

# 2023 Annual *report*

January 1 – December 31, 2023



**Gregory C. Harrell**

Marion County Clerk of Court and Comptroller



## A MESSAGE FROM YOUR CLERK AND COMPTROLLER

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To the Citizens of Marion County,

I would like to thank you for the opportunity to serve as your Clerk of Court and Comptroller. Always striving to improve the quality of service provided to our customers and protecting the public's trust in their records and finances remain our top priorities. A recently updated website ([www.marioncountyclerk.org](http://www.marioncountyclerk.org)) and social media pages (@marionflclerk) are maintained to assist customers seeking information pertaining to Courts, Official Records, Finance, Budget, Commission Records, Public Records, Internal Audit, and other areas in the Clerk's Office. I appreciate your interest in reading and studying our annual report and hope you find it informative and helpful.

Sincerely,

Gregory C. Harrell  
Clerk of Court and Comptroller  
Marion County, Florida

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## **FUNCTIONS AND DUTIES OF THE CLERK**

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The Clerk of Court and Comptroller is an office mandated by Article V, Section 16 of the State Constitution. The Clerk is not only the Clerk of the Circuit and County Courts, but also the County Treasurer, Budget Officer, Recorder, Auditor, Finance Officer, Clerk of the Value Adjustment Board, and Ex-Officio Clerk to the Board of County Commissioners. The Clerk of Court and Comptroller is elected by the people of Marion County as the protector of the public trust. Whether as an officer of the court or serving in the many constitutional and statutory roles of county officer, the Clerk of Court and Comptroller is maintaining the constitutional doctrine of “checks and balances” at the local level.

The Clerk provides the “checks and balances” for local government as accountant and auditor for the Board of County Commissioners; the collector and distributor of statutory assessments; guardian of the public records, public funds and public property. For the courts the Clerk ensures that the court's orders, judgments, and directives are carried out within the parameters allowed by law; collects and distributes court assessed payments such fines, court costs, and child support and statutory service charges; prepares and maintains valuable court records; providing vital statistical data to the Supreme Court and various state agencies.

The Clerk provides protection to the citizens by ensuring that the taxpayer’s money is handled according to law; providing access to public records; auditing reports of guardians in guardianship cases; providing assistance to citizens in accessing the court system; processing and maintaining court documents and ensuring that litigants’ court cases are presented to the court in a timely manner.

The Clerk is a public officer in the service of the government of the people who derives the position from a legally authorized election and whose duties are continuous in nature and defined by rules prescribed by government. The Clerk's duties are not purely ministerial, but rather an integral part of the whole county governmental process.

# FINANCIAL REPORTING ACHIEVEMENT

The Award of Financial Reporting Achievement is presented by the Government Finance Officers Association to the department or individual designated as instrumental in the government unit achieving a Certificate of Achievement for Excellence in Financial Reporting. A Certificate of Achievement is presented to those government units whose annual financial reports are judged to adhere to program standards and represents the highest award in government financial reporting.



# **ORGANIZATIONAL FUNCTIONS**

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## **FINANCE, BUDGET & INTERNAL AUDIT**

- Provides effective and efficient accounting and administrative services for various governmental entities.
- Invests available county funds.
- Maintains custody of all county funds and collects and disburses the funds.
- Processes accounts payable and county payroll.
- Provides various audit and consultative services including reviews of compliance, revenue, expenditure, and performance based on risk and management requests.
- Administers the county's federal and state grant programs.
- Reviews the management and accounting controls within county government.
- Maintains the county's fixed asset accounting system.
- Manages county bond issues.
- Assists in the preparation and review of budgets, preparing revenue estimates for various Board funds and balances the budget for presentation to the Board.
- Provides independent tabulations of MSTU road assessment petitions.

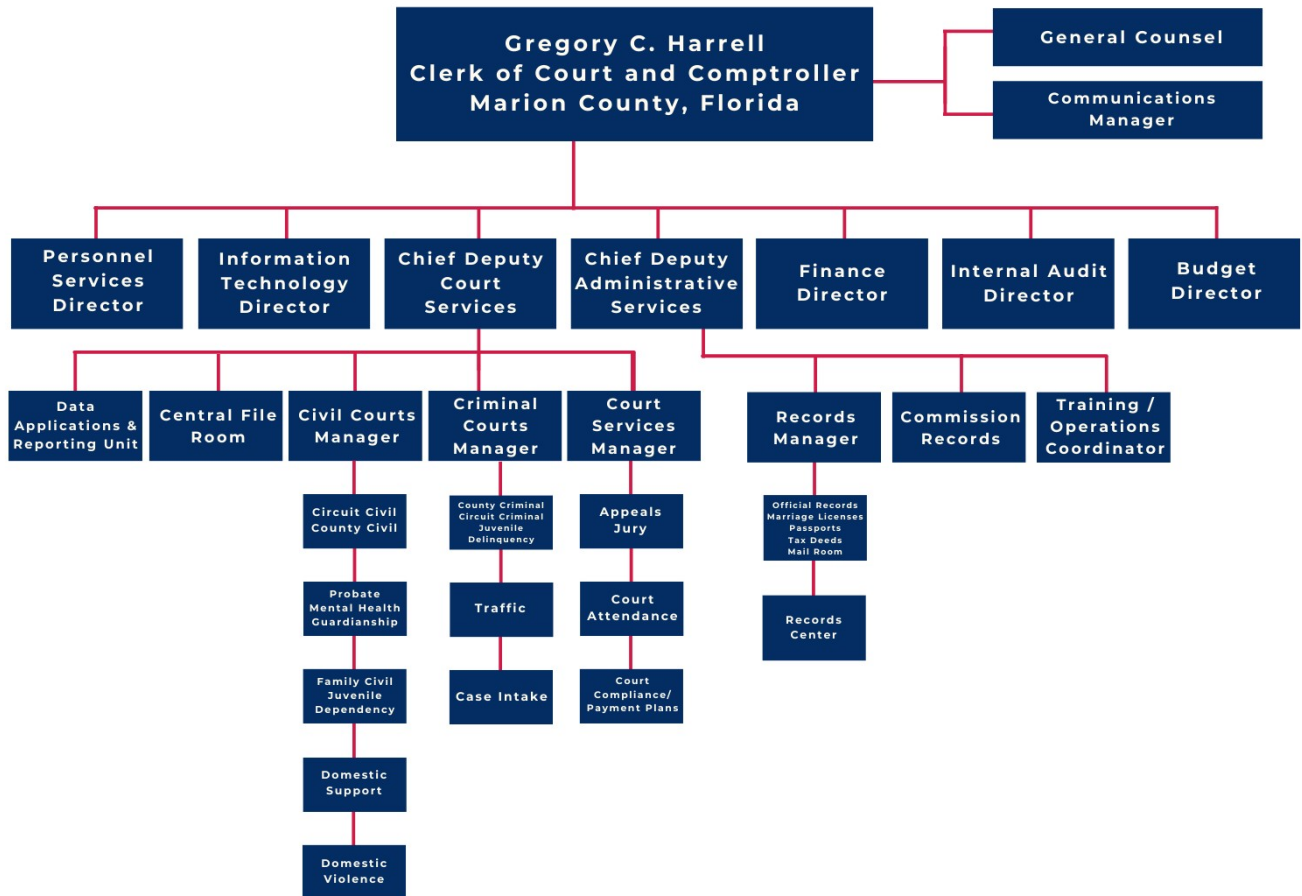
## **COURTS**

- Attends each session of court.
- Prepares and maintains court calendars (dockets).
- Documents the receipt and filing of all court related documents.
- Oversees jury selection and processes juror payments.
- Receives and disburses payments of all monetary penalties assessed by the Court.
- Provides operational data and compiles and monitors statistics for statewide reporting requirements.

## **ADMINISTRATIVE SERVICES**

- Records and indexes all instruments required or authorized to be recorded in one general series of "Official Records" books.
- Processes tax deed applications and conducts sales.
- Collects for and disburses documentary stamps and intangible taxes for the Department of Revenue.
- Maintains public microfilm libraries and a records storage facility.
- Processes applications and issues marriage licenses.
- Accepts applications and administers oaths for passport purposes through authorization of the U.S. Department of State.
- Attends all Board of County Commissioners' meetings.
- Produces, indexes, and distributes the official minutes of the Board of County Commissioners' meetings.
- Maintains all county resolutions, ordinances, contracts, papers, and instruments of the Board.

