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Bill Aims To Curb Clerks

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Voters in Florida's 67 counties elect a clerk of the circuit court to oversee a host of duties, such as receiving and disbursing court fees.

But concern about how those fees are allocated threatens to change those duties significantly, transferring power and responsibility from the clerks to the state courts system.

State Rep. Ellyn Bogdanoff, R-Fort Lauderdale, filed a bill Tuesday that would start removing court duties from the clerks within a few months, if approved by the Legislature and signed by the governor.

Those duties include case maintenance, records management, assigning court cases, processing appeals and collecting and distributing fines, fees, service charges and court costs.

Her bill, she said, would save money, eliminate duplication of effort and increase oversight.

She said court clerks have been given too much autonomy, that their budgets are not subject to legislative scrutiny and that many clerks in Florida have grown too powerful.

"Here's what you need to recognize: The clerks don't want anyone to touch them," Bogdanoff said Thursday.

Many clerks across the state, including Hillsborough County's Pat Frank, are speaking out against the effort.

"It is the clerk's office that keeps our court system running in a transparent, fair and orderly fashion," Frank wrote in a letter Wednesday addressed to "the citizens of the state of Florida." She was not available for comment Thursday.

Bogdanoff's bill calls for a complete transfer of power within four years. The transfer of responsibility would not eliminate the clerk's position. Many clerks, including Frank, also serve their local county commissions and perform other duties.

Florida Supreme Court Chief Justice Peggy Quince did not return a call for comment, but she supports the effort, according to a statement released by Craig Waters, the high court's spokesman.

Lisa Goodner, state courts administrator, said the issue is fair allocation of the money received by the clerks for services, such as filing fees.

"If all the revenue isn't subject to legislative review, how do we know it's being used to its best purpose, and user fees are being fairly and equally distributed?" she asked.

Mike Bridenback, court administrator for Hillsborough Chief Judge Manuel Menendez, said the judge supports Frank.

"We believe she's carrying out her responsibilities professionally and in high quality," he said. "I don't know that that's the case in every county."