

**ATTESTATION REPORT
OF
WASHINGTON COUNTY COURT
JANUARY 1, 2018, THROUGH DECEMBER 31, 2019**

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Issued on March 9, 2020

WASHINGTON COUNTY COURT

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WASHINGTON COUNTY COURT

SUMMARY OF COMMENTS

During our examination of the Washington County Court, we noted certain deficiencies and other operational matters that are presented here. The following comment is required to be reported in accordance with *Government Auditing Standards*: Comment #1, "Segregation of Duties," which is considered to be a material weakness.

These comments and recommendations are intended to improve the internal control over financial reporting or result in operational efficiencies in the following areas:

- 1. *Segregation of Duties:*** One individual was capable of handling all phases of a transaction from beginning to end.
- 2. *Overdue Balances:*** The County Court did not review its overdue balances on an ongoing, timely basis to ensure collection and/or resolution of such balances.

More detailed information on the above items is provided hereinafter. It should be noted that this report is critical in nature, as it contains only our comments and recommendations on the areas 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 with an opportunity to review the report and to respond to the comments and recommendations included in this report. All formal responses received have been incorporated into this report. Responses have been objectively evaluated and recognized, as appropriate, in the report. Responses that indicate corrective action has been taken were not verified at this time, but they will be verified in the next examination.

WASHINGTON COUNTY COURT

COMMENTS AND RECOMMENDATIONS

1. 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. Specifically, 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 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.

Clerk Magistrate's Response: Segregation of duties is addressed by having our Financial Specialist checking our records monthly, as well as alternating between the Clerk Magistrate and a Clerk of the Washington County Court, every other month, on balancing Washington County's books for that month.

APA Response: Having the financial specialist review the court's records monthly, and alternating responsibilities would be considered a good practice; however, this does not eliminate the inherent risk involved when one employee still has the ability to process transactions from beginning to end.

2. Overdue Balances

During testing of 15 overdue balances, we noted that 2, totaling \$265, did not have subsequent action taken by the County Court, such as the issuance of warrants and/or suspensions or the declaration of certain overdue balances as uncollectible, to ensure collection and/or resolution of the balances. As of February 3, 2020, overdue balances, excluding restitution judgments, totaled \$54,608.

Good internal control and sound business practices require procedures to ensure that the Overdue Case Account is reviewed on an ongoing, timely basis to determine what action should be taken to collect or otherwise resolve the balances recorded therein.

Without such procedures, there is an increased risk of overdue balances either not having proper follow-up action taken or having been previously resolved and no longer needing to be designated as overdue.

We recommend the County Court implement procedures to ensure performance of an ongoing, timely review of its Overdue Case Account reports to ensure timely collection and/or resolution of overdue balances.

Clerk Magistrate's Response: The "Overdue Balances" are addressed every week and worked every week and attempts are continually made to collect money. On the cases noted to me, I was waiting for the Washington County Attorney to file failure to appear, so warrants could be issued, or I was waiting for a new Judge to be appointed in Washington County to declare them uncollectible, as the retiring Judge would only let me previously dismiss, all uncollected costs up to 2012. After the audit I talked to a fill in Judge from Douglas County and he issued an order that they were uncollectible and those matters were cleared up. The ones that involved the Washington County Attorney not furnishing us failures to appear were set for show cause hearings and the fill in Judge will address them in late March of 2020.



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WASHINGTON COUNTY COURT

INDEPENDENT ACCOUNTANT'S REPORT

Washington County Court
Blair, Nebraska 68008

We have examined the accompanying Schedules of Changes in Assets and Liabilities Arising from Cash Transactions of the Washington County Court as of and for the calendar years ending December 31, 2018, and December 31, 2019. 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 calendar years ending December 31, 2018, and December 31, 2019, 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 all deficiencies that are considered to be significant deficiencies or material weaknesses in internal control; fraud and noncompliance with provisions of laws or regulations that have a material effect on the Schedules of Changes in Assets and Liabilities Arising from Cash Transactions; and any other instances that warrant the attention of those charged with governance; noncompliance with provisions of contracts or grant agreements, and abuse that has a material effect on the subject matter or an assertion about the subject matter of the examination engagement. We are also required to obtain and report the views of management concerning the findings, conclusions, and recommendations, as well as any planned corrective actions. 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 Comments Section of the report.

The purpose of this report is to express an opinion on the Schedules of Changes in Assets and Liabilities Arising from Cash Transactions, as described in paragraph one above. Accordingly, this report is not suitable for any other purpose. This report is a matter of public record, and its distribution is not limited.

A handwritten signature in black ink, appearing to read "C. J. Janssen", with a long horizontal flourish extending to the right.

March 5, 2020

Charlie Janssen
Auditor of Public Accounts
Lincoln, Nebraska

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

For the Calendar Year Ended December 31, 2019

	Balance January 1, 2019	Additions	Deductions	Balance December 31, 2019
ASSETS				
Cash and Deposits	\$ 233,351	\$ 685,924	\$ 826,376	\$ 92,899
LIABILITIES				
Due to State Treasurer:				
Regular Fees	\$ 6,829	\$ 77,695	\$ 79,889	\$ 4,635
Law Enforcement Fees	418	6,501	6,355	564
State Judges Retirement Fund	2,055	33,042	32,555	2,542
Court Administrative Fees	3,005	55,613	53,609	5,009
Legal Services Fees	1,685	27,204	26,731	2,158
Due to County Treasurer:				
Regular Fines	12,055	152,159	147,431	16,783
Overload Fines	600	8,650	7,625	1,625
Regular Fees	1,412	17,806	18,954	264
Petty Cash Fund	200	-	-	200
Municipality Fines	283	2,232	2,500	15
Due to Municipalities:				
Regular Fees	70	1,412	1,342	140
Trust Fund Payable	204,739	303,610	449,385	58,964
Total Liabilities	\$ 233,351	\$ 685,924	\$ 826,376	\$ 92,899

The accompanying notes are an integral part of the schedule.

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

For the Calendar Year Ended December 31, 2018

	Balance January 1, 2018	Additions	Deductions	Balance December 31, 2018
ASSETS				
Cash and Deposits	\$ 256,948	\$ 676,303	\$ 699,900	\$ 233,351
LIABILITIES				
Due to State Treasurer:				
Regular Fees	\$ 8,907	\$ 77,468	\$ 79,546	\$ 6,829
Law Enforcement Fees	514	6,419	6,515	418
State Judges Retirement Fund	2,472	30,085	30,502	2,055
Court Administrative Fees	4,039	57,084	58,118	3,005
Legal Services Fees	1,988	25,212	25,515	1,685
Due to County Treasurer:				
Regular Fines	11,881	158,673	158,499	12,055
Overload Fines	3,075	11,875	14,350	600
Regular Fees	2,395	33,422	34,405	1,412
Petty Cash Fund	200	-	-	200
Municipality Fines	99	2,179	1,995	283
Due to Municipalities:				
Regular Fees	150	1,122	1,202	70
Trust Fund Payable	221,228	272,764	289,253	204,739
Total Liabilities	\$ 256,948	\$ 676,303	\$ 699,900	\$ 233,351

The accompanying notes are an integral part of the schedule.

WASHINGTON COUNTY COURT
NOTES TO FINANCIAL SCHEDULES

For the Calendar Years Ending December 31, 2018, and December 31, 2019

1. Criteria

A. Reporting Entity

The Washington 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 Washington 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 or collected. 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 2018) to be secured either by a surety bond or as provided in the Public Funds Deposit Security Act.