



# Commonwealth of Virginia

**Walter J. Kucharski, Auditor**

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

October 18, 2010

The Honorable Joseph M. Clarke, II  
Chief Judge  
County of Roanoke Juvenile and Domestic Relations Court  
P. O. Box 986  
Roanoke, VA 24005

Audit Period: July 1, 2009 through June 30, 2010  
Court System: County of Roanoke  
Judicial District: Twenty-third

We are performing a statewide audit of the Juvenile and Domestic Relations 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:

## Properly Bill Fines and Costs

The Clerk is not properly billing and collecting fines, fixed misdemeanor, fixed traffic infraction, court appointed attorney, and courthouse security fees involving state and local charges resulting in a loss of revenue to the Commonwealth and locality. Auditor tested 25 cases and noted the following errors in six of these cases:

- In two cases, the Clerk erroneously identified state fines totaling \$490 as a local violation and a courthouse security fee.
- In two cases, the Clerk did not properly bill the locality for the court appointed attorney fees, involving local cases. Instead the Clerk billed the Commonwealth incorrectly, which paid \$232.
- In one case, the Clerk did not properly bill a defendant for the fixed misdemeanor and courthouse security fees totaling \$71.

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- In one case, the Clerk incorrectly billed a defendant for a fixed traffic infraction fee resulting in an over-charge of \$10.

We recommend the Clerk research all similar cases, make the appropriate corrections to case paperwork, and where appropriate, bill the localities for the applicable court appointed attorney fees. Further, the Clerk should bill and collect court costs and fines in accordance with Sections 16.1-69.48:1, 19.2-163, 19.2-340 and 53.1-120 of the Code of Virginia.

We acknowledge the cooperation extended to us by the Court during this engagement.

AUDITOR OF PUBLIC ACCOUNTS

WJK: clj

cc: The Honorable Joseph P. Bounds, Judge  
The Honorable Philip Trompeter, Judge  
The Honorable John B. Ferguson, Judge  
Doris J. Johnson, Clerk  
Paul F. DeLosh, Director of Judicial Services  
Supreme Court of Virginia