



**KAREN E. RUSHING**  
Clerk of the Circuit Court  
and County Comptroller  
SARASOTA COUNTY

**2005**  
**ANNUAL REPORT**



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SARASOTA COUNTY

*To meet the needs and exceed the expectations of  
those we serve in fulfilling our constitutional obligations*



## SERVING SARASOTA COUNTY RESIDENTS

Sarasota County is a community rich with interesting, caring and engaging people. Meeting the needs and exceeding the expectations of the residents remain top priorities regardless of the challenges we face each year implementing legislative and rule changes.



*I am pleased to report 2005 was an outstanding performance year. During the course of the year we served approximately 152,000 people by phone, 153,024 in person, and thousands more by mail. Our customer feedback indicated just over a 92 percent satisfaction rating from all those served.*

*Over the last 12 months we have successfully launched a number of new programs designed to make your visit to the Clerk of the Circuit Court and County Comptroller's office less time consuming and more efficient. I am committed to continually re-evaluating our work processes to ensure efficient service is provided to you.*

*This is my 17th Annual Report. Each year has been filled with opportunities to make the performance of this office better on your behalf. I have made it my priority to hire talented and ethical professionals and I am proud to have the opportunity to work with each of them.*

*I want to thank you for the opportunity to serve as your elected Clerk of the Circuit Court and County Comptroller.*

*Karen E. Rushing*



**The clerk is a PUBLIC TRUSTEE whose duties are not purely ministerial, but an important and integral part of the entire county governmental process.**

**The duties of clerks vary from state to state. In Florida, the Clerk of the Circuit Court is a constitutional officer created by the State Constitution of 1838. The elected office is Clerk of the Circuit Court, but also serves as the County Comptroller, Recorder, Internal Auditor of county funds, and Ex-Officio Clerk to the County Commission.**

The Clerk of the Circuit and County Court is - by law - an officer of the court. The clerk is endowed with certain authority to aid and promote the judicial process. As a member of the Court, this office attends each session of court, files all official documents in civil and criminal cases, prepares records for the courts of appeal, oversees jury selection, receives payment for fines, court costs, victim restitution and alimony, disburses judicial funds, enforces collection of fines and forfeitures, conducts real property foreclosure sales, receives and audits guardianship annual reports and serves as an agent for the issuance of marriage licenses and passports.

As Custodian of County Records, this office provides a comprehensive records and information management system for the courts and for county government. Services include the tracking, maintenance, retention, preservation and disposal of records. Florida Sunshine Law and Public Records Law control the manner in which records are handled. The clerk is committed to ensuring all public information remains open and accessible to residents. In order to guarantee the accessibility of records for future generations, records are microfilmed and stored out of state for protection.

As Ex-Officio Clerk to the Board of County Commissioners, services provided include coordination and preparation of each board meeting agenda; produce, record, index and distribute official minutes of board meetings; maintain legal custody of the official Sarasota County seal; serve as custodian of all county resolutions, ordinances and contracts; process appeals before the Value Adjustment Board; serve as Clerk and Recording Secretary to the Value Adjustment Board, Charter Review Board

(more on pg 5)



**In Sarasota County, the Clerk of the Circuit Court serves as the Chief Financial Officer and Treasurer of the County. This responsibility is not unique to Sarasota County with 58 of 67 Clerks of Court in the State of Florida serving in this capacity. Additionally, this office performs all the required financial functions and reporting for the Clerk of the Circuit Court and County Comptroller's office.**

and Planning Commission; and prepare, maintain, and certify the official compilation of the County Charter.

The State Constitution and Florida Statutes provide the clerk shall be the recorder of all instruments required to be legally recorded in a series of books called "Official Records." Recorded instruments include: marriage licenses, deeds, leases, bills of sale, agreements, mortgages, notices and claims of lien, notices of levy, tax warrants, tax executions, and other instruments relating to the ownership, transfer and encumbrance of, and claims against real and personal property, or any interest therein; extensions, assignments, releases, cancellations and satisfactions of mortgages and liens; and powers of attorney relating to all instruments.

Article V of the State Constitution and Florida Statutes provides for the Clerk of the Circuit Court to serve as the County Comptroller and Treasurer as well. In addition, the clerk serves as the County Auditor where the responsibilities are to establish and maintain internal controls to provide reasonable assurance and safeguarding of assets against loss from unauthorized use or disposition.

The Clerk of the Circuit Court and County Comptroller prepares and publishes the County Comprehensive Annual Financial Report. In addition, it publishes several other documents related to the financial matters of the county, including the Report on Major Revenue Sources and the Report on Indebtedness.

