

**HILLSBOROUGH COUNTY, FLORIDA  
CLERK OF THE CIRCUIT COURT**

**FINANCIAL STATEMENTS**

*As of and for the Year Ended September 30, 2021*

*and Reports of Independent Auditor*

**HILLSBOROUGH COUNTY, FLORIDA  
CLERK OF THE CIRCUIT COURT  
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## Independent Auditor's Report

Honorable Cindy Stuart  
Clerk of the Circuit Court  
Hillsborough County, Florida

### Report on the Financial Statements

We have audited the accompanying financial statements of each major fund and the aggregate remaining fund information of the Clerk of the Circuit Court of Hillsborough County, Florida (the Clerk), as of and for the year ended September 30, 2021, and the related notes to the fund financial statements, which collectively comprise the Clerk's fund financial statements as listed in the table of contents.

### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these fund financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of fund financial statements that are free from material misstatement, whether due to fraud or error.

### Auditor's Responsibility

Our responsibility is to express opinions on these fund financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the fund financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the fund financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the fund financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the fund financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the fund financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### Opinions

In our opinion, the fund financial statements referred to above present fairly, in all material respects, the respective financial position of each major fund and the aggregate remaining fund information of the Clerk as of September 30, 2021, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

## **Emphasis of Matters**

### *Basis of Presentation*

As discussed in Note 1 to the fund financial statements, the accompanying fund financial statements of the Clerk were prepared for the purpose of complying with Section 218.39, *Florida Statutes*, and Section 10.557(3), *Rules of the Auditor General for Local Government Entity Audits*. They do not purport to, and do not, present fairly the financial position of Hillsborough County, Florida as of September 30, 2021, and the changes in their financial position and where applicable, cash flows thereof for the year then ended, in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

### *Adoption of Accounting Standard*

As discussed in Note 1 to the fund financial statements, the Clerk adopted the recognition and disclosure requirements of Governmental Accounting Standards Board Statement No. 84, *Fiduciary Activities*. The beginning net position of the aggregate remaining fund information as of October 1, 2020 has been restated. Our opinion is not modified with respect to this matter.

## **Other Matters**

### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that budgetary comparison schedules on pages 18 to 22 be presented to supplement the fund financial statements. Such information, although not a part of the fund financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the fund financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the fund financial statements, and other knowledge we obtained during our audit of the fund financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

### *Supplementary Information*

Our audit was conducted for the purpose of forming opinions on the fund financial statements that collectively comprise the Clerk's fund financial statements. The supplementary information as listed in the table of contents is presented for purposes of additional analysis and is not a required part of the fund financial statements.

The supplementary information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the fund financial statements. Such information has been subjected to the auditing procedures applied in the audit of the fund financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the fund financial statements or to the fund financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the supplementary information is fairly stated, in all material respects, in relation to the fund financial statements as a whole.

## **Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated December 22, 2021 on our consideration of the Clerk's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Clerk's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Clerk's internal control over financial reporting and compliance.

*RSM US LLP*

Tampa, Florida  
December 22, 2021

## **FINANCIAL STATEMENTS**

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**BALANCE SHEET – GOVERNMENTAL FUNDS**

SEPTEMBER 30, 2021

	<b>Major Funds</b>		<b>Total Governmental Funds</b>
	<b>General Fund</b>	<b>Special Revenue Fund</b>	
<b>ASSETS</b>			
Cash and cash equivalents	\$ 9,895,003	15,531,985	25,426,988
Due from Board of County Commissioners	225,539	-	225,539
Due from other governments	53,442	-	53,442
Due from Title IV-D Reimbursement	261,216	293,984	555,200
Other assets	512	-	512
<b>Total Assets</b>	<b>\$ 10,435,712</b>	<b>\$ 15,825,969</b>	<b>\$ 26,261,681</b>
<b>LIABILITIES AND FUND BALANCE</b>			
Liabilities:			
Accounts payable	\$ 369,805	\$ 99,186	\$ 468,991
Accrued liabilities	1,943,287	1,587,693	3,530,980
Due to Board of County Commissioners	7,374,541	-	7,374,541
Due to other governments	748,079	-	748,079
<b>Total Liabilities</b>	<b>10,435,712</b>	<b>1,686,879</b>	<b>12,122,591</b>
Fund Balances:			
Restricted for court equipment and information systems	-	14,139,090	14,139,090
<b>Total Fund Balances</b>	<b>-</b>	<b>14,139,090</b>	<b>14,139,090</b>
<b>Total Liabilities and Fund balances</b>	<b>\$ 10,435,712</b>	<b>\$ 15,825,969</b>	<b>\$ 26,261,681</b>

**HILLSBOROUGH COUNTY, FLORIDA****CLERK OF THE CIRCUIT COURT****STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES –  
GOVERNMENTAL FUNDS**

YEAR ENDED SEPTEMBER 30, 2021

	<b>Major Funds</b>		
	<b>General Fund</b>	<b>Special Revenue Fund</b>	<b>Total Governmental Funds</b>
<b>Revenues:</b>			
Intergovernmental revenue:			
Board of County Commissioners	\$ 25,375,185	-	25,375,185
Value Adjustment Board	687,476	-	687,476
Domestic Violence Project	62,997	-	62,997
CARES Act	442,308	-	442,308
Title IV-D Reimbursement	1,407,547	-	1,407,547
State appropriations	-	841,733	841,733
Charges for services	10,669,814	31,701,554	42,371,368
Fines and forfeitures	-	4,846,738	4,846,738
Interest earnings	12,966	19,555	32,521
Total Revenues	<u>38,658,293</u>	<u>37,409,580</u>	<u>76,067,873</u>
<b>Expenditures:</b>			
Current – general government	31,345,652	29,963,311	61,308,963
Capital outlay	1,192,070	52,607	1,244,677
Distribution of excess revenues to other governmental agencies	-	4,244,898	4,244,898
Total Expenditures	<u>32,537,722</u>	<u>34,260,816</u>	<u>66,798,538</u>
<b>Excess of revenues over expenditures</b>	6,120,571	3,148,764	9,269,335
Other Financing Uses:			
Distribution of excess revenues to the Board of County Commissioners	(6,120,571)	-	(6,120,571)
<b>Net change in fund balance</b>	-	3,148,764	3,148,764
<b>Fund balances, beginning of year</b>	-	10,990,326	10,990,326
<b>Fund balances, end of year</b>	<u>\$ -</u>	<u>14,139,090</u>	<u>14,139,090</u>

See notes to the financial statements

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**STATEMENT OF FIDUCIARY NET POSITION – CUSTODIAL FUNDS**

SEPTEMBER 30, 2021

	<b>Custodial Funds</b>
<b>ASSETS</b>	
Cash and cash equivalents	\$ 129,583,153
Accounts receivable	149,739
Total assets	<u>\$ 129,732,892</u>
<b>LIABILITIES AND FIDUCIARY NET POSITION</b>	
Liabilities	
Due to other governments	\$ <u>88,547,201</u>
Total liabilities	<u>88,547,201</u>
Fiduciary Net Position	
Held for:	
Individuals and organizations	41,185,691
Total fiduciary net position	<u>\$ 41,185,691</u>

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**COMBINED STATEMENT OF CHANGES IN FIDUCIARY NET POSITION –**  
**CUSTODIAL FUNDS**

*YEAR ENDED SEPTEMBER 30, 2021*

	<b>Custodial Funds</b>
<b>ADDITIONS</b>	
Collected for other governments	\$ 527,962,220
Deposits and other trust activities	191,523,685
Total additions	<u>719,485,905</u>
<b>DEDUCTIONS</b>	
Distributed to other governments	527,448,838
Deposits and other trust activities	176,501,677
Total deductions	<u>703,950,515</u>
Net increase in fiduciary position	<u>15,535,390</u>
Net position – beginning, as restated	<u>25,650,301</u>
Net position - ending	<u>\$ 41,185,691</u>

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**NOTES TO THE FINANCIAL STATEMENTS**

