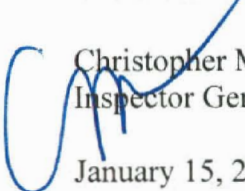




Memorandum

19 West Flagler Street ♦ Suite 220 ♦ Miami, Florida 33130
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To: The Honorable Carlos Alvarez, Mayor
The Honorable Chairperson Bruno A. Barreiro
Members, Board of County Commissioners
The Honorable Joseph P. Farina, Chief Judge,
Eleventh Judicial Circuit
The Honorable Harvey Ruvin, Clerk, Circuit & County Courts

From:  Christopher Mazzella
Inspector General

Date: January 15, 2008

Re: Arrest of Clerk of the Courts Employee – IG07-33

An investigation by the Office of the Inspector General (OIG), in conjunction with the Miami-Dade State Attorney's Office (SAO), has resulted in a state judge issuing a warrant for the arrest of Olga L. Avila (Avila). Avila, who was terminated from her 16-year tenure as a Courtroom Clerk I, was charged with 52 felony counts. The charges include Unlawful Compensation, Official Misconduct, Notary Fraud and Unlicensed Practice of Law. The investigation commenced when Harvey Ruvin, Clerk of the Courts of Eleventh Judicial Circuit, advised the OIG that Avila may have received compensation for completing and filing Family Court documents.

The OIG investigation uncovered that Avila, with the assistance of courthouse employees, had documents fraudulently notarized and generally abused the process of a Family Division program, the "Self-Help Program" (Self-Help). Self-Help was established to ensure that individuals without legal representation obtain and file the appropriate forms.

The OIG is grateful to Mr. Ruvin, and to the Honorable Joseph P. Farina, Chief Judge of the Eleventh Judicial Circuit, for their cooperation during the investigation, and for their swift response in taking corrective action to restore the integrity of the Self-Help Program. The OIG investigation is continuing.

Mr. George Burgess, County Manager
Ms. Alina Hudak, Assistant County Manager
Mr. Denis Morales, Chief of Staff, Office of the Mayor
Ms. Cathy Jackson, Director, Audit & Management Services
Mr. Charles Anderson, Commission Auditor
Clerk of the Board (copy filed)



OFFICE OF THE INSPECTOR GENERAL

County Employee Arrested for Facilitating “Quickie Divorce” Scheme

Olga L. Avila (Avila), 46, a resident of Miami-Dade County and a 16 year employee of the Miami-Dade County Clerk of the Courts, was arrested today as a result of an investigation by the Office of the Inspector General (OIG) and the Miami-Dade State Attorney’s Office. Acting on information provided by Mr. Harvey Ruvin, Clerk of the Eleventh Judicial Circuit Courts, the OIG began an investigation into Avila, who held the position of Courtroom Clerk I, and who was running a “quickie divorce” scheme to make some money on the side. According to an arrest warrant signed by a circuit court judge, Avila promised to provide unrepresented litigants a quick divorce for a cash fee of \$670. Avila’s scheme involved falsifying and fraudulently notarizing documents, as well as using her access and friends at the Miami-Dade County Courts to expedite the divorce proceedings. Unknowingly relying on falsely sworn pleadings, judges ordered the final dissolution of marriages. Some of the parties, believing they were divorced, entered into new marriages. Avila has been terminated from her employment, and charged by this arrest with a total of 52 felony counts.

Specifically, Avila was charged with 4 counts of Unlawful Compensation or Reward for Official Behavior, 15 counts of Criminal Action under Color of Law or Through Use of Simulated Legal Process, 15 counts of Official Misconduct, 14 counts of False or Fraudulent Acknowledgments (Notary Fraud), and 4 counts of Unlicensed Practice of Law.

Thus far, the OIG investigation has uncovered four couples who were “assisted” by Avila in obtaining divorces. According to the arrest affidavit, Avila represented that she could move the divorces through the system faster and cheaper than an attorney. In three of the four cases, Avila came into contact with the victims at her workplace, the Lawson E. Thomas Courthouse Center, which houses the Family Division of the Eleventh Judicial Circuit. The fourth couple was referred to Avila by one of the victims. Avila, with the assistance of courthouse employees, abused the Self-Help program – a program of the Court’s Family Division.

The Self-Help program provides unrepresented individuals with the necessary form pleadings to obtain a divorce and reviews the forms for completeness. Unless represented by an attorney, individuals seeking a divorce must have a “Self-Help” stamp on their completed forms indicating that the Self-Help Unit has reviewed the paperwork. Avila approached individuals seeking information on obtaining a divorce while she was on duty at the Clerk of Courts. Of the \$670 she charged for each divorce, Avila used \$364 to pay the required filing fee and kept the remainder.

According to the arrest affidavit, Avila's actions included: creating fraudulent documents attesting to residency requirements; having documents fraudulently notarized without the affiants being present or sworn; by-passing the procedures of the Self-Help Unit; and obtaining quick hearing dates.

In commenting on the arrest, Inspector General Christopher Mazzella emphasized Avila's brazenness in manipulating the court system to carry out a scheme for her enrichment. Mr. Mazzella stressed the importance of rooting out crimes that impugn the integrity of our court system. "Integrity and honesty are part of the foundation upon which our justice system stands," commented State Attorney Katherine Fernandez Rundle. "No court employees can be allowed to lie and sell their positions of trust in order to put a few dollars into their pockets." The Inspector General noted that the investigation is continuing and that additional arrests are expected.

The OIG wishes to commend the Clerk of Courts, Mr. Harvey Ruvin, and the Honorable Joseph P. Farina, Chief Judge of the Eleventh Judicial Circuit, who both cooperated extensively with the OIG during the course of the investigation and took swift action to suspend and terminate other employees who were involved in the fraudulent activities uncovered by the OIG.

Copies of the arrest affidavit are available at the Office of the Inspector General, 19 West Flagler Street, Suite 220, Miami, Florida, telephone number (305) 375-1946, or at the State Attorney's Office, c/o Ed Griffith, 1350 N.W. 12 Avenue, Miami, Florida, telephone number (305) 547-0535.