

38.2%: 119.29

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Clerk & Comptroller, Palm Beach County, FL

Annual Budget

SHARON R. BOCK

Clerk & Comptroller
Palm Beach County

2015-2016

For the Fiscal Year October 1, 2015 – September 30, 2016



72.48

Annual Budget
of the
Clerk & Comptroller's Office
PALM BEACH COUNTY, FLORIDA
For the FISCAL YEAR
OCTOBER 1, 2015 - SEPTEMBER 30, 2016

Respectfully submitted by

Sharon R. Bock, Esq.

Clerk & Comptroller

ACKNOWLEDGEMENTS

Special recognition is given to the following individuals for their efforts in coordinating, preparing and reviewing the FY2016 Budget Document.

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Chief Operating Officer – Courts & Official Records	Cynthia Guerra, Esq.
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Chief Human Resources Officer	Lisa Turner
Chief Information Officer	Paul Jones
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Director – Project Management Office	Karen Heidtman, Esq.
Director – Information Technology	Gareth Marchant
Director – Human Resources	Debra Love
Director – Court Operations	Louis Tomeo
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Sharon R. Bock, Esq.

To the Citizens of Palm Beach County,

I am pleased to present the *Clerk & Comptroller's Annual Budget Report for Fiscal Year 2016*, which was prepared pursuant to Chapter 218.35(2), Florida Statutes. Each year, this report provides the citizens of Palm Beach County with a transparent view of my office's spending and strategies.

The Florida Constitution, ensuring a check and balance at the local level, established the independent office of the Clerk & Comptroller as a public trustee, responsible for safeguarding public records and public funds. The Clerk & Comptroller serves as the County's Chief Financial Officer, Treasurer and Auditor; Clerk of the Board of County Commissioners; Clerk of the Circuit Court; and County Recorder. As the third largest of the 67 Clerk's offices in Florida, the Palm Beach County Clerk & Comptroller's employees serve a local population of approximately 1.4 million citizens from seven physical locations or globally via www.mypalmbeachclerk.com. The organization is committed to being a world-class leader in customer service, employee satisfaction and standards of excellence.

As Clerk of the Court and County Recorder, my office continues to utilize technology to provide the citizens of Palm Beach County with easier access to the courts. The implementation of E-filing and eRecording allow customers to submit documents to our office 24 hours a day, 7 days a week, from the convenience of their own computers. These technological advancements demonstrate our commitment to improving the services delivered to the citizens of Palm Beach County.

As Comptroller, my office is dedicated to protect the County's \$4 billion budget; provide information to residents on how their tax dollars are spent and managed; and, deliver on our commitment to increase transparency and accountability in government. This commitment proved essential over the past several years as tax dollars declined and government institutions struggled to meet increased taxpayer service level expectations. For example, my office generated more than \$3 million in savings over the past three years with our banking services agreement and the implementation of a program that provides revenue in the form of rebates to the county through our payment manager application.

Florida Clerks' experienced a significant budget deficit of \$22.4 million for the 2015 fiscal year. Due to the budget shortfall, which the Florida Legislature failed to remedy, each Clerk's budget statewide has been cut. For the Clerk & Comptroller's court-side budget, this meant a cut of \$2.6 million, implemented in the last quarter of fiscal year 2015. This reduction forced layoffs and branch closures, impacted the office's ability to satisfy statutory mandates and jeopardized public safety.

With the public's trust in mind, my office is dedicated to transparency and fiscal accountability, which is evident in the \$72.5 million budget plan for Fiscal Year 2016. This budget plan provides detailed information about where our funding comes from, how we diligently spend those dollars and how we protect the public's funds in Palm Beach County.

Some of the report's highlights include:

- Section II (starting on page 6) - Issues and Priorities involving my office, including our Strategic Plan and the steps we have taken to become a world-class organization that provides outstanding customer service;
- Section IV – the Financial Policies, Guidelines and Goals implemented by my office to ensure fiscal responsibility;
- Section VI – Major Expenditures and Funding Sources, providing an overview of my office's historic and prospective spending plan.

By reviewing this report, you are taking an active role in understanding and participating in the financial future of Palm Beach County.

I consider it an honor and a privilege to serve as your Clerk & Comptroller, and I remain committed to transparency in how your tax dollars are managed, reported and spent.

Best regards,

A handwritten signature in black ink that reads "Sharon R. Bock". The signature is written in a cursive, flowing style.

Sharon R. Bock, Esq.

Constitutional Clerk & Comptroller, Palm Beach County



GOVERNMENT FINANCE OFFICERS ASSOCIATION

*Distinguished
Budget Presentation
Award*

PRESENTED TO

**Clerk & Comptroller Palm Beach County
Florida**

For the Fiscal Year Beginning

October 1, 2014

Executive Director

The Government Finance Officers Associations of the United States and Canada (GFOA) presented a Distinguished Budget Presentation Award to the Clerk & Comptroller's Office of Palm Beach County, Florida for the Annual Budget beginning October 1, 2014. In order to receive this award, a governmental unit must publish a budget document that meets program criteria as a policy document, as an operations guide, as a financial plan, and as a communications device.

This award is valid for a period of one year only. The Palm Beach Clerk & Comptroller's Office current budget continues to conform to the GFOA's program requirements. It is our intention to submit our budget document to the GFOA to determine its eligibility for the Distinguished Budget Presentation Award for the fiscal year beginning October 1, 2015.

Table of Contents

Table of Figures	ix
List of Tables	x
Vision, Strategic Direction, Mission and Values	xii
I. About the Clerk & Comptroller’s Office	1
A. Independent Public Trustee	1
B. Awards and Recognition.....	4
II. Issues and Priorities	6
A. Strategic Plan.....	11
1. Deliver Outstanding Service	11
2. Be Effective & Efficient	11
3. Be a Great Place to Work.....	12
B. Major Accomplishments.....	13
C. Ongoing Initiatives.....	15
1. ShowCase Project	17
2. eCaseView	17
3. Official Records Project	18
D. Capital Improvement Plan Overview	19
E. Financial Outlook	24
III. Budget Introduction and Summary	27
A. Organizational Chart	29
B. Funding Trends	30
C. Position Assignment Distribution	34
D. Staffing Changes	35
IV. Financial Policies, Guidelines and Goals	37
A. Budget Policy	38
B. Budget Process.....	41
C. FY2016 Budget Calendar.....	44
D. Fiscal Management Requirements and Monitoring	45

E. Funding Overview	48
F. Fund Balance Policy	50
G. Debt Service	52
H. Budget Amendments	52
I. Procurement Policy	52
J. Other Financial Reporting Policies	53
V. Revenues	55
A. Revenue Policy, Trends and Assumptions	55
1. General Fund Revenue	59
2. Special Revenue Fund	60
VI. Major Expenditures and Funding Sources	62
A. Consolidated Funds	62
B. General Fund Expenditures	64
C. Special Revenue Fund Expenditures	66
D. Internal Service Fund	67
E. Department / Fund Relationship	69
VII. Office Structure	70
A. Clerk & Executive Staff	71
1. Division of Inspector General	71
2. Legal Counsel & Ethics Officer	75
B. Communications	77
C. Operations & Official Records	80
1. Civil Courts	82
2. Criminal Courts	91
3. Official Records	101
D. Finance	110
E. Information Technology	119
F. Human Resources	126
Appendix A: Palm Beach County Supplemental Statistics	132

Appendix B: Glossary of Terms.....	144
Appendix C: Acronyms	167
Appendix D: Chapter 2013-44	169
Appendix E: Florida Constitution - Article V	171
Appendix F: Chapter 28 - Florida Statutes.....	173
Appendix G: Chapter 218 - Florida Statutes.....	214
Appendix H: AOSC 14-19	216
Appendix I: AOSC 15-18	219
Index.....	220

Table of Figures

Figure 1: Palm Beach County Government Structure.....	1
Figure 2: Technology Cost vs. Available Funding.....	10
Figure 3: Scanner Costs.....	21
Figure 4: IT Server and Server-Related Costs.....	22
Figure 5: Special Revenue Fund Balance Outlook.....	25
Figure 6: Statewide Budget to Revenue Projections.....	26
Figure 7: Clerk & Comptroller PBC Budget to Revenue Projections.....	26
Figure 8: Annual Statewide Clerk of Courts Funding.....	31
Figure 9: Annual Funding from Court Fees, Fines and Service Charges.....	32
Figure 10: Annual Comptroller Funding.....	33
Figure 11: FTEs by Department.....	35
Figure 12: Budget Planning Process.....	43
Figure 13: Example of Unspent Revenue Projection Report.....	46
Figure 14: Example of Department Expenditure Report.....	47
Figure 15: Clerk & Comptroller’s Office Funding Flows.....	48
Figure 16: Special Revenue Fund Balance Trends.....	51
Figure 17: Court-Related Revenue Flow.....	55
Figure 18: PBC Clerk & Comptroller Court-Related Collections.....	56
Figure 19: Clerk of Court Trust Fund Collections.....	57
Figure 20: Filing Fees vs. Civil Cases.....	58
Figure 21: Total Traffic Collection vs. Traffic Cases.....	58
Figure 22: Foreclosure Case Backlog.....	85
Figure 23: Civil Court Performance Workloads and Metrics.....	87
Figure 24: Criminal Court Performance Workloads and Metrics.....	98
Figure 25: Map of Florida.....	132
Figure 26: Palm Beach County Government Structure.....	136
Figure 27: Palm Beach County Unemployment.....	141
Figure 28: Palm Beach County Population.....	141

List of Tables

Table 1: Detail Capital Expenditures (All Funds).....	20
Table 2: Three Year CIP Outlook.....	20
Table 3: Impact of Capital on Other Operating Expenditures.....	23
Table 4: Special Foreclosure Funding.....	32
Table 5: Position Assignment by Major Organization.....	34
Table 6: FY2016 Budget Development Assumptions.....	38
Table 7: Fiscal Management Requirements.....	45
Table 8: Special Revenue Fund Balance.....	51
Table 9: General Fund Revenue.....	60
Table 10: Special Revenue Fund - Revenue.....	61
Table 11: Consolidated Budget.....	62
Table 12: Net Budget.....	63
Table 13: General Fund.....	65
Table 14: Special Revenue Fund.....	66
Table 15: Internal Service Fund.....	68
Table 16: Department / Fund Relationship.....	69
Table 17: Budget by Expense Type and Clerk Function.....	70
Table 18: Clerk & Executive Staff Financial Schedule.....	71
Table 19: Inspector General Performance Workloads and Metrics.....	75
Table 20: Communications Financial Schedule.....	77
Table 21: Operations & Official Records Financial Schedule.....	81
Table 22: Civil Court New Case Filings.....	86
Table 23: Criminal Court New Case Filings.....	97
Table 24: Call Center Performance Workloads and Metrics.....	99
Table 25: Recording Performance Workload and Metrics.....	104
Table 26: Finance Financial Schedule.....	113
Table 27: Finance Performance Workload & Metrics.....	117

Table 28: Accounting & Procurement Performance Workloads & Metrics 117

Table 29: Clerk of the Board Performance Workloads and Metrics..... 118

Table 30: Information Technology Financial Schedule 119

Table 31: Information Technology Project Workload 124

Table 32: Information Technology Performance Workloads and Metrics 125

Table 33: Human Resources Financial Schedule..... 126

Table 34: Human Resources Performance Workloads and Metrics..... 131

Vision, Strategic Direction, Mission and Values



Our Vision

To be recognized as the world-class leader in customer service, employee satisfaction and standards of excellence.

Our Strategic Direction

Deliver Outstanding Service
Be Effective and Efficient
Be a Great Place to Work

Our Mission

To protect, preserve and maintain the public records and public funds with integrity and accountability.

Our Values

Respect everyone.
Embrace **Diversity**.
Act with **Integrity**.
Thrive on **Challenge**.
Learn through **Innovation**.
Build **Relationships**.
Celebrate **Achievements**.

I. About the Clerk & Comptroller's Office

A. Independent Public Trustee

More than 170 years ago, the Florida Constitution established the Clerk & Comptroller as an independent public trustee, directly elected by the public. As the third largest of the 67 Clerk's offices in Florida, the Clerk & Comptroller of Palm Beach County serves a local population of nearly 1.4 million residents. The office performs more than 1,000 different functions and provides services from seven physical locations throughout Palm Beach County and online at www.mypalmbeachclerk.com.

In addition to establishing the Clerk & Comptroller as an independent public trustee, the constitution created the offices of Sheriff, Tax Collector, Property Appraiser, and Supervisor of Elections to be elected by the citizens of each county for terms of four years. 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.

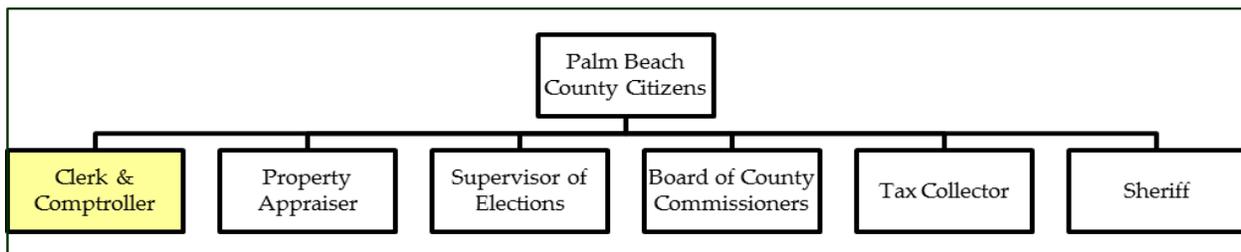


Figure 1: Palm Beach County Government Structure

As Clerk & Comptroller of Palm Beach County, we serve four major constitutional and statutory roles:

Chief Financial Officer, Treasurer & Auditor

- Acts as the official "watchdog" of all County funds, providing the necessary checks and balances on the County's budget, revenue and spending.
- Performs unbiased accounting and auditing of funds to ensure every County expense is lawful, budgeted and serves a public purpose.
- Invests and earns interest income on County funds to reduce the tax burden on the residents of Palm Beach County.
- Maintains financial records and produces all required financial statements and reports.

Clerk of the Circuit Court

- Protects the integrity of public records and public funds as an impartial third-party directly accountable to the citizens of Palm Beach County.
- Receives, processes and files all Civil and Criminal Court documents; protects evidence; disburses all court fees, fines and costs; and provides the public with access to court records.
- Manages the County's jury system and provides a Self Service Center for residents who choose to represent themselves in court proceedings (pro se). Protects the County's most vulnerable citizens through the auditing of Guardianships conducted by its Inspector General Division and a Guardianship Fraud Hotline for citizens to report suspected financial exploitation or mismanagement.

County Recorder

- Maintains the Official Records of the County dating back to 1909.
- Electronically records documents such as mortgages, deeds, liens, judgments and marriage licenses and provides scanned images online.
- Issues marriage licenses.

Clerk of the Board

- Documents and maintains the records and activities of all Palm Beach County Board of County Commissioner (BOCC) meetings and other County meetings.
- Ensures accuracy and accessibility of meeting minutes via video and published meeting minutes.
- Acts as the Clerk of the County's Value Adjustment Board (VAB).

The Clerk & Comptroller's website at www.mypalmbeachclerk.com makes many services available online, including court case record searches, Official Record searches, VAB petitions, foreclosure sales, County financial information and County Commission meeting minutes and video.

The four major roles described are each governed by unique applicable State Constitutional or Statutory guidance (Appendices D, E, F and G) and each role has unique duties, challenges and delineated funding sources which will be discussed throughout this document.

B. Awards and Recognition

The Clerk & Comptroller's Office is committed to being a world-class leader in customer service, employee satisfaction and standards of excellence. As recognition of these accomplishments, the office has been the recipient of several awards and certifications:

- Governor's Sterling Award for Organizational Performance Excellence;
- Centre for Fiduciary Excellence certification;
- Government Finance Officers Association "Distinguished Budget Presentation Award" for Fiscal Year 2015 Budget;
- Government Finance Officer's Certificate of Achievement for Excellence in Financial Reporting for the 25th consecutive year;
- Award for "Outstanding Achievement in Popular Annual Financial Reporting, "Checks & Balances: Your Guide to County Finances," eight consecutive years;
- Florida Government Finance Officers Association Advanced Commitment to Excellence (ACE) Award for Process Improvement;
- The League of American Communications Professionals (LACP) Bronze Award designation for *Checks & Balances: Your Guide to County Finances, FY2014*;
- 2015 Palm Award – Clerk & Comptroller Annual Report
- 2015 Public Relations Society (**PRSA**) **Palm Beach Palm Awards**;
 - Product Awards - Annual Reports - 2014-2015 Annual Budget Document;
 - Program Awards - Internal Communications - Financial Wellness Campaign;
 - Program Awards - Special Events and Observances - Operation Green Light;
- 2015 Public Relations Society (**PRSA**) **Sunshine District (Statewide)**;
 - Program Awards - Internal Communications - Financial Wellness Campaign;
 - Program Awards - Special Events and Observances - Operation Green Light;
- CEFEX Certified Investment Steward awarded to the Clerk's investment program by the Center for Fiduciary Excellence, which signifies adherence to best practices in the industry and excellence in investment record-keeping procedures;
- Palm Beach County Law Enforcement Awards – Outstanding Criminal Justice Partner for 2015;
- Recipient of the 2015 Rusty Gordon Award for the Protection of Personal Freedom;
- Recipient of the 2015 Justi Award for "In Court Processing";
- Recipient of the 2015 "eRecording Rookie of the Year" Award;

- South Florida Business Journal's Healthiest Employer Awards 2015, 5th Place among large employers (500+ employees);
- 2015 Platinum Level Recipient of the American Heart Association's Fit-Friendly Companies Recognition program, for our commitment to providing physical activity and wellness opportunities for our employees;
- Recipient of the 2015 Cigna Well-Being Award, given to workplaces committed to improving the health and wellness of its employees and;
- 2015 United Way Hunger Heroes, Day of Action – Donated the most food in Palm Beach County.

II. Issues and Priorities

After several years of historic financial challenges, the economy continues to show signs of improvement. Palm Beach County's growth in employment, increase in local revenues (i.e. tourism, sales, and gas), and an improving real estate market are key indicators of this economic recovery. While the recession presented serious challenges for government, it also provided an opportunity to benefit our taxpayers through innovation.

The Clerk & Comptroller is committed to providing excellent customer service while minimizing the financial burden on citizens, maintaining our focus on being fiscally conservative, efficient, and transparent. During the recession the Clerk's office clearly understood that costs, not revenues, could be controlled. The delivery of a fiscally conservative and cost effective budget while continuing to meet our constitutional mandate for public service remains a key priority for the office. As evidenced throughout this document, our strategy for achieving this priority is the effective and innovative use of technology.

While the local economy is realizing a growth in real estate property values and in other revenue streams such as sales taxes and tourism, the revenues collected to fund the office to perform the duties as Clerk of the Circuit Court continues to decline.

Access to the court system is a civil right of every citizen regardless of how much is collected for fines, fees and court cost. Operating costs that are essential in providing citizens with the services to gain access to the court system continues to rise. Retaining professional staff to provide these services requires competitive salaries and benefits such as health care. The current revenue model does not sufficiently fund the costs that are essential to provide these services. As a result, the office is confronted with a huge challenge to deliver the highest quality services that our citizens have a civil right to expect.

Funding the ongoing maintenance and cost of new technology also remains challenging due to shrinking funds as evidenced in Figure 2 on page 10 and Figure 5 on page 25. Use of funds available for court related technology is also restricted by statute. Each constitutional and statutory division within the Clerk & Comptroller's office has unique issues and priorities. The impacts upon each division are detailed below:

Chief Financial Officer, Treasurer and Auditor

- Personnel costs account for 77% of the expenditure budget in FY2016. Operating as a personnel-based organization, budget reductions usually result in cost allocation adjustments affecting employee salaries and benefits, scheduled (productive) hours worked or actual staff reductions.
- The FY2016 budget reflects the proactive leveraging of technology to improve processes and provide a higher level of customer service.
- Several key technology initiatives defined on page 15 requires collaborative development among the County's departments and agencies in order to achieve cost effective processes.
- Long term efficiencies to electronically store the financial records requires significant funding and investment which is not yet factored into this budget.
- Consistent with budget guidelines issued by the County for FY2016, the Clerk & Comptroller budget includes additional funding for health increases. Despite the need to fund increases in health care, the expenditure budget for the division still reflects an overall reduction of \$4,664,933, or 26%, since 2007.

Clerk of the Circuit Court

- Personnel costs account for 94% of the expenditure budget in FY2016. Budget reductions directly impact employee salaries and benefits, scheduled (productive) hours worked or actual staff reductions.
- The 2015 Legislative session did not address the funding issues affecting clerks statewide.
- Court related revenues have been declining since FY2013 and clerks were faced with a 5% revenue shortfall that required a corresponding budget cut that was implemented in the fourth quarter of 2015.
- Under Florida Statute 28.37(5), the 10% fine revenue retained by clerks may be used to fund court related technology projects or court related operating expenses. The Legislative Budget Commission required clerks use 10% fine revenue to supplement the deficit in court related revenues in FY2016.
- Collections of fines and court costs associated with criminal cases are minimal as many defendants are indigent or incarcerated.
- Revenues for civil case filings are received at the time the case is filed, but the efforts associated with processing the cases such as foreclosures extend beyond the current fiscal year. These on-going costs associated with cases filed in prior

years present a challenge when managing those caseloads with current fiscal year revenues.

- The backlog of existing foreclosure cases still remains a priority statewide. The special funding provided by the state to address this backlog expired in June 2015. However, the costs incurred by our office to close over 4,700 cases that are backlogged must now be funded without corresponding revenue.
- Decreases in the number of traffic citations issued by law enforcement agencies combined with the inability of defendants to pay fines and court costs continues to adversely impact the court-related revenues.
- Service levels continue to be a challenge due to the 110 staff positions eliminated in FY2009, in addition to the 41 permanent and 16 temporary positions that were eliminated in July 2015 as a result of revenue shortfalls
- The reduction in staff has had an adverse impact on the ability of the office to docket cases in a timely manner. Two branch locations are now closed to the public on Fridays in order to keep pace with the workload.
- The decline in cases does not equate to a corresponding reduction in workload.
- The redirect of the 10% fine revenue to be solely used to make up the revenue shortfall for operations in FY2016 will effect on the clerk's ability to maintain adequate funding for court related technology projects.
- Shrinking court related revenue to adequately fund the office for increases in medical and retirement costs has severely impacted the ability of the office to maintain the services needed to provide citizens with timely access to the courts.
- It is unknown how the Legislature will address a permanent solution to solve the current funding model for clerks to perform the duties of the Clerk of the Circuit Court.

County Recorder

- Personnel costs account for 64% of this budget in FY2016. As the real estate market rebounds, addressing the workload with current staffing levels remains a challenge. Our office will meet this challenge through finding innovative ways of utilizing technology.
- Although FY2015 revenues declined compared to FY2014, the clerk's office managed expenditures accordingly and was able to meet its commitment in returning unspent revenues to the County.
- It is expected that fees collected for generating copies of official records will continue to decline as a result of implementing eRecording.

- Efficiencies gained through increased technology utilization such as the implementation of eRecording will help offset the anticipated rebound in the real estate market without adding resources.
- The current system supporting official records is antiquated and will soon need to be replaced requiring a significant investment.

Clerk of the Board

- Personnel costs account for 96% of the budget in FY2016 and workloads are related to County meetings are steadily increasing as additional demands for services are received from the County and the public at large. To address these increases with current staffing levels, our office continues to automate the public records inventory in perpetuity, videotaping County meetings for inclusion on our website, and by providing all records online.

Issues and Priorities: Summary

The key revenue streams supporting office operations and technology are uncontrollable and unpredictable. The Clerk & Comptroller's office is placing an emphasis on re-examining existing processes with an eye toward better utilization of technology. Major initiatives are described in greater detail in "Key Projects" (beginning on page 17). In addition to these key initiatives, we continue to utilize technology wherever feasible to streamline processes, reduce costs and increase efficiencies by:

- Implementing paperless processing for County financial documents;
- Utilizing electronic payment options for vendors, which not only reduce cost, but also generate income through rebates; and
- Expanding payment options for County taxpayers including online and credit payment options for special assessments and other specific taxes.
- Online public access to court documents.

While our commitment to technological advancement remains strong, funding these initiatives is a major challenge. It is important to note that the revenues for court fees, fines and service charges, which make up 56% of the total revenue budget of our office in FY2016, cannot be used for technology related costs according to State law. Figure 2 on the following page demonstrates how available funding to pay the cost of technology is shrinking rapidly. As noted in Figure 2, the office is confronted with a significant challenge to fund the recurring system maintenance and to implement new

technology initiatives. The 10% fine revenue previously available to supplement funding for technology is not available to be used for technology related spending in FY2016. The future use of this vital revenue stream for technology is unknown and pending a Legislative solution to the funding issues. The special revenue fund, described in “Section V. Revenues” on page 60, comprises of 72% of available funding for technology needs and is shrinking rapidly as a result of implementing the initiatives listed on page 17.

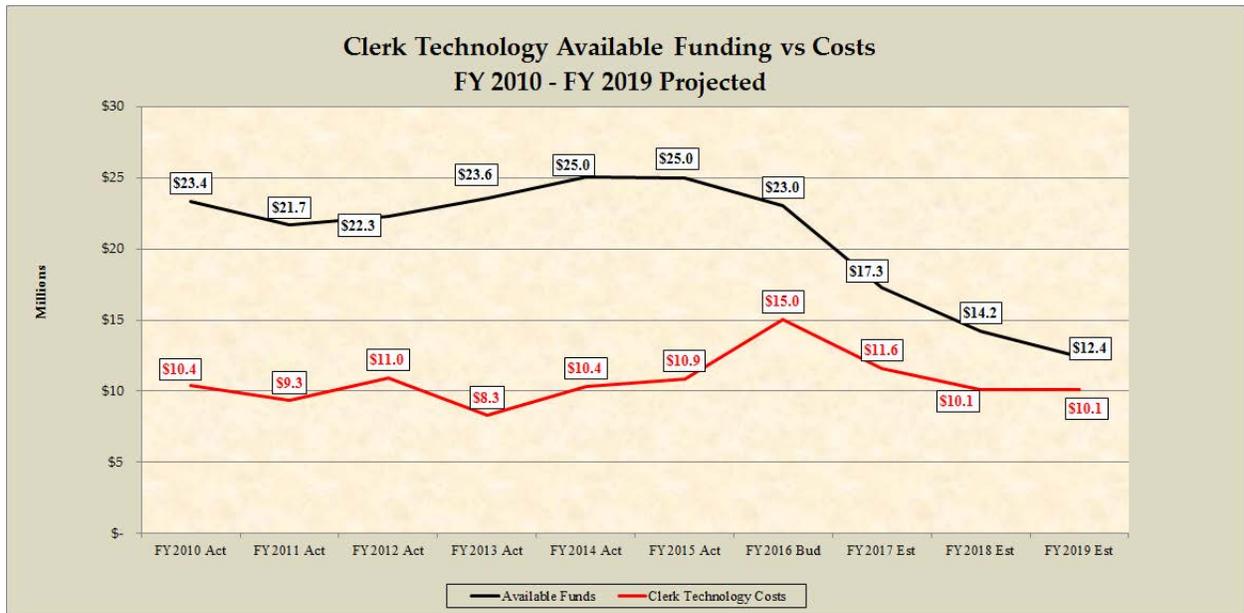


Figure 2: Technology Cost vs. Available Funding

A. Strategic Plan

The Clerk & Comptroller's Office has implemented both long-term and short-term goals, which address both financial and non-financial objectives. While the office is committed to achieving all of its directives, the current focus is predominately on financial objectives due to recent budget constraints.

1. Deliver Outstanding Service

Long-Term Goals

- Inform the public of the value provided by the organization to the taxpayer.
- Implement technology to improve the overall customer experience.
- Measure the overall customer experience.

Short-Term Goals

- Identify community partners.
 - Evaluate and prioritize existing community, business and civic groups for partnership opportunities.
- Identify opportunities to expand public awareness of Clerk & Comptroller's Office.
 - Create campaigns to brand the office's relevance, business approach and fiscal leadership.
- Identify customer and/or user groups and implement appropriate performance measures and tools.
 - Implement customer feedback systems for each customer group through the use of technology.

2. Be Effective & Efficient

Long-Term Goals

- Measure performance and use that data to drive decision making.
- Increase efficiency through the use of technology.

Short-Term Goals

- Align the Clerk of the Circuit Court role with statewide performance measures.
 - Integrate state performance standards with internal measurements.
- Continually review fiscal performance.

- Evaluate budgeted expenditures versus actual expenditures and take appropriate action on a monthly basis at Executive Team (ET) meetings.
- Use internal performance measures and metrics to drive decision making.
 - Create and maintain a dashboard of key indicators for review at Executive Team meetings.
- Implement systems that save customers and the office time and money.
 - New official records system.
 - Implement eCaseView system.
 - E-filing in all court divisions.
 - Civil ShowCase Case Management System.

3. Be a Great Place to Work

Long-Term Goals

- Build an empowered and increasingly technologically savvy workforce.

Short-Term Goals

- Implement programs that support a culture of professional achievement and well-being.
 - Comprehensive wellness program.
 - New employee recognition program.
- Enhance recruitment and retention efforts.
 - Develop and implement curriculum to build an empowered workforce.
 - Implement Talent Identification Program.
 - Develop and implement curriculum for new and existing leaders.
 - Identify recruitment opportunities.
- Improve employee's trust in leadership.
 - Continue "Lunch n' Learn" with Executive Team, Directors and trainers.
 - Continue to utilize "Suggestion Connection" as a tool for employees to communicate new cost saving ideas to the Executive Team.

B. Major Accomplishments

The Clerk & Comptroller's office is committed to fiscal responsibility and providing excellent customer services which is evident in some of the FY2015 accomplishments noted below.

1. Deliver Outstanding Service

- Completed County Risk Management Department integration with Clerk PeopleSoft (PS) Benefits application implementation which went live in May of 2015 with a successful open enrollment in October.
- Established a Self Service Center which provides both, packets and single forms with instructions to pro se litigants, as well as some interactive forms that can be filled out online. The Self Service Center offers attorney consultation for procedural questions as well as a computer in its kiosk, with access to eportal, which allows a filer to scan and E-file pleadings.
- Expanded the benefits achieved with implementing Operation Green Light locally to a statewide collection effort in which over \$5 million was collected and distributed to state agencies and local municipalities for past due fines and fees related to traffic and criminal cases
- Expanded eRecording to external customers. The electronic submission of documents is now available 24/7, and will expedite the recording process, eliminate payment errors, and increase efficiencies and data security.
- Implemented a Property Fraud Alert program which enables citizens who subscribe to be alerted via email or phone when documents have been recorded in Palm Beach County with their name. This free service can potentially identify fraudulent activity.

2. Be Effective & Efficient

- The utilization of Wells Fargo Payment Manager Program generated over \$160,000 in annual rebates to the County in the first year of use. The Wells Fargo's Payment Manager Program, enhances vendor customer service by allowing receipt of payments via merchant account.
- Upgraded to PeopleSoft version 9.2 to provide for increased efficiencies and reporting capabilities within all Finance departments as well as provide County Risk Management with a new robust open enrollment process.
- Earned \$20.2 million in investment interest income helping to reduce the financial burden on county taxpayer.

- The Division's Guardianship section represented the Clerk's office on various legislative working groups to develop the language and supporting documents for the new Clerk's guardianship bill that was passed and signed by the Florida Governor.
- Successfully established a Collections "SWAP" program where criminal cases referred to a collection agency that had not been paid for over two years are recalled from the collection agency and transferred to another collection agency. As a result of continued efforts, over 13,000 cases have been swapped and \$130,467 was collected.
- Implemented in-court processing in several court rooms improving document processing and streamlining work flows.
- Expanded the use of the E-filing to allow pro se litigants (persons representing themselves in a court of law) to file online.
- Submitted unspent revenues of over \$885,038 dollars to the County.

3. Be a Great Place to Work

- 2015 Platinum Level Recipient of the American Heart Association's Fit-Friendly Companies Recognition program, for our commitment to providing physical activity and wellness opportunities for our employees.
- 2015 South Florida Business Journal's "Healthiest Employers" award, 5th place.
- 2015 Cigna Well-Being Award, given to workplaces committed to improving the health and wellness of its employees.
- 2015 United Way Hunger Heroes, Day of Action – Donated the most food in Palm Beach County.
- Implemented a Career Classification Study that communicated the Clerk's commitment to investing in our employees' careers by aligning their job duties with the appropriate compensation and to provide a clearer career advancement path.
- Developed and launched an Internal Healthcare Plan Committee to educate and involve employees in healthcare issues.
- Designed a comprehensive recruiting process that complies with the new Florida Veterans' Preference statute.

C. Ongoing Initiatives

In support of our fiscal priority to deliver a fiscally conservative and cost effective budget, that meets our constitutional mandate for service to the public, the Clerk & Comptroller's Office has numerous ongoing initiatives which are highlighted below.

Key Objectives – Chief Financial Officer, Treasurer & Auditor

- Continue implementation of paperless processing for County financial documents, such as travel and other County employee reimbursements, cash receipts and County paychecks.
- Implement electronic storage of all financial records.
- Utilize additional electronic payment solutions for vendors which not only reduce cost, but also generate income through rebates.
- Expand payment options for County taxpayers including online and credit payment options for special assessments and certain taxes.

Key Objectives - Clerk of the Circuit Court

- Implement ShowCase Case Management System for the Civil Court Division.
- Provide court processing services to the public and justice partners in an efficient and effective manner.
- Implement eCaseView for the viewing of court documents via the Internet in compliance with Supreme Court AO 15-18.
- Focus on improving the implementation of technical and human resource innovations to maximize court services within the constraints of limited financial resources.
- Improve unit-processing ratios through the implementation of process improvement projects.
- 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 partners to process cases in a timely, accurate and efficient manner.
- Support the complex process of the criminal justice partners, ensuring the timely and accurate processing of notices, subpoenas and summonses.
- Improve accuracy and timely maintenance of court case records.
- Increase debt collections through the combination of data extrapolation and sophisticated collection efforts.

- Sustain highly efficient electronic processing, storage and retrieval systems for maintaining public records and court data submitted to the Clerk & Comptroller's Office.
- Meet the demands of the various agencies and departments related to archival documents in an efficient and effective manner.
- Ensure that all records are properly preserved and maintained and protected from environmental elements.
- Provide information technology services for public access both inside and outside the traditional courthouse setting, while complying with both the public access Statutes and the public concerns of confidentiality.
- Align technology initiatives with strategic vision while working within the constraints of limited financial resources.
- Monitor all enterprise systems to ensure that adequate security and audit controls are included as an integral part of each system.

Key Objectives – County Recorder

- Implement new Official Records system.

Key Objectives – Clerk of the Board

- Preserve all County public records in a digital format in perpetuity.

Key Projects

1. ShowCase Project

The Clerk & Comptroller's new Case Maintenance System (CMS), ShowCase, was launched in the Criminal Courts in February 2012. Since the implementation, fine-tuning of the functionality has taken place, resulting in a robust, user-friendly CMS.

The Civil Courts phase of the ShowCase Case Maintenance System project continues as the conversion of data from the current Civil CMS, Banner, into ShowCase is reviewed on a weekly basis. In addition, a team of subject matter experts (SMEs) from Operations is reviewing the civil functionality contained within the system. Several Mock Days have taken place, allowing the Operations staff an opportunity to practice using the system in a "go live" test environment. Any issues identified by staff that must be resolved prior to "go live" are assigned to a vendor for analysis and resolution. Technical reviews of the system, along with timed conversion runs, are also taking place. The project team, along with over 200 staff members from the Technology and Operations Departments continue to move forward toward the scheduled "go live" date of January 18, 2016.

2. eCaseView

The eCaseView application was developed in response to the Florida Supreme Court's lifting of the moratorium on displaying court records on the Internet (see governing authority: AOSC 14-19 & 15-18). The application was built with the required security matrix as an integral part and can be accessed from anywhere in the world using most devices--a PC, laptop, iPad, iPhone, Android tablet, or any other mobile device that can access the Internet. Users are able to log into eCaseView either as a registered user (after applying for a user name and password) or as an anonymous user. Registered users, pursuant to AO 15-18, will have access to more robust search parameters.

The initial implementation of this application includes case data and images on Civil Traffic cases and all Criminal case types (Felony, Misdemeanor, and Traffic Crimes, excluding Juvenile Delinquency). A pilot phase began on November 4th and will continue for at least 90 days. The data presented includes: case and docket information, court events, parties, dispositions, and related case data. All sensitive and/or confidential information contained in specifically identified documents is reviewed pursuant to a "View On Request" process (VOR) by the Operations team prior to the document being made available to customers via the Internet.

Implementation of the pilot of Civil Court images will be scheduled following the Civil ShowCase “go live”.

3. Official Records Project

The Clerk & Comptroller’s Official Records System houses court judgments, deeds, liens, marriage licenses, mortgages, plats and tax deeds for Palm Beach County. The goal of the Clerk's Official Records System Project is to improve operational efficiency and modernize the imaging, processing, storage and retrieval of Official Records, as well as improve ease of access to Official Records by the public. During FY16 an analysis will take place regarding the available options to replace the current Official Records system.

D. Capital Improvement Plan Overview

A Capital Improvement Plan (CIP) is essentially a planning tool whereby the local government puts forth a substantial effort to identify and schedule capital improvements over an extended period of years. For the Clerk & Comptroller, capital expenditures are limited to purchases of technology hardware such as computers and other equipment which cost \$1,000 or more per item.

Capital projects are typically those that replace or improve the local government's infrastructure in terms of its buildings, roads, land, storm-water facilities, vehicles and heavy equipment, computer equipment or related items, which serve to facilitate local government in the provision of services as required by local mandate or State law. This criterion does not apply to the Clerk & Comptroller and as such the capital plan is solely focused on a strategy to replace the inventory of servers and other computer equipment to keep pace with new technology.

Additionally, pursuant to State law, the Board of County Commissioners is required to provide the Clerk & Comptroller with the infrastructure necessary to perform their duties as outlined in the Constitution of the State and in Florida Statutes. Therefore, buildings and other infrastructure are not included as an element in the Clerk & Comptroller's Office CIP.

As shown in Table 1 on the following page, the total Capital Outlay budget for FY2016 is \$1,006,000. The breakout of budgeted capital expenditures for FY2016 is as follows:

- \$806,000
 - Data processing equipment required to implement replace the network switch and other servicer capacity for the Official Records Project.
 - Replacement of outdated servers and switches needed to support new technology/software.
- \$200,000
 - High volume scanners and desktop scanners to produce redacted images more effectively in support of customer service requests to access public records and court files.

() denotes a decrease

Capital Expenditures (All Funds)	FY2014	FY2015	FY2016	Variance \$	Variance %
	Estimated Actual	Estimated Actual	Adopted Budget		
Data Processing Equipment	\$ 1,121,100	\$ 264,100	\$ 806,000	\$ 541,900	205.2%
Scanners	31,251	106,308	200,000	93,692	88.1%
Total	\$ 1,152,351	\$ 370,407	\$1,006,000	\$ 635,593	171.6%

Table 1: Detail Capital Expenditures (All Funds)

Overall, the capital expenditures budget for FY2016 allows for equipment purchases such as scanners or additional hardware to support system upgrades or additional processing and storage capacity related to the implementation of current projects.

Table 2 provides a three year outlook for the Capital Improvement Plan. The CIP outlook supports the key projects described in the previous section and discussed further in the sections below.

Three Year CIP Outlook							
Projects	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Servers	\$ 269,631	\$ 1,075,174	\$228,744	\$ 777,000	\$ 1,100,000	\$ 1,000,000	\$ 950,000
Scanners	144,792	31,251	106,308	200,000	200,000	100,000	\$ 50,000
DP Equipment	21,391	45,926	35,355	29,000	45,000	25,000	25,000
Total	\$ 435,814	\$ 1,152,351	\$370,407	\$ 1,006,000	\$ 1,345,000	\$ 1,125,000	\$1,025,000

Table 2: Three Year CIP Outlook

Scanners

Imaging and redaction of forward filed court documents started in January 2007 and all courts were completed by November 2008. Back Filing of old case files is currently available and implemented on a case-by-case basis. Scanners have been purchased to aid in document redaction and data extraction. Figure 3 on the following page, displays the cost associated with scanner replacement and the age of the current scanners in service. The actual cost of scanner replacement outreaches the available budget for FY2016.

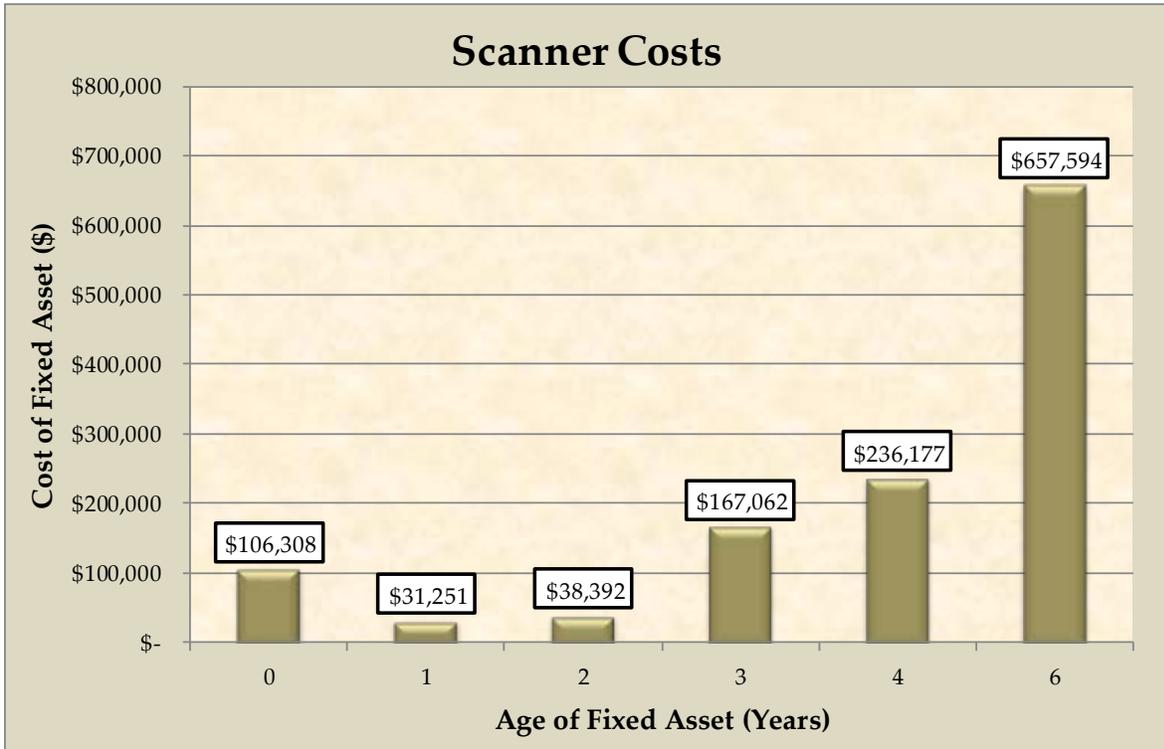


Figure 3: Scanner Costs

Servers

It is a priority of the Clerk to implement infrastructure modifications and upgrades, address disaster recovery options, implement a comprehensive back-up of data, migrate to a new storage system and replace aging servers with new technology platforms.

