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Auditor of Public Accounts

Commonwealth of Virginia

Auditor of Public Accounts

P.O. Box 1295
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April 24, 2019

The Honorable Hugh S. Campbell
Chief Judge
County of Stafford General District Court
P. O. Box 176
Hanover, VA 23069

Audit Period: July 1, 2017 through June 30, 2018
Court System: County of Stafford
Judicial District: Fifteenth

We are performing a statewide audit of the General District 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:

Request Tax Set-Off Refunds

Repeat: No

The Clerk did not submit claims to the Virginia Department of Taxation (Taxation) for tax set-off of refunds for delinquent court fines and costs of \$42,763, resulting in a loss of revenue to the Commonwealth and locality. A court must submit claims for set-off of tax refunds through Taxation's automated accounting system. The Clerk should use the tax refund set-off process to maximize collections as required by the Code of Virginia.

Retain Documentation for Payment Agreements

Repeat: No

In five of ten accounts, the Clerk and her staff could not locate the defendants' payment agreements, which document the terms for the payment of fines and costs. The Clerk and her staff should maintain these agreements in accordance with the General District Court Manual and the financial management system user's guide.

Properly Bill and Collect Court Costs

Repeat: No

The Clerk did not properly bill and collect court costs. In 41 cases tested, we noted the following errors:

- In ten cases, the Clerk did not bill the locality for public defender fees of \$1,200.
- In six cases, the Clerk did not bill defendants for court costs of \$530.

The Clerk and her staff should correct the specific cases noted above and should establish a system of review to minimize the likelihood of errors going undetected. In all cases, the Clerk should bill and collect court costs in accordance with the Code of Virginia.

Retain Waivers and Timesheets

Repeat: No

The Clerk and her staff did not retain proper supporting documentation for attorney payments. Court appointed attorneys may request additional payment in excess of the statutory cap by submitting detailed waiver applications and detailed timesheets for approval by the Chief and Presiding Judges. In two of five attorney invoices tested, the Clerk and her staff did not retain the proper documentation. The Clerk should ensure that all waiver applications and detailed timesheets are approved and retained.

Review General Ledger

Repeat: No

The Clerk does not review the court's general ledger to ensure account balances are appropriate. As of June 2018, the Clerk was holding \$452 in tax refunds that should have been allocated to defendants' accounts and \$26,687 in credit card convenience fees that should have been remitted to the Commonwealth. The Clerk should correct the current errors and, going forward, should review the general ledger on a daily basis to ensure the propriety of all account balances.

We acknowledge the cooperation extended to us by the Clerk and her staff during this engagement.

AUDITOR OF PUBLIC ACCOUNTS

MSM: clj

cc: The Honorable J. Bruce Strickland, Judge
The Honorable Robert Eric Reibach, Judge
Bonnie L. Camp, Clerk
Paul F. DeLosh, Director of Judicial Services
Supreme Court of Virginia