

# CLERK-RECORDER DEPARTMENT

# 2008 BUSINESS PLAN



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**ORANGE COUNTY CLERK-RECORDER**

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## Executive Summary

The Clerk-Recorder Department's 2008 Business Plan is an overview of the services the department provides, a summary of the 2007 accomplishments, goals for 2008 and the strategies to achieve those goals.

The department has 102 authorized full-time staff positions. The department provides a variety of services, including the examining, recording and maintaining of documents associated with the establishment and ownership of land in Orange County; issuing and maintaining birth, death and marriage certificates; issuing marriage licenses and performing civil wedding ceremonies; filing fictitious business name statements; registering process servers and legal document assistants; filing notary public oaths and bonds; processing passport applications; and oversight of the Orange County Archives. During the past year, we handled a tremendous volume of transactions in our business areas, continued our financially prudent operation, and once again received high marks from the public and our industry customers for our services.

Customer service is a constant priority. In 2007, the department served more than 52,000 walk-in customers and received nearly 80,000 telephone calls. We are proud to report that the department received high marks in the areas of customer assistance, efficiency, and overall performance.

In 2008, the department will continue to be an innovative leader in implementing technological applications for enhanced access to public records.

At the same time, we will continue addressing and developing solutions to the challenge of better protection and safeguarding of public records.

The department's 2007 accomplishments are included in the Appendices.

## **I. Department Overview**

### **A. Vision**

The vision of the Clerk-Recorder Department is to be the state and national leader in electronic recording and to be a responsive agency delivering timely and cost-effective services using leading-edge technologies.

### **B. Mission Statement**

“The Clerk-Recorder Department’s mission is to provide a reliable repository for public records and to provide efficient service to the public in a way that exemplifies the highest standard 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.”

### **C. 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 deal with 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. 2008 Operational Plan**

The following is a brief overview of the functions and operations of the Clerk-Recorder Department.

The Clerk-Recorder Department is comprised of two (2) major divisions:

- Recorder Services and Systems
- Clerk Services, Archives, and Administration

Department staff includes 102 authorized full-time Clerk-Recorder Department 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 employee cross-training programs.

The quality of our department staff continues to increase. Cross training, teamwork and commitment to public service make our employees the department's most valuable asset. Our employees' commitment to "getting the job done," coupled with the use of extra-help staff for periodic increases in customer demands, ensures the public that documents are processed in a timely manner.

## **A. Environment**

### **Clients**

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

#### 1. External:

- Title and escrow companies
- Lending institutions
- Business owners
- Contractors and sub-contractors
- Notary publics in the county
- Internal Revenue Service and Franchise Tax Board
- Parents registering their children for school or sports teams use
- State agencies and Orange County cities that share in revenue collection from various units in the office
- Historians, genealogists and researchers
- State Attorney General's Office
- Orange County Grand Jury
- Orange County Center for Demographic Research
- U.S. Department of State

#### 2. County of Orange:

- Tax Collector-Treasurer
- Health Care Agency
- Assessor's Office
- Historical Commission
- District Attorney's Office
- Department of Child Support Services
- Sheriff-Coroner's Office

## **Challenges**

The department will meet challenges in 2008 by continuing our commitment to public service. Our employees' 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.

The Orange County Archives needs additional space to accommodate its growing collection of historical materials. To address this challenge, the Archives obtained Board of Supervisors approval to purchase an 8,800 square foot building. Negotiations for the building were completed in March 2008.

Determining effective ways to highlight our services to the community and the media continues to be a challenge. Providing a better understanding of the services we provide for the public is a priority. We are constantly looking for effective outlets to better inform the public about our services. We will continue to improve the information on our website and the informational materials available to the public.

Creating a balance between maintaining the security of public records and the public's demand to make those records more accessible is a constant challenge. Using the Internet for transacting our business is necessary and provides for a cost effective means of conducting our activities. However, it is important to ensure that the methods employed encompass the highest level of security for the accurate and safe transmission of documents, as well as data security for those individuals wanting to access information and records. Our office will continue to work diligently to create a balance between these competing demands.

It is a challenge for the department to ensure that consumers' interests are protected since new state and federal legislation that could impact the security of public records is always being introduced or proposed. We will monitor state and federal legislation in regards to public records and will lead efforts to ensure consumers' interests are protected by cooperating with the State Attorney General's Office, participating in statewide professional organizations and working with our county's legislative delegation.