SEPTEMBER 30, 2021

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**Note 1—Summary of significant accounting policies**

The Hillsborough County, Florida, Clerk of the Circuit Court (the “Clerk”) is an officer of the Court and is responsible for the clerical and administrative functions of the Circuit and County Courts. These functions include maintaining the Court’s records and dockets, providing courtroom clerks for the judiciary, and collecting and disbursing all fines, forfeitures, and costs of the Court. In addition, the Clerk of the Circuit Court is the Ex Officio Clerk to the Board of County Commissioners (the “BOCC”), County Auditor, County Recorder, and Custodian of all County funds. The accounting policies of the Clerk conform to accounting principles generally accepted in the United States of America (GAAP) as applicable to governmental units. The following is a summary of the more significant policies:

*Financial Reporting Entity* – The Clerk is an independently elected official as established by Article V, Section 16, and Article VIII, Section 1(d) of the Florida Constitution. The office is a separate constitutional officer for financial reporting purposes as provided by Chapter 218, *Florida Statutes*. All financial activity for which the Clerk has oversight responsibility is included herein. Oversight responsibility is demonstrated by financial interdependency, selection of governing authority, designation of management, ability to significantly influence operations, and accountability for fiscal matters.

All of the Clerk’s financial activities are included in the accompanying financial statements. For financial reporting purposes, the Clerk is part of the primary government of Hillsborough County, Florida (the County), and is included as such in the County’s Annual Comprehensive Financial Report.

*Financial Statement Presentation* – These financial statements include the General Fund, Special Revenue Fund, and custodial funds of the Clerk of the Circuit Court’s office. The accompanying financial statements were prepared for the purpose of complying with Section 218.39(2), *Florida Statutes*, and Chapter 10.550, *Rules of the Auditor General-Local Governmental Entity Audits* (the Rules).

*Governmental Fund Types* – The Clerk of the Circuit Court utilizes the following funds:

1. General Fund: This major fund is used to account for all revenues and expenditures applicable to the general operations of the Clerk that are not required either legally or by GAAP to be accounted for in another fund. Appropriations from the Board of County Commissioners are included in this fund.
2. Special Revenue Fund: This major fund is used to account for the proceeds of specific revenue sources requiring separate accounting because of legal or regulatory provisions or administrative action. The Clerk’s special revenue fund consists of the following divisions: Public Records Modernization Trust Fund, Public Records Court Technology Trust Fund, Foreclosure Public Education Fund, and Court Operations Special Revenue Fund. State appropriations are included in this fund.

The Public Records Modernization Trust Fund Division accounts for the collection of an additional service charge to be paid to the Clerk and to be deposited into the Public Records Modernization Trust Fund pursuant to *Florida Statute 28.24(13)(d)*. Funds in this Division are restricted by the state of Florida and used exclusively for equipment and maintenance of equipment, personnel training, and technical assistance in modernizing the public records system of the Clerk’s Office.

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**NOTES TO THE FINANCIAL STATEMENTS**

SEPTEMBER 30, 2021

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**Note 1—Summary of significant accounting policies (continued)**

The Public Records Court Technology Trust Fund Division accounts for the collection of an additional service charge pursuant to *Florida Statute* 28.24(13)(e)(1) to be retained by the Clerk. Funds in this Division are restricted by the state of Florida and used exclusively to operate and support an integrated computer system for the judicial agencies and to support the operations and management of the state court system.

The Foreclosure Public Education Fund Division accounts for the collection of a service charge pursuant to *Florida Statute* 45.035(2)(a) to be retained by the Clerk. Funds in this Division are held by the Clerk and may only be used for purposes of educating the public as to the rights of homeowners regarding foreclosure proceedings.

The Court Operations Special Revenue Fund Division accounts for the costs related specifically to the operational, clerical, and administrative functions of the Clerk's court activities and the related revenues generated by those activities. The court-related functions that the Clerk may fund from filing fees, service charges, costs, and fines are restricted by the state of Florida pursuant to *Florida Statute* 28.35.

*Custodial Funds Types* – In accordance with Government Accounting Standards Board (GASB) Statement No. 84, *Fiduciary Activities* (see Note 13), the Clerk has reported the net position and changes of net position for custodial funds held as fiduciary activities. Custodial funds are used to account for assets held by the Clerk on behalf of outside parties, including other governments. Custodial funds are used to report resources held by the reporting government in a purely custodial capacity. Custodial funds typically involve only the receipt, temporary investment, and remittance of custodial resources to individuals, private organizations, or other governments.

*Basis of Accounting* – Basis of accounting refers to when revenues and expenditures are recognized in the accounts and reported in the financial statements. Basis of accounting refers to the timing of the measurements made.

The modified accrual basis of accounting is used by governmental funds. Under the modified accrual basis of accounting, revenues are recorded when they become susceptible to accrual, which is generally when they become measurable and available to pay liabilities of the current period. Expenditures are recorded when liabilities are incurred. Intergovernmental revenue is funding appropriated by the BOCC and the state of Florida. Charges for services, fines and forfeitures, interest earnings and other revenues are recognized as they are earned and become measurable and available to pay current expenditures of the fiscal year.

The full accrual basis of accounting is used by custodial funds. Custodial funds are prepared on the economic resources measurement focus and the accrual basis of accounting.

Intergovernmental grant revenues are recognized when all eligibility requirements are met and related amounts are available from grantors. All other revenues as described above are recognized as revenues, if available, which the Clerk defines as expected to be received within 60 days after fiscal year-end.

All governmental funds are accounted for on a spending or current financial resources measurement focus in that generally, only current assets and current liabilities are included in their balance sheets. The reported fund balance (net current assets) is considered a measure of "available spendable resources." Governmental fund operating statements present increases (revenues and other financing sources) and decreases (expenditures and other financing uses) in net current assets. Accordingly, they are said to present a summary of sources and uses of "available spendable resources" during a period.

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**NOTES TO THE FINANCIAL STATEMENTS**

SEPTEMBER 30, 2021

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**Note 1—Summary of significant accounting policies (continued)**

In applying the “susceptible to accrual” concept to intergovernmental revenues, there are essentially two types of revenues. In one, monies must be expended for the specific purpose or project before any amounts will be paid to the Clerk; therefore, revenues are recognized when the expenditures have been incurred. Grant revenues are recorded in this manner provided all applicable eligibility requirements have been met. In the other, monies are generally unrestricted. These resources are reflected as revenues at the time of receipt or earlier if measurable and available to finance expenditures of the current period.

*Cash Equivalents* – Cash equivalents include all highly liquid investments with original maturities of three months or less at the date of purchase, which consists of the state of Florida’s Local Government Investment Pool, known as Florida PRIME, presented at amortized cost.

*Distribution of Excess Revenues* – Florida Statute 218.36 requires that the Clerk distribute any excess revenues in the General Fund to the BOCC within thirty-one (31) days following the end of the fiscal year. The distribution to the BOCC is presented in the accompanying financial statements as “Distribution of excess revenues to the Board of County Commissioners” (Other Financing Uses).

*Prepaid Items* – The cost of prepaid items such as postage is recorded as an expenditure at the time it is acquired, which is in accordance with the purchase method.

*Compensated Absences* – In accordance with Government Accounting Standards Board (GASB) Statement No. 16, *Accounting for Compensated Absences*, the Clerk determines a liability for compensated absences, as well as certain other salary-related costs associated with the payment of compensated absences that are recorded and reported by the County in its basic financial statements. The County’s compensated absences liability at September 30, 2021, consisted of accruals for personal time off (PTO). Vacation and sick leave apply to all other employees at the County other than the Clerk. PTO is a combined leave benefit that Clerk employees can use for either sick and/or vacation time. PTO is accrued as a liability as benefits are earned on the government-wide financial statements, similar to vacation time.

The compensated absences liability also includes other salary-related costs incrementally associated with the payment of compensated absences such as the Clerk’s share of Social Security and Medicare taxes.

