



## 2020 Candidate Questionnaire

**Submitted by:** James D. Molenaar

**Email:** jdm664@aol.com

**Phone:** (708) 267-2258

1. What diversity of perspective, attributes, knowledge or skills would you bring to the office that differentiates you or that the other candidates don't have?

I have many skill sets that I will bring to the office of the Clerk of Courts and Comptroller that my opponent does not possess.

**FIRST**, I have a very robust educational background that includes:

1. Masters of Business Administration, 2010  
Warrington College of Business Administration of the University of Florida
2. LL.M. (Masters of Laws) in Information Technology and Privacy Law, 2002  
University of Illinois John Marshall Law School, Chicago, Illinois
3. Juris Doctorate (Law Degree), 1995  
Michigan State University College of Law
4. Bachelor of Arts in Political Science 1991  
Purdue University, West Lafayette, Indiana

**SECOND**, I possess the following certifications that are directly related to the successful execution of the role of the Clerk of the Circuit Court and Comptroller:

1. Licensed Member of the Florida Bar – No. 22785
2. Certified Internal Auditor (CIA) Certificate Serial No. 175091
3. Certified Fraud Examiner (CFE) Certification No. 707371
4. Florida Certified Public Records Manager (FCRM)
5. Certified Passport Acceptance Agent (CPAA)
6. Former Certified Emergency Medical Technician
7. Certified Law Enforcement Officer

**THIRD**, I possess a diverse work experience that includes the over 35 years of public service, including: a Police Cadet Explorer (a program under the Boy Scouts of

America), an Emergency Medical Technician, a law enforcement officer, more than 20 years as a Prosecutor, including with the Inspector General of the State of Illinois and Office of the State Attorney for the 20<sup>th</sup> Jud. Circuit (as an Assistant State Attorney) assigned to the Collier County Economic Crimes Unit. As a Criminal Prosecutor, I have tried 30 cases to verdict in front of a jury, I have tried 60 cases to verdict in front of a judge. I have also prosecuted more than 1,000 civil cases in front of Administrative Law Judges. As Clerk of Court, one should possess a real working knowledge of the law and experience in the process and functions within the courts.

**FORTH**, I have well developed strong intrapersonal skills that enable me to build and lead strong workgroup teams. This includes my ability to effectively speak in public and communicate clearly in writing. I believe in empowering employees and aiding them to succeed and advance through mentoring and training opportunities.

**FIFTH**, my skills include, my ability to effectively speak in public, and communicate clearly in writing. I have often promoted and spoken on auditors, accountants and attorneys on educational topics and ethics throughout Southwest Florida, and the Midwest. I am frequently asked to speak at state conferences for multiple professional associations, such as the Institute of Internal Auditors, Association of Governmental Accountants, Collier County Bar Association, and the Michael R.M. McDonnell American Inn of Court, Rotary Clubs, Lions Clubs, and Kiwanis Clubs just to name a few.

**IN SUMMARY**, my educational and work experiences make me the strongest candidate to become the next Clerk of the Circuit Court and Comptroller and taxpayer's watchdog. I am the **ONLY** candidate who is a licensed attorney, has an MBA, is a Certified Internal Auditor, Certified Fraud Examiner, Certified Passport Acceptance Agent and Florida Certified Records Manager. Each of these skills and experiences are unique to me and are required of a well-qualified Clerk of Court; **NONE** of which my opponent possesses. This makes me the strongest candidate because I have all of the skill sets, training and experience in all aspects of the Clerk's office.

2. What are three things you want to accomplish if you are elected to this office?

**1. As County Auditor and Clerk & Accountant of the County Commissioners, I will Improve the Clerk's Audit Function and Aid in Getting Collier County Working Again by Timely Paying County Vendors; and Make a More Streamlined Vendor Payment Process.**

First, I vow to streamline the accounts payable audit process. By streamlining the process, county vendors will be audited to the contract consistently by which they agreed to with the Board of County Commissioners, in a more efficient, timely and respectful manner. Vendors may be paid more quickly and accurately because the audits will be conducted consistently and limited to the terms of the contract; thereby the vendors will be able to receive payments timelier to facilitate their operations and business needs. This will in turn will allow the vendor's workers to feel confident that they will be paid each payday.

Secondly, I will reduce the cost of auditing the county expenditures and increase audit productivity. In the past two years only one internal audit report has been completed by the Internal Audit/Inspector General Department, with a staff of seven employees. In a typical Clerk of Court Internal Audit Department, each auditor is expected to complete two to three audits per year. Therefore, I submit to the taxpayers that I will improve audit and investigatory efficiency; thereby reducing the cost for audits and at the same time save the taxpayers money.

