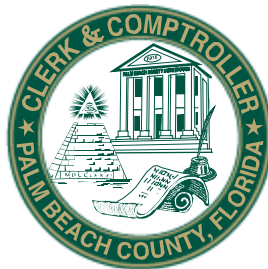


**CLERK & COMPTROLLER  
PALM BEACH COUNTY  
Mental Health Case Reporting  
Audit**



**SHARON R. BOCK**  
Clerk & Comptroller  
Palm Beach County

**Division of Inspector General  
Audit Services Unit  
April 17, 2019**



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April 17, 2019

The Honorable Sharon R. Bock, Esq.  
Clerk & Comptroller

We conducted an audit of the Clerk & Comptroller office mental health case reporting to the Florida Department of Law Enforcement (FDLE) Mental Competency Database (MECOM).

Our risk-assessed audit was neither designed nor intended to be a detailed study of every process, procedure, transaction or system in each area. Accordingly, the observations and recommendations included in the report are not all-inclusive.

The audit disclosed that the Clerk's office mental health case reporting processes and related controls were generally effective. The audit identified control weaknesses and improvement opportunities. Mental health case information was not always reported to MECOM in a timely, accurate and complete manner, though substantial improvements were noted in 2017 and 2018.

We appreciate the cooperation of management and staff during the course of this audit.

Respectfully submitted,

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Inspector General  
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Kathleen Savor Esq., Director – Civil Court Operations  
Louis Tomeo, Director, Criminal Court Operations

# Executive Summary

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An audit of mental health case reporting to the Florida Department of Law Enforcement (FDLE) Mental Competency Database (MECOM) was performed by the Division of Inspector General.

As required by Section 790.065, Fla. Stat., the Clerk & Comptroller (Clerk's office) is responsible for appropriately reporting criminal and civil (involuntary and voluntary) incompetency adjudications into MECOM. In addition to reporting and docketing information, the Clerk's office is responsible for ensuring the data in MECOM matches supporting documentation and information recorded in ShowCase. Information reported in MECOM is used by FDLE to restrict the purchase of firearms in accordance with state and federal laws.

The objectives of the audit were to: perform a risk assessment to identify risks and related controls impacting mental health case reporting to FDLE, verify compliance with pertinent laws and regulations as well as established policies, and compare processes with accepted standards and best practices. More specifically, the purpose of the audit was to evaluate whether required mental health information was reported timely, accurately, and completely into MECOM for both Civil and Criminal Court Operations.

The audit disclosed that the Clerk's mental health case reporting processes and related controls were generally effective, enabled compliance with pertinent laws and established policies, and adequately compared to accepted standards and best practices. The audit identified control weaknesses and improvement opportunities. Mental health case information was not always reported to MECOM in a timely, accurate and complete manner, though substantial improvements were noted in 2017 and 2018. Other improvement opportunities were noted that related to the proper review of mental health reports, control over confidential information, and enhancements to processes and procedures.

The report contains five observations and twenty-six recommendations.

# Table of Contents

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<b>Introduction</b> .....	<b>3</b>
<b>Overall Conclusion</b> .....	<b>3</b>
<b>Objectives, Scope and Methodology</b> .....	<b>3</b>
<b>Background</b> .....	<b>5</b>
<b>Observations &amp; Recommendations</b> .....	<b>7</b>
<b>1. Defendants were not fully reported into MECOM</b> .....	<b>7</b>
<b>2. Orders were not entered timely, accurately and completely into MECOM</b> .....	<b>13</b>
<b>3. Civil mental health information was not reviewed</b> .....	<b>26</b>
<b>4. Quality Assurance report contained confidential information</b> .....	<b>27</b>
<b>5. Opportunities exist to improve MECOM procedures</b> .....	<b>28</b>
<b>Exhibit A. Flowchart of Voluntary Orders</b> .....	<b>31</b>

# Introduction

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## Overall Conclusion

Overall, the Clerk's mental health case reporting processes into MECOM were generally effective in supporting the entry of cases involving criminal incompetency adjudications, civil involuntary commitments and civil voluntary commitments in a timely, accurate and complete manner.

Our review of mental health orders entered into MECOM from July 1, 2015 to June 30, 2018 determined that opportunities exist to improve the reporting process. The review disclosed that there were defendants inappropriately not included in MECOM; some orders were not submitted timely, accurately or completely. There were instances where mental health reports were not adequately reviewed, confidential information was not properly maintained and MECOM procedures needed enhancements. The review identified improvements in the timeliness, completeness and accuracy of order entry in 2017 and 2018.

## Objectives, Scope and Methodology

Our scope included the review of processes for reporting mental health cases to FDLE's MECOM Database by the Civil and Criminal Court Operations at the Main Courthouse and three branch locations (South, North and West County). Testing performed included criminal and civil (voluntary and involuntary) mental health cases processed from July 1, 2015 through June 30, 2018.

The objectives of this audit were to:

1. Perform a risk assessment to identify risks and related controls that impact mental health case reporting to FDLE within Civil and Criminal Court Operations;
2. Verify compliance with pertinent laws and regulations as well as established Clerk's policies and procedures; and,
3. Compare processes with accepted standards and best practices.

In order to meet the objectives, we conducted interviews and reviewed departmental policies and procedures. We identified pertinent Florida Statutes and other laws and regulations. We reviewed key performance metrics and relevant statistics. We

performed a risk assessment by documenting workflows and activities, identifying key risks and vulnerabilities, and evaluating the adequacy of the internal control environment to mitigate the risks identified. Professional standards require audits to consider risks due to potential fraud. We performed data analysis, sample testing and substantive detailed testing of selected samples.

Data analysis was performed utilizing the Audit Command Language (ACL) tool and consisted of analyzing the full population of orders as well as sample selections. Through coordination with FDLE, we obtained all mental health orders reported by the Clerk's office into MECOM from July 1, 2015 through June 30, 2018 totaling 5,238 orders and compared it to the data processed through Showcase. Testing of all 5,238 orders was performed including but not limited to: determine entry timeliness of required orders and Notice of Voluntary Admissions (NVAs); detect defendants not entered into MECOM; and identify multiple profiles. Judgmental sampling was utilized to determine if the required information was reported accurately and completely to FDLE through entry into MECOM. Additional details of the testing and methodology performed is incorporated in each finding.

We performed other procedures deemed necessary under the circumstances. This audit was conducted in conformance with the *International Standards for the Professional Practice of Internal Auditing*.

**Audit Team**

Monica Alvarenga – Senior Internal Auditor

# Background

Section 790.065, Florida Statutes requires all licensed importers, manufacturers, or firearm dealers (dealers) in the State to contact the Florida Department of Law Enforcement (FDLE) before transferring any firearm to a potential buyer. FDLE is responsible for conducting the background check to determine whether information has been recorded that would disqualify the potential buyer from purchasing firearms under State or Federal law. Pursuant to Section 790.065(2)(a)4, Fla. Stat., non-approval is issued for anyone who is adjudicated mentally defective or has been committed to a mental institution.