Access to court records and financial systems are becoming more electronic. Paper backup is no longer a viable option. The Clerk must provide for backup and access to information in the event of a major outage or disaster. The goal is to build a Disaster Recovery site either in the Tallahassee, Florida datacenter or at a category 5 facility to house the backup and server capacity. The plan would include automated failover scripts with procedures documented and tested on a semi-annual basis.

The Clerk's server infrastructure is aging. The average life expectancy of the servers used by the Clerk & Comptroller's Office is five to seven years. As a result, servers and storage will be reaching the end of a normal support life cycle. Replacing the hardware technology is necessary in order to improve the overall administrative efforts (new tools and hardware capability), reduce maintenance cost and support the increasing capacity requirements as new features and functions are being added.

As indicated in Figure 4, the majority of the infrastructure exceeds five years and will need to be replaced; over \$1.0 million in hardware was purchased in FY2014 in order to update the organizations infrastructure to support our major projects. Current plans are to replace critical servers and utilize virtual technology to increase the overall utilization of each new server. Idle capacity would be utilized thus driving down the number of physical servers required.

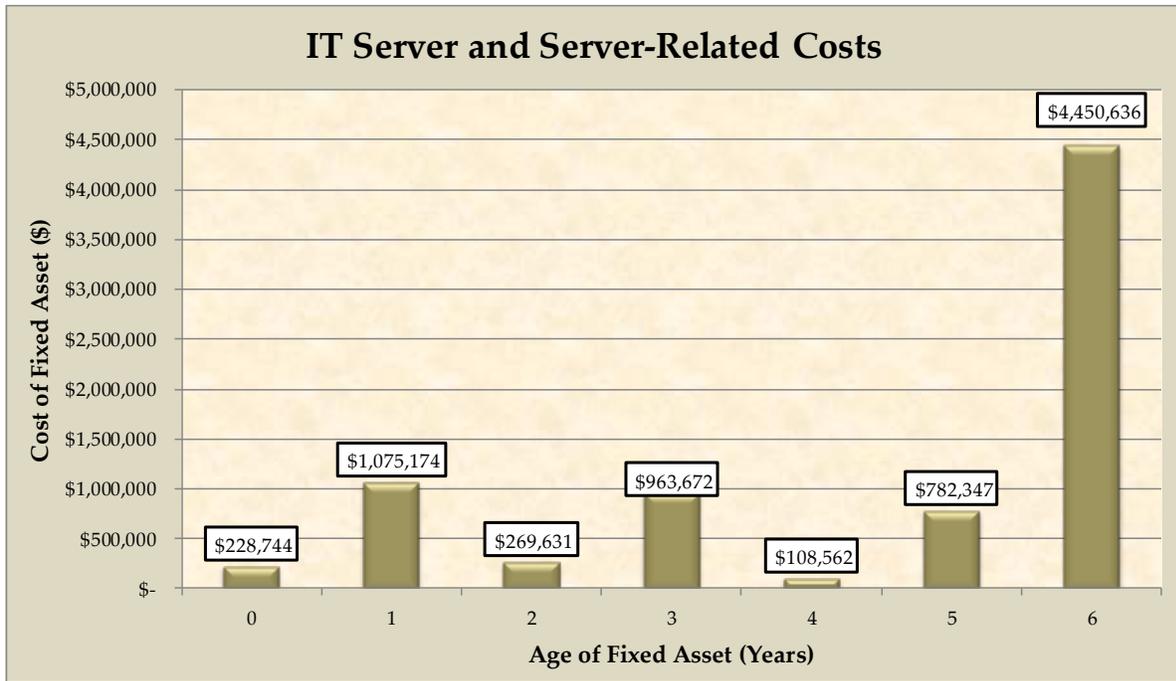


Figure 4: IT Server and Server-Related Costs

The Clerk replaced aging technology for the upgrade of the PeopleSoft application to Version 9.2. Other enhancements are planned in FY2016 to fully support the upgrade of the Official Records project and eCaseView applications.

Data Processing Equipment

In order to accept electronic recording of all Official Record documents, the following steps must be taken:

- Implement a WorkFlow to allow routing of documents to be recorded through the recording, indexing, verifying and release steps;
- Establish working relationship with legal firms or their representatives to ensure consistent, agreed-upon submission of data and funds; and
- Implement/support eRecording with external customers.

Impact of Capital Spending on Other Operating Expenditures

The capital expenditures related to hardware replacement will generate future savings, such as maintenance costs in the first year. As fixed assets are replaced by new equipment it is anticipated that recurring maintenance costs will follow the expiration of the warranty period. Table 3 below estimates the impact of capital expenditures on future maintenance costs as new contracts will need to be negotiated. Where possible the Clerk & Comptroller’s Procurement department will negotiate multi-year contracts in an effort to reduce recurring maintenance fees.

In addition, the new systems and system upgrades being implemented by the Clerk & Comptroller’s Office will provide productivity improvements. These improvements will enhance the Clerk’s ability to meet the needs of our customers and the anticipated future workload without adding new staff positions.

Impact of Capital on Other Operating Expenditures						
Recurring Costs	FY2014	FY2015	FY2016	FY2017 Projected	FY2018 Projected	FY2019 Projected
Maintenance	\$ 186,342	\$ 261,553	\$ 179,678	\$ 236,977	\$ 236,977	\$ 301,651
Contract Savings	-	(70,678)	-	-	-	-
Net Operating Impact	\$ 186,342	\$ 190,875	\$ 179,678	\$ 236,977	\$ 236,977	\$ 301,651

Table 3: Impact of Capital on Other Operating Expenditures

E. Financial Outlook

The economic environment has a major impact on the office's funding both in current and future years. As described through-out this document, the Clerks funding for court operations has been declining over the last five years. Additionally, by law, the Clerk & Comptroller is required to remit its unspent general fund revenues at the end of each fiscal year. As such, these dollars cannot be carried forward to offset future spending.

The fund balance and revenues that the Clerk & Comptroller may retain annually are established by law and are in the Public Records Modernization Trust Fund (PRMTF) also referred to as the Special Revenue Fund. The recording fees in the Special Revenue Fund consists of user fees set by the Florida Statutes to be used for a specific purpose, funds are restricted to improving access to public records including recurring operating or technology costs to support the courts.

Sources of revenue that are part of the Special Revenue Fund include:

- Recording Fees
- 10% Fines & Forfeitures
- Interest

Long term financial plans for this fund are impacted by a revenue stream that has significantly declined since 2007 and is projected to remain essentially flat through FY2019. In FY2009, legislation amended Florida Statute Title V Chapter 28, to allow Clerks to retain 10% of total fines assessed for traffic violations to be used for technology or funding court operations.

As depicted in Figure 5 on the next page, with the revenue streams projected to continue to decline, the fund balance must be managed to ensure sufficient funding is available to meet future needs for technology related project spending.

The balance in the PRMTF fund is comprised of three fund components:

1. Court Technology Trust Fund (also known as \$1.90 fund)
2. 10% Fund
3. Public Records Modization Trust Fund (as known as the \$1.50 fund)

Each fund within the PRMTF fund is expected to decline based on expected costs to complete current and future technology projects, replace aging computer equipment and adhere to the directive from the Legislative Budget Committee (LBC) to use 10% funds to supplement the court operations funding needs/shortfall in FY2016. Revenue is forecasted to decrease slightly due to the downward trend in revenue realized from the 10% fine component and to remain cautiously optimistic on the rate of economic

recovery. Therefore, the planning of expenditures related to technology projects is crucial and requires a strategy to preserve funds that are sufficient to maintain court and public record platforms for the long term.

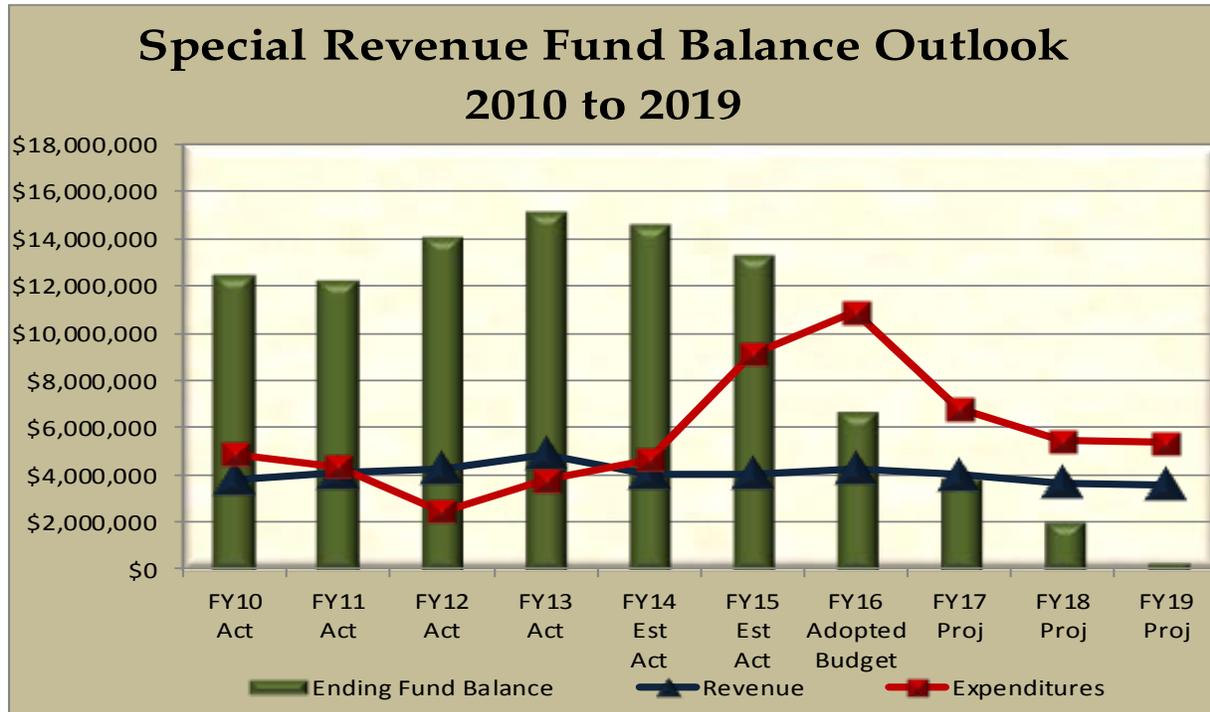
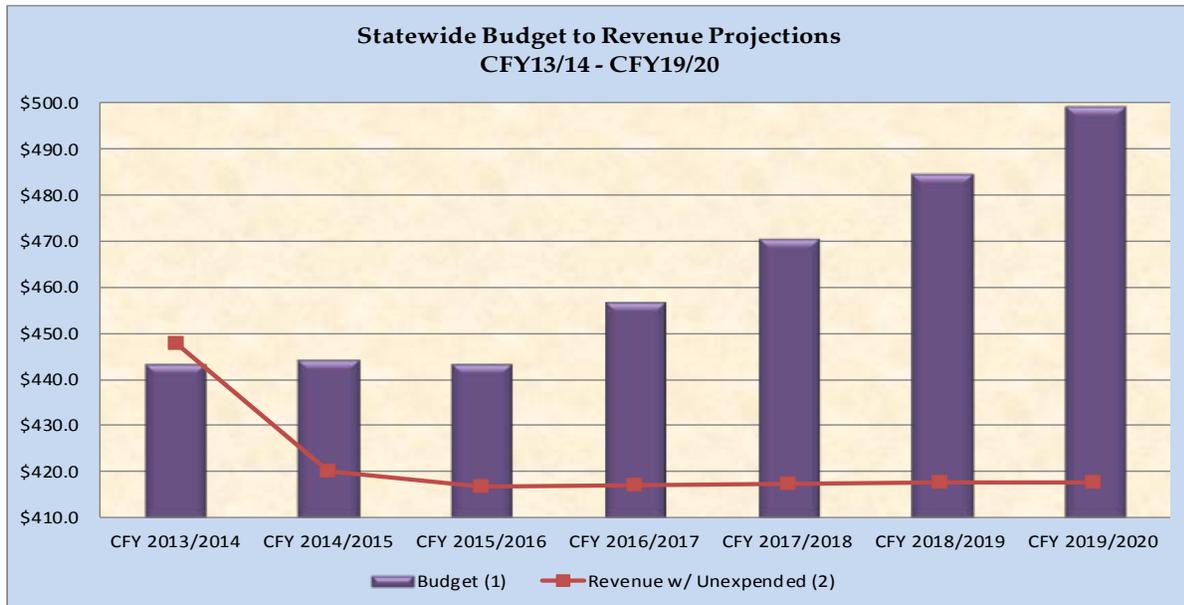


Figure 5: Special Revenue Fund Balance Outlook

The Clerk of Court Operations Corporation (CCOC) is a governmental agency created by the legislature to evaluate all Clerks of Court budgetary needs. The CCOC has a responsibility to make recommendations to the legislature and inform them of any changes in court related fines, fees, and service charges and costs to ensure reasonable and adequate funding of the Clerks of Courts in performing their court related duties. The CCOC attends the State’s Revenue Estimating Conference (REC) to review revenue projections for the Clerks of Court Trust Fund (a fund in which all clerks of court remit excess revenues.)

Figure 6 on the following page, provides the current revenue forecast compared to the Clerk’s court-related budget requiring a 3% increase per year. Based on this projection it appears that the total revenues projected for CFY15/16 for all 67 clerks is insufficient to fund all clerks, hence the need to use 10% funds to supplement court operations functions. In addition, if the clerks’ funding model is not resolved this funding issue will perpetuate into future years. The CCOC and FCCC, as well as all clerks, have addressed and will continue to address this issue with Legislation in the next legislative session early 2016.



Notes:

- 1.) Assumes 3% budget increase per year if requested by CCOC Executive Council and approved by LBC
- 2.) State revenue estimates from July 2015 REC
- 3.) Assumes \$7.0 million per year unexpended budget (CFY 2016-2020)

Figure 6: Statewide Budget to Revenue Projections

Figure 7 below, reflects a similar impact on the Clerk & Comptroller’s office of Palm Beach County. This negative fiscal outlook has resulted in the office having to eliminate positions and close branch offices on Fridays to allow the continuation of high level services to our customers and communities. The office has made significant staffing reductions and implemented other cost cutting initiatives, but is unable to maintain the services without funding relief.

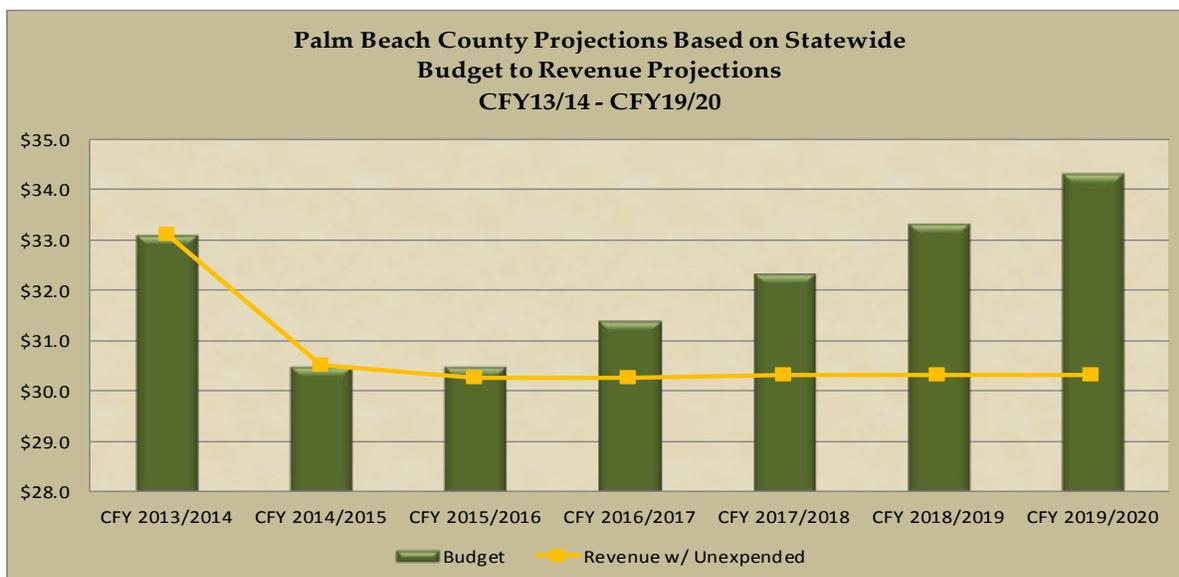


Figure 7: Clerk & Comptroller PBC Budget to Revenue Projections

III. Budget Introduction and Summary

This document presents the FY2016 annual budget and describes services provided by the Clerk & Comptroller's office in support of the Board of County Commissioners (BOCC) and the Palm Beach County Circuit Courts for the period October 1, 2015, through September 30, 2016. The Clerk & Comptroller provides essential services to the public, justice partners including Court Administration, Public Defender, State Attorney, Sheriff, the Board of County Commissioners, County departments, outside auditors and state, federal and regulatory agencies.

The Clerk & Comptroller monitors the County budget, revenue, debt and spending. The Clerk pays all the County's bills and maintains an accurate, complete set of financial records in order to produce all required financial statements and reports to comply with State and Federal laws and generally accepted accounting principles. As Treasurer, the Clerk actively manages and earns interest income for the County on the average investment portfolio size of \$1.4 billion. As County Auditor, the Clerk audits County expenditures to ensure they serve a public purpose, comply with the law and are within the County's budget. As Clerk of the Board, the Clerk maintains the records of the County Commission and other meetings and provides all meeting minutes and videos to the public via the Clerk's website.

The Court Operations & Official Records functions are led by the Chief Operating Officer of Courts and Official Records and the departments include:

- Criminal Courts;
- Civil Courts;
- Branch Courts; and
- Official Records

Comptroller and Clerk of the Board operations are led by the Chief Operating Officer of Finance and the departments include:

- Clerk Accounting;
- Investments;
- Budget & Financial Analysis;
- Payroll;
- County Payables;
- Finance Business Analysis;
- Revenue and Cash Management;
- Financial Reporting;
- Procurement;
- Value Adjustment Board;
- Board Services; and
- Shared Services

The Information Technology Department, led by the Chief Information Officer, provides application, database administration and technical support for Court Systems and Official Records systems, PeopleSoft which processes Clerk and County payroll, Clerk compensations and benefits and Clerk Accounting. The infrastructure and operating software for the County's financial system utilized by the office is owned by the County. The Clerk's Finance Business Analysis team interfaces with the County's Information Systems Support organization to coordinate systems support.

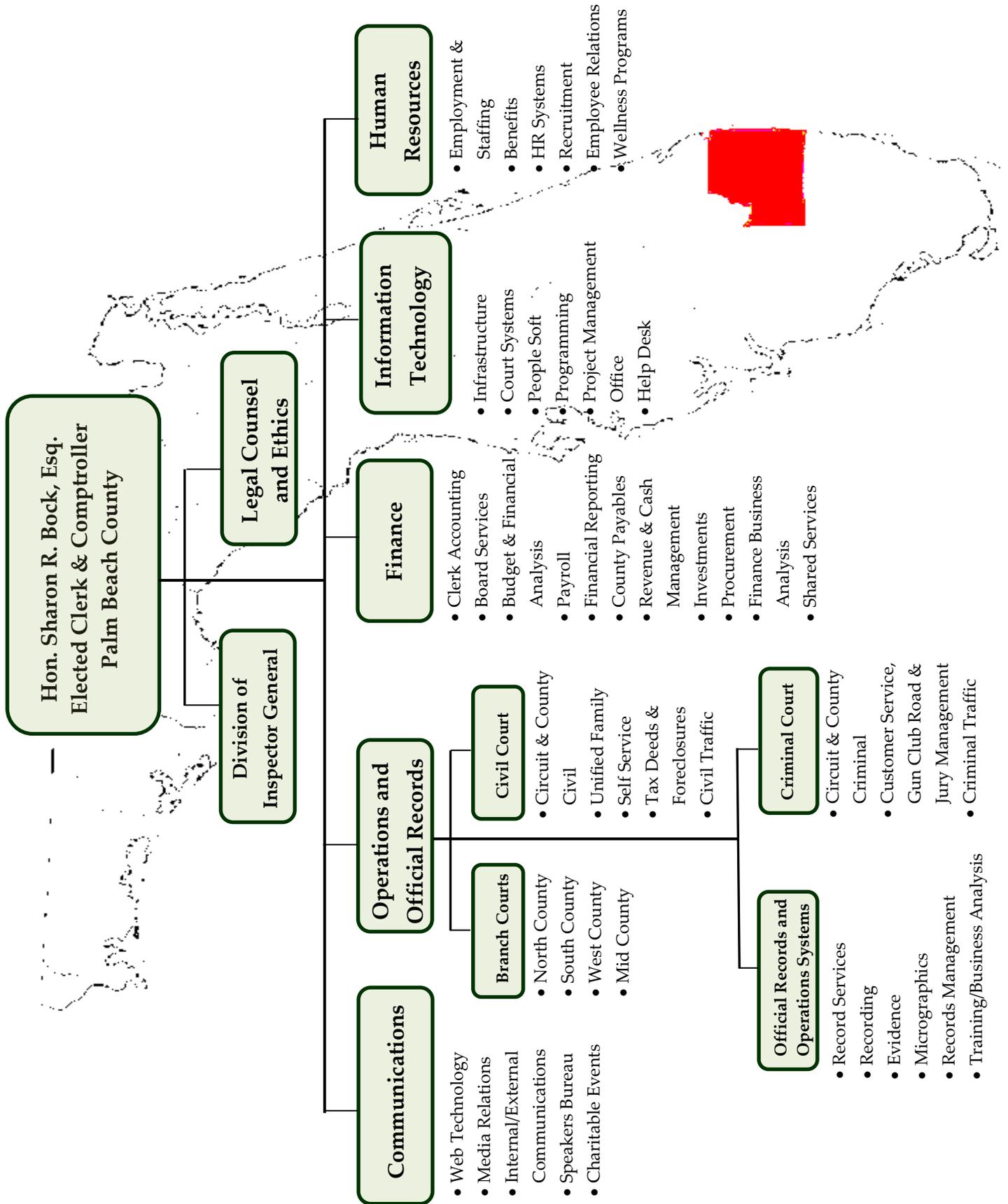
The Clerk's administrative functions include:

- The Chief Human Resources Officer, whose staff provides the support for Employment Services, Recruitment, Training, wellness initiatives, Compensation and Benefits for Clerk employees.
- The Chief Communications Officer, whose staff provides support for all internal/external communication, the dissemination of information, media relations, wellness initiatives, and charitable giving for the Clerk & Comptroller, Palm Beach County.
- The Clerk and Executive staff which includes the Division of Inspector General (DIG) and Legal Counsel & Ethics Officer.

The Organization Chart displayed on the following page provides more detailed information.

A. Organizational Chart

Citizens of Palm Beach County



B. Funding Trends

As mentioned in Section II, the most challenging areas in the budget development process for the Clerk & Comptroller's office are in regard to the instability of the level of funding available to carry out the roles of the (1) Clerk of the Circuit Court and (2) County Recorder as well as funding new technology.

As a Constitutional Officer, the guidance for the annual budget submission is outlined in Section 218.35(4), Florida Statutes and the deadline for the FY2016 submission was September 1, 2015.

The court-related functions that clerks 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 court fees, fines and service charges; 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 Circuit Court to carry out these court-related functions.

The duties of the Clerk of the Circuit Court role per the State Constitution are funded by revenues collected from court fees, fines and services charges. The State Constitution decrees that *All funding for the offices of the clerks of the circuit and county courts performing court-related Departments, 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 Departments as required by general law*¹.

The graphs that are included in this section depict how funding received from the court fees, fines and service charges along with charges for services to the County, has declined over the last six years. Figures 8 and 9 on the following pages do not include the 10% budget authority to be used in FY2016 for court operations that would otherwise be funded by court fees, fines and service charges.

¹ Florida Constitution - Article V

As indicated in Figure 8, the statewide cumulative funding for all Clerks' offices to fund court related operations was reduced drastically by 18% in 2009 when the State assumed control of the Clerk's budget.

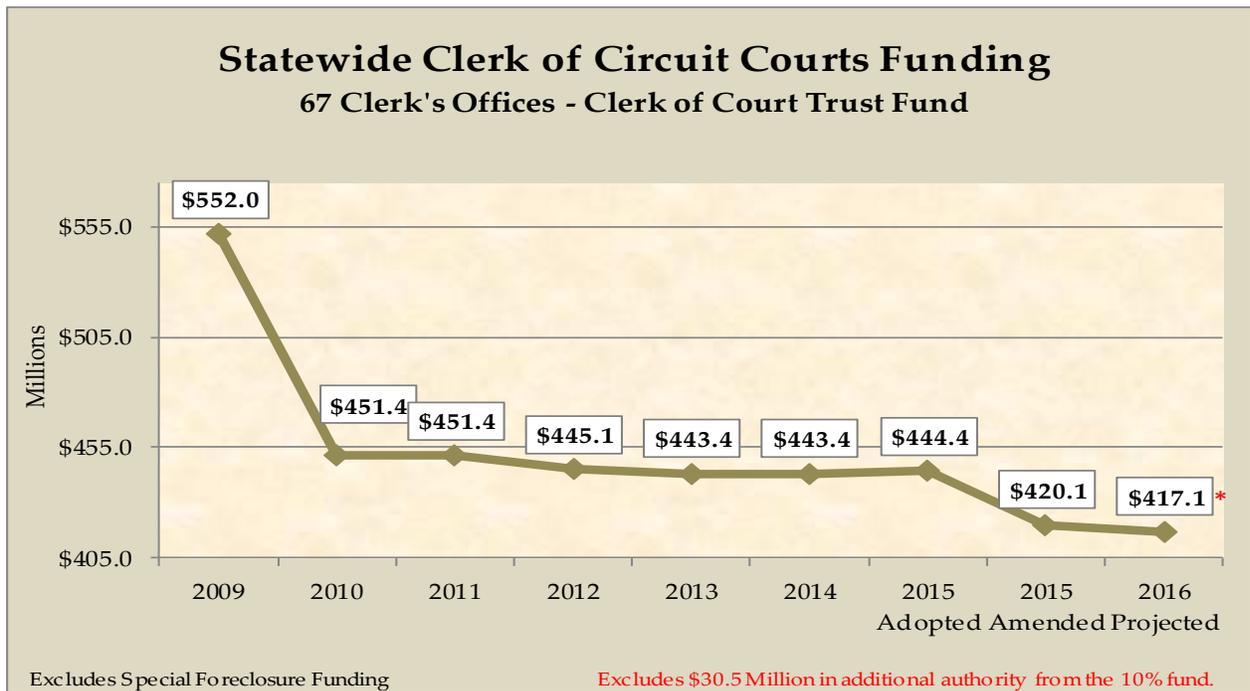


Figure 8: Annual Statewide Clerk of Courts Funding

Chapter 2013-44, Laws of Florida, formerly CS/CS/SB 1512 was enacted and effective June 1, 2013, which authorized clerks to retain the collections of court fines, fees and service charges and costs. Clerks' budgets will be funded from the revenues that are collected each month as compared to a monthly/annual State appropriation in the prior years since 2009.

The trend provided in Figure 9, on the next page, highlights how the funding from court related fees, fines and court costs mirrors the trend of the funding authorized by the State as shown in Figure 8. The Clerk & Comptroller's office share of the total State budget reduction in 2010 was \$7,125,788 and that reduction resulted in an unprecedented loss of 110 staff positions. Since 2010, an additional reduction of \$3,039,536 has been required; in addition to absorbing an 18% increase in health care. The most recent budget reduction of \$2,570,986 has resulted in the elimination of 41 full-time positions, office closures on Fridays, delayed implementation of mandated technology and other cost reductions required by the Clerk & Comptroller's Office in order to maintain a balanced budget.

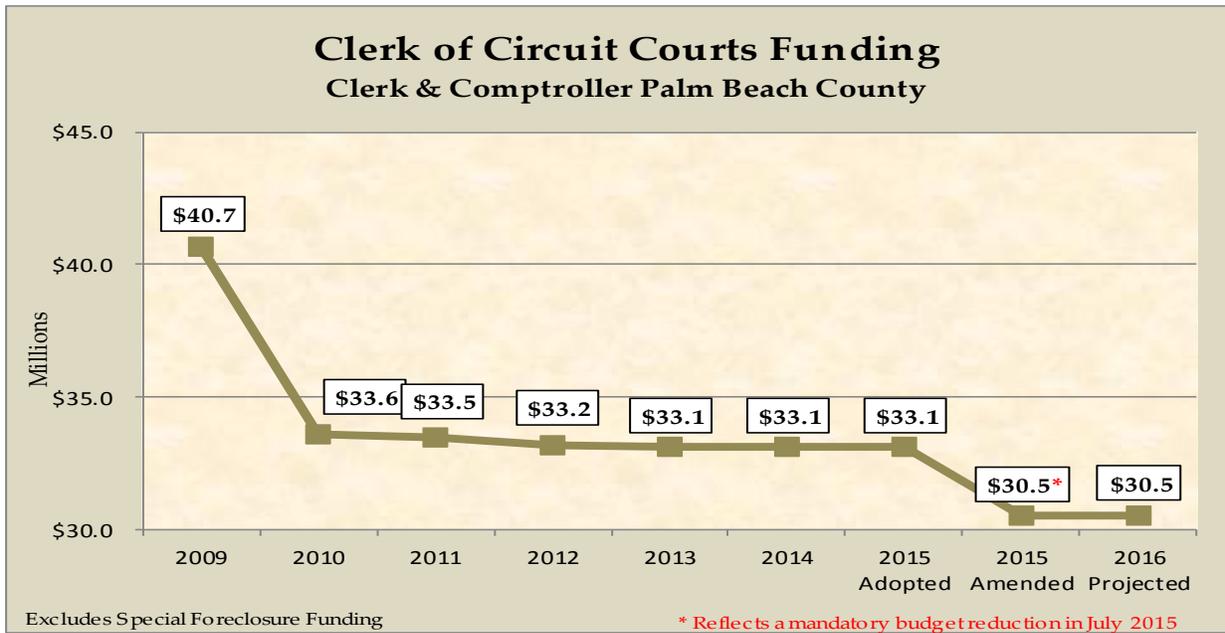


Figure 9: Annual Funding from Court Fees, Fines and Service Charges

Beginning in FY2011, the State Legislature authorized special funding to the clerks and the judiciary in an effort to reduce the number of foreclosure cases that were backlogged in the court system. During the 2013 legislative session, clerks were authorized to receive a special foreclosure appropriation. As shown in Table 4 below, the final authorized distribution was given to the Clerk & Comptroller in FY2015.

	(in thousands)					
	2011	2012	2013*	2014	2015**	2016
Special Foreclosure Funding	\$415,219	\$ -	\$261,390	\$ 403,381	\$ 315,562	\$ -

* Includes 3 months of transitional budget funding

** Reflects the full 9 month allocation and final Special Foreclosure fund distribution

Table 4: Special Foreclosure Funding

Under Florida Statute 28.37(5), the 10% fine revenue retained by clerks may be used to fund court related technology projects or court related operating expenses. The Legislative Budget Commission required clerks use 10% fine revenue as to supplement to shrinking court related revenues in FY2016.

The basis for funding the Comptroller and Clerk of the Board roles are directly related to the cost for county related financial services provided to the Board of County Commissioners. The budgeted expenditures are based on the number of personnel within the Finance departments performing financial services for the County. In addition to these direct employees, an allocation of indirect employees performing services on behalf of the County are included such as Clerk Accounting. Allocations of shared costs for administrative services, such as Human Resources are determined based on the overall

percentages of direct employees performing the constitutional duties of the office; Comptroller and Clerk of the Board, Clerk of the Circuit Court and County Recorder. There are certain functions included in the funding provided by the County such as the County’s Information System Services (ISS) Department.

The budgeted expenditures funded by the Board of County Commissioners consist of the personnel cost related to the services described on page 2 and outlined in the organization chart on page 29. In addition, the County’s ISS Department supports the financial system utilized by the Clerk & Comptroller’s office, but is not under the direct control of the Clerk, as it is owned by the County. In cases where Florida Statutes mandate that the Board of County Commissioners fund specific functions associated with the court-related duties of the Clerk, such as communications and facilities, the projected costs are included at 100% of budget estimates.

As indicated in Figure 10 below, the annual funding for duties related to Comptroller and Clerk of the Board from the Board of County Commissioners had steadily declined from FY2009 through FY2013. Staff reductions were necessary, creating a challenging environment to maintain the existing levels of service. The funding request to the Board of County Commissioners for FY2016 is based on the County’s guidelines, as well as funding increases in health insurance costs and ISS costs. The budget adopted for FY2016 reflects an increase of \$496,012, mostly related to health insurance and technology support costs. No salary increases have been budgeted for FY2016.

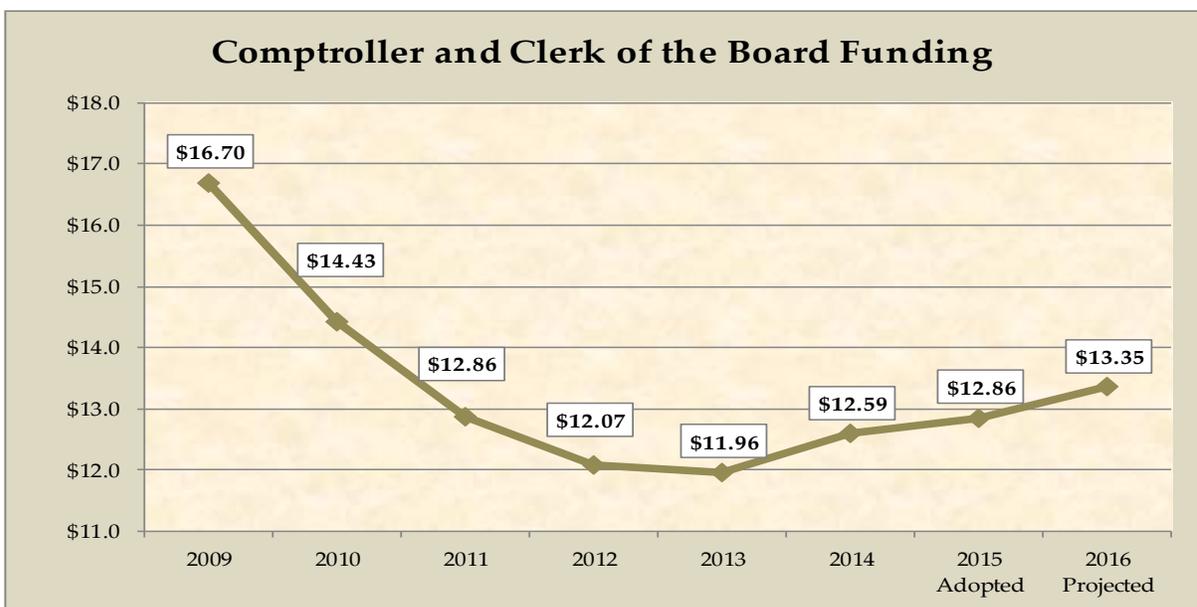


Figure 10: Annual Comptroller Funding

C. Position Assignment Distribution

The Clerk & Comptroller serves the public in the following roles as established by the Florida Constitution and Florida Statutes: Comptroller and Chief Financial Officer, County Auditor, County Recorder and Treasurer, Clerk of the Circuit Court and ex-officio Clerk of the Board of County Commissioners.

In order to accomplish the duties of the roles defined above, the organizational structure of the Clerk & Comptroller’s office is represented by six unique functions: (1) Clerk & Executive Staff, (2) Communications, (3) Operations & Official Records, (4) Finance, (5) Information Technology and (6) Human Resources.

Table 5 provides a summary of all budgeted staff positions, including part-time and temporary hires, as funded for each of the major organizations within the Clerk & Comptroller’s office.

Palm Beach County Clerk & Comptroller	FY2014 Positions FTE	FY2015 Positions FTE	FY2016 Positions FTE
Clerk & Executive Staff	12	10	10
Communications	5	5	6
Operations & Official Records	568	566	527
Finance	138	135	136
Information Technology	42	42	44
Human Resources	15	13	13
Total	780	771	736

Table 5: Position Assignment by Major Organization

Figure 11 on the following page provides a more detailed breakdown of Full-Time Equivalents (FTE’s) for the two largest divisions within the Clerk’s office; Operations & Official Records and Finance. The FTE’s are based on the FY2016 budget as submitted and adopted and are consistent with the FTE’s noted in Table 5 above, excluding the Chief Officer, staff and directors for those divisions.

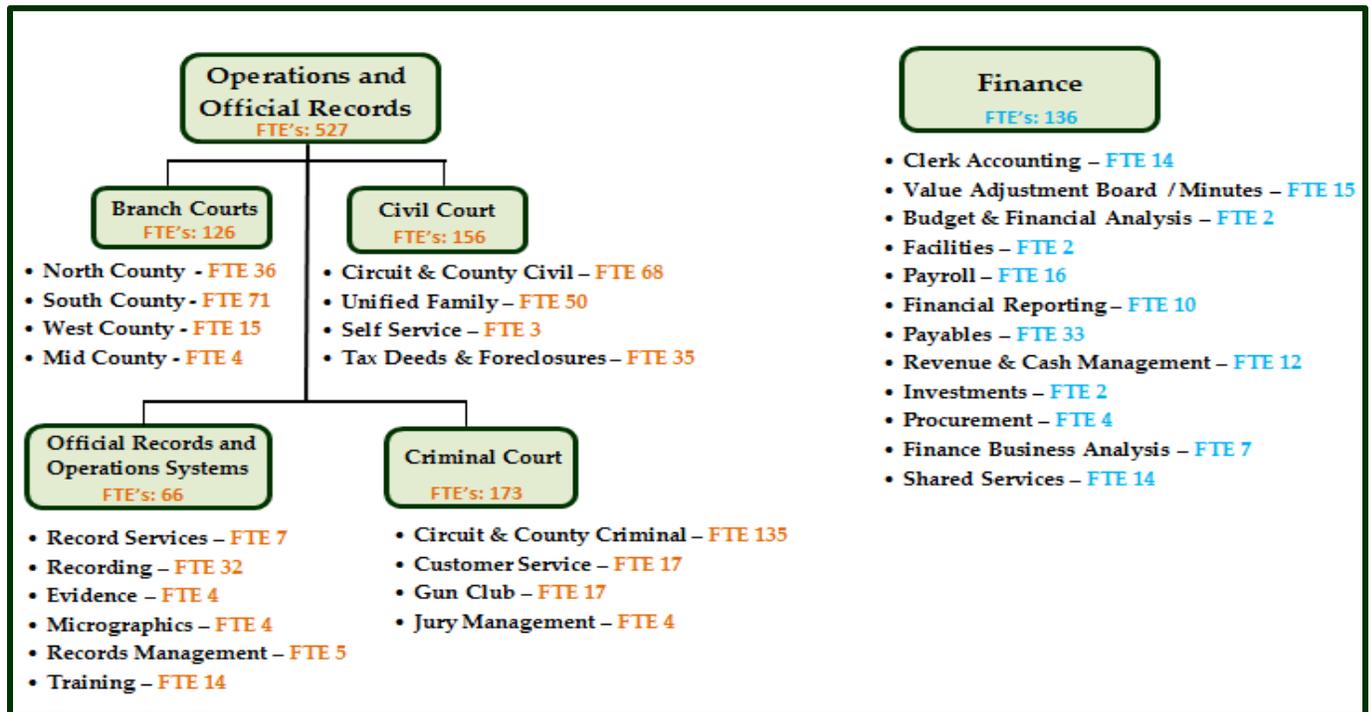


Figure 11: FTEs by Department

D. Staffing Changes

After experiencing a loss of 110 staff positions in FY2009, the Clerk & Comptroller's office entered into a plan for reorganization, mostly within the Criminal and Civil Courts divisions and those functions that serve or are indirectly funded by court-generated revenue.

Since that time, the Clerk & Comptroller's office has been able to maintain a consistent staffing threshold until the recent court operations budget cuts in FY2015 requiring an additional 41 staff position reduction. 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 have enabled a more efficient responsibility and accountability distribution.

The following functional changes were initiated as part of the FY2016 budget so that the remaining staff positions could be provided with adequate support to carry out job duties:

- Operations & Official Records:
 - -39 Clerks

The reduction in Operations & Official Records FTE's is related to mandatory budget cuts in FY2015 due to revenue shortfalls which fund the court operations organization.

- Finance:
 - +1 Payroll Supervisor

The increase in Finance FTE's is related to the addition of one FTE to support the complexity of managing the county and other municipal payroll processes currently managed by the clerk's office.

- Communication:
 - +1 Communications Liaison – Project Manager

The increase in Communications FTE's is related to the increasing communication related projects and responsibilities.

- Information Technology (IT):
 - +1 PS Programmer
 - +1 IT Manager

The increase in IT FTE's is related to the shift of one FTE from Finance to the PS benefit administration to support the expanded functionality to the county and an IT manager position.

IV. Financial Policies, Guidelines and Goals

The goal of the Clerk & Comptroller's office is to submit a balanced budget so that the office may operate in accordance with Florida Constitution and Florida Statutes and comply with the directives established therein. A balanced budget is one in which the total of estimated receipts equals the total of estimated expenditures. The budget for FY2016 is balanced and was prepared in accordance with policy and guideline directives of the Clerk & Comptroller's office and Generally Accepted Accounting Principles (GAAP).

