



AUDITOR GENERAL

William O. Monroe, CPA



*THE UNIFORM CASELOAD REPORTING SYSTEMS USED BY THE
FLORIDA SUPREME COURT, STATE ATTORNEYS, AND PUBLIC DEFENDERS
AND OTHER MANAGEMENT PRACTICES
FOR THE PERIOD JULY 1, 2000, THROUGH DECEMBER 31, 2001*

SUMMARY

Statewide Issues

Duplication in the Caseload Reporting Systems. The maintenance of caseload reporting systems, by three entities (Supreme Court, state attorneys, and public defenders), which are, to some degree, capturing and reporting the same data, appears to be costly, duplicative, and inefficient. It may be more efficient from a Statewide perspective to create one system that can be used by all three parties.

Reporting and Use of Caseload Data provided to the Legislature. The state attorneys and public defenders report caseload data as a part of the performance based budgeting initiative established by the Legislature (Chapter 216, Florida Statutes).

Based on discussions with legislative staff involved in the appropriations process, the performance measure data currently being collected is being used as a means of evaluating the performance of the various offices, and it is their intent to use this data in the computations of the actual appropriations made to state attorneys

and public defenders in future years. For this reason, it is important that the performance measure data be accurately and timely reported.

Supreme Court

Caseload Reporting. Established procedures for collecting and reporting Summary Reporting System data, the primary purpose of which is the certification of need for additional judgeships, were generally adequate. However, improvements could be made to further ensure the timeliness of the filing of reports and the reliability of the data.

State Attorneys

Improvements could be made to further ensure the reliability of performance measure data by the state attorneys, including the monthly filing of performance measure reports and the retention of supporting documentation for the reports.

Public Defenders

Improvements are needed in procedures for collecting and reporting performance measure data by the public defenders to produce reliable results on a Statewide

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basis, including retention of supporting documentation for the performance based budgeting (PB²) data; clarification as to how the 72-hour contact performance measure is to be interpreted; accurate reporting of PB² data on the prescribed forms; and improvement in the accumulation of the PB² data by the Florida Public Defenders Association.

Other Issues

Other Management Practices. Our review of the financial management practices of the Office of the State Courts Administrator (OSCA) indicated a need to update insurance coverages for buildings and their contents for the 2001-2002 fiscal year, and a need for improvement in the travel authorization process for attendance at conferences and conventions.

BACKGROUND

State Courts System

Caseload Reporting

Section 25.075, Florida Statutes, requires that the Supreme Court develop a uniform caseload reporting system, including a uniform means of reporting categories of cases, time required in the disposition of cases, and the manner of disposition of cases. This section also requires that we audit the reports made to the Supreme Court in accordance with the uniform system established by the Supreme Court. The Supreme Court established the Summary Reporting System (SRS) to meet this requirement of law.

The SRS utilizes caseload statistics submitted by the clerks of the circuit court to produce summary reports of the

workloads of judges. The Supreme Court's instructions and requirements for reporting caseload statistics are contained in the *Florida State Courts System Summary Reporting System Manual*. The SRS was designed to provide OSCA with the data necessary to assist the Supreme Court in meeting its responsibility, pursuant to Article V, Section 9 of the State Constitution, for determining the need for an increase or decrease in the number of judges required to consider and dispose of cases filed before the district courts of appeal, circuit courts, and county courts.

State Attorney and Public Defender

Caseload Reporting

The state attorneys and public defenders report caseload data as a part of the performance based budgeting initiative established by the Legislature in recent years (Chapter 216, Florida Statutes). Performance measures have been developed by the state attorneys and public defenders and approved by the Legislature. The state attorneys and public defenders use various case reporting systems to capture the performance based data. For the state attorneys, prescribed reporting formats with detailed instructions have been developed through the Florida Prosecuting Attorneys Association. This information is compiled by each judicial circuit and reported on a monthly basis. At fiscal year-end, a Statewide report is prepared by 5th Judicial Circuit State Attorney personnel. The public defenders have also developed a reporting system for the compiling of information by each judicial circuit and

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reporting of that information to the Florida Public Defenders Association where a Statewide report is also prepared.

Pursuant to Sections 27.25(5) and 27.53(4), Florida Statutes, respectively, appropriations for the offices of state attorneys and public defenders shall be determined by a funding formula based on population and such other factors as may be deemed appropriate. The performance measures may be one such factor used in the funding formula.

SCOPE AND METHODOLOGY

The objectives of the audit were: (1) to evaluate the Florida Supreme Court's, state attorneys', and public defenders' administration of their assigned responsibilities in accordance with requirements of applicable laws, administrative rules, and other guidelines; (2) to determine the extent to which the Supreme Court, state attorney, and public defender management controls promoted and encouraged the achievement of management's objectives with regard to compliance with such requirements, economic and efficient operations, reliability of records and reports, and safeguarding of assets; and (3) to identify recommended statutory changes in substantive law and policy.

FINDINGS AND RECOMMENDATIONS

STATEWIDE ISSUES

Finding No. 1: SRS and State Attorney/Public Defender Reporting Processes

There are essentially three separate systems currently being maintained for the collection and reporting of caseload data generated by the court system. As statutorily mandated (Section 25.075, Florida Statutes), the Supreme Court has developed a uniform caseload reporting system. Additionally, the state attorneys and public defenders have reported caseload data in varying forms for years, most recently as part of a performance based budgeting initiative (Chapter 216, Florida Statutes), requiring the reporting of performance measure data which includes caseload data.

The maintenance of separate caseload reporting systems by three entities, (Supreme Court, state attorneys, and public defenders) which are, to some degree, capturing and reporting the same data appears to be costly, duplicative, and inefficient. While our review has identified certain weaknesses in each system, requiring the attention of those entities to correct the weaknesses, it may be more efficient from a Statewide perspective to explore the possibility of creating one system that can be used by all three parties.

A comparison of the existing reporting forms used by the Supreme Court in the maintenance of their system to the reporting forms used by the state attorneys for their system shows that the

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forms prescribe numerous categories and subcategories of caseload information for reporting. While this data is useful, comparability between the two systems is hampered by the differing categories and classifications of caseload activities reported. For example, the SRS captures information relative to the circuit criminal category by counts while the state attorney reporting system captures this information by cases.

While we recognize the differing uses for the data by the Supreme Court, state attorneys, and public defenders, it should be possible to satisfy the individual needs of all three users if a more efficient and effective system could be developed.

We recommend that the Supreme Court, state attorneys, and public defenders work with the users of the data, judges, and the Legislature, to explore the possibility of jointly developing one Statewide system that would provide timely, accurate, and reliable data in a more efficient and effective manner.

Finding No. 2: Use of the Data Reported by the State Attorneys and Public Defenders

The performance measure Statewide annual reports for both the state attorneys and public defenders are submitted to the Justice Administrative Commission (JAC) where the performance measure data is entered in the Legislative Appropriation System/Planning and Budgeting subsystem (LAS/PBS). As such, this information is then made available to the Legislature and legislative staff. Pursuant to Chapter 216, Florida Statutes,

performance measures are one of many factors used in the budgeting process.

Considerable resources have been committed by the state attorneys and public defenders to implement the performance based budgeting initiative. However, based on discussions with legislative, state attorney, and public defender staff, it appears that the information being collected and reported could be better utilized for the intended purpose. Based on discussions with legislative staff involved in the appropriations process, the performance measure data currently being collected is being used as a means of evaluating the performance of the various offices; and it is their intent to use this data in the computations of the actual appropriations made to state attorneys and public defenders in future years. For this reason, it is important that the performance measure data be accurately and timely reported.

Legislative staff, in some instances, indicated that if they needed information on certain aspects of a state attorney or public defender office, they often contacted the particular office and requested the needed information, rather than use the performance measure reports. State attorney personnel also mentioned instances where they received calls from legislative staff requesting certain caseload-related information which required research time and resources on behalf of state attorney staff in order to provide the requested data.

We understand that state attorneys and public defenders must be prepared to provide requested information to legislative staff at any time throughout

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the year. In light of the considerable time and resources that have been committed to the performance based budgeting initiative and the related collection of performance measure data, and the intent to use this data, in future years, in the computations of actual appropriations, it is important that the state attorneys and public defenders involved in compiling and reporting this data, which will be analyzed by legislative staff, provide reliable, accurate, and timely information.

We recommend that the state attorneys and public defenders, who report performance measure information to the Legislature, make every effort to produce reliable, accurate, and timely data.

FLORIDA SUPREME COURT

Based on size, location, and prior audit experience, we selected 10 circuits (and within each circuit, one county) for testing the reporting of SRS caseload data. Our audit included a review of the procedures utilized by the Clerks of the Circuit Courts and OSCA to ensure the accuracy and completeness of the selected SRS data reported by the respective Clerks of the Circuit Courts to the Supreme Court. Our tests disclosed that established procedures for collecting and reporting SRS data were generally adequate. However, we did note areas where improvements could be made to further ensure the reliability of the SRS data, as discussed in the following findings.

Finding No. 3: Timeliness of Reports

The *Florida State Courts Summary Reporting System Manual* requires each

county to submit monthly SRS reports to the Office of the State Court Administrator (OSCA) by the 15th day of the succeeding month. Reports submitted are generally a combination of paper reports for civil, juvenile, probate, and domestic relations divisions and, for the criminal division, electronic reports submitted through the Offender Based Transaction System (OBTS). Reports prepared by OSCA of missing data indicate that monthly SRS reports are not being submitted timely. For the period of December 2001 through March 2002, an average of 23 counties (34 percent) did not submit their completed SRS reports (i.e., both paper and electronic reports) by the reporting deadlines. The range of counties filing late reports for the four month period was from 20 to 28, as shown in the following tabulation:

Report Month	Due Date	Number of Counties Late	
		As of the Due Date	As of May 1, 2002
December 2001	1/15/02	28	8
January 2002	2/15/02	23	8
February 2002	3/15/02	21	14
March 2002	4/15/02	20	20

This tabulation shows, for each of the report months, the number of counties with all or a portion of the required SRS reports received after the required due dates. For example, OSCA's missing data report dated February 1, 2002, indicates 28 counties had not submitted the December 2001 SRS reports (due on January 15, 2002) in their entirety. Additionally, the missing data report dated May 1, 2002, indicated that 8 of the 28 counties still had not submitted the December 2001 reports in their entirety.

