

**BETSY B. WOOLRIDGE
CLERK OF THE CIRCUIT COURT
OF THE
COUNTY OF JAMES CITY
AND THE
CITY OF WILLIAMSBURG**

**REPORT ON AUDIT
FOR THE PERIOD
APRIL 1, 2009 THROUGH MARCH 31, 2010**



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Commonwealth of Virginia

Walter J. Kucharski, Auditor

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

Aug 3, 2010

The Honorable Betsy B. Woolridge
Clerk of the Circuit Court
County of James City / City of Williamsburg

Board of Supervisors
County of James City

City Council
City of Williamsburg

Audit Period: April 1, 2009 through March 31, 2010
Court System: County of James City / City of Williamsburg

We have audited the cash receipts and disbursements of the Clerk of the Circuit Court for this Court System and 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 a matter involving internal control and its operation necessary to bring to management's attention. The matter is discussed in the section titled Comments to Management. Any response and written corrective action plan to remediate this matter provided by the Clerk are included as an enclosure to this report.

We discussed this comment with the Clerk and we acknowledge the cooperation extended to us by the court during this engagement.

AUDITOR OF PUBLIC ACCOUNTS

WJK:alh

cc: The Honorable Thomas B. Hoover, Chief Judge
Sanford B. Warner, County Administrator
Jack Tuttle, City Manager
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

COMMENTS TO MANAGEMENT

We noted the following matter involving internal control and its operation that has led or could lead to the loss of revenues, assets, or otherwise compromise the Clerk's fiscal accountability.

Establish Proper Procedures for Payment of Court Appointed Attorneys

The auditor tested eight cases and in all seven locality cases, the Clerk did not properly bill the locality for the attorney fees. Instead, the clerk's staff erroneously billed the Commonwealth for costs in excess of \$1200. Section 19.2-163 of the Code of Virginia requires the Clerk to direct attorney payments be paid by the jurisdiction charging the defendant. Additionally, the Clerk's staff used the state account code instead of the locality account code when recording these costs against the defendant's receivable account. Because the clerk and her staff are not properly billing and collecting attorney costs, the Commonwealth has, and will continue to incur losses. The Clerk should work to establish appropriate procedures for future cases and recover previously paid Commonwealth funds from the locality for reimbursement to the State Treasurer.

OFFICE OF CLERK OF CIRCUIT COURT

City of Williamsburg and County of James City
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Betsy Woolridge, Clerk

July 12, 2010

Walter J. Kucharski
Auditor of Public Accounts
PO Box 1295
Richmond, Virginia 23218

Re: **Audit Period April 1, 2009 to March 31, 2010**

Dear Mr. Kucharski:

In response to Memorandum reference Subject: Possible Findings dated June 3, 2010 and your emailed letter dated June 24, 2010; please be advised that corrective actions were taken while your staff was here. This office was unaware of the issue since past audits were successful with collections handled the same way.

Your auditors discussed the issue with Susan Thompson, Criminal Fines and Costs Clerk. She is now diligently checking to determine the correct locality for payment. We have already started sending invoices to our locality for payment of court appointed attorneys on local cases. All appropriate codes have been implemented.

Sincerely,



Betsy B. Woolridge

cc: File

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