

Clerk of Courts

DEPARTMENT MISSION

The Clerk of Courts Office performs recordkeeping duties for all matters in the circuit court per state statute, which includes clerking in court, handling exhibits, processing court orders, administering oaths, docketing court documents, entering and processing judgments, assisting agencies and the public - ensuring pro se litigants receive proper information, file management and record retention. Clerk of Courts is responsible for the collection of all fees, fines, and forfeitures for the county circuit court per statute utilizing various tools to collect outstanding court ordered obligations, including payment plans, tax intercept, money judgments, suspensions for hunting, fishing, trapping and driver licenses. Clerk of Courts is also responsible for managing juries under policies and rules established by the judges of Eau Claire County and state statutes, including determining jury pool, summons, and follow-up.

DEPARTMENT BUDGET HIGHLIGHTS

- Two vacant positions we expect to fill in 2024.
- There are several high-profile jury trials in 2024 and 2025 that require special jury questionnaires to be sent out and summoning three times as many jurors as are normally summoned.
- Potential to increase revenues through wage assignment for payment plans as discussed with the judiciary.
- Non-discretionary items include Witness Fees, Juror Payments, Jury Meals, Jury Supplies.

STRATEGIC DIRECTION AND PRIORITY ISSUES

- Our office is mindful of the mission, vision, and values that energize us in actualization of our priorities in maintaining customer satisfaction, financial management, and the specific and special duties assigned by Wisconsin State Statutes, Supreme Court Rules, and Local Court Rules.
- Access to accurate court records has been advanced through eFiling and in-court Automated Processing increasing services to customers. The eFiling rule has been in effect since July 1, 2016.
- Clerk staff continues to work on case imaging paper files allowing multiple users to view documents and provide faster retrieval of information. This also improves long-term storage and physical space for office growth. eFiling permits judges, parties, and the public (where permissible) to view a case simultaneously and increases the speed and efficiency of case processing.
- Our office will continue to utilize State Debt Collection (SDC) to collect on debt not otherwise being paid.
- The supervisory management team has been active in participating in trainings to promote employee satisfaction through the implementation of the county's compensation project, the new employee performance evaluations which includes quarterly coaching sessions to increase employee engagement. We will continue our efforts to create a positive environment by showing gratitude, encourage positivity, clear communication, and supporting safety initiatives.

TRENDS AND ISSUES ON THE HORIZON

- Training of staff/new staff in the office.
- Retention continues to be an issue that accounts for our vacant positions. See Position Changes Section below.
- CCAP eFiling fee. There will be an increase from \$20 to \$35 which will take effect in 2nd Quarter 2024.
- Legislative issues. The Wisconsin Clerk of Circuit Court Association (WCCCA) has been very active this year. Although the Legislative session ended in February, we have been discussing numerous bills with our legislators over the past year.
 - AB412/SC402 – Battery/Threat to jurors was introduced late last session. We believe it will pass as it passed in the Senate and is now in the Assembly.

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- AB337/SC327 – Garnishment. Governor’s office is wishy/washy. May pass, but governor doesn’t have to sign. Will look at again in May 2024. We are against this bill – will mean that refiling garnishments will not require a filing fee which would be a great revenue loss to clerk of court offices.
- AB1032/SB944 – Information on CCAP. We will continue to monitor during new session.
- CCAP would like to create a way to search other things, i.e., all crimes, county judges assigned, penalty imposed, etc.
- Preliminary Draft for Fee Schedule – Fees that are 100% county retained and have not been increased in over 30 years. Proposed increases include:
 - Demand for jury trial: from \$6/juror to \$16/juror
 - Issue an execution, certificate, commission to take depositions, transcript from the judgment and lien docket, or writ not commencing an action or special proceeding or to file and enter a judgment, transcript of judgment, lien, warrant, or award: from \$5 to \$10
 - Filing a foreign judgment: from \$15 to \$25
 - Service of summons by mail in an eviction, garnishment, small claims or certain other civil actions: from \$2/defendant to \$7/defendant
 - Commencing a small claims action in circuit court: from \$22 to \$31
 - Commencing most garnishment actions: from \$20 to \$32.50Under current law, the county must pay \$11.80 of each small claims filing fee and \$12.50 of each garnishment filing fee to the secretary of administration to be deposited in the general fund, and the county retains the balance for use by the county. The bill does not change the amount of the fees that the county must pay to the secretary.

BUDGET CHANGES: REVENUES

- Requesting additional tax levy dollars in order to balance our operating budget.

BUDGET CHANGES: EXPENDITURES

- Increase to salary and benefits per Finance
- There is an increase in non-discretionary areas due to high profile and/or multi-week jury trials. This causes a great increase in printing and mailings to numerous potential jurors where special jury questionnaires are required, as well as summoning up to three times as many jurors for voir dire on day 1 of a trial.
- We anticipate we will be receiving new printers from the State in 2024 which will result in a higher cost in the future.