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Further, the May 1, 2002 missing data reports showed two counties which had failed to submit complete reports for as far back as December 1999.

The data reported and included in the SRS is used in the certification of need for additional judges, the formulation of budgets, the preparation of legislative fiscal notes, the impact assessment of proposed legislation or court rules, and as an information resource for all courts, criminal justice agencies, news media, and the general public. It is important that the information be collected in a timely manner. OSCA personnel, in a memorandum dated May 29, 2002, stated that while they had made significant progress in obtaining the reports from the counties cited above, two of the counties still had not provided SRS reports for the four month period, citing systems problems. OSCA further noted that they were providing assistance to these counties, but that it is the Clerks' responsibility to submit their SRS reports to OSCA by the deadline.

The Chief of Court Services stated that staff turnover at the Clerk's office level is one of the major contributing factors to the problems identified during their audits. He further stated that OSCA plans to increase training during the 2002-2003 fiscal year and continue their targeted auditing approach using statistical analysis and review to select the counties to be audited. He also noted that the enforcement provisions provided for in Section 25.075(2), Florida Statutes, (i.e., charging a Clerk with misfeasance for failure to file reports) does not address the untimely filing of reports. Further, Section 25.075(2), Florida

Statutes, is ineffectual as a possible deterrence to failure to report because there is no penalty associated with the provision.

We recommend that OSCA, in consultation with the Clerks of the Courts offices, continue its efforts to ensure that the Clerk's submit their SRS reports to OSCA within the time frames provided for in the SRS Manual. We further recommend that OSCA consider seeking statutory changes to Section 25.075, Florida Statutes, that would provide a monetary penalty for willful failure to report and also address the issue of untimely filing of reports, including the imposition of a monetary penalty for the late filing of reports. Statutory changes of this nature would encourage more timely reporting of SRS data by the Clerks of the Circuit Courts.

***Auditee Response and
Auditor Clarification***

The Florida Association of Court Clerks & Comptroller and the Clerk of the Circuit Court for Gilchrist County disagreed with our recommendation that OSCA consider seeking statutory changes to Section 25.075, Florida Statutes, that would provide a monetary penalty for the late filing of reports, but did not suggest alternatives for encouraging prompt filing of reports.

The entire response may be viewed on the Auditor General's Web site.

Finding No. 4: Processing of Offender Based Transaction System (OBTS) Data by OSCA

In preparation for OSCA's Court Services division assuming the responsibility for the processing of OBTS data (previously

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performed by the Information Systems Services (ISS) division within OSCA), ISS discontinued processing OBTS data as of February 28, 2001. OBTS data is criminal case data that is transmitted electronically to OSCA. Following a period of data conversion and validation, Court Services was expected to begin the processing of OBTS data by May 15, 2001. However, unforeseen technical issues delayed the operational deadline to approximately August 15, 2001. During this time, the counties continued to submit OBTS data, but it was generally not processed and aggregated until September 30, 2001.

When processing resumed, problems remained for Leon County and OSCA that were not resolved until April 2002. According to Court Services personnel, the problems with Leon County included, but were not limited to, differing versions of the edit program at Leon County and OSCA, changes to edit programs, rejection of files for excessive error rates, and data transmitted to ISS, but not to Court Services. The processing of Leon County files to bring them up-to-date was not concluded until May 1, 2002.

When SRS data is required and is not being processed in a timely manner, as was the case noted above, OSCA uses modeling techniques as a means of obtaining estimates of the missing data. While the use of modeling techniques can provide a means of providing information when data is not processed timely, it does not provide the best information available (i.e., actual data promptly and accurately processed).

We recommend that OSCA take steps to ensure that delays in processing data do

not occur should similar circumstances exist in the future.

Finding No. 5: SRS Data Reporting Errors

Our review of case files to determine whether data was accurately reported by the Clerks on the SRS forms submitted to OSCA disclosed that, for Leon County, the cases were generally reported accurately. However, for the Juvenile Dependency category reported in Section IV, Part II of the monthly SRS report form, we noted exceptions in 12 of the 36 cases reviewed. In two cases, the petitions should have been reported in Part G (Termination of Parental Rights Petitions Filed category) instead of Part A (Petitions Filed), and in the other 10 cases, the petitions did not meet the criteria for reporting and should not have been reported on this form. Clerk personnel indicated they concurred with our findings, retraining of staff had occurred, and amended reports had been prepared for submission to OSCA.

We recommend that the Leon County Clerk of the Circuit Court take steps necessary to ensure the accurate and timely reporting of the SRS data in the future.

STATE ATTORNEYS

Based on size, location, and prior audit experience, we selected 10 judicial circuits (and within each judicial circuit, one county) for testing the reporting of performance measure data. Our tests disclosed that established procedures for collecting and reporting the performance measure data were generally adequate. However, we did note areas where

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improvements could be made to further ensure the reliability of the data, as discussed in the following findings.

Finding No. 6: Filing of Monthly Caseload (Performance Measure) Reports

The Florida Prosecuting Attorneys Association has developed and distributed instructions and prescribed forms to be used by the state attorneys for reporting performance measure data. The instructions stated that “a monthly caseload report as attached shall be completed. This report shall be filed with the President of the Florida Prosecuting Attorney’s Association on or before the 20th of each month for the preceding month.” We found that several of the circuits selected for testing were submitting their reports quarterly, rather than monthly. While the quarterly reporting of data by some circuits did not result in inaccurate data being reported, it did result in delays in the reporting of the data.

We recommend that the state attorneys provide the required performance data in accordance with the instructions.

Finding No. 7: Documentation Supporting Performance Measure Reports not Retained for Audit

Documentation to support the totals reported on the performance measure reports for four judicial circuits (5th, 11th, 12th and 13th) was neither retained nor properly summarized and reported. Consequently, we were unable to verify

the accuracy of the totals reported by these judicial circuits, as discussed below:

- For the 5th, 11th, and 13th Judicial Circuit State Attorneys, adequate supporting documentation (such as a listing of the case numbers which comprised the totals reported) was not retained to support the performance measure report totals. Pursuant to our request, state attorney personnel wrote computer programs to retrieve the needed information for the months included in our testing. For the 5th and 11th Judicial Circuit State Attorneys, the requested data resulting from their effort substantially supported the amounts reported. However, the data provided by the 13th Judicial Circuit State Attorney (total number of cases in the listing provided for the specific categories reported) did not agree with the totals reported to the Florida Prosecuting Attorney’s Association. The following tabulation shows the differences in the amounts reported.

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13th Judicial Circuit			
Category	PB² Reports	Case Lists	Over (Under) Reported
June 2001			
<i>Felony Referral</i>	817	1,723	(906)
<i>Felony Filings</i>	918	1,173	(255)
<i>Misdemeanor Referral</i>	1,519	3,775	(2,256)
<i>Misdemeanor Filings</i>	2,519	3,607	(1,088)
<i>Juvenile Referrals</i>	490	826	(336)
<i>Juvenile Filings</i>	606	770	(164)
December 2001			
<i>Felony Referral</i>	1,260	1,545	(285)
<i>Felony Filings</i>	1,194	1,179	15
<i>Misdemeanor Referral</i>	3,047	3,550	(503)
<i>Misdemeanor Filings</i>	3,506	3,329	177
<i>Juvenile Referrals</i>	847	902	(55)
<i>Juvenile Filings</i>	703	697	6

amounts reported on the June 2001 performance measure report are shown in the following tabulation:

12th Judicial Circuit			
Category	PB² Reports	Case Lists	Over (Under) Reported
<i>Felony Cases Disposed by Plea</i>	467	626	(159)
<i>Felony Cases Disposed by Other</i>	347	438	(91)
<i>Misdemeanor Cases Disposed by Plea</i>	1,278	1,140	138
<i>Misdemeanor Cases Disposed by Other</i>	769	831	(62)
<i>Juvenile Cases Disposed by Other</i>	156	209	(53)
<i>Felony Filings</i>	489	461	28
<i>Misdemeanor Referrals</i>	2,186	2,139	47
<i>Misdemeanor Filings</i>	1,422	1,259	163
<i>Juvenile Filings</i>	244	218	26
<i>Worthless Check Diversions</i>	77	111	(34)

State attorney personnel indicated that a new system for accumulating this information was implemented and the information needed for reporting the performance measure data is more easily obtained and retained for audit purposes.

- For the 12th Judicial Circuit State Attorney, documentation to support the amounts reported was maintained; however, the amounts shown on the spreadsheet prepared by state attorney personnel, to support the data reported on the June 2001 performance measure report, was not accurately summarized for the three counties within the judicial circuit. The differences between the amounts shown on the spreadsheet and the

We also noted instances where performance measure data reported by the 12th Judicial Circuit State Attorney was not accurately classified and reported as to category or reporting period for the months of June 2001 and December 2001. For example, we noted that for the categories, Felony Dispositions - Cases Disposed by Plea and Felony Dispositions - Cases Disposed by Other Disposition, 6 of 30 cases tested in each category were not reported in the proper category. In the category, Misdemeanor Dispositions - Cases Disposed by Other Dispositions, we noted 4 instances in 30 cases tested where

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the case was not reported in the proper reporting period.