Basis of Budgeting/Accounting

The budget is based on the modified accrual method of accounting. Modified accrual accounting recognizes revenues when they become measurable and available; measurable meaning that the dollar value is known and available meaning the revenue has been received. Expenditures are recognized when the liability (cost) is incurred, except for compensated absences which are recorded when payment is due. The Clerk's office uses generally accepted accounting principles (GAAP) defined accounting to record revenues and expenses in the accounts and financial reports. GAAP Accounting is used to distinguish the purpose of government agencies from for-profit and non-for-profit non-government agencies. The Clerks accounting also follows the State Uniform Chart of Accounts, which is the same basis of accounting used in the organizations audited financial statements. Policies and guidelines were established at the outset of the budget process through meetings and memoranda.

Long-Term Financial Goals

- Ensure the maintenance of the liquidity of the Special Revenue Fund in order to achieve the long-term requirements associated with the defined goals. Continue to leverage technology advancements to offset the impacts of funding reductions.
- Provide critical services to our customers, despite a reduction in funding from multiple sources.

Short-Term Financial Goals

- Incorporate changes to the Florida Retirement System (FRS) funding assumptions at the conclusion of the 2015 Legislative Session.
- Utilize volunteers to reduce personnel costs and mitigate the impacts of funding restrictions.
- Eliminate/freeze overtime spending at FY2015 service levels.
- Implemented a policy to establish compensatory time off for any overtime worked.
- Continue to review and renegotiate contracts to reduce costs.

A. Budget Policy

Budget policy addresses the major components of the budget: personnel services, operating expenditures and capital. Table 6 provides a summary of assumptions used during the budget development for FY2016. As the Clerk & Comptroller's office continues to adjust to the FY2009 loss of 110 staff positions and the additional reduction of 41 full-time FTE's in FY2015; imposed by the mandated budget reductions caused by continued declines in revenue streams related court operation funding sources, the following budget policies were put in place prior to budget development:

FY2016 Budget Development Assumptions (Per Employee)				
FICA	2013	2014	2015	2016
Max Wage Applicable to FICA	\$ 110,100	\$ 113,700	\$ 113,700	\$ 118,500
FICA Rate	6.20%	6.20%	6.20%	6.20%
FICA-Medicare Rate	1.45%	1.45%	1.45%	1.45%
Health & Dental Insurance				
Average Cost	\$ 9,689	\$ 10,528	\$ 11,022	\$ 11,587
FRS Retirement Contribution Rates (By Class)				
Regular	5.18%	6.95%	7.41%	7.26%
Elected Official	8.53%	33.03%	43.28%	42.27%
Senior Management	6.30%	18.31%	21.18%	21.43%
Deferred Retirement Option Plan (DROP)	5.44%	12.84%	12.32%	12.92%

Table 6: FY2016 Budget Development Assumptions

Personnel Services Budget

- The Budget & Financial Analysis Department prepares the Personnel Services budget for each department using the current salaries of the staff positions assigned to each department as well as the employee's actual benefit selections effective as of January 1, 2015. As noted previously Personnel costs account for approximately 85% of the total Clerks operational budget.
- Overtime spending has been eliminated or frozen at FY2015 budget levels. Additional funding requirements above and beyond the FY2015 budget levels must be submitted as a supplemental request.
- If any staff position has been eliminated or will be eliminated during the fiscal year, the Budget & Financial Analysis Department will remove the staff position from the total budget request.
- A health insurance budget is developed based on actual plans selected by employees during open-enrollment. The Clerk & Comptroller has a self-funded

health insurance plan and all anticipated health care costs increases are determined by actuarial estimates based on claims and costs history. Claims are capped at \$125,000 per employee per plan year at which time the Clerks' reinsurance policy takes effect.

- FRS retirement contribution rates are costs which are mandated by Florida Statutes. For FY16 these rates reflect increases in two classes and a decrease in two classes which had a minimal net impact to the Clerks' office; these rates were presented and approved during the FY15 legislative session.

Operating Budget

- In order to be fiscally conservative, we employ a modified zero-based budget approach with the exception of known recurring annual costs such as postage, maintenance agreements, office supplies, etc.
- The total operating expenditure budget may not exceed the total prior year operating expenditure, less one-time supplemental expenditures for each department. Budget requests for operating expenditures above the prior year expenditures must be submitted as a supplemental funding request and approved by the Executive Team.
- Travel expenses must be consistent with the Organization Travel Policy and may not exceed the prior year budget.
- Mileage reimbursements are to be calculated using the current Federal Internal Revenue Service (IRS) rate in effect at the time of budget development.
- Pursuant to the Florida Statutes, the County is responsible for providing our facilities funding for projects that involve the demolition or movement of permanent walls and/or doors; requests are submitted to the Facilities Coordinator for review and must be approved by the Executive Team prior to being forwarded to the County to be included in their budget.

Capital Outlay Budget

- Capital expenditures are defined as unit purchases which cost \$1,000 or more. If an item is attached to another to make it functional, the value is combined and capitalized (i.e. desk with drawers and attached credenza, machines with feeder devices, computer with monitor, etc.)
- Capital funding requests are generally one-time expenditures and are not considered part of the recurring base budget.
- All capital funding requests must be submitted as a supplemental request and approved by the Executive Team.

Supplemental Funding Requests

- All supplemental funding requests must have adequate justification along with approval from the department's Chief Officer prior to submission.
- Supplemental funding requests should be prioritized in order of importance to the Clerk & Comptroller's office as a whole. Legally mandated supplemental funding requests must include appropriate documentation and should be ranked as a first priority.
- If the supplemental funding request is for a new project, the following information must be provided with the justification:
 - Project name;
 - Projected cost to successfully complete the project;
 - Projected completion time for the project;
 - Total number of Clerk & Comptroller staff hours needed to complete the project; and
 - New recurring costs that will be incurred as a result of the project following project completion.
- If the request is for a new staff position, the narrative information must describe the reason for the additional employee including the reason the functions cannot be performed by current staff.
- If the request is for operating or capital funding, a description must be provided on how the purchase will enhance or add to the current process.
- Any expected efficiencies and benefits to be gained through the approval of the supplemental request must also be provided in the justification.
- All supplemental funding requests are summarized by the Budget & Financial Analysis Department for review and approval by the Executive Team.

B. Budget Process

The budget review process is completed in accordance with the budget calendar provided on page 44 and includes a series of meetings with the Executive Team to develop plans to create the budget. The budget is prepared using Generally Accepted Accounting Principles (GAAP) basis.

The Clerk's budget is funded through user fees, court-related fines, fees and court costs. The initial budget review focuses on each department's expenditure requests, regardless of funding source. Subsequent reviews and budget reductions may be completed several times during the process to ensure sufficient revenues are forecasted to cover budgeted expenditures.

Budget instructions are sent to all Department Managers to submit requests for operating and capital expenditures for the upcoming Fiscal Year. Personnel expenditures for the organization are developed by the Budget & Financial Analysis Department using assumptions required to fund salaries and benefits. Each Department Manager reviews the positions to be funded within their departments to ensure accuracy. With few exceptions for recurring accounts, the Department Managers also budget for operating expenditures using a modified zero based budgeting approach. Supplemental funding to expand services and all capital funding requests require Director and Chief Officer approvals. In addition, when applicable, major projects are budgeted within unique organization codes to separately track associated expenditures.

The Budget & Financial Analysis Department protects the Budget Request Excel Worksheet to accept department inputs to specific operating accounts and supplemental funding requests using a password. Once the budget requests forms are formally received and verified by the Budget & Financial Analysis Department, the security permissions to "modify" are removed and changed to "read only." Each Director and Chief Officer must provide their approval for their respective department budget requests on the Budget Approval Form. The security setup and password protection within the workbook ensures that only the appropriate personnel may provide inputs within the document without altering the budget data created by the Budget & Financial Analysis Department.

The various budget requests for all departments are submitted to the Clerk's Budget & Financial Analysis Department in March. Each department budget must be reviewed and approved by the department's Director and Chief Officer, including submission of a formal approval sheet that requires his or her signature. Once received, all budget requests are

reviewed by the Budget & Financial Analysis Department for completeness and compliance with the budget instructions.

The submission of the budget as required by Florida Statutes is as follows:

- With the passage of SB 1512 in 2013, the budget for all court-related duties associated with the collection of court-related fines, fees and court costs is submitted to the Florida Clerk of Courts Operations Corporation (CCOC) on June 1, 2015 for the FY2016 the court-related budget and the total budget for all 67 clerks is due to the Legislative Budget Commission on August 1st; and will be based on a county fiscal year beginning October 1st through September 30th.
- The budget submission for all of the financial services performed by the Clerk & Comptroller, as Chief Financial Officer, Treasurer and Auditor for Palm Beach County and as Clerk of the Board, is statutorily required to be submitted to the County, via the County's Office of Financial Management and Budget (OFMB), by May 1st. For FY2016, this budget was submitted May 1, 2015 for the County Fiscal Year beginning October 1, 2015.
- The total General Fund budget of the Clerk & Comptroller is formalized as a whole by the Clerk on September 1st pursuant to Section 218.35(4), Florida Statutes.

In early June and July, the Board of County Commissioners (BOCC) conducts budget workshops concerning the total County budget including the submission by the Clerk & Comptroller. The Clerk's budget request to the BOCC may be adjusted up or down depending on the economic situation affecting the County's overall budget. The adjusted tentative Clerk budget is then subject to public hearings in September when citizens are given a chance to voice their opinions on the County budget. Upon completion of the public hearings, the Clerk's adjusted tentative budget is adopted by the BOCC.

Actual expenditures are closely monitored during the year to coincide with any significant variations in the actual units reported from the approved budget. Commitment control processes established in PeopleSoft allow purchasing and other expenditure related transactions to occur as long as there are available funds at the total operating and total capital budget level. This minimizes the need for Department Managers to initiate intra-departmental transfers between accounts within the operating or capital budget expenditure designation. Transfers of available personnel services budget must be approved by the department's Director and Chief Officer. To facilitate a transfer request, the Department Manager emails the request to the Budget & Financial Analysis Department as documentation to execute the approved budget transfer. During the course of the year, latitude is provided to transfer budget from one line item to another within the

same funding source, including operating to capital, as required and approved by the Executive Team.

The Clerk & Comptroller’s office includes all approved base and supplemental budget requests as a whole in the adopted budget for all accounts, including capital items to ensure the correct budget allocation. Any remaining budgeted revenues in excess of budgeted expenditures are accounted for as an unallocated expenditure item. Allocation of budget from the unallocated expenditure item for an unanticipated expenditure requires express approval from the department’s Chief Officer and the Chief Operating Officer of Finance. A complete budget planning process flow is depicted in Figure 12 below.

Budget Planning Process	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Strategic Planning												
Executive Committee Approves Budget Assumptions				➔								
Budget Department Prepares Revenue Trends / Projection Analysis Models				➔								
State Revenue Estimating Conferences/Workshops to determine Article V Revenue Estimate			➔									
Guideline Distribution and Budget Development												
BOCC sends Budget Guidelines/Assumptions				➔								
Prepare Budget Instructions and Files				➔								
Budget Kickoff Meetings with Departments							➔					
Chief Officer & Director Departmental Review & Approvals						➔						
CCOC sends Budget Model and Instructions						➔						
Executive Committee Approves Budget to BOCC								➔				
Executive Committee Approves Article V Budget									➔			
BOCC/OFMB Budget Workshops										➔		
Budgets Finalized, Submitted and Adopted												
BOCC Budget Submission to County (May 1)								★				
Article V Budget submission to CCOC (June 1)									★			
CCOC submits Cleks Budgets to Legislative Budget Committee (LBC on Aug. 1)											★	
General Fund Budget submitted to Office of Financial Management & Budget												★
Palm Beach County Public Hearings and Budget Approval for BOCC Funding												➔★
Legislative Budget Committee Reviews and Approval Process for Article V related funding												➔★
Budget Amendments	Must be submitted and approved by the County and/or CCOC on an as needed basis											
Budget Monitoring and Reporting	➔											

Figure 12: Budget Planning Process

C. FY2016 Budget Calendar

February 25, 2015	Distribution of Budget Instruction Manual
February 26-27, 2015	Budget Kick-Off meetings
February 27, 2015	Budget Template available for data input
March 27, 2015	Director/Chief Officer review and approval of department budgets
April 22, 2015	Internal budget approval (BOCC funding)
May 01, 2015	Budget submission to OFMB
April & May, 2015	Manager review of budget for any changes necessary to the funding from court fees, fines and service charges
June 1, 2015	Court related budget submitted CCOC
June and July, 2015	Budget review and workshops by OFMB/BOCC
August, 2015	Court related budget submitted to Legislation
September, 2015	FY2016 budget distribution by CCOC
September, 2015	Public hearings and BOCC budget approval
September 30, 2015	Notification of approved budgets to Department Managers/Directors and upload to PeopleSoft

D. Fiscal Management Requirements and Monitoring

Throughout the year, budget performance is monitored through monthly reports generated by the Budget & Financial Analysis Department, including financial position, fund status and department expenditure reports. These reports provide information about budgeted revenue and expenditure amounts, actual receipts and expenditures and year-to-date totals. The Chief Operating Officer of Finance and the Financial Services Director review these reports and follow up where unfavorable variances indicate that a budgeted amount may be exceeded.

There are ten requirements for which the Clerk & Comptroller’s Office is required to manage and send as a report to the CCOC as a measure of fiscal responsibility. Table 7 provides the ten requirements, to which the response must always be “yes” for a passing review. The Clerk & Comptroller’s office has met all standards as required.

Requirement	Standard Met?
1. Audit prepared by independent auditor in accordance with s. 11.45 and s. 218.39, F.S.?	Yes
2. Corrective plan, if applicable, in accordance with s. 218.39(6), F.S.?	Yes
3. Accounting system in accordance with s. 218.33 F.S. as mandated by Department of Financial Services?	Yes
4. Method in place to produce a revenue assessment & collections report required by s. 28.246, F.S.?	Yes
5. An accounting system that provides expenditures by criminal and civil courts and budget categories?	Yes
6. System to support budget submission ?	Yes
7. Reports timely submitted to the Florida Clerks of the Court Operations Corporation (CCOC) ?	Yes
8. Last budget completed per instructions?	Yes
9. Annual financial audit relating to the court-related duties of the Clerks of Court submitted to the CCOC as required by s. 28.35(5), F.S. For the prior fiscal year.	Yes
10: Quarterly S.318.18(13), F.S. (Assessment of Additional Court Costs) reported to the(CCOC) by the 20th of the month following the end of the quarter.	Yes

Table 7: Fiscal Management Requirements

Unspent Revenue Projection Report

The Budget & Financial Analysis Department prepares monthly reports for Executive Team review to track high level summaries of spending, unspent revenues generated and fund balance changes. Both the county and state funding are displayed in percentages in order to provide a simple straight-line budget comparison to actual spending. An example of the unspent revenue projection report is provided in Figure 13.

Sharon R. Bock, Esq. Clerk & Comptroller Unspent Revenue Projection Fiscal Year 2014 Reporting Period Ending- September 30, 2014			
		% of CFY Elapsed:	100.0%
BOCC + County Recorder			
	CFY2014 Budget	CFY2014 Actual	% Act of Budget
Revenue:			
Charges for Services to the County	\$ 12,861,632	\$12,654,630	98.4%
County Recorder Fees	\$ 6,663,905	\$ 7,606,962	114.7%
Court Fees, Fines and Service Charges			
Recording Fees			
10% Fines			
Interest			
Total Revenue	\$ 19,495,537	\$20,258,592	103.9%
Expenditures:			
Personnel Services	\$ 14,486,566	\$13,386,660	92.4%
Operating	\$ 2,484,876	\$ 3,268,621	131.5%
Operating (ISS)	\$ 1,380,065	\$ 1,171,472	84.9%
Capital Outlay	\$ 36,288	\$ 257,401	709.3%
Intergovernmental Transfers	\$ 607,743	\$ 1,012,508	166.6%
Total Expenditures	\$ 18,995,538	\$19,096,661	100.5%
Net Revenues	\$ 500,000	\$ 1,161,931	232.4%

Figure 13: Example of Unspent Revenue Projection Report

Department Expenditure Report

The Budget & Financial Analysis Department prepares monthly expenditure reports for Department Managers to review. The report provides summary detail by account, comparing budgeted expenditures versus actual expenditures, including any upcoming encumbrances. A comparison to prior year spending at the same point in time is provided and an example of a department expenditure report is provided in Figure 14. By comparing the yellow highlighted numbers, Department Managers are able to determine if they are in line with the percent of the Fiscal Year that has expired, with the percent of budget that has been committed as of the reporting date.

Sharon R. Bock, Esq. Clerk & Comptroller - Palm Beach County Summary of Expenditures by Department							
				% of Year Lapsed	16.7%	Period	2
<i>Example Department</i>							
Account	Title	Annual Budget	YTD Activity	Encumbrance	Pre-Encumbrance	Available Budget	% of Budget Committed Year to Date
51201	Regular Salaries	\$ 572,728	\$ 81,182	\$ -	\$ -	\$ 491,546	
51203	Salaries-Vacation	\$ -	\$ 9,813	\$ -	\$ -	\$ (9,813)	
51204	Salaries-Sick	\$ -	\$ 911	\$ -	\$ -	\$ (911)	
51401	Overtime	\$ 2,769	\$ (170)	\$ -	\$ -	\$ 2,939	
51405	Overtime-Straight Time	\$ 800	\$ -	\$ -	\$ -	\$ 800	
52101	FICA	\$ 35,730	\$ 5,341	\$ -	\$ -	\$ 30,390	
52105	FICA-Medicare	\$ 8,356	\$ 1,249	\$ -	\$ -	\$ 7,107	
52201	Retirement	\$ 29,992	\$ 4,675	\$ -	\$ -	\$ 25,317	
52302	Health Insurance	\$ 168,062	\$ 25,898	\$ -	\$ -	\$ 142,163	
52303	Dental Insurance	\$ 3,588	\$ 677	\$ -	\$ -	\$ 2,911	
52304	Life Insurance	\$ 1,418	\$ 280	\$ -	\$ -	\$ 1,138	
52305	Long-Term Disability Insurance	\$ 1,658	\$ 228	\$ -	\$ -	\$ 1,430	
52307	FSA Funding	\$ 1,500	\$ -	\$ -	\$ -	\$ 1,500	
52308	Short-Term Disability Insurance	\$ 4,003	\$ 664	\$ -	\$ -	\$ 3,339	
52501	Unemployment Compensation	\$ 22,500	\$ -	\$ -	\$ -	\$ 22,500	
	Total Personnel Services	\$ 853,105	\$ 130,749	\$ -	\$ -	\$ 722,356	15.3%
53101	Professional Services	\$ 300	\$ -	\$ -	\$ -	\$ 300	
54001	Travel and Per Diem	\$ 1,045	\$ -	\$ -	\$ -	\$ 1,045	
54104	Communication-Commercial	\$ 75	\$ 3	\$ -	\$ -	\$ 73	
54406	Rentals-Office Equipment	\$ 1,131	\$ -	\$ -	\$ -	\$ 1,131	
54622	Repair and Maint-Telephone	\$ 1,000	\$ -	\$ -	\$ -	\$ 1,000	
54701	Printing & Binding-Outside	\$ 67	\$ -	\$ -	\$ -	\$ 67	
54702	Copies of Documents	\$ 10	\$ -	\$ -	\$ -	\$ 10	
55101	Office Supplies	\$ 3,336	\$ 43	\$ 643	\$ -	\$ 2,650	
55111	Office Furniture and Equip	\$ 500	\$ -	\$ 66	\$ -	\$ 434	
55112	Telephone Equipment	\$ 1,800	\$ -	\$ -	\$ -	\$ 1,800	
	Total Operating	\$ 9,263	\$ 45	\$ 709	\$ -	\$ 8,509	8.1%
	Organization Total	\$ 862,369	\$ 130,795	\$ 709	\$ -	\$ 730,865	15.2%

Figure 14: Example of Department Expenditure Report

E. Funding Overview

As shown in Figure 15, the General Fund is used to account for all activities related to the Clerk & Comptroller's office except those which may be accounted for in the Special Revenue Fund. The General Fund includes the charges for services to the County, County Recorder user fees and other county fees collected. Funding from court fees, fines and service charges utilized for the Clerk of the Circuit Court role, for which the maximum level of funding is set by the Florida State Legislature, is also included.

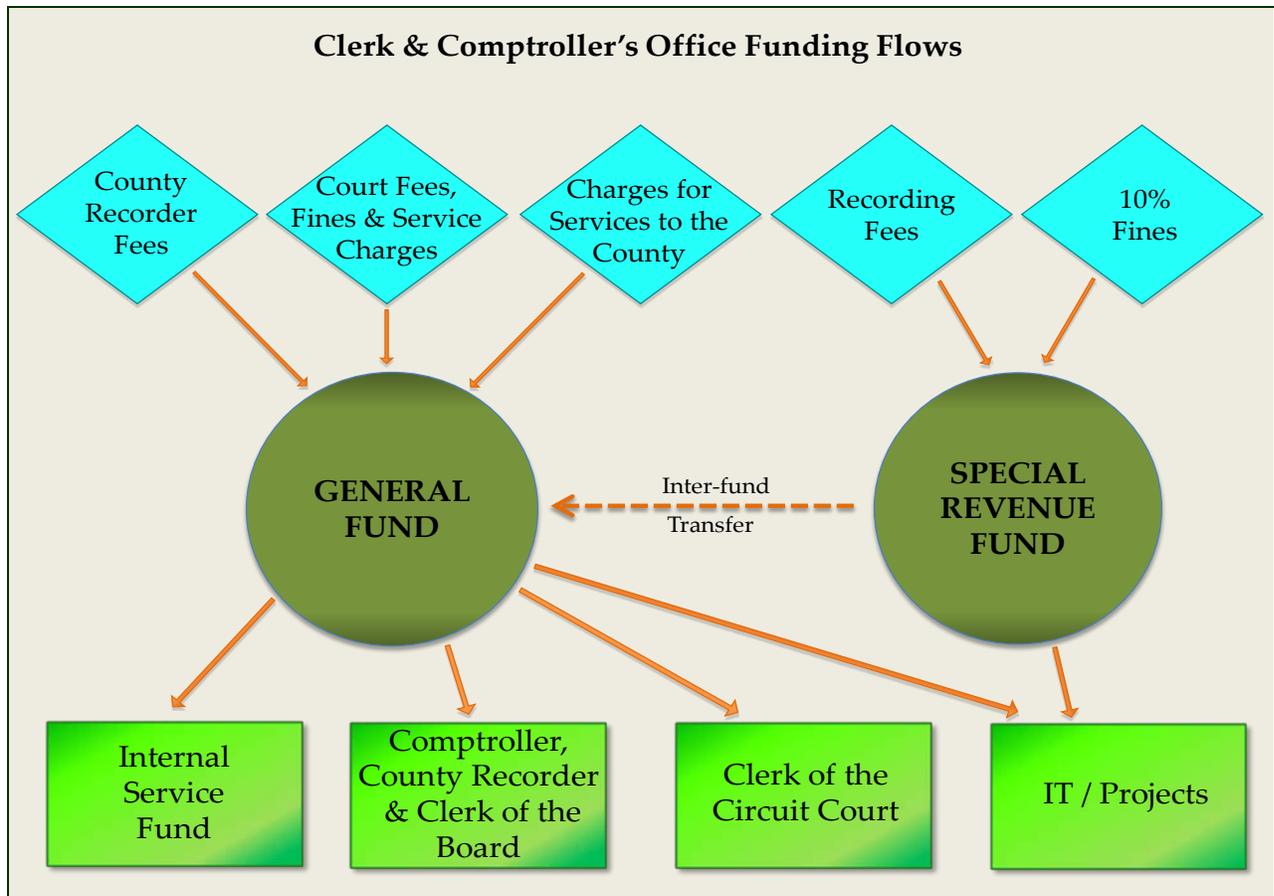


Figure 15: Clerk & Comptroller's Office Funding Flows

As noted in Figure 15, the revenue flows into the General Revenue Fund are to pay for the cost of operations for carrying out the duties of the office, the internal service fund and technology related projects.

The source of general revenue funds for the Clerk & Comptroller is derived as follows: Ad valorem funding as approved by the Board of County Commissioners to pay the cost of services provided by the clerk's office in performing its duties as Treasurer, Comptroller and Clerk of the Board.

Revenues collected in the performance of the duties as Clerk of the Circuit Court derive from court fees, fines, costs and services charges as defined in statute and reflecting the distribution amount retained by the Clerk of Court as described on page 56.

Revenue received as County Recorder are fees collected for recording of official records such as mortgages, deeds, marriage licenses, death certificates, etc. which are set in statute and reflect the share retained by the Clerk & Comptroller.

The Special Revenue Fund consists of three distinct revenue sources within the Public Records Modernization Trust Fund are established in statute:

- Court Technology Trust Fund Section 28.24(12)e(1) F.S. (known as the \$1.90 fund)
- 10% Fines Section 28.37(5) F.S.
- Public Records Modernization Trust Fund Section 28.24(12)(d)1 F.S. (known as the \$1.50 fund)

The uses of special revenue funds are specifically defined in statute. Technology costs related to the Clerk of the Circuit Court are funded through inter-fund transfers from the Special Revenue Fund to the General Fund. The special revenue fund may also be charged directly for a specific expenditure related to a project. Recording revenue collected is restricted, to cover costs associated with court technology and specific costs related to modernization efforts to increase accessibility to public records. Also included is a revenue source related to the collection of fines in which 10% of the fine amounts are retained by the clerks and can be used by clerks to offset the operational costs associated with the processing of violations or court related technology projects. In FY2016 all 10% of fine revenues will be used to supplement any court operations shortfalls, as directed by the Legislative Budget Committee.

Chapter 2013-44, Laws of Florida, formerly CS/CS/SB 1512 was enacted after the 2013 legislative sessions and includes provisions affecting the funding of the court related duties of the Clerks of Court. Among key changes in the statute:

- Establishing the spending budget authority from a state fiscal year to the county fiscal year October 1st and ending September 30th.
- Provided for the annual settle-up of collected due to the Clerk of Court Trust Fund prior to January 25 succeeding each county fiscal year.,
- The January 25th settle up will consist of twelve months of collections less twelve months of expenditures with expenditures lagging by one month.
- The court related revenue forecast is determined by the Revenue Estimating Committee at the state level.
- The Clerks statewide budget is to be balanced with the revenue forecast in total.

F. Fund Balance Policy

Florida Statutes provide that the amount by which revenues and transfers exceeding annual expenditures for the Comptroller and County Recorder roles be remitted to the Board of County Commissioners immediately following the fiscal year for which the funding was provided, or following the fiscal year during which other revenues were recognized. Likewise, unexpended revenues for the Clerk of the Circuit Court role at the conclusion of the county fiscal year (September 30th) are to be remitted to the Department of Revenue no later than January 25th of the following year. As such, the Clerk & Comptroller's office does not have a fund balance in the General Fund.

As a result, the definition of "Fund Balance" for the Clerk & Comptroller's office only relates to the available balance at the end of the year for the Special Revenue Fund.

The consequence of a change in fund equity for the Special Revenue Fund that is greater than 10% results in less available funds to use for future projects. The benefit of using such a large percentage of the fund balance that was taken into consideration during budget development is that the Clerk & Comptroller's office will be able to expedite the completion of the ShowCase project, enhancing customer service and realizing cost savings from the technology upgrades sooner, which has a compounding effect.

Table 8, on the following page, provides a schedule showing the projected change in fund balance for the Special Revenue Fund. In FY2016, the fund balance is expected to be reduced by 83% due to an anticipated increase in technology related expenditures and the need to use 10% funds to supplement court operations shortfalls due to budgetary cutbacks.

The change in fund balance of \$2.7 million in FY2015 includes \$2.0 million in contractual milestones associated with the implementation of the final stage of the Civil Court phase of the ShowCase project and a new Official Records System. The remaining change in fund balance is due to an increase in the inter-fund transfer of \$0.7 million; needed to help fund court operation shortfalls in FY2016. As noted in Figure 16, on the following page, the fund balance in the Special Revenue Fund continues to decline due to reduced revenues and higher expenditures related to executing mandates, technology costs as well as, the need to utilize 10% funds to supplement the court operation's revenue shortfalls.

() denotes a decrease

Special Revenue Fund Fund Balance	FY2014 Actual	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
Beginning Fund Balance	\$ 15,130,686	\$ 14,551,015	\$ 9,472,018	\$ (5,078,997)	-34.9%
Ending Fund Balance	14,551,015	9,472,018	1,643,118	(7,828,900)	-82.7%
Change in Fund Balance	\$ (579,671)	\$ (5,078,997)	\$ (7,828,900)	\$ (2,749,903)	54.1%

Table 8: Special Revenue Fund Balance

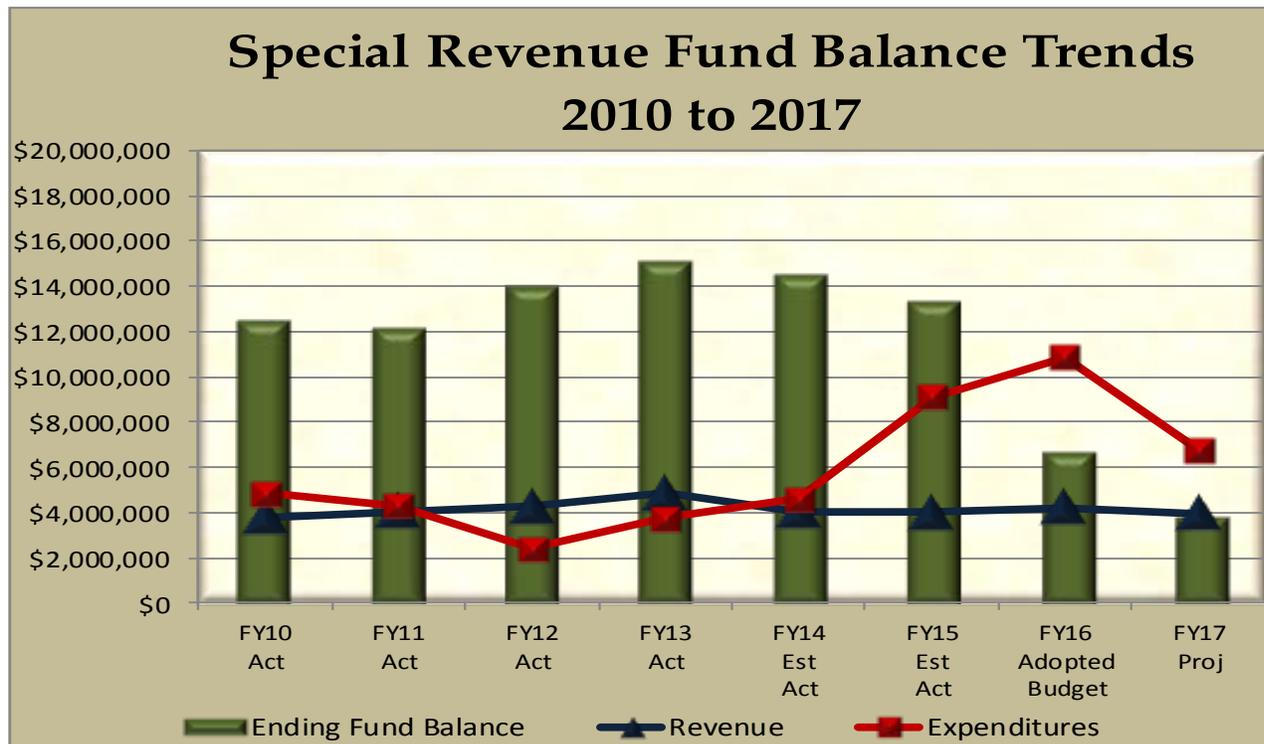


Figure 16: Special Revenue Fund Balance Trends

G. Debt Service

Although the Clerk & Comptroller's service charges are a bondable revenue source, the office has no outstanding debt. The Clerk's policy is to incur debt only for specific projects occurring within the current fiscal year when a funding source is insured. The Clerk & Comptroller's office does not have debt and does not intend to issue debt in FY2015. The Clerk's operating funds are turn back funds (meaning any excess funds at the end of the county year must be returned to the originating funding source) and cannot issue debt encompassing more than a single fiscal year. As a result, the Clerk's policy is to not issue debt for the operations of the Clerk & Comptroller.

H. Budget Amendments

The Clerk & Comptroller does not have the authority to amend the amount of funds in the maximum budget received to perform the roles as the Comptroller, Clerk of the Board and as Clerk of the Circuit Court. If an amendment were required, the Clerk & Comptroller's office would have to request and receive additional budget authority from the county and/or CCOC. As an internal control measure, departments are not allowed to exceed the budget. Any purchase order for an expenditure that will result in a department exceeding its budget will automatically be rejected. Additional funds required by a department may be acquired by an inter-department transfer approved by each manager and processed by the Budget & Financial Analysis Department, provided that the funding source is identical for both departments.

I. Procurement Policy

The Clerk & Comptroller's Procurement Department provides centralized guidance and oversight for the procurement of goods and services for the benefit of Palm Beach County residents. The process for the procurement of goods requires that all purchase requisitions pass a budget check and management approvals prior to the issuance of the purchase order. The mission of the department is to secure the lowest price for all goods and services with competitive pricing practices as well as utilizing government or state contracts to obtain the lowest possible price.

The Procurement Policy provides the guiding principles for the procurement of goods and services by the Clerk & Comptroller for both employees and vendors. The contract policy provides guidelines as to the types of expenditures that require a formal contractual obligation for goods or services and include competitive solicitations as required by Florida

Statutes. More information on the Clerk & Comptroller's Procurement Policy can be found on the Clerk's website at <http://www.mypalmbeachclerk.com/procurement.aspx>.

The Procurement Department is also taking the initiative to utilize technology. A more efficient method for processing requisitions related to common operating supplies called "Punch-Out" was implemented in FY2013. Punch-Out is a software application that makes it possible for the buyer to access a supplier's website from within the buyer's own procurement application. This functionality reduces the amount of time needed for processing requisitions as well as eliminating the need to manually enter the items into the requisition.

J. Other Financial Reporting Policies

Distinguished Budget Award

The Clerk & Comptroller's office will submit their annual budget to the GFOA Distinguished Budget Presentation Program for FY2016 and each year thereafter as one of the Clerk's objectives to ensure fiscal responsibility and transparency to the public. The Clerk & Comptroller's office has received the GFOA's Distinguished Budget award for its third consecutive year in FY2015. The budget document satisfies criteria as a financial and organizational policy document, a financial plan, an operations guide and a communications device internally as well as to the citizens of Palm Beach County and other interested parties.

Comprehensive Annual Report (CAFR) & Popular Annual Financial Report (PAFR)

The Clerk & Comptroller's office will submit the CAFR to the GFOA Certification of Achievement for Excellence in Financial Reporting for FY2015 and each year thereafter. The report is prepared in compliance with generally acceptable accounting principles (GAAP). In addition to submitting the CAFR to the GFOA, the Clerk and Comptroller's office will also submit the PAFR, which is a condensed and simplified version of the CAFR. The Clerk & Comptroller's office has had the honor of winning these awards for twenty-five and eight consecutive years, respectively.

Accounting and Reporting Methods

The Clerk & Comptroller's office will maintain its accounting and reporting systems in accordance with all state and federal laws; generally accepted accounting principles (GAAP) and the Governmental Accounting Standards Board (GASB) standards, guidelines and requirements.

Self-Insurance Reserves

The Clerk & Comptroller's office will maintain Self Insurance reserves at a level, together with purchased policies, that will adequately insure the sustainability of the Clerk's health insurance, and compensated absences liabilities. A qualified actuarial firm is retained to ensure the soundness of the health fund levels and to provide its certifications of compliance with 112.08 Florida Statute (F.S.).

Accounts Receivable – Collection Aging

The Clerk & Comptroller's office will prepare and maintain a system of accounts receivable related to courts fines, fees, court costs and service charges in compliance with 28.246(2) Florida Statute (F.S.).

V. Revenues

A. Revenue Policy, Trends and Assumptions

The Clerk & Comptroller has distinct court and non-court-related duties and functions and collects different types of revenue associated with each and distributes these collections according to Statutes. As a result, a significant portion of the receipts collected by the office do not apply to funding the operations of the office.

As indicated in Figure 17, monies received by the Clerk & Comptroller for court-related fines, fees and service charges are distributed to various agencies through State funds as well as to the State's General Revenue Fund.

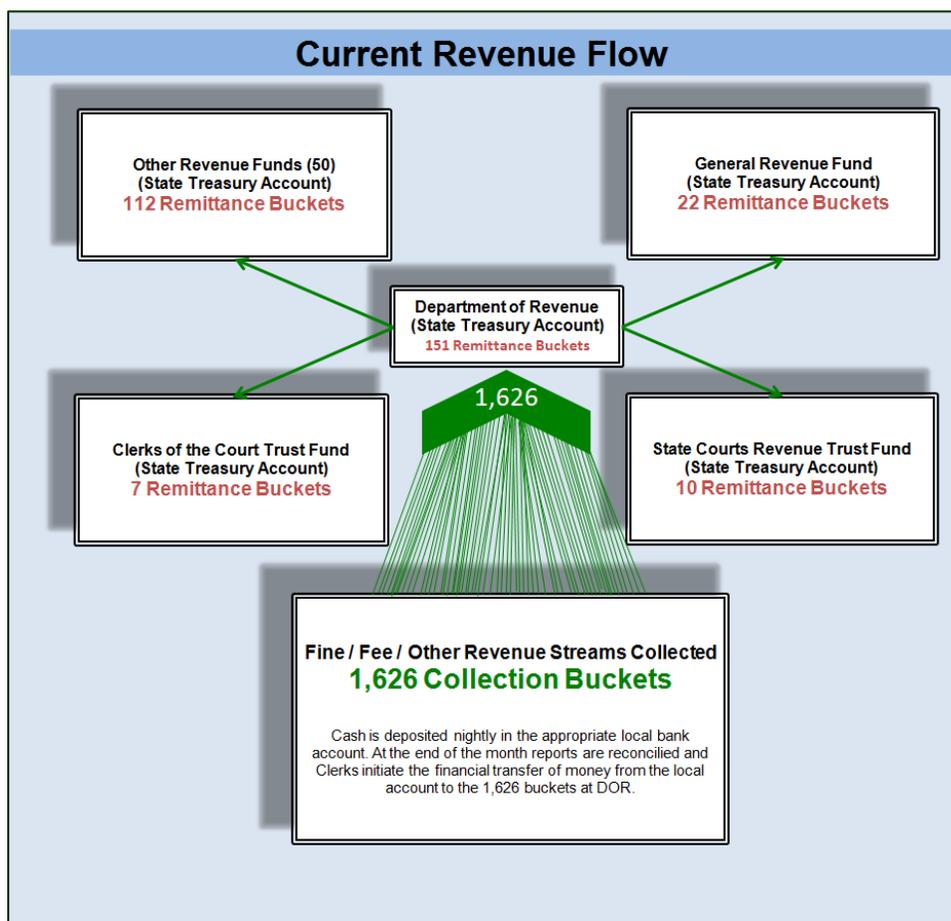


Figure 17: Court-Related Revenue Flow

The complexity of remitting court fees, fines and service charges by the Clerk to the Department of Revenue (DOR) is directly related to the number of "buckets" or earmarks that are identified in Statutes governing the distribution of the revenue that is collected and placed in 1,626 different buckets. These collection buckets are sent by the clerks to the DOR where they are rolled into 151 remittance buckets that are distributed by the DOR to

various funds, including the Clerks of Circuit Court Trust Fund, State Courts Revenue Trust Fund, State General Revenue Fund and other State trust funds. The number of buckets has grown over the years resulting in the current 1,626 unique revenue stream buckets that clerks fill each month.

As shown in Figure 18, 73% of the recording fees from official records and the collections of court fees, fines and costs were remitted to the State by the Clerk & Comptroller, Palm Beach County. The Clerk’s office only retains approximately 15% of total revenues collected to fund its operations.

Court Related Filing Fees, Service Charges, Costs & Fines and Legal Records Fees & Service Charges Revenue Distribution - FY2014

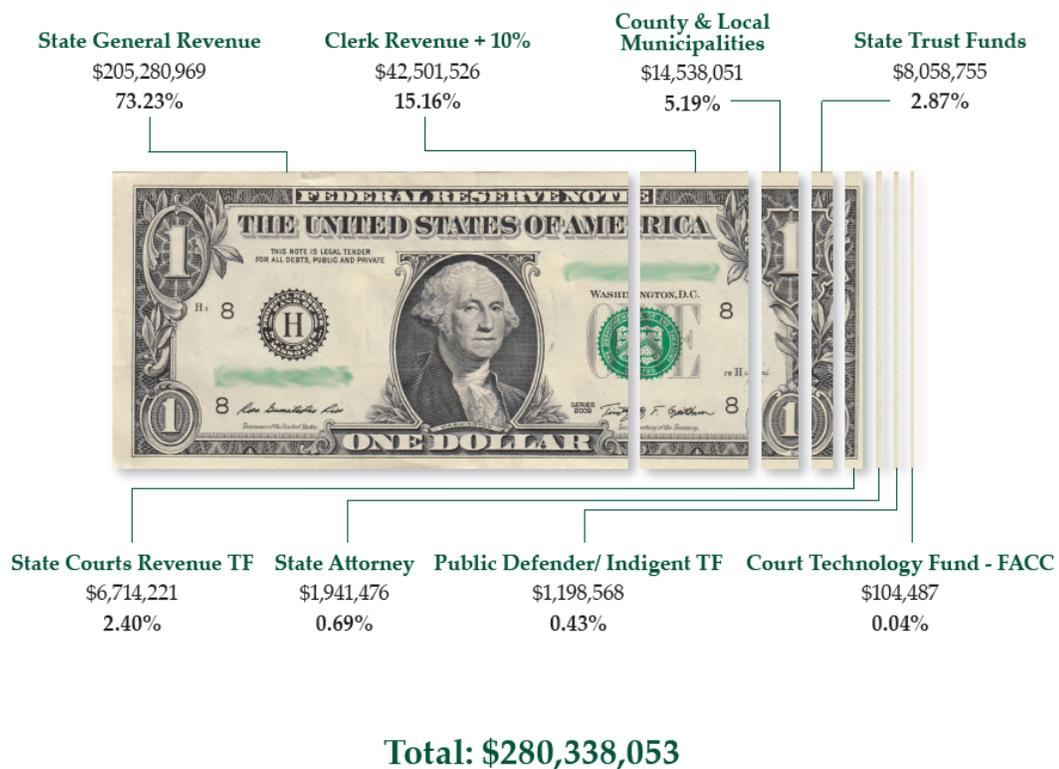


Figure 18: PBC Clerk & Comptroller Court-Related Collections

The change brought by Chapter 2013-44 in FY2013, Laws of Florida authorizes all 67 clerks to retain their distribution of collections from court fees, fines and service charges. In addition, the State Legislature re-directed an \$80.00 filing fee from the State General Fund to clerks to retain in order to address shortfalls in funding the clerk's spending authority.

