

# CLERK-RECORDER DEPARTMENT 2010 BUSINESS PLAN



**TOM DALY**  
**ORANGE COUNTY CLERK-RECORDER**



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## I. DEPARTMENT OVERVIEW

### A. VISION AND MISSION STATEMENTS

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#### Vision

To be the leader in electronic document recording and public records maintenance while continuing to be a responsive agency delivering timely and cost effective services by implementing leading edge technologies.

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#### Mission Statement

To provide a reliable repository for public records and to provide efficient services to the public in a way that exemplifies the highest standards of courtesy cost effectiveness, and ethical performance. Public records will be readily accessible in a convenient manner while safeguarding confidentiality and the security of those records.

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*In 2009, the department's South County branch office in Laguna Hills assisted over 31,000 customers.*

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## B. CORE SERVICES

The department's core services are:

### Recorder Services:

The Clerk-Recorder Department is responsible for the examining and recording of all documents presented for recording that involve establishing ownership of land in the county. The department maintains a permanent record and index of all documents for public access.

### Clerk Services:

The department maintains and provides certified copies of birth, death and marriage certificates. In addition, the department issues marriage licenses, performs civil marriage ceremonies, files fictitious business name statements, processes passport applications, files notary public oaths and bonds, and registers professional photocopiers, process servers and unlawful detainer assistants.

### Orange County Archives:

The Clerk-Recorder Department oversees the Orange County Archives, the repository of the county's historical documents. The Archives identifies catalogs, protects and provides access to county records and other materials that are of long term, historical value. Volumes of historic photographs, correspondence, property records, artifacts and numerous materials on the history of Orange County are made accessible to the public, researchers and historical organizations.



## II. 2009 OPERATIONS PLAN

The Clerk-Recorder Department is comprised of two major divisions:

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### Recorder Services and Systems

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### Clerk Services, Archives and Administration

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The department is staffed by 102 budgeted full-time positions. When compared to departments in similar sized counties, Orange County has one of the lowest staff-to-population ratios in California. This is primarily due to the department's focus on enhanced automation and efficient operations.

The department's focus is on increasing the quality of its staff. Cross-training, teamwork, and commitment to public service make our employees the department's most valuable asset. With the use of extra-help staff for the periodic increases in customer demands, ensures the public that documents are processed in a timely manner.

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*In 2009, the Clerk-Recorder Department opened its North County branch office in downtown Fullerton.*

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## A. ENVIRONMENT

### Clients

The department provides services to the countywide public, including current and past Orange County residents. Other specific clients are referenced below:

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#### I. External Clients and example of services provided:

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- Title and Escrow Companies: *Electronic Document Recording, Document Examining*
- Lending Institutions: *Document Examining, Recording*
- Business Owners: *Fictitious Business Name Statement Filing*
- Contractors and Sub-Contractors: *Document Recording and Examining*
- Notary publics in the County: *Administer Oaths and Bond Filing*
- Internal Revenue Service: *Documents Recording and Examining*
- Franchise Tax Board: *Document Recording and Examining*
- Parents with children in school and sports: *Provide official copies of Vital Records*
- State Attorney General's Office: *Document Recording and Examining*
- Historians, genealogist and Researchers: *Orange County Archives, copies of Vital Records*
- Orange County Grand Jury: *Respond to Inquiries*
- Orange County Center for Demographic Research: *Provide Statistical Information*
- U.S. Department of State: *Process Passport Applications and collect passport fees.*
- All O.C. Cities: *Collect and distribute Transfer Tax*
- Various State of California Agencies: *Collect and Distribute Mandated Pass-Through Fees*

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#### 2. County of Orange and example of services provided:

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- Tax Collector-Treasurer: *Document Recording and Examining*
  - Health Care Agency: *Vital Records*
  - Assessor's Office: *Collect Preliminary Change of Ownership Forms and Fee*
  - Historical Commission: *Archives*
  - District Attorney's Office: *Collect District Attorney Fraud Fee*
  - Department of Child Support Services: *Document Recording and Examining*
  - Sherriff-Coroner's Office: *Documents Recording and Examining*
  - O.C. Public Works: *Collect Survey Monument Fee*
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## Challenges

The department will meet challenges in 2010 by continuing its commitment to public service. Our employee's commitment to "getting the job done," ensures the public that core service demands will be met and that public records will continue to be secure and accessible. We will continue to be an innovative leader in implementing technological applications to help meet challenges.

