.00	\$22.00	\$5.00	\$15.00		\$15.00 ²¹
Palm Beach	\$206.00	\$40.00	\$8.00	\$2.50	\$11.50	\$119.50	\$5.00	\$15.00	\$1.00	\$3.50
Pasco	\$109.50	\$40.00	\$8.00	\$2.50	\$25.00	\$9.00	\$5.00	\$20.00		
Pinellas	\$145.50 ²²	\$40.00	\$8.00	\$2.50	\$20.00	\$50.00	\$5.00	\$20.00		
Polk	\$106.50	\$40.00	\$7.00	\$2.50	\$7.50	\$31.00	\$4.00	\$12.00		

¹⁷ \$100 for court reporter, \$5.00 Public Guardian

¹⁸ \$1.00 retained by the Clerk

¹⁹ \$10 for Public Guardian

²⁰ The \$53.25 is disbursed as follows: \$2 for Citizen's Dispute (county bar association), \$2 Medical Examiner, \$3.25 Senior's First (Clerk retains .50 cents), \$20.00 Court Capital, \$26.00 court service fee retained by Clerk.

²¹ \$15.00 for Public Guardian.

²² As of January 1, 2003, the filing fee will be \$155.00. The monies distributed to the law library will increase from \$20.00 to \$29.50.

EXHIBIT 3-8 (Continued)
CIRCUIT CIVIL FILING FEES
OCTOBER 2002

County Name	Total	Clerk Fee	General Revenue	Court Education Trust Fund	Law Library	Facilities	Mediation	Legal Aid	Docket Fee	Other
Putnam	\$87.50	\$40.00	\$8.00	\$2.50	\$7.00	\$30.00				
St. Johns	\$105.50	\$40.00	\$8.00	\$2.50	\$10.00			\$25.00 ²³		\$20.00
St. Lucie	\$140.50	\$40.00	\$8.00	\$2.50	\$30.00	\$45.00	\$5.00	\$10.00		
Santa Rosa	\$90.50	\$40.00	\$8.00	\$2.50	\$10.00	\$20.00		\$10.00		
Sarasota	\$182.50	\$40.00	\$8.00	\$2.50	\$34.00	\$70.50	\$5.00	\$7.50		\$15.00 ²⁴
Seminole	\$100.50	\$40.00	\$8.00	\$2.50	\$9.00	\$20.00	\$5.00	\$16.00		
Sumter	\$87.00	\$40.00	\$8.00	\$2.50	\$29.50			\$7.00		
Suwannee	\$116.00	\$40.00	\$8.00	\$2.50	\$3.50 ²⁵	\$32.00	\$4.00		\$1.00	\$25.00
Taylor	\$55.50	\$40.00	\$8.00	\$2.50			\$5.00			
Union	\$81.50	\$40.00	\$8.00	\$2.50	\$10.00	\$10.00	\$5.00			\$6.00 ²³
Volusia	\$158.50	\$40.00	\$8.00	\$2.50	\$18.00	\$25.00 ²⁶	\$5.00 ²⁷	\$35.00		\$25.00 ²⁸
Wakulla	\$82.50	\$40.00	\$8.00	\$2.50	\$5.00	\$20.00		\$5.00		\$2.00
Walton	\$120.50	\$40.00	\$8.00	\$2.50		\$65.00	\$5.00			
Washington	\$60.50	\$40.00	\$8.00	\$2.50		\$10.00				

²³ 2% (\$.50) retained by the Clerk.

²⁴ Equipment fee forwarded to BOCC.

²⁴ Clerk retains \$1.00

²⁵ \$5.00 recording fee, \$1.00 for Clerk's Public Records Modernization Trust Fund

²⁶ \$2.50 retained by the Clerk

²⁷ \$0.50 retained by the Clerk

²⁸ \$25 for court services, \$2.50 of which is retained by Clerk.

3.3 Revising Revenue Structures

3.3.1 Options for Generating Additional Revenue

Additional revenue may be necessary in order to cover the gap created by the difference of revenue retained by the Clerks and the cost of the Clerks' operations. We explored several alternatives that can accomplish this objective. These include:

- alternative fee structures;
- best collection practices;
- assessments; and
- fee increases.

3.3.2 Alternative Fee Structures

In this section, MGT presents several alternative fee structures that are based on adjustments for inflation and caseload projections. These alternative fee structures are based on the most commonly filed civil cases.

Exhibit 3-9 shows the filing fees used in these alternative fee structures when they are increased based on the Consumer Price Index (CPI). The 2003 CPI was calculated using the Bureau of Labor Statistics Inflation Calculator. The 2004 and 2005 numbers are based on CPI projections made by the U.S. Congressional Budget Office. These across the board CPI projections for fee inflation assume that the current fee schedule is defensible; i.e., fees and services are properly set in relation to one another. This assumption is based on the absence of any evidence that the fees and services are not properly set in relation to one another or any constitutional challenges to the current fee structure.

**EXHIBIT 3-9
INCREASED CLERKS' FEES
2003, 2004, AND 2005 INFLATION ADJUSTMENTS**

	Current Clerks' Fee	Proposed Clerks' Fee based on 2003 CPI	Proposed Clerks' Fee based on Projected 2004 CPI	Proposed Clerks' Fee based on Projected 2005 CPI
Claims less than \$100	\$10.00	\$15.99	\$16.34	\$16.75
Claims \$100 - \$2,500	\$25.00	\$39.99	\$40.87	\$41.89
Claims \$2,500-\$5,000	\$40.00	\$63.98	\$65.39	\$67.02
Evictions	\$35.00	\$55.98	\$57.21	\$58.64
Civil	\$41.00	\$65.58	\$67.02	\$68.70
Other Civil	\$41.00	\$65.58	\$67.02	\$68.70
Circuit Civil	\$41.00	\$65.58	\$67.02	\$68.70

As was shown in Exhibit 3-6, most filing fees have not been changed since 1987. In order to identify the amount of additional revenue that would be generated if these fees were increased, MGT multiplied the caseload (by type) by the fee that is associated with each type of case. Appendix F shows the calculations by type of case.

Exhibit 3-10 shows the amounts currently being generated by county, from Clerk's filing fees on specified county and circuit civil court cases, and projected revenues if the Clerk's fee is adjusted for inflation in 2003. It is estimated that if the Clerk fees are adjusted by the CPI from 1987 to 2003, approximately \$16 million in additional revenue would be generated representing a 60 percent overall increase.

For the purposes of this report, MGT has summed Law Library, Facilities, Mediation, Legal Aid, Docket, and any other county-imposed fees into a category called "Other." These fees are also commonly referred to as add-ons. Exhibits 3-7 and 3-8, shown earlier in this chapter, display these fees by county in their respective categories. Exhibit 3-11 shows that the total amounts being generated in other filing fees on specified county and civil court cases in FY 2000 come to approximately \$53 million. Exhibit 3-11 also shows approximately \$96 million in projected revenues if the Clerk's fee is adjusted for inflation in 2003 and these other fees are added to the total amount of revenue available to fund Clerk functions.

MGT has also calculated these alternative fee structures based on projected 2004 and 2005 caseloads and CPI projections. These calculations can be found in Appendix F. Exhibits 3-12 and 3-13 provide a summary of these projections. An increase in Florida's authorized fees based on the Consumer Price Index could potentially generate between \$16 million (2003 projection) and \$18.7 million (2005 projection) in additional revenue for county and circuit civil cases.

By redirecting other fees, or add-ons from the county to the Clerks, the Clerks would have available an additional \$53 million (2003 projection) to \$77 million (2005 projection) for Clerk activities related to county and circuit civil cases.

EXHIBIT 3-10
ALTERNATE FEE STRUCTURE
INCREASE OF CLERK'S FEE BASED ON 2003 CONSUMER PRICE INDEX (CPI)
ALL COUNTY¹ AND CIRCUIT COURT² CASES FOR FY 2000-2001

Circuit	County	Number of Total Cases	FY 2000-2001 Clerk Revenues	Additional Revenue based on CPI Adjusted Clerk Fee	CPI Adjusted Clerk Revenue
	State	725,300	\$26,859,306	\$16,102,342	\$42,961,648
Circuit 1	Escambia	12,277	\$457,368	\$274,196	\$731,564
	Okaloosa	6,492	\$242,198	\$145,200	\$387,398
	Santa Rosa	3,227	\$123,241	\$73,884	\$197,125
	Walton	1,722	\$65,350	\$39,178	\$104,529
Circuit 2	Franklin	434	\$16,607	\$9,956	\$26,563
	Gadsden	2,020	\$75,203	\$45,085	\$120,288
	Jefferson	537	\$20,561	\$12,327	\$32,888
	Leon	12,374	\$453,502	\$271,876	\$725,378
	Liberty	161	\$6,143	\$3,683	\$9,826
	Wakulla	756	\$28,591	\$17,141	\$45,731
Circuit 3	Columbia	2,956	\$108,061	\$64,785	\$172,846
	Dixie	296	\$11,326	\$6,790	\$18,115
	Hamilton	510	\$19,194	\$11,507	\$30,701
	Lafayette	195	\$7,174	\$4,301	\$11,475
	Madison	654	\$24,173	\$14,492	\$38,665
	Suwannee	1,427	\$51,847	\$31,083	\$82,931
	Taylor	863	\$32,390	\$19,418	\$51,809
Circuit 4	Clay	4,160	\$156,520	\$93,835	\$250,355
	Duval	42,247	\$1,555,602	\$932,582	\$2,488,183
	Nassau	1,562	\$59,244	\$35,517	\$94,761
Circuit 5	Citrus	3,301	\$123,339	\$73,944	\$197,283
	Hernando	3,951	\$149,432	\$89,587	\$239,019
	Lake	6,421	\$243,176	\$145,786	\$388,961
	Marion	10,588	\$394,189	\$236,320	\$630,509
	Sumter	1,122	\$43,251	\$25,929	\$69,180
Circuit 6	Pasco	10,500	\$393,138	\$235,690	\$628,829
	Pinellas	34,539	\$1,292,635	\$774,943	\$2,067,578

¹Includes the following types of cases (categories as defined by State Reporting System): Small Claims, Civil, Replevins, Other Civil, and Evictions.

²Includes the following types of cases (categories as defined by State Reporting System): Simplified Dissolution, Dissolution, Other Domestic Relations, Professional Malpractice, Product Liability, Auto Negligence, Other Negligence, Condominium, Contract & Indebtedness, Real Property & Mortgage Foreclosure, Eminent Domain, and Other.

EXHIBIT 3-10 (Continued)
ALTERNATE FEE STRUCTURE
INCREASE OF CLERK'S FEE BASED ON 2003 CONSUMER PRICE INDEX (CPI)
ALL COUNTY¹ AND CIRCUIT COURT² CASES FOR FY 2000-2001

Circuit	County	Number of Total Cases	FY 2000-2001 Clerk Revenues	Revenue based on CPI Adjusted Clerk Fee	CPI Adjusted Clerk Revenue
Circuit 7	Flagler	1,413	\$53,735	\$32,215	\$85,949
	Putnam	2,837	\$105,902	\$63,489	\$169,391
	St. Johns	3,605	\$137,837	\$82,634	\$220,471
	Volusia	17,614	\$655,981	\$393,266	\$1,049,247
Circuit 8	Alachua	9,434	\$337,818	\$202,525	\$540,343
	Baker	829	\$31,259	\$18,740	\$49,999
	Bradford	895	\$33,225	\$19,919	\$53,143
	Gilchrist	377	\$14,177	\$8,499	\$22,677
	Levy	1,235	\$46,178	\$27,684	\$73,862
	Union	364	\$13,899	\$8,333	\$22,232
Circuit 9	Orange	49,614	\$1,840,823	\$1,103,580	\$2,944,403
	Osceola	8,213	\$305,633	\$183,230	\$488,863
Circuit 10	Hardee	779	\$29,666	\$17,785	\$47,452
	Highlands	2,448	\$92,342	\$55,360	\$147,702
	Polk	24,861	\$911,733	\$546,594	\$1,458,327
Circuit 11	Dade	132,075	\$4,855,351	\$2,910,814	\$7,766,165
Circuit 12	Desoto	988	\$37,273	\$22,345	\$59,619
	Manatee	7,934	\$294,323	\$176,448	\$470,770
	Sarasota	13,363	\$493,407	\$295,804	\$789,210
Circuit 13	Hillsborough	45,854	\$1,699,372	\$1,018,780	\$2,718,152
Circuit 14	Bay	7,419	\$271,336	\$162,668	\$434,004
	Calhoun	628	\$22,877	\$13,716	\$36,593
	Gulf	572	\$21,643	\$12,975	\$34,618
	Holmes	494	\$18,544	\$11,117	\$29,661
	Jackson	1,691	\$63,372	\$37,993	\$101,365
	Washington	692	\$26,046	\$15,615	\$41,660

¹Includes the following types of cases (categories as defined by State Reporting System): Small Claims, Civil, Replevins, Other Civil, and Evictions.

²Includes the following types of cases (categories as defined by State Reporting System): Simplified Dissolution, Dissolution, Other Domestic Relations, Professional Malpractice, Product Liability, Auto Negligence, Other Negligence, Condominium, Contract & Indebtedness, Real Property & Mortgage Foreclosure, Eminent Domain, and Other.

EXHIBIT 3-10 (Continued)
ALTERNATE FEE STRUCTURE
INCREASE OF CLERK'S FEE BASED ON 2003 CONSUMER PRICE INDEX (CPI)
ALL COUNTY¹ AND CIRCUIT COURT² CASES FOR FY 2000-2001

Circuit	County	Number of Total Cases	FY 2000-2001 Clerk Revenues	Revenue based on CPI Adjusted Clerk Fee	CPI Adjusted Clerk Revenue
Circuit 15	Palm Beach	49,484	\$1,830,611	\$1,097,464	\$2,928,074
Circuit 16	Monroe	3,461	\$129,313	\$77,524	\$206,837
Circuit 17	Broward	92,381	\$3,413,379	\$2,046,341	\$5,459,720
Circuit 18	Brevard	15,368	\$579,750	\$347,564	\$927,314
	Seminole	13,410	\$495,857	\$297,270	\$793,127
Circuit 19	Indian River	3,385	\$126,014	\$75,547	\$201,561
	Martin	3,660	\$137,214	\$82,262	\$219,476
	Okeechobee	1,258	\$46,970	\$28,159	\$75,129
	St. Lucie	8,937	\$329,384	\$197,468	\$526,852
Circuit 20	Charlotte	3,771	\$141,488	\$84,824	\$226,311
	Collier	8,717	\$325,249	\$194,991	\$520,240
	Glades	213	\$8,081	\$4,845	\$12,926
	Hendry	1,190	\$43,974	\$26,363	\$70,337
	Lee	18,546	\$684,819	\$410,557	\$1,095,375
	State Total	725,300	\$26,859,306	\$16,102,342	\$42,961,648

Source caseload data: Office of State Court Administration State Reporting System (SRS) 2000-2001

¹Includes the following types of cases (categories as defined by State Reporting System): Small Claims, Civil, Replevins, Other Civil, and Evictions.