Finally, I acknowledge and accept that if elected to Clerk, pursuant to Florida Statute, I render myself personally liable for the payment of any illegal claims against the county.

## **2. Bring professionalism, integrity and fairness back to the Office of Collier County Clerk of Courts and Comptroller**

As a public servant for more than 35 years, I have learned the importance of treating all people with dignity and respect. I will give credit for the accomplishments to my staff that do the work and not take all of the credit as if I accomplished it myself. It will be a privilege to lead the hardworking men and women who make up the office that are dedicated to doing a great job for the taxpayers. As a leader and elected official, I will not abuse my discretion and power. I will show compassion and kindness to those who have adverse opinions, and not use bully or intimidation techniques to coerce others to bend to my will.

Most importantly, I am very aware that the role of the Clerk is not to make public policy, but rather it is to serve a ministerial role. When serving as Clerk to the Board, the Clerk's role is to be a "check and balance" to the spending of Board of County Commissioners. I will keep a watchful eye on the taxpayers' funds, which is what they will be electing me to do.

Finally, the Clerk of the Circuit Court is the keeper of many of the public records in the county. It is the Clerk's responsibility to maintain the records, follow the law and record those items which legally entitled to be recorded.

In summary, I will *stay in my lane* and not seek to expand the role of the Clerk beyond the statutory definition. I will not attempt to make County policy nor interfere with County contracts.

### **3. Make Public Service Excellence a Priority in all areas of the Clerk's Operations.**

I will enhance, for example, the ability of the public and property owners to obtain the most current and reliable information about properties in Collier County. This will include implementing an initiative to provide easy to follow guidelines and informational seminars to the public and property owners, to show them what records are available online and to provide them with the tools to search Real Property Records. I will also conduct on-line and in-person training as to how to search criminal court cases, traffic tickets, probate, small claims, foreclosures, county ordinances, and tax deed sales. Well-trained, courteous staff will always be available to help, as needed, via in-person, telephone or by email.

I will also work to develop an Internet web-based platform wherein a user will be able to access all property information from the Clerk's records, the Collier County Property Appraiser and the Board of Collier County Commissioners, including the Division of Growth Management. This will include being able to easily find unpermitted structures, open building permits, and outstanding code violations. This will assist a realtor, attorney, title searcher, or any member of the public to become informed of the risk and potential issues when considering the purchase of a property or structure.

3. Name one current public policy position you disagree with that you could change if elected. Why do you disagree?

At the end of the fiscal year, the Florida Legislature requires some of the 67 Clerk's, including the Collier County Clerk of Court, to disburse the revenue earned in Collier to Tallahassee. Then in turn, it is disbursed to other county clerks who are less profitable to use in their operations. For example, the Collier County Clerk typically is required to remit hundreds of thousands of dollars, some years even upwards of one million dollars because we are considered a donor county.

I disagree with this policy because this is not equitable to the citizens of Collier County. In support of this conclusion please consider the following: Upon reviewing many previous financial records of the Collier County Clerk of Courts it is abundantly clear that the Collier Clerk has excess income at the end of each year. I will be seeking to have the legislature allow the Collier Clerk of Courts to keep any credit balance in the Clerk's accounts after the close of these year-end entries or use the funds for the Collier

County citizens and taxpayers. I would seek to use these funds to improve Collier Clerk operations and staff development, for the betterment of anyone who utilizes the Collier County Clerk of the Court and Comptroller resources. After all, this is Collier County generated income and much of that needs to remain and be used for the benefit of those that we serve. I plan to keep these funds within Collier County to the best of my ability to ensure the citizens of Collier county and taxpayers keep their tax dollars local.

4. What is the most important thing voters should know about you before making their decision in this race?

I have been preparing and training to become the Clerk of the Courts & Comptroller for nearly a decade. I have a proven track record of success for the past 35 years in law enforcement, as a prosecutor, auditor and senior government attorney; the voters should be confident that I will continue to serve the public to the best of my abilities and never waiver or vacillate in my commitment to always follow the law. It has been spoken of me by local leaders that I have shown myself to be:

- Fair and impartial to those I have prosecuted;
- Free from political partisan and influence;
- Able to make decision on what is just, not just what is popular; and
- Able and willing to protect taxpayer dollars from fraud, waste and abuse.

*Thank you for the opportunity to allow me to complete and submit this 2020 candidate questionnaire. It would be my sincere privilege to be elected the next Collier County Clerk of the Circuit Court and Comptroller.*

*Respectfully,  
James D. Molenaar*

**Please email your responses to Sandy Parker, [sandy@sparkers-soapbox.com](mailto:sandy@sparkers-soapbox.com) , no later than June 15, 2020.**