- As noted above, prescribed performance data reporting formats with detailed instructions have been developed through the Florida Prosecuting Attorneys Association for the state attorneys. The performance measure data is compiled by each judicial circuit using the prescribed forms and reported on a monthly basis. At fiscal year-end, a Statewide report is prepared by the 5th Judicial Circuit State Attorney staff. However, current procedures do not include any verification of the data received from the individual circuits by the 5th Judicial Circuit State Attorney staff.

We recommend that for future reports, the 5th, 11th, 12th, and 13th Judicial Circuit State Attorneys, as appropriate, take steps to ensure that the detailed documentation supporting the total cases reported is retained and available for audit and that the data is accurately summarized and classified for reporting purposes. Consideration should also be given to implementing procedures which would include verification of the data submitted by the state attorneys to the 5th Judicial Circuit State Attorney. This would provide a means of ensuring that the data submitted was reliable.

***Auditee Response and
Auditor Clarification***

The State Attorney, 11th Judicial Circuit, while concurring with our finding that supporting documentation for the total cases reported was not retained, she did not agree that a detailed list should be retained for the

total cases reported. The 11th Circuit State Attorney further noted that they were able to retrieve the needed information to support the totals reported when the needed information was requested for audit. While the 11th Circuit State Attorney was able to ultimately provide the needed data, the point of our finding was the need for each State Attorney's office to retain data to support the total cases reported on the performance measure reports in a manner which would not require the incurring of additional costs for the writing of separate computer programs.

The entire response may be viewed on the Auditor General Web site.

PUBLIC DEFENDERS

The Public Defenders use various case reporting systems to capture performance based data. Based on size, location, and prior audit experience, we selected 10 judicial circuits (and within each judicial circuit, one county) for testing the reporting of performance measure data. Our tests disclosed that established procedures for collecting and reporting performance measure data were, in many instances, not adequate to produce reliable results on a Statewide basis. Areas where improvements were needed to ensure the reliability of the data are discussed in the following findings.

Finding No. 8: Documentation Supporting Reported PB² Data Not Retained for Audit

Documentation to support the totals reported on the performance measure reports for several judicial circuits was not retained and one instance of underreporting cases closed was noted.

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Consequently, we were unable to verify the accuracy of the totals reported by these judicial circuits as discussed below:

- The 2nd Judicial Circuit Public Defender did not have documentation to support the data reported on the performance measure reports (June 2001 and December 2001) for six of eight categories tested.
- The 9th Judicial Circuit Public Defender did not have documentation supporting the data reported on the performance measure reports for three of four categories tested for June and December 2001. Public Defender personnel stated that “a program could be produced to create detailed lists of every case or client included in these counts. However, this office does not have a programmer on staff. Since detailed lists are not something this office requires to complete our work, we have not contracted for such a program to be developed.”
- For the 12th Judicial Circuit Public Defender, information supporting the cases reported as closed and the cases reported within the speedy trial rule was not retained for audit purposes. The public defender completes a *Case Closing Reporting Form* to report the number of cases closed and the number of cases closed within the speedy trial rule on the performance measure report. However, this report was not retained by the public defender. The public defender stated to us

that effective May 1, 2002, this report form would be retained.

- On the 5th Judicial Circuit Public Defender’s June 2001 performance measure report, 683 cases were reported as closed. However, the documentation maintained by the public defender showed 1,192 cases closed for the month of June 2001, an under reporting of 509 cases. The public defender, in a memorandum dated April 24, 2002, stated that “we cannot account for the discrepancy between the number of cases originally reported and the number of cases on our report presented you for the month of June 2001.”

The public defender for the 2nd and 5th Judicial Circuits stated that the additional reporting requirement relating to the implementation of performance based program budgeting with no written guidelines, additional staff, and training contributed to the lack of documentation for these judicial circuits. The 2nd Judicial Circuit Public Defender also noted that a Statewide committee was subsequently formed to formulate guidelines to ensure uniform reporting and that her office was currently in a transition, moving from a partially automated reporting system to a totally automated reporting system. The public defender further stated that she expects to have an automated data collection process in place by the beginning of the 2002-2003 fiscal year.

We recommend that the public defenders retain for audit documentation supporting data reported on the PB² reports. We also recommend that, to the extent practicable, additional

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training be provided to public defender personnel responsible for the reporting of performance measure data, through the Florida Public Defenders Association, to help ensure the accuracy and timeliness of this data.

Finding No. 9: 72 - Hour Initial Contact Performance Measure

The instructions for the PB² Baseline Data (performance measure) reports provide for the reporting of the percentage of initial client contacts made within 72 hours of initial appointment or notification of initial appointment, excluding holidays and weekends. Problems noted related to initial contact reporting are discussed below:

- At 5 of the 10 public defender offices we tested, the public defenders interpreted initial appointment as the first day a representative from a public defender's office appears in court with a client, which is usually at the first appearance hearing. Thus, the public defenders consider the 72-hour initial contact requirement satisfied as a result of this contact at the first appearance hearing. However, at the other 5 public defender offices, the public defenders were of the opinion that the client should then be contacted within 72 hours of the date of the first appearance hearing and utilized that hearing date to establish the beginning of the 72-hour period.
- Our review of performance measure reporting by the 12th Judicial Circuit

Public Defender for the categories of *Total Number of Incarcerated Clients to be Interviewed* and *Total Number of Initial Contacts Completed within 72 Hours* disclosed that the public defender did not include clients in custody who had their first appearance hearing on Saturday or Sunday, or on holidays, in their counts of clients to be interviewed. According to public defender procedures, clients to be interviewed, as well as initial contacts within 72 hours, are only counted when a client in custody has had their first appearance hearing on Monday through Friday. For example, a client who is arrested on Saturday might have his first appearance hearing and be assigned a public defender on the same day, or on Sunday. However, he might not be interviewed until the following Tuesday. In this situation, the public defender's procedure was not to count this client in the number of clients to be interviewed or in the number of initial contacts within 72 hours.

The public defender issued a memorandum dated May 1, 2002, in which he stated that "it is our intent to have all clients interviewed within 72 hours of their first appearance hearing. That would mean clients appearing at first appearances on Saturday will be interviewed by the close of business on Monday. Those clients at first appearances on Sunday will be interviewed by the close of business on Tuesday. These cases will become a part of our case counting

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process, as part of our monthly caseload reporting.”

As a result of these differing interpretations of the 72-hour initial contact reporting requirement, inconsistent reporting of data has occurred.

We recommend that the public defenders in cooperation with the Florida Public Defenders Association review this performance measure and issue clear instructions as to how it is to be applied and reported so that it is reported consistently in all 20 judicial circuits.

Finding No. 10: Reporting Errors

As noted previously, our tests disclosed that established procedures for collecting and reporting the performance measure data for public defenders were, in many instances, not adequate to produce reliable results on a Statewide basis. Specific instances noted where improvements could be made in the reporting process are discussed below:

- For the 2nd Judicial Circuit Public Defender, we noted that 4 of 30 tested cases were not included as closed cases on the October 2001 report even though these cases were closed during that month.
- For the 12th Judicial Circuit Public Defender, our review of cases reported as closed for Manatee County for June 2001 and December 2001 revealed a 100 case underreporting for June 2001 and a 10 case underreporting for December 2001. The performance measure monthly report showed

fewer closed cases than the case management system used by the public defender’s office. The public defender indicated that procedures for reporting cases which had been closed would be revised to ensure that all cases closed within a particular month were correctly reported on the performance measure reports.

- We were unable to trace several cases to the applicable performance measure reports for our test of 30 case files in one county in the 20th Judicial Circuit (Collier County). For example, for the category “Total Cases Closed for the Month,” we were unable to trace 3 of 21 cases selected for testing to a PB² report. For the category “Number of Incarcerated Clients to be Interviewed,” we were unable to trace 10 of 30 cases selected for testing to a PB² report.

Public defender personnel indicated that these were instances where the dispositions were entered in the system after the PB² reports were prepared, but there was no mechanism in place to file amended reports.

We recommend that the public defenders take the steps necessary to ensure for future reports that the data is accurately accumulated and reported.

Finding No. 11: Florida Public Defenders Association Procedures

The PB² reports are transmitted to the Florida Public Defenders Association in Tallahassee by the public defenders. The

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Statewide PB² report prepared by the Florida Public Defenders Association, and sent to the JAC, shows the data for each performance measure by circuit. As part of our audit, we requested copies of the circuit-wide reports and the individual county reports for each judicial circuit for the 2000-2001 fiscal year. While the Florida Public Defenders Association was able to provide the circuit-wide report for all 20 judicial circuits, the association does not require that the individual county reports, for those circuits with multiple counties, be submitted. Although we were able to obtain these reports directly from the counties, the Florida Public Defenders Association should require that the circuits with multiple counties submit the individual county reports along with the circuit-wide reports. Also, this data should be retained so that the report compilation process can be verified.

We recommend that procedures be revised to ensure that the individual county reports, which serve as the backup documentation for the Statewide PB² report, are submitted, retained, and available for audit at the Florida Public Defenders Association in the future. Consideration should also be given to implementing procedures which would include verification of the data being submitted by the public defenders to the Florida Public Defenders Association. This would provide a means of ensuring that the data submitted was reliable.

OTHER ISSUES-MANAGEMENT PRACTICES

Finding No. 12: Insurance Coverage

The Supreme Court had not updated its property insurance coverages in the Fire Insurance Trust Fund for the 2001-2002 fiscal year. Information provided by the Division of Risk Management of the Florida Department of Insurance indicated that insurance coverage amounts provided for both the 2000-2001 and 2001-2002 fiscal years were as follows:

Building	\$ 26,047,904
Contents	\$ <u>7,904,934</u>
Total Insured Values	\$ <u>33,952,838</u>

Our review of the Florida Accounting Information Resource (FLAIR) subsystem accounting records showed the historical costs for buildings to be approximately \$14.7 million and the costs for furniture and equipment (contents) approximately \$7.4 million for the Supreme Court at June 30, 2002. This represented an increase of approximately \$261,000 from the 2000-2001 fiscal year. While the increase in costs was not material, and the coverage amounts appear to be adequate at June 30, 2002, the failure to update insurance coverage on an annual basis could subject the Supreme Court to a potential monetary loss should a significant increase occur in a particular fiscal year and the coverage amounts had not been updated for this increase.

