

**ATTESTATION REPORT  
OF  
CLAY COUNTY COURT**

**JULY 1, 2014, THROUGH DECEMBER 31, 2016**

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**Issued on June 29, 2017**

# CLAY COUNTY COURT

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# CLAY COUNTY COURT

## COMMENT AND RECOMMENDATION

During our examination of the Clay County Court, we noted a certain deficiency and other operational matters that are presented here.

This comment and recommendation is intended to improve the internal control over financial reporting or result in operational efficiencies in the following area:

### Segregation of Duties

Good internal control includes a plan of organization, procedures, and documentation designed to safeguard assets and to provide reliable financial records. A system of internal control should include a proper segregation of duties, so no one individual is capable of handling all phases of a transaction from beginning to end.

We noted that the office of the County Court lacked a segregation of duties, as one person was capable of handling all aspects of processing transactions from beginning to end. A lack of segregation of duties increases the risk of possible errors or irregularities; however, due to a limited number of personnel, an adequate segregation of duties is not possible without additional cost. Further, personnel are under the direction of both the Nebraska State Court Administrator and the Presiding Judge. We have included this comment in previous examinations. We consider this to be a material weakness.

The following error was noted:

- For one non-monetary receipt tested, documentation was not on file to support a refund of \$73 made to an individual. In this instance, the court order provided that a refund of the balance less any court costs, or \$25, should be issued; however, a full refund of \$73 was issued.

We recommend the County Court and the Nebraska State Court Administrator review this situation. As always, the cost of hiring additional personnel versus the benefit of a proper segregation of duties must be weighed. Furthermore, we recommend the County Court implement procedures to ensure that refunds issued are properly supported by a court order or other documentation.

*County Court's Response: The refund transaction in question, involved a vacated sentence. Assistance in completing the necessary JUSTICE changes was obtained at the time of the new disposition. Any future vacated sentences will be closely monitored.*

*Clay County Court is aware of the Segregation of Duties note and implements procedures to address this. The Administrative Office of the Court's addition of financial specialists has helped with the process. As a result of staffing issues which limit the number of employees, this note will most likely remain.*

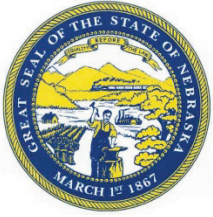
It should be noted this report is critical in nature, as it contains only our comment and recommendation on the area noted for improvement and does not include our observations on any accounting strengths of the County Court.

# CLAY COUNTY COURT

## **COMMENT AND RECOMMENDATION**

(Concluded)

Draft copies of this report were furnished to the County Court to provide management with an opportunity to review the report and to respond to the comment and recommendation included in this report. The formal response received has been incorporated into this report. The response has been objectively evaluated and recognized, as appropriate, in the report. A response that indicates corrective action has been taken was not verified at this time, but it will be verified in the next examination.



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### CLAY COUNTY COURT

#### INDEPENDENT ACCOUNTANTS' REPORT

We have examined the accompanying Schedules of Changes in Assets and Liabilities Arising from Cash Transactions of the Clay County Court as of and for the period July 1, 2015, to December 31, 2016, and the fiscal year ending June 30, 2015. The County Court's management is responsible for the Schedules based on the accounting system and procedures set forth in Note 1. Our responsibility is to express an opinion on the Schedules based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the Schedules are based on the accounting system and procedures set forth in Note 1, in all material respects. An examination involves performing procedures to obtain evidence about the Schedules of Changes in Assets and Liabilities Arising from Cash Transactions. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material misstatement of the Schedules, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

In our opinion, the Schedules of Changes in Assets and Liabilities Arising from Cash Transactions for the period July 1, 2015, to December 31, 2016, and the fiscal year ending June 30, 2015, are based on the accounting system and procedures prescribed by the Nebraska Supreme Court, as set forth in Note 1, in all material respects.

In accordance with *Government Auditing Standards*, we are required to report findings of deficiencies in internal control, violations of provisions of contracts or grant agreements, abuse that is material to the Schedules, and any fraud and illegal acts that are more than inconsequential that come to our attention during our examination. We are also required to obtain the views of management on those matters. We performed our examination to express an opinion on whether the Schedules are presented in accordance with the criteria described above and not for the purpose of expressing an opinion on the internal control over the Schedules or on compliance and other matters; accordingly, we express no such opinions. Our examination disclosed a certain finding that is required to be reported under *Government Auditing Standards*, and that finding, along with the views of management, is described in the Comment Section of the report.

This report is intended solely for the information and use of management, the Supreme Court, others within the County Court, and the appropriate Federal and regulatory agencies, and it is not intended to be, and should not be, used by anyone other than these specified parties. However, this report is a matter of public record, and its distribution is not limited.



