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Brent Batten: Clerks appeal for help to the same judges who put them in a bind

Florida's financially strapped court clerks are looking for advice from an unlikely place - the judges they blame for making them financially strapped.

Jim Fuller of Duval County, president of the Florida Association of Court Clerks, has sent a letter to Chief Justice Peggy Quince asking her to set priorities for clerks statewide.

"I respectfully request that as the head of the judicial branch of Florida government, you prioritize the work that is most important to the court so that clerks can begin making appropriate decisions when mandates cannot be met with the current financial resources," Fuller wrote.

Earlier this year the Legislature, at the urging of judges and The Florida Bar, changed the formula by which Clerks of Courts are funded. The goal was to ensure a more reliable revenue stream for the courts but from the clerks' point of view, it came at their expense. Money, such as court filing fees, that had gone to fund the clerks' operations now go to a trust fund for the courts instead.

As a result, clerks of courts statewide have been hit with budget cuts totaling \$90 million, Fuller said.

Around the state that has meant layoffs, furloughs, pay reductions and branch office closings.

Collier County Clerk of Courts Dwight Brock said all of those impacts have been felt locally as he has lost the equivalent of 47 full-time employees, forced a 3 percent pay cut on his remaining staff, imposed a mandatory one-day-per-month furlough and closed a branch office. His budget is more than 20 percent less this year than last, he said.

Lee County Clerk of Courts Charlie Green has lost 12 positions and anticipates more layoffs. Because of reduced staff, Green expects to have a backlog of 30,000 foreclosure cases by the end of the year.

Such a backlog, which amounts to a bunch of electronic files on a computer, doesn't hurt the clerk's office, said Linda Doggett, director of courts for Green.

It hurts the community as cases drag out and properties fall into disrepair.

"Getting the final resolution, getting the property back on the market, helps the county," Doggett said.

Foreclosures are a big factor in the budget dispute between the clerks and the Legislature. In the past few years, as the number of foreclosures soared, the filing fees they brought in helped pay the clerks. Those fees no longer go to the clerks but the foreclosures, which are time-consuming cases for clerks to shepherd through, keep coming.

According to figures provided by the clerks' association, an uncontested foreclosure takes three hours and 45 minutes of a clerk's time compared to just two minutes of a judge's time.

In addition to closing the branch office he had maintained at Naples City Hall, Brock suggested more closures at some of his seven other branches could be forthcoming.

"They are all in jeopardy and there is no question that before the end of the month there will be at least some closures," he said.

"It (the new funding system) has just about brought us to our knees," Brock said. Fuller's letter to Quince is a salvo in a battle that will go on until next year, when the clerks will try to get the Legislature to come up with another way to fund them. Brock hinted he'll become more vocal in that fight.

"In the past, I've been about as unpolitical as I can be. That's about to change. I think my constituents are getting hosed."

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