The Clerk of the Circuit Court and County Comptroller also performs all the required financial functions and reporting associated with the operations of the office. The fiscal year is October 1 through September 30.



## 2005 ACCOMPLISHMENTS

**This year was devoted to implementation of Revision 7 of Article V of the State Constitution. This massive change not only impacted the funding source of the Clerk of the Circuit Court and County Comptroller, but also affected the revenues submitted to the Board of County Commissioners, and in many cases our operating procedures.**

The clerk's official website - [www.sarasotaclerk.com](http://www.sarasotaclerk.com) - was upgraded to allow for quicker service and greater capacity to provide more on-line services to our customers.

Our e-filing initiative continues to provide easy access to the courts without the cost of delivering documents to the courthouse via courier or mail. Currently, there are 326 participants enrolled to file electronically and we received over 12,000 e-filed documents in 2005, which equates to more than 56,000 pages. This initiative allows both the customer and the taxpayer to realize lower costs.

Another cost saving initiative is the electronic docket program. Designed to make the process in the courtroom more efficient, this application delivers all the cases set for a particular date and time in an electronic format.

To address the growing demands for services, the marriage license application process was placed on self-service stations in the customer service area. Now customers may apply for marriage licenses without waiting in line. Our customers have expressed appreciation for this enhanced service. Other services are expected to follow in 2006.

Enforcing the collections of fines is a major responsibility of the clerk. The clerk is required by law to administer a partial payment program. The partial payment program has many components. This year we have added collection court to our enforcement efforts. A required court appearance by those failing to make timely payments has replaced the process of issuing warrants for failing to abide by the court's order.

(more on pg 7)



## 2005 ACCOMPLISHMENTS

Meeting the needs of our customers and exceeding their expectations requires a well-trained workforce and we are committed to providing great service to the citizens and visitors of Sarasota County. Two training initiatives were implemented this year: Unit Trainer and Element K.

1. The Unit Trainer program is designed to select qualified employees that have demonstrated excellent work performance and train them to be trainers. Once they are fully trained to be a trainer they become responsible for the training needs of a particular area.
2. Element K is a subscription training service that this office utilizes. Training is provided to all levels of the organization tailored to the needs of the individual and their assigned work. These programs allows the clerk to offer excellent training opportunities without the cost of travel.

To date, 6,214 training hours have been completed by the employees. These efforts enhance our ability to ensure that all laws are implemented correctly and enforced fairly and uniformly.

Video conferencing capabilities were installed in all of our locations. This technology is expected to reduce costs associated with traveling between offices.

In October, we completed installation of an automated Customer Service Feedback Application (CSFA) located in our customer service areas, both in the Sarasota and Venice offices. Service is our business and the customers' views are most important. Each customer has the ability to rate the service electronically. The application design is simple, thus quick and easy to use. Comments are reviewed and adjustments are made. An employee's performance appraisal is influenced by customer comments.

To prepare for the continued growth in the south end of the county, the Venice branch office was remodeled. Without requesting additional space, the remodeling project was able to provide accommodations for more staff as well as additional space for public use. (more on pg 8)



## 2005 ACCOMPLISHMENTS

At the close of fiscal year 2005, we remained a top performer in the area of investments. Our investments portfolio averaged \$580 million and our yield averaged 3.83 percent.

The financial position of the county remained strong which contributed to several bond rating increases for the \$54.4 million, Utility System Revenue Refunding Bond Series 2005A; the \$20 million, Limited Ad Valorem Tax Bonds Series 2002; the \$4.9 million, General Obligation (GO) Refunding Bonds, Series 2002; the \$39.8 million, Solid Waste System Revenue Refunding Bonds Series 2005A; and the \$4.3 million, Second Guaranteed Entitlement Refunding Revenue Bonds, Series 1998.

This office - for the 21st consecutive year - has received the Certificate of Excellence in Financial Reporting. This is the highest award that can be received for financial reporting from the President and Executive Director of the Government Finance Officers Association of the United States and Canada.



The clerk's office fiscal year ended September 30, 2005. An external CPA firm performed an audit of the clerk's office, which resulted in no findings.