²Includes the following types of cases (categories as defined by State Reporting System): Simplified Dissolution, Dissolution, Other Domestic Relations, Professional Malpractice, Product Liability, Auto Negligence, Other Negligence, Condominium, Contract & Indebtedness, Real Property & Mortgage Foreclosure, Eminent Domain, and Other.

EXHIBIT 3-11
ALTERNATE FEE STRUCTURE
ADDITION OF OTHER¹ FEES TO CLERK REVENUE
ALL COUNTY² AND CIRCUIT COURT CASES³ FOR FY 2000-2001

Circuit	County	Number of Total Cases	FY 2000-2001 Other ¹ Revenues	FY 2000-2001 Clerk Revenues	CPI Adjusted Clerk Revenue	FY 2000-2001 Clerk Revenue plus Other ¹ Fees	Adjusted Clerk's Fee and Addition of Other ¹ Revenues
	State	725,300	\$53,329,095	\$26,859,306	\$42,961,648	\$80,188,401	\$96,290,744
Circuit 1	Escambia	12277	\$478,261	\$457,368	\$731,564	\$935,629	\$1,209,825
	Okaloosa	6492	\$196,134	\$242,198	\$387,398	\$438,332	\$583,532
	Santa Rosa	3227	\$113,098	\$123,241	\$197,125	\$236,339	\$310,223
	Walton	1722	\$83,214	\$65,350	\$104,529	\$148,565	\$187,743
Circuit 2	Franklin	434	\$1,785	\$16,607	\$26,563	\$18,392	\$28,348
	Gadsden	2020	\$27,926	\$75,203	\$120,288	\$103,129	\$148,214
	Jefferson	537	\$4,041	\$20,561	\$32,888	\$24,602	\$36,929
	Leon	12374	\$458,736	\$453,502	\$725,378	\$912,239	\$1,184,115
	Liberty	161	\$565	\$6,143	\$9,826	\$6,708	\$10,391
	Wakulla	756	\$21,192	\$28,591	\$45,731	\$49,783	\$66,923
Circuit 3	Columbia	2956	\$96,334	\$108,061	\$172,846	\$204,396	\$269,180
	Dixie	296	\$13,094	\$11,326	\$18,115	\$24,420	\$31,210
	Hamilton	510	\$15,229	\$19,194	\$30,701	\$34,422	\$45,929
	Lafayette	195	\$897	\$7,174	\$11,475	\$8,071	\$12,372
	Madison	654	\$2,925	\$24,173	\$38,665	\$27,098	\$41,590
	Suwannee	1427	\$68,446	\$51,847	\$82,931	\$120,294	\$151,377
	Taylor	863	\$3,690	\$32,390	\$51,809	\$36,080	\$55,499
Circuit 4	Clay	4160	\$146,776	\$156,520	\$250,355	\$303,296	\$397,131
	Duval	42247	\$1,248,094	\$1,555,602	\$2,488,183	\$2,803,696	\$3,736,277
	Nassau	1562	\$63,600	\$59,244	\$94,761	\$122,843	\$158,360
Circuit 5	Citrus	3301	\$248,172	\$123,339	\$197,283	\$371,511	\$445,454
	Hernando	3951	\$100,460	\$149,432	\$239,019	\$249,893	\$339,479
	Lake	6421	\$344,751	\$243,176	\$388,961	\$587,927	\$733,712
	Marion	10588	\$502,607	\$394,189	\$630,509	\$896,795	\$1,133,116
	Sumter	1122	\$36,245	\$43,251	\$69,180	\$79,495	\$105,425
Circuit 6	Pasco	10500	\$504,217	\$393,138	\$628,829	\$897,355	\$1,133,046
	Pinellas	34539	\$2,594,875	\$1,292,635	\$2,067,578	\$3,887,510	\$4,662,453
Circuit 7	Flagler	1413	\$89,870	\$53,735	\$85,949	\$143,605	\$175,819
	Putnam	2837	\$75,517	\$105,902	\$169,391	\$181,419	\$244,908
	St. Johns	3605	\$109,914	\$137,837	\$220,471	\$247,751	\$330,386
	Volusia	17614	\$1,367,009	\$655,981	\$1,049,247	\$2,022,990	\$2,416,256

¹Includes Law Library, Facilities, Mediation, Legal Aid, Docket, and Other fees

²Includes the following types of cases (categories as defined by State Reporting System): Small Claims, Civil, Replevins, Other Civil, and Evictions.

³Includes the following types of cases (categories as defined by State Reporting System): Simplified Dissolution, Dissolution, Other Domestic Relations, Professional Malpractice, Product Liability, Auto Negligence, Other Negligence, Condominium, Contract & Indebtedness, Real Property & Mortgage Foreclosure, Eminent Domain, and Other.

EXHIBIT 3-11 (Continued)
ALTERNATE FEE STRUCTURE
ADDITION OF OTHER¹ FEES TO CLERK REVENUE
ALL COUNTY² AND CIRCUIT COURT CASES³ FOR FY 2000-2001

Circuit	County	Number of Total Cases	FY 2000-2001 Other ¹ Revenues	FY 2000-2001 Clerk Revenues	CPI Adjusted Clerk Revenue	FY 2000-2001 Clerk Revenue plus Other ¹ Fees	Adjusted Clerk's Fee and Addition of Other ¹ Revenues
Circuit 8	Alachua	9434	\$945,341	\$337,818	\$540,343	\$1,283,159	\$1,485,684
	Baker	829	\$26,034	\$31,259	\$49,999	\$57,293	\$76,034
	Bradford	895	\$13,045	\$33,225	\$53,143	\$46,270	\$66,188
	Gilchrist	377	\$11,540	\$14,177	\$22,677	\$25,717	\$34,217
	Levy	1235	\$25,303	\$46,178	\$73,862	\$71,481	\$99,165
	Union	364	\$9,670	\$13,899	\$22,232	\$23,569	\$31,902
Circuit 9	Orange	49614	\$3,152,853	\$1,840,823	\$2,944,403	\$4,993,676	\$6,097,256
	Osceola	8213	\$404,185	\$305,633	\$488,863	\$709,818	\$893,048
Circuit 10	Hardee	779	\$22,090	\$29,666	\$47,452	\$51,756	\$69,541
	Highlands	2448	\$112,353	\$92,342	\$147,702	\$204,695	\$260,055
	Polk	24861	\$1,102,774	\$911,733	\$1,458,327	\$2,014,506	\$2,561,101
Circuit 11	Dade	132075	\$13,676,212	\$4,855,351	\$7,766,165	\$18,531,564	\$21,442,378
Circuit 12	Desoto	988	\$17,265	\$37,273	\$59,619	\$54,538	\$76,883
	Manatee	7934	\$451,740	\$294,323	\$470,770	\$746,063	\$922,510
	Sarasota	13363	\$1,349,041	\$493,407	\$789,210	\$1,842,448	\$2,138,252
Circuit 13	Hillsborough	45854	\$4,543,799	\$1,699,372	\$2,718,152	\$6,243,171	\$7,261,951
Circuit 14	Bay	7419	\$176,235	\$271,336	\$434,004	\$447,571	\$610,239
	Calhoun	628	\$2,256	\$22,877	\$36,593	\$25,133	\$38,849
	Gulf	572	\$3,433	\$21,643	\$34,618	\$25,075	\$38,050
	Holmes	494	\$7,810	\$18,544	\$29,661	\$26,354	\$37,471
	Jackson	1691	\$14,328	\$63,372	\$101,365	\$77,700	\$115,693
	Washington	692	\$5,115	\$26,046	\$41,660	\$31,161	\$46,775
Circuit 15	Palm Beach	49484	\$5,053,900	\$1,830,611	\$2,928,074	\$6,884,511	\$7,981,974
Circuit 16	Monroe	3461	\$96,160	\$129,313	\$206,837	\$225,472	\$302,997
Circuit 17	Broward	92381	\$9,139,378	\$3,413,379	\$5,459,720	\$12,552,757	\$14,599,098
Circuit 18	Brevard	15368	\$1,601,605	\$579,750	\$927,314	\$2,181,355	\$2,528,919
	Seminole	13410	\$577,650	\$495,857	\$793,127	\$1,073,507	\$1,370,777

¹Includes Law Library, Facilities, Mediation, Legal Aid, Docket, and Other fees

²Includes the following types of cases (categories as defined by State Reporting System): Small Claims, Civil, Replevins, Other Civil, and Evictions.

³Includes the following types of cases (categories as defined by State Reporting System): Simplified Dissolution, Dissolution, Other Domestic Relations, Professional Malpractice, Product Liability, Auto Negligence, Other Negligence, Condominium, Contract & Indebtedness, Real Property & Mortgage Foreclosure, Eminent Domain, and Other.

EXHIBIT 3-11 (Continued)
ALTERNATE FEE STRUCTURE
ADDITION OF OTHER¹ FEES TO CLERK REVENUE
ALL COUNTY² AND CIRCUIT COURT CASES³ FOR FY 2000-2001

Circuit	County	Number of Total Cases	FY 2000-2001 Other¹ Revenues	FY 2000-2001 Clerk Revenues	CPI Adjusted Clerk Revenue	FY 2000-2001 Clerk Revenue plus Other¹ Fees	Adjusted Clerk's Fee and Addition of Other¹ Revenues
Circuit 19	Indian River	3385	\$110,521	\$126,014	\$201,561	\$236,534	\$312,081
	Martin	3660	\$367,621	\$137,214	\$219,476	\$504,835	\$587,097
	Okeechobee	1258	\$42,525	\$46,970	\$75,129	\$89,495	\$117,654
	St. Lucie	8937	\$446,196	\$329,384	\$526,852	\$775,580	\$973,048
Circuit 20	Charlotte	3771	\$170,562	\$141,488	\$226,311	\$312,050	\$396,873
	Collier	8717	\$261,731	\$325,249	\$520,240	\$586,980	\$781,971
	Glades	213	\$0	\$8,081	\$12,926	\$8,081	\$12,926
	Hendry	1190	\$3,237	\$43,974	\$70,337	\$47,211	\$73,574
	Lee	18546	\$367,914	\$684,819	\$1,095,375	\$1,052,733	\$1,463,289
	State Total	725,300	\$53,329,095	\$26,859,306	\$42,961,648	\$80,188,401	\$96,290,744

Source caseload data: Office of State Court Administration State Reporting System (SRS) 2000-2001

¹Includes Law Library, Facilities, Mediation, Legal Aid, Docket, and Other fees

²Includes the following types of cases (categories as defined by State Reporting System): Small Claims, Civil, Replevins, Other Civil, and Evictions.

³Includes the following types of cases (categories as defined by State Reporting System): Simplified Dissolution, Dissolution, Other Domestic Relations, Professional Malpractice, Product Liability, Auto Negligence, Other Negligence, Condominium, Contract & Indebtedness, Real Property & Mortgage Foreclosure, Eminent Domain, and Other.

Exhibit 3-12 below shows a summary of the fees generated by the various methods discussed above. Option 1 shows the revenue generated by adjusting the Clerk's fee by the CPI to the number of FY 2001 court cases for county and circuit civil cases. As noted earlier, this represents a fee increase of approximately 60 percent from 1987 to FY 2003, or 69 percent through FY 2005. Option 2 displays the amount of revenues that would be made available to the Clerks if the county add-ons were redirected to cover court-related functions of the Clerk's office. Option 3 shows that approximately \$69 million in additional revenue would be available for the Clerks if options 1 and 2 were implemented for county and circuit civil cases.

**EXHIBIT 3-12
ALTERNATE FEE STRUCTURE SUMMARY
COUNTY^{1,2} AND CIRCUIT COURT CASES³ FOR FY 2000-2001**

**Option 1
Increase of Clerk's Fee based on Consumer Price Index (CPI)**

FY 2000-2001 Clerk Revenues	Additional Revenue based CPI Adjusted Clerk Fee	CPI Adjusted Clerk Revenues
\$26,859,306	\$16,102,342	\$42,961,648

**Option 2
Consideration of Other⁴ Fees to Clerk Revenue**

Baseline Other⁴ Revenues
\$53,329,095

**Option 3
Addition of Other⁴ Fees to Clerk Revenue**

Additional Revenue based CPI Adjusted Clerk Fee	Projected Additional Revenue Based on addition of Other⁴ Revenues	Projected Additional Revenue Based on CPI Adjusted Clerk's Fee and Addition of Other⁴ Revenues
\$16,102,342	\$53,329,095	\$69,431,438

Source caseload data: Office of State Court Administration State Reporting System (SRS) 2000-2001

¹ Includes the following types of cases (categories as defined by State Reporting System): Small Claims, Civil, Replevins, Other Civil, and Evictions.

² Data on Other⁴ Fees was only available by county for County Court Small Claims and Evictions cases.

³ Includes the following types of cases (categories as defined by State Reporting System): Simplified Dissolution, Dissolution, Other Domestic Relations, Professional Malpractice, Product Liability, Auto Negligence, Other Negligence, Condominium, Contract & Indebtedness, Real Property & Mortgage Foreclosure, Eminent Domain, and Other.

⁴ Includes Law Library, Facilities, Mediation, Legal Aid, Docket, and Other fees

Exhibits 3-13 and 3-14 show the impact of adjusting the Clerk's fees based on the CPI and projected caseloads for years 2004 and 2005 for county and circuit civil cases.