*Pension Plan* – Employees of the Clerk participate in the state of Florida Retirement System, a cost sharing, multiple-employer public employee retirement system. The plan provides defined benefits to the participants.

*Governmental Fund Balances* – In accordance with GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, fund balances are classified either as nonspendable or as spendable. Spendable fund balances are further classified in a hierarchy based on the extent to which there are external and internal constraints on the spending of these fund balances. These classifications are described as follows:

*Nonspendable* fund balances include amounts that cannot be spent because they are not in spendable form or legally or contractually required to be maintained intact. There were no nonspendable fund balances as of September 30, 2021.

**HILLSBOROUGH COUNTY, FLORIDA  
CLERK OF THE CIRCUIT COURT  
NOTES TO THE FINANCIAL STATEMENTS**

SEPTEMBER 30, 2021

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**Note 1—Summary of significant accounting policies (continued)**

Spendable fund balances are classified based on a hierarchy of the County's ability to control the spending of these fund balances.

*Restricted* fund balances are fund balance amounts that are constrained for specific purposes which are externally imposed by creditors, grantors, contributors, or laws or regulations or imposed by law through constitutional provisions or enabling legislation. As of September 30, 2021, the Clerk had restricted fund balances in its Special Revenue Fund, consisting of \$14,139,090 for court equipment and information systems.

*Committed* fund balances are fund balances constrained for specific purposes imposed by the Clerk's formal action of the highest level of decision making authority. As of September 30, 2021, the Clerk had no committed fund balances.

*Assigned* fund balances are fund balances intended to be used for specific purposes, but which are neither restricted nor committed. As of September 30, 2021, the Clerk had no assigned fund balances.

*Unassigned* fund balances represent the residual positive fund balance within the General Fund, which has not been assigned to other funds and has not been restricted, committed, or assigned. In funds other than the General Fund, unassigned fund balances are limited to negative residual balances. As of September 30, 2021, the Clerk had no unassigned fund balances because all excess revenues within the General Fund are required to be remitted to the BOCC.

The Clerk considers restricted funds to be used first when an expenditure is incurred and both restricted and unrestricted funds are available, followed by committed, assigned, and then unassigned as applicable.

*Fiduciary Net Position* – this balance includes monies and other assets held until an event, such as a court action or demand by third parties, has occurred that compels the Clerk to disburse the fiduciary resources.

*Use of Estimates* – The preparation of financial statements in conformity with accounting principles generally accepted in the United States requires management to make estimates and assumptions that affect reported amounts of assets, liabilities, revenues and expenditures. Actual results could differ from estimates.

The implementation of GASB Statement 87, Leases, for recognition and financial disclosures of leases, will be implemented in fiscal year 2022. No significant impact is expected since the lease agreements for the Clerk are for short-term periods of twelve (12) months or less and may be terminated by proper notice of either party.

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**NOTES TO THE FINANCIAL STATEMENTS**

*SEPTEMBER 30, 2021*

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**Note 2—Cash and cash equivalents**

The Clerk's policy is to follow the guidelines in Section 219.075, *Florida Statutes*, regarding the deposit of funds received and the investment of surplus funds. Sections 219.075 and 218.415, *Florida Statutes*, authorize the Clerk to invest in the SBA pool or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act; Securities and Exchange Commission registered money market funds with the highest quality rating from a nationally recognized rating agency; direct obligations of the United States Treasury; federal agencies and instrumentalities, or interest-bearing time deposits and savings accounts held in federal or state-chartered banks and saving and loan associations doing business in Florida, provided that any such deposits are secured by collateral as may be prescribed.

At September 30, 2021, the general ledger carrying balances were \$18,350 for change funds, \$122,557,234 for deposits and \$32,434,557 for investments in Florida PRIME, which equals the total of cash and cash equivalents as presented in the accompanying financial statements. The bank balance was \$121,715,635 for deposits. Bank deposits are insured by the Federal Deposit Insurance Corporation or covered by the state of Florida collateral pool, a multiple-financial institution pool with the ability to assess its members for collateral shortfalls if a member institution fails.

Florida PRIME is not registered with the SEC as an investment company, but nevertheless has a policy that it will, and does, operate as a qualifying external investment pool. Thus, this pool operates essentially as a money market fund. Florida PRIME has a Standard & Poor's rating of AAAM at September 30, 2021 and is recorded at amortized cost. There are currently no limitations as to the frequency of redemptions; however, Florida Prime has the ability to impose restrictions on withdrawals should a material event occur. Detailed information on the withdrawal restrictions that may be imposed and Florida Prime's responsibilities should such an event occur is described in Section 218.409(8)(a), *Florida Statutes*.

**Note 3—Accounts receivable and other assets**

Accounts receivable included in the custodial funds are the result of credit card transactions and returned checks from the citizenry. Funds due from the BOCC are the amounts due from the Hillsborough County BOCC. Funds due from other governments including Title IV-D reimbursements are the amounts due from governmental entities other than the BOCC. Receivables are analyzed for their collectability based on the terms and conditions of agreements, as well as current economic conditions and consideration of the creditors' ability to pay.

**Note 4—Accounts payable and other liabilities**

Accounts payable and other liabilities result from transactions with various vendors. Funds due to the BOCC are amounts due to the Hillsborough County BOCC. Funds due to other governments are amounts due to governmental entities other than the BOCC. Deposits are funds that are due to the citizenry or their authorized representatives.

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**NOTES TO THE FINANCIAL STATEMENTS**

SEPTEMBER 30, 2021

**Note 5—Compensated absences**

The amount of vested accumulated compensated absences payable based upon the Clerk’s PTO leave policy is reported as a liability in the governmental activities column of the Statement of Net Position in the Hillsborough County Comprehensive Annual Financial Report. The change in accumulated compensated absences during the fiscal year ended September 30, 2021, is as follows:

Beginning balance, October 1, 2020	\$ 4,607,786
Additions	3,773,815
Deletions	(4,259,974)
Ending balance, September 30, 2021	<u>\$ 4,121,627</u>

**Note 6—Defined benefit and defined contribution pension plan**

*Plan Description* – The Clerk’s employees participate in the Florida Retirement System (“FRS”). As provided by Chapters 121 and 112, *Florida Statutes*, the FRS provides two cost-sharing, multiple-employer defined benefit plans administered by the Florida Department of Management Services, Division of Retirement, including the FRS Pension Plan (“Pension Plan”) and the Retiree Health Insurance Subsidy (“HIS Plan”). Under Section 121.4501, *Florida Statutes*, the FRS also provides a defined contribution plan (“Investment Plan”) alternative to the FRS Pension Plan, which is administered by the State Board of Administration.

As a general rule, membership in the FRS is compulsory for all employees working in a regularly established position for a state agency, county government, district school board, state university, community college, or a participating city or special district within the state of Florida. The FRS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefits are established by Chapter 121, *Florida Statutes*, and Chapter 60S, Florida Administrative Code. Amendments to the law can be made only by an act of the Florida Legislature.

Benefits under the Pension Plan are computed on the basis of age, average final compensation, and service credit. For Pension Plan members enrolled before July 1, 2011, Regular class members who retire at or after age 62 with at least six years of credited service, or 30 years of service regardless of age are entitled to a retirement benefit payable monthly for life, equal to 1.6% of their final average compensation based on the five highest years of salary, for each year of credited service. Vested members with less than 30 years of service may retire before age 62 and receive reduced retirement benefits. Senior Management Service class members who retire at or after age 62 with at least six years of credited service or 30 years of service regardless of age are entitled to a retirement benefit payable monthly for life, equal to 2.0% of their final average compensation based on the five highest years of salary for each year of credited service. Elected Officers’ class members who retire at or after age 62 with at least six years of credited service or 30 years of service regardless of age are entitled to a retirement benefit payable monthly for life, equal to 3.0% (3.33% for judges and justices) of their final average compensation based on the five highest years of salary for each year of credited service. Substantial changes were made to the Pension Plan during fiscal year 2011, affecting new members enrolled on or after July 1, 2011 by extending the vesting requirement to eight years of credited service and increasing normal retirement to age 65 or 33 years of service regardless of age. Also, the final average compensation for these members is based on the eight highest years of salary.

