

**BARBARA T. SCOTT**

**CLERK OF THE CIRCUIT COURT**

**CHARLOTTE COUNTY, FLORIDA**



**ANNUAL REPORT  
2009**



**Front Cover:**

**Newly constructed Charlotte County Convention Center  
Located in Punta Gorda, Florida**

**Picture taken by Kay Kuriger of the Clerk's Finance Department**



Charlotte County

**BARBARA T. SCOTT**  
***Clerk of the Circuit Court and County Comptroller***

*350 E. Marion Ave. P.O. Box 511687 Punta Gorda, FL 33951 (941) 505-4716*

**TO THE CITIZENS OF CHARLOTTE COUNTY:**

The 2009 Annual Report is prepared to provide an overview of the responsibilities of this Office and the activities/achievements during the past year.

Our primary goal is to deliver the highest quality service possible to this community with efficiency and courtesy. A staff of dedicated employees plays an important role in meeting this commitment.

Your support during the past year is valued. I look forward to serving you in the coming year.

As always, your comments are most welcome.

Sincerely,

Barbara T. Scott  
Clerk of the Circuit Court

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## INTRODUCTION

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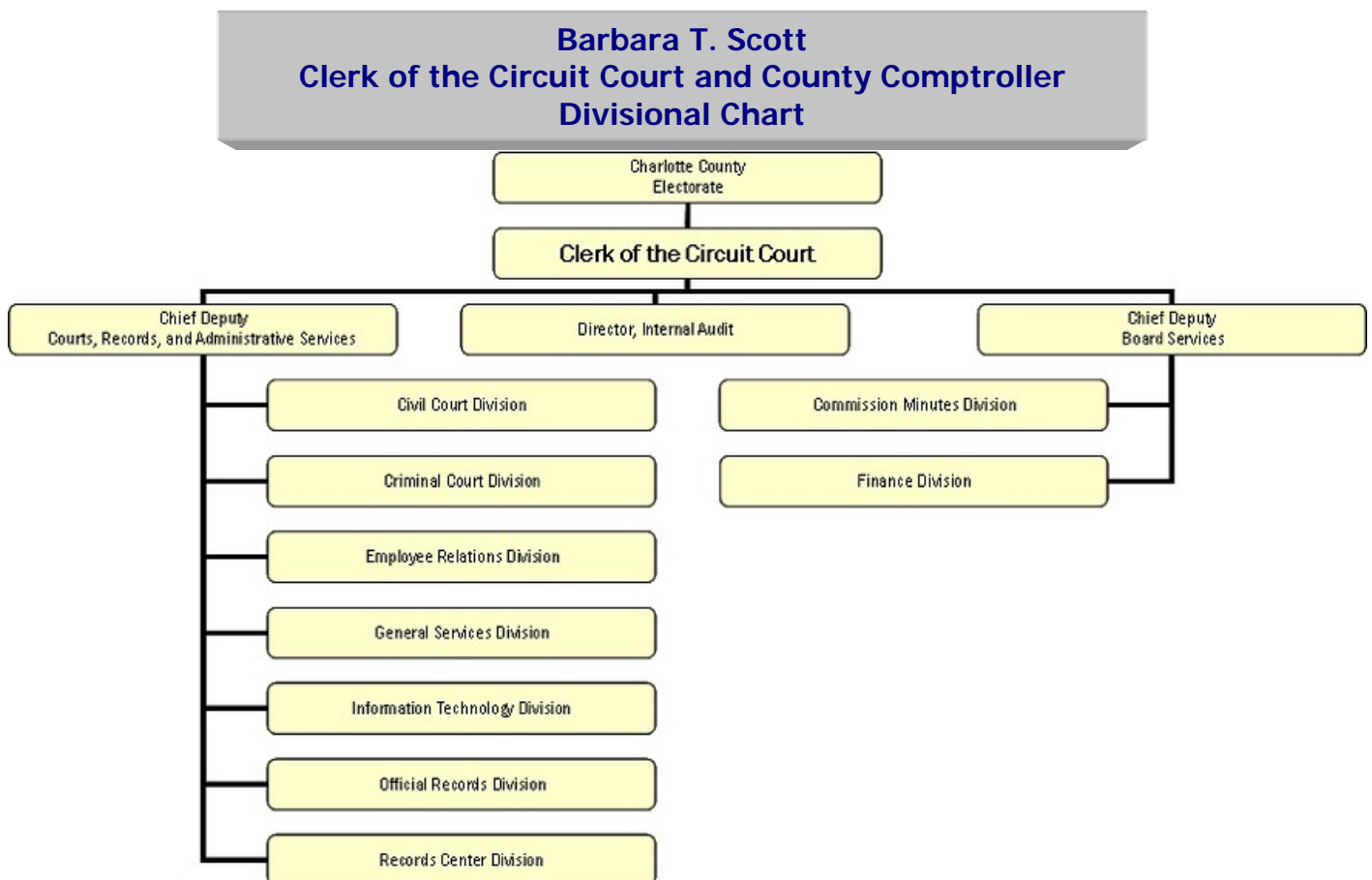
The **Clerk of the Circuit Court** is elected by the voters of Charlotte County to serve a four-year term. The Florida Constitution and Statutes prescribe authority and responsibilities of the Office.

**BARBARA T. SCOTT** is the Clerk of the Circuit Court and County Comptroller for Charlotte County and has held the Office since 1985. She is currently serving her sixth term in office.

As an **Officer of the Courts**, the Clerk is a member of the judicial branch of government and is responsible for the custody and integrity of Circuit and County Court records.

As **Clerk to the Board of County Commissioners, County Finance Officer and County Auditor**, she fulfills a check-and-balance function for county government to assure funds are expended only for public purpose and for the benefit of the citizens of Charlotte County.

As **County Recorder**, she is responsible for maintaining the Official Records for Charlotte County.



