



Livingston County Clerk
2019 ANNUAL REPORT





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<sup>\*</sup>Cover Photo Courtesy of George J. Moses

### A Message From Your Livingston County Clerk

May 6, 2020

I am pleased to present the 2019 Annual Report for the Livingston County Clerk's Office. This Annual Report provides a statistical and informational summary of our office and attempts to explain the wide range of activities we participated in during 2019. My goal with this annual report is to give you a glimpse of the many mandated services we provide the public and other governmental agencies.

I find myself with the challenge and privilege of leadership at this truly historical time. We are facing a crisis not imagined at the beginning of the year, but one that will forever change our country, state, and county. The impact will not be fully known for months, if not longer, and will be felt for years to come. However, one thing remains certain, the Clerk's Office stands ready to provide our residents the services they need with the highest level of quality in the most cost effective manner possible.

I am proud of the professionalism, dedication, and hard work of the staff within the Clerk's Office. The Livingston County Clerk's Office has become one of the most respected within Michigan because of their efforts. I sincerely thank the Livingston County Board of Commissioners and County Administration for your continued support.

Sincerely,

Elizabeth Hundley
Livingston County Clerk

Livingston County, Michigan



Elizabeth Hundley Livingston County Clerk

#### FUNCTIONS AND DUTIES OF THE CLERK

The County Clerk is an elected position mandated by Article VII, Section 4 of the State Constitution. The Clerk's Office is one of the most diverse in county government and is governed by over 600 statutes. The Clerk is responsible for managing five separate budgets and numerous Trust and Agency Accounts.

The four primary divisions within the Clerk's Office include:

- Clerk of the Board of Commissioners
- · Vital Records Division
- · The Elections Division
- · Clerk of the Circuit Court

#### **CLERK OF THE BOARD OF COMMISSIONERS**

#### **Division Overview**

Michigan law establishes the County
Clerk as the clerk to the County
Board of Commissioners. We
are tasked with attending board
meetings, taking minutes for those
meetings, and preserving those
minutes which become the official
record of the meetings. Approved
minutes for open meetings along with
agenda packets become permanent
records held within our office.

The Board of Commissioners normally meets on the second and fourth Mondays of the month at 7:30 p.m. In addition, the Board meets immediately following the Finance Committee meeting on the first and third Wednesdays of the month at 7:30 a.m. The meetings are open to the public and are normally held in the Board Chambers located on the

second floor of the Administration Building at 304 E. Grand River Avenue in downtown Howell. We attended 46 board meetings during 2019.

#### **County Directory**

The Clerk's Office is responsible for updating the County Directory. The directory is a resource guide published to assist the residents of Livingston County in communicating with government offices and agencies, as well as elected and appointed officials at the local, state, and federal levels.

Please feel free to contact the Clerk's Office if you are aware of an update that needs to be made. The directory is available online at the County Clerk's website.

#### THE VITAL RECORDS DIVISION

#### **Division Overview**

By law, the County Clerk serves as the local registrar for the county. The Vital Records Division is responsible for the preparation, filing, and preservation of information on the births, deaths, and marriages within Livingston County. The public is provided certified copies of these records pursuant to legal guidelines. Certified copies can be obtained by visiting our office located in the Historic Courthouse, by mail, or by use of our online request system.

Vital records are kept for historical, as well as genealogical purposes. Some of these records retained by the Clerk's office include:

- Birth Certificates
- Death Certificates
- Marriage Licenses
- Military Discharges
- Notary Bonds
- Concealed Pistol Licenses (CPL's)
- Assumed Names (DBA's)
- · Home Birth Registry
- Oaths of Office

#### Home Births

Livingston County is the largest county in Michigan without a hospital birthing center. For a variety of reasons, parents are opting for home birth or mid-wife deliveries. After the baby's arrival, either a parent or the midwife will visit our office to file the required paperwork to obtain the child's birth certificate. Technology advancements during 2019 resulted in significant improvements to our procedures for recording home births. The Vital Records Division processed 22 home birth registrations in 2019.