# ORGANIZATIONAL CHART

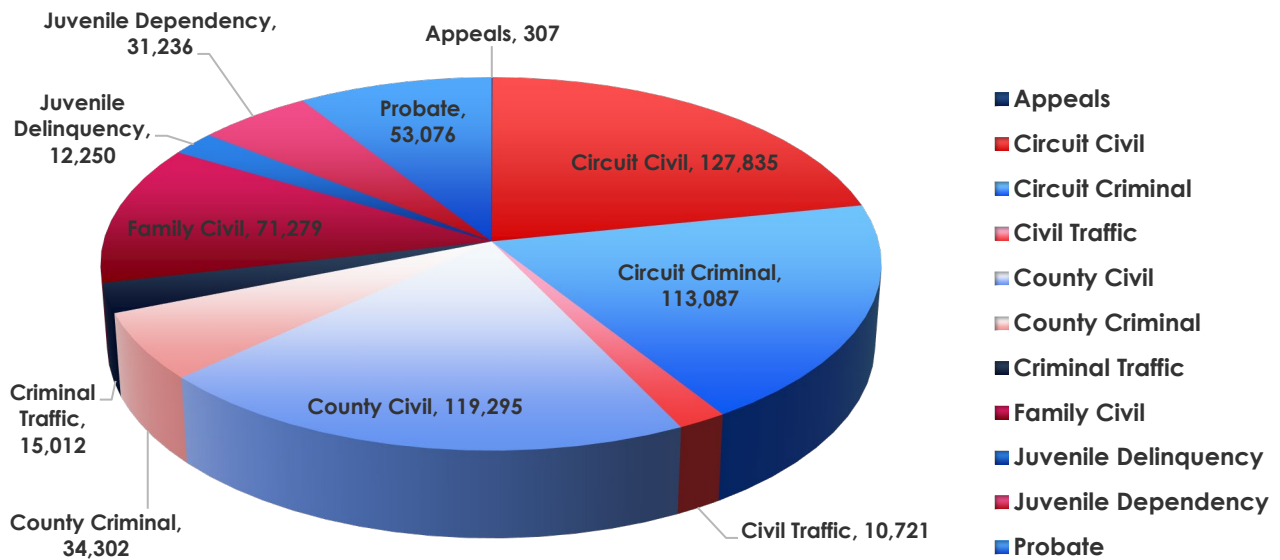


# ELECTRONIC FILING

Electronic filing of court documents, or E-filing, allows attorneys and Pro-Se filers to submit court documents electronically 24-hours a day, seven days a week, through a single statewide portal governed by the Florida Courts E-filing Authority. Implementation of E-Filing has increased efficiencies.

The Marion County Clerk of Court's Office accepts electronic filings on new and existing cases for the following County and Circuit Court Divisions: Circuit Civil, County Civil, Summary Claims, Family Civil, Probate, Juvenile Dependency, Civil and Criminal Traffic, Misdemeanor, Felony, Juvenile Delinquency, and Appeals. Across all divisions, a total of 588,400 electronic documents were processed by the Clerk's Office in 2023.

## 2023 Electronic Documents Processed



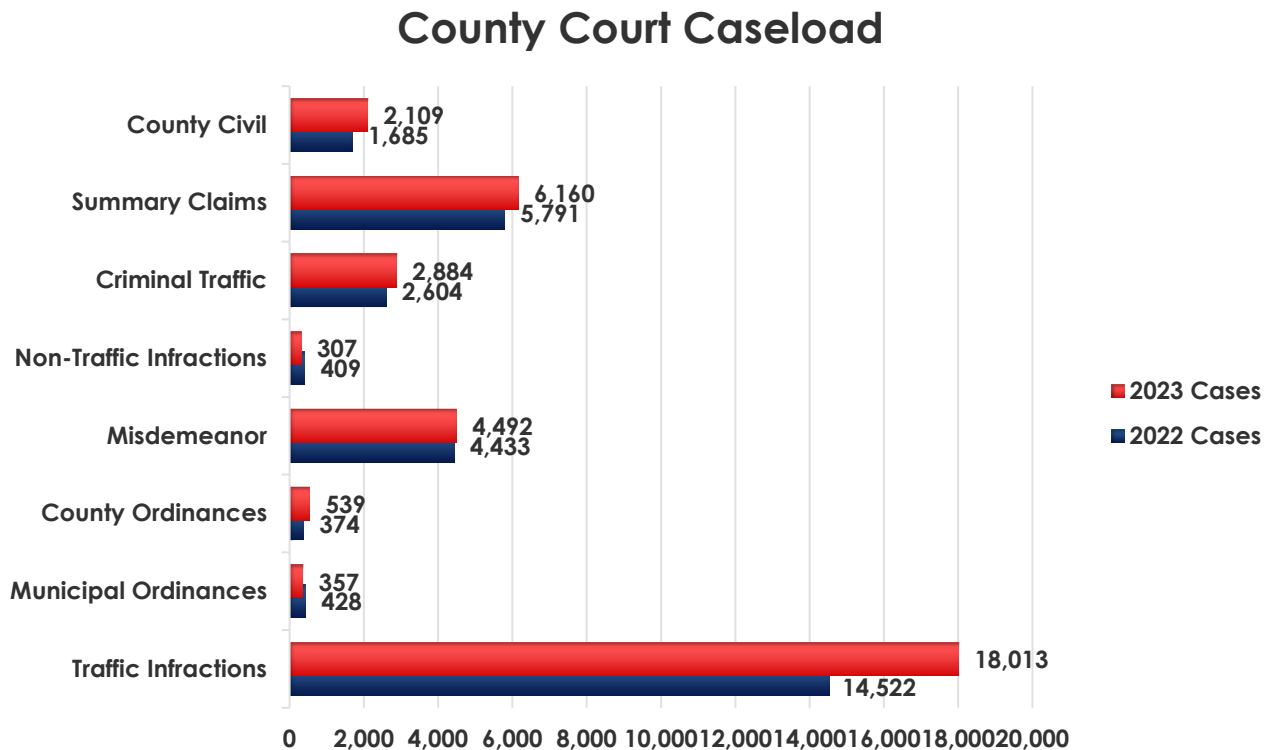


## COUNTY COURT CASELOAD

The Clerk’s office maintains the records for the County Courts as well as ensuring that the court’s orders, judgments, and directives are carried out within the parameter allowed by law and court rule. This is done by processing new cases, preparing court dockets, attending criminal and civil proceedings, reporting dispositions, determining indigence, collecting criminal fines, pursuing financial recovery, and preparing and recording judgments.

In 2023, a total of 34,861 cases were filed across the eight divisions within the jurisdiction of the County Court. These divisions are County Civil, Summary Claims, Criminal Traffic, Non-Traffic Infractions, Misdemeanor, County Ordinances, Municipal Ordinances and Traffic Infractions.

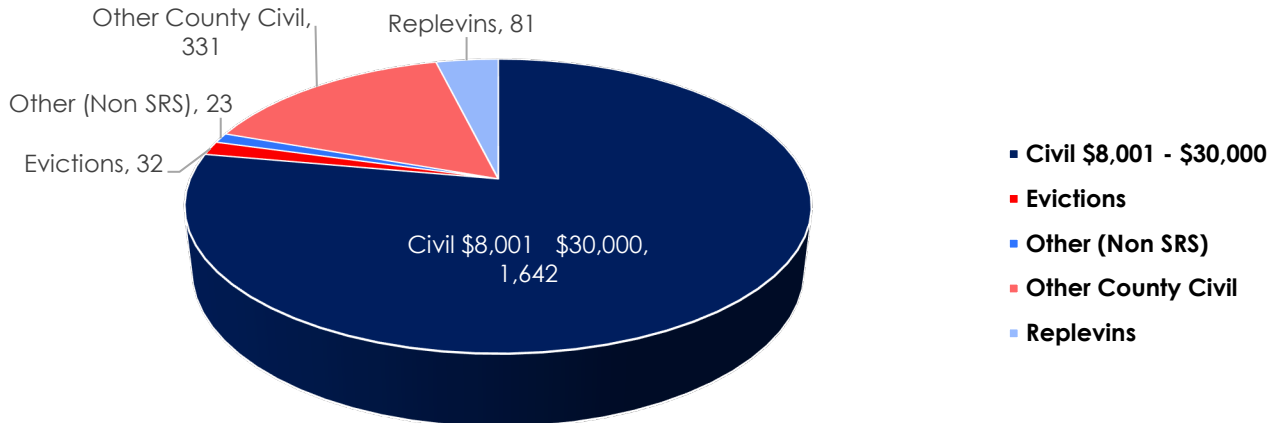
The following table shows the case statistics by type for the year 2023 in the Civil and Criminal Departments:



## COUNTY CIVIL

The County Court has jurisdiction over civil actions in which the matter in controversy does not exceed the sum of \$30,000.00. Claims of more than \$8,000.00, but less than \$30,001.00 are categorized as county civil actions. There were 2,109 new County Civil cases filed in 2023.

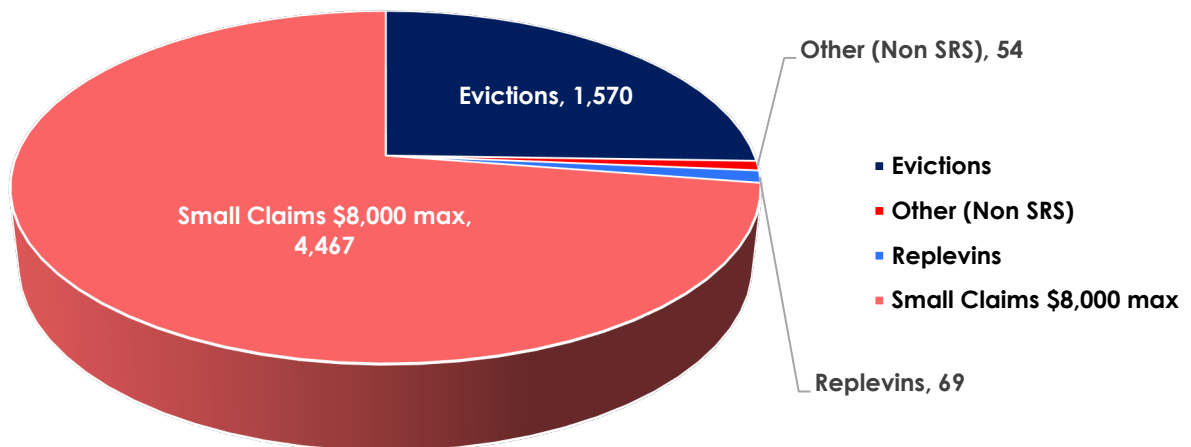
### County Civil Case Types



## SUMMARY CLAIMS

Cases filed pursuant to the Florida Rules of Summary Procedure are categorized as summary claims, formerly known as small claims. In 2023 there were 6,160 of these types of cases filed. This number includes all eviction and replevin cases as most, but not all, such cases are summary claims cases. Specifically, there were 1,570 evictions and 69 replevin cases filed in 2023.