The revenue projection is determined by a thorough analysis of recent trends by each revenue classification in conjunction with a projection of new case activity by division of court. As noted in Figure 19, total revenue collections of fines, fees and court costs have declined since FY2012 and are primarily related to the sharp decline in foreclosures since the real estate market has started to rebound in the last few couple of years. The decline in traffic cases has also contributed to the loss of revenue.

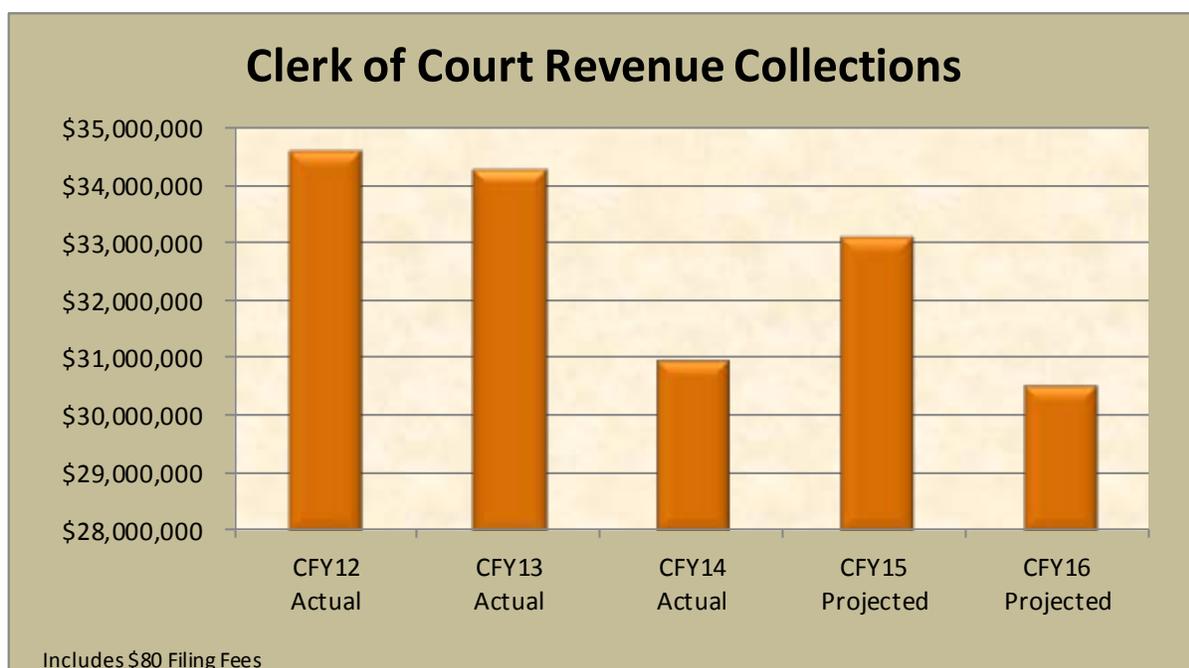


Figure 19: Clerk of Court Trust Fund Collections

Revenues are projected to decrease in FY2016 compared to FY2015, based on prior year revenue trends and declines in new cases filed. Although our office has made major efforts toward increasing collection rates in felony cases as well as, offering more payment plans options to defendants charged with misdemeanors who are on probation, our success rate has not been enough to offset our shortfall. To demonstrate the impact of the trend in cases and the impact on total collections, Figures 20 and 21, on the next page, show the impact of fines and fees projected in the FY2016 budget. It is expected the continued improvement in collection efforts will have a positive impact on fines and court costs for traffic related cases despite the decline in projected new cases.

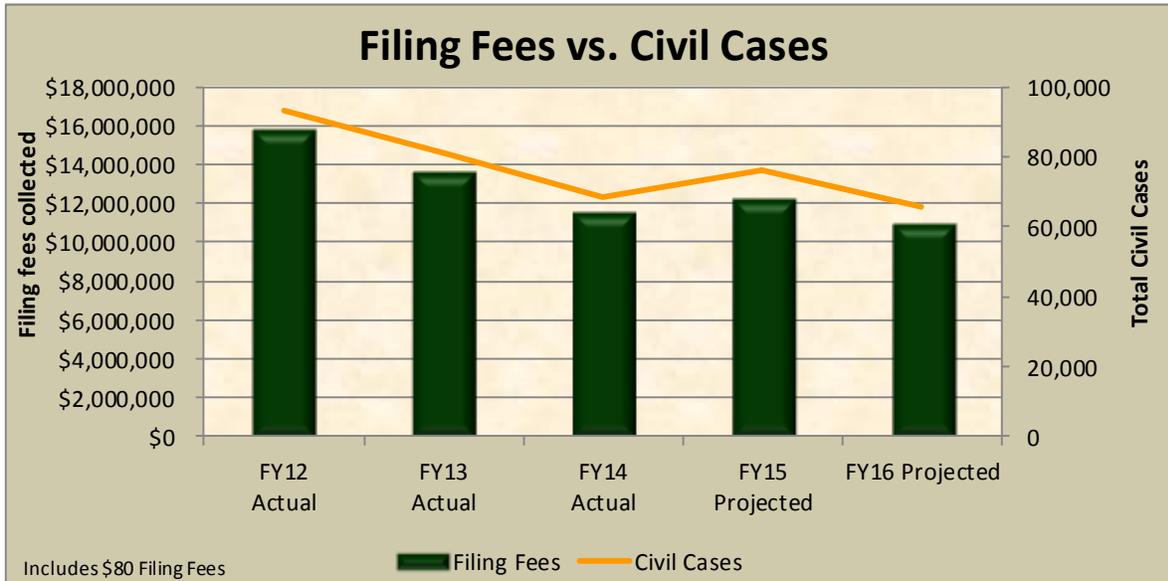


Figure 20: Filing Fees vs. Civil Cases

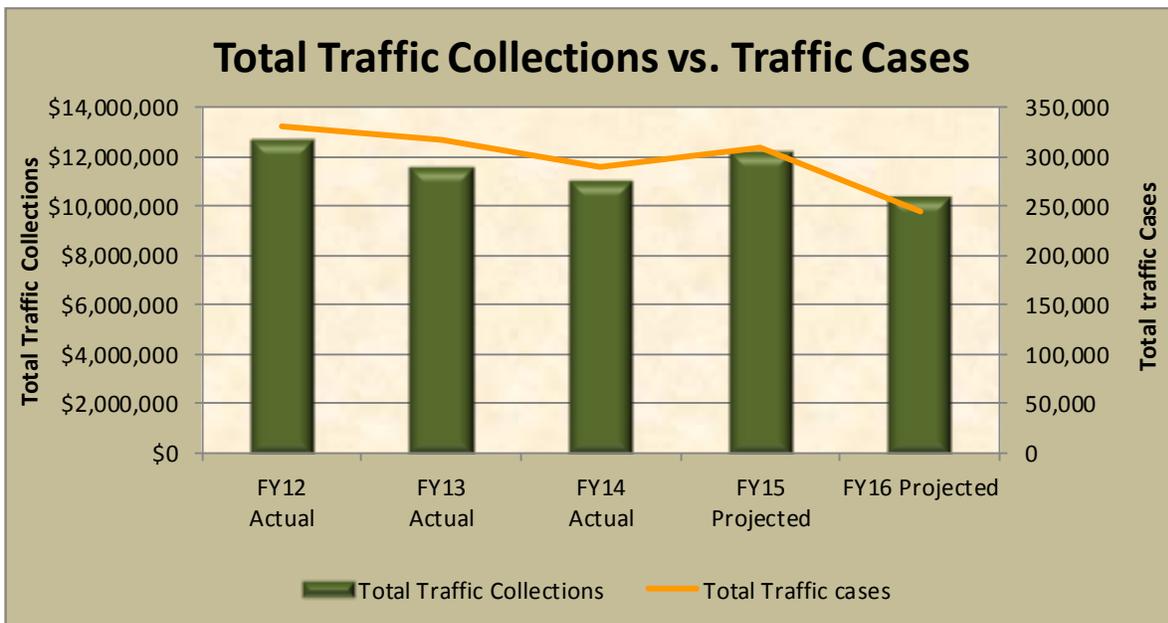


Figure 21: Total Traffic Collection vs. Traffic Cases

The Clerk & Comptroller’s organization is committed to being fiscally responsible by monitoring expenditures and any shifts in actual revenue versus the current year projections.

1. General Fund Revenue

Sources of revenue that are part of the General Fund include:

- Charges for services to the County
- Recording fees
- Court fees, fines and service charges
- Special funding for foreclosures²
- Other general government fees
- Intergovernmental transfers
- Interest

Charges for services to the County relate to the roles as Comptroller, Treasurer, Auditor and Clerk of the Board.

Recording and other government fees are collected by non-court personnel and are related to the role of County Recorder. These fees are comprised of recording fees, intangible taxes and documentary stamp commissions associated with recording deeds and mortgages as well as other user fees such as preparing copies of official documents and marriage licenses. The majority of the County Recorder revenues are directly related to property values, whereas recording fees associated with the Special Revenue Fund are directly related to the number of pages filed.

Chapter 2013-44, Laws of Florida authorized clerks to retain the collections from court fines, fees and service charges collected by and available for our office to use to fund the operations of the Clerk of the Circuit Court.

Intergovernmental transfers are revenues associated with federal grant money received from DOR to offset the costs associated with processing non private child support cases.

As shown in Table 9 on the next page, the General Fund revenue budget reflects a decrease of \$2,201,577. Revenues from recording fees are projected based on the FY2015 trends and the increased stability of the real estate market and property values. The projected decreased revenue levels for Court Fees, Fines and Service is based on an prior years revenue declines, coupled with new case projections and an increased focus on collection

² <https://www.flsenate.gov/Session/Bill/2013/1852/BillText/er/PDF>

efforts. The FY2015 Special Foreclosure Funding distribution was the final installment of the \$9.7 million two year state initiative provided to the clerks to assist the judiciary with clearing the foreclosure case backlog statewide.

() denotes a decrease

General Fund Revenue	FY2014 Actual	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
County Charges for Services	\$ 12,466,412	\$ 12,858,294	\$ 13,354,306	\$ 496,012	3.9%
Recording Fees	5,683,093	5,300,348	5,582,089	\$ 281,741	5.3%
Court Fees, Fines and Service Charges	\$30,961,937	\$33,100,629	\$30,529,643	\$ (2,570,986)	-7.8%
Special Foreclosure Funding	403,381	98,461	-	\$ (98,461)	-100.0%
Other General Government Fees	3,042,804	3,700,499	3,619,906	\$ (80,594)	-2.2%
Intergovernmental Transfers	1,235,519	1,224,999	995,709	\$ (229,290)	-18.7%
Interest	-	-	-	-	N/A
Total	\$ 53,793,146	\$ 56,283,230	\$ 54,081,652	\$ (2,201,577)	-3.9%

Table 9: General Fund Revenue

2. Special Revenue Fund

The Special Revenue Fund (also known as the Public Records Modernization Trust Fund) includes the following sources of revenue:

- Recording Fees
- 10% Fines & Forfeitures
- Interest

The revenues in the Special Revenue Fund are user fees set by Florida Statutes for a specific purpose to help the Clerk improve access to public records and to help offset the Clerk's technology related costs to support the courts. These fees are based on a charge for each page of the document that is recorded, whereas, the recording fees associated with the General Fund are directly related to property values. In addition, the Clerk retains 10% of the fines collected in the Special Revenue Fund that may be used to offset operational costs, such as jury payment and/or personnel costs or technology improvements. In FY2016, the 10% revenues must be used solely to supplement the court operations funding needs and are capped at an approved budget amount \$1,136,454 determined by the Clerk of Court Operations Corporation (CCOC).

The Fund is comprised of three distinct funds established by Florida statutes:

1. The Court Technology Trust Fund. The revenue in this fund consists of a \$4.00 recording fee of which \$1.90 is retained by the Clerk to pay for the labor cost of its technology department and other court related technology operating costs.
2. The 10% Fund. The revenue in this fund is generated by a 10% withholding from traffic fines and may be used to fund expenditures related to court operations or court related technology improvements.
3. Public Records Modernization Trust Fund. The revenue in this fund is based on a \$1.50 recording fee and is to be for a specific purpose to help the Clerk improve access to public record. The revenue in this fund can not be used to pay for any labor costs.

As shown in Table 10 below, the revenue projection in the Special Revenue Fund reflects an increase of \$209,310. The increase is mainly due to an anticipated increase in the number of pages recorded from the recording of mortgages and deeds. This increase is offset by the projected decrease in the fines collected related to current revenue trends. Interest earnings are expected to increase based on prior years trends.

() denotes a decrease

Special Revenue Fund	FY2014	FY2015	FY2016	Variance \$	Variance %
	Estimated Actual	Adopted Budget	Adopted Budget		
Recording Fees	2,669,869	2,610,810	3,063,155	452,345	17.3%
10% Fines & Forfeitures	1,371,312	1,413,200	1,136,116	(277,084)	-19.6%
Interest	4,826	5,007	39,056	34,049	680.0%
Total	\$4,046,007	\$4,029,017	\$4,238,327	\$209,310	5.2%

Table 10: Special Revenue Fund - Revenue

VI. Major Expenditures and Funding Sources

A. Consolidated Funds

The Consolidated Budget Overview provided in Table 11 highlights the Clerk & Comptroller's historical and planned expenditures by funding source and expense type.

() denotes a decrease

Consolidated Budget	FY2014 Actual	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
Revenue					
Court Fees, Fines and Service Charges	\$ 30,961,937	\$ 33,100,629	\$ 30,529,643	\$ (2,570,986)	-7.8%
Special Foreclosure Funding	403,381	98,461	-	(98,461)	-100.0%
County Charges for Services	12,466,412	12,858,294	13,354,306	496,012	3.9%
Recording Fees	8,352,961	7,911,158	8,645,244	734,086	9.3%
Other General Government Fees	3,042,804	3,700,499	3,619,906	(80,594)	-2.2%
10% Fines & Forfeitures	1,371,312	1,413,200	1,136,116	(277,084)	-19.6%
Intergovernmental Transfers	1,235,519	1,224,999	995,709	(229,290)	-18.7%
Interest	4,826	5,007	39,056	34,049	680.0%
Total Revenue	57,839,152	60,312,247	58,319,979	(1,992,267)	-3.3%
Internal Service Fund	13,734,112	13,841,886	13,981,280	139,393	1.0%
Inter-fund Transfer	3,863,161	4,411,376	5,238,741	827,365	18.8%
Fund Balance					
Balances Brought Forward (SRF Only)	15,130,687	14,551,016	14,195,639	(355,377)	-2.4%
Total Revenues	\$ 90,567,112	\$ 93,116,525	\$ 91,735,639	\$ (1,380,886)	-1.5%
Expenditures					
Personnel Services	\$ 46,294,328	\$ 50,211,033	\$ 49,052,269	\$ (1,158,764)	-2.3%
Operating Expenses	8,332,760	14,456,210	15,590,948	1,134,737	7.8%
Capital Outlay	1,152,351	224,000	1,006,000	782,000	349.1%
Total Expenditures	55,779,438	64,891,243	65,649,217	757,974	1.2%
Internal Service Fund	13,734,112	13,981,280	13,981,280	-	0.0%
Inter-fund Transfer	3,863,161	4,411,376	5,238,741	827,365	18.8%
Year End Commitments					
Unspent Revenues Returned to BOCC	2,140,285	500,000	500,000	-	0.0%
Unspent Revenue due to State	499,100	-	-	-	N/A
Fund Balance					
Reserves (SRF Only)	14,551,016	9,332,625	6,366,401	(2,966,224)	-31.8%
Total Reserve & Expenditures	\$ 90,567,112	\$ 93,116,525	\$ 91,735,639	\$ (1,380,886)	-1.5%

Table 11: Consolidated Budget

The budgeting basis of the Clerk & Comptroller’s office is a conservative one and considers the uncertainty of one of its main funding sources, in particular, court fees, fines and service charges to fund court-related activities.

During times of financial unpredictability, it is more important than ever to provide excellent customer service, improve reporting standards, rely more heavily on technological advances and ensure volatile costs are covered and to provide a seamless transition from one fiscal year to the next.

Net Budget

The Net Budget, as shown in Table 12, subtracts Internal Service Fund charges and transfers of money from one fund to another (Inter-fund Transfers) from the total Consolidated Budget. These reductions from the total Consolidated Budget are considered double-counted because they do not represent money coming into the Clerk’s budget as revenue or leaving the Clerk’s budget as expense. Inter-fund transfers are necessary to reflect movement of revenues within the legal budget from the fund where received to the fund where the expenditure is recorded.

() denotes a decrease

Net Budget	FY2014 Actual	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
Total Budget	\$ 90,567,112	\$ 93,116,525	\$ 91,735,639	\$ (1,380,886)	-1.5%
Less:					
Internal Service Fund	13,734,112	13,841,886	13,981,280	139,393	1.0%
Inter-fund Transfer	3,863,161	4,411,376	5,238,741	827,365	18.8%
Net Revenue Budget	\$ 72,969,839	\$ 74,863,262	\$ 72,515,618	\$ (2,347,644)	-3.1%
Total Expenditures	\$ 55,779,438	\$ 64,891,243	\$ 65,649,217	\$ 757,974	1.2%
Unspent Revenues Returned to BOCC	2,140,285	500,000	500,000	-	0.0%
Fiscal Year Overlap	499,100	-	-	-	N/A
Reserves (SRF Only)	14,551,016	9,332,625	6,366,401	(2,966,224)	-31.8%
Net Expenditure Budget	\$ 72,969,839	\$ 74,723,869	\$ 72,515,618	\$ (2,208,250)	-3.0%

Table 12: Net Budget

B. General Fund Expenditures

Funding for each of the functional units described later in this document is budgeted in the following individual funds. The interdependence of their funding is also shown in Figure 15 on page 48. 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 areas of the financial structure. When funding is reduced, a ripple effect is felt throughout the entire organization.

It is important to note that effective July 1st, 2013 funding from court fees, fines and service charges, included in the General Fund are budgeted based on the county fiscal year, which begins on October 1st and ends on September 30th the following year similar to all other funding sources within the General Fund.

As shown in Table 13, on the following page, the total FY2016 adopted budget for charges for services to the County is \$13,354,306, which reflects an increase of \$496,012. The total FY2016 adopted budget of \$10,197,704 for County Recorder fees is comprised of \$5,582,089 of Recording Fees, \$3,619,906 of Other Government fees and \$995,709 of Intergovernmental Transfers. This reflects a total increase of \$467,870 from FY2015, which is due to anticipated revenue increases in recording fees and increased funding from the County Charges for Services. The projected increase in revenue has been accounted for in the planned expenditures budget with a cost reduction in operating expenses related to one-time software and hardware purchases in FY2015 to support the organizations technological infrastructure.

() denotes a decrease

General Fund	FY2014 Actual	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
Revenue					
Court Fees, Fines and Service Charges	\$ 30,961,937	\$ 33,100,629	\$ 30,529,643	\$ (2,570,986)	-7.8%
Special Foreclosure Funding	403,381	98,461	-	(98,461)	-100.0%
County Charges for Services	12,466,412	12,858,294	13,354,306	496,012	3.9%
Recording Fees	5,683,093	5,300,348	5,582,089	281,741	5.3%
Other General Government Fees	3,042,804	3,700,499	3,619,906	(80,594)	-2.2%
Intergovernmental Transfers	1,235,519	1,224,999	995,709	(229,290)	-18.7%
Interest	-	-	-	-	N/A
Total Revenue	53,793,146	56,283,230	54,081,652	(2,201,577)	-3.9%
Inter-fund Transfer	3,863,161	4,411,376	5,238,741	827,365	18.8%
Total Revenues	\$ 57,656,307	\$ 60,694,606	\$ 59,320,393	\$ (1,374,212)	-2.3%
Expenditures					
Personnel Services	\$ 46,294,328	\$ 50,211,033	\$ 49,052,269	\$ (1,158,764)	-2.3%
Operating Expenses	7,570,243	9,849,572	9,487,124	(362,449)	-3.7%
Capital Outlay	1,152,351	134,000	281,000	147,000	109.7%
Total Expenditures	55,016,922	60,194,605	58,820,393	(1,374,212)	-2.3%
Year End Commitments:					
Unspent Revenues Returned to BOCC	2,140,285	500,000	500,000	-	0.0%
Unspent Revenue due to State	499,100	-	-	-	N/A
Total Expenditures & Year End Commitments	\$ 57,656,307	\$ 60,694,605	\$ 59,320,393	\$ (1,374,212)	-2.3%

Table 13: General Fund

The total adopted budget related to court fees, fines and service charges is \$30,529,643 for FY2016, which reflects a decrease of \$2,570,986 from the FY2015 adopted budget. This decrease is related to budget cuts taken as a result of funding issues which are currently being addressed with Legislature and are not within the direct control of the Clerk. Cost reduction initiatives were implemented including elimination of an additional 41 full-time positions, overtime and the replacement of critical only positions in order to ensure that revenues and expenditures stay balanced; supporting the Clerk's commitment to fiscal management and responsibility.

C. Special Revenue Fund Expenditures

As is shown in Table 14 below, the total adopted budget related to the Special Revenue Fund is \$13,710,345 for FY2016. This reflects a decrease of \$4,869,687, which is due to a slight increase in projected revenues in FY2016 offset by an increase in project related technology spending. In addition to 10% fund revenues needed to supplement court operations shortfalls due to projected declines in court related fines, fees, services charges and court costs.

Expenditures in the Special Revenue Fund are accounted for as direct when the cost is charged directly to the fund and indirect when the cost is charged to the General Fund through the inter-fund transfer.

The bulk of the increase in budgeted operating expenditures in FY2016 is due to the expected use of available fund balances for the implementation of the ShowCase Project, Official Records Project, mandated requirements as well as supplementing court operations funding needs.

() denotes a decrease

Special Revenue Fund	FY2014 Actual	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
Revenue					
Recording Fees	\$ 2,669,869	\$ 2,610,810	\$ 3,063,155	\$ 452,345	17.3%
10% Fines & Forfeitures	1,371,312	1,413,200	1,136,116	(277,084)	-19.6%
Interest	4,826	5,007	39,056	34,049	680.0%
Total	\$ 4,046,007	\$ 4,029,017	\$ 4,238,327	\$ 209,310	5.2%
Fund Balance					
Balances Brought Forward	15,130,686	14,551,015	9,472,018	(5,078,997)	-34.9%
Total Revenues	\$ 19,176,693	\$ 18,580,032	\$ 13,710,345	\$ (4,869,687)	-26.2%
Expenditures (Direct)					
Personnel Services	\$ -	\$ -	\$ -	\$ -	N/A
Operating Expenses	762,517	4,606,638	6,103,824	1,497,186	32.5%
Capital Outlay	-	90,000	725,000	635,000	705.6%
Total Expenditures	762,517	4,696,638	6,828,824	2,132,186	45.4%
Inter-fund Transfer	3,863,161	4,411,376	5,238,741	827,365	18.8%
Fund Balance					
Reserves	14,551,015	9,472,018	1,642,780	(7,829,238)	-82.7%
Total Reserve & Expenditures	\$ 19,176,693	\$ 18,580,032	\$ 13,710,345	\$ (4,869,687)	-26.2%

Table 14: Special Revenue Fund

D. Internal Service Fund

The current health plan utilized by the Clerk & Comptroller's office is "grandfathered" under the Patient Protection and Affordable Care Act (PPACA). As a result, the plan is not required to comply with some of the health reform provisions in the PPACA. For example, grandfathered plans are exempt from the requirement that preventive care services be covered with no member cost-sharing. Additionally, the plan provides generic birth control at a member cost share. Both of these features reduce claims costs. With the go-live of the Marketplace portion of the PPACA on 10/1/2013, employees have been informed of its availability and the Clerks health coverage plan reviewed to ensure it meets the "minimum value standard" and the cost is "affordable" based on the employee's wages. The plan also includes 180 days of claims reserves and administrative reserves in the event of catastrophic loss and or plan termination.

To protect against major loss, the Clerk & Comptroller's office purchases reinsurance (stop loss insurance) on both a specific and aggregate basis to limit its liability for catastrophic or unpredictable losses. Specific stop loss insurance provides protection on an individual member basis. The Clerk will not pay more than \$125,000 in the plan year for any given employee or dependent under this arrangement. Aggregate reinsurance provides protection from an excessive amount of claim expenditures for the entire group for the plan year. The maximum amount the Clerk will pay for health care expenditures varies from plan year to plan year and is based on expected claims costs for the year.

Every year the Clerk & Comptroller's office reviews plan design features of its health care insurance in order to maximize employee benefits, while minimizing costs. There is also a Wellness Committee that aims to positively impact the health of employees, thereby decreasing health care-related costs. This Committee provides a wellness incentive program that incents employees to adopt healthy behaviors, including preventive care initiatives and take personal responsibility and accountability for their health and wellbeing. The Clerk's health plan is self-insured, thereby avoiding State premium taxes and allowing for a flexible plan design that targets the needs of its employees and avoids unnecessary benefits that would otherwise increase health care costs.

Table 15 highlights an expected increase in the Internal Service Fund budget of \$139,393 or 1%, which is due to the impacts of the PPACA and health care premiums and claims noted below:

- Comparative Effectiveness Research Fee has increased from \$2.00 to \$2.08 per member per year for FY2015 and will remain \$2.08 for FY2016;
- Pre-existing condition clause omitted from the Clerks health plan as of 1/1/2014;
- Transitional Reinsurance Program Fees – assessed to insured and self-funded plans 1/1/2015. The cost for this coverage will remain at \$44 per member in FY2016, and is to be paid annually.
- Employer Shared Responsibility (Pay or Play) rules – 30-day limit on eligibility waiting periods took effect on 1/1/2014.
- The office implemented a unique call in service program called *Teladoc* which is expected to save significant cost in claims for conditions like the common cold where patients may be able to obtain a prescription without having to make costly visits to the doctor.

() denotes a decrease

Internal Service Fund	FY2014 Estimated Actual	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
Revenue					
Employee contributions	\$ 1,355,353	\$ 1,286,264	\$ 1,430,569	\$ 144,305	11.2%
Employer contributions	7,744,259	8,223,512	8,667,721	444,210	5.4%
Cobra/Retiree Contributions	366,611	347,923	345,957	(1,966)	-0.6%
Reinsurance Recoveries	1,079,932	1,024,883	611,861	(413,022)	-40.3%
Pharmaceutical Rebate	44,588	42,316	48,783	6,468	15.3%
Other income	29,469	27,967	121,381	93,414	334.0%
Total Revenue	10,620,212	10,952,864	11,226,272	273,408	2.5%
Fund Balance					
Balances Brought Forward	3,113,899	2,889,022	2,755,007	(134,015)	-4.6%
Total Revenues	\$13,734,112	\$13,841,886	\$13,981,280	\$ 139,393	1.0%
Expenditures					
Claims Distributions	\$ 9,377,228	\$ 9,576,823	\$ 9,251,967	\$ (324,856)	-3.4%
Insurance And Bonds	884,745	910,177	995,614	85,437	9.4%
Administration Fees	488,857	502,909	398,905	(104,004)	-20.7%
Other Contractual Services	56,510	58,135	72,047	13,912	23.9%
Other costs	37,750	38,835	132,446	93,611	241.0%
Total Expenditures	10,845,090	11,086,879	10,850,979	(235,900)	-2.1%
Fund Balance					
Reserves	2,889,022	2,755,007	3,130,301	375,294	13.6%
Total Expenditures	\$13,734,112	\$13,841,886	\$13,981,280	\$ 139,393	1.0%

Table 15: Internal Service Fund

E. Department / Fund Relationship

Table 16 below displays the relationship between the funding sources and the major Clerk & Comptroller functions.

Information Technology and certain components of the Finance function of the Clerk & Comptroller's office are not allowed to utilize funds from court fees, fines and service charges in order to fund the activities related to its goals and objectives. As such, the Special Revenue Fund provides funding necessary for technology needs. The remaining Clerk functions are funded by the three non-SRF funding sources; charges for services to the County, court fees, fines and service charges and County recorder fees.

Clerk & Comptroller Palm Beach County	Charges for Services to the County	Court Fees, Fines and Service Charges	County Recorder Fees	Special Revenue Fund
Clerk & Executive Staff	X	X	X	
Communications	X	X	X	
Operations & Official Records	X	X	X	X
Finance	X	X	X	
Information Technology	X		X	X
Human Resources	X	X	X	

Table 16: Department / Fund Relationship

VII. Office Structure

The Clerk & Comptroller serves the public in the following roles as established by the Florida Constitution and Florida Statutes. These roles include Comptroller and Chief Financial Officer, County Auditor and Treasurer, County Recorder, Clerk of the Circuit Court and ex-officio Clerk of the Board of County Commissioners.

In order to accomplish the duties of the roles defined above, the organizational structure of the Clerk & Comptroller's office is represented by six unique functions: (1) Clerk & Executive Staff, (2) Communications, (3) Operations & Official Records (4) Finance, (5) Information Technology and (6) Human Resources.

As shown in Table 17, the overall funding request for FY2016 is \$65,649,217 which is an increase of \$856,435 compared to FY2015 Adopted Budget. The increase is due to increases in health and major investments in project related technology which are offset by the elimination of 41 staff positions and reductions in overtime spending, temporary hires, as well as other operating efficiencies achieved by shifting resources to departments that are receiving higher work volumes and operating with reduced staffing levels.

() denotes a decrease

Clerk & Comptroller Palm Beach County	FY2014 Actual Expenditures	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
By Expense Type					
Personnel Services	\$ 46,294,328	\$ 50,112,571	\$ 49,052,269	\$ (1,060,302)	-2.1%
Operating Expenses	8,332,760	14,456,210	15,590,948	1,134,737	7.8%
Capital	1,152,351	224,000	1,006,000	782,000	349.1%
Total	\$ 55,779,438	\$ 64,792,782	\$ 65,649,217	\$ 856,435	1.3%
By Clerk Function					
Clerk & Executive Staff	\$ 3,269,086	\$ 3,766,047	\$ 3,768,190	\$ 2,143	0.1%
Communications	371,727	497,135	649,002	151,867	30.5%
Operations & Official Records	32,414,756	34,935,848	33,685,411	(1,250,436)	-3.6%
Finance	9,381,051	10,871,193	10,905,798	34,605	0.3%
Information Technology	8,843,846	13,103,680	15,039,890	1,936,210	14.8%
Human Resources	1,498,971	1,618,879	1,600,926	(17,953)	-1.1%
Total	\$ 55,779,438	\$ 64,792,782	\$ 65,649,217	\$ 856,435	1.3%

Table 17: Budget by Expense Type and Clerk Function

A. Clerk & Executive Staff

The Clerk & Executive Staff is led by the Clerk & Comptroller and consists of the Division of Inspector General (DIG) and Legal Counsel & Ethics.

As shown in Table 18, the budget request for the Clerk & Executive Staff function for FY2016 is \$3,768,190. This represents a \$2,143 increase from FY2015 and is due to anticipated increases in health costs.

() denotes a decrease

Clerk & Executive Staff	FY2014 Actual Expenditures	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
By Expense Type					
Personnel Services	\$ 1,408,890	\$ 1,373,191	\$ 1,376,163	\$ 2,972	0.2%
Operating Expenses	1,858,346	2,392,857	2,392,027	(829)	0.0%
Capital	1,851	-	-	-	N/A
Total	\$ 3,269,086	\$ 3,766,047	\$ 3,768,190	\$ 2,143	0.1%

Table 18: Clerk & Executive Staff Financial Schedule

1. Division of Inspector General

The mission of the Division of Inspector General of the Clerk & Comptroller's office is to provide independent, objective auditing and investigative services designed to add value to the County, improve the Clerk & Comptroller operations and preserve public trust.

The Division is subdivided into the following units:

- Audit Services Unit (ASU)
 - Provides auditees with an independent appraisal of whether desired results and objectives are achieved economically, efficiently and in accordance with prescribed laws, regulations and policies and procedures.
- Public Integrity Unit (PIU)
 - Investigative Section - conducts investigations into Clerk & Comptroller affairs and makes inquiries as necessary, compiles the production of books and papers and implements appropriate investigative techniques. The objective is to determine whether allegations of fraud, waste, abuse and ethical misconduct can be substantiated. Projects that uncover administrative wrongdoing typically identify violations of law, policy or regulations. They also identify the individuals responsible for the violations and make recommendations for

administrative action. The identification of internal control weaknesses is equally important in the investigative process.

- Guardianship Section - conducts varying levels of assessments, audits and financial investigations of Guardianship activities. This program supplements the Clerk of the Circuit Court in supporting the Court's oversight process of the assets of the County's most vulnerable residents: elderly, minor children and incapacitated individuals who are served by Florida Guardianship Law. There are approximately 2,800 open guardianship cases in Palm Beach County.

The Division is accredited by the Commission for Florida Law Enforcement Accreditation, Inc., which demonstrates our commitment to continuing compliance with professional investigative standards and processes. We were the second Clerk's office in the state of Florida to gain this accreditation. In fulfilling its responsibilities, the Division complies with professional auditing and investigative standards including:

- *International Standards for the Professional Practice of Internal Auditing* of The Institute of Internal Auditors (IIA).
- *Principles and Standards for Offices of Inspector General* of The Association of Inspectors General (AIG).

An Ethics Hotline promotes honesty and efficiency in government and promotes the public's trust in government. The Hotline is managed by an independent third-party reporting agency, with all contacts forwarded immediately to the Division. Clerk & Comptroller management and employees are urged to immediately report, anonymously if desired, any suspected instance of fraud, waste, abuse or ethical misconduct.

In addition, a Guardianship Fraud Hotline is in place and managed by the Division, which enables anyone suspecting fraud, waste or financial mismanagement of a ward's property and assets to report such concerns, anonymously if desired.

The Division employs a staff of highly qualified and experienced professional auditors with various certifications, including Certified Public Accountant, Certified Internal Auditor, Certified Fraud Examiner, Certified Inspector General, Certified Inspector General Auditor and Certified Inspector General Investigator.

As the Division encompasses a large range of reviews, including highly specialized and technical subject matters, outside consultants are occasionally called upon to assist in reviews and the evaluation of best practices. Outside consultants include, among others,

information technology specialists, investment and debt specialists and law enforcement specialists. In analyzing staffing requirements, the office has determined that recruiting and maintaining such specialized expertise on staff is not cost effective. When the need for an outside consultant is identified, the Inspector General will assess the competency, independence and objectivity of the consultant as it relates to the particular assignment to be performed.

To provide for the independence of the Division, the Inspector General reports functionally and administratively to the Clerk & Comptroller. As an independently elected official, the Clerk & Comptroller is directly responsible to the citizens and taxpayers of Palm Beach County. The Division has no direct responsibility or authority over any area subject to its audit, review and investigation. Therefore, the Division is organizationally independent from those areas within the Clerk & Comptroller's Office. Employees in the Division report to the Inspector General.

Policies

- Deliver outstanding service, be effective and efficient and be a great place to work.
- Ensure audit and investigative processes are performed in compliance with appropriate professional standards and departmental procedures.
- Ensure accurate and timely reporting to all parties (e.g., internal and external customers, accreditation bodies).
- Provide high quality training to employees on proper auditing procedures, professional standards and organizational systems and processes.

Key Objectives

- Develop risk-based annual plans and conduct audits, investigations and other types of reviews to satisfy professional standards and customer needs.
- Evaluate the effectiveness of the organizations' ability to identify and manage risks and ensure controls are in place to sufficiently mitigate the vulnerabilities and potential impacts.
- Review the reliability and integrity of financial and operating information.
- Assess the achievement of the organization's strategic objectives.
- Review the systems established to ensure compliance with policies, procedures, laws and regulations.
- Review the means of safeguarding assets and verify the existence of such assets.

- Appraise the economy, efficiency and effectiveness with which Clerk & Comptroller's Office resources are employed.
- Review operations or programs to ascertain whether results are consistent with established objectives and goals.
- Coordinate investigative activities as necessary with law enforcement agencies.
- Report results and recommendations and follow up on management's resolution of corrective actions.

Short-Term Goals

- Enhance accuracy and timeliness of all services performed.
- Comply with professional audit and investigation standards and criteria.
- Enhance customer service delivery by responding to customer requests and implementing changes when feasible.

Long-Term Goals

- Cultivate a culture of continuous improvement of all processes within the Division.
- Develop a system of periodic examinations and maintain accreditation and compliance with professional standards-setting agencies.
- Develop a best in class team of certified professionals that demonstrate superior audit and investigative skills.

Major Accomplishments

- The Division's Guardianship section represented the Clerk's office on various legislative working groups to develop the language and supporting documents for the new Clerk's guardianship bill that was passed and signed by the Florida Governor.

Performance Workloads and Metrics

The Division prepares written reports detailing the results of audits and investigations performed. Management provides written responses to the audit recommendations, which are included in the report. The responses include corrective actions to be taken by management and target completion dates by which the actions will be implemented.

Final audit reports are issued to the appropriate parties. The Division follows up on corrective actions indicated in the management responses to monitor successful completion.

Table 19 below summarizes the Division’s key performance workloads and metrics for the three Fiscal Years ending September 30, 2014 through 2016.

Inspector General Performance Measures	FY2014	FY2015	FY2016 Goal
Audit Services Unit			
Reports Issued	7	6	7
Potential Cost & Revenue Recoveries Identified	\$ 584,616	\$ 193,478	\$ 200,000
Public Integrity Unit (PIU) Investigations			
Cases Handled	40	22	30
Referrals to Law Enforcement & Clerk Management	10	12	15
Reports Issued	2	5	5
Potential Cost & Revenue Recoveries Identified	\$ -	\$ -	N/A
Guardianships			
Guardianship Hotline Contacts Received	102	157	160
Assessments & Limited Reviews Performed	214	209	215
Audits Performed & Reports Issued	12	9	10
Other Memos to Judiciary	21	12	15
Referrals to Law Enforcement & Other Agencies	11	6	10
Unsubstantiated Expenditures & Missing Assets	\$ 825,352	\$ 639,079	N/A

**Note: Guardianship program was launched midway through FY2011.*

Table 19: Inspector General Performance Workloads and Metrics

2. Legal Counsel & Ethics Officer

It is the mission of the Clerk & Comptroller’s office to protect, preserve and maintain the public records and public funds with integrity and accountability. The Legal Counsel & Ethics Officer reports directly to the Clerk & Comptroller and as such directs the entire organization on all legal matters and compliance on ethical conduct.

Policies

- Deliver outstanding service, be effective and efficient and be a great place to work.
- Policy on Ethics is derived from Chapter 112, Part III Florida Statutes Employee policy – Standards of conduct.
- Employee policy – Conflict of Interest
- Gift Policy
- Anti-Harassment Policy
- Workplace Violence Avoidance and Intervention Policy
- Contract Policy
- Procurement Policy
- Public Records pursuant to Chapter 119, Florida Statutes.

Key Objectives

- Review Clerk policies affecting conduct in the workplace and approving for legal sufficiency.
- Review, draft and process contracts in a manner that protects the office from liability and conserves taxpayer dollars.
- Review and provide legal input regarding training for anti-harassment and workplace violence awareness.
- Advise and consult with Chief Officers regarding legal issues arising in HR, Operations, Finance, IT and Communications.
- Organization-wide ethics trainings.
- Represents the Clerk & Comptroller in court during litigation.

Short-Term Goals

- Develop and expand focus and role of Legal Counsel within the organization.
- Update contract and procurement methodology with Procurement to clarify processes for all relevant employees.
- Update Legal Services page on the Clerk's internal website.

Long-Term Goals

- Develop new ethics training for employees during orientation by Legal Counsel & Ethics Officer. This will include:
 - Listing identified risks and related those risks to statutory or rule requirements. This will include Conflict of Interest, Outside Employment, Gift Policy, Anti-Harassment and Anti-Discrimination.
 - Follow up to determine effectiveness.
- Continue to update and reorganize document bank for relevant legal issues.
- Update legal research bank to include subject matter files, i.e.: complaints and separate causes of action, bonds, public records, ethics, and employment issues.
- Use Writs of Garnishments as a way to collect on aging criminal court cost judgments.

Major Accomplishments

- Collected approximately \$200,000 of unpaid criminal trafficking judgments and aged bond judgments.
- Organization-wide Ethics Awareness training in conjunction with the Chief Information Officer's Security training.
- Developed an Ethics Manual and training to include Public Records information and education regarding ministerial role of clerks vs. giving legal advice.
- Collected on aged criminal judgments by filing claims in Chapter 13, Bankruptcy cases.
- Clarified the position of the Clerk's Office in connection with bond motions and hearings lessening the need for litigation.

B. Communications

Communications is led by the Chief Communications Officer. Communications develops and oversees internal and external communications and the dissemination of information for the Clerk & Comptroller of Palm Beach County. The department is comprised of the Chief Communications Officer, Manager, Communications Liaison / Project Manager, Communications Specialist, Media Relations Specialist and an Events Specialist.

Key responsibilities include: development of all communication and collateral materials, release of information to the public and media, website and Intranet content and maintenance, social media communications, internal and external publications, public education, employee communications, the financial publication *Checks & Balances: Your Guide to County Finances*, Speaker's Bureau, video production, special projects, internal/external events, charitable giving programs and employee events.

As shown in Table 20 below, the budget request for the Communications function for FY2016 is \$649,002. This represents a \$151,867 increase from FY2015 and is due to health costs; budgeting for a fully staffed department and an increase in contractual and maintenance expenses related to internet content management.

