



Clerk of Courts
Gerald E. Fuerst
2011 Mid-year Budget Presentation

July 6, 2011



Clerk of Courts

The Cuyahoga County Clerk of Courts is the official record keeper for the Court of Common Pleas' General and Domestic Relations divisions and the Court of Appeals for the Eighth Appellate Judicial District. Duties include the filing, indexing, preservation, retrieval and dissemination of all Court records and collect, hold in trust and disburse monies that are paid therewith.. In addition to the filing aspects of the clerks duties, the Clerk also participates in the calling of jurors, signs death warrants, administers oaths, files state tax and judgments liens, maintains sealed search warrants, secret indictments, expunged criminal records, and Court ordered sealed civil documents and files, among others.

There are hundreds of legal constraints placed upon the office of the Clerk by the Ohio Revised Code, the Ohio Rules of Civil Procedure, the Ohio Rules of Criminal Procedure, the Local Rules of Practice for the Common Pleas Courts – Civil, Criminal and Domestic Relations, the Local Rules of Practice for the Eight Appellate District of the Court of Appeals, the Rules of Superintendence for the Courts of Ohio, and the Rules of Practice of the Supreme Court of Ohio. In addition the Clerk's office must also comply with all Court directives. The consequences of not performing our mandated and directed functions include Mandamus and Amercement Actions requiring legal representation, and may cause delays in case processing, court proceedings, arraignment processing, jail releases, responses to public and inter-agency records requests, required timely mailing of summonses, notices of rulings and cost bills, as well as delays in the collection and disbursement of funds. The Clerk of Courts Legal Section is comprised of the following The Civil, Criminal, and Appellate Divisions.



Clerk of Courts Legal Section by Divisions

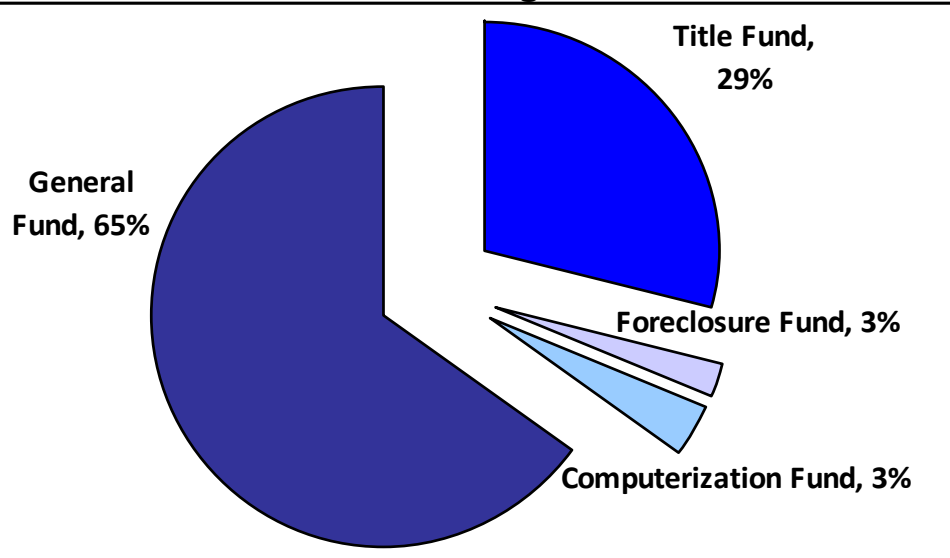
1. Criminal Division is responsible for the receipt and processing of all documents and Court orders regarding felony indictments, the collection of all court costs and fines related to those cases, the processing of all bail bonds, receipt and preparation of all necessary documents relative to the commitment and/or release of criminal defendants to jails or state institutions.
2. Civil Division is responsible for the receipt and processing of all Civil and Domestic Relations actions filed in the Common Pleas Court, files and records for all Judgment Liens from Civil and Divorce actions and State of Ohio Tax Judgments, the collection and disbursement of all deposits, fees and costs, and the copying and dissemination of all associated public records.
3. Court of Appeals Division is responsible for the receipt, processing and preparation of all appeals and necessary records to the Eight District Court of Appeals from all Courts in Cuyahoga County.