"Easiest bureaucratic experience ever!" Customer Comment - December 17, 2019 "The staff here are amazing! Super courteous and helpful." Customer Comment – July 2, 2019

#### **Business Registration**

Business registrations filed at the county level are administered and overseen by the Vital Records Division. The law requires a business that operates in Livingston County to register with our office unless it is a corporation, a limited liability company, or limited liability partnership. This year, we took the opportunity to revamp our business registration forms as well as this portion of our website. The website now hosts PDF forms that can be filled out and filed with our office. We assisted the public with the formation or dissolution of 509 businesses during 2019.

#### **Notary Public**

The role of the Notary Public is to serve as an unbiased or impartial witness. Notaries are commissioned officers by the State of Michigan.

This year, Michigan amended its notary public laws to permit electronic notarizations and remote notarizations. Electronic notarizations are similar to traditional notarizations inasmuch as the signer appears before the notary, but the document being signed, as well as the notary's signature are electronic. Remote notarization permits the notary to witness the signature via webcam or Internet audio technology. This can also be referred to as "webcam notarization."

The Vital Records Division is responsible for administering an oath to each notary applicant, along with filing and managing the required surety bond. The surety bond protects the public from a notary's misconduct or negligence. Attorneys in good standing with the State Bar of Michigan are only required to file an oath with the county; no bond is required. We processed 468 notary applications during 2019.

## Military Discharge Record (DD-214)

Michigan law mandates a County Clerk record military discharge documents (DD-214) free of charge for veterans residing within their county. Certified copies are available at no charge if needed in the future. Military discharge documents are confidential. If a copy is needed, it can be given

Michelle Olrich and Amy Kostesich assisting Veterans during Harvest for Heros



to the veteran with proper identification; or a member of their family, with a death certificate and proof of relationship. Our office processed 160 DD-214's in 2019.

In addition, Livingston County
Veterans are eligible to receive a
Veterans ID card that identifies them
as eligible for discounts offered by
various businesses within the county.
Our office processed and issued 156
ID cards during 2019. Starting in
April of 2019, the Livingston County
Veterans' Services Department pays
the cost of Veterans ID cards that
are issued.

On November 25, 2019, the Clerk's Office worked in conjunction with Region 9 VCAT to provide mobile services to Livingston County Veterans at their Harvest for Heroes event. Veterans were advised to bring necessary documentation with

them to this event and we were able to issue Veterans ID cards and record military discharge documents to eligible veterans. Honoring our veterans and providing them services in a convenient manner is a high priority for the Clerk's Office.



Clerk Hundley swearing in Judge McGivney

#### Oaths of Office

An Oath of Office is required for certain individuals prior to serving in their elected or appointed capacity. Our Vital Records Division prepares and files the required Oaths of Office for Livingston County. The oaths become permanent records and remain on file within the Clerk's Office.

County Clerk, Elizabeth Hundley, had the honor of administering oaths of office to 53rd District Court Judge Shauna Murphy, appointed on December 26, 2018; 44th Circuit Court Judge Matthew McGivney, appointed on June 21, 2019; and 53rd District Court Judge Daniel Bain, appointed on September 18, 2019.

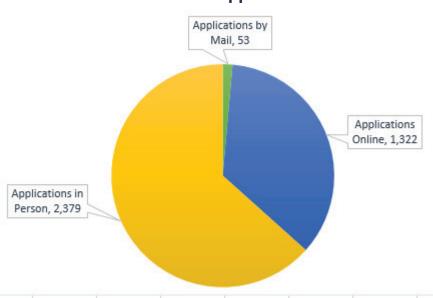
#### Concealed Pistol Licenses (CPL)

The Vital Records Division accepts and processes new and renewal CPL applications for residents of Livingston County. In Michigan, a resident must obtain a concealed pistol license, commonly known as a CPL, in order to carry a pistol concealed. Individuals applying for a new CPL are required by law to submit the application, additional documents, and pay the required fee with the County Clerk in the county of residence. New CPL applicants must also be fingerprinted to complete the application process.

Our office is among the few County Clerk offices that provide fingerprinting services in our office to new applicants. We fingerprinted 909 residents who applied with our office during 2019.

The County Clerk is required to notify CPL holders that their license is approaching expiration three to six months prior to the expiration of their current license. A CPL may be renewed at the County Clerk's office. In addition, residents have the option of renewing by mail or online with the Michigan State Police. However, the County Clerk is still responsible for storing and maintaining all records; issuing the license; and issuing statutory disqualifications, notices of suspension, and revocations.