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**NOTES TO THE FINANCIAL STATEMENTS**

SEPTEMBER 30, 2021

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**Note 6—Defined benefit and defined contribution pension plan (continued)**

*Funding Policy* – All enrolled members of the FRS Pension Plan are required to contribute 3.0% of their salary to the FRS. In addition to member contributions, governmental employers are required to make contributions to the FRS based on state-wide contribution rates. The employer contribution rates by job class for the periods from October 1, 2020 through June 30, 2021 and July 1, 2021 through September 30, 2021, respectively, were as follows: regular class 10.00% and 10.82%; special risk (e.g. law enforcement personnel) 24.45%; and 25.89%; special risk administrative support 35.84% and 37.76%; county elected officials 49.18% and 51.42%; senior management 27.29% and 29.01%; and Deferred Retirement Option Program (“DROP”) 16.98% and 18.34%. During the fiscal year ended September 30, 2021, the Clerk contributed to the plan an amount equal to 10.42% of covered payroll.

The HIS Plan provides a monthly benefit to assist retirees in paying their health insurance costs and is administered by the Florida Department of Management Services, Division of Retirement. Eligible retirees and beneficiaries receive a monthly health insurance subsidy payment of \$5 for each year of creditable service, with a minimum payment of \$30 and a maximum payment of \$150 per month. The HIS Plan is funded by required contributions from FRS participating employees as set forth by the Florida Legislature, based on a percentage of gross compensation for all active FRS members.

In addition to the above benefits, the FRS administers a DROP. This program allows eligible members to defer receipt of monthly retirement benefit payments while continuing employment with an FRS employer for a period not to exceed 60 months after electing to participate. Deferred monthly benefits are held in the FRS Trust Fund and accrue interest. There are no required contributions by DROP participants.

For those members who elect participation in the Investment Plan, rather than the Pension Plan, vesting occurs at one year of service. These participants receive a contribution for self-direction in an investment product with a third-party administrator selected by the State Board of Administration. Employer and employee contributions, including amounts contributed to individual member’s accounts, are defined by law, but the ultimate benefit depends in part on the performance of investment funds. Benefit terms, including contribution requirements, for the Investment Plan are established and may be amended by the Florida Legislature. The Investment Plan is funded with the same employer and employee contribution rates that are based on salary and membership class (Regular Class, Elected County Officers, etc.), as the FRS defined benefit plan. Contributions are directed to individual member accounts, and the individual members allocate contributions and account balances among various approved investment choices. Costs of administering plan, including the FRS Financial Guidance Program, are funded through an employer contribution of 0.06 percent of payroll and by forfeited benefits of plan members.

The Clerk recognizes pension expenditures in an amount equal to amounts paid to the Pension Plan, the HIS Plan and the defined contribution plan, amounting to \$2,514,100, \$670,100, and \$949,200 respectively, for the fiscal year ended September 30, 2021. The Clerk’s payments for the Pension Plan and the HIS Plan after June 30, 2021, the measurement date used to determine the net pension liability associated with the Pension Plan and HIS Plan, amounted to \$824,800. The Clerk is not legally required to and does not accumulate expendable available resources to liquidate the retirement obligation related to its employees. Accordingly, the net pension liability and associated deferred outflows and deferred inflows are presented in the governmental activities column of the Statement of Net Position of the County.

**HILLSBOROUGH COUNTY, FLORIDA  
CLERK OF THE CIRCUIT COURT  
NOTES TO THE FINANCIAL STATEMENTS**

SEPTEMBER 30, 2021

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**Note 6—Defined benefit and defined contribution pension plan (continued)**

The state of Florida annually issues a publicly available financial report that includes financial statements and required supplementary information for the FRS. The latest available report may be obtained by writing to the state of Florida Division of Retirement, Department of Management Services, P.O. Box 9000, Tallahassee, Florida 32315-9000. That report may be viewed on the Florida Department of Management Services website located at [www.dms.myflorida.com/workforce\\_operations/retirement/publications](http://www.dms.myflorida.com/workforce_operations/retirement/publications).

**Note 7—Other Postemployment Benefits (“OPEB”)**

*Plan Description* - Other postemployment benefits include retiree healthcare benefits. The Clerk provides the following health-related benefits to retirees and certain other employees: (a) the Clerk is required by *Florida Statute* 112.0801 to allow retirees and certain other former employees to buy healthcare coverage at the same “group insurance rates” that current employees are charged and (b) the Clerk offers a small health insurance stipend that retirees from ages 62 to 65 can use to partially offset the cost of health insurance. Allowing retirees to buy health insurance at group rates is a valuable benefit and represents an “implicit subsidy” because retirees can buy insurance at costs that are lower than the costs associated with the experience rating for their age bracket. Although the implicit subsidy is required by law as long as healthcare is offered as an employee benefit, the stipend may be cancelled at any time.

The Clerk participates in the County’s employee group health insurance and stipend programs. The Clerk pays an additional \$25 per active employee per month to the County’s Self-Insurance Service Fund to pay for the Clerk’s share of the County’s OPEB liability. The Clerk’s OPEB liability is calculated as a part of a countywide actuarial valuation. Total payments to the County for the year ended September 30, 2021 were \$153,110.

A full presentation of the OPEB Plan is included in the Hillsborough County, Florida, Annual Comprehensive Financial Report.

**Note 8—Lease obligations**

The Clerk has entered into various operating leases. The leases are for short-term periods of twelve (12) months or less and may be terminated by proper notice of either party. The leases state they may be canceled in the event that budget appropriations are not sufficient to meet the Clerk’s obligations under the leases. As of September 30, 2021, the Clerk has no minimum future lease payments on noncancellable operating leases.

The Clerk has additional operating leases for the office and data processing equipment cancelable upon 30 days written notice. Lease expenditures for all operating leases for the year ended September 30, 2021 were \$13,372.

**HILLSBOROUGH COUNTY, FLORIDA  
CLERK OF THE CIRCUIT COURT  
NOTES TO THE FINANCIAL STATEMENTS**

*SEPTEMBER 30, 2021*

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**Note 9—Capital assets**

The tangible personal property used by the Clerk is reported as capital assets in the Statement of Net Position of the basic financial statements of the County. Upon acquisition, such assets are recorded as expenditures in the General Fund or the Special Revenue Fund and are capitalized at cost in the capital assets accounts of the County. The Clerk maintains custodial responsibility for the capital assets used by its office.

The Clerk maintains a data processing center that provides services to the BOCC, certain constitutional officers, and other clients through the Public Access System. The public users of this service are billed at rates that cover the costs of the operation.

**Note 10—Litigation**

The Clerk is involved in certain litigation and claims as a defendant or plaintiff arising in the ordinary course of operations. The Clerk, based on the advice of legal counsel, is of the opinion that the range of potential recoveries or liabilities will not materially affect the financial position of the Clerk.

**Note 11—Risk management**

The County has established various self-insurance funds, in which the Clerk participates. These funds are accounted for as internal service funds in the basic financial statements of the County. Workers' compensation claims exceeding \$700,000 per claim for regular employees are covered with specific excess insurance for the life of the claim. The County is also self-insured under sovereign immunity up to a maximum of \$200,000 per person/\$300,000 per occurrence for claims against the County involving negligence, including automobile and general liability. Negligence claims in excess of the statutory limits set forth in Section 768.28, *Florida Statutes*, can only be recovered through an act of the state of Florida Legislature. Effective October 1, 2013, the County no longer maintains excess insurance coverage on these types of claims. Settled claims have not exceeded then-present commercial coverage in the past three years. Reserves have been established at the County for both claims that have been reported but not paid and claims incurred but not reported.

Employee medical benefits claims exceeding \$575,000 per claim are covered with specific excess insurance with no limit (the medical benefits fund is covered by aggregate excess insurance through reinsurance purchased from private insurance carriers). During the fiscal year ended September 30, 2021, the Clerk paid \$280,181 to the BOCC for insurance coverage.