() denotes a decrease

Communications	FY2014 Actual Expenditures	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
By Expense Type					
Personnel Services	\$ 309,967	\$ 428,910	\$ 554,804	\$ 125,894	29.4%
Operating Expenses	61,761	68,225	94,198	25,973	38.1%
Capital	-	-	-	-	N/A
Total	\$ 371,727	\$ 497,135	\$ 649,002	\$ 151,867	30.5%

Table 20: Communications Financial Schedule

Policies

- Deliver outstanding service, be effective and efficient and a great place to work.
- Provide external communications that educates and informs the public.
- Effectively communicate and engage with our employees regarding organizational changes, policies, opportunities and events.
- Execute all annual events including charitable giving efforts and employee programs

Key Objectives

The department's key objective is to increase public awareness and understanding of the Clerk's role and services by providing clear, consistent and accurate information that aligns with our vision, mission and values using a variety of mechanisms, including, but not limited to, our external website, community outreach and education, publications, traditional (broadcast, newspapers, etc.), social media (Facebook, twitter, YouTube, etc.) and external events. Another key objective is to create a dynamic culture of staff engagement supported by effective, two-way communication through our Intranet, employee newsletters, recognition programs, events and other internal communications.

Short-Term Goals

- Ensure a uniform visual and conceptual identity for the office.
- Maintain open lines of communication between management and employees.
- Maintain effective relationships with local media outlets.
- Increase public awareness and understanding of our Comptroller function through the creation of the annual PAFR, CAFR), Investment Guide, Debt Guide and State of the County Address.
- Increase awareness and usage of pro se, E-filing, eRecording and eCaseView.
- Enhance community awareness through communication, expansion of educational outreach programs and speaking opportunities.
- Increase the speed of communication efforts and the dissemination of public information through the use of technology.
- Enhance accuracy and timeliness of all services provided.
- Increase internal communication and employee engagement through programs and initiatives.
- Effectively communicate the launch of the office's new Civil ShowCase system to both internal and external audiences.

Long-Term Goals

- Improve online access for customers by implementing a mobile website.
- Improve internal communication with employees by redesigning the employee Intranet and migrating it to a new content management system.
- Maintain consistency in the Clerk & Comptroller's office message branding and speed in communication.
- Ensure uniform visual identity in all communications tools and channels.
- Utilize technology to enhance website and intranet.
- Enhance metrics to guide departmental and organizational goals.

Major Accomplishments

- Served as key partner to departments with several major initiatives and communication plans: Same Sex Marriage Group Ceremony, Teladoc Rollout, Operation Green Light Statewide, Property Fraud Alert, Passport Day, IT Security Campaign, Annual Money Drop and charity events.
- Annual PAFR, CAFR), Investment Guide, Debt Guide and State of the County Address.
- 45 email newsletters, press releases and alerts sent to approximately 15,300 subscribers.
- Processed over 24,000 pages of court document requests for the media.
- Recipient of 2015 PRSA (Public Relations Society of America) Sunshine District Radiance Awards; Internal Communications – Financial Wellness Campaign and Special Events and Observances – Operation Green Light.
- 2015 5th place Finalist in the South Florida Business Journal’s “Healthiest Employers” award.
- 2015 PRSA (Public Relations Society of America) Palm Beach Chapter Palm Awards; Internal Communications – Financial Wellness Campaign and Special Events and Observances – Operation Green Light.
- Filmed, edited and produced 24 videos entirely in house.

Performance Workloads and Metrics

- Media Monitoring: monitoring includes online and print-edition newspapers and magazines, as well as broadcast clips.
- Social Media: The Clerk & Comptroller’s office measures the number of Facebook “friends” (1,772), LinkedIn (3,622), and Twitter (2,998) followers, including posts and the number of total “tweets” monthly.
- External website and Intranet site: The measures for the external website and the internal intranet site capture the number of visitors and visits per month, page views per month and average time viewed.
 - 3,753,236 users visited mypalmbeachclerk.com, viewing 12,673,132 pages (10/01/14 – 9/30/15).
- Employee attendance for initiatives and events.
- Over 1,000 employees participated in employee events (inclusive of employees who participated in multiple events) and provided 250 hours of volunteer service.

C. Operations & Official Records

As Clerk of the Circuit Court, the Clerk & Comptroller's office is the service and support center for Palm Beach County's court system.

The Clerk & Comptroller's office supports Palm Beach County's Criminal, Civil and Juvenile Courts. The office processes, records and files court documents such as lawsuits, traffic tickets, divorce agreements, wills, domestic violence petitions and tenant evictions. The Clerk is also responsible for the collection and distribution of court fines and fees.

All court services are available at the Main Courthouse in West Palm Beach, and limited services are available at four branch courthouse locations throughout Palm Beach County. The satellite office at Gun Club Road in West Palm Beach provides services for first appearances, specialty courts such as Mental Health, Drug and Veterans Court, traffic and criminal case payments. Civil and Criminal Court records may be searched online at <http://www.mypalmbeachclerk.com>.

The Operations & Official Records function is led by the Chief Operating Officer of Courts and Official Records and the divisions include Civil Courts, Criminal Courts, Branch Courts and Official Records.

As shown in Table 21 on the next page the budget request for the Operations & Official Records function for FY2016 is \$33,685,412. This represents a \$1,250,436 decrease from FY2015 and is due primarily to decreases in personnel and operating expenditures to absorb budget cuts; absence of funding for foreclosure backlogs from the Special Foreclosure Fund, as well as increases in contractual costs related to digitizing court related documents prior to 1968 for ease of online public access.

() denotes a decrease

Operations & Official Records	FY2014 Actual Expenditures	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
By Expense Type					
Personnel Services	\$ 30,573,295	\$ 32,860,889	\$ 31,678,463	\$ (1,182,427)	-3.6%
Operating Expenses	1,833,058	2,074,959	2,006,949	(68,010)	-3.3%
Capital	8,403	-	-	-	N/A
Total	\$ 32,414,756	\$ 34,935,848	\$ 33,685,412	\$ (1,250,436)	-3.6%

Table 21: Operations & Official Records Financial Schedule

Policies

- Deliver outstanding service, be effective and efficient and be a great place to work.
- Ensure that all processes are completed accurately and timely.
- Safeguard the integrity of court records while providing complete and thorough records for the public and the court.
- Ensure accurate and timely reporting to all federal, State and local agencies, based on statutory requirements and/or court order.
- 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.
- Provide a systematic approach to safeguarding official, court, financial and administrative records throughout their life-cycle from intake to storage to destruction. Promote and coordinate opportunities for paperwork reduction.
- Dispose of records that have met retention criteria/standards, maintaining documentation of compliance with laws, ordinances and other regulations.
- Maintain thorough records and utilize a systematic retrieval system.
- Maintain evidence required for court cases in a safe and secure location.

Key Initiatives

- E-Filing
- ShowCase

1. Civil Courts

The Civil Courts are divided into two main divisions, Circuit and County, and provide support for activities associated with Probate, General Civil, Tax Deeds & Foreclosure Self Service and Unified Family Court. Unified Family Court includes custody, all types of domestic violence, mental health, guardianship, juvenile dependency and delinquency.

Circuit Civil courts handles lawsuits with damages of more than \$15,000. Examples of Circuit Civil lawsuits include auto negligence, medical, malpractice, breach of contract, declaratory judgments, ejectment, eminent domain, injunctions, quiet title, replevin, and tax-related cases, such as contest of tax assessments, enforcement of a tax warrant and IRS liens. The Circuit Civil courts also handle probate of estates, bond validations, car bonds, personal property bonds, marriage licenses and ceremonies.

County Civil Courts have jurisdiction over claims up to and including \$15,000. A County Civil case is any civil matter that falls within the jurisdiction of County Court. Details may be found in Chapter 34, Florida Statutes.

The County Civil Courts also handle evictions and 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 staff provides assistance with the filing of small claim actions and prepares the court calendars.

The Self Service Center offers assistance for those representing themselves in court by offering packets of legal forms with instructions available for purchase, interactive forms for divorce, small claims and evictions and low-cost attorney consultations.

Key Objectives

- Provide court processing services to the public and justice partners in an efficient and effective manner.
- Focus on improving the implementation of technical and human resource innovations to maximize court 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 court case records.
- Communicate case flow processing demands to customers as needed, requesting their support and understanding.
- Increase debt collections through data extrapolation and sophisticated collection efforts.

Short-Term Goals

- Examine and improve all processes in the Civil Courts Division.
- Strive for case timeliness in the wake of budget cuts which has limited our ability to reach our full potential.
- Consolidate designated functional areas to maximize resources due to budget cuts.
- Enhance accuracy and timeliness of all services and work product.
- Strive to comply with all State processing standards and criteria, in light of recent budget cuts.
- Enhance the management of emergency petition procedures by coordinating efforts with law enforcement and community services.
- Enhance collection processes to increase debt collection by at least 10%.
- Enhance customer service delivery by listening to customer requests and researching possible solutions.
- Consolidate all court records and financial processes to the new case maintenance system (ShowCase).
- Work with Court Administration on a paper-less system featuring the receipt and processing of court filings electronically.
- Maximize employee skills through cross-training efforts.

Long-Term Goals

- 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.
- Encourage a culture of continuous process improvement.

- Collaborate with other agencies to combine resources and enhance services to the public.
- Enhance file retention and archiving.

Major Accomplishments

- Instituted systematic work audits to ensure accuracy of work product.
- Trained the entire civil staff on the new case management system (ShowCase) and cross trained all clerks on new case opening and docketing.
- Crossed trained staff enhancing the ability to maximize work.
- Leveraged technology to convert paper processes into electronic processes (case transfers, statistical and financial reporting, and preparation of records on appeal).
- Establishment of a Self Service Center that is a model for others in the state. The Self Service Center provides both, packets and single forms with instructions to pro se litigants, as well as some interactive forms that can be filled out on-line. The Self Service Center offers attorney consultation for procedural questions.
- The Self Service Center offers a computer in its kiosk, with access to eportal, which allows a filer to scan and E-file pleadings.

Foreclosure Initiative

- Worked with the judiciary on process improvement for moving inactive cases through the system.
- Foreclosure sales are conducted 5 days a week to facilitate timely processing.
- However, there are a significant number of Palm Beach County's cases that need to be processed.
- The goal of the Clerk and Comptroller is to continue to partner with the judiciary to reduce the backlog of old foreclosure cases which originated in 2012 or later years. As a result of this partnership and the special funding provided through FY2015 by the state, the foreclosure backlog has decreased over the past few years as shown in Figure 22 on the next page.

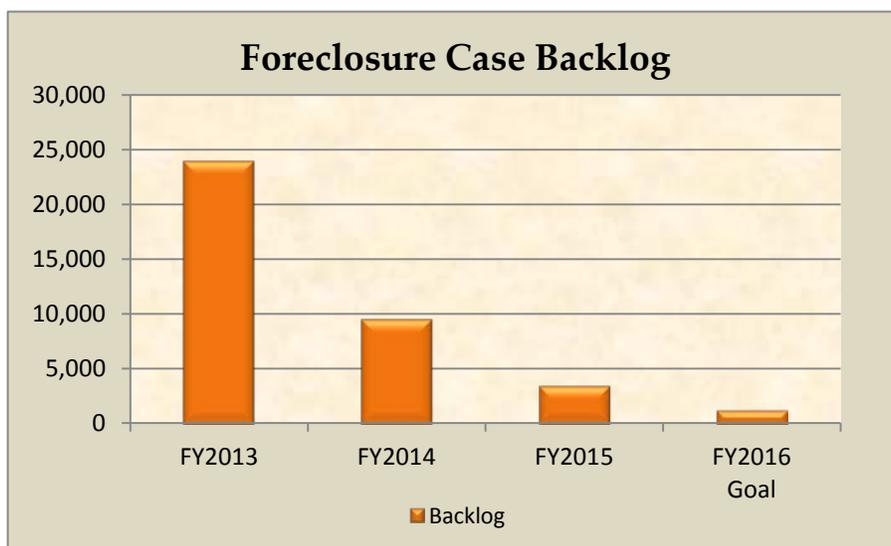


Figure 22: Foreclosure Case Backlog

E-Filing

- Docketing time standards in the busiest areas (Circuit Civil and County Civil) were well below state standards for many years; however budget restraints have limited our ability to reach our full potential.
- The number of eFiling documents received daily, from attorneys, Judges, and pro se filers, continues to rise.

Performance Workloads and Metrics

- 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, dissolution of marriages, mental health petitions and small claims.
- Process financial activities that include receipting for payments, court registry deposits and disbursements.
- Track court-ordered events, process indigent applications, assist pro se litigants and issue summonses, notices, subpoenas, and various writs.
- Maintain physical and computerized case records, maintain court calendars, attend court, manage foreclosure actions and sales, manage tax deed sales, process writs and executions, manage and store evidence, issue clerk defaults, consolidate cases, manage eminent domain actions, prepare documents for recording in Official Records, process dismissals and civil appeals, handle public record requests and inquiries, coordinate procedures with justice partners,

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.

Table 22 demonstrates the trend of new case filings relative to the Civil Courts. Both Circuit and County Civil case filings are expected to maintain their numbers in FY2016. The static new case activity is taken into consideration when developing the divisional budget for Civil Courts, which are funded mostly by court fees, fines and service charges.

() denotes a decrease

Civil Court	FY2013	FY2014	FY2015	FY2016	Variance	Variance
New Case Filings	Actual	Actual	Actual	Projected	#	%
Circuit Civil	20,637	16,119	14,650	15,000	350	2.4%
County Civil	33,638	27,317	25,747	25,800	53	0.2%
Probate	10,909	11,081	11,703	11,100	(603)	-5.2%
Family	15,037	12,972	13,276	12,800	(476)	-3.6%
Juvenile Dependency	767	939	890	900	10	1.1%
Traffic	286,065	261,995	217,547	218,000	453	0.2%
Total Civil	367,053	330,423	283,813	283,600	(213)	-0.1%

Table 22: Civil Court New Case Filings

Figure 23 on the following page provides a summary of the performance workloads and metrics relating to timeliness, new cases opened, docket entries and collection rates for the Civil Courts. These are also posted on the Clerk & Comptroller’s external website and provided to the State as statutorily required. The reductions in performance metrics is the direct result of mandatory budget reductions in July 2015 related to staffing reductions and office closures.

Civil Court Performance Measures

Annual projected % of new cases OPENED within X

1. Timeliness Measures:

business days after initial documents are clocked in.

New Cases Opened

	Performance Measure Level %	Business Days #	2013 Actual	2014 Actual	2015 Actual	2016 Projected
Circuit (cases)	80%	2	65%	99%	84%	=> 80%
County (cases)	80%	2	65%	98%	89%	=> 80%
Traffic (UTC)	80%	4	100%	100%	100%	=> 80%
Probate (cases)	80%	2	94%	100%	97%	=> 80%
Family (cases)	80%	3	98%	100%	100%	=> 80%
Juvenile Dependency (juveniles)	80%	2	99%	100%	97%	=> 80%

Annual projected % of docket entries ENTERED within X

business days after clock in/action taken date.

Docket Entries

	Performance Measure Level %	Business Days #	2013 Actual	2014 Actual	2015 Actual	2016 Projected
Circuit (cases)	80%	3	71%	99%	82%	=> 80%
County (cases)	80%	3	62%	99%	91%	=> 80%
Traffic (UTC)	80%	4	99%	100%	100%	=> 80%
Probate (cases)	80%	3	88%	98%	96%	=> 80%
Family (cases)	80%	3	87%	99%	99%	=> 80%
Juvenile Dependency (juveniles)	80%	3	88%	99%	98%	=> 80%

2. Collection Rates

Actual percentage of assessed fines, fees and court cost collected

	Annual Standard %	2012 Actual	2014 Actual	2015 Actual	2016 Projected
Circuit	90%	97%	98%	98%	=> 90%
County	90%	100%	100%	100%	=> 90%
Traffic	90%	90%	73%	89%	=> 90%
Probate	90%	99%	99%	99%	=> 90%
Family	75%	98%	97%	97%	=> 75%

Figure 23: Civil Court Performance Workloads and Metrics

Technology has had a significant impact on the Clerk & Comptroller's office's ability to manage this diverse and complex area of the court system. A few of the technological innovations implemented are:

- Online foreclosure and tax deed auctions, enabling bidders to conduct research and perform bidding from the convenience of their computers as well as, increasing the number of bidders. Foreclosure sales are conducted five days a week to facilitate the timely processing of cases within the statutory time frames.

Today, certificates of title are being issued within the statutorily proscribed time frame.

- Internet access to forms with detailed information and instructions for many case types.
- 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. Child Support

The Clerk & Comptroller maintains the official payment records for all Palm Beach County domestic relations support and alimony cases paid through the state. The amount of support, frequency of payments, payment start dates and payee information is determined by the court. Payments may be made through the State Disbursement Unit, through the Clerk & Comptroller's office or through the payer's employer pursuant to an Income Withholding Order. The Child Support Division also assists 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, which includes sending out Notices of Delinquency and Judgments of Delinquency when statutory guidelines for non-payment are met

b. Probate

The 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. 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-span can last from a few months to several years depending on the case type and complexity.

c. Unified Family Court (UFC)

The Unified Family Court (UFC) handles all case types related to family issues and provides services to the public at all four Palm Beach County courthouse locations. Case types include adoption, child support, custody, divorce, domestic/repeat/sexual/dating violence/stalking and cyber stalking, guardianship, juvenile dependency, juvenile delinquency, mental health, name change and paternity.

d. 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, PreNeed Guardianship, and Emergency Temporary Guardian. Guardianships can have a case life-span of one to many years.

The Clerk & Comptroller's responsibility, per Statutes, is to audit initial and annual guardianship reports following the rules of court. Local Administrative Orders, using Generally Accepted Accounting Principles (GAAP), set the standards and rules that accountants follow in recording and summarizing transactions and financial statements. The Clerk monitors and maintains credit and criminal investigation reports when submitted (by FDLE – Federal Department of Law Enforcement or the attorney on the case) on all professional and non-professional guardians, and the clerk notifies the court of any activity that requires intervention.

e. Mental Health

The Mental Health section of Unified Family Court involves court intervention when an individual becomes incapacitated due to substance abuse or mental illness to the point that he/she may be a danger to himself/herself or others and does not willingly enter a mental health facility. The Court takes an active role in mental health cases when a petitioner asks to have an individual "Baker Acted." This involves the involuntary examination of a person's mental capacities when it is believed that he or she is a danger to himself/herself or others and refuses voluntary medical care, and possibly involuntary placement. Statutes provides for the community's ready access to the court system when an individual refuses to voluntarily enter a receiving center or obtain outpatient counseling. 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:

- Explain the purpose and procedure of the Baker Act;

- Explain and assist with the completion of the petition for involuntary examination and petition for placement as well as other forms;
- Deliver the Petitions and related paperwork to the Judge for review;
- Maintain all court pleadings/documents for all actions filed; and
- Prepare certified copies and deliver them to local law enforcement for service.

Processing of Marchman Act Petitions is similar to Baker Act Petitions with two important exceptions:

- Petitioners file for involuntary assessment and/or;
- Involuntary treatment.

To properly assist applicants, Unified Family Court clerk must clearly understand the facts of the case so that the appropriate forms are completed for court review.

The Mental Health division also deals with the Tuberculosis Control Act (filed by the Department of Health); Adult Protective Services Act (files by the Department of Children and Families); Developmental Disabilities dealing with mental retardation and the need for residential services; and Developmental Disabilities –Guardian Advocate and attend Drug Court cases for Marchman Acts on Saturday.

The Juvenile Delinquency division handles violations of criminal law. The Juvenile Dependency division handles cases of child abuse, neglect or abandonment; shelter hearings, terminations of parental rights, adoptions, and Juvenile Marchman Acts. This division also handles cases involving termination of pregnancy of a minor (Parental Notice of Abortion Act); and Children and Families in Need of Services (for the protection and care of children, promotion of stability in families, and provision of need services.

2. Criminal Courts

The Criminal Courts are split into two main divisions, Circuit and County, and provide support for activities associated with the processing and maintenance of criminal appeals, felonies, misdemeanors, jury services, animal ordinance violations, marine violations, civil traffic infractions, criminal traffic infractions, parking violations, ordinance violations, cash Bond Refund, Sealing & Expungement of Records, Court Revenue and the Customer Call Center. The Clerk & Comptroller maintains the records for all Criminal and Traffic cases filed in Palm Beach County, as well as collects and disburses court fines, fees and assessments. Much of the criminal justice process occurs behind-the-scenes.

Key Objectives

- Support the complex process of the criminal justice partners (the Judiciary, the State Attorney's office, the Public Defender's Office, local and State law enforcement agencies and attorneys), ensuring the timely and accurate processing of notices, subpoenas and summonses.
- Focus on improving the implementation of technical and human resource innovations to maximize court 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 court case records.
- Increase debt collections through the combination of data extrapolation and sophisticated collection efforts.

Short-Term Goals

- Pilot and go live with eCaseView allowing the public to view redacted images.
- Working with justice partners to develop and schedule an "Operation Fresh Start" event to process and close out non-violent County Criminal cases with outstanding warrants.
- Encourage courts to order defendants on payment plans when on Probation, thus enhancing collections.
- Utilizing "Doc Sign" for In Court Processing whereas the defendant may review and sign a document on an iPad device.
- Systematically examine and improve all processes in the Criminal Courts.

- Update processes by reviewing resource workloads and procedures to insure improvement performance and increased timeliness.
- Continue to increase volume of collection swap cases to 1,000 per week.
- Continue to increase volume of outbound collection calls to track payment plans for compliance with the established payment schedules. Since January 2015 we have made 5,200 phone calls and collected over \$110,000 from defendants that were delinquent in making payments on their plans.
- Continue to expand e-subpoena service to additional law enforcement agencies for Traffic Infractions. Currently have three of our largest law enforcement agencies receiving e-subpoenas.
- Comply with all State processing standards and criteria.
- Enhance customer service delivery by listening to customer requests and researching possible adaptations.
- The division has utilized technology to enhance delivery of customer service through a variety of means including the Traffic-Web Payment system.
- Implementation of DOC sign in the courtroom which allows defendants to view and sign for future court dates.
- Established additional funding source by creating a mailing fee process for customer requests.
- Improve and increase collections for felony cases by educating justice partners regarding the importance of ordering collection agreements.

Long-Term Goals

- Implement new jury management system.
- Implement online driver license reinstatements.
- Expand online payment functionality to enable customers to pay criminal fines and make partial payments on cases via the Clerk's website.
- Provide a means for customers to check-in electronically for Gun Club and branch court arraignments.
- Currently working with our IT department to develop an interface to implement a payment over-the-phone service that will enable customers to pay criminal and traffic violations via the telephone.
- Expand "fileless" courtroom initiative to 100% of courtrooms.
- Increase our retention and destruction of court records efforts to maintain sufficient physical space for court files required to be maintained long term.

- Expand electronic access to provide automated services to the judiciary, court-related agencies and the public. Currently the judiciary, court-related agencies and the public have access to e-file documents and we are still in the testing phase of eCaseView, which will allow everyone to view redacted documents.
- Expand the imaging of all court records to enhance records management efficiencies.
- Encourage a culture of continuous process improvement.
- Maximize employee skills through cross-training efforts.
- Implement e-noticing (electronic noticing) of bond forfeiture, notice of discharge and notice of hearing documents to bail bondsmen.
- Implementation of new Supreme Court requirements for Appeals.
- Implementation of New Summary Reporting Requirements (SRS) ³reporting requirements.
- Electronic submission of Department of Corrections (DOC) checks for felony payments.
- Implement electronic warrants (E-warrants).
- Retention and destruction of court files based on new Judicial Rules.

Major Accomplishments

- Went live with Criminal in Court Processing in January of 2015 and all criminal courtrooms completed by October. As a result cases are updated in real time and in custody defendants are released from jail more timely.
- File less in all Divisions in MB.
- Increase in court ordered payment plans for customers who need more time to pay. This has been proven effective in enhancing collections of monies, as well as preventing driver's license suspensions and having the additional 40% fee assessed on cases when referred to the collection agency for past due payment.
- Developed a business process to accept payment in full for cases that had been referred to a Collection Agency. Since this business change at the end of July of 2015, we have collected and distributed over \$520,000.
- Working with our Clerks Legal Counsel to process negotiated payments per FS 938.30.
- Have enhanced the collections rate this fiscal year. Up 12% from previous year.

³ <http://www.flcourts.org/publications-reports-stats/publications/summary-reporting-system/srs-manual.shtml>

- Worked with the State Attorney's office and Law Enforcement to process and close out almost 10,000 County Criminal warrants and cases with no monies due, which have had no activity for at least five years.
- Implemented case maintenance interfaces between ShowCase and the Sheriff's office, Public Defender and State Attorney's office. The interfaces enable the court partners to send and receive information from the ShowCase system. Efficiencies are gained by Clerk staff by the reduction of key strokes required to input data that is now received electronically.
- Enhanced collection efforts by implementing Operation Green Light
 - Collected over \$509,000 in one day.
 - 1,923 criminal/traffic cases were closed with full payment.
 - Reinstated 450 driver licenses.
 - Closed 207 felony cases for \$117,543.14.
- Successfully established a Collections "SWAP" program where criminal cases referred to a collection agency that had not been paid for over two years are recalled from the collection agency and transferred to another collection agency. Due to continued efforts, over 13,000 cases have been swapped and we have collected \$130,467.
- Executed an outbound collection call program where Call Center clerks phone customers who have defaulted on their payment plans prior to sending the case to a collection agency. Since January 2015 we have made over 5,200 phone calls and collected over \$110,000.00 from defendants that were delinquent in making payments on their plans.
- Established process for e-appeals (electronic appeals) from County to Circuit which reduces the amount of paper documents transferred and files handled in the department and drastically reduces the time spent processing appeals.
- Efficiently streamlined the e-appeals process from Circuit Court to the 4th District Court of Appeals resulting in a reduction of staffing for this function which enabled us to reallocate appeals staff to other functional areas.
- Created a reference guide that details how to handle confidential information pursuant to Florida Statute and Rules of Court. The guide is utilized throughout the criminal courts with tips regarding confidential files, records, and documents along with a redaction table that outlines sealed, redacted or confidential information and data pursuant to Florida Statute (F.S.) and rule 2.420, which was sent to FCCC for review.

- Chosen by FDLE to participate in a Pilot Project to develop the new FDLE Data Dictionary element structure; pilot included providing detailed feedback during testing to restructure the final product.
- Increased the overall number and percentage of guideline score sheets submitted to the State by implementing an internal process and working in conjunction with DOC (Department of Corrections) to ensure delivery of those documents for reporting.
- Took a lead role working with the FCCC and other Clerk's office to create a Best Practices procedure for Modification of Release Orders.
- Created an internal process for the effective and efficient processing of large E-filed documents resulting in a reduction of staff hours and consumables such as paper and toner. Without this process, staff would have to print documents from the portal, scan into batches, review and redact, and wait several minutes for the documents to upload into the case maintenance system thus impacting the timeliness of document processing.
- Instituted electronic payment plan functionality through the Clerk's Web site. This enables customers who cannot pay traffic citation fines in full to electronically enter into a monthly payment plan with the Clerk's office.
- Destroyed over 107,000 court files per records retention policies.
- Successfully Implemented new Offender Based Tracking System (OBTS) Data Dictionary Requirements allowing for greater accuracy and capture of more data element information.
- Developed and Implement eCaseView for public access to court records via the internet.
- Began the processing of Criminal ICP (In-Court Processing) in January and all criminal courts are successfully complete as of October 2015.
- Expanded the In-court processing system for criminal cases that will enable the courtroom clerks to enter data into the case management system; making the information available to the criminal justice community and public in "real time"
- Established E-filing process for Clerks to DOC (Department of Corrections) that not only affords security in the delivery of orders for release but decreases the number of paper documents being transferred between agencies.
- Established E-filing process for judges to clerks that not only affords security in the delivery of orders signed by the courts but decreases the number of paper documents between courts and clerk.
- Implemented Criminal in-Court processing to all criminal courtrooms.

Key Performance Initiative

- The E-filing initiative that became mandatory in the Criminal Division in February, 2014 has provided a significant impact on the filing of court documents. Receiving documents electronically has positively impacted several performance measures:
 - Timeliness: the timeframe in which documents are docketed has improved to 98%, which exceeds the statewide standard of 80% for docketing. E-filings are validated at a higher rate of speed making our processes & procedures more efficient. Paper documents that are manually scanned and validated take longer to complete at a rate of 25 citations per hour. E-filed documents are validated at a significantly faster rate of 35 to 40 per hour.
 - Efficiency: receiving documents electronically utilizes less manpower to create and validate cases. Currently, fully implemented, this technology allows us to reduce the number of staff needed for the function of docketing. Receiving documents electronically has also drastically reduced the resources utilized for sorting and manually scanning citations into our case management system prior to docketing and validation.
 - Accuracy: The Palm Beach County Clerk's office prides itself on providing accurate information to all of our customers. Clerks review and validate all E-filed documents to ensure that the information provided is accurate and meets the requirements of a local E-filing Administrative Order. Less than 1% of documents E-files are pended back to the filer for correction.

Performance Guideline:

- Paper documents: validated at a rate of 25 per hour
- E-file documents: validated at a rate of 35 - 40 per hour

Performance Workloads and Metrics

Personnel assigned in the Criminal Courts Division handle the following responsibilities, among others:

- Provide assistance to the judiciary, attorneys, defendants, victims, businesses and other members of the public and the criminal justice community.
- Respond to daily inquiries from the public in person, by mail, web 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 for 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, issue summonses notifying individuals of pending court actions and issue subpoenas mandating court attendance.
- Timely prepare and submit accurate statistical and performance measure reports required by law to various state agencies.
- Forward unpaid criminal and traffic financial obligations to contracted collection agencies.

Table 23 demonstrates the trend of new case filings relative to the Criminal Courts. Both Circuit and County Criminal case filings are expected to increase by 1.0% in FY2016. The change in new case activity is taken into consideration when developing the divisional budget for Criminal Courts, which are funded mostly by the court fees, fines and service charges.

() denotes a decrease

Criminal Court	FY2013	FY2014	FY2015	FY2016	Variance	Variance
New Case Filings	Actual	Actual	Actual	Projected	#	%
Circuit	14,310	14,092	13,280	13,500	220	1.7%
County	33,629	33,290	30,105	30,500	395	1.3%
Juvenile Delinquency	3,829	3,456	3,140	3,200	60	1.9%
Traffic	31,702	28,465	26,868	26,900	32	0.1%
Total Criminal	83,470	79,303	73,393	74,100	707	1.0%

Table 23: Criminal Court New Case Filings

Figure 24, on the following page, provides a summary of the performance workloads and metrics relating to timeliness, new cases opened, docket entries and collection rates for the Criminal Courts which are posted on the Clerk & Comptroller’s website and provided to the State as statutorily required.

Criminal Court Performance Measures

Annual projected % of new cases OPENED within X

1. Timeliness Measures:

business days after initial documents are clocked in.

New Cases Opened

	Performance Measure Level %	Business Days #	2013 Actual	2014 Actual	2015 Actual	2016 Projected
Circuit (defendants)	80%	2	98%	99%	98%	=> 80%
County (defendants)	80%	3	95%	95%	98%	=> 80%
Juvenile Delinquency (juveniles)	80%	2	96%	99%	98%	=> 80%
Traffic (UTC)	80%	3	99%	99%	99%	=> 80%

Annual projected % of docket entries ENTERED within X

business days after clock in/action taken date.

Docket Entries

	Performance Measure Level %	Business Days #	2013 Actual	2014 Actual	2015 Actual	2016 Projected
Circuit (defendants)	80%	3	63%	91%	92%	=> 80%
County (defendants)	80%	3	91%	94%	92%	=> 80%
Juvenile Delinquency (juveniles)	80%	3	86%	99%	97%	=> 80%
Traffic (UTC)	80%	3	93%	94%	91%	=> 80%

2. Collection Rates

Actual percentage of assessed fines, fees and court cost collected

	Annual Standard %	2013 Actual	2014 Actual	2015 Actual	2016 Projected
Circuit	9%	6%	5%	10%	=> 9%
County	40%	26%	24%	33%	=> 40%
Juvenile Delinquency	9%	23%	8%	11%	=> 9%
Traffic	40%	54%	38%	58%	=> 40%

Figure 24: Criminal Court Performance Workloads and Metrics

One of the prior year's key initiatives that continues to affect performance in the criminal courts division is eCitations. As noted in Figure 24 related to timeliness, the timeframe in which citations are initiated and docketed has improved to 99%, which exceeds the statewide standard of 80% for both docketing and case initiation. eCitations are validated at a faster rate which significantly improved our processes and made procedures more efficient. Paper citations that are manually scanned and validated take longer to complete at a rate of 25 citations per hour. eCitations are validated at a significantly faster rate of 35 to 40 per hour.

Receiving citations electronically utilizes less manpower to create and validate cases. It has also drastically reduced the resources utilized for sorting and manually scanning citations into our case management system prior to case creation and validation. In

addition, the Clerk’s office requires all partnering agencies to submit each citation filed electronically through TCATs or TCAT-like process. This requirement has ensured that the integrity of the information filed is accurate, thus reducing the number of data entry errors. When fully implemented, eCitations will allow the office an opportunity to reduce the number of staff needed for validating citations.

As we seek to roll out the eCitation process to all local and county police departments, we would expect to see continued efficiencies with processing cases and to continue to exceed state timeliness performance measures by maintaining our 99% timeliness rate.

The Customer Call Center provides a means to assist the public with their questions regarding a case. Below is a summary of the decrease in customer calls responded to and the procedures implemented which reduced the overall performance for the call center.

As indicated in Table 24 below, the call center accomplished the following:

- The answer rate has dropped to 71.80% from 82.45% the previous year.
- The number of overall calls has increased by 15,737 due to long wait times and customers disconnecting the call.
- The number of abandoned calls has increased by 31,860 or 64.4% over the previous year. The terminated rate increased by 1,252, or 64.0% over the previous year. This represents the number of calls disconnected due to having too many customers already waiting for a Clerk.
- The average time a customer had to wait to have their call answered increased to 2:21 seconds. This is a 54.9% increase over the previous year.

Call Center Performance Workload	2013 Actual	2014 Actual	2015 Actual	2016 Projected
Total Calls Received	303,385	284,014	299,751	324,730
Total Calls Answered	239,856	234,134	215,201	243,134
Percentage Answered	79.05%	82.45%	71.80%	74.88%
Abandoned	61,266	49,468	81,328	87,838
Terminated	2,263	1,954	3,206	3,820
Avg. Wait Time	1:31	1:31	2:21	2:21
Avg. Talk Time	3:04	2:59	3:14	3:14

Table 24: Call Center Performance Workloads and Metrics

The call center statistics have seen a dramatic fall in all categories. These reductions in service can directly be attributed to the following:

- Three positions were eliminated due to budget cuts.
- Total staff Family and Medical Leave Act (FMLA) time was 607.08 hours.
- Total staff leave without pay time was 265.10 hours.

Civil Quality Assurance (QA) Team

As part of the Operations Systems Unit, the Civil Quality Assurance (QA) Team uses reports identified by Operations to query cases and conduct quality checks to ensure the accuracy of court records.

Personnel assigned to Civil QA Team activities carry out the following responsibilities:

- Review and evaluate the work of other clerks for the purpose of ensuring accuracy.
- Report findings to management.
- Receive and/or generate a variety of reports, review reports against the case management system and compile findings and reporting discrepancies for management review.
- Report trends and error volumes and make recommendations for additional or refresher training as needed.

Additional Duties & Responsibilities

The Criminal Courts Division is responsible for the collection of all monetary payments for fines, costs, restitution and fees. Defendants are assisted with indigent applications and their accounts are monitored through payment plans, collection notices and driver's license suspensions imposed for non-compliance to ensure that State-mandated collection requirements are maintained.

Jury management is also performed through the Criminal Courts Division. Jurors are summoned by mail to report to the Main Palm Beach County Courthouse. The Clerk & Comptroller's office works closely with the court to effectively support trial operations and assist the public in performing its civic responsibilities.

Additionally, the Traffic Department handles all civil traffic infractions as well as tobacco, smoking, parking and toll violations. It processes traffic citations issued by all local and State law enforcement agencies in Palm Beach County, including the Florida Highway Patrol (FHP) and the Florida Department of Transportation (FDOT). Payment

methods are facilitated through online services, mail or in person. Parking citations are written for violations of County or municipal ordinances or Florida Statutes. By law, parking citations are the responsibility of registered owners of ticketed vehicles.

3. Official Records

The Official Records Division also reports to the Chief Operating Officer of Courts and Official Records. This division consists of Recording, Record Services and Operations Systems & Training Departments.

Key Objectives

- Sustain highly efficient electronic processing, storage and retrieval systems for maintaining public records and court data submitted to the Clerk & Comptroller's office.
- Meet the demands of the various agencies and departments related to archiving documents in an efficient and effective manner.
- Ensure that all records are properly preserved, maintained and protected from environmental elements.
- Provide court processing services to the public and justice partners 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.
- Ensure the proper maintenance, storage and safeguarding of evidence submitted to the Clerk & Comptroller's office, per the Department of Commerce National Institute of Standards & Technology (NIST), the International Association for Property & Evidence (IAPE) and Property & Evidence Association of Florida (PEAF).

Short-Term Goals

- Systematically examine and improve all processes in the Records & Support Services Department.
- Collaborate with all other divisions with regard to the transition to the new case maintenance system (ShowCase).

- Implement a new system to process official records.
- Consolidate designated functional areas to maximize resources.
- Expand systems training opportunities offered to new and tenured employees.
- Enhance accuracy and timeliness in the processing of all services.
- Comply with all State processing standards and criteria.
- Enhance customer service delivery by listening and responding to customer requests and researching possible enhancements in customer service.
- Enhance evidence vaults for maximum storage capacity and protection of the evidence.
- Install secure cages for temporary storage of exhibits currently in trial.
- Install upgraded HVAC system to meet NIST standards of evidence storage and safekeeping.

Long-Term Goals

- Receive and process all official records electronically.
- Receive and process all copy requests electronically.
- Expand the imaging of all records to enhance records management processes and become green efficient.
- Encourage a culture of continuous process improvement.
- Maximize employee skills through cross-training efforts.
- Implement and maintain a plan to allow timely disposal of eligible administrative and court records on a quarterly basis, thereby eliminating existing backlog, creating storage space and ensuring compliance with the recommended timetables established by the state retention laws.
- Digitize all Official Records ranging from 1909 to present (totaling approximately 2.8 million images), thereby making these records searchable in the Official Records system – internally and via the website.

Major Accomplishments

- Expanded eRecording to include submissions from external customers.
- Completed enhancements to two Evidence Vaults to increase storage capacity and protection of evidence.
- Implemented a Property Fraud Alert program which enables subscribers to be alerted via email or phone when documents have been recorded in Palm Beach

County with their name on them. This free service for our customers can potentially identify fraudulent activity.

- Completed a 100% audit of all contraband and contraband type exhibits.
- Completed the repackaging of all contraband and contraband type exhibits based on recommendation of the FCCC best practices.
- Increased evidence office area by 169 square feet thus creating an area specific for evidence intake.
- Destroyed eligible court, non-criminal related evidence and administrative records totaling 13,217.80 cubic feet.

a. Recording

The Clerk & Comptroller is the Custodian of the Official Records for Palm Beach County. Official Records include court judgments, deeds, liens, marriage licenses, mortgages, plats and tax deeds.

Personnel assigned to recording activities carry out the following responsibilities:

- Accept documents for recording into the official records.
- Collect State documentary stamps and intangible taxes and fees associated with submitted documents, per Florida Statutes.
- Record court documents as received.
- Index and verify images of documents to provide easy retrieval on the Internet and in the office. Internet access is provided to the Official Records database for Palm Beach County. Digital images of documents can be researched back to 1968 and marriage license listings back to 1909.

Key Objectives

- Promote and expand customer participation in eRecording Services which allows customers to submit documents to be recorded electronically. This will continue to increase efficiency and reduce turnaround time.
- Integrate the recording function into the branch office operations; providing more convenient access to recording services for customers throughout the county.
- Increase the participation of customers in the free Property Fraud Alert program to increase awareness and identify potentially fraudulent activity.

Performance Workload and Metrics

Table 25 provides a summary of the Performance Workloads and Metrics to help track key Recording activities.

Recording Performance Measures	FY2013 Actual	FY2014 Actual	FY2015 Actual	FY2016 Projected
Customers Assisted	44,154	48,401	52,023	53,324
Calls Answered	32,101	25,302	23,098	23,695
Property Fraud Alert Suscribers	N/A	N/A	5,334	10,668
eRecorded Documents	159,045	136,741	223,602	296,388
% of Total Documents Recorded	28%	28%	46%	60%
Documents Recorded	560,407	484,376	481,932	493,980
Pages Recorded	1,721,737	1,423,776	1,533,376	1,571,710
Fees & Taxes Collected	\$ 210,638,048	\$ 216,838,970	\$ 258,239,241	\$ 264,695,222

Table 25: Recording Performance Workload and Metrics

b. Record Services

Record Services consists of the following departments:

- Micrographics/Scanning;
- Records Management;
- Record Service Center Photocopy and Index Search; and
- Evidence Storage.

The Record Services Department is the custodian for all evidence and all inactive records maintained by the Clerk & Comptroller's office.

The department archives records in accordance with Chapter 119, 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.

Micrographics/Scanning

Official Records is also responsible for imaging documents and retaining the best photographic quality possible.

All existing 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). For records previously microfilmed, the negative rolls of film (originals) are retrieved annually from the storage facility and inspected for mildew and acetate. Images that are filmed and scanned include official records, various court cases and personnel files. This procedure includes preparing, imaging, and processing, duplicating and storing archival quality film.

There are two types of available media storage:

- Micrographic; and
- Optical imaging.

Optical imaging is a key component in the expansion of E-filing options, paperless storage and access to documents through the Internet.

Personnel assigned to Micrographic activities carry out the following responsibilities:

- Prepare and process documents for microfilming and imaging.
- Burn (copy) recorded images onto CDROMs 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.
- Ensure permanent retention of documents on microfilm.
- Ensure permanent retention of paper files for all capital court cases.

Evidence and Records Management

Personnel assigned to activities related to Evidence and Records Management carry out 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 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 in court areas for the court area in a secure environment, while providing efficient and effective tracking from acceptance through destruction.

Performance Workload Indicators

- Records accepted into the Records Center are measured by box. Individual files are requested by departments for examination, sent to the requesting department and returned to the original storage box. Upon creating a purge report that lists records that may be eligible for destruction based on last activity, the applicable court department reviews the file to determine if monies are owed and all final dispositions have been filed/recorded. If all criteria are met, eligible documents are destroyed. At the end of each calendar year, a report is signed by the clerk attesting to the office's compliance with record disposition laws, rules and procedures and the same is forwarded to the Florida Department of State for review. 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.