Section 790.065 Fla. Stat. requires the Clerks of Court to report individuals adjudicated mentally defective, committed to a mental institution by a court order, or have a judicial finding of incapacity to FDLE. Authorized by the statute, FDLE created the Mental Competency Database (MECOM) in February 2007 as its official application to collect and maintain official records from the Clerks of Court in Florida's 67 counties. MECOM interfaces with the FBI's National Instant Criminal Background Check System (NICS) and it is available nationwide for firearm related background checks.

After July 1, 2013, Section 790.065(2)(a)4.c., Fla. Stat. required voluntary orders to be submitted into MECOM. Voluntary orders refer to individuals deemed by a physician to be of imminent danger, but were allowed to transfer to voluntary status (refer to Exhibit A). Involuntary orders refer to individuals adjudicated mentally defective or committed to a mental institution. The statute requires all orders to be submitted timely, accurately and completely. Voluntary orders are to be submitted into MECOM within 24 hours after the rendition of the adjudication or commitment and involuntary orders within one month. At a minimum, the record must include the following: name (along with any known alias or former name), sex, and date of birth of the individual.

By July 2013, the Clerk's office had implemented the entry of adjudicated mental health orders into MECOM. The Clerk's office processes civil (voluntary and involuntary), juvenile and criminal orders directly into MECOM at the Main Courthouse and three branches (North, South and West County). Court Operations is led by Cindy Guerra, Esq., Chief Operating Officer - Courts & Official Records.

### Summary of Orders by Branch and Operation Type:

The summary below (Table 1) shows orders entered by branch and operation type from July 1, 2015 through June 30, 2018. (Source data: FDLE MECOM)

Table 1

Branch	Civil	Criminal	Total Cases	Percentage
Main	644	584	1,228	23%
North	2,509	9	2,518	48%
South	1,438	8	1,446	28%
West	2	44	46	1%
<b>Sub-Total</b>	<b>4,593</b>	<b>645</b>	<b>5,238</b>	<b>100%</b>

### Summary of Orders by Branch and Year:

The summary below (Table 2) shows orders entered by branch and year from July 1, 2015 through June 30, 2018. (Source: FDLE MECOM)

Table 2

Branch	2015 (07/01-12/31)	2016 (Full Year)	2017 (Full Year)	2018 (01/01-6/30)	Total	Percentage
Main	209	283	437	299	1,228	23%
North	398	876	797	447	2,518	48%
South	231	479	467	269	1,446	28%
West	10	19	7	10	46	1%
<b>Total</b>	<b>848</b>	<b>1,657</b>	<b>1,708</b>	<b>1,025</b>	<b>5,238</b>	<b>100%</b>

### Summary of Orders by Florida Statutes:

The summary below (Table 3) shows orders entered by relevant Florida Statutes from July 1, 2015 through June 30, 2018. (Source: FDLE MECOM)

Table 3

Description	Statute	Total	Percentage
Order for Involuntary inpatient placement	F.S. 394.467	1,463	28%
Voluntary treatment	F.S. 790.065(2)(a)4	1,068	20%
Order for involuntarily substance abuse assessment and stabilization	F.S. 397.6818	782	15%
Order for involuntary substance abuse treatment	F.S. 397.6957	706	13%
Involuntary commitment of defendant adjudicated incompetent to proceed	F.S. 916.13	578	11%
Order determining Incapacity	F.S. 744.331 (6) (a)	437	8%
Incompetency in juvenile delinquency	F.S. 985.19 (2)	97	2%
Order adjudging defendant not guilty by reason of insanity	F.S. 916.15	48	1%
Order for involuntary outpatient placement	F.S. 394.4655	32	1%
Order for mental competence to proceed	F.S. 916.3012	9	<1%
Conditional Release	F.S. 916.17	9	<1%
Involuntary admissions, assessment and stabilization	F.S. 397.675	5	<1%
Court determination - involuntary services	F.S. 397.697	2	<1%
Involuntary commitment of defendant determined to be incompetent to proceed	F.S. 916.302 (2)	1	<1%
Involuntary assessment and stabilization	F.S. 397.6811	1	<1%
<b>Total</b>		<b>5,238</b>	<b>100%</b>



# Observations & Recommendations

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## 1. Defendants were not fully reported into MECOM.

The audit disclosed that some defendants with incompetency adjudications were not reported into MECOM as statutorily required. Civil and criminal defendants were tested and are reported separately below.

**Statutory Requirement:** Florida Statutes require all voluntary and involuntary mental health orders to be entered into FDLE's MECOM:

*Section 790.065(2)(a)4.c.(I) Fla. Stat. (Involuntary) states: "Except as provided in sub-sub-subparagraph (II), clerks of court shall submit these records to the department within 1 month after the rendition of the adjudication or commitment..."*

*Section 790.065(2)(a)4.c.(II) Fla. Stat. (Voluntary) states: "...If the judge or magistrate determines that the record supports the classifying of the person as an imminent danger to himself or herself or others, to order that the record be submitted to the department. If a judge or magistrate orders the submittal of the record to the department, the record must be submitted to the department within 24 hours".*

**FDLE MECOM User Guide** (Version 1.0 Rev. July 2015), states that Section 790.065(2)(a)4.c., Fla. Stat. requires involuntary mental health orders to be entered within one month after the rendition of the adjudication or commitment and voluntary orders within 24 hours after the rendition of the adjudication or commitment.

**Clerk's Procedures:** The Clerk's Civil and Criminal Court Operations are required to report all incompetency adjudications cases into MECOM.

## 1.1. Civil defendants not reported into MECOM.

Civil voluntary and involuntary orders are entered directly into MECOM at each location (Main, North, South and West). Civil orders are categorized as follows (docket codes are noted in parentheses):

- Baker Act: involuntary examination for emergency or involuntary commitment
  - Order for Involuntary Inpatient Placement §394.467 (ORIP)
  - Order for Involuntary Outpatient Placement §394.4655 (OOP)
  - Voluntary Treatment §394.463 (ONVA)
- Marchman Act: involuntary and voluntary assessment, stabilization and treatment of a person supposedly abusing alcohol or drug
  - Order for Involuntarily Substance Abuse Assessment and Stabilization §397.6818 (ORIA)
  - Order for Involuntary Substance Abuse Treatment §397.6957 (ORIT)
- Incapacity Orders are related to guardianship incapacitation
  - Order determining Incapacity §744.331(6)(a) (ORIN)

Juvenile cases are also handled by Civil Operations for both voluntary and involuntary commitment cases. Juvenile cases follow the same procedure as an adult and are reported to FDLE (Order Adjudging the Child Incompetent to Proceed and Commitment §985.19 (OFCI)).

We performed a data analysis to test whether all defendants with adjudicated mental health orders in ShowCase between July 1, 2015 through June 30, 2018 were entered into MECOM. The ShowCase report extraction for this period identified 3,221 unique defendants that should have been entered into MECOM. We then retrieved the MECOM report for this same period from FDLE and compared both reports. We noted that 94 defendants were not included in MECOM.