### Summary Claims Case Types



## COUNTY CRIMINAL

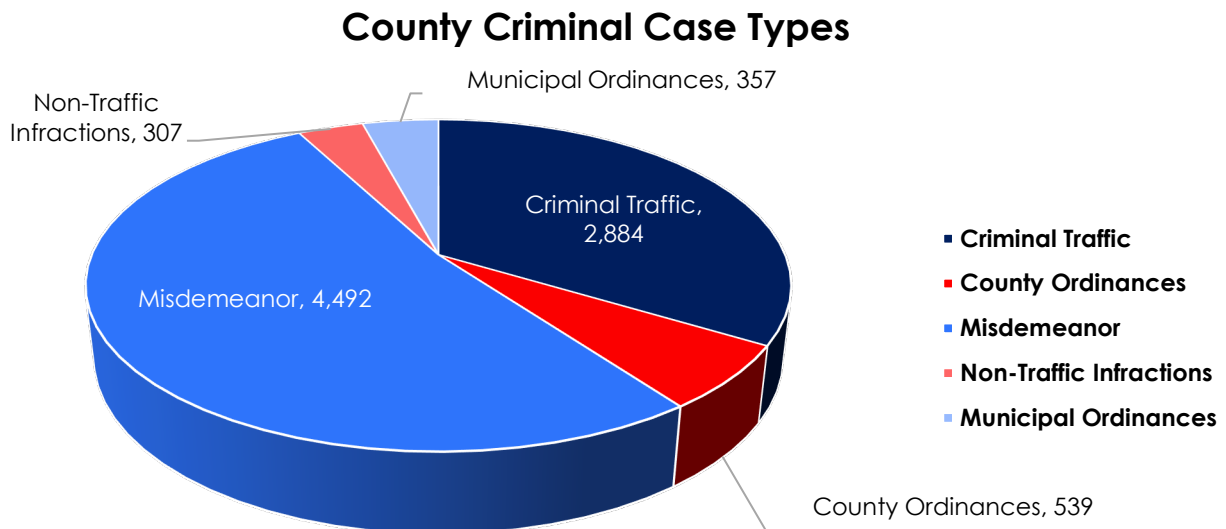
The County Court has jurisdiction over all defendants accused of committing crimes which have been designated as misdemeanors. A misdemeanor is a criminal offense which is punishable by imprisonment in a county correctional facility. Misdemeanors are classified into the following degrees:

- A *First Degree Misdemeanor* is punishable by a term of imprisonment not to exceed one year in the county jail and by a fine not to exceed \$1,000.00.
- A *Second Degree Misdemeanor* is punishable by a term of imprisonment not to exceed 60 days in the county jail and by a fine not to exceed \$500.00.

The caseload statistics on the pie chart below include violations of:

- *County and Municipal Ordinances* which are local regulations punishable by a fine less than \$500.00 and/or imprisonment in a county jail for less than 60 days.
- *Criminal Traffic Laws* which are defined by the Florida Rules of Court as a violation that may subject a defendant upon conviction to incarceration.
- *Non Traffic Infractions* consist of county and municipal ordinances and boating and hunting charges that are classified and non-criminal. Civil Infractions which are non-criminal violations are punishable by a monetary penalty only.

The County Criminal departments processed 8,579 new cases in 2023.

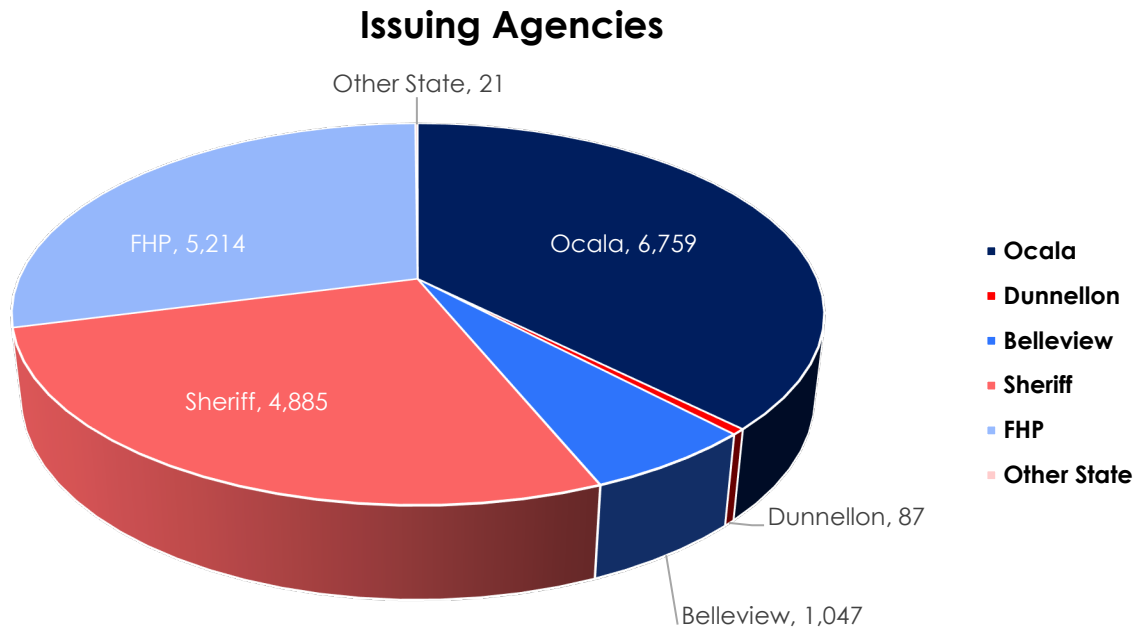


## TRAFFIC

The County Court has jurisdiction over non-criminal violations of law which have been designated by the State Legislature as civil infractions. An infraction is punishable by a civil penalty not to exceed \$500.

New civil infraction cases totaling 18,013 were filed in 2023. The civil infraction caseload consists of Uniform Traffic Citations for pedestrian, bicycle, nonmoving and moving violations and parking citations.

The Belleview, Dunnellon, and Ocala Police Departments issued 7,893 citations. The Florida Highway Patrol issued 5,214 citations. The Sheriff's Office issued 4,885 citations with the remaining 21 citations issued by various state agencies such as the Florida Department of Transportation, the Department of Environmental Protection and the Fish and Wildlife Conservation Commission.

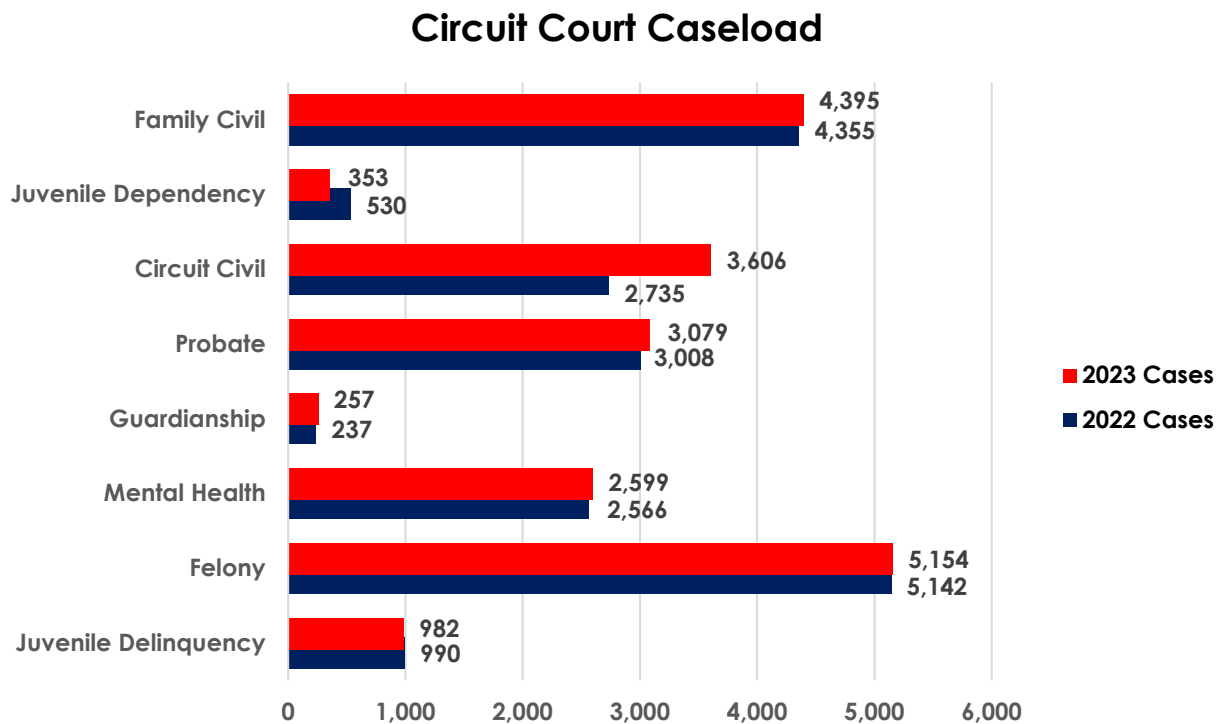


## CIRCUIT COURT CASELOAD

The Clerk’s office maintains the records for the Circuit Courts as well as ensuring that the court’s orders, judgments, and directives are carried out within the parameter allowed by law. This is done by processing new cases, preparing court dockets, attending criminal and civil proceedings, reporting dispositions, determining indigence, collecting criminal fines, pursuing financial recovery, and preparing and recording judgments.

