

## CLERK'S ANNUAL REPORT 2021

ROGER D. EATON Clerk of the Circuit Court & County Comptroller Charlotte County, Florida

CharlotteClerk.com

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## MESSAGE FROM YOUR CLERK AND COUNTY COMPTROLLER

In 2021, the Charlotte County Chamber of Commerce named the Charlotte County Clerk's office its large business of the year. I am humbled and honored that we were recognized for our continued efforts to make our office more efficient, user friendly, and transparent for the citizens of Charlotte County. That my staff continued meeting these goals despite COVID-19 lurking over us this year is a testament to the skill, hard work, and willpower of our entire staff.

It's been an innovative year as we introduced hyper-automation into our local court system. Hyper-automation facilitates the processing of court documents directly into our Case Maintenance System (CMS), without any human intervention. As a result, court documents are now available for public viewing within seconds, rather than hours or days. Our staff now has substantially more time to provide direct assistance to help serve our citizens and can focus on more complicated tasks, such as attendance at court hearings and efficiently processing case records.

In an effort to provide better citizen communication and engagement, as well as receive important feedback from our local community, we increased our social media presence. You can find us on Facebook, Instagram, Twitter, YouTube, and LinkedIn. Please connect with us, as we constantly share valuable information and updates. Via customer service kiosks, we continually monitor feedback provided by citizens who use our office's services. Whether online or through our customer service kiosks in the Justice Center, we welcome our citizens' feedback and suggestions on how we can provide improved services. Court documents online instantly....Clerk automation in effect!.

For the fifth straight year, your Clerk's office reduced its budget, this year by 2.6%. As a result, your Clerk's office returned \$529,536 in budget funds to the Charlotte County Board of County Commissioners this year, despite rising staff health care costs and increased Florida Retirement System (FRS) rates.

Since I took office in 2017, your Clerk's office has returned over \$2 million in taxpayer funds to the Board of County Commissioners, without eliminating any services provided by our office to local citizens. Excellent staff combined with implementing cutting-edge technology systems provides simultaneous cost savings and increased services for everyone.

The Comptroller Division for your Clerk's office manages all investments for Charlotte County funds. Our financial team

ensures the safety, liquidity, and profitability of all county investments. This past fiscal year, at its highest point we managed a Charlotte County investment portfolio of \$699 million, which earned \$3.5 million for the year. Since I took office in 2017, over \$32.7 million has been earned on county funds controlled by your Clerk's office.

For the fifth consecutive year, your Clerk's office was awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association. (https://www.gfoa.org/) The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment for our Comptroller Division and staff.

Not only has our staff excelled in the workplace in 2021, but we have also supported our community outside of normal business hours. Our office partners with the Animal Welfare League and sponsors "Eaton's Eats" to collect food donations for AWL. Our Jury Pay Donation Program benefits Center for Abuse and Rape Emergencies (CARE) by allowing jurors the option of donating their jury pay to CARE rather than accepting the compensation. In honor of Veterans Day, we offered FREE passport photos to all veterans and active military personnel for the entire month of November.

On behalf of the entire staff at the Charlotte County Clerk's office, thank you again to the Charlotte County Chamber of Commerce for naming our office the 2021 Charlotte County Large Business of the Year. I know how hard the Clerk's office staff works, day in and day out, to provide the best, most convenient and efficient services possible to the citizens of Charlotte County. I am appreciative their hard work and effort were recognized and congratulated.

For more information about our office and to access all of our new features, please visit us at CharlotteClerk.com.

Sincerely.

HONORABLE, ROGER D. EATON CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

## THE CLERK'S ROLE AS A PUBLIC TRUSTEE

Provisions of the Florida Constitutions of 1838, 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 for over 175 years.

The role as Public Trustee is evidenced as follows:

#### **COUNTY GOVERNMENT**

- Accountant and Auditor for the Board of County Commissioners
- Collector and Distributor of Statutory Assessments
- Guardian of the Public Records, Public Funds and Public Property

#### **COURTS**

- Ensures that the Court's Orders, Judgments or Directives are carried out within the parameters allowed by Law.
- Maintains the Court's Records.
- Collects and disburses the Court Fines, Fees and Assessments.
- Collects and disburses Court Ordered Child Support and Alimony Payments.

#### **STATE GOVERNMENT**

- Collects and disburses Documentary Fees and Intangible Taxes for the Department of Revenue.
- Collects and disburses numerous fees and assessments for the Benefit of State Trust Funds.
- Provides informational, financial, and statistical data to the State Legislature, Supreme Court, Florida Department of Law Enforcement, Auditor General, Department of Health and Rehabilitative Services, and Other State Agencies.

#### **CITIZENS' PROTECTION**

- As Custodian of County funds, the Clerk ensures that the taxpayer's money is managed according to Law.
- Provides Internal Audits of County government to assure compliance and internal controls.
- Provides Access to Public Records.
- Audits reports of guardians in Guardianship cases.
- Provides assistance to citizens in accessing the courts.
- Processes, maintains, and preserves court documents to ensure that litigant's court cases are handled in a timely manner.

#### **ACCOUNTABILITY AS A PUBLIC TRUSTEE**

- The Office of the Clerk is a complex organization that performs a wide range of record keeping, information management and financial management in the judicial system and county government.
- In a study conducted by the Joint Select Committee on Judicial Personnel of the Legislature, it was calculated that the Clerk's office performs over 1,000 constitutional and statutory functions or duties.
- With the magnitude of the impact that the Clerk's duties has on the peoples' rights and property, it is essential that the Clerk be accountable for his/her actions.

Thus, the constitution and statutes decree that:

- The Clerk is 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 subject to annual audits by an independent audit firm.

#### THE CONSTITUTION OF THE STATE OF FLORIDA

"A public office is a public trust. The people have the right to secure and sustain that trust." ARTICLE I, SECTION 8

"There shall be in each county a Clerk of the Circuit Court who shall be selected pursuant to the provisions of Article VII, Section I." ARTICLE V, SECTION 16

"The Clerk of the Circuit Court shall be Ex-Officio Clerk of the Board of County Commissioners, Auditor, Recorded and Custodian of all County funds" ARTICLE VII, SECTION 1(d)

## **CLERK OFFICE LOCATIONS**



he State of Florida is divided into twenty (20) Judicial Circuits. Each circuit is comprised of a circuit court and one or more county courts.

**Charlotte County is in the 20th circuit** that also includes Collier, Glades, Hendry, & Lee counties. Three County Judges, four Circuit Court Judges and one Magistrate presides over Charlotte County.

The Clerk is responsible for the clerical business of the courts, including maintaining court records and case files, issuing summons, warrant and violation of probation or injunction orders, entering judgments and managing court related fees and fines, just to name a few of the over 1000 other statutory requirements.

## **JUSTICE CENTER**



he Charlotte County Justice Center is located in Punta Gorda, the county seat. This is the main courthouse for all of Charlotte County. The departments housed at the Justice Center include:

- Administrative Office of the Clerk
- Criminal Court Services
- Civil Court Services
- Employee Relations
- Information Technology
- Jury Services
- Marriage Licenses and Wedding Ceremonies
- Official Records
- Passport Services and Passport Photos

#### **Charlotte County Justice Center**

350 E. Marion Ave. Punta Gorda, FL 33950 (941) 505-4716

## MURDOCK



he Charlotte County Murdock Administration Center brings "service to the people" by offering convenience to residents in different neighborhoods of Charlotte County, and serves as a branch office. Most services available at the Charlotte County Justice Center are also available at the Murdock Administration Center. Departments housed in the Murdock Administration Center are:

- Administrative Office of the Clerk
- Comptroller/Finance
- Internal Audit
- Minutes
- Value Adjustment Board
- Official Records
- Marriage License and Passport Services

Charlotte County Murdock Administrative Offices 18500 Murdock Circle, Port Charlotte, FL 33948 (941) 743-1537

## **ONLINE SERVICES** & E-FILING PORTALS



**Criminal and Civil Court Records can be viewed on our website: CharlotteClerk.com** - Court Records - Search. Searches can be made by name, case number, citation number.



Attorneys can file cases and documents via our e-file portal at: MyFLCourtAccess.com This service is another cost savings measure as we strive to go paperless.



Official Records can be viewed on our website: CharlotteClerk.com - Official Records - Search.



Marriage License Application and wedding ceremony requests are available online at: Marriage.CharlotteClerk.com

S.I.