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**NOTES TO THE FINANCIAL STATEMENTS**

*SEPTEMBER 30, 2021*

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**Note 12—Significant events**

Pursuant to the requirements of section 212.054(7), Florida Statutes, Article XI was added to the Home Rule Charter of Hillsborough County, Florida by a citizens' initiative and was approved by a majority of the electorate of the County during the general election conducted November 6, 2018. Commencing January 1, 2019, Article XI levies a one-cent surtax on sales, use, services, rentals, admissions and other transactions as defined in Chapter 212, Florida Statutes. An appeal to overturn the tax was filed with the Florida Supreme Court. On February 25, 2021, the Florida Supreme Court ruled the surtax as unconstitutional. Effective March 16, 2021 the Florida Department of Revenue issued notice to cease the collection of the surtax. The Florida Supreme Court remanded the case to the 13<sup>th</sup> Judicial Circuit Court, and Clerk is to retain and not distribute any funds until further notice from the court. For the Transportation Improvement Surtax Trust Fund, the balance as of September 30, 2021, was \$80,462,634. This balance relates to the activity since fund establishment in March 2019. Overall, there has been \$561,778,326 in collections, \$287,551 in interest, and \$481,603,243 in distributions to external agencies.

In August 2019, the Clerk entered into the agreement, Domestic Violence Innovation Project, with the County to collaborate on improving responses to domestic violence injunction requests through technology improvements. The interlocal agreement provides the Clerk with \$265 thousand to use for computer hardware and software purchases related to the project through September 30, 2021 with three automatic one month renewal periods to December 1, 2021. As of September 30, 2021, the Clerk received reimbursement in the amount of approximately \$63 thousand for related expenditures.

The Novel Coronavirus 2019 (COVID-19) pandemic along with various governmental measures taken to protect public health in light of the pandemic had an adverse impact on financial markets and economic conditions abroad and in the United States. The impact of the COVID-19 pandemic on the U.S. economy has been broad-based and has continued to negatively influence national, state and local economies

In relation to the pandemic, the following actions had continued impact on the Clerk's financials during the fiscal year:

During fiscal year 2020, Hillsborough County secured nearly \$257 million from the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act for the response to provide immediate relief and economic recovery. The funds were only to be used for expenditures incurred during March through December 2020. Based on this secured funding, the Clerk budgeted \$555 thousand to implement public health controls and facility upgrades to protect the public and employees during the health crisis. Of the budgeted amount, approximately \$442 thousand was reimbursed as of September 30, 2021.

The Centers for Disease Control and Prevention (CDC) extended Order 20-087 to June 30, 2021, (AB-21-033) which implemented a national eviction moratorium for tenants impacted by the pandemic. This moratorium adversely affected Clerk revenues related to eviction registry cases.

Effective February 15, 2021, all Clerk employees were awarded 80 hours of COVID-19 Special PTO to be used for COVID related leave once all regular PTO accruals were exhausted. On June 24, 2021, unused COVID-19 leave was paid to the employees in the total amount of \$1,158,479.

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**NOTES TO THE FINANCIAL STATEMENTS**

SEPTEMBER 30, 2021

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**Note 12—Significant events (continued)**

On August 20, 2021, a retention incentive of \$1,000 was paid to all employees for a total of \$620,000. On September 30, 2021, employees received an additional retention incentive in total of \$275,000.

The Clerk implemented a vaccine incentive in which employees would receive \$450 for providing proof of vaccination. As of September 30, 2021, the total amount of \$236,250 was issued to employees providing proof of vaccination.

**Note 13—Adoption of accounting standard**

The Clerk implemented GASB Statement 84, *Fiduciary Activities*, during fiscal year 2021, in order to meet the principle objective of consistency and comparability of fiduciary activities within state and local government financial reports. The adoption of this standard resulted in the restatement of the beginning fiduciary net position of the aggregate remaining fund information as follows:

Beginning net position, October 1, 2020, before restatement	\$	0
Restatement due to GASB Statement 84		<u>25,650,301</u>
Beginning net position, October 1, 2020, after restatement	\$	<u>25,650,301</u>

**REQUIRED SUPPLEMENTARY INFORMATION**

**HILLSBOROUGH COUNTY, FLORIDA**

**CLERK OF THE CIRCUIT COURT**

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL – GENERAL FUND (BUDGETARY BASIS)**

*YEAR ENDED SEPTEMBER 30, 2021*

	<u>Budgeted Amounts</u>		<u>Actual Amount</u>	<u>Variance with Final Budget Positive (Negative)</u>
	<u>Original</u>	<u>Final</u>		
Revenues:				
Intergovernmental revenue:				
Board of County Commissioners	\$ 25,375,185	25,375,185	25,375,185	-
Value Adjustment Board	687,476	687,476	687,476	-
Domestic Violence Project	-	265,247	62,997	(202,250)
CARES Act	-	555,000	442,308	(112,692)
Title IV-D Reimbursement	1,499,234	1,433,509	1,407,547	(25,962)
Charges for services	7,771,766	7,837,491	10,669,814	2,832,323
Interest earnings	84,102	84,102	12,966	(71,136)
Total Revenues	<u>35,417,763</u>	<u>36,238,010</u>	<u>38,658,293</u>	<u>2,420,283</u>
Expenditures:				
Salaries	27,245,075	24,726,453	24,327,407	399,046
Operating	7,549,647	10,222,850	7,018,245	3,204,605
Capital outlay	536,701	1,202,367	1,192,070	10,297
Total Expenditures	<u>35,331,423</u>	<u>36,151,670</u>	<u>32,537,722</u>	<u>3,613,948</u>
Excess of revenues over expenditures	86,340	86,340	6,120,571	6,034,231
Other Financing Uses:				
Distribution of excess revenues to Board of County Commissioners	(86,340)	(86,340)	(6,120,571)	(6,034,231)
Net change in fund balance	-	-	-	-
Fund balance, beginning of year	-	-	-	-
Fund balance, end of year	<u>\$ -</u>	<u>-</u>	<u>-</u>	<u>-</u>

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**REQUIRED SUPPLEMENTARY INFORMATION (UNAUDITED)**  
**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –**  
**BUDGET AND ACTUAL – SPECIAL REVENUE FUND (BUDGETARY BASIS)**

YEAR ENDED SEPTEMBER 30, 2021

	<b>Budgeted Amounts</b>		<b>Actual Amount</b>	<b>Variance with Final Budget Positive (Negative)</b>
	<b>Original</b>	<b>Final</b>		
<b>Revenues:</b>				
Intergovernmental revenue:				
State appropriations	\$ 455,779	659,694	841,733	182,039
Charges for services	26,547,650	26,547,650	31,701,554	5,153,904
Fines and forfeitures	4,772,150	4,772,150	4,846,738	74,588
Interest earnings	161,300	161,300	19,555	(141,745)
<b>Total Revenues</b>	<b>31,936,879</b>	<b>32,140,794</b>	<b>37,409,580</b>	<b>5,268,786</b>
<b>Expenditures:</b>				
Salaries	27,902,478	28,211,782	28,074,850	136,932
Operating	3,877,094	4,392,113	1,888,461	2,503,652
Capital outlay	537,759	554,362	52,607	501,755
<b>Total Expenditures</b>	<b>32,317,331</b>	<b>33,158,257</b>	<b>30,015,918</b>	<b>3,142,339</b>
Excess of revenues over expenditures	(380,452)	(1,017,463)	7,393,662	8,411,125
<b>Other Financing Uses:</b>				
Distribution of excess revenues to other governmental agencies	(349,599)	(349,599)	(4,244,898)	(3,895,299)
Budgetary reserves	730,051	1,367,062	-	(1,367,062)
Excess of revenues over Expenditures and other financing uses	-	-	3,148,764	3,148,764
Fund balance, beginning of year	9,579,290	10,990,326	10,990,326	-
Fund balance, end of year	<b>\$ 9,579,290</b>	<b>10,990,326</b>	<b>14,139,090</b>	<b>3,148,764</b>

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**REQUIRED SUPPLEMENTARY INFORMATION (UNAUDITED)**  
NOTES TO SCHEDULES OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL

SEPTEMBER 30, 2021

**Budgetary Data**

Expenditures are controlled by appropriations in accordance with the budget requirements set forth in the *Florida Statutes*. Budgets are adopted only for governmental funds. Budgetary control is exercised at the fund level. Budgetary changes within the fund are made at the discretion of the Clerk. Appropriations lapse at the end of the fiscal year to the extent they have not been expended.