In 2023, a total of 20,425 cases were filed across the eight divisions within the jurisdiction of the Circuit Court. These divisions are Family Civil, Juvenile Dependency, Circuit Civil, Probate, Guardianship, Mental Health, Felony, and Juvenile Delinquency.

The following table shows the case statistics by type for the year 2023 in the Civil and Criminal Departments:



## FAMILY CIVIL

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The Family Civil Division has jurisdiction over domestic relations matters such as:

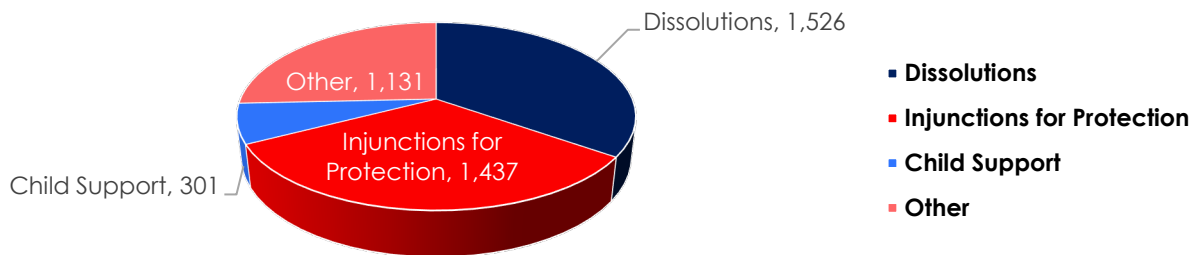
Simplified Dissolution  
Domestic Violence  
Paternity  
Repeat Violence

Dissolution  
Adoption  
Change of Name Change  
Injunction for Protection

Child or Spouse Support  
Annulment  
Change of Custody  
Foreign Judgments

In 2023 there were 4,395 new family civil cases filed. Of these new cases, 33% (1,526 cases) were regarding dissolution of marriage with another 35% (1,437 cases) involving the request for an injunction for protection against domestic, repeat, dating, sexual, or stalking violence. Of the remaining cases filed in the Family department, 6% (301 cases) involved child support with the remaining 26% (1,131 cases) dealing with other family issues such as name change, paternity, adoption, spouse support/alimony, Administrative Support, etc.

### Family Civil Case Types



A change in Florida’s child support enforcement law created the State of Florida Disbursement Unit (FLSDU) located in Tallahassee. Marion County initiated the process of support payments through this facility in response to federal law changes.

As of December 31, 2023, there was a total of 9,593 active cases being paid through the FLSDU. Of those cases, 8,093 or 84.36% are considered IV-D cases in which the absent parent is receiving financial assistance from the State and Federal Government. The monies collected on these cases are transmitted to the Florida Department of Revenue as reimbursement for the public assistance given through the Aid to Dependent Children program. Florida's Clerks of Court provide information at [www.MyFloridaCounty.com](http://www.MyFloridaCounty.com). The site provides 24-hour, seven-day a week service that offers flexibility to those receiving a child support check and to those who pay. The services are available for all child support cases that are facilitated by Florida’s State Disbursement Unit, Florida Clerks of Court, or Florida Department of Revenue. The funds are electronically transferred to the appropriate recipient regardless of the city or county in which the person resides.

## JUVENILE DEPENDENCY

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Dependency proceedings involve juveniles who have been abandoned, abused or neglected by parents or a custodian; children who have been surrendered for the purpose of adoption; or children in need of services who are persistent runaways, habitually truant or uncontrollable.

A total of 353 new juvenile dependency petitions were filed in 2023.

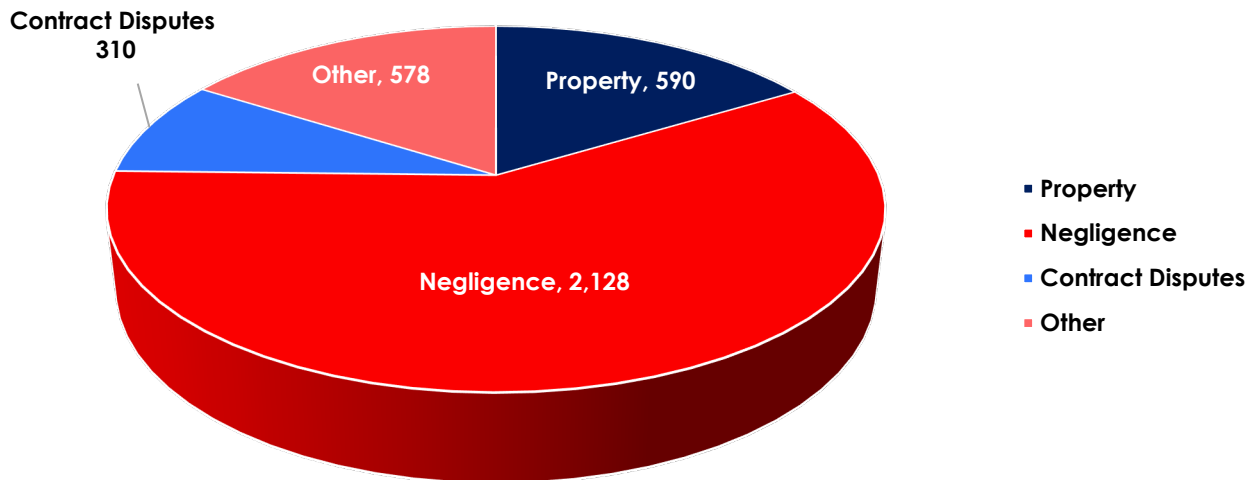
## CIRCUIT CIVIL

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The Circuit Court has jurisdiction over civil actions in which the matter in controversy exceeds the sum of \$30,000.00, all cases in equity, actions involving the title and boundaries of real property, injunctions, and all civil matters not within the jurisdiction of the County Court.

There were 3,606 new Circuit Civil cases filed in the year 2023. Property disputes make up 28% (590 cases), while negligence cases accounted for 33% (2,128 cases) and contract disputes reported 19% (310 cases). Other civil matters such as eminent domain, antitrust, constitutional challenges, etc., accounted for 20% (578 cases) of the total filings.

### Circuit Civil Case Types



## **PROBATE, GUARDIANSHIP, MENTAL HEALTH**

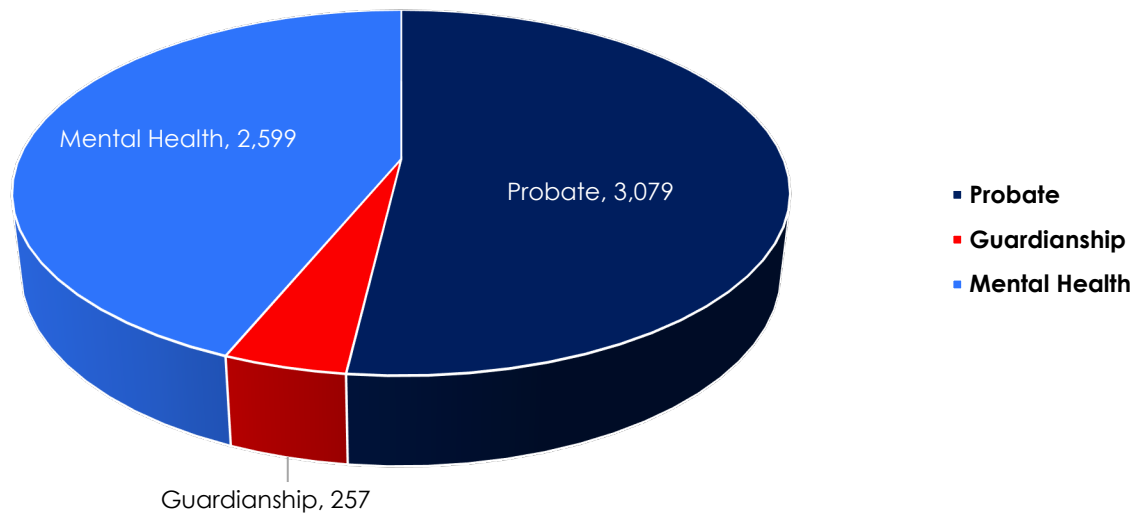
The Circuit Court has jurisdiction over all cases relating to the settlement of estates of decedents and minors, the granting of letters of testamentary, guardianships, involuntary hospitalizations, determination of incapacity and other matters pertaining to probate. There were 5,935 new cases filed in the year 2023.

