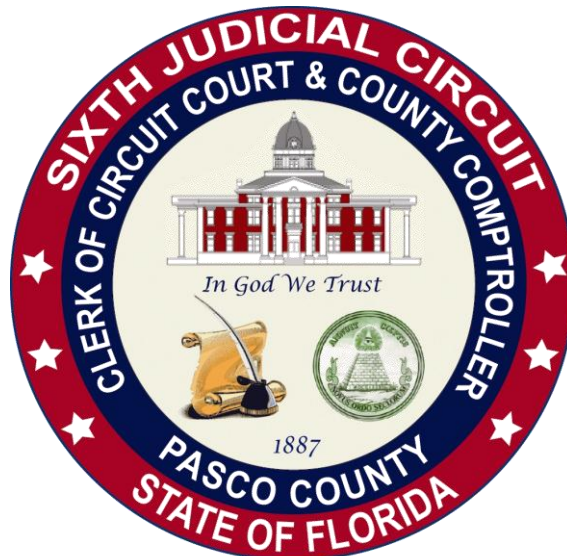


*Office of Paula S. O'Neil
Clerk & Comptroller
Pasco County, Florida*



*Annual Budget
Fiscal Year 2012-2013*

Excellence...Always

**ANNUAL BUDGET
OF THE
OFFICE OF THE CLERK & COMPTROLLER
PASCO COUNTY, FLORIDA

FOR

FISCAL YEAR ENDING
SEPTEMBER 30, 2013**

Respectfully submitted by

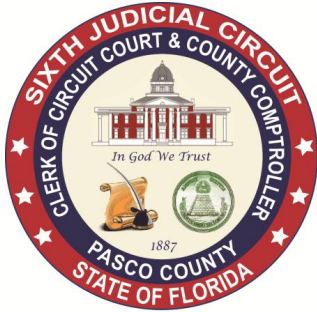
The Honorable Paula S. O'Neil, Ph.D., CPM
Clerk of Circuit Court & County Comptroller

Nichole Alvarez-Sowles, Esq., Chief Operations Officer

Prepared by

Christine M. Mettler, MBA
Director of Budgets

Ann W. Warchol
Budget Analyst



Mailing Addresses:

Dade City:
38053 Live Oak Avenue
Dade City, FL 33523-3894

New Port Richey:
P.O. Box 338
New Port Richey, FL 34656-0338

Office Locations:

Pasco County Courthouse
38053 Live Oak Avenue, Suite 205
Dade City, FL 33523-3894

West Pasco Judicial Center
7530 Little Road, Suite 106
New Port Richey, FL 34654

East Pasco Government Center
14236 Sixth Street, Suite 201
Dade City, FL 33523

West Pasco Government Center
7530 Little Road, Suite 220
New Port Richey, FL 34654

East Pasco Records Center
38319 McDonald Street
Dade City, FL 33525

West Pasco Records Center
Jack Albert Records Retention Center
8901 Government Drive
New Port Richey, FL 34654

Phone: (727) 847-8199
Fax: (727) 847-8121

www.pascoclerk.com

poneil@pascoclerk.com

Excellence....Always

*Paula S. O'Neil, Ph.D.
Clerk & Comptroller
Pasco County, Florida*

June 4, 2012

The Honorable Chairman Hildebrand and
Members of the Board of County Commissioners
Pasco County, Florida
37918 Meridian Avenue
Dade City, Florida 33525

Re: Amended Budget

Dear Commissioners:

Pursuant to Section 129.03(2), Florida Statutes, the enclosed document includes the funding requirements for the Office of the Clerk of Circuit Court & County Comptroller to fulfill its statutory responsibilities to the Board of County Commissioners for Fiscal Year 2012-2013, as amended from the spreadsheet submitted on Friday, June 1, 2012, to John J. Gallagher, County Administrator.

The enclosed budget request of \$2,768,415 exhibits a total consistent with that granted in Fiscal Year 2011-2012, with an additional \$31,335 to reflect the higher insurance premiums identified by Mr. Gallagher in correspondence dated May 29, 2012. Figures 1, 2, and 5 on pages 4 and 6 illustrate the funding variances and the resulting impact experienced by the Clerk & Comptroller's Office in recent years.

Other revenue sources continue to decline as a result of both the economic recession and further legislative action. The upcoming fiscal year will be the fifth consecutive year of overall budget reductions to the Office, despite increases in customer needs, new case filings, state performance measure requirements, and additional unfunded mandates. Please note that this is also the fifth consecutive year with no salary increases for staff members.

The requested funding is necessary to provide required services to the public, Board of County Commissioners, County Administrator, County Attorney, County departments, outside auditors, and numerous state, federal, and regulatory agencies.

On behalf of your dedicated Clerk & Comptroller team, I would like to thank you for your continued support and partnership.

Sincerely,

Paula S. O'Neil, Ph.D.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Table of Contents

List of Tables	iv
Vision and Mission Statement	v
I. Budget Introduction and Summary	1
A. Pasco County Statistical Data	9
B. Organizational Chart	11
C. Funded Positions – Assignment Distribution	12
D. Staffing Changes	12
E. Awards and Recognition	14
II. Organizational Values and Initiatives	17
A. Values	17
B. Strategic Initiatives	17
C. New Initiatives	18
D. Ongoing Initiatives	19
III. Financial Policy, Guidelines, and Goals	24
A. Budget Policy	24
B. Budget Process	25
C. Performance Measurement	26
D. Revenue Policy, Trends, and Assumptions	26
E. Issues and Priorities	27
F. Debt Service	28
G. Budget Amendments	28
H. Major Revenue, Expenditures, and Fund Balances	30
IV. Clerk to the Board	36
A. Amended Funding Request	36
B. Original Funding Request	37
C. Personnel Allocations	38
D. Apportioned Personnel	39
V. Office Structure	41
A. Administration	41

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

B. Business Operations Branch	42
1. Civil Courts Division	42
2. Criminal Courts Division	52
3. Financial Services Division	59
4. Records Division	65
C. Support Operations Branch	75
1. Information Technology Division	75
2. Human Resources Division	81
3. Budget Division	85
4. Internal Audit	88
VI. Revenue Collection and Distribution	91
A. Revenue Processed by the Clerk & Comptroller	91
B. Interest Earnings (Loss) – Board Accounts	93
C. Revenue Distributed to the Board of County Commissioners	94
D. Revenue Distributed to the Sheriff	95
E. Revenue Distributed to Municipalities	96
F. Revenue Distributed to State Agencies	97
G. Impact Fees Distributed to the School Board	98
H. Revenue Distributed to Other Agencies	99
Appendix A: Glossary of Terms	101
Appendix B: Florida Constitution - Article V	104
Appendix C: Florida Statutes Chapter 28	105
Appendix D: Budget Calendar	127

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Table of Figures

Figure 1: Annual Funding from the Board	4
Figure 2: Cumulative Funding for All Clerks' Offices	4
Figure 3: Pasco Clerk & Comptroller's Aggregate Budget.....	5
Figure 4: Trend of New Cases Filed.....	6
Figure 5: Trend of Courts Funding	6
Figure 6: Pasco County Unemployment.....	7
Figure 7: Pasco County Population.....	7
Figure 8: Construction Industry Comparison	8
Figure 9: Pasco Clerk & Comptroller Facility Locations.....	10
Figure 10: Organizational Chart	11
Figure 11: Functional Units and Funding Structure	29
Figure 12: CFY '12-'13 Revenue Graph	31
Figure 13: CFY '12-'13 Expenditure Budget Graph	32
Figure 14: Foreclosure Filings.....	46
Figure 15: Foreclosure Sales	47
Figure 16: Small Claims Fee Distribution	47
Figure 17: Family Case Filing Fees.....	48
Figure 18: Child Support Collected	49
Figure 19: Child Support Case Filings.....	49
Figure 20: Watering Violations	56
Figure 21: Red Light Camera Fine Distribution	57
Figure 22: Red Light Fine Distribution – No Camera.....	57
Figure 23: DUI Fine Distribution – First Offense.....	58
Figure 24: Call Center Work Orders	78
Figure 25: Customer Phone Calls Handled	78
Figure 26: Revenue Distribution.....	92

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

List of Tables

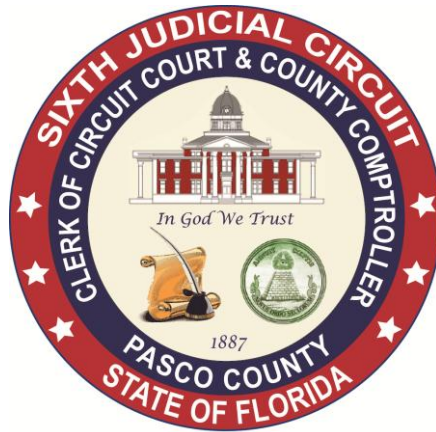
Table 1: Pasco County Statistics.....	9
Table 2: Funded Positions – Assignment Distribution	12
Table 3: Consolidated Funding Overview.....	30
Table 4: General Fund Financing.....	32
Table 5: Fines and Forfeitures Fund Financing.....	33
Table 6: Public Records Modernization Fund Financing	33
Table 7: Records Modernization Article V Fund Financing.....	34
Table 8: Self-Insurance Fund Financing.....	34
Table 9: Amended Clerk to the Board Funding Request.....	36
Table 10: Original Clerk to the Board Funding Request.....	37
Table 11: Clerk to the Board FTE Schedule.....	38
Table 12: Clerk to the Board Apportioned Personnel	39
Table 13: Civil Case Filings.....	45
Table 14: Criminal Court Activity	54
Table 15: Jury Activity	55
Table 16: Board Finance Activity.....	62
Table 17: Archived Records Activity.....	68
Table 18: Court Records Activity	69
Table 19: Official Records Activity.....	71
Table 20: Imaging and Conversion Activity	72
Table 21: Storage Activity	72
Table 22: Board Records Activity	74
Table 23: Human Resources Activity	83
Table 24: Board Payroll Activity	84

*Office of Paula S. O'Neil
Clerk & Comptroller*

Annual Budget – Fiscal Year 2012-2013

Vision and Mission Statement

*Vision:
Excellence...Always*



*Mission Statement:
We serve with integrity,
professionalism, and
compassion as we safeguard
our customers' interests.*

Office of Paula S. O'Neil *Clerk & Comptroller*

Annual Budget – Fiscal Year 2012-2013

I. Budget Introduction and Summary

This budget proposal describes services provided by the Office of the Clerk of Circuit Court & County Comptroller (Clerk & Comptroller) in support of the Pasco County Board of County Commissioners (BCC) and the Sixth Judicial Circuit Court for the period October 1, 2012, through September 30, 2013. The Clerk & Comptroller provides essential services to the public, the justice system, the BCC, the County Administrator, the County Attorney, County departments, outside auditors, state, federal, and regulatory agencies. The Clerk & Comptroller, pursuant to the Constitution of the State of Florida (Appendix B) and Florida Statutes (Appendix C), serves as Clerk of the Circuit Court, Clerk of the County Court, ex-officio Clerk to the Board of County Commissioners, Comptroller and Chief Fiscal Officer, County Auditor, County Recorder, and custodian of all County funds.

The Office of the Clerk & Comptroller contains eight divisions, four operational and four supportive. Three business operations and one operationally supportive function are led by the Chief Operations Officer, and the divisions include Criminal Courts, Civil Courts, Records, and Information Technology. Two support functions and one business operation are led by the Chief Administrative Officer, and the divisions include Human Resources, Budget, and Financial Services. The fourth supportive division, Internal Audit, reports directly to the Clerk & Comptroller. The Organizational Chart on page 11 provides more detailed information.

The basis for the Board-related funding request includes the requirements of the services provided to the Board, the operational interface with the Board's departments, and services provided by the Clerk & Comptroller to other agencies and the public. The allocation of budgeted expenses is based on the number of direct and indirect deputy clerks in each budget category and the corresponding percentage total. Where required, the costs of certain functions are restricted to particular revenue sources. The budget request for the Clerk to the Board is based on a full-time equivalent (FTE) allocation. In cases where Florida statutes mandate that the Board provide specific functions, such as communications and facilities, the projected costs have been included at 100% of budget estimates.

The primary challenge associated with this budget is continuing to operate with decreases in funding from multiple revenue sources, despite increases in Board- and court-related activity. Legislative impact, decreased availability of funding, and retirement of long-term deputy clerks continue to pose significant challenges. In response to these obstacles, our Office has emphasized close examination of procedures that may be made more efficient and identification of processes that are not statutorily required. Due to the ongoing budgetary challenges, priorities have shifted toward providing required services and eliminating non-essential duties. Additional responsibilities and requirements introduced during Fiscal Year 2011-2012 include:

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Civil Division:

- Administrative Order 12-002 requires the Clerk & Comptroller to hold issuance of process until Form A and Form B are filed in all residential foreclosures. Deputy clerks field additional calls, manage, and follow up on all unissued summonses.
- Circuit Civil filings increased by approximately 58%, docketing increased by 13%, and Pro Se case filings increased by 11%, requiring additional one-on-one interaction and assistance.
- An increased number of quality assurance reports are being completed.
- Increased review demands in Probate require presence at a greater number of hearings, additional review orders, and follow up.
- Redaction of confidential information is now required, as outlined in Administrative Order 2010-65.

Criminal Division:

- Night court hearing calendars for Civil traffic infractions, toll violations, and red-light camera citations increased from seven per month in 2011 to ten per month in 2012. Each calendar contains at least forty cases. Day court has led to an increase in the number of judges attending civil infractions hearings from two in 2010 to five in 2012. These hearings are attended by Clerk & Comptroller deputy clerks.
- Red Light Camera Ticket cases going to court have increased due to the red light camera citation being deemed “unconstitutional.”
- There are increases in new case filings, which increase workload and hearings attended:
 - Juvenile case increase: 135%
 - Appeals case increase: 68%
 - Traffic Infractions case increase: 7%
 - Felony increase: 10%
- An increase in toll violations is anticipated. The Department of Transportation currently sends approximately 40% of all toll violations to our office. Due to legislative changes effective July 1, 2012, we expect an increase of 60% to include 100% of all toll violations.
- The mandate to eFile requires use of critical resources in all areas.

Financial Services Division:

- Additional processing, reconciliation, and auditing of credit card-related functions is due to increased use of electronic payments by customers.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

- Additional oversight is required with the implementation of the County Utilities Department's Round Up Program.
- County Transportation Impact Fees (TIF) were converted to mobility fees, creating additional accounts. Developer credit accounts are also being converted to mobility fee accounts. As a result, Central Permitting receipting is more frequently audited, as developers and builders may pay the lower of the TIF or mobility fees.
- ACH payments are now being received by Pasco County vendors.
- An increased number of Development Orders and Amendments are being reviewed to determine if financial action is warranted.

Records Division:

- Effective January 1, 2012, redaction of social security, bank account, and credit card numbers is required.
- Criminal Traffic files and documents previously stored in Courts were transferred to, and are now managed by, this division.
- Ongoing implementation efforts affect eRecording of Official Records.
- A 9.5% increase in recording volume was experienced by the Official Records Department in the last fiscal year.
- A new County system was implemented to record Board meeting minutes and documents.
- Board Records staff clerked an increased number of meetings.

The County Recorder function and certain duties performed as an agent for state and federal agencies are funded by user fees. As a Constitutional Officer, the budget for support of these operations is outlined in Section 218.35(4), Florida Statutes, and the deadline for the 2012-2013 Fiscal Year is September 1, 2012.

The Clerk of Court function and duties are funded through the State of Florida appropriations process from the Clerks of the Court Trust Fund. The budget is filed in accordance with Section 28.36(10), Florida Statutes, by October 1st of each year for the following state fiscal year, which runs from July 1st through June 30th. The following graphs depict how funding from the BCC and for Clerks' Offices statewide have changed over the last six years. The eighth marker identifies the FY 2012-2013 appropriation. Appropriations in this fiscal year will be distributed to Clerks' Offices at a level that is 19.7% less than what was received in SFY 2008-2009, when funding first started to decline.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

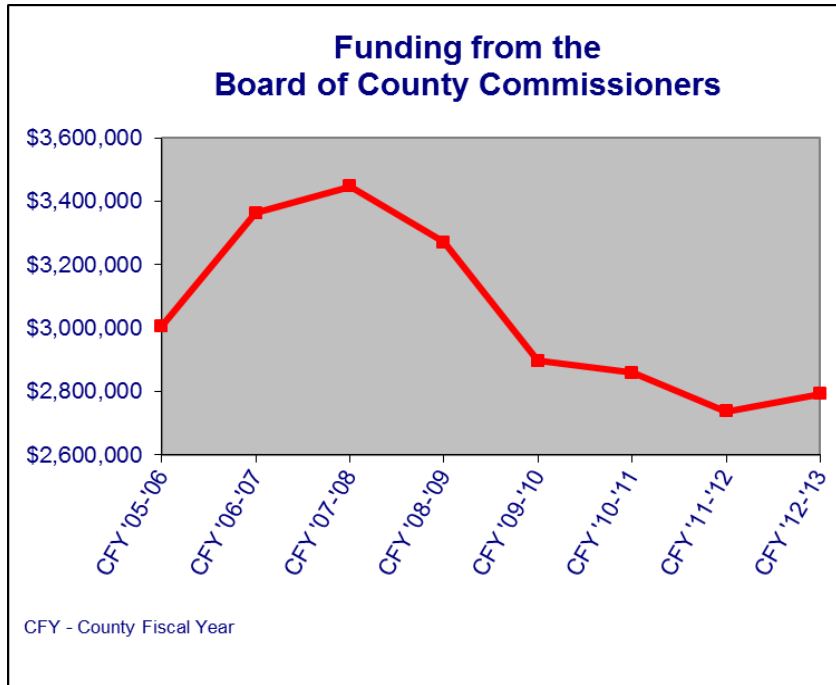


Figure 1: Annual Funding from the Board

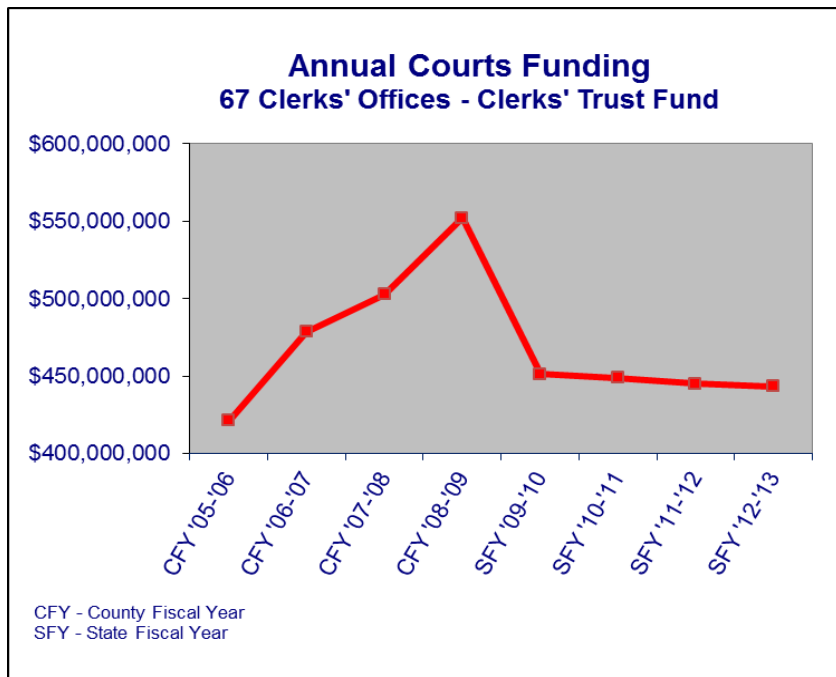


Figure 2: Cumulative Funding for All Clerks' Offices

Office of Paula S. O'Neil *Clerk & Comptroller*

Annual Budget – Fiscal Year 2012-2013

In aggregate, the Fiscal Year 2012-2013 operational expense budget totals \$27,757,816, and includes interfund transfers, inter- and intra-fund charges for services, and budgeted fund balances. This total reflects a \$570,290, or 2.01%, overall decrease from the Fiscal Year 2011-2012 amended budget, and results in the same downward trend shown by the decrease in funding in Figure 2.

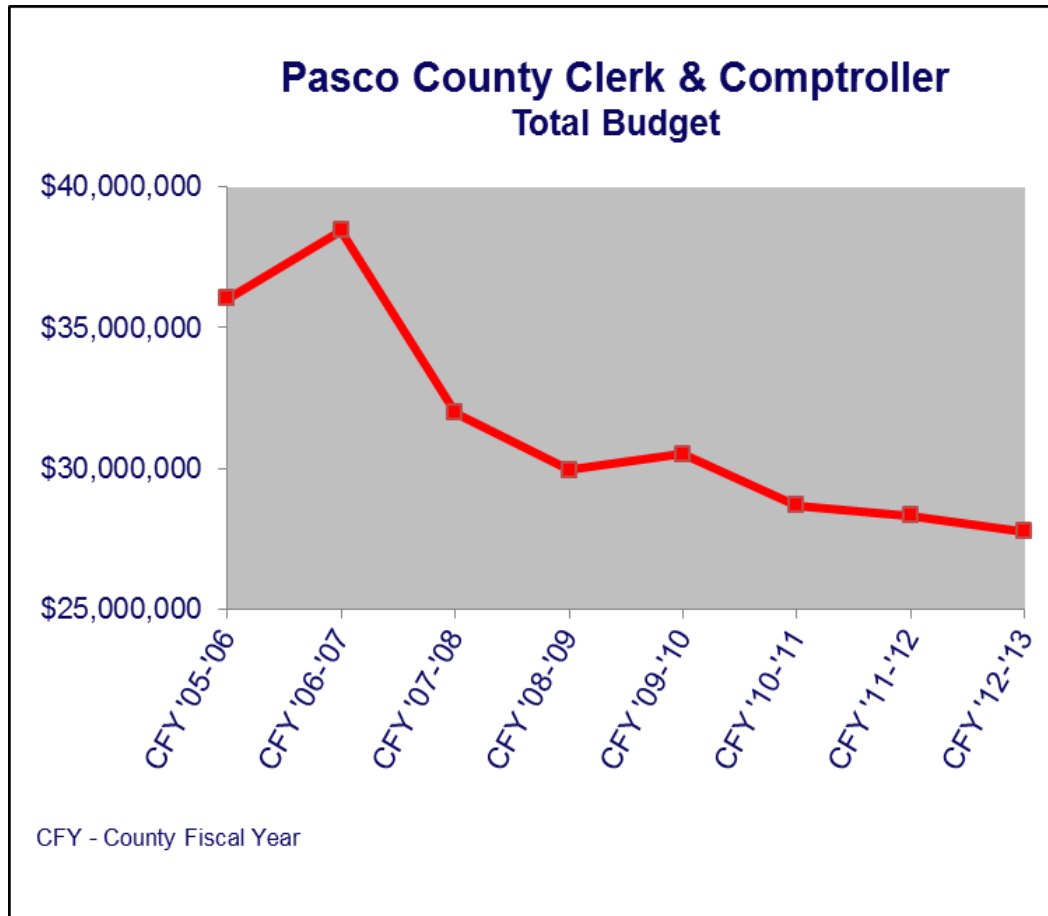


Figure 3: Pasco Clerk & Comptroller's Aggregate Budget

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

As seen in the graphs below, state appropriations in support of court operations have been on the decline since 2009, while new case filings have fluctuated greatly and trend upward.

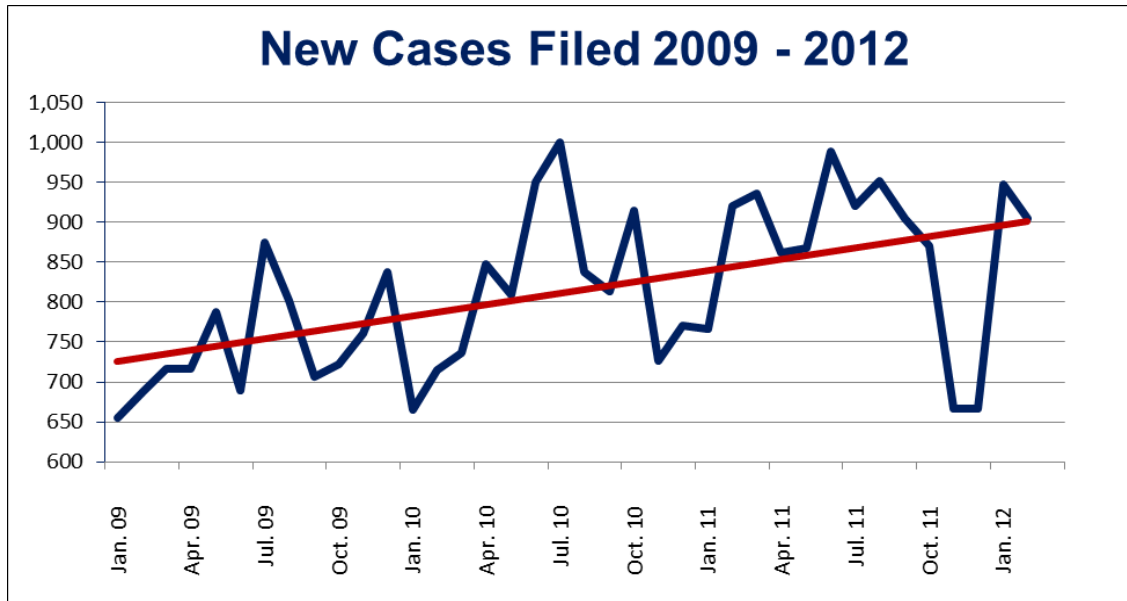


Figure 4: Trend of New Cases Filed

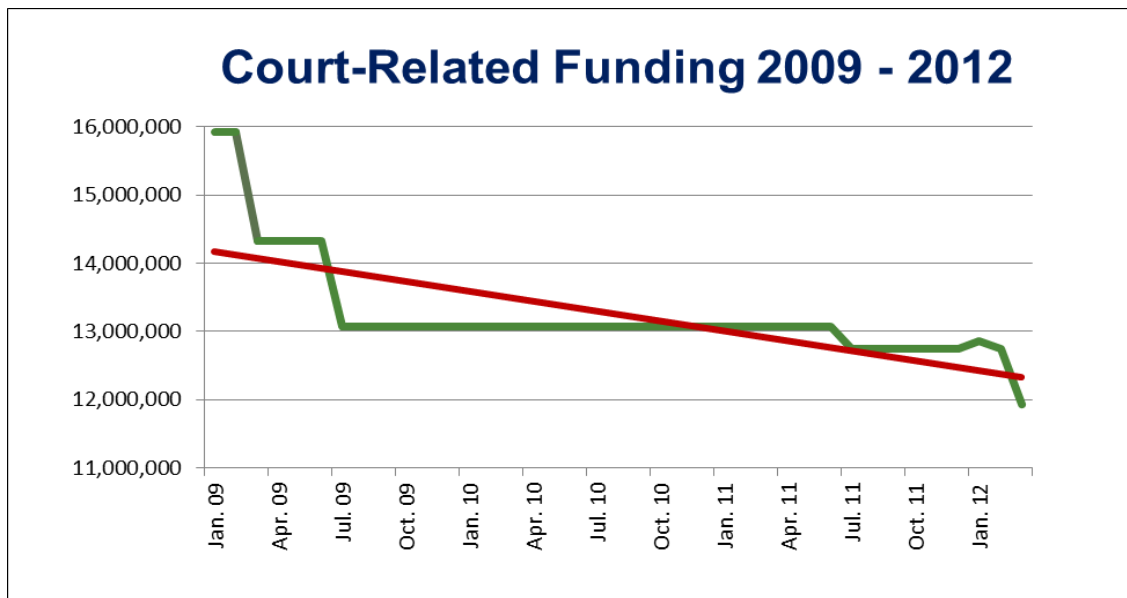


Figure 5: Trend of Courts Funding

Office of Paula S. O'Neil Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

While enduring multiple budgetary challenges, Pasco County bears the additional burden of a growing population coupled with a higher-than-average rate of unemployment. The collapse of the housing market has had a direct result, affecting our customers' ability to pay court fines, fees, and service charges. This scenario, one of declining resources with an expanding County population, demands that the Clerk & Comptroller's Office continually refine methods of service delivery.

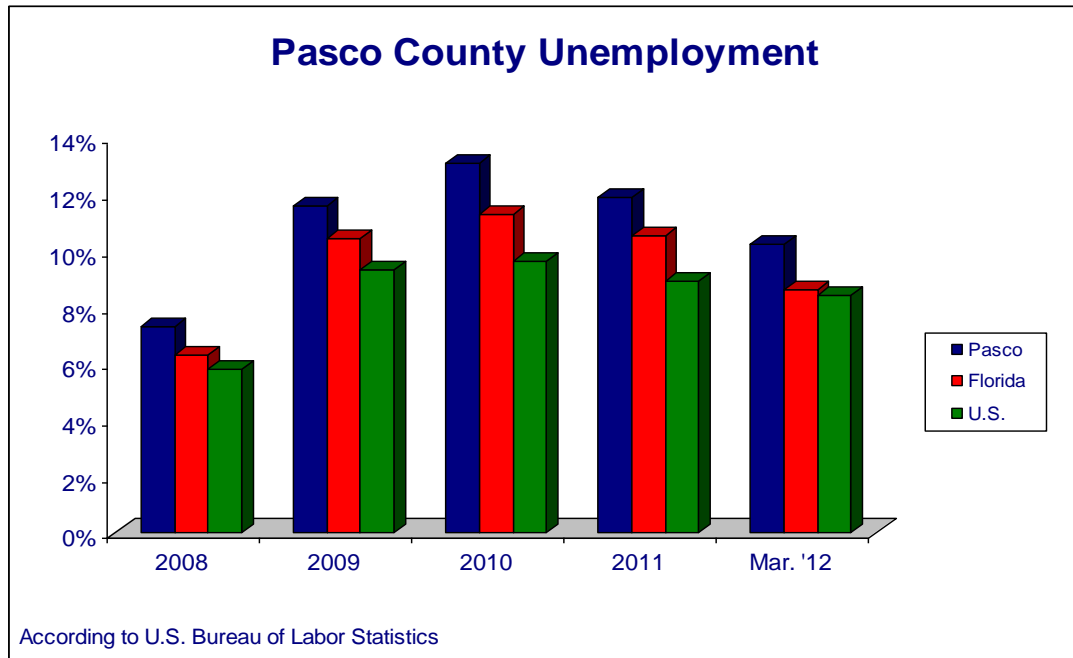


Figure 6: Pasco County Unemployment

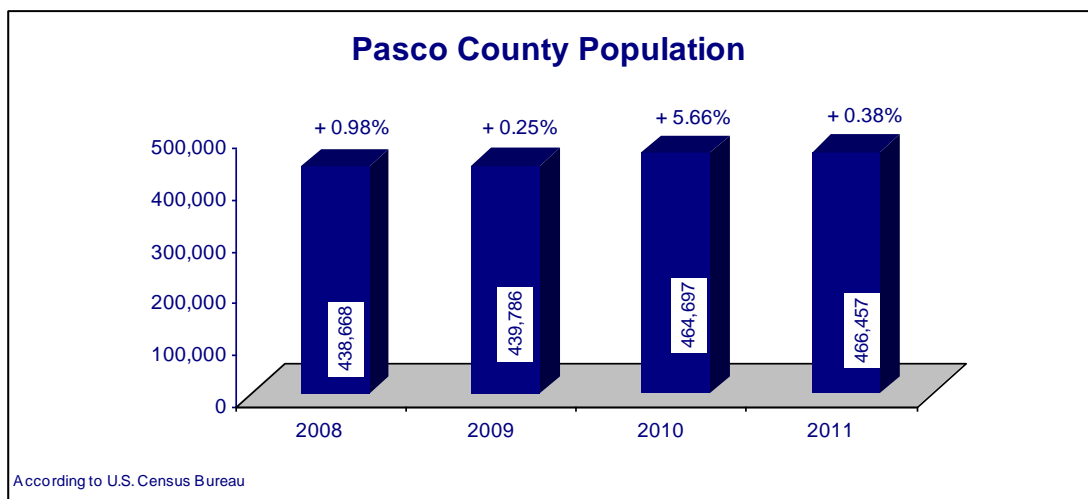


Figure 7: Pasco County Population

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

When the housing market began to decline in 2007-2008, it was thought that some residents and business owners, dependent on the construction industry for income, may have left Pasco County to avoid unemployment. As the decline spread, it became clear that significantly better employment opportunities were difficult to find elsewhere, so some residents returned. Desperate circumstances contributed to an increase in criminal cases being processed, due to an increased number of residents being underemployed or unemployed. With a higher percentage of population out of work, an increased level of service on the part of our team is required.

Meanwhile, the foreclosure market spikes forced a significant decline in property values, making the Pasco market attractive to investors, first-time home buyers, retirees, and seasonal residents. The trend of an expanding population is expected to continue over the next ten years as baby-boomers retire from the North to warmer climates. Over the next decade, the current shortage of jobs could actually result in a shortage of employees in service industries like health care and hospitality.

