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Auditor of Public Accounts

# Commonwealth of Virginia

## *Auditor of Public Accounts*

P.O. Box 1295  
Richmond, Virginia 23218

December 16, 2016

The Honorable Barry G. Logsdon  
Chief Judge  
City of Newport News Juvenile and Domestic Relations District Court  
2501 Huntington Avenue  
Newport News, VA 23607-4498

Audit Period: July 1, 2015 through June 30, 2016  
Court System: City of Newport News  
Judicial District: Seventh

We are performing a statewide audit of the Juvenile and Domestic Relations 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:

### **Properly Complete Attorney Waivers (New)**

The Clerk did not complete proper supporting documentation for attorney payments. Court appointed attorneys may request additional payment in excess of the statutory cap by submitting detailed waiver applications for approval by the Chief and Presiding Judges. In seven of ten attorney invoices tested, either the Clerk did not retain the proper documentation or the Chief Judge did not approve the application and invoice as required.

The Clerk should require that all proper signatures are present and that waivers are completed in full and retained with the appropriate invoices as required by Court Appointed Counsel Procedures and Guidelines Manual.

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**Properly Bill and Collect Court Costs (Repeat)**

The Clerk and her staff did not properly bill and collect court costs. In 18 of 60 cases tested, we noted the following errors.

- In eight cases, the defendants were not billed for a total of \$1,790 in court costs, resulting in a loss to the Commonwealth and locality.
- In nine cases, the Clerk did not bill the locality \$1,080 for public defenders and court-appointed attorneys assigned to locality cases.
- In one case, the locality was billed twice for the public defender fee of \$120.

The Clerk should correct the specific cases noted above and should establish a system of review to minimize the likelihood of billing errors going undetected. In all cases, the Clerk should bill and collect court costs in accordance with Code of Virginia.

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

AUDITOR OF PUBLIC ACCOUNTS

MSM: clj

cc: The Honorable Ronald E. Bensten, Judge  
The Honorable Judith A. Kline, Judge  
The Honorable Thomas W. Carpenter, Judge  
Patsy A. Ewell, Clerk  
Paul F. DeLosh, Director of Judicial Services  
Supreme Court of Virginia