

**ATTESTATION REPORT
OF
BANNER COUNTY COURT**

JULY 1, 2015, THROUGH DECEMBER 31, 2017

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Issued on April 3, 2018

BANNER COUNTY COURT

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BANNER COUNTY COURT

COMMENT AND RECOMMENDATION

During our examination of the Banner 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 sufficient segregation of duties, as one person had control of the bank records and control of the accounting records. 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.

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.

County Court's Response: The accounting clerk does have control over the bank records and the accounting records as is required by her job description. The major duties for the accounting clerk as described in the Nebraska Supreme Court Job Descriptions for County Court Positions include responsibility over accounts payable/receivable and accounting work in the maintenance and balancing of all financial records of the county court. Some of the examples of work listed in the job description include performing daily cash balancing functions, maintaining the court bank accounts, regularly making deposits, writing checks, and reconciling such accounts, and monitoring daily, monthly, and annual JUSTICE reports. The Banner County Court has taken steps to alleviate the lack of segregation of duties which include having the clerk magistrate also monitor and review the daily, monthly and annual JUSTICE reports, having a different employee other than the accounting clerk who prepares the daily deposit take the deposit to the bank, and not allowing the accounting clerk to issue monetary receipts. In addition to these measures, a Nebraska Supreme Court financial specialist reviews and monitors the financial records of the Banner County Court on a regular basis.

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.

Draft copies of this report were furnished to the County Court to provide management 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.



NEBRASKA AUDITOR OF PUBLIC ACCOUNTS

Charlie Janssen
State Auditor

Charlie.Janssen@nebraska.gov
PO Box 98917
State Capitol, Suite 2303
Lincoln, Nebraska 68509
402-471-2111, FAX 402-471-3301
www.auditors.nebraska.gov

BANNER COUNTY COURT

INDEPENDENT ACCOUNTANT'S REPORT

Banner County Court
Gering, Nebraska 69341

We have examined the accompanying Schedules of Changes in Assets and Liabilities Arising from Cash Transactions of the Banner County Court as of and for the period July 1, 2015, to December 31, 2016, and the fiscal year ending December 31, 2017. 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 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 December 31, 2017, is 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.



Craig Kubicek, CPA
Assistant Deputy Auditor
Lincoln, Nebraska

March 30, 2018

BANNER COUNTY COURT
GERING, NEBRASKA
SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES
ARISING FROM CASH TRANSACTIONS
AGENCY FUNDS

For the Period Ending December 31, 2016

	Balance July 1, 2015	Additions	Deductions	Balance December 31, 2016
ASSETS				
Cash and Deposits	\$ 12,732	\$ 176,471	\$ 181,718	\$ 7,485
LIABILITIES				
Due to State Treasurer:				
Regular Fees	\$ 1,015	\$ 22,871	\$ 23,122	\$ 764
Law Enforcement Fees	131	3,500	3,493	138
State Judges Retirement Fund	352	11,835	11,699	488
Court Administrative Fees	429	12,649	12,572	506
Legal Services Fees	405	11,001	10,926	480
Due to County Treasurer:				
Regular Fines	4,183	94,498	95,079	3,602
Overload Fines	1,150	7,225	8,150	225
Regular Fees	-	653	653	-
Petty Cash Fund	-	-	-	-
Due to Municipalities:				
Regular Fines	-	-	-	-
Regular Fees	-	-	-	-
Trust Fund Payable	5,067	12,239	16,024	1,282
Total Liabilities	\$ 12,732	\$ 176,471	\$ 181,718	\$ 7,485

The accompanying notes are an integral part of the schedule.

BANNER COUNTY COURT
GERING, NEBRASKA
SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES
ARISING FROM CASH TRANSACTIONS
AGENCY FUNDS

For the Fiscal Year Ended December 31, 2017

	<u>Balance</u>			<u>Balance</u>
	<u>January 1, 2017</u>	<u>Additions</u>	<u>Deductions</u>	<u>December 31, 2017</u>
ASSETS				
Cash and Deposits	\$ 7,485	\$ 91,958	\$ 88,928	\$ 10,515
LIABILITIES				
Due to State Treasurer:				
Regular Fees	\$ 764	\$ 10,958	\$ 10,213	\$ 1,509
Law Enforcement Fees	138	1,504	1,545	97
State Judges Retirement Fund	488	5,665	5,707	446
Court Administrative Fees	506	6,207	6,302	411
Legal Services Fees	480	5,174	5,292	362
Due to County Treasurer:				
Regular Fines	3,602	47,721	46,872	4,451
Overload Fines	225	2,700	2,925	-
Regular Fees	-	286	240	46
Petty Cash Fund	-	-	-	-
Due to Municipalities:				
Regular Fines	-	-	-	-
Regular Fees	-	-	-	-
Trust Fund Payable	1,282	11,743	9,832	3,193
Total Liabilities	<u>\$ 7,485</u>	<u>\$ 91,958</u>	<u>\$ 88,928</u>	<u>\$ 10,515</u>

The accompanying notes are an integral part of the schedule.

BANNER COUNTY COURT
NOTES TO FINANCIAL SCHEDULES

For the Period Ended December 31, 2016, and Fiscal Year Ended December 31, 2017

1. Criteria

A. Reporting Entity

The Banner 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 Banner 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.