Tax Deed Sales can be viewed, and bids made at: Charlotte.RealForeclose.com



County Records can be viewed on our website: Minutes.Charlotteclerk.com

he Clerk of the Circuit Court and County Comptroller manages several Board Services as required by Florida Statute and Florida Sunshine Rules. Clerk Eaton has made many strides to ensure all services are easily accessible. With direct emails to each department and forms that were once only available for pickup are now available online FREE of charge. These forms can be completed manually and submitted at our office for filing. Visit Self Help and Forms Online at: http:// charlotteclerk.com/Form/FormIndex.

All email sent to and from the Charlotte County Clerk of the Circuit Court and County Comptroller is subject to the public record laws of the State of Florida.



## MISSION

VISION

**CORE VALUES** 

## **MISSION**

 To preserve the public trust as guardians of the people's records and assets

## VISION

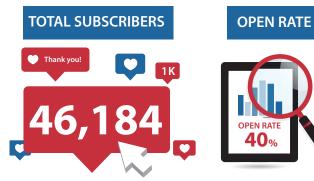
 Serving with compassion, expertise, and efficiency in support of our community

## **CORE VALUES**

- Working together to achieve shared success
- Providing exceptional service with a smile
- Continuous innovation and improvement
- Dedication to principled practice

## CONNECTING WITH OUR COMMUNITY

ur goal is to keep you in the know. In 2021, we continued to leverage online communication tools to maintain transparency and to clearly define current priorities and advancements to help Charlotte County citizens and our community by ending emails.



## TOP EMAILS



#### 2020 Year In Reflection



Let's Get Social



Domestic Violence Awareness



**Property Fraud Alert** 



#### Going To The Chapel?



Ready To Travel

## TOP SOCIAL MEDIA POSTS FROM 2021

ur goal is to keep our community informed by sharing information and updates regularly, including photos, announcements, Clerk news and more! If you haven't already, please take a moment to visit all of our social media pages, which include; Facebook, Instagram, Twitter, LinkedIn and YouTube. Once there, please click "Like" or Follow". We encourage you to comment and share our posts! Feel free to ask us any questions. We look forward to connecting with you!



## **CRIMINAL COURT**

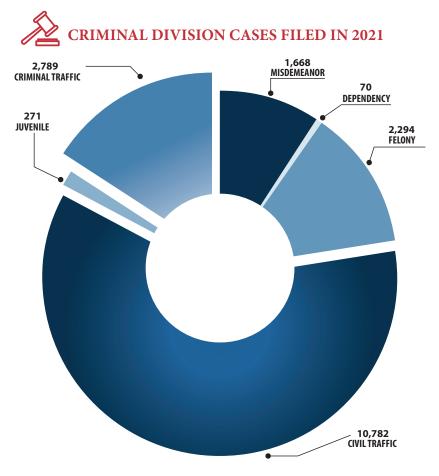
he Criminal Courts Division processes felony, juvenile, misdemeanor, county, and municipal ordinance and criminal traffic cases, as well as civil infractions.

The Clerks' duties involve coordinating with other agencies including the Sheriff, Public Defender, State Attorney, Florida Department of Law Enforcement, Pre-Trial Services, Department of Corrections, and County Probation as well as the judiciary, defendants and private attorneys.

Clerks attend Criminal and Civil Court where the duties include accurately capturing all sentencing sanctions, swearing in witnesses, marking and controlling evidence, and the reading of verdicts. All court records are maintained electronically and can be viewed online at CharlotteClerk.com. Court case information and docket searches can

be made using a number of different factors, such as by last name, followed by first name or by case number, among other options as noted on our website: CharlotteClerk.com.

Payments for all case types can be made in person in our Punta Gorda and Murdock offices, or as an added



convenience, payments for applicable fines and court costs can be made online at CharlotteCourtPay.com through our partnership with nCourt. Payments can also be made over the phone by calling the toll-free payment line (855) 796-5772. Communication is available in both English and Spanish.

#### Payments

Payments for all case types can be made in person in our Punta Gorda and Murdock offices



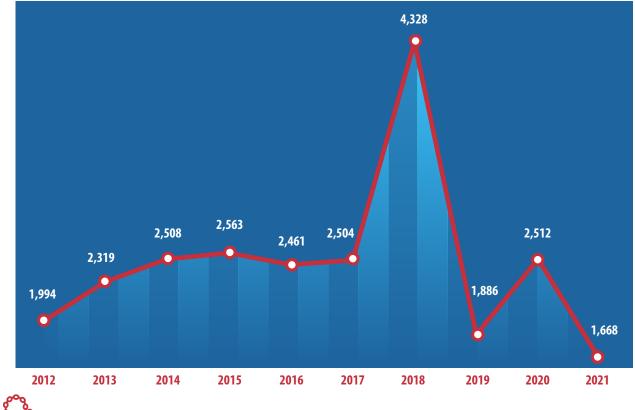
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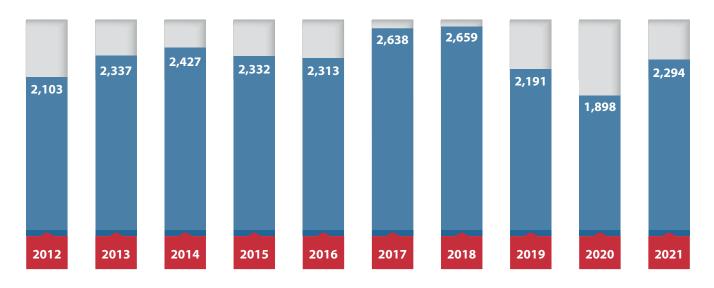
## **MISDEMEANOR AND FELONY**



## MISDEMEANOR CASES FILED



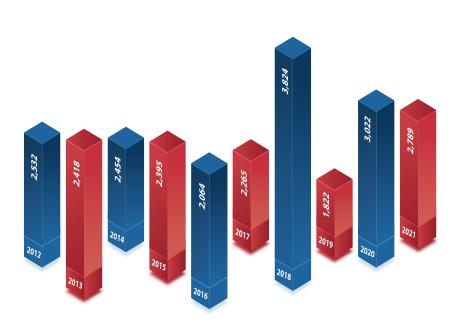
**FELONY CASES FILED** 



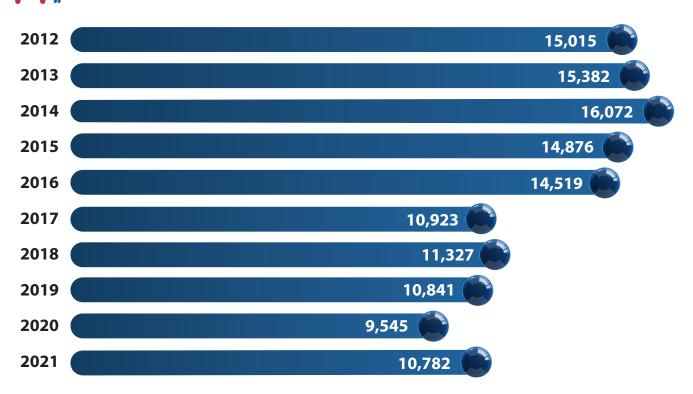


#### **CRIMINAL TRAFFIC CASES FILED**

niform Traffic Citations are electronically filed through e-Citations and hard copy format. Information is submitted from the following agencies: Florida Highway Patrol, Charlotte County Sheriff, and Gorda Police Department. Punta Citations for parking tickets, animal control violations, code enforcement, alarm violations, boating citations, and some Department of Transportation (DOT) citations, are processed in hard copy format. Payments for citations can be made in person, by mail, over the phone at (855) 796-5772, with cash utilizing our Scan, Pay & Go service and via the internet through our portal at CharlotteCourtPay.com.





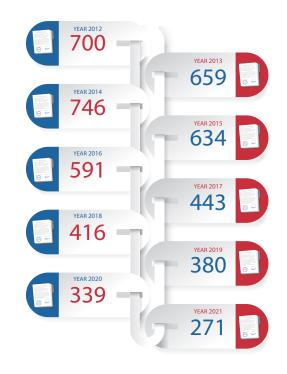


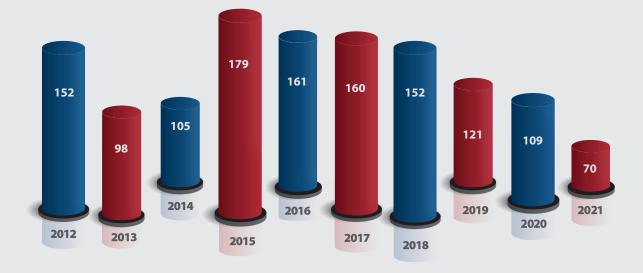
## JUVENILE

uvenile 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.

