
Recorders Court Clerks Office

Engage Gwinnett Presentation

Background

The duties of the Clerk include keeping a record of all proceedings of the Recorder's Court; collecting all cost, fines, and forfeitures; and remitting these funds by the 15th day of the following month to the Gwinnett County Director of Finance or their designee.

Recorders Court Clerks Office is one of the smallest departments in Gwinnett County Government, comprised of 17 full time employees and 3 part time temporary employees. "Recorders Court" is made up of three departments that work together very closely. Recorders Court Judicial is comprised of three full time Judges and each Judge has a staff of one Calendar Coordinator and one Judicial Assistant. The Solicitor General has a division of her office that prosecutes cases in Recorders Court. There are four full time attorneys and four administrative assistants in that division.

Current Situation

In the 2007 budget we were approved for three 40 hour temp positions and one full time supervisor position. These positions were given to us because of an increase in our workload. For example, we processed 93,227 citations in 2005; by 2008 that number had drastically increased to 150,802. Prior to receiving these additional people Records Court was on the verge of collapse. We had a six month backlog of fines in the form of money orders that were just waiting to be processed and deposited. This was basically revenue that should have been in the counties bank account. Additionally we were behind in entering our citations into our case management system. We had a three day lead time on citations which was nearly disastrous for our court. If the tickets are not in the system the public cannot receive information on the case via the IVR system, switchboard, make online payments, over the counter payments or even appear in court.

Current Situation

To comply with the midyear budget reconciliation I released one full time temp employee. I have also held one full time permanent position vacant since September. This does not sound like much compared to what the other departments have been asked to sacrifice, but for a department of 20 employees that is already running on a small budget and a minimum number of employees it has taken its toll. We are beginning to get behind on our day to day data entry of citations, receipting payments and issuing Bench Warrants. The less information that we have in the IVR system means the more phone calls that we have to answer. I have a manned switchboard during working hours and sometimes the wait times are 30 minutes or greater.

The amount of work in Records Court increases each year. In 2009 we are on pace to process 157,776 citations and in 2010 I estimate that we will process more than 166,069 citations. To merely keep up with the current volume of work, we cannot afford to lose any personnel. With an operating budget of \$101,186, any reductions will unfortunately be in Salary and Wages.

Required Mandates

Under the U.S. Constitution, Georgia Constitution, Georgia Code and Gwinnett County Code, we are required to provide timely hearings and dispositions of all which fall within our jurisdiction. These citations include traffic violations, non criminal red light camera violations and Gwinnett County Code Violations.

Everything that we do in Records Court is mandated by law. The end result of our operation is to have every case closed by a trial, plea or payment of fine. All that we do leading up to this objective is necessary.

Required Mandates

40-5-53.

- (a) Whenever any person is convicted of any offense for which this chapter makes mandatory the suspension of the license of such person by the department, the court in which such conviction is had shall require the surrender to it of any driver's license then held by the person so convicted and the court shall thereupon forward the same to the department, together with the uniform citation form authorized by Article 1 of Chapter 13 of this title, within ten days after the conviction. Notwithstanding any other provision of this title, the department shall destroy any suspended or revoked driver's licenses, permits, or identification cards forwarded to it under this or any other provision of law. The department shall issue a new driver's license, permit, or identification card upon satisfaction of the applicable reinstatement requirement, including but not limited to the payment of the applicable reinstatement fee. No additional fee shall be required for the issuance of a replacement driver's license, permit, or identification card.

Required Mandates

(b) Every court in each county of this state having jurisdiction over offenses committed under this chapter and Chapter 6 of this title or any other law of this state or ordinance adopted by a local authority regulating the operation of motor vehicles on highways shall forward to the department, within ten days after the conviction of any person in such court for a violation of any such law other than regulations governing speeding in a noncommercial motor vehicle for which no points are assigned under Code Section 40-5-57, standing, or parking, a uniform citation form authorized by Article 1 of Chapter 13 of this title. Notwithstanding any other provision of this title, in satisfaction of the reporting requirement of this subsection, the courts of this state shall transmit the information contained on the uniform citation form by electronic means, using the electronic reporting method approved by the department. The department shall pay to the clerk of the court forwarding the required report 40¢ for each report transmitted electronically in a timely manner as required in this subsection; and notwithstanding any general or local law to the contrary, the clerk shall pay such fees over to the general fund of the city or county operating the court.

Required Mandates

15-21A-4.

(a)(1) Each clerk of any court or any other officer or agent of any court receiving any funds required to be remitted to the authority under this chapter on or after July 1, 2004, shall remit all such funds to the authority by the end of the month following the month in which such funds are received. Each clerk of any court or other officer or agent of any court receiving any funds required to be reported to the authority by this chapter or the rules and regulations of the authority promulgated in accordance with Code Section 15-21A-7 shall report such funds to the authority no later than 60 days after the last day of the month in which such funds are received.