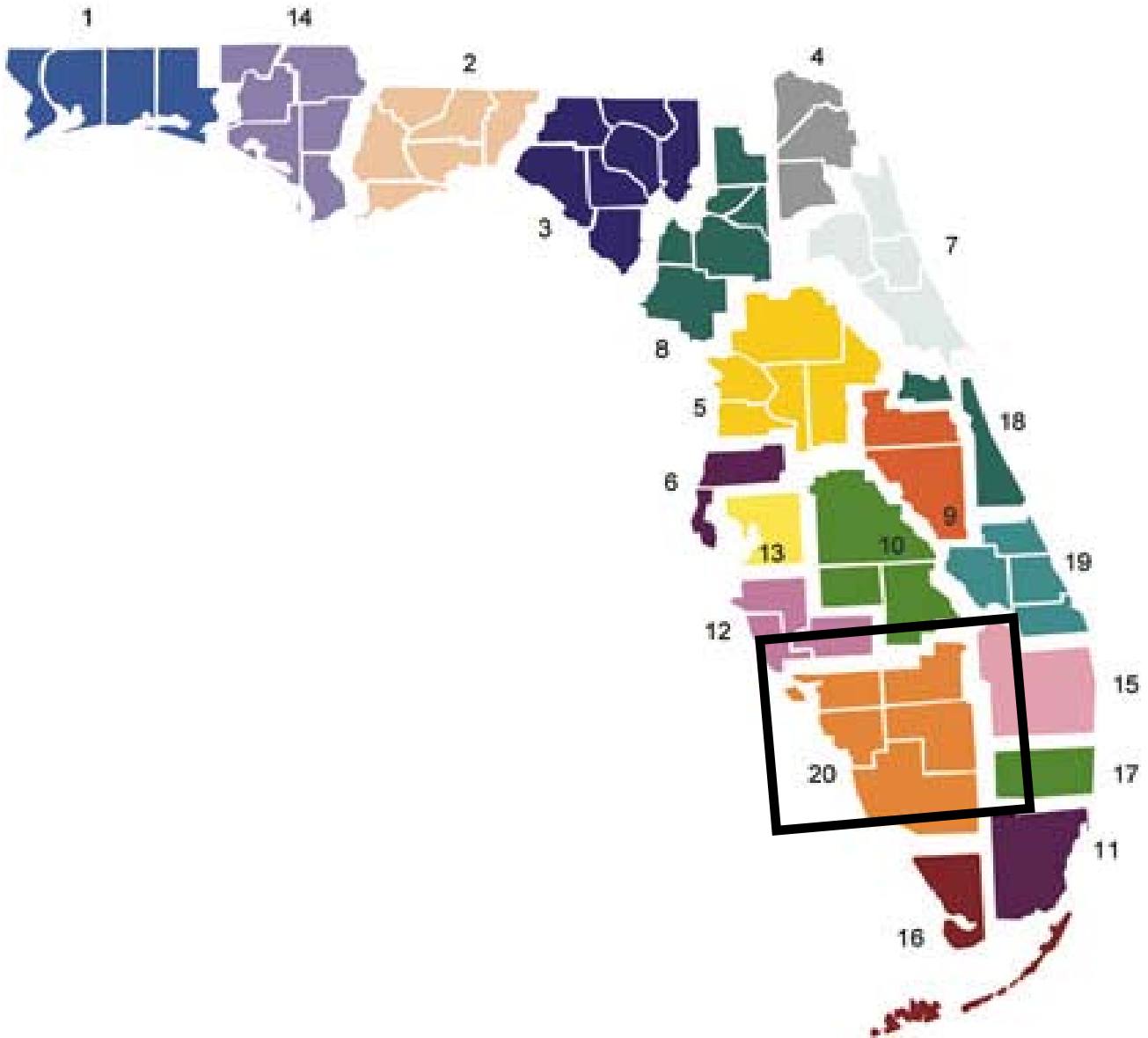
The Clerk of the Circuit Court employs a staff of **121 full-time** and **2 part-time** employees. In accordance with Florida Statutes, the Clerk appoints deputies in each Division to assist her with fulfilling the duties of the office.

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## COURT SERVICES

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The State of Florida is divided into twenty Judicial Circuits. Each circuit is comprised of a circuit court and one or more county courts. Charlotte County is in the Twentieth Circuit that also includes Collier, Glades, Hendry, and Lee Counties. Three county judges and five circuit court judges preside over Charlotte County.



The Clerk is responsible for the clerical business of the Courts, including maintaining court records and case files, issuing processes, entering judgments and managing court funds. The Civil and Criminal Divisions carry out the court services functions. Further detail is provided in the following pages.

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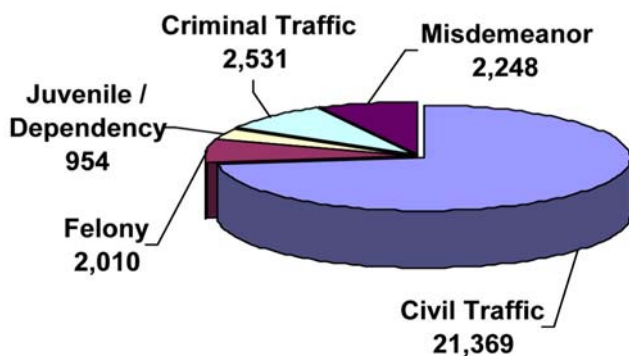
## CRIMINAL COURTS

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The Criminal Courts Division processes felony, juvenile, misdemeanor, and criminal traffic cases, as well as civil traffic citations.

The staff attends criminal court where the duties include swearing in witnesses, marking and controlling evidence, and reading of the verdict. Case files are updated following each court session, document filing, or payment. Records of the disposition of court cases are maintained in hard copy (paper) and on a computer database.

### Cases Filed 2009



**There were 7,743 criminal cases filed during 2009.** This represents **2,010** Felony, **954** Juvenile/Dependency, **2,531** Criminal Traffic, **2,248** Misdemeanor Cases. Felony and Juvenile cases are heard in Circuit Court while criminal traffic and misdemeanor cases are under the County Courts.

Felony and criminal traffic/misdemeanor cases are currently maintained on the Criminal Justice Information System (CJIS) and on the Clerk's Intranet Browser System. The system provides automated case disposition data and court statistics to meet State reporting requirements.

To carry out their duties, Criminal Courts staff must coordinate with other agencies including the Sheriff, State Attorney, Public Defender, Florida Department of Law Enforcement, Department of Corrections and County Probation, as well as the judiciary, defendants and private attorneys.

### Juvenile Court Records

Juvenile cases are similar in processing requirements to felony and misdemeanor cases. However, these cases are considered to be confidential and are not available to the public. Dependency cases are also processed by this department and are kept confidential. **There were 954 cases filed during 2009.** This represents **803** Juvenile and **151** Dependency cases.

Under certain circumstances, juvenile offenders may be tried as adults in Circuit Court. Such cases are opened as juvenile cases which are then closed and a felony case is opened.

PC-based software supports maintaining, tracking and disposition reporting to the State for juvenile cases. This software provides special access security to assure that mandated confidentiality is not compromised.

The juvenile and dependency cases have been converted to the Court Automated System. Special security measures will assure that the mandated confidentiality of these cases is maintained.

### Civil Traffic Court Records

Traffic citations and all charges (including parking tickets, animal control violations, and code enforcement citations) are processed by the Clerk's Office.

**There were 21,369 citations filed in 2009.** Other citations (such as marine, fish and game violations) are also filed in this department.

Civil traffic cases are heard in County Court. The Clerk's staff prepares cases for court and attends each court session to record the disposition and processes the case, accordingly.

Traffic citations and non-criminal violations may be paid by mail or in person.

When paying in person, the option of paying by credit card is now available. We accept Visa and



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## CRIMINAL COURTS

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Master Card, which can pay for all fines and costs. However, restitution **cannot** be paid by credit card or personal check.



Criminal court records, including traffic and juvenile records, are now processed with an image-based application and are viewable by all of the criminal justice agencies in Charlotte County via our web browser application.

If you go to [www.myfloridacounty.com](http://www.myfloridacounty.com) and choose the county in which you received the citation, you can pay your non-criminal traffic violation by Visa, Master Card, American Express, or Discover Card within 30 calendar days.



Citizens have the option of contesting a ticket by requesting a date to appear in traffic court. They also have the option of attending driving school under certain circumstances. These options are explained to citizens who visit the office, call by telephone or visit our website at [www.co.charlotte.fl.us](http://www.co.charlotte.fl.us).

The Clerk has on-line access to the Department of Highway Safety and Motor Vehicle computer database for driver histories and is authorized by Florida Statute to reinstate driving privileges for persons meeting required obligations and penalty payments.