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Karen E. Rushing displays the Certificate of Excellence in Financial Reporting Award with Peter Ramsden, Director of Finance for the Clerk of the Circuit Court and County Comptroller

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## 2005 FACTS AND FIGURES

**The official duties of the clerk's office include being Clerk of County Courts, Recorder of Deeds, Clerk and Accountant to the Board of County Commissioners, Custodian of County Funds and County Auditor.**

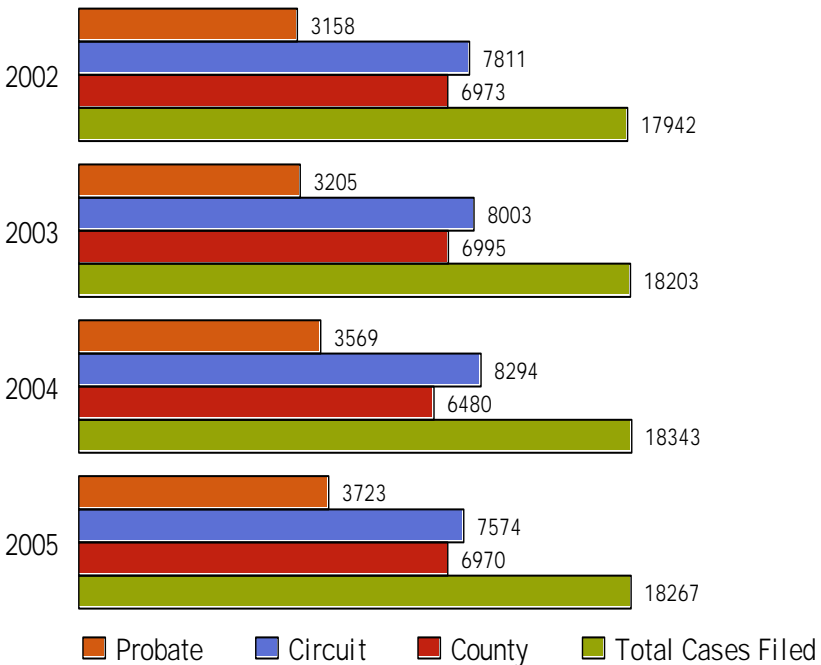
- Attended court and provided support for 15 Judges and five Hearing Officers;
- Processed 39,807 Civil and Criminal cases;
- Received and processed more than 900,000 case documents filed for record, of which 12,729 were filed electronically, representing more than two million pages scanned electronically;
- Recorded, indexed and verified 285,591 documents into the Official Records of Sarasota County;
- Processed 74,011 traffic infractions and 3,078 parking tickets;
- Summoned 42,700 jurors for 214 jury trials;
- Processed payments in the amount of \$32,789 to witnesses;
- Issued 3,057 marriage licenses and performed 606 wedding ceremonies;
- Processed child support payments totaling more than \$25,469,096;
- Microfilmed 688,722 public records and imaged 1,244,070 official records for retention;
- Attended and recorded 135 Board of County Commissioners meetings;  
and
- Processed 72 ordinances; 290 resolutions; 503 contracts; 538 Code Enforcement cases; and 420 Value Adjustment Board petitions.



## OUR PERFORMANCE AT A GLANCE

### Civil Law

The Florida Rules of Civil Procedure, Family Law Rules of Procedure, Probate Rules and Small Claims state there shall be one form of action to be known as a “civil action.” This chart is an illustration of civil actions processed in 2005 as compared to previous years. Different kinds of actions which fall under the heading “civil action” include: Child Custody and Support; Adoptions; Divorces; Domestic and Repeat Violence; Mortgage Foreclosures; Contract Disputes; Negligence; Guardianship; Probate; Landlord/Tenant; and Small Claims Suits.

