

July 27, 2002

The Honorable Paul C. Garrett  
Clerk of the Circuit Court  
City of Charlottesville

Council  
City of Charlottesville

We have audited the cash receipts and disbursements of the Clerk of the Circuit Court of the City of Charlottesville for the period April 1, 2001 through March 31, 2002.

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. However, our audit was more limited than would be necessary to provide assurance on the internal controls or on overall compliance with applicable laws, regulations, and policies.

The results of our tests found the Court properly stated, in all material respects, the amounts recorded and reported in the financial management system; and no material weaknesses in the internal controls. However, we noted noncompliance with state laws, regulations, and policies that the Clerk needs to address as described below.

Transfer State Collections Timely

The Clerk did not consistently send collections to the State Treasurer as required by Section 2.2-806 of the Code of Virginia. The Code requires clerks of circuit court to transfer state funds at least once each week, or twice weekly when funds total \$5,000 or more. We found that the Clerk sent funds to the state only once a week 15 times even though the total of collections for each of those weeks exceeded \$5,000. Also, the Clerk did not make any weekly transfers to the state twice during the audit period. While all collections were ultimately transferred to the state, the Clerk should comply with state law and ensure that he sends collections to the State Treasurer at least once each week, or twice weekly when those funds exceed \$5,000.

We discussed these comments with the Clerk on July 25, 2002 and we acknowledge the cooperation extended to us by the court during this engagement.

AUDITOR OF PUBLIC ACCOUNTS

WJK:whb

cc: The Honorable Daniel R. Bouton, Chief Judge  
Gary B. O'Connell, City Manager  
Bruce Haynes, Executive Secretary  
Compensation Board  
Don Lucido, Director of Technical Assistance  
Supreme Court of Virginia  
Martin Watts, Court Analyst  
Supreme Court of Virginia  
Paul Delosh, Technical Assistance  
Supreme Court of Virginia  
Director, Admin and Public Records  
Department of Accounts

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Working Papers

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**TO: Paul C. Garrett, Clerk of the Circuit Court**

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**Clerk Fax Number – 434-984-0190 Clerk Phone Number - 434-970-3766**

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**FROM: Carol MacVaugh, Court Audit Supervisor**

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**DATE: Thursday, August 22, 2002 TIME: 7:29 AM**

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**Number of pages including cover page:**

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**CONFIDENTIAL FOR: Paul C. Garrett, Clerk**

**MESSAGE:** Enclosed is a **DRAFT COPY** of our audit report. We previously discussed these findings with you during the audit. We are providing this draft copy to afford you an additional opportunity to comment before we finalize the report.

**It is important that you call me at (804)-225-3350 x335 on or before Thursday, Thursday, August 22nd, if you have questions or comments regarding the findings in this report. Otherwise, the report will be issued as shown. Thank you for your time.**