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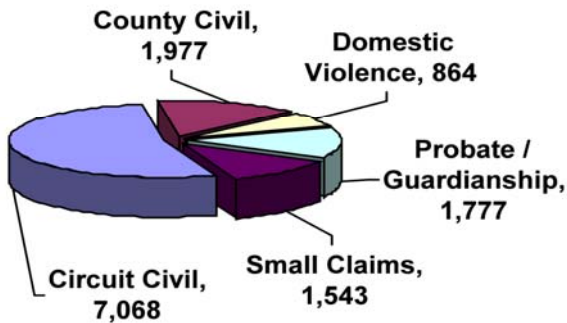
## CIVIL COURTS

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The Civil Courts Division is responsible for processing small claims, civil actions, probate, guardianship, and mental health cases. Due to the diversity of cases, the Clerk's staff must be familiar with various types of actions and trial procedures.

Circuit civil cases involve monetary damages of at least \$15,000. In county civil cases, monetary damages must be at least \$5,000 but less than \$15,000.

### Civil Cases Files 2009



Small Claims Court involves damages less than \$5,000. A person may file a case without representation by an attorney. The Clerk's staff provides the necessary forms and explains the process, but they cannot, pursuant to Florida Law, provide legal advice.

Electronic imaging is utilized for storage and retrieval of circuit civil case documents filed from 1990 to date. Documents are scanned and are accessible to the public and staff via computer terminals. The system minimizes handling of hard copy case files, thus reducing possible misfiling of documents while improving retrieval time.

The following is a list of records available for research and public review in the Civil Division:

#### Microfilm Only:

Circuit: 1921—1982

County: 1921—1984

Small Claims: 1921-1984

Probate/Guardianship: 1921-1984

#### Microfilm and Computer Research:

Circuit: 1983—present

County: 1984—present

Small Claims: 1984—present

Probate/Guardianship: 1984—present

#### Computer Research and Image Retrieval:

Circuit: 1990—present

County: 1998—present

Small Claims: 1998—present

Probate/Guardianship: 1998—present

A case civil tracking system utilizes bar coding to record the current location of case files and reduces the possibility of lost case files.

#### Child Support

The Federal Welfare Reform Act passed by Congress mandated that every state create a centralized child support system by October 1999. Charlotte County was a test site for this new system. The successful testing resulted in its placement statewide as required by State and Federal law. Under the new system, all support payments from Charlotte County are sent to a processing center in Tallahassee called **Florida's State Disbursement Unit (FLSDU)**. This center processes the remittances and distributes checks to the receiving families. Normal processing time is 48 hours, barring any delays in mail delivery.

The Charlotte County Clerk of Court has teamed with the State Disbursement Unit (SDU), Florida Department of Revenue, and other Florida Clerks to offer three online Child Support services through [www.myfloridacounty.com](http://www.myfloridacounty.com); the official website for local government services and information.

This service enables non-custodial parents to pay child support using a credit card. This service also enables non-custodial parents to set up an account for easy recurring payments.

Parents can type in their child support case and

social security number to obtain details on the five most recent child support payments.

A voice processing system provides callers with access to their child support account balances via touch-tone telephone.

A com-data processor, which converts electronic data to microfilm and microfiche, provides vital records protection for disaster recovery in compliance with State requirements.

Each month, over **824,165** child support payments are submitted through the SDU via mail or in person at a variety of locations throughout the state.

**There are 9,538 cases in the Child Support System for the year 2009. Payments collected totaled \$12,010,103.91.**

The Department of Revenue, as the official child support agency for the State of Florida, is authorized to assist the custodial parent in the collection of any unpaid child support by using its authority to intercept IRS funds, garnish unemployment and Worker's Compensation funds, freeze bank accounts and track payment parents who leave the state without notice. This program is committed to the goal of collecting support on behalf of the many children in our county who are unable to speak for themselves. The change equates to additional benefits for all parties involved.

**Barbara T. Scott has Chaired the Child Enforcement Committee of the Florida Association of Court Clerks and Comptroller (FACC).** This committee is responsible for overseeing child support reporting and enforcement procedures statewide to meet legislative and statutory mandates as well as automation projects in other areas of the courts. FACC has also appointed her to the Clerk of Courts/Department of Revenue Task Force, a statewide effort to improve the processing of child support payments.

The committee is responsible for the oversight of the statewide computer system, which is operational 24 hours, 7 days a week. The system provides uniform collection, disbursement and reporting procedures, as well as a means of identifying/

reporting non-custodial parents who are delinquent in making court-ordered child support payments. Collection and disbursement data is transmitted electronically to the Florida Department of Revenue on a daily basis.

In addition, Barbara T. Scott was appointed to the Clerk's Advocacy Committee and is a member of the Judicial & Court Services Subcommittee of the National Child Support Enforcement Association (NCSEA). The Committee was created to provide a way for Clerks across the nation to propose policies, legislative initiatives, and assist in establishing educational courses.

### Domestic Violence

Incidences of domestic violence have been on the rise. The staff assists victims of abuse in filing for an Injunction for Protection and provides privacy to petitioners. **In 2009 there were 864 domestic violence cases filed.**

An informational brochure is provided to law enforcement officers for distribution on domestic violence calls. The brochure provides the victim with information on how to file an Injunction for Protection and outlines documents that the individuals need to bring with them to the Clerk's Office. This information is also available on the Clerk's web site at [www.co.charlotte.fl.us](http://www.co.charlotte.fl.us).

### Foreclosure

Foreclosure is the proceeding by a creditor to regain property or other collateral following a default on mortgage payments. The Clerk's office is involved in the foreclosure process at the beginning stages with case initiation to conclusion in certifying a new title. In 2009, Charlotte County was the first county in the state of Florida to offer both online sales for tax deeds and foreclosure. Having foreclosure sales online offers greater access to the public and has improved the efficiency of the Clerk's office in processing sales and titles. In 2009, there were **4,550** foreclosure cases filed and **2,792** cases set for sale online.

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## CIVIL COURTS

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### Jury Services

Prospective jurors are selected at random from the drivers license list issued by the Department of Highway Safety and Motor Vehicles. The Jury Management staff issues juror summonses 14 days in advance of scheduled trials. **There were 65 jury trials held in 2009 and 2,212 jurors reported for duty.**

Jurors are instructed to call a recorded message for instructions prior to reporting. This message is updated daily and assures that jurors do not report unnecessarily. The Jury Reporting Schedule and Excusal Forms are also available on the Clerk's website at [www.co.charlotte.fl.us](http://www.co.charlotte.fl.us) This procedure has consistently resulted in savings to the County as well as eliminating unnecessary inconvenience for the juror.

The Clerk recognizes the importance of the juror to our country's judicial system. Every effort is made to assure that each juror has a positive experience.



The jury staff conducts orientation and answers jurors' questions. A video is shown as part of the orientation process to better prepare each juror for service. While waiting to be called to the courtroom, jurors have access to a large screen television with VCR, in addition to books and magazines. Telephones are also provided for jurors to stay in touch with their families while they are waiting to be called; and a computer hookup for a laptop to assist those who have been taken away from their busy work schedules is available for use.

A debriefing program is offered to jurors who serve on traumatic murder or abuse cases. Professional counselors lead group discussions and are available on an individual follow-up basis, as needed.

The Charlotte County jury system is recognized statewide for its dedication to service, not only to the courts, but also to the individual juror and citizen.

