



JON ZUG
CLERK OF THE CIRCUIT COURT
FOR THE
COUNTY OF ALBEMARLE

FOR THE PERIOD
JANUARY 1, 2025 THROUGH DECEMBER 31, 2025

Auditor of Public Accounts
Staci A. Henshaw, CPA
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COMMENTS TO MANAGEMENT

We noted the following matters involving internal control and its operation that have led or could lead to noncompliance with laws and regulations, the loss of assets or revenues, or otherwise compromise the Clerk's fiscal accountability.

Monitor and Disburse Liabilities

Repeat: No

The Clerk does not properly monitor and disburse court liabilities. At the end of the audit period, the Clerk was holding \$6,667 in liabilities that he should have either paid or escheated. The Clerk should review all liabilities he is currently holding and disburse, as applicable. In the event the Clerk cannot locate the owners of the funds, the Clerk should escheat the funds as required by § 55.1-2518 and § 55.1-2524 of the Code of Virginia. Going forward, the Clerk should routinely monitor and disburse, when appropriate, all court liabilities as recommended by the Financial Accounting System User's Guide.

Properly Assess and Collect Probate Taxes and Fees

Repeat: No

The Clerk did not properly assess and collect probate taxes and fees when recording wills. In nine of 15 (60%) estates tested, we noted the Clerk did not assess and collect a total of \$130 in taxes and fees. The Clerk should bill the nine estates noted for the additional amounts owed and, going forward, should properly assess and collect probate taxes and fees when recording estates, as required by the Code of Virginia.

Promptly Record and Deposit Civil Filing Fees

Repeat: No

The Clerk and Clerk's staff did not promptly record and deposit civil case filing fees. In nine of 19 (47%) civil cases tested, fees were recorded and deposited between ten and 21 days after receipt. Delayed entry of collections into the financial system and delayed deposit of the funds increases the risk of loss and delays state remittance. The Clerk should record and deposit funds immediately upon receipt, as required by § 2.2-806(B) of the Code of Virginia.

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Commonwealth of Virginia

Auditor of Public Accounts

Staci A. Henshaw, CPA
Auditor of Public Accounts

P.O. Box 1295
Richmond, Virginia 23218

August 31, 2026

The Honorable Jon Zug
Clerk of the Circuit Court
County of Albemarle

Ned Gallaway, Board Chair
County of Albemarle

Review Period: January 1, 2025, through December 31, 2025
Court System: County of Albemarle

We have reviewed the financial operations for the office of the Clerk of the Circuit Court for the County of Albemarle, for the period noted above, pursuant to § 30-134 of the Code of Virginia. Our primary objectives were to test the accuracy of financial transactions recorded on the Court's financial accounting system; evaluate the Clerk's internal controls; and test the Clerk's compliance with significant state laws, regulations, and policies related to financial operations.

The Clerk is responsible 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 information, effectiveness and efficiency of financial operations, and compliance with applicable laws and regulations. Deficiencies in internal controls could lead to noncompliance with laws and regulations, the loss of assets or revenues, or otherwise compromise the Clerk's fiscal accountability. It is our responsibility to perform procedures to the extent necessary to satisfy the objectives of this engagement.

We noted matters involving internal control and its operation necessary to bring to the Clerk's attention. The matters are discussed in the section titled Comments to Management. Any written corrective action plan to remediate these matters provided by the Clerk is included as an enclosure to this report. We did not validate the Clerk's corrective action plan and, accordingly, cannot take a position on whether it adequately addresses the issues in this report.

We discussed these comments with the Clerk, and we acknowledge the cooperation extended to us by the Clerk and the Clerk's staff during this engagement.

Staci A. Henshaw
AUDITOR OF PUBLIC ACCOUNTS

LJH/clj

cc: The Honorable Claude Worrell, II, Chief Judge
Jeff Richardson, County Executive
Robyn de Socio, Executive Secretary
Compensation Board
Paul DeLosh, Director of Judicial Services
Supreme Court of Virginia

ALBEMARLE COUNTY CIRCUIT COURT



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September 22, 2026

Staci Henshaw
Auditor of Public Accounts
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Re: January 1, 2025 to December 31, 2025
Audit of Albemarle Circuit Court Clerk's Office

Dear Ms. Henshaw:

I am writing in response to the August 31, 2026 letter from your office setting forth the findings of the above-referenced audit, and the request for the corrective action plan for the three points made in the comments to management related to potential deficiencies in office practices during the audit period. As always I wish to express my appreciation for the hard work of the office of the Auditor of Public Accounts as I see the audits as a collaborative effort to help our office provide better service to the court system and the Commonwealth, in general. I particularly want to express my gratitude to Stephanie Crisman as I find her to be very professional and easy to work with, and I appreciate her input and willingness to listen and provide constructive criticism during our audit period.

