



**ANTHONY LINH NGUYEN**  
INSPECTOR GENERAL

July 15, 2024

Re: Inspector General Quarterly Report (2nd Qtr. 2024)

Dear Honorable Clerk Iris Martinez, Executive Staff, and all the residents whom we serve:

This report is written in accordance with the best practices prescribed by the Association of Inspector Generals (AIG) Green Book, to apprise you of the activities of the Clerk of the Circuit Court (CCC) Office of the Inspector General (OIG) during the period beginning April 1, 2024, through June 30, 2024.

### **OIG Q2 Complaints**

The OIG had 55 open cases (case files and Management Inquiries (MIs)) pending at the beginning of Q2. There were 18 open MIs and 37 open case files. Of the 37 open case files pending at the beginning of Q2: one case from 2022Q4, 10 cases from 2023Q1, 10 cases from 2023Q2, 1 case from 2023Q4, 15 cases from 2024Q1. 9 of the 37 pending case files were closed. All 18 of the pending MIs were closed.

During Q2, the OIG received a total of 136 complaints through the OIG telephone hotline, mail, web, email, fax, direct report, and the QR Code Customer Service Survey. Of the 136 complaints, 18 complaints came from employee complainants and 118 came from non-employee complainants. Out of the 136 complaints, 119 were classified as MIs, and 17 opened as case files investigated by the OIG.

Of the 191 cases active during Q2: 130 MIs were closed, 20 case files were closed (four were administratively closed, 16 were closed via summary report), leaving 41 total cases (34 case files, 7 MIs) pending at the end of the quarter.

### **OIG Summary Reports**

During 2024Q2, the OIG closed 20 total case files with 16 closed with summary reports. The following is a general description of the cases closed via summary report, the OIG's findings, and basis for the findings.

**CF 23-12-529-** An investigation was conducted to examine allegations of misconduct by a Probate court clerk, including failure to respond to a judge's requests, leading to delays in case processing. The investigation found that the court clerk had failed to properly handle Office of State Guardian

reports and petitions, resulting in delays. Additionally, the court clerk had incorrectly placed orders onto the wrong judge's calendar, leading to confusion and potential delays. The investigation found that the court clerk's performance was below average and that they had failed to report issues with their work until it was too late. The court clerk's lack of initiative and tendency to make the same mistakes repeatedly were also noted. The investigation found that the court clerk did not have a good understanding of workflow and operations, which led to difficulties in managing their workload. Despite receiving training, the court clerk continued to struggle with data entry, indicating a potential problem with their ability to absorb information. The investigation found that the court clerk's behavior suggested that they prioritized their own independence over ensuring the efficient functioning of the courts. As a result, the OIG recommended that management implement measures to monitor and address potential issues with employee work performance, including regular data entry check-ins and employee reviews. Overall, the investigation found that the allegations of misconduct were sustained, and corrective action is necessary to ensure the effective functioning of the court.

**CF 24-01-071-** An anonymous complaint was forwarded to the OIG regarding Shakman-exempt manager staring at two employees they supervise in a manner which made the two employees feel uncomfortable. One employee stated they believe the manager stared at them because they knowingly asked the manager questions which the manager did not have the answer for. The second employee stated the stares felt odd and agitating, but not threatening. Another manager stated it was common for the manager to stare at employees before responding to them. The manager's staring didn't rise to the level of discrimination or harassment but did create a socially awkward dynamic within the department. The OIG recommended the manager meet with their superiors to discuss ways they could improve their communication with their employees.

**CF 24-02-091-** The OIG received an email complaint from a court clerk who stated they were having ongoing issues with their managers and felt it was personal. The employee alleged they were discriminated against and constantly attacked by their managers. After a thorough investigation, it was determined the managers did not discriminate against the employee; that the managers acted and directed the employee in accordance with their operational responsibilities.

**CF 24-02-101-** Complainant accused the Clerk of the Circuit Court of age and race discrimination in relation to their employment. The complainant is an African American employee whose previously held the title of Computer Operator that was collapsed into "office clerk." The complainant applied for the Desktop Support Technician position and was not chosen even though they claimed to have more education, seniority, and experience.