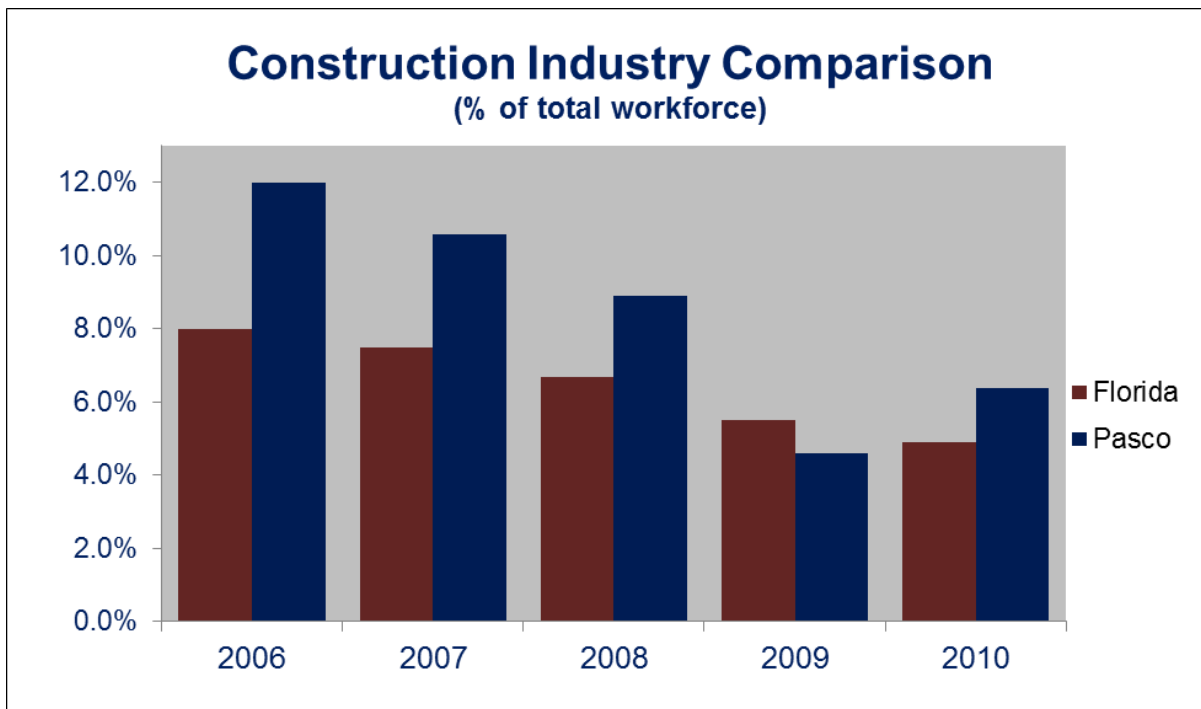


Figure 8: Construction Industry Comparison

Office of Paula S. O'Neil Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

A. Pasco County Statistical Data

GEOGRAPHY¹	<u>Pasco</u>	<u>Florida</u>	EMPLOYMENT⁵	<u>Pasco</u>	<u>Florida</u>
Land Area (Square Miles)	744.85	53,926.82	Natural Resource & Mining	0.8%	1.2%
Persons/Square Mile	623.90	348.6	Education and Health Services	18.7%	14.3%
			Construction	6.4%	4.9%
COUNTY AND STATE POPULATION¹			Manufacturing	2.9%	4.3%
1980	193,661	9,746,961	Trade, Transportation and Utilities	22.5%	20.5%
1990	281,131	12,938,071	Information	0.8%	1.9%
2000	344,771	15,982,839	Financial Activities	4.2%	6.6%
2010	464,697	18,801,310	Professional & Business Services	9.6%	14.7%
2011 (Estimated)	466,457	19,057,542	Education & Health Services	19.6%	14.8%
			Leisure and Hospitality	12.1%	12.9%
CITIES AND POPULATION¹			Other Services	3.4%	13.2%
Dade City		6,437	Government	17.6%	15.0%
New Port Richey		14,911			
Port Richey		2,671	AVERAGE ANNUAL WAGE⁵		
San Antonio		1,138	All Industries	\$32,975	\$41,570
St. Leo		1,340	Natural Resource & Mining	\$24,413	\$24,287
Zephyrhills		13,288	Construction	\$32,456	\$41,088
			Manufacturing	\$44,105	\$51,847
LABOR FORCE - 18 YEARS AND OLDER⁴			Trade, Transportation and Utilities	\$27,212	\$37,111
1990			Information	\$40,869	\$61,487
Employed	47.5%	64.3%	Financial Activities	\$38,292	\$57,043
Unemployment Rate	6.4%	6.3%	Professional & Business Services	\$35,200	\$49,155
2000			Education & Health Services	\$42,699	\$43,685
Employed	54.6%	63.8%	Leisure and Hospitality	\$15,096	\$21,448
Unemployment Rate	3.7%	3.8%	Other Services	\$23,558	\$29,608
2010			Government	\$39,478	\$47,360
Employed	51.7%	61.7%			
Unemployment Rate	13.0%	11.3%	DISTANCES TO OTHER FLA DESTINATIONS (MILES)²		
2011			Clearwater		60
Employed	52.2%	62.1%	Tallahassee		244
Unemployment Rate	12.0%	10.5%	Tampa		39
			Jacksonville		168
PER CAPITA INCOME¹			Orlando		64
2000	\$22,962	\$29,080	Miami		265
2005	\$26,512	\$35,605			
2009	\$29,236	\$38,965			

¹ 2010 United States Census

² Google Maps

³ Bureau of Labor Statistics

⁴ Florida Legislature, Office of Economic and Demographic Research

⁵ Florida Department of Economic Opportunity

Table 1: Pasco County Statistics

Office of Paula S. O'Neil Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

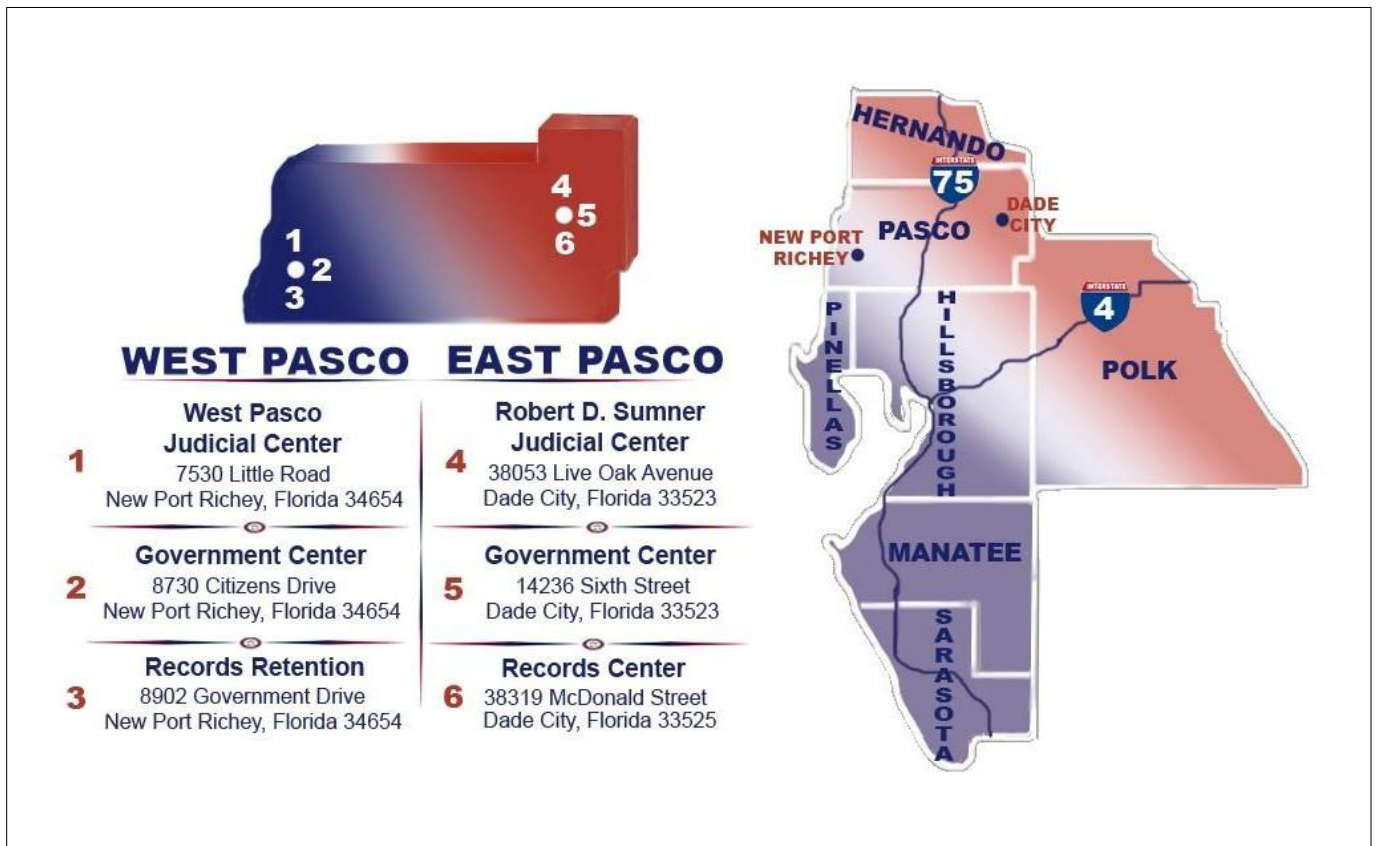


Figure 9: Pasco Clerk & Comptroller Facility Locations

Dade City, Pasco's County Seat, is located approximately 39 miles north of the City of Tampa. It was named in honor of U.S. Army Major Francis L. Dade, who, with his entire army, was massacred by Seminole Indians in 1835. Pasco County was named after Samuel Pasco, a U.S. Senator, and was originally a part of Hillsborough and Hernando County territories before gaining its independence as a county on June 2, 1887. Pasco County's six municipalities are Dade City, Zephyrhills, San Antonio, Saint Leo, New Port Richey, and Port Richey, all established between 1889 and 1925.

B. Organizational Chart



Figure 10: Organizational Chart

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

C. Funded Positions – Assignment Distribution

Description	FY 2010-2011 (actual)	FY 2011-2012 (actual)	FY 2012-2013 (budgeted)
Administration & Human Resources	14	14	13
Court-related	230	230	231
Recording & Support Services	41	40	41
Financial Services	13	13	13
Information Technology	18	18	18
Board Support	34	33	33
Subtotal:	350	348	349
Contracted (Temporary)	11	10	10
Total:	361	358	359

Table 2: Funded Positions – Assignment Distribution

Note: This table includes part-time positions

D. Staffing Changes

Changes in apportioned positions between Fiscal Years 2011-2012 and 2012-2013 are partly due to reorganization, reassignments based on fluctuations in customer service needs, and a .29% decrease in state appropriations. Legislative action, judicial requirements, performance standards, and accounting and reporting guidelines often require adjustments in work duties and assignments. Workload transitions and job task shifts within the Office enable a more efficient responsibility and accountability distribution.

After experiencing an unprecedented loss of 85 positions in FY 2008-2009, the Pasco County Clerk & Comptroller's Office implemented a plan for reorganization, mostly within the Criminal and Civil Courts Divisions and those departments that serve or are indirectly funded by court-generated revenue. After being notified on March 1, 2012, that an additional cut of \$825,237 to court-related appropriations would be effective on July 1st, it was decided that funding for the positions listed below would be suspended for the 2012-2013 Fiscal Year. These team changes were initiated to accommodate the reduction in court-related funding and so that remaining positions would be better aligned with required job duties.

- 1 Assistant Director
- 1 H.R. Benefits Specialist
- 1 Clerk's Finance Accounting Clerk
- 1 Archived Records Clerk

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

- 2 Records Clerks
- 3 Docket Clerks
- 2 Operations Supervisors
- 1 Criminal Traffic Records Processor
- 1 Child Support Technician
- 1 Civil Hearing Clerk
- 1 Records Clerk
- 1 Court Technical Specialist

Tentative funding for nine additional part-time positions was included in the Fiscal Year 2011-2012 budget. Funding for the 16 positions listed above and the nine part-time positions was suspended in the 2012-2013 Fiscal Year Budget request submitted to the BCC on June 1st. In May of 2012, a Voluntary Separation Incentive Plan (VSIP) was offered to employees enrolled in the Deferred Retirement Option Program (DROP) to assist in easing the impact of the budgetary reductions imposed upon the Office. As a result, four employees participated in VSIP. To compensate for the reduced staffing, public access hours were reduced by 1.5 hours per day. On August 24, 2012, an additional appropriation of \$787,882 was approved by the Legislative Budget Commission (LBC), enabling the rehiring process and restoration of office hours by October 2, 2012.

The Clerk & Comptroller's Office has strived to maintain a consistent level of service by increasing internal procedural efficiency. Despite a continued work backlog and increased customer wait times, the Office is dedicated to maintaining its integrity, professional standards, and excellent service for the residents of Pasco County. It is committed to serving its internal and external customers despite recent budgetary challenges.

*Office of Paula S. O'Neil
Clerk & Comptroller*

Annual Budget – Fiscal Year 2012-2013

E. Awards and Recognition



GOVERNMENT FINANCE OFFICERS ASSOCIATION

*Distinguished
Budget Presentation
Award*

PRESENTED TO
**Office of Paula S. O'Neil,
Clerk & Comptroller**

Pasco County, Florida

For the Fiscal Year Beginning

October 1, 2011

Linda C. Davidson Jeffrey R. Eason

President

Executive Director

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Members of the Office of the Clerk & Comptroller were recognized with awards in Fiscal Year 2011-2012. Acknowledgment of the efforts of the Office signifies the quality of work demonstrated by the dedicated and tireless deputy clerks who believe in the Office vision, “Excellence...Always.”

1. *Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award.* This award represents a significant achievement by the Clerk & Comptroller's Office. It reflects the commitment of the governing body and staff to meet the highest principles of governmental budgeting. To receive this award, the Office had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as a policy document, financial plan, operations guide, and communications device. The GFOA's Distinguished Budget Presentation Awards Program is the only national awards program in governmental budgeting.
2. *Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada, for the 29th year in a row, in recognition of the FY 2010-2011 Comprehensive Annual Financial Report (CAFR).* The CAFR summarized the financial activity of the County and covered \$2,228,682,028 in assets. This award program was established in 1945 to recognize state and local governments that go beyond the minimum requirements of generally accepted accounting principles by preparing comprehensive annual financial reports that demonstrate the spirit of transparency and full disclosure.
3. *2011 West Pasco Chamber of Commerce Outstanding Public Servant Award.* This award was given to Paula S. O'Neil, Ph.D., and recognizes a public servant, either elected or non-elected, holding a position of trust that exhibits care and concern for the community above and beyond the routine mandated duties of their position.
4. *2011 Gold Team, Making Strides Against Breast Cancer.* This award was presented to the “Clerks for a Cure” Team for its fundraising efforts, exceeding \$10,000 to fight breast cancer in Pasco County.
5. *President's Volunteer Awards.* These awards recognized over 1,400 hours contributed by ten dedicated Office volunteers, with three receiving special recognition.
6. *The West Pasco Domestic Violence Task Force* recognized contributions made by Roz Fenton, Director of Records, for her support and efforts over the course of her career. Formerly the Director of Courts, Mrs. Fenton applied for grants, facilitated the development of resource guides, created a team of volunteers to assist petitioners, implemented domestic violence training programs for law enforcement officers, and hired dedicated specialists to work within the Clerk &

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Comptroller's Office to the meet the needs of customers seeking protective injunctions. She has worked tirelessly with the court system to promote effective procedures and support the collaboration of the justice partners in ensuring that the needs of the domestic violence community are met with compassion and effectiveness.

7. *2012 NACo Achievement Award.* The National Association of Counties, the only national organization to represent counties in the United States, awarded an Achievement Award to the Office for its Customer Call Center. It was in recognition of an effective and innovative program, which contributes to and enhances county government in the United States. Prior to the Call Center's implementation in February 2010, constant phone calls interrupted operational workflow, led to longer wait times in the lobbies, and increased potential for errors. The Clerk & Comptroller recognized the need to change how incoming phone calls were handled. In a time when government is expected to do more with less, the Customer Call Center helped to improve processes and increase customer satisfaction. This was the fifth NACo Achievement Award received by the Clerk & Comptroller in six years.

Office of Paula S. O'Neil *Clerk & Comptroller*

Annual Budget – Fiscal Year 2012-2013

II. Organizational Values and Initiatives

A. Values

- *Excellence* – We achieve and exemplify the highest standards of performance with a commitment to the vision, goals, and expectations of the organization.
- *Integrity* – We pledge to uphold the highest standards of ethical behavior.
- *Professionalism* – We exercise sound judgment, applying specialized knowledge to serve all customers with the highest level of discretion and courtesy.
- *Compassion* – We are empathetic to the circumstances and needs of our customers.
- *Teamwork* – We develop and strengthen relationships with our stakeholders as we share talents and resources to achieve common goals.

B. Strategic Initiatives

In the coming year, the following organizational initiatives will help the Clerk & Comptroller's Office assess improvement efforts, diagnose the overall performance management system, and identify strengths and opportunities for improvement. They are closely aligned with the Baldrige criteria for performance excellence. The Baldrige Performance Excellence Program, run by the Commerce Department and the National Institute of Standards, has become the world standard in quality improvement. The criteria for the Malcolm Baldrige National Quality Award are challenging to meet, and the process requires tough self-assessment and probing site visits from external examiners.

1. Customer Focus
 - a. Methods of collecting customer information
 - b. Customer engagement to serve their needs and build relationships
2. Operations Focus
 - a. Design, management, and improvement of work systems
 - b. Design, management, and improvement of work processes
3. Measurement, Analysis, and Knowledge Management
 - a. Measurement, analysis, and improvement of organizational performance
 - b. Management of information, organizational knowledge, and technology

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

4. Workforce Focus
 - a. Creation of an effective and supportive workforce environment
 - b. Engagement of workforce to achieve organizational and personal success
5. Leadership
 - a. Leadership provided by the Executive Team
 - b. Government and fulfillment of societal responsibilities by senior leaders
6. Strategic Planning
 - a. Strategy development methodology
 - b. Strategy implementation

C. New Initiatives

1. *Automated Clearing House (ACH) Payment Option.* In October 2011, ACH was added to the payment options offered to vendors of the BCC. This option was added for the convenience of vendors and to improve internal efficiencies. All payments for the Board are processed by the Office of the Clerk & Comptroller. A link to the ACH Payment Form is available on the Clerk & Comptroller website.
2. *Posting of Unclaimed Funds on the Clerk & Comptroller's Website.* Every July, the Office of the Clerk & Comptroller publishes, in a newspaper of general circulation, the listing of unclaimed funds for both the BCC and the Clerk & Comptroller. In 2012, in an attempt to reach more citizens and to be current in the trends of society, the listing, along with forms and instructions on how to claim the funds, will also be published on the Clerk & Comptroller's website.
3. *Oversight of Pasco County's Project Round-Up.* The General Ledger Department of the Financial Services Division is responsible for the accounting for Pasco County's Project Round-Up. Project Round-Up is a voluntary financial donation program providing the opportunity for Pasco County Utilities customers to assist those in their community, who are in need, by rounding customers' monthly water/sewer bills up to the nearest dollar. Donated funds are sent to the United Way of Pasco County to be distributed among several not-for-profit agencies that serve the citizens of Pasco County.
4. *BCC Agenda Items.* The procedures for the review of BCC' agenda items have been published and are available on the Clerk & Comptroller's website.
5. *Professional Association Participation.* Participated in the Florida Government Financial Officers Association (FGFOA) Annual Convention and School of Governmental Finance.
6. *Participation in the Florida Association of Court Clerks (FACC) Remittance Workflow Project.* The purpose of this project was to provide a detailed workflow of fines and charges due to various state agencies. The Office provided

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

information regarding the remittance process and filings to the various state agencies and the verification process of allocating collections to agencies based on the FACC's Distribution Schedule of Court-Related Filing Fees, Service Charges, Costs, and Fines.

7. *Simplifile*. Electronic documents are reviewed, accepted, and verified by the Recording Team. Delivery, recordation, receipt generation, initial indexing, payment of recording fees, and delivery of confirmation to the customer are all automated. This process eliminates the need to scan and track paper documents. Payment of recording fees is delivered directly to the bank via ACH, reducing labor involved in balancing cashiering stations and preparing bank deposits. Using Simplifile through the Florida ePortal is a great example of how the Clerk & Comptroller's Office is working to reduce the cost of doing business and the cost of government for the citizens of Florida.

D. Ongoing Initiatives

1. *Case Maintenance Information System Replacement*. In April of 2009, the Clerk & Comptroller entered into a contractual agreement with the Florida Association of Court Clerks & Comptrollers Services Group, LLC (FACCSG) for a new case maintenance information system named CLERICUS. This system will be used in at least 36 other Florida counties, enabling standardization of the impact of legislative changes and swift implementation of best practices. CLERICUS will replace many current systems, including the Criminal Justice Information System (CJIS) installed in 1977. This is a multi-year project involving all members of Pasco's justice system, and Phase 1 of implementation is scheduled for the Winter of 2012.
2. *Trial Court Integrated Management Solution Project (TIMS)*. As requested by the Supreme Court of Florida, the Clerk & Comptroller's Office will participate with the Trial Court Integrated Management Solution Project. The workgroup's purpose is to determine information, by case type, that needs to be accessed and tracked by the court in order to move cases more efficiently and effectively through the trial court process.
3. *Expanded Customer Flow Management*. The Office of the Clerk & Comptroller expanded its Customer Flow Management System to include the Dade City Criminal, Probate, Civil, and Child Support Departments. The system utilizes an automated Q-Matic system with customer displays, limited priority service, customer wait time monitors, customer service time monitors, customer trend statistics, and office updates. With this expansion, all courthouse customer service counters have a comparable set of statistical data. The initial phase of this process was awarded an Achievement Award from the National Association of Counties in 2009.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

4. *Customer Call Center.* In response to the severe budget cuts, the Office of the Clerk & Comptroller redistributed all telephone calls for the Courts Divisions to a Call Center in February 2010. Customer Call Specialists were selected from teams in Probate, Civil, Criminal, and Child Support and reassigned to the Call Center. With this high level of experience and expertise, the Call Center team now handles approximately 95% of all calls received without further assistance. Subsequently, operational departments are able to concentrate more on processing court documents with greater focus and continuity, without telephone call interruptions.
5. *Electronic Foreclosure Sales.* Beginning in November 2009, the Office of the Clerk & Comptroller collaborated with RealAuction to provide online foreclosure sales, moving foreclosure sales from the courthouse steps to the Internet. This electronic process was designed to improve efficiencies and increase the convenience to third-party bidders, with hopes of moving new residents into vacant homes in Pasco neighborhoods.
6. *Performance Tracking.* The Clerk & Comptroller's strategic planning process includes the use of ActiveStrategy Enterprise (ASE) software, to host data, display trend analyses, serve as a statistical portal, and track the progress of strategic initiatives on a Balanced Scorecard. This will be further enhanced by the Pasco Organizational Production Strategy (POPS), allowing managers to review and report on vital data more expediently and enable the office to comply with new state reporting requirements.
7. *Juror Services.* Complimentary WiFi and computers are available for jurors to use while waiting for further direction from the Court. Bookshelves filled with a variety of library books have been provided by the Friends of the Library in New Port Richey and Dade City. Jurors may take the books with them at the end of their service and return them to any Pasco County branch for return to the jury pool rooms. Complimentary bus service on the Pasco County Public Transportation (PCPT) System is also available to jurors for their days of service, as authorized by the BCC. No additional costs were incurred to provide these amenities.
8. *Electronic Account Payables.* The Clerk & Comptroller's Office, in conjunction with a vendor named 5280, has been working toward a state-of-the-art accounts payable automation-imaging project that will handle purchase order, invoice, and purchasing card processing. This process will enable deputy clerks of the Clerk & Comptroller's Office and the Board to access current and historical invoices and payments simultaneously, and avoid the multiple distribution processes currently in place. The purpose of this project is to increase efficiency through automation, visibility, and levels of control in the payment process.
9. *Best Practices for Indigent Application Fee Collection.* In partnership with the Pinellas County Clerk of Circuit Court, the Pasco Clerk & Comptroller

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

established a best practice for the collection of the Public Defender Indigent Application Fee. This best practice, used Circuit-wide, was presented at the Florida Association of Court Clerks & Comptrollers summer conference in 2010, and continues to act as a guideline for Clerks' offices statewide.

10. *Evidence Tracking System.* A new evidence tracking system was implemented in 2001 using the court file tracking system, TrakMan. The efforts of Information Technology, Criminal Courts, Civil Courts, and Court Records combined to establish procedures for marking and tracking evidence utilizing the new system. To date, over 36,500 items of evidence have been logged into the system.
11. *Educational Brochures.* The Office of the Clerk & Comptroller facilitates educational brochures with cooperation from the Florida Bar Association for areas of law that initiate frequent questions. Brochures vary and some titles include Wills, Landlord Tenant Actions, Divorce, Legal Aid, How to Find a Lawyer, Probate in Florida, Adoption in Florida, and Legal Guide for New Adults. These informational brochures are available throughout the Clerk & Comptroller Office locations, law libraries, some law offices, and online. These brochures address frequently asked questions, enabling customers to seek assistance in privacy and reducing wait time for counter customers.
12. *Electronic Filing.* The Office of the Clerk & Comptroller submitted an updated eFiling plan to the Supreme Court of Florida in March 2010 to facilitate moving electronic filing into all court case types in the Office. Pasco's electronic filing system for Probate and Guardianship was recognized by the National Association of Counties with an Achievement Award for eFiling in 2007. More than 271 users process documents electronically. Over 10,000 cases and nearly 300,000 documents have been accepted electronically. The system has proven to substantially decrease the cycle time for processing court orders and enables attorneys to watch filings move through the court system.
13. *Emergency Protective Injunction Program.* To enhance the emergency protective injunction program, the Clerk & Comptroller has reached out to local not-for-profit agencies and local police departments for assistance. Since the program's implementation in 2007, collaboration with the Salvation Army Domestic Violence Shelter and Sunrise of Pasco County has increased victim assistance inside and outside the Office. Collaboration with the Dade City and New Port Richey Police Departments provided additional options for victims to safely and conveniently process appropriate paperwork after hours. Counseling assistance has also been made available by the Salvation Army Domestic Violence Shelter and Sunrise of Pasco County, Inc. to Central Pasco residents in Land O'Lakes.
14. *Imaging.* The Clerk & Comptroller's Office began imaging traffic infraction cases in 2009. This process enhances customer service by improving the availability of

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

case details, reducing storage, and expediting case processing. These efforts have prepared Pasco for future electronic transmission of traffic violation data from law enforcement agencies.

15. *Public Access Enhancements.* Web access for customers continues to be enhanced. Customers can pay traffic fines and child support online, order official records, and check court records. In 2011, jurors were able to check jury assignments, postpone their service, check PCPT bus schedules, and obtain necessary details online. Official Records and court dockets are also available online. These enhancements facilitate automation, which requires employment of fewer individuals and is aligned with budget reductions.
16. *Pro Se Filing.* Self-service assistance functions have been enhanced on the Clerk & Comptroller's website. Complementing the educational brochures, free access to family law and landlord tenant forms are available to the public and may be downloaded in the privacy of their homes. Pasco County Librarians have also been trained to assist customers with these features.
17. *Translation Assistance.* The Language Line telephone service helps the Clerk & Comptroller's Office assist customers who have trouble with the English language. This service currently averages approximately 25 calls per month and provides translation assistance in over 170 languages.
18. *Wireless Internet.* The Clerk & Comptroller's Office continues to have wireless Internet access points for public use in the Historic Courthouse, Pasco County Courthouse, West Pasco Judicial Center, East Pasco Government Center, West Pasco Government Center, East Pasco Records Center, and West Pasco Records Center. This provision allows public access to e-filed court cases, court dockets, and official records from all Clerk & Comptroller Office locations. This also enables jurors, attorneys, and customers to use the Internet on their personal laptops or public access terminals while visiting government buildings.
19. *Valentine's Day Group Weddings.* In celebration of the spirit of Cupid, the Clerk & Comptroller hosted the fourth group wedding ceremony on February 14, 2012. Seventeen couples exchanged nuptials this year.
20. *Involvement with Professional Organizations.* In the interest of gaining updates and information relevant to best practices, duties, responsibilities, standards, and the community, representatives of the Office participate in meetings held by professional organizations. In 2011, Paula S. O'Neil, Ph.D., served as Secretary for the Florida Association of Court Clerks & Comptrollers (FACC) and served on the Technology Subcommittee, Bylaws and Constitution Committee, Strategic Planning Committee, and Communications Committee. She also served on the Performance Improvement and Efficiency (PIE) and Legislative Committees for the Clerk of Courts Operations Corporation. She and/or other

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

members of the Clerk & Comptroller's Office served on additional work-related and not-for-profit Boards and/or maintained active membership in the following:

- Florida Local Government Investment Trust
- Florida Society of Certified Public Managers
- Central Florida Behavioral Health Network
- Pasco-Hernando Community College Advisory Committee
- Rasmussen College Criminal Justice Advisory Board
- Homeless Advisory Board
- Sunrise of Pasco County, Inc. Domestic Violence Prevention Center
- Chambers of Commerce
- Rotary Club of Seven Springs

21. *Finding Greater Operational Efficiency.* The following steps have been or will be taken so that accurate benchmarks can be established:

- Productivity is measured and analyzed using ActiveStrategy. Analyses integrate financial information, payroll records, supervisory input, statistics uploaded from operational systems and productivity data.
- The automation and electronic transmission of reports to external parties, offices, or agencies helps to save on costs associated with paper, toner, and postage.
- Maintenance contracts for equipment have been eliminated in some cases where replacement costs are low.
- In response to increased public requests for statistical information, charts and graphs, updated monthly, are now provided on the website for customer use. As more requests are made, the statistical list will increase.

22. *Financial System Replacement.* It is important for the Board and the Clerk & Comptroller to address the replacement of the current financial system. The Financial Accounting System for Business and Education (FASBE) was installed over 20 years ago and there are only a few users remaining on this system. Limited support for this system will be provided in the future and the ability to integrate with newer applications is decreasing.

These ongoing initiatives were reviewed in the development of this year's annual budget. Their impact continues to be positive and they help to mitigate the effects of ongoing budgetary challenges.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

III. Financial Policy, Guidelines, and Goals

A. Budget Policy

The goal of the Pasco County Office of Clerk & Comptroller is to submit a balanced budget so that the Office may operate in accordance with Florida Statutes and established directives. A *balanced budget* is one in which the total of estimated receipts, including balances brought forward, equals the total of estimated expenditures and reserves. The budget, as presented in this document, was prepared in accordance with generally accepted accounting principles (GAAP), is based on the modified accrual method of accounting, follows the State Uniform Chart of Accounts, and is the same basis used for the audited financial statements. Policies and guidelines were established at the outset of the budget process through meetings and memoranda.

Budget policy addresses the major components of the budget: personal services, operating expenditures, and capital. As the Office continues to adjust to the Fiscal Year 2008-2009 loss of 85 positions, Fiscal Year 2012-2013 suspension of funding for 16 full-time and 9 part-time positions, and the potential of future cuts imposed by funding sources, the following budget policies were put in place:

- *Personal Services* – Departmental budgets were prepared with bottom-of-range funding for vacant positions and no scheduled pay raises, bonuses, or cost-of-living adjustments for existing positions.
- *Operating Expenditures* – Due to the budget reductions, spending will continue to be curtailed and the office will strive to meet state-mandated performance measurements. Vendors will continue to be paid in a timely manner and the Office will not commit to expenditures beyond the availability of funds.
- *Capital Purchases* – Capital equipment purchases are made only when deemed operationally necessary. Purchases of equipment budgeted for Fiscal Year 2012-2013 were based on effectiveness and useful life. Capital Expenditures, as defined in Appendix A, are for the acquisition or construction of physical assets with a life expectancy greater than one year and a cost greater than \$1,000. The total impact of capital purchases on the operating budget of the Clerk & Comptroller's Office is for \$145,950, and includes the following capital items:

<u>Qty.</u>	<u>Description</u>	<u>Total</u>
1	Archive writer	\$40,500
2	Replacement vehicles	40,000
5	Replacement copiers	32,500
2	Replacement scissor lifts	24,500
1	Replacement fireproof media safe	5,700
1	Dual-control safe	<u>2,750</u>
		\$145,950

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Florida Statutes provide that the amount by which revenue and transfers exceeding annual expenditures for the General Fund be remitted to the Board immediately following the fiscal year for which the funding was provided, or following the fiscal year during which other revenue is recognized. Likewise, unused appropriations that remain in the Fines and Forfeitures Fund at the conclusion of the state fiscal year (June 30th) are to be remitted to the Department of Revenue.

B. Budget Process

The budget process for the Clerk & Comptroller's Office begins with a request for court-related funding from the State on October 1st of the year prior to the beginning of the fiscal year. This request is prepared by members of the Budget Division, is certified by the Clerk & Comptroller, and is included in the aggregate budget submitted to the LBC by the Clerks of Court Operations Corporation (CCOC) on or before December 1st.

By mid-January members of the Clerk & Comptroller's executive team submit requests to the Budget Division for goods or services that are required to be provided by the County according to Florida Statute 29.008. These requests are submitted to the County for consideration in late January or early February, depending on the County's schedule.

During the months of February and March, directors and supervisors have open access to an in-house budget database. After review of pertinent reports and pre-populated data, parties responsible for departmental budget requests affect detailed information, quantities, and unit costs for requested services, materials, supplies, and capital. By mid-March, division directors e-mail updated narratives and quantitative information to the Budget Division. If necessary, individual budget meetings are held in April among the Clerk & Comptroller, directors, chief officers, and the budget team.

By the end of April, the Office is notified of legislated state appropriations. Amounts are integrated into the overall Office budget and decisions are made regarding the ability of the budget to adequately cover the cost of requests made by departments.

By the beginning of May, a balanced detail budget is presented to the Clerk & Comptroller by the Budget Division for consideration. Over the course of the next two weeks, issues are resolved and the budget is submitted to the BCC on or before June 1st. The Board holds workshops throughout the summer and adopts its budget at the second of two public hearings toward the end of September. By the time the County fiscal year begins on October 1st, the state fiscal year has already been underway for one full quarter, and appropriations approved by the Legislature earlier in the year are included.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

C. Performance Measurement

Throughout the year, budget performance is monitored through analyses generated by the Budget Division, including financial position, fund status, and departmental expenditure reports. These reports provide information about budgeted revenue and expenditure amounts, actual receipts and expenditures, year-to-date totals, and projections. Directors and department heads review these reports and follow up where unfavorable variances indicate that a budgeted amount may be exceeded.

D. Revenue Policy, Trends, and Assumptions

Statutory charges for services rendered by non-court personnel are collected to offset certain functions of the Clerk & Comptroller's Office. These fees are deposited into the General Fund. Court-related activities are funded by an appropriation from the State of Florida and are deposited into the Fines and Forfeitures Fund. In addition to charges for services, the General Fund is financed primarily by transfers from the BCC and the reimbursement of overhead costs. General Fund overhead costs are distributed among departments that support the Board, Courts, and Information Technology, and are based on FTE allocations. The Records Modification Article V Fund collects overhead costs associated with technological support only from the General Fund.

Each fund's revenue is calculated independently and based on a current three-month moving average in conjunction with year-to-year trends. The impact of fee increases, state appropriations, fluctuations in County revenue and court filings, local ordinance requirements, and customers' payment abilities are carefully considered in the application of such trends. As revenue projections are calculated, the following are taken into account:

- *General Fund (Governmental Fund)* - The General Fund is used to account for all resources except those required to be counted for in other funds. This fund includes general administration, Clerk to the Board, Clerk of the Circuit Court, Clerk of the County Court, and Recording. Fluctuations in real estate activity and mortgage lending have great bearing on recording revenue. Until these sectors of the economy improve or become less stagnant, it is expected that revenue will remain at a decreased level. Because property values generate ad valorem dollars for the Board, anticipated deficits in the County budget may again result in decreased fund availability.
- *Fines and Forfeitures Fund (Governmental Fund)* – Effective July 1, 2009, the funding structure of the Clerks' appropriations was significantly changed by the Florida Legislature. Almost all moneys collected by Clerks' Offices are sent to the Florida Department of Revenue (FDOR) for deposit into a trust fund. Now that Clerks are part of the State appropriation process, the legislature determines the amount of funding that each Clerk is to receive to perform their court-related duties as outlined in Florida Statutes according to

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

service units. When appropriations are received from the State, they are deposited into this fund. Until state funding becomes more stable and anticipated appropriations improve, Court operations will continue to search for greater efficiency while adjusting to the implementation of new laws, a smaller workforce, and the possibility that appropriations may be decreased during the fiscal year that is already underway. High unemployment rates can be correlated to customers' ability to pay fines, fees, and service charges. Until unemployment rates fall, it is anticipated that more focus on collection efforts will be needed.

- *Records Modification Funds (Special Revenue Funds)* – Like the General Fund, these funds rely heavily on recording revenue generated by transactions stemming from real estate and mortgage activity. The Pasco County Clerk & Comptroller's Office has two such funds. One is used to pay for the day-to-day operations of the Information Technology Division, while the other is restricted and used to pay for projects related to the modernization of and increased accessibility to records. Until economic conditions improve, revenue is likely to remain at a decreased level.
- *Self-Insurance Fund (Internal Service Fund)* – The viability of this fund depends on employee participation, contributions from operating funds, and a well-designed plan administered by third parties. As costs of coverage and claims have risen, adjustments of co-pays, deductibles, quality of service, and out-of-pocket requirements have been monitored.

E. Issues and Priorities

In recent years, the Pasco County Clerk & Comptroller's Office has faced a challenge never before experienced – decreased funding from each of its three main sources of revenue: appropriations from the State of Florida, Board transfers, and income from recording services, which helps to support the General and Records Modernization Funds.

Due to the length of service for many deputy clerks, it is anticipated that a loss of institutional knowledge may result in increased training costs and the need for a more structured individual development and a well-crafted succession program.

Fuel and paper costs are volatile. An improved system of scheduling has been implemented to better enable and manage cross-county meetings via a video teleconferencing system, thereby saving on fuel. Webinars are attended by deputy clerks in lieu of travelling out-of-county for training and updates. Like procedures, reporting has been examined for value and accuracy. Many reports have been converted to electronic format and are made available via the Web and email, resulting in reductions of paper, postage, ink, and toner expenses.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

To cope with these issues, the top priority of the Pasco County Clerk & Comptroller's Office is to examine procedural efficiency on a continual basis. If it is determined that a process is not required by Florida Statute, it is reviewed for value. As a result, processes are continually streamlined or eliminated. The potential for increased revenue is also constantly evaluated, and the Courts are encouraged to assess the maximum amount allowed by law.

Another main priority is to improve data accuracy and integration through technological innovation. While it is difficult to keep up with advances in software and cost prohibitive to upgrade many systems, in-house programming enables various systems to continue to interface seamlessly.

Because the group health insurance program of the Clerk & Comptroller's Office receives contributions from funds that are dependent on external sources, its viability and its ability to cover claims remains both a priority and a concern. An in-house committee meets throughout the year to monitor funding potential, fluctuations in claims, trends, incentives, and medical breakthroughs. The plan is self-funded and administered through a third party. By funding it this way, the Office has saved over \$500,000 during each of the last three fiscal years. Beginning on May 1, 2012, consulting, day-to-day operations, and brokerage services were contracted with an outside vendor to fill the void left by a retiring deputy clerk, to offer an expanded array of services to the Office team, and to increase savings by competitively bidding the process.