Clerk of Courts 2011 Budget

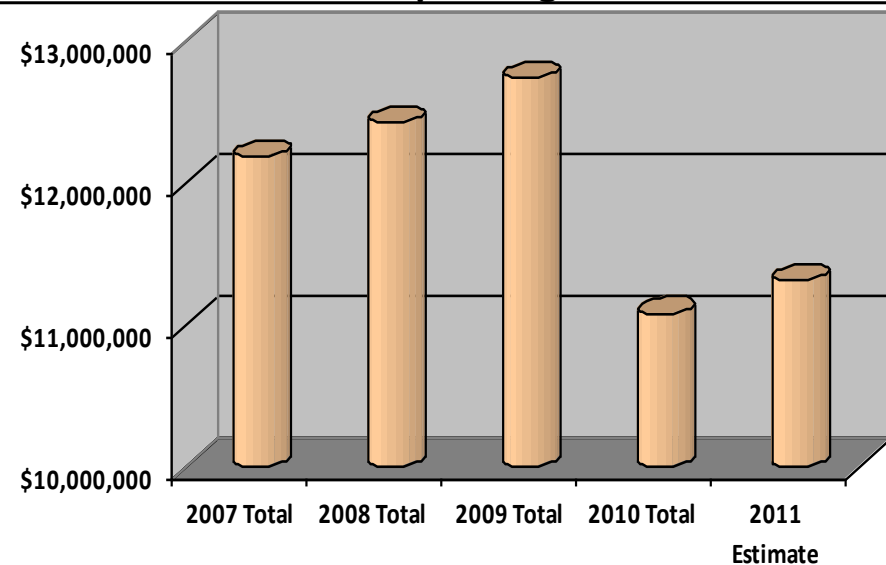
	Current Budget	Current Estimate	Current Variance	Current Variance
General Fund	\$11.1M	\$11.3M	(\$170,700)	(1.5%)

The overall budget deficit is driven by postage, which is estimated to total \$1.4 million in 2011 – approximately \$200,000 more than what was anticipated in the budget. This cost is recovered (not necessarily in the same year) through court costs that are deposited as revenue into the General Fund.

2011 All Funds Budget - \$17.1 million



General Fund Spending: 2007-2011



Legal Section Statistics

	2009 Actuals	2010 Actuals	2011 January 1 st through June 30 th	
Civil and Domestic Cases filed	38,815	35,523	16,568	
Judgment Liens filed	42,882	38,437	21,617	
Criminal Cases filed	14,829	14,571	6,674	
Appeals filed	1,836	1,795	734	

Clerk of Courts Staffing Summary

Current 2011 Staffing Summary

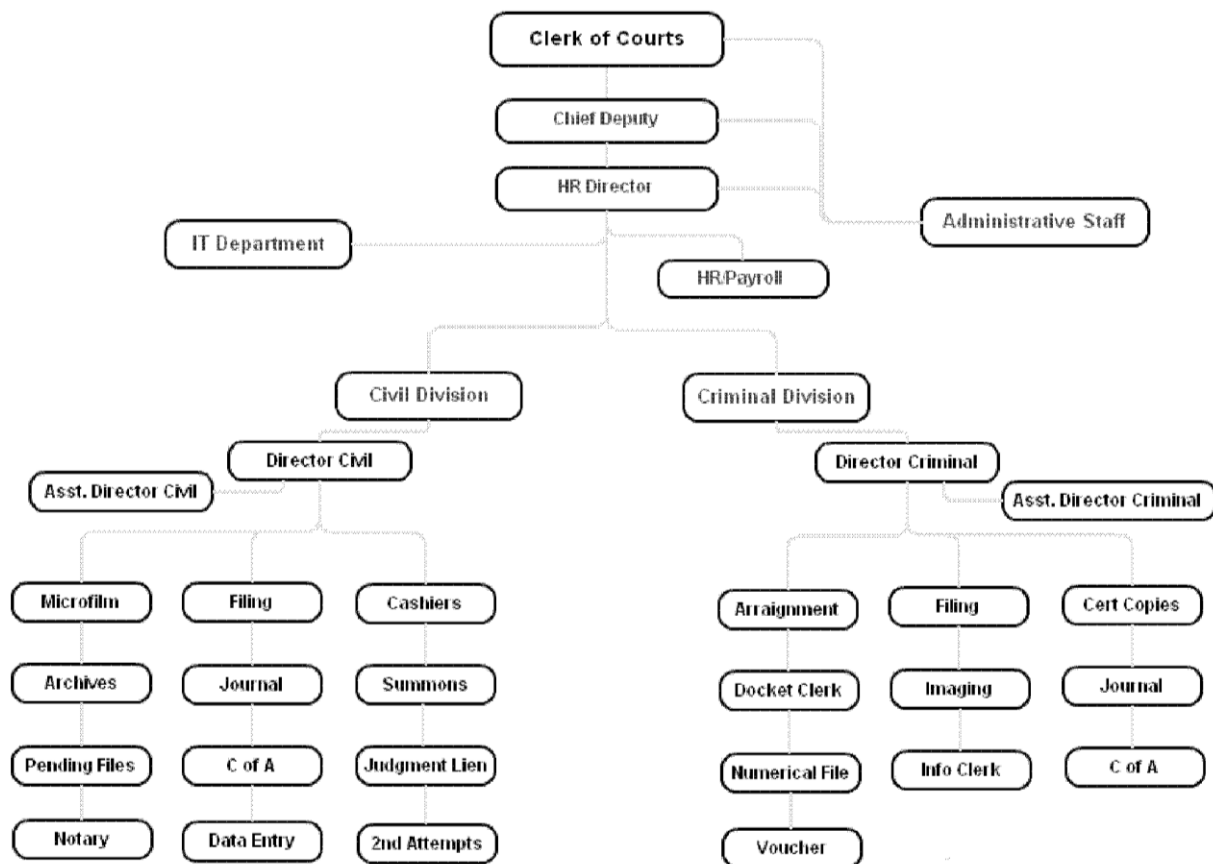
Civil	
<u>Department</u>	<u>Total</u>
Director/Asst Dir	2
Filing	8
Cashier	20
Journal	10
Court of Appeals	6
Summons	9
Judgment Lien	3
Microfilm	4
Archives	12
CT Notes Data Entry	9
Pending Files	10
Notary	2
Imaging	5
Certified Copies	3
IT	2
Total *	105