We recommend that the Supreme Court ensure that increases in value for buildings and contents be reported to the Department of Insurance on an annual basis.

*THE UNIFORM CASELOAD REPORTING SYSTEMS USED BY THE
FLORIDA SUPREME COURT, STATE ATTORNEYS, AND PUBLIC DEFENDERS
AND OTHER MANAGEMENT PRACTICES*

Finding No. 13: Travel Authorization Procedures

The Supreme Court does not use the travel authorization request form provided for in Section 112.061(11)(a), Florida Statutes, to approve travel to conferences or conventions. This Section states that the Department of Banking and Finance shall furnish a uniform travel authorization request form which shall be used by all state officers and employees and authorized persons when requesting approval for the performance of travel to a convention or conference. The form includes provisions for the name of each traveler, purpose of travel, period of travel, estimated cost to the State, and a statement of benefits accruing to the State by virtue of such travel.

The Court's approval process typically is in the form of a memorandum presented to the Chief Justice which provides information as to the purpose of the conference or convention and the number of employees attending and indicates the approval of the Chief Justice. However, our review of voucher packages related to attendance at conferences and conventions indicated that the memoranda used did not include estimates of the costs of the travel.

We recommend that the Supreme Court revise its procedures for approving attendance at conferences and conventions to include the use of the prescribed Department of Banking and Finance form containing all required information.

AUTHORITY

Pursuant to the provisions of Section 11.45, Florida Statutes, I have directed that this report be prepared to present the results of our operational audit.

William O. Monroe

William O. Monroe, CPA
Auditor General

AUDITEES' RESPONSES

Responses to the findings in this audit report were received from the Florida Supreme Court, the Florida Prosecuting Attorneys Association, Inc., the Florida Public Defender Association, Inc., the Justice Administrative Commission, the Florida Association of Court Clerks & Comptroller, and several of the offices of the state attorneys, public defenders, and Clerks of the Circuit Courts.

Except as indicated in this report for Findings Nos. 3 and 7, the respondents indicated general agreement with the findings.

The entire responses may be viewed on the Auditor General's Web site.



To promote accountability in government and improvement in government operations, the Auditor General makes operational audits of selected programs, activities, and functions of State agencies. This operational audit was made in accordance with applicable *Government Auditing Standards* issued by the Comptroller General of the United States. This audit was coordinated by Hardee Ratliff, CPA. Please address inquiries regarding this report to Jim Dwyer, CPA, Audit Manager, via e-mail at jimdwyer@aud.state.fl.us or by telephone at **(850) 487-9031**.

This report and other audit reports prepared by the Auditor General can be obtained on our Web site at <http://www.state.fl.us/audgen>; by telephone at (850) 487-9024; or by mail at G74 Claude Pepper Building, 111 West Madison Street, Tallahassee, Florida 32399-1450.



Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

HARRY LEE ANSTEAD
CHIEF JUSTICE
LEANDER J. SHAW, JR.
CHARLES T. WELLS
BARBARA J. PARIENTE
R. FRED LEWIS
PEGGY A. QUINCE
RAOUL G. CANTERO, III
JUSTICES

December 18, 2002

THOMAS D. HALL
CLERK

WILSON E. BARNES
MARSHAL

Mr. William O. Monroe, CPA
Auditor General
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, FL 32399-1450

Dear Mr. Monroe:

I am writing in response to the preliminary and tentative audit findings from your audit of the Uniform Caseload Reporting Systems Used by the Florida Supreme Court, State Attorneys, Public Defenders, And Other Management Practices. We make the following comments:

Finding No. 1 Recommendation:

We recommend that the Supreme Court, state attorneys, and public defenders work with the users of the data, judges, and the Legislature, to explore the possibility of jointly developing one Statewide system that would provide timely, accurate, and reliable data in a more efficient and effective manner.

Response

The Supreme Court through the Office of the State Courts Administrator (OSCA) is amenable to collaborating with the state attorneys, public defenders, judges, the Legislature and other users of criminal justice data to develop a statewide system that would provide timely, accurate, and reliable data in a formal and uniform manner. The OSCA has a fifteen year history of collaborating with the Florida Department of Law Enforcement (FDLE) and the Florida Association of Court Clerks and Comptrollers (FACC) in developing and implementing the Offender Based Transaction System (OBTS). The OBTS is one of the most reliable criminal justice data bases in Florida. As such, consideration should be given to using the OBTS

Mr. William O. Monroe
December 18, 2002
Page Two

as the possible foundation for a statewide criminal justice data system. At present, this system captures arrest, filing, disposition, and sentencing data based on a criminal justice data element dictionary.

Finding No. 3 Recommendation:

We recommend that OSCA, in consultation with the Clerks of the Courts offices, continue its efforts to ensure that the Clerk's submit their SRS reports to OSCA within the time frames provided for in the SRS Manual. We further recommend that OSCA consider seeking statutory changes to Section 25.075, Florida Statutes, that would provide a monetary penalty for willful failure to report and also address the issue of untimely filing of reports, including the imposition of a monetary penalty for the late filing of reports. Statutory changes of this nature would encourage more timely reporting of SRS data by the Clerks of the Circuit Courts.

Response

The OSCA has undertaken several initiatives to improve the timeliness of SRS reporting through increased monitoring, feedback, and cooperation with clerks' offices throughout the state. Court Services has dedicated one court analyst to monitor the submission of Summary Reporting System (SRS) reports. Heretofore, this task was performed by several court analysts with other duties and responsibilities. By consolidating the function, keeping precise reporting logs, and engaging in regular communication with each clerk's office, the OSCA has significantly improved the timeliness of reporting monthly SRS data over calendar year 2000 levels. In May of 2002, Court Services deployed a software tracking mechanism for electronic OBTS submissions which provides ready information on their status.

The OSCA has also begun a quarterly distribution of SRS data back to the clerks, court administrators, and chief judges. This quarterly review enables the primary users of the data to regularly confirm the accuracy of the data and provide feedback to the OSCA as to any discrepancies. It is anticipated that in January 2003, Court Services will begin monthly distribution of summary reports through an automated reporting mechanism. Other steps that the OSCA will be implementing in 2003 include targeted auditing and training. These additional measures should also improve the timeliness of reports submitted.

In September 2002, the OSCA and the FACC formed a joint workgroup to discuss SRS and OBTS issues. The goal of the workgroup is to improve the reporting process for both data sets. The workgroup meets quarterly and is in regular communication via telephone and e-mail. By working together, many of the reporting problems will be overcome.

Mr. William O. Monroe
December 18, 2002
Page Three

Submission issues will continue to occur as counties develop new case management technologies or upgrade existing systems. The OSCA is committed to working with these counties to minimize the impact of any potential delays.

The OSCA is amenable to discussing improvements to section 25.075, Florida Statutes with legislative staff and members. However, the clerks' offices are attempting to comply with section 25.075. Our experience indicates that most long-term reporting issues are related to problems with the clerk's automated information systems. The Legislature should determine the appropriate enforcement provisions of section 25.075, Florida Statutes.

Finding No. 4 Recommendation:

We recommend that OSCA take steps to ensure that delays in processing data do not occur should similar circumstances exist in the future.

Response

The OSCA agrees that timely processing of submitted data is critical. The seven month processing lag (March 2001 to September 2001) occurred as a result of several unforeseen circumstances arising from transitioning the administration of the OBTS/SRS system from the OSCA's Information Systems division to Court Services. The finished system went online in August 2001. All backlogged data submissions were processed by September 30, 2001. Since that date, Court Services has enjoyed an average two-week turnaround time for OBTS data processing. While regrettable, we believe this initial processing delay was a one-time occurrence. The OSCA continues its data refinement efforts thereby making our systems more efficient. We hope to achieve a one-week OBTS data processing turnaround in the near future.

The OBTS submission issues with Leon County were largely internal (to Leon) with the exception of their OBTS submission format. Beginning in 1998, Leon County submitted OBTS data to the OSCA using a non-standard OBTS record layout. Legacy validation programs used within the OSCA to format incoming data submissions were unable to reliably process the Leon County layout. From September 2001 to April 2002, Court Services worked closely with Leon County to clarify the submission issues and develop relevant solutions to rectify the problem. In March of 2002, Court Services deployed a new formatting program that was more capable of addressing the special Leon County layout. The first submission of historical data was processed using this new program in early April 2002. In late April 2002, Leon County began submitting data using the standard OBTS record layout. By May 1, 2002 Leon County was current with their OBTS data submissions and remains so.

Mr. William O. Monroe
December 18, 2002
Page Four

Finding No. 12 Recommendation:

We recommend that the Supreme Court ensure that increases in value for buildings and contents be reported to the Department of Insurance on an annual basis.

Response

Property insurance schedules have historically been updated on an annual basis. The Supreme Court last updated the building and content values on May 1, 2000. As a result of a backlog in the surplus property process, annual updates have not taken place since May 1, 2000. Property records since have been purged of surplus property and currently reflect an accurate estimate of the value of the Supreme Court building contents. Property insurance coverage will be updated on an annual basis in the future.

Finding No. 13 Recommendation:

We recommend that the Supreme Court revise its procedures for approving attendance at conferences and conventions to include the use of the prescribed Department of Banking and Finance form containing all required information.

Response

The Supreme Court will revise its procedures for approving attendance at conferences and conventions to include the use of the prescribed form for court employees. For judicial officers, all information required in the form will be included in the authorization of conference or convention attendance.