F. Debt Service

Although the Clerk & Comptroller's service charges are a bondable revenue source, the Pasco County Clerk & Comptroller's Office has a practice of incurring no debt beyond the value of compensated absences. The Clerk & Comptroller's policy is to incur debt only for specific projects lasting more than one year and such commitments are limited to available funding. There are no plans to incur any such debt during Fiscal Year 2012-2013.

G. Budget Amendments

Budgetary authority is legally maintained at the fund level. Amendments to the adopted budget may occur at any time during the fiscal year, are recommended and initiated by the Budget Division via email, approved by the Clerk & Comptroller, and processed by the Financial Services Division.

*Office of Paula S. O'Neil
Clerk & Comptroller*

Annual Budget – Fiscal Year 2012-2013

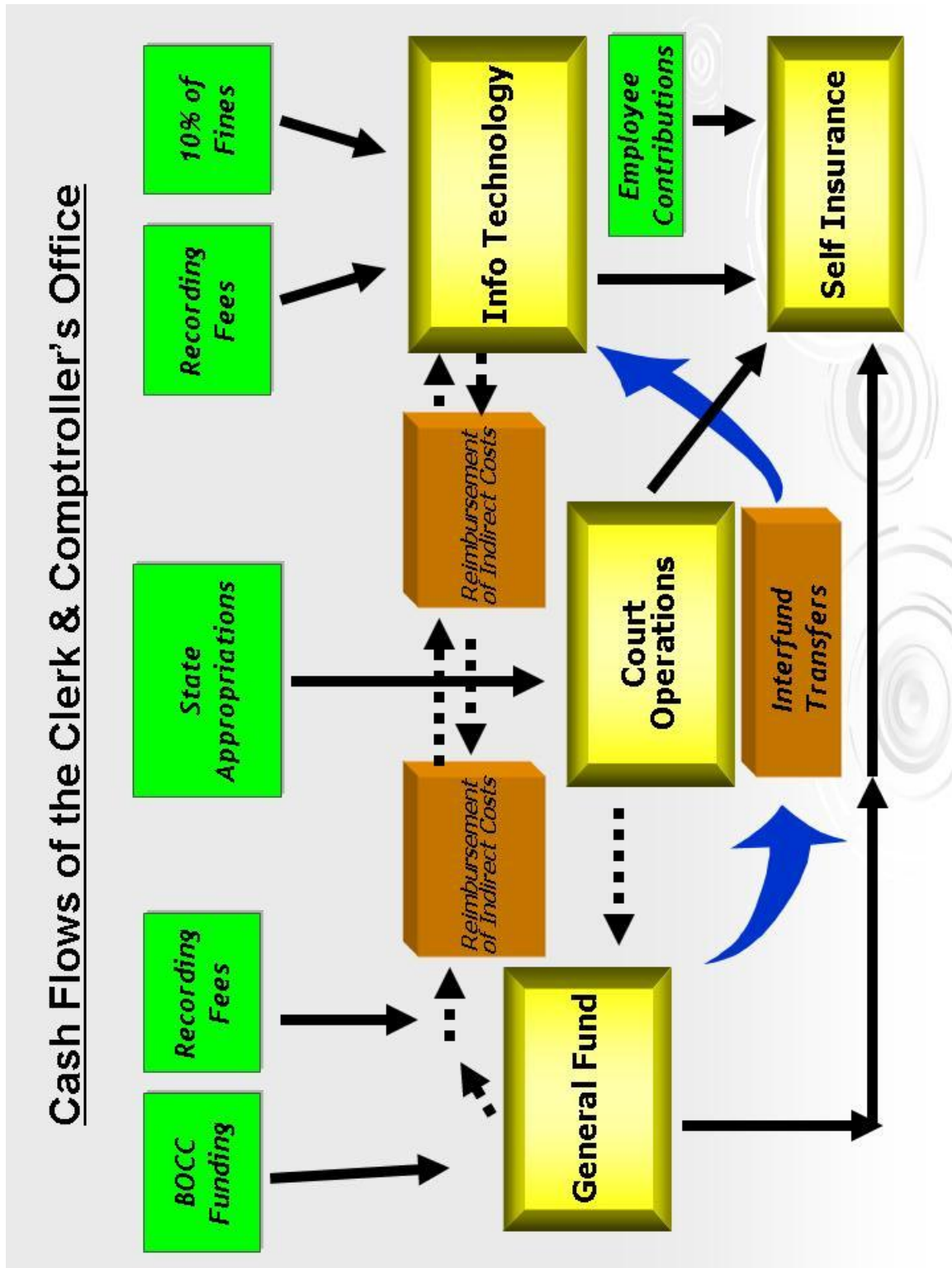


Figure 11: Functional Units and Funding Structure

Office of Paula S. O'Neil Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

H. Major Revenue, Expenditures, and Fund Balances

Consolidated Budget Overview (All Funds)

Description	FY '09-'10 Actual	FY '10-'11 Actual	FY '11-'12 Actual*	FY '12-'13 Adopted	Dollar Change	% Change
Cumulative Beginning Fund Balance	4,345,131	4,888,134	6,195,246	7,965,367	1,770,121	28.57%
Major External Revenue:						
Fines, Fees, and Service Charges	1,369	5,944	8,583	3,784	(4,799)	-55.91%
State Appropriations	13,092,551	12,861,402	12,598,188	12,749,821	151,633	1.20%
BCC Allocation	2,897,733	2,860,063	2,737,080	2,792,019	54,939	2.01%
Recording	2,157,841	2,160,888	2,591,612	2,898,840	307,228	11.85%
Miscellaneous Services & Fees	952,324	959,628	1,125,887	1,010,154	(115,733)	-10.28%
Title IV-D	404,019	342,278	377,724	292,630	(85,094)	-22.53%
Interest & Other Income	386,984	171,713	159,094	124,349	(34,745)	-21.84%
External Revenue Subtotal:	19,892,821	19,361,916	19,598,168	19,871,597	273,429	1.40%
Major Internal Revenue:						
Overhead	3,254,962	3,646,151	3,516,955	3,440,853	(76,102)	-2.16%
Insurance Allocations & Assessments	3,258,772	3,329,847	3,713,862	2,988,288	(725,574)	-19.54%
Interfund Transfers	545,523	713,955	953,387	696,274	(257,113)	-26.97%
Fund Balances	0	0	0	760,804	760,804	
Internal Revenue Subtotal:	7,059,257	7,689,953	8,184,204	7,886,219	(297,985)	-3.64%
Total Revenue:	26,952,078	27,051,869	27,782,372	27,757,816	(24,556)	-0.09%
Expenditures:						
Personal Services	17,312,225	17,158,535	16,463,633	16,287,865	(175,768)	-1.07%
Services & Materials	2,451,932	1,934,349	2,567,642	4,180,231	1,612,589	62.80%
Capital	29,138	229,496	40,206	145,950	105,744	263.01%
Insurance Administration	606,752	602,172	482,986	550,000	67,014	13.87%
Insurance Claims	2,535,083	2,053,107	2,413,251	2,760,550	347,299	14.39%
Excess to BCC/DOR	0	30,000	0	0	0	
Overhead	2,928,422	3,023,143	3,091,146	3,136,946	45,800	1.48%
Interfund Transfers	545,523	713,955	953,387	696,274	(257,113)	-26.97%
Total Expenditures:	26,409,075	25,744,757	26,012,251	27,757,816	1,745,565	6.71%
Cumulative Ending Fund Balance	4,888,134	6,195,246	7,965,367	7,965,367	0	
Net Change in Fund Balances	543,003	1,307,112	1,770,121	0	(1,770,121)	

Table 3: Consolidated Funding Overview

*Figures may be amended upon finalization of CFY 2011-2012 financial statements.

The budgeting basis of the Pasco County Clerk & Comptroller's Office is a conservative one and considers the uncertainty of one of its main funding sources, in particular, appropriations from the State used to fund court-related activities. In past years, appropriations were reduced after the fiscal year was underway; to accommodate this potential, moneys are budgeted in the services and materials category of the Fines and Forfeitures Fund until it can later be determined that they may be made available for future viability of the Self Insurance Fund and other priorities.

During times of financial unpredictability, it is more important than ever to provide excellent customer service, improve service and reporting standards, rely more heavily on technological advances, ensure that volatile costs are covered, and to

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

provide a seamless transition from one fiscal year to the next. Funds are encumbered for multi-year commitments, and are reflected in the increased fund balances carried over into Fiscal Year 2012-2013. Due to economic volatility, fund balances may vary greatly from year to year. It is presumed that funds encumbered in the prior year will be expended in the current year.

Funding for each of the functional units described in this document is budgeted in the following individual funds, which are also described more fully beginning on page 26. The interdependence of their funding is also shown in Figure 11 on page 29. While the functions and funding may appear independent, each fund's ability to absorb its assigned costs is directly or indirectly dependent on one or more other areas of the financial structure. When funding is reduced, a ripple effect is felt throughout the entire organization.

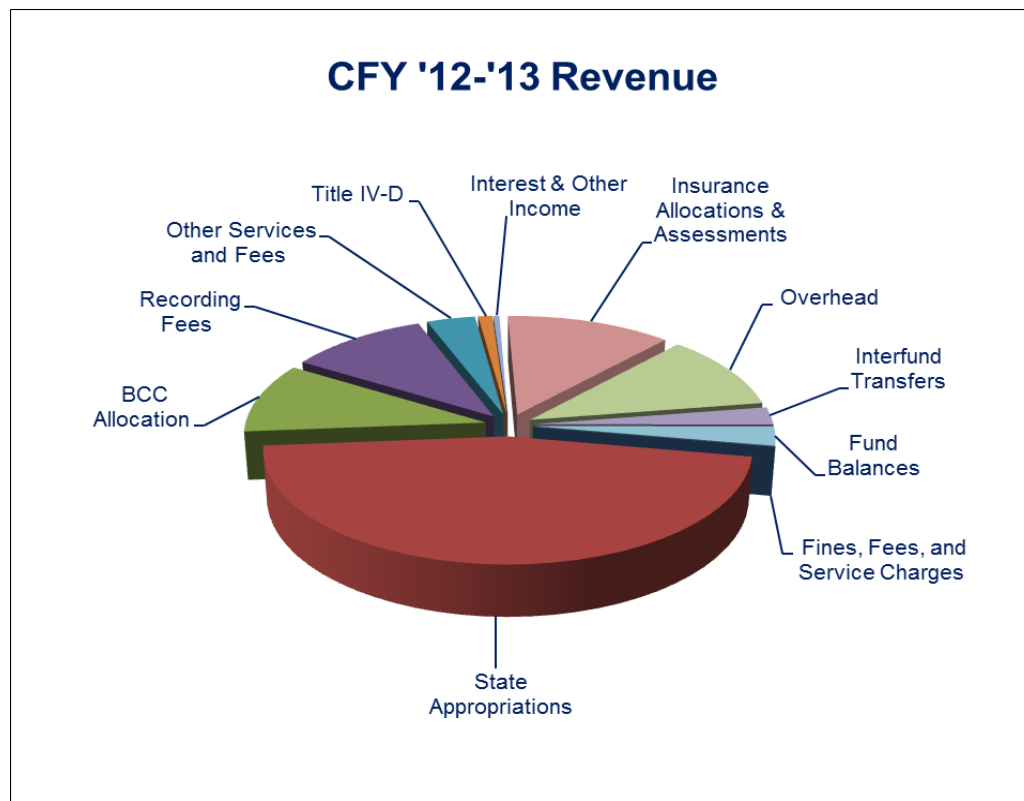


Figure 12: CFY '12-'13 Revenue Graph

*Office of Paula S. O'Neil
Clerk & Comptroller*

Annual Budget – Fiscal Year 2012-2013

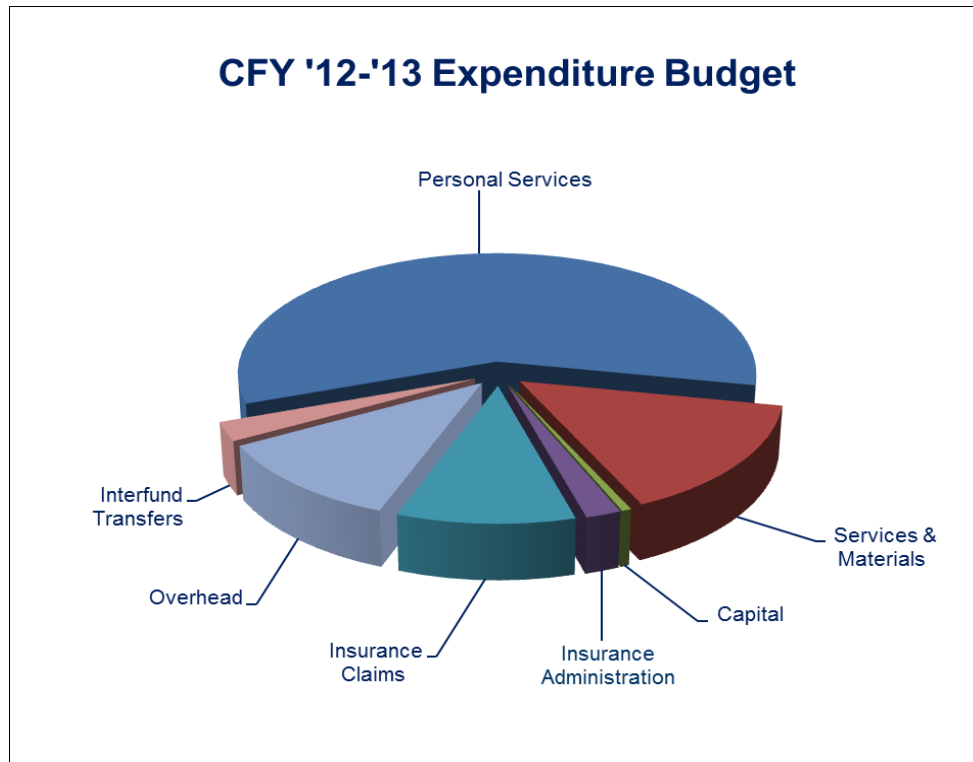


Figure 13: CFY '12-'13 Expenditure Budget Graph

General Fund

Description	FY '09-'10 Actual	FY '10-'11 Actual	FY '11-'12 Actual*	FY '12-'13 Adopted	Dollar Change	% Change
Beginning Fund Balance	242,681	550,884	404,015	727,872	323,857	80.16%
Major Revenue Sources:						
Recording	1,422,754	1,389,714	1,674,337	1,857,045	182,708	10.91%
Miscellaneous Services & Fees	495,520	498,827	624,056	557,284	(66,772)	-10.70%
Overhead	2,508,602	2,991,027	2,801,993	2,886,684	84,691	3.02%
Title IV-D	404,019	342,278	377,724	292,630	(85,094)	-22.53%
Interest & Other Income	237,554	145,316	121,595	96,355	(25,240)	-20.76%
BCC Allocation	2,897,733	2,860,063	2,737,080	2,792,019	54,939	2.01%
Revenue Subtotal:	7,966,182	8,227,225	8,336,785	8,482,017	145,232	1.74%
Expenditures:						
Personal Services	6,024,025	6,186,091	5,702,222	5,940,365	238,143	4.18%
Services & Materials	668,611	756,273	733,645	1,168,672	435,027	59.30%
Capital	0	202,479	35,250	107,750	72,500	205.67%
Excess to BCC	0	30,000	0	0	0	
Overhead	419,820	485,296	588,424	568,956	(19,468)	-3.31%
Interfund Transfers	545,523	713,955	953,387	696,274	(257,113)	-26.97%
Expenditure Subtotal:	7,657,979	8,374,094	8,012,928	8,482,017	469,089	5.85%
Ending Fund Balance, incl. encumbrances	550,884	404,015	727,872	727,872	0	
Net Change in Fund Balances	308,203	(146,869)	323,857	0	(323,857)	

Table 4: General Fund Financing

*Figures may be amended upon finalization of CFY 2011-2012 financial statements.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Fines and Forfeitures Fund

Description	FY '09-'10 Actual	FY '10-'11 Actual	FY '11-'12 Actual*	FY '12-'13 Adopted	Dollar Change	% Change
Beginning Fund Balance	237,439	208,951	364,746	228,070	(136,676)	-37.47%
Major Revenue Sources:						
Fines, Fees, Svc. Charges	1,369	5,944	8,583	3,784	(4,799)	-55.91%
Interest & Other Income	3,893	(1,742)	0	0	0	
State Appropriations	13,092,551	12,861,402	12,598,188	12,749,821	151,633	1.20%
Revenue Subtotal:	13,097,813	12,865,604	12,606,771	12,753,605	146,834	1.16%
Expenditures:						
Personal Services	9,920,197	9,691,917	9,688,128	9,123,435	(564,693)	-5.83%
Services & Materials	777,387	586,894	654,386	1,206,422	552,036	84.36%
Capital	3,181	0	0	32,500	32,500	
Overhead	2,425,536	2,430,998	2,400,933	2,391,248	(9,685)	-0.40%
Expenditure Subtotal:	13,126,301	12,709,809	12,743,447	12,753,605	10,158	0.08%
Ending Fund Balance, incl. encumbrances	208,951	364,746	228,070	228,070	0	
Net Change in Fund Balances	(28,488)	155,795	(136,676)	0	136,676	

Table 5: Fines and Forfeitures Fund Financing

*Figures may be amended upon finalization of CFY 2011-2012 financial statements.

Public Records Modernization Fund

Description	FY '09-'10 Actual	FY '10-'11 Actual	FY '11-'12 Actual*	FY '12-'13 Adopted	Dollar Change	% Change
Beginning Fund Balance	1,796,589	1,870,876	2,077,696	2,295,236	217,540	10.47%
Major Revenue Sources:						
Recording	191,535	199,613	235,561	263,459	27,898	11.84%
Interest & Other Income	21,712	11,202	13,787	10,760	(3,027)	-21.96%
Fund Balance	0	0	0	353,337	353,337	
Revenue Subtotal:	213,247	210,815	249,348	627,556	378,208	151.68%
Expenditures:						
Services & Materials	138,960	3,995	31,808	627,556	595,748	1872.95%
Expenditure Subtotal:	138,960	3,995	31,808	627,556	595,748	1872.95%
Ending Fund Balance, incl. encumbrances	1,870,876	2,077,696	2,295,236	2,295,236	0	
Net Change in Fund Balance	74,287	206,820	217,540	0	(217,540)	

Table 6: Public Records Modernization Fund Financing

*Figures may be amended upon finalization of CFY 2011-2012 financial statements.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Records Modernization Article V

Description	FY '09-'10 Actual	FY '10-'11 Actual	FY '11-'12 Actual*	FY '12-'13 Adopted	Dollar Change	% Change
Beginning Fund Balance	208,526	268,628	784,781	1,410,410	625,629	79.72%
Major Revenue Sources:						
Recording	543,552	571,561	681,714	778,336	96,622	14.17%
Miscellaneous Services & Fees	456,804	460,801	501,831	452,870	(48,961)	-9.76%
Overhead	746,360	655,124	714,962	554,169	(160,793)	-22.49%
Interfund Transfers	545,523	713,955	953,387	696,274	(257,113)	-26.97%
Interest & Other Income	4,283	1,440	3,750	2,439	(1,311)	-34.96%
Revenue Subtotal:	2,296,522	2,402,881	2,855,644	2,484,088	(371,556)	-13.01%
Expenditures:						
Personal Services	1,368,003	1,280,527	1,073,283	1,224,065	150,782	14.05%
Services & Materials	759,394	472,335	1,049,987	1,077,581	27,594	2.63%
Capital	25,957	27,017	4,956	5,700	744	15.01%
Overhead	83,066	106,849	101,789	176,742	74,953	73.64%
Expenditure Subtotal:	2,236,420	1,886,728	2,230,015	2,484,088	254,073	11.39%
Ending Fund Balance, incl. encumbrances	268,628	784,781	1,410,410	1,410,410	0	
Net Change in Fund Balance	60,102	516,153	625,629	0	(625,629)	

Table 7: Records Modernization Article V Fund Financing

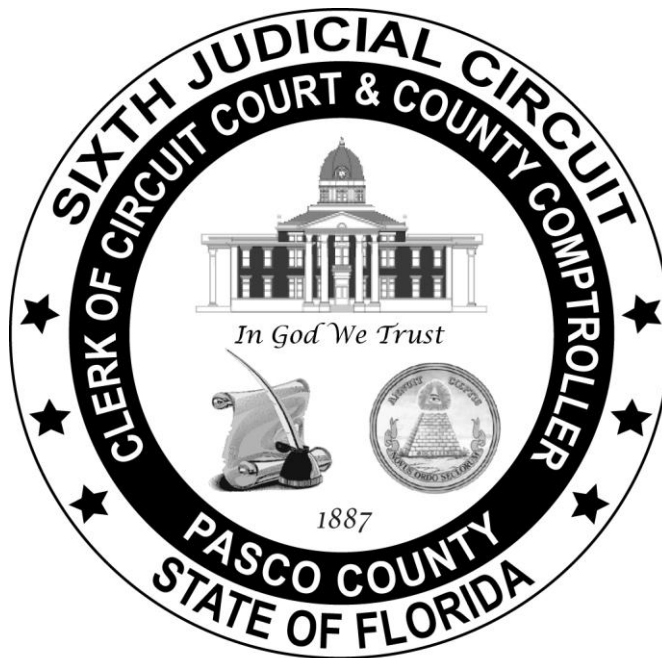
*Figures may be amended upon finalization of CFY 2011-2012 financial statements.

Self-Insurance Fund

Description	FY '09-'10 Actual	FY '10-'11 Actual	FY '11-'12 Actual*	FY '12-'13 Adopted	Dollar Change	% Change
Beginning Fund Balance	1,859,896	1,988,795	2,564,008	3,303,779	739,771	28.85%
Major Revenue Sources:						
Allocations & Assessments	3,258,772	3,329,847	3,713,862	2,988,288	(725,574)	-19.54%
Interest & Other Income	119,542	15,497	19,962	14,795	(5,167)	-25.88%
Fund Balance	0	0	0	407,467	407,467	
Revenue Subtotal:	3,378,314	3,345,344	3,733,824	3,410,550	(323,274)	-8.66%
Expenditures:						
Administration	606,752	602,172	482,986	550,000	67,014	13.87%
Claims	2,535,083	2,053,107	2,413,251	2,760,550	347,299	14.39%
Contracted Services	107,580	114,852	97,816	100,000	2,184	2.23%
Expenditure Subtotal:	3,249,415	2,770,131	2,994,053	3,410,550	416,497	13.91%
Ending Fund Balance, incl. encumbrances	1,988,795	2,564,008	3,303,779	3,303,779	0	
Net Change in Fund Balance	128,899	575,213	739,771	0	(739,771)	

Table 8: Self-Insurance Fund Financing

*Figures may be amended upon finalization of CFY 2011-2012 financial statements.



CLERK TO THE BOARD

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

IV. Clerk to the Board

A. Amended Funding Request

Personnel:		
1100	Clerk's Salary	13,980
1200	Salaries	1,779,737
1400	Overtime	5,476
2100	FICA	136,238
2200	Retirement	111,499
2300	Group Insurance	368,815
2500	Unemployment	833
Subtotal:		\$2,416,578
Operations:		
3100	Professional Services	5,524
3101	Microfilm Labor Charges	283
3400	Other Contracted Services	83,609
4000	Travel	14,831
4001	Registration	14,563
4100	Communications	12,074
4400	Rental	711
4601	Maintenance - Buildings	41
4602	Maintenance - Auto	1,290
4603	Maintenance - Office	48,562
4609	Maintenance - Software	63,156
4700	Printing	5,787
4920	Advertising	333
4950	Research/Tuition Reimbursement	3,333
4951	Education and Training	9,075
4952	Awards	193
5100	Office Supplies	3,261
5101	Postage	16,809
5104	Duplicating	4,156
5105	Data Processing	1,438
5106	Uncapitalized Equipment	12,082
5107	Data Processing Software	14,249
5108	Microfilm Supplies	87
5109	Computer Office Supplies	7,262
5110	Multi-use Copy Paper	3,321
5200	Operating Supplies	2,325
5201	Fuel and Oil	30,748
5207	Clothing & Wearing Apparel	506
5401	Memberships	4,469
5402	Books	2,344
5403	Periodicals and Subscriptions	1,254
Subtotal:		\$367,676
Capital:		
6401	Automotive Equipment	4,300
6402	Office Equipment	773
6403	Other Equipment	2,692
Subtotal:		\$7,765
Total:		\$2,792,019

Table 9: Amended Clerk to the Board Funding Request

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

B. Original Funding Request

(Submitted on June 1, 2012)

Personnel:		
1100	Clerk's Salary	13,980
1200	Salaries	1,750,529
1400	Overtime	5,393
2100	FICA	134,167
2200	Retirement	108,701
2300	Group Insurance	313,876
2500	Unemployment	500
Subtotal:		\$2,327,146
Operations:		
3100	Professional Services	43,667
3101	Microfilm Labor Charges	230
3400	Other Contracted Services	43,692
4000	Travel	14,477
4001	Registration	14,529
4100	Communications	38,460
4400	Rental	525
4601	Maintenance - Buildings	30
4602	Maintenance - Auto	1,095
4603	Maintenance - Office	36,321
4609	Maintenance - Software	96,929
4700	Printing	5,029
4920	Advertising	200
4950	Research/Tuition Reimbursement	2,000
4951	Education and Training	7,200
4952	Awards	116
5100	Office Supplies	2,937
5101	Postage	15,392
5104	Duplicating	4,034
5105	Data Processing	2,322
5106	Uncapitalized Equipment	4,246
5107	Data Processing Software	18,675
5108	Microfilm Supplies	81
5109	Computer Office Supplies	6,584
5110	Multi-use Copy Paper	3,193
5200	Operating Supplies	1,870
5201	Fuel and Oil	31,460
5207	Clothing & Wearing Apparel	476
5401	Memberships	3,781
5402	Books	2,171
5403	Periodicals and Subscriptions	1,021
Subtotal:		\$402,743
Capital:		
6401	Automotive Equipment	3,650
6402	Office Equipment	1,248
6403	Other Equipment	2,293
Subtotal:		\$7,191
Total:		\$2,737,080

Table 10: Original Clerk to the Board Funding Request

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

C. Personnel Allocations

The following table lists positions in Financial Services, Board Records, and Internal Audit totally allocated to the Board for Fiscal Year 2012-2013.

Accts Payable Lead Accounting Clerk
Board Records Clerks
Board Records Lead Clerk
Finance File Technician
Fixed Assets Accounting Clerks
G/L Accounting Clerks
G/L Lead Accounting Clerk
G/L Specialist
Grants/Contract Specialists
Internal Auditor
Lead Payroll Clerk
Operations Supervisors
Payroll Clerks
Purchase Order Clerks
Utilities Accounting Clerk
Total Clerk to the Board FTEs: 27.19

Table 11: Clerk to the Board FTE Schedule

Note: Full-time equivalents (FTEs) are calculated on a 40-hour workweek basis.

Office of Paula S. O'Neil *Clerk & Comptroller*

Annual Budget – Fiscal Year 2012-2013

D. Apportioned Personnel

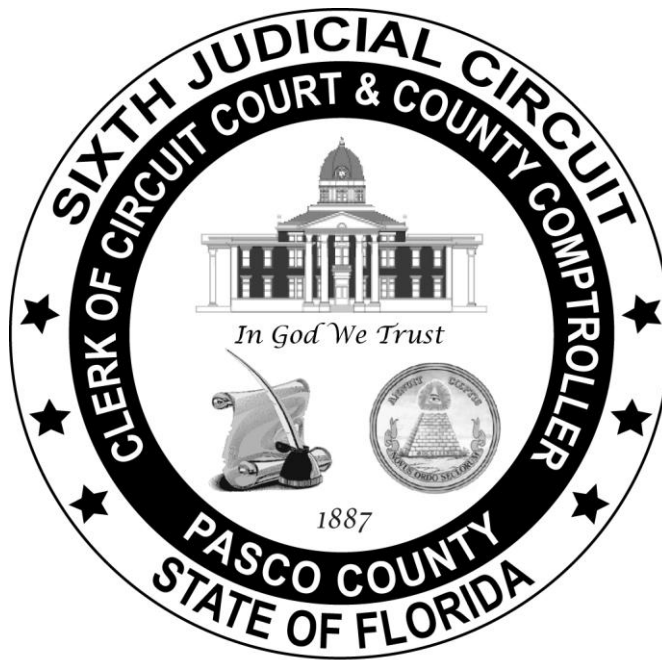
The operating requirements of the Office of the Clerk & Comptroller require the provision of support functions for business operations. Where possible, costs for supportive services, such as Administration, Human Resources, and Information Technology, are shared and appropriately apportioned. In certain instances, Florida statutes require the apportionment of deputy clerks who perform specific functions.

The following is a list of positions apportioned for Fiscal Year 2012-2013 to the Clerk to the Board area of operations:

Administrative Assistant	Human Resources Analyst
Application Programming Mgr/Interim Dir of IT	Human Resources Specialist
Archived Records Specialists	Human Resources Technician
Archived Records Technician	Mailroom Clerks
Assistant Director of Financial Services	Manager, Accounting & Financial Reporting
Assistant Director of Information Technology	Micrographic Technician
Budget Analyst	Official Records Generalists
Chief Administrative Officer	Official Records Specialist
Chief Operations Officer	Official Records Technicians
Clerk & Comptroller	Operations Specialist
Clerk's Finance Accounting Clerks	Operations Supervisors
Clerk's Finance Lead Accounting Clerk	Programmer Analyst/ Interim Programming Mgr
Compensation/Benefits Specialist	Project Specialist
Courier	Purchasing Specialist
Database Administrator	Records Clerks
Director of Budgets	Senior Internal Auditor
Director of Financial Services	Software Analysts
Director of Human Resources	Sr Financial Services Technical Specialist
Director of Information Technology	Sr Technical Support Analyst
Director of Internal Audit	Technical Support Analyst
Director of Records	Technical Support Specialist
Total Apportioned FTEs to the Board: 13.79	

Table 12: Clerk to the Board Apportioned Personnel

Note: Full-time equivalents (FTEs) are calculated on a 40-hour workweek basis.



OFFICE STRUCTURE

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

V. Office Structure

The Office of the Clerk of Circuit Court & County Comptroller (Clerk & Comptroller) provides essential services to the public, the justice system, the BCC, the County Administrator, the County Attorney, County departments, outside auditors, and state, federal, and regulatory agencies. The Office contains eight divisions, four in Business Operations and four in Support Operations. Three business operations and one support operation are led by the Chief Operations Officer, and the divisions include Criminal Courts, Civil Courts, Records, and Information Technology. Two support operations and one business operation are led by the Chief Administrative Officer, and the divisions include Human Resources, Budget, and Financial Services. The Internal Audit Division reports directly to the Clerk & Comptroller. Refer to the Organizational Chart on page 11 for more details.

A. Administration

The Clerk & Comptroller provides the services required by the Florida Constitution, which include Clerk of the Circuit Court, Clerk of the County Court, ex-officio Clerk to the Board of County Commissioners, Comptroller and Chief Fiscal Officer, County Auditor, County Recorder, and custodian of all County funds.

Key Objectives

- Provide leadership for the Office in compliance with Federal Laws, Florida Statutes and Rules, County Ordinances, and Office Policies and Procedures.
- Provide leadership with integrity, professionalism, and compassion, working toward the vision of *Excellence...Always*.
- Provide leadership direction for Business Operations, which includes Civil Courts, Criminal Courts, Financial Services, and Records.
- Provide leadership direction for Support Operations, which includes Human Resources, Information Technology, Budget, and Internal Audit.
- Seek legal counsel and direction to ensure compliance with all federal laws and regulations, state statutes and rules, local ordinances, and Office policies and procedures.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

B. Business Operations Branch

The Business Operations Branch includes four divisions: (1) Civil Courts, (2) Criminal Courts, (3) Financial Services, and (4) Records.

1. Civil Courts Division

The Civil Courts Division provides services for the public, the judiciary, law enforcement agencies, the Bar, the business community, legal aid programs, and other court-related local and state agencies. The Civil Courts Division has three departments: (a) Civil Department, (b) Child Support Department, and (c) Probate Department.

Policies

- Deliver high-quality customer service, treating all customers with respect and compassion. Expedite and manage customer wait times, both in person and telephonically, with assistance from a queuing system and the Call Center. Provide resources for pro se customers, such as Bay Area Legal Services for indigent customers, and other non-profit organizations within the County.
- Work closely with local abuse shelters and law enforcement to assist victims of domestic violence with legal pleadings and shelter, including a designated area for victims to complete forms in privacy. We work in cooperation with Sunrise of Pasco and the Salvation Army Domestic Violence Shelter to offer these agencies private space to consult with victims of domestic violence in New Port Richey, Dade City, and Land O' Lakes.
- Participate with mental health agencies to provide legal resources and petitions. Facilitate court orders for mental health treatment.
- Participate in training opportunities afforded by other agencies in an effort to provide seamless service.
- Ensure that all processes are completed accurately and timely by using quality assurance reports on a weekly basis, and by addressing training issues immediately.
- Safeguard the integrity of court records while providing complete and thorough records for the public and the Court.
- Provide on-site and remote access to the Pasco County Clerk & Comptroller's website so that users may download forms approved by the Supreme Court. The website provides customers with access to bid remotely on foreclosed properties through RealAuction, provides a list of court costs and fees required for each new case type, and provides eviction flow charts and links to various other resources.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

- Ensure accurate and timely reporting to all federal, state, and local agencies based on statutory requirements, court orders, or customer requests.
- Safeguard all financial transactions and records, ensuring that: (1) records accurately reflect balances due based on statutory requirements and/or court orders, and (2) that all customer payments are properly applied by balancing each individual employee, verifying departments within the office, and by performing surprise cash counts and internal audits.
- Provide high-quality training to employees on proper procedures, legislative changes, available resources, system processes, and customer needs through continued documentation of processes and cross training.
- Encourage community involvement of all employees.

Key Objectives

- Improve unit-processing ratios through continued implementation of process improvement projects.
- Convert to a new case maintenance system.
- Enhance document processing through the use of electronic means.
- Improve accuracy and timely maintenance of court case records.
- Collaborate with customers to identify gaps, improve services and address any additional needs.

Short-Term Goals

- Systematically examine and continually evaluate all processes in the Civil Court Division by implementing the reorganization plan throughout the division and objectively analyzing work flow to maximize efficiencies.
- Continue training in consolidated functional areas to maximize resources by forming teams to enhance employee efficiencies.
- Enhance accuracy and maintain timeliness in the processing of all services by reviewing statistics on a daily basis to ensure constant improvement.
- Continue verifying data against quality control reports, and continue to reconcile information as necessary.
- Enhance the management of emergency petition procedures by coordinating efforts with law enforcement, Salvation Army, Sunrise of Pasco, mental health facilities, and other community services. Partner meetings are held to share information on a monthly basis.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

- Enhance customer service delivery by listening to customer feedback or requests, and researching possible adaptations through website requests, analyzing queuing system for timely response, and providing links and forms as a resource for our customers.

Long-Term Goals

- Consolidate all court records and financial processes within the conversion transition to the new case maintenance system.
- Receive and process all court filings electronically and process docketing from a remote site. This will include verifying, scanning, and validating paper documents until the state ePortal is globally operational.
- Expand electronic access to provide automated services to the judiciary, court-related agencies, and the public.
- Expand the imaging of all previously filed court documents to enhance records management efficiencies and expedite customer service.
- Encourage a culture of continuous process improvement through quality assurance reports, team involvement, and customer feedback.
- Collaborate with other agencies to combine resources and services to the public; e.g., Department of Revenue, Salvation Army, Pasco County Sheriff's Office, Sunrise of Pasco, and other county and state offices.
- Maximize employee efficiency through cross-training efforts and empowering employees to make decisions within their scope of responsibility.

Deputy clerks in this division handle the following responsibilities, among others:

- Open new cases, index parties on each case record, process interim filings, and close cases upon final disposition.
- Assist the public with and process emergency injunctions, simplified dissolution of marriages, mental health petitions, and small claims.
- Process financial activities that include receipting for payments, court registry deposits, and preparing check requests and registry disbursements.
- Track court-ordered events, process indigent applications, assist pro se litigants, and issue summonses, notices, and subpoenas.
- Maintain physical and computerized case records, maintain court calendars, attend court, manage foreclosure actions and sales, process writs and executions, manage evidence, issue clerk default judgments, consolidate cases, manage eminent domain actions, prepare documents for recording in Official Records, process mass dismissals, process civil appeals, handle

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

public record requests and inquiries, coordinate procedures with justice agencies, process collection notices and reports, audit guardianship reports, manage electronically-filed court documents, and maintain child support payment records.

