



SARONA IRVIN  
CLERK OF THE CIRCUIT COURT  
FOR THE  
COUNTY OF SHENANDOAH

FOR THE PERIOD  
JULY 1, 2020 THROUGH SEPTEMBER 30, 2021

Auditor of Public Accounts  
Staci A. Henshaw, CPA

[www.apa.virginia.gov](http://www.apa.virginia.gov)  
(804) 225-3350



## 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 and the loss of revenues, assets, or otherwise compromise the Clerk's fiscal accountability.

### **Complete Disaster Recovery Plan**

Repeat: Yes (first issued in 2020 as Develop a Disaster Recovery Plan)

The Clerk has not completed her office's disaster recovery plan, which is required by § 17.1-258.3:1 of the Code of Virginia. A complete and fully implemented disaster recovery plan ensures the recovery and continuation of court records in the event of a disaster. The Clerk should complete and implement the draft plan that is currently in progress in accordance with the Code of Virginia.

### **Properly Review General Ledger**

Repeat: No

The Clerk does not review the monthly general ledger report and correct accounting errors as necessary. We noted a negative account balance of \$903 on the September 2021 general ledger, of which the Clerk was unaware, that resulted from an accounting error. In addition, the tax set-off account had a balance of \$395, which should have been allocated to individual receivable accounts. The general ledger report summarizes all receipt, journal entry, and disbursement activity for the month and helps identify account balances and activity requiring review.

The Clerk should immediately allocate the amount noted in the tax set-off account and, going forward, should review the general ledger monthly to identify any unusual activity and correct accounting errors as necessary.

### **Monitor and Disburse Liabilities**

Repeat: Yes (first issued in 2018)

The Clerk does not properly monitor and disburse liabilities. At the end of the audit period, the Clerk was holding \$28,296 in liabilities that should have been disbursed or escheated. The Clerk should disburse the amounts noted and, going forward, should monitor and disburse liabilities monthly as recommended by the financial system user's guide. In the event that the owners of the funds cannot be located, the Clerk should escheat the funds as required by § 55.1-2518 and § 55.1-2524 of the Code of Virginia.

### **Update Individual Receivable Account Status**

Repeat: Yes (first issued in 2018)

The Clerk does not update and remove accounts from appeal status and correct credit balances when applicable. Twenty-three accounts were left in appeal status and three accounts had credit balances for up to 36 months. Accounts should only be in appeal status when the Judge approves a stay

in the sentence and accounts with credit balances should be promptly corrected since this may indicate a receipting error or overpayment.

The Clerk should update the individual accounts noted during the audit and, going forward, should review and take appropriate and timely action on all accounts in appeal status and accounts with credit balances as recommended by the financial accounting system user's guide.

#### **Properly Bill and Collect Court Fines and Costs**

Repeat: Yes (first issued in 2017)

The Clerk and her staff did not properly bill and collect court fines and costs. In 13 of 39 cases tested (33%), we noted the following errors.

- In nine cases, the Clerk did not charge defendants a total of \$3,091 in fines and costs.
- The Clerk miscoded \$550 in fines for three cases in the financial system as Commonwealth instead of local.
- In two cases, the Clerk overcharged defendants a total of \$210 in attorney fees.
- For one local case, the Clerk miscoded attorney fees of \$120 in the financial system as Commonwealth instead of local and submitted the attorney fee invoice to the Commonwealth for payment instead of the locality.

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

#### **Promptly Prepare Court Orders**

Repeat: No

The Clerk did not prepare and enter court orders timely. For four of 39 cases tested (10%), the final sentencing orders had not been prepared as required. The Circuit Court Clerk's Criminal Manual states the function of a court order is to record what transpired in court and to memorialize the court's disposition. Court orders should be prepared and entered in a timely manner to ensure the proceedings of the court are properly recorded and available for review.

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Staci A. Henshaw, CPA  
Auditor of Public Accounts

# Commonwealth of Virginia

*Auditor of Public Accounts*

P.O. Box 1295  
Richmond, Virginia 23218

November 23, 2021

The Honorable Sarona Irvin  
Clerk of the Circuit Court  
County of Shenandoah

Steve Baker, Board Chairman  
County of Shenandoah

Audit Period: July 1, 2020, through September 30, 2021  
Court System: County of Shenandoah

We have audited the cash receipts and disbursements of the Clerk of the Circuit Court of this locality 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.

We noted matters involving internal control and its operation necessary to bring to management's attention. These matters are discussed in the section titled Comments to Management. Any response and written corrective action plan to remediate these matters 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 Clerk and her staff during this engagement.