### Probate / Guardianship

The Probate/Guardianship section processes all probate, guardianship, and mental health (Baker Act and Marchman Act) cases. **There were 1,777 cases filed in 2009.**

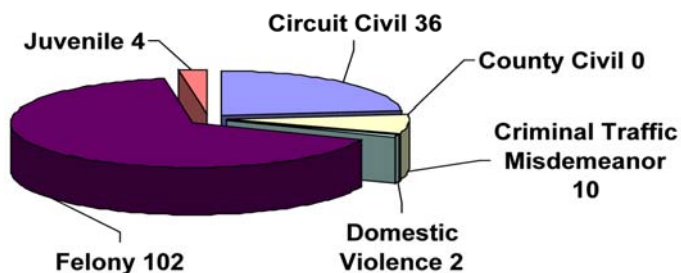
The Clerk is responsible for auditing all guardianship cases. This requires close scrutiny of all reports filed by the guardian of an incapacitated citizen. This is an essential element for safeguarding the individual, as well as their property and assets.

### Appeals

Appeals are cases presented to a higher court to review the decision rendered by a lower court.

For example, a county court case would be appealed to the circuit court, and circuit court decisions are appealed to the district court.

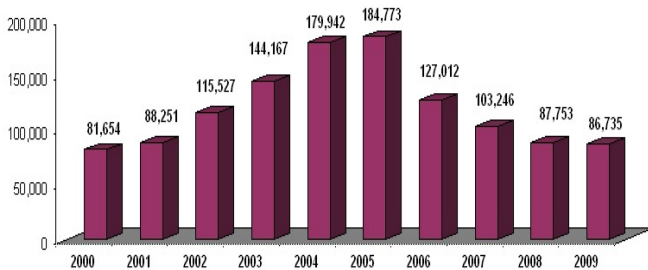
### Appeal Cases Filed 2009 - 154



As County Recorder, the Clerk records and maintains the Official Records for Charlotte County in accordance with Florida Statutes. Official records includes deeds, mortgages, judgments, military discharges, domiciles and other authorized documents. Once recorded, a document remains a permanent record.

Access to the County's Official Records is available to the public via the Internet. Presently, there are over **7.1 million** images of recorded documents dating back to January 1, 1977 available for the public to view. However, if copies of a document are needed, a person must contact the Clerk's Office. There is a statutory fee to make copies. Please visit the Official Records web side at [www.co.charlotte.fl.us](http://www.co.charlotte.fl.us).

Total Recorded Documents



**There were 86,735 documents recorded in 2009.**

This Division issues marriage licenses and performs the marriage ceremony, if requested. **There were 967 licenses processed during 2009, with 213 ceremonies performed** by the Clerk's Office.

Passport applications are forwarded to the U.S. Passport Agency in Miami for processing. **There were 4,365 applications forwarded in 2009.**

Tax deed applications are processed and sales of real property are auctioned for non-payment of property taxes. All sales are held at the Justice Center in Punta Gorda and advertised weekly in the local newspaper. **There were 2,097 tax deed applications processed during 2009.**

## Annex Services

The Annex office in Murdock brings "service to the people" by offering convenience to residents in different parts of the County. Most services available at the Charlotte County Justice Center office are also available at the annex office.

Documents are accepted for court filing or recording into the Official Record. Traffic fines are also accepted at the annex office. Official Records are available for viewing at the annex on the computer database, microfiche, and microfilm.

Marriage licenses are issued at the annex and ceremonies are performed upon request. Passport applications are also accepted for processing.



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## RECORDS CENTER / MICROFILM

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The Records Center and the Microfilm Department are a dual purpose office which compliments the mission of each. Microfilming is accomplished for the express purpose of eliminating the hard copy files, and the Records Center maintains the hard copy files until the files are filmed, imaged, scanned or have met their retention periods for disposal in accordance with rules promulgated by the Florida Department of State, State Library and Archives of Florida and the Florida Rules of Judicial Administration. The Records Center stores files for County Human Resources, County Training and Development, County Risk Management department, Permitting, Environmental Services, and all Court files.

The Microfilm Department converts hard copy files and records to 16mm and 35mm film and certain images on CD to reduce storage requirements and improve accessibility. Court records and public records are filmed in accordance with applicable laws and statutes. A total of **890,304** pages were filmed and/or processed during the calendar year 2009. Part of this was due to the conversion of the electronic images of the recorded Official Records for the county by use of a Computer Output to Microfilm (COM) system that is used to convert electronic data to microfilm thereby reducing hard copy printing/storage requirements. The system also provides disaster recovery of vital records in accordance with State requirements.

Daily microfilm processing of official records, as well as the transfer of computer output, has been fully automated utilizing the COM system.

The Clerk's Office has been entrusted with the responsibility of housing, storing and processing all of the records of the Community Development Department, specifically the Building Construction Services, Permitting Division. The Clerk's Office designed an imaging and microfilming system to meet Florida Law requirements to process, retrieve, and maintain the documents in permanent record format.



During the year 2009, **1,390** boxes were sent to the Records Center for storage. The Records Center staff also received **626** requests from the Community Development staff to retrieve plans or permit packages from storage for a total of **1,087** permit packages retrieved. The significance of these requests is that the Records Center staff, in addition to pulling and sending the requested documents, had to fully process the permit packages by indexing, scanning and verifying the packets before they left the Records Center. This is in addition to the Community Development staff searching for and printing what they needed from the permits that have already been scanned and are available from the Clerk's on-line website.



The Records Center staff also receives hundreds of requests throughout the year for access to records already in storage.

In addition to these duties, they scanned **25,920** pages of building plans along with their respective permits. They also scanned **90** new Plat pages and **4** new Condo pages that may be viewed on the Clerk's web site.

This process, initiated in 1999, ensures that all documents are properly accounted for and can be retrieved on-line.

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## RECORDS CENTER / MICROFILM

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During the year 2009, **6,711** permit packages were imaged totaling **292,785** pages processed, making a total of **3,210,059** pages processed since inception.

This project continues to be successful in the creation and maintenance of a central imaging database containing building plans and permits. The program was originally designed to provide the Community Development Department with immediate access to these images from their desktops and has been utilized by their permitting section when possible, as well as other departments throughout the County offices.



During 2009 the Records Center personnel continued the task of preserving the originals of the old Plats and Condominiums documents which are held by the Clerk after recording into the Official Records. The oldest plats (dating back to 1888) were drawn on linen sheets which was the method of choice by the early plat drafters.

This year, the remaining **2,260** pages of Plats and Condos that needed repair were completed making a total of **3,566** pages that are now repaired/preserved. This project was essential to preserve the plates from deterioration due to the age of the documents and the constant need for making copies.

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## FINANCE

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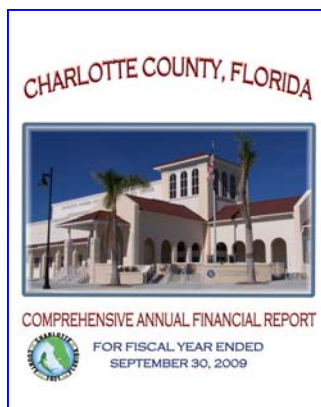
Florida Statutes establish the Clerk of the Circuit Court as ex-officio Clerk to the Board of County Commissioners (B.O.C.C.), custodian of all county funds, and accountant to the Board. Therefore, records are maintained in sufficient detail to determine that resources are expended for the purpose for which they were collected.