- Report statistical and compliance information to local and state agencies.
- Provide the general public with resources, referrals, and information.

Civil New Case Filings			
Case Type	2010 (actual)	2011 (actual)	2012 (projected)
Circuit Civil	10,781	6,050	6,631
County Civil	5,623	5,029	4,558
Small Claims	3,303	2,679	3,176
Probate	2,747	2,670	2,653
Mental Health	1,231	1,288	1,220
Guardianship	214	268	248
Child Support Enforcement	2,161	2,550	1,368
Domestic Relations	5,803	5,925	7,812
Total:	31,863	26,459	27,666

Table 13: Civil Case Filings

Table 13 demonstrates the change in court case filings in the Civil Division. While the new case activity decreased by 16.96% between 2010 and 2011, the change in the number of documents filed, clocked, and docketed was not as significant. This is due, in part, to the number of open and pending cases. A typical civil case has 30 pleadings and 32 docket entries. As of December 2011, the number of active pending cases in the Civil Courts Division totaled 11,858. Foreclosure filings are expected to increase between 2011 and 2013, as another wave of adjustable rate mortgages is scheduled to re-set.

Technological advances over past years have had a significant impact on the Office's ability to manage this diverse and complex area of the court system. A few of these innovations are:

- A fully-integrated electronic filing system for Probate and Guardianship cases.
- Online foreclosure auctions, enabling bidders to conduct research and perform bidding from the convenience of their computers.
- Internet access to forms and detailed information and directions for all case types.

Office of Paula S. O'Neil Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

- An automated customer service queuing system that enables tracking of the in-office customer service process, including wait times, service times, and volume of customers throughout office hours.
- A centralized call center which maximizes time for employees to process work and provides customers with quality service in all areas of the Civil Division.

a. Civil Department

Within the Civil Department, case types include County Civil, Circuit Civil, Small Claims, and Family Court. Deputy clerks in this department process evidence for the judiciary, provide forms for indigence and waiver of filing fees, record judgments and orders, collect mediation fees and court costs, verify outstanding warrants for the Sheriff's Office, process filings in accordance with state time standards, and submit weekly and monthly reports to the state and judiciary.

- *County Civil* – County Civil includes cases that do not exceed \$15,000. Examples of County Civil cases may be landlord-tenant evictions, auto negligence, recovery of property, and recovery of promissory notes.
- *Circuit Civil* – Circuit Civil includes cases that exceed \$15,000. Examples of Circuit Civil activity include actions for eminent domain, extraordinary writs, landlord-tenant evictions, and foreclosures. Following foreclosure judgments, the Clerk & Comptroller oversees the online auction of foreclosure properties through RealAuction. Following foreclosure sales, the Clerk & Comptroller distributes associated fees and issues certificates of title. Figures 12 and 13 illustrate the impact of foreclosure filings and sales on this Office.

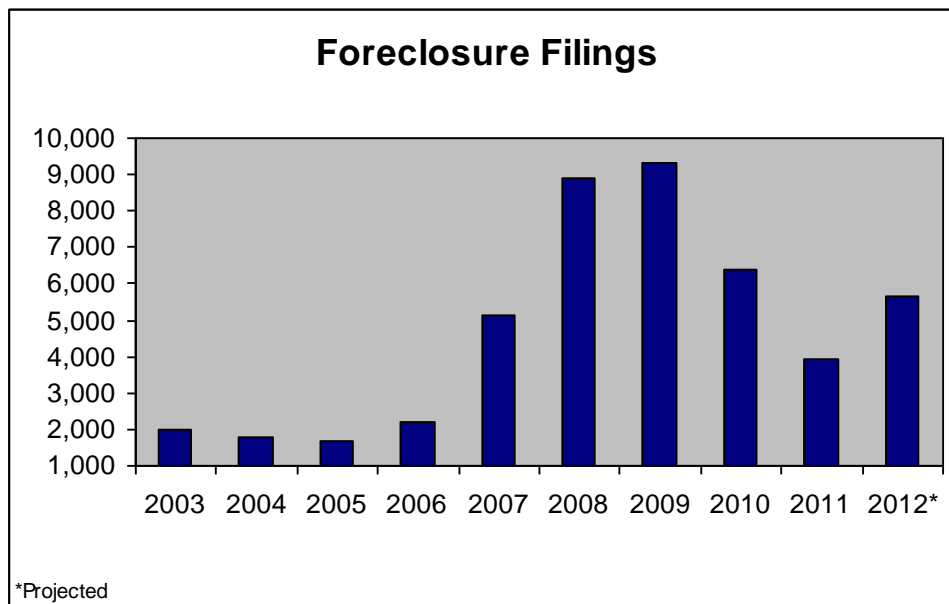


Figure 14: Foreclosure Filings

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

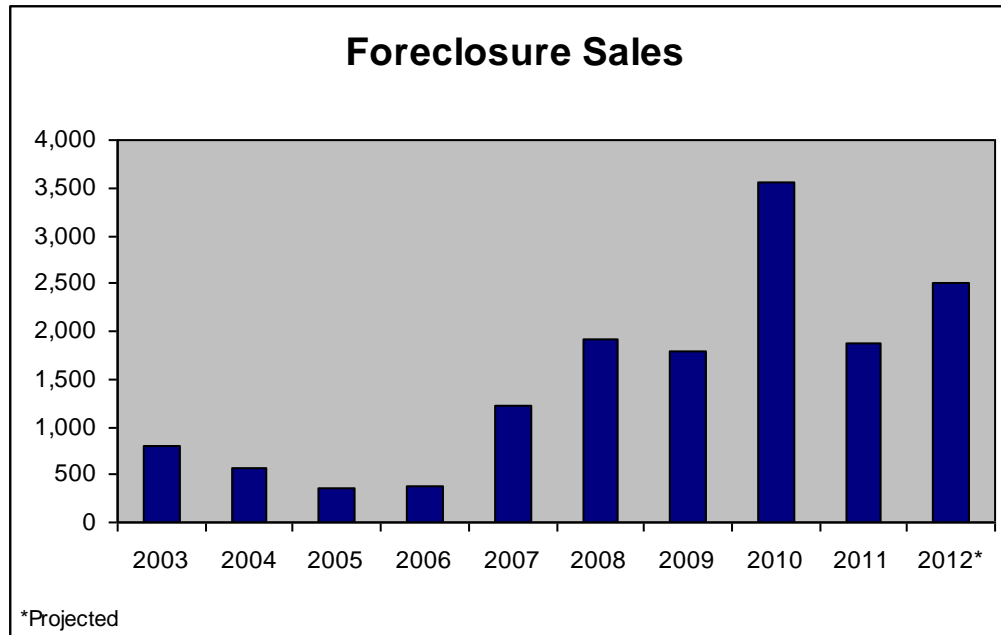


Figure 15: Foreclosure Sales

- **Small Claims** – Small Claims include claims up to \$5,000. Examples of common types of actions handled in small claims include auto negligence, claims of goods sold, claims for work done and materials furnished, claims for money lent, promissory notes, and replevin actions for recovery of property. The Office provides assistance with the filing of small claim actions, prepares the calendar, and attends these small claims hearings. Landlord-tenant actions may also be filed in County Court.

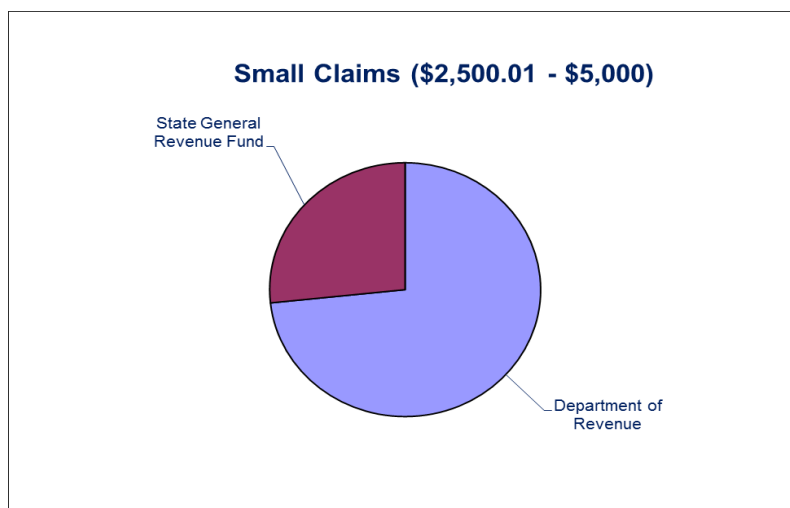


Figure 16: Small Claims Fee Distribution

Office of Paula S. O'Neil Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

- **Family Court** – The Clerk & Comptroller provides the petition and all related paperwork to the public for the filing of protective injunctions including: domestic violence, repeat violence, dating violence, and sexual violence cases. The Office prepares the calendar and attends hearings. Examples of other family cases include dissolution of marriage, simplified dissolution, adoption, name change, custody, paternity, enforcement of foreign actions, emergency pick-up orders, and other emergency motions. Family cases that have related juvenile histories may be assigned to the Unified Family Court (UFC) to ensure cases are considered by the same judge. The majority of these case types are filed without benefit of counsel, which makes this area labor-intensive due to the ministerial duties the deputy clerk is charged with providing. The majority of these case types are not charged a filing fee due to the Florida law or the determination of indigent status.

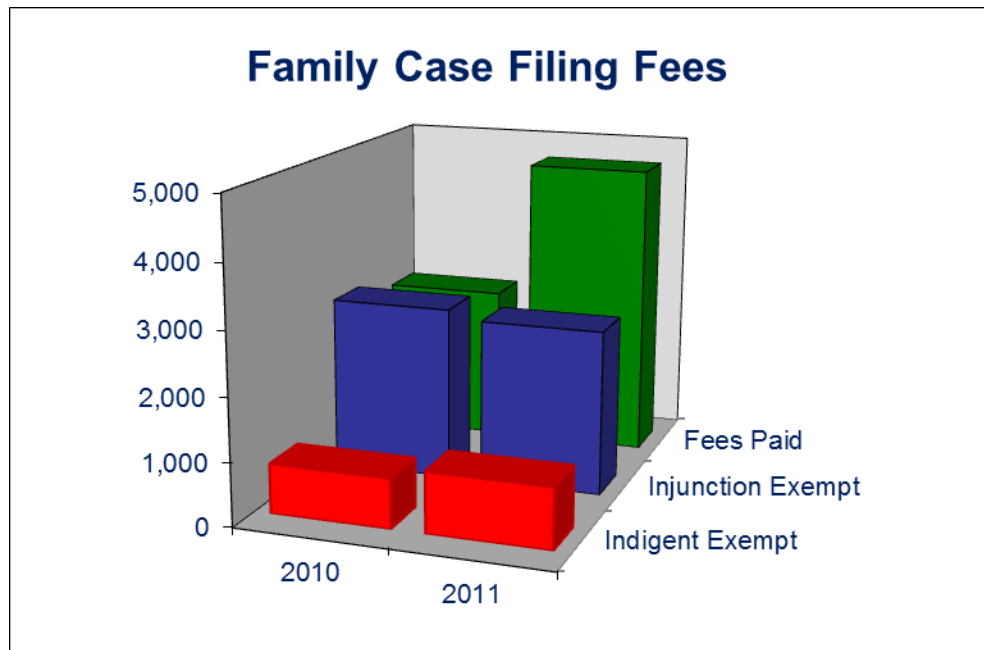


Figure 17: Family Case Filing Fees

b. Child Support Department

The Clerk & Comptroller maintains the official payment records for all Pasco County domestic relations support and alimony cases. This includes all filings, pleadings, and court orders, as well as a complete history of all payments assessed and received. The amount of support, frequency of payments, payment start dates, and payee information is determined by the Court. Payments may be paid through the State Disbursement Unit, through the Clerk & Comptroller's Office, or through one's employer by Income Deduction Order. The Clerk & Comptroller's Office updates the

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Child Support Enforcement System with additional orders such as modifications, suspensions, transfers, and general child support orders on an ongoing basis. The Child Support function also assists the Office of the Attorney General and the Department of Revenue in the maintenance of all records relating to child support, including opening cases and maintaining all payment records throughout the court-ordered timeframe. As demonstrated by Figure 18 and Figure 19, child support collections and new cases increased from 2010 to 2011, but are projected to decrease in 2012 due to a major computer system conversion by the State.

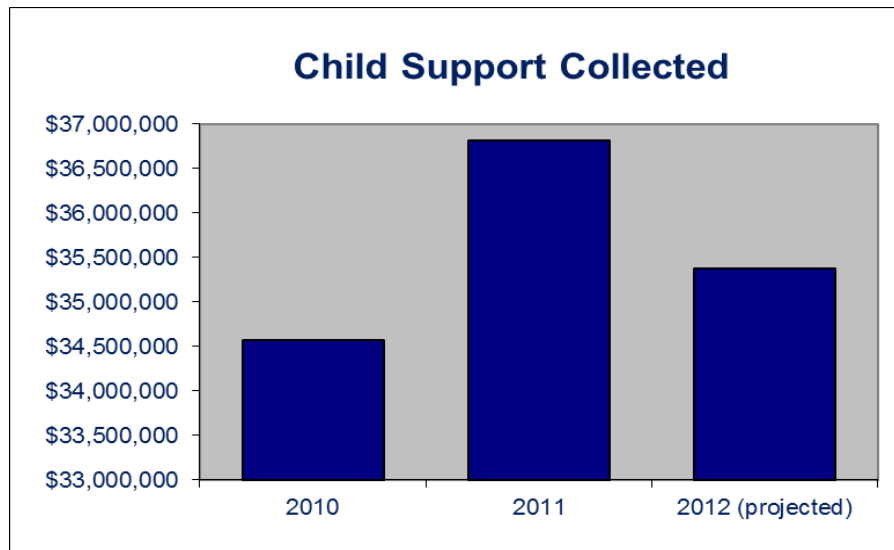


Figure 18: Child Support Collected

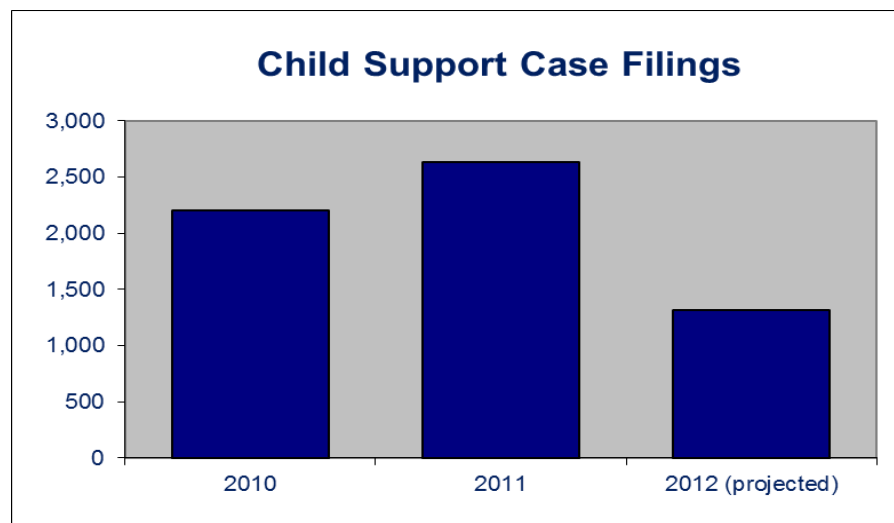


Figure 19: Child Support Case Filings

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

c. Probate Department

Within the Probate Department, case types include estates, guardianship, and mental health. Deputy clerks in this department attend hearings, process evidence for the judiciary, prepare case progress notes, and provide the public with forms for small estates, Baker Acts, Marchman Acts, and statements of claims. They also record judgments and orders pursuant to statute, collect court costs, verify outstanding warrants for the Sheriff's Office, process filings in accordance with state time standards, and submit weekly and monthly reports to the State and judiciary.

- *Estates* – The Estates area of Probate involves the court-monitored distribution of a decedent's assets according to his/her will or, in the absence of a will, Florida Statutes. When a deceased person leaves titled assets in his or her name alone, a petition for probate may be filed that allows distribution of the decedent's assets. The court oversees the estate to make sure debts are paid and proper distribution is made. Case life can last from a few months to several years, depending on the case type and complexity. In cases when a file falls outside of statutory time standards, or becomes delinquent, the Office notifies the court. Deputy clerks process caveats, notices of trusts, statements of claims, unclaimed funds, and they notify parties as required.
- *Guardianships* – Guardianships encompass the court monitoring of a ward's personal needs and/or property when he/she has been deemed incapacitated by the court or by reason of minority. There are several different types of guardianship actions: Guardianship of the Person, Guardianship of the Property, Guardianship of the Person and Property, Veterans Guardianship, Guardianship of a Minor, and Emergency Temporary Guardian. Guardianships can have a case life of one to many years. If a minor guardianship is opened on behalf of an infant, the case could remain open until the age of majority. The Clerk & Comptroller's responsibility, per statute, is to audit initial and annual guardianship reports following the Rules of Court and local procedures, using generally accepted accounting principles (GAAP). This is the standard that is set in rules that accountants follow in recording and summarizing transactions and financial statements. The Clerk & Comptroller is required to report to the Court the finding of the review and audits performed, maintain professional guardian files, and to monitor and maintain credit and criminal investigation reports of all guardians. The Clerk & Comptroller is also required to notify the court of any activity that requires intervention.
- *Mental Health* – The Mental Health section of the Probate Department involves court intervention when an individual becomes incapacitated, demonstrates substance abuse, or exhibits mental illness to the point that they may be a danger themselves, while not willing to voluntarily seek treatment. Deputy clerks assist the petitioners in mental health and substance abuse cases. This involves the involuntary examination of individuals when it is believed that they are a

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

danger to themselves or others and refuse voluntary medical care. Statute provides for the community's ability to access the court system when an individual refuses to voluntarily enter a receiving center or obtain outpatient services. The Probate Department also processes and prepares orders appointing the Public Defender, sets a court date for a hearing, and notifies parties pursuant to statute. These actions are considered emergency actions and receive priority processing. The role of the Clerk & Comptroller's Office in assisting applicants is to perform the following steps:

- Provide the public with resources, referrals, and information.
- Explain the purpose and procedure involved in filing the Baker and Marchman Acts.
- Explain, identify, and assist with the completion of forms.
- Remain active in attending community meetings pertaining to mental health and substance abuse to keep informed of updates and changes in legislation.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

2. Criminal Courts Division

The Criminal Courts Division contains three departments: (a) Criminal Department, (b) Traffic Department, and (c) Trial Clerk Department. The responsibilities of the Criminal Courts Division include the processing and maintenance of felonies, misdemeanor, criminal traffic, juvenile delinquency and dependency, jury management, appeals, county and municipal ordinances, and civil infractions.

Policies

- Deliver high-quality customer service, treating all customers with respect and compassion.
- Ensure that all workflows and procedures include quality assurance methodologies for the accurate and timely processing of our work.
- Safeguard the integrity of court records while providing access to records for the public and the court.
- Ensure accurate and timely reporting to all federal, state, and local agencies, based on statutory requirements, court order, or customer request.
- Safeguard all financial transactions and records, ensuring that: (1) records accurately reflect balances due based on statutory requirements and/or court orders, and (2) that all customer payments are properly applied.
- Provide high-quality training to employees on proper procedures, legislative changes, available resources, system processes, and customer needs.

Key Objectives

- Coordinate with the Administrative Office of the Courts, the Judiciary, the State Attorney's Office, the Public Defender's Office, local and state law enforcement agencies, the Department of Children and Family Services, attorneys, and criminal justice agencies to process cases in a timely, accurate, and efficient manner.
- Support the complex process of the criminal justice system, ensuring the timely and accurate processing of warrants, capias notices, subpoenas, and summonses.
- Focus on the development and implementation of innovative technical solutions and to maximize the efficiency of court services personnel within the constraints of limited financial resources.
- Analyze existing workflows for process improvement to reduce the overall cost of doing business.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

- Develop and implement quality assurance methodology to improve accuracy and ensure the division complies with state-mandated performance measures.
- Increase collection efforts by expanding the case types that we transmit to the outside collection agency and by processing drivers' license suspensions in a timely manner, as authorized by Florida Statute.

Short-Term Goals

- Identify and eliminate inconsistencies in workflows.
- Continue mapping and validating data contained in the obsolete mainframe system for upload to the new case maintenance system.
- Review and develop a payment plan guideline for the assurance of consistent collection efforts.
- Review all state-mandated reporting requirements to ensure comprehensive understanding and timely compliance.
- Improve collections by 5% through expanding the case types submitted to the outside collection agency and the timely suspension of drivers' licenses.
- Establish customer service best practices and educate our deputy clerks on performance expectations.

Long-Term Goals

- Implement the new case maintenance system.
- Develop and implement innovative solutions to electronically file and receive all court documents.
- Expand electronic access to provide automated services to the judiciary, court-related agencies, and the public.
- Expand the imaging of all court records to enhance records management efficiencies.
- Develop and implement a cross-training program to improve divisional understanding and encourage deputy clerks to reach their fullest potential.
- Work with the Information Technology Division and Florida Association of Court Clerks and Comptrollers (FACC) to develop an electronic interface between CLERICUS and the Official Records system to allow for executed judgments and satisfactions of judgments to be e-Recorded.
- Work with the Information Technology Division and Pasco County Sheriff's Office (PCSO) to develop a bi-lateral interface between CLERICUS and the

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Jail Management System that immediately updates information affecting the defendants' custody status.

Deputy clerks in this division handle the following responsibilities, among others:

- Assist attorneys, defendants, victims, businesses, and members of the public.
- Respond to daily inquiries from the public in person, by mail, and on the telephone concerning details about hearings, fines and costs, court orders, and other critical information related to criminal and traffic cases.
- Work meticulously to make certain that case files meet all state-mandated processing time standards and remain available for court and to the public.
- Attend court sessions, prepare and maintain court calendars, create and maintain case dockets, safeguard evidence, receipt and record all filed documents, and coordinate the jury process.
- Collect and disburse statutory fees, assessed court costs, and fines, as well as the compilation of data required for numerous statistical reporting requirements.
- Issue subpoenas to witnesses in criminal and traffic proceedings, and issue summonses notifying individuals of pending court actions. In 2011, the Criminal Division issued nearly 150,000 subpoenas, summonses, and notices. The Criminal Courts Division docketed over 1.3 million entries within case files, which included court rulings and other documents filed by the judiciary, attorneys, defendants, and other customers.

Criminal Case Filings			
Case Type	2010 (actual)	2011 (actual)	2012 (projected)
Appeals	320	343	384
Felony	9,695	10,531	9,730
Juvenile Delinquency	2,550	2,680	2,400
Juvenile Dependency	276	247	396
Misdemeanor	9,257	9,477	8,830
Non-Criminal Infractions	386	396	300
Traffic Criminal	8,485	8,358	7,284
Ordinance Violations	3,908	5,552	4,061
Traffic Infractions	50,661	48,995	50,520
Total:	85,538	86,579	83,905

Table 14: Criminal Court Activity

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

a. Criminal Department

Circuit case categories and services handled by the Criminal Department include felony, juvenile delinquency, juvenile dependency, and jury service. This section receives and processes all felony affidavits of probable cause, grand jury indictments and arrest warrants. County case categories and services handled by the Criminal Department include misdemeanor, (non-criminal) animal and marine infractions, and county and municipal ordinance violations, except for tobacco, smoking, and parking. The Criminal Department also handles all appeals from convictions and court rulings from the circuit and county civil and criminal courts for Pasco County as part of the Sixth Judicial Circuit.

Juvenile delinquency cases involve persons under 18, who have violated the law. The court's objective is to avoid future violations and ensure the minors become productive members of the community.

Juvenile dependency cases involve non-physical or mental injuries to a person under 18. Such cases may involve sexual abuse or exploitation, abandonment, insufficient food, housing, medical care, shelter, supervision, or other conditions that endanger the minor's life or development. Juvenile records are confidential under Florida Law and handled with the utmost care.

The Criminal Department is responsible for all monetary payments for fines, costs, restitution, and fees. Duties involve indigent applications, payment plans, collection notices, and driver's license suspensions in accordance with state-mandated requirements.

The Criminal Division is also responsible for jury management. Summoned jurors report to the Robert D. Sumner Judicial Center in Dade City or the West Pasco Judicial Center in New Port Richey. The Clerk & Comptroller's Office works closely with the court to effectively support trial operations and assist citizens in performing their civic responsibilities.

The Clerk & Comptroller has worked in partnership within the community and has implemented a program in conjunction with the Supervisor of Elections to make voting registration available to jurors during their service in the courthouse. The Pasco County Friends of the Library System has made books available in the jury pool room and the BCC has extended free bus passes for jurors in need of transportation to and from the courthouses.

Jury Activity			
Type of Service	2010 (actual)	2011 (actual)	2012 (projected)
# of Jurors Summoned:	36,822	30,055	31,000
# of Jurors Who Appeared for Service:	10,262	7,878	8,500
# of Jurors at the Start of Voir Dire:	4,583	4,622	4,850
# of Jurors Who Served on Trials:	1,240	1,275	1,300

Table 15: Jury Activity

Office of Paula S. O'Neil Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

b. Traffic Department

The Traffic Department handles all civil traffic infractions and smoking, parking, and toll violations. It processes traffic citations issued by all local and state law enforcement agencies in Pasco County, including the Florida Highway Patrol and the Department of Transportation. Customers can make payments through online services, telephone, mail, or in person. Parking citations are written for violations of County or municipal ordinances or Florida State Statutes. In 2011, the Traffic Department processed 49,899 civil infractions, 352 noncriminal infractions, and 5,326 county and municipal ordinances. County and municipal ordinances enforce the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare.

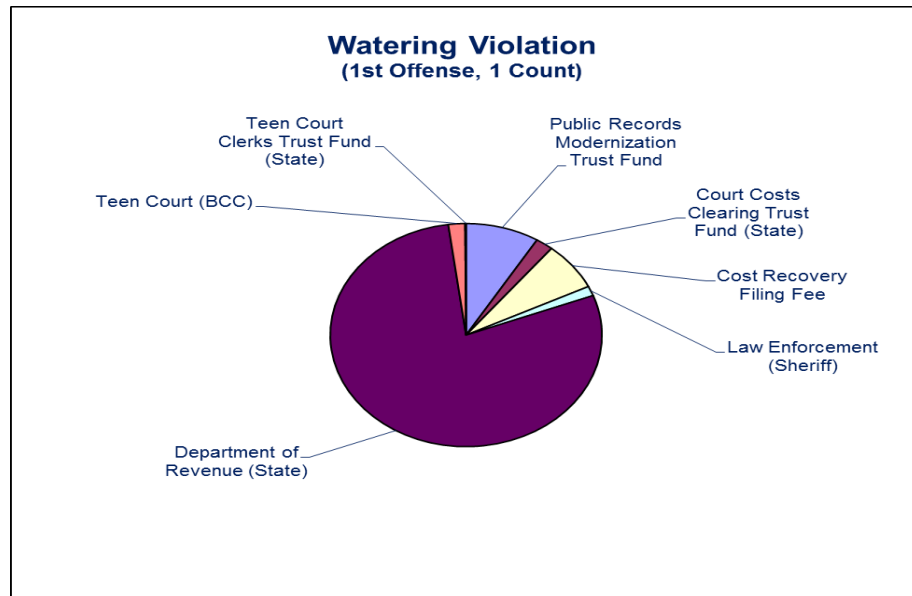


Figure 20: Watering Violations

The Traffic Department scans documents for all civil traffic infraction cases. In 2011, the Traffic Department scanned 153,677 documents. Deputy clerks access the images to assist customers over the counter or over the telephone. These images are used to update the docket in the case maintenance system.

The Traffic Department processes red light camera violation citations electronically. Over 1,200 red light camera tickets were processed in 2011, and it is estimated that the Clerk & Comptroller's Office will process over 6,100 citations in 2012 if additional cameras come online, as planned.

Office of Paula S. O'Neil Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

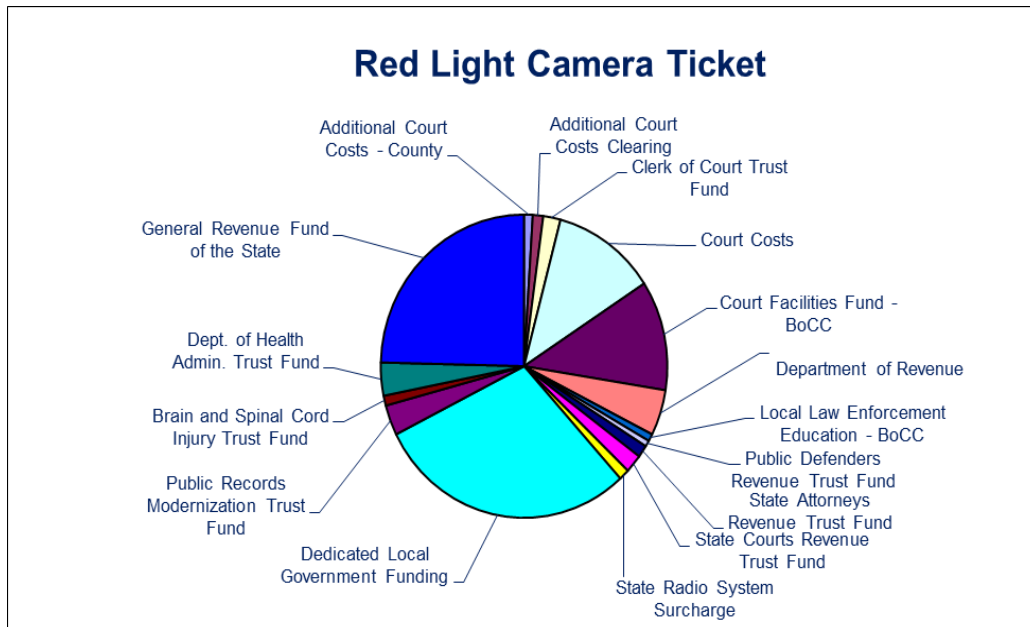


Figure 21: Red Light Camera Fine Distribution

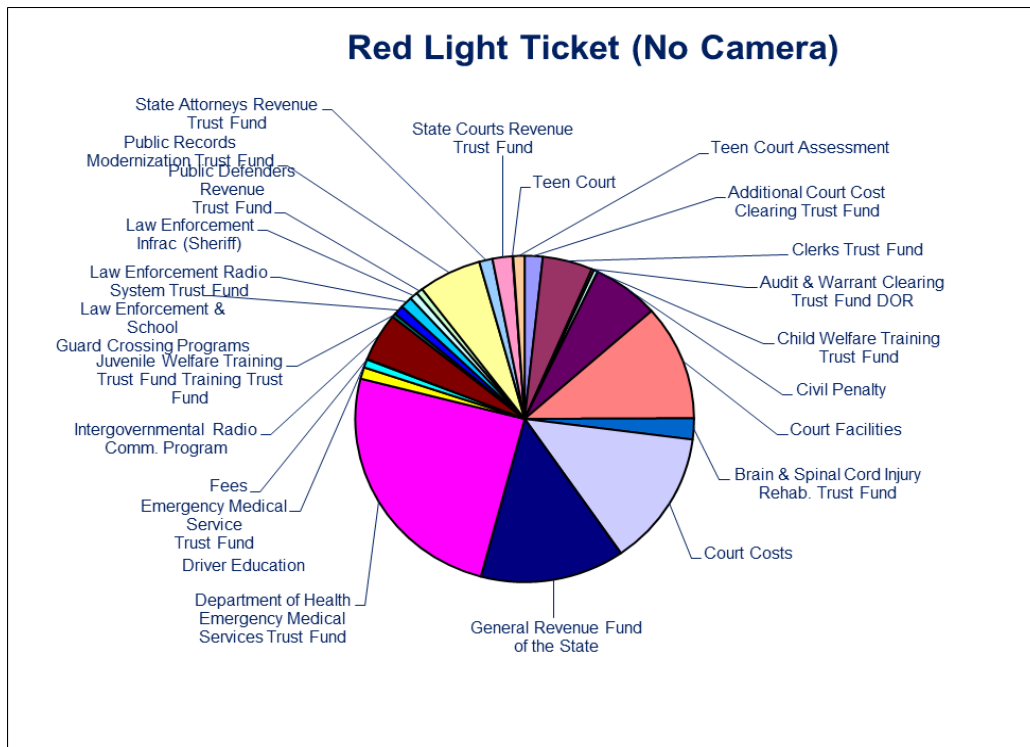


Figure 22: Red Light Fine Distribution – No Camera

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

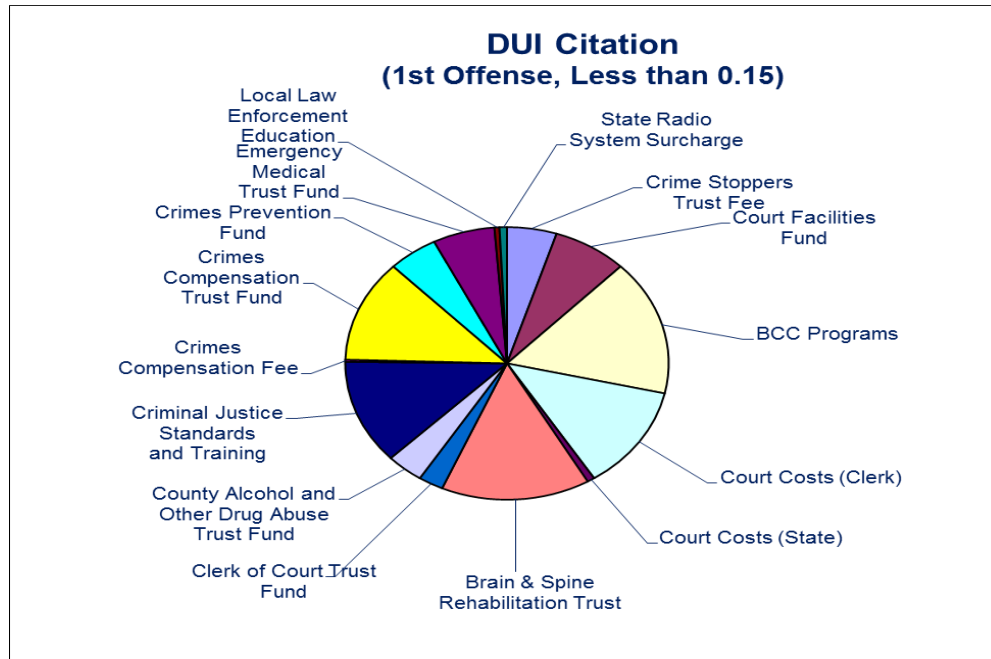


Figure 23: DUI Fine Distribution – First Offense

c. Trial Clerk Department

The Trial Clerk Department assists and supports the judiciary by attending first appearance hearings that are conducted daily, including weekends and holidays. Trial Clerks also attend criminal hearings and trials, County Civil final hearings, and Circuit Civil trials. These deputy clerks prepare court documents, maintain court records, and secure evidence. Other responsibilities include the recordkeeping of court proceedings, preparation of court orders and auxiliary paperwork, tracking exhibits and evidence in the courtroom, and documentation of the chain of custody. The Trial Clerks support 13 circuit court judges, 7 county court judges, 6 traffic-hearing officers, and senior judges on occasion. In 2011, the Trial Clerks attended 110,516 circuit and county criminal court hearings and trials.

Trial Clerks document and track thousands of pieces of evidence in the Pasco County Clerk & Comptroller's Office. They take every precaution in handling highly sensitive evidence to ensure its security and integrity. In 2011, 3,879 exhibits were introduced into evidence and 3,758 exhibits were marked and admitted into evidence. Each piece of admitted evidence is taken into custody, logged into a tracking system, and secured according to statutory requirements.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

3. Financial Services Division

The Financial Services Division provides the Clerk of Circuit Court and County Comptroller with reasonable assurance that assets are safeguarded against loss from unauthorized use or disposition. The Division has two departments: (a) Board Finance and (b) Clerk & Comptroller Finance. Its primary responsibilities are defined in the following policies.

