



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

September 15, 2015

The Honorable Kirk Reams
Clerk of Circuit Court and CFO
Jefferson County
1 Courthouse Circle
Monticello Florida, 32344

Dear Mr. Reams:

We completed our Article V Clerk of the Circuit Court Expenditure Compliance Review in accordance with Florida Statutes. Enclosed is a copy of our final report which includes your response to our review.

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

Please contact Mark Merry at (850) 413-3074 or mark.merry@myfloridacfo.com if you have any questions.

Sincerely,



Christina Smith

CS:sa

Enclosure



**JEFF ATWATER
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA**

Florida Department of Financial Services

**JEFFERSON COUNTY
CLERK OF THE CIRCUIT COURT
COMPLIANCE REVIEW**

**Report No. 2016-01
September 1, 2015**

SUMMARY

The Department of Financial Services has completed a review of the Jefferson County Clerk of Circuit Court's Office pursuant to Section 28.35 2(e), Florida Statutes (F.S.). It is the practice of the Department of Financial Services to conduct these reviews for each Clerk of the Circuit Court every three years.

- The Jefferson County Clerk of Circuit Court serves a population of 14,554.¹
- The review verified the Clerk's court-related expenditures were limited to those that are allowable and compliant with Sections 28.35(3), 28.37(5), 28.24(12) (d) and 29.008, F.S.

BACKGROUND

In 1998, revisions to Article V, Section 14, of the Florida Constitution, specified portions of the state courts system and court-related functions that were to be funded from State revenues derived from statutory fines, fees, service charges, and court costs collected by the Clerks of Court.

Prior to July 1, 2009, Clerks prepared budgets using a revenue-based model independent of the State appropriations process. Clerks collected fines, fees, service charges, and court costs to fund their approved budgets and remitted any excess revenues to the Department of Revenue for deposit into the Clerks of Court Trust Fund. The Florida Legislature passed Florida Laws Chapter 2009-61 and Chapter 2009-204, placing the Clerks' court-related budgets under the State appropriations process beginning July 1, 2009. The Florida Legislature appropriated the total amount for the Clerks' budgets in the General Appropriations Act (GAA).

The organization that governs the Clerks, the CCOC, is responsible for developing the budgets and certifying a uniform system of performance measures for Clerks. Under the model enacted July 1, 2009, all fines, fees, service charges, and court costs, except as otherwise provided in Sections 28.241 and 34.041, F.S., were collected by the Clerks' offices and remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund, in accordance with

¹ Office of Economic and Demographic Research report Salaries of Elected County Constitutional Officer and School District Officials for Fiscal Year 2014-15, September 2014

Section 28.37, F.S. Beginning July 2009, Section 28.245, F.S., required Clerks' collections of court-related fines, fees, service charges, and costs to be considered liabilities due to the State and were required to be remitted to the Clerks of Court Trust Fund by the 20th of the month immediately following the month in which the monies were collected. Beginning July 2010, Section 28.245, F.S., required Clerks to remit liabilities to the Clerks of Court Trust Fund by the 10th of the month immediately following the month in which the monies were collected. The Clerks were funded by the State appropriations process from July 1, 2009 through June 30, 2013.

In 2013, the Florida Legislature passed Florida Laws Chapter 2013-44, which returned the Clerks to the pre-2009 funding model and removed the Clerks from the State appropriations process. Beginning November 2013, the Clerks' remit to the State the excess of 1/12 of their budget for the previous months' collections. For those Clerks' who collect fees less than their approved budgets, the shortage, is disbursed from the State of Florida's Clerk of the Court Trust Fund. In addition, the Department of Financial Services' role was changed to providing audits of the Clerks' court-related expenditures only.

SCOPE

The Article V compliance review of the Jefferson County Clerk of the Circuit Court's Office covered SFY 12-13, July through September 2013 transition period, CFY 13-14, and CFY 14-15 through June 30, 2015 for court-related expenditures. The review was conducted as an on-site review by the Article V section within the Bureau of Auditing.

OBJECTIVES & METHODOLOGY

EXPENDITURES

The review sampled various court-related expenditure accounts and transactions to determine if the Clerk's office was in compliance with Sections 28.35(3), 28.37(2) and 28.24(12)(d) F.S. The expenditure review confirmed court-related expenditures were in compliance with these Statutes.

The Clerk provided detailed information on expenditures necessary for the performance of court-related functions using the court-related codes in the Uniform Accounting System Manual (UASM). The review confirmed the accuracy of the expenditures listed on the Clerk's General Ledger by reconciling and testing court related expenditures reported on the CCOC Clerks' Expenditures and Collections Tracking Report for each fiscal year.

The table below reflects the budgeted and actual expenditures for each fiscal year reviewed.

	Budgeted	Actual
SFY 12-13	\$ 374,322	\$ 374,292
Transition Period July – Sept 2013²	\$ 96,618	\$ 96,618
CFY 13-14	\$ 375,851	\$ 375,851
CYF Sept – June 14-15	\$ 382,931	\$ 292,106

The budgeted growth from July 2012 through September 2015 is 2.13%.

The review confirmed certain court-related payroll expenditures were in compliance with Section 28.35(3), FS and budget guidelines established by the CCOC. The Clerk's salary was within the salary requirements developed by the Office of Economic and Demographic Research.³

The table below reflects the budgeted FTEs for each fiscal year reviewed and the court-related allocation percentages applied for shared overhead.

Fiscal Year	Direct Court-Related FTEs	Indirect Overhead FTEs	Total Court-Related FTEs	Total Court & Non-Court FTEs	Cost Allocation Percentage
SFY 12-13	3	3.95	6.95	12	57.91%
CFY 13-14	3	3.30	6.30	12	52.50%
CFY 14-15	3	3.75	6.75	12	56.25%

The cost allocation percentages are applied to overhead costs budgeted to support court-related activities for all fiscal years. The allocation is based on the percentage of time and case workload each overhead position's duties are performed for court-related activities. The allocation methodologies applied by the Clerk's office are reasonable and within the approved budget guidelines⁴ set by the CCOC.

² Florida Laws, Chapter 2013-44, changed the Clerk's reporting period to the county fiscal year.

³ Office of Economic and Demographic Research report Salaries of Elected County Constitutional Officer and School District Officials for Fiscal Year 2014-15, September 2014

⁴ [http://www.flccoc.org/documentationmaterials.php?recordID=Performance Measures and Forms](http://www.flccoc.org/documentationmaterials.php?recordID=Performance%20Measures%20and%20Forms)

OBSERVATIONS & RECOMMENDATIONS

Based upon our review, we found the Clerk's expenditure methodologies for State funds to be efficient and accurate. There are no recommendations.



KIRK REAMS

Jefferson County
Clerk of Court & CFO

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September 9, 2015

Mr. Mark Merry, Chief
Bureau of Auditing
Division of Accounting and Auditing
Florida Department of Financial Services
200 East Gaines Street
Tallahassee, Florida 32399-0354

RE: Jefferson County Clerk of the Circuit Court Compliance Review

Dear Mr. Merry:

First, our Office would like to thank you for your staff's professionalism and courtesy during the review of the Jefferson County Clerk of Courts Office pursuant to Section 28.35.2(e), Florida Statutes.

We agree with your observation that based on the review, the Jefferson County Clerk's Office expenditure methodologies for State funds were efficient and accurate. Although no recommendations were made, we appreciate your staff's time and value any opportunity to improve the service and efficiency of our operations.

Again, thank you for your time and effort and if you have any further questions, please do not hesitate to contact me.

Sincerely,


Kirk B. Reams
Clerk of Court & CFO, Jefferson County

