

**THE CLERK OF THE  
COMBINED GENERAL DISTRICT COURT  
FOR THE  
COUNTY OF GOOCHLAND**

**REPORT ON AUDIT  
FOR THE PERIOD  
JANUARY 1, 2008 THROUGH DECEMBER 31, 2008**





# Commonwealth of Virginia

**Walter J. Kucharski, Auditor**

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

April 27, 2009

The Honorable Robert H. Downer, Jr.  
Chief Judge  
County of Goochland  
General District Court  
501 E. Jefferson, Suite 138  
Charlottesville, VA 22902

The Honorable Susan L. Whitlock  
Chief Judge  
County of Goochland Juvenile and  
Domestic Relations District Court  
P. O. Box 452  
Louisa, VA 23093

Audit Period: January 1, 2008 through December 31, 2008  
Court System: County of Goochland  
Judicial District: Sixteenth  
Magisterial Region: RS-4

We have audited the cash receipts and disbursements of the Clerk of the Combined General District Court and the associated Magistrates for this locality. Our primary objectives for both the Court and the Magistrates were to test the accuracy of financial transactions recorded on the applicable financial management system; evaluate internal controls; and test its compliance with significant state laws, regulations, and policies.

## Management's Responsibility

Court and Magistrate management has responsibility for establishing and maintaining internal controls and complying with applicable laws and regulations. Internal control is a process designed to provide reasonable, but not absolute, assurance regarding the reliability of financial reporting, effectiveness and efficiency of operations, and compliance with applicable laws and regulations. Deficiencies in internal controls could possibly lead to the loss of revenues or assets, or otherwise compromise fiscal accountability.

## Financial Matters

We noted no instances of improper recording and reporting of financial transactions in the Court's financial management system.

Additionally, we noted no instances of improper recording and reporting of financial transactions in the Magistrates' financial management records.

### Internal Controls

We noted matters involving internal control and its operation necessary to bring to Court management's attention.

As well, we noted no matters involving internal control and its operation necessary to bring to Magistrate management's attention.

### Compliance

The results of our tests of compliance with applicable laws and regulations disclosed instances of noncompliance in the Court that are required to be reported.

In addition, the results of our tests of compliance with applicable laws and regulations disclosed no instances of noncompliance with the Magistrates that are required to be reported.

We acknowledge the cooperation extended to us by the Court and the Chief Magistrate during this engagement. The issues identified above are discussed in the section titled Comments to Management.

AUDITOR OF PUBLIC ACCOUNTS

WJK:clj

cc: The Honorable Edward K. Carpenter, Judge  
The Honorable Edward DeJ. Berry, Judge  
Dianne H. White, Clerk  
Cheryl Thompson, Regional Magistrate Supervisor  
Shena Renee Dixon, Chief Magistrate  
Paul F. DeLosh, Director of Judicial Services  
Supreme Court of Virginia

## COMMENTS TO MANAGEMENT

### Internal Controls/Compliance

We noted the following matters involving internal control and its operation that could lead to the loss of revenues, assets, or otherwise compromise the Clerk's fiscal accountability. The results of our tests of compliance with applicable laws and regulations disclosed the following instances of the Clerk's noncompliance.

#### Properly Assess Fines on Cases

In nine of ten cases tested, the Combined General District Court loss revenue for the Commonwealth of Virginia of \$1,890, because the staff improperly assessed violation for state statutes as violations of local ordinances. Section 19.2-340 of the Code of Virginia requires the Clerk and the staff to assess fines, fees, and cost based on the charges stated on the warrants or summons as either a state or local charge.

We recommend that the Clerk recover from the locality all of the improperly assess local amounts and remit the funds to the Commonwealth. The Clerk should also review all other cases and take the necessary corrective action to collect any other errors. Further the Clerk should contact the Supreme Court to assist in training the staff in understanding the process for assessing state fines in accordance with the Code of Virginia.

#### Properly Manage Tax Set-Off Collections

During the period February 2008 to May 2008, the District Court Clerk failed to potentially collect \$3,010 by not placing holds on 29 refunds reported by the Department of Taxation under the Tax Set-Off Collections. The Tax Set-Off Collections program allows courts to collect unpaid fines, fees, and costs from taxpayer refunds reported to them by the Department of Taxation.

For those collections received by the Clerk under Tax Set-Off Collection program, the Clerk recorded the collections in the wrong general ledger account as required by the Financial Management System manual. The court should maximize the use of the Commonwealth of Virginia Tax Set-Off collections program to collect unpaid fines, fees, and costs.