Policies

- Ensure that all transactions of the Board and the Office of the Clerk & Comptroller are properly recorded in accordance with generally accepted accounting principles (GAAP).
- Ensure that all financial statements are prepared in accordance with GAAP and audited annually.
- Provide cash management services, including the investment of excess operating funds of the Clerk & Comptroller in accordance with adopted policy and Florida Statutes.
- Maintain Board accounts.
- Monitor debt service requirements and compliance with bond covenants.
- Deliver high-quality customer service, treating all customers with respect and compassion.
- Ensure accurate and timely reporting to all federal agencies, state agencies, and local agencies.
- Provide high-quality training to employees on proper procedures, legislative changes, available resources, system processes, and customer needs.

Key Objectives

- Implement Lean Management principles and other effective methods to improve efficiency, without losing sight of legal responsibilities and high standards for customer service.
- Review and update policies and procedures of both the Clerk & Comptroller and the BCC to reflect statutory and policy changes.
- Assist with debt collection efforts, as needed.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Short-Term Goals

- Systematically examine and improve all processes in the Financial Services Division.
- Consolidate designated functional areas to maximize resources.
- Enhance accuracy and timeliness to the processing of all services.
- Comply with all state processing standards and criteria.
- Enhance collection processes to increase debt collection by at least 1%.
- Enhance customer service delivery by listening to customer requests and researching possible adaptations.

Long-Term Goals

- Assist with the consolidation of financial processes within the conversion transition from the Cashiering System to the new case maintenance system.
- Receive and process all vendor activity electronically.
- Process all payments electronically.
- Encourage a culture of continuous process improvement.
- Maximize employee skills through cross-training efforts.

During Fiscal Year 2010-2011, the Clerk & Comptroller collected and distributed approximately \$65.1 million on behalf of state, county, and municipal governments in accordance with statutes, court orders, and local ordinances. Also included are amounts collected on behalf of the public in the form of restitution, child support and alimony payments, jury and witness payroll, and court registry. Current year activity for collections and disbursements is included in the Section VI, titled *Revenue Collection and Distribution* on page 90.

a. Board Finance Department

Services provided by Financial Services to the Board include payment processing, accounting, imaging, financial reporting, and investment services. The Board Finance Department includes General Ledger and Accounts Payable.

Deputy clerks in this division handle the following responsibilities on behalf of the Board, among others:

- Maintenance of the books and records of all Board financial transactions.
 - Pre-audit of all vendor payments requiring review of each purchase order and multiple invoices referencing the purchase order or contract. Frequently, a single purchase order may generate as many as 30 to 40

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

invoices, while others may generate several hundred. Through the pre-audit function, all related contracts for Board departments are reviewed to insure compliance with Board policy, sound financial management, generally accepted accounting principles (GAAP), and the safeguarding of Board assets. Prior review of contracts obligating the Board further insures that timely compliance with Florida Statutes is incorporated. The Board is subject to the provisions of the Florida Prompt Payment Act F.S. 218.70. There were 2,469 purchase orders issued in Fiscal Year 2010-2011.

- Issuance of vendor checks, payroll checks, refund checks, and direct deposit receipts.
- Pre-audits of travel reimbursements for members of the BCC and all Board employees as well as travel related to contractual services provided to the Board.
- Tracking of revenue collected by the Clerk & Comptroller for deposit to the accounts of Pasco County. During Fiscal Year 2010-2011, revenue of \$2,959,074 was collected, accounted for, and deposited into the accounts of the BCC. An additional \$315,695 was remitted to the Sheriff's Office for the year ending September 30, 2011.
- Impact Fee Management
 - Monitoring of impact fee developer agreements that often provide various alternative methods for the developer to satisfy their financial obligation to the Board. This can take the form of completion of designated construction projects, refund of cash for designated expenditures, donation of land, buildings, etc., or utilization of outstanding credits. The developer transactions must be monitored and accounted for in order to assure compliance with the financial terms of the agreement. This monitoring process is labor-intensive and demands a great deal of knowledge and expertise on the part of the Financial Services team.
- Reports and Grants
 - Preparation of financial reports for Board and County staff as well as state and federal agencies. Monitoring of financial compliance with state and federal grant funds, review of related financial reports, and continual examination of grant budget and expenditure activity. There were 108 different grants in Fiscal Year 2010-2011.
 - Preparation of the State of Florida, Annual Local Government Financial Report submitted to the Department of Financial Services, Bureau of Accounting and the County's Comprehensive Annual Financial Report submitted to the Government Finance Officers' Association (GFOA), the Auditor General, bond agencies, and other concerned parties. Also

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

included is the reporting of federal and certain state financial assistance in compliance with the Federal and State of Florida Single Audit Acts and Section 318.18(13) Florida Statutes Assessment of Additional Costs. These items are submitted to the Chief Judge of the Circuit, the Governor, President of the Senate, and Speaker of the House of Representatives.

- Fixed Assets
 - Physical inventory and maintenance of related records for Board fixed assets.
- Investments and Bonds
 - Investment of available funds in accordance with the Board's Investment Policy and Florida Statutes. Deposits include pooled cash, checking, and investment accounts with reconciliations that are performed on a monthly basis. Quarterly investment reports are provided to the Board.
 - Participation in the administration of Board bonds and activities related to arbitrage rebate calculation to comply with tax laws.
- Administration
 - Scheduling and processing of documents generated from Board-supported areas for microfilming, imaging, storage, and destruction in compliance with Florida Statutes.
 - Provision of information systems support for the accounting of all funds of the BCC.
 - Monitoring of all information systems from development through the entire system life cycle to ensure that adequate audit controls and security are included. Aid in the identification of systems or procedures contributing to financially significant exposure or risk, and ensure system and data integrity.

Financial Services Activity			
	FY 2009-2010 (actual)	FY 2010-2011 (actual)	FY 2011-2012 (projected)
Vendor Checks	18,477	14,889	12,656
Wire Transfers	1,902	1,803	1,749
Utility Customer Deposits – Water	\$3,423,427	\$3,469,651	\$3,450,320
Utility Customer Deposits – Solid Waste	\$22,879	\$24,129	\$25,335
Number of Fixed Assets	23,522	23,823	24,776
Aggregate Value of Fixed Assets	\$1,731,550,920	\$1,835,924,043	\$1,783,737,482

Table 16: Board Finance Activity

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

b. Clerk & Comptroller Finance Department

The Clerk & Comptroller's Finance Department monitors financial activity for the Clerk & Comptroller's Office.

Deputy clerks in this division handle the following responsibilities:

- Maintenance of the books and records of all Clerk & Comptroller financial transactions.
 - Pre-audit of all vendor payments requiring review of each purchase order and multiple invoices referencing the purchase order or contract. Through the pre-audit function, all related contracts are reviewed to insure compliance with Clerk & Comptroller policies, sound financial management, generally accepted accounting principles (GAAP), and the safeguarding of Clerk & Comptroller assets.
 - Issuance of vendor checks, payroll checks, refund checks, direct deposit receipts, juror checks, witness checks, and court-ordered checks.
 - Pre-audits of travel reimbursements for Clerk & Comptroller deputy clerks.
 - Tracking of revenue collected by the Clerk & Comptroller for deposit to various accounts.
 - Daily monitoring, reconciliation and processing of bidder and bank activity for online foreclosure sales, including deposits, settlement of accounts, refunds, and disbursements to Court Registry. Foreclosure activity included nearly \$34 million in deposits, nearly \$30 million transferred to Court Registry, and over \$3.9 million in refunds.
- Reports
 - Preparation of financial reports for the Clerk & Comptroller for compliance with state and federal reporting requirements. Monitoring of financial compliance with state and federal funds, review of related financial reports, and continual examination of budget and expenditure activity.
 - Preparation of the State of Florida, Annual Local Government Financial Report submitted to the Department of Financial Services, Bureau of Accounting and the County's Comprehensive Annual Financial Report submitted to the Government Finance Officers' Association (GFOA), the Auditor General, bond agencies, and other concerned parties. Also included is the reporting of federal and certain state financial assistance in compliance with the Federal and State of Florida Single Audit Acts and Section 318.18(13) Florida Statutes Assessment of Additional Costs. These items are submitted to the Chief Judge of the Circuit, the Governor, President of the Senate, and Speaker of the House of Representatives.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

- Fixed Assets
 - Physical inventory and maintenance of related records for Clerk & Comptroller fixed assets.
- Investments
 - Investment of available funds in accordance with the Clerk & Comptrollers Investment Policy and Florida Statutes. Deposits include pooled cash, checking, and investment accounts with reconciliations that are performed on a monthly basis.
- Administration
 - Scheduling and processing of documents generated from Clerk & Comptroller areas for microfilming, imaging, storage, and destruction in compliance with Florida Statutes.
 - Provision of information systems support for the accounting of all funds of the Clerk & Comptroller.
 - Monitoring of all information systems from development through the entire system life cycle to ensure that adequate audit controls and security are included. Aid in the identification of systems or procedures contributing to financially significant exposure or risk, and ensure system and data integrity.
 - Monitor legislative activity and recommend procedural changes, including those affecting cashiering and the accounting for and reporting of financial activity.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

4. Records Division

The Records Division includes five departments: (a) Archived Records, (b) Court Records, (c) Official Records, (d) Micrographic Records, and (e) Board Records. The Records Division effectively administers all phases of records management by providing a systematic approach to the implementation and maintenance of procedures and controls used to safeguard records generated and maintained within Pasco County. Policies ensuring the success of the Division are listed below.

Policies

- Delivery of high-quality service to the public, courts, local and state agencies, providing efficient access to requested information while treating all customers with respect and compassion.
- Reduction of the proliferation of paper and enhancement of access to records by maximizing the use of electronic media and effective disposal of records that have met state and judicial retention mandates.
- Commitment to providing accurate and timely reports to federal and state agencies as required by law.
- Dedication to high-quality training for the division team to ensure compliance with rapidly changing legal and organizational demands and the delivery of enhanced applications to more effectively meet our customers' needs.
- Accurate and thorough maintenance of historical records with effective retrieval systems.

Key Objectives

- Maintain and implement highly-efficient storage, retrieval, and microfilm processing systems for historical public records and court data submitted to the Clerk & Comptroller's Office.
- Meet the demands of the various agencies related to archival documents in an efficient and effective manner.
- Ensure that current and historical records are maintained in a proper climatic environment.
- Provide court document and evidence processing services to the public and the justice community in an efficient and effective manner.
- Focus on improving the implementation of technical and human resource innovations to maximize recording services within the constraints of limited financial resources.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

- Improve unit-processing ratios through the implementation of process improvement projects.
- Communicate records processing demands to customers as needed, requesting their support and understanding.

Short-Term Goals

- Systematically examine and improve all processes and functional areas in the Official Records Division to maximize resources.
- Enhance accuracy and timeliness to the processing of all services.
- Comply with all processing, retention, and redaction standards and criteria as required by Florida Statute and law.
- Enhance customer service delivery by effectively identifying customer needs and implementing appropriate enhancements to services.

Long-Term Goals

- Collaborate with all other divisions regarding transition to the new case maintenance system.
- Receive and process all official records electronically.
- Expand the imaging of all records to enhance records management efficiencies.
- Encourage a culture of continuous process improvement.
- Maximize employee skills and professional growth through effective training efforts and programs.

a. Archived Records Department

The Archived Records Department of the Clerk & Comptroller's Office is responsible for the mailroom, courier services, records, and evidence retention. Archived Records is the custodian for all inactive records and evidence maintained by the Clerk & Comptroller's Office. This department archives records in accordance with Chapter 119 of the Florida Statutes, which governs all aspects of public records and guarantees open access to all citizens. Records in these facilities include administrative records, files, and evidence, which are maintained from acceptance through destruction.

Deputy clerks in the Archived Records Department have the following responsibilities:

- Maintain records of acceptance, retention, and destruction of case files from the court and administrative areas of the Office. Records are retained in

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

accordance with the Florida Rules of Judicial Administration as well as GS1SL and GS11 records schedules issued by the Florida Department of State for each type of individual record.

- Retain evidence as defined in the Florida Rules of Judicial Administration and Florida Statutes for the court area in a secure environment, while providing efficient and effective tracking from acceptance through destruction and access to the public as allowed by law.
- Manage the processing of mail for all areas of the Clerk & Comptroller's Office. Pick up, process, and deliver incoming mail in Dade City and New Port Richey. Prepare and meter outgoing mail for pickup by Access Mail. Deliver large and flat rate parcels to the U.S. Post Office.
- Provide courier transport of mail, interoffice documents, records, and associated paperwork to all departments housed in six locations across the County on a daily basis.

Performance Measures and Workload

Records accepted into the Records Center are measured by box or case file. Individual files are requested by departments for examination, sent to the requesting department, and returned to the original storage box. White label boxes containing miscellaneous documentation are received from each department, retention schedules are checked, and destruction is performed when the retention time is met.

Incoming and outgoing mail is tracked by the piece. The Archived Records Department strives to deliver each piece of mail received each morning to the correct department. Outgoing mail is metered for postage at a reduced rate and posted through Access Mail.

Customer request processing for copies, previously provided by mail and courier, have been enhanced by scanning and emailing documents interoffice and externally to government agencies. This has reduced costs and time, allowing the allocation of resources to other long-term projects.

A criminal evidence records transfer project is approximately 50% completed and will ensure the enhanced maintenance of this information on a more state of the art system. It will also link criminal evidence directly to the case record when these records are converted to the new case maintenance system.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Archived Records Activity					
Year	Evidence Processed	Records Destruction (Tons)	Mail Processed	Files Processed	Cross-County Courier Items
2010 (actual)	1,220	70	524,969	403,144	15,385
2011 (actual)	1,062	34	455,121	348,844	13,112
2012 (projected)	1,108	50	395,955	303,494	14,577

Table 17: Archived Records Activity

b. Court Records Department

The Court Records Department is the custodian of active court files for the Clerk & Comptroller's Office. Public records are maintained according to Florida Statutes in such a manner as to protect the court file and make it available for public viewing. The Court Records Department is responsible from the opening of a court file to the final disposition of the case. Handling of the case files is the major responsibility and function of this area. Filing must be done continually to ensure the quick retrieval of case documents. Deputy clerks in the Court Records Department also perform the following responsibilities:

- Pull court files for judges' calendars and transport them twice a day to the courthouses on the east and west sides of the County.
- Perform emergency runs on demand for court proceedings.
- Assist customers within the public viewing area and facilitate public access, while ensuring the security of the files.
- Ensure accurate tracking of files in the TrakMan court tracking system to allow instant file location.
- File court case documents quickly and properly to ensure easy access to the location of information.
- Provide citizens, the Public Defender, State Attorney, Attorney General in and out of state, Court Administration, private attorneys, Department of Revenue, law enforcement in and out of state, plaintiffs, and defendants with files for review and copies as requested and allowed by Florida Statute. Copies are electronically transferred whenever permissible.

Performance Measures and Workload

The Court Records Department runs on a 24-hour rule. Incoming documents are to be placed in court files within 24 hours. Maintaining the 24-hour turn-around time expectation can be challenging, considering that the departments submitting

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

paperwork to Court Records receive documents in varying cycles. However, deputy clerks pride themselves on keeping a strict schedule.

Services have been enhanced by providing copies electronically to customers via email after payment is made by credit card over the phone. This benefits the customer by expediting the delivery of copies and saving them a trip to our office. Time and resources are also saved for the Clerk & Comptroller's Office.

Images are available on public PCs after redaction of non-public information and verification to eliminate the handling of paper documents. This is a benefit to the customer and the Office by expediting the viewing of documents, eliminating having to wait for file retrieval.

Court Records Activity					
Year	Documents Filed	Files Processed	Courier Deliveries	Customers Served	Copies Provided
2010 (actual)	1,417,216	594,183	3,796	46,695	225,900
2011 (actual)	1,347,875	531,951	3,729	45,688	207,208
2012 (projected)	1,280,481	478,756	3,763	44,774	190,631

Table 18: Court Records Activity

c. Official Records Department

The Clerk & Comptroller is the Custodian of the Official Records for Pasco County. The Official Records Department is responsible for the following services:

- Accept documents for recording into the official records.
- Collect state documentary stamps, intangible taxes, and fees associated with submitted documents, per Florida Statutes.
- Verify scanned documents for quality assurance ensuring the integrity of official records.
- *Scan and Hand* is an enhanced customer service saving time and money, allowing the customer to leave with their papers immediately after the document is processed.
- Index and verify images of documents to provide easy retrieval on the Clerk's website and in the Office. Internet access is provided to the Official Records Indices (OR) for Pasco County. Names can be researched back to 1975.
- Issue marriage licenses, perform marriage ceremonies, and offer customized photo packages and decorative marriage licenses.
- Accept and process passport applications, and offer passport photos as a convenience to customers.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

- Process tax deed applications and conduct tax deed sales.
- Issue electronic delivery of document copies with telephone credit card payments, saving both the customer and the Office time and money.
- Record plat maps with distribution to appropriate departments.
- Receipt for monies and distribution of checks on behalf of the BCC.
- Accept Home Solicitor applications and issue Home Solicitor licenses.

Tax deed sales are held as needed. The Clerk & Comptroller receives applications and performs statutory duties to present the properties for sale. Tax deed sales administered by the Clerk & Comptroller's Office provided over \$1.7 million to the County between 2001 and 2011. Effective in 2012, revenue was required to be submitted to the State.

Performance Measures and Workload

The Official Records Department is responsible for assisting customers as they come into the department to perform various tasks. Customers include, but are not limited to, attorneys, title companies, lending institutions, Pasco County agencies, and the general public. The workload is varied and dependent on housing sales, economic stability, and court case activity. The majority of each official document is recorded on the day it is received, if accompanied by proper information and fees.

An efficiency project was completed in 2011 to image marriage licenses recorded prior to 1975 and maintained on film. Enhanced accessibility was realized for marriage licenses recorded from 1887 to 1975. This project benefits the public by making these records easily accessible on computers available to the public at our offices, and for copy requests made.

The *Scan and Hand Program* has proven to be a highly-regarded program by customers from both the public and private sectors. Original documents are imaged, recorded, verified, and returned to customers while they wait. This service saves time and money for customers and the Office. Resources have been reallocated to focus on the other timesaving projects.

Florida Statute required the imaging of all plats beginning with those recorded in 1985. Plats filed prior to that year were maintained in large plat books. A special project was completed in 2011 to image the plats filed between 1975 and 1985. These digitized plat images can be printed for customers on request.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Official Records Activity					
Year	Recorded Pages	Marriage Licenses	Passports Processed	Customers Assisted	Names Indexed
2010 (actual)	506,859	2,350	5,558	58,275	644,870
2011 (actual)	572,259	2,359	4,627	41,941	626,499
2012 (projected)	646,653	2,365	4,118	36,069	607,704

Table 19: Official Records Activity

d. Micrographic Records Department

The Micrographic Records Department is responsible for microfilming and imaging documents, producing permanent archival records, and maintaining the best photographic quality possible.

All produced film is of archival quality and meets the standards set forth in Chapter 1A-26, Florida Administrative Code, developed by the National Archives and Record Service and the standards of the American National Standards Institute (ANSI). Images that are filmed and scanned include official records, various court cases, and personnel files. This procedure includes preparing, imaging, filming, processing, duplicating, converting digital images to microfilm, and storing archival quality film. The Micrographic Records Department produces two types of media storage: micrographic and optical imaging. Optical imaging is a key component in the expansion of eFiling options, paperless storage, and access to documents through the Internet.

Deputy clerks in the Micrographic Records Department perform the following responsibilities:

- Prepare, film, and process documents for microfilming and imaging.
- Process film for archival storage and duplicate information for outside customer sales.
- Verify and inspect images and film to ensure the best possible quality of image.
- Adhere to permanent media storage specifications set by the State.
- Convert scanned images of documents to microfilm, avoiding traditional filming procedures. This practice utilizes the best of both worlds: digital format for accessible storage and analog format for archival storage.
- Ensure permanent retention of documents on microfilm.
- Ensure permanent retention of paper files for all capital court cases.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Performance Measures and Workload

The Microfilm Department provides quality control for imaging and filming that takes place in the Records Division. It serves the Records Division and other departments in the Clerk & Comptroller's Office, as well as outside agencies. The number of pages filmed each year demonstrates the team's outstanding performance. Also, the production quality of the images is excellent.

A special project has been implemented to transfer criminal microfiche, microfilm and paper documents to digital images. This will make access user friendly, eliminate the need to house microfiche cards and reader printers, simplify the redaction process, and improve the quality of customer service for criminal records.

Micrographic Records Activity		
Year	Non-Court Related Pages	Court-Related Documents
2010 (actual)	290,166	940,325
2011 (actual)	294,787	728,741
2012 (projected)	288,891	590,280

Table 20: Imaging and Conversion Activity

Micrographic Records Storage Comparison			
Year	Files Filmed	Paper Storage	Microfilm Storage
2010 (actual)	7,083	616.5	3.9
2011 (actual)	3,305	315.0	2.6
2012 (projected)	2,479	299.3	2.0

Note: All measurements are in cubic feet.

Table 21: Storage Activity

e. Board Records Department

The main function of the Board Records Department is to fulfill the statutory responsibility of record keeper and custodian for the BCC. Deputy clerks receive and maintain all resolutions, ordinances, contracts, and other documents approved by the Board. The Board Clerks also clerk other board and committee meetings as required by statute or requested by the BCC, and process documentation. The Board Records Department also serves as Clerk to the Value Adjustment Board, per Florida Statute. The Department of Revenue's guidelines mandate considerable resources to handle the duties of the Value Adjustment Board. This responsibility

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

has become a full-time job and requires the maintenance of a separate functional area.

Deputy clerks in the Board Records Department perform the following responsibilities:

- Maintain all records of the BCC in accordance with Florida Statutes.
- Serve as Clerk to the Board, attend meetings, audio record meetings, process documentation related to meetings, and prepare official minutes.
- Clerk and prepare minutes of various other boards and committees in accordance with Florida Statutes or Board request.
- Serve as Clerk to the Value Adjustment Board (VAB), accept, process, and schedule VAB petitions in accordance with the Department of Revenue's guidelines and Florida Statutes.

Performance Measures and Workload

- The Board Records Department serves as Clerk to the Board of County Commissioners by attending meetings, recording the audio portion of the meeting, processing documentation, preparing minutes, and imaging and verifying all documents into the Board Records imaging system.
- The Board Records Department assists the public, attorneys, County Commissioners, County departments, other Constitutional Offices, and other Clerk & Comptroller's departments in providing copies of documents, copies of audio CDs, and research, which, at times, can be extensive.
- The Board Clerks also prepare verbatim transcripts when requested by citizens or County staff.
- The following committees, councils, and boards require the services of Board Records: Citizens Advisory Committee on the Comprehensive Plan, Pasco County Construction Board, Consolidated Justice Information System Advisory Board, Development Review Committee, Educational Facilities Authority, Emergency Medical Services Advisory Board, Environmental Land Acquisition Selection Committee, Government Operations Committee, Health Facility Authority, Impact Fee Advisory Committee, Land Development Code Rewrite Committee, Metropolitan Planning Organization, Planning Commission, Public Safety Coordinating Council, Tourist Development Council, Transportation Disadvantaged Local Coordinating Board, Value Adjustment Board, and various subcommittees of the Board. Official records of the proceedings and notifications of actions are provided.
- Attendance at all meetings and workshops of the BCC and its committees for the purpose of recording, indexing, and distributing official minutes. The Clerk

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

& Comptroller is also the custodian of the official county seal, resolutions, contracts, and ordinances of the BCC.

- During Fiscal Year 2010-2011, Board Records clerked 166 meetings, and processed 6,393 documents, 493 contracts, and 15 ordinances. As a result of the meetings, 62,153 pages were imaged and 118 verbatim pages were provided to requestors. Board Records processed 441 separate petitions for the Value Adjustment Board.
- Day and evening meetings are held at various sites throughout the County, requiring additional travel and overtime. The time spent at meetings is misleading when compared to the amount of time needed to prepare and complete the related documentation. Every hour of meeting time generates from one to 10 hours of office work time, depending upon the depth of the minutes, the level of associated documentation, the need for verbatim transcripts, and the meeting location.
- The Optical Imaging System permits electronic document retrieval of Commission and other Board minutes at the Official Records Libraries in the Clerk & Comptroller's Offices on both sides of the County. Imaging enhances public and Board department access to and retrieval of Board meeting minutes and the associated documents.
- The Board Records Department is in the final stages of working together with the County on a new agenda processing system. This system will allow citizens to view and research documents of the BCC at their own convenience and view Commission meetings live from their homes.

Board Records Activity			
Year	Total # Pages Imaged	Documents Previewed	Meetings Clerked
2009 (actual)	86,005	7,832	169
2010 (actual)	71,927	7,619	194
2011 (actual)	62,153	6,393	166
2012 (projected)	52,830	5,818	176

Table 22: Board Records Activity

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

C. Support Operations Branch

The Support Operations Branch includes four divisions: (1) Information Technology, (2) Human Resources, (3) Budget, and (4) Internal Audit.

1. Information Technology Division

The Information Technology Division is comprised of four departments: (a) Application Programming and Support, (b) Court Technical Specialists, (c) Customer Call Center, and (d) Technical Support. Each department is described below, along with details of their responsibilities.

Policies

- Safeguard all electronic data, providing for proper backups, firewalls, and precautions.
- Manage, maintain, and safeguard Information Technology hardware resources and data used within the Clerk & Comptroller's Office.
- Deliver the highest-quality customer service, by working with our customers to achieve their operational objects.
- All software developed in-house will be thoroughly tested, documented, and approved by the user department prior to implementation.

Key Objectives

- Provide information technology services for all internal and external customers of the Clerk & Comptroller's Office.
- Maintain network, servers, printers, personal computers, and related hardware to ensure access for deputy clerks in all divisions so that they may perform their jobs.
- Provide ongoing support for purchased or acquired software applications.
- Provide data migration support to the next generation of devices and application systems.
- Assist with accurate and timely reporting to all federal, state, and local agencies, based on statutory requirements, court order, or customer request.
- Provide accurate and consistent information to all customers via the Call Center, the Interactive Voice Response System (IVR), and our website.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Short-Term Goals

- Define and assist with all needs for the clean-up, mapping, and conversion of all data for the new case maintenance system.
- Develop applications to enhance customer service and improve efficiency as requested by our in-house customers, such as E-Payments, Foreclosure Registry, red light camera traffic ticket electronic transfer, and Accounts Payable Imaging.
- Review and monitor Comprehensive Case Information System (CCIS) reports and provide procedural and project feedback to the Courts Divisions.
- Consolidate designated functional areas to maximize resources.
- Comply with all state processing standards and criteria as requested by the responsible division director.
- Begin a technology cycle refresh in the operational divisions to increase efficiency.

Long-Term Goals

- Collaborate with other agencies to combine resources and reduce infrastructure and communications costs.
- Expand or develop applications to provide automated services to the judiciary, court-related agencies, and the public.
- Expand imaging workflow to include enhanced records management efficiencies.
- Maximize employee skills through cross-training efforts.

a. Application Programming and Support Department

The team in this area includes analysts, programmers, and project coordinators. Primary responsibilities include:

- Support of purchased or acquired applications.
- Oversight of data migration projects.
- Design and creation of new computer applications, documentation, testing, and training.

A careful analysis of all new application requests is performed to determine if they can be developed in-house or if the application needs to be purchased. The determining factors include size and scope, technical abilities of our deputy clerks, timing, and cost. The most cost-effective and efficient way of doing business is

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

constantly being sought as the price of technological advancement climbs higher. This is an area that pays for itself when outside vendors' annual maintenance contracts do not have to be paid. The annual savings far exceed the labor costs of this department.

This department is now in the process of working with the conversion to the CLERICUS application. While the scope of this software project is much larger than what could be developed in-house, the IT Division is doing most of the auxiliary work involved in the conversion to the new application.

Some of the accomplishments during the past fiscal year include:

- *Foreclosure Registry Data Export* – Export of foreclosure case and official records information when a new case is opened.
- *FASBE ACH Interface* – ACH payments are now electronically accepted by the financial system.
- *Board Records Integration* – Integrated County Agenda System into the Board Records operations, improving access and efficiency.
- *Docview microfiche Mekel scanning* – This process improved efficiency in creating film/fiche and in accessing the images, while eliminating the use of microfiche readers in the Criminal Division.
- *Criminal Document Scanning Process* – Created a process to scan case documents and route to microfilm, which reduces costs and labor.
- *FACTS to Trakman Retention Date Updates* – Automated records retention notification system.
- *CCIS Direct Programming Updates* – Automated CCIS case data updating process.
- *Court File Redaction Software* – Software to assist in the court file redaction in the Records Center was implemented.

b. Court Technical Specialists Department

The Court Technical Specialists are primarily responsible for creating mandated reports for the State. Customized programs generate reports for the judiciary and the management of the Clerk & Comptroller's Office. This group also works with the team that is leading the conversion from the current case maintenance system to the new, fully-integrated CLERICUS Case Maintenance System.

As part of the CLERICUS conversion, millions of legacy court records are being reviewed and standardized. Hundreds of reports in the old system are being checked and verified in preparation for the transition.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

c. Customer Call Center Department

To answer the demand for increased efficiency, the IT Division opened a Customer Call Center on February 15, 2010, and as of February 29, 2012, responded to over 373,000 calls. The Customer Service Specialists answered 94.77% of customer inquiries without transferring to any court-related departments.

The Clerk & Comptroller's Office was able to implement the Call Center without hiring any additional deputy clerks. Deputy clerks were transferred from operational departments into the Customer Call Center. Every deputy clerk in the Call Center is highly trained in his or her area of expertise and capable of serving our customers in a professional and efficient manner.

Performance Measures and Workload

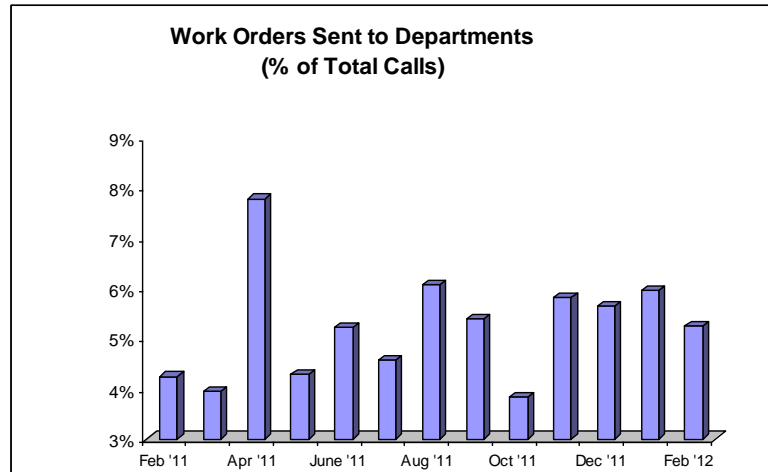


Figure 24: Call Center Work Orders

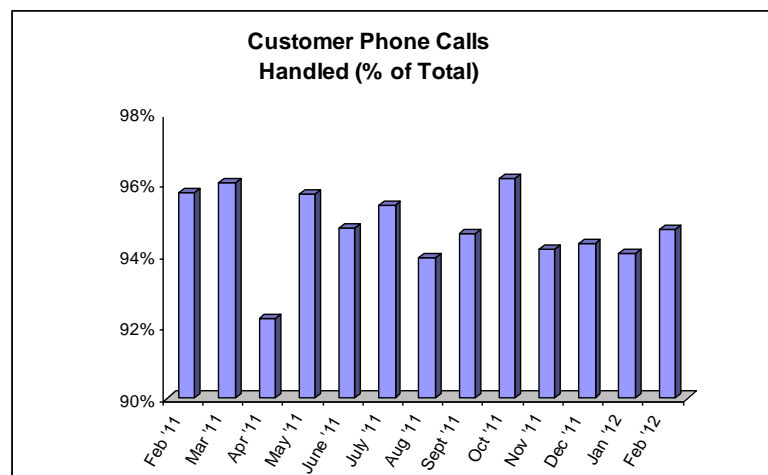


Figure 25: Customer Phone Calls Handled

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

d. Technical Support Department

The IT Technical Support Department manages, maintains, and safeguards the IT hardware resources and data used within the Clerk & Comptroller's Office. The department is tasked with managing and maintaining the following:

- Physical, virtual personal computers, and thin client devices
- Printers
- Physical and virtual computer servers running varied operating systems
- Network storage area networks (SAN-disk storage)
- Wired and wireless networking equipment and associated network links
- Firewalls and other equipment

Seven technical support deputy clerks support the Clerk & Comptroller's operation, along with all the servers, PCs, and printers. There are approximately 90 servers and hundreds of personal computers.

The team handles the operational needs of the servers by performing and overseeing the backups of all the systems and user software upgrades. The Tech Support team is also responsible for:

- managing our basic network and server infrastructure and for ensuring that our networks remain available.
- maintaining most of the security access to the various user applications hosted on the Clerk's network, as well as the security of many non-Clerk users that utilize the various systems managed by the Clerk & Comptroller's team. The non-Clerk clients use the financial system, Comprehensive Case Information System (CCIS) data portal, and the County mainframe-based Traffic System.

In an effort to extend the usable lives of personal computers, memory was upgraded in a majority of the office PCs so that newer, larger applications that require more memory to operate could be utilized. Repairing PCs and small UPS units in-house has saved money by using inexpensive parts salvaged from equipment that is non-functioning, outdated, or removed from service.

In the past year, 6,394 issues were reported and 6,345 were resolved. These issues ranged in complexity from simple password resets to system transitions. Typical issues include the relocation of staff PCs and printers, rebuilding PCs and servers, handling network issues and outages, maintaining aging PC and non-PC related equipment, handling system environmental issues with server and rack rooms, installing software on individual/multiple PCs, and providing information for numerous technology studies.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Key Objectives

- Prepare for CLERICUS, replacing the legacy systems used since 1977. This will involve setting up a computer server cluster with data synchronization and failover redundancy.
- Migrate user hardware and software in operational divisions to the next generation of devices and applications to improve productivity.
- Establish network connectivity with state portals and various agencies to support CLERICUS integration and eFiling.
- Consolidate physical hardware and operating systems into a uniform virtual environment to lower long-term support costs.

Accomplishments

- Completed the lengthy testing and transition from the old technology SNA-style printers to IP-based printing from the County's IBM mainframe. This transition has allowed us to remove an intermediate server that handled the print jobs on the County IBM mainframe-based systems.
- Began the transition from Windows XP to Windows 7 with a limited number of PCs and laptops. This included troubleshooting compatibility issues with the existing software and devices.
- Completed the migration of the Official Records and the Board Records databases off the two oldest HP AlphaServers. Expensive hardware and software maintenance for older servers was subsequently dropped.
- Completed installation of video surveillance equipment at front counter areas.
- Worked with programming staff to transition the Accounts Payable checks to laser format. More costly pre-preprinted, pin-feed checks are no longer required, and less expensive laser check stock is now being used.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

2. Human Resources Division

The Human Resources Division encompasses the Human Resources Department for the Clerk & Comptroller as well as the Payroll Department for the BCC. Responsibilities include recruitment and staffing, compensation and benefits, employee relations, personnel processing and recordkeeping, regulatory compliance and safety, employee and organizational development, and preparation of BCC Payroll.

Policies

- Deliver high-quality customer service, treating all customers with respect and compassion.
- Ensure that all processes and documentation are completed accurately and timely, safeguarding the integrity of personnel records.
- Ensure that all areas of recruitment are in compliance with federal and state Equal Employment Opportunity (EEO) laws, American with Disabilities Act (ADA), Age Discrimination in Employment Act (ADEA), state Veterans Preference Laws, Civil Rights Act of 1991, and Immigration Reform and Control Act (IRCA) of 1986.
- Monitor the Clerk & Comptroller's Office compensation program internally and facilitate comparison to the labor market, as needed.
- Monitor employee benefits in compliance with Employee Retirement Income Security Act (ERISA), Consolidated Omnibus Budget Reconciliation Act (COBRA), Section 125 of Internal Revenue Code, Family and Medical Leave Act (FMLA), Health Insurance Portability and Accountability Act (HIPAA), Patient Protection and Affordable Care Act (PPACA), Internal Revenue Service (IRS) Codes, and determine comparison to the private sector.
- Manage the employee recognition, health and safety, and volunteer programs.
- Ensure compliance with Florida's Right to Know Law, in relation to toxic substances in the work place.
- Comply with labor laws such as FLSA, Whistle Blower's Act, new hire reporting, EEO, ADA, ADEA, Veterans Preference, Civil Rights Act of 1991, IRCA of 1986, ERISA, COBRA, Section 125, FMLA, HIPAA, PPACA, IRS Codes, the Equal Pay Act, worker's compensation laws, and other applicable regulations.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

- Ensure accurate and timely reporting to all federal agencies, state agencies, and local agencies, based on statutory requirements, court order, or customer request.
- Safeguard all financial information and confidential records.
- Provide high-quality training to deputy clerks on various subjects including employee development, health and wellness, proper procedures, legislative changes, available resources, system processes, and customer needs.