EXHIBIT 3-13
SUMMARY OF PROJECTED 2004 ADDITIONAL REVENUES
COUNTY^{1,2} AND CIRCUIT COURT CASES³
BASED ON PROJECTED 2004 CASELOADS AND CPI PROJECTIONS

Projected Additional Revenue based on 2004 CPI adjustment to Clerk's Fees	\$17,807,500
Projected Additional Revenues Based on addition of 2004 CPI-adjusted Other⁴ Revenues	\$57,614,816
Projected Additional Revenues Based on 2004 CPI to clerk's fee and addition of CPI-adjusted Other⁴ Revenues	\$75,422,316

Source caseload data: Office of State Court Administration State Reporting System (SRS) 2000-2001

¹Includes the following types of cases (categories as defined by State Reporting System): Small Claims, Civil, Replevins, Other Civil, and Evictions.

²Data on Other⁴ Fees was only available by county for County Court Small Claims and Evictions cases.

³Includes the following types of cases (categories as defined by State Reporting System): Simplified Dissolution, Dissolution, Other Domestic Relations, Professional Malpractice, Product Liability, Auto Negligence, Other Negligence, Condominium, Contract & Indebtedness, Real Property & Mortgage Foreclosure, Eminent Domain, and Other.

⁴Includes Law Library, Facilities, Mediation, Legal Aid, Docket, and Other fees

EXHIBIT 3-14
SUMMARY OF PROJECTED 2005 ADDITIONAL REVENUES
COUNTY^{1,2} AND CIRCUIT COURT CASES³
BASED ON PROJECTED 2005 CASELOADS AND CPI PROJECTIONS

Projected Additional Revenue based on 2005 CPI adjustment to Clerk's Fees	\$18,687,088
Projected Additional Revenues Based on addition of 2005 CPI-adjusted Other⁴ Revenues	\$58,461,862
Projected Additional Revenues Based on 2005 CPI to clerk's fee and addition of CPI-adjusted Other⁴ Revenues	\$77,148,950

Source caseload data: Office of State Court Administration State Reporting System (SRS) 2000-2001

¹Includes the following types of cases (categories as defined by State Reporting System): Small Claims, Civil, Replevins, Other Civil, and Evictions.

²Data on Other⁴ Fees was only available by county for County Court Small Claims and Evictions cases.

³Includes the following types of cases (categories as defined by State Reporting System): Simplified Dissolution, Dissolution, Other Domestic Relations, Professional Malpractice, Product Liability, Auto Negligence, Other Negligence, Condominium, Contract & Indebtedness, Real Property & Mortgage Foreclosure, Eminent Domain, and Other.

⁴Includes Law Library, Facilities, Mediation, Legal Aid, Docket, and Other fees

MGT was unable to perform similar calculations for Criminal, Traffic, and Probate cases because detailed data, similar to the data displayed in Exhibits 3-7 and 3-8, are not normally tracked or collected by the Clerks. Additionally, because there are numerous variations of these fees based on the criminal offense or type of probate filing, it would be difficult to calculate revenue based on type, fee amount, and occurrences. Therefore, in order to estimate amounts that could be gained by a CPI increase to the fees associated with these cases, MGT applied the CPI to the estimated amount that was collected for these types of cases in FY 1998–99.

In its “Recommended Fee Schedule to Fund Court-Related Services of the Clerks of Circuit Court” report, the FACC identified the relative percentage of revenues generated by each type of circuit and county court case during FY 1998–99. The percent distribution of Clerk revenues is shown in Exhibit 3-15.

**EXHIBIT 3-15
PERCENT DISTRIBUTION OF CLERK REVENUES
BY TYPE OF CASE
FY 1998-99**

Civil	66%
Traffic	19%
Criminal	8%
Probate	7%

Source: FACC “Recommended Fee Schedule to Fund Court-Related Services of the Clerks of Circuit Court”

Assuming that the distribution of revenue generated by each type of county and circuit case holds true today, we made the following calculations.

Starting with the amounts of additional Clerk filing fee revenue estimated for civil cases in 2005 (as shown in Exhibit 3-14), the percentages in Exhibit 3-15 were used to

estimate the additional amounts of fee revenue for Traffic, Criminal, and Probate cases. The calculation is shown in Exhibit 3-16.

The same calculation was performed to estimate the amount of “other” or “add-on” revenue, as shown in Exhibit 3-17. MGT did not project other revenues for criminal cases because fee Clerks bill the County Boards a flat amount—\$50 to recover some of their court-related costs for criminal court. There are no add-ons to this fee.

**EXHIBIT 3-16
CPI ADJUSTMENTS
ESTIMATED DISTRIBUTION OF CLERK FILING FEE REVENUES
BY TYPE OF CASE
FY 2004-2005**

2005 Estimated Additional Civil Clerk Fee Revenues	\$18,687,088
Estimated Total Amount of 2005 Traffic, Criminal, and Probate Filing Fee Revenues	\$9,626,682
Estimated Total Amount of 2005 Civil, Traffic, Criminal, and Probate Filing Fee Revenues	\$28,313,770

Civil Revenues	\$18,687,088	66%
Estimated Criminal Revenues (8% of Total)	\$2,265,102	8%
Estimated Traffic Revenues (19% of Total)	\$5,379,616	19%
Estimated Probate Revenues (7% of Total)	\$1,981,964	7%

**EXHIBIT 3-17
CPI ADJUSTMENTS
ESTIMATED DISTRIBUTION OF CLERKS' OTHER (ADD-ONS) REVENUES
BY TYPE OF CASE*
FY 2004-2005**

2005 Estimated Additional Civil Other Revenues	\$58,461,862
Estimated Total Amount of 2005 Traffic and Probate Other Revenues	\$23,030,431
Estimated Total Amount of 2005 Civil, Traffic, and Probate Other Revenues	\$81,492,293

Civil Revenues	\$58,461,862	66%
Estimated Traffic Revenues (19% of Total)	\$15,483,536	19%
Estimated Probate Revenues (7% of Total)	\$5,704,461	7%

*There are no county add-ons for criminal cases; therefore, no revenue was attributed to this source. Percentages for the different types of revenue categories do not add up to 100 percent.

RECOMMENDATION 3.3-1

Adjust the amount of fees retained by the Clerks by the Consumer Price Index from the time they were last changed through 2003–2005.

This one-time, across-the-board adjustment will bring this portion of the current fee structure up to date. It is estimated that this adjustment will increase fees approximately 60 percent through 2003 or approximately 69.6 percent through 2005. A process should be established to adjust these CPI changes every other year thereafter. Rate adjustments should be submitted to the judiciary committees of both the House and the Senate as part of the approval process.

RECOMMENDATION 3.3-2

The Legislature should discontinue the current practice of financing non-Court Clerk-related programs through filing fees.

Revenues generated for county programs by adding on to the Clerk's filing fees should be discontinued. Counties should pursue revenue through other means to fund non-Court Clerk-related programs.

3.3.3 Other Sources of Additional Revenue

In addition to increasing filing fees, an increase in service charge fees could also generate additional revenue. If there was no increase in service charge fees, an estimated \$59 million would be collected in 2005 (as shown in Exhibit 3-18). A 25 percent increase in service charge fees would generate an additional \$14.8 million in service charge revenues. Exhibit 3-18 shows the projected service charges adjusted through 2005.

**EXHIBIT 3-18
CLERKS OF THE COURT SERVICE CHARGE PROJECTIONS**

Fiscal Year	Inflation¹	Projected Fees/Charges
2000	2.85%	\$53,009,987
2001	1.58%	\$54,520,772
2002	1.78%	\$55,382,200
2003	2.30%	\$56,368,003
2004	2.20%	\$57,664,467
2005	2.50%	\$58,933,085

¹2001 and 2002 numbers from U.S. Bureau of Labor Statistics; 2003, 2004, and 2005 projections made by U.S. Congressional Budget Office.

Currently, there is no Clerk fee associated with the filing of a noncriminal traffic case, or a municipal or county ordinance complaint, although the Clerk must still perform the court-related tasks associated with court proceedings. The Office of State Court Administration State Reporting System (SRS) 2000–2001 report showed that there were 130,199 County and Municipal Ordinance filings. If the caseload were projected to 2005, there would be approximately 142,044 of this type of cases. If a \$50 filing fee were applied to each of these cases, it would yield an additional \$7.1 million in Clerk revenues. There were approximately 620,000 civil traffic infraction filings that involved a judge for FY 2001. A \$10 service charge to handle these cases would generate an additional \$6.2 million in Clerks' revenue.

RECOMMENDATION 3.3-3:

MGT recommends that the Clerks' service charge fees be increased by 25 percent.

As with the Clerks' filing fees, service charge fees have not been increased since the mid-1980s also. These service charge fees should be adjusted by the CPI on a regular, recurring basis.

RECOMMENDATION 3.3-4:

Revise the Clerks' fee schedule to include fees for traffic court and local ordinance violations.

Filing fees should be implemented to ensure that the users pay for court-related services of the Clerks. Currently, traffic court and court proceedings for violations of local ordinances do not require a filing fee. This revision to the fee schedule will bring in significant revenue to pay for the Clerks' operations.

3.4 Other States' Fee Structures

The fee structure in Texas is similar to that in Florida and most states, in that many court fees are dictated at the local level, while the reporting requirements to the state are standard, creating a complex and cumbersome fee structure. In a recent

report, the Texas Comptroller's office recommended the simplification of the fee structure throughout the Texas court system. These recommendations included:

- consolidate all state court costs on criminal convictions into a single cost;
- report all criminal court costs quarterly;
- require that new state court costs, fees, or fines be included in the new consolidated fee structure;
- consolidate court costs for civil fees in district courts; and
- require a quarterly due date for all civil fees.

Florida has an unusually complex filing fee court structure and should explore the simplification of its fee structure, similar to what the Texas Comptroller recommended for the State of Texas. Texas has provided for criminal fee increases during every legislative session in the recent past, but has not used any specific methodology to increase fees.

New Jersey has a standard statewide fee schedule for court services and does not permit local supplements or add-ons. Recent fee increases were based on the cost of the initiatives that were being funded by the increase.

The New Jersey practice of disallowing local supplements or add-ons is addressed in regards to Florida's practices in section 3.3.2 above. Florida may want to address the funding of future initiatives through fee increases. California has used the same methodology as New Jersey for recent fee increases.

3.5 Evaluation of Structures

MGT has determined that additional revenue options must be pursued in order to generate enough revenues to make the Clerk's office self-supporting. Additional revenues generated from best practices implementations and fee structure adjustments

will generate only about a third of the required revenue. Exhibit 3-19 displays that in FY 2005, the projected base cost for the Clerks will be approximately \$333 million. This figure incorporates cost savings from MGT's Phase 2 report regarding the Clerks' operations and CPI adjustments through FY 2005. The CPI adjustment of cost for the Clerks through FY 2005 represents an 11.2 percent increase from FY 2000.

EXHIBIT 3-19
PROJECTION OF COURT CLERK COURT-RELATED OPERATIONS
FY 2005

Base (FY 2000)	\$310,269,429
CPI Increase to Base	\$34,668,115
Revised Base	\$344,937,545
Cost Savings from Phase 2 Report*	\$12,097,698
Projected 2005 Base Cost	<u>\$332,839,847</u>

*Estimated Cost Reductions from MGT of America's Phase II report, dated March 11, 2003

Exhibit 3-20 shows the detailed projection of Court Clerk court-related operations for FY 2005 by county. This chart shows the county-level impact of the base cost (indexed by the CPI) plus cost savings from the MGT Phase 2 report.

Miami-Dade experienced the greatest cost savings from the MGT Phase 2 report of approximately \$1.9 million, whereas Lafayette County experienced the least cost savings, \$4,325.

Approximately 16 percent of the projected FY 2005 base cost, after cost savings from Phase 2 are applied, occur in Miami-Dade (approximately \$53.6 million). Broward County follows with approximately 9 percent (\$28.4 million), then Palm Beach County with approximately 8 percent (\$26.4 million).

EXHIBIT 3-20
DETAIL BY COUNTY¹
PROJECTION OF COURT CLERK COURT-RELATED OPERATIONS
FY 2005

	Base	CPI Increase to Base	Revised Base	Cost Savings from Phase 2 Report²	Projected 2005 Base Cost
State	\$310,269,429	\$34,668,115	\$344,937,545	\$12,097,698	\$332,839,847
Alachua	\$4,855,989	\$542,586	\$5,398,576	\$189,339.60	\$5,209,236
Baker	\$362,911	\$40,550	\$403,461	\$14,150.24	\$389,311
Bay	\$2,621,502	\$292,915	\$2,914,417	\$102,214.82	\$2,812,202
Bradford	\$410,191	\$45,833	\$456,024	\$15,993.73	\$440,030
Brevard	\$11,074,388	\$1,237,403	\$12,311,791	\$431,800.85	\$11,879,990
Broward	\$26,437,647	\$2,954,024	\$29,391,672	\$1,030,828.79	\$28,360,843
Calhoun	\$278,472	\$31,115	\$309,587	\$10,857.87	\$298,729
Charlotte	\$2,491,637	\$278,404	\$2,770,042	\$97,151.29	\$2,672,890
Citrus	\$1,354,353	\$151,329	\$1,505,682	\$52,807.49	\$1,452,875
Clay	\$2,448,833	\$273,622	\$2,722,455	\$95,482.32	\$2,626,973
Collier	\$4,563,672	\$509,924	\$5,073,597	\$177,941.88	\$4,895,655
Columbia	\$930,700	\$103,992	\$1,034,692	\$36,288.86	\$998,403
De Soto	\$500,919	\$55,970	\$556,889	\$19,531.29	\$537,358
Dixie	\$274,012	\$30,617	\$304,629	\$10,683.97	\$293,945
Duval	\$11,292,927	\$1,261,821	\$12,554,748	\$440,321.88	\$12,114,427
Escambia	\$5,862,981	\$655,103	\$6,518,084	\$228,603.15	\$6,289,481
Flagler	\$609,739	\$68,129	\$677,868	\$23,774.29	\$654,094
Franklin	\$416,121	\$46,495	\$462,616	\$16,224.94	\$446,391
Gadsden	\$916,626	\$102,420	\$1,019,046	\$35,740.12	\$983,306
Gilchrist	\$352,077	\$39,340	\$391,417	\$13,727.82	\$377,689
Glades	\$335,725	\$37,512	\$373,237	\$13,090.23	\$360,147
Gulf	\$340,843	\$38,084	\$378,927	\$13,289.79	\$365,637
Hamilton	\$469,062	\$52,411	\$521,472	\$18,289.15	\$503,183
Hardee	\$828,430	\$92,565	\$920,995	\$32,301.28	\$888,694
Hendry	\$561,145	\$62,700	\$623,845	\$21,879.56	\$601,965
Hernando	\$2,078,521	\$232,245	\$2,310,765	\$81,043.48	\$2,229,722
Highlands	\$1,570,438	\$175,474	\$1,745,912	\$61,232.86	\$1,684,679
Hillsborough	\$21,226,579	\$2,371,763	\$23,598,341	\$827,644.31	\$22,770,697
Holmes	\$289,166	\$32,310	\$321,477	\$11,274.87	\$310,202