Responsibilities include cash management and investments; disbursement of funds; tracking personal services and construction contracts; payroll processing; invoicing and collecting life/health insurance premiums; accounting for revenues; maintaining detailed records for impact fees and numerous special assessments.

To assure proper internal control and financial reporting, professional accountants staff the Finance Division with the Chief Deputy holding certifications in public accounting and government finance.

The Finance Division pre-audits all expenditures prior to any disbursement of funds. This review provides assurance that there is sufficient documentation to support the expenditure and that the expenditure is reasonable and serves a legitimate public purpose.

Many governmental entities rely upon their external auditors for preparation of their Comprehensive Annual Financial Report (CAFR). In Charlotte County, the Clerk's Office prepares the entire document in-house and is solely responsible for its content.



Our CAFR has received the Government Finance Officers Association (GFOA) *Certificate of Achievement for Excellence in Financial Reporting* for the last twenty-three consecutive fiscal years. This award is the highest form of recognition in the area of financial reporting.

Financial statements, reports, and records must be prepared in accordance with legal requirements and generally accepted accounting principles and directives from the Governmental Accounting Standards Board.

In order to meet these requirements in an accurate and efficient manner, great care has been taken to establish an organization of functional areas within the Finance Division, each supervised by a professional accountant.

**Payroll** produces a biweekly payroll for both the Board of County Commissioners, including the Supervisor of Elections, which employs over **1,176** people, and the Clerk of the Circuit Court with **123** employees. Employees have their pay electronically deposited directly into an account of their choice.

**The Board Revenue/Accounts Payable section**, in addition to tracking B.O.C.C. revenues including Federal and State grants, billings for services, and local and state revenues; are also responsible for vendor payments, travel reimbursements, contracts for personal and professional services, materials & supplies, and asset acquisition & construction.

In 2009, the Clerk's Finance division implemented a new scanning process where all accounts payable invoices and general ledger entries can be viewed on-line by both the Clerk and B.O.C.C. offices.

**The Clerk's Accounting section** is not only responsible for all Clerk revenues and similar expenditures, but also for the disbursement of funds held in trust by the Clerk of the Circuit Court including tax deeds, cash appearance bonds and distribution of fines & forfeitures in accordance with applicable law.

**The Propriety Fund Accounting section** is responsible for processing payments, recording transactions and financial reporting for Enterprise Funds. These funds consist of County owned utilities (*including Charlotte County Utilities, various water and sewer districts, landfill, and a sanitation district*) and Internal Service Funds for vehicle maintenance, casualty, fleet, workers compensation and general liability self-insurance, and health and disability insurance.

**Cash Management** consists of cash flow analysis, bank account reconciliation and investments. As custodian of all County funds, responsibility for the investment of these funds rests with the Clerk of the Circuit Court.

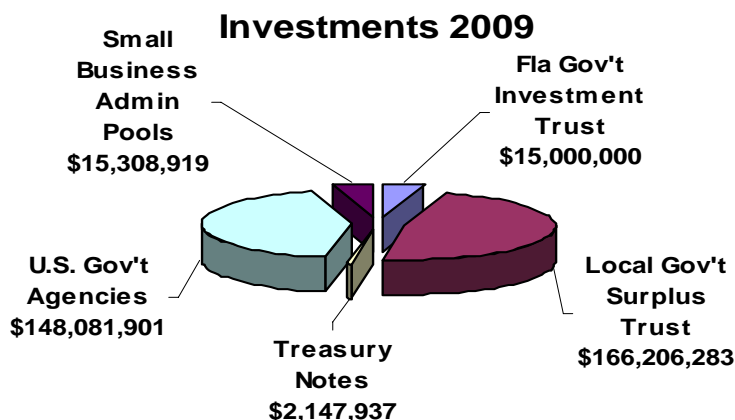
The Chief Deputy, Board Services, monitors investment opportunities that provide security and adequate liquidity to meet cash flow requirements, coupled with an attractive yield. All appropriate funds are invested and earn interest from the date of deposit.

The investment of County funds is based on the guidelines of a Board-adopted investment ordinance and an investment policy approved by the Clerk in accordance with applicable Florida Statutes. An investment controls and procedures manual governs the day-to-day investment activity. The investment program includes overnight deposits as well as funds invested for longer periods. Funds are currently invested in a multi-tier program. Daily deposits, overnight funds and float monies are invested through an interest bearing vehicle. The County invests short-term funds through the Florida State Local Government Surplus Funds Trust Fund (LGSFTF) administered by the Florida State Board of Administration (SBA), short-term U.S. Government obligations, and U.S. Government agency obligations.

Longer term funds are invested through the Florida Local Government Investment Trust (FLGIT) administered by the Florida Association of Court Clerks and Comptroller Service Corporation, direct

obligations of the U.S. Government or U.S. Government agencies obligations.

The primary investment tools used during 2009 were the LGSFTF and federal agencies obligations. The investments of the LGSFTF are backed by securities held by the fund and the State of Florida General Fund.



At September 30, 2009 the investment portfolio ranged from a high of 60% in the U.S. Government Agencies to a low of .01% in Commercial Paper.

**Earnings on investments in 2009 exceeded \$8 million** with interest rates ranging from a low of .25% in the Florida Local Investment Trust, and a high of 5.57% in the Small Business Administration Pools.

**Earnings on investments managed by the Clerk since taking office have exceeded \$200 million.**



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## COMMISSION MINUTES

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The Commission Minutes Division fulfills the Clerk's constitutional responsibility as ex-officio Clerk to the Board of County Commissioners.

A member of the staff attends all regular meetings, workshops, public hearings, and special meetings. During each meeting, the staff member types preliminary minutes on a web-based site and records the meeting on audiocassettes. Staff ensures that all motions are called and the votes are accurately recorded. The minutes are a summary of each meeting with emphasis on reporting essential information in a concise manner.

The original cassette tapes are forwarded to a climate-controlled, permanent underground storage facility and a duplicate set is maintained for two years in Commission Minutes. Members of the public and County staff may listen to the tapes and obtain copies.

Regular meetings are held on the second, third, and fourth Tuesdays of each month and last from three to eight hours. Land Use Public Hearings are held on the third Tuesday of each month as part of the regular meeting. Minutes are finalized and submitted to the County Administrator's Office for inclusion in the agenda packet and approval by the Board of County Commissioners during regular meetings. After approval, Commission Minutes staff publish the minutes to the Charlotte County website for viewing in conjunction with the video stream, agenda, and supporting documentation.



Staff also provide records maintenance and support for Value Adjustment Board (VAB) meetings and appeal hearings before special magistrates, appointed by the VAB, regarding Real and Personal Property Tax Assessments, Homestead and Ad Valorem Tax Exemptions, and Agricultural Classifications. At the request of the Department of Revenue (DOR), staff prepare and submit records of VAB appeal proceedings for determination of probable cause based on assertions filed by the Property Appraiser. If DOR determines probable cause exists, the Property Appraiser may file a Complaint for Injunctive Relief in Circuit Court.