In 2023, 52% (3,079 cases) included all matters relating to the validity of wills and their execution; distribution, management, sale, transfer and accounting of estate property and ancillary administration.

Guardianship actions pursuant to Chapter 744 of the Florida Statutes were 4% (257 cases) of the total cases filed.

The remaining 44% (2,599 cases) were mental health proceedings, which included petitions for involuntary hospitalization filed under the Baker and Marchman Acts.

**Cases Filed in 2023**





## **CIRCUIT CRIMINAL (FELONY)**

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The Circuit Court has jurisdiction over all defendants accused of committing crimes that have been designated by the State Legislature as felonies. A felony is a criminal offense punishable by death or imprisonment in a state penitentiary. The 5,154 felony cases filed in 2023 are classified into the following degrees:

- A *Capital Felony* is punishable by death or life imprisonment without eligibility for parole.
- A *Life Felony* is punishable by a term of life imprisonment and by a fine not to exceed \$15,000.00.
- A *First Degree Felony* is punishable by a term of imprisonment not to exceed 30 years and by a fine not to exceed \$10,000.00.
- A *Second Degree Felony* is punishable by a term of imprisonment not to exceed 15 years and by a fine not to exceed \$10,000.00.
- A *Third Degree Felony* is punishable by a term of imprisonment not to exceed five years and by a fine not to exceed \$5,000.00.

## **JUVENILE DELINQUENCY**

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The Circuit Court has jurisdiction over all cases in which a child is alleged to have committed a delinquent act or violation of law.

A delinquent complaint is filed by a law enforcement officer when a juvenile is alleged to have committed a felony, misdemeanor, contempt of court or violation of a local ordinance.

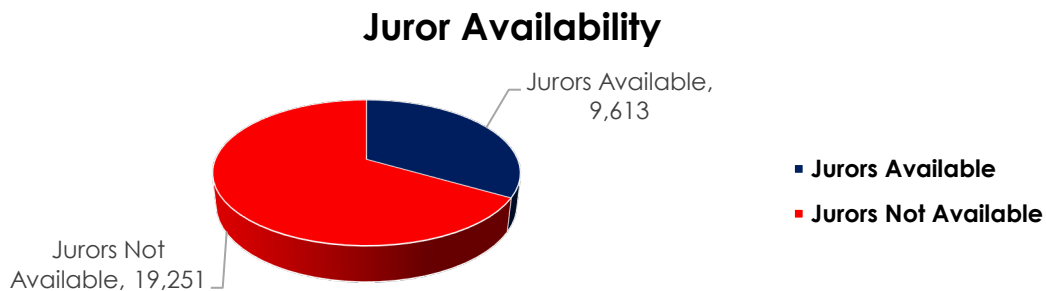
A total of 982 new juvenile delinquent cases were filed in 2023.

## JURY MANAGEMENT

The Clerk of Court and Comptroller has a number of responsibilities relative to the selection and payment of jurors. Section 40.01, Florida Statutes, provides that jurors shall be taken from the male and female persons at least 18 years of age, who are citizens of the United States and legal residents of this state and their respective counties and who possess a driver's license or identification card issued by the Florida Department of Highway Safety and Motor Vehicles pursuant to Chapter 322, Florida Statutes, or who have executed the affidavit prescribed in section 40.011, Florida Statutes.

The Clerk is required to randomly select a list of individuals to be summoned for jury duty. The number of individuals summoned depends on the number of cases scheduled to be tried in a given week. The "pool" of prospective jurors is summoned at least 14 days prior to the date on which they are required to appear in court.

A total of 28,864 people were summoned for jury duty in 2023. Of the total summoned, 67% (19,251 individuals) were unavailable for service due to mandatory disqualification, inability to serve summons, or failing to appear. The remaining 33% (9,613 individuals) were available for duty as jurors.

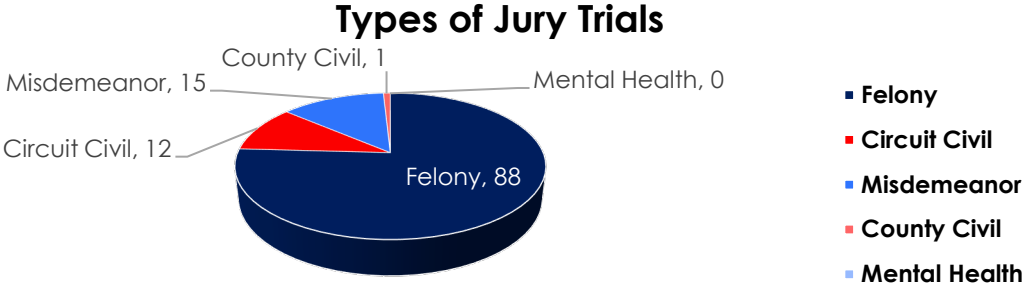


Jurors are compensated for their service according to Florida law in the following manner:

- *For the first three (3) days of service a juror is not entitled to any compensation if he or she is regularly employed and will continue to receive regular wages while serving as a juror. Otherwise, the compensation is \$15.00 per day.*
- *On the fourth day of service and each day thereafter, all jurors are compensated at the rate of \$30.00 per day.*
- *“Regular Employment” is defined as full-time employment and part-time, temporary, and casual employment, as long as the employment hours of a juror can be reasonably determined by a schedule or by custom and practice established during the three month period preceding the term of service as a juror. A juror who receives unemployment benefits does not lose those benefits because he/she receives juror compensation.*

In 2023, the Clerk’s Office paid \$85,740 as compensation for their service, and \$17,038.02 on meals for a total expenditure of \$102,778.02.

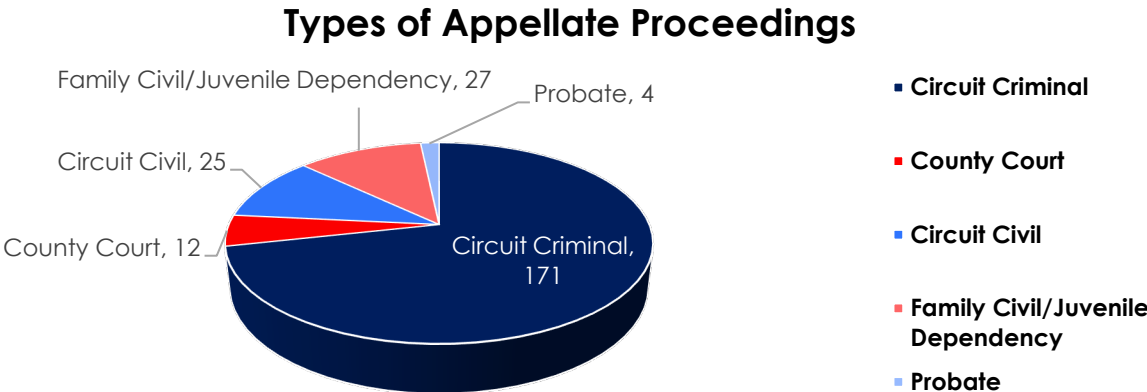
There were 116 jury trials in 2023. In the Circuit Court, 12 juries were sworn to hear circuit civil cases, 88 juries were sworn to hear felony cases and no jury was sworn to hear a Jimmy Ryce mental health case. In the County Court, 15 were sworn to hear misdemeanor cases and 1 jury was sworn to hear a County Civil case.



## APPELLATE PROCEEDINGS

When a case is appealed, the Clerk prepares a Record of Appeal for the appellate court to review and indexes the instruments contained therein.

Both Circuit and County Court cases appealed in the Fifth Judicial Circuit are appealed to either the Circuit Court or the Fifth District Court of Appeals in Daytona Beach, Florida. In 2023, a total of 4 appeals were filed with the Circuit Court while 235 appeals were filed with the Fifth District Court of Appeals. These appeals consisted of 63 Civil cases and 176 Criminal cases.



# COUNTY RECORDER

## OFFICIAL RECORDS

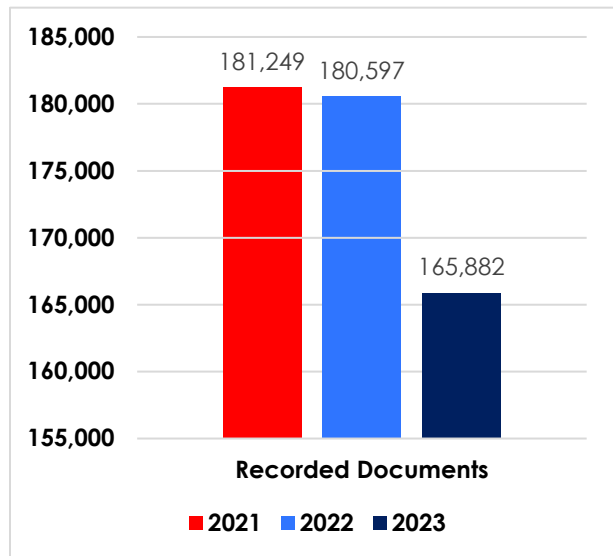
The Clerk is the recorder of all instruments required or authorized to be recorded in one general series of "Official Records" books. Upon payment of the statutory fees, the Clerk records and indexes a variety of important documents, which, in most cases, are related to real estate. Examples of such documents include deeds, mortgages, liens, contracts, affidavits, subdivision plats, declarations of condominium, bills of sale, judgments, certificates of military discharge, and declarations of domicile. In 2023, the Clerk of Court and Comptroller recorded, verified, and indexed 165,882 documents in the Official Records. The Clerk's Office was recording an average of 664 documents per day.