EXHIBIT 3-20 (Continued)
DETAIL BY COUNTY¹
PROJECTION OF COURT CLERK COURT-RELATED OPERATIONS
FY 2005

	Base	CPI Increase to Base	Revised Base	Cost Savings from Phase 2 Report ²	Projected 2005 Base Cost
Indian River	\$2,476,235	\$276,683	\$2,752,918	\$96,550.72	\$2,656,367
Jackson	\$612,968	\$68,490	\$681,459	\$23,900.21	\$657,558
Jefferson	\$418,572	\$46,769	\$465,342	\$16,320.53	\$449,021
Lafayette	\$110,931	\$12,395	\$123,326	\$4,325.31	\$119,001
Lake	\$3,665,619	\$409,580	\$4,075,199	\$142,925.93	\$3,932,273
Lee	\$5,009,305	\$559,717	\$5,569,022	\$195,317.52	\$5,373,705
Leon	\$6,027,954	\$673,537	\$6,701,490	\$235,035.61	\$6,466,455
Levy	\$616,092	\$68,839	\$684,931	\$24,022.01	\$660,909
Liberty	\$200,817	\$22,438	\$223,256	\$7,830.06	\$215,426
Madison	\$299,490	\$33,464	\$332,953	\$11,677.38	\$321,276
Manatee	\$4,377,556	\$489,129	\$4,866,685	\$170,685.05	\$4,696,000
Marion	\$3,798,230	\$424,397	\$4,222,627	\$148,096.57	\$4,074,531
Martin	\$3,025,443	\$338,049	\$3,363,493	\$117,964.88	\$3,245,528
Miami-Dade	\$50,008,096	\$5,587,680	\$55,595,777	\$1,949,862.81	\$53,645,914
Monroe	\$2,492,001	\$278,445	\$2,770,446	\$97,165.47	\$2,673,281
Nassau	\$1,421,856	\$158,872	\$1,580,728	\$55,439.51	\$1,525,288
Okaloosa	\$2,823,995	\$315,541	\$3,139,536	\$110,110.23	\$3,029,425
Okeechobee	\$837,162	\$93,541	\$930,703	\$32,641.75	\$898,061
Orange	\$16,648,481	\$1,860,227	\$18,508,707	\$649,139.95	\$17,859,567
Osceola	\$4,112,875	\$459,554	\$4,572,429	\$160,364.87	\$4,412,064
Palm Beach	\$24,610,347	\$2,749,850	\$27,360,197	\$959,580.62	\$26,400,616
Pasco	\$6,828,140	\$762,946	\$7,591,085	\$266,235.60	\$7,324,850
Pinellas	\$18,957,826	\$2,118,262	\$21,076,088	\$739,183.49	\$20,336,905
Polk	\$8,694,239	\$971,455	\$9,665,695	\$338,996.59	\$9,326,698
Putnam	\$1,611,867	\$180,103	\$1,791,970	\$62,848.22	\$1,729,122
St. Johns	\$2,584,527	\$288,783	\$2,873,311	\$100,773.15	\$2,772,538
St. Lucie	\$4,745,856	\$530,281	\$5,276,136	\$185,045.38	\$5,091,091
Santa Rosa	\$1,906,633	\$213,039	\$2,119,672	\$74,341.43	\$2,045,331
Sarasota	\$6,111,925	\$682,919	\$6,794,844	\$238,309.71	\$6,556,534
Seminole	\$6,296,073	\$703,495	\$6,999,568	\$245,489.81	\$6,754,078
Sumter	\$1,031,246	\$115,227	\$1,146,473	\$40,209.27	\$1,106,264

EXHIBIT 3-20 (Continued)
DETAIL BY COUNTY¹
IMPACT OF REVENUE ADJUSTMENTS
PROJECTION OF COURT CLERK COURT-RELATED OPERATIONS
FY 2005

	Base	CPI Increase to Base	Revised Base	Cost Savings from Phase 2 Report ²	Projected 2005 Base Cost
Suwannee	\$673,151	\$75,215	\$748,366	\$26,246.80	\$722,119
Taylor	\$399,378	\$44,625	\$444,002	\$15,572.11	\$428,430
Union	\$293,792	\$32,827	\$326,619	\$11,455.24	\$315,164
Volusia	\$9,036,591	\$1,009,708	\$10,046,299	\$352,345.19	\$9,693,954
Wakulla	\$385,910	\$43,120	\$429,030	\$15,047.01	\$413,983
Walton	\$1,072,270	\$119,811	\$1,192,080	\$41,808.80	\$1,150,271
Washington	\$290,375	\$32,445	\$322,820	\$11,321.98	\$311,498

¹Due to rounding, some totals may differ slightly from summary chart.

²Estimated Cost Reductions from MGT of America's Phase II report, dated March 11, 2003

Exhibit 3-21 projects additional revenue for the Clerks of \$133,244,403. The revenue generating categories are as follows:

- Unassessed Fees;
- Improved collection practices;
- CPI adjustments to Civil Clerk fees;
- CPI-adjusted Traffic, Criminal, and Probate Clerk fees;
- Redirected county civil add-on fees;
- Redirected county Traffic and Probate add-on fees;
- Increase in Service Charge Fees of 25 percent; and
- A new \$50 filing fee for county and municipal ordinance violations.

**EXHIBIT 3-21
PROJECTION OF COURT CLERK REVENUE INCREASES
FY 2005**

Clerk Estimated Revenue from Unassessed Fees	\$321,459
Clerk Estimated Revenue for Improved Collections Practices	\$1,349,288
Civil Clerk Fees Increase based on CPI Adjustment	\$18,687,088
Traffic, Criminal & Probate Clerk Fee Increase based on CPI Adjustment	\$9,626,682
Redirected County Civil Add-On Fees	\$58,461,862
Redirected County Traffic and Probate Add-On Fees	\$23,030,431
25% Increase in Service Charge Fees	\$14,733,269
\$50 County and Municipal Ordinance Filing Fee	\$7,034,321
Potential Revenue Increases	\$133,244,400

Source: Previously shown exhibits.

Exhibit 3-22 illustrates the county-level detail of projected revenue increases of Clerk-related revenues for FY 2005.

EXHIBIT 3-22
DETAIL BY COUNTY¹
PROJECTION OF REVENUE INCREASES FOR CLERK COURT-RELATED OPERATIONS
FY 2005

	Clerk Estimated Revenue from Unassessed Fees	Clerk Estimated Revenue for Improved Collections Practices	Civil Clerk Fees Increase based on CPI Adjustment	Traffic, Criminal & Probate Clerk Fee Increase based on CPI Adjustment	Redirected County Civil Add-On Fees	Redirected County Traffic and Probate Add- On Fees	25% Increase in Service Charge Fees	\$50 County and Municipal Ordinance Filing Fee	Potential Revenue Increases
State	\$321,459	\$1,349,288	\$18,687,088	\$9,626,682	\$58,461,862	\$23,030,431	\$14,733,269	\$7,034,321	\$133,244,400
Alachua	\$4,296	\$18,031	\$232,770	\$119,912	\$1,021,988	\$402,601	\$113,647	\$43,617	\$1,956,863
Baker	\$439	\$1,845	\$20,985	\$10,810	\$28,048	\$11,049	\$9,213	\$268	\$82,657
Bay	\$2,909	\$12,209	\$184,717	\$95,157	\$188,415	\$74,224	\$193,941	\$39,331	\$790,902
Bradford	\$508	\$2,134	\$22,227	\$11,450	\$13,913	\$5,481	\$9,113	\$0	\$64,827
Brevard	\$9,448	\$39,658	\$395,894	\$203,946	\$1,735,489	\$683,678	\$424,176	\$20,447	\$3,512,736
Broward	\$32,683	\$137,183	\$2,396,924	\$1,234,779	\$10,082,201	\$3,971,776	\$897,793	\$706,319	\$19,459,658
Calhoun	\$253	\$1,060	\$15,301	\$7,882	\$2,401	\$946	\$8,277	\$53	\$36,173
Charlotte	\$2,867	\$12,036	\$98,260	\$50,619	\$188,655	\$74,319	\$290,480	\$0	\$717,234
Citrus	\$2,383	\$10,001	\$85,232	\$43,907	\$272,681	\$107,420	\$87,742	\$1,204	\$610,569
Clay	\$2,860	\$12,004	\$109,210	\$56,260	\$163,218	\$64,298	\$80,412	\$771	\$489,032
Collier	\$5,563	\$23,348	\$247,873	\$127,692	\$316,688	\$124,756	\$249,961	\$157,358	\$1,253,240
Columbia	\$1,123	\$4,715	\$74,074	\$38,159	\$104,861	\$41,309	\$83,489	\$377	\$348,108
De Soto	\$664	\$2,787	\$26,352	\$13,576	\$19,435	\$7,656	\$17,425	\$615	\$88,511
Dixie	\$286	\$1,200	\$7,935	\$4,088	\$14,769	\$5,818	\$5,473	\$448	\$40,017
Duval	\$15,348	\$64,423	\$1,066,265	\$549,288	\$1,345,452	\$530,027	\$450,684	\$133,875	\$4,155,362
Escambia	\$5,633	\$23,643	\$300,526	\$154,817	\$501,584	\$197,594	\$192,737	\$5,656	\$1,382,189
Flagler	\$1,135	\$4,764	\$41,699	\$21,481	\$111,025	\$43,737	\$48,600	\$5,127	\$277,567
Franklin	\$188	\$790	\$10,903	\$5,617	\$1,870	\$736	\$10,190	\$1,558	\$31,852
Gadsden	\$850	\$3,569	\$48,609	\$25,041	\$28,802	\$11,346	\$54,690	\$51	\$172,959
Gilchrist	\$303	\$1,272	\$10,110	\$5,208	\$13,226	\$5,210	\$12,353	\$0	\$47,682
Glades	\$212	\$890	\$5,523	\$2,845	\$0	\$0	\$11,295	\$0	\$20,765
Gulf	\$284	\$1,193	\$14,356	\$7,395	\$3,657	\$1,441	\$15,152	\$794	\$44,272
Hamilton	\$260	\$1,093	\$12,781	\$6,584	\$16,250	\$6,402	\$23,931	\$0	\$67,301
Hardee	\$530	\$2,225	\$19,893	\$10,248	\$23,719	\$9,344	\$40,239	\$640	\$106,838
Hendry	\$740	\$3,106	\$30,980	\$15,959	\$3,629	\$1,430	\$14,844	\$222	\$70,909
Hernando	\$2,638	\$11,071	\$103,650	\$53,395	\$110,330	\$43,463	\$133,951	\$383	\$458,881
Highlands	\$1,740	\$7,305	\$62,728	\$32,315	\$122,507	\$48,261	\$72,180	\$2,269	\$349,305
Hillsborough	\$20,109	\$84,407	\$1,186,502	\$611,228	\$5,000,837	\$1,970,027	\$1,238,083	\$512,437	\$10,623,629
Holmes	\$358	\$1,503	\$12,262	\$6,317	\$8,239	\$3,246	\$26,335	\$0	\$58,260