POSITION CHANGES IN 2025

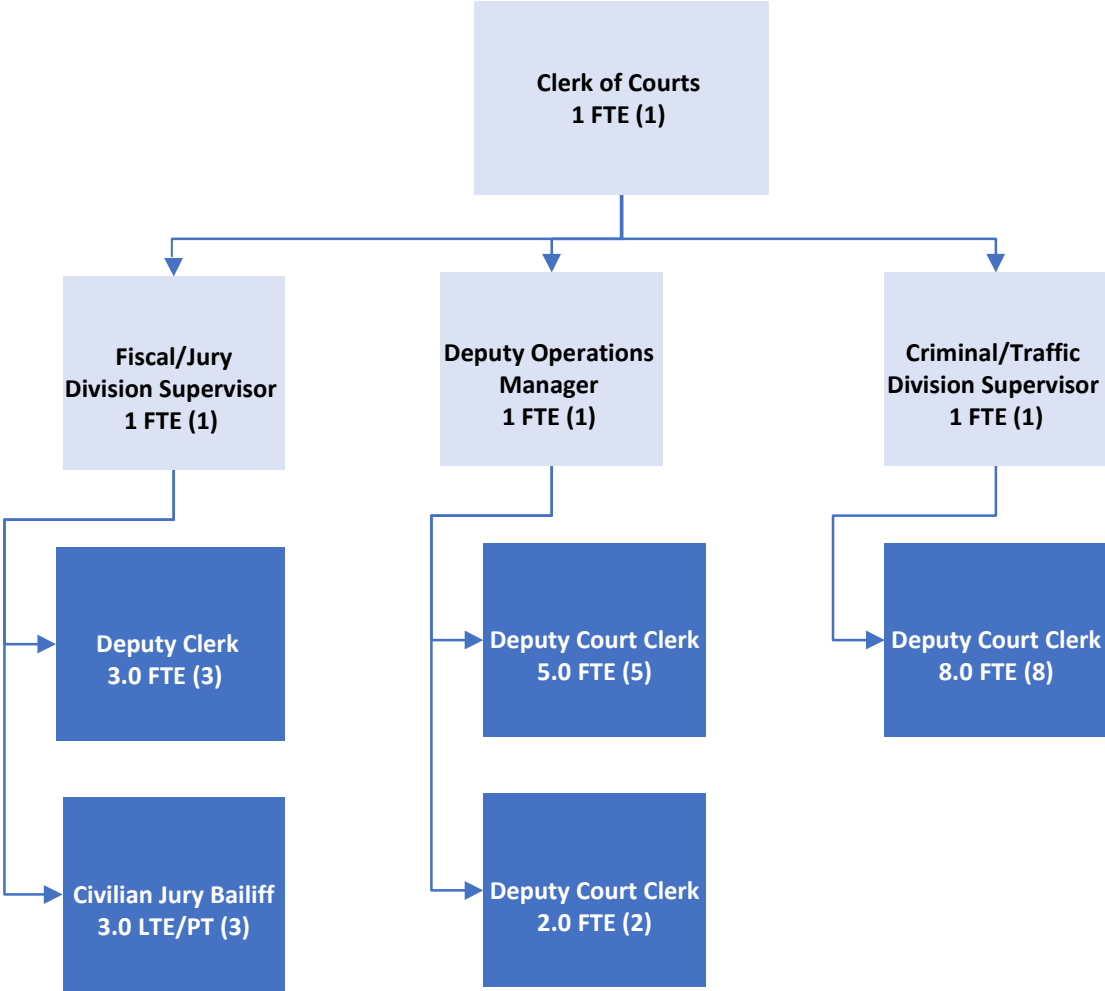
- Request for two deputy clerk positions to be reclassified as deputy court clerk positions. This will abolish two deputy clerk positions on the Civil/Family Team and create two deputy court clerk positions. This has several benefits: we will have the capability of movement within the office without the costs associated with posting vacant positions, staff time to conduct interviews when our intent is to “promote from within” anyway, and then to fill the vacant positions. This request was approved by Human Resources and the County Administrator.
- To abolish and create these positions, salary increase would be minimal with no increase in benefits.

KEY ASSUMPTIONS AND POTENTIAL RISKS

- If an increase in the tax levy is not approved, it will have a negative impact on the courts and our office, will cause delays in court hearings and hinder our ability to collect fines/fees which will have a greater impact on revenues.
- We have no control over the case types that go to jury trial and cannot decrease the costs of special jury questionnaires or postage to mail them, nor mailing of summons to jurors.
- We control within our budget what we can and are cognizant of the cost to purchase items. Our biggest supply purchase is toner cartridges for our printers which have multiplied in cost over the past year or so.