#### 2019 CPL Applications



#### **FOIA Coordinator**

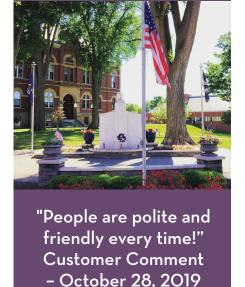
The County Clerk serves as the county's FOIA (Freedom of Information Act) coordinator. When a FOIA request is filed with the County, we are responsible for tracking the progress of that request and resulting response.

The volume of the FOIA requests has increased 55% from 601 in 2016 to 932 in 2019. With the increase in both volume and complexity, our office adopted new technology to track these requests. The public can now submit their requests through our protected online GovQA portal. The new FOIA request system was made available for public use on January 2, 2019.

#### Tax Allocation Board

The Tax Allocation Board is the process by which the allowed millage rate is allocated between the county, townships that are not charter townships, and the intermediate school district when a county does not have a fixed millage approved by the voters. Livingston County is one of the few counties in Michigan that continues to utilize the Tax Allocation Board.

By law, the County Clerk serves as the clerk of the Tax Allocation Board. We prepare the board packets, prepare and distribute agendas, take minutes, and preserve the official minutes as a permanent record within our office. The Tax



Allocation Board convened five times during 2019.

#### Certificate of Non-Commencement of Legal Proceedings

Michigan law sets forth a process for contractors to record a statement or claim of lien on property. A person with an interest in property with such a lien may submit to the County Clerk certain documentation that requires the Clerk to search our records to determine if proceedings to enforce the lien have been commenced within the required timeframe. If proceedings have not been commenced, the County Clerk will execute and deliver to the owner a certificate of that fact, bearing the seal of the Circuit Court. Our office received and issued three certificates of non-commencement during 2019.

#### THE ELECTIONS DIVISION

#### **Division Overview**

The County Clerk is the chief election official within Livingston County. The Elections Division provides guidance and instruction to the local jurisdictions who conduct many of the day-to-day election operations, and performs oversight to ensure the proper administration of elections. The Elections Division is also responsible for the accumulation of election results and maintenance of the permanent elections records.

We administered three elections during the 2019 election cycle: the Special Election in May, the Special Election in August, and the City-Special Election in November. In addition, we accepted candidate filings and produced ballots for the Livingston Educational Service Agency (LESA) June Election as required by law.

"Thank you for going above and beyond to make sure we got our marriage license corrected. We appreciate your help so, so much." Customer Comment – July 5, 2019

#### **Vital Records Comparison**

(2016 - 2019)

	2016	2017	2018	2019
Deaths Recorded & Filed	1,401	1,142	1,141	1,135
Births Recorded & Filed	30	14	22	22
Marriage Licenses Issued & Filed	1,011	1,104	1,103	969
Assumed Names Filings	872	782	531	509
Concealed Pistol License Applications	4,244	3,562	3,420	3,754
Notary Commissions Issued, Bonds Filed	310	295	501	468
FOIA Requests	601	739	865	932
Military Discharge Recordings	89	72	76	160

#### Appointment to Election Modernization Advisory Committee

Livingston County Clerk, Elizabeth Hundley, was among 27 local election officials and national election experts appointed by Secretary of State Jocelyn Benson to serve on the Election Modernization Advisory Committee. The committee was convened to assist and advise the Department of State and the Bureau of Elections as they work to implement the constitutional changes approved by voters in Proposal 3 of 2018. The committee met three times during 2019 and continues to work towards recommendations to improve the administration of elections within the State of Michigan.



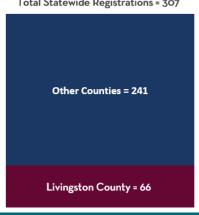
#### **Election Day Registrations**

May 2019 was the first election with same day voter registration.

440 total registrations were processed statewide on Election Day. 51 of those were registered in Livingston County.



#### **AUGUST 6, 2019 SPECIAL ELECTION ELECTION DAY REGISTRATIONS** Total Statewide Registrations = 307



#### **August 2019 Election**

307 total registrations were processed statewide on Election Day. 66 of those were registered in Livingston County.