EXHIBIT 3-22 (Continued)
DETAIL BY COUNTY¹
PROJECTION OF REVENUE INCREASES FOR CLERK COURT-RELATED OPERATIONS
FY 2005

	Clerk Estimated Revenue from Unassessed Fees	Clerk Estimated Revenue for Improved Collections Practices	Civil Clerk Fees Increase based on CPI Adjustment	Traffic, Criminal & Probate Clerk Fee Increase based on CPI Adjustment	Redirected County Civil Add-On Fees	Redirected County Traffic and Probate Add- On Fees	25% Increase in Service Charge Fees	\$50 County and Municipal Ordinance Filing Fee	Potential Revenue Increases
Indian River	\$2,290	\$9,612	\$87,492	\$45,071	\$122,338	\$48,194	\$147,762	\$13,527	\$476,286
Jackson	\$912	\$3,827	\$42,311	\$21,796	\$15,245	\$6,006	\$39,328	\$0	\$129,424
Jefferson	\$251	\$1,053	\$13,498	\$6,953	\$4,277	\$1,685	\$16,032	\$0	\$43,749
Lafayette	\$141	\$592	\$4,942	\$2,546	\$993	\$391	\$5,240	\$0	\$14,845
Lake	\$4,487	\$18,832	\$177,174	\$91,271	\$401,526	\$158,177	\$167,105	\$20,692	\$1,039,264
Lee	\$9,125	\$38,301	\$489,794	\$252,318	\$415,431	\$163,655	\$362,526	\$169,796	\$1,900,946
Leon	\$4,773	\$20,035	\$313,793	\$161,651	\$501,596	\$197,598	\$415,672	\$24,436	\$1,639,555
Levy	\$701	\$2,944	\$32,216	\$16,596	\$28,140	\$11,085	\$32,049	\$442	\$124,173
Liberty	\$140	\$586	\$4,095	\$2,109	\$609	\$240	\$8,675	\$0	\$16,454
Madison	\$358	\$1,502	\$15,892	\$8,187	\$3,064	\$1,207	\$34,891	\$0	\$65,100
Manatee	\$5,355	\$22,477	\$206,737	\$106,501	\$502,197	\$197,835	\$247,439	\$23,160	\$1,311,701
Marion	\$5,293	\$22,217	\$276,778	\$142,583	\$562,870	\$221,736	\$215,996	\$27,057	\$1,474,530
Martin	\$2,556	\$10,730	\$95,252	\$49,069	\$404,777	\$159,458	\$189,570	\$4,376	\$915,789
Miami-Dade	\$44,305	\$185,966	\$3,319,611	\$1,710,103	\$14,709,587	\$5,794,686	\$1,579,165	\$3,328,557	\$30,671,980
Monroe	\$1,499	\$6,291	\$83,653	\$43,094	\$98,840	\$38,937	\$101,149	\$23,238	\$396,699
Nassau	\$1,196	\$5,019	\$41,832	\$21,550	\$72,070	\$28,391	\$67,241	\$169	\$237,469
Okaloosa	\$3,379	\$14,181	\$164,208	\$84,592	\$212,285	\$83,627	\$168,207	\$5,428	\$735,907
Okeechobee	\$701	\$2,942	\$31,311	\$16,130	\$45,317	\$17,852	\$36,267	\$0	\$150,520
Orange	\$18,791	\$78,875	\$1,343,257	\$691,981	\$3,621,548	\$1,426,670	\$1,370,821	\$303,164	\$8,855,108
Osceola	\$3,737	\$15,685	\$228,378	\$117,649	\$478,777	\$188,609	\$189,230	\$69,798	\$1,291,862
Palm Beach	\$23,026	\$96,648	\$1,289,013	\$664,037	\$5,622,545	\$2,214,942	\$870,105	\$311,855	\$11,092,171
Pasco	\$6,937	\$29,115	\$271,415	\$139,820	\$555,102	\$218,677	\$276,521	\$5,566	\$1,503,152
Pinellas	\$17,583	\$73,802	\$850,103	\$437,932	\$2,710,857	\$1,067,913	\$573,656	\$524,944	\$6,256,790
Polk	\$9,695	\$40,694	\$630,439	\$324,771	\$1,210,819	\$476,989	\$534,408	\$206,415	\$3,434,230
Putnam	\$1,339	\$5,619	\$69,084	\$35,589	\$78,399	\$30,884	\$127,606	\$52	\$348,571
St. Johns	\$2,659	\$11,161	\$102,601	\$52,855	\$129,094	\$50,855	\$143,180	\$7,438	\$499,843
St. Lucie	\$3,948	\$16,571	\$234,442	\$120,773	\$498,867	\$196,524	\$374,239	\$58,455	\$1,503,819
Santa Rosa	\$2,471	\$10,374	\$88,000	\$45,333	\$129,767	\$51,120	\$45,005	\$26,927	\$398,996
Sarasota	\$6,503	\$27,294	\$341,300	\$175,821	\$1,475,112	\$581,105	\$161,834	\$45,934	\$2,814,903
Seminole	\$7,522	\$31,575	\$354,932	\$182,844	\$653,454	\$257,421	\$672,901	\$2,123	\$2,162,773
Sumter	\$1,199	\$5,034	\$32,983	\$16,991	\$44,518	\$17,538	\$14,627	\$1,463	\$134,354

EXHIBIT 3-22 (Continued)
DETAIL BY COUNTY¹
IMPACT OF REVENUE ADJUSTMENTS
PROJECTION OF REVENUE INCREASES FOR CLERK COURT-RELATED OPERATIONS
FY 2005

	Clerk Estimated Revenue from Unassessed Fees	Clerk Estimated Revenue for Improved Collections Practices	Civil Clerk Fees Increase based on CPI Adjustment	Traffic, Criminal & Probate Clerk Fee Increase based on CPI Adjustment	Redirected County Civil Add-On Fees	Redirected County Traffic and Probate Add- On Fees	25% Increase in Service Charge Fees	\$50 County and Municipal Ordinance Filing Fee	Potential Revenue Increases
Suwannee	\$709	\$2,976	\$36,550	\$18,829	\$76,297	\$30,056	\$101,380	\$8,940	\$275,738
Taylor	\$387	\$1,623	\$22,324	\$11,500	\$4,058	\$1,598	\$26,281	\$926	\$68,697
Union	\$269	\$1,130	\$9,464	\$4,875	\$10,583	\$4,169	\$8,293	\$109	\$38,893
Volusia	\$8,827	\$37,052	\$451,102	\$232,386	\$1,488,954	\$586,558	\$514,690	\$181,549	\$3,501,119
Wakulla	\$495	\$2,078	\$21,161	\$10,901	\$25,108	\$9,891	\$34,023	\$0	\$103,656
Walton	\$873	\$3,665	\$47,814	\$24,631	\$97,424	\$38,379	\$25,740	\$3,967	\$242,493
Washington	\$416	\$1,745	\$17,599	\$9,066	\$5,530	\$2,179	\$18,010	\$0	\$54,545

Source: Previously Shown Exhibits

¹Due to rounding, some totals may differ slightly from summary chart.

Exhibit 3-23 shows the impact of the revised projection of Court Clerk court-related operational costs by including estimated revenues from fee increases and fee adjustments. There is a resulting general fund requirement of approximately \$68 million.

**EXHIBIT 3-23
SUMMARY
IMPACT OF REVENUE ADJUSTMENTS
FY 2005**

Base	\$332,839,847
Clerk Revenues	\$131,820,732
<i>Subtotal</i>	<i>\$201,019,115</i>
Clerk Estimated Revenue from Unassessed Fees	\$321,459
<i>Subtotal</i>	<i>\$200,697,656</i>
Clerk Estimated Revenue for Improved Collections Practices	\$1,349,288
<i>Subtotal</i>	<i>\$199,348,368</i>
Increase Civil, Traffic, Criminal, and Probate Clerk Fees by CPI	\$28,313,770
<i>Subtotal</i>	<i>\$171,034,598</i>
Redirect County Civil, Traffic, and Probate Fees	\$81,492,293
<i>Subtotal</i>	<i>\$89,542,305</i>
25% Increase in Service Charge Fees	\$14,733,269
<i>Subtotal</i>	<i>\$74,809,036</i>
County and Municipal Ordinance Filing Fee	\$7,034,321
<i>General Fund Requirements</i>	<i>\$67,774,714</i>

Exhibit 3-24 shows the impact of the revenue adjustments by county. It is important to note that although the state experiences a general fund requirement of approximately \$68 million, seven counties experience a surplus. They are:

- Charlotte (\$643,310);
- Columbia (\$96,694);
- Flagler (\$58,303);
- Madison (\$55,996);
- Orange (\$3,260,480);
- Seminole (\$1,429,241); and
- Suwannee (\$460,679).

**EXHIBIT 3-24
DETAIL BY COUNTY¹
IMPACT OF REVENUE ADJUSTMENTS
FY 2005**

	Base	2005 Clerk Revenues	Subtotal	Clerk Estimated Revenue from Unassessed Fees	Subtotal	Clerk Estimated Revenue for Improved Collections Practices	Subtotal	Increase Civil, Traffic, Criminal, and Probate Fees by CPI	Subtotal
State	\$332,839,847	\$131,820,732	\$201,019,115	\$321,459	\$200,697,656	\$1,349,288	\$199,348,368	\$28,313,770	\$171,034,598
Alachua	\$5,209,236	\$1,016,821	\$4,192,415	\$4,296	\$4,188,120	\$18,031	\$4,170,089	\$352,682	\$3,817,407
Baker	\$389,311	\$82,434	\$306,877	\$439	\$306,437	\$1,845	\$304,593	\$31,795	\$272,798
Bay	\$2,812,202	\$1,735,215	\$1,076,987	\$2,909	\$1,074,079	\$12,209	\$1,061,870	\$279,874	\$781,996
Bradford	\$440,030	\$81,535	\$358,495	\$508	\$357,987	\$2,134	\$355,853	\$33,678	\$322,175
Brevard	\$11,879,990	\$3,795,165	\$8,084,825	\$9,448	\$8,075,377	\$39,658	\$8,035,719	\$599,840	\$7,435,879
Broward	\$28,360,843	\$8,032,689	\$20,328,153	\$32,683	\$20,295,470	\$137,183	\$20,158,287	\$3,631,702	\$16,526,584
Calhoun	\$298,729	\$74,055	\$224,674	\$253	\$224,422	\$1,060	\$223,362	\$23,184	\$200,178
Charlotte	\$2,672,890	\$2,598,966	\$73,924	\$2,867	\$71,057	\$12,036	\$59,021	\$148,878	-\$89,857
Citrus	\$1,452,875	\$785,036	\$667,838	\$2,383	\$665,455	\$10,001	\$655,454	\$129,139	\$526,315
Clay	\$2,626,973	\$719,461	\$1,907,512	\$2,860	\$1,904,652	\$12,004	\$1,892,649	\$165,470	\$1,727,178
Collier	\$4,895,655	\$2,236,439	\$2,659,215	\$5,563	\$2,653,653	\$23,348	\$2,630,304	\$375,565	\$2,254,739
Columbia	\$998,403	\$746,990	\$251,414	\$1,123	\$250,290	\$4,715	\$245,575	\$112,233	\$133,342
De Soto	\$537,358	\$155,908	\$381,450	\$664	\$380,786	\$2,787	\$377,999	\$39,928	\$338,071
Dixie	\$293,945	\$48,968	\$244,977	\$286	\$244,691	\$1,200	\$243,492	\$12,023	\$231,469
Duval	\$12,114,427	\$4,032,337	\$8,082,090	\$15,348	\$8,066,741	\$64,423	\$8,002,319	\$1,615,553	\$6,386,765
Escambia	\$6,289,481	\$1,724,443	\$4,565,038	\$5,633	\$4,559,405	\$23,643	\$4,535,762	\$455,343	\$4,080,419
Flagler	\$654,094	\$434,830	\$219,264	\$1,135	\$218,129	\$4,764	\$213,365	\$63,180	\$150,186
Franklin	\$446,391	\$91,169	\$355,222	\$188	\$355,034	\$790	\$354,244	\$16,520	\$337,724
Gadsden	\$983,306	\$489,322	\$493,984	\$850	\$493,133	\$3,569	\$489,564	\$73,650	\$415,914
Gilchrist	\$377,689	\$110,520	\$267,169	\$303	\$266,866	\$1,272	\$265,593	\$15,318	\$250,275
Glades	\$360,147	\$101,058	\$259,089	\$212	\$258,877	\$890	\$257,987	\$8,368	\$249,619
Gulf	\$365,637	\$135,571	\$230,067	\$284	\$229,783	\$1,193	\$228,590	\$21,751	\$206,839
Hamilton	\$503,183	\$214,117	\$289,066	\$260	\$288,806	\$1,093	\$287,713	\$19,365	\$268,348
Hardee	\$888,694	\$360,028	\$528,666	\$530	\$528,136	\$2,225	\$525,911	\$30,141	\$495,770
Hendry	\$601,965	\$132,810	\$469,155	\$740	\$468,415	\$3,106	\$465,309	\$46,940	\$418,370
Hernando	\$2,229,722	\$1,198,479	\$1,031,243	\$2,638	\$1,028,606	\$11,071	\$1,017,535	\$157,045	\$860,489
Highlands	\$1,684,679	\$645,805	\$1,038,874	\$1,740	\$1,037,134	\$7,305	\$1,029,829	\$95,043	\$934,786
Hillsborough	\$22,770,697	\$11,077,308	\$11,693,389	\$20,109	\$11,673,279	\$84,407	\$11,588,872	\$1,797,730	\$9,791,142
Holmes	\$310,202	\$235,621	\$74,580	\$358	\$74,222	\$1,503	\$72,719	\$18,579	\$54,140