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2024 FTE: 22.00; 3 LTE/PT



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OUTPUTS	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>YTD * 2024</u>
Total collections	\$4,061,736	\$3,668,257	\$3,383,613	\$4,246,020
Debt turned over to SDC	\$3,041,958	\$1,671,821	\$2,480,154	\$1,894,809
Debt collected from SDC	\$1,787,792	\$1,436,240	\$866,122	\$519,599
Collected from Tax Intercept	\$67,669	\$88,307	\$61,553	\$92,883
Collected from Interest	\$244,539	\$204,837	\$142,553	\$80,513
Number of court hearings clerked	39,054	38,733	26,799	13,481
Number of Traffic/Ordinance Cases handled by Clerk	N/A	7,660	10,810	5,633
Numer of docketed events	290,765	254,488	252,509	129,097
<i>*Indicates Jan-June Results</i>				
OUTCOMES	2021	2022	2023	YTD * 2024
Cost per trial day	\$574.79	\$528.23	\$662.38	\$1,061.29
<i>*YTD indicated Jan-June Results</i>				

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Overview of Revenues and Expenditures

Revenues	2023	2024	2024	2025	2025	%
	Actual	Adjusted Budget	Estimate	Request	Recommended	Change
01-County Funding	\$777,344	\$960,765	\$960,765	\$1,306,869	\$1,110,041	16%
06-Public Charges for Services	\$489,924	\$632,000	\$421,988	\$461,500	\$461,500	-27%
08-Fines & Forfeitures	\$248,446	\$333,000	\$244,029	\$275,000	\$275,000	-17%
09-Other Revenue	\$5,554	\$3,000	\$6,107	\$5,000	\$5,000	67%
Total Revenues:	\$1,521,268	\$1,928,765	\$1,632,889	\$2,048,369	\$1,851,541	-4%

Expenditures	2023	2024	2024	2025	2025	%
	Actual	Adjusted Budget	Estimate	Request	Recommended	Change
01-Regular Wages	\$1,080,283	\$1,241,517	\$1,065,163	\$1,293,590	\$1,231,287	-1%
02-OT Wages	\$13	-	\$2,180	-	-	
03-Payroll Benefits	\$484,086	\$611,838	\$540,634	\$668,544	\$534,019	-13%
04-Contracted Services	\$6,240	\$6,240	\$4,860	\$4,860	\$4,860	-22%
05-Supplies & Expenses	\$105,924	\$68,930	\$80,145	\$81,375	\$81,375	18%
09-Equipment	-	\$240	-	-	-	-100%
Total Expenditures:	\$1,676,545	\$1,928,765	\$1,692,982	\$2,048,369	\$1,851,541	-4%

Net Surplus/(Deficit)- Clerk of Courts	(\$155,277)	\$0	(\$60,093)	\$0	\$0	
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Budget Analysis

	2024 Adjusted Budget	Cost to Continue Operations in 2025	2025 Requested Budget
01-County Funding	\$960,765	\$346,104	\$1,306,869
06-Public Charges for Services	\$632,000	(\$170,500)	\$461,500
08-Fines & Forfeitures	\$333,000	(\$58,000)	\$275,000
09-Other Revenue	\$3,000	\$2,000	\$5,000
Total Revenues	\$1,928,765	\$119,604	\$2,048,369

01-Regular Wages	\$1,241,517	\$52,073	\$1,293,590
02-OT Wages	-	-	-
03-Payroll Benefits	\$611,838	\$56,706	\$668,544
04-Contracted Services	\$6,240	(\$1,380)	\$4,860
05-Supplies & Expenses	\$68,930	\$12,445	\$81,375
09-Equipment	\$240	(\$240)	-
Total Expenditures	\$1,928,765	\$119,604	\$2,048,369

Clerk of Courts Revenue Assumptions

	2023	2024	2024	2025	2025		
Revenue Source	Actual	Budget	Estimate	Request	Recom- mended	Assumptions	Confidence Level %
County Tax Levy	777,344	960,765	960,765	1,306,869	1,110,041	County funding request	100%
County Ordinance Forfeitures	114,767	153,000	137,422	140,000	140,000	Payments down	80%
County Share State Fines	133,679	180,000	106,607	135,000	135,000	Payments down	80%
Court Fees & Costs	353,263	500,000	315,128	350,000	350,000	Payments down	90%
Medical Exams (Ccap)	49,514	35,000	37,669	35,000	35,000	On track	90%
Jury Fees	9,504	7,000	6,264	6,500	6,500	Currently less requests	90%
Jail Assessment	77,644	90,000	62,927	70,000	70,000	Payments down	80%
Interest Income - Lgip	5,554	3,000	6,107	5,000	5,000	On track	80%
TOTAL	\$1,521,268	\$1,928,765	\$1,632,889	\$2,048,369	\$1,851,541		

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Contracted Services Summary

	2023	2024	2024	2025	2025
Expenditure Type	Actual	Budget	Estimate	Request	Recommended
Professional Services	-	-	-	-	-
Utility Services	6,240	6,240	4,860	4,860	4,860
Repairs And Maintenance	-	-	-	-	-
Other Contracted Services	-	-	-	-	-
Total	\$6,240	\$6,240	\$4,860	\$4,860	\$4,860

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Contracted Services Detail

	2023	2024	2024	2025	2025		
Expenditure	Actual	Budget	Estimate	Request	Recom- mended	Description	Expenditure Type
Clk Cts/ Telephone	6,240	6,240	4,860	4,860	4,860	Office Telephone	Utility Services
TOTAL	\$6,240	\$6,240	\$4,860	\$4,860	\$4,860		