



May 8, 2025

The Honorable Michelle Miller  
Clerk of Circuit Court & Comptroller  
St. Lucie County  
201 South Indian River Drive  
Fort Pierce, Florida 34950

Dear Clerk Miller,

We completed our Article V Clerk of the Circuit Court Compliance Audit in accordance with Florida Statutes. Enclosed is a copy of our final report. Please provide a response within five (5) business days.

We appreciate your advanced preparation for our audit and the courtesy extended to our team. We look forward to working with your office in the future.

Please contact Kim Holland at (850) 413-5700 or [Kim.Holland@myfloridacfo.com](mailto:Kim.Holland@myfloridacfo.com) if you have any questions.

Sincerely,

Renée Hermeling

RH/avg

Enclosure



# CHIEF FINANCIAL OFFICER STATE OF FLORIDA

Florida Department of Financial Services

## ST. LUCIE COUNTY CLERK OF THE CIRCUIT COURT COMPLIANCE AUDIT

Report No. 2025-140  
May 7, 2025

### WHY WE DID THIS AUDIT

The Florida State Constitution requires that selected salaries, costs, and expenses of the state courts system and court-related functions shall be funded from a portion of the revenues derived from statutory fines, fees, service charges, and court costs collected by the clerks of the court and from adequate and appropriate supplemental funding from state revenues as appropriated by the Legislature.<sup>1</sup>

In order to ensure compliance, the Chief Financial Officer (CFO) has contracted with the Florida Clerk of Court Operations Corporation (CCOC) to establish a process for auditing the State funded portion of court-related<sup>2</sup> expenditures of the individual Clerks pursuant to State law.<sup>3</sup> The audits are conducted by the Department of Financial Services (DFS), Bureau of Auditing, Article V Section. It is the practice of the Department to conduct these audits every three to five years.

### WHAT WE FOUND

We concluded that, overall, the sampled Clerk's office administrative and payroll expenditures generally complied with applicable State laws, funds were expended for allowable court-related costs, transactions were accurate, they were properly approved and recorded and served a public purpose. Exceptions are noted in the Observations and Recommendations section below.

### WHAT WE DID

Our audit included an examination of accounts and records, and the sampling of various court-related transactions related to administrative and payroll expenditures for County Fiscal Years (CFY) 22-23 and CFY 23-24. The following objectives have been established for the audit of court-related expenditures:

- Evaluate whether court-related expenditures were in compliance with State laws.<sup>4</sup>
- Evaluate whether court-related expenditures were properly authorized, recorded, and supported.
- Evaluate whether expenditures were within the budgeted appropriations.
- Evaluate the accuracy and completeness of expenditures reported on the Clerk of Court Expenditure and Collections Report.
- Evaluate whether the Clerk's salary and total payroll costs were within the applicable caps established by the Florida Legislature's Office of Economic and Demographic Research.
- Evaluate the Clerk's methodology for allocating payroll costs between court and non-court related functions.

<sup>1</sup>Section 14(b), Art. V, Florida Constitution.

<sup>2</sup>Court-related expenditures may be funded from county, State, or Federal sources.

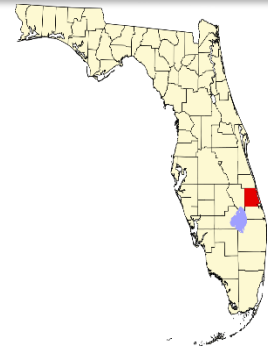
<sup>3</sup>Section 28.35(2)(e), Florida Statutes.

<sup>4</sup>Sections 28.35(3)(a), 28.37(6), and 29.008, Florida Statutes.

- Evaluate whether ten percent (10%) of all court-related fines collected are deposited into the fines and forfeiture fund and used exclusively for court-related functions.<sup>5</sup>

## ST. LUCIE COUNTY AT A GLANCE

The St. Lucie County Clerk of the Circuit Court and Comptroller serves a population of 368,628.<sup>6</sup>



**Table 1** shows the budgeted and actual expenditures for each fiscal year reviewed. Juror expenditures are not included.

**Table 1**

Year	Budgeted	Actual
CFY 22-23	\$6,804,946	\$6,804,946
CFY 23-24	\$7,192,850	\$7,192,850

Source: CCOC Budget Letter and Expenditure and Collection (EC) reports. Juror expenditures are not included.

The budgeted growth from October 2022 through September 2024 was 5.7%. The actual expenditures increased by 5.7% from October 2022 through September 2024.

**Table 2** shows the budgeted and actual full-time equivalent (FTE) positions, who charge either all or a portion of employee time to court-related duties. The budgeted number of FTEs includes vacant positions. The actual number of FTEs includes only filled positions.