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### Fiscal Challenges

The department is a self-funded operation. The department pays for its operating cost by collecting fees for services provided. A portion of the fees collected are pass-through fees and are required by law to be distributed to other various government programs. The downturn in the real estate market and the economy in general has affected the department's revenues. The department is challenged to find ways to cut cost while at the same time continue to provide the same quality and levels of service that the department provides its customers.

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### Protecting the Public Records

Creating a balance between maintaining the security of public records and the public's demand to make those records more accessible in an efficient manner is a constant challenge. The use of the Internet and new technologies as they emerge is necessary and provides for a cost effective means of conducting our activities. However, the department must ensure that the technologies employed encompass the highest levels of security for the accurate and safe transmission of documents.

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### Protecting the Consumer

It is a challenge to ensure that the consumer's interests are protected since new legislation that could impact the security of public records is always being introduced or proposed. We will monitor legislation and will lead efforts to ensure the consumer's interests are protected by cooperating with the State Attorney General's Office and by participating in state-wide professional organizations and working with the county's legislative delegation. As in the past, the department will work to propose legislation to further safeguard the privacy of consumers sensitive information.

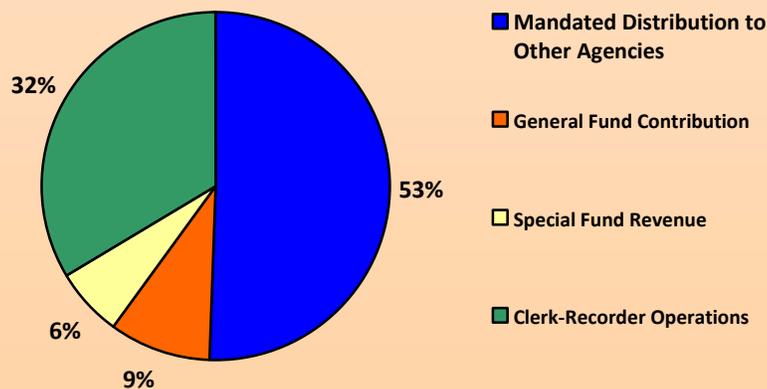


Financial Resources

The FY 2008-2009 gross revenues for the department were approximately \$38.6 million. Most of these dollars were distributed as mandatory pass-throughs to other government agencies. This gross revenue amount is broken down into four major components:

Revenue Category	Percentage of Gross Revenue
<b>I. Mandated Distribution to Other Agencies</b>	<b>53%</b>
A portion of the fees collected by the department for the various department services are required by law to be distributed to other various government programs, such as Domestic Violence Program, Victim Witness Program and Family Conciliation Courts. The fees subject to this distribution include: marriage licenses, fictitious business names, vital records, recording of real property documents.	
<b>II. Clerk-Recorder Operations</b>	<b>32%</b>
This is the annual budget or appropriations for the actual operation of the department. This includes all costs associated with salaries, services and supplies, fixed assets and other applicable expenses.	
<b>III. General Fund Contribution</b>	<b>9%</b>
This is the budgeted contribution to the County’s general fund and shows up as an “expense” in the department budget.	
<b>IV. Special Revenue Fund</b>	<b>6%</b>
These are the funds established by state statute for specific uses by the department. They are divided into three distinct categories: Health Statistics, Micrographics and Enhancement.	