The budgeted revenues and expenditures in the accompanying Schedule of Revenues, Expenditures, and Changes in Fund Balance – Budget and Actual, included as required supplementary information, reflects all approved amendments.

For the special revenue fund, there is a difference between the budgetary basis of accounting and the financial statement basis of accounting for the treatment of excess fee distributions to entities outside of the County’s reporting entity. On a budgetary basis, distributions of excess fees to other governmental agencies are reported as other financing uses. For financial statement purposes, these distributions are reported as expenditures because there is a reduction in financial resources of the County.

The following table reconciles the difference in those certain amounts between the statement and the schedule:

	<b>Budgetary Basis</b>	<b>Distribution of Excess Revenues to Other Governmental Entities</b>	<b>GAAP Basis Financials</b>
Total expenditures	\$ 30,015,918	\$ 4,244,898	\$ 34,260,816
Total other financing uses	(4,244,898)	4,244,898	-

Section 218.35, *Florida Statutes*, governs the preparation, adoption and administration of the Clerk’s annual budget. The Clerk establishes an annual budget for its operations, which clearly reflects the revenues available to support its operations and the functions for which the money is to be expended.

The Clerk prepares the budget in two parts:

- a. The budget for the performance of court-related functions is developed according to Section 28.36, *Florida Statutes*.
  - 1) On or before June 1, the proposed budget is prepared, summarized, and submitted to the Clerk of the Court Operations Corporation (CCOC) in the manner and form prescribed by the corporation. The proposed budget must provide detailed information on the anticipated revenues available and expenditures necessary for the performance of the court-related functions listed in Florida Statute S. 28.35(3)(a) of the Clerk’s Office for the County fiscal year beginning October 1.
  - 2) The proposed budget must be balanced such that total estimated revenues equals or exceeds total estimated expenditures. Such revenues include revenue projected to be received from fees, service charges, costs, and fines for court-related functions during the fiscal period covered by the budget. The anticipated expenditures must be itemized as required by the corporation.

**HILLSBOROUGH COUNTY, FLORIDA**

**CLERK OF THE CIRCUIT COURT**

**REQUIRED SUPPLEMENTARY INFORMATION (UNAUDITED)**

**NOTES TO SCHEDULES OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL**

SEPTEMBER 30, 2021

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**Budgetary Data (continued)**

- 3) The CCOC will verify that the proposed budget is limited to the standard list of court-related functions as outlined in Section 28.35(3)(a), *Florida Statutes* and certify the budget.

- 3a) If a clerk of the court estimates that available funds plus projected revenues from fines, fees, service charges, and costs for court-related services are insufficient to meet the anticipated expenditures for the standard list of court-related functions performed by his or her office, the clerk must report the revenue deficit to the corporation in the manner and form prescribed by the corporation.

If the corporation verifies that a revenue deficit is projected, the corporation shall certify a revenue deficit and notify the Department of Revenue that the clerk is authorized to retain revenues, in an amount necessary to fully fund the projected revenue deficit, which he or she would otherwise be required to remit to the Department of Revenue for deposit into the department's Clerks of the Court Trust Fund pursuant to s. 28.37.

If a revenue deficit is projected for that clerk after retaining all of the projected collections from the court-related fines, fees, service charges, and costs, the corporation shall certify the amount of the revenue deficit to the Executive Office of the Governor and request release authority for funds from the department's Clerks of the Court Trust Fund. Notwithstanding Florida Statutes S. 216.192 relating to the release of funds, the Executive Office of the Governor may approve the release of funds in accordance with the notice, review, and objection procedures set forth in Florida Statute s. 216.177 and shall provide notice to the Department of Revenue and the Chief Financial Officer. The Department of Revenue shall request monthly distributions from the Chief Financial Officer in equal amounts to each clerk certified to have a revenue deficit, in accordance with the releases approved by the Governor.

- 4) The corporation may approve increases or decreases to the previously authorized budgets approved for individual clerks of the court pursuant to Florida Statute s. 28.35 for court-related functions, if:

- 4a) The additional budget authority is necessary to pay the cost of performing new or additional functions required by changes in law or court rule; or
- 4b) The additional budget authority is necessary to pay the cost of supporting increases in the number of judges or magistrates authorized by the Legislature.

- 5) The corporation notifies each Clerk of the approved expenditure budget on or before October 1.

- b. The budget relating to the requirements of the Clerk as the Ex Officio Clerk to the BOCC, County Auditor, County Recorder, and Custodian or Treasurer of all County funds and other county-related duties is developed in accordance with Section 218.35, *Florida Statutes*. For the budget relating to BOCC funded operations, the Clerk follows the procedures listed below in establishing the budgetary data reflected in the financial statements.

**HILLSBOROUGH COUNTY, FLORIDA**

**CLERK OF THE CIRCUIT COURT**

**REQUIRED SUPPLEMENTARY INFORMATION (UNAUDITED)**

**NOTES TO SCHEDULES OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL**

*SEPTEMBER 30, 2021*

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**Budgetary Data (continued)**

- 1) Prior to May 1, the Clerk submits to the BOCC a tentative budget for the ensuing year.
- 2) A public hearing is conducted to obtain taxpayer comments.
- 3) At the public hearing, the BOCC may amend, modify, increase or reduce the tentative budget.
- 4) Prior to October 1, the budget is legally enacted through the passage of a resolution by the BOCC.
- 5) The budget is filed with the Clerk to the BOCC by September 1, prior to the fiscal year for the budget.

Amendments to increase the budget relating to BOCC funded operations are submitted to the BOCC for approval. Amendments to increase the budget relating to the Clerk's court-related functions are submitted to the CCOC for approval.

The annual budgetary data represent the Clerk's adopted budget, the original appropriation ordinance, and budget amendments approved by the Clerk or as adopted by either the BOCC or the CCOC.

**SUPPLEMENTARY INFORMATION**

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**GENERAL FUND DIVISIONS – DESCRIPTIONS**

SEPTEMBER 30, 2021

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**Courts and Administration – Board of County Commissioners Funded** – The BOCC is responsible for funding certain expenditure activities related to the functions of the courts. Related expenditures include the use of facilities such as acquisition, rent, maintenance, utilities, security, and communications. Data processing related expenditures such as supplies, software and agreements, and equipment are BOCC-funded with the exception of expenditures related to the Public Records Modernization Trust Fund and the Public Records Court Technology Trust Fund. All costs related to these activities, with related appropriations by the BOCC, are recorded within this General Fund Division.

**County Recorder and General Government** – As County Recorder, the Clerk is responsible for recording, indexing, and archiving all of the documents which create the Official Records of Hillsborough County. In addition, the Clerk issues marriage licenses and delayed birth certificates and collects money for documentary stamp taxes, intangible taxes, recording fees and other miscellaneous fees. The Clerk is also responsible for conducting Tax Deed sales in accordance with Chapter 197, *Florida Statutes*. Additionally, the Clerk's data processing center provides electronic data processing services for the Court system, the BOCC, certain Constitutional Officers, and other clients through the Public Access System. The cost of operating the data processing center is allocated to other Clerk divisions or billed directly to various clients for services rendered. Revenues of the data processing center are exclusively derived from such billings. All costs related to these activities, with related fees charged for the services, are recorded within this General Fund Division.