The State Attorney may choose to directly charge a juvenile offender as an adult. Such cases are closed in the juvenile case and a felony adult case would then be opened. Some juvenile cases are transferred for disposition to the County where the offender resides. Dispositions are electronically reported to the State through software that requires special security access to ensure the mandated confidentiality is not compromised.

#### JUVENILE CASES FILED

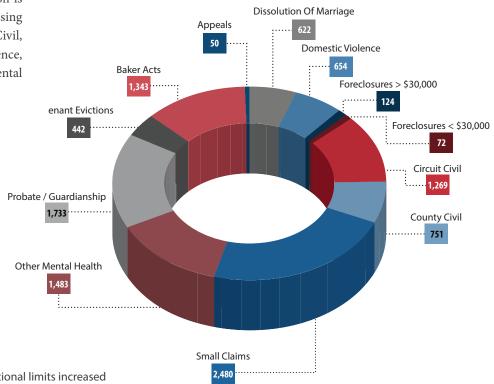




#### **DEPENDENCY CASES FILED**

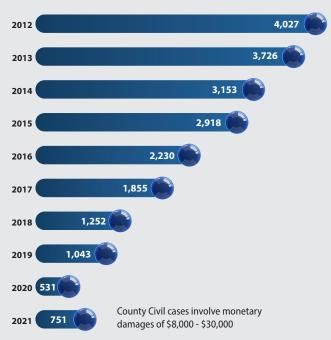
## **CIVIL COURT**

he Civil Courts Division is responsible for processing Small Claims, County Civil, Family Law, Domestic Violence, Probate, Guardianship and Mental Health cases.

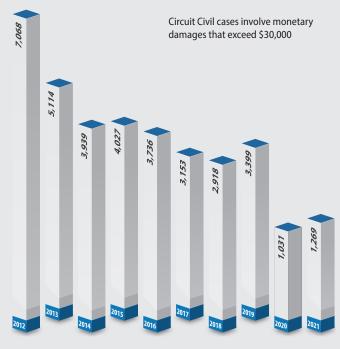


Effective January 1, 2021 Jurisdictional limits increased for filing Small Claims, County Civil and Circuit Court Cases.

#### **COUNTY CIVIL CASES FILED**



#### **CIRCUIT CIVIL CASES FILED**

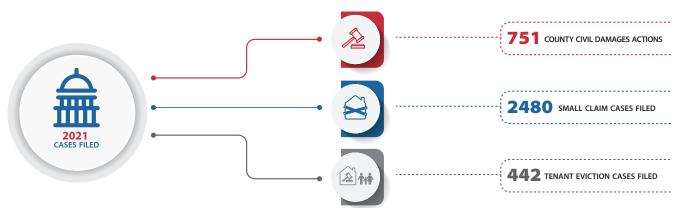


## SMALL CLAIMS

S mall Claims court involves damages less than \$8,000. 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.

#### SMALL CLAIM CASES FILED





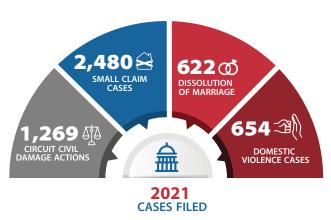
TENANT EVICTIONS

here were 442 Tenant Eviction cases filed in 2021. In October 2021, Tenant Evictions were categorized for filing as Residential or Non-Residential. Prior to October cases were categorized simply as Tenant Eviction cases. **442** TENANT EVICTIONS IN **2021** 



## CIRCUIT CIVIL

ircuit Civil filings include action with damages that exceed \$30,000, Foreclosures exceeding \$30,000, Dissolution of Marriage, Adoption, Name Change, Child Support and Domestic Violence cases.



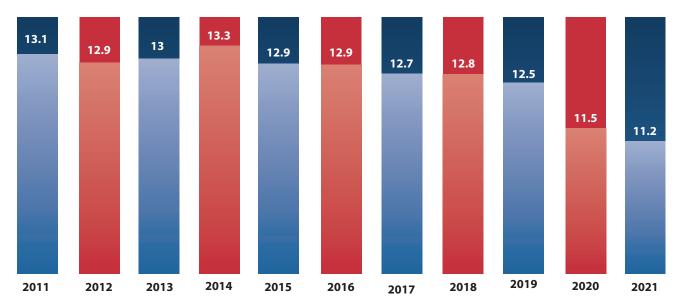
## **CHILD SUPPORT**

The Federal Welfare Reform Act of 1996 passed by Congress mandated that every state create a centralized child support system. Charlotte County was chosen to be a test site for this new system. Our participation laid the framework for the processing center where all support payments throughout Florida are sent to the Florida's State Disbursement Unit located in Tallahassee. This center processes the remittances and distributes checks to the receiving families. Normal processing time is 48 hours, barring any delays in mail delivery. However, with an e-card, the funds are loaded directly onto the card which saves on mailing time.

The Department of Revenue (DOR) 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 Workers' Compensation funds, freeze bank accounts and track delinquent payers 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.

#### PAY CHILD SUPPORT ONLINE

The Charlotte County Clerk of Court has teamed with the State Disbursement Unit (SDU), Florida Department of Revenue, and other Florida Clerks to offer online Child Support Services through MyFloridaCounty.com; the official website for local government services and information. This service enables non-custodial parents to pay child support using a debit or credit card. It also allows for non-custodial parents to set up an account for recurring payments. This enables parents to obtain details on the five most recent child support payments.



#### CHILD SUPPORT PAYMENTS

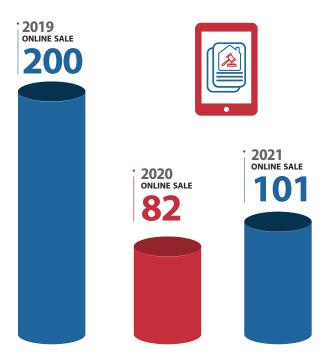
For Charlotte County, there are 14,437 current cases in the Child Support System for the year 2021. With payments collected for Charlotte County totaling \$11,276,642.72 million dollars.

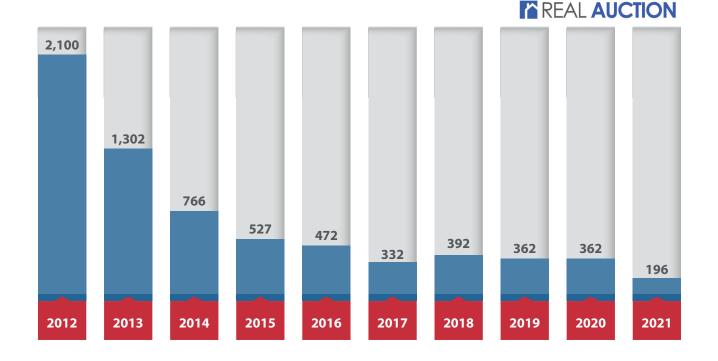
## FORECLOSURE

R oreclosure is the proceeding by a creditor to regain property or other collateral following a default on mortgage payments. The Clerk's office processes foreclosure case files and provides a new certified title upon the conclusion of a sale via Real Auction. Charlotte County was the first county in the State of Florida to offer both online sales for foreclosures and tax deeds.

These online auctions services offer greater access to records for the public and has improved efficiency in the processing of foreclosure and tax deed sales and new titles. All foreclosure sales are held online at Charlotte.RealForeclosure.com on Monday, Wednesday, Thursday, and Friday at 11:00am as set by judicial order.

Bidders are now able to deposit funds through ACH wire transfer from any place in the world, never having to visit the office in person and make the foreclosure process completely electronic.





#### **FORECLOSURE CASES FILED**

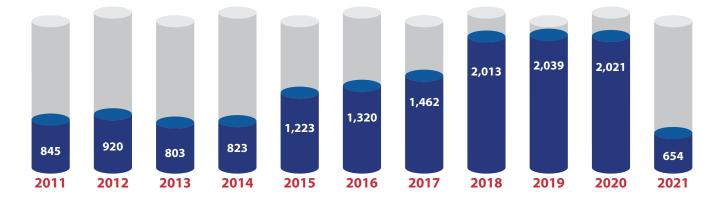
## **DOMESTIC VIOLENCE**

ictims are able to utilize TurboCourt for the completion of forms.