In addition to daily functions, in-depth research is performed on numerous topics and issues as requested by the Clerk, Board Members, County Departments, and the public. Commission Minutes staff utilize a computer network that allows each workstation and public access from the Clerk's website to search centralized database of indexes of documents approved by the Board including resolutions, ordinances, agreements, grants, bids, proclamations, meeting folders, and miscellaneous files from 1921. **Documents approved by the Board from 1921 up to 2000 are available on microfilm and documents from 2000 to the present have been scanned and are accessible in Commission Minutes.** The search engine allows staff to efficiently fulfill requests that in the past required lengthy inspection of cumbersome index books.

Innovative strategies concerning research projects, scanning, and web-based minutes are bringing the Commission Minutes Division into a new age of information sharing.

The Internal Audit Division is staffed by accounting professionals experienced in public accounting, internal auditing, and information systems auditing.

This Division monitors the operations of the Board of County Commissioners and the Clerk's Office. Accountability is assured through a comprehensive audit plan.

The primary purpose of the Division is to conduct internal post audits to render independent analysis and appraisal of the Board and Clerk's Office operations.

The staff of this Division assists the County's external auditors during the annual audit of the County's financial statements. The external auditors also receive a benefit from the internal audit reports issued during the fiscal year as a planning tool for their audit of all County departments and agencies.

The Division also acts as the enforcement arm for the administration and collection of the Tourist Development Tax. During the past year audits were performed and desk audit procedures were used, accounting for various assessments resulting in net additional taxes. **For the 2009 fiscal year, \$2,051,425 total was collected in Tourist Development Tax locally.**

The internal audit projects during this reporting period and audit procedures performed included: Article V Reporting Process; County Inventory Reconciliations; Reconciliation Capital Improvement Budget Construction of Jail Expansion Project; Cash Handling Civil Courts Division; Charlotte County Utilities Cost of Construction Pirate Harbor Wastewater MSBU; and Purchasing Supplies Contracts.

During the year, 295 Guardianship case files were audited and the results of those procedures were communicated to the appropriate court in compliance with the Florida Statutes. We also provided Internal Control and Grant Accountability seminars during the year.



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## COURT AUTOMATED SYSTEMS

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The **Court Automation System (CAS)** provides application development and technical computer support for the Offices of the Clerk (Criminal, Traffic, Civil Courts and Official Records), and the CAS network linking the Clerk's Offices to the offices of the Sheriff, State Attorney, Public Defender, Court Administrator, Judiciary and Probation.

The CAS Division is responsible for development and maintenance of applications, production and operations, user support & training, hardware & software, and for network operations, maintenance & security among the agencies as they tie into the CAS network.

### **Major systems and applications are:**

#### **Criminal Justice Information System (CJIS)**

- CJIS ties together the modules for processing and maintaining information for the criminal courts, criminal justice agencies and law enforcement agencies. CJIS includes automated modules for First Appearance/Intake Packages, Detective Lineups, Court Document Imaging, Calendaring, Court Investigations, Court Processing, Payment Processing, and State Reporting for Criminal and for Civil Traffic cases, as well as interfaces between CJIS and the Jail's arrest and in-custody data.

#### **Circuit Civil System (Civil)**

- Civil handles civil case processing and imaging, the state-wide application for Family Support tracking, Domestic Violence cases and the Jury system.

#### **Official Records System**

- Official Records system consists of images and indexes for deeds, mortgages, judgments and other important documents.

#### **CAS Network**

- CAS Network is the logical and physical linking of the Clerk systems as listed above, and encompasses the tie-ins to the court, criminal justice and law either share central resources or to provide interfaces among the separate

but interrelated subsystems. CAS maintains thirty network servers processing and storing six terabytes of data and images.

#### **Internet Web Page**

- [www.co.charlotte.fl.us](http://www.co.charlotte.fl.us) hosts general information about Clerk functions, and links to the websites of the BCC and other elected officials. It is the portal to the online access of Official Records, Tax Deeds, and Court case information. The general public can view Official Records, and an individual can look up his or her pending Criminal or Traffic case. Criminal Justice Agencies and subscribers can access all court records as allowed by law.

#### **Microfilm**

Microfilm is supported by CAS, an imaging process of converting electronic images to film for permanent record retention.

At the heart of the CAS network is a centralized relational database and a central repository of images developed to meet the requirements of the agencies involved in law enforcement and judicial processes. The central system uses highly rationalized data structures and imaging to eliminate redundant processing and storage, reduce the demands of paper records management and to increase the speed and accuracy in the exchange of information among the agencies.

#### **Major accomplishments in the CAS division in 2009:**

##### **Criminal Division:**

- Continue to convert tables in our Criminal & Traffic divisions to Microsoft's SQL data structure, which will allow us to develop into newer technology to create new applications and upgrade current applications.

##### **CAS Network:**

- Produced reports for outside agencies such as Court Administration Judicial and the County Board.

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## COURT AUTOMATED SYSTEMS

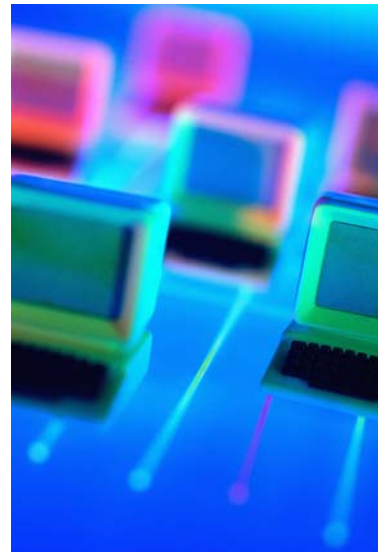
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- Provided web services to Court Admin for data collection.
- Enhanced our User Management System to control the security for accessing all the Clerk's application, web and client.
- Further enhancement to the Automated Court application to allow the judges a paperless view of all defendant's documents from a laptop on the bench, along with a web portal to view real time information from the Clerk's Criminal, Traffic, and Juvenile applications.
- Created a web service for Court Admin to upload their data into their JAC System.
- Installed a new Scanning application at the CCSO for document imaging of First Appearance.
- Installed a Web Server, Support Server, and Database Server for benchmark's court system implementation this year.
- Installed Windows XP and .net-framework on the Criminal workstations for implementation of Benchmark's court system.
- Upgrades Realauktion's internet auction for Tax Deeds and Foreclosure sales.
- Completed State mandated legislated changes by updating and adding new fines and fees for the State's Fiscal Year 2009.
- Completed the 2010 SRS new codes, fee schedule, and additional reports.

### Goals for CAS in 2010

#### CAS Network

- Installation of Pioneer technologies court system.
- Continue to implement new State mandated legislated changes as needed.
- Continue to produce reports for outside agencies such as Court Administration, Judicial, and the County Board.
- Installation of a new Storage Area Network and further hardware/software upgrades to the Criminal and Civil Divisions.
- Install Microsoft SQL 2005 for our Court System.
- Further Outlook email upgrades form 2003 to 2007 for all departments.
- Create web services to interface with Probation for assessments.



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## CLERK'S INFORMATION TECHNOLOGY

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The **Clerk Information Technology** Division (**CIT**) provides the computer based technical initiatives and systems for the Clerk in her capacity as Chief Financial Officer, County Auditor and ex-officio Clerk for the Board of County Commissioners.

CIT is responsible for development and maintenance of applications, production and operations, user support and training, hardware and software, and for network operations, maintenance and security for the Finance, Internal Audit, Commission Minutes and Administration Divisions.