Thank you for the opportunity to comment on this report. If you have any questions, please call Lisa Goodner, Deputy State Courts Administrator at 488-9922.

Respectfully,



Harry Lee Anstead

HLA:LG:sb

cc: Linda Alexander



BRAD KING, STATE ATTORNEY
Fifth Judicial Circuit of Florida
Serving Marion, Lake, Citrus, Sumter, Hernando Counties

December 18, 2002

Mr. William O. Monroe
Auditor General of the State of Florida
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Fl. 32399-1450

RE: Audit of Uniform Caseload Reporting Systems used by Florida Supreme Court, State Attorneys, and Public Defenders.

Dear Mr. Monroe,

I write in response to your preliminary audit findings concerning the State Attorneys of Florida. I have identified each finding area and finding number for which a response is made in writing. In some instances I have incorporated the responses of other State Attorney's. I have shared the for going with the State Attorneys of Florida, and they have agreed that this would be a summary response on their behalf.

STATE WIDE ISSUES

Finding # 1: SRS and State Attorney/Public Defender Reporting Processes

We would not be opposed to a single state wide reporting system, such a system would have to be designed and funded to meet the varying needs of each of the separate entities for caseload reporting. The State Attorneys' systems, are designed to track cases from a completely different beginning point due to the legal duties of the State Attorneys set forth in Chapter 27 of Florida Statutes. Our legal obligation is to review each case before it is filed in the court system to determine if the case should be prosecuted at all. Therefore our system is defined to capture data differently than that collected by the Clerks' system.

The State Attorneys also handle a much broader spectrum of cases than is reported in the Offender Based Tracking System of the Clerks'. Any system created would also have to account for the fact that State Attorneys handle matters in the civil system of the courts as well as matters that are not handled by the courts at all.

As noted in the report, the courts' SRS system is designed to track each individual count of a criminal case, whereas the State Attorneys do not need, although they can track such data. This fact

has apparently led to some confusion by Legislators or staff. Some of those members mistakenly believe that State Attorneys file each criminal offense as a separate criminal case thereby inflating the State Attorneys caseload numbers. Any state wide system would need to have very clear definitions of what a “case” is and reporting would have to be uniform in regard to that definition. In addition to having clear definitions of measured events, a clear, uniform process and accountability for data entry and retention would have to exist.

The difficulty of developing a consolidated system as proposed in the audit report was made clear in the Fifth Circuit in 1989. We undertook a pilot project, funded by the Legislature, attempting to bring all of the criminal justice entities together to form a seamless data system that would collect, store, distribute and retain data from an accused’s arrest through disposition. It was impossible to obtain agreement as to the type equipment, data entry responsibility, accountability and a host of other issues all of which left the project unworkable. I would expect that without strong leadership by the Legislature, such a system is not possible.

Finding #2: Use of the Data Reported by State Attorneys and Public Defenders

The most frustrating data reporting issues facing State Attorneys is the amount of data requested and the changing nature of the requests for data over time. State Attorneys have changed reporting criteria nearly every year since 1998. This is in addition to responding to requests for data that is not even routinely collected, as issues arise in the Legislature. The burden and expense of data collection, retention and accuracy controls needs to be addressed by the Legislature as well as some limitation on the requests for data that is not part of the normal collection and reporting process.

State Attorneys

Finding #6: Filing of Monthly Caseload (Performance Measure) Reports

The audit report is accurate in that it states that the instructions for reporting performance measure collection indicate that a monthly caseload report should be filed. However, at the request of the State Attorney of the Fifth Circuit where the data is compiled and maintained, the State Attorneys agreed to report measures quarterly to reduce the workload on the Fifth Circuit’s staff. More recently, in response to the audit report, the State Attorneys formally voted to report the data once a year, for a July 1 - June 30 fiscal year, said report to be filed by August 1st after the end of the fiscal year.

Finding # 7: Documentation Supporting Performance Measure Reports not Retained for Audit

In regard to supporting documentation being retained for performance measure reports, the State

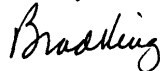
Attorney's Office of the Fifth Circuit implemented procedures to retain this data when the issue was raised by the on site auditor. The data had not previously been retained because of the cost, in both time and resources, to maintain data in the computer system that had actually been counted by that same system.

The State Attorney's Office of the 13th Circuit installed a new Case Management System in May 2002, which allows for a "point in time audit" for retention of performance measure data. With this new system, they can easily obtain and retain data for audit purposes. The old system, which was inherited from the previous administration, did not have this capability and required a new program to be written for each audit request. This requirement increased the chance for error and resulted in our reported case numbers differing from the audited case numbers.

While the State Attorney's Office of the 1st Circuit concurs that the supporting documentation (such as a listing of the case numbers which comprised the totals reported) was not retained, they do not agree that a detailed list should be retained for the total cases reported. As correctly noted, they were able to retrieve the needed information to support the totals reported. Therefore, they have a mechanism in place that can retrieve the supporting documentation, if need be. As explained in their preliminary response, maintaining lists of all cases filed is not viable from an implementation and cost benefit standpoint, as this would require additional funding for computers and added personnel. Further, you have not indicated that they are not collecting data by the rules or that there is a flawed analysis. In addition, completely revamping their system could seriously delay the filing process of getting files completed timely and cause them to not meet the 21-day filing requirement thereby impacting the effectiveness of prosecutions. They would appreciate the Auditor General's Office suggestions and guidelines as how to proceed in improving and expanding our reporting capabilities in order to meet your standards, bearing in mind their limited resources.

With regard to the audit's suggestion that the Fifth Circuit become responsible for verifying the data that I as State Attorney gratuitously agreed to collect and disseminate, I would respectfully suggest that without additional resources for staff to provide such an audit service, such services are impossible to perform. In addition, I have no authority to implement such a system. Each State Attorney is an elected constitutional officer and as such is solely responsible for the operation of their office.

Sincerely,



Brad King



Florida Public Defender Association, Inc.

P.O. Box 11057 • 311 South Calhoun Street, Suite 204 • Tallahassee, Florida 32302

December 17, 2002

Mr. William Monroe
Auditor General
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

Dear Mr. Monroe:

On behalf of the Florida Public Defender Association, I thank you for your office's thorough and professional audit of our caseload reporting system and other management practices throughout the state.

We are in complete agreement with Finding No. 1 which recommends that the courts, state attorneys, and public defenders explore the development of a uniform statewide caseload reporting system. The current system clearly does not provide data which can be readily analyzed and compared for equivalency. We support all efforts to attain a reliable, efficient caseload reporting system.

Similarly, with respect to Finding No. 2, we agree that we should make every effort to produce reliable, accurate, and timely data. Although our efforts have not been perfect, we have spent a considerable amount of time developing performance measures and creating methods of capturing data. This has been difficult without additional administrative personnel and resources. We welcome the prospect of the Legislature using caseload data to determine actual appropriations, and will continue our ongoing efforts to improve the reliability of our data. We agree that both public defenders' and state attorneys' caseload data should be as accurate as possible so that our relative workloads can be evaluated and factored into appropriations decisions.

On Finding No. 8, we agree that public defenders should retain supporting data for audit documentation of PB2 reports. The offices that were not doing so before your audit addressed this issue at that time, and the FPDA provided additional training to support staff members at our recent winter conference. We will continue to strive for accurate procedures which produce data which can be completely documented.

Finding No. 9, regarding the 72-hour client contact measure, was an educational finding for our Association. Previously, we had not realized that there were variations in the interpretation of the 72-hour initial contact performance measure. Now that we have been informed of the ambiguity of this

Mr. William Monroe
Page Two
December 17, 2002

measure, we will clarify it and establish clearer guidelines to each agency so that it is reported consistently in all 20 judicial circuits.

We regret the reporting errors noted in Finding No. 10, but we must point out that since the implementation of Performance Based Budgeting, public defenders have not received funding for additional staff to implement the program. Our employees already faced crushing workloads, and it took some time to train our support staffs and evaluate the accuracy of their work. The audit covered the period of July 1, 2000 through December 31, 2001, the first year of the program. We believe we have made great strides in improving our procedures and increasing the reliability of the reported data since that time.

We agree, too, with Finding No. 11 recommending that both county and circuit data should be transmitted to the Florida Public Defender Association for purposes of documenting and verifying the reliability of reported data. As of January 1, 2003, that requirement will be put into place for each office.

In summary, the Florida Public Defender Association appreciates the work of your auditing staff, and we will continue to work toward complete accuracy in our caseload counting procedures.

Sincerely,



Nancy Daniels, President
Florida Public Defender Association

NAD/sf

WILLIAM N. MEGGS
STATE ATTORNEY



LEON COUNTY COURTHOUSE
301 S. MONROE STREET
TALLAHASSEE, FLORIDA 32399-2550

TELEPHONE (904) 488-6701

OFFICE OF
STATE ATTORNEY
SECOND JUDICIAL CIRCUIT OF FLORIDA

December 20, 2002

Mr. William O. Monroe, CPA
Auditor General
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Fl. 32399-1450

Dear Mr. Monroe:

We are providing this letter pursuant to Section 11.45(4)(d), Florida Statutes and in response to your audit of the:

Uniform Caseload Reporting Systems
Used by the Florida Supreme Court, State Attorneys, and Public Defenders
And Other Management Practices
For the Period July 1, 2000 through December 31, 2001

As you may know, the Honorable Brad King, State Attorney for the Fifth Judicial Circuit, is preparing a combined response on behalf of the State Attorneys as to those findings and recommendations applicable to all circuits. In that there are no specific findings with regard to the Second Judicial Circuit, singularly, we defer to the combined response prepared by State Attorney King and incorporate it by reference as part of our required response. If we may, however, we provide the following comments to supplement the combined response.

