

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

Homework Assignment

LESSON 3: Advocating for the Clerk's office by informing and teaching others

Lesson 1

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

Motivational Question to Students: *You receive a letter in the mail from the Clerk of the Circuit Court of Collier County.** As you're opening it, you wonder what it might be about. Name the first thing that comes to your mind. What are you feeling?*

****Hint:** For younger students, you might substitute a letter from the school principal.

Teacher notes: Use above motivation to elicit the various emotions that often result when a person receives a letter from a branch of municipal government (i.e. tension, anxiety, confusion, concern). Ask students if anyone has ever heard of the "Clerk of the Circuit Court."

If so, ask students to discuss what they know about the Clerk. "Do you think it's a different type of position than a clerk of another occupation?" Use chalkboard or other method to input answers. If not, inform students that such a person exists and he has a very important job here in Collier County.

I. Student Information

- Who is the 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
 - Serving 4th term - elected in 1993
 - Oversees approximately 300 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) Discuss the benefit of obtaining an advanced degree when planning a career;
- 3) What might be said of a person who is currently serving a 4th 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 a national level which 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) Public records related to “courts” including traffic violations are available on the Clerk’s website. Is it fair for everyone to be able to view these records? Why? Why would the Clerk be in favor of it?
- 5) What is the difference between *public records* and *official records*? Are all *official records* considered *public records* and vice versa? (**Answer: all official records are public records but not all public records are official records. For example, information about most court cases, by law, is available to the public and is therefore considered to be a public record. Mortgage documents, on the other hand, must first be certified; hence, they are considered to be official records. Documents pertaining to Real Property (i.e., Deeds, Mortgages and Liens) are recorded in the Official Records. Because they are recorded, they are Official Records.**)
- 6) Do you know where the Clerk’s Office is located? (**Answer: Government Center Complex Courthouse, 3301 Tamiami Trail East, Naples, FL 34112**).
- 7) Can you identify the locations of the 8 Clerk’s satellite offices? (**Answer: Eagle Creek, Everglades City, Golden Gate, Greentree Plaza, Immokalee, Naples City Hall, North Collier Government Center, and the DMV Clerk’s Office.**)
- 8) Do all Satellite Offices have the same functions or are they different? (**Answer: Most satellite offices process payments for traffic citations and criminal fines. They all provide marriage licenses and passport applications, except the DMV Office. However, documents can only be accepted and recorded in the Official Records at the main Government Center Complex Recording Department and at Naples City Hall**).

Lesson 2

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

To the teacher: Maximum benefit from this lesson 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 highly advantageous to first familiarize yourself with the website prior to delivering a class presentation. For your convenience, a slide presentation of Lesson 2 (as well as Lessons 1 and 3) 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. Why?*

Teacher notes: Answer to above is #1 (\$238); #2 is \$188; #3 is \$148; #4 is \$138. 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 Offices.

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's photo) on the homepage because it provides a 60 second overview of some of the design features of the website.

** Effective February 1, 2009. 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 drivers license.*

I. Student Information

- By Using CollierClerk.com and the "Quick Links" Section citizens can access the Clerk's website to view information or conduct business 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: Before paying a citation, it is important to note that there are 3 payment options available within a 30 day period after receiving the citation:

1. pay the fine amount, which admits 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 withhold adjudication until hearing is held

Additional information about these 3 options and about traffic citations and related information are available on the traffic page of the website.

- **Check Jury Duty** – prospective jurors are provided with information on what numbers are required to attend on what days, when and where to report for jury service, as well as frequently asked questions and jury forms regarding the many aspects of jury service are available.
- **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.
- **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. Juvenile records, however, are confidential, and are provided only to the juvenile, the Attorney of record, and parents.
- **Child Support** – make child support payments to Florida State Disbursement Unit, setup an online account, payment inquiries, 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.

- **TurboCourt Interactive Online Forms** – civil actions including tenant evictions (non-payment of rent, breach of lease, damages), small claims, family law/ dissolution of marriage. Fee is paid to service provider plus any filing fee required by the Clerk’s Office.
- **Community Partnership** – 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, Clerk’s speaking schedule, photo gallery and more. Teachers can also download a 3 lesson curriculum and slide presentation for classroom use.

To the teacher: An internet connection with computer setup in front of the class would provide students with the most interesting and interactive format for achieving the lesson’s objective.

Options might include:

- 1) perusing the website while students observe;
- 2) asking a student to come before the class, have them choose a link that might be of interest, and display the information for the entire class (elicit questions that might arise for class discussion), and/or
- 3) creating a scenario similar to the HW assignment (see attached) and ask a student to come before the class to obtain the information requested.

Develop a vocabulary (see examples below) of terms that students might be unfamiliar with (i.e., probate, tax deed, foreclosure, docket, garnishment, certified document, adjudication, etc.

If an internet/computer setup is unavailable to you could use one of the Clerk publications that are available from the Clerk’s Office. Use the above information to expand on student answers. Stress vocabulary development as you discuss unfamiliar terms.

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.

*****Assignment*****

To the teacher: It is strongly recommended that students be encouraged to complete this assignment at home and *in partnership* with parents, as adults can certainly benefit from this information.