**Clerk-Recorder Department Allocation of Collected Fees  
FY 2008-2009**

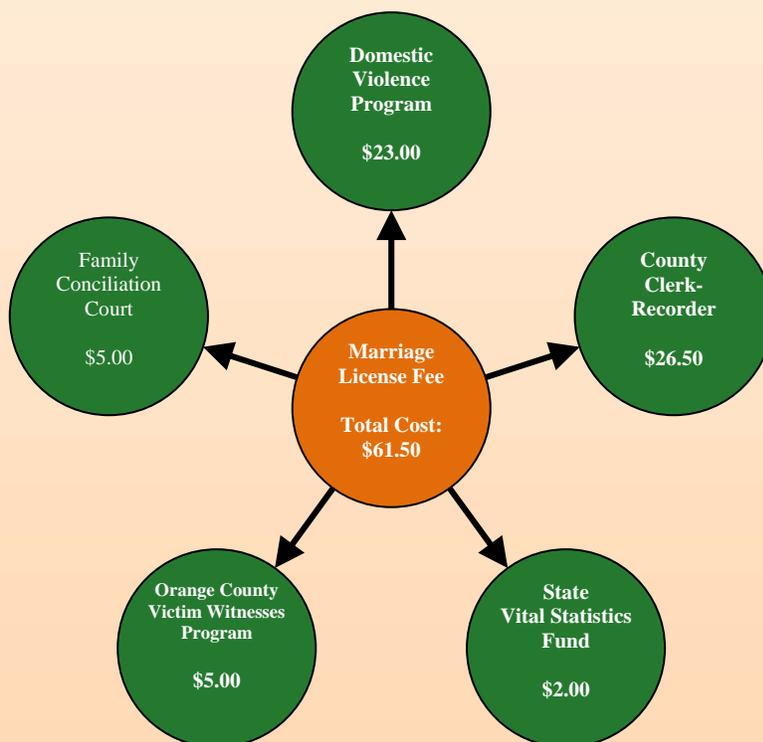




The department collects fees on several of the services that it provides on behalf of other government agencies and programs. These fees are known as pass-throughs which are mandated by state statute.

Below is an example of a state mandated pass-through regarding the cost of a marriage license. A marriage license costs \$61.50 to the public, of which our department retains only \$26.50 to offset the cost of operations. The other \$35.00 is distributed by the department to other government entities as mandated by state statute.

### DISTRIBUTION OF MARRIAGE LICENSE FEE



Not all fees collected by the department are distributed in the manner illustrated above. Each fee has a unique disbursement according to the applicable state law. This example has been provided simply to illustrate the concept.



## B. ACTION PLAN

*Goal 1: Provide courteous and efficient service that is easily accessible to the public.*

### Strategies:

The use of branch offices offers the public more convenience and a shorter drive for processing and obtaining important documents. With challenging parking opportunities, limited access to public transportation and often long commute times to downtown Santa Ana, branch offices are an ideal alternative to serve a greater portion of the public. This model brings services to our customers as opposed to requiring the public to come to one location.

In February 2006, the department opened its South County branch office at the Laguna Hills Civic Center. In 2007, the South County branch office served approximately 17,100 customers. The number of customers served at the office increased to 31,000 in 2009.

In keeping with bringing efficient and accessible services to our customers, the department opened its North County branch office in February 2009 in downtown Fullerton. Since opening, the North County branch office has served over 14,000 customers.

In 2009, we enhanced our Webmaster response system by joining with AccessOC. AccessOC is Internet based and is an easy way for customers to send their questions, suggestions, complaints and compliments directly to the department staff who can help. We will continue to educate the public and our clients regarding the services that the Clerk-Recorder Department provides through community outreach efforts and additional information on our webpage.

The department will continue to hire and train a diverse workforce to ensure sufficient bilingual skills, especially Spanish and Vietnamese, are available to meet the needs of our expanding ethnic community and to ensure good communications with our customers. In addition, we will provide staff with training opportunities to help them enhance their customer services skills.