There were four points raised at the conclusion to the Audit, and I will address them in the order that they appear in the Comments to Management section of the audit report:

Monitor and Disburse Liabilities

Ms. Crisman's findings indicated that the office was holding \$6,667 in liabilities that should have been either paid or escheated. This amount was made up almost entirely of bond amounts the office was holding for unresolved matters that had been under appeal. We are still holding a small percentage of those amounts as we have been awaiting a court order by the attorneys involved as to where the monies are to be paid, given that the order from the appellate court did not specify where the bond monies were to be paid out. The clerk's office has disbursed some of the funds, but as the clerk, I have been loathe to escheat funds when I know that there is an attorney's client out there who is almost assuredly due those funds, but the attorney has not responded to our numerous requests to provide us an order so that we can properly disburse those funds. I have directed my chief deputy, Lynn Hughes, that if we have not received proper orders for dispersal of these remaining funds to the rightful owner by November 1, 2026, that we are to escheat these matters pursuant to statute.

Properly Assess and Collect Probate Taxes and Fees

The audit indicated that in 9 of 15 estates tested that the clerk did not collect a TOTAL of \$130 in taxes/fees that were to be collected. This error, tied almost exclusively in the 9 estates, was tied to the extra \$18 fee we were told had to be collected at the time of the qualification. My probate staff had, earlier in my tenure as clerk, been collecting it, but as a result of a training with OES on probate matters (which we believe occurred in 2023), we were instructed that in qualifications that the \$18 fee was included in that payment, so my probate staff stopped collecting it in order to comply with their training from the Supreme Court. As a result of the debrief with Ms. Crisman, Donna Marshall, my probate clerk, immediately went back to her earlier practice of charging that fee during the qualification. She has been instructed to reach out to Ms. Crisman in order to determine which estates that she will need to send out an additional bill in order to make good on the \$130 we are short on.

Promptly Record and Deposit Civil Filing Fees

The audit indicated that staff in the civil division of the office in 9 of 19 civil cases tested, did not immediately deposit matters into the court's account but rather delayed that deposit for 10-21 days before making such deposits. To be clear, there was no indication of malfeasance, but rather that the delay is not a best practice and has the potential for loss of funding or abuse. It was pointed out that some (but not all) of these

matters involved times when the Clerk's Office was subjected to a massive cyberattack that effected all of the Albemarle County operating systems, and which also coincided with our move to temporary quarters that the clerk's office made as a result of renovations that the Albemarle Circuit Courthouse and administrative office are still undergoing. While the move was only to last one week (and the office was closed during that time), in fact, the move took a solid two weeks, and in addition, the cyberattack that occurred 3 days before the move, continued to impact the court's operating systems for an additional 3-4 weeks after the move was completed. Additionally, the clerk's office since late 2024 has been dealing with a number of *pro se* litigants who have been filing specious claims such that Judge Higgins has put a requirement that the clerk's office provide the pleading(s) from these litigants to her first before accepting them into the file, so that delay has caused us to miss some of the time limits that would have put us more in compliance than we obviously were. I have instructed the civil staff to be more diligent in receipting these matters even if it results in us having to issue refunds for matters that the Court will eventually not permit to be filed.

My expectation is that these actions will address the concerns raised in our audit of 2025, and I will continue to work collaboratively with the Office of the Auditor of Public Accounts. If there are any other issues that your office would like to speak with me about, please do not hesitate to reach out to me at the number in the above letterhead. I also want to apologize for not responding to this audit earlier, but the week that I returned from the Virginia Court Clerk's Association Conference was the week that I received this audit, and unfortunately I had come down with a rather nasty cold, and by the time I was fully back in the office from that illness, things had begun to pile up that needed my immediate attention. I am,

Very Truly Yours,
Signature on File

JON R. ZUG, Clerk
Albemarle Circuit Court