

Clerk of Courts Curriculum for Collier County Schools

Teacher Lessons

To the teacher: The lessons that appear in this document can be used in the classroom (i.e., social studies, pre-law, government, substitute teacher class) as written, or can be modified to meet the needs, levels and abilities of your students. Feel free to view such lessons as a guide to a better understanding of the Clerk of the Circuit Court of Collier County.

Additional teaching materials and handouts can be found by logging onto CollierClerk.com or by contacting Robert St. Cyr, Director, Office of Community Outreach at (239) 252-6879 or by email at Robert.StCyr@CollierClerk.com.

Please encourage students to share these exercises with their parents as the information learned from these lessons is something that all Collier citizens can benefit from, namely:

LESSON 1: Gaining an increased understanding of the roles and responsibilities of the Clerk

LESSON 2: Learning ways to access programs and services of the Clerk's Office via Collierclerk.com

Lesson 1

Aim/Objective: What are the roles and responsibilities of the Clerk of the Circuit Court of Collier County?

Teacher notes: As a motivation, you might ask students if they heard of the County Clerk. “Do you think it’s a different type of position than a clerk of other occupations?” Use chalkboard or other method to input answers.

If not, inform students that such a person exists here in Collier as well as in all Florida counties. The Clerk has a very important function in local government.

I. Student Information

- Who is the current Clerk? What is his education/ professional background?
 - Dwight E. Brock, Floridian – born and raised in Florida
 - BS undergraduate degree, Florida State University
 - MBA degree, Stetson University
 - Accountant, CPA
 - Juris Doctor (JD), Nova Law Center, State Attorney, Licensed Florida Attorney
 - Elected in 1993
 - Oversees approximately 200 employees

Teacher notes: To make the above more interesting and interactive, pose questions that might challenge students to think about the benefit of having the above credentials and background when serving in a public capacity:

- 1) Describe some advantages of being both an attorney and an accountant;
- 2) Is there a benefit of obtaining an advanced degree when planning a career? (**No special educational requirements necessary to fill the position of Clerk of the Circuit Court.**)
- 3) What might be said of a person who is currently serving a 5th term in public life?
- 4) Does the Clerk have a term limit? (**Answer: No**). Should public officials have term limits? Discuss

II. Student Information

- Unique Job Responsibilities of the Clerk:
 - Public trustee
 - Constitutional officer
 - Accountant, auditor
 - “Watchdog” of public funds
 - Nearly 1200 functions and duties
 - Open, honest, transparent government; checks and balances; taxpayers’ interests protected and safeguarded

Definition of terms:

1) Public Trustee - Article 1, Section 8 of the Constitution of the State of Florida states that “a public office is a public trust. The people have the right to secure and sustain that trust.” The Clerk of the Circuit Court is an elected public trustee and set in place a system of “checks and balances.”

2) Constitutional Officer – By Florida statute, a constitutional officer, namely the Clerk, is a person responsible for keeping all court records, managing the jury, collecting and disbursing court fines, fees and assessments, collecting and disbursing child support and alimony payments, providing forms and general information to the public.

3) Checks and Balances - A system of shared power, originally devised by the framers of the U.S. Constitution. “What are the three branches of government on the national level that provide the current system of checks and balances”?

On the county level, such checks and balances are evident in the Clerk’s role as accountant and auditor for the Board of County Commissioners, collector and distributor of statutory assessments, and guardian of the public records (like court records, and official/ land records i.e. deeds, leases, mortgages) public funds and public property.

4) “Watchdog” - Ensures money is spent lawfully, accountability of public funds to safeguard the taxpayers of Collier County.

Teacher notes: Class questions and discussion items (answers in bold):

- 1) Where have you heard the term *checks and balances*? What benefit does such a system have in our government? Do all countries around the world adopt this system? Discuss.
- 2) From the above qualifications, do you think the Clerk of the Circuit Court is an elected public official or is he appointed by the governor (**Answer: elected**). Why?
- 3) The term “transparency” can have different meanings (discuss). Do citizens expect transparency in local government? Can you identify situations or instances where government or business has not been transparent? Were there consequences?
- 4) The Clerk’s website permits citizens to search and view public records (criminal, civil, traffic, etc.). Is that fair? Why/Why not? Why would the Clerk be in favor of it?
- 6) Do you know where the Clerk’s Office is located? (**Answer: Government Center Complex Courthouse, 3315 Tamiami Trail East, Suite 102, Naples, FL 34112**).
- 7) Can you identify the locations of the 4 Clerk’s satellite offices? (**Answer: Everglades City, Golden Gate City, Immokalee, and North Collier Government Center at Orange Blossom**).
- 8) Can you identify a few other county offices located at the Government Center? Do you know their functions? (**Answer: Sheriff’s Office, Board of County Commissioners, Tax Collector, Property Appraiser, Supervisor of Elections**).

****Note: The Florida Constitution states that the Clerk, Tax Collector, Property Appraiser, Sheriff, and Supervisor of Elections are elected for a term of 4 years. The Board of County Commissioners is composed of 5 or 7 members serving staggered terms of 4 years. The county is divided into districts of contiguous territory as nearly equal in population as practical. One commissioner residing in each district shall be elected.

Lesson 2

Aim/Objective: What services and information can the Clerk's Office provide to the citizens of Collier County?

To the teacher: To make Lesson 2 more practical, emphasis will be placed on those services young people can readily identify with. Maximum benefit can best be achieved by accessing the Clerk's website at www.CollierClerk.com to facilitate the class presentation. If a computer setup for class viewing is unavailable, a description of the website and the links that follow can be provided using the Clerk's Quarterly Newsletter and Highlight's Magazine.