The Office of the State Attorney, Second Judicial Circuit agrees in principle with Finding No. 1. However, as pointed out in State Attorney King's response, there are many obstacles to overcome before such a system can be operational and useful. Not the least of which is uniform definitions and some fundamental process mapping by all the entities to identify the inter-relatedness of data and processes.

We also agree with Finding No. 2. Clearly, reliable, accurate and timely data is ideal and facilitates good decision-making. Similarly, with regard to Finding No. 7, we support the retention of sufficient, reliable documentation to support performance reports. We should be able to produce or reproduce the detail in support of the data and reports. We, in the Second Circuit, retain such detail.

Most important, however, is that the accuracy and reliability of the data is the responsibility of each State Attorney office. The responsibility cannot and should not be shifted to one circuit whose only function is to roll up the data. Each State Attorney office is or should be responsible for verification of the rolled-up data. We routinely test the representations in the rolled-up report after it is sent to us from the 5th Circuit. In this way, we verify the accuracy and reliability of the data.

We support the recent change by State Attorneys in reporting requirements to annual reports rather than monthly (Finding No. 6). With this change, State Attorneys will not be in conflict with their own instructions for reporting the data on a monthly basis. We will continue to compile the data on a monthly basis but will forward the completed report to the 5th Circuit annually. To our knowledge, these data are not needed on a monthly basis by the various end users, such as legislative staff. In fact, we understand the need for the data to coincide with LBR and LRPP matters and time frames. Thus, providing data for a fiscal year should meet the needs of end users.

We thank you and your staff for the professional manner in which the audit was conducted and reported. The Auditor General staff with whom we worked, namely Hardee Ratliff and Roger Sessions, represent your office and the people of the State well.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl J. Whitley". The signature is fluid and cursive, with the first name "Carl" being the most prominent part.

Carl J. (Joe) Whitley
Executive Director

CJW



STATE ATTORNEY

ELEVENTH JUDICIAL CIRCUIT OF FLORIDA
E. R. GRAHAM BUILDING
1350 N.W. 12TH AVENUE
MIAMI, FLORIDA 33136-2111

KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY

TELEPHONE (305) 547-0100

December 16, 2002

Mr. William O. Monroe, CPA
Auditor General
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Florida, 32399

Dear Mr. Monroe:

This is in response to your preliminary and tentative audit findings and recommendations for The Uniform Caseload Reporting Systems Used by the Florida Supreme Court, State Attorneys, and Public Defenders and Other Management Practices for the Period July 1, 2000, through December 31, 2001. As always, we appreciate the recommendations and constructive comments provided by your staff. The professional manner in which Enrique Alonso, Lead Senior Auditor, conducted the audit was very thorough.


The Florida Prosecuting Attorney's Association Board of Directors has adopted the response from Brad King, the State Attorney of the 5th Circuit, concerning statewide issues for the State Attorneys of Florida. Therefore, we are responding to finding no. 7, as we are one of the four judicial circuits cited specifically. We have reviewed your finding and respectfully differ with your recommendation as follows.

Finding No. 7: Documentation Supporting Performance Measure Reports not Retained for Audit

While we concur that the supporting documentation (such as a listing of the case numbers which comprised the totals reported) was not retained, we do not agree that a detailed list should be retained for the total cases reported. As you correctly noted, we were able to retrieve the needed information to support the totals reported. Therefore, we have a mechanism in place that can retrieve the supporting documentation, if need be. As we explained in our preliminary response, maintaining lists of all cases filed is not viable from an implementation and cost benefit standpoint, as this would require additional funding for computers and added personnel. Further, you have not indicated that we are not collecting data by the rules or that there is a flawed analysis. In addition, completely revamping our system could seriously delay the filing process of getting files out to our Divisions and cause us to not meet our 21-day filing requirement thereby impacting the effectiveness of our prosecutions. Therefore, we look to the Auditor General's Office to offer suggestions and guidelines as how to proceed in improving and expanding our reporting capabilities in order to meet your standards, bearing in mind our limited resources.

We welcome your continued review.

Sincerely,



KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY



Please Recycle

EARL MORELAND
STATE ATTORNEY
TWELFTH JUDICIAL CIRCUIT

OFFICES

Sarasota County

Criminal Justice Building
2071 Ringling Blvd., Suite 400
Sarasota, Florida 34237-7000
Telephone: 941-861-4400
Fax No: 941-861-4465



Desoto County

Desoto County Courthouse
115 East Oak Street, Third Floor
Arcadia, Florida 34266-4446
Telephone: 863-993-4881
Fax No: 863-993-4890

and

South County Courthouse
4000 South Tamiami Trail
Venice, Florida 34293-5028
Telephone: 941-861-3200
Fax No: 941-861-3127

December 10, 2002

Manatee County

1112 Manatee Avenue West
P.O. Box 1000
Bradenton, Florida 34206-1000
Telephone: 941-747-3077
Fax No: 941-742-5868

Please Reply To:

Sarasota County

Mr. William O. Monroe, CPA
Auditor General
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

Dear Mr. Monroe:

We are providing this letter in connection with your preliminary and tentative audit findings and recommendations in connection with the operational audit of the Uniform Caseload Reporting Systems Used by the Florida Supreme Court, State Attorneys, and Public Defenders and Other Management Practices for the period July 1, 2000, through December 31, 2001.

The Statewide Issues findings as to the State Attorneys have been addressed in a letter from Brad King, State Attorney for the Fifth Judicial Circuit.

Finding No. 7 as it pertains to the Twelfth Judicial Circuit: The Manatee County Criminal Justice Information system was used to record and accumulate the caseload output and outcome measures to provide the data needed to prepare the June 2001 caseload report. During the last week of June 2001 the software system changed to Courtview 2000. When supporting documentation was run it is assumed that data fields containing certain dates for certain actions may not have carried forward properly from the old to the new system. Also data field containing dates for certain actions may have been amended for subsequent case actions without retaining the original date. In instances where cases were reported in the wrong reporting period, this is the result of a data entry error. For example, the document may have been dated May 31, 2001, however, the data was entered June 1, 2001 and the June date was used as the date of the reported event.

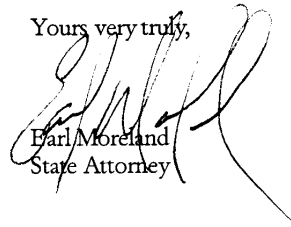
This office has implemented procedures to retain supporting documentation and to verify the validity of the data reported.

I wish to thank the members of your audit staff for the professional manner in which this audit was conducted.

Mr. William O. Monroe
December 10, 2002
Page -2-

If I may provide you with any additional information, please do not hesitate to contact me.

Yours very truly,



Earl Moreland
State Attorney

Telephone
(850) 488-2458
Suncom: 278-2458

Fax Number - Administration
(850) 487-7964
Suncom: 277-7964



Fax Number - Trials
(850) 488-9148
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Fax Number - Appeals
(850) 488-0299
Suncom: 278-0299

LAW OFFICES OF THE
PUBLIC DEFENDER
NANCY DANIELS
SECOND JUDICIAL CIRCUIT OF FLORIDA
Franklin • Gadsden • Jefferson • Leon • Liberty • Wakulla

December 18, 2002

Mr. William O. Monroe, CPA
Auditor General
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

RE: Audit of the Uniform Caseload Reporting Systems Used by the Florida Supreme Court,
State Attorneys, and Public Defenders and Other Management Practices

Dear Mr. Monroe:

Thank you for the opportunity to review our practices as regards caseload counting. I appreciate the thorough and impartial review by your staff and commend them on their professionalism.

I am pleased to report that corrections have been made as regards finding number 8; records are being retained with the monthly reports submitted by secretaries delineating which cases have been counted. We are also in the process of creating a uniform reporting log. Although the process is still only partially automated, we are working towards a more automated reporting system with our software provider.

As to finding number 10, we are planning training sessions and elaboration of instructions for staff to follow in data collection. Attaching back-up data to the monthly report should also cut down on the error rate.

Improvements and corrective action have been taken and we appreciate the assistance of your office.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Daniels".

Nancy Daniels
Public Defender

NAD/ssc



OFFICE OF
HOWARD BABB, JR.
PUBLIC DEFENDER
FIFTH JUDICIAL CIRCUIT
CITRUS/HERNANDO/LAKE
MARION AND SUMTER COUNTIES

REPLY TO: Lake County Judicial Center
P.O. BOX 7800
550 W. Main Street, Suite 401
Tavares, FL 32778-7800
(352) 742-4270

December 17, 2002

Mr. William O. Monroe, CPA
Auditor General
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

Dear Mr. Monroe:

The Florida Public Defender Association has completed a joint Public Defender Response to the Preliminary and Tentative Findings for the period July 1, 2000 - December 31, 2001. That letter will be signed by our FPDA President, Nancy Daniels, Public Defender, Second Circuit. The Public Defender, Fifth Judicial Circuit, will not be filing a separate report for our Circuit.

If you have any questions, please call me at Suncom 659-4292 or (352) 742-4292.

Sincerely,

Barbara E. Noeker
Administrative Director

C. RICHARD PARKER
PUBLIC DEFENDER
Eighth Judicial Circuit

35 North Main Street
P.O. Box 2820
Gainesville, FL 32602-2820
(352) 338-7370

339 East Macclenny Avenue
Macclenny, FL 32063-2294
(904) 259-4245

Bradford County Courthouse
P.O. Box 1059
Starke, FL 32091-1059
(904) 966-6273

353 South Court Street
P.O. Box 1119
Bronson, FL 32621-1119
(352) 486-5350

Serving Alachua County

Serving Baker County

Serving Bradford and
Union Counties

Serving Levy and
Gilchrist Counties



Reply to:

December 11, 2002

William O. Monroe, CPA
Auditor General
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, FL 32399-1450

Dear Mr. Monroe:

I have received and reviewed the audit findings and recommendations included in your Audit of the Uniform Caseload Reporting Systems used by the Florida Supreme Court, State Attorneys, Public Defenders and Other Management Practices for the period July 1, 2000 through December 31, 2001.