Actions to Accomplish Goal:

In 2010, the department will work to increase the number of customers assisted at its branch offices by reaching out to community and business organizations that are in the vicinity of the offices. We will continue to participate in low to no-cost expositions, business fairs, or conventions as the opportunities present themselves.

We will continue to monitor and update the information available on the department's webpage to ensure customers have the latest information about the services we provide. In addition, we will continue to use our webpage to promote prevention of identity and real estate fraud.

Also, we will continue to encourage completion of the customer opinion surveys forms. The department will monitor the number of comments submitted and take action to address customer concerns.

<b>PERFORMANCE MEASURE</b>	
<b>WHAT:</b>	<ul style="list-style-type: none"><li>a) Respond to 85% of Clerk-Recorder internet inquiries within two business days.</li><li>b) Achieve a 90% rating of "outstanding" or "good" on department's customer satisfaction survey.</li><li>c) Reduce customer visits to the department's Civic Center location by 100,000 visits through the use of conveniently located branch offices and on-line services.</li></ul>
<b>WHY:</b>	<ul style="list-style-type: none"><li>a) Responding to customer inquiries within an acceptable amount of time helps the department provide prompt services.</li><li>b) Survey forms and customer response/inquiries measure and ensure best practices in addressing current and future needs.</li><li>c) Increasing the number of locations providing Clerk-Recorder services makes the departments services more accessible and convenient to a larger portion of the county's population.</li></ul>



Continued: Performance Measures

<p><b>FY 08-09 Results</b></p>	<ul style="list-style-type: none"> <li>a) In 2009 the Clerk-Recorder Department responded to 85% of internet inquiries within two business days.</li> <li>b) The departments achieved a rating of “outstanding” or “good” on 92% of the customer satisfaction surveys received.</li> <li>c) In 2009, approximately 37,700 customers were served at our North and South County branch offices. In addition, the department recorded 423,123 documents electronically. These numbers represent the number of trips that were not made by customers to the department’s Civic Center location.</li> </ul>
<p><b>FY 09-10 Plan</b></p>	<p>The department plans to maintain the current performance measures for FY 09-10.</p>
<p><b>FY 09-10 Anticipated Results</b></p>	<ul style="list-style-type: none"> <li>a) The department anticipates matching or surpassing the 85% mark established for responding to internet inquiries within two business days.</li> <li>b) The department anticipates matching or surpassing the same results as in FY 08-09 for customer satisfaction surveys rated “outstanding” or “good”.</li> <li>c) With the opening of the North County Branch Office and implementation of E-FBN, we expect to reduce the number of trips to the Civic Center by an additional amount in FY 09-10.</li> </ul>
<p><b>How are we doing?</b></p>	<p>The department is working to provide courteous and efficient service that is easily accessible to the public. While we are being rated as outstanding or good on 92% of our customer surveys we will continue working to improve and find ways to help our customers obtain answers to their questions in a fast and efficient manner via the internet. With the implementation of E-FBN, we are keeping with our goal of making our services more efficient and accessible to the public.</p>



***Goal 2: Utilize technology to improve the convenience and efficiency of recording official records and documents.***

Strategies:

The Orange County Clerk-Recorder Department is a statewide leader in electronic recording of documents. This reduces expenses and increases efficiency and also enhances the capability of submitters to electronically record documents.

In July 2008, the department became the first Recorder Department to begin accepting abstracts of judgment filed electronically by the California Department of Child Support Services. This new procedure automates what used to be a time-consuming process.

In late 2009, the department solidified its role as a pioneer in electronic documents recording with the implementation of SECURE. This is an electronic recording delivery system that allows title and escrow companies, financial institutions, and others to record documents electronically across the state.

Orange, Los Angeles, Riverside and San Diego Counties share ownership of SECURE. This represents more than 56% of all documents recorded in the state. SECURE obtained state certification by the State Attorney General's Office in its first attempt. Submitters will be able to submit documents in one simple action to every county using SECURE.