15-21A-8.

Any clerk of court or any other officer or agent receiving any funds subject to this chapter who knowingly fails to pay over any such funds to the authority as required by this chapter, after receiving notice from the authority that such funds are delinquent, shall be guilty of a misdemeanor, except that if the amount of funds knowingly not paid over is \$10,000.00 or more then such person shall be guilty of a felony and punished by imprisonment for not less than one nor more than ten years. The offense created by this Code section shall not merge with any other offense.

Required Mandates

15-21A-8.

Any clerk of court or any other officer or agent receiving any funds subject to this chapter who knowingly fails to pay over any such funds to the authority as required by this chapter, after receiving notice from the authority that such funds are delinquent, shall be guilty of a misdemeanor, except that if the amount of funds knowingly not paid over is \$10,000.00 or more then such person shall be guilty of a felony and punished by imprisonment for not less than one nor more than ten years. The offense created by this Code section shall not merge with any other offense.

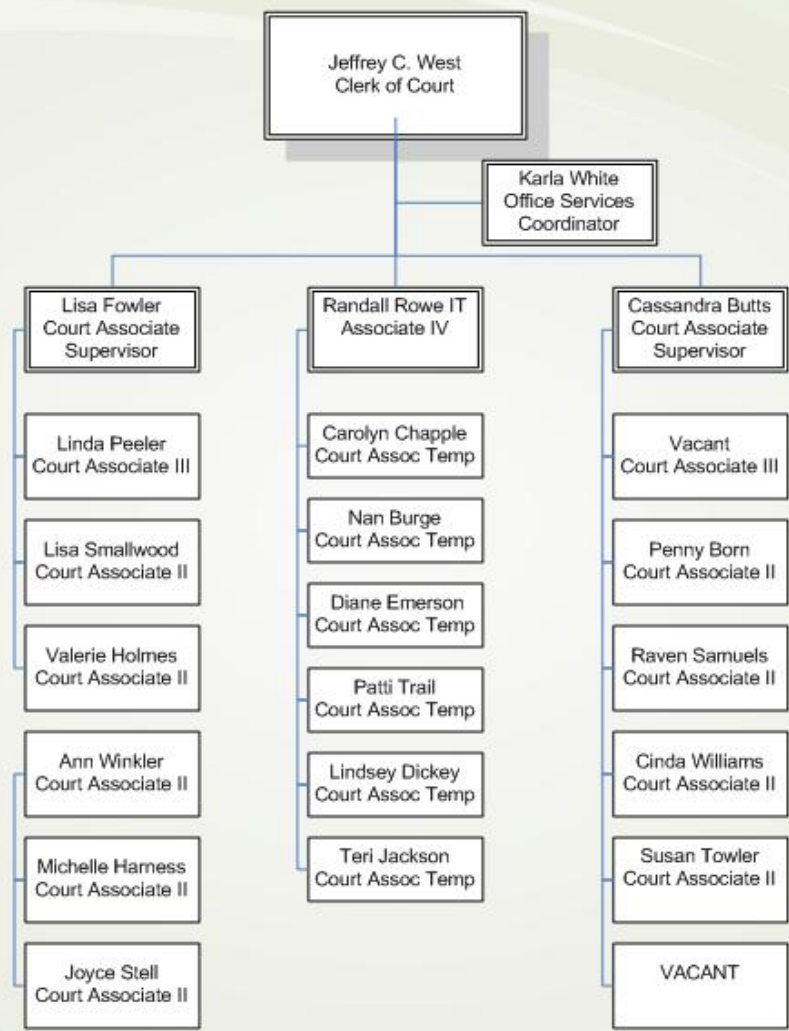
Required Service Level

The Clerks Office currently provides the minimum service level that is required. We struggle to keep pace with our current workload. We are at minimal staffing and that puts us in a bind when anyone is out of work for vacation or sick leave.

Non – Mandated Services

The Clerks Office provides no services which are not mandated.