Once a document has been recorded and indexed in the Official Records Division, the Records Management Division is responsible for making sure that a permanent, archival copy of that document exists. An original roll of microfilm is created and stored at National Underground Storage in Boyers, Pennsylvania. The microfilm process is used by the Clerk's Office because it has been scientifically certified as capable of storing images for up to 500 years, thereby exceeding the State's archival standards for Official Records.

## DOCUMENTS RECORDED

In 2023, the 165,882 documents recorded in the Official Records required the microfilming of 536,669 images.

As the County Recorder, the Clerk also serves as the custodian and controller of archival records, both for the Clerk's operations and the operations of the Board of County Commissioners. A records management/retention program assists user agencies in the identification, classification (according to published State Records Schedules), and inventorying of all their documents, papers, letters, maps, books, tapes, photographs and files, as well as visual and sound recordings. These records are *public* records and, as such, are vital not only to the government and court system of Marion County, but also to the citizens of the County and State.



The strong enforcement of Florida's Public Records Law continues to play an important part in the manner in which public records are managed. In carrying out the responsibility of organizing and controlling the large volume of records created by the courts and county government, the challenge that must be met by the Clerk is to ensure that public information remains open and accessible to all citizens in an efficient and effective manner.

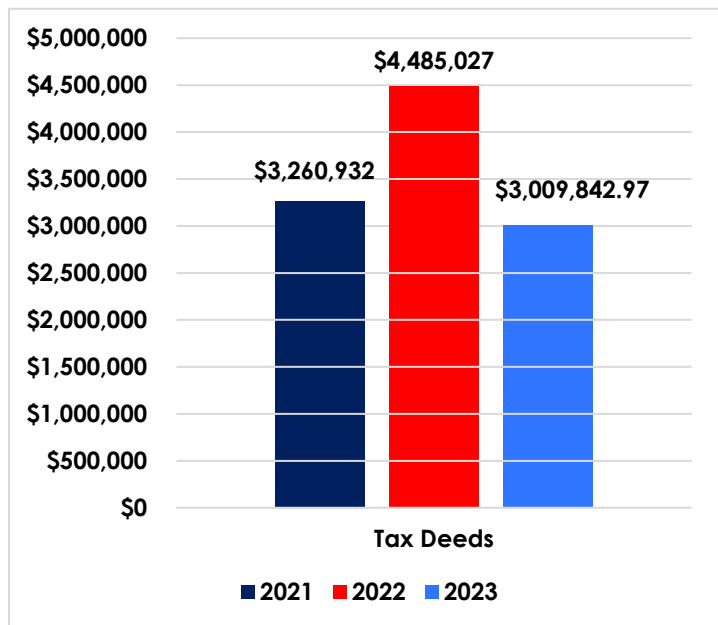
As technology expands the means by which government can attain and store information, the means by which public business is transacted has likewise expanded. The Clerk of Court and Comptroller is committed to safeguard the public’s right to know by responding to these changes with the most efficient information technology resources available.

## TAX DEEDS

The Clerk of Court and Comptroller sold 124 tax deed applications during 17 public sales in 2023. There were 3 properties escheated to the county and 3 properties sold from the list of Lands Available for Taxes in 2023. The total amount of bids and LAT purchase amounts equaled \$3,009,842.97, a decrease from the amount of bids and LAT purchase amounts in 2022. No applications brought up for tax deed sales were initiated by Marion County. Of those applications not sold or redeemed, two properties were added to the List of Lands Available for Taxes.

Real estate taxes in Marion County become due every year on November 1st. Parcels remaining unpaid by mid-April are advertised in the local newspaper in an effort to notify the property owners of the outstanding tax liability.

Tax deed sales, which are open to the public, are conducted online through RealAuction. The sales are held once or twice a month on Wednesdays beginning at 9:00 a.m. The starting bid is the accumulated total of all delinquent taxes, penalties, advertising fees, tax search costs, and fees that were paid by the certificate holder who applied for the tax deed, all tax certificates that were sold subsequent to the filing of the tax deed application, and omitted taxes, if any. If there are no bids for the property, the property is sold to the applicant at the price of the opening bid. If there are bids for the property, and the applicant is not the successful buyer, the applicant is reimbursed the money he or she has paid to bring the property to sale.



Immediately after the sale of each parcel, the successful high bidder must pay a nonrefundable deposit of \$200.00 or 5% of bid, whichever is greater. The amount of the deposit shall be applied towards the full payment of the winning bid or forfeited should the sale not go through. The bid amount, the recording fee, and documentary fees must be paid within 24 hours after the tax deed auction. A tax deed is then issued by the Clerk to the highest bidder. The deed transfers ownership of the property from the owner who defaulted on payment of the property taxes to the highest bidder.

## MARRIAGE LICENSES

The Clerk of Court and Comptroller issued 2,465 marriage license applications in 2023, representing an increase from the 2,374 that were issued in 2022.

There are no residency requirements in Florida; therefore, a couple may apply for the license and have the marriage solemnized anywhere within the State. Since applicants for a marriage license are not required to take a blood test, the license is issued within minutes of making application. Both applicants may take a premarital preparation course given by a provider registered with the Clerk of Court and receive a \$25.00 discount on their marriage license. Applicants not wishing to take the marriage preparation course will not receive the discount and will have a mandatory three day waiting period from the date the license is issued.

Both parties must complete an application through the kiosk available online or at the Clerk’s Office to obtain a marriage license. If either party has been married in the past, the month, day and year the prior marriage was dissolved must be reported on the application. Both applicants must also show proof of identification and take an oath by which they swear or affirm the furnished information is true and correct.

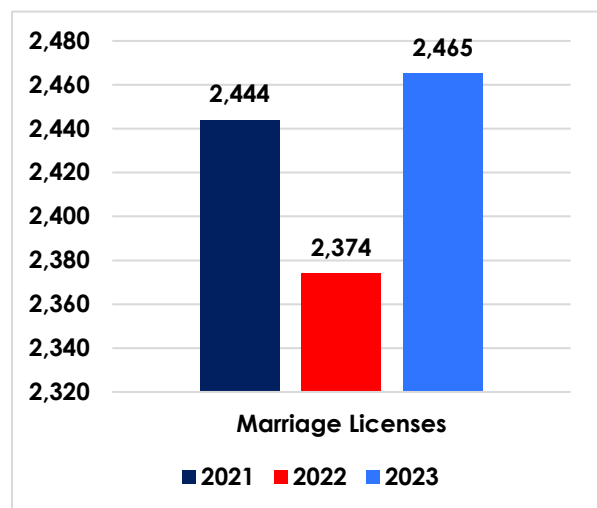
If either applicant is under the age of 18 years but at least 17 years of age, the license cannot be issued unless the parents or guardian of the minor provides a written notarized consent to the marriage; and the older party to the marriage is not more than two years older than the younger party to the marriage. Parental consent is not required, however, if both parents of the minor are deceased or the minor has been married previously.

The fee for a marriage license is \$86.00. From this amount the Clerk’s Office remits \$25.00 to the Department of Children and Family Services for the purpose of funding domestic violence centers; \$4.00 is remitted to the Bureau of Vital Statistics; and \$12.50 is remitted to the Florida Supreme Court for deposit and \$12.50 in the Family Courts Trust Fund.

### MARRIAGE LICENSE ISSUANCE

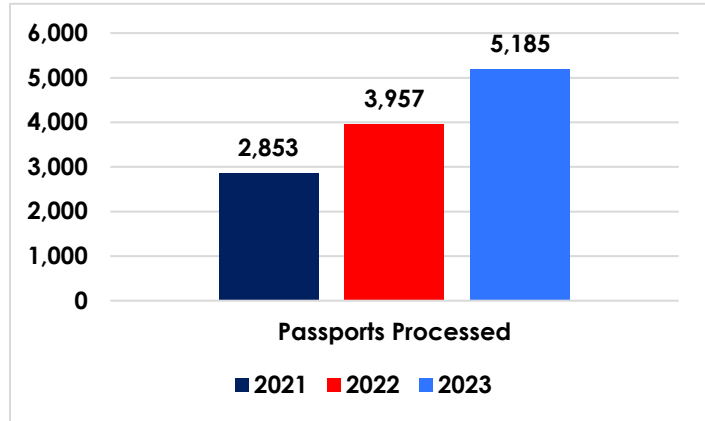
Once issued by the Clerk, a marriage license is valid for sixty (60) days. The marriage may be solemnized during that time by a legally authorized official, including a regularly ordained minister or other ordained clergy, a judicial officer including a retired judicial officer, or a Notary Public.