It would be an advantage preview the website prior to your class presentation. For your convenience, a slide presentation of Lesson 2 (and Lesson 1) can be downloaded and viewed in class by clicking the "Community Partnership" link at CollierClerk.com.

Motivational Question to Students: *Which of the following traffic violations have the heaviest fine: 1) traveling at 62 mph on a road whose speed limit is 45mph; 2) passing a school bus that is discharging children; 3) not securing a 3 yr old child in a child restraint seat; 4) traveling at 33 mph in a 25 mph school zone; 5) all carry the same fine.*

It should also be noted that completion of an approved Basic Drivers Improvement Course will no longer reduce the penalty, though it will insure that points will not be assessed on the motorist's driver's license.

Teacher notes: Answer to above is #2 (\$268); #1 is \$253; #3 is \$163; #4 is \$153. You might use this motivation to explore attitudes and behaviors of teenage motorists. You might also use this motivation to demonstrate that traffic violations/payments are one of the high volume services provided by the Clerk's Office.

Ask students if they are aware of some of the other services, functions or information that the Clerk provides (use chalkboard to record answers). Today's lesson will focus on using the official website, Collierclerk.com.

It is a good idea to begin with the instructional video (play button below Dwight Brock's photo) on the homepage because it provides a 60 second overview of some of the design features of the website.

I. Student Information

- By Using CollierClerk.com and the "Quick Links" section, the public can access the Clerk's website to view information or conduct business related to the following programs and services:
 - **Pay Traffic Tickets** - traffic violations can be paid online or by touchtone telephone using a debit or credit card; or in person with cash or check at the Traffic Department located on the first floor of the main courthouse or at any of the satellite offices. There are also payment kiosks for automated payments in some locations.

Note: Young people should be aware that there are 3 payment options available within a 30 day period after receiving the citation:

1. pay the fine amount and admit guilt
2. complete a traffic school course to insure that no points will be assessed to your drivers license
3. request a court hearing, which will withhold adjudication until a determination is made

Additional information about these 3 options is available on the traffic page of the Clerk's website.

- **Check Jury Duty** – prospective jurors are provided with online information (numbers are assigned) as to when and where to report for jury service. Frequently asked questions (FAQs) and jury forms regarding the many aspects of jury service are also available.
Note: A ten (10) minute jury video is available to students on the Clerk's website. Also, FAQs pertaining to jury service can be viewed on the teacher slide presentation.
- **Search Public Records** – court records (civil, criminal, probate, traffic), dockets, foreclosures, official land records (deeds, mortgages, liens), Board of County Commissioner (BCC) minutes and records are available for public searches. Juvenile records, however, are confidential, and are provided only to the juvenile, the attorney of record, and parents.
Note: Students will enjoy doing a public record search, especially as it pertains to traffic violations.
- **Marriage Licenses** – requirements for marriage licenses (i.e., residency, age, prior marriage, identification, fees, waiting period, ceremony and recording of license) as well as a link to the various marriage forms and the Family Law Handbook.
- **Passports** – Department of State official passport applications, instructions, and related information pertaining to new passports, renewal of passports, and lost/stolen passports.
- **Child Support** – make child support payments to Florida State Disbursement Unit, setup an online account, payment inquiries, and general questions about individual cases.
- **Foreclosures** –final judgments of foreclosures, general information, court files, notice of sales.
- **Emergency Information** – weather updates, natural disasters, emergency announcements, Clerk's employee information in the event of a weather emergency; links to the Sheriff's Office, Red Cross and other emergency management resources.
- **Forms** – centralized access to all of the Clerk's forms.

- **Fees** – centralized access to a list of all fees for traffic violations, marriage licenses, passports, official records, county court and circuit civil court filing fees, Board Minutes and Records (BMR) fees, recording fees, etc.
- **Collections Agency Payments** -- In accordance with Florida Statute 28.246 (6). Information regarding collections agency payments delinquent by 90 days or more for court ordered fines, fees and costs.
- **Community Outreach** – Sign up to request live tour of Collierclerk.com or to receive online quarterly newsletters, press releases, notices of public interest. The community partnership page provides the Clerk’s Highlights Magazine, access to instructional videos tours, the Clerk’s speaking schedule, photo gallery and more. Teachers can also download the two (2) lesson curriculum and slide presentation for classroom use.
- **Links** – “One-stop shopping” to the most frequently used clerk-related services is available by clicking the Information icon
- **Government in the Sunshine** – Affords the citizens of Collier County an opportunity to access financial reports, public records, and presentations on audits and checks and balances in an effort to promote open government.

Definition of terms:

- 1) Probate – Court-supervised process for identifying and collecting a deceased person’s assets, paying taxes, claims and expenses, and distributing assets to beneficiaries, both family and creditors.
- 2) Foreclosure – A legal process whereby property that was bought with borrowed money is taken back by a lender/bank because the money was not being paid back as formerly agreed.
- 3) Tax Deed – A title deed issued by a public authority to the purchaser of property sold for the non-payment of taxes.
- 4) Garnishment - a court order to an employer to withhold all or part of an employee's wages and to send the money to the court or to the person who won a lawsuit against the employee.
- 5) Docket – a list of cases in court for trial, or the names of the parties who have cases pending.
- 6) Certified Document – official document issued by a recognized authority as genuine or meeting a certain standard.
- 7) Adjudication – formal decision or judgment given by an administrative authority, court, or tribunal, in resolution of a dispute.