In March 2009, the department implemented its Electronic Fictitious Business Name Statement System (e-FBN). This online based system allows business owners to submit their FBN statement applications securely over the Internet. This system reduces staff input time and also reduces the time it takes the customer to file their statements. This system is just another way the department is making services more efficient and accessible to the public.

In 2009, the department added a link to its online services webpage so customers can complete their application for a passport book or card online before presenting their application for processing. In addition, customers can now sign up through our webpage to receive e-mail alert 90-days before their passports are due to expire.

In 2009, the Orange County Archives continued to post photos on Flickr – an Internet based service - as a way of sharing our materials with the public. We are looking forward to digitizing more photos, as well as some of our older, fragile materials so they can be better preserved and to provide better access to the public.



Actions to Accomplish Goal:

For 2010, we will continue to fully implement SECURE and work to encourage other counties in the state to partner with our multi-county recording system.

The department will continue to play an active role in the State Attorney General’s Electronic Recording Advisory Committee, which monitors the status of all new electronic recording systems.

In addition to maximizing the usage of our electronic recording capabilities, we will look for ways to increase Internet access to our functions and services by using new technologies as they become available.

<b>PERFORMANCE MEASURE</b>	
<b>WHAT:</b>	<ul style="list-style-type: none"> <li>a) Achieve a rate of 50% for documents electronically recorded.</li> <li>b) Achieve a target of 900,000 hits to the Clerk-Recorder web site for department services and/or information.</li> </ul>
<b>WHY:</b>	<ul style="list-style-type: none"> <li>a) This will improve the accessibility and efficiency of recorded documents.</li> <li>b) Using the Internet to provide information regarding the department’s services makes our services more accessible and convenient to our customers.</li> </ul>

<b>FY 08-09 Results</b>	<ul style="list-style-type: none"> <li>a) In 2009, the department electronically processed 67% of all documents recorded.</li> <li>b) In 2009, the department received approximately 948,660 web hits on its services/information web pages.</li> </ul>
<b>FY 09-10 Plan</b>	The department plans to maintain the current performance measures for FY 09-10.
<b>FY 09-10 Anticipated Results</b>	With the implementation E-FBN, we anticipate an increase in the number of hits to our web pages. As more counties opt to use SECURE, we believe that a greater number of documents will be processed electronically.
<b>How are we doing?</b>	With the implementation of SECURE and E-FBN, we believe we are on-track when it comes to increasing the number of documents recorded electronically and increasing the number of hits to our web pages.



***Goal 3: Maintain the physical security of public records and safeguard sensitive personal information contained within document submitted for recording.***

Strategies:

In 2009, the department took a proactive role to better protect consumers from identity theft and real estate fraud.

Clerk-Recorder Tom Daly worked with Representative Loretta Sanchez to direct a study of the military discharge document known as the DD-214 Form. Historically this form summarizes a veteran's military service and contains sensitive information such as a full social security number and other information that could potentially be used to commit identity theft. Clerk-Recorder Tom Daly felt that this information should be better protected and worked with the representative to have the Department of Defense review this practice and make changes to better protect the privacy of veteran's personal information.

In 2009, Clerk-Recorder Tom Daly's and Representative Sanchez' efforts were rewarded after the Department of Defense announced that effective October 1, 2010 the discharge papers will no longer display full social security numbers. The DD-214 Form will only display the last four digits of the veteran's social security number.

In 2006, Clerk-Recorder Tom Daly initially pushed for better protection of consumers' sensitive information. That year, a statewide bill was passed requiring the use of only the last four digits of a social security number on most documents presented for recording. 2009 is the first year in which any full social security numbers remaining in documents must be redacted on copies available to the public.

In 2009, Clerk-Recorder Tom Daly championed a second bill to further protect property owners' privacy. In October 2009, SB 40, a follow-up social security number protection bill, which was carried by Sen. Lou Correa and signed by Gov. Schwarzenegger. Effective January 2010, this legislation restricts the use of full social security numbers in abstracts of judgments and other family court documents.