June 28, 2017

Kris Kucera, CPA, CFE  
Audit Manager  
Lincoln, Nebraska

**CLAY COUNTY COURT**  
**CLAY CENTER, NEBRASKA**  
**SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES**  
**ARISING FROM CASH TRANSACTIONS**  
**AGENCY FUNDS**

For the Period July 1, 2015, to December 31, 2016

	Balance July 1, 2015	Additions	Deductions	Balance December 31, 2016
<b>ASSETS</b>				
Cash and Deposits	\$ 27,225	\$ 281,985	\$ 292,061	\$ 17,149
<b>LIABILITIES</b>				
Due to State Treasurer:				
Regular Fees	\$ 2,397	\$ 46,513	\$ 45,705	\$ 3,205
Law Enforcement Fees	172	4,277	4,236	213
State Judges Retirement Fund	586	17,997	17,491	1,092
Court Administrative Fees	1,027	22,558	22,002	1,583
Legal Services Fees	675	15,815	15,639	851
Due to County Treasurer:				
Regular Fines	3,272	86,749	86,271	3,750
Overload Fines	1,000	8,525	9,300	225
Regular Fees	46	839	862	23
Petty Cash Fund	-	60	-	60
Trust Fund Payable	18,050	78,652	90,555	6,147
Total Liabilities	\$ 27,225	\$ 281,985	\$ 292,061	\$ 17,149

The accompanying notes are an integral part of the schedule.

**CLAY COUNTY COURT**  
**CLAY CENTER, NEBRASKA**  
**SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES**  
**ARISING FROM CASH TRANSACTIONS**  
**AGENCY FUNDS**

For the Fiscal Year Ended June 30, 2015

	Balance July 1, 2014	Additions	Deductions	Balance June 30, 2015
<b>ASSETS</b>				
Cash and Deposits	\$ 25,016	\$ 268,554	\$ 266,345	\$ 27,225
<b>LIABILITIES</b>				
Due to State Treasurer:				
Regular Fees	\$ 4,703	\$ 31,187	\$ 33,493	\$ 2,397
Law Enforcement Fees	208	2,514	2,550	172
State Judges Retirement Fund	977	8,985	9,376	586
Court Administrative Fees	954	12,807	12,734	1,027
Legal Services Fees	824	9,454	9,603	675
Due to County Treasurer:				
Regular Fines	4,318	56,649	57,695	3,272
Overload Fines	2,275	11,325	12,600	1,000
Regular Fees	34	8,890	8,878	46
Trust Fund Payable	10,723	126,743	119,416	18,050
Total Liabilities	<u>\$ 25,016</u>	<u>\$ 268,554</u>	<u>\$ 266,345</u>	<u>\$ 27,225</u>

The accompanying notes are an integral part of the schedule.



**CLAY COUNTY COURT**  
**NOTES TO FINANCIAL SCHEDULES**

For the Period Ended December 31, 2016, and Fiscal Year Ended June 30, 2015

**1. Criteria**

**A. Reporting Entity**

The Clay County Court is established by State statute and is administratively operated through the Court Administrator's Office of the Nebraska Supreme Court, which is part of the State of Nebraska reporting entity. The Schedules of Changes in Assets and Liabilities Arising from Cash Transactions of the County Court reflect only the Agency Funds activity of the County Court, including the receipts and their subsequent disbursement to the appropriate entities for which they were collected. The Schedules do not reflect the personal services expenses of the County Court, which are paid by the Nebraska Supreme Court, or the operating expenses, which are paid by Clay County.

**B. Basis of Accounting**

The accounting records of the County Court Agency Funds are maintained, and the Schedules of Changes in Assets and Liabilities Arising from Cash Transactions have been prepared, based on the accounting system and procedures prescribed by the Nebraska Supreme Court. Under this system of accounting, fines, fees, and receipts relating to trust funds are shown as additions to assets and as an increase in the related liability when received. Likewise, disbursements are shown as deductions to assets and as a decrease in the related liability when a check is written.

**2. Deposits and Investments**

Funds held by the County Court are deposited and invested in accordance with rules issued by the Supreme Court, as directed by Neb. Rev. Stat. § 25-2713 (Reissue 2016). Funds are generally consolidated in an interest-bearing checking account; however, the County Court may order certain trust funds to be invested separately. Any deposits in excess of the amount insured by the Federal Deposit Insurance Corporation are required by Neb. Rev. Stat. § 77-2326.04 (Reissue 2009) to be secured either by a surety bond or as provided in the Public Funds Deposit Security Act.