MAY 7, 2019 SPECIAL ELECTION

#### **NOVEMBER 5, 2019 ELECTION**

**ELECTION DAY REGISTRATIONS** Total Statewide Registrations = 975

Other Counties = 909

#### November 2019 Election

975 total registrations were processed statewide on Election Day. 66 of those were registered in Livingston County.

Livingston County = 66

#### **Livingston County Voters**

As of December 31, 2019. Livingston County had 147,723 registered voters, 2,893 of which were new voter registrations processed by the Elections Division.

**Automatic Voter Registration** ("AVR") was rolled out in the Secretary of State branch offices in September. This change means that customers who transact business within the branch offices. of the Secretary of State and who are eligible are automatically registered to vote unless the person opts out.

Residents with a Michigan Driver's License or Personal Identification Card may also register to vote using Online Voter Registration available at www.Michigan.gov/Vote. Current voters can easily change their address using this website, as well.

Livingston County has seen, and will continue to see. increases in the number of voters utilizing absentee voting as a result of no reason absentee voting. Election administrators in Livingston County are prepared for record numbers of absentee ballots being cast in August and November of 2020 for a variety of reasons including COVID-19.

#### Campaign Finance

All candidates, political action committees, and ballot question committees at the county and local level are required to report the revenues and expenditures of their campaign by filing campaign finance reports with the County Clerk's Office. These documents are kept on file with the Elections Division and help to maintain the accuracy, integrity, and transparency of the elections process. The Elections Division processed seven campaign finance filings during 2019.

#### **Risk Limiting Audits**

During 2019, the Bureau of Elections piloted a new type of post-election audit, referred to as Risk-Limiting Audits ("RLA"). An RLA is a comprehensive check that uses statistical methods to confirm whether reported election results

are correct and detect possible anomalies that may need further scrutiny because of human error or possible manipulation. Ballots are randomly selected based on a mathematical formula to confirm that the ballot tabulators tallied them correctly. The Bureau of Elections conducted three pilot RLA's during 2019. We participated in the first pilot RLA involving multiple jurisdictions that was conducted in September for the August Special Election.

#### **Election Commission**

The Livingston County Election Commission is composed of the County Clerk, the Judge of the Probate Court, and the County Treasurer. The Commission is responsible for approving ballots for use at federal, state, and countywide elections held within Livingston

Clerk Hundley, Pat Hughes, and Mary Kuzner during the Risk Limiting Audit





The Board of Canvassers hard at work

County. In addition, Commission members are responsible for holding hearings to determine the factualness/clarity of the wording used on recall petitions filed against certain county and local level officials. The Livingston County Election Commission met four times during the 2019 election cycle.

#### **Board of Canvassers**

The County Board of Canvassers is composed of two Democratic members and two Republican members. They are appointed by the Livingston County Board of Commissioners to a 4-year term. One term from each party expired on October 31, 2019.

Nancy Sauvage, Democratic member, was appointed for her first term through October 31, 2023. Carla Chapman, Republican member,

was re-appointed to serve through October 31, 2023. Ms. Chapman was first appointed in 1999.

The County Clerk serves as clerk of the Board and is responsible for taking notes and preparing minutes of each Board meeting. The Canvassers' principal responsibility is to canvass all elections and certify certain elections held in the county. In 2019, the May, August, and November elections were canvassed and certified by the Board of Canvassers.

#### **Precinct Inspector Training**

Michigan election law requires the County Clerk to conduct training schools for precinct election inspectors within the county. The County Clerk must train inspectors for all cities and townships within Livingston County with a population of less than 10,000. Election inspectors must be certified every two years.

Precinct inspector trainings were conducted in April, June, July, and October for the 2019 elections. A total of 34 inspectors were trained.

#### High School Voter Registration

The Elections Division conducted voter registration events at Brighton High School and Pinckney High School this year with the assistance of several city and township clerks. Students who are 17.5 years of age are eligible to register to vote and may vote once reaching 18 years of age. Our goal is to register many of these students to prevent the need for registering at their local clerk's office on election day. Our efforts were greatly appreciated by students and our local clerks.

