

**THE CLERK OF THE
GENERAL DISTRICT COURT
FOR THE
COUNTY OF FAIRFAX**

**REPORT ON AUDIT
FOR THE PERIOD
OCTOBER 1, 2007 THROUGH DECEMBER 31, 2008**





Commonwealth of Virginia

Walter J. Kucharski, Auditor

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

June 22, 2009

The Honorable Donald P. McDonough
Chief Judge
County of Fairfax General District Court
4110 Chain Bridge Road
Fairfax, VA 22030

Mr. Karl R. Hade
Executive Secretary
Office of the Executive Secretary
of the Supreme Court of Virginia

Audit Period: October 1, 2007 through December 31, 2008
Court System: County of Fairfax
Judicial District: Nineteenth
Magisterial District: Fifth

We have audited the cash receipts and disbursements of the Clerk of the 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 instances of improper recording and reporting of financial transactions in the Magistrates' financial management records.

Internal Controls

We noted no matters involving internal control and its operation necessary to bring to Court management's attention.

As well, we noted 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 no 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 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 Michael J. Cassidy, Judge
The Honorable Stewart P. Davis, Judge
The Honorable Thomas E. Gallahue, Judge
Nancy L. Lake, Clerk
Bill Reid, Regional Magistrate Supervisor
Claude Beheler, Chief Magistrate
Paul DeLosh, Director of Judicial Services
Supreme Court of Virginia

COMMENTS TO MANAGEMENT

Internal Controls

We noted the following matters involving internal control and its operation that could lead to the loss of revenues, assets, or otherwise compromise the Magistrates' fiscal accountability.

Improve Accounting Procedures

Magistrate Bradley Doane is not following the procedures in the Magistrate Manual, Chapter 9 and complying with Section 17.1-271 of the Code of Virginia. We found the following practices.

- We could not find a deposit for a \$50 collection and we found deposits of collections up to eight business days after collection.
- The Magistrate did not obtain a bank account without a monthly service charge and was an interest-bearing account. The Supreme Court of Virginia discourages both practices.
- Did not correct the bank balance for a \$20 service fee.
- A manual receipt and court receipt showed collections of \$112, however, the deposit and transmittal were \$102, and we could find no correction or explanation of the difference.

The Chief Magistrate should work with Magistrate Doane by having him review the Magistrate Manual and ensuring he receives adequate training.