- We determined that 86 of the 94 defendants were not entered into MECOM for appropriate and various reasons. For instance, defendants had various court orders or incomplete records, which resulted in not requiring these defendants to be entered into MECOM.
- The remaining 8 of 94 defendants were improperly not entered into MECOM (8 of 3,221 or 0.25%), of which seven originated in South Branch and one in North Branch. Further review and discussion with management disclosed that the one North Branch defendant was not entered into MECOM due to incorrect docket codes being used within ShowCase, and the seven South Branch defendants were not entered due to lack of proper follow-up review and oversight.

We noted that the eight exceptions were related to orders dated prior to the implementation of the updated review procedures in December 2017 (one in 2015, five in 2016 and two in 2017). The procedures established a double and triple check review at each branch location to ensure that the data in ShowCase matches the data in MECOM. In addition, a Quality Assurance (Q/A) team has been centralized at the Main Branch to review 100% of all civil and criminal orders.

**Recommendations:**

- A. Civil Operations management should review the eight defendants that were improperly not entered into MECOM as referenced above and enter these orders into MECOM if they meet the required criteria.
- B. Civil Operations management should consider the development and implementation of an automated system to report orders from ShowCase directly into MECOM. This could result in greater efficiency, accuracy and cost savings to the Clerk's office. Alternatively, if system integration is not feasible, management should assess whether mental health orders can be uploaded from ShowCase into MECOM via a data extract with a data format that is compatible with MECOM system requirements.
- C. Opportunities exist to automate some reconciliation processes between MECOM and ShowCase, including the double and triple check manual reviews performed at each location. For example, Civil Operations should assess whether a scripted error report could be developed to compare the ShowCase MECOM Report to the FDLE MECOM Report to detect only orders that were not entered into MECOM. Likewise, an opportunity for automation may also exist to track the Notice of Voluntary Admission (NVA) to a corresponding Order of Notice of Voluntary Admission (ONVA) to ensure that ONVAs are entered into MECOM within 24 hours.
- D. Civil Operations management should reassess the current organizational responsibilities over the MECOM review and reconciliation processes. Currently, orders are entered into MECOM and management performs a double and triple check review at each branch location and a Quality Assurance (Q/A) team is in place at the Main Branch. Management should consider whether these processes can be centralized to enhance efficiency. The lack of exceptions in the first six months of 2018 demonstrated the effectiveness of the double and triple check review processes implemented in December 2017.

## Management Responses:

A. These cases were reviewed. All eight defendants have been entered into MECOM. Seven of the eight were immediately placed in MECOM in October 2018 when the errors were found and the remaining eighth defendant was placed into MECOM in February 2019 when the error was found.

Target Completion Date: Completed

B. FDLE is currently working on a system that would pull the information from the clerk's computer systems and automatically place the information into MECOM. Details were not available as to how this would work with all the different clerk court systems in the state, but the added efficiency would be beneficial. A date certain for when this would happen has not been provided by FDLE. Management will provide updates on the actions taken.

Target Completion Date: Open

C. Reviewers can utilize two Sharepoint reports: 1) CZRDKUS (Docket Codes Used by UserID Report) - this allows the supervisor to quickly review all orders docketed by the clerk on any given day and cross reference with emails received from the clerk to review, and 2) CASE - which allows the reviewer to specifically see all the new cases opened on any given day by a particular clerk. The supervisor can verify that the new cases were emailed in the proper time period to the magistrates. Reports can also be run out of MECOM. We will look into seeing what automation could be attempted using our system and FDLE's MECOM system. Management will provide updates on the actions taken.

Target Completion Date: Open

D. In late January and early February of 2019, we centralized mental health at the Main Branch office. We have one clerk assigned to work the efilings mental health queue on a daily basis. The second and third check is completed by the branch where the case is assigned. For example, if the case opened in the efilings queue is assigned to North Branch, then the second and third review would be completed by the North Branch team. The branches will still handle their walk-in customers, but all input into the MECOM system will be completed by the Main Branch staff. If assistance is needed by the Main Branch mental health clerk in completing the documents in the efilings queue, clerks in Main Branch have been cross trained to assist and the branches also have clerks available to assist. Clerks working on mental health documents now must read and become familiar with the MECOM reporting procedures, which are housed in One Stop Ops, and sign a document stating they have read and understood the procedures.

Target Completion Date: Completed

## 1.2. Criminal defendants were not reported into MECOM.

Criminal cases originate in the Main, North, South and West branches; however, they are input directly into MECOM by Circuit Criminal Operations at the Main Courthouse. The following types of criminal cases are processed (docket codes are noted in parentheses):

- Found Incompetent (FI) and Adjudicated Not Guilty by Reason of Insanity (I) dispositions
- Order for Involuntary Commitment of Defendant Determined to be Incompetent to Proceed §916.302 (2) §916.13 (OINC)
- Order Adjudging Defendant Not Guilty by Reason of Insanity §916.15 (ADNG)
- Order for Mental Competence to Proceed §916.3012 (OINC)
- Order for Conditional Release §916.17 (OINC)

We performed a data analysis of criminal mental health orders or dispositions (herein referred to as orders) recorded in ShowCase from January 1, 2013 through May 11, 2018<sup>1</sup>. The ShowCase Criminal Report for this period identified 713 defendants that should have been entered into MECOM. We then retrieved the MECOM report for this same period from FDLE and compared both reports.

We noted that 19 of 713 (2.7%) defendants were improperly not entered into MECOM. These defendants had disposition dates between 2009 and 2013 and court event dates ranging from 2013 to 2018.

- We noted 14 of 19 defendants had disposition dates from 2010 to 2012. Management stated that from 2010 to 2013, FDLE was responsible for entering the defendants' information into MECOM based on the records sent via facsimiles by the Clerk's office. We obtained copies of the facsimile cover sheets and noted that the date and time stamps were not included on the cover sheets, though manual annotations of date, time and report number were recorded on the cover sheets. As such, we could not verify submission to FDLE. We contacted FDLE; however, FDLE was unable to locate the defendants in MECOM or in their facsimile archives. FDLE recommended the Clerk's office to enter these orders into MECOM if they met the required criteria.
- Four defendants had disposition dates between 2011 to 2013.
- One defendant had a disposition date in 2009. Management stated that prior to 2010, Civil Operations personnel processed the MECOM data.

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<sup>1</sup> We retrieved the data from January 1, 2013 to May 11, 2018 in order to obtain all cases that had 'Court Events' during the audited period of July 1, 2015 and May 11, 2018.

We noted that the 19 exceptions were related to court event dates prior to the June 2018 implementation of the verification process performed by Circuit Criminal personnel. Specifically, a manual dual review process was implemented to ensure that all mental health orders recorded in ShowCase are entered into MECOM. Circuit Criminal personnel examine all cases that have ever been held in the Mental Health division by docket code, court event date, and disposition created or modified for the previous day.