#### Forms Committee

Our Election Coordinator, Joe Bridgman, is a member of the Bureau of Elections Forms Committee. This committee is responsible for the design and testing of many commonly used election forms. This year, the Forms Committee revised the absent voter ballot envelopes and the Hamburg Township Clerk piloted the new design with great success. The new design will be utilized on a statewide basis during the 2020 election cycle. In addition, revisions to canvass booklets for precinct delegates were completed. Revisions were necessary as changes to Michigan's election law transferred the responsibility of certifying precinct delegates to County Clerks rather than local election inspectors.

The Circuit Court staff teamed up with LESA to sell greeting cards and dog treats created by the students of LESA. Around 100 greeting cards and many bags of dog treats were sold. The funds raised help fund LESA's valuable programs. Pictured here are Kristi Cox and Michele Coan-Bradley from the Clerk's Office and Sarah Harvey from LESA.



City of Brighton Clerk, Tara Brown and Clerk Hundley

Marion Township Clerk, Tammy Beal, and Joseph Bridgman



#### **Accessible Voting For All Event**

The Clerk's Office once again participated in the "Accessible Voting For All" class held at the Livingston Educational Service Agency (LESA) on September 3O, 2O19. Our office worked to promote voter participation for individuals with disabilities or those in need of assistance while voting. The class covered issues such as using the voting equipment, the voting process, citizens' rights within the polls on election day, what to expect when you vote, and why it is important to vote.

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#### **CLERK OF THE CIRCUIT COURT**

#### **Division Overview**

The Constitution for the State of Michigan tasks the County Clerk with the preservation of all court records for future generations. To that end, the Circuit Court division of the Clerk's Office is responsible for maintaining and preserving court records. Those records include, but are not limited to those associated with the following types of cases: felony criminal cases, domestic relations matters, personal protection orders, general civil matters involving claims of \$25,000 or more, appeals from lower courts, and juvenile matters. These records are preserved in strict accordance with the record retention guidelines set forth by the State of Michigan.

A file is opened by the filing of an initial pleading. That document fixes the type and complexity of the case, which in turn determines the depth of involvement by the Clerk's Office. That document is processed with precision (electronically, when applicable) and placed in the file. Each document and file is maintained in a manner that allows for appropriate access pursuant to statute and court rule.

In addition to the Case Load Comparison chart, please refer to the last page of this report for both a caseload and collections summary.

#### Criminal

The Clerk's Office duties with criminal files includes not only preparing the various judgments involved, but also collecting the monies assessed. as well as reporting convictions to the State of Michigan for entry onto criminal histories. All of these duties are critically important and must be performed with particularity within very short timelines.

#### Domestic and PPO's

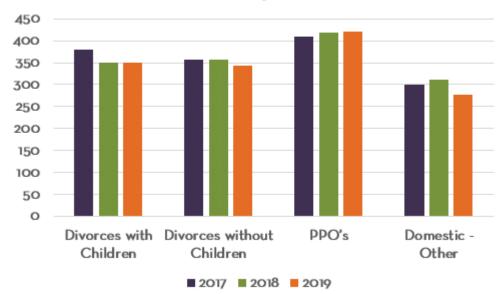
Domestic files can remain active upward of 18 years. It naturally follows that they require a great deal more handling and attention to detail over the life of the file. Many different file types fall under this category.

#### **Case Load Comparision**

(2019 - 2018)

Circuit Court County Clerk's Office	2019 Cases	2018 Cases	Actual Change	Increase / Decrease
Civil Cases Filed	446	463	-17	-3.67%
Domestic Cases Filed	971	1,017	-46	-4.52%
Criminal Cases Filed	643	659	-16	-2.43 %
Reopened Cases	108	117	-9	-7.69 %
Appeals	46	37	+9	+24.32%
PPO's Filed	421	418	+3	+0.72%
Total Cases Opened	2,635	2,711	-76	-2.81%

#### Domestic Filings 2017 - 2019





#### Civil and Appeals

Civil cases can encompass a whole host of different issues from contract disputes to real estate disputes. The complexity of these cases can be daunting and often, monies are escrowed with the courts and additional accounting is required.

We are proud to announce that in March of 2019, the Business Court branch of our Civil Division began accepting cases. There were a total of 40 cases filed in our Business Court this year. These cases can be moved through the system expeditiously for the benefit of the business owner(s). We saw 30% of the Business Court cases disposed of within 90 days and 48% within six months.