Record Service Center (Photocopy and Index Search)

Personnel assigned to Record Service Center activities carry out the following responsibilities:

- Provide searches of the index and abstract (land) records dating back to the early 1900's.
- Fill internal and external copy requests relating to court Self Service and Official Records.
- Issue Clerk Certificates (e.g. Plat related, No Marriage and Declaration of Condominium).
- Assist counter and phone customers with questions relating to the Official Record Public View system.

Performance Workload Indicators

Personnel performing Official Record activities are responsible for assisting customers as they come into the public area to perform various tasks. Customers include, but are not limited to, attorneys, title companies and the general public. The workload is varied and dependent on housing sales, economic stability and court case activity. Quality control is provided for imaging and filming that takes place in the Official Records Department, as well as other departments in the Clerk & Comptroller's office and outside agencies.

c. Operations Systems and Training

Operations Systems

The Operations Systems unit modifies enterprise software systems to support user needs; defines specifications; plans, recommends, develops, tests and implements solutions and enhancements. It is a technical resource to system users, providing assistance and support of various enterprise software systems, including troubleshooting and/or resolving questions and problems, acting as a backup to Systems Analysts in providing customer service to end users and fulfilling user/customer requests for information, support and reports.

Personnel assigned to Operations System activities carry out the following responsibilities:

- Maintains a working knowledge of a variety of operating systems and programs associated with work activities and the functions performed by end users in Operations.
- Consults with operations to identify opportunities for improvements in processes and communicates the changes to supervisors, employees, internal and external customers as needed.
- Works as a liaison between operations and IT, resolving problems and vetting issues as well as answering questions regarding processes and procedures.
- Executes tests plans for upgrades and changes made to operating systems; vets issues and recommends changes based on operational needs of the organization and the systems they are working with.

- Designs and runs reports and queries for a variety of reasons that include troubleshooting, identifying and fixing issues within the software and at the request of operations.

Performance Workload Indicators

Personnel performing Operations Systems activities are responsible for ensuring that all clerk systems work as expected to meet the needs of both Court Operations and State/County agencies, other court partners, and the general public. The workload with regard to external customers varies according to the volume of technological innovation.

Operations Training

As part of the support arm for the Operations & Official Records function, the Operations Training Department develops and delivers training programs to new and tenured employees. As the Clerk & Comptroller's office continues to be impacted by and takes advantage of new technologies and systems, the role and importance of this unit continues to grow. Formal new employee orientation programs have replaced the traditional non-standard on-the-job (OTJ) training of the past and new streamlined process-oriented training is rolled out for newly implemented systems and software. Additionally, remediation is administered based on management requests and reports provided by the Operations Quality Control team. Operations Training also serves as an Operations Helpdesk providing support for internal user requests by phone or email. This role requires issue analysis, troubleshooting, liaising with vendor contacts, brainstorming workarounds and updating user documentation.

Personnel assigned to Operations Training activities carry out the following responsibilities:

- Review existing processes for inefficiencies and provide recommendations for streamlined processes;
- Develop department process manuals including diagrammatic representations for process flows;
- Perform fit gap analysis for proposed system implementation, document gaps and change requests, assist with system testing and enhancement verification;

- Develop and design job specific training for each job role for New Hire Orientation;
- Deliver initial and remedial training programs for division employees using place-based, online tutorials, webinars and blended delivery methods;
- Design and deliver training to customers including attorneys, external agencies and court partners, the media and the public;
- Keep documentation and users up to date with process changes as related to new Statutes, Statute changes and administrative orders;
- Evaluate success of training projects and provide appropriate reporting to management;
- Maintains a working knowledge of a variety of computer operating systems and software programs associated with work activities, which may include word processing, spreadsheet, database, report generation, desktop publishing, presentation, communications, training development, training delivery, learning management, Internet and email; maintains working knowledge of computer programs utilized by various Clerk & Comptroller departments.

New Hire Orientation is typically held every two weeks whereas initial and refresher training is provided on demand. Preparation and update of materials is ongoing.

Performance Workload Indicators

Personnel performing Operations Training activities are responsible for ensuring that new and tenured employees are able to perform their job roles and customers able to use clerk systems. Customers include, but are not limited to, attorneys, State/County agencies, other court partners, the media and the general public. The workload with regard to external customers varies according to the volume of technology innovation.

D. Finance

The Clerk serves as the Comptroller, Chief Financial Officer, Auditor and Treasurer for the County by monitoring the County budget, revenue, debt and spending.

The Finance organization is led by the Chief Financial Officer of Finance (COOF) and is responsible for maintaining an accurate, complete set of financial records in order to produce all required financial statements and reports to comply with state and federal laws and Generally Accepted Accounting Principles. The reports that are produced include the County's Popular Annual Financial Report (PAFR) and the Comprehensive Annual Financial Report (CAFR) submitted to the Government Finance Officers' Association (GFOA) as well as, the Auditor General, bond agencies and other concerned parties.

As Treasurer, the Clerk actively manages and earns interest income for the County on an average investment portfolio size of \$1.4 billion, last year earning the County \$20.2M of investment income to reduce the financial burden on County taxpayers. The Finance organization invests available funds in accordance with the Board of County Commissioners' Investment Policy and Florida Statutes. Deposits include pooled cash, and checking, time deposits and investment accounts, with reconciliations that are performed on a monthly basis. Monthly investment reporting is posted on the Clerk's website, and the organization actively participates in the financial administration of Board of County Commissioners' bonds and activities related to arbitrage rebate calculation.

All matters of receipting, recording and analysis of all County revenue are maintained with the Cash Management department within Finance.

As County Auditor, the Clerk audits County expenditures to ensure that they serve a public purpose, comply with the law and are within the County's budget. The Finance organization is responsible for processing the disbursement of funds by the County, insure that requests are supported by proper evidence of receipt of goods or services ordered, are within authorized appropriations and serve a public purpose. The functional sections of the Finance Payables department processes payment requests that originate from purchase orders, contracts and grants, or other types of special payments. The Payables department conducts a pre-audit of all vendor payments requiring review of each purchase order and multiple invoices referencing the purchase

order or contract. The department also monitors financial compliance with all state and federal grants.

The Clerk is responsible for processing the County's payroll. The Payroll department is within the purview of the Finance organization and produces three distinct payrolls:

- Clerk & Comptroller;
- Board of County Commissioners; and
- Palm Tran.

The payroll process requires balancing and auditing various payroll functions for over 7,000 employees in compliance with various state and federal reporting requirements as well as, verifying employee changes processed by Human Resources within the Clerk's office and the County's Human Resources and Risk Management. This includes the pay policies for non-union, CWA (Communications Workers of America) union shift employees, part time and temporary employees, and Firefighters' and Palm Tran unions.

The Finance organization maintains and stores all records and documents of all financial transactions related to the financial statements and reports in accordance with Florida statutes. A major effort to scan and electronically store records is underway without incurring any cost to the County.

The organization also provides support for the delivery of information systems supporting the accounting of all funds of the Board of County Commissioners.

The Clerk also serves as Clerk of the Board of County Commissioners (BOCC) by maintaining the records of the County Commission and other meetings and provides all meeting minutes and videos to the public via the Clerk's web-site. The duties related to the role of Clerk of the Board fall under the purview of the Chief Operating Officer of Finance and encompass both the Board Services Department as well as the Value Adjustment Board (VAB). The Board Services department maintains and records the minutes of all BOCC and other committee meetings. Clerks must be in attendance at all meetings and workshops of the BOCC and the VAB for purposes of recording, indexing and distributing official minutes. In this role, the Clerk & Comptroller serves as the custodian of the official County seal, resolutions, contracts and ordinances of the Board of County Commissioners.

As Clerk of the Circuit Court and County Recorder, the Clerk's Accounting Department records and distributes all revenues received for court fees, fines and service charges as well as recording fees. The Clerk's Accounting department issues vendor payments associated with the Clerk & Comptroller's organization. It processes court-ordered disbursements, refunds, and juror and witness checks. All court related collections are disbursed to local municipalities and to state agencies pursuant to Florida Statutes. In addition, the department conducts pre-audits of travel reimbursements for Clerk & Comptroller personnel and reviews invoices to ensure a three-way match between (1) purchase order, (2) receipt and (3) invoice, prior to issuance of payment.

The Finance organization also manages internal business responsibilities by the following departments which are vital to providing services to the organization. These include:

- Facilities and Security
- Mail Room
- Scanning Project
- Procurement
- Budget & Financial Analysis

Facilities and Security ensures compliance with County security access to courts and government locations. It also performs the physical inventory and maintenance of the records for fixed assets within the Clerk & Comptroller's organization. The mail room efficiently manages the enormous distribution of mail internally and externally for the Clerk's office. The scanning project requires ongoing development and monitoring to ensure the records are retained in their original state in an electronic form.

The Procurement department reviews all related contracts to ensure compliance with the Clerk & Comptroller's policy. The department also verifies that purchases meet the requirements for competitive pricing to ensure the lowest cost is obtained for operating supplies, forms, bulk items and technology purchases and that that all purchases serve a public purpose.

The Budget and Financial Analysis department monitors expenditures in compliance with use of state and county funds; reviews related financial reports and continually examines budget and expenditure activity for the Clerk's organization. It produces the Annual Budget document submitted to the Government Finance Officers' Association (GFOA) guidelines.

() denotes a decrease

Finance	FY2014 Actual Expenditures	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
By Expense Type					
Personnel Services	\$ 8,833,194	\$ 9,886,241	\$ 9,905,519	\$ 19,279	0.2%
Operating Expenses	538,338	984,952	1,000,279	15,327	1.6%
Capital	9,519	-	-	-	N/A
Total	\$ 9,381,051	\$ 10,871,193	\$ 10,905,798	\$ 34,606	0.3%

Table 26: Finance Financial Schedule

As shown in Table 26, the budget request for the Finance function for FY2016 is \$10,905,798. This increase from FY2015 is due to the increased health insurance costs, filling vacant positions and increase in contractual related commitments.

Policies

- Deliver outstanding service, be effective and efficient and be a great place to work.
- Ensure that all transactions of the Board of County Commissioners and the Clerk & Comptroller's office 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.
- Encourage a culture of continuous process improvement and superior customer service.
- Provide cash management services, including the investment of excess operating funds of the Clerk & Comptroller and County in accordance with adopted policy and Florida Statutes.
- Maintain Board of County Commissioners' accounts.
- Ensure timely payment of debt service requirements and monitor compliance with bond covenants.
- Ensure accurate and timely reporting to all federal, state and local agencies.

Key Objectives

- Implement a program for electronic storage and retention of all County Finance Documents.
- Continue working with the County to implement automated time and attendance system.

- Work with Clerk Information Technology and Human Resources as necessary to implement Time and Attendance process improvements.
- Partner with County to increase automated payroll and benefit administration solutions for improved customer service and to promote paperless initiatives.
- Continually increase the number of vendors using Payment Manager of Card in Hand program.
- Increase the number of County departments using the Purchasing Card (P-card) program for travel.
- Provide high quality training to employees on proper procedures, legislative changes, available resources, system processes and customer needs.
- Continue excellence as investment stewards by maintaining the Accredited Investment Fiduciary designation as well as the Centre for Fiduciary Excellence (CEFEX) certification.
- Continue coordination and management of the Investment Council of the Palm Beaches semi-annual meetings.
- Continue to monitor investment and Plan options related to the 457b deferred compensation Plan to ensure that the highest quality Plan is being made available to employees.
- Continue to maximize the attractive earnings credit offered by the County's main depository institution such that all Clerk and County banking related fees and services are paid for without the Clerk/County having to write a check.
- Continue working on the development and implementation of the updated Finance Special Assessment System (FSA).
- Work with the County departments to upgrade the Merchant Service terminals with First Data TransArmor, which is a dual-layered payment card security solution that combines software based encryption with tokenization technology.
- Implement performance measures for staffing effectiveness and efficiency.
- Continue working with the County departments to educate them about the efficiencies and benefits of implementing remote Deposit Capture along with the Cash Receipt Interface for a paperless system.
- Continue to increase the number of automated processes related to payment processing.

Short-Term Goals

- Assist Fire Rescue with Kronos implementation.
- Implementation of a fully paperless process for county payroll by eliminating paper checks and timecards for County employees.
- Implement Governmental Accounting standards Board (GASB) #68 "Accounting and Financial Report for Pensions" which amends GASB #27 "Accounting for Pensions by State and Local Governmental Employers.

- Expand transparency in financial reporting through OpenGov application.
- Establish an efficient process in a vendor's software design to interface all court related disbursement transactions with the PeopleSoft accounting system.
- Establish an aging analysis for uncollected accounts in an effort to identify opportunities to improve the collections rates and increase revenue for court related cases.
- Implement STARS interface to Advantage and electronic document upload to TrakMan.
- Deploy managed print services which consolidate all supply purchasing and maintenance activities and lowers the cost for managing devices and related IT resources.

Long-Term Goals

- Fully implement Go-Green initiative to provide for paperless work environment.
- Implement an electronic W-2, W-4, and Direct Deposit option for County employees.
- Upgrade timekeeping system and implement absence management module to provide for enhanced Payroll and HR administrative functionality, management reporting and employee attendance accountability.
- Implement credit card payments on Public Access Web page for the Special Assessment System (FSA) and Propane Sales Tax (PST).
- Implement a new Revenue & Cash Receipting system software solution.
- Receive, process all vendor activity, as well as make payments electronically.
- Implement Phase III of employee reimbursements, generating an interface to upload tuition, and travel directly into Advantage Finance system from Human Resource Information Systems (HRIS).
- Maximize employee skills through cross-training efforts.
- Create online video training material for the County's Financial and Self Service System users to facilitate timely and easily accessible refresher training and reduce the need for printed material.

Major Accomplishments

- Completed a new in-house investment reporting tool which includes robust pool analytics, attribution reporting, performance measurement and an automated investment policy compliance monitoring process.

- Completed the first calendar year for the Wells Fargo's Payment Manager Program, which enhances vendor customer service by allowing an option to receive payment via a merchant account vs. a paper check. This new program generated an annual rebate/revenue to the County of approximately \$160,000.
- Completed County Risk Management Department integration with Clerk PeopleSoft Benefits application implementation which went live in May of 2015 with a successful open enrollment in October 2015.
- Continued excellence as investment stewards by maintaining the Accredited Investment Fiduciary designation as well as earning the Centre for Fiduciary Excellence (CEFEX) certification for the sixth consecutive year.
- Implemented a new online Public Service Tax Website where vendors could review their accounts and payment history.
- Upgraded to PeopleSoft version 9.2 to provide for increased efficiencies and reporting capabilities within Payroll department as well as providing County Risk Management with a robust open enrollment process.
- Implemented Governmental Accounting Standards Board (GASB) #68 "Accounting and Financial Report For Pensions" which amends GASB #27 "Accounting for Pensions by State and Local Governmental Employers".
- Implemented Phase III of employee reimbursements, generating an interface to upload tuition, and travel directly into Advantage Finance system from HRIS.
- Assisted the County in revising the Sales Tax Policies & Procedures Manual (PPM), which simplified the process of reporting sales tax to the Department of Revenue.
- Implemented improvements in the Advantage financial system: allowed for searching commodities easier; deployed SAMIS interface resulting in a paperless payment request process; automated inventory replenishment process for WUD and Purchasing; online Requisition request and workflow to replace a paper process.
- Assisted the Department of Economic Sustainability (DES) in the testing and transition from a manual posting to an automated interface with minimal human intervention.
- The deployment of Merchant Services credit card terminals with EMV (Europay, MasterCard & Visa capability to all County departments in order to adhere to the new industry standard requirements.

Performance Workload and Metrics

Table 27 illustrates the performance workload and effectiveness metrics for the Finance function of the Clerk & Comptroller's office. As a point of clarification, post audit quality assurance is a performance measure that calculates the percentage of invoices and/or interfaces processed with no errors identified in the payment amount, invoice numbers, vendor name, etc. during a payment post audit.

Finance Performance Indicators and Workload	FY2013 Actual	FY2014 Actual	FY2015 Actual	FY2016 Goal
Number of Investment Transactions	3,361	300	300	300
Percentage of Investment Performance	1.08%	1.24%	1.43%	1.25%
Invoices & Interface Transactions Processed	199,508	193,041	199,888	201,000
Post Audit Quality Assurance	99.94%	99.01%	98.83%	99.25%
County & Palm Tran Payroll Checks and Advices	164,739	167,621	165,922	167,581
County & Palm Tran Payroll Gross	\$391,298,586	\$395,182,710	\$399,249,340	\$403,241,833
County Purchase Audited	47,132	1,216,369,610	1,369,343,952	1,400,000,000
County Revenue Recorded	\$3,064,164,317	\$3,149,572,150	\$3,416,544,121	\$4,161,484,035
County Grants Reviewed	375	330	329	345

Table 27: Finance Performance Workload & Metrics

Table 28 below, displays the key performance metrics within the Clerk's Accounting and Procurement departments.

Accounting & Procurement Performance Workloads & Metrics	Department	FY2013 Actual	FY2014 Actual	FY2015 Actual	FY2016 Goal
Disbursements :					
# business days to process and mail:					
Court Operations	Clerk Accounting	5.0	4.6	3.8	4.2
Tax Deed and Deposit & Bonds	Clerk Accounting	5.8	4.5	3.3	3.9
Cash Bond Refunds	Clerk Accounting	4.6	4.9	3.4	4.1
% Requisition Processed Successfully	Procurement	94%	95%	95%	95%
% Reqs processed to PO	Procurement	91%	91%	96%	95%

Table 28: Accounting & Procurement Performance Workloads & Metrics

As noted in Table 28 on the previous page, the Procurement department improved its effectiveness in processing requisitions. New technology was implemented which continues to provide a more efficient method for processing requisitions related to common office supplies. A software application called “Punch-Out” reduced the amount of time to create the requisition and improved the flow from requisition to purchase order by eliminating errors.

The Clerk’s Accounting department is pursuing improvements in the disbursement process. A new case processing system was implemented for managing court cases which affected the accounting flow and requires additional development. These system issues continue to be address by the vendor.

Table 29 illustrates the workload and effectiveness metrics for the Clerk of the Board role of the Clerk & Comptroller’s office. It is important to note that FY2015 values are an estimate and subject to change following updates.

Clerk of the Board Performance Measures	FY2013	FY2014	FY2015	FY2016 Goal
Minutes				
Meetings Attended	103	103	93	100
Documents Processed	2,885	4,065	1,971	2,974
Contracts	1,889	2,017	1,202	1,703
Ordinances	34	40	54	43
Pages Imaged	284,272	166,748	96,545	182,522
Copies Made for Public	1,040	625	689	785
Value Adjustment Board				
Petitions Received	4,898	4,407	5,542	4,949
Hearing Scheduled	4,267	3,572	5,227	4,355

Table 29: Clerk of the Board Performance Workloads and Metrics

E. Information Technology

The Information Technology Department maintains, monitors and supports the organization's enterprise systems, ensuring compliance with Florida Statutes, Supreme Court orders and local administrative orders. The Information Technology Department, led by the Chief Information Officer, establishes a technical direction and strategy that aligns with the needs of the Business Units. It provides services and support for the Clerk's Infrastructure, Case Management Systems (ShowCase & Banner), Official Records, Finance & Payroll, Project Management, as well as IT support services for the Clerk, Justice Partners and all internal and external customers.

As shown in Table 30, the budget request for the Information Technology function for FY2016 is \$15,039,890. The increase of \$1,936,210 over FY2015 is mainly related to project related costs of \$6,828,824, to be funded mostly by the Special Revenue Fund. In addition, increased health and budgeting for full-time employees for contractual employees also influenced the increase over FY2015 levels.

() denotes a decrease

Information Technology	FY2014 Actual Expenditures	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
By Expense Type					
Personnel Services	\$ 3,923,759	\$ 4,325,765	\$ 4,353,719	\$ 27,954	0.6%
Operating Expenses	3,788,767	8,553,915	9,680,171	1,126,256	13.2%
Capital	1,131,320	224,000	1,006,000	782,000	349.1%
Total	\$ 8,843,846	\$ 13,103,680	\$ 15,039,890	\$ 1,936,210	14.8%

Table 30: Information Technology Financial Schedule

Policies

- Deliver outstanding service, be effective and efficient and be a great place to work.
- Manage, maintain and safeguard Information Technology hardware, resources and data used within the Clerk & Comptroller's office by ensuring that only authorized users are extended the privilege of accessing data and using equipment.
- Safeguard all electronic data by providing for proper backups, firewalls and precautions.

- Ensure that the information available has been reviewed in compliance with applicable statutes, rules, and administrative orders, and is provided pursuant to public access requests.

Key Objectives

- Provide a safe and secure computing environment.
- Deliver outstanding service on a “24/7/365” foundation.
- Maintain proactive measures focused on providing sustained uptime for enterprise applications and critical services.
- Strengthen key vendor-partner relationships to improve the alignment of technology initiatives and organizational goals.
- Provide service excellence in desktop support through the implementation of foundational Information Technology Infrastructure Library (ITIL) best practices.
- Improve communication between Information Technology department and the organization as a whole.
- Facilitate a business relationship initiative to strengthen the partnership between IT and the organization.
- Implement new and manage existing information security programs that provide a safe and secure computing environment across the organization.
- Provide issue-free implementations for system and software upgrades.
- Expand implementation of formal processes and procedures covering all IT service offerings.
- Develop a culture of continuous process improvement that leverages innovative, cost-effective solutions.
- Safeguard all electronic data by providing training, proper backups, managed access, and 24/7 monitoring.
- Ensure that the information available is in compliance with applicable statutes, rules, and administrative orders.
- Ensure that all security processes and compliance measures are completed accurately and timely, while safeguarding the integrity of court, financial and official records.
- Monitor all enterprise systems to ensure that adequate security and audit controls are included as an integral part of each system.
- Provide Information Technology services for public access to court records in compliance with statutes/rules/administrative orders.

- Create a culture of service excellence as pertaining to the support of all information technology users.
- Ensure the security and availability of all Clerk technology resources by fostering a proactive environment.

Short-Term Goals

- To be a world-class IT organization, by creating a culture of service excellence, centered on an environment of continual service improvement.
- Upgrade computer systems in compliance with the organization's technology refresh plan.
- Expand the network storage environment to align with current capacity and performance requirements.
- Maintain 24/7/365 monitoring of all mission-critical infrastructure components.
- Provide first-in-class service and support to the organization, by establishing across-the-board communications at all levels, including weekly updates, issue tracking notifications, and project communications plans.
- Successfully launch, with no interruptions in service, a new Civil Court Case Management System (ShowCase).
- Complete the upgrade of the PeopleSoft application to the most current version.
- Provide excellent support to Court Operations that complies with State mandates, including ADA Compliance, Online Access to Court Records, Searchable documents, and eService for Attorneys.
- Evaluate both disaster recovery and business continuity objectives to ensure the availability of mission-critical services in the event of a long-term outage.
- Refine the processes, templates, and reporting documents of the Project Management office, to ensure on-time and within budget project delivery.

Long-Term Goals

- Implement phase 2 of best-in-class IT processes based on ITIL methodologies, including portfolio management, business relationship management, knowledge management, and asset management.
- Eliminate costly, end-of-life legacy systems and software.
- Consolidate core systems and software to better align technology resources with organizational goals and objectives.
- Continue to provide anytime/anywhere access to Clerk's services via mobile and web applications. Continue to provide anytime/anywhere access to the Clerk's

services via mobile and web applications. Define business intelligence strategies to better position the Clerk's office delivery of "big data" solutions to various stakeholders.

Major Accomplishments

- Implemented IT best practices based on ITIL methodologies, including Incident Management, Change Management, Release and Deployment Management, and Service Level Management.
- Developed and began the implementation of an organizational-wide, long-term Cyber Security Program, that includes Security Awareness Training and Compliance Reporting.
- Established an IT Governance Board, which provides oversight for all Technology Projects and Security.
- Implement PeopleSoft version upgrade from 9.0 to 9.2.
- Developed and implemented the processing of benefits, including health, for Palm Beach County by utilizing PeopleSoft 9.2.
- Completed the Criminal ShowCase Project and moved into full maintenance.
- Implemented paperless criminal courts by using In-Court Process (ICP).
- Implemented External eRecording and was recognized for this by receiving the national "Rookie of the Year Award" from Corporation Service Co. for leadership in eRecording developed and tested eCaseView to be used for the viewing of criminal court images via the Internet pursuant to Supreme Court AOSC 15-18.
- Implemented a more robust architecture for testing and training environments in order to increase the quality and predictability of production system deployments.
- Enhanced mobile device security by implementing a device management application and processes.

Performance Workload and Metrics

- Provide 24 by 7 by 365 access to Clerk & Comptroller information and services.
 - No less than 99.99% scheduled uptime for all system and services.
 - No less than 99% user accepted performance levels. This will be measured by accumulating the help desk tickets that report a system slow down.

- No less than 6 documented proactive measures taken per month to avoid an outage based on observed or event based notifications. This goal is to be managed and reported on by the infrastructure team.
 - Score a 4.5 or higher on a semiannual customer satisfaction survey focused on system reliability and performance.
- Cultivate strategic and financially advantageous partnerships with all vendors in order to leverage external resources that align with the business goals and objectives of the Clerk & Comptroller's office.
 - Develop service level agreements (SLA) for all vendor support and installations and manage vendor performance based on the SLA metrics.
 - Vendor projects are 95% on time.
 - Vendor projects are 100% within budget.
 - Vendor updates are delivered on time and issue free. This will be measured by tracking both timelines and number of issues exposed in testing.
 - Zero issues related to communications between vendor and clerk staff.
 - Score 4.5 or higher on vendor survey related to communication question.
 - Score 4.5 or higher on overall vendor satisfaction survey.
- Empower team members to seek out technological innovations that align with and help drive the vision and mission of the Clerk & Comptroller.
 - Each team member submits at least one idea for departmental improvement.
 - At least once a month have both departmental and interdepartmental brain storming sessions organized to define proactive measures to support security, service excellence, and system uptime. Sessions must produce at least 2 valued take-a-ways.
 - Each supervisor is to provide the CIO with at least one team member reward and recognition opportunity per month.
 - CIO to attend departmental meetings on a monthly basis and provide team reward and recognition.
- Create a culture centered on service excellence that results in consistently exceeding customer expectations and defined service level metrics.
 - Score a 4.5 or higher on customer satisfaction surveys to be done every 6 months.
 - Score 4.5 or higher on communication section of customer satisfaction survey.
 - Have clearly defined service level metrics by the end of the year.

- Meet or exceed all defined service level agreement metrics.
- Based on service tickets, each area is to define at least 2 opportunities for service improvement per quarter.
- Continue to advance the Project Management Office (PMO) where outstanding leadership, planning, and communication provide a solid platform for on-time and within budget project delivery.
 - 100% of projects delivered on or under budget.
 - 95% of projects delivered on or ahead of schedule. This metric is based on initial timeline and approved changes to timelines.
 - All projects must have and adhere to a clearly defined communication plan.
 - All projects must have and adhere to a vendor management plan.
 - Metrics include vendor support and delivery timeliness.
- Provide all stakeholders with timely, accurate, and consistent communication.
 - Develop and implement by December 31, 2015, a communication plan and process that includes outage/issue notification and updates, upgrade notification and updates, project status/project summary reports and weekly IT updates.
 - Outage/issue notifications metrics are based on a 10 minute response for outages and 30 minute status updates thereafter.
 - Upgrade notifications and updates are required to be sent at least 24 hours before the maintenance occurs.
 - Project status/project summary reports and Weekly IT updates occur weekly on Mondays by close of business and should total 52 in one year.
 - Measure will be to score a 4.5 or higher (scale of 1 to 5), on a customer satisfaction survey that relates to communication.

Table 31 provides a summary of the projects and releases supported by the Information Technology department.

Information Technology Workload	FY2013	FY2014	FY2015	FY2016 Goal
Enterprise Projects	13	7	9	6
Projects	26	19	18	12
Major Releases	11	13	7	6

Table 31: Information Technology Project Workload

Information Technology				
Performance Workloads and Metrics	FY2013	FY2014	FY2015	FY2016 Goal
Work Orders & Support Tickets				
Opened	15,425	10,206	6,349	5,397
Closed	14,262	10,130	6,236	5,346
Service Level	92%	95%	98%	99%
IT Help Desk Calls				
Incoming	16,983	13,811	14,207	12,076
Answered	14,619	11,836	12,745	11,470
Service Level	83%	86%	90%	95%
System Availability (MTBF - Days)				
PeopleSoft	51.7	71.6	127	146
CSI	30.9	30.9	49	56
ShowCase	43.6	14.0	103	118
Official Records	31.5	28.0	120	138
System Availability (MTTR - Hrs)				
PeopleSoft	0.6	0.5	0.5	0.4
CSI	0.2	0.2	0.2	0.2
ShowCase	0.6	0.5	0.4	0.3
Official Records	20.0	0.5	0.5	0.4
Customer Satisfaction	4.69	4.72	4.90	4.95

Table 32: Information Technology Performance Workloads and Metrics

Table 32 provides a summary of service requests, incidents and support calls processed through the Information Technology Department. The number of support incidents dropped since FY2014 in response to an improved quality assurance initiative for enterprise system software releases and upgrades. Work order and incident numbers have also reduced in response to the implementation of a formal Project Management governance model. Rapid expansion of the ShowCase system, including the addition of 4 major live data interfaces, contributed to lower Mean Time between Failure performances (MTBF).

F. Human Resources

Human Resources (HR) ensures that the Clerk’s office is recognized as a great place to work. Led by the Chief Human Resource Officer, the department is responsible for a number of critical functions, including but not limited to classification and compensation, recruitment, selection and retention, benefits and wellness, training and development, compliance, employee recognition, volunteers and interns, employee relations, performance management, Human Resources Information Systems and records management.

Human Resources is committed to our strategic direction of delivering outstanding customer service, being effective and efficient and being a great place to work. Human Resource plays a key role in each of these strategies and believes it is important to lead by example in an effort to support the clerk’s office values: Respect Everyone, Act with Integrity, Embrace Diversity, Build Relationships, Learn through Innovation, Thrive on Challenge and Celebrate Achievements.

As shown in Table 33 the budget request for the Human Resources function for FY2016 is \$1,600,926. This represents a decrease of \$17,953 over FY2015. This decrease is due to a reduction in personnel expenditures and offset by increased costs needed to implement the Learning Management module in PeopleSoft to complement the clerk’s in-house training initiatives.

() denotes a decrease

Human Resources	FY2014 Actual Expenditures	FY2015 Adopted Budget	FY2016 Adopted Budget	Variance \$	Variance %
By Expense Type					
Personnel Services	\$ 1,245,224	\$ 1,237,576	\$ 1,183,603	\$ (53,973)	-4.4%
Operating Expenses	252,490	381,304	417,323	36,020	9.4%
Capital	1,258	-	-	-	N/A
Total	\$ 1,498,971	\$ 1,618,879	\$ 1,600,926	\$ (17,953)	-1.1%

Table 33: Human Resources Financial Schedule

Policies

- Deliver outstanding service, be effective and efficient and be a great place to work.
- Ensure that all processes are completed accurately and timely, safeguarding the integrity of all human resources' responsibilities.
- Comply with federal and State laws including, but not limited to: Fair Labor Standards Act (FLSA); Equal Employment Opportunity (EEO) laws; Americans with Disabilities Act (ADA); Americans with Disabilities Act Amendment Act (ADAAA); Age Discrimination in Employment Act (ADEA); Federal and State Veterans Preference Laws; Civil Rights Act of 1991; Immigration Reform and Control Act (IRCA) of 1986; 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) and applicable Internal Revenue Service (IRS) Codes; and Florida Records Laws regarding to public records.
- Monitor and manage the Clerk's compensation administration program including pay policies internally, as well as facilitating comparisons to the labor market by conducting and participating in periodic salary, policy and benefit surveys.
- Monitor the Florida Retirement System (FRS) plan and legislative changes that could impact our employee retirement benefit and/or contribution levels.
- Create succession plans, career paths and high quality training programs to facilitate the development of qualified internal successors.
- Investigate employee complaints, administer policies with consistency, and conduct exit interviews efficiently to ensure a fair and respectful work environment for all employees.
- Manage the Clerk & Comptroller's office online performance appraisal program, and support management with development plans and communication tools to promote and encourage a high-performing workforce.
- Provide employee training on policies and procedures, legislative changes, technical skills, systems processes and customer service.
- Manage the Clerks 4 Wellness and Volunteer/Internship programs to motivate our workforce to be healthy and engaged.
- Manage, in conjunction with the Communications team, the Employee Recognition program.

Key Objectives

- Ensure HR is in compliance with the following federal, state and local statutes and regulations including, but not limited to, the Fair Labor Standards Act, Retaliation/Whistle Blower's Act, new hire reporting, EEO-4, ADA, ADEA, Civil Rights Act of 1991, IRCA of 1986, COBRA , Section 124, FMLA, HIPPA, PPACA, IRS Codes, the Equal Pay Act and State Worker's Compensation laws.
- Manage the accuracy of all personnel recordkeeping, based on various regulations, such as the ADA and the Florida Public Records laws.
- Ensure that segregation of duties, checks and balances and appropriate auditing for pay and benefits exist and are consistently utilized.
- Go digital. Go paperless. Continually evaluate how to be more effective and efficient through the use of technology and continuous process improvements.
- Recruit, hire and retain employees who will embrace our mission, vision and values.
- Ensure that recruitment and selection practices are in compliance with federal and state laws, including but not limited to: Equal Employment Opportunity laws; Americans with Disabilities Act, Age Discrimination in Employment Act, Federal and State Veterans Preference Laws; and Civil Rights Act of 1991.
- Monitor and manage competitive compensation and benefits programs, internally and externally by participating in salary and benefits surveys to assess competitiveness and best practices.
- Manage the Clerks 4 Wellness participatory wellness program; continue to develop and launch programs that demonstrate our commitment to our employees' health and wellness.
- Create talent development plans, career paths and high quality training programs to develop qualified internal candidates.
- Provide employee training on policies and procedures, legislative changes, technical skills, systems processes and customer service, as well as other soft skills training, such as emotional intelligence.
- Manage the Volunteer/Internship programs to educate and expose students and citizens to our office.
- Manage, in conjunction with the Communications team, the Employee Recognition program.
- Develop, implement, maintain and consistently interpret administrative policies and procedures and effectively communicate policies to employees.
- Investigate employee complaints and conduct exit interviews efficiently to ensure a fair and respectful work environment.
- Assist and support supervisors and managers to resolve employee issues.
- Manage the Clerk's electronic performance appraisal program and support management with development plans and communication tools.

Short-Term Goals

- Develop an implementation plan for *2016 FLSA; changes*.
- Undergo an internal audit by the Inspector General of hiring and recruitment process to ensure compliance and appropriate recordkeeping.
- Develop strategies for HR to provide better *customer service*, be accessible to employees, and develop relationships e.g., work periodically at the branch offices.
- Continue implementing *benefit changes to comply with the PPACA* and educating employees accordingly.
- Complete an audit of all personnel files to ensure relevant data is captured in PeopleSoft, i.e. disciplinary actions, performance reviews, education, etc.
- Develop general guidelines for EAP and/or Threat Assessment referrals.
- Develop and implement a *Stay Interview* program.
- Develop an automated solution for the Organizational Chart that is more readily accessible than within PeopleSoft self-service.
- Develop and launch training on *How to Handle Public Records Requests*.
- Publish the *2016 Training Catalog*.
- Continue to promote and enhance the *Wellness Program*, e.g., implement a Wellness-Hour and organize the Adventures in Wellness event.
- Offer a *2016 Summer Intern Program*.
- Manage and promote the utilization of *volunteers*. {NOTE: 32 volunteers were utilized during 2015 and provided 2,805 hours of service; 61 volunteers were utilized during 2014 who provided 3,507 hours of service; 84 volunteers were utilized in 2013 that provided 6,621.5 hours of service.}

Long-Term Goals

- Implement the *PeopleSoft eRecruit module*.
- Conduct an *Exempt Job Classification Salary & Benefits Survey* and make any recommended changes; utilize the PeopleSoft Compensation Module to track results.
- Correct the position and organizational structure setup within the *PeopleSoft Human Capital Management (HCM) module*.
- Research and select a *Learning Management Systems (LMS)* for all HR digital training.
- Develop and implement a formal *Organizational Talent Development Plan*.
- *Maximize employee skills training* and promote cross-training.
- Automate the disciplinary approval process using PS Manager Self Service.

Major Accomplishments

- Implemented comprehensive recruiting and selection processes to comply with changes to the Florida statute for Veterans' Preference.
- Retained a new background screening vendor to increase hiring efficiencies.
- Developed a bank of job interview questions, including behavioral questions from the Predictive Index to assist in identifying best-fit candidates to improve retention.
- Implemented the Teladoc program to provide employees and their covered dependents access to an acute telemedicine program to impact steerable claims to a lower cost alternative in order to reduce overall health plan costs.
- Evaluated benefits brokers and elected to retain The Gehring Group.
- Evaluated life insurance vendors and elected to retain The Standard.
- Implemented The Standard's "Workplace Possibilities" solutions for ergonomic assessments at no cost to the Clerk's office.
- Upgraded the HR & Benefits PeopleSoft modules to version 9.2, on time and on budget.
- Developed automated HR metrics for HR's quarterly and annual reports.
- Developed "Personnel Summary Reports" for all terminations to ensure efficient recordkeeping, as well as to provide management tools for new managers.
- Updated the Drug Free Workplace Policy to require physicals for only mandatory testing positions or positions that require lifting.
- Implemented an organization-wide termination checklist that managers are required to complete when terminating an employee to ensure consistency and to reduce risk.
- Successfully launched a pilot telecommuting program and flexible work schedules to minimize staff outages and increase productivity.
- Assisted IT in the development of an Organizational Electronic Data Breach Action Plan, which included mandatory training for all staff.
- Created new policies allowing Out-of-Class Pay and Compensatory Time Off in order to meet business needs due to the budget shortfall.
- Administered a reduction in force of 41 staff positions due to the 2014/2015 budget shortfall.
- Developed and distributed a comprehensive Employee Training Survey to assist with streamline training programs offered.
- Developed and launched FLSA; Training for all supervisors and managers.
- Developed and launched a successful supervisor/manager trainee program; ten trainees were advanced to full supervisor.
- Redesigned the ePerformance training after going live with v9.2 of PeopleSoft.
- Developed and launched General HIPAA Training for all employees.
- Redesigned the Clerk's Learning Library.
- Organized and participated in the Clerks 2015 Summer Financial Literacy Intern Program hosting fourteen high school students, which offered both hands-on practical work experience as well as educational sessions on how to create a resume,

how to prepare a personal statement, Predictive Index and career coaching behavioral assessment, etc.

- Managed and promoted the utilization of volunteers. {NOTE: 32 volunteers were utilized during 2015 and provided 2,805 hours of service; 61 volunteers were utilized during 2014 and provided 3,507 hours of service; 84 volunteers were utilized in 2013 and provided 6,621.5 hours of service.}

Performance Workload and Metrics

Table 34 below provides a summary of the performance metrics that are tracked and evaluated by HR for FY2013 through FY2015. Goals are provided for FY2016.

Human Resources Performance Measures	FY2013	FY2014	FY2015	FY2016 Goal
Annual Turnover Statistics				
Total Budgeted FTEs	782	781	748	748
Total New Hire	204	113	100	100
Total Terminated Employees	173	133	125	<125
Turnover Rate	23.0%	18.1%	15.3%	<15%
Total Applications Received	11,681	7,575	6,210	6,200
Employee Demographics				
Total Employees	758	735	728	728
Full-time Employees	736	710	722	722
Part-time Employees	6	5	6	6
Temporary Employees	16	20	20	20
% Male	18.0%	17.8%	18.2%	18.0%
%Female	82.0%	82.2%	81.8%	82.0%
Average Years of Service	11	10	10	10

Table 34: Human Resources Performance Workloads and Metrics

Appendix A: Palm Beach County Supplemental Statistics

As part of Florida's Gold Coast, Palm Beach County is located in Southeast Florida and is the largest County in area in the State of Florida. It is located just 50 miles north of Fort Lauderdale, 70 miles north of Miami and 150 miles south of Orlando.

The County is located on the coast of the Atlantic Ocean as shown in Figure 25.