Please accept the thanks of the staff in the Eighth Circuit Public Defender Office for the courtesy and professionalism shown to us by your auditors.

The findings and recommendations contained in the report were discussed at the Board of Directors meeting of the Florida Public Defender Association on December 4, 2002. I concur with the response being submitted by the Association.

If I may be of any further service to you, please do not hesitate to contact me.

Sincerely,

C. Richard Parker
Public Defender,
Eighth Judicial Circuit



ELLIOTT C. METCALFE, JR.
Public Defender

Public Defender
Twelfth Judicial Circuit
State of Florida
2071 Ringling Boulevard
Criminal Justice Center - Fifth Floor
Sarasota, Florida 34237
(941)-861-5500
TDD: (941)-861-4581

DESOTO COUNTY:
Desoto County Courthouse
115 East Oak Street
Arcadia, Florida 34266
Phone: 863-993-4891

MANATEE COUNTY:
920 Manatee Avenue West
Third Floor
Bradenton, Florida 34205
Phone: 941-747-6436
TDD: 941-741-3840

SARASOTA COUNTY:
Venice
4000 South Tamiami Trail
Room 221
Venice, Florida 34293
Phone: 941-861-3540

Please Reply To:

December 3, 2002

Mr. William O. Monroe, C.P.A.
Auditor General
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

RE: Audit of the Uniform Caseload Reporting Systems Used by the
Florida Supreme Court, State Attorneys, Public Defenders
And Other Management Practices for the Period July 1, 2000,
Through December 31, 2000.

Dear Mr. Monroe:

As the Public Defender for the Twelfth Judicial Circuit, I am pleased to respond to the Office of the Auditor General's Preliminary and Tentative Audit Findings. Firstly, I would like to express my appreciation for the thorough and impartial review of the financial management of this office, and I am pleased to report that we have corrected the matters mentioned in your Finding Number 8, Finding Number 9, and Finding Number 10. In each instance, the Public Defender has corrected the reported items. In each instance, the corrections were made at the time of the auditor's visit to the office.

Corrective action has been taken on the items found, and we appreciate the assistance of your office.

Sincerely,

Elliott C. Metcalfe, Jr.
Public Defender
Twelfth Judicial Circuit

ECM:tlo



Law Offices of
JULIANNE M. HOLT
Public Defender

Thirteenth Judicial Circuit of Florida
700 East Twiggs Street, Fifth Floor
P.O. Box 172910
Tampa, Florida 33672-0910

REPLY TO: Julianne M. Holt
TEL:(813) 307-4000
FAX:(813) 272-5588

December 6, 2002

Mr. William O. Monroe, CPA
Auditor General
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, FL 32399-1450

Dear Mr. Monroe:

Thank you for sending me the copy of preliminary and tentative audit findings and recommendations. We found the process to be informative and professionally handled.

We agree with the audit report as it reflects our office.

Sincerely,



JULIANNE M. HOLT
PUBLIC DEFENDER
THIRTEENTH JUDICIAL CIRCUIT

JMH/caf

ATTORNEY-CLIENT Privilege Applies
Telephone (813)272-5980 • Suncom 543-5980 • E-mail Address pd13@pd13.state.fl.us

Office of
Robert R. Jacobs II
Public Defender
Twentieth Judicial Circuit
1700 Monroe Street
Post Office Drawer 1980
Fort Myers, FL 33902-1980
Facsimile: (941) 338-3220
SUNCOM 726-2911
(941) 335-2911



- Please
Reply to:
- Charlotte County** (941) 637-2181
Fax: (941) 505-4702 / SUNCOM 737-2181
Charlotte County Justice Center
350 E. Marion Avenue, Suite A-1099
Post Office Box 510304 • Punta Gorda, FL 33951-0304
 - Collier County** (941) 774-8397
Fax: (941) 774-1792 / SUNCOM 751-8397
Collier County Courthouse
3301 Tamiami Trail E. Building L
Naples, FL 34112-4902
 - Glades County** (863) 946-9118 or (863) 675-5263
Glades County Courthouse
Highway 27 • Moore Haven, FL 33471-0010
 - Hendry County** (863) 675-5263
Fax: (863) 675-5372 / SUNCOM 735-5263
Hendry County Courthouse
25 East Hickpochee Avenue
Post Office Box 1345 • LaBelle, FL 33935-1345
 - Lee County - Fort Myers (Main Office)**
Address and phone at left
 - Lee County - Cape Coral Office**
(941) 242-7701 / Fax: (941) 458-7066
Lee County Government Building
1039 SE 9th Place, 2nd Floor
Post Office Box 151327
Cape Coral, FL 33990-1327

December 2, 2002

Mr. William O. Monroe, CPA
Auditor General
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, FL 32399-1450

Dear Mr. Monroe:

We acknowledge receipt of the Audit Report covering The Uniform Caseload Reporting Systems and Other Management Practices for the Period July 1, 2000 through December 31, 2001. Our comments and answers to report are as follows:

1. The request for clarification as to how the .72 hour contact performance measure is to be interpreted is an understandable question by many of us, and the subject is on the agenda of the Board of Directors' meeting of the Florida Public Defender's Association on December 4, 2002 to try and define the measure.
2. As to the caseload reporting system used by the 20th Circuit, this system was a joint venture by the Court, State Attorney and the Public Defender and one of its purposes was to eliminate duplicate entry and this was attained to a great extent. The system is under routine review with the intent to improve the reported data and eliminate duplicate entry.
3. As to the tests made as to closed cases in the 20th Circuit and to results reported we take no issue, but with number of cases assigned and the low rates of available staff, the time factor must be considered for corrective entries.

We want to thank your auditor, assigned to the 20th Circuit, for the very professional way he did his work.

Sincerely,

Robert R. Jacobs II
Public Defender, 20th Judicial Circuit

RRJ:klb



Bob Inzer

Clerk of Circuit Court

Clerk of Courts • Clerk of County Commission • Auditor • Treasurer • Recorder • Custodian of County Funds

January 2, 2003

Mr. William O. Monroe
Auditor General
State of Florida
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, FL 32399-1450

Dear Mr. Monroe:

Thank you for granting me the opportunity to respond to your Preliminary and Tentative Findings related to the audit performed by your staff on the uniform caseload reporting system. First, let me assure you that Leon County is committed to fulfilling our obligation to provide the Office of the State Court Administrator (OSCA) with accurate reporting data. To clarify a couple of issues raised in your report, let me point out that Leon County consistently submits all paper SRS reports to the OSCA in a timely fashion, with a postmark date prior to the 15th of each month. We have worked together with the OSCA to resolve any systemic or technical problems associated with our obligation to submit OBTS data.

In an effort to address some of the systemic problems associated with the reporting of Juvenile Dependency data, we have recently upgraded to a new case management system. One objective associated with this software upgrade involved the addition data fields specifically designed to address the problems associated with the Juvenile Dependency reporting errors referenced in your report. These categorization errors were largely attributed to software deficiencies contained in our Legacy case management system.

I recognize that our location in Leon County often times brings our office under close scrutiny when statewide analyses are conducted. I fully accept that responsibility, as we strive to serve as a model clerk's office. I appreciate the opportunity to be involved in this process in hopes that it will ultimately assist in providing a better service to the public. Furthermore, I look forward to working with your office in the future.

Respectfully,

Bob Inzer
Clerk, Leon County



Clerk of the Circuit & County Courts

DUVAL COUNTY
JACKSONVILLE, FLORIDA 32202

JIM FULLER
CLERK OF THE CIRCUIT COURT

TELEPHONE: 904-630-2028
FACSIMILE: 904-630-2950

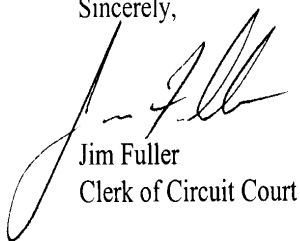
December 6, 2002

Mr. William O. Monroe
Auditor General
State of Florida
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, FL 32399-1450

Dear Mr. Monroe:

I have read the list of preliminary and tentative audit findings and recommendations from the Auditor General's Office on the Uniform Caseload Reporting Systems. It appears Clerks were only mentioned in a blanket comment referring to dates being omitted from the SRS report on occasion. Please be advised that I have discussed this matter with my staff and I have been assured it will be corrected.

Sincerely,



Jim Fuller
Clerk of Circuit Court

JF/cw



**HARVEY RUVIN
MIAMI-DADE CLERK
COURTS · COMMISSION · RECORDER**

Telephone: (305) 349-7333
Fax: (305) 349-7403
E-Mail: clerk@miami-dadeclerk.com
Web Site: <http://www.miami-dadeclerk.com>

DADE COUNTY COURTHOUSE
ROOM 242
73 West Flagler Street
Miami, FL 33130

December 6, 2002

William O. Monroe, CPA
Auditor General
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

Dear Mr. Monroe:

In response to your audit report on Uniform Caseload Reporting Systems used by the Florida Supreme Court, State Attorneys, Public Defenders, and Other Management Practices dated November 20, 2002, I submit the following:

Findings 1, 2, 6, 7, 8, 9, 10, 11, 12 and 13 are not addressed to the Clerk. Finding 5 is addressed to the Clerk of a county other than Miami-Dade. Therefore, our response is limited to Findings 3 and 4.

As to Finding No. 3:


One of my staff members, Barbara Fernandez, contacted the Auditor General's Office to inquire as to their findings regarding the timeliness of filing monthly, statutorily required SRS reports with OSCA. Mr. Ratliff of the Auditor General's Office explained that this Finding and subsequent Recommendation were intended to be directed generally to all counties. However, he did note that for the four (4) month period audited, the Miami-Dade County Clerk's Office was not among the tardy counties that had been identified.

