



Commonwealth of Virginia

Walter J. Kucharski, Auditor

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

January 10, 2011

The Honorable Robert A. Pustilnik
Chief Judge
City of Richmond – Manchester General District Court
400 N. 9th Street
Richmond, VA 23219

Audit Period: July 1, 2009 through June 30, 2010
Court System: City of Richmond – Manchester
Judicial District: Thirteenth

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 included:

Improve Accounts Receivable Management

- In four cases, the clerk and his staff did not bill the locality for the public defenders as required by Section 19.2-163 of the Code of Virginia; when they represented defendants charged with local offenses. As a result, the clerk did not recover the Commonwealth's costs of \$480 by billing the locality. Additionally, the Clerk charged the defendants the maximum fee for public defenders, because the Clerk had not received the public defender's timesheets.
- In three cases, the Clerk incorrectly entered defendant court costs relating to court appointed attorney fees as "Failure to Appear" costs in the Financial Management System. This resulted in the miscoding of payments totaling \$254.

There is no indication the Clerk informed the judge that the public defenders are not consistently providing time sheets resulting in the loss of Commonwealth monies. We recommend the judge work with the public defenders to assist the Clerk in properly assessing and billing the locality for public defender usage, so the Commonwealth does not lose these funds. We also recommend the Clerk recover the monies from the locality, research all similar cases, and make the appropriate corrections to the necessary recorded entries in the system.

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Properly Maintain Court Documentation

The Clerk failed to retain the Circuit Court Case Transmittal and Fees Remittance Sheet. The Clerk should provide proper oversight and ensure staff are keeping all applicable appeal documentation.

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

AUDITOR OF PUBLIC ACCOUNTS

WJK:alh

cc: The Honorable Gregory L. Rupe, Judge
David M. Hicks, Clerk
Paul F. DeLosh, Director of Judicial Services
Supreme Court of Virginia