The department continues to mail courtesy notices to parties listed on every grant deed after it is recorded. This program was implemented in 2006 and was continued through 2009 to ensure that property owners continue to be protected from real estate fraud.



Actions to Accomplish Goal:

In 2010, the department will continue to work with legislators at the local, state and federal levels to ensure the privacy of consumers' personal information.

We will work to expand our Real Estate Fraud Prevention Program by participating in public education efforts.

PERFORMANCE MEASURE	
<b>WHAT:</b>	a) Maintain an accuracy rate of 99.5% on recorded documents, b) Insure that 95% of recorded documents have personal SNN redacted from the official document.
<b>WHY:</b>	To safeguard the privacy of social security numbers as required by state law and to address consumer concerns with identity theft and to ensure the accuracy of those records.

<b>FY 08-09 Results</b>	a) The department maintained an accuracy rate of 99.76% on recorded documents. b) 95% of all documents presented for recording during 2009 have had personal SNN redacted from the official document.
<b>FY 09-10 Plan</b>	The department plans to maintain the current performance measure.
<b>FY 09-10 Anticipated Results</b>	a) The department anticipates achieving an accuracy rate of 99.5% on documents recorded. b) The department will continue to ensure that all documents presented for recording will have personal SSN information redacted as mandated by current and future state and federal law.
<b>How are we doing?</b>	The department is meeting the goals established. This ensures the continued physical security of public records and safeguarding of sensitive personal information contained within document submitted for recording.