**Recommendations:**

- A. Circuit Criminal management should review the 19 defendants that were not entered into MECOM as referenced above and enter these orders into MECOM if they met the required criteria.
- B. Circuit Criminal management should periodically verify that all defendants with mental health orders or dispositions recorded in ShowCase were entered into MECOM. This could be accomplished by comparing a total summary of defendants in the FLDE MECOM Report to the total summary of defendants in the ShowCase MECOM Verification Report.
- C. Circuit Criminal management should consider the development and implementation of an automated system to report orders from ShowCase directly into MECOM. This could result in greater efficiency, accuracy and cost savings to the Clerk's office. Alternatively, if system integration is not feasible, management should assess whether mental health orders can be uploaded from ShowCase into MECOM via a data extract with a data format that is compatible with MECOM system requirements.
- D. Opportunities exist to automate some reconciliation processes between MECOM and ShowCase, including the manual dual review process. For example, Circuit Criminal management should assess whether a scripted error report could be developed to compare the ShowCase MECOM Verification Report to the FDLE MECOM Report to detect only orders that were not entered into MECOM.

**Management Responses:**

- A. We disagree. The established procedure at the time was to provide the orders to FDLE via fax, at which point, upon receipt, FDLE would enter the information into the database. Considering the information was properly faxed and we have the supporting faxes, the Clerk's office did not improperly not enter the information into MECOM since we didn't have access to their database. Entering the information

was the responsibility of FDLE. We have 3 years' worth of faxes that show we sent the information, however we are unable to confirm all of these defendants have been entered.

- B. Management will verify on a weekly basis that defendants with mental health orders or dispositions recorded in ShowCase were entered into MECOM.

Target Completion Date: 04/30/2019

- C. We understand MECOM is currently developing an interface. Management will provide updates on the actions taken.

Target Completion Date: Open

- D. Management will meet with the Clerk's Audit Services Unit to discuss alternatives in developing a scripted error report. Management will provide updates on the decisions made and any actions taken.

Target Completion Date: Open

## 2. Orders were not entered timely, accurately and completely into MECOM.

### 2.1. Civil and Criminal orders not entered timely into MECOM pursuant to statutes.

The Clerk's office is required to report criminal and civil, voluntary and involuntary orders into MECOM within statutory timeframes.

**Statutory Requirements:** Pursuant to Section 790.065(2)(a)4.c. Fla. Stat., the Clerk's office is required to enter involuntary orders within one month of rendition of the order and voluntary orders within 24 hours. (*Refer to statute description in Opportunity for Improvement #1: Defendants were not fully reported into MECOM, page 7*).

**FDLE MECOM User Guide** (Version 1.0 Rev. July 2015) states that Section 790.065(2)(a)4.c., Fla. Stat. requires entry of involuntary mental health orders to be entered within one month after the rendition of the adjudication or commitment and voluntary orders within 24 hours after the rendition of the adjudication or commitment.

**Clerk’s Civil MECOM Procedures** (December 13, 2017): The Clerk’s office established an internal policy requiring all civil orders (voluntary and involuntary) to be entered into MECOM within 24 hours from rendition of the orders.

**Method of Testing for Timeliness:** In order to test for timely input, we obtained the FDLE MECOM report from July 1, 2015 to June 30, 2018, which included 5,238 orders. We classified the data by order type: civil voluntary and involuntary, juvenile and criminal. We then filtered involuntary orders greater than 30 days and voluntary orders greater than 24 hours (excluding weekends and holidays as per instructions in the Fla. R. Jud. Admin. 2.514). We then conducted detailed testing by verifying each order against supporting documents in ShowCase and obtained clarification from the respective branch supervisors.

**Overall Results of Testing:**

- We noted 329 (6%) of the 5,238 orders were recorded in MECOM at the time of our testing but were not processed within the statutory timeframes, which included the following: (*refer to Tables 4 and 5*)
  - 214 civil, 24 criminal and 16 juvenile involuntary orders were entered past the 30-day statutory requirement; and
  - 75 voluntary civil orders were entered past the 24-hour statutory requirement. (Note: two of these orders were re-submitted to the Magistrate’s office for review).

For the orders reviewed, there were inaccuracies between the data in MECOM when compared to the data in ShowCase. There were various inaccuracies in the order dates, docket and disposition codes, case numbers, statutes, and other data elements. Errors noted were provided to Court Operations management for corrections. Additional accuracy and completeness tests were performed, which are presented in Section 2.3 of this report (page 19).

**Summary of Results by Branch:**

The summary (Table 4) shows the quantity (#) and percentage (%) of orders not processed within the statutory requirements as compared to the total population of civil and criminal orders by branch and type of order.



Table 4

Timeliness Review		Branch				
Type of Order	Statutory Requirement	Totals	Main	North	South	West
Civil Voluntary - Population	24 Hours	1,068	56	1,010	-	2
Statute Exceptions (# and %)		75 (7%)	4 (7%)	71 (7%)	-	-
Civil Involuntary - Population	30 Days	3,428	496	1,499	1,433	-
Statute Exceptions (# and %)		214 (6%)	17 (3%)	131 (9%)	66 (5%)	-
Juvenile Involuntary - Population	30 Days	97	92	-	5	-
Statute Exceptions (# and %)		16 (16%)	16 (17%)	-	-	-
Criminal Involuntary - Population (Note 1)	30 Days	645	584	9	8	44
Statute Exceptions (# and %)		24 (4%)	20 (3%)	1 (11%)	1 (13%)	2 (5%)
<b>Total Population</b>		<b>5,238</b>	<b>1,228</b>	<b>2,518</b>	<b>1,446</b>	<b>46</b>
<b>Exceptions per Total Population</b>		<b>329 (6%)</b>	<b>57 (5%)</b>	<b>203 (8%)</b>	<b>67 (5%)</b>	<b>2 (4%)</b>

Note 1: All criminal orders are input into MECOM at the Main Courthouse.

- Summary by Type of Order: Each order type was summarized to show its total exceptions. For example, there were 214 of 3,428 (6%) civil involuntary orders submitted late. This accounted for 65% (214 of 329) of the total exceptions.
- Summary by Branch: Each branch was summarized to show its total exceptions. For example, North Branch had 203 of 2,518 (8%) late submissions of all order types, which accounted for 62% (203 of 329) of the total exceptions.

**Summary of Results by Year:**

The summary below (Table 5) shows the quantity (#) and percentage (%) of orders not processed within the statutory requirements as compared to the total population of civil and criminal orders recorded per year and type of order.

