

The Public Impact of Failing to Fund the Clerks' Pay Plan

Conference of Clerks of Superior Court

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Clerk of Superior Court- The Work

- ▶ Official Record Keeper
 - ▶ 2.3 million cases a year
- ▶ Comptroller for the Courts
 - ▶ Over \$773 million collected last year
 - ▶ \$275.5 collected was returned to the General Fund
- ▶ Ex Officio Judge of Probate/Judicial Official
 - ▶ Foreclosures, Estates, Adoptions, Guardianships, Partitions

Clerk of Superior Court- The Staff

- ▶ Clerks' Offices have a flat organizational chart BY STATUTE
 - ▶ The Elected Clerk
 - ▶ Assistant Clerks/Head Bookkeeper
 - ▶ Deputy Clerk
- ▶ Number of Assistant Positions is determined by size of office
- ▶ 617 Assistant Clerks currently (658 assistant clerk positions)
- ▶ Each office has one Head Bookkeeper

Assistant and Deputy Clerks Pay Plans

N.C.G.S. 7A-102

- ▶ Sets for minimum and maximum salaries for Assistant and Deputy Clerks
 - ▶ Minimum Salary for Deputy Clerk-- \$28,233
 - ▶ Maximum Salary for Deputy Clerk -- \$43,107
 - ▶ Minimum Salary for Assistant Clerk- \$32,609
 - ▶ Maximum Salary for Assistant Clerk- \$55,424

Mandates that the Director of AOC develop “an incremental salary plan” to be funded by the General Assembly

Changes in Salaries

- ▶ The Incremental Salary Plan/Step Plan has been frozen since 2009
- ▶ One legislative increase in 2012 of 1.2%
- ▶ The **ONLY** way for an employee in a Clerk's office to obtain a salary increase without the pay plan is through promotion

Clerks' Pay Plan- Performance Based

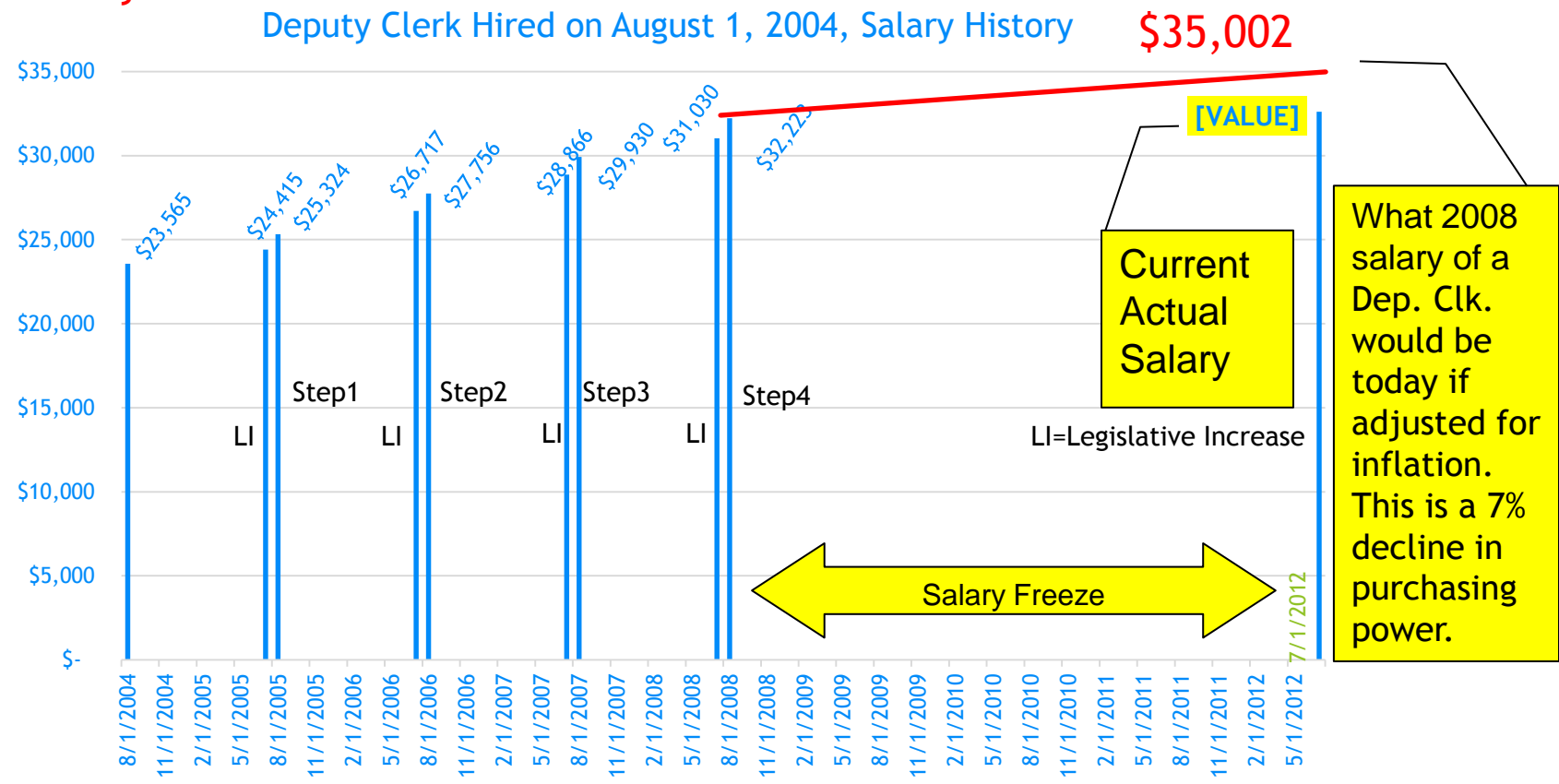
- ▶ As enacted, the awarding of the step plan increase was to be based on “satisfactory job performance”
- ▶ At their summer conference in 2013, the Clerks of Superior Court adopted a statewide performance management plan and evaluation tool to be completed on each employee.
- ▶ Each employee is evaluated on eleven factors among others including work quality, productivity, job knowledge, judgment, reliability, initiative and work habits, communication and customer service
- ▶ Statewide training by the Conference of Clerks has been conducted. Additional training is ongoing