A new challenge the department will address this coming year is to ensure that documents submitted for recording are in compliance with the new requirements as specified by SB644 and that the department's customers are aware of the new recording requirements. SB644 was proposed by Clerk-Recorder Tom Daly as a direct response to address consumer concerns with identity theft and fraud. SB644 was carried by Senator Lou Correa and signed by Governor Schwarzenegger on August 31, 2007. The new law requires documents recorded at county offices statewide to limit Social Security numbers to the last four digits.

While most documents submitted for recording do not require a social security number, many documents such as liens, lien releases and abstracts of judgment include full Social Security numbers. This key consumer protection bill to safeguard the privacy of Social Security Numbers took effect on January 1, 2008.

Another piece of legislation that will challenge the department is AB1168. This law requires that all county recorders in the state establish a Social Security Number Truncation Program which will affect official records recorded since January 1, 1980. The challenge will be identifying all official records recorded since January 1, 1980 that contain full Social Security Numbers. AB1168 calls for the creation of electronic versions of public records with Social Security Numbers modified so that only the last four digits are visible.

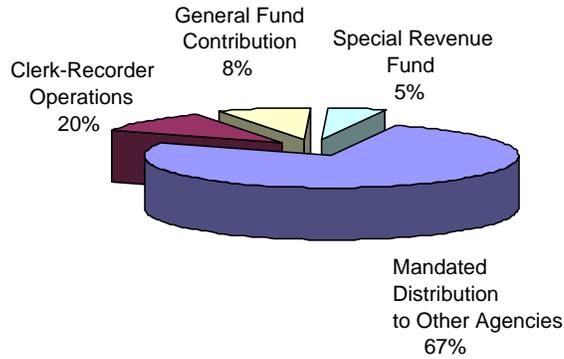
The Archives faces the challenge of identifying and protecting records of long-term value. They must assist other county departments in determining which documents have historical value.

## Financial Resources

The FY 2006-07 gross revenue for the department was approximately \$76 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:

	<u>Revenue Category</u>	<u>Percentage of Gross Revenue</u>
<b>I.</b>	<b>Mandated Distribution to Other Agencies</b>	<b>67%</b>
	Portions of fees collected 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.</b>	<b>Clerk-Recorder Operations</b>	<b>20%</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.</b>	<b>General Fund Contribution</b>	<b>8%</b>
	This is the budgeted contribution to the County's general fund and shows up as an "expense" in the department budget	
<b>IV.</b>	<b>Special Revenue Fund</b>	<b>5%</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 2006-2007**



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 disbursed by the Clerk-Recorder Department to other government entities as mandated by state statute.

<b>DISTRIBUTION OF MARRIAGE LICENSE FEE</b>	
County Clerk-Recorder	\$ 26.50
Domestic Violence Program (through the County of Orange, Housing and Community Services Department)	\$ 23.00
Family Conciliation Court (through the Superior Court of California – County of Orange)	\$ 5.00
Orange County Victim Witnesses Program (through the Superior Court of California – County of Orange)	\$ 5.00
State Vital Statistic Fund (through the State of California Health and Human Services Agency)	\$ 2.00
<b>Total Fee</b>	<b>\$61.50</b>

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 PROMPT AND RELIABLE SERVICES TO THE PUBLIC.**

#### Strategies:

With challenging parking opportunities, limited access to public transportation, and often long commute times to downtown Santa Ana, branch offices are viewed as 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. During FY 06-07, the office served approximately 17,100 customers. To better serve all Orange County residents, we anticipate opening a north county branch office in the city of Fullerton in late 2008. The department will also work to increase the number of customers assisted at its South County branch office.

Also in 2008, we will continue to improve our customer service/telephone operating system. Our customers now have the opportunity to speak to a “live” person without going through a cumbersome automated process. In addition, our improved Webmaster response system enhances customer information and responses, both in our operations functions as well as the Archives website.

We will continue to explore the implementation of services similar to our Internet Application and Appointment system. This system allows our customers to apply for certified copies of birth, death and marriage certificates via their home computers. Our customers have the ability to set up an appointment through this new system to pick up their requested documents in our office. This not only reduces the data entry requirements for our staff, but dramatically reduces the processing time for our customers, from approximately 20 minutes to 5 minutes.

