



**Walter J. Kucharski, Auditor**

# **Commonwealth of Virginia**

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

December 3, 2010

The Honorable Richard Y. AtLee, Jr.  
Chief Judge  
County of Gloucester Juvenile and Domestic Relations Court  
P.O. Box 357  
Yorktown, VA 23690

Audit Period: July 1, 2009 through June 30, 2010  
Court System: County of Gloucester  
Judicial District: Ninth

We are performing a statewide audit of the Juvenile and Domestic Relations Courts. During our review of this court, we conducted certain audit procedures, as we deemed appropriate.

Management of this court is an important part of the court's accountability, since you are responsible for establishing and maintaining internal controls and complying with applicable laws and regulations. During our review, we noted certain matters that required management's attention and corrective action. These matters included:

## **Properly Retain Attorney Fee Waivers**

Section 19.2-163 of the Code of Virginia permits court appointed attorneys to apply for additional fees when warranted for extensive time or difficulty on a case. The Office of the Executive Secretary of the Supreme Court of Virginia has established guidelines for the submission and approval of these waiver applications by the local court including which documents to retain to ensure all disbursements from the Criminal Fund are appropriate.

The clerk did not retain the Application and Authorization for Waiver of Fee Cap and the Attorney Timesheet. The audit identified 17 invoices exceeding \$5,200 for which we cannot verify that the court reviewed and approved of payments.

The Clerk and Judge should work together to ensure the office follows all the appropriate procedures. Also, complying with the record retention procedure will ensure payments from the Criminal Fund are appropriate.

The Honorable Richard Y. AtLee, Jr.  
Chief Judge  
December 3, 2010  
Page Two

We acknowledge the cooperation extended to us by the Court during this engagement.

AUDITOR OF PUBLIC ACCOUNTS

WJK:alh

cc: The Honorable Isabel H. AtLee, Judge  
Tiffany Sterling, Clerk  
Paul F. DeLosh, Director of Judicial Services  
Supreme Court of Virginia