Recorder's Court Clerk's Office



Office Team

Cassandra Butts: Court Services Supervisor

- *Primary Job - Supervisor of the Office Team. Fills in daily in her staffs absents or where needed, post probation payments, manages parking tickets, daily deposits.*

Penny Born: Court Assoc. II

- *Primary Job – Process citations that are transferred to Juvenile, State and Superior Court.*

Raven Samuels: Court Assoc. II

- *Primary Job – Processes Bench Warrants on defendants who fail to appear for court.*

Susan Towler: Court Assoc. II

- *Primary Job – Processes all incoming mail.*

Cinda Williams: Court Assoc. II

- *Primary Job – Processes all attorney correspondence, by mail, fax, window, email.*

Court Assoc. I – Vacant

Court Assoc. III - Vacant

Office Team Shared Duties

- *Works payment window 5 days per week.*
- *Works one hour on switchboard 2-3 days per week*
- *Pulls online payments once per week.*
- *Prepares all certified copy request.*
- *Recall Bench Warrants when payments have been received through mail.*
- *Assist recruiters and attorneys with case dispositions.*
- *Processes payments received by mail.*
- *Processes mail problems.*
- *Creates show cause calendars.*
- *Pull and sort cases that are bench warranted.*
- *Attach return bench warrant mail.*

Court Team

Lisa Fowler – Court Services Supervisor

- *Primary Job - Supervisor of the Court Team. Fills in daily in her staffs absents or where needed.*
- *Bookkeeper – Manages the funds that are received in the form of Bonds, refunds Bonds.*
- *Quality of Life bench warrants.*
- *Red light camera citations: Affidavits, dismissals, contest of liability. Process as needed and give to either Judge or solicitor's office.*

Linda Peeler: Court Assoc. III

- *Primary Job - Process and balance Cash bond lists*

Lisa Smallwood: Court Assoc. II

- *Primary Job - Process and mail failure to comply DPS-912 notices daily*

Valerie Holmes: Court Assoc. II

- *Primary Job - Process and balance cash bond lists*

Court Team

Elizabeth Ann Winkler: Court Assoc. II

- *Primary Job - Process Surety bond lists daily*

Michelle Harness: Court Assoc. II

- *Primary Job - Process Surety bond lists daily*

Joyce Black: Court Assoc. II

- *Primary Job - Send Bench Warrants to Sheriff's office after 30 day hold daily*

Court Team Shared Duties

- *Works court window 3 days per week in the morning, afternoon or both. Completes all court work at desk after court session is complete.*
- *Recall bench warrants, resets cases, and helps defendants with problems when needed.*
- *Prepares jail list for morning court 2-3 times each week.*
- *Help recruiters and attorneys with record checks when needed.*
- *Answer phones 1 hour daily.*

Temps

Recorders Court Clerk employees 6 temporary employees who work on average 30 hours per week. The temp service is a frugal use of County Funds as they are paid hourly but do not receive any benefits.

The six temps share the following duties:

- File case once they have been closed.
- Enter citation information in to the Courts computer system manually and verifies information that is imported from the Police Department.
- Help with surety and cash bond list.
- Help with failures and bench warrants.
- Answer phones.
- Checks off tickets by verifying from a list that that we received the ticket and places the ticket on a backing card.
- Help with Bench Warrant recalls.
- Assist with morning court.
- Receipts payments that have been paid through the mail or online.

Temps

Randall Rowe – IT Associate IV

- Case Management System Administrator.
- Supervisor for the 6 temporary employees.
- Prepares daily deposits.
- Maintain records of all manual monies received to insure that monies are paid out to the county accurately and correctly. These monies include may include certified copies, all bonds that have been forfeited due to defendant/surety not appearing on their court/show cause dates, all monies received for citations prior to the computer system, all monies received from DPS for copies submitted, all monies paid to the Clerk's office for Fifa payments.
- Prepare monthly cost sheet for verification. Check monthly cost sheet for errors. Check monthly cost sheet for accuracy of total monies received. Check monthly cost sheet for accuracy of total monies disbursed. Prepare forms for various disbursements. Issue monthly checks for various disbursements. Maintain all monthly cost sheet records for auditors. Prepare final cost sheet report using computer/manual monies received totals and disbursements.

Budget – High Level

PERSONAL SERVICES

OPERATING

	Budget	Expenses	Budget	Expenses
2006	\$942,486.80	\$920,476.87	\$102,445.00	\$106,752.72
2007	\$1,106,265.00	\$1,049,844.94	\$139,687.00	\$141,951.03
2008	\$1,179,984.00	\$1,121,601.78	\$128,144.00	\$118,976.69
2009	\$1,174,404.00	\$1,021,546.36	\$122,824.00	\$101,209.94

Tickets By Year

Tickets Received by Year

<u>Year</u>	<u># of Tickets</u>
1999	65,846
2000	72,796
2001	71,766
2002	95,315
2003	85,179
2004	93,927
2005	107,519
2006	138,549
2007	150,644
2008	150,802

RECORDERS COURT MONEY PAID TO THE GWINNETT COUNTY GENERAL FUND

<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
\$7,312,916.97	\$6,327,658.06	\$7,136,941.29	\$9,102,816.10	\$9,099,084.64