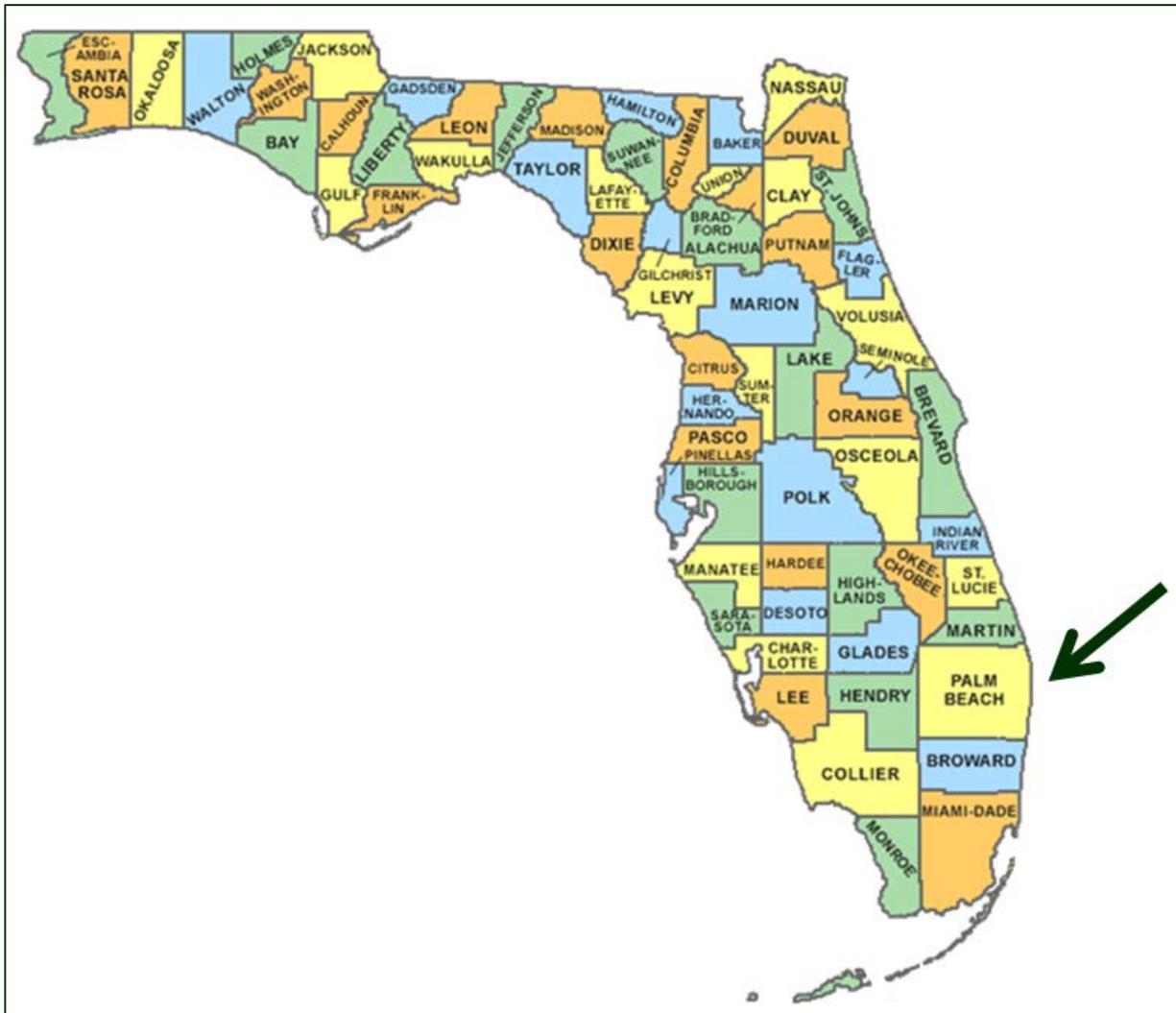


Figure 25: Map of Florida⁴

⁴ Digital-Topo-Maps.com

Demographics

According to the Bureau of Economic and Business Research, Palm Beach County has a 2015 estimated population of 1,378,417, making it the third most populated county in Florida behind Miami-Dade (2.65 million) and Broward (1.83 million). Palm Beach County is, however, the largest in size of Florida's 67 counties. The County's 2,385 square miles include 1,977 square miles of land and 408 square miles of surface water, making it one of the largest counties east of the Mississippi River. In fact, Palm Beach County is larger in land area than Rhode Island and Delaware.⁵

There are 38 municipalities within the County encompassing a total of 328 square miles, or approximately 16% of the County's area. Since the incorporation of the County in 1909, the municipalities, which developed much earlier along the eastern coast, have held the bulk of the County's population. Starting in the 1960's, population growth began to move westward into the unincorporated land. As of FY2015, approximately 56% of the County's population resides within the municipalities.

The largest Palm Beach County city, both in area and population, is West Palm Beach, which covers 56.55 square miles and has approximately 106,525 residents. Boca Raton is second most populous with 87,766 residents, followed by Boynton Beach, 72,784, Delray Beach, 63,175 and Wellington, 59,860. The County's smallest town in population and area is Cloud Lake with approximately 133 residents living within 0.06 square miles.⁶

The four largest lakes in Palm Beach County are Lake Okeechobee, 488,000 acres; Lake Mangonia, 540 acres; Clear Lake, 401 acres; and Lake Osborne, 356 acres. The County has 45 miles of shoreline and is 53 miles wide. The county's 45-mile-long Atlantic shoreline was nicknamed Florida's Gold Coast after the gold recovered from Spanish galleons that sank offshore.

Palm Beach County's climate has enhanced its image as a location that provides a high quality of life to its residents. The average temperature is 75 degrees with an average of 82 degrees in the summer and 67 degrees in the winter. The wet season extends from June through October, with an average annual rainfall of 62 inches.

⁵ <http://www.bebr.ufl.edu/population/products>

⁶ <http://www.pbcgov.com/pzb/Planning/population/county%20profile.pdf>

History

The first settlers in what is now Palm Beach County were Indian tribes such as the Tequesta, Jeaga, Caloosa and later the Seminoles. The next settlers arrived in 1860 when the Jupiter Lighthouse was built to aid sailors navigating the Atlantic Ocean.

Homesteading began in the late 1800's with the majority of the settlers coming to the area to farm. Early farmers found the soil to be highly productive and earned most of their income by growing vegetables for the northern winter market.

The late 1800's also marked the beginning of the tourism industry. Transportation improvements, particularly to the railroad system, provided easier access to the area. Hotels to serve tourists and the first winter homes for seasonal residents were constructed.

In 1892, Henry Flagler visited Palm Beach and decided to build a large resort hotel, the Royal Poinciana and extend the Florida East Coast Railroad to West Palm Beach from Jacksonville. These developments made Palm Beach the nation's premier winter resort.

Flagler considered the mainland area a perfect satellite location to service his resort and a good place for his workers to live. This area was incorporated as West Palm Beach in 1894.

Other cities, such as Linton and Boynton Beach, were established soon after West Palm Beach. Linton was founded in 1894 by William S. Linton, the postmaster of Saginaw, Michigan. He and a friend purchased 160 acres of land and sold it in five-acre tracts through ads in Michigan newspapers. In 1901, they renamed the town Delray Beach, after a Detroit suburb. Boynton Beach was founded in 1895 when Civil War Officer Major Nathan S. Boynton built a 50-room resort hotel on the beach. One year later the railroad came through on its way to Miami.

The State Legislature established Palm Beach County as Florida's 47th County on July 1, 1909. Prior to that time, the area was part of Dade County. Palm Beach County originally encompassed Lake Okeechobee and the areas that became Broward County in 1915, Okeechobee County in 1917 and Martin County in 1925.

In 1963, the State of Florida partitioned Lake Okeechobee among all of the counties that border it.

The first County Commission meeting was held on July 6, 1909 and West Palm Beach was designated as the County Seat. By 1910, the County's population had grown to more than 5,500 residents. The entire County experienced tremendous growth and development following World War I. The building and population increase produced a great land boom in the early 1920's. Contributing to the land boom was the climate, as well as an increase in the use of the automobile along with a growing network of roads. The State encouraged the influx of new residents during this period by promising never to pass State income or inheritance taxes. The 1926 Florida Land Bust, the 1926 and 1928 hurricanes and the 1929 stock market crash drastically affected the local economy, but these events did not stop growth entirely due to the prior establishment of major transportation facilities.

World War II brought many changes to the County, including air bases and new jobs. After the war, Grace Morrison Field was expanded and became Palm Beach International Airport. During the same time period, small specialized businesses, many electronic-oriented, joined industrial giants like Pratt-Whitney and IBM in establishing plants in Palm Beach County.

The County remained largely undeveloped through the 1950's as evidenced by a 1960 population of less than 250,000. Although some citizens felt that it had lost its natural, unspoiled quality, many leaders welcomed urbanization and actively promoted growth and development.

In the late 1960's and early 1970's, large numbers of middle and upper income retirees began to move to Florida, prompting developers to build new subdivisions and cities. During this same period, the advent of air conditioning greatly enhanced the living and working environment, further increasing the pace of development.

Throughout the 1980's, the economy and the construction industry thrived as the population grew by approximately 5% per year. The national recession that

occurred in the early 1990's reduced the County's growth rate to an average of approximately 3.1% annually⁷. The County's FY2016 population is estimated to be 1,378,418 a 1.3% increase from FY2015⁸.

Government Structure

Figure 26 provides a representation of the Palm Beach County government structure As a result of the November 6, 1984 general election; Palm Beach County became a Home Rule Charter County on January 1, 1985. This "Home Rule" allows a resident, through their elected commissioners, greater independence in determining how their County government will function and what services it will provide. Major advantages resulting from changing to this form of government include:

- allowing the County to pass its own ordinances and laws as long as they do not conflict with State and federal laws;
- providing initiative procedures that allow voters to create, modify and amend local laws;
- providing a process to modify or amend the Charter, and;
- providing voters with a process to recall County Commissioners for cause.

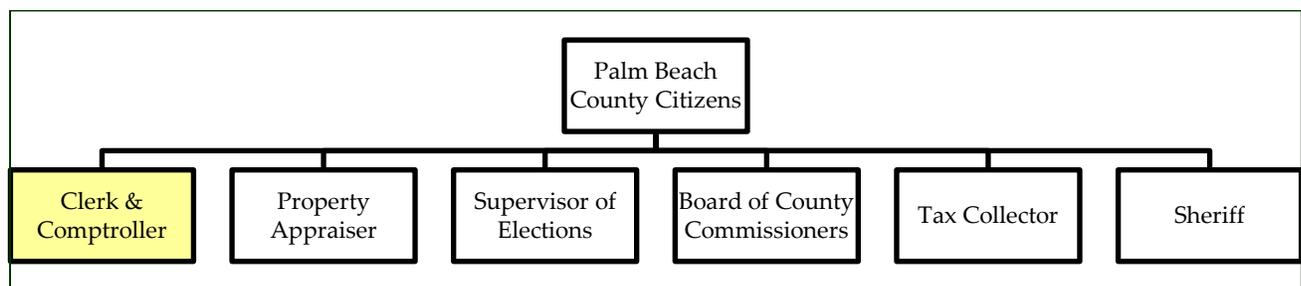


Figure 26: Palm Beach County Government Structure

The Board of County Commissioners, which is the legislative branch of County government, adopts ordinances and resolutions to establish programs that protect and maintain the health, safety and welfare of County residents. In 1990, the Board of County Commissioners changed from five at-large Commissioners to seven, each representing a single-member district. Each Commissioner is elected to a four-year

⁷ Palm Beach County Business Development Board

⁸ <http://www.bebr.ufl.edu/population>

term by voters in the district in which they reside. Commissioners elect a Mayor to preside over meetings and serve as the ceremonial head of the County. A Vice Chair is also selected to assume these duties in the absence of the Mayor; each term is for one year.

The County Commission considers major problems facing County government and guides the growth and development of the County consistent with the public interest. Major areas of public interest under the control of the Board of County Commissioners include:

- provision of fire protection and disaster relief services;
- construction and maintenance of County buildings, roads and bridges;
- provision of programs of housing, community development, slum clearance, conservation, flood and beach erosion control and air pollution control;
- adoption and enforcement of building and housing codes and regulations;
- preservation of natural resources;
- preparation, review and periodic amendment of the Comprehensive Land Use Plan for the development of the unincorporated portion of the County; and
- provision of cultural and recreational facilities and programs.

Additionally, the Board of County Commissioners may enter into agreements with other governmental agencies for the joint performance of duties.

The Commission appoints the Chief Executive Officer, i.e., the County Administrator, who implements Board of County Commissioners approved programs and manages the day-to-day operations of County government. With Commission approval, the County Administrator appoints Assistant County Administrators and Department Directors.

The County's departments under the County Administrator are organized into two groups: (1) General Operations Departments, which provide direct services to residents and (2) Central Services Departments.

General Operations Departments include

Airports	Medical Examiner
Community Services	Palm Tran
County Cooperative Extension Services	Parks & Recreation
County Library	Planning, Zoning & Building
Engineering & Public Works	Public Safety
Environmental Resources Management	Tourist Development
Fire-Rescue	Water Utilities
Department of Economic Sustainability	

Central Services Departments include

County Administration	Internal Audit
County Attorney	Legislative Affairs
Facilities Development & Operations	Public Affairs
Financial Management & Budget	Purchasing
Human Resources	Risk Management
Information Systems Services	

In addition to the County Administrator, the Board of County Commissioners appoints County residents to serve as volunteers on various citizens' boards, commissions, committees and councils. These groups are established for advisory and/or regulatory purposes. State law creates some advisory boards, while others are formed by the County Commission to meet special needs and to help solve challenging issues facing County government.

Constitutional Officers and Judiciary are the County Officials other than the County Commissioners, who are elected by the voters. The Clerk & Comptroller, Property Appraiser, Sheriff, Supervisor of Elections, Public Defender, State Attorney and Tax Collector are the Constitutional Officers elected to four-year terms in general elections.

Palm Beach County is not a consolidated or "metro" form of government. The Palm

Beach County School System is governed by a non-partisan elected School Board and operates under the direction of a School Board-appointed Superintendent. The County Commission has no jurisdiction over the School Board.

The South Florida Water Management District, Children's Services Council, Health Care District, Drainage Districts, Inlet Districts and municipalities within the County are also not under the authority of the Board of County Commissioners.

Economic Trends

Palm Beach County is Florida's largest county in area and third in population. Growth predominantly from in-migration has historically been a major influencing factor in the County. The population has increased approximately 1.43% annually from 2000 to 2015 and is estimated to continue increasing through FY2016.

Current economic indicators for Palm Beach County point to an economy which is increasingly healthy over the past several years. Significant investment made to develop the Biotechnology Industry in the County has spurred growth in that sector, pushing it into a tie with Retail Trade as the second largest industry behind only Educational, Health Care and Social Services. Tourism, construction and agriculture continue to play a prominent role in the County's economy.

Tourism⁹ - Palm Beach County government is making a concentrated and continuing effort to increase the number of visitors to the County each year, which is expected to generate a 13% increase in Tourist Development Tax revenues in FY2016 with the benefit of the Sixth (6th) Cent for a full fiscal year. There is an estimated 82,700 people employed in Leisure & Hospitality jobs in the County. The economic impact from our visitors is approximately \$7.6 billion annually to the County's economy. During FY2015, Palm Beach County had an exceptional year for tourism. Bed tax revenues increased 26% with the benefit of seven (7) months of the additional 1 Cent Bed Tax over the previous year.

Construction¹⁰ - During FY2015, the total number of permits issued increased by 3.13% as compared to FY2014. Building Permit revenues increased by 10.2% to \$17,535,915

⁹ Tourism Economics, Florida Department of Economic Opportunity, VisaVue ® Travel, TNS Travel America, PBC Tax Collector, FL, Department of Revenue, PBC Economic Impact Study

¹⁰ Electronic Planning, Zoning and Building (ePZB) permitting system

million as compared to \$15,915,616 million in FY2014. In residential construction, 340 multi-family and 1,766 single-family unit starts occurred in FY2015, as compared to 370 multi-family and 1,185 single-family unit starts in FY2014. The total value of residential construction reached \$625 million in FY2015, as compared to \$524.6 million during FY2014. Additionally, the total value of all construction permitted increased from \$1.08 billion in FY2014 to over \$1.15 billion in FY2015. Overall, permitting activity in both residential and commercial sectors continues to increase.

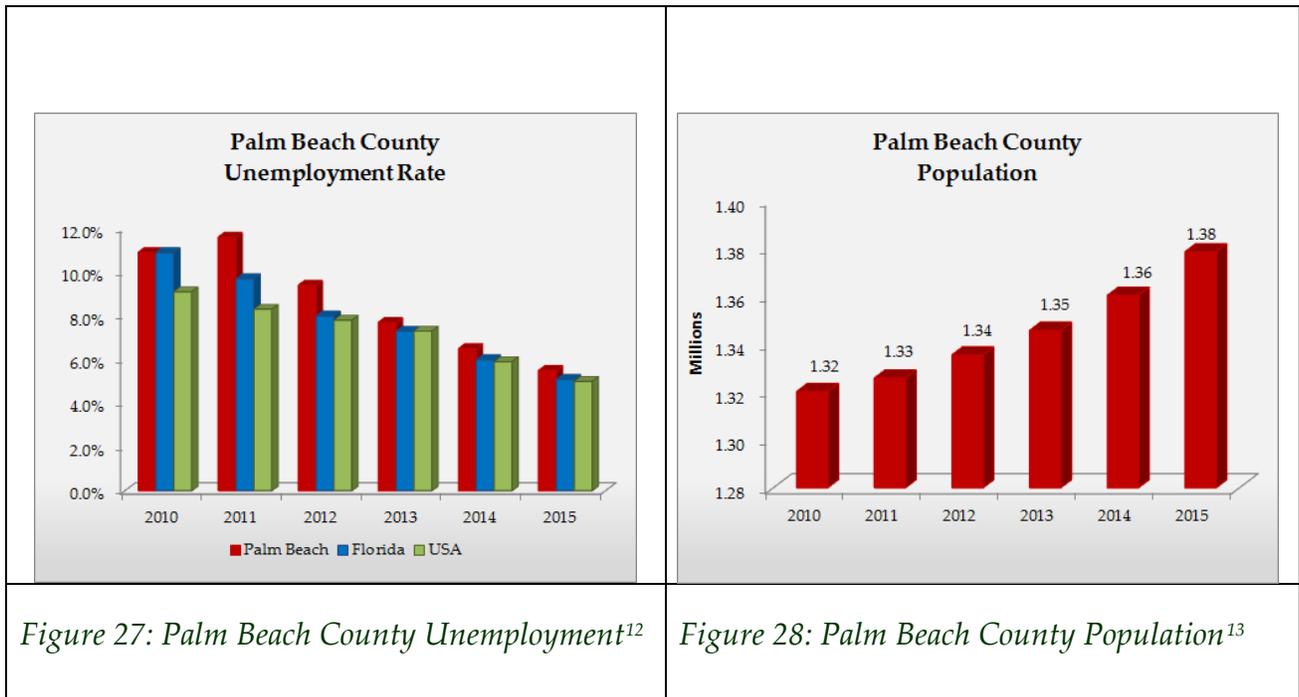
Agriculture¹¹ - Palm Beach County's agricultural acreage has remained stable for the last six years. Palm Beach County still leads the state of Florida, and all counties east of the Mississippi River, in agricultural proceeds. Palm Beach County leads the nation in the production of sugarcane, bell peppers, fresh sweet corn, and sod. It leads the state in the production of rice, lettuce, radishes, Chinese vegetables, specialty leaf produce, and celery. The 460,445 acres dedicated to agriculture, represent 36% of the total land mass in the county. Palm Beach County is third in the state in nursery production with estimated sales at \$139 million, and leads the state in agricultural wages and salary with over \$348 million. The industry currently uses bagasse, a sugarcane by-product, in conjunction with other waste wood products as the fuel source for the largest agriculturally based biomass co-generation plant in the United States for electricity generation. Equestrian acreage in Palm Beach County continues to expand, currently ranking as the 2nd largest equine county in the state, following Marion County.

Manufacturing - Primarily electronics and other high tech products, manufacturing plays an important role in the County's local economy. The arrival of Scripps Research Institute continues to provide a boost to the area's technology industry.

Bio Science – Scripps Research Institute and Max Planck Florida Institute are anchors to an eight million square feet Bioscience Cluster in Northern Palm Beach County. A “cluster” of related bio-technology businesses will form a hub to strengthen the County’s position as leader in this industry. Smaller bio-related companies have either expanded or moved to the County such as Ocean Ridge Biosciences LLC and Sancilio & Company Inc.

¹¹ Palm Beach County, Cooperative Extension Service

Unemployment Rate – Palm Beach County’s unemployment rate has steadily decreased over the past six years, while the population has continued to grow, as indicated in Figures 27 and 28. The improvement in the county’s labor market, along with the increased population, contributed to increases in many local revenue streams; however The Palm Beach County Clerk & Comptroller is still facing declines in the revenues used to fund its’ duties as Clerk of the Circuit Court, as discussed in Section II.



The County’s labor force is estimated to be approximately 644,635, which is another positive indicator of the improving market. Palm Beach County’s unemployment rate has also decreased by 1% from a rate of 6.5% in August 2014 to 5.5% in August 2015. Per the latest US Census Bureau, Palm Beach County’s personal median household income is approximately \$52,203 which is above Broward County’s at \$51,608 and Miami-Dade County’s at \$42,926.

¹² Bureau of Labor Statistics

¹³ Estimates from Bureau of Economic and Business Research

Property Taxes

Property taxes are a lien on all taxable property as of January 1st of each year. Tax payments are due November 1st and are payable by April 1st of the following year. Each parcel of property is assessed to the last known owner as established from the latest recorded deed or tax return.

There are three types of property which are subject to an ad valorem tax (a tax based on the assessed value of real or personal property). The three types are:

- **Real Estate** covers land and the improvements thereon;
- **Tangible Personal Property** includes property such as business fixtures, equipment, and machinery; and
- **Intangible Personal Property** includes stock, bonds (except those exempt), mortgages accounts receivable, mutual funds, notes, trusts, estates, etc. (This is a State tax handled directly by the State of Florida).

All property owners who maintain their permanent home on the property are entitled to a "Homestead Exemption" which exempts the first \$25,000 of assessed value of the property from ad valorem taxes. Effective January 1, 2008, a property with an assessed value of \$75,000 or more receives an additional \$25,000 exemption. Additional exemptions are also available to widows, widowers, disabled veterans, totally disabled non-veterans, and senior citizens. The November 6th, 2012 elections passed additional groups eligible for receiving exemptions, including a surviving spouse of a veteran or first responder and low-income seniors who maintained long-term residency on property.

The Board of County Commissioners levies a countywide millage that applies to all property owners in the County on the net assessed value of property. (Millage is the rate used to determine the amount of tax. A mill is one-tenth of a cent or \$1.00 of tax for every \$1,000 of net assessed value). The countywide rate will remain at 4.7815 mills for FY2016.

Palm Beach County Fire-Rescue and the County Library are dependent districts under

the control of the Board of County Commissioners. They levy millages that apply to all property owners in the unincorporated portion of the County and residents of the municipalities that have elected to join the districts rather than provide the services themselves. The municipalities also levy millages to finance their local government's operating costs.

In addition to the Board of County Commissioners and municipalities, various other taxing districts levy millages that affect all property owners in the County or property owners in the particular districts. Some other entities in the County that levy property taxes are drainage districts. These taxes are not based on the value of the property, but on the number of acres in the parcel. Each district assesses an "Acreage Levy," a fixed amount for each acre or part thereof, to cover the maintenance and debt of the drainage facilities in the district. Additionally, some districts assess a "Parcel Levy," a fixed amount per parcel, to cover the cost of road maintenance and debt within the district.

Additional Information

The median age of citizens residing in Palm Beach County is 44.3 years. The average household size is 2.39 persons. There are 184 schools with 181,205 students enrolled. Of the 184 schools, 107 are Elementary, 33 are Middle School, 23 are High School, 16 are Alternative, two are Adult and three are considered Other Educational Schools¹⁴. There are 1,517 law enforcement officers, 687 corrections officers and 1,828 civilian staff employed by the Palm Beach County Sheriff's Office. The major employers of the county include the Palm Beach County School Board (22,000 employees), Palm Beach County (11,024 employees), Tenet Healthcare Corporation (6,100 employees), NextEra Energy (3,854 employees) and Hospital Corp. of America (2,714 employees).¹⁵ As of December 11, 2015, there were 832,759 registered voters in the County.¹⁶

¹⁴ Palm Beach County, Public School Review

¹⁵ Business Development Board - Palm Beach County's Economic Development Resource

¹⁶ Palm Beach County, Supervisor of Elections

Appendix B: Glossary of Terms

A

Ad Valorem

Latin for according to value; is a tax levied on the assessed value of real or tangible personal property. It is also known as "Property Tax."

Adopted Budget

The financial plan of revenues and expenditures for a Fiscal Year as approved by the Clerk.

Age Discrimination Employment Act (ADEA)

A law that makes it unlawful for an employer "to fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's age.¹⁷" The Statutes not only applies to hiring, discharge, and promotion, but also prohibits discrimination in employee benefit plans such as health coverage and pensions.

Amended Budget

An increase or decrease in revenues with a corresponding increase or decrease in expenditures within the same fund. The budgeted fund total is changed.

American National Standards Institute (ANSI)

A private non-profit organization that oversees the development of voluntary consensus standards for products, services, processes, systems and personnel in the United States. The organization also coordinates U.S. standards with international standards so that American products can be used worldwide.

¹⁷ <http://www.eeoc.gov/laws/statutes/adea.cfm>

Americans with Disabilities Act (ADA)

The ADA prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress.

Anti-Harassment Policy

Policy which prohibits discrimination and harassment based on race, color, religion, age, gender/sex, sexual orientation, gender identity or expression, pregnancy, national origin, disability, genetic information, veteran status, marital status, or any other legally protected status.

Arbitrage

The practice of taking advantage of a price difference between two or more markets: striking a combination of matching deals that capitalize upon the imbalance, the profit being the difference between the market prices. Basically, it is the possibility of a risk-free profit at zero cost.

Association of Inspectors General (AIG)

An association that seeks to foster and promote public accountability and integrity in the general areas of prevention, examination, investigation, audit, detection, elimination and prosecution of fraud, waste and abuse through policy research and analysis; standardization of practices, policies, conduct and ethics; encouragement of professional development by providing and sponsoring educational programs; and the establishment of professional qualifications, certifications, and licensing.

Audit Services Unit (ASU)

A Unit of the Clerk & Comptroller's Division of Inspector General that provides auditees with an independent appraisal of whether desired results and objectives are achieved economically, efficiently and in accordance with prescribed laws, regulations, and policies and procedures.

Back Filing

Imaging and redaction of forward filed court documents.

Baker Act

A law that provides individuals with emergency services and temporary detention for mental health evaluation and treatment when required, either on a voluntary or an involuntary basis.

Balanced Budget

A budget, in which the total of estimated receipts, including balances brought forward, equals the total of estimated expenditures and reserves. Florida Statutes require that budgets must be balanced.

Base Budget

The portion of the Clerk's budget that is recurring on a yearly basis to maintain existing levels of service.

Board of County Commissioners (BOCC)

Authorizes the expenditure of County funds and the portion of County funds that is allocated to the Clerk for Palm Beach County.

Budget

A comprehensive financial plan of operations embodying an estimate of proposed expenditures for a given period, the proposed means of financing them and specifying the type and level of services to be provided.

Budget Approval Form

A form used by a Director and Chief Officer which shows their approval for their respective department budget requests within the Clerk & Comptroller's Office.

Budget Instruction Manual

A set of guidelines developed to assist the management team in developing their annual budgets while adhering to specific expenditure guidelines set forth by senior management, State, local or legislative government.

Budget Request Worksheet (or Budget Template)

The Microsoft Excel file that is used as the main source of input for each department in the Clerk & Comptroller's Office budget development process.

C

Capital Budget

The portion of the Clerk's budget that relates to the acquisition of long-term assets.

Capital Expenditures

Unit purchases which cost \$1,000 or more. If an item is attached to another to make it functional, the value is combined and capitalized. (i.e. desk with drawers and attached credenza, computer with monitor etc.)

Capital Improvement Plan (CIP)

A plan for capital expenditures to be incurred each year over a fixed period of years to meet anticipated capital needs. It sets forth each project or other contemplated expenditure in which the Clerk is to have a part and specifies the full resources estimated to be available to finance the projected expenditures.

Cash Receipt Interface

A computerized system which tracks and reports accounts receivable.

Centre for Fiduciary Excellence (CEFEX)

A global independent rating and certification organization that works closely with the investment community and fiduciary industry to provide comprehensive assessments that measure risk and trustworthiness of investment fiduciaries.

Chief Officer

The high-ranking corporate officer or administrator in charge of a specific operational and functional area within the Clerk & Comptroller's organization.

Civil Court

Civil Courts deal with "private" controversies, particularly disputes that arise between individuals or between private businesses or institutions (i.e., a disagreement over the terms of a contract or over who shall bear responsibility for an automobile accident).

Civil Rights Act of 1991

A United States Statute that was passed in response to a series of United States Supreme Court decisions that limited the rights of employees who had sued their employers for discrimination. It provided for the right to trial by jury on discrimination claims and introduced the possibility of emotional distress damages while limiting the amount that a jury could award.

Clerk

The Clerk of Circuit Court is responsible for various administrative and ministerial duties in conjunction with the court he/she serves. The Clerk of Circuit Court is responsible for receiving, filing, maintaining and safeguarding court records. The Clerk manages the administrative activities of the Clerk's office and oversees the performance of the statutory duties of the office.

Clerks 4 Wellness

Program to educate, encourage and engage Clerk & Comptroller employees and their families in the overall improvement of body and mind.

Clerks of Circuit Court Trust Fund (COCTF)

Court fees, fines and service charges are collected by the clerks' offices for deposit into various State funds. A portion of these funds is deposited into the Clerks of Circuit Court Trust Fund within the Justice Administrative Commission and is used to fund Clerks through the court fees, fines and service charges funding process.

Clerks of Court Operations Corporation (CCOC)

The Florida Clerks of Court Operations Corporation (CCOC) was created at the direction of the Florida Legislature. The CCOC support the Clerks of Court in all 67 counties in the State of Florida by reviewing and certifying court-related proposed budgets under the oversight of the Florida Legislature, the Governor, the Chief Financial Officer and the Department of Revenue.

Commission for Florida Law Enforcement Accreditation, Inc.

Correctional facilities and agencies with pretrial responsibilities can achieve accredited status through the Florida Corrections Accreditation Commission, Inc. Accreditation is the certification by an independent reviewing authority that an entity has met specific requirements and prescribed standards.

Comprehensive Annual Financial Report (CAFR)

A set of U.S. government financial statements comprising the financial report of a state, municipal or other governmental entity that complies with the accounting requirements promulgated by the Governmental Accounting Standards Board (GASB).

Comptroller

A management level staff position responsible for supervising the quality of accounting and financial reporting of an organization.

Conflict of Interest

A situation in which regard for a private interest tends to lead to disregard of a public duty or interest.

Consolidated Funds

The annual budget of the Clerk & Comptroller's organization that includes all revenues, expenditures and fund balances.

Consolidated Omnibus Budget Reconciliation Act (COBRA)

A law that gives workers and their families who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or

involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce and other life events.

Contract Policy

Policy that provides guidelines as to the types of expenditures which require a formal agreement for goods and services.

County Fiscal Year

A period of time that a County uses for accounting purposes and preparing financial statements. Palm Beach County operates within a Fiscal Year that ranges from October 1st to September 30th.

County Recorder Fees

The Clerk & Comptroller's Office is responsible for collecting fees for various court-related activities including divorce filings, tenant evictions, applying for a public defender, recording official documents, traffic infraction fines and costs related to criminal prosecutions.

Court Registry

The official record keeper of the pleadings and all other documents that are filed in relation to a case.

Criminal Court

A court empowered to hear and decide on cases involving criminal offenses.

D

Debt

An amount of money borrowed by one party from another.

Deferred Compensation Plan

A retirement savings program governed by IRS code 457(b) which permits deferment of part of an employee's salary up to the Internal Revenue Service allowable amount through payroll deductions.

Department of Revenue (DOR)

A department of the State of Florida that collects State taxes fairly and efficiently and makes complying with Florida's tax laws as simple and convenient as possible. Oversees Florida's property tax system to ensure accuracy and fairness in property valuation throughout the State.

Deposit Capture

A system that allows a customer to scan checks remotely and transmit the check images to a bank for deposit.

Docket Entries

The official summary of proceedings in a court of law.

E

eCaseView

A new system, currently in the pilot testing phase, which will allow the public to view and print case documents remotely through the PBC Clerk & Comptroller's public website, pursuant to Florida Supreme Court Administrative Order AOSC14-19.

eCitation

Ticketing system, in which violations are sent to The Clerk & Comptroller's office electronically.

E-filing

Allows Attorneys and Pro Se users to file documents to the County Clerk online.

E-noticing

Electronic notification of bond forfeiture, notice of discharge and notice of hearing documents to bail bondsmen.

Encumbrance

A pending expenditure that has not been made yet but has been committed.

ePerformance

An Oracle Web-deployed performance management solution that streamlines the appraisal aspect of the development business process, from goal planning and coaching to performance assessments and rewards. Managers, employees and HR administrators can collaborate on performance evaluations and goals, review performance history and monitor and manage the overall performance process of its employees.

Equal Employment Opportunity (EEO)

The first federal law designed to protect most U.S. employees from employment discrimination based upon that employees (or applicant's) race, color, religion, sex or national origin.

eRecording

The process of electronically transmitting real property documents to County or local government officials for recording in public records.

eRecruit

A paperless and online recruiting platform from Oracle PeopleSoft Enterprise.

e-subpoena

An electronic document which orders a named individual to appear before a duly authorized government body at a fixed time to give formal testimony.

Ethics hotline

A hotline that Clerk & Comptroller employees can contact to anonymously report potential incidents of fraud, waste, abuse or ethical violations.

E-warrant

An electronic instrument issued by a magistrate, authorizing an officer to make an arrest, seize property, make a search, or carries a judgment into execution.

Executive Team (ET)

A committee that consists of the Clerk, the Inspector General & Audit Director, Legal Counsel & Ethics Officer, Chief Communications Officer, Chief Operating

Officer of Courts and Official Records, Chief Operating Officer of Finance, Chief Information Officer and Chief Human Resources Officer; who helps the Clerk with major organizational decisions as well as acts as an overseer of organizational activities.

Expenditure

The total amount of money that a government or person spends as a cost of doing business or providing a service.

F

Fair Labor Standards Act (FLSA)

Establishes minimum wage, overtime pay, recordkeeping and youth employment standards affecting employees in the private sector and in federal, State and local governments.

Family Medical Leave Act (FMLA)

A law designed to help employees balance their work and family responsibilities by allowing them to take reasonable unpaid leave (up to 12 weeks) for certain family and medical reasons while continuing their group health benefits coverage.

Federal Insurance Contributions Act (FICA)

The Federal Insurance Contributions Act (FICA) tax is a payroll tax imposed by the federal government on both employees and employers to fund Social Security and Medicare.

Financial Management Solutions (FMS)

A family of applications in Oracle's PeopleSoft Enterprise product line that integrates financials, procurement, human resource and accounts payable for improved information management, planning and reporting.

Fiscal Stewardship

An ethic that promotes responsible planning and management of resources and finances.

Fiscal Year (FY)

A period of time that an entity uses for accounting purposes and preparing financial statements. The State of Florida operates within a Fiscal Year that ranges from July 1st to June 30th. Palm Beach County operates within a Fiscal Year that ranges from October 1st to September 30th.

Fit Gap Analysis

An important component of the project life cycle in which a phase of study made to identify whether the present system fits the requirements and if any such gaps are identified they are recorded in a prescribed format.

Fixed Asset

A term used in accounting for tangible assets and property that cannot be easily converted into cash.

Florida Administrative Code

An official compilation of the administrative rules and regulations of State agencies.

Florida Association of Court Clerks and Comptrollers (FACC or FCCC)

An entity that acts as a governmental lobbyist on behalf of all 67 clerks in the State of Florida.

Florida Clerks of Court Operations Corporation (CCOC)

Refer to entry on CCOC

Florida Department of Transportation (FDOT)

A decentralized agency charged with the establishment, maintenance and regulation of public transportation in the State of Florida.

Florida Highway Patrol (FHP)

A division of the Florida Department of Highway Safety and Motor Vehicles and the law enforcement agency charged with ensuring the safety of the highways and roads of the State.

Florida Retirement System (FRS)

Refers to the general retirement system established by Florida Statutes, including, but not limited to, the defined benefit program administered under Chapter 121, referred to as the “pension plan,” and the defined contribution program administered under part II of Chapter 121, referred to as the “investment plan.”

Foreclosure

A specific legal process in which a lender attempts to recover the balance of a loan from a borrower who has stopped making payments to the lender by forcing the sale of the asset used as the collateral for the loan.

Full-Time Equivalent (FTE)

A unit that measures the workload of one employee for comparison purposes.

Fund Balance

The amount available within a fund at the close of a Fiscal Year and can be carried over as a source of available funding for the succeeding fiscal period.

G

General Fund

One of two funds used by the Clerk & Comptroller’s Office to track and report on revenues and expenditures.

Generally Accepted Accounting Principles (GAAP)

A uniform minimum standards of, and guidelines for, financial accounting and reporting. They govern the form and content of the basic financial statements of an entity. GAAP encompass the conventions, rules and procedures necessary to define accepted accounting practices at a particular time.

Government Finance Officers Association (GFOA)

The purpose of the GFOA is to enhance and promote the professional management of governments for the public benefit by identifying and

developing financial policies and best practices and promoting their use through education, training, facilitation of member networking and leadership.

GS11

Record retention requirements for Clerk of Court records.

GS1SL

Sets record retention requirements for state and local governments.

Guardianship

A legal relationship created when a person or institution named in a will or assigned by the court to take care of minor children or incompetent adults.

Guardianship Fraud Hotline

A hotline that the public can contact to anonymously report potential incidents of financial fraud or waste involving court-appointed guardianships over elderly, minor children and incapacitated individuals.

H

Health Insurance Portability and Accountability Act (HIPAA)

A law that protects health insurance coverage for workers and their families when they change or lose their jobs.

Human Capital Management (HCM)

An Oracle based integrated Human Resource system that helps organize staff, payroll and time-tracking, as well as provide self-service capabilities to employees.

Human Resource Information Systems (HRIS)

The systems and processes at the intersection between human resource management and information technology.

I

Immigration Reform and Control Act of 1986 (IRCA)

A law that seeks to preserve jobs for those who are legally entitled to them: American citizens and immigrants who are authorized to work in the United States.

Information Systems Services (ISS)

Serves as the primary information technology support agency for most of the departments reporting to the Board of County Commissioners as well as the constitutional officers.

Injunction

An order issued by a court that forces the defendant; a person, corporation or government entity to do something or stop doing something.

Institute of Internal Auditors (IIA)

An international Internal Auditors professional association; a global voice for internal auditor professionals, a recognized authority, acknowledged leader, chief advocate and principal educator.

Internal Revenue Service (IRS)

The nation's tax collection agency; administers the Internal Revenue Code enacted by Congress.

Internal Service Fund (ISF)

A fund used to account/monitor Health Care costs for the Clerk & Comptroller's Office.

L

Learning Management System (LMS)

Computer software utilized by the Palm Beach Clerk & Comptroller's Office for training-related activities.

Liquidity

The amount of capital that is available for investment and spending or how easily an asset(s) can be converted to cash.

Lunch n' Learn

A training event scheduled during the lunch hour. Employees who attend bring their lunches and eat them during the training session. The training is usually less formal and less structured than normal.

M

Mandate

Any responsibility, action or procedure that is imposed by one government entity on another through constitutional, legislative, administrative, executive or judicial action as a direct order or that is required as a condition of aid.

Marchman Act

A law under the Florida Statutes that enables family members to obtain help for a loved one who is unwilling to seek substance abuse services voluntarily.

Modified Accrual

Modified accrual recognizes revenues when they become available and measurable and, with a few exceptions, recognizes expenditures when liabilities are incurred. GAAP defined to distinguished state and local government accounting from business accounting due to the difference in the purpose of government agencies vs. for-profit and not-for-profit non-government agencies.

Municipality

A local government having governmental, corporate and proprietary powers that enable it to conduct municipal government, perform municipal functions and render municipal services. For example, Atlantis, Boca Raton, Wellington and Pahokee are considered municipalities.

N

National Archives and Record Service

An independent agency of the United States government charged with preserving and documenting government and historical records.

Net Budget

The Net Budget subtracts Internal Service Fund charges and transfers of money from one fund to another (Inter-fund Transfers) from the total Consolidated Budget. These reductions from the total Consolidated Budget are considered double-counted because they do not represent money coming into the Clerk's budget as revenue or leaving the Clerk's budget as expense.

O

Offender Based Tracking System (OBTS)

Integrated system used to of the reporting of criminal case data to ensure compliance with Florida Supreme Court standards.

Office of Financial Management and Budget (OFMB)

The department within Palm Beach County that coordinates the planning and submission of the Clerk & Comptroller's Office budget to the Board of County Commissioners.

Official Records Project

This consists of a searchable computerized index and links to digital images of documents dating back to 1968 (marriage license listings date back to 1909). Official Records include court judgments, deeds, liens, marriage licenses, mortgages, plats and tax deeds.

On-the-Job (OTJ)

On-the-Job generally refers to training that is done, received or happening while in the actual performance of one's work.

Operating Budget

The portion of the Clerk's budget that relates to short-term, recurring financial needs including contractual support, travel, training, office supplies, communications, rentals, printing, binding, repair and maintenance costs.

Operation Green Light

Event which allowed citizens with outstanding fines in collections to come in, for one day, to pay their fines collections' surcharge free.

Organization Travel Policy

Ensures that travel and other expenditures are appropriate, provide a uniform and consistent approach for the timely reimbursement of authorized expenses incurred by Personnel for business-related travel expenses and that there are adequate cost controls and guidelines in place.

P

Patient Protection and Affordable Care Act (PPACA)

Legislation (Public Law 111-148) signed by President Obama on March 23, 2010. Commonly referred to as the health reform law.

PeopleSoft

Integrated software system for financial and personnel applications servicing the Clerk & Comptroller's organization.

Personal Computer (PC)

A desk top computer used by the Clerk & Comptroller employees to efficiently and effectively service their customers and perform other work-related tasks.

Personnel Services Budget

The portion of the Clerk's budget that relates to all costs associated with employees, including wages, taxes, insurance, retirement and overtime.

Plats

A survey of land that identifies the boundaries of the property and any easements, flood zones, roadway and access rights-of-way.

Popular Annual Financial Report (PAFR)

An extract of information from the State or local government's Comprehensive Annual Financial Report (CAFR) specifically designed to be readily accessible and easily understandable to the general public and other interested parties without a background in public finance.

Post Audit Quality Assurance

A percentage of invoices or interfaces processed with no errors identified in the payment amount, invoice numbers, vendor name etc. during a payment process.

Pre-Audit

The Payables Department within the Finance function of the Clerk & Comptroller's Office is responsible for the Pre-Audit function, which is to audit requests for disbursement of funds controlled by the Board of County Commissioners. The audits ascertain and certify that the requests are in compliance with applicable laws and regulations, within authorized appropriations, limited to public purposes and supported by proper evidence of receipt of goods or services ordered.

Pro Se Litigants

A person who advocates on one's own behalf before a court, rather than being represented by an attorney.

Procurement Policy

Guiding principles for the purchasing of goods and services by the Clerk & Comptroller for both Clerk employees and vendors.

Public Integrity Unit (PIU)

Consists of two sections in the Clerk & Comptroller's Office: 1) Investigative Section, which conducts investigations into Clerk & Comptroller affairs and makes inquiries as necessary, compels the production of books and papers, and

implements appropriate investigative techniques. The objective is to determine whether allegations of fraud, waste, abuse and ethical misconduct can be substantiated; and 2) Guardianship Section which conducts varying levels of assessments, audits and financial investigations of Guardianship activities. This program supplements the Clerk of the Circuit Court in supporting the Court's oversight process of the assets for the County's most vulnerable residents: elderly, minor children and incapacitated individuals who are served by Florida Guardianship Law.

Punch-Out

An electronic Procurement software application that makes it possible for a buyer to access a supplier's website from within the buyer's own procurement application.

Purchasing Card (P-Card)

A line of credit used to make approved purchases on behalf of an organization.

Q

Quality Assurance

The process of determining whether products or services rendered meets the customers' expectations.