**Table 2**

Year	Budgeted FTEs	Actual FTEs
CFY 22-23	98.39	81.33
CFY 23-24	95.02	86.07

## STATUS OF PRIOR AUDIT RECOMMENDATIONS

The Department performed an audit of the St. Lucie County Clerk of the Circuit Court in September 2017, Report No. 2017-17. The auditors noted the following recommendations:

1. We recommended the Clerk's office allocate as court-related expenditures only those costs authorized by section (s.) 28.35, Florida Statutes (F.S.). It was determined, based on the results of this audit, that the recommendation has been implemented.
2. We recommended the Clerk's office adhere to the salary cap as stated in s. 145.051, F.S. It was determined, based on the results of this audit, that the recommendation has been implemented.
3. We recommended the Clerk's office establish a method for sampling employees' time and effort between court-related and non-court related functions to ensure the allocation of expenditures

<sup>5</sup> Section 28.37(6), Florida Statutes.

<sup>6</sup> The Florida Legislature's Office of Economic and Demographic Research Report Salaries of Elected County Constitutional Officers and School District Officials for Fiscal Year 2024-2025, October 2024. <http://edr.state.fl.us/Content/local-government/reports/finsal24.pdf>.

reflects an accurate appropriation of State funds. It was determined, based on the results of this audit, that the recommendation has been partially implemented.

## **OBSERVATIONS AND RECOMMENDATIONS**

Overall, the Clerk's court-related expenditures were in compliance with sections 28.35(3)(a) and 29.008, F.S., and internal controls and procedures were in place for proper reporting, except for the following items:

### **Allocation Methodology**

As reported in our previous audit, the Clerk's office does not have a clear methodology for allocating expenditures between court and non-court-related functions. Without an accurate basis for allocating costs, the Clerk's office has limited assurance that the estimates used for budgeting purposes are accurate or need to be revised for the next budget cycle.

A time study at the St. Lucie West Branch was conducted in CFY 2020-2021 for 18 employees; however, the time study percentages were not used for allocating those percentages to other staff. The Clerk's office uses a percentage of court-related employees to total employees to allocate court-related payroll costs.

We recommend the Clerk's office establish a method for sampling all employees' time and effort between court-related and non-court-related functions such as the time study conducted at the West Branch. This will allow the allocation of expenditures to reflect the appropriation of State funds more accurately. The methodology should also include a basis for concluding whether the budgetary calculations are accurate.

### **Internal Controls**

#### **Payroll**

Employees pay rates should be documented and approved in their personnel file. We noted five (5) instances where employees' payroll rates in the payroll system were not consistent with the personnel action forms in the personnel files.

The Clerk's office stated that due to a sudden vacancy and the subsequent transfer of duties, some documentation procedures were not consistently followed or appropriately archived. We recommend the Clerk's office retain current and approved personnel action forms for all employees in their personnel files.



**MICHELLE R. MILLER**  
**CLERK & COMPTROLLER**  
ST. LUCIE COUNTY, FLORIDA

May 8, 2025

Florida Department of Financial Services  
Attention: Renée Hermeling  
200 East Gaines Street  
Tallahassee, FL 32399-0353

Re: St Lucie County Clerk of the Circuit Court Compliance Review, Report No. 2025-140

Dear Renée Hermeling,

We are in receipt of the Article V Compliance Review Report created by your office.

I am enclosing our response to the two recommendations included in the final report.

Please contact Mike Brockway at (772) 462-2509 or [brockwaym@stlucieclerk.gov](mailto:brockwaym@stlucieclerk.gov) if you have any questions.

Sincerely,

[Redacted Signature]

St Lucie County Clerk of the Circuit Court & Comptroller

Enclosure  
Responses

## RESPONSES FOR AUDIT RECOMMENDATIONS

Recommendation 1: We recommend the Clerk's office establish a method for sampling all employees' time and effort between court-related and non-court-related functions such as the time study conducted at the West Branch. This will allow the allocation of expenditures to reflect the appropriation of State funds more accurately. The methodology should also include a basis for concluding whether the budgetary calculations are accurate.

Response: Based on the final report and letter for Report No. 2021-80, we believed that our method of applying a time study to the St. Lucie West branch and using the ratio of direct court FTEs and direct non-court FTEs to allocate our indirect employees in Administration and Finance was acceptable. However, because you have indicated that this is no longer an acceptable allocation method, we plan to review the allocation methodology from Palm Beach County and Pasco County and conduct a similar time study following those guidelines for implementation in Fiscal Year 2026.

Recommendation 2: We recommend the Clerk's office retain current and approved personnel action forms for all employees in their personnel files.

Response: We acknowledge that some Payroll documentation procedures were not consistently followed, resulting in our team being unable to locate payroll change forms for certain employees. We have since implemented improved controls to ensure that all payroll changes are properly documented, securely stored, and easily retrievable regardless of staff transitions.