As to Finding No. 4:

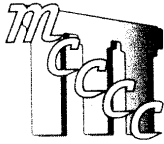
While this Finding is addressed specifically to another county, it should be noted that Miami-Dade County, Eleventh Judicial Circuit has experienced numerous difficulties with OBTS reporting for approximately ten (10) years. Several attempts to rectify this situation, by working with OSCA, have proven unsuccessful for various reasons. However, a recent agreement between this Office and OSCA has initiated a focused effort which seems to be making progress. Also, the FACC has set up a committee to obtain input from several counties regarding SRS reporting problems. We remain committed to working towards positive, constructive solutions.

Thank you for the opportunity to submit this response. Should you have any questions, please do not hesitate to contact me.

Sincerely,


Harvey Ruvin, Clerk of Courts

cc: Barbara Fernandez, Senior Deputy Clerk
Martha Alcazar, Comptroller
Thomas G. James, Clerk's Chief Information Officer



Manatee County

Clerk of the Circuit Court and Comptroller

R.B. "Chips" Shore

P.O. Box 25400 • Bradenton, Florida 34206 • (941) 749-1800 • FAX (941) 741-4082 • www.clerkofcourts.com

December 18, 2002

William O. Monroe
Auditor General
State of Florida
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

Dear Mr. Monroe,

We are in receipt of your Department's audit of the:

Uniform Caseload Reporting Systems
Used by the Florida Supreme Court, State Attorneys, Public Defenders,
And Other Management Practices
For the Period July 1, 2000, through December 31, 2001

Thank you for the opportunity to respond to your Preliminary and Tentative Findings. We have carefully reviewed the report and while our office is not specifically mentioned in any finding or call for corrective action, we fully support the response to this audit by the Florida Association of Court Clerks & Comptroller. This response was detailed in the December 17, 2002 letter to you from Roger Alderman, Executive Director, which we have attached as a reference.

Please do not hesitate to contact me if I may be of any further assistance to you in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'R.B. Shore'.

R. B. "Chips" Shore,
Clerk of the Circuit Court, Twelfth Judicial Circuit

County of Collier
CLERK OF THE CIRCUIT COURT

Dwight E. Brock
Clerk of Courts

COLLIER COUNTY COURTHOUSE
3301 TAMiami TRAIL EAST
P.O. BOX 413044
NAPLES, FLORIDA 34101-3044

Clerk of Courts
Accountant
Auditor
Custodian of County Funds

November 22, 2002

The Honorable William O. Monroe
Auditor General
State of Florida
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

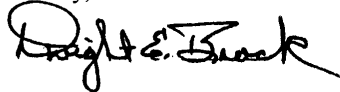
Dear Mr. Monroe:

We have recently received the list of preliminary and tentative findings and recommendations for the audit of the *Uniform Caseload Reporting Systems Used by the Florida Supreme Court, State Attorneys, Public Defenders, and Other Management Practices*, and by this letter are complying with Section 11.45 (4)(d), Florida Statutes, requiring a written response to the findings.

While the report does not mention any county by name, we consulted Mr. Jim Grattan, the auditor who performed the actual work here in Collier County, to ascertain if there were any corrective actions that should be taken. He informed us that there were no adverse findings, no corrective actions to be taken, and that Collier County was in full compliance with all of the requirements of the Uniform Caseload Reporting System.

Please let me express my appreciation for the excellent work done by Mr. Grattan and the Office of the Auditor General. It was a pleasure to work with him providing information and support. If there is any way in which the Clerk, or the Clerk's office in Collier County can be of further assistance, please do not hesitate to ask.

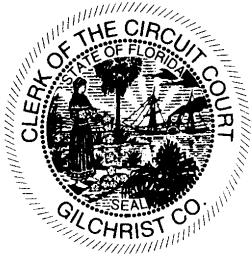
Sincerely,



Dwight E. Brock
Clerk of the Court
Collier County, Florida

Phone- (239) 732-2646
Website- www.clerk.collier.fl.us

Fax- (239) 775-2755
Email- collierclerk@clerk.collier.fl.us



JOSEPH W. GILLIAM
CLERK

OFFICE OF CLERK
OF THE CIRCUIT COURT

P. O. BOX 37, TRENTON, FLORIDA 32693
(352) 463-3170 or 1-800-267-3182
Fax: (352) 463-3166

CLERK OF THE CIRCUIT COURT
COUNTY COURT
BOARD OF COUNTY COMMISSIONERS

December 4, 2002

William O. Monroe, CPA
Auditor General State of Florida
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

Dear Mr. Monroe:

Pursuant to Section 11.45(4) (d), Florida Statutes, I am responding to your tentative audit findings of the Uniform Caseload Reporting System.

Although many of these findings did not specifically name Gilchrist County Clerk of Courts office, I felt it necessary to respond to the items of a general nature that will effect all clerk's offices.

Finding #1 SRS and State Attorney/Public Defender Reporting Process

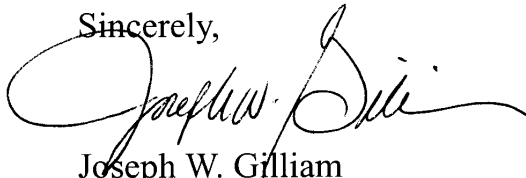
Recommendation: Agree with your recommendation that a system be developed that would not only provide timely accurate and reliable data, but would be more user friendly in capturing the necessary elements that are to be reported without having to rely on some data being electronically or manually gathered.

Finding #3 Timeliness of Reports

Recommendation: Although I agree with the findings, there are times when our reports are submitted on a timely basis, and the data has not been reported by OSCA, for the required period. I do not agree with a monetary penalty for untimely filing, however a simpler accounting and processing of the required reports would assist when training new personnel, as the current SRS manual is over 2 inches thick.

As always, we look forward to providing the best service possible to all concerned.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph W. Gilliam". The signature is written in black ink and is positioned above the typed name.

Joseph W. Gilliam
Clerk of Court
Gilchrist County

JWG/pdt



(850) 488-2415
SUNCOM 278-2415
FAX (850) 488-8944

E. Frank Farrell
Executive Director

**STATE OF FLORIDA
JUSTICE ADMINISTRATIVE COMMISSION**

Post Office Box 1654
117 West College Avenue
Tallahassee, Florida 32302

November 22, 2002

COMMISSIONERS

State Attorney
Curtis A. Golden

Public Defender
Diamond R. Litty

State Attorney
Jerry Hill

Public Defender
Dennis Roberts

Mr. William G. Monroe
Auditor General, State of Florida
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

Dear Mr. Monroe:

This is to acknowledge receipt of your letter dated November 20, 2002 and the attached preliminary and tentative audit findings relative to your audit of the:

Uniform Caseload Reporting Systems
Used by the Florida Supreme Court, State Attorneys, Public Defenders,
And other Management Practices
For the Period July 1, 2000 through December 31, 2001

Pursuant to the provisions of Section 11.45(4)(d), Florida Statutes, we have reviewed your report and noted there were no adverse findings applicable to the Justice Administrative Commission.

We wish to thank the members of your staff for the professional manner in which they conducted this audit.

Sincerely,

A handwritten signature in cursive script that reads "Frank Farrell".

E. Frank Farrell



**Florida
Association of
Court Clerks
&
Comptroller**

Regina Parrish
Union County
President

Barbara T. Scott
Charlotte County
First Vice President

Tim Sanders
Madison County
Second Vice President

Martha O. Haynie
Orange County Comptroller
Secretary

Ricky Lyons
Lafayette County
Treasurer

Roger H. Alderman
Executive Director

Fred W. Baggett
General Counsel

3544 Maclay Boulevard
Tallahassee, Florida 32312
(850) 921-0808
Fax: (850) 921-4119
Suncom: 291-0808
Suncom Fax: 291-4119
www.flclerks.com

December 17, 2002

Mr. William O. Monroe
Auditor General
State of Florida
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, Fl. 32399-1450

Dear Mr. Monroe:

On behalf of the Clerks of Circuit Court, thank you for the opportunity to respond to your Preliminary and Tentative Findings pertaining to the uniform caseload reporting system. In August, the Florida Association of Court Clerks (FACC) and the Office of State Courts Administrator (OSCA) created a workgroup to address the issues identified by the Clerks and OSCA, which have now been noted by your office. This workgroup has met on a regular basis and will continue to do so in the future. The goal of the workgroup is to improve communication and resolve issues as quickly and easily as possible.

Specific areas identified by the workgroup are listed below and these issues, upon resolution, will move the Clerks and OSCA toward resolving your findings.

- 1) Dissemination by OSCA to Clerks of monthly error reports, with an audit. Error reports have not been previously provided.
- 2) Creation by OSCA of various methods of information distribution for the purpose of policy and procedural changes and clarification of existing procedures.
- 3) Training of Clerks by OSCA using various methods on specific identified topics
- 4) Updating of the edit program by OSCA to facilitate timely and accurate submission of data by the Clerks.

The Clerks accept statutory responsibility for reporting the data to OSCA in a timely fashion, but take exception to the proposal of a penalty for late reporting. There are multi-factor timeliness issues that have been identified by the SRS workgroup that contribute to the idea of late reporting. For example, the deadline for reporting data is the 15th of the month. If a Clerk submits the data during the day or evening of the 15th, OSCA may have already run the report and the report is considered late. Reports by OSCA are only run once for the month, so if a report is several days late, the information is not credited as being received until the following month. If the report is kicked out because of the edit programs utilized by OSCA, it is also considered late. These are just a couple of factors that may contribute to OSCA'S "late" classification that are not necessarily subject to Clerk control.

The Clerks recognize the importance of the information that is being provided to the judiciary and will continue to make every effort to report accurate data.

Sincerely,


Roger H. Alderman
Executive Director

cc: Clerks of Court
Rob Lubitz, State Court Administrator