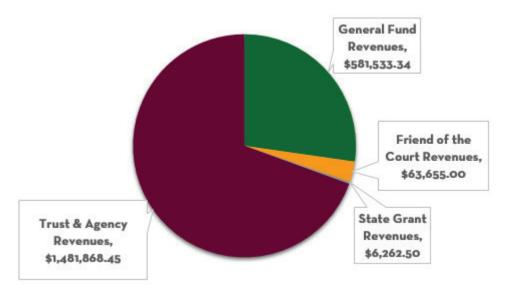
The vast majority of appeals from the lower court is within the Civil Division. These filings can range from landlord/tenant matters to dog cases. There are very strict timelines that must be adhered to when dealing with appeals.

#### Financial Accounting

The Clerk's Office is responsible for receipting all payments made to the 44th Circuit Court. The Clerk's Office receipted \$2,133,319.29 during 2019, which includes \$581,533.34 of General Fund revenues. The total amount receipted includes filing fees, court ordered fines, costs, restitution and bonds among other receipts.

We have placed a high priority on collections this year. I look forward to continued improvements and success.

## **Total 2019 44th Circuit Court Revenues** (\$2,133,319.29)





Health Official, Dianne McCormick; Penny Murphy; Clerk Hundley; and Commissioner Lawrence took 1st in the women's division at the 2019 Corrigan Oil Co. Annual Golf Outing. Proceeds benefited 3 local charities.



Mary Kuzner was selected as the County's 1st Quarter Employee Recognition Winner

## Employee Recognition Award & Nominations

The Clerk's Office was honored to receive so many recognitions of quality customer service during the first year of the County's Employee Recognition Program.

County Clerk's 2019 Livingston County Employee Recognition Nominations:

1st Quarter - 10 employees received 15 nominations.

Mary Kuzner was selected as the 1st Quarter award winner.

Mary received 11 nominations for her service and was mentioned as being "very helpful and nice," "friendly, quick, and efficient," and making

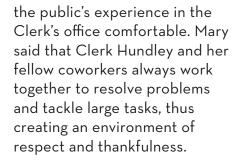
# <u>Celebration</u> The Clerk's Office celebrated Halloween in style with a party at the Courthouse with the

Courthouse Halloween

Halloween in style with a party at the Courthouse with the Treasurer's Office and Register of Deeds Office. Employees displayed their creativity and dressed in unique and fun costumes.



Britta Karlsson-Wisniewski, Joe Bridgman, Amy Kostesich, and Michelle Olrich



2nd Quarter - 9 employees with 14 nominations.

3rd Quarter - 4 employees with 6 nominations.

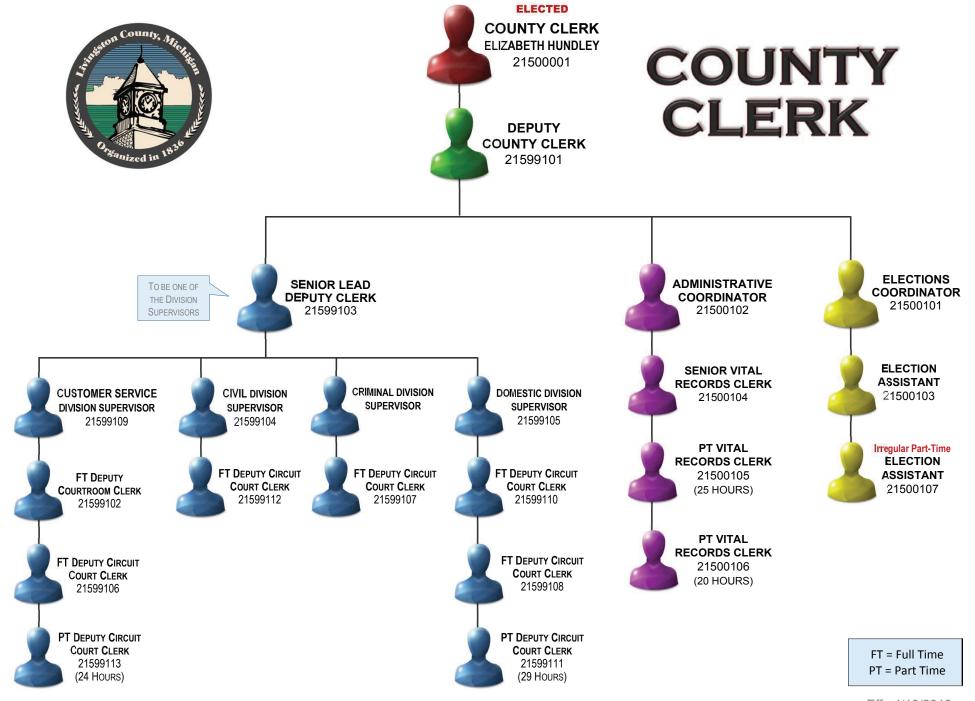
4th Quarter - 7 employees with 9 nominations.