**Clerk as Ex Officio Clerk to the Board of County Commissioners** – The Florida Constitution provides that the Clerk of the Circuit Court shall be Ex Officio Clerk to the BOCC, County Auditor, County Recorder, and Custodian of all County funds. The Clerk has the duty to keep minutes and records of the BOCC, maintain instruments of the BOCC, receive, deposit, invest County funds, and keep accurate, complete records. As County Auditor, the Clerk ensures that sound accounting practices are followed with adequate internal control. The Clerk must inquire into the legal validity of claims paid out and is personally liable for illegal payments. All costs related to these activities, with related appropriations by the BOCC, are recorded within this General Fund Division.

# HILLSBOROUGH COUNTY, FLORIDA

## CLERK OF THE CIRCUIT COURT

### CONBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE – ALL GENERAL FUND DIVISIONS

YEAR ENDED SEPTEMBER 30, 2021

	Courts and Administration – Board of County Commissioners Funded	County Recorder and General Government	Clerk and Ex Officio Clerk to the Board of County Commissioners	Total All General Fund Divisions
<b>Revenues</b>				
Intergovernmental Revenue for the Operation of:				
Clerk of the Circuit Court	\$ 10,615,701	-	-	10,615,701
Clerk to the BOCC	-	-	14,759,484	14,759,484
CARES Act	442,308	-	-	442,308
Title IV-D Reimbursement	-	1,407,547	-	1,407,547
Domestic Violence Project	62,997	-	-	62,997
Value Adjustment Board	-	-	687,476	687,476
Total Intergovernmental Revenue	11,121,006	1,407,547	15,446,960	27,975,513
<b>Charges for Services:</b>				
Recording fees	-	7,914,364	-	7,914,364
Duplicating and microfilming fees	-	332,463	-	332,463
Data processing service fees	-	8,200	-	8,200
Tax deed fees	-	43,094	-	43,094
Passport fees	-	27,770	-	27,770
Other services	-	2,343,923	-	2,343,923
Total Charges for Services	-	10,669,814	-	10,669,814
Interest Earnings	2,344	6,040	4,582	12,966
Total Revenues	11,123,350	12,083,401	15,451,542	38,658,293
<b>Expenditures:</b>				
General government:				
Salaries	5,122,230	7,312,796	11,892,381	24,327,407
Operating expenditures	3,636,483	1,191,705	2,190,057	7,018,245
Capital outlay	171,835	122,122	898,113	1,192,070
Total Expenditures	8,930,548	8,626,623	14,980,551	32,537,722
Excess of revenues over expenditures	2,192,802	3,456,778	470,991	6,120,571
<b>Other Financing Uses:</b>				
Distribution of excess revenues to Board of County Commissioners	(2,192,802)	(3,456,778)	(470,991)	(6,120,571)
Revenues in excess of expenditures and other financing uses				
Fund balances, beginning of year	-	-	-	-
Fund balances, end of year	\$ -	-	-	-

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**SPECIAL REVENUE FUND DIVISIONS – DESCRIPTIONS**

SEPTEMBER 30, 2021

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**Public Records Modernization Trust Fund** – The Public Records Modernization Trust Fund accounts for the collection of an additional service charge to be paid to the Clerk of the Circuit Court and to be deposited into the Public Records Modernization Trust Fund pursuant to *Florida Statute 28.24(12)(d)*. The fund is held in trust by the Clerk and used exclusively for equipment and maintenance of equipment, personnel training, and technical assistance in modernizing the public records system of the Clerk's Office. All costs related to these activities, with related fees charged for the services, are recorded within this special revenue fund division.

**Public Records Court Technology Trust Fund** – The Public Records Court Technology Trust Fund accounts for the collection of an additional service charge pursuant to *Florida Statute 28.24(12)(e)(1)* to be retained by the Clerk of the Circuit Court. The fund is held in trust by the Clerk and used exclusively to operate and support an integrated computer system for the judicial agencies and to support the operations and management of the state court system. All costs related to these activities, with related fees charged for the services, are recorded within this special revenue fund division.

**Foreclosure Public Education Fund** – The Foreclosure Public Education Fund accounts for the collection of a service charge pursuant to *Florida Statute 45.035(2)(a)* to be retained by the Clerk of the Circuit Court. The fund is held by the Clerk and may only be used for purposes of educating the public as to the rights of homeowners regarding foreclosure proceedings. All costs related to these education activities, with related fees charged for the services, are recorded within this special revenue fund division.

**Court Operations Special Revenue Fund** – The Clerk is an officer of the Court and is responsible for the clerical and administrative functions of the Court's activities, keeping its records, maintaining its dockets, providing courtroom clerks for the judiciary, and collecting and disbursing all fines, forfeitures and costs of the Court. The Clerk conducts sales of property by order of the Court and is responsible for the care and custody of Court funds. The Clerk runs the depository for collecting and disbursing court ordered child support and alimony payments. All costs and revenues related to these activities, unless otherwise designated, are recorded within this special revenue fund division.

**HILLSBOROUGH COUNTY, FLORIDA**

**CLERK OF THE CIRCUIT COURT**

**COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE –  
ALL SPECIAL REVENUE FUND DIVISIONS**

*YEAR ENDED SEPTEMBER 30, 2021*

	<b>Public Records Modernization Trust Fund</b>	<b>Public Records Court Technology Trust Fund</b>	<b>Foreclosure Public Education Fund</b>	<b>Court Operations Special Revenue Fund</b>	<b>Total All Special Revenue Fund Divisions</b>
<b>Revenues:</b>					
Intergovernmental revenue:					
State Appropriations	\$ -	-	-	841,733	841,733
Charges for services	1,305,669	3,541,288	4,592	26,850,005	31,701,554
Fines and forfeitures	-	-	-	4,846,738	4,846,738
Interest earnings	5,820	6,855	29	6,851	19,555
<b>Total Revenues</b>	<b>1,311,489</b>	<b>3,548,143</b>	<b>4,621</b>	<b>32,545,327</b>	<b>37,409,580</b>
<b>Expenditures:</b>					
General government:					
Salaries	-	1,012,264	-	27,062,586	28,074,850
Operating expenditures	107,462	708,189	5,700	1,067,110	1,888,461
Capital outlay	-	52,607	-	-	52,607
Distribution of excess revenues to other					
governmental agencies	-	-	-	4,244,898	4,244,898
<b>Total Expenditures</b>	<b>107,462</b>	<b>1,773,060</b>	<b>5,700</b>	<b>32,374,594</b>	<b>34,260,816</b>
<b>Excess of revenues over expenditures</b>	<b>1,204,027</b>	<b>1,775,083</b>	<b>(1,079)</b>	<b>170,733</b>	<b>3,148,764</b>
Fund balances, beginning of year	4,239,264	4,475,408	24,255	2,251,399	10,990,326
<b>Fund balances, end of year</b>	<b>\$ 5,443,291</b>	<b>6,250,491</b>	<b>23,176</b>	<b>2,422,132</b>	<b>14,139,090</b>

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
**CUSTODIAL FUND - DESCRIPTIONS**

*SEPTEMBER 30, 2021*

**General Agency Fund** – To account for the collection and disbursement of trust accounts including, tax account, estreated (forfeited) and cash bond accounts, fines and forfeitures accounts, Transportation Improvement Surtax Trust Fund, and other trust accounts.

**Registry of the Court Fund** – To account for the collection and disbursement of funds as required to be deposited into and disbursed from the Registry Account by court orders or by *Florida Statutes*.

**Support Collections Fund** – To account for the collection and disbursement of court-ordered child support and/or marriage dissolution orders.

**Jury and Witness Fund** – To account for the disbursement of payments to jurors for services performed and the disbursement of advances received, by the Clerk from the state, for payment of witnesses from state funds and unclaimed payments made from these funds.

