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Auditor of Public Accounts

Commonwealth of Virginia

Auditor of Public Accounts

P.O. Box 1295
Richmond, Virginia 23218

October 4, 2019

The Honorable Shawn L. Hines
Chief Judge
County of Wise and the City of Norton General District Court

Audit Period: July 1, 2018 through June 30, 2019
Court System: County of Wise and the City of Norton
Judicial District: Thirtieth

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:

Properly Bill and Collect Court Fines and Costs

Repeat: Yes (first issued in fiscal year 2017)

The Clerk and her staff did not properly bill and collect court costs. In 20 cases tested, we noted the following errors.

- In six cases, court-appointed attorney fees and expenses were assessed incorrectly, resulting in defendants being overcharged \$892 and Commonwealth losses of \$77.
- In one case, the fine assessed was miscoded as local, resulting in a Commonwealth loss of \$100.
- In one case, the jail admission fee was charged incorrectly, resulting in the defendant being overcharged \$25.

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The Clerk and her staff 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.

Request Tax Set-Off Refunds

Repeat: Yes (first issued in fiscal year 2017)

The Clerk did not submit claims to the Virginia Department of Taxation (Taxation) for tax set-off of refunds for delinquent court costs and fines totaling \$2,622, resulting in a loss of revenue to the Commonwealth and Locality. A court must submit claims for set-off of tax refunds through Taxation's automated accounting system. The Clerk should use the tax refund set-off process to maximize collections as required by the Code of Virginia.

We acknowledge the cooperation extended to us by the Clerk and her staff during this engagement.

AUDITOR OF PUBLIC ACCOUNTS

MSM:vks

cc: The Honorable Ronald Kelley Elkins, Judge
Sherry L. Bishop, Clerk
Paul F. DeLosh, Director of Judicial Services
Supreme Court of Virginia