The position was publicly posted, though current CCC employees were given a preference during the validation stage, which determines who is interviewed. The complainant met the minimum requirements and out of 86 people that applied, the complainant was one of 10 people interviewed. The interview panel asked each candidate the same questions and scored each candidate individually. If a candidate's cumulative score was 3.0 or above, they were eligible for the interviewers to further discuss their credentials. The OIG reviewed the interviewers' scores and comments for each applicant and did not find any indication of bias or discrimination. The complainant's cumulative score was 2.69, less than 3.0, which made them ineligible for further consideration. No part of the application, interview, or ranking, process was based on racial or age

discrimination. The scores were based on how the interviewees answered each question and their additional qualifications. The scoring and hiring process followed the Employment Plan.

The Clerk's Office maintains a firm commitment to equal opportunity for all regardless of race, color, sex, age, religion, disability, etc. Discrimination is not tolerated and did not occur in the complainant's case.

The complainant further alleged the Clerk and Chief Information Officer violated the Collective Bargaining Agreement (CBA) when they were demoted. However, the complainant remained the same grade, step, and salary, and thus was not demoted per the CBA; the only change was their position title and duties because their previous title no longer exists. The complainant's title change from computer operator to office clerk was bargained for with the Union in good faith and in compliance with the CBA.

**CF 24-02-106-** The complainant alleged they were discriminated against and harassed by Shakman-exempt managers for their disability and education. The complainant claimed that the managers created a hostile work environment and that there is retaliation and bullying in the workplace. All employees interviewed denied hearing the accused managers make any discriminatory or ableist comments or statements. Many employees interviewed described the managers as professional, though stern and direct. The managers acknowledged that they expressed their frustration with the complainant but denied name-calling or raising their voice.

The managers stated they spoke to the complainant about their email etiquette and failure to find appropriate coverage when they were away in attempts to correct their behavior. The complainant claimed that they were not aware that it was their responsibility to find coverage and that they didn't have to do that in the past. Interviewed employees shared that the managers provided the OIG with the email they sent to the complainant explaining their responsibilities prior to the complaint, and that this was explained verbally and through email. The complainant claimed they were disciplined, however the OIG found that the employee was never formally disciplined.

Many of the employees interviewed expressed that they were frustrated with the complainant's work ethic, errors, attitude, and their inability to receive instruction. The issues in the instant case seem to be a result of interpersonal miscommunications, misunderstandings, and personality conflicts rather than violations of any rules. The OIG recommended the managers attend training on interpersonal skills on how to better communicate with employees when giving directives, expressing frustration, and corrective discussions. The allegations were non-sustained.

**CF 24-03-135-** The complainant alleged another court clerk yelled at them, used profanity, and threw a file documents, also stating that the court clerk was so upset that the complainant believed the court clerk would become physically aggressive. Statements from other employees could not substantiate the complainant's claims: witnesses denied being present when the court clerk used profanity and they denied seeing the court clerk throwing files. More importantly, the OIG was told that there is not a manager overseeing them every day, but rather only a couple times a week; there was no manager at the time the alleged incidents occurred. The OIG recommends the CCC assign a manager to be present every day and that all employees at this location go through

workplace violence and communication skills training as a reminder to remain professional and to treat others with respect.

**CF 24-03-162-** A member of the public gave an office clerk an envelope that was found to contain \$1000 cash along with documentation relating to the individual's experience with attempting to clear their driving license records. The office clerk accepted the envelope, but stated they did not open it and learn of its contents until after the customer left. The office clerk informed their manager a couple of days after receiving the envelope, informing them of its contents. The manager took the envelope and placed it in a safe. When interviewed by the OIG, the customer initially denied giving the money to the office clerk, but later admitted giving the money to them because they went beyond their duty. The customer stated they did not want to get anyone in trouble. The OIG found the office clerk was negligent in their duties because they did not report the envelope in a timely manner. The OIG recommended that employees be instructed not to take any personal items or gifts from customers.

**CF 24-04-191-** The OIG investigated an allegation that an office clerk had violated the Time and Attendance Policy and the Web Clock Policy by using Web Clock on their phone to clock in rather than using the timeclocks without authorization. After a thorough investigation it was determined that the employee used Web Clock on multiple occasions to remotely clock in for work without authorization.

**CF 24-04-212-** The OIG received a complaint from an office clerk who works in the Call Center alleging a Shakman-exempt manager of being discriminatory based on their health, age, race and continued to be harassed, bullied, threatened and singled out. While the manager is new to the CCC, they were not aware whether the office clerk had any health issues. The OIG interviewed various employees including the complainant's witness and all statements did not corroborate with the complainant's allegations. The interviewees, including the complainant themselves agreed that they extended their breaks daily, causing other office clerks to take on most of the calls that were not being answered by the complainant. Additionally, the complainant stated that the manager slammed the door in their face when they were attempting to get into the office. The OIG examined the door and found that the door has a hydraulic mechanism installed to the door that causes the door to close slowly and is unlikely to be slammed, even with force, therefore; that allegation and the General Rules and Regulations against the exempt manager was non-sustained.

