

**THE CLERK OF THE  
COMBINED GENERAL DISTRICT COURT  
FOR THE  
CITY OF HOPEWELL**

**REPORT ON AUDIT  
FOR THE PERIOD  
JULY 1, 2007 THROUGH SEPTEMBER 30, 2008**





# Commonwealth of Virginia

**Walter J. Kucharski, Auditor**

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

March 26, 2009

The Honorable J. Larry Palmer  
Chief Judge  
City of Hopewell  
General District Court  
100 East Broadway  
Hopewell, VA 23860

The Honorable Carson Saunders  
Chief Judge  
City of Hopewell Juvenile and  
Domestic Relations District Court  
315 South Main Street  
Emporia, VA 23847

Audit Period: July 1, 2007 through September 30, 2008  
Court System: City of Hopewell  
Judicial District: Sixth  
Magisterial Region: RS-3

We have audited the cash receipts and disbursements of the Clerk of the Combined General District Court and the associated Magistrates for this locality. Our primary objectives for both the Court and the Magistrates were to test the accuracy of financial transactions recorded on the applicable financial management system; evaluate internal controls; and test its compliance with significant state laws, regulations, and policies.

## Management's Responsibility

Court and Magistrate 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.

## Financial Matters

We noted instances of improper recording and reporting of financial transactions in the Court's financial management system.

Additionally, we noted no instances of improper recording and reporting of financial transactions in the Magistrates' financial management records.

### Internal Controls

We noted matters involving internal control and its operation necessary to bring to Court management's attention.

As well, we noted no matters involving internal control and its operation necessary to bring to Magistrate management's attention.

### Compliance

The results of our tests of compliance with applicable laws and regulations disclosed no instances of noncompliance in the Court that are required to be reported.

In addition, the results of our tests of compliance with applicable laws and regulations disclosed no instances of noncompliance with the Magistrates that are required to be reported.

We acknowledge the cooperation extended to us by the Court and the Chief Magistrate during this engagement. The issues identified above are discussed in the section titled Comments to Management.

AUDITOR OF PUBLIC ACCOUNTS

WJK:clj

cc: The Honorable Kenneth Nye, Judge  
The Honorable Jacqueline Waymack, Judge  
Edith P. Winters, Clerk  
William Oakes, Regional Magistrate Supervisor  
David Tillar, Chief Magistrate  
Paul F. DeLosh, Director of Judicial Services  
Supreme Court of Virginia

## COMMENTS TO MANAGEMENT

### Internal Controls

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

### Properly Assess Fines and Court Appointed Attorney Fees

The Clerk is improperly assessing fines and court appointed attorney fees.

- In four of ten traffic cases tested, the Clerk assessed the court appointed attorney fees without an approved timesheet. In one case, the Clerk had an approved timesheet, but did not assess the court appointed attorney fee. The total amount of assessment errors involving court appointed attorney fees is \$600.
- In seven of 14 traffic cases tested, the Clerk improperly entered the fine in the computer system as the local fine instead of as a state fine. In one case, Clerk did not assess any fine. The total amount of assessment errors involving fines is \$1,225.

The Clerk needs to be more diligent in the proper assessment of fines and court appointed attorney fees in accordance with the Code of Virginia; Sections 19.2-163(1) and 16.1-69.48. The Clerk should immediately implement procedures to ensure the court has approved timesheets before the assessment of court appointed attorney fees and properly assesses fines as state revenue.