The department continues to serve a growing number of customers in its Passport Application Unit, established in 2004. We anticipate a significant increase in customers using our Passport Application services this year due to the new travel requirements established by the federal government and the introduction of the new “Passport Card”. The passport card is a limited-use passport that can be used for land and sea travelers between the U.S., Canada, Mexico, the Caribbean and Bermuda.

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 communication with our clients.

Finally, we will continue to educate the public and clients regarding the Clerk-Recorder Department services and promote prevention of identity and real estate fraud through an upgraded confirmation notice system, community outreach effort and additional information on our website.

**Actions for Goal 1:**

We will continue to make available and encourage completion of the customer opinion survey forms and increase our customer and client outreach efforts. The department will also continue to monitor the number of transactions and comments submitted through the Internet.

**Reporting Results for Goal 1:**

<b>PERFORMANCE MEASURE</b>	
<b>WHAT:</b>	a) Survey forms and customer responses/inquiries b) Schedule at least one outreach presentation each quarter.
<b>WHY:</b>	a) Survey forms and customer responses/inquiries measure and ensure best practices in addressing current and future need. b) Presentations are a means to inform the public about the services provided by the department.
<b>FY 06-07 Results:</b>	a) Survey results and responses are 98% positive. b) Three outreach presentations were provided.
<b>FY 07-08 Plan:</b>	a) Survey results and responses are targeted to be 98% positive. b) Four outreach presentations will be provided.
<b>FY 07-08 Anticipated Results:</b>	a) Survey results and responses are targeted to be 98% positive. b) Four presentations will be provided
<b>FY 08-09 Plan:</b>	a) Survey results and responses are targeted to be 98% positive. b) Five presentations will be planned.
<b>How are we doing?</b>	a) Results for FY 06-07 are being determined b) Public outreach is continuing to expand.

## **GOAL 2: ENHANCE ACCESS TO PUBLIC RECORDS.**

### Strategies:

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 systems submitted by any California county for certification.

The Clerk-Recorder will implement a new Electronic Recording Delivery System that will enable all California counties to record documents. This effort has been pioneered by Orange County and represents a major innovation in document recording for the state.

We will continue in 2008 to upgrade our current Electronic Recording System to enhance the capability for submitters to electronically record with Orange County. The department also continues to increase the number of electronic recording users submitting documents.

We are continuing to review our implementation of the online Marriage License Application and Appointment System. This system allows the public to complete and submit their marriage license application and/or make an appointment over the Internet for a wedding ceremony at our locations in Laguna Hills and downtown Santa Ana.

Another one of our strategies for 2008 is to upgrade our current Fictitious Business Name Statement Filing System. The system will include a streamlined data entry component that will eliminate the need for staff to index each filing. In addition, we will also incorporate an online Fictitious Business Name System that will allow the public to complete and submit their application for a Fictitious Business Name Statement over the Internet. The public will also have the capability to look up existing fictitious business names.

In early January 2008, the department added Fictitious Business Name Statement filing at the South County branch office.

**Actions for Goal 2:**

The department will continue to increase Internet access to our functions, including maximizing the utilization of our electronic recording process by public and industry users

**Reporting Results for Goal 2:**

<b>PERFORMANCE MEASURE</b>	
<b>WHAT:</b>	<ul style="list-style-type: none"> <li>a) Increase the number of recording sites utilizing electronic recording.</li> <li>b) Establish Internet access to additional services provided by the department.</li> </ul>
<b>WHY:</b>	<ul style="list-style-type: none"> <li>a) This will make public accessibility of the documents faster and more efficient.</li> <li>b) This will make it easier for customers to complete forms for automated data entry and submission.</li> </ul>
<b>FY 06-07 Results:</b>	<ul style="list-style-type: none"> <li>a) 140 Recording sites</li> <li>b) Online Marriage License Application and/or Appointment System was implemented.</li> </ul>
<b>FY 07-08 Plan:</b>	<ul style="list-style-type: none"> <li>a) 166 Recording Sites</li> <li>b) Implement counter application for fictitious business name statement filings at South County Branch Office.</li> </ul>
<b>FY 07-08 Anticipated Results:</b>	<ul style="list-style-type: none"> <li>a) 175 Recording Sites</li> <li>b) Implement counter application for fictitious business name statement filing at South County branch office by February 2008.</li> </ul>
<b>FY 08-09 Plan:</b>	<ul style="list-style-type: none"> <li>a) 200 Recording Sites</li> <li>b) Implement Multi-County Electronic Recording System</li> </ul>
<b>How are we doing?</b>	<ul style="list-style-type: none"> <li>a) The use of Electronic Recording is expanding annually.</li> <li>b) Online operations are expanding within the department.</li> </ul>

### **GOAL 3: INCREASE THE SECURITY OF PUBLIC RECORDS.**

#### Strategies for Goal #3:

In 2008, the department will continue to increase the security of our public records and resume its efforts with security consultants to identify areas of potential system vulnerability.