### **III. APPENDICES**

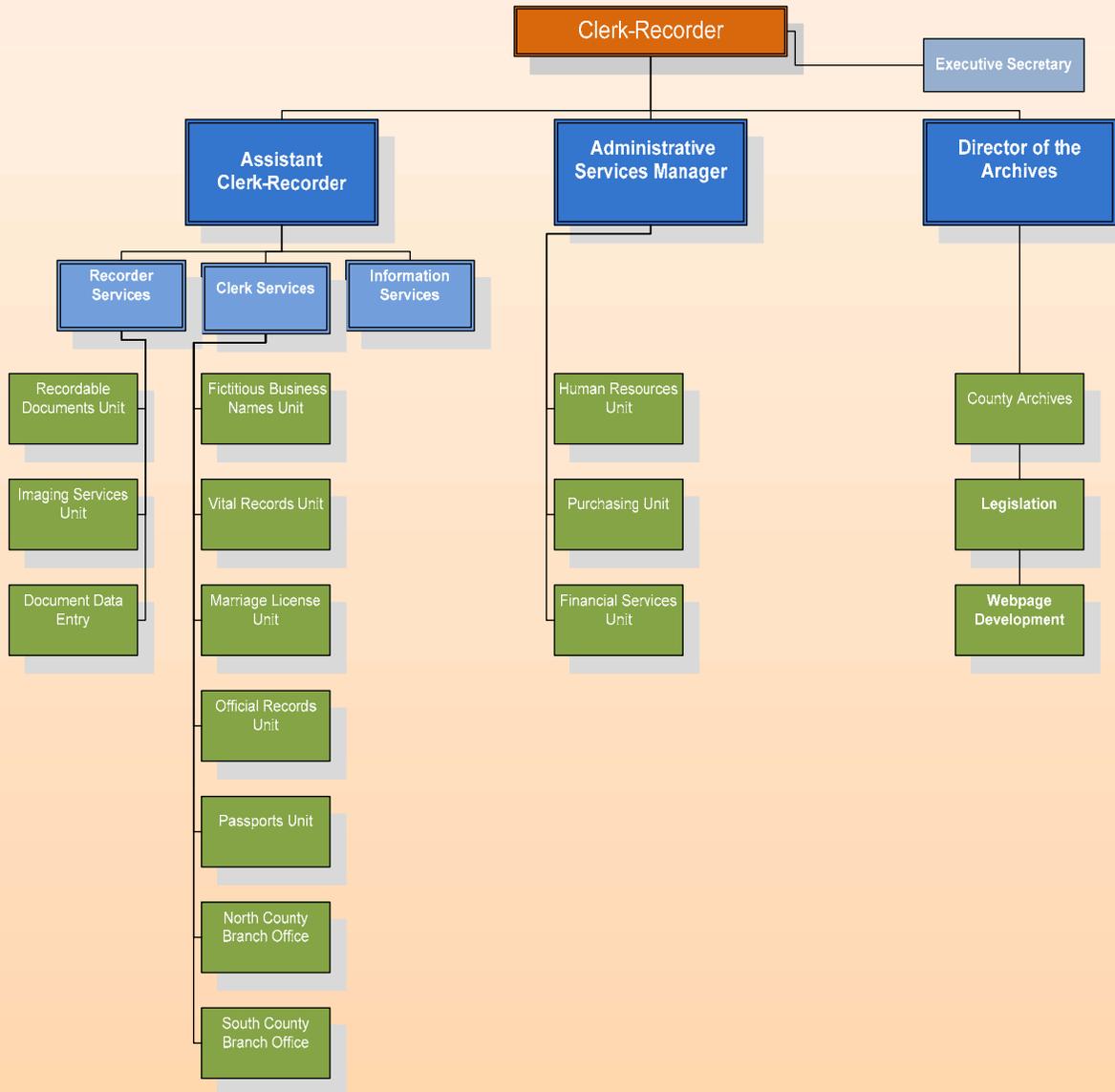
**A. Organizational Chart**

**B. Significant Accomplishments in 2009**



A. ORGANIZATIONAL CHART

**CLERK-RECORDER DEPARTMENT  
ORGANIZATIONAL CHART**





## B. SIGNIFICANT ACCOMPLISHMENTS IN 2009

- In February 2009, we opened our North County branch office in downtown Fullerton providing an additional easy and convenient location for County residents to obtain important documents and services. The office served approximately 6,000 customers through the last four months of the fiscal year.
- In 2009, Clerk-Recorder Tom Daly worked with Representative Loretta Sanchez to move the Department of Defense to list only the last four digits of a veteran's Social Security Number on its DD Form 214 discharge papers. The change will go in effect in 2010.
- In September 2009, we gained certification by the State Attorney General's Office and implemented our new electronic recording delivery system known as SECURE. This is a comprehensive system pioneered by the department that allows title and escrow companies, financial institutions and others to record documents electronically across California.
- In October 2009, SB 40, a follow-up Social Security Number protection bill championed by Clerk-Recorder Tom Daly and carried by State Senator Lou Correa to further protect property owners' privacy, was signed by Gov. Schwarzenegger. Effective January 2010, this legislation restricts the use of full social security numbers in abstracts of judgments and other family court documents.
- In April 2009, our marriage facilities were ranked among the most popular places to hold weddings in Orange County according to the 2009 O.C. Hotlist sponsored by KTTV/Fox11.
- In March 2009, the department implemented its Electronic Fictitious Business Name Statement System (E-FBN). This online based system allows business owners to submit their FBN statement applications securely over the Internet.



- In 2009, the Orange County Archives won a National Association of Counties award for our 3<sup>rd</sup> Grade Local History Curriculum Supplement, which includes hands-on materials delivered to classrooms in a handy suitcase plus a 14-lesson Teacher Manual.
- The Archives obtained a Deed of Gift for the “OCN Collection,” a complete set of broadcast tapes from the Orange County News channel, which operated from 1991 through 2001. We are in the beginning stages of processing this important collection of a decade of Orange County history.
- The Archives obtained approval for display of “Abraham Lincoln: Self-Made in America,” a traveling exhibit from the Lincoln Presidential Library in Illinois. The display will be featured in the Old Orange County Courthouse in early 2010.