Table 5

Timeliness Review		Year				
Type of Order	Statutory Requirement	Totals	2015 (07/01-12/31)	2016 (Full Year)	2017 (Full Year)	2018 (07/01-6/30)
Civil Voluntary - Population	24 Hours	1,068	120	411	313	224
Statute Exceptions (# and %)		75 (7%)	-	47 (11%)	25 (8%)	3 (1%)
Civil Involuntary - Population	30 Days	3,428	617	1,079	1,117	615
Statute Exceptions (# and %)		214 (6%)	7 (1%)	193 (18%)	11 (1%)	3 (0.5%)
Juvenile Involuntary - Population	30 Days	97	16	-	66	15
Statute Exceptions (# and %)		16 (16%)	9 (56%)	-	3 (5%)	4 (27%)
Criminal Involuntary - Population	30 Days	645	95	167	217	166
Statute Exceptions (# and %)		24 (4%)	6 (6%)	7 (4%)	6 (3%)	5 (3%)
<b>Total Population</b>		<b>5,238</b>	<b>848</b>	<b>1,657</b>	<b>1,713</b>	<b>1,020</b>
<b>Exceptions per Total Population</b>		<b>329 (6%)</b>	<b>22 (3%)</b>	<b>247 (15%)</b>	<b>45 (3%)</b>	<b>15 (1%)</b>

- Summary by Year: Each year has been summarized to show its total exceptions. For example, in 2016, there were 247 of 1,657 (15%) late submissions of all order types, which accounted for 75% (247 of 329) of the total exceptions.
- This table shows the following general improvements in timely submissions:
  - In 2016 and 2017 (full year data), late submissions of all order types favorably declined from 15% (247 of 1,657) in 2016 to three percent (45 of 1,713) in 2017. In addition, late submissions of civil involuntary orders

- favorably declined from 18% (193 of 1,079) in 2016 to one percent (11 of 1,117) in 2017.
- Juvenile involuntary orders experienced higher late submission rates than the other order types; 16% (16 of 97) of the total orders were submitted late during the three year audit period and exceptions increased to 27% (4 of 15) in the first six months of 2018.
  - We noted that Civil Operations implemented double check and triple check reviews on December 13, 2017 to provide secondary reviews of all orders to ensure timeliness, accuracy and completeness. The audit disclosed substantial improvements after the implementation of these additional review procedures. For example, comparing exceptions from full year 2017 to the first six months of 2018:
    - Late submissions of all orders types favorably declined from 3% (45 of 1,713) to 1% (15 of 1,020),
    - Late submissions of civil voluntary orders favorably declined from 8% (25 of 313) to 1% (3 of 224).
  - In addition, on June 25, 2018, just prior to the end of the audit scope period, Circuit Criminal Operations implemented the MECOM Verification Report review to ensure that at least two individuals reviewed all activities related to the mental health cases. These review enhancements should further reduce late submissions.

### **Recommendations:**

- A. Civil Operations management should enforce the triple check review of all orders (not just mental health orders). The triple check verifies that all docket entries made by the updating clerk during a given period are reviewed for accuracy. Management then verifies each clerk's docket entries against MECOM system entries. Errors detected should be quickly corrected so that the order can be input into MECOM pursuant to statutory requirements. Refer to *Observation #3: Civil mental health information not reviewed (page 26)*.
- B. Civil Operations management should enforce the review of the ShowCase MECOM Monthly Report. The report lists all mental health orders in ShowCase and it is utilized at each branch to detect orders that were not entered in MECOM. This review should be performed frequently at all branches to ensure that orders not previously entered are quickly identified and entered into MECOM pursuant to the statutory timeframe.

- C. Circuit Criminal Operations management should continue to perform the MECOM Verification Report review to ensure all mental health orders are timely entered into MECOM. The report retrieves all cases that were scheduled in the criminal Mental Health division at Gun Club and it is used to track cases where the defendant was found incompetent or not guilty by reason of insanity. The verification consists of reviewing all dockets, case events, and dispositions on a daily basis. Errors detected are corrected and specific orders are entered into MECOM on a daily basis.

**Management Responses:**

- A. Specific docket codes are provided to Court Administration to ensure that mental health orders are seen in the queue and worked on quickly. Due to the occasional failure of Court Administration to properly use the correct docket code, management is required to review all orders docketed by anyone docketing mental health orders. Management can run a Sharepoint report (CARDKUS - Docket Code by User-ID) to show them all orders docketed by any particular clerk on any particular day. The reports are now run daily to ensure that the time requirement is not missed.

Target Completion Date: Completed

- B. Civil Operations has requested that management review the ShowCase MECOM monthly report on a daily basis for accuracy and verify the information is correct.

Target Completion Date: Completed

- C. Circuit Criminal management will continue the procedure in place.

Target Completion Date: Completed

**2.2. Involuntary civil orders not entered timely into MECOM pursuant to Clerk’s policy.**

The Clerk’s office established an internal policy on December 13, 2017 requiring all civil orders to be entered into MECOM within 24 hours from rendition of the orders from the judge or magistrate’s office (though statutorily required within 30 days). As such, we reviewed civil involuntary orders entered past 24 hours from January 1, 2018 to June 30, 2018. The review disclosed that:

- 38 (6%) of the 615 involuntary orders were not submitted into MECOM within the Clerk’s required timeframe of 24 hours.

**Summary of Results by Branch:**

The summary of results below (Table 6) shows each branch’s late submission by quantity (#) and percentage (%). For example, Main Courthouse had 14 of 84 (17%) late submissions, which accounted for 37% of all late submissions (14 of 38) in the first six months of 2018.

Table 6

Timeliness Review		Branch				
Type of Order	Civil Procedure Requirement	Totals	Main	North	South	West
Civil Involuntary - Population	24 Hours	615	84	265	266	-
Exceptions (# and %)		38 (6%)	14 (17%)	10 (4%)	14 (5%)	-

**Recommendations:**

- A. Civil Operations management should enforce the daily triple check review of all orders (not just mental health orders). The triple check verifies that entries (e.g., docket codes, petitions, statutes, ONVAs) in ShowCase are accurate as per supporting documentation. Errors detected should be quickly corrected so that the order can be input into MECOM pursuant to Civil MECOM procedures’ 24-hour timeframe. Refer to *Observation #3: Civil mental health information not reviewed.*
- B. Civil Operations management should ensure that all orders classified as mental health orders in ShowCase are timely entered into MECOM and someone, other than the individual who entered the order, reviews that orders were properly entered. Currently, the ShowCase MECOM Monthly Report (lists all mental health orders) is utilized at each branch (with varying frequencies) to compare to the orders entered in MECOM. Missing orders are then entered into MECOM. This review should be performed on daily basis at all branches to ensure that orders not previously entered are quickly identified and entered into MECOM pursuant to Civil MECOM procedures’ 24-hour timeframe.

**Management Responses:**

- A. Both second and third reviewers will now be required to place in the notes section of Showcase that they have reviewed the MECOM entry and the Showcase docketing. They will place their name and date of review in the notes section. We

continue to rely on the QA team to audit all types of orders docketed by our clerks as well as our supervisors who regularly audit clerks docketing.