The department will work diligently to implement recording requirements as specified by recently enacted AB644. As previously stated, this legislation was proposed by Clerk-Recorder Tom Daly and requires documents recorded at county offices statewide to limit Social Security numbers to the last four digits. This important legislation will further safeguard the privacy of Social Security numbers and help to limit identity theft.

Also because of additional legislation, AB1168, the department will work to establish a Social Security Number Truncation Program. This legislation will safeguard the privacy of Social Security Numbers for records dating back to January 1, 1980.

In addition to these security issues, having adequate storage facilities is essential to increasing the security of public records. To that end, the Archives received Board approval in 2007 to enter negotiations to purchase a building. The Archives finalized the purchase of a building in the Civic Center to properly store and secure its growing collection of historical material.

**Actions for Goal 3:**

Because of the passage of AB644 and AB1168, the Clerk-Recorder Department will be taking steps to further safeguard the privacy of Social Security Numbers to address consumer concerns with identity theft and fraud.

**Reporting Results for Goal #3:**

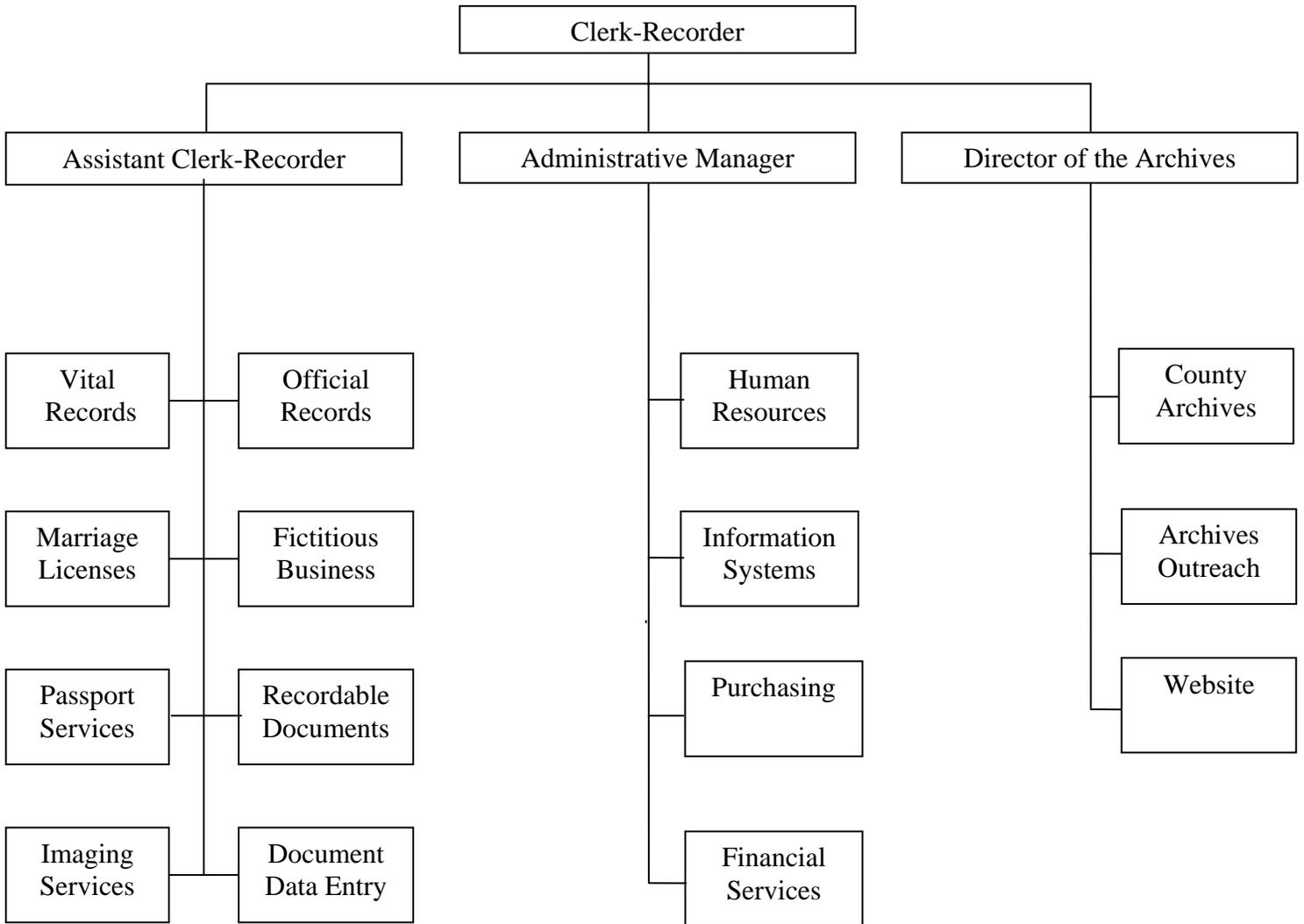
<b>PERFORMANCE MEASURE</b>	
<b>WHAT:</b>	Implement new social security safeguards as required by AB644 and AB1168.
<b>WHY:</b>	To safeguard the privacy of Social Security numbers and address consumer concerns with identity theft and fraud.
<b>FY 06-07 Results:</b>	N/A
<b>FY 07-08 Plan:</b>	Implement and initiate social security safeguards per AB644 and AB1168.
<b>FY 07-08 Anticipated Results:</b>	Redaction of Social Security Numbers will be implemented per AB1168 requirements.
<b>FY 08-09 Plan:</b>	Redact 10% of documents containing full Social Security Numbers recorded by the department prior to passage of AB1168.
<b>How are we doing?</b>	The department is planning for the implementation of safeguards per AB1168.

