

**RAY S. CAMPBELL, JR.  
CLERK OF THE CIRCUIT COURT  
OF THE  
COUNTY OF CAROLINE**

**REPORT ON AUDIT  
FOR THE PERIOD  
OCTOBER 1, 2008 THROUGH DECEMBER 31, 2009**



-TABLE OF CONTENTS-

	<u>Pages</u>
AUDIT LETTER	1
COMMENTS TO MANAGEMENT	2
CLERK'S RESPONSE AND CORRECTIVE ACTION PLAN	3



# Commonwealth of Virginia

**Walter J. Kucharski, Auditor**

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

June 7, 2010

The Honorable Ray S. Campbell, Jr.  
Clerk of the Circuit Court  
County of Caroline

Board of Supervisors  
County of Caroline

Audit Period: October 1, 2008 through December 31, 2009  
Court System: County of Caroline

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 J. Martin Bass, Chief Judge  
Percy C. Ashcraft, 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

## 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.

### Improve Accounts Receivable Management

The Clerk is not properly billing court appointed attorney fees, entering court costs, and calculating due dates as required by Sections 19.2-163, 15.2-1613.1, 16.1-69.48:1, 19.2-340, and 19.2-354 of the Code of Virginia. Auditor noted the following errors in 36 cases tested.

- In five cases tested, the Clerk failed to bill the locality for the costs of the court-appointed attorney fee when the defendant appeared for a local warrant or summons, resulting in a loss to the Commonwealth of \$864. Section 19.2-163 of the Code of Virginia requires that the locality pay all court-appointed attorney and public defender fees resulting from the defense of local charges.
- In two cases tested, the Clerk erroneously recorded \$436 in court-appointed attorney fees in the Financial Management System.
- In seven cases tested, the Clerk failed to properly record court costs in the Financial Management System, resulting in a loss to the Commonwealth totaling \$260 and a loss to the locality totaling \$75.
- In one case tested, the Clerk failed to record a local fine rendered by the Judge, resulting in a loss to the locality totaling \$300.
- In one case tested, the Clerk erroneously recorded a state fine as a local fine, resulting in a loss to the Commonwealth totaling \$100.
- In five cases tested, the Clerk did not properly calculate due dates, giving the individual defendants extra time to pay ranging from two months to two years two months on a combined total of \$4,804.

We recommend that you take immediate corrective action and bill the locality for \$864 and, upon receipt, forward to the Commonwealth accordingly. We also recommend that you establish procedures to ensure due dates are properly calculated and any changes are supported by proper documentation. Lastly, we recommend the Clerk work with the Office of the Executive Secretary to receive training in determining court costs.

CAROLINE CIRCUIT COURT  
CLERK'S OFFICE  
P.O. Box 309  
Bowling Green, VA 22427  
May 24, 2010

Tracy Vaughan  
Auditor of Public Accounts  
24 Woodmere Dr. Apt. E.  
Petersburg, VA 23805

Dear Mr. Vaughan:

I have initiated the following corrective actions:

1. All personnel who enter criminal files have been instructed to examine the information received from the General District Court to insure the file accurately describes the offense as a violation of the Code of Virginia or of the Caroline County Ordinance 108-10.
2. A new form has been developed for the payment of court appointed attorneys by the county.
3. Criminal clerks will receive additional training as available.
4. Payment has been requested from the County of Caroline in the amount specified by the auditor for erroneous billing of court appointed counsel.
5. Notice of collection has been or will be sent to defendants who still have an outstanding balance as a result of the audit.
6. Account codes have been corrected to charge the county for assessed costs in county cases.

Sincerely,



Ray S. Campbell, Jr., Clerk