**CF 24-04-224-** The OIG investigated a complaint from an office clerk alleging that they had been experiencing harassment and a hostile work environment while under the old and current administration, which includes two Shakman-exempt managers and three managers. The OIG found the office clerk's past complaints about their exempt managers and managers were very similar; the office clerk's latest complaint is also similar but included a newly hired exempt manager. The office clerk's complaints mainly focused on their disagreements with management on how the job is supposed to be done in lieu of management's operational decisions. All interviewees, including other office clerks, stated they had not observed any hostility, harassment or toxicity from management, further complimenting management for being supportive of them. The interviewees further stated in their interviews that the hostility and harassment came from the complainant themselves, not the other way around.

In contrast the OIG found the complainant failed to follow their managers' orders to not contact police departments seeking traffic tickets even after being told numerous times, thus violating CCC policies.

The OIG recommends to re-assign the office clerk in order for them to receive a fresh start.

**CF 24-04-230-** A member of the public was distressed when they visited the County division and was disrespectful by using profanity and using derogatory comments towards an office clerk. An administrative assistant had a verbal altercation with the customer, came from behind the counter and approached them and engaged in the same manner. Another member of the public recorded the incident and forwarded the recordings to the OIG for investigation. The OIG found that although the administrative assistant is a new employee and did not know the policies and procedures, they admitted to threatening and cursing at the customer, escalating the situation rather than de-escalating it. As a result, the administrative assistant violated various CCC office policies. Further, the OIG recommends that the administrative assistant familiarize themselves with policies and procedures including ways to address or resolve distressed customers.

**CF 24-04-236-** A court clerk trainee accused a court clerk trainer of making uncomfortable comments and making passes at them while engaging in their training sessions. The complainant alleged that the trainer would make comments that they looked nice; that they were the type of person that they would date, and that after training was completed, they would ask them out. However, a court clerk trainee who was present during these conversations stated that the trainer was commonly known to piggyback off their comments and did not feel the comments were disrespectful.

The OIG found that the comment that the complainant "looked nice" was simply due to another employee complimenting them and the accused agreed with the compliment. The comment about the complainant being the type of person that the trainer would date was a conversation that the complainant themselves initiated. The complainant stated that they were looking for someone that was never married, had kids or had mother issues; therefore, the trainer referred to themselves as the type of person with those qualities.

The OIG in the instant case recommended that the trainer maintain a professional work environment regardless of their position and that the potentially inappropriate comments or innuendos can be harmful and create discomfort to others. The OIG also recommended that employees revisit their training on Sexual Harassment and maintain a positive work environment for all.

**CF 24-05-239-** An external applicant accused the CCC of age discrimination during the hiring process for the Operations Manager job posting. The complainant did not include their age or birthdate on any of the documents they submitted to the CCC. Their age and birthdate were never requested during any of the 18 times they spoke with HR. Further, the complainant denied ever being asked about their age at any point of the process. The OIG estimated all validated and interviewed candidates' ages from the year they graduated either high school or college: three of the hired candidates' estimated ages were older or close to the complainant's estimated age. The interview panel asked each candidate the same questions and scored each candidate individually.

On the complainant's evaluation forms, the panelist's scores and comments correspond with each other and did not appear to be drastically different. The complainant's cumulative score was 2.43, less than 3.00, which made them ineligible for further consideration. The complainant was given an opportunity and was not chosen for the position. All the candidates that were hired all scored significantly higher than the complainant.

The complainant further claimed that no one from HR notified them that they were not chosen for the position. The complainant was in contact with HR throughout the process and each time HR was responsive. The complainant received an email from HR in March 2024 notifying them that they were not chosen for the position. It is possible that the complainant missed the email notification if they did not add HR's email addresses to their safe sender list. The CCC tried to prevent this from occurring by notifying interested applicants on the CCC Employment page to add both HR email addresses to their safe sender lists. It is documented through Taleo and through email that the complainant was sent a notification. The notification email could have gone to their spam folder if they did not follow the instructions on the CCC website. No part of the application, interview, or ranking process was based on age discrimination. The decisions made for scoring were based on how the interviewees answered each question. The scoring and hiring process followed the Employment Plan. Age was not a factor in any portion of the interview process, especially since the complainant's true age remains unknown. The allegations were non-sustained.