Today's Reality

- ▶ Over 700 clerks' employees are currently at the minimum salary (\$28,233)
- ▶ More than two-thirds of all deputy and assistant clerks earn less than \$40,000 per year

Salary Analysis: Reality, Adjusted for Inflation

If adjusted for inflation only, a deputy clerk who earned \$32,223 in 2008 would need to have a salary of \$35,002 in 2013 to be in the same position financially.



Inflation Rate according to Bureau of Labor Statistics

Salary Expenditures

On average the state is spending \$7 million dollars less for staff in Clerks' office today than in 2009.

	FY 2009	FY 2013
Reg. Salaries	\$ 97,223,653.88	\$ 90,092,228.63

The average salary for deputy clerks in 2009 was \$34,231

The average salary for deputy clerks in 2013 was \$32,806

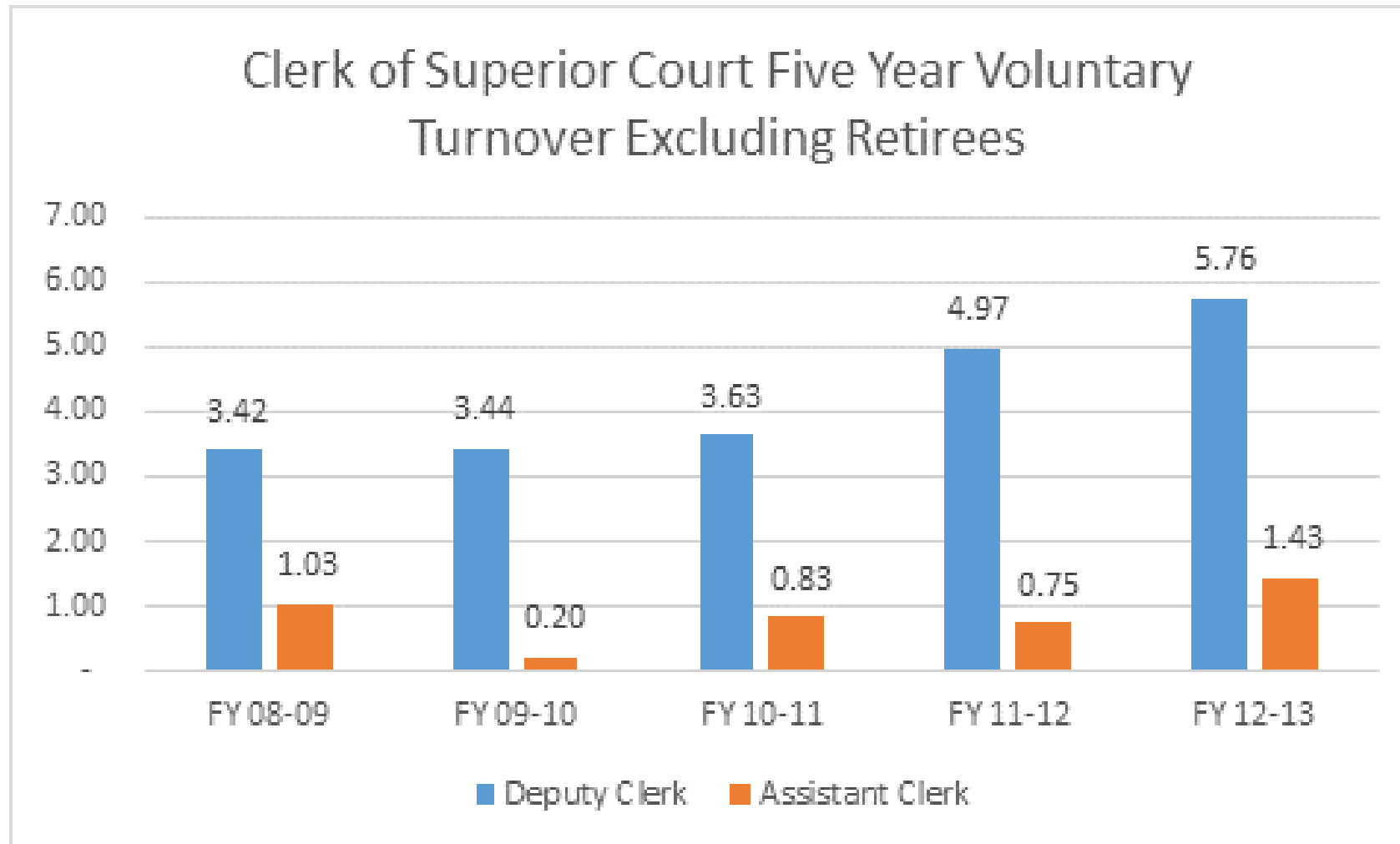
The average salary for assistant clerks in 2009 was \$49,152

The average salary for assistant clerks in 2013 was \$45,439

Chief Justice and AOC's top priority Budget Submission for 2013-2015

- ▶ Unfreeze Pay Plans
- ▶ 1. The freeze on pay increases and steps for assistant and deputy clerks and magistrates needs to be lifted and the step increases restored. This is critical to the health of the court system given that these plans affect nearly half of our workforce. These plans have been frozen during the recession and critically need to be restored. This funding would restore steps from July 1, 2013, going forward. It would not fund steps that have not been provided from July 1, 2009, through June 30, 2013.
