

CLERK OF THE CIRCUIT COURT
of the
COUNTY OF CHARLES CITY
The Honorable Edith K. Holmes

REPORT ON AUDIT
FOR THE PERIOD
APRIL 1, 2007 THROUGH JUNE 30, 2008





Commonwealth of Virginia

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

Walter J. Kucharski, Auditor

February 19, 2009

The Honorable Edith K. Holmes
Clerk of the Circuit Court
County of Charles City

Board of Supervisors
County of Charles City

Audit Period: April 1, 2007 through June 30, 2008
Court System: County of Charles City

We have audited the cash receipts and disbursements of the Clerk of the Circuit Court for this Court System and for the period noted above. 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.

Management's Responsibility

Court 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.

Internal Controls

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

Compliance

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

The issues identified above are discussed in the section titled Comments to Management. Any response and written corrective action plan to remediate these issues provided by the Clerk are included as an enclosure to this report.

We discussed these comments with the Clerk and we acknowledge the cooperation extended to us by the court during this engagement.

AUDITOR OF PUBLIC ACCOUNTS

WJK:kmk

cc: The Honorable N. Prentis Smiley, Jr., Chief Judge
John F. Miniclier, County Administrator
Robyn M. de Socio, Executive Secretary
Compensation Board
Paul F. DeLosh, Director of Judicial Services
Supreme Court of Virginia
Director, Admin and Public Records
Department of Accounts

COMMENTS TO MANAGEMENT

Internal Controls and 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 also disclosed the following instances of noncompliance.

Properly Assess Fines and Costs

The Clerk does not properly assess and collect criminal costs as required by Sections 17.1-275.2, 17.1-275.7, 17.1-275.5(12), 17.1-275.5(13), 19.2-136(1), 19.2-305.4, and 19.2-310.2 of the Code of Virginia. This is a repeat finding for the Clerk.

Specifically, we found assessment errors totaling \$496 for 11 of 25 criminal cases tested resulting over assessment of \$67 and under assessments of \$429, which the Clerk should collect or refund. Although auditors noted that dollar amount in assessment errors dropped significantly, there was an increase in the error rate in the current audit period.

The Clerk should ensure her staff possesses an appropriate understanding of requirements set forth by the Code of Virginia and the information in the accompanying Fee Schedules provided by the Office of the Executive Secretary of the Supreme Court of Virginia. Additionally, the Clerk should review staff work on a regular basis to ensure employees assess and collect all court costs and fees in accordance with these documented requirements.

COMMONWEALTH OF VIRGINIA
COUNTY of CHARLES CITY



CIRCUIT COURT CHARLES CITY COUNTY

Edith K. Holmes, Clerk
Post Office Box 86
Charles City, Virginia 23030-0086

PHONE: (804) 652-2105
FAX: (804) 829-5647

January 27, 2009

Kathleen M. Kimmel, CPA, CGFM
Director Judicial Systems
Auditor of Public Accounts
101 N. 14th. Street, 8th. Floor
Monroe Building
Richmond, Virginia 23219

Dear Ms. Kimmel:

In reference to the copy of the Audit you sent me, I have requested The Judicial Services Department with the Supreme Court to come by this office and refresh us on the fees assessment as that seems to be a problem for us. I was trying to randomly pick cases to review the fines and costs on because I do not always have the time to go over each and every file after the cases have be updated, but I will try to review each in the future.

If you have any questions please feel free to contact me at 804-652-2105.

Sincerely,

Edith K. Holmes
Clerk

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