Key Objectives

- Attract and retain the most qualified candidates.
- Improve unit-processing ratios through the implementation of process improvement projects.
- Improve accuracy and timely maintenance of personnel records.
- Communicate processing requirements to customers as needed, requesting their support and understanding.

Short-Term Goals

- Systematically examine and improve all processes in the Human Resources Division.
- Consolidate designated functional areas to maximize resources.
- Enhance accuracy and timeliness to the processes and services.
- Comply with all state processing standards and criteria.
- Enhance customer service delivery by seeking input and listening to customer requests and researching possible improvements.
- Increase visibility of volunteer program and increase volunteer hours.
- Improve employee engagement through initiative, communications, and feedback.
- Develop and implement employee and organizational development plan.
- Upgrade the ADP payroll system.
- Continue the transition of benefits administration to an outside vendor.

Long-Term Goals

- Encourage a culture of continuous process improvement.

Office of Paula S. O'Neil *Clerk & Comptroller*

Annual Budget – Fiscal Year 2012-2013

- Collaborate with internal departments and external agencies to form partnerships and provide more resources and services to our customers.
- Maximize employee skills through cross-training efforts.
- Increase professional expertise through human resource industry best practices and training opportunities.
- Develop talent management and succession planning program to ensure effective knowledge transfer and continuity of leadership.
- Continue to pursue ways to enhance workforce engagement through creative measures including communications tools, total rewards, and focus groups.

The Human Resources Department is multifaceted, requiring its staff to be versatile and able to adapt to changing priorities on a daily basis. The division's workload is affected by budgetary and legislative changes, turnover, internal procedural modifications, and incidents that affect employees.

Human Resources Activity			
	FY 2009-2010 (actual)	FY 2010-2011 (actual)	FY 2011-2012 (projected)
Job Applications Received	2,644 ¹	3,865	5,280
Applicants Eligible for Interview	812 ¹	2,343	2,932
Number of Job Postings	40 ¹	66	71
New Hires	19 ¹	36	60
Volunteer hours	0 ²	1,508	1,650
Staff training contact hours	0 ²	3,447	3,500
Number of Payroll Transactions	0 ²	4,148	7,744
¹ Partial hiring freeze due to budget constraints			
² Information not available			

Table 23: Human Resources Activity

The Clerk & Comptroller's payroll is processed bi-weekly and requires balancing into three funds according to department and employee. Labor distribution is set up for eight distribution codes.

- Processing includes entering deductions for 48 different deduction codes (pre-tax and after-tax) for employees split by funds. Deductions include medical and life insurance premiums, Federal Income Tax (FIT) and Federal Insurance Contributions Act (FICA), Florida State Retirement System (FRS) contributions for multiple plans (Regular, Investment, DROP, and Senior Management), income deduction orders, garnishments and tax levies, United Way contributions, processing and distribution of annual W2s, and individual payroll adjustments or deductions resulting from policy or legal changes.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

- Balancing and processing invoices for two deferred compensation, optional benefit plans comprising eleven products (pre- and after-tax). Contributions for pension plans are balanced bi-weekly and submitted to FRS monthly.

Board Payroll is responsible processing the BCC's bi-weekly payroll for employees working 4-day and 5-day workweeks, including weekends. This includes shift employees, such as firefighters, who are paid bi-weekly over a 28-day cycle, and employees with continually revised work schedules and timecards based on demand for service (e.g., Utilities and Road & Bridge, part-time and temporary employees). Some other specific responsibilities include:

- Manual calculations and verification of overtime, worker's compensation, sick leave, vacation leave, and other leave as provided by the Career Service Manual of Pasco County.
- Entry of deductions for all medical and life insurance premiums, taxes, FRS contributions, domestic support deductions, deferred compensation, garnishments, and tax levies. All other individual payroll adjustments or deductions resulting from policy changes made by the BCC are processed, and W2s are distributed.
- Monthly reconciliation and payment of insurance invoices, deferred compensation invoices, garnishments, domestic support payments, Firefighter Benevolent Assoc., IAFF Local 4420 dues, United Way allotments, FRS Pension, and Dade City Firefighter Pension. Bi-weekly payroll is pre-audited and processed for over 1,900 Board employees.

Board Payroll Activity			
	FY 2009-2010 (actual)	FY 2010-2011 (actual)	FY 2011-2012 (projected)
Payroll Checks	1,142	914	822
Payroll Direct Deposits	67,189	65,962	64,528
Insurance Premium Payments	\$15,118,452	\$15,821,949	\$16,668,093
Retirement Contributions	\$11,155,027	\$11,102,273	\$7,800,000
Garnishments/Levies	\$448,611	\$444,455	\$440,000

Table 24: Board Payroll Activity

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

3. Budget Division

The Office of the Clerk & Comptroller has a complex budget structure, as individual budgets are based on projected revenue and integrated according to the anticipated needs of the organization. The Clerk & Comptroller's funding sources and budgetary approval process have become specific to and dependent on functional responsibilities. All portions of the Clerk & Comptroller's budget have varied expenditure rules and approval authorities. The funding source descriptions include:

- *The State of Florida* – Court-related services are funded from a portion of the court fines and fees collected by Clerks, received as an appropriation, with the remainder of the collections sent to the State to fund judicial operations throughout Florida.
- *Pasco County Board of County Commissioners* – This revenue is used to account for Clerk functions that support the BCC, such as Clerk and Accountant to the Board, County Auditor, and County Comptroller. This revenue is the only tax-supported funding received by the Clerk & Comptroller and is transferred directly from the Board on a quarterly basis.
- *Recording and Other Non-Court Funding* – Fees generated by statutorily-required functions of the County Recorder, such as recording legal instruments, maintaining official records, issuing marriage licenses, performing marriage ceremonies, and processing passport applications. Fees for these services are stipulated within Florida Statutes.

The primary function of the Budget Division is to compile, present, and load a balanced budget into the FASBE system by October 1st of each year, comprised of three primary sub-budgets that are finalized between July 1st and September 30th: court-related, fee-funded, and Board-funded. This division helps to analyze and identify areas of the organization that may be candidates for process improvement and potential time savings. Such analyses are performed by coupling financial information found in FASBE with productivity data collected in ActiveStrategy, and by working to create efficiencies according to current and anticipated operating trends.

The Budget Division also oversees all purchasing for the Office of the Clerk & Comptroller to ensure that spending is within the confines of the budget and that purchases are made in accordance with Florida Statute. Responsibilities include:

- Serve as purchasing agent for the Clerk & Comptroller's Office, seeking to select the best value for operating supplies, forms, and equipment.
- Research pricing and use reputable vendors for the best rates on bulk items, such as paper and office supplies. Items requisitioned are reviewed to

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

validate the needs of the Office and to assure that the best value is obtained. Invoices are scrutinized to verify that items delivered match purchase orders.

Policies

- Deliver high-quality customer service, treating all customers with respect and compassion.
- Ensure that all processes are completed accurately and timely, safeguarding the integrity of budget records.
- Ensure accurate and timely reporting to all federal agencies, state agencies, and local agencies, based on statutory requirements, court order, or customer request.
- Safeguard all financial transactions and records.
- Lead with a Balanced Scorecard approach.
- Provide high quality training to employees on proper procedures, legislative changes, available resources, system processes, and customer needs.

Key Objectives

- Provide budget services for the Office of the Clerk & Comptroller; to regularly forecast potential revenue and expenditures for the purpose of sound financial planning over the long term.
- Produce and enhance the Annual Budget document according to Government Finance Officers Association (GFOA) guidelines.
- Focus on improving the implementation of technical and human resource innovations to maximize services within the constraints of limited financial resources.
- Improve unit-processing ratios through the implementation of process improvement projects.
- Improve accuracy and timely maintenance of budget records.
- Increase debt collections through the combination of data extrapolation and sophisticated collection efforts.
- Remain fully informed on matters of legislation and economics so that their financial and operational impact on the Office may be considered and integrated appropriately.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Short-Term Goals

- Systematically examine and improve all processes in the Budget Division, including automation of vehicle tracking and maintenance.
- Enhance accuracy and timeliness of the processing of all services.
- Comply with all state processing standards and criteria.
- Enhance the management of the Balanced Scorecard and POPS to collect organizational statistics in one place and use them to measure efficiency.
- Assist with collection processes to increase debt collection by at least 5%.
- Enhance customer service delivery by listening to customer requests and researching possible adaptations.
- Collaborate with other divisions to validate data collection processes.

Long-Term Goals

- Receive and process all budget documents electronically.
- Encourage a culture of continuous process improvement.
- Collaborate with other agencies to combine resources and services to the public.
- Maximize employee skills through cross-training efforts.
- Assist with the conversion from FASBE to an upgraded financial system.

Accomplishments

- Produced an annual budget document worthy of the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award. This is the first time the award, explained on page 15, has been presented to the Pasco County Clerk & Comptroller's Office. The GFOA's Distinguished Budget Presentation Awards Program is the only national awards program in governmental budgeting.
- Received the purchasing and vehicle maintenance functions from the Records Division. This move prompted the implementation of online office supplies ordering and direct delivery, reducing inventory by over 90% and unnecessary waste in the retention of products that expire or become obsolete while on the shelf.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

4. Internal Audit

The Internal Audit Division provides an independent, objective assurance and consulting activity designed to add value and improve the organization's operations for the Clerk & Comptroller and BCC. To assist the organization in accomplishing its objectives, the Internal Audit Division provides a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

Policies

- Deliver high-quality customer service, treating all customers with respect and consideration during the auditing process.
- Ensure that all processes are completed accurately and timely, safeguarding the integrity of audit records.
- Ensure accurate and timely reporting to all federal agencies, state agencies, and local agencies, based on statutory requirements, court order, or customer request.
- Provide high-quality training to employees on proper auditing procedures, legislative changes, available resources, system processes, and customer needs.

Key Objectives

- Conduct audits of Board departments and Clerk & Comptroller activities in an efficient and effective manner, utilizing audits as a management tool to continue to establish and maintain effective internal controls.
- Conduct audit reviews to ensure that resources are used efficiently and effectively, and that valid and reliable data are obtained and maintained.
- Review compliance with policies, procedures, applicable laws, regulations, and methods to safeguard resources against waste, loss, and misuse.
- Recommend measures to prevent and detect fraud.

Short-Term Goals

- Systematically examine and improve all processes in the Division.
- Enhance accuracy and timeliness to the processing of all services.
- Comply with all state processing standards and criteria.
- Enhance customer service delivery by listening to customer requests and researching possible adaptations.

Office of Paula S. O'Neil

Clerk & Comptroller

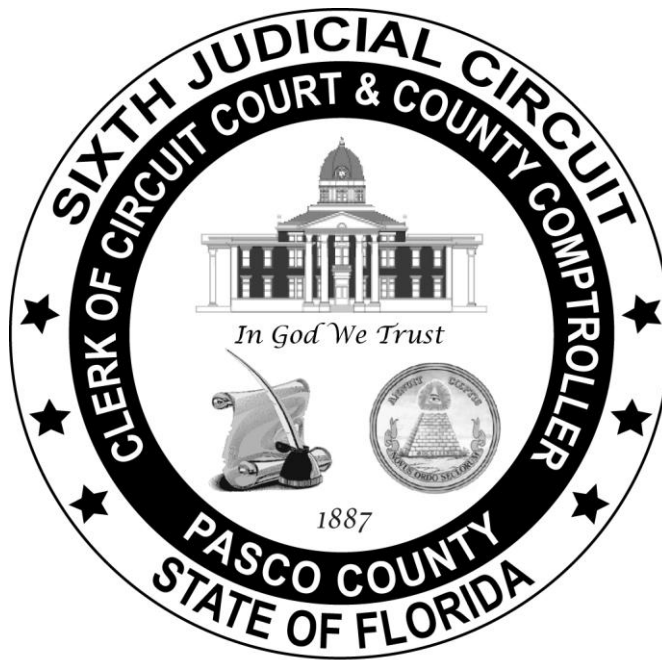
Annual Budget – Fiscal Year 2012-2013

Long-Term Goals

- Collaborate with all other divisions with regard to the transition to the new software programs.
- Receive and process all auditing documents electronically.
- Encourage a culture of continuous process improvement.
- Collaborate with other agencies to combine resources and services to the public.
- Maximize employee skills through cross-training efforts.

Performance Measures and Workload

The Internal Audit Division conducts audits of Board departments in order to determine adherence to established policies and procedures in the collection, disbursement, and accounting of Board funds. Deputy clerks verify compliance with contractual obligations, policies, procedures, and reporting requirements in accordance with local, state, and federal guidelines, regulations, and laws. In addition, the efficiency, operational effectiveness, and internal controls of the BCC and the Clerk & Comptroller are also reviewed.



REVENUE COLLECTION AND DISTRIBUTION

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

VI. Revenue Collection and Distribution

A. Revenue Processed by the Clerk & Comptroller
(Excluding Board Interest Earnings)

	FY 2009-2010	FY 2010-2011	Oct - Mar * FY 2011-2012
Distributed to Units of Government and Individuals:			
Board of County Commissioners	\$ 2,760,554	\$ 2,842,506	\$ 1,749,857
Pasco County Sheriff	302,295	315,695	187,182
Pasco County Municipalities	345,845	480,607	384,072
Legal Aid	114,684	116,568	65,668
State of Florida	16,293,508	24,391,360	12,651,314
Indigent Criminal Defense Trust Fund	439,979	434,504	245,995
Indigent Civil Defense Trust Fund	360	45	45
State Attorney's Revenue Trust Fund	478,162	242,695	103,787
Public Defender	55,443	55,377	36,307
State Courts Revenue Trust Fund	7,415,796	-	-
Crime Stoppers	39,037	85,091	60,557
Clerk of the Court Trust Fund	7,931,309	6,847,488	3,155,333
By Court Action:			
Court Registry	28,107,576	22,072,020	12,353,725
Restitution	245,251	266,992	129,159
Jury and Witness	60,511	45,807	26,704
School Impact Fees	5,352,448	4,279,271	1,743,982
Other Agencies	694,960	664,983	199,330
Total Revenue Collected on Behalf of Other Units of Government and Individuals:	\$ 70,637,718	\$ 63,141,008	\$ 33,093,018
Distributed to Recipients of Child Support and Alimony -- Child Support and Alimony Collected and Disbursed:	\$ 1,806,070	\$ 1,972,771	\$ 839,887

*This number represents six months of activity in the current fiscal year.

Totals are subject to rounding and audit adjustments.

Office of Paula S. O'Neil Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

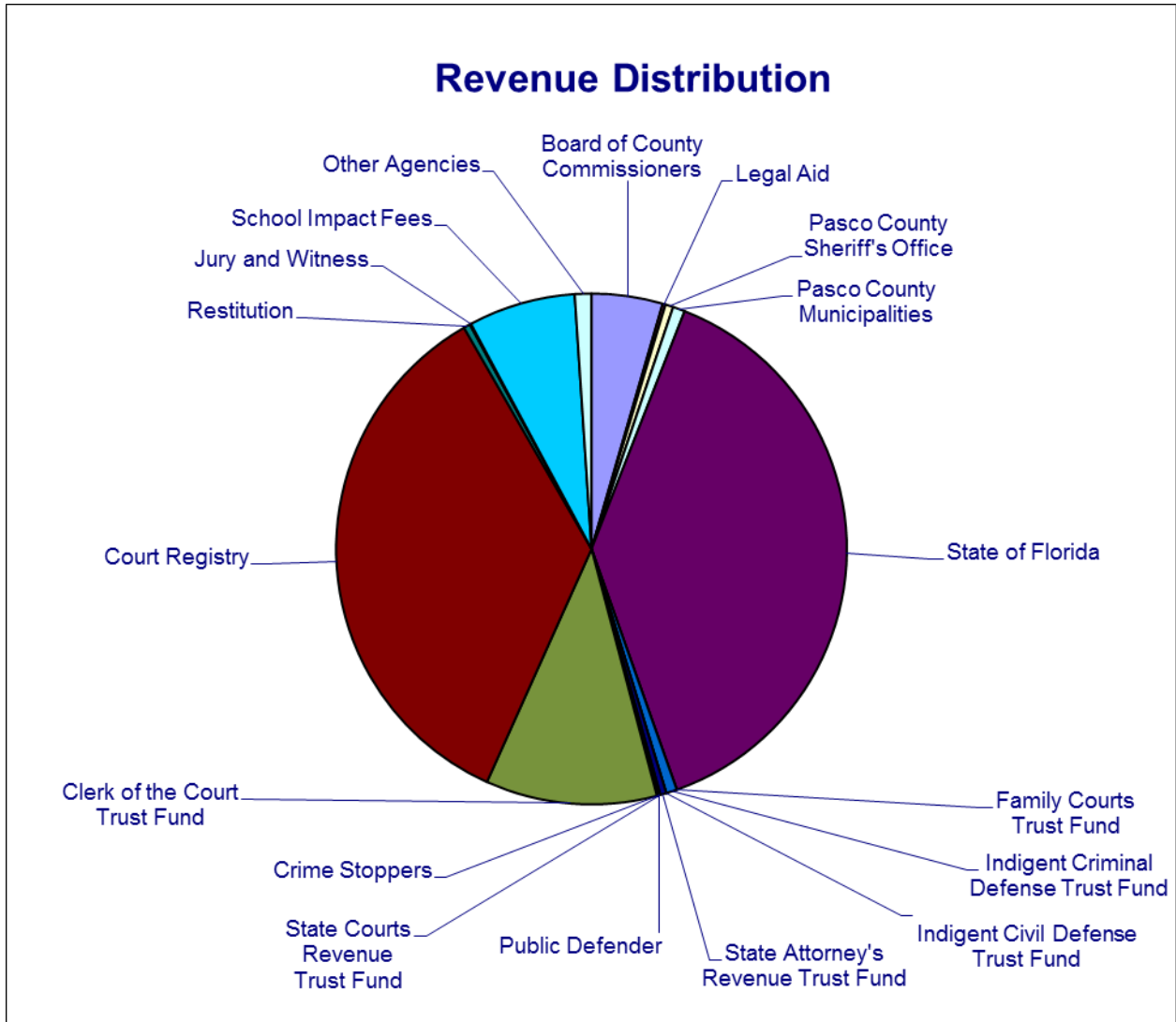


Figure 26: Revenue Distribution

The County uses a pooled cash concept in order to invest greater amounts of cash at favorable interest rates. On September 30, 2010, the County's equity in pooled cash and various other deposits and investments were principally in accounts with the State Board of Administration of Florida ("SBA") and qualified public depositories, in the Florida Local Government Investment Trust (FLGIT), and in certificates of deposit and certain money market funds, and totaled \$735.7 million. During fiscal 2010, the ranges of rates of return/yields on investments and deposits were as follows: SBA ("Florida Prime") Fund A, .17% to .37%; FLGIT Investment Trust fund (SEC yield), .96% to 1.60%; FLGIT Day to Day Fund (30 day yield), .10% to .22%; certificates of deposit, 1.58% to 2.63%; and money market funds, .01% to .06%. The amount of interest and investment earnings during fiscal 2010 was \$11.9 million. Certain excess funds are transferred daily between various County bank accounts and the SBA, FLGIT, as well as money market funds. The amount of interest and investment earnings during fiscal 2011, however, was \$5.7 million. Certain excess funds are transferred daily between various County bank accounts and the SBA, FLGIT, as well as money market funds.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

B. Interest Earnings (Loss) – Board Accounts

	FY 2009-2010	FY 2010-2011	Oct - Mar* FY 2011-2012
General	\$ 600,387	\$ 192,716	\$ 27,128
Municipal Service	61,005	47,432	10,083
Local Option Gas Tax	499,499	173,539	28,633
Building Inspections and Permitting Funds	10,298	5,052	1,241
West Pasco Law Library	287	111	22
East Pasco Law Library	793	281	47
Road and Bridge	17,456	7,424	1,318
Tree Fund	12,861	4,869	855
Quail Hollow Village MTSU	799	294	48
Municipal Fire Service Unit	96,611	33,710	3,503
Office of State Courts Administrator	713	271	48
Penny for Pasco	320,286	135,512	25,949
Park Development	2,439	636	54
Education	1,257	478	
1/2 Cent Sales Tax Series 2003	2,339	1,425	
1/2 Cent Sales Tax CIP	136,851	42,109	7,099
Capital Improvements	193,842	73,258	14,147
Tommytown Capital		113	
Guaranteed Ent I & S Series 2003	31,119	9,707	1,906
Gas Tax Refund I & S 2002	5,043	2,469	404
Solid Waste	255,882	118,671	28,742
Equipment Service	180,829	79,409	16,370
County Insurance	133,384	54,893	11,867
Lighting District	25,616	10,358	1,748
Law Enforcement	2,650	995	257
Pasco Water & Sewer Unit	4,368,373	1,369,796	1,131,324
Transportation Impact Fee	1,343,780	476,749	76,338
911 Emergency Management Service	46,791	12,171	3,079
Drug Programs	348		
Tourist Development Tax	118,278	45,777	8,314
Paving Assessment	80,761	32,854	6,751
Intergovernmental Radio Communication	16,969	6,341	1,126
Williamsburg West - MSTU	443	162	17
Court Facilities F.S. 939.18	43,151	19,603	4,174
Department of Children & Families			58
Housing Programs	2,275	1,109	219
Florida Boating Improvement Program	11,323	4,564	882
Teen Court	4,608	1,681	286
Combat Impact Fee	76,664	29,399	4,189
Park Impact Fee (East, West, Central)	222,118	84,745	15,035
Concurrency Fund	10,957	4,447	813
Rescue Impact Fee	59,081	22,596	4,020
Hurricane Impact Fee	2,285	549	112
Stormwater Management	146,850	64,948	13,415
Library Impact Fee	18,993	7,745	1,439
U.S. Department of Justice			22
TOTALS: Current FY - First six months:			\$ 1,453,082
Completed fiscal years:	\$ 9,166,294	\$ 3,180,968	

*This number represents six months of activity in the current fiscal year.

Totals subject to rounding and audit adjustments.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

C. Revenue Distributed to the Board of County Commissioners
(Processed by Clerk & Comptroller)

	FY 2009-2010	FY 2010-2011	Oct - Mar* FY 2011-2012
County Local Ordinance Violations	\$ 293	\$ 124	
Animal Control Ordinance Violations	2,033	1,866	894
Crime Prevention	2,327		
Substance Abuse Surcharge	17,220	16,606	10,036
Traffic Fines - Infractions	45,513	45,679	16,334
Rule Costs - Criminal Traffic		34	-
School Crossing Guard	11,359	11,961	4,800
Handicap Parking - Improvements	18,051	38,069	19,789
Teen Court Assessment	173,828	169,768	103,455
Drug Abuse Assessment	321	550	146
Intergovernmental Radio Comm. Program	278,206	258,906	159,894
Court Facilities	1,064,714	1,076,611	698,334
Law Libraries	114,678	117,208	65,636
Cost Recovery 34.045 (1) C	7,613	7,940	3,645
Courts Self-help Packets	4,850	3,938	1,908
Driver Education	107,771	104,151	67,398
Domestic Violence	40,134	40,369	20,769
Judgment for Cost of Conviction	660	412	130
Prostitution - Civil Penalty - County	900	3,150	1,356
BCC \$2 Recording Fee	572,150	601,340	360,951
Legal Aid	114,684	116,568	65,668
BCC Innovations	114,667	117,143	65,652
Juvenile Programs	52,170	55,345	30,008
Miscellaneous Revenue Due to Article V**	131,096	171,336	118,722
TOTALS: Current FY - First six months:			\$ 1,815,525
Completed fiscal years:	\$ 2,875,238	\$ 2,959,074	

*This number represents six months of activity in the current fiscal year.

**Sheriff Transportation Costs, Investigative Costs, and Sheriff Fee.

Totals subject to rounding and audit adjustments.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

D. Revenue Distributed to the Sheriff
(Processed by Clerk & Comptroller)

	FY 2009-2010	FY 2010-2011	Oct - Mar* FY 2011-2012
Law Enforcement & School Guard Crossing Programs			
Current FY - First six months:			\$ 187,182
Completed fiscal years:	\$ 302,295	\$ 315,695	

*This number represents six months of activity in the current fiscal year.

Totals subject to rounding and audit adjustments.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

E. Revenue Distributed to Municipalities
(Processed by Clerk & Comptroller)

	FY 2009-2010	FY 2010-2011	Oct - Mar* FY 2011-2012
City of New Port Richey			
Fines	\$ 130,092	\$ 93,224	\$ 137,415
Law Enforcement Training	3,814	2,659	4,182
City of Port Richey			
Fines	104,609	239,252	168,741
Law Enforcement Training	7,708	20,275	8,001
City of Zephyrhills			
Fines	66,114	81,702	39,527
Law Enforcement Training	5,798	7,862	3,661
City of Dade City			
Fines	24,417	31,366	20,447
Law Enforcement Training	2,478	2,432	1,130
City of San Antonio			
Fines	749	1,625	945
Law Enforcement Training	18	30	6
Town of Saint Leo			
Fines	40	164	15
Law Enforcement Training	8	16	2
TOTALS: Current FY - First six months:			\$ 384,072
Completed fiscal years:	\$ 345,845	\$ 480,607	

*This number represents six months of activity in the current fiscal year.

Totals subject to rounding and audit adjustments.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

F. Revenue Distributed to State Agencies
(Collected through Court-Related Activities)

	FY 2009-2010	FY 2010-2011	Oct - Mar* FY 2011-2012
Court Education Trust Fund	\$72,449	\$48,006	\$23,674
Child Welfare Training Trust Fund	43,007	40,348	23,907
Juvenile Justice Training Trust Fund	35,654	32,662	19,527
Displaced Homemaker Trust Fund	33,718	34,874	20,515
Epilepsy Services Trust Fund	34,452	25,618	13,397
Department of Health Administration Trust Fund	72	15,290	25,180
Dept. of Health Emergency Medical Services Trust Fund	64,852	60,759	33,808
Additional Court Costs - Clearing Trust Fund	210,733	185,761	120,666
Highway Safety Operating Trust Fund	206,538	203,211	149,821
Crimes Compensation Trust Fund	2,654	3,257	1,825
State Transportation Trust Fund	119	140	15
Highway Safety General Revenue	110,308	111,413	81,183
General Revenue Fund of the State	2,062,524	1,634,277	965,301
Emergency Medical Service Trust Fund	140,687	126,076	75,800
Brain & Spinal Cord Injury Rehab. Trust Fund	187,264	172,131	107,743
Victims of Crimes Compensation Trust Fund	472,743	463,027	253,951
Department of Law Enforcement Operating Trust Fund	57,932	52,735	29,620
Court Mediation/Arbitration Trust Fund	389,592	308,671	184,743
Nongame Fish and Wildlife Trust Fund	37,513	37,388	20,747
Child Support Enforcement Trust Fund	65,820	34,096	18,768
Indigent Civil Defense Trust Fund	360	45	45
Indigent Criminal Defense Trust Fund	439,979	434,504	245,995
Department of Education	1,426	956	562
Crime Stoppers Trust Fund	39,037	85,091	60,557
Audit & Warrant Clearing Trust Fund	42,714	41,035	32,579
Marine Resources Conservation Trust Fund	5,403	6,031	1,990
Planning and Evaluation Trust Fund	19,012	18,659	10,961
Clerk of the Court Trust Fund	8,013,671	6,847,488	3,150,642
Domestic Violence Trust Fund	169,827	174,398	99,657
Public Defenders Revenue Trust Fund	55,443	55,377	36,307
Rape Crisis Trust Fund	52,488	52,695	26,051
State Attorney's Revenue Trust Fund	478,162	242,695	103,787
Recording Costs - Various State Agencies	927	350	558
Law Enforcement Radio System Trust Fund	67,514	66,942	46,451
Grants and Donations Trust Fund	862	1,412	1,013
Department of Financial Services	31,974	22,405	14,081
Solid Waste Management Trust Fund	1,905	1,995	855
Total Court-Related Revenues Remitted to State Agencies:	\$ 13,649,335	\$ 11,641,818	\$ 6,002,282

*This number represents six months of activity in the current fiscal year.

Totals subject to rounding and audit adjustments.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

G. Impact Fees Distributed to the School Board
(Processed by Clerk & Comptroller)

	FY 2009-2010	FY 2010-2011	Oct - Mar* FY 2011-2012
Impact Fees			
Current FY - First six months:			\$ 1,743,982
Completed fiscal years:	\$ 5,352,448	\$ 4,279,271	

*This number represents six months of activity in the current fiscal year.

The total amount collected from inception, net of Clerk's fees, on behalf of the School Board is \$101,535,208 as of 3/31/12.

Totals subject to rounding and audit adjustments.

Office of Paula S. O'Neil
Clerk & Comptroller

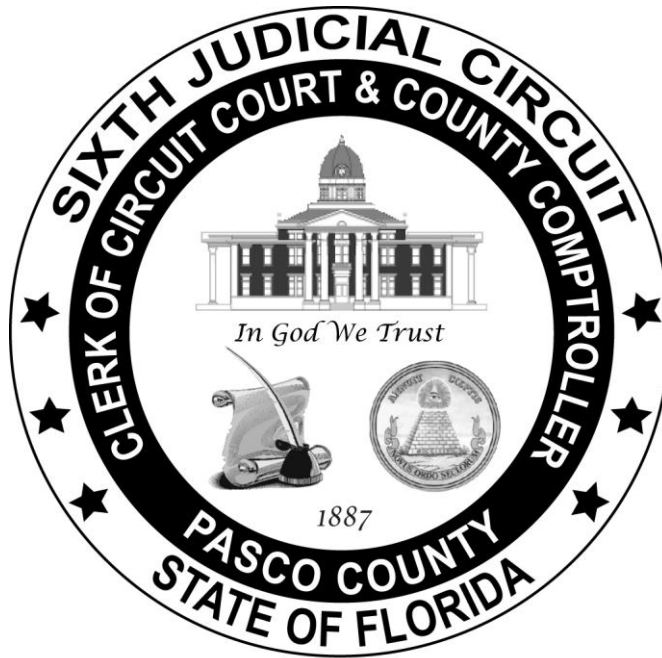
Annual Budget – Fiscal Year 2012-2013

H. Revenue Distributed to Other Agencies
(Processed by Clerk & Comptroller)

	FY 2009-2010	FY 2010-2011	Oct - Mar* FY 2011-2012
Other Agencies:			
FACC and Comptrollers, Inc.	\$ 28,607	\$ 30,067	\$ 18,048
Tax Deed and Applications - Other	666,353	634,916	181,282
TOTALS: Current FY - First six months:			\$ 199,330
Completed fiscal years:	\$ 694,960	\$ 664,983	

*This number represents six months of activity in the current fiscal year

Totals subject to rounding and audit adjustments.



APPENDICES

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Appendix A: Glossary of Terms

Balanced Budget - The total of estimated receipts, including balances brought forward, shall equal the total of estimated expenditures and reserves.

Board of County Commissioners (BCC) - The governing body of Pasco County, composed of five persons elected by constituents from districts across the County.

Budget - A financial plan for a specified period of time (fiscal year) that matches proposed expenditures with anticipated revenue.

Budget Message - A brief written statement presented by the Clerk & Comptroller to explain principal budget issues.

Capital Expenditures - Appropriations for the acquisition or construction of physical assets with a life expectancy greater than one year and a cost equal to or greater than \$1,000.

Constitutional Officer(s) - Elected official(s) that are funded in part or in total by the BCC, but maintain autonomy of their own offices. The five Constitutional Officers in Pasco County are the Clerk & Comptroller, Property Appraiser, Sheriff, Supervisor of Elections, and Tax Collector.

County Administrator - The Chief Executive Officer of the County, appointed by the BCC.

Deficit - The excess of expenditures over revenue during the fiscal year.

Expenditures - Decrease in fund financial resources for the procurement of assets or the cost of goods and/or services received.

Fiscal Year - The annual accounting period. The County Fiscal Year runs from October 1st through September 30th, while the state fiscal year runs from July 1st through June 30th.

Fringe Benefits - Employee benefits that include, but may not be limited to, social security, retirement, group health and life insurance, and dental coverage.

Fund - Money set aside and accounted for separately in order to ensure that the money is spent for a specific purpose.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Fund Balance - The amount available within a fund at the close of a fiscal period, which can be carried over as a source of available funding for the succeeding fiscal period.

General Fund - The governmental accounting fund supported by taxes, licenses and permits, service charges, and other general revenue to provide for operating services.

Grant - A contribution of assets (usually cash) by one governmental unit or organization to another, given for a specified purpose.

Indirect Costs - Costs associated with, but not directly attributed to, the provision of a product or service. These are usually costs incurred by administrative departments in support of operating departments. Also referred to as “overhead”.

Interfund Transfers - Budgeted amounts transferred from one fund to another fund. These represent “double counting” of expenditures. Therefore, these amounts are deducted from the total County operating budget to calculate the “net” budget.

Less Charges - Short title for “Less Charges to Other Departments/Funds.” A credit given to the operating department, which represents work completed on behalf of another department or fund. Its offset is a charge to the affected department or fund, and the result is to show associated project costs properly allocated.

Line Item Budget - A budget that lists each account category separately along with the dollar amount budgeted for each account, such as office supplies, overtime, or capital purchases.

Modified Accrual Method of Accounting - An accounting method commonly used by government agencies that combines accrual-basis accounting with cash-basis accounting. Modified accrual accounting recognizes revenue when it becomes available and measurable and, with a few exceptions, recognizes expenditures when liabilities are incurred. This system divides available funds into separate entities within the organization to ensure that the money is being spent where it was intended.

Operating Expenditures - Also known as operating and maintenance costs, these are expenditures for day-to-day operations, such as office supplies, maintenance of equipment, and travel. Capital costs are excluded.

Personal Services - Costs related to compensating employees, including salaries, wages, and fringe benefits.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Revenue - Income received from normal business activities and/or from other governmental sources. Receipts may include interest earnings, service charges, grants, and intergovernmental payments.

Uniform Accounting System - The chart of accounts prescribed by the Office of the State Comptroller, designed to standardize financial information to facilitate comparison and evaluation of reports.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Appendix B: Florida Constitution - Article V

ARTICLE V. JUDICIARY

SECTION 14. (b) All funding for the offices of the clerks of the circuit and county courts performing court-related functions, except as otherwise provided in this subsection and subsection (c), shall be provided by adequate and appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions as required by general law. Selected salaries, costs, and expenses of the state courts system may be funded from appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions, as provided by general law. Where the requirements of either the United States Constitution or the Constitution of the State of Florida preclude the imposition of filing fees for judicial proceedings and service charges and costs for performing court-related functions sufficient to fund the court-related functions of the offices of the clerks of the circuit and county courts, the state shall provide, as determined by the legislature, adequate and appropriate supplemental funding from state revenues appropriated by general law.

(c) No county or municipality, except as provided in this subsection, shall be required to provide any funding for the state courts system, state attorneys' offices, public defenders' offices, court-appointed counsel or the offices of the clerks of the circuit and county courts performing court-related functions. Counties shall be required to fund the cost of communications services, existing radio systems, existing multi-agency 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 shall also pay reasonable and necessary salaries, costs, and expenses of the state courts system to meet local requirements as determined by general law.

(d) The judiciary shall have no power to fix appropriations.

History.—S.J.R. 52-D, 1971; adopted 1972; Am. proposed by Constitution Revision Commission, Revision No. 7, 1998, filed with the Secretary of State May 5, 1998; adopted 1998.

SECTION 16. Clerks of the circuit courts.—There shall be in each county a clerk of the circuit court who shall be selected pursuant to the provisions of Article VIII section 1. Notwithstanding any other provision of the constitution, the duties of the clerk of the circuit court may be divided by special or general law between two officers, one serving as clerk of court and one serving as ex officio clerk of the board of county commissioners, auditor, recorder, and custodian of all county funds. There may be a clerk of the county court if authorized by general or special law.