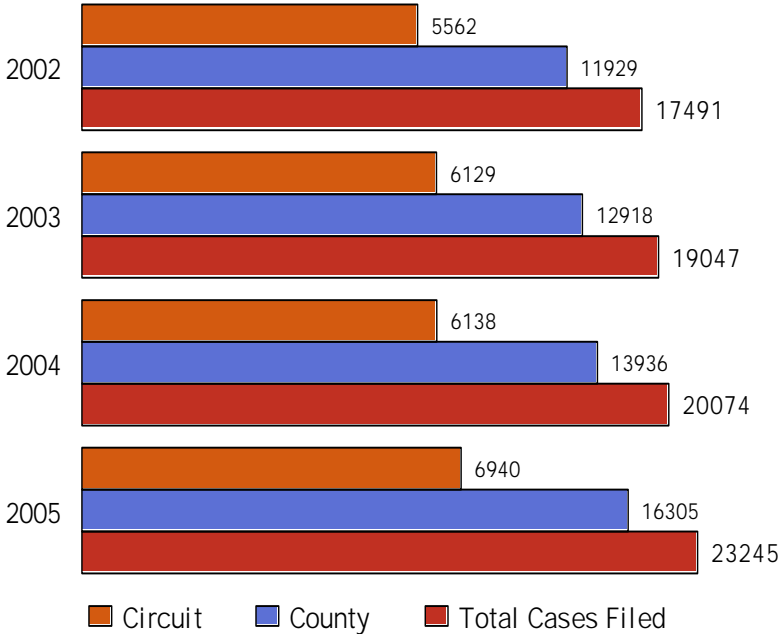




## OUR PERFORMANCE AT A GLANCE

### Criminal Law

The Florida Constitution states the Circuit Court shall have jurisdiction over all felony cases and misdemeanor charges arising out of the same circumstances as a felony. County Courts have original jurisdiction over all criminal misdemeanor cases not known by the Circuit Court and all violations of municipal and county ordinances. Felony charges, as well as juvenile delinquencies and dependencies are classified as Circuit Criminal cases. Criminal traffic charges and misdemeanor offenses are classified as County Criminal cases. The chart below illustrates total cases filed in 2005 as compared to previous years.

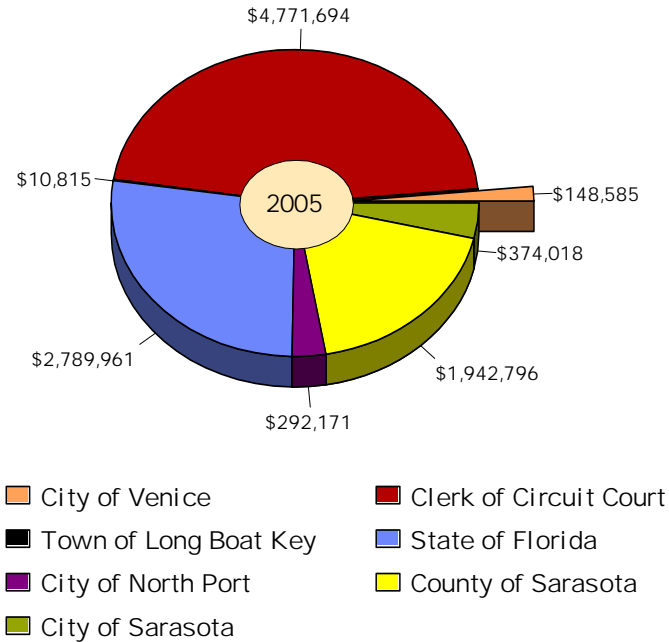




## OUR PERFORMANCE AT A GLANCE

### Fines and Forfeitures Fund

The Constitution of the State of Florida authorizes the Clerk of the Circuit Court to collect all fines and forfeitures arising from offenses tried in the courts or assessed by the various law enforcement agencies, as directed by the Court. The total fines, forfeitures, court costs and service charge collections in 2005 was \$10,330,040.

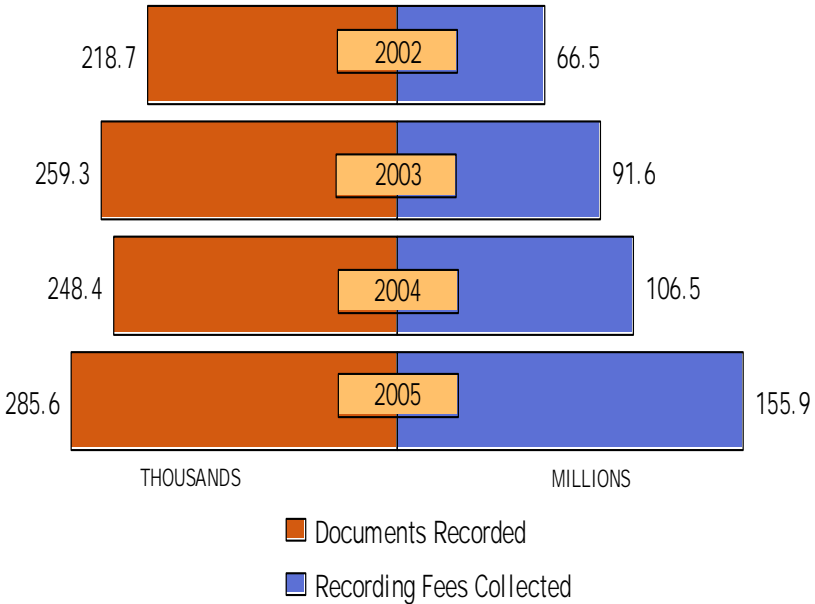




## OUR PERFORMANCE AT A GLANCE

### Recorder of Deeds

The State Constitution and Florida Statutes provide that the Clerk of the Circuit Court shall be the recorder of all instruments that are required or authorized to be recorded in one general series of books called "Official Records." The chart reflects the number of documents recorded and the fees collected in 2005 as compared to previous years. Of the 285.6 thousand documents recorded, from the total fees collected, \$10,738,795 was distributed to Sarasota County and the remainder to the Florida Department of Revenue.



