

**CLERK OF THE COMBINED GENERAL DISTRICT COURT  
OF THE  
COUNTY OF CUMBERLAND**

**REPORT ON AUDIT  
FOR THE PERIOD  
APRIL 1, 2007 THROUGH MARCH 31, 2008**





# Commonwealth of Virginia

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

**Walter J. Kucharski, Auditor**

July 7, 2008

The Honorable Robert G. Woodson  
Chief Judge  
County of Cumberland  
General District Court  
P.O. Box 24  
Cumberland, VA 23040

The Honorable Michael M. Rand  
Chief Judge  
County of Cumberland Juvenile and  
Domestic Relations District Court  
P.O. Box 430  
Halifax, VA 24558

The Honorable William L. Wellons  
Magistrate Supervising Authority  
Tenth Judicial District  
11435 Courthouse Road  
Lunenburg, VA 23952

Audit Period: April 1, 2007 through March 31, 2008  
Court System: County of Cumberland  
Judicial District: Tenth

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 no 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 no 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

However, the results of our tests of compliance with applicable laws and regulations disclosed instances of noncompliance in the Court that are required to be reported.

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:kmk

cc: The Honorable Marvin H. Dunkum, Judge  
Carolyn Z. Helgeson, Clerk  
William Oakes, Chief Magistrate  
Paul F. DeLosh, Director of Judicial Services  
Supreme Court of Virginia

## COMMENTS TO MANAGEMENT

### Compliance

The results of our tests of compliance with applicable laws and regulations disclosed the following instances of the Clerk's noncompliance.

The Clerk does not send funds to the Commonwealth as required by the Code of Virginia. Specifically, auditors noted the following issues:

- Send State Collections Timely

In six of 57 payment tested, the Clerk held state funds and delayed weekly remittance up to five business days later, during the current twelve-month period. During the previous audit period, the Clerk delayed remittance eight of 55 times. The Clerk does not consistently follow the process for sending in state funds as required by §16.1-69.48 of the Code of Virginia and Section K-11-2 of the District Court Manual.

- Properly Escheat Funds

Auditors identified over \$223.00 in funds eligible for escheatment to the Commonwealth, which the Clerk did not properly send to unclaimed property with the State Treasurer as required by §55-210.12 of the Code of Virginia.

The Clerk should immediately strengthen procedures to ensure that the Court remits state collections and unclaimed property to the State Treasurer in a timely fashion and as required by the Code of Virginia.