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
COMBINING STATEMENT OF FIDUCIARY NET POSITION -  
CUSTODIAL FUNDS

YEAR ENDED SEPTEMBER 30, 2021

	<b>General Agency Fund</b>	<b>Registry of the Court Fund</b>	<b>Support Collections Fund</b>	<b>Jury and Witness Fund</b>	<b>Total Custodial Funds</b>
<b>Assets:</b>					
Cash and cash equivalents	\$ 106,721,685	\$ 22,683,939	\$ 69,663	\$ 107,866	\$ 129,583,153
Accounts receivables	142,992	-	6,747	-	149,739
Total assets	<u>106,864,677</u>	<u>22,683,939</u>	<u>76,410</u>	<u>107,866</u>	<u>129,732,892</u>
<b>Liabilities:</b>					
Due to other governments	<u>88,454,155</u>	<u>-</u>	<u>-</u>	<u>93,046</u>	<u>88,547,201</u>
Total liabilities	<u>88,454,155</u>	<u>-</u>	<u>-</u>	<u>93,046</u>	<u>88,547,201</u>
<b>Net position:</b>					
<b>Held for:</b>					
Individuals and organizations	<u>18,410,522</u>	<u>22,683,939</u>	<u>76,410</u>	<u>14,820</u>	<u>41,185,691</u>
Total net position	<u>\$ 18,410,522</u>	<u>\$ 22,683,939</u>	<u>\$ 76,410</u>	<u>\$ 14,820</u>	<u>\$ 41,185,691</u>

**HILLSBOROUGH COUNTY, FLORIDA**  
**CLERK OF THE CIRCUIT COURT**  
COMBINING STATEMENT OF CHANGES IN FIDUCIARY NET POSITION -  
CUSTODIAL FUNDS

*YEAR ENDED SEPTEMBER 30, 2021*

	<b>General Agency Fund</b>	<b>Registry of the Court Fund</b>	<b>Support Collections Fund</b>	<b>Jury and Witness Fund</b>	<b>Total Custodial Funds</b>
<b>Additions</b>					
Collected for other governments	\$ 527,351,260	\$ -	\$ -	\$ 610,960	\$ 527,962,220
Deposits and other trust activities	99,535,224	84,801,083	7,176,657	10,721	191,523,685
Total additions	<u>626,886,484</u>	<u>84,801,083</u>	<u>7,176,657</u>	<u>621,681</u>	<u>719,485,905</u>
<b>Deductions</b>					
Distributed to other governments	527,351,261	-	-	97,577	527,448,838
Deposits and other trust activities	93,209,072	75,565,143	7,191,502	535,960	176,501,677
Total deductions	<u>620,560,333</u>	<u>75,565,143</u>	<u>7,191,502</u>	<u>633,537</u>	<u>703,950,515</u>
Net increase (decrease) in fiduciary net position	6,326,151	9,235,940	(14,845)	(11,856)	15,535,390
Net position - beginning, as restated	12,084,371	13,447,999	91,255	26,676	25,650,301
Net position - ending	<u>\$ 18,410,522</u>	<u>\$ 22,683,939</u>	<u>\$ 76,410</u>	<u>\$ 14,820</u>	<u>\$ 41,185,691</u>

## **SUPPLEMENTARY REPORTS**

**Report on Internal Control Over Financial Reporting and on  
Compliance and Other Matters Based on an Audit of Financial Statements Performed  
In Accordance with *Government Auditing Standards***

RSM US LLP

Honorable Cindy Stuart  
Clerk of the Circuit Court  
Hillsborough County, Florida

**Independent Auditor's Report**

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the fund financial statements of the major funds and the aggregate remaining fund information of the Hillsborough County, Florida Clerk of the Circuit Court (the Clerk), as of and for the year ended September 30, 2021, and the related notes to the fund financial statements, and have issued our report thereon dated December 22, 2021. Our report included an emphasis of matter paragraph to reflect that these fund financial statements were prepared to comply with Section 218.39, *Florida Statutes*, and Chapter 10.557(3), *Rules of the Auditor General for Local Governmental Entity Audits* and are intended to present the financial position, the changes in financial position and, where applicable, the cash flows of each fund of the Clerk and do not represent a complete presentation of the financial statements of Hillsborough County, Florida. Our report also included an emphasis of matter paragraph for the adoption of Governmental Accounting Standards Board (GASB) Statement No. 84, *Fiduciary Activities*, effective October 1, 2020.

***Internal Control Over Financial Reporting***

In planning and performing our audit of the fund financial statements, we considered the Clerk's internal control over financial reporting (internal control) as a basis for designing the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the fund financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Clerk's internal control. Accordingly, we do not express an opinion on the effectiveness of the Clerk's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the Clerk's fund financial statements will not be prevented or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Clerk's fund financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the fund financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

**Purpose of This Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*RSM US LLP*

Tampa, Florida  
December 22, 2021

**Independent Auditor's Management Letter in Accordance With the  
Rules of the Auditor General of the State of Florida**

Honorable Cindy Stuart  
Clerk of the Circuit Court  
Hillsborough County, Florida

**Report on the Fund Financial Statements**

We have audited the fund financial statements of the Hillsborough County, Florida Clerk of the Circuit Court (the Clerk), as of and for the fiscal year ended September 30, 2021 and have issued our report thereon dated December 22, 2021, which was prepared to comply with State of Florida reporting requirements.

**Auditor's Responsibility**

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Chapter 10.550, *Rules of the Auditor General*.

**Other Reporting Requirements**

We have issued our Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards* and Independent Accountant's Report on an examination conducted in accordance with *AICPA Professional Standards*, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, *Rules of the Auditor General*. Disclosures in those reports, which are dated December 22, 2021, should be considered in conjunction with this management letter.

**Prior Audit Findings**

Section 10.554(1)(i)1., *Rules of the Auditor General*, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. There were no recommendations made in the preceding annual financial report.

**Official Title and Legal Authority**

Section 10.554(1)(i)4., *Rules of the Auditor General*, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the fund financial statements. The name and legal authority is disclosed in note 1 of the fund financial statements.

**Financial Management**

Section 10.554(1)(i)2., *Rules of the Auditor General*, requires that we communicate any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

**Additional Matters**

Section 10.554(1)(i)3., *Rules of the Auditor General*, requires us to communicate noncompliance with provisions of contracts or grant agreements, or abuse, that has occurred, or is likely to have occurred, that have an effect on the fund financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not note any such findings.

**Purpose of this Letter**

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, the Clerk, and applicable management, and is not intended to be and should not be used by anyone other than these specified parties.

*RSM US LLP*

Tampa, Florida  
December 22, 2021

**Report of Independent Accountant on Compliance With  
Local Government Investment Policies, Article V Requirements and  
Florida Statutes 28.35, 28.36, and 61.181**

Honorable Cindy Stuart  
Clerk of the Circuit Court  
Hillsborough County, Florida

We have examined the Hillsborough County, Florida Clerk of the Circuit Court's (Clerk) compliance with Section 218.415, *Florida Statutes*, the Local Government Investment Policies, Article V Requirements, and Sections 28.35 and 28.36, and 61.181, *Florida Statutes*, Clerks of the Circuit Courts, during period October 1, 2020 to September 30, 2021. Management of the Clerk is responsible for the Clerk's compliance with the specific requirements. Our responsibility is to express an opinion on the Clerk's compliance with the specified requirements based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the Clerk complied, in all material respects, with the specified requirements referenced above. An examination involves performing procedures to obtain evidence about whether the Clerk complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risk of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

Our examination does not provide a legal determination on the Clerk's compliance with specified requirements.

In our opinion, the Clerk complied, in all material respects, with the aforementioned requirements for the period October 1, 2020 to September 30, 2021.

The purpose of this report is to comply with the local investment policy requirements of Section 218.415, *Florida Statutes*, the Local Government Investment Policies, Article V Requirements, and Sections 28.35 and 28.36, and 61.181, *Florida Statutes*, Clerks of the Circuit Courts, and Rules of the Auditor General.

This report is intended solely for the information and use of the Florida Auditor General, the Clerk's office, and applicable management and is not intended to be and should not be used by anyone other than these specified parties.

*RSM US LLP*

Tampa, Florida  
December 22, 2021