## THE STRATEGIC PLANNING COMMITTEE (SPC) AND THE CLERK AT WORK



Strategic Planning Committee Members (left to right): Greg Brock, Information Services Officer; Kimberly D. Barnhill, CPA, Fiscal Officer; Janet C. Cantees, Chief Deputy Clerk; Karen E. Rushing, Clerk of the Circuit Court and County Comptroller; Peter Ramsden, Director of Finance; Irene G. Plank, Attorney At Law - Director of Court Services; Mark Simmons, Director of Internal Audit



## STRATEGIC DIRECTION

**While meeting the challenge of budget constraints, we are working to become a recognized leader in maximizing the development and use of our human talent by pioneering electronic programs which improve service delivery. In doing so, we will enhance the overall efficiency and value of our office to the benefit of the community and those we serve.**

Our strategic planning efforts are ongoing. The comprehensive strategic plan for FY2006-FY2008 includes the following goals:

### **Goal 1**

Maximize Financial Performance

### **Goal 2**

Enhance Service Delivery through Automation

### **Goal 3**

Enhance Value, Reputation, and Relationships with Stakeholders

### **Goal 4**

Create a Unified and Engaged Service Culture

### **Goal 5**

Mitigate Mission Critical Business Risks

The Harvard Balanced Scorecard measurement system is also incorporated into the plan to assist in quantifying strategic success.

The primary focus for FY2006 - and beyond - continues to be one of offering the latest and most technologically advanced delivery systems available, while maintaining an increased focus on the use of "self-service" systems and eliminating waiting time for those we serve.

Our plan for FY2006 is in place and was formulated in conjunction with the budget cycle and the strategic planning process. The Strategic Planning Committee has set a sound strategic direction and our management team has developed an operational plan to move our organization towards the achievement of the goals and objectives in the strategic plan.

# Official Website Clerk of the Circuit Court and County Comptroller [www.sarasotaclerk.com](http://www.sarasotaclerk.com)



Answers to most questions regarding services of the clerk's office can be found online at [www.sarasotaclerk.com](http://www.sarasotaclerk.com). The website contains information on how to fill out forms and procedures to follow for all the services provided by the Clerk of the Circuit Court and County Comptroller.



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## QUESTIONS & ANSWERS

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### ***I served as a juror once. Why did I get called again?***

Florida law requires all jurors to be selected from the prospective juror list by random selection. Although you have served as a juror once, you are not automatically exempt from serving again. Since 1992, you are automatically exempt from service for one year after each time you serve. Persons over the age of 70 may request to be permanently exempted.

### ***When I won my small claims case, I didn't get any money. Why?***

In a civil action if the court finds in your favor, you will be awarded a judgment. Judgments are recorded in the official records. There are a number of ways to attempt collection after a judgment is awarded. Placing a lien against real property is a relatively simple process. Supplemental collection procedures may be required to collect and may require the services of an attorney.

### ***Why do I need an attorney in Probate/Guardianship matters?***

The Florida Probate Rules issued by the Supreme Court provide that "every guardian and every personal representative, unless the personal representative remains the sole interested person, shall be represented by an attorney admitted to practice in Florida."

### ***Could my credit report include information from a document recorded in your office even though it does not pertain to me?***

Yes, this has happened. If your name is fairly common, such as Robert Smith, there may be a recorded document against another person whose name is also Robert Smith. Many credit reporting agencies will include the document in the records for all individuals with the name of Robert Smith.