Target Completion Date: Completed

B. Reviewers other than the individual docketing now must review the orders docketed by the clerk on a daily basis.

Target Completion Date: Completed

### **2.3. Civil and Criminal inaccurate and incomplete data entry into MECOM.**

The Clerk's office is also required to enter accurate and complete data into MECOM. To comply with statutes, the Clerk's office has established various internal procedures used by Court Operations.

**Statutory Requirements:** Section. 790.065(2)(a)4.c.(I), Fla. Stat. requires that court records of adjudications of mental defectiveness or commitments to mental institutions entered into MECOM satisfy the following informational requirements: *"The reports must, at a minimum, include the name, along with any known alias or former name, the sex, and the date of birth of the subject"*.

**FDLE MECOM User Guide** (Version 1.0 Rev. July 2015), specifies that defendants' data entry should be accurate (informational requirements pursuant to statute) and complete (including social security numbers, race, sex, driver's license numbers, scars, marks, tattoos, height, and weight).

**Clerk's MECOM Procedures** (Civil, Criminal and Quality Assurance): The Clerk's office has adopted procedures to ensure that data entry is accurate (informational requirements pursuant to statute) and complete (information that is extremely useful, helpful and as required by the FBI). Other processes are related to: correct input of docket codes into ShowCase, and a dual review of orders by someone other than the person who input the order. The Quality Assurance (Q/A) team started a twice monthly review of all civil orders in October 2016.

#### **Method of Testing:**

In order to test for accuracy and completeness of the data entered into MECOM, we judgmentally selected 60 voluntary and involuntary orders (civil and criminal) as a

proportion of the total population entered into MECOM between July 1, 2015 and June 30, 2018.

The testing criteria (summarized in Table 7) was based on the statutory requirements and Clerk's MECOM internal procedures.

**Overall Results of Testing:**

- Of the 60 criminal and civil, voluntary and involuntary orders reviewed, 18 orders had exceptions (10 orders had one exception, five orders had two exceptions and three orders had three exceptions). As such, 29 exceptions were noted related to the 18 different orders with exceptions as detailed below:
  - 17 of 50 civil (voluntary and involuntary) orders reviewed had exceptions (nine orders had one exception, five orders had two exceptions and three orders had three exceptions); and,
  - one of ten criminal orders reviewed had one exception.

Improvements related to the accuracy and completeness of data entry were noted since release of the updated Clerk's Civil MECOM procedures (December 13, 2017). Testing identified a reduction in the exception rate from eight exceptions in 2017 to four exceptions in 2018 using the same sample size of 21 orders (refer to Table 9).

**Summary of Results by Test Criteria and Branch:**

The summary below (Table 7) shows the quantity (#) and percentage (%) of orders reviewed based on the test criteria and branch. (Note: each sample may have more than one exception.)

Table 7

Accuracy and Completeness Review Test Criteria	Requirement	Branch				
		Totals	Main	North	South	West
Accuracy: Statutorily Required Information (F.S. 790.065(2)(a)4): name, alias, sex, and date of birth	Statute	60	14	28	16	2
Exceptions (# and %)		3 (5%)	-	2	1	-
Completeness: Extremely useful: race, social security number	MECOM User Guide	60	14	28	16	2
Exceptions (# and %)		3 (5%)	1	-	2	-
Completeness: Helpful: relatives, driver's license number, any other information	MECOM User Guide	60	14	28	16	2
Exceptions (# and %)		3 (5%)	0	2	-	1
Completeness: Required by FBI: all information available must be entered into the record (comments filed may be used)	MECOM User Guide	60	14	28	16	2
Exceptions (# and %)		9 (15%)	3	-	6	-
Petition correspond to data in MECOM>ShowCase	Clerk & Comptroller	60	14	28	16	2
Exceptions (# and %)		-	-	-	-	-
Date of Order is the same in MECOM>ShowCase	Clerk & Comptroller	60	14	28	16	2
Exceptions (# and %)		3 (5%)	-	1	2	-
Transmit Date is the same in MECOM>ShowCase <b>(Note 1)</b>	Clerk & Comptroller	21	6	9	5	1
Exceptions (# and %)		2 (10%)	-	1	1	-
Statute/Docket Code is the same in MECOM>ShowCase	Clerk & Comptroller	60	14	28	16	2
Exceptions (# and %)		-	-	-	-	-
Secondary Review Performed <b>(Note 2)</b>	Clerk & Comptroller	4	1	1	2	-
Exceptions (# and %)		2 (50%)	-	1	1	-
QA Review Performed <b>(Note 3)</b>	Clerk & Comptroller	5	1	1	2	1
Exceptions (# and %)		4 (80%)	1	1	2	0
<b>Total Exceptions</b>		<b>29</b>	<b>5</b>	<b>8</b>	<b>15</b>	<b>1</b>

Note 1: Only civil orders from January 1, 2018 to June 30, 2018 were reviewed to reflect the implementation of procedures as of December 13, 2017.

Note 2: For those orders that had exceptions, we tested whether someone other than the person who input the order in MECOM reviewed the input. We reviewed only orders from January 1, 2018 to June 30, 2018.

Note 3: For those orders that had exceptions, we tested whether quality assurance was performed. We reviewed only orders from January 1, 2018 to June 30, 2018.

- Summary by Test Criteria: Each test criteria was summarized to show its total exceptions. For example, there were nine exceptions related to information required by the FBI. This constituted 31% (9 of 29) of all exceptions.
- Summary by Branch: Each branch was summarized to show its total exceptions. For example, South Branch had 15 exceptions. This constituted 52% (15 of 29) of all exceptions.

**Summary of Results by Type of Order and Branch:**

The summary (Table 8) shows quantity (#) and percentage (%) of orders reviewed by type of order and branch.

Table 8

Type of Order	Accuracy and Completeness Review	Branch			
	Totals	Main	North	South	West
Civil Voluntary - Sample Size	25	2	22	-	1
Exceptions (# and %)	5	-	4	-	1
Civil Involuntary - Sample Size	24	5	6	13	-
Exceptions (# and %)	11	2	1	8	-
Juvenile Involuntary - Sample Size	1	-	-	1	-
Exceptions (# and %)	1	-	-	1	-
Criminal Involuntary - Sample Size	10	7	-	2	1
Exceptions (# and %) (Note 1)	1	1	-	-	-
<b>Total Samples</b>	<b>60</b>	<b>14</b>	<b>28</b>	<b>16</b>	<b>2</b>
<b>Exceptions per Total Samples</b>	<b>18 (30%)</b>	<b>3</b>	<b>5</b>	<b>9</b>	<b>1</b>

Note 1: All criminal orders are input into MECOM at the Main Courthouse.

- Summary by Type of Order: Each type of order was summarized to show its total exceptions. For example, there were 11 civil involuntary exceptions. This accounted for 61% of all exceptions (11 of 18).
- Summary by Branch: Each branch was summarized to show its total exceptions. For example, South Branch had nine exceptions. This accounted for 50% of all exceptions (9 of 18).

**Summary of Results by Year and Type of Order:**

- The summary below (Table 9) shows the quantity (#) and percentage (%) of orders reviewed with exceptions by year.