The forms can then be printed and mailed or dropped off at the Justice Center for filing. There is no charge.



## *In 2021 there were 654 domestic violence cases filed.*



#### 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 website at CharlotteClerk.com.

Should you or someone you know be experiencing domestic violence, we urge you to reach out to our office at the Charlotte County Justice Center, 350 East Marion Avenue, Punta Gorda, FL. For more information contact the office at 941-637-2162 or go to CharlotteClerk.com. Our office works hand-in-hand with the C.A.R.E. Crisis Center. If you require their assistance, they can be reached at 941-637-6000. If you are in imminent danger, please call 911.



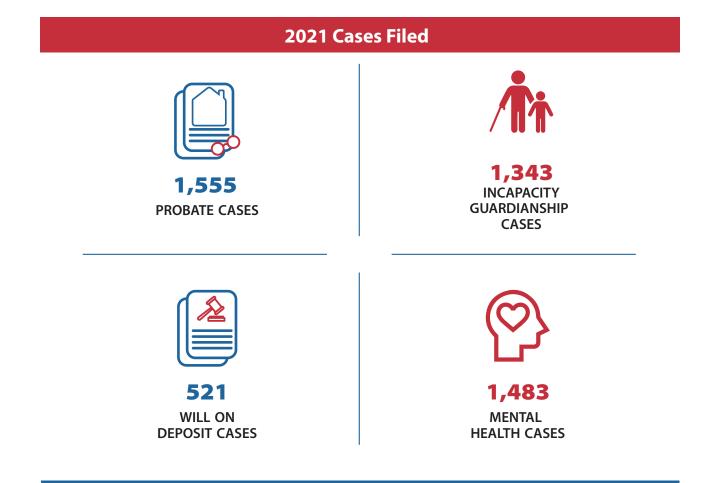
## **PROBATE, GUARDIANSHIP AND MENTAL HEALTH**

The Probate/Guardianship section processes all probate, guardianship, and mental health (Baker Act, Marchman Act and Risk Protection Cases).

he 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.

Risk Protection cases were created in 2018 with the intent to address gun violence by providing law enforcement and the Courts with tools to enhance public safety by temporarily restricting firearm possession by an individual who is undergoing a mental health crisis and when there is evidence of a threat of violence. Since its inception 50 Risk Protection cases have been filed in Charlotte County.

In 2019, new legislation passed for the prevention of the Exploitation of Vulnerable Adults. This allows an individual that is concerned that a third party is taking advantage of an elderly or incapacitated adult to file a petition and have a hearing before a judge. Since this legislation became law in 2019, 12 cases have been filed.



## JURY

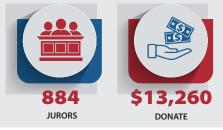
t's been almost 5 years since our automated jury process with our state-of-the-art jury management self-checkin system was deployed and we are continually making upgrades for a seamless experience for jurors.

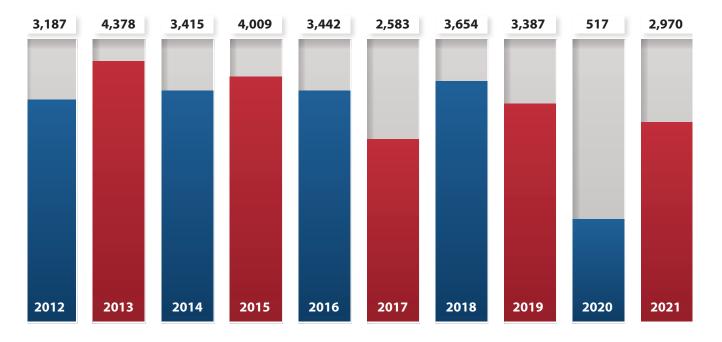
Our jury system allows jurors to check in ahead of time online or by downloading our jury app to check in by phone or other mobile devices. Our app allows the juror to receive text notifications when the juror is required to report for jury service, much like many restaurants that text a patron when their table is ready. When registering online, the juror will receive an email notification when their juror number is required to report for jury service. Upon arriving at the Justice Center, check-in is required to account for the juror reporting, much like early check-in at the airport. While using the app, a link with a QR code is provided for quick check-in. The QR code from a mobile device or the barcode from the summons will be scanned at one of the check-in kiosks in the jury assembly area.

Florida statute allows jurors whose employer does not pay them for jury service, that are self or unemployed, or retired to be paid \$15 for each day they serve as a juror. We implemented "Same Day Pay" which allows eligible jurors to receive their pay in cash. Not only is this a great benefit for the juror, but there is a direct cost savings benefit for the Clerk's office by reducing the number of checks needed to be processed and uncashed checks to reconcile.

Starting in September 2020, jurors can choose to donate their statutory jury duty pay to the Center for Abuse and Rape Emergencies (C.A.R.E.). Since this option has been available, 151 jurors have opted to donate their pay to C.A.R.E. and \$2,265 has been donated.

#### 63 JURY TRIALS IN 2021





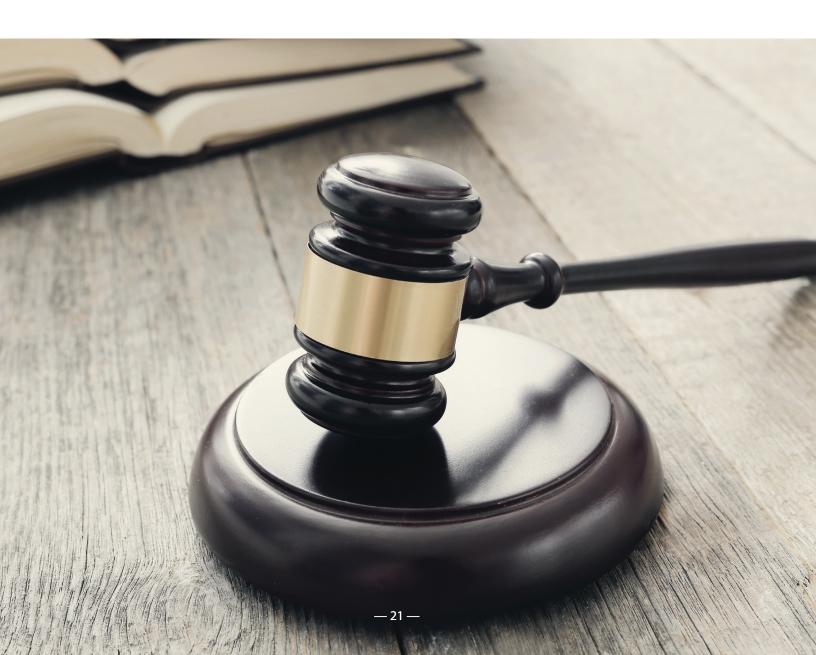
#### JURORS REPORTED

## APPEALS

Il cases will be appealed to the District Court of Appeals with the exception of the County Ordinances, Civil Traffic citations and some boating citations.

The appeal process is completely electronic, from the submission of the initial Notice of Appeal to the District Court, subsequent pleadings and all orders.

Court County some There was a total of 50 appeals filed in 2021



## HIGHLIGHT OF COURT OPERATIONS

e continue to offer citizens a robust, safe, and secure online resource to make online payments, pay fines and fees, search for court case information, court search, and electronically filed court documents, Florida courts e-filing portal.

All our online services were designed to respect our customers time an expense by reducing or eliminating the need to make a trip to the Justice Center or Murdock Administration Building. Our online services can be used at a time and place that is most convenient for you.

Our Clerk, Roger Eaton, understands this is a difficult time, as a result, we offer payment options and are sending reminder notices to our customers as part of our compliance initiative to assist our customers, so their driver's license remains in effect. In November, our office held Operation Green Light, assisting 37 customers reinstate their driver's license and get back on the road.



We will continue to develop new and innovative ways to provide the ultimate customer service experience for local citizens.

## **2021 OPERATION GREEN LIGHT**



R oger D. Eaton and the Charlotte County Clerk of Court's office held their third Operation Green Light event on 2/22/2021 - 11/4/2021. This event gave Charlotte County customers with suspended driver licenses an opportunity to pay overdue court obligations, including traffic tickets, while saving up to 40% in additional fees to get their license back. \$4,051 collected 37 customers reinstated.