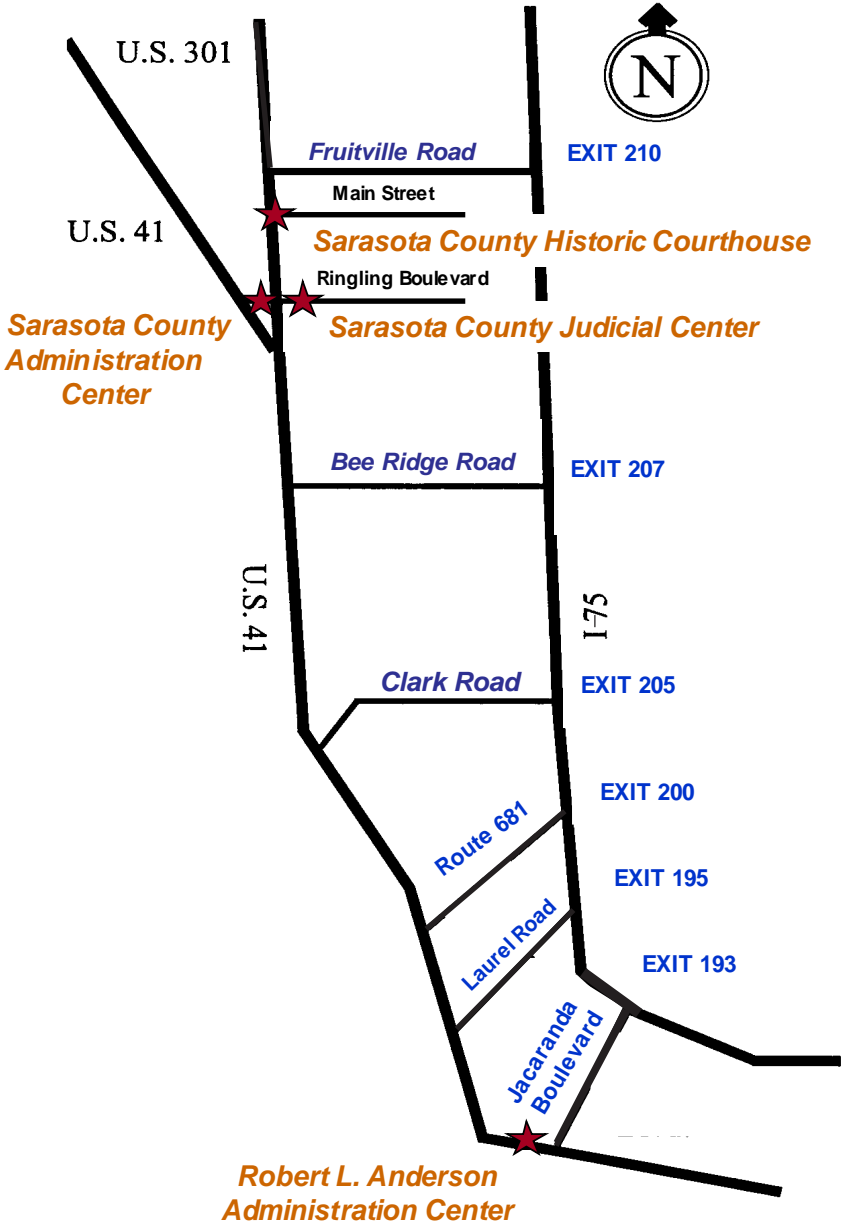
### ***What can I do if my name is included in the recorded document?***

You may prepare an affidavit explaining that you are not the person associated with the recorded document. The affidavit should be notarized and then recorded. Once this is done, you can send a certified copy to the credit bureau. In many cases, the credit bureau will change your record to remove reference to the document.

### ***Can you just give me the forms and tell me how to file my lawsuit?***

No, the clerk's personnel are prohibited from practicing law or giving legal advice. However, in certain limited situations, the clerk may provide forms and assist you in completing the documents. This is true in small claims actions (claims for less than \$15,000), injunctions for protection against domestic violence, and in simplified dissolutions of marriage.

# MAP TO OFFICE LOCATIONS





**KAREN E. RUSHING**  
**Clerk of the Circuit Court**  
**and County Comptroller**

[www.sarasotaclerk.com](http://www.sarasotaclerk.com)

**Clerk of the Court**  
**Recorder of Deeds**  
**Clerk and Accountant to the Board of County Commissioners**  
**Custodian of County Funds**  
**County Auditor**

**OFFICE LOCATIONS**

**Judicial Center**

2002 Ringling Boulevard  
Sarasota, FL 34237

**Robert L. Anderson**

**Administration Center**  
4000 South Tamiami Trail  
Venice, FL 34293

**Historic Courthouse**

2000 Main Street  
Sarasota, FL 34237

**Administration Center**

1660 Ringling Boulevard  
Sarasota, FL 34236

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