Table 9

Type of Order	Accuracy and Completeness Review	Year			
	Totals	2015 (07/01-12/31)	2016 (Full Year)	2017 (Full Year)	2018 (01/01-6/30)
Civil Voluntary - Sample Size	25	8	7	6	4
Exceptions (# and %)	5	2	3	-	-
Civil Involuntary - Sample Size	24	-	1	13	10
Exceptions (# and %)	11	-	1	7	3
Juvenile Involuntary - Sample Size	1	-	-	1	-
Exceptions (# and %)	1	-	-	1	-
Criminal Involuntary - Sample Size	10	1	1	1	7
Exceptions (# and %) (Note 1)	1	-	-	-	1
<b>Total Samples</b>	<b>60</b>	<b>9</b>	<b>9</b>	<b>21</b>	<b>21</b>
<b>Exceptions per Total Samples</b>	<b>18 (30%)</b>	<b>2</b>	<b>4</b>	<b>8</b>	<b>4</b>

Note 1: All criminal orders are input into MECOM at the Main Courthouse.

- Summary by Year: Each year has been summarized to show its total exceptions. For example, in 2017, there were eight exceptions, which comprised 44% of all exceptions (8 of 18).



- This table shows a reduction in exception rate from eight exceptions in 2017 to four exceptions in 2018 using the same sample size of 21 orders.

**Recommendations:**

- A. Civil and Circuit Criminal Operations management should review the referenced exceptions above and make the corrections in MECOM as appropriate.
- B. Civil Operations management should ensure that during the order entry into MECOM, all relevant data is accurate and complete. The defendant's records should include the statutorily required data as well as data that is useful, helpful and required by the FBI. In addition, the proper docket codes, statutes, order dates and other information should be correctly entered. Management should enforce the double check review on all orders entered into MECOM on daily basis. The review consists of verifying that related information in ShowCase is accurate and matches the information in ShowCase.
- C. Civil and Circuit Criminal Operations management should consider implementing automated controls to detect errors after order entry. Management should assess data analytical tools to automate the current review processes to perform the double check (Civil) and dual review (Circuit Criminal). The review requires a second person to verify that data entered into MECOM matches the data in ShowCase to ensure accuracy and completeness. The review is performed on all orders. Alternatively, a scripted report could be developed to identify only errors (e.g., misspelling, missing data, wrong docket codes, case numbers, order date, statute code). The error report could then be reviewed and errors corrected.
- D. Circuit Criminal Operations management should ensure that during the order entry into MECOM, all relevant data is accurate and complete. The defendant's records should include the statutorily required data as well as data that is useful, helpful and required by the FBI. In addition, the proper docket codes, statutes, order dates and other information should be correctly entered. Management should continue to perform the daily dual review by two different individuals to ensure all information in both MECOM and ShowCase is accurate.
- E. Management should ensure that Quality Assurance (Q/A) reviews are performed timely and identified errors are corrected by departmental personnel. Currently, the Q/A team reviews all civil orders twice monthly (mid-month and end-of-month). For example, orders entered from June 16 to June 30 are reviewed around July 16. Therefore, there is a risk that some incorrect entries will not be detected and

corrected timely. Management should ensure that Q/A reviews are scheduled timely to address the risk. Similarly, this Q/A process should be performed for all criminal orders.

**Management Responses:**

A. Civil reviewed the spreadsheet provided by the auditor and have made all corrections. Criminal reviewed the exceptions provided by the auditor and made the necessary corrections.

Target Completion Date: Completed

B. Civil ensures that the second and third checks should verify all information placed into MECOM is correct and complete.

Target Completion Date: Completed

C. Civil and Criminal management will look into finding automation regarding data in ShowCase and the information placed into MECOM. However, we have concerns that automation may not yield the desired results because any scripted report will not detect docketing errors that are critical in analyzing MECOM errors. Criminal management currently use the ShowCase MECOM verification report that picks up any case that was ever heard in Division T, which was modified in any way the day prior. This report allows the clerk to verify that the correct docket code was used. Civil and Criminal management will provide updates on the actions taken.

Target Completion Date: Open

D. This process is already in place.

Target Completion Date: Completed

E. Quality Assurance (Q/A) will update the current process and start reviewing the ShowCase MECOM report for civil and criminal on a daily basis. Each day, the previous two business days will be reviewed and any discrepancies noted will be sent immediately to the departments for correction. The current MECOM procedures for the Q/A department will be updated to include this change.

Target Completion Date: 04/30/2019

## 2.4 Civil and Criminal defendants had multiple profiles in MECOM.

Multiple profiles may result in incomplete and/or inaccurate data reported into MECOM. Best practices recommend that if a defendant has an existing profile in MECOM with matching social security numbers, a new profile should not be added to MECOM.

We performed a data analysis of the entire population of 5,238 orders entered by the Clerk's office into MECOM from July 1, 2015 through June 30, 2018 to determine if there were duplicate profiles for the same defendants with the same social security numbers. The analysis identified 24 profiles (related to 12 defendants) that had the same social security numbers. We obtained further clarification from management who stated that the records may contain modifications or additions from other statewide MECOM users. (Note: we did not review whether there were modifications after the initial entry by the Clerk's office.) The following was noted:

- North Branch had 11 civil duplicate profiles;
- Main Courthouse had four civil and three criminal duplicate profiles;
- South Branch had five civil duplicate profiles, and
- West Branch had one civil duplicate profile.

### **Recommendations:**

- A. Civil and Circuit Criminal Operations management should review the referenced exceptions above and ensure that only one profile per defendant is reflected in MECOM.
- B. Civil and Circuit Criminal management should ensure that orders related to one defendant's profile are not duplicated if the same social security number can be validated. Per the Civil MECOM procedures, new entries into MECOM can only be made if the social security number cannot be verified.

### **Management Responses:**

- A. Civil reviewed the exceptions and made corrections as required. Criminal reviewed the exceptions and made the corrections. -  
Target Completion Date: Completed
- B. Civil management will continue to review procedures regarding whether to add a

new entry into MECOM or add to a profile already in MECOM. Currently, the clerk can only add to another's profile if the name and social security are a complete match. Criminal also agrees that there should not be any duplication in defendant's profile. It is important to note that duplications may occur since other counties have access to alter or modify the profile and may duplicate once Palm Beach County Clerk's office has entered information.

Target Completion Date: Completed

### **3. Civil mental health information was not reviewed.**

Per the Civil MECOM Reporting and Audit Procedures, each branch is responsible for reviewing the Docket Codes Used by UserID Report (czrdkus report) on a weekly basis (refer to Exhibit A, Risk 10). The objective of the review is to capture any MECOM related orders that may have been docketed incorrectly. The report includes all docket codes (not only mental health related docket codes) per user for a selected timeframe and each order is reviewed against the related documentation in ShowCase. Errors are identified and corrected.