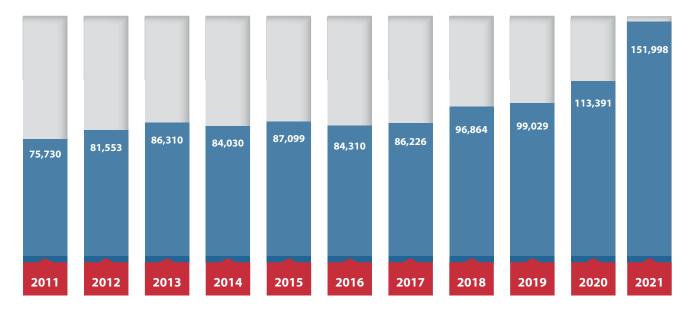
## **OFFICIAL RECORDS**

he Clerk is the recorder of all instruments required or authorized to be recorded in one general series of "Official Records" books. Upon payment of the statutory fees, the Clerk Records and indexes a variety of important documents; including deeds, mortgages, judgments, military discharges, domiciles and other authorized documents. Once recorded, a document remains a permanent record, available for public viewing. Access to the County's Official Records is available to the public via the Internet.

Presently, there are over 11 million images of recorded documents dating back to January 1, 1921 available for the public to view.

Since 2019, has the Clerk made all Deed Books and Official Records available online dating back from the inception of Charlotte County. In 2021, additional books have been published to the website including, Mortgage, Satisfaction, Lien and Judgment books. Marriage License books are expected to be complete by the end of 2022.

In 2021, The Clerk of the Circuit Court and County Comptroller recorded, verified, redacted (if needed), and indexed 151,998 documents.



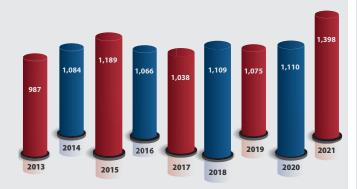
#### **DOCUMENTS RECORDED**

The Clerk provides resources to help the citizens safeguard their property. The Property Fraud alert is a free service that helps protect an individual's property from fraud by monitoring documents such as liens, deeds and mortgage that are recorded in Charlotte County. Over 3,500 owners have registered to get alerted when a document is recorded into Official Records using their individual or business name. Fraud.CharlotteClerk.com

# Sign Up for FREE Fraud Alerts IT'S EASY! 1. Visit Fraud.CharlotteClerk.com 2. Enter information 3. Click Register! 4. You are all set!

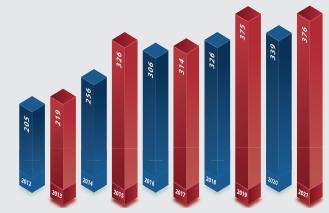
## MARRIAGE

#### **MARRIAGE LICENSES**



arriage Licenses can be issued at either of our two office locations. The Punta Gorda Official Records division performs marriage ceremonies upon request. In 2021, there were 1,398 licenses processed and 376 ceremonies performed.

#### **MARRIAGE CEREMONIES**







For your convenience, a Marriage License Application request can be prepared or a Marriage ceremony can be scheduled online at this link: Marriage.CharlotteClerk.com

## PASSPORT

ew passport applications may be processed at either of our two office locations. The applications are forwarded to the U.S. Passport Agency for processing. For your convenience, passport photos are available to be taken and purchased at our Punta Gorda location. The colored photograph of the applicant, which should be 2 inches wide and 2 inches long, must accompany every application. We can provide photo services for renewals as well as new passport applications.

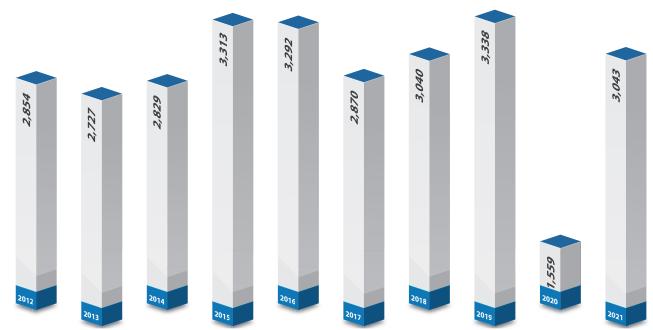
A passport issued to an adult is valid for ten (10) years and may be renewed within five (5) years after the date of expiration. A child's passport, ages 15 or younger, which is valid for five (5) years, is not renewable.



Charlotte County Clerk's Office remained opened, normal business hours, and without appointments allowing our office to provide these services to the citizens of Charlotte County as well as surrounding counties.



We are happy to announce that we hosted a Clerk Passport Day on Saturday, September 18th. We understand how hectic work and school schedule can be for working families. On this day over 400 visitors entered the Justice Center, 160 applications were process, and the Clerk provided FREE photos!



#### **NEW PASSPORT APPLICATIONS**

## TAX DEED

R eal estate taxes in Charlotte County become due every year on November 1st. Parcels remaining unpaid by mid-April are advertised in the local newspaper by the Tax collector's office in an effort to notify the property owners of the outstanding tax liability.

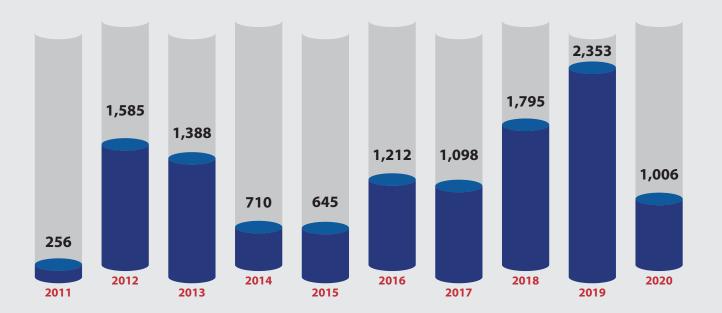
The Tax deed applications are processed by the Clerk of the Circuit Court and sales of real property are auctioned for non-payment of property taxes. All sales are held online through www.charlotte.realforeclose.com and are advertised weekly in the local newspaper.

Anyone wishing to view Charlotte County Tax Deed and Foreclosure information can visit our website saving the customers valuable time.

#### TAX DEED APPLICATIONS

Charlotte County Clerk's Office processed 1,862 applications in 2021. During the pandemic, the out of country services were suspended causing numerous applications to be cancelled. As different countries start accepting mailing, we were able to reschedule majority of the 2020 cancelled sales this past year.

The owner can redeem the property with the Tax Collector's office, up until the Clerk's Office receives final payment from the successful bidder. Once final payment has been received the Clerk's Office prepares and records the Tax Deed into Official Records.



## **RECORDS** MANAGEMENT

he Records Management Division maintains the paper files until they are digitized using approved record keeping systems 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. A review of our electronic records policy by the Bureau of Archives and Records Management at the Division of Library and Information Services noted our policies are "very impressive" and can be a "model for other counties".

This division stores files for the Board of County Commissioners Human Resources, County Training and Community Development, County Risk Management Department, Permitting, Environmental Services and all Clerk of the Circuit Court and Comptroller records.

The Clerk's Office has been entrusted with the responsibility of housing, storing, and processing records of the Community Development Department, specifically the Building Construction Services, and Permitting Division. The Clerk's Office designed an imaging system to meet Florida Law requirements to process, retrieve, and maintain the documents in permanent record format. The program was designed to provide the Community Development Department with immediate access to these images from their desktops and is utilized by their permitting section, as well as other departments throughout the County.



## COMPTROLLER

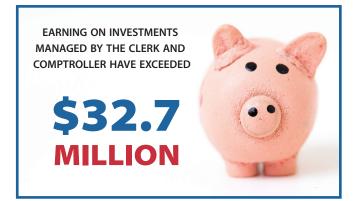
**F** lorida statutes established the Clerk of the Circuit Court as Ex Officio Clerk to the Board of County Commissioners (BOCC), custodian of all County funds, and Accountant to the Board. The Comptroller Division provides all business-related services in accordance with Florida statutes, County Ordinances and Resolutions.

Roger D. Eaton has established his Comptroller Division with appropriate checks and balances assuring internal audit controls. He also developed a sound Investment Policy, assuring growth and diversification with regard to County funds.

The **TREASURY MANAGEMENT** team works with cash flow analysis, bank reconciliations and the investing of surplus County funds as well as administering the banking relationship for the Board. As custodian of all County funds, responsibility for the investments of these funds rests with the Clerk of the Circuit Court and County Comptroller. In accordance with Chapter 218 of the Florida Statutes, monies are invested to provide safety, liquidity and yield, in that order, with minimization of risk.

