



Staci A. Henshaw, CPA
Auditor of Public Accounts

Commonwealth of Virginia

Auditor of Public Accounts

P.O. Box 1295
Richmond, Virginia 23218

February 19, 2021

The Honorable Tyneka L. D. Flythe
Chief Judge
City of Newport News General District Court

Audit Period: July 1, 2019, through June 30, 2020
Court System: City of Newport News
Judicial District: Seventh

We are performing a statewide audit of the General District 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 include the following:

Properly Bill and Collect Court Fines and Costs

Repeat: No

The Clerk did not properly bill and collect court fines and costs. In 19 of 105 cases tested (18%), we noted the following errors.

- In eleven cases, jurisdiction entry errors resulted in Commonwealth losses of \$6,224 and locality losses of \$610.
- Costs of \$2,341 for four cases were not certified to Circuit Court.
- Defendants in six cases were not charged costs of \$1,189.
- For two local cases, the Clerk did not submit court-appointed attorney vouchers to the locality for payment. Instead, the Clerk incorrectly sent the vouchers to the Commonwealth, which paid \$240.

- In two Commonwealth cases, the Clerk incorrectly billed the locality for public defender fees of \$240.
- The Clerk did not bill the locality for public defender fees of \$157 for two local cases.

The Clerk should correct the specific cases noted above and should update her 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 Code of Virginia.

Properly Maintain List of Allowances and Waiver Applications

Repeat: No

The Clerk did not maintain proper supporting documentation for attorney payments. Court appointed attorneys are required to complete a list of allowances, which is then required to be approved for payment by the Clerk and the Presiding Judge. Additionally, Court appointed attorneys may request payment above the statutory cap by submitting detailed waiver applications and detailed timesheets for approval by the Chief and Presiding Judges. In five of eight attorney invoices tested, the Clerk did not retain the proper documentation to support the payments. The Clerk should ensure all invoices are approved and retained.

We acknowledge the cooperation extended to us by the Clerk and their staff during this engagement.

Staci A. Henshaw
AUDITOR OF PUBLIC ACCOUNTS

SAH: clj

cc: The Honorable Matthew W. Hoffman, Judge
The Honorable Michael S. Stein, Judge
The Honorable Robert G. Saunders, Judge
Karen J. Routten, Clerk
Paul F. DeLosh, Director of Judicial Services
Supreme Court of Virginia