We performed testing at each location (Main, North, South, and West) to ensure the report was being reviewed. We noted that:

- Main and West Branches did not perform the weekly review of the Docket Codes Used by UserID Report to ensure that all mental health orders were adequately identified. Instead, Main and West Branches used the MECOM report to perform their review. We noted that North and South Branches conducted the required review process.

#### **Recommendation:**

- A. Civil Operations management should ensure that all defendants with mental health adjudicated orders are input into MECOM. The Main and West Branches should implement the review of the Dockets Codes by UserID Report to ensure that any MECOM related dockets that were incorrectly docketed are identified timely and all mental health orders are input into MECOM on a timely basis.

**Management Response:**

- A. Main Branch and West Branch are currently using the Docket Codes Used by UserID Report and the New Case Report in Sharepoint when auditing.  
Target Completion Date: Completed

## **4. Quality Assurance report contained confidential information.**

The Clerk’s office has established a Quality Assurance (Q/A) team to review all civil and criminal orders entered into MECOM. The Q/A team oversees all branch data entry by reviewing each order against their respective supporting documentation in ShowCase. Errors found are communicated via email to branch managers or supervisors and clarifications or corrections are obtained. Information contained in Clerk’s office electronic communications is subject to the Florida Public Records Law in Chapter 119 Fla. Stat.

Our review of related statutes and regulations indicated that social security numbers are exempt from disclosure under the public records law. Per Section 119.071(5)(a)5, Fla. Stat., *“Social security numbers held by an agency are confidential and exempt from s. 119.07(1)...”*. The Clerk’s Administrative Policy 98-1 states that *“before any e-mail is released pursuant to a public records request, any exempt information must be deleted from the e-mail”*.

We reviewed the Civil MECOM Error Report submitted via email by the Q/A team on July 18, 2018 to the respective managers and supervisors at the Main, North and South Branches. We noted that the email contained a copy of the MECOM Error Report as well a copy of the MECOM Master Report, which included a hidden tab showing defendants’ social security numbers.

**Recommendation:**

- A. Quality Assurance management should ensure that social security numbers are not included in electronic communications to prevent confidential information from improper disclosure during internal distribution of reports.

## Management Response:

- A. The Q/A team's former process was to hide the cells in the report that contained social security numbers and protect the document when it was e-mailed in order to keep this information confidential. In July 2018, the Q/A team was notified that the social security numbers were accessible by the receiver of the report. Effective August 16, 2018, the Q/A team initiated the process of deleting the social security numbers from the report prior to e-mailing to the departments. This step has been added to the procedure and will be completed moving forward. Updated procedures are pending final approval.

Target Completion Date: 04/30/2019

## 5. Opportunities exist to improve MECOM procedures.

Best practices indicate that written procedures provide guidance to employees, help ensure processes are performed accurately and consistently in accordance with management's directives, and help achieve departmental goals. Processes involving MECOM activities are documented in Court Operation's procedures. A review of the Civil, Criminal and Quality Assurance (Q/A) MECOM procedures disclosed the following opportunities for improvement.

### ➤ Civil MECOM Procedure:

- The procedure did not include processes to handle FDLE requests for information and data. We noted that FDLE requests were not tracked and a second person (such as a supervisor) did not review the information provided to FDLE for accuracy and timeliness.
- The procedure stated that Notice of Voluntary Admissions (NVAs) were hand-delivered to the Magistrate's office. However, we noted during testing that this process was no longer applicable. NVAs were submitted via a shared mental health email box (CAD) to the magistrates. In addition, annotations in ShowCase should be consistent with procedures and the process to track these NVAs should be documented in the procedure.
- The procedure did not clearly list the statute code related to the timeliness, accuracy and completeness requirements. For example, the procedure stated that mandatory information was required by law (name, alias, sex, and date of birth); however, the procedure did not reference the actual statute.

- The names of the person(s) who prepared and approved the procedures were not recorded.
- Juvenile MECOM Procedure:
  - There was no documented process to review orders by someone other than the person who originally input the order into MECOM to ensure timeliness, accuracy and completeness.
  - The procedure did not include a process to review all orders (not just mental health orders) on a daily basis by someone other than the person entering the orders. Misclassified mental health orders should be detected and corrected so that the order can be input into MECOM timely.
  - There was no documented process to avoid duplication of defendants' profiles into MECOM. Defendants with the same social security numbers should not have more than one profile in MECOM.
  - The procedure did not reference the statutory requirements for timely, accurate and complete entry of orders into MECOM pursuant to Section 790.065(2)(a)4.c.(I), Fla. Stat.
  - The names of the person(s) who prepared and approved the procedure as well as the dates created/updated were not recorded on the procedure.
- Criminal MECOM Procedure:
  - The procedure did not clearly identify that criminal orders were to be entered into MECOM on a daily basis per internal policy. The procedure referenced the FDLE MECOM User Guide, which stated that Section 790.065(2)(a)4.c.(I), Fla. Stat. requires the Clerk's office to enter involuntary orders within one month after the rendition of the order. However, we noted during testing that orders were required to be entered into MECOM on a daily basis.
  - The procedure did not include the review of orders by someone other than the person who originally input the order into MECOM. During the audit, we observed that two different individuals reviewed all orders entered into MECOM to ensure timeliness, accuracy and completeness. However, this process was not documented in the procedure.
- Quality Assurance MECOM Civil and Criminal Procedures:
  - There was no reference to the statute governing the requirements. For example, the procedures stated that the "Clerk is statutorily required to enter data into the FDLE Mental Competency system". However, the procedures did not state the actual statute reference.
  - The names of the person(s) who approved the procedures were not recorded.

### **Recommendations:**

- A. Civil Operations management should ensure that procedures align with the actual practices in place (e.g., proper delivery, tracking and consistent ShowCase annotations of NVAs as well as a documented process for handling FDLE requests). Also, the procedures should include the relevant statutory references and the name/title of approver/preparer.
- B. Juvenile Operations management should ensure that procedures include the process to properly review the orders by someone other than the person who input the orders and the process to avoid duplication of records. Also, procedures should include the relevant statutory requirements and the name/title of approver/preparer.
- C. Circuit Criminal management should ensure that procedures reference the Clerk's internal timeframe requirements to input the orders into MECOM (particularly if different from statutory requirements) and include a process to perform dual reviews of all orders to ensure accuracy, completeness and timeliness.
- D. Quality Assurance management should ensure that procedures include the proper statutory references and the name/title of approver/preparer.

### **Management Responses:**

- A. Civil procedures have been updated showing the proper process in place for delivering documents to magistrates and documenting requests and transmissions to and from FDLE.  
Target Completion Date: Completed
- B. Juvenile procedures have now been updated and conform to mental health procedures.  
Target Completion Date: Completed
- C. This recommendation has already been implemented.  
Target Completion Date: Completed
- D. Both the Civil and Criminal Q/A procedures will be updated to include this information.  
Target Completion Date: 04/30/2019



# Exhibit A. Flowchart of Voluntary Orders