The Clerk's office currently manages an investment portfolio of \$699 million, consisting of treasuries, agencies, local government investment pools and the Florida State Board of Administration as authorized by F.S. 163.01 and 218.415.

There are two types of **PROPRIETARY FUNDS:** Enterprise Funds and Internal Service Funds. The Enterprise Accounting staff is responsible for all transactions and financial reports for the business type activities of the County (including Charlotte County Utilities, various water and sewer districts, landfill, and a sanitation district). These business type activities are primarily funded through external user fees and charges. The



Internal Service Accounting staff accounts for all activity that provides goods or services to other funds or departments on a cost-reimbursement basis. These funds would include vehicle maintenance, self-insurance, and health insurance trust fund.

The **PAYROLL** team ensures timely and accurate processing of payroll transactions including salaries, benefits, garnishments, taxes, and other deductions for the Clerk of the Circuit Court, the Board of County Commissioners and the Supervisor of Elections. The team also fulfills all State of Florida and IRS reporting requirements and payments, as well as managing the Florida Retirement System reporting and payment of the monthly retirement expenses.

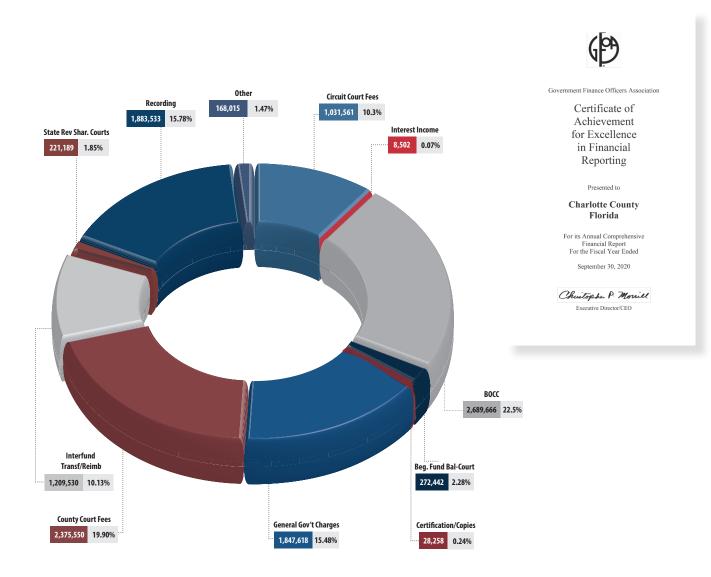
The ACCOUNTS PAYABLE team is responsible for reviewing all payment requests for goods and services made by vendors, travel reimbursements as well as materials, construction payment and professional services. The team takes pride in prompt payment to vendors and processes payments well below the State requirement of 45 days. The accounts payable team has processed approximately 13,000 checks to pay over 25,000 invoices this fiscal year, in excess of \$319 million.

**GENERAL ACCOUNTING** functions are provided by the Comptroller Division to record governmental activities provided such as fire and rescue, emergency management and disaster preparedness as well as road maintenance, libraries, parks and recreation and various court related activities. These activities are typically funded by property, sales and use taxes, grants and intergovernmental revenues.

In addition, the Comptroller division is responsible for **FINANCIAL REPORTING** functions providing the final check of the financial information for the Clerk, Board and other agencies in accordance with generally accepted accounting principles. The Comptroller Division records and tracks fixed assets inventory of approximately \$1.2 billion. The Clerk's staff performs all accounting functions for over 150 funds and is responsible for grant analysis and reconciliation of an excess of 100 grants. The department also manages obtaining new debt proceeds, processing and monitoring debt payments as well as debt compliance. The financial reporting also includes reporting for bond compliance via arbitrate reporting, debt covenant compliance and reporting

to noteholders; grant reporting; state financial reports as well as audited financial statements.

While some governmental entities rely upon their external auditors for preparation of their Annual Comprehensive Financial Report (ACFR), in Charlotte County, the Clerk's office prepares the entire document. The Government Finance Officers Association of the United States and Canada (GFOA) has awarded a Certificate of Achievement for Excellence in Financial Reporting to Charlotte County for the Clerk's Annual Comprehensive Financial Report for the fiscal year ended September 30, 2020. This is the 35th consecutive year that this prestigious award has been received by Charlotte County



## MINUTES

he Minutes Division fulfills the Clerk's constitutional responsibility as Ex-Officio Clerk to the Board of County Commissioners (BOCC).

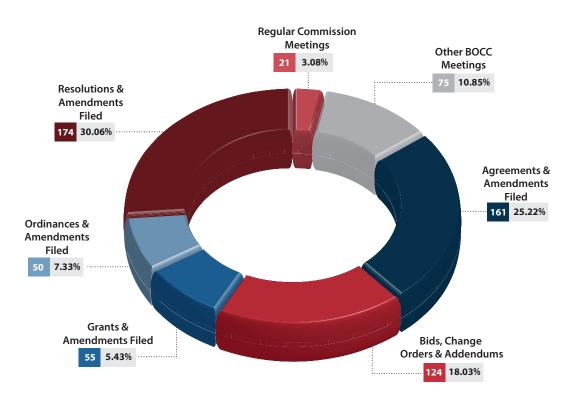
Among its many responsibilities, Minutes staff attends and records all Board regular and land use meetings, workshops, public hearings, and special meetings when more than two Commissioners will be present. Staff indexes and processes related official documents adopted by the BOCC. During each BOCC meeting, staff creates preliminary minutes by means of specialized web-based software and recording medias to capture a verbatim of the meeting. Minutes are a summary of each meeting and highlight essential information in a concise manner. All motions and votes are verified and accurately documented.

Regular meetings are held on the second and fourth Tuesday of each month with the Land Use Public Hearing Agenda being heard generally at the second Tuesday meeting at 2:00 p.m. Meeting lengths vary and are dependent on the size of the agenda to be followed.

Once the minutes are finalized and adopted by the Board of County Commissioners at a regular meeting, the official minutes are published to the County website for viewing in conjunction with the video stream, agenda, and any supporting documentation.

The Minutes Division adheres to the State of Florida, General Records Schedule GS11 for Clerk of Court requirements. All meeting related documents are preserved electronically. Documents requiring hard copy retention are indexed and filed in the department. Certified copies are available to the Public and County staff upon request. All original verbatim compact discs (CD's) and digital versatile/video discs (DVD's) are forwarded to a climatecontrolled, permanent underground storage facility with duplicates preserved in Commission Minutes Division for a period of two (2) years.

Available on our website Minutes.CharlotteClerk.com is our robust and easy to use online system that allows you to search the following documents from 1921 to present: Agreements, BCC Agendas and Minutes, Grants, Ordinances, Resolutions, Street Vacations, Charter Review Commission Meetings, Bids and Contracts.

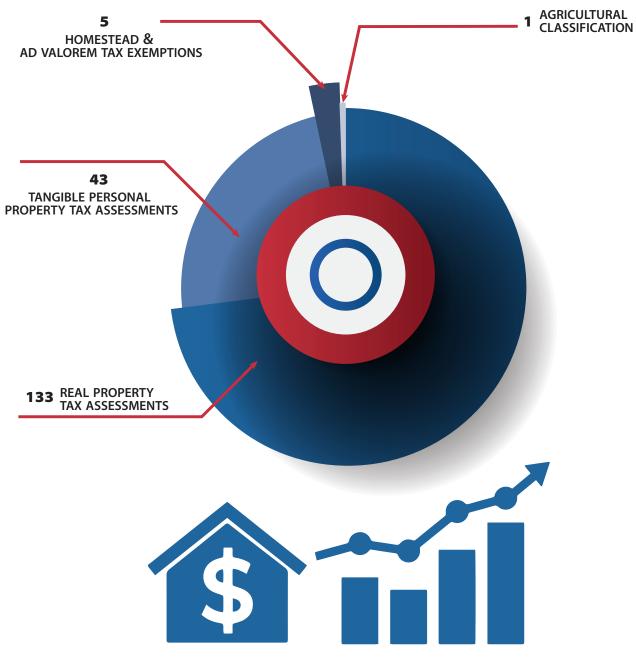


## VALUE ADJUSTMENT BOARD

ur Clerk team is responsible for the overall VAB process which includes petition and document processing, record retention and scheduling through AXIA. Special magistrates are appointed by the VAB to hear Real Property, Tangible Personal Property Tax Assessments, Homestead and Ad Valorem Tax Exemptions and Agricultural Classification Appeals.