### Major systems and applications in CIT:

#### Eden Financials, Human Resource, and Payroll System:

- Eden Financial System - A Windows 2000 SQL Server database containing an integrated financial system for both the Board of County Commissioners and the Clerk of the Circuit Court.

The current implemented modules include accounts payable, fixed assets, general ledger, project accounting, accounts receivable, purchasing and receiving.

- Eden Payroll/Human Resources System - A Windows 2000 SQL Server database containing an integrated Payroll/Human Resources system. The application is also integrated with the financial system for maximum interdepartmental efficiency. CIT manages the payroll system for the Board of County Commissioners and the Supervisor of Elections as well as for the Clerk.

#### Minutes:

- Commission minutes are processed by the Minutes Division using Microsoft Office 2003 scanning, storage, and text search retrieval systems. Including Granicus Minutes Maker and Mobile Encoder.

### Major accomplishments in the CIT Division in 2009

#### Finance:

- Upgraded Eden Financials to version 4.4.1.
- Created document images of all finance reports from 2000 to 2004.

#### Minutes:

- Upgraded Granicus Minutes Maker and Mobile Encoder.
- Upgraded Media Vault, which provides storage and backup of the Clerk's Minutes and controls video for editing of minutes.

#### General Services:

- Implemented Eden's Requisitions System; this system allows for the automation of purchasing procedures, linking purchasing to vendor and accounts payable processes.

### Goals for the CIT Division for 2010

#### Finance:

- Upgrade Eden Application Servers.
- Upgrade Eden database to Microsoft SQL 2005.
- Implement Eden 5.3 system upgrade.
- Upgrade client pc's to .net-framework.
- Scheduling review of outstanding issues and review of installed references for GASB34 Module in order to produce County Wide Financial Statements.

- Implementation of e-Pay, a Bank of America Payables system.
- Implement Works, a Bank of America Credit Card Purchase system, to interface with Eden Accounts Payable and General Ledger modules.

### County Wide:

- Upgrades to client workstations to .net-Framework.
- Achieve Legacy Financial Data from People-Soft.



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## EMPLOYEE RELATIONS

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The Clerk, as an elected County Official and Constitutional Officer, must appoint deputies and employ a staff to carry out the duties of the office.

The Employee Relations Division is responsible for all aspects of human resource management for this office.

### Policy Development/Interpretation

New Legislation and trends in human resource management are monitored and policies are updated accordingly. Each employee receives a personal copy of the Employee Handbook containing personnel policy and all updates and revisions. The Employee Handbook was last revised December 2008 and copies of the revisions were distributed to all employees for inclusion in their handbook.

### Equal Opportunity/Labor Law Compliance

All personnel actions and policies are reviewed for compliance with equal employment opportunity laws as well as the Americans with Disabilities Act, Family and Medical Leave Act, Fair Labor Standards Act, and all other State and Federal employment laws/regulations prior to implementation.

Updates were made to FMLA, Service Member Family Leave, and the Florida Minimum Wage as a result of legislative changes enacted in 2008 and implemented and/or enhanced in 2009.

### Classification and Pay

All classification and pay actions are reviewed for consistency and equity as well as maintaining appropriate records. Position descriptions and job task analyses are prepared prior to initiating recruitment for positions. Salary surveys are conducted to assure that salaries will attract and retain qualified employees.

### Staffing and Recruitment

The Employee Relations Manager, as approved by the division director, prepares and coordinates job position announcements, advertising, interviews,

and all recruitment activities.

Once a candidate has been selected, background and reference checks are conducted as a part of the new hire process. New employees are provided with an orientation to familiarize them with the functions of the Clerk's Office, as well as benefits and personnel policies.

### Employee Relations

Communication and progressive employee relations programs are the foundation of the Clerk's personnel management philosophy.

The annual awards program recognizes outstanding performance, customer service, peer relations and dedication to service. Employees as well as management participate in the nominations.

Conversely, the Chief Deputy of Courts, Records and Administrative Services assists the Clerk and management staff with performance concerns to identify appropriate constructive measures including counseling, additional training and formal disciplinary action, when necessary.

Employees are evaluated at their 180-day introductory period and annually as a part of the Clerk's annual review program. This program supplements the Clerk's succession planning and training goals.

### Training

In 2009, due to budget shortfalls, no additional funding was budgeted or spent on new training resources. Rather, we managed with the resources already in place and/or created in-house resource material for employees to refer to.

Additionally, in order to meet our daily obligations, the Clerk's office implemented a volunteer student internship program, as well as advanced cross training throughout many divisions in order to meet our statutory requirements.



The Clerk's resource library includes DVD training tapes to facilitate in-house training in the areas of customer service, employee development, stress management, supervision, word processing and spreadsheet skills. These DVD's are used at our in-house training kiosks, which are a long-term cost saving tool previously implemented by the Clerk. Additional resource material is available through the Florida Association of Court Clerk and Comptrollers.

As a cost saving measure, the Clerk suspended the tuition reimbursement, COLA, Merit, Longevity, and the Attendance Incentive programs offered to employees.

An ***Administrative Guidebook*** is also distributed to each member of management to serve as a reference in supervising employees and administering policy.

### **Safety/Workers' Compensation**

Employee safety activities are implemented as well as the necessary procedures and forms regarding compliance.

The Clerk has also established a Safety Committee which is comprised of employees from different divisions who meet quarterly to review safety issues. In addition, walk-through inspections are conducted in each of the work areas on an annual basis. The members of this group help identify potential safety hazards in a proactive attempt to avoid any safety issues or concerns.

### **Summary for the Year 2009**

In addition to managing all recruitment activities, employee personnel records, workers' compensation and benefits administration, the Employee Relations Division manages the Clerk's Employee Performance Program.

In 2009, the focus remained on enhancing our Employee Development and Performance Measurement programs.

- The Performance Measurement Program was utilized by all supervisory staff. Log events and goal setting measures were put into practice and have proven to be a useful tool for the management staff and also in helping us meet proper documentation standards.
- The Employee Relations Department continued the development and implementation of training manuals regarding all Clerk functional duties within each division. These manuals continue to be an instrumental tool for the new hire orientation and employee retention process.
- The Clerk's office continues to be paperless regarding paycheck processing. As a result, full utilization of our Web Extensions/Employee On-Line Services Center is required. This web based application has proven to be a useful tool allowing employees the ability to view their personnel and payroll records in "real-time", in addition to savings in payroll processing.
- The Employee Relations Intranet site was also updated to include additional forms and resource materials. Increased use of the intranet has proven to be a valuable cost saving tool, since employees can view information that was once printed for posting.

### **2010 Projects**

In the year 2010, we will continue to focus on the areas of employee performance, cross training, and the continued implementation of automated data entry processes within the court room; and web based applications will help the Clerk reduce labor costs in keeping with her fiscal responsibilities.

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## SUMMARY OVERVIEW

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Provisions of the Florida Constitution, which have governed the people for over 150 years, established the Clerk of the Circuit Court as an elected public trustee and set in place, at the county level, a system of checks and balances which has been proven to serve the public well.

In 2009, the Government Finance Officers Association (GFOA), for the twenty-third consecutive year, awarded the Comprehensive Annual Financial Report with the coveted Certificate of Achievement for Excellence in Financial Reporting to the Charlotte County, Clerk of the Circuit Court's office.

