



Commonwealth of Virginia

Walter J. Kucharski, Auditor

**Auditor of Public Accounts
P.O. Box 1295
Richmond, Virginia 23218**

February 9, 2004

The Honorable G. Chance Crawford
Clerk of the Circuit Court
City of Salem

Council
City of Salem

We have audited the cash receipts and disbursements of the Clerk of the Circuit Court of the City of Salem for the period October 1, 2002 through September 30, 2003.

Our primary objectives were to test the accuracy of financial transactions recorded on the Court's financial management system; evaluate the Court's internal controls; and test its compliance with significant state laws, regulations, and policies. However, our audit was more limited than would be necessary to provide assurance on the internal controls or on overall compliance with applicable laws, regulations, and policies.

The results of our tests found the Court properly stated, in all material respects, the amounts recorded and reported in the financial management system. However, we noted weaknesses in internal controls and noncompliance with state laws, regulations, and policies that the Clerk needs to address as described below.

Properly Assess Fees

In five of twenty cases tested, we noted the assessment of a \$50 sentencing fee without statutory authority and four cases where staff failed to, or improperly assessed court-appointed attorney fees. These errors show that Staff continues to improperly assess court costs and fees on criminal cases as reported in our last audit.

The Clerk agreed to review the criminal cases we tested and correct the errors. He should also take immediate action to train staff in the proper assessment of court costs and fees. Using the Supreme Court's current fee schedules and when practical, attending their periodic regional training meetings can help keep court staff abreast of any changes in costs and fees. The Clerk should ensure that all court costs and fees are assessed and collected in accordance with the Code of Virginia.

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We discussed these comments with the Clerk on February 9, 2004 and we acknowledge the cooperation extended to us by the Court during this engagement.

AUDITOR OF PUBLIC ACCOUNTS

WJK:cam

cc: The Honorable Robert P. Doherty, Jr., Chief Judge
Forest Jones, City Manager
Bruce Haynes, Executive Secretary
Compensation Board
Paul Delosh, Technical Assistance
Supreme Court of Virginia
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