Special Magistrate recommendations are later presented to the VAB for adoption at their final meeting. Documentation and recordings are retained for minimum of four years.

With greater organization and proficiencies, staff has reduced the VAB session length by several months.



#### **VAB PETITIONS FILED IN 2021**

## INTERNAI AUDIT

he Internal Audit Division is established to assume the duties and responsibilities of the Clerk of the Circuit Court and County Comptroller as auditor and custodian of all county funds as established by Article V, Section 16, Florida Constitution. The internal audit activity's responsibilities are defined by the Clerk of the Circuit Court and County Comptroller as part of their oversight role. The Internal Audit Division preserves the public trust by providing the Board of County Commissioners ("Board") and the public with independent, objective assessments of accountability for transactions and assets.

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The Internal Audit Division is staffed by a Director and an Internal Auditor II with a combined experience of over 13 years in the department. The Division performs their responsibilities in accordance with generally accepted accounting principles and generally accepted auditing standards.

The Division monitors the operations of the Board of County Commissioners and the Clerk of the Circuit Court and County Comptroller's Office. The primary purpose of the Division is to conduct internal post audits to render independent analysis and appraisal of the Board and the Clerk's operations and to ensure that those operations are performed in compliance with applicable laws and regulations, established policies and procedures, and sound management processes.

The Internal Audit staff 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 generated during the fiscal year as a planning tool for their audit of the County departments and agencies.

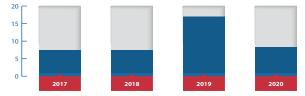
#### **2021 CALENDAR YEAR IN REVIEW**

The Division was involved with the Guardianship Improvement Task Force, sponsored and staffed by the Florida Clerks & Comptrollers Association. The Task Force was formed with the mission of studying the current status of Guardianships in Florida, with the goal of making recommendations to improve the protection of wards throughout the state. The Divisions involvement included attending eight meetings of the Task Force, and contributing to a Kickoff Presentation on a Clerk's Perspective; Auditing Responsibility.

Our audit plan for the year looked at areas with new processes,

changes in management, and other areas identified by our risk assessment process.

## INTERNAL AUDITS PERFORMED AND REPORTS ISSUED DURING 2021



In 2021, we maintained our productivity of eight audits per year with reduced staffing. Five are highlighted below



#### **2020 REPORT ON GUARDIANSHIPS**

This was our initial annual report on guardianships. The purpose of this report was to provide a quantitative assessment of guardianship audits and reviews. As a result of this report, we established benchmarks on filings of inventories, accountings, and plans. We also reported on plans reviewed, past due letters sent out for untimely filings, and amended inventories, accountings, and plans. This report also provided a qualitative assessment of the guardianship reporting process.



#### FUEL CARD PROGRAM

As a result of this review, we recommended update of the Fuel Card Policy to accommodate Fire/EMS and Public Works. We also recommended departments monitor and reconcile fuel card activity and investigate exceptions, on both an individual and departmental level. Our final recommendation was to ensure cards are issued based on need, and cancel cards where a need no longer exists. Our review provided assurance that the fuel card program is operating as intended with opportunity for improvement.



#### TRANSPORTATION DISADVANTAGED GRANT PROGRAM

As a result of this review, we recommended the Transit Division increase quality assurance controls for reimbursements, quality assurance activities for eligibility, and proper retention of applications and supporting documentation. Our review provided assurance that the Transportation Disadvantaged Grant Program is operating as intended with opportunity for improvement.



#### COMMUNITY SERVICES LIBRARY REVENUES AND CONTROLS

As a result of this review, we recommended additional reconciliations, internal control improvements, and updating / segregating key cash handling duties. In response to our

review, Library Services is moving towards a "card only" process, eliminating cash and the possibility of theft. Our review provided assurance that library revenue controls and reporting are operating as intended with opportunity for improvement.

The Internal Audit Division also performed 3 Inventory Audits as of the Fiscal Year Ending September 30, 2021. Audits were performed for Public Works Punta Gorda Yard, Public Works Lighting, and Fleet Management. These audits determine adequate segregation of duties, safeguarding of assets, and results are accurate and trace to financials.



#### **REAL ESTATE SERVICES – OCCUPATION AND RELEASE OF EASEMENTS**

As a result of this review, we identified weaknesses in the designation of agents acting in the interest of homeowners for the occupation and release of easements, and opportunities for improvement in the record retention process. Our review determined procedures and tracking were complete and current, and provided assurance that the Occupation and Release of Easements program is operating as intended with opportunity for improvement.

### INTERNAL AUDITS PERFORMED AND REPORTS ISSUED DURING 2021:



Audit reports issued per auditor is a productivity gauge for the Division, adjusted for staffing levels. The Director is included in this calculation as, while an administrative position, the Director completes audits and guardianship reviews as well.

In 2021, the Division completed 4 audits per auditor. This is in line with the productivity of the Division in 2019, before the pandemic. Audit reports from 2017 through the present can be found online at CharlotteClerk.com in the "Departments" menu under Internal Audit, in the reports section.

During the year, 8 audit reports were issued. The Division completed 4 audits per auditor. Internal Audit reported 17 comments and recommendations to management for response and corrective action.

#### **GUARDIANSHIP RESPONSIBILITIES**

In addition to internal audits, the Division conducts varying levels of audits/ financial investigations related to guardianship reports and activities. The results of audited case files were communicated to the appropriate court in compliance with Florida Statutes. The Division reviews inventories and accountings (Property) of the guardian to ensure reports are timely filed, assets are recorded, receipts/ disbursements are tracked and activity is appropriate and only for the benefit of the ward, not the guardian and/or attorney. The Division reviews guardianship plans to ensure guardians attend to the ward's (1) physical and mental health care, (2) personal and social services, (3) residential setting, (4) insurance, private and government benefits, (5) physical and mental health examinations, and (6) the completeness and timely filing of reports and plans. This process is operating effectively, efficiently and timely. These reports and plans were all communicated with the court in compliance with Florida Statutes.

If we report guardianship inventories, accountings, or plans have deficiencies. The deficiencies will be addressed and these documents will be resubmitted for our acceptance. This process ensures the integrity of the guardianship program.

#### PROPERTY

In the calendar year 2021, 226 original property filings were audited. Of these, 42 or 18% of original filings did not pass the audit requirement on the review. This resulted in 35 amended inventories or accountings filed which were subsequently cleared in the same fiscal year.

49 or 21% of original filings were not timely filed and were subsequently reported as past due.

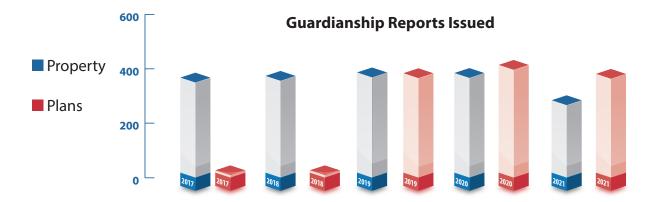
There was a total of \$14,125 in audit fees collected in calendar year 2021 for an average of \$62.50 per original filing. Any guardian unable to pay the audit fee may petition the Court for a waiver of the fee. Fees are governed by the Florida Statutes.

#### PLANS

In the calendar year 2021, 335 original plans of the person were reviewed. Reviews provide no opinion other than to report on the completeness of the plan. As a result of our reviews, 39 amended plans were filed, and found to be complete. No audit fees are charged for plans.

55 or 16% of original plans were not timely filed and were subsequently reported as past due.

During the year, 310 Guardianship Case Files of the Property were audited and 429 Guardianship Case Files of the Person were reviewed. Results of those procedures were communicated to the appropriate court in compliance with the Florida Statutes.



#### **GUARDIANSHIP REVIEWS, AUDITS AND REPORTS ISSUED DURING 2021**

## CLERK INFORMATION TECHNOLOGY

he Clerk's Information Technology (IT) Division is a critical component of the Clerk's office as this department leverages both information and technology to move the Clerk's business units forward. The IT division delivers a robust and secure infrastructure to support our core systems, employees, connecting governmental agencies and the public.