The Clerk’s office officiated 895 marriage ceremonies in 2023 an increase from 767 ceremonies officiated in 2022.



## PASSPORTS PROCESSED

The Clerk of Court and Comptroller accepts passport applications as an agent for the Passport Office of the United States Department of State. Once filed with the Clerk's Office, the applications are submitted to the U.S. Passport Agency and a passport is normally mailed to the applicant within six weeks. The Clerk's Office in 2023 processed 5,185 passport applications, an increase from the 3,957 in 2022.



A certified copy of the applicant's birth certificate, which must be submitted to the Passport Office with the application, should include the date the certificate was filed in the registrar's office, along with the registrar's signature and official seal, the date of birth of the applicant, and the full names of both parents. A naturalized citizen must submit his or her naturalization papers. The Passport Agency will not accept documents such as a "Notification of Birth Registration" or "Birth Announcement".

Form DS-10 Affidavit of Birth may be used to supplement secondary birth evidence when a birth certificate does not exist or is filed more than one year after birth, or if no given name or an incorrect name is listed on the birth certificate. The affidavit must be accompanied by at least two documents that substantiate the date of birth, such as a baptismal certificate, family Bible record, certified copy of school record, or an old insurance policy. The birth certificate or other documents will not be returned with the passport, those documents will be returned separately.

One color photograph of the applicant, which should be two inches wide and two inches long, must also be submitted with the application. The Clerk's office provided 2,068 Passport photos in 2023.

The U.S. Passport Agency charges a processing fee of \$130.00 for a U.S. Passport book for an adult applicant age 16 and over and \$100.00 for a U.S. Passport book for an applicant under 16 years of age. The U.S. Passport Agency now offers a Passport card for \$30 for an adult and \$15 for a minor under the age of 16. A check or money order made payable to *U.S. Department of State* should be submitted with the application. The clerk's fee of \$35.00 may be paid by cash, check, or money order.

The applicant must also show proof of identification and take an oath by which he or she swears the furnished information is true and correct. A driver's license or a photo ID card issued by a State Division of Drivers Licenses or U.S. Armed Forces are acceptable forms of identification.

A passport issued to an adult is valid for ten (10) years and may be renewed within five (5) years after the date of expiration. A child's passport, which is valid for five (5) years, is not renewable.

## **EX-OFFICIO CLERK TO THE BOARD OF COUNTY COMMISSIONERS**

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The Florida Constitution provides for the Clerk to act as Ex-Officio Clerk to the Board of County Commissioners (BCC). In this capacity, the primary responsibility of the Clerk is to record and prepare minutes for the Board of County Commissioners' meetings. The entire meeting is electronically recorded by the Clerk and a CD/thumb drive is available to the public for listening purposes or purchase the following morning. This recording by an independent elected official assures the integrity of the minutes.

Regular meetings begin at 9:00 a.m. and are held on the first and third Tuesday of each month, with workshops scheduled on alternate Tuesdays and other such times as may be necessary. The meetings, which are open to the public, are normally held at the office of the Board of County Commissioners and are streamed live on their website site at [www.marionfl.org](http://www.marionfl.org).

In 2023 the Clerk's Office attended and recorded the minutes of 64 BCC meetings, 2 Joint Meetings, 6 Marion County Community Redevelopment Agency Board (MCCRAB) meetings and 11 Value Adjustment Board (VAB) meetings. The meetings lasted anywhere from 30 minutes to all day and resulted in over 1,590 pages of BCC minutes, approximately 12 pages of MCCRAB minutes and nearly 46 pages of VAB minutes. Board of County Commissioners' minutes are available on the Clerk's website at [www.marioncountyclerk.org](http://www.marioncountyclerk.org).

The Clerk's Office also acts as the Co-coordinator for the Commission on Ethics, ensuring that Constitutional Officers and Advisory Board members follow through with filing necessary financial affidavits as required by the State of Florida.

The Clerk's Office also maintains papers and instruments of the Board of County Commissioners. These documents are available for public view and photocopies can be obtained. In 2023 the Clerk of the Circuit Court and Comptroller processed 1,029 new County documents, 38 new Ordinances and 683 new Resolutions that were adopted by the BCC.

As required by Department of Revenue Rules and Procedures (12D-9.006), The Clerk of Court shall act as the Clerk of the Value Adjustment Board. The Board Clerk shall receive and acknowledge completed petitions, formulate hearing schedules of appearances before Special Magistrates, attend all hearings and prepare the minutes. The Clerk's Office processed 461 petitions for the 2023 Value Adjustment Board.



## **CHIEF FINANCIAL OFFICER**

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The Clerk of the Court and Comptroller serves as the accountant, auditor, and custodian of all county funds. This role is governed by constitutional and statutory authority to create and maintain a system of checks and balances for the use of public funds. To ensure accountability, the duties of the Clerk of Court and Comptroller are performed independently of the Board of County Commissioners. Among those responsibilities are a variety of financial functions including financial reporting, accounting, treasury management, debt compliance, capital asset inventory, processing cash receipts, accounts payable and payroll, as well as coordinating the county's annual external audit.

The Clerk is not only responsible for the day-to-day accounting transactions, but also maintaining compliance with 102 governmental accounting standards and keeping apprised of other legislation and authoritative guidance that could impact the accounting and financial reporting functions of the county.

To ensure the protection of taxpayer funds, the Clerk is the independent custodian of county funds. This responsibility includes administering a diversified investment portfolio with three primary objectives: to ensure the safety of principal; maintain liquidity; and obtain the highest possible yield. The current balance of the investment portfolio is approximately \$683 million.

The administration of the county's long-term debt is another financial responsibility of the Clerk. Debt compliance includes the timely payment of principal and interest on existing debt obligations as well as ensuring the county complies with various bond requirements such as financial disclosures or cash reserve requirements. In doing so, the county maintains the highest credit rating possible, thus reducing interest costs paid by taxpayers.

The Clerk maintains a database of approximately 17,368 asset records of real and tangible personal property (land, buildings, vehicles, and equipment) that are acquired or disposed of by the county. The Clerk performs an annual inventory of all county-owned equipment located at each facility. The current value of these assets is \$176,535,440.

Processing cash receipts, accounts payable and payroll are among the Clerk's duties. In the 2023 calendar year, more than 19,431 payments were disbursed to vendors with an additional 4,189 checks issued to jurors. The payroll transactions for the year totaled 48,041 for nearly 1,880 county employees.

As the auditor and custodian of county funds, the Clerk is subject to state Auditor General rules and regulations; therefore, the coordination of financial audits falls under the responsibilities of the Clerk. An independent accounting firm conducts an audit of the county's financial statement annually. This audit provides reasonable assurance that appropriate accounting policies were followed, the financial statements represent fair presentation and are free from any material misstatements. This external audit process provides an additional level of oversight and accountability of public funds.

Under the supervision of the Clerk, Marion County has received the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting award for 38 consecutive years. This is the nation's highest level of achievement recognized for governmental entities who exceed minimum reporting requirements by preparing and publishing an annual comprehensive financial report that achieves transparency and full disclosure.

In addition, Marion County has received the Government Finance Officers Association's Award for Outstanding Achievement in Popular Annual Financial Reporting for its inaugural Popular Annual Financial Report for the fiscal year ended September 30, 2022. This report is a condensed version of the annual comprehensive financial report and presents both financial and non-financial data in a manner that is easy to read and understand. The annual comprehensive financial report and popular annual financial report both provide relevant and valuable information for community stakeholders.

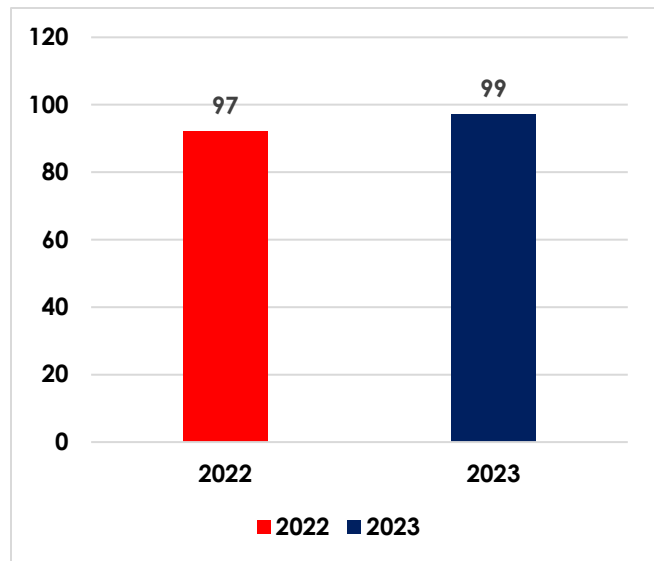
## BUDGET OFFICER

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The Clerk of Court and Comptroller, as Budget Officer for the Board of County Commissioners, is responsible for the preparation and monitoring of the County's Annual Budget. The budget includes funding for all operations of the County including the Board of County Commissioners, Clerk of Court and Comptroller, Property Appraiser, Sheriff, Supervisor of Elections and Tax Collector. The Clerk is responsible for administering a budget that for fiscal year 2022/2023 totaled approximately \$1.2 billion.