As a follow up to today's lesson, each student is being asked to answer the following questions using www.CollierClerk.com. Since parents can also benefit from the knowledge you obtain, have them work with you as you complete your assignment. The Clerk's Office is dedicated to increasing the public's awareness of its programs, services and information, both students and adults.

Question 1) Ms. Johnson is a full time nurse at the local hospital in Naples. She received a notice from the Clerk's Office to report for jury duty a month from today. However, she already made airline travel arrangements to visit her mom during that week.

- Is Ms. Johnson permitted to postpone her jury obligation to another date? (Explain)

- If so, when must she contact the Juror's Office?

- How was Ms. Johnson's name selected for the jury pool in the first place?

- Can a 16 year old person serve on jury duty? _____

Question 2) Your senior class is preparing a trip to the Dominican Republic to study their form of government and has set aside time to meet with school representatives to become familiar with their educational system. You're interested in going, but forgot that a U.S. Passport is required.

- Describe the difference between applying for a passport for the first time and applying for a passport that has expired a year ago

- What is a DS-82? _____

- What items must be submitted when renewing a passport?

Question 3) You feel that the speeding citation you were issued last week was unfair, although you would first like to get more information before deciding what to do.

- Describe the 3 options available to you after receiving a traffic citation?

- What are advantages and disadvantages of selecting Option II – Driver Improvement Course?_____

- Why do you think insurance premiums are higher for young people? What suggestions can you make that would help reduce such premiums?_____

Question 4) Last night at dinner, your uncle was complaining about his tenant not paying rent for the past 2 months. He says that the tenant is a real nice person and has promised to pay as soon as possible. You recall that your best friend's dad once had a similar situation where a tenant was overdue in paying rent.

- What advice, if any, might you offer to your uncle?_____

- Describe the process by which the Clerk's Office can assist landlords who have tenants that are overdue in their rent. What features of the Clerk's website will be helpful?

Lesson 3

Aim/Objective: What can students do to advocate on behalf of the Clerk's Office?

Motivational Question to Students: *Your friend recently purchased an iPod and has reception problems when playing music. You find it frustrating when he says that it will get better over time. As a consumer and a friend, what suggestions might you make to ensure that he will have total satisfaction with his purchase?*

To the teacher: The above motivation can lead to a discussion of consumer rights and the options available in ensuring that such rights are exercised. After fielding student responses, inform those individuals that they have just advocated for the (consumer) health and well-being of a friend.

You might then rephrase the motivational question by asking the following: *Your older sister feels it was totally unfair that she received a traffic citation for exceeding the speed limit in a school zone. She is determined to 'fight it to the end' if necessary.*

As with the first motivation, elicit suggestions and/or alternative options (see prior lesson or homework assignment) available so that the friend might be in a better position to make an informed decision. Offering such advice can be instrumental in the decision making process of a young person. It also can motivate that person to seek further information from a reliable source available to the public.

CollierClerk.com is one of those reliable sources that citizens might be unfamiliar with. Adults and youngsters can advocate for the Clerk's Office by sharing such information.

In addition to the above advocacy, ask students to identify other ways to educate the public on the roles, responsibilities, services, and functions that the Clerk's Office provides. Note the suggestions below.

I. Student Activities: Advocating for the Clerk's Office of Collier County

A) Written Reports- elicit topics from students or suggest the following choices:

- History of system of "Checks and Balances" in the U.S.
- Accountability in Public Government
- Roles and Responsibilities of the Clerk of the Circuit Court in Protecting the Citizens of Collier County
- Brief Overview of Florida Statutes that Relates the Clerk's Office
- Educating the Public: A Written Overview of the CollierClerk.com Website (students to identify the links on CollierClerk.com and write an in-depth report of its contents)

B) Class Visit to Clerk's Office – prepare a proposal that outlines the steps you would take to schedule a class visit to the Clerk's Office. Include rationale for the visit, administrative (school) approval, date/time of visit, number of students, transportation, parent notification/approval (if necessary), contact information (Clerk's Office), expectations and outcomes of visit, next steps and follow up with Clerk's Office. Conversely, a proposal can be developed to invite the Clerk to speak to a class or classes at school.

C) Evaluating CollierClerk.com via a Pre-Post Questionnaire – to effectively demonstrate a person’s ability to understand and utilize information related to a learning experience, a pre-post questionnaire could be developed. Students can peruse CollierClerk.com and prepare 10-15 multiple choice or true-false questions derived from the links/icons of the website. The questionnaire should first be distributed before a person learns about CollierClerk.com, then again after the tutorial. Comparing the questionnaires of each person would indicate how much information was learned. Students choosing this activity might coordinate with a student choosing to *Educate the Public* (see last bullet on previous page).

D) Promoting CollierClerk.com via the School Newspaper – Students interested in sharing information with other students can develop an overview of the website and submit to the student editor for publication in an upcoming newsletter. A proposal to the editor (or teacher overseeing student publications) could first be developed to identify the areas of the website that would have special interest among the student body. Students choosing this activity might coordinate with a student choosing to *Educate the Public* (see last bullet on previous page).