

Ken Burke, CPA

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REPORT NO. 2013-27

TO: Myriam Irizarry, Chief Deputy Director
Clerk's Court and Operational Services Division

FROM: Hector Collazo, Jr., Director 
Division of Inspector General

DIST: Ken Burke, CPA, Clerk of the Circuit Court and Comptroller
Patti Hager, Manager, Civil Court Records Department
Nancy Dickman, Assistant Manager, Civil Court Records Department
Meri-Jo Gibson, Supervisor, Civil (Support) Department

SUBJECT: Investigation of Clerk's Accounting of Payments Received
Complainant: Carl E. Boudreault Child Support/Alimony
Case No. 04-0005597-FD-12

DATE: September 3, 2013

The Division of Inspector General's Public Integrity Unit (PIU) received allegations of Fraud, Waste, and Abuse, related to Carl E. Boudreault's child support/alimony Case No. 04-0005597-FD-12.

The complainant alleged that the Clerk's Civil Support Department (respondent) failed to credit his case with "\$1,733 payments timely made from the Final Judgment through September 2006," and this resulted in his current support arrearage. As a result of the status of his arrearage, the complainant's driver's license has been suspended and his auto insurance cancelled.

The complainant provided documentation to assist with the investigation. We received the complainant's assessment of his payments made together with documentation from the Clerk's Civil Support Department and Florida Department of Revenue.



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To determine whether the allegations were substantiated, we reviewed policies, procedures, and any other records deemed appropriate. We also conducted interviews of staff and other parties, as needed. Our investigation was performed according to the *Principles and Standards for Offices of Inspector General* and *The Florida Inspectors General Standards Manual* from The Commission for Florida Law Enforcement Accreditation.

The Division of Inspector General investigation of the allegations has determined that the allegations noted above were unfounded.

The Inspector General Division and the Clerk's Civil Support Department management reviewed the payment history for the case. The Court Order dated October 24, 2006 states, "The Clerk is directed to credit him with \$1,733 payments timely made from the Final Judgment through September 2006." The Clerk's Civil Support Department showed a \$5,759 arrearage amount at the time the Court Order was received. The credits were promptly applied to the extent of reflecting a \$0.00 (current) balance due at that time for both child support and alimony, as instructed by the October 24, 2006 Court Order. Since that time, the complainant's cases remain in arrearage.

Should the complainant's interpretation of the October 24, 2006 Court Order be different than the Clerk's application of the credits, the complainant should file a motion with the court to dispute the amount currently due. The Inspector General's office made this recommendation to the complainant. Furthermore, the Clerk's Support Department does not have the ability to adjust any existing arrearages without a new Court Order requiring them to do so.

We want to thank the Management of the Clerk's Operations and Civil Support Department for their assistance and cooperation during this investigation.