The IT Division supports the many diverse operations of the Clerk's office to include those functions provided by the Clerk in his capacity as Chief Financial Officer, County Auditor and Ex-Officio Clerk for the Board of County Commissioners. IT is responsible for development and maintenance of applications, production and operations, user support and training, hardware and software, network operations, and maintenance and security for the Comptroler, Internal Audit, Commission Minutes and Administrative Divisions.

The major systems and applications provided and supported include the Eden Financial System which is an Enterprise Resource Planning (ERP) suite with modules for accounts payable, fixed assets, general ledger, project accounting, accounts receivable, purchasing and receiving for maximum interdepartmental efficiency. Additionally, this system supports both the human resources and payroll systems for the Board of County Commissions, Supervisor of Elections and the Clerk of the Circuit Court.

The IT Division supporting the Commission Minutes Division leverages a text search and retrieval systems along with Granicus Minutes Maker and Mobile Encoder for documenting Board of County Commissioners meeting. Additionally, supporting the Value Adjustment Board with an integrated solution connecting the Charlotte County Community, Property Appraiser, and the Clerk for the filing of petitions for value adjustment, scheduling of hearings, document management all the through process until final decisions.

The IT Division also supports the Clerk's Official Records Division by maintaining applications, databases, image repository and citizen web interface for all recorded documents within the county. In addition to the Official Records, as the County Records our office is required to maintain copies of each year's Tax Rolls produced by the Charlotte County Tax Collectors office. In our continued effort to move our historical records to digital formats we process 602 microfilm rolls from 1921 to present, creating over 2.3 million digital files. These documents can now be viewed on local computers rather than the archaic microfilm machines.

Another major function area the Clerk's IT department supports is the criminal and civil courts electronic systems. These systems include modules for First Appearance / Intake packages, court document imaging, calendaring, payment processing, state reporting and electronic filings. This year we successfully met challenges with both legislative and Supreme Court mandates and changes such as implementing PDF/A documents as the new electronic file format for all court records. This change required application, website and system changes to allow not only the storing of this new document format, but also change to all visibility by our court partners and citizens.

We are always looking to improve our processes and this year the IT department did this with the introduction of hyperautomation into our court systems. Hyper-automation has three key components which include artificial intelligence, robotic process automation and machine learning. This technology facilitates the processing of many court documents directly into our Case Maintenance System (CMS) all without human intervention, bringing documents to the public in seconds rather hours or days. Handling these routine or mundane court docketing enables our clerks to be more available to assist and service our customers. It also allows our clerks to focus on the more complicated task such as attending courts and processing case records. Currently, hyper-automation is processing 19% of our Civil court documents contributing to 14% of all electronic court filings. We are looking forward to next year as we plan to introduce our Criminal court documents into this system with the goal to reach over 50% office wide.

Lastly, the team introduced a new Jury Calendaring system to all the court judicial staff allowing communicate more to be more effective with our office when requesting jurors for upcoming trials. With this new system, judicial staff can request, modify or cancel events allow all partners to maintain visibility of schedules and enabling our clerks to respond more efficiently

## EMPLOYEE RELATIONS

he Employee Relations department is responsible for all aspects of human capital management for this office.

## POLICY DEVELOPMENT / INTERPRETATION

New Federal and State legislation affecting policy compliance in human resource management is monitored and policies are updated accordingly. Each employee receives a copy of the Employee Handbook containing personnel policy and all updates and revisions which is accessible via our intranet. Each year, Clerk Eaton works to enhance employee engagement by introducing new benefits and/or educational resources designed to attract and retain his staff, as his mission is to be the employer of choice within Charlotte County. As such, this office continues to provide a competitive benefits package. In 2021, a universal leave plan was introduced to provide more flexibility for employees while also providing a cost savings benefit for the office.

## 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 as changes to labor laws occur. Updates are posted on our bulletin boards. In the first quarter of 2021, Clerk Eaton quickly pivoted his work priorities, and took the lead in Charlotte County by implementing best practice procedures as an "essential services" provider. Our goal was to remain open, while also by providing safe and sanitized offices for both the public and his employees.

#### **CLASSIFICATION AND PAY**

All classification and pay actions are reviewed for consistency and equity as well as maintaining appropriate records. Employees also contribute to their medical and FRS benefits. To support our recruitment and retention goals our office offers highly competitive benefits and pay in today's challenging market.

#### SAFETY/WORKERS' COMPENSATION

Employees are made aware of all safety procedures and workers' compensation compliance policies during their new hire orientation and throughout the year. Safety equipment is made available to all staff requiring lifting and/or the delivery of supplies and equipment.

Additionally, our SendWordNow Software, allows us to deliver real time notifications in order to update our employees during critical events. This was utilized for Tropical Storm Eta to notify all staff regarding our emergency preparedness preparations. This resource has proven to be both a time and cost savings communication tool for the Clerk and Comptroller's office.



Annual walk-through safety inspections are also conducted at all Clerk locations by the Charlotte County Facilities and Fire Department staff.

#### STAFFING AND RECRUITMENT

All recruitment activities, new hire orientation, personnel records, benefits administration, and performance measurement programs are also managed by this division. Employee Relations prepares and coordinates job position descriptions, announcements, advertising, testing and interviews as a part of the recruitment process following all applicable Federal and State laws and Clerk & Comptroller policy and procedures. In 2021, we participated in three (3) community job fairs in our quest to recruit the best staff for our office. Additionally, to support our desires to hire the right person for the right position, we partnered with a third party for the use of a Predictive Index toolset. The Predictive Index tool helps us to design better teams in order to manage our employees in a way that allows them to perform at their best by measuring an individual's personality from what motivates and inspires them, to how to best communicate with them in utilizing their skills sets. We are excited to introduce this tool at all levels within our organization as a part of our Core Values.

#### TRAINING

A dedicated Training Coordinator position was established to assist the Clerk in communicating his Mission, Vision and Core Values to staff. This position also overseas all inhouse training in various areas such as customer service and communication. Furthermore, employees are provided training in the areas of Florida Statute Laws, county and civil fines, fees, and procedural processes, customer service, and employee development, supervision, word processing and spreadsheet skills. Additional training resources are available to assist employees when implementing new software programs and/or in meeting professional development requirements. Training programs are also provided through the Florida Association of Court Clerks and Comptrollers for management staff.



## COMMUNITY INVOLVEMENT

he Charlotte County Clerk of the Circuit Court's Office prides itself in actively supporting important community causes.





In 2020, Clerk Eaton and his staff helped the Animal Welfare League by waiving adoption fees for pets and providing free food to pet owners who lost jobs due to COVID-19. For the month of April Clerk Eaton and his staff collected donations and participated in events around the community to raise funds for the Animal Welfare League. Staff they donated 1,035 items weighing over 984 pounds. We also were able to raise \$2,441.00 to support AWL.



The Clerk's Office participates in the Annual Charlotte County Heart Walk to support the mission of the American Heart Association by raising funds to fight heart disease in our community.

#### CHARLOTTE COUNTY 2021 BUSINESS OF THE YEAR



Thank you, Charlotte County Chamber of Commerce, for naming us Business of the Year! We appreciate this award, which recognizes the hard work, empathy, and efficiency of all Clerk's office staff.

## NATIONAL DOMESTIC VIOLENCE AWARENESS AND BREAST CANCER AWARENESS MONTH.



Throughout the month of October, Clerk's office staff observed National Domestic Violence Awareness and Breast Cancer Awareness Month.

Through our efforts, we raised \$4,623.94 for C.A.R.E. Victim Services Center of Charlotte County Florida and Virginia B. Andes Volunteer Community Clinic Foundation. Clerk Eaton presented checks to C.A.R.E. and Virginia B. Andes on Friday, November 5th at a ceremony attended by Clerk staff, Karen Amador Director of Donor Development at Virginia B. Andes Volunteer Community Clinic and Alyson Burch, C.A.R.E. Victim Services Center of Charlotte County Florida Vice Chair & Board Member.

THE CLERK'S OFFICE DEDICATES MANY VOLUNTEER HOURS FOR THESE COMMUNITY EVENTS TO PROMOTE AWARENESS AND SUPPORT FOR THEIR CAUSES.



## OFFICE LOCATIONS

## **Charlotte County Justice Center** 350 E. Marion Avenue Punta Gorda, Florida 33950

**Charlotte County Murdock Administration Center** 18500 Murdock Circle Port Charlotte, Florida 33948

### **OFFICE HOURS**

Monday - Friday 8:00am - 5:00pm



