



SHARON R. BOCK

Clerk & Comptroller
Palm Beach County

May 8, 2009

The Honorable Charlie Crist
Office of the Governor
The Capitol, PL 05
Tallahassee, FL 32399

Re: Veto Senate Bill 2108 and 1718

Dear Governor Crist:

As the Clerk & Comptroller for Palm Beach County, Florida, the third largest Clerk's office in the state, I respectfully request that you veto S.B. 2108 and S.B. 1718. For the past four years, the state has benefited from an effective funding system put in place in 2004 after thoughtful deliberation by the Florida legislature. These bills do nothing more than choke off the flow of revenue from the clerks to the state and add the cost of a new bureaucracy.

These bills, which changed drastically over the course of the 2009 legislative session, epitomize bad public policy for the following reasons:

- S.B. 2108 was pushed through the committee process despite being temporarily postponed due to its controversial nature.
- S.B. 2108 was passed by the House with a commitment that the bill would go to conference; the Senate passed it the next day without notice or debate.
- The legislation institutes a budget cap on Clerks for the current fiscal year which will be difficult to implement and shows disregard for the fact that we have a different fiscal year than the state.
- The legislation would change Clerk operations from a business model to a needs model, namely the state

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- appropriations process, which has historically underfunded every entity that is part of Florida's judicial branch.
 - Since Clerks serve not only judges, but State Attorneys, Public Defenders, Sheriffs and citizens, we are concerned that we will not be given sufficient funds to perform our various duties.

- The legislation would change Clerk performance measurements, allowing them to be developed by the legislature, with the input of the courts, which would likely make them more focused on judge's needs than those of the citizens we serve.
 - With regard to performance measurements, I can attest that our operations are both effective and efficient. In 2003, my organization received the Governor's Sterling Award for Organizational Performance Excellence. In 2008, the Orange County Clerk of the Circuit Court's office did the same.

- The legislation detrimentally authorizes multiple studies during the same time period:
 - The Supreme Court would be expected to specify duties of the Clerk and Judiciary for purposes of case management by July 1, 2009.
 - OPPAGA, the Auditor General & Chief Financial Officer are supposed to study court functions, such as case management, and determine who should perform what function by January 15, 2010. So during the course of their study, they would look at not what is currently done, but instead the standards the judges develop by July 1, 2009.
 - The Technology Review Workgroup is asked to develop a plan for court technology by February 1, 2010, and to take into consideration the OPPAGA/Auditor General/CFO study which will only be completed weeks prior, on January 15, 2010.

In sum, this bill is being presented to you without the kind of thoughtful deliberation that the legislative process is supposed to encourage and Florida citizens have come to expect.

Again, I respectfully request that you veto S.B. 2108 and S.B. 1718. In my office alone, the new budget cap will require a \$7.1 million reduction in our annual budget. This will require significant staff reductions and jeopardize our ability to continue providing the minimum needed services to the judges, state attorneys, public defenders and the public.

As Glenn Robertson, former Director of Policy, Finance and Budget for Governors Bob Graham and Mel Martinez recently pointed out, it took almost three years to plan the last transition of court and clerk funding from property taxes to user fees. Certainly we can't expect drastic changes in the judicial system to be implemented after a limited discussion over a 60-day period. In my opinion this bill blew a local dispute in Broward County entirely out of proportion. But now this local issue is before you, and your veto can ensure it goes back for resolution at the local level, where it belongs.

I urge you to veto S.B. 2108 and S.B. 1718.

Sincerely,

A handwritten signature in black ink that reads "Sharon R. Bock". The signature is written in a cursive, flowing style.

Sharon R. Bock, Esq.
Clerk & Comptroller
Palm Beach County