Staci A. Henshaw  
AUDITOR OF PUBLIC ACCOUNTS

SAH: clj

cc: The Honorable Clark A. Ritchie, Chief Judge  
Evan Vass, 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



## SHENANDOAH COUNTY CIRCUIT COURT

112 South Main Street, P.O. Box 406  
Woodstock, VA 22664  
Phone (540) 459-6150 • Fax (540) 459-6155

**SARONA S. IRVIN, CLERK**

**DEPUTY CLERKS**  
Cynthia D. Kibler - Chief  
Karla S. Ortt - Supervisor  
Shelby L. Sherfey  
Randy L. Litten, Jr.  
Valerie A. Purdy  
Elizabeth R. Campbell  
Cynthia L. Miller  
Deirdre L. Dillon  
Denise B. Estep

December 22, 2021

Staci A. Henshaw  
Auditor of Public Accounts  
Via email: [stephanie.serbia@apa.virgija.gov](mailto:stephanie.serbia@apa.virgija.gov)

RE: Shenandoah County Circuit Court  
Audit period 07/01/2020 through 09/30/2021

Ms. Henshaw:

I am in receipt of our court's audit wherein six (6) Comments to Management are noted. By this letter, I am responding and supplying my explanation and corrective action plan as to each comment.

**Develop a Disaster Recovery Plan**

Repeat: Yes

As stated in the previous audit reply, our office had started developing a Disaster Recovery Plan that was not yet completed. The only aspects not completed were some of the technical hardware which I was trying to coordinate with the Supreme Court to discern the appropriate way to incorporate in the plan. Since that time, I have had a new main frame installed and implemented more equipment across the street in the Historic Courthouse and due to staff turnover and shortage in staff in comparison to workload, I simply did not get to complete the Disaster Plan. I have now revisited the plan and found the sample plan provided by the Supreme Court of Virginia and am working to complete the plan.

I will strive to have the plan completed and signed off by appropriate parties in our locality as soon as possible, but no later than March 31, 2022.

**Properly Review General Ledger**

Repeat: No

The negative balance of \$903 in Account code 315 and the Tax Set-off balance were both due to my training a new accounting technician and both matters have been corrected and the accounting technician is aware of the reports to monitor daily to avoid this error in the future. Once again, lack of staff in our office impacts my being able to stay on top of monitoring everything.

I would respectfully request this management point be removed from the final report.

**Monitor and Disburse Liabilities**

Repeat: yes (first issued in 2018)

I am continuing to train the new accounting technician and we will be working diligently the first quarter of 2022 to review and disburse all of the accounts referenced in this management point and will perform due diligence, where applicable to turn over as unclaimed property or restitution at the beginning of the year and not wait until the fall deadline.



**Update Individual Receivable Accounts Status**

Repeat: Yes (first issued in 2018)

I agree the accounts with appeal status referenced should have been updated. I have gone over this process with my new accounting technician, and we are working to review and correct all cases showing on the BU06 report. Our goal is to have all corrected by March 31, 2022.

**Properly Bill and Collect Court Costs**

Repeat: Yes (first issued in 2017)

During this audit period our office continued to have new deputy clerks being trained to handle the criminal court costs. One area that is weak is the follow through of going back to review the work of the new deputy clerks. Since the workload my staff is tasked to complete is greater than the number of staff our court has to properly perform said tasks, it is very difficult to have a good 'checks and balance' to be sure all costs are assessed correctly for every defendant.

With the large amount of turnover, my office is constantly challenged with a continual training process, with training comes errors, and errors are, unfortunately, unavoidable during periods of training.

Moving forward, I have corrected the matters that could be corrected and will strive to create a better 'checks and balance' system among my staff to attempt to catch errors in a timely manner. I will strive to do a better job of checking the new account listings on a regular basis to make sure the criminal staff are setting up cases timely and properly assessing court costs for criminal matters in accordance with the Code of Virginia.

**Promptly Prepare Court Orders**

Repeat: No

Our court is doing the best we can do, with the number of staff we have been allotted, to get the Final Orders completed.

Overall, I feel most of the management points referenced and errors found have a great deal to do with my office being understaffed, underpaid and therefore creating an increased amount of turnover. We hire new staff, take the time to train and after they gain experience they apply for a higher paying position and the cycle starts all over again. In an office that is tasked with over 800 duties and responsibilities it is virtually impossible to not have errors if staff does not remain constant.

It was our pleasure working with the members of your staff during the audit.

If you should have any questions, please do not hesitate to contact me at my direct phone number of (540) 459-6153 or via e-mail: [sirvin@vacourts.gov](mailto:sirvin@vacourts.gov)

Sincerely,



Sarona S. Irvin, Clerk