### **III. Appendices**

#### **A. Organizational Chart**

#### **B. Significant Accomplishments in 2007**

## A. Organizational Chart



## **B. Significant Accomplishments in 2007**

- With more than 800,000 hits to our website annually, we have maximized the opportunity for customer responses with our online survey comments and inquiries available on the department's Webmaster. We have also provided 25 public customer terminals in our offices that feature an online customer survey.
- We successfully increased the number of users of our Electronic Recording System. These users represent approximately 90% of the title companies in Orange County.
- The department continues to be involved with efforts for increasing of security the public records. One of those efforts is the department's role as a member of the State Attorney General's Electronic Advisory Committee. This committee establishes operational guidelines and security protocol in certifying Electronic Recording systems throughout the state. In 2008, the department will develop and share ownership of a "multi-county" electronic recording system for a more efficient, secure and cost-effective recording process. This system will extend electronic recording services to customers statewide.
- To better protect real property owners in Orange County against potential fraud, the department established a program that notifies homeowners via a courtesy notice when a property transfer document affecting their property is recorded. This program assists property owners in the prevention of any potential real property fraud activities. Approximately 25,000 notices were sent out in late 2007, and we anticipate 100,000 such notices to be mailed in 2008, based on historic volume.
- The department recorded over 700,000 property documents, of which 55% were submitted and processed electronically.
- The number of title and insurance companies, cities and other government entities that record electronically has grown from 82 in 2003 to 150 users.
- In 2007, the Clerk-Recorder Department issued 21,000 Marriage Licenses and performed over 7,200 wedding ceremonies; issued 17,000 copies of Official Records; filed 41,000 Fictitious Business Name Statements and processed 2,100 passport applications.
- The department implemented an online marriage license application and appointment system to increase convenience to the public.

## Archives:

- The Archives acquired and catalogued the following collections:
  1. The complete papers of the El Toro Reuse Planning Authority, 1993-2007;
  2. *The Huntington Beach News* (50 bound volumes), 1908-1956; and
  3. 146 books and ephemera on local Orange County history.
  
- 1,500 photographs from the Knott's Berry Farm collection were converted to digital format and are now available to the public.
  
- The Archives launched and pilot-tested its 3<sup>rd</sup> Grade Local History Curriculum Supplement – a “traveling suitcase” exhibit and Teacher Manual consisting of 14 coordinated lesson plans detailing the county’s development from the rancho era to the present.
  
- In addition, the Archives released its “Orange County’s Colorful Past” coloring book. The book is tied to 3<sup>rd</sup> grade history standards but is a suitable resource for children of all ages.
  
- Approximately 1,200 researchers and visitors were assisted at the Archives.
  
- The Archives responded to over 3,200 telephone and e-mail inquiries.