EXHIBIT 3-24 (Continued)
DETAIL BY COUNTY¹
IMPACT OF REVENUE ADJUSTMENTS
FY 2005

	Base	2005 Clerk Revenues	Subtotal	Clerk Estimated Revenue from Unassessed Fees	Subtotal	Clerk Estimated Revenue for Improved Collections Practices	Subtotal	Increase Civil, Traffic, Criminal, and Probate Fees by CPI	Subtotal
Indian River	\$2,656,367	\$1,322,048	\$1,334,319	\$2,290	\$1,332,029	\$9,612	\$1,322,417	\$132,563	\$1,189,854
Jackson	\$657,558	\$351,870	\$305,689	\$912	\$304,777	\$3,827	\$300,950	\$64,107	\$236,842
Jefferson	\$449,021	\$143,443	\$305,578	\$251	\$305,327	\$1,053	\$304,274	\$20,451	\$283,823
Lafayette	\$119,001	\$46,883	\$72,118	\$141	\$71,977	\$592	\$71,385	\$7,489	\$63,896
Lake	\$3,932,273	\$1,495,110	\$2,437,163	\$4,487	\$2,432,676	\$18,832	\$2,413,844	\$268,445	\$2,145,399
Lee	\$5,373,705	\$3,243,572	\$2,130,133	\$9,125	\$2,121,008	\$38,301	\$2,082,707	\$742,113	\$1,340,595
Leon	\$6,466,455	\$3,719,080	\$2,747,375	\$4,773	\$2,742,602	\$20,035	\$2,722,567	\$475,444	\$2,247,123
Levy	\$660,909	\$286,750	\$374,159	\$701	\$373,458	\$2,944	\$370,514	\$48,811	\$321,703
Liberty	\$215,426	\$77,620	\$137,805	\$140	\$137,666	\$586	\$137,080	\$6,204	\$130,876
Madison	\$321,276	\$312,172	\$9,104	\$358	\$8,746	\$1,502	\$7,244	\$24,079	-\$16,835
Manatee	\$4,696,000	\$2,213,871	\$2,482,129	\$5,355	\$2,476,774	\$22,477	\$2,454,296	\$313,237	\$2,141,059
Marion	\$4,074,531	\$1,932,551	\$2,141,980	\$5,293	\$2,136,687	\$22,217	\$2,114,470	\$419,361	\$1,695,109
Martin	\$3,245,528	\$1,696,109	\$1,549,419	\$2,556	\$1,546,862	\$10,730	\$1,536,132	\$144,321	\$1,391,811
Miami-Dade	\$53,645,914	\$14,129,024	\$39,516,889	\$44,305	\$39,472,584	\$185,966	\$39,286,618	\$5,029,714	\$34,256,905
Monroe	\$2,673,281	\$904,996	\$1,768,285	\$1,499	\$1,766,786	\$6,291	\$1,760,495	\$126,747	\$1,633,748
Nassau	\$1,525,288	\$601,617	\$923,672	\$1,196	\$922,476	\$5,019	\$917,456	\$63,382	\$854,074
Okaloosa	\$3,029,425	\$1,504,971	\$1,524,454	\$3,379	\$1,521,076	\$14,181	\$1,506,895	\$248,800	\$1,258,095
Okeechobee	\$898,061	\$324,488	\$573,574	\$701	\$572,873	\$2,942	\$569,930	\$47,440	\$522,490
Orange	\$17,859,567	\$12,264,940	\$5,594,628	\$18,791	\$5,575,836	\$78,875	\$5,496,961	\$2,035,238	\$3,461,723
Osceola	\$4,412,064	\$1,693,065	\$2,718,999	\$3,737	\$2,715,262	\$15,685	\$2,699,577	\$346,027	\$2,353,550
Palm Beach	\$26,400,616	\$7,784,955	\$18,615,661	\$23,026	\$18,592,636	\$96,648	\$18,495,988	\$1,953,051	\$16,542,937
Pasco	\$7,324,850	\$2,474,075	\$4,850,775	\$6,937	\$4,843,838	\$29,115	\$4,814,723	\$411,234	\$4,403,488
Pinellas	\$20,336,905	\$5,132,588	\$15,204,316	\$17,583	\$15,186,734	\$73,802	\$15,112,932	\$1,288,035	\$13,824,897
Polk	\$9,326,698	\$4,781,428	\$4,545,270	\$9,695	\$4,535,575	\$40,694	\$4,494,881	\$955,210	\$3,539,671
Putnam	\$1,729,122	\$1,141,708	\$587,414	\$1,339	\$586,075	\$5,619	\$580,456	\$104,673	\$475,784
St. Johns	\$2,772,538	\$1,281,052	\$1,491,486	\$2,659	\$1,488,827	\$11,161	\$1,477,666	\$155,457	\$1,322,210
St. Lucie	\$5,091,091	\$3,348,375	\$1,742,716	\$3,948	\$1,738,768	\$16,571	\$1,722,197	\$355,215	\$1,366,982
Santa Rosa	\$2,045,331	\$402,664	\$1,642,667	\$2,471	\$1,640,195	\$10,374	\$1,629,821	\$133,333	\$1,496,489
Sarasota	\$6,556,534	\$1,447,952	\$5,108,582	\$6,503	\$5,102,080	\$27,294	\$5,074,786	\$517,122	\$4,557,664
Seminole	\$6,754,078	\$6,020,546	\$733,532	\$7,522	\$726,009	\$31,575	\$694,435	\$537,776	\$156,659
Sumter	\$1,106,264	\$130,869	\$975,395	\$1,199	\$974,195	\$5,034	\$969,161	\$49,974	\$919,187

EXHIBIT 3-24 (Continued)
DETAIL BY COUNTY¹
IMPACT OF REVENUE ADJUSTMENTS
FY 2005

	Base	2005 Clerk Revenues	Subtotal	Clerk Estimated Revenue from Unassessed Fees	Subtotal	Clerk Estimated Revenue for Improved Collections Practices	Subtotal	Increase Civil, Traffic, Criminal, and Probate Fees by CPI	Subtotal
Suwannee	\$722,119	\$907,061	-\$184,941	\$709	-\$185,650	\$2,976	-\$188,626	\$55,379	-\$244,005
Taylor	\$428,430	\$235,143	\$193,287	\$387	\$192,900	\$1,623	\$191,277	\$33,824	\$157,454
Union	\$315,164	\$74,196	\$240,968	\$269	\$240,699	\$1,130	\$239,568	\$14,340	\$225,229
Volusia	\$9,693,954	\$4,605,005	\$5,088,948	\$8,827	\$5,080,121	\$37,052	\$5,043,069	\$683,489	\$4,359,580
Wakulla	\$413,983	\$304,405	\$109,578	\$495	\$109,083	\$2,078	\$107,005	\$32,062	\$74,943
Walton	\$1,150,271	\$230,296	\$919,975	\$873	\$919,102	\$3,665	\$915,437	\$72,445	\$842,992
Washington	\$311,498	\$161,136	\$150,362	\$416	\$149,946	\$1,745	\$148,201	\$26,665	\$121,536

¹Due to rounding, some totals may differ slightly from summary chart.

EXHIBIT 3-24 (Continued)
DETAIL BY COUNTY¹
IMPACT OF REVENUE ADJUSTMENTS
FY 2005

	Redirect County Civil, Traffic, and Probate Fees	Subtotal	25% Increase in Service Charge Fees	Subtotal	County and Municipal Ordinance Filing Fee	General Fund Requirements
State	\$81,492,293	\$89,542,305	\$14,733,269	\$74,809,036	\$7,034,321	\$67,774,714
Alachua	\$1,424,590	\$2,392,817	\$113,647	\$2,279,170	\$43,617	\$2,235,553
Baker	\$39,097	\$233,701	\$9,213	\$224,488	\$268	\$224,220
Bay	\$262,639	\$519,357	\$193,941	\$325,417	\$39,331	\$286,085
Bradford	\$19,394	\$302,781	\$9,113	\$293,668	\$0	\$293,668
Brevard	\$2,419,167	\$5,016,712	\$424,176	\$4,592,536	\$20,447	\$4,572,089
Broward	\$14,053,977	\$2,472,608	\$897,793	\$1,574,814	\$706,319	\$868,496
Calhoun	\$3,347	\$196,831	\$8,277	\$188,554	\$53	\$188,501
Charlotte	\$262,973	-\$352,831	\$290,480	-\$643,310	\$0	-\$643,310
Citrus	\$380,101	\$146,215	\$87,742	\$58,473	\$1,204	\$57,269
Clay	\$227,515	\$1,499,663	\$80,412	\$1,419,251	\$771	\$1,418,480
Collier	\$441,444	\$1,813,295	\$249,961	\$1,563,334	\$157,358	\$1,405,976
Columbia	\$146,170	-\$12,828	\$83,489	-\$96,317	\$377	-\$96,694
De Soto	\$27,091	\$310,980	\$17,425	\$293,555	\$615	\$292,940
Dixie	\$20,587	\$210,882	\$5,473	\$205,409	\$448	\$204,960
Duval	\$1,875,478	\$4,511,287	\$450,684	\$4,060,603	\$133,875	\$3,926,728
Escambia	\$699,178	\$3,381,241	\$192,737	\$3,188,504	\$5,656	\$3,182,848
Flagler	\$154,762	-\$4,576	\$48,600	-\$53,176	\$5,127	-\$58,303
Franklin	\$2,606	\$335,118	\$10,190	\$324,928	\$1,558	\$323,370
Gadsden	\$40,148	\$375,766	\$54,690	\$321,076	\$51	\$321,025
Gilchrist	\$18,436	\$231,839	\$12,353	\$219,487	\$0	\$219,487
Glades	\$0	\$249,619	\$11,295	\$238,324	\$0	\$238,324
Gulf	\$5,097	\$201,741	\$15,152	\$186,589	\$794	\$185,795
Hamilton	\$22,652	\$245,696	\$23,931	\$221,765	\$0	\$221,765
Hardee	\$33,063	\$462,708	\$40,239	\$422,468	\$640	\$421,828
Hendry	\$5,059	\$413,311	\$14,844	\$398,467	\$222	\$398,246
Hernando	\$153,794	\$706,696	\$133,951	\$572,745	\$383	\$572,362
Highlands	\$170,768	\$764,018	\$72,180	\$691,838	\$2,269	\$689,569
Hillsborough	\$6,970,863	\$2,820,279	\$1,238,083	\$1,582,196	\$512,437	\$1,069,760
Holmes	\$11,485	\$42,656	\$26,335	\$16,321	\$0	\$16,321

EXHIBIT 3-24 (Continued)
DETAIL BY COUNTY¹
IMPACT OF REVENUE ADJUSTMENTS
FY 2005

	Redirect County Civil, Traffic, and Probate Fees	Subtotal	25% Increase in Service Charge Fees	Subtotal	County and Municipal Ordinance Filing Fee	General Fund Requirements
Indian River	\$170,532	\$1,019,322	\$147,762	\$871,560	\$13,527	\$858,033
Jackson	\$21,251	\$215,592	\$39,328	\$176,264	\$0	\$176,264
Jefferson	\$5,962	\$277,861	\$16,032	\$261,829	\$0	\$261,829
Lafayette	\$1,384	\$62,513	\$5,240	\$57,273	\$0	\$57,273
Lake	\$559,703	\$1,585,696	\$167,105	\$1,418,591	\$20,692	\$1,397,899
Lee	\$579,086	\$761,509	\$362,526	\$398,983	\$169,796	\$229,187
Leon	\$699,194	\$1,547,928	\$415,672	\$1,132,256	\$24,436	\$1,107,820
Levy	\$39,225	\$282,477	\$32,049	\$250,428	\$442	\$249,986
Liberty	\$849	\$130,027	\$8,675	\$121,351	\$0	\$121,351
Madison	\$4,271	-\$21,106	\$34,891	-\$55,996	\$0	-\$55,996
Manatee	\$700,032	\$1,441,027	\$247,439	\$1,193,588	\$23,160	\$1,170,428
Marion	\$784,606	\$910,503	\$215,996	\$694,506	\$27,057	\$667,450
Martin	\$564,235	\$827,576	\$189,570	\$638,006	\$4,376	\$633,630
Miami-Dade	\$20,504,272	\$13,752,632	\$1,579,165	\$12,173,467	\$3,328,557	\$8,844,909
Monroe	\$137,776	\$1,495,972	\$101,149	\$1,394,823	\$23,238	\$1,371,585
Nassau	\$100,461	\$753,613	\$67,241	\$686,372	\$169	\$686,203
Okaloosa	\$295,912	\$962,183	\$168,207	\$793,976	\$5,428	\$788,548
Okeechobee	\$63,169	\$459,321	\$36,267	\$423,054	\$0	\$423,054
Orange	\$5,048,218	-\$1,586,496	\$1,370,821	-\$2,957,317	\$303,164	-\$3,260,480
Osceola	\$667,386	\$1,686,165	\$189,230	\$1,496,935	\$69,798	\$1,427,137
Palm Beach	\$7,837,487	\$8,705,450	\$870,105	\$7,835,346	\$311,855	\$7,523,490
Pasco	\$773,779	\$3,629,710	\$276,521	\$3,353,189	\$5,566	\$3,347,623
Pinellas	\$3,778,771	\$10,046,127	\$573,656	\$9,472,470	\$524,944	\$8,947,526
Polk	\$1,687,808	\$1,851,863	\$534,408	\$1,317,455	\$206,415	\$1,111,040
Putnam	\$109,283	\$366,500	\$127,606	\$238,895	\$52	\$238,843
St. Johns	\$179,949	\$1,142,261	\$143,180	\$999,081	\$7,438	\$991,643
St. Lucie	\$695,391	\$671,591	\$374,239	\$297,352	\$58,455	\$238,897
Santa Rosa	\$180,887	\$1,315,602	\$45,005	\$1,270,597	\$26,927	\$1,243,670
Sarasota	\$2,056,217	\$2,501,447	\$161,834	\$2,339,613	\$45,934	\$2,293,679
Seminole	\$910,876	-\$754,217	\$672,901	-\$1,427,118	\$2,123	-\$1,429,241
Sumter	\$62,056	\$857,131	\$14,627	\$842,504	\$1,463	\$841,041

EXHIBIT 3-24 (Continued)
DETAIL BY COUNTY¹
IMPACT OF REVENUE ADJUSTMENTS
FY 2005

	Redirect County Civil, Traffic, and Probate Fees	<i>Subtotal</i>	25% Increase in Service Charge Fees	<i>Subtotal</i>	County and Municipal Ordinance Filing Fee	General Fund Requirements
Suwannee	\$106,354	-\$350,359	\$101,380	-\$451,738	\$8,940	-\$460,679
Taylor	\$5,656	\$151,798	\$26,281	\$125,516	\$926	\$124,590
Union	\$14,752	\$210,476	\$8,293	\$202,184	\$109	\$202,075
Volusia	\$2,075,512	\$2,284,068	\$514,690	\$1,769,378	\$181,549	\$1,587,829
Wakulla	\$34,999	\$39,944	\$34,023	\$5,922	\$0	\$5,922
Walton	\$135,803	\$707,188	\$25,740	\$681,449	\$3,967	\$677,482
Washington	\$7,709	\$113,827	\$18,010	\$95,817	\$0	\$95,817

¹Due to rounding, some totals may differ slightly from summary chart.

Exhibits 3-25 through 3-30 contain models displayed as Options 1 through 3. These models would liquidate this general fund requirement of approximately \$68 million. These models are separate and independent of one another.

Option 1 in Exhibit 3-25 implements a new filing fee for state attorneys. This option would generate an estimated \$68 million if the filing fee was established at \$61.49 for 1,102,180 cases.

**EXHIBIT 3-25
OPTION 1
NEW FILING FEE FOR STATE ATTORNEYS
FY 2005**

<i>General Fund Requirements</i>	\$67,774,714
\$61.49 State Attorney Filing Fee	\$67,774,714
<i>General Fund Requirements</i>	\$0

Exhibit 3-26 shows the impact this option would have on each county in the state. These estimates are based on projected caseloads for FY 2005. This option will eliminate the statewide general fund requirement; however, 47 counties would individually experience a fund deficit, and 20 counties would experience a fund surplus.

