



**TERESA J. BROWN
CLERK OF THE CIRCUIT COURT
FOR THE
COUNTY OF FRANKLIN**

**REPORT ON AUDIT
FOR THE PERIOD
APRIL 1, 2012 THROUGH DECEMBER 31, 2013**

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.

Properly Bill and Collect Court Fines and Costs

In five of 20 cases tested, the Clerk and her staff did not properly bill and collect court fines and costs. In one local case, the Clerk incorrectly billed the Commonwealth for court appointed attorney fees of \$578. In four local cases, the Clerk incorrectly coded fines totaling \$540 as state fines rather than local. The Clerk should correct the cases noted during the audit and, going forward, should bill court costs and fines in accordance with the Code of Virginia. The Clerk should also institute a system of review to minimize the likelihood of coding errors going undetected.

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Commonwealth of Virginia

Auditor of Public Accounts

Martha S. Mavredes, CPA
Auditor of Public Accounts

P.O. Box 1295
Richmond, Virginia 23218

April 1, 2014

The Honorable Teresa J. Brown
Clerk of the Circuit Court
County of Franklin

David Cundiff, Board Chairman
County of Franklin

Audit Period: April 1, 2012 through December 31, 2013
Court System: County of Franklin

We have audited the cash receipts and disbursements of the Clerk of the Circuit Court for this Court System 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

MSM:alh

cc: The Honorable Joseph W. Milam, Jr., Chief Judge
Richard E. Huff, II, 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



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TERESA J. BROWN, CLERK

WILLIAM N. ALEXANDER, II, JUDGE

March 31, 2014

Martha Mavredes
Auditor of Public Accounts
P O Box 1295
Richmond, VA 23218-1295

Dear Ms. Mavredes:

In response to the audit report for the Circuit Court of Franklin County, upon notification of this error by the auditor, immediate contact was made with the county attorney and was advised by him that (11-4) was a local ordinance to collect fees for the county and not the state, **even** when a state code is used. These cases were appealed from the General District Court and the code section is retrieved directly from the input of the General District Clerk's Office in the case management system. I have instructed my staff to take the time to double check every Virginia Uniform Summons and to highlight the fine section on our court cost assessment sheet when it is one of our three localities: Town of Rocky Mount, Town of Boones Mill, and Franklin County.

This office will continue to strive to collect and bill court costs in accordance with the Code of Virginia.

Respectfully submitted,

Teresa J. Brown

Teresa J. Brown, Clerk