The Treasurer's Office



The Register of Deeds Office



Eff: 4/10/2019

#### **2019 ANNUAL ACTIVITIES & STATISTICAL REPORT**

OFFICE OF THE LIVINGSTON COUNTY CLERK

CIRCUIT COURT CLERK'S OFFICE
Civil Cases Filed
Domestic Cases Filed
Criminal Cases Filed
Reopened Cases108
Appeals46
PPO's Filed
Total Cases Opened
Cases Pending January 1, 2019
Cases Closed in 2019
Cases Pending December 31, 2019
CIRCUIT COURT COLLECTIONS
County General Fund Revenues\$581,533.34
Friend of the Court Revenues\$63,655.00
State Grant Revenues (Drug Court)
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Trust & Agency Revenues
Other Governmental Entities\$1,005,770.44
Restitution\$476,098.01
T
Total Circuit Court Revenues\$2,133,319.29
COUNTY CLERK SUMMARY
Writs Issued
Attorneys at Law Registered9
Notary Commissions Issued/Bonds Filed
Concealed Weapon Permits Issued
Assumed Names/Co-Partnerships & Dissolutions Filed 509
Marriage Licenses Issued and Filed
Births Recorded and Filed
Deaths Recorded and Filed
Number of FOIA Requests Processed
Veterans ID Cards Issued
DD-214's Filed

## 2019 ELECTIONS DIVISION ANNUAL ACTIVITIES & STATISTICAL REPORT

#### **ELECTIONS CANVASSED: 3**

May 7 Special Election for City of Brighton, Howell Public Schools,

and Brighton Area Fire Authority

August 6 Special Election for Byron Area Schools, Fenton Area Public

Schools, Whitmore Lake School District, and Washtenaw

Intermediate School District

November 5 City General Elections (Brighton and Howell) and Special

Elections (Brighton Area Schools, Fenton Area Public Schools, Pinckney Community Schools, Oakland Community College)

#### **ELECTION REIMBURSEMENTS: 3**

MAY 7	<u>AUGUST 6</u>
2 Cities, 10 Townships	6 Townships
43 Polling Precincts	8 Polling Precincts
6 AV Counting Boards	1 AC Counting Board
7 Combined Precincts	3 Split Precincts
36 Ballot Styles	5 Ballot Styles
Dramanala 1 City 1 Sahaal District	Dramanala 3 Sahaal Di

Proposals: 1 City, 1 School District, and 1 Fire Authority

Proposals: 3 School Districts and 1 Intermediate School District

<u>Election Reimbursement:</u> <u>Election Reimbursement:</u>

\$21,555.82 \$4,292.03

#### **NOVEMBER 5**

2 Cities, 8 Townships 42 Polling Precincts 7 AV Counting Boards 9 Split Precincts

36 Ballot Styles

Proposals: 4 School Districts and 1 Community College

**Election Reimbursement:** 

\$20,038.05

#### Election Inspector Schools Of Instruction: 4 Number Of Precinct Inspectors Trained: 34

Campaign Finance Statements Filed: 7 (158709 - 158715)

Voter Registrations Sent To City, Township, Out-County Clerks: 2,893

#### **Candidate Filing Fees for 2019**

State Representative Candidates: \$300 Intermediate School District Candidates: \$200 Late Campaign Finance Filing Fees: \$525

Refundable Filing Fees: \$300 / Non-Refundable Filing Fees: \$200

Total 2019 Filing Fees Collected: \$1,025