R

Redaction

The practice of removing confidential or sensitive data before distributing a document.

Replevin

Also known as claim and delivery, it's a law that allows people to recover goods that they believe are rightfully theirs and that are being withheld from them. This recovery is typically done by suing through a court of law.

Reserves

A specified amount of funds set aside for the purpose of meeting future expenses. Expenditures may not be charged directly to reserve accounts.

Revenue

Funds that the Clerk & Comptroller's Office receives as income or revenue, which include tax payments, fines, forfeitures, and other fees for services etc.

S

ShowCase

ShowCase is the new criminal and traffic Case Management System for Palm Beach County. ShowCase's web application, "my Criminal Records," allows any member of the public to search and view detailed information about all criminal and traffic cases filed, such as charges, dispositions, sentences, court dates and more.

Small Claims

Small claims are disputes involving money damages where the amount at issue does not exceed \$5,000 excluding costs, interest and attorney' fees.

Speaker's Bureau

A company that brings audience's quality speakers and experts whose ideas are changing the face of business and inspiring the world.

Special Foreclosure Funding

Court fees, fines and service charges specifically designated by the Florida Legislature for costs related to processing the backlog of foreclosure cases.

Special Revenue Fund (SRF)

A specified percentage of all court-related fines collected by the Clerk shall be deposited in the Clerk's Special Revenue Fund and used exclusively for additional court-related operational needs and programs related to technology.

State Constitution

State constitutions address a wide array of issues deemed by the states to be of sufficient importance to be included in the Constitution rather than in an ordinary Statutes. Often modeled after the federal Constitution, they outline the structure of the state government and typically establish a bill of rights, an executive branch headed by a governor, a state legislature and state courts, including a state supreme court.

State Courts Revenue Trust Fund (SCRTF)

A State fund that includes mortgage foreclosure filing fees and the incremental portion of cross-claim, counterclaim, counter-petition filing fees.

State Disbursement Unit

A unit created and designed to improve the collection and tracking of child support monies.

State General Revenue Fund

Includes revenues coming into the State treasury that are not allocated by law to a specific fund or purpose. These funds are usually acquired through business and property taxation.

State Legislature

A legislative branch or body of a political subdivision in a federal system which approves the maximum court fees, fines and service charges funding for the Clerk of Circuit Court role.

State Uniform Chart of Accounts (UAS)

Rules and regulations regarding uniform accounting practices and procedures by local governmental entities in a state, including a uniform classification of accounts, as it considers necessary to assure the use of proper accounting and fiscal management techniques by such units as the standard for recording and reporting financial information.

Statutes

A law enacted by a duly organized and constituted legislative body.

Subpoena

A document that orders a named individual to appear before a duly authorized government body (usually a court) at a fixed time to give formal testimony.

Suggestion Connection

A tool in which Clerk employees can share their ideas/suggestions for improving services, processes or work environment with the Executive Team.

Supplemental Request

The portion of the Clerk's budget that relates to an expansion of existing service levels, new staff positions, upgrades and reclassifications, capital funding, additional overtime and new equipment.

T

Talent Identification Program

A function that allows the Human Resources Department to assess the opportunities and the organization's needs to identify an ideal candidate skillset, then utilizes multiple internal and external resources to initiate the search and hiring process.

TrakMan

A comprehensive Case Tracking and Records Management system, with support for evidence.

Turn Back Funds

The Clerk is required by statute to return the excess of revenues over expenditures at the end of each Fiscal Year. Court-related funds are remitted to the State, non-court funds are remitted to the Board of County Commissioners.

U

Unified Family Court (UFC)

A fully integrated, comprehensive department that handles all cases involving children and families, while at the same time resolving family disputes in a fair, timely, efficient and cost effective manner.

Uniform Chart of Accounts

Refer to entry on State Uniform Chart of Accounts

V

Value Adjustment Board (VAB)

An independent entity that is not affiliated with the Property Appraiser or the Tax Collector. It consists of two County Commissioners, one school board member and two citizen members who approve and hire Special Magistrates to settle disputes between a taxpayer and Property Appraiser.

Veterans Preference Laws

The federal government and virtually all of the states grant some form of employment preference to Veterans.

W

W-2

A federal tax form issued by employers which states how much an employee was paid in a year.

W-4

A federal tax form completed by an employee to indicate his or her tax situation (exemptions, status, etc.) to the employer.

Whistle Blower's Act

A United States federal law that protects federal whistleblowers who work for the government and report agency misconduct.

Appendix C: Acronyms

ADA	American with Disabilities Act
ADEA	Age Discrimination Employment Act
AIG	Association of Inspectors General
ANSI	American National Standards Institute
ASU	Audit Services Unit
BOCC	Board of County Commissioners
CAFR	Comprehensive Annual Financial Report
CCOC	Florida Clerks of Court Operations Corporation
CEFEX	Centre for Fiduciary Excellence
CFY	County Fiscal Year
CIP	Capital Improvement Plan
COBRA	Consolidated Omnibus Budget Reconciliation Act
COCTF	Clerks of Circuit Court Trust Fund
CWA	Communication Workers of America
DIG	Division of Inspector General
DOC	Department of Corrections
DOR	Department of Revenue
EEO	Equal Employment Opportunity
ET	Executive Team
FCCC/ FACC	Florida Court Clerks & Comptrollers
FDLE	Federal Department of Law Enforcement
FDOT	Florida Department of Transportation
FHP	Florida Highway Patrol
FICA	Federal Insurance Contributions Act
FLSA	Fair Labor Standards Act
FMLA	Family Medical Leave Act
FMS	Financial Management Solutions
FRS	Florida Retirement System
FTE	Full-Time Equivalent
FY	Fiscal Year
GAA	General Appropriations Act
GAAP	Generally Accepted Accounting Principles
GASB	Government Accounting Standards Board
GFOA	Government Finance Officers Association
HCM	Human Capital Management
HIPAA	Health Insurance Portability and Accountability Act
HR	Human Resources
HRIS	Human Resource Information Systems

IIA	Institute of Internal Auditors
IRCA	Immigration Reform and Control Act of 1986
IRS	Internal Revenue Service
ISF	Internal Service Fund
ISS	Information Systems Services
IT	Information Technology
ITIL	Information Technology Infrastructure Library
LMS	Learning Management System
MTBF	Mean Time Between Failure
NSF	Non-Sufficient Funds
OBTS	Offender Based Tracking System
OFMB	Office of Financial Management and Budget
OTJ	On-the-Job
PAFR	Popular Annual Financial Report
PIU	Public Integrity Unit
PPACA	Patient Protection and Affordable Care Act
QA	Quality Assurance
REC	Revenue Estimating Conference
SRF	Special Revenue Fund
SME	Subject Matter Expert
TCATS	Traffic Citation Accounting Transmission System
TR	Traffic Infraction
UAS	State Uniform Chart of Accounts
UFC	Unified Family Court
VAB	Value Adjustment Board
VOR	View on Request
YTD	Year-to-Date

Appendix D: Chapter 2013-44

Senate Bill No. 1512- Clerks of Court¹⁸

An act relating to clerks of court; transferring the Clerks of the Court Trust Fund from the Justice Administrative Commission to the Department of Revenue; amending s. 11.90, F.S.; providing additional duties of the Legislative Budget Commission relating to clerks of court; amending s. 28.241, F.S.; revising distribution of filing fees; revising references to trust funds; repealing s. 28.2455, F.S., relating to transfer of trust funds in excess of amount needed for clerk budgets; amending s. 28.246, F.S.; conforming provisions to changes made by the act; amending s. 28.35, F.S.; deleting provisions providing for the housing of the Florida Clerks of Court Operations Corporation; revising duties of the corporation; defining terms; providing requirements for annual submission of a proposed budget and related information; revising provisions concerning functions that may and may not be funded from specified sources; revising distribution of the corporation's audit report; amending s. 28.36, F.S.; specifying that only certain functions may be funded from fees, service charges, costs, and fines retained by the clerks of the court; revising provisions relating to preparation of budget requests by clerks; providing for reporting and certification of revenue deficits; providing procedures for retention of additional revenues by clerks in the event of a deficit; providing for the release of funds from a specified trust fund to relieve such a deficit in certain circumstances; providing for increases in previously authorized budgets in certain circumstances; deleting provisions relating to review of budgets and related information; amending s. 28.37, F.S.; providing that a portion of all fines, fees, service charges, and costs collected by the clerks of the court which exceed a specified portion of the clerk's annual budget be remitted to a specified trust fund; providing for remission of certain excess collections to the department for deposit into the General Revenue Fund on specified dates; providing for deposit of such funds in a specified trust fund in certain circumstances; providing for collection of certain funds due by the department; amending s. 34.041, F.S.; conforming provisions to changes made by the act; revising distribution of certain fees; amending ss. 43.16 and 110.205, F.S.; conforming provisions to changes made by the act; amending s. 142.01, F.S.; revising the funds deposited in each county's fine and forfeiture fund; deleting provisions specifying that certain moneys are considered state funds; amending s. 213.131, F.S.; conforming provisions to changes made by the act; amending s. 215.22, F.S.; exempting certain moneys deposited in the Clerks of the Court Trust Fund from a specified deduction; amending s. 216.011, F.S.; conforming provisions to changes made by the act;

¹⁸ <http://www.flsenate.gov/Session/Bill/2013/1512#>

specifying the authorized budget for the clerks of the circuit court and the corporation for specified periods; requiring the corporation to determine budget amounts for the individual clerks for those periods; providing an effective date.

Approved by the Governor May 20, 2013.

Filed in Office Secretary of State May 20, 2013.

Senate Bill 1512 is defined in its entirety on The Florida Senate's website. The following is the link to the document:

<http://www.flsenate.gov/Session/Bill/2013/1512/BillText/er/HTML>

Appendix E: Florida Constitution - Article V

ARTICLE V. JUDICIARY¹⁹

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.

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.

¹⁹ <http://www.leg.state.fl.us/Statutes/index.cfm?Mode=Constitution&Submenu=3&Tab=statutes#A8>

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.

Appendix F: Chapter 28 - Florida Statutes

CHAPTER 28: CLERKS OF THE CIRCUIT COURTS ²⁰

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.

²⁰http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0000-0099/0028/0028ContentsIndex.html&StatuteYear=2012&Title=%2D%3E2012%2D%3EChapter%2028

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 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 moneys 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 moneys 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 moneys 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 moneys 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.

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 Papers and electronic filings.—The clerk of the circuit court must maintain all papers and electronic filings in the clerk's office with the utmost care and security,

storing them with related case files and affixing a stamp, which may be electronic, to each submission indicating the date and time that the submission was filed. The clerk may not permit any attorney or other person to remove filed documents from the control or custody of the clerk without leave of the court, except as otherwise 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; s. 1, ch. 2013-109.

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 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 Bankruptcy 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) The county recorder shall remove recorded court documents from the Official Records pursuant to a sealing or expunction order.

(5) 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.

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

(7) 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 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; s. 2, ch. 2013-109.

1Note.—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 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 moneys 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 moneys 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.

(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.—The clerk of the circuit court shall charge for services rendered manually or electronically by the clerk’s office in recording documents and instruments and in performing other specified duties. These charges may not exceed those specified in this section, except as provided in s. 28.345.

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
 - (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 must 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 must 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 moneys 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 Comptrollers, Inc., for the cost of development, implementation, operation, and maintenance of the clerks' Comprehensive Case Information System; \$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 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, may 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 must 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; s. 2, ch. 2012-100; s. 3, ch. 2013-109.

28.2401 Service charges and filing fees in probate matters.—

(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, 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.

28.2405 Comprehensive Case Information System.—All clerks of the circuit court shall participate in the Comprehensive Case Information System of the Florida Association of Court Clerks and Comptrollers, Inc., and shall submit electronic case data to the system based on the case types designated by the Supreme Court.

History.—s. 3, ch. 2012-100.

28.241 Filing fees for trial and appellate proceedings.—

(1) Filing fees are due at the time a party files a pleading to initiate a proceeding or files a pleading for relief. Reopen fees are due at the time a party files a pleading to

reopen a proceeding if at least 90 days have elapsed since the filing of a final order or final judgment with the clerk. If a fee is not paid upon the filing of the pleading as required under this section, the clerk shall pursue collection of the fee pursuant to s. 28.246.

(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 \$200 in filing fees, \$195 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures conducted by the Department of Financial Services. By the 10th of each month, the clerk shall submit that portion of the filing fees collected in the previous month which is in excess of one-twelfth of the clerk's total budget to the Department of Revenue for deposit into the Clerks of the Court Trust Fund.

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 \$100 in filing fees, \$95 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures 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 Administrative Trust

Fund within the Department of Financial Services to fund clerk education provided by the Florida Clerks of Court Operations Corporation. 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. Additional fees, charges, or costs may not be added to the filing fees imposed under this section, except as authorized in this section or by general law.

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 moneys 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 \$200 in filing fees, \$195 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services and used to fund the contract with the Florida Clerks

of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures 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 \$705 in filing fees, \$700 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures 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 \$1,705 in filing fees, \$930 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$770 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures 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 Administrative Trust Fund within the Department of Financial Services to fund clerk education provided by the Florida Clerks of Court Operations Corporation. 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. Additional fees, charges, or costs may not 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 after all appeals have been exhausted or time to file an appeal from a final order or final judgment has expired. A reopen fee may be assessed by the clerk for any motion filed by any party at least 90 days after a final order or final judgment has been filed with the clerk in the initial case. A reservation of jurisdiction by a court does not cause a case to remain open for purposes of this section or exempt a party from paying a reopen fee. 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 and motions to enforce stipulations;
17. Responsive pleadings;
18. Cases in which there is no initial filing fee; or
19. Motions for contempt.

(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.

(d) The clerk of court shall collect a service charge of \$10 for issuing an original, a certified copy, or an electronic certified copy of 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; s. 4, ch. 2012-100; s. 1, ch. 2012-138; s. 3, ch. 2013-44.

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).

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 \$10. If the amount of the overpayment is \$10 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; s. 4, ch. 2013-109.

128.245 Transmittal of funds to Department of Revenue; uniform remittance form required.—Notwithstanding any other provision of law, all moneys 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 moneys 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 moneys 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.

1Note.—Section 17, ch. 2013-44, provides that “[n]otwithstanding the requirement in s. 28.245, Florida Statutes, that all moneys collected by the clerks of court be distributed pursuant to the law in effect at the time of collection, the modifications in the distribution of moneys made in sections 3, 9, and 12 of this act shall be applied to moneys collected during June 2013. This section shall take effect upon becoming law.”

28.2457 Mandatory monetary assessments.—

(1)(a) Except as otherwise provided by law, a monetary assessment mandated by statute shall be imposed and included in the judgment without regard to whether the assessment is announced in open court.

(b) When an assessment mandated by statute prescribes a minimum assessment and a maximum assessment, or prescribes solely a minimum assessment, the minimum assessment is presumed and shall be imposed and included in the judgment, unless the court specifies a greater amount.

(2) The clerks of court, through their association and in consultation with the Office of the State Courts Administrator, shall develop by October 1, 2012, a uniform form for the identification and imposition of all assessments mandated by statute. The clerks shall submit the form by that date, and by October 1 every year thereafter if necessary to reflect changes in the law, to the Supreme Court for approval. Upon approval of the form by the Supreme Court, all circuit and county courts shall use the form.

(3) As used in this section, the term “monetary assessment” or “assessment” includes, but is not limited to, a fine or other monetary penalty, fee, service charge, or cost.

History.—s. 1, ch. 2012-124.

28.246 Payment of court-related fines or other monetary penalties, 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, and using guidelines developed by the clerks of court, through their association and in consultation with the Office of the State Courts Administrator:

(a) The total amount of mandatory fees, service charges, and costs assessed; the total amount underassessed, if any, which is the amount less than the minimum amount required by law to be assessed; and the total amount collected.

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

(c) The total amount of mandatory fines and other monetary penalties assessed; the total amount underassessed, if any, which is the amount less than the minimum amount required by law to be assessed; and the total amount collected.

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

The clerk, in reporting to the Legislature and corporation, shall separately identify the monetary amount assessed and subsequently discharged or converted to community service, to a judgment or lien, or to time served. The form developed by the clerks shall include separate entries for recording the amount discharged and the amount converted. If a court waives, suspends, or reduces an assessment as authorized by law,

the portion waived, suspended, or reduced may not be deemed assessed or underassessed for purposes of the reporting requirements of this section. The clerk also shall report a collection rate for mandatory and discretionary assessments. In calculating the rate, the clerk shall deduct amounts discharged or converted from the amount assessed. The clerk shall submit the report on an annual basis 90 days after the end of the county fiscal year. The clerks and the courts shall develop by October 1, 2012, the form and guidelines to govern the accurate and consistent reporting statewide of assessments as provided in this section. The clerk shall use the new reporting form and guidelines in submitting the report for the county fiscal year ending September 30, 2013, and for each year thereafter.

(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.

(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 required to be retained by the clerk of the court or deposited into the Clerks of the Court Trust Fund within the Department of Revenue.

(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 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; s. 2, ch. 2012-124; s. 5, ch. 2013-44.

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.

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 moneys deposited in the registry of the court, all interest accruing from moneys 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 moneys 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.

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 State access to records; exemption from court-related fees and charges.—

(1) Notwithstanding any other provision of law, the clerk of the circuit court shall, upon request, provide access to public records 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 authorized staff acting on their behalf. The clerk of court may provide the requested public record in an electronic format in lieu of a paper format if the requesting entity is capable of accessing such public record electronically.

(2) 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, public defenders, and state agencies, while acting in their official capacity, are exempt from all court-related fees and charges assessed by the clerks of the circuit courts.

(3) The exemptions from fees or charges provided in this section apply only to state agencies and state entities and the party represented by the agency or entity.

History.—s. 35, ch. 2003-402; s. 22, ch. 2004-265; s. 10, ch. 2005-236; s. 15, ch. 2007-62; s. 5, ch. 2013-109.

28.35 Florida Clerks of Court Operations Corporation.—

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

(b) 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 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 an executive council as required in paragraph (1)(b).

(c) Recommending to the Legislature changes in the amounts of the various court-related fines, fees, service charges, and costs established by law to ensure reasonable and adequate funding of the clerks of the court in the performance of their court-related functions.

(d) Developing and certifying a uniform system of workload measures and applicable workload standards for court-related functions as developed by the corporation and clerk workload performance in meeting the workload performance standards. These workload measures and workload performance standards shall be designed to facilitate an objective determination of the performance of each clerk in accordance with minimum standards for fiscal management, operational efficiency, and effective collection of fines, fees, service charges, and court costs. The corporation shall develop the workload measures and workload performance standards in consultation with the Legislature. When the corporation finds a clerk has not met the workload performance standards, the corporation shall identify the nature of each deficiency and any corrective action recommended and taken by the affected clerk of the court. The corporation shall notify the Legislature of any clerk not meeting workload performance

standards and provide a copy of any corrective action plans. As used in this subsection, the term:

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

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

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

(f) Reviewing, certifying, and recommending proposed budgets submitted by clerks of the court pursuant to s. 28.36. As part of this process, the corporation shall:

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

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

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

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

5. Identify those clerks projected to have court-related revenues insufficient to fund their anticipated court-related expenditures.
6. Use revenue estimates based on the official estimate for funds accruing to the clerks of the court made by the Revenue Estimating Conference.
7. Identify and report pay and benefit increases in any proposed clerk budget, including, but not limited to, cost of living increases, merit increases, and bonuses.
8. Provide detailed explanation for increases in anticipated expenditures in any clerk budget that exceeds the current year budget by more than 3 percent.
9. Identify and report the budget of any clerk which exceeds the average budget of similarly situated clerks by more than 10 percent.

(g) Developing and conducting clerk education programs.

(h) Beginning August 1, 2014, and each August 1 thereafter, submitting to the Legislative Budget Commission, as provided in s. 11.90, its proposed budget and the information described in paragraph (f), as well as the proposed budgets for each clerk of the court. Before October 1 of each year beginning in 2014, the Legislative Budget Commission shall consider the submitted budgets and shall approve, disapprove, or amend and approve the corporation's budget and shall approve, disapprove, or amend and approve the total of the clerks' combined budgets or any individual clerk's budget. If the Legislative Budget Commission fails to approve or amend and approve the corporation's budget or the clerks' combined budgets before October 1, the clerk shall continue to perform the court-related functions based upon the clerk's budget for the previous county fiscal year.

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

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

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

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

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

History.—s. 36, ch. 2003-402; s. 23, ch. 2004-265; s. 2, ch. 2005-2; s. 2, ch. 2006-312; s. 9, ch. 2008-111; s. 3, ch. 2009-204; s. 3, ch. 2011-52; s. 6, ch. 2013-44.

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

- (1) Only those functions listed in s. 28.35(3)(a) may be funded from fees, service charges, costs, and fines retained by the clerks of the court.
- (2) Each proposed budget shall further conform to the following requirements:

(a) On or before June 1 of each year beginning in 2014, the proposed budget shall be prepared, summarized, and submitted by the clerk in each county to the Florida Clerks of Court Operations Corporation in the manner and form prescribed by the corporation. The proposed budget must provide detailed information on the anticipated revenues available and expenditures necessary for the performance of the court-related functions listed in s. 28.35(3)(a) of the clerk's office for the county fiscal year beginning October 1.

(b) The proposed budget must be balanced such that the total of the estimated revenues available equals or exceeds the total of the anticipated expenditures. Such revenues include revenue projected to be received from fees, service charges, costs, and fines for court-related functions during the fiscal period covered by the budget. The anticipated expenditures must be itemized as required by the corporation.

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

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

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

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

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

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

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

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

(3) No later than January 25, 2015, and each January 25 thereafter for the previous county fiscal year, the clerks of court, in consultation with the Florida Clerks of Court Operations Corporation, shall remit to the Department of Revenue for deposit in the General Revenue Fund the cumulative excess of all fines, fees, service charges, and costs retained by the clerks of the court, plus any funds received by the clerks of the court from the Clerks of the Court Trust Fund under s. 28.36(3), which exceed the amount needed to meet their authorized budget amounts established under s. 28.35. The Department of Revenue shall transfer from the Clerks of Court Trust Fund to the General Revenue Fund the cumulative excess of all fines, fees, service charges, and costs submitted by the clerks of court pursuant to subsection (2). However, if the official

estimate for funds accruing to the clerks of court made by the Revenue Estimating Conference for the current fiscal year or the next fiscal year is less than the cumulative amount of authorized budgets for the clerks of court for the current fiscal year, the Department of Revenue shall retain in the Clerks of the Court Trust Fund the estimated amount needed to fully fund the clerks of court for the current and next fiscal year based upon the current budget established under s. 28.35.

(4) The Department of Revenue shall collect any funds that the Florida Clerks of Court Operations Corporation determines upon investigation were due but not remitted to the Department of Revenue. The corporation shall notify the clerk of the court and the Department of Revenue of the amount due to the Department of Revenue. The clerk of the court shall remit the amount due no later than the 10th day of the month following the month in which notice is provided by the corporation to the clerk of the court.

(5) Ten percent of all court-related fines collected by the clerk, except for penalties or fines distributed to counties or municipalities under s. 316.0083(1)(b)3. or s. 318.18(15)(a), shall be deposited into the 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; s. 5, ch. 2012-100; s. 8, ch. 2013-44.

28.42 Manual of filing fees, charges, costs, and fines.—The clerks of court, through their association and in consultation with the Office of the State Courts Administrator, shall prepare and disseminate a manual of filing fees, service charges, costs, and fines imposed pursuant to state law, for each type of action and offense, and classified as mandatory or discretionary. The manual also shall classify the fee, charge, cost, or fine as court-related revenue or noncourt-related revenue. The clerks, through their association, 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 county. The clerks, through their association and in consultation with the Office of the State Courts Administrator, shall at a minimum update and disseminate this manual on July 1 of each year.

History.—s. 98, ch. 2004-265; s. 3, ch. 2012-124.

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.

Appendix G: Chapter 218 - Florida Statutes

CHAPTER 218: FINANCIAL MATTERS PERTAINING TO POLITICAL SUBDIVISIONS²¹

218.35 County fee officers; financial matters. —

(1) Each county fee officer shall establish an annual budget for carrying out the powers, duties, and operations of his or her office for the next county fiscal year. The budget must be balanced so that the total of estimated receipts, including balances brought forward, equals the total of estimated expenditures and reserves. The budgeting of segregated funds must be made in a manner that retains the relation between program and revenue source, as provided by law.

(2) The clerk of the circuit court, functioning in his or her capacity as clerk of the circuit and county courts and as clerk of the board of county commissioners, shall prepare his or her budget in two parts:

(a) The budget for funds necessary to perform court-related functions as provided in s. 28.36.

(b) The budget relating to the requirements of the clerk as clerk of the board of county commissioners, county auditor, and custodian or treasurer of all county funds and other county-related duties, which shall be annually prepared and submitted to the board of county commissioners pursuant to s. 129.03(2), for each fiscal year. Expenditures must be itemized in accordance with the uniform accounting system prescribed by the Department of Financial Services as follows:

1. Personnel services.
2. Operating expenses.
3. Capital outlay.
4. Debt service.
5. Grants and aids.

²¹ http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0218/0218.html

6. Other uses.

(3) The clerk of the circuit court shall furnish to the board of county commissioners or the county budget commission all relevant and pertinent information that the board or commission deems necessary, including expenditures at the subobject code level in accordance with the uniform accounting system prescribed by the Department of Financial Services.

(4) The final approved budget of the clerk of the circuit court must be posted on the county's official website within 30 days after adoption. The final approved budget of the clerk of the circuit court may be included in the county's budget.

(5) Each county fee officer shall establish a fiscal year beginning October 1 and ending September 30 of the following year, and shall report his or her finances annually upon the close of each fiscal year to the county fiscal officer for inclusion in the annual financial report by the county.

(6) The proposed budget of a county fee officer shall be filed with the clerk of the county governing authority by September 1 proceeding the fiscal year for the budget, except for the budget prepared by the clerk of the circuit court for court-related functions as provided in s. 28.36.

History.—s. 2, ch. 73-349; s. 1176, ch. 95-147; s. 97, ch. 2003-402; s. 19, ch. 2011-144.

Appendix H: AOSC 14-19

No. AOSC14-19
Amended1

IN RE: STANDARDS FOR ACCESS TO ELECTRONIC COURT RECORDS

ADMINISTRATIVE ORDER

The Florida State Courts System has had a long-standing commitment to responsible access to electronic court records. Since 2004, considerable efforts have been directed toward developing the infrastructure and policies necessary to protect and limit confidential and sensitive information in court records, while simultaneously establishing mechanisms to afford public access to non-confidential court records. These efforts included the adoption of a limited moratorium on access to electronic court records to address concerns about sensitive and confidential information contained in these records. See In re:

1. An amended version of this administrative order is hereby issued to clarify procedures and time frames relating to the orderly transition from current policies governing the access to electronic court records, established in In re: Revised Interim Policy on Electronic Release of Court Records, Fla. Admin. Order No. AOSC07-49 (Sept. 7, 2007), to the implementation of the Standards for Access to Electronic Court Records and Access Security Matrix adopted in this administrative order. See pages 4 through 6 of this amended administrative order. Committee on Privacy and Court Records, Fla. Admin. Order No. AOSC04-4 (Feb. 12, 2004); In re: Implementation of Report and Recommendations of the Committee on Privacy and Court Records, Fla. Admin. Order No. AOSC06-20 (June 30, 2006); In re: Interim Policy on Electronic Release of Court Records, Fla. Admin. Order No. AOSC06-21 (June 30, 2006); and In re: Revised Interim Policy on Electronic Release of Court Records, Fla. Admin. Order No. AOSC07-49 (Sept. 7, 2007).

The Court also adopted new rules and amendments to Florida Rule of Judicial Administration 2.420 to minimize the presence of sensitive and confidential information in court records, require filers to identify and protect confidential information in their pleadings, and narrow the scope of statutory exemptions applicable to court records to a standard list of twenty exemptions subject to automatic redaction by the clerks of court. See In re: Amendments to Florida Rule of Judicial Administration 2.420 and the Florida Rules of Appellate Procedure, 31 So. 3d 756 (Fla. 2010); In re: Amendments to Florida Rule of Judicial Administration 2.420, 124 So. 3d 819 (Fla. 2013); and In re: Implementation of Committee on Privacy and Court Records Recommendations –

Amendments to the Florida Rules of Civil Procedure; the Florida Rules of Judicial Administration; the Florida Rules of Criminal Procedure; the Florida Probate Rules; the Florida Small Claims Rules; the Florida Rules of Appellate Procedure; and the Florida Family Law Rules of Procedure, 78 So. 3d 1045 (Fla. 2011).

During this time period, the Court also adopted standards and rules to implement e-filing and e-service in the trial and appellate courts, significantly moving the courts toward a fully electronic, mostly paperless environment. See *In re: Statewide Standards for Electronic Access to the Courts*, Fla. Admin. Order No. AOSC09-30 (July 1, 2009); *In re: Amendments to the Florida Rules of Civil Procedure, the Florida Rules of Judicial Administration, the Florida Rules of Criminal Procedure, the Florida Probate Rules, the Florida Small Claims Rules, the Florida Rules of Juvenile Procedure, the Florida Rules of Appellate Procedure, and the Florida Family Law Rules of Procedure – Electronic Filing*, 102 So. 3d 451 (Fla. 2012); *In re: Amendments to the Florida Rules of Judicial Administration, the Florida Rules of Civil Procedure, the Florida Rules of Criminal Procedure, the Florida Probate Rules, the Florida Rules of Traffic Court, the Florida Small Claims Rules, the Florida Rules of Juvenile Procedure, the Florida Rules of Appellate Procedure, and the Florida Family Law Rules of Procedures – E-Mail Service Rules*, 102 So. 3d 505 (Fla. 2012); and *In re: Amendments to Florida Rule of Judicial Administration 2.516*, 112 So. 3d 1173 (Fla. 2013).

The Florida Courts Technology Commission (hereinafter “FCTC”) has recommended approval and adoption of the Standards for Access to Electronic Court Records and Access Security Matrix in accordance with its authority under Florida Rule of Judicial Administration 2.236 to “establish, periodically review and update technical standards for technology used and to be used in the judicial branch to receive, manage, maintain, use, secure and distribute court records by electronic means, consistent with technology policies established by the supreme court.” Adoption of the standards and matrix is the next logical step toward responsible public access to electronic court records.

The standards and matrix, developed by the Governance Access Board under the authority of FCTC, provide a carefully structured mechanism to facilitate appropriate, differentiated levels of access to court records to members of the general public and user groups with specialized credentials, and judges and court and clerks’ office staff, based upon governing statutes and court rules. The standards and matrix are based upon a model developed by the Manatee County Clerk of Court for a pilot program that operated from 2007 to 2011 under Supreme Court supervision and oversight. That program was determined to have been successful in providing appropriate access to electronic court records while effectively protecting confidential information in an evaluation performed by the National Center for State Courts in 2011.

Clerks currently providing limited online Internet access, pursuant to the authority of AOSC07-49, may continue to provide that service so long as the clerk applies to FCTC's Access Governance Board for approval to provide online access consistent with this amended administrative order within 60 days from its issuance; otherwise the clerk shall terminate such limited online Internet access currently provided pursuant to AOSC07-49.

As part of the process of implementing the standards and matrix, a statewide pilot program will monitor and coordinate all established clerk initiatives relating to online access to electronic court records. Under the pilot program, each clerk or circuit court will apply to FCTC's Access Governance Board, through the Office of the State Courts Administrator, for approval by the FCTC of its electronic records access system. Within 120 days from approval of the clerk's initial application, a 90-day pilot program must begin and, at the end of such pilot, the clerk shall be fully compliant with this administrative order. After establishing compliance with the requirements of the standards and matrix adopted herein, the clerk shall request approval to provide online access to electronic court records. As the certification process is implemented, the Court will review for approval each clerk's certification request to ensure that sufficient security measures are in place.

Access to electronic court records presently is governed by the restrictions imposed by In re: Revised Interim Policy on Electronic Release of Court Records, Fla. Admin. Order No. AOSC07-49 (Sept. 7, 2007). The Court hereby adopts the Standards for Access to Electronic Court Records and Access Security Matrix, as amended by the Court, to supersede the restrictions imposed by AOSC07-49. The Standards for Access to Electronic Court Records and Access Security Matrix are attached hereto and incorporated herein by reference. The Standards for Access to Electronic Court Records and Access Security Matrix shall be effective upon the signing of this administrative order. No other electronic access may be provided other than pursuant to this administrative order.

DONE AND ORDERED, nunc pro tunc, to March 19, 2014, at Tallahassee, Florida, on May 23, 2014.²²

²² <http://www.floridasupremecourt.org/clerk/adminorders/2014/AOSC14-19.pdf>

Appendix I: AOSC 15-18

IN RE: STANDARDS FOR ACCESS TO ELECTRONIC COURT DOCUMENTS
AND ACCESS SECURITY MATRIX

ADMINISTRATIVE ORDER

In March 2014, the Supreme Court adopted the Standards for Access to Electronic Court Records and the Access Security Matrix. See In re: Standards for Access to Electronic Court Records, Fla. Admin. Order No. AOSC14-19 (amended nunc pro tunc to March 19, 2014, on May 23, 2014). Since that time, the Access Governance Board, under authority of the Florida Courts Technology Commission (hereinafter "FCTC"), has made recommended changes to these two documents based on input from the clerks of court, private attorneys, public defenders, representatives of the media, and other interested entities.

The FCTC has approved the changes in accordance with its authority under Florida Rule of Judicial Administration 2.236 to "establish, periodically review, and update technical standards for technology used and to be used in the judicial branch to receive, manage, maintain, use, secure, and distribute court records by electronic means, consistent with the technology policies established by the supreme court." The FCTC now recommends approval and adoption by the Court of the amended Standards for Access to Electronic Court Records and the amended Access Security Matrix.

As a means for the judicial branch to continue to ensure responsible access to electronic records, the Court hereby adopts the amended Standards for Access to Electronic Court Records and the amended Access Security Matrix to supersede those adopted in AOSC14-19. The amended Standards for Access to Electronic Court Records and the Access Security Matrix are attached hereto and incorporated herein by reference.

DONE AND ORDERED at Tallahassee, Florida, on June 9, 2015.²³

²³ <http://www.clerk-17th-flcourts.org/Web2/AOSC%2015-18.pdf>

Index

- 10% Fines, 7, 8, 10, 24, 25, 30, 32, 49, 50, 60, 61, 66, 84
- Ad Valorem, 48, 143
- Adopted Budget, 43, 64, 65, 66, 70
- Age Discrimination in Employment Act (ADEA), 128, 129
- American National Standards Institute (ANSI), 106
- Americans with Disabilities Act (ADA), 122, 128, 129
- Anti-Harassment Policy, 75, 76
- Arbitrage, 111
- Association of Inspectors General (AIG), 72
- Audit Services Unit (ASU), 71
- Back Filing, 20
- Baker Act, 90, 91
- Balanced Budget, 31, 37
- Base Budget, 39, 208
- Basis of Accounting, 37
- Board of County Commissioners (BOCC), 2, 19, 27, 32, 33, 34, 42, 44, 48, 50, 70, 111, 112, 114
- Budget Amendments, 52
- Budget Approval Form, 41
- Budget Calendar, 41, 44
- Budget Instruction Manual, 41, 44
- Budget Request Worksheet, 41
- Budget Template, 44
- Capital Budget, 42
- Capital Expenditures, 19, 20, 23, 39, 41
- Capital Improvement Plan (CIP), 19, 20
- Cash Receipt Interface, 115
- Centre for Fiduciary Excellence certification (CEFEX), 4, 115, 117
- Chapter 2013-44, 31, 49, 57, 59, 170
- Chief Officer, 27, 28, 34, 40, 41, 42, 43, 44, 45, 70, 76, 77, 81, 102, 111, 112, 120, 127, 138
- Child Support, 59, 87, 89
- Civil Court, 18, 50
- Civil Courts, 17, 27, 35, 81, 83, 84, 87
- Civil Rights Act of 1991, 128, 129
- Clerk of Court Operations Corporation (CCOC), 25, 42, 44, 45, 52, 60, 150
- Clerks of Circuit Court Trust Fund, 25, 56, 57
- Commission for Florida Law Enforcement Accreditation, Inc., 72
- Communications Workers of America (CWA), 112
- Comprehensive Annual Report (CAFR), 53, 79, 111
- Conflict of Interest, 75, 76
- Consolidated Budget, 62, 63
- Consolidated Omnibus Budget Reconciliation Act (COBRA), 128, 129
- Contract Policy, 52, 75
- County Fiscal Year, 25, 42, 49, 50, 64, 202
- County Recorder Fees, 41, 48, 49, 59, 64, 69
- Court Registry, 86
- Criminal Courts, 17, 27, 81, 91, 92, 95, 97, 98, 99, 101, 123
- Debt Service, 52, 114
- Deferred Compensation Plan (457b), 115
- Department / Fund Relationship, 69
- Department of Revenue (DOR), 50, 55, 59, 89, 117
- Deposit Capture, 115

Docket Entries, 86, 87, 96, 97, 98, 99
 e-appeal, 95
 eCaseView, 12, 15, 17, 22, 79, 92, 93, 96,
 123
 eCitation, 99, 100
 E-file, 13, 14, 79, 82, 85, 86, 93, 95, 96, 97,
 106
 Encumbrance, 47
 e-noticing, 94
 ePerformance, 131
 Equal Employment Opportunity (EEO),
 128, 129
 eRecord, 13, 22, 103, 104, 123
 e-subpoena, 93
 Ethics, 75, 76, 77
 Ethics Hotline, 72
 E-warrant, 94
 Executive Team (ET), 12, 39, 40, 41, 43,
 46
 Fair Labor Standards Act (FLSA), 128,
 130, 131
 Family and Medical Leave Act (FMLA),
 101, 128, 129
FICA, 38
 Fiduciary, 115, 117
 Fit Gap Analysis, 109
 Fixed Asset, 23, 113
 Florida Administrative Code, 106
 Florida Association of Court Clerks and
 Comptrollers (FACC or FCCC), 25, 95,
 104
 Florida Constitution, 1, 30, 34, 37, 70
 Florida Department of Transportation
 (FDOT), 102
 Florida Highway Patrol (FHP), 102
 Florida Retirement System (FRS), 37, 128
 Florida Rules of Judicial Administration,
 107
 Florida Statutes, 7, 19, 30, 33, 34, 37, 39,
 42, 49, 50, 53, 54, 55, 60, 61, 70, 75, 83,
 89, 90, 102, 104, 105, 107, 110, 111, 112,
 113, 114, 120, 121, 129, 131
 Full-Time Equivalent (FTE), 34
 Fund Balance, 25, 46, 50, 51, 66
 General Fund, 42, 48, 50, 59, 60, 64, 65,
 66
 Generally Accepted Accounting
 Principles (GAAP), 37, 41, 53, 54, 90,
 114
 Government Finance Officers
 Association (GFOA), 4, 53, 111, 113
 Governmental Accounting Standards
 Board (GASB), 54, 116, 117
 GS11, 107
 GS1SL, 107
 Guardianship, 2, 72, 74, 87, 89, 90
 Guardianship Fraud Hotline, 2, 72
 Health Insurance Portability and
 Accountability Act (HIPAA), 128, 131
 Human Capital Management (HCM),
 130
 Human Resource Information Systems
 (HRIS), 116, 117
 Immigration Reform and Control Act
 (IRCA), 128, 129
 Information Systems Services (ISS), 28,
 33, 139
 Information Technology Infrastructure
 Library (ITIL), 121, 122, 123
 Injunction, 83, 86
 Institute of Internal Auditors (IIA), 72

Internal Revenue Service (IRS), 39, 83, 128, 129
 Internal Service Fund, 48, 63, 67, 68
 Learning Management System, 127, 130
 Liquidity, 37
 Long-Term Financial Goals, 37
 Lunch n' Learn, 12
 Mandate, 6, 15, 19, 33, 38, 40, 50, 66, 97, 101, 122
 Marchman Act, 91
 Modified Accrual, 37
 Municipality, 113, 134, 140
 National Archives and Record Service, 106
 Net Budget, 63
 Offender Based Tracking System (OBTS), 96
 Office of Financial Management and Budget (OFMB), 42, 44
 Office Structure, 70
 Official Records Project, 16, 18, 19, 22, 66
 On-the-Job (OTJ), 109
 Operation Green Light, 4, 13, 79, 80, 94
 Organization Travel Policy, 39
 Organizational Chart, 29
 Patient Protection and Affordable Care Act (PPACA), 67, 68, 128, 129, 130
 PeopleSoft, 22, 28, 42, 44, 116, 117, 122, 123, 127, 130, 131
 Plats, 18, 104, 107
 Popular Annual Financial Report (PAFR), 4, 53, 79, 111
 Pro Se, 2, 13, 14, 79, 85, 86
 Probate, 83, 89
 Procurement, 23, 52, 53, 75, 76, 113, 118, 119, 203
 Public Integrity Unit (PIU), 71
 Punch-Out, 53, 119
 Purchasing Card (P-Card), 115
 Quality Assurance (QA), 101, 118
 Redaction, 20, 95
 Replevin, 83
 Reserves, 67
 Revenue Estimating Conference, 25
 Short-Term Financial Goals, 37
 ShowCase, 12, 15, 17, 18, 50, 66, 79, 82, 84, 85, 94, 103, 120, 122, 123, 126
 Small Claims, 83, 86
 Speaker's Bureau, 77
 Special Foreclosure Funding, 32, 59, 60
 Special Revenue Fund, 10, 24, 25, 37, 48, 49, 50, 51, 59, 60, 61, 66, 69, 120
 Staffing Changes, 35
 State Courts Revenue Trust Fund, 56
 State Disbursement Unit, 89
 State Fiscal Year, 49
 State General Revenue Fund, 56, 57
 Strategic Plan, 11
 Subpoena, 15, 86, 92, 97
 Suggestion Connection, 12
 Supplemental Funding, 39, 40, 41, 69
 Talent Identification Program, 12
 TrakMan, 116
 Turn Back Funds, 52
 Unified Family Court (UFC), 89
 Uniform Chart of Accounts (UAS), 37
 Unspent Revenue, 8, 14, 24, 46
 Veterans Preference Laws, 128, 129
 Volunteers, 37, 128, 129, 130, 132, 139
 Whistle Blower's Act, 129

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38.2%: 119.29

51.25%: 108.98

61.6%: 99.19

104.19



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Palm Beach County

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