**CF 24-05-246-** The OIG was notified that Shakman-exempt managers had an unknown clear dried substance to their doors, doorframes and nameplates. The OIG learned that one of the managers recalled seeing the unknown substance two weeks prior; however, they did not think much of it. On the day prior to the OIG's notice, the manager's executive assistant noticed the unknown substance and notified the CCC office investigation department who interviewed some employees and took pictures of the areas mentioned. The substance was cleaned off by the building cleaning services the day the OIG was notified; thus, the OIG did not have an opportunity to view the substance itself. Further, the mentioned areas do not have cameras installed within the space or inside/outside of the office floor; therefore, the investigation findings are inconclusive due to lack of evidence but reserves the right to re-open the investigation if it receives future information.

**CF 24-04-264-** A member of the public alleged a court clerk posted photos from court sharing defendants' personal information and details regarding their court cases, information concerning the decision-making process of judges, and information about jury deliberations in a Facebook Messenger group chat and in person at organization events. The complainant provided screenshots of the messenger chat with time stamps and another witness also confirmed the messages and conversations with the court clerk. The employee posted updates about the two active court cases into the Messenger chat on a particular day in March. The employee was the only court clerk on duty in that courtroom and uploaded both cases into Odyssey after their Messenger posts. Therefore, the information regarding the two active criminal court cases was not yet public information. The information the employees shared included case information involving juveniles, a photo of the defendant and attorneys, multiple photos showing an appellant's home address and name, information about jury decisions, and information from judge's conversations during recess regarding the cases.

The OIG identified the employee as the individual who used the Facebook profile from their photos in the Facebook organization page, their Facebook profile picture, the anonymous complainant, and the additional witness. Further, the employee was also seen photographed participating in the organization's event wearing their CCC identification badge. The allegations were sustained, and the OIG recommended that all court clerks be retrained on what confidential information is, how to prevent conflicts of interest, and enforce the cellphone policy.

**CF 24-05-265**- The OIG conducted an investigation into an allegation that a financial clerk took money from a customer's book that was left behind. The video evidence showed the clerk manipulating the book and its contents, including handling cash bills, which contradicted their claim that they only saw papers in the book. The investigation found that the clerk had knowledge of the book's contents and was aware of the money inside. The investigation also found other inconsistencies in the clerk's account of events and behavior, including omitting details about their actions and interactions with colleagues. Employees reported seeing the clerk take the book to the back of the office and show it to colleagues. Several stated the financial clerk knew about the money inside before informing and turning it over to management. The OIG found that the clerk was dishonest about their handling of the book and cash, thus violated CCC policies.

### **OIG Projects**

In Q2, the OIG continued working on the 2022Q2 joint investigation with the Office of the Independent Inspector General (OIIG). Both offices entered a memorandum of understanding relative to the investigation. The joint investigation allows our office to extend certain powers held by the OIIG in the investigation of employees of the Clerk of the Circuit Court. The OIG completed its first wave of investigations and continued working on cases from the additional waves.

In Q2, the OIG continued digitizing all historical case files. There are 281 physical files in existence, 100 of the physical files have already been digitized. 55 of the physical files were scanned during Q2, leaving 126 physical files left to be scanned.

In 2023Q3, the Inspector General took on the interim Director of Compliance (DOC) position in July when the then-DOC resigned. In December 2023, the Clerk's Office hired a DOC. The Inspector General worked on supporting the DOC through their transition to become fully independent and self-efficient within 2024Q1, which has been achieved.

## OIG Team

The OIG is composed of an Inspector General, Deputy Inspector General, four inspector general investigators, and an executive assistant. Five members of the OIG team are certified by the Association of Inspectors General (AIG) as Certified Inspector General Investigators and one member is certified as an Inspector General. Four of the members of the OIG team are also certified as Inspector General Inspectors/Evaluators. Six team members of the OIG are members of the AIG IL and National Chapter. Thank you for your time and attention, feel free to reach out with any concerns or questions.

Respectfully,



Anthony Linh Nguyen  
Inspector General

CC: Tiffany Brooks, Chief of Staff  
Jim Dasakis, Chief Human Resource Officer  
Alvin Portis, General Counsel