- ▶ **Need: FY 2013-14: \$6.1 million FY 2014-15. \$9.7 million**

Turnover: the current voluntary turnover (does not include retirees, dismissals or RIFs) is 5.76. Statewide the attrition rate has increased over 65% in Clerk's offices in the past 5 years.



Challenges created by Turnover

- ▶ Loss of time due to onboarding and training of new employees
 - ▶ Compounded by the fact that Clerks' offices have lost close to 147.5 positions since 2009
 - ▶ Clerks training clerks
- ▶ Loss of experience
 - ▶ 56% of clerk staff have less than 10 years experience
 - ▶ Over 25% of deputy clerk have less than 5 years experience

2013-14 Needs according to workload formulas:

673 positions

District Court Judge	22	Family Court Administrator*	4
Magistrates	92	Family Court Coordinator*	23
Deputy Clerk	227	Custody Mediator I	7
Assistant Clerk		Secretary I	3
	57	Guardian ad Litem District Administrator	6
Superior Court Judicial Assistant I	5	Guardian ad Litem Program Supervisor	39
Superior Court Judicial Assistant II	5	Guardian ad Litem Program Assistant	3
District Court Judicial Assistant I	8	Assistant District Attorney	87
District Court Judicial Assistant II	8	VWLA	56
District Court TCC	6	District Attorney Investigator	7
		DA Administrative Assistant	8

} 284 Total

Based on filings through 6/3/13, three year moving average.
Numbers for FCA and FCC are preliminary. Prepared 10/5/13

Impact to the Community

- ▶ Loss of experience and inefficiency in Clerks's offices due to turnover has a direct impact on the services members of the public receive AND on public safety