

**ATTESTATION REPORT
OF
DEUEL COUNTY COURT**

JANUARY 1, 2019, THROUGH DECEMBER 31, 2020

**This document is an official public record of the State of Nebraska, issued by
the Auditor of Public Accounts.**

**Modification of this document may change the accuracy of the original
document and may be prohibited by law.**

Issued on April 8, 2021

DEUEL COUNTY COURT

TABLE OF CONTENTS

	<u>Page</u>
<u>Comment Section</u>	
Comment and Recommendation	1
<u>Financial Section</u>	
Independent Accountant's Report	2 - 3
Financial Schedules:	
Schedule of Changes in Assets and Liabilities Arising from Cash Transactions - Agency Funds - For the Calendar Year Ended December 31, 2020	4
Schedule of Changes in Assets and Liabilities Arising from Cash Transactions - Agency Funds - For the Calendar Year Ended December 31, 2019	5
Notes to Financial Schedules	6

DEUEL COUNTY COURT

COMMENT AND RECOMMENDATION

During our examination of the Deuel County Court, we noted a certain deficiency and other operational matters that are presented here. The following comment is required to be reported in accordance with *Government Auditing Standards* and is considered to be a material weakness.

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 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 may not be 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.

Additionally, the following error was noted:

- One \$74 receipt was recorded incorrectly. The defendant paid the correct amount of the \$25 fine and court costs of \$49; however, the receipt was recorded all to fines. Therefore, the case had a balance due of \$49. The County subsequently paid for \$17 of non-waiverable fees even though the defendant had paid for them already.

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. Additionally, we recommend the Court ensure receipts are recorded accurately.

Clerk Magistrate's Response:

Segregation of Duties - The Judicial Branch does not have the financial and human resources to meet audit guidelines for segregation of duties in all county courts. To reduce the risk of improper transactions, court financial specialists regularly review records and provide assistance to county courts.

Receipting Error - This error was made in my first month as clerk magistrate. The receipt was entered manually and receipted incorrectly. I thoroughly understand the correct receipting method for all waivers and have receipted all monies correctly going forward. I also have my financial specialist review my work to make sure all accounts are correct.

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
auditors.nebraska.gov

DEUEL COUNTY COURT

INDEPENDENT ACCOUNTANT'S REPORT

Deuel County Court
Chappell, Nebraska 69129

We have examined the accompanying Schedules of Changes in Assets and Liabilities Arising from Cash Transactions of the Deuel County Court as of and for the calendar years ending December 31, 2019, and December 31, 2020. 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, 2019, and December 31, 2020, 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 Schedule 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 Comment Section of the report.

The purpose of this report is to express an opinion on the Schedule 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.

April 7, 2021

Charlie Janssen
Auditor of Public Accounts
Lincoln, Nebraska

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

For the Calendar Year Ended December 31, 2020

	Balance January 1, 2020	Additions	Deductions	Balance December 31, 2020
ASSETS				
Cash and Deposits	\$ 50,786	\$ 142,221	\$ 111,968	\$ 81,039
LIABILITIES				
Due to State Treasurer:				
Regular Fees	\$ 1,151	\$ 15,286	\$ 13,470	\$ 2,967
Law Enforcement Fees	96	1,328	1,257	167
State Judges Retirement Fund	488	5,992	5,766	714
Court Administrative Fees	381	6,811	6,563	629
Legal Services Fees	327	4,812	4,505	634
Due to County Treasurer:				
Regular Fines	3,205	43,004	42,257	3,952
Overload Fines	-	50	50	-
Regular Fees	23	2,425	2,426	22
Petty Cash Fund	25	-	-	25
Municipality Fines	-	-	-	-
Trust Fund Payable	45,090	62,513	35,674	71,929
Total Liabilities	\$ 50,786	\$ 142,221	\$ 111,968	\$ 81,039

The accompanying notes are an integral part of the schedule.

DEUEL COUNTY COURT
CHAPPELL, 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	\$ 27,795	\$ 420,862	\$ 397,871	\$ 50,786
LIABILITIES				
Due to State Treasurer:				
Regular Fees	\$ 1,762	\$ 15,265	\$ 15,876	\$ 1,151
Law Enforcement Fees	97	1,357	1,358	96
State Judges Retirement Fund	434	6,177	6,123	488
Court Administrative Fees	438	7,184	7,241	381
Legal Services Fees	351	4,770	4,794	327
Due to County Treasurer:				
Regular Fines	4,005	66,295	67,095	3,205
Overload Fines	150	200	350	-
Regular Fees	219	1,694	1,890	23
Petty Cash Fund	25	-	-	25
Municipality Fines	-	50	50	-
Trust Fund Payable	20,314	317,870	293,094	45,090
Total Liabilities	\$ 27,795	\$ 420,862	\$ 397,871	\$ 50,786

The accompanying notes are an integral part of the schedule.

DEUEL COUNTY COURT
NOTES TO FINANCIAL SCHEDULES

For the Calendar Years Ending December 31, 2019, and December 31, 2020

1. Criteria

A. Reporting Entity

The Deuel 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 Deuel 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.