Criminal	
<u>Department</u>	<u>Total</u>
Director/Asst Dir	2
Admin Officer	1
Arrestment	4
Numerical File	7
Counter	2
Imaging	5
Information Clerk	3
Voucher/Cashier	1
Journal	1
Secretary	1
Receptionist	1
Court of Appeals	1
Data Entry	10
IT	2
Total	41

Administration	
<u>Department</u>	<u>Total</u>
General	5
Human Resources	4
Payroll	3
Admin IT	3
Records Mgr.	1
Total	16

* 15 staff in Legal Section are funded by Court Special Project Fee

Clerk of Courts Organizational Chart





Average Salary by Classification Grade

Grade 1 - \$20,943

Grade 2 - \$25,639

Grade 3 - \$29,301

Grade 4 - \$29,178

Grade 5 - \$32,909

Grade 6 - \$36,344

Grade 7 - n/a

Grade 8 - \$47,270

Grade 9 - \$45,339

Grade 10 - \$48,720

Grade 11 - \$50,142

Grade 12 - n/a

Grade 13 - \$51,637

Grade 14 - n/a

Grade 15 - \$62,826

Grade 16 - n/a

Grade 17 - \$85,052

Grade 18 - n/a

Grade 19 - \$80,039



Challenges

- ❑ Staffing concerns – we are currently down seven deputies in legal division through resignation and retirement.
- ❑ Staff working out of position throughout office due to budget cuts, elimination of COLA, and no promotional or merit increases. We are currently participating in Archer Study under direction of County Human Resources Department.
- ❑ Furlough/Vacation/Sick time usage vs. maintaining workload has created scheduling challenges.
- ❑ Storage is a constant issue – records are maintained and/or stored at Justice Center, Lakeside Courthouse, Courthouse Square and W4th Warehouse. Space is at maximum capacity. We currently utilize the Department of County Recorder for microfilming of records. Increased use of their services would be helpful.
- ❑ Concerns about additional criminal division hours and workload as Common Pleas Court, City of Cleveland and County Prosecutor's office move toward the inclusion of felony charging and case processing of all Cleveland Police Districts.
- ❑ E-Filing component of CCJS system to be implemented mid year 2011. Ongoing internal testing continues and test law-firms to be added soon. Court rules, procedural changes, and their impact on the office are being reviewed.
- ❑ Charter change of Clerk of Courts Auto Title Department duties to Fiscal Officer.



Accomplishments

- ❑ Implementation of e-notice system in cooperation with Court. Significant reduction in mailing of postcards notices and mailing costs associated with them.
- ❑ 2010 was first year that Auto Title office operation was fully funded through the Certificate of Title Administration Fund. A legislative fee increase in 2009 to Title fees allowed us to collect sufficient fees to cover our Title operation costs.
- ❑ 2010 - more than 180,000,000 hits to Clerk of Courts webpage and internet docket.
- ❑ 2009 ERIP participation, due to the number of eligible employees we limited the participation number to 5% of staff. 13 employees participated in ERIP and none were replaced. Staff resources were re-deployed to cover vacancies. Closing of Mayfield Branch Title office coincided with ERIP and title staff were shifted to fill ERIP vacancies.
- ❑ Continued participation in the Criminal Justice Reform Initiatives, we have met all requested and mandated changes without increasing staff.
- ❑ Cooperated with County Sheriff in moving their CCW process from Justice Center to our Parma Auto Title branch office – to assist them in accommodating County residents.
- ❑ Public records requests are responded to immediately – regular, certified and exemplified copies of court and title records can be fulfilled immediately upon request.
- ❑ We have led the way in Ohio by implementing an inmate commissary cost collection procedure. We have collected 2.5 million dollars since its inception in 2005. Other Clerks have contacted our office to mirror our process
- ❑ Currently have a Clerk to Judge ratio of 3 to 1 – past surveys suggest we are one of the lowest in the state.