History.—S.J.R. 52-D, 1971; adopted 1972.

ARTICLE VIII LOCAL GOVERNMENT

SECTION 1. Counties - (d) COUNTY OFFICERS. There shall be elected by the electors of each county, for terms of four years, a sheriff, a tax collector, a property appraiser, a supervisor of elections, and a clerk of the circuit court; except, when provided by county charter or special law approved by vote of the electors of the county, any county officer may be chosen in another manner therein specified, or any county office may be abolished when all the duties of the office prescribed by general law are transferred to another office. When not otherwise provided by county charter or special law approved by vote of the electors, the clerk of the circuit court shall be ex officio clerk of the board of county commissioners, auditor, recorder and custodian of all county funds.

History.—Am. H.J.R. 1907, 1973; adopted 1974; Am. H.J.R. 452, 1984; adopted 1984; Am. H.J.R. 125, 1998; adopted 1998; Am. proposed by Constitution Revision Commission, Revision No. 8, 1998, filed with the Secretary of State May 5, 1998; adopted 1998.

<http://www.leg.state.fl.us/Statutes/index.cfm?Mode=Constitution&Submenu=3&Tab=statutes&CFID=250029030&CFTOKEN=88019277>

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Appendix C: Florida Statutes Chapter 28

CHAPTER 28: CLERKS OF THE CIRCUIT COURTS

28.001 Definitions.—As used in this chapter:

- (1) “Official records” means each instrument that the clerk of the circuit court is required or authorized to record in one general series called “Official Records” as provided for in s. 28.222.
 - (2) “Public records” has the same meaning as in s. 119.011 and includes each official record.
- History.**—s. 1, ch. 94-348; s. 1, ch. 99-259.

28.01 Bond of circuit court clerks; small counties.—In each county of the state having a population of 150,000 or less according to the last state census, the clerk of the circuit court shall give bond as required by the board of county commissioners of the county, to be filed with the clerk of the circuit court and be conditioned upon the faithful discharge of the duties of office.

History.—ss. 1, 3, ch. 3724, 1887; RS 1381; GS 1821; RGS 3066; CGL 4847; s. 1, ch. 17754, 1937; s. 1, ch. 20719, 1941; ss. 10, 12, 35, ch. 69-106; s. 152, ch. 95-147; s. 12, ch. 95-312; s. 7, ch. 98-34.

28.02 Bond of circuit court clerks; large counties.—In each county of the state having a population in excess of 150,000 according to the last state census, the clerk of the circuit court shall give bond as required by the board of county commissioners of the county, to be filed with the clerk of the circuit court and be conditioned upon the faithful discharge of the duties of office.

History.—ss. 1, 3, ch. 3724, 1887; RS 1381; GS 1821; RGS 3066; CGL 4847; s. 1, ch. 17754, 1937; s. 1, ch. 20719, 1941; ss. 10, 12, 35, ch. 69-106; s. 153, ch. 95-147; s. 13, ch. 95-312; s. 8, ch. 98-34.

28.03 Obligation of sureties.—Each surety upon such bond may bind himself or herself for a specified sum, but the aggregate amount for which the sureties shall bind themselves shall not be less than the penalty of the bond.

History.—s. 9, ch. 3724, 1887; RS 934; GS 1822; RGS 3067; CGL 4848; s. 2, ch. 17754, 1937; s. 1, ch. 20719, 1941; s. 154, ch. 95-147.

28.04 Justification of sureties.—Each surety upon such bond shall make affidavit that the surety is a resident of the county for which the clerk is to be commissioned, and that he or she has sufficient visible property therein unencumbered and not exempt from sale under legal process to make good his or her bond.

History.—s. 10, ch. 3724, 1887; RS 935; GS 1823; RGS 3068; CGL 4849; s. 3, ch. 17754, 1937; s. 1, ch. 20719, 1941; s. 155, ch. 95-147.

28.05 Surety companies.—The provisions of ss. 28.01-28.04 as to number of sureties, affidavits of residence and justification of same, shall not apply to solvent surety companies authorized to do business and execute bonds in this state.

History.—GS 1824; RGS 3069; CGL 4850; s. 4, ch. 17754, 1937; s. 1, ch. 20719, 1941.

28.06 Power of clerk to appoint deputies.—The clerk of the circuit court may appoint a deputy or deputies, for whose acts the clerk shall be liable, and the said deputies shall have and exercise each and every power of whatsoever nature and kind as the clerk may exercise, excepting the power to appoint a deputy or deputies.

History.—s. 1, Feb. 12, 1834; s. 1, ch. 254, 1849; RS 1384; GS 1825; RGS 3070; CGL 4851; s. 1, ch. 21956, 1943; s. 156, ch. 95-147.

28.07 Place of office.—The clerk of the circuit court shall keep his or her office at the county seat. If the clerk finds a need for branch offices, they may be located in the county at places other than the county seat. Instruments presented for recording in the Official Records may be accepted and filed for that purpose at any branch office designated by the governing body of the county for the

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

recording of instruments pursuant to s. 1, Art. VIII of the State Constitution. One or more deputy clerks authorized to issue process may be employed for such branch offices. The Official Records of the county must be kept at the county seat. Other records and books must be kept within the county but need not be kept at the county seat.

History.—s. 3, Feb. 12, 1834; RS 1385; GS 1826; RGS 3071; CGL 4852; s. 1, ch. 57-281; s. 1, ch. 87-190; ss. 2, 10, ch. 94-348; s. 2, ch. 99-259.

28.071 Clerk's seal.—Each clerk shall provide a seal which shall have inscribed thereon substantially the words:

“Circuit Court”

“Clerk,” “(Name of county)”

which shall be the official seal of the clerk of the circuit court in that county for authentication of all documents or instruments. It may be an imprint or impression type seal and shall be registered with the Department of State.

History.—s. 1, ch. 70-134; s. 1, ch. 70-439.

28.09 Clerk ad interim.—In the case of vacancy occurring in the office of a clerk of the circuit court by death, resignation, or other cause, the judge of that court shall appoint a clerk ad interim, who shall assume all the responsibilities, perform all the duties, and receive the same compensation for the time being as if he or she had been duly appointed to fill the office; and the clerk shall give such bond and security for the faithful performance of duties as required by the board of county commissioners.

History.—s. 1, ch. 722, 1855; RS 1393; GS 1838; RGS 3083; CGL 4866; s. 157, ch. 95-147; s. 9, ch. 98-34.

28.101 Petitions and records of dissolution of marriage; additional charges.—

(1) When a party petitions for a dissolution of marriage, in addition to the filing charges in s. 28.241, the clerk shall collect and receive:

(a) A charge of \$5. On a monthly basis, the clerk shall transfer the monies collected pursuant to this paragraph to the Department of Revenue for deposit in the Child Welfare Training Trust Fund created in s. 402.40.

(b) A charge of \$5. On a monthly basis, the clerk shall transfer the monies collected pursuant to this paragraph to the Department of Revenue for deposit in the Displaced Homemaker Trust Fund created in s. 446.50. If a petitioner does not have sufficient funds with which to pay this fee and signs an affidavit so stating, all or a portion of the fee shall be waived subject to a subsequent order of the court relative to the payment of the fee.

(c) A charge of \$55. On a monthly basis, the clerk shall transfer the monies collected pursuant to this paragraph to the Department of Revenue for deposit in the Domestic Violence Trust Fund. Such funds which are generated shall be directed to the Department of Children and Family Services for the specific purpose of funding domestic violence centers.

(d) A charge of \$32.50. On a monthly basis, the clerk shall transfer the monies collected pursuant to this paragraph as follows:

1. An amount of \$7.50 to the Department of Revenue for deposit in the Displaced Homemaker Trust Fund.

2. An amount of \$25 to the Department of Revenue for deposit in the General Revenue Fund.

(2) Upon receipt of a final judgment of dissolution of marriage for filing, and in addition to the filing charges in s. 28.241, the clerk may collect and receive a service charge of up to \$10.50 pursuant to s. 382.023 for the recording and reporting of such final judgment of dissolution of marriage to the Department of Health.

History.—s. 2, ch. 67-520; s. 2, ch. 70-134; s. 1, ch. 70-439; s. 1, ch. 73-300; s. 9, ch. 83-217; s. 103, ch. 86-220; s. 1, ch. 87-145; s. 25, ch. 87-387; s. 7, ch. 88-98; s. 2, ch. 88-181; s. 12, ch. 94-134; s. 12, ch. 94-135; s. 54, ch. 96-418; s. 82, ch. 97-237; s. 14, ch. 98-403; s. 13, ch. 99-2; s. 5, ch. 99-243; s. 4, ch. 2001-122; s. 25, ch. 2003-402; s. 3, ch. 2004-251; s. 14, ch. 2004-265.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

28.12 Clerk of the board of county commissioners.—The clerk of the circuit court shall be clerk and accountant of the board of county commissioners. He or she shall keep the minutes and accounts and perform such other duties as provided by law. The clerk shall have custody of the seal and affix the same to any paper or instrument as required by law.

History.—RS 1392; GS 1836; RGS 3081; CGL 4864; s. 3, ch. 70-134; s. 158, ch. 95-147.

28.13 To keep papers.—The clerk of the circuit court shall keep all papers filed in the clerk's office with the utmost care and security, arranged in appropriate files (endorsing upon each the time when the same was filed), and shall not permit any attorney or other person to take papers once filed out of the office of the clerk without leave of the court, except as is hereinafter provided by law.

History.—s. 59, Nov. 18, 1828; RS 1389; GS 1830; RGS 3075; CGL 4856; s. 1, ch. 89-297; s. 159, ch. 95-147.

28.14 Records, judgments, orders, and decrees prior to circuit courts.—All the records, judgments, orders, and decrees of the several circuit courts, in the respective counties, made and entered before July 28th, 1868, shall be taken and held to be the records, judgments, orders, and decrees of the circuit courts as established in said counties July 28th, 1868, and may be amended and enforced according to law and the practice of said courts.

History.—s. 9, ch. 1629, 1869; RS 1402; GS 1853; RGS 3098; CGL 4882.

28.15 Records from superior courts.—The files, rolls and books of record of the superior courts of the several districts of the Territory of Florida remaining in the clerk's offices of the respective counties, so far as the same, by the concurrence of the Congress and the Legislature of this state, may relate to matters of appropriate state authority and jurisdiction, are placed in the custody and under the control of the circuit courts of this state in the respective counties thereof, where the said superior courts were held and the records kept, and shall be deemed, held and taken to be files, rolls and records of the said circuit courts; and the said circuit courts may lawfully have and exercise such judicial cognizance and power over them as the said courts may lawfully have and exercise over their own files, rolls and records.

History.—s. 2, ch. 520, 1853; RS 1403; GS 1854; RGS 3099; CGL 4883.

28.16 Certain records from prior county courts.—All the records, judgments and orders in the several county courts, in the respective counties, made and entered prior to May 4th, 1875, where the amount sued upon exceeded the sum of \$100, shall be held, deemed and taken to be files, rolls and records of the circuit court and the said circuit court may lawfully have and exercise such cognizance and power over them as said courts may lawfully have and exercise over its own files, rolls and records.

History.—s. 1, ch. 3004, 1877; RS 1404-1406; s. 1, ch. 4725, 1899; GS 1855-1858; RGS 3100-3103; CGL 4884-4887.

28.211 Clerk to keep docket.—The clerk of the circuit court shall keep a progress docket in which he or she shall note the filing of each pleading, motion, or other paper and any step taken by him or her in connection with each action, appeal, or other proceeding before the court. The clerk may keep separate progress dockets for civil and criminal matters. The clerk shall keep an alphabetical index, direct and inverse, for the docket.

History.—s. 1, ch. 71-4; s. 160, ch. 95-147.

28.212 Minutes of court proceedings.—The clerk may keep minutes of court proceedings. The action of the court shall be noted in the minutes, but orders and judgments shall not be recorded in the minutes.

History.—s. 1, ch. 72-320.

28.213 Disposal of physical evidence filed as exhibits.—The clerk of any circuit court or county court may dispose of items of physical evidence which have been held as exhibits in excess of 3 years in cases on which no appeal, or collateral attack, is pending or can be made. Items of evidence having no monetary value which are designated by the clerk for removal shall be disposed of as

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

unusable refuse. Items of evidence having a monetary value which are designated for removal by the clerk shall be sold and the revenue placed in the clerk's general revenue fund.

History.—s. 1, ch. 72-7; s. 21, ch. 73-333; s. 2, ch. 89-176; s. 26, ch. 2003-402.

Note.—Former s. 43.195.

28.215 Pro se assistance.—The clerk of the circuit court shall provide ministerial assistance to pro se litigants. Assistance shall not include the provision of legal advice.

History.—s. 27, ch. 2003-402.

28.222 Clerk to be county recorder.—

(1) The clerk of the circuit court shall be the recorder of all instruments that he or she may be required or authorized by law to record in the county where he or she is clerk.

(2) The clerk of the circuit court shall record all instruments in one general series called "Official Records." He or she shall keep a register in which he or she shall enter at the time of filing the filing number of each instrument filed for record, the date and hour of filing, the kind of instrument, and the names of the parties to the instrument. The clerk shall maintain a general alphabetical index, direct and inverse, of all instruments filed for record. The register of Official Records must be available at each office where official records may be filed.

(3) The clerk of the circuit court shall record the following kinds of instruments presented to him or her for recording, upon payment of the service charges prescribed by law:

(a) Deeds, leases, bills of sale, agreements, mortgages, notices or claims of lien, notices of levy, tax warrants, tax executions, and other instruments relating to the ownership, transfer, or encumbrance of or claims against real or personal property or any interest in it; extensions, assignments, releases, cancellations, or satisfactions of mortgages and liens; and powers of attorney relating to any of the instruments.

(b) Notices of lis pendens, including notices of an action pending in a United States court having jurisdiction in this state.

(c) Judgments, including certified copies of judgments, entered by any court of this state or by a United States court having jurisdiction in this state and assignments, releases, and satisfactions of the judgments.

(d) That portion of a certificate of discharge, separation, or service which indicates the character of discharge, separation, or service of any citizen of this state with respect to the military, air, or naval forces of the United States. Each certificate shall be recorded without cost to the veteran, but the clerk shall receive from the board of county commissioners or other governing body of the county the service charge prescribed by law for the recording.

(e) Notices of liens for taxes payable to the United States and other liens in favor of the United States, and certificates discharging, partially discharging, or releasing the liens, in accordance with the laws of the United States.

(f) Certified copies of petitions, with schedules omitted, commencing proceedings under the ¹Bankruptcy Act of the United States, decrees of adjudication in the proceedings, and orders approving the bonds of trustees appointed in the proceedings.

(g) Certified copies of death certificates authorized for issuance by the Department of Health which exclude the information that is confidential under s. 382.008, and certified copies of death certificates issued by another state whether or not they exclude the information described as confidential in s. 382.008.

(h) Any other instruments required or authorized by law to be recorded.

(4) Any reference in these statutes to the filing of instruments affecting title to real or personal property with the clerk of the circuit court shall mean recording of the instruments.

(5) The clerk of the circuit court may maintain a separate book for maps, plats, and drawings recorded pursuant to chapters 177, 253, and 337.

(6) All instruments recorded in the Official Records shall always be open to the public, under the supervision of the clerk, for the purpose of inspection thereof and of making extracts therefrom; but

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

the clerk shall not be required to perform any service in connection with such inspection or making of extracts without payment of service charges as provided in s. 28.24.

History.—ss. 2, 4, ch. 71-4; s. 24, ch. 81-259; s. 2, ch. 84-114; s. 2, ch. 92-25; s. 1, ch. 93-42; s. 100, ch. 94-119; s. 11, ch. 94-348; s. 1324, ch. 95-147; s. 2, ch. 95-214; s. 83, ch. 97-237; s. 3, ch. 99-259.

¹**Note.**—Replaced by the 1978 Bankruptcy Code.

28.22205 Electronic filing process.—Each clerk of court shall implement an electronic filing process. The purpose of the electronic filing process is to reduce judicial costs in the office of the clerk and the judiciary, increase timeliness in the processing of cases, and provide the judiciary with case-related information to allow for improved judicial case management. The Legislature requests that, no later than July 1, 2009, the Supreme Court set statewide standards for electronic filing to be used by the clerks of court to implement electronic filing. The standards should specify the required information for the duties of the clerks of court and the judiciary for case management. The clerks of court shall begin implementation no later than October 1, 2009. The Florida Clerks of Court Operations Corporation shall report to the President of the Senate and the Speaker of the House of Representatives by March 1, 2010, on the status of implementing electronic filing. The report shall include the detailed status of each clerk office's implementation of an electronic filing process, and for those clerks who have not fully implemented electronic filing by March 1, 2010, a description of the additional steps needed and a projected timeline for full implementation. Revenues provided to counties and the clerk of court under s. 28.24(12)(e) for information technology may also be used to implement electronic filing processes.

History.—s. 16, ch. 2009-61.

28.2221 Electronic access to official records.—

(1) The Legislature finds that a proper and legitimate state purpose is served by providing the public with access to public records and information on the Internet. The Legislature further finds that a proper and legitimate state purpose is also served by preventing disclosure of records and information made exempt by law from public disclosure.

(2) No later than January 1, 2002, the county recorder in each county shall provide a current index of documents recorded in the official records of the county for the period beginning no later than January 1, 1990, on a publicly available Internet website which shall also contain a document requisition point for obtaining images or copies of the documents reflected in the index and which has the capability of electronically providing the index data to a central statewide search site. The index shall be limited to grantor and grantee names, party names, date, book and page number, comments, and type of record.

(3) Each county recorder shall use appropriate Internet security measures to ensure that no person has the ability to alter or to modify records placed on the Internet by the county recorder.

(4) Unless otherwise provided by law, no information retrieved electronically pursuant to this section shall be admissible in court as an authenticated document.

(5)(a) No county recorder or clerk of the court may place an image or copy of a public record, including an official record, on a publicly available Internet website for general public display if that image or copy is of a military discharge; death certificate; or a court file, record, or paper relating to matters or cases governed by the Florida Rules of Family Law, the Florida Rules of Juvenile Procedure, or the Florida Probate Rules.

(b) Any records specified in this subsection made available by the county recorder or clerk of the court on a publicly available Internet website for general public display prior to June 5, 2002, must be removed if the affected party identifies the record and requests that it be removed. Such request must be in writing and delivered by mail, facsimile, or electronic transmission, or in person to the county recorder or clerk of the court. The request must specify the identification page number of the document to be removed. No fee may be charged for the removal of a document pursuant to such request.

(c) No later than 30 days after June 5, 2002, notice of the right of any affected party to request removal of records pursuant to this subsection shall be conspicuously and clearly displayed by the

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

county recorder or clerk of the court on the publicly available Internet website on which images or copies of the county's public records are placed and in the office of each county recorder or clerk of the court. In addition, no later than 30 days after June 5, 2002, the county recorder or the clerk of the court must have published, on two separate dates, a notice of such right in a newspaper of general circulation in the county where the county recorder's office is located as provided for in chapter 50. Such notice must contain appropriate instructions for making the removal request in person, by mail, by facsimile, or by electronic transmission. The notice shall state, in substantially similar form, that any person has a right to request that a county recorder or clerk of the court remove an image or copy of a public record, including an official record, from a publicly available Internet website if that image or copy is of a military discharge; death certificate; or a court file, record, or paper relating to matters or cases governed by the Florida Rules of Family Law, the Florida Rules of Juvenile Procedure, or the Florida Probate Rules. Such request must be made in writing and delivered by mail, facsimile, or electronic transmission, or in person to the county recorder or clerk of the court. The request must identify the document identification page number of the document to be removed. No fee will be charged for the removal of a document pursuant to such request.

(d) Any affected person may petition the circuit court for an order directing compliance with this subsection.

(e) By January 1, 2006, each county recorder or clerk of the court shall provide for electronic retrieval, at a minimum, of images of documents referenced as the index required to be maintained on the county's official records website by this section.

History.—s. 2, ch. 2000-164; s. 2, ch. 2002-302.

28.2222 Public records capital improvement plan.—On or before December 1 of each year immediately preceding each year in which the Public Records Modernization Trust Fund is scheduled for review under s. 19(f)(2), Art. III of the State Constitution, each clerk of the circuit court shall file a 4-year capital improvement plan with the President of the Senate and the Speaker of the House of Representatives. The plan must specify the clerk's goals for modernizing and improving the storage of, and public access to, public records and must state the manner in which monies from the trust fund will be expended to obtain the stated objectives. The plan must specify the methodology used to determine the projected cost to implement the plan and to determine the projected revenue to meet the cost. Each capital improvement plan must state the progress made in fulfilling the objectives listed in the previously filed capital improvement plan and must state the manner in which monies from the trust fund were expended to reach those objectives.

History.—s. 6, ch. 95-214; s. 5, ch. 2006-1.

28.223 Probate records; recordation.—

(1) The clerk of the circuit shall record all wills and codicils admitted to probate, orders revoking the probate of any wills and codicils, letters of administration, orders affecting or describing real property, final orders, orders of final discharge, and orders of guardianship filed in the clerk's office. No other petitions, pleadings, papers, or other orders relating to probate matters shall be recorded except on the written direction of the court. The direction may be by incorporation in the order of the words "To be recorded," or words to that effect. Failure to record an order or a judgment shall not affect its validity.

(2) The clerk shall record all instruments under this section in Official Records and index them in the same manner as prescribed in s. 28.222.

(3) All records of a court of this state heretofore exercising probate jurisdiction shall be placed, and remain, in the custody of the clerk and shall be the records of the circuit court. The circuit court may exercise judicial cognizance and power over them as it may over its own records.

(4) Certified transcripts of the whole or any part of probate or administration proceedings in any court of this state or of any foreign state or country may be recorded. If the certified copy is not a part of a pending probate proceeding in the court, the person causing it to be recorded shall pay the costs of recordation.

Office of Paula S. O'Neil Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

(5) The recording of any instrument required or permitted to be recorded under this section in a pending probate or administration proceeding in the county shall be included in the fees prescribed in s. 28.2401.

History.—s. 2, ch. 74-106; s. 1, ch. 77-174; s. 161, ch. 95-147; s. 20, ch. 95-401.

28.231 Service charges by clerks of courts.—The clerk of any state appellate or county or state trial court shall receive as compensation for similar services the same charges as provided in this chapter for the clerk of the circuit court.

History.—s. 39, ch. 70-134.

28.235 Advance payments by clerk of circuit court.—The clerk of the circuit court is authorized to make advance payments on behalf of the county for goods and services, including, but not limited to, maintenance agreements and subscriptions, pursuant to rules or procedures adopted by the Chief Financial Officer for advance payments of invoices submitted to agencies of the state.

History.—s. 12, ch. 94-348; s. 89, ch. 2003-261.

28.24 Service charges by clerk of the circuit court.—The clerk of the circuit court shall charge for services rendered by the clerk's office in recording documents and instruments and in performing the duties enumerated in amounts not to exceed those specified in this section. Notwithstanding any other provision of this section, the clerk of the circuit court shall provide without charge to the state attorney, public defender, guardian ad litem, public guardian, attorney ad litem, criminal conflict and civil regional counsel, and private court-appointed counsel paid by the state, and to the authorized staff acting on behalf of each, access to and a copy of any public record, if the requesting party is entitled by law to view the exempt or confidential record, as maintained by and in the custody of the clerk of the circuit court as provided in general law and the Florida Rules of Judicial Administration. The clerk of the circuit court may provide the requested public record in an electronic format in lieu of a paper format when capable of being accessed by the requesting entity.

Charges:

- (1) For examining, comparing, correcting, verifying, and certifying transcripts of record in appellate proceedings, prepared by attorney for appellant or someone else other than clerk, per page. 5.00
- (2) For preparing, numbering, and indexing an original record of appellate proceedings, per instrument. 3.50
- (3) For certifying copies of any instrument in the public records. 2.00
- (4) For verifying any instrument presented for certification prepared by someone other than clerk, per page. 3.50
- (5)(a) For making copies by photographic process of any instrument in the public records consisting of pages of not more than 14 inches by 8 1/2 inches, per page. 1.00
- (b) For making copies by photographic process of any instrument in the public records of more than 14 inches by 8 1/2 inches, per page. 5.00
- (6) For making microfilm copies of any public records:
 - (a) 16 mm 100' microfilm roll. 42.00
 - (b) 35 mm 100' microfilm roll. 60.00
 - (c) Microfiche, per fiche. 3.50
- (7) For copying any instrument in the public records by other than photographic process, per page. 6.00
- (8) For writing any paper other than herein specifically mentioned, same as for copying, including signing and sealing. 7.00
- (9) For indexing each entry not recorded. 1.00
- (10) For receiving money into the registry of court:
 - (a)1. First \$500, percent. 3
 2. Each subsequent \$100, percent. 1.5

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

- (b) Eminent domain actions, per deposit. 170.00
- (11) For examining, certifying, and recording plats and for recording condominium exhibits larger than 14 inches by 8 1/2 inches:
 - (a) First page. 30.00
 - (b) Each additional page. 15.00
- (12) For recording, indexing, and filing any instrument not more than 14 inches by 8 1/2 inches, including required notice to property appraiser where applicable:
 - (a) First page or fraction thereof. 5.00
 - (b) Each additional page or fraction thereof. 4.00
 - (c) For indexing instruments recorded in the official records which contain more than four names, per additional name. 1.00
 - (d) An additional service charge shall be paid to the clerk of the circuit court to be deposited in the Public Records Modernization Trust Fund for each instrument listed in s. 28.222, except judgments received from the courts and notices of lis pendens, recorded in the official records:
 - 1. First page. 1.00
 - 2. Each additional page. 0.50

Said fund shall be held in trust by the clerk and used exclusively for equipment and maintenance of equipment, personnel training, and technical assistance in modernizing the public records system of the office. In a county where the duty of maintaining official records exists in an office other than the office of the clerk of the circuit court, the clerk of the circuit court is entitled to 25 percent of the monies deposited into the trust fund for equipment, maintenance of equipment, training, and technical assistance in modernizing the system for storing records in the office of the clerk of the circuit court. The fund may not be used for the payment of travel expenses, membership dues, bank charges, staff-recruitment costs, salaries or benefits of employees, construction costs, general operating expenses, or other costs not directly related to obtaining and maintaining equipment for public records systems or for the purchase of furniture or office supplies and equipment not related to the storage of records. On or before December 1, 1995, and on or before December 1 of each year immediately preceding each year during which the trust fund is scheduled for legislative review under s. 19(f)(2), Art. III of the State Constitution, each clerk of the circuit court shall file a report on the Public Records Modernization Trust Fund with the President of the Senate and the Speaker of the House of Representatives. The report must itemize each expenditure made from the trust fund since the last report was filed; each obligation payable from the trust fund on that date; and the percentage of funds expended for each of the following: equipment, maintenance of equipment, personnel training, and technical assistance. The report must indicate the nature of the system each clerk uses to store, maintain, and retrieve public records and the degree to which the system has been upgraded since the creation of the trust fund.

- (e) An additional service charge of \$4 per page shall be paid to the clerk of the circuit court for each instrument listed in s. 28.222, except judgments received from the courts and notices of lis pendens, recorded in the official records. From the additional \$4 service charge collected:
 - 1. If the counties maintain legal responsibility for the costs of the court-related technology needs as defined in s. 29.008(1)(f)2. and (h), 10 cents shall be distributed to the Florida Association of Court Clerks and Comptroller, Inc., for the cost of development, implementation, operation, and maintenance of the clerks' Comprehensive Case Information System, in which system all clerks shall participate on or before January 1, 2006; \$1.90 shall be retained by the clerk to be deposited in the Public Records Modernization Trust Fund and used exclusively for funding court-related technology needs of the clerk as defined in s. 29.008(1)(f)2. and (h); and \$2 shall be distributed to the board of county commissioners to be used exclusively to fund court-related technology, and court technology needs as defined in s. 29.008(1)(f)2. and (h) for the state trial courts, state attorney, public defender, and criminal conflict and civil regional counsel in that county. If the counties maintain legal responsibility for the costs of the court-related technology needs as defined in s. 29.008(1)(f)2. and (h), notwithstanding any other provision of law, the county is not required to provide additional funding

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

beyond that provided herein for the court-related technology needs of the clerk as defined in s. 29.008(1)(f)2. and (h). All court records and official records are the property of the State of Florida, including any records generated as part of the Comprehensive Case Information System funded pursuant to this paragraph and the clerk of court is designated as the custodian of such records, except in a county where the duty of maintaining official records exists in a county office other than the clerk of court or comptroller, such county office is designated the custodian of all official records, and the clerk of court is designated the custodian of all court records. The clerk of court or any entity acting on behalf of the clerk of court, including an association, shall not charge a fee to any agency as defined in s. 119.011, the Legislature, or the State Court System for copies of records generated by the Comprehensive Case Information System or held by the clerk of court or any entity acting on behalf of the clerk of court, including an association.

2. If the state becomes legally responsible for the costs of court-related technology needs as defined in s. 29.008(1)(f)2. and (h), whether by operation of general law or by court order, \$4 shall be remitted to the Department of Revenue for deposit into the General Revenue Fund.

(13) Oath, administering, attesting, and sealing, not otherwise provided for herein. 3.50

(14) For validating certificates, any authorized bonds, each. 3.50

(15) For preparing affidavit of domicile. 5.00

(16) For exemplified certificates, including signing and sealing. 7.00

(17) For authenticated certificates, including signing and sealing. 7.00

(18)(a) For issuing and filing a subpoena for a witness, not otherwise provided for herein (includes writing, preparing, signing, and sealing). 7.00

(b) For signing and sealing only. 2.00

(19) For approving bond. 8.50

(20) For searching of records, for each year's search. 2.00

(21) For processing an application for a tax deed sale (includes application, sale, issuance, and preparation of tax deed, and disbursement of proceeds of sale), other than excess proceeds. 60.00

(22) For disbursement of excess proceeds of tax deed sale, first \$100 or fraction thereof. 10.00

(23) Upon receipt of an application for a marriage license, for preparing and administering of oath; issuing, sealing, and recording of the marriage license; and providing a certified copy. 30.00

(24) For solemnizing matrimony. 30.00

(25) For sealing any court file or expungement of any record. 42.00

(26)(a) For receiving and disbursing all restitution payments, per payment. 3.50

(b) For receiving and disbursing all partial payments, other than restitution payments, for which an administrative processing service charge is not imposed pursuant to s. 28.246, per month. 5.00

(c) For setting up a payment plan, a one-time administrative processing charge in lieu of a per month charge under paragraph (b). 25.00

(27) Postal charges incurred by the clerk of the circuit court in any mailing by certified or registered mail shall be paid by the party at whose instance the mailing is made.

(28) For furnishing an electronic copy of information contained in a computer database: a fee as provided for in chapter 119.

History.—s. 1, ch. 3106, 1879; RS 1394; GS 1839; RGS 3084; ss. 1, 2, ch. 11893, 1927; CGL 4867; s. 2, ch. 29749, 1955; s. 1, ch. 63-45; s. 5, ch. 70-134; s. 1, ch. 77-284; s. 1, ch. 78-367; s. 1, ch. 79-266; s. 12, ch. 79-400; s. 1, ch. 82-205; s. 35, ch. 85-180; s. 2, ch. 85-249; s. 22, ch. 87-95; s. 2, ch. 87-145; s. 1, ch. 88-176; s. 1, ch. 92-200; ss. 5, 13, ch. 94-348; s. 5, ch. 95-214; s. 2, ch. 2000-144; s. 90, ch. 2003-261; s. 28, ch. 2003-402; s. 16, ch. 2004-265; s. 6, ch. 2005-236; s. 14, ch. 2007-62; s. 6, ch. 2008-111.

28.2401 Service charges and filing fees in probate matters.—

Office of Paula S. O'Neil Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

(1) Except when otherwise provided, the clerk may impose service charges or filing fees for the following services or filings, not to exceed the following amounts:

- (a) Fee for the opening of any estate of one document or more, including, but not limited to, petitions and orders to approve settlement of minor's claims; to open a safe-deposit box; to enter rooms and places; for the determination of heirs, if not formal administration; and for a foreign guardian to manage property of a nonresident; but not to include issuance of letters or order of summary administration. \$230
- (b) Charge for caveat. \$40
- (c) Fee for petition and order to admit foreign wills, authenticated copies, exemplified copies, or transcript to record. \$230
- (d) Fee for disposition of personal property without administration. \$230
- (e) Fee for summary administration—estates valued at \$1,000 or more. \$340
- (f) Fee for summary administration—estates valued at less than \$1,000. \$230
- (g) Fee for formal administration, guardianship, ancillary, curatorship, or conservatorship proceedings. \$395
- (h) Fee for guardianship proceedings of person only. \$230
- (i) Fee for veterans' guardianship pursuant to chapter 744. \$230
- (j) Charge for exemplified certificates. \$7
- (k) Fee for petition for determination of incompetency. \$230

The clerk shall remit \$115 of each filing fee collected under paragraphs (a), (c)-(i), and (k) to the Department of Revenue for deposit into the State Courts Revenue Trust Fund.

(2) Upon application by the clerk and a showing of extraordinary circumstances, the service charges or filing fees set forth in this section may be increased in an individual matter by order of the circuit court before which the matter is pending, to more adequately compensate for the services performed or filings made.

(3) An additional service charge of \$4 on petitions seeking summary administration, formal administration, ancillary administration, guardianship, curatorship, and conservatorship shall be paid to the clerk. The clerk shall transfer \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall transfer 50 cents to the Department of Revenue for deposit into the Department of Financial Services' Administrative Trust Fund to fund clerk education. No additional fees, charges, or costs shall be added to the service charges or filing fees imposed under this section, except as authorized by general law.

(4) Recording shall be required for all petitions opening and closing an estate; petitions regarding real estate; and orders, letters, bonds, oaths, wills, proofs of wills, returns, and such other papers as the judge shall deem advisable to record or that shall be required to be recorded under the Florida Probate Code.

History.—s. 5, ch. 1981, 1874; s. 2, ch. 3888, 1889; RS 1592, 1596; GS 2056, 2060; RGS 3347, 3351; CGL 5200, 5204; s. 1, ch. 19174, 1939; CGL 1940 Supp. 2877(115); s. 1, ch. 21960, 1943; s. 1, ch. 28152, 1953; s. 1, ch. 65-430; s. 1, ch. 72-397; s. 16, ch. 73-333; s. 2, ch. 77-284; s. 2, ch. 78-367; s. 13, ch. 79-400; s. 25, ch. 81-259; s. 3, ch. 87-145; s. 5, ch. 91-152; s. 1, ch. 93-268; s. 2, ch. 96-209; s. 5, ch. 2001-122; s. 29, ch. 2003-402; s. 2, ch. 2004-5; s. 17, ch. 2004-265; s. 7, ch. 2008-111; s. 4, ch. 2009-61.

Note.—Former s. 36.17.

28.2402 Cost recovery; use of the circuit court for ordinance or special law violations.—

(1)(a) In lieu of payment of a filing fee under s. 28.241, a filing fee of \$10 shall be paid by a county or municipality when filing a county or municipal ordinance violation or violation of a special law in circuit court. This fee shall be paid to the clerk of the court for performing court-related functions. A county or municipality is not required to pay more than one filing fee for a single filing against a single defendant that contains multiple alleged violations. A filing fee, other than that imposed under this section, may not be assessed for initiating an enforcement proceeding in circuit court for a violation of a county or municipal code or ordinance or a violation of a special law. The filing fee shall not apply to instances in which a county or municipality has contracted with the state,

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

or has been delegated by the state, responsibility for enforcing state operations, policies, or requirements under s. 125.69, s. 166.0415, or chapter 162.

(b) No other filing fee may be assessed for filing the violation in circuit court. If a person contests the violation in court, the court shall assess \$40 in costs against the nonprevailing party. The county or municipality shall be considered the prevailing party when there is a finding of violation to any count or lesser included offense of the charge. Costs recovered pursuant to this paragraph shall be deposited into the clerk's fine and forfeiture fund established pursuant to s. 142.01.

(2) To offset costs incurred by the clerks of the court in performing court-related functions associated with the processing of violations of special laws and municipal ordinances, 10 percent of the total amount of fines paid to each municipality for special law or ordinance violations filed in circuit court shall be retained by the clerk of the court for deposit into the clerk's fine and forfeiture fund established pursuant to s. 142.01, except for fines a portion of which the clerk of the court retains pursuant to any other provision of state law. A municipality does not include the unincorporated areas, if any, of a government created pursuant to s. 6(e), Art. VIII of the State Constitution.