There is full service at two (2) locations. The Charlotte County Justice Center, located in Punta Gorda, is the headquarters of the Official Records Department. An annex office in Murdock brings full service to the people by offering convenience to residents in different parts of the County.

The annex office in Murdock located at 18500 Murdock Circle provides the public with easy access to many of the services including issuance of marriage licenses, acceptance of passport applications, traffic citation payments, and filing of court papers.

Due to budget shortfalls at both the local and state levels as a result of the economic slowdown, the Clerk was forced to close her Englewood annex office on June 30, 2009.

Based on this, the Murdock annex office has continued to see an increase in the use of these services. This branch office has also proven to be an asset to the citizens in providing them with timely handling of the recording of official documents as well as immediate access to public records.

As a public trustee, Barbara T. Scott, Charlotte County's Clerk of the Circuit Court and County Comptroller, has developed a statewide reputation as an advocate for the use of advanced technology in local government.

The office has successfully used technology to offer efficient, quality service to a growing community and to meet ever-increasing legal requirements.

Local Area Networks (LANs) and a Wide Area Network (WAN) allow employees to share databases and reduce duplication of efforts as well as assure accuracy of records. Important to achieving the vision of a fully integrated "paperless court system" is the Court Automated System (CAS) network that links the various criminal justice agencies.

Optical imaging technology is another important element in sustaining our level of service. The benefits of this technology are reduced space costs and faster retrieval time.

In Civil and Criminal Courts, imaging is used for storage and retrieval of case documents. Electronic access to files by staff and the public reduces handling of hard copy files as well as the potential for misfiling while increasing availability.

In 2006, Florida Statutes 119.07(3) (ee) and s. 119.072 required all Clerk of the Circuit Court and County Recorder offices to redact/exempt from public viewing; bank account, debit, charge, credit card, and social security numbers.

The redaction program helps keep personal and confidential information exempt from public records searches and out of public view. This is a vital tool in helping to stop identity theft.

The Charlotte County Clerk of the Circuit Court's office was one of the first offices in Florida to implement a redaction program which exempts this information from public viewing, but does not destroy the information from the original document through the process of OCR (Optical Character Recognition) technology. OCR is a recognition engine used with imaging software that captures full alphanumeric recognition of printed or handwritten characters at electronic speed using optical scanners, which helps to identify this information more quickly for further processing. Since the program's inception in 2006, we completed the redaction of existing images dating back to 1991 on January 1, 2008, and have been redacting new documents since the inception date.

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## SUMMARY OVERVIEW

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In 2009, the Clerk's office introduced additional on-line forms and processing procedures to further assist both local and out-of-area customers.

Services such as e-Recording were introduced in our Official Records and Civil Court Services divisions.

The electors of the State of Florida voted to amend Article V of the State Constitution which provides for the operation and funding of the Judicial System. The implementation of this amendment was successfully accomplished and changed the funding formula, shifting the cost of the court system from the local level to the state level. Court programs can now be local in nature meeting the needs of the particular county.

As a result of legislative budgetary actions imposed on all Clerk offices in 2009, the Charlotte County Clerk's office had to reduce its staffing by 17% by laying off employees, affecting all court services divisions. While this change required this office to do more with less, this office is very committed to providing quality service.

The welfare of children is also very important. The timely collection and disbursement of child support funds resulted in over \$12 million being distributed in Charlotte County in the year 2009.

The Office of the Clerk of the Circuit Court, in addition to providing a secure place for domestic violence petitioners, also provides a safe haven for the petitioners' children.

In a study conducted by the Joint Select Committee on Judicial Personnel of the Legislature, it was calculated that the Clerk's Office performs approximately 926 different constitutional and statutory functions or duties.

With the magnitude of the impact those duties have on the people's rights and property, it is essential that the Clerk be accountable for her actions.

Therefore, the constitution and statutes decree that the Clerk be governed by statutory authority in carrying out the duties and functions of the office.

- ◆ As auditor and custodian of all county funds, the Clerk is subject to State Auditor General Rules and Regulations.
- ◆ The Clerk is also subject to annual audits by an independent audit firm.

Most importantly, since the Clerk's duties and actions are constantly subjected to public evaluation and scrutiny through the election process every four (4) years, accountability is further assured.

### **Investment of County funds yielded over \$8 million in 2009**

Audit and enforcement efforts, by the Internal Audit Division, for the Local Option Tourist Development Tax have been very successful resulting in increased awareness of the remittance requirements by the industry and various assessments resulting in net additional taxes.

Barbara T. Scott is community service oriented and encourages her staff to be, as well. Each year, during the holiday season Barbara T. Scott, Clerk of the Circuit Court and her employees give generously to multiple programs that help those in need within our local community.

The information contained in this report is provided as a public service by the Office of Barbara T. Scott, Charlotte County's Clerk of the Circuit Court.



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## STATISTICS

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### **Criminal Courts Division**

Felony.....	2,010
Juvenile and Dependency Cases.....	954
Criminal Traffic Cases.....	2,531
Misdemeanor Cases .....	2,248
Civil Traffic Cases.....	21,369

### **Civil Courts Division**

Circuit Civil Cases.....	7,068
County Civil Cases.....	1,977
Small Claims Cases .....	1,543
Probate / Guardianship Cases .....	1,777
Simplified Dissolution of Marriage.....	64
Domestic Violence Petitions .....	864
Child Support Cases .....	9,538
Appeals.....	154
Baker Acts.....	579
Foreclosures (County & Circuit).....	4,550
Tenant Evictions.....	670

### **Jury Services**

Jury Trial Requests .....	97
Jury Trials .....	65
Jurors Summoned.....	28,700
Jurors Available .....	17,564
Jurors Reported .....	2,212

### **Records Services**

Official Records.....	86,735
Tax Deeds.....	2,097
Marriage Licenses .....	967
Marriage Ceremonies .....	213
Passport Applications .....	4,365

**Microfilm Department**

Pages Microfilmed, Plats & Condos Added .....	94
Pages Microfilmed, Courts .....	28,704
Pages Microfilmed, Commission Minutes.....	121,843
Pages Microfilmed, Official Records.....	418,558
Pages Microfilmed, Tax Deeds .....	0
Pages Microfilmed, Outside Work.....	2,400
Total Pages Microfilmed .....	571,599

**Finance**

Total General Fund Revenues .....	<u>\$8,800, 805</u>
Expenditures	
Financial/Administrative .....	\$2,734,987
Commission Minutes.....	\$238,365
Judicial .....	\$3,456,679
Other Government Services.....	\$1,240,979
Debt Service .....	0
Interfund Transfers / C.O.C.C. Return of Fees. ....	<u>\$1,129,795</u>
Total Expenditures .....	<u>\$8,800, 805</u>

**Commission Minutes**

Regular Commission Meetings .....	23
Other Meetings .....	676
Ordinances and Amendments Filed .....	45
Resolutions and Amendments Filed .....	284
Agreements and Amendments Filed .....	86
Grants & Amendments Filed .....	93
Bids, Change Orders & Addenda.....	573
VAB Petitions.....	908
Homestead & Ad Valorem Tax Exemptions.....	16
Agricultural Classifications .....	3
Tangible Personal Property Tax Assessments .....	16
Real Property Tax Assessments .....	873



**Created in-house by the staff of Barbara T. Scott**