The Clerk compiles in excess of 2,200 individual expenditure accounts and is responsible for accurately estimating over 625 individual revenue accounts. The County's budget is segregated into 99 separate fund entities for fiscal year 2022/2023.

The Clerk is responsible for preparation of the annual budget documents, facilitating County Commission budget workshops, and assisting in final adoption of the County's property tax rates and budgets. The Clerk monitors the budget to ensure that expenditures remain within budgetary constraints.



The Clerk serves the citizens of Marion County by providing the means for an accurate and financially sound budget. The Clerk also ensures that citizens are informed in all aspects of the budget process. Budget information is available for review in the Clerk's office. The annual budget is on file at the main branch of the Marion County Public Library and summary budget information may be viewed on the Clerk's website, [www.marioncountyclerk.org](http://www.marioncountyclerk.org).

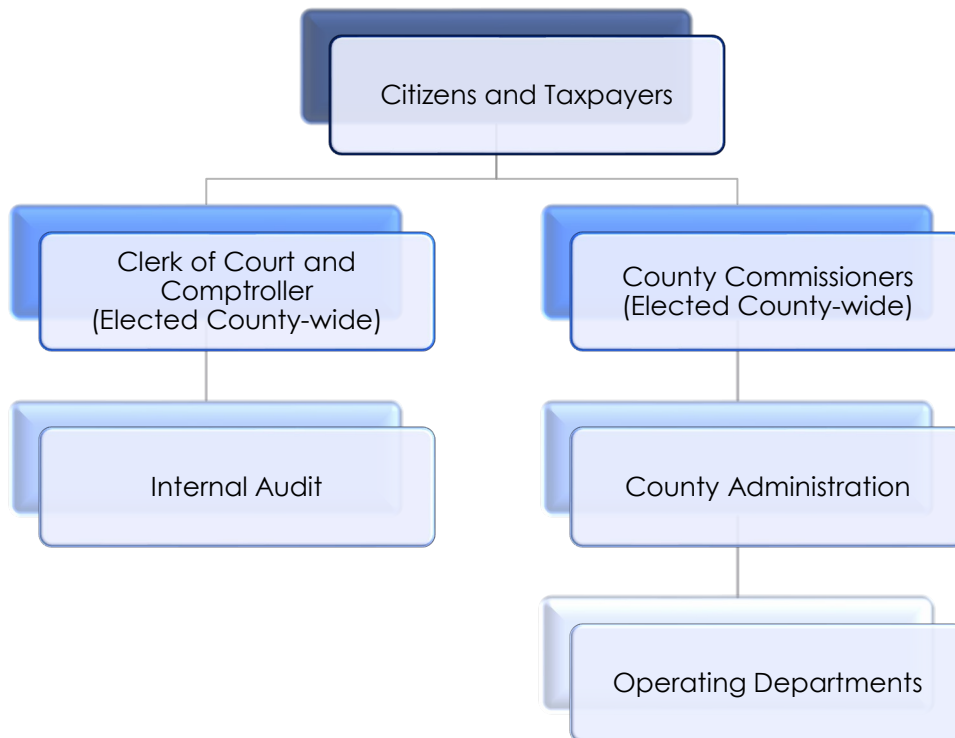
# INTERNAL AUDITOR

The Clerk of Court and Comptroller serves as chief financial officer, accountant and auditor for the Marion County Board of County Commissioners (BCC). The Clerk has established the Internal Audit Department because of the importance of government compliance with laws, policies, established procedures and accountability for the use of public funds while exercising its power and performing its duties.

The Internal Audit Department is responsible for auditing and reviewing the functions, activities and programs under the direction of the BCC. Internal Audit is organizationally independent and has no direct responsibility for, or authority over, any BCC function, activity, or program subject to audit and review. The fundamental objective of internal auditing is to add value and improve the County's operations. This objective is met by furnishing management with analyses, appraisals and recommendations concerning the activities reviewed.

The Clerk's mission is to serve the citizens and taxpayers of Marion County through the performance of independent, objective reviews and evaluations of all relevant activities under the BCC. The Internal Auditor assists County administrators and department managers in achieving the best utilization and administration of taxpayer resources in order to improve County operations and ensure that the County is fulfilling its fiduciary responsibilities to its citizens and taxpayers.

Audit reports may be accessed on the Clerk's website at [www.marioncountyclerk.org](http://www.marioncountyclerk.org).



## **GENERAL INFORMATION**

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Marion County was created by the Florida Legislature on March 14, 1844 from land formerly part of Alachua, Hillsborough, and Orange Counties. There have been no significant boundary changes since then. The County was named in honor of General Francis Marion, famed as the “Swamp Fox” of the Revolutionary War.

Marion County covers a land area of 1,652 square miles, making it the fifth largest county in the state in terms of geographic area. University of Florida’s Bureau of Economic and Business Research estimates as of April 1, 2023, an increase of 28,058 residents from 2020 making the total population 403,966 residents. In addition to Ocala, which is the county seat and primary population area, there are four other incorporated municipalities located within the County: Belleview, Dunnellon, McIntosh, and Reddick.

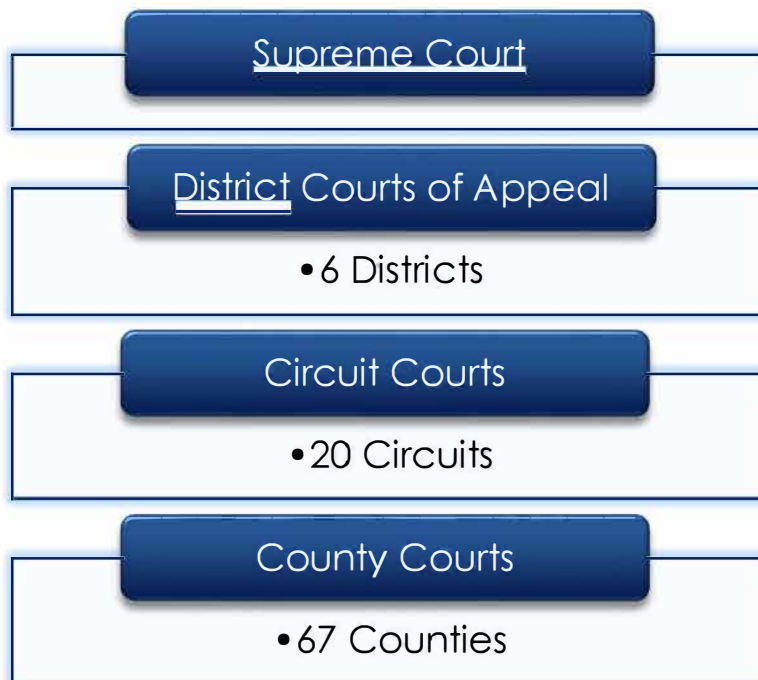
The County operates under a commission/administrator form of government, with a governing board consisting of five county commissioners elected at-large to staggered four year terms. Each commission member must meet district residency requirements. In addition to the Board of County Commissioners, there are five elected Constitutional Officers performing specifically designated governmental functions: The Clerk of Court and Comptroller, Property Appraiser, Sheriff, Supervisor of Elections, and Tax Collector.

# STRUCTURE OF THE FLORIDA STATE COURTS SYSTEM

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The State of Florida is divided into 20 judicial circuits. Together with the six District Courts of Appeal and the Florida Supreme Court they comprise Florida's Unified Judicial System. The Supreme Court of Florida provides overall administrative direction for the Florida Courts.

Each judicial circuit is composed of a circuit court and one or more county courts, depending on the number of counties the circuit serves. Marion County, along with Citrus, Hernando, Lake, and Sumter Counties, make up the Fifth Judicial Circuit.



## **CONCLUSION**

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The Clerk of Court and Comptroller is elected by the people of Florida as the protector of the public trust. Whether as an officer of the court or serving in the many constitutional and statutory roles of county officer, the Clerk of Court and Comptroller has maintained the constitutional doctrine of “checks and balances” at the local level.

The Clerk of Court and Comptroller maintains the constitutional doctrine of “checks and balances” at the local level, evidenced as follows:

The Clerk provides the “checks and balances” for local government as accountant and auditor for the Board of County Commissioners; collector and distributor of statutory assessments; and guardian of the public records, public funds, and public property.

The Clerk provides the “checks and balances” for the courts by ensuring that the court's orders, judgments, and directives are carried out within the parameters allowed by law; collecting and distributing court assessed payments (i.e., fines, court costs, etc.), and statutory service charges; preparing, filing, and maintaining valuable court records; and providing vital statistical data to the Supreme Court and various state agencies.

The Clerk provides protection to the citizens by ensuring that the taxpayer’s money is handled according to law; providing access to public records; auditing reports of guardians in guardianship cases; providing assistance to citizens in accessing the court system; processing and maintaining court documents and ensuring that litigants’ court cases are handled in a timely manner.

The Clerk is a public officer, in the service of the government of the people, who derives the position from a legally authorized election and whose duties are continuous in nature and defined by rules prescribed by government. The Clerk's duties are not purely ministerial, but rather an integral part of the whole county governmental process.