

**Orange County Clerk of Courts  
Financial Assistance**

Kurt Petersen, OMB Manager  
August 11, 2020

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**Background**

- On June 30, 2020, the Mayor received a memo from Clerk Tiffany Moore Russell requesting financial assistance to meet 4<sup>th</sup> quarter payroll and operating expenses due to a \$3.9 million cut to her budget by the Florida Clerks of Court Operations Corporation.
- This was briefly discussed with the Board at the Budget Work Session on July 7 when Clerk Russell spoke regarding the Goldenrod/Winter Park Service Center Capital Project.
- The Mayor instructed staff to meet with Clerk Russell to do a thorough analysis of the financial request. After several discussions and further financial projections, the request has been revised from \$3.9 million to \$1.5 million.

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**Request**

- Orange County Government provide \$1.5 million from General Fund Reserves to the Clerk of Courts for payroll and necessary operating expenses through September 30, 2020. The following conditions would apply:
  - Any unexpended funds be returned to the county;
  - Return an amount equal to any additional funds received by the Clerk or from the State or CCDC for requested budgetary relief for the current fiscal year; and
  - Return an amount equal to any Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") funds received from the County by the Clerk utilized to offset eligible operating expenditures.

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**Request for Emergency Funding**  
 Hon. Tiffany Moore Russell,  
 Clerk of the Courts August 11, 2020

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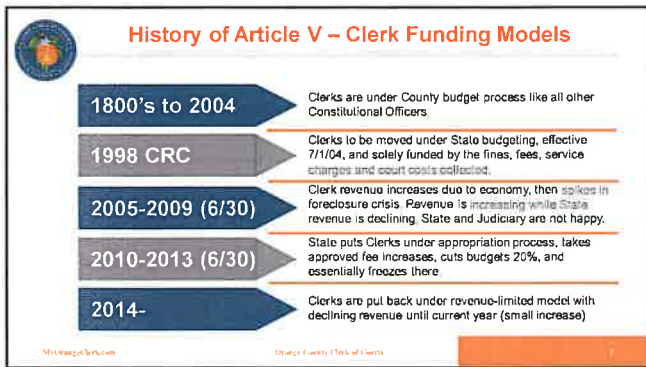
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**History of Article V – Clerk Funding Models**

- 1800's to 2004** – Clerks are under County budget process like all other Constitutional Officers
- 1998 CRC** – Clerks to be moved under State budgeting, effective 7/1/04, and solely funded by the fines, fees, service charges and court costs collected.
- 2005-2009 (6/30)** – Clerk revenue increases due to economy, then spikes in foreclosure crisis. Revenue is increasing while State revenue is declining. State and Judiciary are not happy.
- 2010-2013 (6/30)** – State puts Clerks under appropriation process, takes approved fee increase, cuts budgets 20%, and essentially freezes there.
- 2014-** – Clerks are put back under revenue-limited model with declining revenue until current year (small increase)

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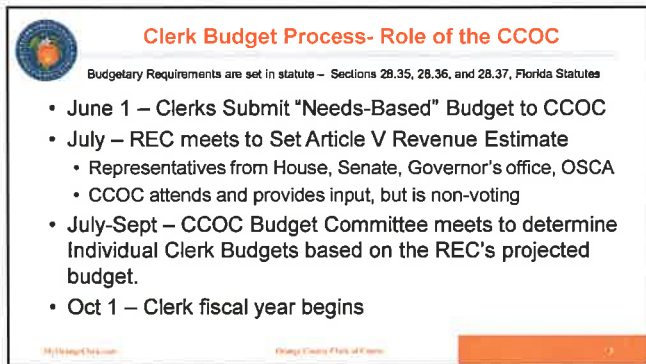
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**Clerk Budget Process- Role of the CCOC**

Budgetary Requirements are set in statute – Sections 28.35, 28.36, and 28.37, Florida Statutes

- June 1 – Clerks Submit "Needs-Based" Budget to CCOC
- July – REC meets to Set Article V Revenue Estimate
  - Representatives from House, Senate, Governor's office, OSCA
  - CCOC attends and provides input, but is non-voting
- July-Sept – CCOC Budget Committee meets to determine Individual Clerk Budgets based on the REC's projected budget.
- Oct 1 – Clerk fiscal year begins

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### What Action Have We Taken Statewide?

- FCCC Funding Request to the Governor – April 2020
- Chief Justice Canady's Request to the Governor on Clerks' behalf
- FL Bar Request to the Governor on Clerks' behalf
- SB 1076 Clerks of the Circuit Court- 2019 Legislative Session
- Constitution Revision Commission proposal in 2018 to fix broken funding model.

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### What Actions Have We Taken Locally

- Suspending expenditures for employee engagement;
- Suspending all business travel;
- Implementing a hiring freeze for all non-essential positions;
- Reviewing of all corporate & individual membership renewals;
- Limiting overtime to court-ordered extended hearings; and
- Scrutinizing all operating lease renewals for necessity.
- Branches were closed early in the pandemic, but our employees were still performing back office work and backlog queues.

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### Dispelling The Myth: Courthouse Closure vs Clerk Work

- ePortal Filings
- Redaction
- Live Agent Tickets
- Domestic Violence Injunctions & Mental Health Filings
- Emergency Marriage Licenses
- Support Essential Court Proceedings

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Your support will help us avoid having to furlough employees. I am here today to ask for you to approve my request for emergency funding of \$1.5M

Questions?

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**Action Requested**



- Approval of Funding Agreement between Orange County, Florida and the Orange County Clerk of Courts regarding Emergency Local Contribution for Fiscal Year 2019-20
- Approval of Budget Transfer #20-1186

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