History.—s. 30, ch. 2003-402; s. 18, ch. 2004-265; s. 7, ch. 2005-236.

28.241 Filing fees for trial and appellate proceedings.—

(1)(a) 1.a. Except as provided in sub-subparagraph b. and subparagraph 2., the party instituting any civil action, suit, or proceeding in the circuit court shall pay to the clerk of that court a filing fee of up to \$395 in all cases in which there are not more than five defendants and an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$280 in filing fees, \$80 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$195 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$3.50 must be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission and used to fund the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1.50 shall be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk budget reviews conducted by the Department of Financial Services. One third of any filing fees collected by the clerk of the circuit court in excess of \$100 shall be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission.

b. The party instituting any civil action, suit, or proceeding in the circuit court under chapter 39, chapter 61, chapter 741, chapter 742, chapter 747, chapter 752, or chapter 753 shall pay to the clerk of that court a filing fee of up to \$295 in all cases in which there are not more than five defendants and an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$180 in filing fees, \$80 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$95 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$3.50 must be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission and used to fund the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1.50 shall be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk budget reviews conducted by the Department of Financial Services.

c. An additional filing fee of \$4 shall be paid to the clerk. The clerk shall remit \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall remit 50 cents to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission to fund clerk education. An additional filing fee of up to \$18 shall be paid by the party seeking each severance that is granted. The clerk may impose an additional filing fee of up to \$85 for all proceedings of garnishment, attachment, replevin, and distress. Postal charges incurred by the clerk of the circuit court in making service by certified or registered mail on defendants or other parties shall be paid by the party at whose instance service is made. No additional fees, charges, or costs shall be added to the filing fees imposed under this section, except as authorized in this section or by general law.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

2.a. Notwithstanding the fees prescribed in subparagraph 1., a party instituting a civil action in circuit court relating to real property or mortgage foreclosure shall pay a graduated filing fee based on the value of the claim.

b. A party shall estimate in writing the amount in controversy of the claim upon filing the action. For purposes of this subparagraph, the value of a mortgage foreclosure action is based upon the principal due on the note secured by the mortgage, plus interest owed on the note and any monies advanced by the lender for property taxes, insurance, and other advances secured by the mortgage, at the time of filing the foreclosure. The value shall also include the value of any tax certificates related to the property. In stating the value of a mortgage foreclosure claim, a party shall declare in writing the total value of the claim, as well as the individual elements of the value as prescribed in this sub-subparagraph.

c. In its order providing for the final disposition of the matter, the court shall identify the actual value of the claim. The clerk shall adjust the filing fee if there is a difference between the estimated amount in controversy and the actual value of the claim and collect any additional filing fee owed or provide a refund of excess filing fee paid.

d. The party shall pay a filing fee of:

(I) Three hundred and ninety-five dollars in all cases in which the value of the claim is \$50,000 or less and in which there are not more than five defendants. The party shall pay an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$280 in filing fees, \$80 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$195 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$3.50 must be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission and used to fund the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1.50 shall be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk budget reviews conducted by the Department of Financial Services;

(II) Nine hundred dollars in all cases in which the value of the claim is more than \$50,000 but less than \$250,000 and in which there are not more than five defendants. The party shall pay an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$785 in filing fees, \$80 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$700 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$3.50 must be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission and used to fund the Florida Clerks of Court Operations Corporation described in s. 28.35, and \$1.50 shall be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk budget reviews conducted by the Department of Financial Services; or

(III) One thousand nine hundred dollars in all cases in which the value of the claim is \$250,000 or more and in which there are not more than five defendants. The party shall pay an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$1,785 in filing fees, \$80 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$1,700 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$3.50 must be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission to fund the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1.50 shall be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk budget reviews conducted by the Department of Financial Services.

e. An additional filing fee of \$4 shall be paid to the clerk. The clerk shall remit \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall remit 50 cents to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission to fund clerk education. An additional filing fee of up to \$18 shall be paid by the party seeking each severance that is granted. The clerk may impose an additional filing fee of

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

up to \$85 for all proceedings of garnishment, attachment, replevin, and distress. Postal charges incurred by the clerk of the circuit court in making service by certified or registered mail on defendants or other parties shall be paid by the party at whose instance service is made. No additional fees, charges, or costs shall be added to the filing fees imposed under this section, except as authorized in this section or by general law.

(b) A party reopening any civil action, suit, or proceeding in the circuit court shall pay to the clerk of court a filing fee set by the clerk in an amount not to exceed \$50. For purposes of this section, a case is reopened when a case previously reported as disposed of is resubmitted to a court and includes petitions for modification of a final judgment of dissolution. A party is exempt from paying the fee for any of the following:

1. A writ of garnishment;
2. A writ of replevin;
3. A distress writ;
4. A writ of attachment;
5. A motion for rehearing filed within 10 days;
6. A motion for attorney's fees filed within 30 days after entry of a judgment or final order;
7. A motion for dismissal filed after a mediation agreement has been filed;
8. A disposition of personal property without administration;
9. Any probate case prior to the discharge of a personal representative;
10. Any guardianship pleading prior to discharge;
11. Any mental health pleading;
12. Motions to withdraw by attorneys;
13. Motions exclusively for the enforcement of child support orders;
14. A petition for credit of child support;
15. A Notice of Intent to Relocate and any order issuing as a result of an uncontested

relocation;

16. Stipulations;
17. Responsive pleadings; or
18. Cases in which there is no initial filing fee.

(c)1. A party in addition to a party described in sub-subparagraph (a)1.a. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint shall pay the clerk of court a fee of \$395. A party in addition to a party described in sub-subparagraph (a)1.b. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint shall pay the clerk of court a fee of \$295. The clerk shall remit the fee to the Department of Revenue for deposit into the General Revenue Fund.

2. A party in addition to a party described in subparagraph (a)2. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint shall pay the clerk of court a graduated fee of:

- a. Three hundred and ninety-five dollars in all cases in which the value of the pleading is \$50,000 or less;
- b. Nine hundred dollars in all cases in which the value of the pleading is more than \$50,000 but less than \$250,000; or
- c. One thousand nine hundred dollars in all cases in which the value of the pleading is \$250,000 or more.

The clerk shall remit the fees collected under this subparagraph to the Department of Revenue for deposit into the General Revenue Fund, except that the clerk shall remit \$100 of the fee collected under sub-subparagraph a., \$605 of the fee collected under sub-subparagraph b., and \$1,605 of the fee collected under sub-subparagraph c. to the Department of Revenue for deposit into the State Courts Revenue Trust Fund.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

(d) The clerk of court shall collect a service charge of \$10 for issuing a summons. The clerk shall assess the fee against the party seeking to have the summons issued.

(2) Upon the institution of any appellate proceeding from any lower court to the circuit court of any such county, including appeals filed by a county or municipality as provided in s. 34.041(5), or from the circuit court to an appellate court of the state, the clerk shall charge and collect from the party or parties instituting such appellate proceedings a filing fee not to exceed \$280 for filing a notice of appeal from the county court to the circuit court and, in addition to the filing fee required under s. 25.241 or s. 35.22, \$100 for filing a notice of appeal from the circuit court to the district court of appeal or to the Supreme Court. If the party is determined to be indigent, the clerk shall defer payment of the fee. The clerk shall remit the first \$80 to the Department of Revenue for deposit into the General Revenue Fund.

(3) A filing fee may not be imposed upon a party for responding by pleading, motion, or other paper to a civil or criminal action, suit, proceeding, or appeal in a circuit court.

(4) The fees prescribed in this section do not include the service charges required by law for the clerk as provided in s. 28.24 or by other sections of the Florida Statutes. Filing fees authorized by this section may not be added to any civil penalty imposed by chapter 316 or chapter 318.

(5) Filing fees for the institution or reopening of any civil action, suit, or proceeding in county court shall be charged and collected as provided in s. 34.041.

(6) From each attorney appearing pro hac vice, the clerk of the circuit court shall collect a fee of \$100 for deposit into the General Revenue Fund.

(7) Nothing in this section authorizes the assessment of a filing fee if the assessment is otherwise prohibited by law.

History.—ss. 3, 4, 5, 6, 7, 8, ch. 26931, 1951; ss. 3, 4, 5, ch. 29749, 1955; ss. 1, 2, ch. 57-322; s. 1, ch. 63-47; s. 1, ch. 63-43; s. 6, ch. 70-134; s. 1, ch. 74-154; s. 4, ch. 75-124; s. 1, ch. 77-174; s. 3, ch. 77-284; s. 2, ch. 82-168; s. 2, ch. 82-205; s. 10, ch. 83-217; s. 122, ch. 86-220; s. 4, ch. 87-145; s. 1, ch. 87-231; s. 2, ch. 88-176; s. 6, ch. 89-290; s. 1, ch. 90-181; s. 69, ch. 90-271; s. 3, ch. 91-152; s. 162, ch. 95-147; s. 3, ch. 96-209; s. 1, ch. 96-350; s. 14, ch. 96-354; s. 1, ch. 97-155; s. 12, ch. 99-277; s. 6, ch. 2001-122; s. 2, ch. 2002-55; ss. 31, 32, ch. 2003-402; s. 19, ch. 2004-265; s. 3, ch. 2006-245; s. 8, ch. 2008-111; ss. 5, 20, ch. 2009-61; s. 1, ch. 2009-204; s. 11, ch. 2010-162; s. 1, ch. 2011-133.

28.242 Service charges retained when case laid in wrong venue.—The service charge paid by law to the clerk or judge of the court wherein a case is laid in the wrong venue shall be retained by him or her on the transfer thereof. The charge received by the clerk or judge upon the filing of the case is earned as of the time of filing, and another service charge shall be required of the person filing the action in another venue in accordance with the statutes applicable in the county or district to which transferred. If the service charge is not paid within 30 days from transfer, the action may be dismissed without prejudice.

History.—s. 1, ch. 59-300; s. 43, ch. 67-254; s. 7, ch. 70-134; s. 163, ch. 95-147.

Note.—Former s. 53.17(3).

28.243 Personal liability for accepting checks.—

(1) A check received by the office of a clerk of a court or comptroller which is tendered to him or her in payment for any services, collection of fines and forfeitures, sale of documentary stamps, recording of documents and instruments, collection of legal fees, or any other duties relating to his or her office and which is returned by the bank upon which the check is drawn shall be the personal liability of the clerk or comptroller unless the clerk or comptroller, after due diligence to collect the returned check, forwards the returned check to the state attorney of the circuit where the check was drawn for prosecution.

(2) Notwithstanding the provisions of subsection (1), the office of a clerk of a court or comptroller may accept personal checks drawn on any bank or similar financial institution in the United States for the payment of traffic fines and related court costs, and the clerk or comptroller shall not incur any personal liability for the acceptance of such checks. Any such check received by the office of a clerk of a court or comptroller which is returned by the bank upon which the check is drawn may be forwarded to the state attorney of the circuit where the check was presented for prosecution. The clerk or comptroller shall not be subject to the provisions of s. 832.07(2).

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

History.—s. 1, ch. 75-176; s. 1, ch. 83-277; s. 164, ch. 95-147.

28.244 Refunds.—A clerk of the circuit court or a filing officer of another office where records are filed who receives payment for services provided and thereafter determines that an overpayment has occurred shall refund to the person who made the payment the amount of any overpayment that exceeds \$5. If the amount of the overpayment is \$5 or less, the clerk of the circuit court or a filing officer of another office where records are filed is not required to refund the amount of the overpayment unless the person who made the overpayment makes a written request.

History.—s. 1, ch. 96-209.

28.245 Transmittal of funds to Department of Revenue; uniform remittance form required.—Notwithstanding any other provision of law, all monies collected by the clerks of the court as part of the clerk's court-related functions for subsequent distribution to any state entity must be transmitted electronically, by the 10th day of the month immediately after the month in which the monies are collected, to the Department of Revenue for appropriate distribution. A uniform remittance form provided by the Department of Revenue detailing the specific amounts due each fund must accompany such submittal. All monies collected by the clerks of court for remittance to any entity must be distributed pursuant to the law in effect at the time of collection.

History.—s. 2, ch. 2001-122; s. 33, ch. 2003-402; s. 20, ch. 2004-265; s. 8, ch. 2005-236; s. 12, ch. 2010-162.

28.2455 Transfer of trust funds in excess of amount needed for clerk budgets.—By June 20th of each year, the Florida Clerks of Court Operations Corporation shall identify the amount of funds in the Clerks of Court Trust Fund in excess of the amount needed to fund the approved clerk of court budgets for the current state fiscal year. The Justice Administrative Commission shall transfer the amount identified by the corporation from the Clerks of Court Trust Fund to the General Revenue Fund by June 25th of each year.

History.—s. 15, ch. 2009-61.

28.246 Payment of court-related fees, charges, and costs; partial payments; distribution of funds.—

(1) The clerk of the circuit court shall report the following information to the Legislature and the Florida Clerks of Court Operations Corporation on a form developed by the Department of Financial Services:

(a) The total amount of mandatory fees, service charges, and costs; the total amount actually assessed; the total amount discharged, waived, or otherwise not assessed; and the total amount collected.

(b) The amount of discretionary fees, service charges, and costs assessed; the total amount discharged; and the total amount collected.

(c) The total amount of mandatory fines and other monetary penalties; the total amount assessed; the total amount discharged, waived, or otherwise not assessed; and the total amount collected.

(d) The amount of discretionary fines and other monetary penalties assessed; the amount discharged; and the total amount collected.

If provided to the clerk of court by the judge, the clerk, in reporting the amount assessed, shall separately identify the amount assessed pursuant to s. 938.30 as community service; assessed by reducing the amount to a judgment or lien; satisfied by time served; or other. The form developed by the Chief Financial Officer shall include separate entries for recording these amounts. The clerk shall submit the report on an annual basis 60 days after the end of the county fiscal year.

(2) The clerk of the circuit court shall establish and maintain a system of accounts receivable for court-related fees, charges, and costs.

(3) Court costs, fines, and other dispositional assessments shall be enforced by order of the courts, collected by the clerks of the circuit and county courts, and disbursed in accordance with authorizations and procedures as established by general law.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

(4) The clerk of the circuit court shall accept partial payments for court-related fees, service charges, costs, and fines in accordance with the terms of an established payment plan. An individual seeking to defer payment of fees, service charges, costs, or fines imposed by operation of law or order of the court under any provision of general law shall apply to the clerk for enrollment in a payment plan. The clerk shall enter into a payment plan with an individual who the court determines is indigent for costs. A monthly payment amount, calculated based upon all fees and all anticipated costs, is presumed to correspond to the person's ability to pay if the amount does not exceed 2 percent of the person's annual net income, as defined in s. 27.52(1), divided by 12. The court may review the reasonableness of the payment plan.

(5) When receiving partial payment of fees, service charges, court costs, and fines, clerks shall distribute funds according to the following order of priority:

(a) That portion of fees, service charges, court costs, and fines to be remitted to the state for deposit into the General Revenue Fund.

(b) That portion of fees, service charges, court costs, and fines which are required to be retained by the clerk of the court or deposited into the Clerks of the Court Trust Fund within the Justice Administrative Commission.

(c) That portion of fees, service charges, court costs, and fines payable to state trust funds, allocated on a pro rata basis among the various authorized funds if the total collection amount is insufficient to fully fund all such funds as provided by law.

(d) That portion of fees, service charges, court costs, and fines payable to counties, municipalities, or other local entities, allocated on a pro rata basis among the various authorized recipients if the total collection amount is insufficient to fully fund all such recipients as provided by law.

To offset processing costs, clerks may impose either a per-month service charge pursuant to s. 28.24(26)(b) or a one-time administrative processing service charge at the inception of the payment plan pursuant to s. 28.24(26)(c).

(6) A clerk of court shall pursue the collection of any fees, service charges, fines, court costs, and liens for the payment of attorney's fees and costs pursuant to s. 938.29 which remain unpaid after 90 days by referring the account to a private attorney who is a member in good standing of The Florida Bar or collection agent who is registered and in good standing pursuant to chapter 559. In pursuing the collection of such unpaid financial obligations through a private attorney or collection agent, the clerk of the court must have attempted to collect the unpaid amount through a collection court, collections docket, or other collections process, if any, established by the court, find this to be cost-effective and follow any applicable procurement practices. The collection fee, including any reasonable attorney's fee, paid to any attorney or collection agent retained by the clerk may be added to the balance owed in an amount not to exceed 40 percent of the amount owed at the time the account is referred to the attorney or agent for collection. The clerk shall give the private attorney or collection agent the application for the appointment of court-appointed counsel regardless of whether the court file is otherwise confidential from disclosure.

History.—s. 34, ch. 2003-402; s. 21, ch. 2004-265; s. 1, ch. 2005-2; s. 9, ch. 2005-236; s. 2, ch. 2009-204; s. 13, ch. 2010-162.

28.29 Recording of orders and judgments.—Orders of dismissal and final judgments of the courts in civil actions shall be recorded in official records. Other orders shall be recorded only on written direction of the court. The direction may be by incorporation in the order of the words "To be recorded" or words to that effect. Failure to record an order or judgment shall not affect its validity. The certified copy of a judgment, required under s. 55.10 to become a lien on real property, shall be recorded only when presented for recording with the statutory service charge.

History.—ss. 1-3, ch. 23825, 1947; s. 3, ch. 71-4; s. 2, ch. 72-320.

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

28.30 Records; destruction; reproduction; electronic recordkeeping.—

(1) The purpose of this section and s. 28.31 is to make available for the use of the clerks of the circuit court of the several counties of the state sufficient space to enable them to efficiently administer the affairs of office.

(2) The clerk of the circuit court of each county of the state is authorized to destroy and dispose of public records pursuant to the rules adopted by the Division of Library and Information Services of the Department of State pursuant to s. 257.36.

(3) Each clerk of the circuit court is authorized to photograph, microphotograph, or reproduce on film, or to maintain in an electronic recordkeeping system, any public record that the clerk may select. Such photographs, microphotographs, or other reproductions on film or reproductions from an electronic recordkeeping system shall be admissible in evidence with the same force and effect as the originals. Duly certified or authenticated reproductions of such photographs, microphotographs, reproductions on film, or reproductions from an electronic recordkeeping system shall be admitted in evidence equally with the original photographs, microphotographs, reproductions on film, or reproductions from an electronic recordkeeping system.

(4) The clerk of the circuit court shall follow procedures for electronic recordkeeping in accordance with rules adopted by the Division of Library and Information Services of the Department of State.

(5) Except when otherwise provided by law or applicable rule, a document that is submitted to the clerk of the circuit court by electronic transmission is deemed filed when the document is received and the date and time are acknowledged by the clerk, as opposed to the date and time of transmission. The clerk is not liable for malfunctions or errors occurring in the transmission of documents for filing by electronic means.

History.—ss. 1, 2, 3, 4, ch. 25433, 1949; s. 8, ch. 69-82; s. 6, ch. 94-348.

28.31 Notice to county commissioners of intent to destroy; approval of board.—The clerk of the circuit court shall notify the board of county commissioners of the clerk's county in writing a reasonable time in advance of his or her intention to destroy such records and if for any reason the board of county commissioners of such county shall request the clerk to withhold destruction of such records the clerk shall refrain until such time as he or she obtains approval of such board.

History.—s. 5, ch. 25433, 1949; s. 165, ch. 95-147.

28.32 Destruction of certain instruments.—After the expiration of 20 years from the date of the execution of any bond or other instrument held by the clerk of the circuit court or a sheriff of any of the several counties of the state, which said instrument was executed to secure the performance or nonperformance of any act or matter and no proceeding of any type is pending involving said instrument any of the several clerks of the circuit courts or sheriffs of the state are hereby authorized, empowered and directed to cancel said instruments and to destroy the same upon making appropriate notation of the destruction and disposition thereof upon any remaining records pertaining thereto.

History.—s. 1, ch. 25502, 1949.

28.33 Investment of county funds by the clerk of the circuit court.—The clerk of the circuit court in each county shall invest county funds in excess of those required to meet expenses as provided in s. 218.415. No clerk investing such funds shall be liable for the loss of any interest when circumstances require the withdrawal of funds placed in a time deposit and needed for immediate payment of county obligations. Except for interest earned on monies deposited in the registry of the court, all interest accruing from monies deposited shall be deemed income of the county and may be expended as receipts of the county as approved by the board of county commissioners pursuant to chapter 129. The clerk may invest monies deposited in the registry of the court and shall retain as income of the office of the clerk and as a reasonable investment management fee 10 percent of the interest accruing on those funds with the balance of such interest being allocated in accordance with the interest of the depositors.

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

History.—s. 1, ch. 73-282; s. 1, ch. 82-117; s. 166, ch. 95-147; s. 7, ch. 2000-264; s. 6, ch. 2009-61.

28.34 Salary discrimination based on gender or race; review within the county and circuit courts.—Each clerk of the court shall undertake an annual review of compensation, race, and gender employment policies for all persons employed or appointed by the clerk. Within the context of comparable positions, skills, experience, and responsibility, any inequities found to exist on the basis of gender or race shall be eliminated.

History.—s. 6, ch. 91-74; s. 14, ch. 94-348.

28.345 Exemption from court-related fees and charges.—Notwithstanding any other provision of this chapter or law to the contrary, judges and those court staff acting on behalf of judges, state attorneys, guardians ad litem, public guardians, attorneys ad litem, court-appointed private counsel, criminal conflict and civil regional counsel, and public defenders, acting in their official capacity, and state agencies, are exempt from all court-related fees and charges assessed by the clerks of the circuit courts.

History.—s. 35, ch. 2003-402; s. 22, ch. 2004-265; s. 10, ch. 2005-236; s. 15, ch. 2007-62.

28.35 Florida Clerks of Court Operations Corporation.—

(1)(a) The Florida Clerks of Court Operations Corporation is created as a public corporation organized to perform the functions specified in this section and s. 28.36 and shall be administratively housed within the Justice Administrative Commission. The corporation shall be a budget entity within the Justice Administrative Commission, and its employees shall be considered state employees. The corporation is not subject to control, supervision, or direction by the Justice Administrative Commission in the performance of its duties, but the employees of the corporation shall be governed by the classification plan and salary and benefits plan of the Justice Administrative Commission. The classification plan must have a separate chapter for the corporation. All clerks of the circuit court shall be members of the corporation and hold their position and authority in an ex officio capacity. The functions assigned to the corporation shall be performed by an executive council pursuant to the plan of operation approved by the members.

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

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

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

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

(a) Adopting a plan of operation.

(b) Conducting the election of directors as required in paragraph (1)(a).

(c) Recommending to the Legislature changes in the various court-related fines, fees, service charges, and court costs established by law.

(d) Developing and certifying a uniform system of performance measures and applicable performance standards for the functions specified in paragraph (3)(a) and the service unit costs required in s. 28.36 and measures for clerk performance in meeting the performance standards. These measures and standards shall be designed to facilitate an objective determination of the performance of each clerk in accordance with minimum standards for fiscal management, operational efficiency, and effective collection of fines, fees, service charges, and court costs. The corporation shall develop the performance measures and performance standards in consultation with the

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Legislature and the Supreme Court. The Legislature may modify the clerk performance measures and performance standards in legislation implementing the General Appropriations Act or other law. When the corporation finds a clerk has not met the performance standards, the corporation shall identify the nature of each deficiency and any corrective action recommended and taken by the affected clerk of the court. The corporation shall notify the Legislature and the Supreme Court of any clerk not meeting performance standards and provide a copy of any corrective action plans.

- (e) Reviewing proposed budgets submitted by clerks of the court pursuant to s. 28.36.
- (f) Developing and conducting clerk education programs.
- (g) Publishing a uniform schedule of actual fees, service charges, and costs charged by a clerk of the court pursuant to general law.

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

- (b) The functions that clerks may not fund from state appropriations include:
 - 1. Those functions not specified within paragraph (a).
 - 2. Functions assigned by administrative orders which are not required for the clerk to perform the functions in paragraph (a).
 - 3. Enhanced levels of service which are not required for the clerk to perform the functions in paragraph (a).
 - 4. Functions identified as local requirements in law or local optional programs.

(4) The corporation shall prepare a legislative budget request for the resources necessary to perform its duties, submit the request pursuant to chapter 216, and be funded as a budget entity in the General Appropriations Act. The corporation may hire staff and pay other expenses from state appropriations as necessary to perform the official duties and responsibilities of the corporation as described by law.

(5) Certified public accountants conducting audits of counties pursuant to s. 218.39 shall report, as part of the audit, whether or not the clerks of the courts have complied with the requirements of this section and s. 28.36. In addition, each clerk of court shall forward a copy of the portion of the financial audit relating to the court-related duties of the clerk of court to the Supreme Court. The Auditor General shall develop a compliance supplement for the audit of compliance with the budgets and applicable performance standards certified by the corporation.

History.—s. 36, ch. 2003-402; s. 23, ch. 2004-265; s. 2, ch. 2005-2; s. 2, ch. 2006-312; s. 9, ch. 2008-111; s. 3, ch. 2009-204; s. 3, ch. 2011-52.

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

(1) Each clerk of court shall prepare a budget request for the last quarter of the county fiscal year and the first three quarters of the next county fiscal year. The proposed budget shall be prepared, summarized, and submitted by the clerk in each county to the Florida Clerks of Court Operations Corporation in the manner and form prescribed by the corporation to meet the requirements of law. Each clerk shall forward a copy of his or her budget request to the Supreme Court. The budget requests must be provided to the corporation by October 1 of each year.

(2) Each clerk shall include in his or her budget request a projection of the amount of court-related fees, service charges, and any other court-related clerk fees which will be collected during the proposed budget period. If the corporation determines that the proposed budget is limited to the standard list of court-related functions in s. 28.35(3)(a) and the projected court-related revenues are less than the proposed budget, the clerk shall increase all fees, service charges, and any other court-

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

related clerk fees and charges to the maximum amounts specified by law or the amount necessary to resolve the deficit, whichever is less.

(3) Each clerk shall include in his or her budget request the number of personnel and the proposed budget for each of the following core services:

- (a) Circuit criminal.
- (b) County criminal.
- (c) Juvenile delinquency.
- (d) Criminal traffic.
- (e) Circuit civil.
- (f) County civil.
- (g) Civil traffic.
- (h) Probate.
- (i) Family.
- (j) Juvenile dependency.

Central administrative costs shall be allocated among the core-services categories.

(4) The budget request must identify the service units to be provided within each core service. The service units shall be developed by the corporation, in consultation with the Supreme Court, the Chief Financial Officer, and the appropriations committees of the Senate and the House of Representatives.

(5) The budget request must propose a unit cost for each service unit. The corporation shall provide a copy of each clerk's budget request to the Supreme Court.

(6) The corporation shall review each individual clerk's prior-year expenditures, projected revenue, proposed unit costs, and the proposed budget for each of the core-services categories. The corporation shall compare each clerk's prior-year expenditures and unit costs for core services with a peer group of clerks' offices having a population of a similar size and a similar number of case filings. If the corporation finds that the expenditures, unit costs, or proposed budget of a clerk is significantly higher than those of clerks in that clerk's peer group, the corporation shall require the clerk to submit documentation justifying the difference in each core-services category. Justification for higher expenditures may include, but is not limited to, collective bargaining agreements, county civil service agreements, and the number and distribution of courthouses served by the clerk. If the expenditures and unit costs are not justified, the corporation shall recommend a reduction in the funding for that core-services category in the budget request to an amount similar to the peer group of clerks or to an amount that the corporation determines is justified.

(7) The corporation shall complete its review and adjustments to the clerks' budget requests and make its recommendations to the Legislature and the Supreme Court by December 1 each year.

(8) The Chief Financial Officer shall review the proposed unit costs associated with each clerk of court's budget request and make recommendations to the Legislature. The Chief Financial Officer may conduct any audit of the corporation or a clerk of court as authorized by law. The Chief Justice of the Supreme Court may request an audit of the corporation or any clerk of court by the Chief Financial Officer.

(9) The Legislature shall appropriate the total amount for the budgets of the clerks in the General Appropriations Act. The Legislature may reject or modify any or all of the unit costs recommended by the corporation. If the Legislature does not specify the unit costs in the General Appropriations Act or other law, the unit costs recommended by the corporation shall be the official unit costs for that budget period.

(10)(a) Beginning in the 2010-2011 fiscal year, the corporation shall release appropriations to each clerk quarterly. If funds in the Clerks of Court Trust Fund are insufficient to provide a release in a quarter in a single release, the corporation may release partial amounts for that quarter so long as the total of those partial amounts does not exceed that quarter's release. If funds in the Clerks of Court Trust Fund are insufficient for the first quarter release, the corporation may make a request to the Governor for a trust fund loan pursuant to chapter 215. The amount of the first three releases shall be

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

based on one quarter of the estimated budget for each clerk as identified in the General Appropriations Act.

(b) The corporation shall estimate the fourth quarter's number of units to be performed by each clerk. The amount of the fourth-quarter release shall be based on the approved unit cost times the estimated number of units of the fourth quarter with the following adjustment: the fourth-quarter release shall be adjusted based on the first three quarter's actual number of service units provided as reported to the corporation by each clerk. If the clerk has performed fewer service units in the first three quarters of the year compared to three quarters of the estimated number of service units in the General Appropriations Act, the corporation shall decrease the fourth-quarter release. The amount of the decrease shall equal the amount of the difference between the estimated number of service units for the first three quarters and the actual number of service units provided in the first three quarters times the approved unit cost.

(c) No adjustment for the fourth-quarter release shall be made if the clerk has performed more units than the estimate for the first three quarters.

(d) If the clerk performs fewer units in the fourth quarter than estimated by the corporation, the corporation shall decrease the first-quarter release for the clerk in the next fiscal year by the amount of the difference between the estimated number of service units for the fourth quarter and the actual number of service units performed in that quarter times the approved unit cost.

(e) The total of all releases to the clerks of court may not exceed the amount appropriated in the General Appropriations Act. If, during the year, the corporation determines that the projected releases of appropriations for service units will exceed the estimate used in the General Appropriations Act and result in statewide expenditures greater than the amount appropriated by law, the corporation shall reduce all service unit costs of all clerks by the amount necessary to ensure that service units are funded within the total amount appropriated to the clerks of court. If such action is necessary, the corporation shall notify the Legislative Budget Commission. If the Legislative Budget Commission objects to the adjustments, the Legislative Budget Commission shall adjust all service unit costs by the amount necessary to ensure that projected units of service are funded within the total amount appropriated to the clerks of court at its next scheduled meeting.

(11) The corporation may submit proposed legislation to the Governor, the President of the Senate, and the Speaker of the House of Representatives relating to the preparation of budget requests of the clerks of court.

History.—s. 37, ch. 2003-402; s. 24, ch. 2004-265; s. 3, ch. 2005-2; s. 11, ch. 2005-236; s. 10, ch. 2008-111; s. 4, ch. 2009-204; s. 14, ch. 2010-162; s. 2, ch. 2011-4.

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

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

(2) Except as otherwise provided in ss. 28.241 and 34.041, all court-related fines, fees, service charges, and costs are considered state funds and shall be remitted by the clerk to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission. However, 10 percent of all court-related fines collected by the clerk shall be deposited into the clerk's Public Records Modernization Trust Fund to be used exclusively for additional clerk court-related operational needs and program enhancements.

History.—s. 38, ch. 2003-402; s. 25, ch. 2004-265; s. 12, ch. 2005-236; s. 5, ch. 2009-204.

28.42 Manual of court-related filing fees, charges, costs, and fines.—No later than July 1, 2004, the Office of the State Courts Administrator shall prepare and disseminate a manual of court-related filing fees, service charges, costs, and fines imposed pursuant to state law, organized by county for each type of action and offense and classified as either mandatory or discretionary. The Office of the State Courts Administrator shall disseminate this manual to the chief judge, state attorney, public defender, and court administrator in each circuit and to the clerk of the court in each

Office of Paula S. O'Neil

Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

county. The Office of the State Courts Administrator shall update and disseminate this manual on July 1 of each year thereafter.

History.—s. 98, ch. 2004-265.

28.43 Adoption of rules relating to ss. 28.35, 28.36, and 28.37.—

(1) The Department of Revenue may adopt rules necessary to carry out its responsibilities in ss. 28.35, 28.36, and 28.37. The rules shall include forms and procedures for transferring funds from the clerks of the court to the Clerks of the Court Trust Fund within the Justice Administrative Commission.

(2) The Department of Financial Services may adopt rules as necessary to carry out its responsibilities under ss. 28.35, 28.36, and 28.37.

History.—s. 100, ch. 2004-265; s. 6, ch. 2009-204.

28.44 Clerk discontinuance of court-related functions.—

(1) No function of the clerk of court being performed in support of the trial courts by the individual clerks of court on July 1, 2004, may be discontinued or substantially modified on a unilateral basis except pursuant to this section. A clerk of court may discontinue performing a function performed in support of the trial court only if:

(a) The chief judge of the circuit has consented in writing to the discontinuance or substantial modification of the function performed in support of the trial court; or

(b) The clerk of court has given written notice of the intention to substantially modify or discontinue a function performed in support of the trial court at least 1 year before the effective date of the discontinuance or substantial modification of the function.

(2) “Substantial modification” of a function performed in support of the trial court means a modification which has the effect of reducing the level of services provided to the trial court.

History.—s. 13, ch. 2005-236.

28.45 Provision of financial data to Executive Office of the Governor.—Each clerk of court shall provide financial data concerning his or her expenditures for court-related duties, including expenditures for court-related information technology, to the Executive Office of the Governor for the purposes contained in ch. 2009-74, Laws of Florida, or similar legislation.

History.—s. 17, ch. 2009-204.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0000-0099/0028/0028ContentsIndex.html&StatuteYear=2010&Title=%2D%3E2010%2D%3EChapter%2028

Office of Paula S. O'Neil
Clerk & Comptroller

Annual Budget – Fiscal Year 2012-2013

Appendix D: Budget Calendar

1/30/12	Deadline for Budget Team to submit County-related requests to County OMB.
2/10/12	Deadline for Directors to contact IT regarding <u>internal, non-position specific</u> computer needs and costs (e.g., PCs, printers, personal software, etc.). Please email hardware and software requests in memo form (incl. justification, new or replacement) to Director and Asst. Director of IT; copy Director of Budgets and Budget Analyst.
2/10/12	Deadline for Directors to email inquiries regarding staffing concerns to Directors of Human Resources and Budgets; copy Budget Analyst. Please itemize all associated computer and/or specialized equipment needs.
2/19/12	Deadline for Budget Team to enter basic operational budgets into the Clerk & Comptroller's Budget Database on the public. Subtotals will be entered by the Budget Team for select services, materials, supplies, and capital according to prior year expenditures. Personal services costs will be calculated later in the budget cycle.
2/20/12	Budget Team sends prior year document to Directors for review and revision of narratives, graphs, goals and objectives, analyses, conclusions, policies, and guidelines.
2/20 - 3/9/12	Directors and Supervisors have open access to the Clerk & Comptroller's Budget Database on the public drive. Review and/or change amounts for other services and charges, materials and supplies, and capital. Please email a list of all budgetary changes to Director of Budgets and the Budget Analyst; include account numbers, quantities, unit costs, and descriptions. If budget entries should not have been calculated according to past or current year expenditure trends, please offer a reason or revised methodology.
3/9/12	Clerk & Comptroller's budget system closes at 5:00 p.m.
3/16/12	Directors email updated departmental narrative and quantitative information to Director of Budgets and Budget Analyst.
3/26/12	Deadline for Director of Budgets to submit revenue estimates and preliminary budget detail to Clerk & Comptroller for review.
4/9 - 4/20/12	If necessary, individual budget meetings may be held with Clerk & Comptroller, Directors, Chief Officer(s), and Budget Team.
5/7 - 5/18/12	Director of Budgets reviews final budget proposal and budget document with Clerk & Comptroller.
6/1/12	Deadline for Paula S. O'Neil, Ph.D., Clerk & Comptroller , to submit Board-related budget request to the Pasco County Board of County Commissioners.
8/31/12	Deadline for Paula S. O'Neil, Ph.D., Clerk & Comptroller , to submit fee-funded budget to Board Records.
10/1/12	Deadline for Paula S. O'Neil, Ph.D., Clerk & Comptroller , to submit court-related budget to the CCOC for review, aggregation, and submission to the Legislative Budget Commission (LBC).