EXHIBIT 3-26
DETAIL BY COUNTY¹
OPTION 1
NEW FILING FEE FOR STATE ATTORNEYS
FY 2005

	General Fund Requirements	State Attorney Filing Fee	General Fund Requirements
State	\$67,774,714	\$61.49	\$0
Alachua	\$2,235,553	\$61.49	-\$765,398
Baker	\$224,220	\$61.49	-\$137,429
Bay	\$286,085	\$61.49	\$804,515
Bradford	\$293,668	\$61.49	-\$157,746
Brevard	\$4,572,089	\$61.49	-\$2,349,386
Broward	\$868,496	\$61.49	\$5,718,563
Calhoun	\$188,501	\$61.49	-\$129,880
Charlotte	-\$643,310	\$61.49	\$896,140
Citrus	\$57,269	\$61.49	\$189,329
Clay	\$1,418,480	\$61.49	-\$954,337
Collier	\$1,405,976	\$61.49	-\$204,241
Columbia	-\$96,694	\$61.49	\$396,899
De Soto	\$292,940	\$61.49	-\$180,314
Dixie	\$204,960	\$61.49	-\$177,175
Duval	\$3,926,728	\$61.49	\$826,438
Escambia	\$3,182,848	\$61.49	-\$1,842,353
Flagler	-\$58,303	\$61.49	\$234,544
Franklin	\$323,370	\$61.49	-\$250,886
Gadsden	\$321,025	\$61.49	-\$140,477
Gilchrist	\$219,487	\$61.49	-\$185,727
Glades	\$238,324	\$61.49	-\$176,938
Gulf	\$185,795	\$61.49	-\$130,451
Hamilton	\$221,765	\$61.49	-\$193,358
Hardee	\$421,828	\$61.49	-\$307,021
Hendry	\$398,246	\$61.49	-\$221,928
Hernando	\$572,362	\$61.49	-\$273,538
Highlands	\$689,569	\$61.49	-\$432,650
Hillsborough	\$1,069,760	\$61.49	\$3,711,405
Holmes	\$16,321	\$61.49	\$71,972
Indian River	\$858,033	\$61.49	-\$365,525
Jackson	\$176,264	\$61.49	-\$15,343
Jefferson	\$261,829	\$61.49	-\$207,784
Lafayette	\$57,273	\$61.49	-\$49,102
Lake	\$1,397,899	\$61.49	-\$554,145
Lee	\$229,187	\$61.49	\$1,272,731
Leon	\$1,107,820	\$61.49	\$516,996
Levy	\$249,986	\$61.49	-\$73,022
Liberty	\$121,351	\$61.49	-\$102,323

EXHIBIT 3-26 (CONTINUED)
DETAIL BY COUNTY¹
OPTION 1
NEW FILING FEE FOR STATE ATTORNEYS
FY 2005

	General Fund Requirements	State Attorney Filing Fee	General Fund Requirements
Madison	-\$55,996	\$61.49	\$117,796
Manatee	\$1,170,428	\$61.49	-\$273,384
Marion	\$667,450	\$61.49	\$290,298
Martin	\$633,630	\$61.49	-\$99,299
Miami-Dade	\$8,844,909	\$61.49	-\$1,092,848
Monroe	\$1,371,585	\$61.49	-\$813,145
Nassau	\$686,203	\$61.49	-\$409,517
Okaloosa	\$788,548	\$61.49	-\$216,377
Okeechobee	\$423,054	\$61.49	-\$290,162
Orange	-\$3,260,480	\$61.49	\$7,379,199
Osceola	\$1,427,137	\$61.49	-\$591,429
Palm Beach	\$7,523,490	\$61.49	-\$2,822,763
Pasco	\$3,347,623	\$61.49	-\$2,396,181
Pinellas	\$8,947,526	\$61.49	-\$5,486,382
Polk	\$1,111,040	\$61.49	\$1,344,655
Putnam	\$238,843	\$61.49	\$108,156
St. Johns	\$991,643	\$61.49	-\$369,644
St. Lucie	\$238,897	\$61.49	\$445,076
Santa Rosa	\$1,243,670	\$61.49	-\$749,673
Sarasota	\$2,293,679	\$61.49	-\$1,346,036
Seminole	-\$1,429,241	\$61.49	\$2,770,481
Sumter	\$841,041	\$61.49	-\$698,406
Suwannee	-\$460,679	\$61.49	\$612,099
Taylor	\$124,590	\$61.49	-\$20,301
Union	\$202,075	\$61.49	-\$161,250
Volusia	\$1,587,829	\$61.49	\$1,057,466
Wakulla	\$5,922	\$61.49	\$90,185
Walton	\$677,482	\$61.49	-\$423,593
Washington	\$95,817	\$61.49	-\$16,075

¹Due to rounding, some totals may differ slightly from summary chart.

The model in Exhibit 3-27, Option 2, increases the adjusted amount of Clerks' fees (\$28,313,770) plus Redirect fees (\$81,492,293), as shown in Exhibit 3-23 by 20 percent. Additionally in this option, the Clerks' portion of assessed fees are increased by 25 percent, and a new \$50 filing fee for county and municipal ordinances is established for 140,686 cases. This model would generate an additional \$1,862,026 after the general fund requirement was met.

**EXHIBIT 3-27
OPTION 2
INCREASE CLERK FEES, ASSESSMENTS, AND NEW FILING
FEE FOR LOCAL ORDINANCES
FY 2005**

<i>General Fund Requirements</i>	\$67,774,714
Increase Adjusted ¹ Fees by 20%	\$21,961,213
Increase Clerk's portion of Collected Assessments to 25%	\$40,641,204
\$50 Filing Fee for county and municipal ordinances	\$7,034,321
<i>Additional Revenue</i>	-\$1,862,023

Exhibit 3-28 shows the impact of this option at the county level. Under this option, 48 counties would experience a deficit, and 19 counties would show a surplus. However, overall, the state would generate an additional \$1.9 million in revenue.

EXHIBIT 3-28
DETAIL BY COUNTY¹
OPTION 2
INCREASE CLERK FEES, ASSESSMENTS, AND NEW FILING FEE FOR LOCAL ORDINANCES
FY 2005

	General Fund Requirements	Increase Adjusted Fees by 20%	Increase Clerk's portion of Collected Assessments to 25%	\$50 Filing Fee for county and municipal ordinances	Additional Revenue
State	\$67,774,714	\$21,961,213	\$40,641,204	\$7,034,321	-\$1,862,023
Alachua	\$2,235,553	\$355,454	\$543,093	\$43,617	\$1,293,388
Baker	\$224,220	\$14,178	\$55,560	\$268	\$154,214
Bay	\$286,085	\$108,503	\$367,731	\$39,331	-\$229,480
Bradford	\$293,668	\$10,614	\$64,279	\$0	\$218,774
Brevard	\$4,572,089	\$603,801	\$1,194,524	\$20,447	\$2,753,317
Broward	\$868,496	\$3,537,136	\$4,132,031	\$706,319	-\$7,506,990
Calhoun	\$188,501	\$5,306	\$31,925	\$53	\$151,217
Charlotte	-\$643,310	\$82,370	\$362,519	\$0	-\$1,088,200
Citrus	\$57,269	\$101,848	\$301,247	\$1,204	-\$347,030
Clay	\$1,418,480	\$78,597	\$361,554	\$771	\$977,557
Collier	\$1,405,976	\$163,402	\$703,267	\$157,358	\$381,949
Columbia	-\$96,694	\$51,681	\$142,022	\$377	-\$290,773
De Soto	\$292,940	\$13,404	\$83,944	\$615	\$194,976
Dixie	\$204,960	\$6,522	\$36,135	\$448	\$161,855
Duval	\$3,926,728	\$698,206	\$1,940,440	\$133,875	\$1,154,206
Escambia	\$3,182,848	\$230,904	\$712,145	\$5,656	\$2,234,144
Flagler	-\$58,303	\$43,588	\$143,490	\$5,127	-\$250,508
Franklin	\$323,370	\$3,825	\$23,793	\$1,558	\$294,194
Gadsden	\$321,025	\$22,760	\$107,511	\$51	\$190,703
Gilchrist	\$219,487	\$6,751	\$38,328	\$0	\$174,408
Glades	\$238,324	\$1,674	\$26,807	\$0	\$209,844
Gulf	\$185,795	\$5,370	\$35,934	\$794	\$143,697
Hamilton	\$221,765	\$8,403	\$32,914	\$0	\$180,448
Hardee	\$421,828	\$12,641	\$67,025	\$640	\$341,522
Hendry	\$398,246	\$10,400	\$93,545	\$222	\$294,079
Hernando	\$572,362	\$62,168	\$333,463	\$383	\$176,348
Highlands	\$689,569	\$53,162	\$220,018	\$2,269	\$414,120
Hillsborough	\$1,069,760	\$1,753,719	\$2,542,386	\$512,437	-\$3,738,782
Holmes	\$16,321	\$6,013	\$45,283	\$0	-\$34,975

EXHIBIT 3-28 (Continued)
DETAIL BY COUNTY¹
OPTION 2
INCREASE CLERK FEES, ASSESSMENTS, AND NEW FILING FEE FOR LOCAL ORDINANCES
FY 2005

	General Fund Requirements	Increase Adjusted Fees by 20%	Increase Clerk's portion of Collected Assessments to 25%	\$50 Filing Fee for county and municipal ordinances	Additional Revenue
Indian River	\$858,033	\$60,619	\$289,516	\$13,527	\$494,372
Jackson	\$176,264	\$17,072	\$115,275	\$0	\$43,917
Jefferson	\$261,829	\$5,283	\$31,729	\$0	\$224,817
Lafayette	\$57,273	\$1,774	\$17,826	\$0	\$37,672
Lake	\$1,397,899	\$165,630	\$567,242	\$20,692	\$644,335
Lee	\$229,187	\$264,240	\$1,153,637	\$169,796	-\$1,358,485
Leon	\$1,107,820	\$234,928	\$603,463	\$24,436	\$244,993
Levy	\$249,986	\$17,607	\$88,674	\$442	\$143,264
Liberty	\$121,351	\$1,411	\$17,644	\$0	\$102,296
Madison	-\$55,996	\$5,670	\$45,239	\$0	-\$106,905
Manatee	\$1,170,428	\$202,654	\$677,024	\$23,160	\$267,590
Marion	\$667,450	\$240,793	\$669,192	\$27,057	-\$269,593
Martin	\$633,630	\$141,711	\$323,189	\$4,376	\$164,353
Miami-Dade	\$8,844,909	\$5,106,797	\$5,601,380	\$3,328,557	-\$5,191,825
Monroe	\$1,371,585	\$52,905	\$189,484	\$23,238	\$1,105,959
Nassau	\$686,203	\$32,769	\$151,189	\$169	\$502,077
Okaloosa	\$788,548	\$108,942	\$427,141	\$5,428	\$247,036
Okeechobee	\$423,054	\$22,122	\$88,627	\$0	\$312,305
Orange	-\$3,260,480	\$1,416,691	\$2,375,749	\$303,164	-\$7,356,084
Osceola	\$1,427,137	\$202,683	\$472,429	\$69,798	\$682,227
Palm Beach	\$7,523,490	\$1,958,107	\$2,911,078	\$311,855	\$2,342,450
Pasco	\$3,347,623	\$237,003	\$876,969	\$5,566	\$2,228,086
Pinellas	\$8,947,526	\$1,013,361	\$2,222,947	\$524,944	\$5,186,274
Polk	\$1,111,040	\$528,604	\$1,225,711	\$206,415	-\$849,690
Putnam	\$238,843	\$42,791	\$169,243	\$52	\$26,757
St. Johns	\$991,643	\$67,081	\$336,165	\$7,438	\$580,959
St. Lucie	\$238,897	\$210,121	\$499,129	\$58,455	-\$528,808
Santa Rosa	\$1,243,670	\$62,844	\$312,460	\$26,927	\$841,439
Sarasota	\$2,293,679	\$514,668	\$822,106	\$45,934	\$910,971
Seminole	-\$1,429,241	\$289,730	\$951,047	\$2,123	-\$2,672,141
Sumter	\$841,041	\$22,406	\$151,636	\$1,463	\$665,535

EXHIBIT 3-28 (Continued)
DETAIL BY COUNTY¹
OPTION 2
INCREASE CLERK FEES, ASSESSMENTS, AND NEW FILING FEE FOR LOCAL ORDINANCES
FY 2005

	General Fund Requirements	Increase Adjusted Fees by 20%	Increase Clerk's portion of Collected Assessments to 25%	\$50 Filing Fee for county and municipal ordinances	Additional Revenue
Suwannee	-\$460,679	\$32,346	\$89,641	\$8,940	-\$591,607
Taylor	\$124,590	\$7,896	\$48,889	\$926	\$66,880
Union	\$202,075	\$5,818	\$34,044	\$109	\$162,104
Volusia	\$1,587,829	\$551,800	\$1,116,029	\$181,549	-\$261,550
Wakulla	\$5,922	\$13,412	\$62,576	\$0	-\$70,066
Walton	\$677,482	\$41,650	\$110,406	\$3,967	\$521,459
Washington	\$95,817	\$6,875	\$52,565	\$0	\$36,377

¹Due to rounding, some totals may differ slightly from summary chart.

Option 3 in Exhibit 3-29 uses a combination of increasing the Clerks' portion of assessments by 25 percent and requiring state attorneys to pay a filing fee of \$24.62 per case. In this option, 21 counties experience a surplus, and 46 experience a deficit. The statewide impact is a general fund requirement of zero.

**EXHIBIT 3-29
OPTION 3
INCREASE ASSESSMENTS AND LOWER STATE ATTORNEY
FILING FEE
FY 2005**

<i>General Fund Requirements</i>	\$67,774,714
Increase Clerk's portion of Collected Assessments to 25%	\$40,641,204
\$24.62 Filing Fee for State Attorney	\$27,133,511
<i>General Fund Requirements</i>	\$0

Case filings from SRS were used to estimate revenues from state attorneys and local ordinance filings. All caseloads were projected to 2005.

EXHIBIT 3-30
DETAIL BY COUNTY¹
OPTION 3
INCREASE ASSESSMENTS AND LOWER STATE ATTORNEY FILING FEE
FY 2005

	General Fund Requirements	Increase Clerk's portion of Collected Assessments to 25%	Filing Fee for State Attorney	General Fund Requirements
State	\$67,774,714	\$40,641,204	\$24.62	\$0
Alachua	\$2,235,553	\$543,093	\$24.62	-\$1,103,886
Baker	\$224,220	\$55,560	\$24.62	-\$133,913
Bay	\$286,085	\$367,731	\$24.62	\$518,266
Bradford	\$293,668	\$64,279	\$24.62	-\$174,972
Brevard	\$4,572,089	\$1,194,524	\$24.62	-\$2,487,709
Broward	\$868,496	\$4,132,031	\$24.62	\$5,900,655
Calhoun	\$188,501	\$31,925	\$24.62	-\$133,107
Charlotte	-\$643,310	\$362,519	\$24.62	\$1,107,050
Citrus	\$57,269	\$301,247	\$24.62	\$342,703
Clay	\$1,418,480	\$361,554	\$24.62	-\$871,106
Collier	\$1,405,976	\$703,267	\$24.62	-\$221,596
Columbia	-\$96,694	\$142,022	\$24.62	\$358,902
De Soto	\$292,940	\$83,944	\$24.62	-\$163,906
Dixie	\$204,960	\$36,135	\$24.62	-\$157,702
Duval	\$3,926,728	\$1,940,440	\$24.62	-\$83,365
Escambia	\$3,182,848	\$712,145	\$24.62	-\$1,934,038
Flagler	-\$58,303	\$143,490	\$24.62	\$272,351
Franklin	\$323,370	\$23,793	\$24.62	-\$270,558
Gadsden	\$321,025	\$107,511	\$24.62	-\$141,231
Gilchrist	\$219,487	\$38,328	\$24.62	-\$167,643
Glades	\$238,324	\$26,807	\$24.62	-\$186,942
Gulf	\$185,795	\$35,934	\$24.62	-\$127,704
Hamilton	\$221,765	\$32,914	\$24.62	-\$177,479
Hardee	\$421,828	\$67,025	\$24.62	-\$308,840
Hendry	\$398,246	\$93,545	\$24.62	-\$234,112
Hernando	\$572,362	\$333,463	\$24.62	-\$119,265
Highlands	\$689,569	\$220,018	\$24.62	-\$366,694
Hillsborough	\$1,069,760	\$2,542,386	\$24.62	\$3,386,759
Holmes	\$16,321	\$45,283	\$24.62	\$64,310

EXHIBIT 3-30 (Continued)
DETAIL BY COUNTY¹
OPTION 3
INCREASE ASSESSMENTS AND LOWER STATE ATTORNEY FILING FEE
FY 2005

	General Fund Requirements	Increase Clerk's portion of Collected Assessments to 25%	Filing Fee for State Attorney	General Fund Requirements
Indian River	\$858,033	\$289,516	\$24.62	-\$371,342
Jackson	\$176,264	\$115,275	\$24.62	\$3,436
Jefferson	\$261,829	\$31,729	\$24.62	-\$208,463
Lafayette	\$57,273	\$17,826	\$24.62	-\$36,175
Lake	\$1,397,899	\$567,242	\$24.62	-\$492,861
Lee	\$229,187	\$1,153,637	\$24.62	\$1,525,740
Leon	\$1,107,820	\$603,463	\$24.62	\$146,136
Levy	\$249,986	\$88,674	\$24.62	-\$90,465
Liberty	\$121,351	\$17,644	\$24.62	-\$96,089
Madison	-\$55,996	\$45,239	\$24.62	\$125,976
Manatee	\$1,170,428	\$677,024	\$24.62	-\$134,274
Marion	\$667,450	\$669,192	\$24.62	\$385,176
Martin	\$633,630	\$323,189	\$24.62	-\$96,522
Miami-Dade	\$8,844,909	\$5,601,380	\$24.62	-\$140,003
Monroe	\$1,371,585	\$189,484	\$24.62	-\$958,531
Nassau	\$686,203	\$151,189	\$24.62	-\$424,243
Okaloosa	\$788,548	\$427,141	\$24.62	-\$132,339
Okeechobee	\$423,054	\$88,627	\$24.62	-\$281,224
Orange	-\$3,260,480	\$2,375,749	\$24.62	\$7,285,152
Osceola	\$1,427,137	\$472,429	\$24.62	-\$620,133
Palm Beach	\$7,523,490	\$2,911,078	\$24.62	-\$2,730,483
Pasco	\$3,347,623	\$876,969	\$24.62	-\$2,089,746
Pinellas	\$8,947,526	\$2,222,947	\$24.62	-\$5,338,915
Polk	\$1,111,040	\$1,225,711	\$24.62	\$1,097,805
Putnam	\$238,843	\$169,243	\$24.62	\$69,321
St. Johns	\$991,643	\$336,165	\$24.62	-\$406,462
St. Lucie	\$238,897	\$499,129	\$24.62	\$534,060
Santa Rosa	\$1,243,670	\$312,460	\$24.62	-\$733,439
Sarasota	\$2,293,679	\$822,106	\$24.62	-\$1,092,186
Seminole	-\$1,429,241	\$951,047	\$24.62	\$2,917,251
Sumter	\$841,041	\$151,636	\$24.62	-\$632,301

EXHIBIT 3-30 (Continued)
DETAIL BY COUNTY¹
OPTION 3
INCREASE ASSESSMENTS AND LOWER STATE ATTORNEY FILING FEE
FY 2005

	General Fund Requirements	Increase Clerk's portion of Collected Assessments to 25%	Filing Fee for State Attorney	General Fund Requirements
Sumter	\$841,041	\$151,636	\$24.62	-\$632,301
Suwannee	-\$460,679	\$89,641	\$24.62	\$610,941
Taylor	\$124,590	\$48,889	\$24.62	-\$33,949
Union	\$202,075	\$34,044	\$24.62	-\$151,687
Volusia	\$1,587,829	\$1,116,029	\$24.62	\$587,240
Wakulla	\$5,922	\$62,576	\$24.62	\$95,130
Walton	\$677,482	\$110,406	\$24.62	-\$465,432
Washington	\$95,817	\$52,565	\$24.62	-\$11,328

¹Due to rounding, some totals may differ slightly from summary chart.

RECOMMENDATION 3.5-1:

Increase the recommended Clerk fees from a 60 percent to a 90 percent increase to provide additional revenue to offset the general fund requirement.

As mentioned in section 3-2 of this chapter, over half of the Clerks' authorized fees have not been updated since the mid-1980s. Fee increases should include CPI adjustments as well as across-the-board increases in service charges.

By adjusting the Clerks' fees from 1987 to FY 2003, it would represent an approximate increase of 60 percent, and to FY 2005, a 70 percent increase. We are recommending an additional 20 percent increase in Option 2. This would result in a 90 percent total increase in the Clerks' authorized filing fees.

RECOMMENDATION 3.5-2:

Establish fee schedules for criminal courts and require state attorneys to pay a filing fee for criminal cases.

Filing fees should be implemented to ensure that the users pay for court-related services of the Clerks, including state attorneys. Currently, criminal court case filings do not require a filing fee. This revision to the fee schedule will bring in significant funds to offset the costs of the Clerks' operations. Furthermore, it would establish a practice of all users of the Clerks' office duties paying for those services.

RECOMMENDATION 3.5-3:

Differentiate fee schedule based on type and size of case.

Some cases take a considerable amount of effort to process. For those cases that are more difficult, the filing fees should be more than for simple cases. For example, the filing fee for product liability is \$41, regardless of whether it involves a small company or a corporate giant. Processing a product liability case for a small company versus a corporate giant—e.g., Coca-Cola or IBM—would differ in degree of difficulty and duration. The small company's case would take less time, due to available resources compared to a larger company with on-staff attorneys and greater resources to fight the case.

RECOMMENDATION 3.5-4:

Establish a priority system for the disbursement of fees.

The Legislature should authorize in statute the prioritization of assessment disbursements to ensure that the Clerks are among the first to receive their share of the distributions. This practice would encourage effective collection by the Clerks, as the Clerks would be the initial beneficiary.

RECOMMENDATION 3.5-5:

MGT recommends that Clerks be given the flexibility to address surplus/deficits by permitting Clerks to adjust service charges.

Our data have illustrated that there is a significant variation in the revenue by county in the options presented in this section. In order to address the surplus/deficits in each Clerk's office, there needs to be the ability to adjust service charges. Legislation should be developed to allow Clerks to adjust service charges as necessary to ensure that revenues and operational costs are properly balanced. The Clerks should be permitted to maintain fund balances annually of no more than 10 percent of their respective operating costs.

The total funding requirement for the court system is approximately \$1.2 billion in FY 2004 and is shown in Exhibit 3-31 below. The detailed funding requirements by circuit are shown in Exhibits 3-32 through 3-35 for state attorneys, public defenders, trial courts, and Clerks of Court, respectively. These cost data were developed in the Phase 3 Report.

**EXHIBIT 3-31
SUMMARY
NET REQUIREMENT BY CIRCUIT
FY 2005**

Entity	Funding Requirement	Fees Available	Net Requirement
State Attorney	\$332,998,724	\$0	\$332,998,724
Public Defenders	\$211,507,319	\$0	\$211,507,319
Trial Court	\$344,672,953	\$0	\$344,672,953
Clerk of Court	\$332,839,847	\$131,820,732	\$201,019,115
Total	\$1,222,018,843	\$131,820,732	\$1,090,198,111

**EXHIBIT 3-32
STATE ATTORNEYS
NET REQUIREMENT BY CIRCUIT
FY 2005**

Circuit	Funding Requirement	Fees Available	Net Required
1	\$12,151,470	\$0	\$12,151,470
2	\$7,685,134	\$0	\$7,685,134
3	\$4,339,477	\$0	\$4,339,477
4	\$21,754,020	\$0	\$21,754,020
5	\$11,939,203	\$0	\$11,939,203
6	\$24,672,174	\$0	\$24,672,174
7	\$13,403,816	\$0	\$13,403,816
8	\$8,567,522	\$0	\$8,567,522
9	\$17,586,167	\$0	\$17,586,167
10	\$11,135,112	\$0	\$11,135,112
11	\$67,671,804	\$0	\$67,671,804
12	\$10,395,541	\$0	\$10,395,541
13	\$20,733,487	\$0	\$20,733,487
14	\$5,858,418	\$0	\$5,858,418
15	\$20,576,365	\$0	\$20,576,365
16	\$4,815,501	\$0	\$4,815,501
17	\$28,544,405	\$0	\$28,544,405
18	\$16,324,336	\$0	\$16,324,336
19	\$9,287,863	\$0	\$9,287,863
20	\$15,556,911	\$0	\$15,556,911
State	\$332,998,724	\$0	\$332,998,724

**EXHIBIT 3-33
PUBLIC DEFENDERS
NET REQUIREMENT BY CIRCUIT
FY 2005**

Circuit	Funding Requirement	Fees Available	Net Required
1	\$8,871,766	\$0	\$8,871,766
2	\$6,968,091	\$0	\$6,968,091
3	\$2,742,216	\$0	\$2,742,216
4	\$8,487,670	\$0	\$8,487,670
5	\$6,846,846	\$0	\$6,846,846
6	\$14,059,430	\$0	\$14,059,430
7	\$7,948,765	\$0	\$7,948,765
8	\$6,110,038	\$0	\$6,110,038
9	\$15,420,062	\$0	\$15,420,062
10	\$8,071,355	\$0	\$8,071,355
11	\$40,723,297	\$0	\$40,723,297
12	\$6,815,225	\$0	\$6,815,225
13	\$13,361,936	\$0	\$13,361,936
14	\$3,698,913	\$0	\$3,698,913
15	\$15,798,769	\$0	\$15,798,769
16	\$2,957,044	\$0	\$2,957,044
17	\$20,412,447	\$0	\$20,412,447
18	\$7,421,481	\$0	\$7,421,481
19	\$6,249,650	\$0	\$6,249,650
20	\$8,542,318	\$0	\$8,542,318
State	\$211,507,319	\$0	\$211,507,319

**EXHIBIT 3-34
TRIAL COURTS
NET REQUIREMENT BY CIRCUIT
FY 2005**

Circuit	Funding Requirement	Fees Available	Net Required
1	\$14,219,001	\$0	\$14,219,001
2	\$8,397,855	\$0	\$8,397,855
3	\$4,434,685	\$0	\$4,434,685
4	\$17,735,956	\$0	\$17,735,956
5	\$8,061,457	\$0	\$8,061,457
6	\$22,127,134	\$0	\$22,127,134
7	\$14,278,327	\$0	\$14,278,327
8	\$9,318,801	\$0	\$9,318,801
9	\$20,659,643	\$0	\$20,659,643
10	\$10,227,978	\$0	\$10,227,978
11	\$75,450,119	\$0	\$75,450,119
12	\$10,279,783	\$0	\$10,279,783
13	\$24,154,038	\$0	\$24,154,038
14	\$5,398,817	\$0	\$5,398,817
15	\$23,859,539	\$0	\$23,859,539
16	\$4,819,951	\$0	\$4,819,951
17	\$35,647,401	\$0	\$35,647,401
18	\$13,769,410	\$0	\$13,769,410
19	\$5,980,929	\$0	\$5,980,929
20	\$15,852,129	\$0	\$15,852,129
State	\$344,672,953	\$0	\$344,672,953

**EXHIBIT 3-35
CLERKS OF COURT
NET REQUIREMENT BY CIRCUIT
FY 2005**

Circuit	Funding Requirement	Fees Available	Net Required
1	\$12,514,508	\$3,862,374	\$8,652,134
2	\$8,974,582	\$4,825,039	\$4,149,543
3	\$3,386,357	\$2,511,333	\$875,025
4	\$16,266,688	\$5,353,415	\$10,913,273
5	\$12,795,664	\$5,542,045	\$7,253,619
6	\$27,661,754	\$7,606,663	\$20,055,091
7	\$14,849,707	\$7,462,595	\$7,387,112
8	\$7,392,339	\$1,652,256	\$5,740,084
9	\$22,271,631	\$13,958,005	\$8,313,626
10	\$11,900,071	\$5,787,261	\$6,112,810
11	\$53,645,914	\$14,129,024	\$39,516,889
12	\$11,789,892	\$3,817,731	\$7,972,161
13	\$22,770,697	\$11,077,308	\$11,693,389
14	\$4,755,826	\$2,693,467	\$2,062,359
15	\$26,400,616	\$7,784,955	\$18,615,661
16	\$2,673,281	\$904,996	\$1,768,285
17	\$28,360,843	\$8,032,689	\$20,328,153
18	\$18,634,068	\$9,815,711	\$8,818,357
19	\$11,891,047	\$6,691,020	\$5,200,027
20	\$13,904,362	\$8,312,846	\$5,591,516
State	\$332,839,847	\$131,820,732	\$201,019,115